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THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY RECORDS

STATE OF OREGON

In the Matter of Amending )  
 Comprehensive Plan and ) ORDINANCE NO. 2006-13  
 Development Code to include )  
 Goal 3 and 14 Exceptions and )  
 Comprehensive Plan Map for )  
 Commercial Use for CIFF )  
 Enterprises )

WHEREAS the Board of Commissioners has adopted a Comprehensive Plan for Umatilla County and also has ordained Ordinance No. 83-04, adopting the County Land Development Ordinance, codified in Chapter 152 of the Umatilla County Code of Ordinances;

WHEREAS an application was received from CIFF Enterprises requesting Umatilla County to allow the re-zoning of rural property to allow for commercial use on property owned by Robert W. and Delores M. Jackson, and Richard W. and Janice E. Harvey, which would require an exception to Goals 3 and 14;

WHEREAS the Umatilla County Planning Commission held a public hearing on April 13, 2006 to review the application and the proposed amendment to the plan and recommended that the Board of Commissioners adopt the amendment;

WHEREAS the Board of Commissioners held a public hearing on May 2, 2006, to consider the proposed amendment, and voted to adopt the amendment as proposed by the Planning Commission.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the adoption of the following amendment to the Umatilla County Comprehensive Plan:

To be added under the section entitled East County Commercial on Page XVIII-421:

The property (identified as Jackson/Harvey) located at the southwest intersection of State Highway 11 and Stateline Road, to be designated commercial is described as Lots 2 and 7, Grandview Orchard Tracts, as located in Section 13, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon, excepting any roads and rights-of-way.

The County has previously approved a Goal 3 exception for the property based on the fact that the property is irrevocably committed to non-farm uses; therefore, Goal 3 does not apply. This section considers the standards applicable to an exception to Goal 14. The applicable criteria are set forth at OAR 660-014-0040.

OAR 660-014-0040(2) allows the County to adopt an exception to Goal 14 to allow establishment of new urban development on undeveloped rural land. The rule provides that the reasons that can justify the exception are not limited to those found in the rule. In this case, the County finds that the exception is justified in part by the site's location on a state highway immediately adjacent to an urban area outside of the State of Oregon, which provides a unique opportunity for economic development in Umatilla County. This characteristic is found nowhere else in the State of Oregon except the Portland metropolitan area.

The criteria for approving a Goal 14 exception are set forth at OAR 660-014-0040(3), which provides as follows:

(3) To approve an exception under section (2) of this rule, a county must also show:

(a) That Goal 2, Part II(c)(1) and (c)(2) are met by showing that the proposed urban development cannot be reasonably accommodated in or through expansion of existing urban growth boundaries or by intensification of development in existing rural communities.

**FINDING:** The Board finds that the proposed use cannot be reasonably accommodated in or through an expansion of existing urban growth boundaries. The closest urban growth boundary is that of Milton-Freewater, more than four (4) miles to the south, and the City is in support of the proposed use. The proposed use is justified by the proximity of the site to the State of Washington and the Walla Walla urban area (including College Place) and the site's location on a state highway, which provides easy access and high visibility.

(b) That Goal 2, Part II(c)(3) is met by showing that the long-term environmental, economic, social and energy consequences resulting from urban development at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located on other undeveloped rural lands, considering:

(A) Whether the amount of land included within the

boundaries of the proposed urban development is appropriate, and

(B) Whether urban development is limited by the air, water, energy and land resources at or available to the proposed site, and whether urban development at the proposed site will adversely affect the air, water, energy and land resources of the surrounding area.

FINDING: Long-term environmental, economic, social and energy consequences will not be significantly more adverse at this site than would typically result from the same proposal being located on other undeveloped rural lands. The site is not limited by soil, air, water or energy capacity nor will the commercial use adversely affect air, water, energy and land resources of the surrounding area. The property currently is zoned for industrial and rural residential uses, and the proposed use will not result in significantly more adverse ESEE consequences than uses already allowed under the existing zoning. The surrounding area along the Highway 11 corridor already consists of a mix of industrial and commercial lands, and is largely composed of Goal 3 exception areas. The amount of land included within the boundaries of the proposed urban development is appropriate for the proposed use, and the entire property must be rezoned in order to provide sufficient space for the development and related wastewater and sewage treatment.

(c) That Goal 2, Part II(c)(4) is met by showing that the proposed urban uses are compatible with adjacent uses or will be so rendered through measures designed to reduce adverse impacts considering:

(A) Whether urban development at the proposed site detracts from the ability of existing cities and service districts to provide services; and

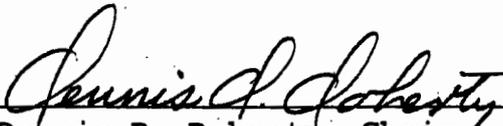
(B) Whether the potential for continued resource management of land at present levels surrounding and nearby the site proposed for urban development is assured.

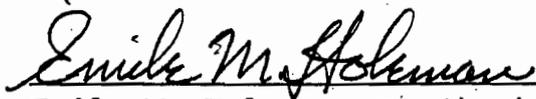
FINDING: Compatibility with adjacent uses will be ensured through the imposition of a condition of approval designed to mitigate potential impacts on nearby residential uses. Urban development at this location will not detract from the ability of nearby cities, such as Milton-Freewater, to provide public services.

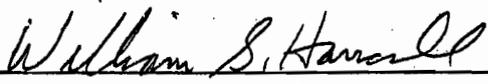
The plan designation of the property is changed from Rural Residential and Light Industrial, to Commercial, and all maps in the Comprehensive Plan are changed to reflect this amendment.

DATED this 2nd day of May, 2006.

UMATILLA COUNTY BOARD OF COMMISSIONERS

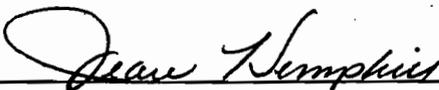
  
Dennis D. Doherty, Chair

  
Emile M. Holeman, Commissioner

  
William S. Hansell, Commissioner



ATTEST:  
OFFICE OF COUNTY RECORDS

  
Records Officer

