

1990 MAR 21 A 11: 25

UMATILLA COUNTY, OREGON

ORDINANCE #90-05

CO-ADOPTING CITY OF UMATILLA ORDINANCE #565, AMENDING THE CITY OF UMATILLA COMPREHENSIVE PLAN MAP ALONG DRAPER ROAD IN THE McNARY DISTRICT, AND REZONING THE AFFECTED PROPERTY APPROPRIATELY

WHEREAS, The Port of Umatilla requested the City of Umatilla amend the Comprehensive Plan Map, within the Umatilla Urban Growth Area, for a 270' wide strip along the east side of Draper Road, adjoining McNary Industrial Park, from SINGLE-FAMILY RESIDENTIAL to LIGHT INDUSTRIAL, and

WHEREAS, The City of Umatilla approved this request, #Z-1-90, via Ordinance #565, on 12 February 1990, also requesting that the County re-zone the property from M-2 (County) Heavy Industrial, to M-1 (City) Light Industrial, and

WHEREAS, The City has requested the County co-adopt this amendment for applicability within the Umatilla Urban Growth Area, and

WHEREAS, The County and the City have entered into a Joint Management Agreement to apply City planning and zoning regulations on areas within the Urban Growth Boundary which have not yet been annexed to the City, to carry out the requirements of ORS 197 and 227; and

WHEREAS, The Umatilla County Planning Commission held a duly-advertised public hearing on 22 February 1990, at which neighboring residents objected, and following which the Planning Commission recommended that the County not co-adopt the Comp Plan/Zoning amendment, and

WHEREAS, The County Board of Commissioners held a duly-advertised public hearing on Tuesday, 6 March 1990, at which time the same objections were raised, and following which the Board discussed the objections and the Planning Commission's recommendations, and

WHEREAS, Immediately following their hearing, the Board of Commissioners unanimously voted to accept the decision of the City, and adopt the City's Staff Report as their Findings & Conclusions of Law,

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NOW THEREFORE, BE IT ORDAINED that City of Umatilla Ordinance #565 is hereby co-adopted for application within the Umatilla Urban Growth Area, thereby changing the Comprehensive Plan Map designation on the 270' wide strip of land adjoining the east side of Draper Road, and extending from US Highway 730 north to County Road #650, in the McNary district, from SINGLE-FAMILY RESIDENTIAL to LIGHT INDUSTRIAL, and thereby amending the following Ordinances

#78-01, the initial co-adoption of the Umatilla Comprehensive Plan, and

#83-04, the current Umatilla County Comp Plan, as previously amended.

BE IT ALSO ORDAINED that Sections 3.090-3.095, the M-1 Light Industrial Zone, of the City of Umatilla Zoning Ordinance #554, is hereby co-adopted for application within the Umatilla Urban Growth Area, and the Zoning Map designation for the aforementioned strip of land is hereby changed from M-2 (County), Heavy Industrial, to M-1 (City) Light Industrial, thereby amending the Umatilla County Development Ordinance, #84-03, as previously amended.

BE IT ALSO ORDAINED that an "emergency" exists in order for these amendments to be applicable immediately, so as to conform to the City's action of 12 February 1990.

SIGNED this 15th day of March, 1990.

UMATILLA COUNTY BOARD OF COMMISSIONERS

ATTEST:

William S. Hansell

Chairman William S. Hansell

ABSENT

Vice-Chairman Glenn Youngman

Jeanne Hughes

Commissioner Jeanne Hughes

Joyce Gerdes

Joyce Gerdes,
Acting County Clerk



- Attachment 1: Location Map of Comp Plan/Zoning Map Amendment
- Attachment 2: Copy of City of Umatilla Staff Report adopted by the Board of Commissioners as their Findings of Fact & Conclusions of Law
- Attachment 3: Portions of Umatilla Zoning Ordinance co-adopted for application to affected area

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UMATILLA COUNTY, OREGON
ORDINANCE #90-05
ATTACHMENT 1

Location Map

COMP PLAN CHANGE:

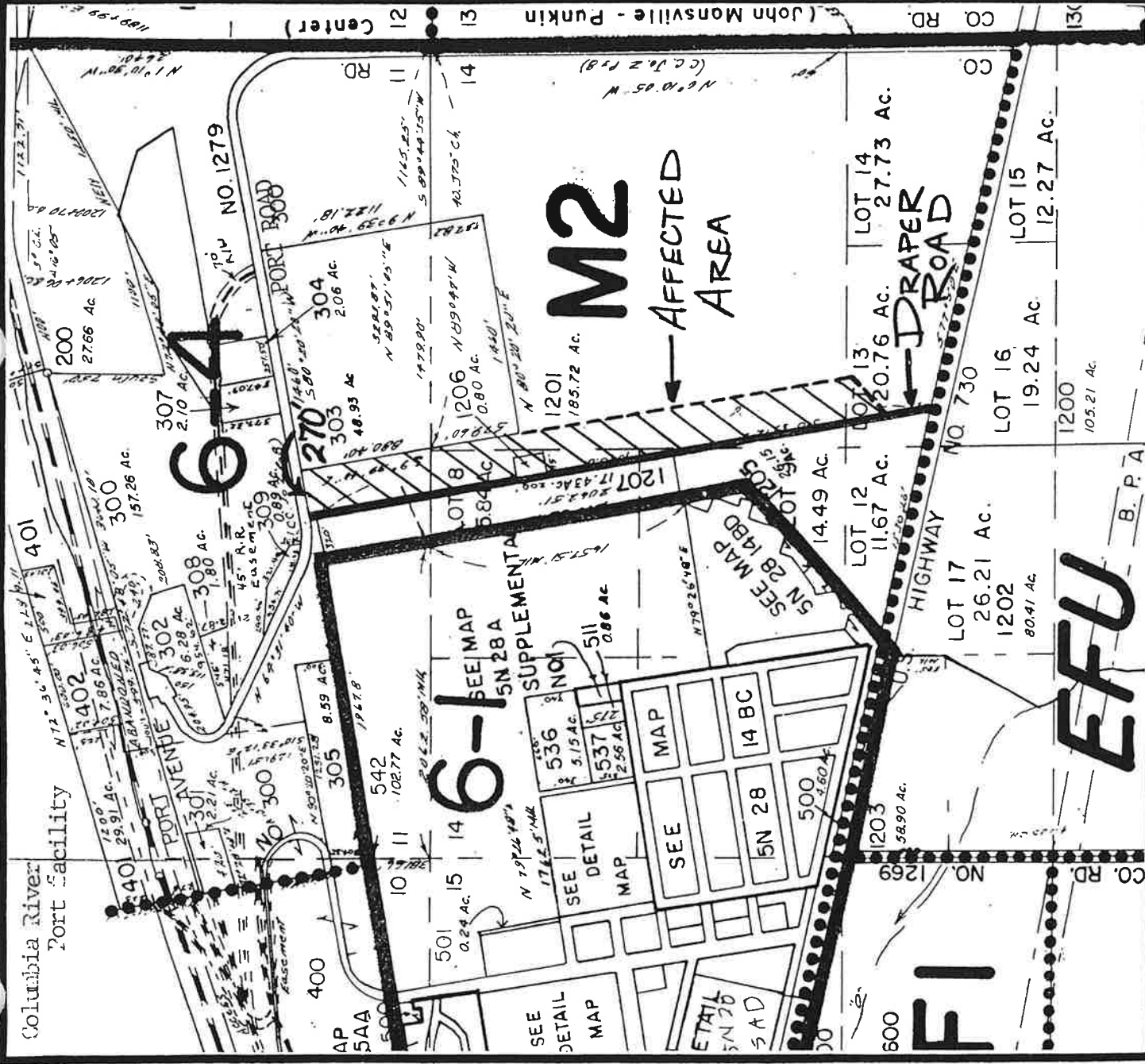
From: Single-Family Resident
To: Light Industrial

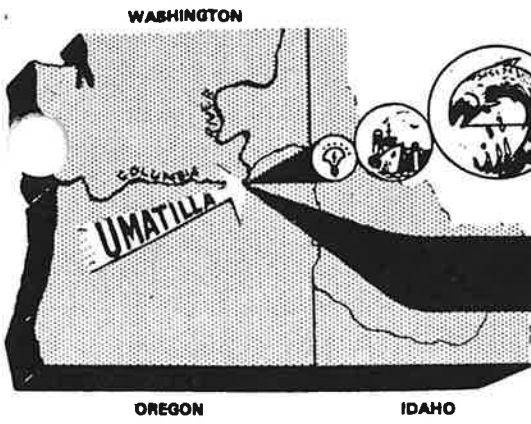
ZONING MAP CHANGE:

From: M-2 (County) Heavy Industrial
To: M-1 (City) Light Industrial

NOTE: This is located in the McNary district of Umatilla

Comp. Plan Zoning Amendment
Ordinance # 90-05
Umatilla Urban Growth Area
SUBJECT PARCEL N
DATE 3-19-90 SCALE 1"=1000'
Umatilla County Planning Dept.
MAP NO. 5128 A





UMATILLA COUNTY, OREGON *A9 4/4*
ORDINANCE #90-05
ATTACHMENT 2: Findings & Conclusions
(contains 25 pages)

City of Umatilla

Hub City For The Columbia River Basin And Pacific Coast

Telephone 922-3226
P. O. Box 130
UMATILLA, OREGON
97882

CITY COUNCIL STAFF REPORT

TO: Umatilla City Council
FROM: Gary Luisi, Umatilla City Attorney
SUBJECT: PORT OF UMATILLA AMENDMENT
COMPREHENSIVE PLAN MAP AMENDMENT
OWNER/APPLICANT: Port of Umatilla and Umatilla County

HEARING DATE: January 22, 1990
LEGAL NOTICE:
January 2, 1990
The East Oregonian

* * * * *

- PART I: REQUEST
- PART II: FINDINGS OF FACT
- PART III: STATEWIDE PLANNING GOALS
- PART IV: ADDRESSING CITY COMPREHENSIVE PLAN POLICIES
- PART V: CONCLUSIONS

PART I: REQUEST

The Port of Umatilla ("Port"), and as agent for the County of Umatilla ("County"), is requesting the City of Umatilla ("City") to approve a Comprehensive Plan Amendment. The affected property ("Site") is located outside the city limits but is located in the City's Urban Growth Boundary ("UGB"), see Map #1. The Site extends east of the city limits from McNary Golf Course and Subdivision Seven for a distance of approximately 600 feet. Draper Road extends north and south through the middle of the Site so that approximately 270 feet of the Site are west of Draper Road and 270 feet are east of Draper Road. The Site involves Tax Lot 1205 and the west 270 feet of Tax Lot 1201. See Map 2.

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This request arises out of the conflict in the land use designation for the Site between the City and the County which both have jurisdiction over the Site. The City's Comprehensive Plan ("Comp Plan") applies to the Site under the terms of a joint management agreement with the County. The County has jurisdiction over the Site because it lies inside the county. The City's Land Use Plan designates the use of the Site as single family residential, see Map 3. The County has zoned the Site as M-2, Heavy Industrial. See Map 4.

Apparently, the County acquired Tax Lot 1205 by tax lien foreclosure. Tax Lot 1205 was part of the McNary Master Plan, proposed Subdivision Eight. See Map 5. With the economic downturn in the early 1980's, the developer was unable to complete Subdivision Eight and the McNary Master Plan.

The Port acquired Tax Lot 1201 on September 19, 1964, from the Bureau of Land Management.

PART II: BASIC FINDINGS

1. Location - The Site is located along the eastern edge of the McNary Golf Course and Subdivision Seven for a distance of approximately 600 feet into the McNary Industrial Park. The south edge of the Site is bounded by U.S. Highway 730. The property is intersected at about its midway point by Draper Road, which runs north from U.S. Highway 730 for a distance of about three-fourths of a mile, where it intersects with County Road #1279.

2. Existing and Adjoining Uses - Tax Lot 1205 is adjacent to the east edge of the city limits and the west edge of Draper Road. West of Tax Lot 1205 is the McNary Golf Course and single family residences in Subdivision Seven.

The west 270 feet of Tax Lot 1201 are along the east edge of Draper Road. The northern portion of this area is used for stacking logs by Forest Recovery Inc. The J-M Manufacturing plant is located east of this log pile in Tax Lot 303. Oregon Dehydration Inc. is located about midway between Tax Lot 303 and Highway 730 and about 270 feet east of Draper Road. Except for the logs piled by Forest Recover Inc., the Site is not being used.

3. Urban Growth Area Joint Management Agreement - The City and the County entered into a joint management agreement for that

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area of land extending from the Umatilla city limits to the City's Urban Growth Boundary as referenced and mapped in the City's Comp Plan, see Map #1. Under the Joint Management Agreement, the County retained responsibility for land use decisions and actions affecting the urban growth area. In order to promote consistency between City planning efforts and County land use decisions and actions affecting the urban growth area, the County incorporated into the County Comp Plan that portion of the City's Comp Plan which addressed the urban growth area.

4. Comprehensive Plan - The City's Comp Plan was adopted on December 19, 1977, and acknowledged by LCDC on February 10, 1978. The City adopted its Periodic Review Order on September 21, 1987, which was accepted by LCDC on or about January 8, 1988.

The County Development Ordinance, adopted on June 12, 1985, and most recently amended on March 3, 1988, zones the Site as M-2, Heavy Industrial.

5. Applicable Law - Under Baker v. City of Milwaukie, 271 Or 500, 533 P2d 772 (1975), the Oregon Supreme Court has held that once a city has adopted a comprehensive plan, it must effectuate the plan and may not enforce zoning provision in conflict with the plan.

6. Buildable Lands for Housing in the City Limits and UGB

Lots Needed For Housing	Lots Available For Housing
Single Family 1,315	985 (deficiency 330)
Mobile Homes 630	631
Multi-Family 794	827

Based on 20 year population projection to 2006. (See attached Appendix I for discussion of how these figures were computed.)

7. Roads - The Site is served by Draper Road, a county road, running north from U.S. Highway 730 to County Road #1279, a distance of approximately three-fourths of a mile. It is a modern, two-lane paved road. It is a major arterial for the McNary Industrial Park.

8. Public Facilities and Services - Although outside the city limits, the Site is served by city water and sewer. The City's Golf Course Well is located on Tax Lot 1206, see Map #2. The recent construction of the Oregon Dehydration plant extended the City's sewer and water mains across Tax Lot 1205 and the west 270 feet of Tax Lot 1210.

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PART III: STATEWIDE PLANNING GOALS

1. Citizen Involvement - Before a decision is rendered on this land use request, a public hearing must be held before the City Planning Commission. Notice of the hearing is given by publication in The Hermiston Herald newspaper and by mailed notice to all adjacent property owners within 250 feet of the Site. There are no local, state and federal agencies expected to be affected by the request.

2. Land Use Planning - The City's Comp Plan outlines the procedures and standards to be used for consideration of this land use request. The relevant provisions are:

"IMPLEMENTATION

"To be effective, the Comprehensive Plan must not only be adopted, but must be regarded by the Planning Commission and City Council as expressing their views on the future growth and development of the community.
* * *

"ZONING

* * * * *

"* * * Changes to the * * * comprehensive plan (sic) can be requested and will be reviewed, but the burden of proof is upon the one seeking the change. The requested change must be justified by proof that:

"(a) The change is in conformance with the comprehensive plan (sic).

"(b) There is a public need for the requested change.

"(c) The public need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

"(d) Proof of change in a neighborhood or error in the original comprehensive plan or ordinance are additional relevant factors to consider.

"(e) The potential impact upon the area resulting from the change must be considered; the greater the impact, the greater the degree of justification.

"(f) If other areas have been previously zoned the classification which is sought, the proponent must show why it is necessary to introduce that zone into an area not previously contemplated." (Footnotes omitted.)

3. Agricultural Lands - The Site is located in an approved UGB, so this goal does not apply to the request.

4. Forest Lands - This goal does not apply to the request because the Site is located in an approved UGB.

5. Open Spaces Scenic and Historic Areas and Natural Resources - This goal does not apply to the request since the Site is located in an approved UGB.

6. Air, Water and Land Resource Quality - No negative air and land resource quality impacts are expected.

7. Areas Subject to Natural Disasters or Hazards - The Site does not differ from any other in the eastern part of the State of Oregon with regard to seismic hazard. The Site is not located within the City's flood plain zone.

8. Recreational Needs - No impacts are anticipated on the recreational areas of the City by this request.

9. Economy of the State - Approval of this request would have a slight positive impact of the State's overall economy, by allowing industrial development in an area where sewer and water facilities presently exist.

10. Housing - This goal is of major importance to the request as it would remove land available for single family residential housing. As noted in No. 6 of the Basic Findings above, the City already has a deficiency of 330 lots for construction of single family residences in the city limits UGB. This request would remove an additional 42 acres from land available for construction of single family residences and increase that deficiency.

11. Public Facilities and Services - A good, improved County Road, Draper Road, provides access to the Site. The City water transmission line runs through the Site to the City's Golf Course Well. Sewage disposal is also available to the Site since it has been extended to the onion dehydration plant.

12. Transportation - Adequate road facilities are already in place, and no adverse impacts are anticipated.

13. Energy Conservation - Designation of this Site for either industrial or residential development is efficient in energy conserving because existing public facilities will be utilized.

14. Urbanization - The request will not impact this goal as the Site is located within the City's UGB and is presently served by water and sewage facilities.

PART IV: ADDRESSING CITY COMPREHENSIVE PLAN POLICIES

CITY COMPREHENSIVE PLAN POLICIES: The following goals and objectives of the City Comp Plan are applicable. After each goal or objective is a brief discussion addressing this request.

"CITIZEN INVOLVEMENT

"OBJECTIVE: Employ alternative methods of informing citizens in obtaining their opinions and attitudes on matters relative to the planning "i.e., questionnaires, public hearings and advisory committees" and decision making process."

Notices of the hearing were published in The Hermiston Herald and mailed to all property owners within 250 feet of the Site.

"LAND USE

"OBJECTIVE: Land uses should be located to take advantage of existing systems and physical features, and to minimize development costs."

The Site has existing services available to it: water, sewer, electricity and transportation. Consequently, the start-up of a business in this area would be more economical than starting a business in the urban growth boundary that does not presently have these services. This is also true for residential development.

"OBJECTIVE: Land uses should be situated so as to achieve compatibility and to avoid conflicts between adjoining uses."

The Site is designated in the land use plan as residential single family. Tax Lot 1205 was part of the McNary Master Plan, Map #5. Also, Pendleton Avenue, which is a part of Subdivision Seven, is located in Tax Lot 1205, see Map #5 and Exhibit #6.

Locating industries near residential land use will create conflicts because of noise, emissions, traffic or other activities. Good planning requires a buffer between industrial uses and residential land uses.

"OBJECTIVE: Development should occur in a manner which will encourage qualities of neighborhood identity."

Tax Lot 1205 is part of the McNary Master Plan. Changing it to industrial will adversely impact the neighborhood's identity.

"OBJECTIVE: Opportunities for a variety of land uses should be provided commensurate with population growth."

As already noted, the City has not identified sufficient land available in the city limits and urban growth boundary for construction of single family residences in the 20 year growth period from 1986 to 2006.

"ECONOMICS

"GOAL: To provide for the economic diversification and stability of the area."

The on-site availability of transportation, water, sewage disposal and electricity helps to attract new business because it reduces the start-up costs of locating a new business in the UGB.

"HOUSING

"GOAL: To increase the supply of housing commensurate with population growth, and the people's needs."

The City has a shortage of available lots for construction of single family residences. Further, Tax Lot 1205 was intended to be part of the McNary Master Plan, Map #5. Locating industry next to the Golf Course and to Subdivision Seven would be incompatible with the existing community development because of the noise, emissions, etc.

"URBAN FACILITIES AND SERVICES

"OBJECTIVE: New development should occur in areas where public utilities are available before reaching out into areas that are not served."

The Site has public utilities presently available to it which can be used for either residential or industrial development.

"URBANIZATION

"OBJECTIVE: An urban environment should be promoted which contributes to functional efficiency and visual attractiveness in both public and private properties."

Location of industrial uses adjacent to residential and recreational uses should be avoided. Good planning requires a buffer zone between these types of uses.

PART IV: CONCLUSIONS

1. The request to change the Land Use designation for Tax Lot 1205 should be denied. Tax Lot 1205 is part of the McNary Master Plan. Although the development of McNary is out of business, eventual completion of the McNary Master Plan makes the most sense from a housing point of view.

2. Draper Road forms a man-made division of the Site. To retain the residential designation for the west 270 feet of Tax Lot 1201 makes no sense. That area is developed and committed to industry. Therefore, the west 270 feet of Tax Lot 1201 should be designated light industrial.

CITY OF UMATILLA UMATILLA COUNTY, OREGON

UMATILLA CITY LIMITS: CROSS-HATCHED AREA

COLUMBIA RIVER BRIDGE

33
44

UMATILLA URBAN GROWTH BOUNDARY

RIVER

UMATILLA

MCGARY DAM

1000 DISTRICT #6
3000 DISTRICT #8

HERMISTON

SCHOOL

UMATILLA SCHOOL DISTRICT #6

DISTRICT #8

W-2

UMATILLA URBAN GROWTH

BOUNDARY

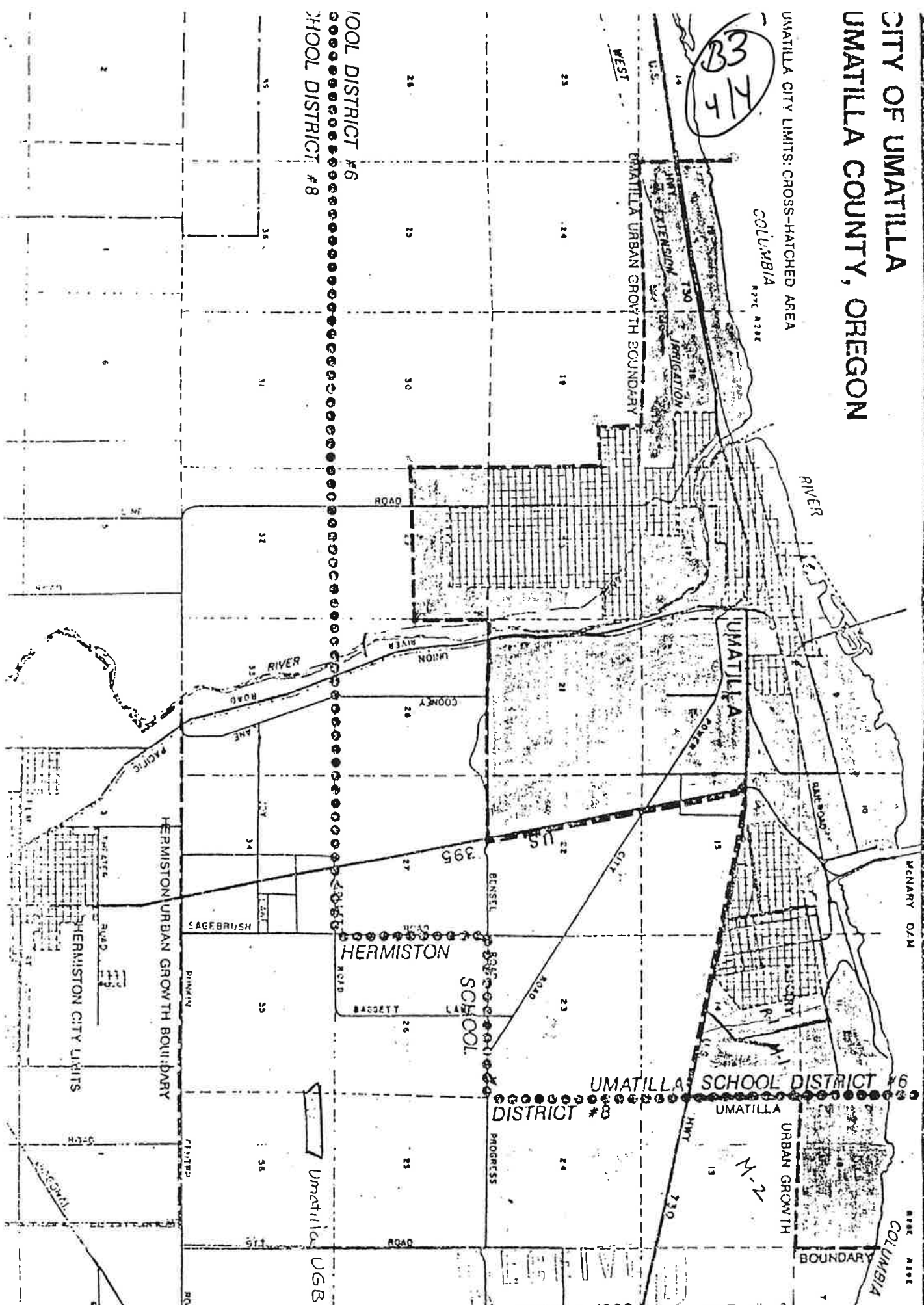
COLUMBIA RIVER BRIDGE

Umatilla UGB

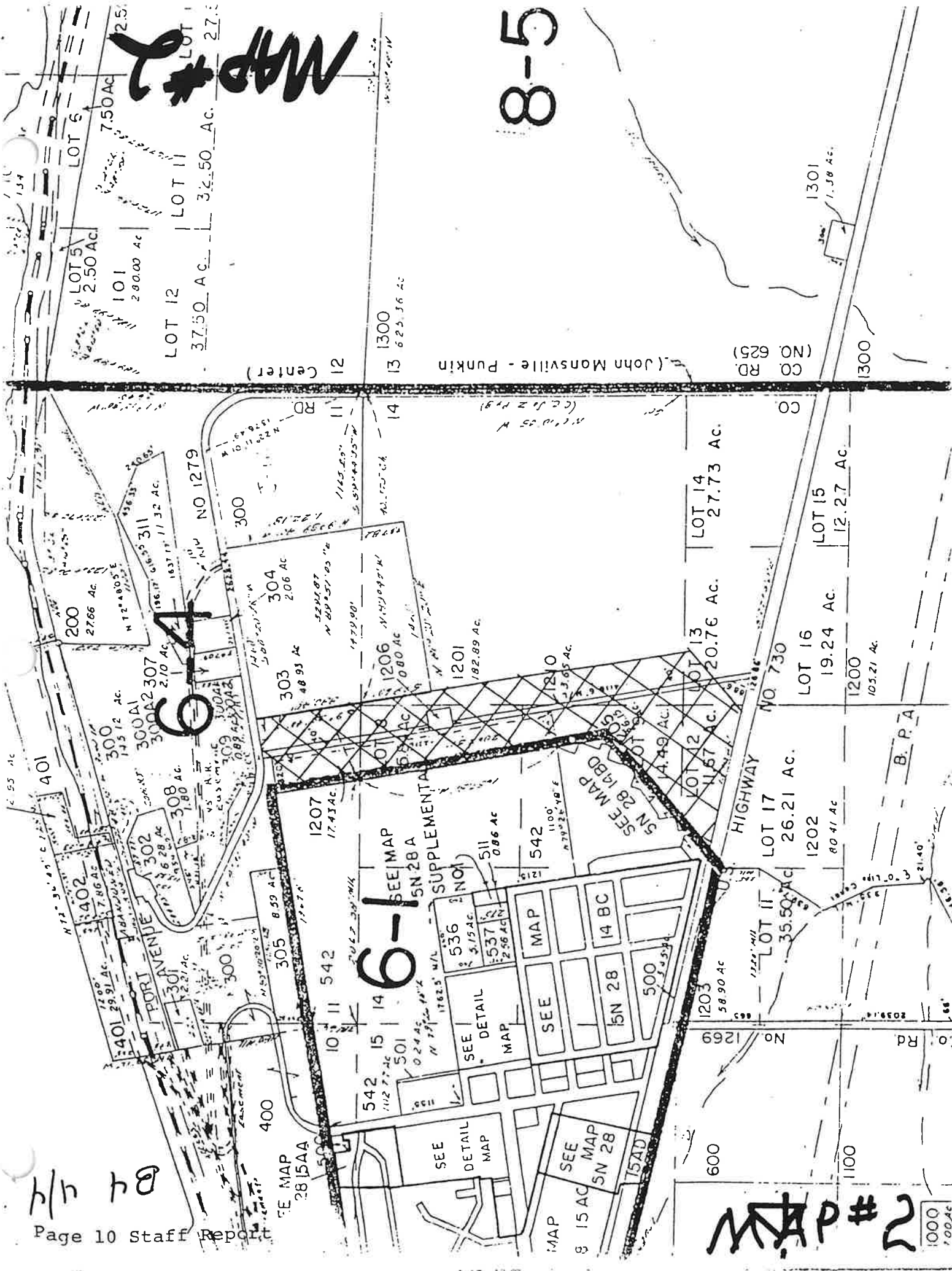
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MAP # 1

MAP # 4



h/h B4



MAP #2

8-5

MAP #2

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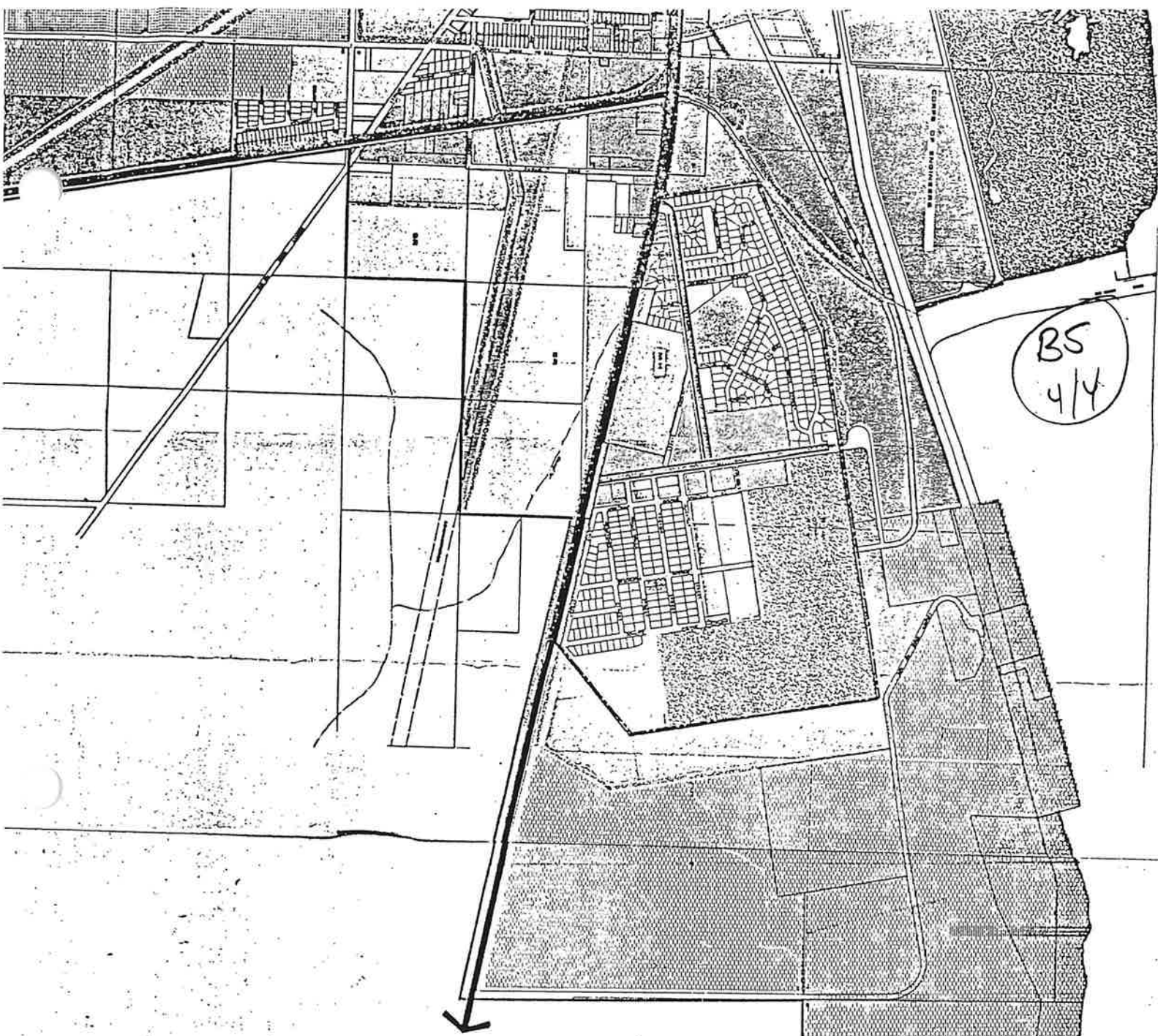
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CITY OF UMATILLA
LAND USE PLAN

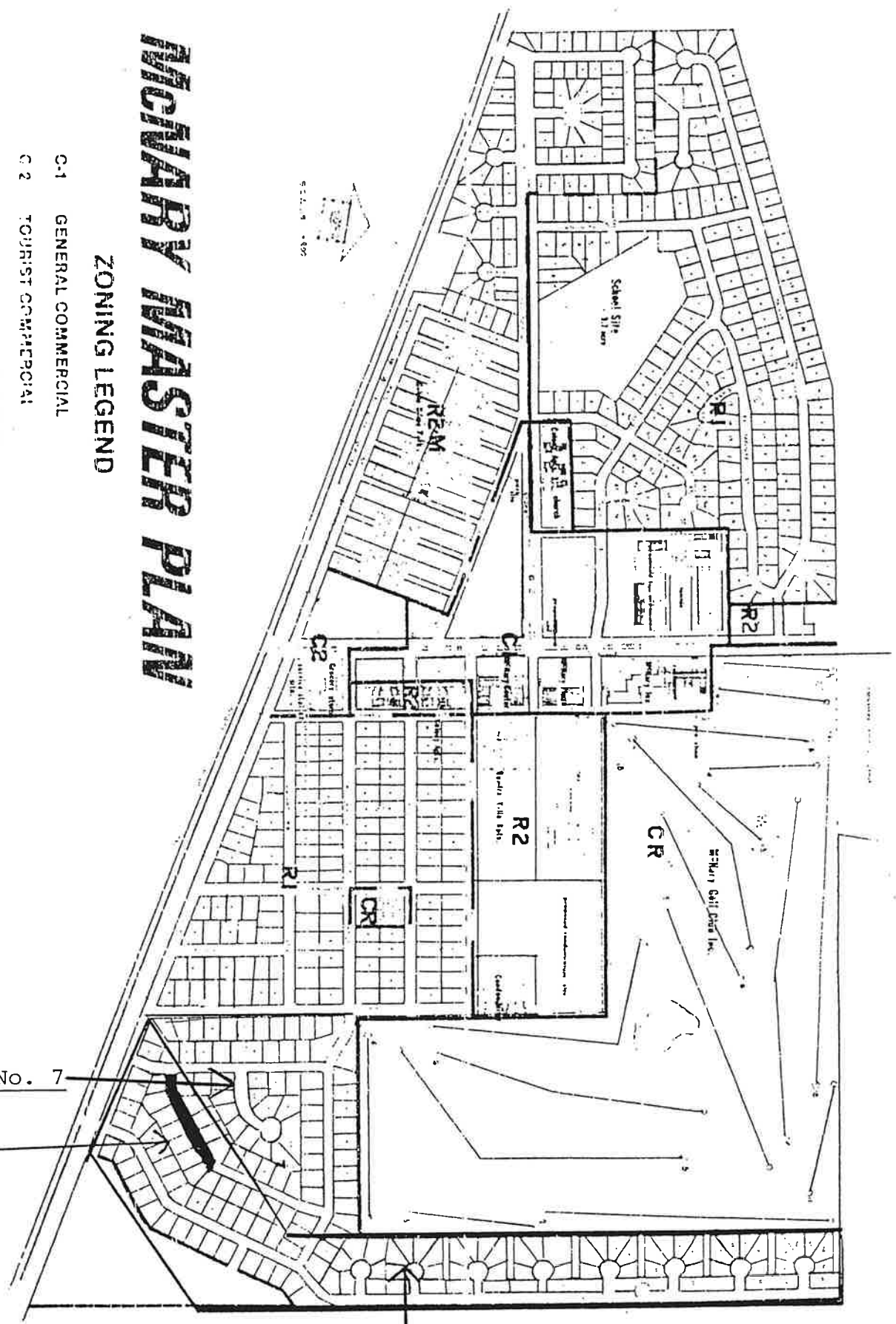
- [diagonal lines] suburban resid.
- [horizontal lines] single family
- [vertical lines] multi-family
- [cross-hatch] mobile homes
- [dots] commercial
- [stippled] light industrial
- [grid] public facilities
- [wavy lines] recreation/open space
- [horizontal lines] natural resources
- [diagonal lines] planned developments

MAP #3

MCWARY MASTER PLAN

ZONING LEGEND

- C-1 GENERAL COMMERCIAL
- C-2 TOURIST COMMERCIAL
- R-1 LOW DENSITY RESIDENTIAL
Single Family or Duplex
- R-2 MULTI FAMILY RESIDENTIAL
Rental Spaces
Single or Double Wide Units
Double Wide Unit Only
- R-2M MOBILE HOME
- C-11 COMMUNITY RESIDENTIAL (FURNISHED PARTIAL)



Subdivision No. 7

Pendleton Ave. Oil-Mat
Surface Improvement

Proposed Subdivision No. 8

MAP # 5



McNary Management Corporation

B8 4/4

July 3, 1978

RECEIVED
OCT 24 1989

Mr. Jack Palmer
City Administrator
City of Umatilla
Umatilla, Oregon 97882

GARY R. LUIS

Dear Jack:

Pursuant to my conversation with Jerry Branton, the City's engineer, and you, McNary Management Corporation will proceed with the extension of Pendleton Avenue through to Naches Avenue in Division 7.

McNary Management Corporation will be fully responsible for construction and maintenance of that part of Pendleton Avenue which will be an "all weather", gravel-oil mat street that will be replaced with a city standard street upon development of further lots in what is presently identified as Division 8 in McNary Management's master plan.

The approximate location of this oil-mat road surface is noted on the attached site plan.

As you know, this surface will be outside the corporate limits until Division 8 is annexed to the City. I anticipate annexation and complete development of Division 8 within a maximum of two years.

Thank you for arranging the work shop session with the City's planning commission.

Yours truly,

Chester D. Yarbrough
Project Manager

CDY:bw

cc: Jerry Branton

Encl.

APPENDIX I

The City completed a Buildable Lands Inventory in 1976 as part of its Comp Plan. During a period immediately following the development and adoption of the Comp Plan, the City experienced a period of extremely rapid growth culminating in almost a 50 percent increase in population by 1980. Since 1980, however, development has all but stopped in the City. During Periodic Review, the residential Buildable Lands Inventory was updated and the following acreages of residential lands are currently available within each residential plan designation within the City and the UGB.

R-1	226 acres
R-2	49 acres
R-3	23 acres
M-H	109 acres

The City developed its housing mix assumptions in 1977 and based those assumptions on the distribution of housing in the City as it existed in 1977. The City continues to use those same housing mix assumptions as follows:

Single Family Dwellings (R-1)	48 percent
Mobile Home (M-H)	23 percent
Multi-Family (R-2 & R-3)	29 percent

These housing mix assumptions were then utilized to determine the projected housing needs projections for the City during the planning period from 1986 to 2006. The City and the County have agreed to a 20-year population projection for the City during that period of 11,200. Both the City and County plans have been acknowledged with that population projection understood.

Using the housing mix assumptions, the City's housing needs projections can be obtained.

HOUSING NEEDS PROJECTION BY HOUSING TYPE

Single Family Dwellings	1,315
Mobile Homes	630
Multi-Family Dwellings	794

According to the City's Comp Plan and Periodic Review, the City has 226 acres of vacant buildable land zoned R-1. Utilizing a 20 percent public facilities estimate for street right-of-way, there are 181 net acres available for single family development. The minimum lot size in the R-1 zone is 8,000 sq. feet. Since there are 43,560 sq. feet in one acre, the number of available building lots can be computed as follows:

181 X 43,560 divided by 8,000 yields 985 available

building lots.

Both the City's R-2 and R-3 zones allow multiply family dwellings as a primary use. A total of 71 gross acres are available for multi-family development. Using a 20 percent public utilities factor, there is left 57 net gross acreage. The R-2 and R-3 zones allow approximately one multiple family unit per 3,000 sq. feet of land area. Therefore, the mathematics are as follows:

57 X 43,560 divided by 3,000 = 827 Multiple family dwelling lots available.

There are a total of 109 vacant buildable acres of land remaining in the City and the UGB designated for mobile homes. Again, the 20 percent public facilities is utilized to yield a net acreage of 87 acres. The minimum lot size for mobile homes is 6,000 sq. feet for individual mobile home units. Mathematics are as follows:

87 X 43,560 divided by 6,000 = 631 available mobile home lots.

(The above was taken from the City's Periodic Review Order adopted September 21, 1987 from pages 16-22. Quotation marks have been omitted for ease of reading and typing.)

B11 4/4

"Natural Distribution Center of the Pacific Northwest"

PORT OF UMATILLA

505 Willamette Avenue
at McNary Center

Telephone (503) 922-3224
Facsimile (503) 922-5609

P.O. Box 871
Umatilla, Oregon 97882

August 18, 1989

City of Umatilla
Planning Commission
PO Box 130
Umatilla, Oregon 97882

The Port of Umatilla requests that the City of Umatilla Planning Commission approve a Comprehensive Plan Amendment. The proposed amendment would designate an area of land, approximately 270 feet wide on both sides of Draper Road in the McNary Industrial Park, as light industrial. The property is currently designated as residential. The purpose of the amendment is to allow the Port of Umatilla to develop the McNary Industrial Park for industrial and commercial uses.

A map of the subject area is attached. The subject area is approximately 42 acres.

Our proposed change requires consideration of three State Land Use Planning Goals:

Goal 9: Economy of the State

The purpose of Goal 9 is "To diversify and improve the economy of the state." Within the guidelines for planning, we find the following statement, "A principal determinant in planning for major industrial and commercial developments should be the comparative advantage of the region within which the developments would be located. Comparative advantage industries are those economic activities which represent the most efficient use of resources, relative to other geographic areas." We believe the most efficient use of resources is to site industries close to those existing services which are important to them, specifically transportation, water, sewer, and electricity. Draper Road already provides good access to the industrial area. Water, sewer, electricity and natural gas are located near the road. Certainly the most cost-efficient approach to siting new industries is to locate them near these services.

DALE C. CHAPMAN, President

A. CHARLES ROHRMAN, Treasurer

SUSAN D. DAGGETT, Operations Manager

F. K. "WOODY" STARRETT, Vice President

JERRY G. SIMPSON, Member

BYRON L. GROW,

STEPHEN W. GREEN, Secretary

Executive Director, Economic Development

The recent construction of the Oregon Dehydration plant provides an example of how costs increase as services have to be constructed over greater distances. The cost for installation of water lines was \$40.27 per linear foot. Sewer line costs were \$44.74 per linear foot. A cost of \$85.01 was incurred for every foot the building was moved away from the road. These are funds a start-up business rarely has to spare.

Goal 10: Housing

The purpose of Goal 10 is "To provide for the housing needs of citizens of the state." Goal 10 is probably the most important factor of this proposed change, since it would remove land from residential designation. Within the guidelines for implementation, we find the following statement, "Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions." We believe a review of housing projections will demonstrate that this area is not critical to providing housing for the citizens of Umatilla.

When Umatilla's comprehensive plan was adopted in 1977, population projections were far higher than they are now. The following statement was made in the Plan Summary, "The City's population has had rapid growth in the 1970's at an average annual growth rate of 34%. Agri-business, annexation and construction have been the main contributors. Population forecasts for the year 2000 range as high as 16,000 because of new construction, such as Alumax, P.G.E., and the McNary second powerhouse. Increased employment opportunities and secondary business activity will pressure city growth." In 1977, it probably made sense to designate the subject area as residential, since a much higher population was expected. However, this projection has not become fact. Umatilla's population is decreasing. At the March 6, 1989 City Council meeting, during a discussion of water rates, it was noted that the city's population has decreased in the last year from 3,180 to 2,910, an 8% drop. When the comprehensive plan underwent local review in September of 1987, it was stated that only 21 residential building permits had been issued since 1980. It appears that removing a small section of land from residential zoning would not have an adverse affect on housing availability.

Goal 10 also tells us that, "Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density." It further states that, "housing elements of a comprehensive plan should, at a minimum, include: (1) a comparison of the distribution of the existing population by income with the

distribution of available housing units by cost." If the area west of Draper Road were to be developed for housing, the residents would most likely be somewhat affluent. We did a "windshield" survey of two residential neighborhoods in the McNary area that we believe could provide comparable homesites to higher income level homeowners. These areas were along Rio Senda Avenue, and the McNary Townsite, Division 4 Subdivision, which is served by Walla Walla, Pendleton and Naches Avenues, and Naches Court. We found approximately 43 vacant lots in these two areas. The amount of buildable lots in two neighborhoods alone is double the total amount of residential building permits issued for the entire community over a previous 7-year period. Since demand for buildable homesites appears insignificant, we believe there would be no adverse affect on housing availability by changing the comprehensive plan for this area.

Goal 11: Public Facilities and Services

The purpose of Goal 11 is "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development." In the guidelines for planning we find the following statement, "Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired." All of these criteria would be best met by extending industrial services outward from their present boundaries in an orderly and efficient manner.

Thank you for your consideration of our request. We look forward to meeting with you to answer any questions you may have.

Sincerely,

PORT OF UMATILLA



Susan Daggett
Operations Manager

B14 4/4

Planning File No. _____

APPLICATION FOR CHANGE OF ZONE

(Zoning Ordinance #411)

Filing Fee For A Zone Change or Ordinance Amendment is \$100.00

TO: The City Planning Commission/Hearings Officer
City of Umatilla

I/We hereby petition the City of Umatilla for the modification of the Zoning Plan and Code by placing in Zone _____, the following described real property now in Zone _____, a plat of which is attached and made a part of this petition.

I. NAME OF APPLICANT: Port of Umatilla
(Type or Print)

Only the following persons may file. Applicant must indicate under what capacity he is filing by placing (X) in block provided.

- A. The record owner of land
- B. The purchaser under a written contract, give recording number _____ (If unrecorded, attach copy of contract.)
- C. The lessee in possession of the property, with written consent of record owner to make application. (Written authorization must be attached)
- D. The Agent of any of the foregoing, duly authorized thereto in writing. (Written authorization must be attached.)

II. PROPERTY PROPOSED FOR CHANGE OF ZONE

In the spaces provided below (left column), list all the properties proposed for change of zone

It is necessary an attempt be made by you to secure signatures of approval (right column) of owners of the property listed below to indicate their support of your request for change of zone. (Property owners within 200 feet of the subject property)

Type or Print		SIGNATURE
1. NAME OF OWNER <u>Port of Umatilla</u>	Address of property <u>McNary Industrial Park</u>	<u>Susan Daggett</u> Operations Manager
Tax Lot No. <u>1205</u>		
2. NAME OF OWNER <u>Umatilla County</u>	Address of property <u>McNary Industrial Park</u>	<u>William B. Hansell</u>
Tax Lot No. <u>1205</u>		

C1 4/4

RECEIVED OCT 24 1989

409 Walla Walla Street
Umatilla, OR 97882
October 26, 1989

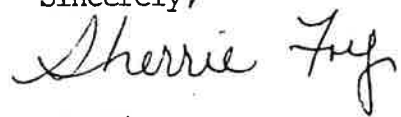
City of Umatilla
Planning Commission
Umatilla, OR 97882

Dear Members:

I am strongly opposed to changing the zoning of the vacant land lying at the East border of McNary Golf Course to 270 feet East of Draper Industrial Road from R-1 to M-1.

I own a home in the 400 block of Walla Walla Street, which is very close to this area, and I do not want a light industrial zone that close to my property.

Sincerely,



Sherrie Fry

NOTICE OF PROPOSED ACTION

C2 4/4

Must be sent to DLCD 45 days prior to the final hearing
See OAR 660-18-020

Jurisdiction City of Umatilla

Date Mailed December 7, 1989 Local File Number _____

Date Set for Final Hearing on Adoption January 22 1990
Month Day Year

Time and Place for Hearing City Council Chamber 7:00 p.m.
910 Sixth St, Umatilla, OR 97882

Type of Proposed Action (Check all that apply)

XX Comprehensive Plan Amendment Land Use Regulation Amendment New Land Use Regulation

Please Complete (A) for Text Amendments and (B) for Map Amendments

A. Summary and Purpose of Proposed Action (Write a brief description of the proposed action. Avoid highly technical terms and stating "see attached".):

Change zoning from residential to light industrial on 270 foot strip of land bordering East side of Bud Draper Road to bring it into consistency with adjoining land. Also, the hearing will address the request to change 5N28A tax lot #1201 from residential to light industrial.

B. For Map Amendments Fill Out the Following (For each area to be changed, provide a separate sheet if necessary. Do not use tax lot number alone.):

Current Plan Designation: R-1 Proposed Plan Designation: M-1

Current Zone: R-1 Proposed Zone: M-1

Location: East and west sides of Bud Draper Road. At the Port of Umatilla Industrial Park.

Acreage Involved: 42 acres

Does this Change Include an Exception? Yes XX No

For Residential Changes Please Specify the Change in Allowed Density in Units Per Net Acre:

Current Density: 5.4 Proposed Density: 4.42

C3 4/4

List Statewide Goals Which May Apply to the Proposal:

Goal 9 Economy of the state
Goal 10 Housing

List any State or Federal Agencies, Local Government or Local Special Service Districts Which may be Interested in or Impacted by the Proposal:

Umatilla County Planning Department

Direct Questions and Comments To

Eve Foote, City Administrator
City of Umatilla
P.O. Box 130, Umatilla, OR 97882
(Phone) 922-3226

Please Attach Three (3) Copies of the Proposal to this Form and Mail To :

Department of Land Conservation and Development
1175 Court Street, N.E
Salem, Oregon 97310-0590

NOTE: If more copies of this form are needed, please contact the DLCD office at 373-0050, or this form may be duplicated on green paper. Please be advised that statutes require the "text" of a proposal to be provided. A general description of the intended action is not sufficient. Proposed plan and land use regulation amendments must be sent to DLCD at least 45 days prior to the final hearing (See OAR 660-18-020).

* * * FOR DLCD OFFICE USE * * *

DLCD File Number _____ # Days Notice _____

<pa>proposedform

C4 4/4

CITY OF UMATILLA
PLANNING COMMISSION MEETING
October 26, 1989

Chairman McClannahan called the public hearing to order at 7:10 p.m..

The first item of the public hearing was a presentation by Sue Daggett, Operations Manager, Port of Umatilla for the comprehensive plan amendment and zone change. Sue's stated that she did not have a formal presentation and for the sake of saving time, the written statement says what needs to be said and that she will address any questions or comments.

Gary Luisi presented the staff report. He stated this request arises out of a conflict in the land use designation for the site between the City and the County which both have jurisdiction over the site. The City's Comprehensive plan applies to the site under the terms of a joint management agreement with the County. The City has jurisdiction because of the approved Comp Plan and Periodic Review. The questions were asked, why do they need to change the residential area when the Port has other areas to develop and are there plans for industry to come in right away? According to the Comp Plan there is a deficiency of residential lots in Umatilla. All changes to the Comp Plan must be met with adequate proof of need. The Staff Report recommendation was to leave tax lot #1205, 270' west of Draper Road as residential with tax lot #1201, 270' east of Draper Road zoned at light industrial.

OPPOSING TESTIMONY: Alan Burke lives next to the area in question. He stated that when he bought his property, he was under the impression that the area was residential. He stated that he understood that Draper Road was built in the wrong place.

Eve Foote, property owner - Stated that she is speaking as a property owner and not as a City employee. She is strongly opposed to the change because this is residential property and she has never seen residential property directly abutted to industrial property. She feels there is a real need to have industrial land in Umatilla but that the problem is economic because the water & sewer lines are in place very close to the residential area. She stated that there are other ways to solve the problem, that in fact the City is working on some ideas to help the port extend those lines. She doesn't believe it is right to be short sighted and go ahead and abut up against the golf course because it will cost a few dollars less right now. She feels the long term effects need to be taken into consideration.

John Smallmon, representing Dale Miller, owner of Umatilla Golf Course. Mr. Miller agrees with the staff report and is not opposed to changing 270' east of Draper Road if the Port is required to provide a vegetation screen.

Rich Leboeuf, property owner - Stated that he is definitely opposed.

DEFENDING TESTIMONY: Sue Daggett stated the Port will accept the 270' west of Draper Road as residential.

Chairman McClannahan closed the public hearing at 8:05 p.m. and immediately thereafter opened the regular planning meeting.

Present: Commissioners Woodward, Stevens, Taft, McClannahan

Commissioner Taft moved to approve the minutes of the previous meeting as presented, seconded by Commissioner Woodward and the motion carried unanimously.

After a brief discussion, Commissioner Stevens moved to keep lot #1205, 270' east of Draper Road as residential and change lot #1201, 270' east of Draper Road to light industrial. Commissioner Taft seconded. Motion passed unanimously.

The question was asked whether Draper Road would remain as industrial and if possibly another road would be put in for residential access. Gary Luisi stated that the question of another road needed to be addressed in a motion and that the developer may address an access road problem when needed. Sue Daggett stated the Port does not have a prospect for the industrial area.

With no further business to discuss the meeting adjourned at 8:17 p.m.

ATTACHMENT 3

PORTIONS OF THE CITY OF UMATILLA ZONING ORDINANCE CO-ADOPTED VIA THIS ORDINANCE

Section 1.060 DEFINITIONS

36. Light Industry. The manufacturing, processing, compounding, packaging or assembling of products, the process of which does not require or create emissions or discharges other than normal sanitary sewage wastes or storage of materials which require permits be issued by Oregon Department of Environmental Quality.

Sections 3.090 through 3.095 LIGHT INDUSTRIAL ZONE (M-1)

LIGHT INDUSTRIAL (M-1)

3.090 USES PERMITTED OUTRIGHT. In an M-1 zone, the following uses and their accessory uses are permitted.

1. Light industrial uses as defined.
2. Automobile service station - retail mini-market facility, subject to provisions of Section 7.020(6) and site plan review approval.

3.091 CONDITIONAL USES PERMITTED. In an M-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Sections 7.010 to 7.040--Conditional Uses.

1. Planned development subject to the provisions of Section 3.110 - 3.113, Planned Developments.
2. Community Service use as provided by Section 3.120 to 3.124--Community Service.
3. Recreational Vehicle Park

3.092 STANDARDS. In an M-1 zone, the following standards shall apply.

1. Buffer Area. If a use in this zone abuts or faces a residential zone, a landscape area of twenty feet (20') along the entire frontage will be required on the side abutting or facing the adjacent zone in order to provide a buffer area. Screening, landscaping or other conditions necessary to preserve the character of the adjacent zone may be required by the Planning Commission to be established and maintained by the property owner.
2. Storage. Materials shall be stored and grounds maintained in a manner which will not attract or aid the propagation of insects or rodents or otherwise create a health hazard.

C7 4/4

3. Fencing. If a fence is used to obstruct storage from view of adjacent properties, the fence shall be of such material and design as will not detract from adjacent residences, shall be free of advertising and shall be constructed according to plans submitted by the Owner or his authorized agent and approved by the Building Inspector. Outside storage in a required yard shall not exceed ten feet (10') in height.
4. Pollution. Any abnormal emission or noise potential will be subject to conditional use procedure in accordance with Section 7.010 to Section 7.040--Conditional Uses.

3.093 YARD REQUIREMENTS. In an M-1 zone, each lot shall have yards of the following sizes.

	<u>Minimum Requirements</u>
Side Yard, Adjacent to Residential Zone	20 feet
Side Yard on Street Side of Corner Lot	15 feet
Or as may be Required by-- Section 3.092--M-1 Standards	
Rear Yard, Adjacent to Residential Zone	20 feet
When a Street is a Zone Separation	15 feet

3.094 HEIGHT OF BUILDINGS. In an M-1 zone, a building shall not exceed a height of 35 feet. Heights over 35 feet will be considered as a variance.

3.095 LIMITATIONS ON USE. A chainlink fence which is made in part with barbed wire may be permitted for the purpose of security when it is not along a sidewalk or public way and is in keeping with Section 3.072--M-1 Standards.

Any fence allowed or required in an M-1 zone shall be at least six feet (6') in height, but may be no more than ten feet (10') in height.