

M-54941

BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

AN ORDINANCE ADOPTING THE MORROW COUNTY)
MASTER PARK PLAN AND AMENDING THE MORROW COUNTY)
COMPREHENSIVE PLAN RECREATION ELEMENT AND THE)
ZONING ORDINANCE SECTION 3.150 AND THE ZONING)
MAP)

ORDINANCE NUMBER MC-C-6-98

The County of Morrow does ordain as follows;

WHEREAS, the Oregon Parks and Recreation Department awarded a grant to the Planning Department to develop a Master Park Plan and;

WHEREAS, the Morrow County Court appointed citizens to serve as the Morrow County Master Park Plan Technical Advisory Committee (TAC) and;

WHEREAS, a consultant (Oregon Public Affairs Research Consultants) was hired to develop a Master Park Plan and;

WHEREAS, the Technical Advisory Committee met with the consultant over a period of a year and approved the final plan at their final meeting on January 13, 1998 and;

WHEREAS, the consultant presented the Master Park Plan, Recreation Element, Zoning Ordinance and Map Amendment to the Morrow County Planning Commission for an informal review at their April 27, 1998 meeting and;

WHEREAS, the Morrow County Planning Commission held public hearings on May 26, 1998 at Lexington, Oregon and June 29, 1998 at Irrigon, Oregon;

WHEREAS, the Morrow County Planning Commission voted unanimously to adopt the Master Park Plan, amend the Comprehensive Plan and Zoning Ordinance and Zoning Map to apply the Parkland Overlay Zone to Anson Wright Park and Cutsforth Park and;

WHEREAS, the Morrow County Court considered the recommendation for approval by the Morrow County Planning Commission and voted to uphold the decision of the Planning Commission; and

WHEREAS, the Morrow County Court held a public hearing on July 8, 1998 at Irrigon, Oregon.

NOW THEREFORE, THE COUNTY COURT OF MORROW COUNTY ORDAINS AS
FOLLOWS:

SECTION 1. TITLE OF ORDINANCE.

This ordinance shall be known, and may be cited as, "The Morrow County Master Park Plan, Comprehensive Plan, Zoning Ordinance and Zoning Map Ordinance Amendment."

SECTION 2. TEXT AMENDMENT.

Reference the following:

Exhibit A - Adopted as Morrow County Master Park Plan 1998-2018

Exhibit B - Recreation Element replacing Recreation Element of the Comprehensive Plan (pages 144-154).

Exhibit C - Section 3.150 Parkland Overlay Zone, PO, amending the County Zoning Ordinance and replacing Section 3.080 Park Reserve Zone.

Exhibit D - Two maps of property subject to Parkland Overlay Zone Map Amendment, (Cutsforth Park and Anson Wright Park).

SECTION 3. EFFECTIVE DATE.

This ordinance shall become effective 90 days after the date of its adoption by the Morrow County Court.

DATE OF FIRST READING: July 8, 1998

DATE OF SECOND READING: July 22, 1998

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 22nd DAY OF July, 1998.



APPROVED AS TO FORM:

W. J. French
County Counsel

Louis A. Carlson
Louis A. Carlson, Judge

Raymond J. French
Raymond J. French, Commissioner

John E. Wenzholz
John E. Wenzholz, Commissioner

EXHIBIT B

RECREATION ELEMENT

Introduction

Recreation facilities and opportunities are increasingly important. The change is brought about, in part, by a higher standard of living and the resulting increase in leisure time. Early retirement and increasing life spans have added leisure hours to the lives of a growing segment of our population. As a means of enhancing their ability to attract and retain a stable and productive work force, many businesses and industries locate in areas with a high quality of life and environmental quality. Improving transportation systems and telecommuting opportunities provide greater flexibility for business and industrial site selection. A well developed recreation system is an important factor in attracting businesses and industries in the site selection process.

An objective of the Recreation Element to the Comprehensive Plan is to promote the use of existing parks and recreation areas within the county, improve existing developments and facilities and to promote the development of additional areas that have tourist and recreation potential. Recreation areas are intended to serve local recreation needs as well as to add to the local economy by recognizing the additional need to take advantage of commercial recreation opportunities.

It is the general goal of Morrow County to satisfy the recreational needs of the citizens of the county and visitors by providing quality recreation areas, facilities, open space and opportunities. These include, but are not limited to, open space, scenic landscapes, active recreation lands and facilities, roads and travelways, sporting and cultural events, camping and picnicking, recreational lodging, tourist and visitor accommodations, trails, waterway use facilities, hunting, angling, winter sports, active and passive play opportunities.

“Recreation needs” refers to existing and future needs of citizens and visitors for recreation areas, facilities and opportunities.

Facility Description and Inventory

There are several recreational attractions located throughout the county. In northern Morrow County, the Columbia River provides opportunities for fishing, swimming, boating and water sports. Riverside parks developed by the Corps of Engineers at Irrigon and Boardman provide picnic facilities, boat ramps and swimming areas. The Boardman Park has 63 campsites. The parks are maintained by the Irrigon and Boardman park districts.

There are several parks in the forest lands of southern Morrow County. Anson Wright Memorial Park, operated by the county, has 30 developed campsites, a pond, playground equipment and restrooms. Cutsforth Park is operated by the county, and has 35 developed campsites, a pond, meeting facilities, playground equipment and restrooms. The Morrow County Parks Master Plan outlines a number of needed improvements to

both of these parks. The improvements are necessary to upgrade the parks to a level needed if Morrow County is to achieve the recreation goal.

In addition, there are several other park facilities in the county that are operated by various other jurisdictions. Bull Prairie Lake Campground is south of Heppner, operated by the U.S. Forest Service, has 26 campsites and a lake. Fairview Campground, also south of Heppner, is operated by the U.S. Forest Service and has four campsites and a primitive restroom. Penland Lake is south of Heppner and is operated by the U.S. Forest Service with seven campsites, three picnic sites, a boat launch, boating and fishing. Morrow County Fairgrounds is essentially in Heppner and operated by the county. It has 20 campsites, water and restrooms. Willow Lake Park is adjacent to Heppner, operated by the Willow Creek Park District, with 24 campsites, electricity, hiking, fishing and boating.

There is one nine-hole golf course in Boardman and one in Heppner. There is a swimming pool in Ione; another in Heppner. There is a bowling alley in Heppner. There are no theaters in the county but several in Hermiston and Pendleton. Most youth activities within the county are provided through local school facilities and programs.

The Oregon Department of Fish and Wildlife maintain a wildlife management area just east of Irrigon on land owned by the Corps of Engineers. The Umatilla National Wildlife Refuge is located west of Irrigon and north of Boardman. These refuges provide habitat for many species of waterfowl and small mammals and consequently, provide opportunities for bird watching and photography. The Morrow County Fairgrounds is located on Hinton Creek near Heppner.

Forest areas south of Heppner are used for hunting, stream and lake fishing, camping, picnicking, cross country skiing and snowmobiling. Though there are no resort areas, outdoor recreation is an important part of life in Morrow County. As a result, sporting goods stores and other equipment outfitters both in and near the county, benefit from this interest.

Tourism and recreational attractions in the county are primarily centered around I-84 which passes through Boardman. Motels and restaurants have been built in Boardman to serve the workers involved in construction of the interstate, the John Day Dam and relocation of the City of Boardman. The noted enterprises also serve northern Morrow County.

Three motels in Boardman provide approximately 100 units. Peak use months are July, August and September. Construction workers attracted to the area by projects such as the Carty Coal Plant and agri-business development, often live in the motels until other housing becomes available. Some live in motels during the work week and commute to permanent residences on the weekends. There is developing interest in a fourth motel in Boardman which is likely a result of recent growth in the area.

A motel at Heppner, in southern Morrow County, has 15 units. Visitors to Heppner, U.S. Forest Service employees, timber workers and agriculture associated personnel, provide fairly steady, year-round business.

Recreational Use

The Umatilla National Forest is located in both Oregon and Washington. Ten percent, or 139,000 acres, of the Umatilla National Forest lies within Morrow County. Data collected in 1997 by the U.S. Forest Service shows a total of 59,913 visitors to U.S. Forest Service facilities in Morrow County, and accounted for 64,535 recreational visitor days. The use counts for forest lands in the county show 40 percent for camping, 39 percent for hunting, eight percent for scenery appreciation, four percent each for play and forest products gathering, and less than one percent for fishing, hiking, horseback riding, off-road vehicles, picnicking and nature studying. These figures, of course, do not account for land uses other than U.S. Forest Service facilities. Data is not readily available for activities on property administered by others.

Hunting and fishing attractions are a significant portion of Morrow County's economy. Whether it is camping, hunting or just viewing, wildlife is important to the county. The table that follows, gives some indication of the extent of populations and habitat for game birds in Morrow County.

TABLE 14

SPECIES, ESTIMATED POPULATION AND AVAILABLE ACRES OF HABITAT FOR GAME BIRDS IN MORROW COUNTY

Species	Estimated Population	Acres of Habitat
Ducks and Geese	450,000	350,000
Chuckars	30,000	560,000
Ring Necked Pheasant	6,000	640,000
Mourning Dove	12,000	500,000
California Valley Quail	6,000	450,000
Mountain Quail	500	70,000
Hungarian Partridge	9,000	350,000
Blue Grouse	3,000	261,000
Ruffed Grouse	800	202,000
Merriams Turkey	150	205,000

Needs & Potentials

The Morrow County Parks Master Plan, reads: "the significance of people camping in Oregon, the Northeast Region and in Morrow County cannot be understated". It follows then, that Morrow County's high priority needs include existing park improvements,

campsites, hiking trails, boat launch lanes, walking trails, some new park creations to serve all levels of users and some niche recreational facility developments. As the area grows, and it is, additional facilities are needed to meet the local needs. These include picnic, swimming, ballfields and tennis facilities.

Wildlife resources and related recreational opportunities are difficult to document. Value placed on an occasion to view and hunt water fowl and large game or to fish for trout and anadromous fish is unquestionable. Those opportunities are certainly present. Employees may be willing to forego higher wages characteristically available in urban areas to live with these attractions.

Similarly, retired persons may be attracted to the area because of recreational and wildlife resources available to them. Mild climate and a growing promotional attitude may also attract more residents and dollars to the County.

Development interests in the northern end of the county, growing population and increased travel on I-84, will generate demand for tourist and convention facilities. There is interest in taking advantage of a growing demand for multipurpose indoor arena facilities in Morrow and neighboring counties.

An expressed policy of the county is to provide neighborhood recreational facilities. Minimum national standards for parks are used as planning guidelines. They are as follows:

Type of Area	Acres Per 1000 Population	Minimum Size(acres)	Radius of Area Served
1. Playgrounds (Mini-park)	1.5	2	0.5 mi
2. Neighborhood Parks	2.0	5	0.5 mi
3. Play fields	1.5	10	1.5 mi
4. Community Parks	3.5	40	2.0 mi

Findings

1. Recreation facilities and opportunities are necessary to retain and enhance the livability of Morrow County.
2. New residential development will significantly contribute to the increased need and resulting costs of park and recreational facilities.
3. Waiting to acquire park sites at future land values is less beneficial than acquiring park sites at current values. Early acquisition of known future park sites is a cost benefit to the public. The Morrow County Parks Master Plan is helpful in determining the suitability of future park sites.

4. Early acquisition of park lands by purchase or by park land development fee contributions assures the availability of acceptable locations for park sites in relation to population distribution, utilities and transportation routes.
5. There is a small, private multipurpose indoor arena facility in Irrigon. A second multipurpose indoor arena facility is located at the Morrow County Fairgrounds in Heppner. Neighboring Crook County and Wallowa County both have similar facilities.
6. Combining certain recreation facilities and activities with the Morrow County School District reduces duplicate public costs.
7. The trend toward more leisure time, combined with a growing need to conserve resources, will increase requirements for quality recreational opportunities.
8. Morrow County has, within its boundaries, two riverside parks with camping, boating and picnic facilities. The county has two mountain parks with full facilities and campgrounds. In addition, there are sites that are suitable for winter sport activities. The county has the potential for a water sport facility at Three Mile on the Columbia River.
9. Fishing and hunting areas abound throughout the county.
10. There is a need for recreational facilities designed for young adults.
11. Tourist commercial activity is significant along I-84, particularly near Boardman.
12. Wildlife and fishery resources contribute significantly to the economy of Morrow County.
13. Some potential recreation sites exist in the county that, if developed with vacation or resort facilities, could provide local employment. Also, increased property tax revenue and personal income would result without materially affecting the permanent population or demand for services.
14. The North-Central Oregon Strategic Plan recognizes the tourism and recreational opportunities in the area. With help from the State of Oregon, these economic segments can be promoted.
15. The Morrow County Tourism Committee and Chambers of Commerce in cities within the county, promote recreational opportunities and tourism in the area.
16. Tourist dollars are often derived from destination oriented vacationers. They often take advantage of group rates and package deals including transportation, accommodations and activity charges. The arrangements are usually made under a single sponsorship.

Recreational Needs Goal

To satisfy the recreational needs of the citizens of Morrow County and its visitors.

Recreation Policies

1. Encourage the development of public meeting places and indoor recreational facilities for all age groups, with special attention to young adults.
2. Rely on the Morrow County Parks Master Plan for inventory of recreational facilities in order to coordinate efficient use and improvement of them.
3. Coordinate the review of development on private lands in forest areas of the county with the Oregon State Fish and Wildlife Department to assure the protection of resources for recreational purposes.
4. Establish future areas for parks and outdoor recreational facilities in order to meet the needs of residents and visitors as the county grows and protect them with the use of overlay zoning.
5. Require the dedication of parkland as a part of the review and approval of subdivisions and planned unit developments.
6. Encourage the development of winter sports and water sports areas.
7. Morrow County should seek to provide adequate tourist commercial land along freeways where it doesn't conflict with agriculture requirements. Where such tourist uses would conflict with agriculture, the county should seek to provide adequate and convenient access and sign notification from freeways to the core of cities adjacent to the freeway. The county should cooperate with civic groups in providing accommodations for promoting their tourist-based activities.
8. Since tourism and recreation are important to the economy, Morrow County shall protect fish and game resources and encourage resort and vacation development where not in conflict with timber, agriculture, scenery and wildlife habitat requirements. Hiking, water sports, vehicular recreation, bird hunting and fishing should be promoted at appropriate locations in an effort to keep the number of game hunters proportionate to county game populations.
9. Morrow County shall make all promotional materials, and knowledge of local resources, available to the Oregon Tourism Commission to take advantage of their marketing plan services listed in the Morrow County Parks Master Plan.

10. The county economy benefits from increased flow of dollars through any of its communities so significant savings can be realized with joint production of promotional materials. The county shall encourage cooperation between the county, other jurisdictions, and neighboring counties in developing, distributing and promoting such information. The North Central Oregon Strategic Plan for Tourism reinforces this notion.
11. The county shall encourage the development of quality private resorts and public parks based on special Morrow County attractions that provide convenient recreational experiences sought by urban vacationers.
12. Energy consequences shall be considered by all recreation plans to the extent that nonmotorized recreational vehicles shall be preferred over motorized activities. Facilities directly serving the recreational needs of urban residents shall be built as close to a population center as possible in an effort to minimize transportation costs to the site.
13. Planning for recreation facilities and opportunities shall give priority to meeting the needs of Morrow County citizens, persons with limited mobility and handicapped individuals.
14. Unique areas and potential recreation sites that meet specific recreational needs shall be protected or acquired. Suggested methods include fee acquisition, assessments, cluster developments, preferential assessments, development rights acquisition, subdivision parkland dedication, land leases, tax relief and overlay zoning.
15. No recreational use shall be allowed to exceed the carrying capacity of the air, water and land resources of an area. All recreational uses, including ORV uses specifically, shall minimize environmental impacts.
16. No public land shall be sold, traded or otherwise disposed of without first being reviewed for suitability as parkland, recreational use or open space.
17. Concepts of mixing public recreation activities with revenue generating commercial uses such as restaurants or other concession activities shall be explored in order to help finance recreation programming, parkland acquisition and park maintenance.
18. The Morrow County Parks Master Plan further refines this element to more carefully inventory existing parks, identify potential parklands and evaluate other possible facilities. The Parks Master Plan shall be used to establish a program of priorities and schedules for acquisition, improvement and development of identified opportunities.
19. Private recreational facilities that compliment the public system shall be considered as possible alternatives to supplement otherwise publicly financed and operated facilities. In some cases, agreements will be generated that ensure use by the public.
20. The county shall coordinate with existing state and federal ORV regulatory programs to encourage the identification, designation and development of areas or sites for such purposes.

EXHIBIT C

MORROW PO
5/22/98

SECTION 3.150 PARKLAND OVERLAY ZONE, PO

Section 3.150. The purpose of the Parkland Overlay Zone is to limit uses of land identified as parks. Use of lands overlaid with the PO designation are limited to those uses which are consistent with the development of parks in Morrow County and to permit only development which is compatible with such protection.

(1) Application. The Parkland Overlay Zone shall be applied to those properties which have been identified as park sites in the Morrow County Comprehensive Plan with the intent of protecting the property as parkland. In addition, owners of adjacent property will benefit by knowing the extent of uses allowed on the neighboring public park property subject to this overlay designation.

(2) Permissible Uses. If a use is allowed outright in the underlying zone, it will be allowed outright in the Parkland Overlay Zone but with the overriding provision that no structures are permitted unless consistent with the following list and in conjunction with park use:

- a) Roads
- b) RV Sites
- c) Campground Sites
- d) Restrooms
- e) Office Structures
- f) Bridges
- g) Picnic Facilities
- h) Playground Equipment
- I) Parking
- j) Trails
- k) Fishing Facilities
- l) Recreation Facilities
- m) Maintenance to Existing Facilities
- n) Expansion of Existing Facilities
- o) Other Park Uses as Allowed in OAR 660-034-0040

In no instance shall an owner/operator of a park site locate a structure or even a permissible use from the list above within one hundred feet (100') of the exterior boundary of a park without first obtaining review process approval as specified in Section 3.150(5) below. In cases where it is brought, in writing, to the Planning Director's attention that implementation of a permitted use on public parkland property is not consistent with a perceived notion of recreation need as noted in the Recreation Element of the Morrow County Comprehensive Plan, the matter may be transmitted to the Planning Commission for Conditional Use Permit consideration specified in Section 3.150(5) below.

3) Conditional Use. A use not permitted outright in an underlying zone or noted in the list in

Section 3.150 (2), shall not be allowed. In instances where the proposed use is not accepted as a permitted use by the Planning Director, the applicant can submit the proposed use to the Planning Commission in the form of a Conditional Use Permit application for a determination of similarity to permitted uses. The Conditional Use Permit review process is subject to the provisions of Article 6 and the provisions of this ordinance. The information provided to the Planning Commission will include the Planning Director's initial determination and the reason for making the determination.

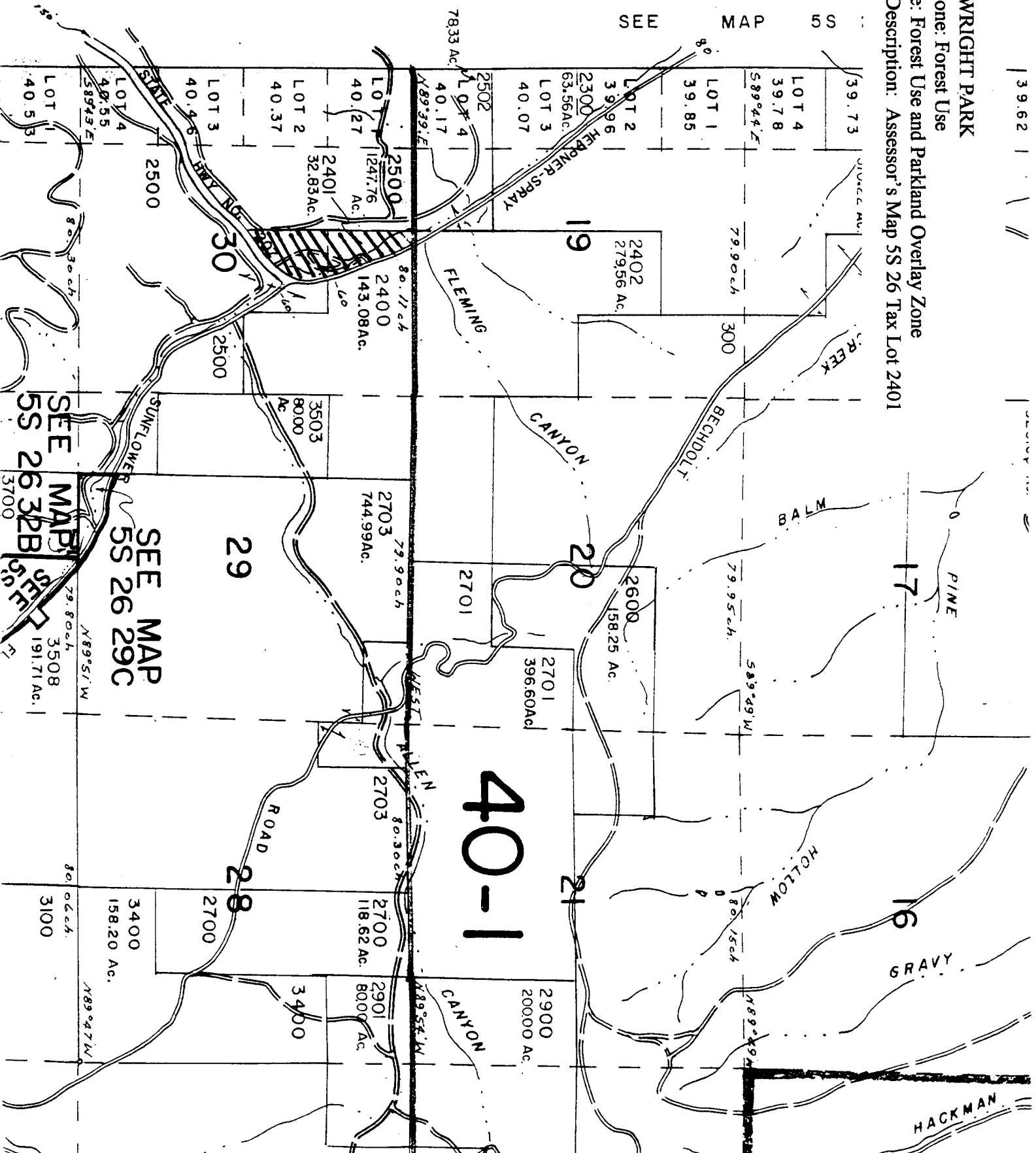
4) Similar uses as determined by staff. The Planning Director can determine that a proposed use is similar enough in nature to those listed in Section 3.150 (2) that it will not be a conditional use. In such an instance, the determination shall be in the form of a permanent letter to the property file and confirmed by the Planning Commission at a regular meeting.

5) Review Process. When a determination has been made that a proposed use is a conditional use, the Planning Commission shall conduct a conditional use hearing and consider the following matters and criteria before arriving at a decision.

- a) The applicant shall submit a map(s) of the park site and a written description of the proposed use in sufficient detail so that anticipated impacts and benefits can be evaluated.
- b) The applicant shall fully describe any measures proposed to mitigate anticipated impacts on adjacent property.
- c) The Planning Commission shall approve the application only if it has been determined that the proposed use does not adversely effect adjacent properties or amenities in the park. The review criteria for Conditional Use Permits must be followed.
- d) The integrity of the site as a park must be maintained.
- e) The amount of area disturbed for the proposed use shall be the minimum necessary to accomplish the purpose of the proposed use.
- f) There shall be no significant loss of habitat for threatened or endangered species of animals or plants as listed by the U.S. Fish and Wildlife Service or the Oregon Department of Fish and Wildlife.
- g) Permanent vegetation removal within the area defined as the riparian zone shall retain 75% of all layers or strata of vegetation (e.g., deciduous trees, shrubs, sedges, rushes and emergents) and maintain riparian diversity.
- h) In no instance shall the minimum lot size of this section allow a smaller lot or parcel size than allowed by the underlying zone.
- I) In no instance shall a permitted underlying use or a proposed conditional use adversely impact water quality or quantity of any parkland waters.

EXHIBIT D

ANSON WRIGHT PARK
 Current Zone: Forest Use
 New Zone: Forest Use and Parkland Overlay Zone
 Property Description: Assessor's Map 5S 26 Tax Lot 2401



40-1

SEE MAP 5S

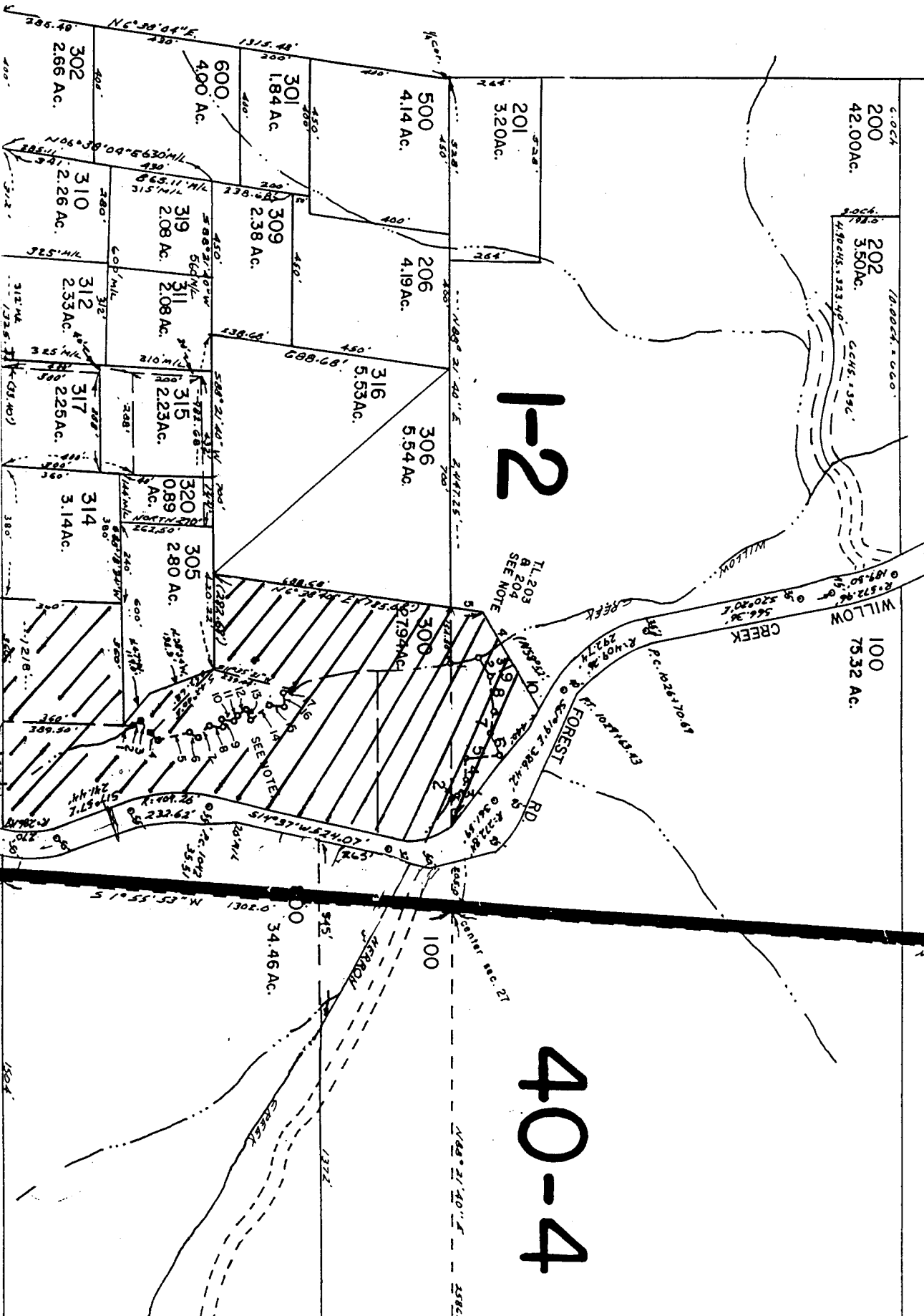
SEE MAP 5S 26 32B
 SEE MAP 5S 26 29C

SEE MAP 5S 26 29C

SEE MAP 5S 26 29C

CUTSFORTH PARK
Current Zone: Forest Use
New Zone: Forest Use and Parkland Overlay Zone
Property Description: Assessor's Map 4S 28 27 Tax Lot 300

SEE MAP 4S 28 27



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40-4

STATE OF OREGON

County of Morrow

} SS

I certify that this instrument was received and recorded in the book of records of said county.

BARBARA BLOODSWORTH,
Morrow County Clerk

by Shirley McCarl Deputy.

DOC#: 54941

RCPT: 8807

7/31/98 8:50 AM

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