

## PLANNING DEPARTMENT

P. O. Box 40 • Irrigon, Oregon 97844  
(541) 922-4624 or (541) 676-9061 x 5503  
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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, January 19, 2016, 7:00 p.m.  
Port of Morrow Riverfront Center, Boardman, Oregon**

**Morrow County Planning Commissioners Present:** Chair David Sykes, Vice Chair Jeff Wenholz, Mifflin Devin, Melissa Lindsay, Sue Oliver

**Members Excused:** Clint Carlson, Kathy Neal, Rod Taylor

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Hank Pieper, GIS Planning Tech; Dianna Strong, Planning Office Assistant; Justin Nelson, County Counsel

The Planning Commission Elected new Officers for the year. Commissioner Devin moved to keep the officers the same, and Commissioner Oliver seconded. Motion carried. Director McLane announced that Commissioner Kilkenny resigned and there were no letters of interest submitted for the vacancy. Requests for interest were again published in the newspaper.

The Pledge of Allegiance was recited.

**Approval of Minutes:**

The Minutes of December 8, 2015 were included with the Commissioner's packets. Commissioner Oliver abstained from voting as she was absent at the December 8, 2015 meeting. Vice Chair Wenholz moved to approve the Minutes of December 8, 2016. Commissioner Devin seconded the motion. Motion carried.

Director McLane introduced Dianna Strong, Planning Office Assistant.

Planning Commission Chair Sykes did not read the Planning Commission Hearing Procedures as no audience was present.

**AC-096-16 Comprehensive Plan Economic Element. Morrow County, Proponent. This action is to update the Economic Element of the Morrow County Comprehensive Plan. The criteria for approval are found in the Morrow County Comprehensive Plan Review and Revision Process and MCZO Article 8 Amendments. This is the first of at least two public hearings with the final hearing before the County Court.**

Director McLane presented the staff report and reviewed the draft Economic Element which lead into discussion about deficiencies and recommended changes within the document. Commissioner Oliver volunteered to rework some of the discussion items and objectives for further review. Commissioners were in favor of editing the document for further review.

Commissioner Devin moved to recommend continuation of AC-096-16 to the February 23, 2016, at 7:00 pm Planning Commission hearing at the Bartholomew Building in Heppner. Commissioner Lindsay seconded the motion. Motion carried.

**Morrow County Zoning Ordinance Article 7 Variances Work Session:**

Director McLane provided copies of the draft amended Article 7 document to Planning Commission and interested parties and briefly explained the incorporations from other parts of the Morrow County Zoning Ordinance. Director McLane identified the purpose of amending the Article to meet the need for a more clear and consistent Zoning Ordinance.

Work will continue on updating the Article and return in front of Planning Commission in the future for a work session.

**Comprehensive Plan Introduction Work Session:**

The Comprehensive Plan Introduction work session was tabled for a later discussion.

**Audience Participation:** None

**Other Business or Correspondence:**

Planning Director Update:

- At least one action coming in front of Planning Commission next month, possibly two. One is temporary batch plant for construction of dairy on Homestead Lane.
- Umatilla and Morrow County joint comment letter regarding B2H agency preferred route variation to be signed January 20, 2016 at County Court.
- Planner's Network meeting in Pendleton March 2-3, 2016 and all commissioners are invited and encouraged to attend.

**Adjournment:** Meeting was adjourned at 9:48 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, February 23, 2016 at 7:00 p.m. at the Bartholomew Building in Heppner, Oregon.

Respectfully Submitted,  
Stephanie Loving



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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, February 23, 2016  
Bartholomew Building, Heppner, Oregon  
Public Hearings 7:00 p.m.**

**Morrow County Planning Commissioners Present:** Chair David Sykes, Vice Chair Jeff Wenholz, Ken Bailey, Clint Carlson, Melissa Lindsay, Kathy Neal, Sue Oliver, Rod Taylor

**Members Excused:** Mifflin Devin

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Hank Pieper, GIS Planning Technician; Justin Nelson, Morrow County Counsel

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Vice Chair Wenholz moved to approve the Minutes of January 19, 2016. Commissioner Oliver seconded. Motion carried.

Planning Commission Chair Sykes read the Planning Commission Hearing Procedures.

**Conditional Use Permit CUP-N-320: Koncrete Industries, Inc. applicant and Greg TeVelde, owner. The property is described as Tax Lot 500 of Assessor's Map 3N 26. The property is located on Homestead Lane approximately 9 miles east of Boardman and is zoned Exclusive Farm Use. Request is to approve a temporary concrete batch plant that will produce approximately 40,000 cubic yards of concrete. Criteria for approval include Morrow County Zoning Ordinance Article 3 Section 3.010(D)(11) and Article 6 Conditional Uses.**

Director McLane presented the staff report and answered general questions regarding the temporary nature of the decision.

Opened the testimony portion of the Public Hearing.

None in favor, neutral or opposition.

Closed the public testimony portion of the hearing.

Vice Chair Wenholz moved to approve CUP-N-320. Commissioner Neal seconded the motion. All in favor. Motion carried.

**Hardship Variance HV-N-027-16: Susan and Noble Turner, applicants and Thomas Turner, owner. The property is described as Tax Lot 700 of Assessor's Map 5N 26 23A. The property is on Washington Lane west of Irrigon and is zoned Rural Residential. Request is to approve a temporary hardship dwelling to allow care for an infirm relative. Criteria for approval include Morrow County Zoning Ordinance Article 4 Section 4.130 Hardship Dwellings.**

Planner Stephanie Loving presented the staff report and provided some background information surrounding the Code Enforcement actions on the property. There was discussion surrounding concerns about continuing code enforcement compliance to which the certain conditions apply.

Opened the testimony portion of the Public Hearing.

None in favor, neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Taylor moved to approve HV-N-027-16. Vice Chair Wenholz seconded the motion. All in favor. Motion carried.

**AC-096-16 Comprehensive Plan Economic Element. Morrow County, Proponent. This action is to update the Economic Element of the Morrow County Comprehensive Plan. The criteria for approval are found in the Morrow County Comprehensive Plan Review and Revision Process and MCZO Article 8 Amendments. This is the second of at least three public hearings with the final hearing before the County Court.**

Director McLane presented the staff report and reviewed the draft Economic Element. The goals and policies were reviewed, acknowledging the work that Commissioner Oliver had done at the prior request of the Planning Commission. GIS Planning Technician Hank Pieper presented a map depicting industrial and commercial land in Morrow County relating information pertinent to the Economic Element of the Comprehensive Plan. There was continuing discussion about the document and some minor changes were identified.

There was a lot of discussion about industrial lands in Morrow County and the future possible uses of industrial lands in relation to the Economic Element.

Opened the testimony portion of the Public Hearing.

None in favor, neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Oliver moved to recommend to the County Court for adoption the amended Comprehensive Plan Economic Element with minor changes as discussed by Planning Commission. Vice Chair Wenholz seconded the motion. All in favor. Motion carried.

**Audience Participation:**

None

**Other Business or Correspondence:**

Planning Director Update:

- Update to the Planning Commission Roster and verification of information
- Airport Safety and Compatibility Overlay Zone proposal at March Planning Commission Hearing
- Port of Morrow Airport Zone Change proposal at March Planning Commission
- Article 7 work session planned for March to bring the code amendment to public hearing in April
- Model Code Update for Farm and Forest Use Zones will start in the near future
- Statement of Economic Filing for Planning Commission needs to be completed online by all Commissioners as soon as possible

**Adjournment:**

Meeting was adjourned at 10:07 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, March 29, 2016 at 6:00 p.m. at the Port of Morrow Riverfront Center in Boardman, Oregon.

Respectfully Submitted,  
Stephanie Loving



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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, March 29, 2016, 6:00 p.m.  
Port of Morrow Riverfront Center, Boardman, Oregon**

**Morrow County Planning Commissioners Present:** Chair David Sykes, Vice Chair Jeff Wenholz, Ken Bailey, Clint Carlson, Mifflin Devin, Melissa Lindsay, Kathy Neal, Sue Oliver, Rod Taylor

**Members Excused:** None

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Hank Pieper, GIS Planning Technician; Justin Nelson, County Counsel

**Morrow County Zoning Ordinance Article 7 Workshop:**

Prior to the public hearing, the Planning Commission met to discuss the work toward updating Article 7 of the Morrow County Zoning Ordinance which relates to Variances. There was much discussion around temporary and special use permits and the process for allowing special or temporary uses. Planning staff emphasized that the process for a lot of the uses have not changed but there is now identified approval criteria, some of which gives the opportunity for recommendation to or review by the Planning Commission.

Director McLane identified a couple of areas within the Article that need more work, including large and mass gatherings. It was decided that the identified changes be made and set for public hearing in April.

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Commissioner Neal moved to approve the Minutes of February 23, 2016. Commissioner Lindsay seconded. Motion carried.

Planning Commission Chair Sykes read the Planning Commission Hearing Procedures.

**Conditional Use Request CUP-S-321 Allen Lathrop, applicant and owner. The property is described as tax lot 1510 of Assessor's Map 5S 28. The property is located adjacent to Penland Lake in the Forest Use Zone. Request is to allow a forest template dwelling on the property. Criteria for approval include the Morrow County Zoning Ordinance (MCZO) Article 3 and Article 6.**

Planner Stephanie Loving presented the staff report and correlated the attached maps to the sections in the staff report.

Commissioner Oliver expressed concerns about the fire regulations listed in the conditions in regards to how it is ensured that the conditions are met and whether or not the fire prevention conditions are sufficient.

Opened the testimony portion of the Public Hearing.

None in favor, neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Lindsay moved to approve CUP-S-321. Commissioner Devin seconded the motion. 8 in favor, Sue Oliver opposed. Motion carried.

**Comprehensive Plan, Zoning Ordinance and Zoning Map Amendments AC-097-16, AZ-098-16 and AZM-099-16: Port of Morrow, Applicant and Landowner. The property is described as Tax Lot 110 and a portion of Tax Lot 131 of Assessor's Map 4N 24 and is currently zoned Air Industrial Park. It is located south of Interstate 84 and west of Tower Road and is both north and south of the Boardman Airport. Request is to amend the Morrow County Comprehensive Plan (MCCP) by taking a Goal 3 exception, add to the Morrow County Zoning Ordinance (MCZO) the Airport Light Industrial (ALI) Use Zone, and apply the ALI to the Zoning Map. Criteria for approval include the MCCP Review and Revision Criteria and the MCZO Article 8.**

Commissioners Neal and Devin declared possible conflicts of interest, of which there were no audience concerns.

Director McLane presented the staff report and referred Commissioners to the application for the goals and statutes, noting a couple of minor errors in the application.

Opened the testimony portion of the Public Hearing.

In favor: Mark Greenfield, attorney for the applicant. Described and outlined the proposed permitted uses in the zone and explained application details.

None in neutral or opposition.

Closed the public testimony portion of the hearing.

It was recommended, and the applicant did not object to, three changes be made to the application. Those changes included two instances of replacing 'Portland General Electric' with 'Umatilla Electric Cooperative', and to add additional language concerning changes in Oregon's Renewable Portfolio Standard.

Vice Chair Wenholz moved to recommend to County Court for adoption of AC-097-16, AZ-098-16, and AZM-099-16 with changes. Commissioner Taylor seconded the motion. Motion carried unanimously.

**Zoning Ordinance and Zoning Map Amendments AZ-100-16 and AZM-101-16: Morrow County, Applicant. The property is described as both the Boardman and Lexington Airport's approach and conical hazard surfaces, currently subject to the Airport Approach (AA) Overlay Zone. The Boardman Airport is just south of the Interstate 84 Tower Road Interchange; the Lexington Airport is just north of the Town of Lexington. Request is to replace the AA Zone and the Airport Hazard Zone with a combined Airport Safety and Compatibility Overlay Zone. Criteria for approval include the MCZO Article 8.** Commissioners Neal and Devin declared possible conflicts of interest, of which there were no audience concerns.

Director McLane presented the staff report and discussed the need for consistency in the Morrow County Zoning Ordinance. Questions arose about the Lexington Airport Layout Plan and answered that this action is separate and unrelated to the Airport Layout Plan.

Opened the testimony portion of the Public Hearing.

In favor: Mark Greenfield, attorney.

None in opposition.

Neutral: Don Russell, Morrow County resident and pilot. Mr. Russell stated that the Airport Layout Plan will not change the ability for planes to land at the airports.

Ron McKinnis, Port of Morrow Engineer. Mr. McKinnis stated that the approach zone cannot be infringed upon and ultimately FAA rules must be followed.

Closed the public testimony portion of the hearing.

Vice Chair Wenholz moved to recommend to County Court for adoption of AZ-100-16 and AZM-101-16. Commissioner Devin seconded the motion. 8 in favor, Melissa Lindsay opposed. Motion carried.

**Audience Participation:**

None

**Other Business:**

- Farm and Forest Model Code packets to be mailed for April hearing for work session.
- The Oregon Department of Energy is completing review of the Wheatridge Wind energy facility, which will trigger a local application for the necessary transmission by the developer or the developers transmission provider Umatilla Electric. Work also continues on Boardman to Hemingway with local support of a west of Bombing Range Road alignment. These proposals, when considered with other renewable energy projects, has lead to concerns by the agricultural community that additional energy projects could result in additional generation transmission lines. To address these 'cumulative impacts' the Governor's Task Force on Energy and Agriculture was formed and has been issuing energy corridors. In Morrow County the focus has been on the Bombing Range Road and the utilities currently installed, planned and needed and working to limit additional or excessive impacts to irrigated agriculture.



Tom Wolff, General Manager, Columbia Basin Electric, addressed the Planning Commission and audience to state that Columbia Basin Electric endorses the concept of a utility corridor but does not agree with the Wheat Ridge and Umatilla Electric Cooperative Plan on the east side of Bombing Range Road. Mr. Wolff further voiced his concerns about control of the power in the Lexington area.

- The Comprehensive Plan Economic Element was continued at County Court. The next steps of the Comprehensive Plan Update process will be less involved but engaging.

**Adjournment:**

Meeting was adjourned at 10:21 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, April 26, 2016 at 7:00 p.m. at the Bartholomew Building in Heppner, Oregon.

Respectfully Submitted,  
Stephanie Loving



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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, April 26, 2016  
Bartholomew Building, Heppner, Oregon  
Public Hearings 7:00 p.m.**

**Morrow County Planning Commissioners Present:** Chair David Sykes, Vice Chair Jeff Wenholz, Ken Bailey, Clint Carlson, Mifflin Devin, Melissa Lindsay, Sue Oliver

**Members Excused:** Kathy Neal, Rod Taylor

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Justin Nelson, Morrow County Counsel

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Vice Chair Wenholz moved to approve the Minutes of March 29, 2016. Commissioner Devin seconded. Motion carried.

Planning Commission Chair Sykes read the Planning Commission Hearing Procedures.

**AZ-095-16 Zoning Ordinance Amendment. Morrow County, Proponent. This action is to update various portions of the Morrow County Zoning Ordinance (MCZO) relating to dimensional adjustments, variances, temporary and special uses, and non-conforming uses. Many of these uses are found throughout the MCZO and this is intended to consolidate them into one location, Article 7, reduce duplication, and to provide more consistency across different zoning districts throughout the county. The criteria for approval are found in MCZO Article 8. This is the first of at least two public hearings with the final hearing before the County Court.**

Director McLane presented the map generated by staff reflecting the forest communities and comments received from affected property owners related to the proposal. She then presented the staff report.

Melissa Lindsay declared potential conflict of interest as she is an affected property owner. David Sykes declared potential conflict of interest as he is an affected property owner. Audience was asked for any challenges to which there were none.

Opened the testimony portion of the Public Hearing.

In favor: Mitch Bloecher, affected property owner at Blake Ranch. Mr. Bloecher stated that he had a survey completed to establish his property line and is in favor of a 10 foot setback in forest communities as he only has a small parcel of land and the current setbacks leave little room for structures.

Opposed: Harvey Simmons, affected property owner. Mr. Simmons stated that he thinks that setbacks should only be reduced through the variance process and that the county should continue with the process in place. He further stated that survey stakes are not accurate.

Neutral: Jerry Arnston stated that he has concerns about fire danger if too many buildings are close together.

Closed the public testimony portion of the hearing.

Director McLane described the process that brought the change in language for variances in forest communities regarding setbacks and the history of variances that were granted in the past that didn't conform with the code.

There was discussion about how to get to the need for the setback variance without the language proposed to make sure there is a clear path. Changes were proposed in the language of the document and approved by consensus to make the changes in the document prior to the next hearing for the rest of Article 7.

Discussion continued about the remainder of Article 7 and changes were suggested. It was decided that the hearing be continued to May 24, 2016 for further discussion on the remaining portions.

Vice Chair Wenzholz moved to continue public hearing for AZ-095-16 at the Port of Morrow Riverfront Center on May 24, 2016 at 7:00 p.m. Commissioner Lindsay seconded the motion. All in favor. Motion carried.

**Planning Commissioner Training:**

Justin Nelson provided a presentation on Planning Commission Ethics focused on conflict of interest, bias, and ex parte contact. Director McLane was directed to ask specific questions of the Ethics Commission regarding participation in any action and what that means, Port of Morrow applications and the Commissioners who have a connection to the Port of Morrow, and what is allowed when a Commissioner is an applicant or affected property owner to an action.

**Other Business or Correspondence:**

Director McLane provided a handout to Commissioners and members of the audience about project management to be used in the Comprehensive Plan update process.

**Adjournment:**

Meeting was adjourned at 10:50 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, May 24, 2016 at 7:00 p.m. at the Port of Morrow Riverfront Center in Boardman, Oregon.

Respectfully Submitted,  
Stephanie Loving



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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, May 24, 2016, 7:00 p.m.  
Port of Morrow Riverfront Center, Boardman, Oregon**

**Morrow County Planning Commissioners Present:** Chair David Sykes, Ken Bailey, Clint Carlson, Mifflin Devin, Kathy Neal, Sue Oliver

**Members Excused:** Vice Chair Jeff Wenholz, Melissa Lindsay, Rod Taylor

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Hank Pieper, GIS Planning Technician; Justin Nelson, County Counsel

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Commissioner Devin moved to approve the Minutes of April 26, 2016. Commissioner Oliver seconded. Motion carried.

Planning Commission Chair Sykes read the Planning Commission Hearing Procedures.

**Conditional Use Permit CUP-S-322: Neal J. Dow FLP, applicant and owner. The property is described as Tax Lot 1502 of Assessor's Map 4S 26. The property is on Upper Rhea Creek Road approximately 13 miles south of Heppner and is zoned EFU. Request is to approve an accessory farm dwelling. Criteria for approval include Morrow County Zoning Ordinance (MCZO) Article 3 Section 3.010.**

Planner Stephanie Loving presented the staff report and related maps.

Opened the testimony portion of the Public Hearing.

None in favor, neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Devin moved to approve CUP-S-322. Commissioner Neal seconded the motion. Motion carried unanimously.

**Comprehensive Plan and Zoning Amendments AC-102-16, AZ-103-16 and AZM-104-16: PROffutt Limited Partnership, Applicant, and City of Boardman, Owner. The request is to rezone approximately 66 acres of land located on Tower Road and take an exception to Statewide Planning Goal 11 to allow delivery of waste water services to the subject site; to change the Comprehensive Plan text removing the subject property from the**

**discussion concerning the Space Age industrial and removing the Goal 3 exception; and to change the zoning of the subject property from Space Age Industrial (SAI) to Exclusive Farm Use (EFU). Criteria for approval are found in the Morrow County Comprehensive Plan Review and Revision Process and in the MCZO Article 8 Amendments. This is the first of at least two public hearings with the final hearing before the County Court.**

Director McLane presented the staff report and detailed the current proposal as part of the process for a future request. She described the removal of the Goal 3 Exception on the site and the proposed Goal 11 Exception for the delivery of waste water services from a neighboring property owned by the Port of Morrow.

Commissioner Oliver commented on the fact that the current action has to be viewed as a stand alone decision distinct from any future proposal as that will be a separate action.

Commissioner Devin declared a potential conflict of interest as he works for the Port of Morrow and may have done some work making wells potable near the site. Audience was asked if there were any concerns with Commissioner Devin's declaration, to which one audience member asked for clarification however did not object to Commissioner Devin's involvement in the hearing.

Opened the testimony portion of the Public Hearing.

In favor: Michael Robinson, representative for the applicant. Answered questions posed by the Planning Commission regarding transportation and the proposal in front of them and how it relates to the future proposed farm worker housing project but is a separate and distinct action.

Mr. Robinson also noted the letter he sent on May 24, 2016 requesting the change of a condition of approval, to which staff agreed and amended the staff report with the changes noted by strikeout on the document. Director McLane offered to distribute the amended staff report at the end of public testimony.

In opposition: Kelly Doherty, 68812 Wilson Lane, Boardman, Oregon. Asked why the findings were being withheld and Chair Sykes explained that the amended findings had not been distributed but were discussed and Director McLane offered to distribute. Amended findings as discussed in prior testimony were distributed.

Mrs. Doherty asked for clarification of all of the documents that are on the record and the application that was submitted. Director McLane listed all documents on record and identified the changes to the amended findings.

Mrs. Doherty explained that she is a neighboring landowner and currently runs cattle on the proposed site with a bull test facility nearby. She is concerned about changing the zoning to Exclusive Farm Use from Space Age Industrial as there is no reason to change the zoning as it is marginal unirrigated land. She further went on to say that the zone change may not affect the transportation impacts but the end use would.

Mrs. Doherty commented that the Planning Department failed to meet requirements of statute regarding the findings referencing the application. She disagrees that local conditions have changed and criteria for approval have been met.

Mrs. Doherty opposed adding more traffic to Tower Road and went on to state that the housing development should be placed on property already owned by Threemile Canyon Farms instead of taking productive farmland, or place housing inside the city of Boardman to accommodate farm workers and construction workers for other projects.

Mrs. Doherty requested that the record remain open for 7 days for time to review the new findings and seek counsel.

Pat Suter, 74777 Toms Camp Road, Boardman, Oregon. Lives 3/4 mile east of site and stated that farm worker housing should be placed on the large tract of land that Threemile Canyon Farms already owns instead of changing a zone on another piece.

None Neutral.

Rebuttal: Mike Robinson, representing applicant. Provided testimony showing how approval criteria has been met. The site would be returned to Exclusive Farm Use and Space Age Industrial was an exception to Goal 3. He stated that the land will be returned to what it was originally intended to be and therefore will be consistent with the Comprehensive Plan.

Mr. Robinson argued that it doesn't make sense to increase transportation by putting the housing further away from the work site into the city of Boardman when there is adequate water and sewer services available for this site. He expressed that the reason for choosing the location is based on the close proximity to the Port of Morrow services on Tower Road.

Mr. Robinson pointed out that the land owned by Kelly Doherty is not adjacent to the proposed site for the housing and states that she does not have a lease with the city for the site, which she currently runs her cows on, so there is no property right at issue.

Mr. Robinson explained that the Planning Department met statutory requirements for public notice of the hearing and the permissible utilization of incorporation into the staff report.

Mr. Robinson requested that the public hearing close and written record be held open for 7 days until May 31, 2016 at 5:00 p.m. He further offered that he would submit additional argument and written evidence by then as well, waiving his right for rebuttal.

Closed the public testimony portion of the hearing.

Commissioner Oliver moved to close the hearing and keep the written record open until May 31, 2016 at 5:00 p.m. and deliberation will continue to the next regular Planning Commission meeting on June 28, 2016 at 7:00 p.m. at the Bartholomew Building in Heppner, Oregon. Commissioner Carlson seconded the motion. Motion carried unanimously.

**Zoning Ordinance Amendment AZ-095-16: Morrow County, Proponent. This action is to update various portions of the MCZO relating to dimensional adjustments, variances, temporary and special uses, and non-conforming uses. Many of these uses are found throughout the MCZO and this is intended to consolidate them into one location, Article 7, reduce duplication, and to provide more consistency across different zoning districts**

**throughout the county. The criteria for approval are found in MCZO Article 8. This is the second of at least three public hearings with the final hearing before the County Court.** Director McLane presented the amended staff report and identified the changes from the April 29, 2016 hearing. Commissioners discussed the details of temporary use as described in the proposed code language.

Opened the testimony portion of the Public Hearing.

None in favor, neutral, or opposition.

Closed the public testimony portion of the hearing.

Commissioner Carlson moved to recommend to County Court for adoption of AZ-095-16 as amended. Commissioner Devin seconded the motion. Motion carried unanimously.

**Audience Participation:**

None

**Other Business:**

- Director McLane provided a memo to commissioners clarifying the Ethics Training from the April 26, 2016 hearing and stated that the Ethics Commission is willing to offer a Government Ethics 101 training.
- B2H Open House was held in early May to collect comment from affected land owners. The EIS will be released this summer or early fall.
- Oregon's Rugged Country Agritourism Workshops will be held June 21, 2016 at the Port of Morrow Riverfront Center in Boardman, Oregon and June 22, 2016 at the Eastern Oregon Trade & Event Center in Hermiston, Oregon.

**Adjournment:**

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, June 28, 2016 at 7:00 p.m. at the Bartholomew Building in Heppner, Oregon.

Respectfully Submitted,  
Stephanie Loving



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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, June 28, 2016, 7:00 p.m.  
Bartholomew Building, Heppner, Oregon**

**Morrow County Planning Commissioners Present:** Vice Chair Jeff Wenzholz, Clint Carlson, Mifflin Devin, Melissa Lindsay, Sue Oliver, Rod Taylor

**Members Excused:** Chair David Sykes, Ken Bailey, Kathy Neal

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Hank Pieper, GIS Planning Technician; Justin Nelson, County Counsel

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Commissioner Devin moved to approve the Minutes of May 24, 2016. Commissioner Carlson seconded. Motion carried.

Planning Commission Vice Chair Wenzholz read the Planning Commission Hearing Procedures.

**Comprehensive Plan and Zoning Amendments AC-102-16, AZ-103-16 and AZM-104-16: PROffutt Limited Partnership, Applicant, and City of Boardman, Owner. The request is to rezone approximately 66 acres of land located on Tower Road and take an exception to Statewide Planning Goal 11 to allow delivery of waste water services to the subject site; to change the Comprehensive Plan text removing the subject property from the discussion concerning the Space Age industrial and removing the Goal 3 exception; and to change the zoning of the subject property from Space Age Industrial (SAI) to Exclusive Farm Use (EFU). Criteria for approval are found in the Morrow County Comprehensive Plan Review and Revision Process and in the MCZO Article 8 Amendments. This is the second of at least three public hearings with the final hearing before the County Court.**

Director McLane detailed the testimony and comment process following the May hearing and referenced the documents that were added to the record as exhibits with the staff report.

Commissioner Taylor declared a potential conflict of interest as Mr. Offutt is his landlord. Audience and Commissioners were asked if there were any objections to Commissioner Taylor's participation in the hearing, to which there were none.

Justin Nelson briefly talked about ex parte contact and asked if there was anything that was



brought to the commissioners attention that was not presented at the May hearing. Commissioner Oliver stated that an acquaintance had said that hundreds of Syrian Refugees were moving to Tower Road, which was not presented in the hearing as fact.

Director McLane presented the staff report and identified changes before pausing to allow commissioners to review the changes within the document.

Vice Chair Wenholz asked whether or not the Farm Worker Housing Application will be in front of them at any time and Director McLane outlined the Conditional Use Process as directed in the Morrow County Zoning Ordinance and how it differs with statute, however ultimately the Planning Commission will be compelled to permit farm worker housing on Exclusive Farm Use as it is an allowed use.

Commissioner Lindsay commented that farm use is an allowed use on Space Age Industrial and Director McLane explained that there are more uses allowed in Exclusive Farm Use than what the definition of the term 'farm use' allows. Commissioner Lindsay stated that if Space Age Industrial is not the best zoning then opportunity should be explored for what the best zoning is.

The staff report was reviewed and discussed in order and grammatical errors were corrected. Changes were made in the language to better suit the intent of the action and provide separation of the farm worker housing application from the current action.

There was discussion about traffic impacts in Exclusive Farm Use and discretionary decisions or standards associated with uses. Several Commissioners were concerned with whether or not there will be an opportunity to review the impacts of traffic when application is made for farm worker housing.

Commissioner Taylor moved to recommend approval of AC-102-16, AZ-103-16, and AZM-104-16 to County Court as amended. Commissioner Carlson seconded the motion. 5 in favor, Commissioner Lindsay opposed. Motion carried.

**Farm and Forest Model Code Work Session:**

Director McLane gave a brief history of the Farm and Forest Model Code and described the applicable farm and forest use zones in Morrow County. She further described some of the differences between the Model Code and Morrow County's code. There was discussion about the paths for updating Morrow County's farm and forest use zones. Staff was directed to identify the differences between the Model Code and the current Morrow County code and begin work with the Model Code from there, starting with Farm Use Model Code.

**Audience Participation:**

None

**Other Business:**

- Land Partition/ Replat request will be on the agenda in July and two Oregon Department Of Transportation Aggregate applications have been accepted for the August hearing and there could be other applications before the deadline for the August hearing
- Ethics webinar presentation is planned for August meeting

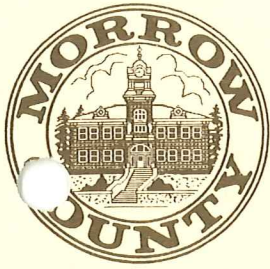
- Land Partition application is anticipated from the City of Boardman and could be on the August agenda

**Adjournment:**

Meeting was adjourned at 10:05 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, July 26, 2016 at 7:00 p.m. at the Port of Morrow Riverfront Center in Boardman, Oregon.

Respectfully Submitted,  
Stephanie Loving



## PLANNING DEPARTMENT

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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, July 26, 2016, 7:00 p.m.  
Port of Morrow Riverfront Center, Boardman, Oregon**

**Morrow County Planning Commissioners Present:** Chair David Sykes, Vice Chair Jeff Wenholz, Ken Bailey, Clint Carlson, Mifflin Devin, Melissa Lindsay, Kathy Neal, Sue Oliver, Rod Taylor

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Hank Pieper, GIS Planning Technician; Justin Nelson, County Counsel

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Vice Chair Wenholz moved to approve the Minutes of June 28, 2016. Commissioner Devin seconded. Motion carried.

Planning Commission Chair Sykes read the Planning Commission Hearing Procedures.

**Land Partition LP-S-452 and Replat R-S-040-16: Kyle Robinson, applicant and owner. The property is described as tax lot 106 of Assessor's Map 2S 26 35. A portion of the property is located within the Urban Growth Boundary of Heppner and is zoned Suburban Residential. Another portion of the property is outside the Urban Growth Boundary and is zoned Exclusive Farm Use. The property is located south of Highway 74, on Horizon Lane. Request is to partition a 74.54-acre parcel to create three parcels. Criteria for County approval includes the Morrow County Subdivision Ordinance Article 5 Land Partitioning.**

Planner Stephanie Loving presented the staff report and correlated the attached maps to the sections in the staff report. There was discussion about the continuation of Horizon Lane and road requirements.

Opened the testimony portion of the Public Hearing.

In favor: Steve Haddock, surveyor for applicant, Witness Tree Surveying. Mr. Haddock addressed the Condition of Approval regarding the continuation of Horizon Lane and requested that Horizon only be required to be developed to proposed Parcel 2 as the requirement for daily trips has not been triggered beyond that point at this time.

Director McLane explained that any further partitioning subsequent to this action would prompt Subdivision requirements and that the Planning Commission must decide whether the road development threshold has been met at this time. Commissioners further discussed the options for a condition of road development on Horizon Lane.

Kyle Robinson, applicant. Mr. Robinson provided an updated map of the proposal and described the new parcels for clarification.

Steve Rhea, Heppner. Mr. Rhea stressed the need for residential property in the Heppner area and the opportunity for Heppner to expand.

Mollie Rhea, interested buyer for proposed Parcel 1. Mrs. Rhea stated that they have no intention of further dividing proposed Parcel 1.

None in neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Lindsay moved to approve LP-S-452 and R-S-040-16 amending Condition of Approval 3 to state "The continuation of Horizon Lane shall be a 60 foot wide dedicated public right-of-way to just beyond the western edge of parcel 3 of Partition Plat 2012-5." and adding a Condition of Approval 4 stating "The portion of Horizon Lane to the access easement, approved on Partition Plat 2010-8 and recorded on November 3, 2010 as Document No. 2010-27055, Morrow County Records, Oregon, shall be developed to the Transportation System Plan Rural Access II gravel surface standard."

Commissioner Bailey seconded the motion. 7 in favor, Commissioners Oliver and Wenholz opposed. Motion carried.

**Audience Participation:**

None

**Planning Director Update:**

- Five applications have been submitted for August Planning Commission Hearing, including 2 ODOT aggregate quarries, a subdivision, a land partition on Tower Road, and a setback variance.
- Farm and Forest Model Code Update work session is set for August meeting to start at 6:00 p.m. followed by hearings at 7:00 p.m.
- The mill at the tree farm is in the process of reducing operations in preparation for shut down.
- Oregon Department of Agriculture is holding a hearing for Lost Valley Ranch Dairy CAFO Permit Thursday, July 28, 2016.
- The Boardman to Hemingway Final Environmental Impact Statement is anticipated to be released in about 3 months.
- Port of Morrow has made application for waste water land application and adjoining property owners have been notified, the comment period is currently open for 15 days.

**Adjournment:**

Meeting was adjourned at 9:17 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, August 30, 2016 at 6:00 p.m. at the Bartholomew Building in Heppner, Oregon.

Respectfully Submitted,  
Stephanie Loving



## PLANNING DEPARTMENT

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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, August 30, 2016, 6:00 p.m.  
Bartholomew Building, Heppner, Oregon**

**Morrow County Planning Commissioners Present:** Vice Chair Jeff Wenholz, Ken Bailey, Clint Carlson, Melissa Lindsay, Kathy Neal, Sue Oliver, Rod Taylor

**Members Excused:** Chair David Sykes, Mifflin Devin

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Hank Pieper, GIS Planning Technician; Justin Nelson, County Counsel

**Farm and Forest Model Code Update Workshop:**

Prior to the public hearing, the Planning Commission met to discuss the Farm and Forest Model Code and work toward updating the Farm and Forest Use Zones of the Morrow County Zoning Ordinance. There was much discussion around the differences in uses allowed in the Model Code and the current Morrow County Zoning Ordinance. Director McLane detailed the levels of uses allowed in statute by providing information about how to establish what level a use is allowed at.

Director McLane asked for direction in the process of updating the Morrow County Farm and Forest Use Zones. Commissioners directed staff to start with the Model Code and work through the first 5 sections of the EFU Model Code for discussion at the next meeting.

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Commissioner Neal moved to approve the Minutes of July 26, 2016. Commissioner Oliver seconded. Motion carried.

Planning Commission Vice Chair Wenholz read the Planning Commission Hearing Procedures.

**Variance V-S-028-16: Mitchell Bloecher, applicant and owner. The property is described as Tax Lot 1400 of Assessor's Map 4S 28 11AB and is located in the Blake Ranch Subdivision. The property is zoned FU. The request is for a variance to setbacks stipulated in Morrow County Zoning Ordinance (MCZO) Section 3.020H Setback Requirements to site a shop. Criteria for approval include MCZO Article 7 Variances.** Director McLane presented emails requesting a continuance of the hearing from opponents and asked that County Counsel describe the options for granting or denying a continuance. Justin Nelson worked through all of the emails sent from the opponents leading up to the request for

extension and explained that the record may be held open when requested to provide evidence, however the request was made for a continuance based on the inability to be present at the hearing and that there is no requirement that the continuance be granted. Commissioners were given the opportunity to continue the hearing but consensus was to move forward as opponents had provided information and testimony in writing. Planner Stephanie Loving presented the staff report and related elevation drawing for the subject property.

Director McLane provided information regarding the Variance referenced in the opponents written comments and there was discussion about what circumstances would authorize a variance.

Opened the testimony portion of the Public Hearing.

In favor: Mitchell Bloecher, applicant and owner. Mr. Bloecher stated that there is conflict between him and one of the opponents, Henry Popiel. He showed how Cougar Trail is developed on a portion of his property after the survey and how that reduces his development area. He described where his home is and the where the replacement home will be as well as the septic and drainfield area, leaving little room for placement of the shop. He further described how deep he has excavated to level the proposed area for his shop and if he were to build it at the setback required in the zone he would have to disrupt the ground and excavate further.

Commissioner Oliver asked about fire siting standards and Director McLane explained that fire siting standards would be reviewed at the time application is made for a zoning permit.

Commissioner Neal commented that financial hardship does not qualify for a reason for a variance and questioned if the cost of more work is motivation behind requesting a variance. Mr. Bloecher stated that he used his own excavator to level the ground for the shop so there is no cost to him, aside from fuel, but his concern is the hazard of cutting further into the hillside.

None in neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Taylor moved to approve V-S-028-16. Commissioner Bailey seconded the motion. Motion carried unanimously.

Audience member Leann Rea stated for the record that she informed Mr. Bloecher that he had to wait until testimony to speak while in the audience during the presentation of the staff report.

**AC-105-16, ACM-109-16, and AZM-106-16 Comprehensive Plan and Zoning Map amendments. Oregon Department of Transportation, Applicant and Owner. The property is zoned EFU, described as Tax Lot 1500 of Assessor's Map 3S 26, located south of Heppner on Highway 206. Request is to amend the Comprehensive Plan to add a Goal 5 significant aggregate site to the aggregate resource inventory list, approve mining and an asphalt plant, and to amend the Zoning Map to include the site within the Significant Resource Overlay Zone. Criteria for approval are found in the Morrow County Comprehensive Plan (MCCP) Natural Resources Element and Review and Revision Process as well as MCZO Article 3 Section 3.200. This is the first of at least two public**

**hearings with the final hearing before the County Court.**

Director McLane explained that there was unresolved ownership questions surrounding the subject property and requested a continuance of the hearing to clear up the ownership issues.

Commissioner Taylor made the motion to continue the hearing for AC-105-16, ACM-109-16, and AZM-106-16 to September 27, 2016 at 7:00 p.m. at the Port of Morrow Riverfront Center in Boardman, Oregon. Commissioner Neal seconded the motion. Motion carried unanimously.

**AC-107-16, ACM-110-16, and AZM-108-16 Comprehensive Plan and Zoning Map amendments. Oregon Department of Transportation, Applicant and Owner. The property is zoned EFU, described as Tax Lot 110 of Assessor's Map 4N 23, located on the south side of I-84 at the exit 151 interchange. Request is to amend the Comprehensive Plan to add a Goal 5 significant aggregate site to the aggregate resource inventory list, approve mining and an asphalt plant, and to amend the Zoning Map to include the site within the Significant Resource Overlay Zone. Criteria for approval are found in the MCCP Natural Resources Element and Review and Revision Process as well as the MCZO Article 3 Section 3.200. This is the first of at least two public hearings with the final hearing before the County Court.**

Director McLane presented the staff report and described the property and the proposal in relation to the Significant Resource Overlay. Questions arose about the implications of the Significant Resources Overlay Zone and the protections to the aggregate site. Director McLane described the protections allowed under statute and how it could impact adjoining property owners.

Opened the testimony portion of the Public Hearing.

None in favor, neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Taylor moved to deem the site significant and recommend Morrow County Court order the site to be listed in the Comprehensive Plan's Inventory of Natural Resources Aggregate and Mineral Resources, and add to the Comprehensive Plan Map Inventory of Natural Resources Aggregate and Mineral Resources. Commissioner Bailey seconded the motion. Motion carried unanimously.

Commissioner Taylor moved to recommend to County Court the amendment of the Comprehensive Plan Goal 5 Analysis text as presented in the conditions of the staff report. Commissioner Oliver seconded the motion. Motion carried unanimously.

Commissioner Taylor moved to recommend the Morrow County Court order the aggregate site and 1500 foot impact area be mapped on the Morrow County Zoning Map with the Significant Resources Overlay Zone. Commissioner Oliver seconded the motion. Motion carried unanimously.

**Audience Participation:**

None

**Other Business:**

- Director McLane described the creation of the Space Age Industrial Zone and proposed working toward the removal of the Space Age Industrial Zone. Planning Commission decided that the undertaking of evaluating the use zone and working toward updating it or removing it is a task that should be done at a later time when the Planning Commission has fewer endeavors in progress.

**Planning Director Update:**

- Commissioners Lindsay and Sykes have submitted their resignations from the Planning Commission and Commissioner Oliver's term ends this year. Recruitment is underway with appointments anticipated October 12, 2016.
- Hank is leaving the Planning Department so recruitment for a GIS Technician will be posted in the near future.
- Recent Energy Facility Siting Council actions include:
  - The start up of Carty Generating Station and a minor amendment of the conditions of the site certificate for Carty 2 and request for approvals of Carty 3 and Carty Solar.
  - Wheatridge is now in contested case proceedings and the County Court decided not to participate in contested case.
  - Decision was issued on Saddle Butte by the Council and the public safety standard was used to protect the military training routes.
- A few solar projects are starting in Morrow County including Carty, Invenergy, and Port of Morrow. There are a few that may also go on the Umatilla County side of the Army Depot.
- Over the next couple of years, we will be working to update our Flood Plain Ordinance based on a pending FEMA Model Ordinance.
- The Planning Department has been permitting a lot of met towers and cell tower upgrades and equipment changes.
- The B2H process continues: BLM is working on the Final EIS and Morrow County has made comments to it. The Final EIS is anticipated in 3-6 months for public review.
- Public Hearing was held for the CAFO Permit for Lost Valley Dairy and Morrow County made comment and wrote a letter of support of the economic opportunities that the dairy provides.

**Adjournment:**

Meeting was adjourned at 9:46 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, September 27, 2016 at 7:00 p.m. at the Port of Morrow Riverfront Center in Boardman, Oregon.

Respectfully Submitted,  
Stephanie Loving





## PLANNING DEPARTMENT

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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, September 27, 2016, 7:00 p.m.  
Irrigon Community Room, Irrigon, Oregon**

**Morrow County Planning Commissioners Present:** Chair David Sykes, Vice Chair Jeff Wenholz, Clint Carlson, Mifflin Devin, Melissa Lindsay, Sue Oliver, Rod Taylor

**Members Excused:** Ken Bailey, Kathy Neal

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Hank Pieper, GIS Planning Technician; Justin Nelson, County Counsel

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Vice Chair Wenholz moved to approve the Minutes of August 30, 2016. Commissioner Taylor seconded. Motion carried.

Planning Commission Chair Sykes read the Planning Commission Hearing Procedures.

Commissioner Oliver arrived late, prior to the first staff report presentation.

**Conditional Use Permit CUP-N-323: Federico Rocha, applicant and owner. The property is described as tax lot 2301 of Assessor's Map 5N 26 24CC. The property is zoned Suburban Residential outside the Irrigon Urban Growth Boundary. The property is located west of Irrigon on Idaho Lane. Request is to site a home based business for dispatch operations. Criteria for County approval includes the Morrow County Zoning Ordinance Article 3 Section 3.050 and Article 6 Conditional Uses.**

Planner Stephanie Loving presented the staff report and answered questions about parking and the transport vehicles as proposed by the applicant.

Staff clarified the standards for Home Occupations, including the requirements that family members are the only employees allowed to operate out of the residence and that the Home Occupation is secondary to the primary use of the property as a residence.

Opened the testimony portion of the Public Hearing.

None in favor, neutral or opposition.

Closed the public testimony portion of the hearing.

Vice Chair Wenzholz moved to approve CUP-N-323. Commissioner Devin seconded the motion. Motion carried unanimously.

**AC-105-16, ACM-109-16, and AZM-106-16 Comprehensive Plan and Zoning Map amendments. Oregon Department of Transportation (ODOT), Applicant and Owner. The property is zoned EFU, described as Tax Lot 1502 of Assessor's Map 3S 26, located south of Heppner on Highway 206. Request is to amend the Comprehensive Plan to add a Goal 5 significant aggregate site to the aggregate resource inventory list, approve mining and an asphalt plant, and to amend the Zoning Map to include the site within the Significant Resource Overlay Zone. Criteria for approval are found in the Morrow County Comprehensive Plan (MCCP) Natural Resources Element and Review and Revision Process as well as MCZO Article 3 Section 3.200. This is the second of at least three public hearings with the final hearing before the County Court.**

Director McLane presented the staff report and identified the amendments on the staff report based on the change of ownership and Tax Lot information. Commissioners were given copies of the comment letter that was received from an opponent. Commissioner Carlson stated that he was in agreement with the opponent's comment about the location being the worst part of the highway due to the curves. Comments have also been forwarded to ODOT for their review.

Opened the testimony portion of the Public Hearing.

No oral testimony in favor, neutral or opposition.

Written opposition was received from Patricia and Greg Maben, 60187 Hwy 207, Heppner, Oregon. Copies were provided to Commissioners for review and discussion.

Closed the public testimony portion of the hearing.

Vice Chair Wenzholz moved to deem the site significant and recommend Morrow County Court order the site to be listed in the Comprehensive Plan's Inventory of Natural Resources Aggregate and Mineral Resources, and add to the Comprehensive Plan Map Inventory of Natural Resources Aggregate and Mineral Resources. Also included is the recommendation to County Court to amend the Comprehensive Plan Goal 5 Analysis text as presented in the conditions of the staff report and to order the aggregate site and 1500 foot impact area be mapped on the Morrow County Zoning Map with the Significant Resources Overlay Zone. Commissioner Devin seconded the motion. Motion carried unanimously.

**Audience Participation:**

None

**Other Business:**

- The draft amendment to the Morrow County Zoning Ordinance (MCZO) for Exclusive Farm Use Zone language was presented and discussed as part of the Farm and Forest Model Code Update. Definitions from the Farm and Forest Model Code added in Article 1 of the MCZO were presented for review.
- Commissioners Lindsay and Sykes have submitted their resignations from the Planning Commission and Commissioner Oliver's term ends this year. Recruitment is underway

with appointments anticipated October 12, 2016.

- Hank's final day at the Planning Department is October 21 and recruitment for a GIS Technician is underway with an anticipated start date in October.
- Planning Outreach Coordinator recruiting is underway with an anticipated start date in November.
- No applications for October so the scheduled meeting will be dedicated to discuss Farm and Forest Model Code Update.
- Comprehensive Plan Update discussion will continue next month.

**Adjournment:**

Meeting was adjourned at 9:41 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, October 25, 2016 at 7:00 p.m. at the Bartholomew Building in Heppner, Oregon.

Respectfully Submitted,  
Stephanie Loving



## PLANNING DEPARTMENT

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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, October 25, 2016, 7:00 p.m.  
Bartholomew Building, Heppner, Oregon**

**Morrow County Planning Commissioners Present:** Chair David Sykes, Vice Chair Jeff Wenholz, Ken Bailey, Clint Carlson, Mifflin Devin, Kathy Neal, Sue Oliver, Wayne Seitz, Rod Taylor

**Members Excused:** None

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Stephen Wrecsics, GIS Planning Technician; Justin Nelson, County Counsel

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Vice Chair Wenholz moved to approve the Minutes of September 27, 2016. Commissioner Taylor seconded. Motion carried.

**Farm and Forest Model Code Update Workshop:**

Director McLane discussed the proposed changes to the purpose statement of Section 3.010 Exclusive Farm Use (EFU) Zone. There was much discussion around the Small Farm (SF-40) Zone and the similarities of the SF-40 and EFU Zones and whether a change to EFU should be considered. It was decided that the SF-40 Zone should be removed in the final draft, applying the EFU Zone to those lands.

Director McLane identified the purpose statements for Resource Related Industrial (RRI) Zone and the Forest Use (FU) Zone. Planning Commissioners had no comments on either of the proposed purpose statements.

Planning Commission went through the most recent changes in the proposed definitions in Article 1 of the Morrow County Zoning Ordinance. Some minor changes in the definitions were proposed and Director McLane committed to make the changes to come before the Planning Commission for a future work session or prior to the adoption hearings.

**Audience Participation:**

None

**Other Business:**

- Four Land Partition applications and two wind farm applications are anticipated for the December 6, 2016, meeting; the application deadline is November 1, 2016.
- The draft Planning Commission meeting dates for 2017 were approved as presented.
- Minor changes to clean up Article 2 and reflect recent Use Zone amendments were presented and Planning Commission agreed to move forward with the proposed amendments.

**Adjournment:**

Meeting was adjourned at 9:14 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, December 6, 2016 at 6:00 p.m. at the Port of Morrow Riverfront Center in Boardman, Oregon.

Respectfully Submitted,  
Stephanie Loving



## PLANNING DEPARTMENT

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**Minutes of the Public Hearing of the  
Morrow County Planning Commission  
Tuesday, December 6, 2016, 6:00 p.m.  
Port of Morrow Riverfront Center, Boardman, Oregon**

**Morrow County Planning Commissioners Present:** Vice Chair Jeff Wenzholz, Clint Carlson, Mifflin Devin, Kathy Neal, Sue Oliver, Wayne Seitz, Greg Sweek, Rod Taylor

**Members Excused:** Ken Bailey

**Morrow County Staff Present:** Carla McLane, Planning Director; Stephanie Loving, Planner I; Stephen Wrecsics, GIS Planning Technician; Justin Nelson, County Counsel

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Commissioner Neal moved to approve the Minutes of October 25, 2016. Commissioner Devin seconded. Motion carried.

Planning Commission Vice Chair Wenzholz read the Planning Commission Hearing Procedures.

**Land Partition LP-S-454: Michelle Martin, applicant and owner. The property is described as tax lot 2103 of Assessor's Map 5S 25, tax lot 200 of Assessor's Map 6S 25, and tax lot 100 of Assessor's Map 6S 26. The property is zoned Forest Use and located west of Highway 207, near Rankin Road. Request is to partition a 730-acre parcel to create three parcels. Criteria for approval includes the Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.**

Director McLane presented the staff report and correlated the attached maps to the sections in the staff report.

Opened the testimony portion of the Public Hearing.

None in favor, neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Devin moved to approve LP-S-454. Commissioner Taylor seconded the motion. Motion carried unanimously.

**Land Partition LP-N-455 and Replat R-N-044-16: Mario Pacheco Mendoza, applicant and owner. The property is described as tax lot 1800 of Assessor's Map 4N 25 14. The**

**property is zoned Farm Residential and located south of Wilson Lane at the Rippee Road intersection. Request is to partition a 20.17-acre parcel to create three parcels. Criteria for approval includes the MCSO Article 5 Land Partitioning.**

Director McLane provided copies of comments received to commissioners and interested audience members and presented the staff report. She further described the proposed road dedication condition on the staff report.

Commissioner Neal asked for clarification between Land Partition standards and subdivision standards. Director McLane described the process for this particular situation and the road standards that would have needed to be met had they pursued a subdivision with 4 or more lots as opposed to 3 lots.

Commissioner Sweek commented about the West Extension Irrigation District (WEID) Easement from the comment letter from WEID. He asked where the underground pipe was located to which there was no information from the District identifying the exact location.

Opened the testimony portion of the Public Hearing.

In favor: Veronica Pacheco, applicant and owner. In favor of the land partition and described the underground pipe location as being outside of their property. She indicated that the continuation of Rippee is on their property as an easement that belongs to them.

Nick Fleury, representing the applicant. In favor of the land partition and requested that the dedication of the easements not be required.

None in neutral.

Written opposition from West Extension Irrigation District and Roy Dugan.

Closed the public testimony portion of the hearing.

Commissioner Sweek requested staff to address the West Extension Irrigation District concerns and identify the exact location of the underground pipe as well as work with the applicants to address the easement and dedication.

Commissioner Neal also requested staff to get clarification on the issues around the easements.

Commissioner Oliver moved to continue LP-N-455 and R-N-044-16 to January 24, 2017, at 6:00 p.m. at the Bartholomew Building in Heppner, Oregon, to allow time for staff to address the issues discussed. Commissioner Neal seconded the motion. All in favor. Motion carried.

**Land Partition LP-N-456 and Replat R-N-042-16: Randy and Sidney Britt, applicants and owners. The property is described as tax lot 1400 of Assessor's Map 1N 27. The property is zoned Exclusive Farm Use and located on Big Butter Creek, approximately 5 miles from Highway 207. Request is to partition an approximate 480-acre parcel to create two parcels. Criteria for approval includes the MCSO Article 5 Land Partitioning.**

Director McLane presented the staff report and identified the existing gravel site on the northern portion of the site. There is no development proposed at this time.

Opened the testimony portion of the Public Hearing.

In favor: Sidney Britt, 78540 Big Butter Creek, Echo, OR.

None in neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Taylor moved to approve LP-N-456 and R-N-042-16. Commissioner Sweek seconded the motion. Motion carried unanimously.

**Land Partition LP-N-457 and Replat R-N-043-16: Port of Morrow, applicant and owner. The property is described as tax lot 100 of Assessor's Map 4N 26 07 and tax lot 202 of Assessor's Map 4N 26 08. The property is zoned Port Industrial and located in the Port of Morrow East Beach Industrial Park. Request is to partition an approximate 155-acre parcel to create three parcels. Criteria for approval includes the MCSO Article 5 Land Partitioning.**

Commissioner Devin declared a potential conflict of interest as he works for the Port of Morrow but would not have any direct interests from the outcome of this decision and his position would not affect his impartiality in hearing the action. Commissioner Neal also declared a potential conflict of interest as she is married to the general manager of the Port of Morrow but would not have any direct interests from the outcome of the decision and her impartiality is not affected by this. Audience was asked if there were any concerns or objections to Commissioners Devin or Neal taking part in the hearing, to which there were none.

Director McLane presented the staff report and correlated the attached preliminary plat map along with the letter from West Extension Irrigation District indicating no interest in the proposal.

Opened the testimony portion of the Public Hearing.

In favor: Ron McKinnis, Port of Morrow Engineer and Surveyor of Record. In favor of the application as presented and described further potential development in the area for water, waste water, and roads.

None in neutral or opposition.

Closed the public testimony portion of the hearing.

Commissioner Sweek moved to approve LP-N-457 and R-N-043-16. Commissioner Taylor seconded the motion. Motion carried unanimously.

**Conditional Use Permit CUP-N-324: Oregon Windfarms LLC, applicant and Ivar and Lina Christensen, L. Franklin Mader and C. LaVonne Mader and Shannon Rust and Kirk Mader, Lawrence Lindsay and Corrine Lindsay, and Madison Farms, owners. The property is described as tax lots 1200 and 1702 of Assessor's Map 3N 27, tax lots 100, 102, 300, 301, and 303 of Assessor's Map 2N 27, and tax lots 300, 800, and 1102 of Assessor's Map 2N 26. The property is located in eastern Morrow County, near the**



**Umatilla County border. The property is zoned EFU. The request is to site community wind power facilities with a nameplate aggregate capacity of approximately 40 MW and would include the turbines, collection and transmission lines, and a collector substation. Criteria for approval include Morrow County Zoning Ordinance Article 3 Section 3.010 and Article 6 Conditional Uses.**

Director McLane presented the staff report and correlated the attached portions of the application and maps to the sections in the staff report. The complete application is available for review. Copies of comment letters from Umatilla County, Oregon Department of Fish and Wildlife, and the U.S. Navy were provided to Commissioners and interested audience members.

Commissioner Oliver requested that the requirement for dust suppression be added as a condition of approval as stated in the criteria evaluation of the staff report. She also asked whether the lighting requirement should be added as a condition of approval. Director McLane explained that lighting is an industry practice and it could be added as a condition as it is the standard.

Opened the testimony portion of the Public Hearing.

In favor: Robert Geurtin, 11035 85<sup>th</sup> Ave., Kirkland, WA, applicant. Mr. Guertin provided a presentation showing the proposal in detail and noted that all sites have now been approved by the Federal Aviation Administration.

There was discussion about the bond and decommissioning of the turbines in the case of the project discontinuing.

Brandon Christensen, PO Box 1716, Hermiston, OR., adjoining property owner. Mr. Christensen is in favor of the project moving forward and the previous wind projects in the area have proven to be beneficial.

Tim Rust, 77252 Mader Rust Lane, adjoining property owner. Mr. Rust spoke on the record as being in favor.

Neutral: Pat Matheney, 74596 Alpine Lane, adjoining property owner. Ms. Matheney has concerns as she is nearby and the project may have an effect on aerial spray applications on her property.

John Luciani, 76623 Buttercreek Road, has concerns about how close the last turbine would be to Alpine Lane and asked Commissioner Seitz if it would interfere with aerial spray applications to which he responded that there would be an added expense to change the flight pattern.

Steve Cherry, Oregon Department of Fish and Wildlife, provided background information about the comment letter sent as part of the record regarding the biological surveys.

County Counsel Justin Nelson informed the Commissioners and audience that Commissioner Seitz provided testimony which changed his role to an impromptu witness.

None in opposition.

Closed the public testimony portion of the hearing.

Commissioner Oliver asked staff whether the proposal would significantly increase the cost of farming on surrounding lands and noted that the criteria in the staff report differed in the language from the code requirement regarding surrounding lands.

Commissioner Carlson asked if there was another location that the turbines could be relocated to so as to not affect the flight pattern of neighboring aerial land application.

Reopened the public testimony.

Robert Guertin identified on his presentation where the turbines are proposed and he responded to the question of moving the turbines which cannot happen due to the location of the rights held by the Buttercreek project and it would move it closer to the nearby residence and other turbines.

Closed the public testimony portion of the hearing.

Commissioner Sweek moved to approve CUP-N-324 as discussed and amended on the conditions of approval. Commissioner Taylor seconded the motion. Commissioner Oliver recommended a continuation. Commissioners Devin, Neal, Sweek, Taylor, and Vice Chair Wenholz in favor of approval of CUP-N-324. Commissioners Oliver and Carlson opposed, Commissioner Seitz abstained. Motion carried.

**Audience Participation:**

None

**Other Business:**

The resignation of David Sykes as Chair promoted Vice Chair Wenholz to Chair. Commissioner Taylor made a motion that Commissioner Devin be appointed as Vice Chair. Commissioner Neal seconded. All in favor. Motion carried unanimously.

**Planning Director Update:**

- Bylaws were reviewed and discussed, updates will be made and brought back in front of Planning Commission at a future meeting.
- The B2H Environmental Impact Statement was released and is open to public review.
- Farm and Forest Model Code update will continue at the January Planning Commission.
- Discussion about the code requirements regarding planning commission actions and the potential for changing some items to ministerial decisions in the future.

**Adjournment:**

Meeting was adjourned at 10:00 p.m.

The next meeting of the Morrow County Planning Commission to hear regular business is scheduled for Tuesday, January 24, 2016 at 6:00 p.m. at the Bartholomew Building in Heppner, Oregon.

Respectfully Submitted,  
Stephanie Loving