

BEFORE THE MORROW COUNTY COURT  
OF MORROW COUNTY

AN ORDINANCE ADOPTING AMENDMENTS  
TO THE MORROW COUNTY ZONING  
ORDINANCE ARTICLE 3 SECTION 3.072  
SPACE AGE INDUSTRIAL ZONE.

COUNTY ORDINANCE

NO. MC-4-2009

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, Planning staff initiated changes to the Zoning Ordinance Article 3 Section 3.072 Space Age Industrial Zone to identify clear criteria for the siting of transmission lines; and

WHEREAS, affected land owners requested additional changes to the Space Age Industrial Zone language to allow for additional types of development; and

WHEREAS, the Morrow County Planning Commission held hearings to review the request on January 20, February 24, and March 31, 2009; and

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

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on May 20, 2009, at the Port of Morrow Riverfront Center in Boardman, Oregon; and

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

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 "Space Age Industrial Zone 2009 Amendment."

Section 2 Affected Document

The Morrow County Zoning Ordinance Article 3 Section 3.072 Space Age Industrial is amended and shall be replaced in its entirety with the document identified as Exhibit 1.

Section 3 Effective Date

This ordinance shall be effective on July 1, 2009.

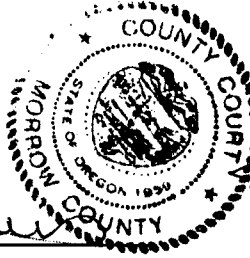
Date of First Reading: June 17, 2000

Date of Second Reading: June 24, 2009

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 24<sup>th</sup> DAY OF June, 2009

ATTEST:

MORROW COUNTY COURT:



Terry K. Tallman  
Terry K. Tallman, Judge

Bobbi Childers  
Bobbi Childers  
County Clerk

ABSENT  
Ken Grieb, Commissioner

APPROVED AS TO FORM:

Ryan Swinburnson  
Ryan Swinburnson  
County Counsel

Learn Rea  
Learn Rea, Commissioner

**SECTION 3.072. SPACE AGE INDUSTRIAL ZONE, SAI**

**SECTION 3.072. PURPOSE.** The SAI Zone is intended to recognize those areas devoted to, or most suitable for, space age technology research and development.

**SECTION 3.072. PROCEDURES.** Lands shown to be zoned SAI are, prior to development, subject to submittal of a detailed plot plan and with reasonable particularity the intended use, activities, structures and facilities to be built. As in the case of all zones, a zoning sign-off is required prior to the issuance of building permits. Facilities proposed adjacent to or near an airport may be subject to Article 3 Sections 3.090 Airport Approach Zone and 3.091 Airport Hazard Zone as found in this Zoning Ordinance. Additionally structures constructed 100 feet or taller are subject to notice to the Department of Defense and the Oregon Military Department relative to impacts to the restricted airspace.

A. The following uses are allowed without a Zoning Permit.

1. Farm use as defined in Article 1 Section 1.030 Definitions of this Zoning Ordinance. (MC-C-6-96)
2. Utility facility service lines, including accessory facilities or structures that end at the point where the utility service is received by the customer and that are located on one or more of the following: a public right-of-way; land immediately adjacent to a public right-of-way, provided the written consent of all adjacent property owners has been obtained; or the property to be served by the utility.

B. The following uses are allowed, but require ministerial review and a Zoning Permit. If a use occupies 100 or more acres Site Development Review shall be required as outlined in Article 4 Supplementary Provisions Section 4.170 Site Development Review. Other provisions of Article 4 Supplementary Provisions may apply at the time the Zoning Permit is issued.

1. Buildings and structures (above and below ground) used for space age technology research and development.

2. Aerospace Aircraft and space vehicle testing and related research products.
3. Propulsion testing which includes commercial engines, transatmospheric space plane, remote piloted vehicle, missiles or other space age related vehicles.
4. Electronic, laser and microwave research activities.
5. Contained shock testing.
6. Fire fighting equipment and facilities.
7. Support facilities for on-site staff.
8. Quarry operation on existing sites.
9. Utility facilities necessary for public service, but not commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height.
  - a. Utility facilities necessary for public service proposed in the Space Age Industrial Use Zone will need to meet the criteria found in Oregon Revised Statute 215.275.
  - b. The acreage included in the analysis to require Site Development Review would be disturbed, constructed surfaces and parking areas.
  - c. A reclamation plan is required for non-agricultural lands affected by a utility facility necessary for public service.

C. Uses permitted with a Conditional Use Permit. The following uses are allowed with a Conditional Use Permit and other reviews as identified below. If a project is over 100 acres of disturbed and constructed surfaces Site Development Review may also be required.

1. A commercial utility facility for the purpose of generating power for public use by sale, not including wind power generation facilities, subject to Article 4 Supplementary Provisions, Article 6 Conditional Uses, other portions of this code as appropriate and pertinent

sections of Oregon Revised Statute and Oregon Administrative Rule.

2. A wind generation facility subject to the requirements found in Oregon Administrative Rule Chapter 660 Division 33 Agricultural Land, Article 4 Supplementary Provisions, Article 6 Conditional Uses, and other portions of this Zoning Ordinance.
3. Transmission towers over 200 feet in height subject to Article 4 Supplementary Provisions and Article 6 Conditional Uses, and other portions of this Zoning Ordinance.

D. Limitations on use in a SAI Zone

1. A use which has been declared a nuisance by a state statute, by action of the Morrow County Court, or by a court of competent jurisdiction is prohibited.
2. Material shall be stored and grounds shall be maintained in a manner which will not create a health hazard.
3. All related Oregon Revised Statutes shall be complied with, specifically those dealing with radioactive material and hazardous substances.

E. Transportation Impacts

1. Traffic Impact Analysis (TIA). In addition to the other standards and conditions set forth in this section, a TIA will be required for all projects generating more than 400 passenger car equivalent trips per day. Heavy vehicles - trucks, recreational vehicles and buses - will be defined as 2.2 passenger car equivalents. A TIA will include: trips generated by the project, trip distribution for the project, identification of intersections for which the project adds 30 or more peak hour passenger car equivalent trips, and level of service assessment, impacts of the project, and, mitigation of the impacts. If the corridor is a State Highway, use ODOT standards. (MC-C-8-98)