



## PLANNING DEPARTMENT

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

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**Minutes of the Public Meeting of the  
Morrow County Planning Commission  
Tuesday, June 28, 2022 7:00 p.m.  
Morrow County Bartholomew Building, Heppner Oregon  
(All meetings will be offered through video conferenced via Zoom)**

**Morrow County Planning Commissioners Present:** Chair Jeff Wenzholz, Rod Taylor, Mary Killion, Stacey Ekstrom, Gregg Sweek  
**Attendance via Zoom:** Stanley Anderson

**Morrow County Staff Present:** Tamra Mabbott, Planning Director, Stephanie Case, Planner II, Stephen Wrecsics, GIS Planning Technician, Katie Keely, Compliance Planner, George Nairns, Office Manager.

**Called to Order:** Meeting was called to order by Chair Wenzholz at 7:00pm.

- New Commissioner Mary Killion was introduced and welcomed to the Planning Commission.
- Director Mabbott introduced Daniel Kearns, Land Use Attorney. Morrow County Planning Department has entered an agreement with Mr. Kearns for his advice and guidance on complex land use issues.

The Pledge of Allegiance was recited.

**Approval of Minutes:** *Commission Taylor moved approval of the March 29, 2022 minutes and the April 26, 2022 minutes. Commissioner Sweek seconded. Called for vote, approved unanimously.*

**Public Hearings:** Planning Commission Chair Wenzholz read the Planning Commission Statement and Hearing Procedures.

**Hardship Variance HV-S-045-22: Douglas & Tracey Johnson applicant and owner.** The property is described as Tax Lot 6300 of Assessor's Map 1S 25E 36 and is located on the SE intersection of Blackhorse Canyon & Piper Canyon Rd, Heppner. The property is zoned Exclusive Farm Use and is outside the Heppner Urban Growth Boundary (UGB). Request is to approve a temporary hardship dwelling to allow care for an infirm person. Criteria for approval include MCZO Article 7 Section 7.300 Special Uses.

Katie Keely, Compliance Planner presented findings and recommends approval subject to conditions being met as listed in the findings. Application does include a letter from a doctor.

Chair Wenzholz called for questions from Commissioners for staff. No questions from Commissioners.

Chair Wenzholz opened the testimony for the Public Hearing, from those in favor. No comments in person or through Zoom.

No one spoke in opposition in person or through Zoom. No other comments were made.

Chair Wenzholz closed Public Hearing.

Chair Wenzholz called for questions from Commissioners for Staff.

*Commissioner Sweek moved to approve HV-S-04522 with findings as presented. Commissioner Ekstrom seconded motion. Called for a vote, unanimous approval.*

**Port of Morrow Interchange Area Management Plan (IAMP) Update:** AP-137-22 Comprehensive Plan Amendment will update the 2012 IAMP Chapter 7 primarily to allow a roundabout north of Interstate 84 and also to include a multi-use path on both sides of the Interstate. Applicable Standards include MCZO Section 8.040 Amendments and Statewide Planning Goals 1 Citizen Involvement and Goal 12 Transportation.

Tamra Mabbott, Planning Director presented back ground and study results of the work and high-level planning that has been done to get to this point. Tamra invited Matt Hughart to speak further on the plans.

Chair Wenholz asked for approval from commission to open public hearing for public testimony, approved.

Chair Wenholz opened the testimony for the Public Hearing, from those in favor.

Carla McLane, Boardman City Planner joined the meeting and she also spoke about the history and planning that has went into this project.

Matt Hughart spoke about the engineering of the proposed round-a-bouts, including addition of bypass lanes for traffic flow and bike paths.

Teresa Penninger of ODOT spoke in favor of the project and complimented the involvement of many entities working together to get to this point.

Jacob Cain spoke in favor of this update. It will improve the traffic flow.

No one spoke in opposition in person or through Zoom. No other comments were made.

Chair Wenholz closed Public Hearing.

Chair Wenholz called for questions from Commissioners for Staff.

*Commissioner Taylor moved to recommend to the Morrow County Board of Commissioner the adoption to of the update to the 2012 Port of Morrow Interchange Area Management Plan. Commissioner Ekstrom seconded motion to recommend. Called for a vote, unanimous approval.*

**Land Partition LP-N-510-22 and Replat R-N-077-22: Amazon Data Services, Inc., Applicant and Owner.** The property is described as tax lot 1701 of Assessor's Map 4N 25E. The property is zoned General Industrial (MG) and located on the west side of Bombing Range Road, one mile south of the Highway 730 and Interstate 84 Interchange. The request is to reconfigure Parcel 1 of Partition Plat 2021-25, creating two new parcels. Criteria for approval includes the Morrow County Zoning Ordinance (MCZO) Section 3.070 General Industrial Zone and Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.

Stephen Wrecsics, GIS Planning Tech presented findings and conditions with updated changes. Applicant has requested that the easement for the property not be shown on the final plat map, the plat would include a reference to the final recorded easement. In the future if someone wants to look up the easement they would look at the separate document.

Chair Wenholz called for questions from Commissioners for staff. Commissioner Sweek asked to clarify that applicant is requesting that the easement not be shown on the Final Plat. Commissioner Sweek asked "isn't this problematic that (Commission) is being asked to approve without an easement? We're being asked to approve without evidence of an easement at all. Is that correct?" Stephen Wrecsics replied that there is an easement being proposed but will be referenced as a separate document.

Commissioner Killion asked staff to repeat what this partition is for. Is it for Amazon? Is it for UEC? Is it for a substation? Planner Wrecsics replied that the current landowner is Amazon but the new parcel is for a substation for UEC. Commissioner Killion asked if this is required. Director Mabbott replied that yes, this is the pattern, that substations have to co-locate in close proximity to a data center. Commissioner Sweek replied that the substation does not necessarily have to be on this property but it does have to be very close to the data center. Chair Wenholz noted that they are dedicated substations that only serve the data centers.

Chair Wenholz opened the testimony for the Public Hearing, from those in favor.

Seth King, Attorney for Amazon, spoke on behalf of the applicant in favor of the application. He noted that there have been two driveways approved, one to the north and one to the south. And the plan is the northern driveway is intended to be the primary point of ingress and egress for the site. The southern driveway is going to be used for very limited circumstances. The plan for UEC long term is they would take access to their substation from the southern driveway. However, the southern driveway is not planned to be constructed right away so until that southern driveway is constructed, they would be granted access from the northern driveway. Since the location of the easement is going to change over time, first from the north and then from the south, the applicant is requesting that a note on the plat that will reference a separate, stand-alone document that is recorded and referenced as a note on the plat so you can go and look it up. That will provide adequate notice to everyone to insure the legal access. Jason Tacchini, Engineer spoke in favor of the application and easement recording. There will be no changes to the current access off of the Bombing Range.

No one spoke in opposition in person or through Zoom. No other comments were made.

Chair Wenholz closed Public Hearing.

Chair Wenholz called for questions from Commissioners for Staff. Further discussion on the Final Plat and Easement.

*Commissioner Taylor moved to approve LP-N-510-22 and R-N-077-22 with conditions as presented. Commissioner Sweek seconded motion. Called for a vote, unanimous approval.*

**Request to Amend Zoning Permit Z-2956-22: Amazon Data Services, Inc., Applicant and Owner.** Request is to modify conditions previously approved by Planning Commission on March 29, 2022. Application is for a master plan for data center campus, security building and water treatment building. Property is tax lot 1701 of Assessor's Map 4N 25E 24. Also known as Parcel 1 of Partition Plat 2021-25, located on the west side of Bombing Range Road, one-mile south of the Highway 730 and Interstate 84 Interchange. Zoning is General Industrial (MG). Criteria for approval include Morrow County Zoning Ordinance (MCZO) Section 1.050, 3.070 A-E and Article 4 Supplementary Provisions.

Tamra Mabbott, Planning Director presented and summarized the request is to clarify and amend conditions of approval for ZP-2956-22 that were approved during the March 29, 2022 meeting. Tamra deferred to Applicant Seth King to discuss the requested changes. Chair Wenholz asked Commissioners if they had any questions for staff and for consensus for opening the hearing for public comment. No questions at this time and consensus given to open for public comment.

Seth King, Attorney for Amazon, spoke to address the amendments applicant has requested, to clarify deadlines for compliance. Amazon is not objecting to any of the conditions just want to change the timing of the conditions. Mr. King reviewed the language and noted that the first five (5) conditions they propose be completed prior to obtaining an implementing Zoning Permit to be sure the building is consistent with the campus plan. Mr. King reviewed changes to the remaining conditions. With conditions 6-9 these conditions deal with individual components and thus the performance of the condition is tied to that individual component. Application for a transmission line has been submitted; it is only a short distance and will cross two private properties and a county road. For one private property UEC has negotiated an easement; for the other private property owner UEC is in negotiation for an easement. Both landowners have consented to filing the land use applications. The land use permit for the utility substation, UEC will submit application for that after partition is complete and UEC owns a stand-alone site.

Planning Commission discussed the waste water system which will be a very large holding pond that will be built to hold water onsite. Port of Morrow will be in charge of building the holding pond. A fence will be constructed around the pond. A separate land use permit is required to land apply the wastewater off site. Commission discussed the transmission line that will come across Bombing Range Road and two private properties to reach the data center property. Amazon is in conversation with properties owners and has their permission to submit a land use application. Amazon has completed a noise study and are taking results into account.

Prior to further development the archaeological survey will be completed including subsurface testing in accordance with CTUIR specifications. Report will be provided to the Planning Department.

*Commissioner Sweek moved to accept the amended conditions for ZP-2956:22 as requested by applicant, and discussed. Commissioner Taylor seconded motion. Called for a vote, unanimous approval.*

**Correspondence / Staff Comment:**

- Directors Report – May & June
- Land Use Information Sheet – Utility and Energy Facility Siting: This provides clarification to definitions and processes for permitting utility facilities and utility facility service lines or transmission lines in Morrow County.
- Memo to Board of Commissioners: Measure 109 (psilocybin) – Summary of Land Use

The next meeting of the Morrow County Planning Commission is scheduled for Tuesday, July 26, 2022 at 7:00 pm. The meeting will be offered via Zoom and in person at the Morrow County Government Center, Oregon. If we do not have an action to come before the Commission the next meeting will be August 30, 2022.

**Adjournment:** Meeting was adjourned at 8:56 pm.

Respectfully Submitted,

George Nairns