

**UMATILLA PLANNING COMMISSION MEETING
AGENDA
COUNCIL CHAMBERS
FEBRUARY 23, 2021
6:30 AM**

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

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF MINUTES**

3.a [January 26, 2021 Minutes](#) *Suggested Action: Approval*

4. **UNFINISHED BUSINESS**

5. **NEW BUSINESS**

5.a [Umatilla Electric Cooperative CU-1-21 & SP-1-21](#) *Suggested Action:*

The applicant, Umatilla Electric Cooperative, is requesting approval of a conditional use and site plan approval to Install a 115KV transmission line from the substation on Tax Lot 2300 of Assessors map 5N2814 to the proposed substation. The proposed substation will be developed on the western end of lot 2 of the proposed subdivision currently described as Tax Lot 600 of Assessor's Map 5N29B.

5.b [Extension for SUB-3-19](#) *Suggested Action:*

The applicant, Knutzen Engineering/Ambience Homes, have received approval of a tentative plat for a residential subdivision to divide an existing parcel into 82-lots for residential development on January 28, 2020. The applicant intends to develop the lots with townhomes and one lot with multifamily units, but due to the COVID-19 pandemic is requesting a 1-year extension to begin construction.

6. **DISCUSSION ITEMS**

7. **INFORMATIONAL ITEMS**

7.a [Community Development Quarterly Report](#) *Suggested Action: Presentation by staff*

7.b [City Manager Discussion](#) *Suggested Action: Check in*

8. **ADJOURNMENT**

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UMATILLA PLANNING COMMISSION MEETING
AGENDA
COUNCIL CHAMBERS
JANUARY 26, 2021
6:30 PM

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

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

A. **Present:** Commissioners; Boyd Sharp, Kelly Nobles, Bruce McLane, Jennifer Cooper, Hilda Martinez, Heidi Sipe, Keith Morgan

B. **Absent:**

C. **Late arrival:**

D. **Staff present:** Community Development Director, Brandon Seitz and Associate Planner, Jacob Foutz.

2. **PLEDGE OF ALLEGIANCE**

Moment of Silence Observed

3. **APPROVAL OF MINUTES**

3.a [November 24, 2020 Minutes](#)

Chair Sharp requested to amend a mistake in the minutes, the changing of Vice Chair Sharp to Chair Sharp. Commissioner Nobles also found an error (the word no) and recommended to amend the minutes to remove said error. Motion to approve the minutes with said changes by Commissioner McLane, seconded by Commissioner Sipe. Motion Carries 6-0.

4. **UNFINISHED BUSINESS**

5. **NEW BUSINESS**

5.a [Fast Mart Replat \(RP-1-21\)](#) *Suggested Action:*

The applicant, Fast Mart Umatilla Inc., requests approval to replat two Downtown Commercial lots into one. The proposed replat would result in one lot. The properties are identified as Tax Lot 2300 and 2400 on Assessors Map 5N2817BD. Arvind Kumar Mungra is the property owner.

Chair Sharp opened the hearing and read into the record the Public Hearing Opening Statement.

Chair Sharp asked if there was any conflicts or objections. None.

Chair Sharp asked for the staff report.

Associate Planner Foutz gave a brief overview of the proposed replat. Spoke about Fastmart and their plans to develop the old Carlson drug store as a convenience

store/drug store and the need for a Replat in order to build a new entrance across property lines.

Chair Sharp asked for any testimony from the applicant. Applicant was not present.

Chair Sharp asked for any testimony from the audience. No audience was present.

Chair Sharp called for a motion to close the hearing of RP-1-21. Motion to close by Commissioner Sipe. Seconded by Commissioner Cooper. Motion Carried 6-0.

Chair Sharp asked for any question or discussion among commission members.

Commissioner Sipe expressed her approval and excitement.

Commissioner Morgan expressed how it seems strange to have a convenience store and pharmacy together.

Commissioner Cooper agreed but stated she is excited to have a pharmacy in town.

Chair Sharp called for a motion to approve RP-1-21. Motion to approve by Commissioner Nobles. Seconded by Commissioner Morgan. Motion Carried 6-0.

5.b **Parametrix Replat (RP-2-21)** *Suggested Action:*

The applicant, Parametrix, requests approval to replat three Heavy Industrial lots into two. The proposed replat would result in two lots. The properties are identified as Tax Lot 2000 and 2100 on Assessors Map 5N28A and Tax Lot 600 on Assessors Map 5N29B. The Replat will include a 100' wide public road dedication for the extension of Wanapa Road. Amazon Data Services is the property owner.

Chair Sharp opened the hearing and read into the record the Public Hearing Opening Statement.

Chair Sharp asked if there was any conflicts or objections. None.

Chair Sharp asked for the staff report.

Associate Planner Foutz summarized the staff report and explained the request is to replat three lots into two and develop an extension of Wanapa Road, for data center campus development.

Chair Sharp asked how long the road extension will be.

Planner Foutz stated it would be 1,821 feet.

Chair Sharp asked if the road will go to the end of City limits.

Planner Foutz confirmed that it will serve the last tax lot in City limits.

Chair Sharp asked if these are the data centers that were referred to in the recent enterprise zone agreements.

Director Seitz confirmed.

Commissioner Nobles asked for clarification on how many data center will be built on Wanapa Road.

Director Seitz explained there will be two campuses and a total of eight data centers.

Chair Sharp asked for any testimony from the applicant.

Scott Bolduc of Parametrix with an address of 15880 Pilot Drive in Sisters Drive asked for a respectful approval of the replat application. He stated that he believes it will be beneficial to his client and to the community as well.

Dwight Miller of Parametrix with an address of 719 2nd avenue in Seattle Washington stated the staff represented well the purposes of this project.

Commissioner Morgan jokingly asked when the City of Umatilla will change its name to Amazon, Oregon.

Commissioner Nobles asked if the Wanapa Road extension will be public or private.

Director Seitz stated it will be dedicated public but the majority of the use will be by those related to the data centers.

Chair Sharp asked for any testimony from the audience. No audience was present.

Chair Sharp called for a motion to close the hearing of RP-2-21. Motion to close by Commissioner Morgan. Seconded by Commissioner Sipe. Motion Carried 6-0.

Chair Sharp asked for any question or discussion among commission members.

Chair Sharp called for a motion to approve RP-2-21. Motion to approve by Commissioner Morgan. Seconded by Commissioner Nobles. Motion Carried 6-0.

6. **DISCUSSION ITEMS**

7. **INFORMATIONAL ITEMS**

- 7.a **Livestock Residential Update** *Suggested Action: Two hour notice for discharge of weapon in LR zone. Adoption expected at Feb 2nd Council meeting.*

Associate Planner Foutz explained that the livestock residential zone public hearing at City Council will happen at the Feb 2nd Council meeting.

8. **ADJOURNMENT**

Meeting adjourned at 7:02pm

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**CITY OF UMATILLA PLANNING COMMISSION
REPORT AND RECCOMENDATION
FOR
CONDITIONAL USE CU-1-21 & SITE PLAN SP-1-21**

DATE OF HEARING: February 23, 2021

REPORT PREPARED BY: Jacob Foutz, Associate Planner

I. GENERAL INFORMATION AND FACTS

Applicant: Umatilla Electric Cooperative, 750 W Elm Avenue, Hermiston, Oregon 97838

Property Owners: Amazon Data Services, 410 Terry Avenue North, Seattle, Washington 98109

Land Use Review: Conditional use and site plan review to establish an 115KV transmission line and new substation.

Property Description: Tax lot 600 on Assessors Map 5N29B for Substation, Tax lots 1400-2100 on Assessors Map 5N28A, and 2300-2700 on Assessors Map 5N2814 for transmission line.

Location: The subject property is south of Wanapa Road in the City of Umatilla

Existing Development: The property is currently undeveloped but has been approved for a Data Center and future campus.

Proposed Development: The applicant requests approval to construct an 115KV transmission line and new substation.

Zone Heavy Industrial (M2).

Adjacent Land Use(s):

Adjacent Property	Zoning	Use
North	Tribal-not subject to local land use.	Vacant land
South	County EFU	Vacant Land and Wetlands
East	County EFU	Vacant Land
West	Heavy Industrial	Empty M-2 lots.

II. NATURE OF REQUEST AND GENERAL FACTS

The applicant, Umatilla Electric Cooperative, is requesting approval of a conditional use and site plan approval to Install a 115KV transmission line from the substation on Tax Lot 2300 of Assessors map 5N2814 to the proposed substation. The proposed substation will be developed on the western end of lot 2 of the proposed subdivision currently described as Tax Lot 600 of Assessor's Map 5N29B.

Facilities required for the transmission of power or communications are considered a community service use and are subject to the procedures and standards as contained in Chapter six of the City of Umatilla Zoning Ordinance (CUZO). All community service uses are reviewed as conditional uses.

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

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.

Findings: The CUZO implements the comprehensive plan goals and policies. If a request is found to meet or be capable of meeting the applicable standards and criteria in the CUZO the request is considered to be consistent with the comprehensive plan.

Conclusion: This request is found to meet or be capable of meeting all of the applicable standards and criteria in the CUZO as addressed in this report.

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.

Findings: This report outlines the applicable provision of the CUZO. If the request is found to meet all of the standards and criteria as addressed in this report the request will comply with this standard.

Conclusion: The request is found to meet or be capable of meeting all of the applicable criteria of the CUZO as addressed in this report.

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.

Findings: The applicant operates and maintains transmission lines and substations throughout all of Umatilla County. Transmission lines and substations are a public service providing needed electricity to members within the City of Umatilla.

Conclusion: Electricity is a needed commodity within the City of Umatilla. Transmission lines and substations are a public service providing needed electricity to members within the City of Umatilla.

- 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.

Findings: The proposed use of the property will be to construct a Substation and Transmission line. The neighboring uses are other heavy industrial zoned tax lots. Wanapa Road will grant access to the site and is adequate as a transportation facility for the proposed use. This application will add needed public facilities in the area, providing electricity for the future Data Centers.

Conclusion: Due to the neighboring land use, adequacy of transportation facilities/access, site size/configuration, and adequacy of public facilities the subject property has been found to be appropriate according to the above criteria.

- 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: There are no potential negative impacts on neighboring properties other than those expected by being in the Heavy Industrial Zone.

Conclusion: Staff did not identify any adverse impacts that would result from the proposed use.

10-5B-4: DEVELOPMENT STANDARDS:

DIMENSIONAL STANDARDS

<u>Minimum lot width</u>	<u>80 feet</u>
<u>Minimum lot depth</u>	<u>100 feet</u>
<u>Minimum yard setbacks:</u>	
<u>Front yard</u>	<u>10 feet or 20 feet if adjacent to a residential district</u>

<u>Side yard</u>	<u>0 feet or 20 feet if adjacent to a residential district</u>
<u>Side street yard</u>	<u>10 feet or 20 feet if adjacent to a residential district</u>
<u>Rear yard</u>	<u>0 feet or 20 feet if adjacent to a residential district</u>
<u>Parking area</u>	<u>10 feet</u>
<u>Maximum building height</u>	<u>35 feet</u>
<u>Maximum site coverage (building, storage area, and impervious surface)</u>	<u>100 percent</u>

Applicant’s Findings: The Applicant acknowledges the required Dimensional Standards that would be applicable to the proposed Substation and except for limitations on height can be met. Various aspects of the Substation will be significantly taller than 35 feet. For the transmission line, proposed to be placed within an easement, those Dimensional Standards cannot be met nor should they be imposed. The poles will be upwards of 100 feet tall. Appropriate easement areas are available or will be acquired to allow for the development and operation of the transmission line in a safe and reasonable manner.

Staff’s Conclusion: All setbacks will be met. The purpose of the height standard is to maintain conformance across the City of Umatilla for building height. The proposed substation and transmission lines are not considered buildings rather power facilities. As it is unreasonable and unsafe to have such high voltage facilities close within 35 feet of the ground, this standard will not be applied to this application.

A. Buffer Area: If a use in this District abuts or faces a residential district, a landscape area of twenty feet (20') along the entire frontage will be required on the side abutting or facing the adjacent district in order to provide a buffer area. Screening, landscaping or other conditions necessary to preserve the character of the adjacent district may be required to be established and maintained by the property owner. The setback may be reduced if appropriate screening measures are proposed and approved through site review.

Applicant’s Findings: The Applicant asserts that this activity does not abut or face a residential district.

Staff’s Conclusion: The Subject Property does not abut a residential district. This criterion is not applicable.

B. Storage: Materials shall be stored and grounds maintained in a manner that will not attract or aid the propagation of insects or rodents or otherwise create a health hazard. Outside storage in a required yard shall not exceed ten feet (10') in height.

Applicant’s Findings: The Applicant is proposing a transmission line and substation. No outside storage is anticipated or planned.

Staff’s Conclusion: No storage or health hazard will be created by this application and subsequent transmission line and substation.

C. Screening: Screening of storage or for other purposes shall consist of a sight-obscuring fence or landscaping, or other similar barrier. If screening is used to obstruct the view from adjacent residentially designated properties, the screening shall be of a material and design that is compatible with adjacent residences, shall be free of advertising, and shall be constructed according to plans submitted by the owner or his authorized agent and approved through site review.

Applicant's Findings: The Applicant is proposing a transmission line and substation. No screening is planned or needed in this industrial area.

Staff's Conclusion: As this is a Heavy Industrial subject property and is not abutting a residential district, no screening is required.

10-5B-5: LIMITATIONS ON USE:

A. Site Review: All uses are subject to site review.

Applicant's Findings: This narrative and associated application are submitted in compliance with this requirement.

Staff's Conclusion: The Site Review can be found below as part of this Conditional Use application.

B. Fence Material: A chainlink fence that is made in part with barbed wire may be permitted for the purpose of security when it is not along a sidewalk or public right of way.

Applicant's Findings: The substation will be fenced for safety and security purposes.

Staff's Conclusion: The substation will be fenced and located on a data center campus.

C. Fence Height: Any fence allowed or required in an M-2 District more than six feet (6') in height shall comply with setbacks for structures.

Applicant's Findings: The fence will be 6 feet in height with wire strands on top.

Staff's Conclusion: The fence will be 6 feet and will not need to comply with setbacks for structures.

D. Loading Areas: Loading areas shall not be located within a required yard setback.

Applicant's Findings: No loading areas are proposed.

Staff's Conclusion: No loading areas are proposed. This criterion is not applicable.

E. Nuisances: A use is prohibited which has been declared a nuisance by statute, by action of the City Council or by a court of competent jurisdiction.

Applicant's Findings: Transmission lines and substations are a public service providing needed electricity to members within the City of Umatilla and the Port of Umatilla.

Staff's Conclusion: Transmission lines and substations have not been declared a nuisance. This criterion is not applicable.

F. Health Hazards: Materials shall be stored and grounds shall be maintained in a manner that will not attract or aid the propagation of insects or rodents or otherwise create a health hazard.

Applicant's Findings: No storage is proposed onsite. The transmission line will be built in an easement designed to protect the adjacent and nearby natural and built environment. The underlying property owner has responsibility for management of weeds and other installations within the transmission line easement. The substation will have no onsite storage and the grounds will be both concrete and gravel limiting negative impacts from insects, rodents and weeds.

Staff's Conclusion: The substation will have no onsite storage and the grounds will be both concrete and gravel limiting negative impacts from insects, rodents and weeds.

CUZO 10-13-2: SITE REVIEW:

B. Application:

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.

Applicant's Findings: The applicant is not proposing landscaping.

The 115kV transmission line is proposed within an easement on property owned by the Port of Umatilla or other industrial users. A requirement of landscaping when developing industrial uses such as food processing plants or data centers may be appropriate and could be supported by the activity particularly related to the staffing levels associated with those uses. Transmission lines so not have onsite staff associated with them.

The substation is proposed on property that will eventually belong to the applicant as the proposed adjoining activity is developed. Substations found throughout the region rarely have landscaping associated with them. Like the transmission line there are no permanent staff associated with the substation location. The substation site would be fenced for safety and security purposes.

Staff's Conclusion: Landscaping of a facility in the Heavy Industrial zone not on a public ROW that will not be visited other than for routine maintenance is not required.

- b. Landscaping shall be located along street frontages and building fronts to enhance the street appearance of a development.

Staff's Findings: The proposed substation does not have street frontage. This criterion is not applicable.

Staff's Conclusion: The proposed substation does not have street frontage. This criterion is not applicable.

- c. Outdoor storage and garbage collection areas shall be entirely screened with vegetation, fence, or wall.

Applicant's Findings: The applicant is not proposing outdoor storage or garbage collection areas as both the transmission line and substation are not facilities with

permanent staff

Staff's Conclusion: No outdoor storage is necessary with an unmanned electrical substation and accompanying transmission line.

- 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.

Applicant's Findings: As part of a recent land partition street dedication was required. That decision also determined how street improvements along Wanapa Road would be accomplished. The applicant would assert that those decisions are adequate for the substation. The transmission line is proposed within an easement that is already in place and is being enlarged to support the size of the transmission line requested by the industrial customer.

Staff's Conclusion: The applicant is proposing a substation on a tax lot that has previous approval for a data center campus. No new ROW improvements will be required of the applicant.

- 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.

Applicant's Findings: The proposed transmission line would be built within an easement. The proposed substation will be sited along Wanapa Road which provides the only access to the site.

Staff's Conclusion: The subject property will share an access with the Data Center Campus. Wanapa Road is the highest classification in the area and is suitable for the proposed use.

- 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.

Applicant's Findings: The proposed transmission line would be built within an easement with a portion along a road and a longer portion within an easement off the road network. No pedestrian facilities are planned however the applicant is not opposed to pedestrian facilities along Beach Access or Wanapa Roads. The proposed substation for safety reasons will be fenced and should not have onsite pedestrian accommodations.

Staff's Conclusion: No buildings are proposed. For safety the facility will be fenced to discourage use by unauthorized personnel. On-site pedestrian circulation system is not feasible for the proposed use.

- 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.

Applicant's Findings: No parking facilities are proposed as part of the transmission line or substation. The substation will accommodate necessary staging areas for maintenance of the facility once constructed. No buildings are proposed as part of this application for a transmission line and substation.

Staff's Conclusion: The intent of these standards is to incorporate design elements into new building that will be attractive to customers. The proposed use will not have on-site visits and will be closed off the public. These Criterion are not applicable.

- 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.

Staff's Findings: The proposed use does not include a drive-through use.

Staff's Conclusion: The request does not include a drive-through use. This criterion is not applicable.

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.

Applicant's Findings: The transmission line is proposed within an easement; no other access points are required or requested. The substation is proposed to take access from Wanapa Road.

Staff's Conclusion: The proposed access point is not located within the functional area of an intersection or interchange.

- 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.

Applicant's Findings: This provision is not requested or required. Wanapa Road is a local road within the Port of Umatilla.

Staff's Conclusion: The primary access point onto the site is not within a functional area of an intersection.

- 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.

Applicant's Findings: The request is for a transmission line and substation in an industrial area. No shopping or offices of a commercial nature are currently sited in the vicinity and none are anticipated in the current planning horizon.

Staff's Conclusion: The subject property is not located adjacent to commercial or office properties that are major traffic generators. This criterion is not applicable.

- 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.

Applicant's Findings: The transmission line is proposed within an easement; this standard is not applicable. The substation, once constructed and operational, will be sited adjacent to the primary user of the delivered power. The development pattern for these sites is to allow for separate access points for the substation and the data center. The applicant is not requesting joint access and would assert that a unified access and circulation system could create concerns with safety and security for the substation and the adjoining use.

Staff's Conclusion: The applicant is not proposing to reduce the required separation distance of access points. These criteria are not applicable.

- 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.

Applicant's Findings: The applicant acknowledges that the access will need to be 20 feet in width and a depth to accommodate entering and exiting vehicles.

Staff's Conclusion: The proposed driveway will serve as a two-way access point

into the subject property. The proposed driveway exceeds the required width. There is sufficient space onsite accommodate traffic entering or exiting the site.

- 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.

Applicant's Findings: The applicant is requesting a single access point for the substation. The developer of the balance of the site may request two or more points of access which would be subject to separate review by the City of Umatilla.

Staff's Conclusion: The applicant is requesting a single access point for the substation. The data center campus has an approved access already, which the Substation will utilize. No new access is being requested.

- 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.

Staff's Findings: The property has no existing access connection points that are considered nonconforming.

Staff's Conclusion: The property does not have nonconforming access features. This criterion is not applicable.

- 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.

Applicant's Findings: The transmission line easement is adjacent to Beach Access Road and along an easement that does not have road frontage. The substation fronts Wanapa Road. There are no other options for access to the substation.

Staff's Conclusion: The property does not have frontage on more than one street. This criterion is not applicable.

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. 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.

Applicant's Findings: There are no parts of this proposal that have frontage along the State Highway System. This provision is not applicable.

Staff's Conclusion: This criterion is not applicable.

IV. SUMMARY AND PLANNING COMMISSION DECISION

The applicant is proposing to develop the site with a new transmission line and substation. The submitted materials meet or are capable of meeting 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-1-21, and SP-1-21 subject to the conditions of approval contained in Section V.

V. CONDITIONS OF APPROVAL

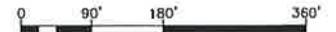
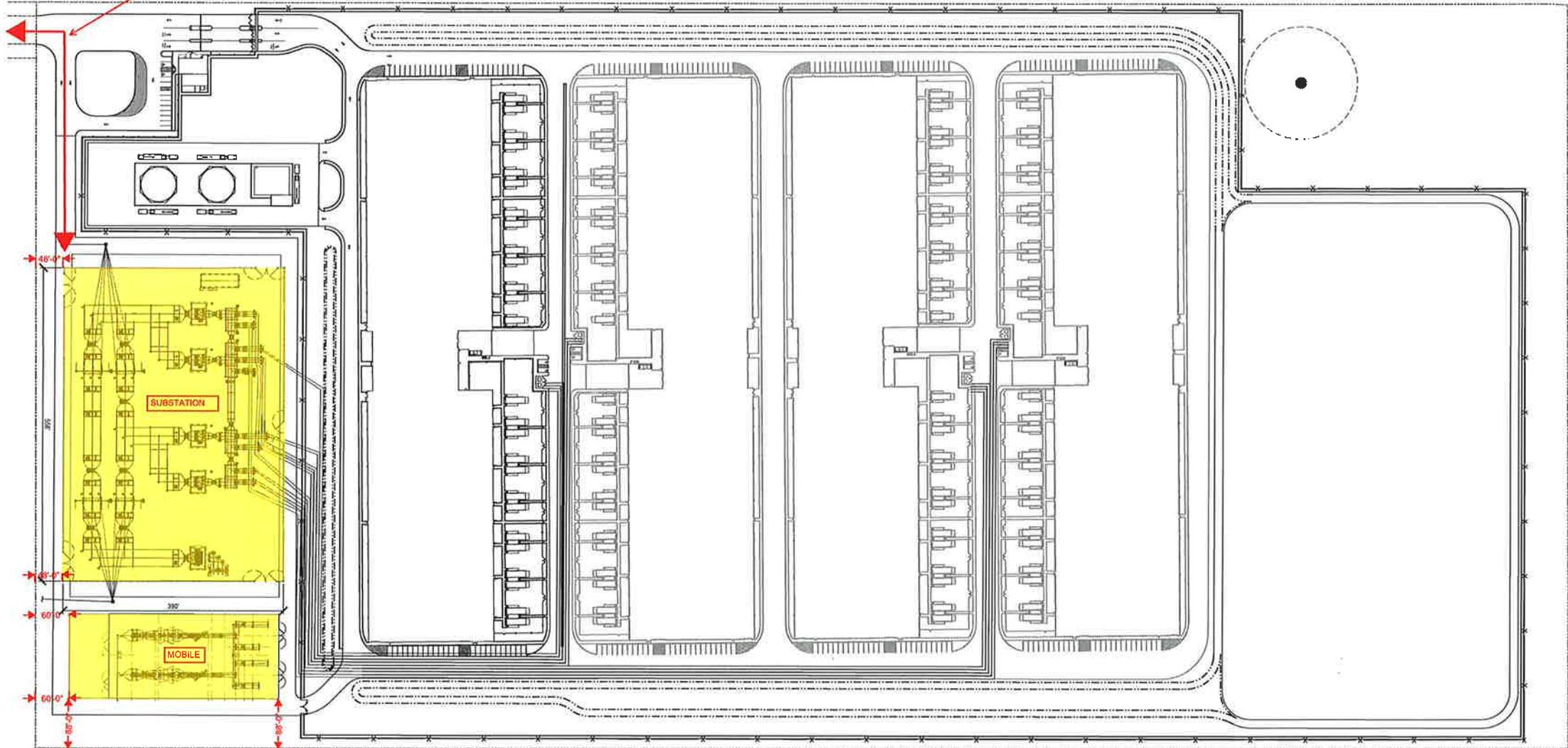
1. The applicant must obtain all federal, state and local permits or licenses prior to starting construction activities.
2. If any historic, cultural or other archaeological artifacts, or human remains are discovered during construction the applicant shall immediately cease construction activity, secure 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.
3. The applicant must establish the proposed use within one year of the date of the final approval unless the applicant applies for and receives an extension prior to the expiration of the approval.
4. Failure to comply with the conditions of approval established herein may result in revocation of this approval.

VI. EXHIBITS

Exhibit A – Public Notice Map
Exhibit B – Applicant’s Site Plan



Access to Substation Through ADS property on access road that ties back to Wanapa RD, ADS to maintain Access Road.



SCALE: 1" = 90'

FOR PRELIMINARY REVIEW

DATE	REVISION	#	BY	APP



UMATILLA ELECTRIC COOPERATIVE

DRAWN BY: R.F.S.
 PROJ. NO.: 1-000
 APP'D BY: K.W.
 DATE: 09-08-20
 SCALE: 1" = 90'

PROJECT:	PDX130 WANAPA SITE PLAN	
CLIENT:	UMATILLA ELECTRIC COOPERATIVE 1114151 DR, OREGON OREGON-14-UMATILLA	
TITLE:	OPTION 2 WITH AUTO LAYOUT	LAYOUT

**CITY OF UMATILLA PLANNING COMMISSION
REPORT AND RECCOMENDATION
FOR EXTENSION FOR
TENTATIVE SUBDIVISION PLAT FOR SUB-3-19**

DATE OF HEARING: February 23, 2021

REPORT PREPARED BY: Jacob Foutz, Associate Planner

I. GENERAL INFORMATION

Applicant: Ambience Homes, 1950 Keene Rd Bldg N ste 101, Richland, WA 99352-7754

Property Owners: AAA Renovation & Construction LLC, 4931 Mcewan Dr, Richland, WA 99352.

Request: Extension for tentative plat review for an 82-lot subdivision.

Property Description: Township 5N, Range 28, Section 18DB, Tax Lot 01500, and Township 5N, Range 28, Section 18DA, Tax Lot 03700

Location: The properties are generally located south of the Dean Ave and southwest of Powerline Rd.

Existing Development: The subject properties are currently undeveloped.

Proposed Development: To subdivide the properties into 82-lots for residential development.

Zone Medium-Density Residential (R2)

Adjacent Land Use(s):

Adjacent Property	Zoning	Use
North	R2	Townhomes and apartments
South	F2(County)	Undeveloped land
East	R1	Single-family homes
West	R1A(County)	Homes and farm land

II. NATURE OF REQUEST

The applicant, Knutzen Engineering/Ambience Homes, have received approval of a tentative plat for a residential subdivision to divide an existing parcel into 82-lots for residential development on January 28, 2020. The applicant intends to develop the lots with townhomes and one lot with multifamily units, but due to the COVID-19 pandemic is requesting a 1-year extension to begin construction.

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.

Section 10-14-15 specifies that all permit approvals automatically become void if any of the following events occur:

1. If, within one year of the date of the final decision, a building permit has not been issued, or
2. If, within one year of the date of the final decision, the activity approved in the permit has not commenced or, in situations involving only the creation of lots, the final plat of a land division has not been approved by the City and recorded.

Findings: Expiration of an approved permit requires a new application, fee and review process for the use, to avoid this the applicant has applied for an extension. Section 10-14-16(see below) of the City of Umatilla Zoning Ordinance authorizes the City to grant an extension of an approved permit for a period of six months to one year, based on a demonstration of substantial implementation of the permit, and no more than two extensions totaling 1 year may be approved. In order to consider an extension for a permit, the person to whom the permit was issued, or an authorized representative, must make a written request for an extension of the development approval period prior to expiration of the approval period, and state reasons that prevented the permit holder from beginning or continuing development within the approval period.

Conclusion: Written request was received from Anthony Potts of Ambience Homes on January 14, 2021. The notice of decision for SUB-3-19 was mailed out on February 3rd, 2020. The written request was received before one year of the date of the final decision.

Under Section 10-14-16(B), a request for an extension of the approval period requires demonstration that:

1. The permit holder has applied for all necessary additional approvals or permits required as a condition of the land use or limited land use permit.
2. The request for an extension is not sought for purposes of avoiding any responsibility imposed by this Code or the permit or any condition thereunder.
3. There have been no changes in circumstances or the law that would require significant modifications of the original approval or which would preclude approval.

The following email was received and processed as the formal written request, it states:

“Our prelim plat approval for Sunrise Estates had a condition of starting construction within 1 year of approval date. We are significantly delayed due to COVID related project funding delays. Currently we are unsure when funding will be available for this project. We have gotten everything complete and are ready to start the project pending financing. As you are aware we

completed the engineering and got it approved by the city. We have yet to get the 1200 C environmental permit which requires the dirt work contractor to be finalized and Oregon licensed prior to issuance. We cannot finalize the contractor until we have a start date. We have significant financial resources tied up in this project so our intention is to start the project as soon as feasible. Would you be able to extend the start date requirement by 12 Months due to the circumstances?

--

*Thank you for your time and consideration,
Anthony Potts
Ambience Homes”*

Findings: The applicant has applied for all necessary additional approvals or permits that are possible at this time. The request for an extension was timely received by the City. No local ordinance requirements or state laws have changed since the site plan approval was granted that would affect the outcome of the original decision, nor are any changes to existing regulations planned or currently under consideration that would require significant modification of the original approval or which would preclude approval. The original request was properly and adequately reviewed against all applicable standards and criteria. The property owner/developer will be expected to still comply with all of the terms and conditions of the original approval.

Conclusion: The applicant has met the above criteria. Due to the unforeseen COVID-19 global pandemic the applicant has had project funding delays. It is staff’s recommendation to grant the applicant two 6th month extensions for a total of 1 year from original date of approval.

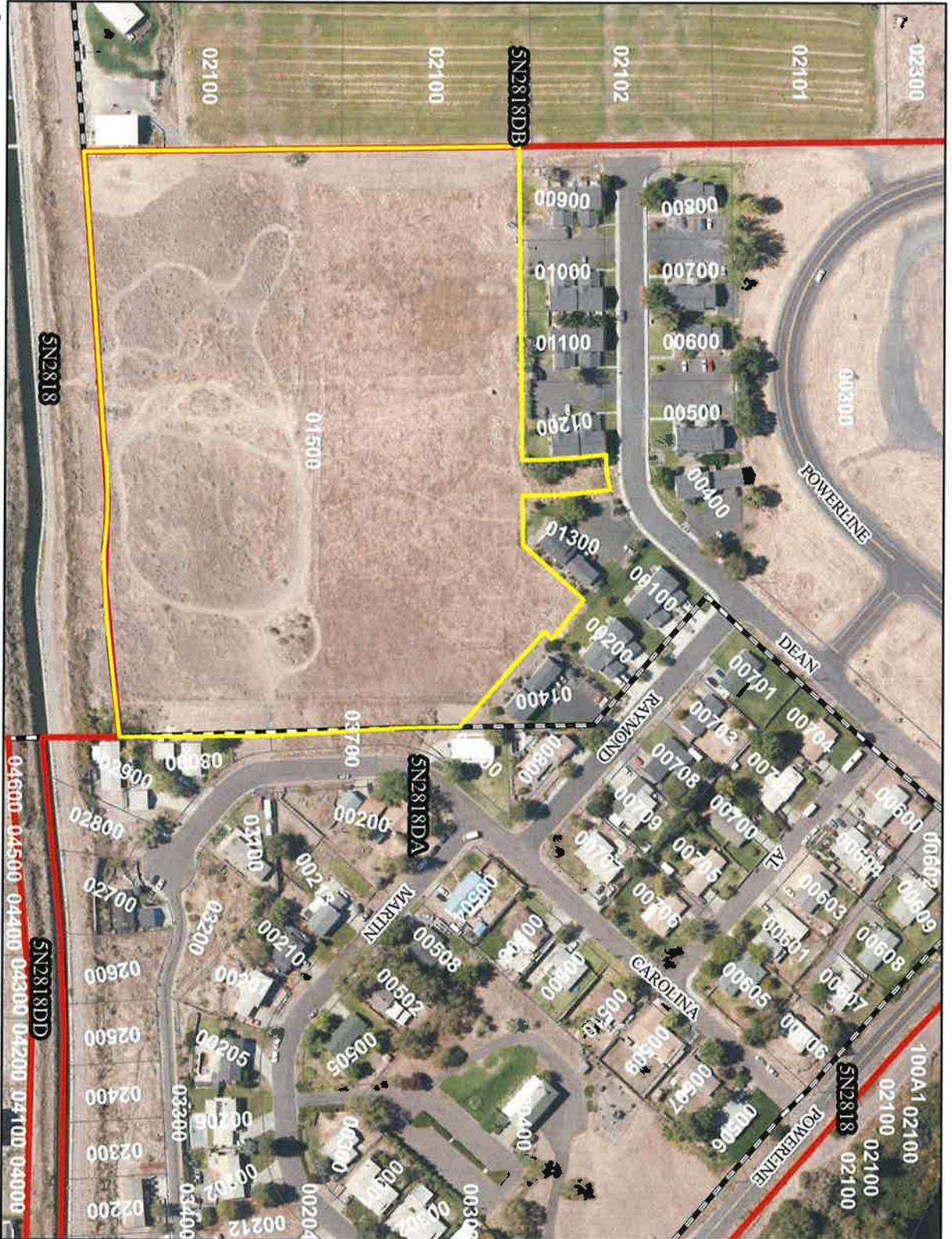
IV. PUBLIC COMMENT, SUMMARY AND DECISION

No public comment was received.

This request by the applicant, Ambience Homes, for an extension of approval to a tentative subdivision plat approval of an 82-lot subdivision on property in the Medium-Density Residential (R-2) Zone appears to meet, or be capable of meeting with appropriate conditions of approval, all of the applicable standards of the City of Umatilla City Code regarding extensions. Therefore, staff **recommends approval**, based on the information in Sections I and II of this report, and the above criteria and standards, findings of fact and conclusions contained in Section III, this request, Extension of SUB-3-19, subject to the conditions of approval contained in Section V of this report.

V. CONDITIONS OF APPROVAL

1. The Applicant will begin construction before February 3rd 2022.
2. The property owner/developer will comply with all of the terms and conditions of the original approval.



Sunrise Estates Subdivision(SUB-3-19)
Knutzen Engineering, APPLICANT
AAA Renovation & Construction, OWNER

Legend



Subject Property



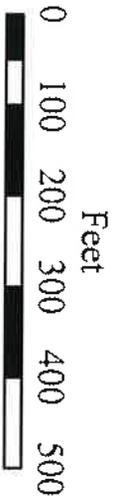
Tax Lots



City Limits



Assessor's Maps



MAP TAX	OWNER	TAX
SN2818DA	FIG MICHAEL M	00200
SN2818DA	GOLDENSTEIN	00213
SN2818DA	RAYMOND & SHANNON	00213
SN2818DA	WHITE KEITH S &	00800
SN2818DA	MELUSSA E	00800
SN2818DA	RANDALL RANDY D &	00900
SN2818DA	RHONDA J	00900
SN2818DA	BIRD DOUG R & HELEN	02800
SN2818DA	ROMANS THOMAS M	02900
SN2818DA	& SARA	02900
SN2818DA	LOVE TOM & KAREN L	03000
SN2818DA	MCBRIDE FORREST C &	03100
SN2818DA	GOULD DONALD CLAIR	03100
SN2818DA	AAA RENOVATION &	03700
SN2818DA	CONSTRUCTION LLC	03700
SN2818DB	GRIFFIN ROCHELLE R	00100
SN2818DB	ET AL	00100
SN2818DB	PREFERRED	00200
SN2818DB	PROPERTIES	00200
SN2818DB	RADER MARK R	00400
SN2818DB	DARAWAL ASSAD U	00500
SN2818DB	BAUSTERT JOHN W	00900
SN2818DB	MORTHOLE ROBERT W	01000
SN2818DB	& CLARK ROSALIE P	01100
SN2818DB	AAROW NW LLC	01100
SN2818DB	STINTON WILLIAM	01300
SN2818DB	CARTER & LEANNE	01200
SN2818DB	(TRS)	01300
SN2818DB	CARROLL PATRICIA H	01300
SN2818DB	EDWARDS GENE D &	01400
SN2818DB	EDWARDS GERALDINE E	01400
SN2818DB	AAA RENOVATION &	01500
SN2818DB	CONSTRUCTION LLC	01500
SN2818DB	WILLIAMS BRANDON	02100
SN2818DB	& KASSANDRA	02100
SN2818DB	WILLIAMS BRANDON	02100
SN2818DB	& KASSANDRA	02100
SN2818DB	HERKAMP KARLE	02100
SN2818DB	(TRS)	02102

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 1/6/2020

COMMUNITY DEVELOPMENT QUARTERLY REPORT

2nd Quarter, Fiscal Year 2020-2021
Quarter Ended December 31, 2020

I'm pleased to present the Community Development Quarterly report for your review. Community Development includes Planning, Building, Economic Development and Parks & Recreation. This report is intended to provide a general update on current project and highlight events, programming and private development.

Brandon Seitz
Community Development Director

COMMUNITY DEVELOPMENT HIGHLIGHTS

Staffing Changes – Please join me in welcoming John Rodriguez to the City of Umatilla. John brings an over 17 years of experience including working as the building official for Wasco County and as an inspector for the State Building Code Division. John will take over most of the day-to-day inspections for both residential and commercial development.

A few fun facts about John:

- He likes to camp with his family.
- He also likes to fish and take his grandchildren out in his boat.
- He likes to golf.

COVID-19 Grants – The City created a new Hospitality and Restaurant grant to help some of the business most impacted by continued COVID-19 restrictions. The City received and was able to fund all 15 applications, providing \$67,500 in funding to local businesses. Community Development staff also assisted Umatilla County with their second round of COVID-19 assistance. The County funded 20 grant applications in Umatilla for a total of \$86,500. To date the City has provided or assisted local business with over \$315,000 in grant funding since the beginning of the pandemic.

Residential Development – The City continues to see increased interest for residential development. While no new applications have been submitted the City is in discussion with a developer for a proposed 350 home subdivision that would be located in the South Hill neighborhood. Existing development continues at a rapid pace with multiple developments in progress. With the addition of new staff, the City now provides all inspections and plan review services for residential development in house. The pictures below highlight some of these developments.

Cheryl's Place

Phase 1 of Cheryl's Place is a 26-lot subdivision that broke ground on street improvements in December of 2019 (shown on the left). As of December 2020, all 26 lots have been developed (shown on the right).



Vandelay Meadow's

A 26 lot subdivision that recently began construction of new homes. The picture on the left shows the development as of October 1st 2020 and the picture on the right show the development as of mid January 2021.



Ballard Phase 1

A 64 lot subdivision with anticipated street and utility construction completed this spring. The picture below shows the development as of mid January 2021.



New Color City Logo

CDD staff assisted in the development of a new color logo. This logo will replace the all black logo currently used on City vehicles.

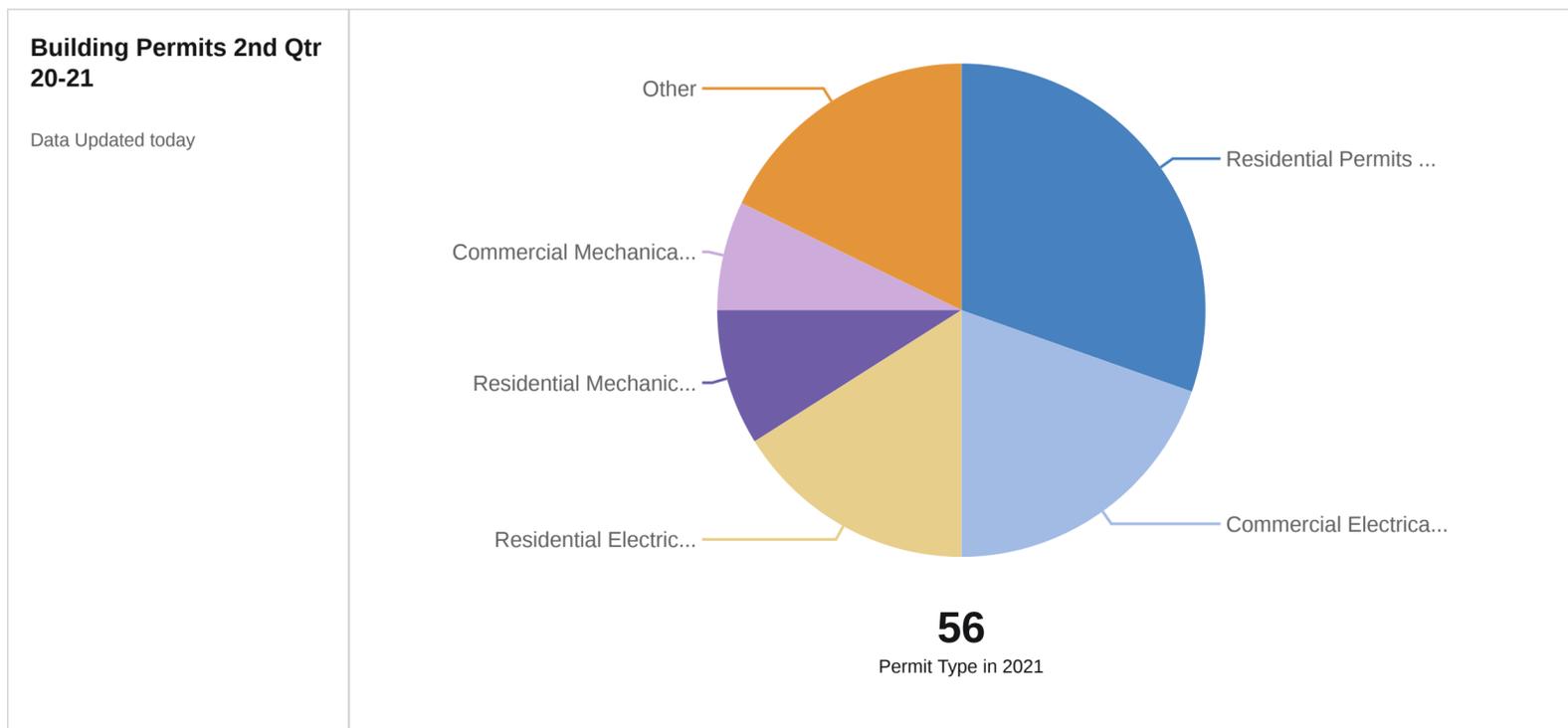


DIVISION REPORTS

Planning Division

Number of Applications	Type of Application
1	Conditional Use
1	Site Plan Review
1	Verification of a Nonconforming Use
1	Annexation

Building Division



Quarter Ending	Permit Type	Permits Issued	Fees Paid	Job Value
12/31/2020	Residential Permits 1 & 2 Family Dwelling	17	\$164,618.87	\$ 3,139,718.76
12/31/2020	Commercial Plumbing	0	\$ -	\$ -
12/31/2020	Residential Mechanical	5	\$ 371.64	\$ 27,288.18
12/31/2020	Commercial Mechanical	4	\$ 17,348.57	\$ 6,595,185.00
12/31/2020	Commercial Structural	4	\$ 29,981.09	\$ 2,211,558.02
12/31/2020	Residential Plumbing	2	\$ 394.86	\$ -
12/31/2020	Commercial Electrical	11	\$122,725.79	\$ 960,797.00
12/31/2020	Residential Structural	4	\$ 2,317.18	\$ 37,720.30
12/31/2020	Residential Electrical	9	\$ 1,122.90	\$ 15,898.00

Parks & Recreation

Parks and Receptions continues to be impacted by COVID-19 restrictions. Staff spent a considerable amount of time planning for both Touch-a-Truck and the Tree Lighting Festival. Unfortunately, both events had to be canceled due to COVID-19 restrictions. While the tree lighting festival had to be canceled staff was able to put together a short video of the tree lighting (see below).

In addition, we were able to offer several new online options including:

4 Virtual Pain Classes

A Virtual BINGO night

Virtual Coats for Kids Polar Bear Plunge

While we continue to hope for a return of more normal in-person activities staff continues to plan a variety of activities including in-person and virtual options. A preview of events/activities that are in the works include:

Monthly Rotating Parks Scavenger Hunt

-January is Kiwanis, February will be Nugent Park

Virtual Paint Class in January

Winter Craft Kits

Valentine's Day Activity Bag

St. Patrick's Day Activity or Craft Bag

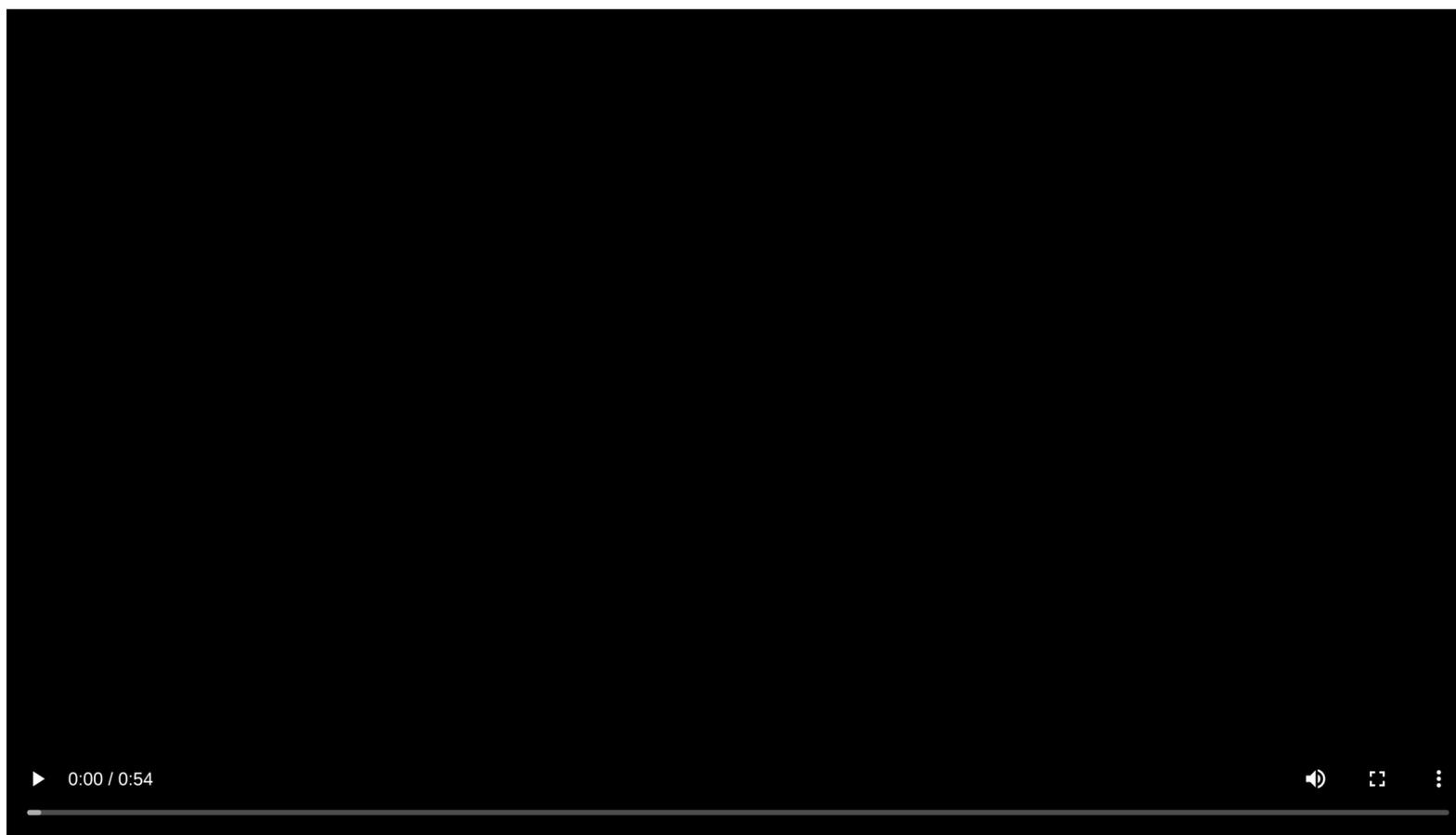
Umatilla NFL Flag Football Registration is open

Skyhawks Spring Sports Camps Registration is open

Possible Spring Break Event at the end of March depending on COVID-19 Regulations.

Clean-Up Days Last Week of March

Flashlight Egg Hunt



COMMUNITY DEVELOPMENT DEPARTMENT QUARTERLY REPORT

www.umatilla-city.org