

CITY OF PENDLETON COMMUNITY DEVELOPMENT DEPARTMENT
River Quarter Staff Report to Planning Commission



File No.: AMD18-06

Prepared: September 28, 2018
Prepared by: Julie Chase, Planning Aide
Reviewed by: George Cress, City Planner
Date Mailed: October 4, 2018
Hearing Date: October 11, 2018
Applicant: City of Pendleton

500 SW Dorion Ave
Pendleton, OR 97801

Attachments: Draft Court Street Business
Amendments

Draft Planning Commission Amendments (submitted @ public hearing)



SUMMARY: In 2003, Pendleton adopted the Urban Renewal Plan. Within the Urban Renewal Plan goals were written to engage the Urban Renewal area with the River Parkway. Subsequent plans were written. The River Parkway provides language on the improvements desired along the levy walkway. The River Quarter provides guidelines and requirements for construction along the River Quarter Corridor, SE Byers Avenue to Westgate Place. The RQ Plan emphasized the area from Main Street to SW 10th Street. After 8 years and no participants in the program, the Commission was asked to review the Plan to determine if it could be salvaged. The Commission recognized the asset of the Plan and accepted the challenge of amending the River Quarter Plan to reflect the Vision for this phase (Central Area/Phase I) and its relation to the community.

STAFF RECOMMENDATION:

Recommend amending the Plan in its entirety with more descriptive association to the Umatilla River, the Parkway, and Court Avenue. Upon completion, the Plan should be forwarded to the City Council for their review and approval.

This is a Legislative matter before the Commission. The Commission is expected to have ex parte contact with the public.

1. APPLICABLE CRITERIA AND STANDARDS:

The River Quarter Plan delineates the Zoning (Unified Development Code) Ordinance as the procedure for amendments to the Plan, Section 1.4.3. The criteria for approval of a text or map amendment to the Unified Development Code or Comprehensive Plan are contained in Article XII of the Unified Development Code. The proposal must comply with applicable provisions contained in Chapter 10 of the General Ordinances of the City of Pendleton, and the City of Pendleton Comprehensive Plan. Generally, unless otherwise noted, if a request is found to be consistent with the General Ordinances, it is considered consistent with the Comprehensive Plan. The proposed action is a Legislative matter, and requires approval by both the Planning Commission (in the form of a recommendation to Council) and City Council (by ordinance). Decision-making bodies may accept testimony outside of a public hearing for legislative matters until the hearing is closed for deliberation.

2. PROPOSAL:

The City Council has requested examination of the River Quarter Plan. The Planning Commission has been directed to review the Plan and determine if elimination or amendment to the Plan is the best option. The Planning Commission has determined that the River Quarter Corridor is a unique and important district in the

Pendleton community. Therefore, amendment of the River Quarter Plan is proposed.

3. ZONING ORDINANCE Article XII. AMENDMENTS

12.01 Purpose

This Article provides standards and procedures for legislative and quasi-judicial amendments to this Code and the Zoning map. Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.

12.02 Authorization to Initiate Amendments

An amendment to the text of this Ordinance or to a zoning map may be initiated by the City Council, the Planning Commission or by application of the property owner for an amendment by filing an application with the City Manager using forms prescribed pursuant to this Ordinance.

12.03 Compliance with Comprehensive Plan

An amendment to the text of this Ordinance or the Zoning map shall comply with the provisions of the City of Pendleton Comprehensive Plan text and map. Any deviation shall be preceded by an amendment to the Comprehensive Plan Text or map.

12.04 Transportation Planning Rule Compliance

When a development application includes a proposed Comprehensive Plan amendment or land use district change, the proposal shall be reviewed to determine whether it is consistent with the City of Pendleton Transportation System Plan (TSP) and if it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule).

12.05 Procedure

Text and/or map amendment applications shall follow the procedure for a Type IV application contained in Article 13.

12.06 Record of Amendments

The City Recorder shall maintain records of amendments to the text and map(s) of this Ordinance in a form convenient for use by the public.

12.07 Compliance with Statute and Rule

Certain Sections of this ordinance are pre-empted by Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). If an amendment to either is adopted at the State level, the City shall observe those standards even if not formally incorporated into this ordinance through the procedure for an amendment.

4. STAFF FINDINGS OF FACT:

- March 8, 2018 the Planning Commission held a public meeting to discuss the validity of the River Quarter Plan as written. The Commission determined that the Plan was worthy of preservation and amendments were necessary to make the Plan financially feasible. The Commission also determined that the architectural standards as required were not in the communities best interest for the River Quarter, Phase 1 (Central) area and that mixed use was appropriate but not as a mandatory two-story structure.
- April 26, 2018 the Planning Commission listened to a presentation from a professor of historic restoration. The Commission received education on the historic aspects of the Quarter, the concept



of infill protection, and guidelines available from other Oregon cities.

- May 10, 2018 the Planning Commission heard an investor's prospective view of the River Quarter Plan. A timeline was discussed on amending the Plan and professional input desired to determine if the amendments were financially feasible.
- June 28, 2018 staff informed the Commission of the notification requirements. A presentation was held to demonstrate considerations for the Plan, transition areas between Overlay Districts and basic code allowances. Landscaping, architectural standards, and parking were also brought to the attention of the Commission.
- July 12, 2018 the Planning Commission began the review of the existing River Quarter Plan and the edits the Commission felt were necessary.
- August 9, 2018 the Planning Commission presented redline editions. The Commission made comment that workshops may be necessary to meet the deadline of January 1, 2019 for recommendation to the City Council.
- August 23, 2018 the Planning Commission received and reviewed proposed changes to the Plan from the Court Street Business Association, members of the sign contractor and auto service business within the River Quarter area. The Commission discussed the value of the words encourage and discourage, shall and should. The Commission concluded that limiting requirements would make the Plan more flexible and provide an element of incentive growth.
- September 6, 2018 the Planning Commission continued with their discussion of the redlined version. The Commission felt that standards for residences and commercial businesses should be differentiated in the Plan as each use has different needs.
- September 27, 2018 the Planning Commission edited the Plan to remove height restrictions and requested a workshop meeting to complete the redline review.
- October 9, 2016 the Planning Commission scheduled a workshop to finalize the redline changes and discuss the public hearing agenda.

5. PUBLIC NOTICE

- On August 1, 2018, staff sent notice to the Oregon Department of Land Conservation and Development on the proposal to amend the River Quarter Standards. This application requires a public hearing. First Evidentiary Hearing date for this proposal is October 11, 2018.
- On September 7, 2018, staff sent out 141 notices to the neighboring property owners within 250 feet of this proposal.



This application requires a public hearing; the appeal period is 14 days from the City Council decision. First Evidentiary Hearing before the Planning Commission for this proposal is October 11, 2018.

6. RECOMMENDATION

SUGGESTED MOTIONS FOR RECOMMENDATION

For recommendation (*may be modified*):

1. I move that the Commission adopt the River Quarter Plan as amended by the Commission, as set forth in action **AMD18-06** above.
2. I move that the Commission recommend this amended River Quarter Plan as agreed upon by the Commission at this hearing.