

MINUTES
UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, February 24, 2022, 6:30pm
Umatilla County Courthouse, 216 SE 4th Street, Pendleton, Oregon
VIRTUAL MEETING VIA ZOOM

** **

COMMISSIONERS

PRESENT: Suni Danforth, Chair, Don Wysocki, Vice Chair, Tammie Williams, Tami Green, Jon Salter, Hoot Royer, Sam Tucker & Cindy Timmons

ABSENT: (None)

STAFF: Bob Waldher, Planning Director; Megan Davchevski, Planner/ Transit Coordinator; Tamara Ross, Planner II/ GIS & Tierney Cimmiyotti, Administrative Assistant

** ****

NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. RECORDING IS AVAILABLE AT THE PLANNING OFFICE.

CALL TO ORDER

Chair Danforth called the meeting to order at 6:30pm and read the Opening Statement.

NEW HEARING

Type III Land Division, Replat Request, #LD-2N-206-21; Jenny & Raymond Peters and Bruce Bledsoe, Owners. The applicant requests approval of a Replat of Lots 8, 9, and 10 of the Block 1, Rolling Acres Subdivision. Lot 1 is also identified as Tax Lot 601 and Lot 2 is identified as Tax Lot 200, on Assessors Map 2N3227CA and 2N3227CD respectively. The applicant’s Replat proposal moves the shared lot line between Lots 9 and 10 and removes the line between Lots 8 and 9. The property is located east of State Highway 395, west of State Highway 30, and approximately 1.5 miles north of the McKay Reservoir. Replat approval standards are followed in Umatilla County Development Code (UCDC) Section 152.697(C).

Chair Danforth called for any abstentions, bias, conflicts of interest, declarations of ex-parte contact or objections to jurisdiction. There were none. She called for the Staff Report.

STAFF REPORT

Tamara Ross, Planner, presented the staff report. Mrs. Ross stated that the applicants, Jenny & Raymond Peters, request approval of a Replat of Lots 8, 9, and 10 of the Block 1, Rolling Acres Subdivision. Proposed Lot 1 is also identified as Tax Lot 601 and proposed Lot 2 is identified as Tax Lot 200 on Assessors Map 2N3227CA & 2N3227CD respectively. She explained that the applicant’s Replat proposal includes a request to move the shared lot line between Lots 9 and 10 and remove the line between Lots 8 and 9. The property is located east of State Highway 395, west of State Highway 30 and approximately 1.5 miles north of the McKay Reservoir. Mrs. Ross added that the standards of Approval are found in the UCDC Section 152.697(C), Type III Land

Divisions and standards for reviewing a Replat generally consist of complying with development standards and survey plat requirements.

Ms. Ross stated that the notice of the applicant's request and public hearing was mailed on February 4, 2022 to the owners of properties located within 250 feet of the perimeter of Lots 8, 9, and 10. Notice was also published in the East Oregonian on February 12, 2022 notifying the public of the applicants request before the Planning Commission on February 24, 2022.

Ms. Ross explained that the property is zoned residential and each lot is presently developed with one home site. The lots are pre-existing, non-conforming subdivision lots which will remain non-conforming. Both lots have access via platted subdivision road SW Valley View Drive, County Road #1088 and access will remain the same. An existing five foot utility easement runs along Lot 1 and Lot 2. She added that a Precedent Condition of Approval is imposed that Access Permits are obtained or verification of existing Access Permits are submitted for proposed Lots 1 and 2 to SW Valley View Drive, County Road #1088. She concluded that the decision made by the Planning Commission is final unless timely appealed to the Board of County Commissioners (BCC).

Applicant Testimony: None. (Applicant did not attend)

Public Agencies: None.

Chair Danforth closed the hearing for deliberation.

DELIBERATION

Commissioner Tucker made a motion to approve Type III Land Division, Replat Request, #LD-2N-206-21; Jenny & Raymond Peters and Bruce Bledsoe, Owners. Commissioner Williams seconded the motion. Motion passed with a vote of 8:0.

NEW HEARING

Plan Amendment #P-131-22, Adoption of Umatilla River Trail Concept Plan to County Transportation System Plan. The concept plan provides proposed trail routes to connect the cities of Umatilla, Hermiston, Stanfield and Echo with a focus along the Umatilla River while utilizing existing trails and paths. The plan was developed with stakeholder and public involvement. At this time, the plan does not provide engineered drawings but an Implementation Committee has been formed to begin the early stages of trail development.

Chair Danforth called for any abstentions, bias, conflicts of interest, declarations of ex-parte contact or objections to jurisdiction. Commissioner Williams stated that she served on the Umatilla River Trail Advisory Committee and will abstain from voting. She added that she is available to provide testimony if other Commissioners have questions about the process. Chair Danforth called for the Staff Report.

STAFF REPORT

Megan Davchevski, Planner, presented the staff report. Mrs. Davchevski stated that Umatilla County developed the Umatilla River Trail Concept Plan in coordination with the cities of Echo, Stanfield, Hermiston and Umatilla as well as the National Parks Service (NPS). The concept plan was developed with both stakeholder and public involvement and provides proposed trail routes to connect the four west-county cities while utilizing existing trails and paths along the Umatilla River. She explained that the trail concept plan does not provide engineered drawings at this stage. However, an Implementation Committee has been meeting monthly since December 2021 to begin the early stages of trail development and secure grant funding. The five jurisdictions affiliated with this project first met in February 2017 to discuss developing a west Umatilla County trails plan.

Mrs. Davchevski stated that planning for the Umatilla River Trail began in late 2018 when the Umatilla County Planning Department was awarded a technical assistance grant from the National Park Service's Rivers, Trails, and Conservation (NPS RTCA) program. Community Workshops and Stakeholder meetings were held throughout 2019.

Mrs. Davchevski further explained that the Umatilla River Trail Concept Plan provides information on the community process and recommendations for a new trail. Additionally, it provides information on overall benefits, uses and types of trails and amenities. The concept plan represents the community's collective conceptual vision for the trail and is a culmination of all the hard work, vision, partnerships and collaboration that has gone into this project. Detailed construction documents will need to be generated to specifying exact locations, measurements and materiality before the trail is built. Phased implementation, adaptive management, funding and partnership building is expected to continue over time to best suit the needs of the trail, the users, the public and the environment.

Mrs. Davchevski stated that the development of community and multi-modal trails benefit communities in several ways from offering recreation opportunities, impacting health, creating tourism and economic development opportunities, to encouraging more healthy and clean environments from reduced car usage. She pointed out that many scientific studies have demonstrated these benefits in recent years. Community Trails create accessible, affordable, open and safe recreational opportunities. The Umatilla River Trail will allow users to travel its corridor while simultaneously providing a large variety of recreational opportunities. Users will be able to hike, cycle, connect to existing trails and parks and take advantage of the many activities that the Umatilla River provides such as fishing, kayaking, paddling and more. The trail will be designed to be compliant with the Americans with Disabilities Act (ADA) standards, making it more conducive to serving individuals with disabilities.

Mrs. Davchevski explained that the trail will serve as a means to connect the four west-county cities. The cities of Umatilla, Hermiston, Stanfield and Echo are all currently connected by US

Highway 395. The Umatilla River Trail will provide a safe and pleasant alternative to connect the West County Cities and their residents while also providing a beautiful view of the Umatilla River. This will serve as a recreational connection and also potentially a commuting connection for students and employees.

Mrs. Davchevski stated that the concept plan was finalized in June of 2021 and the next step is to adopt the plan by reference into the County's Transportation System Plan (TSP). Adoption will allow the Implementation Committee to seek grant funding for route refinement, engineering, permitting and development. The trail concept plan is available for review on the County website at: <https://www.co.umatilla.or.us/departments/planning/trails>.

Mrs. Davchevski concluded that the County has the authority to consider and approve the Comprehensive Plan Text Amendment, adopting the Umatilla River Trail Concept Plan by reference as part of the Umatilla County Transportation System Plan. This is a legislative action and future refinement and engineering plans will require additional approval and adoption. The process of approval by the County involves review by the County Planning Commission with a recommendation to the BCC. The BCC must also hold a public hearing and make a decision whether or not to adopt the proposed change. A public hearing before the BCC is scheduled for March 16, 2022 at 9am.

Commissioner Tucker stated that he supports the Umatilla River Trail Concept Plan but asked for more information about future stages of the project. He asked if more issues will come before the Planning Commission regarding this request. Mrs. Davchevski explained that the concept plan needs to be adopted before any grant money can be obtained for a refinement plan. The refinement plan will come before the Planning Commission when it is ready to be considered for adoption.

Mrs. Davchevski added that several land owners have expressed a willingness to donate portions of their land in order to complete the trail and have been active participants as part of the implementation committee. However, the concept plan identifies this as a potential conflict because the land could change hands and the opportunity to use that land could be taken away. If this were to occur, the plan would need to change because the county is not interested in any forced acquisition of land as part of this project.

Mr. Waldher, Planning Director, explained that this project is considered a transportation facility with a recreation component. There is a land use permitting process which will be completed before construction of the trail will begin. He explained that they will be required to obtain clearance from cultural resource agencies and a number of other environmental permits in advance. He added that parts of the trail cross pieces of land zoned Exclusive Farm Use (EFU) and will require a goal exception to Statewide Land Use Planning Goal 3: Agricultural Lands, which places restrictions on developments that are unrelated to agriculture. He concluded that there is a lot of work to be done before actual development of the trail will occur.

Commissioner Timmons stated that she recently toured the Hermiston Recycled Water Facility. She noticed part of the trail concept plan indicates that the trail will go through that area and she is concerned about the output of clean water into the river via a large pipe at the site. She asked if anyone has walked that part of the proposed trail to see if there would be any potential issues. Mr. Waldher stated that the plan is still in a conceptual phase and it will go through a refinement stage where they will look at those specific elements in more detail. There is a possibility that the route will hug the road right-of-way instead of going through the facility. He added that the goal is for the trail to be as close to the river as possible, but a large portion of riverfront property is privately owned. The advisory committee made a decision to not utilize private land without the owner's willingness to participate. He pointed out that between the cities of Umatilla and Hermiston there is a fair amount of federally owned land and they will look at for opportunities to utilize the federal land as much as possible.

Commissioner Royer asked if all the property owners involved in the proposed trail location have been notified about the project. Mr. Waldher stated that the Planning Department hosted workshops in each community and provided advertisements to encourage citizen participation. As a result the workshops were very well attended. Public notices will be issued to land owners within a certain distance of the proposed trail project during the refinement stage.

Commissioner Wysocki pointed out that there are artist renderings of the proposed trail and fencing included in the concept plan. He asked more about the funding that will be available in implementing the plan once they are in the development stage. Mrs. Davchevski stated that the funding will come from grants. She added that most of the grants will come from the Oregon Department of Transportation (ODOT) and Oregon Department of Parks & Recreation and most require a certain level of match. The BCC has set aside American Rescue Plan Act (ARPA) funding to use in matching the grant funding. Commissioner Wysocki stated that he thinks this is a great project.

Mr. Waldher stated that before he retired, this project was one of Commissioner Bill Elfering's priority projects and he now serves on the implementation committee. He stated that they made a decision early on that tax payer dollars will not be used to fund this project. Instead, they plan to use grant funds and other means to carry out the plan.

Chair Danforth asked why the Umatilla River Trail Concept Plan must be adopted into the County's Transportation System Plan as part of the process. Mr. Waldher stated that the TSP is a component of the County's Comprehensive Plan. As a result, this concept plan is considered to be an active transportation plan and in order to be eligible for the ODOT funding must first be adopted as part of the TSP.

Chair Danforth stated that she is very concerned about private property being taken from land owners as part of this project. She asked if there is any chance this could occur and wanted to know if there is anything in writing to prevent this from happening in the future. Mr. Waldher

stated that he is not aware of any formal agreements in place but the BCC has been very clear that we do not intend to take private land for this project and will only utilize private land if the landowners are willing.

Mrs. Davchevski pointed out that on page 5 in the Umatilla River Trail Concept Plan, under Frequently Asked Questions #6; Will my land be used as part of the trail?, the response includes a statement clarifying that, “[s]ome private property owners have expressed an interest in having the trail developed on their property. Private property will not be utilized without prior consent from willing landowners.” Chair Danforth stated that the language in the concept plan helps alleviate her concern.

Commissioner Royer asked if staff had any estimates with regard to a timeframe in which this project will be completed. Mr. Waldher stated that the timeline for the project will be dependent on the funding available in each stage. He added that this project may not be completed for several decades as the trail will be approximately 25 miles long and there are many stages to the project. The County serves as a technical advisor on this project but we are also utilizing citizen representatives for input and to spread the word in each community because the goal is for this project to be community driven.

Proponent Testimony: Planning Commissioner, Tammy Williams, PO Box 273, Echo, OR 97826. Commissioner Williams stated that this project has been a passion of hers for a long time and she is very excited. She explained that the City of Echo received money as part of a windmill project several years ago and they chose to reserve some of that money to put toward developing trails which was eventually matched by ODOT resulting in the development of walking trails throughout town. When the City of Echo was made aware of the Umatilla River Trail they were excited to connect the community even more. She expressed that she is happy the trail will provide a new space to support activity and promote healthy lifestyles and the fact that they will be made ADA accessible means those in wheelchairs and scooters can utilize the space as well. Commissioner Williams concluded that she is honored to be a part of the project.

Public Agencies: Danielle (Dani) Schulte, Transportation Planner, Confederated Tribes of the Umatilla Indian Reservation (CTUIR), 46411 Timíne Way, Pendleton, Oregon. Ms. Schulte stated that on behalf of the Tribal Planning Office of the CTUIR, she would like to congratulate the county for completion of the Umatilla River Trail Concept Plan and the adoption of the trail plan that will serve Milton Freewater and the Walla Walla Valley area. She believes these trail plans are an excellent step towards providing safe and reliable transportation options for community members without reliable access to personal vehicles and provide healthier transportation and recreation options for Umatilla County residents and visitors.

In addition to providing our community with greater healthy recreation options, we hope to see these trail networks serve to expand access to CTUIR tribal members exercising their treaty rights in the region, such as fishing and gathering traditional food. She stated that the tribe

appreciates the County's ongoing engagement with the CTUIR Cultural Resources program and the attention paid to celebrating tribal history in trail interpretation and protecting sensitive historic sites.

Mrs. Schulte stated that the tribe looks forward to ongoing engagement as the trails become a reality. In the coming years CTUIR hopes to see continued planning efforts to discuss an expansion of these trails to serve Eastern Umatilla County. Additionally, she hopes that these efforts will allow for greater collaboration between CTUIR's Planning Office and Umatilla County in order to coordinate future trail planning on the Umatilla Indian Reservation and connection to these regional trails in adjacent areas of wider Umatilla County.

Chair Danforth added the letter from Danielle Schulte, Transportation Planner, CTUIR, into the record as Exhibit A and closed the hearing for deliberation.

DELIBERATION

Chair Danforth stated that she supports this project as long as funding is available and no private property is taken. She expressed concern that the project will be executed over many years and leadership will change over time. She does not want any changes to be made with regard to taking away privately owned land as part of this project.

Commissioner Royer stated that he agrees with Chair Danforth. He would not support taking away privately owned land, but supports the trail plan otherwise. He also expressed concern about keeping the waterways clean and clear of trash. He concluded that he welcomes the idea and sees it as a benefit to the community.

Commissioner Wysocki stated that he has concerns about maintenance of the trail area. He would like to see involvement from the community through an 'adopt-a-trail' type program to ensure that the trails stay clean. Chair Danforth agreed.

Commissioner Tucker made a motion to recommend approval of Plan Amendment #P-131-22, Adoption of Umatilla River Trail Concept Plan to County Transportation System Plan to the BCC. Commissioner Green seconded the motion. Motion passed with a vote of 7:0.

A public hearing before the BCC is scheduled for Wednesday, March 16, 2022 at 9am at the Umatilla County Courthouse.

NEW HEARING

Plan Amendment #P-132-22, Adoption of Blue Mountain Region Trail Concept Plan to County Transportation System Plan. The Blue Mountain Region Trails Plan was developed by Walla Walla Valley Metropolitan Planning Organization (MPO), with the support of the National Parks Service. Umatilla County is a member of the MPO and was a stakeholder in the development of the trail plan. The plan details existing and proposed sidewalk paths, multi-use

trails, paved paths and unpaved trails. Milton Freewater and portions of North Eastern Umatilla County are included in the plan.

Chair Danforth called for any abstentions, bias, conflicts of interest, declarations of ex-parte contact or objections to jurisdiction. Commissioner Tucker stated that he has been consulted by several people and committees on a volunteer basis as a part of this project and has provided legal advice pertaining to the request. For those reasons he feels its best that he abstains from voting on this matter. Chair Danforth called for the Staff Report.

STAFF REPORT

Bob Waldher, Planning Director, presented the staff report. Mr. Waldher stated that The Blue Mountain Regional Trails Plan was developed in cooperation with the Walla Walla Valley Metropolitan Planning Organization (MPO) with the support of the National Parks Service (NPS). Umatilla County is a member of the MPO and was a stakeholder in the development of the trail concept plan. He explained that the plan was developed through a robust stakeholder and public involvement process and includes 354 total miles of existing and proposed sidewalk paths, multi-use trails, paved paths and unpaved trails. Milton Freewater and portions of Northeastern Umatilla County are included in the plan.

Mr. Waldher stated that local planners met and convened interested stakeholders to prepare and submit an application for technical assistance from the NPS in the spring of 2016. Once awarded, the NPS Rivers, Trails, and Conservation Assistance (RTCA) grant focused on public outreach, route identification and plan production. Initially limited to one year, the grant was subsequently extended for an additional year. He added that throughout the project's duration, the group of 14 original co-applicants to the NPS RTCA grant grew considerably as additional jurisdictions and stakeholders became involved in the process. Ultimately, more than 30 local, regional, state and federal stakeholder entities worked together to complete the Blue Mountain Region Trails Plan.

Mr. Waldher explained that the Blue Mountain Region Trails Plan goals include; inventory existing bicycle, pedestrian, and other non-motorized trails and transportation infrastructure within cities, between communities and across the region; determine additional connections and destinations with the help of the public, stakeholders and user groups; and use NPS expertise to design a complete network of non-motorized trails and transportation connections that can be implemented as funding becomes available.

Mr. Waldher stated that the Blue Mountain Region Trails Plan outcome is the development of a community driven, and locally supported region wide non-motorized trail and transportation network that will integrate existing and planned urban sidewalks and bike routes with urban and regional trails. This network will provide access to outdoor recreation opportunities, increased walking and biking options and connectivity among community centers and cultural, historical and natural resource sites throughout the region. The entire project consists of publically owned land and no private land will be used.

Mr. Waldher stated that the Blue Mountain Region Trails Concept Plan was finalized in late 2016 and adopted by the MPO in 2017. However, the plan was never formally adopted by Umatilla County. The next step is to adopt the plan by reference into the County's Transportation System Plan (TSP). Adoption will allow local citizen groups or the County to seek grant funding for route refinement, engineering, permitting and development. The trail concept plan is available online at: <https://www.co.umatilla.or.us/departments/planning/trails>.

Mr. Waldher explained that the County has the authority to consider and approve the Comprehensive Plan Text Amendment, adopting the Umatilla River Trail Concept Plan by reference as part of the Umatilla County Transportation System Plan. This is a legislative action. Future refinement and engineering plans will require additional approval and adoption. The process of approval by the County involves review by the County Planning Commission with a recommendation to the BCC. The BCC must also hold a public hearing and make a decision whether or not to adopt the proposed change.

Commissioner Tucker stated that he believes the Blue Mountain Region Trails is a great project and he hopes it completed in his children's or grandchildren's lifetime. He understands the difficulty with funding but the concept that a person will be able to go from Milton Freewater to Washington utilizing trails the entire way will be fantastic.

Public Agencies: Danielle (Dani) Schulte, Transportation Planner, Confederated Tribes of the Umatilla Indian Reservation (CTUIR), 46411 Timine Way, Pendleton, Oregon. Ms. Schulte stated that the letter she submitted for comment applies to both trail plans presented today. She believes this trail network will be an excellent asset to the community. She explained that the CTUIR tribal community lives all over their ancestral homeland through Milton Freewater and up into Washington State. Both trail plans together will be valuable to tribal members in continuing to practice their treaty rights and opportunities to gather first foods.

Chair Danforth added the letter from Danielle Schulte, Transportation Planner, CTUIR, into the record as Exhibit A and closed the hearing for deliberation.

DELIBERATION

Commissioner Williams made a motion to recommend approval of Plan Amendment #P-132-22, Adoption of Blue Mountain Region Trail Concept Plan to County Transportation System Plan to the Board of County Commissioners. Commissioner Timmons seconded the motion. Motion passed with a vote of 7:0.

A public hearing before the BCC is scheduled for Wednesday, March 16, 2022 at 9am at the Umatilla County Courthouse.

MINUTES

Chair Danforth called for any corrections or additions to the minutes from the January 27, 2022 meeting. There were none. Commissioner Tucker moved to approve the minutes as presented. Commissioner Wysocki seconded the motion. Motion carried by consensus.

OTHER BUSINESS

Mr. Waldher stated that Commissioner Hoot Royer will be ending his time serving as a Planning Commissioner for Umatilla County. This will be his last meeting. Commissioner Royer stated that he accepted a job out of state and due to time constraints between work and family he decided to step down from this role. He added that he appreciates the opportunity he had to serve on the Planning Commission and wishes everyone the best. Mr. Waldher and Chair Danforth thanked Commissioner Royer for his time and dedication.

Mr. Waldher stated that the Planning Commission has three vacancies to fill and encouraged the group to make recommendations if they know someone who may be interested. We are hoping to find two candidates representing the west side of the county and one from the northeast region.

We have one agenda item for the hearing scheduled for Thursday, March 24, 2022, at 6:30pm. Mr. Waldher stated that we are planning for March to be the last virtual-only hearing. We hope to meet in person in April with a virtual attendance option. He added that we have several agenda items for the April 28, 2022 meeting, as well.

ADJOURNMENT

Chair Danforth adjourned the meeting at 7:52pm.

Respectfully submitted,

Tierney Cimmiyotti,
Administrative Assistant

Minutes adopted by the Planning Commission on March 24, 2022