

**Draft Minutes of the Public Meeting of the
Morrow County Planning Commission
Tuesday, April 29, 2025, 6:00 pm
Morrow County Government Center
215 NE Main Ave Irrigon, OR**

COMMISSIONERS PRESENT:

Stacie Ekstrom, Chair
Karl Smith
Stephen Henthorn
Charlene Cooley
John Kilkenny

COMMISSIONERS ABSENT:

Brian Thompson
Liz Peterson

ATTENDANCE via ZOOM:

Andy Cemore
Trip Finch

STAFF PRESENT:

Tamra Mabbott, Planning Director
Kaitlin Kennedy, Code Compliance Planner
Michaela Ramirez, Administrative Assistant
Jim Bagley, Principal Planner

Staff Zoom:

Stephen Wrecsics, GIS Analyst
Clint Shoemake, Planning Technician

1. CALL TO ORDER

Chair Ekstrom called the meeting to order at 6:00 PM

2. ROLL CALL

3. PLEDGE

4. APPROVAL OF FEBRUARY 25th, 2025 DRAFT MINUTES

Recommended Action: Approve

Action: Unanimously Approved

Director Mabbott shared that she consulted with legal counsel about previous minutes and suggested that the minutes could use more detail.

- I. Conditional Use permit CUP-N-386-25: Jose A. Arredondo Campos, Applicant, and Owner.**
Chair Ekstrom opened the hearing and read the Opening Statement, and called for conflicts of interest.
Conflicts of interest: None
Application presented by: Code Compliance Planner, Kaitlin Kennedy

Request: Conditional Use Permit to allow the storage and operation of a commercial trucking business on a residential property. The property is described as Tax Lot 1600 of Assessor's Map 5N26E24CA. The subject parcel is zoned Suburban Residential (SR) and is located outside of the City of Irrigon's Urban Growth Boundary (UGB). Criteria for approval include Morrow County Zoning Ordinance (MCZO) Article 3 Section 3.050, Suburban Residential, and Article 6 Section 6.050.G, Standards Governing Conditional Uses, Home Occupations.

Chair Ekstrom called for applicant or persons in favor or opposed.

Testifying Parties:

Jose Arredondo, 230 NW Oregon Ave, Irrigon, OR

Nancy Cano, 220 NW Oregon Ave, Irrigon, OR

Aaron Palmquist, Irrigon City Manager, 500 NE Main Ave, Irrigon

Rhonda Riley, 255 NW Oregon Ave, Irrigon, OR

Mary Killion, 78852 Toms Rd, Boardman, OR 97818

Applicant Arredondo: He would be happy to get his permit accepted and be given time to move the trucks off the property. He made sure to keep things in order with the rules after he was made aware of them.

Staff: Kaitlin Kennedy: If your permit was denied, what would be a reasonable time to move your trucks?

Applicant Arredondo: He would need at least until next year.

Chair Ekstrom: Do the hours of operation work for you?

Applicant Arredondo: Yes

Chair Ekstrom: Are mechanics done on the property?

Applicant Arredondo: Only simple mechanics. He was not aware of the city rules; other wise he wouldn't have purchased the property.

Commissioner Henthorn: Pointed out that the property is surrounded by city lots.

Opponent Nancy Cano: The area is zoned Suburban Residential and not commercial. She said there is damage to the roadways, potential contamination to the water, noise from trucks running all day, and the only time trucks were not running was when they were in Mexico. She expressed her concern about safety through a personal experience. She was also concerned about their property value.

Commissioner Kilkenny: Why were trucks running all the time?

Opponent Nancy Cano: She didn't know.

Opponent Aaron Palmquist: Spoke on Ordinance 222-14, city code for a truck route. He said the property is in the county, but road access was a city street, not a truck route. Trucks using the street were in violation. He claimed the applicant had been given warnings and would be subject to penalties if the county granted the permit. He also said the county was setting the applicant up for failure if the permit was granted. He proposed that the county should work out a workable means of property for these particular CUPs. He stated that he had authority to cite violators of City Code.

Commissioner Henthorn: Aaron, how could you cite someone who was not in city limits?

Opponent Aaron Palmquist: If they drove on his city roads, he had the right to cite them.

Staff Kaitlin Kennedy: Had the city planned on including the said property in the UGB?

Opponent Aaron Palmquist: Not at this time.

Chair Ekstrom: Are there any properties in Irrigon that are available?

Opponent Aaron Palmquist: No, not currently. The only current commercial property available is on Highway 730.

Commissioner Kilkenny: said it seemed that there wasn't an available solution.

Opponent Aaron Palmquist: responded the solution isn't available but if particular parties chaired together, but that hadn't happened in the years he has been Manager.

Commissioner Henthorn: asked if enough parties came together would he approve it.

Opponent Aaron Palmquist: No, but he believed that there were properties that would affect or benefit the problem, but no one had come forward.

Opponent Rhonda Riley: Claimed the trucks were loud, smelly, destroying the road, and ran all night. She mentioned the roads were narrow.

Proponent Mary Killion: Expressed that she was sympathetic to Mr. Arredondo because he had a right to make a living. Finding property is expensive and hard to find.

Neutral: None

Applicant Arredondo rebuttal: Stated that the trucks had not been moved in the last 6 months, and the person living in the RV moved out 2 months ago.

Commissioner Cooley: Asked if he had refrigerated units?

Applicant Jose: No, two trucks, one flatbed and an agriculture trailer, and two ten-wheelers.

Commissioner Kilkenny: Did the application indicate how many months of the year the trucks were being used?

Applicant Arredondo: Yes, he said he indicated in the permit that the trucks ran three months out of the year, but they only run one month. He went on to explain the situation with the flatbed.

Director Mabbott: Asked if he was aware of the city regulations?

Applicant Arredondo: He said he didn't know before, but he does now.

Public Hearing is closed by Chair Ekstrom.

Commissioner Cooley: asked about the dollar amount of the citation Mr. Arredondo would receive.

Opponent Aaron Palmquist: responded \$260 a day. He also stated that he had been notified last fall and that there were other issues that aren't substance to the criteria, such as an RV.

Staff Kaitlin Kennedy: said she had already resolved that issue with the RV.

Commissioner Finch: Asked if the applicant received a citation, is it adjudicated before the Justice of the Peace in the county or the city? If he were granted the permit, would the citations be argued in court?

Chair Ekstrom: No, the Justice of the Peace is in the County.

Opponent Aaron Palmquist: said the city also has a Justice Court and the judge has been dealing with the trucks.

Commissioner Finch: He also asked if the property could be annexed into the city.

Director Mabbott: Responded and said it would be quite the process to annex the property.

Commissioner Kilkenny: asked if there were other lots like this with similar circumstances.

Opponent Aaron Palmquist: Yes, he is looking at them and trying to figure out a time frame to look at all of them, amongst other hot issues, then you have to go through the process.

Legal Counsel Kearns: Responded that it was hard for him to interpret because he didn't know the designation of the streets. He asked how many citations had been issued since 2015 and prosecuted under the said ordinance.

Commissioner Henthorn: asked if the permit could be granted as a non-renewable Conditional Use Permit.

Director Mabbott: This permit is about the 13th one. Each permit has been approved for a year with a maximum renewal. The other option is that the permit be denied and the applicant would then work with code enforcement, which would be much cleaner. She went on to explain that in their attempt to clean up particular neighborhoods, they had granted temporary permits so that they wouldn't be put out of business. She mentioned that the department had made efforts to zone enough land for commercial and industrial use, and we need more of that. Most of the property owners have purchased their properties to make it their home and business, not knowing the rules.

Chair Ekstrom: asked for a time frame comparing a denial to an approval.

Director Mabbott: said that if they were denied, they would be on a Correction Plan.

Staff Kaitlin Kennedy: said the Correction Plans had been very successful.

Recommended Action: Approve **Conditional Use permit CUP-N-386-25 for one year without an annual renewal opportunity.**

Motion: Approve **Conditional Use permit CUP-N-386-25 for a one-year non-renewable**

Motion by: Commissioner Kilkenny

Seconded by: Commissioner Finch

Vote: All voted (except chair Ekstrom) passed unanimously

Action: Approved

Presented by: Planning Director Tamra Mabbott

II. ACM-155-25 Comprehensive Plan Amendment and AZM-156-25 Zoning Map Amendment, Threemile Canyon Farms, Applicant and Owner.

Conflicts of interest: Commissioner Henthorn declared a conflict and left the table and sat in the audience.

Request: The property is located approximately two miles west of the Boardman Airport, south of I-84 off Boardman Airport Lane. The application proposes to amend the Comprehensive Plan Map and Zoning Map to rezone approximately 1,298 acres from Space Age Industrial (SAI) and Exclusive Farm (EFU) to General Industrial with a Limited Use Overlay Zone to allow only exascale data centers. Applicable Criteria include Morrow County Zoning Ordinance (CZO) Article 8 Amendments and Oregon Administrative Rules (OAR) Chapter 660 Division 004.

Director Mabbott read a letter from Jon Jinings, Department of Land Conservation.

Motion: To add the letter from Jon Jinings to the record, Commissioner Cooley

Seconded by: Commissioner Kilkenny

Approved unanimously.

Chair Ekstrom opened the testimony part of the Public Hearing

Testifying Parties:

Megan Lin, Attorney Perkins Coie, 10885 NE Fourth St, Ste. 700 Bellevue, WA 98004

Greg Harris, General Manager of Farm Operations, Threemile Canyon Farms, LLC, 75906 Threemile Rd, Boardman, OR 97818

Scott Neal, President of Real Estate, 3243 June Lane, Naples, Florida,

Phil Scoles, Soils Scientist, Terra Science, Inc, 4710 SW Kelly Ave, Portland, OR,

Lee Leighton, Mackenzie, Portland

Ian Sisson, Mackenzie, Portland

Brendon Buckley, Johnson Economics, Portland, OR

Janet Jones, Traffic Engineer, PE, David Evans and Associates

Jacob Cain, Director of Engineering, Port of Morrow, Boardman, OR

Miff Devin, Construction/Hydrant Water, Port of Morrow, Boardman, OR

Mary Killion, 78552 Camps road, Boardman, OR,

Megan Lin, Attorney: Gave a description of the application submitted and why the property was the best fit.

Scott Neal, RD Offutt Company: Presented information as to why the land was currently appropriate for data centers and mentioned the accessibility to utilities and roadways.

Greg Harris, Manager, Threemile Canyon Farms: Addressed how much of the acreage at the farm is irrigated, (41 thousand acres). The land that was signed over for the conservation easement, zoned SAI, was done in the early 2000s. The proposed rezone land is cost prohibited for irrigation and used for grazing. He stated that he is protecting land zoned for farm use. The Conservation land is not a perpetual Conservation easement; it does have a time frame and expires in a few years.

Phil Scoles, soil scientist: Explained the different types of soils. He said the government had predicted what type of soil would be at this particular site. He classified the soil at this particular site. He used a hand auger to check the soil (see slides 7-12)

Director Mabbott: Asked if the area considered upzone was irrigated.

Greg Harris: Responded no.

Director Mabbott: Asked why the parcel where they placed the vineyard was suitable for farming and compared to the subject rezone area that had the same soil.

Phil Scoles: Responded that some of the areas had the right amount of depth of soil.

Greg Harris: Responded that they had regret placing the vineyard where they did because of the rocks.

Lee Leighton, Mackenzie Group: Read through slides 13-17 that pertained to rapid growth and trends.

Brendan Buckley, Johnson Economics: Read through, slides 18-25. He presented an overview of the growth in our county, how many campuses are currently in the county, and how many were going to be built. He also gave details on what it took for a campus to run and the economic impact.

Ian Sisson, Mackenzie Group: Read through slides 26-32. He spoke on alternative areas of analysis. The reason they chose this was based on the size of the parcel, accessibility to power, and water.

Director Mabbott: What linear order are the campuses developed?

Brendon Buckley: Responded that the construction was phased because it would be difficult to build a campus all at once, because of the size, and referred to slide 23. It takes 2-3 years for the development of a campus. He went on to read through slides 37-42.

Janet Jones, traffic engineer: Read through slides 43-50, which were on the topic of the traffic analysis for the site.

Megan Lin: Closed the presentation with slides 51-52.

Commissioner Finch: Stated there was concern within the community about water and asked if there was an analysis done on the impact.

Megan Lin: Referred to the Water Service Provider letter submitted into the record, Exhibit 17b, she also suggested that Miff from the Port of Morrow could answer any water questions.

Commissioner Kilkenny: Asked if it was Columbia River water and not well water.

Miff Devin, Construction/Hydrant Water : Responded that it would be Columer River water and not well water. He said that the well on sight would provide water by the 1st of July. He also said the treatment plant would provide water next year, and water rights had already been accepted.

Megan Lin: Explained that the industrial wastewater, which is non-contact cooling water, does not touch any of the electronics as it passes through the facility to cool down the equipment. The water would then be conveyed via subsurface pipes into open open-lined pond that stores and evaporate the non-contact cooling water.

Director Mabbott: Said she would add the details of the wastewater to the site plan review.

Commissioner Finch: Asked if electricity will come from Pacific Power.

Megan Lin: It would come from the south, where the source is Pacific Power.

Commissioner Finch: Expressed that there was a concern about the usage of power, making rates go up. He then asked if the power was coming from Pacific Power and not the local utilities.

Megan Lin: Responded, correct.

Director Mabbott: Pointed out that Pacific Power would provide the site with power regardless if they had the capacity or not. She also said that would be a question the department would ask during the Site Plan Review.

Megan Lin: Stated that one of the conditions read: there would be no development without a site plan review.

Scott Neal: Said that 2/3 of the property is irrigated, and they used the Conservation Land to square the parcel off.

Commissioner Kilkenny: Commented that he didn't consider the conservation easement as land use because it is not used for agriculture. He also mentioned he couldn't believe the Fish and Wildlife was releasing the land. He asked why they chose that land for a swap.

Megan Lin: Explained that they were trying to square off the land and not interrupt Threemile land holding. She went on to say there was no specific reason.

Scott Neil: Confirmed what Megan said about squaring off the piece, and the land will always be in conservation, never to be farmed.

Proponents: None

Opponent: Mary Killion: Pointed out how many acres Oregon loses per year, it is ground right next to the Columbia River, very good cattle ground, she will be impacted as a Morrow County citizen with the data center development. She brought in a map of the proposed data centers.

Motion by: Commissioner Cooley motioned to enter the PowerPoint and IAMP map into record.

Seconded by: Commissioner Kilkenny

Neutral: None

The applicant requested a small minute break. Five minute recess.

Megan Lin: They decided they had no rebuttal for the opponent.

Commissioner Finch: Asked if the swap (downzone) piece of land could be changed. He suggested to move the land piece to the west so that farmland could stay farmland and stay out of the Conservation area.

Megan Lin: Suggested making the part smaller.

Commissioner Finch: Responded that it wouldn't work, the acreage would have to stay the same.

Megan Lin: Pointed out that currently there was a 100-acre differential, and the swap wasn't meant to meet a specific legal criterion, and this was Threemile's request.

Commissioner Finch: Said the land swap was necessary to preserve state goal 3.

There was discussion about the downzone area and GIS Analyst Stephen Wrecsics shared a map with modified boundaries.

The map with the modified acreage swap was accepted into the record as Exhibit 4. The map showed the downzone acreage changed to 1,623 from 1,605 acres.

Motion by: Commissioner Cooley

Seconded by: Commissioner Smith

Public Hearing is closed by Chair Ekstrom.

Director Mabbott: Commented that she and Megan Lin would review the conditions and the agreed changes to the downzone area and update the Findings.

Motion: Approve **ACM-155-25 Comprehensive Plan Amendment and AZM-156-25 Zoning Map Amendment, and, approve ACM-157-25 Comprehensive Plan Amendment and AZM-158-25 Zoning Map Amendment, with modification to the area, Threemile Canyon Farms, Applicant and Owner.**

Motion by: Commissioner Finch

Seconded by: Commissioner Kilkenny

Vote: Kilkenny, Finch, and Cooley voted in favor. Commissioner Smith voted in opposition.

Chair Ekstrom did not vote.

Action: Approved

Other Business: April Planning Update in packet.

Correspondence: None

Public Comment: None

Adjourned: Meeting adjourned at 9:13 PM

Next Meeting: Tuesday, May 27, 2025, at 6:00 p.m. The next meeting will be held in Heppner, OR, in the Bartholomew Building.

Respectfully submitted,
Michaela Ramirez