

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION MEETING
MONDAY, JANUARY 31, 1983 - 7:30 P.M.
IRRIGON COURTHOUSE ANNEX BUILDING

Chairman Trumbull called the meeting to order at 7:30 p.m.

MEMBERS PRESENT - Chairman Trumbull, Members Cecil Jones, George Kenney, Paul Taylor, Jack Strege, Marion Abrams; Staff Deane Seeger, Lori Bergstrom; Dave Krumbein, Morrow County Surveyor; Mike Oths, County Counsel; Max Hellberg.

MEMBERS ABSENT - John Bristow, Anne Jay.

MINUTES OF PREVIOUS MEETING - Jack Strege moved to accept the minutes of the December 20, 1983 meeting as mailed. Paul Taylor seconded the motion and motion passed unanimously.

LAND PARTITIONING - MAX HELLBERG - Application was received by Max Hellberg, Irrigon, to partition a parcel of land (1.02 acres) out of Township 5N, Range 26E, Section 25. Applicant met all requirements as stated in the staff report. Jack Strege moved to grant the land partitioning, seconded by George Kenney. The motion passed unanimously.

REVIEW OF GOALS - Deane Seeger reviewed the goals that will need amending in order for the Comprehensive Plan to meet the L.C.D.C. requirements for acknowledgement. The Goals reviewed were Goal 2, Goal 3, Goal 4, Goal 5, Goal 6, and Goal 12.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:30 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION PUBLIC HEARING
WEDNESDAY, FEBRUARY 23, 1983 - 7:30 P.M.
MORROW COUNTY ANNEX BUILDING - IRRIGON, OREGON

Chairman Trumbull called the meeting to order at 7:30 p.m.

MEMBERS PRESENT - Chairman Trumbull, members Marion Abrams, Anne Jay, George Kenney, John Bristow, Cecil Jones, Paul Taylor, Jack Strege; Staff Deane Seeger, Lori Bergstrom; Citizen John Shafer.

Verification of public hearing notice publications were presented. The purpose of the meeting was to amend the Morrow County Comprehensive Plan to meet the Land Conservation and Development Commission requirements for acknowledgement. Deane presented the Commission with a list of actions required for compliance (attached). Changes made by the Commission were Goal 3 (e), delete "for less than 20 acres", Goal 5 (a) add two conflicting uses, both on Port of Morrow owned land, regarding aggregate sites, and Goal 6 (a) add Freeway to significant noise discharges.

A second public hearing will be held Monday, February 28, 1983 at 7:30 p.m. at the Morrow County Courthouse in Heppner, Oregon.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:30 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION MEETING
MONDAY, FEBRUARY 28, 1983 - 7:30 P.M.
MORROW COUNTY COURTHOUSE

Chairman Trumbull called the meeting to order at 7:30 p.m.

MEMBERS PRESENT - Chairman Trumbull, members Jack Strege, Marion Abrams, John Bristow, Anne Jay, Paul Taylor, Cecil Jones, George Kenney; staff Deane Seeger; Don McElligott, Judge; Mike Othes, County Counsel; Glen Ward and Harold Peck.

MINUTES OF THE PREVIOUS MEETING -

MINOR LAND PARTITIONING - CHUCK WILLIS - Application was received by Chuck Willis, Irrigon, for a minor land partitioning in Township 5N, Range 26E, Section 23, three parcels (2.5 acres, 6.4 acres and 10.1 acres). The land is located in a F.R. 1 acre zone. The survey, legal descriptions and filing fee were all met. John Bristow moved to approve the partitioning. Marion Abrams seconded the motion and motion passed unanimously.

OTHER BUSINESS - On audience participation, Mr. Harold Peck raised the question from the floor on the status of an application by Dan Van Liew on a D.E.Q. permit and other permits required to set a home on property owned by Pete Lennon above the Willow Creek Dam. Mr. Seeger explained that his staff had mailed all the necessary forms and instructions to the Van Liew's. They in turn had not followed up and had given them to the land owner Mr. Pete Lennon, who brought them into the Courthouse and informed Mr. Seeger that he was not selling any of his land to anyone.

PUBLIC HEARING - COMPREHENSIVE PLAN AMENDMENTS - Deane Seeger and the Commission reviewed the goals that will need amending in order for the Comprehensive Plan to meet the L.C.D.C. requirements for acknowledgement. The Goals reviewed were Goal 2, Goal 3, Goal 4, Goal 5, Goal 6, and Goal 12. Marion Abrams moved to re-draft the amendments and bring them to the next meeting for adoption. Anne Jay seconded the motion. Jack Strege made an amendment to the motion that copies of the re-drafted amendments be sent out as soon as possible so all the Commission members can review them before the next meeting. Cecil Jones seconded the amendment. The motion passed unanimously.

MILEAGE - Marion Abrams asked about her mileage check. All mileage claims are turned in after each meeting (if the check amounts to more than \$12.00) and members should receive them at the end of the following week.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:30 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION MEETING
MONDAY, MARCH 28, 1983 - 7:30 P.M.
IRRIGON, OREGON

Chairman Trumbull called the meeting to order at 7:30 p.m.

MEMBERS PRESENT- Chairman Trumbull, members Anne Jay, George Kenney, John Bristow, Marion Abrams, Cecil Jones, Paul Taylor; staff Deane Seeger, Lori Bergstrom; Irv Rauch, Morrow County Commissioner; Wayne Schwandt, Port of Morrow; R.L. Miller, Port of Morrow Project Engineer; Larry Dalrymple, Boardman City Manager; Jerry Peck, Mayor of Boardman; Rick McNerney, Morrow County District Attorney; Lee Docken, Boardman; John Williams, Boardman; John Shafer, Irrigon; Wallace and Clayton Frederickson, Irrigon; Merle Carlson, Boardman.

MEMBERS ABSENT - Jack Strege

MINUTES OF PREVIOUS MEETING - Paul Taylor moved to approve the minutes from the February 28, 1983 meeting. Anne Jay seconded the motion and motion passed unanimously.

CONDITIONAL USE PERMIT - PORT OF MORROW - LEE DOCKEN - SANITARY LANDFILL - Application was received by the Port of Morrow and Lee Docken, Boardman, for a Sanitary Landfill in a General Industrial zone, M-G, 640 acres on Tax Lot 1700, Township 4N, Range 25E, Section 24. Mr. Seeger stated that notification of the public hearing had appeared in the Gazette-Times and the East Oregonian and adjoining landowners had been notified. There was one error on the staff report which stated that S & K Farms were the landowners to the east of the site. This was changed to Eastern Oregon Farms. After Mr. Seeger read the staff report, Wayne Schwandt, Port of Morrow, stated that he saw the addition of a landfill as a public good that wouldn't adversely effect the Port's development. Mr. Schwandt also stated that the Port would like to see a greater use of the area. There are currently no provisions in the Port industrial area for refuse. Lee Docken, who would lease the ground and operate the landfill, stated that the land needed is actually 20 acres. This would provide for 20 years of disposal sight. Cells would be put into hillsides ten feet down, and when full, filled with two to three feet of soil. There are two extreme hillsides located on the proposed site. The site is one mile from any publically owned land. If any problems arise with flies, the North Morrow County Vector Control stated they would help. The movement of sand would be controlled with straw and a water wagon will be on the site. The landfill would be open to the public, open certain days of the week only with locked gates, signs and an office. People will be instructed as to what kind of "junk" will be accepted. The Department of Environmental Quality felt that there would be no problems with ground water, but they still have some testing to do. Mr. Docken also stated that the landfill will be operating within three months. Merle Carlson, Boardman, suggested 1) control of traffic 2) control flying paper and garbage and 3) control sand. The Port of Morrow will also reference the use of the landfill. A new conclusion (#4 Conclusions) was added to the staff report which reads "Access road will be designed to prevent encroachment to farming operations." Anne Jay moved to approve the conditional use permit for ten years in accordance with the conditions stated in the staff report and that the operation site be reviewed bi-annually by staff. George Kenney seconded the motion and motion passed unanimously.

CONDITIONAL USE PERMIT - WALLACE FREDERICKSON - GRAVEL PIT - Let the record show that George Kenney declared a conflict in interest. Application was received by Wallace Frederickson, Irrigon, for a conditional use request to allow and expand an existing gravel pit for the purpose of screening sand and gravel in a Farm Residential (1 acre minimum) zone on a portion of Tax Lot 300, assessor's map Township 5N, Range 26, Section 27. Mr. Seeger stated that notification of the public hearing had appeared in the Gazette-Times and the East Oregonian and adjoining landowners had been notified. Deane read a letter from Mr. Don Kenney, Irrigon, in which he stated he had no objections. Deane also read a letter from George Constantino of the Fish and Wildlife Service stating that if the gravel pit and access road were operated and maintained properly (according to staff report) there would be little adverse impact. An additional conclusion was added to the staff report (#6 Conclusions) which reads "Road caution and highway hazard signs will be placed appropriately." John Bristow moved to approve the conditional use permit for four years based on the conclusions as stated in the staff report and that appropriate highway hazard signs will appear where they will enter onto the highway. Anne Jay seconded the motion. Let the minutes show that George Kenney abstained from voting. Motion carried.

COMPREHENSIVE PLAN AMENDMENTS - Deane read a memo to the Commission stating the changes necessary for the comprehensive plan to meet acknowledgement will be ready in eight to ten days. When Commission members receive their information, they will be asked to make comments.

CONDITIONAL USE PERMIT EXTENSION - WEYERHAEUSER - Mr. Seeger read the minutes from the April 26, 1982 meeting in which the conditional use permit was granted. The minutes state that the conditional use "shall be void after one year unless construction has occurred. At the end of one year, an extension may be requested for one additional year (which is what the Commission is now considering). If construction has not started at the end of two years, the permit is null and void and the applicant will have to start all over." The staff was directed to write a letter to Weyerhaeuser and quote the minutes. John Bristow moved to request an extension for the wood chip, storage and barge facilities on Boeing leased land located in Township 4N, Range 24, Section 18, Tax Lot 100. Cecil Jones seconded the motion and motion passed unanimously.

RESCHEDULING OF OFFICE HOURS - Deane will be spending Wednesdays, Thursdays and Fridays at the new office in Lexington.

POLICY STATEMENT FOR DEVELOPMENT OF LAND IN VICINITY OF NEW I84 INTERCHANGE - The Planning Commission, on a motion by John Bristow and seconded by Anne Jay, unanimously moved for a Commission Policy Statement on the land in the vicinity of the new Port of Morrow interchange (i.e. that the Commission recognizes that a new use of this land is probably in the future.)

NEXT MEETING - The April meeting will be held at the new office in Lexington.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:50 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION MEETING
APRIL 25, 1983
LEXINGTON, OREGON

Chairman Trumbull called the meeting to order at 8:00 p.m. Prior to the meeting, the Airport Advisory Board met with Ted Soliday, Aviation Consultant for the Morrow County Airport, who discussed the procedures for applying for a grant, which the County is currently doing.

MEMBERS PRESENT - Chairman Trumbull, members George Kenney, Marion Abrams, Jack Strege, Paul Taylor, Cecil Jones; staff Deane Seeger, Lori Bergstrom; Mike Oths, County Counsel; Don Briggs, Director of Public Works; R.L. Miller, Port of Morrow Operations Manager; and a representative of Haskin Construction Company.

MEMBERS ABSENT - Anne Jay, John Bristow

MINUTES OF PREVIOUS MEETING - Paul Taylor moved to approve the minutes from the March 28, 1983 meeting as mailed. George Kenney seconded the motion and motion passed unanimously.

CONDITIONAL USE REQUEST - PORT OF MORROW - Application was received for a conditional use permit for construction of one 20' cell and two dolphins for a grain loading dock facility, rail loop, corn dryer, grain storage and handling facility; dredging and disposal of gravel spoils on Tax Lot 100 and 103, Assessor's map T4N, R25E, Section 2 and 3. S-K Farms will be the operator. Lori read the staff report concluding that the staff recommend approval on the basis of the findings in the staff report and the positive economic impact. Jack Strege moved to grant the conditional use permit based on the findings of the staff report. Paul Taylor seconded the motion and motion passed unanimously.

LAND PARTITIONING - PORT OF MORROW - Application was received for a land partitioning for Tax Lot 100 and 103, T4N, R25E, Section 2. The Port of Morrow will maintain the road but the access must be approved by the Director of Public Works. S-K Farms will lease the land. George Kenney moved to approve the land partitioning. Jack Strege seconded the motion and motion passed unanimously.

ZONING - CONDITIONAL & OUTRIGHT USES - Chairman Trumbull stated that there will always be some outright uses and conditional uses but the Commission can't describe all of the potential outright or potential conditional uses, so as an alternative the Commission was asked to consider a general statement subscribed to each particular zone of the zoning ordinance stating what the Commission sees the function and use of that particular zone as being and what kind of general things we expect to happen in that zone. It was suggested that Deane draft a general statement for each zone.

DON JORGENSEN - ZONE CHANGE - The zone change request of Don Jorgensen concerning a plat approximately two acres in size off Second Street West inside the Irrigon Urban Growth Boundary was heard by the Irrigon City Council on April 12, 1983. After looking at the request and listening to the

presentation, the Irrigon City Council approved the rezoning of the plat to Commercial asking only that the land be stabilized. Because of the close proximity to the city and city services, the Planning Commission recommended the property be annexed to the City of Irrigon. Jack Strege moved for the Planning Director to write a letter to the city suggesting they see fit to annex the property. Marion Abrams seconded the motion and motion passed unanimously. If Mr. Jorgensen does not annex, he must file for a change of zone with the Planning Department and have a public hearing.

COMPREHENSIVE PLAN - The updates for compliance were handed out to each member of the Commission. The members will take them home for review.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:30 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, MAY 23, 1983
IRRIGON, OREGON

Chairman Trumbull called the meeting to order at 7:30 p.m.

MEMBERS PRESENT - Chairman Trumbull, members Jack Strege, Paul Taylor, Anne Jay, Marion Abrams, George Kenney, John Bristow; Staff Deane Seeger, Lori Bergstrom. Rick McNerney, District Attorney; Irvin Rauch, County Commissioner; Hal and Rita Bergstrom, Bruce and Mary Bergstrom, Joan Hughes, Heppner; Patrick and Karen Stewart, Steve Wilkie, Robert Gillette, Mary Osborne, Lovella Conboy, Don Jorgensen, Ernie Jorgensen, Irrigon; Sharon Hadley, Hermiston.

MEMBERS ABSENT - Cecil Jones

MINUTES OF APRIL 25, 1983 MEETING - The word "approve" was changed to read "consider" regarding the city rezoning the Jorgensen property, to read: "After looking at the request and listening to the presentation, the Irrigon City Council considered the rezoning of the plat to Commercial asking only that the land be stabilized." Jack Strege moved to accept the minutes as changed. Anne Jay seconded the motion and motion passed unanimously.

CONDITIONAL USE PERMIT - MARY BERGSTROM - HOME OCCUPATION - DAY CARE CENTER - Deane reported that the legal notices appeared in the Heppner Gazette-Times and the East Oregonian on May 12, 1983, and that surrounding property owners had been notified. Application was received for a conditional use permit to allow a day care center under Article 6, Conditional Uses, Section 7, Home Occupations, page 71 of the Morrow County Zoning Ordinance. Use requested is located on Tax Lot 1700, T2S, R26E, Section 34DD. Deane read the staff report concluding that staff approve the request if applicant meets the requirements of the Children's Services Division. Mary Bergstrom stated that the Children's Services Division had okayed everything. Joan Hughes, Heppner, represented the neighboring landowner Ralph Marlatt as she stated her concern over the traffic on the state highway and the fences between the Bergstrom's and Marlatt's. The state's requirement for fencing is three feet high and Mrs. Bergstrom stated her fence is four feet high. Also, road signs can be requested through the County Court or the District Attorney's office. Marion Abrams moved to approve the Conditional Use Permit based on the findings in the staff report. Anne Jay seconded the motion and motion passed unanimously.

LAND PARTITIONING - MAX HELLBERG - Jack Strege moved to defer the application until Mr. Hellberg could be present at the meeting. Marion Abrams seconded the motion and motion passed unanimously.

LAND PARTITIONING - ROBERT GILLETTE- Application was received by Robert Gillette, Irrigon, for a partitioning in Township 5N, Range 26E, Section 26, Tax Lot 300, 5 acres, 7 acres and 10 acres. Anne Jay moved to approve the partitioning on the basis of the plat map and that the partitioning be subject to a survey by a professional surveyor. Being no further discussion, the Commission unanimously approved the partitioning.

LAND PARTITIONING - ROBERT GILLETTE - Application was received by Robert Gillette, Irrigon, for partitioning in Township 5N, Range 26E, Section 26, Tax Lot 302, 5 acres, 10 acres and 15 acres. Jack Strege moved to approve the partitioning on the basis of the plat map and that the land be surveyed by a professional surveyor. George Kenney seconded the motion and motion passed unanimously.

CONDITIONAL USE PERMIT - PAT CUTSFORTH - GRAVEL PIT - Application was received for a conditional use request to allow a gravel pit in an exclusive farm use zone on portion of tax lot 2000, assessor's map T1S, R25E, Section 20. Lori read the staff report in which one change was made; "State Surface Mining Laws" was added to CONCLUSION #2 which would make the statement read "Applicant or representative to meet all federal, state, county and state surface mining laws and regulations pertaining to air, water, dust and noise. Jack Strege moved to approve the conditional use permit for a period of five years based on the conclusions of the staff report. Anne Jay seconded the motion and motion passed unanimously.

ZONE CHANGE - DON JORGENSEN - FARM RESIDENTIAL TO GENERAL COMMERCIAL - Chairman Trumbull reminded the commission that they can't grant a zone change but the commission may take the findings before the county court and the commission may also regulate the operation. Mr. Jorgensen requested a change of zone in April. Because the property is within the urban growth boundary of Irrigon, Mr. Jorgensen was asked to take the request before the City Council of Irrigon. On April 20, the City notified the Morrow County Planning Commission that they had no objections to the proposed use. On April 25th, the County Planning Commission requested that the applicant be notified that he annex to the City. The applicant was unable to annex to the City and has returned to the Morrow County Planning Commission for a hearing on his request. Deane stated that the public hearing notice had appeared in the Heppner Gazette-Times and the East Oregonian and adjoining landowners had been notified. A letter addressed to Mr. John Mathews was returned to the Planning Department May 19, 1983 as the authorized time for forwarding had expired. The property is located in Township 5N, Range 26E, Section 25B, Tax Lot 100, 1.91 acres. Mr. Seeger read the staff report. Correspondence was read by Mr. Seeger. Letters had been received by Lois and Virgil Carter of Irrigon, adjoining landowners who objected to the zone change based on the fact that he developed his property without the proper permits, trucks would be moving day and night, noise and fume emissions from running trucks and refrigerator trucks. Mr. and Mrs. Carter also stated they moved to the area to have peace and quiet and to be out of the central commercial and industrial area. They also felt they were on there first so they should get the first consideration. Deane also read a letter from Frank and Beth Allen, neighboring landowners who stated they were opposed to the proposed zone change because they felt it would raise their taxes and at the same time reduce the value of the land because of the excessive noise and obnoxious fumes from the trucks and they also felt that this is a quiet farming area and a residential property, therefore trucks moving around day and night would change all this. Mr. Jorgensen spoke on his behalf saying that he had received a letter from the City of Irrigon dated April 20, 1983, stating they had no objections to the rezoning of the plat to Commercial, asking only that the land be stabilized. Mr. Jorgensen said he bought the highway frontage land for the purpose of commercial-type property, with the growth going west of Irrigon. Mr. Jorgensen also said that there is trucking equipment presently parked on the property and a mobile home/office. He also stated that the noise from his trucks is no worse than that going along the highway. Mr. Jorgensen reported

that there is a policy statement in the Irrigon Zoning Ordinance regarding the urban growth boundary in which all of the land along the highway will be zoned commercial in the future. Mr. Steve Wilkie, Irrigon, stated he had been fighting this problem for seven months. Mr. Wilkie presented the Commission with pictures of sand blows taken last December caused from clearing the land which was cleaned up at the county's expense. Mr. Wilkie also presented pictures of trucks presently parked on the property showing which way the fumes blow (toward Mr. Wilkie's house). Mr. Wilkie stated his wife is allergic to the fumes, so they would have to move if the zone change were approved. Mr. Wilkie also said there are oil cans and paper sacks on his property because of the trucking operation and he said the noise from the reefers running at night was unbearable. Karen Stewart, Irrigon, stated that she felt the property Mr. Jorgensen was operating from was too small and too encircled by homes. She also expressed concern over the heavy truck traffic on the county roads and the fact that Mr. Jorgensen hadn't taken out any permits before starting his operation. Mrs. Stewart stated that this was not a personal matter, but business. Mr. Jorgensen stated that the trucks will not be on the County roads as often as they were in the past. He also said that he told the drivers of the trucks to park as close to the highway as possible. Most of the trucks are gone during the week, but the trailers are there most of the time. Mr. Jorgensen stated he could park the reefers at Paul's Truck Stop, or he could put trees in the middle of the property to buffer noise and pollution. Pat Stewart, Irrigon, expressed concern over the reefer nuisance. Mr. Jorgensen assured Mr. Stewart he only wants his rights respected. Mr. Jorgensen stated that his operation is a business and not a distribution center. The possibility of trees as a sound buffer was discussed. Mr. Seeger stated the county does not have a noise/nuisance ordinance. Chairman Trumbull informed the commission they had three choices on the matter. 1) Pass the request to the County Court without any recommendations 2) Deny or recommend the request with conditional uses 3) Condition the request tonight. The commission decided to pass the request to the County Court and condition the uses if the court is in favor of the request. Jack Strege moved to make the recommendation for a change of zone from farm residential to commercial use on this piece of property to the county court. George Kenney seconded the motion. Questions were raised from the audience regarding commissioner Kenney seconding the motion. Mr. Stewart felt that Mr. Kenney is a personal friend of the applicant who's property is already zoned commercial, and he also felt that Mr. Kenney could benefit if the applicant decided to put trees on the property because Mr. Kenney is the owner of Kenney's Farm Market. Mr. Kenney stated he could not abstain from voting each time the applicant was a friend because Morrow County is so small a county. Commissioner Kenney also stated he didn't feel his property being zoned commercial or his owning a farm market had any bearing on his decision to recommend the proposal to the county court. Anne Jay seconded the motion to recommend the zone change to the county court. Motion passed with Jack Strege voting yes; Anne Jay, yes; George Kenney, yes; Marion Abrams, yes; Paul Taylor, no; John Bristow, no. There will be a public hearing with the county court and all "adjoining" property owners will be notified. The first right of appeal is with the County Court and the Court will make the final decision.

COMPREHENSIVE PLAN CHANGES - Mr. Seeger read the changes needed for acknowledgement for the Comprehensive Plan. The Commission decided to have the county attorney research the critical groundwater area. Deane also read the zoning statements describing each zone. John Bristow moved to accept the changes as read. Marion Abrams seconded the motion and motion passed unanimously.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 10:20 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MEETING OF MONDAY, JUNE 27, 1983
LEXINGTON, OREGON

Chairman Trumbull called the meeting to order at 8:00 p.m.

MEMBERS PRESENT - Chairman Trumbull, Paul Taylor, Marion Abrams, George Kenney, John Bristow, Members; Irvin Rauch, County Commissioner; Deane Seeger, Staff; Mike Sweeney and Patrick Sweeney.

MEMBERS ABSENT - Anne Jay, Jack Strege, Cecil Jones.

MINUTES OF THE MAY 23, 1983 MEETING - Chairman Trumbull requested that Mr. Seeger read the minutes. John Bristow moved, and Paul Taylor seconded, for approval of the minutes as read, motion passed unanimously.

LAND PARTITIONING - MIKE SWEENEY - Application was received by Mike Sweeney, Heppner, Oregon, to partition three tracts of land in Township S, Range , Section . Mr. Seeger read the application and found it to be in order. Chairman Trumbull asked Mr. Sweeney to make his presentation. Mr. Sweeney read and explained the work required under the zoning and subdivision ordinance for partitioning of land in a forest use zone, as well as the requirements of the Oregon Forest Practices Act. Further maps and letters substantiating land and soil types and cubic foot class requirements were presented and found to be in order. Mr. Sweeney explained the Forest Practices Act, and that the division had no adverse impact. Further, there was no impact on the game wintering areas and no adverse impact on wild life. Marion Abrams raised the question of the affect that housing would have (i.e. cabins or homes that might be built as a result of the division). Mr. Sweeney explained that existing roads, highway and electricity already served the property and two or three additional dwelling units would not affect the area. Chairman Trumbull called for the question. John Bristow moved for approval on the basis that the application met the requirements of applicable County Ordinances. Paul Taylor seconded the motion. Motion carried unanimously.

PORT OF MORROW - GRAVEL PIT - Chairman Trumbull requested a report by the Planning Director of the status of the extraction of gravel from a Port of Morrow Pit by a private contractor. Mr. Seeger stated that the pit, located in Township 4 North, Range 25, Section 10, Tax Lot 100, was and has been an existing pit owned by the Port of Morrow. Further, that the Port had in accordance to state statutes applied to and posted bonds with the Oregon State Department of Geology and Mining Industries to reopen the pit. It was moved by John Bristow, and seconded by George Kenney, that the Planning Director be granted the authority to sign off the application for the extraction of gravel from the Port owned, existing pit as described above in accordance with their application to D.O.G.M.I. Motion passed unanimously.

FURTHER BUSINESS - The Commission requested that the Planning Director write a letter to the Port of Morrow expressing the desire of the Commission to meet with Port officials and commissioners, and the County Court, to consider an advance land use planning and coordination program for and by the Port of Morrow to facilitate future growth and change land use building criteria.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 10:23 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MEETING OF MONDAY, AUGUST 8, 1983
IRRIGON, OREGON

Chairman Trumbull called the meeting to order at 7:35 p.m.

MEMBERS PRESENT - Chairman Trumbull, Jack Strege, Paul Taylor, Anne Jay, George Kenney, John Bristow; staff Deane Seeger, Lori Bergstrom; County Commissioner Irvin Rauch; District Attorney Rick McNerney; Don Jorgensen, Ernie Jorgensen, Pat and Karen Stewart, Lois and Virgil Carter, Kenn Evans, M. Conaway, Steve Wilkie, Chester Wilson, Irrigon; Sandra Van Liew, Heppner.

MEMBERS ABSENT - Cecil Jones, Marion Abrams.

LAND PARTITIONING - ANGELL/VAN LIEW PROPERTY - Seeger reported that the Van Liews had started negotiating several months ago with the City of Heppner and the County and there had been a lot of back and forth and misunderstanding. Deane read a memorandum dated August 4, 1983 which was sent to the Heppner City Council, the Heppner Planning Commission and the Heppner Gazette-Times. The memo stated that the area is within the Urban Growth Boundary of the City of Heppner and, in accordance with the Joint Management Agreement, the City Planning Commission reviews and recommends to the Morrow County Planning Commission or Department on the request. Seeger stated it was his understanding that the property was zoned residential (shown on city zoning map) and as such would be an outright permitted use. Further, the only question raised was the availability of water. County zoning for the area within the U.G.B. is farm residential 1 acre minimum or city size lots if both water and sewer were available. According to the Morrow County Zoning Ordinance, Section 3.040A, (1) outright use-single-family dwelling with approval by city, no other action is necessary other than administrative procedure for D.E.Q. and building permits.

The request to partition a 1.66 acre parcel for the home site was found to be in compliance with the Morrow County Zoning Ordinance and the city zoning ordinance as to use, the use being outright. A highway entrance site had already been approved by the Morrow County Director of Public Works for one entrance only to the new county highway. Conditions applied by the County are as follows: 1) Approval of land partitioning by the County Planning Commission 2) D.E.Q. approval for a septic tank 3) Water to be provided by the City 4) Building permits for foundations and siting permits and inspection of the home. Seeger said the action he was requesting of the Planning Commission was the authority to proceed with the partitioning of the property. The property has been surveyed by a licensed surveyor. A D.E.Q. permit had been obtained. The legal description and map meet all our criteria and the Heppner Planning Commission this evening will also consider the partitioning of this land. John Bristow moved to approve the land partitioning. Paul Taylor seconded the motion and motion passed unanimously. Mrs. Van Liew stated that the Heppner City Planning Commission would like to hear from the Commission officially at 8:00 p.m.

CONDITIONAL USE PERMIT - DON JORGENSEN - TRUCKING OPERATION - Application #N-7-83 for a Conditional Use Permit to allow a truck dispatching business under Article 6, Conditional Uses, page 68 of the Morrow County Zoning Ordinance, located in tax lot 1000, Township 5N, Range 26, Section 25B, 1.91 acres, owned and operated by Don Jorgensen, Irrigon, was presented to the Commission. Lori read the staff report giving a brief history of the request. In brief, 1) The property is within the Irrigon U.G.B. and is designated for commercial development 2) A request for a change of zone from farm residential to commercial was heard May 23, 1983 by the Planning Commission and sent to the County Court with recommendation for approval 3) On June 22, 1983, the Morrow County Court considered the actions of the Planning Commission at a public hearing 4) On June 30, 1983, the Morrow County Court approved the request for change of zone with conditions to be applied at this hearing as follows: A. Mr. Jorgensen will reimburse the county for cleaning the county R.O.W. resulting from an uncontrolled sand blow during the leveling of the lot B. Mr. Jorgensen will pay the county \$500.00 under Article 10, General Provisions, Section 10.050 Criminal Penalties for violation of the Morrow County Zoning Ordinance. As the result of concerns by neighboring property owners and the nature of the proposal and that the proposed use is not specifically stated as an outright use in the Zoning Ordinance, a conditional use permit is required. The following conditions are mandatory and prescribed by state and county law or ordinances: 1) Siting Permit for Office 2) D.E.Q. Permit for Septic Tank 3) Modification of Office Building to State Building Code specifications 4) Roadway Entrance Permit from Morrow County Director of Public Works 5) Plot Plan showing required setbacks 6) Zoning Sign Off Permit 7) Use of Idaho Subject to Approval by Director of Public Works. Additional conditions were requested by neighboring property owners and were discussed at the meeting. Don Jorgensen, applicant, was given the opportunity to address the Commission. Mr. Jorgensen stated he could go along with most of the requests but that hours of operation (5:00 a.m. to 12:00 p.m.) were too restricted. Pat Stewart, Irrigon, stated that a truck operation running around the clock would be permissible but he expressed concern over refrigerator units running. Mr. Jorgensen felt that 120 days to meet required conditions was not enough time and he also felt there should not be a need for a fence if he is going to plant trees. Mr. Jorgensen stated he tries to keep drivers off of the side street, except for pulling in and out on the main highway. Mr. Jorgensen plans to build a shop to do repairs in, but said finances will determine how soon he can build. Repairs are presently being done at the old shop. The remaining conditions were agreeable with Mr. Jorgensen.

Commissioner Rauch inquired about the monetary fine (\$500.00) as no specific amount had been set by the County Court. Seeger replied that at the County Court meeting of June 3, 1983, the

Court had made a motion to levy a fine, so Seeger had leveled a fine for the violation of the Zoning Ordinance, Section 10.050, Criminal Penalties (1) The location, erection, construction, maintenance, repair, alteration or use of a building or structure or the subdivision, other partitioning or other use of land, in violation of this ordinance is punishable upon conviction by a fine of not more than \$500.00 for a noncontinuing offense and a fine of not more than \$1,000.00 for a continuing offense.

Chester Wilson, Irrigon, spoke in favor of granting the conditional use permit but stated he felt that noise, dust, fumes and sand blows are created in other parts of the community where there is new development. Mr. Wilson also felt that some of the conditions were out of line, such as the \$500.00 fine, especially when "the restrictions won't let a man operate when he is endeavoring to establish a business that the community is crying for." Mr. Wilson reminded the Commission that this area was in a potential commercial zone.

Kenn Evans, Irrigon, felt that some of the restrictions were too harsh and he didn't think they were quite needed. He also said he didn't think a man could survive if you put too big of a noose around his neck, which he felt wasn't what county planning was all about.

Pat Stewart, Irrigon, stated he did not feel there needed to be fencing along Idaho nor fencing or trees along second street where his property fronts Jorgensen's. The one thing Mr. Stewart was concerned about was if Mr. Jorgensen operates 24 hours a day that he keep the noise down past 10:00 or 11:00 p.m. (minimal activity after 10:00 p.m. was then agreed upon).

Steve Wilkie, Irrigon, addressed concern over access and egress. The Director of Public Works has to approve a permit as to the width of the driveway and how many driveways will be permitted.

The conditions agreed upon by neighbors and the Planning Commission and staff are as follows: 1) Trees 50 feet back from Second on Idaho and to driveway entrance south on Second Street 2) No differential oil of any type to be drained on the property 3) No storage on the property including loaded vehicles of toxic waste, nuclear waste or products or toxic, flammable or otherwise dangerous substances (i.e. explosives). 4) No regrigerator trailers operating (refer units running) 5) Minimal use of Side Roads 6) All switching of trailers to take place on the property 7) Hours of Operation - Limit warm-up time to five minutes; require use of plug-in warmers during winter operations 8) Hours of Operation for Truck Movements - 24 hours with minimal activity from 10:00 p.m. to 6:00 a.m. 9) All major truck repair

and maintenance to be done in an enclosed building 10) Operation to be reviewed in six months for compliance to all conditions by the Morrow County Planning Commission, or sooner if any violation is reported. John Bristow moved to approve the Conditional Use Permit based upon the conditions and findings of the staff report. Anne Jay seconded the motion. Discussion was called for. Jack Strege asked if the conditions in Number 1 of the staff report were mandatory. Chairman Trumbull answered that they are mandatory and prescribed by state and county law or ordinances. Being no further discussion, motion passed unanimously.

NEW RULES AND REGULATIONS - There will be an Association of Oregon County Planners meeting August 26, 1983 in Bend. The purpose of the meeting is to review all the new legislation passed regarding land use. Chairman Trumbull and Seeger briefly reviewed some of the new changes.

ADJOURNMENT - Being no further business, Chairman Trumbull adjourned the meeting at 9:40 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION MEETING
MONDAY, AUGUST 29, 1983 - 7:30 P.M.
LEXINGTON, OREGON

Chairman Trumbull called the meeting to order at 7:30 p.m.

MEMBERS PRESENT - Chairman Trumbull, Jack Strege, Anne Jay, Cecil Jones, John Bristow, Marion Abrams, Staff Deane Seeger, Lori Bergstrom, County Commissioner Irvin Rauch, County Counsel Mike Oths, Judge Don McElligott.

MEMBERS ABSENT - Paul Taylor, George Kenney

MINUTES OF AUGUST 8, 1983 - John Bristow moved and Anne Jay seconded the motion that the minutes of August 8, 1983 meeting be approved as mailed. Motion passed unanimously.

CHANGES IN LAND USE LEGISLATION - Deane briefly reviewed changes in land use legislation; mainly HB 237 and 295.

SIMPLIT FEEDLOT - A letter from Simplot was read by the Planner stating corrective action being taken on disposal of waste. The Chairman asked the staff to continue to follow up and make progress reports.

JORGENSEN TRUCKING - Deane brought the Commission up to date on recent developments involving Jorgensen trucking. Neighbors of Jorgensen's complained to the Planning Department that Jorgensen was running reefers on the property from noon to 3:00 p.m. The Building Inspector posted a notice of violation on the property and Mr. Jorgensen came into the Planning office shortly thereafter. Mr. Jorgensen stated he understood he could run the reefers on the property during the daytime and stated the minutes were wrong if they stated no reefers to be run on the property.

RECREATION DOLLARS - Chairman Trumbull stated that this year the bombing range will be open for hunting and stressed the fact that Morrow County will receive recreation dollars from this and other hunting areas and felt that we should prepare ourselves for the influx.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:00 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION MEETING
MAY, SEPTEMBER 26, 1983 - 7:30 P.M.
IRRIGON, OREGON

Chairman Trumbull called the meeting to order at 7:30 p.m.

MEMBERS PRESENT- Chairman Trumbull, Jack Strege, Anne Jay, George Kenney, Cecil Jones, John Bristow, staff Deane Seeger, Lori Bergstrom, County Commissioner Irv Rauch, Building Inspector Roger Converse, Max Hellberg, Robert Gillette, John Newport and Barney Gillette.

MEMBERS ABSENT- Paul Taylor, Marion Abrams

MINUTES OF AUGUST 29, 1983 MEETING - Jack Strege moved and Anne Jay seconded the motion to approve the minutes. The motion passed unanimously.

HELLBERG AREA STREET DEVELOPMENT- Property owned by Max Hellberg, located near Second and Nevada in Irrigon, was discussed with the commission. Mr. Hellberg and the staff would like to see some sort of circulation pattern developed in this area. The suggestion of putting in two new streets was discussed. Currently, the ditch road and easements are being used. It was decided that the staff would research the matter, check on planned unit developments and see which would be the most feasible way of handling the matter, approach the county court on the subject and then report back to the Planning Commission.

URBAN GROWTH BOUNDARY UPDATE- CITY OF HEPPNER- The Commission briefly discussed Heppner's Urban Growth Boundary. The City of Heppner would prefer to have vacant lots and houses inside the city limits developed before they allow development in their Urban Growth Boundary. Anne Jay moved that the Planning Commission would be willing to consider any changes or policies in their Urban Growth Boundary once the City of Heppner presents the Commission with a statement of their proposed changes. Jack Strege seconded the motion and motion passed unanimously.

CITY OF IRRIGON - The proposed new city limit boundary lines were presented to the commission, as well as several streets the county recently turned over to the city. Jack Strege moved to recommend to the County Court to accept the new city limits as presented. George Kenney seconded the motion and motion passed unanimously. The Planning Commission will, however, recommend to the city in a letter that they square off their boundary lines.

CITY OF IONE- The city of Ione is anticipating new development from future growth in the county and the city would like to have some property ready. They are working on getting a plat drawn up and presented to the County as well as getting the road put through the bombing range.

REDEFINITION OF BOUNDARY LINES- ROBERT GILLETTE- Robert Gillette, Irrigon, made application to the Commission to add to a lot that was previously partitioned. The property is located in T5N, R26E, Section 26, Parcel "C". Jack Strege moved and Anne Jay seconded to approve the redefinition of boundary lines. The motion passed unanimously. Mr. Gillette will provide the planning department with a survey of the new boundary lines.

LAND PARTITIONING- JOHN NEWPORT- Application was received by John Newport, Irrigon, to partition a parcel of ground out of T5N, R26E, Section 26, Tax Lot 302 "F" 5.1 acres. D.E.Q. approval had been obtained, the application was found to be in order, fees had been paid and there was sufficient ingress and egress. John Bristow moved to approve the land partitioning. Cecil Jones seconded the motion. Motion passed unanimously.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:15 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION MEETING
MONDAY, OCTOBER 24, 1983 - 7:30 P.M.
LEXINGTON, OREGON

Chairman Trumbull called the meeting to order at 7:30 p.m.

MEMBERS PRESENT - Chairman Trumbull, Jack Strege, George Kenney, Paul Taylor, Cecil Jones, Anne Jay, Marion Abrams, staff Deane Seeger, Lori Bergstrom, County Counsel Mike Oths; Frank Pearson, Kinzua Corporation; Ken Turner, Tom McElligott, Dr. Wallace Wolfe, Heppner.

MEMBERS ABSENT - John Bristow

CONDITIONAL USE PERMIT - KEN TURNER - Application was received by Ken Turner, Heppner to partition a 12 acre parcel from a 44 acre parcel, tax lot 1803 in an exclusive farm use zone, T2S, R27, Section 20. The public hearing notice appeared in the Heppner Gazette-Times on October 13, 1983 and surrounding property owners were notified. There was no response. Proper application is on file with the Planning Department. Lori read the staff report. The 160 acre minimum parcel size was not applicable to tax lot 1803 as the parcel existed prior to adoption of S.B. 100 and was not farmed. There was no support or opposition from the audience. There was some discussion over the word "seriously" in the staff report on page 2 under section A, "Does not interfere seriously with accepted farming practiced in the surrounding area." Deane replied this refers to any type of interference that might come in with the uses we are considering such as aerial spraying. Mike Oths also replied that this is the way it is worded in the statutes. Anne Jay moved to approve the conditional use permit request based on the recommendations of the staff and the conditional uses of the staff report. Jack Strege seconded the motion. There was some discussion on the Commission being able to go back and condition the use at any time and also why this was a conditional use permit instead of a land partitioning. Chairman Trumbull stated that we are changing the use (non-farm use in existing farm zone). Being no further discussion, the motion passed unanimously.

CONDITIONAL USE PERMIT - KINZUA CO-GENERATION PLANT - Marion Abrams declared a conflict of interest as her husband is the attorney for Kinzua Corporation. Being no response, Marion was permitted to participate. Application was received by Kinzua Corporation for a conditional use permit to site a co-generation facility in a general industrial zone. A conditional use permit or variance is required for construction in a flood plain zone. The location of the site is T2S, R26, Section 21. The public hearing notice appeared in the October 13, 1983 edition of the Heppner Gazette-Times, the application was on file and the surrounding property owner had been notified. Deane read the staff report. Frank Pearson, Administrative Assistant for Kinzua Corporation addressed the Commission stating that the project is worth over eleven million dollars and will enhance the economy of the County. Mr. Pearson showed the commission where the new site for the boiler and co-generation plant is and briefly explained what they would be used for. Dr. Wolfe, a neighboring landowner, questioned what would be located on the east side of the Highway. Mr. Pearson replied that this is where the power transmission line comes across and hooks in. There will be

another transformer on the north side of the Kinzua office. The starting date for the project is proposed for November 15, 1983 and the completion date December 31, 1984. Chairman Trumbull read excerpts from the Comprehensive Plan regarding general economic goals and objectives and reported how we have identified some of these in our goals and guidelines. Discussion followed regarding the statement in the staff report that the Morrow County Planning Commission and Department supported Kinzua's initial request on October 7, 1981. Since none of the Commissioners recalled supporting the initial request on that date, Jack Strege moved to delete item A on page two of the staff report. George Kenney seconded the motion. Motion passed unanimously. The Commission may review the conditional use permit at any time in the future. George Kenney moved to grant the conditional use permit as listed in the staff report. Jack Strege seconded the motion and motion passed unanimously.

REVIEW OF CONDITIONAL USE PERMIT - LYLE COX - Mr. Cox's permit was reviewed to allow a third mobile home in a farm residential one acre zone on 2.13 acres located in T1S, R25E, Section 35, Tax Lot 100, granted for hardship reasons. The conditional use permit was granted October 25, 1982 on the condition that the permit be reviewed yearly and, if sold, the conditional use permit will be automatically revoked, and also, the parcel can not be partitioned while the conditional use permit is in effect. In this case no new situations or problems were found to exist. Staff was directed to write a letter to Mr. Cox stating we had reviewed his permit.

REVIEW OF CONDITIONAL USE PERMIT - SAM KNAPP JR. - On October 25, 1982, the Morrow County Planning Commission approved a conditional use permit for hardship reasons to place an additional mobile home in a farm residential one acre zone located in T5N R26E, Section 25C, Tax Lot 1300, 1.33 acres owned by Winona Johnson. The permit was granted on the condition that it be reviewed yearly. In reviewing this case the Commission learned that the mobile home had been sitting empty for the past year and Mr. Knapp had never lived in the mobile home. Staff was directed to write a letter to Mr. Knapp asking what the situation was and report back next month.

RIVER CITIES - Chairman Trumbull reported that Umatilla, Irrigon, Boardman, Arlington, Rufus and Patterson, Washington are working to put together a brochure on possibilities and potentials of recreation and tourism in these river cities.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:00 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, NOVEMBER 28, 1983 7:30 P.M.
IRRIGON, OREGON

MEMBERS PRESENT - Chairman Trumbull, Jack Strege, Marion Abrams, John Bristow, George Kenney, staff Deane Seeger, Lori Bergstrom, and Max Hellberg, Irrigon.

MEMBERS ABSENT - Cecil Jones, Paul Taylor

MINUTES OF PREVIOUS MEETING - The minutes of October 24, 1983 were unanimously accepted as mailed.

LAND PARTITIONING - MAX HELLBERG, IRRIGON - Application for land partitioning in Township 5N, Range 26, Section 26, Tax Lot 200, was received by Max Hellberg, Irrigon. The application was found to be in order but the legal description must be rewritten and the land must be surveyed before acceptance. There is an established easement of thirty feet, but Seventh Street is mainly used. There were questions raised as to whether or not Seventh Street is a county road. Jack Strege moved to approve the partitioning on the condition that it be spelled out where the recognized legal easement is. George Kenney seconded the motion and motion passed unanimously.

ROADS - IRRIGON AREA - Discussion followed on the streets in the Irrigon area. Are we going around the government, creating easements, when Seventh Street is a County Road? Staff was directed to draft a letter to the County Court recommending that this body deem it an emergency as to the legality of who the roads belong to and request a reply back from the County Court.

EXPLORATORY GAS WELLS - A conditional use permit will be needed for an exploratory gas well to be drilled on the Jerry Dougherty Ranch in Township 1S, Range 27E, Section 21, as stated on page 13 of the zoning ordinance. Page 57 of the Comprehensive Plan briefly addresses natural resources, but doesn't refer to oil or gas. It was decided to have the County Counsel give an interpretation and relate the Comprehensive Plan to the Zoning Ordinance.

ACTIVITY REPORT - Staff was once again directed to prepare monthly staff reports for distribution to the Planning Commission, County Court, City Halls and other agencies. The activity reports will contain general information of what is going on in the Planning Department. These activity reports will help create a two-way communication with other agencies.

UGB - CITY OF HEPPNER - There appears to be some mixup still about the County's involvement in the City of Heppner's U.G.B. Staff was directed to initiate a meeting with the Heppner Planning Commission as soon as possible, or at December's meeting to discuss the joint management agreement between the City of Heppner and Morrow County.

ADJOURNMENT - Chairman Trumbull adjourned the meeting at 9:30 p.m.