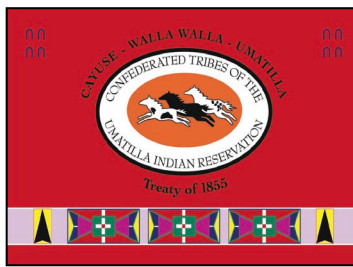


**Confederated Tribes *of the*
Umatilla Indian Reservation**

Natural Resources Commission



46411 Timine Way
Pendleton, OR 97801

www.ctuir.org
Phone 541-276-3099

email: info@ctuir.org
Fax: 541-276-3099

EXHIBIT SCHEDULE

FILE NUMBER: CU-21-003
APPLICANT: Jason Carter, 77920 Pambrun Road, Athena, OR 97813
HEARING DATE: June 8, 2021

<u>EXHIBIT</u>	<u>NATURE OF EXHIBIT</u>
<u>1</u>	Eight (8) Page Staff Report
<u>2</u>	Five (5) Page Application
<u>3</u>	Seven (7) Page Dissemination Record with TSRC Comments

STAFF REPORT
CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION (CTUIR)
TRIBAL PLANNING OFFICE

To: **Land Protection Planning Commission (LPPC)**
Public Hearing Date: **June 8, 2021**
File No.: **CU-21-003**

SUBJECT: Conditional Use request: Private use of an existing airplane landing strip

APPLICANT and PROPERTY OWNER: Jason J. Carter, 77920 Pambrun Road, Athena, OR 97813

NATURE OF THE REQUEST:

Applicant seeks Conditional Use approval from the LPPC for private use of an existing airplane landing strip.

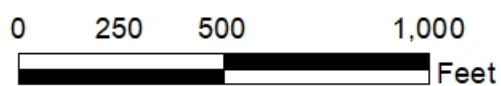
BASIC FACTS:

- 1) ***Subject Property/Ownership:*** The subject property is Tax Lot 5600 on Umatilla County Tax Map 4N34D, located at 77920 Pambrun Road. See location and site maps on pages 2 and 3 of this report and the applicant's site plan in Exhibit 2. The lot is 8.19 acres and is owned by Jason Carter.
- 2) ***Zoning:*** The Zoning is Ag-1, Exclusive Farm Use.
- 3) ***Current Use:*** This property was used as a landing strip for a commercial crop dusting operation for many years. However, the property has not been used as such for more than 5 years and was recently sold to Mr. Carter. The property contains a hangar building, storage building and the landing strip, which measures 20 feet wide by 2400 feet long.
- 4) ***Surrounding Land Uses:*** The surrounding uses are agricultural farm fields with one residence located approximately ½ mile to the north, and the City of Athena located about 1 mile to the north.
- 5) ***Utilities:*** Pacific Power provides existing electrical service.
- 6) ***Legal Access:*** The property has access from Pambrun Road, a two-lane County Road maintained by the Umatilla County Road Department.
- 7) ***Topography and Other Site Information:*** The subject property is generally flat. No streams cross the property and it is not located near the Flood Hazard Overlay Zone.
- 8) ***Soils:*** The Department of Agriculture Soil Survey lists the area as containing Athena Silt Loam 0-7% slope.
- 9) ***Intended Property Use:*** The applicant intends to construct a single family residence on the property and would like to use the existing runway for personal recreational flights in his small single-engine planes.
- 10) ***Permitting History:*** According to Planning Department records, the following permits have been previously obtained on the property:
 - Z-95-011 – Erect a pre-built steel 30' x 60' Butler building for storage of equipment. (Marsh Aviation Company).
 - V-97-001 – Placement of an airplane hangar and a variance to place the structure at the Umatilla County Right-of-Way boundary. (Marsh Aviation Company).
 - DP-97-067 – Construct a 68' x 100' x 15' Regency Steel Aircraft Hanger (Marsh Aviation Company).

The permits also mention a clean-up plan to ensure proper containment for chemicals on the property.



CU-21-003 Air Strip - Site



Legend

 Umatilla Indian Reservation Boundary

APPLICABLE POLICIES AND CODES:

I. CTUIR Comprehensive Plan; Resolution No. 18-090 (November 26, 2018); applicable Objectives

Chapter 5, Plan Elements: Goals & Objectives:

Section 5.1 Organizational Excellence

3. Practice the highest level of communication and public relations not only within the organization and community but also with other businesses and government partners to create a sense of loyalty and respect;

Section 5.6 Natural Resources

6. To protect, preserve, and perpetuate the CTUIR's culturally significant places and resources for the benefit of current and future generations.

II. Land Development Code; adopted by CTUIR Board of Trustees Resolution #83-74 on August 24, 1983 and as amended through Resolution 21-013 (February 8, 2021).

Chapter 1, Section 1.020 – Purpose;

Chapter 3, Sub-chapter A; Ag-1, Exclusive Farm Use;

Chapter 6, Conditional Uses;

Chapter 13, Hearings;

Chapter 17, Section 17.005 #9. Provisions Applying to Special Uses; Land Strips for Aircraft and Heliports;

STAFF FINDINGS:

A. Tribal Staff Review Committee (TSRC): Members of the CTUIR Tribal Staff Review Committee received a copy of the application packet for CU-21-003 on May 6, 2021. A meeting of the TSRC was held May 13, 2021, to review the application. The following comments were received:

Department of Economic and Community Development Land Manager - noted another private landing strip on the Reservation at 73004 Fowler Lane. Asked whether there would be requests for use of portable lights for night-time landings or use of the airstrip by friends of the owner. Also asked whether the home owner to the north of the landing strip would be notified.

Department of Natural Resources, Cultural Resources Protection Program. The CTUIR Tribal Historic Preservation Officer noted that the normal Cultural Resources clearance process would need to be followed for any ground disturbance. If any runway lighting were being proposed, this would need to be reviewed for impact.

Office of Legal Counsel Attorney, recommended that the home owner to the north be notified; and also the City of Athena. The Office of Legal Counsel advised that a condition be placed on the permit regarding compliance with any applicable FAA regulations. He also noted a section of the CTUIR Fish and Wildlife Code (Section 5.02) that prohibits wildlife harassment, including through disruption of normal behavior patterns using aircraft.

No other written or verbal comments were received from Committee members on or before the deadline date of May 20, 2021 to be included in these Findings.

B. Review of Conditional Use approval Criteria: LDC Section 6.015 lists four Circumstances for Granting a Conditional Use (*italicized text*). The applicant has provided statements to demonstrate how the proposed use meets these criteria.

1. *That the locations, size, design, and operational characteristics of the proposed use are such that it will have minimal adverse impact on the property value, livability, and permissible development of the surrounding area. Consideration shall be given to compatibility in terms of scale, coverage, and*

density, to the alteration of traffic patterns and the capacity of surrounding streets and roads, and to any other relevant impact of the proposed use.

Applicant statement: The proposed use for this property is for personal airstrip for non-commercial use. Airstrip will be personal use only. There should be no adverse impact or alteration of traffic patterns or capacity of surrounding streets and roads.

Discussion: Staff visited the site on May 17 and discussed the proposed use with the land owner/applicant. Mr. Carter has several single-engine, propeller driven aircraft which are used during good weather for pleasure flights. They are not flown at night. The aircraft typically fly about 60 miles an hour when at lower elevations and only as fast as 90 miles an hour at their highest elevations. The aircraft are not loud like jets because of the size and speed. Because of the low speeds, the turning radius are quite tight; take-offs and landings will not be toward the west and not noticed by the neighbor to the north, nor by residents of Athena. No lighting system would be used in connection with the air strip since the planes are not designed to be flown at night. No fueling will occur on site. To fuel, Mr. Carter flies to the Pendleton airport. No changes would be made to the existing air strip, which is in good condition. Any occasional visits by friends with small planes would also be low impact.

Finding: The proposed use would have minimal adverse impact on permissible development and property value of surrounding lands. The applicant does not intend to utilize any lights on the landing strip nor to use the landing strip at night or during any adverse weather.

2. *That the site planning of the proposed use will, as far as reasonably possible, provide an aesthetically pleasing and functional environment to the highest degree consistent with the nature of the use and the given setting.*

Applicant Statement: The shop, shed and air strip will remain in the same location as current.

Discussion: The applicant has provided a site plan showing the current location of the airstrip, hangar and associated facilities. The airstrip is 20' wide by 2400' long. The proposed house would be located south of the existing buildings. The site and hangar building is very clean and well organized. The applicant stated that he is a licensed airplane mechanic as well as pilot with many years of experience flying and maintaining small planes. The site plan shows that the location of the proposed new residence which would not be in conflict with the use of the airstrip for pleasure flights. Mr. Carter also noted that he had done substantial clean-up on the property including recycling of scrap metal and tires, and appropriate disposal of plastic, glass and other debris at the dump.

Finding: The site planning provides an aesthetically pleasing and function environment.

3. If the use is permitted outright in another zone, that there is substantial reason for locating the use in an area where it is only conditionally allowed, as opposed to an area where it is permitted outright.

Applicant Statement: *The airstrip, shop and shed have been in place for many years. Non-use of the airstrip for a few years has deemed its conditional use as lapsed. Location of airstrip will not be changed as it is in good condition and has no need for major repairs and has proven in the past to be a good location without the need to move to a different zoned area.*

Discussion: An aircraft landing strip is not listed as an allowed use in any of the zones. Further, per the applicant's statement, the current location has shown itself over time to be a good location for this

use. It is surrounded by farmland and the small aircraft that would be landed here would not be a nuisance or disturbance.

Finding: The criteria does not apply to the use because landing strips are not listed as being allowed outright in any zone; however, there is substantial reason for locating the use on this site since it already exists here, and is compatible with the low population density and surrounding agricultural uses.

4. *That the proposed use will be consistent with the purposes of this Code, the Comprehensive Plan, and any other statutes, codes or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located.*

Applicant Statement: The proposed use of the airstrip will maintain consistent purpose as previous variance allowed.

Discussion: Applicable Land Development Code sections include the following:

CHAPTER 3 USE ZONES; SUB-CHAPTER A. AG-1 –EXCLUSIVE FARM USE

SECTION 3.010 DESCRIPTION AND PURPOSE:

The Ag-1, Exclusive Farm Use is designed to maintain the agricultural economy of the Umatilla Indian Reservation. The purpose of this zone is to preserve and maintain agricultural lands for farm use. These lands are viewed as largely undeveloped, limited and irreplaceable, agricultural soils.

Crop fertilization and weed control on flat land such as the surrounding farming area used to be done with aerial spraying, but now can be done more economically with ground-based systems. Re-use of the air strip and hangar for a private landing strip in conjunction with a new residence is low impact and does not interfere with the primary purpose of the zone.

SECTION 5.020 NON-CONFORMING USES OF LAND:

Where at the effective date of the adoption of this Code or Amendment thereto, a lawful use of land exists that is made no longer permissible under the terms of this Code or Amendments thereto, such use may continue so long as it remains lawful and subject to the following provisions:

- 1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land.*
- 2. No such non-conformities shall be moved in whole or in part to any position of the lot or parcel occupied by such use at the time of adoption of this Code or Amendment thereto.*
- 3. If any such non-conforming use of land ceases for any reason for a period of more than six months any subsequent use of such land shall conform to the standards specified by the zone in which it is located.*

Planning Department records indicate that the commercial airstrip was in existence in 1983 when the CTUIR adopted its Land Development Code. As such, the commercial airstrip was legal nonconforming (grandfathered) until the time that the use was discontinued for an extensive period of time. Under the current code, a Non-commercial airstrip is listed as a Conditional use in the Ag-1 zone and so the re-use of the airstrip for private planes requires a Conditional Use permit.

SECTION 3.030 *CONDITIONAL USES ALLOWED:*

In an Ag-1 Zone the following uses are permitted subject to the requirements listed under Section 6.010 through 6.035 inclusive and upon issuance of a Development Permit or Forest Practice Permit.

8. *Non-commercial airstrip*

The Conditional use must be evaluated in accordance with the following requirements for aircraft landing strips:

CHAPTER 17. *PROVISIONS APPLYING TO SPECIAL USES*
SECTION 17.005 *SPECIAL USES*

9. *Land Strips for Aircraft and Heliports: All landing strips and heliports for aircraft shall be so designed and facilities so oriented, that the incidents of aircraft passing directly over dwellings during their landing or taking off pattern is minimized. They shall be located so that traffic, both land and air, shall not constitute a nuisance to neighboring uses. The proponents shall show that adequate controls or measures will be taken to prevent offensive noise, vibrations, dust, or bright lights. New landing strips and heliports shall not be construed to be a permitted use in any Zone established by this Code unless and until a Conditional Use Permit shall first have been secured therefore.*

The airstrip is oriented along a north-south axis with the nearest residence ½ mile to the north and the City of Athena over 1 mile to the north. However, the incidents of aircraft passing directly over dwellings during take-offs and landings is minimized by the location in the midst of farm fields, and by the restriction to private use and the type of planes to be flown. Mr. Carter noted that he typically takes off and turns to fly west, not flying over the neighbor to the north or Athena. In any case, the take-offs and landings would likely go unnoticed due to low noise and low speed. No lighting would be utilized in connection with the runway.

CTUIR Fish and Wildlife Code,

Section 5.02(A) - Wildlife Harassment

No person shall engage in wildlife harassment on the Umatilla Indian Reservation, as defined in Section 1.06 of this Code.

Section 1.06 Definitions

53. *“Wildlife harassment” means to engage in any act which demonstrates a disregard for the well-being of wildlife or which creates the likelihood of injury to, or disrupts normal behavior patterns of wildlife, such as feeding, watering, resting, and breeding. Such acts include, but are not limited to, chasing, pursuing, herding, or attempting to take wildlife.*

The CTUIR Fish and Wildlife Code seeks to protect wildlife on the reservation. The applicant should be aware that flying in close proximity to elk herds or other wildlife may violate this section of code.

Findings: The private use of the airstrip does not conflict with the area’s agricultural use nor any policies in the Comprehensive plan. The proposal complies with the Land Development Code requirements in Chapter 17 regarding landing strips for aircraft. Per Land Development Code Section 6.010, any alteration of a conditional use requires completion of a new Conditional Use process. This

would include any physical additions to the runway such as landing lights or any intensification of use beyond the private use discussed in this application. Applicant must also comply with all applicable Federal Aviation Administration regulations regarding the operation of private aircraft in order for this criterion to be met.

CONCLUSIONS:

The criteria for the Conditional Use are all met by the proposed use of the existing airstrip as presented and explained by the applicant including.

1. Compatibility with the surrounding area and minimal impacts;
2. An aesthetically pleasing and functional site;
3. Substantial reason for locating the use in its current location;
4. Conformance with the Comprehensive Plan, Land Development Code and other applicable Statutes.

DECISION OPTIONS:

In acting on this request, the Land Protection Planning Commission must choose one of the following decision options:

1. Approve the Conditional Use request without conditions;
2. Approve the Conditional Use request with conditions;
3. Deny the Conditional Use request;
4. Recess the hearing until a specified time, date, and place; pending further testimony or information;
5. Table the decision until a subsequent Land Protection Planning Commission meeting.

STAFF RECOMMENDATION:

Based on the preceding facts, findings and conclusions, staff recommends approval of the Conditional Use with the following conditions.

1. Any proposed change to the airstrip such as addition of runway lights, or intensification of the use beyond the private use discussed in this application will require evaluation through a new Conditional Use application.
2. The applicant must comply with all applicable laws and regulations, including but not limited to Federal Aviation Administration regulations, related to the operation of private aircraft.

CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION

Tribal Planning Office

46411 Timine Way, Pendleton, Oregon, 97801

CONDITIONAL USE APPLICATION

Fee: \$100.00

Please Print

Applicant's Name: JASON J CARTER

Address: 77920 Pambrun Rd Athena OR 97813 Phone: 541 701 8851

Lot Owner's Name: JASON J CARTER

Address: 77920 Pambrun Rd Athena OR 97813 Phone: 541-701-8851

Property Description: _____ Section 36 Township 4 N Range 34 E

Tax Lot () Allotment (X): 4N34D000T05600 Present Zone: AG-1 Total Acreage: 8.91

Legal Access: OFF OF Pambrun Rd (Drive way)

Present Use of Property (Description, including any existing structures and the current use): Air str. P. 1 68x100 Hangar + 1 35x60 Hangar

Air str. 20x2400' 1/2 paved 1/2 gravel

Proposed Use: (Explain in detail on a separate sheet)

Decision Criteria: (Explain in detail on a separate sheet)

- A response shall be submitted with this application explaining how this request relates to the applicable decision criteria (see Attached).
- Also submit a statement explaining any other evidence you plan to present and a **detailed site plan** of the proposed use.

I understand that any false statements made on this application may cause subsequent approval by the Natural Resources Commission to be null and void.

I hereby certify that I understand that by signing this permit application, I am giving the CTUIR Tribal Planning Office the authorization to conduct any site inspections necessary in reviewing this application.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED!

Date: 5-3-21

Applicant: JASON CARTER

Agent: _____

I am the (Circle One): Owner/owner's authorized representative (If authorized representative, attach letter signed by owner)

TRIBAL PLANNING OFFICE USE ONLY

Date Filed _____
Fee Paid: _____

Reviewed By: _____
Hearing Date: _____

NOTE: _____

ATTACHMENT: Conditional Use Decision Criteria (Land Development Code Section 6.015)

A Conditional use may be granted if, on the basis of the application, investigation and evidence submitted findings are made based on the criteria below. A Conditional Use may be granted unqualifiedly or may be granted subject to prescribed conditions.

- (1) That the locations, size, design, and operations characteristics of the proposed use are such that it will have minimal adverse impact on the property value, livability, and permissible development of the surrounding area. Consideration shall be given to compatibility in terms of scale, coverage, and density, to the alteration of traffic patterns and the capacity of surrounding streets and roads, and to any other relevant impact of the proposed use.
- (2) That the site planning of the proposed use will, as far as reasonably possible, provide an aesthetically pleasing and functional environment to the highest degree consistent with the nature of the use and the given setting.
- (3) If the use is permitted outright in another zone, that there is substantial reason for locating the use in an area where it is only conditionally allowed, as opposed to an area where it is permitted outright.
- (4) That the proposed use will be consistent with the purposes of this Code, the Comprehensive Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located.

Variance Decision Criteria (Land Development Code Section 8.015)

A Variance may be granted if, on the basis of the application, investigation and evidence submitted findings are made based on the criteria below. A variance may be granted unqualifiedly or may be granted subject to the prescribed conditions. A variance may be granted only in the event that all of the following circumstances exist:

- (1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this Code have had no control.
- (2) The variance is necessary for the preservation of a property right of the applicant substantially the same as possessed by the owners of other property in the same zone or vicinity.
- (3) The variance would not be materially detrimental to the purposes of this Code or to property in the same zone or vicinity in which the property is located or otherwise conflict with the objectives of any Reservation Plan or Policy.
- (4) The variance requested is the minimum variance which would alleviate the hardship.

Conditional Use Decision Criteria Information

- (1) The proposed use for this property is for the personal airstrip for non-commercial use. Airstrip will be personal use only. There should be no adverse impact or alteration of traffic patterns or capacity of surrounding streets and roads.**
- (2) The shop, shed and air strip will remain in same location as current.**
- (3) The airstrip, shop and shed have been in place for many years. Non-use of the airstrip for a few years has deemed its conditional use as lapsed. Location of airstrip will not be changed as it is in good condition and has no need for major repairs and has proven in the past to be a good location without the need to move to a different zoned area.**
- (4) The proposed use of the airstrip will maintain consistent purpose as previous variance allowed.**

Airstrip

Rainville Rd

Rail

Shop/Outbuilding

Well

633'

Proposed
3Bdrm SFD

County 737 Rd

Exhibit #2
Page 4 of 5

SITE PLAN OF PROPERTY

SHOW DISTANCES BETWEEN PROPOSED STRUCTURE AND PROPERTY LINES, SEPTIC FACILITIES, WELLS AND ANY STREAMS OR OTHER NATURAL FEATURES. ALSO SHOW LOCATIONS OF UTILITY LINES.

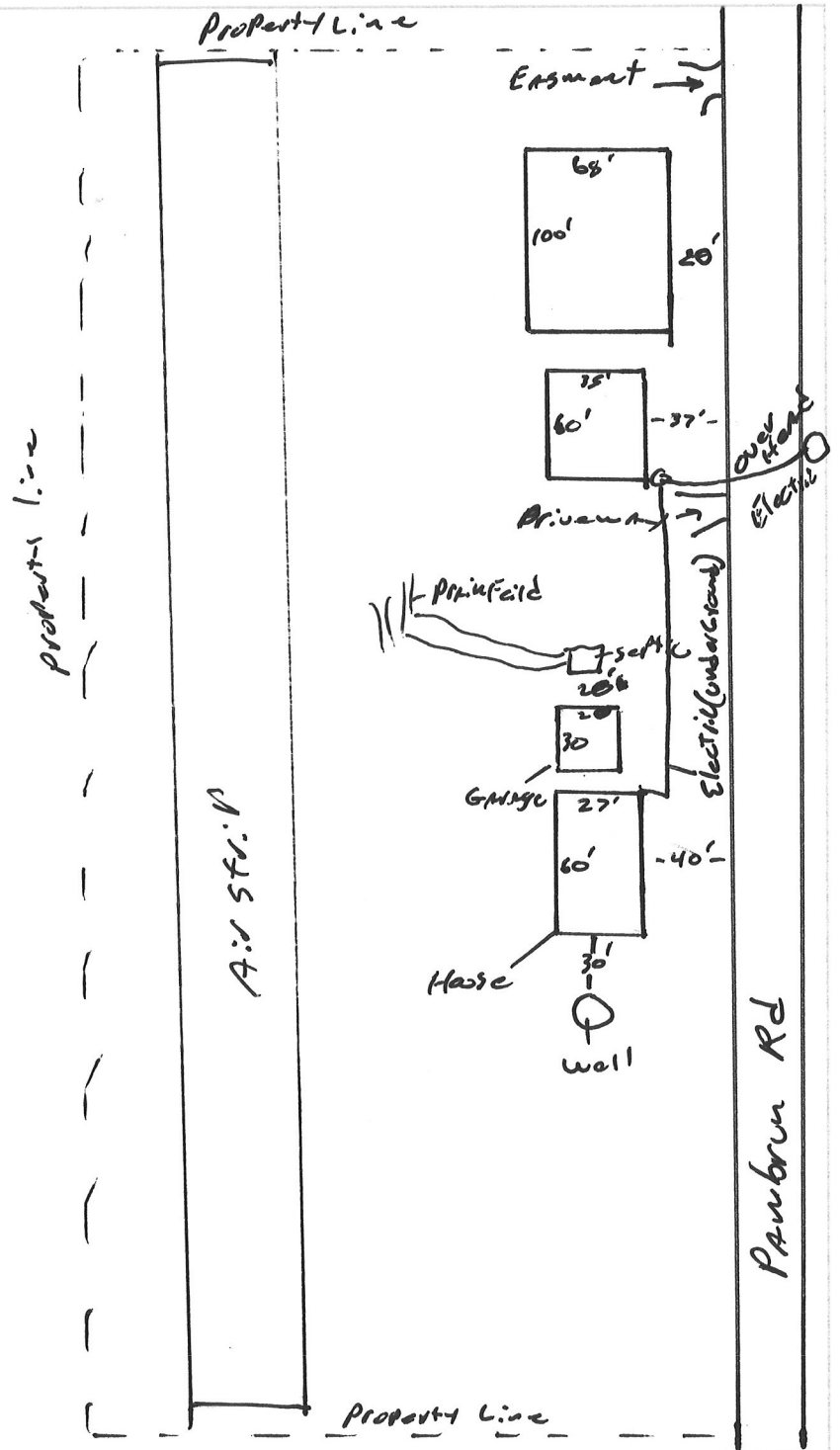
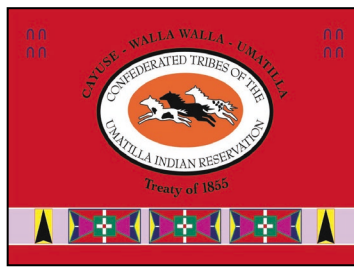


Exhibit #2
Page 5 of 5

DESCRIPTION OF PROPERTY AND ACREAGE: _____



PUBLIC HEARING NOTICE DISSEMINATION RECORD

File #: CU-21-003; Conditional Use request filed by Jason Carter, 77920 Pambrun Road, Athena, OR 97813

Land Protection Planning Commission Public Hearing Date: June 8, 2021

Newspaper and Date Published; East Oregonian: May 29, 2021
CUJ: June 3, 2021

Posted in six public Places;

1. Mission Market: May 28, 2021
2. Yellowhawk Tribal Health Clinic: May 28, 2021
3. BIA Umatilla Agency: May 28, 2021
4. CTUIR Housing Department: May 28, 2021
5. Nixyáawii Governance Center May 28, 2021
6. CTUIR web site: <https://ctuir.org/events/lppc-meeting-public-hearing-cu-21-003/>

Attached are copies of the public hearing notices that were posted, published and mailed to all interested parties, subject property owners and adjacent property owners, as required by Land Development Code Section 13.020.

PUBLIC HEARING NOTICE

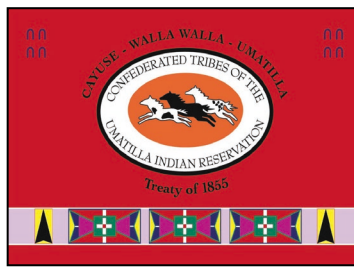
NOTICE IS HEREBY GIVEN that the Land Protection Planning Commission of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) will hold the following public hearing:

Conditional Use File #CU-21-003 – Applicant, Jason Carter, 77920 Pambrun Road, Athena, OR 97813 seeks approval from the Land Protection Planning Commission for private use of an existing airplane landing strip. The subject property is Tax Lot 4N34D000-05600, located at 77920 Pambrun Road and is zoned Ag-1, Exclusive Farm Use. Non-commercial airstrips are listed as a Conditional Use in the Ag-1 zone per CTUIR Land Development Code (LDC) §3.030 and subject to criteria in §17.005; 9. Conditional Uses are subject to the standards and procedures in LDC Chapters 6 and 13.

The hearing will be held on **Tuesday, June 8, 2021 beginning at 9:00 a.m.** Due to the current health emergency (COVID-19), this hearing will be held via video conference. Information for joining the video conference is available online at <https://ctuir.org/events/lppc-meeting-public-hearing-cu-21-003/>. Participation in the hearing will also be available by phone at 321-754-9526 starting at 9:00 a.m. on the day of the hearing. The conference ID will be 803 151 923#.

Staff reports and other materials pertaining to the hearing are available for review at the link above, or can be requested from the Tribal Planning Office by calling 541-276-3099.

The public is entitled and encouraged to participate in the hearing and submit testimony regarding the request. Written comments may be sent to hollyanderson@ctuir.org or to the Tribal Planning Office at 46411 Timine Way Pendleton, OR 97801 for receipt by 4:00 pm June 7, 2021.



PUBLIC HEARING NOTICE

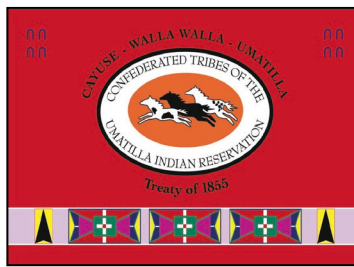
NOTICE IS HEREBY GIVEN that the Land Protection Planning Commission (LPPC) of the Confederated Tribes of the Umatilla Indian Reservation will hold the following public hearings:

Conditional Use File #CU-21-003 – Applicant, Jason Carter, 77920 Pambrun Road, Athena, OR 97813 seeks approval from the Land Protection Planning Commission for private use of an existing airplane landing strip. The subject property is Tax Lot 4N34D000-05600, located at 77920 Pambrun Road and is zoned Ag-1, Exclusive Farm Use. Non-commercial airstrips are listed as a Conditional Use in the Ag-1 zone per CTUIR Land Development Code (LDC) §3.030 and subject to criteria in §17.005; 9. Conditional Uses are subject to the standards and procedures in LDC Chapters 6 and 13.

The hearing will be held on **Tuesday, June 8, 2021 at 9:00 a.m.** Due to COVID-19 precautions, this hearing will be held via Microsoft Teams. If you would like to participate in the hearing or provide testimony, please call 321-754-9526 at 9:00 a.m. The conference ID is 803 151 923#. Materials relating to this proposed conditional use and additional information for joining the meeting are available for review at the Tribal Planning Office or online at <https://ctuir.org/events/lppc-meeting-public-hearing-cu-21-003/>.

The public is entitled and encouraged to participate in the hearing and to submit testimony regarding the request. Please submit comments to the Tribal Planning Office by 4:00 pm June 7, 2021 either as a hard copy or by e-mailing them to hollyanderson@ctuir.org.

To obtain further information or if you have questions regarding the hearing process or the proposed conditional use, please contact the Tribal Planning Office at 46411 Timíne Way, Pendleton, OR 97801 or call (541) 276-3099.



May 28, 2021

PUBLIC HEARING NOTICE

Dear Property Owner:

On June 8, 2021 the Land Protection Planning Commission of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) will hold a public hearing concerning a Conditional Use request as described below. You are receiving this notice because you are an owner of property located within 250 feet of the subject property (see map enclosed). According to Section 13.020 of the CTUIR Land Development Code, all owners of property located within 250 feet of the property which is the subject of a public hearing shall be given written notice by mail at least ten days prior to a public hearing.

Conditional Use File #CU-21-003 – Applicant, Jason Carter, 77920 Pambrun Road, Athena, OR 97813 seeks approval from the Land Protection Planning Commission for private use of an existing airplane landing strip. The subject property is Tax Lot 4N34D000-05600, located at 77920 Pambrun Road and is zoned Ag-1, Exclusive Farm Use. Non-commercial airstrips are listed as a Conditional Use in the Ag-1 zone per CTUIR Land Development Code (LDC) §3.030 and subject to criteria in §17.005; 9. Conditional Uses are subject to the standards and procedures in LDC Chapters 6 and 13.

The hearing will be held on **Tuesday, June 8, 2021 at 9:00 a.m.** Due to COVID-19 precautions, this hearing will be held via Microsoft Teams. If you would like to participate in the hearing or provide testimony, please call 321-754-9526 at 9:00 a.m. The conference ID is 803 151 923#. Materials relating to this proposed conditional use and additional information for joining the meeting are available for review at the Tribal Planning Office or online at <https://ctuir.org/events/lppc-meeting-public-hearing-cu-21-003/>.

The public is entitled and encouraged to participate in the hearing and to submit testimony regarding the request. Please submit comments to the Tribal Planning Office by 4:00 pm June 7, 2021 either as a hard copy or by e-mailing them to hollyanderson@ctuir.org.

To obtain further information or if you have questions regarding the hearing process or the proposed conditional use, please contact the Tribal Planning Office at 46411 Timíne Way, Pendleton, OR 97801 or call (541) 276-3099.

Sincerely,

Holly E. Anderson
Associate Planner


**Exhibit #3
Page 4 of 7**





Exhibit #3
Page 5 of 7


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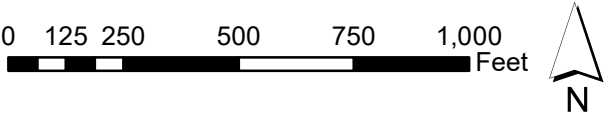
Legend

 Subject Property

 Properties to Notify

 Umatilla Indina Reservation

 250' Notification Buffer



CU-20-003 Public Notice Recipients

Trust & Allotment Recipients

None.

Taxlot Recipients

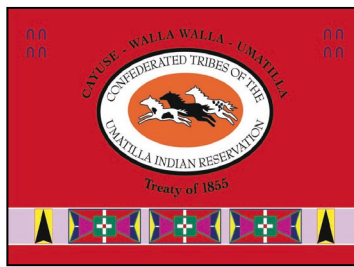
Ownership	Taxlot	Owner
F	4N34D00004300	Brooks A Lieuallen, Et. Al.
F	4N34D00005500	Dennis Sampson
F	4N34D00005600	Jason Carter
F	4N34D00005700	Whitman College Board of Trustees
F	4N35000010800	Kenneth Sampson
F	4N35000010900	Julie & Larry Williams (TRS)
F	4N35000011000	Whitman College Board of Trustees

Agency Recipients

Contact	Agency	Address
Director	Umatilla County Public Works Department	3920 Westgate Pendleton, OR 97801
Operations Manager	Pacific Power	P.O. Box 220 Pendleton, OR 97801
City Manager	City of Athena	P.O. Box 686 Athena, OR 97813

**Confederated Tribes of the
Umatilla Indian Reservation
Tribal Planning Office**

Zoning, Development Permits
Environmental Health & Public Transit



46411 Timine Way
Pendleton, OR 97801

www.ctuir.org
Phone 541-276-3099

email: info@ctuir.org
Fax: 541-276-3099

MEMORANDUM

DATE: May 6, 2021
TO: Tribal Staff Review Committee
FROM: Holly Anderson, Associate Planner, Tribal Planning Office
REGARDING: Meeting Thursday, May 13 2021, 11:00 am, via Microsoft Teams

The Tribal Staff Review Committee is scheduled to meet on Thursday, May 13, 2021 at 11:00 am. to review the following applications:

Conditional Use File #CU-21-002 – Applicant, Sharon Weathers, 53788 Bingham Road, Adams, OR 97810 seeks approval from the Land Protection Planning Commission to establish a family cemetery on Tax Lot 2N35B000-00600, located at 53536 Bingham Road. The property is zoned Ag-2, Farm Pasture. The proposal would designate an area that could eventually accommodate up to 20 graves. Conditional Use approvals are subject to the CTUIR Land Development Code Chapters 6 and 13.

Conditional Use File #CU-21-003 – Applicant, Jason Carter, 77920 Pambrun Road, Athena, OR 97813 seeks approval from the Land Protection Planning Commission for private use of an existing airplane landing strip in conjunction with a proposed residence. The property is Tax Lot 4N340000-05600, located at 77920 Pambrun Road. The property is zoned Ag-1, Exclusive Farm Use. Conditional Use approvals are subject to the CTUIR Land Development Code Chapters 6 and 13.

Call-in to the TSRC meeting through Microsoft Teams Video Conference or by phone:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 321-754-9526; United States, Orlando; 1 833-201-3139 United States, Toll-Free

Phone Conference ID: 385 813 449#

The application and supporting materials for this request are posted on the **Free4all shared Drive** in the **TPO** folder. If you have questions or need further information, please contact Holly Anderson at 429-7517.

Each committee member should review the proposals:

- To determine its compatibility with the Tribes' Comprehensive Plan, Land Development Code, and other Tribal Statutes, Resolutions, and Policies;
- To determine the overall impacts this request may impose on Tribal services and utilities, the environment, wildlife, and on the Reservation

Written comments will be accepted until the end of the day on Thursday, May 20, 2021. A public hearing with the Land Planning Protection Commission is proposed to be scheduled for June 8, 2021 at 9:00 a.m.