



# Oregon

Theodore R. Kubongoski, 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

06/29/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Hermiston Plan Amendment  
DLCD File Number 002-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, July 09, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

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.

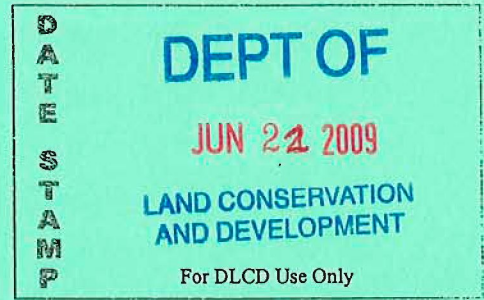
**\*NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Clint Spencer, City of Hermiston  
Gloria Gardiner, DLCD Urban Planning Specialist  
Grant Young, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner

<paa> YA/

**FORM 2 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 / HERMISTON Local file number: P-099  
Date of Adoption: June 16, 2009 Date Mailed: June 18, 2009  
Date original Notice of Proposed Amendment was mailed to DLCD: May 28, 2009

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: \_\_\_\_\_

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

Co-adopt City of Hermiston decision to rezone a 10-acre parcel from Medium Density Residential

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

SAME

Plan Map Changed from: Urbanizable to: Urban  
Zone Map Changed from: FU-10 to: R3  
Location: Hermiston Acres Involved: 10  
Specify Density: Previous: 10 Ac New: 3.5 / DU / Acre  
Applicable Statewide Planning Goals: 1, 2, 10, 11, 14  
Was and Exception Adopted?  YES  NO

DLCD File No.: 002-09(17513) [15580] UMATILLA County  
002-08(17282) [15581] HERMISTON



Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing?  Yes  No

If no, do the statewide planning goals apply?  Yes  No

If no, did Emergency Circumstances require immediate adoption?  Yes  No

Affected State or Federal Agencies, Local Governments or Special Districts:

City of Hermiston, CDOT

Local Contact: Jamva Mabbett Phone: (541) 278-6246 Extension: —

Address: 216 SE 4th City: Pendleton

Zip Code + 4: - 97801 Email Address: Jamva@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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
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 copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

RECEIVED

JUN 16 2009

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

UMATILLA COUNTY RECORDS

In the Matter of Co-Adopting )  
 City of Hermiston Ordinance )       ORDINANCE NO. 2009-06  
 No. 2155 Amending City of )  
 Hermiston Comprehensive Plan )  
 to Convert Lands from )  
 Urbanizable to Urban Status )  
 and Plan Map Designation )  
 for Property Owned by New )  
 Hope Community Church )

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 February 23, 2009, the Hermiston City Council adopted Ordinance No. 2155, to amend its Comprehensive Land Use Plan, to convert property owned by New Hope Community Church from Urbanizable to Urban status and amend the Comprehensive Plan designation to Medium Density Residential;

WHEREAS, at its May 28, 2009 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 June 16, 2009, to consider the co-adoption of the ordinance and voted to co-adopt the ordinance.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the co-adoption by Umatilla County, Oregon, of the City of Hermiston Ordinance No. 2155, amending City of Hermiston Comprehensive Plan, a copy of which ordinance is attached to this document and incorporated by this reference.

DATED this 16th day of June, 2009.

UMATILLA COUNTY BOARD OF COMMISSIONERS

*W. Lawrence Givens*

W. Lawrence Givens, Chair

*Dennis D. Doherty*

Dennis D. Doherty, Commissioner

**ABSENT**

William S. Hansell, Commissioner

ATTEST:

OFFICE OF COUNTY RECORDS

*Gene Churchill*

Records Officer



ORDINANCE NO. 2155

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:

Commencing at center corner of Section 14, Township 4 North, Range 28, which is the true point of beginning for this description; thence North 0°03' 00" West 80 feet; thence North 62°52' 51" East 564.08 feet to a point on Westerly right of way line of State Highway 32; thence South 40° 49' 52" East along said Westerly right of way line 500 feet to the point of intersection with centerline of "A" Line Canal; thence South 56°58' 24" West along centerline 419.44 feet; thence Southwesterly along a 799.02 foot radius curve to the left, the long chord bears South 50°03' 30" West 197.75 feet a distance of 198.26 feet; thence South 42°57' 00" West 166.29 feet; thence Southwesterly along a 356.64 foot radius curve to the right, the long chord bears South 52°55'30" West 123.55 feet a distance of 124.18 feet; thence South 62° 54' 00" West 127.02 feet to the point of intersection of said center canal line and East line of that tract conveyed to James Purswell, et ux, by Deed recorded in Microfilm R-241, Page 1078, Deed Records; thence North 0°03' 00" West along East line of said Purswell Tract and along that tract conveyed to Larry Eades, et ux, by Deed recorded in Microfilm R-262, Page 1038, Deed Records, a distance of 650.82 feet to the point of beginning;

SUBJECT to any and all water rights of way;

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

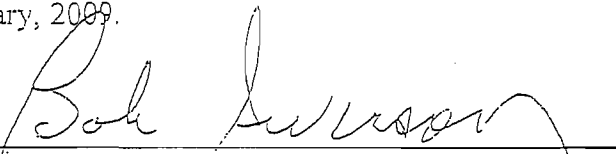
All land described in Section 1 shall be designated Medium Density Residential (M).

SECTION 2. The findings of fact as adopted by the City Council on February 23, 2009 are incorporated herein by reference.

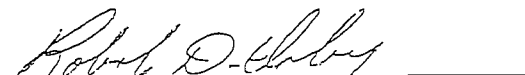
SECTION 3. The effective date of this ordinance shall be the thirtieth day after enactment.

PASSED by the City Council this 23<sup>rd</sup> day of February, 2009.

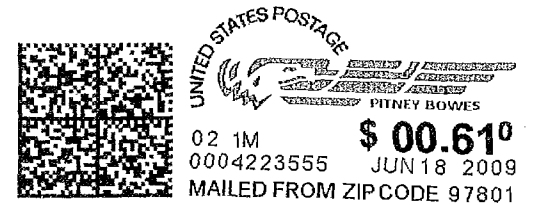
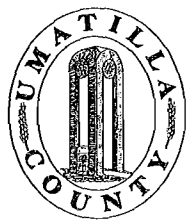
SIGNED by the Mayor this 23<sup>rd</sup> day of February, 2009.

  
MAYOR

ATTEST:

  
CITY RECORDER

Umatilla County  
Department of  
Land Use Planning  
216 S.E. 4th St.  
Pendleton, OR 97801



ATTN: PLAN AMENDMENT SPECIALIST  
DLCD  
635 CAPITOL ST NE, STE 150  
SALEM, OR 97301-2540

97301+2540 0007

