

**UMATILLA PLANNING COMMISSION MEETING
AGENDA
COUNCIL CHAMBERS
OCTOBER 26, 2021
6:30 PM**

1. **CALL TO ORDER & ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF MINUTES**

3.a [August 24, 2021 Minutes](#) *Suggested Action: Approval*

4. **UNFINISHED BUSINESS**

5. **NEW BUSINESS**

5.a [Business Center Replat \(RP-4-21\)](#) *Suggested Action: The applicant, City of Umatilla, requests approval to replat five existing lots to create one single Tax lot. The properties are identified as Tax Lots 3700,3800,3900,4100,4200 on Assessors Map 5N2817BD. The intent of the replat is to create a single lot that meets City standards as well as county assessors' standards for the expansion of an existing commercial building and park space.*

6. **DISCUSSION ITEMS**

7. **INFORMATIONAL ITEMS**

7.a [Community Development Quarterly Report](#) *Suggested Action: Report and discussion - to view online click [HERE](#).*

7.b [Community Development Director Check In](#) *Suggested Action: An update on things happening within the City of Umatilla*

8. **ADJOURNMENT**

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UMATILLA PLANNING COMMISSION MEETING
AGENDA
COUNCIL CHAMBERS
AUGUST 24, 2021
6:30 PM

1. **CALL TO ORDER & ROLL CALL**

Meeting called to order at 6:30 p.m.

A. **Present:** Commissioners; Kelly Nobles, Keith Morgan, Bruce McLane, Jennifer Cooper

B. **Absent:** Heidi Sipe, Hilda Martinez

C. **Late arrival:**

D. **Staff present:** Senior Planner, Jacob Foutz.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF MINUTES**

3.a [July 27, 2021 Minutes](#) *Suggested Action: Approval*

Motion to approve by Commissioner Morgan, seconded by Commissioner Cooper. Motion Carries 4-0.

4. **UNFINISHED BUSINESS**

5. **NEW BUSINESS**

5.a [City of Umatilla Variance V-2-21](#) *Suggested Action: The applicant is requesting a variance that would allow for the construction of an entrance facing a park and not 6th Street as required by Umatilla City Code 10-13-2B3G and 10-4A-7C1A.*

Chair McLane opened the hearing and read into the record the Public Hearing Opening Statement and asked if there was any challenge to jurisdiction, conflict of interests, or ex-parte contacts. Commissioner Nobles stated that his parents sold the building to the City. It was determined that this was not a conflict as there is no benefit to Commissioner Nobles or his family if this application is approved.

Chair McLane asked for the staff report

Planner Foutz gave a brief overview of the staff report and explained more about the business incubator that will be housed there.

Chair McLane asked for testimony. None

Chair McLane called for a motion to close the hearing of V-2-21. Motion to close by Commissioner Morgan. Second by Commissioner Cooper. Motion Carried 4-0.

Chair McLane asked for any comments or deliberation.

Commissioner Nobles stated that he felt like the new business center would be fantastic and asked if the CDD would be moving over to the new building.

Planner Foutz confirmed.

Chair McLane called for a motion to approve V-2-21. Motion to approve by Commissioner Nobles. Seconded by Commissioner Morgan. Motion Carried 4-0.

6. **DISCUSSION ITEMS**

- 6.a **Community Development Quarterly Report** *Suggested Action: Report and discussion - to view online click [HERE](#).*

Due to technological difficulties this report was moved to the next Planning Commission meeting.

7. **INFORMATIONAL ITEMS**

- 7.a **Community Development Director Check In** *Suggested Action: An update on things happening within the City of Umatilla*

Planner Foutz and the commissioners went over the site plan for the new Umatilla business center.

8. **ADJOURNMENT**

Meeting Adjourned at 7:02

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**CITY OF UMATILLA PLANNING COMMISSION
 REPORT AND RECOMMENDATION
 FOR
 REPLAT RP-4-21**

DATE OF HEARING: October 26, 2021

REPORT PREPARED BY: Jacob Foutz, Senior Planner

I. GENERAL INFORMATION AND FACTS

Applicant: City of Umatilla, PO BOX 130, Umatilla, OR 97882.

Property Owners: City of Umatilla, PO BOX 130, Umatilla, OR 97882.

Land Use Review: Replat of Tax Lots 3700, 3800, 3900, 4100, 4200 Assessors Map 5N2817BD.

Property Description: The properties are described as Tax Lots 3700, 3800, 3900, 4100, 4200 on Assessors Map 5N2817BD.

Location: The property lies South of 6th Street and North of 7th Street.

Existing Development: Tax Lot 3900 is land with a building that used to be the post office. Tax Lots 3700 and 3800 are currently developed with an existing park. Tax Lots 4100 and 4200 are not developed.

Proposed Development: The applicant intends to reconfigure the existing lots into one tax lot.

Zone Downtown Commercial (DC).

Adjacent Land Use(s):

Adjacent Property	Zoning	Use
North	Downtown Commercial (DC)	Convenience Store (Fastmart)
South	Downtown Commercial (DC)	Empty Lots
East	Downtown Commercial (DC)	Mexican Restaurant (Donita's)
West	Downtown Commercial (DC)	City Park

II. NATURE OF REQUEST AND GENERAL FACTS

The applicant, City of Umatilla, requests approval to replat five existing lots to create one single Tax lot. The properties are identified as Tax Lots 3700,3800,3900,4100,4200 on Assessors Map 5N2817BD. The intent of the replat is to create a single lot that meets City standards as well as county assessors’ standards for the expansion of an existing commercial building and park space.

The City’s Land Division Ordinance (LDO) does not directly address replat requests, however, Section 11-2-6(A) addresses land division approval criteria. Therefore, the City will process the request subject to the standards contained in Section 11-2-6 of the LDO similar to a subdivision or partition request.

III. ANALYSIS

The criteria applicable to this request are shown in underlined text and the responses are shown in standard text. All of the following criteria must be satisfied in order for this request to be approved.

CITY OF UMATILLA ZONING ORDINANCE

10-4A-7: DEVELOPMENT STANDARDS:

1. Minimum Lot Size and Lot Width; Building Setbacks; Maximum Building Height and Site Coverage:

Minimum lot or parcel size:	
Commercial uses	None
Residential uses	None; density shall comply with R-3 district requirements
Minimum lot width	None
Maximum front or street side yard setback	10 feet; the maximum front yard setback may be increased by 10 feet if the setback is occupied by an outdoor feature relating to the business or public amenity such as seating or artwork
Minimum yard setbacks:	
Front and rear yards	0 feet or 10 feet if adjacent to a residential district
Side yard	0 feet or 10 feet if adjacent to a residential district
Street side yard	1 foot
Parking space	10 feet wide; see chapter 9 of this title for parking standards
Maximum building height	35 feet
Maximum site coverage (building and impervious surface)	95 percent

Findings: The applicant is proposing to replat five existing lot into one (1) lot. All of the existing lots are currently zoned DC. The result of the request will not change the zoning leaving the 1 lot zoned DC. The dimensional standards for the DC zone (Section 10-4A-7) is listed above for reference. The proposed lot will exceed the minimum lot width and depth and area requirements.

Conclusion: The proposed lot exceeds the minimum dimensional standards for new lots located in the DC zoning district.

CITY OF UMATILLA LAND DIVISION ORDINANCE

SECTION 11-2-6: LAND DIVISION APPROVAL CRITERIA:

No plat for a subdivision or partition may be considered for approval until the city has approved a tentative plan. Approval of the tentative plan shall be binding upon the city and the applicant for the purposes of preparing the subdivision or partition plat. In each case, the applicant bears the burden of proof to demonstrate that the proposal satisfies applicable criteria and standards.

A. Approval Criteria: Land division tentative plans shall only be approved if found to comply with the following criteria:

1. The proposal shall comply with the city's comprehensive plan.

Findings: The City of Umatilla's Zoning Ordinance (CUZO) and LDO implement the comprehensive plan goals and policies. If a request is found to meet or be capable of meeting the applicable standards and criteria in the CUZO and LDO the request is considered to be consistent with the comprehensive plan.

Conclusion: The CUZO and LDO implement the comprehensive plan goals and policies. If a request is found to meet or be capable of meeting the applicable standards and criteria in the CUZO and LDO the request is considered to be consistent with the comprehensive plan. This request is found to meet or be capable of meeting all of the applicable standards and criterion in the CUZO and LDO as addressed in this report.

2. The proposal shall comply with the I-82/U.S. 730 interchange area management plan (IAMP) and the access management plan in the IAMP (section 7) as applicable.

Findings: The interchange area management plan (IAMP) extends along U.S. Highway 730 from its intersection with U.S. Highway 395 west to Eisele Drive just west of the U.S. Post Office within City Limits. The properties are not within the IAMP area.

Conclusion: The properties are not located within the I-82/U.S. 730 Interchange Management Area. This criterion is not applicable.

3. The proposal shall comply with the city's zoning requirements.

Findings: The properties are located within the DC zoning district and the applicable City zoning requirements are addressed above. The proposed lots comply with all of the dimensional standards as addressed in this report.

Conclusion: Both of the proposed lots will meet the minimum dimensional standards as addressed in this report.

4. The proposal shall comply with the city's public works standards.

Findings: The City's public works standards are engineered design and safety standards for construction of streets, sidewalks, curbs, water/sewer lines, other utilities and for installation of improvements.

Conclusion: The proposal will result in one (1) lot, no new streets or dedication of public rights of way are proposed or necessary. New connections to City services and installation of sidewalks will be required to meet the City's Public Works Standards in place at the time of the development request.

5. The proposal shall comply with applicable state and federal regulations, including, but not limited to, Oregon Revised Statutes 92, 197, 227, and wetland regulations.

Findings: The CUZO and LDO implement the applicable provision of ORS 92, 197, 227. The subject property does not contain wetlands as shown on the National Wetlands Inventory (NWI) or figure 5-1.2 in the City's Comprehensive Plan. Except as implemented through the City's ordinance, applicable state and federal regulations will be required to be met as a condition of approval.

Conclusion: This request is found to meet or be capable of meeting all of the standards and criterion as addressed in this report, the proposal will comply with applicable state and federal regulations, as implemented through the City's ordinances. The applicant will be required as a condition of approval to comply with all other state and federal requirements.

6. The proposal shall conserve inventoried natural resource areas and floodplains, including, but not limited to, mapped rivers, creeks, sloughs, and wetlands.

Findings: There are no known wetlands, as identified on the NWI, or flood zones on the subject property. The City of Umatilla's Comprehensive Plan does not identify any significant natural resources on the property and there are no known rivers, creeks or sloughs on the property.

Conclusion: There are no inventoried natural resource areas, waterways, water bodies or floodplain areas to conserve on the property. This criterion is not applicable.

7. The proposal shall minimize disruption of natural features of the site, including steep slopes or other features, while providing for safe and efficient vehicle, pedestrian, and bicycle access.

Findings: The subject property is not identified as having slope in Figure 7.1-2 of the City of Umatilla's Comprehensive Plan. There are no other known natural features on the subject property. No streets are proposed as part of this request therefore vehicle, pedestrian and bicycle access will be maintained.

Conclusion: The subject property has no inventoried natural features. No new streets are proposed or necessary to provide access to the site. Therefore, no disruption of natural features will occur as a result the replat request.

8. The proposal shall provide adjacent lands with access to public facilities and streets to allow its full development as allowed by the City's codes and requirements.

Findings: All of the existing lots currently have access to public facilities and street.

Conclusion: The remaining one lot will continue to have access to public facilities and streets.

9. The proposal shall be designed with streets that continue or connect to existing and planned land division plats on adjoining properties. All proposed streets shall comply with standards of this Title and the Public Works Standards.

Findings: The proposed replat will not create a new public street.

Conclusion: The proposed replat will not create a new public street.

SECTION 11-4-5: LOTS:

Lot and parcel size, shape, and orientation shall be consistent with the applicable zoning district and for the type of use contemplated. No lot or parcel dimension shall include the adjacent public right of way.

- A. Through lots with public streets on both front and rear or both sides shall be avoided except when essential to provide separation of residential development from adjacent arterial or collector streets. An easement at least five feet (5') in width shall be located adjacent to the right of way and there shall be no right of access to the major street. A permanent barrier may be required along the right of way, within the easement.

Findings: The created lot will be a through lot as it has access onto both 6th and 7th street. The submitted site plan shows that vehicular access to the property will be taken from 7th street therefore meeting the purpose of this standard to avoid two accesses/access on a major street.

Conclusion: The resulting lot will be a through lot but will not take access off of more than one road.

- B. Lot and parcel side lot lines shall be at right angles to fronting streets or radius to curved streets to the extent practical, in order to create lots and parcels with building sites which are nearly rectangular.

Findings: The proposed lot is rectangular in shape to the extent possible.

Conclusion: The proposed lot will be rectangular in shape and lot lines are at right angles.

- C. Lots shall have a width to depth ratio not to exceed 2.5.

Findings: As shown on the preliminary plat the proposed lot will have a width to depth ratio that does not exceed 2.5.

Conclusion: The proposed lot will have a width to depth ratio that does not exceed 2.5.

- D. All lots and parcels shall have a minimum street frontage on a public street of fifty feet (50'), except that lots or parcels fronting a cul-de-sac or curved street may have a minimum street frontage of forty feet (40'), so long as the minimum lot width required by the zoning district is provided at a distance equivalent to the required front yard setback.

Findings: The proposed lot will exceed fifty feet (50') of street frontage.

Conclusion: The resulting lot will exceed the minimum fifty feet (50') of street frontage.

- E. Flag lots shall not be acceptable for land divisions, but may be approved if the following circumstances apply:

1. For one or two (2) lot land divisions when it is not practical to create or extend a public street or partial public street due to the nature of surrounding development.
2. When topographic conditions or other physical constraints make it impractical or infeasible to create or extend a public street.
3. When the size and shape of the site limit the possible arrangement of new lots or parcels and prevent the creation or extension of a public street.

4. When allowed, the flag portion of a new lot shall have a minimum width of fifteen feet (15') to accommodate a driveway a minimum of twelve feet (12') wide. Two (2) adjacent flag lots may reduce the street frontage and pole width to twelve feet (12') wide, if joint access easements are created and a driveway is provided with a minimum width of twenty feet (20').

Findings: No flag lots are proposed as part of this application.

Conclusion: No flag lots are proposed as part of this application. These criteria are not applicable.

IV. SUMMARY CONCLUSIONS AND DECISION

This request for tentative replat approval meets or is capable of meeting through appropriate conditions of approval the land division requirements of the City of Umatilla's LDO. Therefore, staff recommends this request (RP-4-21) to replat five (5) existing lots into one (1) be **APPROVED** based on the findings of fact and conclusion contained in Section III of this report subject to the conditions of approval contained in Section V of this report.

V. CONDITIONS OF APPROVAL

1. A tentative plat must be submitted to the City of Umatilla, Umatilla County Surveyor and Umatilla County GIS Department for review prior to submitting the final plat.
2. Final plat approval must be obtained and recorded within one year from the date of this approval, as required by Section 11-3-1(A) of the Land Division Ordinance, unless the applicant applies for and receives approval of an extension as specified under Section 10-14-16 of the City of Umatilla Zoning Ordinance.
3. The final plat must comply with the requirements of ORS chapter 92 and the requirements in Sections 11-3-1 and 11-3-2 of the City of Umatilla Land Division Ordinance.
4. If any historic, cultural or other archaeological artifacts are discovered during construction and installation of any required improvements, the applicant/developer shall immediately cease construction activity and notify appropriate agencies including, but not necessarily limited to the City of Umatilla and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR).
5. Failure to comply with the conditions of approval established herein may result in revocation of this approval.
6. The applicant shall submit a copy of the final recorded plat to the City of Umatilla.
7. The applicant shall obtain all federal, state and local permits or licenses necessary to record the final plat.

VI. EXHIBITS

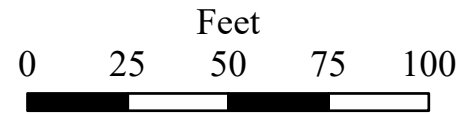
Exhibit A Notice Map

Exhibit B Preliminary Plat



Business Center Replat (RP-4-21)
City of Umatilla, Applicant & Owner
Map: 5N2817BD Tax Lots: 3700,3800,3900,4100,4200
Legend


 Tax Lots before Replat

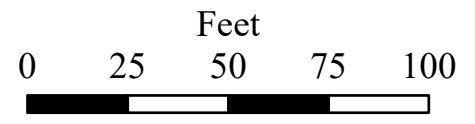


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Business Center Replat (RP-4-21)
City of Umatilla, Applicant & Owner
Map: 5N2817BD Tax Lots: 3700,3800,3900,4100,4200
Legend

 Result of Replat



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