

MINUTES
UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, June 25, 2020, 6:30 pm
Umatilla County Courthouse, 216 SE 4th Street, Pendleton, Oregon

COMMISSIONERS

PRESENT: Suni Danforth, Chair, Don Wysocki, Vice Chair, Gary Rhinhart, Molly Tucker
Hasenbank, Tammie Williams, Jon Salter, Hoot Royer, Lyle Smith
ABSENT: Tami Green
STAFF: Bob Waldher, Planning Director; Megan Green, Planner/GIS; Tierney
Cimmiyotti, Administrative Assistant

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 6:30 p.m. and read the Opening Statement.

NEW HEARING

TYPE III LAND DIVISION, REPLAT REQUEST #LD-2N-201-20: DONALD & MARY MICHAEL, APPLICANTS/ OWNERS. The applicant requests approval to replat Lots 1 and 2, of Block 1 of the Pleasant Valley Subdivision Plat, Book 8, Page 33, Assessor’s Map 2N 32 34BA, Tax Lots 100 and 200. The applicant’s proposed replat reconfigures the lots’ shared property line. The Land Use standards applicable to the applicants’ request are found in Umatilla County Development Code (UCDC) 152.697(C), Type III Land Divisions. The Planning Commission’s decision is final unless timely appealed.

STAFF REPORT

Megan Green, Planner, stated that the applicant, Donald Michael, requests approval of a Replat (Type III Land Division) of Tax Lots 100 (Lot 1) and 200 (Lot 2) of Pleasant Valley Subdivision. Approval of the Michael Replat results in the reconfiguration of the shared property line, making Lots 1 and 2 run north-south rather than east-west. The Pleasant Valley Subdivision is located east of Highway 395 and south of McKay Drive, south of Pendleton and North of McKay Reservoir.

Ms. Green stated that the Standards of Approval are found in the UCDC Section 152.697(C), Type III Land Divisions. Standards for reviewing a Replat generally consist of complying with development standards and survey plat requirements. She added that the notice of the applicant’s request and the public hearing was mailed on June 5, 2020 to the owners of properties located within 250-feet of the perimeter of Lots 1 and 2. Notice was also published in the East Oregonian

on June 13, 2020 notifying the public of the applicants request before the Planning Commission on June 25, 2020.

Ms. Green pointed out that two easements are not shown accurately on the Preliminary Michael Replat. The first, located along a portion of the north boundary of Lot 1, is a 15 foot (ft.) wide irrigation easement for Marion Jack Irrigation. On the preliminary replat, this is shown as a 10 ft. wide easement. She stated that Marion Jack Irrigation District has expressed that they would like to keep the width at 15 feet.

Ms. Green explained that the second easement, a 15 ft. wide access easement, runs parallel to the westerly boundaries of Lots 1-8, Block 1 of Pleasant Valley. This easement benefits Lots 1-8 and is not shown on the preliminary survey. Numerous property owners were concerned that this easement would be going away with the approval of the Michael Replat. The concerned property owners submitted a letter for the record, and Ms. Green distributed the letter to the Planning Commission and added it to the record as Exhibit A. She stated that the easement was recorded in 1977 and can be found on Reel 23 Page 1379 at County Records.

Ms. Green concluded that the proposed Conditions of Approval address the survey and recording requirements. Final approval for the request will be accomplished when the applicant records the final survey plat. Additionally, the applicant must meet with Oregon Water Resources regarding a potential well sharing agreement between the two reconfigured lots. She added that the decision made by the Planning Commission is final unless timely appealed to the County Board of Commissioners (BCC).

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

TESTIMONY

Applicant Testimony: None; applicant was not in attendance.

Neutral Testimony: Colin White, 71626 SW Lake Drive, Pendleton, Oregon. Mr. White stated that he was concerned about the 15 ft. wide access easement which runs parallel to the westerly boundaries of Lots 1-8 of the Replat. Mr. White identified his property as tax lot 300, which is Lot 2 of the Pleasant Valley Subdivision. He stated that he uses the 15 ft. easement to access the rear of his property and has experienced issues in the past with people blocking the easement with vehicles. He stated that the Sheriff's Department was helpful in getting the vehicles removed.

Mr. White stated that he doesn't care what the Michael's do with their property next door, as long as his easement is not affected. It was determined that there would be no change to the easement as a result of this request. Mr. White was satisfied with the response.

Public Agencies: No additional comments.

Chair Danforth closed the hearing for deliberation.

DELIBERATION & DECISION

Commissioner Wysocki abstained from voting, as he was not present for the entire presentation.

Commissioner Hasenbank made a motion to approve Land Division Replat Request #LD-2N-207-20, subject to the applicant fulfilling the precedent and subsequent conditions. Commissioner Salter seconded the motion. Motion passed with a vote of 7:0.

NEW HEARING

TEXT AMENDMENT #T-20-082, ADOPTION OF REVISIONS TO THE UMATILLA COUNTY DEVELOPMENT CODE. The proposed revisions relate to relaxing certain setback standards and landscape design standards for properties zoned Retail Service Commercial and Light Industrial, along the Highway 395 North corridor in unincorporated Umatilla County. Planning Commission will make a recommendation of adoption to the Umatilla County Board of County Commissioners. A subsequent public hearing before the Board of County Commissioners is scheduled for July 15, 2020. Amendment procedures include UCDC Sections 152.750-152.753.

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

STAFF REPORT

Bob Waldher, Planning Director, stated that in November 2019 Umatilla County completed amendments to the UCDC to improve the aesthetic character and economic vitality of the Highway 395 North Corridor. The 2019 text amendment applied to Commercial and Light Industrial Zoned properties adjacent to the highway corridor. He stated that the code revisions were based on an extensive public involvement process associated with the Highway 395 North Economic Development Project and a Transportation Growth Management (TGM) grant from the Oregon Department of Transportation (ODOT) and the Department of Land Conservation & Development (DLCD).

Mr. Waldher explained that the main objectives of the Highway 395 North project have always been to improve the aesthetic and economic viability of the corridor. While the original intent of design standards seemed practical to meeting the goals of the TGM project, it wasn't until staff actually applied the design standards, did they realize that a few of the provisions were not conducive to certain development along the corridor, especially automobile dealerships.

Mr. Waldher stated that in February 2020, Planning Department staff met with a prospective developer for an automobile dealership who was finding difficulty meeting some of the new design standards; primarily the 30 ft. maximum setback requirement from front lot lines and the 15% landscape coverage requirement. Following the discussion with the prospective developer, Planning Department staff met with members of the Highway 395 North Technical Advisory Committee (TAC) to discuss the challenges faced by the developer. He stated that the TAC was supportive of County staff amending the standards to exempt automobile dealerships from the 30 ft. maximum setback requirement in order to create an environment favorable to dealerships displaying their new car inventory on an open air sales lot.

Mr. Waldher stated that the TAC also recommended scaling back the 15% landscape requirement for large sites. They noted that the 15% landscape requirement seems to work well on smaller one acre (ac.) sites but, 15% landscaping on a 10 ac. site would require 1 ½ ac. of irrigated landscaping and does not support water conservation in an arid environment which has been designated by the State as a Critical Groundwater Area (CGWA). Furthermore, he explained this would not be consistent with the Oregon Department of Water Resources (OWRD) regulations limiting exempt well use to ½ ac. of irrigated landscaping. As a result, the committee recommended a provision ensuring that the amount of irrigated landscaping is not to exceed ½ ac.

Mr. Waldher stated that the recommendations of the TAC and Planning staff have been incorporated into the proposed Text Amendment which is included in the Commissioner's Packets and Criteria of Approval can be found in the UCDC Sections 152.750-152.753. He asked the Planning Commission to review, discuss and suggest any changes to the proposed Amendments. Planning Commission will make a recommendation of adoption to the Umatilla County Board of Commissioners (BCC). A subsequent public hearing before the BCC is scheduled for July 15, 2020 at 9am.

Chair Danforth asked if they could consider including similar language for farm equipment sales in the area. Mr. Waldher stated that they could include farm equipment sales in the amendment if the Planning Commission would like. Chair Danforth stated that tractors and other large farm equipment are sold throughout the corridor to serve the farming community. She feels it would make sense to include these agricultural based businesses in the Amendment. Mr. Waldher stated

that we could explore adding the farm language or modify the service oriented business part to include the language. Mr. Waldher agreed to look into making the addition.

Proponent Testimony: Frank Karraman, 625 Winslow Way E, Bainbridge Island, WA 98110. Mr. Karraman stated that he is speaking as a proponent for the revision and commended Planning staff and Mr. Waldher for the work they have done in preparing the changes.

Public Agencies: No additional comments.

Chair Danforth closed the hearing for deliberation.

DELIBERATION & DECISION

Commissioner Hasenbank asked if the language is written to include four wheelers, side by sides and other ATV type vehicles. Mr. Waldher stated that requests for those permits would be processed under the same standards as other vehicles using the ‘Other Uses Similar’ allowance within the UCDC. Commissioner Hasenbank stated that she is satisfied with that response.

Commissioner Hasenbank made a motion to recommend approval of the Highway 395 Code Amendments to the Board of County Commissioners. Commissioner Rhinhart seconded the motion. Motion passed with a vote of 8:0.

MINUTES

Chair Danforth called for any corrections or additions to the minutes from the February 27, 2020 meeting. Commissioner Williams moved to approve the minutes as presented. Commissioner Wysocki seconded the motion. Motion carried by consensus.

ADJOURNMENT

Chair Danforth adjourned the meeting at 7:37 p.m.

Respectfully submitted,

Tierney Cimmiyotti
Administrative Assistant

Minutes adopted by the Planning Commission on July 23, 2020