

BEFORE THE MORROW COUNTY COURT  
OF MORROW COUNTY

AN ORDINANCE ADOPTING AMENDMENTS TO THE MORROW COUNTY ZONING ORDINANCE TO REFLECT CHANGES IDENTIFIED AS NEEDED BASED ON A REVIEW OF AN APPLICATION FOR A RODEO. SPECIFICALLY CHANGES ARE MADE TO ARTICLE 1 SECTION 1.030 DEFINITIONS AND ARTICLE 3 SECTIONS 3.010 EXCLUSIVE FARM USE, 3.040 RURAL RESIDENTIAL, 3.041 FARM RESIDENTIAL AND 3.042 SMALL FARM 40. THESE CHANGES BROADEN EQUINE USES AND BETTER REFLECT STATE STATUTE.

ORDINANCE NUMBER MC-03-05

THE COUNTY OF MORROW DOES ORDAIN AS FOLLOWS:

WHEREAS, Morrow County has authority to act on this matter as provided for within Oregon Revised Statute 197.175.

WHEREAS, the Morrow County Planning Commission held five Public Hearings to consider the proposed changes on April 26 and June 14, 2005, in Lexington, Oregon, and March 29, July 26 and August 30, 2005, in Irrigon, Oregon, and

WHEREAS, the County Court held a Public Hearing on September 21, 2005, in Heppner, Oregon,

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

1. TITLE OF ORDINANCE: This Ordinance shall be known and may be cited as the "2005 Morrow County Zoning Ordinance Update - Rodeos".
2. DOCUMENT AFFECTED: The adoption affects Article 1 and Article 3 of the Morrow County Zoning Ordinance.
3. AFFECTED TEXT: The affected text is identified in the attached memorandum to the County Court from the Planning Director titled "Morrow County Zoning Ordinance - 2005 Amendment - Rodeos" dated September 14, 2005.

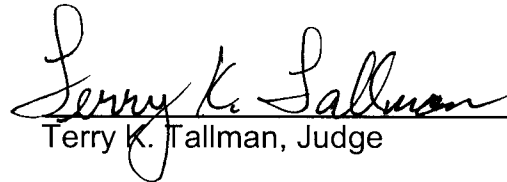
4. EFFECTIVE DATE: To facilitate the timely enactment of this ordinance an emergency is declared and the effective date shall be 10 days after its adoption by the Morrow County Court, or October 8, 2005.

DATE OF FIRST READING: September 28, 2005

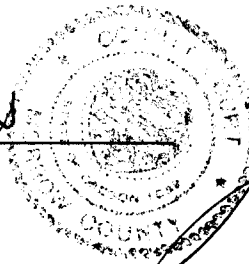
DATE OF SECOND READING: September 28, 2005

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 28<sup>th</sup> DAY OF SEPTEMBER, 2005.

ATTEST:

  
Terry K. Tallman, Judge

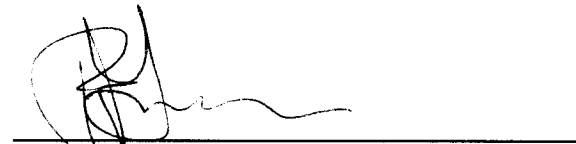
  
County Clerk



  
John Wenzel, Commissioner

APPROVED AS TO FORM:

  
County Counsel

  
Ray Grace, Commissioner



## PLANNING DEPARTMENT

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### MEMORANDUM

To: County Court  
CC: David Allen and Interested Parties  
From: Carla McLane  
Date: September 14, 2005  
RE: Morrow County Zoning Ordinance - 2005 Amendment - Rodeos

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**Public Hearing: September 21, 2005, at 1:00 p.m. during the Court's regularly scheduled session at the Port of Morrow Riverfront Center in Boardman, Oregon.**

The Planning Commission has been working on this topic for about six months, having held a total of five Public Hearings. As you may recall this came to our attention during the request from Joel Murillo Arellano to site a Mexican rodeo. There has been much debate with a final realization that a part of the decision that needs to be made is policy and needs direction from the Court. As to what was agreed for changes to the Zoning Ordinance, it follows:

1. Amend the definition of Farm Use contained within Article 1 Section 1.030 Definitions to include equine uses and reflect the definition within State Statute. This will more clearly allow equine uses, such as horse stables and related activities, in the EFU zone and in other zones that allow Farm Use. It still does not allow a 'rodeo' but would allow 'play days' and other related activities within the definition below. The Planning Commission recommends changes as follows:

Farm Use The current employment of land, including that portion of such lands under buildings, ~~supporting accepted farming practices~~ for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or by the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation, ~~and storage and disposal by marketing or otherwise~~ of the products ~~or by-products~~ raised on such land for human ~~or man's use and~~ animal use ~~and disposal by marketing or otherwise~~. "Farm use" also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics and schooling shows. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic species and bird and animal species to the extent allowed by the rules adopted by the State Fish and Wildlife Commission. "Farm use" includes the on-site construction and maintenance of equipment and facilities used for the activities described in pertinent sections of this Ordinance. "Farm use" ~~It does not include the use of land subject to the provisions of ORS Chapter 321, except land used exclusively for growing cultured Christmas trees, or to the construction and use of dwellings customarily provided in conjunction with the farm use.~~ The terms farm, farming and farm use shall be interpreted and applied in a manner which is consistent with ORS 215.203. (MC-C-8-96)

2. Another concern that was identified as we worked through this process is that the current County Fair and Rodeo grounds lack protection under the Zoning Ordinance. Currently allowed is the expansion of the fairgrounds, but if they had to be relocated that is not permitted. Also not discussed is the rodeo component. The following amendment would fix both situations. Planning Commission recommends that the County Court amend Article 3 Section 3.010 Exclusive Farm Use D. Conditional Uses Permitted as follows:

28. Expansion or relocation of existing county fair and rodeo grounds and activities directly relating to county fairgrounds governed by county fair boards established pursuant to ORS 565.210.

And that the County Court amend Article 3 Section 3.042 Small Farm 40 D. Conditional Uses Permitted as follows:

28. Expansion or relocation of existing county fair and rodeo grounds and activities directly relating to county fairgrounds governed by county fair boards established pursuant to ORS 565.210.

3. Another error that presented itself as we moved through the process was the allowance as a Conditional Use “dude or guest ranches” in the Rural and Farm Residential Zones. State Statute is clear that the allowance for a “dude or guest ranch” must be on land zoned EFU and must be in conjunction with an active cattle operation. Based on this the Planning Commission recommends that the County Court amend Article 3 Sections 3.040 Rural Residential and 3.041 Farm Residential, as follows:

Article 3 Section 3.040 Rural Residential B. CONDITIONAL USES PERMITTED

Delete #1:

~~1. Dude or guest ranch.~~

Renumber balance of Conditional Uses Permitted

Article 3 Section 3.041 Farm Residential B. CONDITIONAL USES PERMITTED

Delete #1:

~~1. Dude or guest ranch.~~

Renumber balance of Conditional Uses Permitted