

BEFORE THE MORROW COUNTY COURT  
OF MORROW COUNTY

AN ORDINANCE AMENDING THE MORROW  
COUNTY COMPREHENSIVE PLAN AND THE  
COMPREHENSIVE PLAN MAP TO INCLUDE  
A LOCALLY SIGNIFICANT AGGREGATE  
RESOURCE SITE

COUNTY ORDINANCE

NO. MC-10-2010

WHEREAS, ORS 203.035 authorizes Morrow County to exercise authority within the county over matters of County concern; and

WHEREAS, Morrow County adopted a Comprehensive Land Use Plan which was acknowledged by the Land Conservation and Development Commission on January 15, 1986; and

WHEREAS, an application was filed by Ron Haguewood to include approximately 80 acres of ground as a locally significant resource site and to amend the Morrow County Comprehensive Plan Inventory of Significant Aggregate Sites by a Post Acknowledgment Plan Amendment; and

WHEREAS, the Morrow County Planning Commission held two hearings to review the request on August 31, 2010 and September 14, 2010 at the Port of Morrow Riverfront Center; and

WHEREAS, the Morrow County Planning Commission unanimously recommended approval of the request and adopted Planning Commission Final Findings of Fact; and

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on October 27, 2010, at the Morrow County Courthouse in Heppner, Oregon; and

WHEREAS, the Morrow County Court did take testimony at the public hearing on October 27, 2010; and

WHEREAS, the Morrow County Court affirmed that the proposed aggregate site meets the requirements under Oregon Administrative Rule whereby a site shall produce less than 500,000 tons of aggregate material and the soils contain less than 35 percent of soils classified as Class I or II on NRCS maps; and

WHEREAS, the Morrow County Court deemed the site at the subject property a locally significant aggregate site.

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 "2010 Haguewood Quarry Locally Significant Site Comprehensive Plan and Map Amendment."

### Section 2 Findings

The Morrow County Court does find that the testimony and evidence submitted by Steve and Jan Puntenney to not be applicable to the action under review. The Morrow County Court is charged in this action to determine if the site meets the requirements to be listed as locally significant. The testimony provided focused on four distinct areas - view, dust, blasting impacts and noise. These factors are related to how mining is conducted, not if the resource site should be listed as locally significant. The four factors identified are more appropriate to the mining decision which was reviewed by the Morrow County Planning Commission as Conditional Use Permit request CUP-N-284 at the August 31, 2010 public hearing in Heppner at the Heppner City Hall.

Three of the four factors - dust, blasting impacts and noise - are factors that can be reviewed as part of the Conditional Use Permit relative to how mining occurs. There may still be an opportunity for certain aspects of these concerns to be addressed within the operating permit that will need to be issued by the Oregon Department of Geology and Mineral Industries.

The fourth factor, view, if considered during the Conditional Use Permit review process, would be evaluated under Goal 5. In the vicinity of the proposed aggregate site the Oregon Trail and the Cecil Store are identified as historic features to be protected. Testimony was given that the Blue Mountain Scenic Byway (BluWay) should also receive protection, however Morrow County has not listed the BluWay for protections under Goal 5.

Based on these Findings the Morrow County Court does approve the listing of the Haguewood Aggregate Site as a locally significant site and would not place any restrictions on the mining activity.

### Section 3 Affected Documents:

The Morrow County Comprehensive Plan and the Morrow County Comprehensive Plan Map are amended with a text amendment in the Goal 5 Analysis Chapter Aggregate Sites List.

1. Text Amendment: Insert the following on page 102 of the Comprehensive Plan:  
Site/Permit Number TBD Type of Material: Quarry Rock County Zone Designation:  
EFU Remarks: Locally Significant Goal 5 Designation: n/a
2. Map Amendment: The Morrow County Comprehensive Plan Aggregate Resources Map will be amended to indicate the site as shown on the attached Boundary Map.

Section 4 Effective Date

This ordinance shall be effective on January 1, 2011.

Date of First Reading: November 3, 2010

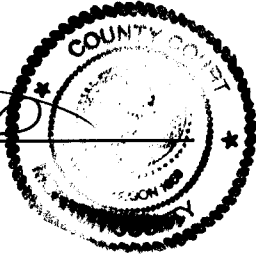
Date of Second Reading: November 10, 2010

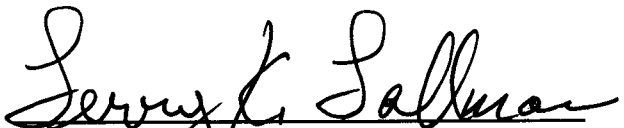
DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 10th DAY OF NOVEMBER, 2010

ATTEST:

MORROW COUNTY COURT:

  
Bobbi Childers  
County Clerk



  
Terry K. Tallman, Judge

  
Ken Grieb, Commissioner

APPROVED AS TO FORM:

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Ryan Swinburnson  
County Counsel

  
Leann Rea, Commissioner

MORROW COUNTY, OREGON **CJ2010-0130**  
Commissioners' Journal 11/12/2010 09:43:58 AM



I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Bobbi Childers - County Clerk





Proposed Aggregate Site  
Haguewood Subject Property

# Haguewood Boundary Map

AC-040-10  
AC(M)-041-10  
CUP-N-284

