

ORDINANCE # 84-02

UMATILLA COUNTY
STATE OF OREGON

AN ORDINANCE CO-ADOPTING THE REVISED CITY OF HERMISTON COMPREHENSIVE PLAN, ORD. 1505, AND ZONING ORDINANCE 1504, WHICH THE CITY ADOPTED ON 9 APRIL 1984, AND REZONING THE OREGON STATE HIGHWAY DIVISION GRAVEL PIT SITES ON HIGHWAY 395 AND THE OLD RIVER ROAD TO THE CITY'S M-2, HEAVY INDUSTRIAL ZONE, AND FORMALLY DESIGNATING THE U.S.G.S. 1969 "FLOOD PRONE AREA" MAP AS THE OFFICIAL, INTERIM 100-YEAR FLOODPLAIN MAPPING FOR THE UMATILLA RIVER IN THE HERMISTON VICINITY, AND THEREBY AMENDING THE UMATILLA COUNTY COMPREHENSIVE PLAN AND THE DEVELOPMENT ORDINANCE

WHEREAS, The City of Hermiston's Comprehensive Plan and Development Regulations were co-adopted by Umatilla County as Ord. 83-07 on 20 September 1983, for application within the Hermiston Urban Growth Area (UGA); and

WHEREAS, The Hermiston Planning Area Joint Management Agreement (JMA) was approved that same day; and

WHEREAS, The City, assisted by their planning consultants, Cogan and Associates, of Portland, have revised their Comprehensive Plan and Zoning Ordinance in response to LCDC recommendations in order to bring their planning program into compliance with the state-wide planning goals; and

WHEREAS, Section E-10 of the J.M.A. establishes procedures for county co-adoption of revisions to the Plan and Development Regulations so that they may be applied within the U.G.A, which remains under county jurisdiction; and

WHEREAS, A co-adoption public hearing was set and held by the Umatilla County Planning Commission on Thursday, 19 April 1984, at 7:30 p.m., in the County Courthouse, for which legal notice was published in the East Oregonian on 7 April, 1984, and in the Hermiston Herald on 11 April 1984; and

WHEREAS, A co-adoption public hearing was set and held by the Umatilla County Board of Commissioners on Wednesday, 25 April 1984, at 1:15 p.m., in the County Courthouse, for which legal notice was published in the East Oregonian on 14 April 1984; and

WHEREAS, Steve Randolph, County Coordinator prepared memos summarizing the revisions and enumerating the two related zone changes and the floodplain mapping designation the County needed to accomplish, which constitute attachments A, B and C to this Ordinance; and

WHEREAS, No adverse public testimony was received either at or prior to the hearings; and

WHEREAS, Both the Planning Commission and City Council concurred with the findings

of the Hermiston City Council that the revisions would comply with the Statewide Planning Goals, and with the recommendations of Mr. Randolph that the revisions would be consistent with the County Comprehensive Plan; and

WHEREAS, Both the Planning Commission and Board of Commissioners agreed that the proposed floodplain map designation was necessary to protect lives and property via implementation of the Flood Hazard Overlay Zone along the Hermiston stretch of the Umatilla River; thereby fulfilling State Goal 7, Natural Hazards and complying with the National Flood Insurance Program; and

WHEREAS, Both the Planning Commission and Board of Commissioners agreed that rezoning the Oregon State Highway Division gravel pit sites from Future Urban FU-10, F-1, and F-2 to the City's M-2, Heavy Industrial Zone, was necessary and desirable since the FU-10 zone does not allow gravel pits and since the city's new gravel pit standards provide for buffering and operational limitations that should mitigate many negative impacts on adjoining urbanizing properties,


NOW THEREFORE,


IN FULFILLMENT OF THE HERMISTON PLANNING AREA JOINT MANAGEMENT AGREEMENT, THE UMATILLA COUNTY BOARD OF COMMISSIONERS DOES HEREBY ORDAIN THAT:


1. The revised Hermiston Comprehensive Plan Ord. #1505, attachment D, is co-adopted and amended into the Umatilla County Comprehensive Plan, thereby replacing the earlier co-adopted Comprehensive Plan Ord. # 1482, for application within the Hermiston UGA; and
2. The revised Hermiston Zoning Ordinance #1504, attachment E is co-adopted and amended into the Umatilla County Development Ordinance, thereby replacing the earlier co-adopted Zoning Ordinance #1480, for application solely within the Hermiston UGA; and
3. The USGS "Map of Flood Prone Areas," issued in 1969 for the Hermiston 7.5' quadrangle, is designated as the interim 100-year floodplain mapping for the Umatilla River between the new Hermiston sewage treatment plant and the confluence of Butter Creek, thereby putting into effect the Flood Hazard Overlay Zone of the Development Ordinance for this stretch of the River, (Map Attachment H); and
4. The Oregon State Highway Division's existing and future gravel pits, described as follows, are re-zoned to the City of Hermiston's M-2, Heavy Industrial Zone, to better conform with the Hermiston Plan Revisions.
 - A. Site at Highway 395 and S. Airport Road: (Map attachment F)
TL 500 of 4N 28D, 40 acres (now F-2)
TL 3400 of 4N 28A, 35.17 acres (now F-1)
 - B. Site on Old River Road across from new sewage treatment plant: (Map attachment G) TL 201 of 4N 28 03B, 40.18 acres (now FU-10)
5. An emergency is declared to exist in order to submit the co-adopted revisions to LCDC as soon as possible.

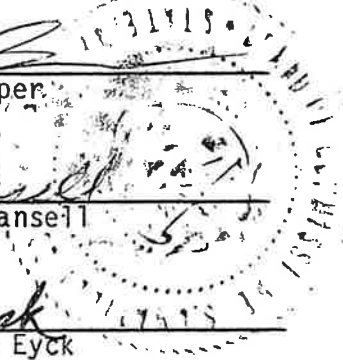
APPROVED This 21ST day of May 1984.

UMATILLA COUNTY BOARD OF COMMISSIONERS



Chairman A.L. "Bud" Draper



Vice-Chairman William Hansell



Commissioner Robert Ten Eyck



ATTEST:


J. Dean Fouquette, Sr.
Umatilla County Recorder





Steve Randolph, *Planning*, Umatilla County Planning Coordinator
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April 23, 1984

TO: Board of Commissioners

RE: Hermiston Comprehensive Plan Revisions

INTRODUCTION: The city has added or improved inventories, modified policies, and made one Plan Map change in response to the DLCDC Staff Report. A summary of the changes is itemized below.

PLAN MAP CHANGE: In response to objections by the Oregon State Highway Division, the city has re-designated land they own across Old River Road from the new sewage treatment plant from "Future Residential" to "Future Industrial." The site includes a couple of abandoned rock quarries, and the state bought the property for a future aggregate source for highway construction and repair. This is not an ideal location since adjoining land to the north and east is designated for residential use by the city and county plans. However, Hermiston's new gravel pit standards provide for buffering and operation limitations to protect residential development, so, the plan change seems to represent an acceptable, if not ideal, compromise.

TECHNICAL REPORT: Growth and Urbanization

- Upgraded land use inventory of Urban Growth Area.
- Improved justification of UGB (600 acres more land than "needed").
- Elaborated on shallow aquifer pollution problem.
- Added justification of including Cook Industrial tract in UGB, with emphasis on the uniqueness of its large size, utility availability and transit access (its already in city limits).

TECHNICAL REPORT: Inventories

- Upgraded fish and wildlife information.
- Identified two critical wildlife habitats:
 1. Three acre pond at Elm and E. 10th.
 2. Riparian vegetation along east bank of Umatilla River.
- More information about basalt aquifer.
- Upgraded mineral and aggregate data; included the existing and proposed Highway Division pits on Hwy. 395 and Old River Road.
- Added reference to Umatilla River floodplain mapping.
- Energy efficiency in city facilities.
- Discussion of industrial site size, suitability, and availability.
- Eliminated references to Alumax.
- New information re: Acreage requirements for industry types likely to locate in Hermiston.
- Upgraded information on city water supply.

PLAN OVERALL OBJECTIVES:

ADD: Conserve energy and use renewable energy resources. Also, added a description of the findings/policy/implementing actions format used for each policy.

PLAN POLICIES:

4: Orderly Urban Growth

Findings - Size and location of UGB justified on other factors of Goal 14 rather than just "need" (e.g. man-made and natural boundaries, control development to prevent further close-in ground-water pollution.)
Action - Listing of new Airport Zone, A, in table of zoning for UGA.

7: Natural Resources

Action - Designate identified critical wildlife habitats as Open Space on Comp. Plan and Zoning Map.

8: Water

Action - On-going liason with Department of Water Resources (DWR) to address local water supply problem.
- Support DWR's efforts at local water management.
- Prohibit development using deep wells if such use will result in significant further decline of basalt aquifer.

9: Mineral and Aggregate

Action - Modified M-2, Heavy Industrial zone to include "rock quarries and sand and gravel pits" and establish standards to regulate such uses.
- Designated Oregon State Highway Division aggregate sources on Hwy. 395 and the Old River Road as "industrial."

11 and 12: Air Quality; Noise

Action - City will require compliance with State and Federal air quality and noise standards and will require that new residential development will be protected from excessive noise.

14: Natural Hazards

Information - The Open Space zone, OS, is the city's temporary Flood Hazard Zone.

Action - City will adopt a detailed Floodplain Ordinance after FEMA issues a Flood insurance study.
- Engineer's report and special structural design considerations are required for development on cemented hardpan soils.

15: Energy Conservation

Action - City will provide for solar access protection in development regulations at Plan update.

18: General Industrial Development

Action - City will insure most appropriate development of Cook Tract, via several requirements placed on the property (e.g. retain large parcel sizes, development via the PUD process.)

30: Transportation


Action - City has adopted an ingress/egress ordinance and will use ODOT's "Guidebook for Access Management"

- City is trying to provide for local jobs to reduce the need for commuting.

31: Rail/Air

Action - Protect airport with a special zone.

RECOMMENDATION: In general, I do not believe that the intent of the City's Comp. Plan has been changed by these modifications. Rather, for the most part, they represent a clarification and refinement. Also, there do not appear to be any changes that would conflict with County policies. Therefore, I recommend co-adoption of the City's 1984 Comprehensive Plan Map and Policy Revisions, and ratification of the revisions made to the Technical Report.



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April 19, 1984

TO: UMATILLA COUNTY PLANNING COMMISSION AND
BOARD OF COMMISSIONERS

RE: HERMISTON ZONING ORDINANCE: APRIL 1984 REVISIONS


INTRODUCTION: The following changes have been made in response to the DLCD staff report. Under the terms of the Joint Management Agreement, they are being brought before the County for co-adoption so that they may be applied within the Urban Growth Boundary.

REVISIONS:

1. New Zone: "Airport"(A) which will be applied to the Hermiston Airport site in place of the current "Community Service" zoning; allows all the same uses as the C-2 and M-1 zones, subject to the dimensional standards of the M-2 zone and compliance with Hermiston Airport Master Plan.
2. Historic Preservation: The city will require alterations to historic structures "be harmonious" with the architecture and historic significance of the structure, through their mandatory conditional use process. Also, the Planning Commission can invoke a 120 day delay in issuance of demolition permits to arrange for purchase, relocation, or revision of plans.
3. Development Hazard Zone (DH): Clarifications: Main emphasis on preventing groundwater pollution, also will require an engineering report and necessary structural features for development on "cemented hardpan."
4. Section referring to city adoption of old county zoning in UGA has been eliminated.
5. Community Service Zone (CS): Airports removed from list of allowable uses.
6. Medium-Density Residential Zone (R-2): Neighborhood grocery, convenience, and drug stores, as well as beauty shops are now allowed as conditional uses with size limitations.
7. Multi-family Residential Zone (R-3): Same new conditional uses as R-2.

8. Central Commercial and Outlying Commercial Zone (C-2): Disallows new single-family homes, duplexes, and apartments (eliminates old "pyramid" provisions).
9. Light Industrial Zone (M-1): Eliminates most retail commercial uses from the list of allowable uses (another amendment of old "pyramid" provisions).
10. Heavy Industrial Zone (M-2): Again eliminates most retail commercial uses and adds "sand and gravel pits" as a conditional use.
11. Adds good standards for development, and operation, of sand and gravel pits, and requires reclamation. Several buffering requirements. This is new "Appendix C."

RECOMMENDATIONS: The Revisions listed above represent a positive refinement of Hermiston's Zoning Ordinance, and I can heartily recommend the co-adoption.



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April 19, 1984

TO: Umatilla County Planning Commission and
Board of Commissioners

RE: Necessary County Plan and Zoning Revisions:
Hermiston Urban Growth Area and Vicinity

In addition to co-adoption of city revisions to their Comprehensive Plan and Zoning Ordinance, the County will need to make the following changes

1. Rezone the State Highway Division gravel pits:

- a. Undeveloped site across from sewage treatment plant: from FU-10 to City M-2, Heavy Industrial. City has changed the Comp. Plan designation from "Future Residential" to "Future Industrial"
- b. Developed site across from Airport Road along Hwy 395; site is already designated "Future Industrial"; change from ~~FU-10~~ to City M-2 F1+F2

The City's M-2 zone, with its new sand and gravel pit standards would be the most appropriate present and future zoning for these large aggregate sites. The new City standards address buffering near existing and future residential uses. These changes result from objections by the State Highway Division and supported by DLCDC

2. Formally designate the USGS, 1969, "Flood-Prone Area Map" as the interim mapping for the Umatilla River Floodplain both inside the UGB and outside from the sewage treatment plant upstream to Butter Creek. No flood hazard regulations are presently applied along this stretch of the river due to lack of accurate mapping. DLCDC raised this issue, so using the USGS will be better than nothing. New Corps mapping is expected next year.

FUTURE WORK: (Don't have the time right now)

3. Contact all F-1 and F-2 zoned property owners within UGB to determine which parcels should be zoned EFU-40, and which FU-10.

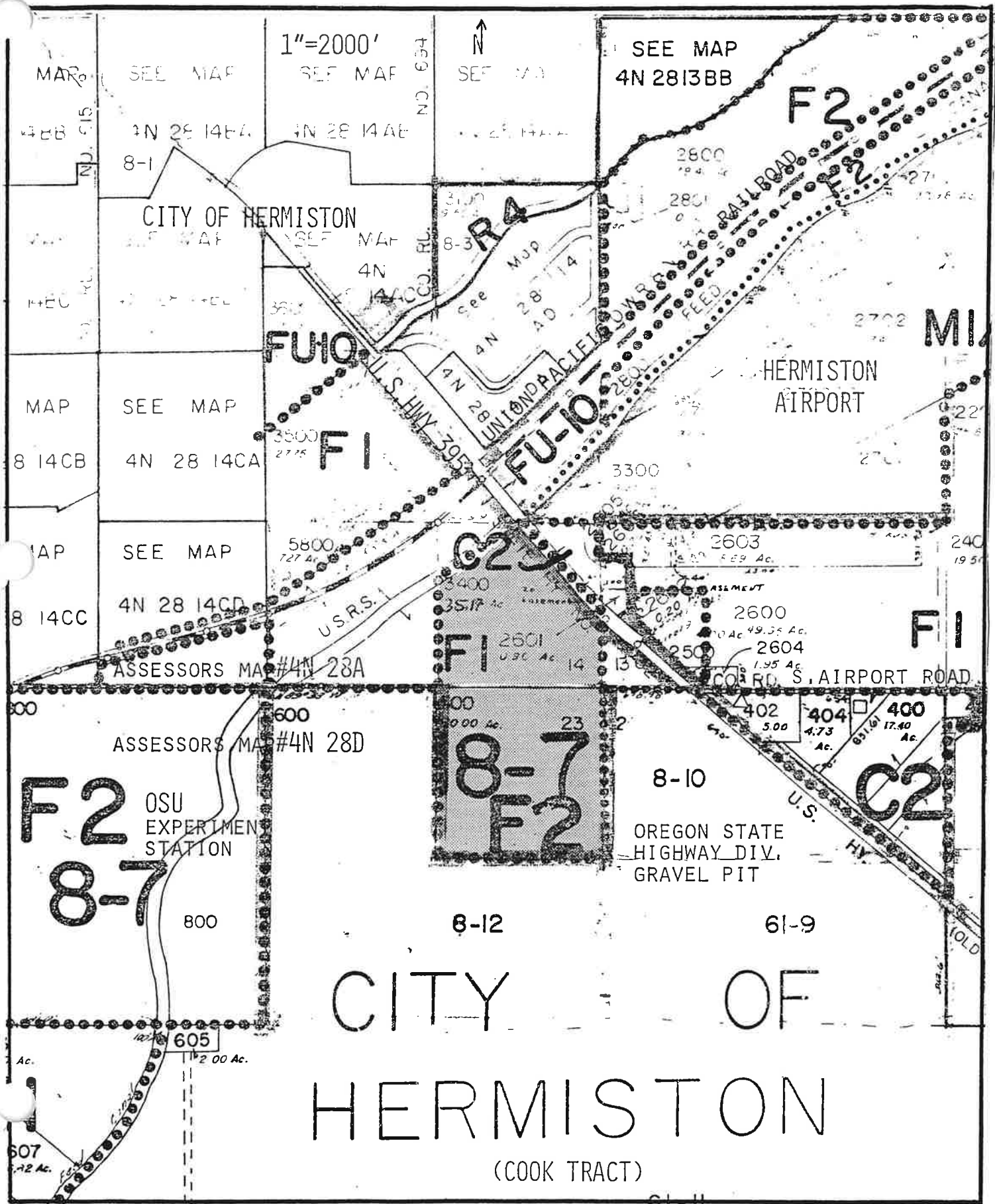
INSERT

UMATILLA COUNTY ORDINANCE 84-02

ATTACHMENT D (Part 2),
Hermiston Comprehensive Plan
Ordinance #1505

ATTACHMENT E
Hermiston Zoning Ordinance #1504

These lengthy documents are contained in the original copy of Ordinance 84-02, as filed and recorded in the Umatilla County Clerk's Office. However, they are not included in this copy of said ordinance. They can be viewed at Hermiston City Hall, the County Planning Department in Pendleton, and at LCDC in Salem.



ASSESSORS MAP #4N 28 03B 1"=400' N

33 34

4

3

201

40.18 Ac.



OREGON STATE HIGHWAY DIVISION
FUTURE GRAVEL PIT

LOT

44.81 Ac

108
1.20



FU-10

106
1.834



8-CAL

202

0.45 Ac.



1100

0.62 Ac.

301

3.00 Ac.

301

200

3.05 Ac.



600

4.30 Ac.

700
3.46



WEST 11TH AVENUE

NO. 602

C-2

UNION PACIFIC RAILROAD

OLD RIVER ROAD

COLUMBIA COUNTY ROAD #1275

RIVER HIGHWAY

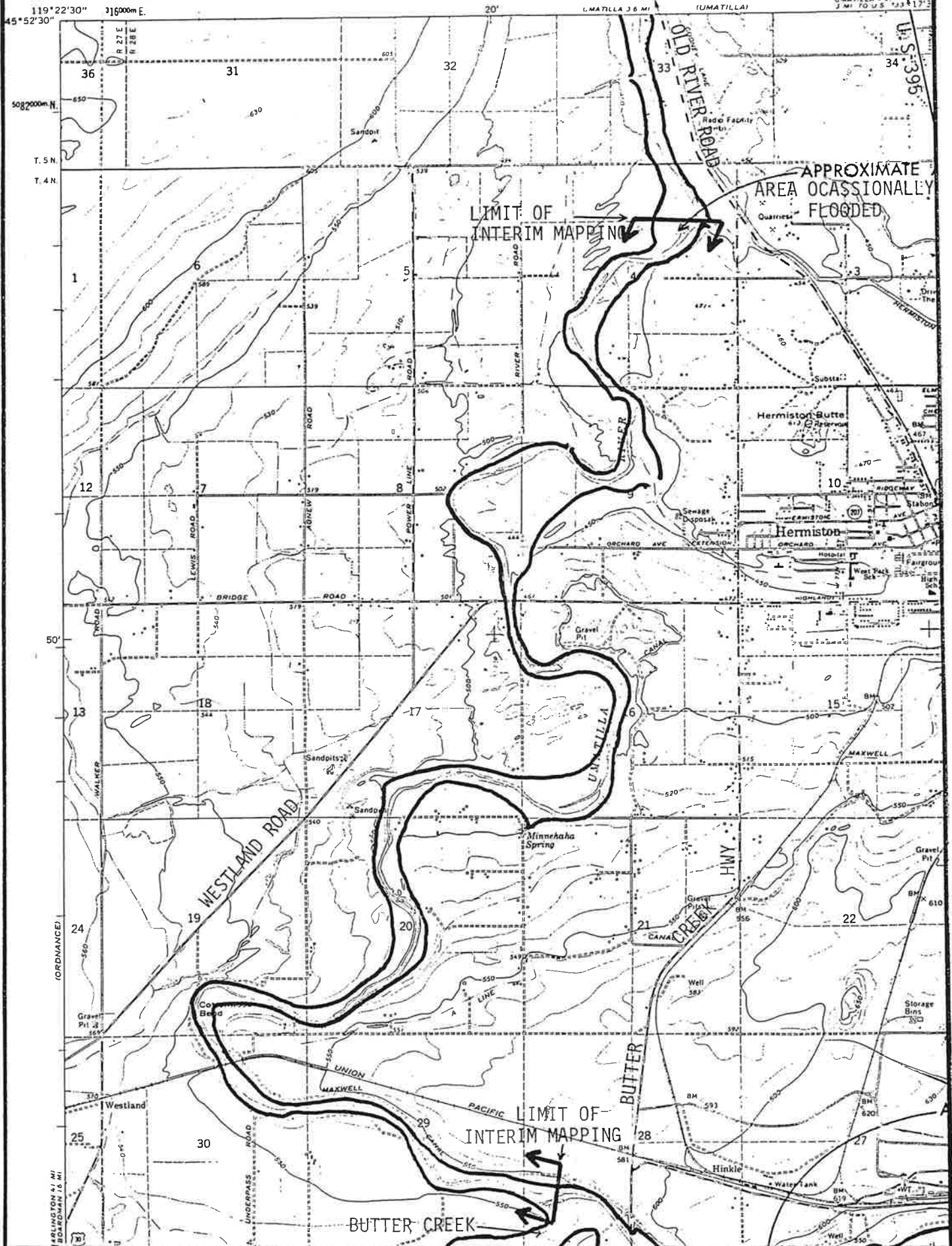
OW.R.R. B

300' 300' 300'

MAP OF FLOOD-PRONE AREAS

1969

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



119°22'30" 316000m E

20'

UMATILLA 3.6 MI (UMATILLA)

UMATILLA 2.4 MI 3 MI TO U.S. 30 17'

45°52'30"

U.S. 30 965

5082000m N

T. 5 N
T. 4 N

50'

(ORDINANCE)

ARLINGTON 4.1 MI
BOARDMAN 10 MI

LIMIT OF INTERIM MAPPING

APPROXIMATE AREA OCCASIONALLY FLOODED

LIMIT OF INTERIM MAPPING

BUTTER CREEK