

**UMATILLA PLANNING COMMISSION MEETING
AGENDA
COUNCIL CHAMBERS
AUGUST 23, 2022
6:30 PM**

1. **CALL TO ORDER & ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF MINUTES**

3.a [July 26th, 2022 Minutes](#) *Suggested Action: Approval*

4. **UNFINISHED BUSINESS**

5. **NEW BUSINESS**

5.a [City of Umatilla Zone Change ZC-2-22](#) *Suggested Action:*

The applicant, City of Umatilla, is proposing to amend the Chapters 11 of the City of Umatilla Zoning Ordinance, and Title 4 of the Code of Ordinances of the City of Umatilla. The amendments will remove restrictions for poultry within City limits and establish a permit system for the keeping of poultry in residential zones.

5.b [Project Path Conditional Use CU-1-22](#) *Suggested Action:*

The applicant, City of Umatilla, is requesting approval of a conditional use and site plan approval to bring together services to assist individuals and families facing homelessness with the objective to move them into and through transitional housing to permanent housing. A suite of services will be delivered or available by referral that include sleeping areas, kitchen and meal services, basic medical, dental and vision services, educational services, behavioral health services, access to job opportunities, and transportation services. The proposed homeless resource and housing facility is proposed to be developed on Tax Lot 2300 of Assessor's Map 5N28E22.

6. **DISCUSSION ITEMS**

7. **INFORMATIONAL ITEMS**

8. **ADJOURNMENT**

This institution is an equal opportunity provider. Discrimination is prohibited by Federal law. Special accommodations to attend or participate in a city meeting or other function can be provided by contacting City Hall at (541) 922-3226 or use the TTY Relay Service at 1-800-735-2900 for appropriate assistance.

UMATILLA PLANNING COMMISSION MEETING
MINUTES
COUNCIL CHAMBERS
JULY 26, 2022
6:30 PM

1. **CALL TO ORDER & ROLL CALL**

Meeting called to order at 6:30 p.m.

- A. **Present:** Commissioners; Keith Morgan, Enrique Navarro, Bruce McLane, Kelly Nobles.
- B. **Absent:** Heidi Sipe, Jennifer Cooper
- C. **Late arrival:**
- D. **Staff present:** Community Development Director, Brandon Seitz, Senior Planner, Jacob Foutz, Consultant Carla McLane.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF MINUTES**

- 3.a *April 26, 2022 Minutes Suggested Action: Approval*

Motion to approve by Commissioner Morgan, seconded by Commissioner Nobles. Motion Carried by consensus vote 4-0.

4. **UNFINISHED BUSINESS**

5. **NEW BUSINESS**

- 5.a *Project Path Annexation ANX-1-22 Suggested Action: An application to have a portion of a Lind Road, a public street, as well as Tax Lot 2300 of Assessor's Map 5N 28 22, all situated in the City of Umatilla's urban growth boundary, annexed into the city limits.*

Chair McLane opened the hearing and read into the record the Public Hearing Opening Statement and asked if there was any challenge to jurisdiction, conflict of interests, or ex-parte contacts.

Commissioner Nobles noted his family owns property adjacent to the property

Chair McLane noted that his wife was the consultant the City hired.

Chair McLane opened the hearing and asked for the staff report

Director Seitz gave an introduction and explained that the two applications are not the proposed use, rather an annexation and zone change. The proposed use will go before the planning commission on August 23 as a conditional use.

Consultant Carla McLane gave the staff report and applicant testimony, going over the criterion that must be met for an annexation.

Chair McLane asked for public testimony in favor. None

Chair McLane asked for public testimony in Opposition.

Sam Nobles of 81176 Lind Road, Hermiston, OR 97838 objects to the application, Mr. Nobles explained that he also objected to Amazon. Mr. Nobles stated that the City did not pave the entirety of Lind road during the Amazon annexation, and wants to know where Lind road will be improved for

this application. Mr. Nobles stated Umatilla police and fire are rarely in the area and is concerned for the protection of the annexed property.

Clinton Fordice of PO BOX 653, Hermiston, OR 97838 wants to know if the zone is changed from Light Industrial to Community service if that is “spot zoning”. Mr. Fordice also stated that he thought when the City annexed a property and road that the road would be required to be brought up to a City standard. Mr. Fordice stated that he thought when amazon was brought in that the entirety of Lind road to the amazon campus would be paved, he also asked if Union street was a part of the City. He wants to know if the City is going to do what is right, and he stated that he thought the property was owned by the bureau of land reclamation, and he wants to know how the City of Umatilla got it.

Chair McLane asked for public neutral testimony.

William Reuter of 79786 Agnew Rd, Hermiston OR 97838 wants to know if sewer and water are going in if others are going to be able to connect to it and what standard the road will be improved to. Mr. Reuter also asked if the City has to pay for the road, when amazon was supposed to pay for it.

Chair McLane asked for Rebuttal testimony.

Carla McLane stated that it is important to remember that the application is for an annexation and things that have or have not happened in the past is not relevant to the criteria for annexation.

Director Seitz answered some question brought up in testimony in regard to amazon and Lind road. He stated that annexation does not require that the entirety of the road be improved. Only the portions of the road that fronts the subject property.

Chair McLane called for a motion to close the hearing of ANX-1-22. Motion to close by Commissioner Nobles. Second by Commissioner Navarro. Motion carried 4-0

Chair McLane asked for any comments or deliberation.

Commissioner Nobles asked if Lind road would be held to a City road standard or County road standard.

Director Seitz explained that if annexed the road would be subject to a City standard.

Commissioner Nobles clarified that the road standards would be enforced upon a development application.

Director Seitz confirmed.

Chair McLane asked if the standard applied would be light industrial

Director Seitz confirmed.

Chair McLane called for a motion to recommend approval of ANX-1-22 with the associated conditions of approval. Motion to approve by Commissioner Morgan. Seconded by Commissioner Nobles.

Motion carried 4-0

5.b [Project Path Rezone PA-2-22 Suggested Action: An application to rezone 18.5 acres of land designated County 1972 Light Industrial \(M-1\) to City Light Industrial \(M-1\) with Community Services \(CS\) overlay. The proposed zoning overlay of Community Services will support the types of services envisioned to be delivered as part of Project PATH which is intended to bring together those services to assist individuals and families facing homelessness with the objective to move them into and through transitional housing to permanent housing.](#)

Chair McLane opened the hearing and read into the record the Public Hearing Opening Statement and asked if there was any challenge to jurisdiction, conflict of interests, or ex-parte contacts.

Commissioner Nobles noted his family owns property adjacent to the property

Chair McLane noted that his wife was the consultant the City hired.

Consultant Carla McLane gave the staff report and applicant testimony, going over the criterion that must be met for a Rezone. She clarified it will go from County Light Industrial to City Light Industrial, with a Community Service Overlay.

Director Seitz explained that the subject property is zoned as industrial in the City of Umatilla comprehensive plan since comprehensive plan adoption.

Chair McLane asked for public testimony in favor. None

Chair McLane asked for public testimony in Opposition.

Sam Nobles of 81176 Lind Road, Hermiston, OR 97838 objects to the project path development and stated concern that Umatilla would have to pay for it and the other jurisdiction would not be helping.

Mr. Nobles also wanted to know if the access to the development is coming off of Lind or off of Bensel.

Ken Bonney of PO BOX 1287, Hermiston, OR 97838 stated that the facility in Hermiston required homeless people to have a job and locked the gate to the facility at a certain time. He stated that this facility will be the same and people will get stuck outside the gate. Mr. Bonney explained that he believes that even those that are not a part of the project path facility should have somewhere for them to go, and he stated that he just recently bought a brand-new security system.

Clinton Fordice of PO BOX 653, Hermiston, OR 97838 stated that when developing he has always had to do everything all at once, he also stated that homeless people want to be homeless and more people will come because of this facility.

William Reuter of 79786 Agnew Rd, Hermiston OR 97838 stated that the City needs to have sidewalks out at the facility, and wanted to know who is paying for it.

Chair McLane asked for public neutral testimony. None

Chair McLane asked for Rebuttal testimony.

Carla McLane stated a number of the concerns brought up will be addressed as part of the Conditional Use application. She stated that how this facility will be run is determined by the RFP and how other facilities have been run do not signify how this facility will be run.

Director Seitz reiterated what Carla McLane had stated, there are many ways to run a facility and the details will be gone into at the conditional use hearing.

Chair McLane called for a motion to close the hearing of PA-2-22. Motion to close by Commissioner Morgan. Second by Commissioner Navarro. Motion carried 4-0

Chair McLane asked for any comments or deliberation.

Commissioner Nobles complemented the public for their participation and asked Director Seitz if the roads would be affected by the community service overlay.

Director Seitz explained that the base layer zoning of Light industrial will remain on the property and as such the road standard will be held to that standard.

Commissioner Nobles asked if the commission would be able to impose a condition of approval on the conditional use application that requires sidewalks.

Director Seitz confirmed.

Chair McLane asked what would happen if it was decided that this property was not where the facility should go, would the community service overlay be removed?

Director Seitz confirmed.

Chair McLane called for a motion to recommend approval of PA-2-22 with the associated conditions of approval. Motion to approve by Commissioner Nobles. Seconded by Commissioner Morgan. Motion carried 4-0

6. **DISCUSSION ITEMS**

Commissioner Nobles asked about the land near bucks' corner that has been cleared out and if they have come to the city with any sort of land use.

Director Seitz explained that they do not have any plans right now but will most likely be posting a for sale sign.

7. **INFORMATIONAL ITEMS**

Director Seitz gave an update on CDBG, Business Center, Water fountain, Bridge, and regional trial plan.

8. **ADJOURNMENT** 8:07pm

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**UMATILLA PLANNING COMMISSION
REPORT AND RECOMMENDATION
FOR
ZONE CHANGE ZC-2-22**

DATE OF HEARING: August 23, 2022

REPORT PREPARED BY: Jacob Foutz, Senior Planner

I. GENERAL INFORMATION AND FACTS

Applicant: City of Umatilla, 700 6th Street, Umatilla, OR 97882.

Land Use Review: Zone Change application to amend Chapter 11 of the City of Umatilla Zoning Ordinance, and Title 4 of the Code of Ordinances of the City of Umatilla. The amendments will remove restrictions for poultry within City limits and establish a permit system for the keeping of poultry in residential zones.

II. NATURE OF REQUEST AND GENERAL FACTS

At the request of the City Council, the City of Umatilla is proposing to amend Chapter 11 of the City of Umatilla Zoning Ordinance, and Title 4 of the Code of Ordinances of the City of Umatilla. The amendments will remove restrictions for poultry within City limits and establish a permit system for the keeping of poultry in residential zones.

III. ANALYSIS

The criteria applicable to this request are shown in underlined text and the responses are shown in standard text. All of the following criteria must be satisfied in order for this request to be approved.

CUZO 10-13-3: AMENDMENTS TO THE ZONING TEXT OR MAP:

- A. Type IV Procedure: Amendments to the zoning title text or official map are considered a type IV procedure. A map change may be legislative or quasi-judicial, depending on the number of properties and area involved. A text change is always a legislative decision.
- B. Initiation Of Application: An application may be initiated by a property owner or authorized agent, the planning commission, or the city council.
- C. Narrative, Identification Required: An application shall include a narrative that demonstrates compliance with the approval criteria and a site and vicinity map identifying the property and adjacent properties. A traffic impact analysis (TIA), pursuant to section 10-11-10 of this title, shall also be submitted with all plan and zoning amendment applications.
- D. Approval Criteria: An amendment to this title or official map shall comply with the following criteria:
 1. The proposed designation is consistent with and supports the purposes of the portions of

the city's comprehensive plan not proposed for amendment, or circumstances have changed to justify a change in the comprehensive plan.

Findings: The proposed text amendments support the purposes of the City of Umatilla Comprehensive plan including but not limited to chapters 1 and 2.

Conclusion: The proposed code changes are consistent with and support the city's comprehensive plan.

2. The proposed change will not affect the land supply for the existing zoning designation as related to projected need for the particular land use.

Findings: The proposed text amendment would not affect the land supply for any existing zoning designation.

Conclusion: The proposed text amendment will not change the existing zoning designations for any property within the City's Urban Growth Boundary (UGB). Therefore, the proposed text amendment will not affect the land supply of the existing zoning designations.

3. The proposed designation will not negatively impact existing or planned public facilities and services. In particular, pursuant to the Oregon transportation planning rule, proposed text and map amendments shall determine whether the proposed change will significantly affect a collector or arterial transportation facility and must comply with the requirements of Oregon administrative rule (OAR) 660-012-0060 as applicable. In the I-82/U.S. 730 interchange area management plan (IAMP) management area, proposed access shall be consistent with the access management plan in section 7 of the IAMP.

Findings: The text amendment will not change the permitting process for new development proposed in any zoning districts within the City of Umatilla. There is no new development proposed therefore it is not possible to determine if existing or planned public facilities or services will be affected. The proposed changes as they stand will not affect any collector or arterial transportation facility within the City of Umatilla in a significant way.

Conclusion: The proposed text amendment to remove restrictions for poultry within City limits and establish a permit system for the keeping of poultry in residential zones will not affect any collector or arterial transportation facility within the City of Umatilla in a significant way.

4. The site is suitable for the proposed use, considering the topography, adjacent streets, access, size of the site, availability of public facilities, and any other pertinent physical features.
5. Other sites in the city or the vicinity are unsuitable for the proposed use. In other words, ownership and desire to develop a particular use in themselves provide insufficient rationale for changing a zoning designation that does not support the interests of the city as a whole.

Findings: The intent of these standards are to show that a proposed amendment is necessary to accommodate a proposed use and to show that other sites within the City are not readily available to develop the propose use. The proposed text change is to remove restrictions for poultry within City limits and establish a permit system for the keeping of

poultry in residential zones. The proposed change would apply to a variety of properties located throughout the City not a specific site.

Conclusion: The proposed amendment will apply to properties located throughout the City not a specific property. Therefore, analysis to determine if a specific site is suitable for the proposed use or other sites located throughout the city are not suitable is not necessary or applicable.

IV. SUMMARY AND RECOMMENDATION

The applicant, City of Umatilla, is proposing to amend Chapter 11 of the City of Umatilla Zoning Ordinance, and Title 4 of the Code of Ordinances of the City of Umatilla. The amendments will remove restrictions for poultry within City limits and establish a permit system for the keeping of poultry in residential zones. The request appears to meet all of the applicable criteria and standards for this type of request. Therefore, based on the information in Sections I and II of this report, and the above criteria, findings of fact and conclusions addressed in Section III, the staff recommends recommendation of approval of Zone Change (ZC-2-22) to City Council.

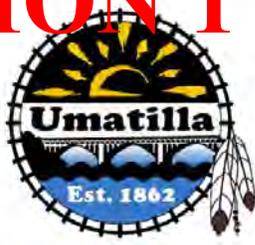
VI. EXHIBITS

Exhibit A – Option 1 Permit and Draft Text Changes

Exhibit B – Option 2 Permit and Draft Text Changes

Exhibit C – Option 3 Permit and Draft Text Changes

OPTION 1



City of Umatilla

700 6th Street, PO Box 130, Umatilla, OR 97882
City Hall (541) 922-3226 Fax (541) 922-5758



BACKYARD POULTRY PERMIT APPLICATION

Name of Applicant: _____

Property Address: _____

Mailing Address (if different than property address): _____

City/State/Zip: _____

Phone #: _____ Email: _____

Name, address & phone of Property Owner (if different than applicant): _____

If you have questions regarding the application please contact the City Planning Department.

This application for a permit to allow poultry is subject to the following conditions and is only permitted when consistent with the following standards:

1. A permit shall be obtained from the City prior to the keeping of poultry. A permit is issued to the property and renters must obtain written approval from the property owner to apply for a permit.
2. The keeping of poultry shall be limited to the purpose of egg collection for personal, non-commercial use.
3. One bird per 1,000 square feet with the limit of 12 birds(a 12,000 square foot lot can have 12 birds), **keeping of a rooster is prohibited.**
4. **Poultry shall not be kept on multifamily lots.**
5. Poultry may not be slaughtered or killed except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia (for example due to an injury or sickness) when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.
6. Poultry shall be kept in an enclosed coop or run at all times.
7. No person shall sell eggs or engage in poultry breeding or fertilizer production for commercial purposes.

8. All poultry shall be housed in a coop.
9. Poultry and coops shall only be located in a rear yard.
10. Poultry coops shall be limited to eighty (80') square feet and the highest point of the coop shall be no more than six feet tall above grade.
11. Poultry coops shall be kept clean, dry, free of vermin and noticeable odors, and in good repair.
12. Poultry coop and/or run shall be setback a minimum ten feet from all property lines.

Applicant acknowledges that upon issuance of any permit by the City of Umatilla that it is the obligation of the applicant to comply with any and all laws, ordinances and regulations governing the type of project permitted whether or not specified in the permit. The granting of an approval by the City of Umatilla does not give the applicant any authority to violate or modify the provisions of any other federal, State or local law, ordinance or regulation with respect to regulation of construction, performance of construction and/or operation of the project.

Regarding property boundaries, the applicant acknowledges that the only accurate way to locate property lines is by a land survey conducted by a licensed professional. The City of Umatilla makes no representation as to the accuracy or location of any boundaries related to the project and the applicant, by virtue of issuance of a permit by the City of Umatilla, and agrees to hold harmless, defend and indemnify the City in any legal action related to property lines or boundaries.

I have read and understand the above application and I hereby certify that all conditions will be continually met, and that I will abide by all restrictions, administrative rules and applicable City Codes and Ordinances.

Applicant Signature: _____ **Date:** _____

Property Owner Signature: _____ **Date:** _____

**** PERMIT REVOCATION** Failure to comply with the above statement will result in the revocation of the permit and possible further action including fines.**

FINAL PERMIT APPROVAL

Planning: _____ DATE: _____

Code Enforcement: _____ DATE: _____

Conditions of Approval:

Underlined language proposed to be added; ~~Strikethrough~~ language proposed for deletion by
Zone Change application ZC-2-22

TITLE 10 - ZONING

Chapter 11

Sec. 10-11-14.

Backyard Poultry Standards

A. A permit shall be obtained from the City prior to the keeping of poultry. A permit is issued to the property and renters must obtain written approval from the property owner to apply for a permit.

B. The keeping of poultry shall be limited to the purpose of egg collection for personal, non-commercial use.

C. One bird per 1,000 square feet with the limit of 12 birds (a 12,000 square foot lot can have 12 birds), keeping of a rooster is prohibited.

D. Poultry shall not be kept on multifamily lots.

E. Poultry may not be slaughtered or killed except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia (for example due to an injury or sickness) when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.

F. Poultry shall be kept in an enclosed coop or run at all times.

G. No person shall sell eggs or engage in poultry breeding or fertilizer production for commercial purposes.

H. All poultry shall be housed in a coop.

I. Poultry and coops shall only be located in a rear yard.

J. Poultry coops shall be limited to eighty (80') square feet and the highest point of the coop shall be no more than six feet tall above grade.

K. Poultry coops shall be kept clean, dry, free of vermin and noticeable odors, and in good repair.

L. Poultry coop and/or run shall be setback a minimum ten feet from all property lines.

TITLE 4 – PUBLIC HEALTH AND SAFETY

Chapter 1

Sec. 4-1-5-18.

Raising livestock, ~~poultry~~ or exotic, wild or dangerous animals prohibited.

No person may raise or keep livestock, ~~poultry~~, exotic, wild or dangerous animals in the City. "Livestock" means horses, mules, jackasses, cattle, llamas, alpacas, sheep, goats, swine, ~~domesticated fowl~~ and furbearing animals bred and maintained commercially or otherwise, within outdoor pens, cages and hutches. "Exotic, wild or dangerous animal" means any animal which is not commonly domesticated, or which is not native to North America, or a domesticated or wild animal which because of its size, disposition or its vicious, venomous, wild or predatory nature, or its other characteristics, could constitute an unreasonable danger to human life or property. "~~Poultry~~" ~~includes domesticated fowl, chickens, ducks, turkeys or geese or any other bird raised for meat or eggs.~~

DRAFT



City of Umatilla

700 6th Street, PO Box 130, Umatilla, OR 97882
City Hall (541) 922-3226 Fax (541) 922-5758



BACKYARD POULTRY PERMIT APPLICATION

Name of Applicant: _____

Property Address: _____

Mailing Address (if different than property address): _____

City/State/Zip: _____

Phone #: _____ Email: _____

Name, address & phone of Property Owner (if different than applicant): _____

If you have questions regarding the application please contact the City Planning Department.

This application for a permit to allow poultry is subject to the following conditions and is only permitted when consistent with the following standards:

1. A permit shall be obtained from the City prior to the keeping of poultry. A permit is issued to the property and renters must obtain written approval from the property owner to apply for a permit.
2. The keeping of poultry shall be limited to the purpose of egg collection for personal, non-commercial use.
3. No more than six (6) birds are allowed on any one parcel, and the **keeping of a rooster is prohibited.**
4. Poultry shall only be kept upon property occupied by a single family dwelling.
5. Poultry may not be slaughtered or killed except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia (for example due to an injury or sickness) when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.
6. Poultry shall be kept in an enclosed coop or run at all times.
7. No person shall sell eggs or engage in poultry breeding or fertilizer production for commercial purposes.

8. All poultry shall be housed in a coop, poultry feed shall be kept in rodent and raccoon proof containers.

9. Poultry and coops shall only be located in a rear yard.

10. Poultry coops shall be limited to eighty (80') square feet and the highest point of the coop shall be no more than six feet tall above grade.

11. Poultry coops shall be kept clean, dry, free of vermin and noticeable odors, and in good repair.

12. Poultry coop and/or run shall be setback a minimum ten feet from all property lines.

Applicant acknowledges that upon issuance of any permit by the City of Umatilla that it is the obligation of the applicant to comply with any and all laws, ordinances and regulations governing the type of project permitted whether or not specified in the permit. The granting of an approval by the City of Umatilla does not give the applicant any authority to violate or modify the provisions of any other federal, State or local law, ordinance or regulation with respect to regulation of construction, performance of construction and/or operation of the project.

Regarding property boundaries, the applicant acknowledges that the only accurate way to locate property lines is by a land survey conducted by a licensed professional. The City of Umatilla makes no representation as to the accuracy or location of any boundaries related to the project and the applicant, by virtue of issuance of a permit by the City of Umatilla, and agrees to hold harmless, defend and indemnify the City in any legal action related to property lines or boundaries.

I have read and understand the above application and I hereby certify that all conditions will be continually met, and that I will abide by all restrictions, administrative rules and applicable City Codes and Ordinances.

Applicant Signature: _____ **Date:** _____

Property Owner Signature: _____ **Date:** _____

**** PERMIT REVOCATION** Failure to comply with the above statement will result in the revocation of the permit and possible further action including fines.**

FINAL PERMIT APPROVAL

Planning: _____ DATE: _____

Code Enforcement: _____ DATE: _____

Conditions of Approval:

Underlined language proposed to be added; ~~Strikethrough~~ language proposed for deletion by Zone Change application ZC-2-22

TITLE 10 - ZONING

Chapter 11

Sec. 10-11-14.

Backyard Poultry Standards

A. A permit shall be obtained from the City prior to the keeping of poultry. A permit is issued to the property and renters must obtain written approval from the property owner to apply for a permit.

B. The keeping of poultry shall be limited to the purpose of egg collection for personal, non-commercial use.

C. No more than (6) birds are allowed on any one parcel, and the keeping of a rooster is prohibited.

D. Poultry shall only be kept upon property occupied by a single-family dwelling.

E. Poultry may not be slaughtered or killed except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia (for example due to an injury or sickness) when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.

F. Poultry shall be kept in an enclosed coop or run at all times.

G. No person shall sell eggs or engage in poultry breeding or fertilizer production for commercial purposes.

H. All poultry shall be housed in a coop, poultry feed shall be kept in rodent and raccoon proof containers.

I. Poultry and coops shall only be located in a rear yard.

J. Poultry coops shall be limited to eighty (80') square feet and the highest point of the coop shall be no more than six feet tall above grade.

K. Poultry coops shall be kept clean, dry, free of vermin and noticeable odors, and in good repair.

L. Poultry coop and/or run shall be setback a minimum ten feet from all property lines.

TITLE 4 – PUBLIC HEALTH AND SAFETY

Chapter 1

Sec. 4-1-5-18.

Raising livestock, ~~poultry~~ or exotic, wild or dangerous animals prohibited.

No person may raise or keep livestock, ~~poultry~~, exotic, wild or dangerous animals in the City. "Livestock" means horses, mules, jackasses, cattle, llamas, alpacas, sheep, goats, swine, ~~domesticated fowl~~ and furbearing animals bred and maintained commercially or otherwise, within outdoor pens, cages and hutches. "Exotic, wild or dangerous animal" means any animal which is not commonly domesticated, or which is not native to North America, or a domesticated or wild animal which because of its size, disposition or its vicious, venomous, wild or predatory nature, or its other characteristics, could constitute an unreasonable danger to human life or property. "Poultry" ~~includes domesticated fowl, chickens, ducks, turkeys or geese or any other bird raised for meat or eggs.~~

DRAFT



BACKYARD POULTRY PERMIT APPLICATION

Name of Applicant: _____

Property Address: _____

Mailing Address (if different than property address): _____

City/State/Zip: _____

Phone #: _____ Email: _____

Name, address & phone of Property Owner (if different than applicant): _____

If you have questions regarding the application please contact the City Planning Department.

This application for a permit to allow poultry is subject to the following conditions and is only permitted when consistent with the following standards:

1. A permit shall be obtained from the City prior to the keeping of poultry. A permit is issued to the property and renters must obtain written approval from the property owner to apply for a permit.
2. The keeping of poultry shall be limited to the purpose of egg collection for personal, non-commercial use.
3. The number of poultry over the age of six months shall not exceed one for each 2,000 square feet of unimproved lot area, and the keeping of a rooster is prohibited.
4. Poultry shall only be kept upon property occupied by a single family dwelling on a lot 5000 square feet or more.
5. Poultry may not be slaughtered or killed except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia (for example due to an injury or sickness) when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.
6. Poultry shall be kept in an enclosed coop or run at all times. There shall be a minimum six square feet of run space per hen.
7. No person shall sell eggs or engage in poultry breeding or fertilizer production for commercial purposes.

8. All poultry shall be housed in a coop, poultry feed shall be kept in rodent and raccoon proof containers.

9. Poultry and coops shall only be located in a rear yard.

10. Poultry coops shall be limited to eighty (80') square feet and the highest point of the coop shall be no more than six feet tall above grade.

11. Poultry coops shall be kept clean, dry, free of vermin and noticeable odors, and in good repair. Waste must be collected and removed from the subject property on a regular basis.

12. Poultry coop and/or run shall be setback a minimum ten feet from all property lines and at least twenty feet from dwellings on adjoining properties.

Applicant acknowledges that upon issuance of any permit by the City of Umatilla that it is the obligation of the applicant to comply with any and all laws, ordinances and regulations governing the type of project permitted whether or not specified in the permit. The granting of an approval by the City of Umatilla does not give the applicant any authority to violate or modify the provisions of any other federal, State or local law, ordinance or regulation with respect to regulation of construction, performance of construction and/or operation of the project.

Regarding property boundaries, the applicant acknowledges that the only accurate way to locate property lines is by a land survey conducted by a licensed professional. The City of Umatilla makes no representation as to the accuracy or location of any boundaries related to the project and the applicant, by virtue of issuance of a permit by the City of Umatilla, and agrees to hold harmless, defend and indemnify the City in any legal action related to property lines or boundaries.

I have read and understand the above application and I hereby certify that all conditions will be continually met, and that I will abide by all restrictions, administrative rules and applicable City Codes and Ordinances.

Applicant Signature: _____ **Date:** _____

Property Owner Signature: _____ **Date:** _____

**** PERMIT REVOCATION** Failure to comply with the above statement will result in the revocation of the permit and possible further action including fines.**

FINAL PERMIT APPROVAL

Planning: _____ DATE: _____

Code Enforcement: _____ DATE: _____

Conditions of Approval:

Underlined language proposed to be added; ~~Strikethrough~~ language proposed for deletion by Zone Change application ZC-2-22

TITLE 10 - ZONING

Chapter 11

Sec. 10-11-14.

Backyard Poultry Standards

A. A permit shall be obtained from the City prior to the keeping of poultry. A permit is issued to the property and renters must obtain written approval from the property owner to apply for a permit.

B. The keeping of poultry shall be limited to the purpose of egg collection for personal, non-commercial use.

C. The number of poultry over the age of six months shall not exceed one for each 2,000 square feet of unimproved lot area, and the keeping of a rooster is prohibited.

D. Poultry shall only be kept upon property occupied by a single-family dwelling on a lot 5000 square feet or more.

E. Poultry may not be slaughtered or killed except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia (for example due to an injury or sickness) when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.

F. Poultry shall be kept in an enclosed coop or run at all times. There shall be a minimum six square feet of run space per hen.

G. No person shall sell eggs or engage in poultry breeding or fertilizer production for commercial purposes.

H. All poultry shall be housed in a coop, poultry feed shall be kept in rodent and raccoon proof containers.

I. Poultry and coops shall only be located in a rear yard.

J. Poultry coops shall be limited to eighty (80') square feet and the highest point of the coop shall be no more than six feet tall above grade.

K. Poultry coops shall be kept clean, dry, free of vermin and noticeable odors, and in good repair. Waste must be collected and removed from the subject property on a regular basis.

L. Poultry coop and/or run shall be setback a minimum ten feet from all property lines and at least twenty feet from dwellings on adjoining properties.

TITLE 4 – PUBLIC HEALTH AND SAFETY

Chapter 1

Sec. 4-1-5-18.

Raising livestock, ~~poultry~~ or exotic, wild or dangerous animals prohibited.

No person may raise or keep livestock, ~~poultry~~, exotic, wild or dangerous animals in the City. "Livestock" means horses, mules, jackasses, cattle, llamas, alpacas, sheep, goats, swine, ~~domesticated fowl~~ and furbearing animals bred and maintained commercially or otherwise, within outdoor pens, cages and hutches. "Exotic, wild or dangerous animal" means any animal which is not commonly domesticated, or which is not native to North America, or a domesticated or wild animal which because of its size, disposition or its vicious, venomous, wild or predatory nature, or its other characteristics, could constitute an unreasonable danger to human life or property. "~~Poultry~~" ~~includes domesticated fowl, chickens, ducks, turkeys or geese or any other bird raised for meat or eggs.~~



**CITY OF UMATILLA PLANNING COMMISSION
REPORT AND RECOMMENDATION
FOR
CONDITIONAL USE CU-1-22**

DATE OF HEARING: August 23, 2022

REPORT PREPARED BY: Carla McLane, Contract Planner

I. GENERAL INFORMATION AND FACTS

Applicant:	City of Umatilla 700 Sixth Street Post Office Box 130 Umatilla, Oregon 97882
Property Owner:	Umatilla County 216 SE 4 th St. Pendleton, Oregon 97801
Land Use Review:	Conditional Use for a homeless resource center in the Community Services (CS) Zone.
Property Description:	The property is described as Tax Lot 2300 on Assessor's Map 5N 28E 22.
Location:	The property is West of Hwy 395 at the corner of Lind Road and Bensel Road in the Umatilla City Limits.
Existing Development:	The southern portion of Tax Lot 2300 is currently being leased by Granite Construction Company. The balance of the property is bare.
Proposed Development:	Project PATH is intended to bring together services to assist individuals and families facing homelessness with the objective to move them into and through transitional housing to permanent housing. A suite of services will be delivered or available by referral that include sleeping areas, kitchen and meal services, basic medical, dental and vision services, educational services, behavioral health services, drug and alcohol treatment, access to job opportunities, and transportation services.
Zone:	Light Industrial (M-1) with Community Service Use (CS).

Adjacent Land Use(s):

Adjacent Property	Zoning	Use
North	Light industrial (UGB)	West portion is vacant land, East portion is a used car dealership
South	Light Industrial with Aggregate Resource Overlay Zone (County)	Rock Storage and mining related activity
East	EFU (UGB)	Vacant land
West	General Rural (UGB)	Rock Processing and Storage

II. NATURE OF REQUEST AND GENERAL FACTS

Project PATH is a vision drawn from a variety of sources including Walla Walla’s [Alliance for the Homeless](#), Salem’s [Church in the Park](#), and Austin, Texas’ [Community First!](#) These programs all provide different offerings and opportunities but have seen success in their respective communities. A primary outcome of this project is to provide a most basic human need for those in homelessness – housing. The next most important outcome would be a sense of community.

Project PATH is intended to bring together various services to assist individuals and families facing homelessness with the objective to move them into and through transitional housing to permanent housing. An integral part of Project PATH will be the suite of services that will be available to participants within the Hermiston, Umatilla, Echo, and Stanfield (HUES) area. A major component of Project PATH will include a facility on property owned by Umatilla County within the City of Umatilla to create a safe space for overnight or longer stays with support services available onsite.

Umatilla County along with the Cities of Umatilla, Hermiston, Stanfield, and Echo have worked collaboratively to develop a Framework that led to a competitive Request for Proposal with the intent to choose an organization to be the designated entity responsible for planning and delivering services for transitional housing and related support services to move an individual from homelessness to permanent housing. The selected contractor will be responsible for management of the Project PATH facility that includes a general building with offices, indoor common area(s), showers, and meal facilities; initially a minimum of 24 sleeping huts that can accommodate one person; all common areas will be inside a secured area including fencing and security cameras. The Request for Proposal process has been completed and Steeping Stones Alliance was selected as the service provider.

III. ANALYSIS

The criteria applicable to this request are shown in underlined text and the responses are shown in standard text. All of the following criteria must be satisfied in order for this request to be approved.

COMMUNITY SERVICES (CS)

10-6-1: COMMUNITY SERVICES USES:

The purpose of this Chapter is to provide a procedure and standards for the review of special uses which, by reason of their public convenience, necessity, unusual character, technical need or effect

on the neighborhood, may be appropriate in any district but not suitable for listing within the other sections of this Title.

The follow uses may be approved as Community Services uses:

1. Adult or senior center.
5. Childcare facility for thirteen (13) or more children.
6. Drug and alcohol treatment facility.
7. Elderly housing.
9. Hospital and medical offices developed in conjunction with a hospital facility.
10. Public building or use, including, but not limited to, a City hall, post office, or library.
11. Public or private park, including a golf course, trail system, or similar recreational facility.

Findings: Given the suite of services that are envisioned to be delivered as part of Project PATH all these different Community Services uses could be applicable or at least some measure of the use could be offered. While a hospital may not be sited medical, dental, and vision services are a requirement to operate the facility. Childcare is not intended to be delivered in the initial phase of operation but will be required by year three. Educational services will be delivered onsite along with other types of skill training opportunities. The ages of those seeking services are anticipated to range from the young to the elderly.

Conclusion: The services to be delivered as part of Project PATH are appropriate within the Community Service use zone. The facility will be a public use on County owned land and managed by a board with members from each HUES community. Project PATH will also provide wrap around services from Community Counseling Solutions, education services from BMCC, employment assistance from Oregon Employment Department, DHS and commitments from Umatilla County Human Services (Developmental Disabilities Program and Veteran Services Program). Project Path is a public use and will provide additional wrap around services allowed within the Community Services use.

10-6-2: PROCEDURE:

Community Services uses shall be considered a Type III review process.

A. Application:

All Community Services uses shall be reviewed as conditional uses according to the procedures and criteria of Chapters 12 and 14 of this Title. Plans shall be submitted for the site that identify the location of the use, building, parking area, landscaping, screening, and any other features on the site. The applicant shall submit a narrative that explains why the use is necessary for the community and why the particular site best serves the community. The narrative shall also consider impacts upon surrounding uses and possible mitigating measures, including, but not limited to, the location of parking, effects of off-site parking, traffic generation, street access points, buffering and screening, noise, illumination controls, structure height, hours of operation, crime prevention, design elements such as scale, structural design, form and materials, signage, and any other impacts unique to the specific use.

The approval of a Community Services use is for a specific use. Any change or expansion of an approved use shall be subject to the review procedures of this Chapter.

Findings: This review follows requests for both annexation and a change in zoning of the subject

property applying the Community Services overlay to create a space for Project PATH to assure success of the program offerings in moving individuals and families through homelessness to permanent housing. This request, to approve the suite of services, is being reviewed as a Type III process, or a Conditional Use. The items identified above will be reviewed below as part of the Conditional Use or Site Review process.

Conclusion: This request is subject to the Conditional Use Permit standards found in Chapter 12 of this title.

10-6-3: DEVELOPMENT STANDARDS:

Minimum yard setbacks:

A. Residential Districts:

In any residential district, setbacks shall be as follows:

Front-yard, 30 feet.

Side-yard or street side-yard, 20 feet for one story building; 25 feet for 2 or more stories.

Rear-yard, 25 feet.

B. Other Districts: In any district other than a residential district, setbacks shall be as required in the district. A CS use adjacent to a residential district shall comply with setbacks in subsection A of this Section; a CS use adjacent to non-residentially designated land shall comply with setback requirements of the district.

C. Site Review:

Site review is required for all Community Services uses.

Findings: The underlying district would be Light Industrial, not residential. Industrial setbacks would be applicable as follows: Front yard setback would be 10-feet with the side and rear yard setback at 0-feet. Parking area setback would be 10-feet. Maximum building height is 35 -feet. Maximum site coverage (buildings and impervious surface areas) is 60 percent. Site review is required and is included later in these findings.

Conclusion: Industrial setbacks are applicable to the site. Parking will need to be setback 10-feet which also accomplishes the front yard setback as parking will be along the frontage with the buildings to the east of the parking area. Site review will be accomplished later in these findings.

Chapter 12

CONDITIONAL USES

10-12-1: AUTHORIZATION TO GRANT OR DENY:

A conditional use listed in this Title, may be permitted, denied, enlarged or altered upon authorization of the Planning Commission in accordance with the criteria and standards of this Chapter and Type III procedures in Chapter 14 of this Title. Site review is required for conditional uses.

A. Approval Criteria:

The applicant shall carry the burden of proof in demonstrating that the following review criteria are satisfied, in addition to any specific criteria and standards in this Chapter, other applicable chapters of this Title, and this Code. If any of the following criteria and other applicable standards cannot be satisfied by requiring conditions with the approval, the use shall be denied:

1. Applicable Plans: The conditional use application complies with applicable policies of the Umatilla City Comprehensive Plan.

2. Code Provisions: The proposal complies with all applicable provisions of this Code, including, but not limited to, provisions of this Chapter, the base district, and site review, as well as any other applicable provisions of this Code.
3. Use Characteristics: If the proposed use is a community service, application shall include evidence to demonstrate that the proposed use is needed within the community to provide a social or technical benefit.
4. Site Characteristics: The site is appropriate for the proposed use, considering, but not limited to, the following factors: neighboring land use, adequacy of transportation facilities and access, site size and configuration, adequacy of public facilities.
5. Impacts On The Neighborhood: Potential impacts on neighboring properties shall be identified. Mitigating measures shall be identified for unavoidable adverse impacts.
6. Impacts On The Community: Potential impacts on the community shall be identified, including, but not limited to, public facilities, land supply within the particular zoning district, impact on housing, etc. Potential benefits of a proposed use may outweigh potential impacts, but such benefits and impacts should be identified. Unavoidable adverse impacts should be mitigated to the extent possible.

Findings: These six approval criteria require the Planning Commission determine that the proposed use complies with the Comprehensive Plan, applicable provisions of the Development Code, that the use is needed, that the location is appropriate, impacts on neighbors and neighboring uses are identified and mitigated if necessary, and that impacts on the larger community are also identified and mitigated if necessary.

Comprehensive Plan policies that are applicable are found in several Chapters. Chapter 1 is concerned with Citizen Involvement with the public hearings for this request compliant with the City’s citizen involvement program. Goal 10 Housing speaks to needed housing and was updated in 2019 before more recent legislation that requires communities to take proactive steps to address homelessness. Project PATH seeks to implement HB 3115 (2021) by bringing together various services to assist individuals and families facing homelessness with the objective to move them into and through transitional housing to permanent housing.

This review is analyzing the provisions within the Community Services (CS) use zone and the requirements of Conditional Use Permits. Also considered in this staff report are the requirements of Site Review.

Use Characteristics are evident by the increase of homelessness in west Umatilla County. The homeless utilize parks and other public spaces with actions in recent years to remove homeless individuals from the banks of the Umatilla River and from public areas in both Umatilla and Hermiston. The partners in Project PATH have all identified a need for a facility and programs to assist. House Bill 3115 (2021) is applicable pushing jurisdictions to act.

The proposed Site and its Characteristics are appropriate for several reasons:

- It is centrally located at the southern boundary of the City of Umatilla within proximity to the City of Hermiston.
- Local bus routes could be realigned to provide services to the Site. Taxi service from both Umatilla and Hermiston have easy access.
- Neighboring land uses are industrial in nature with limited residential activities in the

vicinity.

- The subject property is at the corner of Lind Road and Bensel Road with access to the facility coming from Lind Road.
- The subject property and proposed site are of sufficient size for Project PATH as currently envisioned and can accommodate growth of the program and its offerings.
- The subject property is in public ownership.
- Public facilities are available to the property or can be made available.

Adjacent land uses are industrial in nature with several aggregate facilities including processing of aggregate, as well as other light industrial activities. A data center is nearby, and the Hermiston Raceway is to the southeast. Impacts to these uses are of a similar nature of other light industrial uses that could be sited on the subject property. Average Daily Trips for Project PATH are assumed to be about 100 to 150 per day, under the 250 trips that would trigger a traffic impact study. Mitigation is not proposed.

Community impacts are harder to measure. Currently homelessness is not programmatically addressed in western Umatilla County with homeless individuals finding shelter in several public spaces. This would focus homeless living in a single location providing a place for the homeless to sleep along with other support services with the intent to move the homeless to permanent housing. The design of the facility is done in such a way as to lessen impacts to both the neighborhood and the community at large. The project area will be fenced with personnel on site 24 hours a day to allow for meals, showers, educational and training opportunities, job entry, and other medical and behavioral support services. No further mitigation is deemed necessary.

Conclusion: Project PATH complies with the City of Umatilla Comprehensive Plan, is being reviewed under both the Conditional Use and Site Review requirements of the Zoning Ordinance, can show that both site and use characteristics conform with the neighborhood, and that the use is consistent with House Bill 3115.

B. Conditions of Approval:

Conditions of approval for mitigating measures shall be clearly related to the identified impact or impacts. If complex conditions of approval are considered necessary, this is an indication that the proposed use may not be appropriate for the proposed site. Conditions of approval may include, but are not limited to, the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of the building or use.
3. Controlling the location and number of vehicle access points.
4. Increasing the street width and requiring street improvements.
5. Increasing or decreasing the number of required off-street parking spaces.
6. Limiting the number, size, location, and lighting of signs.
7. Requiring diking, fencing, screening, landscaping, or other facilities designed to protect adjacent or nearby properties.
8. Designating sites for open space.

Findings: Project PATH as envisioned will be fenced, have a variety of buildings on site for sleeping and delivery of service, include two access points along Lind Road to access the facility and allow for member cars to be parked to the rear of the facility, and will have on-site parking at

the frontage for staff and visitors. Parking in compliance with the ADA will be incorporated as required. Access for public transportation will also be incorporated into the site to allow for both staff and members use. Lighting of the facility for security purposes as well as the installation of appropriate security cameras are required of the contractor. These improvements are similar in nature and scale to other light industrial uses in the vicinity. These requirements and others will be included in the agreement(s) with the service provider.

Conclusion: No specific Conditions of Approval are anticipated for these standards. Based on the site plan included in the Proposal submitted by the selected contractor the site can accommodate the project, the proposed buildings are consistent with the request for proposal and can be allowed in the Light Industrial and Community Services zones, two access points are proposed along Lind Road for a pass through parking area, no additional street width is needed, adequate off-street parking is proposed to accommodate staff, visitors, and members, signage will be visible along Lind Road and is proposed to be similar in nature to signs on public service buildings, the facility will be fenced and landscaped, and the proposed site plan incorporates open space. If the facility is designed, built, and operated as outlined in the proposal it will conform to these standards.

10-13-2: SITE REVIEW:

The purpose of site review is to provide a process to review proposals to verify compliance with requirements of this Title, including requirements of this Section, and any other applicable provisions of this Code.

3. Site Design Criteria and Standards For Nonresidential Developments:

The following requirements are in addition to any requirements specified in the applicable zoning district:

- a. Landscaped areas shall be provided with automatic irrigation unless a landscape architect certifies that plants will survive without irrigation.
- b. Landscaping shall be located along street frontages and building fronts to enhance the street appearance of a development.
- c. Outdoor storage and garbage collection areas shall be entirely screened with vegetation, fence, or wall. (Ord. 688, 6-15-1999)
- d. Based on anticipated vehicle and pedestrian traffic and the condition of adjacent streets and rights of way, the city may require right of way improvements including, but not limited to, paving, curbs, sidewalks, bikeways, lighting, turn lanes, and other facilities needed because of anticipated vehicle and pedestrian traffic generation. Minimum requirements shall conform to the standards of subsection 11-4-2C of this code, minimum street standards and the public works standards. (Ord. 710, 5-7-2002)
- e. Access shall generally be taken from the higher classification street when a development fronts more than one street, except in the case of developments along Highway 730, which shall take access from an alley or a side street unless there is no alternative.
- f. Developments shall provide an on-site pedestrian circulation system that connects building entrances, public sidewalks, bicycle and automobile parking areas, and parts of the site or abutting properties that may attract pedestrians. Walkways shall maintain a clear width of at least five feet (5') and shall be separated from vehicles by curbs, raised bumpers, planter strips, or similar barriers. Walkways through parking areas or crossing driveways shall be clearly identified by a different material or pavement markings or both. Walkways shall be in clearly visible locations to promote safety. Walkways shall be hard surfaced.
- g. The primary building and entry orientation shall be to the fronting street rather than a

parking lot.

- h. All buildings shall incorporate ground floor windows along street facades, with at least twenty percent (20%) of any wall within thirty feet (30') of a street consisting of display areas, windows, or doorways.
- i. Building facades facing a street shall include changes in relief such as cornices, columns, gables, bay windows, recessed entries, or similar architectural or decorative elements.
- j. A drive through use shall be oriented to the side or rear of a building and shall be designed to minimize conflicts with pedestrians and vehicles.

Findings: The Project PATH facility will fully comply with these requirements. Landscaping will be incorporated into the design of the campus layout including landscaping along the street frontage. Open and green space will be integral to the facilities layout and operations and will include a community garden. Outdoor storage will be discouraged but when allowed will be contained and screened. Storage areas for the facility and its members will be provided. Garbage collection areas will be enclosed by a fence or wall. Access will be from Lind Road. Lind and Bensel Roads do not currently have pedestrian amenities and are not specifically called for in industrial areas. Future improvements to Lind Road may incorporate appropriate pedestrian and bicycle improvements. The facility layout will include parking areas, walkways between service areas, green and open space, and will meet necessary ADA standards. Two buildings will be oriented to Lind Road based on the facility site plan. No commercial activities are proposed so no display area will be included. Building facades will incorporate some limited architectural features. No drive through use is proposed.

Conclusion: The Project PATH facility shall comply with the Site Review standards as outlined in the Findings above.

4. Access Standards For All Uses:

a. New Connections:

New connections shall not be permitted within the functional area of an intersection or interchange as defined by the connection spacing standards of this title and public works standards unless no other reasonable access to the property is available.

b. Access Connections:

Where no other alternative exists, the city administrator may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.

c. Cross Access Drives, Pedestrian Access:

Adjacent commercial or office properties such as shopping plazas and office parks that are major traffic generators shall provide a cross access drive and pedestrian access to allow circulation between sites.

d. Separation Distance:

The city may reduce the required separation distance of access points where they prove impractical, provided all of the following requirements are met:

- 1) Joint access driveways and cross access easements are provided.
- 2) The site plan incorporates a unified access and circulation system.
- 3) The property owner enters into a written agreement with the City, recorded with the deed, that preexisting connections on the site will be closed and eliminated after construction of each side of a joint use driveway.

- 4) The City may modify or waive the requirements of this Section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.
- e. Driveway Standards:
Driveways shall meet the following standards:
- 1) If the driveway is one way in or out, the minimum width shall be ten feet (10') and appropriate sign(s) designating the driveway as a one-way connection shall be provided.
 - 2) For two-way access, each lane shall have a minimum width of ten feet (10').
 - 3) The length of a driveway shall be designed in accordance with the anticipated storage length of entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.
- f. Phased Developments:
Development sites under the same ownership or consolidated for the purpose of development and comprising more than one building site, shall be reviewed as a single property for the purposes of complying with access standards. The number of access points permitted shall be the minimum number necessary to provide reasonable access to the site, not the minimum for that frontage.
- g. Nonconforming Access Features:
Legal access connections in place when this Title was adopted that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards when new access connection permits are requested or when there is a change in use or enlargement or improvement that will increase trip generation.
- h. Reverse Frontage:
Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification. This requirement may be waived or modified when a commercial or industrial use would be required to take access from a street in a residential neighborhood.
- i. Review By The Oregon State Department Of Transportation:
Any application that involves access to the State Highway System shall be reviewed by the Oregon Department of Transportation for conformance with State access management standards.

Findings: Access for Project PATH will be from Lind Road significantly north of the intersection with Bensel Road. This access is not within an interchange or adjacent to an intersection. Development along Lind Road in this area has been predominantly light industrial in nature with large lots. Access points tend to be separated by several hundred feet. As stated earlier there are no current pedestrian or bicycle paths or sidewalks as part of the transportation network. The width of the two access points will need to be at least 20-feet to accommodate both in and out traffic. It is anticipated that Project PATH and this facility will grow over time with programmed services increasing in year three of operation as currently envisioned. At the time of development Bensel Road will be a County road. Lind Road is currently a County road but discussion to transfer Lind Road to the City is underway. Future improvement of Lind Road will be to the Umatilla industrial road standard. Access permits will need to be obtained. The Oregon Department of Transportation does not have jurisdiction over either Lind or Bensel Road.

Conclusion: The Project PATH facility shall be developed in such a way as to comply with the standards outlined in the Findings above. Each access point will be at least 20-feet in width. Access permits will be obtained.

IV. SUMMARY CONCLUSIONS AND DECISION

The City of Umatilla, on behalf of the Project PATH partnership, is proposing to develop the site to allow a suite of services to assist individuals and families facing homelessness with the objective to move them into and through transitional housing to permanent housing. Should this request be approved Project PATH will be sited on land zoned for Community Services within the city limits of the City of Umatilla. The submitted request meets or can meet the standards and criteria of approval as addressed in this report. Therefore, based on the information in Sections I and II of this report, and the above criteria, findings of fact, and conclusions addressed in Section III, the City of Umatilla Staff **RECOMMENDS** that the Planning Commission **APPROVES** Conditional Use, CU-1-22, subject to the conditions of approval contained in Section V.

V. CONDITIONS OF APPROVAL

1. If any historic, cultural, or other archaeological artifacts, or human remains are discovered during construction or operation the applicant shall immediately cease activity, secure the site, and notify appropriate agencies including but not limited to the City of Umatilla, Oregon State Historic Preservation Office, and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Cultural Resources Protection Program.
2. The developers proportionate share of improvements of Lind Road along the frontage of the subject property shall be completed at the City of Umatilla industrial road standard. A developer agreement will determine when these improvements must be completed by.
3. The Project PATH contractor shall develop and operate the site in accordance with the agreement between them and the City of Umatilla.
4. This application is null and void until PA-2-22 and ANX-1-22 are final.
5. Failure to comply with the conditions of approval established herein may result in revocation of this approval.

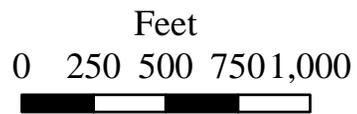
VI. EXHIBITS

- Exhibit A Notice Map
- Exhibit B Project Layout
- Exhibit C Traffic Impacts (JUB Engineering)
- Exhibit D Letters of Support

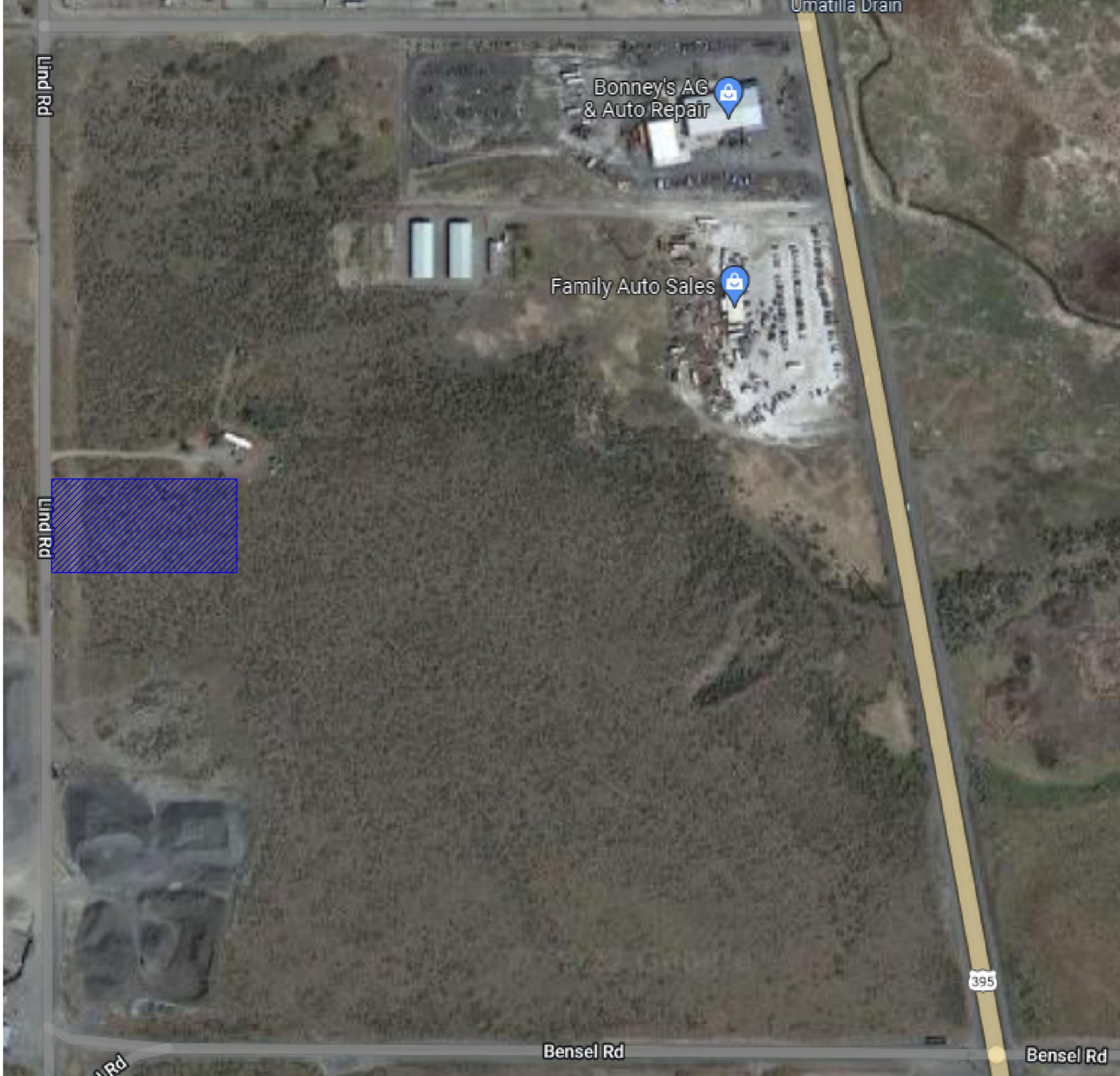


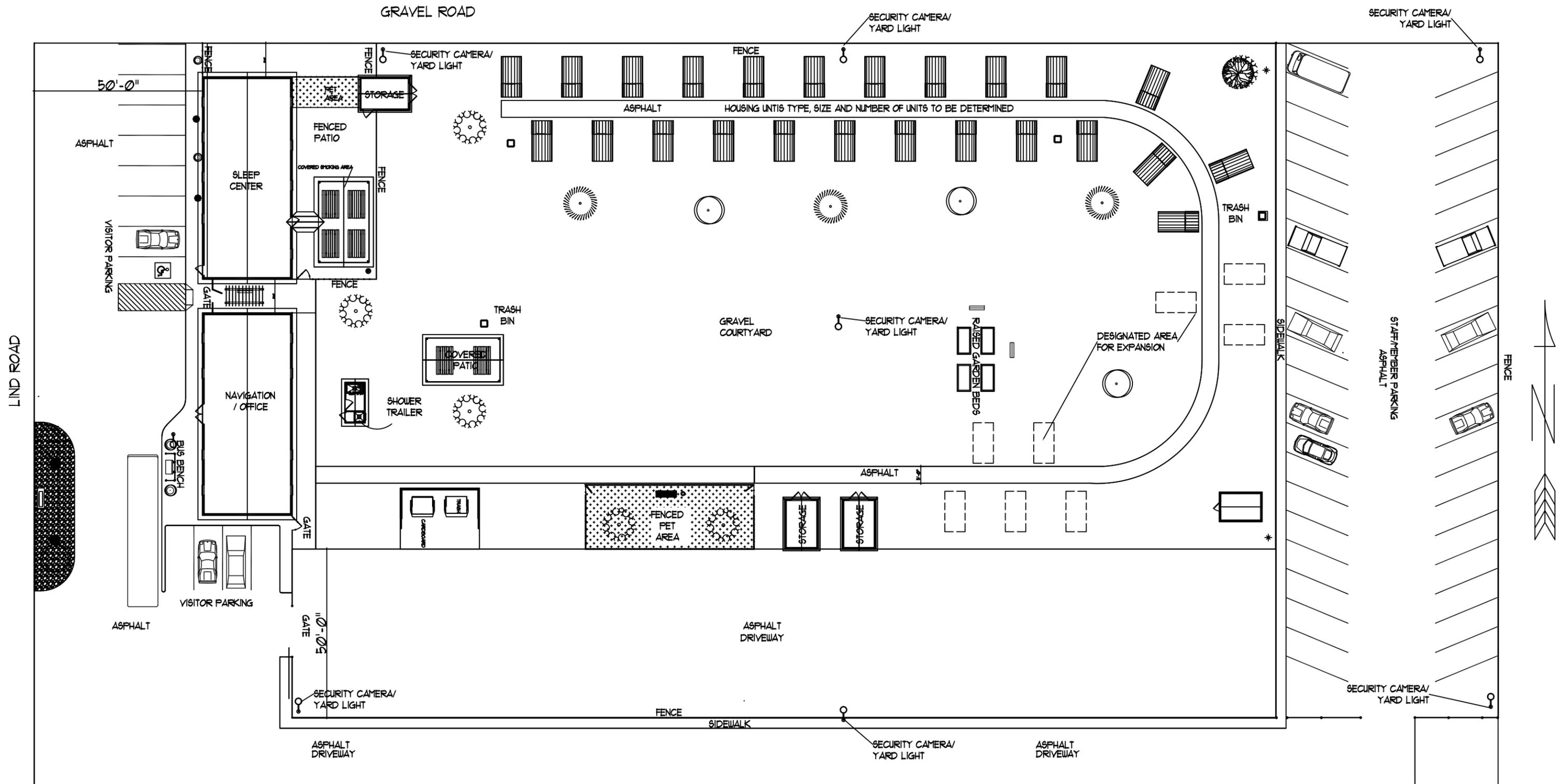
PROJECT PATH CONDITIONAL USE (CU-1-22) * NOTICE GIVEN TO PROPERTY OWNERS WITHIN 100'

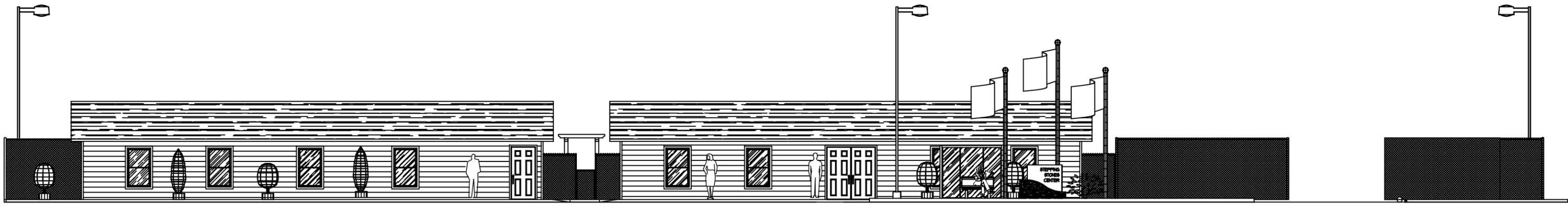
- Subject Property
- Tax Lots 4-5-22
- City Limits
- Umatilla UGB



MAP DISCLAIMER: No warranty is made as to the accuracy, reliability or completeness of this data. Map should be used for reference purposes only. Not survey grade or for legal use. Created by Jacob Foutz, on 7/5/2022









August 16, 2022

Jacob Foutz, Senior Planner
City of Umatilla
PO Box 130
700 East. Sixth Street
Umatilla, OR 97882

RE: PROJECT PATH, TRANSITIONAL HOUSING - TRIP GENERATION LETTER

Dear Jacob:

J-U-B Engineers has prepared this Trip Generation Letter for the proposed Project PATH Transitional Housing for the City of Umatilla, Oregon. This memo provides site information, a summary of the proposed development, estimated trip generation, access to the site, and a recommendation regarding improvements to facilitate access to the site. This information is provided to assist the City of Umatilla to determine appropriate mitigation for the proposed development.

Site Information

The proposed transitional housing site is on the northeast corner of Lind Road and Bensel Road, approximately 2,000 feet west of US 395 and 1.67 miles south of US 730. A Vicinity Map is attached. It is an 18 acre parcel owned by Umatilla County and is in the process of being annexed into the City of Umatilla. Project PATH will lease approximately two acres of the parcel which is flat, with the southern portion currently being leased for gravel storage. With the annexation the City is in the process of establishing zoning for the annexed area. The proposed zoning is Industrial with a Community Services Overlay. The surrounding land uses are primarily zoned Light Industrial, being either vacant or used for rock mining and storage.

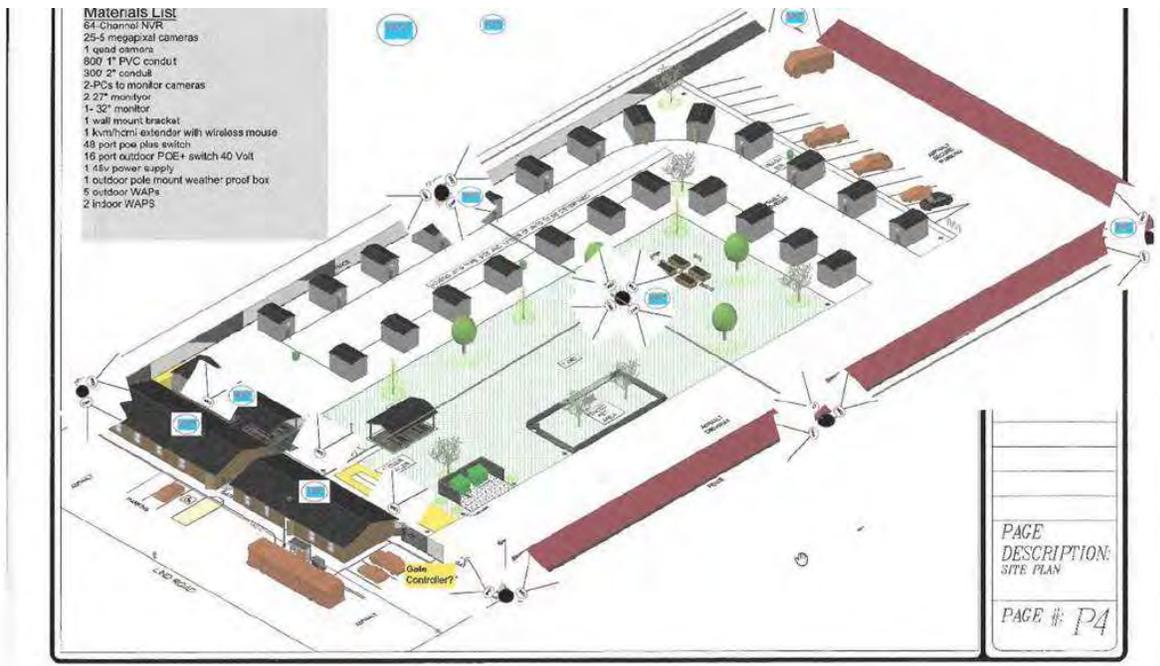
Bensel Road is a local two-lane roadway approximately 26 foot pavement width with minimal gravel shoulders, it has no curb, gutter or sidewalks. Lind Road is a local gravel road that is typically less than 18 feet wide with roadside ditches. It has a posted speed of 25 MPH.

Proposed Development

Project PATH (Practical Assistance through Transitional Housing) is intended to bring together services to assist individuals and families in the Hermiston, Umatilla, Stanfield and Echo area that are facing homelessness, with the objective to move them into and through transitional housing to permanent housing. Such services include sleeping areas, kitchen and meal services, basic medical, dental and vision services, educational services and access to job opportunities. All uses on the site will be considered as Conditional Use and will need appropriate permits.

The site is proposed to include two manufactured units, one of which will house three employees and three volunteers. The other will be a warming center/sleep center with six beds and 24 cots for

emergencies (public safety officers can bring people to the site). A small kitchen with a pantry is also included. There will also be 25 separate sleeping units that are approximately 8' x 8' (pallet shelter or Conestoga hut), intended for one or two people and their belongings. Access will be from Lind Road significantly north of Bensel Road. There will be bus pull-outs, parking areas and walkways between service areas and will meet ADA standards. A conceptual site plan is shown below.



Conceptual Site Plan

Trip Generation and Distribution

Estimation of the trip generation for this proposed facility is more challenging than many other land uses. The Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th Edition) is typically used to estimate potential trip making of a proposed land use and provides trip generation rates for many types of land uses. Transitional housing or homeless shelter is not among the uses included.

Our understanding of the proposed PATH project for transitional housing is that there could be space for up to 25 families, although it is anticipated that most of those there will be individuals. Less than half are anticipated to have a car. Bus service could be adjusted to serve the site 4-5 times a day and taxi service could also assist to help those at the facility to travel to job interviews or receive services not available on-site. Regarding the services to be provided on-site it is expected that contracted healthcare practitioners, dentists, occupational therapists and counselors will share the same workspace such that each will visit the facility once a week on different days. It is assumed that nearly all of those staying at the facility will be unemployed (eliminating work trips).

An estimate of trips to the site on an average weekday might include the following:

- One inbound trip and one outbound trip for each of three employees = 6 trips
 - One inbound trip and one outbound trip for each of three volunteers = 6 trips
 - One inbound and one outbound trip for a professional service providers = 2 trips
 - Five bus trips = 5 trips
 - One inbound and one outbound trip for each of half of the 25 sleeping units = 25 trips
 - Two cab rides to outside services (one trip inbound and one trip outbound for pick up) 8 trips
- Total Estimated Daily Trips 52 trips

A review of the land uses included in the ITE *Trip Generation Manual* revealed that a Congregate Care Facility (Land Use 253) may have similar trip making characteristics as those described above and may be a fair estimate of trips for the proposed site. The description of this land use reads as follows:

A Congregate Care Facility (253) is an independent living development that provides centralized amenities such as dining, housekeeping, communal transportation, and organized social/recreational activities. Each individual dwelling unit often has a kitchenette. Assistance is typically available for housekeeping or minor household maintenance. Limited medical services (such as nursing and dental) may or may not be provided. The resident may contract additional medical services or personal assistance.

The Congregate Care Facility typically generates 2.21 average weekday trips per unit. With 25 units this would result in approximately 55 average weekday trips. A similar number to those in the bulleted list above. These estimated trips are well below the 250 daily trips that would require a Traffic Impact Analysis to be performed. Based on the fact that Lind Road is a gravel road it is anticipated that the majority of trips will access the site using Bensel Road to connect to US 395.

Recommended Improvements

Given the low trips anticipated to be added to the roadway network capacity issues are not anticipated at any nearby intersections to the proposed site. We recommend that appropriate frontage improvements along Lind Road be constructed with the site improvements to meet the City of Umatilla street standards.

If there are any questions, please contact us.

Sincerely,
J-U-B ENGINEERS, Inc.

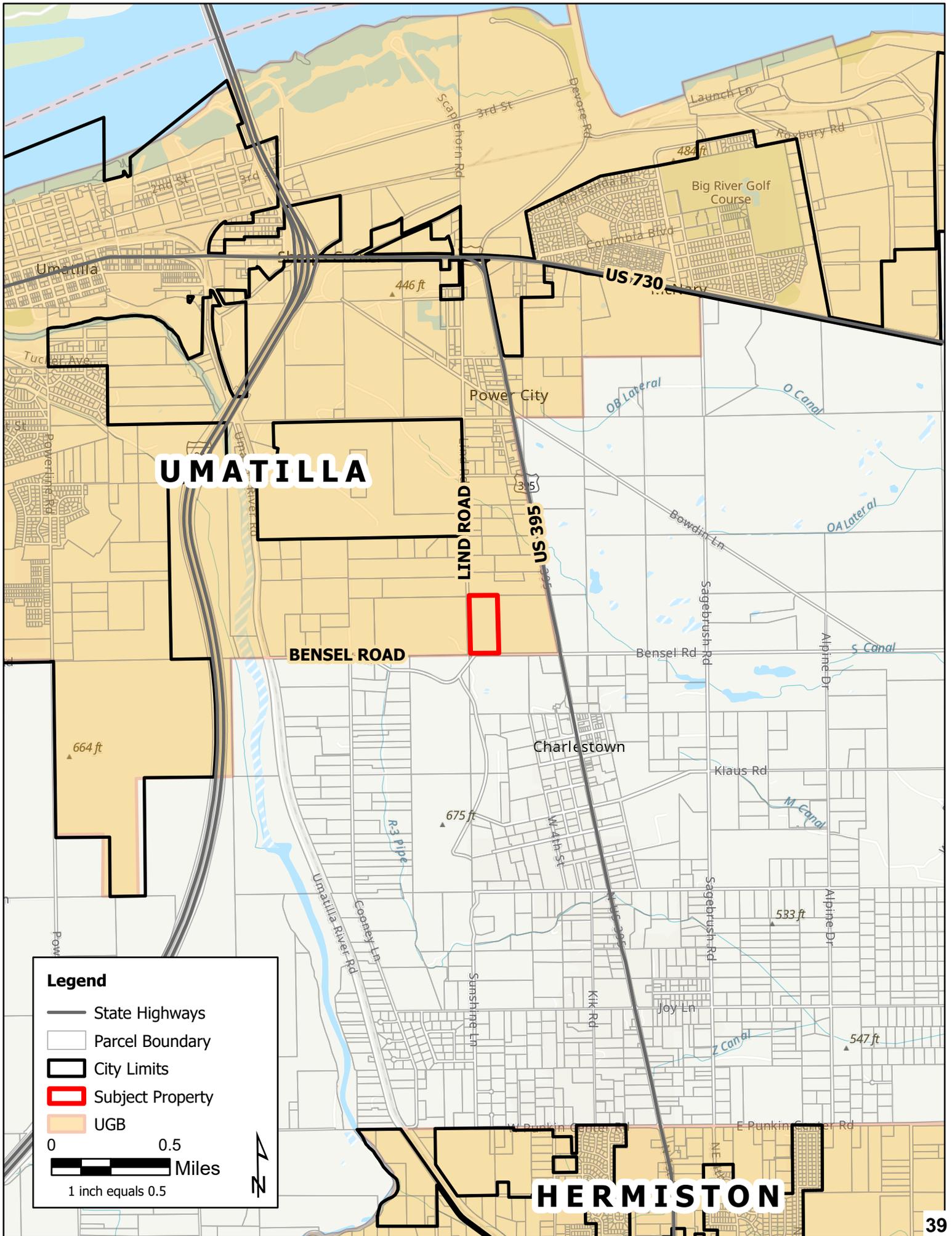
Spencer Montgomery
 Spencer Montgomery
 Transportation Planner



EXPIRES: **12-31-23**

Richard H. Door, P.E.
 Transportation Manager

SDM: Attachments: Vicinity Map



Legend

- State Highways
- Parcel Boundary
- City Limits
- Subject Property
- UGB

0 0.5
 Miles
 1 inch equals 0.5



City of Umatilla Police Dept.

300 6th Street, PO Box 130, Umatilla, OR 97882

Darla M. Huxel

Police Chief

August 16, 2022

DECLARATION OF COOPERATION PROVIDING PUBLIC SAFETY TO PROJECT PATH

Introduction and Purpose of this Declaration of Cooperation

This Declaration of Cooperation (“Declaration”) is a statement of good faith to initiate certain actions required under House Bill 4123 (“HB 4123”), a bill that provides grant funding in the amount of \$1,000,000 to eight counties in Oregon to create a coordinated homeless response system and House Bill 3115 (“HB 3115”), a bill that provides for the regulation of public property with respect to persons experiencing homelessness. HB 4123 provides that Umatilla County and the cities of Umatilla, Hermiston, Stanfield, and Echo partner together (“the partnership”) to provide such services.

Several meetings have occurred since May 2021 through the date of this Declaration regarding the implementation of HB 4123 and HB 3115, as well as a Request for Proposal (“RFP”) for a contractor to provide the services for the partnership, which has been named Project PATH (Practical Assistance through Transitional Housing). Annexation of a parcel of land owned by Umatilla County recently occurred, bringing the anticipated property for Project PATH inside the city limits of Umatilla. One of the next steps in the process to provide the services as described in the Project PATH RFP is to ensure proper actions are taken to provide adequate and high-level onsite safety and public safety services. This Declaration is to provide such assurances.

Commitment To Provide Public Safety Services To Project PATH

Project PATH will provide both transitional housing services and emergency or single night sheltering services. This facility will meet the requirements of HB 3115 for the City of Umatilla, and the partnership, to comply with the Bill, especially by providing the required public location to engage in “the acts of sitting lying, sleeping or keeping warm and dry outdoors on public property that is open to the public [by providing a] reasonable... time, place and manner [for] persons experiencing homelessness.” The Umatilla Police Department (“UPD”) will respond to any incident calls from the property or about the property and its member participants.

Additionally, UPD will also utilize the Project PATH facility for its emergency/single night sheltering services for those individuals our officers deem to not be a threat to public safety who have a need for such services on a night-by-night basis. We are further committed to using Project

PATH as part of our overall public safety procedures to ensure that illegal camping, or similar activities, does not occur within the City of Umatilla and anticipate the partnership to agree to the same or similar commitment.

UPD is committed to provide these services upon the completion of the agreement between the City of Umatilla and Stepping Stones Alliance, the completion of the Intergovernmental Agreements between the partnership, and the completed construction of the Project PATH facility.

Sincerely,



Darla Huxel
Umatilla Police Chief



Oregon

Kate Brown, Governor

Employment Department

950 SE Columbia Dr #B

Hermiston, OR 97838

541-786-8458

TTY-TDD 711

www.Employment.Oregon.gov



Date 6-29-2022

RE: Partnership with Stepping Stones Alliance/PATH Project

Dear Cathy Lloyd, President, and the Board of Directors,

This letter verifies the commitment of Oregon Employment Department to be a contributing partner in collaborative work to achieve the vision of Stepping Stones Alliance as a potential Contractor for Umatilla's PATH project.

We believe Stepping Stones' emergency shelter and transitional housing project would have an immediate positive impact and address the existing gap in housing available to individuals and families in need in West Umatilla County.

In addition, it is our commitment to partner with Stepping Stones to assure effective coordination and access to wrap-around services and resources needed by individuals to gain life stability, permanent housing, including training and employment. They will thus be better prepared to move successfully from transitional to permanent housing. Oregon Employment Department works to help all Oregonians and is thus prepared to provide employment services to help bring stability to Oregonians

Thank you for inviting our participation. We look forward to this partnership continuing in the years ahead.

Sincerely,

Matt Willson

Area Manager | Oregon Employment Department | Eastern Oregon Workforce Area

Work Cell: 541-786-8458 | Email: matthew.a.willson@employ.oregon.gov



BMCC PENDLETON
2411 NW Carden Ave. • PO Box 100 • Pendleton, OR 97801
(541) 276-1260 • www.bluecc.edu

June 23, 2022

To Whom It May Concern:

I write with an enthusiastic voice of support for the application soon to be submitted for the Stepping Stone Alliance to develop a Stepping Stones Center.

As one of the key partners in this highly collaborative effort, Blue Mountain Community College (BMCC) has the experience in working with innovative businesses to develop highly successful training programs that will provide the skilled workforce needed to advance the various industries that comprise the region's economy. Collaborating in this project to provide an accessible pathway toward stable housing and self-reliance is a part of our college mission in supporting our communities with basic education and training opportunities.

BMCC is poised to customize training, provide insight and needed expertise in adult basic education, GED, English Language Acquisition, and outreach to collaborating regional partners.

Relationship building is the cornerstone to every worthwhile collaboration and BMCC stands ready to help facilitate and advance this work in all aspects. Please know that I am happy to engage in any further discussions you may feel you need.

With kind regards,

Tammy Krawczyk, Dean
CTE & Workforce Development

BMCC BAKER COUNTY
3275 Baker St.
Baker City, OR 97814
(541) 523-9127

BMCC HERMISTON
975 SE Columbia Dr.
Hermiston, OR 97838
(541) 567-1800

BMCC MILTON-FREEWATER
311 N Columbia Dr.
Milton-Freewater, OR 97862
(541) 938-7176

BMCC MORROW COUNTY
PO Box 939/300 NE Front St.
Boardman, OR 97818
(541) 481-2099



Developmental Disabilities
Veterans Services

6/27/22

Re: Letter of Support - Stepping Stones Alliance/Project PATH

Dear Cathy Lloyd, President and the Board of Directors,

This letter verifies the commitment and desire of Umatilla County Human Services (Developmental Disabilities Program and Veteran Services Program) to be a contributing partner in the work to achieve the vision of Stepping Stones Alliance.

We believe Stepping Stones' emergency shelter and transitional housing project would have an immediate positive impact by addressing the existing gap in housing available to individuals and families in need in West Umatilla County. Our knowledge of Stepping Stones Alliance's goals has developed since my initial conversations with Cathy at the ROCKit group in 2021, and further information was gathered through community meetings, and mutual participation in the Home 4 Hope consortium and planning for Project Community Connect/Veterans Stand Down later this year.

Umatilla County Developmental Disabilities and Veteran Services are supporting individuals/families to have an opportunity for their best life. UCDD helps individuals with intellectual and developmental disabilities by being committed to health/safety, choice, and community inclusion. Umatilla County Veteran Services is committed to educating, advocating, and navigating veterans' benefits programs with veterans and their families to ensure maximum benefits are received. Both departments are eager to be among the community providers who utilize the proposed Stepping Stones Navigation Center as a point for contact with individuals with intellectual and developmental disabilities and veterans and their families.

Thank you for inviting our participation in this critical undertaking to better meet the housing and health needs of individuals in our area. We look forward to this partnership continuing in the years ahead.

Sincerely,

Kim Beck

Director, Umatilla County Human Services
Developmental Disability Program and Veteran Services

Kim.beck@umatillacounty.gov

541.240.2270



PO Box 469
550 W Sperry St.
Heppner, OR 97836
541-676-9161
Fax: 541-676-5662

April 22, 2022

Re: Partnership commitment - Stepping Stones Alliance project Dear

Cathy Lloyd, President, and the Board of Directors,

This letter verifies the commitment of Community Counseling Solutions (CCS) to be a contributing partner in the work to achieve the vision of Stepping Stones Alliance.

We believe Stepping Stones' emergency shelter and transitional housing project would have an immediate positive impact by addressing the existing gap in housing available to individuals and families in need in West Umatilla County and Morrow County. Our understanding of this project's goals has developed through the conversations we have had with Stepping Stones leaders since in February 2022.

In addition, it is our commitment to partner with Stepping Stones in coordination and delivery of wrap-around services and resources necessary for individuals to gain life stability and thus be prepared to move successfully from transitional to permanent housing. CCS works toward providing dynamic, progressive and diverse services to support the well-being of our communities, and is thus prepared to provide one or more of the following services: case management, peer support, referral, screening, assessment and individual therapy.

Thank you for inviting our participation in this important undertaking to better meet the housing and health needs of individuals in our two-county area. We look forward to this partnership continuing in the years ahead.

Sincerely,

A handwritten signature in blue ink that reads "Kimberly Lindsay".

Kimberly Lindsay
Executive Director

www.communitycounselingsolutions.org

Providing dynamic, progressive and diverse supports to improve the well-being of our communities.