
Highway 395 North TGM Code Assistance Project

Planning Commission / Technical Advisory Committee

Work Session

October 25, 2018, 6:30pm
Stafford Hansell Government Center, Hermiston

AGENDA

- I. Call to Order
- II. Adopt Planning Commission Minutes (Thursday July 26, 2018)
- III. Highway 395 N TGM Code Assistance Project – PC/TAC Work Session
 - a. Introduction of Project Management Team and Technical Advisory Committee
 - b. Draft Code Amendments Matrix
 - i. Project Background
 - ii. Review Recommended Code Amendments
- IV. Announcements
- V. Adjournment



MEMORANDUM

Draft Code Amendments Matrix PMT REVIEW DRAFT Umatilla County U.S. Highway 395 North Zoning Code

DATE 10/12/18
TO Umatilla County Planning Commission & Project Technical Advisory Committee
FROM Emma Porricolo, Jamin Kimmell, and Darci Rudzinski, APG
CC Project Management Team

BACKGROUND

Umatilla County, in partnership with business and property owners, is working to improve the aesthetic character and economic vitality of the Highway 395 North corridor. The focus of this planning project is commercial and industrial zoned properties along the highway between the Urban Growth Boundary of the cities of Hermiston and Umatilla (see Figures 1 and 2). The County was awarded a grant for the project from the Transportation and Growth Management (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD).¹ The goal of this project is to create, and guide through adoption, amendments to the Umatilla County Development Code (“UCDC”) for the Highway 395 North Project Area. The stated project objectives include:

- *Create context-sensitive land use and design standards for the U.S. Highway 395 North frontage, that allow more flexibility in use, won’t preclude more intensive urban development once the area is served by utilities, and create an attractive environment (including landscape, building, and site design, and landscape) that supports transit and active transportation modes, while accommodating the industrial and freight traffic common to the Project Area;*
- *Include access management standards for the Project Area, taking into account future planned parallel road networks, based on the recommendations of the TSP, the US 395 North Corridor Plan, and current best practices;*

¹ This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program. The TGM Program is a joint effort of the Oregon Department of Transportation (“ODOT”) and DLCD. The goals of TGM are to strengthen the capability of local governments to effectively manage growth and comply with the Oregon Transportation Planning Rule (Oregon Administrative Rule 660-012-0000), to integrate transportation and land use planning, and to encourage transportation-efficient land uses that support modal choice and the efficient performance of transportation facilities and services. Specifically, TGM supports efficient use of land and resources; human-scaled, walkable communities; good connections between local destinations; and pedestrian, bicycle, and transit-oriented development.

- Improve multi-modal connectivity in the Project Area in order to provide safe and comfortable active transportation options within the Project Area and between City of Hermiston and the City of Umatilla; and
- Recognize the importance of maintaining economically vibrant and livable downtowns in the cities of Hermiston and Umatilla, and not facilitate the creation of a highway commercial strip that could damage the vitality of those downtowns.

Figure 1: Project Study Area

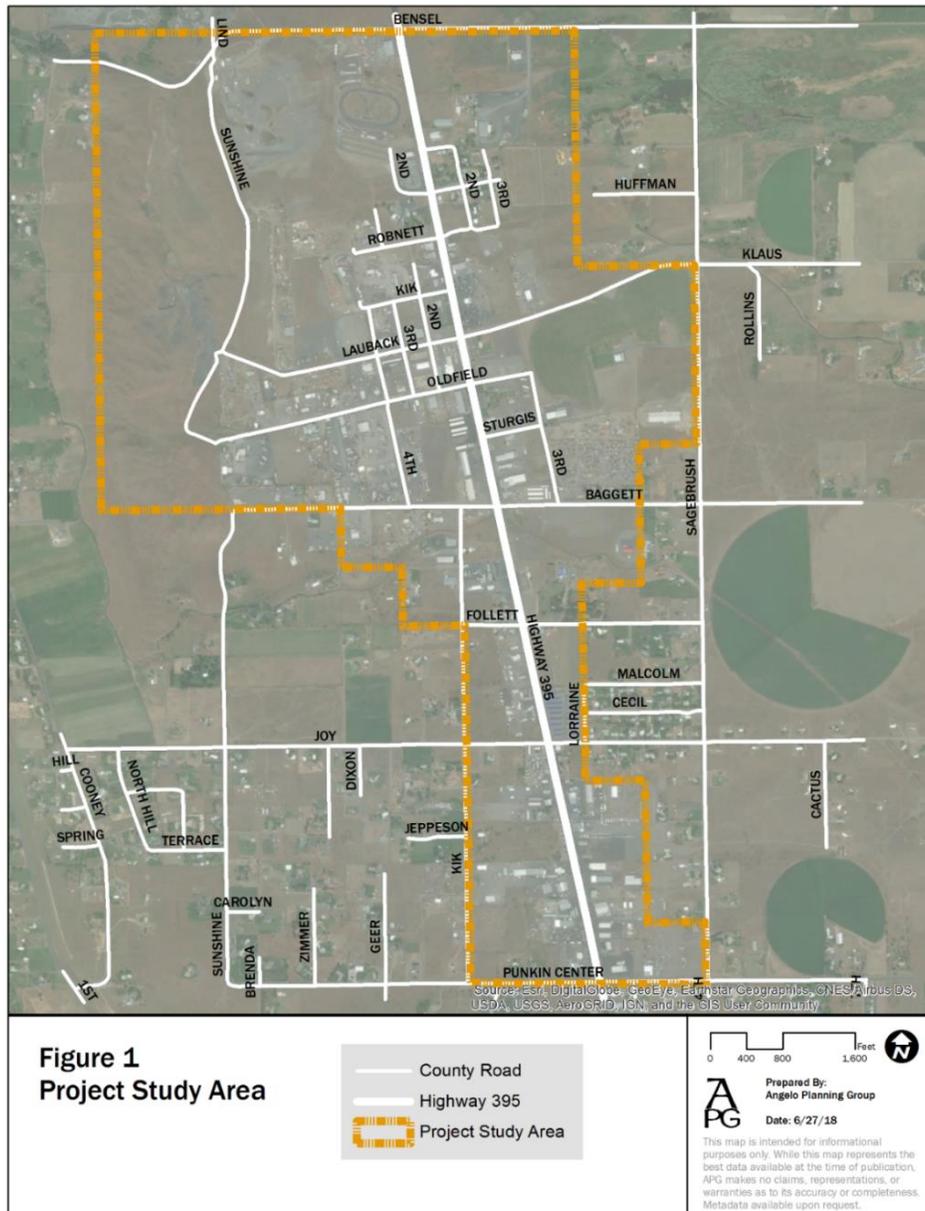
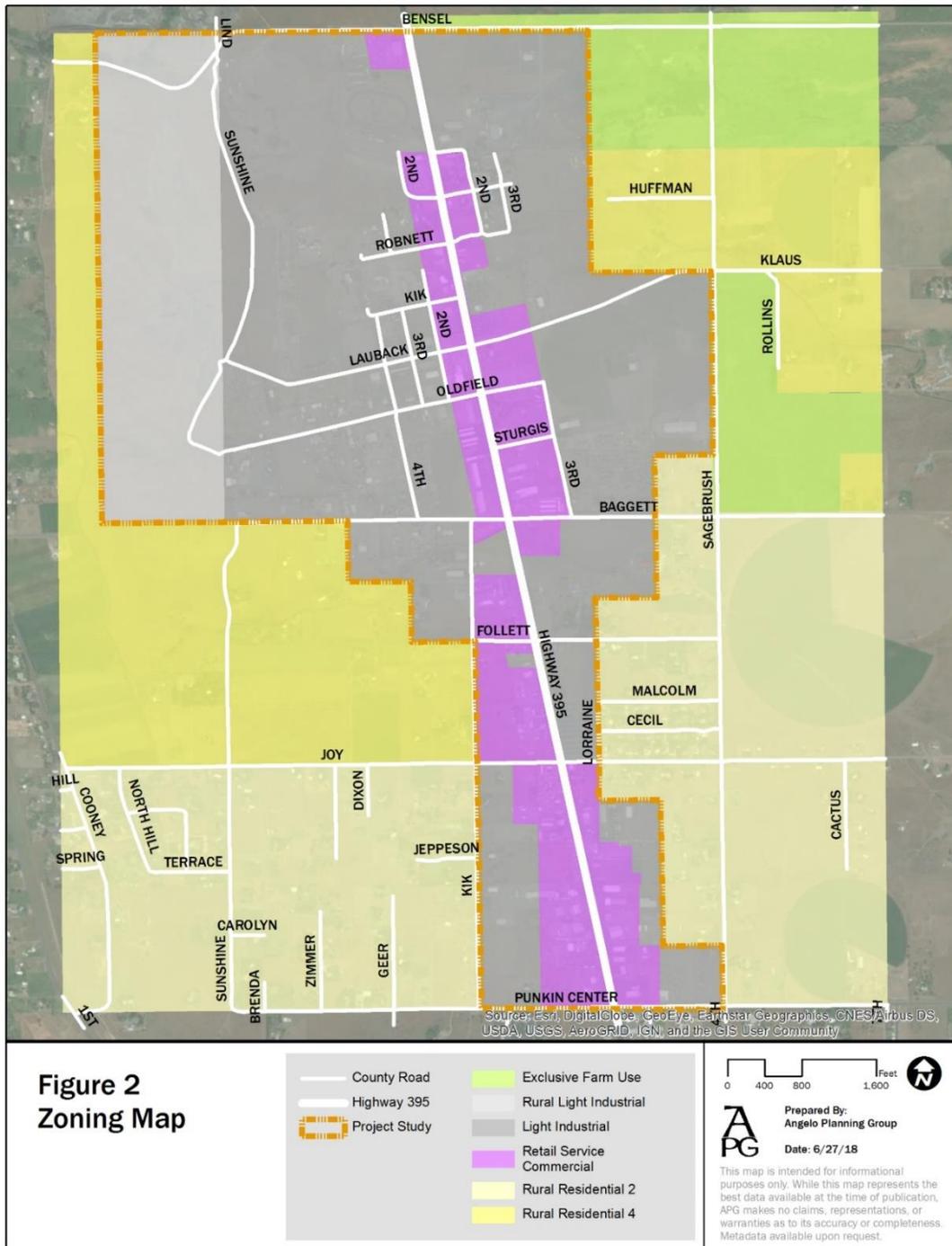


Figure 2. Zoning Map (Source: Evaluation of Existing Plans and Regulations Memo)



The project began in the spring of 2018 with a kickoff meeting and site visit. The project team sought initial input from a Technical Advisory Committee (TAC) and through stakeholder interviews in summer of 2018. The County hosted a Virtual Open House in late August/early September and a Community Meeting on August 21. Feedback from this public involvement informed recommendations in this memorandum.

An evaluation memorandum completed early in the project includes a thorough assessment of existing plans and studies related to project area and the relevant Development Code requirements governing land use in the area.² Concepts explored in this memorandum were shared with the public during the Community Meeting and through the Virtual Public Workshop.

Common themes emerging from this public engagement include:

- Concerns about safety along the corridor, such as number of conflict points, travel speeds, unimproved streets, and lack of street lighting.
- Support for building and site design elements, such as façade articulation, lighting, and screening.
- Desire for more lighting (street and on private property) is a priority for many community members.
- Concerns about specific uses for industrial and commercial in the study area (e.g. auto wrecking yard).
- Common desire to improve the aesthetic appeal and safety of the corridor but concerns about requirements to achieve stated goals creating a cost burden for current and future property owners.

RECOMMENDED CODE AMENDMENTS

Table 1 lists recommended code amendments for Umatilla County Development Code based upon the project objectives, the evaluation of existing plans and regulations, and feedback from the public. Overall, there is support for the project goals but no consensus regarding building and site design requirements. The proposed amendments focus additional requirements in areas that will have a large impact on the future form and function of the corridor. Additional desirable design elements are codified, but required through a proposed points system, as described in Table 1 (“Establish a design points system”) and detailed in Table 2. The recommendations in Table 1 and 2 are proposed for discussion at the Technical Advisory Committee and Planning Commission work session. Once refined through attendees’ discussion and suggestions, these recommendations will

² Evaluation of Existing Plans and Regulations (July 2018). Found at project website (<http://umatillacounty.net/planning/hwy395/>) under “TGM Project Documents.”

Direct link to document - <http://www.co.umatilla.or.us/planning/hwy395/document/DraftEvaluationMemo.pdf>

be the basis for proposed Development Code changes that will be presented to the public in early 2019 at a second Community Meeting and Virtual Public Workshop.

Table 1: Recommendations for Umatilla County Development Code		
Recommended Amendment	Code Section(s)	Rationale/Discussion
<p>Modify use and design standards applicable to development along the Highway 395 corridor within the study area.</p> <p>To implement the new and modified use and design standards along Highway 395, the amendments will be largely limited to the RSC zone. In order for requirements to be applicable to select industrial (LI) parcels along Highway 395, the LI-zoned parcels subject to the standards will be described in text, under the LI zone requirements.</p> <p>Note that some of the recommended modifications explored in this table are more broadly applicable (i.e., on parcels without frontage on the highway) and are suggested for inclusion in other areas of the Development Code.</p>	<p>Chapter 152 Retail/Service Commercial (RSC) Zone Light Industrial (LI) Zone</p>	<p>Most of the parcels within the Study Area with highway frontage are zoned RSC (See Figure 2). The Study Area includes all of the parcels zoned RSC within the County. Modifying the RSC base zone, therefore, directly addresses most of the parcels that have a direct impact on the look and functionality of this highway segment. The proposed approach is to identify desired requirements in the RSC zone, and reference these requirements for LI-zoned parcels fronting the highway.</p>
<p>Broaden Design Review requirement for improvements along the corridor within the Study Area. Currently, Design Review is only required for new construction or a change in use. However, some of the proposed site and design elements explored in this Table could apply when the proposed project is limited to site improvements. For example, new lighting and landscaping standards could apply</p>	<p>[RSC]: 152.249(B) DESIGN REVIEW [LI]: 152.305(B) DESIGN REVIEW</p>	<p>Many of the improvements that will affect the character of the corridor are site improvements (not new or renovated buildings), such as landscaping, lighting, or circulation. Therefore, when a project is limited to site improvements with no new construction, it should be subject to the design standards.</p>

Table 1: Recommendations for Umatilla County Development Code		
Recommended Amendment	Code Section(s)	Rationale/Discussion
when a parking lot is reconfigured and/or repaved. The Design Review sections could also be clarified re: the level of redevelopment that would trigger additional side and design requirements.		
ZONING AND DESIGN STANDARDS		
<p>Restrict “heavy” industrial uses on LI-zoned parcels with frontage on Highway 395. The following uses are proposed to be prohibited on parcels zoned LI in the Study Area that have frontage on Highway 395.</p> <ul style="list-style-type: none"> - Automobile wrecking yard - Commercial gravel extraction and processing - Junkyard - Sand or gravel storage yard 	152.303 CONDITIONAL USES PERMITTED; GENERAL CRITERIA.	There is support for restricting more intensive uses fronting the highway. This change would restrict uses that are the most land intensive of the uses allowed in the LI zone, as well as those that have the most impact on the aesthetics of the area.
<p>Allow RSC uses on LI-zoned parcels with Highway 395 frontage. The following RSC uses are proposed to be permitted as conditional uses on parcels zoned LI in the Study Area.</p> <ul style="list-style-type: none"> - Automobile service station - Automobile, truck or motorcycle repair shops or parts store - Automobile, truck of motorcycle sales lot 	152.246 USES PERMITTED. 152.247 CONDITIONAL USES PERMITTED.	This change is consistent with the Highway 395 North Economic Development/Planning Study, which recommended a commercial use designation along the full frontage of the 395 corridor between Punkin Center Road and Bensel Road. The character of development along the highway corridor is largely homogenous, with subtle or no distinctions between commercially zoned and industrially zoned properties. Allowing for the same commercial uses for parcels fronting the highway would result in more economic

Table 1: Recommendations for Umatilla County Development Code		
Recommended Amendment	Code Section(s)	Rationale/Discussion
		<p>opportunity for industrially zoned land owners without a significant impact to the character or function of the corridor.</p> <p>It is important to keep in mind the project objective to “recognize the importance of maintaining economically vibrant and livable downtowns in the cities of Hermiston and Umatilla, and not facilitate the creation of a highway commercial strip that could damage the vitality of those downtowns.” The proposed allowed uses would not typically be found in a downtown area, and therefore would not compete with the nearby downtowns.</p>
<p>Implement maximum setback standards. For both RSC- and LI-zoned parcels, there is currently a 20-foot minimum front yard setback, which increases to 40 feet if there is parking in the front yard. There is no maximum setback standard. The recommendation is to remove a required minimum setback and implement a maximum setback of 20 feet.</p> <p>Include an applicability statement to provide clear thresholds for when the setback standards apply (new construction, major remodels, etc).</p>	[RSC]: 152.250 DIMENSIONAL STANDARDS (C)	<p>Building setbacks and orientation can have a significant impact on aesthetic appeal and pedestrian and bicycle access and circulation. Buildings located closer to the street can create a more interesting and comfortable experience for pedestrians, as well as automotive travelers. The recommendation to codify a maximum setback would ensure that future buildings are located closer to the roadway. By requiring a maximum setback of 20 feet, the County is encouraging parking to be</p>

Table 1: Recommendations for Umatilla County Development Code		
Recommended Amendment	Code Section(s)	Rationale/Discussion
		shifted to the side of and/or behind buildings. As a result, landscaping and buildings will be the predominant elements when viewed from the street, creating a more aesthetically appealing character for the corridor.
<p>Establish landscaping requirements, including:</p> <ul style="list-style-type: none"> - Minimum landscape cover - Minimum planting standards defining acceptable species, size, and spacing of landscape plantings - Minimum parking lot landscaping requirements <p>Also consider requiring:</p> <ul style="list-style-type: none"> - Minimum number of street trees - Minimum tree cover/canopy (shade cover at maturity) 	[RSC]: 152.249 DESIGN REVIEW	Landscape design standards are essential in creating aesthetically appealing and pedestrian friendly development. Enhanced landscaping in this corridor can be key to visually enhancing the area, considering that low-density development and paved areas account for much of the existing built environment. Landscaping also provides shade, mitigates the urban heat island effect, and reduces water runoff. All landscaping standards will need to account for climate conditions and water availability.
<p>Modify screening standards</p> <p>The code currently establishes basic standards for screening of outdoor storage and activities. The code does not address the design or method of screening (fences, walls, berms, landscape plantings, etc). Modifications would include:</p> <ul style="list-style-type: none"> - Refine the list of items that are required to be screened. Since outdoor merchandise displays are common along the corridor apply different standards to difference types of merchandise (e.g. building 	[RSC]: 152.248 Limitations on Uses [LI]: 152.304 Limitations on Uses	Outdoor storage areas are prominent along the corridor. Refined screening standards can create more cohesive and organized screening throughout the corridor, which can result in improved aesthetics. Where screening standards conflict with requirements for clear vision areas at driveways and intersections, screening would not be required in the clear vision area.

Table 1: Recommendations for Umatilla County Development Code

Recommended Amendment	Code Section(s)	Rationale/Discussion
<p>materials vs. auto sales).</p> <ul style="list-style-type: none"> - Establish screening design standard, which would include: <ul style="list-style-type: none"> o Types of screening permitted (fencing, landscaping, etc.) o Minimum requirements for amount of screening o Minimum requirements for landscape screens (linear spacing, height, ground cover plants and/or natural materials) o Minimum requirements for fence/wall screens (height, materials, extent of sight obscuring) 		
<p>Reduce the number of allowed signs.</p> <p>Limit the amount of wall-mounted signs permitted on buildings along the corridor and clarify under what circumstances free-standing signs are permitted.</p>	<p>152.545-.548</p> <p>SIGN REGULATIONS</p>	<p>While it is important for business to have signage that can be read by passing motorists, too many signs and inappropriate placement can contribute to visual clutter and blight and can degrade the pedestrian environment. There are currently a number of non-conforming signs along Highway 395 and addressing some of the aesthetic issues related to signs is a code enforcement issue. However, there is an opportunity to modify existing sign requirements to prohibit</p>

Table 1: Recommendations for Umatilla County Development Code		
Recommended Amendment	Code Section(s)	Rationale/Discussion
		unlimited signage, while at the same time continuing to meet the needs of businesses on the corridor.
<p>Require parking lot lighting.</p> <p>The code currently does not require lighting in parking lots. Establish a requirement for lighting in parking lots. Reference existing code section for restrictions on types of lighting to minimize light pollution, spillover, etc. for conditional use permits. Modify requirements include design review as well.</p>	<p>[RSC]: 152.249 DESIGN REVIEW</p> <p>[LI]: 152.305 DESIGN REVIEW</p>	<p>Lighting enhances safety and comfort of parking lots. It can also enhance the overall attractiveness of the corridor. Standards for lighting will reference the County's lighting standards to reduce glare, spillover, and light pollution.</p>
<p>Establish a minimum bike parking requirement.</p> <p>Currently, there are no requirements for bike parking. Create a minimum number of required bicycle parking spaces based on square footage of buildings or percentage of vehicle parking. Bicycle parking spaces provided in addition to the minimum can receive points in the design points system (Table 2).</p>	<p>152.562 ADDITIONAL OFF-STREET PARKING AND LOADING REQUIREMENTS.</p>	<p>Providing bicycle parking encourages more active transportation use along the corridor.</p>
<p>Establish a requirement for window area.</p> <p>There is no minimum requirement for the percentage of a building's façade that must be covered with windows. Create a standard for minimum percentage of window coverage on street-facing facades/building elevations. Window coverage above the required minimum will receive points in the design points system</p>	<p>[RSC]: 152.249 DESIGN REVIEW</p> <p>[LI]: 152.305 DESIGN REVIEW</p>	<p>Windows or glass doorways create visually interesting façades and open up views to merchandise, people, and activity.</p>

Table 1: Recommendations for Umatilla County Development Code		
Recommended Amendment	Code Section(s)	Rationale/Discussion
(Table 2).		
<p>Establish a design points system. See Table 2 for a list of proposed building and site design features that a development can choose from in order to meet overall standards for high-quality design. Every development would need to achieve a certain number of points. The required number of points is to be determined. Include an applicability statement to provide clear thresholds for when the point system applies (new construction, major remodels, etc).</p>	<p>[RSC]: 152.XXX DESIGN POINT SYSTEM (new section)</p> <p>[LI]: 152.305 DESIGN REVIEW (reference section in RSC zone)</p>	<p>Many design features have been discussed and favorably received as potentially improving the aesthetics of the Highway 395 North corridor. However, there has been little enthusiastic support for requiring these features as part of new or redevelopment in the area. The potential for additional regulations to increase development costs has been cited as one deterrent to endorsing additional requirements. The use of a design points system is a “mix and match” approach that provides flexibility in implementing design features.</p>
ACCESS AND CIRCULATION		
<p>Modify access management requirements to improve safety and enhance mobility along Highway 395. Currently, the only required conditions for a joint access driveway are “adjacent commercial and office uses that are major trip generators.” All other uses must provide joint access driveways “where feasible.” Major trip generators are defined as exceeding 400 trips per day. The threshold for requiring a joint access driveway should be lowered for properties fronting Highway 395 and it should be applicable to industrial uses, as well as</p>	<p>Section 152.018 – Access Management and Street Connectivity</p>	<p>The public has expressed strong concerns regarding safety along the corridor. Proposed modifications to access management requirements could improve the safety of the corridor. Note that Highway 395 is classified as an arterial roadway. Section 152.018 applies to “all arterials and collectors within the County and to all properties that abut these roadways.”</p>

Table 1: Recommendations for Umatilla County Development Code		
Recommended Amendment	Code Section(s)	Rationale/Discussion
commercial and office uses.		
<p>Establish street connectivity standards in preparation for future development and street improvements in the areas east and west of Highway 395.</p> <p>The standards would address:</p> <ul style="list-style-type: none"> - Maximum block size/street spacing standards - Limits on cul-de-sacs and accessway requirements - Future street plan and connectivity requirements 	Section 152.018 – Access Management and Street Connectivity	<p>Street connectivity standards ensure that proposed developments do not preclude the creation or extension of streets where they are needed to ensure street connectivity and mobility in the area.</p> <p>Developing a more robust local roads system over time, with improved or new roadways, will provide alternatives to highway travel for short trips. This will increase travel efficiency, decrease conflicts related to exiting on/off the highway, and will enhance mobility throughout the area. As proposed, requirements are not limited to development proposals on parcels with Highway 395 frontage.</p>
<p>Establish pedestrian circulation standards.</p> <p>Create a new criterion for on-site pedestrian circulation, including:</p> <ul style="list-style-type: none"> • Purpose statement • Applicability statement (all new developments and major expansions/remodels) • Define and require a “safe, direct and convenient” walkway system between primary building entrances and all adjacent parking areas 	<p>[New] Community Design Standards</p> <p>OR</p> <p>[RSC]: 152.249 DESIGN REVIEW</p> <p>[LI]:</p> <p>[LI]: 152.305 DESIGN REVIEW</p>	<p>Pedestrian circulation standards promote more pedestrian activity along the corridor and create a safer and more comfortable experience for pedestrians.</p>

Table 1: Recommendations for Umatilla County Development Code		
Recommended Amendment	Code Section(s)	Rationale/Discussion
<p>and/or sidewalks (where sidewalks not yet built to the public rights-of-way, accommodating space for future sidewalk and other pedestrian related streetscape elements).</p> <ul style="list-style-type: none"> • Vehicle/walkway separation standards • Walkway marking and paving standards • Walkway width standards 		

Table 2. Draft Design Points System

Design Criteria	Possible Points		
	0	1	2
Building Design Features			
Weather protection (may include awnings, covered porches, building overhangs, or other weather protection; must extend at least 4 feet in horizontal distance from the building wall and be constructed of durable materials in order to qualify)	No weather protection at entrances or windows	Weather protection provided over the primary building entrance	Weather protection provided over all building entrances and required ground floor window areas
Use of natural siding materials, including: <ul style="list-style-type: none"> Masonry, which includes natural and natural-looking stone, and rusticated brick or split-faced, colored concrete blocks. Wood board siding or wood shingles. Fiber cement boards or fiber reinforced extruded composite boards are also acceptable provided they have the appearance of natural wood. 	Little to no use of natural materials (less than 5 percent of street wall area, excluding area dedicated to windows)	5 to 50 percent of both total building facade area and street wall area covered with natural siding materials (excluding area dedicated to windows)	Over 50 percent of both total building facade area and street wall area covered with natural siding materials (excluding area dedicated to windows)
Window coverage/area	Window coverage meets base requirement.	50 to 60 percent of the area of the façade and street facing walls covered with windows.	Over 60 percent of the area of the façade and street facing walls covered with windows.
Building Articulation	No building articulation features	1 of the following treatments on street facing façade: a) Change in the roof	2 of more of the following treatments on a street facing façade:

		<p>or wall plane (4 ft minimum)</p> <p>b) Projecting or recessed elements</p> <p>c) Varying rooflines at 4 ft minimum</p> <p>d) Visible and prominent entrance (large entry doors, porches, protruding or recessed entrances).</p>	<p>a) Change in the roof or wall plane (4 ft minimum)</p> <p>b) Projecting or recessed elements</p> <p>c) Varying rooflines at 4 ft minimum</p> <p>d) Visible and prominent entrance (large entry doors, porches, protruding or recessed entrances).</p>
Architectural Features – Massing (Top-Middle-Base)	No architectural features	Clear display of “Base”, “Middle” and “Top” massing – distinction between sections with change of color.	Clear display of “Base”, “Middle” and “Top” massing – distinction between sections with change of materials.
Site Design Features			
Bicycle Parking	Minimum required bicycle parking	10% to 20% additional bicycle parking spaces provided beyond base requirement and at least half of all bike parking spaces are covered.	More than 20% additional bicycle parking spaces provided beyond the base requirement and at least half of all bike parking spaces are covered.
Trees	Number of trees meets base requirement	10% above base requirement for on-site trees. Must be a tree species found in the [reference list].	20% above base requirement for on-site trees. Must be a tree species found in the [reference list].
Additional landscaped area	Little or no additional landscaped area provided (less than 5% of gross lot area beyond base requirement)	5% to 10% additional gross lot area landscaped beyond base requirement.	More than 10% additional gross lot area landscaped beyond base requirement

Plant selection	Number of plant species meets base requirement.	3 or more distinct plant species included in landscaping	5 or more distinct plant species included in landscaping
Outdoor Lighting	Outdoor Lighting Requirement – parking lot lighting	<p>1 point may be assigned for one of the following outdoor lighting features:</p> <ul style="list-style-type: none"> 1) Pedestrian walkway lighting 2) Accent lighting on structure 	<p>2 points may be assigned for both of the following outdoor lighting features:</p> <ul style="list-style-type: none"> 1) Pedestrian walkway lighting 2) Accent lighting on structure

DRAFT MINUTES

**UMATILLA COUNTY
DEVELOPMENT CODE TEXT
AMENDMENT #T-18-076**

**CITY OF HERMISTON,
APPLICANT**

PLANNING COMMISSION HEARING

July 26, 2018

DRAFT MINUTES
UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, July 26, 2018, 6:30 p.m.
Umatilla County Justice Center, Media Room, 4700 NW Pioneer Place, Pendleton, OR

** **

COMMISSIONERS

PRESENT: Suni Danforth, Chair, Gary Rhinhart, Vice Chair, Don Wysocki, Tammie Williams, Hoot Royer, Molly Tucker Hasenbank
ABSENT: Cecil Thorne, Tami Green
STAFF: Bob Waldher, Planning Director, Carol Johnson, Senior Planner, Jacob Potterf, Planner/GIS, Tierney Dutcher, 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.

MINUTES

Chair Danforth asked the Planning Commission to review the minutes from the May 24, 2018 hearing. Commissioner Williams moved to adopt the minutes as written. The motion was seconded by Commissioner Royer. Motion carried by consensus.

NEW HEARING

UMATILLA COUNTY DEVELOPMENT CODE TEXT AMENDMENT, #T-18-076, CITY OF HERMISTON, APPLICANT

The applicant requests a Post-Acknowledgment Plan Amendment to amend the text of the Future Urban (FU-10) Zoning Ordinance to permit **creation of a parcel or lot smaller than the minimum parcel/lot size; and allow for the purchase of a one-acre parcel or lot for installation of the City or public or private utility provider-owned water tower. Additionally, the amendment would allow a water tower to exceed the FU-10 height limitation.**

The Hermiston Joint Management Agreement (JMA) provides that amendments of the implementing ordinances applicable to the FU-10 Zone in the Hermiston Urban Growth Area (UGA) are the County’s responsibility to maintain and implement. UCDC 152.751 requires an amendment to the text of the UCDC and shall comply with provisions of the Umatilla County Comprehensive Plan, the Oregon Transportation Planning Rule, OAR Chapter 660, division 12, and the Umatilla County Transportation Plan and Statewide Planning Goals 1, 2 and 14.

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

STAFF REPORT

Carol Johnson, Senior Planner, stated that the City of Hermiston is proposing a Text Amendment that affects lands only within the City's UGA zoned Future Urban, FU-10. She stated that the City is most interested in a specific parcel of land within the FU-10 Zone. Mark Morgan, Assistant City Manager for the City of Hermiston is in attendance and will provide more details about the parcel during his testimony.

Ms. Johnson stated that approval of the request would allow for the City's new water storage project to be constructed in the FU-10 Zone in excess of the current 25 foot (ft.) height limitation. It will also divide the acreage around the water tower for City ownership. On June 21st, 2018 the County sent the required 35-day notice to the Department of Land Conservation and Development (DLCD), and legal notice was published in the *East Oregonian* newspaper on July 14, 2018.

Ms. Johnson stated that the Commissioners packets include Draft Findings and new language for the FU-10 Zoning Ordinance in UCDC 152.339. Because this is a Legislative decision, the Planning Commission is tasked with making a recommendation to the Board of County Commissioners to approve or deny the request. A subsequent Public Hearing is scheduled before the Umatilla County Board of Commissioners for Wednesday, August 22, 2018 at 9:00 AM in Room 130 of the Umatilla County Courthouse, 216 SE Fourth Street, Pendleton, OR.

Commissioner Rhinhart asked why the new language includes the term, "*or private* utility provider-owned water tower". Ms. Johnson stated that she is not sure, but thinks it may be because they do not want to limit it to just municipalities in case they were working with other providers. She added that Mr. Morgan will explain more during his testimony.

TESTIMONY

Applicant Testimony: Mark Morgan, Assistant City Manager, City of Hermiston, 180 NE 2nd Street, Hermiston, Oregon. Mr. Morgan represents the applicant, City of Hermiston. He stated that the project is in conjunction with Umatilla County to solve a major issue, which is the need to stimulate housing development across the County. They identified the need for affordable developable residential land inside the City and located a developable area in the northeast quadrant. The challenge with this area is a sloping hillside and water is supported by a booster pump station. When a parcel of land is developed in the area, the owner is charged a rate of \$1,200 to add toward a fund to upgrade the booster pump station. Upgrades are necessary to provide adequate pressure as development spreads in the area. However, without adding back up power generation water will be unavailable in the event of a power outage.

Mr. Morgan stated that they started updating the Water System Master Plan for the City last year. The last update was made in 1996. The primary need that was identified was for additional water storage capacity. At this time they can provide 36 hours of storage capacity during peak summer demands. This could cause major problems down the road because peak water usage occurs overnight during the

summer months and if a power outage were to occur early in the morning while they are replenishing the storage tanks, they would have far less time before the water is depleted. The last time stored water capacity as added to the City was in 2002 and since then they have grown about 25% in population.

Mr. Morgan stated that the City partnered with Umatilla County to provide \$2 million over a course of 4 years to accomplish the necessary upgrades to the system. As part of the project, there is a specific parcel of land where the tower must be located to achieve the elevation necessary to provide adequate gravitational pressure to the area. This would ensure that in the event of a power outage there would be enough pressure to fight a fire in the area. Additionally, the location of the next elementary school is slated to be at the intersection of Theater Lane and 10th. This proposed tower will be located near the corner of 10th and Punkin Center and will store 1 million gallons that will be able to accommodate future residential development out to the Eastern Urban Growth Boundary. This site is large enough to acquire 1.5 acres which will allow for the proposed 1 million gallon storage tank to be constructed as well has potential to build another tank on the site in the future to take advantage of the existing piping.

Mr. Morgan stated that this project will achieve the City's need for additional storage capacity as well as added pressure in the area. Additionally, it will run large scale water facilities past approximately 300 acres of developable residential land. He believes these efforts will help stimulate a substantial amount of future residential growth.

Commissioner Williams asked how much storage time 1 million gallons of water will provide. Mr. Morgan stated that he estimates right now the 4 million gallons would last at worst 36 hours during peak summer demand. The additional 1 million gallon tank would increase the City's storage capacity by 20% which is an additional 9 hours of water reserve for a total of 45 hours during peak summer demand.

Commissioner Rhinhart asked what the total cost of the project is. Mr. Morgan stated that right now it's budgeted at \$4,516,000 and the County will provide \$2 million. Commissioner Rhinhart asked if it is standard practice for the County to provide almost half of the funding for a City project. Mr. Morgan stated that this is a unique situation.

Commissioner Williams stated that she thinks this is a good deal. She acknowledged that the County was able to benefit financially from the new development with Amazon. She feels the joint effort of the water expansion will allow for the City to benefit as well by providing housing for the new workers to live. She sees this project as a win-win. Mr. Morgan stated that there are 300 acres of parcels that will be touched by the new water system. Without the new water system, the projected growth in the area would be affected with approximately 20 fewer homes developed annually. Therefore, with the new system over a course of 15 years there will be approximately 500 additional homes in the area. In terms of property tax revenue, the project comes out to a net positive over time. Commissioner Rhinhart asked if the houses will pay more taxes than the industrial properties in the area. Mr. Morgan stated that is true.

Commissioner Rhinhart stated that he is concerned about the County spending money for this project when there are other areas that could use assistance, like Hermiston. He feels the Hermiston area has some of the best industrial developable land in the country and he doesn't understand why we are giving the tax dollars away. He added that Pendleton has over 480 houses for sale right now.

Mr. Morgan stated that the new language including, "private utility provider" is a surprise to him as well because there are no private water providers inside the Urban Growth Boundary. Commissioner Rhinhart asked if the word *private* can be removed. Mr. Morgan stated he would be fine with eliminating the word from the request.

Commissioner Royer asked about timeframes on when they plan to develop the area. Mr. Morgan stated that they are currently in the design phase and plan to get it out to bid by the winter of 2018 with a goal of completing the project in early 2020.

Public Agencies: No Comments.

Chair Danforth closed the hearing for deliberation.

DELIBERATION

Commissioner Williams made a motion to recommend approval to the Board of Commissioners of Umatilla County Development Code Text Amendment #T-18-076, City of Hermiston, applicant amending the language to remove the word *private* so approval only applies to City or public utility municipalities. The motion was seconded by Commissioner Wysocki. Motion passed with a vote of 6:0.

ADJOURNMENT

Chair Danforth Adjourned the meeting at 7:04 p.m.

Respectfully submitted,

Tierney Dutcher
Administrative Assistant