

14-32535
BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

54

AN ORDINANCE AMENDING THE MORROW COUNTY)
COMPREHENSIVE LAND USE PLAN BY ENLARGING)
THE URBAN GROWTH BOUNDARY OF THE CITY OF)
BOARDMAN CONSISTING OF THE EXCEPTION)
STATEMENT, FINDINGS OF FACT AND REVISED)
URBAN GROWTH BOUNDARY MAP)

ORDINANCE NO. MC-0-2-89

The County of Morrow does ordain as follows:

WHEREAS, Morrow County adopted a Comprehensive Land Use Plan on September 4, 1985; and

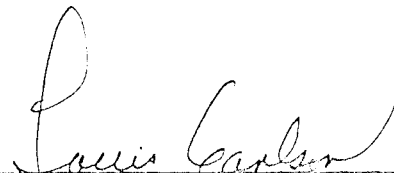
WHEREAS, the Morrow County Court has reviewed the recommendation for approval by the Morrow County Planning Commission and the City of Boardman Planning Commission; and

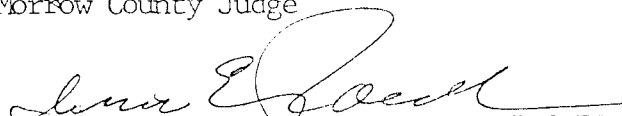
WHEREAS, said Planning Commissions held a joint public hearing on January 30, 1989;


NOW, THEREFORE, be it ordered by the Morrow County Court that the attached exception statement, findings and map (exhibit "A") for the Boardman Urban Growth Boundary be and is hereby made a part of the Morrow County Comprehensive Plan.

As it is necessary for the health, welfare, safety and convenience of the citizens of Morrow County, an emergency exists and this ordinance shall take effect immediately upon the unanimous vote of the County Court and attestation by the County Clerk.

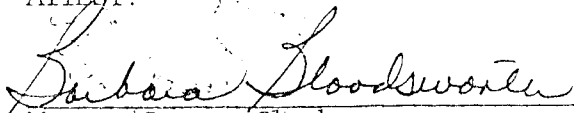
Dated this 8th day of February, 1989.


Morrow County Judge

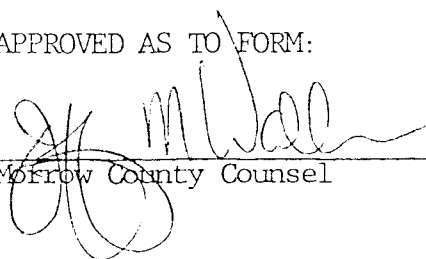

Morrow County Commissioner


Morrow County Commissioner

ATTEST:


Morrow County Clerk

APPROVED AS TO FORM:


Morrow County Counsel

TO: MORROW COUNTY PLANNING COMMISSION
CITY OF BOARDMAN PLANNING COMMISSION

FROM: DEANE SEEGER, MORROW COUNTY PLANNING DIRECTOR
L. D. DALRYMPLE, BOARDMAN CITY MANAGER

DATE: JANUARY 27, 1989

SUBJECT: EXPANSION OF THE CITY OF BOARDMAN URBAN GROWTH BOUNDARY

BACKGROUND:

The City of Boardman's Comprehensive Plan was acknowledged February 10, 1978 and received approval of the periodic update June 29, 1988. Morrow County received acknowledgement of their Comprehensive Plan January 30, 1986. During both the review period of the City's Comp Plan and the acknowledgement period of the County's Comp Plan discussions were held relative to expansion of Boardman's Urban Growth Boundary. It has been noted that insufficient industrial zoned land exists within the City's boundary to support or create the needed jobs to fill the projected increase in population. The land does exist locally, it simply is outside the current urban growth boundary. Both City and County agreed in the past to hold off on any comp plan amendments until both the County Plan was acknowledged and the City's periodic review was completed.

Approximately two years ago the City of Boardman began working on securing "enterprise zone" designation from the State of Oregon as an additional tool for economic development. The regulations relating to boundary designation prohibited the zone from exceeding the City and "its urban growth boundary". The City began at that time working with the Port of Morrow, their tenants, Morrow County, and the Department of Land Conservation and Development on expanding the urban growth boundary so the benefits of a future enterprise zone or other economic development program could be extended to those industries already in the Port area and to land available for industrial development in the future. This hearing is the formalized portion of that process.

CURRENT STATUS:

All property owners have been identified and properly notified. A copy of the notice and the cover letter sent to each property owner is attached for your information.

Proper notice has been published in a local newspaper of general circulation.

The Department of Land Conservation and Development and the Department of Fish & Wildlife have been in contact with Staff and both are supportive of the expansion.

Attached is the Exception Statement for Boardman Urban Growth Boundary Expansion submitted to the Land Conservation and Development Commission for their review and comment. This document provides the detail analysis required by the Department of Land Conservation and Development to justify this plan amendment.

January 18, 1989

Dear _____:

The City of Boardman and Morrow County Planning Commissions are holding a public hearing on the proposed expansion of Boardman's Urban Growth Boundary. The hearing will be Monday night, January 30, 1989 at the Riverside High School beginning at 7:30 p.m. Your property is contained within the proposed new boundaries. The effect or impact that expansion of the urban growth boundary will have on your property is minimal. There will be no change in zoning or usage and no change in tax structure. Responsibility for land use and other regulations will still remain with Morrow County. The only real change will be lines on a map and the requirement that the County notify the City of land use changes within that boundary. The expansion is desired to ensure that this additional area will be included in any future City, County, Port, or State economic development plans and programs, development strategies, grant funding, utility expansions, and planning programs for our area. The City's recent effort at gaining "enterprise zone" designation could not be extended to this area because it was outside the City's urban growth boundary. Enterprise Zone designation would have allowed major property tax waivers, utility cost reductions, and permit fee reductions or deferments for new or expanding business and industry within the boundary. You will find enclosed copies of the public notice, staff report, state agency exception statement, letters of support, and a map of the proposed additional area. We hope this information will answer any questions you have. Please contact Deane Seeger, Morrow County Planning Director at 922-4624 or L. D. Dalrymple, Boardman City Manager at 481-9252 for additional information.

Very truly yours,

L. D. Dalrymple
City Manager
City of Boardman
P.O. Box 229
Boardman, Oregon 97818

Deane Seeger
Planning Director
Morrow County
P.O. Box 706
Irrigon, Oregon 97844

PUBLIC NOTICE

Notice is hereby given the Planning Commission of Morrow County and the Planning Commission of the City of Boardman will meet in joint session for the purpose of conducting a public hearing on the proposed expansion of the Boardman Urban Growth Boundary. The Hearing will be held Monday, January 30, 1989 at 7:30 p.m. in the auditorium of Riverside High School in Boardman, Oregon. The meeting is open to the public and all interested parties are invited to attend. For additional information contact Deane Seeger, Morrow County Planning Director (922-4624) at the Irrigon Court House Annex, or L. D. Dalrymple, Boardman City Manager (481-9252) at the Boardman City Hall.

EXCEPTION STATEMENT FOR BOARDMAN
URBAN GROWTH BOUNDARY EXPANSION

I. INTRODUCTION

A. Background.

This document sets forth justification for the expansion of the Urban Growth Boundary of the City of Boardman. The City's Comprehensive Plan, acknowledged in 1978 was one of the first in the State. When the plan was acknowledged many of the laws effecting land use planning were quite different than they are today. Annexation laws left properties abutting city boundaries and within urban growth boundaries uncertain as to their continued ability to combat annexation efforts by cities. This fueled suspicion, distrust, and a conscious effort against being included within those boundaries. In the past 10 years annexation laws have changed, public understanding and thus attitudes have altered, and the whole land use process has matured to a point that common sense, constructive planning, and coordination have replaced public fear, negative attitudes, and misconceptions about urban growth boundaries.

The City completed the Periodic Review process recently and has begun a "rewrite" process to make the Comprehensive Plan a more workable, more easily understood document. Morrow County has also gained acknowledgment of their Comp Plan and completed two major exceptions relating to industrial land. These processes have provided us with the assurance that local understanding is greater, fears have been abated, and the time is right for amendments to the City's urban growth boundary.

Currently the City's urban area encompasses 2,050 acres. Of the 2,050, only 102 acres are zoned for industrial use. An additional 60 acres have been zoned for light industrial/heavy commercial. Immediately adjacent to and east of the existing urban growth boundary lies the Port of Morrow's Food Processing Industrial Park. The total Industrial Park contains 3465 acres with 931 identified as "physically developed" or "irrevocably committed" to industrial use pursuant to ORS 197.732(1)(a) and ORS 197.732(1)(b). The City's request covers 628 of these 931 acres. The following arguments and attached map clearly point out the reasoning for this request at this time.

OAR 660-04-010(1)(c)(B) states "When a local government changes an established urban growth boundary it shall follow the procedures and requirements set forth in Goal 2 "Land Use Planning," Part II, Exceptions.... Revised findings and reasons in support of an amendment to an established urban growth boundary shall demonstrate compliance with the seven factors of Goal 14 and demonstrate compliance with the seven factors of Goal 14... Factor (1) of Goal 14 asks to "demonstrate the need to accommodate long-range urban population growth requirements consistent with LCDC goals;

The Morrow County Comp Plan has designated industrial land for Space Age Industrial development - approximately 18,000 acres; industrial area around the Port of Morrow's Boardman Airport - 2,700 acres, large parcel industrial - 1889 acres, and Food Processing Industrial Park - 1576. Of the latter 1576, 931 have been identified as "physically developed" or "irrevocably

committed". This request encompasses 628 of those 931 "committed" acres. The City of Boardman's Comp Plan, acknowledged in 1978, anticipated a population of 12,000 during the 20 year planning cycle. The major industries anticipated never came to reality and the population projection has been revised. The potential for those major employers still exists and the planning and infrastructure development that planned for those populations increases were completed. Current utility capacities, residential and commercial land, and other infrastructure amenities are capable of handling a population of 4,000 without expansion, and with minor expansion will handle between 6,000 and 8,000. The development of the "Space Age Industrial Park", Airport related industries, and the large parcel industrial areas will require additional industrial support facilities; warehousing, machining, shipping, equipment, construction, maintenance and operating supplies located on smaller, urban area, industrial lots. The expansion of the UGB provides for the necessary planning and utility expansion in an orderly manner to accommodate these needs.

Factor (2) "Need for housing, employment opportunities, and liveability;" Both City and County Comp Plans provide for adequate housing of all types and protect the current level of liveability. Employment opportunities will increase as the land is developed as currently designated. The one glaring deficiency in the City's overall plan is the amount of industrial land. The land is there, is properly zoned, can or is being served by urban utilities, but lies outside the City UGB. The logical policy for

a city in extension of utilities is either within city limits or within urban growth boundary. Extension beyond urban growth boundaries appears to be contradictory to Goal 14 intent, yet in this case could be severely limiting to economic growth in our area.

Factor (3) "Orderly and economic provision for public facilities and services;" Both the City water plant and sewer plant were planned and constructed as "regional facilities". Because of the need and desire for economic growth and the logical direction of that growth being easterly into the Port's industrial areas, which to date has been outside the UGB, no proper policy has been developed by the City for extension of utilities. The City is currently working on a rewrite of the Comp Plan to improve clarity and usefulness and as part of that rewrite will be considering a policy on extension of utilities. Expansion of the UGB as requested would provide the logical, proper boundaries for that policy. The City and Port of Morrow currently cooperate on provision of utility services to tenants in the Food Processing Park. However, adequate control over the expansion of these facilities would be enhanced by the expansion of the UGB by the adoption of proper utility extension policies.

Factor (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;" All land requested within the new UGB can be served by City and/or Port utilities. Currently the Port of Morrow provides "industrial waste" facilities, the City does not. The City provides "domestic waste" facilities in cooperation with the Port. It is

anticipated the smaller industrial sites located within the area of this request will require "domestic waste" facilities, but may or may not require "industrial waste" facilities depending upon the type of industry. The new urban growth boundary will provide for the coordinated planning and provision of these facilities.

Factor (5) "Environmental, energy, economic and social consequences;" There is no change in use of the lands within the new boundary requested. All lands and uses have been properly acknowledged within the Morrow County Comp Plan and the City's Plan will be amended to adopt the County's provisions. Continued energy savings are anticipated due to joint provision of utilities and joint planning for future extensions. City, County, and Port are currently working to promote this area for the proper and desired development. No change is anticipated in this effort and any economic improvement would only enhance the liveability of the entire area. No change in social consequences are anticipated as a result of this request.

Factor (6) "Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority;" 554 of the requested 628 acres lie north of Interstate 84 and are currently zoned industrial. The remaining 74 acres lie south of Interstate 84 and abut the Port of Morrow Interchange. This acreage is predominantly Class VI soil utilized as grazing until recently when bulk gasoline storage and distribution, truck maintenance, and farm equipment storage and maintenance activities were approved as conditional uses

supporting forest and agricultural use. The lands around this interchange as identified on the attached map are ideally situated for and committed to these uses. We can anticipate additional pressure on the remaining lands in this request for support of commercial, farm commercial, forest product, and industrial uses in the very near future and, in fact, the future provision of utilities by Port of Morrow and/or City of Boardman have been designed and built into the interchange and the County connector road.

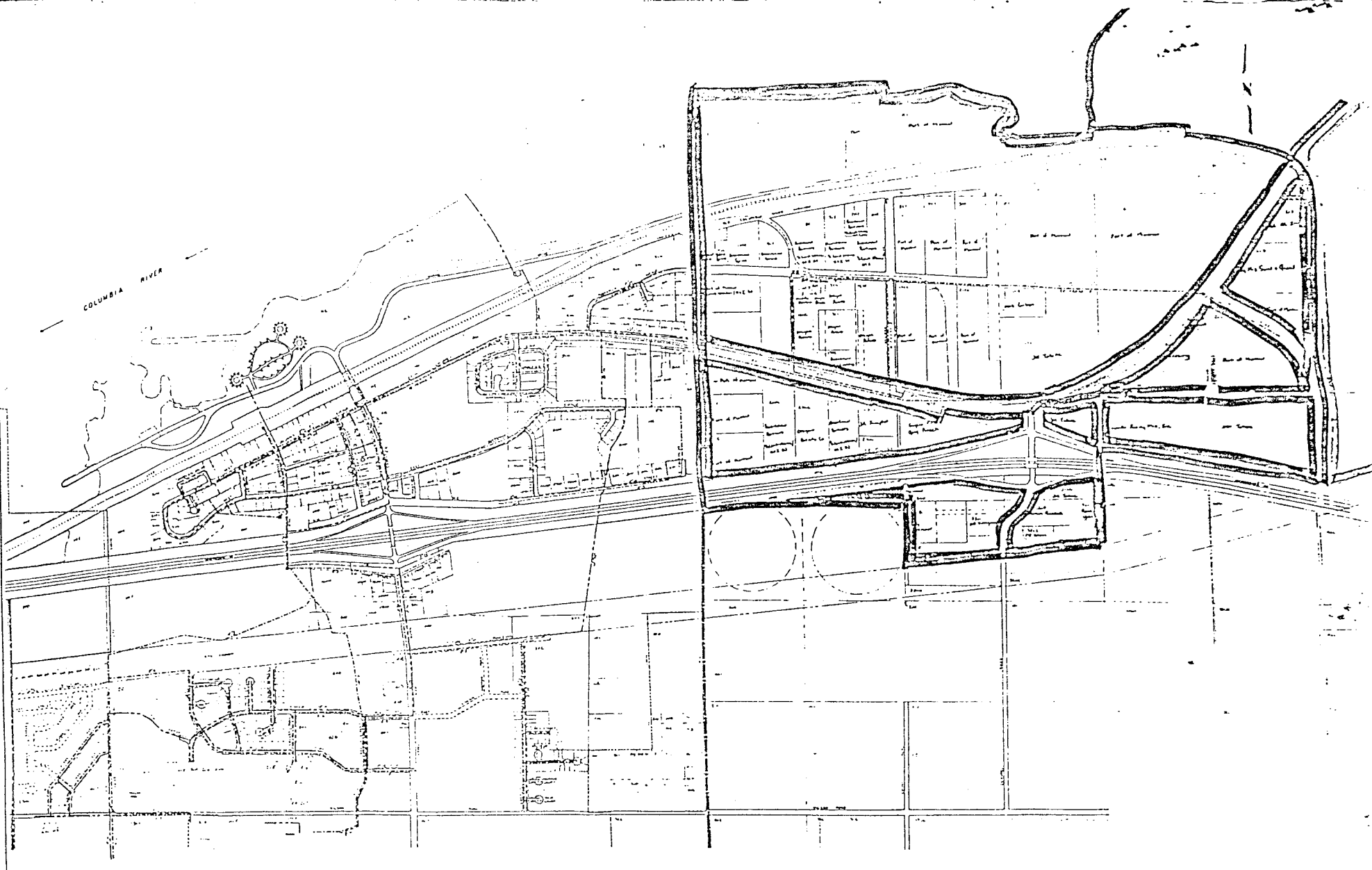
Factor (7) "Compatibility of the proposed urban uses with nearby agricultural activities." Morrow County is heavily reliant on agriculture as its economic base. Current trends are toward additional crops yielding higher income, secondary uses for alternate crops, and enhanced uses of existing crops. These trends, when achieved, will require the processing, marketing, and transportation facilities necessary to achieve a stable economy. The lands contained within this request are needed, planned for, and properly zoned for these uses. The infrastructure needed for that development is in place. No adverse impact on nearby agricultural lands is anticipated as a result of this request. Two irrigated circles lying between the existing urban growth boundary and the requested boundary at the Port of Morrow interchange have been specifically excluded from this request. The new urban growth boundary will provide sufficient additional industrial land so as not to require inclusion of this land thus preserving the existing farm use land. No negative impact is anticipated on the existing farm lands or their irrigation systems.

OAR 660-04-010(1)(c)(B)(ii) asks consideration of "Areas which do not require a new exception cannot reasonably accommodate the use;" There are no other industrially zoned lands adjacent and abutting the Boardman UGB at this time. Once approved the new UGB will abut approximately 2000 acres of industrially zoned land designated for "large parcel" development. (See Port of Morrow exception statement for the rezone of 1889 acres). The lands included in this request are those lands that: (1) are reasonably expected to be needed for industrial development within the Boardman UGB in the next 20 years; and (2) those lands that can reasonably and efficiently be served by coordinated urban utilities of the City of Boardman and the Port of Morrow.

OAR 660-04-010(1)(c)(B)(iii) asks consideration of "The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site;" There being no other industrially zoned lands adjacent and abutting the Boardman UGB, no other site could reasonably be considered. Approval of the request will provide a positive focus for planning, land use, and zoning. Development of the land will occur regardless of the expansion of the UGB, but proper planning, coordination of uses and utilities, and the intent and purposes of Goal 14 will be facilitated by the approval of this request.

The land north of Interstate 84 to be included in the new urban growth boundary is split into 47 parcels ranging in size from .43 acres to 66.64 acres and averaging 12 acres per lot. 35 of the 47 parcels are built upon and committed to industrial uses and surround the remaining 12 parcels. Approximately 230 acres remain as undeveloped but committed with 127 of the 230 acres being in two parcels. The developed parcels are predominantly related to the potato processing industry with two major manufacturers of french fries, potato flakes, fresh pack, etc. Other parcels hold aggregate rock and cement production, the Port of Morrow's container cargo terminal, a farm office building, wood chip storage and shipping, vehicle and utility maintenance facilities, and offices for the Port of Morrow and North Morrow County Vector Control. Utilities already serving the area are water & industrial waste disposal from Port of Morrow, domestic waste disposal from the City of Boardman, natural gas from Cascade Natural Gas, electric power from Umatilla Electric Co-op and a BPA Substation. The entire area lies within the Rural Fire Protection District, however, one tenant also contracts with the City for additional police and fire surveillance. The entire area is logical and capable of being served with City and Port services, and the boundary lines drawn with that in mind.

In conclusion, the land within the requested UGB is committed to urban uses, is receiving urban type services, requires the support of population and services provided by the City of Boardman, is tied directly to the future growth of the City and should be within the City's Urban Growth Boundary.



COLUMBIA RIVER

CITY OF BOARDMAN

MORROW COUNTY, OREGON

LEGEND

	WATER LINE AND SIZE
	SANITARY SEWER AND SIZE
	GAS LINE AND SIZE

	BOARDMAN INDUSTRIAL
	U.G.B.
Anderson Perry Engineers, Inc. 1928 222 S. 3rd St.	BOARDMAN INDUSTRIAL U.G.B.



August 17, 1988

City of Boardman
P.O. Box 229
Boardman, Or. 97818

Attn: Larry Dalrymple, City Manager

Dear Larry,

Regarding the information you sent on the Boardman Urban Growth Boundary which includes the Port of Morrow Land, you can be assured that Oregon Potato Company will support your efforts on this project.

Hope this will lead to more expansion in our area.

Let me know if you need further assistance on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Gene Miller".

Gene Miller
President, General Manager
Oregon Potato Company

GM:cc

cc: Bob Miller
Port of Morrow
cc. Steve Jenks
Lamb Weston

BOARDMAN FARMS

P.O. Box 320 • Boardman, Oregon 97818 • (503) 989-8206
Office (503) 487-8619

Aug. 19, 1988

Mr. Larry Dalrymple
Boardman City Manager

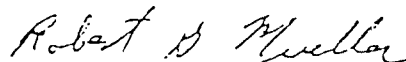
Dear Larry:

This letter is in response to your informative letter of 9/3/88.

I can say without reservation that Morrow Produce and Boardman Farms would support (1) Boardman's efforts to seek the "Enterprise Zone" status and (2) the expansion of the Urban Growth Boundary to include the Port of Morrow's Food Processing area.

I think that if "Enterprise Zone" status was achieved, it could be most advantageous for Boardman's economic health to have the port lands as well as adjoining private land included in the Zone. Please contact me if specific additional support is needed.

Sincerely,



Robert G. Mueller



PORT OF MORROW

MORROW COUNTY OREGON

P.O. Box 200, Boardman, OR 97818

(503) 481-PORT (503) 481-DOCK

August 22, 1988

City of Boardman
Art Kegler, Mayor
P. O. Box 229
Boardman, OR 97818

Dear Art,

The Port of Morrow Commission, at their August 17th meeting, formally voted to support the Enterprize Zone Application by the City. The Commission also appointed two commissioners and the manager to meet with city representatives and work on the "Local Incentive Package".

The Port also has no specific problems with an expansion of the Urban Growth Boundary with the support of tenants. We are aware that this process can be lengthy and complicated and also must be worked in conjunction with the County Planning Agencies.

The above named committee would also like to work with your staff and other appropriate agencies in locating and justifying the new Urban Growth Boundary.

Thank you for the opportunity to help with these two issues.

Sincerely,

R. L. Miller, PLS
General Manager

cc: Larry Dalrymple
Kevin Cooper



COUNTY COURT

P. O. Box 788 -:- Heppner, Oregon 97836
(503) 676-9061

LOUIS A. CARLSON, Judge
Heppner, Oregon
IRVIN E. RAUCH, Commissioner
Lexington, Oregon
G.W. "Jerry" PECK, Commissioner
Boardman, Oregon
LO RAYNE M. BOWMAN
Administrative Assistant

September 1, 1988

City of Boardman
Art Kegler, Mayor
P.O. Box 229
Boardman OR 97818

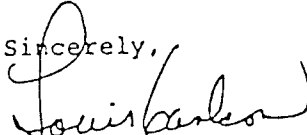
Dear Art:

The Morrow County Court is pleased that Boardman is seeking an "enterprise zone" designation. We enthusiastically support you in this effort.

The designation of an enterprise zone will greatly assist the residents of Morrow County in a boot strap effort to generate new business in our lagging economy.

In a recent Labor Trends publication, some startling facts were brought out. Approximately 43% of all Morrow County income was derived from farming. When one considers that these products are exported from the county in a raw product, it is clear that there are some opportunities in this area for value added products. An enterprise zone would surely provide an incentive for product manufacturing from our raw material.

If we can be of assistance to you in this effort, you can be assured of our support.

Sincerely,

Louis A. Carlson
Morrow County Judge

lac/afd

DOYLE McCASLIN
Superintendent

Morrow County School District

P. O. BOX 368

LEXINGTON, OREGON 97839

Telephone 989-8202

Area Code 503

CHARLES STARR
Assistant Superintendent

August 16, 1988


Mr. Art Keggler, Mayor
City of Boardman
P.O. Box 229
Boardman, OR 97818

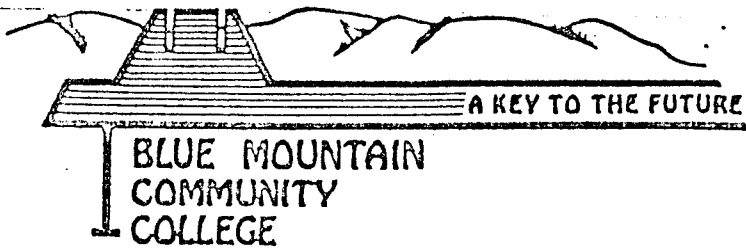
Dear Art

This letter is to notify you that at its regular meeting, August 15, 1988, the Board of Directors unanimously supported the Boardman City Council's effort to have the city of Boardman designated an "enterprise zone."

Should you believe we can provide specific assistance in helping further your efforts to succeed, do not hesitate to contact us.

Sincerely,


Doyle McCaslin
Superintendent



Ronald L. Daniels, President

July 27, 1988

Mr. L. D. Dalrymple, City Manager
City Of Boardman
P.O. Box 229
Boardman, Oregon 97818

Dear Larry:

I am familiar with most of the condition that become available to an area that is designated as an "enterprise zone". The College Board has discussed those conditions and the benefits that this designation provides to the business community. Of course we are supportive of any program that provides incentives that help stimulate the economics of the College District.

I am also familiar with what has been happening in the Boardman area relative to the loss of job opportunities and the stagnant condition of existing businesses. Those conditions clearly point out the need for some action that will help provide incentives for existing businesses to expand and for new businesses to locate in the Boardman area.

If the Boardman City Council determines that designation as an "enterprise Zone" will assist in the City's overall economic development strategy, we would certainly support that application as it is critical to the College that the College District remain economically healthy.

In addition to supporting the designation of Boardman as an "Enterprise Zone", the College also stands ready to provide a range of services to assist in the economic growth of North Morrow County. Those services include, but are not limited to, business counseling through our SBDC program, and through specific targeted training programs.

If addition information or support is needed please let me know.

Sincerely,

Ron Daniels

Ron Daniels,
President

STATE OF OREGON } ss. 120408
County of Morrow } INDEXED

I hereby certify that the within instrument was received for record.

on 02-08-89 at 4:04 pm

and assigned No 32535

in the Microfilm Records of said county

Witness My Hand and Seal of County Affixed

Barbara Bloodsworth
County Clerk

By *Donna M. Rietman*
Deputy

Serving Morrow and Umatilla Count