

ORDINANCE #94-19
UMATILLA COUNTY, OREGON

AN ORDINANCE AMENDING THE UMATILLA COUNTY DEVELOPMENT ORDINANCE #84-03 (AS PREVIOUSLY AMENDED) BY ADDING SECTIONS 3.620 THROUGH 3.634, KNOWN AS THE LIMITED USE OVERLAY ZONE.

WHEREAS, There is a need to create within the Umatilla County Development Ordinance an overlay zone, the purpose of which is to limit the list of permitted uses in the underlying zone when a plan amendment and zone change rezones a parcel to that underlying zone through the taking of an exception to a statewide land use planning goal under ORS 197.732; and

WHEREAS, On August 4, 1994 the Umatilla County Planning Commission, after a public hearing, voted unanimously to recommend to the Board of Commissioners approval of the addition of Sections 3.620 through 3.634, known as the Limited Use Overlay zone; and

WHEREAS, On August 18, 1994, the Umatilla County Board of Commissioners, after a public hearing, voted unanimously to approve said addition to the Umatilla County Development Ordinance;

NOW THEREFORE, the Umatilla County Board of Commissioners hereby ordains that the Umatilla County Development Ordinance, #84-03, as previously amended, is further amended by adding Sections 3.620 through 3.634 as follows:

LIMITED USE OVERLAY ZONE

Section 3.620 PURPOSE:

The purpose of the LU overlay zone is to limit the list of permitted uses and general activities allowed in the underlying zone, when a plan amendment and zone change rezones a parcel to that underlying zone through the taking of an exception to a statewide land use planning goal under ORS 197.732.

Section 3.622 APPLICATION:

The LU overlay zone is an overlay zone which may be applied, where appropriate, to plan amendments/zone changes affected by either a "physically developed" exception under ORS 197.732(1)(a), an "irrevocably committed" exception under ORS 197.732(1)(b), or a "reasons" exception under ORS 197.732(1)(c).

Section 3.624 PERMITTED USES:

The LU overlay zone, when adopted, shall carry out the requirement of Oregon Administrative Rule 660-04-018 that where a goal exception is taken, permitted uses shall be limited to those uses justified by the exception statement.

Section 3.626 REQUIREMENTS:

When the LU overlay zone is applied, the uses permitted in the underlying zone shall be limited to those uses and general activities specifically set forth in the ordinance adopting the underlying zone and the LU overlay zone. Any change in those uses and general activities must be made through the plan/land use regulation amendment process.

Section 3.628 PROCEDURES:

The LU overlay zone shall be applied through the plan amendment and rezoning process at the time the underlying plan and/or zone designation is being changed.

Section 3.630 USE LIMITATIONS:

The following limitations shall apply to the underlying zone when the LU overlay zone is applied:

- A. In all cases, the hearings body shall establish that:
 - a. The uses and general activities subject to the rezoning are required to be limited to those uses and general activities justified in the goal exception taken.

- b. A review of all zones in the current Umatilla County Development Ordinance demonstrates that no existing zone adequately limits the uses and general activities.
 - c. The LU overlay zone, when applied to the underlying zone, is consistent with the Comprehensive Plan and other applicable policies of the County.
- B. The requirements and standards of this section shall apply in addition to those specified in this ordinance for the underlying zone and any other applicable overlay zones.

Section 3.632 ADOPTION:

The ordinance adopting the underlying zone and the LU overlay zone shall set forth those specific uses and general activities which will be permitted or conditional uses. The description of the permitted and conditional uses may be qualified as necessary to achieve the purpose of the LU overlay zone.

Section 3.634 SITE PLAN REQUIREMENT:

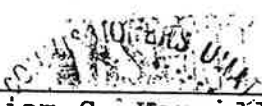
- A. In addition to limiting the uses in the underlying zone where the LU overlay zone is applied, the County may also require approval of the location of buildings, access, parking, screening and other site planning considerations in order to assure the compatibility of the permitted uses within the area.
- B. The process for reviewing the site plan shall be described at the time of the LU overlay zone application. Site plan requirements may be added by specific reference in the LU adopting ordinance. Specifications and standards of the underlying zone remain in effect unless specifically altered by the site plan approval. Separate site plan approval shall not be required for any uses subject to a conditional use permit.

ALSO AMENDED by this action, as a housekeeping measure, is Section 2.020 of said Ordinance to add "Limited Use - LU" to the list of overlay zones therein.

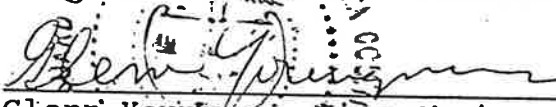
This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

DATED this 18th day of August, 1994.

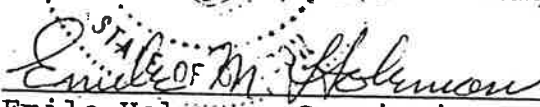
UMATILLA COUNTY BOARD OF COMMISSIONERS



William S. Hansell, Chairman


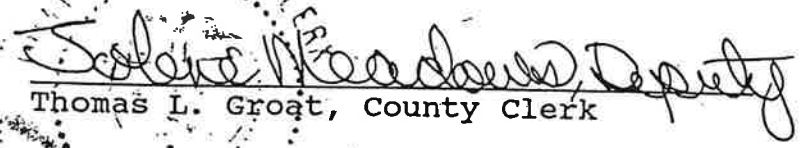


Glenn Youngman, Vice-Chairman



Emile Holeman, Commissioner

ATTEST:

Thomas L. Groat, County Clerk