



PLANNING DEPARTMENT

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

AGENDA

Morrow County Planning Commission
Tuesday, April 27, 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

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: March 30, 2021
5. Public Hearings to begin at 7:00 pm (COMMISSION ACTION REQUIRED):

Replat R-N-064-21: Juan Sanguino & Consuelo De La Paz and Donald & Deborah Young, Applicants and Owners. The property is described as tax lots 300 and 301 of Assessor's Map 4N 24E 13. The property is zoned Farm Residential (FR 2) and located 3 miles west of Boardman on Wilson Lane. Request is to adjust a shared property line which would reconfigure a portion of Partition Plat 2015-4. Criteria for approval includes the Morrow County Zoning Ordinance (MCZO) Section 3.041 Farm Residential Zone and Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning. [Pages 1-4](#)

Replat R-N-065-21: Port of Morrow, Applicant and Owner. The property is described as tax lot 100 of Assessor's Map 4N 25E 11 and tax lot 100 of Assessor's Map 4N 25E 02. The property is zoned Port Industrial (PI) and located within a quarter-mile east of Boardman on Columbia Avenue. Request is to adjust a shared property line which would reconfigure a portion of Partition Plat 2014-03. Criteria for approval includes the MCZO Section 3.073 Port Industrial Zone and MCSO Article 5 Land Partitioning. [Pages 5-8](#)

Replat R-N-066-21: Port of Morrow and City of Boardman, Applicants and Owners. The property is described as tax lots 100 and 102 of Assessor's Map 4N 25E 11 and tax lot 105 of Assessor's Map 4N 25E 12. The property is zoned Port Industrial (PI) and located adjacent to Boardman on Columbia Avenue. Request is to adjust a shared property line which would reconfigure a portion of Partition Plat 2014-03. Criteria for approval includes the MCZO Section 3.073 Port Industrial Zone and MCSO Article 5 Land Partitioning. [Pages 9-12](#)

Land Partition LP-N-494-21: TC Energy, Applicant; Grieb Farms, Inc. landowner. The property is described as tax lot 1200 of Assessor's Map 2N 26. The property is zoned Exclusive Farm Use (EFU) and located on the south side of Grieb Wood Road, adjacent to and west of Bombing Range Road, approximately 12 miles northeast of the Town of Lexington. Criteria for approval includes MCZO Section 3.010(L)(2) EFU Zone and MCSO Article 5 Land Partitioning. [Pages 13-19](#)

Land Partition LP-N-493-21: Umatilla Electric Cooperative, Applicant and Port of Morrow, Owner. The property is described as tax lot 200 of Assessor's Map 4N 26E 07. The property is zoned Port Industrial (PI) and located at the Highway 730 and Interstate 84 Interchange. Request is to partition an 81.5-acre parcel to create two parcels. Criteria for approval includes the MCZO Article 3 Section 3.073 Port Industrial and MCSO Article 5 Land Partitioning. [Pages 20-25](#)

6. Correspondence [Pages 26-30](#)

7. Public Comment

8. Adjourn

Next Meeting

May 25, 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/91444226595?pwd=bmZhWEI0VjlnMEVJTjA0dmJHcmpCUT09>

Meeting ID: 914 4422 6595

Password: 981056

One tap mobile:

+12532158782,,91444226595#,,,,*981056# US (Tacoma)

+13462487799,,91444226595#,,,,*981056# US (Houston)

Zoom Call-In Numbers for Audio Only:

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Meeting ID: 914 4422 6595

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

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
REPLAT REQUEST
R-N-064-21**

REQUEST: Adjust a property line which would reconfigure parcel 2 of Partition Plat 2015-4.

APPLICANTS/OWNERS: Juan Sanguino & Consuelo De La Paz
78728 Lloyd Road
Hermiston, OR 97838

Donald & Deborah Young
68901 Wilson Lane
Boardman, OR 97818

PROPERTY DESCRIPTION: Tax Lots 300 and 301 of Assessor's Map 4N 24E 13.

PROPERTY LOCATION: Approximately 3 miles west of Boardman on Wilson Lane.

I. FINDINGS OF FACT:

This replat will adjust a shared property line between tax lots 800 and 1300. Please see the tentative plan for the resulting configuration. The land is presently bare and is zoned Exclusive Farm Use (EFU).

II. APPROVAL CRITERIA:

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

MORROW COUNTY SUBDIVISION ORDINANCE ARTICLE 5 LAND PARTITIONS SECTION 5.075. REPLATTING. A reconfiguration of a recorded subdivision or partition plat or a change in the number of lots in the subdivision or partition may be approved by the Planning Commission or as defined in ORS 92.180. Replats will act to vacate the platted lots or parcels and easements within the replat area with the following conditions:

1. **A replat will apply only to a recorded plat.**
A replat is required as the applicant is proposing to reconfigure a partition affecting Partition Plat 2015-4.
2. **Notice shall be provided when the replat is replatting all of an undeveloped subdivision as defined in ORS 92.225.**
This provision does not apply as this is not a replat of an undeveloped subdivision. However, notice was provided under the requirements of the Morrow County Subdivision Ordinance.
3. **Notice shall be provided to the owners of property adjacent to the exterior boundaries of the tentative subdivision replat.**
Notice has been provided to adjoining property owners and affected agencies.
4. **When a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified,**

consistent with a governing body's notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation under this section must notify the Planning Department in writing within 14 days of the mailing or other service of the notice.

No changes to utility easements are proposed. This replat is at the request of the land owners.

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

No streets or roads are proposed to be vacated.

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

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

III. **AGENCIES NOTIFIED:** Michael Hughes, Boardman Rural Fire Protection District; Bev Bridgewater, West Extension Irrigation District; Mike Gorman, Morrow County Assessor; Matt Scrivner, Morrow County Public Works Director; Matt Kenny, Morrow County Surveyor; Justin Nelson, Morrow County Counsel.

IV. **LEGAL NOTICE PUBLISHED:** East Oregonian
April 6, 2021

Heppner Gazette Times
April 7, 2021

V. **PROPERTY OWNERS NOTIFIED:** April 7, 2021

VI. **HEARING DATES:** April 27, 2021
Bartholomew Building
Heppner, Oregon

VII. **PLANNING COMMISSION ACTION:** Staff recommend approval subject to the following **Precedent Condition(s) of Approval**. This condition must be completed before the Planning Director may sign the final partition plat or before the land may be deeded to a third party.

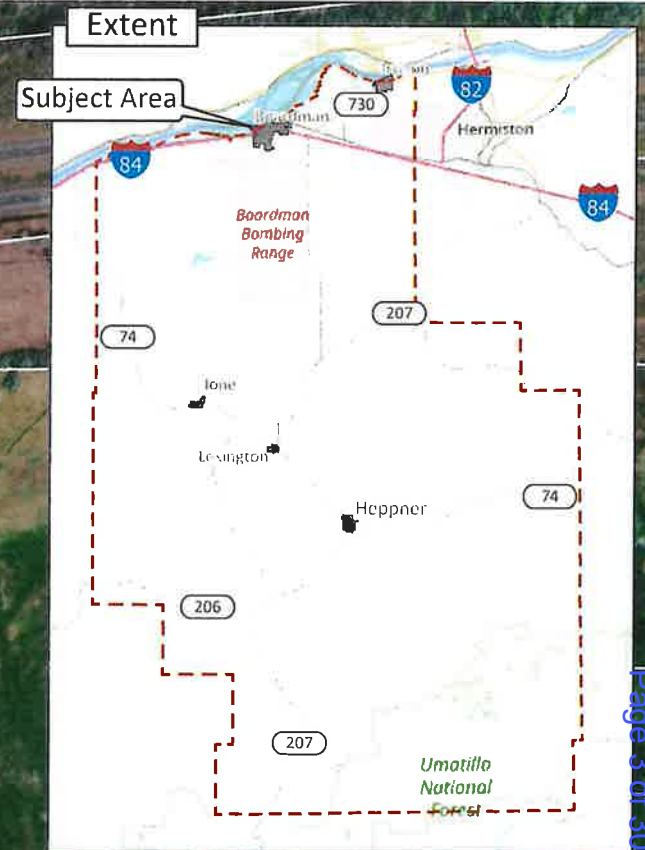
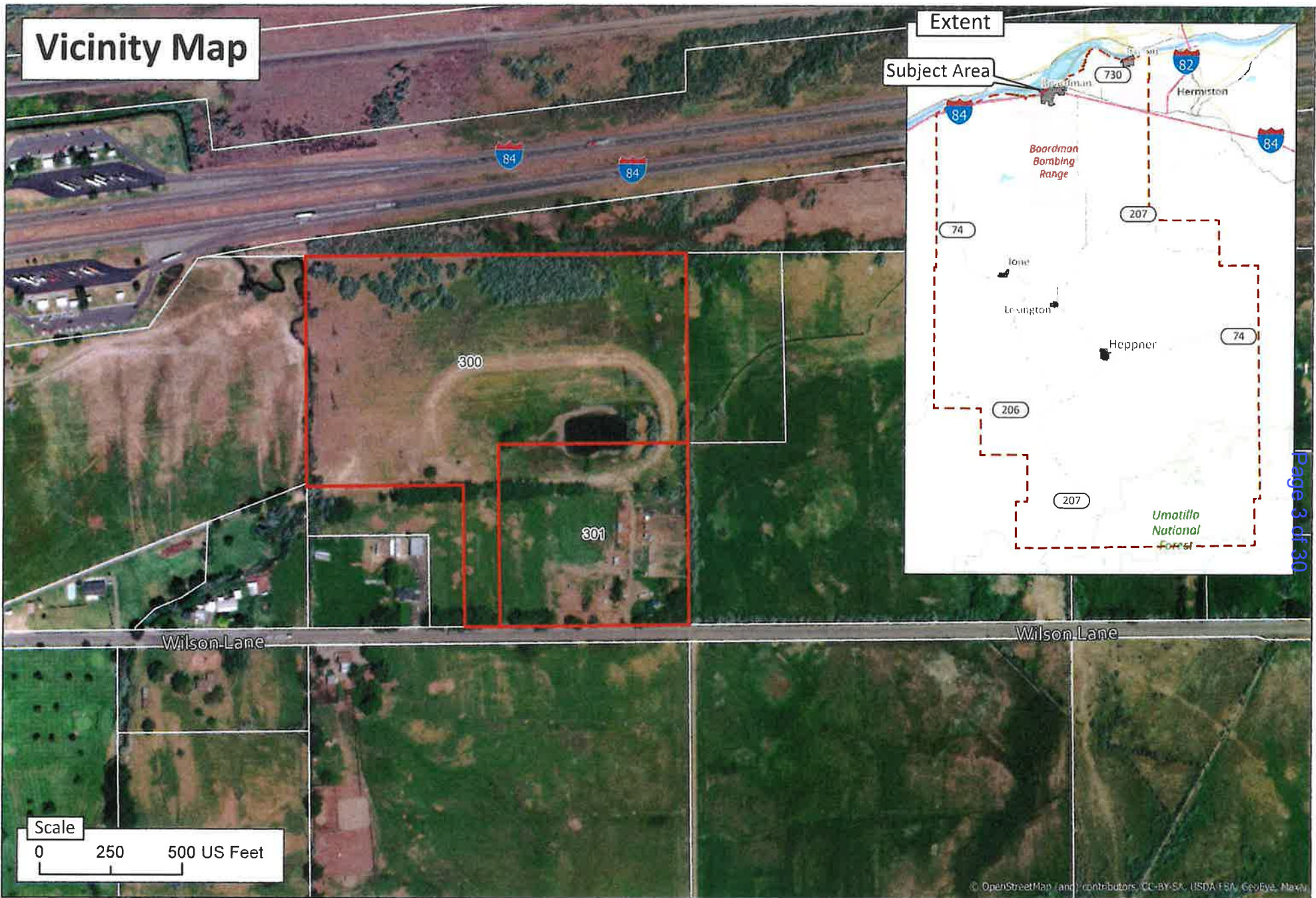
1. Submit both a **preliminary** and final partition plat to be in compliance with Article 5 of the Morrow County Subdivision Ordinance and ORS Chapter 92.

Jeff Wenholz, Chair

Date

ATTACHMENTS:
Vicinity Map
Tentative Plan

Vicinity Map



Page 3 of 30



Sanguino / Young Replat
R-N-064-21
 2N 24E 13 TL300 & 301

Legend

Taxlot Subject Property



Date Saved: 3/9/2021 4:59 PM

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



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UNION PACIFIC RAILROAD

INTERSTATE

80 N.

400
25.86 AC

300
23.75 AC
PAR. 2

PAR. 2

201
5.00 A

TRANSMISSION

PLAT

2015-4

PARTITION

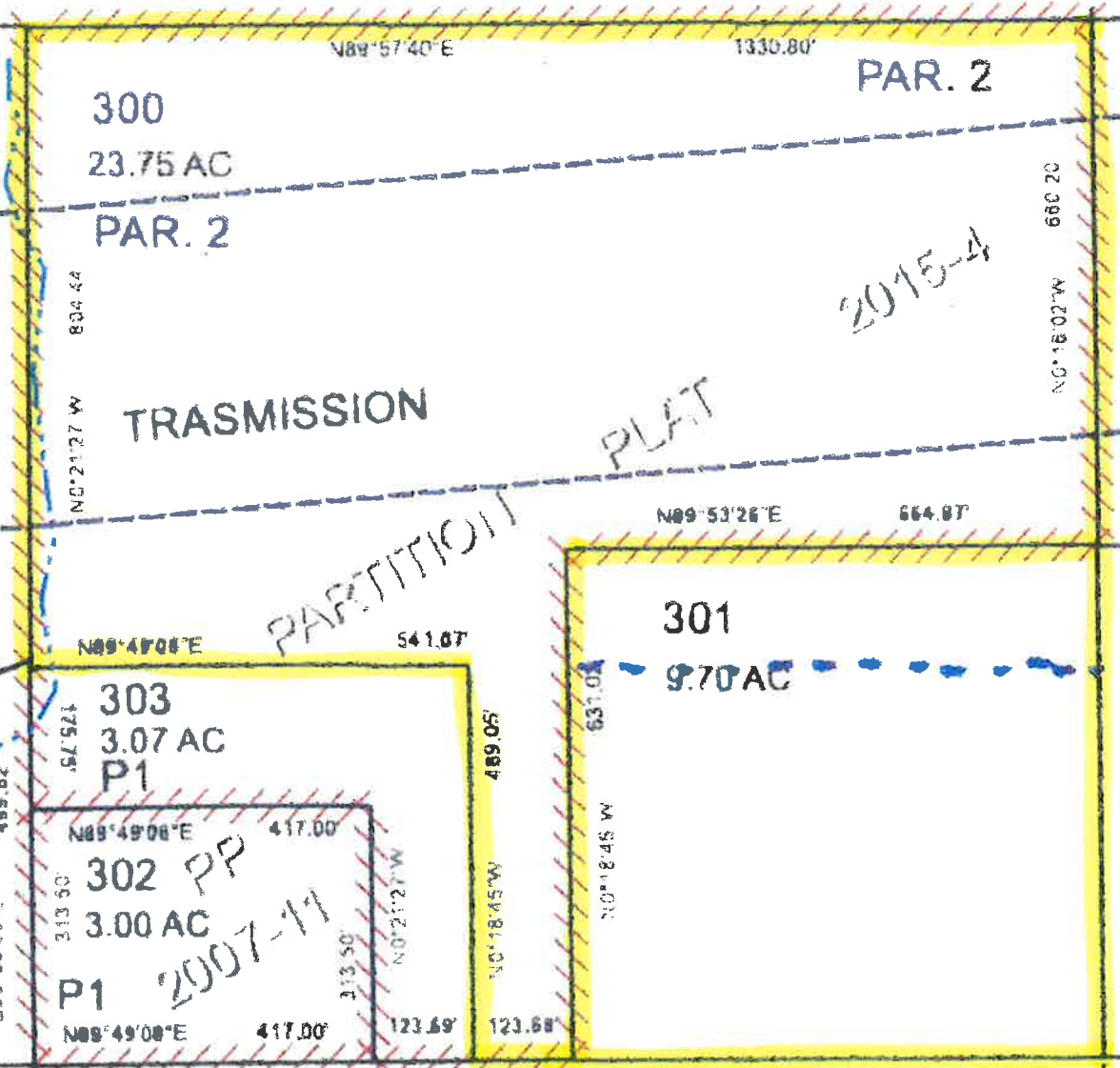
303
3.07 AC
P1

302 PP
3.00 AC
P1

2007-11

301
9.70 AC

500
3.82 AC



**PRELIMINARY FINDINGS OF FACT
REPLAT REQUEST
R-N-065-21**

REQUEST: Adjust a shared property line which would reconfigure parcel 1 of Partition Plat 2014-03.

OWNER/APPLICANT: Port of Morrow
P.O. Box 200
Boardman, Oregon 97818

PROPERTY DESCRIPTION: Tax Lot 100 of Assessor's Map 4N 25E 11 and Tax Lot 100 of Assessor's Map 4N 25E 02.

PROPERTY LOCATION: Within a quarter-mile east of Boardman on Columbia Avenue.

I. FINDINGS OF FACT:

This replat will reconfigure the southern property line in Partition Plat 2014-03. Please see the tentative plan for the resulting configuration. The zoning is Port Industrial (PI) and General Industrial (MG) and the properties are located outside any Urban Growth Boundary (UGB).

II. APPROVAL CRITERIA:

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

MORROW COUNTY SUBDIVISION ORDINANCE ARTICLE 5 LAND PARTITIONS SECTION 5.075. REPLATTING. A reconfiguration of a recorded subdivision or partition plat or a change in the number of lots in the subdivision or partition may be approved by the Planning Commission or as defined in ORS 92.180. Replats will act to vacate the platted lots or parcels and easements within the replat area with the following conditions:

1. **A replat will apply only to a recorded plat.**
A replat is required as the applicant is proposing to reconfigure a partition affecting Partition Plat 2014-03.
2. **Notice shall be provided when the replat is replatting all of an undeveloped subdivision as defined in ORS 92.225.**
This provision does not apply as this is not a replat of an undeveloped subdivision. However, notice was provided under the requirements of the Morrow County Subdivision Ordinance.
3. **Notice shall be provided to the owners of property adjacent to the exterior boundaries of the tentative subdivision replat.**
Notice has been provided to adjoining property owners and affected agencies.
4. **When a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject**

to vacation under this section must notify the Planning Department in writing within 14 days of the mailing or other service of the notice.

No changes to utility easements are proposed. This replat is at the request of the land owners.

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

No streets or roads are proposed to be vacated.

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

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

III LEGAL NOTICE PUBLISHED: April 6, 2021
East-Oregonian

April 7, 2021
Heppner Gazette-Times

IV AGENCIES NOTIFIED: Celinda Adair, Oregon Department of Land Conservation and Development; Michael Hughes, Karen Pettigrew, City of Boardman; Boardman Rural Fire Protection District; Bev Bridgewater, West Extension Irrigation District; Mike Gorman, Morrow County Assessor; Matt Scrivner, Morrow County Public Works Director; Matt Kenny, Morrow County Surveyor; Justin Nelson, Morrow County Counsel.

V PROPERTY OWNERS NOTIFIED: April 7, 2021

VI HEARING DATE: April 27, 2021
Morrow County Bartholomew Building
Heppner, Oregon 97836

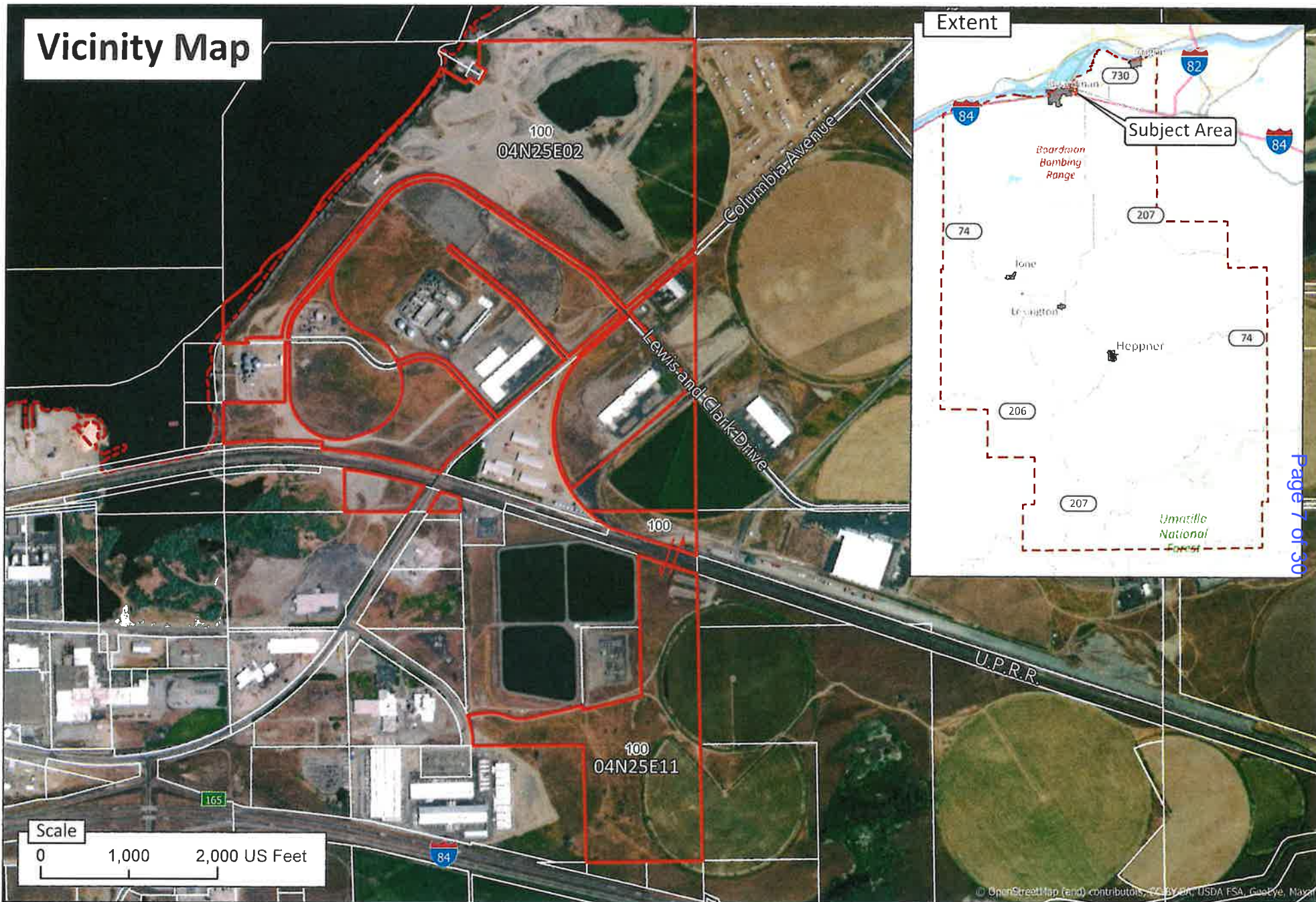
VII PLANNING COMMISSION ACTION: Staff recommend approval subject to the following **Precedent Condition(s) of Approval**. This condition must be completed before the Planning Director may sign the final partition plat or before the land may be deeded to a third party.

1. Submit both a **preliminary** and final partition plat to be in compliance with Article 5 of the Morrow County Subdivision Ordinance and ORS Chapter 92.

Jeff Wenholz, Chair Date

ATTACHMENTS:
Vicinity Map
Tentative Plan

Vicinity Map



Page 7 of 30



Port of Morrow
R-N-065-21
 4N 25E 02 TL100
 4N 25E 11 TL100

Legend

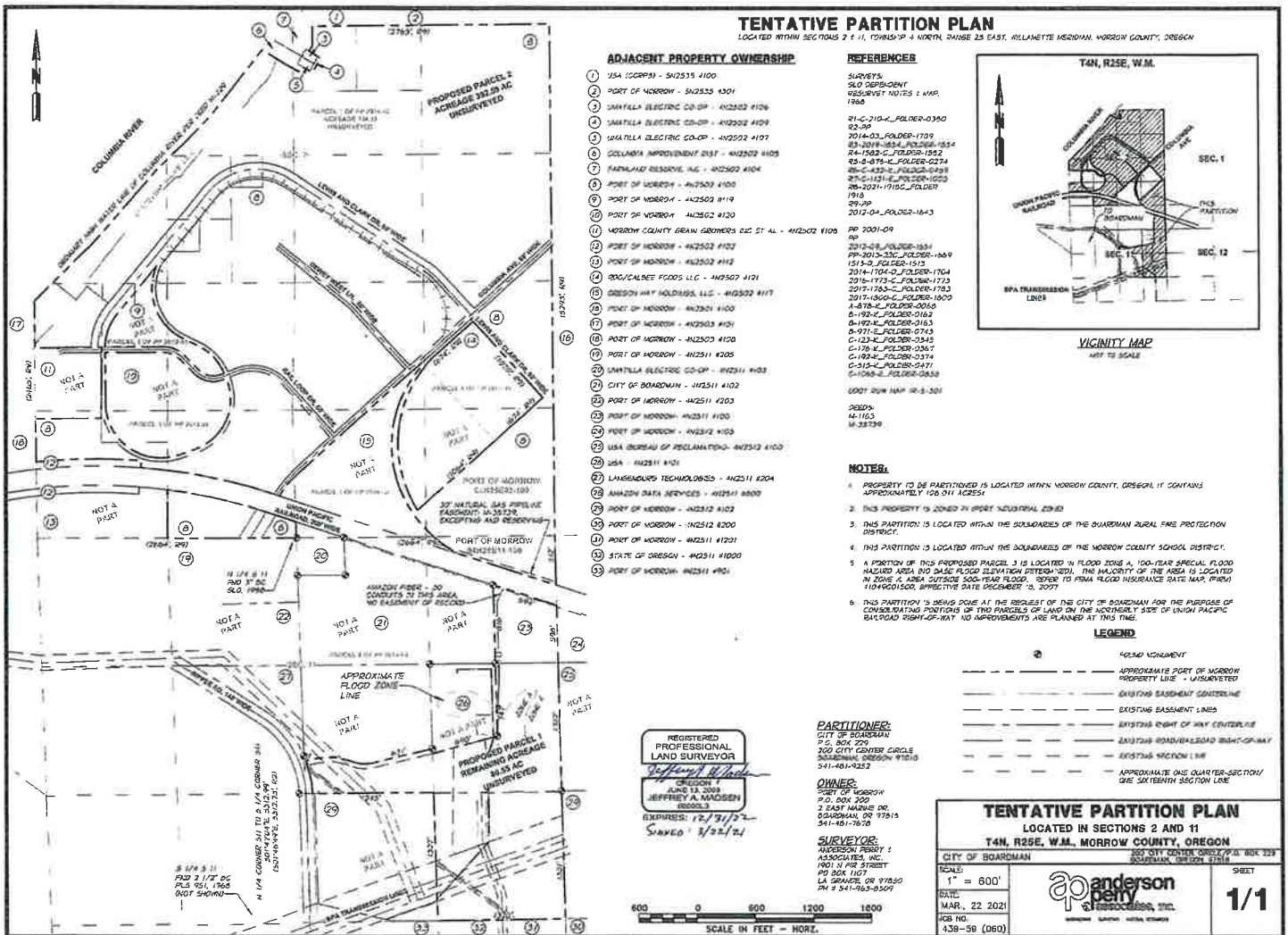
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 Morrow County Planning Department
 Coordinate System: NAD83 Oregon GIC Lambert ft
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 Projection: Lambert Conformal Conic



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TENTATIVE PARTITION PLAN

LOCATED WITHIN SECTIONS 2 & 11, T4N, R25E, W.M., MORROW COUNTY, OREGON

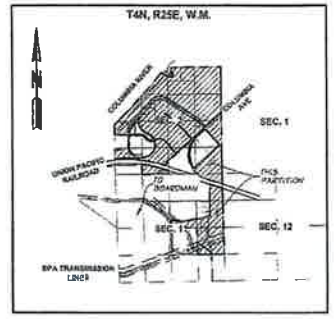
ADJACENT PROPERTY OWNERSHIP

- 1 USA (CORP) - S42535 4100
- 2 PORT OF MORROW - S42535 4301
- 3 SMATILLA ELECTRIC CO-OP - 442502 4106
- 4 SMATILLA ELECTRIC CO-OP - 442502 4108
- 5 SMATILLA ELECTRIC CO-OP - 442502 4107
- 6 COLUMBIA IMPROVEMENT DIST - 442502 4105
- 7 FARMLAND RESERVE, INC. - 442502 4104
- 8 PORT OF MORROW - 442503 4100
- 9 PORT OF MORROW - 442503 4119
- 10 PORT OF MORROW - 442502 4120
- 11 MORROW COUNTY GRAIN GROWERS DIST ET AL - 442502 4108
- 12 PORT OF MORROW - 442502 4102
- 13 PORT OF MORROW - 442502 4112
- 14 BIOCALNET FOODS LLC - 442502 4121
- 15 SKESSION HAY HOLDINGS, LLC - 442502 4117
- 16 PORT OF MORROW - 442501 4100
- 17 PORT OF MORROW - 442503 4101
- 18 PORT OF MORROW - 442503 4100
- 19 PORT OF MORROW - 442511 4103
- 20 PORT OF MORROW - 442511 4102
- 21 PORT OF MORROW - 442511 4103
- 22 PORT OF MORROW - 442511 4100
- 23 PORT OF MORROW - 442512 4100
- 24 USA BUREAU OF RECLAMATION - 442512 4100
- 25 USA - 442511 4101
- 26 LANGENAUER TECHNOLOGIES - 442511 4204
- 27 AMAZON DATA SERVICES - 442511 4000
- 28 PORT OF MORROW - 442512 4102
- 29 PORT OF MORROW - 442512 4200
- 30 PORT OF MORROW - 442511 4121
- 31 STATE OF OREGON - 442511 4100
- 32 PORT OF MORROW - 442511 4101

REFERENCES

- SURVEYS
- 610 DEPARTMENT
- 620 SURVEY NOTES 1 APR. 1988
- 21-C-210-A_FOLDER-0350
- 92-26
- 2014-03_FOLDER-1709
- 83-2018-054_FOLDER-1554
- 74-1582-C_FOLDER-1952
- 83-B-075-E_FOLDER-0274
- 86-C-437-E_FOLDER-0478
- 87-B-101-E_FOLDER-1052
- 88-2021-1915C_FOLDER 1910
- 89-79
- 2017-04_FOLDER-1643
- PD 2001-09
- 80
- 2017-08_FOLDER-1651
- PP-2015-23C_FOLDER-1669
- 1513-D_FOLDER-1912
- 2014-104-D_FOLDER-1704
- 2016-1772-C_FOLDER-1713
- 2017-1763-C_FOLDER-1783
- 2017-1800-C_FOLDER-1009
- 1-878-E_FOLDER-0056
- 0-99-E_FOLDER-0162
- 0-978-E_FOLDER-0153
- 0-911-E_FOLDER-0713
- 0-124-E_FOLDER-0345
- 0-178-E_FOLDER-0367
- 0-199-E_FOLDER-0374
- 0-512-E_FOLDER-0471
- 0-108-E_FOLDER-0438
- 0007 2016 MAP 00-8-301
- 000705
- M-1163
- M-33739

T4N, R25E, W.M.



VICINITY MAP

NOT TO SCALE

NOTES

- 1 PROPERTY TO BE PARTITIONED IS LOCATED WITHIN MORROW COUNTY, OREGON, IT CONTAINS APPROXIMATELY 100.311 ACRES.
- 2 THIS PROPERTY IS ZONED R1 (RURAL RESIDENTIAL ZONE).
- 3 THIS PARTITION IS LOCATED WITHIN THE BOUNDARIES OF THE BOARDMAN RURAL FIRE PROTECTION DISTRICT.
- 4 THIS PARTITION IS LOCATED WITHIN THE BOUNDARIES OF THE MORROW COUNTY SCHOOL DISTRICT.
- 5 A PORTION OF THIS PROPOSED PARCEL 3 IS LOCATED IN FLOOD ZONE A, 100-YEAR SPECIAL FLOOD HAZARD AREA AND BASE FLOOD ELEVATION DISTRICT (SFED), THE MAJORITY OF THE AREA IS LOCATED IN ZONE A, AREA OUTSIDE 500-YEAR FLOOD. REFER TO FEMA FLOOD INSURANCE RATE MAP, FIRM# 1104001500, EFFECTIVE DATE DECEMBER 13, 2007.
- 6 THIS PARTITION IS BEING DONE AT THE REQUEST OF THE CITY OF BOARDMAN FOR THE PURPOSE OF CONSIDERING PORTIONS OF TWO PARCELS OF LAND ON THE SOUTHWEST SIDE OF UNION PACIFIC RAILROAD RIGHT-OF-WAY NO IMPROVEMENTS ARE PLANNED AT THIS TIME.

LEGEND

- 402.50 AGREEMENT
- APPROXIMATE PORT OF MORROW PROPERTY LINE - UNADJUSTED
- EXISTING EASEMENT CENTERLINE
- EXISTING EASEMENT LINES
- EXISTING RIGHT OF WAY CENTERLINE
- EXISTING REMOVED/REMOVED RIGHT-OF-WAY
- EXISTING SECTION LINE
- APPROXIMATE ONE QUARTER-SECTION/ ONE SIXTEENTH SECTION LINE

PARTITIONER:

CITY OF BOARDMAN
P.O. BOX 229
200 CITY CENTER CIRCLE
BOARDMAN, OREGON 97501
541-461-9252

OWNER:

CITY OF MORROW
P.O. BOX 200
2 EAST MARINE DR.
BOARDMAN, OR 97501
541-461-9252

SURVEYOR:

ANDERSON PARTITIONING & SURVEYING, INC.
1901 N. 100 STREET
PO BOX 1107
LA GRANDE, OR 97150
PH 541-763-8509

REGISTERED PROFESSIONAL LAND SURVEYOR
Jeffrey A. Madson
JAMES W. MADSON
JULY 13, 2009
JEFFREY A. MADSON
0000033
EXPIRES: 12/31/27
SIGNED: 3/22/21



TENTATIVE PARTITION PLAN

LOCATED IN SECTIONS 2 AND 11

T4N, R25E, W.M., MORROW COUNTY, OREGON

CITY OF BOARDMAN	100 CITY CENTER CIRCLE, PO BOX 229 BOARDMAN, OREGON 97501	SHEET
SCALE:	1" = 600'	1/1
TITLE:	TENTATIVE PARTITION PLAN	
DATE:	MAR. 22, 2021	
JOB NO.:	438-58 (080)	



**PRELIMINARY FINDINGS OF FACT
REPLAT REQUEST
R-N-066-21**

REQUEST: Adjust a shared property line which would reconfigure parcel 2 of Partition Plat 2014-03.

OWNER/APPLICANT: City of Boardman
P.O. Box 229
Boardman, Oregon 97818

Port of Morrow
P.O. Box 200
Boardman, Oregon 97818

PROPERTY DESCRIPTION: Tax Lots 100 and 102 of Assessor's Map 4N 25E 11 and Tax Lot 105 of Assessor's Map 4N 25E 12.

PROPERTY LOCATION: Adjacent to and east of Boardman on Columbia Avenue.

I. FINDINGS OF FACT:

This replat will reconfigure lines shown on Partition Plat 2014-03 and adjust a shared property line between Tax Lots 100 and 102 of Assessor's Map 4N 25E 11 and Tax Lot 105 of Assessor's Map 4N 25E 12. This request would provide the City of Boardman with additional land required to construct a new wastewater storage lagoon with the City's existing lagoon system. Please see the tentative plan for the resulting configuration of the property lines. The zoning is Port Industrial (PI) and General Industrial (MG) and the properties are located outside any Urban Growth Boundary (UGB).

II. APPROVAL CRITERIA:

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

MORROW COUNTY SUBDIVISION ORDINANCE ARTICLE 5 LAND PARTITIONS SECTION 5.075. REPLATTING. A reconfiguration of a recorded subdivision or partition plat or a change in the number of lots in the subdivision or partition may be approved by the Planning Commission or as defined in ORS 92.180. Replats will act to vacate the platted lots or parcels and easements within the replat area with the following conditions:

1. **A replat will apply only to a recorded plat.**
A replat is required as the applicant is proposing to reconfigure a partition affecting Partition Plat 2014-03.
2. **Notice shall be provided when the replat is replatting all of an undeveloped subdivision as defined in ORS 92.225.**
This provision does not apply as this is not a replat of an undeveloped subdivision. However, notice was provided under the requirements of the Morrow County Subdivision Ordinance.
3. **Notice shall be provided to the owners of property adjacent to the exterior boundaries of the tentative subdivision replat.**
Notice has been provided to adjoining property owners and affected agencies.

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

No changes to utility easements are proposed. This replat is at the request of the land owners.

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

No streets or roads are proposed to be vacated.

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

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

III LEGAL NOTICE PUBLISHED: April 6, 2021
East-Oregonian

April 7, 2021
Heppner Gazette-Times

IV AGENCIES NOTIFIED: Celinda Adair, Oregon Department of Land Conservation and Development; Michael Hughes, Boardman Rural Fire Protection District; Bev Bridgewater, West Extension Irrigation District; Mike Gorman, Morrow County Assessor; Matt Scrivner, Morrow County Public Works Director; Matt Kenny, Morrow County Surveyor; Justin Nelson, Morrow County Counsel.

V PROPERTY OWNERS NOTIFIED: April 7, 2021

VI HEARING DATE: April 27, 2021
Morrow County Bartholomew Building
Heppner, Oregon 97836

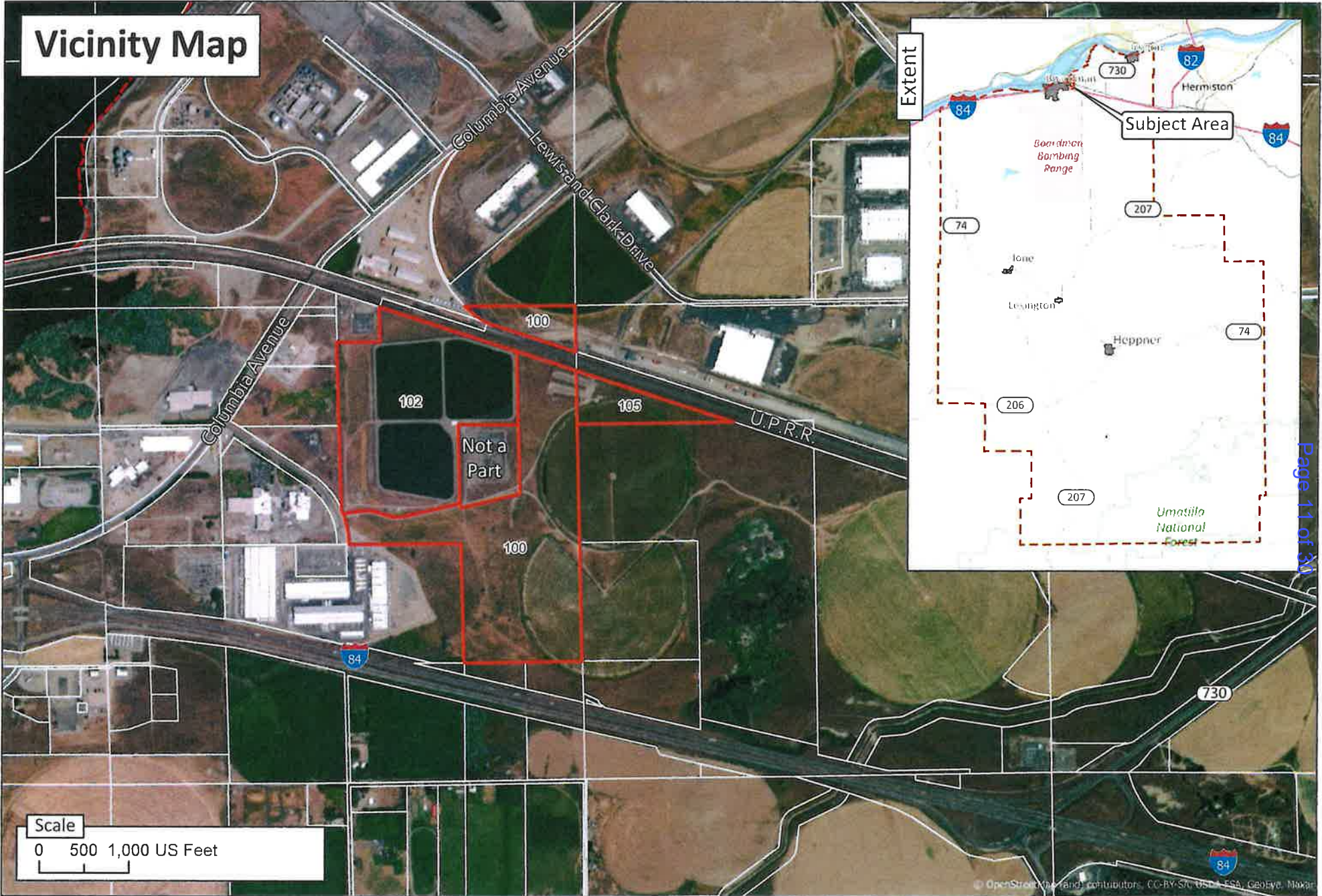
VII PLANNING COMMISSION ACTION: Staff recommend approval subject to the following **Precedent Condition(s) of Approval**. This condition must be completed before the Planning Director may sign the final partition plat or before the land may be deeded to a third party.

- 1. Submit both a **preliminary** and final partition plat to be in compliance with Article 5 of the Morrow County Subdivision Ordinance and ORS Chapter 92.

Jeff Wenholz, Chair Date

ATTACHMENTS:
Vicinity Map
Tentative Plan

Vicinity Map



Port of Morrow
R-N-066-21
 4N 25E 11 TL 100 & 102
 4N 25E 12 TL 105

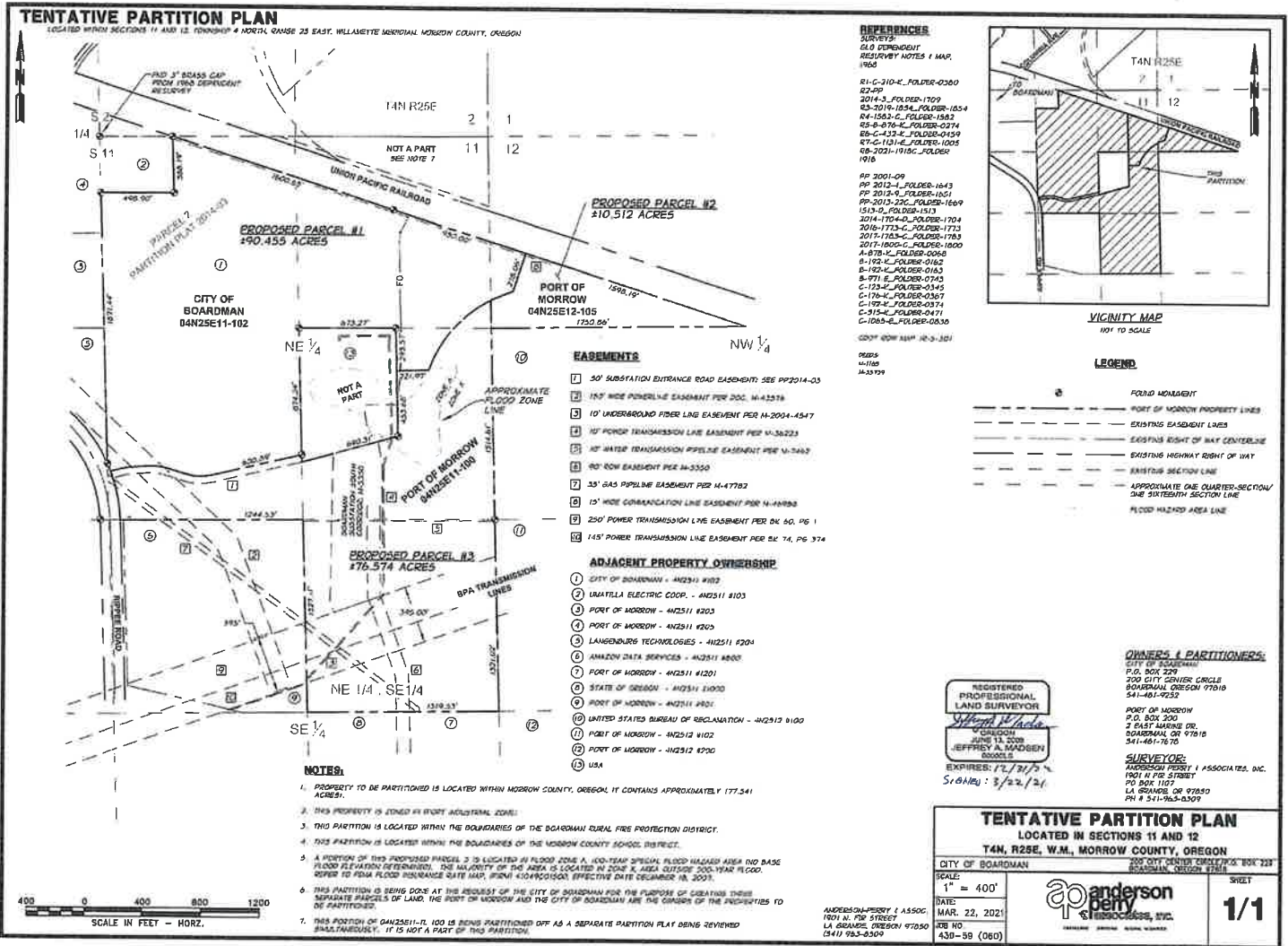
Legend

Taxlot Subject Properties

Date Saved: 4/1/2021 10:30 AM

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





**PRELIMINARY FINDINGS OF FACT
LAND PARTITION REQUEST
LP-N-494-21**

REQUEST: To partition a 12.05 - acre parcel out of a larger farm parcel of approximately 2, 883 acres in size in the EFU Zone.

APPLICANT: TC Energy
Richard Cole, Senior Project Manager
1700 MacCorkle Avenue
Charleston, WV 25314

OWNER: Grieb Farms, Inc.
72540 Alpine Lane
Lexington, OR 97839

PROPERTY DESCRIPTION: Tax Lot 1200 of Assessor's Map 2N 26

PROPERTY LOCATION: Property is located on the south side of Grieb Wood Road, adjacent to and west of Bombing Range Road, approximately 2 miles northeast of the Town of Lexington.

FINDINGS OF FACT:

I. BACKGROUND INFORMATION:

The subject parcel is zoned Exclusive Farm Use (EFU). The applicant is proposing to create a new 12.05 acre parcel out of the larger 2,833+/- acre farm parcel. The purpose of the partition is to sell the small parcel that contains the natural gas compressor station facility to TC Energy. The natural gas compressor station facility was approved as a Land Use Decision and Conditional Use by Planning Commission on March 30, 2021.

II APPROVAL CRITERIA:

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

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

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

The proposed new partition is allowed in MCZO Article 3 Section 3.010(L)(2) where the natural gas utility on the 12 acre parcel was approved as a Conditional Use by Planning Commission on March 30, 2021. The proposed land partition meets the requirements of the Zoning Ordinance and Comprehensive Plan relative to minimum parcel size. The applicant will be required to submit both a preliminary and final partition plat to be in compliance with this Article and ORS Chapter 92. This is recommended and listed as a Condition of Approval.

2. Each parcel is suited for the use intended or offered; including, but not limited to, sewage disposal approval and guaranteed access.

The applicant has proposed a new parcel in the EFU Zone. An Access Permit from County Public Works is required. The Access Permit is recommended and listed as a Condition of Approval. Normally a land partition of a parcel less than 160 acres in size is not permissible in the EFU Zone, except where a partition is subsequent to an approved Conditional Use Permit as provided in MCZO Section 3.010C, Conditional Uses allowed in the EFU Zone. The natural gas compressor station and related equipment was approved by Planning Commission on March 30, 2021. Approval included Section 3.010C standards.

3. **All required public service and facilities are available and adequate or are proposed to be provided by the partitioner.**
No public services or facilities are available.
4. **Proposal will not have any identifiable adverse impacts on adjoining or area land uses, public services and facilities, and natural resource carrying capacities.**
The current parcel is in farm use and surrounding uses are also farm. Where the natural gas utility was approved as a Land Use Decision and also met Conditional Use standards Planning staff would find this criterion met.
5. **An approved water rights diversion plan as applicable.**
Preliminary Findings of Fact were referred to the County Watermaster's Office. It is recommended that the applicant comply with any recommendations of the County Watermaster and OWRD based on this review.
6. **Flag lots will not be permitted when the results would be to increase the number of properties requiring direct and individual access from a State Highway or other arterial. Flag lots may be permitted to achieve planning objectives under the following conditions:**
 - a. **When flag lot driveways are separated by at least twice the minimum frontage distance.**
 - b. **The driveway must meet driveway standards described in Article 8, Section 8.020.V.**
 - c. **The lot meets the minimum lot area of the zoning district, without including the driveway.**
 - d. **Only one flag lot shall be permitted per private right-of-way or access easement.**
This provision does not apply as no flag lots are proposed.
7. **The depth of any lot will not be restricted as long as a buildable parcel is proposed.**
This does not apply.
8. **No plat of a subdivision or partition located within the boundaries of an irrigation district, drainage district, water control district, water improvement district or district improvement company will be approved unless the County has received and accepted a certification from the district or company that the subdivision or partition is either entirely excluded from the district or company or is included within the district or company for purposes of receiving services and subjecting the subdivision or partition to the fees and other charges of the district or company.**

This parcel is not located within the boundaries of an irrigation district, drainage district, water control district, etc. Therefore, this standard does not apply.

This parcel is located in the Buttercreek Critical Groundwater Area. New water use is not proposed as part of the land partition application.

This parcel is located outside of the Lower Umatilla Basin Groundwater Management Area.

9. **The Commission will deny an application for partitioning when it can be shown by the Commission that the partitioning is part of a plan or scheme to create more than three (3) parcels without going through subdivision, or is part of a development pattern creating more than three (3) parcels without subdividing. This provision does not apply to this application as only one new parcel is proposed.**

10. **In addition to the requirements set forth above, the following factors may be considered for approval or disapproval of an application for land partitioning if a geographical or other factor identified by other, appropriate professionals or Plans such as the requirements of the Comprehensive Plan, FEMA requirements, Byways rules, etc., requires it:**
 - a. **Placement and availability of utilities.**
 - b. **Safety from fire, flood and other natural hazards.**
 - c. **The same improvements may be required for a partitioning as required of a subdivision, if required it will be installed by the applicant.**
 - d. **Possible effects on natural, scenic and historical resources.**
 - e. **Need for onsite or offsite improvements.**
 - f. **Need for additional setback, screening, landscaping and other requirements relative to the protection of adjoining and area land uses. If the proposed partition is located within an Urban Growth Boundary, the affected city must be given notice according to the respective Joint Management agreement.**
 - g. **In the approval of a land partition, the need for street and other improvements will be considered and may be required as a Condition of Approval at a different standard than for a subdivision.**

The purpose of this land partition is to create one new parcel for a use that has been permitted. Planning staff would not recommend any additional requirements based on the factors above.

III LEGAL NOTICE PUBLISHED: April 6, 2021
East Oregonian

April 7, 2021
Heppner Gazette-Times

IV AGENCIES NOTIFIED: Greg Silbernagel, Watermaster; Justin Nelson, Morrow County Counsel; Mike Gorman, Morrow County Assessor; Matt Kenny, Morrow County Surveyor; Matt Scrivner, Public Works Director; Hilary Foote, DLCD Farm Forest Planner; Town of Lexington; Kim Peacher, US Navy NAS, Steve Cherry, ODFW Heppner.

V. AGENCY COMMENTS RECEIVED: To date the following agency comments have been received:

1. Steve Cherry, ODFW Biologist submitted a letter and offered the following: "ODFW would recommend that as a condition of this partition that no residential structures be allowed to be built on the 12-acre parcel this is proposed to be created. ODFW understands that this parcel is designated to be developed for a natural gas compressor station, however, if the land partition is not developed for that purpose ODFW would not want to see a dwelling built on a lot that does not meet the 160-acre minimum requirement."

PROPERTY OWNERS NOTIFIED:

VI HEARING DATE: April 27, 2021
 Morrow County Bartholomew Building
 Heppner, Oregon
 And via Zoom meeting.

VII PLANNING COMMISSION ACTION: Staff recommends approval subject to the following.

Precedent Conditions of Approval. These conditions must be completed before the Planning Director may sign the final partition plat or before the land may be deeded to a third party.

1. Submit both a preliminary and final partition plat to be in compliance with Article 5 of the Morrow County Subdivision Ordinance and ORS Chapter 92.
2. All easements, existing or proposed, be shown on the Final Partition Plat.
3. Obtain site-suitability for on-site septic system from Umatilla County Health for the 12.05-acre parcel.
4. The applicant will need to provide documentation about water rights and if water rights exist, file appropriate papers with Oregon Water Resources Department.
5. Obtain an Access Permit for the new parcel from County Public Works.

Subsequent Conditions of Approval.

1. Approval of this land partition application may not be used in the future to justify a dwelling to be sited on the 12-acre parcel.

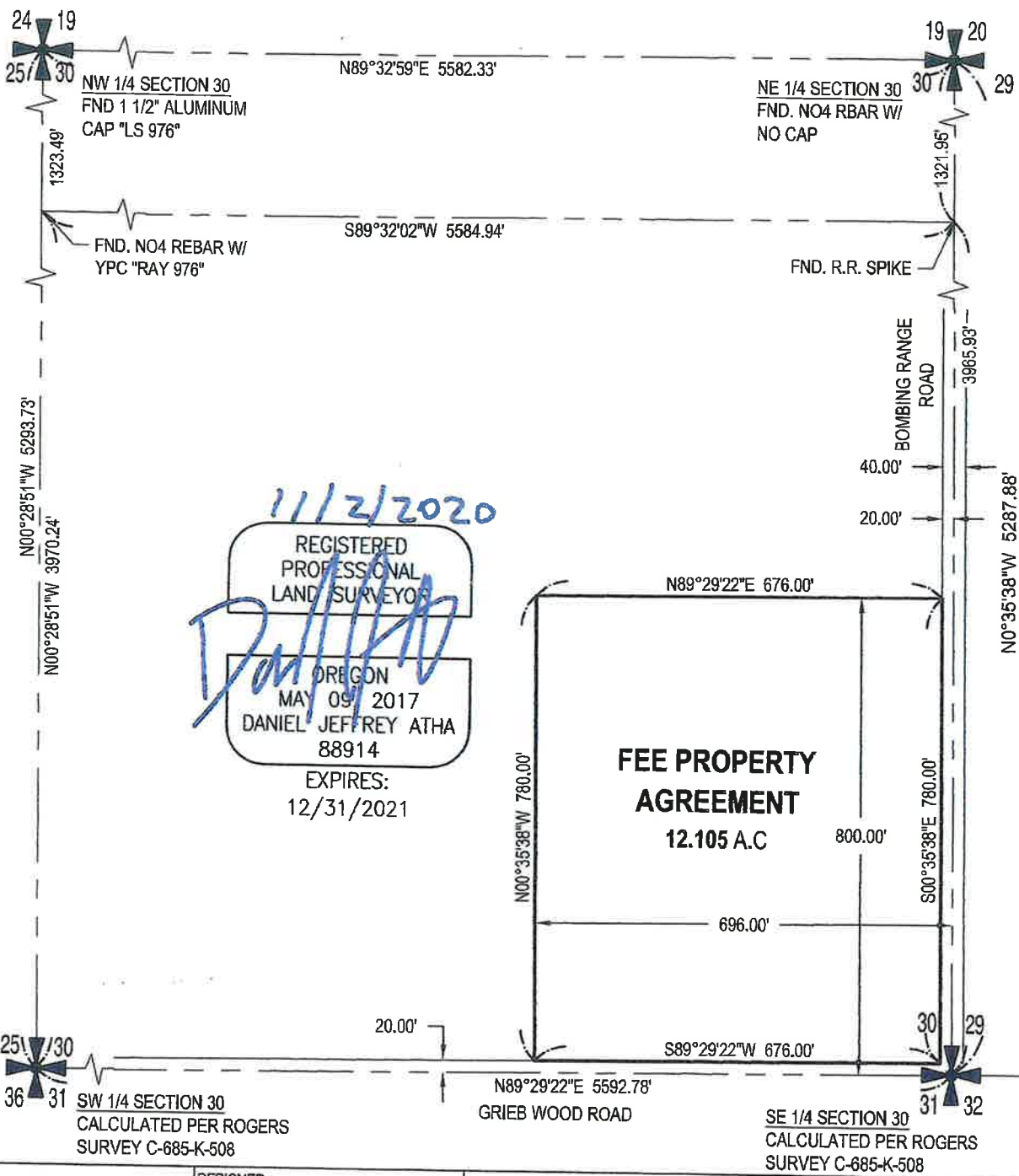
Jeff Wenholz, Chair

Date

ATTACHMENTS:
 Vicinity Map
 Preliminary Plat

EXHIBIT "A"

PART OF THE SE 1/4 OF SECTION 30, TOWNSHIP 02 NORTH,
RANGE 26 EAST, MORROW COUNTY, OREGON



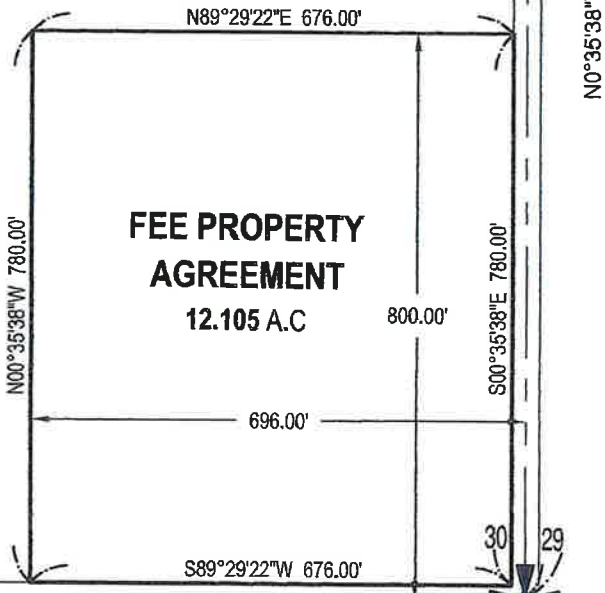
11/2/2020

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]

OREGON
MAY 09 2017
DANIEL JEFFREY ATHA
88914

EXPIRES:
12/31/2021



REVISIONS A ISSUED FOR REVIEW

 <small>10 N. First Street, Suite 300 Spokane, WA 99201 ph 509.328.2994 www.coffman.com</small>	DESIGNER:		COYOTE SPRINGS BOOSTER STATION				
	D. ATHA NAME		2020/11/02 DATE		FACTORY # CSBS	ENG STN:	DISC # 08
	CHECKED BY: J. ANDERSON		DESIGN CHECKER: D. ATHA		TITLE COYOTE SPRINGS BOOSTER STATION FEE PROPERTY AGREEMENT EXHIBIT		
				SCALE 1"=250'	DWG #	SHEET NUMBER	REV A

TC_UA_BR.DWG 8.5X11

CADD DRAWING: DO NOT MAKE MANUAL REVISIONS PLOTTED SIZE: ANSI A (8.5x11)

Vicinity Map

NWSTF
Boardman

Bombing Range Road

Alpine Lane

1200

Juniper Road

Bombing Range Road

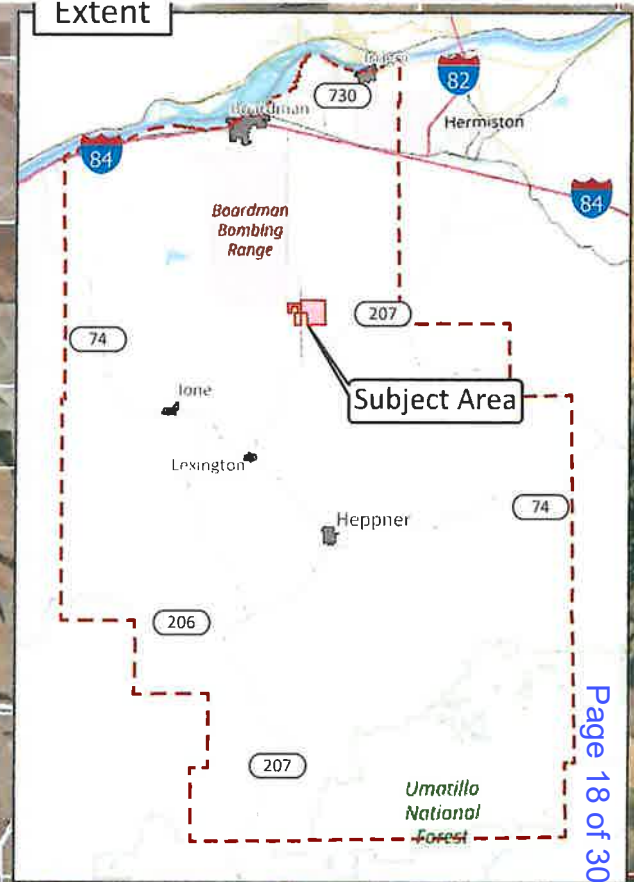
207

207

Scale

0 1 2 Miles

Extent



Page 18 of 30



Grieb Farms, Inc.
LP-N-494-21
2N 26E TL1200

Legend

Taxlot  Subject Property



Date Saved: 3/9/2021 4:59 PM

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





Oregon

Kate Brown., Governor

Department of Fish and Wildlife

Heppner District Office
54173 Highway 74
PO Box 363
Heppner, OR 97836
Voice (541) 676-5230
FAX (541) 676-9075
www.dfw.state.or.us/

April 13, 2021

Morrow County Planning Commission
PO Box 40
Irrigon, OR 9784494-4



Re: Comments on land partition LP-N-494-21

This letter is to provide comments on LP-N-494-21, Applicant Grieb Farms Inc. ODFW has reviewed the application and preliminary survey and has the following comment on the proposed partition. ODFW would recommend that as a condition of this partition that no residential structures be allowed to be built on the 12 acre parcel that is proposed to be created. ODFW understands that this parcel is designated to be developed for a natural gas compressor station, however, if the land partition is not developed for that purpose ODFW would not want to see a dwelling built on a lot that does not meet the 160 acre minimum requirement.

Thank you for your time and consideration in this matter. Please feel free to contact me at 541-676-5230 if you have any questions or concerns regarding my comments.

Respectfully,

A handwritten signature in blue ink that reads "Steve Cherry".

Steve Cherry
District Wildlife Biologist
541-676-5230

**PRELIMINARY FINDINGS OF FACT
LAND PARTITION REQUEST
LP-N-493-21**

REQUEST: Partition an 81.50-acre parcel into two parcels.

APPLICANT: Wendy Neal
Umatilla Electric Cooperative (UEC)
P.O. Box 1148
Hermiston, OR 97838

OWNER: Port of Morrow (POM)
P.O. Box 200
Boardman, OR 97818

PROPERTY DESCRIPTION: Tax Lot 200 of Assessor's Map 4N 26E 07.

PROPERTY LOCATION: Located at the Highway 730 and Interstate 84 Interchange, north of Interstate 84.

I. GENERAL INFORMATION:

The subject parcel is zoned Port Industrial (PI) and is outside the Boardman Urban Growth Boundary. Subject parcel is currently undeveloped.

II. APPROVAL CRITERIA: The applicant has filed under the Morrow County Subdivision Ordinance, ARTICLE 5, LAND PARTITIONS. Section 5.030 REQUIREMENTS FOR APPROVAL apply. The criteria are listed below in **bold type**, followed by a response in standard type:

SECTION 5.030 REQUIREMENTS FOR APPROVAL. No application for partitioning will be approved unless the following requirements are met:

1. Proposal is in compliance with ORS 92 and the County and affected City Comprehensive Plan and applicable Zoning.

The PI use zone does not have defined minimum parcel sizes. The City of Boardman is to the west of the subject property and the subject property is outside of the Urban Growth Boundary therefore no city plans apply. To comply with ORS 92, which governs partitioning, it is recommended and listed as a Condition of Approval, that the applicant submit a *preliminary* and final Partition Plat.

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

The subject parcels are of a size and shape to facilitate development consistent with the PI use zone. The topography of the land is flat, sloping downward to the north and towards the Columbia River. Proposed Parcel 1 will be 21-acres more or less. Parcel 2 will be 67-acres more or less. Water, waste water, and any process water services are provided by the Port of Morrow.

Proposed Parcel 1 has approximately 2000' of frontage along Highway 730, adequate for access. Oregon Department of Transportation (ODOT) was provided notice of this action. Comment received electronically and dated 08 April 2021, stated that ODOT has no concerns regarding this application. It is recommended and listed as a Condition of Approval, that the applicant obtain access approval from ODOT prior to the Planning Director signing the Final Partition Plat. At the time of these findings, access to Parcel 2 is yet to be determined. Applicant is working with surrounding land owners and West Extension Irrigation District to establish guaranteed access via easements, however because. It is recommended and listed as a Condition of Approval, that the applicant establish guaranteed access to proposed Parcel 2 prior to the Planning Director signing the Final Partition Plat. It is also recommended and listed as a Condition of Approval, that the applicant show new and existing easements on the Final Partition Plat.

At the time of these findings, it is the recommendation of the Planning Department that this application be continued by the Planning Commission until the issues surrounding access have been fully addressed by the Applicant, and guaranteed access to proposed Parcel 2 has been secured .

3. **All required public service and facilities are available and adequate.** Utilities are available to both parcels along Gar Swanson Drive. The subject property is within the Boardman Rural Fire Protection District. A copy of the Preliminary Findings of Fact will be provided to appropriate agencies for review.
4. **Proposal will not have any identifiable adverse impacts on adjoining or area land uses, public services and facilities, and natural resource carrying capacities.**

The Port of Morrow and specifically the East Beach Industrial Area saw increased development after the installation of the rail loop in about 2005. Other uses in the vicinity are of a similar nature and have similar impacts. Most of the East Beach area has been zoned for industrial development since the adoption of the Morrow County Comprehensive Plan in 1980 and this portion was part of a land swap and rezone in 2010.

The applicant should be aware that this property is located in an area designated for water quality concerns by the Oregon Department of Environmental Quality. The subject property is in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA). The Department of Environmental Quality designated the LUBGWMA in 1990 due to elevated nitrate concentrations in groundwater. It is recommended that wells used for drinking water be tested at least annually to determine nitrate concentrations. More information about the LUBGWMA can be found at <http://www.oregon.gov/deq/wq/programs/Pages/GWP-Management-Areas.aspx>

5. **An approved water rights diversion plan as applicable.** The Preliminary Findings of Fact were provided to the County Watermaster; however, the subject property will be served by Port of Morrow Municipal Systems.
6. **Flag lots will not be permitted when the results would be to increase the number of properties requiring direct and individual access from a State Highway or other arterial. Flag lots may be permitted to achieve planning objectives under the following conditions:**

- a. **When flag lot driveways are separated by at least twice the minimum frontage distance.**
- b. **The driveway must meet driveway standards described in Article 8, Section 8.020.V.**
- c. **The lot meets the minimum lot area of the zoning district, without including the driveway.**
- d. **Only one flag lot shall be permitted per private right-of-way or access easement.**

No flag lots are proposed. Therefore, these criteria are not applicable.

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

The subject parcel sizes are sufficient for development of industrial uses and buildable parcels are proposed. The application meets this requirement.

8. **No plat of a subdivision or partition located within the boundaries of an irrigation district, drainage district, water control district, water improvement district or district improvement company will be approved unless the County has received and accepted a certification from the district or company that the subdivision or partition is either entirely excluded from the district or company or is included within the district or company for purposes of receiving services and subjecting the subdivision or partition to the fees and other charges of the district or company.**

Notice, and these findings were sent to West Extension Irrigation District (WEID) for comment. Comments received electronically from WEID and dated 09 April 2021 requested that the ownership of the 200' main canal be indicated on the Final Plat, this is recommended and listed as a Condition of Approval.

9. **The Commission will deny an application for partitioning when it can be shown by the Commission that the partitioning is part of a plan or scheme to create more than three (3) parcels without going through subdivision, or is part of a development pattern creating more than three (3) parcels without subdividing.**

This provision does not apply to this application. Since the subject properties are zoned for industrial uses, ORS 92.325(3)(e) exempts Subdivision and Series Partition Control Law from these lands.

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

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

- g. **In the approval of a land partition, the need for street and other improvements will be considered and may be required as a Condition of Approval at a different standard than for a subdivision.** Planning staff would not add any additional Conditions of Approval based upon these criteria.

- III. **LEGAL NOTICE PUBLISHED:** April 7 2021
Heppner Gazette-Times and East-Oregonian
- IV. **AGENCIES NOTIFIED:** Matt Scrivner, Public Works Director; Mike Gorman, Morrow County Assessor; Matt Kenny, Morrow County Surveyor; Greg Silbernagle, Watermaster; Mark Hughes, Boardman Rural Fire Protection District; Jacob Cain, Port of Morrow; Wendy Neal, Umatilla Electric Cooperative; Mark Maynard, Columbia Improvement District; Bev Bridgewater, West Extension District; Thomas Lapp, Oregon Department of Transportation.
- V. **PROPERTY OWNERS NOTIFIED:** April 7, 2021
- VI. **HEARING DATE:** April 27, 2021
Morrow County Bartholomew Building
Heppner, Oregon
- VII. **ACTION OF THE PLANNING COMMISSION:** Planning Department staff recommend approval of the land partition subject to the following Condition of Approval. This precedent condition must be met before the Planning Director may sign the final Partition Plat.
 - 1. Submit both a **preliminary** and final Partition Plat in conformance with Oregon Revised Statute Chapter 92 and the Morrow County Subdivision Ordinance.
 - 2. The applicant obtains access approval from ODOT prior to the Planning Director signing the Final Partition Plat.
 - 3. Establish guaranteed access to proposed Parcel 2 prior to the Planning Director signing the Final Partition Plat.
 - 4. Record all new and existing easements on the Final Partition Plat.
 - 5. Indicate West Extension Irrigation District ownership of the 200' main canal on the Final Plat.


Jeff Wenholz, Chair

Date

Attachments:
Vicinity Map
Tentative Plan



Umatilla Electric
Cooperative (UEC)
LP-N-493-21
4N 26E 078 T1200

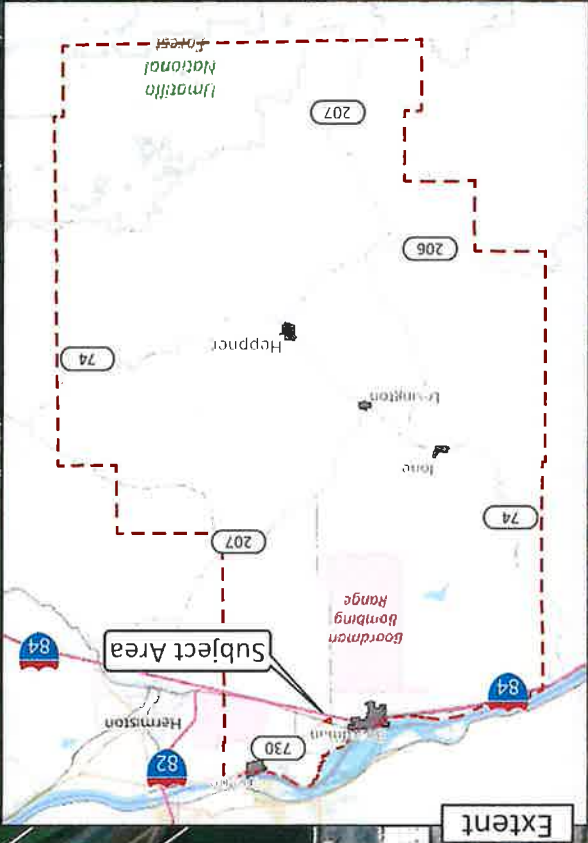
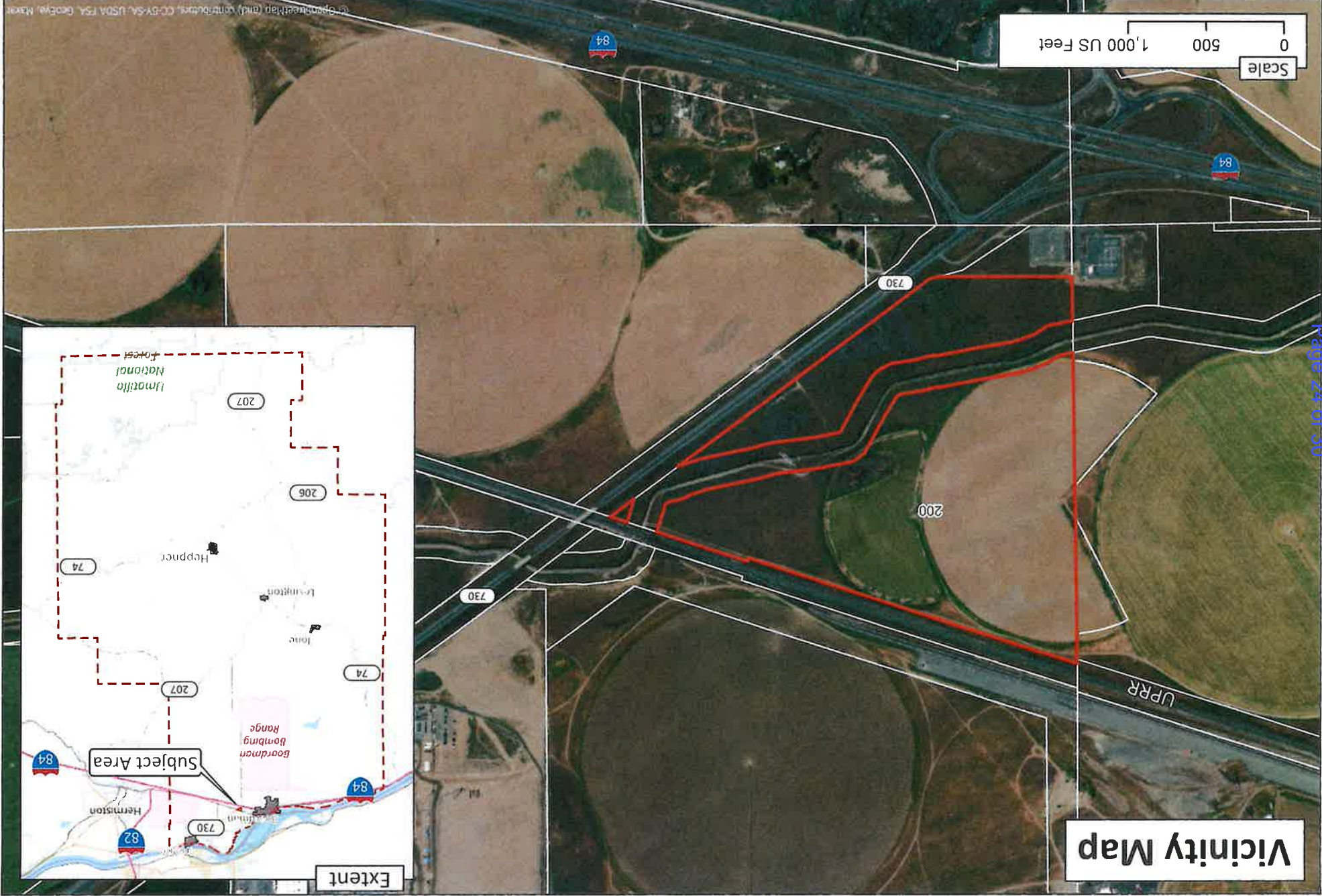
Tax Lot  Subject Property

Legend

Cartography By: Stephen Wreccles
Morrow County Planning Department
Coordinate System: NAD83 Oregon GIC Lambert ft
Datum: North American 1983
Projection: Lambert Conformal Conic
Date Saved: 4/1/2021 9:22 AM



Scale
0 500 1,000 US Feet



Vicinity Map

TENTATIVE PARTITION PLAT NO. 2021-_____

LOCATED IN THE SW. 1/4 OF SECTION 7, T4N, R26E, 5TH P.M.,
MORROW COUNTY, OREGON



BASIS OF BEARING
OREGON STATE PLANE
COORDINATES, NORTH ZONE,
NAD 83 (2011)
SCALE: 1" = 250'

LEGEND

- SET 5/8" IRON ROD WITH YPC MARKED "TOTH & ASSOCIATES"
- FOUND 5/8" IRON ROD WITH YPC MARKED "PLS 2341"
- FOUND MONUMENT AS NOTED
- FOUND 2.5" BRASS CAP
- FOUND BRASS CAP



VICINITY MAP
NOT TO SCALE

OWNER: PORT OF MORROW
P.O. BOX 200
BOARDMAN, OR 97818

APPLICANT: UMATILLA ELECTRIC COOPERATIVE
750 W. ELM STREET
HERMISTON, OR 97839

APPROVALS:

I CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PARTITION PLAT IN ACCORDANCE WITH ORS CHAPTER 92 AND THE MORROW COUNTY SUBDIVISION ORDINANCE ON THIS _____ DAY OF _____, 2021.

MORROW COUNTY PLANNING DIRECTOR _____

I CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PARTITION PLAT ON THIS _____ DAY OF _____, 2021.

MORROW COUNTY SURVEYOR _____

I CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PARTITION PLAT ON THIS _____ DAY OF _____, 2021.

MORROW COUNTY TAX ASSESSOR _____
MORROW COUNTY TAX COLLECTOR _____

MORROW COUNTY CLERK _____
RECORDING INFORMATION

SURVEYOR'S CERTIFICATE:

I, JACK BUTLER, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MONUMENTED THE LANDS MORE PARTICULARLY DESCRIBED IN THE LEGAL DESCRIPTION SHOWN HEREON ACCORDING TO ORS CHAPTER 92. THE INITIAL POINT

PROPERTY DESCRIPTION:

THAT PORTION OF GOVERNMENT LOTS 2, 3, AND 4, THE EAST HALF OF THE SOUTHWEST QUARTER, AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON, WHICH LIES SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD (FORMERLY OREGON RAILROAD & NAVIGATION COMPANY).

EXCEPTING THEREFROM THE WEST IRRIGATION CANAL RIGHT-OF-WAY.

ALSO EXCEPTING THEREFROM THAT PORTION LYING SOUTH OF THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 730.

ALSO EXCEPTING THEREFROM BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 7, THENCE NORTH 00°09'50" WEST, 330.00 FEET; THENCE NORTH 89°23'00" EAST, 809.50 FEET TO THE INTERSECTION WITH THE NORTH-WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 730; THENCE SOUTH 75°28'00" WEST ALONG SAID RIGHT-OF-WAY, 198.30 FEET; THENCE SOUTH 56°48'00" WEST ALONG SAID RIGHT-OF-WAY 523.20 FEET TO THE SOUTH LINE OF SAID SECTION 7; THENCE SOUTH 89°23'00" WEST 277.00 FEET TO THE POINT OF BEGINNING.

OWNER'S DECLARATION:

WE, THE UNDERSIGNED OWNERS OF THE LANDS SHOWN ON THIS PLAT, DO HEREBY ACKNOWLEDGE THE EXISTING EASEMENTS AND ROADWAYS SHOWN ON THIS PLAT. WE ALSO ACKNOWLEDGE THAT WE HAVE CAUSED THIS PLAT TO BE CREATED, WE AUTHORIZE THAT THIS PLAT BE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AND WE RECOGNIZE THIS PLAT AS THE OFFICIAL PLAT AND MAP OF THE PARTITION AS FILED IN THE COUNTY OF MORROW, STATE OF OREGON.

RICK STOKOE, PRESIDENT
BOARD OF COMMISSIONERS, PORT OF MORROW

ON THIS _____ DAY OF _____, 2021, THE ABOVE INDIVIDUAL, JERRY HEALY, APPEARED PERSONALLY BEFORE ME AND IS KNOWN TO ME TO BE THE IDENTICAL INDIVIDUAL WHO EXECUTED THE PLAT DEDICATION AND ACKNOWLEDGED THAT HE DID SO FREELY AND VOLUNTARILY OF HIS OWN WILL.

BEFORE ME _____
NOTARY PUBLIC FOR OREGON

MY PRINTED NAME IS: _____

MY COMMISSION NO. IS _____

MY COMMISSION EXPIRES: _____

DATE OF MAP: MARCH 16, 2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

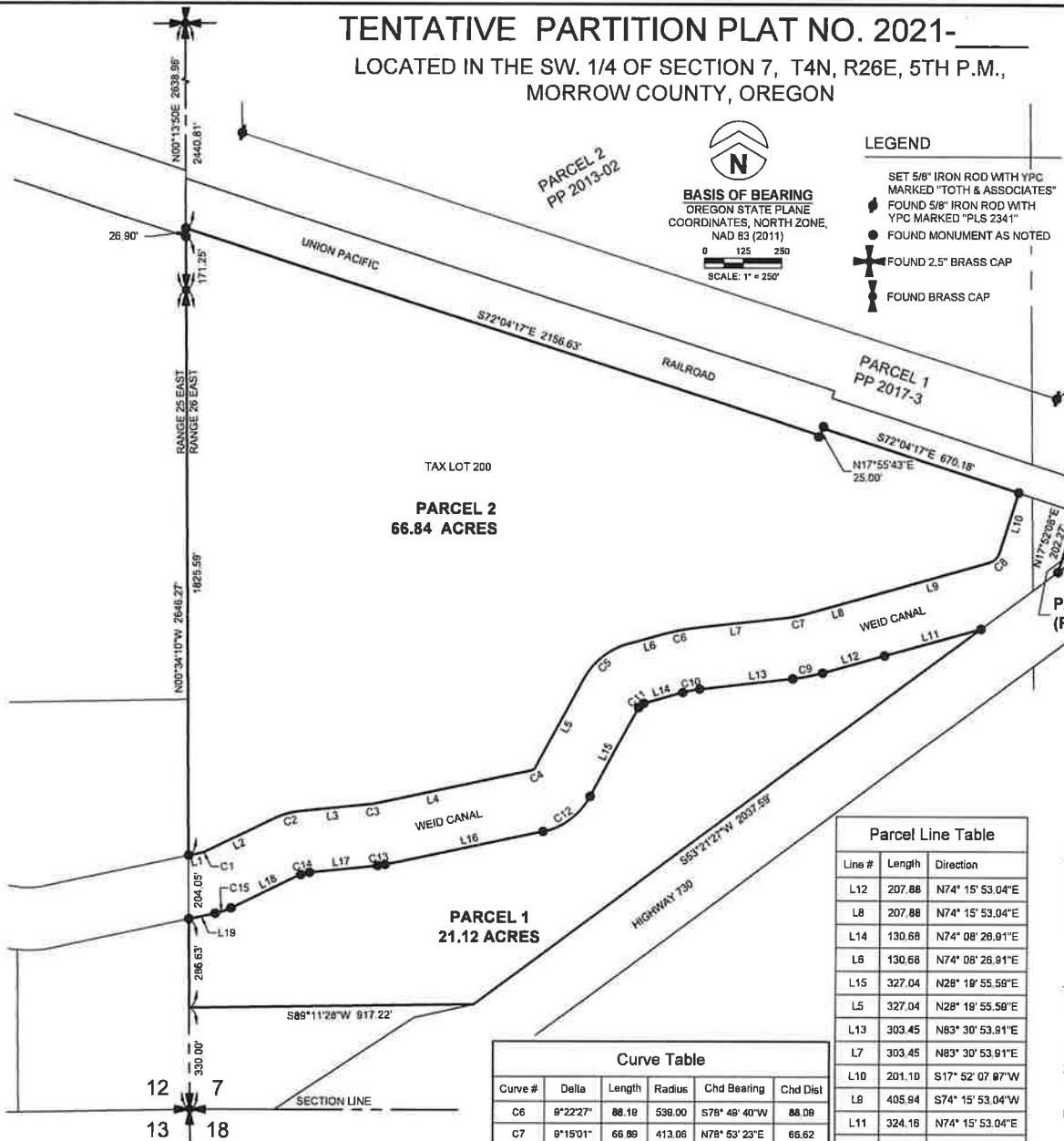
Jack A. Butler

OREGON
Original Date of July 21, 1992
JACK ABBOTT BUTLER
2500

EXPIRATION DATE: 12/31/2022



1550 E. REPUBLIC ROAD
SPRINGFIELD, MO 65804
Ph: 417-888-0645 Fax: 417-888-0657
HERMISTON, OR Ph: 541-289-1533
www.tothassociates.com
© 2021 Toth and Associates, Inc.



Parcel Line Table

Line #	Length	Direction
L12	207.88	N74° 15' 53.04"E
L8	207.88	N74° 15' 53.04"E
L14	130.68	N74° 08' 26.91"E
L8	130.68	N74° 08' 26.91"E
L15	327.04	N28° 19' 55.58"E
L5	327.04	N28° 19' 55.58"E
L13	303.45	N83° 30' 53.91"E
L7	303.45	N83° 30' 53.91"E
L10	201.10	S17° 52' 07.87"W
L9	405.94	S74° 15' 53.04"W
L11	324.16	N74° 15' 53.04"E
L18	255.83	N64° 20' 47.04"E
L2	255.83	N64° 20' 47.04"E
L16	520.99	N78° 02' 18.42"E
L4	520.99	N78° 02' 18.42"E
L17	233.77	S84° 14' 47.22"W
L13	233.77	S84° 14' 47.22"W
L9	86.61	S77° 59' 48.94"W
L1	48.16	S77° 59' 48.94"W

Curve Table

Curve #	Delta	Length	Radius	Chd Bearing	Chd Dist
C6	9°22'27"	88.19	538.00	S78° 49' 40"W	88.09
C7	9°15'01"	66.89	413.06	N78° 53' 23"E	66.62
C8	58°23'45"	49.21	50.00	N49° 04' 01"E	47.26
C9	9°15'01"	88.88	613.06	N78° 53' 23"E	88.87
C10	9°22'27"	55.46	338.00	S78° 49' 40"W	55.40
C11	45°48'31"	22.35	27.85	S51° 14' 11"W	21.76
C12	49°42'24"	195.20	225.00	N53° 11' 08"E	188.13
C13	6°12'28"	24.38	225.00	N81° 08' 33"E	24.37
C14	19°54'00"	21.69	25.00	S74° 17' 47"W	8.64
C15	13°38'02"	53.81	225.00	N71° 10' 18"E	53.48

Curve Table

Curve #	Delta	Length	Radius	Chd Bearing	Chd Dist
C1	13°38'02"	5.96	25.00	N71° 10' 18"E	5.84
C2	19°54'00"	78.15	225.00	S74° 17' 47"W	77.76
C3	6°12'28"	2.71	25.00	N81° 08' 33"E	2.71
C4	49°42'24"	21.69	25.00	N53° 11' 08"E	21.01
C5	45°48'31"	182.25	227.85	S51° 14' 11"W	177.43

Page 25 of 30



MEMORANDUM

To: Morrow County Board of Commissioners
From: Tamra Mabbott, Planning Director *Tamra*
CC: Planning Commission
BOC Date: April 14, 2021
RE: Monthly Planning Update

Planning Commission Update

Planning Commission approved four land use applications at their March 30th meeting.

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 The Bartholomew Building is open for participants in addition to the virtual (Zoom) meetings.

Current Planning Activity March 2021:

- 19 Zoning Permits
- 3 Land Use Compatibility Reviews
- 3 Rural Addresses
- 5 Property Line Adjustments, Land Partitions, Replats
- 1 Land Use Decisions
- 2 Farm Agricultural Building Exempt Permits
- 1 Road Naming

Long Range Planning

Board of Commissioners approved a new Goal 10 Housing Chapter for the Comprehensive Plan and a minor amendment to Goal 14 Urbanization. Board also approved the creation of a new Rural Residential 10-acre zone. Second reading of both legislative amendments is scheduled for April 21st.

Energy Projects

Several new and renewed/amended energy projects are in the process. This included staff meeting with developers and state agency staff as well as coordinating with County Public Works. 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 Officer, Sheriff's Deputy Oscar Madrigal, resigned. With staffing reductions in the Sheriff's Office Planning Staff are monitoring existing cases until the new Compliance Planner position is filled. Staff drafted changes to the Code Enforcement Ordinance, including new definitions to address junk vehicles. The hearing for adoption is scheduled for May 5th with the Board of Commissioners. The public notice and updates

are posted on the department website: <https://www.co.morrow.or.us/planning/page/2021-code-enforcement-ordinance-update>

Other Projects:

Oregon Department of Land Conservation and Development (DLCD) and Morrow County Planning are co-hosting an information training on Oregon's Statewide Planning Program, Land Use Review Process and more. The training will be both in-person and virtual and is open to all city planning commissions councils as well as county Planning Commission and Board of Commissioners. An invitation to the May 6th training is attached.

Planning Department recently started requiring an Access Permit prior to issuance of a Zoning Permit. Public Works Department issues Access Permits to ensure the road approach is in a location that meets safety and other transportation standards and that the driveway will be constructed to standard to maintain integrity of the roadway. Planning and Public Works continue to meet to enhance coordination of Access Permits.

Stephanie Case, Planner II continues to work on an update to the Subdivision Ordinance.

Planners are assembling a comprehensive inventory of land use ordinances adopted since the county Comprehensive Plan and Zoning Ordinance was acknowledged on January 30, 1986. This is important for landowners to protect their property values and development rights and for county to have a clear understanding of relevant standards and development rights. The inventory will be the basis of a future formatting and codification of the Comprehensive Plan.

Legislation

Planning Director continues to monitor land use and building legislation of interest or application to Morrow County. Land use related bills and bills that would make funding available to Morrow County is being monitoring closely.

Building Inspections

Along with Board Chair Don Russell and Darrell Green, County Administrator, Planning Director met with City of Boardman to discuss the Building Inspection Program. The City of Boardman performs building inspection services under contract with Morrow County. The existing contract, the 2000 Intergovernmental Agreement, is being updated. County and City expect to meet again soon to discuss proposed changes.

Umatilla Army Depot and Military Coordination

Planners went on two tours in March. Mr. Todd Farmer of the Oregon Military Department lead a tour of the OMD new projects on the Army Depot. OMD has spent significant funds developing new training facilities, improving office buildings and infrastructure and barracks at the Depot. OMD has also built a new gun range at the Naval Bombing Range and are in the process of constructing a new \$10 million unmanned aerial aircraft training facility at the Naval Bombing Range. On March 30th, planners and Commissioners Russell and Doherty met at the Bombing Range with Naval Air Station Commander Captain Arnie, along with a contingency from NAS and Mr. Stan Hutchison of OMD. Among topics discussed include a partnership among county, city of Boardman and Army to improve the access to the Bombing Range from Tower Road, a grant for Planning Department for research, planning and GIS work on a number of projects related to military. Planning Director has drafted a grant agreement and is working with Kimberly Peacher, Community Planning and Naval Liaison Office.

Website and GIS Mapping

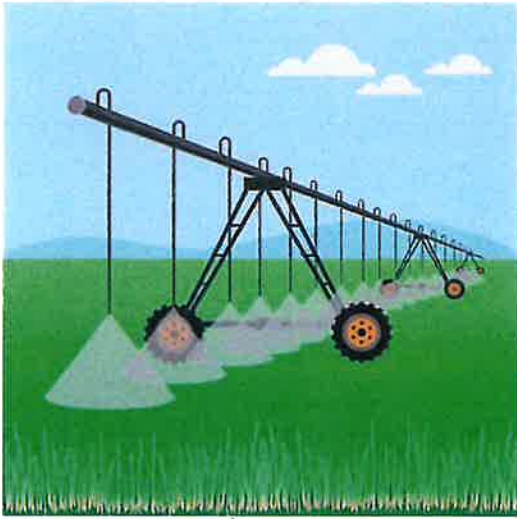
Planners have made several updates to the department website including applications and other informational forms explaining processes.

The online interactive map was launched in January and refinement continues

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

Planning Trivia Question of the Month:

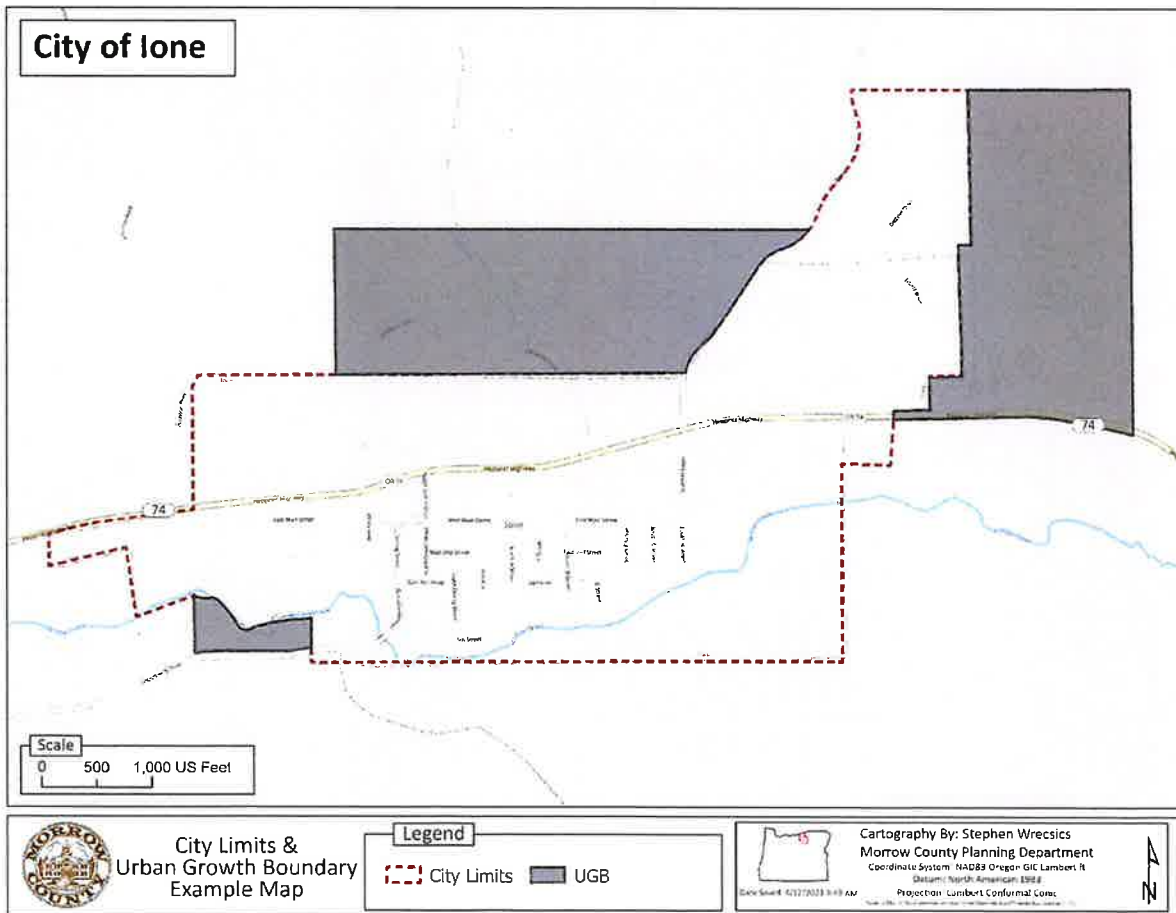
How many Critical or Classified Groundwater areas are in Morrow County?



Answers to last month's trivia questions.

Is a county or city responsible for planning and zoning of lands inside an Urban Growth Boundary?

The answer is both city and county. Each city in Oregon has an adopted urban growth boundary (UGB) acknowledged as part of the city Comprehensive Plan. An urban growth boundary includes a 20-year supply of lands for future city growth. Some cities maintain full responsibility for administering planning and zoning inside the UGBs. Cities and counties have agreements that establish responsibilities and expectations for permitting, addressing, planning and zoning and road improvements. In Morrow County, those agreements are called Joint Management Agreements.





Oregon

Kate Brown, Governor

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Department of Land Conservation and Development

Community Services Division

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www.oregon.gov/LCD



April 2, 2021

To: Morrow County Chair and Commissioners, City Mayors and City Councilors, County Administrator, City Managers, Planning Commission Chairs and Commissioners, Planning Staff, and Port of Morrow staff and Commissioners

From: Anne Debbaut, Regional Representative, Department of Land Conservation and Development

RE: Please Join Us for a DLCD Presentation on Community Development and the Oregon Planning Program

When: Thursday, May 6, 2021, 6:30-8:00 pm.

Where: Zoom link here: [Join Zoom Meeting](#); or Port of Morrow Riverfront Room (Capacity 40)

What: Presentation Topics will include:

- Background and Oregon's Planning Goals
- Local Flexibility
- Community Development
- State and Local Responsibilities
- Role of Planning Commissioners and Staff
- Hearing Procedures - legislative and quasi-judicial
- Ethical Behavior - Ex Parte Contacts, Conflicts of Interest, Personal Bias
- Legally Defensible Findings and the Final Order
- Questions and Discussion

Who: Gordon Howard, Community Services Division Manager, DLCD

Gordon has been with the Oregon Department of Land Conservation and Development since 2012, when he became the department's urban planning specialist. In 2017, he became the Community Services Division Manager, supervising regional representatives and the department's urban and rural specialists. His prior Oregon planning experience, dating from 1993, has been with the City of West Linn and Multnomah County. He is also a member of the Oregon State Bar, having worked as an attorney with the City of West Linn and the Oregon State Legislature before joining DLCD. Gordon has a Masters Degree in Planning from UCLA and is a graduate of Lewis and Clark Law School in Portland.

RSVP: Please respond to Anne Debbaut at: anne.debbaut@state.or.us if you plan to attend and whether you are attending remotely or in person. We look forward to seeing you virtually.

Energy Projects in Morrow County

EFSC Permitted					
WIND	Capacity	Facility Status	Notes	Local Permits Issued	Current/ Recent Local Permit Actions
Wheatridge I	100 MW	Operating	PGE Ownership		
Wheatridge II	550 MW	Operating	Under Review to split as: WREF II (200 MW Wind); WREFIII (150 MW solar); WREFE (200 MW wind)	CUP-N-328 (2018)	RFACOMMENT Letter submitted to EFSC 28OCT2020
Wheatridge Renewable Energy Facility East	200 MW	EFSC Approved	Umatilla County and Morrow County, Approved not built.	CUP-N-328 (2018)	No local actions at this time.
Shepherds Flat Central	290 MW	Operating	2 Turbine Repower 2020. Project sold to Brookfield Partners	CUP-N-279 (2010)	Local permits for repower pending
Shepherds Flat South	290 MW	Operating	Repower Pending (January 2023) Project sold to Brookfield Partners	CUP-N-278 (2010)	Local permits for repower pending
Hegppner-Wind	500 MW	Terminated	N/A	N/A	No Action Needed
Saddle Butte-Wind	399 MW	Terminated	N/A	N/A	No Action Needed
SOLAR					
Capacity	Status	Notes	Local Permits Issued	Current/ Recent Local Permit Actions	
Boardman Solar	75 MW	EFSC Approved	Construction Pending, T Line Is In Gilliam Co.	CUP-N-333 (2018)	CUP extension approved. Expires 21NOV2021
Wheatridge III	150 MW	EFSC SC Amendment Approved	Road Use Agreement update pending w Public Works	CUP-N-328 (2020)	Zoning permits #'s 2871-2875 issued 06APR2021
Wagon Trail Solar	500 MW	Proposed/Pending	NextEra, new project, a subsidiary to Wheatridge but NOT the Wheatridge Energy Facility.	Pending (Not Submitted)	County notified adj. landowners of NOI. BOC/SAG comments submitted to EFSC.
TRANSMISSION					
Capacity	Status	Notes	Local Permits Issued	Current/ Recent Local Permit Actions	
Boardman to Hemingway	300-mile, 500 kV	Proposed	In Contested Case (64 Petitioners)	Pending	Waiting on Contested Case Outcome
Cascade Crossing	121-mile, 500kV	Terminated	N/A	N/A	No Action Needed
GENERATING FACILITY					
Capacity	Status	Notes	Local Permits Issued	Current/ Recent Local Permit Actions	
Carty Generating Facility	50 MW Solar 400 MW Natural Gas	Under EFSC Review/Operating	RFA2 to incorporate existing BCP facility components.	CUP-N-307 (2013)	Notice of Proposed Order of RFA2 issued 12NOV20
Boardman Coal Plant	550 MW	Decommissioned	T-Line in Gilliam Co.	Pre-dates Planning?	No Action Needed
Columbia Ethanol Project	44 MGPY	Temporarily Shut Down	Local approval letter sent 11APR2006	ZP1701 01MAY2006 (Pacific Ethanol)	No local actions at this time

Locally Permitted					
WIND	Capacity	Status	Notes	Local Permits Issued	Current/ Recent Local Permit Actions
Orchard Wind	40 MW	Operating	Construction was delayed due to COVID-19	CUP-N-324 (2016) Extension 2019	No local actions at this time
Echo Wind South	60 MW	Operating	Oregon Windfarms LLC / Madison Farms.	CUP-N-251 (2008)	No local actions at this time
Threemile Turbines	15 MW	Operating	First operational turbines in Morrow County	CUP-N-234 (2006)	No local actions at this time
Elle Butte	104 MW	Permitted, Never Built	N/A	CUP-N-291 (2011)	No local actions at this time
Butter Creek	40 MW	Permitted, Never Built	N/A	CUP-N-285 (2010)	No local actions at this time
Mariah Wind	20 MW	Permitted, Never Built	N/A	CUP-N-290 (2011)	No local actions at this time
Willow Creek Wind	50 MW	Permitted, LUBA Remand	N/A	CUP-N-213 (2005)	No local actions at this time
SOLAR					
Capacity	Status	Notes	Local Permits Issued	Current/ Recent Local Permit Actions	
Harp Solar	10 MW	Permitted	Project sold to Avangrid Renewables by OneEnergy.	CUP-N-331 (2018)	Extension Request Granted
Tower Road	Pending	Proposed	To date, no applications submitted.	Not Permitted	Application Pending
Stark Solar	40 MW	Withdrawn	N/A	CUP-N-332-18	No Action Needed
Columbia Solar	20 MW	Withdrawn	Energy Utah LLC, Bill Adams.	CUP-N-343-20	No Action Needed
Trail Solar	160 MW	Proposed	OneEnergy. Proposed, pending application		