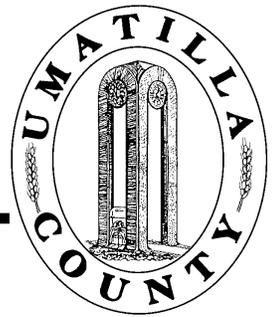


# Umatilla County

Board of County Commissioners

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## BOARD OF COMMISSIONERS MEETING

Wednesday, June 1, 2022, 9:00am

Umatilla County Courthouse, Room 130

- A. Call to Order
- B. Chair's Introductory Comments & Opening Statement
- C. New Business

**TEXT AMENDMENT #T-088-22, PLAN AMENDMENT #P-133-22, and ZONE MAP AMENDMENT #Z-320-22: WADE AYLETT, APPLICANT/OWNER.** The applicant requests to expand a previously approved aggregate quarry (Rock It #2 Quarry) and add the site to the Umatilla County Comprehensive Plan list of Goal 5 protected Significant Sites and apply the Aggregate Resource Overlay Zone to the entire quarry site. The property site is comprised of several tax lots located southeast of the Interstate 82/84 interchange. The site is identified on assessor's map as Township 4 North, Range 27 East, Section 36, Tax Lots 400, 500, 600, 700, 800, 1400, and 1500 and Township 4 North, Range 27 East, Section 25, Tax Lot 900. The site is approximately 140 acres and zoned Exclusive Farm Use.

- D. New Business

**UMATILLA COUNTY DEVELOPMENT CODE TEXT AMENDMENT #T-089-22, RANDALL & MARIE MARTIN SCOUT CAMP LLC, APPLICANT & OWNER.** The applicant requests a Post-Acknowledgment Plan Amendment to amend the text of the Umatilla County Development Code to permit youth camps, as provided in OAR 660-33-130(40), through issuance of a Conditional Use Permit on lands zoned Exclusive Farm Use & Grazing/ Farm.

- E. Adjournment

**UMATILLA COUNTY  
BOARD OF COUNTY COMMISSIONERS HEARING  
JUNE 1, 2022  
UMATILLA COUNTY DEVELOPMENT CODE  
TEXT AMENDMENT, #T-098-22  
PACKET CONTENTS**

1. Board Memo, page 1
2. Proposed Amendment Language, pages 3 – 7
3. Draft Findings, pages 9 – 15
4. Copy (working) of OAR, pages 17 – 27
5. ODOT Email Comment, page 29

# Umatilla County

Department of Land Use Planning



May 24, 2022

**DIRECTOR  
ROBERT  
WALDHER**

**LAND USE  
PLANNING,  
ZONING AND  
PERMITTING**

**CODE  
ENFORCEMENT**

**SOLID WASTE  
COMMITTEE**

**SMOKE  
MANAGEMENT**

**GIS AND  
MAPPING**

**RURAL  
ADDRESSING**

**LIAISON,  
NATURAL  
RESOURCES &  
ENVIRONMENT**

## MEMO

**To:** Umatilla County Board of Commissioners  
**From:** Carol Johnson, Senior Planner  
**Re:** June 1, 2022, Board Hearing  
Randall and Marie Martin Scout Camp, LLC, Applicant  
Umatilla County Development Code Text Amendment, #T-089-22,  
Exclusive Farm Use (EFU) and Grazing-Forest (GF) Code Amendment  
**cc:** Doug Olsen, County Counsel  
Robert T. Waldher, County Planning Director

Applicant and property owner proposes a Text Amendment affecting resource zoned land within Umatilla County zones, EFU and GF. The scope of the Text Amendment adds youth camps, to the list of conditional uses permitted in the County's EFU and GF resource zones, along with a set of criteria for approving youth camps in the conditional use code section. Youth camps are allowed in the EFU and GF zones as provided in ORS 215.457 and OAR 660-033-0130 (40).

Provided are draft findings for your consideration along with the proposed amendment language to the following Umatilla County Development Code (UCDC) sections:

§ 152.003 DEFINITIONS.  
§ 152.060 (EFU) CONDITIONAL USES PERMITTED.  
§ 152.085 (GF) CONDITIONAL USES PERMITTED.  
§ 152.617 STANDARDS FOR REVIEW: CONDITIONAL USES AND  
LAND USE DECISIONS ON EFU AND GF ZONED LANDS.

The proposed amendments have been reviewed by County Counsel and presented to the Planning Commission for their review and discussion. Planning Commission's action on the proposed amendment resulted in a recommendation of approval to the County Board of Commissioners. The hearing before the Board of Commissioners is scheduled for 9:00 a.m., June 1, 2022.

Approval of the amendment by the Board of County Commissioners would result in the adoption of the Umatilla County Ordinance approving the final code language. Following County approval, the Umatilla County Development Code text and adopting ordinance is then sent to the State Department of Land Conservation and Development (DLCD).

**§ 152.003 DEFINITIONS**

**Youth Camp.** Youth camp means a facility that is either owned or leased, and is operated by a state or local government or a nonprofit corporation as defined under ORS 65.001 and is established for the purpose of providing an outdoor recreational and educational experience primarily for the benefit of persons 21 years of age and younger. Youth camps do not include a juvenile detention center or juvenile detention facility or similar use.

**Youth Camp Low Impact Recreational Facilities.** Youth camp low impact recreational facilities that have a limited amount of permanent disturbance on the landscape and are likely to create no, or only minimal impacts on adjacent private lands. Low impact recreational facilities include, but are not limited to, open areas, ball fields, volleyball courts, soccer fields, archery or shooting ranges, hiking and biking trails, horseback riding areas, swimming pools and zip lines. Low impact recreational facilities are designed and developed in a manner consistent with the lawfully established unit of land's natural environment. Intensive developed facilities such as water parks and golf courses are not allowed.

**Youth Camp Participants.** Youth camp participants means persons directly involved with providing or receiving youth camp services, including but not limited to, campers, group leaders, volunteers or youth camp staff.

**(EFU Zone)**  
**§ 152.060 CONDITIONAL USES PERMITTED.**

(GG) Youth camp as provided in OAR 660-033-0130 (40). A youth camp may be located only on a lawfully established unit of land that is at least 1,000 acres in size, composed predominantly of class VI, VII or VIII soils, not located within an irrigation district, not located within three miles of an urban growth boundary, and not established in conjunction with an existing golf course, as provided in § 152.617 (I) (Z).

**(GF Zone)**  
**§ 152.085 CONDITIONAL USES PERMITTED.**

(OO) Youth camp as provided in OAR 660-033-0130 (40). A youth camp may be located only on a lawfully established unit of land that is at least 1,000 acres in size, composed predominantly of class VI, VII or VIII soils, not located within an irrigation district, not located within three miles of an urban growth boundary and not established in conjunction with an existing golf course, as provided in § 152.617 (I) (Z).

**§ 152.617 STANDARDS FOR REVIEW:  
CONDITIONAL USES AND LAND USE  
DECISIONS ON EFU AND GF ZONED  
LANDS.**

**(I) EFU AND GF ZONE CONDITIONAL  
USES**

*(Z) Youth Camp.*

A youth camp may be located only on a lawfully established unit of land suitable to ensure an outdoor experience in a private setting without dependence on the characteristics of adjacent and nearby public and private land. A campground as described in ORS 215.283 (2)(c), OAR 660-033-0120, and OAR 660-033-0130 (19) may not be established in conjunction with a youth camp.

In determining the suitability of a lawfully established unit of land for a youth camp the county shall consider its size, topography, geographic features and other characteristics, the proposed number of overnight participants and the type and number of proposed facilities.

*(1) Number of Youth Camp Participants.* The maximum number of overnight youth camp participants shall be 350 participants, unless the applicant meets the provisions in OAR 660-033-0130 (40) (c), (d) and (e) for an increase in the number of camp participants.

*(2) Youth Camp Development Area.* The youth camp facilities must be clustered on a single development envelope of no greater than 40 acres, with the exception of trails, paths and ordinary farm and ranch practices not requiring land use approval.

*(3) Youth Camp Facilities.* The youth camp may provide only the facilities described in this section:

(a) Youth camp low impact recreational facilities.

(b) Cooking and eating facilities:

(i) Cooking and eating facilities may not be provided in a building that includes sleeping quarters.

(ii) Food services are limited to those provided in conjunction with the operation of the youth camp and only provided for youth camp participants. The sale of individual meals may be offered only to family members or guardians of youth camp participants.

(c) Bathing and laundry facilities.

(d) Up to three camp activity buildings, not including a building for primary cooking and eating facilities.

(e) Sleeping quarters, including cabins, tents or other structures, for up to 350 youth camp participants only, unless the applicant meets the provisions in OAR 660-033-0130 (40) (c), (d) and (e) for an increase in the number of camp participants:

(i) Sleeping quarters intended as overnight accommodations are not allowed for persons not participating in activities or as individual rentals.

(ii) Allowed sleeping quarters may include restroom

facilities and, except for the caretaker's dwelling, may provide only one shower for every five beds. Sleeping quarters may not include kitchen facilities.

(f) Covered areas that are not fully enclosed for youth camp activities.

(g) Administrative, maintenance and storage buildings including permanent structures for:

(i) administrative services,

(ii) first aid,

(iii) equipment and supply storage, and

(iv) gift shop available to youth camp participants but not open to the general public.

(h) Infirmary and infirmary sleeping quarters for medical care providers (e.g., a doctor, registered nurse, or emergency medical technician) may be provided.

(i) A caretaker's residence, provided no other dwelling is on the lawfully established unit of land on which the youth camp is located.

(4) *Buffers and Siting Setbacks.* The youth camp must adhere to setbacks, as follows:

(a) Setbacks to riparian areas require structures such as buildings, major improvements and similar permanent fixtures to be setback from the high water line along all streams, lakes or wetlands a

minimum of 100 feet measured at right angles to the high water line or mark.

(b) Setbacks from adjacent public and private lands, public roads and roads serving other ownerships shall be 250 feet, unless the use of vegetative, topographic or other natural features can separate the visual and audible aspects of youth camp activities from other nearby and adjacent lands and uses.

(c) Setbacks of at least 1320 feet from any other lawfully established unit of land containing an approved youth camp.

(5) *Archaeological Protection.* The county shall require, as a condition of approval of a youth camp, that the youth camp adhere to standards for the protection of archaeological objects, archaeological sites, burials, funerary objects, human remains, objects of cultural patrimony and sacred objects, as provided in ORS 97.740 to 97.750 and 358.905 to 358.961, as follows:

(a) If a particular area of the lawfully established unit of land proposed for the youth camp is proposed to be excavated, and if that area contains, or is reasonably believed to contain resources protected by ORS 97.740 to 97.750 and 358.905 to 358.961, the application shall include evidence that there has been coordination among the appropriate Native American Tribe, the State Historic Preservation Office (SHPO), and a qualified archaeologist, as described in ORS 390.235 (6)(b).

(b) The applicant shall obtain a permit required by ORS 390.235 before any excavation of an identified archeological site begins.

(c) The applicant shall monitor construction during the ground disturbance phase(s) of development if such monitoring is recommended by SHPO or the appropriate Native American Tribe.

(6) *Fire Safety.* The county requires a fire safety protection plan for each youth camp. A fire safety protection plan includes fire prevention measures, on site pre-suppression and suppression measures, and the establishment and maintenance of fire-safe area(s) in which camp participants can gather in the event of a fire. (A copy of the youth camp's fire safety protection plan, meeting all fire prevention measures shall be submitted to the County.)

(a) A youth camp's on-site fire suppression capability shall at least include:

(i) A 1000-gallon mobile water supply that can reasonably serve all areas of the camp;

(ii) A 60 gallon-per-minute water pump and an adequate amount of hose and nozzles;

(iii) A sufficient number of firefighting hand tools; and

(iv) Trained personnel capable of operating all fire suppression equipment at the camp during designated periods of fire danger; and/or

(v) An equivalent level of fire suppression facilities determined by the governing body or its designate based on the response time of the effective wildfire suppression agencies.

(7) *Campgrounds.* The county shall require, as a condition of approval of a youth camp, a condition prohibiting campgrounds as described in ORS 215.283 (2)(c) and OAR 660-033-0130 (19), in conjunction with a youth camp.

(8) *Covenant Not to Sue.* The county shall require, as a condition of approval of a youth camp, that the land owner of the youth camp sign and record in the deed records for the county a document binding the land owner, the operator of the youth camp if different from the owner, and the land owner's or operator's successors in interest, prohibiting a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

(9) *Future Land Divisions.* The county prohibits future land divisions resulting in a lawfully established unit of land containing the youth camp that is smaller in size than required for the original youth camp approval.

(10) *Future Land Development.* The county prohibits future development on the lawfully established unit of land not related to the youth camp and that would require a land use decision as defined at ORS 197.015 (10) unless the county's original approval of the camp is rescinded and the youth camp development is either removed or can remain, consistent with a county land use decision that is part of such rescission.

(11) *Goal 5 Protection.* The county requires that the applicant consult with an Oregon Department of Fish and Wildlife biologist whether siting a youth camp triggers a site-specific assessment of the land for potential adverse effects, as provided by this section.

(a) Development of a youth camp on land containing a protected Goal 5 resource under the county's comprehensive plan where the plan does not address conflicts, the applicant shall together with the county and any state or federal agency responsible for protecting the resource or habitat supporting the resource, develop a resource management plan to mitigate potential development conflicts according to OAR 660-033-0130 (40) and consistent with OAR chapter 660, divisions, 16 and 23.

197.732 (1)(c) and Goal 2, as stipulated in OAR 660-033-0130 (40).

Where a County does not have a program to protect the Goal 5 resource, and the applicant and the appropriate resource management agency cannot successfully agree on a cooperative resource management plan, the county is responsible for determining appropriate mitigation measures in compliance with OAR chapter 660, division 23; and

(b) The applicant must consult with an Oregon Department of Fish and Wildlife biologist as to whether the potential exists for adverse effects to state or federal special status species, habitat, or to big game winter range or migration corridors that would result in a requirement to conduct a site-specific assessment of the land as specified in OAR 660-033-0130 (40).

(c) Where the applicant and the resource management agency cannot agree on what mitigation, if any, will be carried out under (a) or (b) of this section, the county is responsible for determining appropriate mitigation measures in accordance with OAR 660-033-0130 (40).

(12) *Extension of Sewer to a Youth Camp.* Where applicable, authorization of an extension of a sewer system to serve a youth camp would require an exception to Goal 11, and must be taken pursuant to ORS

**UMATILLA COUNTY BOARD OF COMMISSIONERS  
DRAFT FINDINGS OF FACT AND CONCLUSIONS OF LAW  
UMATILLA COUNTY DEVELOPMENT CODE TEXT AMENDMENT, #T-089-22**

**1. Introduction**

The Umatilla County Development Code (UCDC) provides that “an amendment to the text of this chapter or to a zoning map may be initiated by the County Board of Commissioners, the County Planning Commission, or by application of a property owner.” (UCDC Section 152.750) Therefore, the County has the authority to consider the property owners’ text amendment.

**2. Procedural Matters**

**A. Categorization of this Matter**

This matter is a legislative matter because it proposes to amend the text of the Umatilla County Development Code in a manner that will affect all Umatilla County properties zoned Exclusive Farm Use (EFU) and Grazing-Farm (GF) within rural Umatilla County.

**B. Post-Acknowledgment Amendment**

This legislative amendment is an amendment to the County's acknowledged 1983 Zoning Ordinance. ORS 197.610(1) and OAR 660-018-0020(1) require that the County provide notice to the Oregon Department of Land Conservation and Development (“DLCD”) at least 35 days prior to the initial evidentiary hearing. The County provided the 35-day notice to DLCD on March 24, 2022. The County has satisfied ORS 197.610(1) and OAR 660-018-0020(1) by mailing the post-acknowledgement amendment notice so that it arrived at the office of DLCD at least 35 days prior to the initial evidentiary hearing.

UCDC Section 152.771(B) requires the County provide a legal notice for the Planning Commission hearing April 28, 2022 and Board of Commissioners June 1, 2022 hearing by publication in a newspaper of general circulation in the County at least ten (10) days prior to the date of the first hearing. The notice was published in the *East Oregonian* newspaper on April 16, 2022.

The County has satisfied the post-acknowledgement amendment notice required by ORS 197.610(1) and OAR Chapter 660-018-0020(1) and the legal notice of hearing publication in UCDC Section 152.771(B).

**C. Procedure**

UCDC 152.752 is entitled “Public Hearings on Amendments.” This section provides, in relevant part:

“The Planning Commission shall conduct a public hearing on the proposed amendment according to the procedures in section 152.771 of this Chapter at its earliest practicable meeting after it is proposed. The decision of the Planning Commission shall be final unless appealed, except in the case where the amendment is to the text of this Chapter, then the Planning Commission shall forward its recommendation to the Board of Commissioners for final action.”

Therefore, the County will hold two (2) hearings for this legislative amendment, one (1) before the Planning Commission and the second before the Board of Commissioners.

Additionally, UCDC Section 152.771(A)(1) provides that a public hearing is required for legislative amendments. The procedures and requirements for a quasi-judicial hearing are not applicable to this hearing. Therefore, UCDC Section 152.772, which applies to quasi-judicial hearings, is not applicable to this legislative proceeding.

### **3. Description of Amendment**

The applicant and property owner, Randall and Marie Martin Scout Camp, LLC, made application to Umatilla County to amend the Umatilla County Development Code (UCDC) text to add “Youth Camps” to the list of conditional uses permitted in the County’s Exclusive Farm Use (EFU) zone and Grazing Farm (GF) zone.

The applicant and property owner, Randall and Marie Martin Scout Camp, LLC, intends to apply for a youth camp conditional use permit under the adopted set of conditional use permit criteria for establishment of a Boys Scout Camp on the applicant’s property. The application for a conditional use permit for a Boys Scout Camp is not, at this time, before Umatilla County.

### **4. Approval Criteria**

UCDC Section 152.751 requires an amendment to the text of the UCDC shall comply with provisions of the Umatilla County Comprehensive Plan (the “Plan”), the Oregon Transportation Planning Rule (the “TPR”), OAR Chapter 660, division 12, and the Umatilla County Transportation Plan (“Transportation Plan”).

Umatilla County has adopted a County Transportation Plan and implementing ordinances, including the requirement for a Traffic Impact Analysis, as provided in UCDC Section 152.019. The County Public Works and Oregon Department of Transportation (ODOT) also have been provided notice of this amendment and given opportunity to comment.

ODOT responded the proposed amendment to include youth camps as a conditional use should move forward.

Comments received from the County Public Works Department include that potential transportation impacts would be best reviewed at the time application for a youth camp is submitted and reviewed for a specific area in the County.

The County finds OAR 660-012-0060 (3), is not directly implicated by this text amendment; resulting applications for a conditional use permit for camp development where significant impacts are believed could occur, could result in the requirement for the applicants to conduct Traffic Impact Analysis to assure camp development is consistent with the function, capacity and performance standards of identified transportation facilities.

The County finds that UCDC Section 152.751 is satisfied.

**A. Applicable Statewide Planning Goals**

There are 19 Goals. The Board of Commissioners finds that Goal 1, “Citizen Involvement,” Goal 2, “Land Use Planning,” Goal 3 and 4 “Agriculture and Forest lands,” and Goal 5, Natural Resources, are relevant to this application.

(a) **Goal 1. “Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.”**

**Finding:** The County has an acknowledged citizen involvement program. The citizen involvement program is implemented through UCDC Chapter 152. The public has two (2) *de novo* opportunities to testify on this text amendment. By following the post-acknowledgement amendment process, the County will satisfy Goal 1.

The County finds that Goal 1 is satisfied.

(b) **Goal 2. “Land Use Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to ensure an adequate factual basis for such decisions and actions.”**

**Finding:** Goal 2 requires that County land use actions be consistent with the County's comprehensive plan. Goal 2 also requires that the County's action on this text amendment be coordinated with affected governmental entities, as coordination is defined in ORS 197.015(5). Further, Goal 2, Guideline C.1 requires that the County have an adequate factual base for its decision adopting the text amendment.

The County finds as follows on each requirement of Goal 2. The County has given notice of the application to affected governmental entities including, but not limited to, the Department of Land Conservation and Development (DLCD), Oregon Fish and Wildlife (ODF&W), ODOT and the County Public Works Department. Coordination requires that the affected governmental entities be provided with the proposed text amendment, given a reasonable opportunity to comment, and that the County incorporate comments as much as is reasonable. The County has followed coordination requirements.

The County finds that Goal 2 is satisfied.

(c) **Goals 3 and 4.**

**Goal 3. Agricultural Lands.** *“To preserve and maintain agricultural lands.” “. . . land shall be preserved and maintained for farm use, consistent with existing and future need for agricultural products, forest and open space and with the state’s agricultural land use policy expressed in ORS 215.243 and 215.700.*

*Counties may authorize farm uses and those nonfarm uses defined by commission rule that will not have significant adverse effects on accepted farm or forest practices.”*

**Goal 4. Forest Lands.** *“To conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.”*

The County has applied EFU zoning to open spaces and agricultural lands and GF zoning to open spaces and mixed agricultural and forest lands and has established minimum parcel sizes for farm uses and for mixed farm and forest uses in the County’s resource zones that are accepted as appropriate to maintain commercial agricultural and forest practices. Non-farm uses are limited within the resource use zones to those non-farm uses permitted by statute in ORS 215. 283 (2) – (4) and uses defined by commission rule.

The County finds the applicant has applied to add a non-farm conditional use to allow applications to establish youth camps in the County’s EFU and GF zones, permissible through commission rules as provided specifically in OAR 660-033-130 (40).

This proposed adoption of the text amendment is consistent with the terms of Goal 3 and Goal 4 to permit certain non-farm uses on agricultural and mixed agricultural/forest lands where implementation can show the use will not significantly adversely affect accepted farm and/or forest practices.

The County finds that Goal 3 and Goal 4 are satisfied.

(d) **Goal 5. Natural Resources.** *“To protect natural resources and conserve scenic and historic areas and open spaces.”*

The County finds non-farm uses are limited within the resource use zones to those non-farm uses permitted by statute in ORS 215. 283 (2) – (4) and uses defined by commission rule; additionally, the commission rules for permitting a youth camp require compliance with adopted Goal 5 resources as specified in OAR 660-033-130 (40).

The County finds the applicant’s application to add a youth camp as a text amendment is a non-farm conditional use permitted by commission rule as defined in OAR 660-033-130 (40) and the commission rules consider Goal 5 resources and implement a set of protection requirements.

(e) **Conclusion**

The other fourteen Goals are not applicable to this application request. The County finds the applicable Goals are satisfied.

**B. Applicable Oregon Administrative Rules**

The County finds that the specific text amendment to include youth camps as a non-farm use in the County resource zones is provided by rule in OAR 660-033-130 (40).

**C. Applicable Plan Policies**

The County finds there are four (4) relevant plan chapters, Chapter 4, “The Planning Process”, Chapter 5, “Citizen Involvement”, Chapter 6, “Agriculture” and Chapter 7, “Grazing-Forest.

(a) **Chapter 4, “The Planning Process”**

***Finding 6: “Other public agencies (e.g. state, federal, county, special district, city) have jurisdiction and /or management responsibilities for land in the County.”***

***Policy 6: “To insure public agency involvement, the County will endeavor to notify affected agencies through the processes outlined in the Comprehensive Plan and Development Code.”***

**Finding:** The County finds this policy is satisfied where the County coordinated with affected governmental entities in providing notice of the Planning Commission and Board of Commissioners' hearings on the text amendment. Coordination requires that affected governmental entities be provided with the proposed text amendment, given a reasonable opportunity to comment, and that the County incorporate comments as much as is reasonable.

The County finds that this policy is satisfied.

(b) **Chapter 5, “Citizen Involvement”**

(1) ***Policy 1: “Provide information to the public on planning issues and programs, and encourage citizen input to planning efforts.”***

**Finding:** The County finds Chapter 5, Policy 1, is satisfied because notice of the Planning Commission and Board of Commissioners' hearings are in a newspaper of County-wide circulation and there are two (2) *de novo* hearings where the public may testify on the proposed text amendment.

The County finds that this policy is satisfied.

(2) ***Policy 5: “Through appropriate media, encourage those County residents’ participation during both city and County deliberation proceedings.”***

**Finding:** The County finds, as explained above, the publication of notice of the Planning Commission hearing and the Board of Commissioners' hearing in a newspaper of County-wide circulation fulfills this requirement.

The County finds that this policy is satisfied.

(c) **Chapter 6, "Agriculture"**

***Finding 8. "The non-farm uses allowed in ORS 215.283 exist in the county and new ones can be accommodated without major conflict in most of the county's agricultural regions."***

***Policy 8. "The county shall require appropriate procedures/standards/policies be met in the Comprehensive Plan and Development Ordinance when reviewing non-farm uses for compatibility with agriculture."***

**Finding:** The County finds Agriculture policy 8 and finding 8 is met by the proposed text amendment and has the effect of upholding the policy with the substantive conditional use permit standards proposed for a conditional use permit for development of a youth camp on resource zoned land.

The County finds that this policy is satisfied.

(d) **Chapter 7, "Grazing-Forest"**

***Finding 7. "Many of the compatible non-resource uses allowed in the mixed use forest area pursuant to EFU zone (ORS 215) and state administrative policies can be accommodated within the County's designated Grazing/Forest areas."***

***Policy 7. "The County shall require that appropriate procedures (conditional uses), review standards and policies be met in the Comprehensive Plan and Development Ordinance, pursuant to appropriate state administrative rules when reviewing new non-resource uses for compatibility with resource activities now taking place within areas designated Grazing/Forest."***

**Finding:** The County finds Grazing/Forest policy 7 and finding 7 is met by the applicant's proposed text amendment and has the effect of upholding the policy with the adoption of substantive conditional use permit standards through this legislative text amendment action and consistent with the amendment process.

The County finds that this policy is satisfied.

**5. CONCLUSION**

For the reasons contained herein, the County finds the applicable approval criteria for the text amendment have been satisfied and the proposed text amendment to the EFU and GF zones to add youth camps is approved as a use permitted conditionally.

**UMATILLA COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
**John M. Shafer, Commissioner**

\_\_\_\_\_  
**Daniel N. Dorran, Commissioner**

\_\_\_\_\_  
**George L. Murdock, Commissioner**

**Date:** \_\_\_\_\_

**Planning Administrative Rules Working Copy  
Youth Camps in EFU and GF Zones**

**OAR 660-033-0130** (rules filed as of January 14, 2022)

**(40) A youth camp may be established on agricultural land** under the requirements of this section. The purpose of this section is to allow for the establishment of youth camps that are generally self-contained and located on a lawfully established unit of land of suitable size and location to limit potential impacts on nearby land and to ensure compatibility with surrounding farm uses.

**What is a youth camp?**

(a) **Definitions:** In addition to the definitions provided for this division in OAR 660-033-0020 and ORS 92.010, for purposes of this section the following definitions apply:

(A) “Low impact recreational facilities” means facilities that have a limited amount of permanent disturbance on the landscape and are likely to create no, or only minimal impacts on adjacent private lands. Low impact recreational facilities include, but are not limited to, open areas, ball fields, volleyball courts, soccer fields, archery or shooting ranges, hiking and biking trails, horseback riding areas, swimming pools and zip lines. Low impact recreational facilities are designed and developed in a manner consistent with the lawfully established unit of land’s natural environment.

(B) “Youth camp” means a facility that is either owned or leased, and is operated by a state or local government or a nonprofit corporation as defined under ORS 65.001 and is established for the purpose of providing an outdoor recreational and educational experience primarily for the benefit of persons 21 years of age and younger. Youth camps do not include a juvenile detention center or juvenile detention facility or similar use.

(C) “Youth camp participants” means persons directly involved with providing or receiving youth camp services, including but not limited to, campers, group leaders, volunteers or youth camp staff.

**Where youth camps may be located, setback requirements, and mitigation of impacts.**

(b) **Location:** A youth camp may be located only on a lawfully established unit of land suitable to ensure an outdoor experience in a private setting without dependence on the characteristics of adjacent and nearby public and private land. In determining the suitability of a lawfully established unit of land for a youth camp the county shall consider its size, topography, geographic features and other characteristics, the proposed number of overnight participants and the type and number of proposed facilities. **A youth camp may be located only on a lawfully established unit of land that is:**

(A) **At least 1,000 acres;**

(B) **In eastern Oregon;**

(C) **Composed predominantly of class VI, VII or VIII soils;**

(D) **Not within an irrigation district;**

(E) **Not within three miles of an urban growth boundary;**

(F) **Not in conjunction with an existing golf course;**

(G) **Suitable for the provision of protective buffers** to separate the visual and audible aspects of youth camp activities from other nearby and adjacent lands and uses. Such buffers shall consist of natural vegetation, topographic or other natural features and shall be implemented through the requirement of setbacks from adjacent public and private lands, public roads, roads serving other ownerships and riparian areas. Setbacks from riparian areas shall be consistent with OAR 660-023-0090. Setbacks from adjacent public and private lands, public roads and roads serving other ownerships shall be 250 feet unless the county establishes on a case-by-case basis a different setback distance sufficient to:

(i) Prevent significant conflicts with commercial resource management practices;

(ii) Prevent a significant increase in safety hazards associated with vehicular traffic on public roads and roads serving other ownerships; and

(iii) Minimize conflicts with resource uses on nearby resource lands;

(H) At least 1320 feet from any other lawfully established unit of land containing a youth camp approved pursuant to this section; and

(I) Suitable to allow for youth camp development that will not interfere with the exercise of legally established water rights on nearby properties.

### **Number of camp participants and restrictive covenants.**

(c) **Overnight Youth Camp Participants:** The maximum number of overnight youth camp participants is 350 participants unless the county finds that a lower number of youth camp participants is necessary to avoid conflicts with surrounding uses based on consideration of the size, topography, geographic features and other characteristics of the lawfully established unit of land proposed for the youth camp. Notwithstanding the preceding sentence, a county may approve a youth camp for more than 350 overnight youth camp participants consistent with this subsection if resource lands not otherwise needed for the youth camp that are located in the same county or adjacent counties that are in addition to, or part of, the lawfully established unit of land approved for the youth camp are permanently protected by restrictive covenant as provided in subsection (d) and subject to the following provisions:

(A) For each 160 acres of agricultural lands predominantly composed of class I-V soils that are permanently protected from development, an additional 50 overnight youth camp participants may be allowed;

(B) For each 160 acres of wildlife habitat that is either included on an acknowledged inventory in the local comprehensive plan or identified with the assistance and support of Oregon Department of Fish and Wildlife, regardless of soil types and resource land designation that are permanently protected from development, an additional 50 overnight youth camp participants may be allowed;

(C) For each 160 acres of agricultural lands predominantly composed of class VI-VIII soils that are permanently protected from development, an additional 25 overnight youth camp participants may be allowed; or

(D) A youth camp may have 351 to 600 overnight youth camp participants when:

(i) The tract on which the youth camp will be located includes at least 1,920 acres; and

(ii) At least 920 acres is permanently protected from development. The county may require a larger area to be protected from development when it finds a larger area necessary to avoid conflicts with surrounding uses.

(E) Under no circumstances shall more than 600 overnight youth camp participants be allowed.

(d) The county shall require, as a condition of approval of an increased number of overnight youth camp participants authorized by paragraphs (c)(A), (B), (C) or (D) of this section requiring other lands to be permanently protected from development, that the land owner of the other lands to be protected sign and record in the deed records for the county or counties where such other lands are located a document that protects the lands as provided herein, which for purposes of this section shall be referred to as a restrictive covenant.

(A) A restrictive covenant shall be sufficient if it is in a form substantially the same as the form attached hereto as Exhibit B.

(B) The county condition of approval shall require that the land owner record a restrictive covenant under this subsection:

(i) Within 90 days of the final land use decision if there is no appeal, or

(ii) Within 90 days after an appellate judgment affirming the final land use decision on appeal.

(C) The restrictive covenant is irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the land subject to the restrictive covenant is located.

(D) Enforcement of the restrictive covenant may be undertaken by the department or by the county or counties where the land subject to the restrictive covenant is located.

(E) The failure to follow the requirements of this section shall not affect the validity of the transfer of property or the legal remedies available to the buyers of property that is subject to the restrictive covenant required by this subsection.

(F) The county planning director shall maintain a copy of the restrictive covenant filed in the county deed records pursuant to this section and a map or other record depicting the tracts, or portions of tracts, subject to the restrictive covenant filed in the county deed records pursuant to this section. The map or other record required by this subsection shall be readily available to the public in the county planning office.

**(e) In addition, the county may allow:**

(A) Up to eight nights during the calendar year during which the number of overnight youth camp participants may exceed the total number of overnight youth camp participants allowed under subsection (c) of this section.

(B) Overnight stays at a youth camp for participants of adult programs that are intended primarily for individuals over 21 years of age, not including staff, for up to 30 days in any one calendar year.

**What type of development is allowed?**

**(f) Facilities:** A youth camp may provide only the facilities described in paragraphs (A) through (I) of this subsection:

(A) Low impact recreational facilities. Intensive developed facilities such as water parks and golf courses are not allowed;

(B) Cooking and eating facilities, provided they are within a building that accommodates youth camp activities but not in a building that includes sleeping quarters. Food services shall be limited to those provided in conjunction with the operation of the youth camp and shall be provided only for youth camp participants. The sale of individual meals may be offered only to family members or guardians of youth camp participants;

(C) Bathing and laundry facilities;

(D) Up to three camp activity buildings, not including a building for primary cooking and eating facilities.

(E) Sleeping quarters, including cabins, tents or other structures, for youth camp participants only, consistent with subsection (c) of this section. Sleeping quarters intended as overnight accommodations for persons not participating in activities allowed under this section or as individual rentals are not allowed. Sleeping quarters may include restroom facilities and, except for the caretaker's dwelling, may provide only one shower for every five beds. Sleeping quarters may not include kitchen facilities.

(F) Covered areas that are not fully enclosed for uses allowed in this section;

(G) Administrative, maintenance and storage buildings including permanent structures for administrative services, first aid, equipment and supply storage, and a gift shop available to youth camp participants but not open to the general public;

(H) An infirmary, which may provide sleeping quarters for medical care providers (e.g., a doctor, registered nurse, or emergency medical technician);

(I) A caretaker's residence, provided no other dwelling is on the lawfully established unit of land on which the youth camp is located.

(g) A campground as described in ORS 215.283(2)(c), OAR 660-033-0120, and section (19) of this rule may not be established in conjunction with a youth camp.

**(h) Conditions of Approval: In approving a youth camp application, a county must include conditions of approval as necessary to achieve the requirements of this section.**

(A) With the exception of trails, paths and ordinary farm and ranch practices not requiring land use approval, youth camp facilities shall be clustered on a single development envelope of no greater than 40 acres.

(B) A youth camp shall adhere to standards for the protection of archaeological objects, archaeological sites, burials, funerary objects, human remains, objects of cultural patrimony and sacred objects, as provided in ORS 97.740 to 97.750 and 358.905 to 358.961, as follows:

(i) If a particular area of the lawfully established unit of land proposed for the youth camp is proposed to be excavated, and if that area contains or is reasonably believed to contain resources protected by ORS 97.740 to 97.750 and 358.905 to 358.961, the application shall include evidence that there has been coordination among the appropriate Native American Tribe, the State Historic Preservation Office (SHPO) and a qualified archaeologist, as described in ORS 390.235(6)(b).

(ii) The applicant shall obtain a permit required by ORS 390.235 before any excavation of an identified archeological site begins.

(iii) The applicant shall monitor construction during the ground disturbance phase(s) of development if such monitoring is recommended by SHPO or the appropriate Native American Tribe.

### **Fire Safety Plan.**

**(C) A fire safety protection plan shall be adopted** for each youth camp that includes the following:

(i) Fire prevention measures;

(ii) On site pre-suppression and suppression measures; and

(iii) The establishment and maintenance of fire-safe area(s) in which camp participants can gather in the event of a fire.

**(D) A youth camp's on-site fire suppression capability shall** at least include:

(i) A 1000-gallon mobile water supply that can reasonably serve all areas of the camp;

(ii) A 60 gallon-per-minute water pump and an adequate amount of hose and nozzles;

(iii) A sufficient number of firefighting hand tools; and

(iv) Trained personnel capable of operating all fire suppression equipment at the camp during designated periods of fire danger.

(v) An equivalent level of fire suppression facilities may be determined by the governing body or its designate. The equivalent capability shall be based on the response time of the effective wildfire suppression agencies.

**(E)** The county shall require, as a condition of approval of a youth camp, that the land owner of the youth camp sign and record in the deed records for the county a document [CNTS] binding the land owner, the operator of the youth camp if different from the owner, and the land owner's or operator's successors in interest, prohibiting:

(i) a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937;

(ii) future land divisions resulting in a lawfully established unit of land containing the youth camp that is smaller in size than required by the county for the original youth camp approval; and

(iii) development on the lawfully established unit of land that is not related to the youth camp and would require a land use decision as defined at ORS 197.015(10) unless the county's original approval of the camp is rescinded and the youth camp

development is either removed or can remain, consistent with a county land use decision that is part of such rescission.

### **Goal 5 Compliance.**

(F) Nothing in this rule relieves a county from complying with other requirements contained in the comprehensive plan or implementing land use regulations, such as the requirements addressing other resource values (e.g. resources identified in compliance with statewide planning Goal 5) that exist on agricultural lands.

(i) **If a youth camp is proposed to be developed on lands that contain a Goal 5 resource** protected under the county's comprehensive plan, and the plan does not address conflicts between youth camp development and the resource, the applicant and the county, together with any state or federal agency responsible for protecting the resource or habitat supporting the resource, will cooperatively develop a specific resource management plan to mitigate potential development conflicts consistent with OAR chapter 660, divisions 16 and 23. If there is no program to protect the listed Goal 5 resource(s) included in the local comprehensive plan or implementing ordinances and the applicant and the appropriate resource management agency cannot successfully agree on a cooperative resource management plan, the county is responsible for determining appropriate mitigation measures in compliance with OAR chapter 660, division 23; and

(ii) **If a proposed youth camp is located on lands** where, after site specific consultation with a district state biologist, the potential exists for adverse effects to state or federal special status species (threatened, endangered, candidate, or sensitive) or habitat, **or to big game winter range or migration corridors**, golden eagle or prairie falcon nest sites, or pigeon springs), the applicant shall conduct a site-specific assessment of the land in consultation with all appropriate state, federal, and tribal wildlife management agencies. A professional biologist shall conduct the site-specific assessment by using methodologies accepted by the appropriate wildlife management agency and shall determine whether adverse

effects to special status species or wildlife habitats are anticipated. Based on the results of the biologist's report, the site shall be designed to avoid adverse effects to state or federal special status species or to wildlife habitats as described above. If the applicant's site-specific assessment shows that adverse effects cannot be avoided, the applicant and the appropriate wildlife management agency will cooperatively develop an agreement for project-specific mitigation to offset the potential adverse effects of the youth camp facility. Where the applicant and the resource management agency cannot agree on what mitigation will be carried out, the county is responsible for determining appropriate mitigation, if any, required for the youth camp facility.

(iii) The commission shall consider the repeal of the provisions of subparagraph (ii) on or before January 1, 2022.

#### **Sewer service extensions to youth camps - exception to State Planning Goal 11.**

(i) **Extension of Sewer to a Youth Camp. A Goal 11 exception** to authorize the extension of a sewer system to serve a youth camp shall be taken pursuant to ORS 197.732(1)(c), Goal 2, and this section. The exceptions standards in OAR chapter 660, division 4 and OAR chapter 660, division 11 shall not apply. Exceptions adopted pursuant to this section shall be deemed to fulfill the requirements for goal exceptions under ORS 197.732(1)(c) and Goal 2.

(A) A Goal 11 exception shall determine the general location for the proposed sewer extension and shall require that necessary infrastructure be no larger than necessary to accommodate the proposed youth camp.

(B) To address Goal 2, Part II(c)(1), the exception shall provide reasons justifying why the state policy in the applicable goals should not apply. Goal 2, Part II(c)(1) shall be found to be satisfied if the proposed sewer extension will serve a youth camp proposed for up to 600 youth camp participants.

(C) To address Goal 2, Part II(c)(2), the exception shall demonstrate that areas which do not require a new exception cannot reasonably accommodate the proposed sewer extension. Goal 2, Part II(c)(2) shall

be found to be satisfied if the sewer system to be extended was in existence as of January 1, 1990 and is located outside of an urban growth boundary on lands for which an exception to Goal 3 has been taken.

(D) To address Goal 2, Part II(c)(3), the exception shall demonstrate that the long term environmental, economic, social, and energy consequences resulting from the proposed extension of sewer with measures to reduce the effect of adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the lawfully established unit of land proposed for the youth camp. Goal 2, Part II(c)(3) shall be found to be satisfied if the proposed sewer extension will serve a youth camp located on a tract of at least 1,000 acres.

(E) To address Goal 2, Part II(c)(4), the exception shall demonstrate that the proposed sewer extension is compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts. Goal 2, Part II(c)(4) shall be found to be satisfied if the proposed sewer extension for a youth camp is conditioned to comply with section (5) of this rule.

(F) An exception taken pursuant to this section does not authorize extension of sewer beyond what is justified in the exception.

#### **Addition of more restrictive standards of approval to ensure compliance.**

(j) **Applicability:** The provisions of this section shall apply directly to any land use decision pursuant to ORS 197.646 and 215.427(3). A county may adopt provisions in its comprehensive plan or land use regulations that establish standards and criteria in addition to those set forth in this section, or that are necessary to ensure compliance with any standards or criteria in this section.

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## Um Co Code Amendment

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**LAPP Thomas** <Thomas.Lapp@odot.oregon.gov>

Wed, Apr 20, 2022 at 10:07 AM

To: Carol Johnson <carol.johnson@umatillacounty.gov>

Cc: Robert Waldher <planning@umatillacounty.net>, LANI Richard <Richard.LANI@odot.oregon.gov>

Carol,

I spoke to ODOT Region Planner Cheryl Jarvis Smith, and the Department is in agreement that the county should go forward to apply for the conditional permit for adding youth camps. Please continue with the amendment.

Thanks,

[Quoted text hidden]

# DRAFT MINUTES

**TEXT AMENDMENT #T-088-22,  
PLAN AMENDMENT #P-133-22 &  
ZONE MAP AMENDMENT #Z-320-22  
WADE AYLETT, APPLICANT  
ROCK-IT LLC c/o WADE AYLETT, OWNER**

The applicant requests to expand a previously approved aggregate quarry (Rock It #2 Quarry) and add the site to the Umatilla County Comprehensive Plan list of Goal 5 protected significant aggregate resource site and apply the Aggregate Resource Overlay Zone to the entire quarry site.

AND

**UMATILLA COUNTY DEVELOPMENT CODE  
TEXT AMENDMENT #T-089-22;  
RANDALL & MARIE MARTIN SCOUT CAMP LLC,  
APPLICANT & OWNER**

The applicant requests a Post-Acknowledgment Plan Amendment to amend the text of the Umatilla County Development Code to permit youth camps, as provided in Oregon Administrative Rule (OAR) 660-033-130(40) & OAR 660-006-0031 through issuance of a Conditional Use Permit on lands zoned Exclusive Farm Use and Grazing Farm.

**UMATILLA COUNTY  
PLANNING COMMISSION HEARING  
April 28, 2022**

## NEW HEARING

**UMATILLA COUNTY DEVELOPMENT CODE TEXT AMENDMENT #T-089-22; RANDALL & MARIE MARTIN SCOUT CAMP LLC, APPLICANT/ OWNER.** The applicant requests a Post-Acknowledgment Plan Amendment (PAPA) to amend the text of the Umatilla County Development Code (UCDC) to permit youth camps, as provided in Oregon Administrative Rule (OAR) 660-033-130(40) & OAR 660-006-0031 through issuance of a Conditional Use Permit on lands zoned Exclusive Farm Use (EFU) and Grazing Farm (GF).

Chair Danforth called for any abstentions, bias, conflicts of interest, declarations of ex-parte contact or objections to jurisdiction. There were none. She called for the Staff Report.

### STAFF REPORT

Carol Johnson, Senior Planner, presented the staff report. Mrs. Johnson stated that the applicants, Randall and Marie Martin, request a Post-Acknowledgment Plan Amendment (PAPA) to amend the text of the Umatilla County Development Code (UCDC) to permit youth camps on lands zoned Exclusive Farm Use (EFU) and Grazing-Farm (GF), as provided in Oregon Administrative Rules (OAR) 660-033-0130(40). UCDC Sections 152.750 - 152.755 govern the local amendment application process and includes that a land use hearing before the Planning Commission and Board of Commissioners (BCC) be held. The amendment process is legislative and the Planning Commission will make a recommendation to the BCC for a final decision.

Mrs. Johnson stated that, in 1999, the Oregon State Legislature added youth camps to the list of uses allowed in farm and mixed farm-forest zones. Subsequently, state rulemaking was completed, filed and included in OAR 660-033-0130(40) for EFU and mixed farm-forest lands, and OAR 660-006-0031 for forest lands. She explained that youth camps were not locally adopted into the UCDC at that time. The applicant, Randall and Marie Martin Scout Camp LLC is requesting to adopt youth camps as a conditionally allowed use in EFU and GF Zones.

If approved, the applicant has indicated that they plan to submit an application for a Conditional Use Permit (CUP) request to operate a scout camp on an EFU or GF Zoned parcel of land in Umatilla County. She clarified that the issue to be decided upon at the hearing today is whether or not to add youth camps to the list of uses allowed in the farm and mixed farm-forest zones in Umatilla County. Today's hearing does not include making a decision on any particular conditional use request to operate a scout camp in Umatilla County on any specific EFU or GF Zoned land, at this time.

Mrs. Johnson stated that the hearing packet includes the following documents for review; copies of the proposed UCDC language, code definitions, OAR language for youth camps, County Preliminary Findings & Conclusions and an email comment provided by the Oregon Department of Transportation (ODOT) in support of proceeding with this amendment request.

Mrs. Johnson concluded that the applicant's representative, Patrick Gregg, is present at the hearing to testify in support of this amendment request and answer any additional questions the Planning Commission may have regarding this proposal.

Commissioner Tucker asked about the origin of the language used in making the code updates. Mrs. Johnson clarified that she used language adopted in the Oregon Administrative Rules.

**Applicant Testimony:** Testifying on behalf of the applicants, Randall & Marie Martin Scout Camp LLC; Patrick Gregg, Attorney, Corey, Byler & Rew LLP, PO Box 218, Pendleton, OR 97801; and Carl Imhoff, Vice President of Properties for Boy Scouts of America, Blue Mountain Council and Ranch Committee Member for Randall & Marie Martin Scout Camp LLC, 1201 Llandwood Avenue, Richland, WA 99352.

Mr. Gregg stated that Randall & Marie Martin Scout Camp is a several thousand acre parcel of land located on McKay Creek, just outside the City of Pilot Rock. The property was gifted to the scouts by a man named Randall Martin. Randall & Marie Martin Scout Camp LLC is a joint operation between the Boy Scouts of America Blue Mountain Council and the Girl Scouts of America.

Mr. Imhoff explained that he has been involved with scouting for decades and he currently serves on the board of the Boy Scouts of America Blue Mountain Council as Vice President of Properties. He stated that the Boy Scouts and Girl Scouts have a vision for utilizing the property with a focus on stewardship through activities like agriculture and grazing. They continue to lease the grass on site for cattle grazing, conduct invasive weed spraying, work with the Oregon Department of Forestry on land management issues and lease the property to Ellis Hunting Ranch LLC for professional guided hunting activities in the fall. They intend to continue the use of the fully operating cattle ranch, in addition to leveraging the property to support outdoor programs related to scouting. They would like to offer the opportunity for scouts to participate in rustic camping, backpacking, outdoor skill building, wildlife education and various service projects at the site.

Discussion continued about the specific plans for Randall & Marie Martin Scout Camp LLC to submit a CUP application in the future, to operate a scout camp on approximately 3,400 acres of land located on Assessor's Maps 1N34 Tax Lot #6100 and 1S34 Tax Lot #1300 (addressed as 68001 North Fork McKay Creek Road).

Mrs. Johnson reminded the Planning Commission that any CUP request for Randall & Marie Martin Scout Camp LLC to operate a scout camp on a particular site would come at a later date. Additionally, the CUP request would only be considered if this Text Amendment (#T-089-22) is adopted by the BCC. The only matter before the Planning Commission today is to make a recommendation to the BCC concerning the request by the applicant to amend the text of the UCDC to permit youth camps through a CUP on lands zoned EFU & GF in Umatilla County.

**Proponent Testimony:** Terry Anderson, Rancher, 68601 Motanic Road, Pilot Rock, OR 97868. Mr. Anderson explained that he was raised on the ranch located below the property at 68001 North Fork McKay Creek Road. He believes young kids would benefit from education and exposure to agricultural activities and supports a future CUP request by Boy Scouts of America to operate a youth camp at the site. Discussion continued about the benefits of the specific site as part of a future CUP request.

**Proponent Testimony:** Lieutenant Karl Farber, Oregon State Police, 2130 SW Quinney Avenue, Pendleton, OR 97801. Mr. Farber stated that he has lived in Pendleton for 23 years and was very involved with scouting throughout his youth, reaching the rank of Eagle Scout. He now has two sons in scouting and currently volunteers as a Scout Master. Mr. Farber provided additional testimony related to the benefits of scouting and youth leadership skill building. He is in support of the applicants request to amend the text of the UCDC to permit youth camps on lands zoned EFU & GF in Umatilla County and hopes they get the opportunity to operate a scout camp at the site owned by Randall & Marie Martin Scout Camp LLC, in the future.

**Applicant Rebuttal:** Patrick Gregg, Attorney, Corey, Byler & Rew LLP, PO Box 218, Pendleton, OR 97801; and Carl Imhoff, Vice President of Properties for Boy Scouts of America, Blue Mountain Council and Ranch Committee Member for Randall & Marie Martin Scout Camp LLC, 1201 Llandwood Avenue, Richland, WA 99352. Commissioner Standley asked if Mr. Gregg has reviewed the potential language of the Text Amendment provided by County Staff, and if he feels there is anything additional to consider in this request. Mr. Gregg stated that he has reviewed everything prepared and does not have anything to add. He reiterated that, if this request is approved and the UCDC is amended, the applicant intends to submit a CUP application to operate a scout camp outside Pilot Rock on the property identified as Assessor's Maps 1N34 Tax Lot #6100 and 1S34 Tax Lot #1300, both zoned EFU.

Commissioner Tucker asked about the section under OAR 660-033-0130(40)(b)(a), which would require that a youth camp be located on a unit of land that is at least 1,000 acres in size. He asked if there would be any harm or disadvantages in considering a smaller minimum acreage standard. Additionally, he expressed concern about OAR 660-033-0130(40)(h)(D)(i), which requires that a fire safety protection plan be adopted for each youth camp that includes a 1,000 gallon mobile water supply, "that can reasonably serve all areas of the camp". He suggested that the language be adjusted to say, "...that can reasonably serve all vehicle accessible areas of the camp". He expressed that he would not like to see donated properties or other ideal sites in the future, be denied only because certain areas of a proposed property is not accessible to a 1,000 gallon water tank or the site is less than 1,000 acres in size.

Mr. Gregg stated that they do not have a strong opinion about the requirement for fire safety protection plan to include a 1,000 gallon water tank or the issue of the 1,000 acre minimum size requirement. However, he agreed with Commissioner Tucker that those restrictions could

potentially create a hardship for others in the future. Mr. Gregg advised that County Staff could provide more guidance on those issues.

Commissioner Standley asked if it would be beneficial to amend the language under OAR 660-033-0130(40)(h)(D)(i) to say, "...that can reasonably serve all structures in the camp". Chair Danforth pointed out that the language includes the term 'reasonably' which allows for some flexibility. Commissioner Tucker stated that he does not feel the fire suppression language should be limited to only serve structures because activities could take place in fields or other grassy areas and he believes they should have the ability to suppress fires in those locations as well.

Chair Danforth closed the hearing for deliberation.

### **DELIBERATION**

Commissioner Williams made a motion to recommend approval of Umatilla County Development Code Text Amendment, #T-089-22 to the BCC. Commissioner Green seconded the motion. Motion passed with a vote of 8:0.

A public hearing before the BCC is scheduled for Wednesday, June 1, 2022 at 9am, Room 130 of the Umatilla County Courthouse.

### **MINUTES**

Chair Danforth called for any corrections or additions to the minutes from the March 24, 2022 meeting. There were none. Commissioner Tucker moved to approve the minutes as presented. Commissioner Wysocki seconded the motion. Motion carried by consensus.

### **OTHER BUSINESS**

Mr. Waldher stated that Mrs. Johnson has been working on a Development Code Text Amendment to capture legislative changes that have occurred over the last several years, as well as GF & EFU related updates. The Planning Commissioner's packet for the May 26, 2022 hearing will contain a lot of material and he advised that they start reviewing it earlier than usual.

Mrs. Johnson stated that the proposed Development Code Amendments to be presented in May will contain language taken from the Oregon Administrative Rules. The changes include adding new terms under the 'Definition' section and moving some language over to the Conditional Use and Land Use Decision sections of the code instead of under the outright uses under the EFU and GF sections. The proposed changes have been reviewed in advance by the Oregon Department of Land Conservation and Development (DLCD) and Umatilla County Counsel.

Regarding today's amendment to add youth camps, Mrs. Johnson explained that the county cannot be less restrictive than the requirements adopted in the Administrative Rules. Therefore, the minimum acreage and fire safety protection plan requirements must remain in place.

Commissioner Standley asked if there are any upcoming training opportunities available to the Planning Commissioners. Mr. Waldher stated that there is nothing upcoming at this time but he will notify the Planning Commissioners as new trainings become available. Commissioner Standley asked if there are any trainings available to provide guidance to the new Planning Commissioners, specifically relating to the logistics of land use hearings. Mr. Waldher stated that he may be able to locate a recording of the new Planning Commissioner training which includes information about how meetings are to be conducted. He agreed to send the video to all Planning Commissioners for review.

### **ADJOURNMENT**

Chair Danforth adjourned the meeting at 8:57pm.

Respectfully submitted,

Tierney Cimmiyotti,  
Administrative Assistant