



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

March 15, 2006



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 006-05A

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: March 29, 2006**

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 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  
Mark Radabaugh, DLCD Regional Representative  
Patty Perry, Umatilla County

<paa> ya

FORM 2

Salem

D L C D NOTICE OF ADOPTION

DEPT OF

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

MAR 10 2006

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: Umatilla County Local File No.: none - (co-adoption) (If no number, use none)

Date of Adoption: 2-23-06 Date Mailed: 3-8-06 (Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 11-10-05

- Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment Land Use Regulation Amendment Zoning Map Amendment New Land Use Regulation Other: co-adoption (Please Specify Type of Action)

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

Co-adoption of Stanfield amendment to zoning and comprehensive plan for urban holding zone as it applies to the UGA.

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: N/A to N/A Zone Map Changed from: N/A to N/A Location: Stanfield UGB Acres Involved: Specify Density: Previous: 10 acre min UH New: 2 acre min. UH Applicable Statewide Planning Goals: 11, 12, 5 Was an Exception Adopted? Yes: No: [checked]

DLCD File No.: 006-05(14817)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: City of Stanfield,

DWARD

Local Contact: Perry Perry, Sr. Planner Area Code + Phone Number: 541-278-6249

Address: 216 SE 4th St.

City: Pendleton, OR Zip Code+4: 97801

## 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 of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will 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 [Larry.French@state.or.us](mailto:Larry.French@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

RECEIVED

FEB 23 2006

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY  
RECORDS

STATE OF OREGON

In the Matter of Co-Adopting        )  
City of Stanfield Ordinance        )        ORDINANCE NO. 2006-05  
No. 374-2005                         )

WHEREAS the City of Stanfield and Umatilla County previously have entered into a Joint Management Agreement applying to lands within the City Urban Growth Area, and pursuant to the agreement, all adopted amendments to the City's Comprehensive Plan, land use regulations and maps affecting the Urban Growth Area or Urban Growth Boundary, are referred to the County for adoption as amendments to the county Plan and Development Ordinance;

WHEREAS on July 26, 2005, the Stanfield City Council adopted Ordinance No. 374-2005, amending the City of Stanfield Comprehensive Plan to adopt an Urban Holding Zone and amending the Development Code Sections 2.1.130, 2.1.400, and 4.3.200;

WHEREAS, at its December 15, 2005 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 January 10, 2006, continued to February 23, 2006, to consider the co-adoption of the ordinance;

WHEREAS a concern was raised on the accuracy of paragraph 4 of the ordinance preamble "that only water from the alluvial aquifer could be accessed for residential, exempt uses, depending on the location of the property and access to alluvial groundwater;"

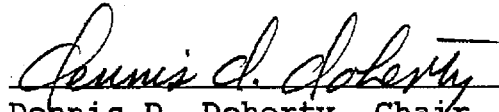
WHEREAS at its meeting of February 23, 2006, the Board of Commissioners voted unanimously to co-adopt the ordinance, conditioned on the removal of the fourth paragraph of the preamble due to its conflict with state law.

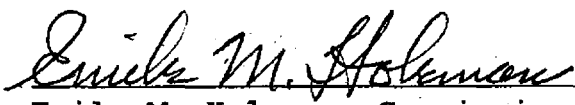
NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the co-adoption by Umatilla County, Oregon, of the City of Stanfield Ordinance No. 374-2005, amending the City of Stanfield Comprehensive Plan to adopt an Urban Holding Zone and amending the Development Code Sections 2.1.130, 2.1.400, and 4.3.200, a copy of which is attached to this document and incorporated by this reference, provided that the fourth paragraph of the preamble is

deleted.

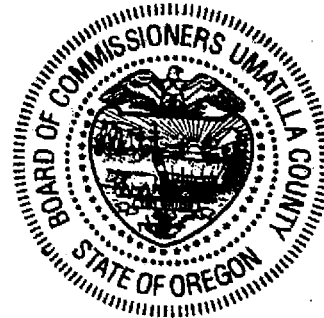
DATED this 23rd day of February, 2006.

UMATILLA COUNTY BOARD OF COMMISSIONERS

  
Dennis D. Doherty, Chair

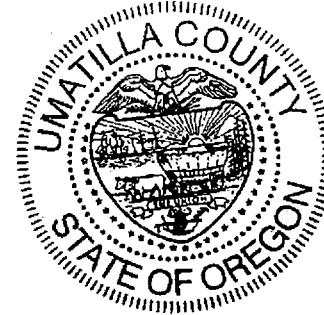
  
Emile M. Holeman, Commissioner

**ABSENT**  
William S. Hansell, Commissioner



ATTEST:  
OFFICE OF COUNTY RECORDS

  
Records Officer



**ORDINANCE NO. 374-2005**

**AN ORDINANCE AMENDING THE CITY OF STANFIELD  
DEVELOPMENT CODE**

WHEREAS, the City of Stanfield has identified issues that cause its development code to be impractical for some large property owners within the City Urban Growth Boundary, it is the purpose of this ordinance to amend the City of Stanfield Comprehensive Plan and Development Code so that the development standards in the City's urban holding and residential zones will allow a minimum level of development, with shadow platting for future development, to ensure an efficient urban form as these areas develop over time; and

WHEREAS, said amendments will be in compliance with Goals 5 (Natural Resources), 6 (Water Quality), 10 (Housing), 12 (Transportation) and 14 (Urbanization) of the Statewide Land Use Planning system; and

WHEREAS, the City of Stanfield is located in the Stage Gulch Critical Groundwater Area where appropriation of additional water from the upper or deep basalt aquifer is prohibited; and

WHEREAS, the City of Stanfield recognizes that only water from the alluvial aquifer could be accessed for residential, exempt uses, depending on the location of the property and access to alluvial groundwater; and

WHEREAS, the City of Stanfield recognizes that newer, junior users use of groundwater may be interrupted in the case of extreme water shortage; and

WHEREAS, the City recognizes that a compact urban form is desirable over the long term to help improve and maintain overall quality of life for its citizens; and

WHEREAS, said amendments were considered by the Planning Commission in April, 2005, and were read and heard by the Planning Commission on June 21 and the City Council on June 21, 2005; and

WHEREAS, proper notice of the hearings was posted according to City procedure, affected landowners were informed in conformance with State law, and notice was given to the Oregon Water Resources Department, the Oregon Department of Environmental Quality, and Umatilla County in April and May, 2005;

NOW, THEREFORE, BE IT RESOLVED the City of Stanfield hereby revises the Comprehensive Plan and Development Code as follows:

Comprehensive Plan Amendments

Section N. Urbanization (Goal 14)

- Adopt an "Urban Holding Zone," to be applied to lands mapped as EFU, Farm Residential, or Urban Holding (as of March 2001);

And,

- Minimum average lot area for Urban Holding areas shall be two (2) acres for properties that are more than 400 feet from the nearest sewer or water line, and ten (10) acres for properties within 400 feet or less of the nearest sewer and water line. Properties within 400 feet of the nearest sewer and water line must be annexed into the City limits, connected to public facilities and services, and re-zoned to an urban district before they can be subdivided.

Development Code Amendments

Section 2.1.130 - Lot Area and Dimensions (Residential District):

Land Use	Lot Area	Lot Width/Depth	Related Standards
Detached Single Family Housing; or Manufactured Homes on new or existing lots within 400 feet or less of a sewer and water line	Minimum area: 5,000 square feet. Maximum area: 14,520 square feet.	Maximum Depth: Three (3) times the lot width; except as may be required by this code (e.g., to protect sensitive lands, etc.)	The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 - Residential Density and Building Size.
Detached Single Family Housing or Manufactured Homes on new lots more than 400 feet from the nearest sewer or water line	Minimum area: Two acres Maximum area: None	Maximum Depth: Three (3) times the lot width; except as may be required by this code (e.g., to protect sensitive lands, etc.)	The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 - Residential Density and Building Size.

Section 2.1.400 Urban Holding Sub-District UH

B. Standards for the UH Sub District.

2. Development Standards

- a. Parcel size. The minimum parcel size for the UH Sub-District is as follows:

- (1). If any part of the parcel is within 400 feet of an existing sewer and water line, the minimum parcel size shall be 10 acres.
- (2). If no part of the parcel is within 400 feet of an existing sewer or water line, the minimum parcel size shall be 2 acres.

4. Division of properties

- a. Parcels that are within 400 feet or less of an existing sewer and water line may only be divided following re-zoning to urban districts in accordance with the phased growth provisions of the City's Comprehensive Plan.
- b. Parcels that are more than 400 feet from an existing sewer or water line may be divided into parcels no smaller than two acres while retaining the UH Sub-District zoning designation. Property divisions within the UH Sub-District shall conform to the requirements of Chapter 4.3 - Land Divisions and Lot Line Adjustments.

**Section 4.3.200 Requirements (for Land Divisions and Lot Line Adjustments)**

**C. Future Re-division Plan.** When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use district), the City shall require the submission of a future re-division plan, demonstrating that the lots will be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the land use district and this Code.

Future re-division plans shall be required for all property divisions in the UH Sub-District, as well as any property division within the Residential District that would result in a lot or lots of two acres in size or greater. These plans must facilitate future re-division in accordance with the requirements of the Residential District.

All future re-division plans shall identify:

1. Potential future lot division(s) in conformance with the housing and density standards of Chapter 2;
2. Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights-of-way.
3. A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the City or property owners, except as may be required through conditions of land division approval. For example, dedication and improvement of rights-of-way within the



future plan area may be required to provide needed secondary access and circulation.

The future re-division plan shall be recorded with the deed at Umatilla County.

**Section 4.3.200 Requirements (for Land Divisions and Lot Line Adjustments)**

- I. **Need for Adequate Utilities.** All lots created through land division shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to prevent or minimize flood damage to the extent practicable. Parcels that are 400 feet or more from the nearest sewer or water line may be divided without connecting to the system, as long as the resulting parcels are no smaller than two acres in size, depending on a Department of Environmental Quality evaluation of the property. Due to the overextension of the Stage Gulch Critical Groundwater Area (CGWA), the "exempt" or junior well rights may be interrupted if the primary water rights become perfected, or fully utilized. In that case, the property owners would be required to connect to the City of Stanfield water system.

ADOPTED by the Common Council of the City of Stanfield this 26th day of July, 2005.

Approved:  Mayor

Attest:  City Manager/Recorder

UMATILLA COUNTY BOARD OF COMMISSIONERS  
Meeting of Tuesday, January 10, 2006  
10:00 a.m., Room 114, County Courthouse  
Pendleton, Oregon

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COMMISSIONERS PRESENT: Dennis Doherty (Chair), Emile Holeman  
Bill Hansell

PLANNING STAFF PRESENT: Patty Perry, Heather Smith, Tamra Mabbott

COUNTY COUNSEL: Doug Olsen

GUESTS PRESENT: Karen Hutchinson-Talaski, Phil Wright,  
Patrick Knight

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NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. HOWEVER, A TAPE OF  
THE MEETING IS AVAILABLE AT THE PLANNING DEPARTMENT OFFICE.

CALL TO ORDER:

The meeting was called to order at 10:00 a.m. by Commissioner Doherty.

NEW HEARINGS:

**Ordinance #2006-01:**

1. Co-adoption of the City of Echo Ordinance No. 326-01, amending the Echo Comprehensive Plan to incorporate a Transportation System Plan for the city and its urban growth area and revising Comprehensive Plan Section 7-1-5 ("TSP").
2. Co-adoption of the City of Echo Ordinance No. 348-05, amending the Echo Comprehensive Plan and TSP to incorporate the Stanfield Interchange Access Management Plan (IAMP).
3. County Comprehensive Plan amendment (File #T-05-025) to incorporate the City of Echo Transportation System Plan and the Stanfield IAMP.

Staff Report: Senior Planner, Patty Perry presented the staff report. Ms. Perry explained that the 3 hearings today were all related to the Stanfield IAMP, and pointed out the affected areas on maps. Because the county has a Joint Management Agreement (JMA) with both Stanfield and Echo, as well as jurisdiction of Echo's UGB, the county must co-adopt the cities' plan amendments. The county also needs to co-adopt the City of Echo's TSP, which had not been done previously.

Part of the IAMP involves temporary changes. To the west of the interchange is the Umatilla River. ODOT will be replacing the Umatilla River bridges and will need to detour traffic, which will change the traffic pattern in this area. They are proposing a loop in the off ramps to transfer traffic to the other side of construction. After construction is complete the ramps will be returned to their original location.

Two needs that occurred because of the proposed IAMP change involve taking additional right-of-way in two exclusive farm use (EFU) zoned areas, which required a conditional use permit for each location. These decisions were administrative so both conditional use requests had already been presented to the Planning Commission and approved.

Commissioner Hansell asked if there had been any areas of contention throughout the process. Ms. Perry explained that the entire IAMP development process had involved the cities, county and ODOT. There were several meetings to develop the planning document, as well as two public meetings to show the development of the plan. There were no comments or issues at that time. All city ordinances have already been adopted by the cities and to Ms. Perry's knowledge, there were no areas of contention at that level either.

Commissioner Doherty confirmed with ODOT Representative, Patrick Knight, that coordination with all agencies had been done with no snags. Mr. Knight replied that all parties were understanding of the process and any issues that may have come up had been ironed out. The project is ready to begin right away.

Commissioner Hansell asked about former plans for realignment. He wondered how safety issues were being addressed, since it was determined that the overpass could be rehabilitated instead of replaced. Mr. Knight replied that cost and the ability to rehabilitate made the determination for ODOT not to realign the overpass. Realignment of the on and off ramps will help with some issues and ODOT is trying to remedy as many sight distance and other issues as possible. Commissioner Hansell commented that he understood that there was money allocated for this project that was reallocated elsewhere and wondered if that money would have allowed ODOT to better deal with the safety issues. Mr. Knight replied that he did not understand the political aspect of it, but his understanding was that monies were traded out dollar for dollar.

Commissioner Holeman asked about the construction process. Mr. Knight replied that traffic will be one way on the south bridge as the north bridge is being constructed, and there may be a temporary bridge to alleviate traffic. There will be some kind of detour to complete construction of the north bridge. Normal traffic flow is expected in one to two years.

Hearing Closed; Board of Commissioners' Deliberation and Decision: Commissioner Hansell moved adoption in the matter of co-adopting the City of Echo Transportation System Plan and implementing City of Echo Ordinance #326-01 and #348-05, incorporating the Stanfield

Interchange Access Management Plan; County Ordinance #2006-01. Commissioner Holeman seconded. Commissioner Doherty noted for the record that the ordinance does contain a provision that makes it effective immediately upon adoption. Question called. Motion carried unanimously.

**Ordinance 2006-02:**

1. Co-adoption of the City of Echo Ordinance No. 341-04, amending the Echo Zoning Code sections 9-4A-2, 9-4B-3, 9-4C-3 and 9-4D-4 to increase the maximum lot coverage for structures.
2. Co-adoption of the City of Echo Ordinance No. 349-05, amending the Echo Subdivision Code to incorporate street design standards as recommended by the Stanfield IAMP.
3. County Comprehensive Plan amendment to incorporate the amendments resulting from City of Echo Ordinance Nos. 341-04 and 349-05.

Staff report: Ms. Perry explained that Ordinance #2006-02 contains the co-adoption of City of Echo's Ordinance #341-04. It is unrelated to the IAMP. The city made changes to their code, addressing maximum lot coverage for structures, and requested that the county co-adopt to apply in their urban growth boundary, which the county manages. The changes may increase the size of structures allowed on lots. Currently, maximum lot coverage is 30% and they are increasing it to 50%. The issue the city had was that older sections of town have very small lots, which have older single wide manufactured homes. Property owners are unable to upgrade to larger homes because of the minimum lot coverage requirement.

The second part of Ordinance #2006-02 had to do with the IAMP and changes to the City of Echo Subdivision Ordinance to amend the street design standard as recommended by the IAMP.

The third part of the ordinance is the county co-adoption of the City of Echo's amendments, and incorporation into the county plan.

Commissioner Doherty asked if the figure provided in the packet for future build out/land use reflected an actual plan that dedicates those portions of the Echo Management Area. Ms. Perry replied that it roughly identifies the existing zoning and comprehensive plan designations. She also pointed out a table in the packet that projects the number of dwellings that could potentially be placed in that area and the average daily trips that might be generated, which was used to determine how build out might impact the interchange.

Hearing Closed: Board of Commissioners' Deliberation and Decision: Commissioner Holeman moved adoption in the matter of co-adopting City of Echo Ordinance #341-04 and #349-05; County Ordinance #2006-02. Commissioner Hansell seconded. Question called. Motion carried

unanimously.

**Ordinance 2006-03:**

1. Co-adoption of the City of Stanfield Ordinance No. 374-2005, amending the Stanfield Comprehensive Plan to adopt an Urban Holding Zone and amending the Development Code sections 2.1.130, 2.1.400 and 4.3.200.
2. Co-adoption of the City of Stanfield Ordinance No. 377-2005, amending the City Comprehensive Plan and Transportation System Plan to incorporate the Stanfield IAMP.
3. County Comprehensive Plan amendment to incorporate the amendments resulting from City of Stanfield Ordinance Nos. 374-2005 and 377-2005.

Staff Report: Ms. Perry explained that the county had already co-adopted the City of Stanfield's TSP, so Ordinance #2006-03 would co-adopt the city's Ordinance #377-2005, which amends the city's TSP to incorporate the IAMP.

A portion of Ordinance #2006-03 was not associated with the IAMP. The City of Stanfield had amended their Development Code, Comprehensive Plan, and Zoning Maps to create a new "urban holding zone" that is applied in their city and UGB. This zone allows for properties to be partitioned and have minimum lot sizes less than previously. Ms. Perry provided comment to the city while the city was reviewing this amendment, reminding them that the area affected is within the critical groundwater area. The city did incorporate that into their ordinance, and obtained comments from Oregon Water Resources Department as well. The city manages their own UGB, so it would not impact the County Planning Department. The city also coordinated with the county and DLCD, and took their comments into consideration.

Commissioner Doherty asked how the city addressed the critical groundwater issue. Ms. Perry explained that they included a standard notation in their ordinance amending their development code, as well as their comprehensive plan, reminding people that, due to the over extension of the critical groundwater areas, exempt water wells may be addressed or limited in the future. Commissioner Doherty noted that the key provision seems to be that, in that event, property owners would be required to connect to city's water system, which would imply that the city had means to service them. He wondered if they actually had that capability, and also questioned how the Planning Commission responded to this issue. Ms. Perry replied she was not sure how far the city's services extended, and the question of the city's capability to service these areas did not come up at the Planning Commission meeting.

Commissioner Doherty explained that his concern was that the infrastructure is not in place to get water out to those areas, and homeowners cannot afford to bring services out. Ms. Perry commented that the City of Stanfield has a Public Facilities Plan that includes their UGB, and she would assume that they would have consulted that plan when creating this ordinance. She did not go into great detail in reviewing the city's plan, as to whether this would be something the city could accommodate with their existing facilities plan, because the county doesn't have

jurisdiction and would not be implementing this material.

Commissioner Doherty stated that he is still not comfortable with the county's previous decision to approve a 37, one acre lot subdivision within the critical groundwater area in Echo's UGB. He feels the critical groundwater designation is not being taken seriously enough. The county is in its third year of efforts with critical groundwater and the Task Force is still working on recommendations. He did not feel that the county could co-adopt this ordinance in good conscience and suggested that decision be deferred for further review. Commissioner Hansell and Commissioner Holeman concurred. Ms. Perry added that she would seek additional input from the City.

County Counsel, Doug Olsen suggested that the Board partially adopt the ordinance so that the IAMP would not be held up. Commissioner Doherty proposed to leave the record open and continue the portion of the hearing for co-adoption of City of Stanfield Ordinance #374-2005, and co-adopt Ordinance #377-2005.

Commission Hansell questioned point #3 under section 4.3.200 of City Ordinance #374-2005, where it states a disclaimer that the "plan is conceptual, intending to show potential future development and shall not be binding". Mr. Olsen replied that it is called shadow platting and shows potential development, but does not mean that they are intending to develop to those specifications. Ms. Mabbott explained that shadow platting is fairly common and gives the city a concept of where development might be so that they can master plan sewer and water for the future.

Commission Hansel moved co-adoption in the matter of City of Stanfield Ordinance #377-2005 under County Ordinance #2006-03, keeping the record open on City Ordinance #374-2005 for further deliberation and continuing that portion of the hearing to February 23rd, 2006 at 1:30 p.m. in room 114 of the County Courthouse. Staff was directed to consult with the Groundwater Task Force, and inform the Planning Commission, letting them decide whether they wish to be involved. Seconded by Commissioner Holeman. Question called. Motion carried unanimously.

#### OTHER BUSINESS:

Commissioner Holeman moved to approve the minutes of October 13 and October 31, 2005 as submitted. Commissioner Hansell seconded. Motion carried unanimously.

#### ADJOURNMENT:

The meeting was adjourned at 11:05 a.m.

Respectfully submitted,

BCC Mtg. of January 10, 2006

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Heather Smith  
Secretary

UMATILLA COUNTY BOARD OF COMMISSIONERS  
Meeting of Thursday, February 23, 2006  
1:30 p.m., Umatilla County Courthouse, Room 114  
Pendleton, Oregon

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COMMISSIONERS PRESENT: Emile Holeman, Bill Hansell  
COUNTY COUNSEL PRESENT: Absent  
PLANNING STAFF PRESENT: J.R. Cook, Patty Perry, Heather Smith  
GUESTS PRESENT: None

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NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. HOWEVER, A TAPE OF THE MEETING IS AVAILABLE AT THE PLANNING DEPARTMENT OFFICE.

CALL TO ORDER:

Commissioner Holeman called the meeting to order at 1:30 p.m. It was noted that Commissioner Doherty was absent, due to other County business.

CONTINUED HEARING:

Co-adoption of the City of Stanfield Ordinance No. 374-2005, amending the Stanfield Comprehensive Plan to adopt an Urban Holding Zone and amending Development Code sections 2.1.130, 2.1.400 and 4.3.200.

Staff Report: Senior Planner, Patty Perry explained that the hearing was continued from January 10<sup>th</sup>, 2006 to obtain more information regarding the ordinance by the City of Stanfield. They had adopted a new Urban Holding Zone that would apply in their urban growth boundary as well as their city limits. There was a question as to the status of the area within the critical groundwater area, and Assistant Planning Director, J.R. Cook was to present the proposed ordinance to the Critical Groundwater Task Force for feedback.

Mr. Cook referred to his memo to the Board, dated February 10<sup>th</sup>, 2006, which addressed the applicability of Statewide Planning Goal 5 regarding city and county amendments. In order to address Goal 5, the City of Stanfield simply had to state that they are in a critical groundwater area, and exempt wells could be limited. There was no follow up from the DLCDC or Water Resources to require mitigation programs, as other Statewide Planning Goals require for amendments.

When Mr. Cook presented the issue to the Task Force, his focus was WHEARAS #4, which



states that exempt wells are limited to only the alluvial aquifer. This is incorrect, because exempt wells are allowed to be drilled as deep as one wants without requiring a water right. This was confirmed by County Watermaster, Tony Justus in a memo to Mr. Cook.

The Task Force had no comments and referred to the Exempt Well Resolution, adopted by the Umatilla County Board of Commissioners on February 24, 2005 as their justification for not commenting on the proposal.

Mr. Cook recommended that the board either co-adopt with a recommendation to the City that they correct WHEARAS #4, pursuant to recommendations by the Water Resources Department, or deny or continue the co-adoption until the City goes through the process to correct WHEARAS #4.

Mr. Cook noted that the board couldn't make the changes because it is the city's resolution, which the county is simply co-adopting; the board would only be able to recommend that the city make the appropriate changes. The city's ordinance would not change because of the verbiage in the WHEARAS.

Ms. Perry suggested that the board could include a condition of approval that the city corrects or removes WHEARAS #4 of their ordinance. Commissioner Hansell and Holeman agreed that this seemed to be the best way to remedy the error and not hold up co-adoption.

Hearing Closed; Commissioner Deliberation and Decision: Commissioner Hansell moved to co-adopt City of Stanfield Ordinance #374-2005 with the condition that WHEARAS #4 be removed from their ordinance due to non-compliance with state water laws. Commissioner Holeman seconded. Motion carried.

ADJOURNMENT:

The meeting was adjourned at 1:40 p.m.

Respectfully submitted,

Heather Smith  
Secretary

D L C D NOTICE OF ADOPTION

MAR 10 2006

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

LAND CONSERVATION AND DEVELOPMENT

(See reverse side for submittal requirements)

Jurisdiction: Umatilla County Local File No.: T-05-025

Date of Adoption: 1-10-06 Date Mailed: 1-25-06

Date the Notice of Proposed Amendment was mailed to DLCD: 11-10-05

- Checkboxes for Comprehensive Plan Text Amendment, Land Use Regulation Amendment, New Land Use Regulation, Comprehensive Plan Map Amendment, Zoning Map Amendment, and Other: co-adoptions

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

County adoption of Stanfield Interchange Access Mgt. Plan (IAMP) Hwy 395/I84. Co adoption of City of Echo TSP and Comp Plan and Zoning Code amendments. Co adoption of City of Stanfield amendment to TSP for Stanfield IAMP

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: N/A to

Zone Map Changed from: N/A to

Location: Stanfield & Echo UG-Bs Acres Involved: N/A

Specify Density: Previous: N/A New:

Applicable Statewide Planning Goals: 11, 12

Was an Exception Adopted? Yes: No: [checked]

DLCD File No.: 006-05 (14817)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

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

ODOT, Umatilla County

Local Contact: Patty Perry, Sr. Planner Area Code + Phone Number: 541-278-6249

Address: Umatilla County  
216 SE 4th St.

City: Pendleton Zip Code+4: 97801

## 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 of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will 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 [Larry.French@state.or.us](mailto:Larry.French@state.or.us) - **ATTENTION: PLAN AMENDMENT SPECIALIST.**