NOTICE OF ADOPTED AMENDMENT

06/25/2013

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 001-13

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: Wednesday, July 10, 2013

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
Christine Shirley, DLCD Natural Hazards/Floodplain Specialist

<paa> YA
Notice of Adoption

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: Umatilla County
Date of Adoption: 6/13/2013
Local file number: T-13-050 & Z-297-13
Date Mailed: 6/18/2013 (initially 4-18-2013)

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  ☑ Yes  ☐ No  Date: 11/6/2013

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 County is updating the Development Code and adding a new date for the FEMA FIRM maps along the Walla Walla River from Stateline south to the Joe West Bridge. The Walla Walla River Levee System has been studied and the levee re-certified. The FIRM maps will undergo a Physical Map Revision (LOMR) which is nearing the end of the FEMA review. New FIRM maps will be issued removing several properties in the County from the Special Flood Hazard Area and changing the Floodplain Hazard Overlay.

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

Plan Map Changed from:  
to:  
Zone Map Changed from:  EFU with FH Overlay  
to:  EFU (parcels may go from EFU to FH)  
Location: along Walla Walla River 6N-35 & 36, 5N-35 & 36  Acres Involved:

Specify Density:  Previous:  
New:  

Applicable statewide planning goals:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12 ☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17 ☐ 18 ☐ 19

Was an Exception Adopted?  ☐ YES ☑ NO

Did DLCD receive a Notice of Proposed Amendment...

35-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. ______________________
Please list all affected State or Federal Agencies, Local Governments or Special Districts:
DLCD

Local Contact: Richard Jennings
Address: 216 SE 4th ST
City: Pendleton
Phone: (541) 278-6249
Fax Number: 541-278-5480
Extension:
Zip: 97801-
E-mail Address: richardj@umatillacounty.net

ADOPTION SUBMITTAL REQUIREMENTS
This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated twenty-one (21) days from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit one complete paper copy via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

9. Need More Copies? Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

http://www.oregon.gov/LCD/forms.shtml

Updated December 30, 2011
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 at the request of the Milton-Freewater Water Control District, the Federal Emergency Management Agency updated a number of flood insurance rate maps for property along the Walla Walla River levee system, which are to be incorporated into the Umatilla County Land Development Ordinance;

WHEREAS the Umatilla County Planning Commission held a public hearing regarding the proposed amendment on May 23, 2013, and forwarded the proposed amendments to the Board of Commissioners with a recommendation for adoption;

WHEREAS the Board of Commissioners held a public hearing on June 13, 2013, to consider the proposed amendment, and voted to approve the amendment to the Land Development Ordinance with revisions.

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, to amend as follows (Strikethrough text is deleted; Underlined/Italicized text is added):

§ 152.353 GENERAL PROVISIONS

A. Lands to Which This Overlay Zone Applies

The Flood Hazard Overlay Zone shall apply to all Special Flood Hazard Areas within the jurisdiction of the County. Nothing in the Flood Hazard Overlay Zone is intended to allow uses or structures that are otherwise prohibited by the development or building codes.

B. Basis for Area of Special Flood Hazard

The Area of Special Flood Hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS) for Umatilla County, Oregon and Incorporated Areas dated September 3, 2010, with accompanying Flood Insurance Rate Maps (FIRM) or Digital Flood Insurance Rate Maps (DFIRM), and other supporting data, are adopted by reference and declared a part of this chapter. A subsequent update has occurred to both the FIS and the following
FIRM Panels - 41059C-120G, 41059C-0430G, 41059C-0435G, 41059C-0445G, 41059C-0455G, 41059C-0465G and 41059C-0470G with the effective date of September 20, 2013, as a result of a Letter of Map Revision (LOMR) submitted by the Milton-Freewater Water Control District for property along the Walla Walla River levee system. The FIS and the FIRM are on file at the office of the Umatilla County Planning Department.

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 13th day of June, 2013.

UMATILLA COUNTY BOARD OF COMMISSIONERS

W. Lawrence Givens, Chair

William J. Elfering, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Records Officer