ORDINANCE NO. 80-02

AN ORDINANCE ADOPTING THE WHEELER COUNTY

COMPREHENSIVE PLAN

SECTION 1. AUTHORITY AND ENACTMENT
Pursuant to Oregon Revised Statutes Chapters 92,197, 215 and 227, the Statewide Planning Goals, and in coordination with affected governmental units, the Wheeler County Court hereby adopts the Wheeler County Comprehensive Plan including plan goals and policies as enumerated herein and the plan map included as Attachment "A".

SECTION 2. PLAN TECHNICAL REPORT
The technical report provides the background information, facts and considerations that the County's comprehensive plan goals, policies, and map are based on. The technical report is adopted by resolutions part of the plan and is the supporting document subject to revision as new technical data becomes available. When new data indicates that the County's plan should be revised, amendments shall be made as provided in Section 8.

SECTION 3. PLAN IMPLEMENTATION MEASURES
All plan implementation measures including but not limited to the Zoning Ordinance and Subdivision Ordinance, shall be consistent with and subordinate to the County Comprehensive Plan.

SECTION 4. AVAILABILITY OF PLAN
After the County Comprehensive Plan receives acknowledgement of compliance from the Oregon Land Conservation and Development Commission, the comprehensive plan, technical reports, and implementation measures shall be available for use and inspection at the County Courthouse, Fossil, Oregon, and the Department of Land Conservation and Development office in Salem.

Adopted 1980
Revised 2003
SECTION 5. PLAN GOALS AND POLICIES

The following statement of goals and policies provide a general long-range basis for decision-making, relative to the future growth and development of the County. The goals are patterned after and are in direct response to applicable Oregon Statewide Planning Goals. The policy statements set forth a guide to courses of action, which are intended to carry out the goals of the plan.

1. Citizen Involvement
   GOAL: To develop a citizen involvement program that insures opportunity for citizens to participate in all phases of the planning process.
   It shall be County Policy:
   a. The Wheeler County Planning Commission shall serve as the county’s Committee for Citizen Involvement (CCI).
   b. To encourage people to attend and participate in Planning Commission and County Court meetings and hearings.
   c. To establish advisory committees as necessary to study County problems and make recommendations for their solutions.

2. Land Use Planning
   GOAL: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.
   It shall be County Policy:
   a. To identify lands suitable for farming, grazing and forest production. Open space is created by the accepted farming practices in the County.
   b. To prepare data inventories on natural resources, man-made structures, and utilities, population and economic characteristics, and the roles and responsibilities of affected governmental units.
   c. To identify lands suitable for development and areas where development should be restricted.
   d. To develop economic and population projections.
   e. To determine the land requirements for projected economic development and population growth.
   f. To determine the public facilities and services required to accommodate existing unmet public needs and expected economic and population growth.
   g. To revise the comprehensive plan for Wheeler County as necessary, based on available information, citizen input, coordination with affected government units, and the goals and policies adopted herein.
   h. To prepare, adopt and revise as necessary, zoning and subdivision ordinances.
   i. To establish additional policies and implementation measures consistent with the comprehensive plan as necessary.
j. Identify areas for Rural Residential uses, and zones such areas as RR-10, RR-20 or RR-40.
k. To adopt Rural Residential zones where justified.
l. Identify areas for Rural Communities.
m. To adopt Rural Community zones where justified

3. Agricultural Lands
GOAL: To preserve and maintain agricultural lands

It shall be County Policy:

a. To preserve agricultural lands and protect agriculture as an economic enterprise.
b. To identify lands, Class I-VI soils as identified in the Soil Capability classification system of the United States Soil Conservation Service, and other lands which are suitable for farm use, taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural lands in any event.

c. To adopt and apply the Exclusive Farm Use (EFU) designation to provide areas for the continued practice of agriculture and permit the establishment of only those new uses, which are compatible with agricultural activities.
d. To allow only those permitted and conditional uses described in the Wheeler County Zoning Ordinance with the Exclusive Farm Use Zone.

e. To recognize that much land in Wheeler County, if soil mapped, would be classified as Class VII and Class VIII soils and that these soils are used primarily as marginal rangeland, wildlife habitat and open space.
f. To limit the creation of new lots or parcels of land to a minimum of 80 acres in size within the Exclusive Farm Use Zone, unless intended for a conditional use as allowed by the Wheeler County Zoning Ordinance and referenced to ORS 215.263.

g. To assure that non-agricultural development in the rural areas, other than that permitted in an Exclusive Farm Use Zone, shall be based upon a demonstrated public need and Goal 2 Exceptions Plan Amendment, and in all cases, such development shall avoid conflicts with the agricultural community, and shall not be placed on agricultural lands or forests.
h. To work with private property owners and governmental agencies to increase the productivity on a sustainable basis for farm and grazing.
i. To recognize there are areas within the Exclusive Farm Use Zone which are commercial timber and to, therefore, protect those areas as if they were within the Exclusive Timber Use Zone.

j. To encourage farming practices which would conserve and protect fish and wildlife and enhance riparian habitat.
k. To recognize that an 80-acre parcel is considered the minimum acreage sufficient to support commercial agriculture in Wheeler County.

4. Forest Lands
GOAL: To conserve forestlands for forest uses.
It shall be County Policy:

a. To conserve designated forestlands capable of producing 20 cubic feet or more per acre, per year, for the production of forest products.
b. To allow the application of management practices that maximize the continued productivity of timberlands, such as addressed by the Oregon Forest Practices Act.
c. To encourage timber management on privately owned lands; thinning, reforestation, etc.
d. To encourage and support programs providing technical assistance and financial incentives which encourage timber production on non-industry lands.
e. To assure non-forest uses, will only be permitted on lands unsuitable for forest production.
f. To recognize some land within the designated forestland as not suitable for the production of forest products, thereby allowing uses compatible with the production of forestlands.
g. To adopt and apply the Exclusive Timber Use Zone designation, which is to conserve forest lands for forest uses.
h. To limit new parcels for residential dwellings to a minimum of 240 acres, except for a Lot of Record parcel. New parcels shall conform to the requirements and procedures in the Wheeler County Zoning Ordinance, 2001.
i. To consider forestland standards for multiple forest uses.
j. To consider other land uses that are adjacent to forestlands so that conflicts with forest harvest and management are avoided.

5. Open Spaces, Scenic and Historic Areas and Natural Resources.

GOAL: To conserve open space and protect natural, scenic, historic and cultural resources.

It shall be County Policy:

a. To identify open spaces, scenic, paleontological, cultural and historic areas, and natural resources which should be preserved from development.
b. To encourage multiple uses of open space lands, provided that the uses are compatible.
c. To protect paleontological and historic sites, structures and artifacts.
d. To conserve the area's natural resources, including fish and wildlife particularly sensitive fish and wildlife resources in agricultural and forest land areas, including big game range and riparian habitat values. These resources will be maintained through implementation of the EFU and ETU zones.
e. "The John Day River is a designated State Scenic Waterway. Prior to the issuance of any land use or building permits within the boundary of a scenic waterway, the County will request a determination of compatibility from the Scenic Waterway Program of the Oregon State Parks and Recreation Division."
f. To rely on State Scenic River Program and to notify Oregon Department of Transportation of actions proposed within the waterway as they apply to that portion of the John Day River within the County and presently under the Scenic Rivers Act.
g. The County shall address the John Day River Management Plan when considering uses that effect the designated portions of the John Day River and its tributaries.
h. It shall be County policy to protect the water resources of the County and carefully evaluated developments which could result in permanent draw down of the groundwater resource.
i. Where commercial quantity and quality of pumice, pumicite and clay have been identified, in the future Wheeler County will hold hearings to resolve possible conflicts between mineral extraction and other land use activity. The comprehensive plan may be revised to include a mineral overlay zone if necessary.

j. The commercial quantity and quality of Wheeler County's mineral resources are unknown. Consequently, it is County policy to initiate Goal 5 (OAR 660-16-000) procedure as information becomes available.

k. To update the plant inventory information on natural areas and make a determination of significance of (113) sites according to Goal 5 Rule. These sites include all those in the Technical Report, with the exception of those noted on Page IV-79.

l. To protect the County (IC) natural areas from identified conflicting uses to the extent possible, natural areas for which conflicts will be limited, include Sutton Mountain, Bridge Creek No. 19, South Slope Iron Mountain, Clarno/John Day River Zeolite.

6. Air, Water and Land Resources Quality

GOAL: To maintain and improve the quality of air, water and land resources of Wheeler County.

It shall be County Policy:

a. To encourage agricultural and forest practices which minimize pollution and soil erosion.

b. To encourage the construction of irrigation/flood control dams on the upper John Day River to improve the quality and quantity of water, to protect our natural resources. It is for this reason that we do not support Federal Designation of the John Day River.

c. To limit all discharge from existing and future development to meet applicable state or federal environmental quality statutes, rules and standards.

d. To encourage industries to locate in Wheeler County which would have no significant detrimental effect on the environmental resources of the area.

e. To determine future needs for noise abatement.

f. To coordinate solid waste disposal activities.

7. Areas Subject to Natural Disasters and Hazards

GOAL: To protect life and property from natural disasters and hazards.

It shall be County Policy:

a. To encourage development to locate outside floodplains, natural drainageways, steep slopes and other hazardous areas.

b. To determine ways of reducing flood hazard.

c. To require site specific information clearly determining the degree of hazard present from applicants who seek approval to develop residential commercial or industrial uses within known areas of natural disasters and hazards.

d. Adopt a Flood Area Management Ordinance

e. To cooperate and work with the State and Federal Agencies to reduce hazards associated with heavy rains and flash floods.
8. **Recreational Needs**

**GOAL:** To satisfy the recreational needs of the citizens of Wheeler County and visitors.

It shall be County Policy:

a. To work with state and federal agencies to provide adequate park and outdoor recreational facilities to meet recreational needs of residents and visitors, including planning for Pacific Crest to Desert Trail.

b. To support development of a museum to protect local artifacts and promote tourism.

c. To permit the maintenance, repair, rehabilitation and minor betterment of state parks.

9. **Economic Development**

**GOAL:** To diversify and improve the economy of Wheeler county.

It shall be County Policy:

a. To work with the East Central Oregon Association of Counties, the Oregon Department of Economic Development and the U.S. Economic Development Administration to encourage diversified industrial development.

b. To support the efforts of the Cities of Fossil, Mitchell and Spray to provide facilities necessary to attract and serve industry.

c. Develop provisions in zoning ordinance to provide the opportunity for commercial activities outside of the cities.

10. **Housing**

**GOAL:** To increase the supply of housing to allow for population growth and to provide for the housing needs of the citizens of Wheeler County.

It shall be County Policy:

a. To cooperate with individuals and agencies involved in the development of housing.

b. To support residential development within the cities of Fossil, Mitchell and Spray.

c. To support through resource zone provisions or Goal 2 Exceptions process single family residences on marginal classed soils, as data becomes available, and where facilities such as power and roads are easily available.

11. **Public Facilities and Services**

**GOAL:** To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

It shall be County Policy:

a. To cooperate with agencies involved in providing and coordinating social services and consider pooling of County resources with social agencies to provide needed services to county residents.

b. To support available health services.

c. To insure adequate provision for and control of solid waste disposal sites.

d. To support the efforts of the cities of Fossil, Mitchell and Spray to provide adequate urban facilities and services.
12. Transportation

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

It shall be County Policy:

a. To work with the cities of Fossil, Mitchell and Spray to develop joint policies concerning County roads within city limits.

b. To assist the Oregon Department of Transportation in setting project priorities in planning improvements to maintain all state highways within and serving the County.

c. To maintain and improve County roads, based on available funds, location of school bus and mail routes, and agricultural and forest uses.

d. To support current projects -underway to assist the transportation disadvantaged.

e. To implement the Transportation System Plan and associated policies, adopted June 14, 2001 as an element of the Wheeler County Comprehensive Plan.

13. Economic Conservation

GOAL: To conserve energy and develop and use renewable energy resources.

It shall be County Policy:

a. To encourage use of solar energy.

b. To encourage building owners to insulate their buildings to conserve energy and reduce operating costs.

14. Urbanization

GOAL: To provide for an orderly and efficient transition from rural to urban land use.

It shall be County Policy:

a. To establish urban growth boundaries outside city limits as necessary to identify and separate urbanized land from rural land.

b. To require that an urban growth boundary and comprehensive plan be jointly amended by a city and Wheeler county as necessary and appropriate prior to consideration of land for annexation.

c. To co-adopt the Spray Urban boundary and Urban Growth Area Joint Management Agreement.

d. To co-adopt the Urban Growth Boundaries of Fossil and Mitchell as shown on the maps in their comprehensive plans.

SECTION 6. PLAN AND IMPLEMENTATION MEASURES REVIEW AND AMENDMENT

The county Comprehensive Plan and implementation measures shall be reviewed at least annually to determine conformity with changes in:

- Oregon Revised Statutes and Administrative Rules
- Oregon Case Law
- Oregon Statewide Planning Goals

Adopted 1980
Revised 2003
Requirements of the County
Needs of residents and landowners
Concerns of affected governmental units

If the County Comprehensive Plan, implementation measures, or both fail to conform to any of the above criteria, the non-conforming document(s) shall be amended as necessary and as soon as practicable.

SECTION 7. PLAN AMENDMENT APPLICATIONS

An amendment to the text of this Ordinance or the comprehensive plan map may be initiated by the County Court, Planning Commission, an affected governmental unit, or be a property owner or resident of the County. All applications for plan amendments shall be made on forms available from the County accompanied by a fee in an amount established by the County Court.

SECTION 8. PLAN AMENDMENT PROCESS

Amendment of the Comprehensive Plan shall be based on the following procedure and requirements.

1. The Planning Commission shall set a public hearing date and give notice thereof through a newspaper of general circulation in the County at least ten (10) days prior to the hearing and if applicable, notice shall be mailed to:
   a. Property owners within 500 feet of land subject to a proposed amendment to the plan map.
   b. Affected governmental units which may be impacted by or who have requested opportunity to review and comment on proposed amendments.
   c. Mail written individual notice to landowners when the governing body changes the base zoning classification of the property; OR adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.
   d. Provide notice to the Department of Land Conservation and Development as required in OAR 660-016-0021 45 days before the first hearing of the Planning Commission.

2. Copies of proposed amendments shall be made available for review at least ten (10) days prior to the Planning Commission hearing.

3. Within ten (10) days after the close of the public hearing, the Planning Commission shall make findings of fact and recommend to the County Court adoption, revision or denial of proposed amendments.

4. Upon receipt of the Planning Commission recommendation the County Court shall set a public hearing date and give notice thereof through a newspaper of general circulation in the County at least ten (10) days prior to the hearing and if applicable, notice shall be mailed to:
   a. Property owners within 500 feet of land subject to a proposed amendment to the plan map.
   b. Affected governmental units which may be impacted by or who have requested opportunity to review and comment on proposed amendments.
   c. Mail written individual notice to landowners when the governing body changes the base zoning classification of the property; OR adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

5. Copies of proposed amendments and the Planning Commission recommendation shall be made available for review at least ten (10) days prior to the County Court hearing.
6. Within ten (10) days after the close of the hearing, the County Court shall make findings of fact and adopt, adopt with changes, or deny the proposed amendments. Adoption of plan amendments is effective in thirty (30) days subject to Land Conservation and Development Commission approval in the case of amendment of plan goals or expansion of an urban growth boundary beyond city limits.

7. Copies of plan amendments adopted by the County shall be sent to the Land Conservation and Development Commission within ten (10) days after adoption.

SECTION 9. SEVERABILITY
The provisions of this Ordinance are severable. If a section, sentence, clause, or phrase shall be adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this Ordinance.
SECTION 10. SPRAY UGB MANAGEMENT AGREEMENT
CITY OF SPRAY
URBAN GROWTH AREA JOINT MANAGEMENT AGREEMENT

The parties of this Joint Management shall be the City of Spray, hereinafter referred to as the City and Wheeler County, Oregon hereinafter referred to as the County.

The terms of this Joint Management Agreement shall be applicable to the City’s urban growth area. For the purposes of this Agreement, the urban growth area shall be defined as that area of land extending from the City’s corporate limits to City’s urban growth boundary as referenced and mapped in the City’s comprehensive plan, and hereby incorporated into and made a part of this document (see attachment A).

This Joint Management Agreement is entered into pursuant to ORS Chapters 190 and 197 and the Oregon Statewide Planning Goals for the purpose of facilitating the orderly transition from rural to urban land uses with the City’s urban growth area.

Words and phrases used in this Joint Management Agreement shall be construed in accordance with ORS Chapters 92, 197, 215, 227 and 446 and applicable Oregon Administrative Rules and Statewide Planning Goals unless otherwise specified. In the event two or more definitions are provided for a single work or phrase, the most restrictive definition shall be utilized to construing this Agreement.

1. Introductory information
   a. This Joint Management Agreement is the culmination of a series of actions intended, in part, to facilitate the orderly and efficient transition from rural to urbanizable to urban land uses within the urban growth area. Such actions include the preparation of a city comprehensive plan, the cooperative establishment of the urban growth area, coordinating with affected governmental units, and county review of the city comprehensive plan.
   
b. The city Council has adopted a comprehensive plan ordinance which includes and urban growth boundary and planning goals and policies.

   a. The County shall retain responsibility for land use decisions and actions affecting the City’s urban growth area, such responsibility to be relinquished over any land within this area upon its annexation to the City subject to the provisions of ORS 215.130(2)(a).
   
b. The City’s urban growth area has been identified as urbanizable and is considered to be available over time for urban expansion. In order to promote consistency between the City’s planning effort and County land use decisions and actions affecting the urban growth area, the County shall incorporate that portion of the City’s comprehensive Plan which addressed the urban growth area into the county Comprehensive Plan. (See Attachment B).
   
c. After the City’s Comprehensive Plan has been reviewed by the County
Court, and after County concurrence with and approval of the Plan for the area within corporate city limits and adoption of the Plan for the urban growth area, all public sector actions which fall within the scope of the City’s Comprehensive Plan shall be consistent with the Plan.

d. Land within the urban growth area shall be zoned for Exclusive Farm Use until the rezoning is requested and such rezoning shall be consistent with City’s Comprehensive Plan.

e. It is the policy of the City and County to maintain a rapid exchange of information relating to their respective land use decisions which affect the City’s urban growth area.

3. **Zoning, Subdivision and Mobile Home Park Ordinances**

   a. The substantive, as opposed to procedural, portions of the City’s Zoning and Subdivision Ordinances (see Attachments C-1 and C-2) shall be incorporated by reference into and made a part of the county Zoning and Subdivision Ordinance with the exceptions as necessary and as agreed upon in writing by both parties to this Joint Management Agreement not later than 30 days after acknowledgment of compliance of the city plan and implementation measures by Land Conservation Development Commission.

   b. The City Zoning Map, when adopted as part of the City Zoning Ordinance shall be those sections of the ordinance which establish outright uses, conditional uses and zone requirements (e.g. minimum lot sizes, setback requirements, etc.) and the zoning map.

   c. The City Zoning Map, when adopted as part of the City Zoning Ordinance shall include the urban growth area and shall:
      1. Apply to the land within the city limits upon adoption by the City.
      2. Apply to land within the urban growth area upon annexation to the City.

   d. The above mentioned incorporated Ordinances shall only be applied to zone change, conditional use, variance, subdivision, major partition, minor partition, and mobile home park request affecting the City’s urban growth area. The County may approve building permits without referral to the City except when the building is to be served by either city water, or sewer or both.

4. **Referred Application/Situations**

   a. The County shall refer each request affecting the City urban growth area to the City for its review and comment.

   b. The City shall review the request and submit its recommendation to the County.

   c. It is agreed that the County will refer any proposed discretionary action back to the City for its review and comment in the event such action was not addressed in the original request for review.

   d. The County shall retain final decision-making responsibility for all land use actions affecting the City urban growth area, but such decisions shall only be made after the receipt of timely recommendations from the City.

   e. Should not recommendations be forthcoming within established response
time, absent a request for an extension the City shall be presented to have no negative comment regarding the application.

f. After the County makes a decision on the application, the city shall be promptly informed of the action taken by the County.

5. **City Services**
   a. The City may extend city services to any site locate within the City urban growth area at the affected property owners request and expense. Such extension of the city services to sites not contiguous to the City may be conditioned upon an unlimited agreement signed by the affected property owner that the sited may be annexed by City Council action as soon as the site becomes contiguous to the City.
   b. For the purposes of this Joint Management Agreement, city services shall be limited to sewer and water.
   c. Service and hook-on charges shall be established by the City Council.

6. **Annexation**
   Annexation of sites within the City urban growth area shall be in accordance with relevant annexation procedures and shall not occur until such sites become contiguous to the City as required by the Oregon Revised Statutes.

7. **Roads**
   The County and City shall cooperatively develop an implementation policy regarding streets and roads within the City urban growth area and corporate limits which is consistent with the City Comprehensive Plan. Such policy shall include, but not be limited to the following.
   a. The circumstances under which the City will assume ownership of the maintenance responsibility for County roads within the corporate limits.
   b. The condition under which new streets and roads will be developed in conjunction with subdivisions within the City urban growth area.
   c. The conditions under which new public streets and roads, other than subdivisions, will be developed within the City urban growth area.
   d. The conditions under which existing county roads and bridges within the urban growth area will be improved.
   e. See Attachments D-1 and D-2 for existing county roads within the corporate limits and the urban growth area.

8. **Appeals**
   a. As the County retains the responsibility for the land use decisions and actions affecting the urban growth area, appeals from such decisions and actions shall be in accordance with the appeals process specified in the County Zoning Ordinance, applicable state statute or administrative rule.
   b. In the event that either the County Planning Commission or the County Court disagrees with the City comment and recommendation provided for in Section IV of this Joint Management Agreement, the City shall have standing to appeal in Section VIII, A above.
9. **Comprehensive Plan and Implementation Measure Review and Amendment**

a. The City Comprehensive Plan, including this Joint Management Agreement, and the zoning, subdivision, mobile home park, and other implementation ordinances or measure shall be reviewed as least annually to determine conformity with changes in:
   1. Oregon Revised Statutes and administrative rules.
   2. Oregon Case Law.
   4. Requirements of the City.
   5. Needs or residents and landowners within the City urban growth area.
   6. Concerns of affected governmental units.
   7. County administration of land use regulations within urban growth area.

b. If the City Comprehensive Plan, implementation measures, or both fail to conform to any or all of the above mentioned criteria, the nonconforming document shall be amended as necessary and as soon as practicable.

c. Amendments to the Agreement and the Comprehensive Plan for the urban growth area shall be adopted by a majority of both the full City Council and the County Court after a recommendation has been received from the County Planning Commission.

10. **Severability**

The provisions of the Joint Management Agreement are severable. If an article, sentence, clause, or phrase shall be adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of the Agreement.
FLOOD DAMAGE PREVENTION ORDINANCE
ORDINANCE NO. 89-01

An ordinance providing for the Establishment of Flood Damage Prevention regulations and
the repeal of Article 5, Flood Hazard Overlay of Wheeler County Zoning Ordinance 84-02.

The County Court of Wheeler County, Oregon, Ordains As Follows:

Section 1.0
STATUTORY AUTHORIZATION, FINDINGS, OF FACT, PURPOSE AND OBJECTIVES

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of Oregon has in chapter 197 and 215 OREGON
REVISED STATUTES delegated the responsibility to local governmental units to adopt
regulations designed to promote the public health, safety, and general welfare of its
citizenry. Therefore, the County Court of Wheeler County, Oregon does ordain as follows:

1.2 FINDINGS OF FACT

(1) The flood hazard areas of Wheeler County are subject to periodic inundation
which results in loss of life and property, health, and safety hazards, disruption of
commerce and governmental services, extraordinary public expenditures for flood
protection and relief, and impairment of the tax base, all of which adversely affect
the public health, safety, and general welfare.
(2) These flood losses are caused by the cumulative effect of obstructions in areas
of special flood hazards, which increase flood heights and velocities, and when
inadequately anchored, damage uses in other areas. Uses that are inadequately
flood proofed, elevated, or otherwise protected from flood damage also contribute to
the flood loss.

1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general
welfare, and to minimize public and private losses due to flood conditions in specific
areas by provisions designed.

(1) To protect human life and health;
(2) To minimize expenditure of public money and costly flood control projects;
(3) To minimize the need for rescue and relief efforts associated with flooding
and generally undertaken at the expense of the general public;
(4) To minimize prolonged business interruptions;
(5) To minimize damage to public facilities and utilities such as water and gas
mains, electric, telephone and sewer line, streets, and bridges located in
areas of special flood hazard;
(6) To help maintain a stable tax base by providing for the sound use and
development of areas of special hazard so as to minimize future flood blight
areas;
(7) To ensure that potential buyers are notified that property is in an area of special flood hazard; and,
(8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

(1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
(2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
(3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood water;
(4) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
(5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

SECTION 2.0
DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

“APPEAL” means a request for a review of the County Planning Director’s/Planning Commission’s interpretation of any provision of this ordinance or a request for a variance.

“AREA OF SHALLOW FLOODING” means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The Base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

“AREA OF SPECIAL FLOOD HAZARD” means the land in the flood plain within a community subject to a one percent or greater chance of clouding in any given year. Designation on maps always includes the letters A or V.

“BASE FLOOD” means the flood having a one percent change of being equaled or exceeded in any given year. Also referred to as the 100-year flood.” Designated on maps always included the letters A or V.

“DEVELOPMENT” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.
“FLOODING INSURANCE RATE MAP (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“FLOOD INSURANCE STUDY” means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

“FLOODWAY” means the channel of river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

“LOWEST FLOOR” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, unable solely for parking of vehicle’s building access or storage, in an area other than a basement area, is not considered a building’s lowest flood, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 5.2-1(2).

“MANUFACTURED HOME” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when purposes the term “manufactured home” also includes park trailer, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term “manufactured home” does not include park trailers, travel trailers, and other small vehicles.

“MANUFACTURED HOME PARK OR SUBDIVISION” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“NEW CONSTRUCTION” means structure for which the “start of construction” commenced on or after the effective date of this ordinance.

“START OF CONSTRUCTION” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the construction does not include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

“STRUCTURE” means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

“SUBSTANTIAL IMPROVEMENT” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(1) before the improvement or repair is started, or
(2) if the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when
the first alteration of any wall, ceiling, floor or other structural part of the building
commences, whether or not that alteration affects the external dimension of the structure.
The term does not, however, include either:
(1) any project for improvement of a structure to comply with existing state or local health,
sanitary, or safety code specifications, which are solely necessary to assure safe living
conditions, or
(2) any alteration of a structure listed on the National Register of Historic places or a State
Inventory of Historic Places.

“VARIANCE” means a grant of relief from the requirements of this ordinance which permits
construction in a manner that would otherwise be prohibited by this ordinance.

SECTION 3.0
GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of
Wheeler County.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Insurance Administration in a
scientific and engineering report entitled “The Flood Insurance Study for Wheeler County”
dated July 17, 1989, with accompanying Flood Insurance Maps is hereby adopted by
reference and declared to be a part of this ordinance. The Flood Insurance Study is on file
at the Wheeler County Courthouse.

3.3 PENALTIES FOR NON COMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered
without full compliance with the terms of this ordinance and other applicable regulations.
Violation of the provisions of this ordinance by failure to comply with any of its requirements
(including violations of conditions and safeguards established in connections with
conditions) shall constitute a misdemeanor. A violation of the provisions of this Ordinance
is punishable upon conviction by:

(1) A fine of not more than $100 for each day of violation where the offense is continuing
offense but such fine may not exceed $1,000.
(2) A fine of not more than $500 where the offense is not a continuing offense.

3.4 ARBROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements,
covenants, or deed restrictions. However, where this ordinance and another ordinance,
easement, covenant, or deed restriction conflict or overlap, whichever imposes the more
stringent restrictions shall prevail.
3.5 INTERPRETATION

In the interpretation and application of this ordinance all provisions shall be:

(1) Considered as minimum requirements:
(2) Liberally construed in favor of the governing body;
(3) Deemed neither to limit nor repeal any other powers granted under State Statutes.

3.6 WARNINGS AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding of flood damages. This ordinance shall not create liability on the part of Wheeler County, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION 4.0
ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

4.1-1 Development Permit Required

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the “DEFINITIONS”, and for all development including fill and other activities, also as set forth in the “DEFINITIONS”.

4.1-2 Application for Development Permit

Application for a development permit shall be made on forms furnished by the County Planning Director and may include but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

(1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
(2) Elevation in relation to mean seal level to which any structure has been floodproofed;
(3) Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria in Section 5.2-2; and
(4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.
4.2 DESIGNATION OF THE COUNTY PLANNING DIRECTOR/PLANNING COMMISSION

The County Planning Director/Planning Commission is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE COUNTY PLANNING DIRECTOR/PLANNING COMMISSION

Duties of the County Planning Director/Planning Commission shall include, but not limited to:

4.3-1 Permit Review

(1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
(2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.
(3) Review all development permits to determine if the proposed development is located in a floodway. If located in the floodway, assure that the encroachment provisions of Section 5.3(1) are met.

4.3-2 Use of Other Base Flood Data

When base flood elevation data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the County Planning Director/Planning Commission obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 5.2, SPECIFIC STANDARDS, and 53. FLOODWAYS.

4.3-3 Information to be Obtained and Maintained

(1) Where base flood elevation date is provided through the Flood Insurance Study or required as in Section 4.3-2, obtain a record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structure, and whether or not the structure contains a basement.

(2) For all new or substantially improved flood proofed structures;
   (i) verify and record the actual elevation (in relation to mean sea level), and
   (ii) maintain the flood proofing certifications required in Section 4.1(3)

(3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

4.3-4 Alteration of Watercourses

(1) Notify adjacent communities and the Division of State Lands prior to any alteration or relocation of a watercourse, and submit evidence or such notification to
the Federal Insurance Administration.
(2) Require that maintenance is provided within the altered or relocated portion of
said watercourse so that the flood carrying capacity is not diminished.

4.3-5 Interpretation of FIRM Boundaries

Making interpretations where needed, as to exact location of the boundaries of the areas of
special flood hazards (for example, where there appears to be a conflict between a mapped
boundary and actual field conditions). The person contesting the location of the boundary
shall be given a reasonable opportunity to appeal the interpretation as provided in Section
4.4.

4.4 VARIANCE PROCEDURE

4.4-1 Variance Appeal Board

(1) The Wheeler County Planning Commission as established by Wheeler County
shall hear and decide requests for variances from the requirements of this
ordinance.
(2) The County Court shall hear and decide appeals when it is alleged there is an
error in any requirement, decision, or determination made by the Planning
Director/Planning Commission in the enforcement or administration of this
ordinance.
(3) Those aggrieved by the decision of the County Court, or any taxpayer, may
appeal such decision to the Land Use Board of Appeals, as provided in ORS 197
and 215.
(4) In passing upon applications, the Planning Commission shall consider all
technical evaluations, all relevant factors, standards specified in other sections of
this ordinance, and:
   (i) the danger that materials may be swept onto other lands to the injury
       of others
   (ii) the danger to life and property due to flooding or erosion damage;
   (iii) the susceptibility of the proposed facility and its contents to flood
       damage and the effect of such damage on the individual owner;
   (iv) the importance of the services provided by the proposed facility to the
       community;
   (v) the necessity to the facility of waterfront location, where applicable;
   (vi) the availability of alternative locations for the proposed use which are
       not subject to flooding or erosion damage;
   (viii) the relationship of the proposed use to the comprehensive plan and
       flood plain management program for that area;
   (ix) the safety of access to the property in times of flood for ordinary and
       emergency vehicles;
   (x) the expected heights, velocity, duration, rate of rise, and sediment
       transport of the flood waters and the effects of wave action, if
       applicable, expected at the site; and,
   (xi) the costs of providing governmental services during and after flood
       conditions, including maintenance and repair of public utilities and
       facilities such as sewer, gas, electrical, and water systems, and
(5) Upon consideration of the factors of Section 4.4-1(4) and the purposes of this ordinance, the Planning Commission may attach such conditions to the granting of variances as it deem necessary to further the purposes of this ordinance.

(6) The Planning Director shall report any variances to the Federal Insurance Administration upon request.

4.4-2  Conditions for Variances

(1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of on-half acre or less in size contiguous to and surrounded by lots with existing structure constructed below the base flood level, providing items (i-xi) in Section 4.4-1(4) have been fully considered. As required for issuing the variance increases.

(2) Variances may be issued for the reconstruction, rehabilitation, or restoration of structure listed in the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.

(3) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Variance shall only be issued upon:
   (i) a showing of good and sufficient cause;
   (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant;
   (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 4.1-1(4), or conflict with existing local laws or ordinances.

(6) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

(7) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of flood proofing than watertight or dry-flood proofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except 4.4-2(1) and otherwise complies with Sections 5.1-1 and 5.1-2 of the GENERAL STANDARDS.

(8) Any applicants to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevations.
SECTION 5.0
PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS

In all areas of special flood hazards, the following standards are required:

5.1-1 Anchoring

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
(2) All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA’s “Manufactured Home Installation in Flood Hazard Areas” guidebook for additional techniques).

5.1-2 Construction Materials and Methods

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
(3) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5.1-3 Utilities

(1) All new and replacement water supply systems shall be designated to minimize or eliminate infiltration of flood waters into the system;
(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
(3) On-site waste disposal systems shall be located to avoid impairment to them or containment from them during flooding.

5.1-4 Subdivision Proposals

(1) All subdivision proposals shall be consistent with the need to minimize flood damage;
(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
(4) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).
5.1-5 **Review of Building Permits**

Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (Section 4.3-2). Application for building permits shall be reviewed to assure that proposed construction will be reasonable safe from flooding. The test of reasonableness is local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

5.2 **SPECIFIC STANDARDS**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or Section 4.3-2, Use of Other Base Flood Data, the following provisions are required:

5.2-1 **Residential Construction**

(1) New Construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.
(2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following criteria:
   (i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
   (ii) The bottom of all openings shall be no higher than one foot above grade.
   (iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

5.2-2 **Nonresidential Construction**

New Construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

(1) Be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water:
(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(2).
(4) Nonresidential structures that are elevated, not flood proofed, must meet the same
5.2-3 Manufactured Homes

All manufactured homes to be placed or substantially improved within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection 5.1-1(2).

5.3 FLOODWAYS

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

(1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(2) If Section 5.3(1) is satisfied, all new construction and substantial improvement shall comply with all applicable flood hazard reduction provisions of Section 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.

NOTE: Where base flood elevations have been provided but floodways have not, Section 5.3 should read as follows:

5.1 ENCROACHMENTS

The cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.

5.2 EFFECTIVE DATE

The Wheeler County Flood Damage Prevention Ordinance No. 89-01 is hereby adopted this 6th day of September, 1989, thereby repealing Article 5, Flood Hazard Overlay of Wheeler County Zoning Ordinance 84-02 and any Amendment thereto. This Ordinance being necessary for the immediate preservation of the public peace, health, and safety an emergency is declared to exist, and this ordinance shall take effect on the 6th day of September 1989.
The document was signed by the following members of the Wheeler County Court:

COUNTY COURT
Judge
Marilyn G. Garcia

WHEELER COUNTY, OREGON
Commissioner
H. John Asher
Commissioner
John F. Collins

COUNTY CLERK
Judy L. Potter
2003
TECHNICAL REPORT
Wheeler County and the cities of Fossil, Mitchell & Spray

ADOPTED JUNE 18, 2003
**2003 Technical Report**

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FORWARD

On August 6, 1980 Wheeler County Adopted the
COMPREHENSIVE PLAN
TECHNICAL REPORT

WHEELER COUNTY,
and the Cities of
FOSSIL, MITCHELL & SPRAY, OREGON

The 2003 Technical Report (2003 TR) is a new document that reflects new information that is available to the Counties and Cities. New information will be identified in the 2003 TR. Where information from the 1980 report (1980TR) is primarily the same, any minor changes will be so noted in this 2003 TR. The 1980 TR, dated August 6, 1980, has information that is still relevant to Wheeler County and the cities and therefore the 2003 report is not a revision, but a new document with any new information. There is some duplicated information in the 2003 report that is necessary for continuity of the data.

The Oregon Legislature created the Oregon Land Use Program with the passage of Senate Bill 100. The fourteen original Statewide Planning Goals were created and adopted by the Land Conservation and Development Commission (LCDC) on January 1, 1975. The 1980 report addressed the original Statewide Planning Goals. Since that time the LCDC has adopted 5 new goals that do not apply to Wheeler County. However, the LCDC has adopted revisions to the original goals and numerous Oregon Administrative Goals (OAR’s) that do apply to Wheeler County. There have also been many court cases that have made revisions to the manner in which the Goals and OAR’s are to be interpreted. The Oregon Legislature has also made changes to the Oregon Land Use Program since 1980. This 2002 Technical Report has been developed to provide the necessary information to update the Comprehensive Plans for Wheeler County and the cities of Fossil, Mitchell and Spray. The County will update its comprehensive plan at this time. The information is this update is for the cities use, and it is expected that cities may receive grants in the 2003-4 biannual to upgrade their comprehensive plans.

The preparation of this document was financed in part by a Technical Assistance Planning Grant from the Department of Land
1. Comprehensive Plan

The comprehensive plan is Wheeler County’s official document, with the public’s participation and input, about the development and conservation of the unincorporated portions of Wheeler County. The plan is adopted by the County Court, and agreed to by all affected governmental units.

Comprehensive means all inclusive in terms of the functional and natural activities in the area, such as:

- The natural resources of land, air, and water that are to be preserved, conserved, managed, or utilized;
- The constraints related to development such as physical limitations of the public and private sectors to provide necessary services; or resource limitations such as inadequate stream flows or ground water resources to provide the water needed to support development, etc.;
- The locations for various types of land and water uses and activities in an area, such as residential, agricultural, commercial, forestry, industrial, etc.;
- The utilities, services, and facilities needed to support the present and contemplated uses and activities; where they will be provided, and upon what conditions;
- Considerations and the special values of the area, such as housing, energy supplies and consumption, improvements of the local economy, recreation needs, scenic areas, and the direction and nature of growth and development, if such is desired.

The term “plan” means the group of decision made before changes are made in the area. A comprehensive plan, like a remodeling plan for a building, shows the present condition as well as any future changes. It shows the direction and nature of changes in land and water uses and what utilities, streets or other public facilities will be provided, etc. When a public improvement will be built or when a change in use is expected it is expressed by an estimated date, or the reaching of a population level or density or, the occurrence of another event such as the installation of a water line or the construction of a school.

The purpose of a plan is to create a forum open to the public in order to make decisions in advance of construction of a facility, or the use of resources, so any differences are resolved prior to starting a project. Unnecessary project delays are avoided when the public and affected agencies have resolved any conflicts well before construction work begins.

The Wheeler County’s Comprehensive plan document upon which public agencies, private firms, and individuals must be able to rely so their decisions and investments can be made with confidence. People buying homes can do so, assured that the neighborhood they have selected won’t change adversely. Farmers can make capital investments, certain that the adjacent areas will not be developed and preclude them from continuing their farming practices, causing them to be unable to pay for and use needed improvements.
Businesses can invest in new sites, confident that they can be used for their intended purpose, and that the needed services will be provided.

Public investments in water, sewer systems, schools, etc. can be made in an orderly manner, in keeping with the ability to pay for them.

The plan is the basis for other public implementation actions, such as zoning and subdivision decisions. These just be made in the total context of the overall need reflected in the plan.

When adopted, the plan expresses the coordination decision of the public (individuals, groups, and organizations), incorporated with those of public agencies. In addition to setting forth the public’s choices about how conservation and development will occur in their geographic area, the plan also incorporates the plans of all other governmental jurisdictions in that area. Fitting them together harmoniously, it interrelates needs, constraints, and services with natural resources. When completed, the comprehensive plan related all decisions directly to the air, water, and land resources of the local area in a coordinated manner.

The plan is a statement of the choices made, with public input, enacted by the Wheeler County Court. These are choices that are made consciously, and are not merely self-fulfilling prophecies of trends and projections. These choices can be made contrary to trends if the changes necessary to affect the trends are made too. These trends must be considered, but only as factors to be taken into account. The choices also reflect a consideration of the area’s problems and needs, as well as social, economic, and environmental values. Practical and possible alternative solutions, providing the range of options available, must be considered in making the choices. This assures that the best possible solutions will be developed for the area.

II. Format of a Comprehensive Plan

The public’s planning document consists of two parts. The first part is the adopted comprehensive plan, which contains the decisions about the uses of resources, and the provisions of services and facilities. The plan shows the decisions in the form of maps and policy statements. These are equivalent to a broad blueprint for the area; a blueprint that is interpreted when it is applied to specific situations through zoning and other implementation measures. The general plan is adhered to, but some designations, like “residential-single family”, may be further refined into several single family residential classifications, depending on the needs of the area. For some jurisdictions the plan will be only a few pages in length; for other, it will take more space to set down the essence of the decisions.

The second part of the planning document consists of the background information, facts, and considerations that served as the basis for the conclusions. This background includes such items as the inventories showing the extent, characteristics, values and limitations of the planning area’s resources. It also shows the use of property, property ownership lines and factors related to population and growth trends. The background information describes the nature of the economic base, its development and conservation implications. It also sets out the process that was followed to arrive at the
choices made in the plan.

The background material is essential to understand why and how the plan’s conclusions were reached. Whether included after the summation, or provided as a separate appendix, the background information affords the user the plan more detailed information when it is needed to interpret the plan. It also serves as the basis for consideration of requests for changes and revisions. It provides the basic information needed to understand how the facts were used to reach the conclusions made in the plan. This can be important to assure continuity in the review and updating of the plan.

Traditionally, comprehensive plans were supposed to be long range, encompassing twenty plus year, and were quite general. A long-term plan is still necessary to provide a general ideal of how growth is to take place; what services will be needed and the management required to conserve resources. However, a short-term plan is more specific in areas that are being urbanized, renewed, or where change is occurring at such a rate that confident decisions cannot be made beyond five to ten years.

The plan is adopted by:

a. The City Council for an incorporated area;

b. Both the County Board of Commissioners and the City Council for an unincorporated portion within an urban growth boundary;

c. The County Board of Commissioners for an unincorporated portion of the county.

The completed plan incorporates the plans of all units of government in the area, and provides a common basis for decisions regarding conservation and development in each city and county; all affected agencies are expected to use it. Each comprehensive plan provides a place for each governmental unit affected by the plan to sign, expressing their agreement with the plan.

III. Responsibilities for Preparation and Revision

The fitting together smoothly of all parts of the plan is one of the most important features of a comprehensive plan. Coordination occurs primarily during the preparation of the plan by involving all affected people and agencies throughout the development of the plan. These plan and development coordination responsibilities include:

a. Each city and county is responsible for the preparation of the plan for its jurisdiction. However, both the city and county have the responsibility for working together to jointly prepare the plan for an urban growth area.

b. The County, under ORS Chapter 197, is charged with the responsibility of coordinating the plans of cities and special districts.

c. Each special district is also responsible for working with the city and county, to make sure the functional part of their area is consistent with the comprehensive plan for the area.
d. Each state and federal agency has the responsibility of working with each city and count to incorporate the agency’s plans into the comprehensive plan.

To achieve the objective of public understanding and support of the plan as well as assuring that the plan reflects the desires and needs of the people it is designed to serve, it is essential that the public be involved throughout the entire process of the making of the plan. Real, useable, involvement opportunities must be created during every phase of the plan development. The public includes:

- The general citizenry of the area;
- All property owners;
- Groups; clubs and organizations;
- Firms; businesses; corporations; private agencies, such as associations, firms, partnerships, joint stock companies; any group of citizens.

The plan development process must also include:

- All affected local, state, and federal agencies;
- Public utility and public service groups and organizations.

Further opportunities for input must include those not living in the area, so they can participate in discussions concerning issues of more than local inters, such as areawide, regional, state, and national concerns.

The plan is not cast in concrete. It is the Wheeler County Comprehensive Plan, with public input plan in a developing and renewing, dynamic situation. The plan must be reviewed periodically to assure that it reflects the desires and needs of the people it is designed to serve; that the plan is achieving the desired stated objective. However, it must not be changed dramatically or capriciously at each review if individuals, organizations, and public agencies are to be able to rely on it. If the review takes place with reasonable frequency, then most adjustments will be small and easily accommodated. It is essential that those people and agencies, as well as the general public who were involved with the preparation of the plan, be given the opportunity to be included in any review so their understanding and support of the plan will continue.

**CITIZEN INVOLVEMENT**

In the 1980 TR there is a very comprehensive discussion on citizen involvement that is still accurate today. The 1980 discussion included a list of questions that were asked at a series of ranch house meetings held in 1978. The county also conducted a Wheeler County Land-Use Planning Survey in August 1977. The survey, done by Oregon Research Institute was a very extensive survey for that time. Much of the information is still relevant to the current planning issues in Wheeler County today.

The Wheeler County Court, with the approval of the Land Conservation and Development Commission (LCDC) approve the Wheeler County Planning Commission as the Committee for Citizen Involvement (CIC). As the CIC it is the Planning Commission’s responsibility to see that the citizens of the county are aware and given the opportunity to be involved in planning issues and
decisions. The Planning Commission does this job by giving notice of future planning issues and conducting of their meetings in a way that allows the citizens of the county an opportunity to voice their concerns and comments on all planning issues.

NATURAL ENVIRONMENT

The 1980 Technical Report (TR) went into great detail in describing the different parts of the natural environment for Wheeler County. The following is a list of the 14 subdivisions of the natural environment and explaining the current status of each resource.

Geology
No major changes to the 1980 TR information have occurred

Mineral and Aggregate
No major changes to the 1980 TR information have occurred

Topography
No major changes to the 1980 TR information have occurred

Climate
No major changes to the 1980 TR information have occurred

Soils
The Natural Resources Conservations Service (NRCS) has had Wheeler County scheduled to do a new Soil Survey for the entire county for the past 10 years. Because of delays in other counties in which NRVS is doing surveys it is expected that a survey for Wheeler County will not be completed until at least 2009. A small number of detailed surveys have been done in the county, primarily along parts of the John Day River. In 1994 the Oregon Department of Land Conservation and Development (DLCD) provide to Wheeler County a list of High Value Farmland Soils, and a description of how Wheeler County can use the information in approving uses in the Farm and Forest zones. In most counties the information contained the soil types and the soil number along with a list of the number of acres for each soil type. However, in the information for Wheeler County, due to the lack of a countywide survey and the small number of High Value Soils the acreage is not listed for Wheeler County. When the county updated its zoning ordinance in 2001, it was recognized that due to the lack of soil information that when a use is proposed on High Value Soil that the review will be done on a case-by-case basis.

Natural Vegetation
No major changes to the 1980 TR information have occurred. However, with the harvesting of the land now owned by Three Valley Ranches LLC, and forest fires, including the 1996 Wheeler Point Fire, there have been shifts in the use of some forest lands in the county. These changes have caused much of these lands to be used for livestock production and open space instead of forest operations. This change has not altered the ability of the land to be lands that can produce forest species. In the future the county may wish to consider rezoning some of these land from Exclusive Timber Use (ETU) to Exclusive Farm Use (EFU).
Land Resource Management
This section includes the following Land Resources

Land Ownership
No major changes to the 1980 TR information have occurred.

Land Use
The 1980 TR classified the land use in the county in the following three categories. While most of the information is still accurate, there have been some changes that are listed in each category.

Crop and Grazing Land
The numbers for acres in different farm classes have changed slightly since the 1974 Census of Agriculture. The types of agriculture activity have not changed with livestock and hay production continuing to be the dominant agriculture products in the county.

Timber Land
Since the 1980 TR there have been some changes in the timber land activities. The primary private timber company up to 1977 was Kinzua Corporation which closed its mill and company townsite. In 1993 Kinzua sold all its timberlands to Pioneer Resources Corporation, and are now owned by Three Valley Ranches LLC. Pioneer Resources continues to operate a small mill in Pilot Rock, and have harvested most of the timber from its land in Wheeler County. There was a major forest fire in 1996, Wheeler Point Fire that consumed approximately 21,000 acres of forest land. With the harvesting of the Pioneer Resource’s lands and the Wheeler Point Fire, much of the private timberlands are currently being used as pasture for livestock. However, the land has been forest land and with new trees beginning to grow it can and will likely produce a forest crop in the future. In 2002 Three Valleys Ranches LLC purchased most of the former Kinzua forest lands. Pioneer Resources Corporation no longer owns any land in Wheeler County. There are a number of other private forest land owners in the county, which include Six Shooter, Antone Ranch, Hammond Ranches, Fopiano Ranch, Jack Rhoden properties and others. The emergency of small woodland owners is improving forest production and these owners are managing their lands with good management practices. The problem of dense stagnated stands of ponderosa and associated species is still a problem today, but with the harvesting of the Pioneer Resource’s lands, the Wheeler Point Fire, and the good management practices of the small woodland owner this problem is being reduced.

Urban and Land Development
See sections on each individual City

Hydrologic Resources
For most of the County there have been no changes. However, in March 2001 the John Day River Management Plan was adopted. The plan was done in partnership with Bureau of Land Management, State of Oregon, Confederated Tribes of the Warm Springs Reservation of Oregon, Bureau of Indian Affairs and the
John Day Coalition of Counties. The plan includes decisions for management of federally designated Wild and Scenic River segments and State of Oregon designated State Scenic Waterways.

Natural Hazards
   No major changes to the 1980 TR information have occurred. In 1999 The Oregon Department of Geology and Mineral Industries published a report Earthquake Damage in Oregon. This report shows that no earthquakes have occurred in Wheeler County.

Fish and Wildlife Resources
   No major changes to the 1980 TR information have occurred. While the number of animals and birds have changed from the 1980 TR, the area of habitat and the habitat practices have not changed.

Air, Water and Land Quality
   No major changes to the 1980 TR information have occurred.

Unique Scientific and Cultural Resources
   No major changes to the 1980 TR information have occurred.

Energy Resources and Utilities
   No major changes to the 1980 TR information have occurred.

Recreational Resources
   No major changes to the data in the 1980 TR information have occurred. However, the ownership of the improved recreation sites is now in the ownership of Wheeler County, or the Bureau of Land Management. Oregon State Parks Department no longer owns any property in the county.
<table>
<thead>
<tr>
<th>Name</th>
<th>OAR #</th>
<th>Need to Protect</th>
<th>Safe Harbor</th>
<th>Type</th>
<th>Comments</th>
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<tr>
<td>Riparian Corridor</td>
<td>0090</td>
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<td>Yes</td>
<td>(a) Streams</td>
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<td></td>
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<td>(b) Lakes</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>(c) Significant Wetlands</td>
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</tr>
<tr>
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<td></td>
<td></td>
<td></td>
<td>(d) Steep Cliffs</td>
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<td>0100</td>
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<td>Yes</td>
<td>Inside UGB's</td>
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<td>Yes</td>
<td>Other than fish (a) Threatened or Endangered</td>
<td>Agree to adopt mgt. plan</td>
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<td>(b) Documented occurrences</td>
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<td>(c) Sensitive bird site</td>
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<td></td>
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<td>(d) Essential to ODF&amp;W</td>
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<td>Fed Wild &amp; Scenic Rivers</td>
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<td>Oregon Scenic Waterways</td>
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<td>Yes</td>
<td>No</td>
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<td>Use PAPA process</td>
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<tr>
<td>Energy Resources</td>
<td>0190</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Historic Resources</td>
<td>0200</td>
<td>No</td>
<td>No</td>
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<td>Open Space</td>
<td>0220</td>
<td>No</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scenic Views and Sites</td>
<td>0230</td>
<td>No</td>
<td>No</td>
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<td></td>
</tr>
</tbody>
</table>
SOCIO-ECONOMIC ENVIRONMENT

Resource Base and Economic History

The part dealing with the history of Wheeler County has not changed since the 1980 TR. However the economic forecast for the county still seems bleak, the report Wheeler County, Strategic Initiatives for Community and Economic Development that was done in 1996 reached conclusions of which some are still relevant today. The following are the 10 Strategic Planning Initiatives in the report.

1. Designate a Wheeler County Commissioner and a public official from each of the incorporated communities as the representative for community and economic development.
2. Designate staff person or contract with a consultant to manage countywide community and economic development efforts.
3. Create a countywide economic development board.
4. Establish a formal working relationship with the Community Solutions Team and, with their participation, draft a working agenda for project and program implementation.
5. Conduct a complete analysis of the land use designations in Wheeler County, including a review of the development opportunities inside the urban growth boundaries of the incorporated communities.
6. Explore and pursue business retention, expansion and creation opportunities throughout the county.
7. Capitalize on the growing tourism industry by active participation in local and regional marketing and product development enterprises.
8. Immediately analyze and implement those projects/programs presently being pursued that contribute to community and economic development efforts throughout Wheeler County in order to encourage proactive attitudes.
9. Seize every opportunity to build local professional capacity to manage community and economic development contracts and provide other technical services in Wheeler County and the North Central region.
10. Conduct, promote, and participate in workshops, discussions, experiments, and any additional form of information dissemination that leads towards the development capacity of residents in Wheeler County.

A major economic activity that was not discussed in the report is the use of telecommunications to attract people with jobs that can be operated over the Internet. These types of jobs bring people that want the rural lifestyle while maintaining a livable income to support their families.

A telecommunications need survey was done as a result of 1999 SB-622. The survey was done for both Wheeler and Gilliam counties. The survey makes the assumption that the two counties are very similar, not only in telecommunications needs, but also in nearly all aspect. The survey does make the point that if Wheeler is one of the counties in rural Oregon that needs assistance most, and would be a major factor in assisting in stabilizing its faltering economy.
Population Characteristics

Wheeler County has continued to experience a slow rate of growth that was shown in the 1980 TR.

<table>
<thead>
<tr>
<th>Year</th>
<th>County Population</th>
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<tbody>
<tr>
<td>1900</td>
<td>2243</td>
</tr>
<tr>
<td>1910</td>
<td>2484</td>
</tr>
<tr>
<td>1920</td>
<td>2791</td>
</tr>
<tr>
<td>1930</td>
<td>2799</td>
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<tr>
<td>1940</td>
<td>2857</td>
</tr>
<tr>
<td>1950</td>
<td>3313</td>
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<td>1960</td>
<td>2722</td>
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<td>1970</td>
<td>1849</td>
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<td>1980</td>
<td>1513</td>
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<tr>
<td>1990</td>
<td>1396</td>
</tr>
<tr>
<td>2000</td>
<td>1547</td>
</tr>
</tbody>
</table>

The overall Wheeler County Population has continued to remain below the peak of 3313 persons attained in the 1950’s.

Population for the incorporated cities, Wheeler County

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Wheeler County</td>
<td>2722</td>
<td>1849</td>
<td>1513</td>
<td>1396</td>
<td>1547</td>
</tr>
<tr>
<td>Fossil</td>
<td>672</td>
<td>511</td>
<td>535</td>
<td>399</td>
<td>470</td>
</tr>
<tr>
<td>Mitchell</td>
<td>236</td>
<td>196</td>
<td>183</td>
<td>163</td>
<td>170</td>
</tr>
<tr>
<td>Spray</td>
<td>194</td>
<td>161</td>
<td>155</td>
<td>149</td>
<td>140</td>
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<tr>
<td>Incorporated Area</td>
<td>1102</td>
<td>868</td>
<td>873</td>
<td>711</td>
<td>780</td>
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<tr>
<td>Unincorporated Area</td>
<td>1620</td>
<td>981</td>
<td>640</td>
<td>685</td>
<td>767</td>
</tr>
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</table>

Population Projections

In the 1980 TR a detailed discussion of population projections was done and a table with projections through the year 2000 for the county and the cities was provided. It has turned out that these projections were very optimistic. In 1997 the Office of Economic Analysis (OEA) of the Oregon Department of Administrative Services (DAS) compiled County Population Forecasts. The OEA is scheduled to provide new County Population Forecasts in 2002; however the new forecasts have not been completed by December 1, 2002. Therefore, the 2003 TR will use the 1997 forecasts for the population projections. The number for the year 2000 is from official 2000 census. The number in ( ) is the current percentage of Wheeler County’s population for the cities.
The following projection is based upon the assumption that the city/county ratio will remain the same.

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Wheeler County</td>
<td>1547</td>
<td>1833</td>
<td>1966</td>
<td>2100</td>
<td>2230</td>
<td>2362</td>
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<tr>
<td>Fossil (.31248)</td>
<td>470</td>
<td>573</td>
<td>614</td>
<td>656</td>
<td>697</td>
<td>738</td>
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<tr>
<td>Mitchell (.12)</td>
<td>170</td>
<td>220</td>
<td>236</td>
<td>252</td>
<td>267</td>
<td>283</td>
</tr>
<tr>
<td>Spray (.09)</td>
<td>140</td>
<td>165</td>
<td>177</td>
<td>189</td>
<td>200</td>
<td>212</td>
</tr>
</tbody>
</table>

Income
While income has increased since the 1980 TR, which was based on 1970 census information, Wheeler County has remained well behind the state as a whole. In 1970 Wheeler County’s median family income was only 71% of the State of Oregon. In 2000 Wheeler County’s median family income was 70.26% of the State of Oregon. While the dollar value of income has increased between 1970 and 2000, the information in the 1980 TR is still relevant as to the comparison of today’s median family income to that of 1970.

Employment and Payroll
The 1980 TR went into great detail on employment and payroll. The information has little relationship to today’s comprehensive planning needs.

City and County
The 1980 TR went into great detail on City and County Financial Base. The information has little relationship to today’s comprehensive planning needs.

Transportation
In 2001, Wheeler County and the three incorporated cities adopted a Transportation System Plan (TSP). This TSP supersedes all section of the Comprehensive Plan and the 1980 TR regarding Transportation.

Housing
While the population has begun to increase in the past few years, the number of housing units has remained constant with 842 housing units in 2000 compared to 820 in 1978.

County and City Services
Community Facilities

Economic Development
There are many changes occurring in the county that are and will in the future, cause changes in the economic development of Wheeler County. The reduction in forest production has altered the type of work force in the county. Livestock operations have and still today are a major economic

Adopted 1980
Revised 2003
activity in the county. There are some activities that are ongoing that will have impacts on the economics of the county.

Paleo Project

The Multi-Partner Paleontology & Natural Resources Learning Center at Fossil & Interpretation of Natural Resource Features of the John Day & Deschutes River Basins (Paleo Project) is a major economic factor that is occurring in the County.

In Spring 2001 The Paleo Project was designated by Oregon Governor John Kitzhaber as the first Oregon Solutions Project – one of 20 highest priority projects in the State of Oregon – by meeting the triple bottom line of economic, community and environmental sustainability. In October 2001 the Paleo Project won statewide recognition as recipient of the Governor’s Oregon Sustainability Award of the year.

A convergence of significant developments among partners involved in unique natural resources offerings across central and north central Oregon presents the need for learning and interpretive center and an opportunity not to be missed. These include:

- US National Park Service developments at the John Day Fossil Beds National Monument:
  (a) The $8.4 million Thomas Condon Visitor Center, to be constructed in 2002 and expected to attract an estimated 300,000 annual visitors within the next few years, tripling the current numbers of visitors;
  (b) Recent acquisition by the National Park Service of an additional 2,000 acres of pristine fossil findings at the Clarno Unit, including a mammoth pit that has attracted the interest of scientist worldwide;

- The largest ranch rehabilitation project in the Pacific NW – the Confederated Tribes of Warm Springs’ 40,000 acre Pine Creek & Wagner ranches – underway in partnership with National Park Service and OSU for rare geologic, archaeologic and paleontologic findings;

- A partnership among the North Central Oregon Education Service District and natural resource partners to deliver distance education from remote sites (i.e. "virtual digs") via the region’s high tech wireless telecommunications system;

- A need for a multi-partner facility as a place for exhibitry and education about the world class natural resource features of the John Day and Deschutes River Basins;

- The offer by the Fossil School District to provide its elementary school building for a Natural Resources Learning Center to serve as a regional interpretation hub and to accommodate these partners as well as elderhostel and tour groups;

- A recognition by the economically-stressed rural parts of the region that its future lies in tourism, telecommunications and a utilization of the unique natural resource findings of the region as a key collaborative strategy for economic and community development.
• A recognition by science, education and community/economic development leaders that the John Day & Deschutes River Basins hold world-significant natural resources, and that the opportunity for learning and interpretation of these rare resources is a key sustainability strategy to draw worldwide attention to the region while preserving quality of life.

Sample resources include:

a. Ancient streams that once held 8-ft. saber-toothed salmon
b. One of the most complete sets of volcanic features found in the world
c. World-renowned formations showing 53 million years of visible fossilization
d. Collision of continental plates, the largest collision in the earth’s history
e. Remains of extinct animals such as the miniature horse, bear-dog, prehistoric camel, saber-toothed cats
f. The oldest known constructed living shelter in North America, part of the region’s pristine 12,000-year archaeological record
g. The only streams w/ solely indigenous Chinook salmon in the continental US
h. Live volcanic magma inflation flows just under the earth’s surface
i. The only free public fossil digging beds in the continental US

Telecommunications infrastructure and services

Presently three primary providers serve the region – TDS/Home Telephone Co. in the city of Condon and its immediate environs, Century Tel in Wheeler County and Sprint in Sherman County and North Gilliam County. Additionally, there are several cable providers offering varying degrees of service and a small number of satellite access providers.

Currently, most local and regional providers are either unable – or, depending on the area and requested services(s) unwilling – to offer a menu of services that typically and regularly include conventional advanced telecommunications services or affordable access to high-speed bandwidth. Among the reasons for such absence of service are inadequate legacy infrastructure, limited capacity due to dated technology and equipment, and conflicts surrounding the ILEC’s misplaced concerns about public/private competition. However, it should be noted that both TDS/Home Telephone Co. and Century Tel have been receptive to proposed discussions about public/private partnerships and/or collaborations intended to expand the availability and affordability of high-speed broadband and associated advanced services to area schools, residents and businesses.

For all practical purposes, the highest capacity service currently in wide use throughout the three-county region is a standard T1 line, providing approximately 1.5 Mb of bandwidth. However, not all such lines are dedicated, so the actual throughput will be on a continuum from nearly 100% of 1.5 Mb to less than 30% of 1.5 Mb. Cable modem service is offered in varying capacities and at carrying costs, with full 1.0 Mb at or near the top. Satellite service is not as common, though there are several users around the area utilizing such equipment and experiencing speeds in the 450-750 Kpbs, almost without exception on an asynchronous basis.

Presently, two primary projects are being developed to expand and enhance the availability and affordability of high-speed broadband services in the region. The first is a collaborative effort between the counties and the North Central Education Service District that will result in the construction of a wireless infrastructure covering a 4000 square mile area across the three
counties and the service district of the ESD. This wireless system will provide expanded and enhanced communications capabilities for 9-1-1, emergency services, law enforcement and general public health and safety responders, including the construction and operation of a Public Safety Answering Point near the geographical center of the region. Additionally, the system will provide affordable access to high-speed bandwidth and associated advanced telecommunications services availability to six school districts and four rural health clinics scattered over this nearly 4000 square miles.

This is especially critical in medical emergencies, as these are 3 of 57 counties in the United States with no doctor. While the health clinics provide an extraordinary level of care considering their limited resources, they are necessarily constrained from providing levels of care and treatment typically associated with a physician.

The second project will provide fiber optic access and capacity to the region. The first phase includes a fiber run to Arlington, Condon and Fossil; and the second phase will provide fiber access in Moro – thereby assuring that within two years every county seat and rural health clinic will enjoy the advantages of virtually unlimited bandwidth availability, and where feasible over time, each of the six school districts. This fiber system is designed to provide route diversity and operational redundancy for the wireless infrastructure.

In summary, telecommunications projects presently planned or underway in Gilliam, Sherman and Wheeler counties will provide area residents with expanded 9-1-1 and emergency services communications capabilities, plus access to affordable bandwidth that would otherwise be unavailable in this frontier rural region. The logistics of developing such telecommunications capacity in this area—where the population density is 1.2 people per square mile and the topography often forbidding—are daunting, but with unswerving commitment and extraordinary effort, the public officials and citizens of these three counties will ensure that through a willingness to help themselves they will not be left behind in the race for communication.
LAND USE PLANNING

In the 1980 TR there is a good description of Land Use Planning as it applies to the County. This information is still valid today, and needs no revisions.

There had been new studies done by State and Federal agencies that has come impact on the county. These include the following:

County Reports

Earthquake damage in Oregon
Oregon Department of Geology and Mineral Industries
1999

Lower John Day Regional Partnership Regional Investment and Rural Action Plan
Regional Investment Board
November, 2001

Physical infrastructure needs Assessment Final Report
Prepared for Lower John Day Regional Partnership
Northwest Small Cities Services and Nesbitt Plan and Management Inc.
October 3, 2000

Wheeler County Zoning, Subdivision, Partitioning and Land Development Ordinance of 2001
Central Oregon Land Use Consultants
October 3, 2001

John Day River Management Plan
Bureau of Land Management
March 7, 2001
CITY OF FOSSIL

In the 1980 TR there is a short description of the City of Fossil with a list of issues to be addressed when the city adopts its comprehensive plan. The city has addressed most of these issues as well as other issues that have come forth during the past 23 years. The city has upgraded its zoning ordinance 2001 and addressed most of the issues. The city has recently added additional commercial and industrial land in its city limits. A major issue in Fossil, as well as the other cities, is how to provide services and structures to attract and accommodate future growth. The city has recently addressed this issue by recognizing the need for additional commercial lands and working with the County and the State of Oregon to rezoning land to accommodate their needs.

The city has adopted the following reports since 1980.

City of Fossil Utilities Plan
Tenneson Engineering Corp.
May 2001

City of Fossil Zoning Ordinance
Daniel R. Meader, Tenneson Engineering Corp.
February 13, 2001

City of Fossil Comprehensive Plan Update
Dan Meader, Tenneson Engineering Corp.
February 13, 2001
CITY OF MITCHELL

In the 1980 TR there is a short description of the City of Mitchell with a list of issues to be addressed when the city adopts its comprehensive plan. The city has made no changes to its comprehensive plan or ordinance, except for a Periodic Review update in 1984. The city has always had a shortage of land for commercial and industrial development, because of the fact that the city is in a deep valley with steep lands on both sides of the historical city. When the city’s comprehensive plan was developed in 1980 its Urban Growth Boundary (UGB) was developed inside the city’s city limits on the North side of the city. Again this was due to the steep hillside. The City has recently opened discussions with the County to see if the UGB can be expanded onto lands outside of the city that are not on steep lands.
CITY OF SPRAY

In the 1980 TR there is a short description of the City of Spray with a list of issues to be addressed when the city adopts its comprehensive plan. The city in 2001, with the concurrence of the County, expanded its UGB to add land needed for future growth and development.

The city has adopted the following reports since 1980:

City of Spray Comprehensive Plan and implementation measures
August 5, 1980

City of Spray Wastewater Facilities Plan
Tenneson Engineering Corp.

City of Spray Zoning Ordinance
Daniel R. Meader, Tenneson Engineering Corp.
February 13, 2001

City of Spray 2001 Comprehensive Plan Update
Dan Meader, Tenneson Engineering Corp.
May 10, 2001