

BEFORE THE MORROW COUNTY COURT  
OF MORROW COUNTY

AN ORDINANCE AMENDING THE  
COMPREHENSIVE PLAN RECREATION ELEMENT;  
AMENDING THE ZONING ORDINANCE ARTICLE 3  
SECTION 3.150 PARKLAND OVERLAY ZONE;  
APPLYING THE PARKLAND OVERLAY ZONE TO  
THE MORROW COUNTY OHV PARK; AND  
AMENDING THE MORROW COUNTY ZONING  
ORDINANCE MAP SHOWING THE PARKLAND  
OVERLAY ZONE TO THE OHV PARK.

COUNTY ORDINANCE

NO. MC-2-2011

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, the Morrow County Public Works Department initiated changes to the Park Master Plan and the Morrow County Planning Department initiated complementary changes to the Comprehensive Plan; and

WHEREAS, the Morrow County Planning Department identified that the Parkland Overlay Zone needed to be applied to the Morrow County OHV Park and that the Parkland Overlay Zone needed to be updated to reflect current park activities at the OHV and other Morrow County parks; and

WHEREAS, the Morrow County Planning Commission held hearings to review the request and consider testimony on August 31, 2010, at the Heppner City Hall in Heppner, Oregon, and September 28, 2010, at the Port of Morrow Riverfront Center in Boardman, Oregon; and

WHEREAS, the Morrow County Planning Commission unanimously recommended approval of the request and adopted Planning Commission Final Findings of Fact dated October 14, 2010; and

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on November 24, 2010, at the Morrow County Courthouse in Heppner, Oregon; and

WHEREAS, the Morrow County Court adopted by Order OR-10-2010 the Park Master Plan on December 1, 2010; and

WHEREAS, the Morrow County Court did have additional hearings to allow staff additional time to finalize the Comprehensive Plan Recreation Element, those hearings being December 8, 2010 at the Port of Morrow Riverfront Center in Boardman, Oregon; January 12, 2011 at the CSEPP Safe Building in Irrigon, Oregon; and January 26, 2011 at the Morrow County Courthouse in Heppner, Oregon; and

WHEREAS, the Morrow County Court did consider the testimony and evidence presented to them;

MORROW COUNTY, OREGON **CJ2011-0024**  
Commissioners' Journal **02/25/2011 03:31:30 PM**



2011-0024

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



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 Comprehensive Plan Recreation Element and Zoning Ordinance Parkland Overlay Zone Amendment."

Section 2 Affected Documents

1. The Morrow County Comprehensive Plan Recreation Element will be repealed and replaced with the attached Exhibit 1.
2. The Morrow County Zoning Ordinance Article 3 Section 3.150 Parkland Overlay Zone will be repealed and replaced with the attached Exhibit 2.
3. The Parkland Overlay Zone will be applied to the OHV Park and the Morrow County Zoning Ordinance Map will be amended as identified on the attached map labeled Exhibit 3.

Section 3 Effective Date

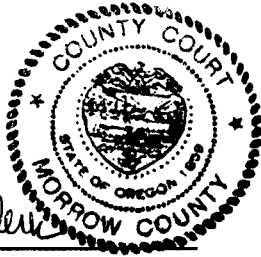
This ordinance shall be effective on April 1, 2011.

Date of First Reading: February 9, 2011

Date of Second Reading: February 16, 2011

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 16<sup>th</sup> DAY OF FEBRUARY 2011.

ATTEST:



*Bobbi Childersby*  
*Theresa Crawford Deputy Clerk*  
 Bobbi Childers, County Clerk

MORROW COUNTY COURT:

*Terry K. Tallman*  
 Terry K. Tallman, Judge

*Ken a. Grieb*  
 Ken Grieb, Commissioner

APPROVED AS TO FORM:

*Ryan Swinburnson*  
 Ryan Swinburnson, County Counsel

*Learn Rea*  
 Learn Rea, Commissioner

## CHAPTER 9: RECREATION ELEMENT

### INTRODUCTION

Recreational 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 span 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 our transportation systems and telecommuting opportunities provides 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, to improve existing developments and facilities, and to promote the development of additional areas that have tourism 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 existing and future 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 travel-ways, sporting and cultural events, camping and picnicking, recreational lodging, tourist and visitor accommodations, trails, waterway use facilities, hunting, angling, winter sports, active play and passive play opportunities.

Morrow County has and will continue to work with various partners to achieve not only these general goals, but more specific Recreation Element goals. A collaborative partnership has been established with the State or Oregon Parks and Recreation Department supporting the development of the Morrow County Off-Highway Vehicle (OHV) Park in southern Morrow County. To expand the OHV Park offerings Morrow County has established a partnership with Grant County. Along the Columbia River both Morrow and Umatilla County's have invested in a trail system recognizing our regions culture and heritage. These multifaceted partnerships provide mechanisms to allow each entities investment in recreational opportunities to go farther.

### Facility Descriptions 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. In 2000 Morrow County adopted a Concept Plan for the Columbia River Heritage Trail. This trail, when complete, will connect Umatilla County to Gilliam County via a trail that travels approximately 33 miles mostly along the banks of the Columbia River. Initial focus will be on the portion of trail connecting and adjacent to Boardman and Irrigon with later phases being that portion of the trail to the west of Boardman. The Heritage Trail was conceived as a multi-jurisdictional partnership with Morrow County being the lead agency. Other opportunities include riverside parks developed by the Corps of Engineers at Irrigon and Boardman that 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 county owned and operated parks in the forest lands of southern Morrow County. Anson Wright Memorial Park has 30 developed campsites, a pond, playground equipment and restrooms. Cutsforth Park has 35 developed campsites, a pond, meeting facilities, playground equipment and restrooms. The Morrow County OHV Park is the newest addition to the county park system. When fully completed the OHV Park will have a variety of OHV trails, day-use staging areas, overnight campground and operation facilities. The Morrow County Parks Master Plan outlines a number of needed improvements to these parks. The improvements are necessary to upgrade the parks to a level needed if Morrow County is to achieve the recreation goal.

There are several other park facilities in the county that are operated by other various jurisdictions. The U.S. Forest Service operate the following campsites south of Heppner. Bull Prairie Lake Campground, has 30 campsites and a lake with a paved handicap assessable trail. Fairview Campground and OHV trailhead has five campsites and a handicap accessible restroom. Penland Lake has eight campsites, three picnic sites, a boat launch, boating and fishing. Coalmine hill Campground and Trailhead has five campsites and a handicap accessible restroom. Willow Lake Park is adjacent to Heppner, operated by the Willow Creek Park District, with 24 campsites, electricity, hiking, fishing and boating.

The Morrow County Fairgrounds is located on Hinton Creek essentially in Heppner and operated by the county. Both 4-H and FFA are strong within the County and supported through the annual Morrow County Fair. There is also an annual rodeo each year during the Morrow County Fair and the facilities are used throughout the year for a variety of activities. The fairgrounds has 20 campsites, water and restrooms.

There is one nine-hole golf course in Boardman and one in Heppner. There is a swimming pool in lone and another in Heppner. There is a bowling alley in Heppner. There are no theaters in the County, but there are 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 maintains a series of wildlife management areas: one is just east of the City of Irrigon, a second is near the Port of Morrow along Interstate 84, and a third is along the Willow Creek on property owned by Threemile Canyon Farms. 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 hunting, bird watching and photography.

Forest areas south of Heppner are used for hunting, stream and lake fishing, camping, picnicking, cross country skiing, snowmobiling and ATV use. 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 were 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 and the traveling public..

Four motels in Boardman provide approximately 160 units. Peak use months are July, August

and September. Construction workers attracted to the area by projects at the Port of Morrow 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 interest in additional motel development in Boardman, which is likely a result of recent growth in the area.

Bake's Motel serves Irrigon with six rooms and three apartments.

A motel in 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.

In lone a Bed and Breakfast, the Woolery House, is available for traveler's accommodations.

#### 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, accounting for 64,535 recreational visitor days. The "reason for use" counts for forest lands in the county show 40 percent for camping, 39 percent for hunting, 8 percent for scenery appreciation, 4 percent each for play and forest products gathering, and less than 1 percent for fishing, hiking, horseback riding, off-road vehicles, picnicking and nature studying. These figures, of course, do not account for land uses at locations 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. In northern Morrow County the United States Fish and Wildlife Service operates the Umatilla National Wildlife Refuge on land owned by the Army Corps of Engineers between the cities of Irrigon and Boardman. In southern Morrow County several Hunting Preserves provide fee hunting operations. A number of species can be found in Morrow County, including ducks and geese, chukars, pheasant, dove, multiple varieties of quail and grouse, and wild turkey.

#### Needs & Potentials

The Morrow County Parks Master Plan, as amended in 2010, states that "Morrow County's goal is to provide quality outdoor recreational opportunities to Oregonians and visitors from other states." 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 growing—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 waterfowl 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 among 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 to Morrow 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 multi-purpose 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:

**TABLE 20**

**National Standards for Parks**

<u>Type of Area</u>	<u>Acres Per 1,000 Population</u>	<u>Minimum Size</u>	<u>Radius of Area Served</u>
1. Playgrounds (Mini-parks)	1.5	2 acres	0.5 miles
2. Neighborhood Parks	2.0	5	0.5
3. Playfields	1.5	10	1.5
4. Community Parks	3.5	40	2.0

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 lands development fee contributions assures the availability of acceptable locations of park sites in relation to population distribution, utilities and transportation routes.
5. There is a small, private multi-purpose indoor arena facility in Irrigon. A second multi-purpose 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 the requirements for quality recreational opportunities.
8. Morrow County has within its boundaries two riverside parks with camping, boating and picnic facilities. The county has three mountain parks with full facilities and campgrounds. In addition, there are sites that can be considered for winter sports 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 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 employment. Also, increased property tax revenue and personal income would result without materially affecting the permanent population or demand for services.
14. The Eastern Oregon Visitors Association 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.
17. The Oregon Parks and Recreation Department has supported the development of the OHV Park in Morrow and Grant Counties. Additionally OHV Parks and trails have been developed throughout the Blue Mountains with a view to connecting those recreational opportunities. Many of the trails and their amenities support both OHV and snowmobiling activities.

#### 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 park land as a part of the review and approval of subdivisions and planned unit developments.
6. To encourage the development of a) winter sports and b) water sports areas.
7. Morrow County should seek to provide adequate tourist commercial land along freeways



where it doesn't conflict with agricultural 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 service accommodations for and 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, agricultural, 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. The 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 since significant savings can be realized through joint production of promotional materials. The county should encourage cooperation between the county, other jurisdictions and neighboring counties in developing, distributing and promoting such information.
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 non-motorized recreational activities 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 residents, persons with limited mobility and disabled 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 park land 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 OHV uses specifically, shall minimize environmental deterioration.
16. No public land should be sold, traded or otherwise disposed of without first being reviewed for suitability as park land, 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, park land 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 complement 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 OHV regulatory programs to encourage the identification, designation and development of areas or sites for such purposes.
21. Morrow County has and will continue to support the development of a speedway that has been proposed at the intersection of Interstate 84 and Tower Road. This development would be primarily privately financed, but may have public partners. The land use approvals provide for a variety of race tracks and ancillary development that would meet the recreation needs of not only Morrow County, but also the larger Columbia Basin region.

Amended in 1998 (Ordinance #MC-C-6-98 and DLCD #003-98).

**SECTION 3.150 PARKLAND OVERLAY ZONE, PO.** 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.

A. 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.

B. 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:

1. Roads
2. RV Sites
3. Campground Sites
4. Camper Cabins
5. Restrooms
6. Office Structures
7. Bridges
8. Picnic Facilities
9. Playground Equipment
10. Parking
11. Trails
12. Helipad for Emergency Uses including but not limited to Medivac and Wildfire Response
13. Off Highway Vehicle Trails and Supporting Facilities within the Specified Boundaries of an OHV Park
14. Fishing Facilities

15. Recreation Facilities
  16. Maintenance to Existing Facilities
  17. Expansion of Existing Facilities
  18. Other Park Uses as Allowed in OAR 660-034-0040
  19. 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.D 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.C below.
- C. Conditional Use. A use not permitted outright in an underlying zone or noted in the list in Section 3.150.B, 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.
- D. 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.
1. 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.
  2. The applicant shall fully describe any measures proposed to mitigate anticipated impacts on adjacent property.
  3. 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.

4. The amount of area disturbed for the proposed use shall be the minimum necessary to accomplish the purpose of the proposed use.
5. 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 & Wildlife.
6. 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.
7. In no instance shall the minimum lot size of this section allow a smaller lot or parcel size than allowed by the underlying zone.
8. In no instance shall a permitted underlying use or a proposed conditional use adversely impact water quality or quantity of any parkland waters.  
(MC-C-6-98)

# Morrow County Parks Parkland Overlay Zone



Exhibit 3

