

**ORDINANCE NO. 3836**  
**AN ORDINANCE AMENDING THE CITY OF PENDLETON**  
**COMPREHENSIVE PLAN, PLAN MAP AND ZONING ORDINANCE**

- WHEREAS,** The City of Pendleton continues to be in Periodic Review with work tasks requiring review and update of the Goal 5, 9 and 10 Elements of the Comprehensive Plan to implement community policy objectives, to ensure that the planning process is responsive to changing market conditions; to protect natural and historic resources; to provide for the safety and welfare of citizens and their property; to provide an adequate supply of serviceable land for residential, industrial, commercial uses; to implement an economic development strategy that includes a vital and vibrant mix of uses; and, to carry out the City's Periodic Review Work Program consistent with State law; and
- WHEREAS,** The City pursued and received grant funding for the above-noted Statewide Planning Goal review and updates from the Department of Land Conservation and Development; and
- WHEREAS,** Consistent with the Pendleton Comprehensive Plan and Statewide Planning Goal 1 – Citizen Involvement, the City formed a Citizen Advisory Committee (CAC) that reviewed draft background documents that provide the overall rationale for the proposed Comprehensive Plan and Zoning Ordinance amendment package; and
- WHEREAS,** The City Council determined to adopt the Exhibits A-G, attached hereto and incorporated herein by this reference, as amendments to the Pendleton Comprehensive Plan and Zoning Ordinance; and
- WHEREAS,** The City has provided notice to DLCD (which has reviewed and commented on the Comprehensive Plan and Zoning Ordinance amendment package) and to individual property owners as required by state and local law;
- WHEREAS,** The City had provided multiple opportunities for public and agency participation, including public hearings before the Planning Commission (June 30, 2011) and City Council (September 20, 2011) prior to adoption of Ordinance 3814 (2011 Comprehensive Plan and Zoning Ordinance amendments that served as the foundation for much of the 2013 amendment package); two joint Planning Commission / City Council work sessions (May 24, 2012 and May 15, 2013); CAC meetings to review draft technical memoranda that serve as the basis for this plan amendment package (November 8, 2012, November 15, 2012, and November 22, 2012); an open house to review the draft LWI (December 6, 2012); a Planning Commission public hearing (May 16, 2013); and a City Council public hearing (May 21, 2013); ongoing communications with the Department of Land Conservation and Development, the Department of State Lands, the Umatilla County Planning Department, the Confederated Tribes of the Umatilla Indian Reservation, and the State Historic Preservation Office.
- WHEREAS,** The City Council established the Pendleton Historic Preservation Commission (Ordinance 3834, adopted May 7, 2013) to implement the new Historic Preservation Subdistrict (Exhibit E); and
- WHEREAS,** The Planning Commission recommended approval of the draft Comprehensive Plan and Zoning Ordinance amendment package with revisions; and the City Council has reviewed all evidence and testimony submitted at the Planning Commission and City Council public hearings on the matter;

**NOW, THEREFORE, THE CITY OF PENDLETON ORDAINS AS FOLLOWS:**

A. **Findings:** The Council's decision to adopt the Comprehensive Plan and Zoning Ordinance amendments set forth in Section B this Ordinance is supported by (a) the Staff Report to the Planning Commission and City Council prepared by Winterbrook Planning (April 29, 2013); (b) Technical Memoranda 5.1 and 5.3 (included in Exhibit A); (c) the ESEE Analysis included as Exhibit D; and (d) Technical Memoranda and Comprehensive Plan text, policy and map amendments adopted in September 2011 (Ordinance #3814).

B. **Amendments:** The City of Pendleton Comprehensive Plan is hereby amended as set forth in Exhibits A through G, which are attached hereto and incorporated herein by reference.

1. **Comprehensive Plan Amendments**

**Exhibit A:** Exhibit A includes amendments to the Pendleton Comprehensive Plan Map to show: (1) a new *Central Mixed Use (CMU)* plan designation (replacing a patchwork of Commercial, Industrial and Residential designations in the downtown area); (2) three new *Residential Opportunity Area (ROA)* plan designations (replacing existing Low, Medium and High Density Residential designations in mapped areas); and (3) two new *Mixed Use Opportunity Area (MOA)* plan designations (replacing existing Light Industrial, Commercial and Residential designations in mapped areas).

**Exhibit B:** Exhibit B includes a new *Pendleton Opportunity Areas* element as part of the Pendleton Comprehensive Plan; this element provides the policy basis for amendments to the Zoning Ordinance found in Exhibit F.

Exhibit B also includes two supporting Technical Memoranda that provide the rationale for adopting the *Pendleton Opportunity Areas* element and related Comprehensive Plan Map designations; however, these "tech memos" are not in themselves policy documents:

*Tech Memo #5.1: Potential Residential Redesignation Areas and Policy Options*

*Tech Memo #5.3: Commercial Lands and EOA Review*

**Exhibit C:** Exhibit C is the *Pendleton Local Wetlands Inventory (LWI)* which is incorporated into the Pendleton Comprehensive Plan as an inventory document. The LWI has been prepared in accordance with Department of Land Conservation and Development (DLCD) and Department of State Lands (DSL) administrative rules. It is anticipated that minor changes will be made to the LWI in the future based on DSL review and as DSL concurs in more specific wetland delineations.

**Exhibit D:** Exhibit D is the *Goal 5 ESEE (Economic, Social, Environmental and Energy) Consequences Analysis* that supports Pendleton's riparian corridor and wetland protection program; the policy basis for this program was adopted as part of the Pendleton Comprehensive Plan in 2011 by Ordinance #3814. This ESEE Analysis also supports adoption of the Riparian Corridor and Wetlands Subdistrict found in Exhibit G.

2. **Historic Preservation Background Documents**

**Exhibit E:** Exhibit E includes two supporting Technical Memoranda that provide background for adoption of a new Historic Preservation Ordinance (based on The State Historic Preservation Office model ordinance) that will replace the existing Historic Conservation Subdistrict (Zoning Ordinance Article XIV).

*Tech Memo #11.1: Certified Local Government Process; and*

*Tech Memo #11.3: Pendleton Historic Resources Inventory.*

3. **Zoning Ordinance Amendments**

**Exhibit F:** Exhibit F includes a new *Article XV: Opportunity Areas (OA) Subdistrict* and replaces Article XV: Mixed Use Development Regulations Subdistrict. Exhibit F also includes relatively minor but systematic amendments to *Section 5 – Subdistricts, Article IV Residential Zones, Article V General Provisions for Residential Zones, Article VI Commercial Zones, and Article VIII Industrial Zones* of the Zoning Ordinance. These Zoning Ordinance amendments implement the new Opportunity Areas element of the Comprehensive Plan.

**Exhibit G:** Exhibit G includes a new *Article XVII: Riparian Corridor and Wetland (RCW) Subdistrict* that replaces Article XVII (Sections 112-113): Umatilla River Subdistrict. The RCW Subdistrict implements Comprehensive Plan policy adopted in 2011 (Ordinance #3814) and provides local protection for stream corridors inventoried in 2011 and wetlands identified on the Pendleton LWI completed in 2013.

PASSED AND ADOPTED by the City Council of the City of Pendleton this \_\_\_ day of May, 2013 by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Phillip Houk, Mayor

ATTEST:

\_\_\_\_\_  
Andrea Denton, City Recorder