

Filed 10-20-03  
Barbara Bloodworth  
Morrow County Clerk

BEFORE THE MORROW COUNTY COURT  
OF MORROW COUNTY

AN ORDINANCE AMENDING THE MORROW )  
COUNTY COMPREHENSIVE PLAN ON )  
REMAND FROM THE LAND USE BOARD )  
OF APPEALS ACKNOWLEDGING AN )  
EXCEPTION TO GOAL 3 TO ALLOW FOR THE )  
SITING OF A SPEEDWAY AND RELATED )  
FACILITIES AT THE BOARDMAN AIRPORT )

ORDINANCE NUMBER MC- 1 - 1 0 3

The County of Morrow does ordain as follows:

WHEREAS, the Port of Morrow applied in 2001 to Morrow County for amendments to the Morrow County Comprehensive Plan, the Morrow County Transportation System Plan, and the official Morrow County Plan/Zoning Map to authorize a speedway and related uses on approximately 1400 acres of land located at the Boardman airport and to authorize associated roadway improvements; and

WHEREAS, following public notice and hearings before the Morrow County Planning Commission and the Morrow County Court, the Morrow County Court on July 10, 2002, adopted Ordinance No. MC-C-2-02, approving the requested amendments with modifications and conditions; and

WHEREAS, Ordinance No. MC-C-2-02 was appealed to the Land Use Board of Appeals (LUBA), which remanded the decision to Morrow County to take a Goal 3 exception and to justify speedway lodging; and

WHEREAS, following LUBA's remand, the Port of Morrow submitted a revised goal exception application that included a Goal 3 exception in addition to the original Goal 11 and 14 exceptions and deleted the request for speedway lodging; and

WHEREAS, following public notice, the Morrow County Court held public hearings on the remanded application on September 24, 2003 and October 15, 2003; and

WHEREAS, the Morrow County Court has considered the evidence and testimony in the record and the recommendations of its staff; and

WHEREAS, the Morrow County Court, on October 15, 2003, voted to accept and approve the application with conditions of approval;

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

SECTION 1. MORROW COUNTY COMPREHENSIVE PLAN AMENDMENTS.

The exceptions to Goals 3, 11 and 14 authorizing a speedway and speedway related uses, as set out in Section VII of the Port's application and as modified to include the changes required by LUBA's remand, are hereby incorporated within and made a part of the Morrow County Comprehensive Plan. Section VII of the application is attached.

SECTION 2. MORROW COUNTY TRANSPORTATION SYSTEM PLAN AND OFFICIAL PLAN/ZONING MAP AMENDMENTS.

The Morrow County Transportation System Plan and the Official Plan/Zoning Map, which were amended by Ordinance MC-C-2-02, are not further amended by this decision. The amendments identified in Sections 2 and 3 of Ordinance MC-C-2-02 are reaffirmed and readopted herein and remain in full force and effect.

SECTION 3: FINDINGS OF FACT AND CONCLUSIONS OF LAW; SUBJECT CONDITIONS OF APPROVAL


The Findings of Fact and Conclusions of Law of the Morrow County Court dated October 15, 2003, are hereby incorporated into this Ordinance. Amendments contained in this Ordinance are subject to the conditions contained in the Findings of Fact and Conclusions of Law dated June 21, 2002, as amended by the October 15, 2003 findings and decision.

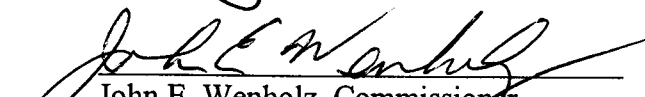
SECTION 4: EFFECTIVE DATE

Given that it is the policy of the State of Oregon that time is of the essence in deciding Land Use matters, and that this application has been before Morrow County for nearly two years, and based on findings made by the Court, an emergency is declared to exist, and this ordinance shall be effective immediately upon execution.

First Reading:           October 15, 2003  
Second Reading:       October 15, 2003


DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 15th DAY OF OCTOBER, 2003.

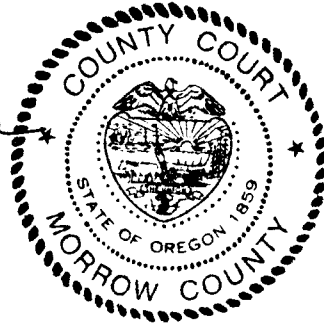
  
Terry K. Tallman, Judge

  
John E. Wenholz, Commissioner


  
\_\_\_\_\_  
Ray Grace, Commissioner

ATTEST:

  
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County Clerk



APPROVED AS TO FORM

  
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County Counsel

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