

UMATILLA CITY PLANNING COMMISSION  
MEETING AGENDA

March 27, 2018 - 6:30 P.M.

Umatilla City Hall, Council Chambers

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- I. CALL TO ORDER & ROLL CALL
- II. APPROVAL OF MINUTES: February 27, 2018
- III. UNFINISHED BUSINESS: None
- IV. NEW BUSINESS:
  - A. **Fastrack Replat request RP-1-18:** The applicant, Fastrack, Inc., requests approval to replat three existing lots, Tract E, Tract D and Tract C, within the Virginia's Place subdivision.
  - B. **Fastrack Replat request RP-2-18:** The applicant, Fastrack, Inc., requests approval to replat 56 existing lots within the Orchard Terrace Addition subdivision.
  - C. **City of Umatilla Plan Amendment PA-2-18:** A request by the City of Umatilla to co-adopt Umatilla County Ordinance No. 2017-09 approving an exception to Statewide Planning Goal 11 for a sewer line extension from the City of Umatilla to the Umatilla Army Depot.
  - D. **City of Umatilla Conditional Use CU-2-18 & Site Plan Review SP-2-18:** The applicant, City of Umatilla, requests approval to add an approximately 2,000 square foot storage building on the property. The subject property is located directly south of the police station located at 300 6<sup>th</sup> Street Umatilla.
  - E. **Bunn Conditional Use CU-3-18:** The applicant, Steve Bunn, requests approval to establish a pool hall including similar recreational/amusement services.
- V. DISCUSSION ITEMS:
  - A. Urbanism Next Conference
- VI. INFORMATIONAL ITEMS:
- VII. ADJOURNMENT

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**CITY OF UMATILLA  
PLANNING COMMISSION  
February 27, 2018  
\*\*\*Draft\*\*\*  
COUNCIL CHAMBERS**

- I. CALL TO ORDER:** Planning Commission, Chair, Smith called the meeting to order at 7:02 p.m.

**ROLL CALL:**

- A. **Present:** Commissioners Jodi Hinsley, Ramona Anderson, Kelly Nobles, and Craig Simson, and Chair, Lyle Smith.
- B. **Absent:** Vice Chair, Heidi Sipe
- C. **Staff present:** Community Development Director, Tamra Mabbott, City Planner Brandon Seitz, and Administrative Assistant, Esmeralda Horn.
- II. APPROVAL OF MINUTES:** For January 23, 2018  
Motion to approve minutes for January 23, 2018 by Commissioner Nobles.  
Commissioner Anderson seconded the motion. Voted: 4-0. Motion carried.
- III. UNFINISHED BUSINESS:** None
- IV. NEW BUSINESS:**

- A. **Fastrack Plan Amendment request PA-1-18:** The applicant, Fastrack, Inc., requests an amendment to the City of Umatilla Comprehensive Plan and Zoning Map to change the existing plan map/zoning map from the McNary Center Mixed Use Commercial Zone to the R-1 Single-Family Residential Zone.

Chair, Smith, opened the public hearing for PA-1-18 at 7:06pm. Chair, Smith, read the procedures for the public hearing. Chair, Smith, requested the staff report from City Planner, Brandon Seitz.

City Planner, Brandon, stated the applicant is requesting to amend the City's comprehensive plan and zoning map from the Mixed Use Commercial Zone to the R-1 Single-Family Residential Zone. This application is subject to the criteria in sections 10-11-10D and 10-13-3D of the City of Umatilla's zoning ordinance. This will be a recommendation to City Council for approval since it is a plan amendment. Initially the applicant submitted an application in 2015 to rezone the property from Mixed Commercial Used to R-1 to accommodate a 38-lot subdivision that request was ultimately denied. The applicant resubmitted an application in 2016, application PA-2-2016, and was approved with a 100-foot strip along Willamette remaining Mixed Use Commercial Zone. The subdivision was approved in November 2017 and up to date the applicant has sold or is in contract for 21 out of the 24 residential lots for sale. In 2018 the applicant has already pulled 15 building permits. In order to meet plan amendment criteria, the application needs to be 1) feasible and 2) in the best interest of the City. Ultimately this is a decision to be made by planning commission and then City Council. One thing to consider is our projected need for buildable commercial land is 8.5 acres and there is currently 4.99 acres of vacant commercial land in the

McNary Mixed Use Commercial Zone. However, our buildable land inventory is outdated since we are past the 20-year planning period. The City has 60 acres of commercial buildable land located within the Urban Growth Boundary. The City will maintain an excess of both commercial and residential lands.

Commissioner, Simson, states last time this was brought up City Council rejected their recommendation and they didn't get any follow up as to why.

City Planner, Brandon, states he cannot give input as that was prior to his arrival at the City, but he believes Council wanted Willamette to remain commercial to provide opportunity for commercial development.

Commissioner, Nobles, would like to know if time frame has been given for commercial development opportunity and if there has been commercial interest on that property.

City Planner, Brandon, states that question could be answered by the developer, but since he has been here he has not received any interest for development of those parcels and prior to this developer that piece of property sat vacant for a long time.

Community Development Director, Tamra, states that the recommendation from the PSU student framework plan was that we should focus commercial development in downtown. There is also a high demand for homes in the area, if that had not been the case they wouldn't have sold as fast as they are selling. These homes being build are right at that target market. There is not enough market for both commercial zones to thrive in both McNary and Downtown.

Chair, Smith, opened for testimony;

Jared Faris, 4803 Catalonia Drive, Pasco, WA 99301, corporate officer for Fastrack, and current project supervisor at Virginias Place. States they have had a large amount of interest on the vacant lots from golfers and fishermen that would like a larger lot with a larger garage to be able to accommodate their equipment. They are currently at the 21 pre-sales and have 3 remaining properties for sale. If rezone approved they will accommodate eight more homes.

Commissioner Nobles wanted to clarify that if the rezone is approved homes will not have access on Willamette. Those driveways will be in Miller Loop.

Chair, Smith, asked if there were any public testimony in support of the application. Chair, Smith, asked if there was any public testimony in opposition of the application. Any further comments or questions?

Chair, Smith, called for a motion. Motion to close the hearing by Commissioner Hinsley. Motion was second by Commissioner Simson. Voted: 4-0. Motion carried.

Chair, Smith, thinks this is a great idea to bring homes to our community.

Commissioner, Anderson, states she is pleasantly surprised by the homes and home size for this area. Commissioner Hinsley, concurs.

Chair, Smith, called for a motion. Motion to recommend approval of Plan Amendment PA-1-18 to City Council by Commissioner Nobles. Motion seconded by Commissioner Anderson. Voted: 4-0. Motion carried.

**B. Nobles Street Vacation request SV-1-2017:** A request to vacate that portion of G Street laying south of 8<sup>th</sup> Street and the alley between G Street and the H Street.

Chair, Smith, opened the public hearing for SV-1-17 at 7:25pm. Chair, Smith, read the procedures for the public hearing. Chair, Smith, asked if there are any biases or conflict of interest by any commission member.

Commissioner, Nobles, states he is personally involved and it is his family making request in which he is assisting his father, Clyde.

Chair, Smith, would like to state that with Commissioner Nobles abstaining we still have a quorum and is ready for staff report.

City Planner, Brandon, states the City doesn't have criteria adopted in our zoning regulation for street vacation so the review standards and procedures are contained in Oregon Revised Statue Chapter 271 section 271.005 thru 271.230. This will be a recommendation to City Council. All procedural requirements have been met. Because there are sewer lines within the right of way that will be vacated, we will be requiring the applicant to dedicate a 10' easement to the City for continued maintenance and improvements. Vacating the alley would allow the current property owners to continue their property line. They would not be able to build on it, but would make their property continuous. The Noble family has done due diligence in obtaining signatures for vacating street from at least 2/3 of the property owners within 100' radius as required to be able to submit application. All signatures are enclosed in packet.

Commissioner, Anderson, asked if anyone uses the alleyway.

City Planner, Brandon, states typically only property owners.

Chair, Smith, opened for testimony;

Kelly Nobles, Stephens, Umatilla, OR 97882, representative for applicant his father, Clyde Nobles, 650 Monroe St, Umatilla, OR, 97882. Kelly states as he was getting signatures for the street vacation much of the adjacent neighbors had interest to follow same process as they did. Clyde Nobles could have stopped the signature process to only benefit him, but with permission of the City he continued so on behalf of the neighbors. By vacating the street, he is able to meet setbacks and there is still a 10'triangle that nobody owns and they would possibly be willing to landscape it. While he was out getting signatures, he did have some people approach him with concerns and he encouraged them to attend todays meeting.

Chair, Smith, asked if there were any public testimony in support of the application.  
Chair, Smith, asked if there was any public testimony in opposition of the application.  
Any further comments or questions?

Don Graham, 800 8<sup>th</sup> St, Umatilla, OR 97882, would like to present testimony in opposition to application. Don states he has no major concern with building or adding homes his concern is vacating the street. Vacating the street will create a fire hazard. The fire department has continuously used this alley to put out fires.

Commissioner, Anderson, would like to know if City Planner, Brandon, has contacted fire department to get their input.

City Planner, Brandon, states the Fire Chief has received a copy of notice and has not received a call with any concerns.

Commissioner, Simson, would like to know when the fire happened where did the fire department come in.

Mr. Graham state a fire happens every year and he is not sure exactly but knows the fire department comes in thru the alleyway.

Dondi Bell, 810 8<sup>th</sup> St, Umatilla, OR 97882, would like to know what is going in there what type of housing.

Kelly Nobles stated there will be manufactured duplex homes going in.

Chair, Smith, asked if there were any public testimony in support of the application.  
Chair, Smith, asked if there was any public testimony in opposition of the application.  
Any further comments or questions?

Kelly Nobles states there is a 6' sand cliff that serves as a buffer. He is not sure how the fire department uses the alley because there are two garages and shed blocking the accessway so he is not sure how the fire department used it as access, besides all that area is sand.

Chair, Smith, called for a motion. Motion to close the hearing by Commissioner Simson. Motion was second by Commissioner Anderson. Voted: 4-0. Motion carried.

Commissioner, Anderson, requested City Planner, Brandon, to contact fire chief prior to City Council consideration of the street vacation request.

Chair, Smith, called for a motion. Motion to recommend approval of Street Vacation SV-1-2017 with recommendation from Fire Chief to City Council by Commissioner Hinsley. Motion seconded by Commissioner Simson. Voted: 4-0. Motion carried.

- C. **Umatilla School District Conditional Use CU-1-18 & Site Plan Review SP-1-18:**  
The applicant, Design West Architects, requests approval to add a 2,670 square foot

addition to the McNary Heights Elementary School and a new 7,245 square foot gymnasium.

Chair, Smith, opened the public hearing for CU-1-18 & SP-1-18 at 7:47pm. Chair, Smith, read the procedures for the public hearing. Chair, Smith, asked if there are any biases or conflict of interest by any commission member. Requested staff report.

City Planner, Brandon Seitz, states this is a two-part application CU-1-18 & SP-1-18, they are being submitted together to simplify. Anytime a school or a community service use is expanded they are required to go back to planning commission for review and approval for a conditional use. Site Plan review is also required to make sure they are maintaining City standards. The request will add a gymnasium and administration offices. The application is subject to Section 10-12-1, 10-12-2, and 10-13-2 of the City of Umatilla's Zoning Ordinance. The school is also doing a remodel in the interior of the school. Brandon recommends approval of application since the applicant meets all necessary criteria.

Chair, Smith, called for a motion. Motion to close the hearing by Commissioner Simson. Motion was second by Commissioner Hinsley. Voted: 4-0. Motion carried.

Commissioner, Anderson, asked City Planner Brandon, if gymnasium will be connected to school or will the students have to go outside. City Planner Brandon, confirmed it would be an external pass.

Chair, Smith, called for a motion. Motion to approval CU-1-18 & Site Plan Review SP-1-18 by Commissioner Nobles. Motion seconded by Commissioner Anderson. Voted: 4-0. Motion carried.

## V. DISCUSSION ITEMS:

### A. Mobile Food Vendors – Update

City Planner Brandon, stated no substantial information to report back at this time. We will be getting to it in the future. Most of our time is consumed updating day to day procedures with the new staff and outdated information.

Commissioner, Simson, noted that on Landing Days the chamber is hoping to have Friday night food vendors at the Marina, June 22<sup>nd</sup> and 23<sup>rd</sup>.

### B. Code Enforcement

Community Development Director, Tamra Mabbott, status update. On March 7<sup>th</sup> at 6:30pm there will be a code enforcement board meeting open to the public. Council has asked to streamline the process of code enforcement. We have hired a new attorney that is helping us. The goal is to have the current board have more of an advisory role with citations going to Municipal Court.

Chair, Smith, states the judge was already participating in it and the council moved to

change that process so he hopes that the Council supports her decision.

**C. Moving Meeting**

Moving meeting to 6:30pm already have received a go ahead from Commissioner Sipe, received consensus from the rest of the Commission to proceed with the 6:30pm meeting for March.

**D. Training**

Chair, Smith, would like to request training for the planning commission. City Planner, Brandon, states we have been selected to host the regional planner network meeting. June 19<sup>th</sup> 5-7pm is a two-hour training that is specifically geared to planning commission members and land use planners. It will be held at the City of Umatilla's Council Chambers.

**VI. INFORMATIONAL ITEMS:**

**VII. ADJOURMENT:** Next meeting will be held March 27, 2018 at 6:30pm.  
Meeting adjourned at 8:11 pm.

DRAFT

**CITY OF UMATILLA PLANNING COMMISSION  
REPORT AND RECOMMENDATION  
FOR  
REPLAT RP-1-18**

**DATE OF HEARING:** March 27, 2018

**REPORT PREPARED BY:** Brandon Seitz, City Planner

**I. GENERAL INFORMATION AND FACTS**

**Applicant:** Fastrack Inc., 4803 Catalonia Drive, Pasco, WA 99301.

**Property Owners:** Fastrack Inc., 4803 Catalonia Drive, Pasco, WA 99301.

**Land Use Review:** Replat of three existing lots in the Virginia’s Place Subdivision.

**Property Description:** Township 5N, Range 28E, Section 15AA, Tax Lots 3500, 3600 and 3700.

**Location:** The properties are located in the McNary area along the west side of Willamette Avenue across from the Big River Golf Course.

**Existing Development:** The properties are undeveloped lots within the Virginia’s Place Subdivision.

**Proposed Development:** The replat request would result in six lots for development.

**Zone** McNary Center Mixed Use (MC).

**Adjacent Land Use(s):**

<b>Adjacent Property</b>	<b>Zoning</b>	<b>Use</b>
North	R-1 & R-2	Residences
South	R-1 & MC	Residences and vacant MC zoned lots
East	MC	Big River Gold Course and Quality Inn
West	R-1	Residences and vacant R-1 zoned lots

**II. NATURE OF REQUEST AND GENERAL FACTS**

The applicant, Fastrack Inc., request approval of a replat to create three additional lots. The applicant also submitted a plan amendment application (PA-1-18) requesting the subject properties and Tax Lots 2103 and 2104 be rezoned from the existing MC zoning to Single-Family Residential (R-1). If both requests are approved the result would be eight additional lots for residential development within the Virginia’s Place Subdivision.



The City’s Land Division Ordinance (LDO) does not directly address replat request, 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 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 generally considered to comply with the comprehensive plan.

However, as addressed in the applicant previous plan amendment (PA-2-2016) and subdivision (SUB-1-2017) requests the City identified a need for additional park or recreational amenities to serve the McNary area. The City required as a condition of approval for the subdivision (SUB-1-2017) a \$750.00 impact fee per residential lot applied at the time of issuance of a building permit to be used solely towards the purchase of additional park land in the vicinity, or toward providing additional recreational facilities within existing parks. If the applicant’s plan amendment (PA-1-18) and replat (RP-1-18) request are approved the new residential lots will be required to pay a \$750.00 impact fee at the time of issuance of a building permit.

**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. In addition, the applicant will be required to pay a \$750.00 impact fee for development of each residential lot. However, if the applicants plan amendment request (PA-1-18) is denied the impact fee will not be required for development of commercial lots.

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 subject properties are currently zoned MC. However, the applicant has submitted a plan amendment application (PA-1-18). If approved the plan amendment would rezone the properties from the current MC zone to R-1. The applicant will be required to submit a preliminary plat for review to the City. Planning Staff will review the plat to ensure the request meets the minimum lot area and width as established by the CUZO. The minimum lot area and size are dependent upon the City Councils final decision on the applicants plan amendment application.

The applicant's submitted tentative plan complies with the minimum development standards of the R-1 and MC zone. However, the applicant has indicated that if the pending plan amendment (PA-1-18) is denied this replat request will likely be withdrawn.

**Conclusion:** All land divisions are required to comply with the dimensional standards of the applicable zone. Planning staff cannot review the request for compliance with the minimum lot size requirements until the City has reached a final decision on the applicants plan amendment request. However, the applicants submitted tentative plan complies with the minimum development standards of the R-1 and MC zone. Therefore, a condition of approval is imposed requiring the applicant to submit a preliminary plat for review to the City. Staff will review the plat to ensure compliance with the minimum development standards as well as design and improvement standards required by Sections 11-4-1 through 11-4-6 of the LDO.

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

**Findings:** The City's public works standards are engineering design and safety standards for construction of streets, sidewalks, curbs, water/sewer lines and other utilities and for installation of such improvements. The City has reviewed and approved the engineered construction plans for the existing subdivision. If additional improvements are required the applicant will be required to submit updated engineered plans for all public facilities necessary to serve the additional lots. Section 11-5-4 of the Land Division Ordinance provides the applicant/developer with the option of submitting engineered construction plans after tentative plat approval has been obtained. Engineered plans for all public facilities serving the proposed development will be reviewed by the Public Works Director for compliance with the City's public works standards.

**Conclusion:** This requirement can be met with a condition of approval that the applicant/developer obtain approval of engineered construction plans for all public works and utility facilities prior to starting construction, and to submit final ‘as-built’ drawings after construction is completed, including all necessary inspections prior to the applicant/developer receiving final plat approval.

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 these requirements. If a request is found to meet the applicable criteria of the CUZO and/or LDO the request is generally considered to comply with the applicable state and federal regulations. However, as a condition of approval the applicant will be required to obtain all necessary local, state and federal permits prior to starting construction.

**Conclusion:** As addressed above if a request is found to comply with the City’s criteria of approval the request is generally found to comply with state and federal regulations. However, a condition of approval is imposed requiring the applicant to obtain all federal, state and local permits prior to starting construction.

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

**Findings:** The subject properties do not contain inventoried natural resource areas, wetland or other water bodies as identified in the City’s comprehensive plan. The subject properties are not located in a flood plain.

**Conclusion:** There are no inventoried natural resource areas, waterways, wetlands, 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 properties are part of the Virginia’s Place Subdivision and the properties are generally flat with no distinct or significant natural features. As a result of the previous approval (SUB-1-2017) the applicant has improved the subdivision with streets and utilities for each lot. New sidewalks and utilities required for development of the replat will be reviewed for compliance with the City’s public work standards.

**Conclusion:** The subject properties do not have inventoried natural features as identified in the City’s Comprehensive Plan. Vehicle and pedestrian access will not be affected by the proposed replat.

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:** The request would result in the creation of 3 new lots within the existing

subdivision that has been approved and constructed in accordance with City Standards. The proposed replat would not limit adjacent lands access to public facilities or streets.

**Conclusion:** The adjacent lands have access to public facilities and streets consistent with City standards.

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 properties would be served by an existing street (Miller Loop). The proposed replat would not create new public streets.

**Conclusion:** No streets are proposed. This criterion is not applicable.

#### **IV. SUMMARY CONCLUSIONS AND DECISION**

This request for tentative replat approval of properties 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 approval of this request (RP-1-18) for tentative replat approval to create three new lots within the existing Virginia's Place Subdivision 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 Section s11-3-1 and 11-3-2 of the City of Umatilla Land Division Ordinance.
4. The applicant/developer shall submit engineered construction plans for streets, water, sewer and all other improvements within the street rights-of-way to the City Public Works Director for review and approval. No construction shall begin until the construction plans have been approved.
5. Street trees shall be provided as required by the Land Division Ordinance and shall be required as a condition of approval on each building permit issued for a dwelling within the replat.

6. The applicant/developer must pay a park/recreational facility impact fee of \$750.00 per residential lot to be charged at the time of approval of a building permit for a dwelling on each lot. The City agrees to place all impact fees in a fund and to appropriate these monies solely for the acquisition of new park land or for recreational facility improvements in existing parks within McNary to help meet the increased demand for recreational uses.
7. 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).
8. No building permit for a dwelling will be issued until final plat approval of the replat has been obtained and recorded in the Umatilla County Records Office.
9. The applicant, or applicant's construction contractor, must obtain all federal, state and local permits, including right-of-way permits, prior to starting construction.
10. The applicant shall be responsible for ensuring that all areas disturbed within existing street rights-of-way by construction are returned to their pre-construction condition or better after construction or installation of required improvements.
11. Failure to comply with the conditions of approval established herein may result in revocation of this approval.
12. The applicant shall submit a copy of the final recorded plat of the replat and 'as-built' drawings of all required improvements to the City of Umatilla.

**VI. EXHIBITS** (included as part of this report).

Exhibit A – Notice Map

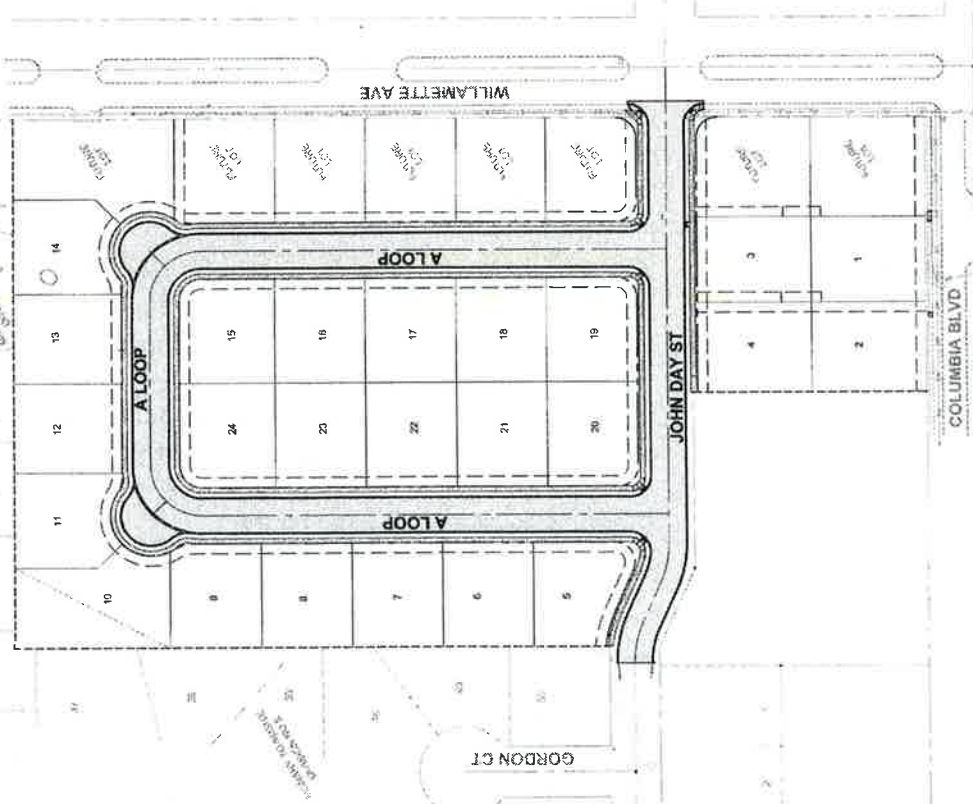
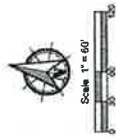
Exhibit B – Tentative Lot Layout



# VIRGINIA'S PLACE

LOCATED IN THE NORTH HALF OF THE NE QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 28 EAST, W.M. CITY AND COUNTY OF UMATILLA, OREGON

## Exhibit B



**GENERAL NOTE:**  
THE CONTRACTOR SHALL SCHEDULE A PRECONSTRUCTION MEETING WITH THE CITY ENGINEER, OR HIS DESIGNATED REPRESENTATIVE, PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY.

1. THE CITY ENGINEER SHALL REVIEW AND APPROVE ALL PERMITS FOR THE CITY OF UMATILLA, OREGON.  
2. A MINIMUM OF TWO BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL CALL THE CITY ENGINEER TO CONSIDER THE CONSTRUCTION OF EXISTING UTILITIES.

CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL PLANS IN ACCORDANCE WITH THE MANUAL ON UNIFORM CONTROLLED CROSSINGS FOR ALL TRAFFIC CONTROL PLAN SHALL BE PREPARED AND SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION ON THE ROAD RIGHT OF WAY DATA ALL APPROVED TRAFFIC CONTROL IS IN PLACE. ALL TRAFFIC SIGNALS SHALL BE MAINTAINED IN AN UPRIGHT AND READABLE POSITION AS REQUIRED OR THE RIGHT OF WAY PERMIT AND SHALL BE ANY ROAD INVOICES ISSUED BY THE CONTRACTORS WORK.

AT THE END OF EACH DAY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND TRAVELING TRAFFIC. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE PROTECTION OF ALL UTILITIES AND TRAVELING TRAFFIC WITH DEVICES APPROVED BY THE CITY ENGINEER. ALL DEVICES SHALL BE MAINTAINED IN AN UPRIGHT AND READABLE POSITION FROM THE RIGHT OF WAY.

GENERAL INSURANCE AND AIR QUALITY CONTROL SHALL COMPLY WITH CITY OF UMATILLA AIR QUALITY CONTROL ORDINANCES, AND THE NOTES AND DETAILS ON THESE PLANS.

ALL ELECTRICAL SYSTEMS, STREET LIGHTS, AND TRAFFIC SIGNALS SHALL BE INSTALLED IN ACCORDANCE WITH THE UMATILLA STANDARD PLANS WHICH IN ANY MANNER AFFECT THE CONDUCT OR SAFETY OF THE WORK.

CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO BEGINNING CONSTRUCTION.

EXISTING UTILITY LOCATIONS ARE APPROXIMATE AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINATION OF THE LOCATION OF UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES TO BE TOLERATED DURING CONSTRUCTION.

CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO BEGINNING CONSTRUCTION.

ARRANGEMENTS SHALL BE MADE WITH RESPECTIVE TO THE CITY ENGINEER, OR HIS DESIGNATED REPRESENTATIVE, PRIOR TO THE START OF CONSTRUCTION.

ANY ARCHAEOLOGICAL FINDINGS SHALL BE REPORTED TO THE CITY ENGINEER, OR HIS DESIGNATED REPRESENTATIVE, IMMEDIATELY UPON DISCOVERY.

IF THE CONTRACTOR DISCOVERS ANY DISCREPANCIES BETWEEN THE PLAN AND EXISTING CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE DESIGN ENGINEER, AND THE CITY OF UMATILLA ENGINEER'S OFFICE.

UPON PROJECT COMPLETION, AS-BUILT DRAWINGS MUST BE SUBMITTED TO THE CITY ENGINEER, OR HIS DESIGNATED REPRESENTATIVE, FOR REVIEW AND APPROVAL.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND TRAVELING TRAFFIC.

CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO BEGINNING CONSTRUCTION.



VICINITY MAP  
NOT TO SCALE

Sheet Index

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2. GENERAL NOTES, LEGEND, & ABBREVIATIONS
3. EROSION CONTROL & GRADING PLAN
4. JOHN DAY STREET PLAN & PROFILE
5. TRAFFIC CONTROL PLAN & PROFILE
6. A LOOP PLAN & PROFILE
7. A LOOP PLAN & PROFILE
8. A LOOP PLAN & PROFILE
9. A LOOP PLAN & PROFILE
10. A LOOP PLAN & PROFILE
11. CONSTRUCTION DETAILS

**OWNER/DEVELOPER:**

MR. JASON MATTOX, PE  
417th ARVEY WICK  
3515 HOWLEY LANE  
PASCO, WA 98301  
PHONE: (509) 929-0021

**ENGINEER:**

MR. JASON MATTOX, PE  
417th ARVEY WICK  
3515 HOWLEY LANE  
PASCO, WA 98301  
PHONE: (509) 929-0021

**SURVEYOR:**

PBS  
MR. PAUL W. P. TOMPKINS  
511 COLVILLE ST. #200  
WALLA WALLA, WA 98942  
PHONE: (509) 858-3028

**SURVEY BENCHMARK:**

TOPOGRAPHIC SURVEY DATA PROVIDED BY PBS, 2017  
VERTICAL DATUM: CITY OF UMATILLA NAVD83  
BEARING OF S 79°29'54" W ALONGS THE CENTERLINE OF COLUMBIA BLVD. OREGON NORTH ZONE STATE PLANE DERIVED FROM OPUS SOLUTIONS FROM STATIC GPS DATA COLLECTED ON CONTROL POINTS.

**PRELIMINARY**  
SUBJECT TO AGENCY REVIEW  
NOT FOR CONSTRUCTION

NO.	DESCRIPTION	DATE	BY	CHKD.
1	DESIGNED			
2	CHECKED			
3	APPROVED			
4	ISSUED			



COVER SHEET FOR:  
**VIRGINIA'S PLACE**  
A SUBDIVISION LOCATED IN THE CITY OF UMATILLA, OREGON



**CITY OF UMATILLA PLANNING COMMISSION  
REPORT AND RECOMMENDATION  
FOR  
REPLAT RP-2-18**

**DATE OF HEARING:** March 27, 2018

**REPORT PREPARED BY:** Brandon Seitz, City Planner

**I. GENERAL INFORMATION AND FACTS**

- Applicant:** Fastrack Inc., 4803 Catalonia Drive, Pasco, WA 99301.
- Property Owners:** Fastrack Inc., 4803 Catalonia Drive, Pasco, WA 99301
- Land Use Review:** Replat of 56 existing lots within the Orchard Terrace Addition Subdivision.
- Property Description:** Township 5N, Range 28E, Section 17CD, Tax Lots 100, 200, 300, 400, 500, 600, 700, 800, 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, 1800, 1900, 2000, 2100, 2200, 2300, 2400, 2500, 2600, 2700, 2800, 2900, 3000, 3100, 3200, 3300, 3400, 6400, 6500, 6700, 6800, 6900, 7000, 7100, 7200, 7400, 7500, 7600, 7700, 7800, 8000, 8100, 8200, 8300, 8400, 8500, 8600, 8700 and 8800.
- Location:** The properties are located in the south hill area between Monroe Street and Tucker Avenue.
- Existing Development:** The properties are currently undeveloped lots within the Orchard Terrace Addition Subdivision.
- Proposed Development:** The replat request would result in 54 lots for development of single family dwellings. The primary purpose of the replat is to reconfigure the existing access point onto Powerline Road and increase the right of way widths around Elm Court to meet current City standards. The request includes the reconfiguration of existing easements to meet the current needs and proposed uses of the properties.
- Zone** Single-Family Residential (R-1).

**Adjacent Land Use(s):**

Adjacent Property	Zoning	Use
North	R-3 (County 72 Zoning)	Residences
South	R-1 (City Zoning)	Residences
East	F-1 (County 72 Zoning)	Farm/pasture land and Residences
West	R-1 (City Zoning)	Powerline Road and Residences



## **II. NATURE OF REQUEST AND GENERAL FACTS**

The applicant, Fastrack Inc., request approval to replat 56 lots within the Orchard Terrace Addition Subdivision. The request will reconfigure existing lots and establish a new access point onto Powerline Road. The request will also reconfigure lots around Elm Court to increase right of way widths to meet current City Standards. The remainder of the existing lots will not be reconfigured, however, the existing easement may be reconfigured to match current needs and proposed uses of the properties.

The City's Land Division Ordinance (LDO) does not directly address replat request, 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 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 subject properties are zoned R-1. The applicable zoning requirements are contained in Section 10-3A-4 of the CUZO. All of the proposed lots exceed the 8,000 square foot minimum lot area, 50 foot minimum lot width and 90 foot minimum lot depth.

**Conclusion:** All land division requests are required to comply with the dimensional standards of the applicable zone. All of the proposed lots as shown on the applicants submitted tentative replat exceed the minimum dimensional standards as required by Section 10-3A-4 of the CUZO.

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

**Findings:** The City's public works standards are engineering design and safety standards for construction of streets, sidewalks, curbs, water/sewer lines, other utilities and for installation of improvements. The applicant has submitted engineered construction plans for the proposed replat to the City. The City's Public Works Director has reviewed and approved the construction plans.

The applicant has requested to complete the improvements within the proposed replat in a two-phased development. Section 11-5-1 of the LDO allows a land divider to file with the City an agreement specifying the period within which the required improvements shall be completed. Therefore, a condition of approval will be imposed requiring the applicant to execute an agreement with the City specifying the period within which the required improvements will be completed.

**Conclusion:** The applicant has submitted engineered construction plans for the proposed replat. The submitted plans are found to comply with the City's public work standards and have been approved by the Public Works Director.

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:** If a request is found to meet the applicable criteria of the CUZO and/or LDO the request is generally considered to comply with the applicable state and federal regulations. However, as a condition of approval the applicant will be required to obtain all necessary local, state and federal permits prior to starting construction.

**Conclusion:** As addressed above if a request is found to comply with the City's criteria of approval the request is generally found to comply with state and federal regulations. However, a condition of approval is imposed requiring the applicant to obtain all federal,

state and local permits prior to starting construction.

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

**Findings:** The subject properties do not contain inventoried natural resource areas, wetland or other water bodies as identified in the City's comprehensive plan. The subject properties are not located in a flood plain.

**Conclusion:** There are no inventoried natural resource areas, waterways, wetlands, 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 properties do not have inventoried natural features. The primary purpose of the replat is to reconfigure existing lots to create a new street and access point onto Powerline Road. The new access point connects onto Powerline road at a 90-degree angle and the applicant has indicated is a safer designed than utilizing the existing right of ways access point. The applicant has submitted an approved access permit from Umatilla County for the new access point onto Powerline Road. In addition, the lots within Elm Court will be reconfigured to increase right of way widths to meet current city standards.

**Conclusion:** The subject properties do not have inventoried natural features as identified in the City's comprehensive plan. The applicant has indicated that the primary intent of the replat is to reconfigure existing lots to create a new access point onto Powerline Road and increase the right of way widths within Elm Court. The proposed modification will provide for safe and efficient access for vehicles and pedestrians.

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:** To the extent practical all of the existing and proposed streets within the replat connect to existing and planned streets on adjacent lands. The replat will reconfigure existing easements with the replat to meet current needs and will provide adjacent lands with access to public facilities.

**Conclusion:** The adjacent lands have access to public facilities and streets consistent with City standards.

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:** All of the existing and proposed roads within the replat connect to existing streets or public right of ways on adjoining properties.

**Conclusion:** The existing and proposed streets connect to existing and planned streets on adjacent lands.

#### **IV. SUMMARY CONCLUSIONS AND DECISION**

This request for tentative replat approval of properties 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 approval of this request (RP-2-18) for tentative Replat approval to 56 existing lots within the Orchard Terrace Addition Subdivision 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 Section 11-3-1 and 11-3-2 of the City of Umatilla Land Division Ordinance.
4. Street trees shall be provided as required by the Land Division Ordinance and shall be required as a condition of approval on each building permit issued for a dwelling within the replat.
5. 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).
6. The applicant, or applicant's construction contractor, must obtain all federal, state and local permits, including right-of-way permits, prior to starting construction.
7. The applicant shall be responsible for ensuring that all areas disturbed within existing street rights-of-way by construction are returned to their pre-construction condition or better after construction or installation of required improvements.
8. Failure to comply with the conditions of approval established herein may result in revocation of this approval.
9. The applicant shall submit a copy of the final recorded plat of the subdivision and 'as-built'

drawings of all required improvements to the City of Umatilla.

10. The applicant shall execute and file with the City an agreement with the City specifying the period within which required improvements shall be completed. The agreement shall provide that if the work is not completed within the period specified, that the City may complete the work and recover the full cost and expense thereof from the land divider. The agreement may provide for the construction of the improvements in units, and for an extension of time under specified conditions. Minimum units will be one block of street frontage.

**VI. EXHIBITS** (included as part of this report).

Exhibit A Notice Map

Exhibit B Tentative Orchard Terrace Addition II

Exhibit C Umatilla County Access Permit (18-007-AP)

MAP	TAX ID	OWNER
5N28170D	000	UMATILLA CITY OF
5N28170D	1000	BOGDANSKI MARK
5N28170D	1001	BOGDANSKI MARK
5N28170D	1002	BOGDANSKI MARK
5N28170D	1003	BOGDANSKI MARK
5N28170D	1004	BOGDANSKI MARK
5N28170D	1005	BOGDANSKI MARK
5N28170D	1006	BOGDANSKI MARK
5N28170D	1007	BOGDANSKI MARK
5N28170D	1008	BOGDANSKI MARK
5N28170D	1009	BOGDANSKI MARK
5N28170D	1010	BOGDANSKI MARK
5N28170D	1011	BOGDANSKI MARK
5N28170D	1012	BOGDANSKI MARK
5N28170D	1013	BOGDANSKI MARK
5N28170D	1014	BOGDANSKI MARK
5N28170D	1015	BOGDANSKI MARK
5N28170D	1016	BOGDANSKI MARK
5N28170D	1017	BOGDANSKI MARK
5N28170D	1018	BOGDANSKI MARK
5N28170D	1019	BOGDANSKI MARK
5N28170D	1020	BOGDANSKI MARK
5N28170D	1021	BOGDANSKI MARK
5N28170D	1022	BOGDANSKI MARK
5N28170D	1023	BOGDANSKI MARK
5N28170D	1024	BOGDANSKI MARK
5N28170D	1025	BOGDANSKI MARK
5N28170D	1026	BOGDANSKI MARK
5N28170D	1027	BOGDANSKI MARK
5N28170D	1028	BOGDANSKI MARK
5N28170D	1029	BOGDANSKI MARK
5N28170D	1030	BOGDANSKI MARK
5N28170D	1031	BOGDANSKI MARK
5N28170D	1032	BOGDANSKI MARK
5N28170D	1033	BOGDANSKI MARK
5N28170D	1034	BOGDANSKI MARK
5N28170D	1035	BOGDANSKI MARK
5N28170D	1036	BOGDANSKI MARK
5N28170D	1037	BOGDANSKI MARK
5N28170D	1038	BOGDANSKI MARK
5N28170D	1039	BOGDANSKI MARK
5N28170D	1040	BOGDANSKI MARK
5N28170D	1041	BOGDANSKI MARK
5N28170D	1042	BOGDANSKI MARK
5N28170D	1043	BOGDANSKI MARK
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5N28170D	1046	BOGDANSKI MARK
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5N28170D	1062	BOGDANSKI MARK
5N28170D	1063	BOGDANSKI MARK
5N28170D	1064	BOGDANSKI MARK
5N28170D	1065	BOGDANSKI MARK
5N28170D	1066	BOGDANSKI MARK
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5N28170D	1072	BOGDANSKI MARK
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5N28170D	1100	BOGDANSKI MARK
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5N28170D	1110	BOGDANSKI MARK
5N28170D	1111	BOGDANSKI MARK
5N28170D	1112	BOGDANSKI MARK
5N28170D	1113	BOGDANSKI MARK
5N28170D	1114	BOGDANSKI MARK
5N28170D	1115	BOGDANSKI MARK
5N28170D	1116	BOGDANSKI MARK
5N28170D	1117	BOGDANSKI MARK
5N28170D	1118	BOGDANSKI MARK
5N28170D	1119	BOGDANSKI MARK
5N28170D	1120	BOGDANSKI MARK
5N28170D	1121	BOGDANSKI MARK
5N28170D	1122	BOGDANSKI MARK
5N28170D	1123	BOGDANSKI MARK
5N28170D	1124	BOGDANSKI MARK
5N28170D	1125	BOGDANSKI MARK
5N28170D	1126	BOGDANSKI MARK
5N28170D	1127	BOGDANSKI MARK
5N28170D	1128	BOGDANSKI MARK
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5N28170D	1198	BOGDANSKI MARK
5N28170D	1199	BOGDANSKI MARK
5N28170D	1200	BOGDANSKI MARK



**REPLAT REQUEST (RP-2-18)**  
**FASTRACK, INC., APPLICANT & OWNER**  
**Exhibit A**

**Legend**

- Streets
- Subject Properties
- Assessor's Maps
- Tax Lots

Feet  
0 100 200 300

MAP DISCLAIMER: No warranty is made as to the accuracy, reliability or completeness of this data. Map should be used for reference purposes only. Not survey grade or for legal use.  
Created by Brandon Seitz, on 3/2/2018

# ORCHARD TERRACE ADDITION II REPLAT OF LOTS:

1, 2, 3, 4, 5, 6, 7, 8 AND 9, BLOCK 1; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 AND 11, BLOCK 2; LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 AND 23, BLOCK 3; LOTS 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15 AND 16, BLOCK 4

# OF ORCHARD TERRACE ADDITION

LOCATED IN A PORTION OF SE 1/4 OF THE SW 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY & COUNTY OF UMATILLA, OREGON

- LEGEND**
- ◆ SET 3" BRASS CAP IN CASE STAMPED "2360 2017"
  - SET 5/8" REBAR WITH PLASTIC CAP "WAS25863 - OR2360"
  - FOUND SURVEY MONUMENT / REBAR AS NOTED
  - ◇ FOUND CENTERLINE REBAR PER (R1), DESTROYED BY RECENT LOT/ROAD GRADING. RESET 3" BRASS CAP IN CASE STAMPED "2360 2017" IN THIS REPLAT
  - ⊙ FOUND PROPERTY CORNER REBAR PER (R1), DESTROYED BY RECENT LOT/ROAD GRADING. RESET 5/8" REBAR W/ PLASTIC CAP "WAS25863-OR2360" IN THIS REPLAT
  - ⊛ FOUND PROPERTY CORNER REBAR PER (R1), DESTROYED BY RECENT LOT/ROAD GRADING. NOT RESET IN THIS REPLAT
  - DENOTES POINT ONLY, NOT FOUND OR SET
  - ( RW ) DENOTES RECORD DATA PER SURVEY REFERENCE. SEE TABLE
  - DENOTES RIGHT-OF-WAY DEDICATED WITH THIS REPLAT
  - UTIL / SANITARY (EASEMENTS)
  - REPLAT BOUNDARY
  - EXISTING RIGHT-OF-WAY CENTERLINE
  - EXISTING RIGHT-OF-WAY BOUNDARY
  - EXISTING PROPERTY LINE
  - PREVIOUS RIGHT-OF-WAY OR LOT LINE PER (R1) SUPERSEDED BY THIS REPLAT
  - PREVIOUSLY PLATTED BLOCK NUMBER PER (R1). NOT USED TO DEFINE LOT NUMBERS WITHIN THIS REPLAT
  - PREVIOUSLY PLATTED LOT NUMBER PER (R1) (PLACED NEAR NE CORNER OF PREVIOUSLY PLATTED LOT)
  - RIGHT-OF-WAY DEDICATED IN THIS REPLAT
  - RIGHT-OF-WAY CENTERLINE
  - NEW LOT LINE
  - EASEMENT (ESMT) DEDICATED WITH THIS REPLAT

**CURVE TABLE**

RECORD NO.	ARC LENGTH	ARC LENGTH/RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	40.07'	113.32'	19.51°	S14°16'02"E	69.81'
C2	64.27'	166.37'	30.31°	S19°03'15"W	104.29'
C3	114.17'	281.16'	55.03°	S40°04'13"W	181.53'
C4	164.16'	400.75'	79.57°	S58°38'09"W	262.23'
C5	214.15'	520.75'	104.10°	S67°22'07"W	343.73'
C6	264.14'	640.74'	128.63°	S75°07'45"W	425.23'
C7	314.13'	760.73'	153.16°	S82°04'45"W	506.73'
C8	364.12'	880.72'	177.69°	S88°04'45"W	588.23'
C9	414.11'	1000.71'	202.22°	S93°04'45"W	669.73'
C10	464.10'	1120.70'	226.75°	S97°04'45"W	751.23'
C11	514.09'	1240.69'	251.28°	S101°04'45"W	832.73'
C12	564.08'	1360.68'	275.81°	S105°04'45"W	914.23'
C13	614.07'	1480.67'	300.34°	S109°04'45"W	995.73'
C14	664.06'	1600.66'	324.87°	S113°04'45"W	1077.23'
C15	714.05'	1720.65'	349.40°	S117°04'45"W	1158.73'
C16	764.04'	1840.64'	373.93°	S121°04'45"W	1240.23'
C17	814.03'	1960.63'	398.46°	S125°04'45"W	1321.73'
C18	864.02'	2080.62'	422.99°	S129°04'45"W	1403.23'
C19	914.01'	2200.61'	447.52°	S133°04'45"W	1484.73'
C20	964.00'	2320.60'	472.05°	S137°04'45"W	1566.23'
C21	1013.99'	2440.59'	496.58°	S141°04'45"W	1647.73'
C22	1063.98'	2560.58'	521.11°	S145°04'45"W	1729.23'
C23	1113.97'	2680.57'	545.64°	S149°04'45"W	1810.73'
C24	1163.96'	2800.56'	570.17°	S153°04'45"W	1892.23'
C25	1213.95'	2920.55'	594.70°	S157°04'45"W	1973.73'
C26	1263.94'	3040.54'	619.23°	S161°04'45"W	2055.23'
C27	1313.93'	3160.53'	643.76°	S165°04'45"W	2136.73'
C28	1363.92'	3280.52'	668.29°	S169°04'45"W	2218.23'
C29	1413.91'	3400.51'	692.82°	S173°04'45"W	2299.73'
C30	1463.90'	3520.50'	717.35°	S177°04'45"W	2381.23'
C31	1513.89'	3640.49'	741.88°	S181°04'45"W	2462.73'
C32	1563.88'	3760.48'	766.41°	S185°04'45"W	2544.23'
C33	1613.87'	3880.47'	790.94°	S189°04'45"W	2625.73'
C34	1663.86'	4000.46'	815.47°	S193°04'45"W	2707.23'
C35	1713.85'	4120.45'	839.99°	S197°04'45"W	2788.73'
C36	1763.84'	4240.44'	864.52°	S201°04'45"W	2870.23'
C37	1813.83'	4360.43'	889.05°	S205°04'45"W	2951.73'
C38	1863.82'	4480.42'	913.58°	S209°04'45"W	3033.23'
C39	1913.81'	4600.41'	938.11°	S213°04'45"W	3114.73'
C40	1963.80'	4720.40'	962.64°	S217°04'45"W	3196.23'
C41	2013.79'	4840.39'	987.17°	S221°04'45"W	3277.73'
C42	2063.78'	4960.38'	1011.70°	S225°04'45"W	3359.23'
C43	2113.77'	5080.37'	1036.23°	S229°04'45"W	3440.73'
C44	2163.76'	5200.36'	1060.76°	S233°04'45"W	3522.23'
C45	2213.75'	5320.35'	1085.29°	S237°04'45"W	3603.73'
C46	2263.74'	5440.34'	1109.82°	S241°04'45"W	3685.23'
C47	2313.73'	5560.33'	1134.35°	S245°04'45"W	3766.73'
C48	2363.72'	5680.32'	1158.88°	S249°04'45"W	3848.23'
C49	2413.71'	5800.31'	1183.41°	S253°04'45"W	3929.73'
C50	2463.70'	5920.30'	1207.94°	S257°04'45"W	4011.23'
C51	2513.69'	6040.29'	1232.47°	S261°04'45"W	4092.73'
C52	2563.68'	6160.28'	1257.00°	S265°04'45"W	4174.23'
C53	2613.67'	6280.27'	1281.53°	S269°04'45"W	4255.73'
C54	2663.66'	6400.26'	1306.06°	S273°04'45"W	4337.23'
C55	2713.65'	6520.25'	1330.59°	S277°04'45"W	4418.73'
C56	2763.64'	6640.24'	1355.12°	S281°04'45"W	4500.23'
C57	2813.63'	6760.23'	1379.65°	S285°04'45"W	4581.73'
C58	2863.62'	6880.22'	1404.18°	S289°04'45"W	4663.23'
C59	2913.61'	7000.21'	1428.71°	S293°04'45"W	4744.73'
C60	2963.60'	7120.20'	1453.24°	S297°04'45"W	4826.23'



**Scale 1" = 60'**

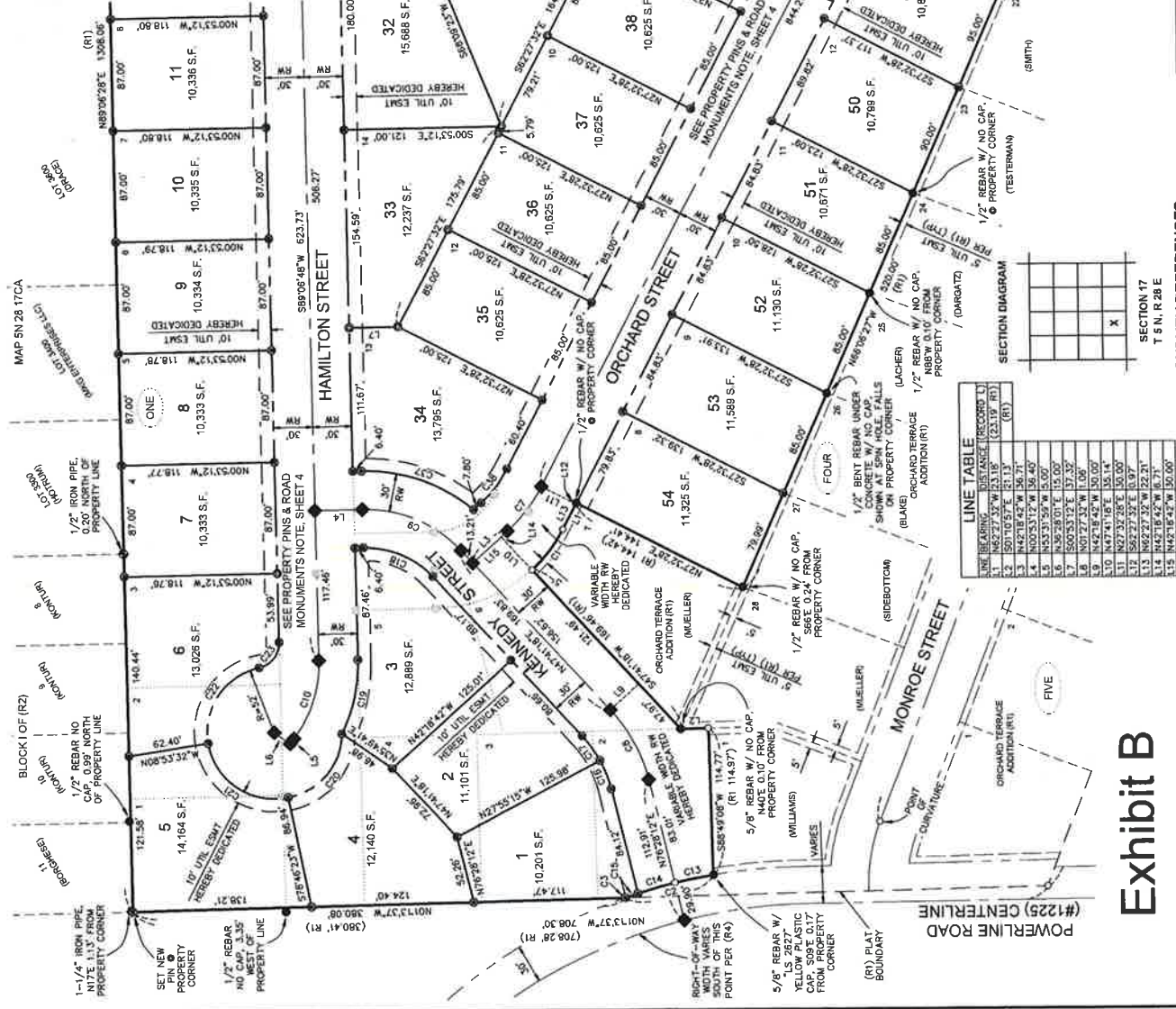
**BASIS OF BEARINGS**  
BEARINGS OF S89°01'04"W ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN DERIVED FROM CPUS SOLUTIONS FROM STATIC GPS DATA COLLECTED ON CONTROL POINTS

REGISTERED PROFESSIONAL LAND SURVEYOR  
OREGON  
JULY 26, 1988  
PAUL W.P. TOMKINS  
2360  
RENEWS 06/30/2018

**PBS Engineering and Environmental Inc.**  
400 Bradley Blvd, Ste 106  
Richland, WA 99852  
509.842.1600  
pbsusa.com

PROJECT NO. 86048  
SURVEYOR: PAUL W.P. TOMKINS  
DATE: 03/15/2018  
CALC BY: ADM/ROP  
DRAWN BY: ROP  
TOWNSHIP: 5 NORTH  
RANGE: 28 EAST  
SHEET: 17 OF 4

SEE SHEET 2 FOR CONTINUATION



**SURVEY REFERENCES**  
(R1) ORCHARD TERRACE ADDITION (BK. 10 OF PLATS, PG. 29) BY KRUMBEIN  
(R2) CARRELLE ADDITION (BK. 6 OF PLATS, PG. 34) BY ROBERTT  
(R3) PARTITION ROAD SURVEY (88-55-C) BY ROBERTT  
(R4) HABITAT ADDITION REPLAT OF LOTS 4, 5, 6 & 7 OF BLOCK "H" OF CARRELLE ADDITION

**SURVEYOR'S CERTIFICATE**  
I, PAUL W.P. TOMKINS, PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF OREGON UNDER LICENSE NUMBER 2360, HAVE CORRECTLY SURVEYED AND STAKED OUT THE BOUNDARIES OF THE LOT(S) SUBDIVISION SHOWN HEREIN, AND DESCRIBED HEREON. HAVE SPECIALLY MARKED THE CORNERS AND SHOWN HEREON, AND HAD THEM RECORDED IN ACCORDANCE WITH THE REQUIREMENTS OF O.R.S. CHAPTER 92, REVISED, SUBSEQUENT TO STREET PAVING, PURSUANT TO THE REQUIREMENTS OF O.R.S. CHAPTER 92, REVISED.

**Exhibit B**

PAUL W.P. TOMKINS, P.L.S. 2360

# ORCHARD TERRACE ADDITION II REPLAT OF LOTS:

1, 2, 3, 4, 5, 6, 7, 8 AND 9, BLOCK 1; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 AND 11, BLOCK 2; LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 AND 23, BLOCK 3; LOTS 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15 AND 16, BLOCK 4  
OF ORCHARD TERRACE ADDITION  
LOCATED IN A PORTION OF SE 1/4 OF THE SW 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY & COUNTY OF UMATILLA, OREGON

## LEGEND

- ◆ SET 3" BRASS CAP IN CASE STAMPED "2380 2017"
- SET 5/8" REBAR WITH PLASTIC CAP "WA25893 - OR2380"
- FOUND SURVEY MONUMENT / REBAR AS NOTED
- ◇ FOUND CENTERLINE REBAR PER (R1), DESTROYED BY RECENT LOTROAD GRADING, RESET 3" BRASS CAP IN CASE STAMPED "2380 2017" IN THIS REPLAT
- ⊙ FOUND PROPERTY CORNER REBAR PER (R1), DESTROYED BY RECENT LOTROAD GRADING, RESET 5/8" REBAR W/ PLASTIC CAP "WA25893-OR2380" IN THIS REPLAT
- ⊙ FOUND PROPERTY CORNER REBAR PER (R1), DESTROYED BY RECENT LOTROAD GRADING, NOT RESET IN THIS REPLAT
- CALCULATED POINT ONLY, NOT FOUND OR SET
- DENOTES RECORD DATA PER SURVEY REFERENCE. SEE TABLE
- DENOTES RIGHT-OF-WAY DEDICATED WITH THIS REPLAT
- UTILITY / SANITARY (EASEMENTS)
- REPLAT BOUNDARY
- EXISTING RIGHT-OF-WAY BOUNDARY
- EXISTING RIGHT-OF-WAY CENTERLINE
- EXISTING PROPERTY LINE
- PREVIOUS RIGHT-OF-WAY OR LOT LINE PER (R1) SUPERSEDED BY THIS REPLAT
- PREVIOUS PLATTED BLOCK NUMBER PER (R1), NOT USED TO DEFINE LOT NUMBERS WITHIN THIS REPLAT
- PREVIOUS PLATTED LOT NUMBER PER (R1) (PLACED NEAR NE CORNER OF PREVIOUSLY PLATTED LOT)
- RIGHT-OF-WAY DEDICATED IN THIS REPLAT
- RIGHT-OF-WAY CENTERLINE
- NEW LOT LINE
- EASEMENT (ESMT) DEDICATED WITH THIS REPLAT

## CURVE TABLE

PRECEDING CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	40.07'	113.92'	109°15'	N72°52'56"W	59.86'
C2	80.97'	420.75'	109°15'	S11°32'15"W	133.51'
C3	10.97'	113.92'	109°15'	S11°32'15"W	16.86'
C4	11.17'	78.16'	83°41'40"	S69°23'18"W	104.20'
C5	14.18'	78.16'	120°33'31"	S40°04'13"W	133.91'
C6	43.95'	78.16'	58°38'09"	N81°59'03"E	78.54'
C7	43.95'	125.01'	120°30'00"	N52°23'07"W	43.73'
C8	67.79'	125.01'	29°46'54"	S65°30'45"W	82.14'
C9	64.78'	100.00'	48°34'30"	S25°35'03"E	82.27'
C10	65.33'	83.93'	83°53'00"	N11°46'28"W	85.91'
C11	65.33'	116.00'	28°00'00"	S13°02'28"W	50.09'
C12	130.67'	420.75'	109°15'	N11°32'15"W	30.06'
C13	130.67'	420.75'	109°15'	S11°32'15"E	50.07'
C14	9.80'	420.75'	20°03'	N62°12'33"E	9.80'
C15	21.86'	95.00'	143°27'	N62°12'33"E	23.80'
C16	21.86'	95.00'	143°27'	S23°32'30"W	51.50'
C17	12.86'	130.01'	26°21'00"	S71°42'37"E	59.27'
C18	59.83'	130.01'	26°21'00"	S49°52'02"E	64.84'
C19	70.14'	52.00'	77°16'50"	S49°52'02"E	64.84'
C20	70.14'	52.00'	77°16'50"	S34°56'29"W	75.03'
C21	83.60'	52.00'	92°20'00"	N54°56'29"W	71.17'
C22	78.38'	52.00'	86°21'16"	N54°56'29"W	71.17'
C23	37.35'	52.00'	78°21'16"	N54°56'29"W	38.27'
C24	28.97'	53.92'	32°46'45"	S17°16'44"W	28.67'
C25	15.63'	86.00'	102°24'18"	S17°16'44"W	28.67'
C26	15.63'	86.00'	102°24'18"	N17°16'50"E	50.40'
C27	12.85'	86.00'	83°44'44"	S02°49'50"W	12.85'
C28	89.63'	52.00'	64°10'08"	N17°52'00"W	64.54'
C29	58.74'	52.00'	64°10'08"	N52°34'28"W	55.24'
C30	60.13'	52.00'	95°14'44"	N62°12'33"W	56.13'
C31	74.79'	52.00'	82°24'04"	S17°02'28"W	80.51'
C32	15.63'	146.00'	113°13'	N21°46'02"E	50.17'
C33	15.63'	146.00'	113°13'	N21°46'02"E	50.17'
C34	19.22'	113.92'	54°05'00"	S21°37'42"E	60.80'
C35	81.55'	113.92'	54°05'00"	S37°18'49"E	60.80'
C36	41.65'	113.92'	105°07'00"	S11°21'42"E	41.42'
C37	93.38'	130.01'	41°09'15"	S19°12'26"W	91.37'
C38	131.41'	95.00'	30°50'50"	N52°23'07"W	131.23'

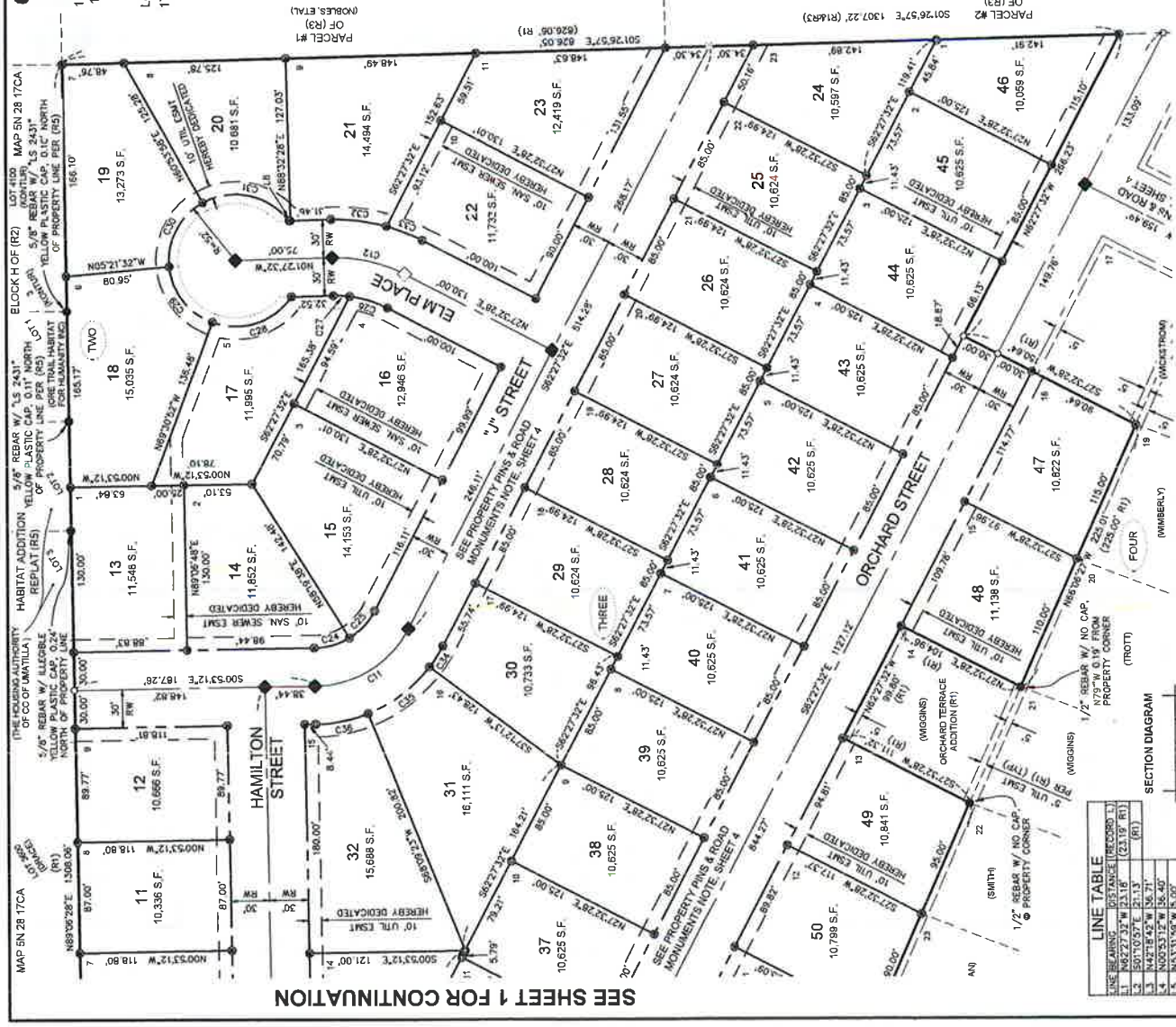


Scale 1" = 60'  
BASIS OF BEARINGS  
BEARING OF S89°10'04"W ALONG THE SOUTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN DERIVED FROM OPUS SOLUTIONS FROM STATIC GPS DATA COLLECTED ON CONTROL POINTS.

**REGISTERED PROFESSIONAL LAND SURVEYOR**  
OREGON  
JULY 26, 1988  
PAUL W. TOMKINS  
RENEWALS 06/30/2016

**PBS Engineering and Environmental Inc.**  
400 Bradley Blvd, Ste 108  
Richland, WA 98552  
509.942.1600  
pbsusa.com

PROJECT NO. 88848  
DATE: 03/19/2018  
DRAWN BY: ROP  
SCALE: 1" = 60'  
SECTION: 17  
TOWNSHIP: 5 NORTH  
RANGE: 28 EAST  
CITY: UMATILLA  
COUNTY: UMATILLA  
SHEET: 2 OF 4

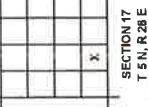


### LINE TABLE

LINE BEARING	DISTANCE (RECORD 1)	REMARKS
1	N42°27'32"W 23.16'	(23.19' R1)
2	S01°02'52"E 21.3'	
3	N42°18'42"W 26.71'	
4	N03°53'12"E 38.40'	
5	N32°30'12"E 11.00'	
6	S03°53'12"E 157.40'	
7	N01°27'33"W 11.00'	
8	N42°18'42"W 35.14'	
9	N47°41'18"E 35.14'	
10	N73°32'28"E 30.00'	
11	S82°27'32"E 6.37'	
12	N42°18'42"W 26.71'	
13	N42°18'42"W 26.71'	
14	N42°18'42"W 26.71'	
15	N42°18'42"W 150.00'	

## SEE SHEET 3 FOR CONTINUATION

**SURVEY REFERENCES**  
(R1) ORCHARD TERRACE ADDITION (BK. 10 OF PLATS, PG. 23) BY KRUMBEIN  
(R2) CARELLE ADDITION (BK. 6 OF PLATS, PG. 34) BY ROBERTT  
(R3) PARTITION PLAT 2001-01 BY COPPOCK  
(R4) POWERLINE ROAD SURVEY (89-55-0) BY ROBERTS  
(R5) HIGHLIGHT ADDITION TO LOTS 4, 5, 6 & 7 OF BLOCK 11 OF CARELLE ADDITION



SEE SHEET 1 FOR CONTINUATION







Kirk

<b>ROAD DEPARTMENT USE ONLY</b>
<b>RECEIVED BY UMATILLA COUNTY</b>
DATE: <u>1/22/18</u>
REC'D BY: <u>CT</u>
PERMIT No.: <u>18-007-AP</u>

Exhibit C

FEE: \$50.00

CK# 2054

**UMATILLA COUNTY DEPARTMENT OF PUBLIC WORKS  
3920 WESTGATE  
PENDLETON, OREGON 97801**

**PERMIT APPLICATION FORM  
FOR**

**CONSTRUCTION OF ROAD APPROACHES ONTO COUNTY AND PUBLIC ROADS AND  
PRIVATE ROAD CROSSINGS OF COUNTY AND PUBLIC ROADS**

I (We) Fastrack, inc. - dba Monogram of Pasco,  
(Please Print or Type Name)

4803 Catalonia Drive, Pasco WA 99301,  
(Mailing Address)

(509) 969-6995, fastrack11@roadrunner.com,  
(Telephone Number) (Email)

hereby respectfully request permission to access Umatilla County Road,

~~754~~ 1225, Powerline Road,  
(Road No.) (Road Name)

or Public Road n/a located at

n/a, 7800 in the  
(Address if Applicable) (Tax Lot No.)

SE SW of Section 17, Township 5N, Range 28E E.W.M.  
(1/4 Section)

with a(n) **(Approach Road) (Private Crossing)**, the location of which is more particularly described by the attached sketch (attach copy of assessor's map) with approach location shown and a sketch of the proposed approach showing width, length, culvert locations, etc. I (We) agree to defend, indemnify and hold harmless Umatilla County and its officials and employees from all claims, liability and causes of action that arise from or relate in any way to my (our) construction of approach roads to county and public roads.

  
Signature of Permittee

**PERMITTEE AGREES TO THE FOLLOWING TERMS AND CONDITIONS:**

**SPECIFICATIONS**

1. **The Approach Road or Private Crossing will in all instances enter the County Road at right angles unless otherwise authorized by the Department of Public Works.**
2. **Current standards dictate that no access will be allowed if it is within 200 feet of an existing access. Minimum sight distance required for access approval is 300 feet in both directions. Umatilla County reserves the right to alter its access specifications at any time if it is in the interest of public safety and convenience.**
3. **The Approach Road or Private Crossing will raise or drop at a maximum of 5% for a distance of 20 feet from the edge of the County Road and be a minimum of 12' in width.**
4. **In the event that earth fill is required to bring the driveway up to subgrade elevation, the fill shall be compacted to the point that no visible deflection (sinking) is visible under a loaded pickup or truck tire and in all ways be compacted in a manner acceptable to the County Public Works Department.**
5. **In the event the road bank must be cut in order to facilitate a grade for the driveway, the cut shall be sufficient to receive a minimum of 7 inches of base rock and 2 inches of leveling course or 8 inches of leveling course and match into the traveled portion of the County Road in a manner satisfactory to the County Public Works Department. Base rock shall be no larger than 5"-0 nor smaller than 1-1/2"-0; leveling course shall be 5/8"-0, 3/4"-0, 1"-0, or 1-1/2"-0 crushed aggregate base.**
6. **In the event a culvert is required (required in all areas where there is an existing road ditch and other areas to be determined by the County Public Works Department), it shall be installed with the top of the pipe at least 1 foot below the finished surface of the approach and shall be bedded beneath, alongside, and on top with compacted 5/8"-0, 3/4"-0, or 1"-0 crushed aggregate base.**
7. **Other construction specifications for gravel approaches and for paved and concrete approaches are shown on ODOT Standard Drawing RD715 (see attached).**
8. **This permit is issued pursuant to Oregon Revised Statutes, ORS 374.305 to 374.325, pertaining to approach roads and private crossings.**
9. **A minimum of 1 week will be required to obtain a permit to allow the County Public Works Department adequate time to inspect the location of the approach site and obtain the signatures required. The approach or private crossing shall not be constructed until Permittee obtains a copy of this permit signed by the Public Works Director.**
10. **Permittee agrees to leave the installation site in as good a condition as it was found and at no cost to the County Public Works Department.**
11. **Permittee declares he/she is the owner of real property abutting the above described roadway and has the lawful authority to apply for this permit.**

**I hereby declare, by signing, that I have read and understand all specifications.**

  
\_\_\_\_\_  
Signature of Permittee

1-18-18  
\_\_\_\_\_  
Date





**APPROVALS**

      1-31-18  
Section Foreman      Date

Culvert Required?   Y    N   Size \_\_\_\_\_

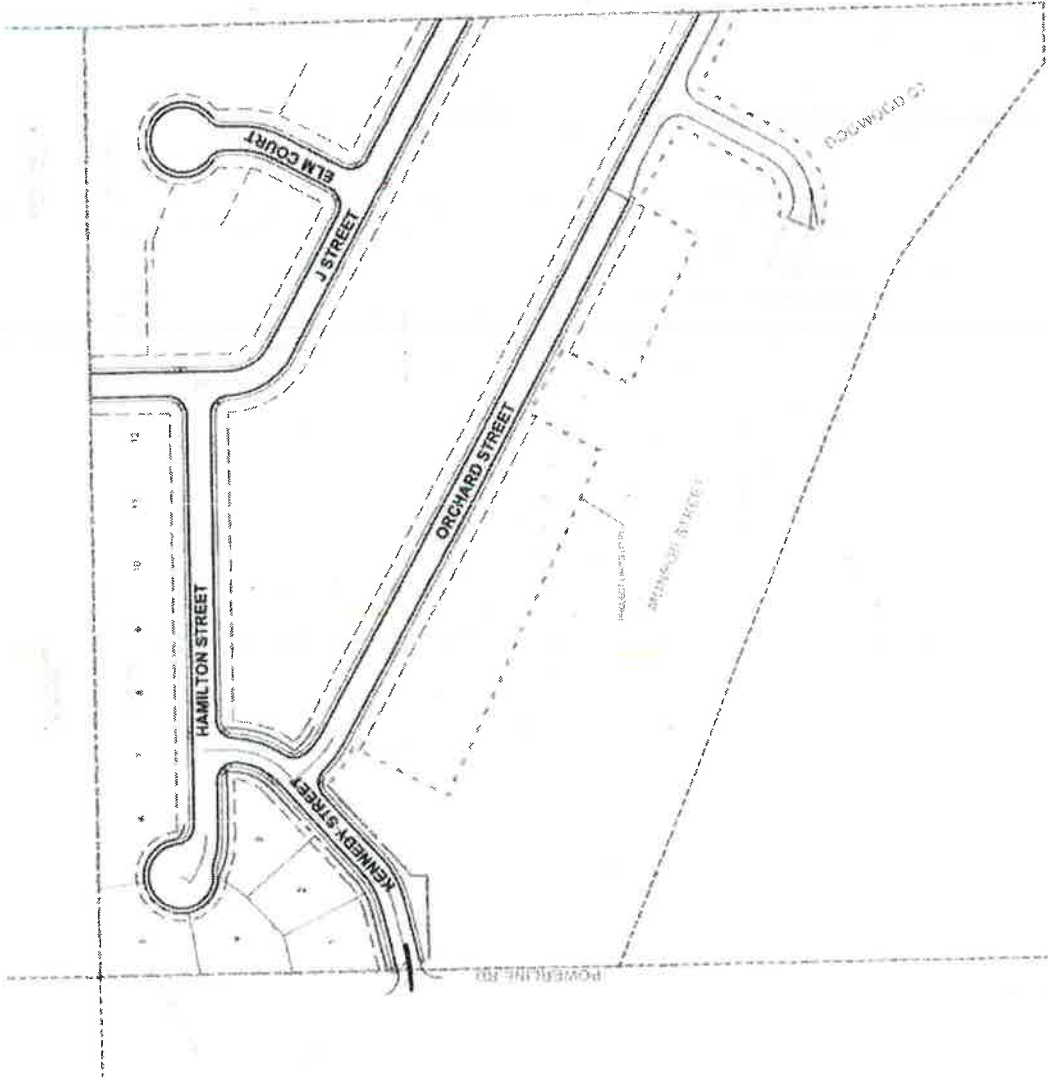
**Permission is hereby granted by Umatilla County, pursuant to Oregon Revised Statutes 375.305 to 374.325, to make the aforesaid installation in accordance with all specifications. The Permittee as indicated above shall at all times be responsible and liable for any and all damages arising from or caused by this installation and this permit may be revoked at any time.**

**PERMISSION GRANTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.**

      2/5/18  
Public Works Director      Date

# ORCHARD TERRACE ADDITION - PHASE 2

LOCATED IN SECTION 17, TOWNSHIP 5 NORTH, RANGE 28 EAST, W.M.



VICINITY MAP  
NOT TO SCALE

- SHEET INDEX**
- COVER SHEET
  - GENERAL NOTES, TYPICAL ROAD SECTIONS, AND LEGEND
  - GRADING AND EROSION CONTROL PLAN
  - MOORIDE STREET PLAN AND PROFILE
  - KENNEDY STREET PLAN AND PROFILE BEGIN TO STA. 3+00
  - KENNEDY STREET PLAN AND PROFILE STA. 3+00 TO END
  - ORCHARD STREET PLAN AND PROFILE BEGIN TO STA. 3+50
  - ORCHARD STREET PLAN AND PROFILE STA. 3+50 TO STA. 8+00
  - ORCHARD STREET PLAN AND PROFILE STA. 8+00 TO END
  - HAMILTON STREET PLAN AND PROFILE BEGIN TO STA. 3+00
  - HAMILTON STREET PLAN AND PROFILE STA. 3+00 TO END
  - J STREET PLAN AND PROFILE STA. 2+40 TO STA. 5+00
  - J STREET PLAN AND PROFILE STA. 5+00 TO STA. 8+00
  - ELM PLACE PLAN AND PROFILE
  - ELM PLACE PLAN AND PROFILE
  - CROSSLOT SANITARY SEWER PLAN AND PROFILE
  - STREET LIGHTING AND SIGNAGE PLAN
  - SITE UTILITY PLAN

**OWNER/DEVELOPER:**  
 TAZTRACK INC.  
 2111 W. 10TH AVE.  
 3111 W. 10TH AVE.  
 PASCO WA 99301  
 PHONE: (509) 662-3971

**ENGINEER:**  
 1966  
 4775 JASQUATTWA PE  
 6771 BRIDGE ROAD STE 106  
 SEASIDE WA 98138  
 PHONE: (509) 423-8800

**MURKIN BENCHMARK:**  
 TOPOGRAPHIC SURVEY DATA PROVIDED BY THE 2017  
 VERUCA, DAQUIN, CITY OF UMATILLA IMPROVEMENT DISTRICT  
 ELEV. 467.35  
 100' BENCH MARK  
 BEARING OF 5.72254 IN ALONG THE CENTERLINE OF  
 CONDUIT BOUNDING SPEECON NORTH ADJAC STATE PLANE  
 DERIVED FROM GPS SOLUTIONS FROM STATE GPS  
 DATA COLLECTED ON WINTER, POINTS



COVER SHEET FOR:  
**ORCHARD TERRACE ADDITION - PHASE 2**  
 A SUBMISSION LOCATED IN THE CITY OF UMATILLA, OREGON

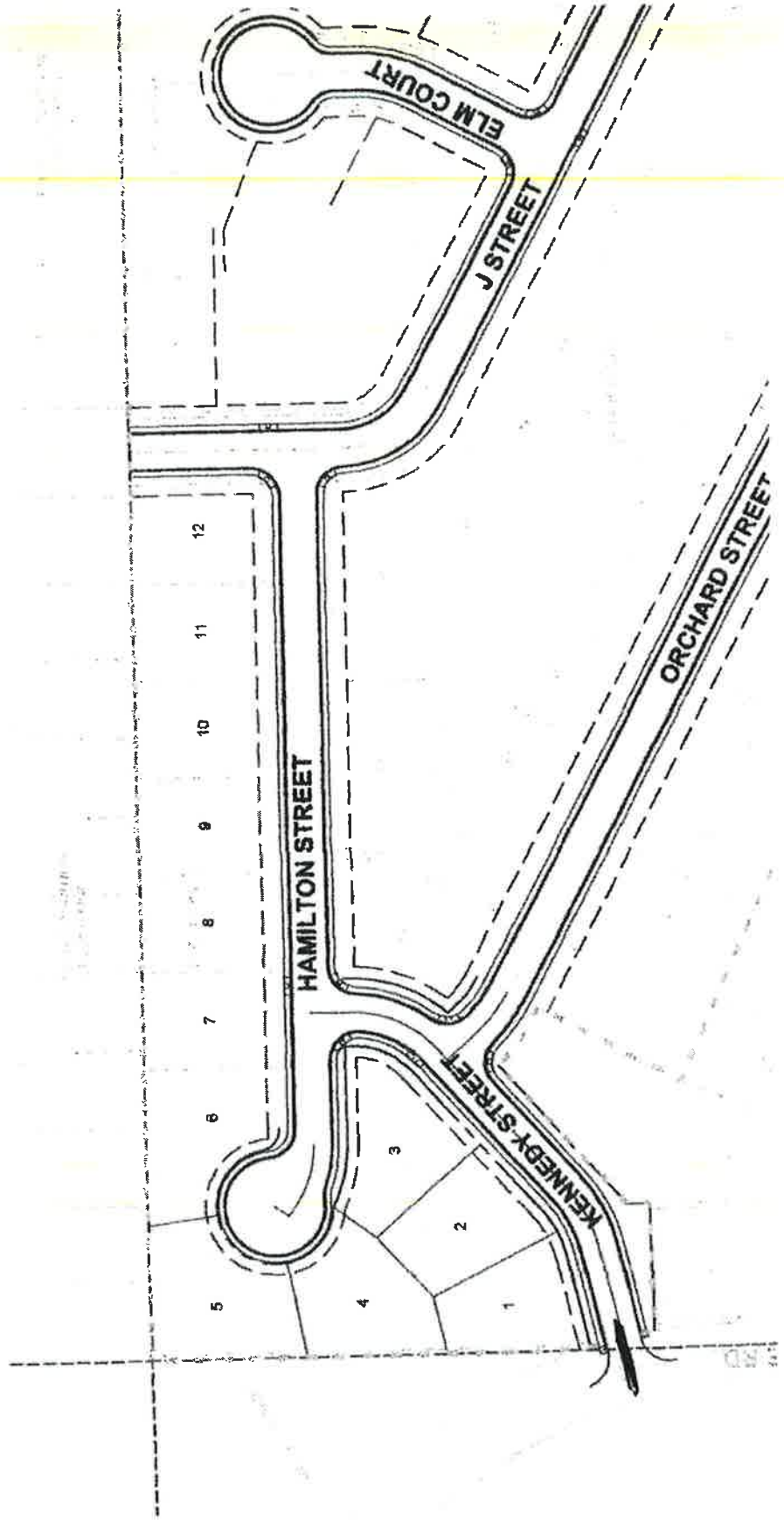
City of Umatilla  
 Planning Department  
 1000 1/2 N. 3rd St.  
 Umatilla, OR 97882  
 PHONE: (509) 838-2000

DATE: 1 of 18



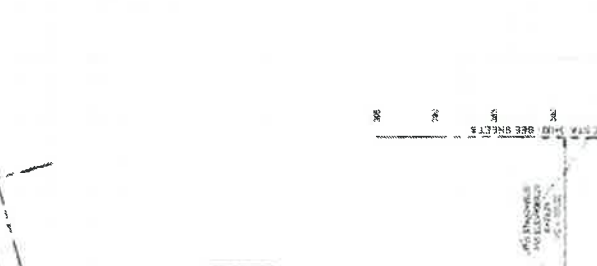
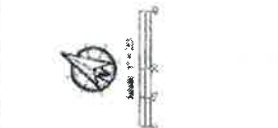
# ORCHARD TERRACE ADDITION - PH.

LOCATED IN SECTION 17, TOWNSHIP 5 NORTH, RANGE 28 EAST, W.M.



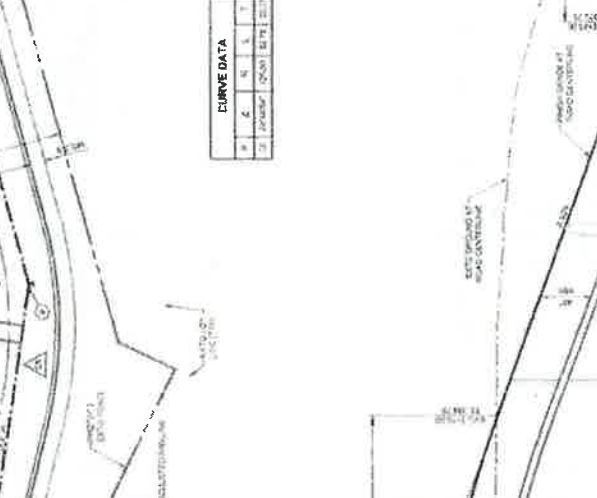
- GENERAL CONSTRUCTION NOTES**
- SEE SHEET 117 FOR STATIONING, DIMENSIONS, WORKSHEET NO. 117
  - ELECTRICAL SYMBOLS ARE SHOWN ON SHEET 117 FOR INFORMATION PURPOSES ONLY AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF UMATILLA STANDARDS FOR ELECTRICAL INSTALLATION.
  - ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF UMATILLA STANDARDS FOR ELECTRICAL INSTALLATION.
  - ALL ELECTRICAL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF UMATILLA STANDARDS FOR ELECTRICAL INSTALLATION.
  - SEE SHEET 117 FOR STATIONING, DIMENSIONS, WORKSHEET NO. 117

- NOTED CONSTRUCTION NOTES**
- STA. 0+14.22 - REPAIR ROAD CONSTRUCTION CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF UMATILLA STANDARDS FOR ROAD CONSTRUCTION. THE EXISTING ASPHALT SHALL BE REPAIRED WITH A MINIMUM 4" THICK ASPHALT. THE NEW ASPHALT SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF UMATILLA STANDARDS FOR ASPHALT. THE NEW ASPHALT SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF UMATILLA STANDARDS FOR ASPHALT.
  - INSTALL 12" DIA. MANHOLE WITH 12" DIA. RINGS AND 12" DIA. COVERS PER CITY OF UMATILLA STANDARDS.
  - INSTALL 12" DIA. MANHOLE WITH 12" DIA. RINGS AND 12" DIA. COVERS PER CITY OF UMATILLA STANDARDS.
  - INSTALL 12" DIA. MANHOLE WITH 12" DIA. RINGS AND 12" DIA. COVERS PER CITY OF UMATILLA STANDARDS.
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**CURVE DATA**

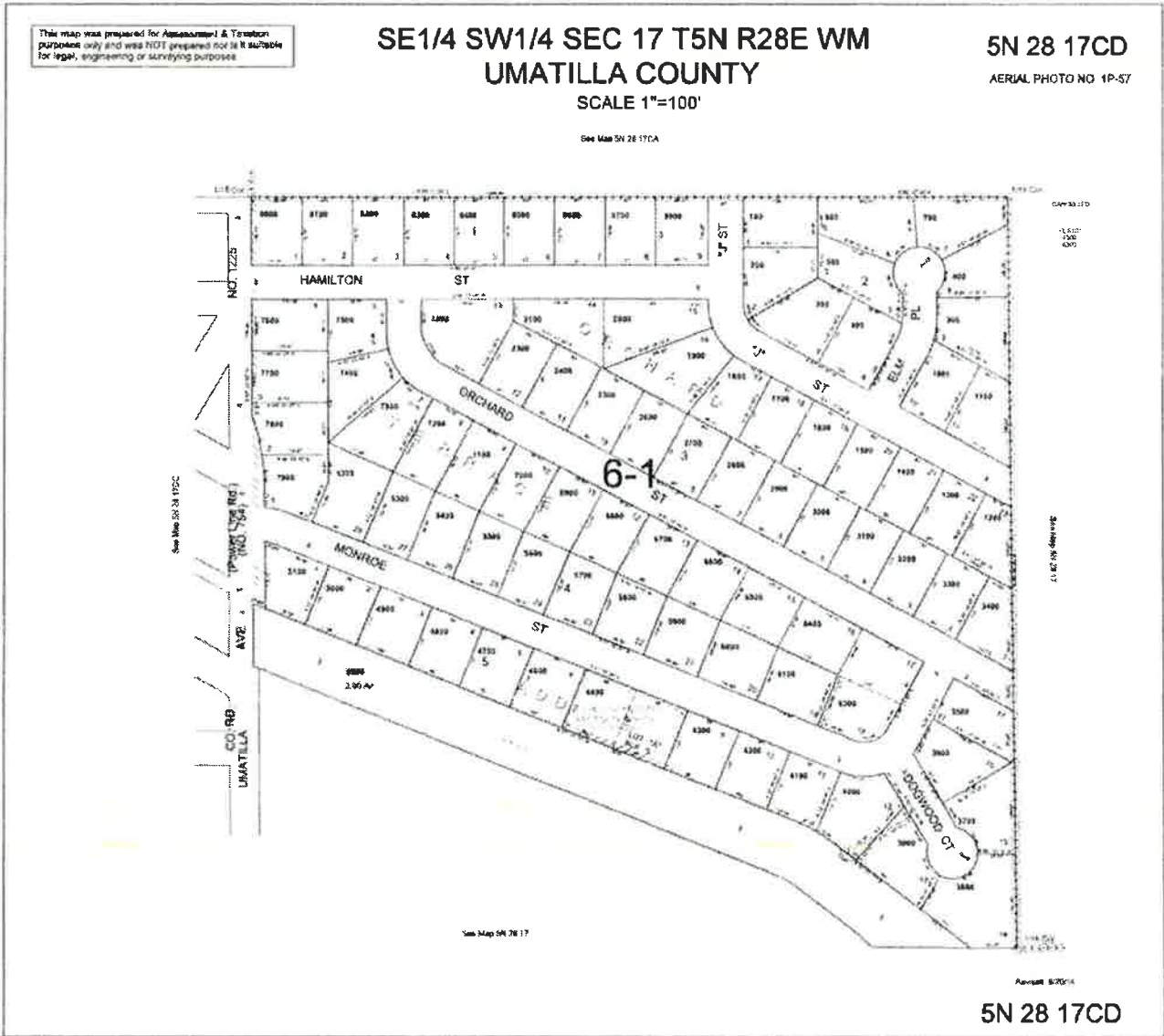
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0+20	0+20	0+30	0+25	100'	100'	100'	100'	100'	100'
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2+80	2+80	2+90	2+85	100'	100'	100'	100'	100'	100'
2+90	2+90	3+00	2+95	100'	100'	100'	100'	100'	100'



**PROFILE - KENNEDY STREET**

STATION	ELEVATION
0+00	200.00
0+10	205.00
0+20	210.00
0+30	215.00
0+40	220.00
0+50	225.00
0+60	230.00
0+70	235.00
0+80	240.00
0+90	240.00
1+00	240.00
1+10	240.00
1+20	240.00
1+30	240.00
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2+50	240.00
2+60	240.00
2+70	240.00
2+80	240.00
2+90	240.00
3+00	240.00

Previous plat



This map was prepared for Assessment & Taxation purposes only and was NOT prepared for use for legal, engineering or surveying purposes.

SW1/4 SW1/4 SEC 17 T5N R28E WM  
UMATILLA COUNTY  
1"=100'

5N 28 17CC  
AERIAL PHOTO NO. 1P-57



5N 28 17CC

**CITY OF UMATILLA PLANNING COMMISSION  
REPORT AND RECOMMENDATION  
FOR  
PLAN AMENDMENT PA-2-18**

**DATE OF HEARING:** March 27, 2018

**REPORT PREPARED BY:** Brandon Seitz, City Planner

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**I. GENERAL INFORMATION AND FACTS**

**Applicant:** City of Umatilla, 700 Sixth Street, P.O. Box 130, Umatilla, OR 97882,

**Land Use Review:** A Comprehensive Plan Text Amendment to co-adopt Umatilla County Ordinance No. 2017-09 approving an exception to Statewide Planning Goal 11 for a sewer line extension from the City of Umatilla to the Umatilla Army Depot. The request would amend Chapter 11 of the City's Comprehensive Plan to allow the City to extend sewer service to property outside of the Urban Growth Boundary (UGB).

**II. NATURE OF REQUEST AND GENERAL FACTS**

In 2013 the Umatilla Army Depot Local Reuse Authority (LRA) endorsed an economic development and land use strategy for future industrial and employment uses at the Umatilla Army Depot in anticipation the property would transition away from military operations. Both Morrow County and Umatilla County worked together to develop a consolidated reuse/land use plan for the entire Depot site. Both counties then adopted ordinances to implement the plan and zoning designations for the portions of the Depot site under their respective jurisdiction. The adoption included exceptions to Statewide Planning Goals 11 and 14.

The LRA has subsequently transitioned to the Columbia Development Authority (CDA). The CDA is now responsible for overseeing the transition of the Umatilla Army Depot property from federal to local ownership and the planning and development activities related to future use of the Depot property. In anticipated of the Depot transferring to local ownership the CDA coordinated with Umatilla County and the City of Umatilla to allow the City to provide sewer services to the Depot. A sewer line is needed in order to more efficiently serve planned land uses on the Depot, which were the subject of the prior Goal Exceptions to allow redevelopment with a mix of industrial and military uses after the Depot transfers to the CDA

Umatilla County has since adopted Ordinance No 2017-09 approving an exception to Statewide Planning Goal 11 for a sewer line extension from the City of Umatilla to the Umatilla Army Depot. The County's action is needed because the land through which the sewer line will pass between, the City of Umatilla's UGB and the Depot, is County resource land. The City's action is needed

because the sewer facility that is the subject of the Goal Exception will belong to the City. A Goal 11 exception is necessary because Goal 11 generally does not allow the extension of sewer lines to serve land outside an UGB.

Although an exception to Goals 11 and 14 has already been adopted for the Depot itself, allowing urban public facilities and services on the Depot site, an exception to Statewide Planning Goal 11 is needed in order to allow the extension of sewer lines from the City of Umatilla's UGB to the Depot.

The specific substantive criteria and procedures relied upon by the City in rendering a decision on this request are contained under ORS 197.732, OAR 660-004-0020, OAR 660-004-0022, OAR 660-011-0060 and Umatilla Municipal Code Title 10 (Zoning Ordinance), Chapter 14.

### **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.

#### **OREGON ADMINISTRATIVE RULES**

##### **OAR 660-004-0020**

##### **Goal 2, Part II(c), Exception Requirements**

- (1) If a jurisdiction determines there are reasons consistent with OAR 660-004-0022 to use resource lands for uses not allowed by the applicable Goal or to allow public facilities or services not allowed by the applicable Goal, the justification shall be set forth in the comprehensive plan as an exception. As provided in OAR 660-004-0000(1), rules in other divisions may also apply.

**Findings:** The City is proposing a reasons exception to allow the extension of a public facility (sewer line) outside of the City's UGB. Justification would be set forth in the comprehensive plan as an exception if approved.

**Conclusion:** The justification shall be set forth in Chapter 11 of the Comprehensive Plan as shown in Exhibit C.

- (2) The four standards in Goal 2 Part II(c) required to be addressed when taking an exception to a goal are described in subsections (a) through (d) of this section, including general requirements applicable to each of the factors:
- (a) "Reasons justify why the state policy embodied in the applicable goals should not apply." The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations, including the amount of land for the use being planned and why the use requires a location on resource land;
  - (b) "Areas that do not require a new exception cannot reasonably accommodate the use". The exception must meet the following requirements:
    - (A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use that do not require a new exception. The area

- for which the exception is taken shall be identified;
- (B) To show why the particular site is justified, it is necessary to discuss why other areas that do not require a new exception cannot reasonably accommodate the proposed use. Economic factors may be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under this test the following questions shall be addressed:
- (i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?
  - (ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses not allowed by the applicable Goal, including resource land in existing unincorporated communities, or by increasing the density of uses on committed lands? If not, why not?
  - (iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?
  - (iv) Can the proposed use be reasonably accommodated without the provision of a proposed public facility or service? If not, why not?
- (C) The “alternative areas” standard in paragraph B may be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception unless another party to the local proceeding describes specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described, with facts to support the assertion that the sites are more reasonable, by another party during the local exceptions proceeding.

**Findings:** Under the current federal ownership, the land is not subject to Goal 11 (because federally-owned property is not subject to Oregon’s statewide planning goals), and thus is clearly covered under OAR 660-011-0060(9)(b). However, the base is expected to transfer out of federal ownership within the year.

Because an exception to Goal 11 has already been approved for the Depot that would allow on-site development of urban-scale sewer facilities, the proposed sewer pipe will still be connecting two areas where sewer facilities are permitted under Goal 11, as allowed under OAR 660-011-0060(9)(b) and OAR 660-011-0060(3)(B). In *Debby Todd v. City of Florence*, LUBA held that:

*The policy underlying Goal 11 seems little offended by allowing a single sewer system to serve two adjoining areas that each have the legal right and practical ability to develop urban uses and urban-level sewer facilities, notwithstanding that one area is within a UGB and the other outside the UGB.*

Given the *Debby Todd v. City of Florence* decision, providing a sewer connection from within a UGB to a nearby area outside the UGB but also authorized for urban sewer service as a result of prior goal exceptions is an appropriate reason to justify an exception to Goal 11 for the extension of sewer service to the Depot.

The LUBA decision in *Debby Todd v. City of Florence* also suggests that it is not necessary to

demonstrate that it is unreasonable to provide separate sewer treatment facilities for adjacent areas, each of which is authorized for urban sewer service, rather than to serve them with a single system. However, the rationale and justification for extending sewer from the City of Umatilla rather than treating sewer on-site at the Depot is given below.

The Depot has an existing localized sewage treatment system that was used by the military facilities on the site. An Infrastructure Assessment done as part of creating a redevelopment plan for the Depot included the following key findings:

*The Depot facility sanitary waste water system is a localized system. It consists of a combination of localized [Imhoff] septic tanks and drain fields. ... The system is capable of handling the current exiting [sic] load but may not be capable of handling significant changes in capacity if needed by reuse alternatives.*

*The system seems to be adequate at the current loading density, ... but would very likely not tolerate a significant influx of industrial components to the waste stream.*

*Renovation and expansion of the current sanitary waste systems, other than required maintenance and permitting work, would not be considered economically or functionally feasible due to the age of the Imhoff systems. Other local septic systems on the facility should likely not be expanded beyond their current design loading in order to maintain compliance with standards in place when they were installed.*

*Should the population of the facility significantly increase or industrial or process systems installed at the facility, a new sanitary sewer treatment facility, with new transfer piping and infrastructure would be recommended. A new system could be sized to handle all Umatilla depot loading, as well as to handle potential expansion from other sources. This would be the most flexible and most costly option, but would provide a sanitary waste system for the long term, instead of a limited use of the present system.*

In addition to the infeasibility of renovating or expanding the existing on-site treatment system to serve industrial uses, there are groundwater concerns in the area. The Army Depot property, including the industrial lands proposed to be served by the municipal wastewater line, is located within the Lower Umatilla Basin Groundwater Management Area (LUBGWMA). The LUBGWMA was designated by the Oregon Department of Environmental Quality (DEQ) in 1990 due to the high nitrates in the groundwater. Many areas within the LUBGWMA exceed federal drinking water standards for nitrate. The comprehensive report leading up to the GWMA designation identified five sources of contamination. One source was, and continues to be, nitrates leached from underground septic systems. This is noteworthy in this case because the proposed municipal wastewater line would be the only alternative to septic disposal for future development of the industrial lands. In other words, if the municipal line does not dispose of wastewater, future development would be served by numerous on-site septic systems. For some 20 years, a local committee, together with the DEQ staff, have worked to implement an Action Plan designed to remediate the high levels of nitrates. The progress is very slow. Steps are small and incremental. Allowing the Army Depot lands to be served by a municipal system and therefore avoiding further groundwater contamination from additional, new septic system contamination, will go a long way to foster the goal of minimizing nitrate contribution to the groundwater in the area.

Given the difficulties of upgrading the existing on-site facilities to serve the planned (and



acknowledged) industrial uses on the property, the groundwater concerns in the area, and the costs associated with constructing an entirely new sewer treatment facility, the CDA approached the City of Umatilla to determine whether it would be feasible to extend City sewer service to the site. The City has indicated that it has adequate capacity to serve the planned land uses at the Depot: (Exhibit B)

*The City has reviewed the potential industrial area and zoning within the CDA and flow projections developed for Camp Umatilla by the Oregon National Guard undergoing Goal 11 exception. The City's key sewer facilities have the ability and capacity to accept wastewater from the CDA and from the Oregon National Guard (Camp Umatilla).*

*Further, as a public entity, the City has the managerial and technical capacity to manage the wastewater generated from this area in accordance with State rules and regulations.*

The City identified a suitable connection point roughly 2.6 miles away from the Depot (as the crow flies), and several potential alignments for a new sewer line.

The land between the Umatilla City limits and the Depot is zoned EFU. There is no reasonable route between the two that would not require a new exception.

**Conclusion:** The Depot is currently under federal ownership and not subject to the Statewide Planning Goals. Therefore, the proposed sewer line extension qualifies as an extension of an existing sewer system that would serve lands that, by operation of federal law, is not subject to the Statewide Planning Goals under OAR 660-011-0060(9)(b). In addition, an exception to Goal 11 has already be approved for the Depot that would allow on-site development of urban-scale sewer facilities, the proposed sewer line would connect two areas where sewer facilities are permitted under Goal 11. Given the Debby Todd v. City of Florence decision, providing a sewer connection from within a UGB to a nearby area outside the UGB but also authorized for urban sewer service as a result of prior goal exceptions is an appropriate reason to justify and exception to Goal 11 for the extension of sewer service to the Depot.

The proposed sewer line would extend from the City's UGB to the Depot. There is no route between the City and Depot that would not cross lands requiring a new exception. The standards of subsection (b) only apply to the proposed sewer line extension outside of the City's UGB and Depot boundary. The uses that would be served by the proposed sewer line extension have been considered and approved as exceptions for both Umatilla and Morrow Counties and are not part of this exception (Umatilla County Ordinance #2014-06 & Morrow County Ordinance #ORD-2014-4). In addition, a portion of the Depot (Camp Umatilla) will be retained by the National Guard Bureau and will remain in federal ownership. Therefore, only those uses permitted in the Umatilla County and/or Morrow County Comprehensive Plan Goal exceptions and lands remaining in federal ownership (Camp Umatilla) shall be allowed to connect to the City's sewer system.

**Note:** The portion of the proposed line located within the City's UGB is subject to the City's Comprehensive and Public Facilities plans and is not a part of this exception. New connections to the proposed line within the City's UGB may be allowed subject to the City's requirements in place at the time of the request. The restriction on new connections will apply only to lands

located outside the City's UGB.

- (c) “The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site.” The exception shall describe: the characteristics of each alternative area considered by the jurisdiction in which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to a description of: the facts used to determine which resource land is least productive, the ability to sustain resource uses near the proposed use, and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts to be addressed include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;
- (d) “The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.” The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. “Compatible” is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.

**Findings:** Findings regarding the proposed uses to be served by the sewer line extension were previously adopted and acknowledged. The following findings address the sewer line extension itself.

Several alternative alignments were considered in selecting proposed alignment. The proposed alignment and alternative alignments considered are shown on Figure 4 (Exhibit A). The exception applies to the sewer pipe alignment shown in green as “Final Route” on Figure 4 (Exhibit A). The length of the alignment that extends outside the City of Umatilla UGB to the Depot property is 17,146 feet, as shown on Figure 4 (Exhibit A).

The “I-84 Route” was dismissed because it is significantly longer than the other alternatives, making it less efficient. The “Radar Road” and “Potato Lane” routes were dismissed because they have greater impacts to active farm operations on private property than the preferred alignment. The proposed alignment remains within or abutting the City of Umatilla UGB for as long as possible before crossing into EFU zoning. It was selected as the least impactful to farm operations while maintaining an efficient route. Of the portion of the alignment outside the City of Umatilla UGB, 7,856 linear feet are within the public right of way of Powerline Road. The portion that crosses private land (roughly 9,290 linear feet) avoids irrigated areas and aligns with

an existing farm vehicle pathway between fields. This portion will be contained within an easement up to 40 feet in width.

In negotiating the details of the easement and sewer line construction with the property owner, the City of Umatilla is committed to include measures to further minimize disruptions to farm operations, such as timing construction to avoid disturbing crops, planting, and harvest activities; providing on-going access rights for the property owner to ensure the ability to continue existing farm uses within the easement; and constructing the line underground at a depth that will avoid impact to farming operations.

This demonstrates that the proposed facility will be compatible with the adjacent farm uses.

**Environmental consequences:** The proposed alignment does not affect any significant natural resources. The environmental consequences of the sewer extension are anticipated to be minimal. It also avoids a small drainageway (visible in the aerial photograph in Figure 4 [Exhibit A]) that would be crossed by some of the alternatives considered. There are no known significant Goal 5 resources along the proposed route.

**Social consequences:** The extension of the sewer line is not anticipated to have any social impacts in any of the alternatives considered.

**Economic consequences:** The cost of the sewer extension and any needed improvements to the existing system to accommodate the additional wastewater flows will be funded by the CDA, so there will not be an economic impact to the City of Umatilla. Keeping costs low will facilitate development at the Depot, which will have a positive economic impact on the broader area, as discussed in the findings for the goal exception for the Depot itself. The property owner whose land will be the subject of the easement will be compensated for the value of the easement, ensuring a neutral or positive economic impact to the property owner.

**Energy consequences:** By minimizing the length of the pipe relative to other alignments, the proposed alignment minimizes the resources and energy required for installation of the sewer line.

This demonstrates that the proposed alignment is does not have significantly more adverse impacts than other potential alignments.

**Conclusion:** An exception regarding the uses allowed at the Depot have been considered and approved. As addressed by the applicant alternative alignments were considered and the proposed final alignment was selected as it is the most efficient route that provides minimal impacts to active farming operations where the sewer line would cross private lands. The sewer line would avoid irrigated areas as much as possible and the City is committed to include measure to minimize disruptions to farm operations. By timing construction to avoid disturbing crops, planting and harvest activities; providing on-going access rights for the property owner to ensure the ability to continue existing farm uses within the easement; and constructing the line underground at a depth that will avoid impacts to farming operations the proposed facility would have minimal impacts to the farming operations. Therefore, the proposed sewer line would be compatible with the adjacent farm uses and does not have significantly more adverse impacts

that other potential alignments.

### **OAR 660-004-0022**

#### **Reasons Necessary to Justify an Exception Under Goal 2, Part II(c)**

An exception under Goal 2, Part II(c) may be taken for any use not allowed by the applicable goal(s) or for a use authorized by a statewide planning goal that cannot comply with the approval standards for that type of use. The types of reasons that may or may not be used to justify certain types of uses not allowed on resource lands are set forth in the following sections of this rule. Reasons that may allow an exception to Goal 11 to provide sewer service to rural lands are described in OAR 660-011-0060. Reasons that may allow transportation facilities and improvements that do not meet the requirements of OAR 660-012-0065 are provided in OAR 660-012-0070. Reasons that rural lands are irrevocably committed to urban levels of development are provided in OAR 660-014-0030. Reasons that may justify the establishment of new urban development on undeveloped rural land are provided in OAR 660-014-0040.

- (1) For uses not specifically provided for in this division, or in OAR 660-011-0060, 660-012-0070, 660-014-0030 or 660-014-0040, the reasons shall justify why the state policy embodied in the applicable goals should not apply. Such reasons include but are not limited to the following:

**Findings:** The proposed exception is for a use specifically provided for in OAR-66-011-0060 see below.

### **OAR 660-011-0060**

#### **Sewer Service to Rural Lands**

- (2) Except as provided in sections (3), (4), (8), and (9) of this rule, and consistent with Goal 11, a local government shall not allow:
  - (a) The establishment of new sewer systems outside urban growth boundaries or unincorporated community boundaries;
  - (b) The extension of sewer lines from within urban growth boundaries or unincorporated community boundaries in order to serve uses on land outside those boundaries;
  - (c) The extension of sewer systems that currently serve land outside urban growth boundaries and unincorporated community boundaries in order to serve uses that are outside such boundaries and are not served by the system on July 28, 1998.
- (9) A local government may allow the establishment of new sewer systems or the extension of sewer lines not otherwise provided for in section (4) of this rule, or allow a use to connect to an existing sewer line not otherwise provided for in section (8) of this rule, provided the standards for an exception to Goal 11 have been met, and provided the local government adopts land use regulations that prohibit the sewer system from serving any uses or areas other than those justified in the exception. Appropriate reasons and facts for an exception to Goal 11 include but are not limited to the following:
  - (a) The new system, or extension of an existing system, is necessary to avoid an imminent and significant public health hazard that would otherwise result if the sewer service is not provided; and, there is no practicable alternative to the sewer system in order to avoid the imminent public health hazard, or
  - (b) The extension of an existing sewer system will serve land that, by operation of federal law, is not subject to statewide planning Goal 11 and, if necessary, Goal 14.

**Findings:** The proposed exception would allow for the extension of a sewer line not otherwise

provided for in OAR-660-011-0060. However, as provided for in this rule an appropriate reason for an exception to Goal 11 is to extend an existing sewer system to serve lands that, by operation of federal law, are not subject to Statewide Planning Goal 11. The Depot is currently under federal ownership and not subject to the Statewide Planning Goals. In addition, an exception to Goals 11 and 14 have already be approved for the Depot that would allow on-site development of urban-scale sewer facilities. The proposed sewer line would connect two areas where sewer facilities are permitted under Goal 11. As addressed in response to OAR 660-004-0020(1)-(2), given the Debby Todd v. City of Florence decision, providing a sewer connection from within a UGB to a nearby area outside the UGB but also authorized for urban sewer service as a result of prior goal exceptions is an appropriate reason to justify and exception to Goal 11 for the extension of sewer service to the Depot.

As addressed above exceptions for both Umatilla and Morrow Counties have been approved. In addition, a portion of the Depot will be retained by the National Guard Bureau and will remain in federal ownership. Therefore, only those uses permitted in the Umatilla County and/or Morrow County Comprehensive Plan Goal exceptions and lands remaining under federal ownership at the Depot shall be allowed to connect to the City's sewer system.

**Conclusion:** The proposed exception to Goal 11 would serve lands that, by operation of federal law, are not subject to Statewide Planning Goal 11. In addition, the proposed sewer line would connect two areas where sewer facilities are permitted under Goal 11.

#### **IV. SUMMARY CONCLUSIONS AND DECISION**

The findings above demonstrate that the City of Umatilla has justified an exception to Goal 11 to extend sewer service to the Umatilla Army Depot site, which has acknowledged exceptions to Goals 11 and 14. The proposed sewer line will have minimal impacts to land use, farm operations, and the environment, and will be limited to serving the approved and acknowledged uses on the Depot Site. The City is willing to extend the line and has adequate capacity to serve the planned uses at the Depot. The Goal exception meets all the requirements contained in State law and administrative rules.

Therefore, Staff recommends approval of this request (PA-1-18) to co-adopt Umatilla County Ordinance No. 2017-09 approving an exception to Statewide Planning Goal 11 for a sewer line extension from the City of Umatilla to the Umatilla Army Depot and amend Chapter 11 of the City's Comprehensive Plan to allow the City to extend sewer service to property outside of the Urban Growth Boundary based on the findings of fact and conclusion contained in Section III of this report.

#### **V. EXHIBITS** (included as part of this report).

Exhibit A: Goal 11 Exception and Findings Memorandum  
Exhibit B: Letter from Russel Pelleberg  
Exhibit C: Draft Ordinance



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## MEMORANDUM

### **Goal 11 Exception and Findings** **Umatilla Army Depot Sewer Line Extension**

DATE March 20, 2017

TO Greg Smith, Columbia Development Authority  
Tamra Mabbott, Umatilla County  
Russell Pelleberg, City of Umatilla

FROM Becky Hewitt and Frank Angelo, Angelo Planning Group

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## INTRODUCTION

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The purpose of this memorandum is to provide recommended language and findings for an exception to Oregon's Statewide Planning Goal 11 for a sewer line extension from the City of Umatilla to the Umatilla Army Depot (Depot). The sewer line is needed in order to more efficiently serve planned land uses on the Depot, which were the subject of a prior Goal Exception to allow redevelopment with a mix of industrial and military uses after the Depot transfers from federal ownership to the Columbia Development Authority (CDA, formerly known as the Umatilla Army Depot Redevelopment Authority or UMADRA). An exception to Goal 11 is needed because Goal 11 generally does not allow the extension of sewer lines to serve land outside an Urban Growth Boundary (UGB).

The goal exception and findings are intended to be adopted into Chapter 18 of the Umatilla County Comprehensive Plan and into Chapter 11 of the City of Umatilla Comprehensive Plan. The City's action is needed because the sewer facility that is the subject of the Goal Exception will belong to the City. The County's action is needed because the land through which the sewer line will pass, between the City of Umatilla UGB and the Depot, is County resource land. Furthermore, the prior Goal exception allowing the redevelopment of the Depot was adopted by Umatilla County.

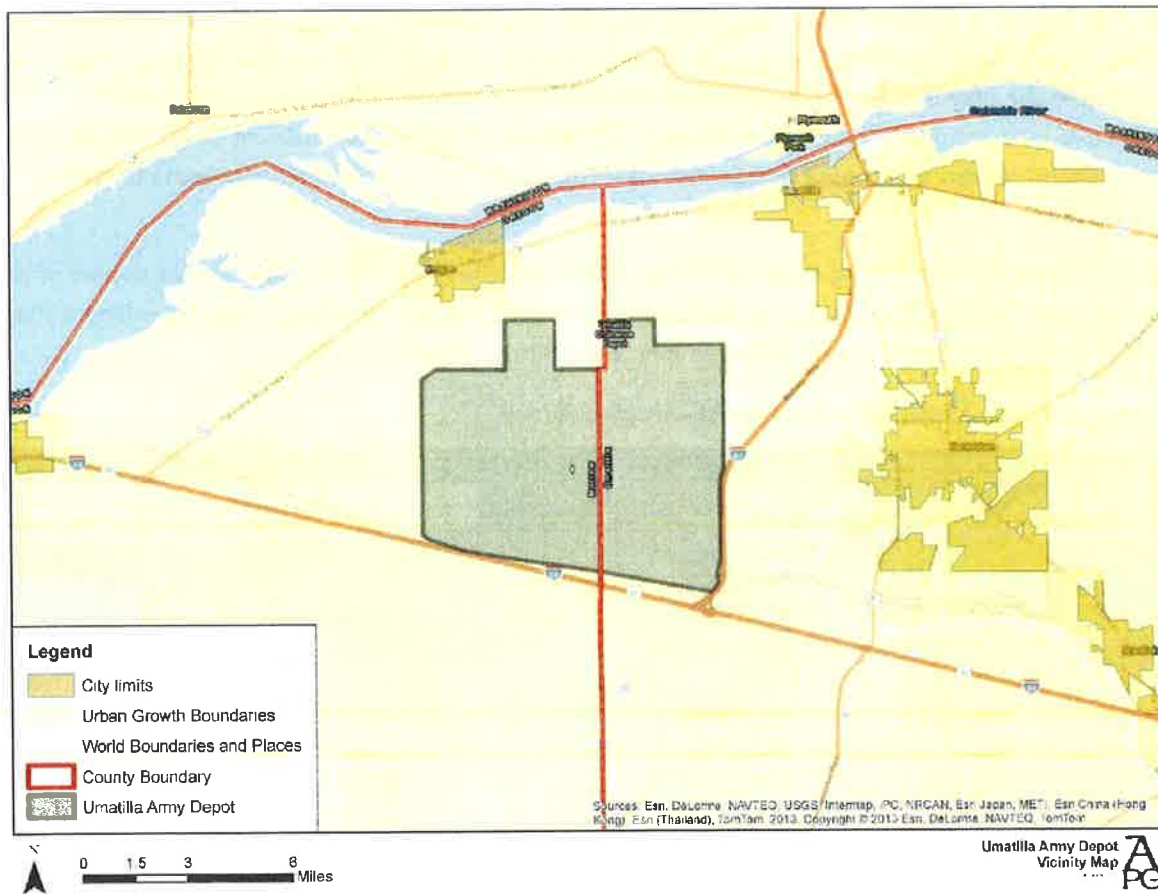
The sections that follow have been drafted so they can be incorporated directly into the City and County comprehensive plans if desired, in order to meet the requirement that Goal Exceptions be adopted into the local comprehensive plan (for a Goal Exception, the findings are generally incorporated into the plan itself). As a result, they repeat some of the introductory text above, in order to provide context to the proposed Goal exception.

## BACKGROUND

### Summary of Umatilla Army Depot Planning

The Umatilla Army Depot (Depot) is a unique facility and land use in the State of Oregon. Established more than seventy years ago by the U.S. Army, the Depot site encompasses approximately 17,000 acres spanning Morrow and Umatilla Counties (see Figure 1). There are 1,411 Army owned structures that total approximately 3.5 million square feet on the Depot site.<sup>1</sup> Due to its Federal ownership, the Depot was not zoned by Morrow and Umatilla Counties and was not subject to Oregon’s land use planning program in the 1980’s, at the time other lands in Oregon were so acknowledged by the Land Conservation and Development Commission.

Figure 1:Umatilla Army Depot Vicinity Map



On May 14, 2013 the Umatilla Army Depot Local Reuse Authority (LRA) endorsed an economic development and land use strategy for future industrial and employment uses at the Umatilla Army Depot in anticipation that the property would transition away from military operations. This action acknowledged the unique attributes of the Depot site within the context of the regional economy and

<sup>1</sup> UMADRA Redevelopment Plan, Part I, Redevelopment and Implementation Strategy, July 29, 2010

opportunities for future development. This action also authorized the next steps necessary to implement zoning on the portions of the site identified for industrial development.

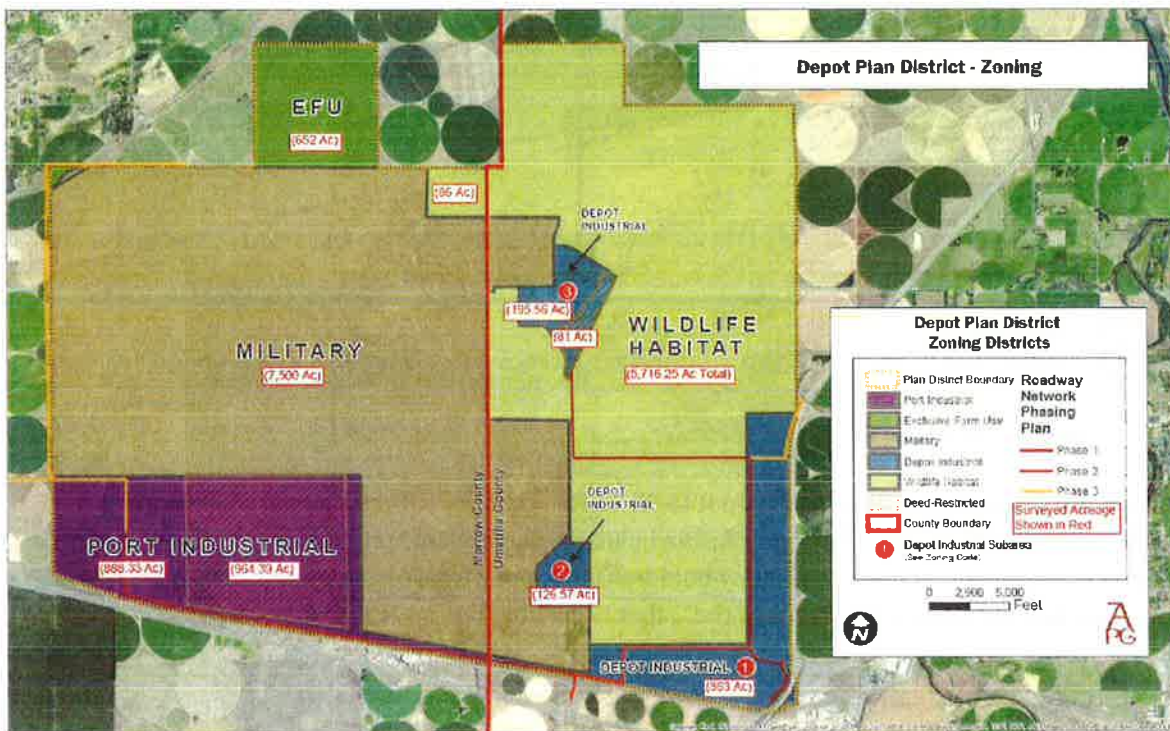
The LRA action represented the culmination of more than twenty years of planning activity to transition the Umatilla Army Depot away from military operations towards a more comprehensive use of the property. Planning for the Depot has consistently emphasized three overarching goals for future use of the site:

- Military Reuse (accommodating the needs and plans of the Oregon National Guard)
- Environmental Preservation (with a special emphasis on the shrub-steppe habitat)
- Economic Development (job creation)

Both Morrow County and Umatilla County worked together to develop a consolidated reuse / land use plan for the entire Depot site. Land use recommendations and findings were developed in a single, consolidated report covering both counties. Both counties then adopted ordinances to implement the plan and zoning designations for the portions of the Depot site under their respective jurisdiction. The adoption included exceptions to Statewide Planning Goals 11 and 14, comprehensive plan and zoning designations for the Depot property and amendments to zoning ordinances.

Figure 2 illustrates the zoning designations adopted with the Army Depot Plan District as part of the Morrow and Umatilla County Comprehensive Plans. Umatilla County adopted the Army Depot Plan District findings and recommendations in July, 2014 (Ordinance 2014-06).

Figure 2: Umatilla Army Depot Plan District - Adopted Zoning





The Umatilla Army Depot Local Reuse Authority has subsequently transitioned to the Columbia Development Authority (CDA). The CDA is now responsible for overseeing the transition of the Depot property from federal to local ownership and planning and development activities related to future use of the Depot property. The transition of Depot property from federal to local ownership is expected to occur by the end of 2017.

### **Sewer Service to the Army Depot Property**

It's within this context that the CDA is looking to ready the Depot property for future development opportunities in-line with the land use direction adopted locally and acknowledged by the State of Oregon in the Army Depot Plan. One of the steps needed to advance the planning for future uses on the Depot property is the provision of sanitary sewer service to the site to serve the 760 to 1,075 future employees forecasted for the property in 2035<sup>2</sup>.

The Depot has an existing localized sewage treatment system that was previously used by the military facilities on the site. That system is limited to the cantonment area of the site, where administrative and housing facilities were located – the portion of the site that will remain in military use under Oregon National Guard management. The system was not designed to handle industrial effluent, and it is not feasible to renovate and expand the existing system to serve that purpose.<sup>3</sup> With existing sewer facilities from the City of Umatilla located 2.6 miles (as the crow flies) to the Depot site, and the ability of the City's sewer system to efficiently handle the projected wastewater flows from the Depot, providing sewer service to the Depot from the City of Umatilla represents an orderly and efficient arrangement of public facilities and services, consistent with Statewide Planning Goal 11.

## **GOAL 11 (PUBLIC FACILITIES) GOAL EXCEPTION JUSTIFICATION**

### **Reasons for the Exception**

#### **Summary of Applicable Criteria**

Although an exception to Goals 11 and 14 has already been adopted for the Depot itself, allowing urban public facilities and services on the Depot site, an exception to Statewide Planning Goal 11 is needed in order to allow the extension of sewer lines from the City of Umatilla Urban Growth Boundary (UGB) to the Depot.

OAR 660-011-0060(2) prohibits a local government from extending sewer lines to serve land outside a UGB except under limited circumstances, or when the standards for a Goal 11 exception can be met. The permissible reasons to extend service outside a UGB include, but are not limited to:

<sup>2</sup> Interchange Area Management Plan, I-84/ Army Depot Access Road, Technical Appendix, August 2014

<sup>3</sup> U.S. Army Umatilla Chemical Depot Base Redevelopment Plan, Umatilla Army Depot Reuse Authority, August 2010 Section A, Part II: Section 2.3, pages 24-25

- serving lands inside a nearby UGB or unincorporated community<sup>4</sup>; and
- serving “land that, by operation of federal law, is not subject to statewide planning Goal 11,”<sup>5</sup> which includes federal land and tribal land.

The standards in OAR 660-004-0020(2) also get at the justification for the Goal exception:

*(a) “Reasons justify why the state policy embodied in the applicable goals should not apply.” The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations, including the amount of land for the use being planned and why the use requires a location on resource land;*

The key tests under OAR 660-004-0020(2)(b) are whether the use (or, in this case, the facility) can be reasonably accommodated in an area that does not require a new exception, and whether the proposed use can reasonably be accommodated without the provision of the proposed public facility or service.

The Land Use Board of Appeals (LUBA) opinion in *Debby Todd v. City of Florence* stated that:

*Under both OAR 660-004-0022(1) and 660-011-0060(9), the city is free to identify reasons other than those set out in the rules that “justify why the state policy embodied in the applicable goals should not apply.” If the local government takes that approach, then the catch-all criteria at OAR 660-004-0022(1)(a)—(c) do not apply, and there is no requirement to evaluate the “proposed use or activity.”<sup>6</sup>*

Thus, OAR 660-004-0022(1)(a)—(c) are not applicable here.

## Findings

Under the current federal ownership, the land is not subject to Goal 11 (because federally-owned property is not subject to Oregon’s statewide planning goals), and thus is clearly covered under OAR 660-011-0060(9)(b). However, the base is expected to transfer out of federal ownership within the year.

Because an exception to Goal 11 has already been approved for the Depot that would allow on-site development of urban-scale sewer facilities, the proposed sewer pipe will still be connecting two areas where sewer facilities are permitted under Goal 11, as allowed under OAR 660-011-0060(9)(b) and OAR 660-011-0060(3)(B). In *Debby Todd v. City of Florence*, LUBA held that:

*The policy underlying Goal 11 seems little offended by allowing a single sewer system to serve two adjoining areas that each have the legal right and practical ability to develop*

<sup>4</sup> OAR 660-011-0060(3)(B)

<sup>5</sup> OAR 660-011-0060(9)(b)

<sup>6</sup> LUBA No. 2006-068, page 17

*urban uses and urban-level sewer facilities, notwithstanding that one area is within a UGB and the other outside the UGB.*<sup>7</sup>

Given the *Debby Todd v. City of Florence* decision, providing a sewer connection from within a UGB to a nearby area outside the UGB but also authorized for urban sewer service as a result of prior goal exceptions is an appropriate reason to justify an exception to Goal 11 for the extension of sewer service to the Depot.

The LUBA decision in *Debby Todd v. City of Florence* also suggests that it is not necessary to demonstrate that it is unreasonable to provide separate sewer treatment facilities for adjacent areas, each of which is authorized for urban sewer service, rather than to serve them with a single system. However, the rationale and justification for extending sewer from the City of Umatilla rather than treating sewer on-site at the Depot is given below.

As described in the background, the Depot has an existing localized sewage treatment system that was used by the military facilities on the site. An Infrastructure Assessment done as part of creating a redevelopment plan for the Depot included the following key findings:

*The Depot facility sanitary waste water system is a localized system. It consists of a combination of localized [Imhoff] septic tanks and drain fields. ... The system is capable of handling the current exiting [sic] load but may not be capable of handling significant changes in capacity if needed by reuse alternatives.*<sup>8</sup>

*The system seems to be adequate at the current loading density, ... but would very likely not tolerate a significant influx of industrial components to the waste stream.*<sup>9</sup>

*Renovation and expansion of the current sanitary waste systems, other than required maintenance and permitting work, would not be considered economically or functionally feasible due to the age of the Imhoff systems. Other local septic systems on the facility should likely not be expanded beyond their current design loading in order to maintain compliance with standards in place when they were installed.*<sup>10</sup>

*Should the population of the facility significantly increase or industrial or process systems installed at the facility, a new sanitary sewer treatment facility, with new transfer piping and infrastructure would be recommended. A new system could be sized to handle all Umatilla depot loading, as well as to handle potential expansion from other sources. This would be the most flexible and most costly option, but would provide a sanitary waste system for the long term, instead of a limited use of the present system.*<sup>11</sup>

<sup>7</sup> LUBA No. 2006-068, page 21.

<sup>8</sup> U.S. Army Umatilla Chemical Depot Base Redevelopment Plan, Umatilla Army Depot Reuse Authority, August 2010 Section A, Part II, Section 2.3, page 7.

<sup>9</sup> Ibid, page 24.

<sup>10</sup> Ibid, page 25.

<sup>11</sup> Ibid, page 25.

In addition to the infeasibility of renovating or expanding the existing on-site treatment system to serve industrial uses, there are groundwater concerns in the area. The Army Depot property, including the industrial lands proposed to be served by the municipal wastewater line, is located within the Lower Umatilla Basin Groundwater Management Area (LUBGWMA). The LUBGWMA was designated by the Oregon Department of Environmental Quality (DEQ) in 1990 due to the high nitrates in the groundwater. Many areas within the LUBGWMA exceed federal drinking water standards for nitrate. The comprehensive report leading up to the GWMA designation identified five sources of contamination. One source was, and continues to be, nitrates leached from underground septic systems. This is noteworthy in this case because the proposed municipal wastewater line would be the only alternative to septic disposal for future development of the industrial lands. In other words, if the municipal line does not dispose of wastewater, future development would be served by numerous on-site septic systems. For some 20 years, a local committee, together with the DEQ staff, have worked to implement an Action Plan designed to remediate the high levels of nitrates. The progress is very slow. Steps are small and incremental. Allowing the Army Depot lands to be served by a municipal system and therefore avoiding further groundwater contamination from additional, new septic system contamination, will go a long way to foster the goal of minimizing nitrate contribution to the groundwater in the area.

Given the difficulties of upgrading the existing on-site facilities to serve the planned (and acknowledged) industrial uses on the property, the groundwater concerns in the area, and the costs associated with constructing an entirely new sewer treatment facility, the CDA approached the City of Umatilla to determine whether it would be feasible to extend City sewer service to the site. The City has indicated that it has adequate capacity to serve the planned land uses at the Depot:<sup>12</sup>

*The City has reviewed the potential industrial area and zoning within the CDA and flow projections developed for Camp Umatilla by the Oregon National Guard undergoing Goal 11 exception. The City's key sewer facilities have the ability and capacity to accept wastewater from the CDA and from the Oregon National Guard (Camp Umatilla).*

*Further, as a public entity, the City has the managerial and technical capacity to manage the wastewater generated from this area in accordance with State rules and regulations.*

The City identified a suitable connection point roughly 2.6 miles away from the Depot (as the crow flies), and several potential alignments for a new sewer line.

The land between the Umatilla City limits and the Depot is zoned EFU. There is no reasonable route between the two that would not require a new exception. (See Figure 3.)

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<sup>12</sup> Letter from Russell Pelleberg, City of Umatilla City Manager, dated March 15, 2017.

Figure 3: Proposed Sewer Extension and Zoning

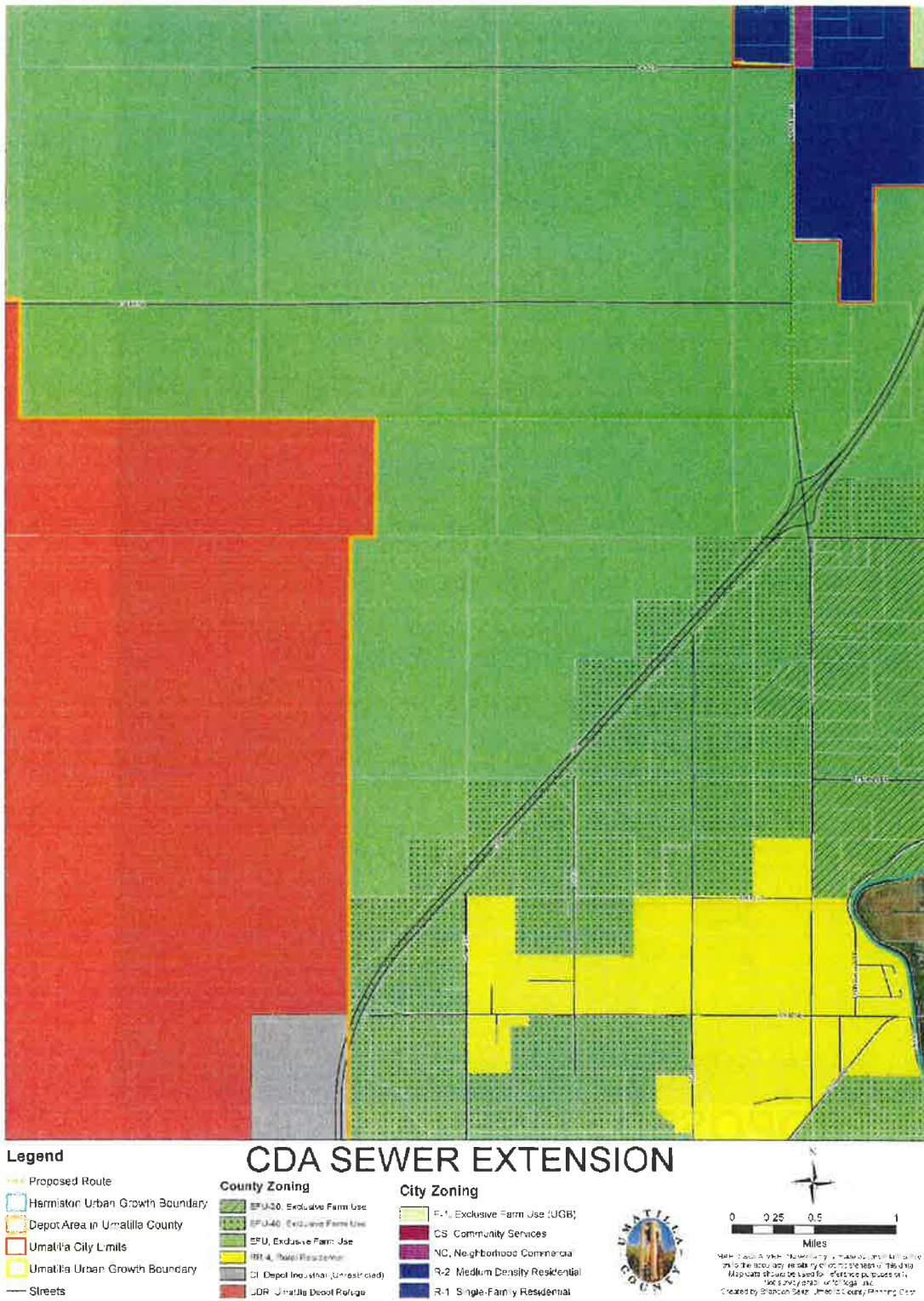


Figure 4: Proposed Sewer Alignment, Alternative Alignments Considered, and Lineal Feet of Pipe Outside the UGB by Alternative



## CDA PROPOSED SEWER ALIGNMENTS

- Legend**
- Depot Area in Umatilla County
  - Umatilla City Limits
  - Umatilla Urban Growth Boundary
  - Streets
- Proposed Alignments**
- Air Routes Inside UGB
  - Final Route
  - I-82 Route
  - Radar Road Route
  - Potato Lake Route



MAP DISCLAIMER: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of this data. Map data should be used for reference purposes only. Not survey grade or for legal use. Created by Brandon Seitz, Umatilla County Planning Dept.

## Alternatives Evaluation

### Summary of Applicable Criteria

The exception requirements in OAR 660-004-0020 and OAR 660-004-0022 are written primarily for the justification of a new land use that is not allowed under the Goals, rather than for the extension of a public facility where no change to allowed land uses is proposed and where the facility itself will not enable a type or intensity of use that is not already permitted. LUBA found in *Debby Todd v. City of Florence* that:

*(1) the criteria in OAR 660-004-0020(2)(b)—(d) apply to the proposed Goal 11 exception, (2) those criteria require some evaluation of the “proposed use,” (3) the “proposed use” and the public facilities established or extended pursuant to a Goal 11 exception are different things that must be separately evaluated, and (4) in the context of a Goal 11 exception to establish or extend public facilities to serve proposed development, such development must be evaluated under the criteria in OAR 660-004-0020(2)(b)—(d) as the “proposed use,” even if that use does not itself require a goal exception.<sup>13</sup>*

The uses on the Depot site have already been evaluated under OAR 660-004-0020(2)(b)—(d) as part of the justification of the exceptions to Goal 11 and 14 adopted by Umatilla County in 2014. As no change to the uses is proposed as part of this goal exception, those findings remain valid and need not be repeated.

The *Debby Todd v. City of Florence* case does not explicitly state whether the portions of the rule that reference the “proposed use” (rather than a proposed facility or service) should also be applied to the proposed public facility for a proposal for a Goal 11 exception only that does not include a goal exception for uses. It implies that “proposed use” should be read literally as only referring to uses and not facilities. However, because the case is not clear on this point, we have provided that evaluation below for OAR 660-004-0020(2)(c)—(d). (OAR 660-004-0020(2)(b) is addressed in the previous section.)

OAR 660-004-0020(2)(c) requires demonstration that:

*The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site.*

Many of the specific considerations listed in OAR 660-004-0020(2)(c) are not applicable to a goal exception for an underground pipe that will have little impact on the use of land at the surface level; however, the intent that the selected alternative not have impacts that are “significantly more adverse” than other locations that also require an exception is assumed to be relevant here.

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<sup>13</sup> LUBA No. 2006-068, page 12

OAR 660-004-0020(2)(d) requires that:

*"The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts." The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.*

## Findings

Findings regarding the proposed uses to be served by the sewer line extension were previously adopted and acknowledged in Umatilla County's Comprehensive Plan, Chapter 18, and are incorporated by this reference. The following findings address the sewer line extension itself.

Several alternative alignments were considered in selecting proposed alignment. The proposed alignment and alternative alignments considered are shown on Figure 4. The exception applies to the sewer pipe alignment shown in green as "Final Route" on Figure 4. The length of the alignment that extends outside the City of Umatilla UGB to the Depot property is 17,146 feet, as shown on Figure 4.

The "I-84 Route" was dismissed because it is significantly longer than the other alternatives, making it less efficient. The "Radar Road" and "Potato Lane" routes were dismissed because they have greater impacts to active farm operations on private property than the preferred alignment. The proposed alignment remains within or abutting the City of Umatilla UGB for as long as possible before crossing into EFU zoning. It was selected as the least impactful to farm operations while maintaining an efficient route. Of the portion of the alignment outside the City of Umatilla UGB, 7,856 linear feet are within the public right of way of Powerline Road. The portion that crosses private land (roughly 9,290 linear feet) avoids irrigated areas and aligns with an existing farm vehicle pathway between fields. This portion will be contained within an easement up to 40 feet in width.

In negotiating the details of the easement and sewer line construction with the property owner, the City of Umatilla is committed to include measures to further minimize disruptions to farm operations, such as timing construction to avoid disturbing crops, planting, and harvest activities; providing on-going access rights for the property owner to ensure the ability to continue existing farm uses within the easement; and constructing the line underground at a depth that will avoid impact to farming operations.

This demonstrates that the proposed facility will be compatible with the adjacent farm uses.

- **Environmental consequences:** The proposed alignment does not affect any significant natural resources. The environmental consequences of the sewer extension are anticipated to be minimal. It also avoids a small drainageway (visible in the aerial photograph in Figure



4) that would be crossed by some of the alternatives considered. There are no known significant Goal 5 resources along the proposed route.

- **Social consequences:** The extension of the sewer line is not anticipated to have any social impacts in any of the alternatives considered.
- **Economic consequences:** The cost of the sewer extension and any needed improvements to the existing system to accommodate the additional wastewater flows will be funded by the CDA, so there will not be an economic impact to the City of Umatilla. Keeping costs low will facilitate development at the Depot, which will have a positive economic impact on the broader area, as discussed in the findings for the goal exception for the Depot itself. The property owner whose land will be the subject of the easement will be compensated for the value of the easement, ensuring a neutral or positive economic impact to the property owner.
- **Energy consequences:** By minimizing the length of the pipe relative to other alignments, the proposed alignment minimizes the resources and energy required for installation of the sewer line.

This demonstrates that the proposed alignment is does not have significantly more adverse impacts than other potential alignments.

## Limitation of Uses

### Applicable Criteria

A key requirement under OAR 660-011-0060(9) is that “the local government adopts land use regulations that prohibit the sewer system from serving any uses or areas other than those justified in the exception.”

OAR 660-004-0018(4) includes a similar but more general requirement that:

*(a) When a local government takes an exception under the "Reasons" section of ORS 197.732(1)(c) and OAR 660-004-0020 through 660-004-0022, plan and zone designations must limit the uses, density, public facilities and services, and activities to only those that are justified in the exception.*

### Findings

The land where the proposed sewer line will be located is and will remain zoned EFU, which precludes urban development. In addition, the following policy is proposed to be included in the Comprehensive Plans of both the City of Umatilla and Umatilla County, as part of this Goal exception:

*As long as the Umatilla Army Depot property included in the adopted Army Depot Plan District remains outside of the City of Umatilla’s urban growth boundary, only those uses*

*permitted in the Umatilla County and/or Morrow County Comprehensive Plan Goal exceptions for the Depot property shall be allowed to connect to the City's sewer system.*

With this policy, the extension of a sewer line between the City of Umatilla UGB and the Umatilla Army Depot exception area meets the requirement that the sewer facility justified in this exception will only be used for the purpose justified in this exception, and will only serve the uses that have been justified in the prior Goal exception for the Depot property.

## **Conclusion**

The findings above demonstrate that the City of Umatilla has justified an exception to Goal 11 to extend sewer service to the Umatilla Army Depot site, which has acknowledged exceptions to Goals 11 and 14. The proposed sewer line will have minimal impacts to land use, farm operations, and the environment, and will be limited to serving the approved and acknowledged uses on the Depot site. The City is willing to extend the line, and has adequate capacity to serve the planned uses at the Depot. The Goal exception meets all requirements contained in State law and administrative rules.

Exhibit B

# City of Umatilla

700 6<sup>th</sup> Street, PO Box 130, Umatilla, OR 97882

City Hall (541) 922-3226

Fax (541) 922-5758



March 15, 2017

To: Frank Angelo  
Angelo Planning Group  
921 SW Washington Street, Suite 468  
Portland, OR 97205

Mr. Angelo,

The City has reviewed the potential industrial area and zoning within the CDA and flow projections developed for Camp Umatilla by the Oregon National Guard undergoing Goal 11 Exception. The City's key sewer facilities have the ability and capacity to accept wastewater from the CDA and from the Oregon National Guard (Camp Umatilla).

Further, as a public entity, the City has the managerial and technical capacity to manage the wastewater generated from this area in accordance with State rules and regulations.

Please let me know if you have any further questions.

Sincerely,

A handwritten signature in blue ink that reads "Russell W. Pelleberg". The signature is written in a cursive style.

Russell W. Pelleberg  
City Manager  
City of Umatilla, OR 97882  
541-922-3226

Ordinance No. XXX  
**EXHIBIT C**

**Bolded** language proposed to be added; Bracketed [ ] language proposed for deletion by application PA-1-18

CHAPTER 11  
GOAL 11: PUBLIC FACILITIES AND SERVICES

SECTION 11.0 PUBLIC FACILITIES AND SERVICES GOAL

To coordinate and arrange for the provision of public facilities and services in an efficient, orderly, and timely manner.

SECTION 11.1 PUBLIC FACILITIES AND SERVICES BACKGROUND AND DISCUSSION

11.1.100 MUNICIPAL WATER

The City of Umatilla has three wells as the source of its water supply: one in the McNary area and two near the central part of the City. Supply of the City water system is summarized as follows:

Table 11.1-1 Existing Umatilla City Water Supply Sources

Well	GPM	Storage
McNary Area	2500*	.125 MG
City of Umatilla	1350**	.65 MG

Note: GPM = gallons per minute; MG = million gallons

\* CH<sub>2</sub>M-Hill, Community Impacts of Alumax, p. 135.

\*\* Ibid., p. 135.

The water system is also broken down into three service areas. One is the lower elevations (below elevation 389) of the City and the second is near the existing reservoirs between elevations 389 and 491. The third service area is at McNary and is served by elevated storage.<sup>1</sup>

The determination of demand is based on water metering records from 1972-1975 for Umatilla and McNary. Combining these system demands for the maximum year (1974-1975) gives the following results:<sup>2</sup>

- The annual average demand is 596,550 gpd
- The annual average demand per capita is 445 gallons per capita per day (gpcd)
- The maximum day demand is estimated at 1,547 gpcd

Based on the maximum day demand of 1,547 gpcd, the existing water system could support approximately 3,584 people on a maximum demand day.

<sup>1</sup> CH<sub>2</sub>M-Hill, City of Umatilla Water System Study, p. 31.

<sup>2</sup> Ibid., p. 7.

**EXHIBIT C**

A more complete analysis and inventory of the municipal water system is available at the City Hall in the Umatilla Water System Study, 1977.

The problems associated with supplying water to Umatilla and the surrounding area have been examined in several reports during the past few years. These reports have included: Regional Water System Feasibility Study, 1974, and Ground Water Conditions and Declining Water Levels in the Butter Creek Area, 1975. All three reports discuss the declining groundwater resource and mention the possibility of obtaining water from the Columbia River.

#### 11.1.110 *Municipal Water Needs*

A supplement to the City of Umatilla Water System Study recommended that a hydro-geological survey be conducted to ascertain the feasibility of a Ranney Collector. The quality of water that could be obtained by this method was found to be unsuitable. Development of a new deep well began in 1978 and appropriation of Columbia surface water is being explored. Appropriation of water from the Columbia River has been requested from the State Water Resources Department in the form of a water right application for municipal use. Currently, there are no limitations on the quantity of water that could be appropriated from this source.

Future growth and development of the City will require not only additional water supply, but also additional storage capacity. The facilities presently planned for will support a population of approximately 14,000 people, and commensurate commercial/industrial growth. If the per capita water consumption can be reduced, the system would support a higher population. The present water storage facility, located on the south hills, limits future development to elevations below 491 unless pumping is employed. Storage facilities under construction will be located at 500 and 650 foot elevations. Pumping will be continued to allow development of the south hills consistent with the Comprehensive Plan. The development of new water storage facilities near Bensel and Power Line Roads has been discussed (see *Figure 11.1-1*). Water distribution is being increased as part of the reservoir construction.

#### 11.1.200 *SANITARY SEWER*

The Umatilla Sewage Treatment Plant, constructed in 1952, was treating .17-.18 MGD during 1976 with a capacity of .25 MGD which is 72% capacity. Based on these figures, the plant treats .82 gpcd, and at this rate would be able to support approximately 3,048 people. At the current rate of growth for the City of Umatilla, sewage treatment plant capacity became a limiting factor to area growth during 1977.

Additional inventories of the sanitary sewer system can be found in the City of Umatilla Facilities Plan, 1977. A new sewage treatment plant is currently under design with local funding. The new plant will occupy approximately 6.5 acres at the present plant location. The capacity of the new plant will be approximately 10,000 people with additional area for plant expansion. System improvements considered in the facilities study include collectors and interceptors out to Power City and out Power Line Road (see *Figure 11.1-1*). Note: Detailed development plans for water and sewer are available at the City Hall.

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11.1.299 *Exception Areas Served by Sanitary Sewer*

Goal 11 attempts to prevent urban sprawl by prohibiting cities from extending sewer service outside of their urban growth boundaries. As implemented under Oregon Administrative Rules (OAR) Chapter 660, Division 11 however, Goal 11 allows a use or property outside of an urban growth boundary to be served by an existing sanitary sewer system when reasons justify why the Goal should not apply to a use or property and the standards for an exception are met.

A. Exception Area #1 – CTUIR Trust Property

The United States Government owns a largely triangular-shaped property outside of the City of Umatilla’s urban growth boundary held in trust for the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). This trust property is identified as tax lot 500 in Section 7, Township 5 North, Range 29 East, W.M. and is adjacent along its west and south boundaries to property within the city limits. The property is approximately 195.23 acres in size and was acquired by the CTUIR in 1993 from The Trust For Public Land, a nonprofit California public benefit corporation. The CTUIR conveyed the property to the United States Government in 1999 pursuant to Section 5 of the Indian Reorganization Act of June 18, 1934, to be held in trust for the CTUIR. A relatively narrow strip of land adjacent to the north that once accommodated a portion of the Union Pacific Railroad’s rail line, but has since been converted to trail use, separates the CTUIR’s property from the Columbia River to the north.

The CTUIR subsequently planned and zoned the off-reservation property for industrial use. The property is also identified on Umatilla County’s Comprehensive Plan map as being industrial and is zoned Heavy Industrial (HI) by the County. Umatilla County notes in its Comprehensive Plan that,

Although the Indian Trust Land designation excludes it from the County Comprehensive Plan and Development Code jurisdiction, the County must identify it in its Plan and Plan Map for future use should ownership change and it becomes a private land holding.

The CTUIR is actively promoting the property for industrial use; however, for all practical intents and purposes, the property is landlocked. To address this problem, the CTUIR is working with the Oregon Department of Corrections (DOC) and the City of Umatilla to extend a new street to the CTUIR’s property across property currently owned by the DOC. The new street will contain all needed utilities, including sewer, to serve not only the CTUIR’s property outside the City’s urban growth boundary, but also the adjacent property owned by the DOC and the adjacent industrial-zoned properties inside the city limits owned by the Port of Umatilla. When completed to the City’s standards, ownership and maintenance of the new street, sewer and water utility lines will be transferred to the City of Umatilla.

OAR 660-011-0060(9), in part, authorizes a local government to extend its existing sewer system to serve a use or property outside of its urban growth boundary “provided the standards for an exception have been met;” the standards for an exception are contained under OAR 660-004-0020(2)(a)–(d). OAR 660-004-0020(2)(a) requires appropriate reasons to justify a goal exception; OAR 660-004-0022 identifies nonexclusive reasons that may be used to justify certain types of uses including the reason in OAR 660-011-0060(9)(b) which recognizes “[t]he extension of an

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existing sewer system [that] will serve land that, by operation of federal law, is not subject to statewide planning Goal 11 and, if necessary, Goal 14.” In addition to authorizing a local government to extend its existing sewer system to serve a use or property outside of its urban growth boundary as described above, OAR 660-011-0060(9) also requires the local government to adopt land use regulations that “prohibit the sewer system from serving any uses or areas other than those justified in the exception.”

OAR 660-011-0060(9)(b) provides an appropriate reason that, when supported by facts may authorize an exception to Goal 11 that would allow the City of Umatilla to provide sewer service to the CTUIR’s trust property if the exception requirements under OAR 660-004-0020(2)(a) – (d) are also met. The United States Government holds title to the property in trust for the CTUIR. Federally-owned property is not subject to Oregon’s statewide planning goals or to Oregon’s property tax system. Oregon’s statewide planning goals, including Goal 11 and Goal 14, are not, by operation of the Supremacy Clause under Article VI, Section 2 of the U.S. Constitution, whether express or implied, applicable or enforceable to any development on the CTUIR’s trust property. The provision under OAR 660-011-0060(9)(b) was adopted by the Land Conservation and Development Commission (LCDC) in 2008 in an attempt to address the Land Use Board of Appeals’ (LUBA) concerns in *Debby Todd v. City of Florence*, LUBA No. 2006-068, in which LUBA acknowledged the extremely awkward situation faced by the City of Florence in its attempt to justify an extension of that city’s existing sewer system to serve a proposed development on land owned by the United States and held in trust for the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians located outside of that city’s urban growth boundary.

While the application of OAR 660-011-0060(9)(b) in demonstrating an appropriate reason in meeting the reasons justification required under OAR 660-004-0020(2)(a) and 660-004-0022 is clear, the extent to which it satisfies the requirements under OAR 660-004-0020(2)(b) through (d) requires a more detailed explanation. In *Debby Todd v. City of Florence*, LUBA distinguished the “use” and “proposed use” between the extension of the City’s sewer system and the proposed development the sewer system extension was intended to serve in relation to the rule requirements. As the City of Umatilla understands the exception requirements under OAR 660-004-0020(2)(b) – (d) prior to *Debby Todd v. City of Florence*, an analysis of these requirements would have been necessary for the “proposed use,” the same as for a Goal 14 exception, in order to justify a Goal 11 exception to extend sewer service to land that did not require a Goal 14 exception. However, OAR 660-011-0060(9)(b) specifically excludes the need to address Goal 14 when it references land outside an urban growth boundary to be served by the extension of an existing sewer system “that, by operation of federal law, is not subject to statewide planning Goal 11, and if necessary, Goal 14” [emphasis added]. LCDC’s adoption of OAR 660-011-0060(9)(b) eliminated the need to conduct an “alternative areas” analysis for a Goal 11 exception in order to justify a “proposed use” on federally-owned land. OAR 660-011-0060(9)(b) effectively renders OAR 660-004-0020(2)(b) and (c) inapplicable to a Goal 11 exception on federally-owned land because both of those would otherwise require an “alternative areas” analysis to justify a “proposed use” on that land. This contention is supported in *Debby Todd v. City of Florence* by LUBA when it argued,

The policy underlying Goal 11 seems little offended by allowing a single sewer system to serve two adjoining areas that each have the legal right and practical ability to develop urban uses and urban-level sewer facilities, notwithstanding that one area is within a UGB and the other outside the UGB.

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OAR 660-011-0060(9)(b) renders OAR 660-004-0020(2)(d) inapplicable as well, but for a somewhat difference reason. Under typical circumstances where OAR 660-004-0020(d) applies, this rule requires that “[t]he proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.” To some extent, the City is agreeable to extending its sewer system to serve industrial uses on the CTUIR’s trust property because the property is bordered on two sides by industrially-zoned land inside the city limits that allow industrial uses similar to those proposed by the CTUIR. Uses permitted in the City of Umatilla’s Heavy Industrial (M2) Zone are similar to those allowed industrial uses as described in the CTUIR’s Land Development Code. Both the CTUIR and the City of Umatilla require site plan review and approval to ensure that all uses permitted in their respective industrial zones will meet minimum development standards, which also provides some level of compatibility between uses.

However, the CTUIR could choose to develop the property with any other type of non-industrial use or uses, and the City would have no recourse to address the compatibility of those uses with existing or permitted uses on the adjacent industrial land inside the city limits, other than to not agree to serve those uses with the City’s existing sewer system. OAR 660-011-0020(d) recognizes, through the inclusion of the language “. . . and if necessary, Goal 14,” that the City does not have the authority to adopt “measures” regulating uses on the CTUIR’s property to “render” those uses compatible or even to “reduce adverse impacts” from those uses. The limitation on serving only those uses proposed and approved to connect to the sewer system provides the only effective means to ensure some level of compatibility with other adjacent uses.

The CTUIR proposes to use the property for industrial use with specific uses, for purposes of meeting the use limitation requirement under OAR 660-011-0060(9)(b), being limited to those industrial uses permitted in the Tribes’ Land Development Code. As previously mentioned, the CTUIR’s trust property is adjacent to large tracts of heavy industrial zoned land inside the city limits adjacent to the west and south. The adjacent property to the west contains the Two Rivers Correctional Institution (TRCI) while the adjacent property to the south is undeveloped.

In order to ensure that only those areas for which the Goal 11 exception has been taken will be served by the extension of the City’s existing sewer system, the City of Umatilla will include the following policy in its Comprehensive Land Use Plan under Section 11.5, the ‘Public Facilities and Services Policies’ section of the Goal 11 element of the Plan:

Policy: 11.5.104 As long as the CTUIR’s trust property identified as tax lot 500 in Section 7, Township 5 North, Range 28 East, W.M. remains outside of the City of Umatilla’s urban growth boundary, only those industrial uses permitted in the CTUIR’s Land Development Code shall be allowed to connect to the City’s sewer system.

In summary, the City of Umatilla has expressed its willingness to extend a sewer line approximately one-half mile beyond its city limits and urban growth boundary to serve a 195.23-acre property owned by the United States Government held in trust for the Confederated Tribes of the Umatilla Indian Reservation. The fact that the property is owned by the United States Government and is held in trust for the CTUIR does not alter the non-applicability status of the



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statewide planning goals to the property. The sewer line will be placed within a new road created to provide access to the property; both the road and sewer line will be designed to serve other industrial properties adjacent to the west and south that are already in the urban growth boundary and city limits. The City has found the requirements for a Goal 11 exception to be met, largely through LCDC's adoption of OAR 660-011-0060(9)(b) which provided an appropriate reason to justify a Goal exception and obviated the need to conduct alternative areas analyses to justify the uses proposed for the CTUIR trust property. The City adopted an appropriate policy to limit the uses on the CTUIR's trust property that are allowed to connect to the City's sewer system to those justified through the exception which are those industrial uses permitted in the Tribes' Land Development Code. The City believes that extension of the sewer line to serve the CTUIR trust property and the other industrially-zoned land within the urban growth boundary will help to create jobs and provide other positive economic impacts for the community and CTUIR.

**B. Exception Area #2 – Umatilla Army Depot**

**The Umatilla Army Depot (Depot) is a unique facility and land use in the State of Oregon. Established more than seventy years ago by the U.S. Army, the Depot site encompasses approximately 17,000 acres spanning Morrow and Umatilla Counties. There are 1,411 Army owned structures that total approximately 3.5 million square feet on the Depot site. Due to its Federal ownership, the Depot was not zoned by Morrow and Umatilla Counties and was not subject to Oregon's land use planning program in the 1980's, at the time other lands in Oregon were so acknowledged by the Land Conservation and Development Commission.**

**On May 14, 2013 the Umatilla Army Depot Local Reuse Authority (LRA) endorsed an economic development and land use strategy for future industrial and employment uses at the Umatilla Army Depot in anticipation that the property would transition away from military operations. This action acknowledged the unique attributes of the Depot site within the context of the regional economy and opportunities for future development. This action also authorized the next steps necessary to implement zoning on the portions of the site identified for industrial development.**

**The LRA action represented the culmination of more than twenty years of planning activity to transition the Umatilla Army Depot away from military operations towards a more comprehensive use of the property. Planning for the Depot has consistently emphasized three overarching goals for future use of the site:**

- **Military Reuse (accommodating the needs and plans of the Oregon National Guard)**
- **Environmental Preservation (with a special emphasis on the shrub-steppe habitat)**
- **Economic Development (job creation)**

**Both Morrow County and Umatilla County worked together to develop a consolidated reuse / land use plan for the entire Depot site. Land use recommendations and findings were developed in a single, consolidated report covering both counties. Both counties then adopted ordinances to implement the plan and zoning designations for the portions of the Depot site under their respective jurisdiction. The adoption included exceptions to**

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Statewide Planning Goals 11 and 14, comprehensive plan and zoning designations for the Depot property and amendments to zoning ordinances.

Depot Local Reuse Authority has subsequently transitioned to the Columbia Development Authority (CDA). The CDA is now responsible for overseeing the transition of the Depot property from federal to local ownership and planning and development activities related to future use of the Depot property.

It's within this context that the CDA is looking to ready the Depot property for future development opportunities in-line with the land use direction adopted locally and acknowledged by the State of Oregon in the Army Depot Plan. One of the steps needed to advance the planning for future uses on the Depot property is the provision of sanitary sewer service to the site to serve the 760 to 1,075 future employees forecasted for the property in 2035.

The Depot has an existing localized sewage treatment system that was previously used by the military facilities on the site. That system is limited to the cantonment area of the site, where administrative and housing facilities were located – the portion of the site that will remain in military use under Oregon National Guard management. The system was not designed to handle industrial effluent, and it is not feasible to renovate and expand the existing system to serve that purpose. With existing sewer facilities from the City of Umatilla located 2.6 miles (as the crow flies) to the Depot site, and the ability of the City's sewer system to efficiently handle the projected wastewater flows from the Depot, providing sewer service to the Depot from the City of Umatilla represents an orderly and efficient arrangement of public facilities and services, consistent with Statewide Planning Goal 11.

Although an exception to Goals 11 and 14 has already been adopted for the Depot itself, allowing urban public facilities and services on the Depot site, an exception to Statewide Planning Goal 11 is needed in order to allow the extension of sewer lines from the City of Umatilla Urban Growth Boundary (UGB) to the Depot.

OAR 660-011-0060(2) prohibits a local government from extending sewer lines to serve land outside a UGB except under limited circumstances, or when the standards for a Goal 11 exception can be met. The permissible reasons to extend service outside a UGB include, but are not limited to:

- serving lands inside a nearby UGB or unincorporated community; and
- serving "land that, by operation of federal law, is not subject to statewide planning Goal 11," which includes federal land and tribal land.

The standards in OAR 660-004-0020(2) also get at the justification for the Goal exception:

*(a) "Reasons justify why the state policy embodied in the applicable goals should not apply." The exception shall set forth the facts and assumptions used as the basis for*

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*determining that a state policy embodied in a goal should not apply to specific properties or situations, including the amount of land for the use being planned and why the use requires a location on resource land;*

The key tests under OAR 660-004-0020(2)(b) are whether the use (or, in this case, the facility) can be reasonably accommodated in an area that does not require a new exception, and whether the proposed use can reasonably be accommodated without the provision of the proposed public facility or service.

The Land Use Board of Appeals (LUBA) opinion in *Debby Todd v. City of Florence* stated that:

*Under both OAR 660-004-0022(1) and 660-011-0060(9), the city is free to identify reasons other than those set out in the rules that “justify why the state policy embodied in the applicable goals should not apply.” If the local government takes that approach, then the catch-all criteria at OAR 660-004-0022(1)(a)—(c) do not apply, and there is no requirement to evaluate the “proposed use or activity.”*

Thus, OAR 660-004-0022(1)(a)—(c) are not applicable here.

Under the current federal ownership, the land is not subject to Goal 11 (because federally-owned property is not subject to Oregon’s statewide planning goals), and thus is clearly covered under OAR 660-011-0060(9)(b). However, the base is expected to transfer out of federal ownership.

Because an exception to Goal 11 has already been approved for the Depot that would allow on-site development of urban-scale sewer facilities, the proposed sewer pipe will still be connecting two areas where sewer facilities are permitted under Goal 11, as allowed under OAR 660-011-0060(9)(b) and OAR 660-011-0060(3)(B). In *Debby Todd v. City of Florence*, LUBA held that:

*The policy underlying Goal 11 seems little offended by allowing a single sewer system to serve two adjoining areas that each have the legal right and practical ability to develop urban uses and urban-level sewer facilities, notwithstanding that one area is within a UGB and the other outside the UGB.*

Given the *Debby Todd v. City of Florence* decision, providing a sewer connection from within a UGB to a nearby area outside the UGB but also authorized for urban sewer service as a result of prior goal exceptions is an appropriate reason to justify an exception to Goal 11 for the extension of sewer service to the Depot.

The LUBA decision in *Debby Todd v. City of Florence* also suggests that it is not necessary to demonstrate that it is unreasonable to provide separate sewer treatment facilities for adjacent areas, each of which is authorized for urban sewer service, rather than to serve them with a single system. However, the rationale and justification for extending sewer from the City of Umatilla rather than treating sewer on-site at the Depot is given below.

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**The Depot has an existing localized sewage treatment system that was used by the military facilities on the site. An Infrastructure Assessment done as part of creating a redevelopment plan for the Depot included the following key findings:**

*The Depot facility sanitary waste water system is a localized system. It consists of a combination of localized [Imhoff] septic tanks and drain fields. ... The system is capable of handling the current exiting [sic] load but may not be capable of handling significant changes in capacity if needed by reuse alternatives.*

*The system seems to be adequate at the current loading density, ... but would very likely not tolerate a significant influx of industrial components to the waste stream.*

*Renovation and expansion of the current sanitary waste systems, other than required maintenance and permitting work, would not be considered economically or functionally feasible due to the age of the Imhoff systems. Other local septic systems on the facility should likely not be expanded beyond their current design loading in order to maintain compliance with standards in place when they were installed.*

*Should the population of the facility significantly increase or industrial or process systems installed at the facility, a new sanitary sewer treatment facility, with new transfer piping and infrastructure would be recommended. A new system could be sized to handle all Umatilla depot loading, as well as to handle potential expansion from other sources. This would be the most flexible and most costly option, but would provide a sanitary waste system for the long term, instead of a limited use of the present system.*

**In addition to the infeasibility of renovating or expanding the existing on-site treatment system to serve industrial uses, there are groundwater concerns in the area. The Army Depot property, including the industrial lands proposed to be served by the municipal wastewater line, is located within the Lower Umatilla Basin Groundwater Management Area (LUBGWMA). The LUBGWMA was designated by the Oregon Department of Environmental Quality (DEQ) in 1990 due to the high nitrates in the groundwater. Many areas within the LUBGWMA exceed federal drinking water standards for nitrate. The comprehensive report leading up to the GWMA designation identified five sources of contamination. One source was, and continues to be, nitrates leached from underground septic systems. This is noteworthy in this case because the proposed municipal wastewater line would be the only alternative to septic disposal for future development of the industrial lands. In other words, if the municipal line does not dispose of wastewater, future development would be served by numerous on-site septic systems. For some 20 years, a local committee, together with the DEQ staff, have worked to implement an Action Plan designed to remediate the high levels of nitrates. The progress is very slow. Steps are small and incremental. Allowing the Army Depot lands to be served by a municipal system and therefore avoiding further groundwater contamination from additional, new septic system contamination, will go a long way to foster the goal of minimizing nitrate contribution to the groundwater in the area.**

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Given the difficulties of upgrading the existing on-site facilities to serve the planned (and acknowledged) industrial uses on the property, the groundwater concerns in the area, and the costs associated with constructing an entirely new sewer treatment facility, the CDA approached the City of Umatilla to determine whether it would be feasible to extend City sewer service to the site. The City has indicated that it has adequate capacity to serve the planned land uses at the Depot:

*The City has reviewed the potential industrial area and zoning within the CDA and flow projections developed for Camp Umatilla by the Oregon National Guard undergoing Goal 11 exception. The City's key sewer facilities have the ability and capacity to accept wastewater from the CDA and from the Oregon National Guard (Camp Umatilla).*

*Further, as a public entity, the City has the managerial and technical capacity to manage the wastewater generated from this area in accordance with State rules and regulations.*

The City identified a suitable connection point roughly 2.6 miles away from the Depot (as the crow flies), and several potential alignments for a new sewer line.

The land between the Umatilla City limits and the Depot is zoned EFU. There is no reasonable route between the two that would not require a new exception.

The exception requirements in OAR 660-004-0020 and OAR 660-004-0022 are written primarily for the justification of a new land use that is not allowed under the Goals, rather than for the extension of a public facility where no change to allowed land uses is proposed and where the facility itself will not enable a type or intensity of use that is not already permitted. LUBA found in *Debby Todd v. City of Florence* that:

*(1) the criteria in OAR 660-004-0020(2)(b)—(d) apply to the proposed Goal 11 exception, (2) those criteria require some evaluation of the “proposed use,” (3) the “proposed use” and the public facilities established or extended pursuant to a Goal 11 exception are different things that must be separately evaluated, and (4) in the context of a Goal 11 exception to establish or extend public facilities to serve proposed development, such development must be evaluated under the criteria in OAR 660-004-0020(2)(b)—(d) as the “proposed use,” even if that use does not itself require a goal exception.*

The uses on the Depot site have already been evaluated under OAR 660-004-0020(2)(b)—(d) as part of the justification of the exceptions to Goal 11 and 14 adopted by Umatilla County in 2014. As no change to the uses is proposed as part of this goal exception, those findings remain valid and need not be repeated.

The *Debby Todd v. City of Florence* case does not explicitly state whether the portions of the rule that reference the “proposed use” (rather than a proposed facility or service) should also be applied to the proposed public facility for a proposal for a Goal 11 exception only

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that does not include a goal exception for uses. It implies that “proposed use” should be read literally as only referring to uses and not facilities. However, because the case is not clear on this point, we have provided that evaluation below for OAR 660-004-0020(2)(c)—(d). (OAR 660-004-0020(2)(b) is addressed in the previous section.)

OAR 660-004-0020(2)(c) requires demonstration that:

*The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site.*

Many of the specific considerations listed in OAR 660-004-0020(2)(c) are not applicable to a goal exception for an underground pipe that will have little impact on the use of land at the surface level; however, the intent that the selected alternative not have impacts that are “significantly more adverse” than other locations that also require an exception is assumed to be relevant here.

OAR 660-004-0020(2)(d) requires that:

*"The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts." The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.*

Findings regarding the proposed uses to be served by the sewer line extension were previously adopted and acknowledged in Umatilla County’s Comprehensive Plan, Chapter 18, and are incorporated by this reference. The following findings address the sewer line extension itself.

Several alternative alignments were considered in selecting proposed alignment. The length of the alignment that extends outside the City of Umatilla UGB to the Depot property is 17,146 feet.

The “I-84 Route” was dismissed because it is significantly longer than the other alternatives, making it less efficient. The “Radar Road” and “Potato Lane” routes were dismissed because they have greater impacts to active farm operations on private property than the preferred alignment. The proposed alignment remains within or abutting the City of Umatilla UGB for as long as possible before crossing into EFU zoning. It was selected as the least impactful to farm operations while maintaining an efficient route. Of the portion of the alignment outside the City of Umatilla UGB, 7,856 linear feet are within the public right of way of Powerline Road. The portion that crosses private land (roughly 9,290 linear

feet) avoids irrigated areas and aligns with an existing farm vehicle pathway between fields. This portion will be contained within an easement up to 40 feet in width.

In negotiating the details of the easement and sewer line construction with the property owner, the City of Umatilla is committed to include measures to further minimize disruptions to farm operations, such as timing construction to avoid disturbing crops, planting, and harvest activities; providing on-going access rights for the property owner to ensure the ability to continue existing farm uses within the easement; and constructing the line underground at a depth that will avoid impact to farming operations.

This demonstrates that the proposed facility will be compatible with the adjacent farm uses.

- **Environmental consequences:** The proposed alignment does not affect any significant natural resources. The environmental consequences of the sewer extension are anticipated to be minimal. It also avoids a small drainageway that would be crossed by some of the alternatives considered. There are no known significant Goal 5 resources along the proposed route.
- **Social consequences:** The extension of the sewer line is not anticipated to have any social impacts in any of the alternatives considered.
- **Economic consequences:** The cost of the sewer extension and any needed improvements to the existing system to accommodate the additional wastewater flows will be funded by the CDA, so there will not be an economic impact to the City of Umatilla. Keeping costs low will facilitate development at the Depot, which will have a positive economic impact on the broader area, as discussed in the findings for the goal exception for the Depot itself. The property owner whose land will be the subject of the easement will be compensated for the value of the easement, ensuring a neutral or positive economic impact to the property owner.
- **Energy consequences:** By minimizing the length of the pipe relative to other alignments, the proposed alignment minimizes the resources and energy required for installation of the sewer line.

This demonstrates that the proposed alignment is does not have significantly more adverse impacts than other potential alignments.

A key requirement under OAR 660-011-0060(9) is that “the local government adopts land use regulations that prohibit the sewer system from serving any uses or areas other than those justified in the exception.”

OAR 660-004-0018(4) includes a similar but more general requirement that:

*(a) When a local government takes an exception under the "Reasons" section of ORS 197.732(1)(c) and OAR 660-004-0020 through 660-004-0022, plan and zone*

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*designations must limit the uses, density, public facilities and services, and activities to only those that are justified in the exception.*

**The land where the proposed sewer line will be located is and will remain zoned EFU, which precludes urban development. In addition, the following policy is proposed to be included in the Comprehensive Plans of both the City of Umatilla and Umatilla County, as part of this Goal exception:**

*As long as the Umatilla Army Depot property included in the adopted Army Depot Plan District remains outside of the City of Umatilla's urban growth boundary, only those uses permitted in the Umatilla County and/or Morrow County Comprehensive Plan Goal exceptions for the Depot property shall be allowed to connect to the City's sewer system.*

**With this policy, the extension of a sewer line between the City of Umatilla UGB and the Umatilla Army Depot exception area meets the requirement that the sewer facility justified in this exception will only be used for the purpose justified in this exception and will only serve the uses that have been justified in the prior Goal exception for the Depot property.**

**The findings above demonstrate that the City of Umatilla has justified an exception to Goal 11 to extend sewer service to the Umatilla Army Depot site, which has acknowledged exceptions to Goals 11 and 14. The proposed sewer line will have minimal impacts to land use, farm operations, and the environment, and will be limited to serving the approved and acknowledged uses on the Depot site. The City is willing to extend the line and has adequate capacity to serve the planned uses at the Depot. The Goal exception meets all requirements contained in State law and administrative rules.**



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Insert Figure 11.1-1 (fig.5 from original comp plan)

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11.1.300 *SCHOOLS*

The Umatilla school system is operating over capacity for the 1976-77 school year. At the beginning of the 1977 academic year, the Umatilla schools had an enrollment of 857 students. This was 157 students more than for the same time period in 1976; an increase of 22 percent.

As enrollment increases above the 857 students, capacity problems are anticipated. This will be particularly true of the lower elementary school grades. A new elementary school constructed in the McNary area was to help alleviate this problem. The school was at capacity a short time after it opened. Local colleges are: Blue Mountain Community College in Pendleton (30 miles), Whitman in Walla Walla, Washington (50 miles), and the Columbia Basin College in Tri-Cities area (30 miles).

Future plans include development of an additional elementary school on the hill southwest of the central part of the City. With this new school completed, the existing elementary/high school complex could become a junior and senior high school facility. Land for the future elementary school has been purchased. Consideration should also be given, near the end of the planning period, to a third elementary school in the Power City area as that area urbanizes, and to a fourth school in the area near Power Line and Bensel Roads. Police and fire protection services will also require expansion as the City grows.

11.1.400 *SOLID WASTE*

Solid waste is collected through franchise and refuse deposited at a county/DEQ approved landfill two miles north of Umatilla. The landfill has a projected use of approximately twenty years.

11.1.500 *SOCIAL SERVICES*

11.1.510 *Police*

The police department occupies new quarters across the street from City Hall which contains offices, a two cell holding facility, squad room and an interrogations room. The staff is comprised of five officers and five support personnel. In addition to customary police services, the department provides animal control, 24-hour radio dispatch and radio links with other public safety agencies in the area. As the area continues to grow there will be a need for additional personnel and patrol cars. Improving east-west transportation links is seen as essential to reduce police response time between sectors of the City.

11.1.520 *Fire*

Fire protection is currently provided by the rural fire protection district which has an elected board and volunteer personnel. Stations are located in the downtown area and at McNary. Equipment includes four fire vehicles and a disaster vehicle at the downtown location, and two fire vehicles at the McNary location. Additional equipment includes an ambulance manned by fire department personnel. Additional equipment and personnel will be needed through the planning period as the population increases. Future needs may also include an additional station south of the City on the hill.

Ordinance No. XXX  
**EXHIBIT C**

11.1.530 *Hospital*

The existing hospital is an older facility with 17 beds. The hospital provides 24-hour emergency service with a nursing staff and two physicians. The need for a new facility is currently under consideration as well as expanding the staff.

11.1.540 *Library*

The City's library is staffed by one librarian four days a week. The library contains approximately 5,000 volumes and is actively used. Capacity problems are not presently anticipated with the present facility, which was expanded during 1978.

SECTION 11.2 *(Reserved for expansion)*

SECTION 11.3 *(Reserved for expansion)*

SECTION 11.4 PUBLIC FACILITIES AND SERVICES FINDINGS

11.4.101 Public water and sewer should be planned for all areas within an established urban service boundary.

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

11.4.103 The location of public schools should correspond to attendance areas and residential neighborhoods.

11.4.104 Development of the City should occur in such a way as to facilitate the provision of police, fire protection, and other services.

SECTION 11.5 PUBLIC FACILITIES AND SERVICES POLICIES

11.5.101 The City will require the following pre-conditions to development:

- a. A proposed use can be connected to a public water and sanitary sewer system with adequate capacity.
- b. Surface water run-off can be handled onsite, or adequate provisions can be made for run-off which will not adversely affect water quality in adjacent streams, ponds, lakes, or other drainage on adjoining lands; nor will such run-off adversely affect the use of adjoining or downstream properties.
- c. The appropriate school district has reviewed and commented on the proposed use.

**EXHIBIT C**

- d. Adequate water pressure will be present for fire-fighting.
  - e. The proposed use can receive adequate police and fire protection consistent with local standards and practices.
  - f. Septic tanks will be permitted as an interim measure subject to approval by the City Council & DEQ.
- 11.5.102 Development proposals will be required to conform to the design standards for streets, water and sewer.
- 11.5.103 The following policies will be utilized when extending water and sewer services beyond the City limits:
- a. Sewer service will be extended **only** to property that is to be annexed or when State/Federal requirements dictate a health need, or when an unlimited agreement to annex is provided by the property owner when subject property is not yet contiguous.
  - b. Water service will be considered on an individual basis subject to the above provisions for residential applicants.
  - c. All costs will be borne by the applicant and improvements will be dedicated to the City.
  - d. Customers outside the City limits will pay charges assigned by the City Council in an amount **greater than** City residents.
- 11.5.104 As long as the CTUIR's trust property identified as tax lot 500 in Section 7, Township 5 North, Range 28 East, W.M. remains outside of the City of Umatilla's urban growth boundary, only those industrial uses permitted in the CTUIR's Land Development Code shall be allowed to connect to the City's sewer system.
- 11.5.105 ***As long as the Umatilla Army Depot property included in the adopted Army Depot Plan District remains outside of the City of Umatilla's urban growth boundary, only those uses permitted in the Umatilla County and/or Morrow County Comprehensive Plan Goal exceptions for the Depot property shall be allowed to connect to the City's sewer system.***

**CITY OF UMATILLA PLANNING COMMISSION  
REPORT AND RECOMMENDATION  
FOR  
CONDITIONAL USE CU-2-18 &  
SITE PLAN REVIEW SP-2-18**

**DATE OF HEARING:** March 27, 2018

**REPORT PREPARED BY:** Brandon Seitz, City Planner

**I. GENERAL INFORMATION AND FACTS**

- Applicant:** City of Umatilla, Police Department, 300 6<sup>th</sup> Street, Umatilla, OR 97882.
- Property Owners:** City of Umatilla, 700 6<sup>th</sup> Street, Umatilla, OR 97882
- Land Use Review:** Conditional Use and Site Plan Review to add an approximately 2,000 square foot storage shed to the property.
- Property Description:** Township 5N, Range 28E, Section 17BC, Tax Lot 6300.
- Location:** The subject property is located south of the Police Department.
- Existing Development:** The property has been leveled and graveled and has a security fence around the perimeter of the property. There is also a small storage shed on the property.
- Proposed Development:** The applicant intends to install an approximately 2,000 square foot storage shed. The shed will be used for storage of equipment for the Police Department.
- Zone** Downtown Residential (DR).

**Adjacent Land Use(s):**

<b>Adjacent Property</b>	<b>Zoning</b>	<b>Use</b>
North	DC	Police Department
South	DR	Residential dwellings
East	DC	Residential units
West	DR	Residential units

**II. NATURE OF REQUEST AND GENERAL FACTS**

The applicant, City of Umatilla Police Department, is requesting approval of a conditional use and site plan review to add an approximately 2,000 square foot storage shed to the subject property. Public buildings are considered a community service use and may be allowed in any

zoning district. However, any change or expansion of an existing community service use is subject to the City's Type III review process and Site Review.

This request is subject to the to the procedures found in Chapter 10-6-2 (A) that requires all community services uses shall be reviewed as conditional uses according to the procedures established in Chapters 12 and 14 of the City of Umatilla Zoning Ordinance (CUZO).

### **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.

#### **CUZO 10-12-1: AUTHORIZATION TO GRANT OR DENY:**

A. Approval Criteria: The applicant shall carry the burden of proof in demonstrating that the following review criteria are satisfied, in addition to any specific criteria and standards in this Chapter, other applicable chapters of this Title, and this Code. If any of the following criteria and other applicable standards cannot be satisfied by requiring conditions with the approval, the use shall be denied:

1. Applicable Plans: The conditional use application complies with applicable policies of the Umatilla City Comprehensive Plan.

**Findings:** The CUZO implements the Comprehensive Plan goals and polices. If a request is found to meet or be capable of meeting the applicable standards and criteria in the CUZO the request is considered to be consistent with the comprehensive plan.

**Conclusion:** This request is found to meet or be capable of meeting all of the applicable standards and criterion in the CUZO as addressed in this report.

2. Code Provisions: The proposal complies with all applicable provisions of this Code, including, but not limited to, provisions of this Chapter, the base district, and site review, as well as any other applicable provisions of this Code.

**Findings:** This report outlines the applicable provision of the CUZO. If the request is found to meet all of the criteria addressed in this report the request will also met this standard.

**Conclusion:** The request is found to comply with all of the applicable criteria of the CUZO as addressed in this report.

3. Use Characteristics: If the proposed use is a community service, application shall include evidence to demonstrate that the proposed use is needed within the community to provide a social or technical benefit.

**Findings:** The request is to add a approximately 2,000 square foot storage shed to the subject property. The property has been developed with a security fences and small storage shed. The shed is necessary to store police equipment.

**Conclusion:** The request is to expand an existing community service use that serves a need within the community. The addition enhances the current uses of the property and is

necessary to accommodate the Police Department's needs.

4. Site Characteristics: The site is appropriate for the proposed use, considering, but not limited to, the following factors: neighboring land use, adequacy of transportation facilities and access, site size and configuration, adequacy of public facilities.
5. Impacts On The Neighborhood: Potential impacts on neighboring properties shall be identified. Mitigating measures shall be identified for unavoidable adverse impacts.
6. Impacts On The Community: Potential impacts on the community shall be identified, including, but not limited to, public facilities, land supply within the particular zoning district, impact on housing, etc. Potential benefits of a proposed use may outweigh potential impacts, but such benefits and impacts should be identified. Unavoidable adverse impacts should be mitigated to the extent possible.

**Findings:** The request is to expand the existing use of the property. The property is currently being used as a storage area for the Police Department. The placement of the storage shed would have limited if any change to the use of the property. There are no anticipated impacts to the neighborhood or community due to the placement of the storage shed.

**Conclusion:** The site is already established as a storage area for the Police Department. The addition of a storage shed would not significantly alter the established use of the property. These criteria are met.

#### **CUZO Chapter 10-13-2: Site Review:**

The purpose of site review is to provide a process to review proposals to verify compliance with requirements of this Title, including requirements of this Section, and any other applicable provisions of this Code.

#### **B. Application:**

3. Site Design Criteria And Standards For Nonresidential Developments: The following requirements are in addition to any requirements specified in the applicable zoning district:
  - a. Landscaped areas shall be provided with automatic irrigation unless a landscape architect certifies that plants will survive without irrigation.
  - b. Landscaping shall be located along street frontages and building fronts to enhance the street appearance of a development.

**Findings:** The subject property has been leveled and gravel to be suitable for storage of equipment. No changes to the existing landscape are proposed or necessary.

**Conclusion:** The request is to expand the use of the property as a storage area for the Police Department. These criteria are not applicable.

- c. Outdoor storage and garbage collection areas shall be entirely screened with vegetation, fence, or wall.

**Findings:** The property is currently use as a storage are for police equipment. No outside storage is proposed. The site does not have a garbage collection area.

**Conclusion:** No outside storage or garbage collection areas are proposed. This

criterion is not applicable.

- d. Based on anticipated vehicle and pedestrian traffic and the condition of adjacent streets and rights of way, the city may require right of way improvements including, but not limited to, paving, curbs, sidewalks, bikeways, lighting, turn lanes, and other facilities needed because of anticipated vehicle and pedestrian traffic generation. Minimum requirements shall conform to the standards of subsection 11-4-2 (C) of this code, minimum street standards and the public works standards.
- e. Access shall generally be taken from the higher classification street when a development fronts more than one street, except in the case of developments along Highway 730, which shall take access from an alley or a side street unless there is no alternative.

**Findings:** Vehicle and/or pedestrian traffic will not be affected by the placement of a storage shed and the site is not open to the public. The property currently has access from D street via a gate. No change to the existing access point is proposed or necessary.

**Conclusion:** The property is used as a storage area and is not open to the public. No changes to the existing access or improvements within the right of way are proposed or necessary.

- f. Developments shall provide an on site pedestrian circulation system that connects building entrances, public sidewalks, bicycle and automobile parking areas, and parts of the site or abutting properties that may attract pedestrians. Walkways shall maintain a clear width of at least five feet (5') and shall be separated from vehicles by curbs, raised bumpers, planter strips, or similar barriers. Walkways through parking areas or crossing driveways shall be clearly identified by a different material or pavement markings or both. Walkways shall be in clearly visible locations to promote safety. Walkways shall be hard surfaced.

**Findings:** The site is used for storage of Police Department equipment and is surrounded by a security fence. Therefore, no on-site pedestrian circulation is proposed or necessary.

**Conclusion:** The existing use of the property is for storage of Police Department equipment and access onto the site is limited by an existing security fence. The property is not open to the public and access is limited to Police Department personnel. Therefore, an on-site pedestrian circulation system is not necessary. This criterion is not applicable.

- g. The primary building and entry orientation shall be to the fronting street rather than a parking lot.
- h. All buildings shall incorporate ground floor windows along street facades, with at least twenty percent (20%) of any wall within thirty feet (30') of a street consisting of display areas, windows, or doorways.
- i. Building facades facing a street shall include changes in relief such as cornices, columns, gables, bay windows, recessed entries, or similar architectural or decorative elements.



**Findings:** The intent of these standards are to required new buildings to be oriented towards fronting streets and incorporate windows, display areas and architectural elements designed to attract customers. Due to the use of the property, storage of Police Department equipment, it is not necessary or appropriate to require windows or architectural/decorative elements designed to attract customers. The property is fenced and access is limited to Police Department personnel.

**Conclusion:** Due to the existing use of the property and proposed use of the storage building as a community service use windows and architectural/decorative elements are not necessary or appropriate. These criteria are not applicable.

- j. A drive-through use shall be oriented to the side or rear of a building and shall be designed to minimize conflicts with pedestrians and vehicles.

**Findings:** The proposed use does not include a drive-through use.

**Conclusion:** The request does not include a drive-through use. This criterion is not applicable.

#### **IV. SUMMARY AND RECOMMENDATION**

The applicant, City of Umatilla Police Department, is requesting approval of a conditional use and site plan review to add an approximately 2,000 square foot storage shed to the subject property. The request appears to meet all of the applicable criteria and standards for this type of community services use. Therefore, based on the information in Sections I and II of this report, and the above criteria, findings of fact and conclusions addressed in Section III, staff recommends approval of Conditional Use, CU-2-18, and Site Plan Review, SP-2-18, subject to the conditions of approval contained in Section V.

#### **V. CONDITIONS OF APPROVAL**

1. The applicant must obtain all federal, state and local permits prior to starting construction.
2. The applicant must establish the proposed use within one year of the date of the final approval, unless the applicant applies for and receives an extension prior to the expiration of the approval.
3. Failure to comply with the conditions of approval established herein may result in revocation of this approval.

#### **VI. EXHIBITS**

Exhibit A – Public notice map

**PROPERTY OWNERS WITHIN 100'  
NOTICE AREA  
FROM SUBJECT PARCEL**

MAP	TAXLOT	OWNER
5N2817BC	5400	TIMPY ANNA L
5N2817BC	5900	TIMPY ANNA L
5N2817BC	6000	UMATILLA CITY OF
5N2817BC	6300	UMATILLA CITY OF
5N2817BC	6400	ATKINSON MICHAEL R & JONETTE L
5N2817BC	6600	UMATILLA CITY OF
5N2817BC	6800	KONTUR FRANK J & WANDA J
5N2817BC	6900	HERRERA GRACIELA

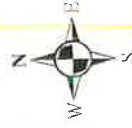


**CONDITIONAL USE (CU-2-18) & SITE PLAN REVIEW (SP-2-18)  
CITY OF UMATILLA, APPLICANT & OWNER  
MAP #5N2817BC, TAX LOTS 6300**

**Exhibit A**

**Legend**

-  Streets
-  Subject Property
-  Assessor's Maps
-  Tax Lots



MAP DISCLAIMER: No warranty is made as to the accuracy, reliability or completeness of this data. Map should be used for reference purposes only. Not survey grade or for legal use. Created by Brandon Seitz, on 3/2/2018



**CITY OF UMATILLA PLANNING COMMISSION  
REPORT AND RECOMMENDATION  
FOR  
CONDITIONAL USE CU-3-18**

**DATE OF HEARING:** March 27, 2018

**REPORT PREPARED BY:** Brandon Seitz, City Planner

**I. GENERAL INFORMATION AND FACTS**

**Applicant:** Steve Bunn, 1201 6<sup>th</sup> Street, Umatilla, OR 97882.

**Property Owners:** Lamond & Diane Collier, Steve Bunn (Agent), 1201 6<sup>th</sup> Street, Umatilla, OR 97882-9515.

**Land Use Review:** Conditional Use to establish a new use/business on the property.

**Property Description:** Township 5N, Range 28E, Section 17BD, Tax Lot 800.

**Location:** The subject property is located at 1201 6<sup>th</sup> Street, Umatilla, OR 97882.

**Existing Development:** The applicant currently operates an 18 and older gentlemen’s club on the property. The existing business was approved as a condition use in 2014 (CU-2-2014).

**Proposed Development:** The applicant intends to cease operation of the gentlemen’s club and open a pool hall with dart boards and video gambling machines.

**Zone** Downtown Commercial (DC).

**Adjacent Land Use(s):**

<b>Adjacent Property</b>	<b>Zoning</b>	<b>Use</b>
North	DC	Residential dwellings
South	DC	Vacant restaurant building and parking lot
East	DC	Vacant lot
West	DC	Vacant lot

**II. NATURE OF REQUEST AND GENERAL FACTS**

The applicant, Steve Bunn, is requesting approval of a pool hall with additional recreation/amusement games. The request includes the serving of beer and food. Uses allowed within the DC zone are classified by a general category with reference to the North American Industry Classification System (NAICS). Other amusement and recreation industries are allowed in the DC zone as a conditional use with reference to NAICS code 7139. NAICS code 7139

includes a subcategory of “all other amusement and recreation industries”. Uses under this subcategory are described as “establishments primarily engaged in providing recreation and amusement services” and includes billiard or pool parlor.

The DC zone does not allow “beer, wine and liquor stores” or “alcoholic beverage drinking places” within 500 feet of a public school. However, there are uses allowed within the DC zone that may include the sale of alcohol that are not subject to a locational restriction (i.e. they may be located within 500 feet of a school) if the sale of alcohol is secondary/incidental to the primary use. For example, a convenience store or restaurant would not be subject to a locational restriction and may include the sale of alcohol. This is relevant to the applicant’s request because in the DC zone any use where the serving of alcoholic beverages is the primary service/attraction the use is considered to be an alcoholic beverage drinking place and would not be allowed within 500 feet of a school (see Exhibit B showing the location of the subject property and 500 foot buffer). Therefore, the Planning Commission must determine if the applicant’s request is primarily a pool hall or if the request is more accurately categorized as an alcoholic beverage drinking place. Planning Staff has made the determination that the request may be permitted as a pool hall and may include the sale of beer, provided the permit includes specific conditions of approval to which the owner would be subject.

### **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.

#### **CUZO 10-12-1: AUTHORIZATION TO GRANT OR DENY:**

A. Approval Criteria: The applicant shall carry the burden of proof in demonstrating that the following review criteria are satisfied, in addition to any specific criteria and standards in this Chapter, other applicable chapters of this Title, and this Code. If any of the following criteria and other applicable standards cannot be satisfied by requiring conditions with the approval, the use shall be denied:

1. Applicable Plans: The conditional use application complies with applicable policies of the Umatilla City Comprehensive Plan.

**Findings:** The CUZO implements 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 the request is considered to be consistent with the comprehensive plan.

**Conclusion:** This request is found to meet or be capable of meeting all of the applicable standards and criteria in the CUZO as addressed in this report.

2. Code Provisions: The proposal complies with all applicable provisions of this Code, including, but not limited to, provisions of this Chapter, the base district, and site review, as well as any other applicable provisions of this Code.

**Findings:** This report outlines the applicable provision of the CUZO. If the request is found to meet all of the criteria addressed in this report the request will comply with this standard.

**Conclusion:** The request is found to comply with all of the applicable criteria of the CUZO as addressed in this report.

3. Use Characteristics: If the proposed use is a community service, application shall include evidence to demonstrate that the proposed use is needed within the community to provide a social or technical benefit.

**Findings:** The request is not a community service use. The applicant intends to establish a pool hall with pool tables, dart boards and video gambling machines. The applicant also intends to restrict the age limit to 21+ due to the gambling machines and state laws. The use will include the serving of beer and bar foods.

**Conclusion:** The proposed use is not a community service use. This criterion is not applicable.

4. Site Characteristics: The site is appropriate for the proposed use, considering, but not limited to, the following factors: neighboring land use, adequacy of transportation facilities and access, site size and configuration, adequacy of public facilities.

**Findings:** The property is currently operated as an 18 and older gentleman's club. The change of use of the property is not anticipated to increase the impacts to neighboring land uses, transportation facilities, access or site size/configuration. The applicant will be required to submit a Site Plan Review application to ensure compliance with the City's site design criteria and standards for nonresidential development. The applicant previously addressed these standards when establishing the current use, however, site review is required when changing the use of the property.

**Conclusion:** The request would allow a new business to be established within the existing building. As noted above the current building met all of the applicable criteria when the current use of the property was approved in 2014. The applicant will be required to submit a Site Review application prior to operating the new business.

5. Impacts On The Neighborhood: Potential impacts on neighboring properties shall be identified. Mitigating measures shall be identified for unavoidable adverse impacts.

6. Impacts On The Community: Potential impacts on the community shall be identified, including, but not limited to, public facilities, land supply within the particular zoning district, impact on housing, etc. Potential benefits of a proposed use may outweigh potential impacts, but such benefits and impacts should be identified. Unavoidable adverse impacts should be mitigated to the extent possible.

**Findings:** The property is abutted by vacant property to the east and west. Residences to the north are separated by the ally and south of the property is a parking lot that currently serves a vacant building. The applicant did not identify any known impacts to neighboring properties and has indicated the impacts are anticipated to be less than the existing gentleman's club.

**Conclusion:** Staff did not identify any unavoidable adverse impacts that would result from the proposed use. Unless evidence to the contrary is provided the proposed use is anticipated to produce impacts similar to the current use of the property. The current business has operated since 2014 with limited impacts to surrounding properties.

#### **IV. SUMMARY AND RECOMMENDATION**

The applicant, Steve Bunn, is requesting approval of a conditional use to establish a new use/business on the property. The request appears to meet all of the applicable criteria and standards for this type of use. Therefore, based on the information in Sections I and II of this report, and the above criteria, findings of fact and conclusions addressed in Section III, staff recommends approval of Conditional Use, CU-3-18, subject to the conditions of approval contained in Section V.

**NOTE: The existing gentleman's club is considered an adult entertainment business and is no longer an allowed use in the DC. If the gentleman's club is discontinued for one year any future uses of the property must comply with the current zoning. To clarify if the gentleman's club is discontinued for a period of one year the uses will no longer be allowed on the property.**

#### **V. CONDITIONS OF APPROVAL**

1. The applicant must obtain all federal, state and local permits or licenses prior to operating the business including but not limited to a Site Plan Review application for the new use of the property.
2. The applicant must obtain approval from the Oregon Liquor Control Commission prior to serving alcohol.
3. The applicant shall comply with all City regulations in the Municipal Code governing the use of signs for the business.
4. A conditional use approval may only be transferred to a new property owner or business operator after approval by the Planning Commission. Any significant change in the use, or any material changes in city regulations governing the use prior to a transfer request will require new conditional use approval.
5. The applicant must establish the proposed use within one year of the date of the final approval unless the applicant applies for and receives an extension prior to the expiration of the approval.
6. Failure to comply with the conditions of approval established herein may result in revocation of this approval.
7. Alcohol sales must be secondary to the primary use of the property as a pool hall. Approval of the pool hall shall be subject to review annually, for a period of 5 years, from the date of the Final Decision, signified by signing of the Decision Order, for compliance with the City of Umatilla Municipal Code and conditions of approval. Planning staff will review the use for compliance with the applicable standards of the municipal code and conditions of approval contained in this report. If found to be in violation the decision may be referred to the Planning Commission for consideration.

Review of decision is subject to the administrative provisions contained in Title 10, Chapter 14 of the City of Umatilla Municipal Code. If the Planning Commission determines the use does not fully comply with the City's approval the City may institute a revocation or modification proceeding pursuant to Section 10-14-22 of the municipal code.

**NOTE:** Although the applicant is subject to review for a period of 5 years the City may pursue revocation or modification of any permit subject to Section 10-14-22 of the municipal code.

## **VI. EXHIBITS**

Exhibit A – Public notice map

Exhibit B – Map with 500 foot proximity

PROPERTY OWNERS WITHIN 100'  
NOTICE AREA  
FROM SUBJECT PROPERTY

MAP	TAX LOT	OWNER
5N2817AC	2200	BONBRIGHT GEORGE & HEIDI (TRS)
5N2817AC	2300	MATHEWS FRANCES R
5N2817BD	500	BEST JOHN R & DEVONNA L
5N2817BD	660	MULVANEY JAMES
5N2817BD	700	BONBRIGHT GEORGE & HEIDI (TRS)
5N2817BD	701	GILLET KENNETH D & KIMBERLY J
5N2817BD	800	BUNN STEPHEN R (AGT)
5N2817BD	900	PETERSON KENNETH D
5N2817BD	901	DESERT WIND INC
5N2817BD	6500	MATHEWS FRANCES R



**BUNN CONDITIONAL USE (CU-3-18)**  
**STEVE BUNN, APPLICANT & OWNER**  
**MAP #5N2817BD, TAX LOTS 800**

**Exhibit A**

**Legend**

- Streets
- Subject Property
- Tax Lots



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# CITY OF UMATILLA TAX LOT MAP

Exhibit B

Feet  
0 50 100 200

## Legend

- 89 Subject Property
- 500 Foot Buffer
- Streets
- Tax Lots



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# City of Umatilla

700 6<sup>th</sup> Street, PO Box 130, Umatilla, OR 97882  
City Hall (541) 922-3226 Fax (541) 922-5758

**TO:** Planning Commission  
**FROM:** Matthew Tsui, GIS coordinator/Recreation Planner  
**CC:** Tamra Mabbott, Community Development Director; Brandon Seitz, City Planner  
**DATE:** March 8th, 2018  
**SUBJECT:** Urbanism Next Conference

This memo aims to summarize important concepts regarding automated vehicles in a rural Oregon setting discussed at the 2018 Urbanism Next Conference in Portland, Oregon.

Automated vehicles may seem to be a futuristic technology that will only be available to and accessible by large populations in urban cities and therefore should be planned for by large municipalities. However, small municipalities whose local economy, physical environment and culture rely on the automobile will have to learn how to accommodate automated vehicles sooner than expected. Companies like Waymo, have been testing self-driving cars since 2009 on public streets in Pacific Northwest cities, such as Kirkland, WA

The automated vehicle, regardless of whether they appear in Umatilla, should be a catalyst to reevaluate the transportation network and streets to be people oriented, instead of car-oriented. Limited access to multiple modes of transportation has been identified by city planners as a limitation to lifting impoverished out of poverty. A high occupancy automated vehicle has the potential to remove the need for street parking, parking lots and even lanes, which allows cities to reclaim the space for bike lanes, recreational space, and outdoor sitting area. On the other hand, the automated vehicle may increase the workforce's willingness to commute further distances from their residence to their workplace, which may pressure the urban growth boundary and encourage sprawl.

## Call to Action

The City of Umatilla's can prepare for automated vehicles or other mobility changes by incorporating flexible language into The Comprehensive Land Use Plan regarding budgeting, private and public partnerships, and street improvements. If the City of Umatilla has a long-term vision for automated vehicles or other mobility changes, the City of Umatilla will be able to adjust smoother to the addition of automated vehicles as a mode of transportation and the future benefits it could provide.

X *Matthew Tsui*

Matthew Tsui

# URBANISM NEXT | RESEARCH

## RETHINKING THE STREET IN AN ERA OF DRIVERLESS CARS

Global citizens get few moments to rethink streets and make decisions that will both serve the basic purposes of transportation and address urgent challenges like climate change, rising obesity, social isolation and conflict—all while expanding opportunities for general happiness throughout society. Such a pivotal moment is upon us, as autonomous vehicles represent a potentially disruptive technology that can re-make the city for good or for ill. City planners, policy makers and community residents have a unique, and immediate, opportunity to rethink their streets with purposeful and creative consideration about how this critical public good may best serve the public for generations to come.

Marc Schlossberg, Ph.D.

William (Billy) Riggs Ph.D., AICP, LEED AP

Adam Millard-Ball, Ph.D.

Elizabeth Shay, Ph.D., AICP

January 26, 2018



APRU



91 Sustainable Cities Initiative

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## PURPOSE OF TRANSPORTATION

The next wave of transportation technology is coming quickly – the autonomous vehicle (AV) or driverless car.<sup>1</sup> This is the moment for all levels of government to revisit the fundamental purposes of transportation, to take stock of our transportation systems and policies, and **attempt** to do transportation better.

In particular, autonomous vehicles present new and unique opportunities for fresh thinking about how streets are used – by whom, how, and to what ends. The bulk of transportation planning over the last half-century has conflated the basic purpose of transportation – providing access to destinations – with the simplistic goal of moving motor vehicles at high speeds with limited impedance.<sup>2</sup> Streets have been designed and prioritized for movement of cars, with other road users treated as an afterthought – if at all.<sup>3</sup>

As evidence mounts and consensus gathers that there is no way to build our way out of congestion, cities have begun to rediscover the benefits of walking, biking, and transit.<sup>4</sup> They also have begun the slow process of re-arranging land uses and updating zoning codes to promote the fundamental purpose of transportation through these non-auto modes.<sup>5</sup> The general shift toward urbanism underway across the U.S. is making walking to many destinations easier, more enjoyable, and more widely accepted as natural and beneficial.<sup>6</sup>

At the same time, progress to date towards sustainable transportation has been slow. In this paper, we show how planners and policymakers can seize the potential of autonomous vehicles to accelerate the transformation.

History tells us that a concerted effort will be needed to channel the potential of autonomous vehicles towards sustainable transportation.<sup>7</sup> The last major technological revolution in transportation – the rise of the motor car – saw parked cars spread out to fill every corner of public space, and a rising death toll as cars sped down streets that were historically places for walking, children's play and social interaction. Enormously high rates of death and injury from automobile crashes and the allocation of vast amounts of land to move and store vehicles continue to dominate life and urban form throughout most communities today.

Autonomous vehicles offer an entry point into society-wide conversations about transportation, the functions of cities, the use of streets, and how all this impacts equity, environment, social cohesion, happiness, economic health, resiliency, and more.<sup>8-13</sup> As a new

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transportation technology, AVs are likely to disrupt long-established patterns of urban development, transportation choices and the use of streets. Cities wield the power—most critically, by regulating one of their largest assets, the street—to channel this disruption in support of wider social, environmental and economic goals. The choices that cities make over the coming years will set the terms of the sustainable transportation debate and establish priorities and practices of society for generations to come.

## FOCUSING ON THE RIGHT-OF-WAY CANVAS

This policy paper focuses on the primary concept of the street as space that can be repurposed – real estate that can be allocated in similar or different ways than done currently. Cities generally refer to this publicly owned and regulated space from one side of the street to the other as the right of way (ROW). Our focus is on the centrality of the ROW in dictating many other community functions and values – transportation and otherwise. And our particular bias is to focus on the opportunities that AV technology is likely to create to rethink how the ROW is allocated, so that our communities can meet their substantial and unique environmental, social, and economic challenges. This perspective is distinct from many other current publications and reports that have expounded on transportation innovations or revolutions that are occurring in parallel with the evolutions of autonomy and artificial intelligence.<sup>14-24</sup>

Focusing on the ROW allows us to avoid some of the speculation about vehicle sharing and the possible over-optimism among many city planners about the extent to which a shared-use model will supplant private car ownership (25), because the ROW will be impacted in either case. Further, questions of buying vehicles or buying rides are largely out of the control of cities and in the domain of auto makers (sometimes called OEMs, or original equipment manufacturers) or transportation network companies (e.g., Uber and Lyft).

### WHAT STREETS PROVIDE:

Transport – to move people, freight, information

Accessibility to goods, services, activities

Equity of access and impact – highways that disrupt vs streets that connect

Economic and social exchange

Space for community infrastructure, e.g., utilities and ecosystem services

Public and social space – plazas, boulevards, waterfronts

Cultural and artistic canvases



## AVS AND THE OPPORTUNITY TO RETHINK STREETS

While safety is often cited as a primary anticipated benefit of autonomous vehicles, one of the other clearest socially beneficial outcomes is the potential space saved by smaller vehicles traveling more closely together and in service for more hours. Without delving into the details of how vehicle storage is likely to shift in space (to peripheral locations) and in time (based on peak hour needs), we can anticipate that AV penetration will free up street space in two ways:

- 1. Lanes** – both *number* and *space* – may be reduced, as many AVs will be narrower, require less space *between* vehicles, and will be capable of sharing opposite-direction lanes as available. If the AV future is substantially populated by shared fleets instead of individual ownership, then the actual number of vehicles on the road may be substantially lower, with the follow-on effect of requiring still less lane space.

- 2. Parking demand** on streets may be reduced by decreasing vehicle size, by ownership giving way to renting or sharing models, and by a shift to curb passenger delivery paired with remote storage. Parking *supply* may be removed by policy or by market mechanisms – reducing the need for on-street parking to store vehicles.

Reduced demand for both storage and travel space in urban areas presents a rare opportunity to reclaim physical space for other purposes. How might that liberated space be reallocated? Non-auto transportation, infill housing, small-scale retail and commerce, urban ecological corridors, recreation (active and passive), and other public and social purposes all merit consideration. Schools could extend their presence and activities into former parking or travel lanes; household gardens or community agriculture could fill small spaces; art or cultural activities – creation, performance, instruction – could find a platform. When given a newly blank canvas, our communities may be quite creative with imagining how to fill it.

This potential to reclaim public space currently dominated by the movement and storage of vehicles exists regardless of how AVs are fueled (electric, fossil) or whether they are individually owned, shared, or rented. At the same time, the ownership regime will dictate the kind and level of space savings to be reaped, with a shared model

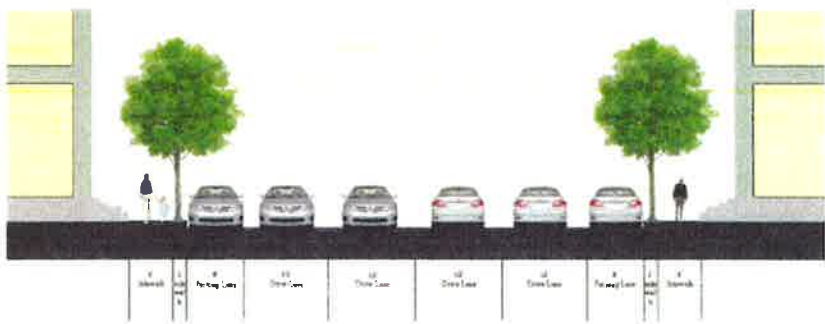
offering more profound reductions in parking demand – making this a particular point of interest to planners and policy-makers in the run-up and transition to AVs.

With our focus on the ROW and possible alternative uses that may become possible with the rise of AVs, the following pages delineate a series of hypothetical street sections for both a prototypical urban and a residential street, and explores how this valuable real estate could be transformed in an AV future. The ReStreet design tool was used for the illustrations (26, 27).

## URBAN ARTERIAL STREET DESIGN

Four-lane streets with on-street parking are a common urban street type. Such streets juggle the competing demand of moving large volumes of traffic, providing parking, and providing pedestrian access to local businesses. A typical design has two lanes for vehicles in either direction, on-street parking, sidewalks, and perhaps a center turn lane or some space for trees or other amenities.

A first, simple step is to reduce the widths of the lanes to 8' – a width that is easily navigable by autonomous vehicles and, at slower speeds, by human-driven vehicles. Meanwhile, the ability of AVs to park remotely means that less parking is required on-street. Simply reducing the width of the drive lanes to 8' and retaining one lane of parking yields 24' feet of ROW.



“ Cities can be purposeful about how its public right of way serves the public; but if they are not – the AV technologists will do it for them. The time for cities to plan and act is now. ”



“ A first, simple step is to reduce the widths of the lanes ”

Further reductions can be gained by removing a second lane of parking, as AVs can be automatically parked remotely (if they are individually owned) or may not park at all (if they are shared, and immediately depart to serve another user). Or, one additional travel lane could be removed, leaving one in each direction, along with a reversible or flexible lane that can be used for passing or peak-hour flows, easily navigable with AV technology. With either of these scenarios, another 8' of ROW can be liberated, creating a full 32' to reallocate.

The key question for cities is what should or could be done with this ROW opportunity. Should additional travel lanes be created in keeping with the current, albeit increasingly discredited, paradigm of expanding capacity to congested roads? Should space be dedicated to transit-only or protected bike lanes? Where will AV drop-offs take place? Should the pedestrian realm be enhanced? Or are there new opportunities to imagine, from infill housing to ecological corridors to new social spaces (parklets 2.0)?

Driveways also can be expected to decline – in number and in size – as the need to accommodate building-adjacent parking drops substantially. Driveways will likely be used primarily for freight/goods access, with attendant decreases in frequency and increases in flexible control over use. One result of a driveway decline would be the significant enhancing of any pedestrian and bicycling environment as significantly fewer vehicles will cross their paths.

It is clear that streets may evolve to become very different from their current form. But doing anything different than the status quo requires a purposeful approach toward taking advantage of this unique moment of ROW liberation. We suggest that cities use this opportunity to flip the paradigm from the car as the most important actor on a street, to walking and biking holding this prime status. Thus, the order of priority we suggest when re-purposing ROW for transportation purposes is as follows:

- Sidewalks and paths
- Protected bikeways
- Transit lanes
- Curbs and other edges for transit stops and drop-off zones
- Vehicle lanes—travel and parking

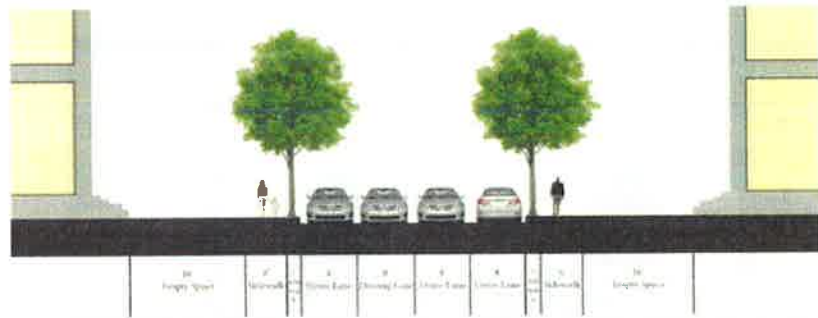
Integrating these elements in this priority ranking may be a good way to begin planning for streets that accommodate AVs but at the same time prioritize sustainable transport. The following images are a stepwise progression of possible ways to rethink urban ROW in an era of autonomous vehicles.



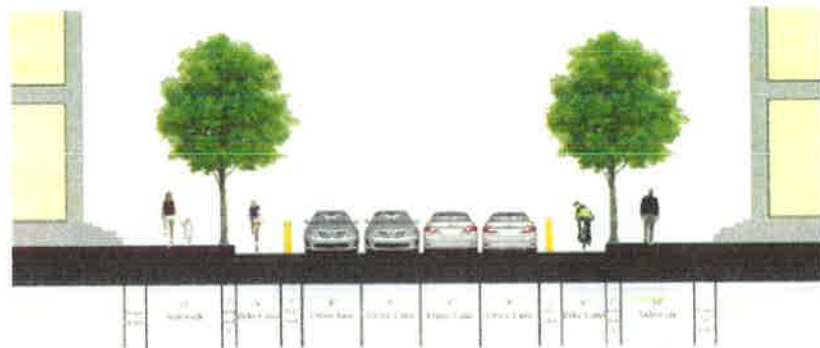


### STEP 3 REMOVE ANOTHER PARKING LANE = GAIN 8' MORE

Reducing an additional parking lane may be possible because AVs can be automatically parked remotely, could be put in continuous circulation by an owner, or could move on to provide a ride for a different passenger.

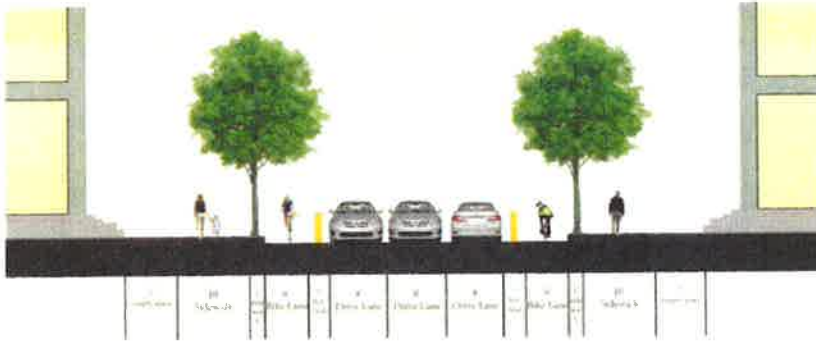


One option to begin utilizing the liberated space is to add modest, protected bikeways in both directions, which would provide the type of bicycle infrastructure that appeals to the greatest number and types of riders – and has the potential to recruit new riders.



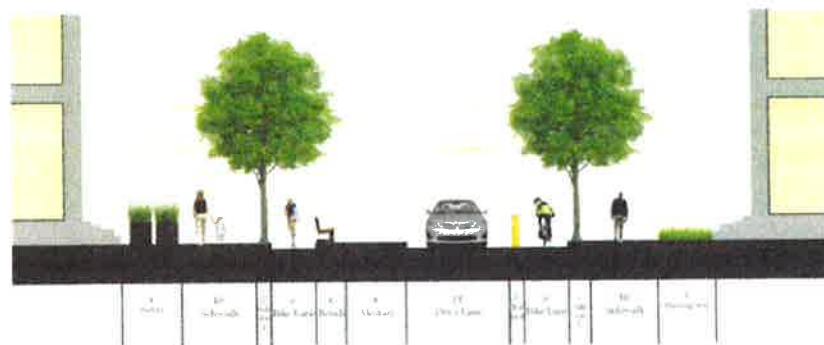
## STEP 4. SHARE TRAVEL LANES – GAIN 8' MORE

Reducing an additional vehicle travel lane may be possible because AVs travelling in both directions can share a middle lane when space is available.



## STEP 5. RETHINK RADICALLY #1

Under some scenarios (autonomous fleets) or in some locations (urban nodes), streets may be used completely differently than they are today. Combined lane and drop-off space may provide flexible AV and transit priority space, while allowing for robust space for walking, biking, ecological services, and social functions. The street could be 're-claimed' from a place dominated by the movement and storage of vehicles to one that preferences the movement and enjoyment of people.



“ Combined lane and drop-off space may provide flexible AV and transit priority space. ”



## TYPICAL RESIDENTIAL STREET CROSS-SECTION

A typical residential street cross-section includes on-street parking on both sides of the street and usually enough street width to accommodate three lanes of moving vehicles, although only a single 'lane' in each direction is used. In most residential streets, it is a rare event to have two opposite-moving vehicles pass each other on any given block. Moreover, since most properties are required to have off-street parking, most residential streets can already be considered significantly overbuilt in terms of vehicle infrastructure. The rise of autonomous vehicles will only make this mismatch between supply and demand more apparent, raising opportunities for creative retrofit.

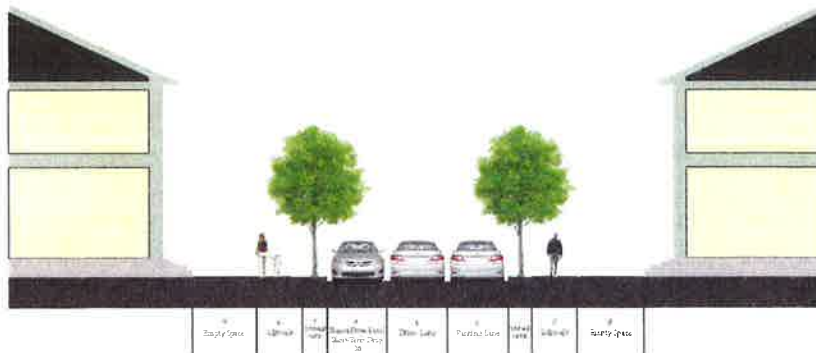


### RESIDENTIAL STREET DESIGN SUMMARY:

- STEP 1:** Right size the travel space
- STEP 2:** Remove on-street parking
- STEP 3:** Remove a vehicle lane
- STEP 4:** Radical re-thinking

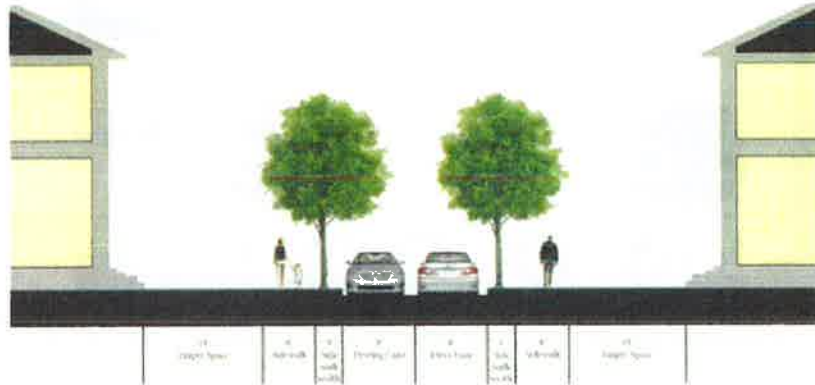
## STEP 1: RIGHT SIZE THE TRAVEL SPACE – GAIN 18'

Given that most residential streets rarely have opposite-moving vehicles pass each other on a block and that most properties have off-street parking, the first opportunity is simply to narrow the streets for vehicles and increase the space for other uses. Similar to an urban street, this step is achieved by reducing travel lanes to 8' each, and reducing the parking by one lane – again whether one continuous lane or an alternating pattern. This change can happen now in many places, independent of any consideration of AVs.



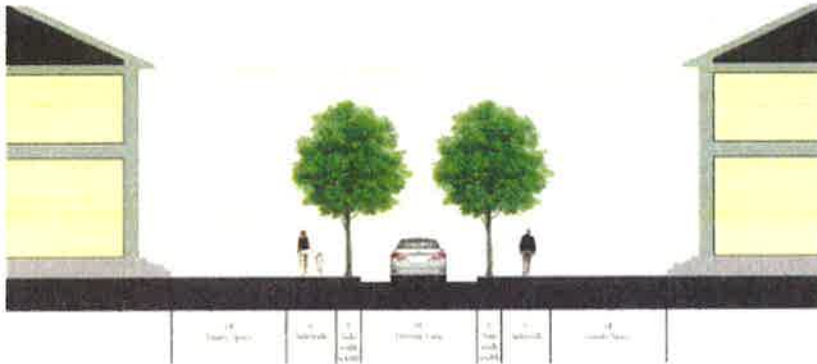
## STEP 2 REMOVE STREET PARKING GAIN 8' MORE

Reducing the lane widths to 8' and eliminating the remaining on-street parking recaptures a total of 26' of ROW. In residential areas, the driving lane can also be used for pick up and drop off, given that volumes are usually low and AVs (and human drivers) can navigate the ambiguous spaces created. Off-street parking could be used for short- or long-term parking, and any excess off-street parking may become a commodity for short-term rental (similar to an extra bedroom offered on AirBnB) or be completely re-utilized for non-auto use where individual auto ownership gets replaced with other transportation options. On busier residential streets, a different configuration may be more appropriate.



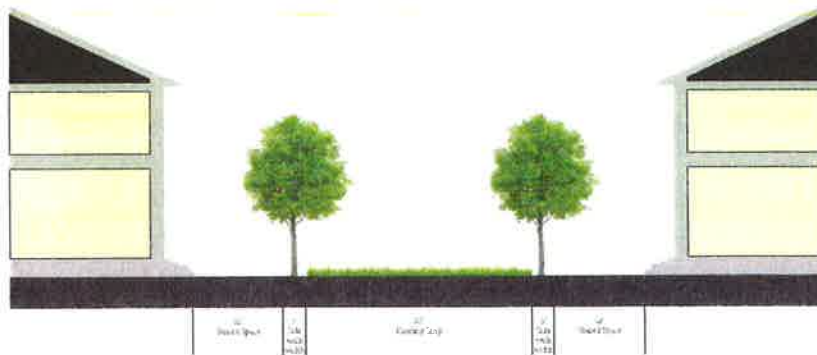
## STEP 3 REMOVE ANOTHER LANE GAIN 8' MORE

Removing an additional vehicle travel lane may be possible, if vehicles are able to yield to oncoming traffic. Such "yield streets" are already commonplace in European cities and many historic residential districts in the United States. Further, streets will likely begin to function as more of a network in an AV future, eliminating the need for two-way traffic. The street as well as the space liberated can be used for shared space for bicycles, pedestrians, and neighborhood amenities, including play areas and green space.



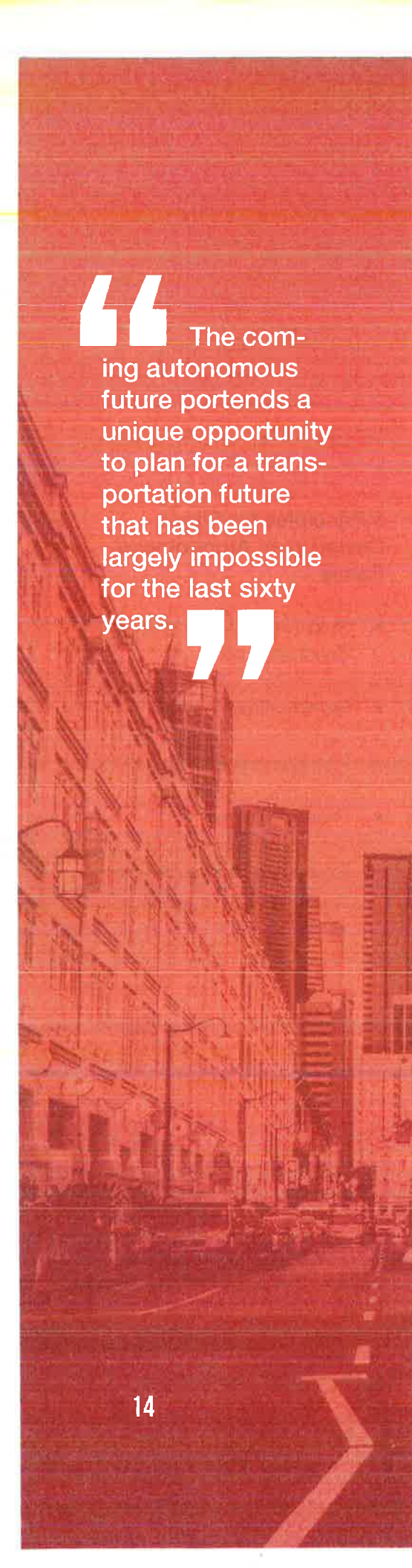
#### STEP 4: RETHINK RADICALLY #1

Residential streets will evolve alongside AVs and much of the existing public right of way may be available for uses that better serve the public at the neighborhood level. Eventually, reclaimed street "real estate" may transition to other uses, including open space for recreation (active and / or passive), infill housing and small-scale retail and commerce, public and social space. Already most residential streets are vastly overbuilt and underutilized and there is the danger that the AV future will only exacerbate this waste of the public's land. The image below essentially reflects an opportunity to 'start over' with residential streets. Residents or city planners offered such a blank canvas would not likely produce results that look like today's street cross-section, which reflect earlier decades of transportation and land use principles that no longer serve our needs and aspirations.



#### 5 Principles for Street Design in an Autonomous Future

- Stop expansion and start deconstruction
- Rethink streets, again
- Prioritize human travel
- Price the street
- Experiment and start now



“ The coming autonomous future portends a unique opportunity to plan for a transportation future that has been largely impossible for the last sixty years. ”

## A TIME TO ACT

While AVs may not inherently change the layout of the street, they are likely to alter how space is allocated because of changing parking demand, possible changes in vehicle ownership rates, the increased efficiency of autonomous transit, and the increased space-efficiency of the vehicles and vehicle operations. The changes ushered in by these new and disruptive transportation technologies, and the anticipated ubiquity of AVs within ten years, present an immediate and urgent need for communities to clarify their values and ensure that the AV future enhances – rather than diminishes – those values. The city's largest public asset – the public right of way – is one of the most profound opportunities AVs present to reimagine transportation systems and rethink how the public right of way may best serve the public.

Because AVs are a new and captivating technology, they represent an important moment for educating and energizing public audiences on the topic of transportation. Planners and policy makers can – and should – harness this energy. Cities can take action now to accelerate progress toward their sustainable transportation goals while simultaneously planning strategically for an AV future.

What we want out of our streets has not changed – we want to efficiently, comfortably, and safely access the destinations we value, and to enjoy streets as public spaces as places to gather or play or build community. Rethinking our streets is not a radical idea, as observed in a broad movement in the last twenty years to improve streetscapes and make them more accessible for walking, biking, and transit use. However, AVs represent more than an incremental shift in how we consume transportation and use the land in our communities. As we have illustrated in our deconstruction exercise, most existing street design principles espoused by organizations like the National Association of City Transportation Officials or Institute of Transportation Engineers still hold in an autonomous future. What is qualitatively different? The coming autonomous future portends a unique opportunity to plan for a transportation future that has been largely impossible for the last sixty years.

Streets are complex systems that can evolve – and now is the time for this evolution to accelerate. Planners should not wait for certainty about how technology will develop, but deploy sustainable transportation solutions now. These may be either incremental or broad-reaching, but should push streets toward this evolved sustainable travel paradigm. Expending the effort to plan and strategize before AVs hit the streets is critical. Cities can be purposeful about how its public right of way serves the public; but if they are not – the AV technologists will do it for them. The time for cities to plan and act is now.



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## ACKNOWLEDGEMENTS

We also wish to acknowledge three additional contributors to this work. **Kerry Edinger** is a graduate student in Public Administration at the University of Oregon and **Christina Schönleber** is the Director of Policy and Programs at the Association of Pacific Rim Universities. Both Kerry and Christina helped frame and critique the issues and contexts that led to this final product and their insight and perspective were extremely valuable. **Matt Kawashima** was an instrumental contributor with illustrating the street scenario graphics. And **Alison Bowers** helped with the design and layout of the final document.

## ABOUT URBANISM NEXT

Urbanism Next is an applied research and policy program of the University of Oregon's Sustainable Cities Initiative and focuses on the impact of autonomous vehicles, e-commerce, and the sharing economy on the form and function of cities. Additional reports and related content are available at [urbanismnext.com](http://urbanismnext.com).



## ABOUT THE APRU SUSTAINABLE CITIES AND LANDSCAPES RESEARCH HUB

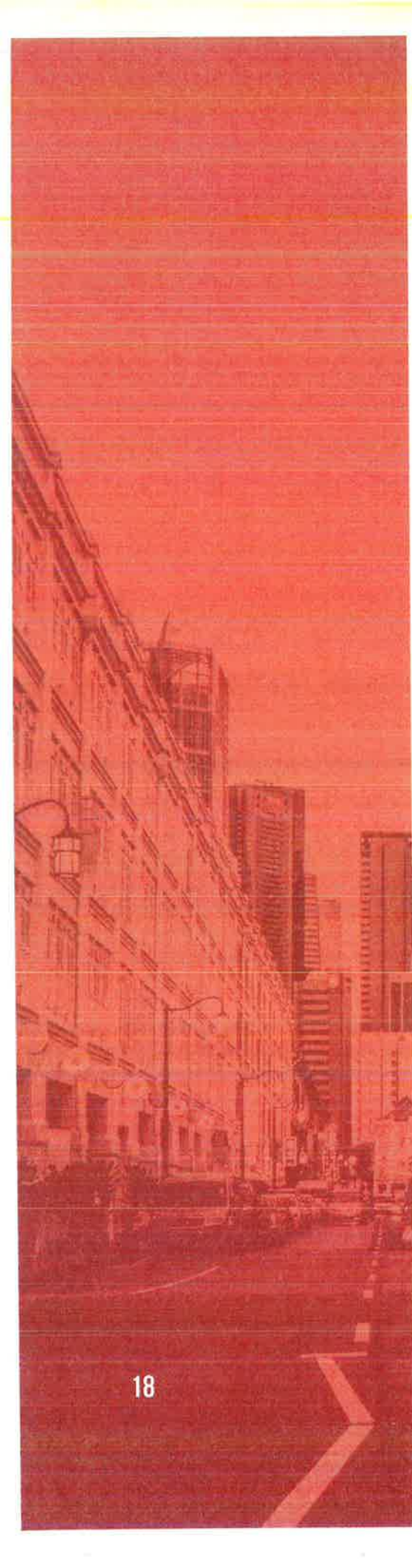
This white paper was conceived of during an intense multi-day work session organized by the Association of Pacific Rim Universities (APRU) and the University of Oregon through the Sustainable Cities and Landscapes Research Hub at its first annual gathering in September, 2017.

The APRU Sustainable Cities and Landscape Research Hub was set up in response to the increasing concerns about the sustainability of cities given rapidly increasing global population and urbanization. The Hub engages with cross-disciplinary experts, government officials and external organizations to consider Asia Pacific cities in the context of their many landscape interdependencies, including services, networks and systems, and to initiate solutions and policy interventions.

Established in 1997 by the presidents of UCLA, UC Berkeley, USC and Caltech, APRU has over 45 research university members throughout the Pacific Rim. APRU brings together the region's leaders and brightest minds to address the social, economic and environmental well-being of the Pacific Rim, and is the only network of leading universities linking the Americas, Asia and Australasia.

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