

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, JANUARY 30, 1995 - 7:30 P.M.
IRRIGON, OREGON

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

MEMBERS PRESENT: Kent Goodyear, Marv Padberg, Mary Ellen Coleman, John Grace, Joe Miller and Joel Peterson

MEMBERS ABSENT: Dan Creamer, Don Russell and Irv Rauch

OTHERS PRESENT: Deane Seeger, Sharon Timms, Martha Doherty, Ray French, Kevin Martin and Jeff Penick of Cellular One, Barbara Bloodsworth, James Bloodsworth, Roger Britt, Scott Rathbone of Haglund & Kirtley, Frank Leaf of Potlatch, Kent Madison and Mr. & Mrs. Buckner

MINUTES OF NOVEMBER 28, 1994 MEETING: The minutes of the November 28, 1994, meeting were unanimously approved by the members of the Commission.

ANNOUNCEMENT OF APPOINTMENT OF COMMISSIONERS - It was announced that Kent Goodyear and Mary Ellen Coleman had been reappointed by the Morrow County Court to serve a four year term on the Morrow County Planning Commission.

ELECTION OF 1995 OFFICERS - Marv Padberg was nominated and seconded as Chairman of the Planning Commission, Joel Peterson was nominated and seconded as Vice-Chairman of the Planning Commission and Mary Ellen Coleman was nominated and seconded as Secretary of the Planning Commission. All nominees were elected unanimously to the positions.

PUBLIC HEARING - APPLICATION FOR A CONDITIONAL USE PERMIT - N-72 - BY POTLATCH CORPORATION FOR A ROCK QUARRY/GRAVEL PIT IN TOWNSHIP 3 NORTH, RANGE 26, SECTION 13, TAX LOT 100 IN AN EXCLUSIVE FARM USE (EFU) ZONE - The location of the proposed pit was shown on the map and the Staff Report was read. The hearing was then opened and comments from the audience were heard. Mr. Frank Leaf, manager at Potlatch, stated that the purpose of the pit was for their farm roads and for use on the farm. The pit cannot be seen from any of the roads. He also said that a crusher will be moved in this year and that they intend to take rock out in the future as well. The quarry will be three to four acres, and the size of the pit will increase in the future by one acre. Kent Madison said that he uses some of Potlatch's roads to service a pump and said that he approves of the pit to improve their roads. Joel Peterson moved and Mary Ellen Coleman seconded the motion that the Conditional Use Permit be accepted with the conditions as stated in the Staff Report, which are:

1. The site will be excavated in such a manner as to prevent the collection and stagnation of water.
2. Applicant will contact DOGAMI as to the type of state permit needed, and then inform the Morrow County Planning Department to insure that the pit is in conformance with state laws.
3. operation noise and dust. The mining and crushing operation is in an isolated area. There are no nearby homes, and far enough from Homestead Road as to have no impact. In addition, the mining and crushing is of short duration and materials will be stockpiled for ongoing farm road maintenance.

This motion passed unanimously by the Commission.

PUBLIC HEARING - APPLICATION FOR A CONDITIONAL USE PERMIT - S-73 - BY JAMES STARR, LANDOWNER, (ROGER BRITT, BUSINESS ASSOCIATE) FOR A ROCK QUARRY/GRAVEL PIT IN TOWNSHIP 2 SOUTH, RANGE 26, SECTION 6, TAX LOT 1000 IN AN EXCLUSIVE FARM USE (EFU) ZONE - The location was shown on the map and the Staff Report was read. The public hearing was then opened and those in favor responded. Scott Rathbone, Legal Assistant from Haglund & Kirtley, gave the background of Mr. Starr's move to Morrow County and the requirement to have a pit on the newly purchased property. Since the pit is less than one acre, it will be used only as a supplement to his ranching operations. It will be a blast and shoot operation run by Roger Britt and then the crusher will be moved out. He did notice on his trip to the area that there are seven or eight other pits along the Scenic By-way. He explained that Mr. Starr does not want to cause conflict with his neighbors.

Those against the Conditional Use Permit were then allowed to speak. Letters from John Edmundson and Claytha Rene' Devin were read. Both felt that the location of the proposed pit was not a suitable site, and that there were other better locations. Deane Seeger then stated that he had not received any other calls, but had been approached several times by people wanting to know if a different location might be better. The majority of people were against the pit in this location. He had also been informed by ODOT that the highway may be made into a Scenic By-way by the State later this year. If this is the case, then a management study would have to be done and there may be problems of the pit continuing operation. Barbara Bloodsworth stated that she looks right out her front window at the proposed site. The noise and dust from the State pit which is not too far from this pit was very bad. Would like to see the site moved up the canyon.

Scott Rathbone said that his client is willing to move the location of the pit up the canyon and out of sight of the Scenic By-way. The public hearing part was then closed. Mary Ellen Coleman made a motion to deny the application for the pit at the present site, but allow the applicant to re-apply for the permit at a new site without any additional fees being charged. The motion was seconded by John Grace and it was passed unanimously by members of the Commission.

PUBLIC HEARING - APPLICATION FOR A CONDITIONAL USE PERMIT - N-74 - BY KENT AND SHANNON MADISON FOR A ROCK QUARRY/GRAVEL PIT IN TOWNSHIP 3 NORTH, RANGE 27, SECTION 16, TAX LOT 1100 IN AN EXCLUSIVE FARM USE (EFU) ZONE - The location was shown on the map and the Staff Report was read. The public hearing was then opened to comments. Kent Madison stated that the pit was needed to get rock for use on the farm roads. There were no other comments from the audience. Mary Ellen Coleman moved and Joe Miller seconded the motion to accept the Conditional Use Permit as it stands. The motion passed unanimously.

PUBLIC HEARING - APPLICATION FOR A CONDITIONAL USE PERMIT - S-75 - BY CELLULAR ONE ON LAND OWNED BY DONALD AND MERLYN ROBINSON FOR AN ANTENNA TOWER IN TOWNSHIP 2 SOUTH, RANGE 26, TAX LOT 3700 IN AN EXCLUSIVE FARM USE (EFU) ZONE - The location of the tower was shown on the map and the Staff Report was read. Both the Heppner City Manager and the Planning Director felt that a public hearing on the proposed tower should be asked for. The public hearing was then opened to comments. Those in favor of the permit were then asked to speak. Jeff Penick of Cellular One stated that they agree to all conditions except #4 regarding lighting the tower. He stated that they had contacted FAA and found that a light is not a requirement. Bob Jepson and Bob Despain had told Cellular One that they did not want the tower to be lighted. The letter from Mr. & Mrs. Robinson in favor of the tower was read.

Those opposing the permit were asked to speak. Martha Doherty said that she is not against the idea of Heppner needing a tower for better communication ability, but questioned the location and the road which will be built to access the tower. She objected to the fact that the road leads into a residential subdivision and was worried about traffic and road impact. The City had denied the Corps of Engineers use of this road to access the dam and she felt this project could be better located elsewhere. She was also concerned that the tower would not have a light as the Air Life helicopter pad is near. Marv Padberg expressed a concern about not having a light on the tower. He said that there is an element of concern as bad weather sometimes forces the Air Life people to land with poor visibility and he felt that a light would help. Ms. Doherty was also concerned about the hazard factor of the tower.

She questions why other areas had turned down the siting of these towers.

Cellular One's rebuttal was that these sites do not generate a lot of traffic usually only once or twice a month, and the gate leading from the street will be locked to prevent others from entering the tower area. He said other locations for the site had been checked and after much checking this one proved to be the best. Ray French urged that Air Life be contacted and their input sought.

John Grace made a motion to approve the Conditional Use Permit with the conditions stated in the Staff Report, except to change Item #4 to read as stated in the conditions listed below. Joe Miller seconded the motion and the Planning Commission passed it unanimously with the following conditions:

1. Approval from the City of Heppner to connect to a city street.
2. That the new road, at point of connection to city street, be gated and locked.
3. A drainage plan/storm water runoff for the new road be approved by the Morrow County Director of Public Works and the City of Heppner.
4. Notification to Air Life Helicopter and Oregon Department of Transportation, Aeronautics Division, making them aware of the construction of the tower to determine if a light is required.

LAND PARTITIONING APPLICATION - DON AND DONNA BUCKNER - LPN-152 - LOCATED IN TOWNSHIP 4 NORTH, RANGE 25, SECTION 20B, TAX LOT 2000 (4.85 ACRES) IN A SUBURBAN RESIDENTIAL ONE ACRE ZONE - The land partitioning map was shown to the Commissioners. The applicants had agreed to put a forty (40) foot right-of-way or easement into the property to provide for emergency vehicles. John Grace moved and Kent Goodyear seconded motion to approve the land partitioning application as presented. Motion passed unanimously.

CORRESPONDENCE - A letter from Byron Grow was read. He is requesting that the age of trailers into his mobile home park be lifted and made to agree with the State ORS's regarding discrimination by age. The Commission referred the matter to County Counsel for interpretation.

ADJOURNMENT - Chairman Marv Padberg adjourned the meeting at 9:15 p.m. The next Commission meeting will be Monday February 27, 1995, at 7:30 p.m. at the Public Works Building in Lexington, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, FEBRUARY 27, 1995 - 7:30 P.M.
LEXINGTON, OREGON

Vice-Chairman Joel Peterson called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Joel Peterson, Mary Ellen Coleman, Kent Goodyear and Joe Miller
(There were not enough members present for a quorum)

MEMBERS ABSENT: Marv Padberg, Dan Creamer, Don Russell, John Grace and Irv Rauch

OTHERS PRESENT: Deane Seeger and Sharon Timms

MINUTES OF JANUARY 30, 1995 MEETING: The minutes of the January 30, 1995, meeting were unanimously approved by the members of the Commission.

PUBLIC HEARING - RE-APPLICATION FOR A CONDITIONAL USE PERMIT - S-73 - BY JAMES STARR, LANDOWNER, (ROGER BRITT, BUSINESS ASSOCIATE) FOR A ROCK QUARRY/GRAVEL PIT IN TOWNSHIP 2 SOUTH, RANGE 26, SECTION 6, TAX LOT 1000 IN AN EXCLUSIVE FARM USE (EFU) ZONE - The applicant re-applied for the Conditional Use Permit, and have moved the pit's location farther up the canyon as requested at the last Planning Commission Meeting. The Staff Report was read. Deane explained that under Condition #5A, "Hours of Operation" the operating time would be from 7:00 a.m. to 6:00 p.m. Under 5B, "Windy Days", this meant that the pit would not operate on extremely windy days. A detailed site plan will be required to assure that the pit will not exceed the acre size. A motion to approve the Conditional Use Permit with the conditions stated in the Staff Report will be carried over to the next meeting until a quorum was present.

LAND PARTITIONING APPLICATION - LPN-153 - RAMIRO VILLEGAS - LOCATED IN TOWNSHIP 4 NORTH, RANGE 25, SECTION 20A, TAX LOT 7400 (8.29 ACRES) IN A SUBURBAN RESIDENTIAL ONE ACRE ZONE - The only condition imposed on this partitioning application was that a 50' easement be included to provide access to the westerly lot. On a motion by Mary Ellen Coleman and a second by Joe Miller, the Commission unanimously approved the land partitioning application.

FOR THE GOOD OF THE ORDER - Deane Seeger explained that Kent Goodyear, Dan Creamer and himself had been in LaGrande talking to Oregon Department of Transportation (ODOT) officials regarding some intermodal transportation grants. The applications have been sent in and we are hoping to be successful applicants.

Morrow County's rezoning on the Umatilla Army Depot was far ahead of Umatilla County. In fact, they have done nothing on it and wanted to know how ours had passed through D.L.C.D. Water

Resources has been in the area and has been checking the quality and quantity of water on the Depot. Deane explained that a super agency, comprised of each County's representative, the Port and the Indian Tribes were to handle running the Depot land after the Incineration Project has been completed. The County Court at first felt that the land would be a liability, but the water issue is a great concern. Deane will be supplying copies of all pertinent information to the Port who will be taking it to Washington, D.C. to present to the Army. It will be to our advantage to go higher up the ladder in the Army. Deane feels that water is the main issue to be faced.

COMMENDATION - A plaque was then presented to Kent Goodyear for his service as Planning Commission Chairman for the past eight years. His dedication and service to the Planning Department and Commission and citizens of the County is very much appreciated.

ADJOURNMENT - Vice-Chairman Joel Peterson adjourned the meeting at 8:30 p.m. The next Commission meeting will be Monday, March 27, 1995, at 7:30 p.m. at the North Morrow Annex Building in Irrigon, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, MARCH 27, 1995 - 7:30 P.M.
IRRIGON, OREGON

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

MEMBERS PRESENT: Marv Padberg, Joel Peterson, Mary Ellen Coleman, John Grace, Joe Miller, Irv Rauch and Don Russell

MEMBERS ABSENT: Kent Goodyear and Dan Creamer

OTHERS PRESENT: Tim Hellberg, Max Hellberg, Bill and Jean Brace, Mr. & Mrs. Douglas Renoe, Ron McKinnis, Martha Doherty, James Miller and Richard Anderson

MINUTES OF FEBRUARY 27, 1995 MEETING: The minutes of the February 27, 1995, meeting were unanimously approved by the members of the Commission.

PUBLIC HEARING - APPLICATION FOR A SUBDIVISION BY JOHN & FREDDA GORHAM IN TOWNSHIP 5 NORTH, RANGE 26, SECTION 25D, TAX LOT 1100 (8.14 ACRES) IN A RURAL RESIDENTIAL ONE ACRE (RR-1) ZONE. THIS PROPOSED SUBDIVISION IS ON THE EAST SIDE OF SECOND STREET WEST BETWEEN COUNTY ROAD AND NEVADA - Deane Seeger explained the procedure for a subdivision. The minutes of the Subdivision Review Committee were read, as well as letters from the Assistant Public Works Director and Umatilla Electric Cooperative Association. The area for the subdivision is zoned Rural Residential One Acre. The plat meets the requirements of the preliminary map. The hearing was opened for audience comments. Mr. Renoe raised the question about the property line. His property is about 30 feet on Mr. Gorham's property. Mr. Gorham has indicated he will work with Mr. Renoe regarding his infringement on the top lot in the subdivision. Deane said that he would again contact Mr. Gorham regarding the property line problem. It is basically a problem between property owners and the Commission could not get involved. Mr. Miller asked the Commission if they were aware of the fact that part of the subdivision was once used as a dump site years ago. The Commissioners were concerned with this fact. They wanted to know what the County's responsibility was regarding signing off on building permits for these sites. County Counsel will be contacted regarding the county's liability. Tim Hellberg stated that he had two concerns. His first is that the center line of Nevada is about 30 feet onto the last lot. It will need to be pulled back. His second concern is that he had graveled about 600 feet of Nevada Street when he put in his development, and would like to know if Mr. Gorham will be required to put in or pay him for his half of the road costs. Deane said he would check on this. On a motion by John Grace and a second by Mary Ellen Coleman, the Commission unanimously approved the subdivision request with the following conditions:

1. The subdivision owner will contact the Irrigation District and have the metering gauge moved back to the County road right-of-way.
2. A drainage plan will be developed specifically for Lots 5, 6 and 7. The plan must dissipate the increased runoff prior to entering the County right-of-way.
3. Have the right-of-way of Second Street West between Nevada Avenue on the south, and the County road to the north surveyed with pins on both sides of the 60 foot right-of-way, with a pin at each property line at the right-of-way.
4. If the subdivision owner agrees to these requirements, the County Road Department will widen the 1,321 feet of Second Street West to a 24.0 foot width, with a school bus turnout on the east, as funds become available.
5. Verification by County Counsel that the employees of the County are not liable for the issuance of building permits where the former dump was located.
6. Mr. Hellberg, who owns adjoining properties to the south and who has constructed to minimum standards that portion of Nevada Avenue which is parallel to the south boundary of your subdivision, raised the question as to the use of that roadway by the southern-most lot. The answer to that question is basic -- either you or the future owner would have to obtain permission to enter onto the road, and either pay a share of the costs incurred by Mr. Hellberg or build the other thirty (30) feet of Nevada Avenue adjoining the lot.

PUBLIC HEARING - RE-APPLICATION FOR A CONDITIONAL USE PERMIT - S-73
- BY JAMES STARR, LANDOWNER, (ROGER BRITT, BUSINESS ASSOCIATE) FOR
A ROCK QUARRY/GRAVEL PIT IN TOWNSHIP 2 SOUTH, RANGE 26, SECTION 6,
TAX LOT 1000 IN AN EXCLUSIVE FARM USE (EFU) ZONE - The Staff Report was not re-read on a recommendation by John Grace, but the new location for the pit further up the canyon and away from the highway was shown on the map. On a motion by Joel Peterson and a second by Joe Miller, the motion passed unanimously by the Commission with the following conditions:

1. The quarry will be excavated in such a manner as to prevent the collection and stagnation of water.

2. The operator and landowner will share responsibility for compliance with County conditions, rules and statutes.
3. A precise plot plan showing and describing, by meets and bounds, the acre or less to be mined. The area shall be marked at its four corners with steel posts. This will be done prior to a zoning sign-off to allow the mining and processing.
4. "Dry Processing" could create a "dust" problem in the immediate area and for traffic on State Highway 74. Therefore, provisions will be made to prevent and control dust emanating from the processing of materials.
5. Operational noise and dust will be taken into consideration for any dwelling units in the area. Also, blowing dust that could impact traffic or living conditions in the affected area (said area is not defined) will be considered. Conditions to abate these possibilities would include, but not limited to, the following:
 - A. Hours of Operation - 7:00 a.m. to 6:00 p.m.
 - B. Windy Days - No operation
6. The Oregon Department of Geology & Mineral Industries exception provisions will be adhered to, i.e., less than one acre and less than 5,000 cubic yards per year. The County will require a map of the area and legal description of the area in question and that area will be pinned by a licensed surveyor.
7. No structures, offices, dwelling units or other buildings will be placed at the site.
8. There will be no stockpiling of gravel near the highway. All gravel must be stored near the pit site.

APPLICATION FOR A LAND PARTITIONING - LPN-154 - WILLIAM AND JEAN BRACE - LOCATED IN TOWNSHIP 5 NORTH, RANGE 26, SECTION 23D, TAX LOT 1500 (7.18 ACRES) IN A RURAL RESIDENTIAL ONE ACRE ZONE - The Brace's and their surveyor, Ron McKinnis, were present to answer any questions regarding their partitioning. The width of the easement was questioned by the Commission. The Brace's agreed to have a 50 foot instead of a 45 foot easement. John Grace moved and

Joel Peterson seconded that the partitioning be approved with the 50 foot easement. The motion passed unanimously by members of the Commission.

APPLICATION FOR A LAND PARTITIONING - LPS-155 AND LPS-156 - PAUL AND BETTY JEAN BROWN - LOCATED IN TOWNSHIP 2 SOUTH, RANGE 25, SECTION 13 AND 24, TAX LOT 1900 AND TOWNSHIP 2 SOUTH, RANGE 26, SECTION 18, TAX LOT 2300 IN AN EXCLUSIVE FARM USE ZONE (EFU) - The land partitionings were shown on the maps and the purpose for the partitionings was stated. Joel Peterson moved and Mary Ellen Coleman seconded that the land partitioning applications by the Brown's be approved as presented. Motion passed unanimously by members of the Commission.

REPORT ON CONDITIONAL USE PERMIT FOR CELLULAR ONE ANTENNA TOWER - The letter from Cellular One stating that they would be putting a light on the antenna tower due to a request by the State Aeronautic Department was read. Oregon Aeronautic stated that the light was needed because of Air Life flying into the helipad at the Heppner hospital. A letter from the City of Heppner was read telling Cellular One that they had no problem with them accessing their site via the city street.

GENERAL - Deane reported that he would be retiring as of May 31, 1995, and that the County Court would be starting the interviewing process shortly. It was recommended by the Director that either the Chairman or Vice-Chairman serve on the interview board. The Director was told to write a letter to the County Court stating this request.

ADJOURNMENT - Chairman Marv Padberg adjourned the meeting at 9:00 p.m. The next Commission meeting will be Monday, April 24, 1995, at 7:30 p.m. at the Public Works Building in Lexington, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, APRIL 24, 1995 - 7:30 P.M.
LEXINGTON, OREGON

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

MEMBERS PRESENT: Marv Padberg, Joel Peterson, Mary Ellen Coleman and Kent Goodyear
(There were not enough members present for a quorum)

MEMBERS ABSENT: Dan Creamer, John Grace, Joe Miller, Irv Rauch and a vacancy for the one Boardman Commission seat

OTHERS PRESENT: Lanita Baumgartner, Lyle Aylett, Wade Aylett and Bud Enghart

MINUTES OF MARCH 27, 1995 MEETING: The minutes of the March 27, 1995, meeting were unanimously approved by the members of the Commission.

PUBLIC HEARING - APPLICATION FOR AN AMENDMENT TO CONDITIONAL USE PERMIT - N-66 - JEDIDIAH AYLETT TO ENLARGE THE ORIGINAL GRAVEL PIT SITE AND TO ESTABLISH ASPHALT AND CONCRETE BATCH PLANTS IN TOWNSHIP 4 NORTH, RANGE 27, SECTION 28, TAX LOTS 300 AND 1100 IN AN EXCLUSIVE FARM USE (EFU) ZONE - Staff Report was read and the location of the pit was shown on the map. It was stated that everyone had been notified and notice placed in the newspaper of record. There had been a telephone call regarding the access road into the pit. There seems to be a discrepancy regarding the existing access road. This is a private road and needs to be resolved between the property owners. The letter from Mr. Winget regarding the fear of fire and no access for emergency equipment was read into the record. The original Conditional Use Permit stands, but the amendment is requesting the addition of the batch plants and an enlargement of the pit size. The hearing was opened for comments. Mr. Wayne Aylett said that where the pit was located there was no chance for fires. Mr. Bud Enghart questioned the need for another pit when there are so many in the area. He also wanted to know why when he requested a Conditional Use Permit for a gravel pit outside of Boardman the Planning Commission put many conditions on it, like landscape screening. He also said that when Aylett's pit was operating for the State dust blowing towards the freeway was a problem. Deane explained that it is not the Commission's position to limit the number of gravel pits. If someone wants to put one in and the zone allows it, the Commission can only put conditions on its operation. The reason for requesting screening at the pit Mr. Enghart wanted in Boardman was because of its location which leads into the Port of Morrow. The pit could hinder future businesses from selecting the Port for their industry if the sight were unsightly. Also, during the operation of the Aylett pit, the Planning Department did not receive any complaints of dust on I-84 and the berm surrounding the pit prevented much of

the dust from spreading. The Chairman also explained that each application has its own problems and the Commission tries to condition these on a case by case basis. They also have to consider the area where these pits are going to be located. The public hearing was then closed.

Kent Goodyear moved to approve the Conditional Use Permit with the conditions as stated in the Staff Report. This was seconded by Mary Ellen Coleman and passed unanimously by the Commission. The conditions were:

1. Applicant or duly authorized representative to submit a detailed site plan prior to operation.
2. Applicant or representative to meet all federal, state and county regulations pertaining to air, water, dust and noise.
3. Application must be made and approved by DOGAMI to include site plan and reclamation plan.
4. All state requirements are made a condition hereto and a copy to be filed with Morrow County Planning Department.
5. Conditional Use Permit will be reviewed yearly for compliance to these conditions.

APPLICATION FOR A HARDSHIP VARIANCE TO ALLOW THE SITING OF A SECOND MANUFACTURED HOME ON TAX LOT 2406 IN TOWNSHIP 5 NORTH, RANGE 27, SECTION 20 IN A RURAL RESIDENTIAL ONE ACRE ZONE BY HARRY ASHCRAFT -

Staff Report was read and the location shown on the map. Notices were sent and the hearing was published in the newspaper. No comments were received by the Planning Department. The letter from the doctor stating the need for the Variance was read. Kent Goodyear moved and Joel Peterson seconded the motion to approve the Variance. The Commission unanimously approved the motion.

SUMMARY OF PROGRESS ON RAILROAD ABANDONMENT - Deane explained that a letter had gone out to Mr. Canavan, representative for Union Pacific, stating that allowing the property to go to adjoining property owners would be the easiest method of handling the land and that trying to split it into sections could very well violate the County zoning and partitioning ordinances. The issue is far from being settled.

ADJOURNMENT - Chairman Marv Padberg adjourned the meeting at 8:00 p.m. The next Commission meeting will be Monday, May 22, 1995, at 7:30 p.m. at the North Morrow Annex Building in Irrigon, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, MAY 22, 1995 - 7:30 P.M.
IRRIGON, OREGON

Vice-Chairman Joel Peterson called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Joel Peterson, Mary Ellen Coleman, Kent Goodyear, Joe Miller, Irv Rauch and Art Kegler

MEMBERS ABSENT: Marv Padberg, Dan Creamer and John Grace

OTHERS PRESENT: Dick Wilkinson, Jubby Roach, William and Joan Boyd and Dave and Katherine Olsen

MINUTES OF ^{APRIL 24 1995} MAY 22, 1995 MEETING: The minutes of the ^{APRIL 24 1995} ~~May 22, 1995~~, meeting were unanimously approved by the members of the Commission.

PUBLIC HEARING - APPLICATION FOR A CONDITIONAL USE PERMIT - S-76 - WILLIAM AND JOAN BOYD FOR RECREATIONAL GUEST USE (BED & BREAKFAST) AT THEIR RANCH LOCATED IN TOWNSHIP 2 SOUTH, RANGE 27, SECTION 32, TAX LOT 3101 CONSISTING OF 160 ACRES IN AN EXCLUSIVE FARM USE (EFU) ZONE - Staff Report was read. Deane Seeger explained that Mr. Boyd is a retired Boeing attorney that has settled in the Heppner area. Mr. Boyd's letter regarding his reason for and proposed plans for the ranch were read into the record. No additional bedrooms will be added and their intention is to have older couples and sometimes offer the facilities to youth groups. The Boyd's are hoping to expose their life and rural/farm living to city folks. They also hope to stabilize the economics of Heppner. Some of the questions asked by the Commission were: 1) How many people at a time will stay there? Response was six; 2) How many bedrooms are there and will they need a new septic system? Response was 2-1/2 bedrooms and since they are not adding additional bedrooms, the present septic system is all right; 3) Is there licensing required? Response by Deane was that he did not know of any, but Mr. Boyd had checked with various state agencies; 4) When will the months of operation be? Response was May through probably September or October. Mr. Wilkinson was concerned about the zoning. There will not be any zone change required. It is a conditioned permissible use within that zone. A Conditional Use Permit is required. Deane stated that he ran the proposal by DLCD and they said it was not a problem in that zone. Boyd's plan is to maintain the integrity of the zone. A major concern of several of the Commissioners was if there would be any problem with the spraying of crops on adjacent areas. Will complaints by the guests be a problem for ongoing farming practices. The Commissioners said that a hold harmless agreement regarding ongoing farming practices will be required. Kent Goodyear moved and Joe Miller seconded the motion to approve the Conditional Use Permit -S-76 with the conditions as stated below:

1. That the applicant agrees to a hold harmless agreement to protect ongoing farming operations and practices.
2. That the occupancy season for guests be from May through October (this may be adjusted after the first season of operation).

This motion passed unanimously by the Commissioners.

APPLICATION FOR A LAND PARTITIONING -N-157 - FOR JAMES AND TWILA DEVANE - LOCATED IN TOWNSHIP 5 NORTH, RANGE 26, SECTION 23A, TAX LOT 700 (2.13 ACRES) IN A RURAL RESIDENTIAL ONE ACRE (RR-1) ZONE - The location was shown on the map. This is a simple division into two parcels of more than one acre each in a Rural Residential One Acre Zone. Kent Goodyear moved and Irv Rauch seconded the motion to approve this land partitioning. Motion passed unanimously by members of the Commission.

CORRESPONDENCE - A letter from Tom McElligott regarding Deane Seeger's appointment as Planning Director in the late 70's was read into the record as requested by Tom.

GENERAL BUSINESS - Deane Seeger announced that his retirement was next week and this was his last Planning Commission meeting. He said that he wanted everyone to know that it has been great. He wanted to thank everyone for their support. He said that he will still be working for both the County and the Port of Morrow on some grants that need to be cleared up.

ADJOURNMENT - Vice-Chairman Joel Peterson adjourned the meeting at 8:25 p.m. The next Commission meeting will be Monday, June 26, 1995, at 7:30 p.m. at the Public Works Building in Lexington, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, JULY 31, 1995 - 7:30 P.M.
IRRIGON, OREGON

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

MEMBERS PRESENT: Marv Padberg, Mary Ellen Coleman, Joe Miller, Irv Rauch, Art Kegler, Leann Rea and Calvin Keys

MEMBERS ABSENT: Joel Peterson and Kent Goodyear

OTHERS PRESENT: Gloria Cornwell, Gil Buschkowsky, Kathy Johnson, Dennis Johnson, John Gorham, Wesley Wise, Ron McKinnis, Bill Simmons, William Brace, George Griffith, Lorene Griffith and Ardeth Kay Gale

INTRODUCTION OF NEW PLANNING DIRECTOR AND NEW COMMISSIONERS - Tamra Mabbott, Morrow County's new Planning Director was introduced as were Leann Rea, representing the Boardman area, and Calvin Keys, representing the Irrigon area. All were welcomed.

MINUTES OF MAY 22, 1995 MEETING : The minutes of the May 22, 1995, meeting were unanimously approved by the members of the Commission.

PUBLIC HEARING - APPLICATION FOR A HARDSHIP VARIANCE BY WES WISE TO ALLOW THE SITING OF A SECOND MANUFACTURED HOME ON TAX LOT 405 (2.21 ACRES) IN TOWNSHIP 5 NORTH, RANGE 26, SECTION 22 IN A RURAL RESIDENTIAL ONE ACRE ZONE (RR-1) - It was stated that notices were sent to neighboring property owners and were published in the newspaper. No comments were received. The Staff Report was then read. There were no opponents to this Variance request. Wes Wise explained the need for the Variance and showed the location of the second dwelling unit on the map. Art Kegler moved that the Variance be approved with the conditions as stated in the Staff Report. The motion was seconded by Joe Miller and passed unanimously by members of the Commission. The conditions were as follows:

1. The applicant will provide a written, notarized statement that at such time that the Variance is no longer in effect, they will submit a development plan to the County and partition the lot in compliance with the Zoning and Subdivision Ordinance or, remove the unit.
2. The proposed manufactured home shall comply with standards set forth in Section 4.110 MINIMUM STANDARDS FOR A MOBILE HOME. In sum, the standards require the manufactured home to be at least 14 foot wide or double wide unit, contain at least 660 square feet, and the unit must have been manufactured after June 15, 1976, and bear the Oregon Insignia of Compliance or a manufactured home built prior to said date if certified to comply with such standards. (Section 4.110 should be consulted to

determine complete standard requirements.) The applicant shall submit documentation to verify the proposed manufactured dwelling meets Section 4.110 standards prior to final zoning sign-off.

3. The manufactured home shall be set up in accordance with Section 3.040(4) Yard and Setback Standards. The plot plan submitted with the application indicates the proposed manufactured home will be located well over the 20 foot setback requirement.
4. The applicant shall comply with all State Building Codes Agency requirements and obtain all necessary building permits.
5. The applicant shall comply with all D.E.Q. requirements for the subsurface sewage system. Documentation of appropriate DEQ permits shall be submitted to the Planning Department prior to siting the second unit.

PUBLIC HEARING - APPLICATION FOR A HARDSHIP VARIANCE BY MICHAEL CAIN TO ALLOW THE SITING OF A SECOND MANUFACTURED HOME ON TAX LOT 200 IN TOWNSHIP 5 NORTH, RANGE 26, SECTION 35C (2.93 ACRES) IN A RURAL RESIDENTIAL ONE ACRE ZONE (RR-1) - Notices were sent and publication appeared in the newspaper of record. No comments were received. The Staff Report was read. There were no opponents in the audience and the applicant was not present. On a motion by Mary Ellen Coleman and a second by Irv Rauch, the Planning Commission unanimously approved the application for a Hardship Variance with the conditions as stated in the Staff Report. These conditions were the same as those stated above for the Wise Variance.

PUBLIC HEARING - APPLICATION FOR A VARIANCE FROM REQUIRED PROPERTY SETBACK BY DENNIS AND KATHY JOHNSON ON TAX LOT 800 IN TOWNSHIP 4 NORTH, RANGE 25, SECTION 16AD (.99 ACRE) IN A SUBURBAN RESIDENTIAL ONE ACRE ZONE (SR-1) - Notices were mailed and publication appeared in the newspaper of record. Comments were received from adjoining property owners, The Roman Catholic Diocese and Mr. Beyers. The Diocese had no objection to the Variance request. Mr. Beyers was concerned with the property line and requested that corner markers be established on the north property line. The Staff Report was then read. No opponents testified. Mr. Johnson indicated that Denny Edwards, surveyor, had been out that day and established the corner markers. He found out that the garage actually would be 14 feet from the property line and that the Variance was not needed after all. He could not get a surveyor to come out earlier because they were all busy, so he decided to just go ahead with the Variance. Leann Rea moved and Joe Miller seconded that the Setback Variance request be approved with the following conditions:

1. The applicant shall comply with all State Building Codes Agency requirements and obtain all necessary building permits.
2. Applicant shall have property line and corners marked and submit a copy of property line survey to the Planning Department.

The motion passed unanimously by the Planning Commission.

REVIEW OF FINAL PLAT FOR GREEN GARDEN ESTATES SUBDIVISION DEVELOPED BY JOHN & FREDA GORHAM LOCATED IN TOWNSHIP 5 NORTH, RANGE 26, SECTION 25D, TAX LOT 1100 - Denny Edwards requested that the Commission add the review of this subdivision plat to the Agenda in order to confirm that all conditions of the approval of this subdivision had been met. Condition #1 concerning West Extension Irrigation District requirements has been met as per letter from Irrigation District (see Subdivision file). Condition #2, drainage plan, will be submitted by Mr. Gorham prior to final sign-off on plat. Condition #3, surveying of Second Street has been done. Condition #4, County Road Department agreement to widen roadway when funds become available has been met (see letter from Morrow County Public Works in file). Condition #5, liability of County employees, County Counsel states they are not liable. Condition #6, regarding Hellberg's road claim, not able to document and, therefore, not an issue. Upon submittal of drainage plan, it was moved by Joe Miller and seconded by Mary Ellen Coleman, that the Chairman of the Commission could then sign off on the Green Garden Estates Subdivision plat. Motion passed unanimously by members of the Commission.

REQUEST FOR CHANGE IN PREVIOUSLY APPROVED LAND PARTITIONING - N-154 - WILLIAM AND JEAN BRACE LOCATED IN TOWNSHIP 5 NORTH, RANGE 23D, TAX LOT 1500 (7.18 ACRES) IN A RURAL RESIDENTIAL ONE ACRE ZONE (RR-1) - The applicant explained that there was a misunderstanding on the approved plat for the land partitioning and that he wanted to set up a lot on the bottom corner of his property as shown on a map. The surveyor, Ron McKinnis, showed how the plat was to be changed. The Commission could see no problem, but asked that the 50 foot easement be kept and that the pin that had been set be removed and reset. The surveyor assured that this would be done. On a motion by Mary Ellen Coleman and second by Art Kegler, the revision to LP-N-154 with the 50 foot easement and removal and reset of the property pin was approved unanimously by the Commission.

APPLICATION FOR A LAND PARTITIONING -N-160 - DUANE AND ARDETH GALE LOCATED IN TOWNSHIP 5 NORTH, RANGE 26, SECTION 35C, TAX LOT 206 (5.61 ACRES) IN A RURAL RESIDENTIAL ONE ACRE ZONE - The only public comment was received from a Mr. Rodgers who was concerned that the property was going to be subdivided into many lots and that his

well might be affected. The surveyor, Ron McKinnis, explained that a lot line adjustment would move the east property line over and that the adjacent property owner would be buying this as well as the new lot being partitioned. The property is not in the Irrigation District and the only other concern was that of obtaining an access permit from the Public Works office prior to development of the new 1.5 acre parcel. Mary Ellen Coleman moved to accept the land partitioning with the access permit condition. The motion was seconded by Joe Miller and passed unanimously by the Commission.

APPLICATION FOR A LAND PARTITIONING - S-161 - RONALD HAGUEWOOD - LOCATED IN TOWNSHIP 1 NORTH, RANGE 32, SECTION 34, TAX LOT 6600 (672.25 ACRES) IN AN EXCLUSIVE FARM USE ZONE (EFU) - Location of the property was shown on the map. Easement is provided. There is an irrigation well on the property. The access road into Tax Lot 7100 should be obtained from the Haguewood's by the Griffith's. Before approval of this partitioning, be sure ground water rights are clarified. The deed should include statement of water rights. Oregon statute requires we do a Statement of Fact when we partition or site a farm dwelling in an EFU Zone. Art Kegler moved to approve the Land Partitioning, S-161, with the conditions stated in the Staff Report. The motion was seconded by Leann Rea and approved unanimously by the Planning Commission. The conditions, were as follows:

1. Record an easement to provide legal access from Highway 74 to the parent parcel.
2. Record deeds with the County Clerk to complete the land partition transaction.
3. The deeds shall include a statement of water rights (submit plat card from Watermaster's office in Pendleton).
4. A copy of the deed shall be submitted to the Planning Department prior to final approval.

HANDOUTS ON OREGON'S STATEWIDE PLANNING GOALS AND GUIDELINES AND TRAINING SESSION FOR PLANNING COMMISSIONERS - Copies of the Goals and Guidelines were given to each Commissioner. Goal 5, Natural Resources, is being reviewed by a DLCD subcommittee and they will make recommendations on it. The training session for Commissioners being sponsored by the APA was explained. Commissioners wanting to attend will be reimbursed for expenses out of Planning Department funds. It is a good opportunity for new Commissioners to learn about their role on the Planning Commission.

GENERAL DISCUSSION - Discussion of HB-3661 followed. It was explained that dwellings and partitions in EFU zones must be notified to DLCD. Findings must be completed as well. These can be processed administratively with notification to property owners or they can be taken to the Planning Commission. Marv Padberg said that they should be processed administratively on EFU dwellings. If there is an issue, it can then be brought before the Planning Commission for their decision.

ADJOURNMENT - Chairman Marv Padberg adjourned the meeting at 9:05 p.m. The next Commission meeting will be Monday, August 28, 1995, at 7:30 p.m. at the Public Works Building in Lexington, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, AUGUST 28, 1995 - 7:30 P.M.
LEXINGTON, OREGON

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

MEMBERS PRESENT: Marv Padberg, Joel Peterson (arrived late), Kent Goodyear, Joe Miller, Irv Rauch, Art Kegler (arrived late), Leann Rea and Kalvin Keys

MEMBERS ABSENT: Mary Ellen Coleman

OTHERS PRESENT: Rob Brown, Boeing; Guy VanArsdale, Public Works Director; Lee Docken; and Commissioner Ray French

MINUTES OF JULY 31, 1995 MEETING: The minutes of the July 31, 1995, meeting were unanimously approved by the members of the Commission.

PUBLIC HEARING - APPLICATION FOR LAND PARTITIONING - LPN-162 - ROBERT AND CAROLYN SICARD - LOCATED IN TOWNSHIP 4 NORTH, RANGE 25, SECTION 14, TAX LOT 1100 (38.80 ACRES) IN A FARM RESIDENTIAL TWO ACRE ZONE - The applicants agent was present to answer any questions. Location shown on the map, and all notices have been sent to the affected agencies and property owners, and in the newspaper. There are three access points onto Wilson Road on the existing parcel. With the partitioning both parcels would have access points onto Wilson Road. The partitioning requirements in the Subdivision Ordinance were reviewed and the application is in compliance with these requirements. The land does have irrigation rights from West Extension Irrigation District, but it is not clear if there are subsurface water rights. These must be identified on the final partition plat. At the present time the property owner does not intend to subdivide the larger lot. It was moved by Leann Rea and seconded by Kalvin Keys to accept land partitioning, LPN-162 with the conditions as stated in the Staff Report (listed below). The motion passed unanimously by the members of the Commission. Conditions of land partitioning are:

1. The applicant/landowner shall comply with requirements of the West Extension Irrigation District. District approval shall be noted in the form of a signature on the final plat.
2. The plat shall be reviewed by the County Watermaster. The applicant shall submit a letter of approval from the County Watermaster.
3. Applicant/property owner should be aware that the creation of any new access to County Road requires approval of the Public Works Director.

4. Applicant/property owner shall submit a final partition plat in compliance with ORS Chapter 92.

PRELIMINARY REVIEW OF MOORE RANCH ESTATES SUBDIVISION LOCATED IN TOWNSHIP 4 NORTH, RANGE 25, SECTION 17, TAX LOT 1300 (68.94 ACRES) LOCATED IN A SUBURBAN RESIDENTIAL ONE ACRE ZONE (SR-1) WITHIN THE BOARDMAN URBAN GROWTH BOUNDARY (UGB) -

The reason this appeared as a preliminary hearing instead of the final is that the plat was not quite ready in time to put in the proper notices for a final hearing, and since it is a large subdivision, the agent decided to present it to the Commission as a preliminary to obtain Commission comments before the public hearing at the September meeting. Location was shown on the map, and then Art Kegler, agent, presented the plans for the subdivision. The proposed subdivision was presented to the Boardman Planning Commission because of the fact that DEQ is requiring them to hook up to the city sewer and water system, they would then have to be annexed. The city has chosen to extend sewer service to lots 1, 2 and 3 prior to annexation. Annexation will be upon the city's discretion. There is a well on the property with water rights, and the land does not have West Extension Irrigation District water rights. Spreading of the water rights to the properties is proposed. Covenants for the subdivision were explained. Access is from Wilson and Kunze Roads. Road easements will be put in the deeds and they will be surveyed and marked. Comments from the Subdivision Review Committee meeting were presented to the Commission. The road issue was discussed. The off-set of the two north/south roads was to limit the traffic through the subdivision. Until the area is annexed to the city, the roads must fall under County regulations and development permits will come from the County. Once the area is annexed, it will fall under city jurisdiction. The covenants are not enforceable by the County; it is up to the homeowners association. These covenants will stay with the land. The OSU representative at the Subdivision Review Committee was concerned with the covenant relating to pigs being raised by 4-Her's. This issue should be discussed with the city. The right to farm statement should be included on the deeds of the parcels in the subdivision. Curbs and gutters was an issue that was discussed by the Commission. Verification on roads, water issues, and ongoing farming operations will be done before the final hearing.

DISCUSSION ON BOEING'S SPACE AGE INDUSTRIAL ZONED LAND - Boeing would like to farm some of the land within the Space Age Industrial Zoned land. Since much of this land is not being used, Boeing would like to farm it. The Planning Director stated there were several options. One option would be to do nothing, the second would be to do an amendment to the Comprehensive Plan and Zoning Ordinance to allow farming and keep the exception statement and justification for the zone in tact. It would be in the County's best interest to hang onto any industrial land as it is difficult

to justify getting land zoned industrial. Rob Brown explained that Boeing does not want to jeopardize their position with the industrial land. The third option is to ask County Court, the elected body of the County, and the Planning Commission to make a formal ruling or interpretation that farming is an outright use in this zone. Legislative changes involve a sixty day notification period. Official interpretation could be made at the Planning Commission meeting and then be referred to the County Court. Joel Peterson moved that the Commission interprets the Space Age Industrial Zone to include farm use as an outright use. The motion was seconded by Joe Miller and passed unanimously by the Commission.

IONE/BOARDMAN ROAD - A small discussion followed on the proposed road.

DISCUSSION OF NON-CONFORMING USES SECTION OF THE ZONING ORDINANCE - Variances should be reviewed on a yearly basis for compliance to conditions issued. Letters should be sent to all of the hardship variances asking if hardship still exists. Non-conforming uses which were legally permitted should be allowed to continue the use. If uses cannot be legally proved, variances should be required.

ADJOURNMENT - Chairman Marv Padberg adjourned the meeting. The next Commission meeting will be Monday, September 25, 1995, at 7:30 p.m. at the North Morrow Annex Building in Irrigon, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, SEPTEMBER 25, 1995 - 7:30 P.M.
IRRIGON, OREGON

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

MEMBERS PRESENT: Marv Padberg, Mary Ellen Coleman, Joe Miller, Art Kegler, Leann Rea and Kalvin Keys

MEMBERS ABSENT: Joel Peterson, Kent Goodyear and Irv Rauch

OTHERS PRESENT: Glen and Margaret Moore, Dave Krumbein, Surveyor, Jerry Downey, Bert Streeter, Meadow Outdoor Advertising, John Boyer, Deane Seeger and Valerie Doherty

MINUTES OF AUGUST 28, 1995: The minutes of the August 28, 1995, meeting were unanimously approved with the correction on Page 2, line 17, under the Moore Ranch Estates Subdivision to read "and the land does not have".

PUBLIC HEARING - SUBDIVISION APPLICATION NO. SD-N-194 - GLEN AND MARGARET MOORE, APPLICANTS. PROPERTY IS DESCRIBED AS TAX LOT 1300 OF ASSESSOR'S MAP 4N 25 17, LOCATED BETWEEN WILSON AND KUNZE ROADS, SOUTH OF BOARDMAN. THE PROPOSED MOORE RANCH ESTATES SUBDIVISION WILL INCLUDE FOURTEEN (14) LOTS OF AT LEAST FOUR ACRES IN SIZE -
A map was shown indicating the location of the subdivision and the surrounding area. The Subdivision Review Committee met on July 24, 1995, and their recommendations are included in the Preliminary Findings of Fact. Notices were sent to all affected property owners and agencies, and no comments were received. Tamra Mabbott, Planning Director, then summarized the preliminary report. Art Kegler, agent, then asked to be withdrawn from the Commission due to a conflict of interest. As agent, Art responded to the issues needing clarification from the preliminary findings. He had not received any response from the LDS Church regarding the turn around. The City has agreed to work out an agreement on the fire hydrants. Water spreading issue will be handled by the surveyor on the plat. The roadways will be 50 foot minimum right-of-way along with an additional adjacent 10 foot utility easement, and a 24 foot improvement surface; this will satisfy County requirements. Maintenance of the road will be property owners responsibility. Approach permits prior to development will be required from Morrow County Public Works Department. A disclaimer statement regarding ongoing farming operations must be filed with the County Clerk before final approval of the Subdivision Plat. Art stated that he will obtain a statement from Umatilla Electric Cooperative Association regarding service to the subdivision. A copy of the title must also be submitted. The Fire District will also need to submit a letter of approval. Kalvin Keys moved to accept the Disclaimer Statement instead of the Covenant to Sue form regarding ongoing farming practices. Leann Rea seconded the motion which passed unanimously. Mary Ellen Coleman moved and Leann Rea

seconded the motion to approve the application for Subdivision N-194 with the conditions as stated below:

1. The landowner shall file a final subdivision plat in accordance with ORS Chapter 92 provisions.
2. The landowner shall submit a letter of approval from the Boardman Fire District.
3. Roadways shall contain a minimum 50 foot right-of-way along with an additional adjacent 10 foot utility easement, and a 24 foot improvement surface. Maintenance responsibility of the roadways shall be the property owners and not the responsibility of the County Public Works Department. At such time as the lots are annexed into the City of Boardman, the abutting road(s) shall also be annexed by the City and shall become the responsibility of the City to maintain, either directly or by the owner(s).
4. Prior to development of a new approach to a County Road (Wilson Road and/or Kunze Road), a road approach permit shall be obtained from the County Public Works Director.
5. A disclaimer statement concerning normal farming practices on adjacent property shall be signed by the landowners and shall be recorded with the County Clerk prior to final approval of the Subdivision Plat.
6. Submit a statement from the servicing utility company.
7. Submit a copy of a title or Subdivision Guarantee Report.

The motion for approval of the subdivision with listed conditions was unanimously approved (Art Kegler abstained from voting).

PUBLIC HEARING - CONDITIONAL USE PERMIT APPLICATION NO-N-77 - MEADOW OUTDOOR - ADVERTISING APPLICANTS; LARRY CHASTAGNER, OWNER. PROPERTY IS DESCRIBED AS TAX LOT 4703 OF ASSESSOR'S MAP 4N 26, LOCATED AT THE NORTHEAST INTERSECTION OF STATE HIGHWAY 730 AND INTERSTATE 84. APPLICATION IS TO CONSTRUCT A 14'X48' BILLBOARD SIGN - The preliminary Findings of Fact were reviewed for the Commission. The sign will be illuminated, and it is on a timer to go on one-half hour before sunset and off at midnight. The light shines up on the billboard and towards the sky. Jim Odum, ODOT, was contacted and he says the sign conforms as to size and requirements. The signs are designed by certified engineers and meet the wind load restrictions of the area. ODOT does not issue permits for new signs, but for replacement ones within 100 miles of others which were removed. The agent for the adjacent property

owner contacted the Planning Department and stated that they did not have a problem with the billboard. Mr. Streeter for Meadow Outdoor Advertising stated that the company has a strict policy regarding advertisements; no tobacco, liquor (beer only) and nothing indecent. Joe Miller moved and Art Kegler seconded a motion to approve Conditional Use Permit N-77 with the conditions stated in the Findings of Fact, which are:

1. The applicant shall obtain applicable permits from the State Highway Division and the State Building Codes Agency.
2. Following final approval of the Planning Commission, applicant shall submit a final plot plan and obtain a County Zoning Permit.

The motion passed unanimously by the Planning Commission.

PUBLIC HEARING - SUBDIVISION APPLICATION NO. SD-N-195 - JERRY AND MARGARET DOWNEY, APPLICANT AND OWNER. PROPERTY IS DESCRIBED AS TAX LOT 101 OF ASSESSOR'S MAP 4N 25 14C, LOCATED ON THE SOUTH SIDE OF WILSON ROAD APPROXIMATELY TWO MILES SOUTHEAST OF BOARDMAN. THE PROPOSAL IS TO SUBDIVIDE THE EXISTING 22.35 ACRE PARCEL INTO EIGHT LOTS - The Planning Director summarized the Findings of Fact, and reported that the Subdivision Committee met on September 13, 1995, and all comments were favorable. Road access has been acquired on the west side of the property. The letter from Umatilla Electric Cooperative Association was read into the record. They are ready to provide the service to the Subdivision. Art Kegler, agent for the Downey's, stepped down from the Commission and addressed the items of concern from the Preliminary Findings of Fact. There were no further comments from anyone. Calvin Keys moved and Joe Miller seconded a motion to approve the application for Hamilton Estate Subdivision, SD-N-195, with the following conditions:

1. The landowner shall file a final subdivision plat in accordance with ORS Chapter 92 provisions.
2. Roadways shall contain a 50 foot right-of-way along with an additional adjacent 10 foot utility easement, and a 24 foot improvement surface. Maintenance responsibility of the roadways shall be the property owners and not the responsibility of the County Public Works Department.
3. Prior to development of a new approach to a County Road (Wilson Road), a road approach permit shall be obtained from the County Public Works Director.

4. Owners shall agree to notify purchasers that septic system type and suitability has not been pre-approved, and that each lot will require development of a domestic well.
5. Submit a statement from the servicing utility company.
6. Submit a copy of a title or Subdivision Guarantee Report.
7. The final plat shall be approved by the West Extension Irrigation District prior to final approval by the Planning Commission.
8. A disclaimer statement concerning normal farming practices on adjacent property shall be signed by the landowners and shall be recorded with the County Clerk prior to final approval of the Subdivision Plat.

The motion passed unanimously by the members of the Commission.

PUBLIC HEARING - CONDITIONAL USE PERMIT APPLICATION NO S-78, JOHN BOYER, APPLICANT AND OWNER. PROPERTY IS DESCRIBED AS TAX LOT 4200 OF ASSESSOR'S MAP 5S 24 (SECTION 15), LOCATED APPROXIMATELY 25 MILES SOUTH OF HEPPNER. APPLICATION IS TO CONSTRUCT A PICNIC SHELTER - The Findings of Fact were reviewed. Deane Seeger showed the sample picnic shelter and explained that Mr. Boyer intended it as a place to go to in the mountains when he picnics, hunts or gets wood. Deane explained that he had talked and given the plans to Brent Lake and he had no problem with the plans for the shelter. The location is a natural meadow and a spring can provide drinking water. Joe Miller moved and Mary Ellen Coleman seconded the motion to approve the application for Conditional Use Permit No. S-78 with the conditions as stated in the Findings of Fact which are:

1. Applicant shall obtain a County Zoning Permit and shall comply with applicable provisions of the State Building Codes Agency.
2. Construction shall comply with the minimum fire safety standards listed in the Oregon Department of Forestry's publication "Fire Safety Considerations for Development of Forested Areas."

PLANNING COMMISSIONERS TRAINING SESSION - A discussion followed regarding the training session being offered in Pendleton on October 21, 1995. It was explained that any Commissioner wanting to attend could do so at the County's expense. It is a good opportunity for the new Commissioner's. Deadline for registration is October 12, 1995.

AUDIENCE PARTICIPATION/NEW BUSINESS - Tamra offered a suggestion to move the Commission's meeting time to 7:00 p.m. in order to finish earlier. The consensus of the Commission was to leave it at 7:30 p.m. because of farming operations. It was also decided to schedule the October Planning Commission meeting for Monday, October 23, 1995, at 7:30 p.m. in Irrigon.

ADJOURNMENT - Chairman Marv Padberg adjourned the meeting. The next Commission meeting will be Monday, September 25, 1995, at 7:30 p.m. at the North Morrow Annex Building in Irrigon, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, OCTOBER 23, 1995 - 7:30 P.M.
IRRIGON, OREGON

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

MEMBERS PRESENT: Marv Padberg, Joel Peterson, Mary Ellen Coleman, Leann Rea and Kalvin Keys

MEMBERS ABSENT: Kent Goodyear, Joe Miller, Irv Rauch and Art Kegler

OTHERS PRESENT: Kenneth Reade, Mary Reade, Ardeth Gale, Robert Brown, Lt. Commander Purdom, Dick McCombs, Mr. & Mrs. R.K. McGuire and Joe Tatone

MINUTES OF SEPTEMBER 25, 1995 MEETING: The minutes of the September 25, 1995, meeting were unanimously approved by the members of the Commission.

PUBLIC HEARING - APPLICATION NO. LP-N-163 - DUANE AND ARDETH GALE, APPLICANT AND OWNER. PROPERTY IS DESCRIBED AS TAX LOT 206 OF ASSESSOR'S MAP 5N 26 35C, LOCATED ON THE EAST SIDE OF WEST EIGHTH STREET, APPROXIMATELY 1/2 MILE SOUTH OF STATE HIGHWAY 730, TWO MILES WEST OF IRRIGON. REQUEST IS TO PARTITION THE 5.61 ACRE PARCEL INTO THREE LOTS. CRITERIA FOR APPROVAL INCLUDE SUBDIVISION ORDINANCE SECTION 5.020-5.050 - Location of property was shown on the map and the staff report was reviewed. DEQ responded and stated that septic approval would be determined after plot plan showing location of wells and systems on adjoining property is submitted to them. Proposed density is consistent with area. West Extension Irrigation District believes they have an easement through one of the parcels and it should be on the original deed. Standard verbiage of easement for water district will be included in the deed. The recommendations were read. Mary Ellen Coleman motioned that the land partitioning application, LPN-163 be approved with the conditions as noted in the Staff Report. Joel Peterson seconded the motion which passed unanimously by members of the Commission. The conditions were:

1. The applicant shall comply with requirements of the West Extension Irrigation District. District approval shall be noted on the final partition plat or in the form of a letter.
2. The plat shall be reviewed by the County Watermaster to verify status of groundwater rights. A statement of water rights shall be noted on the final plat.

3. Applicant shall obtain a road access permit application from the County Public Works Department. County approval shall be required prior to issuance of zoning or building permits for the two undeveloped parcels.
4. Applicant shall submit a final partition plat in compliance with ORS Chapter 92.

PUBLIC HEARING - APPLICATION FOR LAND PARTITION AND VARIANCE APPLICATION NO. LPN-164 - JOAN AND KEITH MOULTRIE, APPLICANT AND OWNER. PROPERTY IS DESCRIBED AS TAX LOT 901 OF ASSESSOR'S MAP 4N 24 23, LOCATED SOUTH OF INTERSTATE 84, EAST OF TOWER ROAD, SOUTHWEST OF BOARDMAN. REQUEST IS TO PARTITION THE 300.65 ACRE PARCEL INTO THREE PARCELS SMALLER THAN THE 160 ACRE MINIMUM LOT SIZE OF THE EXCLUSIVE FARM USE ZONE. CRITERIA FOR APPROVAL INCLUDE SUBDIVISION ORDINANCE SECTIONS 5.020-5.050 AND ZONING ORDINANCE VARIANCE CRITERIA SECTIONS 7.010-7.040 - The location was shown on the map and the Staff Report was discussed. The state regulations were less restrictive in allowing an 80 acre lot size than Morrow County's 160 acre minimum lot size. Moultrie's were told that a Variance would be required to exempt property from Ordinance requirement of 160 acres and then a land partitioning to segregate the property. The letter from Moultrie on the criteria was then read. The Director explained that there was a problem with the access into the property. The proposal was identified as not having any adverse impacts on adjoining or area land uses, but now several neighbors disagree with this fact. It is up to the Commission whether they wish to set a precedent of establishing lots less than the County's 160 acre minimum. They must consider the impact on adjacent farm ground. The correspondence from the Navy and Julie Weikel was read into the record.

The Weikel letter questioned several items, but the main one being the access via the canal road. One other item was the statement by the Moultrie's that the adjacent land did have water rights. Weikel contends that some of this land does not have water rights.

The Navy requested a sixty day delay in the processing of the application. Lt. Commander Purdom was concerned with the location of any possible dwellings because of the noise associated with activities along the northern border of Navy property. He stated that he had talked to the Moultrie's and they had agreed to the sixty day extension. The easement granted originally to the Moultrie's was not authorized by the Navy. There are several ways that an easement can be obtained, but it involves a considerable amount of work and time. The timeframe would be approximately one year before the easement can be granted. The Navy did not protest the July nonfarm dwelling application because of not knowing where the dwelling was to be placed. Since it is within the noise area, the Navy is against the dwelling being placed there, and is

requesting that a hold be placed on any building permits.

Rob Brown also explained that Tower Road is a private road and that easement to it will have to come from the state and then permission would also need to be obtained from PGE.

Robert McGuire owns land to the north of the Moultrie property and he is concerned about their pumping water out of the well for irrigation as it might affect their well. If the land is divided further, the additional wells could affect the water level of all the surrounding wells. The water use from the well is non-drinkable and the Watermaster has stated that there is no water right and they cannot irrigate more than the half acre from the well. The road access is also a concern. The access problem across the canal was discussed and Leann Rea stated that it could take approximately one to one and one-half years to attempt to obtain access.

Joel Peterson moved to approve the Variance request to create three parcels less than 160 acres in size which is in compliance with Oregon Administrative Rules. The motion was seconded by Mary Ellen Coleman and approved by the members of the Commission present except for a "no" vote from Leann Rea. The Variance request was approved. Calvin Keys then moved and Leann Rea seconded a motion to deny the application for a Land Partitioning, LPN-164. The motion passed unanimously. Land Partitioning application denied. The Planning Commission advises the landowners to obtain legal access before applying for a new land partition application.

PLANNING COMMISSION MEETING DATES - It was decided that the Planning Commission will combine the November/December meetings, and will meet on December 4, 1995, at 7:30 p.m. in Lexington.

AUDIENCE PARTICIPATION/NEW BUSINESS - Dick McCombs introduced himself as the Chairman of the Irrigon Planning Commission. He was just attending the county meeting to learn from the "big boys" as he put it.

The Planning Director then gave an update on the Space Age Industrial Zone and Boeing's request to include farming as an outright use in the zone. County Court rescinded their original decision to allow farming interpretation in the zone. Six sections of land is not in the Overlay Zone and the SAE Zone was done on an exception statement or reasons and it was based on the assumption that this land was not farmable. Boeing attorney's prepared the exception. Boeing needs to apply for a zone change. They do not want to change it to EFU as it closes the door to Space Age Industrial. Tamra will be going to County Court on Wednesday to discuss the issue. Rob Brown feels that the State should put in for the zone change. The State is not against the zone change. Some of the sections to be rezoned have the Oregon Trail going through them. The Oregon Trail easement has been questioned by SHIPO. There will be more on this issue later.

Marv Padberg then gave an update on the Ione/Boardman Road. He has not seen a map of the new proposed route. There will be a meeting on this on November 2nd, and he hopes a new route will be presented. The need for the road was explained to the Commission. It is for farm commodities, but it is also to bring more people into the Ione Community. Marv would like the support of the Planning Commission.

ADJOURNMENT - Chairman Marv Padberg adjourned the meeting at 9:15 p.m. The next Commission meeting will be Monday, December 4, 1995, at 7:30 p.m. at the Public Works Building in Lexington, Oregon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION
MONDAY, DECEMBER 04, 1995 - 7:30 P.M.
LEXINGTON, OREGON

Vice-Chairman Joel Peterson called the meeting to order at 7:40 p.m.

MEMBERS PRESENT: Joel Peterson, Mary Ellen Coleman, Kent Goodyear, Joe Miller, Art Kegler, and Leann Rea

MEMBERS ABSENT: Marv Padberg, Irv Rauch and Calvin Keys

OTHERS PRESENT: Helen Piening, Doug Drake, Otto Piening, Cliff Green, Kit George, Jim Van Winkle, Ray Miller, Glenn Cooper, Ryan Mill~~s~~, Dick Wilkinson, Mac Hoskins and Paul Warren

MINUTES OF OCTOBER 23, 1995 MEETING: The minutes of the October 23, 1995, meeting were unanimously approved by the members of the Commission.

PUBLIC HEARING - CONDITIONAL USE PERMIT APPLICATION NO. N-79: HELEN PIENING, APPLICANT AND OWNER. PROPERTY IS DESCRIBED AS TAX LOT 304 OF ASSESSOR'S MAP 5N 26 35, LOCATED ON THE NORTH SIDE OF DEPOT ROAD (SLAUGHTER ROAD) APPROXIMATELY 1.5 MILES SOUTH OF STATE HIGHWAY 730, 1/2 MILE WEST OF EIGHTH STREET WEST. APPLICATION IS TO SITE A SINGLE FAMILY DWELLING ON A 1.19 ACRE PARCEL, A LEGAL LOT OF RECORD IN AN EXCLUSIVE FARM USE ZONE. CRITERIA FOR APPROVAL INCLUDING ZONING ORDINANCE SECTIONS 3.010, 4.110, AND 6.050, AND ORS 215.203 AND 215.243 - The Findings of Fact were read and the location shown on the map. There are no water rights to the property and it is not served by West Extension Irrigation District. Based on findings of compliance with County and State ORS, the Planning Department has recommended approval. Mrs. Piening wanted to know why there was a \$200.00 charge for her to site a home on the property. The Planning Director explained that the legislature has changed the rules on siting of homes in an EFU Zone and that a Conditional Use Permit is required for a Non-Farm Dwelling. No one spoke in opposition to this request. Art Kegler moved that we approve the siting of a single family dwelling with the condition stated in the Findings of Fact and below. Kent Goodyear seconded the motion which passed unanimously by the members of the Commission.

1. The applicant shall submit a final plot plan, obtain Zoning Permit, and all other necessary State Building Codes Agency and Department of Environmental Quality permits.

CONDITIONAL USE PERMIT APPLICATION NO. S-80: JOE MILLER, APPLICANT; GUY VANARSDALE, OWNER. PROPERTY IS DESCRIBED AS TAX LOT 3103 OF ASSESSOR'S MAP 2S 26 22 & 27, LOCATED APPROXIMATELY ONE MILE NORTH OF CITY OF HEPPNER ON STATE HIGHWAY 74 AND DEE COX ROAD.

APPLICATION IS TO BUILD A 70'X120' SHOP FOR THE REPAIR AND MANUFACTURE OF FARM RELATED EQUIPMENT AND MACHINERY AND THE ONE-TIME EXCAVATION AND CRUSHING OF ROCK IN ORDER TO ACCOMMODATE THE SITING OF THE NEW BUILDING ON A 5.23 ACRE LOT IN AN EXCLUSIVE FARM USE ZONE. CRITERIA FOR APPROVAL INCLUDE ZONING ORDINANCE 3.010 AND 6.050, AND ORS 215.203 AND 215.298 - The request is to put the shop on the EFU land and the excavation is to clear the ground in preparation for the building site. Excavation will not be on a regular basis, but only one time. The recommendations stated in the Findings of Fact were then read. Several people spoke in favor of the project, including Wilkenson, Drake, Hoskins, Warren and Willow Creek Country Club. The dust issue was discussed, and it was felt that it could be controlled by the applicant. Joe Miller stated that he did not have any problems with the conditions and they were acceptable to him. Leann Rea made a motion to approve the Conditional Use Permit with the conditions and additions as stated in the Findings of Fact, and stated below. Kent Goodyear seconded motion and it passed unanimously, with an abstention by Joe Miller declaring a conflict of interest.

1. Excavation and crushing shall be conducted in such a manner as to prevent the collection and stagnation of water.
2. Obtain necessary state DOGAMI permits and comply with DOGAMI recommended rehabilitation of the land.
3. Obtain necessary DEQ permits for septic system, if applicable.
4. The site must be maintained in a dust-free manner and drainage of water must be within the site in accordance with DEQ requirements.
5. Obtain necessary permits from the State Building Codes Agency prior to construction of the shop.
6. Designate a single ingress/egress to the site to insure safe traffic operations for both the temporary excavation activities and for the operation of the machinery repair business.
7. Submit a final plot plan indicating location of the floodplain boundary and location of the new building.

LAND PARTITIONING APPLICATION NO. LP-N-165: EASTERN OREGON FARMING COMPANY, APPLICANT AND OWNER. PROPERTY IS DESCRIBED AS TAX LOT 3404 OF ASSESSOR'S MAP 4N 26 16, LOCATED ON THE WEST SIDE OF PATERSON FERRY ROAD, TWO AND A HALF MILES SOUTH OF STATE HIGHWAY 730 WEST OF THE CITY OF IRRIGON. THE PROPOSAL IS TO PARTITION A .70 ACRE PARCEL OUT OF A 24.43 ACRE PARCEL IN A GENERAL INDUSTRIAL (M-G) ZONE. CRITERIA FOR APPROVAL INCLUDE SUBDIVISION ORDINANCE SECTIONS 5.020 AND 5.030 - The purpose of the partition is to enable Eastern Oregon Farming to separate their grain elevators

from the rest of their land at this location and then sell the remainder of the parcel. A discussion followed regarding the small strip of land left between the partitioned parcel and the railroad siding. The applicants were not present to answer why this had been left as part of the main parcel. The easement condition was explained and the reason for requiring it. Kent Goodyear motioned and Joe Miller seconded the approval of the land partitioning for Eastern Oregon Farms with the easement condition and the conditions stated on the Findings of Fact and as stated below. The motion passed unanimously by the Commission.

1. The plat shall be reviewed by the County Watermaster to verify status of groundwater rights. A statement of water rights shall be noted on the final plat.
2. Applicant shall submit a final partition plat in compliance with ORS Chapter 92.
3. Final plat shall include a designated easement to the parcel.

LAND PARTITIONING APPLICATION NO. LP-S-166: JACK VAN WINKLE, APPLICANT; JACK AND GLADYS VAN WINKLE, OWNERS. PROPERTY IS DESCRIBED AS TAX LOT 2800 OF ASSESSOR'S MAP 4S 28 (SECTION 21), LOCATED APPROXIMATELY 19 MILES SOUTH OF HEPPNER, WEST OF WILLOW CREEK ROAD. APPLICATION IS TO PARTITION A 3.0 ACRE PARCEL OF LAND INTO TWO PARCELS SMALLER THAN THE 160 ACRE MINIMUM LOT SIZE OF THE FOREST USE ZONE. TECHNICALLY, THE REQUEST IS FOR A VARIANCE TO THE MINIMUM LOT SIZE AND A LAND PARTITION. CRITERIA FOR APPROVAL INCLUDE ZONING ORDINANCE SECTION 7.020 AND SUBDIVISION ORDINANCE SECTIONS 5.020, 5.030 AND 5.120, AND OREGON LAWS CHAPTER 700 - The Planning Director stated that recent legislation allowed us to partition smaller parcels in a Forest Use Zone if the parcels had a dwelling unit. The split has been requested because of family planning. Findings of Fact were read. Access must be a legal deeded easement. The easement should be stated on the plat. There will have to be an easement to the second parcel and it can be stated as an exclusive or a public easement. Legal access to both parcels must be shown on the plat. Mr. Green must be contacted by Mr. Van Winkle. Discussion followed regarding access to the parcels, but no objections were stated by the audience to the partition. Leann Rea made a motion to approve the partition with the stipulation that the easement problems be resolved and the condition added to the conditions in the Findings of Fact and as stated below. The motion was seconded by Joe Miller and unanimously approved by the Commission.

1. Obtain a legal easement to allow access to Willow Creek Road. This may be included on the final partition plat, or, the applicant may submit a deed to verify the easement. Access easement is required for both new parcels.

2. Submit a preliminary plat to the Planning Department to verify one dwelling will be located on each parcel.
3. Submit a final partition plat in accordance with ORS Chapter 92.

GENERAL DISCUSSION - Everyone wished Kent Goodyear well in his new job and new home. Several Commissioner's positions are expiring the end of the month. Both Joe Miller and Joel Peterson have agreed to be reappointed. Commissioner Rauch did not wish to be reappointed because of travelling and other commitments. His position and Kent's have been advertised for replacements.

ADJOURNMENT - Vice-Chairman Joel Peterson adjourned the meeting at 8:45 p.m. The next Commission meeting will be Monday, January 29, 1996, at 7:30 p.m. at the North Morrow Annex Building in Irrigon, Oregon.