

MINUTES
UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, January 27, 2022, 6:30pm
Umatilla County Courthouse, 216 SE 4th Street, Pendleton, Oregon
VIRTUAL MEETING VIA ZOOM

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COMMISSIONERS

PRESENT: Suni Danforth, Chair, Don Wysocki, Vice Chair, Tammie Williams, Jon Salter, Hoot Royer, Sam Tucker & Cindy Timmons

ABSENT: Lyle Smith & Tami Green

STAFF: Bob Waldher, Planning Director; Megan Davchevski, Planner/ Transit Coordinator; Tamara Ross, Planner II/ GIS & Tierney Cimmiyotti, Administrative Assistant

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NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. RECORDING IS AVAILABLE AT THE PLANNING OFFICE.

CALL TO ORDER

Chair Danforth called the meeting to order at 6:30pm and read the Opening Statement.

NEW HEARING

PLAN AMENDMENT #P-130-21, ZONING MAP AMENDMENT #Z-319-21 & TEXT AMENDMENT #T-21-087 to Co-adopt City of Umatilla Goal 5 Aggregate Site. Oregon Department of Transportation (ODOT) and the City of Umatilla request the County co-adopt a proposed change within the city’s UGB. The proposed change would provide an Aggregate Resource (AR) Overlay Zone to an existing ODOT aggregate quarry, a 1500 ft. buffer area, and identify the site as a Goal 5 protected site. The criteria of approval are found in Umatilla County Development Code (UCDC) 152.750-152.755, Oregon Administrative Rule (OAR) 660-024-0020, and the Joint Management Agreement (JMA) between the City & County.

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

Megan Davchevski, Planner, presented the staff report. Mrs. Davchevski stated that ODOT and the City of Umatilla request that Umatilla County co-adopt Amendments to the property identified as Map 5N2816A, Tax Lot 1700, located within the City of Umatilla’s Urban Growth Boundary (UGB). The proposal is to include the existing aggregate site as a Goal 5 protected site. The property is generally located southeast of the City of Umatilla and east of Interstate 82. Criteria of approval for co-adoption are outlined in the JMA between Umatilla County and the City of Umatilla and criteria of approval for Amendments can be found in UCDC 152.750-152.755.

Mrs. Davchevski explained that, in accordance with the JMA between Umatilla County and the City of Umatilla, the County is required to co-adopt Amendments within the City’s UGB. Therefore, the County has the authority to consider and approve the Comprehensive Plan Map, Text & Zoning Map Amendments. She added that the process of approval by the County involves review by the County Planning Commission with a recommendation to the Board of County Commissioners (BCC). The

BCC must also hold a public hearing to make a decision whether or not to adopt the proposed change to the UCDC. A public hearing before the BCC is scheduled for February 9, 2022 at 9am.

Mrs. Davchevski concluded that the Umatilla City Council approved the Amendment application at their December 7, 2021 meeting. Following County approval, the City will adopt an ordinance finalizing the Amendments and the County will be required to co-adopt the ordinance.

Applicant Testimony: Carla McLane, Consultant, Carla McLane Consulting LLC, 170 Van Buren Drive, Umatilla, Oregon, 97882. Ms. McLane indicated that she represents the applicant, ODOT. Also present on behalf of the applicant; Teresa Penninger, ODOT Planning Manager, Paul Howland, ODOT Assistant Manager & Michelle Wright, ODOT Geologist.

Ms. McLane stated that this site has been owned and operated by ODOT since 1951. She added that they consider this to be an active site which has been mined multiple times over the past 70 years. The property is located within the UGB and is in close proximity to Highway 730, Highway 395 and Interstate 82 which are all owned, operated and managed by ODOT. They believe this is a critical location and will provide material needed for use on future highway safety and improvement projects in the area.

Ms. McLane stated that this site meets the standards for quantity and quality. The mine contains a fair amount of both sand/gravel layers and basalt rock and samples indicate that all standards have been met. Additionally, they applied a 1,500 foot impact area to the site which contains two dwellings. The dwellings are quite old and were placed at a time that predates permitting history. One of the home sites was used as a poultry facility in the past and is now a storage facility. The home at that location is a residential/caretaker type unit associated with operation of the business. She added that there is a medical facility within the impact area, as well as the highway and freeway infrastructure.

Ms. McLane pointed out that this site is adjacent to another aggregate site owned and operated by Umatilla County, directly to the west. There is also a long operating private pit located directly to the southwest, toward the interstate, which is reaching the end of its mining life.

Ms. McLane stated that ODOT identified potential conflicts created by the mining operations including noise and dust. Dust will be mitigated, roads will be graveled and most blasting will occur in a hole which already exists, helping to mitigate noise. She pointed out that Umatilla County did not impose conditions because the JMA indicates that the City is responsible for enforcing conditions of approval, so the City determined which conditions were to be applied and included them as part of the City's approval process.

Ms. McLane stated that the City looked at County regulations to help guide them in the process of considering this matter. She explained that most aggregate pits are not located within city limits and as a result, they do not have a program to manage or protect aggregate resources. The City has agreed to the 1,500 foot impact area and made a decision to complete the protection process. The City also decided that development will be allowed, however any requests for future development within the impact area would require the owner to sign to a letter of agreement to demonstrate that they are aware of the aggregate operation.

Ms. McLane explained that this site is not farmland. This area has been determined to be urbanized for future uses. There is an abundance of utility infrastructure near this pit including the Bonneville Power Administration (BPA) Substation, PacifiCorp Substation and an easement for powerlines exist on this aggregate site, as well. In the future if the property were ever to be mined out, redevelopment will be similar to surrounding properties as they are being used in similar ways.

Commissioner Wysocki asked for a brief interpretation of the test result data provided in the Commissioner's packet on pages 37-39.

Applicant Testimony: Michelle Wright, ODOT Geologist, 3012 Island Avenue, La Grande, Oregon, 97850. Ms. Wright stated that they tested for parameters within their specifications including; hardness, soundness, degradation, abrasion and specific gravity. ODOT ran multiple samples then conducted a statistical analysis to compare those results to the engineering specifications to be sure they are able to produce everything from very clean chip seal aggregates to the production of embankment materials and sanding aggregates at the site.

Commissioner Wysocki asked Ms. Wright's professional opinion about the quality and quantity of the aggregate material available at this site. Ms. Wright stated that it is undoubtedly a very good source of aggregate material. She added that the site contains both river rock type aggregate, as well as hard rock basalt aggregate and both can be used for base materials and paving materials. Additionally, the junction of primary routes near this site makes it a key location.

Opponent Testimony: None.

Public Agencies: Mrs. Davchevski read an email comment provided by Jacob Foutz, Senior Planner, City of Umatilla Planning Department, 700 Sixth Street, Umatilla, Oregon, 97882.

"Good afternoon, Megan. Thank you for providing us the opportunity to comment. The City of Umatilla Planning Department is supportive of the Umatilla County Planning Commission's approval of #P-130-21, #Z-319-21 & #T-21-087. Upon approval of these applications and co-adoption by the Umatilla County Planning Commission and Board of County Commissioners, the City of Umatilla City Council will process the associated ordinance. Thank you."

Applicant Rebuttal: Carla McLane, Consultant, Carla McLane Consulting LLC, 170 Van Buren Drive, Umatilla, Oregon, 97882. Ms. McLane added that ODOT worked cooperatively with the Department of Land Conservation and Development (DLCD), and they support this request.

Chair Danforth added the email from Jacob Foutz, Senior Planner, City of Umatilla Planning Department into the record and closed the hearing for deliberation.

DELIBERATION

Commissioner Tucker made a motion to recommend approval of the Text Amendment #T-21-087, Plan Amendment #P-130-21 & Zone Map Amendment #Z-319-21 to Co-adopt the City of Umatilla Goal 5 Aggregate Site to the Board of County Commissioners. Commissioner Wysocki seconded the motion. Motion passed with a vote of 7:0.

A public hearing before the BCC is scheduled for Wednesday, February 9, 2021, 9am at the Umatilla County Courthouse.

MINUTES

Chair Danforth called for any corrections or additions to the minutes from the October 28, 2021 meeting. Ms. Cimmiyotti pointed out that Commissioner Salter was marked as present, but did not attend. She agreed to make that change in the final draft. Chair Danforth moved to approve the minutes with the noted correction. Commissioner Wysocki seconded the motion. Motion carried by consensus.

OTHER BUSINESS

Mr. Waldher introduced our new employee, Tamara Ross, to the Planning Commissioners. Mrs. Ross started in January and fills the role of Planner II/ GIS in our department. She is a great addition to our team.

Mr. Waldher stated that Commissioner Jon Salter will be ending his time serving as a Planning Commissioner for Umatilla County and his last meeting will be May 26, 2022. We are seeking another volunteer to serve on the Planning Commission. We are hoping to find a candidate with a background and understanding of farm ground.

Next meeting is scheduled for Thursday, February 24, 2022, 6:30pm.

ADJOURNMENT

Chair Danforth adjourned the meeting at 7:07pm.

Respectfully submitted,

Tierney Cimmiyotti,
Administrative Assistant

Minutes adopted by the Planning Commission on February 24, 2022