



PLANNING DEPARTMENT

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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, May 25, 2021 7:00 pm
Community Library Meeting Room
Irrigon, Oregon

For Electronic Participation See 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: April 27, 2021
5. Public Hearings to begin at 7:00 pm (COMMISSION ACTION REQUIRED):

Replat R-N-067-21: Port of Morrow, Applicant and Owner. The property is currently described as parcels 2 & 3 of Partition Plat 2021-12. The property is zoned Port Industrial (PI) and located approximately 1.5-miles east of Boardman along Lewis and Clark Drive. Request is to adjust a shared property line which would reconfigure a portion of Partition Plat 2021-12. Criteria for approval includes the Morrow County Zoning Ordinance (MCZO) Section 3.073 Port Industrial Zone and Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.

Pages 1-4

Land Partition LP-N-495-21 and Land Use Decision LUD-N-35-21: Steve & Lisanne Currin, Applicant; Lazy K Land, LLC, Owner. The property is described as tax lot 1700 of Assessor's Map 1N 27E. The property is zoned Exclusive Farm Use (EFU) and located approximately 14 miles northeast of Heppner on Little Butter Creek Road. The request is to divide approximately 56 acres from the parcel to create one non-farm dwelling parcel. Criteria for approval includes MCZO Section 3.010 EFU Zone and MCSO Article 5 Land Partitioning.

Pages 5-20

Continued from April 27th Planning Commission Meeting: 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 21-26*

6. Correspondence *Pages 27-28*
7. Public Comment
8. Work Session – follow up and informal discussion about the Statewide Land Use Program Training on May 6th by the Department of Land Conservation and Development.
9. Adjourn

Next Meeting

June 29, 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/92333977217?pwd=alQ3Wi93ajN5RXRqOWdHSFITYIRGUT09>

Meeting ID: 923 3397 7217

Password: 388681

One tap mobile:

+13462487799,,92333977217#,,,,*388681# US (Houston)

+16699009128,,92333977217#,,,,*388681# US (San Jose)

Zoom Call-In Numbers for Audio Only:

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 923 3397 7217

Find your local number: <https://zoom.us/u/acQ3bKCEve>

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-067-21**

REQUEST: Adjust a shared property line which would reconfigure parcel 2 and 3 of Partition Plat 2021-12.

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

PROPERTY DESCRIPTION: Parcels 2 and 3 of Partition Plat 2021-12 of Assessor's Map 4N 26E 06.

PROPERTY LOCATION: Approximately 3.5-miles east of Boardman on Lewis and Clark Drive.

I. FINDINGS OF FACT:

This replat will reconfigure the east/west property line between Parcels 2 and 3 of P.P. 2021-12. This is a remedial action to correct a recording error on the plat filed for R-N-060-21. 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 2021-12.
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: May 04, 2021
East-Oregonian

May 05, 2021
Heppner Gazette-Times

IV 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.

V PROPERTY OWNERS NOTIFIED: May 05, 2021

VI HEARING DATE: May 25, 2021
Community Library Meeting Room
490 NE Main Ave. Irrigon, Oregon 97844

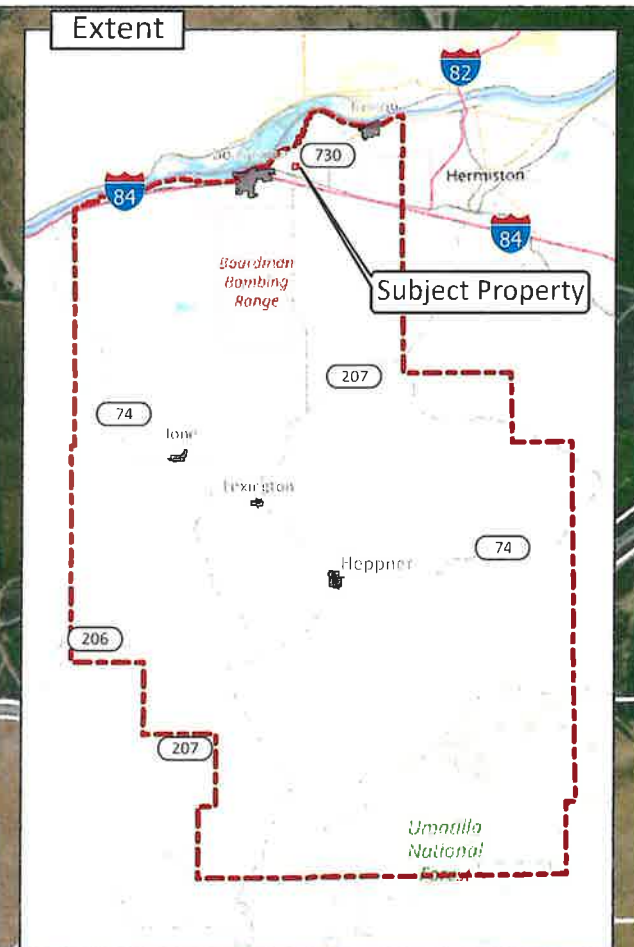
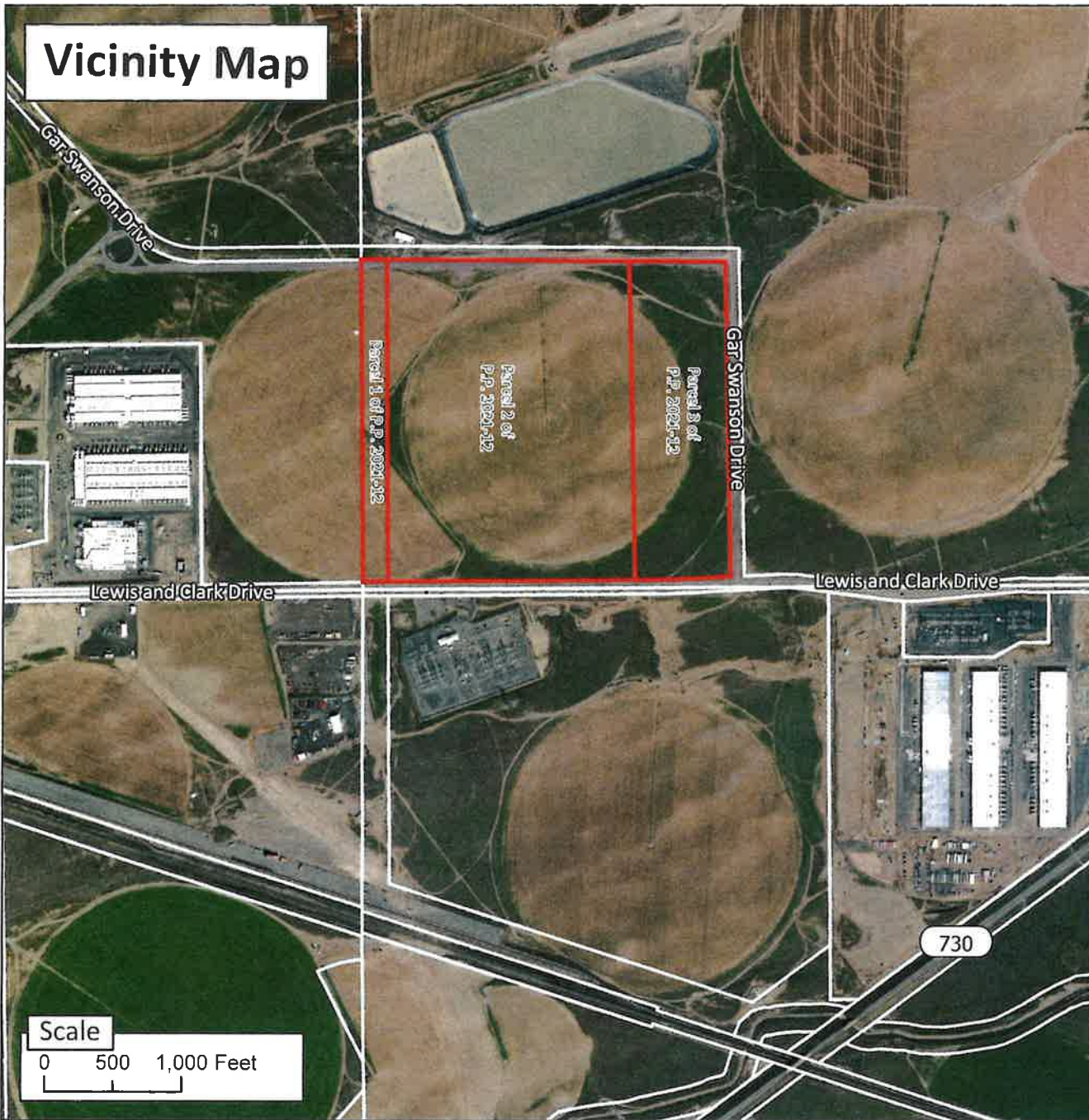
VII PLANNING COMMISSION ACTION: Staff recommend approval subject to the following **Precedent Condition(s) of Approval.** This condition must be completed before the Planning Director may sign the final partition plat or before the land may be deeded to a third party.

- 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



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R-N-067-21
 Port of Morrow
 4N 26E 06 Parcels 2 & 3
 of P.P. 2021-12

Legend

Tax Lots

Subject Property



Date Saved: 5/5/2021 9:26 AM

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



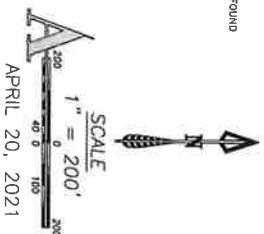
PARTITION PLAT NO.
RE-PLAT OF PARCELS 2 AND 3 OF PARTITION PLAT NO. 2021-12,
LOCATED IN THE SW1/4 OF SECTION 6, T.4N., R.26E., W.M., MORROW
COUNTY, OREGON
X-X-XXX-XX
W.O. 20-5418

SURVEY FOR
 PORT OF MORROW
 ARMSTRONG SURVEYING, INC.
 PRINCIPALS: **LEE ANN WOOD**
 BOWENMAN, OR 97819
 (541) 447-7791

SURVEY BY
 ARMSTRONG SURVEYING, INC.
 PRINCIPALS: **LEE ANN WOOD**
 BOWENMAN, OR 97819
 (541) 447-7791

LEGEND

- SET 5/8" x 30" LONG IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG SURVEYING"
 - FOUND 5/8" IRON ROD WITH WHITE PLASTIC CAP MARKED "P.L.S. 2431" AS PER PARTITION PLAT 2011-19, BY RONALD V. MCKINNIS, LS 2431, RECORDED DECEMBER 20, 2011.
 - ◎ FOUND 5/8" IRON ROD WITH WHITE PLASTIC CAP MARKED "P.L.S. 2431" AS PER PARTITION PLAT 2012-05, BY RONALD V. MCKINNIS, LS 2431, RECORDED JUNE 29, 2012.
 - ◉ FOUND 2-1/2" BRASS CAP AS PER RECORD OF LAND CORNER MONUMENTATION FROM NO. 402621 AND 402622, DATED OCTOBER 21, 2019, BY RONALD V. MCKINNIS, LS 2431.
 - () RECORD AS PER PARTITION PLAT 2011-12 BY TERRY R. CHITTSOAK, LS 59270, RECORDED MARCH 29, 2011.
 - 1) RECORD AS PER PARTITION PLAT 2011-19, BY RONALD V. MCKINNIS, LS 2431, RECORDED DECEMBER 20, 2011.
 - 2) RECORD AS PER PARTITION PLAT NO. 2012-05, BY RONALD V. MCKINNIS, LS 2431, RECORDED JUNE 29, 2012.
 - 3) RECORD AS PER C.S. 1876, PARTITION PLAT NO. 2019-16, BY RONALD V. MCKINNIS, LS 2431, RECORDED OCTOBER 17, 2019.
- R/W RIGHT-OF-WAY
 S/NW SEARCHED FOR NOT FOUND



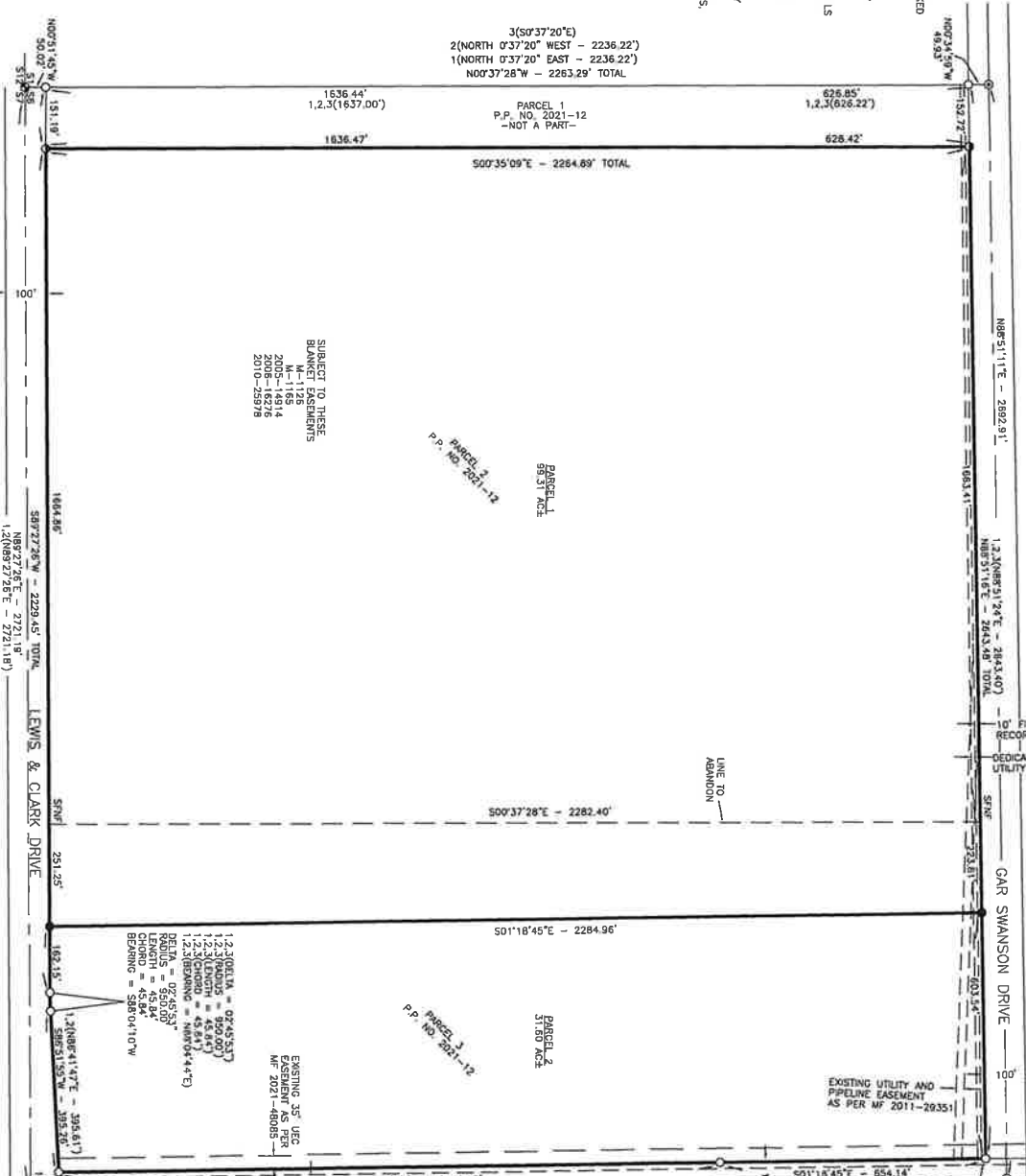
BASIS OF BEARINGS
 BEARINGS ARE BASED ON GEODESIC SURVEY MEASUREMENTS USING THE NAD 83 ELLIPSOID AND A TRANSVERSE MERCATOR MAPING PROJECTION WITH THE FOLLOWING PARAMETERS:
 ORIGIN OF LONGITUDE = 43°40'00.000000"W
 ORIGIN OF LATITUDE = 127°50'00.000000"W
 SCALE FACTOR = 1.000000000

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

PRELIMINARY

OREGON
 JUN. 16, 2002
TODD R. CATTERSON
 53270

RENEWALS 12/31/24



RECEIVED BY
 Morrow County Surveyor

DATE: _____
 RECD BY: _____
 NO.: _____
 FOLDER NO.: _____

EXISTING 35' ECG
 EASEMENT AS PER
 MF 2021-48095

EXISTING 35' ECG
 EASEMENT AS PER
 MF 2011-28974

SUBJECT TO THESE
 BANKRUPTCY
 M-1125
 M-1165
 M-1184
 2008-18276
 2010-25978

LEWIS & CLARK DRIVE

SNW SEARCHED FOR NOT FOUND

INTERNET PARKWAY

ARMSTRONG
 SURVEYING, INC. - ESTABLISHED 1977
 SHEET 1 OF 2
 W.O. 20-5418

**PRELIMINARY FINDINGS OF FACT
LAND PARTITION/REPLAT REQUEST
LP-N-495-21**

REQUEST: To partition an approximate 1190-acre property into three parcels.

APPLICANT: Steve and Lisanne Currin
60694 Little Butter Creek Road
Heppner, OR 97836

OWNER: Steve and Lisanne Currin
60694 Little Butter Creek Road
Heppner, OR 97836

PROPERTY DESCRIPTION: Tax Lot 1700 of Assessor's Map 1N 27E

PROPERTY LOCATION: Approximately 13 miles Northeast of Lexington on Little Butter Creek Road.

I. GENERAL INFORMATION:

The partition would create one "non-farm dwelling" parcel and is filed concurrently with an administrative Land Use Decision application for a single non-farm dwelling. The zoning is Exclusive Farm Use (EFU) and the property is presently developed for agricultural use with an existing single-family-dwelling.

II. APPROVAL CRITERIA:

Morrow County Zoning Ordinance Article 3 Exclusive Farm Use Zone (EFU) and 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 ZONING ORDINANCE ARTICLE 3 USE ZONES SECTION
3.010(L). LAND DIVISIONS.**

1. Minimum Parcel Size. The minimum size for creation of a new parcel shall be 160 acres.

See discussion under Subsection 3 below authorizing the division of a new parcel smaller than the minimum size.

2. A division of land to accommodate a use permitted by Section C, except a residential use, smaller than the minimum parcel size provided in Subsection 1 may be approved if the parcel for the nonfarm use is not larger than the minimum size necessary for the use.

This criterion is not applicable as the division is not to accommodate a use permitted under Section C, which addresses Conditional Uses. The Non-Farm Dwelling is a Land Use Decision allowed with standards.

3. A division of land to create up to two new parcels smaller than the minimum size established under Subsection 1, each to contain a dwelling not provided in conjunction with farm use, may be permitted if:

a. The nonfarm dwellings have been approved under Subsection H;

- b. The parcels for the nonfarm dwellings are divided from a lot or parcel that was lawfully created prior to July 1, 2001;
- c. The parcels for the nonfarm dwellings are divided from a lot or parcel that complies with the minimum size in Subsection 1; and
- d. The remainder of the original lot or parcel that does not contain the nonfarm dwellings complies with the minimum size established under Subsection 1.

The applicant made application for a Land Use Decision to approve one non-farm dwelling which is an administrative decision being approved concurrent to this request. The Land Use Decision has not yet been approved; however, staff do not foresee a problem with the approval. Staff recommends and lists that the Land Use Decision be completed as a condition of approval for this application prior to the Planning Director signing the final partition plat. The existing parcel exceeds the minimum parcel size and the remainder parcel will be larger than 160 acres, excepting the non-farm dwelling parcel which is proposed at approximately 56-acres in size. This criterion is met.

4. A division of land to divide a lot or parcel into two parcels, each to contain one dwelling not provided in conjunction with farm use, may be permitted if:

- a. The nonfarm dwellings have been approved under Subsection H;
- b. The parcels for the nonfarm dwellings are divided from a lot or parcel that was lawfully created prior to July 1, 2001;
- c. The parcels for the nonfarm dwellings are divided from a lot or parcel that is equal to or smaller than the minimum size in Subsection A but equal to or larger than 40 acres;
- d. The parcels for the nonfarm dwellings are:
 - (1) Not capable of producing more than at least 20 cubic feet per acre per year of wood fiber; and
 - (2) Either composed of at least 90 percent Class VII and VIII soils, or composed of at least 90 percent Class VI through VIII soils and are not capable of producing adequate herbaceous forage for grazing livestock. The Land Conservation and Development Commission, in cooperation with the State Department of Agriculture and other interested persons, may establish by rule objective criteria for identifying units of land that are not capable of producing adequate herbaceous forage for grazing livestock. In developing the criteria, the commission shall use the latest information from the United States Natural Resources Conservation Service and consider costs required to utilize grazing lands that differ in acreage and productivity level; and
- e. The parcels for the nonfarm dwellings do not have established water rights for irrigation.

This criterion is not applicable as the existing parcel is larger than the minimum size.

5. This Section does not apply to the creation or sale of cemetery lots, if a cemetery is within the boundaries designated for a farm use zone at the time the zone is established.

This criterion is not applicable as this approval is not for the creation or sale of cemetery lots.

6. **This Section does not apply to divisions of land resulting from lien foreclosures or divisions of land resulting from foreclosure of recorded contracts for the sale of real property.**
This criterion is not applicable as the division of land is not resulting from a lien foreclosure or foreclosure of a recorded contract.
7. **This Section does not allow a division or a property line adjustment of a lot or parcel that separates a use described in B.29, C.3, or C.7 from the lot or parcel on which the primary residential use exists.**
This criterion is not applicable as the division does not contain the uses mentioned, identified as farm worker dwellings, temporary hardship dwellings, or home occupations.
8. **This Section does not allow a division or a property line adjustment of a lot or parcel that separates a processing facility from the farm operation specified in Section B.17.**
This criterion is not applicable as the division does not separate a processing facility from the farm operation.
9. **A division of land may be permitted to create a parcel with an existing dwelling to be used:**
 - a. **As a residential home as described in ORS 197.660 (2) only if the dwelling has been approved under Section H; and**
 - b. **For historic property that meets the requirements of Section B.33.**

This criterion is not applicable as the existing dwelling is neither a historic property or proposed to be used as a residential home.
10. **Notwithstanding the minimum lot or parcel size described in Subsection 1,**
 - a. **A division of land may be approved provided:**
 - (1) **The land division is for the purpose of allowing a provider of public parks or open space, or a not-for-profit land conservation organization, to purchase at least one of the resulting parcels; and**
 - (2) **A parcel created by the land division that contains a dwelling is large enough to support continued residential use of the parcel.**
 - b. **A parcel created pursuant to this Subsection that does not contain a dwelling:**
 - (1) **Is not eligible for siting a dwelling, except as may be authorized under ORS 195.120;**
 - (2) **May not be considered in approving or denying an application for siting any other dwelling;**
 - (3) **May not be considered in approving a redesignation or rezoning of forestlands except for a redesignation or rezoning to allow a public park, open space or other natural resource use; and**
 - (4) **May not be smaller than 25 acres unless the purpose of the land division is to facilitate the creation of a wildlife or pedestrian corridor or the implementation of a wildlife habitat protection plan or to allow a transaction in which at least one party is a public park or open space provider, or a not-for-profit land conservation organization, that has cumulative ownership of at least 2,000 acres of open space or park property.**

These criteria are not applicable as this is not an application for a public park, open space, or a land conservation organization.

11. **A division of land smaller than the minimum lot or parcel size in Subsection 1 may be approved provided:**
- a. **The division is for the purpose of establishing a church, including cemeteries in conjunction with the church;**
 - b. **The church has been approved under Subsection B.26;**
 - c. **The newly created lot or parcel is not larger than five acres; and**
 - d. **The remaining lot or parcel, not including the church, meets the minimum lot or parcel size described in Subsection 1 either by itself or after it is consolidated with another lot or parcel.**

These criteria are not applicable as the division is not for the purpose of establishing a church or cemetery.

12. **Notwithstanding the minimum lot or parcel size described Subsection 1, a division for the nonfarm uses set out in Subsection B.12 if the parcel for the nonfarm use is not larger than the minimum size necessary for the use.** This criterion is not applicable as the division is not for a fire service facility as indicated in Subsection B.12.

13. **The governing body of a county may not approve a division of land for nonfarm use under Subsection 2, 3, 4, 9, 10, 11, or 12 unless any additional tax imposed for the change in use has been paid.** The applicant will disqualify the “non-farm” dwelling parcel from farm deferral taxation program and pay the taxes from the previous ten years prior to the Planning Director signing the Final Partition Plat. This is recommended and listed as a condition of approval.

14. **Parcels used or to be used for training or stabling facilities may not be considered appropriate to maintain the existing commercial agricultural enterprise in an area where other types of agriculture occur.** This criterion is not applicable as the parcel is not used for training or stabling facilities.

15. **A division of a lawfully established unit of land may occur along an urban growth boundary where the parcel remaining outside the urban growth boundary is zoned for agricultural uses and is smaller than the minimum parcel size, provided that:**
- a. **If the parcel contains a dwelling, the parcel must be large enough to support the continued residential use.**
 - b. **If the parcel does not contain a dwelling, it:**
 - (1) **Is not eligible for siting a dwelling, except as may be authorized in ORS 195.120;**
 - (2) **May not be considered in approving or denying an application for any other dwelling; and**
 - (3) **May not be considered in approving a redesignation or rezoning of agricultural lands, except to allow a public park, open space, or other natural resource use.**

These criteria are not applicable as the land is not along an urban growth boundary.

**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 land partition, if approved in conjunction with the non-farm dwelling, does meet the requirements of the Zoning Ordinance and Comprehensive Plan relative to minimum parcel size. 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.
- 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 requested one new parcel which is expected to be approximately 56-acres in size and will include an existing dwelling. The non-farm dwelling parcel will utilize the existing access point on Little Butter Creek Road and the existing on-site system and well.
- 3. All required public service and facilities are available and adequate or are proposed to be provided by the partitioner.**
Electricity and telephone are available to the existing parcel from Little Butter Creek Road. The applicant will have to work with providers to obtain services to the proposed parcels if desired.
- 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 and surrounding uses are farm land and the remaining parcel will continue to be used as such. The proposal will not have any identifiable adverse impacts on area land uses. The applicant will be required to sign a Right to Farm Disclaimer Statement for the non-farm dwelling parcel; this is required and listed as a condition of approval.
- 5. An approved water rights diversion plan as applicable.**
The preliminary Findings of Fact were referred to the County Watermaster to determine water rights and for any necessary approvals. Applicant is advised to 'file' appropriate documents to allocate water rights that may be transferred.
- 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.**

The application meets this criterion.

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 property is not within the boundaries of an irrigation or water control district.
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.
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.**
Portions of the proposed non-farm parcel are located in FEMA Special Flood Hazard Area; any future improvements on the parcel may require flood plain development permits. Planning staff would not recommend any additional requirements on the above criteria.

III LEGAL NOTICE PUBLISHED: May 04, 2021
East Oregonian

May 05, 2021
Heppner Gazette-Times

IV AGENCIES NOTIFIED: Greg Silbernagel, Watermaster; Steve Rhea, Heppner Rural Fire Protection District; Mike Gorman, Morrow County Assessor; Matt Scrivner, Morrow

County Public Works Director; Matt Kenny, Morrow County Surveyor; Hilary Foote
Department of Land Conservation and Development; Justin Nelson, County Counsel.

V PROPERTY OWNERS NOTIFIED: May 05, 2021

VI HEARING DATE: May 25, 2021
Community Library Meeting Room
490 NE Main Ave. Irrigon, Oregon 97844

VII PLANNING COMMISSION ACTION: Staff recommends approval of this Land Partition to create a 'non-farm' parcel 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.

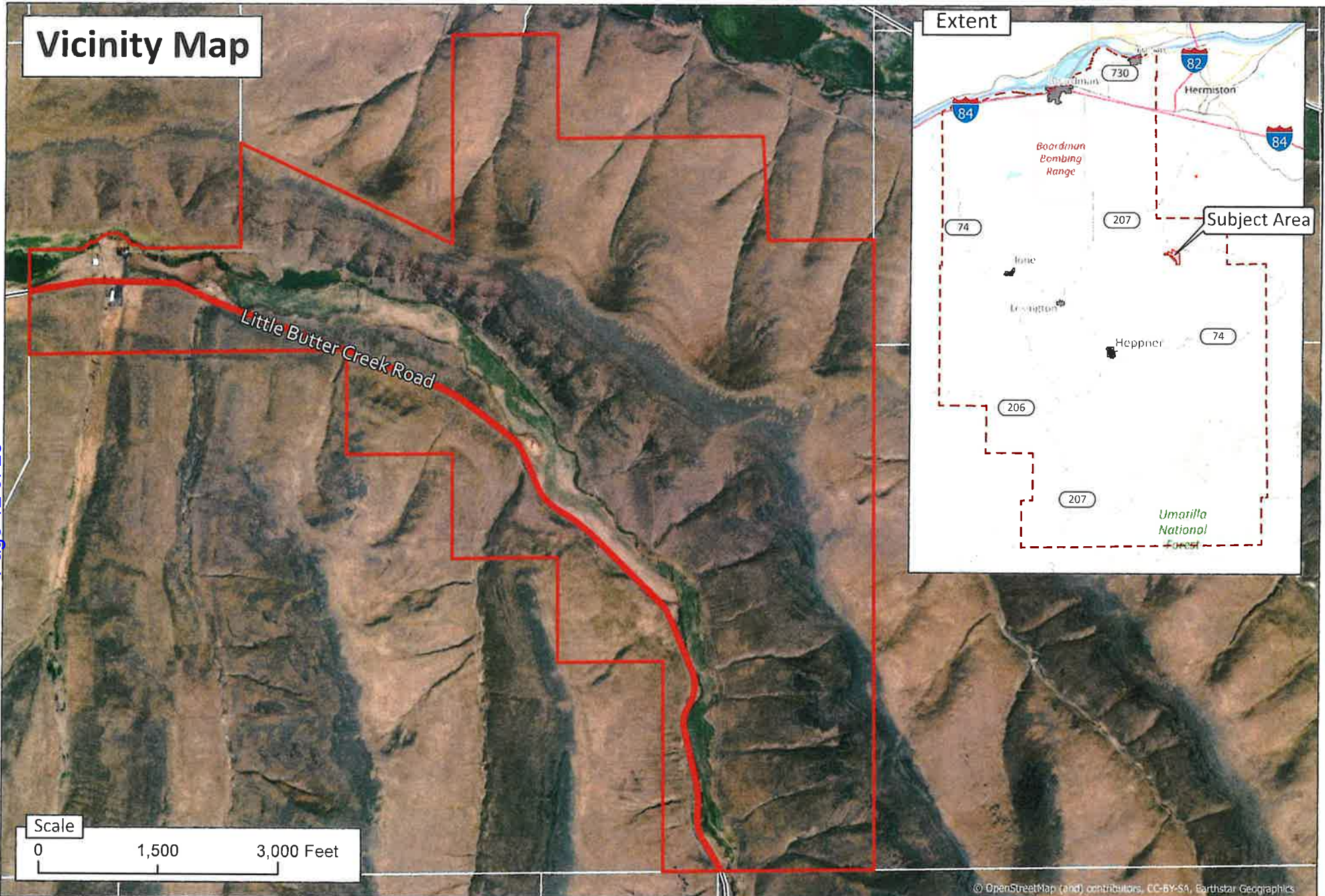
1. Sign and record a Right-to-Farm Disclaimer Statement.
2. Submit both a preliminary and final partition plat to be in compliance with Article 5 of the Morrow County Subdivision Ordinance and ORS Chapter 92.
3. Disqualify the "non-farm" dwelling parcels from farm deferral taxation program and pay the taxes from the previous ten years (ORS 215.236).
4. The related administrative Land Use Decision for the Non-Farm Dwellings must be approved and completed.
5. File appropriate documents with Oregon Water Resources Department to allocate water rights that may be transferred as a result of this Land Partition.

Jeff Wenholz, Chair

Date

ATTACHMENTS:
Vicinity Map
Plot Plan

Vicinity Map



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Steve and Lisanne Currin
 LP-N-495-21
 LUD-N-35-21
 1N 27E TL1700

Legend

Taxlot  Taxlot selection



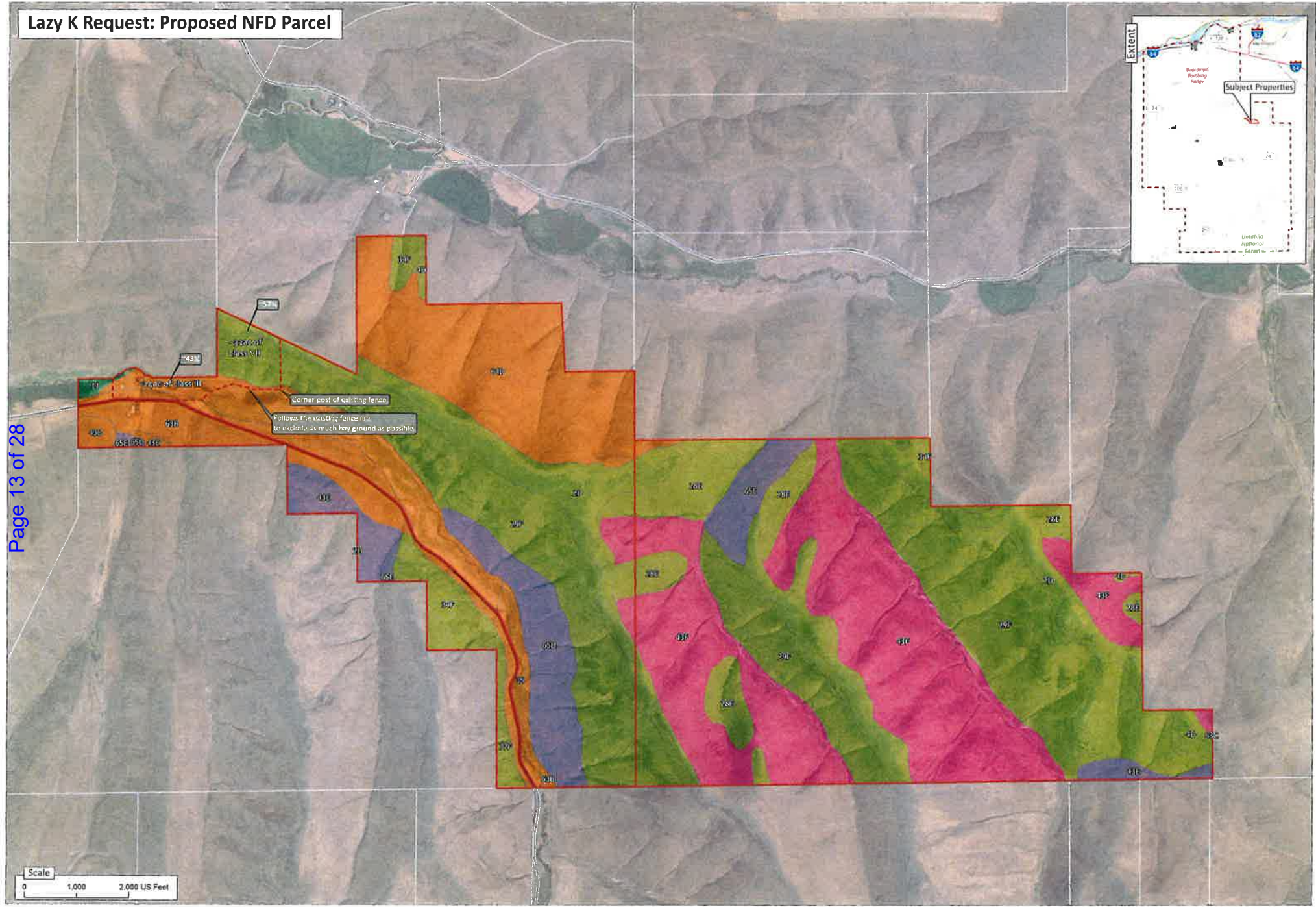
Date Saved: 3/9/2021 5:08 PM

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



Lazy K Request: Proposed NFD Parcel

Page 13 of 28



Legend

- City Limits
- Highways
- Proposed NFD Boundary
- Lazy K Taxlots

Non-Irrigated Soils Class	
2	4
3	6
	7



Cartography By: Stephen Wrecics
 Morrow County Planning Department
 Geographic System: NAD83 Oregon UTM Lambert II
 Datum: North American 1983
 Projection: Lambert Conformal Conic
 Units: Meter, Feet, US Feet



**FINAL FINDINGS OF FACT
LAND USE DECISION
Application No. LUD-N-35-21**

REQUEST: To allow one non-farm dwelling on a previously approved "non-farm" dwelling parcel.

APPLICANT: Steve and Lisanne Currin
60694 Little Butter Creek Road
Heppner, OR 97836

OWNER: Steve and Lisanne Currin
60694 Little Butter Creek Road
Heppner, OR 97836

PROPERTY DESCRIPTION: Tax Lot 1700 of Assessor's Map 1N 27E

PROPERTY LOCATION: Approximately 13 miles Northeast of Lexington on Little Butter Creek Road.

FINDINGS OF FACT:

- I. **BACKGROUND INFORMATION:** Zoning of the parcel is Exclusive Farm Use (EFU) with a 160-acre minimum lot size. In accordance with the Morrow County Zoning Ordinance a parcel may be created and be designated as a "non-farm" dwelling parcel if certain criteria are met. The applicant received Planning Commission approval for a Land Partition for the non-farm parcel. Staff recommends and lists that the Land Partition be completed as a condition of approval for this application. The existing parcel exceeds the minimum parcel size and the remainder will be approximately 1134 acres.
- 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. The attached soils map identifies the soil class and type on the subject parcel; approximately 57% of the parcel area consists of Bakeoven very cobbly loam, and Licksillet-rock outcrop complex (class VII), and approximately 43%% is Endersby fine sandy loam, Pedigo silt loam, and Valby silt loam (classes II-III). 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. The term "generally unsuitable" for farm use is a term interpreted here for practical use in order that "non-farm" dwellings may be allowed. Commission interpretation has found the "generally unsuitable" criteria have been met. 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 22, 23, 24, 25, 26, 27, 34, 35, and 36 of Assessor's Maps 1N 27E. 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 non-irrigated 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 11 "non-farm" dwelling parcels and still be eligible for 5 farm dwellings. That could be a net impact of 18 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. Based on existing and future land uses Planning Commission finds 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. The application complies with this standard.

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: AGENCIES NOTIFIED: Greg Silbernagel, Watermaster; Steve Rhea, Heppner Rural Fire Protection District; Mike Gorman, Morrow County Assessor; Matt Scrivner, Morrow County Public Works Director; Matt Kenny, Morrow County Surveyor; Hilary Foote Department of Land Conservation and Development; Justin Nelson, County Counsel.

IV LEGAL NOTICE PUBLISHED: May 04, 2021
East Oregonian

May 05, 2021
Heppner Gazette-Times

V PROPERTY OWNERS NOTIFIED: May 05, 2021

VI HEARING DATE: May 25, 2021
Community Library Meeting Room
490 NE Main Ave. Irrigon, Oregon 97844

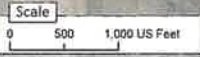
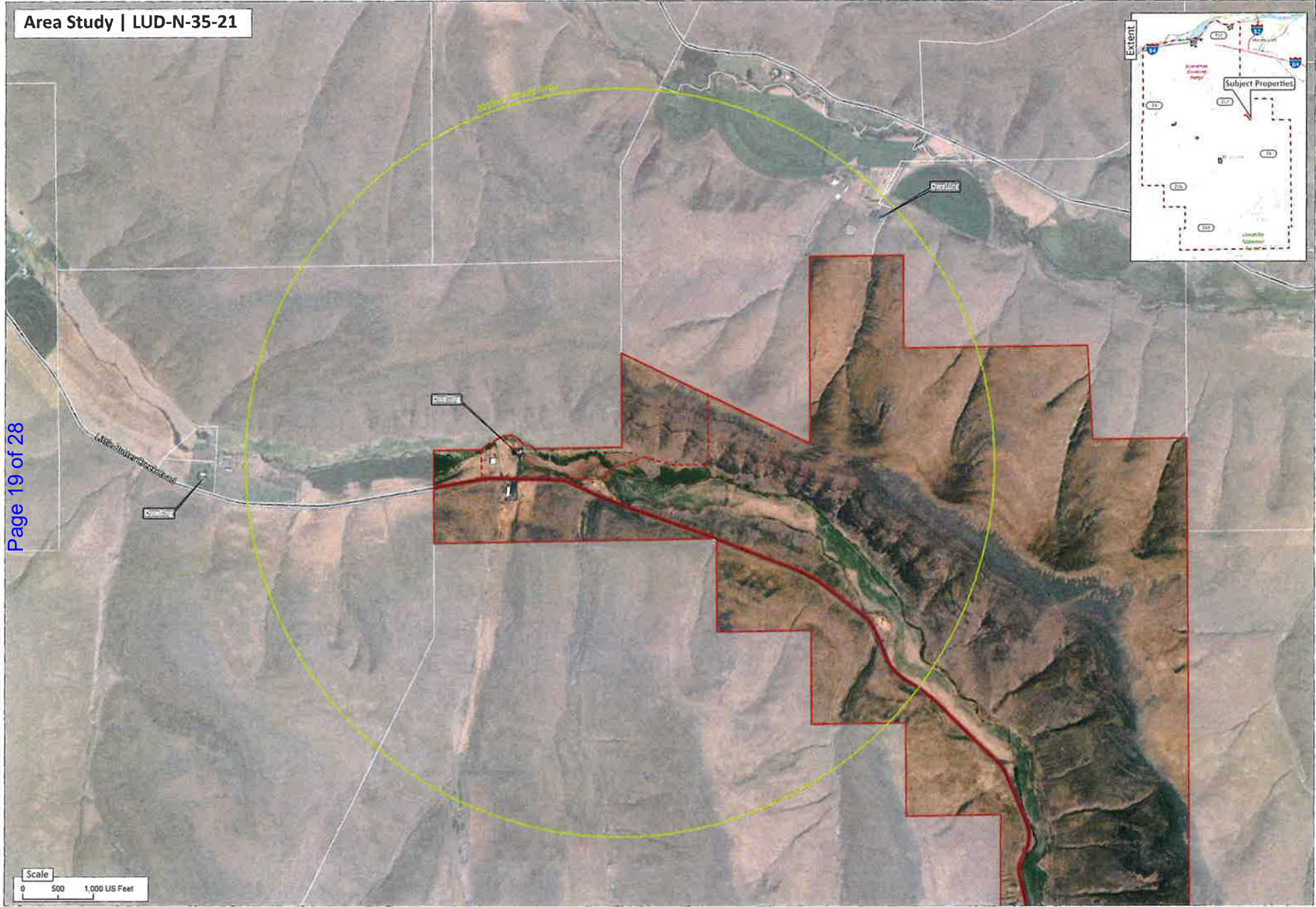
VII. PLANNING COMMISSION ACTION: Staff recommend approval subject to the following Conditions of Approval:

1. The applicant shall sign and record with the Morrow County Clerk's Office a Right to Farm Disclaimer prior to development.
2. Disqualify the "non-farm" parcel from farm deferral taxation program and pay the taxes from the previous ten years (ORS 215.236).
3. The proposed "non-farm" parcel must be configured in such a way as to be comprised of 51% or more of Class VII soils.
4. Comply with Conditions of Approval found in LP-N-495-21 prior to transfer of ownership.

Jeff Wenholz, Chair

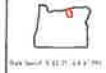
Date

Attachment:
Area Study Map
Soil Study Map



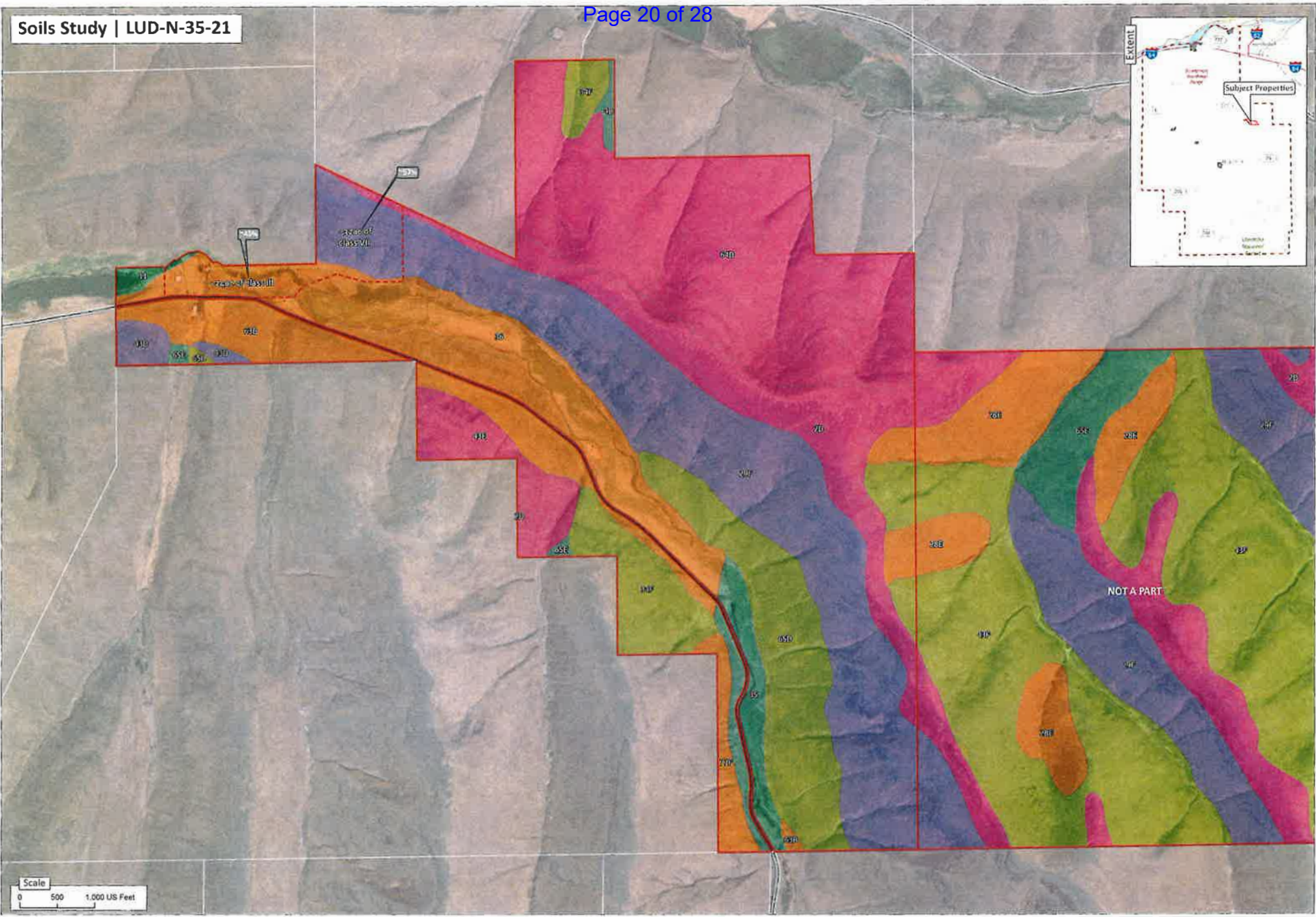
Legend

- City Limits
- Highways
- Lazy K Taxlots
- Proposed NFD Boundary
- 2000ac² Study Area

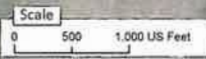


Cartography By: Stephen Wrecsics
 Morrow County Planning Department
 Corvallis, Oregon 97331
 Date: 10/15/2019





NOT A PART



Legend

- City Limits
- Highways
- Subject Property
- Proposed NFD Boundary

Soil Types	11	20	36	43F	63C	65E	28E	34F	43D	4D	64D	77F	29F	35	43E	63B	65D
2D	Bakeover very cobbly loam, 2 to 20 percent . VII																
11	Endersby fine sandy loam. II																
29F	Licksillet-Rock outcrop complex, 40 to 70 percent. VII																
36	Pedigo silt loam. III																
63B	Valby silt loam, 1 to 7 percent. III																

Cartography By: Stephen Wreccics
 Morrow County Planning Department
 Location System: NAD83 UTM Zone 18N
 Datum: North American 1983
 Projection: UTM
 Contour Interval: 100 Feet

**PRELIMINARY FINDINGS OF FACT
LAND PARTITION REQUEST
LP-N-493-21
(Cont. from 27 April 2021)**

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.**

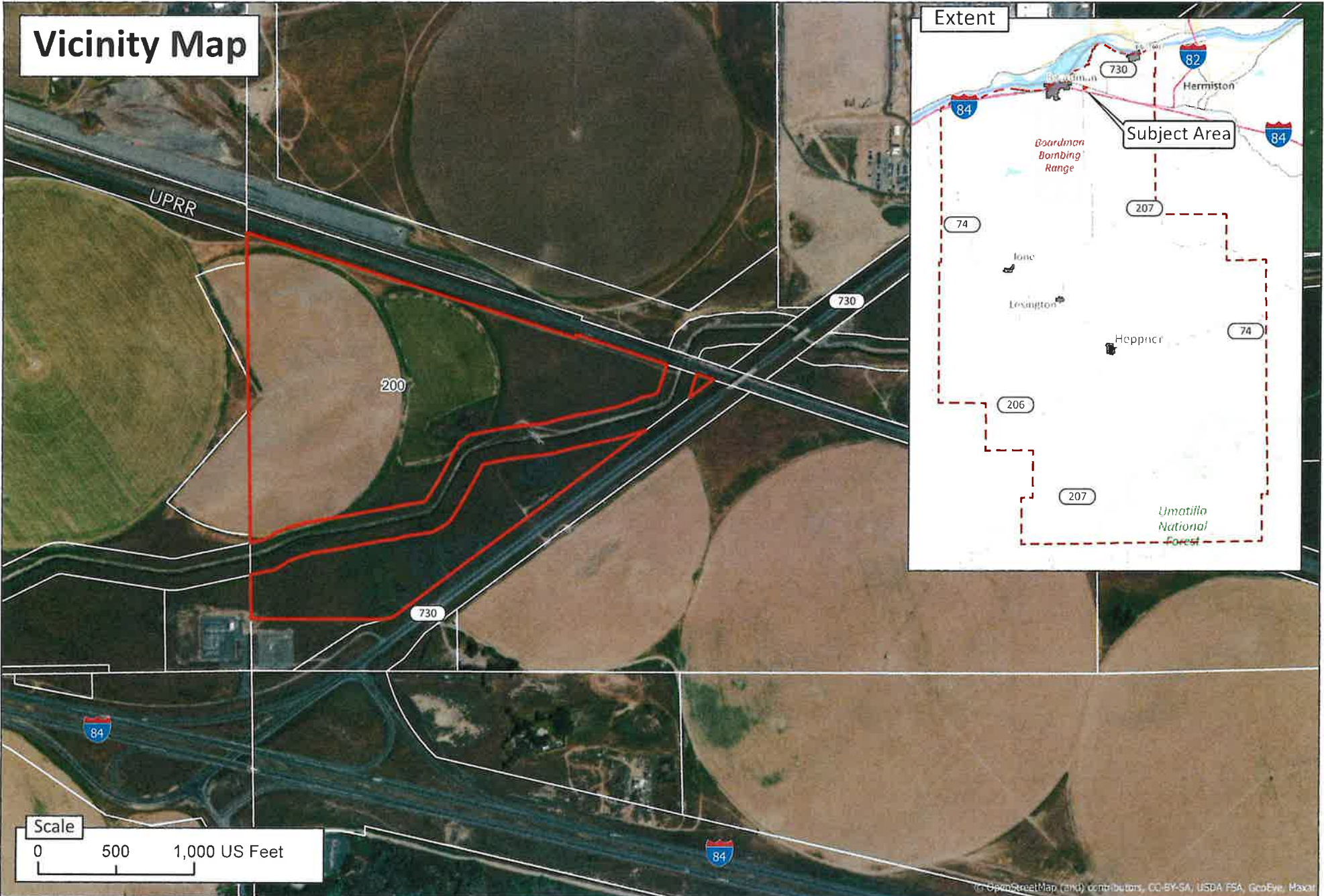
Planning staff would not add any additional Conditions of Approval based upon these criteria.

- 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 TL200

Legend

Tax Lot  Subject Property



Date Saved: 4/1/2021 9:22 AM

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



TENTATIVE PARTITION PLAT NO. 2021-

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



- 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 97838

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 SOUTH-WEST 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, 309.50 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY 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

REGISTERED PROFESSIONAL LAND SURVEYOR

Jack A. Butler

OREGON
Original Date of July 21, 1992
JACK ABBOTT BUTLER
2550

EXPIRATION DATE: 12/31/2022

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



1550 E. REPUBLIC ROAD
SPRINGFIELD, MO 65804
Ph: 417-888-0645 Fax: 417-888-0657
HERMISTON, OR Ph: 541-289-1533

www.tothassociates.com
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PARCEL 2
66.84 ACRES

PARCEL 1
21.12 ACRES

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
L6	130.68	N74° 08' 26.91"E
L15	327.04	N28° 19' 55.59"E
L5	327.04	N28° 19' 55.59"E
L13	303.45	N83° 30' 53.91"E
L7	303.45	N83° 30' 53.91"E
L10	201.10	S17° 52' 07.67"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' 19.42"E
L4	520.99	N78° 02' 19.42"E
L17	233.77	S84° 14' 47.22"W
L3	233.77	S84° 14' 47.22"W
L19	86.61	S77° 59' 48.94"W
L1	46.16	S77° 59' 48.94"W

Curve Table

Curve #	Delta	Length	Radius	Chd Bearing	Chd Dist
C6	9°22'27"	88.19	539.00	S78° 49' 40"W	88.09
C7	9°15'01"	66.69	413.06	N78° 53' 23"E	66.62
C8	56°23'45"	49.21	50.00	N46° 04' 01"E	47.25
C9	9°15'01"	98.98	613.06	N78° 53' 23"E	98.87
C10	9°22'27"	55.46	339.00	S78° 49' 40"W	55.40
C11	45°48'31"	22.35	27.95	S51° 14' 11"W	21.76
C12	49°42'24"	195.20	225.00	N53° 11' 08"E	189.13
C13	6°12'28"	24.38	225.00	N81° 08' 33"E	24.37
C14	19°54'00"	8.86	25.00	S74° 17' 47"W	8.64
C15	13°39'02"	53.61	225.00	N71° 10' 18"E	53.48

Curve Table

Curve #	Delta	Length	Radius	Chd Bearing	Chd Dist
C1	13°39'02"	5.06	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	227.95	S51° 14' 11"W	177.43



MEMORANDUM

To: Morrow County Board of Commissioners
From: Tamra Mabbott, Planning Director
CC: Planning Commission
BOC Date: May 12, 2021
RE: Monthly Planning Update

Planning Commission Update

Planning Commission approved five land use applications at their April 27th 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

Current Planning Activity April 2021:

- 10 Zoning Permits
- 4 Land Use Compatibility Reviews
- 1 Rural Addresses
- 1 Property Line Adjustments, Land Partitions, Replats
- 1 Land Use Decisions
- 1 Road Naming

Long Range Planning

The Morrow County Heritage Trail Concept Plan was adopted in 2000. Some improvements have been made over the past two decades. Planning Department is researching grant opportunities to make improvements to the trail and to re-engage federal landowners. The Department would like citizen input on future improvements to the trail. Anyone interested in being involved in the trail please contact the Planning Department. A stakeholder meeting will be held this summer. The Heritage Trail Plan is located on the website: <https://www.co.morrow.or.us/planning/page/columbia-river-heritage-trail>

Energy Projects

Two new renewable energy projects are in the pre-application process. See attached summary of all *renewable projects in Morrow County* to date.

Code Enforcement

Updates to the Code Enforcement Ordinance were completed and forwarded to the Board of Commissioners for the first hearing which was held on May 5th. The second hearing is scheduled for May 12th. Public comments are welcome and encouraged. 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 co-hosted an information training on Oregon's Statewide Planning Program and the Land Use Review Process. The training was held in person at the Port of Morrow building and virtually. It was a terrific opportunity for elected, appointed officials to better understand the statewide planning program and how it works at the local level. The powerpoint slides are posted on the Planning Department webpage. A recording of the training will be available soon. Interested people can contact the Planning Office for more information.

Planning and Public Works Departments are working with County Counsel on a process for permitting Access Permits to county roadways. The purpose of an access permit is to protect the road surface and integrity of the roadway and also to review for safety, setbacks and compliance with the Transportation System Plan. Staff are working on a process that will result in minimal delay to the development process.

Stephanie Case, Planner II continues to work on an update to the Subdivision Ordinance. There will be ample opportunity for public input and materials will be posted on the department webpage.

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.

Planning Director is participating in the Boardman to Hermiston Connector planning project. Planning will be incorporating the plan in an upcoming update to include transit in the county Transportation System Plan.

Planning Director and Human Resources Manager interviewed an Irrigon High School student to work in the Planning Office during the 2021-22 School Year.

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 Inspection Program

Morrow County contracts with the City of Boardman for full-service building inspection services. Planning staff have provided support to County Administrator and Commission Chair Russell as they work with city to update the Intergovernmental Agreement for the building inspection services. A final IGA is expected to be adopted by county and city in June.

Umatilla Army Depot and Military Coordination

Planning Director is working with US Navy on a grant application. The funds will be used to update the Comprehensive Plan and Zoning Ordinance as they relate to military installations, to develop outreach materials to enhance coordination between development and US Navy operations at Whidbey Island NAS. Public Works and Planning Directors met with City of Boardman and Oregon Military Department to discuss relocating the access to the Navy Bombing Range from Tower Road. OMD has funds to assist with the relocation costs.

Planning Trivia Question of the Month:

What is the difference between a Critical Groundwater Area (CGWA) and a Classified Area (CA)? Are domestic wells allowed in a CGWA or CA?

Answers to last month's trivia questions. How many Critical or Classified Groundwater Areas (CGWA) are in Morrow County? Morrow County has four groundwater management areas including the Ordinance Gravel, Ordinance Basalt, Buttercreek Critical and EllaButte Classified. A map of the CGWA's is on the webpage:

<https://www.co.morrow.or.us/planning/page/critical-ground-water-management-areas>