

BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

AN ORDINANCE AMENDING THE MORROW
COUNTY COMPREHENSIVE PLAN
URBANIZATION ELEMENT,
COMPREHENSIVE PLAN MAP, ZONING MAP
AND APPLYING THE RURAL LIGHT
INDUSTRIAL USE ZONE TO A PORTION OF
THE LEXINGTON URBAN GROWTH
BOUNDARY.

COUNTY ORDINANCE

NO. ORD-2015-3

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, Morrow County has responsibility for land use actions within the Lexington Urban Growth Boundary based upon the Joint Management Agreement dated June 5, 1979; and

WHEREAS, application was made to Morrow County to rezone a portion of the Lexington Urban Growth Boundary by amending both the Comprehensive Plan designation and the Zoning designation; and

WHEREAS, Planning staff worked cooperatively with the Department of Land Conservation and Development, the Department of Transportation, and the Town of Lexington; and

WHEREAS, the Morrow County Planning Commission held a public hearing to review the proposal on April 28, 2015, at the Port of Morrow Riverfront Center in Boardman, Oregon; and

WHEREAS, the Morrow County Planning Commission considered the request, heard testimony from two of the three applicants, and after deliberation adopted Planning Commission Final Findings of Fact; and

WHEREAS, the Morrow County Court held a public hearing to consider the recommendation of the Morrow County Planning Commission on May 27, 2015, at the Pioneer Annex in Heppner, Oregon; and

WHEREAS, the Morrow County Court heard further testimony in support of the Planning Commission recommendation; and

WHEREAS, the Morrow County Court accepted the Planning Commission recommendation.

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 2015 Lexington Urban Growth Boundary amendment.

Section 2 Affected Documents:

Morrow County Comprehensive Plan - Urbanization Element: Amended both the introduction and the portion relating to the Town of Lexington.

Morrow County Comprehensive Plan Map: Changed the designation from Residential to Industrial.

Morrow County Zoning Map: Changed the zoning from Farm Residential to Rural Light Industrial

Morrow County Rural Light Industrial Use Zone: Applied the Rural Light Industrial to the subject property.

Section 3 Attached Documents:

Morrow County Comprehensive Plan Urbanization Element. Repeal and replace this Element of the Comprehensive Plan.

Morrow County Comprehensive Plan Map (as amended)

Morrow County Zoning Map (as amended)

Morrow County Zoning Ordinance Article 3 Section 3.075 Rural Light Industrial (as applied to the subject property)

Section 4 Effective Date

The Morrow County Court declares the effective date for this Ordinance to be July 1, 2015 to facilitate timely development by the applicants.

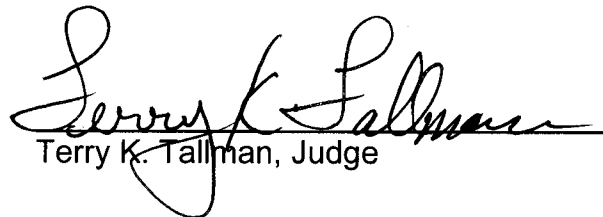
Date of First Reading: June 3, 2015


Date of Second Reading: June 10, 2015

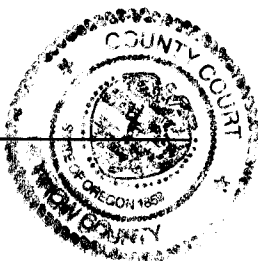
DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 10th DAY
OF JUNE, 2015

MORROW COUNTY COURT:

ATTEST:


Terry K. Tallman, Judge


Bobbi Childers
County Clerk




Leann Rea, Commissioner


Don Russell, Commissioner

URBANIZATION ELEMENT

Introduction

Goal 14 is designed to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The original urban growth boundaries established at the time of adoption and acknowledgment for Morrow County and each of the respective communities - Boardman, Heppner, Lone, Irrigon and Lexington - has functioned adequately. Nearly 30 years after the acknowledgment of the Morrow County Comprehensive Plan a complete review and update is being undertaken and each of the communities urban growth boundaries and respective needs will be completed.

Joint Management Agreements are in place, but as part of the Comprehensive Plan update are being reviewed and amended to provide better information to both Morrow County and the respective community.

While none of the communities have needed to do expansive urban growth boundary expansions over the past 30 years there have been actions to increase or provide other support to the communities within or adjacent to the respective urban growth boundary. This update will continue to refine what we know now about how each community has grown under the Oregon statewide planning system, and how they want to continue to grow.

City of Boardman Urban Area

The Boardman Urban Area Plan indicates a major addition to the City. As shown in the Plan, the City could accommodate up to 12,000 people.

The land use pattern is comprised of three basic types of land use: commercial, residential and industrial. The commercial core area is located close to the existing I-80N interchange. Tourist commercial is located around the interchange, with community commercial to the south. The community commercial area contains enough room for a large shopping center, office development and similar uses.

The residential area lies primarily south of the freeway. The existing residential area to the north is also planned for full development. Each residential neighborhood will contain its own park and internal pedestrian system. Major traffic movements will be routed around the perimeter of each neighborhood on arterial streets.

The industrial area lies north of the freeway. Most of it is located on the Port of Morrow property. The general industrial area will accommodate food processors and other heavy industries. The light industrial area will accommodate warehousing, bulk storage facilities, and commercial-industrial establishments such as automobile dealerships.

City of Irrigon Urban Area

The Plan for Irrigon Urban Area indicates complete development of the existing town site, with some residential use in adjoining areas.

Two types of commercial development are indicated; tourist commercial uses along U.S. 730 and a proposed community shopping area north of the railroad. The tourist commercial area is also intended to accommodate mobile home parks. A new civic center is indicated close to the community shopping area. This area will contain a city hall, library, and other community buildings.

Urban residential development is shown between the Columbia River and U.S. 730. This type of development is characterized by single-family homes on lots ranging from 7,000 to 10,000 square feet. Some residents will desire to maintain larger lots. Unneeded streets need to be vacated to permit more orderly and cohesive development. Continued development of the residential area at the densities described will require the installation of a municipal sewerage system.

The land west and south of the urban residential area is designated for residential-farm (rural residential) use. This type of use is characterized by lots ranging from 1 to 5 acres. Tracts this size will permit a limited range of farm operations in conjunction with residential development, provided residents maintain their own water and sewerage facilities.

A linear area along the water front is shown as a park. A portion of this area is being developed with a marina, a picnic area, and a large playfield. A site for a future high school is shown between the park and the present elementary school. To the east is an area the State intends to establish as a wildlife refuge.

East of the residential development is an area for industrial development. Irrigon presently lacks industry, and this area provides an opportunity to accommodate some industrial development in a location that has good highway and rail access.

City of Lone Urban Area

The Plan for the Lone Urban Area shows full development of the existing town site. The City's objective is to completely develop the area shown on the Plan Map before expanding into new areas. Commercial development is shown in the present downtown location and some additional commercial along the highway.

At present, industrial use in Lone is limited primarily to grain elevators. An area next to the highway at the east end of town is shown for industrial. Commercial development would also be suitable at that location if the need develops.

Residential use is indicated in most of the existing, developed portion of the City. Residential development will be primarily single-family homes. Any further multi-family units should be located adjacent to the downtown commercial area. Residential lots will range from 7,000 to 10,000 square feet per dwelling unit. Full development of this area will necessitate the installation of a municipal sewerage system. Future residential development up Rietmann Canyon will be contingent upon the provision of public water and sewerage service and a solution to flood problems.

Town of Lexington Urban Area

The Town of Lexington has a current population of just under 300 individuals in about 125 households, is the location of the Morrow County Grain Growers main office and a large retail

outlet, and has seen the relocation of the Morrow County School District's office out of town. There are several thriving small businesses that serve the community, south Morrow County and in some cases beyond.

The urban growth boundary has not changed since originally created at the time the Town of Lexington's Comprehensive Plan was acknowledged in October of 1979.

City of Heppner Urban Area

The Plan for the Heppner Urban Area shows full development of the existing town site and the implementation of the Willow Creek Dam project.

The commercial district along Main Street is already well-established. Future commercial development will be concentrated in this location. Surrounding the central commercial area is residential development. Much of this area is already built-up, but some vacant lots are available, along with view properties overlooking the community. A new subdivision near the high school is presently being developed. Areas suitable for mobile home parks are also shown.

Heavy industrial development is presently located west of town. Industrial areas within the City, with access to the highway and railroad, are indicated in the Plan.

Rural Residential Areas

In addition to the afore referenced Urban Areas there are two specific areas located outside (but adjacent to) the adopted Urban Growth Boundaries of the Cities of Boardman and Irrigon that demand special consideration. Said areas (as identified hereinafter) are predominately committed to non-commercial agriculture and are platted and partially developed in rural home sites ranging from one (1) to five (5) acres. Although some intensive farming occurs intermittently on isolated parcels with these general areas, the predominance of nonfarm rural home sites precludes most long-term productive and economical agricultural operations.

As set forth herein, the two (2) areas are described herein as those rural residential areas in the immediate vicinity of the urban areas of Boardman and Irrigon. Said areas involve lands located in Section 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 of Township 4 North, Range 25 East lying North of the West Extension Canal and outside the urban growth boundary of the City of Boardman; and, lands encompassing the major portions of Section 13, 14, 23 and 24 of Township 4 North, Range 24 East, located South of the Interstate Freeway in the proximity of Boardman; and, lands encompassing those portions of Sections 20 and 21 of Township 5 North, Range 26 East located outside the urban growth boundary of the City of Irrigon but contiguous thereto; and the developed and/or platted portions of Sections 22 and 23 of Township 5 North, Range 26 East, lying contiguous to but outside the urban growth boundary of the City of Irrigon. Said areas are shown in general on the County overall Land Use Plan Map and in more detail in maps that follow.

The recognition of these areas also provides a limited alternative to total urban residency without expansion into the major agricultural areas of the County. Said areas are also located in the immediate proximity of two (2) urbanizing areas (Boardman and Irrigon) and therefore are serviceable without excessive expansion of required services and facilities. Failure to give

special consideration to these existing developed areas could compound existing limited land use conflicts in the County and expand the demand for such a living alternative to more predominate agricultural areas of the County.

Rural Service Center

Two (2) unincorporated communities of the County (Hardman and Ruggs) are shown on the overall Comprehensive Land Use Plan Map as rural service centers in recognition of their existing or potential functions of basic services to surrounding agricultural areas. It is anticipated that the economic forces which are responsible for their existence today will, with little change, remain the primary cause for their continued existence.

At the present time little basis can be established to anticipate expanded growth and development of these rural service centers, and therefore insufficient need to warrant preparation of plans for its accommodation. The principal planning task for these areas is then to protect existing uses and necessary expansion or improvement thereof.

Port of Morrow (Industrial Lands Outside an Urban Growth Boundary)

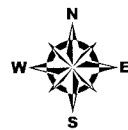
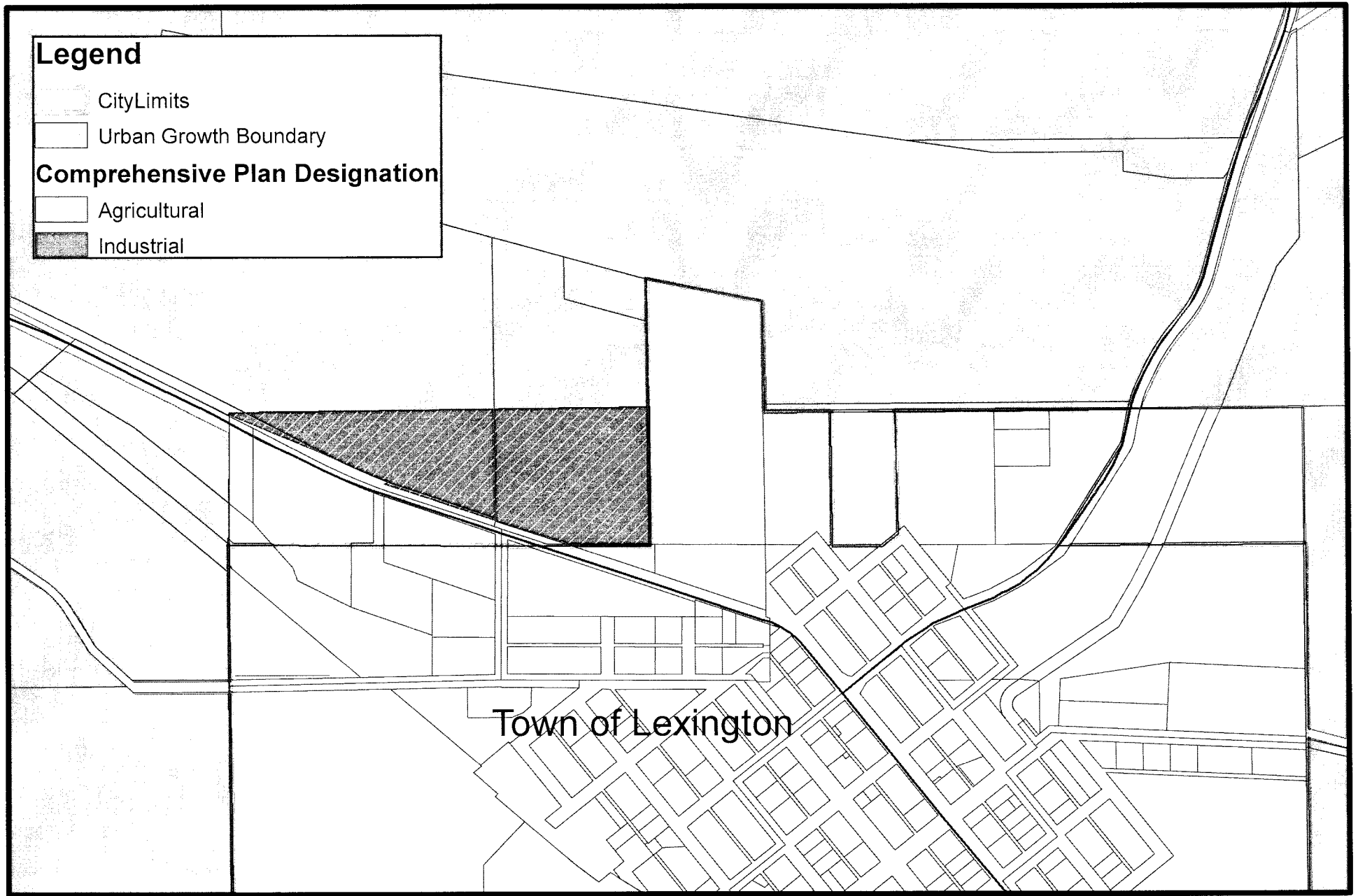
Recognized previously throughout the Plan for its economic importance to the County, necessitates special consideration in this element to those lands under jurisdiction of the Port of Morrow which are located outside the urban growth boundary of the City of Boardman and, are intended and vital for industrial development. Said properties (i.e. owned, controlled and managed by the Port of Morrow) involve a total of approximately 4,000 acres located east and southeast of the City of Boardman and bordered on the northwest by the Columbia River for a distance of about 3,600 feet (2/3 mile). Of this 4,000 acres, approximately 1,980 acres are available for future industrial development.

Major industrial development currently exists on Port property of which 350 acres is already identified as a Food Processing Industrial Park.

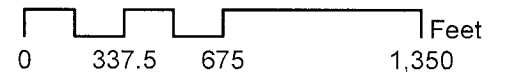
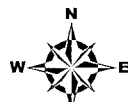
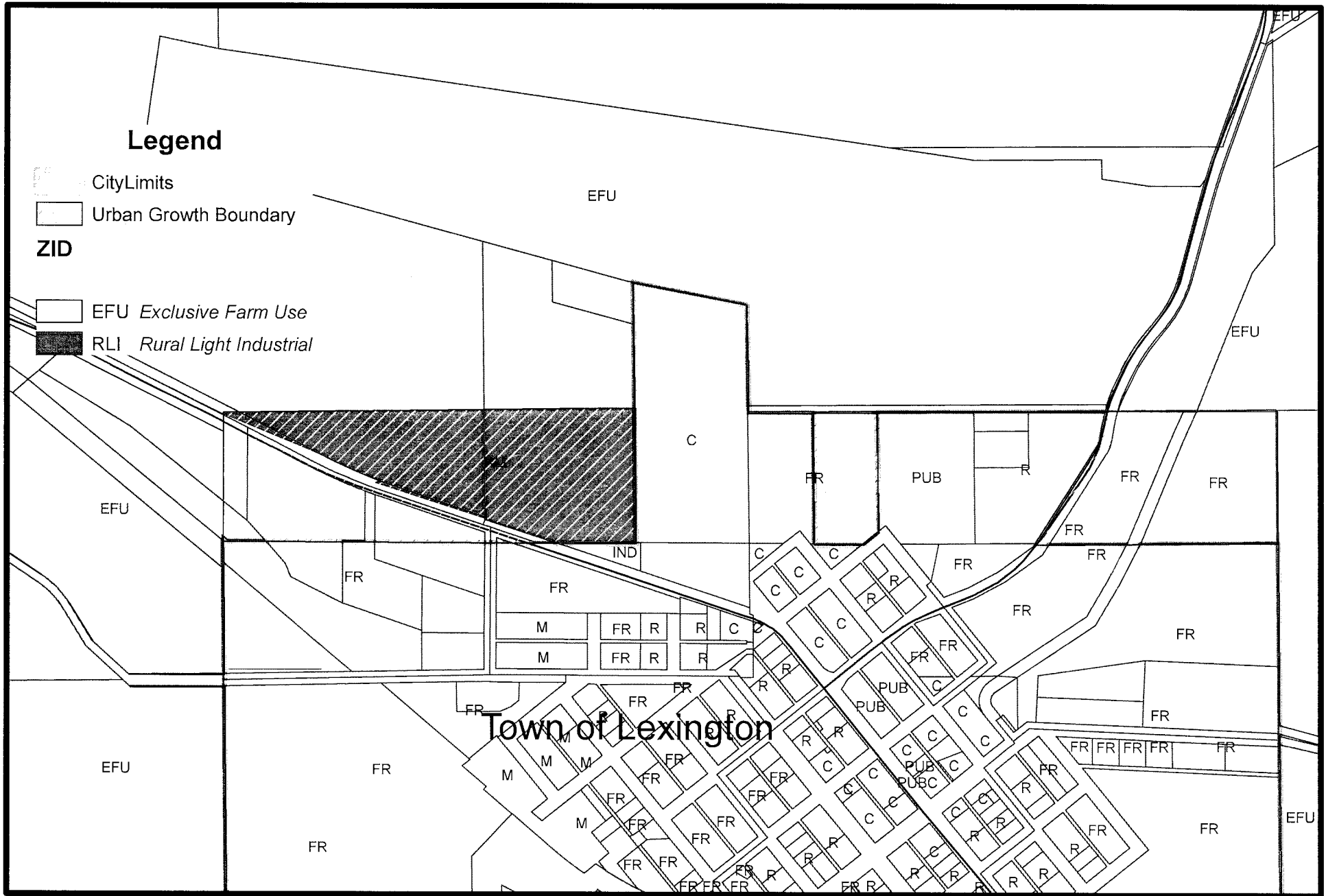
The major portion of the property under Port jurisdiction is located in Sections 1, 2, 3, 4, 9, 10, 11, 12 and 24 (Section 24 designated for effluent disposal) of Township 4 North, Range 25 East, and Sections 6 and 18 of Township 4 North, Range 26 East.

Existing ownerships and development patterns, coupled with the economic factors vital to the County, necessitates the designation of the Port of Morrow and properties controlled thereby as industrial. Such designation and appropriate implementing zoning does not, however, preclude the continuance of some agricultural use of said properties as an interim beneficial use until needed for industrial development.

Lexington Comprehensive Plan Map Change AC(M)-090-15



Lexington Zoning Map Change AZ(M)-091-15



SECTION 3.075 RURAL LIGHT INDUSTRIAL ZONE, RLI

A. PURPOSE

The Rural Light Industrial (RLI) Zone is designed to provide suitable areas for the development of small scale industry that does not require full urban services. The intent is to provide industrial uses of a local nature, unlike the uses that would normally be sited in the Port or General Industrial Zones. This zone can accommodate incubator facilities and allows storefront businesses. This zone is to be applied in areas where transportation opportunities are already in place and available.

B. USES: PERMITTED AND CONDITIONAL

The following uses, with accessory uses, will be permitted utilizing the Site Plan Review criteria found in Article 4 Section 4.165, unless criteria-based Site Development Review is required as outlined in Article 4 Section 4.170. Uses shall also meet the applicable development standards listed in other parts of Article 4.

Uses permitted conditionally will be required to meet the applicable criteria in Article 6 Sections 6.020, 6.030 and Article 4. Additional criteria may be found in Section 6.050. All Conditional Use Permits are subject to Planning Commission review and approval.

1. Light Industrial – Institutional

These uses are: public use; operated by a government entity; special district; or non-profit organization.

- a. Airport and related aviation uses, including hangar and maintenance facilities
- b. Animal shelter
- c. Freight, train, bus or taxi terminals
- d. Public and semi-public building, such as police or fire station, ambulance service, emergency medical facility, or museum.
- e. Utility structure
- f. **Conditional Use:** Utility yard, recycling center, resource recovery facility, sewage disposal plant, pumping or treatment facility, water storage reservoir, sewage transfer site, or waste transfer site. Some of these uses may also be subject to the Morrow County Solid Waste Management Plan and Ordinance.

2. Light Industrial – Sale and/or Service

- a. Automobile, truck and heavy equipment sales, parts and accessory stores, service stations, paint and body shop, tire sales and repair, and trucking facilities
- b. Heavy equipment and farm implement sales, service, rental or repair
- c. Photographic film processing, photo engraving, photocopying, printing, lithographing, blueprinting or publishing and distribution facilities or establishments
- d. Building maintenance service
- e. Plumbing and sheet metal shops
- f. Saw shops, including sales and repair
- g. Taxidermy
- h. Upholstery, automobile and furniture
- i. Veterinary clinic and hospital
- j. Food catering preparation with no onsite retail sales
- k. **Conditional Use:** Lockers, ice houses and meat or game processing facilities to serve the personal scale market
- l. **Conditional Use:** General or scientific laboratories, research or experimental facilities

3. Light Industrial – Repair, Assembly and Manufacturing
 - a. **Conditional Use:** Compounding, processing, packaging or treatment of products
 - b. **Conditional Use:** Temporary cement and asphalt batching, rock processing and crushing
 - c. **Conditional Use:** Metal works including foundry, metal reduction, milling, refining, fabrication, welding and repair
 - d. **Conditional Use:** Manufacture, assembly or repair of textiles, cloth, fiber or wood products, including secondary and tertiary processing
 - e. **Conditional Use:** Processing or packaging of food or drink products

4. Light Industrial – Storage and Distribution
 - a. Agricultural cooperative
 - b. Towing services and impound yard, overnight truck or trailer parking
 - c. Rental equipment facilities and storage yards
 - d. Commercial parking lot
 - e. Mini-storage units with office
 - f. Contractor's or building materials business, and other construction related businesses including plumbing, electrical, roofing, siding, etc., provided such is wholly enclosed within a building or no outside storage is permitted unless enclosed by sight obscuring fencing.
 - g. **Conditional Use:** Warehousing, receiving and shipping, wholesale sales or distribution of equipment or products including food, which may also include retail sales
 - h. **Conditional Use:** Local fuel distribution facility

5. Light Industrial – Support Services

These uses tend to provide support to other uses within the zone or adjoining zones.

 - a. **Conditional Use:** Caretaker or night watchman (quarters or manufactured dwelling).
The unit must be related to the business. The manufactured dwelling must be removed when the business ceases to operate. The resident must be an employee of the business and employee status must be documented
 - b. **Conditional Use:** Restaurant, lounge, tavern, food stand, coffee kiosk, mobile food vendors

C. DEVELOPMENT STANDARDS

All uses authorized by this Article and Section may be subject to certain additional permit, process and property development standards that are contained elsewhere in the Morrow County Zoning Ordinance, the Morrow County Transportation System Plan, other applicable County Ordinances, or identified below.

1. Site Plan Review.
Article 4 Section 4.165 is a ministerial review required of all development less than 100 acres in this zone.

2. Site Development Review.
Article 4 Section 4.170 is a Planning Commission review required of all development more than 100 acres, or it can be required by the Planning Commission for Conditional Use approvals of less than 100 acres.

3. Transportation Impact Analysis.
In addition to the other standards and conditions set forth in this section or in Article 4, a Traffic Impact Analysis will be required for all projects generating more than 400 new daily trips. Heavy vehicles – trucks, recreational vehicles and buses – will be defined as 2.2 daily trips. The Morrow County Transportation System Plan, specifically Appendix D Traffic

Impact Analysis Guidelines, provides the necessary information for a Transportation Impact Analysis to be completed.

4. Access and Parking

Article 4 provides information concerning access and parking requirements.

5. Exceptions.

Exceptions to this Section can only be considered using the criteria found in Article 5 of this Zoning Ordinance.

6. Variances.

Variances to this Section can only be considered using the criteria found in Article 7 of this Zoning Ordinance.

7. Airport Approach and Hazard Overlay Zones.

If the proposed use is located near an airport in Morrow County with an approved Airport Master Plan, provisions of the Airport Approach or Hazard Overlay Zone may apply.

8. Landscaping and Screening.

Properties bordering Tourist Commercial or Residential Zones need to have in place a site obscuring fence or landscaping of such design that the visual impact is reduced or eliminated. No other specific landscaping or screening is required in this zone.

9 Minimum lot size and frontage.

A minimum lot size has not been determined for this zone, however it is anticipated that most, if not all, uses will be sited on lots of at least two acres. The determination of lot size will be driven by the carrying capacity of the land given the proposed use. Minimum lot frontage shall be 300 feet on an arterial or collector; 200 feet on a local street. Shared accesses will be encouraged.

10. Setbacks.

No specific side or rear yard setbacks are identified within this zone, but may be dictated by provisions of the Building Code or other siting requirements. The minimum setback between a structure and the right-of-way of an arterial shall be 50 feet. The minimum setback of a structure from the right-of-way of a collector shall be 30 feet, and from all lower class streets the minimum setback shall be 20 feet.

11. Signs.

Signs installed in this zone will need to meet the requirements of Article 4 Section 4.070 Sign Limitations and Regulations.

12. Building height.

The height of the building needs to be less than 45 feet or three stories, unless the applicant can provide proof from the providing fire district that services can be provided in the event of an emergency.

MORROW COUNTY, OREGON **CJ2015-0054**
Commissioners' Journal **06/18/2015 9:36:02 AM**



2015-0054

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

