

UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, October 23, 2014
6:30 p.m., Umatilla County Justice Center, Media Room
Pendleton, Oregon

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COMMISSIONERS

PRESENT: Gary Rhinhart, John Standley, Don Wysocki, David Lee,
Randy Randall, Cecil Thorne.

ABSENT: John Standley, Tammie Williams, Suni Danforth.

STAFF: Tamra Mabbott, Carol Johnson., Connie Hendrickson.

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New Hearing:

Chair Randall called the meeting to order at 6:30 p.m. He asked if the Commissioners had reviewed the minutes from the previous hearing and had any corrections or additions. Commissioner Rhinhart made a motion to approve the minutes as written and it was seconded by Commissioner Thorne. The minutes were approved.

Chair Randall opened the hearing and read the opening statement. He identified the hearing topic as Plan Amendment #P-113-14 and Text Amendments #T-14-058 and #T-14-059. He asked if there were any abstentions, bias or conflicts of interest from the Commissioners, there were none.

Staff Report:

Planning Director Tamra Mabbott reported that there were three legislative items before the Planning Commission that had been adopted by the City of Pendleton Planning Commission and the City Council. The three items apply to land inside the urban growth boundary. The joint management agreement between the county and the city states that the county must co-adopt zoning codes and maps that apply within the urban growth area.

Mrs. Mabbott stated that this is part of the City of Pendleton Periodic Review and referred to a map showing what the city was asking the county to co-adopt. The other items are the population projection and Ordinance 3836 (or Exhibit F). The Ordinance will allow the city to encourage residential development inside the city limits and the urban growth area.

Mrs. Mabbott said she had a list of people who called the planning department asking about the public notice they received. The majority of the people asked for clarification about what the city/county was doing and how it would affect them and their property.

Applicant Testimony:

Evan MacKenzie, Planner for the City of Pendleton introduced himself and Tim Simmons, Community Development Director for the City of Pendleton. He said the city is not proposing to change anything at this time. He clarified that the Comp Plan map was

not a zoning map and did not regulate the use of the land. It establishes areas that have general policies.

The population projections were done by the state using the safe harbor calculation. He added that the projections were probably off but told the Commissioners that it did give them a formula to use to make a projection instead of using random numbers.

The Ordinance amendment does not take any property owner rights away. It added a significant amount of flexibility to the zoning ordinance taking uses that were formerly conditional uses and moving them to the permitted use category. This will give property owners more flexibility if they choose to develop their land. Mr. MacKenzie added that there is no new requirement for people to annex into the city. Annexation would be required only if new development was proposed.

Commissioner Rhinhart read from a part of the packet that stated that Pendleton's urban growth boundary includes approximately 8,649 acres and asked if that included the acreage of the city as well. Mr. MacKenzie answered that with the exception of a few parcels around airport hill, there are no areas within the city limits that are outside the urban growth boundary. There is land inside the urban growth boundary that has not been annexed. Most of the Riverside area north of Riverside Avenue is in the urban growth boundary but not the city.

Commissioner Rhinhart asked how many acres of buildable land were in the urban growth boundary and Mr. MacKenzie said he would have to refer the buildable land supply. Commissioner Rhinhart stated that he was concerned about development moving into resource land when there was buildable land within the city limits. He also stated that he disagreed with the population projection which says that the Pendleton's population will grow by 6,000 people in the next 20 years. Another concern was the possibility of moving the urban growth boundary. Mr. MacKenzie said the state told the City of Pendleton that they did not have justification for expansion of the urban growth boundary at this time.

Chair Randall agreed that the population projections for Pendleton were high and that it would not likely grow at that rate but understood that the state required the numbers to be adopted. He asked how many new residential building permits were issued in the last year and Mr. MacKenzie said he would guess somewhere between 10-20 permits.

Commissioner Marlatt said the purpose of the projections were to establish that there is sufficient urban growth area to accommodate the possible growth. Mr. MacKenzie said that was correct and added that even if they did fill in the urban growth boundary they would not likely grow at the density the projections assumed in the various zones. Mrs. Mabbott said the estimate was built on a methodology that is embedded in the Administrative Rule. It might not be accurate but it is the one that the city is required to follow unless an actual census is taken.

Chair Randall asked what was the time frame for another population projection. Mr. MacKenzie answered that he did not have an exact time frame but the state is in the process of going to communities and doing projections. They go by region and Pendleton will be the last region to be looked at. He added that regionally Pendleton's growth is slow so there are not the same pressure issues like those on the west side of the state.

Mr. MacKenzie noted that the city sent 4,568 public notices for their adoption process in April of 2013. Due to the difficulty of moving through Periodic Review quickly, it has taken until now to get to this step for the county's co-adoption. This was approved at the city level in September 2013. He reported that they were unable to adopt the wetland inventory as a part of this package so it will be coming before the Commissioners at some time in the future.

Mrs. Mabbott added that the county mailed 185 notices to land owners outside the city limits but within the urban growth boundary.

Public testimony:

Brenda Daggett, 2719 NE Riverside Avenue, Pendleton, OR 97801. Ms. Daggett asked if the state required this process to be done and Mrs. Mabbott said the state requires the city to complete a Periodic Review. Specifically, the city has to have a current map and zoning ordinance so this is the process the city went through to respond to that requirement. Ms. Daggett stated her concern was that she did not want her property to be annexed into the city but if this was just a process for correcting maps, etc. she did not have a problem with that.

Public testimony:

Steve Mohrland, 72357 Korvala Road, Pendleton, OR 97801. Mr. Mohrland asked for clarification about different colors on the map and what they meant. Mrs. Mabbott gave him a copy of the map which showed the legend that labeled each color and what it stood for. Mr. Mohrland also said he was concerned about the phrase "no change will take place at this time." He asked if they knew when the change would come. Chair Randall answered that generally the changes are due to growth and demand. Nothing is being changed; the state has mandated that the projections and maps, etc. be updated. He added that this process is required by legislature and it was very important for the public to be involved, vote and talk to their state representatives.

Public testimony:

Bill Wohlford, 3909 SW Kirk Avenue, Pendleton, OR 97801. Mr. Wohlford stated that he owned 3.5 acres of land that he wanted to partition and sell to his children. He said it was his understanding that if he partitioned the land it would cause everyone around his property to have to be annexed into the city. Commissioner Rhinhart said those small developments were set up years ago and the City of Pendleton will need look into moving development into those areas rather than moving it out further into the urban growth boundaries. Mr. Wohlford said those properties would have to drill wells and have septic systems. Commissioner Rhinhart said if those properties were annexed into the city they would then be on city water and sewer.

Rebuttal testimony:

Mr. MacKenzie said the state required this but reassured everyone that none of what was being done required any property to be annexed into the city now. He explained that the map being shown was a comprehensive plan map and not a zoning map and detailed what each color stood for. The city is not considering lands outside the urban growth boundary at this point. The only consideration was what was before the Commissioners now.

Mr. MacKenzie clarified that if a land division were proposed it would require annexation by the partitioned property but not the surrounding properties unless there was already an agreement in place with the property owner. He stated that the septic systems being used by the homes in the urban growth area would likely fail in the next 5-10 years and the necessary utility connections at that time would trigger annexation. He added that the property taxes would go up but city water and sewer services are less expensive so property owners would actually save money.

Mr. MacKenzie addressed Commissioner Rhinhart's concern by saying that it was the city's responsibility to urbanize so they don't have to expand beyond the current boundaries which will protect the resource lands.

Chair Randall closed the hearing at 7:10 p.m. Commissioner Rhinhart made a motion to recommend to the Board of Commissioners Plan Amendment #P-113-14 and Text Amendments #T-14-058 and #T-14-059 as submitted. The motion was seconded by Commissioner Lee and passed unanimously.

Chair Randall thanked the members of the community who had come to the hearing and encouraged them to continue to be involved in the process. He announced that this matter would be presented to the Board of Commissioners on November 5, 2014 at 9:00 a.m.

Another item on the agenda was the election of officers but it was decided to wait until a future hearing when there were more Commissioners in attendance.

Chair Randall adjourned the meeting at 7:16 p.m.

Respectfully submitted,



Connie Hendrickson
Administrative Assistant

Adopted by the Planning Commission on December 11, 2014