

LAND USE PLAN

CITY OF JOSEPH, OREGON

APRIL 1978

(Revised and Amended December 1986)
(Revised and Amended May 1996)

ORDINANCE NUMBER 78-03
ORDINANCE NUMBER 96-04

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INTRODUCTION

I. CITY

The City of Joseph is situated in the South central part of Wallowa County, immediately North of Wallowa Lake. It was First incorporated on February 9, 1887 as the "Town of Joseph, in Union County, Oregon." The original incorporation act was repealed by election on March 10, 1910 and, at that time, replaced by a charter incorporating the town as "The town of Joseph in Wallowa County Oregon." The Charter of 1910 was amended in April of 1917 with few changes since that time. The City government is comprised of a Mayor and Council, consisting of six members, elected for four-year terms.

Joseph was originally the County Seat of Wallowa County before being moved to the City of Enterprise. In its early years, Joseph was a thriving service center, supporting timber and farming interests, with Wallowa Lake the social hub of the County. During the mid 1970's to early 1980's the population gained steadily albeit slowly and the town was losing its thriving service core to the City of Enterprise while the number of people choosing Joseph as the place for retirement increased. As this trend emerged, along with the convenience of modern transportation, Joseph witnessed a stagnation of its downtown business area. This trend was a vital element in developing a Land Use Plan for Joseph. The current trend in Joseph includes a developing arts and tourism industry and a thriving commercial nucleus. Two and one-half percent of the retired population travels out of the area during the winter months.

II. LAND PLAN

The City of Joseph had very little history in terms of land use ordinances or plans. A zoning ordinance was adopted in 1971 and enforced by and through the Council of the City without assistance of a planning commission. No other ordinances had been adopted until November 1976 at which time the Council approved a Subdivision and Partitioning Ordinance. Land planning has been slow in developing but with the financial assistance of the State of Oregon's Land Conservation and Development Commission, created out of ORS 197 and commonly identified as L.C.D.C., the process has accelerated. In developing the plan, the City has been cognizant of L.C.D.C.'s 14 Statewide adopted goals. The format of the ensuing plan will use each goal as a separate topic to be addressed as applicable. Each goal or topic will consist of:

1. A summary intended to introduce the reader to a general overview and identification of the goals, problems, and issues as it applies to the City.

2. A background which is intended as a general expression of the City Councils' and residents' evaluation and history of the topic. Additional background information will be contained in the Appendix.
3. A Findings of Fact which shall take into consideration the social, economic, energy and environmental concerns needed to support and be the basis of the plan's policy statement.
4. Policy statements which are expressions of affected public, agency and special district concerns and are regulatory in effect. Policy statements are intended to support the plan map, the legal map of intended land usage.
5. Recommendatory policies which are intended to be guidelines for implementation measures but are not regulatory in effect.

Immediately following this Introduction, there will be a description of the different land uses and the Land Use Map.

III. PURPOSE

The purpose of the Land Plan is to encourage appropriate and orderly development in the City for the benefit of the general welfare, health, safety and convenience of the public. More specifically, the plan is adopted in order to achieve the following objectives:

1. To provide long-range guidelines and policies regarding the City's land use suitability, transportation problems, the public facilities and utility improvements and growth characteristics.
2. To provide a basis from which the public, affected state and federal agencies and others can make sound land use decisions.
3. To provide a basis from which more specific implementation measures can be developed such as zoning and subdivision ordinances.
4. To satisfy the requirements of ORS 197, the plan's enabling legislation.
5. To maintain a flexibility in order to meet changes in the social, economical, physical, political, and environmental conditions of the town.

IV. LEGALITY

ORS 197.010 states that "the Legislative Assembly declares that in order to assure the highest possible level of liveability in Oregon, it is necessary to provide for properly prepared and coordinated comprehensive plans for cities and counties, regional areas and the state as a whole." "These comprehensive plans:

1. Must be adopted by the appropriate governing body at the local and state levels;
2. Are expressions of public policy in the form of policy statements, generalized maps and standards and guidelines;
3. Shall be the basis for more specific rules, regulations and ordinances which implement the policies expressed through the comprehensive plans;
4. Shall be prepared to assure that all public actions are consistent and coordinated with the policies expressed through the comprehensive plans; and
5. Shall be regularly reviewed and, if necessary, revised to keep them consistent with the changing needs and desires of the public they are designed to serve."

CITY OF JOSEPH LAND PLAN

The following plan classifications identify the different types of land uses incorporated into the City of Joseph's Land Use Plan.

Plan Classification

Purpose

COMMERCIAL AND RESIDENTIAL: The intent of this classification is to attempt to maintain and encourage a visually pleasing Main Street to incoming visitors and tourists by retaining an emphasis on wood-frame types of construction and masonry or stone construction. Commercial uses would be separated from residential uses through zoning. The residential zoning would be similar to the Select Residential Classification.

SELECT RESIDENTIAL: To provide a residential area compatible with factors considered necessary to maintain and encourage wood-frame, family oriented neighborhoods. Single-family dwellings with less than 1200 square feet will generally be discouraged. A larger lot size (10,000 - 12,000 sq. ft.) might be desirable, considering the location of the zone in relationship to public services. View corridors are important resulting in regulation of structure height through zoning requirements.

GENERAL RESIDENTIAL: To provide areas suitable for multipurpose, general residential usages, including provisions for mobile home and multiple family dwellings. Provisions could be included to allow mobile home and/or R.V. park subject to a public review process. Desirable lot size might be between 5,000 - 6,000 sq. ft.

INDUSTRIAL: To provide areas suitable and desirable for those industrial activities needed to maintain or improve area economy and employment. Industrial areas are located where

service and transportation improvement are available. In this case, the existing Industrial area is recognized and protected.

FLOOD PLAN:

To conform to the Department of Housing and Urban Development guidelines for flood hazard boundaries. This classification would emphasize the non-structural, open space types of uses such as parks and playgrounds. Some development may be allowed consistent with flood-protective measures.

PUBLIC:

To indicate areas desired to be used for existing or anticipated public uses such as parks, playground, schools, and other local, state or federal public activities or facilities.

Goal I

Citizen Involvement

I. Purpose

The purpose of these guidelines is to provide and promote clear policies and procedures for public involvement in the development of City policy on land use. The City values the involvement of the public and interested parties in all phases of planning, including development of City policy and will seek that input at all appropriate phases of plan and policy development. These guidelines are intended to provide the City Council and City Staff with practical guidance on public involvement during phases of the City of Joseph land use planning process, consistent with the legal requirements of the Oregon Attorney General's Model Rules of Procedure, state law, and the Land Conservation and Development Commission's (LCDC) administrative rules.

These guidelines generally follow the guidelines included in Oregon's Statewide Planning Goals and Guidelines: Goal 1, Citizen Involvement, and LCDC's Citizen Involvement Guidelines for Policy Development.

II. Background

In 1978, the City of Joseph's original Comprehensive Plan (hereafter referred to as The Plan) was adopted and acknowledged by the Department of Land Conservation and Development. This Plan included a Recommendation which stated that "If need be and considered necessary due to lack of interest, the City Council may wish to assume the duty of the Citizen Involvement Committee." For many years, Joseph City Council members have indeed acted as the Citizen Involvement Committee resulting in only seven people representing the city's residents. After careful consideration and mindful of the need to involve a larger cross section of the population, the City of Joseph now requires a Committee for Citizen Involvement.

The City of Joseph shall develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The City Council, in revising and adopting the City of Joseph Comprehensive Plan, shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land use planning process. The citizen involvement program shall be appropriate to the scope and application of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and understand the issues.

III. Summary of the Goal

Goal 1 requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning. It calls for “the opportunity for citizens to be involved in all phases of the planning process.” It also requires each city and county to have a citizen participation program containing six components specified in the goal.

IV. Policy

A. Citizen Involvement

- 1) The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process.
- 2) Service organizations, secondary and primary educational institutions and other agencies with interests in land use planning will be encouraged to provide education on land use to citizens.
- 3) The City of Joseph’s program for citizen involvement shall include the City of Joseph Committee for Citizen Involvement (CCI), broadly representative of a diversity of interests related to land use and land use decisions. The Committee shall consist of at least three (3) but no more than seven (7) members with a Chair elected by due process by the members.
 - (a) Committee members shall be selected by an open, well-publicized public process. The following selection process will be observed:
 - (i) Citizens will receive a notice of the opportunity to serve on the CCI.
 - (ii) Committee appointees will receive official notification of their selection.
 - (iii) Committee appointments will be well publicized.
 - (b) The Committee for Citizen Involvement shall be responsible for:
 - (i) assisting the City Council with the development of a program that promotes and enhances citizen involvement in land use planning.
 - (ii) scheduling and conducting committee meetings, open to the public, in accordance with Oregon’s Public Meetings Law.
 - (iii) assisting with the implementation of the citizen involvement program.
 - (iv) evaluating the process being used for citizen involvement.
 - (c) If for any reason the CCI cannot perform its duties, the City Council will temporarily assume the responsibilities of the Committee.
 - (d) The Implementation Policy for the CCI is included as Appendix A of Goal I

(Committee for Citizen Involvement).

B. Communication

Processes and procedures shall be established which provide for effective communication between citizens and elected and appointed officials. A program for stimulating citizen involvement will be developed using a range of available media including but not limited to radio, newspapers, newsletters, surveys, mailings, posters, mail-back questionnaires and the City of Joseph website.

C. Citizen Influence

- 1) Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for land use planning. These include Preparation of Plans as well as Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.
- 2) Data Collection- The general public, through the local citizen involvement programs, will have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.
- 3) Plan Preparation- The general public, through the local citizen involvement programs, will have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines, and evaluate alternative land conservation and development plans for the preparation of the Plan.
- 4) Adoption Process- The general public, through the local citizen involvement programs, will have the opportunity to review and recommend changes to the Plan prior to the public hearing process to adopt the Plan.
- 5) Implementation- The general public, through the local citizen involvement programs, will have the opportunity to participate in the development, adoption, and application of legislation that is needed to carry out the provisions of the Plan. The general public, through the local citizen involvement programs, will have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.
- 6) Evaluation- The general public, through the local citizen involvement programs, will have the opportunity to be involved in the evaluation of the Plan.
- 7) Revision- The general public, through the local citizen involvement programs, will have the opportunity to review and make recommendations on proposed changes in the Plan prior to the public hearing process to formally consider the proposed changes.

D. Technical Information

- 1) Information necessary to reach policy decisions shall be available to the CCI and the public in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at City Hall and/or on the City's website.

- 2) Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, and water construction, transportation, subdivision studies, and zone changes) should provide assistance to the Committee for Citizen Involvement. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.
- 3) Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

E. Feedback Mechanisms

- 1) Recommendations resulting from the City of Joseph's citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from the Joseph City Council or City Staff.
- 2) At the onset of Joseph's citizen involvement program, the Joseph City Council will clearly state the mechanism through which the citizens will receive a response from the policy-makers.
- 3) A process for quantifying and synthesizing citizens' views should be developed and reported to the general public.

F. Financial Support

Human, financial, and informational resources shall be allocated for the citizen involvement program, subject to the availability of funding. These allocations are an integral component of the planning budget. The City Council is responsible for obtaining and providing these resources.

Appendix A

Committee for Citizen Involvement

I. NAME

The name of this organization shall be the City of Joseph Committee for Citizen Involvement, hereinafter called the CCI.

II. PURPOSE

As specified in the City of Joseph Comprehensive Land Use Plan, Section I; the CCI shall involve a cross-section of citizens in all phases of the planning process and shall act as an advisory committee to the Joseph City Council. Additionally, the CCI shall be responsible for assisting the Joseph City Council and other appropriate governing bodies with the development of a program that promotes and enhances citizen involvement in land use planning, assisting in the implementation and funding of the citizen involvement program and evaluating the process being used for citizen involvement.

III. MEMBERSHIP

The committee shall consist of seven members appointed by the Joseph City Council. If the number of members drops below seven, the Committee can continue its duties with no less than three members. The criteria for appointments shall include being a resident of Joseph for at least one year and shall encourage representation of a diversity of occupation, age, gender, and interest. The CCI may recommend members to the Joseph City Council to fill vacancies.

IV. TERM OF OFFICE

The term shall be three years. Expiration dates for terms shall be staggered so that no more than three of the members' terms will expire in any year. To stagger membership terms, appointments could be one or two year terms. Reappointments will be for three-year terms. Members may request reappointment.

V. VOTING

A vote shall be decided by a simple majority of the CCI members at a meeting at which a quorum is present. A quorum shall be a majority of the current CCI members.

VI. MEETINGS

Regular meetings of the membership will be held at the direction of the chair. Meetings will be conducted using the most current City Council Rules. Meetings of the Committee, as a public body, shall be in accordance with the provisions of Oregon's Public Meetings Law. All CCI meetings shall be publicized in advance of the meeting date in accordance with the state law.

VII. ELECTION OF OFFICERS

The officers of the CCI shall be Chair and Vice-Chair, elected by the CCI membership. Election of officers will be held annually, unless agreed upon by a majority of CCI members.

VIII. DUTIES OF OFFICERS

The Chair shall preside at all meetings of the CCI; be an ex-officio member of all committees.

The Vice-Chair shall preside in the absence of the Chair and carry out such duties as shall be assigned by the Chair.

IX. SUB COMMITTEES

Subcommittees may be created by the Chair with the approval of the City Council, based on CCI recommendations as deemed necessary to implement the objectives and purposes of the CCI and carry out its directives.

X. AMENDMENTS

Amendments to these guidelines must be approved by the City Council.

XI. ATTENDANCE AT MEETINGS

Three unexcused sequential absences are grounds for removal from the CCI. Six absences per year will also trigger removal from the CCI at the discretion of the Joseph City Council.

Goal 2 Land Use Planning

I. Purpose

The City shall “establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual basis for such decisions and actions.” It is the intent that the City’s Comprehensive Plan be coordinated with the Plans for the region, Wallowa County, and other cities in Wallowa County.

II. Background

The City’s first Plan was adopted in 1978 (Ordinance No. 78-03). It was revised and amended in December 1986, but the amendment was not adopted until the Plan revision of May 1996 (Ordinance 96-04). The amendment of 1996 was somewhat narrow in scope and not a complete revision of the first Plan. This Plan is intended to provide significant changes necessitated by the changes which have taken place within the City since 1978.

The changed economic structure and changing demographics of Joseph and the surrounding area have raised issues with the relevance of the Plan and whether it is up to date with the current and future needs of the City and the citizens of Joseph. In this regard, it is quite apparent that coordination with other planning entities and governing bodies is necessary to ensure that further growth and change are anticipated and considered in this Plan amendment. The adopted Citizen Involvement Program establishes the basic framework for the actual process of Plan revision.

III. Goal Summary

“Land use planning (Goal 2) outlines the basic procedures of Oregon’s statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable “implementation ordinances” to put the plan’s policies into effect must be adopted. It requires that plans be based on “factual information”; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation. (taken from: A Summary of Oregon’s Statewide Planning Goals)

IV. Policy

A. Cooperation/Coordination with other planning agencies and entities

- (a) Developing the City's Comprehensive Plan will be done in cooperation with both public and private agencies and entities having jurisdictional responsibilities for resource and infrastructure policy and planning authorities.
- (b) The intent of this coordination is not to attempt to extend the legal jurisdiction outside of the boundaries of the City of Joseph.

B. Planning Process

- 1) The planning process is an open process involving a cross-section of affected or interested citizens in all phases in the development of the City's Comprehensive Plan.
- 2) The City shall follow the guidelines in Goal 1 and promote clear procedures for public involvement in the development of City policy on land use.
- 3) The Plan and the supporting documentation shall be available and easily accessible to the public at Joseph City Hall and/or on-line.

C. Factors Considered in Developing the Plan

The Plan shall include but not be limited to the identification of issues and problems, inventories and other factual information, and clear statements of policy which take into consideration the following:

SOCIO-ECONOMIC FACTORS

Population
Employment
Community Surveys
Economic Effects
Livability
Cultural Values and Facilities
History and Historic Preservation
Aesthetic Values
Downtown Western Theme
Communication Services

ENVIRONMENTAL FACTORS

Soils Conditions, Slopes, Flood
Hazards
Air and Water Quality
Resource Values
Refuse and Recycling
Viewshed (visible aesthetic landscapes)
Solar, Wind and other Energy Saving
Devices
Health Conditions for Residents

GOVERNMENTAL FACTORS

Vehicular/Pedestrian Transportation
Water Supply/Watershed
Wastewater Treatment
Schools

USE FACTORS

Existing and Desired Uses
Zoning
Housing Conditions and Needs
Parcel and Ownership

Public Facilities
Parks and Recreation
Police Services
Fire Protection Services
Expansion by Planned Subdivision

D. Plan Content

- 1) Factual information and inventory maps shall be included in this Plan where applicable, such as the maps which are included with Goal 2. Map # 1 indicates the historical uses of the land at the time of the adoption of the City's Plan in 1978, Map # 2 indicates the present land uses in the City of Joseph, and Map #3 indicates the intended future land uses.
- 2) Statute requires that cities and counties take into account the regional, state, and national needs. The Plan shall take into consideration and shall include elements that address the special needs or desires of the people in the area.

E. Plan Implementation

- 1) The City shall adopt "Implementation Measures" that shall be the means to carry out the policies outlined in the Plan. These Measures consist of, but are not limited to, the City's Water Master Plan, Transportation Plan, Zoning Ordinance, Annexation Ordinance, Subdivision and Partitioning Ordinance, Permits, and Public Works projects. Implementation Measures shall be adopted only after public hearings, which afford opportunities for citizens, governmental bodies, and other affected parties to review and comment on the proposed changes. Planning decisions shall have adequate, factual, and documented findings of fact.
- 2) The City shall adopt Implementation Measures consistent with Oregon State Planning Goal II and OAR 660-Division 4 for taking exceptions to statewide goals.
- 3) The Plan shall be considered the controlling document for Land Use Planning and shall guide and take precedence over all other City policies, Implementation Measures, contracts, and agreements. Where conflicts arise with existing contracts and agreements, those documents shall be amended to conform to The Plan when renewal is not required by the terms of the existing contracts and agreements.

F. Plan Revisions and Amendments

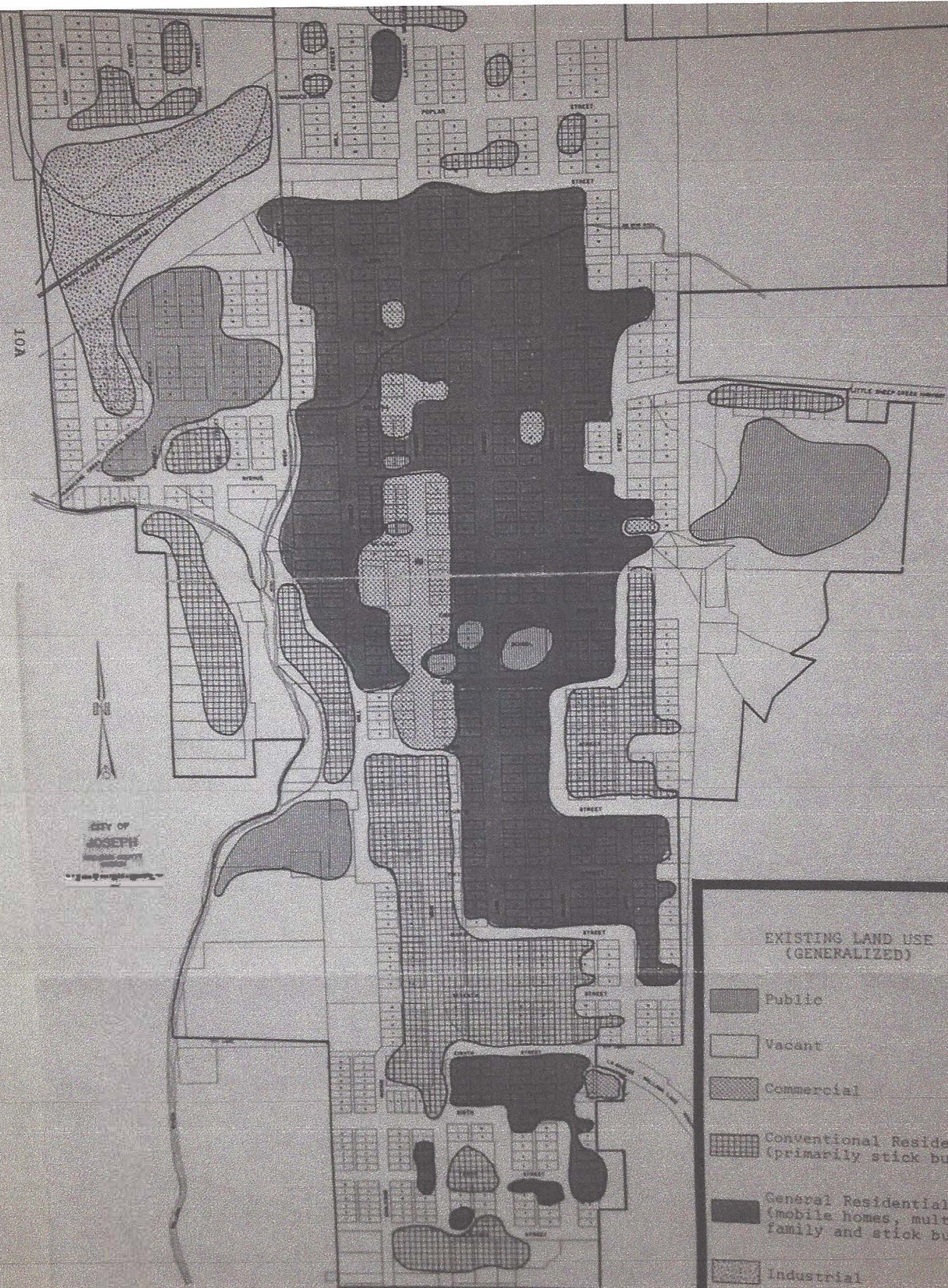
- 1) All legal uses existing at the time of adoption of Plan Revisions and Implementation Measures ("Pre-Existing Uses") shall be allowed to continue provided that the Pre-Existing Use:

- (a) Is not determined to be a nuisance as defined by statute; and
 - (b) Does not violate Implementation Measures or statutes governing non-conforming uses.
- 2) Future changes shall be made to the Plan as required by Oregon statute or as a result of public involvement through the land use planning process as outlined in Goal 1.







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CITY OF JOSEPH
HARRIS COUNTY
INDIANA



EXISTING LAND USE
(GENERALIZED)

-  Public
-  Vacant
-  Commercial
-  Conventional Residential
(primarily stick built)
-  General Residential
(mobile homes, multiple-
family and stick built)
-  Industrial

III. AGRICULTURAL LANDS

Summary. This goal provides that the city shall "preserve and maintain agricultural lands." Although this goal will be the primary responsibility of the County through adoption and enforcement of an Exclusive Farm Use zone there are certain policies the City can pursue to satisfy the goal.

Background. It is recognized that by concentrating development within the existing city limits, the City will be encouraging the urbanization of as yet undeveloped pasture land that could be considered, by its soil capability, suitable for farm land. However, the fact that the undeveloped land is within the present growth boundary constitutes sufficient ground to warrant a deviation from the goal and no exception is considered necessary.

It is further recognized that the remaining undeveloped land within the city provides, in part, some of the character and open space nature of the community and is worthy of some plan consideration, such as allowing the continuance of grazing and small gardens within the residential zones of the City. It may also be desirable to provide larger lot sizes (10,000 - 12,000 sq. ft.) in certain areas to partially retain that open space and rural type character.

The following map is intended to show the respective soils and soil capabilities found within the City of Joseph.

111

CHESNIMNUS IIe

JOSSET IVe

CHESNIMNUS IIe

RONDOWA IIe

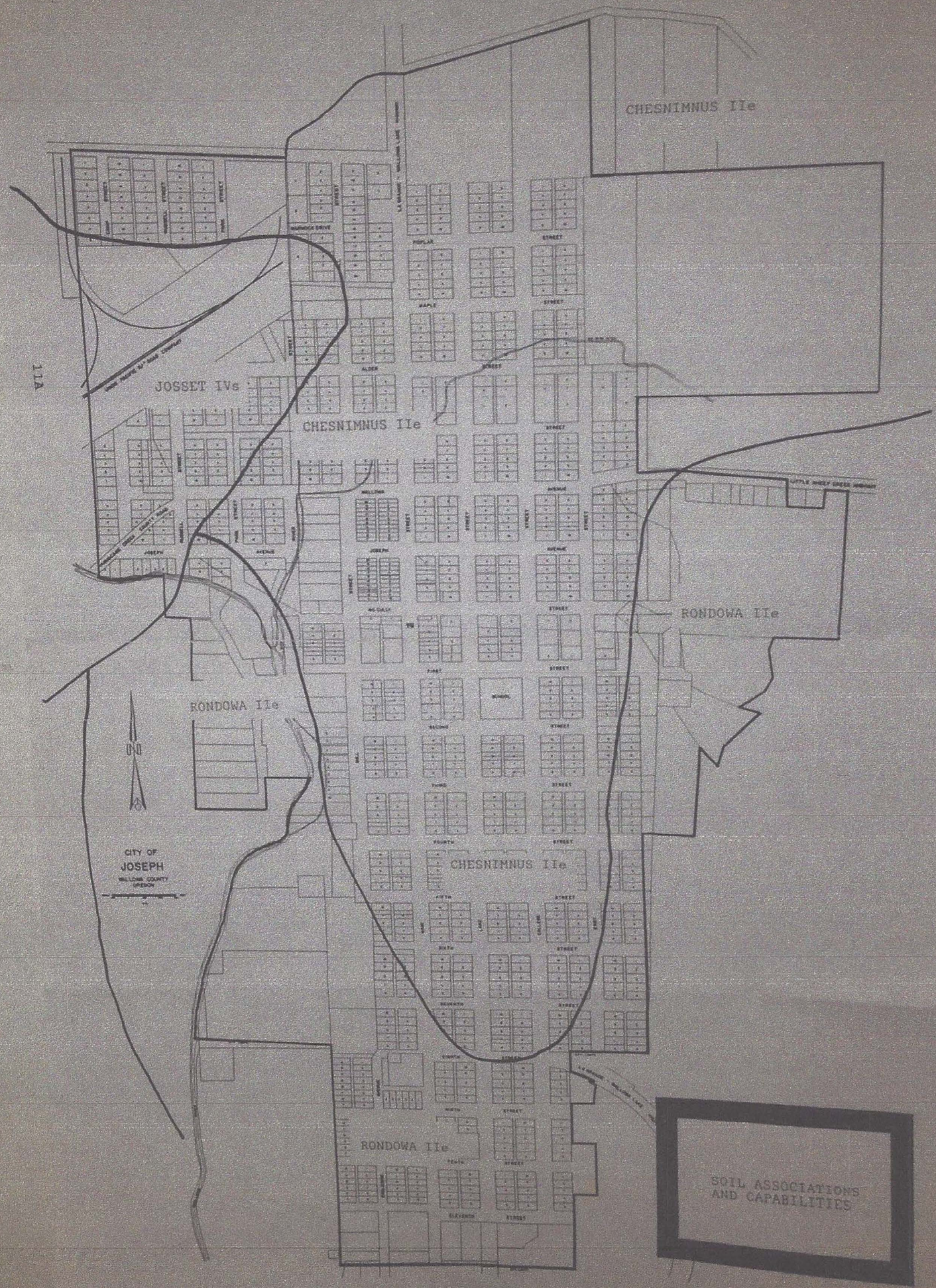
RONDOWA IIe

CHESNIMNUS IIe

RONDOWA IIe

CITY OF JOSEPH
WILSON COUNTY
OREGON

SOIL ASSOCIATIONS
AND CAPABILITIES



Soils Considerations. Soils conditions are one of the most important features related to land use planning. Soils concerns are basically twofold: (1) capability or productivity potential, and (2) limitations related to development. Oftentimes these limitations can be overcome, although in many instances, substantial expenditures will be required. U.S.D.A. capabilities are indicated below:

- Class I soils have few limitations that restrict their use. These are the most productive soils.
- Class II soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.
- Class III soils have severe limitations that reduce the choice of plants, require special conservation practices, or both.
- Class IV soils have very severe limitations that reduce the choice of plants, require very careful management, or both.
- Class V soils are not likely to erode but have other limitations which are impractical to overcome, and which limit their use largely to pasture, range, woodland, or wildlife.
- Class VI soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture, range, woodland, or wildlife.
- Class VII soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife. Although these soils are the poorest for crop producers, they have significant importance for grazing, timber production and/or wildlife habitat purposes.

Letter designations are often added to the capability numerals, and indicate the following:

- (e) shows that the main limitation is risk of erosion unless close-growing plant cover is maintained;
- (s) shows that the soil is limited mainly because it is shallow, droughty, or stony; and

- (w) shows that water in or on the soil interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage).

The following text summarizes the soils characteristics in these study area.

Chesnimnus Series. Soils in the platted portion of Joseph and the area to the North and Northeast of town are predominately Chesnimnus silt loam. This series consists of well drained, gently sloping soils formed in glacial outwash. They occur at elevations of 3,600 t 4,500 feet. Permeability is moderately slow, runoff medium, and erosion hazards slight.

Chesnimnus soils are best suited for alfalfa, hay, pasture and small grains. The soils generally have a capability rating IIe and IIIs. They have severe limitations for subsurface sewage disposal because of slow percolation. Low strength conditions create moderate limitations for structural support, and the construction of local roads and streets.

Rondowa Series. Soils South, Southwest, and Southeast of Joseph are the Rondowa silt loam, Rondowa stony silt loam, and the Rondowa very stony loam. This series consists of well drained, gently to steeply sloping soils, formed in glacial till. They occur at elevations of 3,500 to 5,000 feet. Permeability and erosion hazards are moderate, and runoff is medium.

Rondowa soils are best suited for small grain and hay. They have varying capability ratings (IVs, VIs, and VIIs) depending on stones and slope, with class IVs soils generally being the only one cultivated. The predominate soil type is stony silt loam which has a capability of VI. Development limitations in the Rondowa soils are caused by stones, slope, and frost action.

Other Soils. Other soil series in the Joseph area are the Josset loam (and the associated Matterhorn silt loam complex), and the Redmount silt loam series. Soil limitations affecting sanitary facilities and community development for all soils in the area are indicated in the table below.

 SOILS INTERPRETATION OF JOSEPH AREA

Soil Series	Soil Capabilities	Soil Limitations		
		Drainfields	Roads	Foundation
Redmount	IIe, IIIe	Slight	Moderate	Slight
Chesnimnus	IIe, IIIs	Severe	Moderate	Moderate
Josset	IVs	Severe	Severe	Severe
Rondowa	IVs, VIs, VIIs	Moderate- Severe	Moderate- Severe	Moderate- Severe

Findings of Fact.

1. Preservation of agricultural land is primarily a County responsibility.
2. The City of Joseph has adopted an Urban Growth Boundary that will be of sufficient size to meet urban growth needs of the City in the future.
3. The present growth boundary does contain predominantly classed I - VI soils.

Policies.

1. City services, such as sewer and water, which extend into or pass through agricultural areas will be consistent with the needs of farm uses and non-farm uses as authorized by ORS 215.213.
2. Additional residential growth of the city will be encouraged through development of existing areas within the city rather than by annexation.
3. An orderly, efficient and economical transition will be made in converting rural lands to urban development.
4. Urban uses will be separated from agricultural activities by a Rural Residential transition zone in which both uses shall be allowed outright.
5. Where housing consists primarily of stick-built, single-family dwellings, larger lot sizes and the preservation of rural character will be desirable. It may also be desirable to allow outright certain farm uses in such areas.

Recommendations.

1. The City will encourage development of property on the Northeast portion of the town to alleviate pressures for annexation.

IV. FOREST LANDS

Summary. This goal requires that forest lands be conserved for forest uses. Because the City of Joseph is void of such forested lands this goal is not applicable.

V. NATURAL RESOURCES

Summary. This goal required the City "to conserve open space and protect natural and scenic resources." A number of the sub-goal topics are considered not applicable to the city. In addition, it is felt that the priority of this topic would rest primarily on larger cities where maintenance of open space could be a problem. Although the City of Joseph and surrounding areas is dominated by a large area of undeveloped land, consideration must be given to this goal insofar as it will be desirable for the City to retain its Western, rural character atmosphere now present.

Background. The City has inventoried its natural resources in accordance with Statewide Planning Goals. Each resource inventoried has been accorded a classification which refers to sections of OAR-660-16-000 through 660-16-030. The State definitions of classifications are:

- 1A "Resource site not important": - available information on location, quality and quantity indicates resource site not important (as per the (1A) category). Not included on plan inventory.
- 1B "Information inadequate to identify resource site" - (as per the (1B) category).
- 1C "Information available" - (as per the (1C) category). Provide information on location, quality, quantity and include on plan inventory; identify conflicting uses: determine economic, social, environmental, energy consequences of conflicting uses; develop program to achieve the goal.
- 2A No conflicting uses are identified; manage resource so as to preserve original character.
- 2B Conflicting uses identified; determine economic, social, environmental, energy consequences of conflicting uses; develop program preserve the resource site.
- 3A Preserve the resource site.
- 3B Allow conflicting uses.
- 3C Specifically limit conflicting uses.

Open Space 2A. Generally, maintenance of existing open space and acquiring additional open space areas is considered important in the City. The City Park is important for the recreational qualities i.e. playground and picnic facilities. The park is located on the east bank of the Wallowa River in the flood plain; the area to the north and south is undeveloped; the area to the east of the park is not in the floodplain and is not a developed residential area. The park contains maintained lawns, rest rooms,

picnic benches and playground equipment. The park is 5.36 acres in size.

Conflicting uses would be those uses, which if permitted, would impair the integrity of the park i.e. high density development or industrial uses adjacent to the site. The social impacts of allowing conflicting uses would be less use of the park (in the case of industrial development adjacent to the site) or possibly over-use (in the case of high residential development); the environmental consequences of allowing conflicting uses would be the loss of natural riparian habitat; the economic and energy consequences of allowing the conflicting uses are unknown. The 5.36 acre park is protected from surrounding use in that it is situated on the flood plain of the Wallowa River. The City cannot extend sewer lines into the floodplain because of probable infiltration problems and the need for a lift station and it is not possible to acquire DEQ site suitability because of periodic flooding and a high groundwater table. Also, the adjacent property along the river is undeveloped and in three ownerships with tracts five to ten acres in size. The City has a policy of not removing the natural riparian vegetation along the river and encourages setbacks of development from the river, which will also help to preserve and protect the park. Because the adjacent land to the north is unbuildable and the area to the west is already developed, it is possible that conflicting uses could occur to the east and south in the future. The City considers the park to be a 2A site i.e. no conflicting uses.

Future additional open space areas are identified as the existing school grounds and facilities, in the event of new school siting.

Mineral & Aggregate Resources 1A. The City does not contain known mineral or aggregate resources within the City limits or urban growth boundaries.

Energy Sources 1A. The only potential energy source within the City limits is the Wallowa River. Due to lack of fall within the City it is highly unlikely that a hydroelectric generating facility would be sited within the City Limits. Pacific Power and Light operates one substation adjacent to City Park. No threat of non-compatible uses is discernible.

Wildlife 3C. The Oregon Department of Fish & Wildlife local fish and game biologists have indicated that there is no significant wildlife or fish habitat within the City. The Wallowa River, which travels through the City on its West side, however, does have some sport fish and some riparian habitat that the City wishes to preserve and will provide protection through setback requirements for proposed developments. Conflicting uses would be uses that cause degradation of water quality or removal of riparian vegetation. The economic and energy consequences of allowing conflicting uses are unknown; the social impacts of allowing the

conflicting uses would be lack of interest from residences in viewing the river and less fishing in the City. The environmental consequences would be the loss of the habitat. To protect the river's quality the City will only approve new development that meets DEQ standards for discharge and will not require or cause removal of riparian vegetation.

Ecologically and Scientifically Significant

Natural Areas 1A. There are no ecologically or scientifically significant natural areas within the City.

Outstanding Scenic Views 1A. Every location within the City has a view of the Wallowa Mountains. There is no particular site that warrants protection under the City Land Use Plan.

Water Areas, Wetlands, Watersheds and Groundwater Resources 1A.

There are no wetland areas within the City limits. The City is served by water from Wallowa Lake and does not have any groundwater wells. The City operates a sewage collection/treatment system that is located in the County, one mile north of the city limits. There are no known sources of groundwater pollution within the city limits.

Surface Water 3C. The Wallowa River is the primary surface water within the City. The river has an average flow of 135 cfs according to the Water Resources Data Book. It flows through the City for approximately 3/4's of a mile. The Oregon Water Resources Department has not studied the water quality but it is accepted by most as being of generally good quality. Conflicting uses would be uses that could pollute the water quality or divert significant flows from the river. Such uses would include discharge of effluent into the river. Currently there is no discharge into the river nor is there a significant diversion from the river. The social consequence of allowing conflicting uses would be undesirability of most for fishing in the river. The environmental impact of allowing conflicting uses would be loss of the river for fish habitat. The energy and economic consequences of allowing the conflicting uses are unknown. The areas adjacent to the river are already fully developed except for the floodplain areas. To achieve the goal of protecting the river's quantity the City will discourage significant diversions and to protect quality the City will not allow uses that do not meet DEQ standards for discharge.

Wilderness Areas 1A. No wilderness areas, nor sites for wilderness areas, are within the City.

Historic Areas, Sites, Structures 3C. There are no known historic areas, sites, or objects within the City. There are six historic structures however, that are identified in the "Statewide Inventory of Historic Sites and Buildings".

The Arthur Rudd House (located at 400 South Main Street) is a two and one-half story, wood frame house with a gable roof that stands on the east side of Highway 82/350 in the south part of Joseph. The building is constructed of various materials. The first story is made of dressed stone and has a large veranda on the west and north elevations. The upper one and one-half stories are made of timbering with stucco in the Elizabethan Style. The windows are six-over-one, double hung sash. The windows in the attic are six-beside-six casement type. The posts for the veranda are set upon stone bases. This building has an excellent view of the nearby Wallowa Mountains. It was constructed prior to 1918.

The First Methodist-Episcopal Church of Joseph, Oregon (located at 301 South Lake Street) is a rectangular, stone building which stands one block east of Highway 82/350 in Joseph. This structure is made of roughly dressed stone. Red stone has been used for the foundation. The building has a hip roof with several gables. The windows are mostly in the Romanesque Style and are stained glass. Several of the windows are one-over-one, double hung sash. A square bell tower rises on the north (front) elevation and the main entry is located in its base. The upper part of the tower is a wood belfry with pairs of louvered panels in each elevation. The belfry is surmounted by a hip roof. The building has a basement. This fellowship commenced meeting in a former school building. In 1892 the Methodists converted the school into a church and in 1909 erected this structure.

The Frank David McCully House (located at 101 South Mill Street) is a two story, wood-frame house in the Colonial Style. Situated in a meadow on the west side of Joseph. This house has a stunning background of the nearby Wallowa Mountains. The building has a hip roof. The first floor exterior is clapboard; the second story is covered with stucco. The windows on the second floor are mostly six-over-six, double hung sash. Those on the first floor are eight-over-sixteen double hung sash. The house has a center stair hallway with a glassed-entry on the east (front) elevation. A loggia with columns is located on the north elevation and a similar one is attached on the south elevation. The windows on the second story have shutters. The house is in excellent condition and has been occupied for the past forty years by Minnie Dawson, the widow of a Wallowa County Rancher. The building was constructed in 1915.

The Fred F. McCully House (located at 201 South Mill Street) is a one and one-half story, wood frame house in the Queen Anne Style. This building has a hip roof with major gables on several elevations. The exterior is shiplap with milled flush boards turned on an angle on the gable ends. A square tower with a steep, hip roof is located on the east (front) elevation. A porch is located on part of the east and north elevation. The windows are mostly one-over-one, double hung sash. The structure is in fair condition.

The First National Bank of Joseph, Oregon, currently a portion of the Centennial House, (located at 012 South Main Street) is a one story, brick building with a brick facade with dressed, stone caps on the west (front) elevation. The building stands on the east side of Highway 82/350. The facade bears the inscription: "First National Bank 1908." The building has two bays on the front elevation, one contains a recessed entry and the other has a window. Both of these bays have been altered. Each bay has a brick voussoir. The building has a stone foundation. This building shares a common wall with the Dr. J. W. Barnard Drug Store on its south elevation.

The Dr. J. W. Barnard Drug Store, currently a portion of the Centennial House, (located at 010 South Main Street) is a one story brick building which shares a common wall with the First National Bank Building. This structure has a brick facade at the roof level with the following inscription: "Dr. J. W. Barnard Drugs 1908." The building presently has a veranda attached on its west (front) elevation and has a center entry. It is possible that the front elevation of this building has been altered.

The First Bank of Joseph (located at 110 South Main Street) is listed on the National Historic Register. It is known as the Bi-Centennial County Museum and was built in 1888 by F. D. McCully. It is a two-story brick with plaster building. The brick was manufactured locally. McCully built the structure as a bank but in anticipation that the building might be used as a County Courthouse, he built the second floor as a large meeting room/courthouse. Over the years, the building has been used as a bank, newspaper office, hospital, library and community center. The building is owned by Wallowa County and is currently used as a museum.

Conflicts are demolitions and exterior alterations. The historically significant structures are protected through Plan policy and ordinance provisions requiring a demolition permit and public hearing when a structure is to be torn down. The City will consider additions of other structures to the list of historic structures at the time the plan is reviewed or at the request of residents.

Any site proposed for inclusion on the City of Joseph's historically significant buildings list shall be at least 50 years old and shall meet one of the following:

1. The structure contributes materially to the architectural continuity of a historic street or district; or
2. Sufficient original workmanship and material must remain to demonstrate construction/manufacturing techniques and stylistic character of a given period; or
3. The structure embodies distinctive characteristics of type, period, method of construction and possesses integrity of location and setting.

Potential and Approved Federal Wild Scenic Waterways and State Scenic Waterways 1A. The city has neither a potential approved federal wild and scenic waterway or state scenic waterway within its boundaries.

Cultural Areas 3C. There are no known cultural areas within the City limits. There are, however, two within the UGB (see Goal 14 discussion).

GOAL 5 WORKSHEET

Type of Resource: Historic Structures

Description: Historic significant buildings in the City of Joseph

1. Inventory Requirement

1-A: Available information indicated resource site not important:
YES or NO.

If YES, designate site 1-A; action required: none.

If NO, proceed.

1-B: Available information is insufficient to determine importance of resource site: YES or NO

If YES, designate site 1-B; action required: adopt policy to follow Goal 5 Rule requirements when information becomes available.

If NO, proceed.

1-C: Available information is adequate to indicate that the resource site is significant: YES or NO.

If YES, designate site 1-C; action required:
Inventory

Location See Plan Discussion
Quality See Plan Discussion
Quantity See Plan Discussion

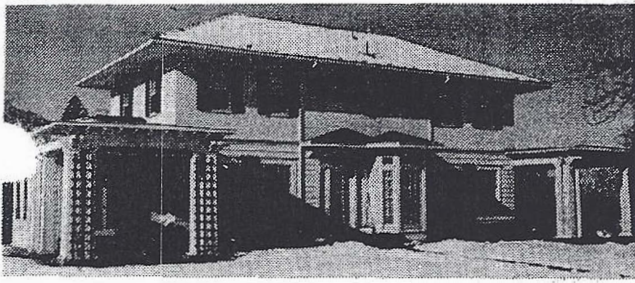
Proceed to 2

2. Conflicting Use Determination and Analysis

2-A: There are existing or potential conflicting uses at the site:
YES or NO.

If NO, designate site 2-A; action required: adopt a policy to preserve resource site.

If YES, proceed.



14 **Frank D. McCully House**

Frank David McCully, known as the Father of Wallowa County, began construction of this Colonial style home in 1915. He and his wife, Martha, had it built on the site of their first home which was destroyed by fire. The McCullys used the finest materials and workmanship available. The home was finished in 1918 for about \$25,000.

F.D. McCully played many important roles in the history of Joseph and the county. He helped to found and later incorporated the town of Joseph; he helped to start the county's oldest newspaper, the **Chieftain**; and, he introduced legislation to separate the Wallowa country from Union County. He was prominent in banking, commerce and civic leadership throughout his life. F.D. McCully is further honored by being the only white man buried in the Nez Perce cemetery at the foot of Wallowa Lake.

The home was purchased by the Dawson family in 1936. In 1983, Malcolm and Jean Dawson began restoring the home to its original splendor.

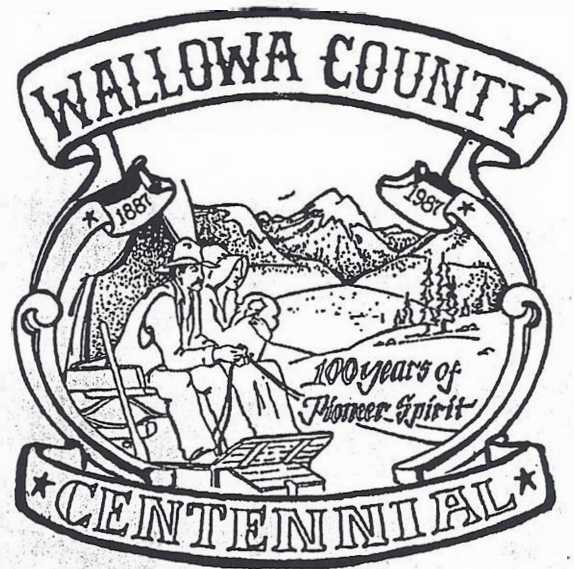


15 **Nusser House**

The early history of this home is unclear. At one time it was used as a boarding house. An exterior stairway was used as an entrance.

This home is another example of the Colonial Revival style but it has Queen Anne accents. Compare this building with the earlier Gaulke house. The materials and design create a new look for the same Colonial Revival style.

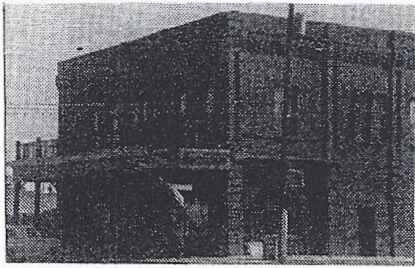
This home was owned for many years by the Prout family and is now the home of the Dick Nusser family.



**WALLOWA COUNTY
CENTENNIAL
WALKING TOUR**

Joseph, Oregon





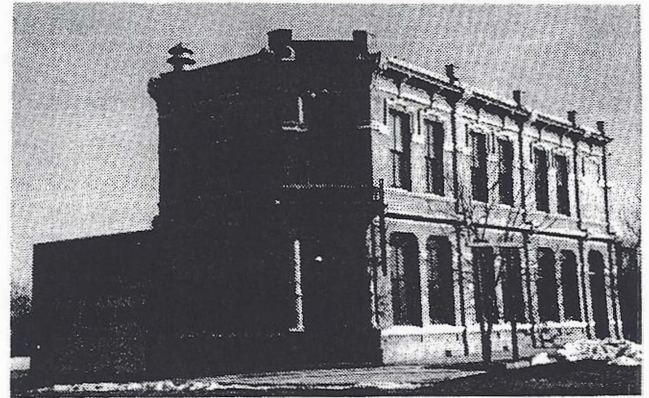
3 **The Jennings Hotel**

Originally a hotel and restaurant, today this building is still used to feed and house the public. The building was constructed in 1906 by C.G. (George) Holst, a bricklayer from Norway. The bricks used for construction were made at George's Joseph brickyard.

Edith Jennings, the original proprietor married George Holst in 1909 and continued to operate the hotel.

The hotel and restaurant were closed during the Depression years and weren't reopened until after World War II. Erma Tippettt operated the business for over 20 years.

A fire in 1975 closed down the upstairs apartments until the building was restored by the current owner, Ron Schenck, in 1979.



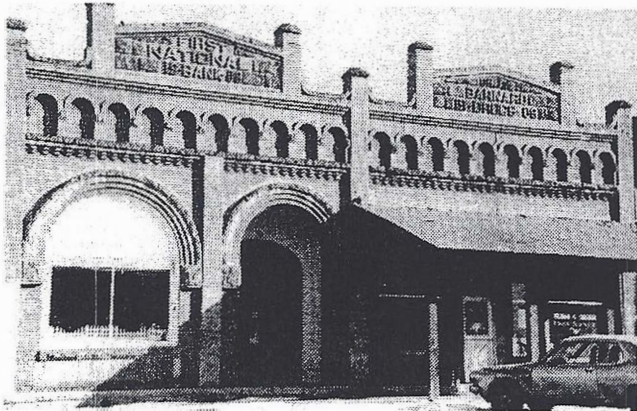
6 **First Bank of Joseph Building
Wallowa County Museum**

The First Bank of Joseph building, built in 1888, held the first bank in Wallowa County which occupied the building for 25 years. This three-section Renaissance Revival style structure also housed the newspaper office in the second room and had a meeting hall upstairs.

In 1913, Dr. Verdo Gregory of Wallowa leased the building and used it for seven years as a private hospital. The City of Joseph then acquired the building and owned it for the next fifty years (1927-1977). During this time, the upstairs was used for public classes, dinners, as a meeting place, and as a dance hall; and the downstairs was a city hall and library, a ranger station and a museum.

The building stood empty from 1973 until 1976, when the City of Joseph gave the building to Wallowa County for use as a museum. Renovation to return the building to its original floor plan was done and the museum was dedicated Oct. 15, 1976.

The museum is open from the last weekend of May through the third weekend of September from 10 a.m. to 5 p.m. seven days a week.



4 **First National Bank Building**

The First National Bank of Joseph is a one-story, brick building in the Romanesque style. The building boasts a brick facade with dressed stone caps on the west elevation and bears the inscription: "First National Bank 1908."

The bank was organized in 1906 by Frederick S. Scribner, who became the institution's first cashier. This building shares a common wall with the Dr. J.W. Barnard Drug Store on its south elevation.

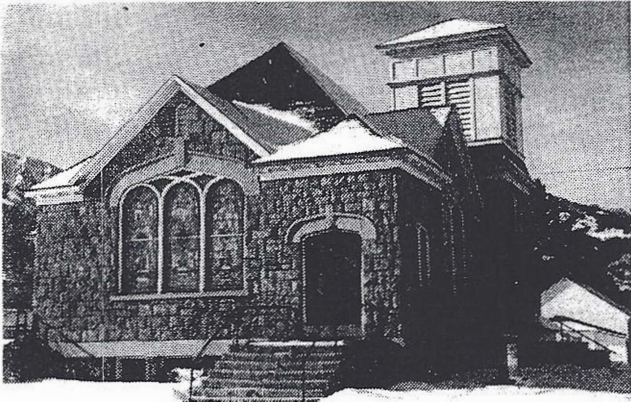
5 **Dr. J.W. Barnard Drug Store**

The Dr. J.W. Barnard Drug Store is a one-story brick building which shares a common wall with the First National Bank of Joseph. This building, also of Romanesque style, has a brick facade at the roof level with the inscription: "Dr. J.W. Barnard Drugs 1908." The building is presently being restored and operated as a gift shop and art gallery.

This brochure was produced by the Wallowa County Centennial brochure committee. Members include: Nancy Attebury, Jan Bird, Marcia Kay, Jeannette Steed, Maridee Symons and Cathy Wallauer.

We greatly appreciate the assistance of Lloyd Coffman, local historian; Jack Evans, architectural historian; Terry Hulse, design; and Robert Evans, editorial review. The **History of Wallowa County** has been used as a reference in addition to oral interviews. Drawings by Nancy Attebury.

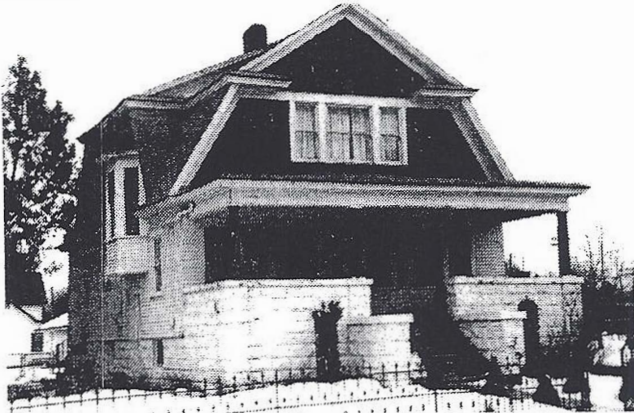
Brochure printing was paid by the Wallowa County Centennial Committee and the Joseph Chamber of Commerce.



7 **First Methodist Episcopal Church**

This fellowship began gathering for services with a circuit rider in the 1880s. In 1892 the Methodists converted the Joseph school building into a church. Construction began in 1909 on this modified Gothic style building patterned after the Sunnyside Church in Portland. The sandstone came from the Bowlby quarry on Crow Creek and the Gorsline farm east of Joseph.

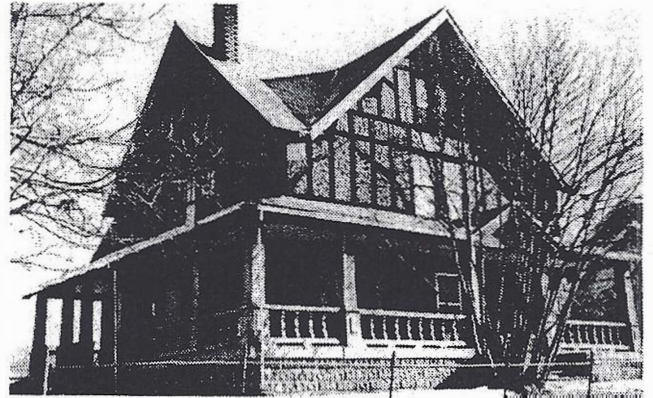
Axes, with notched blades, were used to cut the stone, giving it its rough texture. The building, which cost \$15,000 to construct, was dedicated in February 1910. In August of the same year, the Joseph church hosted the Idaho Methodist Episcopal Church conference and was hailed as "the most beautiful church in the district, as well as the costliest."



8 **Gaulke House**

S.H. Gaulke built this as his home in the early 1900s. His position as president at the First Bank of Joseph is reflected in the construction of this fine old home. The wrought iron fence is probably original.

The building is of the Colonial Revival style with Dutch Revival roof form. This style was very popular about the turn of the century. There are several other buildings in town of this same style, yet, the materials and details vary to create a very different appearance.



9 **The Arthur Rudd House**

The land where this home is located was first purchased from the United States in May 1882 as part of a 160-acre parcel by Frank McCully for \$1.25 per acre. In October, 1883, the land was dedicated to the town of Joseph and Lots 9 and 10 (where the house is situated) were sold to A.B. Findley in June, 1886 for \$60. The land changed hands several times and in 1910 Arthur Rudd purchased it for \$800 and built the house with the idea of resale to a professional person who could use it for a home and office.

That was the rationale for the two side entrances. One was to lead to the waiting room and the second was to be used as an exit from the examination room. The house was never used for this purpose and very little remodeling has been done over the years except to seal the second side entrance and remove the partition between the "waiting room" and the "consultation room" in order to enlarge the living room area.

Mr. Rudd owned the house until 1919. The house was resold five times in the next ten years and was purchased in 1929 by C.R. Patten from Western Building and Loan. It has been in the Patten family since that time. It is currently owned by Jacqueline Patten Coughlin.

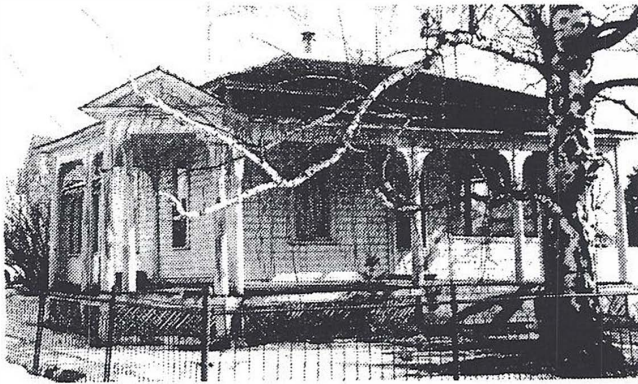
The house is built in the Elizabethan style with native stone, stucco and timber. There are three stories with a basement and fruit cellar. It is still heated by the original steam radiator system. The apple trees are known to be more than 50 years old.



10 **Bill McKinley House**

Construction began on this Queen Anne/Colonial Revival style home in 1909 by Walter Daggett, who lived with his family in the carriage house (now the garage) behind the home while the work was being done. Before the structure was complete, however, the Daggetts' daughter, Ethel, fell in the basement and died soon after. Because of this tragedy, the Daggetts finished the home quickly and sold it to the Knappers in 1910.

Bill and Mildred McKinley bought the home in 1937 and are responsible for its modernization. Mrs. McKinley ran a small yarn shop out of the home for many years before the house was again sold in 1985 to Jimi and Marcia Kay who are currently restoring it.



11 **Walt Beith House**

This Foursquare style home was built around 1905 and is one of the older houses in Joseph. It was the residence of Walter Beith and his wife, Lou.

Walter came to Wallowa County as a child in 1882 and lived in Imnaha for several years. He moved to Joseph in 1914 and ran an implement store at the north end of town with Lou's brother, Sam White. In 1931, he purchased the McCully Mercantile hardware store and operated it until his death in 1942.

The house was purchased from the state land bank by T.J. Bales in 1932 for \$150 plus \$20 back taxes and is still in the Bales family. The birch trees in front of the home were planted in 1913.



12 **The Rumble House**

Mr. E.Z. Rumble moved to Wallowa County from Iowa in 1880 and built this Craftsman Bungalow style home in the early 1900s. Mr. Rumble was a prominent citizen who owned a notions and confectionery shop in Joseph and was Director of the First Bank of Joseph. His daughter, Eva, was the postmistress and his daughter-in-law, Daisy, lived in the house for many years after his death.

Daisy Rumble was a very active citizen of Wallowa County and among other things was responsible for the construction and management of the apartments which are still in use in the back of the building which once housed the McCully Mercantile Company.



13 **The Fred McCully House**

The Fred F. McCully house is a one and one-half story, wood frame house in the Queen Anne style. The building has a hip roof with major gables on several elevations and has a square tower with a steep, hip roof on the east side.

The home's original owner, Fred McCully, moved to Wallowa County in 1880 and, at the age of 15, entered business with Frank McCully (McCully Mercantile). After working at that firm for 12 years, he opened his own general store. He later sold out and became assistant cashier at the First Bank of Joseph.

Fred McCully held many civic posts in Joseph, including the position of mayor.

Introduction

The walking tour you are about to follow is one way Wallowa County is recognizing its centennial. The important events being celebrated include: the town of Joseph's incorporation, the formation of the county, and the founding of the county-seat town of Enterprise.

Much of the information recorded here has been passed on through oral traditions. Due to the limits of space and walking distance, the buildings included are in no way a total of all the historic buildings in town. The selections are meant to be representative of our architecture and history.

As you stroll through town we hope you enjoy discovering our heritage that remains in these older buildings. Your observations and photographs are welcome from the street. Please respect the privacy and property of the individuals who own the buildings.

Joseph

The City of Joseph, first called Lake City, was listed in the U.S. Post Office directory of 1879. The name of the town is either in honor of the older chief of the Nez Perce tribe of Indians or his son, young Chief Joseph of the same tribe.

Until 1880, the local farmers and stockmen had a hard time getting supplies. That year F.D. McCully opened his general mercantile store and Joseph began to progress. The local paper, the **Chieftain** was established originally in Joseph in 1883. The town began to flourish and in 1887 was officially incorporated.

Between 1902 - 1929, Joseph supported an electric company, flour mills, saw mills, doctors, dentists, attorneys, hotels and merchants that offered the services needed for the community.

The brick for most of the buildings along Main Street was manufactured at the local brickyard and Kiln. They utilized the clay deposits just north of the schoolhouse hill.

Traveling from Wallowa County to La Grande was a two-day trip before the railroad opened its line to Joseph in 1908.

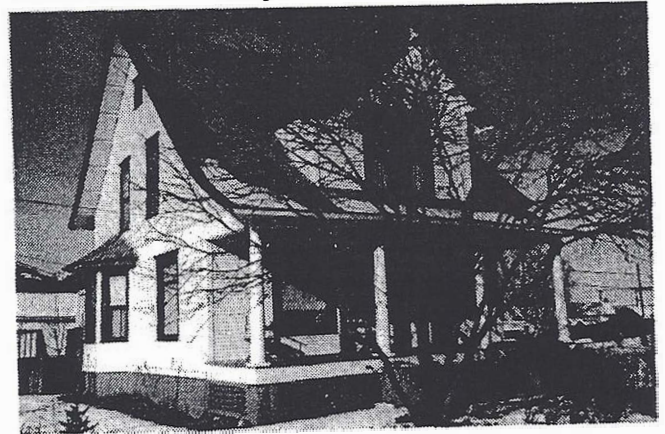
Many businesses have come and gone in the last 100 years. Yet the buildings and architecture tells a story about the people who lived here and built them.



1 The Orvil Hall Building

The early history of this structure is sketchy; some say it was the first home in Joseph. It has also been suggested from several sources that it may have been a temporary city hall and then a livery stable. It is known that this small building was owned for many years by Orvil Hall who operated a gunsmith and machine shop out of it.

Mr. Hall was known county-wide for his ability to build anything a person needed. As a child, he came to Wallowa County in a covered wagon in the 1880s and helped his father build a planing mill next to the Wallowa River. It was here that he learned the skill of machining and he moved into this building in the 1930s where he operated his shop until the late 1940s. The structure was then converted into a residence and later into an antique store.



2 The Beaudoin House

Locally, this home is remembered as the "old Daisley place." Albert (Ab) and Mildred Daisley lived here for many years. Ab was very active in Joseph civic and commercial activities. He served as mayor for over 20 years and operated several businesses.

The building represents a common architectural type found throughout the county - the Craftsmen Bungalow. It was constructed in 1910-11. The home remains in its original configuration both inside and out. When being restored recently, family relics of the Beaudoin family - the original owners - were found in the walls.

You'll notice other homes of this style as you tour the county.

2-B Describe the existing or potential conflicting uses at the site:

Complete ESEE Analysis of Conflicting Uses:

Economic: Structural alteration or demolition of a significant historic structure may have a negative effect on tourism and decrease in local revenue.

Social: Structural alteration or demolition of a significant historic structure may result in decreased aesthetic values of Joseph.

Environmental: There are no discernible environmental impacts of allowing structural alterations or demolition.

Energy: There are no discernible energy impacts of allowing structural alterations or demolition.

Conclusion of ESEE Analysis: Structural alteration or demolition of a significant historic structure may have negative economic and social consequences.

Proceed to 3

3. Program for Resource Protection

3-A: Based on the ESEE analysis, the benefits from preserving the site outweigh those from allowing full conflicts: YES or NO.

If YES, designate site 3-A; action required: adopt policy and implementing measures to preserve site form conflicts.

If NO, proceed.

3-B: Based on the ESEE analysis, the benefits from allowing full conflicts outweigh those from preserving the site: YES or NO
If YES, designate site 3-B; action required: none.

If NO, proceed.

3-C: Based on the ESEE analysis, the benefits from allowing limited conflicts and protecting the site to some degree are comparable: YES or NO.

If YES, designate site 3-C; action required: adopt policy and clear and objective implementing measures to protect site by limiting conflicts.

Findings of Fact.

1. The City of Joseph and surrounding area is dominated by open space.
2. The City does contain a number of historically significant structures.
3. The character of the City is typically Western and rural.
4. The City does not contain any of the following resources warranting further plan consideration:
 - a. mineral and aggregate sources
 - b. significant energy sources
 - c. significant ecological areas
 - d. outstanding scenic view and sites
 - e. wetlands or marshes
 - f. cultural areas
 - g. recreation trails
 - h. wild and scenic waterways
5. The historically significant Indian Cemetery at the foot of the lake, although outside City limits, deserves County protection.

Policies.

1. The City of Joseph will protect those historic sites and structures contained above from incompatible uses.
2. The City will provide for protection of Pacific Power and Light's substation.
3. The City will allow for continuance of open space and certain farm uses in its Select Residential Zone.
4. Uses with undesirable noise, smoke, visual and other objectionable characteristics may be prohibited from locating in areas where such conditions are incompatible with surrounding area development.
5. Public facilities and services will be designed and maintained so as to be as visually attractive as possible.
6. The following concerns will be taken into account in protecting area visual attractiveness:
 - a. Architectural integrity and compatibility.
 - b. Using vegetation and/or other site obscuring methods of screening unsightly uses.

- c. Minimizing size of signs.
 - d. Specifying types of development desirable within the various use zones.
7. The Wallowa River will be given special consideration in regard to preservation in land use decisions that may affect the River such protection will include but is not limited to required setbacks for structures and uses.
 8. All structures within the City of Joseph on the State Register of Historic Sites be subject to a demolition permit, to provide a reasonable time for public or private acquisition and preservation prior to demolition.
 9. Goal 5 requirements will be applied to newly discovered archeological resources at the time of discovery.

Recommendations.

1. The City shall pursue a program that insures the preservation of historically significant sites.

VI. AIR, WATER, AND LAND RESOURCES QUALITY

Summary. This goal states the City shall "maintain and improve the quality of the air, water, and land resources of the state." Specifically the goal refers to waste and process.

Background. The City has conducted an inventory of major air, water, solid/hazardous waste, and noise pollution sources and sites:

Air Pollution. The City does not contain any major air pollution sources. There are no heavy industrial uses planned for inside the City limits.

Water Pollution. The Wallowa River is the only body of surface water in the City. There are no primary discharge points along the river inside the City limits. There are no significant sources of pollution that could affect groundwater. Although the publication "1980 Major Water Table Aquifers" indicates that Joseph is situated within sensitive aquifer area, there are no significant users of groundwater that could be affected by actions within the City of Joseph. The closest city i.e. Enterprise, relies on springs that are not affected by Joseph; a report published in February, 1982, entitled "Hydrogeological Study of the Municipal Water Supply Watershed at Enterprise, Oregon" by Anderson and Kelly of Boise, Idaho indicated that the re-charge area for Enterprise's springs is the principle source of its aquifer.

The City is not in the Drainage Basin of Wallowa Lake and therefore does not affect the quality of Wallowa Lake water. The City of Joseph's water source is a (1900) water right from the Wallowa River. Recent amendments and proposed rules provided in the State Drinking Water Act required the City of Joseph to provide some form of treatment to their water source to meet State and Federal requirements. After a study of the system, it was decided to use a slow sand filter system. In 1992, the City undertook a major water system improvement project. The project included two 7,000 square foot slow sand filters; a control building, housing control valves, pumps, motor controls, monitors, chlorination system and an emergency generator; a 1,300,000 gallon reservoir with an inner chlorine contact chamber; about 20,000 linear feet of water line; 600 residential water meters and 15 larger size water meters and a water meter and billing system.

The City's sewer system currently has average flow of .250 mgd and a peak of .270 mgd. The City owns and operates its wastewater treatment facility which consists of headworks, a primary clarifier, an aerobic digester, and four facultative lagoons. The lagoons were constructed in 1967. In Joseph the collection system consists of five parallel interceptor lines, joining together at the North end of the City toward the treatment facility. The facility is designed for an average

wastewater flow of 444,000 gallons per day. In 1989, the Wallowa Lake County Service District formed and developed a septic tank effluent pump (step) system, which now discharges into Joseph's collection system. The existing treatment facility was upgraded in 1989 to accommodate flows from the District. With the new discharge limitation put on the Grande Ronde Basin watershed, the City and District are proposing to install a summer irrigation system instead of discharging into Prairie Creek in the summer months.

Currently, the City's policy regarding extensions of water or sewer service outside the City's Urban Growth Boundary, beyond the City limits is that such extensions not occur. Those services now existing beyond the City limits are charged twice the rates of users inside the City.

Solid/Hazardous Waste. The city does not have any solid or hazardous sources/collection sites. Currently the City is cooperating with the County in a joint Solid Waste Program wherein residents of the City dispose of their wastes at drop boxes outside the City.

Noise Pollution. Currently, there are no significant sources of noise pollution in the City. However, Hwy. 82 could become a significant source of noise if traffic increases.

The City will continue to cooperate with DEQ (Department of Environmental Quality) by not allowing uses that do not meet DEQ requirements. The City will rely on DEQ's regulation regarding air, water, solid/hazardous waste and noise pollution in reviewing land use changes/applications."

Findings of Fact.

1. The City of Joseph does not have any industry with significant discharges.
2. The City is relatively free of any air, water, or land pollution.
3. The City has cooperated with the County in a County-wide Solid Waste Program.

Policies.

1. Preservation of the water quality of that portion of the Wallowa River within city limits is warranted.
2. It will be desirable to limit industry to the non-polluting type.
3. Preservation of present air, water, and land resources is desirable.

4. The City will attempt to continue to cooperate with the County in the Solid Waste Program.
5. The City will continue to improve its sewage system to insure land and water resource quality.
6. Water quality will be protected by controlling encroachment or filling of natural drainages, and by prohibiting unneeded development in flood prone areas.
7. All future uses established within the City of Joseph, or the urban growth area, shall demonstrate conformance with State of Oregon and Federal regulations regarding air, water, noise, or solid or hazardous waste.
8. The City will pursue a program to ensure clean up and removal of litter from those city lots considered visually objectionable.

Recommendations.

1. The City shall pursue a program to ensure clean up and removal of litter from those city lots considered visually objectionable.
2. The City shall consider adopting provisions for prohibiting development known to be environmentally harmful.

VII. NATURAL DISASTERS AND HAZARDS

Summary. This goal requires the City "to protect life and property from natural disasters and hazards." The primary means of implementing this goal would be to minimize development in known areas of natural disaster hazards.

Background. The only known area subject to a natural disaster or hazard within the city limits would be along Wallowa River and that potential is almost negligible should the Wallowa Lake Dam continue to hold. If the dam were to burst, however, a portion of the town could be inundated with water.

Joseph has qualified for the National Flood Insurance Program and does have an identified Flood Hazard Boundary or "Zone A" which is reflected on the Land Use Map. Policies, consistent with the Program, have been included.

Findings of Fact.

1. Portions of the City of Joseph could be damaged if the Wallowa Lake Dam were to fail.
2. A portion of the Wallowa River is the only known potential hazard inside city limits.

Policies.

1. Development in floodway fringe area will be limited to primarily non-structural types. Structural development will be subject to flood-preventive measures.
2. Placement of utilities in flood prone areas shall be so designed as to minimize or eliminate infiltration.
3. The City will continue to use the National Flood Insurance Program as the guide for floodplain development.

Recommendations.

1. When and if better natural hazard information becomes available, the City incorporates it into the Land Plan.
2. The City should seek State or Federal assistance in determining the adequacy of the Wallowa Lake Dam, preferably scheduling check-ups on a routine basis.
3. The City should work with HUD in an effort to more accurately define the flood-plain area.

VIII. RECREATIONAL NEEDS

Summary. This goal requires the City to adopt policies that will "satisfy the recreational needs of the citizens of the state and visitors."

Background. There are a variety of recreational opportunities outside the City and within Wallowa County. However, there is a lack of some type of recreational facilities and other associated facilities. The City has, until recently, centered its focus of attention on the recreational needs of its residents but more recently expanded its concerns to include statewide recreational needs.

On a Statewide level, Wallowa County is popular for hunting, fishing, camping, hiking, and some annual events such as Chief Joseph Days Rodeo and Alpenfest. The City lies at the foot of Wallowa Lake which is the center of most recreational activities of those visiting the County; further the City is located on State Highway 82/350 which visitors to Wallowa Lake and Hells Canyon National Recreation Area must use for access. The Wallowa Lake Basin Economic Development Plan, published in 1985 as a result of efforts by numerous organizations, identified tourist facilities and lack of overnight accommodations as a major limiting factors in the growth of the recreation industry in Wallowa County. The City recognizes potential benefits of supplementing existing tourist facilities or by capitalizing on other tourist facility deficiencies of the area.

To partially meet the need for overnight accommodations the City has recently amended its ordinances to allow "Bed and Breakfast" establishments.

To attract Statewide visitors, the City has encouraged renovations of downtown buildings to follow a Western theme. It has been a widely held thought among residents that a Western theme of architecture adds to the attractiveness of the City and that it supplements the development of the arts and crafts industry that is establishing in Joseph. The Western theme has been followed voluntarily in most renovations of downtown; therefore the City Council does not see a need to have mandatory design criteria at this time.

The rodeo grounds are owned by the Joseph Chamber of Commerce and are the site of the annual "Chief Joseph Days Rodeo" and other events. The Chief Joseph Days event attracts many visitors to the City.

The City owns property along the Wallowa River that is a City Park. The park currently has 3.86 acres of developed area that is the result of a 5-phase grant program from the Oregon Parks and Recreation Department. Improvements have included restrooms,

seeding, landscaping, and an irrigation system. The City plans to develop another 1.5 acres in the future.

The City has actively sought grants for development of recreational facilities and as a result, has been successful in receiving financial assistance to construct a new multi-purpose Community Center and has constructed two tennis courts.

To facilitate the improvement of existing recreational facilities and to meet the need for new recreational/tourist needs, the City will continue to seek public and/or private funding sources. Projects that would receive endorsement by the City for grant funding would include but not be limited to downtown renovation, City Park expansion, bicycle paths and improvement of the rodeo grounds.

Findings of Fact

1. The City has few recreational activities/facilities for either its own residents or visitors.
2. Although the surrounding area contains significant recreational opportunities, there are certain visitors facilities that would be supplied or established in Joseph.
3. Chief Joseph Days Rodeo provides a significant recreational need of visitors.
4. Joseph's economy could benefit from providing recreational facilities/services i.e. resort development, architectural theme.
5. Joseph's commercial arts/crafts community is growing.
6. The City recognizes a need for a tourist/resort facility in the area.

Policies

1. The City should encourage private business which facilitates tourist needs and interests.
2. The City will encourage recreational development that will supplement recreational activities surrounding the City i.e. bicycle/hiking/snowmobile paths through the City.
3. The City will continue to encourage efforts toward coordination of a Western theme for architecture.

4. Existing recreational assets will be protected from incompatible uses i.e. precluding industrial development or high density development around the City Park, Rodeo Grounds, Highway 82/350.
5. The City will encourage further development of the present city park and tennis court in the city.
6. The City will continue to pursue and/or endorse the perusal of grant funding for recreational development.

IX. ECONOMY

Summary. The intent of this goal is to "diversify and improve the economy of the state." This can generally be tied into the adjacent agricultural and timber practices of the area as well as the suitability and desirability of Joseph as a commercial, service center. Economic policies and growth should be coordinated to the town's overall carrying capacity.

Background. Joseph, in the last few years, has witnessed growth of its downtown, commercial area. It will be the intent of this goal's policies to maintain as visually attractive downtown area as possible in an attempt to both maintain and encourage the commercial productivity of the town.

Recreation has and should continue to play an important role in Joseph's economy. Although the town cannot be identified as a recreation based economy, certain services such as gas stations and motels derive a large portion of their income from visitors passing through Joseph in the pursuit of "recreation." A recreational facility such as a resort or recreation/residential development on the outskirts of Joseph could improve Joseph's economy.

The growing number of arts/crafts businesses in Joseph is becoming important in attracting visitors to Joseph. Attraction of visitors who spend money in Joseph is important to our local economy.

Findings of Fact.

1. Tourism is becoming a more important part of Joseph's economy.
2. The City of Joseph's downtown service area has grown in recent years.
3. The employment characteristics of the town have gradually shifted towards the arts and recreation industries.
4. The timber industry has experienced decline in recent years.
5. An aesthetically pleasing Main Street could increase the town's ability to attract new businesses and visitors.
6. Joseph's population increases cannot be directly tied to increases in employment.

Policies.

1. Social and economic factors will be considered in addition to environmental effect when making planning decisions.
2. All new businesses and those existing will be encouraged to meet the following design specifications for the exterior of their buildings in an attempt to lure new business and create a better economy:
 - a. Wood or masonry type construction. If wood, preferably stained in neutral color. Visibility of metal siding and roofing in the commercial zone shall be discouraged.
 - b. Re-siding of existing brick or stone buildings shall be discouraged.
 - c. Business signs should be made of wood where at all possible and preferable attached directly to the building.
 - d. In general, a Western Motif shall be considered desirable.
3. Development of a major resort or tourist facility on the outskirts of the City should be encouraged i.e. convention center or Forest Service Headquarters.
4. The preservation of existing industries and establishments in and near Joseph will be the No. 1 priority.

X. HOUSING

Summary. This goal requires the City "to provide for the housing needs of the citizens of the state." Due to the size limitation of the City and of Wallowa County, no housing authority exists to pursue the financing of low-cost and other types of housing. The goal topic will, therefore, need to be satisfied by policies insuring that a wide-range of housing types will be allowed within the city commensurate to the financial capabilities of its existing and anticipated citizenry.

Background. The adjacent map delineates general housing conditions in the City of Joseph, and was prepared by grouping houses in similar condition as determined by a visual survey of individual houses based on the following criteria:

Above Average - houses generally in excellent condition and with no apparent structural deficiency.

Average - Houses generally in good condition with possible minor work needed, but no major structural deficiency.

Below Average - Houses generally in deteriorated or dilapidated condition, often with apparent structural deficiency.

Above average housing in Joseph is primarily situated around the periphery of the city, particularly along the eastern perimeter. These areas will likely remain stable within the foreseeable future and should be provided the greatest possible planning and zoning protection from encroaching incompatible development, which might diminish their livability, and result in deterioration of housing conditions.

The remainder of the City is characterized by dwellings generally found to be in average condition. Although there are some scattered dwellings in below average condition, there is no one geographical concentration, and their effect will be minimal with respect to being possible transitional areas or initiators of surrounding area deterioration.

Needed Housing: The City has inventoried its buildable lots within the City limits. There does not appear to be a shortage of buildable, serviceable lots at this time.

BUILDABLE LOTS

Select Residential R-1	220
General Residential R-2	181
Commercial	14

415

The City has reviewed its residential zone for allowed housing types. The R-1 and R-2 allow a variety of housing types including mobile homes and multiple-family dwellings as outright permitted uses.

In light of the foregoing reasons, the City has taken exception to the Goal 10 requirements. There is sufficient buildable land within the City for all types of housing which could meet the needs for shelter at a wide range of prices and rent levels.

Findings of Fact.

1. Joseph has a current population of ¹⁰⁷⁰1190, by Portland State University 1990 Census, within approximately 533 acres indicating an average density of 2.01 persons per acre.
2. The 1975 E.O.C.D.C. citizen survey showed a demand for both low-cost housing and more rental units.
3. According to the survey, the median income in the City was approximately \$10,000.
4. Median monthly housing cost, as per the 1975 E.O.C.D.C. survey, is approximately \$120 - \$140.
5. Based upon a 1975 survey performed by E.O.C.D.C., 13% of Joseph's population feels that their present housing is inadequate.
6. Based upon a 1975 survey performed by E.O.C.D.C., 20% of Joseph's population currently rent their households.
7. The vacant Bellevue addition could accommodate a number of new housing units.

Policies.

1. The City will encourage maximum utilization of vacant and undeveloped land within the existing city limits.
2. The City will establish two different residential zones consisting of the following:
 - A. GENERAL RESIDENTIAL
 - (1) Lot sizes will maximize land usage as consistent with this plan.
 - (2) A variety of housing types shall be allowed such as mobile homes, multiple family dwellings and mobile home courts.

- (3) Each unit above a single-family dwelling will require an additional 1,000 square feet of lot area unless otherwise specified.

B. SELECT RESIDENTIAL

- (1) Lot size will be of a size to conform to existing and desired land usage (5850 sq. ft.).
 - (2) Housing will consist entirely of single-family dwellings with a minimum floor space of 1,000 square feet of living space, exclusive of non-occupied attachments, required. Wood frame type construction will be desirable.
 - (3) Lots will be maintained in a usually attractive manner affording maximum protection to existing housing.
3. The City shall be non-discriminatory in their policies regarding race, color, religion, sex or national origin.
 4. The City will work with developers interested in rental units or low cost housing units to satisfy public demand, consistent with the plan and its policies.

Recommendations

1. The City is encouraged to assist in developing existing vacant land within city limits.
2. The City should contact the State Housing Authority to determine alternative programs to encourage low-cost housing.
3. The City should consider a housing rehabilitation program to replace dilapidated, and to upgrade deteriorated housing and that such sites be considered for park development or acquisition, razing and reselling for new development.

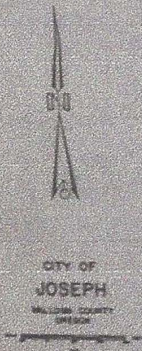
XI. PUBLIC FACILITIES AND SERVICES

Summary. This goal topic requires the City to "plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development." Generally, public facilities and services at the urban level refers to streets, storm sewers, water and other key facilities. By recognizing the limitations of those present facilities and the area to be served identified as the Urban Growth Boundary, the City of Joseph can more readily fulfill the provisions of this goal. Unnecessary extensions of these services and annexations can and does prove costly to the local residents.




Background. The City offers the full range of the typically small town public services and facilities. Included below is an explanation of the services available, a brief assessment and evaluation of the capacities and other available and useful information.

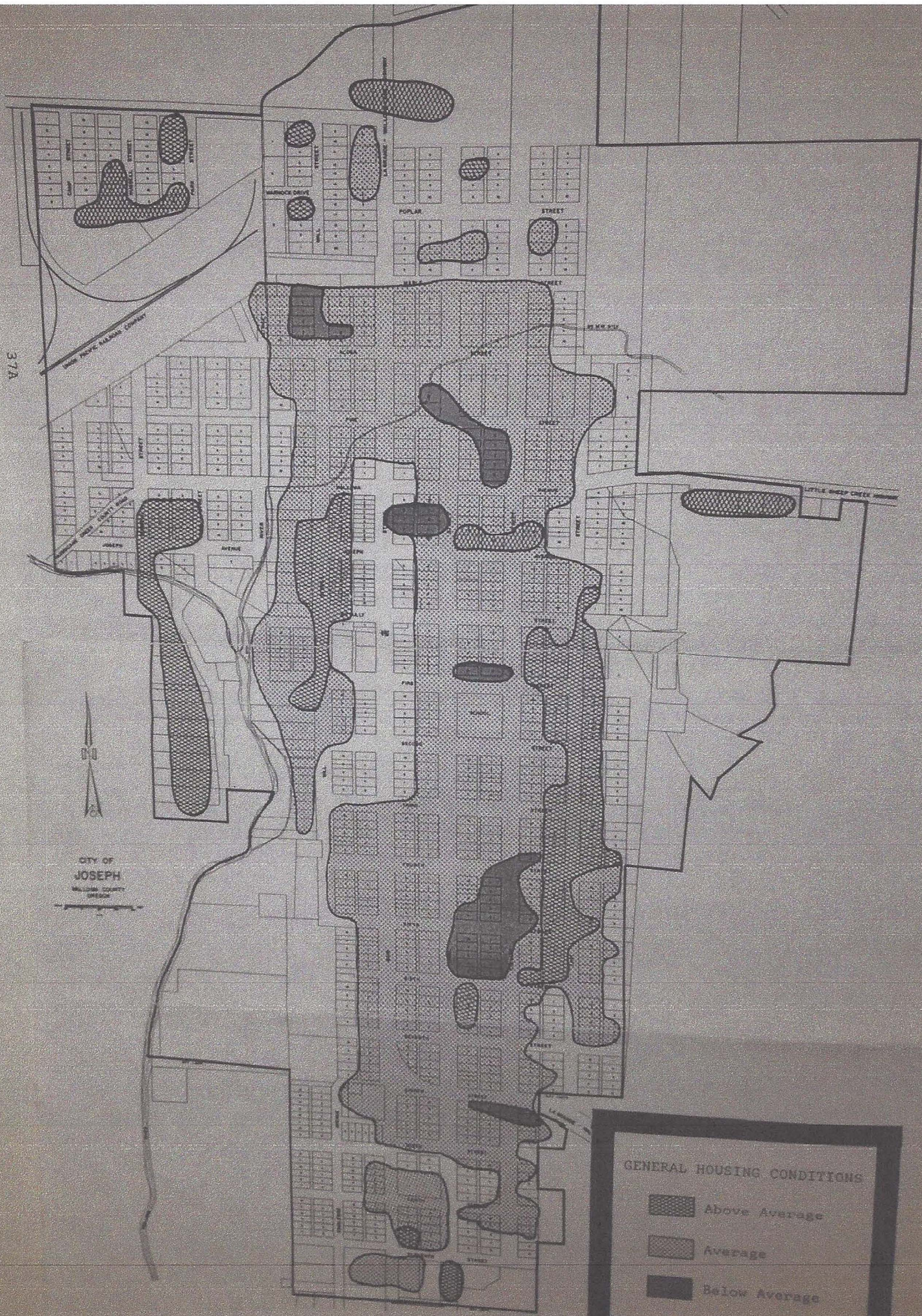
Sewer System. Prior to 1967, the City was serviced entirely by individual subsurface sewage systems, primarily of septic tank, dry well variety. The present sewer system consists of a four treatment cell lagoons with chlorination facilities and was financed in part by a grant from the Department of Environmental Quality and local bonds. Current monthly rates as of 1996 are \$14.00 per month which pays maintenance and upkeep and retirement of bonds. When constructed, the system was intended to serve a design population of approximately 4300 persons as compared to their present population of approximately 1100. The City's sewer system currently has an average flow of .200 mgd and a peak of .387 mgd. The City of Joseph owns and operates a wastewater treatment facility which consists of headworks, a primary clarifier, an aerobic digester and four facultative lagoons. The lagoons were constructed in 1967. In Joseph, the collection system consists of five parallel interceptor lines, joining together at the North end of the City toward the treatment facility. The facility is designed for an average wastewater flow of 444,000 gallons per day. In 1989, the Wallowa Lake County Service District formed and developed a septic tank effluent pump (sted-step) system, which now discharges into the Joseph collection system. The existing treatment facility was upgraded in 1989 to accommodate flows from the District. With the new discharge limitation put on the Grande Ronde Basin watershed, the City and District are proposing to install a summer irrigation system instead of discharging into Prairie Creek in the summer months.

37A



GENERAL HOUSING CONDITIONS

-  Above Average
-  Average
-  Below Average

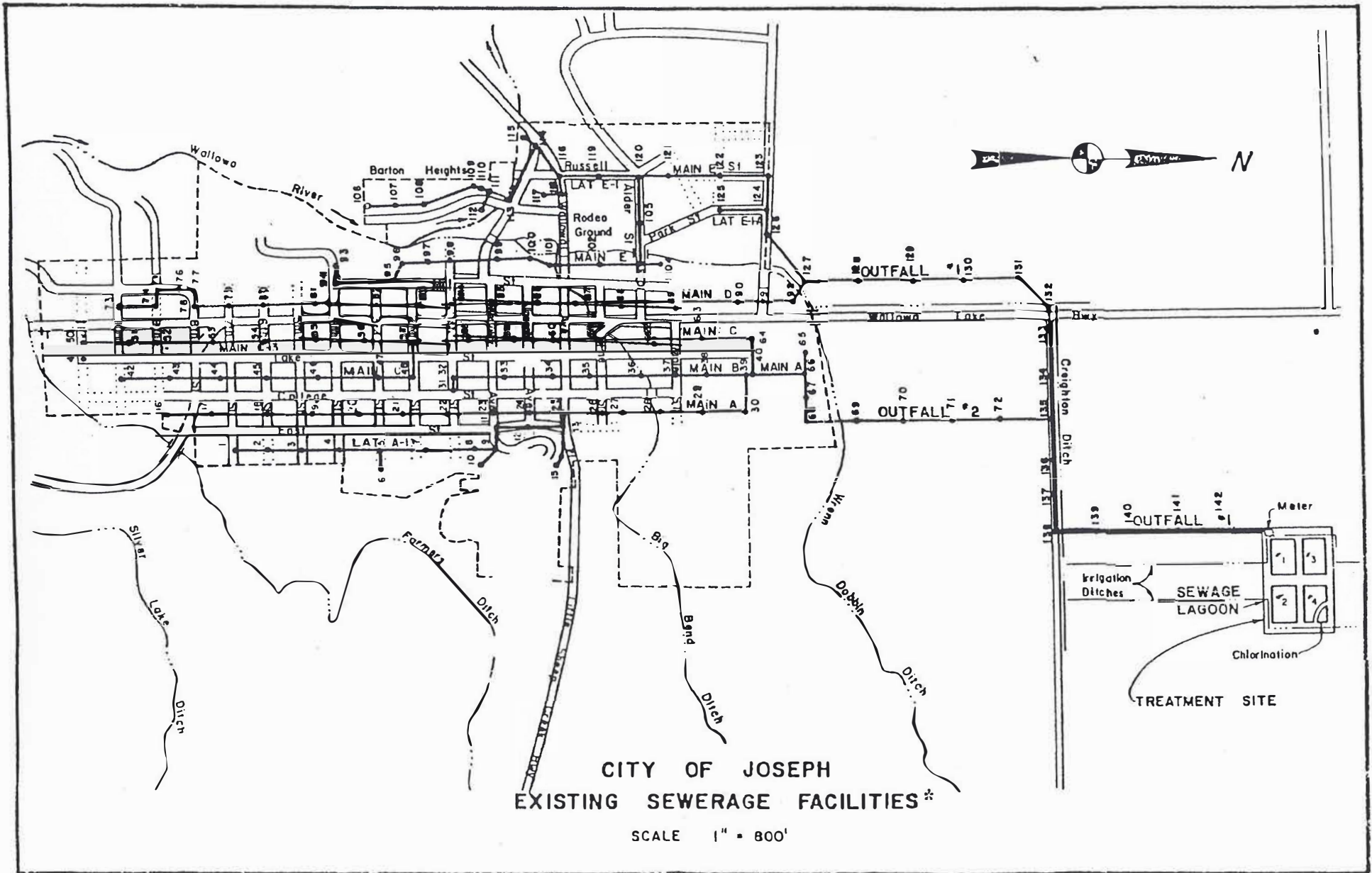


Water System. The City of Joseph's water source is a (1900) water right from the Wallowa River. Recent amendments and proposed rules provided in the State Drinking Water Act required the City to provide some form of treatment to their water source to meet State and Federal requirements. After a study of the system, it was decided to use a slow sand filter system. In 1992, the City undertook a major water system improvement project. The project included two 7,000 square foot slow sand filters; a control building, housing control valves, pumps, motor controls, monitors, chlorination system and an emergency generator; a 1,300,000 gallon reservoir with an inner chlorine contact chamber; about 20,000 linear feet of water line; 600 residential water meters, 15 larger size water meters and a water meter and billing system.

Solid Waste Disposal. The City has cooperated with Wallowa County in a county-wide solid waste disposal program. For Joseph it means disposal at a 20 cubic yard drop box located near the Joseph Airport on reclaimed City Dump grounds. The drop box facility is currently open two days a week and, minor technical problems notwithstanding, the facility appears adequate for present city needs.

Fire Protection. Joseph has a sixteen member Volunteer Fire Department, located in a new building constructed in 1992 South of the rodeo grounds at 201 North Russell. Current facilities in addition to the station consist of one diesel pumper with a 750 gallon booster tank and 1,500 gpm pump, one diesel pumper/telesquirt with a 500 gallon booster tank and 1,250 gpm pump and 55 foot aerial ladder, one gas pumper with a 750 gallon booster tank and 250 gpm PTO pump with pump and roll capability, one diesel tanker with a 3,000 gallon tank and one gas powered salvage/support van. Fire protection is provided within a seven mile radius of the town and has not provided any problems in the past. Current contract rates for rural fire protection are \$70.00 per year for residential and \$106.00 per year for commercial properties. Although completely adequate so far, consideration should be given to forming a rural fire protection district and limiting Joseph's services to the more immediate area of the town.

City Hall and Police. The city-owned City offices are located at the corner of Joseph Avenue and Main Street. The City Recorder's Office, Joseph Library, Council Chambers, and Police Department are housed within the building. Council meetings are on the first Tuesday of every month. The City contracts with the county for police protection.



* Source: Joseph Wastewater Facility Plan, Anderson/Perry and Associates, Inc.

Community Center (Hell's Canyon Hall). The Joseph Community Center is owned by the City of Joseph and is available for such community activities as teen dances, fund raising projects, Senior Services Lunch Programs, etc. The facility has a kitchen, dining area, and a large multi-purpose room.

Schools. There are two school facilities generally considered adequate to meet present demands. One is the Elementary School handling grades K-4, and the other is the Joseph High School, which has grades 5-12, a relatively new, modern structure. The current 1995/96 enrollment of Joseph High School is 168, including alternative school students, which meets the design capacity of the schools. If enrollment continues to increase, the school district will be forced to consider alternatives for increasing capacity.

Joseph Elementary School, grades K-4, has a current enrollment of 127 while the remaining grades, 5-8, total 139. The designed carrying capacity of the Elementary School can handle an additional 50-60 students without the necessity for new facilities.

Streets. This service will be discussed more thoroughly in the following chapter--Transportation.

Findings of Fact.

1. The Joseph Sewer System is operating at less than 50% of capacity.
2. Joseph's water source (the Wallowa River) currently meets State and Federal standards for drinking water since the improvement project of 1992 was complete. Additionally, identified hazards to water quality by septic systems around Wallowa Lake no longer exist with the creation of the Wallowa Lake County Service District and construction of the sewer system for that area.
3. The City has signed an agreement with Wallowa County to cooperate in a Solid Waste Disposal Program and to recognize the present city limits as the urban service area.
4. Joseph High School is close to reaching peak capacity but the Elementary school should be adequate for future growth.

Policies.

1. The City will abide by its Urban Growth Boundary and may provide sewage or water services outside existing city limits, only if the developer will pay for the improvements.
2. New development within the service boundary (city limits) will be reviewed and approved subject to the capacity of existing facilities.
3. The Joseph Wastewater Facility Plan has been revised to reflect policies within this plan and plan area boundaries and is considered the guide for the sewage system improvements insofar as it is compatible with this plan.
4. Underground installation of utilities will be desirable in all new developments.
5. Public facilities and services will be designed and maintained so as to be as visually attractive as possible.
6. The City of Joseph will continue to cooperate with the County's Solid Waste Program insofar as the program is consistent and within the capabilities of the City.
7. Extensions of the Joseph sewer line within the City limits will be financed by the landowners whose properties will be served by the extensions.

Recommendations.

1. Consideration should be given to the possibility of expansion of Joseph Schools.
2. It may be desirable for the City to encourage the development of a Rural Fire District to alleviate any possible conflict of needed services.
3. The City should recognize the continuing local interest expressed for the following services: dog control, recreation facilities, and sewer improvements.
4. Additional public use of the Joseph High School should be made for recreation activities.

APPENDIX D – ADOPTED COMPREHENSIVE PLAN (TRANSPORTATION ELEMENT)

XII TRANSPORTATION

Summary. This goal states that Joseph will "provide and encourage a safe, convenient and economic transportation system. In the larger, metropolitan areas the siting of transportation facilities is a critical land use planning tool. However, in the small rural towns this goal must be satisfied through recognition and maintenance of existing facilities.

Background. Joseph, as well as the rest of the county, is relatively transportation isolated. That is, the town is situated close to "the end of the road." It appears completely unlikely that any major transportation facility will by-pass close to Joseph due to the physical constraints imposed by the Wallowa Mountains. Although the personal automobile accommodates most trips in and around Joseph, the community's relatively small size and compact development layout create an ideal walking and bicycling environment. This Plan recognizes the value of a diverse multi-modal transportation system serving Joseph residents and visitors. The following sections briefly describe Joseph's multi-modal transportation system.

State Highways – Joseph is served by three state highways: Highways 82, 350 and 351. Highways 82 and 351 serve as the major route through town with commercial and industrial development focused along this corridor. Highways 82 and 351 are of statewide significance; Highway 350 is of district significance.

Street Classifications – Joseph's street system includes three levels: arterials, collectors, and residential streets. The classification system includes city, county, and state roadways. In Joseph, the arterials are State Highway 82 (Main Street and 8th Street) and State Highway 351 (Wallowa Avenue).

Pedestrian System – Joseph's existing pedestrian system largely consists of sidewalks in the downtown core on Main Street and surrounding roadways. Where sidewalks or other dedicated pedestrian facilities do not exist, pedestrians share the roadway with motor vehicles. The 2009 Joseph Bicycle and Pedestrian Plan provides a detailed description of the existing walkway network.

Bikeway System – Joseph's existing bikeway network largely consists of shared roadways, where motorists and bicyclists share the same travel lanes. Dedicated bikeways (e.g., striped bike lanes) do not currently exist. Relatively low traffic volumes and vehicle speeds make most streets suitable for bicyclists of most ages and skill levels. The bikeway system also includes bicycle parking facilities along Main Street and at Joseph Elementary School. The 2009 Joseph Bicycle and Pedestrian Plan provides a detailed description of the existing bikeway network.

Public Transportation – Community Connections of Wallowa County provides fixed route shuttle bus service between Enterprise and Wallowa Lake State Park, including six roundtrips each day between mid-June and mid-September. Within Joseph, shuttle buses travel along Oregon 82, Main and E Eighth streets, and Wallowa Lake Highway. Buses make “flag stops” along the route (designated stops do not exist), and drivers will deviate from the route to serve mobility-impaired users upon request. Northeast Oregon Public Transportation operates the “Wallowa Link” shuttle between Joseph and La Grande. Buses operate on Mondays and Tuesdays with two departures each day. Buses also make stops in five communities along Oregon 82 between Joseph and La Grande.

Rail Service – Joseph has no passenger rail service. The Wallowa Union Railroad (WURR) has an abandoned freight line that runs through the northern part of town. Discussions among WURR, the Oregon Department of Transportation (ODOT), local jurisdictions, and shippers concerning the future of the rail line and right-of-way are ongoing.

Air Service – Joseph is served by the Joseph State Airport, which is under the jurisdiction of the Department of Aviation. In 1964, the City of Joseph sold the airport to the State of Oregon for \$1 with the provision that if the State at any time ceased or failed to use and operate the property as an airport, then the property ownership would immediately revert back to the City of Joseph.

Findings of Fact.

1. Joseph’s transportation facilities typify a small, rural town.
2. Joseph has no passenger rail service, and an abandoned freight rail runs through the northern part of town.
3. Mass transit within city limits is not economical.
4. The State Highways are important links in providing access to Joseph.
5. The City of Joseph adopted a Transportation System Plan on March 2, 2004 that includes several of the transportation goals and objectives listed below. Additional goals and objectives (also included below) were developed as part of the 2009 Joseph Bicycle and Pedestrian Plan.

Overall Goal. To provide and encourage a safe, convenient, and economic transportation system.

Goal 1. Preserve the function, capacity, highway mobility (level of service), and safety of the state highways.

- a. Develop access management standards.
- b. Develop alternative, parallel routes.
- c. Promote alternative modes of transportation.
- d. Promote transportation demand management programs.

- e. Promote transportation system management.
 - f. Develop procedures to minimize impacts to and protect transportation facilities, corridors, or sites during the development review process.
- Goal 2. Ensure that the road system within the city and urban area is adequate to meet public needs, including those of the transportation disadvantaged.
- a. Develop a city transportation plan.
 - b. Meet identified maintenance level of service standards on the county and state highway systems.
 - c. Review and revise, if necessary, street cross section standards for local, collector, and arterial streets to enhance safety and mobility.
 - d. Develop access management strategies for Highway 82.
 - e. Evaluate the need for traffic control devices, particularly along Highway 82.
 - f. Analyze the safety of the transportation system, particularly along Highway 82.
- Goal 3. Improve coordination among Wallowa County, ODOT, the US Forest Service (USFS), the Federal Highway Administration (FHWA), and the city.
- a. Cooperate with ODOT in the implementation of the Statewide Transportation Improvement Program (STIP).
 - b. Work with the County in establishing cooperative road improvement programs and schedules.
 - c. Work with the County in establishing the right-of-way needed for new roads identified in the transportation system plan.
 - d. Take advantage of federal and state highway funding programs.
 - e. Coordinate with Oregon State Parks to develop a network of trail connections and other bicycle/pedestrian improvements linking Joseph with nearby historical/recreational attractions, such as the future State Scenic Area.
- Goal 4. Increase the use of alternative modes of transportation (walking, bicycling, and public transportation) through improved access, safety, and service.
- a. Continue and improve existing service and seek new public transportation including that targeted for seniors.
 - b. Seek funding for projects evaluating and improving the environment for alternative modes of transportation.
- Goal 5: Expand bicycle and pedestrian facilities and access in and between neighborhood areas, shopping areas, schools, and recreational sites.
- a. Implement the Bicycle and Pedestrian Plan, which identifies existing and future needs, and provides specific recommendations for facilities and programs.
 - b. Maintain and improve the quality, operation, and integrity of bikeway and walkway network.

Goal 6: Develop programmatic strategies to supplement the physical bikeway and walkway network.

- a. Develop and implement safety, education and encouragement plans aimed at youth, adult cyclists, pedestrians, and motorists.

Goal 7: Make the bicycle an integral part of daily life in Joseph by implementing and maintaining a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer and more convenient.

- a. Complete a continuous network of bikeways that are feasible, fundable, and that serve bicyclists' needs, especially for travel to schools, commercial districts, transit stops, and institutions.
- b. Provide short- and long-term bicycle parking and end-of-trip facilities in employment and commercial areas, in multifamily housing, at schools, and at transit facilities.

Goal 8: Encourage walking as a daily form of transportation in Joseph by completing a pedestrian network that services short trips and transit, improving the quality of the pedestrian environment, improving the health of all residents, and increasing safety, convenience and access opportunities for all users.

- a. Complete a network of walkways that serves pedestrian needs, especially for short trips to schools, commercial districts, transit stops, and institutions.

Goal 9: Support efforts to maintain the airport facilities for small aircraft and charter services.

- a. Encourage the State to improve and maintain airport facilities.
- b. Cooperate with airport master planning efforts.
- c. Incorporate airport master plans into the local Comprehensive Plan.

Goal 10. Encourage the continued and improved rail transportation of goods.

- a. Maintain operational status of the WURR rail line.

6. The 2001 City of Joseph Transportation System Plan is an element of the Comprehensive Plan. It identifies the general location of transportation improvements. The 2009 Joseph Bicycle and Pedestrian Plan replaces the bicycle and pedestrian elements of the 2001 Joseph Transportation System Plan. The Bicycle and Pedestrian Plan describes existing conditions, anticipated needs, and proposed improvement projects.

7. Section 660-12-045(1) of the Transportation Planning Rule requires that cities amend their land use regulations to conform with the jurisdiction's adopted Transportation System Plan. This section of the Transportation Planning Rule is intended to clarify the approval process for transportation-related projects.

8. Section 660-12-045(2) of the Transportation Planning Rule requires that jurisdictions protect future operation of transportation corridors. In addition, the proposed function of a future roadway and other transportation facilities, such as airports, must be protected from incompatible land uses.
9. Section 660-12-045(2)(d) of the Transportation Planning Rule requires that jurisdictions develop a process for the coordinated review of land use decisions affecting transportation facilities.
10. Section 660-12-045(3) of the Transportation Planning Rule requires that urban areas plan for bicycling and walking as part of the overall transportation system.

Policies.

1. All new developments with City jurisdiction shall provide as visually attractive transportation facilities as possible and of such specifications as listed within the appropriate Ordinance.
2. Priority for improvements will be identified and evaluated annually.
3. All new subdivisions shall be so planned and located as to tie into and conform to the existing street system.
4. The naming of new streets shall attempt to follow the general pattern of existing streets.
5. The City shall encourage existing and future development along Main Street to conform to the provisions of this plan and to be well maintained to retain a high quality of visual attractiveness.
6. Changes in the specific alignment of proposed public road and highway projects shall be permitted without plan amendment if the new alignment falls within a transportation corridor identified in the Transportation System Plan.
7. Operation, maintenance, repair, and preservation of existing transportation facilities shall be allowed without land use review, except where specifically regulated.
8. Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, for improvements designated in the Transportation System Plan and Bicycle and Pedestrian Plan, the classification of the roadway and approved road standards shall be allowed without land use review.
9. For State projects that require an Environmental Impact Statement (EIS) or Environmental Assessment (EA), the draft EIS or EA shall serve as the documentation for the local land use review, if local review is required.

- a. Where the project is consistent with the Transportation System Plan or Bicycle and Pedestrian Plan, formal review of the draft EIS or EA and concurrent or subsequent compliance with applicable development standards or conditions.
 - b. Where the project is not consistent with the Transportation System Plan or Bicycle and Pedestrian Plan, formal review of the draft EIS or EA and concurrent completion of necessary goal exceptions or plan amendments.
10. The City shall protect the function of existing and planned transportation facilities or corridors as identified in the Transportation System Plan and Bicycle and Pedestrian Plan through the application of appropriate land use regulations.
 11. The City shall include a consideration of their impact on existing or planned transportation facilities in all land use decisions.
 12. The City shall consider the potential to establish or maintain accessways, paths, or trails prior to the vacation of any public easement or right-of-way.
 13. The City shall preserve right-of-way for planned transportation facilities through exactions, voluntary dedication, or setbacks.
 14. The City shall coordinate with ODOT to implement the highway improvements listed in the Statewide Improvement Program (STIP) that are consistent with the Transportation Plan and comprehensive plan.
 15. The City shall provide notice to ODOT of land use applications and development permits for properties that have frontage or access onto Highway 82, Highway 350 and Highway 351.
 16. All development proposals, plan amendments, or zone changes shall conform with the adopted Transportation System Plan and Bicycle and Pedestrian Plan.
 17. The City shall maximize coordination between government agencies, schools, and community organizations to address bicycle and pedestrian issues of mutual concern.
 18. The City shall work with adjacent government agencies and local community groups to ensure a complete and continuous bikeway and walkway network across jurisdictional boundaries.
 19. The City shall work with Community Connections of Wallowa County to ensure that bicycle and pedestrian concerns are addressed in the design of any future transit stops.
 20. The City shall construct a bikeway and walkway network that encourages bicycling and walking for transportation and recreation purposes.

21. The City shall seek funding for bicycle and pedestrian projects through current local, regional, state, and federal funding programs and encourage multi-jurisdictional funding applications.
22. The City shall require construction of relevant planned bikeways and walkways as an integral part of any transportation facility maintenance or construction project.
23. Striped bike lanes shall be included on all new and reconstructed arterials and collectors within the Joseph Urban Growth Boundary. Design and construction of such facilities shall follow the guidelines established by the Oregon Bicycle and Pedestrian Plan and the Joseph Bicycle and Pedestrian Plan.
24. Sidewalks shall be included on both sides all new and reconstructed streets within the Joseph Urban Growth Boundary.
25. Bikeways and walkways shall be designed and constructed to minimize potential conflicts between transportation modes. Design and construction of such facilities shall follow the guidelines established by the Oregon Bicycle and Pedestrian Plan and the Joseph Bicycle and Pedestrian Plan.
26. The pedestrian walkway network shall be accessible to, and usable by, persons with disabilities as technically feasible, in compliance with ADA requirements.
27. The City shall complete missing connections to make direct routes for walking, especially connections between residential neighborhoods, schools and the downtown area.
28. The City shall work to build walkways along existing and potential pedestrian rights-of-way.
29. For new development or redevelopment projects, the City shall require construction of planned bicycle and pedestrian facilities.
30. The City shall require streets and accessways where appropriate to provide direct and convenient access to major activity centers, including downtown, schools, shopping areas, and community centers.
31. The City shall undertake routine maintenance of bikeway and walkway facilities, such as sweeping bike lanes and sidewalks, and removing vegetation which impinges on bicycle or pedestrian rights-of-way and forces them into the vehicle lanes of the roadway.
32. The City shall undertake regular maintenance of bicycle and pedestrian facilities such as striping, signing and surface condition to avoid safety issues for users including integrating into the existing Public Works maintenance process a

regular inspection of the road, path or sidewalk for cracks and potholes that might affect bicyclists and pedestrians.

33. The City shall require that repair or construction of any transportation facility minimizes disruption to the bicycling and walking environment and that safe, direct alternate routes clear of vegetation, debris or other safety hazards are signed for bicycling and walking through or around construction zones for the duration of the project. The alternate route shall be clearly signed and communicated prior to start of construction, with signs notifying motorists of the presence of bicyclists and/or pedestrians in the area. All projects completed by outside agencies shall be coordinated with the City to demonstrate compliance with this policy.
34. Repair, construction, or reconstruction of any transportation facility shall not result in the permanent removal of an existing bicycle or pedestrian facility.
35. The City shall require bicycle parking spaces as part of new development or redevelopment projects.
36. The City shall work with Joseph Elementary, Middle, and High schools to promote bicycle commuting and to assist in purchasing and siting long- and short-term bicycle parking.

Recommendations.

1. ODOT is encouraged to maintain and improve the State Highways within the City Limits.
2. Wallowa County is encouraged to maintain and improve County highways within city limits.
3. That the City take advantage of state and/or federal funding to help provide a comprehensive transportation network for the citizens of Joseph.
4. That the City coordinate with ODOT and Wallowa County as necessary to implement the actions and improvements recommended in the Transportation System Plan.

XIII. ENERGY CONSERVATION

Summary. This goal requires that policies be implemented to "conserve energy." As with the transportation chapter, this area is felt to be more of a large metropolitan priority.

Background. Joseph does not have any past history of explicit energy conservation policies. County surveys, however, indicate that wood is a popular source of energy in the form of radiant heat. Wood burning appliances and the use of dead or downed trees can provide an effective alternative to present energy resources.

Probably the single most important policy to meet the above goal will be the increasing of density within the existing growth boundary and controlling lot size to maximize utilization of proper house exposure to solar energy.

Pacific Power and Light Company operates a substation within the City. It may be feasible some time in the future to utilize that portion of the Wallowa River that flows through Joseph for the generation of a small amount of hydro-electric energy.

Findings of Fact.

1. The use of wood can and does play an important role in energy production.
2. A 1975 E.O.C.D.C. survey indicates that approximately 10% (21 households) of Joseph's dwellings feel that insulation is the most important repair.
3. Future energy practices might make the Wallowa River a potential hydro-electric source.

Policies.

1. Development of existing, vacant land within present city limits shall be encouraged.
2. It will be the intent of the General Residential Zone to maximize densities thereby conserving energy.
3. Extension of public facilities outside the growth boundary will be discouraged.
4. The Forest Service is encouraged to continue to provide access to and permits for gathering downed woods in the National Forest.
5. All new developments shall be encouraged to design lots so that the housing can take advantage of a southern exposure.

Recommendations.

1. The City should work with agencies in an effort to supply low-cost insulation to the needy households.

XIV. URBANIZATION

Summary. This goal requires the City to "provide for an orderly and efficient transition from rural to urban land use." To satisfy the goal an Urban Growth Boundary must be established that is consistent with the needs and services of the town. It is a matter of public concern, both to the town's residents and the County's residents, when additional land is annexed into the City as urbanizable land.

Background. The "Urban Growth Boundary" (U.G.B.) is used to separate urban and urbanizable lands from rural lands. "Urban lands" are those areas of intensive development within the incorporated city limits of Joseph and may include areas just outside of or adjacent to the city limits where concentrations of people live and work and receive supporting public facilities and services. "Urbanizable Lands" are areas included within the U.G.B. and have been identified and determined to be necessary and suitable for future urban uses. These areas can be served by urban services and facilities and are needed for the expansion of an urban area. "Rural Lands" are those areas outside the U.G.B. and are non-urban agriculture, forest or open space lands with few public services.

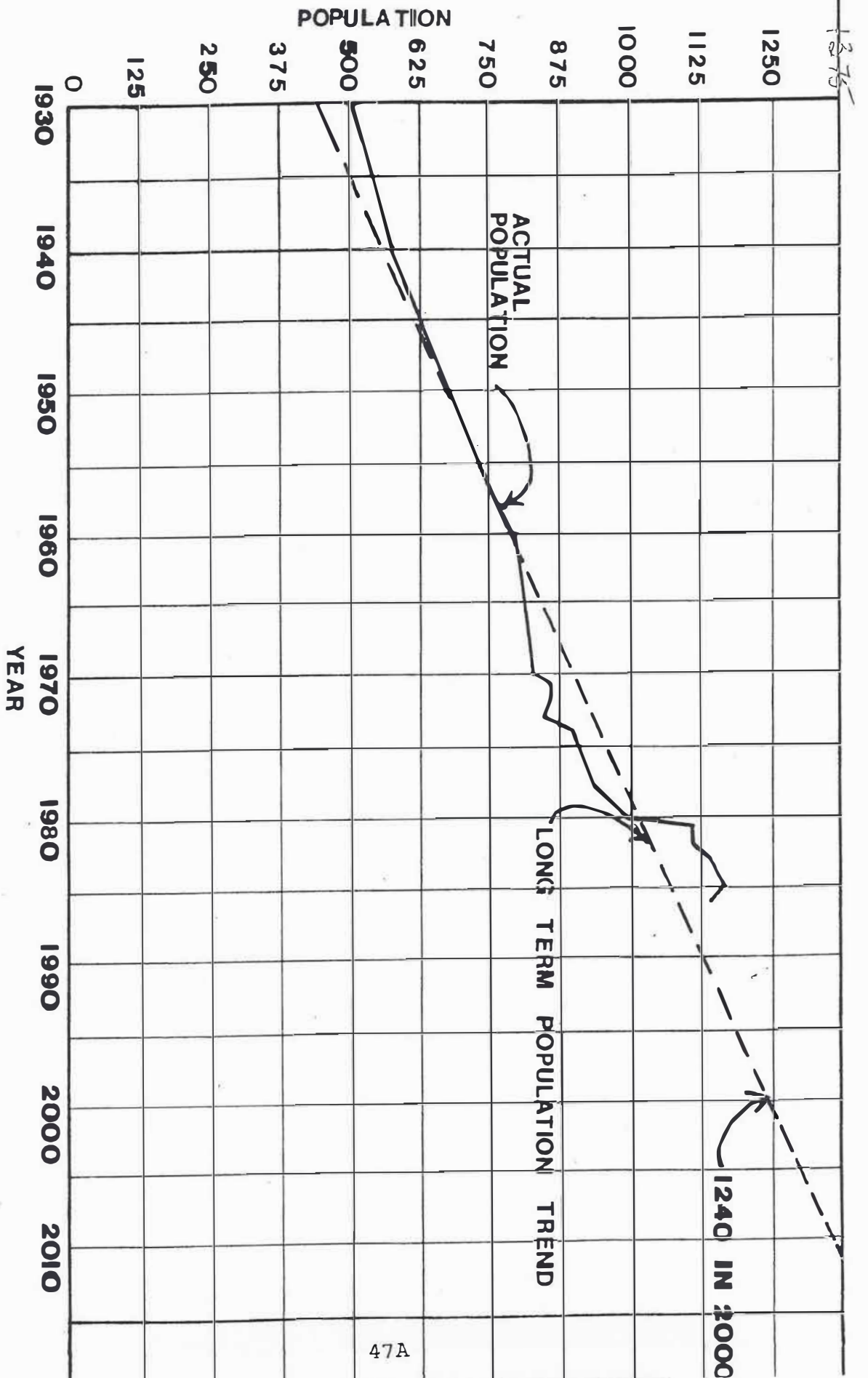
The area within the Joseph U.G.B. denotes urbanizable land available, over time, for urban uses. Conversion of this land to urban uses will follow an orderly and logical progression based upon urban expansion needs, land availability, and proximity to public services. Provisions to monitor land uses within the U.G.B. will be outlined in the Urban Growth Agreement between the City and the County.

The U.G.B. has been determined on the basis of growth needs of Joseph. The boundary is intended to contain that growth to an area which will allow for available resources to be used to their maximum capacity; at the same time enough land has been included to allow for choices and preferences for development.

Findings of Fact.

Residential Development

1. The City has experienced a growth rate of about 1% per year. By the year 2000 this would indicate a straight line population of approximately 1240 as compared to the present population of 1190. Such an increase in population would require an additional 60 single-family dwelling units (3 persons per dwelling).
2. The vacant Bellevue addition consists of approximately 35 acres of undeveloped land. Based on density gradients (1 single-family dwelling per 6,000 square feet) the land



**CITY OF JOSEPH
POPULATION PROJECTION**

BASED ON CENSUS RECORDS

could be developed to an overall density of approximately 160 single-family dwelling units.

3. In addition to the vacant and undeveloped Bellevue tract, there are a number of other undeveloped lots within present city limits.

Industrial Development

1. There is developable industrial land within the City limits that is suitable and available.
2. The City needs to diversify its industrial base as demonstrated in the Overall Economic Development Plan and "Input-Output Study."
3. The City needs to aggressively seek financial assistance to fund extension of sewer and water services to the industrial area at the northwest corner of the city.

General Commercial

1. Joseph's current amount of commercial zoning is adequate to meet the foreseeable future need for that type of development.

Recreational Development

1. Currently there are no areas set aside specifically for a recreational development.

Urban Growth Boundary

To accommodate future development, the City has designated the 68 acre area south of Joseph known as the "Marr Property" as being within the U.G.B.

1. Background Information. The "Marr Property" is located adjacent to the south side of the Joseph City limits. Its eastern boundary is Highway 350; its western boundary is the Farmers Ditch and its south boundary is the Chief Joseph Monument. The property is located within the Urban Growth Boundary for the City of Joseph and the property is zoned Urban Growth which allows for residential development. Under the terms of the joint management agreement between Wallowa County and the City of Joseph, the County has jurisdiction to rule on all zoning applications within the Urban Growth Boundary. Applicants have submitted, and the Wallowa County Court has approved, a preliminary plat for residential development of the property. Under the Wallowa County Land Use Plan, the property is zoned Urban Growth. The property was so zoned in 1988 when the County plan was amended during

*June 26
1986*

the periodic review process. The plan has been duly acknowledged. Applicant's preliminary plat was submitted and approved after the property was zoned Urban Growth. In an Urban Growth zone, when commercial sewer and water exist, the minimum lot size shall be at least that required in a residential zone of the nearest incorporated city. The minimum lot size in the City of Joseph is 5,850 square feet, and the proposed residential development contains varying lot sizes, all of which are larger than 5,850 square feet.

2. Goal 2 Exceptions

"Reasons justify why the state policy embodied in the applicable goals should not apply:

OAR 660-04-010 (1) (c) (B) (i)

Demonstrated need to accommodate long-range urban population/employment opportunities: There is a need for residential lots and/or commercial recreational use of the property. Although there are vacant lots in the City of Joseph, many of those lots are being reserved by adjacent owners as open space and may never be on the market. Also, many residents and potential purchasers are seeking lots of a larger size than are available currently in the City of Joseph. The parcel has special features, including proximity to the City limits, proximity to the Wallowa River, irrigation ditches and Wallowa Lake, and proximity to utilities that make the property uniquely qualified as Joseph's Urban Growth Boundary. While the population of the County and City of Joseph is not expected to significantly increase in the near future, maintenance of the local population at current levels is indirectly related to the area's ability to meet the need for additional overnight accommodations i.e. as the number of timber and agriculture jobs decrease, the pressure to have more recreation-related employment increases. The general "liveability" of the area for local residents will likely increase by way of more jobs, increased tax base, diversification of the local economy, etc.

Orderly and Economic Provision for Public Services: The City has the capability to provide the area with water and sewer service. Community sewer is available through the Wallowa Lake County Service District. Whether or not the City of Joseph provides water and/or sewer to the property, the ability of the City to annex the property is of paramount importance because of its proximity to the city and the fact that it is within the urban growth boundary.

Maximum efficiency of land uses within and on the fringe of the existing urban area: Development of the Marr Property would be maximum efficiency of land uses in that other properties of sufficient size surrounding the City would

require lift stations for sewer service and are of good agricultural quality. The Marr Property is of glacial outwash that is not capable of growing crops. Besides being too rocky to be cultivated, the topography is that of steep rolling hills. Pasturing of animals has been attempted but the grasses burn off very quickly so that feed must be brought in. The use of the property would not interfere with adjacent farming practices, since it is physically separated from adjacent uses by Highway 350 on the east, Wallowa River on the west, Wallowa Lake on the south and Joseph City limits on the north. The benefit to the general public as a result of development of the property would far exceed the benefits of keeping it for marginal farm use.

Environmental, Energy, Economic and Social Consequences:

Environmentally, development would not have an adverse impact. There are no deer, elk or other big game that use the property; there are no significant concentrations/nesting for game or non/game birds on the property; there is no significant wildlife habitat on the property. Because the property is mostly unconsolidated, unsorted gravels with good drainage characteristics, there is little chance that a development would cause erosion and/or drainage problems on adjacent properties. The type of development allowed should be non-polluting.

Energy consequences would be minimal. New roads, extensions of water or electric, or additional public services would be required. Because the property is situated adjacent to Joseph, it is felt that all energy consequences will be held to a minimum.

Economically, the development of the property would have positive impacts. Initial construction would generate jobs and increase the tax base.

Socially, development would have positive impacts. Development should be unoffensive to the public and be in the best interest of the citizens.

Retention of Agricultural Land: The property is steeply rolling hills covered with rocks and boulders. The soils are a Class VI with severe limitations for cultivation. Pasturing of animals is restricted to two months out of the year. Generally the parcel is unsuitable for farm use.

Compatibility With Adjacent Farm Uses: The only farm activity on adjacent properties occurs to the east. Highway 350 separates the property from those farm uses. Also, the farm activity to the east is not very intensive i.e. it is used for pasture.

Summary. It is the combination of demonstrated need as outlined above and the characteristics of a suitable recreational site that are not specifically provided for in the Statewide Planning Goals

that necessitate this exception to Goals 3 and 14. There are no sites within the current U.G.B. that are large enough for development that also have proximity to the natural amenities of Wallowa Lake and views of the Wallowa Mountains.

"Areas which do not require a new exception cannot reasonably accommodate the use."

OAR 660-04-0101 (1) (c) (B) (ii)

There is no other available parcel of adequate size for development inside the current U.G.B. that has the combination of proximity to existing services, adequate access, proximity to Wallowa Lake and views of the Wallowa Mountains.

"The long-term environmental, economic, social, and energy consequences."

OAR 660-04-010 (1) (c) (B) (iii)

Environmentally, development would not have an adverse impact. There are no deer, elk or other big game that use the property; there are no significant concentrations/nesting sites for game or non-game birds on the property; there is no significant wildlife habitat on the property. Because the property is mostly unconsolidated, unsorted gravels with good drainage characteristics, there is little chance that a development would cause erosion and/or drainage problems on adjacent properties. The type of development allowed should be non-polluting.

Energy consequences would be minimal. New roads, extensions of water or electricity, or additional public services would be required. Because the property is situated adjacent to Joseph, it is felt that all energy consequences will be held to a minimum.

Economically, development would have positive impacts. Initial construction would generate jobs and development would increase the tax base.

Socially, development would have positive impacts. Development should be unoffensive to the public and in the best interest of the citizens.

Retention of Agricultural Land: The property is steeply rolling hills covered with rocks and boulders. The soils are Class VI with severe limitations for cultivation. Pasturing animals is restricted to two months out of the year. Generally, the parcel is unsuitable for farm use.

Compatibility With Adjacent Farm Uses: The only farm activity on adjacent properties occurs to the east; Highway 350

separates the property from those farm uses. Also, the farm activity to the east is not very intensive i. e. it is used for pasture.

"The proposed uses are compatible with other adjacent use"

OAR 660-04-010 (1) (c) (B) (iv)

The only agricultural activity adjacent to the site occurs east across Highway 350. The only agricultural activity on that parcel is intensive grazing. The parcel is over 299 acres in size. It is doubtful that a non-resource use is going to interfere with grazing across Highway 350. To ensure that development will be compatible with non-resource uses on adjacent uses. The review will include an evaluation of impacts on public services, existing transportation corridors, surrounding land use etc. The City Council will then make recommendations to the County.

3. Goal 5 Process for Cultural Resources

a. Location, Quality, and Quantity of Cultural Resources: Two "chip sites" have been located on the property during two separate archaeological investigations done by Jaehnig and Womack. The investigations identified two areas containing flake scatters (indicating they may have been chipping stations). The two sites are located on the western edge of a narrow, high terrace above the Wallowa River. The specific location, quality and quantity are in the investigation reports which are adopted by reference. The existence of "flake scatters" may indicate the existence of a more significant cultural site where extensive, long term occupation occurred. Such a site will hereinafter be called a "cultural site."

b. Conflicting Uses:

The current County zoning of UG, Urban Growth, and the City's zoning of residential may allow uses that may conflict with the preservation of cultural sites, if any exist. Those conflicting uses include construction of buildings on the sites and/or excavation. Before such uses are permitted, the City will require that a Level II survey be completed, Native American Cultural Archeologist's input recommended, to determine whether or not there is a cultural site worthy of preservation.

c. Economic, Social, Environmental, & Energy Consequences: Economic consequences of protecting a chip site or a cultural site would be in the form of lost use of a portion of the property.

Social consequences of protecting the sites would be the preservation of the Native American Indian presence and

an increased awareness of the value of that presence. Failure to preserve a cultural site would result in the loss of a historic heritage unique to this area of the United States. Preservation of a non-cultural site would cause undue economic hardship on the landowner.

Environmental and energy consequences of protecting or not protecting the sites are negligible.

d. Program to Achieve Goal:

Protection of the site, if a Level II survey reveals the existence of a cultural site, would be in the best interests of the public. To ensure preservation, the City Council will require the following:

- Posting at the periphery of any site identified in the survey worthy of protection to prohibit artifact hunting and other excavations.
- No building shall be constructed on a cultural site or within a 100' buffer area beyond the posted signs surrounding the site.
- The County Sheriff shall be notified of the significance of the two sites.

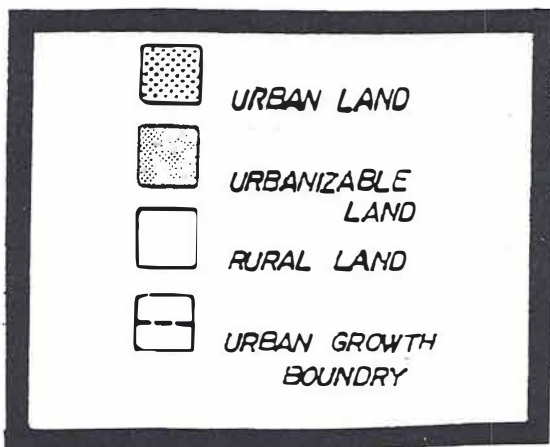
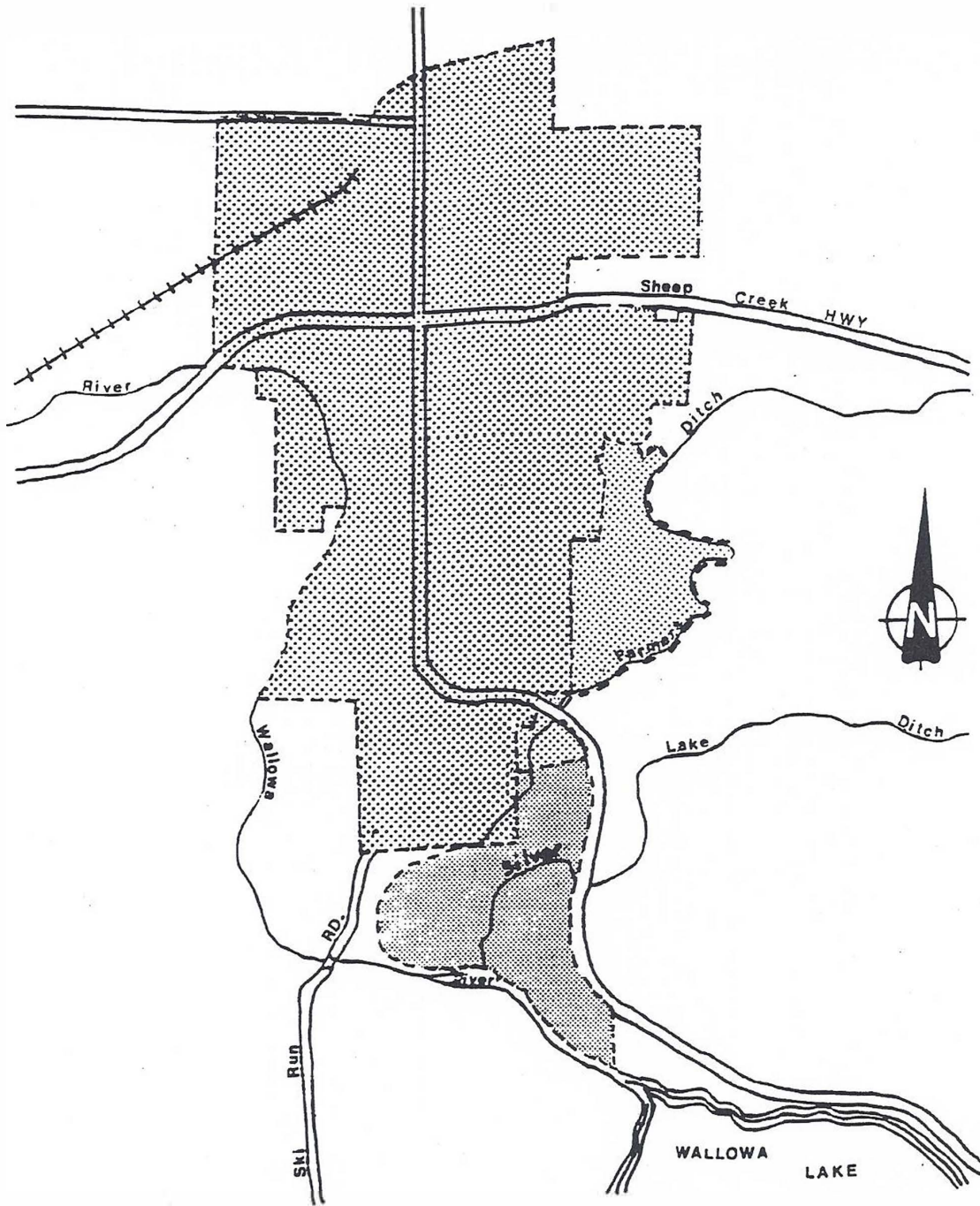
f. To provide for conversion of urbanizable land to urban uses within the U.G.B. a joint management agreement between Wallowa County and the City of Joseph has been implemented.

Policies.

1. Joseph will reserve the option of passing the cost of extension of water/sewer services into the U.G.B. to those landowners whose parcels will be served.
2. Any proposed change in the U.G.B. must be consistent with the following:
 - a. The orderly and economic provision for supplying public facilities and services.
 - b. A demonstration of public need based on long-range growth patterns, additional employment opportunities and area liveability.
 - c. An evaluation of alternative sites.

Recommendations.

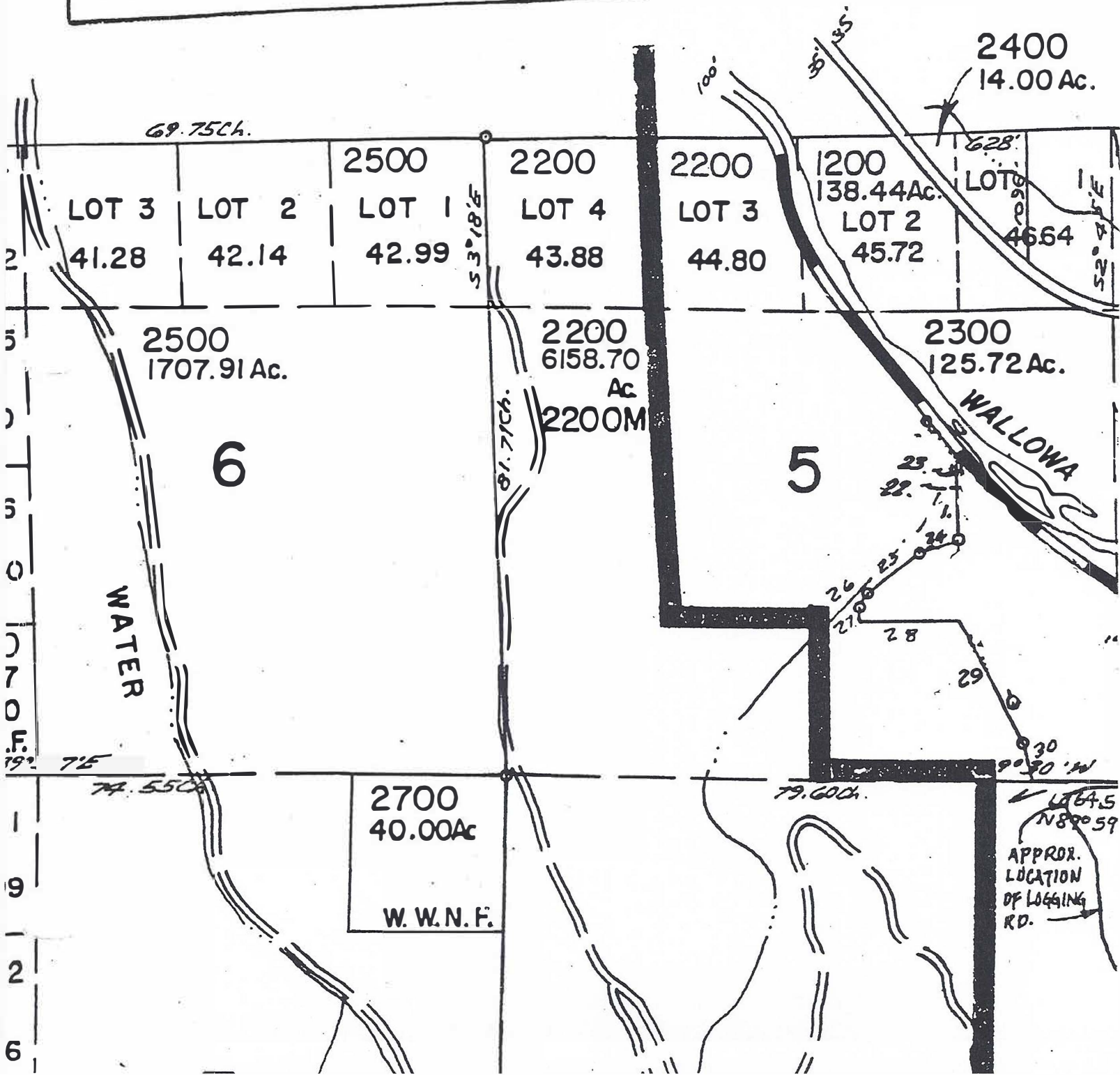
1. The City shall pursue a program to encourage development of vacant land within existing city limits.



JOSEPH

WALLOWA COUNTY, OR

This map was prepared for assessment purpose oniy.



APPENDIX E – JOSEPH ZONING ORDINANCE (2009) ADOPTED BY ORDINANCE 2009-01

ARTICLE 1. INTRODUCTORY PROVISIONS.

Section 1.010. Title.

This ordinance shall be known as the Joseph Zoning Ordinance (2009) replacing Ordinance No. 2002-04.

Section 1.020. Purpose.

The purpose of this ordinance is to encourage appropriate and orderly physical development without diminishing the desirability of the town's living and recreating space, considering such standards as open space, desired levels of population density, adequate community facilities and to promote in other ways the public's general health, safety, convenience and welfare. It is also the intent of this ordinance to implement the provisions of the City of Joseph's Comprehensive Land Use Plan and any amendments thereto.

Section 1.030. Definitions.

As used in this ordinance, the following words and phrases shall mean:

Access Related Definitions

- Access. The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.
- Access Classification. A ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification, the appropriate local government's adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.
- Access, Cross. A service drive providing vehicular access between two or more contiguous sites so a motorist, bicyclist, or pedestrian need not enter the public street system.
- Access Connections. Any driveway, street, turnout or other means of providing for the movement of vehicles to or from the public roadway system.
- Access Features, Nonconforming. Features of the property access that existed prior to the date of ordinance adopting and do not conform with the requirements of this ordinance.
- Access, Joint or Shared. A driveway connecting two or more contiguous sites to the public street system.
- Access Management. The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.
- Access, Reasonable. The minimum number of access connections, direct or indirect, necessary to provide safe access to and from the roadway, as consistent with the purpose and intent of this ordinance and any applicable plans and policies of the (city/county).
 - Accessway. A walkway that provides pedestrian and bicycle passage either between streets or from a street to a building or other destination such as a school, park, or

transit stop.

- Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and adjacent uses.
- Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include landscaping, trees, and lighting.
- Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.

Accessory Use or Accessory Structure. A use or structure incidental and subordinate to the main use of the property, as storage of automobiles in a garage is accessory to residential use of a dwelling. A home occupation is considered an accessory use.

Americans With Disabilities Act and Guidelines.

- Federal law prohibiting discrimination against people with disabilities. Requires public entities and public accommodations to provide accessible accommodations for people with disabilities.
- Accessibility Guidelines (ADAAG) provide scoping and technical specifications for new construction and alterations undertaken by entities covered by ADA.

Annexation. An action commenced by a city through public hearing, the intent of which is to incorporate additional land into legal boundaries of the City.

Attached House (Townhome or Rowhouse). A dwelling unit located on its own lot which shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 50 percent of the length of the side of the dwelling. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a townhome, rowhouse, zero-lot line dwelling, or a common-wall house.

Bicycle Related Definitions

- Bike Lane. A portion of the roadway which has been designated by striping and pavement markings for the preferential or exclusive use of bicyclists.
- Bikeway. A generic term for any road, street, path or way which in some matter is specifically designated for bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.
- Bikeway, Shoulder. A type of bikeway where bicyclists travel on a paved shoulder.
- Bicycle. A vehicle designed to operate on the ground on wheels, propelled solely by human power, upon which any person or persons may ride, and with two tandem wheels at least 14 inches in diameter. An adult tricycle is considered a bicycle.
- Bicycle Facility. Any facility provided for the benefit of bicycle travel, including bikeways and parking facilities as well as all other roadways not specifically designated for bicycle use.
- Wide Outside Lane. A wider than normal curbside travel lane that is provided for ease

of bicycle operation where there is insufficient room for a bike lane or shoulder bikeway.

Building. A structure, but not an R.V. or mobile home, built for support, shelter or enclosure of persons, animals, chattels or property of any kind and having a fixed base on or fixed connection to the ground.

City. The City of Joseph, Oregon.

Clearance (for Vehicles) Definitions

- **Clearance, Corner.** The distance from an intersection of a public or private road to the nearest access connection, measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.
- **Clearance, Lateral.** The width required for safe passage as measured in a horizontal plane.
- **Clearance, Vertical.** The height required for safe passage as measured in a vertical plane.

Commercial. A zone and land use that involves the buying/selling of goods or services.

Commercial Outdoor Use. A use supporting a commercial activity in a commercial zone.

Comprehensive Land Use Plan. The controlling land use document for the City of Joseph. The Comprehensive Land Use Plan includes and is implemented by the City of Joseph:

- Annexation Ordinance.
- Land Division Ordinance.
- Transportation System Plan (including the Joseph Bicycle and Pedestrian Plan).
- Zoning Ordinance.

Community Building. A publicly owned structure, used and operated for the benefit of the general public.

Community Center. A structure, either public or private non-profit, used primarily as a facility for public purposes and gatherings.

Conditional Use. A use specifically identified within a zone that may be allowed, subject to a public hearing and satisfaction of any applicable standards. Generally, conditional uses should conform to the general use and purpose of the area or zone in which they are located.

Council. The Common Council of the City of Joseph, Oregon.

Curb Related Definitions.

- **Curb Extension.** A section of sidewalk extending into the roadway at an intersection or

midblock crossing that reduces the crossing width for pedestrians and may help reduce traffic speeds.

- Curb Ramp. A combined ramp and landing to accomplish a change in level at a curb. This element provides street and sidewalk access to pedestrians using wheelchairs.
- Curb Ramp, Diagonal. Curb ramp positioned at the apex of the curb radius at an intersection, bisecting the corner angle.
- Curb Ramp, Parallel. Curb ramp design where the sidewalk slopes down on either side of a landing. Parallel curb ramps require users to turn before entering the street.
- Curb Ramp, Perpendicular. Curb ramp design where the ramp path is perpendicular to the edge of the curb.

Dwelling Related Definitions

- Dwelling, Multi-Family. A building or portion thereof, designed for occupancy by two or more families living independently of each other.
- Dwelling, Single-Family. A detached building containing one dwelling unit and designed for occupancy by one family only.
- Dwelling Unit. A living facility that includes provisions for sleeping, eating, cooking and sanitation, as required by the Uniform Building Code, for not more than one family, or a congregate residence of 10 or less persons. (UBG 205)

Downtown Area. The eight block area fronting Main Street (Wallowa Lake Highway 82) from East Maple Street to West Third Street. The east and west boundaries of the Downtown Area are the alleys that parallel Main Street. The Downtown area has curb extensions, diagonal on-street parking, and special sidewalk block paving.

Easement. A grant of one or more property rights by a property owner to or for use by the public, or another person or entity.

Fence Related Definitions

- Electric Fence. Any fence with any portion electrified or with electrical insulators.
- Fence. Any man made structure except a building, constructed of wood, chain link, brick, cement block, berms, wrought iron, decorative metal or other man-made material which serves to enclose a lot or parcel or any material portion of a lot or parcel, including without limitation intended and by way of example only, gates, livestock stock panels, arbors and lattice.
- Solid Fence. A fence which does not allow persons on each side of a fence to view substantially all of the scenery on the other side of the fence. Woven wire fences are an example of a fence which is not a solid fence.
- Support System shall mean posts, rock jacks or bracing.
- Woven Wire Fences shall mean a fence constructed almost entirely of wood and/or steel posts, and agricultural woven wire fencing material commonly referred to as "field fence" or "horse fence".

Home Occupation. A lawful occupation carried on by an occupant at their primary residence as an accessory use within the same dwelling or an existing accessory structure, not to exceed one-third of dwelling, and which does not constitute a hazard or public

nuisance.

Hostel. An establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed or maintained under the sponsorship of a nonprofit organization which holds a valid exemption from federal income taxes under the Internal Revenue Code of 1954 as amended.

Light Industrial Business. A business engaged in manufacturing or repairing of a product. Said business must comply with all state and local codes concerning sound levels, utility, and structural guidelines. A qualifying business located in a commercial zone may not adversely affect the nature of the commercial and adjoining residential zones in any way.

Lot Related Definitions

- Lot. A parcel or tract of land.
- Lot Area. The total horizontal area within the lot lines of a lot, exclusive of streets and easements of access to other property.
- Lot, Corner. A lot abutting on two or more streets, other than an alley, at their intersection.
- Lot Depth. The average distance measured from the front lot line to the rear lot line.
- Lot, Flag. A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way line.
- Lot Frontage. That portion of a lot extending along a street right-of-way line.
- Lot Line. The property line bounding a lot.
- Lot Line, Front. The lot line separating the lot from the street other than an alley. In the case of a corner lot, the front line is the shortest lot line along a street other than an alley. In the case of a through lot, each street has a front lot line.
- Lot Line, Rear. The lot line which is most opposite and most distant from the front lot line. In case of irregular, triangular or other shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.
- Lot Line, Side. Any lot line, not a front or rear lot line.
- Lot, Through. A lot having frontage on two parallel or approximately parallel streets other than alleys.
- Lot Width. The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.
- Reversed Corner Lot. A corner lot, the side street line of which is substantially a continuation of the front line of the first lot to its rear.

Major Traffic Generators. A "major traffic generator" is a land use that generates more than 400 daily trips as determined by the latest edition of the Institute of Transportation Engineers *Trip Generation Manual*.

Mobile Home Related Definitions

- Mobile Home. A vehicle or structure constructed for movement on the public highways, that has sleeping, cooking, and plumbing facilities and that is intended for

permanent human occupancy and is being used for residential purposes. A mobile home shall consist of one of two following classifications:

- Triple-Wide. Three separate housing units expressly manufactured to be connected together to form one single-family residence.
- Double-Wide. Two separate housing units expressly manufactured to be connected together to form one single-family residence.
- Mobile Home Park. A place where four or more mobile homes are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any other person for a charge or fee paid or to be paid for rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

Neighborhood Activity Center. An attractor or destination for residents of surrounding residential areas. Includes, but is not limited to existing or planned schools, parks, shopping areas, transit stops, and employment areas.

Non-Conforming Structure or Use. A lawful existing structure or use at the time this ordinance or any amendment thereto becomes effective, which does not conform to the requirements of this ordinance (or amendment) for the zone in which it is located.

ODOT. The Oregon Department of Transportation.

Owner. An owner of real property as shown by deed or contract and officially recorded in the office of the Wallowa County Clerk or on the last complete assessment role. An owner shall also include an authorized agent of owners of real property affected.

Part Time Resident. For the purposes of determining eligibility for home occupations, you are a part time resident if you reside outside the City limits at any time during the term of the Home Occupation permit.

Pedestrian, Crosswalk, Sidewalk, and Walkway Definitions

- Crosswalk. That part of the roadway at an intersection that is included within the extensions of the lateral lines of the sidewalks on opposite sides of the roadway, measured from the curb line, or in the absence of curbs from the edges of the roadway, or in the absence of a sidewalk on one side of the roadway, the part of the roadway included within the extension of the lateral lines of the sidewalk at right angles to the centerline. Also, any portion of a roadway at an intersection or elsewhere that is distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- Crossing, Midblock. A crossing point positioned within a block rather than at an intersection.
- Detectable Warning. Standardized surface feature built in, or applied to, walking surfaces or other elements to warn pedestrians with vision impairments of hazards on a sidewalk and/or landing platform, such as the curb line or drop-off.
- Landing. Level area of sidewalk at the top or bottom of a ramp.
- Pedestrian. A person afoot, in a wheelchair, or walking a bicycle.
- Pedestrian-Actuated Traffic Signal. Push button or other control operated by

pedestrians designed to interrupt the prevailing signal cycle to permit pedestrians to cross a signalized intersection or midblock crossing.

- Pedestrian Facility. A facility provided for the benefit of pedestrian travel, including walkways, crosswalks, signs, signals, illumination and benches.
- Refuge Island. An island in the center of a road that physically separates the directional flow of traffic and can provide pedestrians with a place of refuge and reduce the crossing distance between safety points.
- Sidewalk. A walkway separated from the roadway with a curb, constructed of a durable, hard and smooth surface, designed for preferential or exclusive use by pedestrians.
- Tactile Warning. Change in surface condition providing a tactile cue to alert pedestrians with vision impairments of a potential hazardous situation.
- Vibrotactile Pedestrian Device. Device that communicates information about pedestrian timing through a vibrating surface by touch.
- Vision Impairment. Loss or partial loss of vision.
- Walk Interval. Traffic signal phase in which the WALKING PERSON (symbolizing WALK) signal indication is displayed.
- Walkway. A transportation facility built for use by pedestrians, including persons in wheelchairs. Walkways include sidewalks, paths and paved shoulders.

Person. A natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination action as a unit.

Permitted Transportation Uses and Activities

- Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.
- Installation of culverts, pathways, medians, fencing, guardrails, lighting and similar types of improvements within existing right-of-way.
- Projects specifically identified in the Transportation System Plan and Bicycle and Pedestrian Plan as not requiring further land use regulation.
- Landscaping as part of a transportation facility.
- Emergency measures necessary for the safety and protection of property.
- Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan and Bicycle and Pedestrian Plan except for those that are located in exclusive farm use or forest zones.
- Construction of a street or road as part of an approved land division.

Planning Official. A City employee or contract employee designated by the City Council to administer this ordinance.

Plat. An exact and detailed map showing the subdivision of land.

Primary. The largest or most substantial element on the property, as in "primary" use, residence, entrance, etc. All other similar elements are secondary in size or importance.

Primary Residence. A dwelling where one actually lives for determination of his civil status or other legal purposes because it is actually or legally his permanent and principal home. All other similar elements are secondary in size or importance.

Public Facilities and Services. Projects, activities, and facilities which the City determines to be necessary for the public health, safety and welfare.

Road and Roadway, Alley and Street Definitions

- Alley. A narrow street which affords only secondary means of access to property.
- Right-Of-Way. Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.
- Road, Frontage or Service Road. A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. The frontage road provides access to private properties while separating them from the arterial street.
- Road, Private. Any roadway for vehicular travel which is privately owned and maintained and which provides the principal means of access to abutting properties.
- Road, Public. A road under the jurisdiction of a public body that provides the principal means of access to an abutting property.
- Roadway Construction or Reconstruction. Does not include maintenance and repair of existing roadways, or providing a gravel or paved surface to existing vehicular travel lanes of 24 feet or less within dedicated rights-of-way.
- Roadway Functional Classification. A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.
- Roadway Intersection Functional Area That area beyond the physical intersection of two roads that comprises decision and maneuver distance, plus any required vehicle storage length.
- Roadway Pavement Markings. Painted or applied lines or legends placed on a roadway surface for regulating, guiding or warning traffic.
- Roadway, Signed Shared. A shared roadway which has been designated by signing or directional pavement markings as a preferred route for bicycle use.
- Roadway, Shared. A type of bikeway where bicyclists and motor vehicles share the same travel lane.
- Roadway, Shoulder. The portion of a roadway that is contiguous to the travel lanes provided for pedestrians, bicyclists, emergency use by vehicles and for lateral support of base and surface courses.
- Street. A public or private right-of-way which provides ingress and egress to adjacent properties for vehicular, bicycle, pedestrian, public utilities and other such uses. The term "street" shall include such designations as "highways," "roads," "lane," "avenue," "alley," "court," or other such similar terms.
- Street, Arterial. Higher volume streets with a minimal number of access points, providing direct routes between cities, districts, and neighborhoods; includes sidewalks and bike lanes.
- Street, Collector. Serves local access needs through connecting local streets to arterial; includes sidewalks and may have on-street parking and bike lanes.
- Street, Cul-de-sac or Dead-end Street. A short section of residential street intended to

serve only adjacent land in residential neighborhoods, typically includes a bulb-shaped turn-around area for emergency vehicles.

- Street, Half. A portion of the ultimate width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.
- Street, Minor. A street intended primarily for access to abutting properties.
- Street, Residential. Provides access to individual residential or multi-family lots, includes walkways, on-street parking, and is designed for very low speeds
- Street Stub-Out (Stub-street). A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

Shared Bicycle and Pedestrian Definitions

- Minimum Clearance Width. The narrowest point on a sidewalk or path. A minimum clearance width is created when obstacles, such as utility poles or tree roots, protrude into the sidewalk and reduce the design width.
- Reasonably Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
- Safe and Convenient. Bicycle and pedestrian routes that are reasonably free from hazards, and provide a reasonably direct route of travel between destinations.
- Shared Use or Multi-Use Path. A path physically separated from motor vehicle traffic by an open space or barrier and either within a roadway right-of-way or within an independent right-of-way, used by bicyclists, pedestrians, joggers, in-line skaters, and other non-motorized users.

Sign: An identification, description, or device which is affixed to or represented directly or indirectly upon a building, structure or land and which directs attention to a product, place, activity, person, institution or business.

Significant Change in Trip Generation. A change in the use of the property, including land, structures or facilities, or an expansion of the size of the structures or facilities causing an increase in the trip generation of the property exceeding: (1) local — 10 percent more trip generation (either peak or daily) and 100 vehicles per day more than the existing use for all roads under local jurisdiction; or (2) State — exceeding 25 percent more trip generation (either peak or daily) and 100 vehicles per day more than the existing use for all roads under state jurisdiction.

Structure. Something constructed or built or piece of work artificially built up or composed of parts joined together in some definite manner. Structures with roofs are required to meet standard setbacks.

Structural Alteration. A change to the supporting members of structure including foundations, bearing walls, or partitions, columns, beams girders or any structural change in the roof or in the exterior walls.

Recreational Vehicle (R.V.). A vehicle or similar portable device including trailers,

campers, motor homes and the like, originally designed or presently constructed to permit temporary human occupancy for living or sleeping.

Recreational Vehicle (R.V.) Park. A lot which is operated on fee or other basis as a place for the parking or siting of two or more occupied R.V.'s.

Travelers' Accommodations. Any primary residence, which is not a hotel or motel, having rooms, apartments or sleeping facilities rented or kept for rent on a daily or weekly basis to travelers or transients for a charge or fee paid or to be paid for rental or use of facilities excluding hotels and motels in R1 and R2 zones.

Use. The purpose for which land or a structure is designed, arranged or intended or for which it is occupied or maintained.

Utility Structure. A building, plant, works or other property used for the development or transmission of a commodity including such commodities as water, gas, sewer service, electricity, telephone, and television.

Variance. A deviation either from the size or uses allowed within a given zone or area, subject to a public hearing, and provided that the resulting use or size generally conforms to the surrounding area or zone.

Yard-Related Definitions

- Setback. The distance between a building or other feature of development and a property line. Minimum and maximum setbacks may be required for front, side and rear yards. Building setbacks are measured from the foundation nearest the property line to the respective property line. Setbacks for covered decks and porches are measured from the edge of the deck or porch nearest the property line to the property line.
- Yard. An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance. Sidewalks, patios and unroofed decks are so excepted.
- Yard, Front. A yard between side lots lines and measured horizontally at right angles to the front lot line to the nearest point of a building or other structure.
- Yard, Rear. A yard between side lot lines and measured horizontally at right angles to the rear lot line to the nearest point of a building or other structure.
- Yard, Side. A yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of the building or other structure.
- Yard, Side Street. A yard adjacent to a street between the front yard and the rear yard lot line measured horizontally and at right angles from the side lot line to the nearest point of the building or other structure.

Wayfinding. A system of information comprising visual, audible, or tactile elements that helps users experience an environment and facilities getting from point A to point B.

Section 1.040. Compliance with this Ordinance.

A lot or land may be used and a structure or part of a structure may be constructed, reconstructed, altered, occupied or used only as this ordinance permits. Penalties enforcing the provisions of this ordinance shall be set by Resolution of the City Council.

Section 1.050. Relationship to Comprehensive Land Use Plan.

A permit may be issued and a use allowed only as it conforms to this ordinance and as it relates to the City of Joseph's Comprehensive Land Use Plan, including the Transportation System Plan and the Bicycle and Pedestrian Plan.

Section 1.060. Interpretation.

Where the conditions imposed by a provision of this ordinance are less restrictive than comparable conditions imposed by any other provisions of this ordinance or any other ordinance, the provisions which are more restrictive shall govern.

Section 1.070. Applicability.

This ordinance shall be applicable to all land within the corporate limits of the City of Joseph, Oregon.

ARTICLE 2. ESTABLISHMENT OF ZONES

Section 2.010. Classification of Zones.

For purpose of this ordinance, the following zones are hereby established:

<u>Zone</u>	<u>Abbreviated Designation</u>
Select Residential	R-1
General Residential	R-2
Commercial	C
Industrial	I

Section 2.020. Location of Zones.

The boundaries for the zones listed in this ordinance are indicated on Joseph Zone Map which is hereby adopted by reference. The boundaries shall be modified in accordance with the provisions of Joseph's Land Use Plan and with the zoning map amendments which shall be adopted by reference.

Section 2.030. Zoning Map.

A zoning map or zoning map amendment adopted by Section 2.020 of this ordinance by an amendment thereto shall be prepared or modified by authority of the City Council. The map or map amendment shall be dated with the effective date of the ordinance that adopts the map or map amendment. A certified print of the adopted map or map amendment shall be maintained in the office of the City Recorder as long as this ordinance remains in effect.

Section 2.040. Zone Boundaries.

Unless otherwise specified, zone boundaries are section lines, subdivision lines, center lines of street or railroad right-of-ways, or such lines extended.

Section 2.050. Zoning of Annexed Areas.

Unzoned areas annexed to the City shall be zoned at the time of annexation and shall comply with the provisions and policies of the Joseph Land Use Plan and this ordinance.

ARTICLE 3. USE ZONES

Section 3.010. Uses Permitted Outright in a Select Residential Zone, R-1.

In an R-1 zone, the following uses and their accessory uses are permitted outright:

1. Single-family dwelling. A minimum floor space of 1,000 square feet of living space is required.
2. Manufactured homes, placed outside of a manufactured home subdivision provided they:
 - A. Be multi-sectional ("double wide" or wider) and enclose a floor area of not less than 1,000 square feet;
 - B. Be placed on an excavated and back-filled foundation, enclosed at the perimeter such that they are not located more than 12 inches above grade;
 - C. Have a roof with a minimum pitch of 3 feet in height for each 12 feet in width;
 - D. Have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the City;
 - E. Be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single family dwellings constructed under the state building code as defined in ORS 455.010;
 - F. Not be sited adjacent to any structure listed on the Register of Historic Landmarks and Districts.
3. Livestock grazing and crop cultivation including farm, orchard, truck garden or plant nursery.
4. Public park.
5. Temporary R.V.'s provided that:
 - A. Prior to its installation, the owner shall obtain a zoning permit for ninety (90) days with 180 days maximum per annum;
 - B. If not self-contained, the R.V.'s shall be connected, prior to issuance of the permit, to

the City's sewer and water system at the owner's expense;

C. There shall be no more than one R.V. allowed per city lot or in addition to an existing single-family dwelling;

D. The storage of a non-occupied R.V. does not constitute a use.

6. Two-family (duplex) dwelling.

7. Permitted transportation uses and facilities as defined in Section 1.030.

Section 3.020. Conditional Uses Permitted in an R-1 Zone.

In an R-1 zone, the following uses and their accessory uses are permitted when authorized in accordance with Article 6:

1. Church.

2. Community building.

3. School, public or private.

4. Home occupation.

5. Travelers' accommodation. The facility is subject to review during the first three years of the operation after which time a permanent permit for the facility as an accredited travelers' accommodation will be issued. Said accommodation shall also be subject to the following:

A. That each rental unit have one off-street parking space and the owner's unit have two parking spaces;

B. That only one ground or wall wood sign of six (6) square feet maximum size with no more than 150 watts of illumination be allowed;

C. An annual inspection by the County Health Department shall be required; and

D. That all State requirements be met.

6. Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects which are:

A. Designated in the Transportation System Plan (including the Bicycle and Pedestrian Plan) but for which no site-specific decisions have been made; or

B. Not otherwise approved as the result of a land division, site development review or conditional use application.

Section 3.030. Dimensional Standards in an R-1 Zone.

In an R-1 zone, the following dimensional standards shall apply:

1. The front yard shall be a minimum of 15 feet except that garages shall be set back from the front line at least 20 feet as measured from the foundation.
2. Each side yard shall be a minimum of 5 feet, except that on the corner lots, the side yard on the street shall be a minimum of 10 feet.
3. The rear yard of the primary structure shall be a minimum of 20 feet. Accessory buildings shall have a rear yard of not less than five feet.
4. No structure shall be placed less than ten feet from the high water mark of any irrigation ditch or stream.
5. No structure shall be placed less than ten feet from the high water mark of the Wallowa River.
6. The minimum lot area shall be 5850 square feet.
7. The minimum lot width at the front building line shall be 50 feet.
8. No building shall exceed the height of 25 feet as measured from the base of the foundation, except church spire or as provided in SECTION 5.040.
9. All roofing must be non-reflective.
10. The dimensional standards of this section shall be met in the event of any future partition or lot line adjustment.

Section 3.040. Uses Permitted Outright in a General Residential Zone, R-2.

In an R-2 Zone, the following uses and their accessory uses are permitted outright:

1. Any use permitted outright in an R-1 Zone.
2. Multiple-family dwelling.
3. Church.
4. School, public or private.
5. Permitted transportation uses and activities as defined in Section 1.030, Definitions.

Section 3.050. Conditional Uses Permitted in an R-2 Zone.

In an R-2 zone, the following uses and their accessory uses are permitted when authorized in

accordance with Article 6:

1. Government use.
2. Hospital, nursing home or residential care facilities as defined by State Statutes.
3. Recreational vehicle park.
4. Utility structure.
5. Circus, fair and carnival.
6. Home occupation.
7. Traveler's accommodation. The facility is subject to review during the first three years of the operation after which time a permanent permit for the facility as an accredited travelers' accommodation will be issued. Said accommodation shall also be subject to the following:
 - A. That each rental unit have one off-street parking space and the owner's unit have two parking spaces;
 - B. That only one ground or wall wood sign of six (6) square feet maximum size with no more than 150 watts of illumination be allowed;
 - C. An annual inspection by the County Health Department shall be required; and
 - D. That all State requirements be met.
8. Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects which are:
 - A. Designated in the Transportation System Plan (including the Bicycle and Pedestrian Plan) but for which no site-specific decisions have been made; or
 - B. Not otherwise approved as the result of a land division, site development review or conditional use application.

Section 3.060. Dimensional Standards in an R-2 Zone.

In an R-2 zone, the following dimensional standards shall apply:

1. The front yard shall be a minimum of 15 feet except that garages shall be set back from the front line at least 20 feet as measured from the foundation.
2. Each side yard shall be a minimum of 5 feet, except that on the corner lots, the side yard on the street shall be a minimum of 10 feet.

3. The rear yard of the primary structure shall be a minimum of 20 feet. The rear yard of an accessory structure shall be not less than five (5) feet.
4. No structure shall be built less than ten feet from the high water mark of any irrigation ditch or stream.
5. No structure shall be built less than ten feet from the high water mark of the Wallowa River.
6. The minimum lot area shall be 5850 square feet, except that for each dwelling unit over two, the minimum lot area shall be increased 1000 square feet per additional unit.
7. The minimum lot width at the front building line shall be 50 feet.
8. No building shall exceed the height of 25 feet, except a church spire or as provided in SECTION 5.040.
9. All roofing must be non-reflective.
10. The dimensional standards of this section shall be met in the event of any future partition or lot line adjustment.

Section 3.070. Uses Permitted Outright in a Commercial Zone, C.

In a C zone, the following uses are permitted outright:

1. Retail or wholesale establishment.
2. Eating or drinking establishment.
3. Financial institution.
4. Office.
5. Sign.
6. Hotel, motel.
7. Government use.
8. Community building, community center not including schools or churches.
9. Repair and maintenance shops.
10. Amusement establishment.

11. Second hand store.
12. Second floor residential.
13. Permitted transportation uses and activities as defined in Section 1.030, Definitions.

Section 3.080. Conditional Uses in a C Zone.

In a C zone, the following uses and their accessory uses are permitted when authorized in accordance with Article 6:

1. Residential (Single and Multiple Family).
2. Mini-storage buildings.
3. Light industrial business.
4. Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects which are:
 - A. Designated in the Transportation System Plan (including the Bicycle and Pedestrian Plan) but for which no site-specific decisions have been made; or
 - B. Not otherwise approved as the result of a land division, site development review or conditional use application.

Section 3.090. Dimensional Standards in a C Zone.

In a C zone, all new structures and any alterations, repairs, or extensions of an existing structure shall conform to the following standards:

1. All roofing must be non-reflective.
2. Height shall not exceed 30 feet as measured from the average elevation of the finished ground level at the center of all walls of a building to the highest point of the structure. This height of 30 feet is restricted to that portion of Highways 82/351 and the alley bordering the lot east or west of the property line. In all other commercial zones, the height is restricted to 25 feet as measured from the average elevation of the finished ground level at the center of all walls of a building to the highest point of the structure.
3. There shall be no yard setbacks in a C zone.

Section 3.100. Uses Permitted Outright in an Industrial Zone, I.

In an I zone, the following uses and their accessory uses are permitted outright:

1. Repair and maintenance shops.
2. Light industry.

3. Mini-storage and storage building and warehouses.
4. Blacksmith and machine shops.
5. Welding shops.
6. Manufacturing, processing, or treatment plants or other uses which comply with State and Federal Environmental Quality standards.
7. Granaries.
8. Permitted transportation uses and activities as defined in Section 1.030, Definitions.

Section 3.110. Conditional Uses Allowed in an I Zone.

In the I zone, the following uses and their accessory uses are permitted when authorized in accordance with Article 6.

1. A single-family residential dwelling necessary for the caretakers, watchmen, or the owner of the industry existing on the parcel.
2. R.V. Parks.
3. Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects which are:
 - A. Designated in the Transportation System Plan (including the Bicycle and Pedestrian Plan) but for which no site-specific decisions have been made; or
 - B. Not otherwise approved as the result of a land division, site development review or conditional use application.

Section 3.120. Dimensional Standards in an I Zone.

In the I zone, the lot size shall be determined by the anticipated use, providing it generally conforms to:

1. Existing land uses.
2. The provisions of the Joseph Land Use Plan.
3. The purpose of this ordinance.

ARTICLE 4. SUPPLEMENTAL PROVISIONS

Section 4.010. Maintenance of Minimum Ordinance Requirements.

No lot area, yard or other open space existing on or after the effective date of this ordinance shall

be reduced below the minimum required for it by this ordinance, and no lot area, yard or other open space which is required by this ordinance for one use shall be used as the required lot area, yard or other open space for another use.

Section 4.020. Access Management and Connectivity.

The purpose of this section is to implement the Transportation System Plan (including the Bicycle and Pedestrian Plan) by managing access to roadways while allowing for the safe and efficient movement of people and goods. The standards in this section are intended to maintain roadway safety, capacity, foster connectivity, be consistent with roadway functional classifications, and maintain highway mobility (level of service) standards set forth in the Transportation System Plan.

1. General Frontage Standard. Except as modified in this section, every lot shall abut a street, other than an alley, for at least 25 feet.
2. Applicability. Except for Subsection 4.020.1 above, Section 4.020 shall apply to arterial and collector streets (as defined in the Transportation System Plan) and to properties that abut such streets.
3. Cross Access for Major Traffic Generators Required. Subsection 4.020.3 applies to major traffic generators as defined in Section 1.030 and is intended to minimize traffic congestion from commercial and office development. Adjacent commercial or office properties identified as major traffic generators shall provide a cross access drive and bicycle and pedestrian access to allow circulation between sites.
4. Joint Use Driveways and Cross Access Easements Required Where Feasible. For commercial and offices uses that are not major traffic generators, a system of joint use driveways and cross access easements to allow circulation between sites shall be established and incorporate the following:
 - A. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.
 - B. A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles
 - C. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.
 - D. A unified access and circulation system plan for coordinated or shared parking areas.
 - E. The City of Joseph may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make the development of a unified or shared access and circulation system impractical.
5. Shared Parking. Shared parking areas shall be permitted as a reduction in required

vehicle parking spaces if peak demands do not occur at the same time periods.

6. Implementation of Cross Easements and Shared Parking Agreements. Where cross access easements or shared parking are required and feasible, property owners shall:
 - A. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
 - B. Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the City of Joseph and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
 - C. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.
7. Reduction in Access Separation Distances. The city may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
 - A. Joint access driveways and cross access easements are provided in accordance with this section.
 - B. The site plan incorporates a unified access and circulation system in accordance with this section.
 - C. The property owner enters into a written agreement with the (city/county), recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.
8. Driveway and Approach Standards. Driveways and their approaches shall meet the following standards:
 - A. If the driveway is a one way in or one way out drive, then the driveway shall be a minimum width of 10 feet and shall have appropriate signage designating the driveway as a one way connection.
 - B. For two-way access, each lane shall have a minimum width of 10 feet and a maximum width of 12 feet.
 - C. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.
 - D. The length of driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.
9. Nonconforming Access Features. Legal access connections in place as of (date of

adoption) that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

- A. When new access permits are requested; or
- B. Change in use, enlargements, or improvements that will increase trip generation to 400 daily trips or above.

10. Requirements for Consolidated Development Plans. Subsection 5 promotes unified access and circulation systems.

- A. Plans for phased developments, development sites under the same ownership, or development sites that have been consolidated for the purposes of development and comprised of more than one building site, shall be reviewed as single properties in relation to the access standards of this ordinance.
 - a. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage.
 - b. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans.
 - c. The owner and all lessees within the affected area are responsible for compliance with the requirements of this ordinance and both shall be cited for any violation.
- B. All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles, and pedestrian walkways.

11. Access to Street of Lower Classification Required.

- A. Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification.
- B. New direct accesses to individual one and two family dwellings shall be prohibited on all but District-level State Highways.

Section 4.023. Corner Clearance Standards.

- 1. Corner clearance for access connections shall meet or exceed the minimum access connection spacing requirements for that roadway.
- 2. New access connections shall not be permitted within the functional area of an intersection as defined by the connection spacing standards of this ordinance, unless no other reasonable access to the property is available.

3. Where no other alternatives exist, the Planning Official may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections (i.e. right in/out, right in only, or right out only) may be required.

Section 4.025. Commercial Building and Parking Orientation Standards.

1. New commercial buildings shall be oriented to the street, near or at the setback line. A main entrance shall be oriented to the street. For lots with more than two front yards, the building(s) shall be oriented to the two busiest streets.
2. Off-street motor vehicle parking for new or expanded commercial development shall not be located between the building and Main Street in the downtown area. Existing downtown off-street parking areas are exempt from this standard.

Section 4.027. Pedestrian Circulation and Bicycle Circulation and Parking.

Safe and convenient pedestrian and bicycle access shall be provided within new subdivisions, and within new or expanded multi-family, commercial, industrial, school, park and office developments as set forth in this section.

1. Bicycle and Pedestrian Access. Bicycle and pedestrian access shall provide safe, direct and convenient connections to adjacent streets, as well as residential areas and neighborhood activity centers within one-half mile of the development.
 - A. Residential developments shall include streets with walkways and accessways.
 - B. Pedestrian circulation through parking lots shall be provided in the form of accessways or other clearly defined walkways.
 - C. Internal pedestrian circulation shall be provided by clustering of buildings, construction of hard surface walkways, landscaping, accessways, or similar techniques.
 - D. Bikeways shall be required along all arterial and collector streets. Striped bike lanes or other separated bikeways shall be provided on roadways serving 3,000 vehicle trips per day or greater.
 - E. Walkways shall be required along both sides of all arterials, collectors, and local streets.
2. Bicycle Parking. Bicycle parking shall be provided for new multiple family, commercial, office, industrial, park, school and other institutional uses, and to additions to these uses of 1,000 square feet or greater. Bicycle parking is not required for single-family and two-family housing (attached, detached, or manufactured housing), home occupations, agriculture or livestock uses. Table A sets forth bicycle parking standards. Where two options are provided, the option resulting in more bike parking shall be used.

Table A. Minimum Required Bicycle Parking Spaces

Table A. Minimum Required Bicycle Parking Spaces

Use Categories	Specific Uses	Long-Term Spaces (covered or enclosed)	Short-Term Spaces (near building entrances)
Residential Categories			
Household Living	Multi-Family	1 per 4 units	2, or 1 per 20 units
Group Living		2, or 1 per 20 bedrooms	None
	Dormitory	1 per 8 bedrooms	None
Commercial Categories			
		2, or 1 per 12,000 sq. ft. of floor area	2, or 1 per 5,000 sq. ft. of floor area
	Lodging	2, or 1 per 20 rentable rooms	2, or 1 per 20 rentable rooms
Office		2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 40,000 sq. ft. of floor area
Commercial Outdoor Recreation		8, or 1 per 20 auto spaces	None
Major Event Entertainment		8, or 1 per 40 seats per CU review	None
Industrial Categories			
Manufacturing and Production		2, or 1 per 15,000 sq. ft. of floor area	None
Warehouse and Freight Movement		2, or 1 per 40,000 sq. ft. of floor area	None
Institutional Categories			
Basic Utilities	Bus Transit Center	8	None
Community Service		2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 10,000 sq. ft. of floor area
	Park-and-Ride	8, or 5 per acre	None
Schools	Grades 2-5	1 per classroom, or per CU review	1 per classroom, or per CU review
	Grades 6-12	2 per classroom, or per CU review	4 per classroom, or per CU review
Colleges	Excluding dormitories (see Group Living above)	2, or 1 per 20,000 sq. ft. of net building area, or per CU review	2, or 1 per 10,000 sq. ft. of net building area, or per CU review
Medical Centers		2, or 1 per 70,000 sq. ft. of net building area, or per CU review	2, or 1 per 40,000 sq. ft. of net building area, or per CU review
Religious Institutions and Places of Worship		2, or 1 per 4,000 sq. ft. of net building area	2, or 1 per 2,000 sq. ft. of net building area
Daycare		2, or 1 per 10,000 sq. ft. of net building area	None
Other Categories	Determined through Site Development or Conditional Use Review as applicable		

- A. Location and Design: Long-term (e.g., covered) bicycle parking should be incorporated whenever possible into building design. Short-term bicycle parking, when allowed within a public right-of-way, should be coordinated with the design of street furniture, as applicable.
- B. Visibility and Security: Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

- C. Options for Storage: Long-term bicycle parking requirements for multiple family uses and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.
- D. Lighting: For security, bicycle parking shall be at least as well-lit as vehicle parking.
- E. Reserved Area: Areas set aside for bicycle parking shall be clearly-marked and reserved for bicycle parking only.
- F. Hazard: Bicycle parking shall not impede or create a hazard for pedestrians. Parking areas shall be located so as not to conflict with vision clearance standards.
- G. Additional Location and Design Guidance: The Design Guidelines chapter of the 2009 Joseph Bicycle and Pedestrian Plan provides further guidance on the location and design of short- and long-term bicycle parking facilities.

Section 4.030. General Provisions Regarding Accessory Use.

An accessory use or structure shall comply with the requirements for a principal use or structure, except as this ordinance specifically allows to the contrary. Accessory structures are allowed in all zones.

Section 4.040. Signs in a Residential Zone.

In an R-1 or R-2 zone, signs are generally regulated and allowed as follows:

- 1. One temporary sign pertaining to the lease, rental or sale of the property and not exceeding eight square feet in area.
- 2. One temporary sign per tract of land or subdivision advertising the sale of the tract of land or lots and not exceeding 32 square feet in area.
- 3. A temporary political sign, not exceeding 6 square feet in area, purporting to advertise a candidate or issue for a period not to exceed 60 days prior to the date of an election. Said sign must be removed not later than 10 days after the date of the election.
- 4. Private signs shall not be allowed in any portion of a public right-of-way unless specifically authorized by the City.
- 5. Sign ordinance 2003-02 governs signs in the Commercial Zone.

Section 4.050. Fences and Intersection Safety.

Fences and walls that are located within yards shall comply with the standards of this section and shall require a permit prior to construction.

- 1. Residential Zone: In residential zones in the City.
 - A. No solid fence shall be higher than six (6) feet above the natural ground level at any place; provided, however, that woven wire fences eight (8) feet in height are allowed.

- B. Arches and arbors over a gate may be up to eight (8) feet above the natural ground level.
2. Commercial and Industrial Zones: In commercial and industrial zones in the City.
- A. Properties abutting a residential zone shall comply with their specific zone.
 - B. Any fence abutting alleys must comply with their specific zone.
 - C. Maximum fencing of eight (8) feet in height is allowed. Barbed wire may be allowed between six and eight feet in height, with each strand spaced equally apart and not more than three strands.
3. All zones throughout the City:
- A. No fence or vegetation shall materially obstruct or impair visibility at intersections of public roads, private roads and/or alleys.
 - B. Electric fences are prohibited, except electric fences which are located at two feet distance inside an existing woven wire or solid fence.
 - C. No fences shall be located on or within any public right of way. Any pre-existing fence located on or within a public right of way (is grand-fathered in as of this date) any fence after this date shall be removed by and at the sole cost and expense of the owner of the property benefited by the fence, within 30 days as requested by the City.
 - D. No fence shall materially impair access to the City's or any public utilities' infrastructure within a public right of way.
 - E. If a fence has one surface which is finished and another which is unfinished, the supporting system and unfinished surface shall face the interior of the lot or parcel of the person erecting the fence.
4. Building Requirements. As applicable, the construction, repair and replacement of fences shall comply with the Uniform Building Code as administered by the State Building Codes Department.
5. Effective Date.
- A. All fences constructed before the effective date of this Section 4.050 with the exception of unsightly or hazardous fences shall be deemed to be in compliance with the City of Joseph Zoning Ordinance. After the effective date of this Section 4.050, all further fence construction and replacement shall comply with this Section 4.050.
 - B. The effective date of this Section 4.050 is April 7, 2006.

6. Self Help Remedy.: If any person violates this Section 4.050, without limiting the other rights and remedies of the City or any affected person, the City may give the person notice of the violation, and if the violation is not cured within 30 days after the date such notice is given, a court hearing will take place, with the sole cost and expenses being that of the property owner.

Section 4.060. Flood Plain.

No structure constructed, reconstructed or altered shall be located within a flood plain area as identified in the City of Joseph's Land Use Plan unless adequate flood precaution measures have been taken according to the Department of Housing and Urban Development guidelines.

Section 4.070. Historically Significant Buildings.

The following provisions shall apply to buildings currently listed as being of historical importance in Joseph's Land Use Plan and future additions to that list. Uses, alterations or demolition of historical buildings shall be according to the following:

1. Historical buildings may be used conditionally for purposes not otherwise authorized in the zone in which they are located. Such conditional uses shall be granted only as they will preserve the integrity of the building and historic value and will be subject to review by the Council, following the provisions of Article 6.
2. Exterior alterations shall be in accordance with the following:
 - A. Upon receipt of an application for exterior alteration of a historic structure listed on the significant building list, the Council, at a public hearing, shall review the proposed alteration to determine whether the proposed changes will alter the resource's historical significance. This review shall be based on the criteria for determining historic significance contained in the comprehensive plan.
 - B. Exterior alterations as governed by this ordinance include any change or alteration of a facade, texture, design, material, fixtures, or other treatment.
 - C. All application for exterior alteration shall be accompanied by plans and specifications of the proposed alteration. The Council may request additional sketches and other information deemed necessary to make an informed decision.
 - D. The Council shall approve the change if the treatment proposed is determined to be harmonious and compatible with the character of the resource. In order to approve the application, the Council shall find the alteration harmonious and compatible with the resource with respect to style, scale, texture, and construction materials and/or find that the alteration will enhance the historical value of the resource. Conditions may be attached to the approval if the Council so deems it necessary to achieve the above objectives. The Council shall disapprove the request if the proposal would reduce the resource's value or historic significance.

- B. Conditions attached to a permit for exterior alterations of a significant historic structure shall be limited to requirements addressing architectural design, surface, texture, materials, fixtures or other facade or surface treatments which are deemed inconsistent with the integrity of the historic values being preserved.
 - F. The Council shall not make any recommendations or requirements except for the purpose of preventing developments out of character with the historic aspects of the resource.
 - G. Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature which does not involve a change in design, or the construction, reconstruction, or alteration of such feature which the building inspector shall certify is required by the public safety because of an unsafe condition.
3. A demolition permit shall be applied for when a historical building is to be destroyed. The permit application shall be reviewed by the City Council in a public hearing. If the permit is tentatively approved, demolition will not commence for a minimum of 90 days in order that an alternative to demolition may be devised. If no alternative is forthcoming at the end of the 90 day period, demolition may proceed.

Section 4.080. Off-Street Automobile and Truck Parking.

See Page Appendix E-22

The City shall require that off-street parking be provided in connection with the establishment of new uses or the expansion of existing uses. The City shall require the standards of the Architectural Graphic Standards, the edition in effect on the effective date of this ordinance, adopted by reference. When square feet are specified, the area measured shall be the gross floor area of the building, but shall exclude any space within a building devoted to the off-street parking or loading. When the number of employees is specified, persons counted shall be those working on premises, including proprietors, during the largest shift at peak season. New uses shall provide off-street parking as listed in the following examples:

- | | |
|--|--|
| 1. Hotels, motels. | One space per guest room. |
| 2. Retail, wholesale, commercial establishment, eating or drinking establishments or financial institutions. | One space per 400 square feet floor area. |
| 3. Places of assembly, including fraternal organizations and churches. | One space per 35 square feet of floor area used as a meeting room. |
| 4. Industrial/light industrial | One space per employee. |
| 5. Institutional uses, including hospitals, nursing homes, and rest homes. | One space per two beds for patients or residents |

6. Multiple-family dwellings

One and one-half spaces per unit.

Section 4.085. When a Transportation Impact Study (TIS) is Required.

1. **Threshold.** An applicant shall submit a TIS when a proposed land use action affects a transportation facility as set forth below. The following vehicle trip generation thresholds shall determine the level and scope of transportation analysis required for a new or expanded development. The developer shall be required to mitigate impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.
 - A. If a proposed development will generate 400 or more daily trip ends, as defined by the Institute of Transportation Engineers (ITE), *Trip Generation Manual* or trip generation studies of comparable uses prepared by an engineer, then a TIS shall be required. The requirements for the TIS shall be established by the Planning Official in consultation with ODOT.
 - B. If a proposed development will generate 100 or more daily trip ends but less than 400 daily trip ends, then a Transportation Site Review (TSR) shall be required. The requirements of a TSR shall be established by the County Planning Department or City Planning Official in consultation with ODOT.
2. **Special Transportation Analysis.** Projects that generate less than 100 daily trip ends may also be required to provide traffic analysis when a capacity problem and/or safety concern is caused and/or is adversely impacted by the development. The Planning Official shall determine the scope of this special analysis in consultation with ODOT.

Section 4.090. Home Occupations.

1. A Home Occupation may only be conducted/approved if:
 - A. It is conducted at the primary residence of the applicant.
 - B. It is secondary to the use of the dwelling for dwelling purposes.
 - C. It does not change the residential character of the lot in any manner visible off the property.
 - D. The applicant is not a part time resident.
 - E. It does not create objectionable noise, noticeable vibration, or objectionable odor at the property lines.
 - F. It does not create waste or unsightly conditions visible off the property.
 - G. It does not create interference with radio or TV reception in the vicinity.

- H. It does not have full time employees on the premises who are not residents of the premises.
 - I. It occupies 33% or less of the dwelling floor area not considering basement and garage. No restriction shall be placed on the percentage of the accessory structure used for the home occupation as long as the residential character of the lot is not changed in any manner visible off the property.
 - J. It has sufficient parking for both the residential and specific business use as defined in this regulation.
 - K. Does not create a volume of traffic inconsistent with the level of traffic of the street on which it is located.
2. Applicant must show that his intended home occupation cannot be conducted in the commercial zone by the following:
- A. Available Space, and/or
 - B. Profit/Loss.
3. The following are examples of permitted home occupations provided they do not violate any of the provisions of the previous paragraphs.
- A. Dressmaking, sewing, and tailoring.
 - B. Painting, sculpting, or writing.
 - C. Telephone answering.
 - D. Home crafts, such as model making, rug weaving, lapidary work, and cabinet making.
 - E. Tutoring, or educational activity limited to four students at a time.
 - F. Home cooking and preserving.
 - G. Computer programming or Internet based business.
 - H. Barber shops and beauty parlors (limited to one chair).
 - I. Mail order operation.
4. The following are prohibited as home occupations:
- A. Any occupation as a part time resident.

- B. Animal hospitals.
 - C. Private clubs.
 - D. Repair shops.
 - E. Restaurants.
 - F. Stables or kennels.
 - G. Automobile repair or paint shops.
5. The purpose of a home occupation is to provide an incubation period for a business in a cost effective manner with the intent of moving to the commercial zone.
 6. Any proposed home occupation that is neither specifically permitted by paragraph (2) or specifically prohibited by paragraph (3) shall be considered a conditional use and be granted or denied by the City Council upon consideration of those standards contained in paragraph (1).
 7. In determining whether or not to grant a Conditional Use Permit for a home occupation, the City Council will assess the level of public contact, retail sales, or customer activity on the premises.

Section 4.100. Flag Lots.

Flag lots may be created to provide access to future development. A flag lot driveway may serve no more than two dwelling units unless Uniform Fire Code (UFC) standards are met for more units. When UFC standards are met, the maximum number of dwellings shall be six. A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure, or other obstacles shall be placed within the drive area.

ARTICLE 5. EXCEPTIONS

Section 5.010. Non-Conforming Use.

1. A non-conforming use or structure may be continued but may not be altered or extended. The extension of a non-conforming use to a portion of a structure which was arranged or designed for the non-conforming use at the time of passage of this ordinance is not an enlargement or expansion of a non-conforming use. Any expansion of a non-conforming use or structure must meet the current standards set forth in this ordinance
2. If a non-conforming use is discontinued for a period of one year, further use of the property shall conform to this ordinance.
3. If a non-conforming use is replaced by another use or structure, the new use shall conform to this ordinance. For example, single-wide mobile homes in any R-1 zone may not be replaced by other single-wide mobile homes even though they may be tenant

occupied and owned.

4. If a non-conforming structure or a structure containing a non-conforming use is destroyed by any cause to an extent exceeding 80% of its fair market value as indicated by the records of the County Assessor, a future structure or use on this site shall conform to this ordinance.
5. Nothing contained in this ordinance shall require any change in the plans, construction, alteration or designation of use of a structure for which a permit has been issued by the City or state and construction has commenced prior to the adoption of this ordinance, providing the structure, if non-conforming or intended for a non-conforming use, is completed and in use within two years from the time the permit is issued.

Section 5.020. General Exceptions to Lot Size Requirements.

If a property ownership consisting of the entire contiguous land holdings held in a single ownership at the time of passage of this ordinance has an area or dimension which does not meet the lot size requirements of the zone in which the property is located, the holdings may be occupied by a use permitted in the zone subject to the other requirements of the zone, provided that, if there is an area deficiency, residential use shall be limited to a single-family dwelling or to the number of dwelling units consistent with the density requirements of the zone. The record of ownership as recorded in the office of the Wallowa County Clerk at the time of passage of this ordinance shall be the basis for application of this exception unless the owner submits proof that a different ownership existed at the time the provision of this ordinance became applicable to the land concerned.

Section 5.030. General Exceptions to Yard Requirements.

The following exceptions to yard requirements are authorized for a lot in any zone:

1. If there are buildings on both abutting lots which are within 100 feet of the intervening lot and the buildings have front yards of less than the required depth for the zone, the depth of the front yard for intervening lot need not exceed the average depth of the front yards of the abutting lots.
2. If there is a building on one abutting lot which is within 100 feet of the lot and this building has a front yard of less than the required depth for the zone, the front yard for the lot need not exceed a depth halfway between the depth of the front yard of the abutting lot and the required front yard depth.

Section 5.040. General Exceptions to Building Height Limitations.

Vertical projections such as chimneys, spires, domes, elevator shaft housing, towers, aerials, flagpoles, and other similar objects not used for human occupancy are not subject to the building height limitations of this ordinance.

Section 5.050. Projections from Buildings.

Fixed architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys and

flues shall not project more than 24 inches into a required yard.

Section 5.060. Modifications to Access Standards.

An applicant may seek relief from the access standards in Section 4.020 by providing factual evidence that addresses the following criteria:

1. The proposed modification is consistent with the stated purpose and intent of Section 4.020;
2. Unique or special conditions related to the property itself make strict application of the provisions impractical;
3. Indirect or restricted access cannot be obtained;
4. Every feasible option for meeting access standards has been seriously considered;
5. No engineering or construction solution can reasonably be applied to mitigate the condition;
6. No reasonable alternative access is available from a street with a lower functional classification than the primary roadway;
7. The need for the modification did not result from an previous action taken by the property owner (i.e., the hardship is not self-imposed).

ARTICLE 6. CONDITIONAL USES

Section 6.010. Authorization to Grant or Deny Conditional Uses.

A conditional use listed in this ordinance shall be permitted, altered or denied in accordance with the standards and procedures of this article. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, a change in the use or in lot area or an alteration of structure shall conform with the requirements for conditional use. In judging whether or not a conditional use proposal shall be approved or denied, the Council shall weigh the proposal's appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed. To approve such use, the Council shall find the following criteria are either met, or are not applicable.

1. The proposal will be in compliance with the City of Joseph's Comprehensive Land Use Plan and applicable provisions of this ordinance, including but not limited to the applicable dimensional standards of Article 3 and the supplemental provisions of Article 4.
2. Taking into account location, size, design and operation characteristics, the proposal will have minimal impact on the abutting properties and the surrounding area compared to the impact of the development that is permitted outright.

3. The location and design of the site and structures for the proposal will be as attractive and as consistent with other developments within the area and the zone as possible.
4. The proposal will preserve assets of particular interest to the community as may be identified within the Comprehensive Land Use Plan.
5. The applicant has a bona fide intent and capability to develop and use the land as proposed and has some appropriate purpose for submitting the proposal and is not motivated solely by such purposes as the alteration of property value or speculative purposes.

Section 6.015. Additional Review Criteria for Transportation Projects.

The following criteria apply to transportation projects identified as conditional uses in the use zone:

1. Transportation projects shall comply with the Transportation System Plan and applicable review criteria and standards of this ordinance, and shall also be designed to:
 - A. Minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.
 - B. Preserve or improve the safety and function of the facility through access management, traffic calming, or other design features.
 - C. Include provision for bicycle and pedestrian circulation as consistent with the Comprehensive Land Use Plan, Transportation System Plan (including the Bicycle and Pedestrian Plan) and other applicable requirements of this ordinance.
 - D. Be compatible with existing land use and social patterns, including noise generation, safety, and zoning.
2. For State projects that require an Environmental Impact Statement (EIS) or Environmental Assessment (EA), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the criteria listed in this section.
3. If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

Section 6.020. Placing Conditions on a Permit.

In permitting a new conditional use or the alteration of an existing conditional use, the Council may impose conditions which it finds necessary to avoid a detrimental impact and to otherwise protect the best interests of the surrounding area or the community as whole. These conditions may include the following:

1. Limiting the manner in which the use is conducted including restricting the time an activity may take place and restraints to minimize such environmental effect as noise, vibration, air pollution, glare and odor.
2. Establishing a special yard or other open space or lot area or dimension.
3. Limiting the height, size or location of a building.
4. Designating the size, number, location and nature of vehicle access points.
5. Increasing the amount of street dedication, roadway width or improvements within the street right-of-way.
6. Designating the size, location, screening, draining, surfacing or other improvement of a parking area or truck loading area.
7. Limiting or otherwise designating the number, size, location, height and lighting of signs.
8. Limiting the location and intensity of outdoor lighting and requiring its shielding.
9. Requiring diking, screening, landscaping or other facilities to protect adjacent or nearby property and designating standards for its installation and maintenance.
10. Designating the size, height, location and materials for a fence.
11. Protecting and preserving existing trees, vegetation, water resources, fish and wildlife habitat or other significant natural resources.
12. Requiring dedication of land for streets, transit facilities, walkways, bikeways, paths, or accessways shall be required where the existing transportation system will be impacted by or is inadequate to handle the additional burden caused by the proposed use.
13. Requiring improvements such as paving, curbing, installation or contribution to traffic signals, construction of walkways, bikeways, accessways, paths, or streets that serve the proposed use where the existing transportation system may be burdened by the proposed use.
14. Other conditions to permit the development of the City in conformity with the intent and purpose of the Comprehensive Land Use Plan.

Section 6.030. R.V. Conditional Use Standards.

In addition to the standards of the zone in which the conditional use is located and the other standards of this ordinance and section, an R.V. park approved as a conditional use shall use the following procedures and meet the following standards:

1. All R.V. parks must be registered, operated and maintained as provided in ORS 446.002

to 446,200.

2. Application shall be made to the City Recorder for establishment of an R.V. park and shall contain a plot and area plan, legal description of the property, number of units to be established, name of applicant and such other information as required by State Law and considered necessary by the Council.
3. Application shall be accompanied by a non-refundable fee which has been set by the Council by Resolution and there shall also be an annual licensing fee of \$25.00. Said fees will be used to defray costs of administering the provisions of this ordinance.

Section 6.040. Procedure for Taking Action on a Conditional Use Application.

The procedure for taking action on a conditional use application shall be as follows:

1. A property owner may initiate a request for a conditional use by filing an application with the City Recorder.
2. Before the Council may act on a conditional use application, it shall hold a public hearing thereon, following the procedure as established in Section 10.060 of this ordinance.
3. Within 5 days after a decision has been made on a conditional use application, the City Recorder shall provide the applicant with written notice of the decision of the Council.

Section 6.050. Time Limit on a Permit for a Conditional Use.

Authorization of a conditional use shall be void after one year unless substantial construction pursuant thereto has taken place or unless specifically authorized by the Council for an additional period not to exceed one more year. Request for extension must be in writing prior to the deadline.

ARTICLE 7. VARIANCES

Section 7.010. Authorization to Grant or Deny Variances.

The Council may authorize variances from the requirements of this ordinance where it can be shown that owing to special and unusual circumstances related to a specific lot, strict application of this ordinance would cause an undue or unnecessary hardship. In granting a variance, the Council may attach conditions which it find necessary to protect the best interests of the surrounding property or vicinity and otherwise achieve the purpose of this ordinance. Variances shall not be granted for a use or for a lot size deviation that is specifically allowed as a use or a lot size within another zone.

Section 7.020. Criteria for Granting a Variance.

A variance may be granted only in the event that all of the following criteria are met.

1. Exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owners of property since the

enactment of this ordinance had no control.

2. The variance is necessary for the preservation of a property right of the applicant, substantially the same as owners of the other property in the same zone or vicinity possess.
3. The variance would not be materially detrimental to the purpose of this ordinance or the property in the same zone or vicinity in which the property is located or otherwise conflict with the objectives of any City Plan or Policy.
4. The variance request is the minimum variance which would alleviate the hardship and the hardship was not self-imposed.

Section 7.030. Procedure for Taking Action on a Variance Application.

The procedures for taking action on a variance application shall be as follows:

1. A property owner may initiate a request for a variance by filing an application with the City Recorder using forms prescribed pursuant to Section 9.040.
2. Before the Council may act on a variance application, it shall hold a public hearing thereon, following the procedures as established in Section 9.060.
3. Within five (5) days after a decision has been rendered within reference to a variance application, the City Recorder shall provide the applicant with written notice of the decision of the Council.

Section 7.040. Time Limit on a Permit for Variance.

Authorization of a variance shall be void after one year unless substantial construction has taken place. However, the council may, upon request, extend written authorization for an additional period not to exceed one year.

ARTICLE 8. AMENDMENTS

Section 8.010. Authorization to Initiate Amendments.

An amendment to the text of this ordinance, the Land Use Plan or to the zoning map may be initiated by the Council, the City Land Use Planning Commission (should one be established), or by application of a property owner. The request by a property owner for an amendment shall be accomplished by filing a statement of purpose or application with the City Recorder, consistent with ORS 227.220 and 227.240.

Section 8.020. Public Hearings on Amendments.

The Council shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after the amendment is proposed and shall render a decision with 120 days from the date the application has been deemed complete. The decision shall be placed in written form and forwarded to the applicant within 5 days after the decision is made. The decision may constitute an approval, disapproval, or modified approval of the amendment.

Section 8.030. Record of Amendments.

The final decision of the council regarding an amendment to this ordinance or zoning map shall be maintained for public inspection in the office of the City Recorder.

Section 8.040. Limitation of Reapplication.

No application of a property owner for an amendment to the text of this ordinance or to the zoning map shall be considered by the Council within a one year period following denial of the request.

Section 8.050. Amendment Review Criteria.

This section sets forth criteria for amendments to adopted plans and land use regulations.

1. An amendment to land use regulations (i.e., the zoning, subdivision or annexation ordinances) must be consistent with the Comprehensive Land Use Plan and Transportation System Plan, including the Bicycle and Pedestrian Plan.
2. An amendment to the Comprehensive Land Use Plan or Transportation System Plan must be consistent with applicable Statewide Planning Goals and administrative rules.
3. An amendment to the Comprehensive Land Use Plan or implementing land use regulations which significantly affects a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:
 - A. Limiting allowed land uses to be consistent with the planned function of the transportation facility;
 - B. Amending the Transportation System Plan or Bicycle and Pedestrian Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,
 - C. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes.
4. A plan or land use regulation amendment significantly affects a transportation facility if it:
 - A. Changes the functional classification of an existing or planned transportation facility;
 - B. Changes standards implementing a functional classification system;
 - C. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or

- D. Would reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.

ARTICLE 9. ADMINISTRATIVE PROVISIONS

Section 9.010. Interpretation.

Where the conditions imposed by a provision of this ordinance are less restrictive than comparable conditions imposed by any other provisions of this ordinance or any other ordinance, the provisions which are more restrictive shall govern.

Section 9.020. Administration.

The Council shall designate a City employee to administer this ordinance and the land division ordinance. The designate shall be known as the "Planning Official" and shall provide recommendations concerning applications made pursuant to the requirements of this ordinance and the land division ordinance. The City Recorder shall have final responsibility for issuing land use permits under this ordinance.

Section 9.030. Appeals.

Final decision of the Council may be appealed in compliance with ORS 197.763, provided that the appeal is filed within twenty-one (21) days after the officer has rendered his decision. Written notice of the appeal shall be filed with the City Recorder.

Section 9.040. Forms of Petition, Applications and Appeals.

Petitions, applications and appeals provided for in ordinance shall be made on forms prescribed by the City. Applications shall be accompanied by plans and specifications, drawn to scale, showing the actual shape and dimensions of the lot to be built upon; and the sizes and locations on the lot of existing and proposed structures; the intended use of each structure; the number of families, if any, to be accommodated thereon; the relationship of the property to the surrounding area; and such other information as is needed to determine conformance with the purpose of this ordinance.

Section 9.050. Filing Fees.

Fees for applications shall be paid to the City Recorder upon filing an application. Such fees, which shall be set by resolution of the Council, will be used to defray the cost of administering this ordinance and shall be non-refundable.

Section 9.060. Public Hearings.

1. Each notice of a public hearing authorized by this ordinance shall be published in a newspaper of general circulation in the City at least 20 but not more than 30 days prior to the date of the hearing.
2. In addition, a notice of hearing on a conditional use, a variance or an amendment to a zone boundary shall be mailed to all owners of property within 250 feet of the property for which the variance, conditional use or zoning map amendment has been requested. The notice of hearing shall be at least 20 days prior to the date of the hearing and shall be by regular mail, first class.

3. Failure of a person to receive the notice prescribed in this section shall not impair the validity of the hearing.
4. The Council may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decided may be interested in the application being considered. Upon recessing a hearing, the time and date when the hearing is to be resumed shall be announced.

Section 9.070. Consolidated Procedure.

An applicant may apply at one time for all permits or zone changes needed for a development project. The applicant can consolidate any presentations/testimony that would customarily be given separately with respective applications. The consolidated proposal shall be reviewed with respect to the appropriate provisions of this ordinance. Although the application can be presented as a consolidated proposal, separate approvals/denials will be given for the various components of the proposal with regard to the permits being requested.

Section 9.080. Time Limit on Decisions.

The City shall take final action on an application for a permit or zone change, including resolution of all appeals under ORS 227.180, within 120 days after the application is deemed complete. The 120 day period may be extended for a reasonable period of time at the request of the applicant. This provision does not apply to Comprehensive Land Use Plan amendments.

Section 9.090. Approval Without Hearing.

The City Council or Planning Official may approve or deny an application for a permit other than a Conditional Use Permit or Variance without a hearing if the City gives notice of the decision and provides an opportunity for an appeal of the decision to those persons who would have had a right to notice if a hearing had been scheduled or who are adversely affected or aggrieved by the decision. Notice of the decision shall be given in the same manner as notice of the hearing would have been given if a hearing had been held. An appeal shall be heard by the City Council as a de novo hearing.

Section 9.100. Notice Regarding Land Use Actions.

1. Notice shall be sent to ODOT regarding any land use action on or adjacent to a state transportation facility.
2. Notice shall be sent to the City or County public works department as appropriate, regarding any land use action that potentially affects another jurisdiction's transportation facility. Notice also shall be sent to ODOT.
3. Upon written request, notice shall be sent to providers of public transit and special interest transportation groups such as truckers, railroad, bicyclists, pedestrians, and disabled persons regarding any roadway or other transportation project.

**ARTICLE 10. ZONING AND SITE DEVELOPMENT REVIEW
PROCEDURES**

Section 10.010. Purpose.

The purpose of Article 10 is to:

1. Provide procedures and standards for administration of Zoning and Site Development Review permits;
2. Promote the public health, safety and general welfare by carrying out Comprehensive Land Use Plan and Transportation System Plan policies; and
3. Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards.

Section 10.020. Applicability.

Either Zoning Review or Site Development Review shall be required for all new developments and modifications of existing developments described below. Regular maintenance, repair and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing and similar maintenance and repair shall be exempt from review.

1. Zoning Review. Zoning Review is a review conducted by the Planning Official without a public hearing. It is for minor developments, such as single family homes on existing lots, that do not require a conditional use permit or site development review approval. Zoning Review ensures compliance with the basic land use and development standards of the use zone, such as lot area, building setbacks, lot coverage, maximum building height, and other provisions of Article 3. Zoning Review is required for all of the types of land uses and development listed below. Land uses and developments exceeding the thresholds below require Site Development Review.
 - A. Change in occupancy from one type of land use to a different land use;
 - B. Single-family detached dwelling (including manufactured home on its own lot);
 - C. A single duplex, or up to two single family attached (town home) units not requiring a land division, and accessory parking on the same lot;
 - D. Non-residential building additions up to 1000 square feet or 50% of an existing structure;
 - E. Home occupations;
 - F. Any proposed development that has a valid conditional use permit. Major modifications to a development with a conditional use permit shall require review and approval in accordance with Article 6 - Conditional Use Permits;
 - G. Temporary uses requiring a permit;

- H. Accessory structures and accessory parking;
- I. Development and land uses that are part of a previously approved Site Development Review or Conditional Use Permit application;
- J. Public improvements required by a condition of development approval (e.g., transportation facilities and improvements, parks, trails, and similar improvements, as determined by the Planning Official).

2. Site Development Review. Site Development Review is conducted by the Planning Official or City Council (if referred to the Council by the Planning Official) in accordance with this section.

- A. Site Development Review applies to commercial, industrial, institutional, public and multi-family residential development that is not specifically listed under Section 10.020.1 above (applications subject to Zoning Review).
- B. Site Development Review ensures compliance with the land use and development standards in Article 3 (e.g., lot area, building setbacks, lot coverage, maximum building height) and the supplemental development standards and public improvement requirements in Article 4.

Section 10.030. Zoning Review Procedure and Standards.

When Zoning Review is required, it shall be conducted prior to issuance of building permits, occupancy permits, business licenses, or public improvement permits, as determined by the Planning Official. An application for Zoning Review shall be approved only upon meeting all of the following standards:

- 1. The proposed land use or development is permitted by the underlying zoning district (Article 3); and
- 2. The land use, building/yard setback, lot area, lot dimension, density, lot coverage, building height and other applicable standards of the underlying land use district are met (Article 3).

Zoning reviews do not address a project's compliance with applicable building, fire and life safety regulations.

Section 10.040. Site Development Review - Application Review Procedure.

When Site Development Review is required, it shall be conducted by the Planning Official or City Council (if referred by the Planning Official) after providing notice as set forth in Section 9.090 and using the application requirements and approval criteria contained in Sections 10.050 - 060, below.

Section 10.050. Site Development Review - Application Submission Requirements.

The following information is required for Site Development Review application submittal as deemed applicable by the Planning Official:

1. Site Development Review Information. An applicant for Site Development Review shall provide the following information.

A. A site analysis map showing:

- a. The applicant's entire property (properties under the same ownership) and the surrounding properties to a distance sufficient to determine the location of the development in the City, and the relationship between the proposed development site and adjacent properties and development.
- b. The property boundaries, dimensions and gross area shall be identified;
- c. Topographic contour lines at 2-foot intervals for slopes of less than 10 percent, and 5-foot intervals for steeper slopes;
- d. Identification of slopes greater than 25 percent;
- e. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;
- f. Where available and relevant to the proposal, information related to: distances to neighboring constructed access points, median openings, traffic signals, intersections, and other transportation features on both sides of the property; the number and direction of lanes to be constructed on the driveway, plus striping plans; planned transportation features (lanes, signals, bikeways, walkways, crosswalks, etc.); and trip generation data or appropriate traffic studies;
- g. Potential natural hazard areas, including any areas identified as subject to a 100-year flood, areas subject to high water table, and areas mapped by the City, County, or State as having a potential for geologic hazards;
- h. Resource areas, including marsh and wetland areas, streams, and wildlife habitat identified by the City or any natural resource regulatory agencies as requiring protection;
- i. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;
- j. Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;

- k. The location, size and species of trees and other vegetation having a caliper (diameter) of six (6) inches or greater at four feet above grade;
 - l. North arrow, scale, names and addresses of all persons listed as owners of the subject property on the most recently recorded deed; and
 - m. Name and address of project designer, engineer, surveyor, and/or planner, if applicable.
- B. Proposed site plan. The site plan shall contain the following information:
- a. The proposed development site, including boundaries, dimensions, and gross area;
 - b. Features identified on the existing site analysis maps that are proposed to remain on or removed from the site;
 - c. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
 - d. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site.
 - e. Setback dimensions for all existing and proposed buildings shall be provided on the site plan.
- C. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access:
- a. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);
 - b. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;
 - c. Loading and service areas for waste disposal, loading and delivery;
 - d. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;
 - e. Location, type, and height of outdoor fencing and lighting;
 - f. Location of mail boxes, if known;
 - g. Name and address of project designer, if applicable;

- h. Locations of bus stops and other public or private transportation facilities;
 - i. Locations, sizes, and types of signs;
 - j. Location of utility connections and pipe sizes.
- D. Architectural drawings. Architectural drawings showing one or all of the following shall be required for new buildings and major remodels:
- a. Building elevations (as determined by the Planning official) with building height and width dimensions;
 - b. Building floor plans with dimensions and use of rooms;
 - c. Building materials, colors and type;
 - d. The name of the architect or designer.
- E. Preliminary grading plan. A preliminary grading plan shall be required for development sites of 10,000 square feet or larger. The preliminary grading plan shall show the location and extent to which grading will take place, indicating general changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed. Surface water detention and treatment plans may also be required by the City Engineer.
- F. Landscape plan. The Planning Official may require a landscape plan showing:
- a. The location and height of existing and proposed fences, buffering or screening materials;
 - b. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
 - c. The location, size, and species of the existing and proposed plant materials (at time of planting);
 - d. Existing and proposed building and pavement outlines;
 - e. Specifications for irrigation (may be automatic or other approved method of irrigation) and anticipated planting schedule;
- G. Sign drawings shall be required in conformance with this ordinance.
- H. Deed restrictions. Copies of all existing and proposed restrictions or covenants, including those for access control.

- I. Narrative. Letter or narrative report documenting compliance with the applicable approval criteria contained in Section 10.060 Approval Criteria.
- J. Traffic Impact Study, when required, shall be prepared in accordance with City and ODOT requirements (Section 4.085).
- K. Public Facilities and Services Demand. The applicant shall work with City staff to assess the impact of the development on the transportation system (including street access, pedestrian ways and bikeways), the drainage system, the parks system, the water system, and the sewer system. For each public facility system and type of impact, improvements shall be identified necessary to meet City standards and to minimize the impact of the development.
- L. State Highway Access Permit. A copy of an approved State Access Permit shall be submitted for any proposal creating a new access or changing an existing access onto a State Highway;
- M. Other information determined by the Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, environmental features, natural hazards, etc.), in conformance with this ordinance.

Section 10.060. Site Development Review - Approval Criteria.

The Planning Official (or City Council on referral) shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:

1. The application complies with all of the applicable provisions of the underlying Land Use District (Article 3).
2. The application complies with all of the development standards in this ordinance, with particular focus on Article 4 Supplemental Provision requirements.
3. Conditions of approval required as part of any prior Land Divisions Conditional Use Permits, or Variances (or other land use approvals) shall be met.
4. Conditions of approval require dedication of land for and improvements to public facilities (including but not limited to sanitary sewer, water, storm drainage, communication and transportation facilities) that will be impacted by or are inadequate to handle the additional burden caused by the proposed use.
5. Proposed roads follow the natural topography and preserve natural features of the site as much as possible and planned alignments minimize grading. The road system provides adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection. Access is properly placed in relation to sight distance, driveway

spacing, and other related considerations, including opportunities for joint and cross access and meets the access management standards in the Transportation System Plan.

6. An internal bicycle and pedestrian system of sidewalks or paths provides connections to parking areas, entrances to the development, and open space, recreational, and other community facilities associated with the development. Streets shall have sidewalks on both sides and pedestrian linkages shall also be provided to the peripheral street system.
7. Any application that involves access to the State Highway System has been reviewed by the Oregon Department of Transportation for conformance with state access management standards.

Section 10.070. Bonding, Assurances and Exactions.

1. Performance (or "Completion") Bonds for Public Improvements. On all projects where public improvements are required, the City shall require a bond in an amount equal to the contract amount of the public improvements as a condition of site development approval in order to guarantee the public improvements. The City shall be named "obligee" on all bonds.
2. Release of Performance Bonds. The bond or assurance shall be released at the end of a one-year warranty period, which shall begin when the Planning official finds the completed project conforms to the site development approval, including all conditions of approval.
3. Completion of Landscape Installation. Landscaping shall be installed prior to issuance of occupancy permits, unless security equal to 150% of the cost of the landscaping as determined by the Planning official or a qualified landscape architect is filed with the Planning official assuring such installation within six months after occupancy. If the installation of the landscaping is not completed within the six-month period, the security may be used by the City to complete the installation.
4. Dedication of Real Property – City Obligation. In situations where this ordinance requires the dedication of real property to the City, the City shall either (1) include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the development on public facilities and services, or (2) delete the dedication as a condition of approval.

Section 10.080. Development in Accordance With Permit Approval; Modifications; Permit Expiration.

Development shall not commence until the applicant has received all of the appropriate land use and development approvals (i.e., site development review approval) and building permits. Construction of public improvements shall not commence until the City has approved all required public improvement plans (e.g., utilities, streets, public land dedication, etc.). The City may require the applicant to enter into a development agreement (e.g., for phased developments and developments with required public improvements), and may require bonding or other assurances for improvements.

Development Review and Site Development Review approvals shall be subject to all of the following standards and limitations:

1. Modifications to Approved Plans and Developments. Minor modifications of an approved plan or existing development may be approved by the Planning Official under Zoning Review. However, major modifications, as determined by the Planning Official, shall be reviewed by the City Council under Site Development Review procedures.
2. Approval Period. Zoning Review and Site Development Review approvals shall be effective for a period of one year from the date of approval. The approval shall lapse if:
 - A. A public improvement plan or building permit application for the project has not been submitted within one year of approval; or
 - B. Construction on the site is in violation of the approved plan.
3. Extension. The Planning Official shall, upon written request by the applicant, grant a written extension of the approval period not to exceed one year; provided that:
 - A. No changes are made on the original approved site development review plan;
 - B. The applicant can show intent of initiating construction on the site within the one-year extension period;
 - C. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site development review shall be required; and
 - D. The applicant demonstrates that failure to obtain building permits within one year of site design approval was beyond the applicant's control.
4. Phased Development. Phasing of development may be approved with the Site Development Review application, subject to the following standards and procedures:
 - A. A phasing plan shall be submitted with the Site Development Review application.
 - B. The Planning Commission shall approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than 3 years without reapplying for site development review.
 - C. Approval of a phased site development review proposal requires satisfaction of all of the following criteria:

- a. The public facilities required to serve each phase are constructed in conjunction with or prior to each phase;
- b. The development and occupancy of any phase dependent on the use of temporary public facilities shall require Planning Commission approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required public improvements, in accordance with Section 4.3.180. A temporary public facility is any facility not constructed to the applicable City or district standard, subject to review by the City Engineer;
- c. The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as part of the approved development proposal; and
- d. An application for phasing may be approved after Site Development Review approval as a minor modification.