

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, JANUARY 25, 1988
IRRIGON, OREGON

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

MEMBERS PRESENT: Kent Goodyear, Mary Michael, Dan Creamer, Cecil Jones, Don Russell, Marv Padberg.

MEMBERS ABSENT: Mary Ellen Coleman, Mark Cutsforth.

OTHERS PRESENT: Deane Seeger, Lori Bush, Staff; Irv Rauch, County Commissioner; Bob Miller, Port of Morrow; Rosemarie Seeger, Irrigon; Murray Findlay, Boardman.

MINUTES OF NOVEMBER 30, 1987 MEETING - Don Russell moved to approve the minutes as mailed. Dan Creamer seconded the motion and motion passed unanimously.

PUBLIC HEARING - AMENDMENT TO THE ZONING ORDINANCE - An amendment to the Zoning Ordinance was considered for permitted use zones for wineries. Seeger stated the proper notification had been published in the county newspaper. The statement to appear in the Small Farm, Rural Residential, Rural Service Center and Exclusive Farm Use Zones was then read. There was no correspondence received regarding the amendment and there were no comments from the audience. Mary Michael moved to recommend to the County Court adoption of the amendment. Dan Creamer seconded the motion and motion passed unanimously. Seeger stated the County Court will hold a public hearing on the amendment in February.

VARIANCE REVIEW - MURRAY FINDLAY, BOARDMAN - Seeger stated that Mr. Findlay's variance for a second mobile home on a one-acre lot in the West Glenn Subdivision was due for review. A letter from Dr. Zielinski was read stating the hardship was still present and would probably worsen. Dan Creamer moved to continue the variance for as long as Mr. Findlay owns the property. Mary Michael seconded the motion and motion passed unanimously.

URBAN GROWTH BOUNDARIES - Seeger briefly reported on a rural lands meeting he attended in which industrial lands would be allowed outside of urban growth boundaries.

Seeger then reported on the Nagl land partitioning. Mr. Nagl stated he would put thru the 60' right-of-way when the area starts to develop. Discussion followed on the need to make the easement more binding. It was decided to have staff contact Mr. Nagl to try to get more of a commitment on the 60' right-of-way. This will be an agenda item for February's meeting.

UMATILLA ARMY DEPOT - Discussion followed on the Umatilla Army Depot. Seeger reported that the Environmental Impact Statement was available for review. The Planning Commission directed staff to try to get a representative from the Army to talk with the Commission. Discussion followed on opening the north gate to the Depot. Dan Creamer moved that the Planning Commission go on record recommending that the north gate to the Umatilla Army Depot be opened based on safety (fire, ambulance, wind direction) as well as economic reasons. Mary Michael seconded the motion. Motion passed. Staff was directed to put together an "awareness" letter to be sent to the County Court, Cities and the Army.

Seeger reported that the Northwest Power Planning Council would be supporting the interchange on the Patterson Ferry Road.

1000 FRIENDS OF OREGON APPEAL - The industrial lands of the Port of Morrow under appeal by 1000 Friends of Oregon was reviewed. Seeger reported on meeting dates of February 8th at 1:00 at the Port of Morrow and February 17th at Portland State University with the Land Conservation and Development Commission. Commissioners were urged to attend both meetings. Bob Miller, Port Manager, stated that the land under appeal is a unique area and a major resource to Morrow County. Marv Padberg moved to send a letter of support to the County Court defending the industrially zoned lands at the Port of Morrow and the land use, making it clear that the Commission does not want to compromise. Dan Creamer seconded the motion and motion passed unanimously. Reasons discussed as to why the Commission does not want to compromise were: The area is already used as an industrial site; the area has already been approved by LCDC; Morrow County already has numerous acreage tied up in lands that can't be used (National Forest, Bombing Range, Army Depot, Corps of Engineers), some of the industries we are trying to attract require large amounts of acreage; and Oregon's Economic Comeback Program. It was suggested to try to get Rupert Kennedy and former Judge Jones to testify at the meeting of the 17th, or to send a letter. Mr. Miller stated that with ORS. 777 regarding Port Lands, more restrictive controls are not necessary.

A study session will be held February 22nd at 7:30 p.m. at Lexington. Items to be discussed will be the Boeing Road, Wells Springs and Port of Morrow Interchange area rezone. Seeger suggested that the property owners involved in the zone change be invited as well as the Port and City of Boardman.

Seeger then read a letter from Yamhill County to 1000 Friends of Oregon regarding rural lands. A letter was also read from the District Attorney regarding the proposed landfill.

Illegal garbage dumping will be discussed at our next meeting.

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

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, FEBRUARY 29, 1988
LEXINGTON, OREGON

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

MEMBERS PRESENT - Chairman Goodyear, Mary Michael, Marv Padberg, Cecil Jones, Don Russell, Mark Cutsforth

MEMBERS ABSENT - Mary Ellen Coleman, Jim Swanson, Dan Creamer

OTHERS PRESENT - Deane Seeger, Lori Bush, staff; Irv Rauch, ex officio member; Larry Dalrymple, City of Boardman; Terry Tallman, Gene Allen, Ed Glenn, Boardman; Mr. and Mrs. L.J. Lott, Bend.

MINUTES OF JANUARY 25, 1988 MEETING - Mary Michael moved to approve the minutes as mailed. Don Russell seconded the motion and motion passed unanimously.

ZONE CHANGE DISCUSSION - Seeger reviewed the staff report for a change of zone for properties around the new Port of Morrow Interchange. Seeger explained that a natural buffer was created by I-84 and the BPA transmission line. Mr. Lott, a property owner, stated he would like to see all of his property rezoned, not just the portion that is north of the BPA transmission lines, or he would not be in favor of the zone change. Ed Glenn, property owner, stated that there were no improvements on Prichards' land to the west, nor were there any on the lands to the east. Mr. Glenn felt that we need to rezone what has been more intensively used. Discussion followed on sizing sewer and water lines and streets to serve the area. It was also suggested to rezone the original area considered but masterplan the entire area, and extend the urban growth boundary. Seeger stated we would need to review the Rural Service Center Zone and the Commercial Zone, or utilize the Limited Use Overlay Zone to see which one we would apply to the area. Discussion followed on who initiates an Urban Growth Boundary extension. Terry Tallman, Chairman of the Boardman Planning Commission, stated the Boardman Comprehensive Plan will be rewritten soon and stated the Urban Growth Boundary decision should be made before it is rewritten. Larry Dalrymple stated that we need to sit down with the two Planning Commissions, Brent Lake, and also the Port of Morrow to explain what an Urban Growth Boundary is. Ed Glenn felt we should change the zone as rapidly as possible in the smaller original area first considered. The Commission decided a motion would be made at the next hearing and a public hearing held within sixty days.

ROAD PLANS - Seeger stated we would discuss road plans at our next meeting.

LCDC MEETING - Seeger and those Planning Commissioners who attended reported on the LCDC hearing regarding the appeal by 1000 Friends of Oregon on the Port's Industrial land. Seeger stated the Port had hired an attorney who is currently working on the appeal.

WINERIES - Commissioner Rauch stated the County Court had some questions on the wineries before approving the amendment to the Zoning Ordinance. First off, should wineries be considered in a Rural Residential 1-acre minimum zone, and second, why not consider fruit stands as an outright use. Discussion followed. It was decided to list wineries as a permitted conditional use in each zone, which would be subject to appeal by the County Court. This will be an agenda item at our next meeting.

ILLEGAL GARBAGE DUMPING - It was reported that there are still many illegal garbage dumps throughout the county. Staff was instructed to talk to County Court about the need to post signs. It was decided that posting of the signs would be the responsibility of the Public Works Department. It was suggested that we try to get the Road Department personnel to report illegal sites in county right-of-ways. This will be an agenda item at our next meeting.

CORRESPONDENCE - Chairman Goodyear read the letter of "awareness" he wrote regarding opening the north gate to the Army Depot. The letter was sent out to several agencies. Discussion followed. It was suggested that we start letting people know that the Depot is in Morrow County. Mary reported on how emergencies would be handled at the Depot. It was felt that money needs to be provided to Irrigon for medical teams.

NAGL RIGHT-OF-WAY - Seeger reported that Mr. Nagl is still having problems with his survey.

IONE. URBAN GROWTH BOUNDARY - Marv reported that a triple wide will be moved into the new Emmert Addition. He stated Ione will be putting in the first small road to serve the new addition.

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

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, MARCH 28, 1988
IRRIGON, OREGON

MEMBERS PRESENT: Kent Goodyear, Marv Padberg, Mark Cutsforth

MEMBERS ABSENT: Cecil Jones, Mary Michael, Mary Ellen Coleman, Dan Creamer,
Don Russell, Jim Swanson

OTHERS PRESENT: Deane Seeger, Staff; Irv Rauch, Ex-Officio Member; Larry Dalrymple,
City of Boardman; Bob Miller, Port of Morrow; John Bristow, Linda
Tullis, Ione; Gene Allen, Boardman

Due to lack of a quorum, no action was taken.

Discussion followed on the conditional use permit for Tidewater for a landfill. Seeger stated that June 27th, 1988, is the one year time limit on the use permit for the landfill. The District attorney will be asked his legal opinion as to if the investment to date meets the requirements for continuation. Tidewater will be notified.

Dates were set for the public hearing for the Port Industrial Lands for April 11th and April 25th, the first meeting to be held at the Boardman City Council Chambers and the second meeting to be held in Lexington. The County Court will hear the amendment on May 11th, 1988, at the Courthouse in Heppner.

LCDC will be notified of a zone change at the Port Interchange area (45-day prior notice required).

Wineries were discussed. It was suggested wineries be an outright use in Rural Service Centers, Commercial and Industrial Zones and Conditional Uses in all other zones.

It was decided to go through the Comprehensive Plan and pick out goals as established, create time frames and priorities.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, APRIL 11, 1988
BOARDMAN CITY COUNCIL CHAMBERS

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

MEMBERS PRESENT: Chairman Goodyear, Mary Padberg, Cecil Jones, Dan Creamer, Don Russell, Mark Cutsforth, Jim Swanson

MEMBERS ABSENT: Mary Ellen Coleman, Mary Michael

OTHERS PRESENT: Deane Seeger, Lori Bush, Staff; Iry Rauch, Ex-Officio Member; Rob Brown, Boeing; Lisa Mittelsdorf, Port of Morrow.

PUBLIC HEARING - EXCEPTION STATEMENT - PORT OF MORROW: Seeger reviewed the Exception Statement for 1,889 acres of industrial land at the Port of Morrow. Question was raised as to whether or not Section 24 should be included in the exception. Seeger stated he would talk to Bob Miller about it. The proposed amendment to the Zoning Ordinance, the Port Industrial Zone, was then read. Section 5A, Interpretation, of the Zoning Ordinance was discussed. It was decided to tell Mark Greenfield that we are uncomfortable with 5A where the Planning Director shall make the determination in the event that the proposed use is a permitted use within the zone and it involves the exercise of significant judgment or discretion. Marv Padberg moved to have Section 5A re-written to the Planning Commission's and Planning Director's satisfaction, or if it can be deleted, to go ahead and delete it. Don Russell seconded the motion and motion passed unanimously. Discussion followed on additional setbacks. It was decided to question Mark Greenfield to see if "an additional 5 feet of setback shall be required for each ten feet or portion thereof of building height over 35 feet" could be eliminated. Kent stated he would talk with the Port Commission about the setback requirements. The Planning Commission and Planning Director felt the exception statement was very well written and also felt that the PI zone covers most industrial uses. The next hearing will be Monday, April 25th, 1988, in Lexington.

LAND PARTITIONING - GARY YOUNG, BOARDMAN - Application was received to partition one ten acre parcel and one five acre parcel out of Township 4 North, Range 25EWM, Section 20, tax lot 600, located within the city of Boardman urban growth boundary. The parcels are bordered by Paul Smith Road and Kunze Road, both of which 10' has been reserved for future right-of-way. Application, filing fee and legal description were all found to be in order. Both parcels have DEQ approval. Don Russell moved to approve the land partitioning. Marv Padberg seconded the motion and motion passed unanimously.

Dan suggested the Planning Commission send Mary flowers while she is in the Hospital.

Deane stated that LCDC will be meeting in Pendleton April 21 and 22nd and felt it would be a good idea to have a member of the Commission there to give a brief statement on what has been covered so far with the exception statement.

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

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, APRIL 25TH, 1988
LEXINGTON, OREGON

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

MEMBERS PRESENT - Chairman Goodyear, Cecil Jones, Dan Creamer, Don Russell, Marv Padberg, Mark Cutsforth

MEMBERS ABSENT - Mary Ellen Coleman, Mary Michael, Jim Swanson

OTHERS PRESENT - Deane Seeger, Lori Bush, staff; Irv Rauch, Ex Officio Member; Louis Carlson, Judge; Bob Miller, John Bristow, Port of Morrow; Linda Tullis, Ione; Ed Glenn, Vern Russell, Boardman; George Horrace, Irrigon.

MINUTES OF FEBRUARY 29TH AND APRIL 11TH, 1988 MEETINGS - Marv Padberg moved to approve the minutes as mailed. Don Russell seconded the motion and motion passed unanimously.

EXCEPTION STATEMENT - PORT INDUSTRIAL ZONE - This was the second public hearing on an amendment to the Comprehensive Plan for a new exception statement for 1,889 acres of Industrial land at the Port of Morrow and an amendment to the Zoning Ordinance creating a new "Port Industrial Zone." Seeger reported that neighboring property owner Joe Tatone was in favor of the new zone and a letter from neighboring property owner Umatilla Electric was read in which they voiced their support. Discussion followed on Section 24. Bob Miller stated Section 24 should be removed from the exception statement. It was also decided to state minimum side and rear yard setbacks would be ten feet and delete the remainder of 4(B) in the PI Zone. Seeger reported that 5(A) of the PI Zone would have to remain intact following LUBA's decision in which they held that any action involving significant discretion or judgment requires notice and an opportunity for hearing. John Bristow, Port Commissioner, stated that he supports the exception statement and the PI Zone and urged Planning Commissioners to recommend approval. Being no further comments, Chairman Goodyear closed the hearing. Marv Padberg moved to recommend to the County Court acceptance of the amendment to the Comprehensive Plan for a new Exception Statement for 1,889 acres of Industrial land at the Port of Morrow and an amendment to the Zoning Ordinance creating a new Port Industrial Zone. Mark Cutsforth seconded the motion and motion passed unanimously. Seeger stated the Court will hold their public hearing on the matter on Wednesday, May 11th, 1988, at 11:00 a.m. at the Courthouse.

JORGENSEN CONDITIONAL USE PERMIT - RV PARK - Seeger stated that Mr. Jorgensen has asked for an extension on his application for a conditional use permit for a RV park as there are several state requirements that have to be looked into first. If Mr. Jorgensen is willing to meet those state requirements, the application will then be considered.

ZONE CHANGE DISCUSSION - PORT OF MORROW INTERCHANGE AREA - The narrowed down area originally considered for change of zone from Small Farm 40 to Commercial was discussed. Bob Miller recommended that the boundaries be extended West to include a small portion of land that the Port owns. Commission was in favor of the idea. Seeger stated Mrs. Nelson is in favor of the zone change. Mark Cutsforth moved to hold the public hearing on the change of zone from Small Farm 40 to Commercial at our next regular meeting on May 23rd, in Irrigon. Marv Padberg seconded the motion and motion passed with Don Russell abstaining.

WINERIES - Seeger read a letter from LCDC in which they stated to carry out the county's proposed objective, the County would have to revise their definition "--Wineries for production from fruits, a portion of which are grown on the property, including retail sales" to "--Wineries for the processing of fruit or grapes into bottled wines, and uses, including retail sales, tasting rooms and gift shops which promote the processed agricultural product." The suggested language applies to the County's EFU and SF Zones. A winery would also be permitted in any commercial or industrial zone which permits the processing of agricultural products. The suggested language provides the county with more flexibility for permitting a winery because a portion of the fruit used would no longer have to be grown on the property. In addition, only the "processing" aspect of an operation requires a conditional use permit, which would address concerns with processing and sales (off street parking, access, signs, lighting and sanitation). Uses associated with the growing, harvesting and transporting of fruits and berries to the winery would be farm uses and permitted outright. LCDC also suggested adopting a policy which describes the county's intent.

CONDITIONAL USE PERMIT REVIEW - WALLACE FREDERICKSON - GRAVEL PIT - A conditional use permit for a gravel pit, issued five years ago, was due for review. The pit is still in operation and no changes have been made, however, the pit has never been fully developed. It was brought to the Commission's attention that when the pit does become fully developed all of the initial conditions will have to be met (placing of road hazard signs). Commission will review the permit in one year.

URBAN GROWTH BOUNDARIES - Seeger reported on a meeting he attended with the Eastern Oregon Planners and how changes in the legislature are going to affect planning.

ILLEGAL GARBAGE DUMPING - Staff was directed to write a memo to County Court recommending they take action or develop a policy against illegal garbage dumping in county right-of-ways. Also to be recommended will be the placing of signs in the right-of-ways. This will be an agenda item at our next meeting.

NEW IDEAS - Chairman Goodyear urged Commissioners to start thinking of new directions that the Commission might want to consider. Seeger suggested the transportation element as well as streets and right-of-ways.

Chairman Goodyear suggested everyone bring their comprehensive plans to the next meeting.

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

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, JUNE 27, 1988
IRRIGON, OREGON

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

MEMBERS PRESENT - Chairman Goodyear, Marv Padberg, Cecil Jones, Mary Ellen Coleman, Dan Creamer

MEMBERS ABSENT - Mary Michael, Don Russell, Mark Cutsforth, Jim Swanson

OTHERS PRESENT - Deane Seeger, Lori Bush, Ed Glenn, Irv Rauch

MINUTES OF APRIL 25TH, 1988 MEETING - Marv Padberg moved to approve the minutes as mailed. Mary Ellen Coleman seconded the motion and motion passed unanimously.

ZONE CHANGE HEARING - POSTPONED - Seeger reviewed the memo that was mailed out explaining why it was necessary to postpone the hearing on the area south of the Port of Morrow Interchange. Discussion followed. Commissioner Creamer stated that when the Port's 1889 acre industrial land is resolved, he would like to hold a hearing on the zone change. Ed Glenn, property owner, urged the Commission not to postpone the hearing any longer. Dan Creamer moved to have the zone change as an agenda item at the August meeting, and at that meeting set a date for a public hearing. Marv Padberg seconded the motion and motion passed unanimously.

CLARK COUNTY TOUR - Chairman Goodyear reported on the Clark County Tour, hosted by Tidewater Barge Lines, Inc. Staff was directed to write a thank you letter on behalf of the Planning Commission to Tidewater thanking them for the tour.

LCDC HEARING - Discussion followed on the meeting with LCDC regarding the Port's 1889 industrially zoned acres to be held July 15th at Newport. Kent and Dan will be attending the meeting.

ROADS - Seeger reported on a road numbering system developed for the County but never adopted. The system would assist fire district, 911 and the Sheriff's Department. A committee will be formed to review the system. Commissioner Rauch stated he would like to see the system simplified.

Road standards were discussed. Question was raised as to what should be a minimum standard outside city limits. Standard F-5 was reviewed. Seeger suggested that the County will develop that standard but if the land is annexed, the cities will have to accept the road as is. Commissioners didn't feel comfortable with adopting standards at this time. It was felt that the Road Department should review the standards first to make sure they will be compatible for fire trucks, school buses, etc. Marv Padberg moved for staff to have Road Department review the standards first and then bring their recommendation back to the next meeting, at which time Commission will consider adopting standards. Mary Ellen Coleman seconded the motion and motion passed unanimously.

ZONING VIOLATIONS - Seeger reviewed some zoning violations within the county. Storage of junk cars was discussed. Seeger reported that a system is being worked out with the District Attorney's office in siting zoning violations. Feedlots were then discussed. Seeger stated that we need a better definition of feedlots in our zoning ordinance. LCDC will be helping on this one.

ILLEGAL GARBAGE DUMPING - Seeger reported that signs have arrived stating it is a violation to dump garbage in county right-of-ways, however, someone is needed to put the signs up.

URBAN GROWTH BOUNDARIES - Seeger reported on Boardman's Urban Growth Boundary and the possibility of enlarging it.

FISH HATCHERY - Discussion followed on the second fish hatchery.

RURAL LANDS - Seeger reported on a rural lands meeting he attended in which they are contemplating having soil classifications determine what you can and can't do with your land.

ADJOURNMENT - Chairman Goodyear adjourned the meeting at 10:15 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, AUGUST 29, 1988
LEXINGTON, OREGON

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

MEMBERS PRESENT - Chairman Goodyear, Marv Padberg, Mary Ellen Coleman, Cecil Jones, Don Russell, Mark Cutsforth, Jim Swanson.

MEMBERS ABSENT - Mary Michael, Dan Creamer.

OTHERS PRESENT - Deane Seeger, Lori Bush, Staff; Irv Rauch, Ex Officio Member; Louis Carlson, Judge; Brad Bales, Bob Krein, Mark Kirsch, Oregon Department of Fish and Wildlife; Art Kegler, Larry Dalrymple, Gene Allen, Terry Tallman, Ernabel Mittelsdorf, City of Boardman, Lisa Mittelsdorf, Port of Morrow.

Seeger read a letter from LCDC stating that Morrow County now has an acknowledged Comprehensive Plan.

BOARDMAN ENTERPRISE ZONE - Discussion followed on Boardman's application for an Enterprise Zone designation. Larry Dalrymple, City Manager, explained facts concerning an Enterprise Zone designation. Seeger read letters from Lamb-Weston, Oregon Potato, Boardman Farms, and the Port of Morrow, all supporting the Enterprise Zone. Dalrymple stated that they don't have any boundaries and the first step would be to form committees consisting of Planning Commissioners (City and County), Port Commissioners, Fish and Wildlife, etc., to make recommendations on actual boundaries. One public hearing with a joint staff report from the City and the County will be held. Don Russell volunteered to be on the Committee. Marv Padberg moved for the Planning Commission to go on record as supporting the Enterprise Zone for the Boardman area. Mary Ellen Coleman seconded the motion and motion passed unanimously. A letter of support was given to Mayor Kegler on behalf of the Commission.

MINUTES OF JUNE 27TH, 1988 MEETING - Marv Padberg moved to approve the minutes as mailed. Jim Swanson seconded the motion. Motion passed unanimously.

FEDERAL AND STATE WETLANDS ISSUE - Seeger stated that the County has been appraised as having more wetlands in the south end of the County than was thought. Maps were reviewed.

LAND USE VIOLATIONS - Seeger updated the Commission on Zoning Violations in the Boardman area. He stated that a procedure has now been worked out with the District Attorney on how to handle violations. Marv inquired if the County could enforce zoning violations within city limits as city's sometimes find enforcement costs prohibitive. Seeger stated the county could not enforce those violations in the city limits, however, he stated there might be some LCDC maintenance funds which could be used towards enforcement.

Discussion followed on illegal garbage dumping. Seeger stated signs to place in County right-of-ways have arrived and would be posted soon!

LAND PARTITIONING - JOE RIETMANN, IONE - Application was received to partition 40 acres out of an Exclusive Farm Use Zone located in Township 1 North, Range 24 East, Section 4, Tax Lot 700. Application, legal description and filing fee were found to be in order. Applicant holds a one-third undivided interest in the 2,035 acre parcel. Seeger stated the application meets LCDC findings of fact based on the following: The 40-acre parcel is being partitioned out to provide for the construction of the primary dwelling unit for the farm operator, and that the division of the 2,035 acre farm for a 40-acre farm home site does not materially interfere with the on-going farming operations in the area. Commissioners raised questions on long-range problems. What if applicant is no longer farming? Can applicant sell his 40 acres? Could 40 acres cause a detrimental effect in the future with surrounding land use? Deane will visit more with the LCDC field representative as well as the applicant and bring the matter back to the next meeting.

ESTABLISHING A POLICY ON SECONDARY LANDS - Judge Carlson stated Morrow County is now exempt from these requirements dealing with soil classifications. A copy of a memo from LCDC will be given to each Commissioner.

MASTERPLANNING THE ACKNOWLEDGED PLAN - Seeger reported on masterplanning the acknowledged plan in looking at Urban Growth Boundaries and working with the various cities. Marv reported on the proposed Ione Subdivision.

ROAD STANDARDS - Judge Carlson stated the County Court had adopted a minimum road standard. Commissioners will be given a copy of the minimum standard at the next meeting. Discussion followed on various road problems.

CORRESPONDENCE - Deane read a letter from the Department of the Army requesting appointment of one or two persons from Umatilla and Morrow Counties to serve on the local Intergovernmental Consultation and Coordination Board for the Umatilla Army Depot activity. The County Court has appointed Deane to this position.

Discussion followed with the Oregon Department of Fish and Wildlife personnel regarding the lake at the PGE Coal Fired Plant.

ADJOURNMENT - Chairman Goodyear adjourned the meeting at 10:00 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, SEPTEMBER 26TH, 1988
IRRIGON, OREGON

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

MEMBERS PRESENT - Chairman Goodyear, Marv Padberg, Mary Michael, Dan Creamer, Mary Ellen Coleman, Don Russell, Mark Cutsforth, Jim Swanson

MEMBERS ABSENT - Cecil Jones

OTHERS PRESENT - Deane Seeger, Lori Bush, Staff; Irv Rauch, Ex-Officio Member; Joe and Donna Rietmann, Ione; Melvin Thomas, Jack and Nancy Keeling, Bill and Glenna Loftin, Howard and Vivian House, Irrigon; Bob Miller, Port of Morrow; Doug and Sonia Smith, Heppner; Joyce Hensley, Hermiston; Brad Bales, Oregon Department of Fish and Wildlife; Jerry Peck, County Commissioner.

MINUTES OF AUGUST 29TH, 1988 MEETING - Marv Padberg moved to approve the minutes as mailed. Jim Swanson seconded the motion and motion passed unanimously.

CONDITIONAL USE PERMIT - R.V. PARK - BILL LOFTIN, IRRIGON - Application was received for a Conditional Use Permit for an 8-space R.V. Park with electrical and water connections, located in Township 5 North, Range 26 East, Section 23D, Tax Lot 100. Application, filing fee, and public notices were all found to be in order. Seeger read the staff report as well as the State Standards for a Recreational Vehicle Park from the Zoning Ordinance. Property was originally owned by the Corps. The restrictions imposed by Mr. Loftin were:

1. Area to be screened by fence, trees and shrubs.
2. R.V. Generators will not be permitted.
3. Area lighting will be provided.

Mr. Loftin stated that the land has been leveled to the 274.4' mark as the Corps will not allow structures to be constructed or maintained on the land below that elevation.

Proponents - Mr. Loftin stated he does inspections of R.V. Parks and said he would follow all requirements, as well as have outside inspectors come in.

Chairman Goodyear read a letter from the Irrigon Chamber of Commerce in which the Chamber strongly endorsed the project. There were no other proponents.

Opponents - Jack Keeling, neighboring property owner, stated there were already R.V. spaces provided for in Irrigon Mobile Park, and even then they are rarely used. Mr. Keeling also read a letter addressed to Mr. Green, who was the original purchaser from the Corps. The letter, dated May 3, 1983, stated that no structures for human habitation (houses, mobile homes, etc.) can be constructed or maintained anywhere on the 10.89 acre parcel at any time.

Mr. Loftin stated he believed he could put R.V.'s on the property above the 274.4' level with the Corps' approval.

Melvin Thomas, another neighboring property owner, stated the Corps has denied other people the right to build on the property and he also said he would like to see the property stay agricultural.

There were no other opponents. Discussion followed. Planning Commission felt they needed something from the Corps as to what use would be allowed. Seeger stated the Corps had been notified by letter September 15th, but had failed to reply. A phone call had been received from the Corps the day of the meeting, stating they would like to review a copy of the plan and actions by the Commission. Seeger stated he would send plans to the Corps.

Mr. Loftin stated he could not operate more than eight months - there has to be 120 days of no occupancy.

Commissioner Creamer asked neighboring property owners why they were opposed. Mr. Keeling stated it would not enhance his property and also stated there is one park with R.V. spaces that are not filling up, why do we need another? Mr. Thomas stated that he felt the traffic could be a problem and also that he has developed a nice place and overlooking an R.V. Park would not be compatible.

Planning Commission also felt property should be surveyed to establish elevation. This would be the applicant's responsibility. Mr. Loftin stated he did not have a time schedule. Matter was tabled until the next meeting.

LAND PARTITIONING CONTINUED - JOE RIETMANN, IONE - Application had been received at the August meeting to partition 40-acres out of an Exclusive Farm Use Zone. Seeger read a letter from Bob O'Rourke, Attorney for the applicant, explaining the rules and ownership of the 1/3 undivided interest. Seeger stated staff has no problem with the land partitioning, nor does LCDC. Jim Swanson moved to approve the application. Mary Ellen Coleman seconded the motion. Motion passed unanimously.

CONDITIONAL USE PERMIT REVIEW - HOME OCCUPATION - JOHN COLEMAN, GUN SHOP - Seeger stated home occupations are to be reviewed annually. Mr. Coleman was granted a conditional use permit for a home occupation July 19, 1984. Home occupation is located on Fourth Street West. Staff recommended for continuation. Dan Creamer moved to continue the Home Occupation. Marv Padberg seconded the motion and motion passed unanimously.

ENTERPRISE ZONE REPORT - Seeger reviewed the Enterprise Zone, which can only operate within an Urban Growth Boundary. Seeger stated the Enterprise Zone could run concurrently with the County's request for a zone change. Bob Miller stated that the new interchange is vital to the Enterprise Zone. Seeger reminded the Commission that there is nothing automatic about annexation just because you are in an urban growth boundary. Dan Creamer moved to plan a study session with as many members possible from the Port, City, and Planning Commission before the next meeting. Mary Michael seconded the motion and motion passed unanimously.

BED AND BREAKFASTS - Question was raised to Planning Commission on how Bed and Breakfasts should be handled as it is not specifically listed in the Zoning Ordinance and these types of operations are becoming more popular. Discussion followed with Doug and Sonia Smith, who wish to have a Bed and Breakfast in their home at Blake Ranch. Jim Swanson moved to handle Bed and Breakfasts as a Home Occupation, Conditional Use Permit. Marv Padberg seconded the motion and motion passed unanimously. Home Occupations are reviewed every year. The Smith's will apply for a Home Occupation at the next meeting.

LAND USE VIOLATIONS - Seeger updated the Commission on the on-going violations with Downey/Kanyid and Coombs in Boardman as well as with Ken Key in Heppner. Seeger read a letter from the City of Heppner stating Mr. Key had not fulfilled all of his requirements, such as siting a legal sized trailer, and ingress and egress to the property. Deane read a memo to the City of Heppner and stated Mr. Key can be subpoenaed into Court. As Mr. Key has been in violation for several years, Dan Creamer moved to direct the Planning Department staff to proceed with legal action immediately. Don Russell seconded the motion and motion passed unanimously.

Discussion followed with County Commissioners regarding placing of illegal garbage dumping signs, as well as budget concerns.

Seeger read a letter from the Department of Environmental Quality regarding the State's representative for the Umatilla Army Depot. This will remain as an agenda item.

Seeger stated there would be a Solid Waste Management hearing on September 28th. He stated drop boxes will be placed in various cities.

Brad Bales, Oregon Department of Fish and Wildlife, reported that there are no minutes regarding Carty Reservoir. He stated there was a meeting coming up in November regarding the Carty Reservoir. Task Force representatives to contact are: Rep. Wayne Fawbush, 5000 O'Leary Road, Hood River, Oregon 97031 Phone: 354-1706; and Phillip Schneider, ODFW Commissioner, 8755 S.W. Woodside Drive, Portland, Oregon 97225 Phone: 292-2759.

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

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, OCTOBER 24, 1988
LEXINGTON, OREGON

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

MEMBERS PRESENT - Chairman Goodyear, Cecil Jones, Don Russell, Mark Cutsforth, Jim Swanson.

MEMBERS ABSENT - Marv Padberg, Mary Michael, Mary Ellen Coleman, Dan Creamer

OTHERS PRESENT - Deane Seeger, Lori Bush, staff; Howard & Helen Gilliam, Heppner; Richard & Mary Stultz, Doug & Sonia Smith, Lillian Boyce, Ernie & Mary Jean McCabe, Roger Arntt, Heppner-Blake Ranch; Miriam Hess, Hermiston-Blake Ranch; Eugene & Frances Hale, Frank Bailey, Don & Dottie Cellers, Blake Ranch; Arnold Braat, Boardman; Vilas & Debbie Ropp, Lexington; George & Olive Horracc, Steve Wilkie, Bill & Glenna Loftin, Dewey Harms, Clarence & Faye Gandy, Irrigon; Brad Bales, ODFW, Hermiston.

MINUTES OF SEPTEMBER 26, 1988 MEETING - Mark Cutsforth moved to approve the minutes as mailed. Jim Swanson seconded the motion and motion passed unanimously.

CONDITIONAL USE PERMIT - HOME OCCUPATION - BED & BREAKFAST - DOUG SMITH, BLAKE RANCH - Application was received for a two bedroom bed and breakfast operation located in Township 4 South, Range 28 East, Section 11AA, Tax Lot 3800, Blake Ranch Subdivision, located in a Forest Use Zone. Seeger read the staff report. The Home Occupation section of the Zoning Ordinance was reviewed.

Hearing was opened to proponents. Chairman Goodyear read letters in support of the Bed & Breakfast from John Skow, owner of the Northwestern Motel, Heppner; Claudia Hughes, Chamber Manager, Heppner Chamber of Commerce; Fred Lundin, Chairman, Morrow County Tourism Committee; a letter with 14 signatures of property owners from the Blake Ranch Subdivision (two owners within 250'); and Roger Williams, District Ranger, Umatilla National Forest. Doug Smith, applicant, stated he would be renting out two bedrooms and said that Blake Ranch is his permanent residence. Frank Bailey stated he was Mr. Smith's closest neighbor and stated he has no objections. Richard Stultz, Blake Ranch, stated there is a cabin that is empty except on weekends when there are wild parties there, so he would welcome a Bed & Breakfast over this sort of thing. Mary Stultz stated they have more children (eight) visiting them in the summer than the Bed & Breakfast will probably have staying with them.

Being no more proponents, opponents were called for. Mary Jean McCabe, landowner at Blake Ranch, read a letter from 24 landowners in the Blake Ranch area opposing the Bed and Breakfast. Chairman Goodyear read letters from Margaret & James Goodwin, landowners at Blake Ranch and F.K. "Woody" and Bonnie Starrett, property owners opposing the project. Miriam Hess voiced her concern over the commercialization a Bed & Breakfast would create, feeling it would ruin the peace and quiet. Fran Hale, a resident of Blake Ranch, stated she felt neither the Chamber nor the Motel should have anything to do with the decision of allowing a Bed & Breakfast at Blake Ranch. Mrs. Hale stated that out of the 31 residents that live there, nobody wants a Bed & Breakfast. Roger Arntt, a resident of Blake Ranch, stated there shouldn't be any Commercial ventures in the area as he is afraid it would cause too many people. He stated he moved to Blake Ranch to get away from commercialism.

Being no more opponents, hearing was opened for discussion. Question was raised as to why all property owners of Blake Ranch Subdivision were not notified of the proposal. Seeger answered that by law, staff is required to send notices to property owners within 250' only, and to advertise in the County newspaper for a public hearing. These requirements had been met. Commissioner Russell stated he did not feel two bedrooms would cause a great deal of activity and stated he was in favor of granting the request as it is a permitted conditional use. Commissioner Swanson's concern was that there were a lot of neighboring property owners against the proposed use. Commissioner Jones felt that the Commission needed to know what percentage of people at Blake Ranch are for the proposed use and what percent are against it before the Planning Commission could proceed. Motion was called for. Commissioner Russell moved to approve the application. Motion died for lack of second. Commissioner Jones asked if you had to drive through other properties at Blake Ranch to get to the Bed & Breakfast. Answer was yes. Commissioner Swanson moved to contact all landowners within the Blake Ranch Subdivision and ask what their concerns and opinions are regarding the location of a Bed & Breakfast. Commissioner Jones seconded the motion. Motion passed unanimously. A copy of the staff report will also be sent to all property owners. The hearing will be continued at the November 28th meeting in Irrigon.

CONDITIONAL USE PERMIT - USED CAR SALES LOT - DON JORGENSEN - Application had been received by Don Jorgensen, Irrigon, for a used car sales lot located in Township 5 North, Range 26 East, Section 25B, Tax Lot 100, in a General Commercial Zone consisting of 1.91 acres. Seeger read the staff report. Chairman Goodyear read a letter from neighboring property owners George and Olive Horrace, Steve Wilkie and Marla Kendell stating that Mr. Jorgensen has violated the agreement of his last application (trucking operation) and asked that the Commission place him on bond and not issue a new permit until Mr. Jorgensen does as promised. Attachment "A", a letter from the City of Irrigon, was read. Property is within Irrigon's Urban Growth Boundary. Seeger reviewed outright uses and conditional uses within a General Commercial Zone.

Proponents were called for. Don Jorgensen, applicant, addressed the Commission. Don stated that the person running the sales lot will be from Spokane, and he also has a sales lot in Hermiston. He stated the gentleman from Spokane does not plan on doing any repair work on the lot nor will he be using the shop. Vehicles for sale will be the only vehicles on the lot. Don stated he plans to "fix-up" the lot, burn weeds, repair the fence, as no one has been there to maintain the lot. Mr. Jorgensen stated that he felt he had met his conditions (built a fence, planted trees) at the time the lot was being used. Don stated the office will not be used, however, he will be using the shop for his own personal use. The sales lot will consist of a parking lot with a sign and a number to call. Chairman Goodyear inquired if sales had been made off of the lot. Mr. Jorgensen stated that he has had his own rigs as well as others for sale on and off since the lot started, however, he hasn't made any sales in the last six months. Don stated he was thinking of putting up a 10' fence in the back of the lot to block the view. Seeger stated fencing should be for aesthetic reasons, and landscaping would be more compatible.

Opponents were then called for. George Horracc, Irrigon, reviewed the previous conditions and how they have been violated. He stated he felt Don should have to abide by the rules. Olive Horracc stated Don never watered his trees, and also the fence is smaller than it should be and falling down. George Horracc stated he planted some trees about the same time as Don's and they are now 15' high. Steve Wilkie stated he was not against the car lot, but he was against Don not having to live up to the regulations imposed by the Commission. Mr. Wilkie felt Don should be bonded to ensure he meets his conditions. Mr. Wilkie also planted a tree the same day Don did and it is now 20' high and Mr. Wilkie has been gone for three years. He stated he would just like to have Don do what he says he is going to do. Mr. Horracc stated that he is also not against the car lot, but that he just wants to see Mr. Jorgensen follow up on the conditions.

The public hearing was opened for discussion. It was decided that Mr. Jorgensen historically has not met his conditions and Commissioners agreed Mr. Jorgensen should have to meet all the conditions of the new conditional use permit before moving onto the lot. Bonds were discussed. If conditions are not met, an inspection would be called for and a bond set in an amount necessary to carry out the conditions. If the conditions are met, then an occupancy permit would be issued. Commissioner Swanson moved to deny the permit. Commissioner Jones seconded the motion. Commissioner Russell felt that rather than deny the permit, the Commission needed the assurance that the conditions the County places on Mr. Jorgensen will be met, then a permit can be granted, especially since the neighboring property owners are not against a used car sales lot. Seeger stated that the Commission could make it so that Mr. Jorgensen could not sell anything until all of the conditions were met. Commission unanimously opposed motion. Commissioner Russell moved to accept the staff report with the conditions and request conditions be met before an occupancy permit be granted and at that time, a faithful performance bond be set sufficient enough to cover expenses. Commissioner Cutsforth seconded the motion and motion passed unanimously. Plans and bond to be reviewed at the November 28th meeting.

CONDITIONAL USE PERMIT CONTINUED - R.V. PARK - BILL LOFTIN - Seeger read a letter from the Corps of Engineers, Real Estate Division, repeating the deed restrictions imposed on the formally owned Corps land. The District Attorney's interpretation of the restrictions, Seeger reported, was that recreational vehicles would be included as structures for human habitation, so R.V.'s would not be allowed. Mr. Loftin stated he has other recourses and hoped it was not a mute issue with the Planning Commission.

ARNOLD BRAAT SUBDIVISION - Arnold Braat approached the Planning Commission asking for their support in opening up legal access to his subdivision located north of the Freeway. Mr. Braat reviewed the history of the Subdivision, stating that at one time the State had granted him an easement, however, since that time, the State has ruled the Subdivision to be illegal due to no legal access. Mr. Braat stated he is looking for a satisfactory solution for the property owners in the Subdivision. Mr. and Mrs. Gandy inquired as to why they are the only property owners being asked to move out of the Subdivision. Staff could not answer their question. Property owners stated that person owning land necessary for legal access is not using the land other than to drive on himself. Commissioner Swanson moved to recommend for Staff to research the matter to look for other avenues to help property owners of the Braat Subdivision to allow people the use of the property. Commissioner Russell seconded the motion. Motion passed unanimously. This will be an agenda item for the November 28th meeting.

GENERAL DISCUSSION - Seeger briefed the Commission on happenings with Rural Lands and Secondary Lands. A more detailed report will be given at a later time. Plans were reviewed of the second fish hatchery, showing where the deep water port had been saved. The second hatchery will be located right next to the first hatchery and will also consist of four more dwelling units. The Boardman Enterprise Zone was reviewed and will be an agenda item at the meeting in November. Seeger stated he has a meeting November 1st with Clark County officials regarding the Finley Buttes Landfill. Chairman Goodyear urged all Commissioners to attend the November meeting to wrap everything up as the Commission usually doesn't meet in December.

ADJOURNMENT - Chairman Goodyear adjourned the meeting at 10:00 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, OCTOBER 24, 1988
LEXINGTON, OREGON

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

MEMBERS PRESENT - Chairman Goodyear, Cecil Jones, Don Russell, Mark Cutsforth, Jim Swanson.

MEMBERS ABSENT - Marv Padberg, Mary Michael, Mary Ellen Coleman, Dan Creamer

OTHERS PRESENT - Deane Seeger, Lori Bush, staff; Howard & Helen Gilliam, Heppner; Richard & Mary Stultz, Doug & Sonia Smith, Lillian Boyce, Ernie & Mary Jean McCabe, Roger Arntt, Heppner-Blake Ranch; Miriam Hess, Hermiston-Blake Ranch; Eugene & Frances Hale, Frank Bailey, Don & Dottie Cellers, Blake Ranch; Arnold Braat, Boardman; Vilas & Debbie Ropp, Lexington; George & Olive Horrace, Steve Wilkie, Bill & Glenna Loftin, Dewey Harms, Clarence & Faye Gandy, Irrigon; Brad Bales, ODFW, Hermiston.

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Hearing was opened to proponents. Chairman Goodyear read letters in support of the Bed & Breakfast from John Skow, owner of the Northwestern Motel, Heppner; Claudia Hughes, Chamber Manager, Heppner Chamber of Commerce; Fred Lundin, Chairman, Morrow County Tourism Committee; a letter with 14 signatures of property owners from the Blake Ranch Subdivision (two owners within 250'); and Roger Williams, District Ranger, Umatilla National Forest. Doug Smith, applicant, stated he would be renting out two bedrooms and said that Blake Ranch is his permanent residence. Frank Bailey stated he was Mr. Smith's closest neighbor and stated he has no objections. Richard Stultz, Blake Ranch, stated there is a cabin that is empty except on weekends when there are wild parties there, so he would welcome a Bed & Breakfast over this sort of thing. Mary Stultz stated they have more children (eight) visiting them in the summer than the Bed & Breakfast will probably have staying with them.

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The public hearing was opened for discussion. It was decided that Mr. Jorgensen historically has not met his conditions and Commissioners agreed Mr. Jorgensen should have to meet all the conditions of the new conditional use permit before moving onto the lot. Bonds were discussed. If conditions are not met, an inspection would be called for and a bond set in an amount necessary to carry out the conditions. If the conditions are met, then an occupancy permit would be issued. Commissioner Swanson moved to deny the permit. Commissioner Jones seconded the motion. Commissioner Russell felt that rather than deny the permit, the Commission needed the assurance that the conditions the County places on Mr. Jorgensen will be met, then a permit can be granted, especially since the neighboring property owners are not against a used car sales lot. Seeger stated that the Commission could make it so that Mr. Jorgensen could not sell anything until all of the conditions were met. Commission unanimously opposed motion. Commissioner Russell moved to accept the staff report with the conditions and request conditions be met before an occupancy permit be granted and at that time, a faithful performance bond be set sufficient enough to cover expenses. Commissioner Cutsforth seconded the motion and motion passed unanimously. Plans and bond to be reviewed at the November 28th meeting.

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ARNOLD BRAAT SUBDIVISION - Arnold Braat approached the Planning Commission asking for their support in opening up legal access to his subdivision located north of the Freeway. Mr. Braat reviewed the history of the Subdivision, stating that at one time the State had granted him an easement, however, since that time, the State has ruled the Subdivision to be illegal due to no legal access. Mr. Braat stated he is looking for a satisfactory solution for the property owners in the Subdivision. Mr. and Mrs. Gandy inquired as to why they are the only property owners being asked to move out of the Subdivision. Staff could not answer their question. Property owners stated that person owning land necessary for legal access is not using the land other than to drive on himself. Commissioner Swanson moved to recommend for Staff to research the matter to look for other avenues to help property owners of the Braat Subdivision to allow people the use of the property. Commissioner Russell seconded the motion. Motion passed unanimously. This will be an agenda item for the November 28th meeting.

GENERAL DISCUSSION - Seeger briefed the Commission on happenings with Rural Lands and Secondary Lands. A more detailed report will be given at a later time. Plans were reviewed of the second fish hatchery, showing where the deep water port had been saved. The second hatchery will be located right next to the first hatchery and will also consist of four more dwelling units. The Boardman Enterprise Zone was reviewed and will be an agenda item at the meeting in November. Seeger stated he has a meeting November 1st with Clark County officials regarding the Finley Buttes Landfill. Chairman Goodyear urged all Commissioners to attend the November meeting to wrap everything up as the Commission usually doesn't meet in December.

ADJOURNMENT - Chairman Goodyear adjourned the meeting at 10:00 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, NOVEMBER 28, 1988
IRRIGON, OREGON

Commissioner Goodyear called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Commissioner Goodyear, Cecil Jones, Mary Ellen Coleman, Dan Creamer, Don Russell, Mark Cutsforth

MEMBERS ABSENT: Marv Padberg, Jim Swanson

OTHERS PRESENT: Deane Seeger, Lori Bush, staff; Irv Rauch, ex officio member; Jeddie and Juanita Aylett, Dewey Harms, Earl Aylett, C.J. & Faye Gandy, Hermiston; Gene & Francis Hale, Ernie & Mary Jean McCabe, Neoma Bailey, Doug & Sonia Smith, Heppner; Vilas & Debbie Ropp, Lexington; Gene Allen, Larry Dalrymple, City of Boardman; Arnold Braat, Boardman; Brad Bales, ODFW; Gilbert Brown, Roy Davis, Steve Wilkie, Olive & George Horrace, Rob Meakins, Don Jorgensen, Irrigon; Dave Spandenbergh, Spokane.

MINUTES OF OCTOBER 24TH, 1988 MEETING - Don Russell moved to approve the minutes as mailed. Cecil Jones seconded the motion and motion passed unanimously.

CONDITIONAL USE PERMIT - HOME OCCUPATION - BED & BREAKFAST - DOUG SMITH - Seeger announced that this public hearing was a continuation of the meeting from October. Seeger reported he had reviewed the case with the LCDC Field Representative, Brent Lake, who stated that a permitted conditional use permit, whether granted or denied, cannot be based on a popular vote. The key word in the ordinance is "permitted." This means the findings of fact are the issues that must be adhered to in an objective analysis. For example, Seeger stated that the dwelling unit has been found to be acceptable, the Forest Practices Act have been met, and intensity of use and impacts on carrying capacity of infrastructure were found not to have any measureable impact. The Goals and Guidelines of the Comprehensive Plan were reviewed.

Staff had been asked to survey property owners within Blake Ranch asking them if they were in favor or opposed to the idea of a Bed and Breakfast. Lori reported that out of 95 property owners questioned, 27 responded in favor of the Bed and Breakfast and 28 were opposed. Chairman Goodyear felt that after hearing LCDC's findings, balloting was a mute issue.

Seeger reported that a decision made by the Planning Commission is not binding, that it can be appealed to the County Court. If an appeal is made, it must be based on findings of fact.

Chairman Goodyear opened the hearing for new testimony. Gene Hale stated that he didn't feel applicant had met all state requirements in that he needs an authorization notice from D.E.Q. for his septic system. Mr. Smith stated that OAR requirements for Bed and Breakfasts two bedrooms and less don't require D.E.Q. approval. A letter from the Black Mountain Water District & Improvement Company was read stating as a nonprofit corporation, they felt that they were not equipped to handle having a business within their district. Doug Smith, applicant, stated he wanted to open a Bed and Breakfast because sometimes in Heppner there isn't enough room for people to stay. He felt that if he has three or four guests per month, that would be a maximum. Mr. Smith felt that more people stay up at Blake Ranch to snowmobile, so it shouldn't be a big drain on the water system. He also stated that the roads are public roads and

anybody can use them without going through private property. Mr. Hale didn't feel people would want to drive 20 miles out of their way to stay in a Bed and Breakfast. Neoma Bailey stated she lives next door to the Smiths and she belongs to the golf course. When there are tournaments people have to drive all the way to Boardman for lodging, so she feels people would drive up to Blake Ranch and stay rather than drive to Boardman. Mary Jean McCabe stated that applicant is asking for two units now, but had previously talked of wanting four units. Mr. Smith stated that he had said he would have two units, four guests. Mrs. McCabe felt that the snowmobilers that are up at Blake Ranch are not strangers and also that Mr. Smith started building before getting clearances from the Planning Department prior to application. Commissioner Creamer questioned that if this is opened up for a Bed and Breakfast, then can anyone do the same? Seeger answered yes as long as they go through the process. Mrs. McCabe asked if this is not a popularity vote, then why is the public invited to come and comment. Seeger answered that if the use is in the ordinance, then the request will be considered and if the findings are met, the application should be approved. If those opposed don't agree, they can appeal the decision.

Discussion followed on the Water District's letter. Mr. Hale stated he was Vice President of the Corporation and said the District provides water and maintains the roads within the project. Vilas Ropp asked if the Commission okays this Commercial use, how will other businesses be stopped and how will the District keep supplying water to the rest of them. Seeger stated that if the water system can't serve two or four more persons for a period of three or four days, then serious consideration should be given to issuing more building permits in that area. Mr. Hale inquired if the Commission could guarantee that there won't be any other Commercial uses at the Ranch. Seeger replied that there could be conditional uses as listed in the Ordinance, however, he stated there wouldn't be a gas station, as that would require rezoning, and there wouldn't be a lodge because of the water supply and the roads. Earl Aylett inquired how the ranch could provide water for normal guests and snowmobilers. Debbie Ropp stated that as a business the Bed and Breakfast will have more people up there all the time because they will be advertising. A normal person only has guests on Holidays and is not advertising for people to come up and stay in their home. Neoma Bailey stated they have a four bedroom two bathroom home and live at the Ranch year around and also have alot of family staying with them and they have never had a water shortage. Also, Mrs. Bailey stated all the people who wrote letters belong to the Water District. Mr. Hale stated that they have run storage tanks dry from just irrigating in the summer, but don't have a water problem in the winter.

Hearing was closed. Motion was called for. Don Russell moved to accept staff's findings and approve the conditional use permit to be reviewed in one year. Mark Cutsforth seconded the motion. Discussion. Commissioner Creamer still questioned the water problem and setting a precedent for other businesses. Motion carried, three yes (Russell, Cutsforth, Coleman) to two no (Creamer, Jones). Commissioner Goodyear stated that if there was any question about the appeal process, to contact staff.

CONDITIONAL USE PERMIT - USED CAR SALES LOT - DON JORGENSEN - Seeger stated that this was a continuation of the hearing from the October meeting in which Mr. Jorgensen's Conditional Use Permit would be approved based on plans and bonds and with Mr. Jorgensen complying with the conditions prior to issuance of an occupancy permit. Seeger read a letter written to Don asking for a detailed plot plan and stating all of the conditions in the staff report have to be met prior to selling any cars or using the area. Don stated he had plans but no bond. Seeger stated he had received complaints of cars and trucks being stored on the property and

reminded Don that until the conditions have been met and the work has been done, he can't operate. Don didn't feel he was operating but just using the property as a loading dock until the crusher is fixed on the lot in Hermiston. Don said the only vehicles permanently stored on the lot are his own. Seeger stated that Mr. Jorgensen has been storing other vehicles, which is a violation of the Zoning Ordinance and is not allowed on that property. Staff will send Don a letter giving him a certain length of time to remove the vehicles or the case will be turned over to the District Attorney. Don introduced Dave Spandenberg from Spokane. Mr. Spandenberg stated that the vehicles on the lot now are not the ones they want to keep on the lot. He stated he is mostly interested in vintage cars and in sales and trying to create something of interest that will draw people here and improve the area, and the vehicles that are there will be removed. Seeger stated that we are now waiting for the conditions to be met and then an occupancy permit will be issued. Plans and bond still need to be submitted. Mr. Jorgensen is to get an estimate for the bond amount based on the plans.

ZONING VARIANCE - GILBERT BROWN - HARDSHIP - Application was received to allow a second mobile home on one acre in a Rural Residential one acre zone located in Township 5 North, Range 26 EWM, Section 23B, Tax Lot 3300. Reasons for the variance were due to hardship purposes. Application, filing fee and legal notice were found to be in order. Surrounding property owners had been notified. Mr. Brown stated that the second mobile home is for his sister, who is ill from cancer. He will be hooking into his existing 1000 gallon septic tank. Rob Meakins, neighboring property owner, stated he was opposed to moving an additional mobile home onto one acre, especially when there is a mobile home park closeby. Seeger stated that if the Variance were approved, state requirements, including D.E.Q., would have to be met, and at the time the mobile home is no longer used for the Variance requested, then it must be removed. Roy Davis, neighboring property owner, stated he had no objection to the Variance. Mr. Brown stated that the Variance is for hardship purposes and the Mobile Home will be removed when the hardship ceases. Mr. Meakins stated he had no objection as long as the mobile home will be removed. Dan Creamer moved to approve the variance based on the applicant meeting state requirements, removal of the mobile home when the hardship ceases and also that the case be reviewed in one year. Mary Ellen Coleman seconded the motion. Motion passed unanimously.

BRAAT SUBDIVISION - After general discussion and updates by Arnold Braat, Jeddie Aylett, Earl Aylett, Juanita Aylett, C.J. Gandy and Faye Gandy on the Braat Subdivision, Commissioner Creamer moved to table further discussion until the District Attorney could be present. Commissioner Russell seconded the motion and motion passed unanimously. Staff was directed to contact District Attorney on attending the next meeting with this as an agenda item and also to contact all property owners of the meetings in the future.

BOARDMAN URBAN GROWTH BOUNDARY - Larry Dalrymple, Boardman City Manager, reported that there wasn't much chance of getting an Enterprise Zone. However, he stated it didn't change the urban growth boundary expansion project. Seeger, Dalrymple, Bob Miller and Brent Lake have all been working together on changing the UGB, and the exception statement has been completed. Dalrymple stated that now they need to start notifying property owners and set a date for a joint public hearing, start the 45 day public hearing notice as required by LCDC and appoint a small ad-hoc committee. Dalrymple stated he would like approval of this body to formalize procedure. Boundaries were reviewed. Chairman Goodyear stressed that every property owner needs to be notified as we don't want any opposition when

we go to LCDC. Gene Allen, Boardman City Council, reviewed the history of the area. It was decided this would be a good time to develop a new Joint Management Agreement with the City of Boardman. Kent read a letter to the Boardman Planning Commission suggesting that the two Planning Commissions get together and review the new proposed boundaries and the Joint Management Agreement prior to making recommendations to the County Court and the City Council. Mary Ellen Coleman moved to send the letter and start the process of completing the Joint Management agreement with the City of Boardman. Dan Creamer seconded the motion and motion passed unanimously. Dan Creamer moved to recommend to the County Court that proper notification to LCDC be submitted to expand the Boardman UGB. Don Russell seconded the motion and motion passed unanimously. Kent and Don will represent the Planning Commission.

AOC MEETING - Seeger updated the Commission on the AOC meeting and secondary lands. Final recommendations to the State Legislator by AOC will be on December 9th, a final hearing by LCDC will be on the same date. Morrow County's position and that of 15 other counties is that we be given the option to stay out of the program.

ANNEXATION - PHARIS TIMPEY, CITY OF IRRIGON - Seeger stated that Pharis Timpey, property owner within the Irrigon Urban Growth Boundary, wishes to annex into the city limits. Property is surrounded on three sides by city limits. Applicant will hook into city sewer and city water. Property is located in Township 5 North, Range 26 East, Section 24. Staff finds no objection. Mary Ellen Coleman moved to approve the annexation. Mark Cutsforth seconded the motion. Motion passed unanimously.

OTHER BUSINESS - Gene Allen visited with the Commission on the Umatilla-Morrow County Regional Strategies.

Discussion followed on the vacancy in the Commission. It will be recommended that County Court advertise for interested persons to serve from the Boardman area.

There will not be a meeting in December. The next meeting will be January 30th in Lexington.

ADJOURNMENT - Chairman Goodyear adjourned the meeting at 9:45 p.m.