



PLANNING DEPARTMENT

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**Minutes of the Public Meeting of the
Morrow County Planning Commission
Tuesday, December 8, 2020, 7:00 p.m.
Bartholomew Building, Heppner Oregon
(Also video conferenced via Zoom)**

Morrow County Planning Commissioners Present: Vice Chair Mifflin Devin, Stanley Anderson, Stacie Ekstrom, Wayne Seitz, Karl Smith, and Brian Thompson.

Morrow County Planning Commissioners Absent: Chair Jeff Wenholz, Greg Sweek, and Rod Taylor.

Morrow County Staff Present: Tamra Mabbott, Planning Director; Stephanie Case, Planner II; Stephen Wrecsics, GIS Planning Technician; Justin Nelson, County Counsel; Gregg Zody, Community Development Director, and Dianna Strong, Office Assistant.

The Pledge of Allegiance was recited.

Approval of Minutes:

Commissioner Seitz moved to approve the Minutes of October 27, 2020; Commissioner Ekstrom seconded; and the motion carried.

Public Hearings:

Planning Commission Vice-Chair Devin read the Planning Commission Hearing Procedures.

Land Partition LP-N-486-20: Gerald Kingery and Candia Smykowski, Owners and Applicant. The property is described as tax lot 100 of Assessor's Map 5N 27E 21A. The property is zoned Rural Residential (RR) and located east of the City of Irrigon on Highway 730. Subject property is located outside the Irrigon Urban Growth Boundary. Request is to partition a 9.92-acre parcel to create 2 parcels. Criteria for approval includes the Morrow County Zoning Ordinance (MCZO) Article 3 Section 3.040 Rural Residential Zone and Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.

GIS Planning Technician, Stephen Wrecsics, presented the request.

Opened the testimony portion of the Public Hearing.

Candia Smykowski, applicant, spoke in favor. She stated that this land partition would be beneficial to the community, as well as to herself and Mr. Kingery, in that it would provide another piece of rural residential property for Morrow County.

No one spoke in opposition. No other comments were made.

Commissioner Anderson made a motion to accept the findings as presented and approve the application. Commissioner Smith seconded; all commissioners present voted in favor; and the motion carried.

Land Partition/Replat LP-S-487-20 R-S-059-20: Morrow County, Applicant and City of Heppner and Morrow Soil & Water Conservation, Owners. The property is described as tax lots 300 and 1000 of Assessor's Map 2S 26E 27AC. The property is zoned Light Industrial (M) and located northwest of the City of Heppner near the intersection of Riverside and Fuller Canyon inside the Heppner Urban Growth Boundary. Request is to reconfigure approximately 1.36-acres to create 3 parcels. Criteria for approval includes Heppner City Code 11-3-7 and MCSO Article 5 Land Partitioning.

Vice-Chair Devin stated that he is a Director for the Morrow Soil & Water Conservation District. He is not aware of this action, and believes himself to be impartial.

Planner II, Stephanie Case, presented the request.

No one spoke in favor or opposition. No other comments were presented.

Commissioner Anderson made a motion to accept the findings and the recommendation as stated; Commissioner Smith seconded; all commissioners present voted in favor.

AZ-133-20 Zoning Ordinance Amendment. Morrow County, Proponent. This action is to update Article 9 Administrative Provisions of the MCZO. The criteria for approval are found in MCZO Article 8. This is the first of at least two public hearings with the final hearing before the Board of Commissioners.

Planner II, Stephanie Case, presented the request, proposing a legislative amendment to Article 9. In recent years there have been several changes to the Morrow County Zoning Ordinance. This portion (9.046) reflects the process of the administrative review, which has been referenced in other recent ordinance updates but not incorporated into Article 9. It also includes a central location for permit expiration updates.

Planning Director Tamra Mabbott provided some explanation of the purpose of this amendment, which would give the Planning Department the authorization to process certain applications under Administrative Review, rather than requiring they go in front of Planning Commission.

Mrs. Case summarized a letter from Brian Walsh, Avangrid Renewables, (received today via e-mail) stating that he offered two suggestions for the Planning Commission to consider:

1. "...clarify that a land use decision in MCZO 9.046 is treated the same as a conditional use permit and has a 2-year duration with an ability to extend..."
2. "...consider a 3-year duration for all discretionary permits ... with extensions being 2 years in length for each..."

Opened the testimony portion of the Public Hearing.

No one spoke in favor or opposition.

Director Mabbott asked Chair Devin for permission to discuss the two suggestions from Avangrid Renewables. She recommended changing the code language as recommended in the first suggestion, as that was the intent of staff. As for the second suggestion, it is necessary to stay with a two-year duration to avoid conflict with our current zoning ordinance and its stated timelines. Staff recommends we stay consistent with the two-year time frames for all of our permits.

Commissioner Smith made a motion to approve the findings, changing the language as discussed regarding clarification of a land use decision, and request the proposed amendment be brought before the Board of Commissioners. Commissioner Anderson seconded. All in favor. The motion carried.

AZ-134-20 Zoning Ordinance Amendment. Morrow County, Proponent. This action is to update Article 3 of the MCZO for the purpose of creating a Rural Residential 10-Acre Zone (RR10). The criteria for approval are found in MCZO Article 8, Statewide Planning Goal 10 Housing, Oregon Administrative Rule Chapter 660 Division 8. This is the first of at least two public hearings with the final hearing before the Board of Commissioners.

Director Mabbott pointed to page 41 of tonight's packet for discussion. Within the Draft RR-10 Ordinance; Standards; E. DIMENSIONAL STANDARDS; 2. Building Height. Commissioner Seitz brought this question to our attention after the RR-10 work session, as to whether or not the 30-foot height should remain. There was discussion and a consensus to remove the height restriction as suggested by Commissioner Seitz.

Director Mabbott discussed correspondence received today from Andrew Mulkey, 1000 Friends of Oregon. She shared that she called him soon after receiving his e-mailed letter, in order to better understand his concerns.

Tamra recommended holding off on adopting this draft and consider options to proceed:

- Wait until county has a major update to Comprehensive Plan Goal 10 Housing.
- At a minimum, address RR-10 in our Comprehensive Plan.
- Make a small amendment to Goal 10, identify RR-10, and move forward to the January meeting without need to re-notice DLCD, etc.
- If we are looking for a more complete overhaul of the Comprehensive Plan, we will need more time.

No public testimony was presented.

On recommendation of Planning Staff, the Commission chose to continue the hearing to the January 19, 2021 Planning Commission. Commissioner Anderson made a motion to continue this hearing to the next scheduled Planning Commission meeting on January 19, 2021, 7 pm at the Irrigon Annex. Commissioner Smith seconded. All commissioners present voted in favor.

Correspondence:

- October 28, 2020, letter from the Board of Commissioners to Sarah Esterson, Senior Siting Analyst at the Oregon Department of Energy, regarding Wheatridge Renewable Energy Facility II request. --pages 44-45
- October 28, 2020, letter from the Board of Commissioners to Chase McVeigh-Walker, Senior Siting Analyst at the Oregon Department of Energy, regarding Carty Generating Facility II request. --pages 46-47
- November 6, 2020, Director Mabbott's monthly update to the Board of Commissioners, explains recent and current projects in which the Planning Department is involved. -- pages 48-51
- November 12, 2020, letter from the Board of Commissioners to the Oregon Water Resources Commission, drafted with Director Mabbott's assistance, addresses a petition regarding land uses in the critical groundwater areas, brought to our attention from the NE Oregon Water Association (NOWA). --pages 52-55
- November 16, 2020, letter to Martin Pitney regarding expiration of the Gala Springs 2018 Subdivision approval. --pages 56-57
- November 23, 2020, public notice regarding proposed development by the Union Pacific Railroad. --pages 58-61

Public Comment: Greetings from Lori Roach, Heppner Chamber of Commerce, via zoom.

The next meeting of the Morrow County Planning Commission is scheduled for Tuesday, January 19, 2021 at 7:00 pm. The meeting will be offered via Zoom.

Adjournment: Meeting was adjourned at 8:07 pm.

Respectfully Submitted,
Dianna Strong