

## PLANNING DEPARTMENT

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**Minutes of the Morrow County Planning Commission**  
**Tuesday, January 31, 2006, 7:00 p.m.**  
**Morrow County CSEPP Building**  
**Irrigon, Oregon**

**Members Present:** Leann Rea, Don Eppenbach, Joel Peterson, Jeff Wenholz, Ryan Miller, Betty Burns, Art Kegler

**Member Absent:** Ken Grieb, Roger Britt

**Staff Present:** Carla McLane, Planning Director; Lori Timmons, Associate Planner; Kristina Gray, Office Manager; David Allen, County Counsel

Chair Rea called the meeting to order at 7:05 p.m.

Roll call was provided by Kristina Gray.

Planning Director McLane welcomed Betty Burns as the newest member of the Planning Commission.

**Election of Officers - Chair and Vice-Chair**

Commissioner Peterson moved to elect Leann Rea as Chair and Don Eppenbach as Vice-Chair. Commissioner Wenholz second the motion. Motion carried.

Minutes of the December 6, 2005 meeting were reviewed. Chair Rea and Commissioner Eppenbach submitted corrections to staff. Commissioner Eppenbach moved to approve the minutes with the submitted corrections. Commissioner Wenholz second the motion. Motion carried.

Planning Commission Chair Rea read the Public Hearing Procedures.

**Second of three hearings to consider multiple requests leading to application of new use zones on property owned by the City of Boardman (currently zoned Space Age Industrial) at the Tower Road Interchange. Specific requests are to establish two new use zones - Tourist Commercial and Rural Light Industrial - and amend the Zoning Ordinance to include them; apply the two new use zones to the subject property currently zoned Space Age Industrial; and amend the Comprehensive Plan and Zoning Maps to reflect the changes. Also to be considered is an update to the Goal 3 exception for the Tourist Commercial use zone. The subject property is located on tax lot 119 of Assessor's Map 4N 24. Applicable criteria is Morrow County Zoning Ordinance (MCZO) Article 8 Section 8.050.**

It is suggested by staff that the Planning Commission focus on the use zone language at this time. The amended staff report, based on Oregon Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCDD) comment, indicates that the action

of adopting the use zone language is separate from latter actions of applying the use zone language and amending Comprehensive Plan and Zoning maps. Planning Director McLane would like to move straight to the use language and have Planning Commission provide comments or suggestions as needed.

Chair Rea explained that the sub-committee identified at the last meeting did meet twice to review and change language.

Rural Light Industrial:

Chair Rea suggested spelling out Rural Light Industrial (RLI) the first time so the reader will know what it stands for. Planning Director McLane explained that any development in this area larger than 100 acres and any development explained in the language that is identified as a Conditional Use will come before the Planning Commission.

Commissioner Kegler arrived at 7:32 p.m.

David Allen, County Counsel, commented that personal scale market leaves a lot to interpretation. Scale is the determining factor. An example would be better than nothing but would rather have a definition of what personal scale means. Is personal scale of the person or personal scale of the use? Planning Director McLane proposed two options, either staff can try to better define personal scale or convert all uses to Conditional Uses and Planning Commission will be guaranteed a public review process. Planning Commission would like to see item 2-K become a Conditional Use. Don't change language or add an example.

The Planning Commission reviewed 4-E and 4-H and decided to lump these two together, make them a Conditional Use and change the order of the list accordingly.

Tourist Commercial:

With this zone, as with the RLI, Site Development Review will apply to projects larger than 100 acres and to uses listed as requiring a Conditional Use Permit.

There was a question concerning limitations on telecommunications equipment. The concern has more to do with large cellular towers than with smaller devices. Barry Beyeler, City of Boardman, offered language from Boardman's definition of telecommunications equipment. Planning Director McLane suggested leaving as a CUP and come back to this and build some criteria for this particular one.

Planning Director McLane suggests two alternatives: to have this come back to Planning Commission one more time for review or forward to the County Court with the revisions identified this evening. With the changes to process identified earlier the County Court will only be adopting the language to be included in the Morrow County Zoning Ordinance. Actions to apply the language to specific land will take place at a future date.

Open the Public Hearing

Laura Clark, NE Second St, Irrigon, feels our Code Enforcement Officer has better things to do than to be looking for violations of uses on these types of properties. Feels time shares should be allowed – people come in and spend money. Would be a shame to keep them out. People from all over the world would come in to use condo's.

Jon Jinnings, DLCD, commented that the Planning Commission should have the November 28, 2005, letter from DLCD. Letter states if the County is going to allow a change in use in that area that the County may need to take a "reasons" exception as well as a goal 14 exception. Mr. Jinnings stands firm by the letter. Based on recent legislation if applying this zoning district to an existing industrial area additional exceptions may not be needed. But if applying to new land that legislation probably won't apply. Commissioner Kegler commented that Jon Jinnings is referring to HB2458 passed during 2005.

There was some discussion as to the difference in intensity of uses between the current zoning, Space Age Industrial, and the new designations - Rural Light Industrial and Tourist Commercial. There may not be much difference in intensity between Space Age Industrial and Rural Light Industrial. Mr. Jinnings does not feel the same about differences between Space Age Industrial and Tourist Commercial.

Close the Public Hearing

Commissioner Kegler moved to recommend that County Court adopt the Use Zone language - Rural Light Industrial and Tourist Commercial – as discussed this evening including the corrections. Commissioner Peterson second. Motion carried.

**Continued Land Partition LP-S-355: Joseph and Jeri McElligott, applicant and owner. Property is described as tax lot 1503 of Assessor's Map 6S 26 and tax lot 801 of Assessor's Map 6S 27. Subject property is zoned Forest Use (FU). The location is approximately thirty miles south of Heppner bordering Sunflower Flat Road and Tupper Lane. Request is to partition a 1,905 acre parcel into two parcels, one meeting the 240 acre minimum for siting of a dwelling, the other parcel being proposed within ten percent of 160 acres in the Forest Use Zone. Criteria for approval is Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.**

The Preliminary Findings of Fact have not changed substantially beyond the corrections to road names identified at the last Public Hearing. Associate Planner Timmons did speak with the applicant, Mr. McElligott. He is aware of the limitations the identified parcel size creates, but stated that he is not interested in making any changes to his request at this time.

Open the Public Hearing

Close the Public Hearing

Commissioner Peterson moved to approve. Commissioner Kegler second . Motion carried.

**Land Partition LP-N-357: Gary J. Arndt, owner and applicant. Property is described as tax lot 300 of Assessor's Map 5N 26 24DB. The property is zoned Suburban Residential (SR-1A) and is located outside the City of Irrigon Urban Growth Boundary immediately to the west of Irrigon. Request is to partition a nine acre lot into three parcels. Criteria for approval is the MCSO Article 5 Land Partitioning.**

Planning Director McLane presented the staff report. This property is located inside the Urban Growth Boundary although the Preliminary Findings of Fact indicate otherwise. Attached to the Findings is a letter from the City of Irrigon expressing concerns. Within the staff report there is discussion about the two current dwellings, recommendation for site suitability for proposed parcels 2 and 3 and language requiring access permits and a Consent to Participate

Agreement for County roads. Provided to the Planning Commission was a packet of letters that included an email from Tony Justus regarding water rights, a letter from the West Extension Irrigation District and a letter from Gary Arndt. Planning staff have not received comment from the Department of Environmental Quality on this application even though comment was specifically requested. There was some discussion about possible annexation, an action that the City of Irrigon would need to take at the time development occurs on proposed parcels 2 and 3.

Open the Public Hearing

Jerry Breazeale, Manager, City of Irrigon, submitted a map of the property identifying water mains and city managed property around the subject property. Water and sewer services are available to this property.

Brit Primm, surveyor, explained that Mr. Arndt is doing this partition to settle his mothers estate.

Mr. Breazeale requested that the Consent to Participate in improvements to County roads be expanded to include the City and City roads as well. Planning Commission concurred.

Close the Public Hearing

Chair Rea suggested looking at Conditions of Approval. Eliminate condition 3 with the revision of the staff report. Make the County and the City Consent to Participate Condition three and list all streets involved. Planning Director McLane then reviewed the changes that were made.

Commissioner Kegler moved to approve with changes as stated. Commissioner Eppenbach second. Motion carried.

**Conditional Use Permit CUP-S-223: Robert and Aloha DeSpain, owner and applicant. Property is described as tax lot 3901 of Assessor's Map 5S 26. The property is zoned Forest Use (FU) and is located approximately 30miles south of Heppner on Sunflower Flat Road. Request is to site a dwelling on an existing lot in the Forest Use Zone. Criteria for approval include MCZO Section 3.020 Forest Use and Article 6 Sections 6.020 and 6.030.**

Planning Director McLane delivered the staff report in an abbreviated manner. The property is currently on the market and if this application is approved, the approval will be transferred with the sale.

Open the Public Hearing

David Sykes, Heppner, was present to speak on behalf of the DeSpain's as they were not able to attend the meeting. The property has been sold with the condition that this application be approved. Chair Rea asked if the owners know where the corners are located. David Sykes said they are going by the best guess of where the boundaries are. Commissioner Kegler says it looks like the parcel doesn't touch the road, however David Sykes says that according to the DeSpain's it does touch the road. Chair Rea is concerned that the property doesn't actually touch the road. Consensus was that the property touches the road, and may extend on to the other side of the road.

Commissioner Eppenbach moved to approve. Commissioner Kegler second. Motion carried.

**Land Partition LP-S-358: Larry and Tina Palmer, applicant; Shirley Palmer, owner. Property is described as tax lot 802 of Assessor's Map 4S 24. The property is zoned Exclusive Farm Use (EFU) and is located just south of Highway 206 on Redding Road, approximately 18 miles southwest of Heppner. Request is to partition a 431.01 acre lot into two parcels. Criteria for approval is the MCSO Article 5 Land Partitioning.**

Planning Director McLane delivered the staff report in an abbreviated manner. She did share that Bill Kuhn, attorney involved in resolving the estate of the Palmers, did call to confirm the action, but had no specific comment. Planning Commission inquired about necessary setbacks as many of the identified outbuildings on the plot plan appear to be close to the proposed dividing line. Planning Director McLane suggested amending the staff report to require that the setback requirements are met. Planning Commission concurred, but instructed staff to not do a site visit to determine compliance.

Open the Public Hearing

Close the Public Hearing

Commissioner Eppenbach moved to approve with setback changes. Commissioner Burns second. Motion carried.

**Conditional Use Permit CUP-N-224 and Land Partition LP-N-359: Kenn and Mary Evans, owner and applicant. Property is described as tax lot 400 of Assessor's Map 4N 26 2. The property is zoned Exclusive Farm Use (EFU) and is located approximately four miles south of Irrigon on Depot Lane. Request is to partition an 84.69 acre lot into two parcels each to contain one non-farm dwelling. Criteria for approval include MCZO Article 3 Section 3.010(F), Article 5 Land Partitioning, Article 6, Sections 6.020 and 6.030; and Oregon Revised Statute 215.263(5)(2).**

Planning Director McLane shared that Mr Evans has requested that the application be continued, at this point indefinitely. Mr. Evans preference would be to partition the parcels and maintain them as farm parcels with allowances for a dwelling on each parcel. Current land use law does not allow this. He has indicated to Planning staff that he would prefer to wait for the outcome of the current Supreme Court action concerning Measure 37 and, if the Measure is upheld, apply for relief under Measure 37 in order to obtain an outcome more favorable to his desires. Commissioner Kegler stated that he has had ex-parte contact as a real estate agent pertinent to the proposed northern parcel. Commissioner Kegler removed himself from the proceedings. Conversation was suspended and the staff report was not presented. The Planning Commission moved continuance of the application to Tuesday, February 28, 2006, at the Morrow County School District Building in Lexington unless the 150 day waiver as requested by Planning Staff from the applicant is received. Commissioner Eppenbach moved to approve. Commissioner Miller second. Motion carried.

#### **Other Business:**

##### **Calendar for 2006**

- **LCDC Policy Agenda for 2005-2007**

Carla discussed the Task Force that is to be appointed with responsibilities under SB82, often called the Big Look, and the hope that there will be eastern Oregon participation. Carla asked if the Planning Commission wanted information about new developments. They asked for bullets and short highlights.

- **Oregon Planning News**  
Carla shared that Darren Nichols, DLCD, will be located in La Grande. He will have responsibility for the cities in Morrow County. The County will continue to work with Jon Jinnings.
- **Manufactured homes - Section 4.110 Minimum Standards for a Manufactured Home on Individual Lots as a Single-family Dwelling. Concerns have been raised about the age of manufactured homes that are allowed in Morrow County.**  
Public participation on Manufactured homes and our Section 4.110 minimum Standards for manufactured homes on individual lots as a single-family dwelling. Carla passed out articles about this subject. The concern is siting of older manufactured homes on lots and their effects on surrounding properties. The Morrow County criteria allows for manufactured homes 1976 and newer.  
**Public participation:**  
Fred Clark, Irrigon, shared that some of the manufactured homes coming here come from a long way away because they can't be sold there and Morrow County is becoming a dumping ground because they are allowed. He says they are not really affordable because they cost so much to heat. The ones that look like trash should not be allowed. He presented suggestions that you only allow manufactures homes that are no older than ten years old. He asked to take this subject under advisement and to allow more conversation. Don agreed to continue to look into the situation. Leann suggested we look into whether we can be more stringent than State Law. David concurred with this. The County would be able be more stringent with a rational public purpose. Art stated that in his opinion these manufactured homes do devalue property and that we do not put our best foot forward by allowing them. Boardman required a square foot limitation of 1000 square feet, which essentially disallowed placement of single-wide homes. Art and the Commission would agree to a rolling 15 year age limitation although fair housing is an understandable concern. David said restrictions could be placed. The Commission favored action. Carla suggested initial conversation with the County Court for support. This process will require 45 day Notice to DLCD. The Commission gave Carla leave to start the process with the suggestions presented: John Wenholz, County Commissioner, agreed with going through this process.
- **Speedway Update**  
Carla presented Senate Bill 1094 explaining its consequences and shared an East-Oregonian article called "Groups vie for chance to develop speedway." She shared that we have been contacted by Miller-Nash providing information to them.

**Adjournment:**

The meeting was adjourned at 10:45 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, February 28, 2006 at 7:00 p.m. at the Morrow County School District Building in Lexington, Oregon.

Respectfully Submitted,  
Kristina Gray, Office Manager



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**Minutes of the Morrow County Planning Commission  
Tuesday, February 28, 2006, 7:00 p.m.  
Morrow County School District Building  
Lexington, Oregon**

**Members Present:** Leann Rea, Ryan Miller, Ken Grieb, Betty Burns, Roger Britt, Jeff Wenholz, Don Eppenbach, Art Kegler

**Member Absent:** Joel Peterson

**Staff Present:** Carla McLane, Planning Director; Lori Timmons, Associate Planner; Kristina Gray, Office Manager

Chair Rea called the meeting to order at 7:00 p.m.

Roll call was provided by Kristina Gray.

Minutes of the January 31, 2006, meeting were reviewed. Corrections were submitted by Chair Rea. Commissioner Eppenbach moved to approve the minutes with the submitted corrections. Commissioner Grieb second the motion. Motion carried.

Planning Commission Chair Rea read the Public Hearing Procedures.

**Land Partition LP-S-360: Kenneth and Margaret Brown, owner and applicant. Property is described as tax lot 4000 of Assessor's Map 3S 24. The property is zoned Exclusive Farm Use (EFU) and is located approximately fifteen miles south of Lone on Liberty School Road. Request is to partition a 677.60 acre parcel into two parcels. Criteria for approval include Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.**

Planning Director McLane presented the staff report. No comment has been received.

Open the Public Hearing

Kenneth Brown, P.O. Box 566, Hermiston, spoke in favor of this application. Mr. Brown purchased this property for his retirement home and is selling the bulk of the farmland to William Jepsen, farmer. Mr. Brown will retain the remaining property for his retirement home.

William R Jepsen, P.O. Box 188, Heppner, spoke in favor of this application. The property he is looking at purchasing does not have access from the road. Mr. Brown has designated a 40 foot easement for access on the partition plat. Due to the easement being used for a farming practice Mr. Brown has made the easement 40 feet wide to allow enough room for large farm equipment. There is about 500 acres of farmland that Mr. Jepsen will be farming.

Close the Public Hearing

Commissioner Wenholz moved to approve the application. Commissioner Britt second the motion. Motion carried.

Commissioner Kegler arrived at 7:16 p.m.

**Conditional Use Permit CUP-N-225 and Land Partition LP-N-361: Dan Williams, owner and applicant. Property is described as tax lots 1200 and 1400 of Assessor's Map 2N 23. The property is zoned EFU and is located approximately ten miles north of Morgan on Highway 74. Request is to create three parcels, a larger farm parcel and two smaller non-farm dwelling parcels. Criteria for approval include Morrow County Zoning Ordinance Article 3 Section 3.010(F) and Article 6 Sections 6.020 and 6.030; and MCSO Article 5 Land Partitioning**

Associate Planner Timmons provided a letter for Planning Commission review from ODOT in response to this application. She then proceeded to present the staff report. No additional comment has been received. Chair Rea requested clarification as to whether the subject property is located in a study area or a classified ground water area. Associate Planner Timmons replied that it is a classified ground water area, not a study area.

Open the Public Hearing

Dan Williams, 72097 Hwy 74 Lone, spoke in favor. He indicated that he would like to create two additional parcels that could be built to sell for home sites.

Commissioner Miller asked what mile post this property was located at. Mr. Williams replied that this property is located at about mile post 11.

Commissioner Kegler disclosed he has chatted on the phone with Mr. Williams, but there is no financial gain or representation at this time.

Close the Public Hearing

Commissioner Miller moved to approve. Commissioner Eppenbach second. Motion carried.

**Other Business:**

**Manufactured homes:** Planning Director McLane informed the Planning Commission that the County Court wants to proceed with amendments to the Zoning Ordinance for manufactured home siting standards. How does the Planning Commission want to proceed with this? This process will require a 45 day notice to DLCD, 2 Planning Commission hearings and County Court adoption. Chair Rea feels the Planning Commission should discuss all the changes they would like to see in relation to manufactured homes. Some examples that the Planning Commission may want to look at are whether a manufactured home can be used as a storage unit, be specific in regards to park models, or possibly looking at travel trailers in the forest use zone during the warmer months.

It was determined that as there is no other business no March meeting would be held. Chair Rea would like to invite the County Court to the April meeting. It was requested by Commissioner Kegler to have Planning staff circulate sections from other jurisdictions regarding manufactured homes to give the Planning Commission an idea of what other jurisdictions do.



**Other Items:**

The County Court is moving forward with the adoption of the Solid Waste Management Plan (SWMP) and Ordinance. The last update to the SWMP was in 1988. This new plan will replace all previous plans. Once adopted Planning Staff will bring to the Planning Commission some recommendations to consider relative to many of the use zones within the Morrow County Zoning Ordinance.

The Supreme Court upheld Measure 37 and overturned the lower court decision. So we are back in the business of accepting Measure 37 claims. Although to date none have been filed in Morrow County.

The Planning Department is beginning to do work on a Pre-Disaster Mitigation Program (PDMP) Plan. This is a FEMA funded project with strings attached. If a jurisdiction does not have a plan the jurisdiction can not ask for post disaster funds. The final Plan may have further impact on the Planning Department and require work with the Comprehensive Plan under Goal 7. The County Court will adopt the final Plan, but Planning staff will keep the Planning Commission advised particularly around Goal 7 issues.

The Water Planning process has established a subcommittee regarding population. If a coordinated population forecast is adopted by the County and its Cities it would have to be incorporated into the County's Comprehensive Plan. Planning Director McLane asked if any Planning Commission members would be interested in sitting on this sub-committee. The committee generally meets the last Tuesday of every month from 11:30 to 12:00. Chair Rea volunteered and Commissioner Eppenbach would like to be notified of these meetings and will try to attend.

**Adjournment:**

The meeting was adjourned at 7:56 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, April 25, 2006 at 7:00 p.m. at the Morrow County School District Building in Lexington, Oregon.

Respectfully Submitted,  
Kristina Gray, Office Manager



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**Minutes of the Morrow County Planning Commission  
Tuesday, May 23, 2006, 7:30 p.m.  
North Morrow County Annex Building  
Irrigon, Oregon**

**Members Present:** Leann Rea, Don Eppenbach, Joel Peterson, Jeff Wenholz, Betty Burns

**Member Absent:** Ken Grieb, Art Kegler, Ryan Miller, Roger Britt

**Staff Present:** Carla McLane, Planning Director and Kristina Gray, Office Manager

Chair Rea called the meeting to order at 7:40 p.m.

Roll call was provided by Kristina Gray.

Commissioner Kegler was present for the work session but had a meeting to attend in Salem and asked to be excused for the hearing.

Minutes of the April 25, 2006 meeting were reviewed. Commissioner Wenholz moved to approve. Commissioner Burns second the motion. Motion carried.

Planning Commission Chair Rea read the Public Hearing Procedures.

**Zone Change: John Wenholz, applicant, and Cecil Rock, owner. Property is described as tax lot 1300 of Assessor's Map 5N 26 25B, as amended by tentatively approved Replat R-N-004. The property is zoned Suburban Residential and is located approximately one half mile west of Irrigon off of Highway 730. Request is to change the zone from Suburban Residential to General Commercial. Criteria for approval is the Morrow County Zoning Ordinance (MCZO) Article 8 Section 8.050.**

Planning Director McLane explained that this is the first of two hearings and presented the staff report. Last month a replat was approved for a property line adjustment currently owned by Cecil & DeElva Rock. John Wenholz is wanting to expend his General Commercial Zone north to cover the property recently adjusted. A letter was presented from Bev Bridgewater, West Extension Irrigation District, explaining that the water rights need to be removed from the .65 acres. Planning Director McLane received a phone call from ODOT regarding this land use action. The Oregon Department of Transportation did not ask for any improvements based on this request for a zone change. Planning Staff recommends that the Planning Commission forward a recommendation for adoption to the County Court after the second Public Hearing next month.

John Wenholz, 74597 Depot Lane, currently wants to get rid of dead trees and in the future he may build more storage units.

This application will continue to the June 27, 2006 Planning Commission hearing at the Morrow County School District Building in Lexington at 7:00 p.m.

**LP-N-364: Brandi Valentine, applicant and owner. Property is described as tax lot 200 of Assessor's Map 5N 26 22. The property is zoned Rural Residential (RR) and is located approximately 2 miles west of Irrigon on West 8<sup>th</sup> Road. Proposal is to create three parcels, each meeting the 2 acre minimum of the RR zone. Criteria for approval include Morrow County Subdivision Ordinance ARTICLE 5.**

Planning Director McLane presented the staff report. This was previously applied for by the Walton's and after Mr. Walton passed away it was never finished. Reviewed a letter from the WEID regarding the water rights. Received a letter from the county water master for the Walton application and both letters are attached. The Planning Department has not received anything further on this application.

Open the Public Hearing

Close the Public Hearing

Commissioner Eppenbach moved to approve as presented with conditions listed. Staff will add a map to the staff report. Commissioner Peterson second the motion. Motion carried.

**CUP-N-228: Wes Wise, applicant and owner. Property is described as tax lot 800 of Assessor's Map 5N 26 25B. The property is zoned General Commercial and is located approximately one half mile west of Irrigon off of Highway 730. Request is to place a single family dwelling in conjunction with a business. Criteria for approval is the MCZO Article 3 Section 3.060 and Article 6 Sections 6.020 and 6.030.**

Commissioner Wenholtz disclosed that he had asked Wes Wise where he would be siting his Manufactured Home on the lot, but this has no bearing on his decisions.

Planning Director McLane presented the staff report. A letter was presented from WEID stating there are no water rights and no district easement.

Open the Public Hearing

Wes Wise, owner of property, had this approved before with the previous owner, but it was never carried out. His reason for wanting to live in the property is concerns of theft at his business.

John Wenholtz spoke as an adjoining property owner and supports this application.

Close the Public Hearing

Commissioner Peterson moved to approve. Commissioner Burns second with addition of the map. Motion carried.

#### **Audience Participation**

**•Shirley Mathews has requested the opportunity to speak with the Planning Commission concerning her property currently described as tax lots 600 - 603 of Assessor's Map 5N 26 25B.**

Mrs. Mathews and her son decided not to be in attendance at this meeting as they were satisfied with placing a single wide home on the property for the time being.

Planning Director McLane accepted an application from someone in the Downey partition. The gentleman is requesting to partition into two parcels, 10 acres with the house and 3.78 acres to the farthest end. The man who would like to buy this owns land in the Hamilton subdivision. He doesn't want to develop it and doesn't want anyone to live there but he wants to buy it and just keep it. Would the Planning Commission consider approval of a Land Partition with a restriction that the parcel couldn't be developed until the road was built to a specific standard? Commissioner Wenholz has a concern that in the future if someone were to purchase this property they may not know there is a deed restriction. John Wenholz, as a County Commissioner, believes that a developer needs to step up and improve the roads. Planning Commission doesn't feel it would be fair or appropriate to allow a partition without building the road. Wes Wise shared that he did the work on this road prior to the current building after the Downey partition was approved. He shared that the land owners were not willing to pay any more money than absolutely necessary.

#### **Other Business/Correspondence**

##### **•Speedway Update - Outcome of May 16 election**

Planning Director McLane shared with the Planning Commission that the tax has passed, but the Planning Department has not heard anything from the developers. We are waiting for race day commitments from a variety of racing coordinators and a final outcome from Bremerton which is suppose to be known by May 31. David Allen, County Counsel, feels we will see a land use proposal by mid summer.

Pacific Ethanol has zoning approval and is working with Brett Cook on building permits.

The Planning Commission discussed the Hellberg subdivision off Columbia Lane and the lack of paved approaches. Carla shared that Burke O'Brien, Public Works Director, did send a letter with a deadline. The Planning Department has determined that no new Zoning Permits will be issued for that subdivision until the approaches have been paved and approved by Public Works.

Planning Director McLane presented a copy of the Oregon Planning News to the Planning Commission.

Chair Rea asked for volunteers to form a committee to work on proposed language for manufactured home siting standards. Commissioner Wenholz and Eppenbach both volunteered to sit on this committee. Commissioner Kegler was volunteered, if he has the time. If not, Chair Rea indicated that she would participate. To meet the 45 day Notice deadline we need to have draft proposed language by June 9.

#### **Adjournment:**

The meeting was adjourned at 8:57 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, June 27, 2006 at 7:00 p.m. at the Morrow County School District Building in Lexington, Oregon.

Respectfully Submitted,  
Kristina Gray, Office Manager



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**Minutes of the Morrow County Planning Commission  
Wednesday, May 25, 2005, 7:00 p.m.  
Stokes Landing Community Center  
Irrigon, Oregon**

**Members Present:** Leann Rea, Don Eppenbach, Anne Morter, Joel Peterson, Jeff Wenholtz

**Member Absent:** Art Kegler, Ken Grieb, Roger Britt, Ryan Miller

**Staff Present:** Carla McLane, Planning Director; Lori Timmons, Associate Planner;  
Kristina Gray, Office Manager

Chairman Rea called the meeting to order at 7:15 p.m.

Roll call was provided by Kristina Gray.

The May 11, 2005 minutes were reviewed. There were a few minor corrections on page two and page four. Commissioner Eppenbach moved to approve with corrections. Commissioner Morter second. Motion passed unanimously.

Planning Commission Chair Rea read the Public Hearing Procedures.

**Transportation System Plan Update:** The second of at least three hearings to consider the adoption of an update to the Morrow County Transportation System Plan as well as revisions to the Morrow County Zoning and Subdivision Ordinances required to implement the Transportation Plan. The updated Transportation System Plan (TSP) insures that the County's transportation network will be able to serve the entire County over the next 20 years. The proposed Zoning and Subdivision Ordinance revisions include clarifications for private road standards, sight distance requirements, site plan review requirements, gravel road design standards, updated access management standards for County roads, and applicable access management descriptions for state highways. The updated TSP will also insure that the County is consistent with the requirements of the State of Oregon Transportation Planning Rule. Criteria for approval include the Morrow County Comprehensive Plan and the Morrow County Zoning Ordinance Article 8 Amendments. Also to be considered is the co-adoption of the Transportation System Plans for the Cities of Boardman, Heppner, Lone and Irrigon and the Town of Lexington. Co-adoption of the City and Town plans will allow the County to apply city standards in the Urban Growth Areas of each community.

Planning Director McLane initiated the review.

### **Co-Adoption of City Plans**

The memo was resent with an update in the beginning. ODOT rules state the County is

responsible for coordination and part of that coordination is accomplished through co-adoption of City plans and applying those City standards in area's Urban Growth Boundaries that the city, through annexation, will at some time occupy. There was discussion as to what standard these roads should be built. The City of Boardman feels the roads should be built to the City standard. Commissioner Eppenbach disagrees. He feels it should be built to the higher standard regardless of whose standard it is. Planning Director McLane indicated that the County Court, upon adoption, should direct Planning Staff to send letters to each of the cities stating the County is going to co-adopt the city's plan, identify the County's concerns, and state that we want to work with the city as they go through future amendments to make these standards work better, not only for the city, but for the County in that interface area.

Cheryl Jarvis-Smith, ODOT, talked about street standards on neighborhood local streets. The cities are looking at ways to make neighborhood streets accessible for the traffic as well as the children that will be living in that area. Howard Roll explained that the sole purpose of the skinnier standard is to strike a balance between needing to move and needing safety for residents and children. Research shows that if someone is hit by a car going 40 mph you are likely to die but 20 - 25 mph you typically get injured but not death.

#### **ARTICLE 8 - Subdivision Ordinance**

Made a change to the table, a typographical error. Took out Rural Access III and a mislabel in Rural Access I and II. There was a request to connect E and I. A piece was put into section I that refers back to section E. Changes primarily in Access Management piece on page four. Added the language referring to the 1320 feet part, ODOT thought we were too restrictive in our initial language. Howard Roll will incorporate the language from ODOT about providing access and will also change the Oregon Highway Plan language.

#### **ARTICLE 4 - Zoning Ordinance**

Page two under item F there was a change. The same change as in Article 8. The diagram on page 4 is better.

Definition of radius is not included in this section. Howard suggested taking out the word "radius" and replacing it with "15 feet minimum".

There were no changes in site distance piece.

There was a change to the table on page eight. Took out the "other" column.

BOA should be defined throughout. TIA should also be defined.

In 4.160 Public Works needs to know when a property owner is going to change something relative to the roadway.

Cheryl suggested inserting the language that states, "Emergency measures necessary for the safety and protection of property". Also insert the wording, "Except where otherwise specifically regulated by".

Judge Terry Tallman would like to sit down with Planning Director Carla McLane, Public Works Director Burke O'Brien, and Doug Ferguson to finish up the language.

Section 4.165 is a brand new section. Planning Director McLane explained that we don't currently have a strong ministerial review checklist. The current code does not give good advice or direction. Associate Planner Lori Timmons passed out an email from Gary Neal with Port of Morrow and Planning Director McLane. Gary Neal is supportive of a ministerial review process.

In section 4.170 Planning Commission decided to return to the original language that talks about the 100 acre threshold for Industrial and not even mention Commercial. Cheryl Jarvis Smith, ODOT, explained that the Governor is very interested in everyone thinking Oregon is

open for business.

## **TSP**

### **Chapter 3 "Existing Conditions"**

Associate Planner Timmons passed out a letter from the Navy. If the Bombing Range Road was not accessible, residents of Morrow County would have no access to the south end of the County without leaving the County to get there. Planning Director McLane read from the TSP on page 3-3 middle of the page. It says, "County ownership of Bombing Range Road should be pursued as it is the only north - south connection in the County. The bullet right below that states, "In addition to Bombing Range Road, the County roadway system needs an additional north - south connection between Boardman and Lone for general connectivity and emergency access needs, the second route has historically been referred to as the lone - Boardman road. The existing impediments to transfer the Bombing Range road to the County magnify the importance of lone - Boardman road as a second north - south connection, however, there are also impediments against constructing the lone - Boardman road. The County has acquired a dedicated right-of-way that would allow construction of a road, Tower Road extension, connecting the southern end of Tower road to Highway 74 near Cecil. This indirect alignment will be beneficial for circulation of emergency access would not fully meet the need for a second north - south connection. Commissioner Eppenbach asked who currently owns the easement down Bombing Range Road. Planning Director McLane replied that the Navy owns that easement.

Rich Melaas, Navy, requested the word "tank" be deleted when describing the Bombing Range facility. It is a much broader scope.

The existing Land Use and Population table has been updated from 2002 to 2004.

Page holder for some figures on page 3-7.

On page 3-10 added additional safety issues.

On Table 3-14 took out the Irrigon 730 project since it has already been completed.

On page 3-17 need to add a key or write out East bound and West bound.

On page 3-23 Howard is still working on the piece that relates to the 30<sup>th</sup> hour.

On page 3-28 added some additional language relative to the north - south connection.

On page 3-34 there is a change under the U.S. Forest Service roads. There was some question as to who maintained the roads. Clarification has been received from Burke O'Brien.

On page 3-36, transit and para transit, made a few changes but haven't had Ginger O'Brien look at it yet.

### **Chapter 4**

On page 4-5, VC piece again and 30<sup>th</sup> hour language that Howard continues to work with ODOT on.

On page 4-19 the 1320 feet language will be updated to better reflect the Oregon Highway Plan language.

### **Chapter 5**

The ODOT Highway 730 project was removed since it has already been completed.

Some of the tables have been revised.

On page 5-10, based on Cheryl's recommendations, we added the Union Pacific Overpass on Tower Road.

Cheryl explained that Planning Director McLane will coordinate with the Port to assure that they have read this language.

### **Chapter 6**

Will continue to work on the definition of Rural Access.

On page 6-6 the paragraph with the 1320 feet, Howard is going to replace it with Oregon Highway Plan language.

Need to change the spelling of Olson Road. It is not spelled with an e.

On Table 6-11 on page 6-25. Added some Heritage Trail pieces in this table. Non vehicular items should be added also.

### **Chapter 8**

This chapter added to appendix E.

### **Chapter 9**

This is a comparison between the Transportation Planning Rule and the County Plan and Ordinances to determine whether the County complies with the Transportation Planning Rule or not.

### **Appendix C**

Planning Director McLane presented a new copy of this section with changes that Doug had recommended and most of them were related to slopes and two new notes on the bottom.

All the figures are put into the place holders.

Cheryl is asking for an Appendix F that includes the Oregon Highway Plan Standards that include a diagram of the 1320 foot access standards.

Commissioner Eppenbach moved to forward all documents to the County Court with a recommendation to approve with the changes discussed this evening. Commissioner Morter second the motion. The County Court hearing will be held in the afternoon of June 8, 2005 at 1:00 p.m. At the Stokes Landing Community Center. Motion carried.

### **Correspondence:**

Planning Director McLane informed the Planning Commission that LUBA did make a decision in regards to the Hellberg application.

### **Adjournment:**

The meeting was adjourned at 10:00 p.m.

The next meeting for the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, June 14, 2005 at 7:30 p.m. at the Morrow County School District Building, Lexington, Oregon.

Respectfully Submitted,  
Kristina Gray, Office Manager  
1/25/05





## PLANNING DEPARTMENT

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**Minutes of the Morrow County Planning Commission**  
**Tuesday, June 27, 2006, 7:00 p.m.**  
**Morrow County School District Building**  
**Lexington, Oregon**

**Members Present:** Leann Rea, Don Eppenbach, Roger Britt, Ryan Miller, Betty Burns, Joel Peterson, Art Kegler

**Member Absent:** Ken Grieb, Jeff Wenzholz,

**Staff Present:** Carla McLane, Planning Director, and Kristina Gray, Office Manager

Chair Rea called the meeting to order at 7:04 p.m.

Roll call was provided by Kristina Gray.

Minutes of the May 23, 2006 meeting were reviewed. Commissioner Eppenbach made a few grammatical changes. Commissioner Eppenbach moved to approve with the changes. Commissioner Burns second. Motion carried.

Planning Commission Chair Rea read the Public Hearing Procedures.

Commissioner Kegler arrived at 7:08 p.m.

**Zone Change: John Wenzholz, applicant, and Cecil Rock, owner. This is the second of at least three hearings. Property is described as tax lot 1300 of Assessor's Map 5N 26 25B, as amended by tentatively approved Replat R-N-004. The property is zoned Suburban Residential and is located approximately one half mile west of Irrigon off of Highway 730. Request is to change the zoning from Suburban Residential to General Commercial. Criteria for approval is the Morrow County Zoning Ordinance (MCZO) Article 8 Section 8.050.**

Planning Director McLane presented updates to the staff report which was presented at the last meeting. The Planning Department recommends the Planning Commission forward this application to County Court for approval and adoption.

Commissioner Peterson moved to recommend approval of this application to County Court. Commissioner Kegler second. Motion carried.

**Conditional Use Permit CUP-N-229: Joel Sparks, applicant and George Sparks, owner. Property is described as tax lot 305 of Assessor's Map 5N 26 35. The property is zoned Exclusive Farm Use (EFU) and is located approximately one mile south of Irrigon on Depot Lane. Request is to site a "non-farm dwelling" on the subject property. Criteria for approval include MCZO Article 3 Section 3.010(F) and Article 6 Sections 6.020.**

Planning Director McLane presented the staff report. Commissioner Kegler was curious as to why the zoning for this property was never changed from EFU. Planning Director McLane explained that the original zoning should, or could, have been different, but it is what it is. There is a fair amount of 'residential' housing in this area.

Chair Rea asked what the relationship was between the owner and applicant. The owner is the father and the son is the applicant.

Open the Public Hearing

Katherine Sparks, 74819 Depot Lane, Irrigon spoke in favor. She would like to see her son be able to build a house on this property.

Close the Public Hearing

Commissioner Eppenbach moved to approve. Commissioner Miller second. Motion carried.

**Conditional Use Permit CUP-S-230 and Setback Variance: Dan and Donna Headding, applicant and owner. Property is described as tax lot 600 of Assessor's Map 4S 28 11AA. The property is zoned Forest Use (FU) and is located in the Blake Ranch Subdivision approximately 20 miles southwest of Heppner. Proposal is to allow a template dwelling in a Forest Use Zone and to allow a reduction in setback on the east side from 25 feet to 18.75 feet. Criteria for approval include Morrow County Zoning Ordinance Section 3.020 Forest Use and Section 7.025 Minor Variance.**

Commissioner Miller declared conflict of interest as he has been doing some work for the applicant on this property.

Planning Director McLane presented the staff report. The staff report needs to be changed to reflect map AA, not AB.

David Allen, County Counsel, talked about fire protection and explained that the applicant has not provided evidence of what he will use for fire protection on his dwelling. The applicant had not given specifics for fire protection. David suggested adding a Condition of Approval for fire protection plan. Ryan Miller explained that the state supplies a certain number of tankers on a trailer and sets them throughout the area and land owners keep them ready if they need to be used throughout the summer for fire protection.

Commissioner Eppenbach asked Planning Director McLane if the Planning Commission should make a finding related to whether the residents can find alternative means for fire protection.

Open the Public Hearing

Dan Headding spoke in favor. He explained that there are places throughout the subdivision to obtain water for fire protection.

Ellen Ellenberger, 81007 Cougar Lane, Heppner, spoke in opposition. She received a letter from Jerry Pettyjohn in opposition, but forgot to bring it, Mr. Pettyjohn did sign the petition however. In the staff report on page 8 there was a comment regarding the petition not providing specific criteria for denial. She has a personal problem with changing the setback and sees this as setting a precedent. If the Planning Department starts this then everyone will be asking for a variance setback. In regards to fire district, Steve Rhea and Rusty Estes came on June 11 and gave fire training class for the residents. There is a service truck with 300 gallon tank with old hose on it. 5000 gallon tank just been replaced a few weeks ago. Approximately 25000 gallons of water is available.

Bob Blodgett, Blakes Ranch, spoke about the tanks of water that are available to the ranch more fully describing what is available and how much water can be accessed. He also stated that the test holes dug for the Headding property still have water standing in them.

Dan Headding dug the test holes. Four to five months was spent with DEQ getting approval for an alternative technology system.

Jerry Ellenberger asked if this would change the variance. Why does he want the variance?

Dan Headding said the 25 percent variance has always been there and the reason they requested it was they decided on a manufactured home which is 26 by 48 so they need to move it to the east so they are farther from the low spot on their property.

Commissioner Kegler understands the variance complaint, but why are they against it? Bob Blodget indicated that he does not want someone to build a house next to his.

Commissioner Peterson indicated that what the residents want is to change the ordinance and the availability of a variance. That is not an action the Planning Commission is considering tonight.

Bob Blodget wants to know if Dan Headding can live within the 25 feet.

David Allen asked to look at page 8 items D1, 2, 3 and 4. Existing landowners don't understand why he needs the variance to begin with, but maybe there needs to be more talk about what is making this variance needed.

Ryan Miller said there is a natural dip in the middle of the property that is consistently wet. He could put his house in the dip, but it could cause problems with the drain field currently on the Headding property within the easement area. By moving 6 feet to the east it would make the home fit better and not create a conflict with the current drain field.

Commissioner Peterson moved to add language to the findings regarding the fact that geographically the location makes it impracticable to place a dwelling in the middle of this property.

The Blake Ranch residents explained that by Mr. Headding being a property owner and paying his water bill it provides him with fire protection services through the local Black Mountain Water District Corporation.

Jerry Ellenberger asked why Mr. Headding has to have a variance just because a different configuration of his house is causing this change.

David Allen asked if building in the low spot would create a flooding hazard. Ryan Miller responded that it could be done, but not a good idea. Everything flows into the low area.

Close the Public Hearing.

Commissioner Kelger moved to approve including new language for the fire protection. Commissioner Eppenbach second the motion. Motion carried.

### **Other Business/Correspondence**

July Agenda Items:

- TSP Amendment - 20 Year Project List  
Valby Brenner road project and pave County Line road south of the Army Depot.
- Manufactured Home Siting Standards - Changes to Zoning Ordinance Sections
- We have 2 applications - a farm partition and replat.

Planning Director McLane shared that Commissioner Kegler wished to discuss the Downey Land Partition and property owned by Mr. Abbas. There is still a desire to sell the southerly 3 plus acres to the adjoining property owner in the Hamilton Estates.

Commissioner Kegler declared himself as a representative of the subject property.

David Allen has concerns discussing a potential application and prejudging on outcome. At this time there is no application that has been received. Planning Director McLane explained that Art Kegler is the one requesting this conversation on behalf of his client. Chair Rea requested that this matter be discussed after the meeting has been adjourned.

- DLCD is meeting in Pendleton the end of this week. Umatilla county resource zone approval on the agenda.
- Thursday night the Citizen Involvement Advisory Committee will meet in Pendleton and focus on Goal 1.
- A brochure was presented to the Planning Commission on the how to testify at land use hearings. A drawback is that it does not address substantial criteria. Planning Commission approved having these available for the public
- Chair Rea indicates that our meeting procedures are available at each meeting. Section 9.050 outlines these procedures and has not been available. A copy was presented to the Planning Commission. It was agreed that they should be made available.
- Confined Animal Feeding Operation (CAFO) permits are hot right now. There is an ODA hearing on Thursday night for a dairy by Cold Springs Reservoir which has seen significant press locally.
- Boardman documentary , "Higher Ground", will premier July 12<sup>th</sup> at 7 p.m. at Boardman Senior Center. Copies are available for purchase at the event.
- Training for both Morrow and Umatilla County Planning Commissions is still being discussed between Planning Directors and the Commission Chairs. Look for something this fall. There is also a training in Pendleton in October if anyone is interested.
- Planning Director McLane shared a multi-page brochure about the coal fire plant. Portland General Electric is currently going through three permitting processes which are described and discussed.
- The Planning Department received from, Patricia Pilz, Shepherds Flat Wind Farm, a Notice of Intent filed with the Oregon Energy Department for consideration by the Energy Facility Siting Council (EFSC). The facility is planned for 750 megawatts.

**Adjournment:**

The meeting was adjourned at 9:11 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, July 25, 2006 at 7:00 p.m. at the North Morrow County Annex Building in Irrigon, Oregon.

Respectfully Submitted,  
Kristina Gray, Office Manager



## PLANNING DEPARTMENT

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**Minutes of the Morrow County Planning Commission  
Tuesday, August 29, 2006, 7:00 p.m.  
Morrow County School District Building  
Lexington, Oregon**

**Members Present:** Leann Rea, Don Eppenbach, Jeff Wenzholz, Ken Grieb, Art Kegler, Ryan Miller

**Member Absent:** Joel Peterson, Roger Britt, Betty Burns

**Staff Present:** Carla McLane, Planning Director; Kristina Gray, Office Manager; David Allen, County Counsel

Chair Rea called the meeting to order at 7:09 p.m.

Roll call was provided by Kristina Gray.

Minutes of the June 27, 2006 minutes were reviewed. There was a correction on page two; need to change the spelling of a name - Steve "Rhea." Commissioner Eppenbach moved to approve with corrections. Commissioner Kegler second the motion. Motion carried.

Planning Commission Chair Rea read the Public Hearing Procedures.

**Land Partition LP-S-365: Pamela Wunderlich, applicant, and Richard and Virginia Wilkinson, owner. Property is described as tax lot 3000 of Assessor's Map 2S 27. The property is zoned Exclusive Farm Use (EFU) and is located approximately five miles southeast of Heppner on Willow Creek Road. Request is to partition an 872 acre parcel into two parcels, each meeting the minimum parcel size. Criteria for approval include Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.**  
Planning Director McLane presented the staff report.

Commissioner Miller arrived at 7:18 p.m.

Open the Public Hearing

Mark Wunderlich, spoke in favor of this application. He explained that his wife Pam is wanting to own the house and this is the best way to reach that goal.

No opposition

Close the Public Hearing

Commissioner Kegler commented that Planning Director McLane talked about four possible dwellings on this property. They are farm accessory dwellings.

Commissioner Kegler moved to approve the application. Commissioner Wenholtz second the motion. Motion carried.

**Replat R-005-06: Port of Morrow, owner and applicant. Property is described as tax lots 100, 115, and 116 of Assessor's Map 4N 25 2. The property is zoned Port Industrial (PI) and is located approximately 1.5 miles northeast of the City of Boardman. Request is to reconfigure the property, relocating the parcel created by Partition Plat 2000-9. Criteria for approval include MCSO Article 5 Land Partitioning.**

Planning Director McLane presented the staff report. One letter was received from the county Watermaster that identifies what water rights are on the property. Chair Rea asked what R-N stand for? R stands for replat and N represents the north end of the county.

Open the Public Hearing

Ron McKinnis, Port of Morrow Engineer, spoke in favor.

Gary Neal, Port of Morrow Manger, spoke in favor. He asked about Condition of Approval #4 and if the County was going to be involved in this road? Discussion followed. The Port is not opposed to the Condition.

No opposition

Close the Public Hearing

Commissioner Eppenbach moved to approve the replat request. Commissioner Miller second the motion. Motion carried.

**Morrow County Zoning Ordinance Amendment: Morrow County, applicant. The first of at least three hearings to consider changes to the Morrow County Zoning Ordinance relative to the siting of manufactured homes, temporary residence requirements, storage of manufactured homes, and the use of recreational vehicles. Recommended to be changed are Article 4 Sections 4.110 through 4.150 and Article 3 Use Zones Section 3.051. Criteria for approval include the Morrow County Zoning Ordinance Article 8 Amendments Section 8.050 Burden and Criteria.**

Planning Director McLane presented the staff report and went through the attachments.

3.051 Suburban Residential:

3.051 Suburban Residential Zoning (SR) is applied to that part of Irrigon that was removed from the UGB. Planning staff suggest changing the designation to SR-2A. This is the only use zone that currently has with higher standards for manufactured homes. Staff have made some other changes to reflect and incorporate changes in this use zone based on recent changes to the Transportation System Plan. Also amended the identified lot size based on the changes in 2001; this was apparently missed in the codification that took place that year.

Chair Rea wanted to clarify that the minimum acreage was changing from one acre to two because there is no longer a one acre minimum outside the UGB. That is correct.

David Allen, County Counsel, suggested since there is no longer any land zoned SR-1A that the Planning Department add language to the adoption documents that clearly explains why this zone no longer exists.

Article 4 Sections 4.110 through 4.150:  
Commissioner Kegler suggested adding "to be sited" on A under 4.110.

4.110 was one set of standards but was broken down for the different zones. There was concern where the zones butt up against each other. Need to make it clear about how the 1/2 mile is measured. There was consensus that it should be shortest distance between two points.

David Allen recommends adding the ORS citation for the Manufactured Home Siting Standards.

There is a percentage allowed for additions to manufactured homes in both Section 4.110 and in a later section, but they are different. Commissioners asked if they should be consistent. Planning Director McLane will check with Brett Cook to see what the correct percentage should be. The Commission felt that it would be better to be consistent with law and consistent within the Ordinance.

Commissioner Kegler thinks the garage maximum is too small. Thinks maybe that should be the minimum not the maximum.

4.130 B-2 should change to "shall be" provided. Same language as 4.120

For the Hardship Variance in B-1 should be "medical professional". The Planning Department will provide a county approved form.

Change D from 30 to 60 days to remove the hardship dwelling.

Define loosely seasonal recreation use.

Open the Public Hearing

Yvette Hollis, 74697 Columbia Lane, Irrigon, asked how many manufactured home permits have been issued since January 2006. Also wanted to know if there is a time limit on the permits. Staff could not be exact in providing a number of permits issued this year for manufactured homes. Staff also explained the process in approving a Zoning Permit.

It was moved and seconded to continue this hearing. It will be heard again on September 26, 2006, at 7:00 p.m. at the North Morrow County Annex Building. It will be determined at the September 26, 2006, hearing if it will be forwarded to the County Court for adoption or if another Planning Commission hearing will be needed.

**Conditional Use Permit CUP-N-231 and Land Partition LP-N-366: Jerry and Lisa Rietmann, applicant, and Betty and V.R. Rietmann, owner. Property is described as tax lot 400 of Assessor's Map 1N 24. The property is zoned Exclusive Farm Use (EFU) and is located approximately five miles north of lone on Ella Road. Request is to partition a 550 acre parcel to create 2 parcels, one larger farm parcel and one smaller non-farm dwelling parcel. Criteria for approval include Morrow County Zoning Ordinance (MCZO) Article 3 Section 3.010(F); MCZO Article 6 Sections 6.020 and 6.030; and MCSO Article 5 Land Partitioning.**

Planning Director McLane presented the staff report. Also provided was a letter from the Watermaster stating there are no water rights on this property. There was discussion about the

dedication of the road. The dedication was obtained during an earlier land use action but never mapped.

Open the public hearing

Jerry Rietmann, 69105 Ella Road, lone, spoke in favor. The house was built several years ago when some family estate planning was taking place. There is now a desire to have ownership of the property where his house is. There is no other development of this property currently identified or anticipated.

No opposition

Closed the Public Hearing

Commissioner Kegler moved to approve. Commissioner Miller second the motion. Motion carried.

**Replat R-N-006-06: Donald and Victoria Horneck, owner and applicant. Property is described as tax lot 804 and 805 of Assessor's Map 5N 26 23B. The property is zoned Rural Residential (RR) and is located approximately one mile northwest of Irrigon in the Riverfront Subdivision. Request is to realign the property line from north/south to east/west maintaining current acreages. Criteria for approval include MCSO Article 5 Land Partitioning.**

Planning Director McLane presented the staff report. Three letters were provided: one from the Watermaster deferring comment to WEID and sharing basic information about the critical groundwater designation; one from WEID identifying necessary easements based on the reconfiguration; and one from adjoining property owners in opposition.

Planning Director McLane, to better understand the comments by the adjoining property owners, reviewed both the approved subdivision that created the lots and a land partition submitted prior to that but subsequently withdrawn. There is not information in the files that would support the opposition claim that the Planning Department would not have supported a different configuration of the lots. There is evidence that the applicant was considering a different configuration as part of the land partition, but withdrew that application to avoid the cost of road construction.

Commissioner Kegler moved to continue to next months meeting. Commissioner Wenholz second to continue to the September 26, meeting in Irrigon. Motion carried.

**Transportation System Plan Amendment: Morrow County, applicant. The first of at least three hearings to consider amending the 20 year project list to include two projects: Valby/Brenner Canyon Road and County Line Road. Also to be considered is a change to the functional classification of Brenner Canyon from local road to minor collector. Criteria for approval are found in the Morrow County Comprehensive Plan and Transportation System Plan.**

Planning Director McLane presented the staff report. The Morrow County Road Committee met in May and made the recommendation to add two projects to the long term (5 - 20 year) list. The first is identified as Valby Brenner Canyon Road. To facilitate this project being added to the list a portion of the road also needs to have its classification changed from "local road" to



"minor collector." The second project is pavement of the southerly mile and half of County Line Road. Public Works had prepared a map of the Valby Brenner Canyon Road project and the affected roads which was shared with the Planning Commission.

The hearing was continued to September 26, 2006, at 7:00 p.m. at the North Morrow County Annex Building in Irrigon, Oregon.

**Other Business/Correspondence**

Planning Director McLane inquired as to whether or not everyone had added the new sections, mailed in July, to their Zoning Ordinance books.

Oregon Planning Institute is September 14-15 in Eugene. Both Carla and Lori will be attending. There is also a Planning Basics class available in October. Does any one want to go?

Both Carla and Leann attended a LCDC public hearing where a "go below" was approved for Umatilla County. This was to allow a 40 acre minimum parcel size in the Exclusive Farm Use Zone for development of vineyards and, eventually, wineries in the Milton-Freewater area.

An FYI. The Flood Map Modernization process is happening and once FEMA has the new maps completed we will need to work with them to adopt the new maps and possibly update our floodplain ordinance.

Pre-Disaster Mitigation Program - Commissioner Grieb has been sitting on committee which has met four times with one more meeting scheduled for September 12. It is the desire of Planning staff to have the Steering Committee make a recommendation to submit the Plan to both OEM and FEMA for review and approval. Once approved and adopted, IF we have a disaster we are eligible for disaster relief funds.

A copy of the American Planning Associations Commissioners Journal was sent to each of the Commission members. Staff were wondering if there is a desire to have this available on a regular basis. No decision was made.

Planning staff shared a letter from the Public Works Department. The decision was made to change Spruce Lane to a one way street. This is scheduled to take effect September 28.

**Adjournment:**

The meeting was adjourned at 10:14 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, September 26, 2006 at 7:00 p.m. at the North Morrow County Annex Building in Irrigon, Oregon.

Respectfully Submitted,  
Kristina Gray, Office Manager



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**Minutes of the Morrow County Planning Commission  
Tuesday, September 26, 2006, 7:00 p.m.  
North Morrow County Annex Building  
Irrigon, Oregon**

**Members Present:** Jeff Wenholz, Betty Burns, Commissioner Eppenbach, Roger Britt, Leann Rea, Joel Peterson, Ken Grieb, Ryan Miller

**Member Excused:** Art Kegler

**Staff Present:** Carla McLane, Planning Director; Lori Timmons, Associate Planner; Burke O'Brien, Public Works Department

Chair Rea called the meeting to order at 7:02 p.m.

Roll call was provided by Lori Timmons.

Minutes of the August 29, 2006 minutes were reviewed. Commissioner Eppenbach moved and Commissioner Grieb seconded to approve the minutes as amended based on recommendations of Chair Rea and Commissioner Eppenbach. Motion passed.

Chair Rea read the Public Hearing Procedures.

**Continued from August 29, 2006: Replat R-N-006-06: Don and Victoria Horneck, owner and applicant. Property is described as tax lot 804 and 805 of Assessor's Map 5N 26 23B. The property is zoned Rural Residential (RR) and is located approximately one mile northwest of Irrigon in the Riverfront Subdivision. Request is to realign the property line from north/south to east/west maintaining current acreages. Criteria for approval include Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.**

Planning Director McLane asked the Commission, since the Staff Report was presented last Hearing, if it was acceptable to the Commission to present only the letters and other conditions that have changed since the last Hearing. The Commissioners were favorable to this request. Planning Director McLane introduced the letter of opposition by Kent and Mindy Binder. Planning Director McLane explained that she could not find any evidence to support the claims in the letter. The traffic concerns are not relevant because the number of trips would not increase. The replat of an area first approved when lot sizes were smaller than the present time is routinely approved by other jurisdictions and Planning Director McLane has received an opinion by counsel that there is no problem with this.

**Speakers in favor of the application:** Don Horneck, Hermiston Oregon testified. He explained that they would like a little more space.

**Speakers in Opposition - none**

**Hearing closed for Commission action:** Commissioner Grieb moved and Commissioner Peterson seconded to approve: Motion passed.

**Land Partition LP-N-367: Ray Juarez, owner and applicant. Property is described as tax lot 200 of Assessor's Map 5N 26 26BC. The property is zoned RR and is located approximately one mile west of Irrigon at the intersection of West Eighth Road and Gravel Pit Lane. Request is to partition a ten acre parcel into three parcels each meeting the minimum acreage criteria. Criteria for approval include the MCSO Article 5 Land Partitioning.**

Planning Director McLane provided the Commission an amended Staff Report for the reason that several new issues came up in the last few hours before the Hearing. The changes are in italics in the amended report. Planning Director McLane then presented the amended staff report. The following were important issues in the Staff Report:

- Goal 5 designation near the property with a portion of the subject property in the impact area;
- Eighth Road meets TSP requirements but Gravel Pit Lane is an easement and is not a dedicated right-of-way although it has been in existence for many years. To be consistent with the TSP, there is a COA for a dedicated right-of-way which does not ask for more than the present width.
- West Seventh, based on the TSP, should be part of Irrigon's future street network. Staff included a COA to ensure connectivity. This includes public dedication and a Consent to Participate;
- A fax was received from the County Watermaster, which Planning Director McLane passed out at the hearing. There is a water right, not in the name of the landowner on the property.

**Commission Questions to Staff:**

Commissioner Peterson asked if a right-to-farm disclaimer is required. Planning Director McLane indicated that it is not a requirement in Statute but could be added. Chair Rea questioned the maps and whether or not one is correct in relation with the water map. Commissioner Wenzholz wondered if requiring the dedication of West Seventh Road is necessary. Chair Rea had a problem with COA #6. She believes only the owners of the parcels abutting an affected frontage should sign a Consent to Participate Agreement.

Burke O'Brien doubted West Seventh will ever cross the refuge and thinks the COA is a moot point. Also, Gravel Pit Lane has an open gate, which will probably be closed by the end of the year due to security issues. He considered this a potentially bigger issue than West Seventh Road. Also, he is given to understand that when the taking was commissioned for the refuge, there was a trading of this easement to the quarry site. In other words, Gravel Pit Lane was created in lieu of West Seventh Street.

John Wenzholz, Morrow County Commissioner, shared that landowners needed an easement to the Gravel Pit. When the West Seventh Road access was used, and then blocked by Fish and Wildlife, they indicated to John they would never allow access through their property for allowance of West Seventh Road. Chair Rea indicated that the blockage of Gravel Pit Lane needs some attention as to fire safety, etc.

**Public Portion**

Support: Shannon Plueard, 105 N. Columbia Lane, Irrigon, son-in-law of Ray Juarez. He plans on buying a parcel of this proposed land partition. Chair Rea asked his

opinion about the easement and the blockage and fire problem on Gravel Pit Lane. Mr. Plueard indicated that he was unaware of the COA and doesn't have any major objection. He didn't have any comment on the blockage problem.

Vern Suchey, 76505 Sunset Lane, Irrigon had no problem with the dedication of West Seventh Street.

Opposition: None

**Public Hearing closed for Commission action:**

Planning Director McLane requested that if the Commission chooses to not require dedication for West Seventh Street that the Commission move to amend the TSP as well.

Commissioner Eppenbach believed there is no reason to amend the TSP or to mitigate for West Seventh Street. It is often really hard to put something back when it has been removed.

Commissioner Wenholz stated that creating a dead end street doesn't improve access for the fire trucks. The Commission discussed the road blockage of Gravel Pit Lane, that there isn't room for the fire trucks to turn around, except at the present time. Commissioner Peterson agreed that Seventh doesn't need a dedication. Commissioner Grieb moved to approve with amendments to COA #6, Commissioner Eppenbach seconded. Motion passed unanimously.

**Conditional Use Request CUP-S-232: Mark and Alaina Lemmon, owner and applicant. Property is described as tax lot 900 of Assessor's Map 1S 25 27 and is immediately west of the Town of Lexington along Highway 74. The property is zoned Exclusive Farm Use (EFU) with a small portion inside the City of Lexington Urban Growth Boundary that is zoned Farm Residential. Request is to site a "non-farm" dwelling on the EFU zoned portion of the property. Criteria for approval include the Morrow County Zoning Ordinance (MCZO) Article 3 Section 3.010 and Article 6 Sections 6.020 and 6.030. Planning Director McLane presented the Staff Report.**

**Commission questions to Staff:**

Commissioner Wenholz asked if a COA is needed for access. Planning Director McLane informed the Commission that access permit requirements are included under COA 2 as we require that the applicant provide their permit prior to issuance of a Zoning Permit.

**Public Portion**

in favor: none

opposition: none

**Public Hearing Closed for Commission Action**

Commissioner Wenholz moved and Commissioner Eppenbach seconded his motion for approval as presented. Motion passed.

**Appeal of Planning Director Decision: Ron Young, owner and applicant. Property is described as tax lots 601 and 603 of Assessor's Map 4S 28 11. The property is zoned Forest Use and is located to the southwest of the Blake Ranch Subdivision. Applicant is requesting relief from a Condition of Approval for a recently approved Property Line Adjustment, specifically to have the requirement for a Boundary Survey to be waived. Criteria for approval include the MCSO Articles 5 and 12.**

Planning Director McLane informed the Commission that she will not make a recommendation on this appeal because it is an appeal specifically of her decision. She gave the background on

the decision of the property line adjustment application. The appellant/applicant are appealing for relief based on the substantial cost burden of the boundary survey. The Commission was asked to either require the appellant to meet her condition or to provide relief for this condition. This requirement has been recently added to the County Subdivision Ordinance. State Statute does not require surveys in parcels greater than 10 acres.

**Public Portion**

In Favor of the relief: Charlie Anderson 69530 Condon Highway, Heppner. He spoke in favor of the relief. He believes a property owner should not be required to pay for a survey if it is not beneficial for him. Chair Rea asked him if the family has any conflict as to the property lines. Mr Anderson indicated that there were none.

Opposition: None

**Public Hearing Closed for Commission Action**

Commissioner Eppenbach stated that he believes in surveyor markers, but will not oppose the Commission. Commissioner Wenholz stated that it would be good to get some dedicated money to get good markers and monumenting done. Commissioner Peterson moved to acknowledge the hardship and provide relief to the appellant, seconded by Commissioner Miller. Motion passed by the majority: Commissioner Wenholz and Commissioner Eppenbach opposed. Commissioner Wenholz stated that the Commission had made the past decision about the surveys and does not see a reason for deviating from this past Commission decision.

**Morrow County Zoning Ordinance Amendment: Morrow County, applicant. The second of at least three hearings to consider changes to the Morrow County Zoning Ordinance relative to the siting of manufactured homes, temporary residence requirements, storage of manufactured homes, and the use of recreational vehicles. Recommended to be changed are MCZO Article 4 Sections 4.110 through 4.150 and Article 3 Use Zones Section 3.051. Criteria for approval include the MCZO Article 8 Amendments Section 8.050 Burden and Criteria.**

Planning Director McLane presented the Staff Report. She reported the Commission did not make many changes in the last hearing, but the changes are italicized in this version of Section 3.051.

Planning Director McLane discussed the changes and additions In Section 4.110.

**Public Portion combined with Commission discussion and action:**

Larry Brents, resident of Salem, Oregon, but owning property in Irrigon. He told the Commission that he believes if the manufactured structure passes the fire inspection and the requirements of the building inspector it should be allowed and shouldn't matter how old the structure is. Planning Director McLane explained why the people who suggested the changes did so. The issue was mainly about aesthetic and property value impacts to the community, rather than health and welfare. The Commission discussed the percentage for structural additions. The Commission discussed the ramada exclusion and possible consideration for snow load issues. A Use Variance could possibly be used to obtain a ramada if an owner desires one. The Commission then discussed the additions and changes to the various sections of the Ordinance.

Mr. Brents addressed his situation whereby he has, and wants to have allowed, the ability to build on a property over time, and have it all begin with a temporary recreational vehicle. Planning Director McLane indicated that Morrow County does not have provision for this kind of

development. Commissioner Peterson asked for a 15 year age siting restriction instead of 10 years, but after some discussion the Commission accepted 10 years with the assurance that a Variance could be approved for the special cases.

The Commission considered the maximum percentages for additions and approved forty (40) percent for all sections. The Commission considered the accommodation of visitors of the primary residence not to exceed 30 days; the Commission approved 30 days.

The Commission considered seasonal recreational users in the FU Zone and approved the installation of septic systems and removed the on-site systems prohibition sentence.

Commissioner Wenzholz moved and Commissioner Grieb seconded the motion to approve the Ordinance with discussed changes and forward it to the County Court for consideration and adoption. Motion passed.

**Transportation System Plan Amendment: Morrow County, applicant. The second of at least three hearings to consider amending the 20 year project list to include two projects: Valby/Brenner Canyon Road and County Line Road. Also to be considered is a change to the functional classification of Brenner Canyon from local road to minor collector. Criteria for approval are found in the Morrow County Comprehensive Plan and Transportation System Plan.**

Planning Director McLane presented the changes and recommended the Amendment be forwarded to the County Court. Commissioner Grieb moved and Commissioner Burns seconded the motion to forward the amendment to the County Court for approval. Motion passed.

**Other Business/Correspondence**

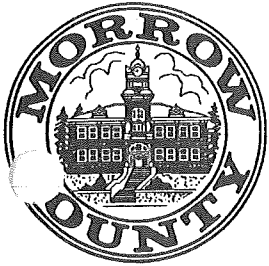
- **Tourist Commercial and Rural Light Industrial Sections of the Zoning Ordinance**
- **Report from staff on the Oregon Planners Institute**
- **Commissioner Eppenbach will be attending Land Use Planning Basics**
- **Needed Goal 7 work identified in the Pre-Disaster Mitigation Plan**
- **October Agenda - Lexington October 24.** On the agenda, a cemetery that is out of compliance.
- **Combined November/December Meeting scheduled for December 5.**

**Adjournment:**

The meeting was adjourned at 9:55 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, October 24, 2006 at 7:00 p.m. at the Morrow County School District Building in Lexington, Oregon.

Respectfully Submitted,  
Lori Timmons, Associate Planner



## PLANNING DEPARTMENT

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**Minutes of the Morrow County Planning Commission  
Tuesday, October 24, 2006, 7:00 p.m.  
Morrow County School District Building  
Lexington, Oregon**

**Members Present:** Don Eppenbach, Leann Rea, Ryan Miller, Betty Burns, Roger Britt

**Members Absent:** Joel Peterson, Jeff Wenholz, Art Kegler, Ken Grieb

**Staff Present:** Carla McLane, Planning Director; Lori Timmons, Associate Planner;  
Ryan Swinburnson, Morrow County Interim Counsel

Chair Rea called the meeting to order at 7:02 p.m.

Roll call was provided by Lori Timmons.

Minutes of the September 26, 2006 minutes were reviewed. Commissioner Eppenbach moved to approve the minutes. Commissioner Burns seconded the motion. Motion carried.

Planning Commission Chair Rea read the Public Hearing Procedures.

**Conditional Use Permit CUP-S-232: Edna Mae and Frances Mae Dalzell, applicants and owners. Property is described as tax lot 1900 of Assessor's Map 3S 23, is located along Dalzell Road just north of Highway 206, and is approximately 25 miles from Heppner. The property is zoned Exclusive Farm Use. Request is to site a private family burial grounds. Criteria for approval is Morrow County Zoning Ordinance Section 3.010, Section 6.020, 6.030 and 6.050.**

Planning Director McLane presented the Commission with an amended Staff Report. She explained that DLCD representative Ron Eber suggested removing the land use component of the Staff Report because the statute allowing a family burial ground is not a part of the State Land Use Regulations - the part of the Statutes requiring the use of Conditional Use permits. Therefore, a Conditional Use, per se, is not appropriate for this Application even though Planning Commission approval is required.

After the Staff Report was given by Planning Director McLane, Commissioner Eppenbach requested all references to the word cemetery be removed from the Findings since the approval is specifically for a "burial ground" and not a cemetery.

Commissioner Rea asked about the definition of family in this circumstance. Planning Director McLane said that Staff had looked at definitions of the word family and most of the definitions include the spouse but not the parents of the spouse. Commissioner Britt was concerned about the requirement for a church in the EFU zone and Planning Director McLane reminded the Commission a "church" is defined by the State in this case most likely in the tax assessment statutes.

Commissioner Miller asked where the family tree starts, Carla indicated that the Dalzells can have ancestors placed in the burial ground.

### **Open the Public Hearing**

Edna Dalzell and Francis Dalzell testified. Edna explained the process the family went through during the pre-application process to the Planning Commission. The family has no intention to inter people other than family at the burial grounds. The number of plots created is 38; currently there are eight family members identified to be buried.

Ed Martin, P.O. Box 71, Condon testified. He is an adjoining property owner and was there to gain information about the project. He previously had questions regarding the location of the burial grounds on the tax lot and felt his questions were answered.

### **Close the Public Hearing**

Commissioner Britt was concerned about the Staff Report language indicating a violation of state code, since Mr. Dalzell was already buried in the burial ground before it had been approved. Planning Director McLane reassured him that with Planning Commission action tonight, the violation will go away. Commissioner Miller moved and Commissioner Burns seconded the application to be approved. Motion carried.

### **Other Business:**

Interim County Counsel Ryan Swinburnson was introduced to the Commission. He will be working for the County until at least until the end of the year.

Planning Director McLane reminded the Commission that in December the Tourist Commercial and Rural Light Industrial Sections of the Zoning Ordinance will be added to their binders and requested they bring their binders to the December hearing.

Lori Timmons has submitted her resignation and will be leaving her position as of November 22.

Commissioner Eppenbach reported on his attendance at the Pendleton Land Use Planning Basics training session. He outlined the agenda of his training to the rest of the Commission, which included a Measure 37 update, conflicts of interest and personal bias instruction. The open meetings law was also discussed, including public participation, executive sessions and the keeping of minutes.

What's next for the Planning Department? The Department will be starting the process to update the Master Parks Plan. There are components such as the Heritage Trail and OHV Park not reflected in the current Plan.

Planning Director McLane informed the Commission of the new efforts toward reintroducing the Morrow County website and how the Planning Department will offer the Zoning Code and land use applications online.

Commissioner Rea reminded the Commission that some membership terms are coming to an end. Commissioners Miller and Wenholtz's terms are up at the end of December. Commissioner Grieb will be leaving as the new member of the County Court.

Adjournment: 8:38 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, December 5, 2006 at 7:00 p.m. at the North Morrow County Annex Building in Irrigon, Oregon.

Respectfully Submitted,  
Lori Timmons, Associate Planner





## PLANNING DEPARTMENT

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**Minutes of the Morrow County Planning Commission  
Tuesday, December 5, 2006, 7:00 p.m.  
North Morrow County Annex  
Irrigon, Oregon**

**Members Present:** Don Eppenbach, Art Kegler, Jeff Wenholz, Roger Britt, Betty Burns

**Members Absent:** Leann Rea, Joel Peterson, Ken Grieb, Ryan Miller

**Staff Present:** Carla McLane, Planning Director; Kristina Gray, Office Manager

Vice-Chair Eppenbach called the meeting to order at 7:01 p.m.

Roll call was provided by Kristina Gray.

Minutes of the October 24, 2006 minutes were reviewed. Commissioner Burns moved to approve. Commissioner Britt second the motion. Motion approved as presented.

Planning Commission Vice-Chair Eppenbach read the Public Hearing Procedures.

**Land Partition LP-N-368 and Conditional Use Permit CUP-N-233: City of Irrigon, applicant and Anacapa Land Company, owner. Property is described as tax lot 100 of Assessor's Map 5N 27 31, is located along Division Road south of Irrigon near the entrance to the Umatilla Army Depot. The property is zoned Exclusive Farm Use. Request is to partition the land and site a water reservoir. Criteria for approval is Morrow County Zoning Ordinance Section 3.010, Section 6.020, 6.030 and 6.050 and the Morrow County Subdivision Ordinance Article 5.**

Planning Director McLane presented the staff report. Two letters were received - the first from West Extension Irrigation District and the second from Water Resources. WEID requested some corrections to the staff report and provided general statements concerning water rights. Water Resources stated there are no ground water rights and deferred their comments to WEID. The subject property is located within a critical groundwater area.

Commissioner Kegler asked about item "E" page 4 requesting an increase the amount of street dedication. Only asking for 10 feet on the side of the small part that is being partitioned.

Open the public hearing

Gerald Breazeale, Irrigon City Manager, spoke in favor. The partition will create a site for a new domestic water reservoir. The current reservoir is about to fail and won't last much longer. They will have to pump water to the reservoir from the wells near the river, but once the reservoir is full they will use gravity to get water to the city. Two new well locations are being reviewed to supply water. The old reservoir is roughly 300,000 gallons; the new reservoir will be approximately 1.6 million gallons.

Close the public hearing.

Commissioner Wenholtz moved to approve with the addition of comments and recommendations from WEID. Commissioner Kegler second with a friendly amendment to also include the comments from the Water Resources letter. Commissioner Wenholtz amended his motion to include the Water Resources letter. Motion carried.

**Land Partition LP-S-369: lone Education Foundation, applicant and Mary Emert, owner. Property is described as tax lot 400 of Assessor's Map 1S 24, is located to the east of the City of lone with the specific action taking place north of the Emert Edition and east of Ella Road. The property is zoned Exclusive Farm Use. Request is to partition the land removing a 40 acre parcel within the City of lone Urban Growth Boundary for future residential development. Criteria for approval is MCZO Section 3.010 and the MCSO Article 5.**

Planning Director McLane presented the staff report. Request is to partition 40 acres located within the City of lone UGB from 4,923 acres that is primarily zoned EFU. The lone Education Foundation will return to the Planning Commission at a later date when they are ready to divide or develop the 40 acre parcel. Access is available from Delbert Drive within the Emert Addition and from Ella Road. No comments have been received relative to this request.

Commissioner Burns is familiar with the property and referred Mr. Mullins to the Planning Department.

Open the Public Hearing.

Howard Mullins, spoke in favor.

Close the Public Hearing

Commissioner Kegler moved to approve as submitted. Commissioner Wenholtz second the motion. Motion carried.

**Conditional Use Permit CUP-N-234: Threemile Canyon Wind 1, LLC, applicant and BAIC Inc. % Threemile Canyon Farms, owner. Property is described as tax lot 100 of Assessor's Map 2N 23, is located at Threemile Canyon Farm southwest of Boardman approximately 15 miles. The property is zoned Exclusive Farm Use. Request is to site a wind power facility. Criteria for approval is MCZO Section 3.010, Section 6.020, 6.030 and 6.050.**

Planning Director McLane presented the staff report. The property is not located within any city UGB. Traffic impact analysis is not triggered with this project. Subject property has recently been included in the Boardman Rural Fire Protection District. Comments have been received from the Department of Fish and Wildlife and the County Weed Manager. Planning Director McLane presented to the Planning Commission an email from Dave Pranger, County Weed Manager, stating that the area has been known to have a noxious weed problem. He is requesting a pre-construction survey and a weed management plan. Planning Director McLane shared that the area for this development is currently under farm development with new circles having been put into service over the past few years. The proposed wind towers will be located between the road and the farm circles. There are staging areas that the applicant has indicated will be reseeded with native species post-construction.

The letter from the ODFW requests the applicant work with the ODFW on mitigation for impacts to habitat. Planning Commission agreed to add this as a Condition of Approval.

There was discussion on the previously dedicated alternative to the Lone-Boardman Road. Planning staff retrieved the BAIC partition from 2002. It does not appear that this facility impedes that dedication, but development of irrigated circles may.

Commissioner Wenholz expressed concerns about whether Tower Road can handle the loads that this project will create. Burke O'Brien, Morrow County Public Works Director, is comfortable with the weight that will be going over the road.

Open the Public Hearing

Momentum Renewable Energy, 2100 SW River Parkway, Portland. Alex Dupey spoke on behalf of Momentum. The applicant will be using existing roads to access the construction site, including Tower Road. The applicant has inquired about current weed management activities at Threemile Canyon Farms and shared that there is a weed management plan in place. The applicant has been working with the ODFW and are not opposed to the requested Condition of Approval. The trucks hauling the towers, blades and turbines will be legal loads on 13 axle trucks to more fully distribute the weight. The applicant committed to complying with over-weight and length requirements and will work with Public Works.

Commissioner Britt asked about the weed situation. Surveys have not been done as of yet, but it is due to take place. Commissioner Kegler would like to see some reference to weed control.

Linda and Harry Moffitt, 73280 HWY 74, Lone. Page 6 article I, states that property to the west of this project have already received land use approval. They have talked to people about placing a wind facility on their property but they have not sought approval as of yet.

Close the public hearing.

Planning Director McLane reviewed the conditions of approval.

Blaine Graff, David Evans and Associates, explained they chose Tower Road because less farm roads would have to be improved and the corner from the freeway exit ramp at Threemile Canyon Road is a tight turn.

Planning Director McLane recommends adding to Condition of Approval 5 to coordinate with the County Road Master on possible damage and repair to the road. Some additional language was added to Condition of Approval number 8. An additional Condition was added between condition of approval 9 and 10.

Commissioner Kegler moved to approve with Planning Director McLane's corrections. Commissioner Burns second the motion. Commissioner Kegler, YES; Commissioner Burns, YES; Commissioner Wenholz, NO; Commissioner Britt, YES; Vice-Chair Eppenbach, YES; by majority vote it passes.

**Other Business:**

- **January Agenda**  
One application so far

- **2007 Planning Commission Calendar**  
Draft dates for next year. Looks okay to everyone.
- **Staffing Changes - None! Lori has decided to stay**
- **Highway 730 Corridor Study Update - Public Meeting December 13**
- **Next Project - Park Master Plan Update (OHV Park and Heritage Trail)**
- **County Website - [www.morrowcountyoregon.com](http://www.morrowcountyoregon.com) - check out what we have done!! Supported by the DLCD Small Jurisdiction Grant.**
- **Comprehensive Plan - what we need to do... and when do we want to do it!!**
- **Commissioner Wenzholz and Commissioner Miller are up for their term. December 20<sup>th</sup> the County Commissioners will decide on new appointments.**

Adjournment: 9:37 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, January 23, 2007 at 7:00 p.m. at the North Morrow County Annex Building in Irrigon, Oregon.

Respectfully Submitted,  
Kristina Gray, Office Manager