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**URBAN GROWTH MANAGEMENT AGREEMENT**

CC  
dup  
COLUMBIA COUNTY  
MAY 16 1996  
COUNTY COUNSEL

The parties to this Management Agreement shall be the City of Rainier, Oregon, and Columbia County, Oregon.

This Management Agreement is intended to facilitate the orderly and efficient transition from urbanizable to urban land uses within the City of Rainier Urban Growth Area, and is entered into pursuant to Chapters 190, 197 and 203 of the Oregon Revised Statutes and pursuant to the Oregon Statewide Planning Goals.

The purposes of this agreement are: to preserve land around the City of Rainier for economical and efficient development and public services so that the costs of future development will be placed more directly on those who benefit; and to differentiate land inside the Urban Growth Area from that outside the area so that future growth will be concentrated in and around the city.

The City of Rainier and Columbia County will manage the Urban Growth Area according to the terms contained in this agreement. Their mutual expectations and decisions regarding land use shall promote the above-stated purposes. The City and the County will coordinate with all local service districts and service associations in providing public facilities. The City and the County shall cooperate in the development of a Comprehensive Plan and in the zoning of the Urban Growth Area.

The terms of this Management Agreement shall be applicable to the City of Rainier 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 of Rainier's corporate limits to the City of Rainier's Urban Growth Boundary as defined in the Comprehensive Plan adopted February 18, 1981 and as amended to date.

Words and phrases used in this Joint Management Agreement, the Comprehensive Plan and implementing ordinances of the City of Rainier and the Comprehensive Plan and implementing ordinance of Columbia County shall be construed in accordance with ORS Chapters 92, 197, 215, 227 and applicable Oregon Statewide Planning Goals unless otherwise specified. In the event two or more definitions are provided for a single word or phrase, the most restrictive definition shall be utilized in construing this Agreement.

## **I. COMPREHENSIVE PLAN PROVISIONS.**

A. In order to promote an orderly and efficient transition from urbanizable to urban land within the Urban Growth Boundary and retention of land for non-urban uses outside of the Urban Growth Boundary, the comprehensive plans of the City of Rainier and Columbia County shall not conflict.

B. Columbia County and the City of Rainier recognize the need to coordinate their plans and ordinances.

C. Furthermore, it is a policy of the City of Rainier and Columbia County to maintain ongoing planning processes that will facilitate the development of mutually compatible plans and implementing ordinances.

D. Columbia County and the City of Rainier will share the responsibility of land use planning and regulation for the land within the Urban Growth Area. County responsibility for enforcement of any land use ordinance or prosecution thereof will be relinquished over any land within this area upon its annexation to the City.

E. The City of Rainier Comprehensive Plan Map shall be the controlling plan for land use designations within the UGA. Columbia County shall have the lead role for zoning of land within the UGA, but such zoning shall be consistent with the land use designations of the City of Rainier Comprehensive Plan Map.

## **II. ZONING ORDINANCE PROVISIONS.**

A. Zone amendments. The Columbia County Board of Commissioners shall retain the decision making responsibility on all zoning amendments for all land in the Urban Growth Area.

B. Other land use actions as defined by the Zoning Ordinance. The Columbia County Planning Commission shall retain the decision making responsibility, subject to appeal to the County Board of Commissioners, for all variances, conditional use permits and exceptions as described in the County Zoning Ordinance. However, such decisions shall be made only after the receipt of a recommendation, in accordance with Section II (C and D) of the Agreement, by the City Council of Rainier.

C. The County Planning Department shall refer each of the above requests within the Rainier Urban Growth Area to the City Council of Rainier for the City's review and comment within five (5) days of the date the application was accepted as complete by the County Planning Department.

D. The City Council of Rainier shall review the request and submit its recommendation to the County Planning Commission within twenty (20) days of the date the request was received by the City of Rainier. Should no recommendations be forthcoming within 20 days of its receipt, absent request for extension, the City of Rainier shall be presumed to have no comment regarding the application.

### III. SUBDIVISION ORDINANCE PROVISIONS.

A. The decision-making responsibility for all subdivisions and partitions of all land within the Rainier Urban Growth Area will remain with Columbia County. However, subdivision and partition approval shall be made only after receipt of a recommendation, in accordance with Section II (C and D) of this Agreement, by the City Council of Rainier.

B. All subdivisions in the Rainier Urban Growth Area shall meet or exceed the design standards for roads and provisions for sewer and storm drainage as stated in the City of Rainier Land Division Ordinance. Likewise all major partitions will meet or exceed the standards of the City of Rainier Land Division Ordinance.

C. It is agreed that Columbia County will not waive conditions imposed by the City of Rainier Land Division Ordinance unless prior written approval has been obtained from the City Council of Rainier.

D. In order to preserve efficient subdivision opportunities consistent with the City of Rainier Comprehensive Plan, no subdivision will be approved without an agreement to annex to the City as outlined in Section IV A below. Partitions will be allowed without City services.

E. Within Urban Growth Boundary areas, major and minor partitions shall be accompanied by a redivision plan. This redivision plan shall show the proposed location of future streets, lot lines and any proposed structures.

### IV. CITY SERVICES.

A. The City of Rainier will have sewer and water capacity to serve all planned growth in the Urban Growth Area. The City of Rainier may extend City sewer and water service to any site located within the City of Rainier's Urban Growth Area but not contiguous to the City Limits at the affected property owner's request and expense, subject to an unlimited agreement signed by the affected property owner that the site be annexed at such time the site is contiguous to the City Limits.

B. For the purposes of this Management Agreement, expenses to be incurred by the property owner shall include the extension of service mains or lines from the City mains or lines, including tap-in costs, to the properties to be served.

C. Services and hook-on charges shall be established by the Rainier City Council.

D. Columbia County shall not approve any subdivision that is within the Urban Growth Area that is to be annexed within the foreseeable future unless such subdivision is connected to public water and sewer service, or unless prior written approval for such service waiver has been obtained from the City Council of Rainier.

E. The City of Rainier shall develop a timetable and capitol improvement program for the construction of sewer mains into the Urban Growth area.

#### V. ANNEXATION.

Annexation of sites within the Rainier Urban Growth Area shall be in accordance with relevant annexation procedures contained in the Oregon Revised Statutes, Oregon Case Law and Rainier City Ordinances.

#### VI. ROADS.

Prior to annexation Columbia County and the City of Rainier shall cooperatively develop an implementation policy regarding streets and roads within the Urban Growth Area and the city limits which is consistent with the comprehensive plans of each jurisdiction. Such policy shall include, but not be limited to the following:

A. The circumstances under which the City of Rainier will assume control of and maintain responsibility for county roads within the City limits.

B. The conditions under which existing roads designated as future arterials in the Comprehensive Plan will be developed.

#### VII. APPEALS.

Except for the waiver of Subdivision design standards, Columbia County retains responsibility for land use decisions and actions affecting the Urban Growth Area. Appeals from such decisions and actions shall be in accordance with the appeals procedure specified in the Columbia County Zoning and Subdivision Ordinances and State Law. In cases of waiver of Subdivision design standards, the applicant must appeal to the City of Rainier Planning Commission, which shall be responsible for conducting a joint City Council/City Planning Commission public hearing.

VIII. AMENDMENTS TO THE COLUMBIA COUNTY COMPREHENSIVE PLAN AND IMPLEMENTING MEASURES

If sections of the Columbia County Comprehensive Plan or implementing ordinances that affect the Urban Growth Area are in need of revision, for whatever reason, the document shall be amended according to the procedures described in the Comprehensive Plan. Such amendments shall be adopted by the Columbia County Board of Commissioners after recommendations have been received from the City Council of Rainier, and the Planning Commissions of the City of Rainier and Columbia County, and its Citizen Planning Advisory Committee (CPAC).

IN WITNESS WHEREOF, this Urban Growth Management Agreement is signed and executed this 17th day of April, 1996.

BOARD OF COMMISSIONERS FOR  
COLUMBIA COUNTY

William M. Donald  
Chairman

Carole M. Smith  
Commissioner

Joel E. Johnson  
Commissioner

CITY COUNCIL FOR THE CITY OF  
RAINIER

Robert Jacobson  
Mayor

Attest:

Randy Reed, CMC  
City Recorder