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JUN 05 2002

UMATILLA COUNTY
RECORDS

1:00 pm

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Co-Adopting)
 City of Pendleton Ordinance No.) ORDINANCE NO. 2002-06
 3660, Amending Zoning)
 Ordinance No. 3250, Sections)
 53 and 56, Relating to)
 Allowing Animal Clinic, Kennel,)
 or Hospital as Conditional Uses)
 in M-1 and M-2 Zones)

WHEREAS on February 5, 2002, the Pendleton City Council adopted Ordinance No. 3660, to amend the Zoning Ordinance No. 3250, Sections 53 and 56 relating to allowing animal clinic, kennel or hospital as conditional uses permitted in the M-1 (Light Industrial) and M-2 (Heavy Industrial) Zones.

WHEREAS the City of Pendleton and Umatilla County have previously entered into a Joint Management Agreement applying to lands within the City Urban Growth Area, and pursuant to the agreement, amendments to the City of Pendleton Comprehensive Plan for application to the Urban Growth Area referred to Umatilla County for adoption;

WHEREAS, at its April 25, 2002 meeting, the Umatilla County Planning Commission reviewed the ordinance and recommended that the Board of Commissioners co-adopt the ordinance, and also requested clarification by staff of wording of "hospital" to be limited to animal hospital;

WHEREAS by letter of May 8, 2002, City of Pendleton Planning Director, Richard A. Ullian (a copy of which is attached to this ordinance), "hospital" is modified and limited to "animal" hospital, consistent with usage in the zoning ordinance;

WHEREAS the Board of Commissions held a public hearing on June 5, 2002, to consider the co-adoption of the ordinance;

WHEREAS at its meeting of June 5, 2002, the Board of Commissions voted unanimously to co-adopt the ordinance;

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains that the City of Pendleton Ordinance No. 3660, attached to

this document and incorporated by this reference, is co-adopted by Umatilla County, Oregon

DATED this 5th day of June, 2002.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Emile M. Holeman
Emile M. Holeman, Chair

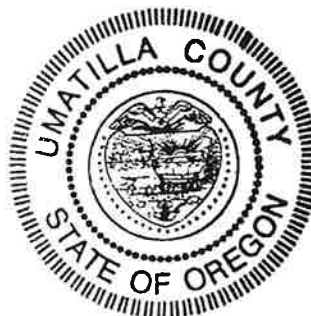
William S. Hansell
William S. Hansell, Commissioner.

Dennis D. Doherty
Dennis D. Doherty, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS

Jean Hemphill
Records Officer





CITY OF PENDLETON

Planning & Building Department

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Pendleton, Oregon 97801-2090

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May 8, 2002

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MAY 9 02

Bob Perry, Assistant Planning Director
Umatilla County Department of Resource
Services & Development
216 SE 4th Street
Pendleton, OR 97801

**RE: CO-ADOPTION OF LEGISLATIVE TEXT AMENDMENT TO PENDLETON
ZONING ORDINANCE NO. 3250, SECTIONS 53 & 56**

Dear Mr. Perry:

In response to your inquiry regarding the use of the term *hospital* as it relates to the amendment of Sections 53 and 56 of City Zoning Ordinance No. 3250, the phrase "animal clinic, kennel, or hospital" is how the uses are presently described in the single family residential zone of the City. I was simply trying to apply consistency by using the same language and terminology for the listing in the industrial zones of the City. However, this same question came up at the City Planning Commission level of public hearings when an Oregon Department of Aviation representative had a similar question, particularly as it relates to the Airport property which is zoned primarily industrial.

The interpretation that I have maintained is that it means (and was intended to mean) **only** an animal hospital, since the adjective (or modifier) to describe the common noun "hospital" is "animal" (as in "animal clinic, animal kennel and animal hospital"). A similar listing in Pendleton's zoning ordinance is "financial, law, insurance, and real estate offices" (the noun being "offices" and the adjectives to describe the noun being "financial, law, insurance, and real estate").

If you need any further clarification on this matter, please do not hesitate to contact me.

Sincerely,

Richard A. Ullian
Planning Director



ORDINANCE NO. 3660

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 3250, SECTIONS 53 AND 56, RELATING TO ALLOWING ANIMAL CLINIC, KENNEL, OR HOSPITAL AS CONDITIONAL USES PERMITTED IN THE M-1 (LIGHT INDUSTRIAL AND M-2 (HEAVY INDUSTRIAL) ZONES.

CITY OF PENDLETON ORDAINS AS FOLLOWS:

SECTION 1. Section 53 of Ordinance No. 3250 is amended as follows:

SECTION 53. CONDITIONAL USES PERMITTED. In a Light Industrial (M-1) zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of Sections 131-137 of this Ordinance:

M. ~~Veterinary and Horticultural Services (SIC Groups 074 and 078);~~

N. Dwelling, Caretaker or Manager Only. This use is subject to conditional use criterion specified at Section 132 C. of this Ordinance and is subject to the additional condition that this use will not result in the application of any ordinance, charter provision or other regulation that would limit, hinder, or prevent the continued operation of any preexisting use.

O. *Animal Clinic, Kennel, or Hospital.*

SECTION 2. Section 56 of Ordinance No. 3250 is amended as follows:

SECTION 56. CONDITIONAL USES PERMITTED. In a Heavy Industrial (M-2) zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of Sections 131-137 of this Ordinance.

F. Dwelling, Caretaker or Manager Only. This use is subject to conditional use criterion specified at Section 132 C. of this Ordinance and is subject to the additional condition that this use will not result in the application of any ordinance, charter provision or other regulation that would limit, hinder, or prevent the continued operation of any preexisting use.

G. *Animal Clinic, Kennel, or Hospital.*

SECTION 3. SEVERABILITY. The sections of this Ordinance are severable. The invalidity of a section or part of a section shall not affect the validity of the remaining sections or parts of sections.

PASSED by the City Council and approved by the Mayor on this 5 day of February, 2002.

APPROVED: Robert E. Ramig
Mayor