

PLANNING DEPARTMENT

PO Box 40 • 205 Third Street NE Irrigon, Oregon 97844 (541) 922-4624

### MEMORANDUM

To: Morrow County Board of Commissioner's and Interested Parties From: Carla McLane, Planning Director Date: July 23, 2018 RE: AC-120-18 Parks Master Plan

This memorandum provides notice and a summary of the upcoming Public Hearing scheduled for Wednesday, August 1, 2018, to start at 9:00 a.m. at the Bartholomew Building in Heppner, Oregon. The request is to adopt the Morrow County Parks Master Plan as a guidance document for the Comprehensive Plan related to both Goal 4 Forest Land and Goal 8 Recreation.

Attached are the Planning Commission Final Findings of Fact that outlines the request submitted by Public Works. Attached to the Findings are two maps (the vicinity map identifying all three parks and an amended Cutsforth Park map based on comment received). Also attached is comment received from Martha Peck Andrews and Steven K. Peck; Ms. Andrews also provided oral comment at the second Planning Commission public hearing. Tom Wolff, Parks Committee Chair, provided comment in support at the initial Planning Commission public hearing. Park staff Greg Close and Kirsti Cason testified, with Ms. Cason working with the Planning Commission at the June 26 hearing reviewing comments by Ms. Andrews. The result of that discussion and Planning Commission input is now incorporated into the July 2018 DRAFT included in this packet. It should be noted that there are three items that still need to be completed before final adoption: 1) on page 3 incorporate the approved revision date and Order number; 2) include that same information on page 4; and 3) correct the map on page 18 with the corrected Cutsforth Park map for the insert. Comprehensive Plan amendment AC-120-18 does come to the Board of Commissioners with a do adopt recommendation.

The action for the Board of Commissioners is to adopt as presented, modify the DRAFT Parks Master Plan, or deny adoption. Planning and Public Works staff both support the 'do adopt' recommendation before you from the Planning Commission.

Please do not hesitate to contact me should you have any questions at 541-922-4624 or by email at <u>cmclane@co.morrow.or.us.</u>

### Planning Commission Final Findings of Fact Parks Master Plan AC-120-18

**REQUEST:** To adopt the Parks Master Plan as a guidance document for the Comprehensive Plan related to both Goal 4 Forest Land and Goal 8 Recreation.

APPLICANT:	Morrow County Public Works Department P.O. 428 Lexington, OR 97839
OWNER	Maria Orași

OWNER:

Morrow County

LOCATION:

Morrow County Parks: Cutsforth, Anson Wright, and OHV

#### I APPLICATION AND PROCESS:

Morrow County adopted the first Morrow County Parks Master Plan in the 1990s and has updated the Plan at least twice prior to this draft. Previous adoptions have only been placed before the Morrow County Court, but with other planning that is being considered for the county park system Oregon Administrative Rules require that a Parks Master Plan be put through the full land use review process. Therefore with this version both notice to the Department of Land Conservation and Development (DLCD) has been accomplished and the public hearings process will include at least two Public Hearings before the Planning Commission, with them making a recommendation to and the final Public Hearing in front of the Board of Commissioners.

This version of the Parks Master Plan has been forwarded through Public Works from the Parks Committee after work over several months by a Parks Planning Subcommittee made up of county staff and park users. It does come with a 'do adopt' recommendation.

The Planning Commission, due to time limitations, did not spend adequate time at the March 27 Public Hearing reviewing or discussing the Parks Master Plan, using available time to hear from members of the public in attendance with comment. Also shared with the Planning Commission was a letter received prior to the March 27 Planning Commission Public Hearing from Stephen K. Peck and Martha Peck Andrews (see attached letter). Based on this comment changes to the Cutsforth Park map have been initiated (see attached) and other comments are being considered by staff and will be further discussed by the Planning Commission.

At the April 24, 2018, public hearing Martha Peck appeared and provided oral testimony, emphasizing the previously received written comment. With limited discussion the Planning Commission continued the public hearing to May 29, 2018. The May 29, 2018, public hearing was further continued with no discussion to June 26, 2018.

### II APPLICABLE CRITERIA:

MORROW COUNTY COMPREHENSIVE PLAN: CRITERIA. The following criteria must be considered before approval of an amendment to the Comprehensive Plan is given:

- 1. Address the Criteria found in the Morrow County Zoning Ordinance Article 8 Amendments; and
- 2. Show how the request complies with the relevant statewide land use planning Goals. Include evidence of coordination and compliance with State agencies regarding the statewide planning Goals. (MC OR-1-2013)

The Morrow County Zoning Ordinance criteria follow with the necessary analysis. Coordination with the DLCD has been ongoing in regards to the draft Parks Master Plan and the other proposed planning work to be done for the park system. The DLCD is noticed of this action. Staff would find these criteria met.

MORROW COUNTY ZONING ORDINANCE: SECTION 8.040. The proponent of the application or permit has the burden of proving justification for its approval. The more drastic the request or the greater the impact of the application or permit on the neighborhood, area, or county, the greater is the burden on the applicant. The following criteria shall be considered by the Planning Commission in preparing a recommendation and by the County Court in reaching their decision.

A. The local conditions have changed and would warrant a change in the zoning of the subject property(ies).

No zoning is proposed to be changed with this action. Subsequent planning actions will evaluate the Comprehensive Plan Goal 8 Recreation, the Parkland Overlay Use Zone currently applied to all three county parks, consideration of a Goal 4 exception for certain areas at the OHV Park, and other actions still to be refined. The Parks Master Plan being considered at this point would be a support or guidance document for those proposed actions.

- B. The public services and facilities are sufficient to support a change in designation including, but not limited to, water availability relevant to both quantity and quality, waste and storm water management, other public services, and streets and roads.
  - 1. Amendments to the zoning ordinance or zone changes which significantly affect a transportation facility shall assure that land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:
    - a. Limiting allowed land uses to be consistent with the planned function of the transportation facility or roadway;
    - b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,
    - c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel to meet needs through other modes.

No land use designations are changing nor are any transportation systems being affected at this time. Planning staff would find these criteria not applicable.

- 2. A plan or land use regulation amendment significantly affects a transportation facility if it:
  - a. Changes the functional classification of an existing or planned transportation facility;

- b. Changes standards implementing a functional classification;
- c. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or
- d. Would reduce the level of service of the facility below the minimal acceptable level identified in the Transportation System Plan. (MC-C-8-98)

See above analysis.

C. That the proposed amendment is consistent with unamended portions of the Comprehensive Plan and supports goals and policies of the Comprehensive Plan, that there is a public need for the proposal, and that the need will be best served by allowing the request. If other areas in the county are designated for a use as requested in the application, then a showing of the necessity for introducing that use into an area not now so zoned and why the owners there should bear the burden, if any, of introducing that zone into their area.

Planning staff would find that the draft Parks Master Plan is not in conflict with this criterion. In fact having the Parks Master Plan adopted as a reference and guidance document to both Goal 4 Forest Lands and Goal 8 Recreation is an expansion of information to users of the Morrow County Comprehensive Plan.

D. The request addresses issues concerned with public health and welfare, if any.

Planning staff have not identified any concerns with public health or welfare.

- III DLCD 35 DAY NOTICE: February 16, 2018
- IV PROPERTY OWNER NOTICE: March 7, 2018
- V LEGAL NOTICE: Heppner Gazette Times and East-Oregonian March 7, April 4, May 9 and June 6, 2018
- VI AGENCIES NOTIFIED: Phil Stenbeck, Jon Jinnings and Tim Murphy, Department of Land Conservation and Development; Teresa Penninger and Marilyn Holt, Oregon Department of Transportation; Ian Caldwell, Oregon State Parks; Mike Gorman, Morrow County Assessor's Office; Matt Scrivner and Greg Close, Morrow County Public Works Department

### VII HEARING DATES:

Planning Commission March 27, 2018 May 29, 2018 Port of Morrow Riverfront Center Boardman, Oregon

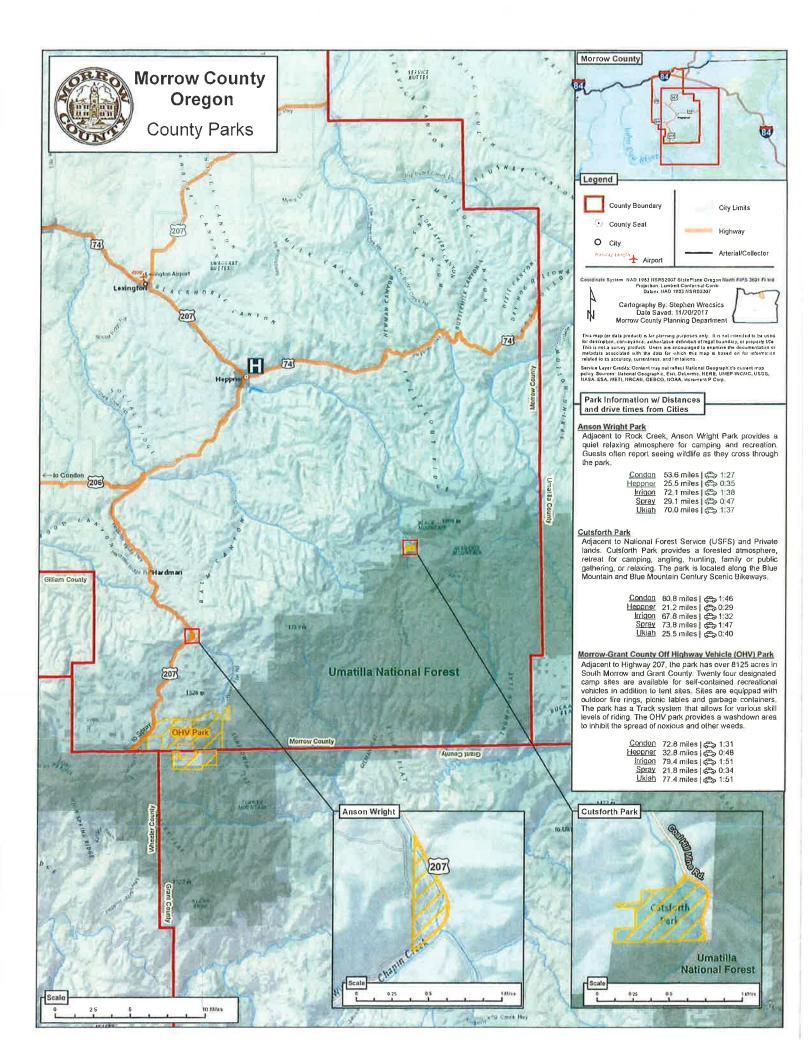
> April 24, 2018 June 26, 2018 Morrow County Bartholomew Building Heppner, Oregon

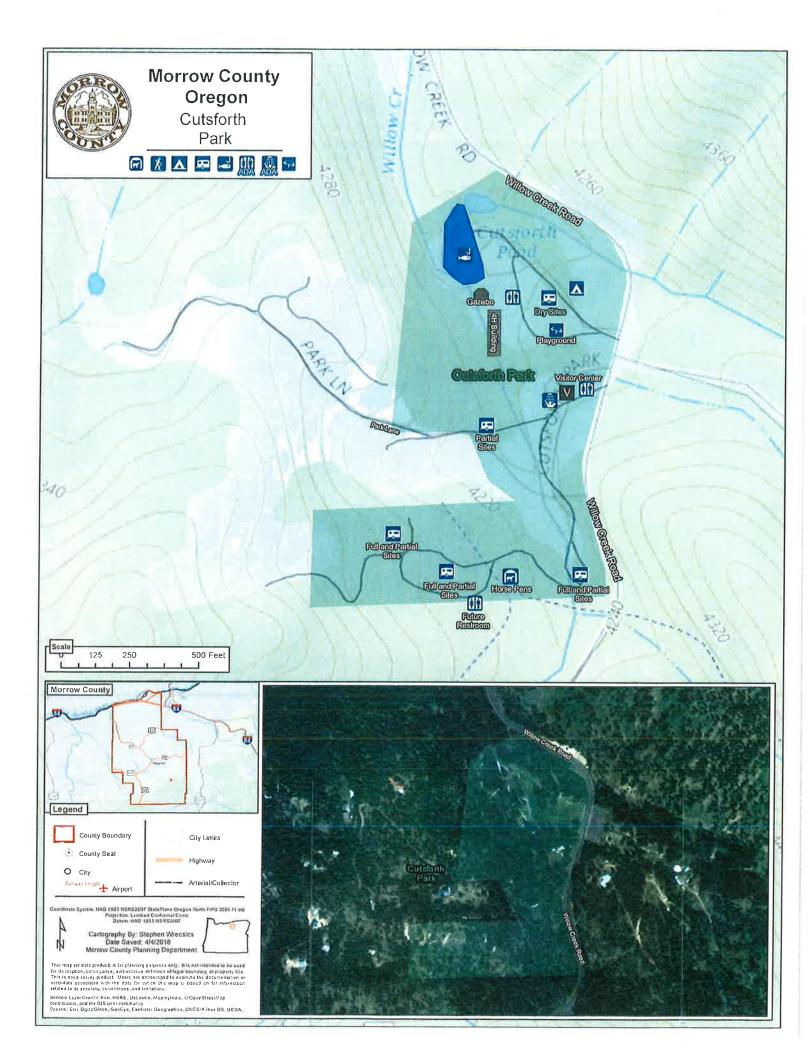
Board of Commissioners August 1, 2018 Morrow County Bartholomew Building Heppner, Oregon

IX RECOMMENDATION: The Planning Department recommends that the Planning Commission recommend to the Morrow County Board of Commissioners adoption of the Parks Master Plan with changes identified through the Planning Commission public hearings process.

holz, Chair

Attachments: Map of County Parks Amended Cutsforth Park Map Comment Letter: Stephen K Peck and Martha Peck Andrews dated March 20, 2018 DRAFT Parks Master Plan







March 20, 2018

MORROW CO. PLANNING DEPT.

- To: Morrow County Planning Commission P.O. Box 40 Irrigon, Oregon 97844
- From: Stephen K. Peck 1945 Carriage Street Walla Walla, Washington 99362

- and -

Martha Peck Andrews 907 NE 25th Avenue, #A Portland, Oregon 97232

# Re: Comprehensive Plan Amendment AC-120-18: Parks Master Plan

Dear Members of the Morrow County Planning Commission,

Thank you for the opportunity to review and comment on the proposed Master Plan documents for Morrow County Parks. As owners of property in the near vicinity of Cutsforth Park, our comments are specifically addressed to <u>Cutsforth Park</u>. We have some serious concerns about mapping errors for the park boundaries, and errors of fact or omission in the MORROW COUNTY PARKS MASTER PLAN, 2010-2030. We request that these corrections be made to the documents before you adopt the Findings and the Master Plan for Cutsforth Park.

# 1. <u>West boundary of Cutsforth Park is incorrectly shown on maps and must be</u> corrected.

As highlighted in green on the map on pg. 52, the park includes *private property*, possibly including the following Tax Lot numbers -- which are in private ownership:

206	309	314
301	310	315
305	311	316
306	312	317
		320

We are attaching a mark-up of the map from the proposed Master Plan that shows the approximate true west boundary of Cutsforth Park. This map must be carefully compared with the private properties shown on Morrow County assessor's tax lot maps, and the park boundaries must be redrawn correctly on all maps for Cutsforth Park included in the Master Plan.

This may not be a complete list of the Tax Lots in private ownership which have been incorporated into the map. It is impossible to determine from the map information in the draft Park Master Plan exactly which private properties have been mistakenly included within the park boundaries.

As owners of Tax Lot 500 in Sec. 27, T4S, R28E, W.M., we request that our property NOT be included within the park boundaries.

### AC-120-18

Peck & Andrews / pg. 2 / March 20, 2018

Related to the park boundary error on pg. 52, we would like to point out that the second sentence on pg. 40 states that Cutsforth Park is 31.08 acres in area. We don't know how this area has been calculated for inclusion in this document, but it appears the total area may have been calculated with the inclusion of some <u>private land</u>. Please confirm that this land area is correct if it is to be a "fact" of the Master Plan.

- P. 24, Mapping Correction: Correct boundaries of inset map for Cutsforth Park, see #1 above.
- 3. P. 22, Page Title. Correct spelling at "EXISTING."
- P. 40, "Geography." <u>Change</u> language at last sentence to read "The park is bordered on the south by the Umatilla National Forest. (Period.)"
- 5. P. 40, "Geography."

<u>Add</u> new sentence: "The park is bordered by private lands on the west who maintain access easements originally granted by O.W. Cutsforth and/or successor land owners when land parcels were sold to individual buyers. This access is generally via Park Lane."

- P. 40, "History."
  <u>Correct</u> typos by removing apostrophes from <u>Mahoney's</u> -- Mahoneys is plural, not possessive, and no apostrophe is necessary.
- P. 41, "Campsites / Campgrounds." In fifth sentence, strike and Ditch Creek running through the area. Note that the stream in this part of Cutsforth Park is *not* Ditch Creek. It is the upper main branch of Willow Creek. (Ditch Creek flows to the John Day River drainage, and is not a tributary of Willow Creek.)
- P. 41, "Amenities." <u>Add</u> new sentence at end of first paragraph: "The Visitor Center was completely rebuilt in 2017."
- P. 42, "Forest Management." At last bulleted item under ACTIONS / MAINTENANCE: <u>Delete first sentence entirely:</u> Mature harvestable trees should be removed, and any funds generated invested in the park. <u>Amend the second sentence:</u> "The trees in the park will be managed to promote a healthy forest park environment." [The word park is added.]

*This is a park!* Trees should only be limbed or felled if the health of a particular tree is questionable, or if a tree threatens imminent damage to park amenities or park visitors. **Timber harvesting is not an activity compatible with park uses.** 

Peck & Andrews / pg. 3 / March 20, 2018

- P. 44, "Vending Amenities / Services." <u>Change</u> last sentence to read: "Create an area where one a vendor can install and operate a laundry eleaning service a coin-op laundry.
- 11. Pg. 44, Add new capitalized section EASEMENTS as follows (equivalent to headings on LOCATION, GENERAL DESCRIPTION, SIGNAGE, etc.):

### EASEMENTS

Cutsforth Park shall respect all legal easements that allow neighboring land owners to access their properties. Consistent with public safety policies, Morrow County will not restrict or impede access through the park for those property owners and their guests.

[Please note that respecting existing road easements is consistent with <u>Finding B</u> in the DRAFT FINDINGS OF FACT for AC-120-18, that states "No . . . . transportation systems [are] being effected at this time." *Last sentence of Finding B*.]

12. P. 52, Map Road Corrections:

On the shaded map at the top half of the page, **Park Lane** is mislabeled as Willow Creek Road, and is also mislocated for a portion of its alignment. Park Lane actually angles in a northwest/southeast orientation from the main park road (look for the faint line, p. 52) and crosses Willow Creek on the new vehicle bridge located in proximity to campsites F5 and D11 that are shown on the p. 53 Google Earth (satellite) map.

Park Lane on p. 52 should be redrawn at its actual location. Also see #13, below.

Also please refer to attached markup of the map in the proposed Master Plan.

13. P. 53 (?), Google Earth aerial photo:

In general, <u>all</u> maps should always have a NORTH arrow, to avoid confusion for readers trying to understand what each map or graphic is communicating, especially when certain information is shown on some maps or graphics, but not shown on all maps.

The road labeled "Private Drive," starting at about campsite D11 (and going past campsites P4, P5, P6, & P7) is **Park Lane**. This alignment on the Google Earth photo is a more accurate alignment than shown on the map on p. 52.

Morrow County had a new vehicle bridge for Park Lane built over Willow Creek (between campsites F5 and D11 on the Google Earth view) in about 2015.

### 14. P. 54, Mapping Correction:

**Remove Anson Wright Park Map** from the portion of the Master Plan that is focused on Cutsforth Park.

In summary, while some of our concerns are relatively minor (such as typos or editing cor-

### AC-120-18

Peck & Andrews / pg. 4 / March 20, 2018

rections), the Planning Commission should not adopt this Master Plan for Morrow County's public parks until all factual and mapping errors are corrected.

We are very concerned that this proposed Parks Master Plan has some serious mapping errors. No private land should be included within the park boundaries of Cutsforth Park.

Clearly, making these corrections now will be much simpler than after the master plan has been adopted and a private property owner suddenly discovers that their property is "encumbered."

If we can provide additional information, please contact either of us.

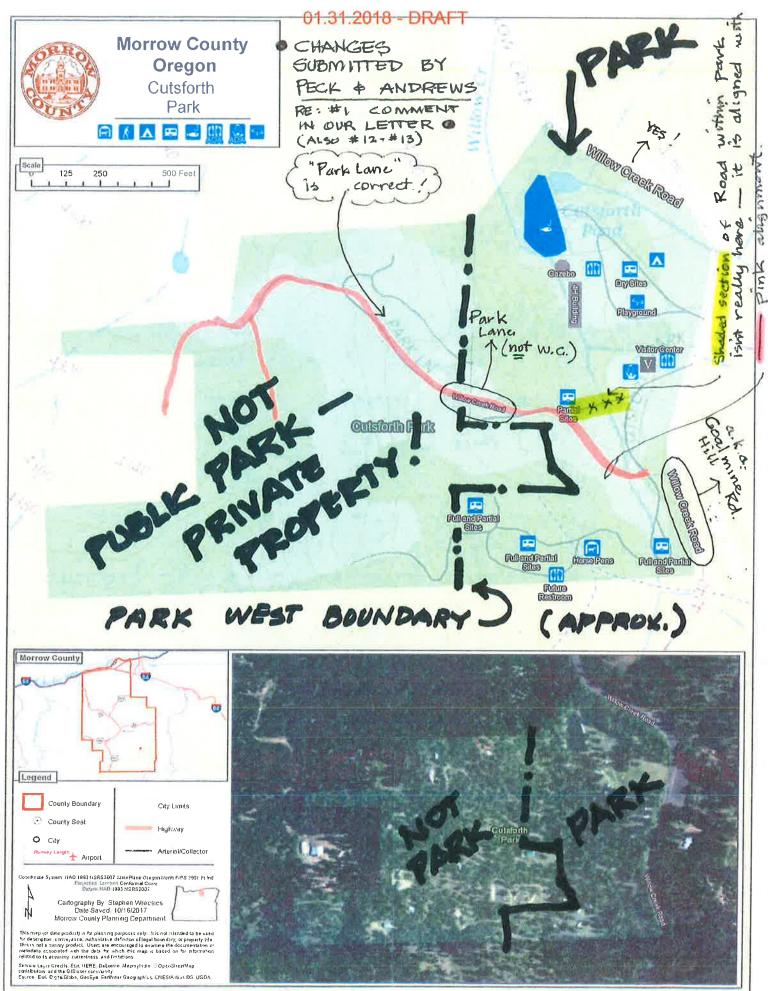
Thank you for your consideration.

Stephen K. P.Ock mm

Stephen K. Peck Tel. 541-922-8082 skpeck46@hotmail.com

orly Moderers

Martha Peck Andrews 503-232-0822 marthatect1777@outlook.com



MORROW COUNTY PARKS MASTER PLAN - Page 52

### BEFORE THE BOARD OF COMMISSIONERS FOR MORROW COUNTY, OREGON

IN THE MATTER OF DECLARING ) A STATE OF DROUGHT EMERGENCY ) IN MORROW COUNTY )

**RESOLUTION NO. R-2018-18** 

THIS MATTER COMING BEFORE THE Morrow County Board of Commissioners sitting as the County governing body on August 1, 2018, at a regularly scheduled meeting;

WHEREAS, information has been provided to the Morrow County Board of Commissioners that a drought is occurring in Morrow County and that protective actions may be or are required to protect the citizens of Morrow County;

WHEREAS, the U.S. Secretary of Agriculture has designated Morrow County as a contiguous disaster county due to drought, enabling producers in the County eligible for emergency aid, with a moderate drought monitor condition;

WHEREAS, the Governor has made the determination that a state of drought emergency exists in Baker, Grant, Wheeler, Harney, Klamath, Lake and Douglas Counties;

WHEREAS, the National Drought Mitigation Center has listed Morrow County as "Abnormally Dry" as of July 17, 2018.

WHEREAS; unless weather conditions improve substantially to above normal conditions, water users who rely on stored water will have a shortened water use season, and depending upon the priority date of their water right, water users who rely on stream flows will have substantially less water available and a shortened water use season;

NOW THEREFORE, the Morrow County Board of Commissioners resolves that:

- 1. A state of emergency exists in Morrow County due to drought conditions.
- 2. Due to the state of emergency, the Morrow County Board of Commissioners does hereby request and entreat the Honorable Kate Brown, Governor of the State of Oregon, to:

1 - Resolution: R-2018-18

- A. Declare a "State of Emergency," a drought, to exist in Morrow County, Oregon;
- B. Direct the Oregon Water Resources Department to provide all available means of assistance to Morrow County agricultural producers.
- C. Direct Office of Emergency Management to coordinate and assist as needed to address current and projected conditions in Morrow County.
- D. Direct all other state agencies to coordinate with the above agencies and to provide appropriate state resources as determined necessary to assist those affected in Morrow County.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

# MORROW COUNTY BOARD OF COMMISSIONERS MORROW COUNTY, OREGON

Don Russell, Chair

Jim Doherty, Commissioner

Melissa Lindsay, Commissioner

Approved as to Form:

Morrow County Counsel

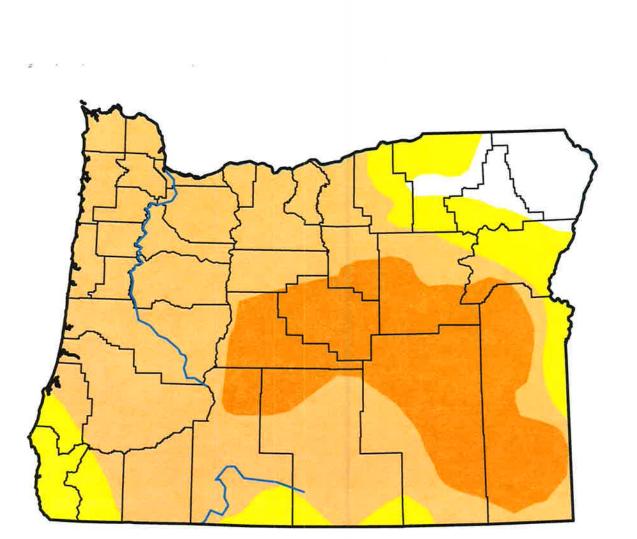
2 - Resolution: R-2018-18

# U.S. Drought Monitor Oregon

# July 17, 2018

(Released Thursday, Jul. 19, 2018) Valid 8 a.m. EDT

Drought Conditions (Percent Area)



	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	5.52	94.48	80.60	25.10	0.00	0.00
Last Week 07-10-2018	5.52	94.48	68.58	18.01	0.00	0.00
<b>3 Months Ago</b> 04-17-2018	32.94	67.06	31.83	0.00	0.00	0.00
Start of Calendar Year 01-02-2018	100.00	0.00	0.00	0.00	0.00	0.00
Start of Water Year 09-26-2017	39.23	60.77	28.57	0.00	0.00	0.00
<b>One Year Ago</b> 07-18-2017	66.97	33.03	0.00	0.00	0.00	0.00

### Intensity:

D0 Abnormally Dry

D3 Extreme Drought

D1 Moderate Drought

D4 Exceptional Drought

D2 Severe Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

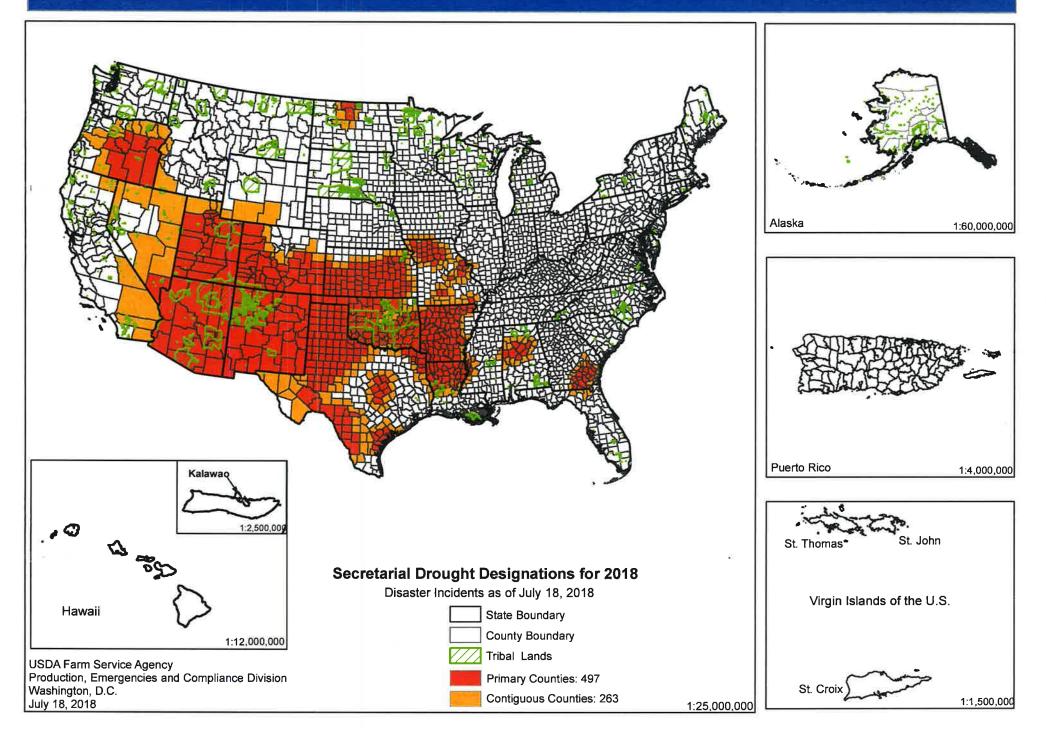
### Author:

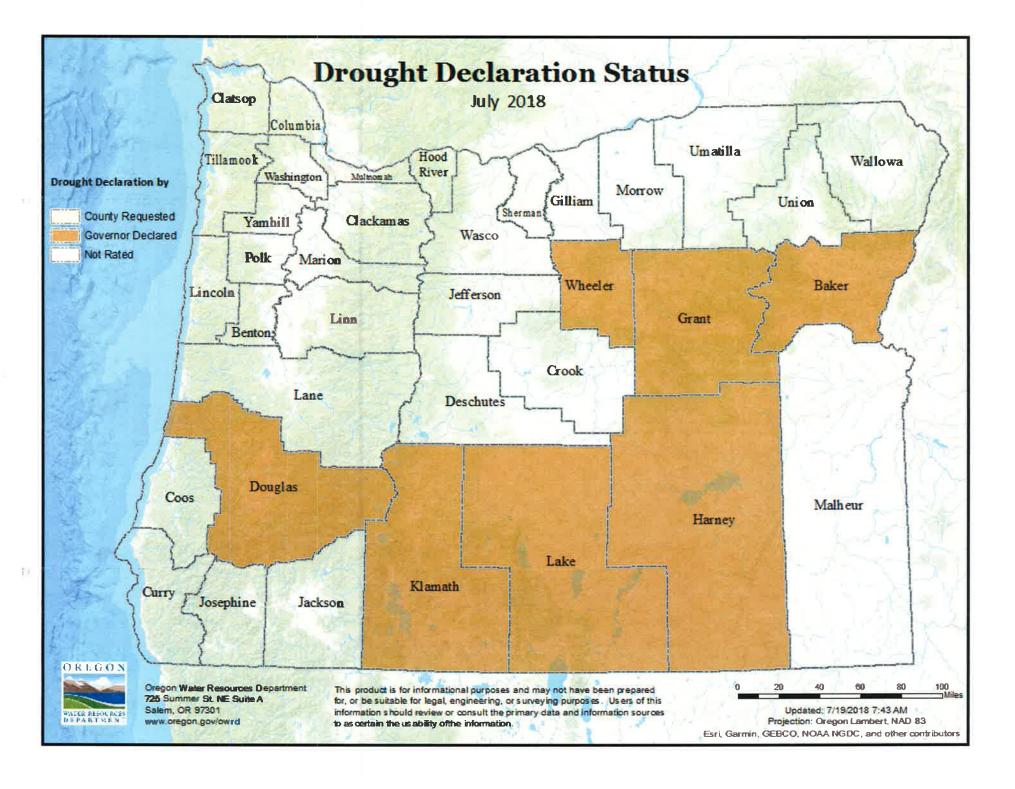
Curtis Riganti National Drought Mitigation Center



# http://droughtmonitor.unl.edu/

# **2018 Secretarial Drought Designations - All Drought**







## REGIONAL SOLUTIONS OFFICE GOVERNOR KATE BROWN

## Post-Fire Resources Open Houses

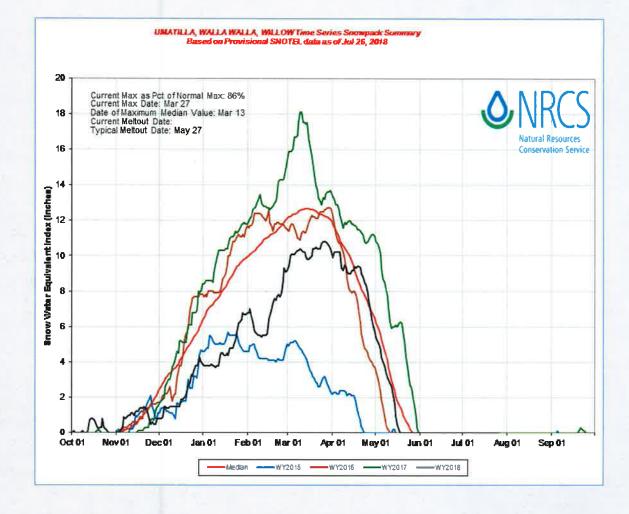
Local, state, and federal partners will hold two open houses to connect fire impacted families and communities with relevant federal, state, and local programs and information.

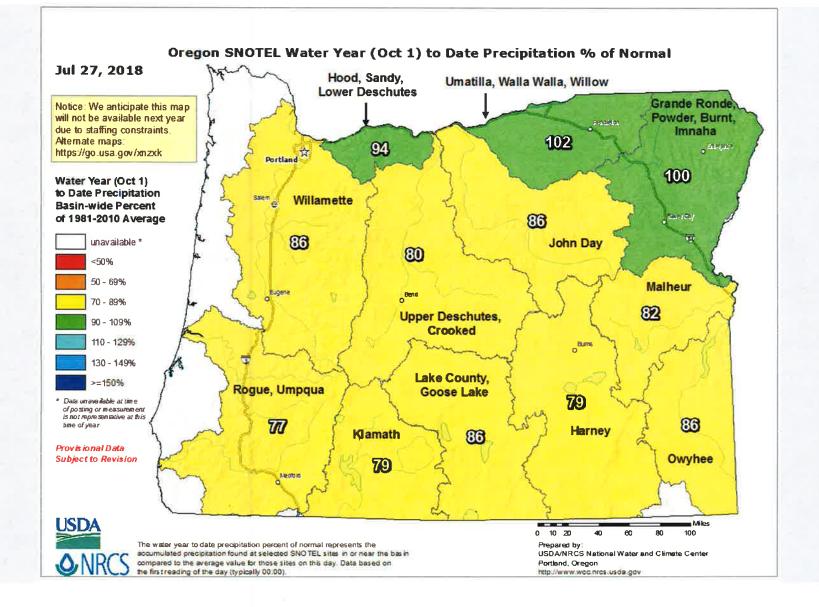
Date: July 30 Time: 4pm-7pm Location: Fort Dalles Readiness, 402 E Scenic Dr, The Dalles, OR 97058

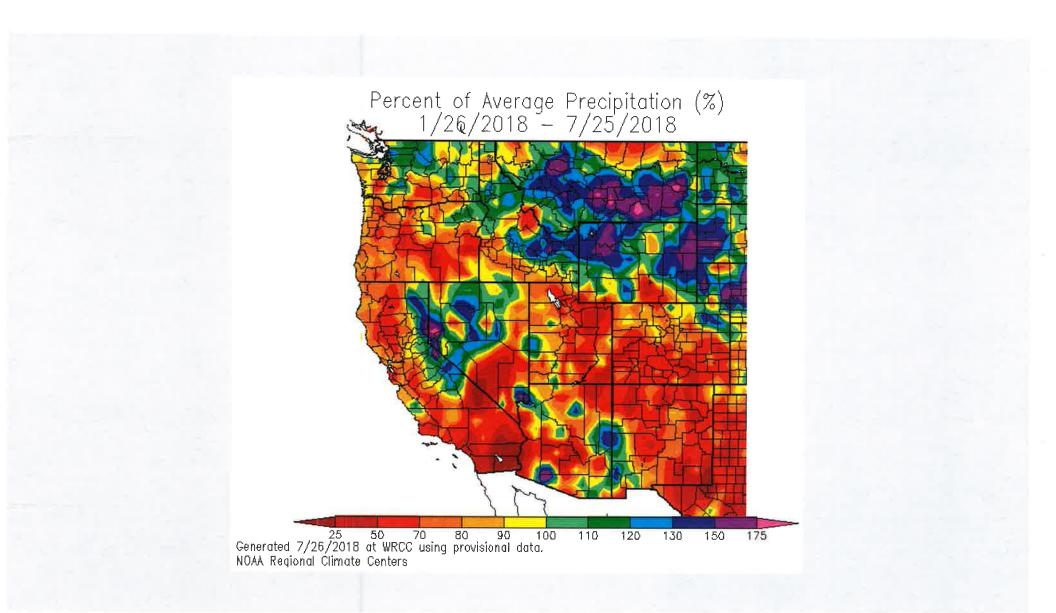
Date: July 31 Time: 4pm-7pm Location: Sherman County School, 65912 High School Loop, Moro, OR 97039

If you represent an agency interested in participating, please email Nate Stice, <u>nate.stice@oregon.gov</u>





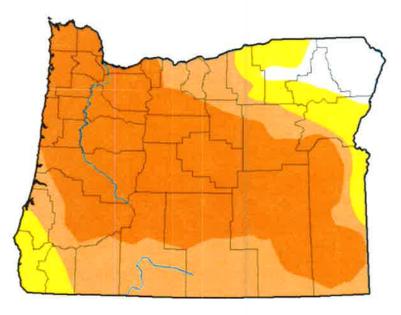




# U.S. Drought Monitor - Oregon

# As of July 24, 2018

### Author: Chris Fenimore, NCEI/NESDIS/NOAA



Week	None	D0-D4	D1-D4	D2-D4	03-D4	D4
Current 7/24/2018	5.52%	94.48%	82.79%	55.88%	0.00%	0.00%
Last Week 7/17/2018	5.52%	94.48%	80.60%	25.10%	0.00%	0.00%
Three Months Ago 4/24/2018	32.94%	67.06%	39.92%	0.00%	0.00%	0.00%
Start of Calendar Year 1/02/2018	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%
One Year Ago 7/25/2017	66 <mark>.40</mark> %	33.60%	0.00%	0.00%	0.00%	0.00%

### Drought Conditions (Percent Area)

# **Drought Intensities**

None: No Drought D0: Abnormally Dry

