



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: September 18, 2015

Jurisdiction: Union County

Local file no.:

DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 09/17/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



**NOTICE OF ADOPTED CHANGE  
TO A COMPREHENSIVE PLAN OR  
LAND USE REGULATION**

**FOR DLCD USE**  
File No.: 002-15  
{ 23746 }  
Received: 9/17/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: Union County

Local file no.: **NA**

Date of adoption: 9/16/2015

Date sent: 4/9/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted):

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Scott Hartell

Phone: 541-963-1014

E-mail: shartell@union-county.org

Street address: 1001 4<sup>th</sup> Street Suite C

City: LaGrande

Zip: 97850-

**PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY**

**For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

**For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

- Change from \_\_\_\_\_ to \_\_\_\_\_ acres. A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres. A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres. A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres: 0.85	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres: 1.3	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: Surface Mining – Acres: 25

**If the comprehensive plan map change is an urban reserve amendment** including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

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List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

BE IT REMEMBERED, that at a regular term of the Union County Board of Commissioners, for the County of Union, sitting for the transaction of County business, begun and held at the Joseph Building Annex in the City of La Grande, in said County and State, on Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable	MARK DAVIDSON	Chairman
	STEVE MCCLURE	Commissioner
	JACK HOWARD	Commissioner

WHEN, on Wednesday, the 1st day of September, 2015, among others the following proceedings were had to-wit:

IN THE MATTER OF AMENDING THE } UNION COUNTY ZONING, PARTITION } & SUBDIVISION ORDINANCE TO } CO-ADOPT THE CITY OF ISLAND } CITY ORDINANCE NO. 142 URBAN } GROWTH AREA EXPANSION }	ORDINANCE NO. 2015-03
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WHEREAS, The City of Island City advertised, held public hearings and adopted Ordinance No. 142 which expands the Island City Urban Growth Boundary (UGB) to include an area to be used for an urban park & trail system (24.68 acres); 1.35 acres of a developed industrial parcel; and a less than 1 acre portion of S East Street adjacent to the Island City UGB;

WHEREAS, a Joint Management Agreement between Union County and the City of Island City (County Ordinance 1984-8) requires the County to review and adopt an UGB change and adopt plan and zone designations outside city limits before the City can administer its land use regulations;

WHEREAS, Union County received an application from the City of Island City on April 13, 2015 for co-adoption of City of Island City Ordinance Number 142;

WHEREAS, the Union County Planning Commission advertised and held a public hearing on August 24, 2015 to accept testimony, review the application and voted to recommend approval of the application to the Union County Board of Commissioners;

WHEREAS, the Union County Board of Commissioners advertised and held a de novo public hearing on September 2, 2015 to review the Planning Commission's recommendation, accept public testimony, deliberate and potentially make a decision.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, COUNTY OF UNION, STATE OF OREGON:

SECTION 1: AMENDMENTS

Union County Zoning, Partition & Subdivision Ordinance is amended to include the City of Island City's Ordinance No. 142 (Attachment "A") which includes the following and is approved, adopted and affixed hereto.

1. A 25 acre amendment to include a 12 acre quarry pond and surrounding area (zoned for Surface Mining) for use as a day park, and to provide a trail system connecting with the adjacent La Grande Greenway trail system along the Grande Ronde River to Riverside Park. This area would be changed from County Surface Mining Zone to an


Island City Public/Greenway Zone, with a 25 ft. Riparian Overlay designation adjacent to water features.


2. A 0.85 acre map correction to include portions of S. East Street adjacent to the Island City UGB, so that Island City can maintain this street. This area would change from a County A-1 Exclusive Farm Use Zone to an Island City R-1 Zone.
3. A 1.3 acre map correction to include half of an existing building on a fully developed lot and provide a natural boundary (Crooked Creek) for the UGB. This partial lot correction would change the plan designation and zoning from a County R-2 Rural Residential Use Zone to an Island City C-1 Zone.

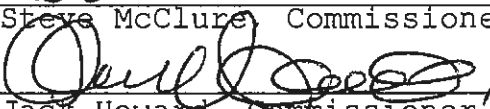
SECTION 2: SUPPORTING FINDINGS

This Ordinance is passed and adopted with the supporting findings included in Attachment "B".

PASSED AND ADOPTED this 16<sup>th</sup> day of September, 2015 by a vote of the following members of the Board of Commissioners voting therefore.

  
\_\_\_\_\_  
Mark Davidson, Chairman

  
\_\_\_\_\_  
Steve McClure, Commissioner

  
\_\_\_\_\_  
Jack Howard, Commissioner

Attest: \_\_\_\_\_

Attachment "B"

1. Union County Zoning, Partition & Subdivision Ordinance (UCZPSO) Section 23.05 (3.) identifies several criteria which must be satisfied in order to gain approval for a Plan and Zone amendment request.
2. The application is for three proposed UGB amendments:
  1. A 25 acre amendment to include a 12 acre quarry pond and surrounding area (zoned for Surface Mining) for use as a day park, and to provide a trail system connecting with the adjacent La Grande Greenway trail system along the Grande Ronde River to Riverside Park.
  2. A 0.85 acres map correction to include portions of S. East Street adjacent to the Island City UGB, so that Island City can maintain this street. This area would change from County A-1 EFU to City R-1 zoning.
  3. A 1.3 acre map correction to include half of an existing building on a fully developed lot and provide a natural boundary (Crooked Creek) for the UGB. This partial lot correction would change the plan designation and zoning from County R-2 to City C-1.
3. The applicant has submitted an Exhibit "C" response to criteria, maps and new legal descriptions prepared by a professional registered land surveyor.
4. Island City is requesting co-adoption of City of Island City Ordinance Number 142 which expands the Island City Urban Growth Boundary (UGB), to include (1) land along the Grande Ronde River; and minor map amendments to include (2) S. East Street and (3) a developed industrial parcel.
5. The applicant has satisfied UCZPSO Section 23.05 2. because of the Exhibit "C" response to criteria, maps and new legal descriptions prepared by a professional registered land surveyor submitted with the application.

City of Island City

Ordinance No. 142  
2014

Urban Growth Boundary Expansion

WHEREAS, the City of Island City proposes to include 25 acres of rural exception land within its Urban Growth Boundary (UGB) which was a 12-acre resource-depleted surface mining pond and surrounding area to accommodate a day use park and trail system linking the City of Island City and the City of La Grande. Supporting Island City Comprehensive Plan text amendments to Chapter VI (Recreation) are also proposed. City of Island City also proposes to correct two mapping errors (total of about 2 acre map corrections) to:

- 1) Include half of a building/partial lot within the UGB; and
- 2) Include an adjacent road within the UGB.

WHEREAS, the proposed park area is adjacent to the south of the Grande Ronde River and includes a large quarry pond.

WHEREAS, the mapping errors will:

- 1) Expand the UGB to Crooked Creek to include the entire Xtreme Motorsports building; and
- 2) Expand the UGB to include portions of S. East Street currently adjacent to the east of the UGB.

WHEREAS, the City of Island City has held two public hearings on August 11, 2014 and on September 8, 2014, regarding these proposed amendments to the UGB and proposed text amendments to Chapter VI (Recreation) of the Island City Comprehensive Plan.

WHEREAS, the City of Island City has provided notice to the Department of Land Conservation and Development of the proposed UGB amendments and the Comprehensive Plan amendments, at least 45 days prior to the first evidentiary hearing before the City as required by ORS 197.610 as amended by the 1999 Oregon Legislature.

WHEREAS, the proposed UGB expansion is based on land needs identified in the acknowledged Island City Comprehensive Plan under Goal VI - Recreation Needs and identifies an unmet need for 6.4 acres of park land. The proposed change results in approximately 8 usable acres for a day use park and bicycle/pedestrian trail system and is not significantly different than the identified need of 6.4 acres.

WHEREAS, the proposal is the only viable location to provide a connecting trail system between La Grande and Island City along the Grande Ronde River and is consistent with the 2007 La Grande Transportation System Plan update.

WHEREAS, the Island City Comprehensive Plan is amended to read as follows: "A January 26, 1984 report details projected development for the Island City Neighborhood Park and is adopted by reference as part of this Plan. The City would like to maintain its current level of 3 acres of developed park land per thousand population.

**POLICIES:**

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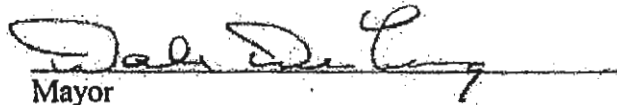
7. Land added to the Island City UGB in 2014 to meet park and trail needs shall be used only for a public use park and trail system.

WHEREAS, the proposed UGB amendment includes land adjacent to and including the Grande Ronde River, Island City's Comprehensive Plan Goal III (Open Spaces, Historic Sites and Natural Resources) requires that a riparian setback area be established. Staff recommends that the proposed plan amendment include a 25' riparian overlay along the top of bank of the Grande Ronde River, as well as the edge of the quarry pond. Island City's Riparian Setback area allows for trails, utilities, and passive use park areas. Active use park areas would need to occur outside of this 25' setback area. Riparian areas can be further defined during the annexation, zoning and development review process.

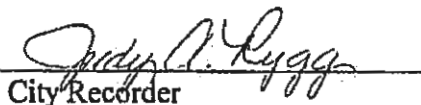
WHEREAS, the City of Island City has coordinated with Union County and Department of Land Conservation and Development regarding the proposed amendments and Union County has been instrumental in coordinating, organizing and supporting the UGB amendments and the DLCD Regional Representative has also indicated conceptual support for the proposed park and trail system.

NOW, THEREFORE, the City of Island City does ordain as follows: approval of the proposed UGB and plan amendments to provide land for a public use park and a trail system along the Grande Ronde River connecting La Grande and Island City. The proposed map corrections more accurately reflect conditions on the ground and allow for appropriate jurisdictional authority over the southern portion of the developed industrial site, and S. East Street where it runs adjacent to the Island City UGB.

ADOPTED this eighth day of September, 2014, by four City Council Members voting therefor.

  
Mayor

ATTEST:

  
City Recorder