



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

March 19, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Umatilla County Plan Amendment
DLCD File Number 009-06 A

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT OR DEADLINE TO APPEAL: April 3, 2007

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative
Tamra Mabbott, Umatilla County

<paa>

FORM **2**

DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **Umatilla County**

Local file number: **P-090**

Date of Adoption: **3/7/2007**

Date Mailed: **3/13/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 10/1/2006

- | | |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input checked="" type="checkbox"/> Other: Annexation - City of Hermiston |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Umatilla County co-adopted an ordinance to allow land that was previously in the UGB of the City of Hermiston to be annexed into the city's city limits and to be zoned R-1. The City of Hermiston has submitted DLCD Notices and adopted and signed the City's Ordinance #2127 on January 8, 2007. Subsequently, the County held public hearings before the Planning Commission and Board of Commissioners.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Future Urban** to: **Low density residential**
 Zone Map Changed from: **Future Urban, FU- 10** to: **Single-Family, R-1**
 Location: **T4N - R28E - Section 04A, TL 600, 700, 800, 900** Acres Involved: **18**
 Specify Density: Previous: **1 DU/Acre** New: **3.5 DU/Acre**

- Applicable statewide planning goals:
- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

- | | | |
|--|---|-----------------------------|
| 45-days prior to first evidentiary hearing? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If no, do the statewide planning goals apply? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| If no, did Emergency Circumstances require immediate adoption? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

009-06A

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

City of Hermiston, Umatilla County, Hermiston Irrigation District, Confederated Tribes of the Umatilla Indian Reservation

Local Contact: **Tamra Mabbott**

Phone: **(541) 278-6246** Extension:

Address: **216 SE 4th ST**

Fax Number: **541-278-5480**

City: **Pendleton**

Zip: **97801-**

E-mail Address: **tamra@co.umatilla.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - **ATTENTION: PLAN AMENDMENT SPECIALIST**.

RECEIVED

MAR 07 2007

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY
RECORDS

STATE OF OREGON

In the Matter of Co-Adopting)
City of Hermiston Ordinance) ORDINANCE NO. 2007-03
No. 2127 Amending City of)
Hermiston Comprehensive Plan)
to Convert Lands from)
Urbanizable to Urban Status)
and Plan Map Designation)
for Property Owned by City)
of Hermiston)

WHEREAS the City of Hermiston and Umatilla County have previously entered into a Joint Management Agreement applying to lands within the City Urban Growth Area, and pursuant to the agreement, amendments to the City of Hermiston Comprehensive Plan and Implementing Ordinances for application to the Urban Growth Area, are referred to Umatilla County for adoption;

WHEREAS on January 8, 2007, the Hermiston City Council adopted Ordinance No. 2127, to amend the Comprehensive Land Use Plan, dated September, 1983, to convert property from Urbanizable to Urban status and amend the Comprehensive Plan May designation to Open Space and Low Density Residential;

WHEREAS in its findings, the City of Hermiston noted that Umatilla County submitted a request that the annexation of the subject property include all of NW 11th Street between the subject property and River Road, and that the City had no objection to the comment;

WHEREAS, at its February 22, 2007 meeting, the Umatilla County Planning Commission reviewed the ordinance and recommended that the Board of Commissioners co-adopt the ordinance;

WHEREAS the Board of Commissions held a public hearing on March 7, 2007, to consider the co-adoption of the ordinance and voted unanimously to co-adopt the ordinance, conditioned on additional right of way being included in the amendment.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the co-adoption by Umatilla County, Oregon, of the City of Hermiston Ordinance No. 2127, amending City of Hermiston Comprehensive Plan of September, 1983, a copy of which ordinance is

attached to this document and incorporated by this reference,
conditioned on the following property included in the redesignation
and plan map amendment:

All right of way of County Road No. 1241 (11th Street)
located North of the North line of the Southwest Quarter
of the Northwest Quarter, Section 3, Township 4 North,
Range 34, and the North line of the Southeast Quarter of
the Northeast Quarter of Section 4 North, Township 4
North, Range 34, and South of the southerly right of way
line of County Road No. 1275 (1st Place/River Road).

Also for clarification purposes, Tract I is located in
Section 4, Township 4 North, Range 28.

All being East of Willamette Meridian, Umatilla County,
Oregon.

DATED this 7th day of March, 2007.

UMATILLA COUNTY BOARD OF COMMISSIONERS


Dennis D. Doherty, Chair

ABSENT
William S. Hansell, Commissioner


W. Lawrence Givens, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS


Records Officer



ORDINANCE NO. 2127

AN ORDINANCE AMENDING THE CITY OF HERMISTON COMPREHENSIVE PLAN MAP AND TO CONVERT CERTAIN LANDS FROM URBANIZABLE STATUS TO URBAN STATUS LOCATED WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF HERMISTON IN ACCORD WITH THE PROVISIONS OF POLICY 6 IN THE CITY'S COMPREHENSIVE PLAN.

THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

SECTION 1. The following described property shall be changed on the city comprehensive plan map, to-wit:

Tract I

The north half of the southeast quarter of the northeast quarter of Section 4 North, Range 28 East, Willamette Meridian, County of Umatilla, State of Oregon, lying east of the centerline of the Umatilla River.

And;

A 33 foot wide strip of land lying adjacent to the east line of Tract I; said strip of land being the easterly right-of-way of County Road No. 1247, aka NW 11th Street; all in Section 3, Township 4 North, Range 28 East, Willamette Meridian, County of Umatilla, State of Oregon.

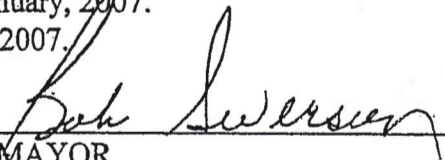
All land as described in Tract 1 which lie along the east side of the Umatilla River, and has been designated in the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA) shall be designated Open Space (OS). All other land described in Section 1 shall be designated Low Density Residential (L).

SECTION 2. The findings of fact as adopted by the City Council on January 8, 2007 are incorporated herein by reference.


SECTION 3. The effective date of this ordinance shall be the thirtieth day after enactment.

PASSED by the City Council this 8th day of January, 2007.

SIGNED by the Mayor this 8th day of January, 2007.


MAYOR

ATTEST:


CITY RECORDER

**PROPERTY OWNERS WITHIN
100' OF SUBJECT PARCELS**

- MAP 4N2804A
 300 CITY OF HERMISTON
 500 CITY OF HERMISTON
 600 CITY OF HERMISTON
 700 CITY OF HERMISTON
 800 CITY OF HERMISTON
 900 CITY OF HERMISTON
 1000 SIMPSON, KARA L
 1100 HJARTARSON, STEVEN W & MARIAN B
 1200 MCANDREW, JASON W & REBECCA S
 1300 ROGERS, DUANE & DONNA
 1400 GILL, JON B & MARY K
 1500 MCCONNELL, WARREN & BONNIE
 1600 MAHNS, EUGENE F & ALICE
 1700 GROW, BYRON L & MARY E
 1800 JOHNSON, DUANE M & JANET

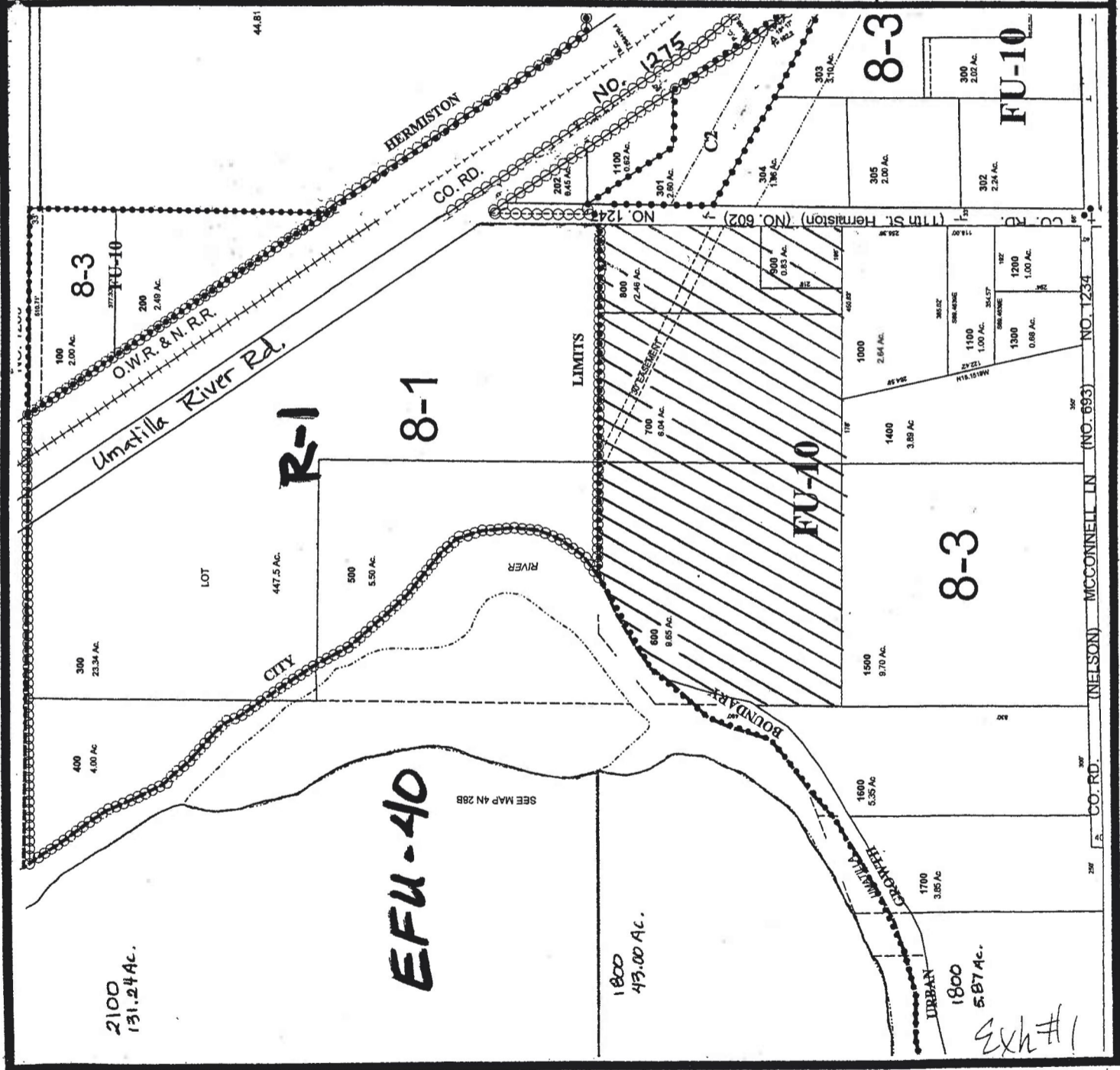
- MAP 4N2803B
 200 BONNEY, STUART
 202 UMATILLA COUNTY OF
 301 SCHULTZ, LOIS & JOHNSON, LUCILLE
 %YORK, DONNA J, AG
 302 DIAZ, JUAN D V & MURILLO, AURORA
 304 HOLMES, BENJAMIN F & ELNA E
 305 LAUGHLIN, STEPHEN M
 1100 SCHULTZ, LOIS & JOHNSON, LUCILLE
 %YORK, DONNA J, AG

- MAP 4N288B
 1800 LGW RANCH INC
 2100 LGW RANCH INC



Application # P-090
 Applicant: City of Hermiston
 Owner: City of Hermiston
 SUBJECT PARCEL TRACT
 DATE: 1/18/07 SCALE: 1"=400'
 MAP: 4N2804A

PREPARED BY UMATILLA COUNTY PLANNING DEPARTMENT



NO. 1234

MCCONNELL LN (NO. 693)

CO. RD.

Exh #1