



# PLANNING DEPARTMENT

P.O. Box 40 • Irrigon, Oregon 97844  
 (541) 922-4624 or (541) 676-9061 x 5503  
 FAX: (541) 922-3472

## AGENDA

**Morrow County Planning Commission**  
**Tuesday, January 28, 2025, 6:00 pm**  
**Bartholomew Building, Heppner, OR**

**For Electronic Participation See Meeting Information on Page 2**

### Members of Commission

Stacie Ekstrom, Chair

John Kilkenny, Vice Chair

Charlene Cooley

Stephen Henthorn

Karl Smith

Tripp Finch

Andrew Cemore

Brian Thompson

Elizabeth Peterson

### Members of Staff

Tamra Mabbott, Planning Director

Stephen Wrecksics, Associate Planner, GIS

Michaela Ramirez, Administrative Assistant

Clint Shoemake, Planning Tech

Kaitlin Kennedy, Code Compliance Planner

1. **Call to Order**
2. **Introduction of new Planning Commissioners**, Andrew Cemore and Stephen Henthorn
3. **Roll Call**
4. **Pledge of Allegiance**
5. **Minutes:** (Draft) December 3, 2024 [pg. 5-8](#)
6. **Public Hearings** to begin at 6:00 PM (COMMISSION ACTION REQUIRED)
  - I. **Public Hearing. Variance V-N-053-24: Port of Morrow, Applicant, and Owner:** The property is described as tax lot 131 of Assessor's Map 4N 24E 21. The property is zoned Air Industrial Park (AI) and is located on Boardman Airport Lane, south of the Boardman Airport, approximately 0.7 miles southwest of the intersection with Tower Road. The request is to allow a variance to seek relief from the minimum right-of-way setback. Criteria for approval include Morrow County Zoning Ordinance (MCZO) Section 7.200 Major Variance and Section 3.071 Air Industrial Park Zone. [pg. 10-23](#)
  - II. **Public Hearing. Land Partition LP-N-529-24, Replat R-N-88-24: City of Boardman, Applicant, and Owner:** The property is described as tax lot 134 of Assessor's Map 4N 24. The property is zoned Space Age Industrial (SAI) and is located west of the City of Boardman, south of Interstate 84 and east of Tower Road. Kunze Lane bisects the middle of the parcel, located between proposed parcels 2 and 3. The request is to replat Parcel 1 of Partition Plat 2014-05 into three parcels of the following approximate acreages: 12.7 acres,

85.5 acres, and 208 acres. Criteria for approval include Morrow County Zoning Ordinance Article 5 Land Partition Section 5.030 and 5.075 Replatting. [pg. 25-57](#)

**III. Public Hearing. Conditional Use Permit CUP-N-383-24: Martin Guzman, Applicant, and Owner.** 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 2500 of Assessor's Map 4N25E20A. The subject parcel is zoned Suburban Residential (SR) and is located inside of the City of Boardman 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. [pg. 59-75](#)

**IV. Public Hearing. Conditional Use Permit CUP-N-384-24: Martin Guzman, Applicant, and Owner.** 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 2000 of Assessor's Map 4N25E20A. The subject parcel is zoned Suburban Residential (SR) and is located inside the City of Boardman 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. [pg. 77-94](#)

7. **Other Business:** January monthly update [pg. 96-106](#)  
ADU discussion per Brian Thompson

8. **Correspondence:**

9. **Public Comment:**

10. **Adjourn**

**Next Meeting:** Tuesday, February 25, 2025, at 6:00 p.m.  
Location: Morrow County Government Center, Irrigon, OR

### ELECTRONIC MEETING INFORMATION

Morrow County Planning is inviting you to a scheduled Zoom meeting. Topic: Planning Commission  
Time: January 28, 2025, 6:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/6554697321?pwd=dFMxR2xlaGZkK1ZJRFVrS1Q0SmRxUT09&omn=84249165172>

Meeting ID: 655 469 7321

Passcode: 513093

Find your local number: <https://us02web.zoom.us/j/kdmj6471tm>

**Should you have any issues connecting to the Zoom meeting, please call 541-922-4624. Staff will be available at this number after hours to assist.**<sup>3</sup>

*This is a public meeting of the Morrow County Planning Commission and may be attended by a quorum of the Morrow County Board of Commissioners. Interested members of the public are invited to attend. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours before the meeting to Tamra Mabbott at (541) 922-4624, or by email at [tmabbott@co.morrow.or.us](mailto:tmabbott@co.morrow.or.us).*

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**Draft Minutes of the Public Meeting of the  
Morrow County Planning Commission  
Tuesday, December 3, 2024, 6:00 pm  
Morrow County Government Center  
215 NE Main Ave Irrigon, OR**

**COMMISSIONERS PRESENT:**

Stacie Ekstrom, Chair

**COMMISSIONERS ABSENT:**

Stanley Anderson

Charlene Cooley

Karl Smith

**ATTENDANCE via ZOOM:**

Liz Peterson

Brian Thompson

Trip Finch

John Kilkenny

**STAFF PRESENT:**

Tamra Mabbott, Planning Director

Clint Shoemake, Planning Technician

Kaitlin Kennedy, Code Compliance Planner

Michaela Ramirez, Administrative Assistant

**Staff Zoom:**

Stephen Wrecsics, GIS Analyst

**1. CALL TO ORDER**

Chair Ekstrom called the meeting to order at 6:03 PM

**2. ROLL CALL****3. PLEDGE****4. APPROVAL OF NOVEMBER & OCTOBER MINUTES**

Recommended Action: Approve

Action: Approved

**Presented by: Code Compliance Planner Kaitlin Kennedy**

**5a. Conditional Use permit CUP-N-379-24: Javier Martinez Olguin, Applicant, and Owner**

**Conflicts of interest:** None

**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 3100 of Assessor's Map 4N25E20A. The subject parcel is zoned Suburban Residential (SR) and is located inside of the City of Boardman 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.

**Motion to submit exhibit:** letter from the City of Boardman, into the record for CUP-N-379-24

**Motion:** Commissioner Finch  
**Seconded by:** Commissioner Peterson

**Questions or Comments by Commissioners for Staff:** Chair Ekstrom

Chair Ekstrom opened the testimony part of the Public Hearing:

Testifying Parties:

None

**Questions or Comments by Commissioners for Applicant:** None

**Questions or Comments by Staff for Applicant:** None

**Opponent:** None

**Neutral:** None

**Proponents:** None

**Motion to close the hearing:** Commissioner Peterson

Public Hearing is closed.

Conditions of approval:

6. This permit is valid for one year with annual review and an opportunity to renew for up to two additional years.

**Recommended Action:** Approve **Conditional Use permit CUP-N-379-24** with changes to conditions

**Motion:** Approve **Conditional Use permit CUP-N-379-24**

**Motion by:** Commissioner Peterson

**Seconded by:** Commissioner Finch

**Vote:** All voted

**Action:** Approved

**Presented by:** Code Compliance Planner Kaitlin Kennedy

**5b. Conditional Use permit CUP-N-380-24: Javier Martinez Olguin, Applicant, and Owner**

**Conflicts of interest:** None

**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 3000 of Assessor's Map 4N25E20A. The subject parcel is zoned Suburban Residential (SR) and is located inside of the City of Boardman 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.

**Motion to submit exhibit:** letter from the City of Boardman, into record for CUP-N-380-24

**Motion:** Commissioner Peterson

**Seconded by:** Commissioner Finch

Chair Ekstrom opened the testimony part of the Public Hearing:

Testifying Parties:

None

**Opponent:** None

**Neutral:** None

**Proponents:** None

**Motion to close the hearing:** Commissioner Peterson

**Vote:** All voted

**Action:** Approved

Public Hearing is closed.

Conditions of approval:

8. This permit is valid for one year with an annual review and an opportunity to renew for up to two additional years.
9. The applicant must attain all necessary public access permits to the property.

**Recommended Action:** Approve **Conditional Use Permit CUP-N-380-24** with changes to conditions

**Motion:** Approve **Conditional Use permit CUP-N-380-24**

**Motion by:** Commissioner Peterson

**Seconded by:** Commissioner Finch

**Vote:** All voted

**Action:** Approved

**Presented by:** Planning Director Tamra Mabbott

**5c. Conditional Use permit CUP-N-382-24: Threemile Canyon Farms, Applicant, and Owner**

**Conflicts of interest:** None

**Request:** Conditional Use Permit to allow a biogas treatment facility and approximately 6 miles of associated natural gas pipeline. The property is described as Tax Lots 100 and 112 of Assessor's Map 3N23. The subject parcel is zoned Exclusive Farm Use (EFU) and is located on Marty Myers Road, three miles south of Interstate 84. Criteria for approval include Morrow County Zoning Ordinance (MCZO) Article 3, Section 3.010(C)(22) Commercial facilities for the purpose of generating power for public use by sale" Section 3.010(K)(1) Commercial Power Generating Facility, Section 6.020 General Criteria, Section 6.025 Resource Zone Standards of Approval, Section 6.030 General Conditions and MCZO 3.010(B)(25) and (D)10 Utility Facility Necessary for Public Service.

**Motion to submit exhibits:** project map and supplemental documents to the application, into record for CUP-N-382-24

**Motion:** Commissioner Peterson

**Seconded by:** Commissioner Finch

**Vote:** All voted

**Action:** Approved

Chair Ekstrom opened the testimony part of the Public Hearing:

Testifying Parties:

Hayley Siltanen, Stole Rives LLP, 760 SW 9<sup>th</sup>, Portland, OR

Greg Harris, General Manager at Threemile Canyon Farms, 75906 Threemile Rd  
Boardman, OR

Todd Larson, Resilient Infrastructure, 485 NW 170<sup>th</sup> Dr, Beaverton, OR

Merissa Moeller, Stole Rives LLP, 760 SW 9<sup>th</sup>, Portland, OR

**Questions or Comments by Staff for Applicant:** Director Mabbott

**Proponents:** None

**Opponent:** None

**Neutral:** None

**Anyone wanting to keep the record open or continue:** None

**Motion to close the hearing:** Commissioner Peterson

**Seconded by:** Commissioner Finch

**Vote:** All voted

**Action:** Approved

Public Hearing is closed.

Conditions of approval:

4. Comply with permitting with other agencies as applicable.

**Recommended Action:** Approve **Conditional Use permit CUP-N-382-24** with changes to conditions

**Motion by:** Commissioner Finch

**Seconded by:** Commissioner Peterson

**Vote:** All voted

**Action:** Approved

**Motion:** Approve **Conditional Use permit CUP-N-382-24**

**Motion by:** Commissioner Finch

**Seconded by:** Commissioner Peterson

**Vote:** All voted

**Action:** Approved

**Other Business:**

**Correspondence:**

**Public Comment:**

**Adjourned:** Meeting adjourned at 6:50 PM

**Next Meeting:** Tuesday, January 28, 2025, at 6:00 p.m. The next meeting will be held in Heppner, OR in the Bartholomew Building.

Respectfully submitted,  
Michaela Ramirez

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**PRELIMINARY FINDINGS OF FACT**  
**Use Variance Application**  
**V-N-053-24**

**REQUEST:** Allow a variance to seek relief from the minimum front right-of-way setback of 30 feet from a collector street in the Air Industrial Park Zone (AI). Specifically, this request is to site a water distribution building and associated concrete pad 4.26 feet from the right-of-way.

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**APPLICANT/OWNER:** Jacob Cain  
 Port of Morrow  
 PO Box 200  
 Boardman, OR 97818

**PROPERTY DESCRIPTION:** Property is described as tax lot 131 of Assessor's Map 4N 24 21

**LOCATION:** Tax lot 131 abuts Boardman Airport Lane on the south. Parcel is approximately 0.7 miles southwest of the intersection of Tower Road and Boardman Airport Lane.

**FINDINGS OF FACT:**

- I. BACKGROUND INFORMATION:** The subject property is approximately 950 acres in size and zoned Air Industrial Park (AI). The Boardman Airport is located on the north portion of this parcel, with frontage to the south on Boardman Airport Lane. See attached map of Airport layout. The proposed location of the water distribution building is along the south boundary line of the parcel, with frontage to the north on Boardman Airport Lane. Boardman Airport Lane is a Port-owned roadway, 110 feet in width. The roadway is a collector street. The developed (improved) portion of the 100-foot right-of-way is 59 feet south of the property line. The Morrow County Zoning Ordinance requires that the minimum setback between a structure and the right-of-way of a collector street shall be 30 feet in the AI zone. The applicant desires to place a water distribution building 4.26 feet from the right-of-way. This building is a component of an airport distribution surface water treatment facility. The remaining components were previously permitted as accessory buildings in connection with AI use under Zoning Permits 3312-24 and 3313-24.

The variance request for setback from the right-of-way is due to the location of the existing wellhead. The proposed building would protect the wellhead, providing insulation and protection from freezing conditions, creating a clean area around the wellhead, and providing security for the potable water distribution system. The system includes the wellhead and pump, manifolds, electrical/programming systems, and chlorination systems. The location of the existing wellhead and minimum clear distance for safety and long-term maintenance require that the building be in the proposed

location only. The Port of Morrow Engineering Department has designed the building footprint to maintain as generous a setback from the Boardman Airport Lane right-of-way as possible.

This request would be a variance from the setback requirement of Morrow County Zoning Ordinance Article 3 Use Zones Section 3.071(C) Dimensional Standards in the Air Industrial Park Zone.

**II. COMPLIANCE WITH MORROW COUNTY ZONING ORDINANCE SECTION 7.200 MAJOR VARIANCE.** Applicable Ordinance Criteria are listed below in **bold type** followed by a response in regular type.

**ARTICLE 7 SECTION 7.020. INTENT.** Adjustments and variances are intended to provide relief to code standards in specific situations. Both procedures are intended to ensure that the resulting development is compatible with adjacent properties and is consistent with the intent of the Code.

**DIMENSIONAL ADJUSTMENTS.** Dimensional adjustments provide relief from specific code provisions when a code provision has the unintended effect of preventing reasonable development in conformance with all other code requirements.

**VARIANCES.** Variances provide greater flexibility to code standards than dimensional adjustments where special circumstances exist or the physical characteristics of a site or its surroundings prevent reasonable development in compliance with a code standard.

**ARTICLE 7 SECTION 7.200. VARIANCES.** A Variance can serve multiple purposes and is designed to provide relief from the literal requirements of a regulation found within this Zoning Ordinance. The result of approving a Variance should result in improved planning that would benefit the applicant and the broader community, and it may be the first step in reevaluating requirements or allowed uses within a use zone.

**MAJOR VARIANCE.** The following are examples of Variances that could be considered: siting a manufactured home that is not in compliance with current manufactured home requirements, allowing for less frontage than required, allowing for a smaller lot size than required, approve a variance when a dimensional adjustment does not accomplish the needs of the property owner, and other similar or related instances. Use Variances amend or change the use of a property or structure. Area Variances tend to amend or change the area needed to validate a lot or parcel, or reduce necessary setbacks. Financial hardship does not qualify for a use or area Variance.

**APPROVAL CRITERIA.** The Planning Commission may grant a Major Variance upon finding that all of the following criteria are met. The burden is on the applicant to demonstrate compliance with the criteria.

1. **The variance relates to a specific lot or parcel of land.**  
The variance will be applied to a specific parcel meeting this criterion.
2. **The Variance can be granted without substantial detriment to the public good. It would allow for a building or site plan that is more compatible with adjacent land and land uses, or it does not create a conflict with adjacent uses.**  
The Boardman Airport is located on the north portion of this parcel, with frontage to the south on Boardman Airport Lane. The proposed location of the water distribution building is on the south portion of the parcel, with frontage to the north on Boardman Airport Lane. Approval of the requested setback would not be of substantial detriment to the public good, particularly where the roadway is 100 feet in width and the improved roadway surface is 59 feet to the south of the property line. The proposal would be compatible with adjacent land uses, which are industrial in nature. This criterion met.
3. **The Variance does not hinder compliance with applicable building code requirements or engineering design standards.**  
There is nothing in the record that would indicate the proposed variance would hinder compliance with building code requirements or engineering design standards. Zoning Approval and applicable building permits are required for the structure; this has been listed as a condition of approval.
4. **Approval of the Variance does not create a violation of this or any other adopted ordinance or code standard.**  
This action provides relief from the setback standard in the Air Industrial Park Zone, but does not create a violation of any adopted ordinance or code standard. The application complies with this standard.
5. **Application for a Variance should include all necessary Variances anticipated for the proposed development.**  
The application as submitted includes all anticipated Variances for the proposed development. No other variances are proposed. This criterion is met.
6. **Application for a Variance is limited to one per year.**  
No other variances are anticipated for the subject parcel based on the proposal. The applicant intends to construct the wellhead structure within one year. Therefore this criterion is met.

III. **LEGAL NOTICE PUBLISHED:** January 8, 2025  
East Oregonian

January 8, 2025  
Heppner Gazette-Times

IV. **AGENCIES NOTIFIED:** Eric Imes, Morrow County Public Works; Mike Gorman, Morrow County Assessor; Dawn Hert, Oregon Department of Land Conservation and Development; Michael Hughes, Boardman Rural Fire Protection District; Glenn McIntire, Building Official; Brandon Pike, Oregon Department of Aviation

V. **PROPERTY OWNERS NOTIFIED:** January 8, 2025

**VI. AGENCY COMMENTS:**

Brandon Pike, Aviation Planner, Oregon Department of Aviation (ODAV), emailed comments regarding aeronautical evaluation and development requirements of the ODAV and FAA. That email is included in the packet mailed to the Planning Commission. Compliance with ODAV and FAA requirements has been added as a Condition of Approval.

**VII. HEARING DATE:**

January 28, 2025  
Bartholomew Building  
Heppner, Oregon

**VIII. DECISION OF PLANNING COMMISSION:** Planning Commission may approve the application subject to the following CONDITIONS OF APPROVAL:

1. Obtain the required Zoning Approvals and applicable Building Permits for the structure.
2. Comply with all evaluation and development requirements of the Oregon Department of Aviation and Federal Aviation Administration.

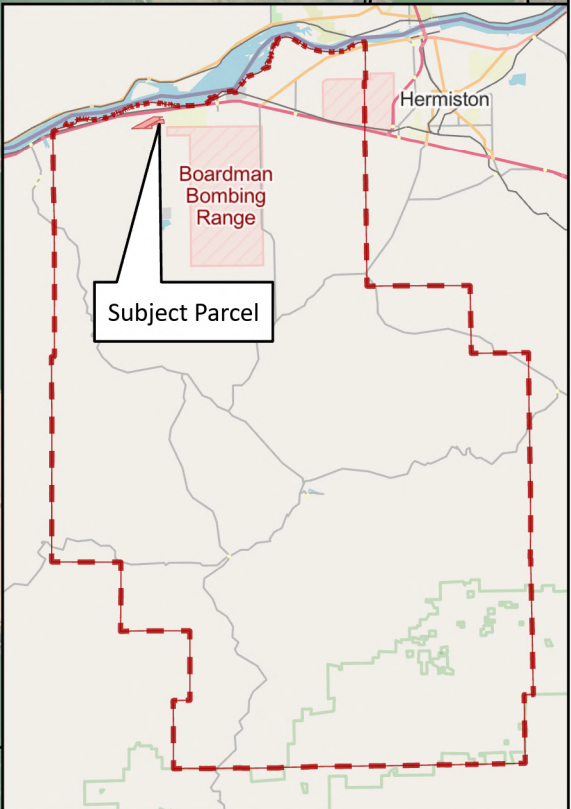
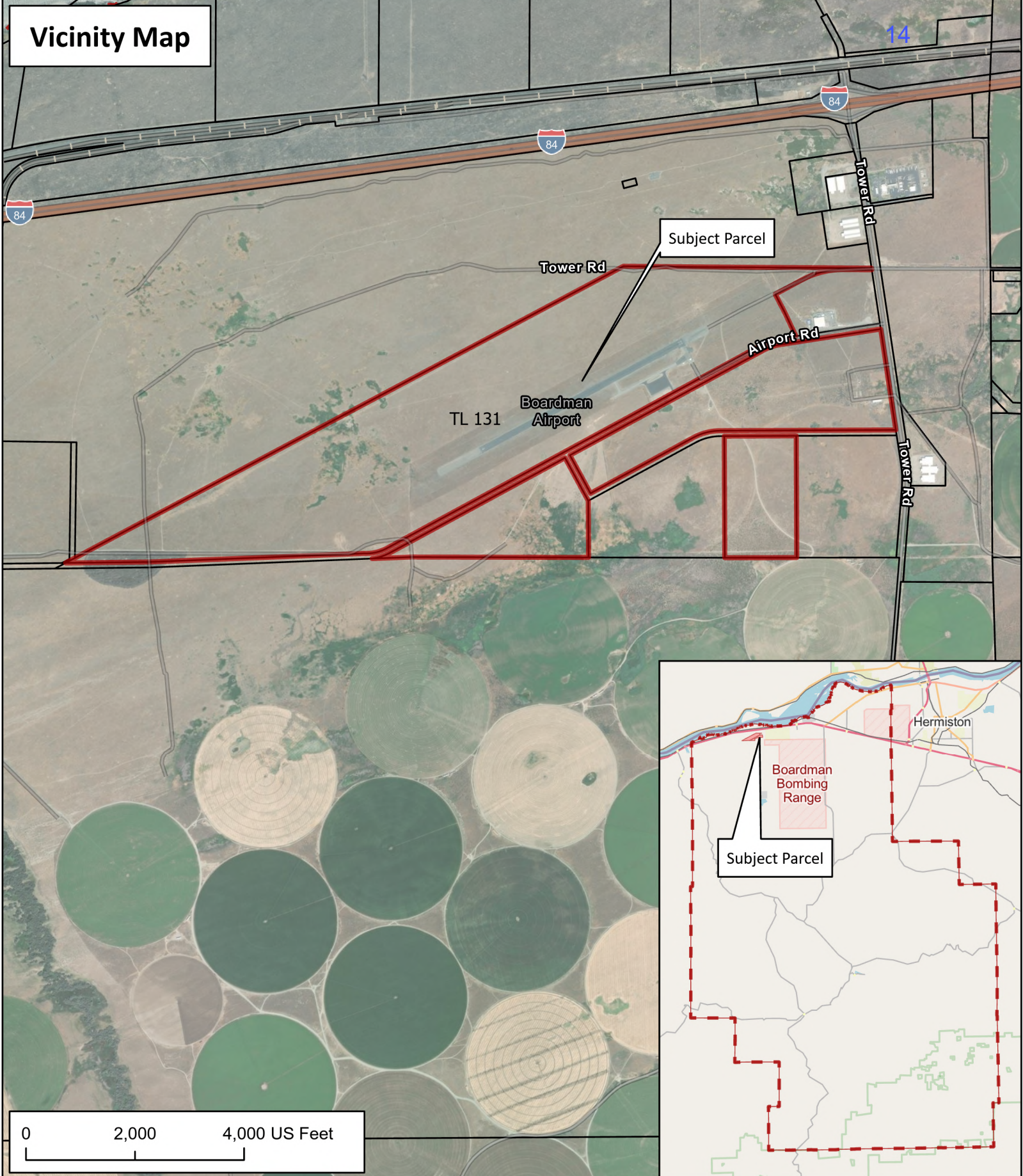
Stacie Ekstrom, Chair

Date

**ATTACHMENTS:**




Vicinity Map  
Plot Plan  
Variance Application  
Email from ODAV

Vicinity Map



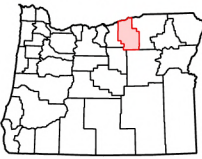
**V-N-053-24**

Port of Morrow  
4N24E21 TL131

-  Morrow County Boundary
-  Tax Lots
-  Subject Parcel

Coordinate System:  
NAD 1983 HARN StatePlane Oregon North FIPS 3601  
Projection: Lambert Conformal Conic  
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics  
Thursday, October 31, 2024  
Morrow County Planning Department



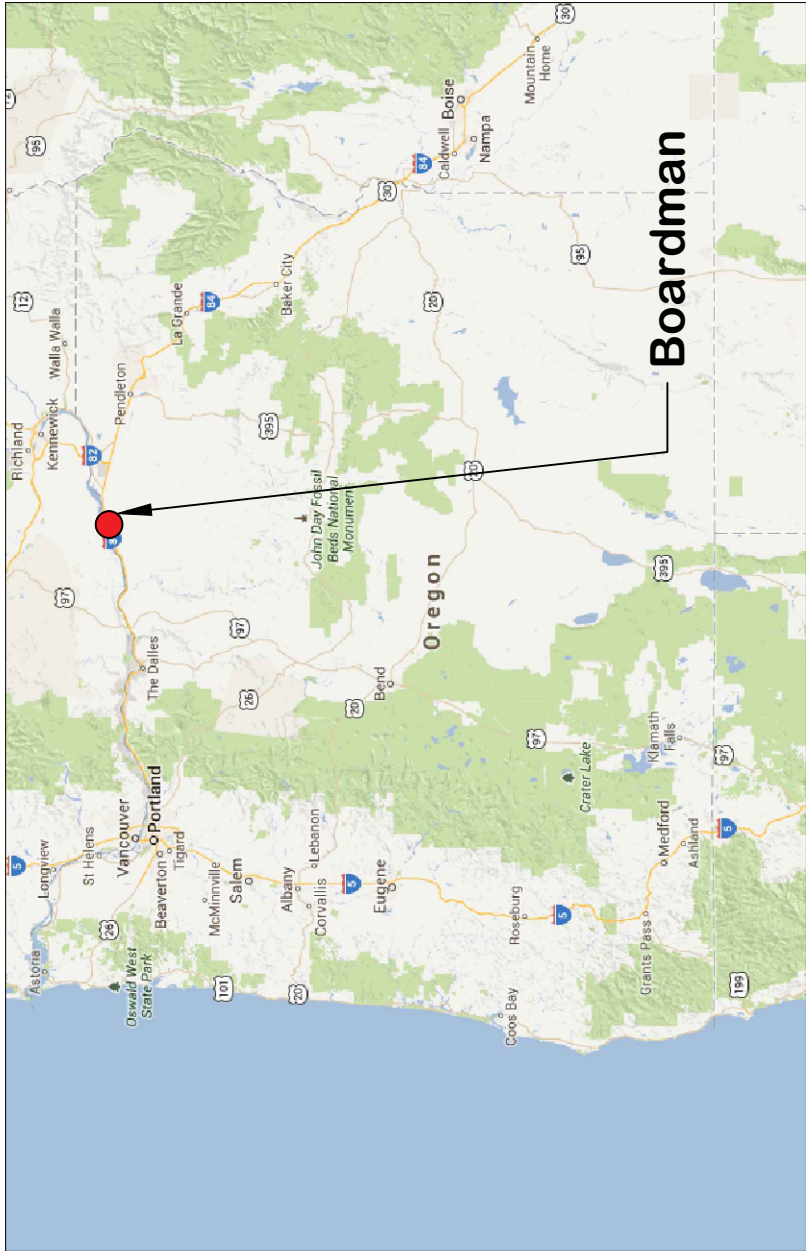
CORRECTED	OWNER 1	OWNER 2	MAIL ADDRESS	CITY	STATE	ZIPCODE
4N24E 115	COLUMBIA BASIN REAL ESTATE LLC		PO BOX 1191	HERMISTON	OR	97838
4N24E 135	CSS POTATO FARMS, LLC		5911 2ND AVE W	KEARNEY	NE	68847
4N24E23 501	DOHERTY, BRYCE ET AL		67990 KUNZE LN	BOARDMAN	OR	97818
4N24E23 500	DOHERTY, BRYCE ET AL		67990 KUNZE LN	BOARDMAN	OR	97818
4N24E23 400	CORPUS, ALBERT M & SHEILA M		68140 KUNZE LN	BOARDMAN	OR	97818
4N24E23 402	DOHERTY, JAMES E & DOHERTY, KELLY L		68812 W WILSON LN	BOARDMAN	OR	97818
4N24E23 401	DOHERTY, JAMES E & DOHERTY, KELLY L		68812 W WILSON LN	BOARDMAN	OR	97818
4N24E 121	THREEMILE CANYON FARMS, LLC		75906 THREEMILE RD	BOARDMAN	OR	97818
4N24E 117	THREEMILE CANYON FARMS, LLC		75906 THREEMILE RD	BOARDMAN	OR	97818
4N24E 114	UMATILLA ELECTRIC CO-OP		PO BOX 1148	HERMISTON	OR	97838
4N24E 130	PORT OF MORROW		PO BOX 200	BOARDMAN	OR	97818
4N24E 110	PORT OF MORROW		PO BOX 200	BOARDMAN	OR	97818
4N24E 134	CITY OF BOARDMAN		PO BOX 229	BOARDMAN	OR	97818
4N24E23 901	FRANK TIEGS, LLC		PO BOX 3110	PASCO	WA	99302
4N24E 131	ANDERSON, NANCY		PO BOX 34	CHEHALIS	WA	98532
4N24E 132	FARMLAND RESERVE, INC		PO BOX 511196	SALT LAKE CITY	UT	84151
4N24E 133	LOVE'S TRAVEL STOPS & COUNTRY STORES INC		PO BOX 5256	OAK BROOK	IL	60522
4N24E14 204	KREBS LIVESTOCK, LLC		PO BOX 54	ENTERPRISE	OR	97828
4N24E 113	TRUE ORGANIC PRODUCTS, LLC		PO BOX 7192	SPRECKLES	CA	93962
4N24E 138	AMAZON DATA SERVICES, INC		PO BOX 80416	SEATTLE	WA	98108
4N24E 137	AMAZON DATA SERVICES, INC		PO BOX 80416	SEATTLE	WA	98108
4N24E 136	AMAZON DATA SERVICES, INC		PO BOX 80416	SEATTLE	WA	98108

**V-N-053-24** | Port of Morrow | AI 0.5mi. notice.  
 4N24E21 TL131.  
 S:\Planning\Variances\North\2024

# AIRPORT DISTRIBUTION SURFACE WATER TREATMENT PLANT

## STATE LOCATION MAP

## PORT OF MORROW

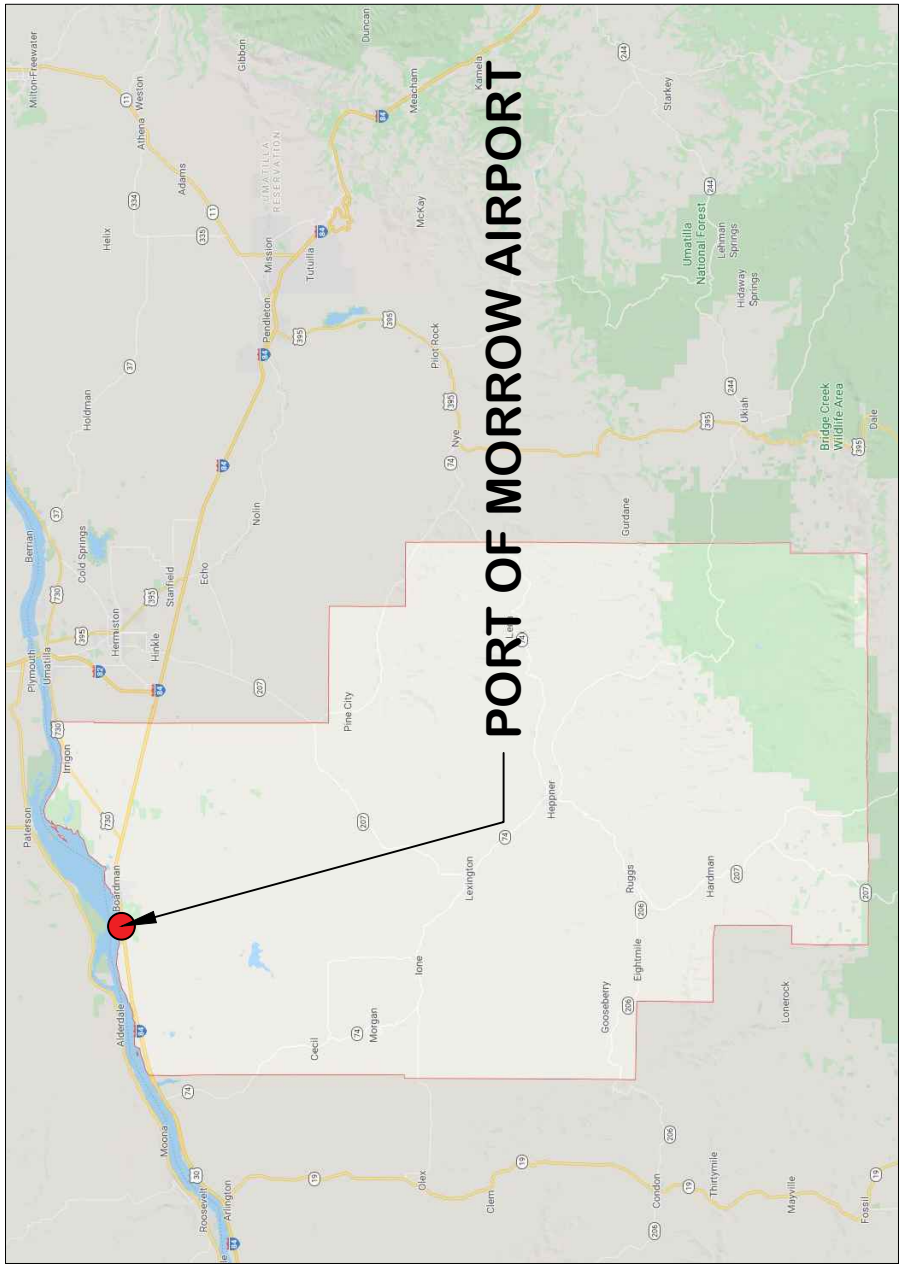


LOCATION: OREGON, MORROW, BOARDMAN, PORT OF MORROW  
OWNER: PORT OF MORROW  
ENGINEER: JACOB K. CAIN PE, Port Engineer  
CONTACT: (541) 481 - 7678

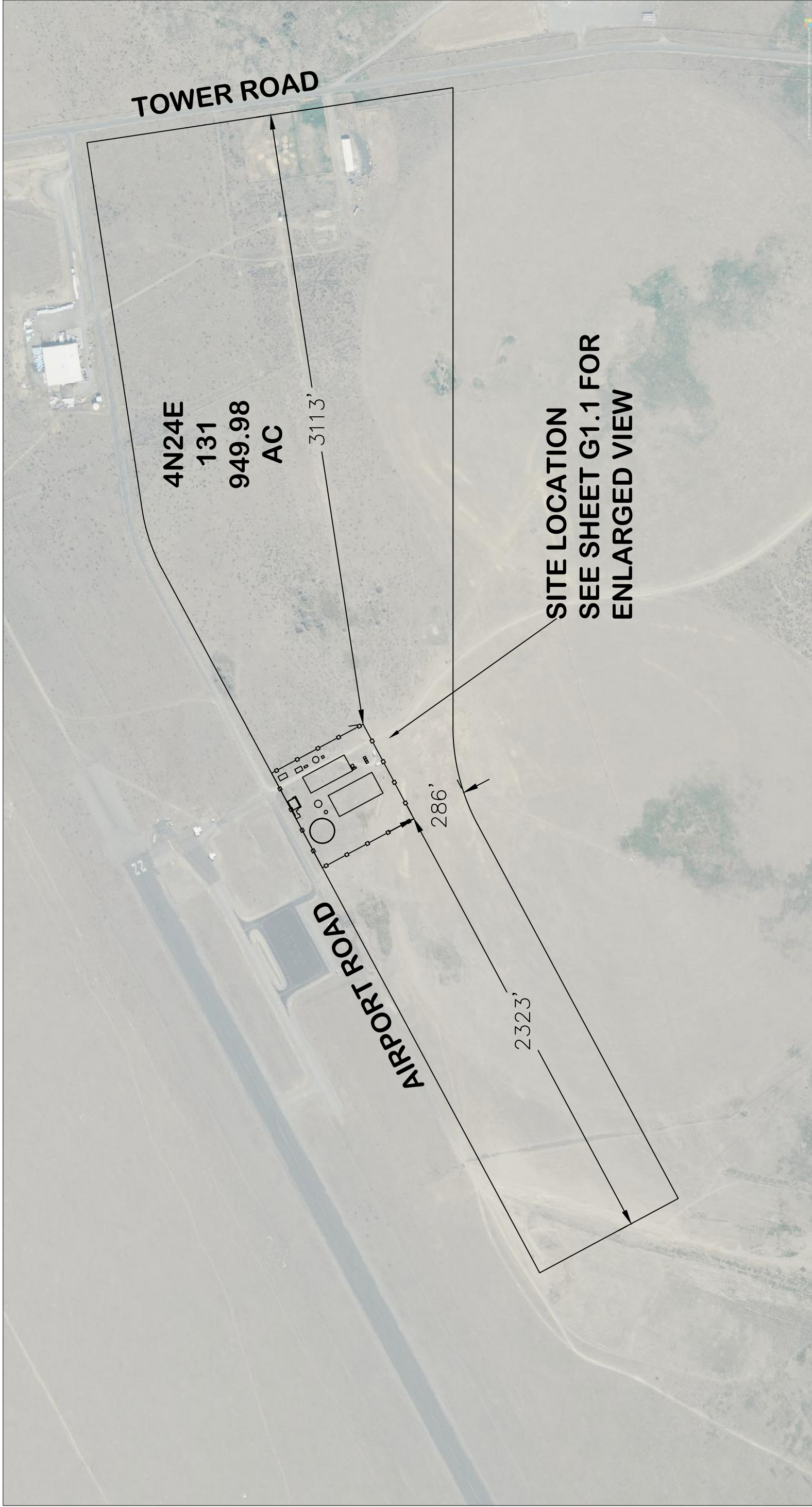
PAGE NO.:	SHEET NO.:	DRAWING TITLE:
1)	G1.0	COVER SHEET
2)	G1.1	OVERALL SITE PLAN

## OREGON STATE


## COUNTY LOCATION MAP



## VICINITY MAP



## MORROW COUNTY

SURFACE WATER TREATMENT PLANT SITE PLAN COVER PAGE																				LOCATION: Airport Road BOARDMAN, OR 97818 OWNER: PORT OF MORROW ENGINEER: JACOB K. CAIN, PE CONTACT: (541) 481 -7678										SHEET. NO. <b>G1.0</b>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
<div>RECEIVED PROFESSIONAL ENGINEER JACOB K. CAIN OREGON 302-12-29 EXP: 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**LAND USE APPLICATION  
VARIANCE REQUEST**

RECEIVED  
DEC 06 2024

18

BY: MR

PAID  
\$120.00  
12/18

FILE NUMBER V-N-053-24

Date Received 12-6-24

Date Deemed Complete 12-17-24

**Applicant:**

Name(s) Port of Morrow

Address P.O. Box 200, Boardman, OR 97818

Phone (541) 481-7678 E-mail address travis.coffelt@portofmorrow.com

**Legal Owner: (if different from applicant)**

Name(s) Same As Above

Address \_\_\_\_\_

**Existing Property Description:**

Township 4N Range 24E Section 21 Tax Lot(s) 131

Zoning Designation A1 Located within an UGB? No If yes, which city? N/A

Physical Address Lat: 45° 48' 53.87"N Long: 119° 48' 44.66"W

General Location Boardman Airport Lane, +/-3,500ft West of Boardman Airport Lane  
& Tower Road Intersection

The Morrow County Zoning Ordinance authorizes the Planning Commission to allow variances from the requirements of the Ordinance where it can be shown that owing to special and unusual circumstances related to a specific lot, strict application of the Ordinance would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity and otherwise achieve the purpose of the Ordinance.

**Variance Type Requested:**

Area Variance X Use Variance \_\_\_\_\_ Hardship Variance \_\_\_\_\_

Please explain why the variance is requested: Variance request for setback from front property line due to the location of the existing well head. The structure is necessary for freeze protection, cleanliness, & security of the potable water distribution system. This system includes the well-head/pump, manifolds, electrical/programing systems, & chlorination system. The location of the existing well head and min. clear distance

for safety & long term maintenance limit the building to this location only. POM Eng.  
Dept. has limited the building footprint as much as possible to maintain as much  
set-back from the northern property line/POM road ROW as possible.


**NOTE: Applications for hardship variances will be processed as a Conditional Use when the proposed hardship dwelling will be located in a Forest Use or an Exclusive Farm Use Zone. The associated fee will be charged as for a Conditional Use Permit application.**

### **Signatures:**

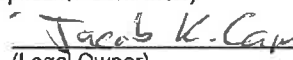
We, the undersigned, acknowledge that we are familiar with the requirements of approval for a variance and propose to meet all standards set forth as outlined above. We certify that the statements and information provided with this application are true and correct to the best of our knowledge.

Signed:

  
 (Applicant / Contractor)

  
 (Applicant / Contractor)

  
 (Legal Owner)

  
 (Legal Owner)

If this application is not signed by the property owner a letter authorizing signature by the applicant must be attached.

Date: 12-06-2024

Fee: \$600

### **Hardship Variance:**

Name of person in need of care: \_\_\_\_\_

Relationship to Applicant: \_\_\_\_\_

Medical Doctor/Professional Statement of Medical Hardship: (if not provided separately)

Morrow County Planning Department  
 P.O. Box 40, Irrigon Oregon 97844  
 (541) 922-4624 FAX: (541) 922-3472

**Michaela Ramirez**

---

**From:** Clint Shoemake  
**Sent:** Thursday, January 9, 2025 3:07 PM  
**To:** Michaela Ramirez  
**Subject:** FW: Public Notice for V-N-053-24

Michaela,

Will you please ensure this email is included as comment submitted for the V-N-053-24 package?  
 Thanks.

**Clint Shoemake**

Land Use Planning Technician  
 Morrow County Planning Department  
[cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov)  
 (541) 922-4624 x 5517

**From:** PIKE Brandon <Brandon.PIKE@odav.oregon.gov>  
**Sent:** Thursday, January 9, 2025 1:45 PM  
**To:** Clint Shoemake <cshoemake@morrowcountyor.gov>  
**Subject:** RE: Public Notice for V-N-053-24

**[EXTERNAL EMAIL] - STOP and VERIFY - This message came from outside of Morrow County Gov**

Clint,

Thank you for the information. It's likely that the applicant is well aware of the aviation-related requirements for this development, but to make sure we're all on the same page, I've included comments from ODAV as follows:

1. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development is required to undergo aeronautical evaluations by the FAA and ODAV. The applicant can use the FAA's [Notice Criteria Tool](#) to determine which proposed structures warrant a *notice of construction*. They are required to provide separate notices of construction to both the FAA and ODAV. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.
2. The height of any new structures, trees, and other planted vegetation shall not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV.
3. Any proposed external lights shall be designed as to not interfere with aircraft or airport operations.

Please reach out if you have questions or concerns. I'm available if the applicant has any questions or wants our input at this stage.

Best,

**BRANDON PIKE**

OREGON DEPARTMENT OF AVIATION (ODAV)  
AVIATION PLANNER



PHONE 971-372-1339

EMAIL [brandon.pike@odav.oregon.gov](mailto:brandon.pike@odav.oregon.gov)

3040 25<sup>TH</sup> STREET SE, SALEM, OR 97302

[WWW.OREGON.GOV/AVIATION](http://WWW.OREGON.GOV/AVIATION)

*Alternative Contacts:*

COAR Grants: [Grants@ODAV.Oregon.Gov](mailto:Grants@ODAV.Oregon.Gov)

Procurement / Contracts: [Contracts@ODAV.Oregon.Gov](mailto:Contracts@ODAV.Oregon.Gov)

Pavement (PEP/PMP): [Pavement@ODAV.Oregon.Gov](mailto:Pavement@ODAV.Oregon.Gov)

Land Use / Tall Structures: [LandUse@ODAV.Oregon.Gov](mailto:LandUse@ODAV.Oregon.Gov)

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This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

**From:** Clint Shoemake <[cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov)>

**Sent:** Thursday, January 9, 2025 12:20 PM

**To:** PIKE Brandon <[Brandon.PIKE@odav.oregon.gov](mailto:Brandon.PIKE@odav.oregon.gov)>

**Subject:** RE: Public Notice for V-N-053-24

You don't often get email from [cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov). [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi Brandon,

In my own words: Essentially it is to build a structure closer to a right-of-way than our Ordinances allow.

The Port of Morrow is proposing a new distribution building as component of a water treatment facility. The distribution building is being built over the existing wellhead. While the centerline of Boardman Airport Lane is actually 45 ft from the property line, the recorded 100 ft right-of-way extends all the way to their property line. Due to the location of the wellhead, the distribution building needs to be 4.26 ft from the property line, and therefore 4.26 ft from the right-of-way. The setback requirement based on the zoning and road type is a minimum of 30 ft, so this seeks relief from that requirement.

I've **attached** their Variance application and attachments for reference. **A complete staff report with all criteria and our findings will be available on January 17<sup>th</sup> if you would like a copy of that as well.**

A Zoning Permit would still follow in the future, depending on Variance approval. Let me know if I can help with anything else.

**Clint Shoemake**

Land Use Planning Technician

Morrow County Planning Department

[cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov)

(541) 922-4624 x 5517

**From:** PIKE Brandon <[Brandon.PIKE@odav.oregon.gov](mailto:Brandon.PIKE@odav.oregon.gov)>

**Sent:** Thursday, January 9, 2025 10:09 AM

**To:** Clint Shoemake <[cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov)>

**Subject:** RE: Public Notice for V-N-053-24

**[EXTERNAL EMAIL] - STOP and VERIFY - This message came from outside of Morrow County Gov**

Good morning Clint,

Would you be able to send me a copy of the materials for this application? I'm curious what exactly is being proposed with the variance.

Thank you,

## BRANDON PIKE

OREGON DEPARTMENT OF AVIATION (ODAV)  
AVIATION PLANNER



**PHONE** 971-372-1339

**EMAIL** [brandon.pike@odav.oregon.gov](mailto:brandon.pike@odav.oregon.gov)

**3040 25<sup>TH</sup> STREET SE, SALEM, OR 97302**

**[WWW.OREGON.GOV/AVIATION](http://WWW.OREGON.GOV/AVIATION)**

### Alternative Contacts:

COAR Grants: [Grants@ODAV.Oregon.Gov](mailto:Grants@ODAV.Oregon.Gov)

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Land Use / Tall Structures: [LandUse@ODAV.Oregon.Gov](mailto:LandUse@ODAV.Oregon.Gov)

### \*\*\*\*\*CONFIDENTIALITY NOTICE\*\*\*\*\*

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**From:** Michaela Ramirez <[mr Ramirez@morrowcountyor.gov](mailto:mr Ramirez@morrowcountyor.gov)>

**Sent:** Wednesday, January 8, 2025 9:59 AM

**To:** HERT Dawn \* DLCD <[Dawn.Hert@dlcd.oregon.gov](mailto:Dawn.Hert@dlcd.oregon.gov)>; Mike Gorman <[mgorman@morrowcountyor.gov](mailto:mgorman@morrowcountyor.gov)>; [mcintireg@cityofboardman.com](mailto:mcintireg@cityofboardman.com); Eric Imes <[eimes@morrowcountyor.gov](mailto:eimes@morrowcountyor.gov)>; Jacob Cain ([jacobc@portofmorrow.com](mailto:jacobc@portofmorrow.com)) <[jacobc@portofmorrow.com](mailto:jacobc@portofmorrow.com)>; [travis.coffelt@portofmorrow.com](mailto:travis.coffelt@portofmorrow.com); John McAllister <[mac@portofmorrow.com](mailto:mac@portofmorrow.com)>; [mhughes@boardmanfd.com](mailto:mhughes@boardmanfd.com); PIKE Brandon <[Brandon.PIKE@odav.oregon.gov](mailto:Brandon.PIKE@odav.oregon.gov)>; ODA.Planning <[ODA.Planning@odot.oregon.gov](mailto:ODA.Planning@odot.oregon.gov)>

**Cc:** Tamra Mabbott <[tmabbott@morrowcountyor.gov](mailto:tmabbott@morrowcountyor.gov)>; Clint Shoemake <[cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov)>

**Subject:** Public Notice for V-N-053-24

You don't often get email from [mr Ramirez@morrowcountyor.gov](mailto:mr Ramirez@morrowcountyor.gov). [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

All,

You are provided this notice as an affected agency or adjoining landowner.

Attached is the Landowner Letter, Public Notice, and Map for Variance V-N-053-24, Port of Morrow.

Please contact Clint Shoemake at the Planning Department, [cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov), with any questions or to provide comments.

Morrow County Planning Dept.  
Michaela Ramirez, Administrative Asst.  
PO Box 40  
Irrigon, OR 97844  
541-922-4624



**NEW EMAIL ADDRESS\*\*\*** [mr Ramirez@morrowcountyor.gov](mailto:mr Ramirez@morrowcountyor.gov)

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**PRELIMINARY FINDINGS OF FACT  
LAND PARTITION REQUEST  
LP-N-529-24  
R-N-88-24**

**REQUEST:** To partition an approximately 306.7-acre parcel into three parcels, a replat of Parcel One of Partition Plat 2014-05.

---

**APPLICANT/OWNER**

City of Boardman  
Brandon Hammond, City Manager  
200 City Center Circle  
PO Box 229  
Boardman, Oregon 97818

**PROPERTY DESCRIPTION:**

Tax Lot 134 of Assessor's Map 4N 24E also known as parcel one of Partition Plat 2014-05.

**PROPERTY LOCATION:**

Located on the east side of Tower Road at the intersection of Kunze Lane, southeast of the I-84 interchange.

**FINDINGS OF FACT:**

**I. BACKGROUND INFORMATION:**

The subject parcel is zoned Space Age Industrial (SAI) and is located outside the Boardman Urban Growth Boundary (UGB). The applicant proposes to partition two parcels from the parent parcel, tax lot 134, also known as parcel one of Partition Plat 2014-05. Technically, the application is to replat parcel One of PP 2014-05. Proposed parcel 1 is approximately 12.7 acres; proposed parcel 2 is approximately 85.5 acres; proposed parcel 3 is approximately 208.5 acres. See the attached "detail map." All three proposed parcels are undeveloped. Future development on the parcels was not identified as part of this application, however, the applicant is considering the possibility of a rezone and future development of an RV Park on proposed Parcel 2 and the development of a power substation on parcel 1.

**II. APPROVAL CRITERIA:**

Morrow County Subdivision Ordinance Article 5- Land Partitions will apply. Criteria are listed below in **bold type**, followed by a response in standard type.

**MORROW COUNTY SUBDIVISION ORDINANCE ARTICLE 5 LAND PARTITIONS SECTION 5.030. REQUIREMENTS FOR APPROVAL. No application for partitioning shall be approved unless the following requirements are met:**

- 1. Proposal is in compliance with the County and affected City Comprehensive Plan and applicable Zoning.**

**Finding:** The applicant has submitted a preliminary partition plat. The proposed partition meets the minimum parcel size requirements of the Zoning Ordinance and the

Space Age Industrial Zone (SAI) and the Comprehensive Plan. The applicant is required to submit a final partition plat in compliance with this Article and ORS Chapter 92. This is recommended and listed as a Condition of Approval.

2. **Each parcel is suited for the use intended or offered; including, but not limited to, sewage disposal approval and guaranteed access. Proof of access must show that each parcel has an easement sufficient for continued ingress and egress to a public, county or state highway or has a deeded access way.**

**Finding:** The applicant has proposed three new parcels in the Space Age Industrial Zone (SAI zone), which has no minimum dimension requirements. The proposed parcels are adequate in size to accommodate the uses allowed in the SAI zone.

#### **Sewage Disposal**

Applicant did not identify specific development but indicated that Umatilla Electric Cooperative may purchase proposed parcel 1 for a future electric substation site and, a rezone application may be submitted for parcels 2 and 3 in the future. Given the large size of the parcels, an onsite septic disposal system would not be precluded. It is not recommended that the applicant be required to obtain site suitability for the parcels.

#### **Access**

The original application did not identify any new legal access. The application noted that access “locations to be determined at the time of development.” Since the original application, county staff and the applicant have discussed several options for access.

Most recently, the applicant proposed using the existing 40-foot easement for proposed parcel 1 and deferring the identification of specific access locations for proposed parcels 2 and 3 to the time of development, recognizing both have direct frontage to Tower Road and Kunze Lane.

Morrow County and the Oregon Department of Transportation (ODOT) are developing an Interchange Area Management Plan (IAMP) for the Tower Road and Interstate 84 intersection. The purpose of the study is to preserve the safety and functionality of the interchange. The study area extends from I-84 on the north to Boardman Airport Lane on the south. As part of the IAMP, new access management standards will be proposed. The final IAMP will be processed as a legislative amendment to the county Transportation System Plan (TSP). Until that plan is adopted, land use actions and access and road standards are those identified in the Subdivision Ordinance, the Zoning Ordinance, and the TSP. If specific access locations are not required as part of this application, future development will be subject to the access spacing and management standards in place at the time of application, including new standards anticipated with adoption of the IAMP.

**Access for proposed parcel 1** The preliminary partition plat map shows the existing easement from Kunze Lane on the south, extending to the north along the eastern boundary of proposed parcel 2 and ending at the west terminus of parcel 1. See

attached preliminary plat. That existing easement is 40 feet in width. Minimum roadway easement is 60 feet according to Subdivision Ordinance Article 8 (W) below.

**W. Easements and Legal Access.** All lots must have access onto a public right-of-way. This may be provided via direct frontage onto an existing public road, a private roadway, or an easement. Minimum easement requirements to provide legal access shall be as follows:

1. 1000 feet or less, an easement width of 20 feet.
2. More than 1000 feet, an easement width of 40 feet.
3. Parcels where 3 or more lots share an access (current or potential), an easement of 60 feet.

The existing 40-foot easement will serve two (2) parcels as part of the subject land partition. However, that easement could also serve parcel 2, a 85.51-acre parcel. Parcel 2 has the potential to be further partitioned and the access for those future parcels would be the easement or Kunze Lane. Therefore, it is recommended as a condition of approval that the applicant dedicate 20 feet to the existing easement which would result in a 60-foot easement. That 60-foot easement would meet the Easement and Legal Access standard shown above.

Note: the existing easement is approximately coterminous with the “old Kunze Road” which was re-aligned to its current location as shown on the attached maps. The current location of the Kunze Lane right of way (with improvements) is the proposed boundary between proposed parcel 2 and parcel 3. Based on staff research, “old Kunze Road” has never formally been vacated. A portion of the abandoned Kunze Lane is located on land owned by Loves Truck Stop. The other portion of the “old Kunze Road” is located on land owned by the City of Boardman, which is also the applicant for this land partition.

**Access for proposed parcels 2 and 3** As noted above, the applicant proposes that the county make a finding that Kunze Lane and Tower Road are viable options for future access given the length of the roadways and the fact that a specific development has not been identified. Applicant further requests that the county not impose a condition of approval requiring that they identify specific access points or obtain access permits.

Although a specific development is not proposed as part of this application and future traffic generation is unknown, Article 5 above requires the county find that the parcels have a guaranteed access. Neither parcel 2 or 3 currently have a permitted access permit from County Public Works. There are many existing driveways and access points along Tower Road (see attached Tower Road Access Map). Tower Road is classified as a rural arterial I based on traffic volumes. See Roadway Standards below.

ROADWAY STANDARDS					
Road Classification	Right of Way (ft)	Lane Width (ft)	Paved Shoulder Width (ft)	Pavement Width (ft)	Average Daily Traffic (ADT)
Rural Access I*	60	9	1	20	100-200
Rural Access II*	60	9	1	20	50-100
Rural Collector I	60	12	3-4	30-32	300-500
Rural Collector II	60	12	2	28	200-300
Rural Collector III	60	12	1	26	100-200
Rural Arterial I	60	12	4-8	32-40	> 700
Rural Arterial II	60	12	3-6	32-40	300-700
Rural Gravel	60	11	n/a	n/a	n/a

\* Rural Access I and Rural Access II differ in the surface type – Rural Access II is gravel.

The minimum spacing standard on a rural arterial is 300 feet for access and 600 feet for public or private access roads. See TSP Table 6-3 below.

TABLE 6-3 RECOMMENDED ACCESS MANAGEMENT STANDARDS FOR COUNTY ROADS*				
Functional Classification	Intersection			
	Public or Private Road		Private Access	
	Type	Minimum Spacing	Type	Minimum Spacing
Rural Arterial	at-grade	600 ft	Left/Right turns	300 ft
Rural Collector	at-grade	300 ft	Left/Right turns	100 ft
Rural Local	at-grade	200 ft	Left/Right turns	Access to each lot

\* For most roadways, at-grade crossings are appropriate. Also, allowed moves and spacing requirements may be more restrictive than those shown to optimize capacity and safety. Any access to a state highway requires a permit from the district office of ODOT and is subject to the access spacing standards in Tables 6-4 and 6-5 in this section.

In order to find that access locations for the new parcels will meet the guaranteed access requirement in Article 5.030 and in order to find that the new access road or driveway complies with the spacing standards in Table 6-3, and, given the high volume of traffic on Tower Road and the large number of existing access and driveways on Tower Road, the following two conditions are proposed below and also included in the Conditions of Approval.

- A) Access to proposed parcel 1 will be the existing access/roadway easement located along the eastern boundary of proposed parcel 2 beginning on the north side of Kunze Lane and extending north where it intersects with tax

lot 122 and then continuing to the western boundary of proposed parcel 1. As part of this access, the applicant will dedicate an additional 20 feet to the existing 40-foot access/roadway easement, conforming to the 60-foot minimum roadway standard. Additionally, a turnaround at the western terminus will be dedicated on the final plat to allow for emergency vehicle access and turnaround. Specific turnaround design standards will comply with the recommendations of the Boardman Fire District.

- B) Obtain access to proposed parcel 2 and proposed parcel 3 to Kunze Lane. An access permit from County Public Works will be required before signing final plat.

**3. All required public service and facilities are available and adequate.**

**Finding:** Electricity and telephone services are available in the area; the Applicant will be responsible for coordinating with local providers for future service. No other public services or facilities are available.

**4. Proposal will not have any identifiable adverse impacts on adjoining or area land uses, public services and facilities, and natural resource-carrying capacities.**

**Finding:** The proposed parcels are zoned Space Age Industrial (SAI). Future use is yet to be determined; therefore, no adverse impacts are anticipated to be considered for this land partition application. Although no specific future use is identified, it is presumed that the new development will include a new on-site well and septic system.

This property is in an area designated for water quality concerns by the Oregon Department of Environmental Quality. Specifically, the subject property is in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA). The Department of Environmental Quality designated the LUBGWMA in 1990 due to elevated nitrate concentrations in groundwater. It is recommended that wells used for drinking water be tested at least bi-annually to determine nitrate concentrations and to notify persons drinking the water about public health impacts.

Each of the proposed parcels are large and would appear to have adequate area for an on-site well and septic system. Specific permitting for on-site septic can be deferred to the development review process when more precise septic system demands can be evaluated.

Notice will be provided to the owners of property adjacent to the exterior boundaries of the existing parcel, as well as to the Oregon DEQ, who may provide additional comment.

**5. An approved water rights diversion plan as applicable.**

**Finding:** Preliminary Findings of Fact will be referred to the Regional Watermaster and the West Extension Irrigation District (WEID) for review and comment. As a condition of approval, it is recommended that the applicant comply with any recommendations of the Watermaster relative to water rights allocation amongst the three parcels.

Based on the most recent GIS shapefile from the West Extension Irrigation District (WEID) a very small area of proposed parcel 3 is within the WEID boundaries. The terminus of the WEID canal ends at the abutting property to the east. WEID provided comments noting that there is a federal ditch on the property and an undefined federal Bureau of Reclamation easement. It is recommended that the applicant comply with recommendations of the WEID.

6. **Flag lots will not be permitted when the results would be to increase the number of properties requiring direct and individual access from a State Highway or other arterial. Flag lots may be permitted to achieve planning objectives under the following conditions:**
- a. **When flag lot driveways are separated by at least twice the minimum frontage distance.**
  - b. **The driveway must meet driveway standards described in Article 8, Section 8.020.V.**
  - c. **The lot meets the minimum lot area of the zoning district, without including the driveway.**
  - d. **Only one flag lot shall be permitted per private right-of-way or access easement.**

**Finding:** This provision does not apply as no flag lots are proposed.

7. **The depth of any lot will not be restricted as long as a buildable parcel is proposed.**

**Finding:** The applicant has proposed three new parcels in the Space Age Industrial Zone (SAI zone), which has no minimum dimension (parcel size) requirements. The proposed parcels are adequate in size to accommodate the allowed uses in the SAI zone.

8. **An application for partitioning will be denied when it can be shown that the partitioning is part of a plan or scheme to create more than three (3) parcels without going through subdivision or is part of a development pattern creating more than three (3) parcels without subdividing. If the Planning Director determines that the proposed partition constitutes series partitioning, or if series partitioning has occurred in the past, then the Planning Director may require the application be subject to the requirements for a subdivision or Planned Unit Development.**

**Finding:** The most recent land partition was in 2014. See Partition Plat 2014-5. The Loves Truck Stop parcel was partitioned from the larger parcel in 2012. See Partition Plat 2012-13. The applicant is not proposing further land partitioning at this time; however, approval of this partition would not preclude further partitioning. The county could require this partition to meet subdivision standards, however, that is not recommended at this time. One of the primary differences between subdivision standards and partitioning standards is the requirement to construct and develop roadways. See Article 9 Improvements and Article 9 Section 9.010 Improvement Procedures for Subdivisions. See also TSP Appendix A Roadway Standards (attached).

The applicant has requested that the county not require improvements at this time. As a condition of approval, it is recommended that further partitioning comply with the subdivision review process and standards in Article 9. Additionally, a condition of approval is recommended to require the access easement to parcel 1 be constructed to a minimum Rural Access II standard prior to development on Parcel 1. This is noted below as a subsequent condition of approval. If parcel 2 is further partitioned the roadway standard for the 60-foot easement will change and improvements may need to be changed to a higher volume standard.

**9. In addition to the requirements set forth above, the following factors may be considered for approval or disapproval of an application for land partitioning if a geographical or other factor identified by other, appropriate professionals or plans such as the requirements of the Comprehensive Plan, FEMA requirements, Byways rules, etc., requires it:**

- a. Placement and availability of utilities.
- b. Safety from fire, flood and other natural hazards.
- c. The same improvements may be required for a partitioning as required of a subdivision, if required it will be installed by the applicant.
- d. Possible effects on natural, scenic and historical resources.
- e. Need for onsite or offsite improvements.
- f. Need for additional setback, screening, landscaping and other requirements relative to the protection of adjoining and area land uses. If the proposed partition is located within an Urban Growth Boundary, the affected city must be given notice according to the respective Joint Management agreement.
- g. In the approval of a land partition, the need for street and other improvements will be considered and may be required as a Condition of Approval at a different standard than for a subdivision.

**Finding:** The proposed parcels are not within the Flood Overlay Zone and are within the Boardman Rural Fire Protection District. Part of the property is located within the Airport Safety and Compatibility (ASC) Zone which is intended to protect and support the continued operation of the Boardman public use airport by establishing compatibility and safety standards and to reduce potential safety hazards for persons living, working or recreating near that airport. The proposed parcel configuration does not appear to conflict with airport operation safety and functionality. Compliance with ASC Zone will be required as part of future development approval.

**MORROW COUNTY SUBDIVISION ORDINANCE ARTICLE 5 LAND PARTITIONS SECTION 5.075.**

**REPLATTING.** A reconfiguration of a recorded subdivision or partition plat or a change in the number of lots in the subdivision or partition may be approved by the Planning Commission or as defined in ORS 92.180. Replats will act to vacate the platted lots or parcels and easements within the replat area with the following conditions:

- 1. A replat will apply only to a recorded plat.**

**Finding:** A replat is required as the applicant is proposing to reconfigure Parcel 1 of Partition Plat 2014-5.

2. **Notice shall be provided when the replat is replatting all of an undeveloped subdivision as defined in ORS 92.225.**

**Finding:** This provision does not apply as this is not a replat of an undeveloped subdivision. Rather, this is a replat of a Partition Plat. However, notice was provided under the requirements of the Morrow County Subdivision Ordinance.

3. **Notice shall be provided to the owners of property adjacent to the exterior boundaries of the tentative subdivision replat.**

**Finding:** Notice has been provided to adjoining property owners and affected agencies.

4. **When a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation under this section must notify the Planning Department in writing within 14 days of the mailing or other service of the notice.**

**Finding:** No changes to utility easements are proposed. This replat is at the request of the landowner.

5. **A replat will not serve to vacate any public street or road.**

**Finding:** No streets or roads are proposed to be vacated.

6. **A replat will comply with all subdivision provisions of this Article and all applicable Ordinances.**

**Finding:** This requirement is met as the parcels were subject to the provisions of this Article with both the previous partition and this proposal. The applicant will need to submit both a preliminary and final partition plat to comply with this Article and ORS Chapter 92. This is recommended and listed as a Condition of Approval.

- IV. **AGENCIES NOTIFIED:** Greg Silbernagel, Watermaster; Mike Gorman, Morrow County Assessor; Steve Freeland, Emergency Management; Eric Imes and Rory Rowlette, Morrow County Public Works; Matt Kenny, Morrow County Surveyor; Mike Hughes, Boardman RFPD; Mike Hiatt, Oregon Department of Environmental Quality; Oregon DEQ Eastern Region Office; Teresa Penninger, Oregon Department of Transportation; Chris Kowitz, Oregon Water Resources Department; Greg Silbernagel, Oregon Water Resources Department; Bev Bridgewater, West Extension Irrigation District; Brian Hammond, City of Boardman; Brian Snyder, Umatilla County Undersheriff; Lisa

Mittelsdorf and Jacob Cain, Port of Morrow, Sean Kimbrel, U.S. Bureau of Reclamation, Hermiston Field Office.

**V. PROPERTY OWNERS NOTIFIED:** January 8, 2025

**VI. PLANNING COMMISSION DECISION:** This application may be approved subject to the following **Precedent Conditions of Approval**. These conditions must be completed before the Planning Director may sign the final partition plat and before the land may be deeded to a third party.

1. Submit a final partition plat in compliance with Article 5 of the Morrow County Subdivision Ordinance and ORS Chapter 92.
2. Show existing and proposed easements on the Final Partition Plat, including the dedication of 20 feet to the existing public 40 feet access/roadway easement from Kunze Road on the south, northerly along the eastern boundary of proposed parcel #2, and then westerly to the west boundary of proposed parcel #1. The final plat shall also include an emergency access turnaround at the west terminus of the 60-foot access/roadway easement to parcel #1.
3. Improve the roadway easement to comply with Section 6 of the Morrow County Transportation System Plan. Road improvement may be deferred as a subsequent condition of approval which would require the road be built prior to development.
4. Obtain an Access Permit from Morrow County Public Works, for new driveway or roadway to Kunze Road for proposed parcels #2 and #3.
5. Obtain preliminary septic suitability from Umatilla County Environmental Health for proposed parcel #1. Note: this may be deferred if future development is identified, and septic will not be required for the development on that parcel.
6. File appropriate documents to confirm water rights allocation, consistent with recommendations of the watermaster.
7. Comply with recommendations of the West Extension Irrigation District.
8. Comply with recommendations of the U.S. Bureau of Reclamation regarding the federal right of way on the property.
9. Comply with recommendations of the Oregon Department of Aviation, if any are recommended for this partition application.

**Subsequent Conditions of Approval.** These conditions apply after the Final Partition and Replat have been approved and prior to development.

1. Construct a roadway on the public 60-foot easement to parcel 1 before development. Minimum roadway standard shall be Rural Access 1 (illustrated in the Morrow County TSP Appendix A Roadway Standards). The public roadway will not be the responsibility of the county to maintain. As part of the future development review process, the county will require a road maintenance agreement.
2. Further partitioning of parcels may be subject to subdivision standards and processes.

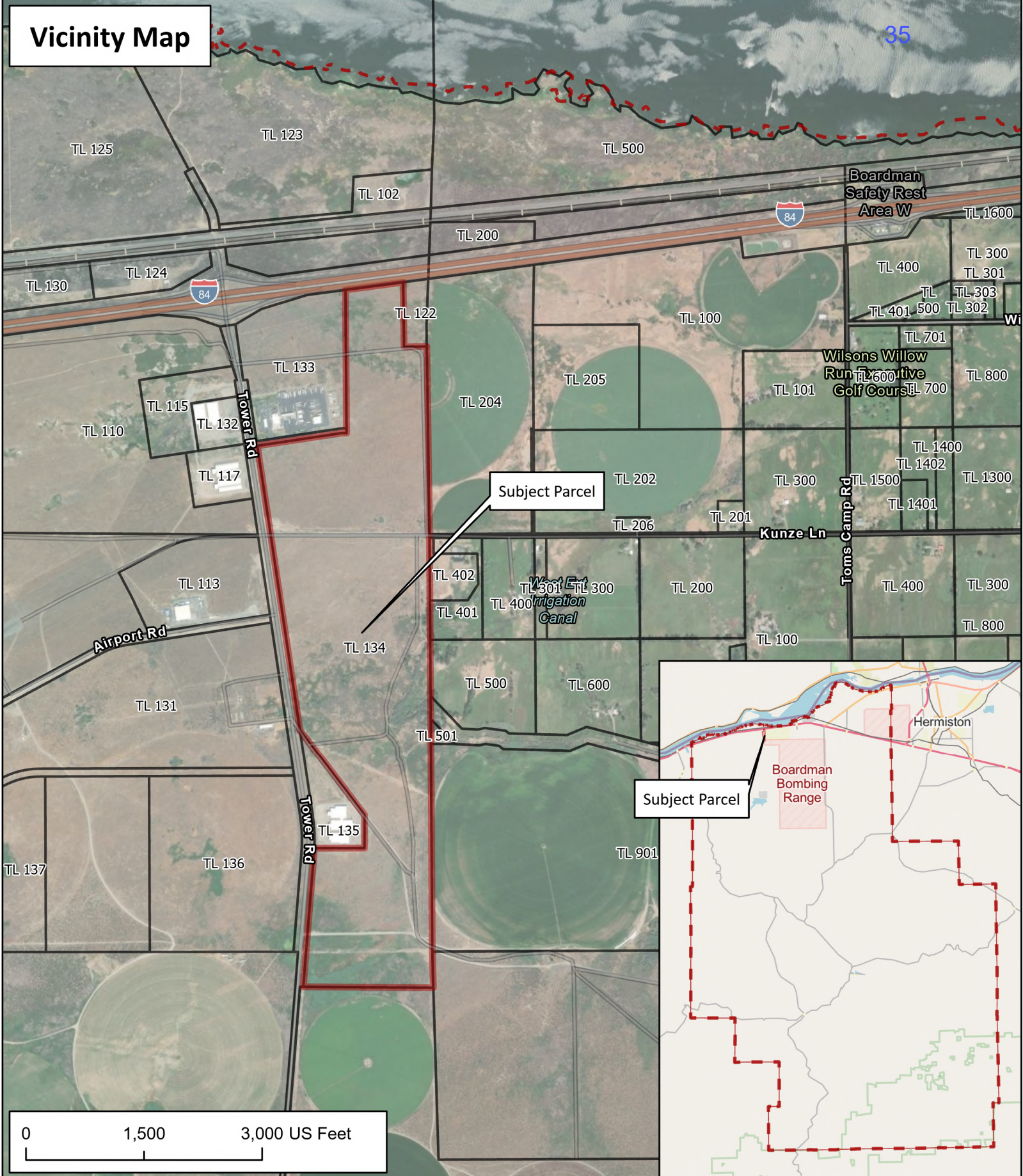
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Stacie Ekstrom, Chair  
Morrow County Planning Commission

**ATTACHMENTS:**

Vicinity Map  
Detail Map  
Preliminary Plat Map  
Tower Road Access Map  
MCSO Article 9  
Roadway Standards  
Application forms (2)  
Letters from agencies and others

# Vicinity Map



0 1,500 3,000 US Feet

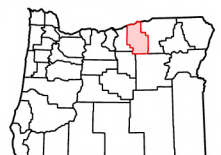
**LP-N-529-24**

**City of Boardman**  
**4N 24E TL134**

- Morrow County Tax Lot
- Morrow County Boundary
- Subject Parcel

Coordinate System:  
NAD 1983 HARN StatePlane Oregon North FIPS 3601  
Projection: Lambert Conformal Conic  
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics  
Friday, November 1, 2024  
Morrow County Planning Department



CORRECTED	OWNER 1	OWNER 2	MAIL ADDRESS	CITY	STATE	ZIPCODE
4N24E 5600	USA (BOMBING RANGE)					0
4N24E14 200	PHILLIPS, TIM		2260 VOLPP ST	WEST LINN	OR	97068
4N24E 135	CSS POTATO FARMS, LLC		5911 2ND AVE W	KEARNEY	NE	68847
4N24E23 501	DOHERTY, BRYCE ET AL		67990 KUNZE LN	BOARDMAN	OR	97818
4N24E23 500	DOHERTY, BRYCE ET AL		67990 KUNZE LN	BOARDMAN	OR	97818
4N24E23 402	DOHERTY, JAMES E & DOHERTY, KELLY L		68812 W WILSON LN	BOARDMAN	OR	97818
4N24E23 401	DOHERTY, JAMES E & DOHERTY, KELLY L		68812 W WILSON LN	BOARDMAN	OR	97818
4N24E 121	THREEMILE CANYON FARMS, LLC		75906 THREEMILE RD	BOARDMAN	OR	97818
4N24E 117	THREEMILE CANYON FARMS, LLC		75906 THREEMILE RD	BOARDMAN	OR	97818
4N24E 122	UMATILLA ELECTRIC CO-OP		PO BOX 1148	HERMISTON	OR	97838
4N24E 123	PORT OF MORROW		PO BOX 200	BOARDMAN	OR	97818
4N24E 110	PORT OF MORROW		PO BOX 200	BOARDMAN	OR	97818
4N24E 134	CITY OF BOARDMAN		PO BOX 229	BOARDMAN	OR	97818
4N24E23 901	FRANK TIEGS, LLC		PO BOX 3110	PASCO	WA	99302
4N24E 131	ANDERSON, NANCY		PO BOX 34	CHEHALIS	WA	98532
4N24E 132	FARMLAND RESERVE, INC		PO BOX 511196	SALT LAKE CITY	UT	84151
4N24E 133	LOVE'S TRAVEL STOPS & COUNTRY STORES INC		PO BOX 5256	OAK BROOK	IL	60522
4N24E14 204	KREBS LIVESTOCK, LLC		PO BOX 54	ENTERPRISE	OR	97828
4N24E 113	TRUE ORGANIC PRODUCTS, LLC		PO BOX 7192	SPRECKLES	CA	93962
4N24E 136	AMAZON DATA SERVICES, INC		PO BOX 80416	SEATTLE	WA	98108

**LP-N-529-24** | City of Boardman | SAI 500ft. notice.  
 4N24E TL134.  
 S:\Planning\UD\South\2024

# Detail Map



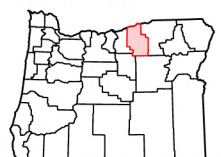
**LP-N-529-24**

City of Boardman  
4N 24E TL134

- Morrow County Tax Lot
- Morrow County Boundary
- Subject Parcel

Coordinate System:  
NAD 1983 HARN StatePlane Oregon North FIPS 3601  
Projection: Lambert Conformal Conic  
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics  
Friday, January 17, 2025  
Morrow County Planning Department



PARTITION PLAT 2024-

LOCATED IN THE EAST HALF OF SECTIONS 15, 22, AND 27, TOWNSHIP 4 NORTH, RANGE 24 EAST, WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON

SURVEY NARRATIVE

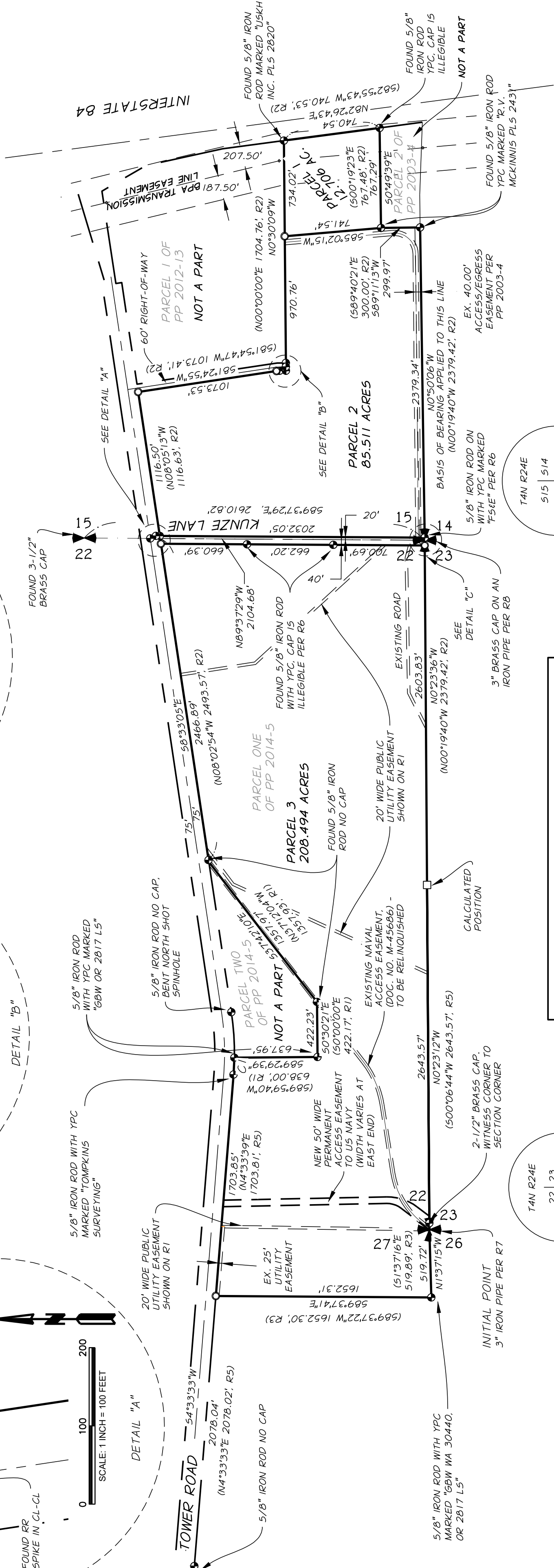
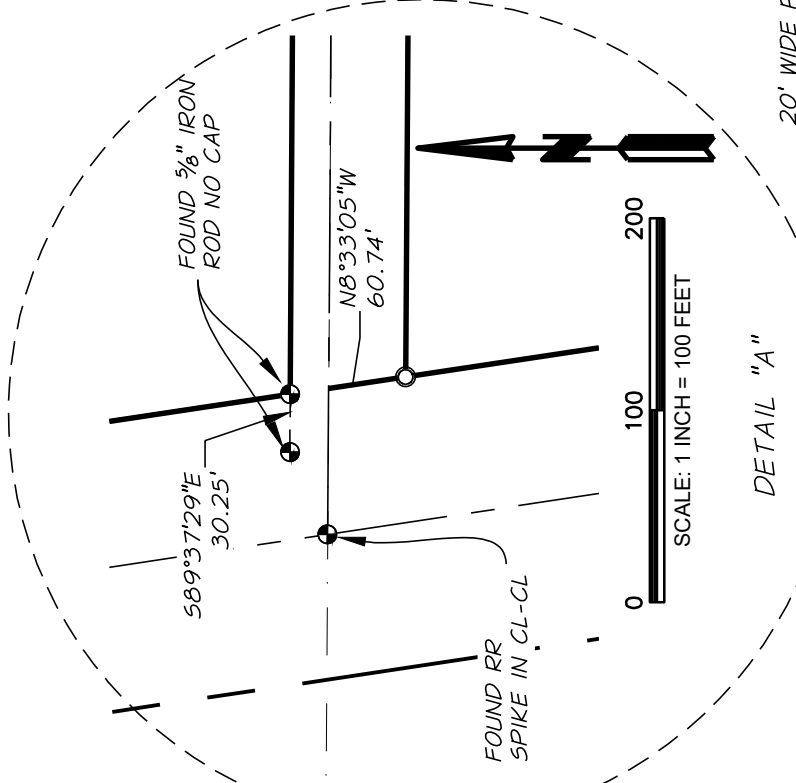
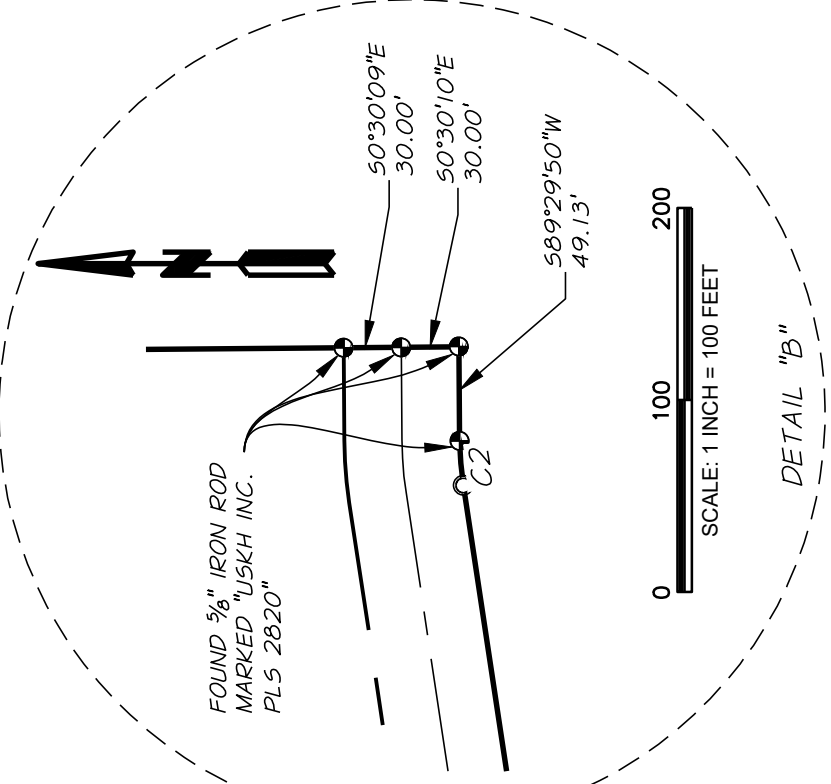
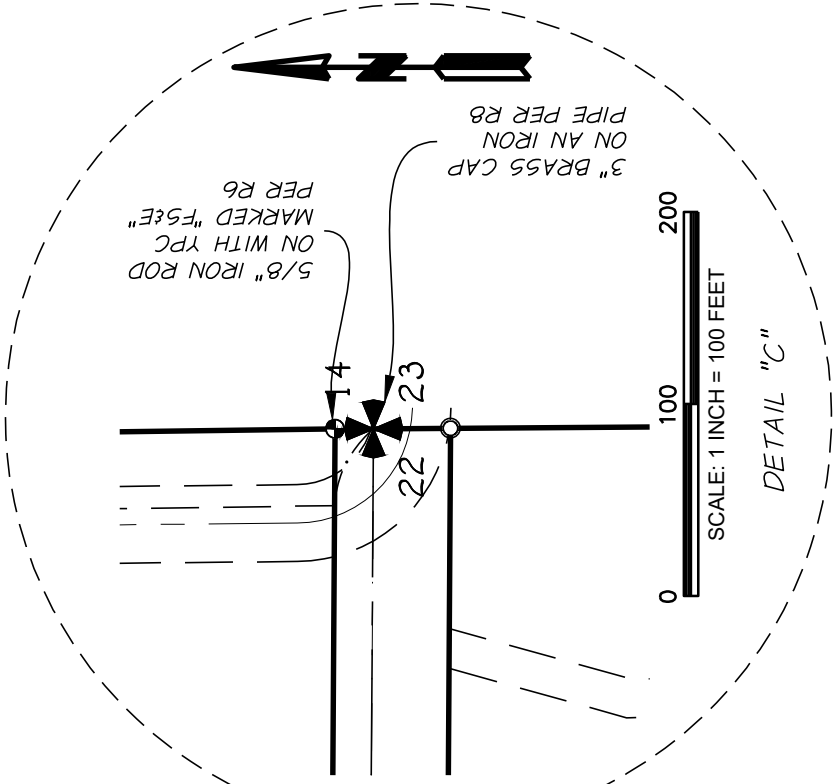
THIS PARTITION WAS PERFORMED AT THE REQUEST OF THE CITY OF BOARDMAN FOR THE PURPOSE OF CREATING 3 PARCELS AS SHOWN. I HAVE CONFIGURED THE PARCELS AS DIRECTED BY THE CITY OF BOARDMAN.

THE EAST BOUNDARY IS THE EAST RIGHT-OF-WAY OF TOWER ROAD. THE WEST BOUNDARY IS THE EAST LINE OF SECTIONS 15, 22, AND 27. THE FOUND MONUMENTS ALONG THIS LINE ARE USED FOR THE BOUNDARY. THE SOUTH LINE IS USING THE FOUND MONUMENT PER PARTITION PLAT 2012-3, AND A CALCULATED LINE RUNNING WEST. THE NORTH LINE IS USING THE FOUND MONUMENTS ALONG LOVE'S TRAVEL STOP AND ON INTERSTATE 84

LEGEND

- SET 5/8" X 30" REBAR WITH ORANGE PLASTIC CAP MARKED "APA 49593PL5"
- FOUND QUARTER CORNER AS NOTED
- FOUND SECTION CORNER AS NOTED
- FOUND MONUMENT AS NOTED
- PROPERTY LINES
- ADJACENT PROPERTY LINES
- EXISTING RIGHT OF WAY CENTERLINE
- EXISTING RIGHT OF WAY
- NEW EASEMENT
- EXISTING EASEMENT
- SURVEY INFO., REFERENCE

(SDD"MM'SS"W, XX.XX' RX)



CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEAR
C1	129.29'	2098.56'	3°31'48"	52°47'39"W
C2	23.15'	167.90'	7°54'05"	58°52'02"W

BASIS OF BEARING

EAST LINE OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 24 EAST, WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON. BEARINGS SHOWN ARE BASED ON THE OREGON COORDINATE REFERENCE SYSTEM - COLUMBIA RIVER EAST ZONE - NAD83

MAP REFERENCES

- R1 - PARTITION PLAT 2014-05 BY WAGNER, 02817PL5
- R2 - PARTITION PLAT 2012-13 BY FLOWERS, 02820PL5
- R3 - PARTITION PLAT 2012-03 BY WAGNER, 02817PL5
- R4 - PARTITION PLAT 2007-08 BY MCKINNIS, 02431PL5
- R5 - COUNTY SURVEY NO. D-1215-E BY TOMKINS, 0360PL5
- R6 - COUNTY SURVEY NO. 2013-38D BY DELANO, 49865PL5
- R7 - OREGON CORNER RESTORATION FORM BY EDWARDS, PLS 951 - 4N24R17
- R8 - OREGON CORNER RESTORATION FORM BY EDWARDS, PLS 951 - 4N24N17



0 600 1200  
SCALE: 1 INCH = 600 FEET

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

PRELIMINARY

OREGON  
FEBRUARY 8, 2000  
RICHARD E. STEIN  
49593PL5

RENEWAL DATE: 06/30/2026

EXACT COPY STATEMENT

I, RICHARD E. STEIN, OREGON REGISTERED LAND SURVEYOR NO. 49593PL5, DO HEREBY STATE THAT THIS DRAWING IS AN EXACT COPY OF THE ORIGINAL THEREOF.

RICHARD E. STEIN, PLS 49593PL5

LOCATED IN THE EAST HALF OF SECTIONS 15, 22, AND 27, TOWNSHIP 4 NORTH, RANGE 24 EAST, WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON

SURVEYED FOR: CITY OF BOARDMAN,

PO BOX 229  
BOARDMAN, OR 97810

SCALE:

AS SHOWN

DATE:

10/03/2024

JOB NO.

439-94(100)

SHEET

anderson  
perry

1/2

1901 N. FIR STREET, PO BOX 1107 • LA GRANDE, OR 97850 • (541) 963-8309

PARTITION PLAT 2024-

LOCATED IN THE EAST HALF OF SECTIONS 15, 22, AND 27, TOWNSHIP 4 NORTH, RANGE 24 EAST,  
WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON

SURVEYOR'S CERTIFICATE

I, RICHARD E. STEIN, OREGON REGISTERED LAND SURVEYOR NO. 49593PLS,  
DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED, PLATTED AND  
MARKED WITH PROPER MONUMENTS, THE LAND REPRESENTED ON THIS  
PARTITION PLAT IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER  
92, AND THE CITY OF BOARDMAN ORDINANCES. I FURTHER CERTIFY THAT  
THE INITIAL POINT HAS BEEN IDENTIFIED AS THE EXISTING SOUTHEAST  
CORNER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 24 EAST, WILLAMETTE  
MERIDIAN, AS SHOWN HEREON. ALL SAID LAND IS SITUATED IN THE EAST  
HALF OF SECTION 15, 22, AND 27 TOWNSHIP 4 NORTH, RANGE 24 EAST,  
WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON, AND BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL ONE OF PARTITION PLAT 2014-5 RECORDED AS FILE NO.  
2014-34810 OF MORROW COUNTY RECORDS.  
CONTAINING 306.71 ACRES MORE OR LESS.

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS THAT BRANDON HAMMOND, CITY  
MANAGER OF BOARDMAN, THE OWNER, OF THE LANDS REPRESENTED ON THIS  
PARTITION AND BEING MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S  
CERTIFICATE, SAID OWNER HAVING CAUSED SAID LANDS TO BE PLATTED IN  
ACCORDANCE WITH O.R.S. CHAPTER 92.

BRANDON HAMMOND, CITY MANAGER

ACKNOWLEDGEMENTS

STATE OF OREGON (55)  
COUNTY OF MORROW  
KNOW ALL PEOPLE BY THESE PRESENTS, ON THIS DAY OF  
2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY,  
PERSONALLY APPEARED BRANDON HAMMOND, CITY MANAGER, AND ACKNOWLEDGED  
THE FOREGOING TO BE HIS VOLUNTARY ACT AND DEED.

NOTARY PUBLIC OF THE NOTARY NUMBER MY COMMISSION EXPIRES  
STATE OF OREGON

NOTARY - PRINTED NAME

APPROVALS

MORROW COUNTY PLANNING DEPARTMENT

I CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PLAT ON THIS DAY  
OF , 2024

CHAIRMAN

MORROW COUNTY ASSESSOR AND TAX COLLECTOR

I CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PLAT ON THIS DAY  
OF , 2024

DEPUTY

MORROW COUNTY SURVEYOR

I CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PLAT ON THIS DAY  
OF , 2024

MORROW COUNTY SURVEYOR

FOR MORROW COUNTY CLERK  
RECORDING PURPOSES

EXACT COPY STATEMENT

I, RICHARD E. STIEN, OREGON REGISTERED LAND  
SURVEYOR NO. 49593LS, DO HEREBY STATE THAT THIS  
DRAWING IS AN EXACT COPY OF THE ORIGINAL THEREOF.

RICHARD E. STIEN, PLS 49593LS

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

PRELIMINARY

OREGON  
FEBRUARY 8, 2000  
RICHARD E. STEIN  
49593PLS  
RENEWAL DATE: 06/30/2026

LOCATED IN THE EAST HALF OF SECTIONS 15, 22,  
AND 27, TOWNSHIP 4 NORTH, RANGE 24 EAST,  
WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON

SURVEYED FOR: CITY OF BOARDMAN

PO BOX 279  
BOARDMAN, OR 97818

SCALE:

AS SHOWN

DATE:

10/03/2024

JOB NO.

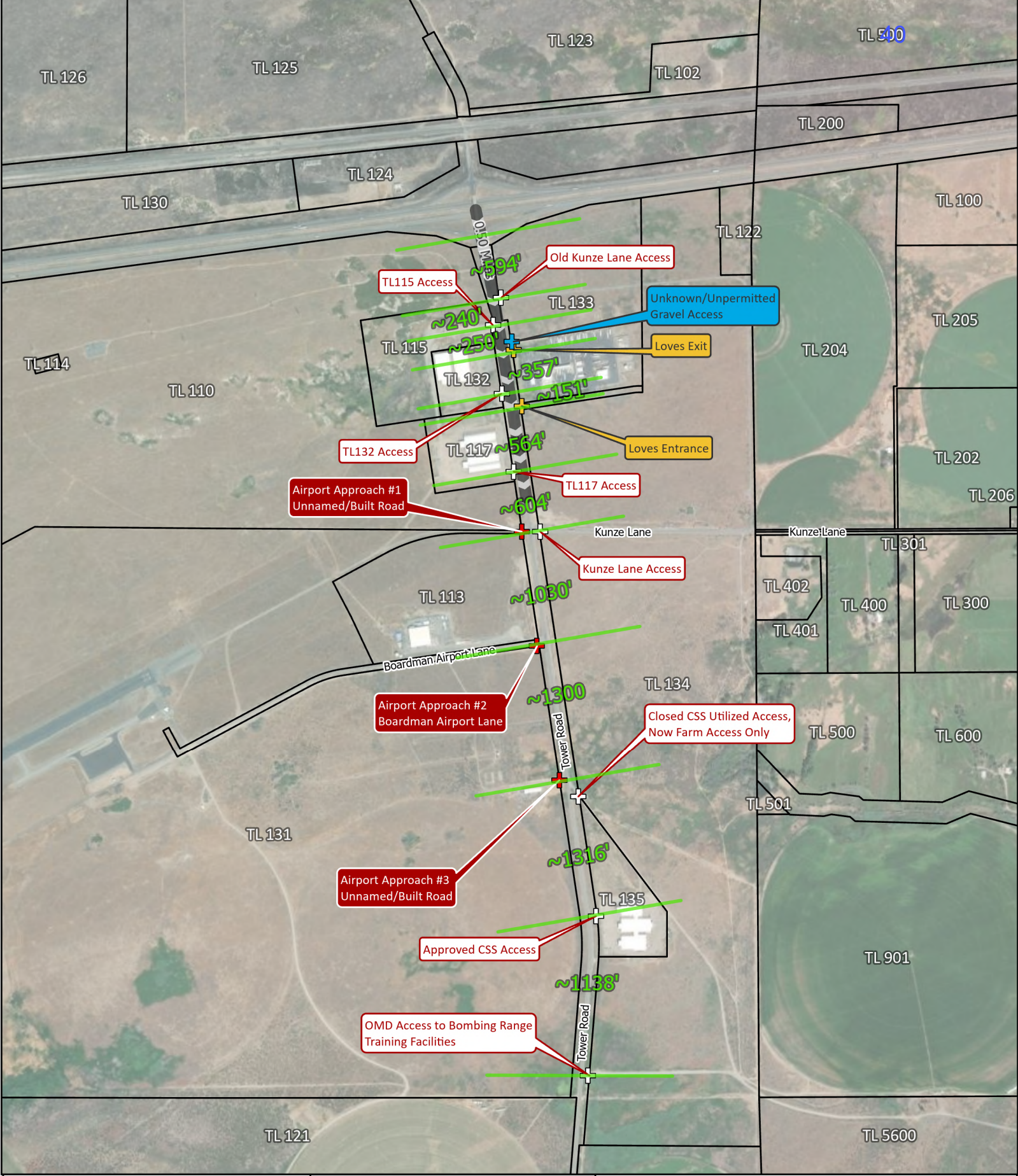
439-94(100)

SHEET

anderson  
perry


2/2

1901 N. FIR STREET, PO BOX 1107 • LA GRANDE, OR 97850 • (541) 963-8309





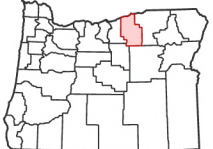
**Access Distances**

Tower Road  
Access Points

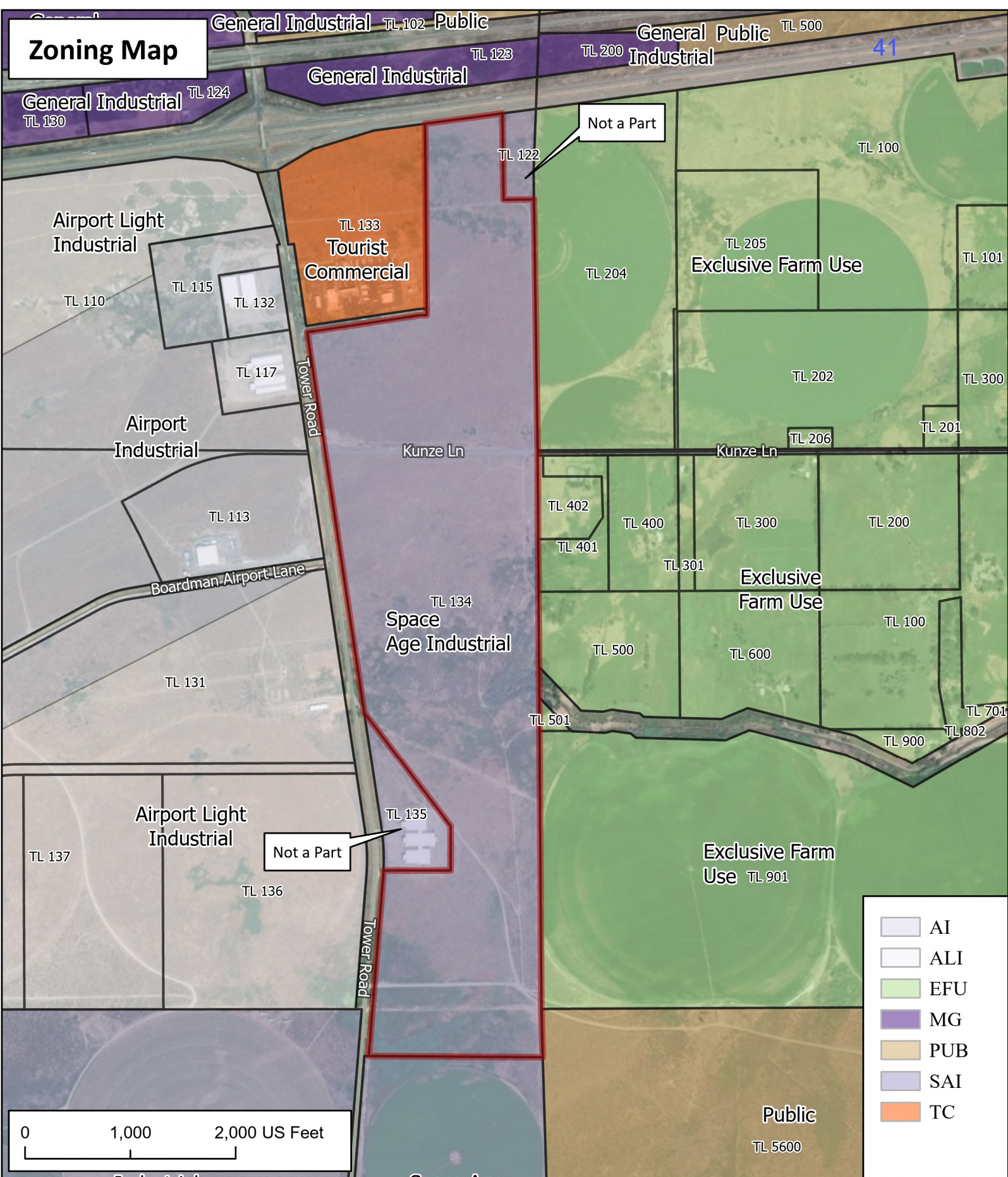
 Tax Lot

Coordinate System:  
NAD 1983 NSRS2007 StatePlane Oregon North FIPS 3601 Ft Intl  
Projection: Lambert Conformal Conic  
Datum: NAD 1983 NSRS2007



Cartography By: Stephen Wreccics  
Wednesday, January 15, 2025  
Morrow County Planning Department



# Zoning Map

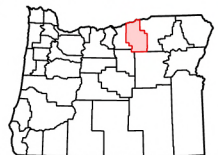


**LP-N-529-24**  
City of Boardman  
4N 24E TL134

 Morrow County Tax Lot  
 Subject Parcel

Coordinate System:  
NAD 1983 HARN StatePlane Oregon North FIPS 3601  
Projection: Lambert Conformal Conic  
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics  
Friday, December 27, 2024  
Morrow County Planning Department



## **APPENDIX A ROADWAY STANDARDS**

### **INTRODUCTION**

The following roadway standards were developed in conjunction with the Morrow County Public Works Department and follow the design standards set by the American Association of State Highway and Transportation Officials (AASHTO) and the Oregon Department of Transportation (ODOT). The following nine road standards reflect the differing design and capacity needs within Morrow County. Generally, roadways of a lower number represent a higher design standard.

#### **Rural Arterial**

Rural arterials are design for roadways where higher traffic volumes are common or along major truck corridors. This standard of road is characterized by long-wearing asphalt concrete pavement over a base of 10 to 18 inches of aggregate. Travel lanes for this standards are 12-feet wide and a minimum of 3 feet of shoulder is provided on each side of the roadway.

#### **Rural Collector**

Rural collectors represent a second-level standard for road construction. Like rural arterials, rural collectors are paved using two to three inches of asphalt concrete, but provide only eight to nine inches of base aggregate. Travel lanes are still 12-feet wide, but shoulders can be narrow as one foot.

#### **Rural Access**

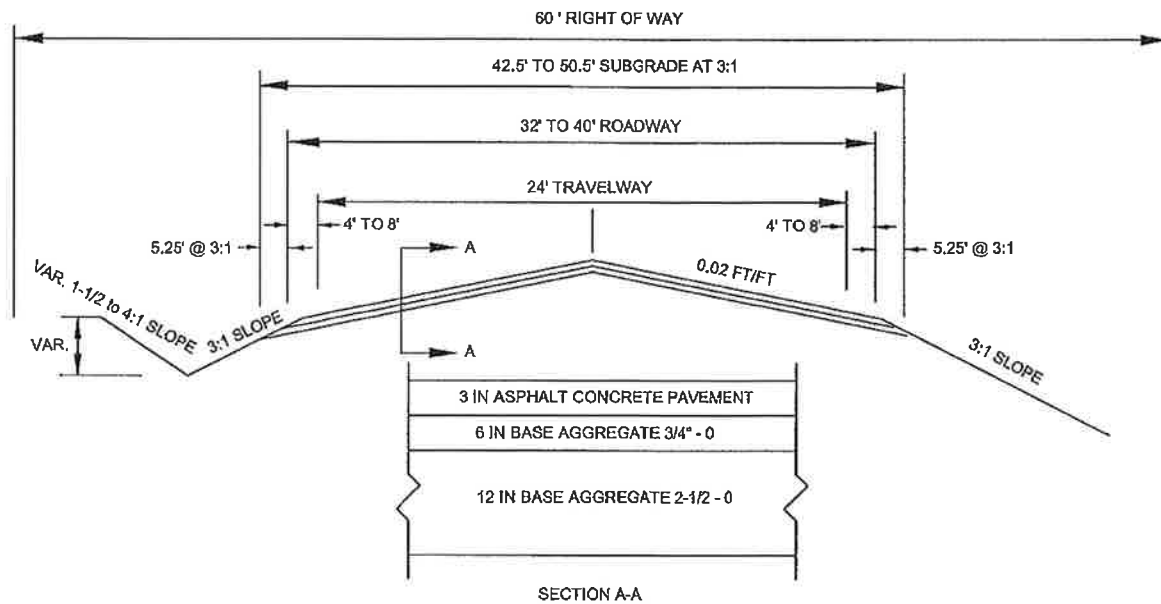
Rural access roads are lighter duty roads designed mainly for lower travel volumes and fewer truck trips. Rural Access I roads still use asphalt concrete paving, whereas Rural Access II roads are designed to be unpaved gravel roadways. Base aggregate is only 8 inches for this road standard. Travel lanes are specified at nine feet with one-foot shoulders on each side.

#### **Rural Gravel**

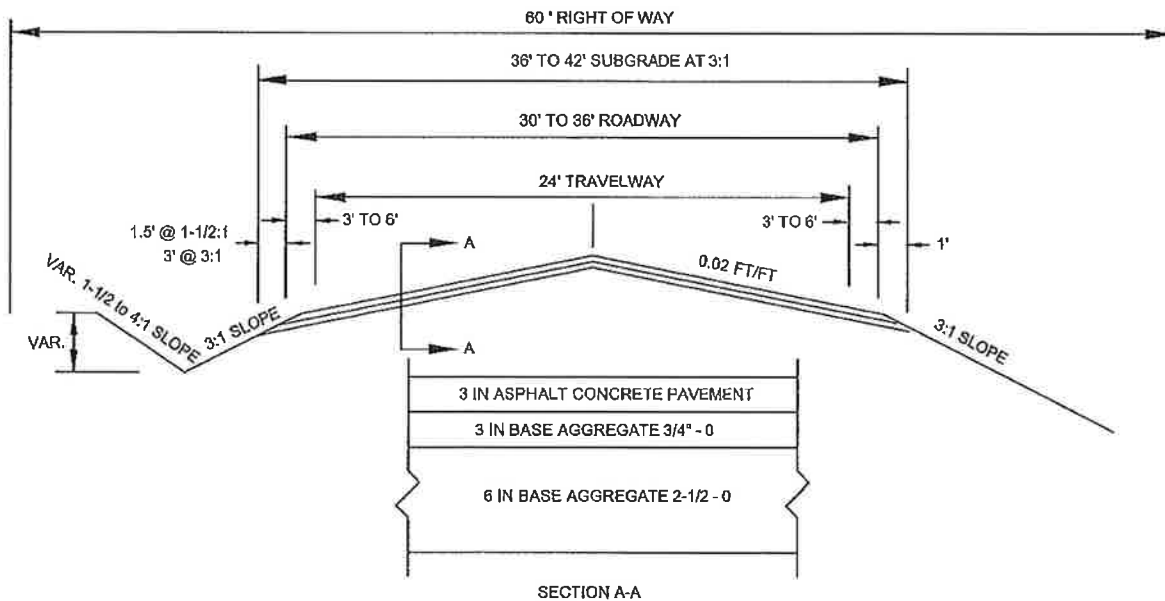
Gravel roads serve a wide range of needs in Morrow County, and there are gravel roads that serve as higher-classification facilities. The Rural Gravel classification provides a range of cross-sections to accommodate varying needs.

#### **Five-Lane Standard**

The five-lane road standard is a paved standard designed to periodically handle a high volume of vehicle traffic in a concentrated area of north Morrow County. The standard was adopted to support the planned Pacific Northwest Motorsports Park.



## RURAL ARTERIAL I



## RURAL ARTERIAL II

1. ASPHALT CONCRETE (AC) PAVEMENT SHALL BE STANDARD DUTY, CLASS B PER ODOT STANDARD SPECIFICATIONS 00745.
2. BASE AGGREGATE SHALL MEET THE REQUIREMENTS OF ODOT STANDARD SPECIFICATIONS 02630
3. ALTERNATIVE PAVEMENT SECTIONS MAY BE PROPOSED BASED ON A SOILS INVESTIGATION AND PAVEMENT DESIGN BY A LICENSED ENGINEER. ALL CHANGES SHALL BE APPROVED BY THE COUNTY ROAD ENGINEER.
4. DITCH SECTIONS SHALL BE APPROPRIATE TO ACCOMMODATE MAXIMUM STORMWATER FLOW PER ODOT STANDARD SPECIFICATIONS 00745.
5. RIGHT-OF-WAY (R/W) SHOWN IS MINIMUM. ADD'L R/W OR EASEMENT MAY BE REQUIRED FOR CONSTRUCTION IN SLOPED AREAS.

NOT TO SCALE  
JUNE 2005

SHEET 1 OF 5



CIVIL  
TRANSPORTATION  
STRUCTURAL  
LAND SURVEYING

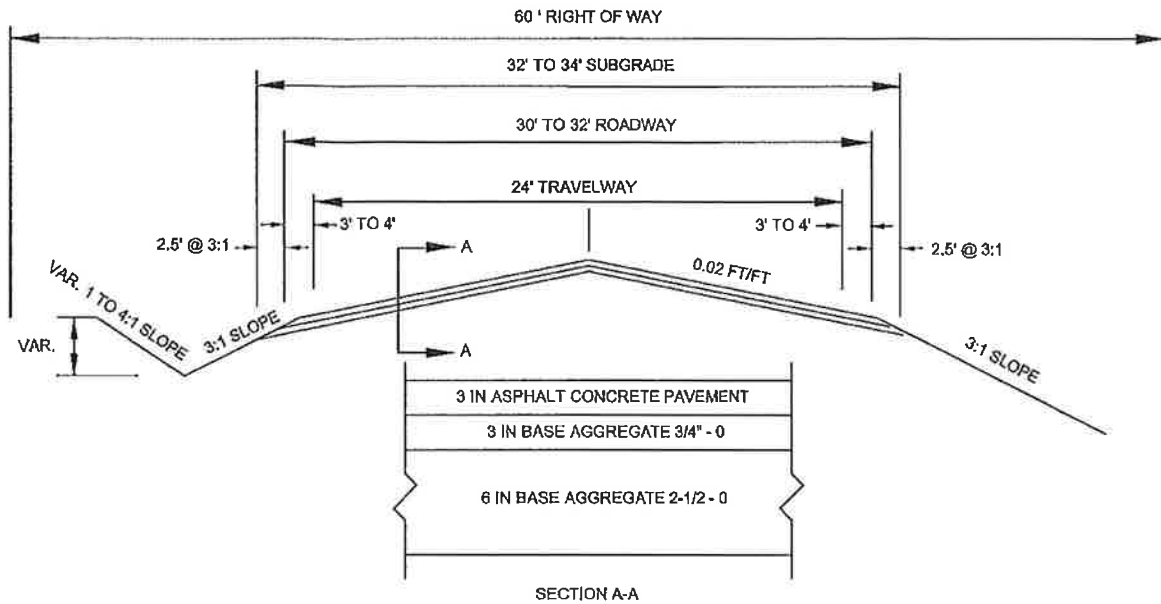
2020 N.W. TRANSCORP BL.  
MILWAUKEE, WISCONSIN 53214  
PHONE (414) 400-0000  
FAX (414) 400-0000  
www.cts-engineers.com

DATE BY NAME	REVISIONS	CHECKED BY NAME	DESCRIPTION
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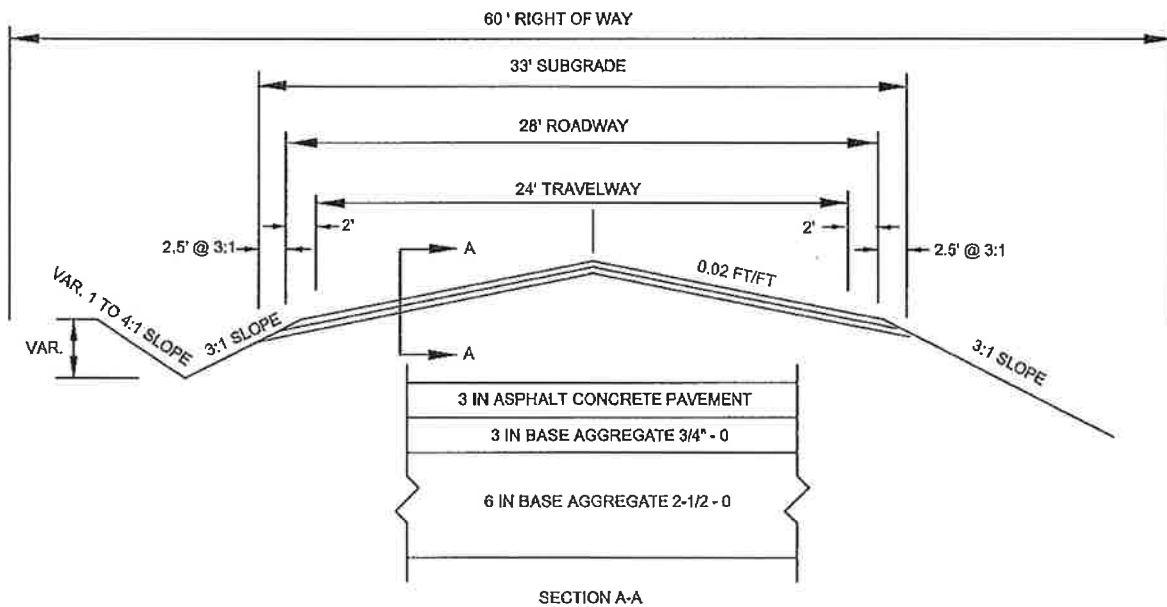
PROJECT TITLE  
MORROW COUNTY  
ROAD STANDARDS  
TYPICAL SECTIONS

PROJECT  
MORROW COUNTY TSP  
UPDATE  
OR04.055.T01

PREPARED FOR  
ODOT/MORROW COUNTY



## RURAL COLLECTOR I



## RURAL COLLECTOR II

1. ASPHALT CONCRETE (AC) PAVEMENT SHALL BE STANDARD DUTY, CLASS B PER ODOT STANDARD SPECIFICATIONS 00745.
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SHEET 2 OF 5



CIVIL  
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LAND SURVEYING

2000 N.E. THUNDERBOLT DR.  
MELBOURNE, FLORIDA 32901  
PHONE: 321-255-1111  
FAX: 321-255-1112  
www.cts-engineers.com

DATE	BY NAME	DESCRIPTION
NO DATA	REVISIONS	DESCRIPTION

ISSUED DATE

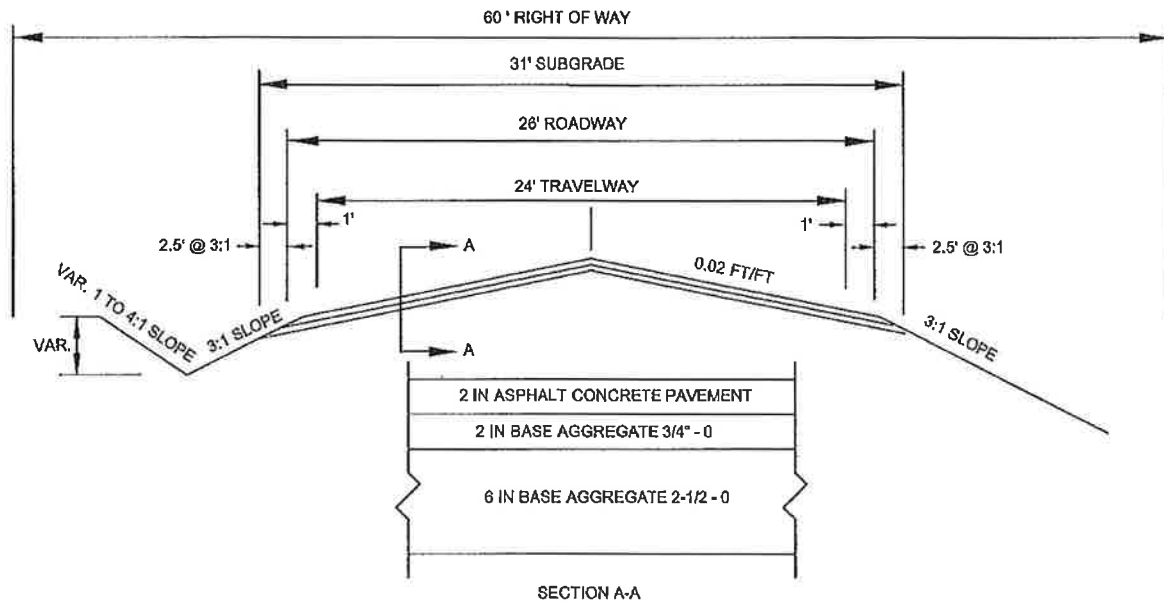
MORROW COUNTY  
ROAD STANDARDS  
TYPICAL SECTIONS

PROJECT

MORROW COUNTY TSP  
UPDATE  
OR04.055.T01

PREPARED FOR:

ODOT/MORROW COUNTY



## RURAL COLLECTOR III

1. ASPHALT CONCRETE (AC) PAVEMENT SHALL BE STANDARD DUTY, CLASS B PER ODOT STANDARD SPECIFICATIONS 00745.
2. BASE AGGREGATE SHALL MEET THE REQUIREMENTS OF ODOT STANDARD SPECIFICATIONS 02630
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SHEET 3 OF 5



CIVIL  
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STRUCTURAL  
LAND SURVEYING  
2000 N.E. TALLMADGE BL.  
MILWAUKEE, WISCONSIN 53211  
PHONE: 414-361-8200 FAX: 414-361-8202  
www.cts-engineers.com

DATE BY NAME	CHECKED BY NAME
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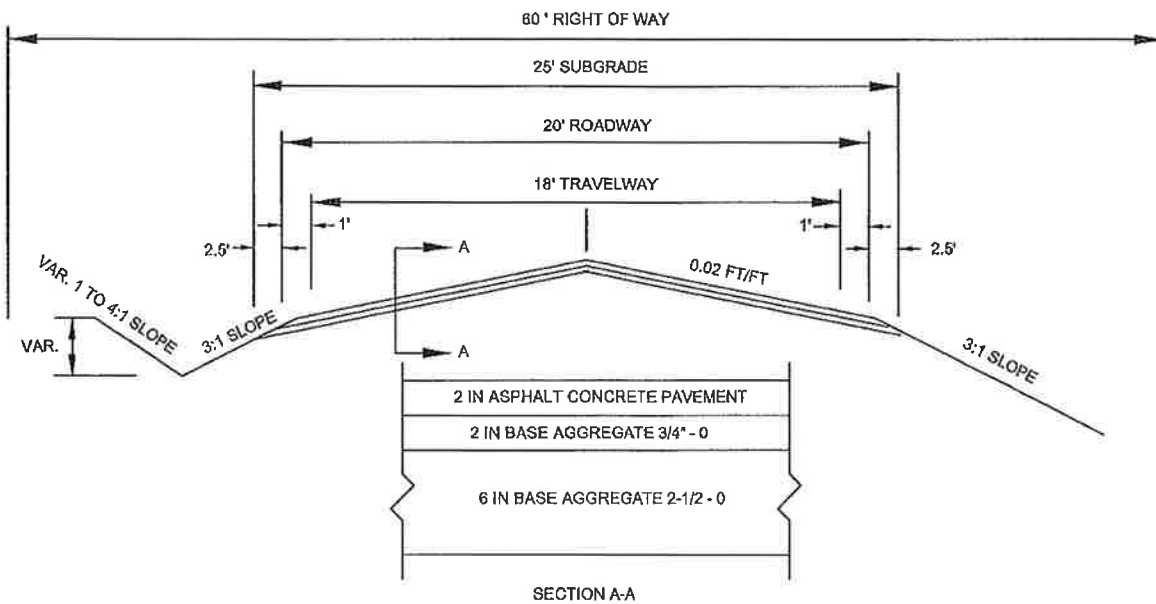
MORROW COUNTY  
ROAD STANDARDS  
TYPICAL SECTIONS

PROJECT

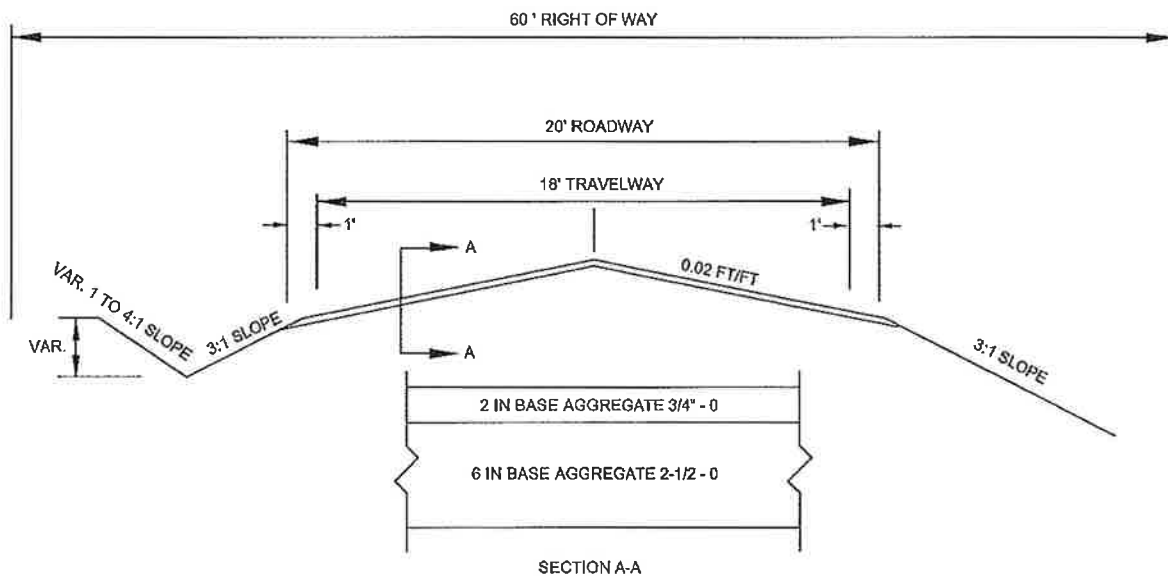
MORROW COUNTY TSP  
UPDATE  
OR04.055.T01

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## RURAL ACCESS I



## RURAL ACCESS II (Gravel Surface)

1. ASPHALT CONCRETE (AC) PAVEMENT SHALL BE STANDARD DUTY, CLASS B PER ODOT STANDARD SPECIFICATIONS 00745.
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NOT TO SCALE

JUNE 2005

SHEET 4 OF 5



CIVIL  
TRANSPORTATION  
STRUCTURAL  
LAND SURVEYING

2005 R.R. TOWNSEND, JR.  
FELSON, DEAN WITH  
P.O. BOX 505-508  
FAX (405) 445-5453  
www.cts-engineers.com

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REVISIONS	DESCRIPTION
NO DATE	

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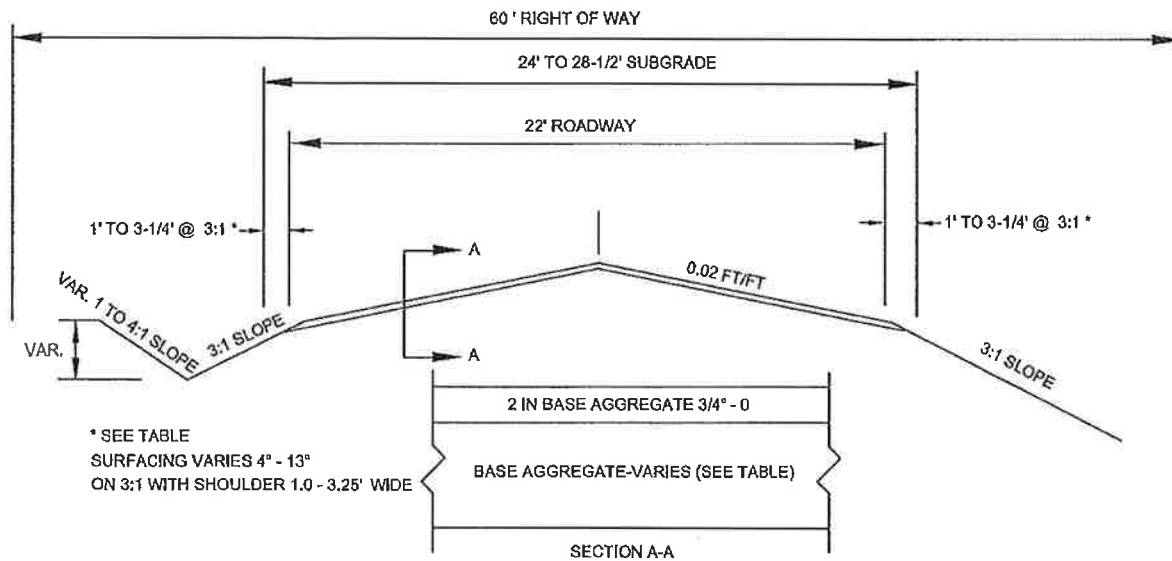
MORROW COUNTY  
ROAD STANDARDS  
TYPICAL SECTIONS

PROJECT:

MORROW COUNTY TSP  
UPDATE  
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ODOT/MORROW COUNTY



## RURAL GRAVEL

(GRAVEL ROAD FOR MULTIPLE FUNCTIONAL CLASSIFICATIONS)

ROADBED SOIL	TRAFFIC LEVEL	AGGREGATE BASE
VERY GOOD	HIGH (ADT > 100)	9 IN
	MEDIUM (ADT 50 - 100)	7 IN
	LOW (ADT < 50)	4 IN
GOOD	HIGH (ADT > 100)	11 IN
	MEDIUM (ADT 50 - 100)	9 IN
	LOW (ADT < 50)	5 IN
FAIR	HIGH (ADT > 100)	13 IN
	MEDIUM (ADT 50 - 100)	10 IN
	LOW (ADT < 50)	5 IN
POOR	HIGH (ADT > 100)	NOT RECOMMENDED
	MEDIUM (ADT 50 - 100)	15 IN
	LOW (ADT < 50)	9 IN
VERY POOR	HIGH (ADT > 100)	NOT RECOMMENDED
	MEDIUM (ADT 50 - 100)	NOT RECOMMENDED
	LOW (ADT < 50)	8 IN

1. ASPHALT CONCRETE (AC) PAVEMENT SHALL BE STANDARD DUTY, CLASS B PER ODOT STANDARD SPECIFICATIONS 00745.
2. BASE AGGREGATE SHALL MEET THE REQUIREMENTS OF ODOT STANDARD SPECIFICATIONS 02630
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5. RIGHT-OF-WAY (R/W) SHOWN IS MINIMUM. ADD'L R/W OR EASEMENT MAY BE REQUIRED FOR CONSTRUCTION IN SLOPED AREAS.

NOT TO SCALE  
JUNE 2005

SHEET 5 OF 5



CIVIL  
TRANSPORTATION  
STRUCTURAL  
LAND SURVEYING  
2008 S.E. THALBROOK DR.  
MILLERS GROVE, KY 40366  
PHONE: 502-895-0000  
FAX: 502-895-0000  
www.cts-engineers.com

CASE BY NAME	CHECKED BY NAME
REVISIONS	DESCRIPTION
NO. DATE	

DESIGN TITLE  
MORROW COUNTY  
ROAD STANDARDS  
TYPICAL SECTIONS

PROJECT  
MORROW COUNTY TSP  
UPDATE  
OR04.055.T01

PREPARED FOR  
ODOT/MORROW COUNTY



## **ARTICLE 9. IMPROVEMENTS**

**SECTION 9.010. IMPROVEMENT PROCEDURES.** In addition to other requirements, improvements to be installed by a subdivider, either as a requirement of this ordinance or other applicable regulations or at his own option, shall conform to the requirements of this article.

A. Plan Review and Approval. Improvement work shall not be commenced until plans therefore have been reviewed and approved by the county or a designated representative thereof. Such review and approval shall be at the expense of the developer. To the extent necessary for evaluation of a proposed development, such improvement plans may be required before approval of the tentative plan of a subdivision or the tentative development plan of a planned unit development.

B. Notification. Improvement work shall not commence until after the county has been notified and approval thereof has been granted, and if work is discontinued for any reason it shall not be resumed until after the county is notified and approval thereof granted. The cost of such inspections and approvals shall be borne by the developer.

C. Improvements as Platted. Improvements shall be designed, installed and constructed as platted and approved, and plans therefor shall be filed with the final plat at the time of inspection.

D. Inspection. Improvements shall be constructed under the inspection and approval of an inspector designated by the county. Expenses incurred thereof shall be borne by the developer. The county, through said inspector, may require changes in typical sections and details of improvements if unusual conditions arise during construction to warrant such changes in the public interest.

E. Utilities. Underground utilities including but not limited to electric power, telephone, water mains, water service crossings, sanitary sewers and storm water drains, to be installed in streets shall be constructed by the subdivider prior to the surfacing of the streets.

F. As Built Plans. A map showing public improvements as built shall be filed with the affected city and county upon completion of the improvements and a copy thereof shall be recorded with the final plat. Such map shall also be provided in reproducible form (Mylar or comparable).

**SECTION 9.020. SPECIFICATIONS FOR IMPROVEMENTS.** See Appendix "A" for specifications.

**SECTION 9.030. IMPROVEMENTS IN SUBDIVISIONS.** The following improvements shall be installed at the expense of the subdivider:

A. Streets. Streets, including alleys and curbs may be required, within the subdivision, adjacent thereto, and those outside the subdivision may require to be improved as a condition of subdivision approval, and shall be improved to affected city or county specifications set forth by this ordinance and other applicable affected city and county regulations. Catch basins shall be installed and connected to drainage facilities in accordance with specifications in this and other applicable regulations. Upon completion of street improvements, monuments shall be re-established in accordance with this ordinance and ORS at every street intersection and all points of curvature and points of tangency at their centerlines.

B. Surface and Storm Sewer System. Drainage facilities shall be provided as deemed necessary within the subdivision and to connect the subdivision drainage to drainage ways or storm sewers outside the subdivision. Design of drainage within the subdivision, as provided by specifications of this ordinance and other applicable standards, shall take into account the capacity and grade necessary to maintain unrestricted flow from drainage through the subdivision and allow extension of the system to serve such areas.

C. Sanitary Sewers. Sanitary sewers as required shall be installed to serve the subdivision and to connect the subdivision to existing mains. In the event it is not possible to connect the subdivision to an affected city sewer system, the affected city and county may jointly authorize the use of an interim system, if lot areas are of adequate, considering the physical characteristics of the area and if sewer laterals designed for future connection to a sewage disposal system are installed and sealed. Design shall take into account the capacity and grade to allow for desirable extension beyond the subdivision.

D. Water System. Water lines and fire hydrants serving each building site in the subdivision and connecting the subdivision to the serving system as may be required shall be installed by specifications required by the county and/or affected city and serving water system surveyor. The design shall take into account water provisions for extension beyond the subdivision.

E. Pedestrian Facilities. Site plans shall include a pedestrian circulation plan for providing safe and convenient pedestrian access. Pedestrian facilities as may be required shall be installed on at least one side of a public street and in any special pedestrian facility or walkway within the subdivision; in the case of primary or secondary arterials, special type industrial districts, or in rural areas, the Planning Commission may approve a subdivision without appropriate pedestrian facilities, if alternative pedestrian routes are available or if applicant can demonstrate that there is no need for such facilities, and provided further that in the case of streets serving lots equivalent to two and one-half or less dwellings per gross acre, the requirement of walkways shall not apply, provided there is no evidence of special pedestrian activity along the streets involved. Walkways shall be constructed to specifications set forth by the affected city or county specifications.

F. Bicycle Facilities. Site plans shall include a bicycle circulation plan. If appropriate to the extension of a system of bicycle routes, existing or planned, the Planning Commission may require the installation of bikeways or other bicycle facilities.

G. Streets Name Signs. Street name signs shall be installed at all street intersections. One street sign shall be provided at the intersection of each street. Two street signs shall be provided at four-way intersections.

H. Street Lights. Street lights may be required and if so required shall be installed and shall be served from an underground source of supply.

I. Curbs. Curbs may be required on urban area streets, and if so required shall be installed by the developer in accordance with standards set forth by the affected city or county.

J. Other. The developer shall make necessary arrangement with the utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting and cable televisions may be required to be placed underground.

**SECTION 9.040. IMPROVEMENTS IN PARTITIONS.** The same improvements may be required for a partitioning and if so shall be installed to serve each building site of a partition as required of a subdivision.

**SECTION 9.050. APPROVAL OF IMPROVEMENTS.** All improvements shall be approved by the affected city and county inspectors prior to acceptance by the county. All costs of inspection shall be paid for by the developer.

**SECTION 9.060. ACCEPTANCE OF IMPROVEMENTS.** Improvements shall receive preliminary acceptance after inspection at the time the improvements are constructed. Final acceptance shall be considered by the county within one year after construction is completed.

**SECTION 9.070. BUILDING PERMITS.** No building permit shall be issued upon lots to receive and be served by sanitary sewer and water service as improvements required pursuant to this ordinance unless such improvements are in place and serviceable or bonded for and approved by the county. All improvements required and pursuant to this ordinance and other applicable regulations shall be completed, in service and approved by the county prior to the sale and occupancy of any building unit erected upon a lot within the subdivision, partition or planned unit development. Prior to sale and occupancy, and as a condition of acceptance of improvements, the county may require a one-year Maintenance Surety Bond in an amount not to exceed ten percent of the value of all improvements to guaranteed maintenance of said improvements for a period of not less than one year from the date of acceptance.



LAND USE APPLICATION  
REPLAT



FILE NUMBER R-N-88-24

Date Received \_\_\_\_\_

**Applicant or Legal Owner:**

Date Deemed Complete \_\_\_\_\_

Name(s) Carla McLane

Address 200 City Center Circle / P.O. Box 229 Boardman, OR 97818

Phone 541-922-9252

E-mail address mclanec@cityofboardman.com

**Legal Owner:** (if different from applicant)

Name(s) City of Boardman

Address \_\_\_\_\_

Phone \_\_\_\_\_ E-mail address \_\_\_\_\_

**Existing Property Description:**

Township 4N Range 24E Section \_\_\_\_\_ Tax Lot(s) 134

Zoning Designation SAI Located within an UGB? No If yes, which city? \_\_\_\_\_

Physical Address Bare Property

General Location At the corner of Tower Road and Kunze Lane, south of the I84 Interchange

List any water, irrigation, drainage, water control, water improvement district or water improvement company that provide services to the subject property: None

**Replat Type Requested:**

☐ Subdivision \_\_\_\_\_ (name)  
☒ Land Partition \_\_\_\_\_ (number)

☐ Property Line Adjustment

Conveying Parcel: Acres Before \_\_\_\_\_ Acres After \_\_\_\_\_  
Receiving Parcel: Acres Before \_\_\_\_\_ Acres After \_\_\_\_\_

Please explain why the replat is requested: The city desires to divide the property into three parcels to allow for future development and sale.

Will the replat affect any utility easement? No. If yes, please identify which utility companies are affected and in what way the easement is affected.

A reconfiguration of a recorded subdivision or partition plat or a change in the number of lots in the subdivision or partition may be approved by the Planning Commission or as defined in ORS 92.180. Replats will act to vacate the platted lots or parcels and easements within the replat area with the following conditions:

- A replat will apply only to a recorded plat;
- Notice shall be provided when the replat is replatting all of an undeveloped subdivision as defined on ORS 92.225;
- Notice shall be provided to the owners of the property adjacent to the exterior boundaries of the tentative subdivision replat;
- When a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of property contiguous to the proposed plat.
- A replat will not serve to vacate any public street or road; and
- A replat will comply with all subdivision provisions of the Morrow County Subdivision Ordinance and all applicable ordinances.

**Please submit with this application a proposed replat plot plan. The plan should show all accesses, existing and proposed; any easements that cross the property; location of any structures, present and proposed; all creeks, drainage or irrigation ditches and other water features; and topographical features that would affect the replat.**

**Signatures:**

Signed:

Carla McLane  
(Applicant)

x [Signature]  
(Legal Owner)

Printed:

Carla McLane

(Applicant)

Brandon Hammond

(Legal Owner)

Date:

10/22/2024

Date:

10/22/2024

If this application is not signed by the property owner a letter authorizing signature by the applicant must be attached.

**Special Instructions to Owners of Land Receiving Water From an Irrigation District:** If you own land located within an Irrigation District, please contact the district prior to submitting your application. The district may have special requirements which may affect your replat. Oregon Revised Statute 92.090(6) requires Irrigation District review of all land partitions and subdivisions located within an Irrigation District. Compliance with district requirements will be made a condition of approval of your application. Verification of review may be indicated in writing or with an authorized signature on your preliminary plat.

**Morrow County Planning Department  
P.O. Box 40, Irrigon Oregon 97844  
(541) 922-4624 FAX: (541) 922-3472**



## LAND USE APPLICATION LAND PARTITION

**RECEIVED**  
OCT 22 2024

BY: MR

**PAID**  
666 to ck

FILE NUMBER LP-N-529-24 Date Received: \_\_\_\_\_

Date Deemed Complete: \_\_\_\_\_

**Applicant:**

Name(s): Carla McLane

Address: 200 City Center Circle / P.O. Box 229 Boardman, OR 97818

Phone: 541-481-9252 E-mail address: mclanec@cityofboardman.com

**Legal Owner:** (if different from applicant)

Name(s): City of Boardman

Address: \_\_\_\_\_

**Existing Property Description:**

Township: 4N Range: 24E Section: \_\_\_\_\_ Tax Lot(s): 134

Zoning Designation: SAI

Located within an UGB? No. If yes, which city?: \_\_\_\_\_

Physical Address: Bare property

General Location: At the corner of Tower Road and Kunze Lane,  
south of the I84 Interchange.

Public Road Access: Tower Road and Kunze Lane

Improvement Type and Condition of Road: Paved

Water will be supplied by: TBD

Fire Protection District or method: Boardman

Location of electric and telephone utilities: Along both Tower Road and Kunze Lane

Sewage disposal method: TBD. North portion by onsite. South portion unknown.  
(Department of Environmental Quality must approve site suitability and specify requirements for septic systems.)

List any water, irrigation, drainage, water control, water improvement district or water improvement company that provide services to the subject property: \_\_\_\_\_

None.

**Description of Proposed Partition:**Number of new lots proposed: threeFor what use or uses is the parcel now used: Bare property. Some has been grazed.For what use or uses are the parcels intended: TBD. Zone change application is being developed.Are there any covenants, conditions, or restrictions to be used?: None.

If yes, submit a copy of restrictions or proposed restrictions to be used.: \_\_\_\_\_

Describe the topography of the land: Generally flat. Limited soil with rock outcroppings.Is the land subject to flooding?: No.Will any new access(es) be required?: Locations to be determined at the time of development.

Will there be any identifiable impacts on adjoining or area land uses, public services and facilities, and natural resource carrying capacities? If so, please explain: \_\_\_\_\_

From the Land Partition - No.

**Please submit with this application a proposed partition plot plan. The plan should show all accesses, existing and proposed; any easements that cross the property; location of any structures, present and proposed; all creeks, drainage or irrigation ditches and other water features; and topographical features that would affect the partition.**

**Signatures:**

I(we), the undersigned, acknowledge that I/we am familiar with the standards and limitations set forth by the Morrow County Zoning and Subdivision Ordinance and that additional information and materials may be required, as provided by the Zoning and Subdivision Ordinance and Comprehensive Plan. I/we propose to meet all standards set forth by the County's Zoning and Subdivision Ordinance and any applicable State and Federal regulations. I(we) certify that the statements and information provided with this application are true and correct to the best of my knowledge.

Signed: \_\_\_\_\_

(Applicant): Carla McLane

(Applicant):

Carla McLane(Legal Owner): XTense

(Legal Owner):

Brandon Hammond

If this application is not signed by the property owner a letter authorizing signature by the applicant must be attached.

Date: 10/22/2024Fee: \$6000

**Special Land Partition Application Instructions to Owners of Land Receiving Water From an Irrigation District:** If you own land located within an Irrigation District, please contact the district prior to submitting your land partition application. The district may have special requirements which may affect your land partition. Oregon Revised Statute 92.090(6) requires Irrigation District review of all land partitions and subdivisions located within an Irrigation District. Compliance with district requirements will be made a condition of approval of your application. Verification of review may be indicated in writing or with an authorized signature on your preliminary plat

**Morrow County Planning Department**  
**P.O. Box 40, Irrigon Oregon 97844**  
**(541) 922-4624 FAX: (541) 922-3472**

Umatilla Electric Cooperative  
PO Box 1148  
750 W. Elm Avenue  
Hermiston, OR 97838

January 13, 2025

Tamra Mabbott, Planning Director  
Morrow County Planning Department  
215 NE Main Avenue  
Irrigon, OR 97844

RE: Letter of No Opposition to LP-N-529-24

Mrs. Tamra Mabbott:

We're writing as an adjoining landowner in regard to the City of Boardman's ("Boardman") proposed Land Partition Application near and along Tower Road, west of Boardman, Oregon (hereinafter referred to as the "Application").

As an adjoining landowner, Umatilla Electric Cooperative ("UEC") has carefully considered how the Application may impact our property and its current and future uses. After reviewing the details of the Application, UEC would like to formally state that it has no opposition to the Application.

This letter serves as our official position of non-opposition to the Application. We appreciate your attention to this matter and trust that any necessary steps will be taken to address the relevant concerns of affected parties, including ourselves.

Should you require any further clarification, please feel free to contact me.

Thank you,



Coleman Bode  
Manager of Engineering  
541-561-3872  
Cole.Bode@umatillaelectric.com



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**Re: FW: Public Notice LP-N-529-24**

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**From** Bev Bridgewater <bbridge@oregontrail.net>

**Date** Wed 1/8/2025 4:17 PM

**To** Michaela Ramirez <mramirez@morrowcountyor.gov>

**Cc** Tamra Mabbott <tmabbott@morrowcountyor.gov>; Morrison, Wanda (Wendy) <wmorrison@usbr.gov>

**[EXTERNAL EMAIL] - STOP and VERIFY - This message came from outside of Morrow County Gov**

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Please forward this information to Wendy Morrison at the Reclamation office. I am copying her on this email.

There is a federal ditch on this property and our historic maps show a federal ROW. I don't have the records on the ROW. Reclamation would like to be included on planning actions that affect their rights. Thanks. This is a good opportunity to figure out what federal rights there are for all of us moving forward.

Bev

On 1/8/2025 1:24 PM, Michaela Ramirez wrote:

Morrow County Planning Dept.  
Michaela Ramirez, Administrative Asst.  
PO Box 40  
Irrigon, OR 97844  
541-922-4624



**NEW EMAIL ADDRESS\*\*\*** [mramirez@morrowcountyor.gov](mailto:mramirez@morrowcountyor.gov)

**From:** Michaela Ramirez

**Sent:** Wednesday, January 8, 2025 10:10 AM

**To:** Dawn Hert <[Dawn.Hert@dlcd.oregon.gov](mailto:Dawn.Hert@dlcd.oregon.gov)>; [mhughes@boardmanfd.com](mailto:mhughes@boardmanfd.com); Mike Gorman <[mgorman@morrowcountyor.gov](mailto:mgorman@morrowcountyor.gov)>; Eric Imes <[eimmes@morrowcountyor.gov](mailto:eimmes@morrowcountyor.gov)>; Matt Kenny <[kennymatt@live.com](mailto:kennymatt@live.com)>; Carla McLane <[mclanec@cityofboardman.com](mailto:mclanec@cityofboardman.com)>

**Cc:** Tamra Mabbott <[tmabbott@morrowcountyor.gov](mailto:tmabbott@morrowcountyor.gov)>; Clint Shoemake <[cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov)>

**Subject:** Public Notice LP-N-529-24

All,

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**PRELIMINARY FINDINGS OF FACT  
CONDITIONAL USE REQUEST  
CUP-N-383-24**

**REQUEST:** To allow a Home Occupation Permit in a Suburban Residential (SR) Zone for the operation of a small commercial trucking business.

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**APPLICANT/OWNER:** Martin M. Guzman  
PO Box 798  
Boardman, OR 97818

**PROPERTY DESCRIPTION:** Tax Lot 2500 of Assessor's Map 4N25E20A

**PROPERTY LOCATION:** ± 380 feet south of Kunze Lane, within the Boardman Urban Growth Boundary (UGB) on Parkside Drive., north of the centralized West Glen Subdivision.

- I. BACKGROUND INFORMATION:** The subject site is approximately 1.13 acres and is located within the Suburban Residential (SR) zone and the City of Boardman UGB. This Conditional Use Permit application requests a Home Occupation Permit to allow the applicant to operate and park three ten-wheeler commercial trucks and two truck-tractors on the property. The applicant has been operating commercial trucks on the site for some time and submitted the CUP application in response to code enforcement actions. The applicant is one of more than a dozen commercial truck operators currently utilizing residential property within the West Glen Residential Area (SR zoning) without the appropriate land use approvals. The approval of this CUP will serve to rectify outstanding code violations while providing specific parameters for the operation of the existing business.

Because the subject property is located within the Boardman UGB, there are direct concerns with the use being compatible with city zoning designations in the event of future annexation. Access to the site requires the use of less than a quarter of a mile of substandard public roads that are not currently maintained or subject to a maintenance or usage agreement.

MCZO Section 3.050.C.2 Limitations on Uses allows a landowner "to use a truck or tractor unit as personal transportation to the resident parcel. No more than one (1) truck or tractor unit is allowed per parcel." Applicant is proposing to have five commercial trucks to be parked on his property and operated seasonally.

- II. STAFF RECOMMENDATION:** The county has initiated a neighborhood-based code compliance effort to address growing concerns regarding unregulated commercial trucking operations and impacts to public roads in West Glen as well as other affected neighborhoods throughout the county. Staff understand that this effort puts property owners such as the Guzman's in a difficult situation, as they have been operating their business on their residential property for many years for agricultural purposes. Staff is neither recommending the approval or denial of this CUP.

Preliminary Findings of Fact  
Guzman Home Occupation  
CUP-N-383-24

- III. **COMPLIANCE WITH MORROW COUNTY ZONING ORDINANCE SECTIONS 3.050, 6.030, 6.050, and 6.075.** The requirements for approval are listed below in **bold type**, followed by a response in standard type.

**SECTION 3.050 SUBURBAN RESIDENTIAL ZONE, SR**

The SR Zone accommodates small lot development and transition to urban type densities and uses within an urban growth boundary. In an SR Zone, the following regulations shall apply:

- B. **Conditional Uses Permitted.** In an SR Zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements set forth in Article 6.
8. **Home occupations conducted in a structure accessory to the dwelling, provided that all other limitations of home occupations are observed.**

**Finding:** The applicant proposes parking the three ten-wheelers and two truck-tractors along the northeast end of the parcel where they will be minimally visible from the road and/or adjacent residences.

**SECTION 6.030 GENERAL CONDITIONS.**

In addition to the standards and conditions set forth in a specific zone, this article, and other applicable regulations; in permitting a new conditional use or the alteration of an existing conditional use, the Commission may impose conditions which it finds necessary to avoid a detrimental impact and to otherwise protect the best interests of the surrounding area or the County as a whole. These conditions may include the following:

- A. **Limiting the manner in which the use is conducted including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare, and odor.**

**Finding:** The proposed use shall be operated in a way that will not intentionally disturb neighboring residences. The Guzmanns' have operated commercial trucks on the subject property for several years and the county with few specific concerns directly related to their existing operation. Nonetheless, the county has received general complaints related to the operation of commercial trucks in the vicinity of the subject site. The proposed home occupation has the potential to generate some noise and traffic. The recommended conditions of approval attempt to mitigate anticipated and expressed concerns. The applicant did not provide specific details on operation times or activity taking place onsite. However, similar operations have indicated that operations start at approximately 6-7 AM and return approximately between 5:00PM and 6:00PM. Previous Planning Commission approvals have included a 6:00AM to 6:00PM window for operation, this has also been included as a Condition of Approval for this application. Any minor maintenance, such as tire and oil changes, must be conducted during hours that comply with the noise standards outlined in the Morrow County Code

Enforcement Ordinance. No major mechanical operations on commercial vehicles are to be conducted on the property.

Any complaints received of operations outside of these hours may result in a review of the activity and potential revocation of the permit.

**B. Establishing a special yard or other open space or lot area or dimension.**

**Finding:** This proposed use will use existing lot area. Planning staff do not recommend any additional requirements for open space.

**C. Limiting the height, size, or location of a building or other structure.**

**Finding:** This application does not include the approval of new buildings or accessory structures. Staff do not recommend any additional limitations on the height, size, or location of the structures.

**D. Designating the size, number, location, and nature of vehicle access points.**

1. **Where access to a county road is needed, a permit from the Morrow County Public Works department is required. Where access to a state highway is needed, a permit from ODOT is required.**

**Finding:** The existing access to the site is from Parkside Road. This road is a dedicated public roadway not maintained by the county. Applicant is applying with the intent to use two access points to the parcel. The use of the secondary access is unpermitted at this time and must be discontinued, unless otherwise approved and permitted by Morrow County Public Works. Planning staff recommends the applicant obtain all necessary public works permits. This is included as a condition below.

2. **In addition to the other standards and conditions set forth in this section, a TIA will be required for all projects generating more than 400 passenger car equivalent trips per day. A TIA will include: trips generated by the project, trip distribution for the project, identification of intersections for which the project adds 30 or more peak hour passenger car equivalent trips, and level of service assessment, impacts of the project, and mitigation of the impacts. If the corridor is a State Highway, use ODOT standards.**

**Finding:** This action will not trigger the need for a Traffic Impact Analysis as it will not generate more than 400 passenger car equivalent trips per day. According to the Applicant's narrative, the trucks enter and exit the property once per day during the operational season. The ten-wheelers operate approximately six weeks out of the year. During the remaining months of the year, these trucks sit dormant on the subject parcel. The truck-tractor vehicles run and operate year-round, entering and exiting the property once per day. This analysis does not trigger the need for a TIA analysis in and of itself. Deviation from the proposed use plan may result in a review of the activity and potential revocation of the permit.

**E. Increasing the amount of street dedication, roadway width, or improvements within the street right-of-way.**

**Finding:** No increase in street dedication, roadway width, or improvements in the right-of-way are proposed by the applicant. The streets that will be impacted by the proposal consist of substandard Public Roads that are not owned or maintained by the County or another entity. These preliminary Findings of Fact have been provided to Morrow County Public Works for their review and comment.

**1. It is the responsibility of the landowner to provide appropriate access for emergency vehicles at the time of development.**

**Finding:** Preliminary Findings of Fact have been provided to Boardman Fire and Rescue for their review and comment.

**F. Designating the size, location, screening, drainage, surfacing or other improvement of a parking area or loading area.**

**Finding:** The subject parcel is located within the West Glen Residential Area. As identified on the site plan, the trucks will be parked on the northwest corner of the parcel to minimize impacts to neighboring properties as well as visibility from the roadway. No public comments were received identifying concerns with the application, and staff does not recommend additional conditions of approval related to the parking of the trucks as proposed.

**G. Limiting or otherwise designating the number, size, location, height, and lighting of signs.**

**Finding:** The Applicant has not requested signage for the Home Occupation. Any future signs must meet the sign requirements in the Morrow County Zoning Ordinance.

**H. Limiting the location and intensity of outdoor lighting and requiring its shielding.**

**Finding:** Lighting is not proposed with the application. Any outdoor lighting other than typical residential lighting shall be limited and shielded from the roadway and neighboring residences.

**I. Requiring diking, screening, landscaping or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance.**

**Finding:** The proposed use would not require diking, screening or landscaping to protect nearby property. Planning staff are not recommending any of these provisions due to the proposed use.

**J. Designating the size, height, location and materials for a fence.**

**Finding:** Based on the current and proposed uses planning staff would not require any additional conditions related to fencing.

- K. Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.**

**Finding:** The proposed home occupation will be limited to existing structures and will not create any foreseeable natural resource impacts based on the proposed use. Planning staff are not recommending additional conditions related to natural resources.

- L. Other conditions necessary to permit the development of the County in conformity with the intent and purpose of this Ordinance and the policies of the Comprehensive Plan.**

**Finding:** A copy of the Preliminary Findings of Fact has been provided to the City of Boardman for their review and comment. City may recommend additional conditions to apply at the time of any future city zoning due to annexation.

#### **SECTION 6.050 STANDARDS GOVERNING CONDITIONAL USES**

**A conditional use shall comply with the standards of the zone in which it is located and with the standards set forth in this subsection.**

- G. Home Occupations, when permitted as a conditional use and conducted as an accessory use, shall be subject to the following limitations:**

- 1. The home occupation is to be secondary to the main use of the property as a residence and shall be conducted within the same dwelling or in an accessory building on the same property.**

**Finding:** The primary use of the property is residential. The dwelling is the applicants' home, and they will be conducting the home occupation within the existing buildings, with truck parking outside of the existing structures, as shown on the applicant's site plan. This criterion is met.

- 2. No structural alterations shall be allowed to accommodate the home occupation except when otherwise required by law, and then only after the plans for such alteration have been reviewed and approved by the Planning Commission. Such structural alterations shall not detract from the outward appearance of the building as an accessory structure to a residence.**

**Finding:** No structural alterations are proposed nor will be needed to accommodate the home occupation. This criterion is met.

- 3. One non-illuminated sign not to exceed 200 square inches and bearing only the name and occupation of the resident shall be permitted.**

**Finding:** No signs are proposed with this application. Any future signs will need to meet the requirements of the Morrow County sign ordinance. This criterion is met.

4. **No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interferences with radio or television reception, or other factors.**

**Finding:** No materials or mechanical equipment which is detrimental to adjoining properties is needed for the proposed use. This criterion is met.

5. **No materials or commodities shall be delivered to or from the property which are of such bulk or quantity as to require delivery by a commercial vehicle or a trailer or the parking of customer's vehicles in a manner or frequency as to cause disturbance or inconvenience to nearby residents or so as to necessitate off-street parking.**

**Finding:** Deliveries are not required for the proposed use. The proposal necessitates parking for five commercial vehicles on the subject site. Staff recognizes that the use has been ongoing for several years and does not anticipate that this will contribute to any disturbance to nearby residents. This criterion is met.

6. **Retail sales shall be limited or accessory to a service.**

**Finding:** Retail sales are not proposed with the application. This criterion is met.

7. **Be operated by a resident or employee of a resident of the property on which the business is located.**

**Finding:** The applicant has made known that the commercial operation will be operated by himself and persons which he employs. This criterion is met.

8. **The permit allowing a home occupation shall be reviewed every 12 months following the date the permit was issued and may continue the permit if the home occupation continues to comply with the requirements of this section.**

**Finding:** This permit will be reviewed annually with other home occupation permits as long as the proposed use continues.

#### **SECTION 6.075. LENGTH OF PERMITS, PERMIT HOLDER, RENEWAL AND REVOCATION.**

- A. **Length of Permit and Permit Holder: The County may evaluate how long a particular conditional use is expected to remain valid. Some conditional uses may be considered "permanent" as a fully developed use that "runs with the land" and it attaches to and benefits the land and is not limited to a particular landowner. The County may require the owner of the original conditional use permit to record the permitted use on the deed record. The permit is the responsibility of the current owner of the property, whether that is the original applicant or a successor.**

A conditional use permit may allow a use that would benefit the permit owner on a sporadic or temporary basis until the purpose for the conditional use permit no longer exists. Upon termination of the use, the land must be in a condition that it may be re-developed in compliance with its current zoning designation. The County may authorize a conditional use permit until a particular date, for a stated period of time, or until the occurrence of a particular event. Additionally, the County may stipulate that a Conditional Use Permit will be reviewed or renewable after a stated time period.

**Finding:** The proposed home occupation does not have a designated term length. Staff recommend Planning Commission consider approving the permit for a period of one year with the ability to renew for an additional year, up to two times. The proposed use will be permitted, subject to annual review until the ownership of the land changes, or until the City of Boardman annexes the property. At that time, the proposed use would cease, and the property shall conform to applicable city zoning standards.

- B. Reviews and Renewals.** If a review or renewal date is included as a condition by which a conditional use permit is granted, initial review would be ministerial and completed by the Planning Director. The holder of the conditional use permit will be required to make application and pay the requisite fee for review. The review would evaluate the permit conditions and adherence to them, determine if any changes had taken place with the uses allowed in the zone, and determine whether any complaints had been logged concerning the property or the conditional use. If any concerns arise further review will take place at a public hearing with notice. If no concerns arise the permit will be renewed.

For conditional use permits without a review or renewal condition, or if complaints are received concerning a conditional use permit, the County may review any valid conditional use permit for compliance with the conditions of the permit. This review would be a ministerial review done by the Planning Director. If it is deemed necessary by the Planning Director to amend or revoke the permit, a public hearing with notice must be held before the Planning Commission. If action is based on a complaint the complainant may be required to pay any permit review or renewal application fees.

**Finding:** This home occupation shall be reviewed annually with other home occupations therefore no condition is necessary. However, the applicant shall maintain the home occupation as presented in the application. If complaints are received and it is found that the permit is being performed outside what has been proposed the applicant will be responsible for paying any applicable review or renewal application fees. This is listed as a condition of approval.

- C. Revocation or Vacation.** Any conditional use permit may be vacated by the current landowner or by the County after appropriate notice and hearing when:
- The use has been terminated and there is no expectation by the land owner and the County that the use will continue;

- The use is not being conducted in compliance with the stated conditions of the permit, or
- The County finds that the use jeopardizes the public health, safety and welfare of Morrow County and the use does not conform to the Morrow County Code Enforcement Ordinance or other adopted ordinances. (MC OR-1-2013)

**Finding:** The County reserves the right to revoke the permit based on this criterion.

**III. LEGAL NOTICE PUBLISHED:** January 8, 2025  
Heppner Gazette-Times

January 8, 2025  
East Oregonian

**IV. AGENCIES NOTIFIED:** Brandon Hammond and Carla McLane, City of Boardman; Glen McIntire, Building Official; Eric Imes, Morrow County Public Works; Bev Bridgewater, West Extension Irrigation District, Mike Hughes and Marty Broadbent, Boardman Fire District.

**V. PROPERTY OWNERS NOTIFIED:** January 8, 2025

**VI. HEARING DATE:** January 28, 2025  
Bartholomew Building  
Heppner, Oregon

**VII. PLANNING COMMISSION:**

Option #1: The Planning Commission may deny CUP-N-383-24.

Option #2: The Planning Commission may approve CUP-N-383-24 subject to the following CONDITIONS OF APPROVAL:

1. The applicant shall maintain the home occupation as presented in the application. Only two ten-wheeler commercial trucks and three truck-tractors are permitted with this home occupation permit. If complaints are received or it is found that the permit is being performed outside what has been proposed the applicant will be responsible for paying any applicable review or renewal application fees.
2. All commercial activity shall occur within the hours of 6:00 AM – 6:00 PM. All commercial activity should be limited to single trips per unit per day.
3. No more than five full-time or part-time persons will be employed on the site at any one time.
4. Noise, traffic, lighting, and other potential impacts to neighboring properties shall be limited to those generally anticipated for a typical residential use. No major

Preliminary Findings of Fact  
Guzman Home Occupation  
CUP-N-383-24

- mechanical work or operation is permitted in conjunction with the home occupation permit.
5. This permit is valid for one year, with annual review and an opportunity to renew the permit for up to two additional years. This permit is not valid if the ownership of either lot changes, at which time the landowner will need to apply for a new conditional use permit. This permit is not valid if the property is annexed into the City of Boardman, at which time the proposed use will cease, and the property shall conform to applicable city zoning standards and regulations.
  6. Any proposed signage will need to meet the requirements of the Morrow County Zoning Ordinance and receive Zoning Permit Approval.
  7. The applicant shall obtain all necessary public access permits to the property.

#### MORROW COUNTY PLANNING COMMISSION

\_\_\_\_\_  
Stacie Ekstrom, Chair

\_\_\_\_\_  
Date

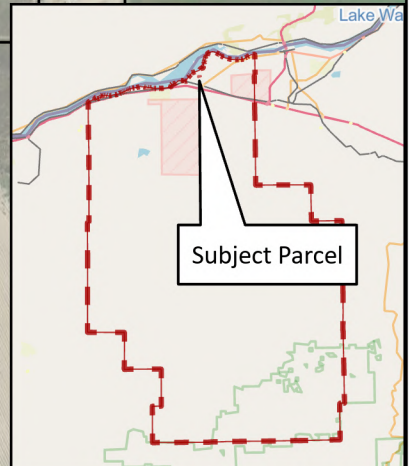
#### Attachments:

- A. Vicinity Map
- B. Application with Attachments

# Vicinity Map

## Boardman

68



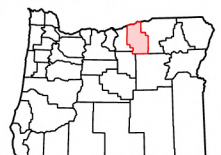
**CUP-N-383-24**

Martin Guzman  
4N25E20A TL2500

- City Limits
- UGB
- Morrow County Boundary
- Taxlots
- Subject Parcel

Coordinate System:  
NAD 1983 HARN StatePlane Oregon North FIPS 3601  
Projection: Lambert Conformal Conic  
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics  
Thursday, January 2, 2025  
Morrow County Planning Department



CORRECTED	OWNER 1	OWNER 2	MAIL ADDRESS	CITY	STATE	ZIPCODE
4N25E17D 3200	MCCARTY, DAN E & MCCARTY, BRANDY L		27471 MCCARTY RANCH LN	ECHO	OR	97826
4N25E20A 2200	WHEELER, DEBORAH L & ACHESON, ELIJAH J		643 SW MT HOOD AVE	BOARDMAN	OR	97818
4N25E17DC 7300	HC LAND LLC		70 SW CENTURY DR STE 100-240	BEND	OR	97702
4N25E20A 3500	BRANDT, MICHAEL & BRANDT, VIRGINIA		70088 KUNZE LN	BOARDMAN	OR	97818
4N25E20A 2700	JIMENEZ, CARLOS & JIMENEZ, LETICIA M		78568 PARKSIDE DR	BOARDMAN	OR	97818
4N25E20A 3300	SMITH, HAZEL J		78571 HILLTOP RD	BOARDMAN	OR	97818
4N25E20A 2600	GUZMAN, MARTIN M & GUZMAN, ELVA		78594 PARKSIDE DR	BOARDMAN	OR	97818
4N25E20A 2300	KURTZ, JANE C		78610 MOUNTAIN VIEW DR	BOARDMAN	OR	97818
4N25E20A 2400	SANCHEZ RODRIGUEZ, ELENO ET AL		78626 PARKSIDE RD	BOARDMAN	OR	97818
4N25E20A 2000	DRAYTON, DONALD F & DRAYTON, MARY		PO BOX 1401	BOARDMAN	OR	97818
4N25E20A 2100	NUNAMAKER, RICHARD A & NORMA J		PO BOX 515	BOARDMAN	OR	97818
4N25E20A 3200	SANCHEZ, BENITO		PO BOX 678	BOARDMAN	OR	97818
4N25E20A 2500	GUZMAN, MARTIN M & GUZMAN, ELVA M		PO BOX 798	BOARDMAN	OR	97818
4N25E20A 3400	ZAVALA RODRIGUEZ, JOSE ETAL		PO BOX 972	BOARDMAN	OR	97818

CUP-N-383-24

|

Martin Guzman

|

SR

250ft. notice.

4N25E20A TL2500

S:\Planning\CUP\North\2024



LAND USE APPLICATION  
CONDITIONAL USE REQUEST

CUP-N-383-24

RECEIVED  
DEC 20 2024

BY: MR  
PAID  
655.00

FILE NUMBER \_\_\_\_\_

Date Received 12-20-2024

Date Deemed Complete \_\_\_\_\_

Applicable Zoning Ordinance Criteria: \_\_\_\_\_

**Applicant:**

Name(s) Martin Guzman

Address 78594 PARKSIDE RD  
BOARDMAN OR 97818

Phone 541-314-8593 E-mail address guzman27695@gmail.com

**Legal Owner:** (if different from applicant)

Name(s) MARTIN GUZMAN

Address 78594  
BOARDMAN OR 97818

**Proposed Conditional Use:**

Description of Request and the Proposed Use:

COMMERCIAL  
PARKING OF VEHICLES  
PA 3 10 wheelers  
2 Semi trailers without Trailers  
10 wheelers work only 6 weeks a year  
Semis Round year

**Existing Property Description:**

Township 4N Range 25E Section 20A Tax Lot(s) 2500

Zoning Designation SR  
(If EFU or FU, soil information is required with your statement)

Located within an UGB? yes If yes, which city? Boardman

Physical Address 78594 PARKSIDE RD

General Location MOUNTAIN VIEW DR PARKSIDE DR

Public Road Access PARKSIDE RD/Kunze  
 Improvement Type and Condition of Road UNPAVED NO IMPROVEMENT  
 Fire Protection District or Method BFD  
 Solid Waste Disposal Method SANITARY DISPOSAL  
 Existing Use of the Property RESIDENTIAL

**Please provide a statement with the following information to the Planning Department:**

1. A plot plan of the property with existing and proposed structures and roads and accesses
2. Existing and proposed water supply
3. Existing and proposed sewage disposal method
4. Utilities and other public services provided
5. Signs and/or lighting required
6. Parking/loading and fencing required
7. Drainage, is the land or any portion of it subject to flooding?
8. What, if any, change will there be in traffic use of the existing access?
9. Will the proposed use generate more than 400 automobile trips per day?
10. Will any new access be required?
11. A description of how the proposal will be compatible with surrounding land uses.
12. How the proposal will protect and preserve existing natural resources such as trees, vegetation, water resources and wildlife habitat and whether diking, screening or other landscaping will be required to protect nearby properties and habitats.

The applicant is responsible for providing all of the information to show compliance with the standards for approval. If you are unsure of the standards required by the code, the Planning Department will be happy to provide them, but it is the applicant's duty to prove to us your proposal meets all of the given code requirements. Your plot plan and narrative should show or answer the above details as well as address specific issues about your particular application as well.

**Signatures:**

I(we), the undersigned, acknowledge that I am familiar with the standards and limitations set forth by the Morrow County Zoning Ordinance and that additional information and materials may be required, as provided by the Zoning Ordinance and Comprehensive Plan. I propose to meet all standards set forth by the County's Zoning Ordinance and any applicable State and Federal regulations. I(we) certify that the statements and information provided with this application are true and correct to the best of my knowledge.

Signed: MARTIN M GURMAN (Applicant)  
MARTIN M GURMAN (Legal Owner)

If this application is not signed by the property owner a letter authorizing signature by the applicant must be attached.

Date: 12-07-2024 Fee: \_\_\_\_\_

Morrow County Planning Department  
 P.O. Box 40, Irrigon Oregon 97844  
 (541) 922-4624 FAX: (541) 922-3472

2. Such uses or related buildings shall be at least 30 feet from a side or rear lotline.

3. Such uses may be built to exceed the height limitations of the zone in which it is located to a maximum height of 50 feet if the total floor area of the building does not exceed the area of the site and if the yard dimensions in each case are equal to at least two-thirds of the height of the principal structure.

E. Clinics, clubs, lodges, fraternal organizations, community centers and grange halls, golf courses, grounds and buildings for games or sports, country clubs, swimming, boating, tennis clubs, and similar activities, governmental structures and land uses, parks, playgrounds. In considering the above, the Planning Commission may authorize the conditional use after assurance that the following are to be provided:

1. Adequate access from principal streets.

2. Adequate off-street parking.

3. Adequate building and site design provisions to minimize noise and glare from the building and site.

F. Dog Pounds and Kennels: The Planning Commission may authorize a dog pound or kennel as a conditional use provided that building and site design provisions are adequate to minimize noise and odor. When necessary to protect surrounding properties, the Planning Commission may require a sight-obscuring fence or hedge, and may restrict vehicular access and loading facilities, especially those required by trucks transporting large animals.

G. **Home Occupations, when** permitted as a conditional use and conducted as an accessory use, shall be subject to the following limitations:

1. The home occupation is to be secondary to the main use of the property as a residence and shall be conducted within the same dwelling or in an accessory building on the same property.

2. No structural alterations shall be allowed to accommodate the home occupation except when otherwise required by law, and then only after the plans for such alteration have been reviewed and approved. Such structural alterations shall not detract from the outward appearance of the building as an accessory structure to a residence.

3. One non-illuminated sign not to exceed 200 square inches and bearing only the name and occupation of the resident shall be permitted. Applicant must show consistency with applicable sign provisions in Article 4 of this Ordinance.

4. No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interferences with radio or television reception, or other factors.

5. No materials or commodities shall be delivered to or from the property which are of such bulk or quantity as to require delivery by a commercial vehicle or a trailer or the parking of customer's vehicles in a manner or frequency as to cause disturbance or inconvenience to nearby residents or so as to necessitate off-street parking.

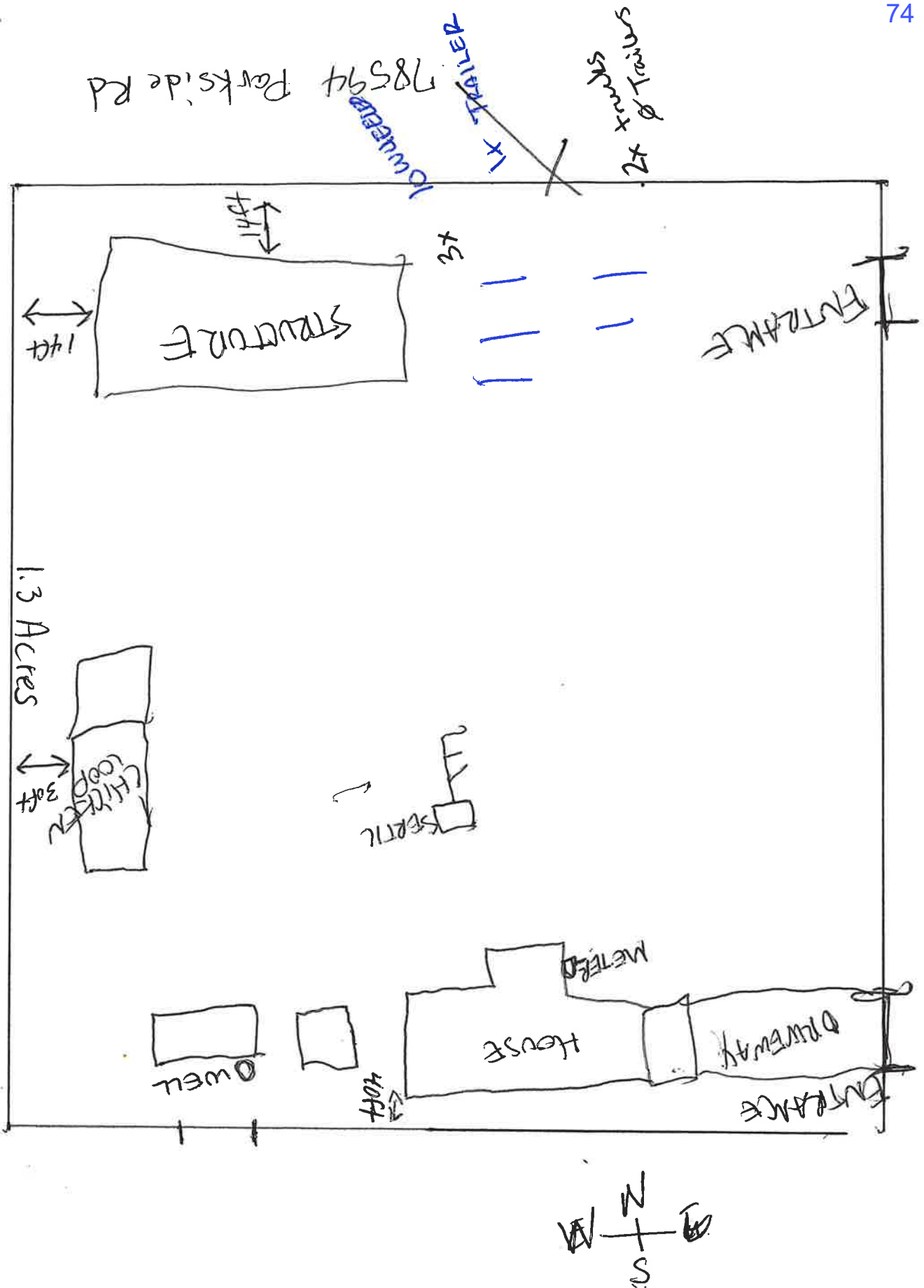
6. Retail sales shall be limited or accessory to a service.
7. Be operated by a resident or employee of a resident of the property on which the business is located.
8. The permit allowing a home occupation shall be reviewed every 12 months following the date the permit was issued and may continue the permit if the home occupation continues to comply with the requirements of this section.
9. Employ on the site no more than five full-time or part-time persons.
10. Not unreasonably interfere with other uses permitted in the zone in which the property is located.
11. When a bed and breakfast facility is sited as a home occupation on the same tract as a winery established pursuant to Section 3.010 and is operated in association with the winery:
  - a. The bed and breakfast facility may prepare and serve two meals per day to the registered guests of the bed and breakfast facility; and
  - b. The meals may be served at the bed and breakfast facility or at the winery.

H. Landfill, solid waste disposal site: The Planning Commission may authorize a landfill or other solid waste disposal site as a conditional use, subject to the following standards:

1. The facility shall be designed to minimize conflicts with existing and permitted uses allowed under plan designations for adjacent parcels as outlined in policies of the Comprehensive Plan.
2. The facility must be of a size and design to minimize noise or other detrimental effects when located adjacent to farm, forest, and grazing dwellings or a residential zone.
3. The facility shall be fenced when the site is located adjacent to dwelling(s) or a residential zone, and landscaping, buffering, and/or screening shall be provided.
4. If located in a forested area, the county shall condition approval to ensure that minimum fire safety measures will be taken, including but not limited to requiring that the area surrounding the facility is kept free from litter and debris.
5. Access roads or easements for the facility shall be improved to the county's Transportation System Plan standards and comply with grades recommended by the Public Works Director.
6. The county may limit hours of operation for the facility to be compatible with adjacent uses.
7. Comply with other conditions deemed necessary.

I. Mining, or other extraction activity: The following uses shall be permitted subject to the review

# PARKSIDE RD



- 1 THERE IS A PLOT PLAN
- 2 YES, WELL
- 3 YES, SEPTIC
- 4 YES, SANITARY DISPOSAL
- 5 YES, LIGHT ON SHOP
- 6 YES, FENCE ALL THE WAY AROUND
- 7 NO FLOODING
- 8 NO CHANGE IN TRAFFIC
- 9 NO AUTOMOBILE TRIPS
- 10 NO NEW ACCESS REQUIRED
- 11 NOTHING WILL CHANGE, STILL RESIDENTIAL
- 12 NOTHING WILL CHANGE, ALL WILL BE THE SAME

E. NOT APPLICABLE

F. NOT APPLICABLE

- G
1. HOME OCCUPATION IS PRIMARY
  2. NO STRUCTURAL ALTERATIONS NEEDED
  3. NO SIGN NEEDED
  4. NO MECHANICAL EQUIPMENT
  5. NO MATERIAL OR COMMODITY DELIVERIES
  6. NO RENTALS
  7. NO OPERATIONS
  8. YES, REVIEWED ANNUALLY
  9. NO, EMPLOYEES ON SITE

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**PRELIMINARY FINDINGS OF FACT  
CONDITIONAL USE REQUEST  
CUP-N-384-24**

**REQUEST:** To allow a Home Occupation Permit in a Suburban Residential (SR) Zone for the operation of a small commercial trucking business.

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**APPLICANT/OWNER:** Martin M. Guzman  
PO Box 798  
Boardman, OR 97818

**PROPERTY DESCRIPTION:** Tax Lot 2000 of Assessor's Map 4N25E20A

**PROPERTY LOCATION:** ± 680 feet south of Kunze Lane, within the Boardman Urban Growth Boundary (UGB) on Mountain View Drive., north of the centralized West Glen Subdivision.

- I. BACKGROUND INFORMATION:** The subject site is approximately 1.11 acres and is located within the Suburban Residential (SR) zone and the City of Boardman UGB. This Conditional Use Permit application requests a Home Occupation Permit to allow the applicant to operate and park two ten-wheeler commercial trucks and three truck-tractors on the property. The applicant has been operating commercial trucks on the site for some time and submitted the CUP application in response to code enforcement actions. The applicant is one of more than a dozen commercial truck operators currently utilizing residential property within the West Glen Residential Area (SR zoning) without the appropriate land use approvals. The approval of this CUP will serve to rectify outstanding code violations while providing specific parameters for the operation of the existing business.

Because the subject property is located within the Boardman UGB, there are direct concerns with the use being compatible with city zoning designations in the event of future annexation. Access to the site requires the use of less than a quarter of a mile of substandard public roads that are not currently maintained or subject to a maintenance or usage agreement.

MCZO Section 3.050.C.2 Limitations on Uses allows a landowner "to use a truck or tractor unit as personal transportation to the resident parcel. No more than one (1) truck or tractor unit is allowed per parcel." Applicant is proposing to have five commercial trucks to be parked on his property and operated seasonally.

- II. STAFF RECOMMENDATION:** The county has initiated a neighborhood-based code compliance effort to address growing concerns regarding unregulated commercial trucking operations and impacts to public roads in West Glen as well as other affected neighborhoods throughout the county. Staff understand that this effort puts property

owners such as the Guzman's in a difficult situation, as they have been operating their business on their residential property for many years for agricultural purposes. Staff is neither recommending the approval or denial of this CUP.

- III. **COMPLIANCE WITH MORROW COUNTY ZONING ORDINANCE SECTIONS 3.050, 6.030, 6.050, and 6.075.** The requirements for approval are listed below in **bold type**, followed by a response in standard type.

**SECTION 3.050 SUBURBAN RESIDENTIAL ZONE, SR**

The SR Zone accommodates small lot development and transition to urban type densities and uses within an urban growth boundary. In an SR Zone, the following regulations shall apply:

- B. **Conditional Uses Permitted.** In an SR Zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements set forth in Article 6.
  - 8. **Home occupations conducted in a structure accessory to the dwelling, provided that all other limitations of home occupations are observed.**

**Finding:** The applicant proposes parking the two ten-wheelers and three truck-tractors along the northwest end of the parcel where they will be minimally visible from the road and/or adjacent residences.

**SECTION 6.030 GENERAL CONDITIONS.**

In addition to the standards and conditions set forth in a specific zone, this article, and other applicable regulations; in permitting a new conditional use or the alteration of an existing conditional use, the Commission may impose conditions which it finds necessary to avoid a detrimental impact and to otherwise protect the best interests of the surrounding area or the County as a whole. These conditions may include the following:

- A. **Limiting the manner in which the use is conducted including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare, and odor.**

**Finding:** The proposed use shall be operated in a way that will not intentionally disturb neighboring residences. The Guzmans' have operated commercial trucks on the subject property for several years and the county with few specific concerns directly related to their existing operation. Nonetheless, the county has received general complaints related to the operation of commercial trucks in the vicinity of the subject site. The proposed home occupation has the potential to generate some noise and traffic. The recommended conditions of approval attempt to mitigate anticipated and expressed concerns. The applicant did not provide specific details on operation times or activity taking place onsite. However, similar operations have indicated that operations start at approximately 6-7 AM and return approximately between 5:00PM and 6:00PM. Previous Planning

Commission approvals have included a 6:00AM to 6:00PM window for operation, this has also been included as a Condition of Approval for this application. Any minor maintenance, such as tire and oil changes, must be conducted during hours that comply with the noise standards outlined in the Morrow County Code Enforcement Ordinance. No major mechanical operations on commercial vehicles are to be conducted on the property.

Any complaints received of operations outside of these hours may result in a review of the activity and potential revocation of the permit.

**B. Establishing a special yard or other open space or lot area or dimension.**

**Finding:** This proposed use will use existing lot area. Planning staff do not recommend any additional requirements for open space.

**C. Limiting the height, size, or location of a building or other structure.**

**Finding:** This application does not include the approval of new buildings or accessory structures. Staff do not recommend any additional limitations on the height, size, or location of the structures.

**D. Designating the size, number, location, and nature of vehicle access points.**

- 1. Where access to a county road is needed, a permit from the Morrow County Public Works department is required. Where access to a state highway is needed, a permit from ODOT is required.**

**Finding:** The existing access to the site is from Mountain View Drive. This road is a dedicated public roadway not maintained by the county. Applicant is applying with the intent to use two access points to the parcel. The use of the secondary access is unpermitted at this time and must be discontinued, unless otherwise approved and permitted by Morrow County Public Works. Planning staff recommend the applicant obtain all necessary public works permits. This is included as a condition below.

- 2. In addition to the other standards and conditions set forth in this section, a TIA will be required for all projects generating more than 400 passenger car equivalent trips per day. A TIA will include: trips generated by the project, trip distribution for the project, identification of intersections for which the project adds 30 or more peak hour passenger car equivalent trips, and level of service assessment, impacts of the project, and mitigation of the impacts. If the corridor is a State Highway, use ODOT standards.**

**Finding:** This action will not trigger the need for a Traffic Impact Analysis as it will not generate more than 400 passenger car equivalent trips per day. According to the Applicant's narrative, the trucks enter and exit the property once per day during the operational season. The ten-wheelers operate approximately six weeks out of the year. During the remaining months of the year, these trucks sit dormant on the subject parcel. The truck-tractor vehicles run and operate year-round,

entering and exiting the property once per day. This analysis does not trigger the need for a TIA analysis in and of itself. Deviation from the proposed use plan may result in a review of the activity and potential revocation of the permit.

**E. Increasing the amount of street dedication, roadway width, or improvements within the street right-of-way.**

**Finding:** No increase in street dedication, roadway width, or improvements in the right-of-way are proposed by the applicant. The streets that will be impacted by the proposal consist of substandard Public Roads that are not owned or maintained by the County or another entity. These preliminary Findings of Fact have been provided to Morrow County Public Works for their review and comment.

**1. It is the responsibility of the landowner to provide appropriate access for emergency vehicles at the time of development.**

**Finding:** Preliminary Findings of Fact have been provided to Boardman Fire and Rescue for their review and comment.

**F. Designating the size, location, screening, drainage, surfacing or other improvement of a parking area or loading area.**

**Finding:** The subject parcel is located within the West Glen Residential Area. As identified on the site plan, the trucks will be parked on the northwest corner of the parcel to minimize impacts to neighboring properties as well as visibility from the roadway. No public comments were received identifying concerns with the application, and staff does not recommend additional conditions of approval related to the parking of the trucks as proposed.

**G. Limiting or otherwise designating the number, size, location, height, and lighting of signs.**

**Finding:** The Applicant has not requested signage for the Home Occupation. Any future signs must meet the sign requirements in the Morrow County Zoning Ordinance.

**H. Limiting the location and intensity of outdoor lighting and requiring its shielding.**

**Finding:** Lighting is not proposed with the application. Any outdoor lighting other than typical residential lighting shall be limited and shielded from the roadway and neighboring residences.

**I. Requiring diking, screening, landscaping or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance.**

**Finding:** The proposed use would not require diking, screening or landscaping to protect nearby property. Planning staff are not recommending any of these provisions due to the proposed use.

**J. Designating the size, height, location and materials for a fence.**

**Finding:** Based on the current and proposed uses planning staff would not require any additional conditions related to fencing.

**K. Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.**

**Finding:** The proposed home occupation will be limited to existing structures and will not create any foreseeable natural resource impacts based on the proposed use. Planning staff are not recommending additional conditions related to natural resources.

**L. Other conditions necessary to permit the development of the County in conformity with the intent and purpose of this Ordinance and the policies of the Comprehensive Plan.**

**Finding:** A copy of the Preliminary Findings of Fact has been provided to the City of Boardman for their review and comment. City may recommend additional conditions to apply at the time of any future city zoning due to annexation.

**SECTION 6.050 STANDARDS GOVERNING CONDITIONAL USES**

**A conditional use shall comply with the standards of the zone in which it is located and with the standards set forth in this subsection.**

**G. Home Occupations, when permitted as a conditional use and conducted as an accessory use, shall be subject to the following limitations:**

- 1. The home occupation is to be secondary to the main use of the property as a residence and shall be conducted within the same dwelling or in an accessory building on the same property.**

**Finding:** The primary use of the property is residential. The dwelling is the applicants' home, and they will be conducting the home occupation within the existing buildings, with truck parking outside of the existing structures, as shown on the applicant's site plan. This criterion is met.

- 2. No structural alterations shall be allowed to accommodate the home occupation except when otherwise required by law, and then only after the plans for such alteration have been reviewed and approved by the Planning Commission. Such structural alterations shall not detract from the outward appearance of the building as an accessory structure to a residence.**

**Finding:** No structural alterations are proposed nor will be needed to accommodate the home occupation. This criterion is met.

3. **One non-illuminated sign not to exceed 200 square inches and bearing only the name and occupation of the resident shall be permitted.**

**Finding:** No signs are proposed with this application. Any future signs will need to meet the requirements of the Morrow County sign ordinance. This criterion is met.

4. **No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interferences with radio or television reception, or other factors.**

**Finding:** No materials or mechanical equipment which is detrimental to adjoining properties is needed for the proposed use. This criterion is met.

5. **No materials or commodities shall be delivered to or from the property which are of such bulk or quantity as to require delivery by a commercial vehicle or a trailer or the parking of customer's vehicles in a manner or frequency as to cause disturbance or inconvenience to nearby residents or so as to necessitate off-street parking.**

**Finding:** Deliveries are not required for the proposed use. The proposal necessitates parking for five commercial vehicles on the subject site. Staff recognizes that the use has been ongoing for several years and does not anticipate that this will contribute to any disturbance to nearby residents. This criterion is met.

6. **Retail sales shall be limited or accessory to a service.**

**Finding:** Retail sales are not proposed with the application. This criterion is met.

7. **Be operated by a resident or employee of a resident of the property on which the business is located.**

**Finding:** The applicant has made known that the commercial operation will be operated by himself and persons which he employs. This criterion is met.

8. **The permit allowing a home occupation shall be reviewed every 12 months following the date the permit was issued and may continue the permit if the home occupation continues to comply with the requirements of this section.**

**Finding:** This permit will be reviewed annually with other home occupation permits as long as the proposed use continues.

#### **SECTION 6.075. LENGTH OF PERMITS, PERMIT HOLDER, RENEWAL AND REVOCATION.**

- A. **Length of Permit and Permit Holder: The County may evaluate how long a particular conditional use is expected to remain valid. Some conditional**

uses may be considered "permanent" as a fully developed use that "runs with the land" and it attaches to and benefits the land and is not limited to a particular landowner. The County may require the owner of the original conditional use permit to record the permitted use on the deed record. The permit is the responsibility of the current owner of the property, whether that is the original applicant or a successor.

A conditional use permit may allow a use that would benefit the permit owner on a sporadic or temporary basis until the purpose for the conditional use permit no longer exists. Upon termination of the use, the land must be in a condition that it may be re-developed in compliance with its current zoning designation. The County may authorize a conditional use permit until a particular date, for a stated period of time, or until the occurrence of a particular event. Additionally, the County may stipulate that a Conditional Use Permit will be reviewed or renewable after a stated time period.

**Finding:** The proposed home occupation does not have a designated term length. Staff recommend Planning Commission consider approving the permit for a period of one year with the ability to renew for an additional year, up to two times. The proposed use will be permitted, subject to annual review until the ownership of the land changes, or until the City of Boardman annexes the property. At that time, the proposed use would cease, and the property shall conform to applicable city zoning standards.

**B. Reviews and Renewals.** If a review or renewal date is included as a condition by which a conditional use permit is granted, initial review would be ministerial and completed by the Planning Director. The holder of the conditional use permit will be required to make application and pay the requisite fee for review. The review would evaluate the permit conditions and adherence to them, determine if any changes had taken place with the uses allowed in the zone, and determine whether any complaints had been logged concerning the property or the conditional use. If any concerns arise further review will take place at a public hearing with notice. If no concerns arise the permit will be renewed.

For conditional use permits without a review or renewal condition, or if complaints are received concerning a conditional use permit, the County may review any valid conditional use permit for compliance with the conditions of the permit. This review would be a ministerial review done by the Planning Director. If it is deemed necessary by the Planning Director to amend or revoke the permit, a public hearing with notice must be held before the Planning Commission. If action is based on a complaint the complainant may be required to pay any permit review or renewal application fees.

**Finding:** This home occupation shall be reviewed annually with other home occupations therefore no condition is necessary. However, the applicant shall maintain the home occupation as presented in the application. If complaints are received and it is found that the permit is being performed outside what has been proposed the

applicant will be responsible for paying any applicable review or renewal application fees. This is listed as a condition of approval.

- C. Revocation or Vacation. Any conditional use permit may be vacated by the current landowner or by the County after appropriate notice and hearing when:**
- The use has been terminated and there is no expectation by the land owner and the County that the use will continue;
  - The use is not being conducted in compliance with the stated conditions of the permit, or
  - The County finds that the use jeopardizes the public health, safety and welfare of Morrow County and the use does not conform to the Morrow County Code Enforcement Ordinance or other adopted ordinances. (MC OR-1-2013)

**Finding:** The County reserves the right to revoke the permit based on this criterion.

**III. LEGAL NOTICE PUBLISHED:** January 8, 2025  
Heppner Gazette-Times

January 8, 2025  
East Oregonian

**IV. AGENCIES NOTIFIED:** Brandon Hammond and Carla McLane, City of Boardman; Glen McIntire, Building Official; Eric Imes, Morrow County Public Works; Bev Bridgewater, West Extension Irrigation District, Mike Hughes and Marty Broadbent, Boardman Fire District.

**V. PROPERTY OWNERS NOTIFIED:** January 8, 2025

**VI. HEARING DATE:** January 28, 2025  
Bartholomew Building  
Heppner, Oregon

**VII. PLANNING COMMISSION:**

Option #1: The Planning Commission may deny CUP-N-384-24.

Option #2: The Planning Commission may approve CUP-N-384-24 subject to the following CONDITIONS OF APPROVAL:

1. The applicant shall maintain the home occupation as presented in the application. Only three ten-wheeler commercial trucks and two truck-tractors are permitted with this home occupation permit. If complaints are received or it is found that the permit is being performed outside what has been proposed the applicant will be responsible for paying any applicable review or renewal application fees.

2. All commercial activity shall occur within the hours of 6:00 AM – 6:00 PM. All commercial activity should be limited to single trips per unit per day.
3. No more than five full-time or part-time persons will be employed on the site at any one time.
4. Noise, traffic, lighting, and other potential impacts to neighboring properties shall be limited to those generally anticipated for a typical residential use. No major mechanical work or operation is permitted in conjunction with the home occupation permit.
5. This permit is valid for one year, with annual review and an opportunity to renew the permit for up to two additional years. This permit is not valid if the ownership of either lot changes, at which time the landowner will need to apply for a new conditional use permit. This permit is not valid if the property is annexed into the City of Boardman, at which time the proposed use will cease, and the property shall conform to applicable city zoning standards and regulations.
6. Any proposed signage will need to meet the requirements of the Morrow County Zoning Ordinance and receive Zoning Permit Approval.
7. The applicant shall obtain all necessary public access permits to the property.

#### MORROW COUNTY PLANNING COMMISSION

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Stacie Ekstrom, Chair

Date

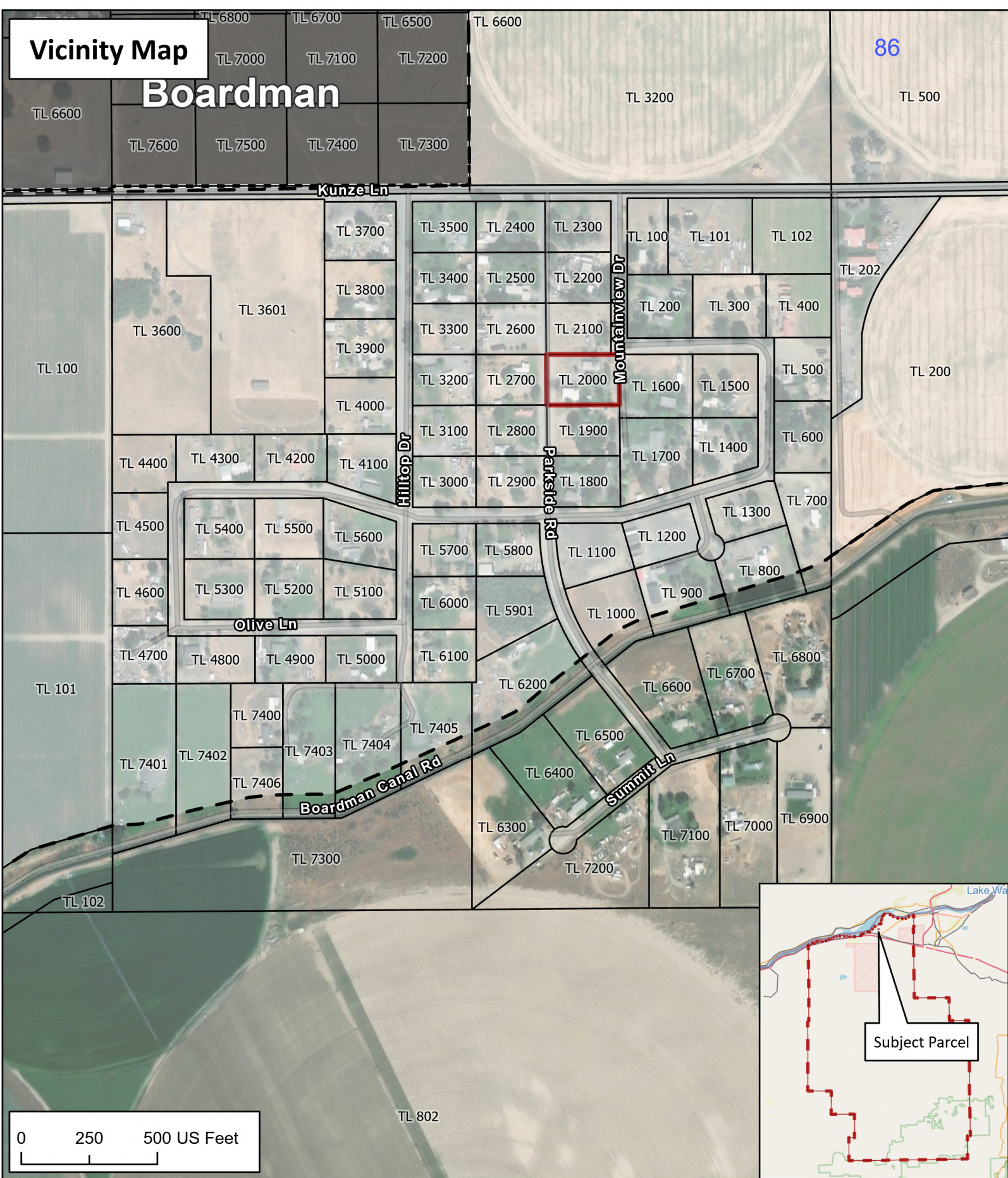
#### Attachments:

- A. Vicinity Map
- B. Application with Attachments

# Vicinity Map

## Boardman

86



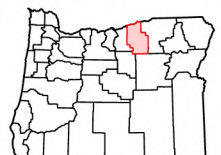
**CUP-N-384-24**

Martin Guzman  
4N25E20A TL2000

- City Limits
- UGB
- Morrow County Boundary
- Taxlots
- Subject Parcel

Coordinate System:  
NAD 1983 HARN StatePlane Oregon North FIPS 3601  
Projection: Lambert Conformal Conic  
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics  
Thursday, January 2, 2025  
Morrow County Planning Department



CORRECTED	OWNER 1	OWNER 2	MAIL ADDRESS	CITY	STATE	ZIPCODE
4N25E20A 2800	WEST GLEN	PACHECO, SALVADOR (C)	PO BOX 405	BOARDMAN	OR	97818
4N25E20A 2700	JIMENEZ, CARLOS & JIMENEZ, LETICIA M		78568 PARKSIDE DR	BOARDMAN	OR	97818
4N25E20A 2600	GUZMAN, MARTIN M & GUZMAN, ELVA		78594 PARKSIDE DR	BOARDMAN	OR	97818
4N25E20A 2100	NUNAMAKER, RICHARD A & NORMA J		PO BOX 515	BOARDMAN	OR	97818
4N25E20A 2000	DRAYTON, DONALD F & DRAYTON, MARY		PO BOX 1401	BOARDMAN	OR	97818
4N25E20A 1900	CERVANTES, JUAN MARTINEZ		PO BOX 742	BOARDMAN	OR	97818
4N25E20A 1600	HERRERA, PEDRO CHAVEZ		78513 MOUNTAINVIEW DR	BOARDMAN	OR	97818

CUP-N-384-24

Martin Guzman

SR

4N25E20A TL2000

S:\Planning\CUP\North\2024

250ft. notice.



LAND USE APPLICATION  
CONDITIONAL USE REQUEST

CUP-N-384-24

RECEIVED  
DEC 20 2024

BY: MK

PAID  
600.00

FILE NUMBER \_\_\_\_\_

Date Received 12.20.2024

Date Deemed Complete 01.02.2025

Applicable Zoning Ordinance Criteria: \_\_\_\_\_

**Applicant:**

Name(s) MARTIN GUZMAN

Address 78556 MOUNTAINVIEW DR

Phone 541-314-8593 E-mail address guzman27695@gmail.com

**Legal Owner:** (if different from applicant)

Name(s) MARTIN M GUZMAN

Address PO BOX 798  
BOARDMAN OR 97818

**Proposed Conditional Use:**

Description of Request and the Proposed Use:

PARKING 2 10-WHEELERS  
3 SEMIS with trailer  
Ten wheelers work 6 weeks a year  
Semis Round Year

**Existing Property Description:**

Township 4N Range 2SE Section 20A Tax Lot(s) TL2000

Zoning Designation SR  
(If EFU or FU, soil information is required with your statement)

Located within an UGB? YES If yes, which city? BOARDMAN

Physical Address 78556 MOUNTAINVIEW DR

General Location BOARDMAN MOUNTAINVIEW PARKSIDE

Public Road Access

MOUNTAINVIEW DR / PARKSIDE / KUNZE RIDGE CREST

Improvement Type and Condition of Road

UNPAVED

Fire Protection District or Method

BFD

Solid Waste Disposal Method

SANITARY DISPOSAL

Existing Use of the Property

RESIDENTIAL**Please provide a statement with the following information to the Planning Department:**

1. A plot plan of the property with existing and proposed structures and roads and accesses
2. Existing and proposed water supply
3. Existing and proposed sewage disposal method
4. Utilities and other public services provided
5. Signs and/or lighting required
6. Parking/loading and fencing required
7. Drainage, is the land or any portion of it subject to flooding?
8. What, if any, change will there be in traffic use of the existing access?
9. Will the proposed use generate more than 400 automobile trips per day?
10. Will any new access be required?
11. A description of how the proposal will be compatible with surrounding land uses.
12. How the proposal will protect and preserve existing natural resources such as trees, vegetation, water resources and wildlife habitat and whether diking, screening or other landscaping will be required to protect nearby properties and habitats.

The applicant is responsible for providing all of the information to show compliance with the standards for approval. If you are unsure of the standards required by the code, the Planning Department will be happy to provide them, but it is the applicant's duty to prove to us your proposal meets all of the given code requirements. Your plot plan and narrative should show or answer the above details as well as address specific issues about your particular application as well.

**Signatures:**

I(we), the undersigned, acknowledge that I am familiar with the standards and limitations set forth by the Morrow County Zoning Ordinance and that additional information and materials may be required, as provided by the Zoning Ordinance and Comprehensive Plan. I propose to meet all standards set forth by the County's Zoning Ordinance and any applicable State and Federal regulations. I(we) certify that the statements and information provided with this application are true and correct to the best of my knowledge.

Signed: MARTIN M. GUZMAN

(Applicant)

(Applicant)

(Legal Owner)

(Legal Owner)

If this application is not signed by the property owner a letter authorizing signature by the applicant must be attached.

Date: 12-19-2024

Fee: \_\_\_\_\_

Morrow County Planning Department  
P.O. Box 40, Irrigon Oregon 97844  
(541) 922-4624 FAX: (541) 922-3472

2. Such uses or related buildings shall be at least 30 feet from a side or rear lotline.

3. Such uses may be built to exceed the height limitations of the zone in which it is located to a maximum height of 50 feet if the total floor area of the building does not exceed the area of the site and if the yard dimensions in each case are equal to at least two-thirds of the height of the principal structure.

E. Clinics, clubs, lodges, fraternal organizations, community centers and grange halls, golf courses, grounds and buildings for games or sports, country clubs, swimming, boating, tennis clubs, and similar activities, governmental structures and land uses, parks, playgrounds. In considering the above, the Planning Commission may authorize the conditional use after assurance that the following are to be provided:

1. Adequate access from principal streets.
2. Adequate off-street parking.
3. Adequate building and site design provisions to minimize noise and glare from the building and site.

F. Dog Pounds and Kennels: The Planning Commission may authorize a dog pound or kennel as a conditional use provided that building and site design provisions are adequate to minimize noise and odor. When necessary to protect surrounding properties, the Planning Commission may require a sight-obscuring fence or hedge, and may restrict vehicular access and loading facilities, especially those required by trucks transporting large animals.

G. Home Occupations, when permitted as a conditional use and conducted as an accessory use, shall be subject to the following limitations:

1. The home occupation is to be secondary to the main use of the property as a residence and shall be conducted within the same dwelling or in an accessory building on the same property.
2. No structural alterations shall be allowed to accommodate the home occupation except when otherwise required by law, and then only after the plans for such alteration have been reviewed and approved. Such structural alterations shall not detract from the outward appearance of the building as an accessory structure to a residence.
3. One non-illuminated sign not to exceed 200 square inches and bearing only the name and occupation of the resident shall be permitted. Applicant must show consistency with applicable sign provisions in Article 4 of this Ordinance.
4. No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interferences with radio or television reception, or other factors.
5. No materials or commodities shall be delivered to or from the property which are of such bulk or quantity as to require delivery by a commercial vehicle or a trailer or the parking of customer's vehicles in a manner or frequency as to cause disturbance or inconvenience to nearby residents or so as to necessitate off-street parking.

6. Retail sales shall be limited or accessory to a service.
7. Be operated by a resident or employee of a resident of the property on which the business is located.
8. The permit allowing a home occupation shall be reviewed every 12 months following the date the permit was issued and may continue the permit if the home occupation continues to comply with the requirements of this section.
9. Employ on the site no more than five full-time or part-time persons.
10. Not unreasonably interfere with other uses permitted in the zone in which the property is located.
11. When a bed and breakfast facility is sited as a home occupation on the same tract as a winery established pursuant to Section 3.010 and is operated in association with the winery:
  - a. The bed and breakfast facility may prepare and serve two meals per day to the registered guests of the bed and breakfast facility; and
  - b. The meals may be served at the bed and breakfast facility or at the winery.

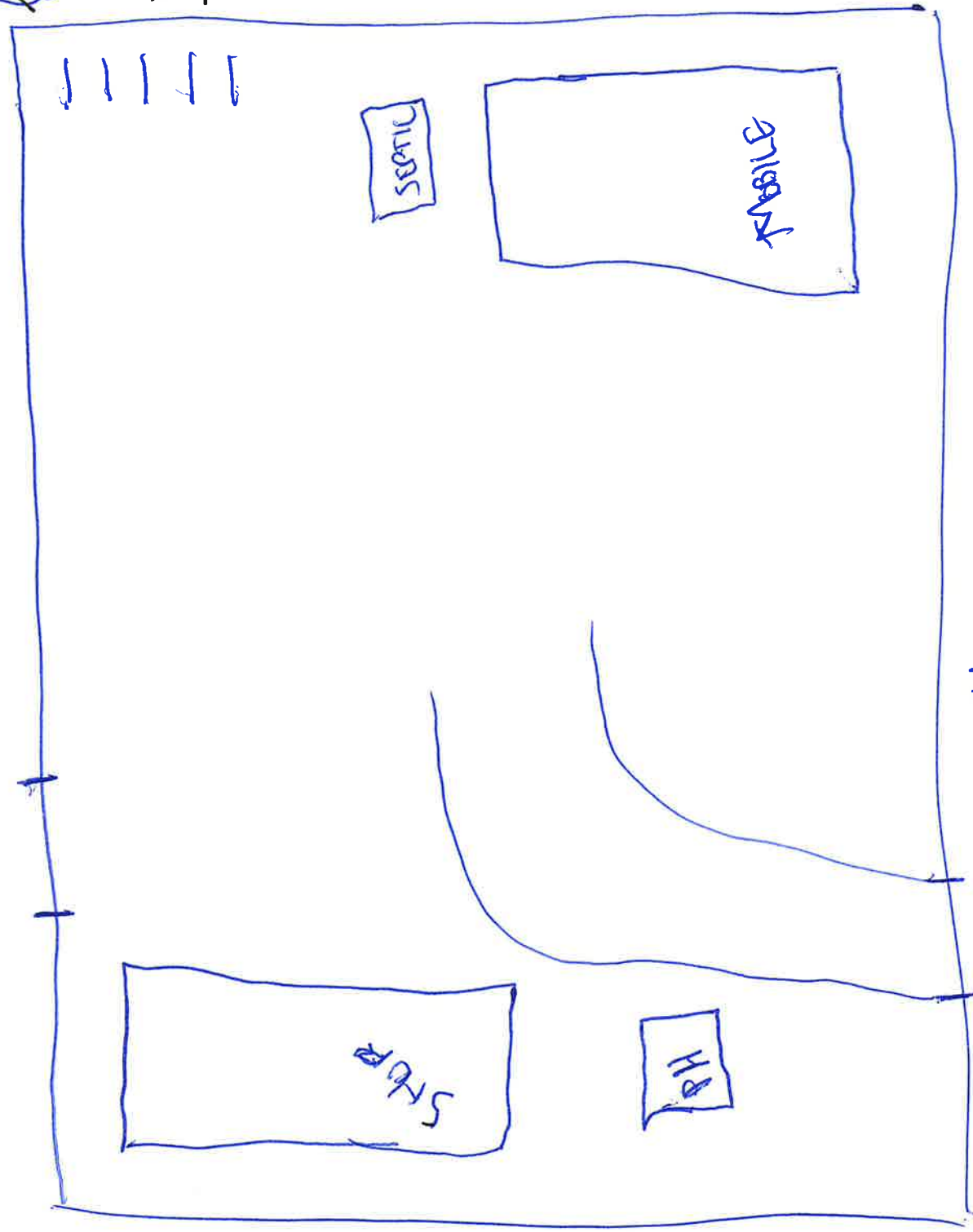
H. Landfill, solid waste disposal site: The Planning Commission may authorize a landfill or other solid waste disposal site as a conditional use, subject to the following standards:

1. The facility shall be designed to minimize conflicts with existing and permitted uses allowed under plan designations for adjacent parcels as outlined in policies of the Comprehensive Plan.
2. The facility must be of a size and design to minimize noise or other detrimental effects when located adjacent to farm, forest, and grazing dwellings or a residential zone.
3. The facility shall be fenced when the site is located adjacent to dwelling(s) or a residential zone, and landscaping, buffering, and/or screening shall be provided.
4. If located in a forested area, the county shall condition approval to ensure that minimum fire safety measures will be taken, including but not limited to requiring that the area surrounding the facility is kept free from litter and debris.
5. Access roads or easements for the facility shall be improved to the county's Transportation System Plan standards and comply with grades recommended by the Public Works Director.
6. The county may limit hours of operation for the facility to be compatible with adjacent uses.
7. Comply with other conditions deemed necessary.

I. Mining, or other extraction activity: The following uses shall be permitted subject to the review

PARKSIDE DR

x2  
x10  
WHEELERS  
x3  
Truck-trailers  
& Trailers



MOUNTAINVIEW DR

- 1 THERE IS A PLOT PLAN
- 2 YES, WELL
- 3 YES, SEPTIC
- 4 YES, SANITARY DISPOSAL
- 5 YES, LIGHTS, ON SHOP
- 6 YES, FENCE ALL THE WAY AROUND
- 7 NO FLOODING
- 8 NO CHANGE IN TRAFFIC
- 9 NO AUTOMOBILE TRIPS
- 10 NO NEW ACCESS REQUIRED
- 11 NOTHING WILL CHANGE, STILL RESIDENTIAL
- 12 NOTHING WILL CHANGE, ALL WILL BE THE SAME

E NOT APPLICABLE

F NOT APPLICABLE

- G 1 HOME OCCUPATION IS PRIMARY
- 2 NO STRUCTURAL ALTERATIONS NEEDED
- 3 NO SIGN NEEDED
- 4 NO MECHANICAL EQUIPMENT
- 5 NO MATERIALS OR COMMODITY DELIVERY
- 6 NO RETAIL
- 7 ~~NO~~ ~~NO~~ NO OPERATIONS
- 8 YES, REVIEWED ANNUALLY
- 9 NO EMPLOYEES ON SITE
- 10 NO INTERFERENCE HAPPENING

11 NOT APPLICABLE

~~12~~

11 NOT APPLICABLE

~~13~~

NOT APPLICABLE

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To: Morrow County Board of Commissioners  
 From: Tamra Mabbott, Planning Director  
 CC: Planning Commission  
 BOC Date: January 22, 2025  
 RE: Monthly Planning Update



### **Mission Statement**

*Morrow County Planning Department provides guidance and support to citizens for short-term and long-range planning in land use, to sustain and improve the county's lands for future generations. Our goal is to foster development where people can live, work & play.*

### **Planning Commission Update**

Board of Commissioners appointed two new Planning Commission members. Stephen Henthorn, Irrigon resident, and Andrew CeMore, Boardman resident. We look forward to working with them.

Planning Commission held a combined November and December meeting on December 3, 2024. The meeting was in Irrigon. Planning Commission approved two Conditional Use Permits to allow for the temporary operation of a commercial trucking business and, the commission approved a Conditional Use Permit to allow a biogas treatment facility and 6 miles of natural gas transmission lines located at Threemile Canyon Farms.

Additional Conditional Use Permit applications are expected. Two will be reviewed during the January commission meeting, temporarily allowing commercial trucking businesses as a Home Occupation to allow the landowners to continue their business while looking for an appropriately zoned property to park their trucks. The permits are valid for one year and have an opportunity to renew twice for a total of three years. At the end of that period, the trucks will not be allowed in the residential zone and the landowners will be issued a citation if trucks remain. This temporary permit is intended to allow trucking business owners a grace period while they look for properly zoned property, recognizing that enforcing immediate compliance would be a hardship. A single commercial truck may be parked in a residential zone without a land use permit as it is considered a mode of transportation in the Morrow County Zoning Ordinance.

### **Land Use Hearings with Board of Commissioners**

After five (5) Board of Commissioner meetings, the Board concluded the Second Reading of Adopting Ordinance 2025-01 authorizing numerous changes to the Zoning Ordinance. Staff is carefully incorporating final edits on nearly 100 pages. The final amendments will become effective 21 days after the Board decision and will be posted on the website soon.

On January 8, 2025, Board of Commissioners held a hearing on a land use application for the Port of Morrow. An adjacent landowner filed an appeal of a Planning Commission approval of a permit to allow application of industrial wastewater on farmland. The Board supported the Planning Commission approval but overturned a condition of approval, modifying a setback between the Port-owned farmland and a neighboring dairy farm. The state Department of Environmental Quality (DEQ) had issued their environmental permit contingent upon the land use permit.

### **Staff Update**

Principal Planner, Daisy Goebel is continuing to work part-time to help with the workload, focusing on and supporting larger projects such as applications and the recent code update.

A recruitment process to hire a Principal Planner is underway. We hope to announce a new employee soon.

### **Energy Projects**

The Wheatridge Wind Energy project is under construction. The project was reviewed and approved by the state Energy Facility Siting Council (EFSC). Planning Department, Public Works, and Weed Department continue to receive comments from landowners and others



about impacts of the construction. The EFSC has the lead responsibility for compliance with the EFSC permit. More information about the state permitting process and state permit compliance with EFSC Site Certificates can be found here <https://www.oregon.gov/energy/facilities-safety/facilities/Documents/Fact-Sheets/EFSC-Public-Guide.pdf>

Staff continue to review and meet with existing and proposed new developers on a variety of new energy and energy-related applications and amendments to approved projects. For example, the county expects to see the first stand-alone battery storage facility. Energy projects in Morrow County can be found here: <https://www.co.morrow.or.us/planning/page/renewable-energy-1>

### **Morrow County Heritage Trail Update**

The county attended a meeting with J-U-B Engineering on the afternoon of January 9<sup>th</sup> to discuss progress on the 2024-2025 Heritage Trail update. The team is currently developing a public survey targeted at Boardman and Irrigon residents to determine current trail usage and desired future improvements and amenities. The survey is on track to be launched in late January. The team is also planning a public open house in conjunction with the survey to promote participation and answer questions. The open house is tentatively scheduled for February 12<sup>th</sup> at the SAGE Center in Boardman, pending final confirmation of details. Printed material including a QR code that directs people to the survey and details on the open house will be distributed at various locations around Boardman and Irrigon. A postcard with an open house and the survey will also be mailed soon. Anyone interested in being involved in the trail plan update please contact Clint Shoemake, Planning Technician at [cshoemake@morrowcountyor.gov](mailto:cshoemake@morrowcountyor.gov), Stephen Wrecsics, GIS Analyst at [swrecsics@morrowcountyor.gov](mailto:swrecsics@morrowcountyor.gov) or Tamra Mabbott, Planning Director at [tmabbott@morrowcountyor.gov](mailto:tmabbott@morrowcountyor.gov) or (541) 922-4624.

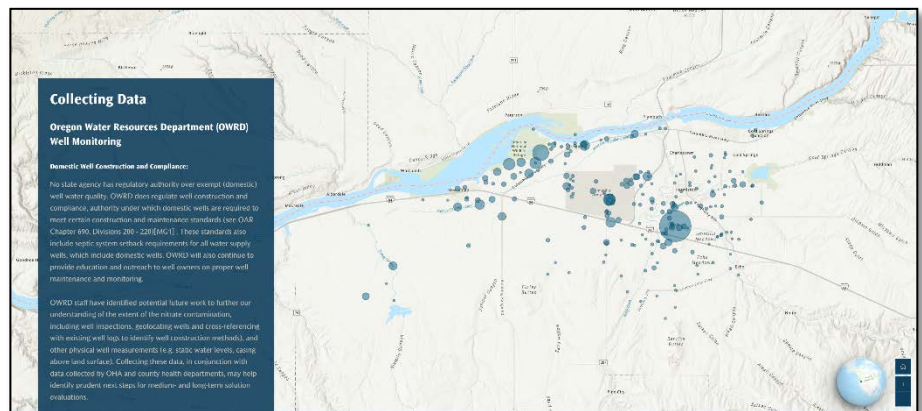
### **Interpretive Panel Update**

Several new Interpretive Panels are awaiting approvals prior to being installed. Staff is working with Irrigon and Boardman Parks, the Port of Morrow, the United States Army Corps of Engineering, and USFW for authorization to install the other panels. Staff are beginning the restoration and installation of panels and support structures and anticipate this to be completed later this year. The final drafts can be viewed at the link below.

<https://www.co.morrow.or.us/planning/page/heritage-trail-panels>

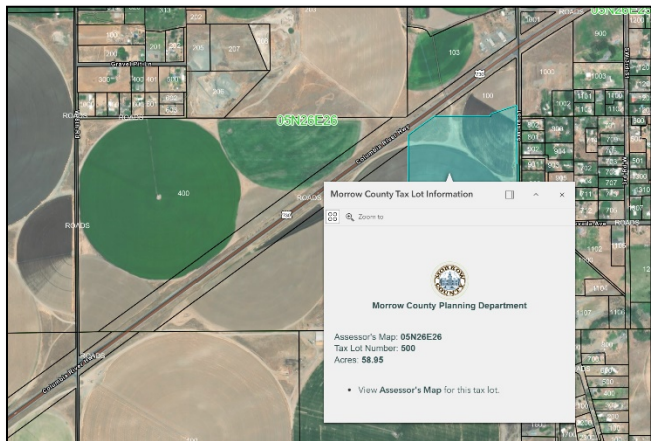
### **GIS Mapping and Drone**

Stephen Wrecsics, GIS Analyst, is working on developing an ESRI Story Map to support the Lower Umatilla Basin Groundwater Management Area (LUBGWMA). The Story Map organizes information about groundwater quality, testing efforts, and management strategies in the area.



The county interactive map has been migrated to the latest ESRI platform. This transition involved transferring existing data, tools, and functionalities to the updated system to improve

performance. The update included reviewing and optimizing map layers, updating symbology, and configuring features to align with the capabilities of the new platform.



The Oregon Department of Energy has requested permission to use drone images by Planning Department staff for energy projects within the county. The

images will be used for training materials and handouts related to energy project assessment and documentation.



If you have any questions or would like to see any of the department's technology, stop by the Planning Department on Tuesday-Friday from 8am to 5pm or give Stephen a call at (541)

922.4624 to schedule a time.

### **CODE COMPLIANCE**

Kaitlin Kennedy, the Compliance Planner has been actively working on six new code complaints, three commercial trucking conditional use permit applications, two Morrow County Transportation projects, and the recently approved 2025 Morrow County Transfer Station Voucher (*see attached pamphlet*).

### **WATER AND PLANNING ACTIVITIES**

#### **Water Advisory Committee**

At the December 18<sup>th</sup> meeting, the Board of Commissioners adopted Resolution No. R-2024-31 in support of the recommendations of the Water Advisory Committee (WAC). Staff met with Board of Commissioners in a work session on December 4<sup>th</sup> to get their input and to discuss the final report which includes four initiatives:

Initiative 1: Update the comprehensive plan Goals 5 and 6;

Initiative 2: Develop a Morrow County Drinking Water Program;

Initiative 3: Support Regional Water Planning; and

Initiative 4: Partner in a Clean Water Consortium

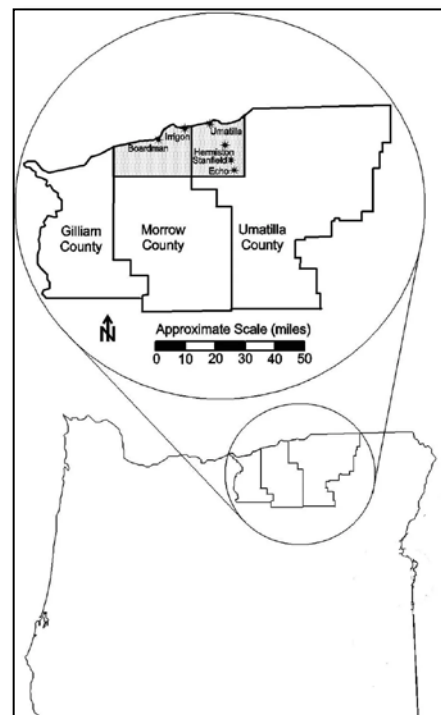
Implementation of the four recommendations will begin this month, with the Clean Water Consortium, led by Board Chair David Sykes, already well underway.

### **LUBGWMA**

LUBGWMA Committee is scheduled to meet Friday, January 17<sup>th</sup> at the Irrigon Library, the first meeting in months. LUBGWMA is expected to hear a report by state agencies on how they are implementing the “Oregon Nitrate Reduction Plan.”

<https://www.oregon.gov/deq/wq/Documents/GWP-OregonNitrateReductionPlan-2024.pdf>

Planning Department has been leading the development of a new story map that will include information about the multiple aspects of nitrates, from public health implications, sources of contamination, land use related matters, geology and more. Stephen Wresics has been instrumental in designing the digital document. When complete, the web address will be shared. The interagency goal is to have a comprehensive, single source to answer most questions about nitrates in the Lower Umatilla Basin.



### **EPA Grant - Morrow Umatilla County Drinking Water ROADMAP**

The Steering Committee for the Umatilla Morrow County **Drinking Water ROADMAP** met on December 5<sup>th</sup> in Irrigon. GSI and HDR reported on an early round of testing in the two-county area. GSI and Consor are finalizing the Communications Plan and will begin additional outreach efforts. At the December 18, 2024, meeting Board of Commissioners approved Phase II work for the project. The research project was part of a request for Congressionally Directed Spending in 2022 and is funded with a grant from the Environmental Protection Agency (EPA). The Steering Committee is scheduled to meet again on February 13<sup>th</sup>. One of the items to be considered is implementation of the Outreach and Communication Plan, a component of the funding. Where the focus of the Roadmap project is research It has been a challenge to keep citizens involved. More emphasis on landowner outreach will be forthcoming. Planning Director attended an Open House of the Oregon Water Resources Department on January 9<sup>th</sup> and set up a table to share information about the Roadmap project. Three landowners interested in the project signed up to have their wells tested for the research project. Anyone interested in participating in the well research please contact Tamra Mabbott.

Staff from Umatilla and Morrow County and GSI Water Solutions, Inc. will be presenting at the March 7-8 Farm City Ag and Home Expo, an event that is focused on informing rural landowners and farmers about the latest science, technology and best practices.

### **SEP Application**

Staff and GSI Water Solutions Inc. continue to work with the Port of Morrow and Oregon Department of Environmental Quality on a Supplemental Environmental Project (SEP). The proposed project would be funded by the Port of Morrow wastewater fine to develop a full engineering of water systems for properties south of the City of Boardman. A meeting with Port, DEQ, County staff, and Governor staff is scheduled for January 16<sup>th</sup>.

### **Additional Public Engagement for West Glen Area**

The Rural Engagement and Vitality Center (REV), a nonprofit organization affiliated with Eastern Oregon University (EOU) was selected for provide additional outreach work for the West Glen area. In the Fall, Planning developed a postcard that was mailed to West Glen area residents to invite them to ask questions and provide input on future solutions for long term drinking water. A copy of the postcard is attached.

### **Transportation Planning**

Planning staff is involved with the development of the Interstate 84 - Exit 159 Tower Road Interchange Area Management Plan (IAMP) and the Transportation Growth Management (TGM) Grant to update the Morrow County Transportation System Plan. The first technical advisory committee (TAC) meeting for the Tower Road/I-84 IAMP will be held on January 21, 2025 in Boardman. Presently, the planning staff and Kittleson & Associates are working on developing a website for the planning project that will include updates, technical memos, and a place for public comment. Planning, Public Works, ODOT and Kittelson have collaborated on three technical memos which will be shared during the January 21<sup>st</sup> TAC meeting. The website should be up and available for public viewing within the next thirty to forty-five days. Planning Staff and ODOT staff continue to refine the scope of work for the Morrow County TSP Update which will also include a small transportation planning project for the Town of Lexington

Anyone interested in participating in the study or serving on a transportation planning advisory committee please contact Tamra Mabbott or Kaitlin Kennedy in the Planning Department.

The Morrow County Transportation System Plan and other transportation planning documents are on the Planning Department webpage here:

<https://www.co.morrow.or.us/planning/page/transportation-system-plan-0>

## Morrow County Invites You To: Join the Conversation on Groundwater Nitrates.

We're working to keep our community informed about groundwater nitrate levels and what it means for you. Whether you have questions or just want to know more, we'd love to hear from you!

**Scan the QR Code** to share your thoughts, questions, and ideas.

- Learn More about Water Quality
- Help influence future solutions.



- Obtenga más información sobre la calidad del agua.
- Ayude a influir en soluciones futuras.

**How to Use the QR Code:**

1. Open your phone's camera.
2. Point it at the QR code.
3. Tap the link that pops up.

**Cómo utilizar el código QR:**

1. Abre la cámara de tu teléfono.
2. Apúntalo al código QR.
3. Toca el enlace que aparece.

El condado de Morrow te invita:

**Únase a la conversación sobre nitratos de aguas subterráneas.**

Estamos trabajando para mantener a nuestra comunidad informada sobre los niveles de nitrato en las aguas subterráneas y lo que significan para usted. Si tiene preguntas o simplemente quiere saber más, ¡nos encantaría saber de usted!

**Escanee el código QR** a continuación para compartir sus pensamientos, preguntas e ideas.

**Morrow County Planning Department**  
Morrow County Government Center  
215 NE Main Avenue  
Irrigon, Oregon 97844



For more information, please visit our website at:  
[www.co.morrow.or.us/planning](http://www.co.morrow.or.us/planning)

para más información, por favor visite nuestro sitio web en:  
[www.co.morrow.or.us/planning](http://www.co.morrow.or.us/planning)

# Morrow-Umatilla Counties Drinking Water Roadmap



## Frequently Asked Questions

### Who is leading the Drinking Water Roadmap?

Through a joint effort between Morrow and Umatilla Counties, the Drinking Water Roadmap Project (“Roadmap Project”) was launched in 2024 to develop safe and reliable drinking water solutions for domestic well users. The Roadmap Project is funded through a research grant from the U.S. Environmental Protection Agency (EPA), and is being managed by the Morrow County Planning Director (“Principal Investigator” under the EPA grant) with a consultant team led by GSI Water Solutions, Inc. to deliver the work.

### What area is the project covering?

The Roadmap Project covers the Lower Umatilla Basin Groundwater Management Area (LUBGWMA), which includes northern portions of Morrow and Umatilla Counties. A map of the study area is shown on <https://www.co.morrow.or.us/planning/page/morrow-and-umatilla-county-drinking-water-roadmap>

### What is the project’s schedule?

The Roadmap Project is being conducted in four stages over 2 ½ years. Stage 1 began in spring 2024 and focused on developing workplans, initial data gathering, preliminary outreach, and conducting baseline assessments of the study area. The final stage will culminate in summer 2026 with completion of a “Drinking Water Action Plan” that will present recommendations for implementing long-term solutions.

### What opportunities do the well owners and general public have to engage with this project?

The Roadmap project includes the following opportunities for public participation: (1) all Steering Committee meetings are open to the public with meeting materials posted to the Morrow County website for the project; (2) the consultant team will be conducting public outreach activities and scheduling specific domestic well owners/residents identified for well sampling, during which project status is shared; and (3) the consultant team is scoped to conduct four public engagement meetings at key milestones of the project to update the public and solicit input on work to-date.

Outreach materials will be made available to announce the specific opportunities for public participation. Stage 2 in particular includes tasks to enhance the Morrow County website to improve accessibility and visibility for the project. The consultant team will also establish an email distribution list for sending project updates and announcements.

Because the Steering Committee meetings are intended to be “work sessions” between the consultant team and committee members, the meetings are scheduled based on their availability and convenience. However, the meetings are open to the public and provides an opportunity for the public to get a project update and to ask questions. Any questions or

### How are costs considered to well owners and residents for drinking water alternatives?

The scope of work and budget for the Roadmap Project will only allow a high-level (conceptual) planning assessment of costs to implement the drinking water alternatives. The intent is to provide a basis for comparing the relative costs of the alternatives to the well owners/residents, and to help identify funding needs for implementation. The information will be used as part of the feasibility assessment, and to let the county commissioners, county staff, and public understand cost implications associated with options. For example, the Drinking Water Action Plan will identify the need for a detailed water rate study as any alternative moves forward with implementation.



*Morrow and Umatilla Counties are leading this project to develop long-term drinking water options in cooperation with state agencies.*



# Morrow-Umatilla Counties Drinking Water Roadmap



## Frequently Asked Questions

### What are the anticipated outcomes?

The primary outcome for this research project is to identify long-term drinking water solutions for domestic well users in specific areas of the LUBGWMA affected by nitrate contamination in groundwater. It should be emphasized that the Roadmap Project will not include any “final decisions” on which alternative to implement, but it will provide a feasibility study of drinking water alternatives that includes possible paths forward for decision-makers to consider.

Feasibility of drinking water alternatives will consider technical, financial and legal factors, and public input obtained during public meetings. The project is being delivered in four stages, with each stage having at least one formal public engagement meeting (in addition to the Steering Committee meetings). Stage 1 includes a public meeting to discuss the well sampling objectives of the project. Stages 2 and 3 will each include a public meeting to describe the drinking water options being evaluated during that stage and to solicit public input on those options. Stage 4 will include a public meeting to discuss potential paths forward for the drinking water options at the studied areas. The specific timing of the meetings will be determined as each stage begins.

### Is this project the same as the safe water services provided by the Oregon Health Authority and Public Health Departments?

This work is separate from the safe water services you are getting from OHA and its state and county public health department partners, and will not affect your access to well water testing, treatment and/or water delivery to make sure residents are drinking and cooking with clean water today.

### Who can I contact to learn more?

To learn more or if you have any questions about the Drinking Water Roadmap, please contact:

**Morrow County Public Health**  
(541) 676-5421  
apineyro@co.morrow.or.us

**Umatilla County Public Health**  
(541) 278-6394  
Health@umatillacounty.gov

## Get Your Well Sampled!

If you’re living within this project area and rely on a well for drinking water, you are eligible for free sampling. If you are interested in learning more about our work or would like to schedule a time to get your well sampled, connect with us below.

Fill out this form at:  
[www.surveymonkey.com/r/welltesting](http://www.surveymonkey.com/r/welltesting)

OR

Scan this QR Code



*Morrow and Umatilla Counties are leading this project to develop long-term drinking water options in cooperation with state agencies.*



**Need waste management resources?** Morrow County Public Works and Planning Department want to help!



If you live outside the city limits in Morrow County, you could qualify for a 2025 free transfer station voucher. This is good for one 4ft x 6ft x 2ft high trailer/bed to be dumped at either the North Morrow County Transfer Station located in Boardman, OR or the South Morrow County Transfer Station located in Lexington, OR. Call [541.922.4624](tel:541.922.4624) or [541.989.9500](tel:541.989.9500) for more information. *Apply one per household. Expires 06/30/2025.*

## Your Morrow County Transfer Stations

**North Morrow County Transfer Station**  
69900 Frontage Lane, Boardman OR 97818  
Phone: 541.989.9500

**South Morrow County Transfer Station**  
Hwy 74 SE, Lexington, OR 97839  
Phone: 541.989.9500



Contact your local City Hall or Planning Department for information on clean up initiatives available to you.



**Check Out**  
[www.co.morrow.or.us/planning/page/code-enforcement](http://www.co.morrow.or.us/planning/page/code-enforcement)

## For Helpful Morrow County Code Ordinances

If you have a question or complaint regarding code issues in your neighborhood, don't hesitate to contact the Morrow County Planning Department or go online and fill out the Code Enforcement Complaint form. We want to **HELP** find a solution!



## Have a vehicle that you would like to donate?

Good Shepherd Community Health Foundation is working with our communities to collect cars, trucks, boats, or rv's. to help provide scholarships to local students pursuing higher education in a medical field, as well as supporting grants for local projects that benefit the health and quality of life in our communities. This is an easy and convenient way to free up some space and comes with Tax- receipts available.

**UPCOMING**  
**Household Hazardous Waste Event**  
**May 31, 2025**