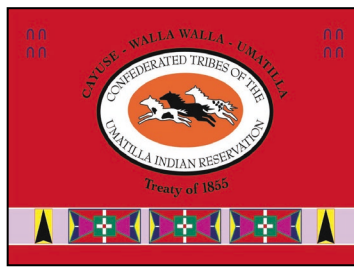


**Confederated Tribes *of the*
Umatilla Indian Reservation**

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-21-002
APPLICANT: Sharon Weathers, 53788 Bingham Road, Adams, OR
HEARING DATE: June 22, 2021

<u>EXHIBIT</u>	<u>NATURE OF EXHIBIT</u>
<u>1</u>	Nine (9) Page Staff Report
<u>2</u>	Six (6) Page Application
<u>3</u>	Seven (7) Page Dissemination Record

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

File No.: CU-21-002
To: Land Protection Planning Commission
Public Hearing: June 23, 2021

SUBJECT: Conditional Use Request

APPLICANT/OWNER: Sharon Weathers

NATURE OF THE REQUEST:

The applicant is seeking approval to establish a family cemetery on the subject property to accommodate up to 20 graves.

The CTUIR Land Development Code (LDC) Section 3.055 lists cemetery as a conditional use in the Ag-2. Conditional Use proposals are subject to the approval criteria in LDC 6.015 and the hearing procedures in LDC Chapter 13.

BASIC FACTS:

Ownership: The property is listed in the Umatilla County Tax Records as being owned by the Jerry Weathers Estate. Sharon Elk Weathers is listed on Jerry Weathers' death certificate as Jerry's wife and is the current owner of the property. She is working on getting the County Tax Records updated.

Subject Property: The subject property is Tax Lot 600 on Umatilla County Assessors Tax Map 2N3504 located at 53536 Bingham Road. (Note that the tax lot recently was recently renumbered from 2N35B000-00600 to 2N350400-00600 to reflect an updated tax map for the area).

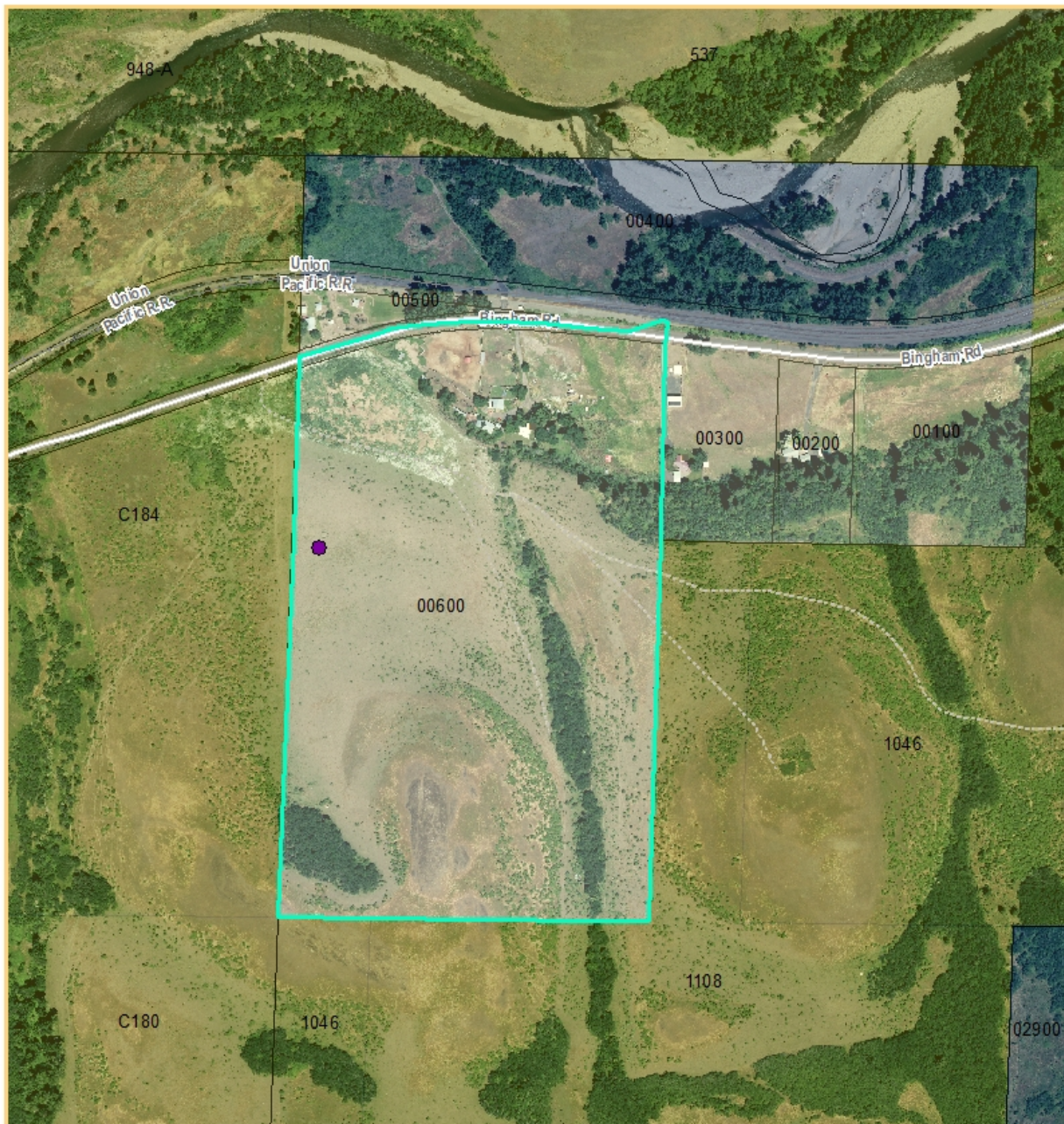
Zoning: The subject property is zoned Ag-2, Farm Pasture, containing approximately 58.2 acres.

Access: The subject property has direct access to Bingham Road, a County Road maintained by the Umatilla County Road Department. The site plan submitted by the applicant shows access from the lower portion of the site near the residence and out buildings up the hill to the existing grave site (see site plan in Exhibit 2). There is also a dirt jeep trail leading from Bingham Road across a portion of the property to the west, allotment C184, and then onto the subject property which has historically been used to access the field and the Red Elk cemetery, another private family cemetery located on the adjacent property 1046 to the east. (See attached map). There appears to be no easement for this jeep trail.

Current Land Uses: The property includes a house, several out buildings and a pasture.

Surrounding Land Uses: The surrounding land is zoned Ag-2, Farm Pasture, and is used for grazing cattle, as well as for individual homes.

Soils: The soils are shown as Palouse Silt Loam, 12 to 20 percent slopes (Umatilla County Soils Survey).








CU-21-002 Weathers Family Cemetery
53536 Bingham Road
Tax Lot 2N3504-00600

0 250 500 1,000
Feet



Parcels (CTUIR)

Ownership

-  Fee
-  Allotted Trust
-  Tribal Trust
-  Tribal Fee
-  Geo-tagged Photo near burial



CU-21-002 Weathers Family Cemetery
53536 Bingham Road
Tax Lot 2N3504-00600

0 50 100 200
 Feet



- Light Duty Road
- Unimproved Road; Trail
- Geo-tagged Photo near burial

APPLICABLE STATUTES, POLICIES and APPROVAL CRITERIA:

- I. CTUIR Comprehensive Plan; adopted by CTUIR Board of Trustees Resolution #14-079, September 13, 2010, updated 2018
 - A. Chapter 5; Plan Elements: Goals & Objectives
 - 5.6 Natural Resources
 - 5.7 Cultural Heritage
- 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).
 - A. Chapter 1, Section 1.020 – Purpose;
 - B. Chapter 2, Section 2.020 – Definitions; (36) – Conditional Uses;
 - C. Chapter 3, Sub-chapter B; Ag-2, Farm Pasture Zone;
 - E. Chapter 6, Conditional Uses;
 - F. Chapter 10, Site Plan Review;
 - G. Chapter 13, Hearings;
- III. Cemeteries Code; adopted by CTUIR Board of Trustees Resolution #10-078 on September 13, 2010.
 - A. Section 3.03 Types of Cemeteries
 - D. Privately-owned Cemeteries On-Reservation

STAFF FINDINGS:

1. *Proposal:* The proposal submitted by Sharon Weathers states:

“The northeast corner of the property has a house and several outbuildings for ranch use. The balance of the property is used for ranch purposes and wildlife habitat. One family grave is currently located on this property (Gerald “Jerry” Weathers), which currently has a temporary fence erected around it.

The family proposes to erect and maintain a more permanent fence around Jerry’s grave so other family members may be buried there in the future. We would like to designate a family cemetery that could eventually accommodate up to 20 graves (well into the future). We currently have a total of 10 family members who want to be buried at this location...

The decision about usage of the cemetery will be with Sharon Weathers and upon her death, the decision authority will go to Debra Weathers Croswell and William Weathers.

The location of the current grave will be recorded with Umatilla County.

Existing Gravesite from September, 2019.



2. Tribal Staff Review Committee (TSRC): The Tribal Staff Review Committee received notice of the application on May 6, 2021. A meeting was held on May 13, 2021 to review the application for compliance with all Tribal statutes, plans and policies. The following comments were received from TSRC members regarding this application:

Cultural Resources: The Tribal Historic Preservation Officer submitted comments requiring the following:

- A map of the cemetery with GPS coordinates of the four corners
- GPS coordinates of known burials within the cemetery
- A pedestrian archaeological survey of the cemetery, access route, and any alternative access routes, if proposed.
- Systematic subsurface cultural resource shovel testing of the proposed cemetery area (excluding impacting any known burials).
Recommend fence around the cemetery to secure the cemetery from livestock damaging headstones.

Department of Economic and Community Development (DECD): Based on experience serving on the Cemetery Committee and issues with private cemeteries over the years, recommended that there be a permanent easement/ROW established for the cemetery to ensure long-term access if property ownership passes out of the family at some point.

3. Review of Approval Criteria:

LDC Section 6.015 lists four Circumstances for Granting a Conditional Use. The applicant has provided statements to demonstrate how the proposed use meets these criteria (italicized).

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.*

The cemetery is a small area for family burials. The property is large and has ample room for the burial area. However, there is a concern that the access to the site is steep and it is likely that the site would not be accessible in winter or during the rainy season.

There are two possible access routes to the site. The legal access past the house as shown on the site plan submitted with the application is not used often and it appears that it crosses a small drainage way. The historical access is through a gate into the pasture area but the first portion of this is actually on the allotment to the west, C184. The access route continues across the Weathers property to the Red Elk cemetery on the adjacent property to the east, allotment 1046.

The owners of 1046 and Red Elk Cemetery have discussed with CTUIR staff about obtaining a formal easement for the jeep trail which would benefit the Red Elk Cemetery and the proposed new Weathers Cemetery. Alternatively, if the access point were moved east onto the Weathers property, then an easement across allotment C184 would not be needed.

The applicant desires to work with CTUIR staff to resolve the access issue.

The proposed cemetery will not negatively impact the surrounding property provided that the access is managed to avoid use in seasons when the jeep trail is not stable and would cause erosion. This could prove to be difficult over time if family members have planned on burials in this location, and deaths occur when the cemetery is not accessible. Solutions could be for an alternate location for some graves lower on the hillside, or improvements to the access.

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.*

The proposed cemetery area is located on a hill overlooking the Weathers ranch, Umatilla River valley, and surrounding hills to the north. It is a quiet and picturesque location. There is temporary fencing around the existing gravesite and more permanent fencing is planned to ensure protection from the pastured cattle. A more definite mapping and layout of the area is needed for planning and for locating improvements such as fencing.

A management plan is also recommended to ensure appropriate ground cover and maintenance so that over time the ground does not become susceptible to noxious weeds.

The management plan should also address access policies based on the condition of the jeep trail to avoid erosion.

The proposal will provide a functional environment for the proposed use providing that the following are completed and submitted:

- a map with gps coordinates of the corners of the proposed cemetery area
- a management plan with policies regarding ground cover and maintenance of the site

- an access plan or policies to ensure that use of the road does not cause erosion of the hillside. This could include guidance as to when the road should not be used, development of a more stable roadbed, or designation of an area for some graves at an elevation more accessible year round.

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.*

Cemeteries are not allowed outright in any zones -- they are a conditional use in the Ag-2 zone and other zones -- so this criteria does not technically apply. However, the reason for the proposed location is the history of the family's land ownership here and the existing grave site; it is also near the Red Elk cemetery which has historically been used for the Red Elk family burials.

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.*

CTUIR Comprehensive Plan. Applicable Comprehensive Plan Elements and Objectives (*italicized*) were identified and reviewed below:

5.6 Natural Resources

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

5.7 Cultural Heritage

Objective 1: Protect and preserve culturally significant places and resources including the graves and sacred items of the CTUIR members and ancestors, on the Umatilla Indian Reservation and within the CTUIR's ceded lands and traditional use areas.

The proposal is consistent with the purposes of the Comprehensive plan in that tribal member needs for burial areas will be met through the proposal, and cultural heritage protected. Natural resources will also be protected providing that an access plan or policy is put in place to protect the hillside from overuse when it is saturated.

CTUIR Land Development Code. The Land Development Code does not have any specific standards for cemeteries, only that the Conditional Use process be followed and required criteria met to establish the cemetery.

The proposal would support the residential and agricultural use of the surrounding area by allowing the owners to have a place on their land to honor and visit the graves of family who have passed.

CTUIR Historic Preservation Code. The Cultural Resources Protection Program has reviewed the application and is requiring the following conditions based on the Tribal Historic Preservation Code:

- A map of the cemetery with GPS coordinates of the four corners
- GPS coordinates of known burials within the cemetery
- A pedestrian archaeological survey of the cemetery, access route, and any alternative access routes, if proposed.

- Systematic subsurface cultural resource shovel testing of the proposed cemetery area (excluding impacting any known burials).

CTUIR Cemeteries Code. The cemeteries code is primarily concerned with management of CTUIR-managed cemeteries. Regarding private cemeteries, the code states,

“There are no CTUIR policies governing interments in private cemeteries. However, once land is dedicated as a cemetery, it remains sacred and unusable for any other purpose to future owners of the property. Cemetery placement and burials must comply with applicable laws and be respectful of cultural norms and values about interment of bodies near homes and waterways.

Property with existing family cemeteries will need special consideration at the time of sale. All real estate contracts must disclose and identify any cemeteries existing within the confines of the property. No one may sell cemetery lots or plots within a private or family cemetery on the Reservation.”

(Cemeteries Code, 3.03 D., 2. and 3.)

The Cemeteries code requires the location of the cemetery to be disclosed so that future owners are aware of the location. Additionally, Umatilla County has a Private Burial Covenant for the purpose of recording the location of a burial with the County records office. The private burial covenant is attached as Exhibit 1a. Since the property is a fee property, it is appropriate for the Private Burial Covenant to be completed and recorded with the County Records office

Staff Review: The proposed use is consistent with the noted Comprehensive Plan objectives, Land Development Code, Cemeteries Code, and Tribal Historic Preservation Code providing that the applicant records a covenant with the Umatilla County Assessor’s office regarding the location of the cemetery, and meets the Cultural Resources Conditions noted above and provides policies or a plan for access that will protect the hillside.

CONCLUSIONS:

The site will provide a special place for laying family to rest providing that provisions are made for access over time, management, recording, and Cultural Resources clearance.

DECISION OPTIONS:

In acting on this request, the Land Planning Protection 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 Planning Protection meeting.

STAFF RECOMMENDATION:

Based on the preceding facts, findings and conclusions, staff recommends the Land Planning Protection Commission **APPROVE** the request with the following conditions:

1. Cultural Resources Clearance shall be obtained prior to any future ground disturbance. This includes
 - a. A map of the cemetery with GPS coordinates of the four corners
 - b. GPS coordinates of known burials within the cemetery
 - c. A pedestrian archaeological survey of the cemetery, access route, and any alternative access routes, if proposed.
 - d. Systematic subsurface cultural resource shovel testing of the proposed cemetery area (excluding impacting any known burials).
2. The applicant shall record a covenant with Umatilla County with the location of the private cemetery.
3. The applicant shall create a management plan to ensure appropriate ground cover and maintenance of the area.
4. The applicant shall create an access plan or policies to ensure that use of the access trail does not erode the hillside. This could include guidance as to when the road should not be used, development of a more stable roadbed, or designation of an area for some graves at an elevation more easily accessible year round.
5. It is highly recommended that the cemetery, along with an access easement to the cemetery be recorded as a permanent easement to ensure that the cemetery can be accessed regardless of future ownership.

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: Sharon Weathers

Address: 53788 Bingham Road, Adams, OR 97810 Phone: 541-566-3824

Lot Owner's Name: Sharon Weathers

Address: 53788 Bingham Road, Adams, OR 97810 Phone: 541-566-3824

Property Description: 53536 Bingham Road Section 4 Township 2N Range 35E

Tax Lot () Allotment (): Tax Lot 600 Present Zone: AG-2 Total Acreage: 58

Legal Access: Bingham Road

Present Use of Property (Description, including any existing structures and the current use): Lower portion of property has a house built in 1956 and several outbuildings for ranch use. Upper portion of property used for ranch purposes and wildlife habitat. One family grave is currently located on the property.

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: March 30, 2021

Applicant: Sharon Weathers

Agent: _____

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

TRIBAL PLANNING OFFICE USE ONLY

File #: CC-21-002

Conditional Use Application – Submitted by Sharon Weathers

Property: Tax Lot 600

Proposed Use: Weathers Family Cemetery

The northeast corner of the property has a house and several outbuildings for ranch use. The balance of the property is used for ranch purposes and wildlife habitat. One family grave is currently located on this property (Gerald "Jerry" Weathers), which currently has a temporary fence erected around it.

The family proposes to erect and maintain a more permanent fence around Jerry's grave so that other family members may be buried there in the future. We would like to designate a family cemetery that could eventually accommodate up to 20 graves (well into the future). We currently have a total of 10 family members who want to be buried at this location:

1. Jerry Weathers (already buried here)
2. Sharon Weathers (spouse)
3. Debra Weathers Croswell (daughter of Jerry and Sharon)
4. Tom Croswell (son-in-law)
5. Jerad Croswell (grandson)
6. William Weathers (son of Jerry and Sharon)
7. Kimberly Weathers (daughter-in-law)
8. Gunnar Weathers (grandson)
9. Kannan Weathers (grandson)
10. Pistol Weathers (grandson)
11. William Baird (in-law)
12. Patricia Baird (in-law)

The decision about usage of the cemetery will be with Sharon Weathers and upon her death, the decision authority will go to Debra Weathers Croswell and William Weathers.

The location of the current grave will be recorded with Umatilla County.

A sketch of the approximate location of the proposed cemetery area is attached to this application, that also shows the access point from Bingham Road. Sketched location is not precise and will be adjusted slightly based on terrain and ability to dig fence posts (some portions are very rocky).

This application is submitted per the requirements set forth in the CTUIR Cemeteries Code.

Yellow indicates driveway access into the property.

Green area indicates approximate location of proposed family cemetery. Exact location will be in proximity to the current grave there but may shift slightly from this sketch due to terrain or other obstacles.





Date Filed 4/20/21
Fee Paid: 100/-

Reviewed By: Holly Anderson
Hearing Date: June 8, 2021

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 is it 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.

File #: CU-21-002

CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
Tribal Planning Office

**CONDITIONAL USE / VARIANCE APPLICATION
SUPPLEMENTAL SHEET**

DEAR APPLICANT:

Please fill out this APPLICATION completely and as accurately as possible. If a block does not apply, write "N/A" in the space provided. An incomplete application cannot be processed.

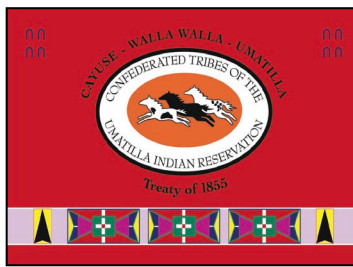
- 1) Please fill out your full name, current address and phone number.
- 2) Please fill out the full name, current address and phone number of the legal property owner (s) of the site your are requesting a permit for. If you are the sole property owner, simply write "same" on the first line.
- 3) This is the location of the site as described by section, township and range. If you are not familiar with this method or you do not have access to this information, we can assist in determining the location upon request.
- 4) Indicate whether the property is fee land (tax lot) or trust land (allotment) and the parcel number. Also specify the parcel acreage.
- 5) Indicate the right of way or easement road that allows legal access to the property (e.g., county, road, street, or access road).
- 6) Indicate the current use or uses of the subject property.
- 7) Indicate the specific use or uses for which you are requesting this conditional use/variance.
- 8) Explain in details on a separate sheet how the proposed use conforms to the conditional use/variance decision criteria (see attached page) and present a detailed site plan of the proposed use.
- 9) Read the statement carefully. Sign and date the application only after the application has been completely filled out.

NOTE: If the information presented is unclear or questionable, you may be required to provide further information such as lease agreements, evidence of legal access, legal ownership, etc.

**IF YOU HAVE ANY QUESTIONS CONCERNING THE APPLICATION PROCESS
OR CODE REQUIREMENTS, FEEL FREE TO EITHER STOP BY THE PLANNING
OFFICE OR CONTACT THE OFFICE AT 429-7523**

*Delivered by Deb Croswell. phone 541-969-3108
croswell167@gmail.com*

File #: CU-21-002



PUBLIC HEARING NOTICE DISSEMINATION RECORD

File #: CU-21-002; Conditional Use request filed by Sharon Weathers, 53788
Bingham Road, Adams OR

Land Protection Planning Commission Public Hearing Date: June 22, 2021

Newspaper and Date Published; East Oregonian: June 12, 2021
CUJ: June 3, 2021

Posted in six public Places;

1. Mission Market: June 10, 2021
2. Yellowhawk Tribal Health Clinic: June 10, 2021
3. BIA Umatilla Agency: June 10, 2021
4. CTUIR Housing Department: June 10, 2021
5. Nixyáawii Governance Center June 10, 2021
6. CTUIR web site: <https://ctuir.org/events/lppc-meeting-public-hearing-cu-21-002/>

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 hearings:

Conditional Use File #CU-21-002 – Applicant, Sharon Weathers, 53788 Bingham Road, Adams, OR 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. Cemeteries are listed as a conditional use within the Ag-2 Zone per CTUIR Land Development Code (LDC) §3.055. Conditional Uses are subject to criteria and procedures in LDC Chapters 6 and 13.

The hearing will be held on **Tuesday, June 22, 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-21-002/>. 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 431 714 779#.

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 21, 2021.



PUBLIC HEARING NOTICE

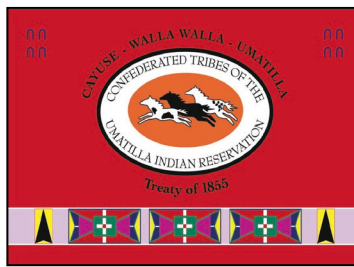
NOTICE IS HEREBY GIVEN that the Land Protection Planning Commission (LPPC) of the Confederated Tribes of the Umatilla Indian Reservation will hold the following public hearings:

Conditional Use File #CU-21-002 – Applicant, Sharon Weathers, 53788 Bingham Road, Adams, OR 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. Cemeteries are listed as a conditional use within the Ag-2 Zone per CTUIR Land Development Code (LDC) §3.055. Conditional Uses are subject to criteria and procedures in LDC Chapters 6 and 13.

The hearing will be held on **Tuesday, June 22, 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 431 714 779#. 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-21-002>.

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 Timine Way, Pendleton, OR 97801 or call (541) 276-3099.



June 10, 2021

PUBLIC HEARING NOTICE

Dear Property Owner:

On June 22, 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-21-002 – Applicant, Sharon Weathers, 53788 Bingham Road, Adams, OR 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. Cemeteries are listed as a conditional use within the Ag-2 Zone per CTUIR Land Development Code (LDC) §3.055. Conditional Uses are subject to criteria and procedures in LDC Chapters 6 and 13.

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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 21, 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.

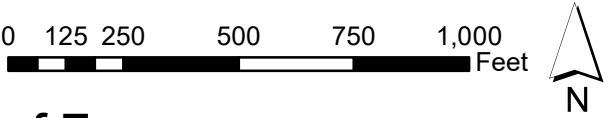
Sincerely,

Holly E. Anderson
Associate Planner



Legend

 Subject Property	 Properties to Notify
 250' Notification Buffer	 Parcels (CTUIR)



CU-20-002 Public Notice Recipients

Trust & Allotment Recipients

Ownership	Trust/Allotment
A	1046
A	1108
A	C180
A	C184

Taxlot Recipients

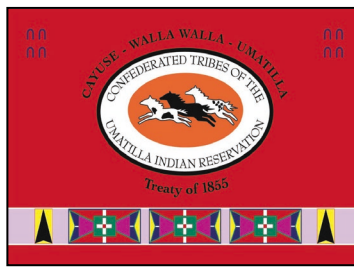
Ownership	Taxlot	Owner
F	2N35B00000300	James & Dolores Cahill
F	2N35B00000500	William Ross
F	2N35B00000600	Jerry Weathers (EST)
TF	2N35B00000400	CTUIR

Agency Recipients

Contact	Agency	Address
Michael Jackson, Superintendent	BIA, Umatilla Agency	Via e-mail
Wendy Neal	UEC	PO Box 1148 Hermiston, OR 97838-3148

**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.