



# 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

08/02/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: Umatilla County Plan Amendment  
DLCD File Number 004-10

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: Monday, August 15, 2011

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 Acknowledgment or 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 above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Richard Jennings, Umatilla County  
Jon Jinings, DLCD Community Services Specialist  
Grant Young, DLCD Regional Representative

<paa> YA

# 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

In person  electronic  mailed

DATE STAMP

**DEPT OF**

**JUL 27 2011**

**LAND CONSERVATION AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: **Umatilla County**

Local file number: **T-10-040**

Date of Adoption: **7-21-2011**

Date Mailed: **7-22-2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 12-2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

The initial update had some 17 changes and on March 17, 2011 the Board of Commissioners adopted all proposed modifications via Ordinance 2011-02 except for item #17, which dealt with Storage Containers. The Board wanted to review the standards for Storage Containers further. A public hearing was held on July 21, 2011 and the Board adopted the new standards for Storage Containers signing Ordinance 2011-03. Prior to this update the County did not have a permit process for Storage Containers.

Does the Adoption differ from proposal? Yes, Please explain below:

The one change that was not a part of the original submission dealing with Storage Containers was that there is a restriction of only 1 storage container for property in a residential or multi-use forest plan designation.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

**DLCD file No.** 004-10 (18648) [16723]

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

DLCD

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Local Contact: **Richard H. Jennings**

Phone: (541) 278-6249 Extension:

Address: **216 SE 4<sup>th</sup>**

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

City: **Pendleton**

Zip: **97801-**

E-mail Address: **richardj@umatillacounty.net**

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## **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, or by emailing [larry.french@state.or.us](mailto:larry.french@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 [larry.french@state.or.us](mailto:larry.french@state.or.us) - **Attention: Plan Amendment Specialist**.

Updated March 17, 2009

RECEIVED

JUL 21 2011

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY  
RECORDS

STATE OF OREGON

In the Matter of Amending                    )  
 Development Code to Include                )     ORDINANCE NO. 2011-03  
 Provisions Allowing for                    )  
 Use of Storage Containers                 )

WHEREAS the Board of Commissioners has ordained Ordinance No. 83-04, adopting the County Land Development Ordinance, codified in Chapter 152 of the Umatilla County Code of Ordinances;

WHEREAS the Planning Department staff drafted an update to the code to include provisions allowing for the use of storage containers;

WHEREAS the Umatilla County Planning Commission held work session on the matter on October 28, 2010 and December 16, 2010, and held a public hearing regarding the proposed amendments on February 24, 2011, and forwarded the proposed amendment to the Board of Commissioners with a recommendation for adoption;

WHEREAS the Board of Commissions held public hearings on March 17, 2011 and July 21, 2011, to consider the proposed amendments, and voted to approve the amendments to the Land Development Ordinance for storage containers.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the adoption of the following amendment to the County Land Development Ordinance, codified in Chapter 152 of the Umatilla County Code of Ordinances, be amended to include the following:

**§ 152.003 DEFINITIONS.**

STORAGE CONTAINER: A new or used prefabricated metal, wood, or composite type container, in excess of 120 square feet, manufactured and used for the storage of agricultural, commercial, industrial, or residential products and materials, accessory to the principal building or use. Examples include and are limited to piggyback containers that can be transported by mounting on a chassis or transported on a flatbed trailer (commonly referred to as freight, shipping or cargo containers), or truck trailers/van boxes that do

not have a chassis or wheels. Such containers shall be totally enclosed.

**§ 152.020 STORAGE CONTAINERS.**

A Storage Container as defined in §152.003 is permitted only when accessory to the permitted use on the same lot or parcel. A zoning permit is required for the placement of a storage container per §152.025 and is subject to the following standards:

(A) Accessory Use: A Storage Container is an allowed accessory use and must meet the regulations as specified by the underlying zoning district.

(B) General Standards:

(1) A Storage Container shall not be modified to be used for any other purpose than the storage of the property owner's items unless land use and building permits are obtained prior to the modification.

(2) Only one Storage Container is allowed on a lot or parcel with a residential or multi-use forest comprehensive plan designation.

(3) A Storage Container shall meet the setback requirements for structures and buildings of the underlying zone.

(4) A Storage Container to be placed within a special flood hazard area is required to obtain a floodplain development permit per §152.353 and meet the standards of the Flood Hazard Overlay Zone.

(5) Storage Containers shall not be stacked.

(6) A Storage Container shall be located on a level surface to prevent shifting, rolling, or other movement.

(7) A Storage Container placed on a property for less than 6 months does not require a zoning permit.

FURTHER by unanimous vote of those present, the Board of Commissioners deems this Ordinance necessary for the immediate preservation of public peace, health, and safety; therefore, it is adjudged and decreed that an emergency does exist in the case of this Ordinance and it shall be in full force and effect from and after its adoption.

DATED this 21st day of July, 2011.

UMATILLA COUNTY BOARD OF COMMISSIONERS

ABSENT

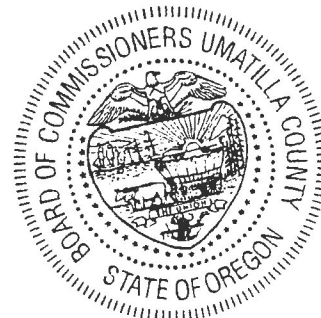
William S. Hansell, Chair

*W. Lawrence Givens*

W. Lawrence Givens, Commissioner

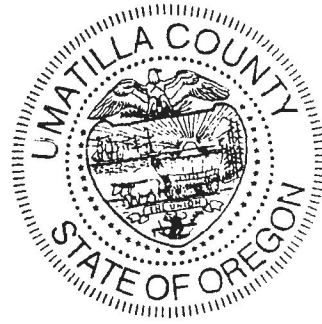
*Dennis D. Doherty*

Dennis D. Doherty, Commissioner



ATTEST:  
OFFICE OF COUNTY RECORDS

*Steve Churchill*  
Records Officer



RECEIVED

JUL 21 2011

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY  
RECORDS

STATE OF OREGON

In the Matter of Implementation )  
of New Development Code ) Order No. BCC2011-053  
Provisions Allowing for Use )  
of Storage Containers )

WHEREAS, after public hearings, the Board of Commissioners adopted Ordinance No. 2011-03 to allow for use of Storage Containers in certain situations and under specified terms;

WHEREAS, the Board of Commissioners was requested to address the application of the regulations on existing Storage Containers.

NOW THEREFORE, the Board of Commissioners orders that Existing Storage Containers, defined as a Storage Container in place at the time of the enactment of Section 152.020 on July 21, 2011, may continue to be used and remain in the same location as long as:

1. The property owner obtains a zoning permit by January 20, 2012. The fee for the zoning permit will not be collected during this 6 month grace period.
2. The Storage Container is not within a special flood hazard area. A Storage Container placed within a special flood hazard area is required to obtain a floodplain development permit per § 152.353 and meet the standards of the Flood Hazard Overlay Zone.

DATED this 21st day of July, 2011.

UMATILLA COUNTY BOARD OF COMMISSIONERS

ABSENT

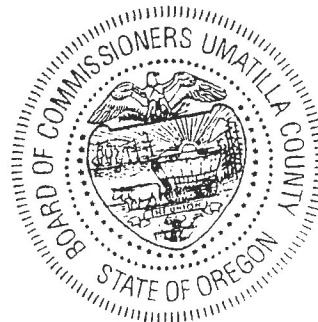
William S. Hansell, Chair

*W. Lawrence Givens*

W. Lawrence Givens, Commissioner

*Dennis D. Doherty*

Dennis D. Doherty, Commissioner



ATTEST:  
OFFICE OF COUNTY RECORDS

*Jan Chudail*  
Records Officer





**JMATILLA COUNTY PLANNING DEPT  
216 SE 4TH  
PENDLETON, OR 97862**



**ATTN: PLAN AMENDMENT SPECIALIST  
DLCD  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OR 97301-2540**