

BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

AN ORDINANCE AMENDING THE
MORROW COUNTY COMPREHENSIVE
PLAN ADDING LANGUAGE TO PROTECT
AN AGGREGATE SITE UNDER GOAL 5
RULES AND AMEND THE ZONING MAP
TO ADD THE SITE TO THE SIGNIFICANT
RESOURCES OVERLAY ZONE MAP

COUNTY ORDINANCE

NO. ORD-2014-5

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 the Oregon Department of Transportation on land owned by the Oregon Department of Transportation to include approximately 14.94 acres of land as a Goal 5 significant resource site in the Comprehensive Plan and to apply the Significant Resource Overlay Zone to the site, and to allow mining; and

WHEREAS, the Morrow County Planning Commission held a hearing to review the request on June 24, 2014 at Heppner City Hall in Heppner, Oregon; and

WHEREAS, the applicant, Oregon Department of Transportation testified in favor of the amendments; and

WHEREAS, the Morrow County Planning Commission found the aggregate site significant, that mining would be allowed, and recommended that the site and 1500 foot impact area be added to the Significant Resources Overlay Zone Map and 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 July 23, 2014, at the Morrow County Courthouse in Heppner, Oregon; and

WHEREAS, the Morrow County Court affirmed that the proposed aggregate site meets the requirements under Oregon Administrative Rule whereby a site is estimated to provide more than 500,000 tons of aggregate material and the soils contain less than 35 percent of soils classified as Class I or II; and

WHEREAS, a representative set of samples of aggregate material in the deposit on the proposed site of this application meets Oregon Department of Transportation specifications for base rock for air degradation, abrasion, and soundness; and

WHEREAS, the Morrow County Court deemed the site at the subject property a Goal 5 significant aggregate site.

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

The subject site is significant and shall be incorporated into the Comprehensive Plan and shall be mapped as such applying the Significant Resources Overlay Zone, and mining shall be allowed.

Section 1 Title of Ordinance: This Ordinance shall be known, and may be cited, as the "2014 ODOT Lexington Aggregate Goal 5 Significant Site Comprehensive Plan and Zoning Map Amendment."

Section 2 Affected Documents: The Comprehensive Plan and Zoning Map are amended.

1. Text Amendment: Insert the text on page 7 of 31 of the Morrow County Comprehensive Plan- The Goal 5 Analysis as shown on Exhibit A
2. Map Amendments: The Zoning Map will be amended by applying the Significant Resource Overlay Zone to the site and surrounding 1500 foot impact area as shown on Exhibit B.

Section 3 Effective Date This ordinance shall be effective on October 1, 2014.

Date of First Reading: August 6, 2014

Date of Second Reading: August 27, 2014

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 27th DAY OF AUGUST, 2014

MORROW COUNTY COURT:

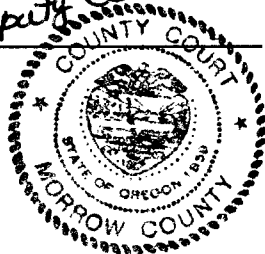
Terry K. Tallman
Terry K. Tallman, Judge

Ken A. Grieb
Ken Grieb, Commissioner

Learn Rea
Learn Rea, Commissioner

ATTEST:

Bobbi Childers by
Theresa Crawford Deputy Clerk
Bobbi Childers
County Clerk



Morrow County Comprehensive Plan

THE GOAL 5 ANALYSIS

Mineral and Aggregate Resources



Aggregate Mines with Goal 5 Protection. A list of aggregate sites, attached as Appendix, includes both those with protections under Goal 5 and those located on farmland required to be listed in the Comprehensive Plan. Some were declared significant when the Comprehensive Plan was adopted in 1980 and acknowledged in 1986, and others were on Morrow County's inventory of significant aggregate sites as of September 1, 1996, thus meeting the requirements of OAR 660-023-0180(3)(c). The remainder, approved since that date, were protected under the rules prescribed in OAR 660 Division 023, some being protected under Goal 5 with the majority being on farmland and meeting the requirement of listing in the Comprehensive Plan. (MC OR-1-2013)

The Lexington Quarry (ODOT) aggregate operation is located on tax lots 500 and 600 within the SW1/4 of the NE1/4 of Section 35 of Township 1 South Range 25 East of the Willamette Meridian, Morrow County. The impact area is a 1500 foot buffer outside of the ODOT parcel. The site has been deemed significant, based on the quality (stamped by ODOT Engineer), the quantity is over 500,000 tons of material, and location is such that there are no Class I, Class II or unique soils present at the site. The conflicting uses at the site and within the impact area are farming operations and residential uses. No ESEE analysis was done, as all conflicts could be mitigated. Mining will be allowed, and will fully allow new uses within the impact area with criteria set forth in the Significant Resources Overlay zone. The post mining use will be Range based on the DOGAMI Operating and Reclamation Plan.



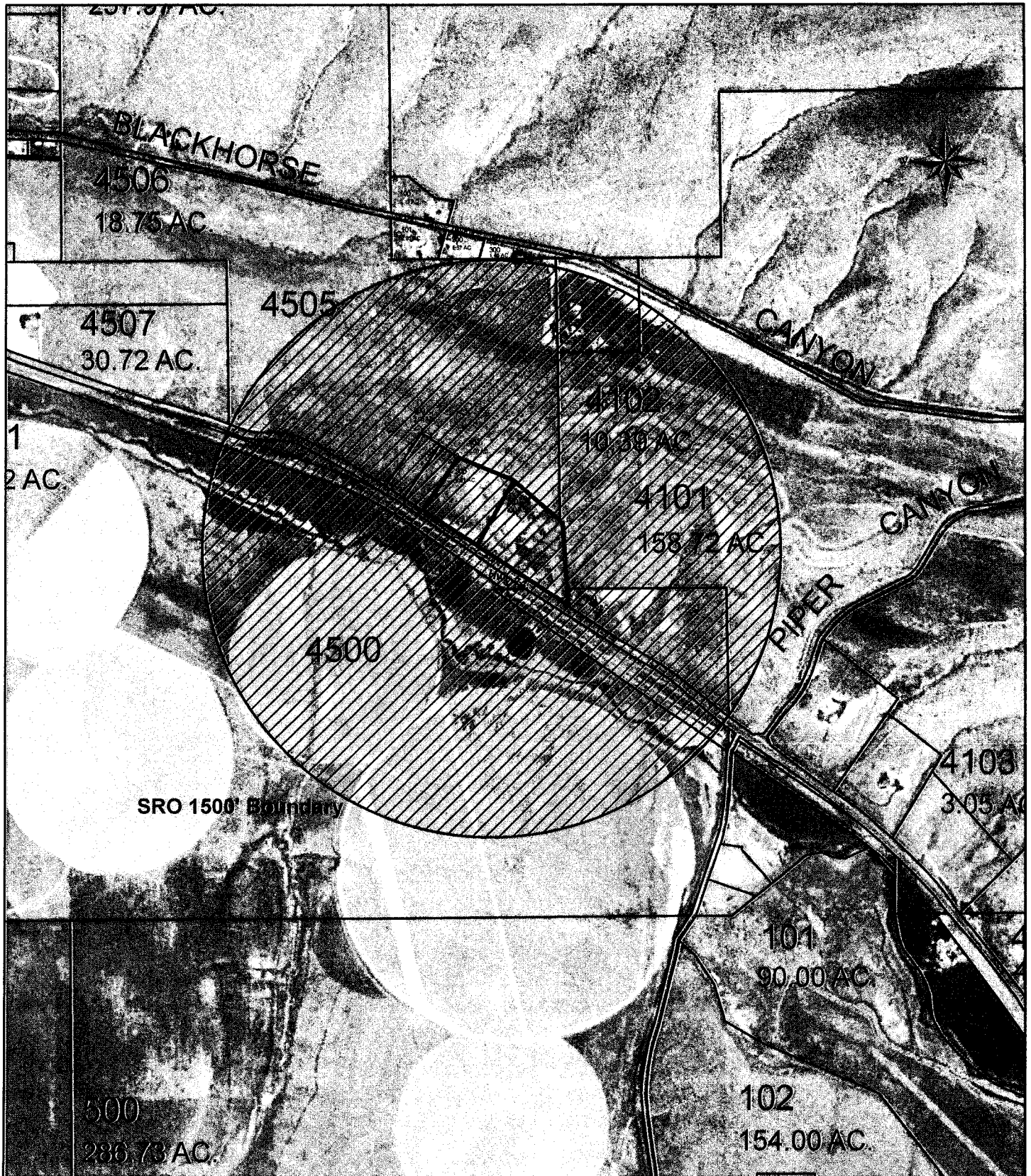
Significant Resources Overlay Zone Map

Morrow County Planning Department
June 2014
Map for Reference Purposes Only

 Goal 5 Aggregate Property
 Tax Lot

AC-072-14
AZ(M)-073-14

1S 25E Sec. 35 Tax Lots 500 & 600



MORROW COUNTY, OREGON **CJ2014-0080**
Commissioners' Journal **09/02/2014 11:08:53 AM**



2014-0080

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