

BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

JUL 13 7:25 AM '00

AN ORDINANCE AMENDING THE MORROW COUNTY)
ZONING ORDINANCE TO REMOVE SECTION 3.040(2)(G))
FROM THE RURAL RESIDENTIAL - ONE ACRE ZONE.)
REMOVAL OF SECTION 3.040(2)(G) WOULD ELIMINATE)
AS A CONDITIONAL USE "OPERATIONS FOR THE)
EXPLORATION, MINING AND PROCESSING OF)
GEOHERMAL RESOURCES AS DEFINED BY SUBSECTION)
(4) OF ORS 522.005, AGGREGATE AND OTHER MINERAL)
RESOURCES" IN THE RURAL RESIDENTIAL ZONE.)

Urban Johnston

ORDINANCE NUMBER MC-C-2-2000

The County of Morrow does ordain as follows;

WHEREAS, an application was filed by Deane Seeger to remove Section 3.040(2)(G) from the Zoning Ordinance; and

WHEREAS, a petition signed by over 80 residents was submitted in favor of removing Section 3.040(2)(G) from the Zoning Ordinance; and

WHEREAS, the Morrow County Planning Commission recognized that lands within the Rural Residential one-acre zone are principally for residential use; and

WHEREAS, the Morrow County Planning Commission carefully considered the applicant's justification for removing Section 3.040(2)(G):

1. Livability of the residential areas; and
2. Habitat for deer, fish, birds and wildlife in general
3. Impacts to water sources.
4. Noise, dust, road capacity and health of residents.
5. Heritage Trail.
6. Property values
7. The image of the City of Irrigon and community; and

WHEREAS, the Morrow County Planning Commission stated their desire to protect residential properties; and

WHEREAS, the Morrow County Planning Commission held public hearings on May 22, 2000 at Lexington, Oregon and June 26, 2000 at Irrigon, Oregon;

WHEREAS, the Morrow County Planning Commission voted unanimously to amend the Zoning Ordinance and remove Section 3.040(2)(G) from the Rural Residential Zone; and

WHEREAS, the Morrow County Court reviewed the recommendation for approval by the Morrow County Planning Commission and voted unanimously to accept their Findings of Fact and to follow the recommendation of the Planning Commission and approve the zone

change; and

WHEREAS, the Morrow County Court recognizes the proposed zone change will be consistent with the Comprehensive Plan, particularly with the exception taken for rural residential lands in the Irrigon Area (pages 218-220); and

WHEREAS, the Morrow County Court held a public hearing on June 28, 2000 at Heppner, Oregon and postponed a final decision to July 12, 2000 at 10:00 am at Irrigon, Oregon.

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 removal of aggregate as a conditional use in the Rural Residential Zone Ordinance"

SECTION 2. TEXT AMENDMENT.

Remove the following from the Zoning Ordinance: "Section 3.040(2)G)Operations for the exploration, mining and processing of geothermal resources as defined by subsection 94) of ORS 522.005, aggregate and other mineral resources."

SECTION 3. EFFECTIVE DATE.

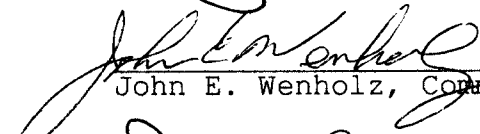
Given the substantial interest on the part of the landowners and their strong desire to protect their residential properties from potential aggregate operations, an emergency is declared to exist and this ordinance shall become effective immediately upon adoption by the Morrow County Court.

DATE OF FIRST READING: June 28, 2000

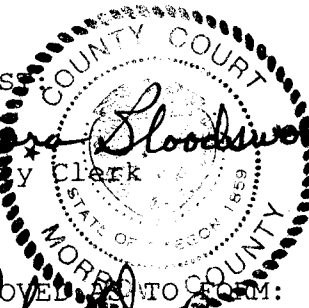


DATE OF SECOND READING: July 12, 2000

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 12th DAY OF July, 2000.


Terry K. Tallman, Judge


John E. Wenholz, Commissioner


Dan Brosnan, Commissioner

ATTEST: 

Barbara Bloodworth
County Clerk
APPROVED AND TO GOVERN:

County Counsel