



PLANNING DEPARTMENT

P.O. Box 40 • Irrigon, Oregon 97844
(541) 922-4624 or (541) 676-9061 x 5503
FAX: (541) 922-34

AGENDA

Morrow County Planning Commission

Tuesday, February 23, 2021 7:00 pm

Bartholomew Building

Heppner, Oregon

See Electronic Meeting Information on Page 2

Members of Commission

Jeff Wenholz, Chair
Stacie Ekstrom
Greg Sweek

Mifflin Devin, Vice Chair
Wayne Seitz
Rod Taylor

Stanley Anderson
Karl Smith
Brian Thompson

Members of Staff

Tamra Mabbott, Planning Director
Stephen Wrecsics, GIS Planning Tech
Dianna Strong, Office Assistant

Stephanie Case, Planner II
Justin Nelson, County Counsel
Gregg Zody, Community Development Director

1. Call to Order
2. Roll Call
3. Pledge of Allegiance: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands: one nation under God, indivisible with liberty and justice for all."
4. Minutes: January 19, 2021
5. Public Hearings to begin at 7:00 pm (COMMISSION ACTION REQUIRED):

Land Use Decision LUD-S-31-21: Anthony Lankford, Applicant and Mike and Marlene Gray, Owners. The property is described as tax lot 3000 of Assessor's Map 1S 24E. The property is zoned Exclusive Farm Use (EFU) and located approximately 4 miles southeast of lone on Rhea Creek Road. Request is to authorize a replacement dwelling. Criteria for approval includes MCZO Article 3 Section 3.010 Exclusive Farm Use Zone. *Pages 1-6*

Land Use Decision LUD-S-32-21: Tanner Britt, Applicant and Barbara VanArsdale, Owners. The property is described as tax lot 4201 of Assessor's Map 1S 25E. The property is zoned Exclusive Farm Use (EFU) and located approximately 2-miles east of Lexington. Request is to authorize a non-farm dwelling on an existing 27-acre parcel. Criteria for approval includes MCZO Article 3 Section 3.010 Exclusive Farm Use Zone. *Pages 7-13*

AC-135-21 Comprehensive Plan Amendment. Morrow County, Applicant. Application proposes to update Chapter 10 Housing of the Comprehensive Plan. This is the first of at least two public hearings with the final hearing before the Board of Commissioners. *Pages 14-32*

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 third of at least four public hearings with the final hearing before the Board of Commissioners. *Pages 33-43*

- 6. Correspondence *February Pages 44-56*
January Pages 56-66
- 7. Public Comment
- 8. Adjourn

Next Meeting

March 30, 2021 at 7:00 p.m. Location: TBA

ELECTRONIC MEETING INFORMATION:

Morrow County Planning is inviting you to a scheduled Zoom meeting. Join Zoom Meeting
<https://zoom.us/j/93938313916?pwd=TzM1c0N1QkVYN0FSd2tRN3V3Z0xhUT09>

Meeting ID: 939 3831 3916

Password: 229412

One tap mobile

+16699009128,,93938313916#,,,,*229412# US (San Jose)

+12532158782,,93938313916#,,,,*229412# US (Tacoma)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 939 3831 3916

Find your local number: <https://zoom.us/u/auB2MgoUD>

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.

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.

**PRELIMINARY FINDINGS OF FACT
LAND USE DECISION
Application No. LUD-S-31-21**

REQUEST: Approval of a replacement dwelling on land zoned Exclusive Farm Use (EFU).

APPLICANT: Anthony Lankford
80234 Reed Rd.
Hermiston, OR 97838

OWNER: Michael and Marlene Gray
65308 Rhea Creek Road
Ione, Oregon 97843

PROPERTY DESCRIPTION: Tax lots 3000 and 3700 of Assessor's Map 1S 24E

PROPERTY LOCATION: Approximately four miles southeast of Ione on Rhea Creek Road.

FINDINGS OF FACT:

I. BACKGROUND INFORMATION: The parcel (tax lot 3700) is currently approximately 80 acres and the previous dwelling was situated on the shared property line with tax lot 3000. The applicant has applied for a property line adjustment and, once adjusted, the parcel will be approximately 110 acres. Zoning is EFU with a minimum parcel size of 160 acres for one single family dwelling however the dwelling was pre-existing and it does meet EFU standards for a replacement dwelling as outlined below.

II. APPROVAL CRITERIA: The applicant has filed under the Morrow County Zoning Ordinance, ARTICLE 3, USE ZONES, Section 3.010 Exclusive Farm Use Zone. Section 3.010 includes REQUIREMENTS FOR APPROVAL, and are listed below in **bold type**, followed by a response in standard type:

B. Uses Permitted Outright. In the EFU zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this ordinance:

34. Alteration, restoration, or replacement of a lawfully established dwelling subject to Subsection D.18 and Section I.
See the standards below.

D. Use Standards

18. Single-family dwelling deeds. The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

The landowner shall sign and record with the Morrow County Clerk's office a Right to Farm Disclaimer prior to the issuance of a Zoning Permit. This is required and listed as a condition of approval.

I. Alteration, Restoration or Replacement of a Lawfully-established Dwelling

1. **A lawfully established dwelling may be altered, restored or replaced if, when an application for a permit is submitted, the permitting authority finds to its satisfaction, based on substantial evidence that:**
 - a. **The dwelling to be altered, restored or replaced has, or formerly had:**
 - (1) **Intact exterior walls and roof structure;**
 - (2) **Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;**
 - (3) **Interior wiring for interior lights;**
 - (4) **A heating system; and**
 - (5) **The dwelling was assessed as a dwelling for purposes of ad valorem taxation for the previous five property tax years, or, if the dwelling has existed for less than five years, from that time.**
 - b. **Notwithstanding Subsection I.1.a(5), if the value of the dwelling was eliminated as a result of either of the following circumstances, the dwelling was assessed as a dwelling until such time as the value of the dwelling was eliminated:**
 - (1) **The destruction (i.e., by fire or natural hazard), or demolition in the case of restoration, of the dwelling; or**
 - (2) **The applicant establishes to the satisfaction of the permitting authority that the dwelling was improperly removed from the tax roll by a person other than the current owner. "Improperly removed" means that the dwelling has taxable value in its present state, or had taxable value when the dwelling was first removed from the tax roll or was destroyed by fire or natural hazard, and the county stopped assessing the dwelling even though the current or former owner did not request removal of the dwelling from the tax roll.**

The dwelling being replaced was previously identified as a homesite in the Assessment records and the applicant provided documentation from 2004 that shows that all the buildings on the property were destroyed in July 1994. This criterion is met.
2. **For replacement of a lawfully established dwelling under Subsection B.34:**
 - a. **The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use:**
 - (1) **Within one year after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055; or**
 - (2) **If the dwelling to be replaced is, in the discretion of the permitting authority, in such a state of disrepair that the**

structure is unsafe for occupancy or constitutes an attractive nuisance, on or before a date set by the permitting authority that is not less than 90 days after the replacement permit is issued; and

(3) If a dwelling is removed by moving it off the subject parcel to another location, the applicant must obtain approval from the permitting authority for the new location.

- b. The applicant must cause to be recorded in the deed records of the county a statement that the dwelling to be replaced has been removed, demolished or converted.**
- c. As a condition of approval, if the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be recorded in the deed records of the county in which the property is located a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of 2013 Oregon Laws, chapter 462, Section 2 and ORS 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling. The above criteria are not applicable as the entire parcel is zoned Exclusive Farm Use and the dwelling has already been removed. The proposed replacement dwelling is being sited on the same parcel and in the same area as the previous dwelling, which meets the current requirements of ORS 215.291.**

- 3. A replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.**
 - a. The siting standards of Subsection b apply when a dwelling qualifies for replacement because the dwelling:**
 - (1) Formerly had the features described in Subsection I.1.a;**
 - (2) Was removed from the tax roll as described in Subsection I.1.b; or**
 - (3) Had a permit that expired as described under Subsection I.4.c.**
 - b. The replacement dwelling must be sited on the same lot or parcel:**
 - (1) Using all or part of the footprint of the replaced dwelling or near a road, ditch, river, property line, forest boundary or another natural boundary of the lot or parcel; and**
 - (2) If possible, for the purpose of minimizing the adverse impacts on resource use of land in the area, within a concentration or cluster of structures or within 500 yards of another structure.**

- c. **Replacement dwellings that currently have the features described in Subsection I.1.a and that have been on the tax roll as described in Subsection I.1.b may be sited on any part of the same lot or parcel.**

The proposed replacement dwelling is being sited on the same parcel and in the same area using part of the same footprint as the previous dwelling. The application meets these criteria.

4. **A replacement dwelling permit that is issued under B.34:**
- a. **Is a land use decision as defined in ORS 197.015 where the dwelling to be replaced:**
 (1) **Formerly had the features described in Subsection I.1.a;**
 or
 (2) **Was removed from the tax roll as described in Subsection I.1.b;**
- b. **Is not subject to the time to act limits of ORS 215.417; and**
- c. **If expired before January 1, 2014, shall be deemed to be valid and effective if, before January 1, 2015, the holder of the permit:**
 (1) **Removes, demolishes or converts to an allowable nonresidential use the dwelling to be replaced; and**
 (2) **Causes to be recorded in the deed records of the county a statement that the dwelling to be replaced has been removed, demolished or converted.**

See above information regarding the previous dwelling. Application has been made for a Land Use Decision as the dwelling was removed from the tax roll and no longer exists, notice has been provided to adjoining land owners and affected agencies. These criteria are met.

III. **AGENCIES NOTIFIED:** Rosanne Godinez Sanchez, Umatilla County Public Health; Virgil Morgan, Ione Rural Fire Protection District; Ken Thiemann, Watermaster, Oregon Water Resources Department; Glenn McIntire, Building Official; Matt Scrivner, Morrow County Public Works Director; Matt Kenny, Morrow County Surveyor; Mike Gorman, Morrow County Assessor.

IV **LEGAL NOTICE PUBLISHED:** East Oregonian
 February 2, 2021

 Heppner Gazette Times
 February 3, 2021

V **PROPERTY OWNERS NOTIFIED:** February 3, 2021

VI **HEARING DATE:** February 23, 2021
 Bartholomew Building
 Heppner, Oregon

VII PLANNING COMMISSION ACTION: Staff recommend approval subject to the following Conditions of Approval:

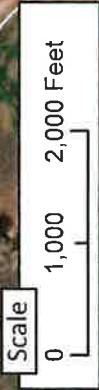
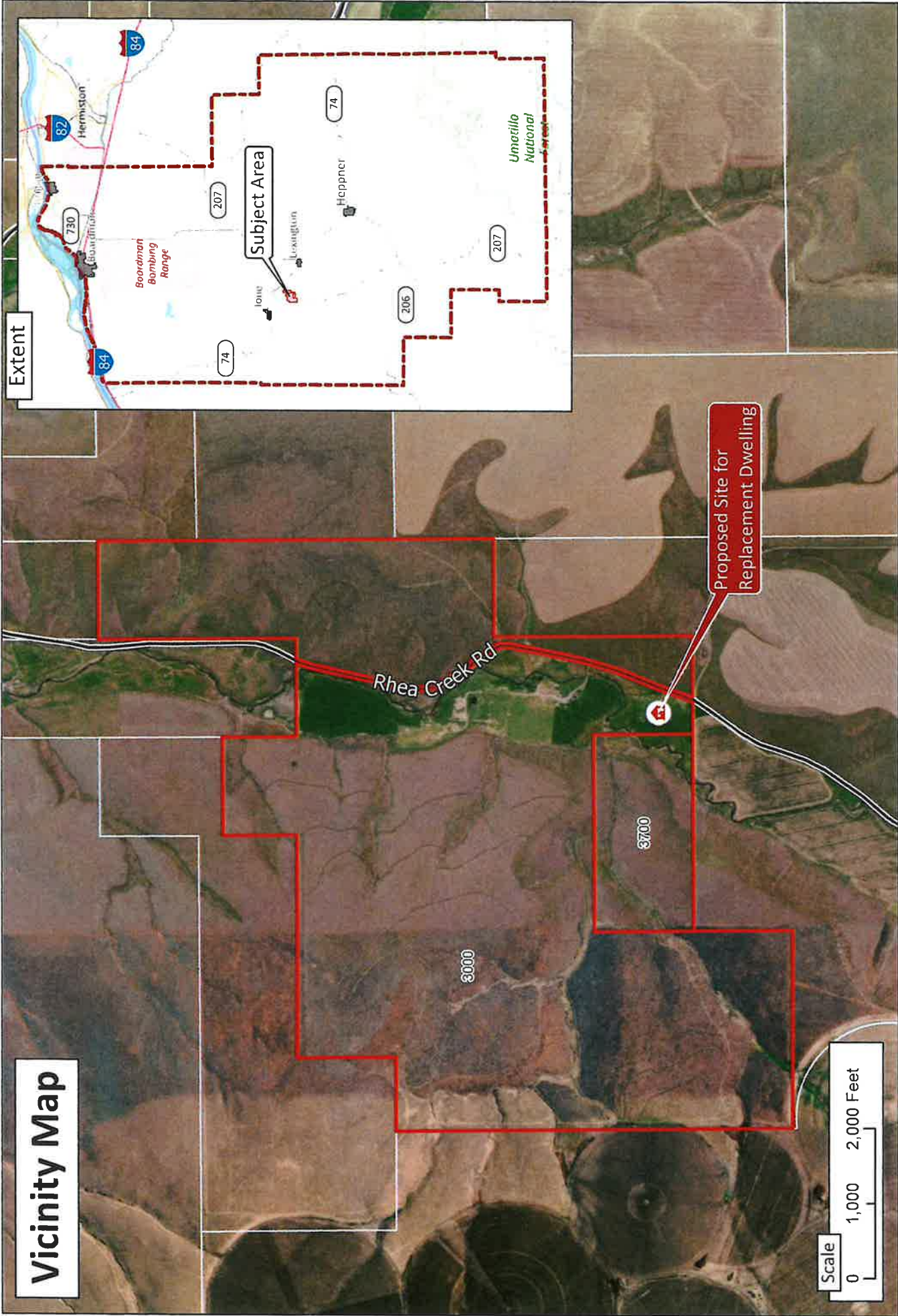
1. The landowner, prior to development, will sign and record with the Morrow County Clerk's Office a Right to Farm Disclaimer.

Jeff Wenholz, Chair

Date

Attachment:
Vicinity Map

Vicinity Map



Anthony Lankford
LUD-S-31-21
1S 24E TL3000 & 3700

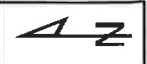
Legend

Taxlot  Subject Properties



Date Saved: 2/2/2021 10:19 AM

Cartography By: Stephen Wreccics
Morrow County Planning Department
Coordinate System: NAD83 Oregon GIC Lambert ft
Datum: North American 1983
Projection: Lambert Conformal Conic
Peter C. Morrow and Tom Estep (2021) Last Modified: 2/2/2021 10:19 AM



**PRELIMINARY FINDINGS OF FACT
LAND USE DECISION
Application No. LUD-S-32-21**

REQUEST: To allow one non-farm dwelling on a pre-existing non-conforming parcel.

APPLICANT: Tanner Britt
420 Tom Street
Lexington, OR 97839

OWNER: Barbara Vanarsdale
58127 Highway 74
Lexington, OR 97839

PROPERTY DESCRIPTION: Tax Lot 4201 of Assessor’s Map 1S 25E.

PROPERTY LOCATION: Approximately one-mile east of Lexington along Piper Canyon Road.

FINDINGS OF FACT:

I. BACKGROUND INFORMATION: Zoning of the parcel is Exclusive Farm Use (EFU) with a 160-acre minimum lot size. The subject parcel is approximately 27-acres in size and was legally created, however, it is considered non-conforming to the 160-acre minimum for the EFU zone. Therefore, this application, if approved, would convert the entire 27-acre parcel to a non-farm parcel.

II. APPROVAL CRITERIA: The applicant has filed under the Morrow County Zoning Ordinance, ARTICLE 3, USE ZONES, Section 3.010 Exclusive Farm Use Zone. Section 3.010 includes REQUIREMENTS FOR APPROVAL, and are listed below in **bold type**, followed by a response in standard type:

B. Uses Permitted Outright. In the EFU zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this ordinance:

31. Single-family residential dwelling, not provided in conjunction with farm use subject to Subsection D.18 and Section H.
See the standards below.

D. Use Standards

18. Single-family dwelling deeds. The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Landowner shall sign and record with the Morrow County Clerk’s Office a Right to Farm Disclaimer prior to development. This is required and listed as a condition of approval.

H. Dwellings Not in Conjunction with Farm Use.

Non-farm dwelling. A non-farm dwelling is subject to the following requirements:

- 1. The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming or forest practices on nearby lands devoted to farm or forest use;**

Based on the discussion below staff find that the siting of a dwelling on the subject property would not force a significant change in or significantly increase the cost of accepted farming practices on nearby lands.

- 2. Non-farm dwelling suitability standards.**

- a. The dwelling, including essential or accessory improvements or structures, is situated upon a lot or parcel, or, in the case of an existing lot or parcel, upon a portion of a lot or parcel, that is generally unsuitable land for the production of farm crops and livestock or merchantable tree species, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. A new parcel or portion of an existing lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm or forest use in conjunction with other land; and**

According to the applicant the majority of the land comprising the proposed non-farm dwelling parcel is hilly and rocky with steep slopes on the east and west sides of the property. The attached soils map identifies the soil class and type on the subject parcel; approximately 90% of the parcel area consist of Lickskillet very stony loam (class VII), and approximately 10% is Ritzville silt loam (class IV). The criteria to be reviewed under this standard requires an evaluation of the commercial viability of the land and to limit non-farm uses that could have a negative impact. If applied strictly, this generally unsuitable requirement could be utilized to not allow any "non-farm" dwellings. All Exclusive Farm Use designated land in the County could be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch. The term "generally unsuitable" for farm use is a term which must be interpreted for practical use in order that "non-farm" dwellings may be allowed. Previous Commission and continued staff interpretation, which has been conscientiously applied, can demonstrate that the "generally unsuitable" criteria have been met. This should be balanced with development of non-farm dwelling parcels that are on soils that are predominately unsuitable. Planning staff would find that there are sufficient class VII soils, and that the general topography of the land is unsuitable for farming operations as to accommodate the conversion of the parcel to a non-farm status. For these reasons Planning staff would find that the proposed non-farm dwelling parcel meets the definition of generally unsuitable land.

- b. A new parcel or portion of an existing lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a parcel or portion of a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, then it is not "generally unsuitable." A new parcel or portion of an existing lot or parcel is presumed to be suitable if it is composed predominantly of Class I-VI soils. Just because a new parcel or portion of an existing lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use; or**

Please see discussion above.

c. If the lot or parcel is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the Forest Practices Rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel. If a lot or parcel is under forest assessment, the area is not "generally unsuitable" simply because it is too small to be managed for forest production profitably by itself. If a lot or parcel under forest assessment can be sold, leased, rented or otherwise managed as a part of a forestry operation, it is not "generally unsuitable". If a lot or parcel is under forest assessment, it is presumed suitable if it is composed predominantly of soils capable of producing 20 cubic feet of wood fiber per acre per year. If a lot or parcel is under forest assessment, to be found compatible and not seriously interfere with forest uses on surrounding land it must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land. This requirement is not applicable as the property is not under forest assessment.

3. The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, a county shall consider the cumulative impact of nonfarm dwellings on other lots or parcels in the area similarly situated by applying the standards set forth in (a) through (c) below. If the application involves the creation of a new parcel for the nonfarm dwelling, a county shall consider whether creation of the parcel will lead to creation of other nonfarm parcels, to the detriment of agriculture in the area by applying the standards set forth in (a) through (c) below;

a. Identify a study area for the cumulative impact's analysis. The study area shall include at least 2,000 acres or a smaller area not less than 1000 acres, if the smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it from other, adjacent agricultural areas. Findings shall describe the study area, its boundaries, the location of the subject parcel within this area, why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or other urban or nonresource uses shall not be included in the study area; A study area consisting of 2,000 acres surrounding the subject parcel was identified (see study area map). The study area is described as a circle including the subject parcel and portions of Sections 25, 30, 31, and 36 of Assessor's Maps 1S 25E and 1S 26E. The proposed non-farm dwelling parcel is in the middle of the study area. All lands within the study area are zone Exclusive Farm Use. The selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. The study area consists of the land surrounding the subject parcel and the uses of the land are the same or similar. The land in the study area is all zoned Exclusive Farm Use.

b. Identify within the study area the broad types of farm use (irrigated or nonirrigated crops, pasture or grazing lands), the number, location and

type of existing dwellings (farm, nonfarm, hardship, etc.), and the dwelling development trends since 1993. Determine the potential number of nonfarm/lot-of-record dwellings that could be approved under Subsection G.1 and Section H, including identification of predominant soil classifications, the parcels created prior to January 1, 1993 and the parcels larger than the minimum lot size that may be divided to create new parcels for nonfarm dwellings under ORS 215.263(4) ORS 215.263(4) ORS 215.263(5). The findings shall describe the existing land use pattern of the study area including the distribution and arrangement of existing uses and the land use pattern that could result from approval of the possible nonfarm dwellings under this Subsection; and

Farming in the area appears to be row crops and grazing. Development in the area since 1993 has been slow. There are two existing dwellings in the study area and several parcels that could be eligible for division to create up to 6 “non-farm” dwelling parcels and still be eligible for 6 farm dwellings. That could be a net impact of 6 “non-farm” dwellings and 6 farm dwellings in the study area.

c. Determine whether approval of the proposed nonfarm/lot-of-record dwellings together with existing nonfarm dwellings will materially alter the stability of the land use pattern in the area. The stability of the land use pattern will be materially altered if the cumulative effect of existing and potential nonfarm dwellings will make it more difficult for the existing types of farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area; and

The proposed non-farm dwelling would be the first non-farm dwelling in the study area, and given the development pattern, would not, in and of itself materially alter the stability of the land use pattern in the area. Planning Staff will conjecture that farming in the area will continue normal operations. It is difficult to assess at what point the stability of the traditional farming use of this area would be materially altered if the additional potential non-farm and farm dwelling development were to take place.

4. If a single-family dwelling is established on a lot or parcel as set forth in Subsection B.31, no additional dwelling may later be sited under the provisions of this Section.

One single-family dwelling is being authorized by this decision and there are no other dwellings planned nor will a second dwelling be authorized on this parcel.

III. AGENCIES NOTIFIED: Rosanne Godinez Sanchez, Umatilla County Public Health; Steve Rhea, Heppner Rural Fire Protection District; Ken Thiemann, Watermaster, Oregon Water Resources Department; Glenn McIntire, Building Official; Matt Scrivner, Morrow County Public Works Director; Matt Kenny, Morrow County Surveyor; Mike Gorman, Morrow County Assessor.

IV LEGAL NOTICE PUBLISHED: East Oregonian
February 2, 2021

Heppner Gazette Times
February 3, 2021

V PROPERTY OWNERS NOTIFIED: February 3, 2021

VI HEARING DATE: February 23, 2021
Bartholomew Building
Heppner, Oregon

VII. PLANNING COMMISSION ACTION: Staff recommend approval subject to the following Conditions of Approval:

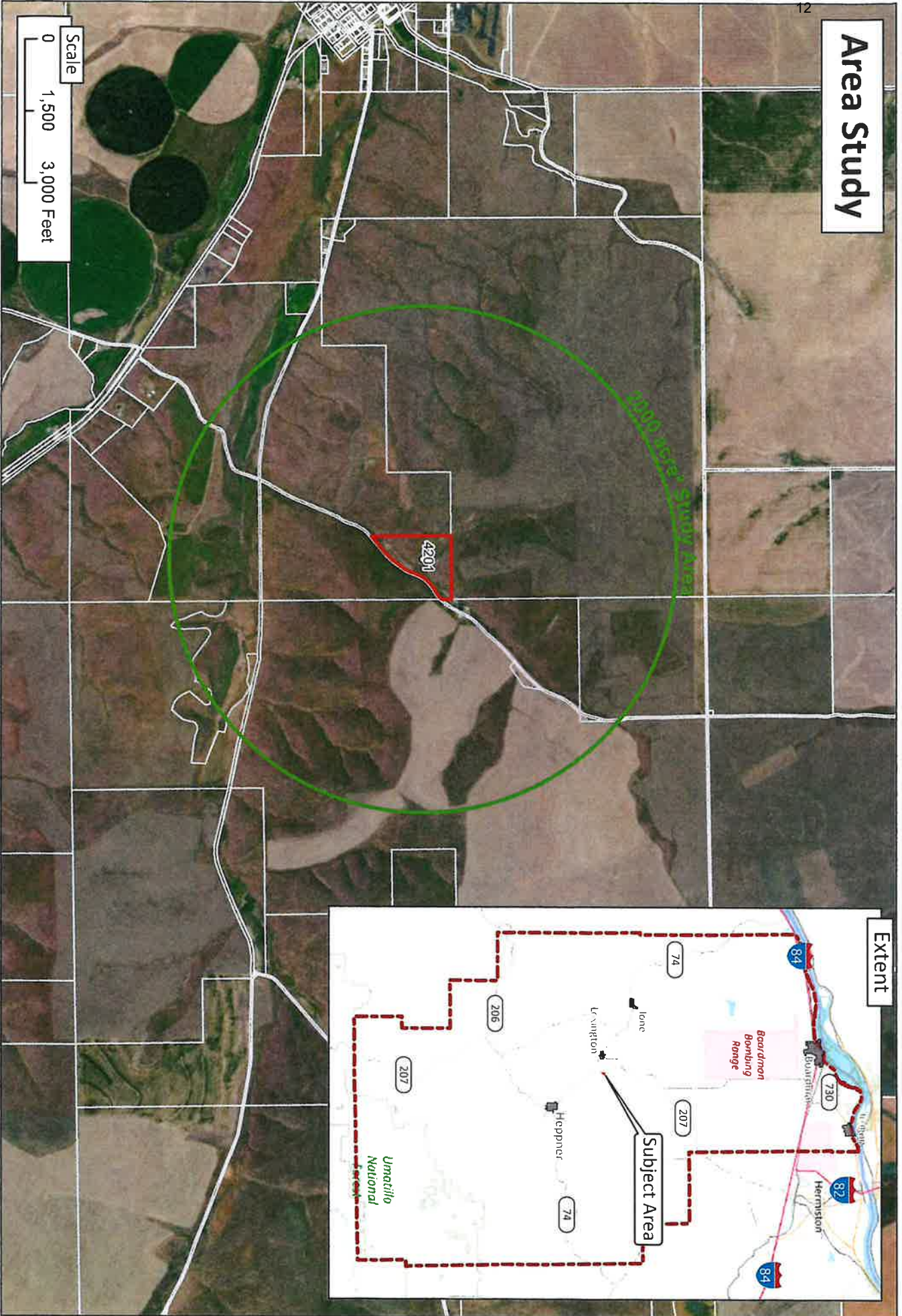
1. The applicant shall sign and record with the Morrow County Clerk's Office a Right to Farm Disclaimer prior to development.

Jeff Wenholz, Chair

Date

Attachment:
Area Study Map
Soil Study Map

Area Study

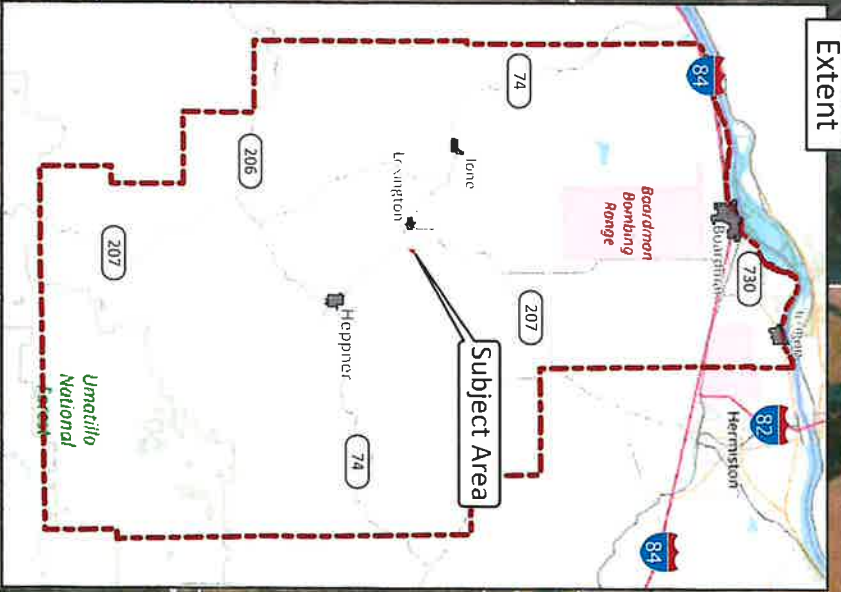


Barbara Vanarsdale
 LUD-S-32-21
 1S 25E TL4201

Legend

Taxlot  Subject Parcel

Extent

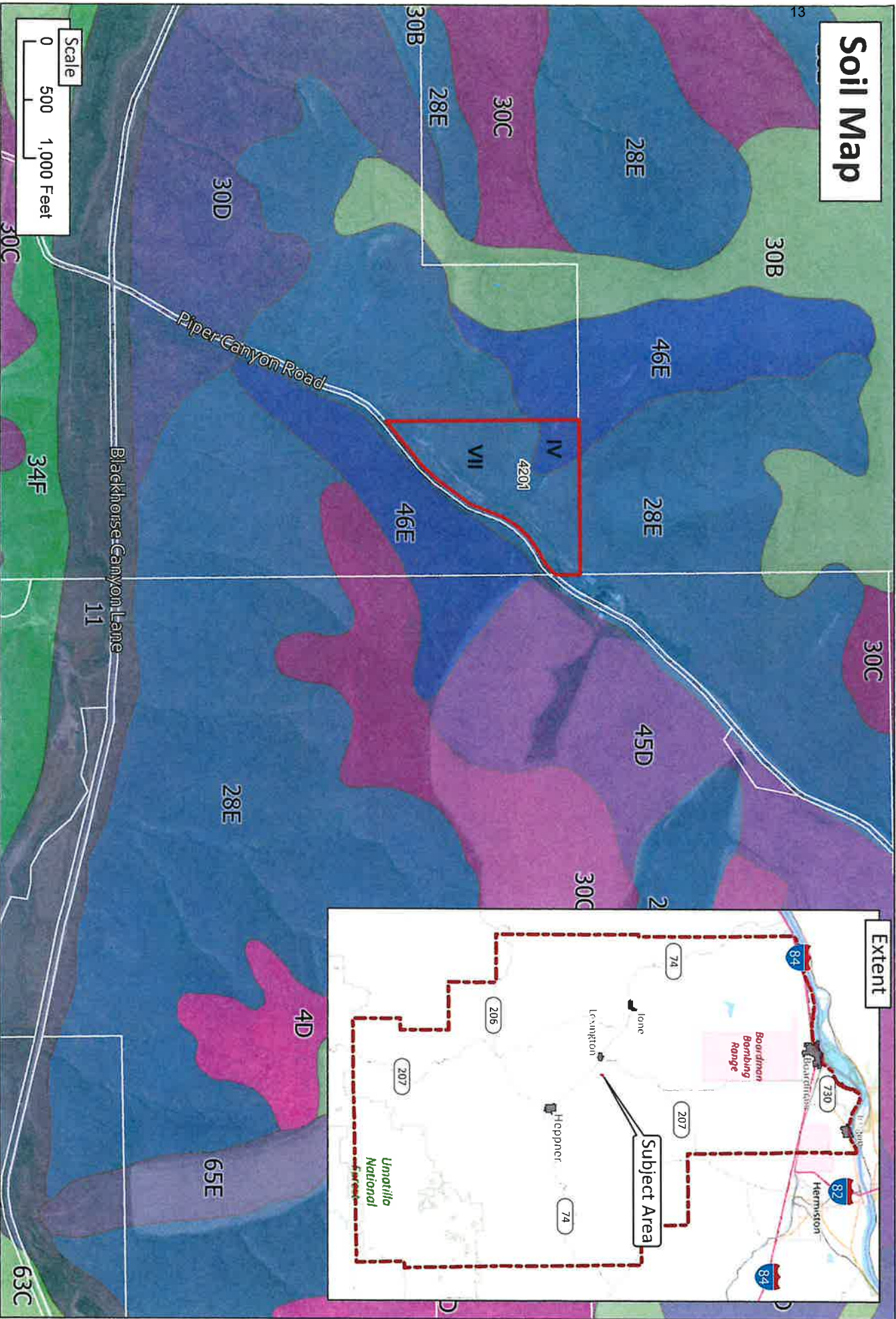


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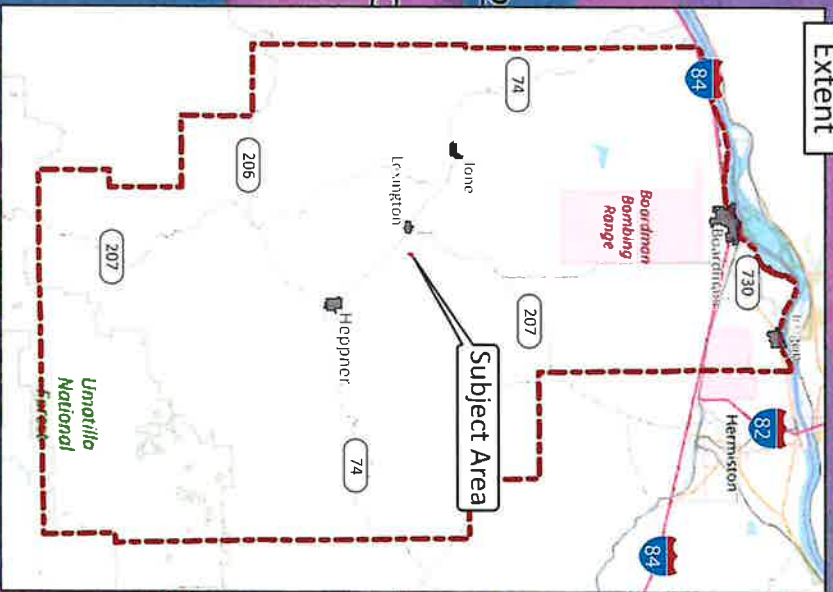
Cartography By: Stephen Wreccics
 Morrow County Planning Department
 Coordinate System: NAD83 Oregon GIC Lambert ft
 Datum: North American 1983
 Projection: Lambert Conformal Conic



Soil Map



Extent



Barbara Vanarsdale
LUD-S-32-21
1S 25E TL4201

Legend

Taxlot



Subject Parcel

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Cartography By: Stephen Wreccics
Morrow County Planning Department
Coordinate System: NAD83 Oregon GIC Lambert ft
Datum: North American 1983
Projection: Lambert Conformal Conic





PLANNING DEPARTMENT

PO Box 40 • Irrigon, Oregon 97844
(541) 922-4624

February 4, 2021

MEMORANDUM

TO: Planning Commission
 FROM: Tamra Mabbott *Tamra*
 RE: HOUSING
 Goal 10 and Rural Residential 10-acre Zone

The February 23, 2021 agenda includes the package of amendments relating to housing, including Plan Amendments and a new Zone, as follows:

1. AC-135-21 includes a wholly new Goal 10 Housing Chapter for the Comprehensive Plan and a minor amendment to Goal 14 Urbanization relating to rural residential housing. As an appendix this Plan amendment includes the 2019 June 2019 Morrow County Housing Strategies Report. These amendments are required to be adopted in advance of the RR-10 Zone adoption.

Materials for this hearing include the proposed Goal 10 and Goal 14 amendments Findings for Board of Commissioners. Staff requests that Planning Commission identify changes to both the Findings and Plan sections and make a recommendation to the Board of Commissioners.

2. AZ-134-20 is a proposed new Rural Residential 10-acre zone. This hearing is the culmination of many work sessions and two hearings that were previously postponed. Materials from the previous work sessions and hearings are not attached to the February 23, 2021 packet but are included in the record. Numerous letters of support for the RR-10 Zone are attached to this packet.

Staff requests that you identify changes to the Findings and draft RR 10 Zone and make a recommendation to the Board of Commissioners.

DRAFT**PLANNING COMMISSION and BOARD OF COMMISSIONERS STAFF
REPORT AND FINDINGS****PLAN AMENDMENT (AP-135-21)****DATE OF FIRST HEARING (Planning Commission): February 23, 2021****DATE of Board of Commissioners Hearing: March 24, 2021****I. GENERAL INFORMATION AND FACTS****Applicant:** Morrow County

Summary of Land Use Review: Plan Amendment application to amend Chapter 10 of the Morrow County Comprehensive Plan. The county participated in the 2019 Housing Strategies Study which also included a Buildable Lands Inventory (BLI) for each city. This Plan amendment also includes a minor amendment to Goal 14 Urbanization Element, to include Findings and Policy in support of a Rural Residential 10 acre zone, the minimum lot size of which complies with Statewide Planning Goal 14. The 2019 Housing Strategies Report included a number of strategies or recommendations relating to land use and planning for Morrow County. The proposed text amendment, an update to the Goal 10 Housing Element and Goal 14 Urbanization Element support for the Rural Residential 10-acre Zone is one of the recommendations for Morrow County.

II. NATURE OF REQUEST AND GENERAL FACTS

Morrow County coordinated the 2019 housing study project, together with the Cities of Heppner, Lexington (Town of), Ione, Boardman and Irrigon. The study was funded by each of the jurisdictions as well as a small grant from the State of Oregon Department of Land Conservation and Development (DLCD).

The Housing Study concluded that the growth rate has varied across communities within the county with Boardman and Irrigon experiencing the most growth and the communities in the Willow Creek Valley the lowest. The growth rates used in the BLI show Boardman to have the highest growth rate at 1.4% annually and 1% annually for Irrigon. Other cities will grow more slowly.

The full report is available on the county website:

<https://www.co.morrow.or.us/planning/page/2019-morrow-county-housing-strategies-report>

Each of the cities will be adopting an update to their respective Goal 10 Housing elements.

As part of a set of strategies, the study included recommendations for Morrow County as well as each city. An update of the Comprehensive Plan Goal 10 Housing is part of this legislative application.

A summary of the data, analysis and recommendations is below.

STRATEGIES AND ACTIONS

An outline of strategies described in this report is provided below, organized into four topics, followed by descriptions of each of the strategies and recommendations for their implementation.

- Land Supply Strategies:

Strategy 1: Evaluate and Address Infrastructure Issues

Strategy 2: Ensure Land Zoned for Higher Density Uses is not Developed at Lower Densities

Strategy 3: Research UGB Expansion or Land Swap Opportunities

Strategy 4: Increase Opportunities for Rural Residential Development in the County, Consistent with State Requirements and Local Goals

- Policy and Code Strategies

Strategy 1: Adopt Supportive and Inclusive Comprehensive Plan Policies

Strategy 2: Enhance Local Amenities and Services

Strategy 3: Adopt Minimum Density Standards

Strategy 4: Incentivize Affordable and Workforce Housing

Strategy 5: Facilitate “Missing Middle” Housing Types in All Residential Zones

Strategy 6: Support High Density Housing in Commercial Zones Promote Accessory Dwelling Units

Strategy 7: Streamline and Right-Size Minimum Off-Street Parking Requirements

Strategy 8: Encourage Cottage Cluster Housing

Strategy 9: Support Accessory Dwelling Units

- Incentives for Development

Incentive 1: System Development Charges (SDC) and/or Fee Waivers

Incentive 2: Tax Exemptions and Abatements

- Funding Sources and Uses

Funding Source 1: Construction Excise Tax

Funding Source 2: Tax Increment Financing (Urban Renewal)

Funding Source 3: Local Housing Development Funds

Funding Source 4: Other Property Owner Assistance Programs

Funding Use 1: Public/Private Partnerships

Funding Use 2: Land Acquisition/ Use Public Lands

Funding Use 3: Community Land Trust

Funding Use 4: Regional Collaboration & Capacity Building

I. MORROW COUNTY ZONING CODE STANDARDS APPLICABLE TO LEGISLATIVE DECISIONS.

The following sections of the Morrow County Zoning Ordinances apply to this land use application. The relevant Ordinance sections are shown below in italic text, followed by a Finding in standard text. All of the following criteria must be satisfied in order for this request to be approved.

Zoning Ordinance Section 8. Amendments

SECTION 8.040. CRITERIA. 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).

This standard applies to a property rezone not a Comprehensive Plan text amendment. Therefore, this standard is not applicable.

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. Morrow County Zoning Ordinance Article 8 (10-01-13) Page 2 of 2

The subject Plan amendment will not have the effect of rezoning any particular property. Rather the Plan Amendment includes updated Findings and Policies to encourage residential development generally. Therefore, the application complies with this standard.

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)

The subject Plan amendment will not have the effect of rezoning any particular property. Rather the Plan Amendment includes updated Findings and Policies to encourage residential development generally. Therefore, the application complies with this standard.

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.

The proposed Goal 10 Housing Element Update does address a public need, outlined in the 2019 Housing Study. Therefore, the application complies with this standard.

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

This Plan Amendment application does not directly impact any specific public health and welfare issues. However, the updated Goal 10 Housing Element includes Findings and Policies to promote more housing development within the county.

II. APPLICABLE STATEWIDE PLANNING GOALS

Statewide Planning Goal 1: Citizen Involvement.

Goal 1 requires a citizen involvement program that is widespread, allows two way communication, allows for citizen involvement through all planning phases and is understandable, responsive and funded.

Generally, Goal 1 is satisfied when a city complies with public notice and hearing requirements in the Oregon Statutes and in the local Comprehensive Plan and Land Use Code. The City's Zoning Ordinance is consistent with State law with regards to notification requirements. Pursuant to Section 9 of Morrow County Zoning Ordinance at least one public hearing before the Planning Commission and Board of Commissioners is required. Legal notice in a newspaper of general circulation is required. The County has met these requirements and notified DLCD of the proposal.

Finding: Given the public vetting of the report, scheduled public hearings and notice provided, Goal 1 is satisfied.

Statewide Planning Goal 10: Housing

Goal 10 requires buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Finding: The Morrow County 2019 Housing Strategies Report and Buildable Lands Inventory identified the types of lands and housing needed throughout unincorporated county and within city limits. Housing report was developed to better understand the current condition of housing in each city and the county and to identify strategies to attract more housing. For purposes of this plan amendment, the city satisfies Goal 10 requirements.

Statewide Planning Goal 11: Public Facilities and Services.

Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be “guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served.”

Finding: The housing strategies report identified the need for infrastructure improvements for each city. Each city is responsible for water and sewer infrastructure. County Goal 10 Update does not directly impact Goal 11. Goal 11 is satisfied.

III. APPLICABLE OREGON LAWS AND RULES

Oregon Administrative Rules Chapter 660 Division 08 apply to this comprehensive plan update. The Administrative Rule is shown below in ***bold italics***, followed by Findings in standard text.

Oregon Administrative Rules Chapter 660 Division 08

The purpose of this division is to ensure opportunity for the provision of adequate numbers of needed housing units, the efficient use of buildable land within urban growth boundaries, and to provide greater certainty in the development process so as to reduce housing costs. This division is intended to provide standards for compliance with Goal 10 "Housing" and to implement ORS 197.303 through 197.307.

660-008-0010 Allocation of Buildable Land

The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.

Finding: Where OAR 660 Division 08 does not apply to unincorporated lands, this division does not directly apply to the county Goal 10 Housing update.

660-008-0015 Clear and Objective Approval Standards Required

(1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.

(3) Subject to section (1), this rule does not infringe on a local government's prerogative to: (a) Set approval standards under which a particular housing type is permitted outright; (b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

Finding: The Goal 10 Housing Element Plan update does not include changes to the County Zoning Ordinance which contains clear and objective standards. A separate legislative application will include the creation of a new residential zone, RR-10. This Plan Amendment does include a change to Goal 14 Urbanization element of the County Comprehensive Plan. The Goal 14 change identifies that the creation of a rural zone of 10 acres in size complies with Goal 14. Therefore, the application complies with this standard.

660-008-0025 The Rezoning Process

A local government may defer rezoning of land within an urban growth boundary to maximum planned residential density provided that the process for future rezoning is reasonably justified. If such is the case, then:

(1) The plan shall contain a justification for the rezoning process and policies which explain how this process will be used to provide for needed housing.

(2) Standards and procedures governing the process for future rezoning shall be based on the rezoning justification and policy statement, and must be clear and objective and meet other requirements in OAR 660-008-0015.

Finding: This Goal 10 and Goal 14 Plan amendment does not rezone any property. Rather, this amendment includes updated information, Findings and Policies to support additional housing throughout Morrow County. The application complies with this standard.

660-008-0030 Regional Coordination

(1) Each local government shall consider the needs of the relevant region in arriving at a fair allocation of housing types and densities.

(2) The local coordination body shall be responsible for ensuring that the regional housing impacts of restrictive or expansive local government programs are considered. The local coordination body shall ensure that needed housing is provided for on a regional basis through coordinated comprehensive plans.

Finding: The Morrow County housing project was conducted over an 18-month process and included each city and Morrow County. It was a collaborative, regional effort. The application complies with this standard. The application complies with this standard.

IV. SUMMARY AND RECOMMENDATION

Morrow County is proposing to update Goal 10 Housing Element of the Morrow County Comprehensive Plan. Morrow County is also proposing to update one paragraph of Goal 14 Urbanization Element of the Morrow County Comprehensive Plan to include reference to and support of a new rural residential zone that complies with Goal 14. The 2019 Harney County Workforce Housing Roadmap provides the background analysis for the proposed plan amendment. The proposed plan amendment incorporates the relevant sections of the Harney County Workforce Housing Roadmap.

Morrow County Comprehensive Plan – Preliminary Draft Goal 10 Amendments

HOUSING ELEMENT

Introduction

Whereas a substantial portion of the County's total housing units are located within the planning areas of various Cities of the County; and whereas individual plans with respective housing elements have been formulated and jointly adopted by each City and the County; therefore, the housing element contained within this "Plan" is relatively general in scope and context. Thereof, the Housing Element of each respective City urban planning area in the County shall be considered an integral part hereof.

An adequate housing stock is a concern in the County. A large portion of the existing units are old, but most are in good repair. There were a total of approximately 2,207 housing units in the County in 1978 according to 1978 data. However, there is considered to be a shortage of suitable units in all parts of the county.

Anticipated growth may even increase the housing shortage in the future. The new Kinzua plant at Heppner generated a critical housing demand. The development of more irrigated tracts will require more housing in all areas.

The County intends to encourage home building by private individuals and interests. Several financial aid programs for building or remodeling are available to individuals through the Farmers Home Administration, as well as the conventional financial institution.

In addition to conventional home construction, modular homes provide a means to meet the increasing housing demand. Modular homes are "manufactured" units that are generally preassembled and trucked to the site. The design of these units has improved a great deal in recent years. Mobile homes are still a common design, but many new units look much like homes built by conventional methods.

Regardless of the construction method, more new homes are and will be needed in the County. The County intends to encourage the development of these dwelling units in existing communities, although the need for some rural housing is recognized whereas the County realizes that not all of its population, present and future, is desirous of residing solely in an "urban" atmosphere. In addition, the County is certainly aware that growth in the agricultural sector will create a continuing demand for employee housing thereof.

Present Housing & Conditions

As set forth hereinbefore, there were an estimated 2,207 housing units in the County in 1978. That number of units is calculated on the basis of a 1978 Certified County population total of 6,400 and an average household size of 2.9 persons (i.e. 6,400 divided by 2.9 = 2,206.89). Utilizing statistics relative to individual cities' populations, number of farms and number of farm laborers employed 150 days or more, it is estimated that approximately 20% of the housing units in the County are located in the rural areas of the County of which 80% are farm related.

A Housing survey conducted in 1977 showed that housing types in the County were comprised of approximately 80% conventional type housing and 20% mobile home. During the period from January

1977 to September 1978, statistics tabulated by the State Department of Commerce showed that of the building permits issued during that time period, the largest number were for mobile homes (28.7%); single family conventional dwellings (19.8%); modular homes (1.9%); multi-family units (1.9%); and non-residential and alterations the balance. Such statistics are indicative of an increasing trend towards mobile-modular-multi housing units.

Other housing survey statistics show that the majority of housing units in the County are in "above average" condition; thereof, 67% of those units surveyed were rated "above average", 24% "average", and only 9% were rated "below average." These ratings are described as:

Above Average: Houses generally in excellent condition and with no apparent structural deficiency.

Average: Houses generally in good condition with possible minor work needed, but no major structural deficiency.

Below Average: Houses generally in deteriorated or dilapidated condition, often with apparent structural deficiency.

Project Housing Demand

The Oregon Department of Commerce, Housing Division, estimated housing demands in Morrow County for April, 1978 through June, 1980. The Table below summarizes the Division's projections for construction of new, non-subsidized housing. It is important to emphasize that these projections do not cover all housing needs for the County during the period — just new, non-subsidized housing needs.

Annual projected totals equal construction of 62 new houses and 67 new apartment units in the County. However, the data also emphasizes housing demand according to affordability. The Division predicts a large demand, 52.0% of the total, for houses under \$55,000. 85% of the demand for new apartments involves one or two bedroom apartments in the \$205' to \$274 per month rental range. Whether the residential construction sector can meet the demand for "affordable" housing remains to be seen.

Table 20

Estimated Annual Demand for New, Non-Subsidized Housing

Morrow County
April 1978 to June 1980

Single-Family Houses

Price Class	Number of Houses	Percent of Total
Under \$45,000	15	24.0
\$45,000 - \$49,999	15	24.0
\$50,000 - \$54,999	5	8.0
\$55,000 - \$59,999	5	8.0

\$60,000 – \$64,999	5	8.0
\$65,000 – \$69,999	0	0.0
\$70,000 – \$74,000	0	0.0
\$75,000 and Over	17	28.0
TOTAL	62	100.0

Multi-Family Units

Gross Monthly Rent	Efficiencies	One Bedroom	Two Bedroom	Three or More Bedroom
Under \$175	5	0	0	0
\$205 – \$214	0	15	0	0
\$215 – \$224	0	5	0	0
\$225 – \$234	0	5	0	0
\$235 – \$244	0	0	15	0
\$245 – \$254	0	0	5	2
\$255 – \$264	0	0	5	0
\$265 – \$274	0	0	5	0
\$275 – \$284	0	0	0	5
TOTAL	5	25	30	7

Source: Projected Housing Demands in Morrow County, Oregon Department of Commerce, Housing Division, 1978.

One alternative for "affordable" housing in the County is manufactured housing. Sources at the Association of Mobile Home Industries predict that as housing costs rise, manufactured housing may present one of the only affordable types of housing for many people, particularly low income or elderly persons. Mobile homes and mobile home parks, if well managed and developed, could also help solve housing problems that occur when temporary populations move into and out of the County, i.e. large construction projects or agricultural harvest populations.

Findings

1. A housing location survey by types outside of the UGB's of the five cities was accomplished in 1978 and continues to be updated on a monthly basis.

2. Morrow County faces a severe problem in housing low and median income families, who comprise a large segment of its labor force.

3. Several large construction projects have occurred in the County, including the Pacific Gas Transmission Line, the P.G.E. Plant, Highway I 82N (Umatilla-Morrow County border), and expansion of facilities at the Port of Morrow. These large projects create special problems for County planning because of the temporary nature of short-term, large employment. More projects of this type and scope are expected in the future.

4. Housing projections predict that County demand for residential construction should continue to grow but with an emphasis on "affordable" housing.

County Housing Profile Summary

In 2018-2019, Morrow County worked with cities in the County and a team of consultants to conduct a county-wide housing study, including an analysis of future housing needs, an inventory of buildable residential land, and a set of strategies to address current future housing needs. That effort helped form the basis for the most recent update of this Housing Chapter of the Comprehensive Plan.

Morrow County has an estimated 2018 population of 11,927 (Portland State University (PSU) population estimate). The population in the unincorporated portions of the County (4,419 people) is a significant percentage of the county's total population. In total, the county has grown by roughly 900 people, or 8% since 2000. This growth rate is less than the state overall, which grew by 21% in that same timespan. Despite the slower growth rate than the state, the county and its cities continued growth is indicative of a continued need for more housing, including to meet the needs of local workers and support economic development goals of Morrow County, the Port of Morrow and cities in the county. The communities in the northern portion of the county (Boardman and Irrigon) have seen the highest growth rates during the past two decades, compared to other areas of the County.

Morrow County had an estimated 4,617 housing units in 2018, with an estimated total vacancy rate of 8%, or roughly 400 units. Detached single-family homes represent an estimated 60% of housing units, while mobile homes represent an additional 32% of the inventory. Units in larger apartment complexes of five or more units represent just 3% of units, and other types of attached homes represent an additional 5% of units. (Attached single family generally includes townhomes, some condo flats, and -plexes which are separately metered.) There is a small share of households living in RV's and other non-traditional or temporary housing.

A large share of owner-occupied units (66%) are detached homes, or mobile homes (33%). Renter-occupied units are more distributed among a range of structure types. 74% of rented units are estimated to be detached homes or mobile homes, while the remainder are some form of attached unit. An estimated 11% of rental units are in larger apartment complexes of 5 or more units.

Morrow County's housing stock reflects the pattern of development in the area over time with 83% of the housing stock built before 2000. Roughly a third of the stock was built in the 1980's and 1990's, a quarter in 1970's, and another quarter in 1960's and earlier. Generally speaking, owners are more likely to live in newer housing, while rental housing is more evenly distributed among the time periods.

In comparison to the state, Morrow County and its cities tend to have a lower share of both owner and renter households spending more than 30% of their income on housing costs. Nevertheless, 22% of county households fall within this category. Renters have disproportionately lower incomes relative to

homeowners. The burden of housing costs are felt more broadly for these households, and there is a need for more affordable rental units in Morrow County, as in most communities in Oregon.

There is support for more ownership housing at price ranges above \$200,000. This is because most housing in the county is clustered at the lower price points, while analysis of household incomes and ability to pay indicates that some residents could afford housing at higher price points. Additionally, there is a need for rental units at the lowest price level to serve those households currently paying a high share of their income towards rent. The County's housing needs analysis indicates a modest surplus of apartments in the \$300 to \$900 per month rent range. This represents the common range of rent prices in the county, where rents for most units fall. Rentals at more expensive levels generally represent single family homes or larger properties for rent.

The County is projected to add roughly 720 new households between 2019 and 2038, with accompanying population growth of 2,025 new residents. (The number of households differs from the number of housing units, because the total number of housing units includes a certain percentage of vacant units . Projected housing unit needs are discussed below.) Moreover, it is projected that the home ownership rate in the county will decrease slightly over the next 20 years from 74% to 72%, which remains higher than the current statewide average (61%). This is because the forecasted demographic trends of age and income of future households point to a somewhat growing share of households inclined to rent over the 20-year period. Based on the PSU projections, unincorporated areas are anticipated to lose some households as existing areas are annexed to urbanized areas over time. However, in reality there is likely to be some continued growth in rural areas, including in some existing unincorporated rural communities.

The 2019 Housing Needs analysis and buildable lands inventory study found that the unincorporated areas of Morrow County have the greatest amount of buildable residential land among the jurisdictions in the county. However, most of that land is zoned for low-density, rural residential uses with a density of 1 unit per two acres. Most of this land is not located in close proximity to employment centers in the cities which limits the potential demand for residential construction. Lands that are in relative close proximity to cities with good transportation (and transit), yet outside UGBs and unable to be served with urban infrastructure may be good candidates for rural housing development.

Findings

- The Housing Needs Analysis results (2019) show need for nearly 600 net new housing units by 2039.
- Of the new units needed, roughly 48% are projected to be ownership units, while 52% are projected to be rental units.
- 55% of the new units are projected to be single family detached homes, while 14% is projected to be some form of attached housing, and 31% are projected to be mobile homes.
- Of ownership units, 66% are projected to be single-family homes, and 33% mobile homes.
- An estimated 26% of new rental units are projected to be found in new attached buildings, with 11% projected in rental properties of five or more units, and 10% in duplexes.

- Mobile homes are projected to remain an important share of Morrow County's affordable housing base.

Strategies to Meet Future Housing Needs

As part of the 2018-19 Morrow County Housing Study, the project team identified a set of strategies that the County and its cities can implement to meet a range of local housing needs to accommodate households of varying sizes, incomes, and other circumstances. Strategies vary in their applicability among different jurisdictions in Morrow County. A list of strategies that may be applicable to the unincorporated portions of Morrow County follow. Additional information about these strategies can be found in the Morrow County Housing Strategies Report (2019).

- **Land Supply Strategies**
 - Evaluate and Address Infrastructure Issues
 - Ensure Land Zoned for Higher Density Uses is not Developed at Lower Densities
 - Increase the Supply of Rural Residential Land in the County
- **Policy and Code Strategies**
 - Adopt Supportive and Inclusive Comprehensive Plan Policies
 - Enhance Local Amenities and Services
 - Adopt Minimum Density Standards
 - Incentivize Affordable and Workforce Housing
 - Encourage Cottage Cluster Housing
 - Support Accessory Dwelling Units
- **Incentives for Development**
 - System Development Charges (SDC) and/or Fee Waivers
- **Funding Sources and Uses**
 - Construction Excise Tax
 - Local Housing Development Funds
 - Other Property Owner Assistance Programs
 - Public/Private Partnerships
 - Land Acquisition/ Use Public Lands
 - Community Land Trust
 - Regional Collaboration & Capacity Building

Goal 14 URBANIZATION ELEMENT

Introduction

Goal 14 is designed to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The original urban growth boundaries established at the time of adoption and acknowledgment for Morrow County and each of the respective communities - Boardman, Heppner, Ione, Irrigon and Lexington - has functioned adequately. Nearly 30 years after the acknowledgment of the Morrow County Comprehensive Plan a complete review and update is being undertaken and each of the community's urban growth boundaries and respective needs will be completed.

Joint Management Agreements are in place, but as part of the Comprehensive Plan update are being reviewed and amended to provide better information to both Morrow County and the respective community.

While none of the communities have needed to do expansive urban growth boundary expansions over the past 30 years there have been actions to increase or provide other support to the communities within or adjacent to the respective urban growth boundary. This update will continue to refine what we know now about how each community has grown under the Oregon statewide planning system, and how they want to continue to grow.

City of Boardman Urban Area

The Boardman Urban Area Plan indicates a major addition to the City. As shown in the Plan, the City could accommodate up to 12,000 people.

The land use pattern is comprised of three basic types of land use: commercial, residential and industrial. The commercial core area is located close to the existing I-80N interchange. Tourist commercial is located around the interchange, with community commercial to the south. The community commercial area contains enough room for a large shopping center, office development and similar uses.

The residential area lies primarily south of the freeway. The existing residential area to the north is also planned for full development. Each residential neighborhood will contain its own park and internal pedestrian system. Major traffic movements will be routed around the perimeter of each neighborhood on arterial streets.

The industrial area lies north of the freeway. Most of it is located on the Port of Morrow property. The general industrial area will accommodate food processors and other heavy industries. The light industrial area will accommodate warehousing, bulk storage facilities, and commercial-industrial establishments such as automobile dealerships.

City of Irrigon Urban Area

The Plan for Irrigon Urban Area indicates complete development of the existing town site, with some residential use in adjoining areas.

2021 Update for Rural Residential 10 acre Zone

outlet, and has seen the relocation of the Morrow County School District's office out of town. There are several thriving small businesses that serve the community, south Morrow County and in some cases beyond.

The urban growth boundary has not changed since originally created at the time the Town of Lexington's Comprehensive Plan was acknowledged in October of 1979.

City of Heppner Urban Area

The Plan for the Heppner Urban Area shows full development of the existing town site and the implementation of the Willow Creek Dam project.

The commercial district along Main Street is already well-established. Future commercial development will be concentrated in this location. Surrounding the central commercial area is residential development. Much of this area is already built-up, but some vacant lots are available, along with view properties overlooking the community. A new subdivision near the high school is presently being developed. Areas suitable for mobile home parks are also shown.

Heavy industrial development is presently located west of town. Industrial areas within the City, with access to the highway and railroad, are indicated in the Plan.

Rural Residential Areas

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In addition to the afore referenced Urban Areas there are two specific areas located outside (but adjacent to) the adopted Urban Growth Boundaries of the Cities of Boardman and Irrigon that demand special consideration. Said areas (as identified hereinafter) are predominately committed to non-commercial agriculture and are platted and partially developed in rural home sites ranging from one (1) to five (5) acres. Although some intensive farming occurs intermittently on isolated parcels with these general areas, the predominance of nonfarm rural home sites precludes most long-term productive and economical agricultural operations.

As set forth herein, the two (2) areas are described herein as those rural residential areas in the immediate vicinity of the urban areas of Boardman and Irrigon. Said areas involve lands located in Section 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 of Township 4 North, Range 25 East lying North of the West Extension Canal and outside the urban growth boundary of the City of Boardman; and, lands encompassing the major portions of Section 13, 14, 23 and 24 of Township 4 North, Range 24 East, located South of the Interstate Freeway in the proximity of Boardman; and, lands encompassing those portions of Sections 20 and 21 of Township 5 North, Range 26 East located outside the urban growth boundary of the City of Irrigon but contiguous thereto; and the developed and/or platted portions of Sections 22 and 23 of Township 5 North, Range 26 East, lying contiguous to but outside the urban growth boundary of the City of Irrigon. Said areas are shown in general on the County overall Land Use Plan Map and in more detail in maps that follow.

The recognition of these areas also provides a limited alternative to total urban residency without expansion into the major agricultural areas of the County. Said areas are also located in the immediate proximity of two (2) urbanizing areas (Boardman and Irrigon) and therefore are serviceable without excessive expansion of required services and facilities. Failure to give

Morrow County Comprehensive Plan - Urbanization Element (July 1, 2015)

2021 Update for Rural Residential 10 acre Zone

special consideration to these existing developed areas could compound existing limited land use conflicts in the County and expand the demand for such a living alternative to more predominate agricultural areas of the County.

New Rural Residential Areas – Compliance with Goal 14

In 2019, Morrow County, together with the five cities, adopted the Morrow County Housing Strategies Report. Included in the work was a Buildable Lands Analysis for each city and a countywide Housing Strategy. While the focus was to assist each city with Goal 10 compliance, insuring a 20-year supply of lands set aside for housing, the report also identified a role for Morrow County. Specific to Goal 14, the study recommended that the county adopt a residential zone that complies with Goal 14 so that landowners in the future could rezone lands for residential use and by applying a 10-acre zone the lands would be in compliance with Goal 14. To partially implement this recommendation, county will adopt a Rural Residential 10-acre Zone.

Rural Service Center

Two (2) unincorporated communities of the County (Hardman and Ruggs) are shown on the overall Comprehensive Land Use Plan Map as rural service centers in recognition of their existing or potential functions of basic services to surrounding agricultural areas. It is anticipated that the economic forces which are responsible for their existence today will, with little change, remain the primary cause for their continued existence.

At the present time little basis can be established to anticipate expanded growth and development of these rural service centers, and therefore insufficient need to warrant preparation of plans for its accommodation. The principal planning task for these areas is then to protect existing uses and necessary expansion or improvement thereof.

Port of Morrow (Industrial Lands Outside an Urban Growth Boundary)

Recognized previously throughout the Plan for its economic importance to the County, necessitates special consideration in this element to those lands under jurisdiction of the Port of Morrow which are located outside the urban growth boundary of the City of Boardman and, are intended and vital for industrial development. Said properties (i.e. owned, controlled and managed by the Port of Morrow) involve a total of approximately 4,000 acres located east and southeast of the City of Boardman and bordered on the northwest by the Columbia River for a distance of about 3,600 feet (2/3 mile). Of this 4,000 acres, approximately 1,980 acres are available for future industrial development.

Major industrial development currently exists on Port property of which 350 acres is already identified as a Food Processing Industrial Park.

The major portion of the property under Port jurisdiction is located in Sections 1, 2, 3, 4, 9, 10, 11, 12 and 24 (Section 24 designated for effluent disposal) of Township 4 North, Range 25 East, and Sections 6 and 18 of Township 4 North, Range 26 East.

Existing ownerships and development patterns, coupled with the economic factors vital to the County, necessitates the designation of the Port of Morrow and properties controlled thereby as industrial. Such designation and appropriate implementing zoning does not, however, preclude the continuance of some agricultural use of said properties as an interim beneficial use until needed for industrial development.

2021 Update for Rural Residential 10 acre Zone

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

A RESOLUTION ADOPTING THE MORROW COUNTY)	Resolution Number
HOUSING STRATEGIES REPORT DATED JUNE 2019)	R-2019-18
AS A GUIDANCE DOCUMENT IN SUPPORT OF)	
CONTINUED WORK RELATED TO GOAL 10 HOUSING)	

WHEREAS, Oregon Revised Statute 203.035 authorizes Morrow County to exercise authority within the county over matters of County concern; and

WHEREAS, Morrow County adopted a Comprehensive Land Use Plan which was first acknowledged by the Land Conservation and Development Commission on January 15, 1986; and

WHEREAS, in early 2018 Morrow County entered into an Intergovernmental Agreement with the Cities of Boardman, Heppner, Ione and Irrigon and the Town of Lexington, referred to as the Project Management Team, to accomplish a Buildable Lands Inventory and Housing Analysis through a Request for Proposal process; and

WHEREAS, the Project Management Team selected Angelo Planning Group to accomplish the necessary work tasks; and

WHEREAS, the Project Management Team worked with others as the Technical Advisory Committee to review the work completed by Angelo Planning Group; and

WHEREAS, the Technical Advisory Committee met numerous times to review deliverables from Angelo Planning Group; and

WHEREAS, the Morrow County Planning Commission and Board of Commissioners held a joint work session on July 30, 2019, at the Bartholomew Building in Heppner, Oregon; and

WHEREAS, the Morrow County Board of Commissioners accepted the 2019 Morrow County Housing Strategies Report and approved it as presented with a 3-0 vote on August 28, 2019.

NOW THEREFORE BE IT RESOLVED THAT THE MORROW COUNTY BOARD OF COMMISSIONERS ADOPTS THE 2019 MORROW COUNTY HOUSING STRATEGIES REPORT TO SERVE AS GUIDANCE TO CONTINUED WORK IN UPDATING THE MORROW COUNTY COMPREHENSIVE PLAN GOAL 10 HOUSING AND THE MORROW COUNTY ZONING ORDINANCE RELATIVE TO HOUSING DEVELOPMENT AND SITING.

Section 1 Title of Resolution:

This Resolution shall be known, and may be cited, as the "2019 HOUSING STRATEGIES REPORT."

Section 2 Affected and Attached Documents:

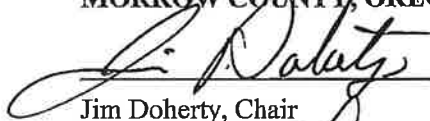
The June 2019 Morrow County Housing Strategies Report designed to serve as guidance to continued work in updating the Morrow County Comprehensive Plan Goal 10 Housing and the Morrow County Zoning Ordinance relative to housing development and siting.

Section 3 Effective Date:

This Resolution shall be effective immediately upon its adoption.

ADOPTED BY THE MORROW COUNTY BOARD OF COMMISSIONERS THIS 4TH DAY OF SEPTEMBER 2019.

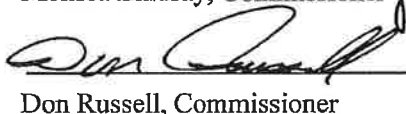
**BOARD OF COMMISSIONERS OF
MORROW COUNTY, OREGON**



Jim Doherty, Chair



Melissa Lindsay, Commissioner



Don Russell, Commissioner

Approve as to Form.

Morrow County Counsel

Jash Nelsu
OSB #079466

MORROW COUNTY, OREGON **CJ2019-0162**
Commissioners' Journal 09/06/2019 9:59:21 AM



I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Bobbi Childers - County Clerk



**DRAFT
Morrow County
Findings of Fact
Zoning Ordinance Update
AZ-134-20**

REQUEST: To amend Article 3 Establishment of Zones, creating a Rural Residential 10-acre Zone in the Morrow County Zoning Ordinance.

APPLICANT: Morrow County Planning Department
P.O. Box 40
Irrigon, OR 97844

LOCATION: Morrow County

I SUMMARY OF APPLICATION AND PROCESS:

Landowners and residents have expressed an interest in increasing opportunities for rural residential development. Both current residents and future residents have an interest in living within the county but on a rural setting with small acreage. The Planning Commission held four work sessions to discuss a draft zone that would be suitable for the county and also permitted under the Oregon Statewide Planning Program. The proposed draft meets local and statewide goals and objectives.

II SUMMARY OF APPLICABLE CRITERIA

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 parcels will be rezoned as part of this legislative amendment. Rather, the new zone would allow lands to be rezoned in the future. Therefore, this standard does not apply.
- 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;**

not compete with urban development allowed inside city limits and urban growth boundaries.

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

See Findings above.

III DLCD 35 DAY NOTICE: October 30, 2020

IV PROPERTY OWNER NOTICE: Not applicable.

V LEGAL NOTICE PUBLISHED: November 17, 2020, East Oregonian
November 18, 2020, Heppner Gazette-Times

VI AGENCIES NOTIFIED: Anne Debbaut, Department of Land Conservation and Development; Mike Gorman, Morrow County Assessor's Office; Justin Nelson, Morrow County Counsel; City of Heppner; City of Lexington; City of Lone; City of Boardman; City of Irrigon. Note: 35- Day notice mailed to DLCD on October 30, 2020.

VII HEARING DATES:

Planning Commission
November 24, 2020
December 8, 2020
February 23, 2021
Bartholomew Building, Heppner, Oregon

Board of Commissioners
March 24, 2021 Heppner, Oregon

IX RECOMMENDATION: Approve Findings, Amend Article 3 and Adopt a new Rural Residential 10 acre Zone in the Morrow County Zoning Ordinance.

MORROW COUNTY BOARD OF COMMISSIONERS

Don Russell, Chair

Melissa Lindsay, Commissioner

Jim Doherty, Commissioner

Date

Attachments: Draft RR-10 Zone

Section 3.042 RR-10 RURAL RESIDENTIAL TEN (RR-10) ZONE

§ 3.042 PURPOSE.

The RR-10 Rural Residential Zone is designed to provide lands for rural living in a rural residential atmosphere. The 10-acre minimum lot size complies with Statewide Planning Goal 14 where parcels are rural in size and are sufficiently large enough to accommodate private wells and sewage disposal systems. Standards for development are consistent with desired rural character and are compatible with adjacent farming and natural resource land management. Gardens and limited livestock are allowed outright in the zone. The RR 10 Zone may be approved when an application for rezoning lands also includes an application for exception to Statewide Planning Goal 3 and Oregon Administrative Rule Chapter 660-004-0000 and Amendment Standards found in Article 8 of the Morrow County Zoning Ordinance. A rezone application must also comply with Statewide Planning Goal 12 Transportation and the County Transportation System Plan (TSP).

§ 3.042 USES PERMITTED.

- A. Uses permitted outright. In a RR-10 Zone, the following uses and their accessory uses are permitted with a zoning permit, pursuant to §1.050:
1. Single-family dwelling on an individual lot, including a mobile home subject to requirements set forth in Section 4.110 of this ordinance.
 2. Other public or private uses or buildings necessary to serve the rural residential use of the land.
- B. Conditional Uses Permitted. In a RR-10 Zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements set forth by this section and Article 6 of this ordinance.
1. Home occupations subject to the limitations set forth in Article 6 of this ordinance.
 2. Public park, trails, recreation area, community or neighborhood center.
 3. Agri-tourism events as defined in § 1.030. Definitions.
 4. Utility facility necessary to serve the area or County.
- C. LIMITATIONS ON USE. In Rural Residential ten-acre (RR-10) zone, the number of livestock and/or animals including cattle, horses, goats, sheep, swine, poultry, or fur bearing animals is subject to the density limitations listed in this section.
1. The primary intended use for properties zoned RR-10 is residential. The raising

ROW unless other provisions from combining accesses are provided and approved by the County.

2. There shall be a minimum side yard of 10 feet for all uses, except in the case of a non-residential use adjacent to a residential use the minimum side yard shall be 20 feet.

3. The minimum rear yard shall be 20 feet.

E. DIMENSIONAL STANDARDS. In a RR-10 Zone, the following dimensional standards shall apply:

1. Percent of Lot Coverage. The main building and accessory buildings located on any building site or lot shall not cover in excess of thirty (30) percent of the total lot area.

2. Building Height. No building or structure, nor the enlargement of any building or structure, shall be hereafter erected to exceed two stories or more than thirty (30) feet in height (remove?)

3. —

2. The minimum lot frontage on a public street or private roadway shall be 50 feet, except that a flag lot frontage may be reduced to the width of a required driveway but no less than 20 feet and except for a cul de sac, where the frontage may be reduced to 30 feet.

F. LOT SIZE. The minimum average width of lots shall be 150 feet and have an area not less than ten (10) acres.

G. TRANSPORTATION IMPACTS –

1. Traffic Impact Analysis (TIA). In addition to the other standards and conditions set forth in this section, a TIA will be required for all land use generating more than 400 passenger car equivalent trips per day. Heavy vehicles – trucks, recreational vehicles and buses – will be defined as 2.2 passenger car equivalents. 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. (MC-C-8-98)

END



January 4, 2021

Morrow County Planning Department

RE: Support for RR-10 zones

To whom it concerns,

The City of Heppner supports this action of allowing RR-10 zones in and around the community of Heppner Oregon. I personally cannot count the times that I have heard individuals want this as a choice when moving to this area. Allowing this action will let more marginal land become productive and increase the need for services and businesses in and around this community. Without growth the community is doing all it can to just stay the same size and not face falling population counts. This is the dream of many people that want to move here but does not exist as a choice. Currently with the city's housing stock, there is no place for them as very few houses have been built and most of the land in the city limits is not buildable or not for sale.

The proposed RR-10 meets local and statewide planning goals and objectives. Ten-acre residential parcels are, by definition "rural" and therefore comply with Statewide Planning Goal 14 Urbanization.

City of Heppner is supportive of the new RR-10 Zone. Residents who live outside the city are viable contributors to the economy of the city, local businesses and schools. Just like farmers and farming families are a critical component of the regional population, so too are new residents that would come if landowners decide to rezone land and create RR-10 parcels for development.

In 2018-2019, (city, chamber, WCVEDG) participated in a countywide housing study. The study showed that 84% of the City of Heppner's buildable lands were on lands considered costly and difficult to serve. The city is in the process of implementing measures recommended in the study, including updating the Comprehensive Plan Goal 10 Housing Element, updating code provisions to streamline residential development and pursuing infrastructure upgrades. City is also supportive of residential development outside the city limits, again, as noted above, to stimulate new growth for our rural economy.

So to sum it up. As the individual that represents Heppner in land use and flood plain issues for this community, I support this action.

Cordially,

 A handwritten signature in black ink, appearing to read "Kraig Cutsforth", is written over a faint, light-colored signature line.

Kraig Cutsforth
City Manager

THE CITY OF HEPPNER

111 NORTH MAIN STREET • P.O. BOX 756 • HEPPNER, OREGON 97836

PHONE: (541) 676-9618 • FAX (541) 676-9650 • E-MAIL: heppner@centurytel.net • WEBSITE: <https://cityofheppner.com>

ICABO

Ione Community Agri-Business Organization
PO Box 26, Ione, OR 97843

Meetings: Second Thursday
7:30AM, Ione Market

January 14, 2021

Dear Morrow County Planning Department:

Ione Community Agri-Business Organization would like to express support of adding Rural Residential 10-acre zone to Morrow County's current zoning ordinance.

Ione Community Agri-Business Organization (ICABO) members include individuals and families of not only the Ione community but surrounding area, including many of the businesses in South Morrow County. The organization was established in the 1980's to not only support our local school but our local community. To give the community of Ione a voice when needed and to aid projects that help grow and maintain Ione and surrounding areas. Finding suitable housing needs has been one of ICABO's major projects over the years. This includes the development of Emert Addition and being a pivotal partner in the development of the 2nd Emert Addition.

The need for housing continues to be a major issue. For years, local businesses have lost valuable employees and applicants because there is no suitable housing available. No housing means no growth and we are unable to sustain not only the way of life many are accustomed to but the services we are afforded by having a stable economy. How many small communities, like Ione, are able to have a medical clinic in town? Without maintaining current population or growth in the community, amenities like the clinic could go away.

While adding this new zone will not solve the housing shortage, it will assist in it. Developing 10 acres compared to a city lot, takes significantly more work and money to accomplish. There are those who currently live in town that would love to pursue purchasing 10 acres out of town. This could then possibly free up houses in town that would then likely be sold or rented.

With continuing updates to telecommunications in the county, RR-10 zone could also attract new residents that would be able to work from home. 2020 has seen a very large growth in the work from home work force.

Another area you could see growth would be in programs like FFA and 4-H. Ten acre parcels would give the youth in our communities an outlet to learn how to raise animals for 4-H projects, etc. It would teach them how to take care of the land and to overall aid those youth to become well rounded individuals.

Thank you for all of your work and we hope to see the new zoning added soon!

Sincerely,



Ed Rollins

ICABO President

Tamra Mabbott

From: Amellia Haguewood <amelliahaguewood@gmail.com>
Sent: Wednesday, January 20, 2021 1:06 PM
To: Tamra Mabbott
Subject: Rural Residential 10-acre zone

STOP and VERIFY - This message came from outside of Morrow County Government.

I support and encourage adding a Rural Residential 10-acre zone to Morrow County's current zoning ordinance.

I was astounded there wasn't already such zoning in place when I moved to Oregon in 2004.

The need for housing continues to be a major issue. For years, local businesses have lost valuable employees and applicants because there is no suitable housing available. No housing means no growth and we are unable to sustain not only the way of life many are accustomed to but the services we are afforded by having a stable economy.

While adding this new zone will not solve the housing shortage, it will certainly help.

Please do not be influenced by out of town or out of area input.

Sincerely,
Amellia Haguewood

Tamra Mabbott

From: Joel Peterson <joelea2@me.com>
Sent: Tuesday, January 19, 2021 7:49 AM
To: Tamra Mabbott
Subject: RR-10 Zone

STOP and VERIFY - This message came from outside of Morrow County Government.

Morrow County Planning Commission
C/o Tamra Mabbott, Planning Director

I am writing in support of the RR-10 acre zone that is being proposed.

There is interest in having access to housing with small acreage in a rural setting. The last year has shown that there are many jobs that can be done from home with adequate internet service. Having more families living throughout the county would be good for all the communities in Morrow County.

Morrow County Planning staff have answered questions about the process very well. Morrow County has changed since 1975. We need to look for and take advantage of new ideas and opportunities. A RR-10 acre zone is one of those opportunities.

Respectfully,

Joel Peterson
Ione, Oregon

Attn: Morrow Planning Commission

I am in support of the Rural Residential 10-acre zone in Morrow County. I am a long-time resident of Heppner. Since moving here I have been looking for a small acreage to build a home and business. These are impossible to find in that the current requirement is 160 acres.

If these acreages were allowed on nonproductive farm ground, I would still consider developing a home and moving. My Son Wacy Coil is also looking for a home. The availability of housing in our town is very limited. Opening up land options would increase the housing in our town and allow families to move here and invest here.

I hope that you will allow this new zoning

A handwritten signature in cursive script, appearing to read "Jay Coil", written in black ink. The signature is positioned above the printed name "Jay Coil".

Jay Coil

Tamra Mabbott

From: Ladd, Richard <Richard.Ladd@morganstanley.com>
Sent: Saturday, January 16, 2021 12:00 PM
To: Tamra Mabbott
Subject: RR-10 in Morrow country

STOP and VERIFY - This message came from outside of Morrow County Government.

I support and encourage adding a Rural Residential 10-acre zone to Morrow County's current zoning ordinance.

As a landowner both inside and just outside of the city limits of Lone, the need for housing continues to be a major issue. For years, local businesses have lost valuable employees and applicants because there is no suitable housing available. No housing means no growth and we are unable to sustain not only the way of life many are accustomed to but the services we are afforded by having a stable economy.

While adding this new zone will not solve the housing shortage, it will certainly help.

Please do not be influenced by out of town or out of area input.

Sincerely,

Richard Ladd

Financial Advisor
Financial Planning Specialist
Associate Vice President

Morgan Stanley, Wealth Management
700 Main St. Suite 315, P.O. Box 3440
Napa, CA 94558
Direct: (707) 254-4421
Toll Free: 800-829-0194
Fax: (707)-252-7934
Email: richard.ladd@morganstanley.com
CA Insurance Lic. #0B95810
NMLS# 1297999

Please see my website: [Click Here](#)

Connect with me on LinkedIn: www.linkedin.com/in/richard-ladd

Click the picture for more info about our Goals Planning System:



January 19, 2021

Morrow County Planning

To whom it may concern:

I am writing this letter in support of approval of a Rural Residential 10-acre zone in Morrow County. I support this for several reasons.

I was a licensed realtor in Heppner for ten years. The number one request for people moving here or people living here was to find an acreage. The number of acreages available for housing is extremely rare and highly sought after.

Secondly, I participated in the countywide housing study in 2019. This comprehensive study clearly shows a lack of available buildable lands, and a shortage of housing stock in Morrow County. The ability to develop 10-acre sites would allow people that are living in our communities to build homes outside of town and open up affordable and available homes in town.

I serve as Chair on the Willow Creek Valley Economic Development Corporation. Our goal is to help the communities of South Morrow County thrive. Allowing 10-acre parcels would attract families and bring substantial investment. These two things are highly desirable and needed.

I hope that the planning commission will consider this option for Morrow County.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kim Cutsforth', with a long horizontal line extending to the right.

Kim Cutsforth



P.O. Box 788 • Heppner, OR 97836

541-676-5613

www.co.morrow.or.us

January 20, 2021

Board of Commissioners

Commissioner Don Russell, Chair

Commissioner Jim Doherty

Commissioner Melissa Lindsay

Chase McVeigh Walker, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE
Salem, OR 97301

RE: Request for Comments on the Notice of Intent submitted by Wheatridge East Wind, LLC for the proposed Wagon Trail Solar Project in Morrow County.

Dear Mr. McVeigh Walker,

Thank you for the opportunity to comment on the Notice of Intent and to provide the applicable substantive criteria for the Wagon Trail Solar Project. The Morrow County Board of Commissioners also acts as the Special Advisory Group (SAG) as appointed by the Energy Facility Siting Council (EFSC). As requested in your December 21, 2020 letter, Morrow County provides a response in accordance with OAR 345-015-0120, below.

OAR 345-015-0120 standards are shown below in bold, followed by a response in standard font.

- (a) The name, address and telephone number of the agency contact person assigned to review the application.** The local contact person is Tamra Mabbott, Planning Director, tmabbott@co.morrow.or.us, (541) 922-4624.
- (b) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of the reviewing agency.** Morrow County has responsibility for land use planning and regulation, county road maintenance, construction and access management, weed control and solid waste. As part of our land use review process, we coordinate with local, state and federal agencies.
- (c) Recommendations regarding the size and location of analysis area.** Figure 4 in the NOI shows proposed study areas. For public services, study area includes the Town of Lexington. Morrow County recommends the study area be expanded to include the Town of Ione and the Cities of Heppner and Boardman. Ione, Heppner and Boardman offer more services such as food, dining, hotel and RV camping and will likely be impacted. The project is located in a remote, rural area and based on experience with other renewable energy construction projects in Morrow County, all towns within a 30-mile area are impacted. Some of those impacts are positive, for example, additional commerce for grocery and lodging businesses. Some of the impacts have had negative impacts, for example temporary construction workers occupying non-permitted camping areas which presents public health and fire and safety concerns.

Other analysis areas proposed appear to be adequate.

- (d) **A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures.** Based on adopted Morrow County ordinances, policies and plans, we would require the following: wildlife and habitat studies; an analysis of current noxious and invasive weeds and a mitigation plan; Traffic Impact Analysis; a review of possible flood and other hazards; a cultural resource analysis of the lands; an assessment of socioeconomic impacts.
- (e) **If the applicant has identified one or more proposed corridors in Exhibit D of the NOI as required by OAR 345-020-0011(1)(d), a discussion of the relative merits of the corridors described in the NOI and recommendations, if any, on the selection of a corridor; Can you give some examples?**
 Page 8 of the NOI claims the “facility will utilize up to 8 miles of 230-kV transmission line. Morrow County requests additional information about the transmission lines and their proposed locations. Additionally, where new transmission lines will be constructed as part of this solar facility, Morrow County requests that the transmission lines be permitted as part of this project in order to fully assess the impacts of the entire project, including the transmission lines.
- (f) **A list of statutes, administrative rules and local government ordinances administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance.** Morrow County applicable ordinances include the following: Morrow County Comprehensive Plan, Morrow County Zoning Ordinance, Morrow County Subdivision Ordinance, Morrow County Transportation System Plan, Morrow County Public Works Policy on Renewable Energy Development, Morrow County Solid Waste Ordinance, Morrow County Code Enforcement Ordinance, Morrow County Weed Control Ordinance, and the Morrow County Natural Hazard Mitigation Plan. A detailed list is attached and is also accessible on the county website.
- (g) **A list of any permits administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.**
 Conditional Use Permit (including Articles 3, 4 and 6 standards)
 Site Plan Review
 Zoning Permit
 Road Use Agreement (to be provided by County after completion of Traffic Analysis)
- (h) **For tribes affected by the proposed facility, a list of tribal codes that the tribe recommends to the Council for its review of the application and specific information regarding the proposed facility or study areas described in the NOI that is necessary for determining compliance with those tribal codes.** Morrow County is not a tribal entity. This standard does not apply.



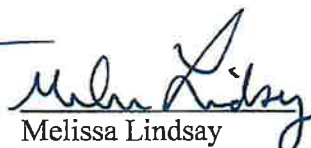
Thank you for your consideration of comments regarding the Notice of Intent submitted by Wheatridge East Wind, LLC for the Wagon Trail Solar Project in Morrow County.

If you have any comments or questions about this or the Ordinances, Plans and Policies

referenced herein, please contact Tamra Mabbott, Planning Director, (541) 922-4624, tmabbott@co.morrow.or.us, or Matt Scrivner, Public Works Director, (541) 989-8584 mscrivner@co.morrow.or.us.

Thank you for your outreach consideration of applicable Morrow County Policies, Standards, Plans and Regulations.

Sincerely,

		
Don Russell Chair	Jim Doherty Commissioner	Melissa Lindsay Commissioner

Applicable Plans, Ordinances, Policies, Morrow County

Morrow County Comprehensive Plan (MCCP)

- Citizen Involvement Policies
- General Land Use Policies
- Agricultural Lands Policies
- Economic Policies
- Housing Policies
- Public Facilities and Services Policies
- Energy Policies

<https://www.co.morrow.or.us/planning/page/comprehensive-plan>

Morrow County Zoning Ordinance (MCZO)

- Article 3 Section 3.00 Exclusive Farm Use Zone
 - Section 3.010(B)24 and (25), 3.010 (D)(9) and D(10) Utility Facility Service Lines and Utility Facilities Necessary for Public Service
 - Section 3.010(N) Transportation Impacts
- Article 3.010(C)(24) Solar Facilities and (K)(3) Commercial Facilities for Generating Power, Photovoltaic Solar Power Generation Facility
- Article 4 Supplementary Procedures (relative to access, parking and related measure)
 - Section 4.165 Site Plan Review
 - Section 4.170 Site Development Review
- Article 6 Conditional Uses
 - Section 6.020 General Criteria
 - Section 6.025 Resource Zones Standards for Approval (same as ORS 215.296)
 - Section 6.030 General Conditions
 - Section 6.040 Permit and Improvements Assurance

<https://www.co.morrow.or.us/planning/page/zoning-ordinance>

Oregon Revised Statutes and Oregon Administrative Rules

ORS 215.243 Agricultural Lands Policy

ORS 215.296 Standards for Approval of Certain Uses in EFU Zones

https://www.oregonlegislature.gov/bills_laws/ors/ors215.html

OAR 660-033-0130 (38) Standards for Solar Facilities

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3083>

OAR 660-004 Exception Process for Goal 3 Exception

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3054>

Morrow County Transportation System Plan (TSP)

Chapter 6 Transportation System Plan

Appendix D Traffic Impact Analysis Guidelines

Road Use Agreement (sample to be provided)

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/12211/tsp_complete_document.pdf

Morrow County Public Works Renewable Energy Project Development Policy

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/1141/renewable_energy_development_policy_september2010.pdf

Morrow County Solid Waste Management Ordinance, Section 5.000 Public Responsibilities

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/2181/ordinance2008_update-1.pdf

Morrow County Code Enforcement Ordinance

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/11881/2019_code_enforcement_final.pdf

Morrow County Weed Control Ordinance

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/2361/morrow_county_weed_ordinance.pdf

Morrow County Multi-Jurisdictional Natural Hazard Mitigation Plan

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/2451/nhmp_2016_final_adoption.pdf



P.O. Box 788 • Heppner, OR 97836
 541-676-5613
 www.co.morrow.or.us

Board of Commissioners

Commissioner Don Russell, Chair
 Commissioner Jim Doherty
 Commissioner Melissa Lindsay

January 20, 2021

Robin McArthur, Chair
 Land Conservation and Development Commission
 Via Electronic Submittal

RE: Agenda Item 7
 Regional Housing Needs Assessment and HB 2003

Dear Chair McArthur and Members of the Commission,

Morrow County appreciates the opportunity to comment on this agenda item, the Commission's draft report to the Oregon Legislature on the Regional Housing Needs Assessment (RHNA/HNA), as required in HB 2003 (2019). The draft report devotes special attention to homelessness and minority populations and could likewise devote attention to the unique challenges in *rural* communities.

The work conducted by the Housing Team at the Department of Land Conservation and Development (DLCD) staff over the past year has been ambitious, inclusive, and comprehensive. We applaud their efforts and especially appreciate outreach in eastern Oregon.

Rural Challenges in the Context of Housing

Funding for infrastructure is a disproportionate steep hurdle for small cities, given their limited access to capital and bonding. Staffing capacity for planning in small cities generally is limited, despite the very capable people who run those cities.ⁱ It is not unusual for a city to have only one or two employees to carry out all the duties of a single town. Staffing capacity to implement recommendations in the RHNA would too be limited.

While we believe in the uniqueness of every county and city, we offer Morrow County's *rural* perspective to illustrate. Morrow County has a population of 12,825 and one of the largest Latino populations in the state. We may soon be the first 'minority majority' county in the state.ⁱⁱ Our vast landscape is largely agricultural lands. We enjoy some of the highest average wages in the state, placing third or fourth annually,ⁱⁱⁱ a rank that is directly attributable to the Port of Morrow, Oregon's largest inland Port. Industrial job creation is challenged however, by a need for workforce housing. In 2017, the Port estimated that 70% of its workforce, approximately 6,000 full time employees, travel to work from outside the City of Boardman,^{iv} even while the City and Port have implemented creative, clever and effective housing incentive programs. The other four cities also have

incentives and even advocacy groups designed to promote housing.

In 2019, Morrow County, together with the five cities, completed a Buildable Lands Analysis and Housing Strategy, which incorporated data and analysis similar to that contemplated in the RHNA. Our staff is working to implement the recommendations and we realize it takes time to realize the benefits of changes to Plans and Codes. But the point here is that even with a new and robust RHNA approach, unless resources are made directly to help rural areas with implementation, there likely will be no measurable effect in Morrow County given the rural constraints listed above. To remedy this and to expedite progress in increasing housing options, we offer some suggestions in the context of your draft RHNA and Report to the Oregon Legislature.

Consider placing housing staff in the rural regions, with the purpose of implementing the Housing Production Strategy (HPS) and otherwise supporting planning and development. The same is true for DLCD staff working in rural areas.

1. By shifting to a regional approach with aggregated data, there is the real potential to exacerbate the urban-rural divide. Aggregated regional data is less accurate and difficult to use as a basis for effective housing policy. For example, in several Morrow County cities, the growth rate has been at or below one percent. It is not clear how regional data would benefit the small cities. As an alternative, consider providing grants to small cities to help implement HPS and HNA.
2. Accountability metrics described on Page 7 of the report would be challenging for small cities to meet. Even one or two new homes in a small community would be considered successful. A focus on incentives, rather than compliance would be more welcome. Create, for example, a rural affordable housing incentive for developers who invest in rural communities. Or streamline the building inspector certification process for inspectors working in rural areas by allowing reciprocity with the State of Washington, mentorship programs and streamlining certification programs. The same with construction trades – provide special incentives and funding for rural training programs so rural areas have access to journeyman electricians and plumbers.
3. Page eight of the draft report finds that “While Goal 10 and accompanying statute and administrative rule have outlined a clear intent for local cities and counties to plan for regional housing need and affordability, the provision of housing options at a range of affordability levels and densities varies based on the political willingness of a particular community to work to fulfill that housing need. The RHNA allocation provides a framework that imparts a shared responsibility among communities to address the overall housing need of a region that does not exist today.” We take exception to this conclusion, based in large part on our track record of implementing creative housing incentive programs at the local level, and in the tremendous growth of the Latino population, including home ownership. We think state resources would be better spent on incentives rather than enforcing a numeric performance metric.

4. We concur with your finding three on page nine, that is, a very significant barrier to housing is the provision of sufficient infrastructure. Here again, rural areas have less capital and capacity to fund very costly infrastructure. Emphasis on funding resources would be a better way to help rural areas develop more housing.
5. The “concurrency requirement” described on page 13 has the potential to add to the burden of rural areas that are already understaffed. We agree that a change to ORS 197.296(6) would help streamline planning and urban growth boundary (UGB) considerations.

In summary, we applaud your efforts and that of your staff. We applaud the Oregon Legislature for taking a close look at the connection between land use planning and housing. We ask that you look at housing planning through a rural lens and also consider flexibility in helping rural communities reach local housing goals.

If you would like further information about our local housing polices and programs, or our Zoning Ordinance and Comprehensive Plan, please contact Tamra Mabbott, Planning Director (541) 922-4624, tmabbott@co.morrow.or.us.

Thank you for your considerable outreach and coordination.

Sincerely,



Don Russell
Chair



Jim Doherty
Commissioner



Melissa Lindsay
Commissioner

CC: Association of Oregon Counties (AOC) Legislative Committee
Senator Bill Hansell
Representative Greg Smith
Ryan Neal, Port of Morrow
County Planning Commission
Cities of Boardman, Irrigon, Heppner, Lexington, Ione

ⁱ Report to Oregon House Committee on Agriculture by Department of Land Conservation and Development on the outcome of the Eastern Oregon Economic Opportunities Analysis, January 2019.
https://www.oregon.gov/lcd/UP/Documents/HouseNR_EOEOA.pptx_v2.pdf

ⁱⁱ “Oregon By the Numbers” November, 2020, OSU Extension and Ford Family Foundation, pages 108-109.
https://www.tfff.org/sites/default/files/OregonByTheNumbers2020_23Nov.pdf

ⁱⁱⁱ State of Oregon Employment Department

^{iv} “Economic and Community Benefits Analysis Update,” 2017, Port of Morrow.

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

AN ORDINANCE AMENDING THE MORROW)	
COUNTY ZONING ORDINANCE, ARTICLE 9,)	ORDINANCE NO. ORD-2021-1
ADMINISTRATIVE PROVISIONS)	

WHEREAS, ORS 203.035 authorizes Morrow County to exercise authority within the County over matters of County concern; and

WHEREAS, Morrow County adopted a Comprehensive Land Use Plan which was acknowledged by the Land Conservation and Development Commission on January 15, 1986 and;

WHEREAS, the Morrow County Planning Commission held a public hearing to review the request on December 8, 2020 at the Bartholomew Building in Heppner, Oregon; and

WHEREAS, the Morrow County Planning Commission considered the request and unanimously voted to recommend that the Board of Commissioners approve the Zoning Ordinance Article 9 changes; and

WHEREAS, the Morrow County Board of Commissioners held a public hearing to consider the recommendation of the Morrow County Planning Commission on January 6, 2021, held at the Bartholomew Building in Heppner, Oregon; and

WHEREAS, the Morrow County Board of Commissioners accepted the Planning Commission recommendation, adopted Findings of Fact, and approved amendments to Zoning Ordinance, Article 9, Administrative Provisions.

NOW THEREFORE BE IT ORDAINED THAT THE MORROW COUNTY BOARD OF COMMISSIONERS ADOPTS AS AN AMENDMENT TO THE MORROW COUNTY ZONING ORDINANCE, ARTICLE 9, ADMINISTRATIVE PROVISIONS.

Section 1 Title of Ordinance:

This Ordinance shall be known, and may be cited, as the “2021 Article 9 Update.”

Section 2 Affected and Attached Documents:

Morrow County Zoning Ordinance Article 9.

Section 3 Effective Date:

This ordinance shall be effective on May 1, 2021.

Date of First Reading: January 13, 2021

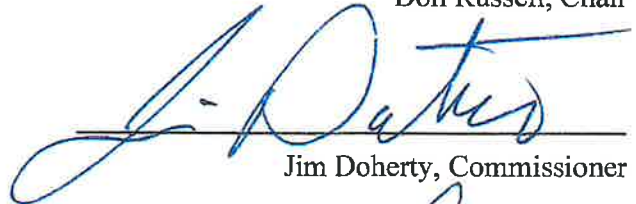
Date of Second Reading: January 27, 2021

**ADOPTED BY THE MORROW COUNTY BOARD OF COMMISSIONERS THIS
27TH DAY OF JANUARY 2021.**

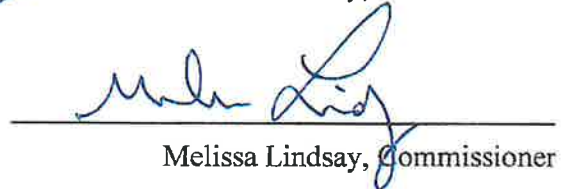
**MORROW COUNTY BOARD OF COMMISSIONERS
MORROW COUNTY, OREGON**



Don Russell, Chair

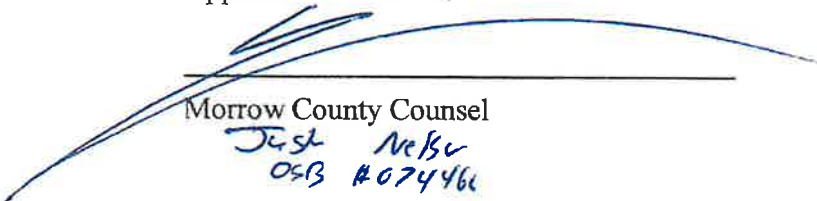


Jim Doherty, Commissioner



Melissa Lindsay, Commissioner

Approved as to Form:



Just Nels
OSB #074466

Morrow County Counsel



MEMORANDUM

To: Morrow County Board of Commissioners
 From: Tamra Mabbott, Planning Director
 BOC Date: February 10, 2021
 RE: Monthly Planning Update

Planning Commission Update

Planning Commission approved eight applications at their January 19th meeting. With some great preparation and team work, all eight items were covered in just over an hour!

Planning Commission meeting materials are posted on the Department website one week prior to the meeting. Commission typically meets the last Tuesday of the month. Here is the 2021 calendar. https://www.co.morrow.or.us/calendar?field_microsite_tid_1=28 Visitors are welcome. And with our virtual meetings it is very convenient.

Current Planning Activity January 2021:

• Zoning Permits	9
• Land Use Compatibility (LUCS Review)	6
• Rural Address	1
• Land Use Decisions	2
• Conditional Use Permits	1
• Variance	1
• Research/Public Records Request	1

Totals for 2020

• Zoning Permits	132
• Land Use Compatibility (LUCS Review)	80
• Rural Address	28
• Land Use Decisions	6
• Farm Ag. Exempt	9
• Conditional Use Permits	7
• Variances	4
• Land Partitions, PLA, replats	20
• Amendments	1
• Appeals	2
• Zone Change/Plan Amendments	3
• Research (FOIA) records request	2

Long Range Planning

In January staff initiated the process to update the Housing Element of the Comprehensive Plan. This will accompany the new Rural Residential 10-acre zone. The County Plan Housing

Energy Projects

Several new and renewed/amended energy projects are in the process. Majority of staff work with these projects is not reflected in the permit summary. See attached summary of all *renewable projects in Morrow County* to date.

Code Enforcement

Code Enforcement activity is on the rise. Sheriff Deputy Oscar Madrigal gave the Planning Director a tour of the long-standing cases in and around the Irrigon and Boardman area. Many of the properties in violation have solid waste and junk/abandoned vehicles. Staff is preparing an update to the Code Enforcement with a focus on clarifying definition and process for abatement of junk vehicles. The draft proposed changes will allow a landowner to keep two or three project vehicles.

Other Projects:

Stephanie Case, Planner II completed an update to Section 9 of the Zoning Ordinance. Of note this update will allow the Planning Department to streamline certain applications. Stephanie is now working on an update to the Subdivision Ordinance and has spent time coordinating comments of the County Assessor and County Surveyor. These too will result in a streamlined process for land partitions as well as including technical and legal updates.

Website and GIS Mapping

Updates to the website continue. The biggest change is the new interactive zoning map (excluding links to Assessors' Office real query). Check out the website!

<https://morrow-co-or.maps.arcgis.com/apps/webappviewer/index.html?id=c24654713b7d424f968c11b9c9e43a23>

And a terrific tutorial:

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/15251/interactive_map_tutorial.pdf

Excellent work Stephen Wrecsics!

Planning Trivia Question of the Month:

Who was the first Planning Director in Morrow County?

Answers to last month's trivia questions.

How many total acres are in Morrow County? 1,321,600

What percentage of total acreage is classified as "urban" or within a city limit boundary?

Approximately 2,400 acres, less than 1%. Note, this does not include port industrial property that has a Plan and Zone designation that allows for "urban" density.



PLANNING DEPARTMENT

P.O. Box 40 • Irrigon, Oregon 97844
 (541) 922-4624
 FAX: (541) 922-3472

- sent via email to lminer@invenergy.com -

Laura Miner, Senior Development Manager
 Invenergy
 1001 South Division Street, STE 3
 Portland, Oregon 97202

February 09, 2021

RE: CUP-N-333-18 Request for Extension
 Boardman Solar

Dear Laura,

This is a response to Invenergy's October 29, 2020 letter requesting an extension to the Morrow County Conditional Use Permit CUP-N-333-18; the request was to approve a Conditional Use Permit for a 798-acre Photovoltaic Energy Project with an approved Site Certificate granted by the Energy Facility Siting Council. After reviewing the Morrow County Zoning Ordinance, Invenergy's extension request has been **approved**.

Approval is based on the following:

1. Invenergy (Applicant) did, on October 29, 2020 via electronic letter, request an extension to CUP-N-333-18. This request was made prior to the expiration date of November 17, 2020.

This extension is valid for one year from the date of expiration of CUP-N-333-18, November 17, 2020. **This Conditional Use Permit will expire on November 17, 2021.** Please continue to move forward with completion of the conditions of approval and submit application for a Zoning Permit for development on the subject parcel. Please note that Zoning Permits are valid for one-year, with the possibility for a one-year extension if requested prior to the date of expiration.

Extension Request Response Letter for CUP-N-333-18
 Invenergy, Boardman Solar Project

If you have any questions, please contact myself, Stephanie Case, or Stephen Wreccics at **541.922.4624**. We look forward to continuing work with Invenergy and the Boardman Solar project.

Cordially,

A handwritten signature in black ink, appearing to read "Tamra Mabbott". The signature is fluid and cursive, with a long horizontal line extending from the start of the name.

Tamra Mabbott
Planning Director

Cc: Morrow County Planning Commission
Sarah Esterson, ODOE Siting Officer
Mike Gorman, County Assessor

January
Planning
Commission
Correspondence



December 4, 2020

MEMORANDUM

To: Morrow County Board of Commissioners
From: Tamra Mabbott, Planning Director
BOC Date: December 9, 2020
RE: Monthly Planning Update



Planning Commission Update

Planning Commission did not have a meeting in November. The next Planning Commission meeting will be December 8th and will include two legislative hearings, one for the new RR-10 zone and one for an update to Article 9 Administrative Procedures and two land use applications.

Current Planning Updates

Applications approved in November include four Zoning Permits, one farm Agriculture Exempt Certificate and eight land use compatibility statements. Staff processed a large records request and hosted pre-application work sessions for several new and expanding development projects.

Staff participated in two trainings. One training was part of the two-day Association of Oregon Counties Conference (via zoom) that included an in-depth overview of the Exclusive Farm Use Zone, Goal 3 and related state laws and Administrative Reviews. This training was recorded and will be shared with Planning Commission in the future. The other training, also via zoom, was with Hilary Foote, the Department of Land Conservation and Development (DLCD) Goal 3 and 4 Specialist. Hilary is fine tuning an in-depth training on the application of new Administrative Rules for solar siting, including application of four categories of soils classification standards.

Energy Projects

See attached spreadsheet.

Code Enforcement

Current case load sits at about 30 violations ranging in scope from small to very large. Accumulation of solid waste is the primary type, along with various code violations. Staff continue to work at coordination with the Sheriffs Office. Staff is reviewing the Code Enforcement Ordinance to identify updates that may be warranted.

Port of Morrow Interchange Area Management Plan (IAMP)

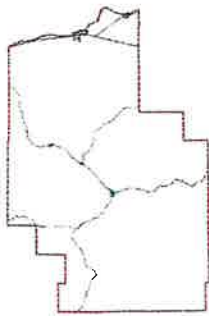
The interchange at Interstate 84 Exit 165 is undergoing a review of the Interchange Area Management Plan (IAMP). Planning and Public Works staff continue to participate in meetings hosted by the Port of Morrow and are currently reviewing the latest engineering report for the update.

Boardman Main Street Interchange Area Management Plan (IAMP)

Boardman has two pending zone change applications that may impact the Boardman Main Street IAMP. Any time property develops within an IAMP study area, cities and counties are required to address how the change in zoning and associated access and traffic volume complies with the IAMP. County is awaiting additional information from city and landowners as to how their respective projects will comply with the IAMP.

Long Range Planning Projects: See attached list. Input from Commissioners and members of the public is encouraged.

Website and GIS Mapping



Updates to the website are underway, including the addition of applications, forms and guidance documents, links to other agencies and static (pre-made) maps. Additionally, Stephen Wrecsics, GIS Planner, is adapting his interactive zoning map (excluding links to Assessors' Office real query) for access from the website. Suggestions and input on other additions to the website is encouraged.

Archives and Storage Capacity

Planning staff is looking for efficient ways to consolidate and digitize paper files. Server storage capacity is one constraint as well as staff time to do the work.

Planning Trivia Questions of the Month:

Oregon has how many statewide planning goals?

How many statewide planning goals apply in Morrow County?

Answers to the October trivia questions.

1. Statewide Planning in Oregon began in 1973 with the adoption of Senate Bill 100 by the Oregon Legislature. Tom McCall was Governor at the time.
A link to a historical overview: <https://www.oregon.gov/lcd/OP/Pages/History.aspx>
2. The Morrow County Comprehensive Plan was acknowledged by the Land Conservation and Development Commission on January 30, 1986. Stafford Hansell was Chair of the LCDC.





PLANNING DEPARTMENT

P.O. Box 40 • Irrigon, Oregon 97844
(541) 922-4624 x 5505

December 22, 2020

Bev Bridgewater, Manager
PO Box 100
Irrigon, OR 97844

Mark Maynard, Manager
PO Box 47
Boardman, OR 97818

RE: Irrigation District Review of Partition and Subdivision Plats

Dear Bev and Mark:

The Planning Department is in the process of reviewing our Zoning Ordinance and Subdivision Ordinance to incorporate recent legislation as well as include some other minor revisions. As part of that effort, we took a closer look at relevant laws pertaining to irrigation and water district involvement in the review of land partition and subdivision plats.

For many years, Morrow County has required that the irrigation district be included on the partition (or subdivision) plat as a signatory. Where ORS Chapter 92 does not require that, and in order to streamline the overall review process, we will no longer require the irrigation district signature on a partition or subdivision plat.

Rest assured the county will continue to collaborate with your respective districts by incorporating your comments in the public review portion of the land use review process as required under ORS Chapter 92. More specifically, ORS 92.103 requires an irrigation district submit to city or county specific information “within 15 days of receiving notice of the “tentative plan.” What that means for you is that you will need to be certain to respond to the public notice when it is mailed to you. For example, we send you a copy of the monthly Planning Commission agenda. Your comments would need to be submitted prior to or during the Planning Commission hearing. We will remind you of the timeline so that you can adjust to this change and assure that your comments are entered into the record in a timely fashion.

I’ve included the ORS Chapter 92 with relevant sections highlighted for your convenience. I sincerely appreciate your support of this change and our efforts to provide streamlined review of applications to landowners in Morrow County.

Please contact me if you have any questions or if you would like to chat.
tmabbott@co.morrow.or.us.

Cordially,



Tamra Mabbott
Planning Director

Enclosures

cc: Justin Nelson, County Counsel
Board of Commissioners
Planning Commission
West Extension Irrigation District Board of Directors
Columbia Improvement District Board of Directors
Matt Kenny, County Surveyor
Private Surveyors
Mike Gorman, Morrow County Assessor
Jacob Cain, Engineer, Port of Morrow
Aaron Palmquist, City of Irrigon
Karen Pettigrew and Barry Beyeler, City of Boardman
Robert Waldher, Planning Director, Umatilla County



Oregon

Kate Brown, Governor



OREGON
DEPARTMENT OF
ENERGY

550 Capitol St. NE
Salem, OR 97301
Phone: 503-378-4040
Toll Free: 1-800-221-8035
FAX: 503-373-7806
www.oregon.gov/energy

MEMORANDUM

To: Morrow County Board of County Commissioners

From: Chase McVeigh Walker, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE
Salem, OR 97301
Phone: (503) 934-1582
Email: chase.mcveigh-walker@oregon.gov

Date: December 21, 2020

Re: Request for comments on the Notice of Intent submitted by Wheatridge East Wind, LLC for the proposed Wagon Trail Solar Project in Morrow County. Comment deadline is January 22, 2020.

Introduction

On November 3, 2020, the Oregon Department of Energy (Department), staff to the Oregon Energy Facility Siting Council (EFSC), received a Notice of Intent (NOI) from Wheatridge East Wind, LLC, a wholly owned subsidiary of NextEra Energy Resources LLC to file an application for site certificate for the proposed Wagon Trail Solar Project. The NOI is for a proposed photovoltaic solar energy facility that would have a generating capacity of up to 500 megawatts (MW). The energy facility would be constructed within a site boundary of approximately 4,500 acres within Morrow County (see Figure 1 of this memo). Proposed related or supporting facilities to the solar energy facility would consist of 34.5-kilovolt (kV) collector lines (underground or overhead); distributed battery storage; up to four collector substations; one operations and maintenance building; up to three meteorological towers; site access; service roads, perimeter fencing and gates; and up to four temporary construction areas. The energy facility and its related or supporting facilities are herein referred to as the “proposed facility.”

The NOI can be downloaded from the ODOE project website here:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WTS.aspx>

On November 20, 2020, the Morrow County Board of Commissioners was appointed by EFSC as a Special Advisor Group for the proposed facility. Under Oregon Administrative Rule (OAR) 345-001-0010(51), the Morrow County Board of Commissioners as a Special Advisory Group is a “reviewing agency” for the EFSC review.

Information Needed from Reviewing Agencies

Please provide the Department verification of the Comprehensive Plan and ordinances that are applicable to the proposed facility.

In accordance with OAR 345-015-0120, the Department requests the following information:

- 1) The name, address and telephone number of the agency contact person assigned to review the application.
- 2) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of the reviewing agency.
- 3) Recommendations regarding the size and location of analysis area(s) (see below for more information).
- 4) A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures.
- 5) A list of statutes, administrative rules and local government ordinances administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance.
- 6) A list of any permits administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.

The NOI, announcements and notices about the proposed facility will be posted on ODOE’s website at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WTS.aspx>

Evaluation of Study/Analysis Areas

An analysis area is the area the applicant must describe the proposed facility’s potential impacts in the application for a site certificate. Analysis areas are the minimum areas an applicant must study for potential impacts from the construction and operation of a proposed facility. For all potential impacts, the analysis area includes at a minimum all the area within the “site boundary” as defined in OAR 345-001-0010(54). The Department requests your assistance determining the appropriate size of the analysis areas for the proposed facility.

The NOI includes an assessment of potential environmental impacts from construction and operation of the facility based on a study area set in rule. The study areas vary for different resources, but all include the site boundary, and, if applicable, an additional buffer (noted in parenthesis): NOI Figures 3 and 4 show the boundaries and topography of the study areas as defined by OAR 345-001-0010(59) for land use (0.5 miles), fish and wildlife habitat (0.5 miles), recreational opportunities (5 miles), threatened and endangered species (5 miles), scenic

resources (10 miles), public services (10 miles), and protected areas (20 miles). For all other resources, the study area is the site boundary.

In the application for site certificate, the analysis areas can be equivalent to the study areas, or the analysis areas can be different. The analysis areas will be established by the Department in the Project Order, but your input is necessary to help establish appropriate analysis areas based on specific knowledge you may have of the area. Ultimately, EFSC will evaluate whether or not design, construction, operation, and retirement of the proposed facility, taking into account mitigation, are likely to result in a significant adverse impact to resources protected by EFSC standards.

If your agency believes that any of these analysis areas should be increased (or decreased) based upon nearby resources, please provide this information in your comments on the NOI. This information will be used to assist the Department in development of the Project Order.

EFSC Review Process

Wheatridge East Wind, LLC must obtain a site certificate from the Oregon Energy Facility Siting Council (EFSC) in order to construct and operate the proposed facility. The applicant must demonstrate that the proposed facility meets EFSC standards established under ORS 469.501 and set forth in OAR Chapter 345, Divisions 22 and 24 as well as all other applicable statutes, rules and standards (including those of other state agencies or local governments).

The Department requests that reviewing agencies provide comments on the NOI and submit statutes, rules, and standards applicable to this facility. The reviewing agency responses will form the basis of the Project Order, which establishes the site certificate application requirements. While the EFSC review process includes several opportunities for reviewing agency comment and input, your comments on the NOI are critical to ensure your agency's requirements are accurately reflected in the Project Order.

Your responses will inform development of the Project Order, which establishes the site certificate application requirements. While the EFSC review process includes several opportunities for comment and input, your comments on the NOI are critical to ensure your jurisdiction's requirements are accurately reflected in the Project Order.

A description of the EFSC review process is available on our website at:

<http://www.oregon.gov/energy/facilities-safety/facilities/Documents/Fact-Sheets/EFSC-Process-Flowchart.pdf>

Information Submittal

Please send your comments to the project Siting Analyst, Chase McVeigh-Walker, at the contact information provided above, no later than **January 22, 2021**. If you require additional time, please contact the Siting Analyst.

Cost Recovery

The time that your agency spends during the EFSC review process is eligible for reimbursement. To be able to be reimbursed, the Department needs an executed Interagency Agreement in place with your agency. If you have questions about you're Interagency Agreements in place, how or what type of work may be reimbursed contact ODOE's Fiscal Analyst Sisily Fleming at sisily.fleming@oregon.gov or 503-378-8356.

Informational Meeting

The Department will host a remote public informational meeting on January 7, 2021 at 5:30 pm via WebEx. Informational meetings provide an opportunity for the public to ask questions about the proposed facility and review process. We encourage you to attend and participate. To participate, you may use one of the options below:

WebEx Link:

<https://odoe.webex.com/odoe/onstage/g.php?MTID=e98bcc8fab753a2ab2a4dc000be8e746>

Dial in: 1-408-418-9388, Access Code: 173 209 0142

Facility Location Map

A vicinity map is included on the next page. Additional maps can be found in the NOI. The Department maintains an online mapping program where the proposed facility site and regional location can be viewed via hyperlink: <https://arcg.is/1Gf8CK>. If you are interested in receiving GIS shape files of the facility site boundary, please contact the project Siting Analyst at the contact information provided above.

Figure 1. General Location of the Proposed Facility

