

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

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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

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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 least 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

Minutes adopted by the Planning Commission on October 25, 2018.