



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, January 30, 2024, 6:00 pm
Morrow County Government Center, Irrigon, OR
[For Electronic Participation See Meeting Information on Page 2](#)

Members of Commission

Stanley Anderson
 Charlene Cooley
 Stacie Ekstrom

Tripp Finch
 John Kilkenny
 Mary Killion

Elizabeth Peterson
 Karl Smith
 Brian Thompson

Members of Staff

Tamra Mabbott, Planning Director
 Stephen Wrecsics, Associate Planner, GIS
 Katie Keely, Compliance Planner

Daisy Goebel, Principal Planner
 Landon Jones, Planning Tech
 Michaela Ramirez, Administrative Assistant

1. **Call to Order**

2. **Roll Call**

Pledge of Allegiance

3. **Minutes:** December 5th, 2023 [pgs. 4-8](#)

4. **Public Hearings** to begin at 6:00 PM (COMMISSION ACTION REQUIRED):

AC-149-23; ACM-150-23 Comprehensive Plan and Zoning Map Amendment. Rowan Percheron, LLC, Applicant. The property is located approximately 9 miles south of I-84 on Tower Road. The application proposes to amend the Comprehensive Plan Map and Zoning Map to rezone approximately 318 acres from Space Age Industrial (SAI) to Exclusive Farm (EFU). Applicable Criteria include Morrow County Zoning Ordinance (MCZO) Article 8 Amendments, Oregon Administrative Rules (OAR) 660-004-0010. [pgs. 10-25](#)

ACM-151-23; AZM-152-23 Comprehensive Plan Map and Zoning Map Amendment. Selene Andrade Bernal, applicant; Suzanne Frederickson, owner. Property is tax lot 1100 of Assessor's Map 5N 26 25A, located on the north side of State Highway 730 at the northeast intersection of Second Street West. Application is to rezone the 1.54 acre parcel from zoned Suburban Residential 2 (SR2) to General Commercial (GC). Applicable Criteria include Morrow County Zoning Ordinance (MCZO) Article 8 Amendments. [pgs. 27-54](#)

Conditional Use Permit Compliance Review CUP-N-339-19: Cesar Andrade, applicant, Victor and Susana Nunez, owner. Property is described as tax lot 1600 of Assessor's Map 5N 26 36BC and is located southwest of Irrigon on the southern corner of Wagon Wheel Loop. This is a review of a revoked home occupation permit for a trucking business, a Conditional Use Permit. Criteria for approval are found in the MCZO Article 3 Section 3.040 RR Zone and Article 6 Conditional Uses.

Other Business:

Correspondence:

Public Comment: Margarita Calvillo would like to speak about West Glen.

Adjourn

Next Meeting: Tuesday, February 27, 2024, at 6:00 p.m.
DLCD Planning Commission Training
Location: Bartholomew Building, Heppner, OR

ELECTRONIC MEETING INFORMATION

Morrow County Planning is inviting you to a scheduled Zoom meeting. Topic: Planning Commission
Time: January 30, 2023, 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/6554697321?pwd=dFMxR2xlaGZkK1ZJRFVrS1Q0SmRxUT09&omn=84249165172>

Meeting ID: **655 469 7321**

Passcode: **513093**

Find your local number: <https://us02web.zoom.us/j/6554697321?pwd=dFMxR2xlaGZkK1ZJRFVrS1Q0SmRxUT09&omn=84249165172>

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.

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**Draft Minutes of the Public Meeting of the
 Morrow County Planning Commission
 Tuesday, December 5, 6:00 p.m.
 Port of Morrow, Boardman, Oregon
 (All meetings will be offered through video conferencing via Zoom)**

Members present:

Charlene Cooley, John Kilkenny, Wayne Seitz, Brian Thompson, Karl Smith, Stacie Ekstrom

Via Zoom:

Stanley Anderson, Mary Killion, Dan Kearns

Called to Order: The meeting was called to order by Chair Ekstrom at 6:00 PM.

The Pledge of Allegiance was recited.

Approval of Minutes:

October 24th minutes were accepted as presented.

Chair Ekstrom asked that we condense the minutes and if anyone else agreed with that. There were no comments

Public Hearing:

Public Hearing AZ-148-23 Legislative Code Updates. Various Zoning Ordinance code updates to implement changes imposed by the 2019, 2021, and 2023 Oregon Legislative Sessions as well as other formatting and procedural changes. Applicable Criteria include Morrow County Zoning Ordinance (MCZO) Article 8 Amendments. .

Director Mabbott pointed out the cover memo summarized the changes proposed and items that needed more detail from the last couple of meetings were also on the memo. Director Mabbott asked to enter letters received after packets were sent out into the record. The items were as follows: an email from Gabriela Goldfarb with Oregon Health Authority, a letter from Wendie Kellington representing Bob Levy and Windy River, a redline copy of Article 4 from AWS, also letters from the Port of Morrow, Madison Ranches, and Northeast Oregon Water Association's JR Cook, Executive Director. Chair Ekstrom called for a motion to enter the six documents into the record. Commissioner Cooley motioned to accept letters into the record. Commissioner Thompson seconded. Chair Ekstrom asked for a vote. All Commissioners voted in favor and the motion carried.

Director Mabbott spoke about the maps attached to the Planning staff memo submitted. Planning Tech Jones spoke on the updated changes and checklist created for data centers. Director Mabbott noted that the checklist included did not need adoption. Planning Tech Jones read through the different codes and pointed out changes made. He also clarified each of the industrial zones. Director Mabbott spoke on the changes that would take place with data centers. Counsel Kearns gave more explanation on traffic impacts, the discretion of the data centers, and mitigations, and he described requirements for notice.

Director Mabbott pointed out the differences in the old Article 4.166 site plan review and how it was non-discretionary and ministerial. The new 4.166 site plan review is now discretionary and administrative. She also said that on page 78 it should say ministerial and not administrative because of the traffic analysis. Counsel Kearns clarified that the standard site plan in section 4.165 should read ministerial which meant no discretion and no subjectivity. Director Mabbott agreed. Counsel Kearns also clarified that the site plan review should read discretionary. Director Mabbott said the code was abundantly clear for data centers.

Planning Tech Jones moved onto page 83, Article 6. He made updates on page 85, specifically about the drinking water standards. Director Mabbott read from the letter sent from the Oregon Health Authority which included proposed language for water quality testing for ADU's

Planning Tech Jones read from pages 86-89. He asked the Planning Commission for their suggestions on how to approach the language on page 92 and noted AWS had proposed some of the language.

Director Mabbott asked to go back to page 91 and spoke about ORS 197.180 State Agency Coordination and continued with page 92.

Counsel Kearns spoke on how the Planning Director could defer things to the Planning Commission. He also explained if the process wasn't done correctly permits could be appealed years down the road.

Chair Ekstrom opened Public Testimony.

In Opposition: Bob Levy, PO box 90, Echo Oregon. He farms in Umatilla and Morrow County. He stated that Morrow County wasn't the only area in the United States that had a high nitrate problem. He made comments about septic systems and drinking water. He and other farmers turned in a letter with the help of Wendie Kellington, In the letter, it asked if the Planning Commission could put things on hold (relative to ADUs).

Neutral Testimony: Randy Bentz, Master Planner for the Oregon Military Department in Salem was there in support of Captain Hank's memorandum. The department he works for handles facilities, real estate, and the environment. He said over the last 20 years, wind turbines and solar farms have caused some concerns for the military training areas. He offered some resources and made the staff and commission aware that there are grants available. The military was not there to preclude any development.

Director Mabbott advised the Planning Commission that the Planning Department notifies effected agencies with every permit.

Neutral Testimony: Jacob Cain, PO BOX 200, Boardman, OR, was there to represent the POM. His attendance was for information only. He wanted to hear concerns and resolve them.

Chair Ekstrom commented that the Planning Commission's goal was to make things more transparent. She asked if there were any questions, there were none.

Director Mabbott said the staff was not changing any of the substance of requirements; staff was just trying to make things clearer. Counsel Kearns pointed out that he wanted to make sure the process the staff was using was correct and met the minimum standards of state law. He also said the permitting process could help with preventing any issues. Commissioner Kilkenny asked if he was only talking about the impact of traffic. Counsel Kearns replied that so far traffic was the biggest issue and others were power and water.

In favor: Steve Pfeiffer, land use attorney for AWS, 1120 NW Kooch, Portland Oregon 97204. He spoke with Tamra, Landon, and Dan previous to the meeting about site availability. He and the Planning staff spoke about amending the code so that staff could require more information on the application and also address the issues mentioned previously. He mentioned that there were particular things that AWS couldn't share. He did say the checklist was very helpful. He agreed with Tamra and Dan about the required administrative review process. Chair Ekstrom asked if there were any questions, but there were none.

In Opposition: JR Cook, Director Northeast Water Association, PO Box 1026, Pendleton, OR 97801, asked the Planning Commission to work with the Water Association on collecting water data. Commissioner Kilkenny asked JR what he believed would be the proportion of nitrates in the groundwater from the units being considered. JR replied the bigger problem was the localized impact because of the proximity of wells and septic. He did want to state for the record that septic are not a no-net impact Commissioner Kilkenny asked JR what he thought the percentage of nitrate would be contributed to the groundwater from the units considered. JR replied that it is a bigger contributor to public health and safety issues. Director Mabbott said some studies were being done to identify hotspots. She suggested ADU's could be permitted in the areas where there were no known water issues. JR responded that the water situation would take some time to figure out.

Commissioner Thompson asked if Data Centers had septic systems or if they were connected to municipalities. Director Mabbott responded, both. Commissioner Thompson commented they all affect the water. Commissioner Killion suggested that maybe permitting ADU's could be part of the solution because of testing. Commissioner Kilkenny commented that if he understood correctly as part of the conditions water test had to be done prior. Director Mabbott replied that this process could help accumulate data. She felt there would be very few ADU's and also that the nitrate levels go through many phases of change. She added that ADU's could be approved through the Planning Commission.. She also suggested another option would be for staff to go back and change the temporary hardship standards to allow ADU's.

Commissioner Thompson commented that studies have shown that south county is underserved for residents and it could be a benefit in some situations. Commissioner Seitz asked if things could move forward on the ADU topic and leave the water topic until there is more data available. Director Mabbott said yes. Commissioner Killion said that she felt that ADU's on personal property were being diminished. She felt that ADU's could be done in a way within north county and maybe change some of the regulations.

Director Mabbott suggested to Chair Ekstrom that if there wasn't a consensus on items they could break some of things apart, take a vote, and make a recommendation.

A public comment was made by an attendee about restricting ADU's. Director Mabbott responded that the restriction only affected suburban residential zones.

Chair Ekstrom asked the Planning Commission if they wanted to accept the ADU language as presented. Commissioner Seitz replied he wanted to move forward with the language. Commissioner Killion disagreed with limiting ADU's because there had always been a water problem. Director Mabbott presented the language on the screen and asked if the Planning Commission wanted to make a motion to change it. She also asked if the Planning Commission wanted to add a standard. Commissioner Thompson suggested some changes. Planning Tech Jones pointed out one of the standards and that many of the residential zones in south county would not be affected by it.

Director Mabbott asked the Planning Commission if they wanted the cities to decide on ADU's within their Urban Growth Boundaries. Planning Commission responded, yes. She then read the change: (change) to allow an ADU in residential zones outside city limits with standards. She also made it clear that it can always be changed in the future. Commissioner Thompson commented about applicants who were accepted and others who were denied.

Counsel Kearns spoke on information submitted about Goal 5. Director Mabbott also reflected on the letter and said that not going through the ESEE analysis would leave this portion of the code amendment vulnerable in an appeal. Commissioner Killion asked if another application came through would the Goal 5 topic be an issue? Director Mabbott replied that when it is a quasi-judicial decision, the approval is based on clear and basic standards. Commissioner Seitz motioned to table the ADU's for a later date. Commissioner Cooley seconded. Chair Ekstrom asked for a vote on tabling ADU's for a later date, the majority vote approved and the motion carried.

Chair Ekstrom asked if there were any questions on the retirement standards for solar facilities. She then asked if the Planning Commission wanted to table and allow more comment or if they wanted to vote on the Conditional Use section. Director Mabbott asked to make a motion if they agreed with the staff's recommendation as presented. Commissioner Cooley motioned to go with the staff's recommendation for outright use with standards. Commissioner Thompson seconded. Chair Ekstrom took a vote on the outright use standard as presented by staff; all Commissioners voted in favor, and the motion carried.

Director Mabbott announced that the Planning Commission would be making a recommendation to the Board of Commissioners that they would be supporting the Legislative changes as presented except strike all reference to ADU changes and strike any reference that would make any data center a Conditional Use. Counsel Kearns agreed. Commissioner Thompson made a motion to accept. Commissioner Seitz seconded. Chair Ekstrom took a vote, all Commissioners voted in favor, and the motion carried.

Director Mabbott asked the Planning Commission if they wanted to keep the language or change it to: with the applicant's consent the Director may refer any application to the Planning Commission. Chair Ekstrom asked for a motion. Commissioner Thompson motioned to keep the wording as is. Commissioner Seitz seconded. Chair Ekstrom asked for a vote; unanimous vote approved and the motion carried.

Director Mabbott presented the Morrow County water coordinator slides, no monthly update, solar project coming in the future, also a spreadsheet with all the solar energy information. Stephen shared the Army Depot page from the website.

Chair Ekstrom ended the meeting at 8:31

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PLANNING DEPARTMENT

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

January 19, 2024

TO: Planning Commission

FROM: Tamra Mabbott, Planning Director

RE: Thremile Canyon Farms Plan and Zone Map Amendment
ACM-149-24 and AZM-150-24

This Plan and Zone Map Amendment proposes to “down zone” 318 acres from Space Age Industrial to Exclusive Farm Use. The property is located just north of the lands that county rezoned last fall. The Department of Land Conservation & Development Commission appealed that decision initially but since filing of this rezone application has withdrawn their appeal.

Planning Commission action is to review Findings and make a recommendation to the Board of Commissioners. The Board of Commissioners hearing for this legislative application is scheduled for February 21, 2024.

REV January 19, 2024
Morrow County Board of Commissioners
Draft Findings of Fact
Threemile Canyon Farms
AC-149-23, AC-M-150-23

REQUEST: to amend the Comprehensive Plan and Zoning Map to change the Plan and zoning designation of a 218-acre parcel from Space Age Industrial (SAI) to Exclusive Farm Use (EFU).

APPLICANT and OWNER: Threemile Canyon Farms
75906 Threemile Road
Boardman, OR 97818

PROPERTY DESCRIPTION: Tax Lot 100 of Assessor's Map 3N 24

PROPERTY LOCATION: Property is located on Tower Road approximately 9 miles south of Interstate 84, west and south of the City of Boardman. Parcel is just north of the old PGE Coal Fire Plant.

FINDINGS OF FACT:

I BACKGROUND INFORMATION:

The approximately 318-acre parcel includes two irrigated farm circles that grow a variety of crops. The Property is currently zoned Space Age Industrial (SAI). The rezone acreage consists of irrigated agricultural land, with two active pivots. The surrounding land is in agricultural production or grazing. See Vicinity Map.

The Rezone Acreage is located within the Columbia Plateau ecoregion, which extends from the eastern slopes of the Cascade Mountains to the Blue Mountains. The Columbia Plateau ecoregion is characterized by relatively low topography and an arid climate with cool winters and hot summers. The Rezone Acreage is situated approximately 560 to 590 feet above sea level. The Property, including the Rezone Acreage, is relatively flat and has likely been graded and tilled for agricultural purposes. The Rezone Acreage consists of irrigated, cultivated pivots and low scrub-shrub, sagebrush, grasses, and forbs outside of the pivots. Although no wetlands and streams are identified by public mapping resources, aerial imagery shows a linear wetland feature to the northeast. The wetland feature appears to be naturally occurring at the perimeter of the Rezone Acreage.

In 2023 Morrow County approved the rezone of a 274-acre parcel contiguous to the subject parcel, including AC-145-23, ACM-147-23 and AZM-147-23. The applications included the following: Rezone (EFU to MG), Plan Amendment, Goal 3, 11 and 14 exception and a Limited Use Overlay to allow a large data center complex. County decision was appealed to the Land Use Board of Appeals by the State of Oregon Department of Land Conservation and Development. Reasons for the appeal were identified as a deficiency in the alternatives analysis of existing sites. This application is in part the result of the State of Oregon appeal of the 274-

acre rezone and plan and map amendment decision.

Project Description: Amend Morrow County’s Comprehensive Plan (MCCP) and corresponding Morrow County Zoning Ordinance (MCZO) Map to rezone approximately 318 acres from Space Age Industrial (SAI) to Exclusive Farm Use (EFU).

Surrounding Land Uses. The surrounding land use is primarily agriculture however, to the south and west is the PGE natural gas plant and to the south is the site of the former PGE Coal fired plant.

Soils: The Rezone Acreage is comprised of 3 major soil types: Koehler loamy fine sand (2 to 5 percent slopes), Koehler loamy fine sand (5 to 12 percent slopes), and Quincy loamy fine sand (2 to 12 percent slopes). The NRCS soils report classifies these soil types as NRCS Class 4 when irrigated and NRCS Class 7 when nonirrigated. See applicants **Figure 4** (Rezone Acreage Site Features). Given that the Rezone Acreage is currently irrigated, it is comprised predominantly of NRCS Class 4 soils.

Water Supply: The 318 acres has water rights for irrigation.

Transportation & Access: Parcel currently has direct access to Tower Road. Property will remain in farm use and access will not change. A traffic study is not necessary.

II MORROW COUNTY ZONING CODE STANDARDS APPLICABLE TO LEGISLATIVE DECISIONS

To approve the request county will be required to adopt findings to show that the request meets the necessary criteria which are presented below in **bold** print with responses in regular print.

MCZO 8.040 provides the applicable approval criteria for a zone change. Applicant response is in standard font below.

MCZO 8.040, CRITERIA. The proponent of the application or permit has the burden of proving justification for its approval. The more drastic the request or the greater the impact of the application or permit on the neighborhood, area, or county, the greater is the burden on the applicant. The following criteria shall be considered by the Planning Commission in preparing a recommendation and by the County Court in reaching their decision.

A. The local conditions have changed and would warrant a change in the zoning of the subject property(ies).

Response: When the SAI zone was adopted for the Property and in particular, the Rezone Acreage, the County anticipated that large amounts of land would be needed for space age technology research and development, an industry that was targeted as an emerging opportunity for the County. Since then, large amounts of SAI zone have been underutilized and significant acreage is in farm use. Applicant seeks this zone change for the Rezone Acreage to zone it for its current use as irrigated agricultural land. The Rezone Acreage is adjacent to existing EFU land and the EFU zone is more appropriate given the historic, current, and anticipated future uses.

The County finds that this criterion is met.

B. The public services and facilities are sufficient to support a change in designation including, but not limited to, water availability relevant to both quantity and quality, waste and storm water management, other public services, and streets and roads.

Response: The zone change does not require the provision of new public services or facilities. The ongoing farm use will continue to use the existing transportation system and existing roads, and the land is already located within the Boardman Rural Fire Protection District service area. The County finds that this criterion is met.

1. Amendments to the zoning ordinance or zone changes which significantly affect a transportation facility shall assure that land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

- a. Limiting allowed land uses to be consistent with the planned function of the transportation facility or roadway;***
- b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,***
- c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel to meet needs through other modes.***

Response: This zone change application does not significantly affect a transportation facility, and, where the application is to “down zone” from industrial to Exclusive Farm Use, a traffic study was not required. Therefore Subpart (1) does not apply to this application and county may find the applicant complies with this criterion.

2. A plan or land use regulation amendment significantly affects a transportation facility if it:

- a. Changes the functional classification of an existing or planned transportation facility;***
- b. Changes standards implementing a functional classification;***
- c. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or***
- d. Would reduce the level of service of the facility below the minimal acceptable level identified in the Transportation System Plan. (MC-C-8-98)***

Response: This zone change application involves a “down zoning” and will not significantly affect a transportation facility as no additional trips are anticipated from the proposed EFU zone. It appears the landowner will utilize the existing access/approach to Tower Road. The County may find that this criterion is met.

C. That the proposed amendment is consistent with unamended portions of the Comprehensive Plan and supports goals and policies of the Comprehensive Plan, that

there is a public need for the proposal, and that the need will be best served by allowing the request. If other areas in the county are designated for a use as requested in the application, then a showing of the necessity for introducing that use into an area not now so zoned and why the owners in should bear the burden, if any, of introducing that zone into their area.

Response: Applicant demonstrates that the proposal is consistent with the applicable MCCC goals and policies below. The proposal serves a public need of continuing to provide agricultural land for farm operations and furthers Goal 3 (Agricultural Land) policies. Threemile Canyon Farms is the owner of surrounding land and supports this application, evidencing that this proposed zone change will not burden the owners in the area. The County finds that this criterion is met.

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

Response: Applicant does not anticipate any public health or welfare issues arising from this application. County may find the application complies with this criterion.

V. CONSISTENCY WITH MORROW COUNTY COMPREHENSIVE PLAN GOALS AND POLICIES

The MCCC goals and policies identified below are most relevant and applicable to this application.

Goal 1 (Citizen Involvement)

The Citizen Involvement Goal develops and implements a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process. Citizen Involvement Policy 3 encourages people to attend and participate in Morrow County Planning Commission and County Court meetings and hearings. The goal and policy are satisfied through the opportunities afforded to the public to participate at public hearings before the Planning Commission and Board of Commissioners on the proposed amendments, as provided for by state law and the county's Zoning Ordinance. The application is consistent with this goal.

Goal 2 (General Land Use)

General Land Use Policy 9 requires that all plan and zone changes comply with all applicable state-wide planning goals and County policies and procedures. This policy is satisfied for the reasons set out in the analysis of compliance with the state-wide goals and applicable County zoning provisions that are contained in this application. The application is consistent with this goal.

Goal 3 (Agricultural Lands Element)

Applicant seeks to add acreage to the agricultural land supply of the County. This application directly furthers the policies of Goal 3, including Policy 1 and Policy 6. The application is consistent with this goal.

Goals 5 and 6 (Natural & Cultural Resources Elements)

The Natural Resources Element of the plan provides a general overview of all natural resources common to the County. In general, natural resources are considered vital to the County's historical and future development and are recognized as a primary base for the County's economy.

In the context of this application and amendments, Natural Resource General Policy M states that the County should establish policies for the analysis of zone changes effect on air, water, and land quality. Water Resources Policy F discusses the need to evaluate the quality and quantity of groundwater prior to approving projects or developments that would impact those resources. Water quality and quantity of water and groundwater is regulated primarily by the Oregon Water Resources Department (OWRD) and Oregon DEQ.

The subject Parcel is located in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA), an area designated by the state Department of Environmental Quality due to nitrate levels that exceed state and federal drinking water standard. The request is to zone the property to farm use and the parcel will continue to be managed for crops and other farm use. Therefore, there will be no impact to the LUBGWMA.

Subject Rezone Acreage is not located within a Goal 5 Critical Groundwater Area. The Ella Butte Classified Area is located to the south.

Applicant proposes to downzone the Rezone Acreage to EFU, which limits the intensity and scale of permissible development. There is no development proposed concurrent with this application and Applicant does not anticipate any new impacts to resources protected by Goals 5 and 6. The application is consistent with this goal.

Goal 9 (Economic Element)

A number of economic goals and policies apply to this proposed plan amendment. Most of these goals and policies are aspirational or directory to the County, rather than mandatory to an applicant. This application seeks to add acreage to the County's agricultural land supply and furthers the ongoing agricultural operations in the surrounding area. Further, there is a large supply of lands zoned Space Age Industrial (SAI) and to date all of those lands have been managed for farm use rather than industrial use. Farming is an important part of the Morrow County economy. Based on this the application can be found to be consistent with Goal 9.

Goal 11 (Public Facilities and Services Element)

This application does not involve the extension of public facilities or services and will have no impact on the Goal 11 goals and policies.

Goal 12 (Transportation Element)

The zone change will not increase transportation or the demand on the existing transportation system. The rezone can be accommodated by the existing transportation infrastructure network. Application is consistent with Goal 12.

Goal 13 (Energy Conservation Element)

The proposed EFU zone and its uses would not demand more energy than the existing SAI zone and its uses.

Goal 14 (Urbanization Element)

The application adds acreage to the County's agricultural land supply. Goal 14 is not implicated.

VI COMPLIANCE WITH APPLICABLE STATEWIDE PLANNING GOALS.

County will be required to adopt findings to show that the request complies with applicable Statewide Planning Goals (SWPG).

The goals identified below are the only goals applicable to the plan amendments requested in this application. Goals not identified do not apply.

Goal 1 (Citizen Involvement).

Goal 1 requires opportunity for citizens to be involved in all phases of the planning process. For plan amendments, Goal 1 is satisfied when a local government follows the public involvement procedures for plan amendments set out in its acknowledged Comprehensive Plan and land use regulations. Morrow County's regulations for MCCP amendments include notice to the public and to the Department of Land Conservation and Development (DLCD); public hearings before the Morrow County Planning Commission (which makes a recommendation to the County Governing Body); and public hearings before the Morrow County Board of Commissioners. Compliance with these regulations results in compliance with Goal 1.

Goal 2 (Land Use Planning)

Goal 2, Part I, requires that actions related to land use be consistent with acknowledged Comprehensive Plans of cities and counties. The proposed amendments' consistency with applicable provisions in the MCCP is demonstrated in this document.

Goal 3 (Agricultural Lands)

Goal 3 requires counties to preserve and maintain agricultural lands for farm use. This application furthers Goal 3 policies by adding acreage to the County's agricultural land supply.

Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces)

Goal 5 addresses the preservation of natural resources, scenic and historic areas, and open spaces. In the context of the Application's proposed amendment, the Applicant reviewed Morrow County's existing inventories for wetlands, wildlife habitat, and cultural resources and areas. No protected areas were identified except a small swath of FEMA mapped Zone A.

Goal 9 (Economic Development)

Goal 9 requires local governments to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens to adopt comprehensive plans and policies. Goal 9 is a directive to the County to ensure that the local plans address economic development opportunities, land supply for industrial and

commercial uses, and address economic projections among other things. The ongoing agricultural operations under the EFU zoning will further the County's agricultural economy.

Goal 11 (Public Facilities and Services)

Goal 11 requires local governments to plan and develop a timely, orderly, and efficient arrangement of public facilities and services. This application does not require extension or provision of new public facilities or services.

Goal 12 (Transportation)

Goal 12 requires local governments to "provide and encourage a safe, convenient and economic transportation system." Goal 12 is implemented through the Transportation Planning Rule, OAR 660, Division 12. Goal 12 requires, among other things, that the County's Transportation Plan facilitate the flow of goods and services, so as to strengthen the local and regional economy. The zone and plan change application "down zones" the property, meaning that the EFU zone results in less overall trips than the SAI zone and allows fewer intensive uses. Applicant appears to propose continued use of an existing access/driveway approach onto Tower Road. On this basis, the County may conclude that a Transportation Planning Rule analysis is not necessary.

Goal 13 (Energy Conservation)

Goal 13 directs cities and counties to manage and control land and uses developed on the land to maximize the conservation of all forms of energy, based on sound economic principles. The EFU zone will further this policy.

Goal 14 (Urbanization)

Goal 14 requires counties and cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. This application adds acreage to the County's agricultural land supply and helps maintain the current agricultural operations. Goal 14 is not implicated.

VII AGENCIES NOTIFIED: Dawn HERT, Hilary Foote, Department of Land Conservation and Development; Teresa Penninger, Oregon Department of Transportation; Department of Environmental Quality Eastern Region Office; Mike Gorman, Morrow County Assessor; Eric Imes, Morrow County Public Works; Ione Rural Fire Protection District; Boardman Rural Fire Protection District, Kimberly Peacher, Community Planning & Liaison Officer, US NAS Whidbey Island, Jessica Salgado, Jurisdiction Coordinator, Department of State Lands, Chris Kowitz and Greg Silbernagel, OWRD, Lisa Mittelsdorf, Port of Morrow, City of Boardman, Glenn McIntire, Building Official, Kevin Payne, Morrow SWCD, Steve Freeland, Morrow County Emergency Management.

VIII ATTACHMENTS:

Zoning Map

Vicinity Map and adjacent landowners

Zone Change Map
 Soils Map
 Critical Groundwater and Groundwater Management Area Map
 Email from Gordon Howard, Department of Land Conservation & Development

IX HEARING DATES:

Planning Commission
 North Morrow Government Building
 January 30, 2024
 North Morrow Government Center
 215 NE Main Street
 Irrigon, OR 97844

Board of Commissioners
 February 21, 2024
 North Morrow Government Center
 215 NE Main Street
 Irrigon, OR 97844

X RECOMMENDATION OF THE MORROW COUNTY PLANNING COMMISSION:

Options for Planning Commission consideration.

1. Accept the Findings and recommend Board of Commissioners approve the application.
2. Vote to recommend Board of Commissioners not approve the application and revise Findings accordingly.

Options for Board of Commissioners:

1. Accept the Findings and Recommendation of the Planning Commission
2. Do not accept the Findings and Recommendation of the Planning Commission

MORROW COUNTY BOARD OF COMMISSIONERS

David Sykes, Chair

Jeff Wenholz, Commissioner

Roy Drago, Commissioner

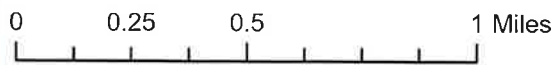
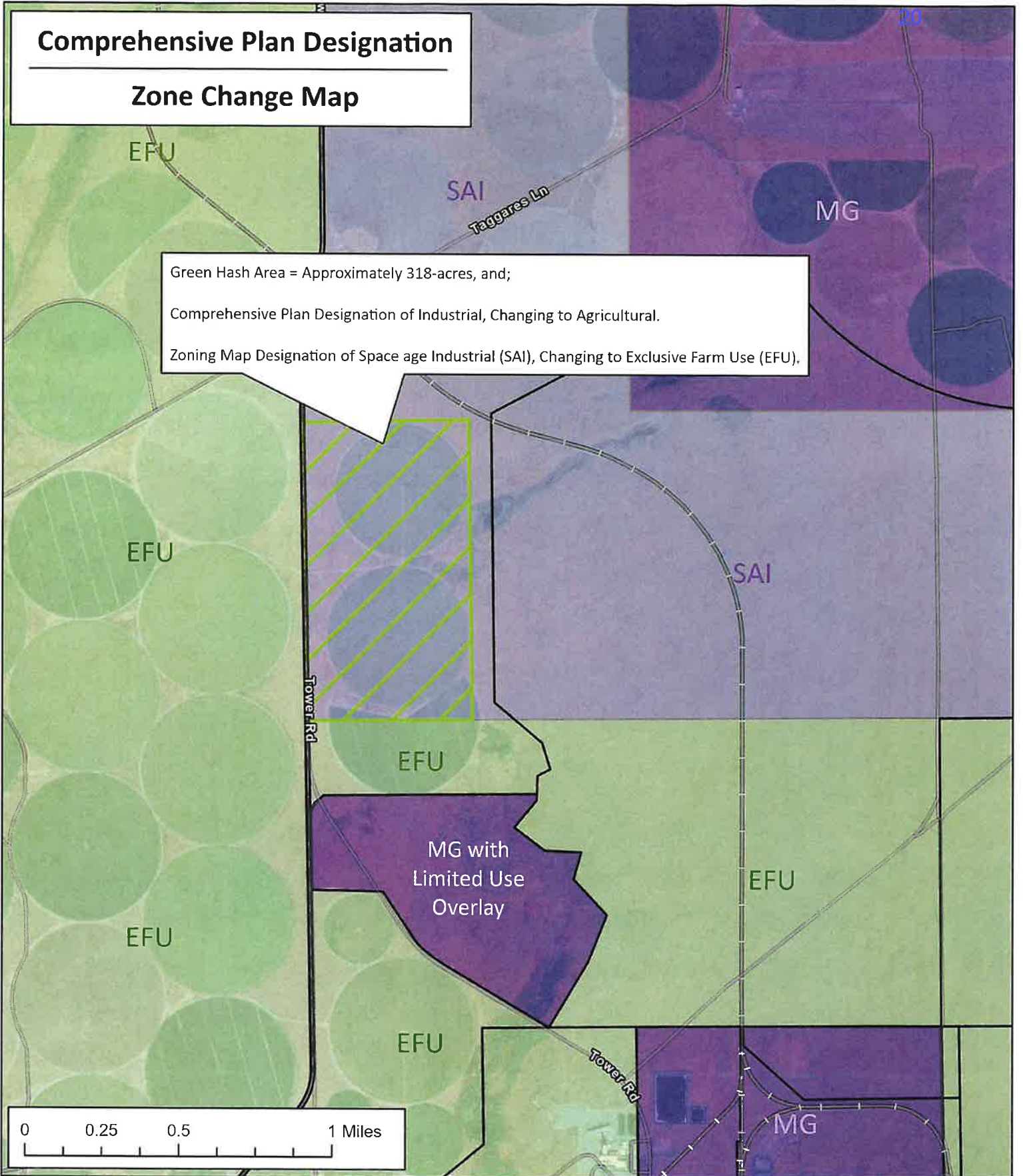
[./planning/amendments/2024/Threemile Rezone/BOC draft Findings](#)

DRAFT

Comprehensive Plan Designation

Zone Change Map

Green Hash Area = Approximately 318-acres, and;
Comprehensive Plan Designation of Industrial, Changing to Agricultural.
Zoning Map Designation of Space age Industrial (SAI), Changing to Exclusive Farm Use (EFU).



ACM-149-24
AZM-150-24

Threemile Canyon Farms, LLC.
3N24E TL100

Morrow County Tax Lot

Morrow County
Zone Designation

- EFU
- MG
- SAI

Coordinate System:

NAD 1983 HARN StatePlane Oregon North FIPS 3601

Projection: Lambert Conformal Conic

Datum: North American 1983 HARN

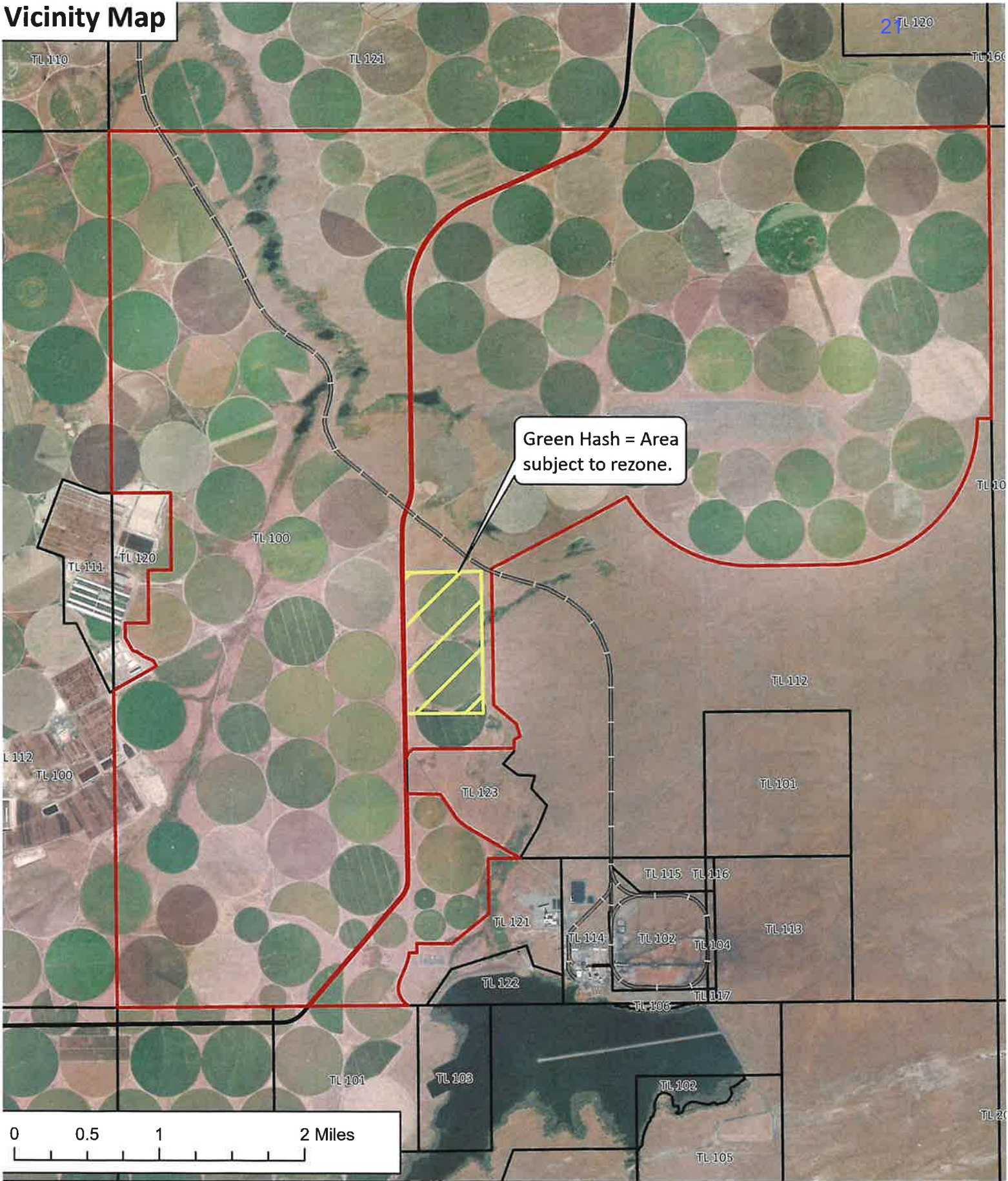
Cartography By: Stephen Wrecsics

Wednesday, January 3, 2024

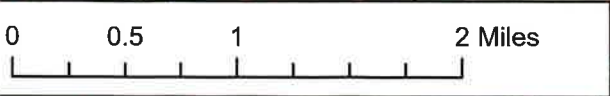
Morrow County Planning Department



Vicinity Map





Green Hash = Area subject to rezone.



ACM-149-24
AZM-150-24

Threemile Canyon Farms, LLC.
3N24E TL100

-  Morrow County Tax Lot
-  Subject Parcel

Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics
Monday, January 1, 2024



| CORRECTED | OWNER 1 | OWNER 2 | MAIL ADDRESS | CITY | STATE | ZIPCODE |
|--------------|--|---------|---------------------------|------------|-------|---------|
| 4N24E 5600 | USA (BOMBING RANGE) | | | | | 0 |
| 3N25E 100 | USA (BOMBING RANGE) | | | | | 0 |
| 3N24E 122 | PORTLAND GENERAL ELECTRIC | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 121 | PORTLAND GENERAL ELECTRIC | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 117 | PORTLAND GENERAL ELECTRIC COMPANY ETAL | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 116 | PORTLAND GENERAL ELECTRIC COMPANY ETAL | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 115 | PORTLAND GENERAL ELECTRIC COMPANY ETAL | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 114 | PORTLAND GENERAL ELECTRIC COMPANY ETAL | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 113 | PORTLAND GENERAL ELECTRIC | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 2N24E 106 | PORTLAND GENERAL ELECTRIC | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 2N24E 105 | PORTLAND GENERAL ELECTRIC COMPANY ETAL | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 104 | PORTLAND GENERAL ELECTRIC COMPANY ETAL | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 2N24E 103 | PORTLAND GENERAL ELECTRIC | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 102 | PORTLAND GENERAL ELECTRIC COMPANY ETAL | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 2N24E 102 | PORTLAND GENERAL ELECTRIC | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 3N24E 101 | PORTLAND GENERAL ELECTRIC | | 121 SW SALMON ST | PORTLAND | OR | 97204 |
| 4N25E 1600 | USA (DEPT OF NAVY) | | 3730 N CHARLES PORTER AVE | OAK HARBOR | WA | 98278 |
| 4N24E 121 | THREEMILE CANYON FARMS, LLC | | 75906 THREEMILE RD | BOARDMAN | OR | 97818 |
| 4N24E 120 | THREEMILE CANYON FARMS, LLC | | 75906 THREEMILE RD | BOARDMAN | OR | 97818 |
| 3N24E 120 | THREEMILE CANYON FARMS, LLC | | 75906 THREEMILE RD | BOARDMAN | OR | 97818 |
| 3N23E 112 | THREEMILE CANYON FARMS, LLC | | 75906 THREEMILE RD | BOARDMAN | OR | 97818 |
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| 2N24E 107 | THREEMILE CANYON FARMS, LLC | | 75906 THREEMILE RD | BOARDMAN | OR | 97818 |
| 2N23E 102 | THREEMILE CANYON FARMS, LLC | | 75906 THREEMILE RD | BOARDMAN | OR | 97818 |
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| 4N24E24 1300 | MCLACHLAN LAND LLC | | 78256 PETERS RD | BOARDMAN | OR | 97818 |
| 4N24E 110 | PORT OF MORROW | | PO BOX 200 | BOARDMAN | OR | 97818 |
| 4N24E 134 | CITY OF BOARDMAN | | PO BOX 229 | BOARDMAN | OR | 97818 |
| 4N24E23 901 | FRANK TIEGS, LLC | | PO BOX 3110 | PASCO | WA | 99302 |
| 4N24E 131 | ANDERSON, NANCY | | PO BOX 34 | CHEHALIS | WA | 98532 |
| 4N25E19 302 | KERSLAKE FAMILY ENTERPRISES, LLC | | PO BOX 3427 | GRESHAM | OR | 97030 |
| 4N25E19 301 | KERSLAKE FAMILY ENTERPRISES, LLC | | PO BOX 3427 | GRESHAM | OR | 97030 |
| 4N24E 138 | AMAZON DATA SERVICES, INC | | PO BOX 80416 | SEATTLE | WA | 98108 |
| 4N24E 137 | AMAZON DATA SERVICES, INC | | PO BOX 80416 | SEATTLE | WA | 98108 |
| 4N24E 136 | AMAZON DATA SERVICES, INC | | PO BOX 80416 | SEATTLE | WA | 98108 |

ACM-149-24, AZM-150-24 | Threemile Canyon Farms, LLC. | 2.25 Mile Notice
 3N 24E TL100
 S:\Planning\Amendments - Z0-CP or TSP\2023\Threemile Zone Change AC 149-24

| CORRECTED | OWNER 1 | OWNER 2 | MAIL ADDRESS | CITY | STATE | ZIPCODE |
|--------------|--|---------|---------------------------|------------|-------|---------|
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| 4N24E24 1300 | MCLACHLAN LAND LLC | | 78256 PETERS RD | BOARDMAN | OR | 97818 |
| 4N24E 110 | PORT OF MORROW | | PO BOX 200 | BOARDMAN | OR | 97818 |
| 4N24E 134 | CITY OF BOARDMAN | | PO BOX 229 | BOARDMAN | OR | 97818 |
| 4N24E23 901 | FRANK TIEGS, LLC | | PO BOX 3110 | PASCO | WA | 99302 |
| 4N24E 131 | ANDERSON, NANCY | | PO BOX 34 | CHEHALIS | WA | 98532 |
| 4N25E19 302 | KERSLAKE FAMILY ENTERPRISES, LLC | | PO BOX 3427 | GRESHAM | OR | 97030 |
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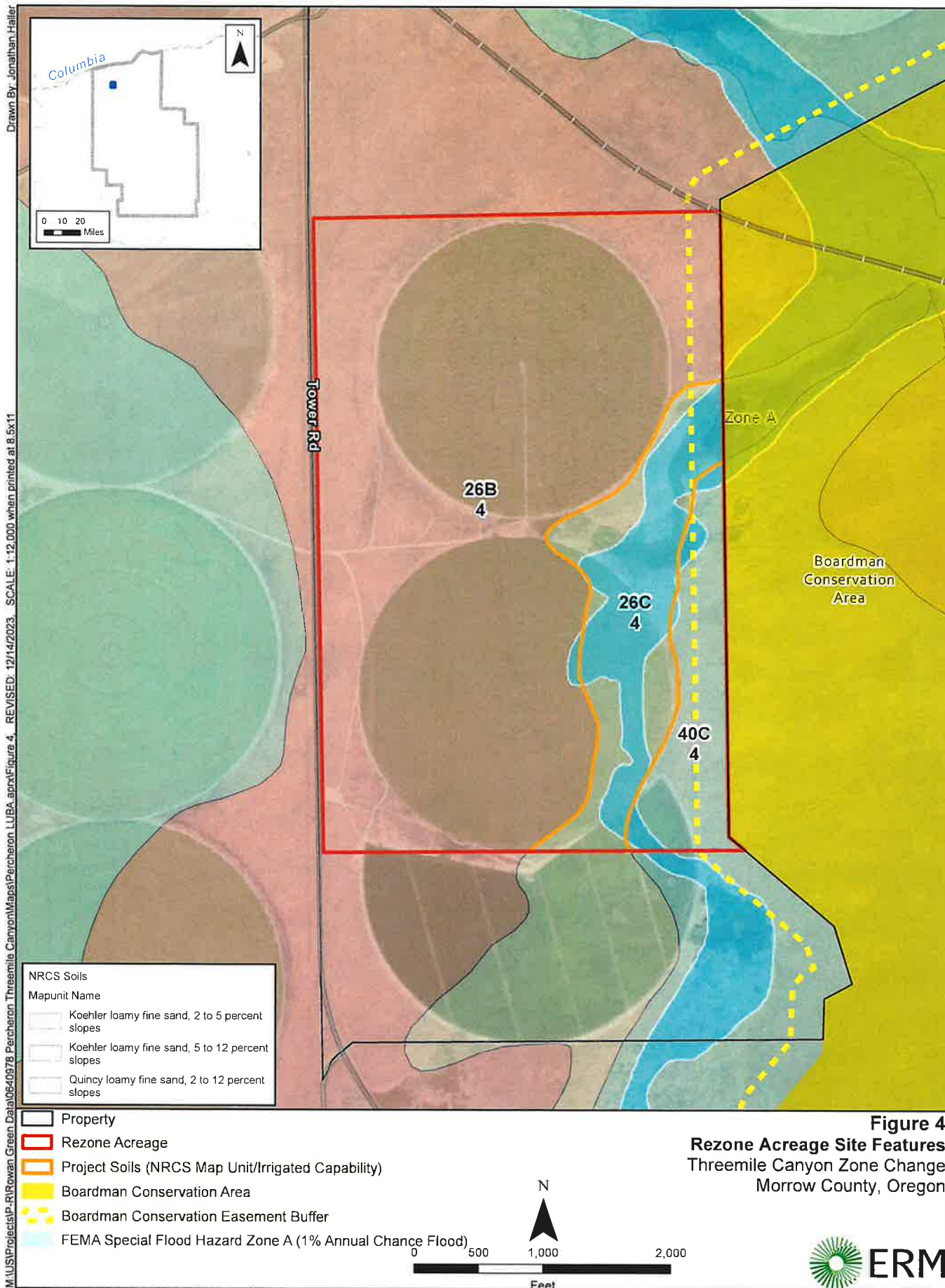


Figure 4
Rezone Acreage Site Features
 Threemile Canyon Zone Change
 Morrow County, Oregon



M:\US\Projects\PR\Rowan Green Data\06-0978 Percheron Threemile Canyon\Maps\Percheron LUBA.aprx\Figure 4_REVISED_12/14/2023_SCALE: 1:12,000 when printed at 8.5x11

Drawn By: Jonathan Haller

Source: NAIP 2020, NAD 1983 2011 StatePlane Oregon North FIPS 3601 Ft Intl

Tamra Mabbott

From: HOWARD Gordon * DLCDC <Gordon.HOWARD@dlcd.oregon.gov>
Sent: Wednesday, December 20, 2023 7:38 AM
To: Tamra Mabbott
Cc: JININGS Jon * DLCDC; HERT Dawn * DLCDC; Donald Erin L; Urch Sara L
Subject: Rezone application your received

[EXTERNAL EMAIL] - STOP and VERIFY - This message came from outside of Morrow County Gov

Hi Tamra, the rezone application you received is indeed in relation to negotiations to resolve the LUBA appeal. And yes, the department has no concerns about rezoning this property related to Goal 9.

Gordon

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

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PLANNING DEPARTMENT

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

January 16, 2024

TO: Planning Commission

FROM: Tamra Mabbott, Planning Director

RE: ACM-151-23; AZM-152-23 Comprehensive Plan and Zoning Map Amendment and CUP-N-363-23. The property is located immediately adjacent to the West city limits of Irrigon at the intersection of State Highway 730 and SW 2nd Street. The applicant requests the 1.5 acre parcel be rezoned from Suburban Residential 2A (SR2A) to General Commercial (CG) and to allow the commercial trucking business.

The Andrade family has been earnestly looking for a commercial or industrial zoned property in the Irrigon area in order to relocate their commercial trucking business out of a residential zone. Their trucking business requires a commercial or industrial zoned property. The Andrade's have purchased the subject property located on State Highway 730 and adjacent to other commercially zoned properties with hopes to rezone this land for commercial use.

The subject property is well-situated for the Andrade's and includes an existing access from Second SW Street. The parcel size is large enough to store trucks and operate their business and replace the older single-wide mobile home with a newer double-wide mobile home. Rezoning this property would not be considered spot zoning due to the proximity of adjacent lots already zoned for commercial use. The Andrade's have been the first landowners of many to make strides in relocating their commercial trucking operation out of a residential zone.

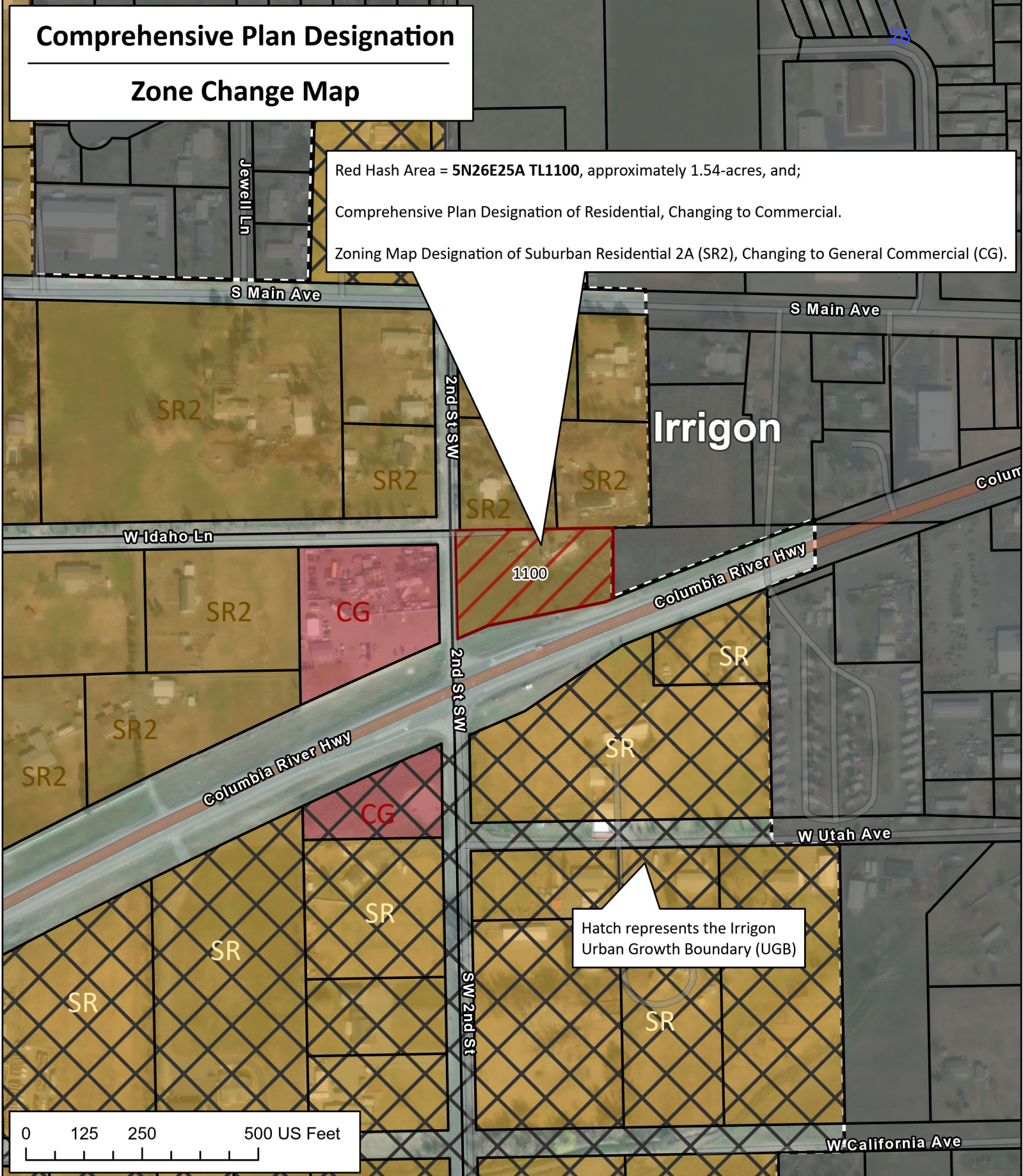
Inventory of commercial property inside the city limits is extremely limited inside Irrigon city limits and urban growth boundary. There are fewer than 5 commercial properties outside Irrigon city limits.

Staff recommendation is for Planning Commission to recommend the Board of Commissioners approved the proposed Comprehensive Plan and Map Amendment applications. Following approval of the amendments, concurrent with the legislative action, Planning Commission is asked to approve a Conditional Use Permit application for a trucking business on the subject parcel. Co-locating a home and a business, especially a trucking business, reduces crime and theft. The Conditional Use Permit is a separate action and would be subject to Board of Commissioners approval of the Plan and Zone amendment.

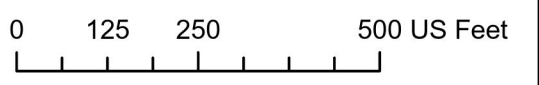
Comprehensive Plan Designation

Zone Change Map

Red Hash Area = 5N26E25A TL1100, approximately 1.54-acres, and;
Comprehensive Plan Designation of Residential, Changing to Commercial.
Zoning Map Designation of Suburban Residential 2A (SR2), Changing to General Commercial (CG).



Hatch represents the Irrigon Urban Growth Boundary (UGB)



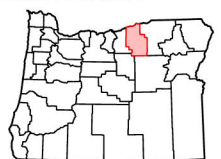
ACM-151-24
AZM-152-24

Suzanne E. Frederickson
5N26E25A TL1100

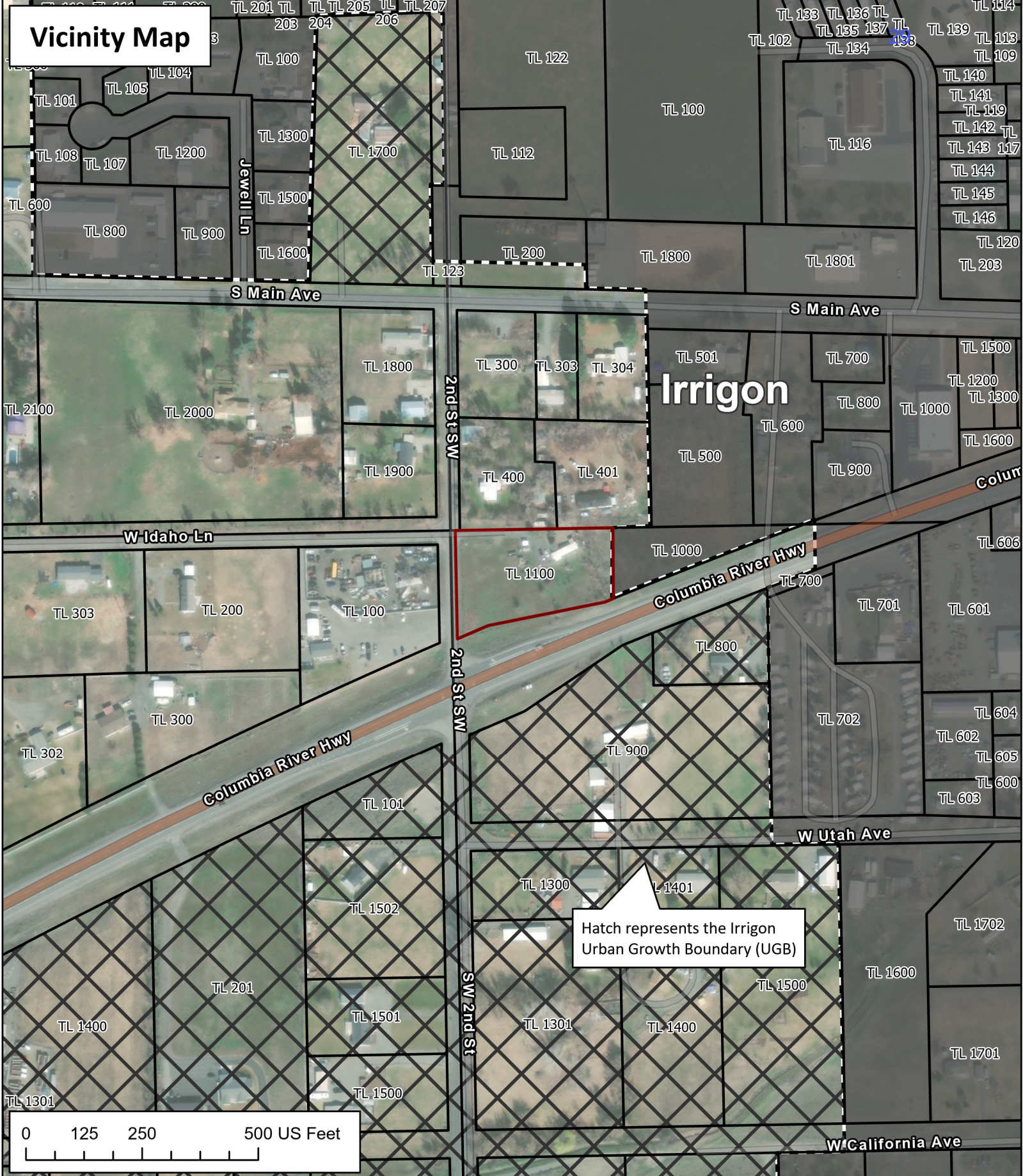
- Morrow County Tax Lot
- CG
- SR
- SR2
- City Limits
- UGB

Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics
Monday, January 1, 2024
Morrow County Planning Department



Vicinity Map



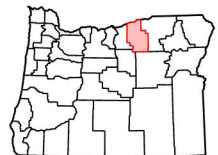
ACM-151-24
AZM-152-24

Suzanne E. Frederickson
5N26E25A TL1100

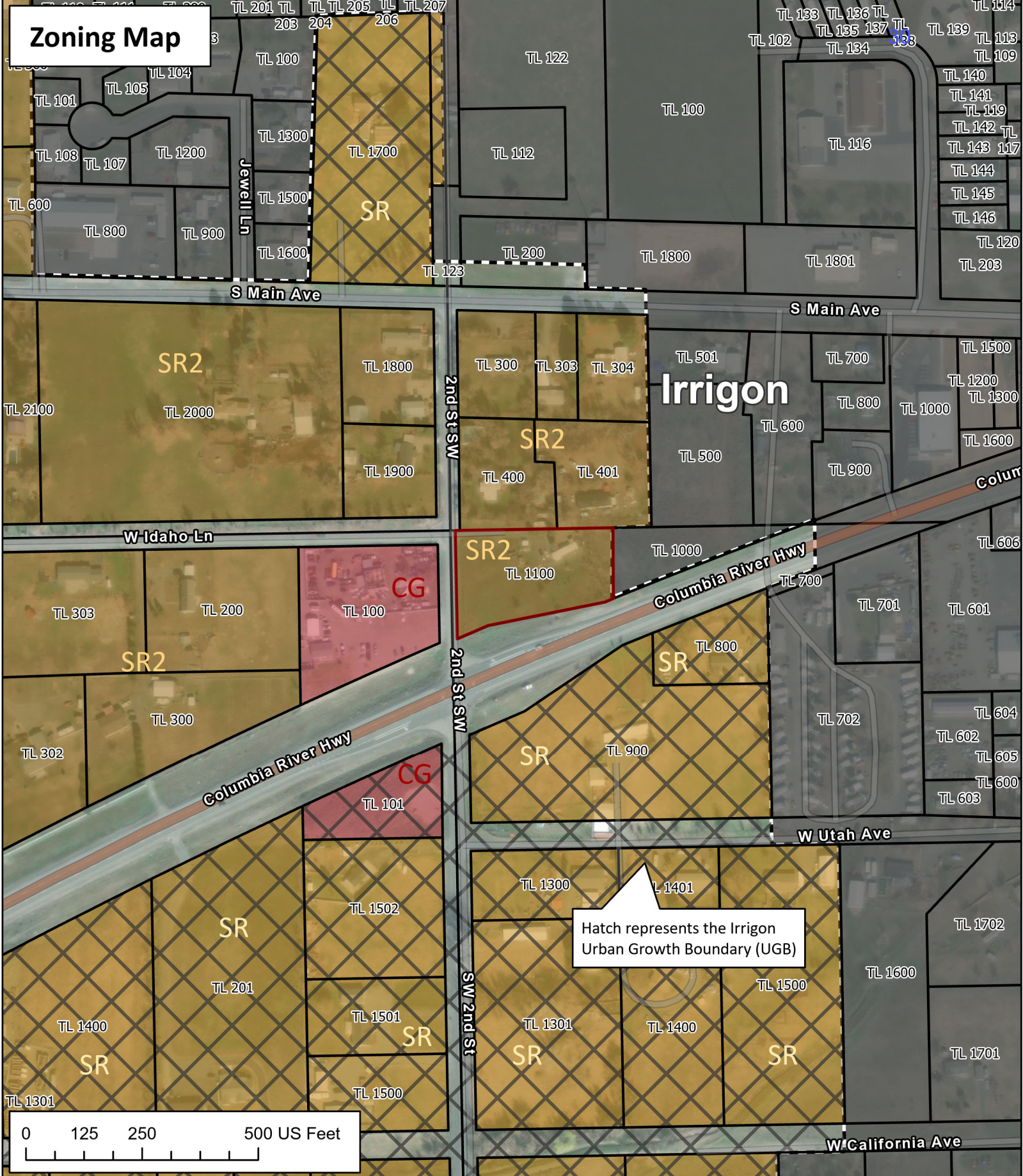
-  Morrow County Tax Lot
-  City Limits
-  UGB
-  Morrow County Tax Lot selection

Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics
Friday, January 5, 2024
Morrow County Planning Department



Zoning Map



Hatch represents the Irrigon Urban Growth Boundary (UGB)



ACM-151-24
AZM-152-24

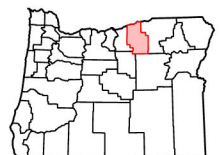
Suzanne E. Frederickson
5N26E25A TL1100

- City Limits
- Morrow County Tax Lot
- UGB
- Morrow County Tax Lot selection

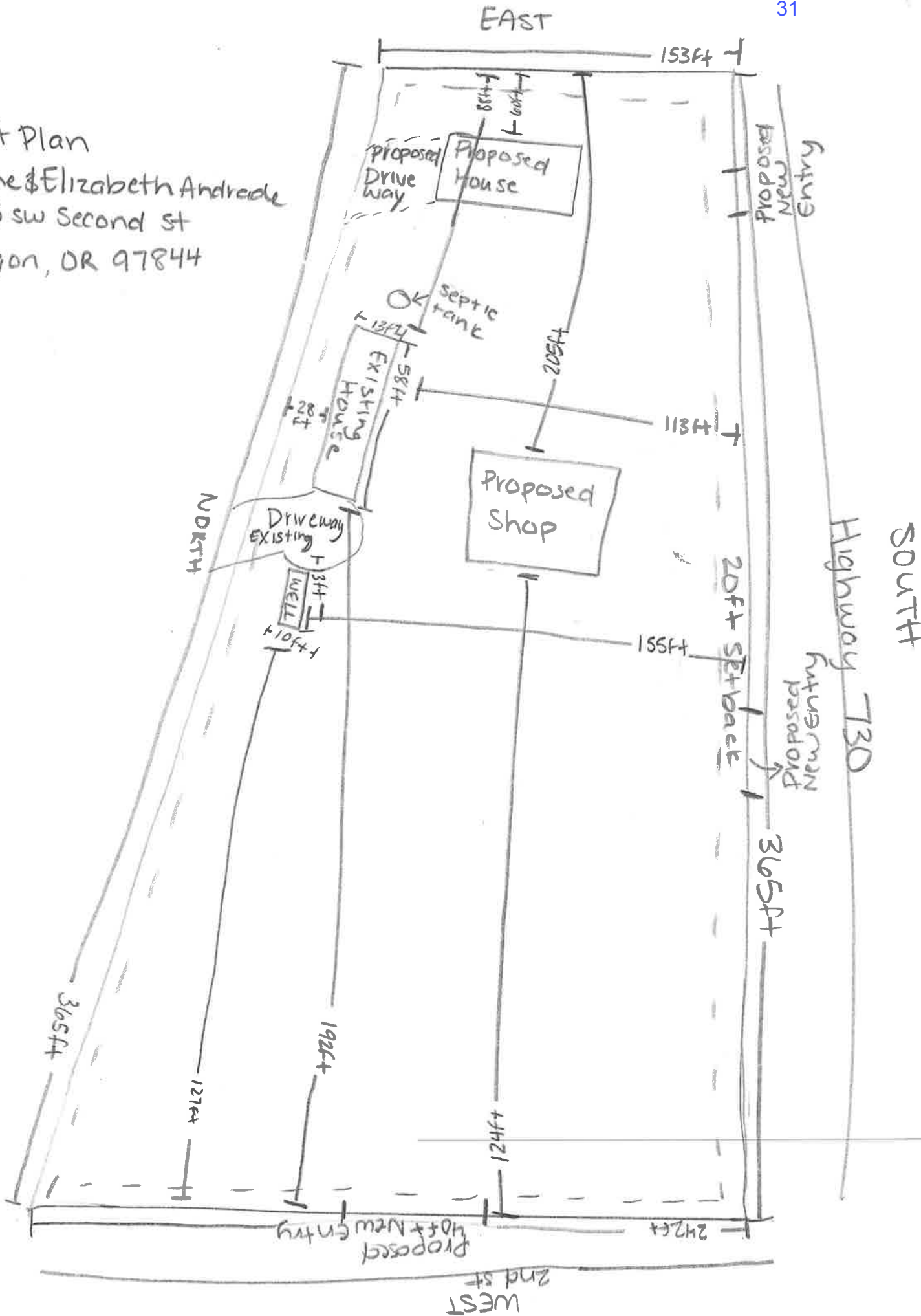
- CG
- SR
- SR2

Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
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Cartography By: Stephen Wrecsics
Friday, January 5, 2024
Morrow County Planning Department



Plot Plan
 Selene & Elizabeth Andrade
 205 sw Second St
 Irrigon, OR 97844



**Morrow County Board of Commissioners
Findings of Fact
Andrade
ACM-151-24 and AZM-152-24**

REQUEST: to amend the Comprehensive Plan Map and Zoning Map to rezone a 1.54-acre parcel from Suburban Residential 2A (SR2) to General Commercial (CG).

APPLICANT: Selene Andrade Bernal
81032 Wagon Wheel Loop
Irrigon, OR 97844

OWNER: Suzanne Frederickson
222 East Main Street
Hermiston, OR 97838

PROPERTY DESCRIPTION: Tax Lot 1100 of Assessor's Map 5N 26 25A

PROPERTY LOCATION: Property is located at the northeast intersection of State Highway 730 and SW Second Street, immediately west of the Irrigon urban growth boundary.

FINDINGS OF FACT:

I BACKGROUND INFORMATION:

Project Description: The Andrade family currently operates a small trucking business in a residential zone on land south of Irrigon. Planning Commission revoked the Home Occupation permit in 2023 and since then the Applicant has been searching for a property where they could live and operate their trucking business. A commercial trucking business is allowed as a Conditional Use in a Commercial Zone. Applicant has also submitted a Conditional Use Permit application to be reviewed and processed concurrently.

The subject property is well situated for the Andrades' small trucking business. The parcel size is large enough for truck parking, a shop for truck maintenance and repair and for a dwelling. The Applicant plans to replace the existing single-wide mobile home with a newer double-wide mobile home. Rezoning this property would not be considered spot zoning due to the proximity of adjacent parcels to the west and southwest that are already zoned commercial.

Inventory of commercial property inside the City of Irrigon and in the Irrigon urban growth area is extremely limited inside Irrigon city limits and urban growth boundary. There are fewer than 5 commercial properties outside Irrigon city limits. None of those properties are for sale or lease and none have enough space to accommodate the trucking business.

Surrounding Land Uses. Land to the west and southwest is zoned commercial. Land abutting the east boundary is in the city limits and is zoned commercial. The southern boundary of the parcel abuts State Highway 730. Land south of Highway 730 is zoned suburban residential and is in the Irrigon urban growth area.

Water Supply: According to the application, there is an existing well used by the existing home. There is not a need for additional water. The water use for a new home would be subject to the same use limitation as an exempt well, 20,000 gallons per day and ½ acre of irrigated land.

Transportation & Access: Applicant did not provide a traffic study as part of the application. Applicant proposes to use the existing driveway on county road, Second Street SW. Oregon Department of Transportation submitted a letter with recommendations to place a trip cap on the property. See attached letter dated January 8, 2024. In summary, ODOT recommends a trip cap of 30 trips per day maximum. That allows for a total of 10 vehicle trips associated with the residence and trips from 5 trucks. If the applicant seeks additional trucks then they will need to submit a traffic impact analysis (TIA) to show how the use will comply with the county Transportation System Plan (TSP) and the Oregon Highway Plan (OHP).

II MORROW COUNTY ZONING CODE STANDARDS APPLICABLE TO LEGISLATIVE DECISIONS

To approve the request the Board of Commissioners will be required to adopt findings to show that the request meets the necessary criteria. Those criteria are presented below in **bold** print with responses in regular print.

MCZO 8.040 provides the applicable approval criteria for a zone change. Applicant response is in standard font below.

MCZO 8.040, CRITERIA. The proponent of the application or permit has the burden of proving justification for its approval. The more drastic the request or the greater the impact of the application or permit on the neighborhood, area, or county, the greater is the burden on the applicant. The following criteria shall be considered by the Planning Commission in preparing a recommendation and by the County Court in reaching their decision.

A. The local conditions have changed and would warrant a change in the zoning of the subject property(ies).

Response: The subject Parcel is zoned Suburban Residential 2A. The city and area around Irrigon have a very small inventory of available commercial lands. There is a high demand for places to park farm trucks. The subject parcel is suitable for commercial zoning based on its proximity to State Highway 730 and existing commercial development. Based on this analysis, county may find that conditions have changed to warrant rezoning the subject parcel.

B. The public services and facilities are sufficient to support a change in designation including, but not limited to, water availability relevant to both quantity and quality, waste and storm water management, other public services, and streets and roads.

Response: The proposed commercial development will not need additional water. Waste water and storm water management needs are minimal for a small parcel. The single-family residence and the small trucking business are suitably served by the existing well and a septic system. The development will use an existing driveway onto SW Second Street, a county asphalt roadway. Based on this, county may find the application complies with this standard. The site plan submitted with the application shows a proposed, new driveway. However, that

driveway location would not meet the Transportation System Plan spacing standard for a rural access road of 250 feet. The landowner will need to use the existing access driveway. County may find the application complies with this standard.

1. Amendments to the zoning ordinance or zone changes which significantly affect a transportation facility shall assure that land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

a. Limiting allowed land uses to be consistent with the planned function of the transportation facility or roadway;

b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,

c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel to meet needs through other modes.

Response: This zone change application does not appear to significantly affect a transportation facility, however, Oregon Department of Transportation provided comments about the potential impact to State Highway 730 and requested the county impose a trip cap in order to ensure the trucking business does not create congestion at the intersection. With the trip cap included as a condition of approval, County may find the application complies with this standard.

2. A plan or land use regulation amendment significantly affects a transportation facility if it:

a. Changes the functional classification of an existing or planned transportation facility;

b. Changes standards implementing a functional classification;

c. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or

d. Would reduce the level of service of the facility below the minimal acceptable level identified in the Transportation System Plan. (MC-C-8-98)

Response: Although the applicant did not provide a traffic study, traffic impacts appear to be modest and would not warrant a full TIA. ODOT recommended that the applicant either provide a TIA or impose a trip cap of 30 trips per day, or the equivalent of the estimated number of daily trips expected to be generated by the addition of five local-range commercial trucks and one new single-family residence. With the trip cap included as a condition of approval, County may find the application complies with this standard. The applicant has requested that they be permitted to have a total of 10 trucks on the property, including 5 that are used regularly and 5 that are used seasonally and parked on the property 10 months out of a year. The 5 seasonal trucks do not enter and exit the property daily, rather, they typically leave the property for work on regional farms and return for permanent parking when harvest ends.

C. That the proposed amendment is consistent with unamended portions of the Comprehensive Plan and supports goals and policies of the Comprehensive Plan, that there is a public need for the proposal, and that the need will be best served by allowing the request. If other areas in the county are designated for a use as requested in the application, then a showing of the necessity for introducing that use into an area not now so zoned and why the owners there should bear the

burden, if any, of introducing that zone into their area.

Response: The local economy includes a lot of agriculture and farming which requires a lot of trucking during harvest season. There is a high demand for property that allows farm trucks and there is extremely limited or no available commercial or industrial lands in the Irrigon area. The subject parcel is located along a well-traveled state highway that includes commercial zoned parcels. Adding another small parcel zoned commercial would be consistent with development type in the area. To ensure compatibility, fencing and landscaping is recommended. County may find the application complies with this standard provided fencing and landscaping is a condition of approval.

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

Response: There are no known public health and welfare matters associated with this request.

V COMPLIANCE WITH APPLICABLE STATEWIDE PLANNING

GOALS. Board of Commissioners will be required to adopt findings to show that the request complies with applicable Statewide Planning Goals (SWPG). The goals are presented below in **bold** print with responses in regular print.

Statewide Planning Goal 1: Citizen Involvement

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

Generally, Goal 1 is satisfied when a county complies with public notice and hearing requirements in the Oregon Statutes and in the local Comprehensive Plan and Land Use Code. The County's Zoning Ordinance is consistent with State law with regards to notification requirements. Pursuant to Section 9 of Morrow County Zoning Ordinance at least one public hearing before the Planning Commission and Board of Commissioners is required. Legal notice in a newspaper of general circulation is required. The County has met these requirements and notified DLCD 35 days prior to the first evidentiary hearing.

Statewide Planning Goal 2: General Land Use

General Land Use Policy 2 requires that all plan and zone changes comply with all applicable state-wide planning goals and County policies and procedures. This policy is satisfied for the reasons set out in the analysis of compliance with the state-wide goals and applicable County zoning provisions that are contained in this application.

Statewide Planning Goal 3: Farmland

Goal 3 farmland is not affected by this request.

Statewide Planning Goal 5: Cultural, Natural and Historic Resources

The parcel is located in the Ordinance Critical Groundwater Area (CGWA) where new water rights are not allowed. Given that the development will use only the existing well

and will not require additional water, the application can be shown to not create any negative impacts to the water basin. There are no other known Goal 5 resources on this parcel. County may find the application complies with Goal 5.

Statewide Planning Goal 6: Air, Land & Water Quality

The parcel is located in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA), designated due to high nitrates in the region. Applicant and owner should be aware that drinking water from the domestic exempt well may contain levels of nitrates that exceed federal and state drinking water standards. Provided landowner tests the well regularly, and installs necessary treatment, this application may be found to comply with Goal 6.

Statewide Planning Goal 9 Economy

A number of economic goals and policies apply to this proposed plan amendment. Most of these goals and policies are aspirational or directory to the County, rather than mandatory to an applicant.

Economic Goal 1 provides direction to Morrow County relating to economical housing facilities and affordability to meet housing needs.

Economic Goal 2 and its various economic policies directs Morrow County to reduce unemployment, as well as promote various factors to decrease outmigration of the County's youth through growth of the County's workforce. This goal is met by this plan amendment request, as it seeks to optimize the County's commercial zoning to provide locations for farm trucks.

Economic Goal 4 encourages compatible land uses throughout Morrow County. The amendment furthers these goals by providing a new commercial development in an area located next to other similar commercial development.

Economic Goal 5 seeks to minimize noise levels and heavy traffic volumes, as well as other undesirable effects of heavy commercial and industrial developments. This plan amendment meets these goals as it would allow the owner to move his trucking business out of a residential neighborhood and adjacent to a state highway.

Economic Goal 6 seeks to maintain a balance between economic and environmental activities. The proposed rezone provides both economic opportunity and does not appear to create any negative environmental impacts. The landowner is responsible for complying with all applicable federal, state and local environmental laws regarding air, soil and water. For example, discharging of waste oil must be at an appropriate facility for used oil.

Economic Goal 7 requires the County ensure adequate water supplies to meet all needs associated with economic development. Landowner will use the existing well for the home. Water will not be used in the shop. The proposed commercial use will be limited to the maximum volume of water for a domestic well.

Statewide Planning Goal 12: Transportation

While most of the County's Goal 12 objectives are very general in nature and directly towards the County, four Objectives– 2, 5, 14, and 15 – apply more directly to this application. This application complies with the objectives for the following reasons:

- This application is consistent with Objective #2, as the proposed land use amendment can be accommodated by the existing transportation infrastructure network.
- This application is consistent with Objective #5, as the proposed land use amendment will not significantly impact the existing County's roadway system or require reclassification of the system.
- This application is consistent with Objective #14, as the proposed land use amendment will not impact the existing overall roadway network in a way that would require modification or further coordination with other agency infrastructure.
- This application is consistent with Objective #15, as the proposed land use amendment will not require nor will it prevent expansion of the County's transportation system.

The applicable Transportation Policies are Policies 1, 2, 4, 5, 6, 7, 9, 10, and 11. The proposed land use amendment is consistent with each of these policies for the following reasons:

- The overall transportation network is capable of adequately accommodating the overall transportation-related demands on the multi-modal network (Policy 1).
- No modifications or updates are needed to the Morrow County Transportation System Plan (Policy 2).
- No changes are required to the roadway functional classification system (Policy 4).
- No changes to the standards that implement the management and maintenance of the system (Policy 5).
- No traffic impacts that would require ROW modification and roadway facility upgrades (Policy 6).
- All forecasted traffic generation will be compatible with the function and carrying capacity of the applicable roadway network (Policies 7 and 11) with the trip cap included as a condition of approval.

Statewide Planning Goal 14 Urbanization

The proposed commercial use is considered a rural use and therefore an exception to Goal 14 is not required.

VI AGENCIES NOTIFIED: Dawn HERT, Department of Land Conservation and Development; Cheryl Jarvis-Smith and Rich Lani, Oregon Department of Transportation, Department of Environmental Quality, Bend Region Office, Air Quality Specialist; Mike Gorman, Morrow County Assessor; Eric Imes, Morrow County Public Works; West Extension Irrigation District; Irrigon Fire District; Greg Silbernagel, Watermaster; Aaron Palmquist, City of Irrigon, Umatilla County Environmental Health.

VII ATTACHMENTS: January 8, 2024 letter from ODOT
 Map of CGWA and CGWA
 Vicinity Map
 Zoning Map

VIII HEARING DATES:

Planning Commission
 North Morrow Government Building
 January 30, 2024
 North Morrow Government Center
 215 NE Main Street
 Irrigon, OR 97844

Board of Commissioners
 February 21, 2024
 North Morrow Government Center
 215 NE Main Street
 Irrigon, OR 97844

IX RECOMMENDATION OF THE MORROW COUNTY PLANNING COMMISSION:

Recommendation from Planning Commission to the Morrow County Board of Commissioners:

If approval, include the following Conditions of Approval

Conditions of Approval

1. A Trip Cap of 30 trips per day maximum is imposed. Landowner shall submit a report annually to verify compliance with the trip cap.
2. Parcel and zoning allow for one dwelling. If landowner replaces the existing mobile home with a new mobile home or stick built home, landowner is required to obtain permit approval from Umatilla County Public Health Department.
3. Secure approval of a Conditional Use Permit prior to use of the property for a trucking business.
4. Construct a fence (site obscuring) to buffer the trucks from the highway and from adjacent residences.
5. Install drought tolerant landscaping to create a buffer and to present a positive aesthetic for the Irrigon gateway.
6. If the property is used for a trucking business, comply with access and/or driveway spacing and improvement requirements recommended by Morrow County Public Works. This may require a new Access Permit.

MORROW COUNTY BOARD OF COMMISSIONERS

David Sykes, Chair

Jeff Wenholz, Commissioner

Roy Drago, Commissioner

DRAFT



January 8, 2024

Tamra Mabbott, Planning Director VIA EMAIL: tmabbott@co.morrow.or.us
Morrow County
P O Box 40
Irrigon, OR 97844

Subject: Proposed ACM-151-23; AZM-152-23 Comprehensive Plan and Zoning Map Amendment and CUP-N-363-23 of 1.5 acres of Suburban Residential 2A (SR2A) to General Commercial (GC), adjacent to West city limits of Irrigon at State Highway 730/SW 2nd Street

The Oregon Department of Transportation (ODOT) has jurisdiction of State Highway 730, including responsibility for managing access within the corridor. ODOT is committed to preserving the function of the state highway system and public infrastructure investments as the area infills and redevelops.

At a minimum, we recommend the County apply a trip cap, to be determined, to the zone change and/or the County should require the applicant to provide a Traffic Impact Analysis (TIA) for reasonable worst case in the General Commercial zone.

A trip cap should be based upon a single-family residence of 10 trips, plus the trucking use with the number of trucks, local (home at night) or long haul. If the applicant will have 5 trucks that are local, it would only be 10 – 20 trips per day, so a trip cap of 30 trips would support the proposed use. Otherwise, the proposed General Commercial zoning would allow hundreds to a thousand trips with potential impacts to both the State highway and local transportation system.

Ensuring the transportation system is managed effectively to support multi-modal choices in accordance with the County and City of Irrigon's Transportation System Plans is necessary to satisfy requirements of the ORS 660-012 Transportation Planning Rule.

ODOT welcomes the opportunity to meet with the County, City and applicant regarding future development plans and the trip cap or timing of a TIA. Thank you for the opportunity to comment.

Rich Lani, District 12 Manager

CJS

cc: Ken Patterson, ODOT Region 5 Manager
David Boyd, Regional Access Management Engineer
Paul Howland, District 12

To Whom it May Concern:

Related to residential property trying to change from Residential to Commercial General, AZ-151-24, AZM-152-24, CUP-N-36

I Oppose This!

I own the property that connects to it on the West side.

Why don't they keep using the property 81032 Wagon Wheel Loop yard for their equipment, there is a lot less Residential homes there? They have more room on Wagon Wheel.

I'm worried about Noise Pollution from the semis and the shop.

- What time do the semis start in the morning and when do they all come back? You only asked if they would generate more than 400 trips per day, so they still can do 399?

-What time will the shop start and stop work?

-How many days a week will there be noise pollution?

-The Semis are going to tear up the soil, causing a lot of dust. Since there is no gravel.

-Plus, if its set as an Ag Business, they do not have to follow noise pollution!

I think their measurements are wrong, on their plot map. They still have not surveyed property and are trying to assume they own some of my property, they want to put a new home showing on map. That area has a WEID Main Irrigation Pipe going through that area and there is not enough room back there.

I'm worried about my property value for my lot, if I want to build on it or sell. It will be hard to sell since they will have high traffic and noise pollution so close. Also, the driveway they want to put in for the semis is close to our property. This will cause my property to depreciate.

When they compared the Bulldog Towing company, the towing company is a small business that doesn't have semi trucks making noise pollution and is run by 1 person. So they can't compare what they are doing to the 1 person operation at Bulldog Towing. That doesn't make a lot of noise.

Jeffrey & Kathy DePoppe

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**PRELIMINARY FINDINGS OF FACT
CONDITIONAL USE REQUEST
CUP-N-363-23
Andrade Trucking Business**

REQUEST: To allow a trucking business to operate in a commercial zone.

APPLICANT: Selene Andrade Bernal
81032 Wagon Wheel Loop
Irrigon, OR 97844

OWNER: Suzanne Frederickson
222 E Main Street
Hermiston, OR 97838

PROPERTY DESCRIPTION: Tax Lot 1100 of Assessor's Map 5N 26 25A

PROPERTY LOCATION: Property is located on the northeast intersection of State Highway 730 and SW Second Street, just west of Irrigon.

I. GENERAL INFORMATION:

The subject parcel is currently zoned Suburban Residential 2A; however, an application to rezone the parcel to Commercial has been submitted. This application is contingent upon Planning Commission approval of the rezone application (ACM 151-24 and AZM 152-24).

II. COMPLIANCE WITH MORROW COUNTY ZONING ORDINANCE SECTIONS 3.060(B)24, and 3.060(C)(D)(E)(F)(G), Section 6.020 and 6.030.

The requirements for approval are listed below in **bold type**, followed by a response in standard type.

Section 3.060(B) Conditional Uses. In a C-G Zone, the following uses and their accessory uses are permitted when authorized in accordance with the provisions of Article 6 of this ordinance.

24. Other buildings and uses similar to the list above which shall not have any different or more detrimental effect upon the adjoining areas or districts than the buildings and uses specifically listed, shall only be incidental and directly related to the operation of permitted General Commercial uses.

25. A single family residence in conjunction with a business (MC-C-7-98)

The proposed trucking business would be permitted under (24) and the residential use would be permitted under (25) as conditional uses in the C-G zone.

Section 3.060(C). Yards. In a C-G Zone, the minimum yard requirements shall be as follows:

- 1. A front yard shall be a minimum of 20 feet between a building or structure and the street right-of-way line.**

2. A side or rear yard abutting a street shall be a minimum of 10 feet.
3. A side or rear yard abutting a residential zone shall be a minimum of 25 feet.
4. A rear yard abutting an alley shall be 10 feet when it is used for servicing the
5. commercial establishment.

As shown on the Applicant's site plan, the proposed structures will be located outside of the 20-foot front setback and the 10-foot side and rear setback. The subject property does not abut residentially zoned property. These standards are met.

Section 3.060(D). Height of Building. In a C-G Zone, no building shall exceed a height of 45 feet.

The height of the proposed buildings is not identified on the application, but will be limited to a maximum height of 45 ft. This criterion can be met.

Section 3.060(E). Lot Coverage. In a C-G Zone, buildings shall not occupy more than 70 percent of the total lot area, except as approved by the Commission.

As shown on the Applicant's site plan, the proposed structures will not occupy more than 70 percent of the total lot area. This criterion is met.

Section 3.060(F). Lot Size. In a C-G Zone, the minimum lot size shall be as follows.

1. For residential uses permitted pursuant to this section the residential lot size standards set forth in the SR Zone shall apply.

The minimum lot size for a single-family dwelling not served by either an approved community or municipal water system or an approved community or municipal sewerage system, is 1.0 acre in the SR zoning district. The subject property is 1.54 acres; therefore, this criterion is met.

2. For all other uses permitted by this section, the minimum lot size shall be governed by the combined yard, lot coverage, off-street parking requirements, and other requirements set forth by this section.

The proposed structures are compliant with the applicable yard, lot coverage, and parking requirements of the C-G zone. This criterion is met.

3. If the site is located within the Urban Growth Boundary of a city, the lot size standards for the city shall apply.

The site is not located within the Urban Growth Boundary of a city; therefore, this criterion is not applicable.

Section 3.060(G). Use Limitations. In a C-G Zone, permitted uses shall be subject to the following limitations and standards:

- 1. All parking demand created by any use permitted under the provisions of this section shall be accommodated on the subject premises entirely off-street, except as approved by the Commission.**

Although designated vehicle parking areas are not identified on the applicant's site plan, sufficient space is provided on the subject site to accommodate storage of up to five commercial trucks in addition to vehicle parking associated with the residential use of the site. This criterion is met.

- 2. No use permitted by this section shall require the backing of traffic onto a public or private street, road or alley right-of-way to accommodate ingress or egress to any use or the premises thereof.**

Backing onto a public or private street will not be permitted.

- 3. There shall not be more than one ingress and one egress from properties accommodating uses permitted by this section per each 300 feet of public street frontage or fraction thereof. If necessary to meet this requirement, permitted uses shall provide for shared ingress and egress.**

Applicant's site plan identifies proposed entry points accessing the site from Hwy 730 that do not comply with current access spacing requirements. As noted in the applicant's responses to the zone change criteria, the site will be served by the existing driveway access. All new site access locations will be required to comply with Morrow county and ODOT access spacing and development standards, and may require access permit approval. This is included as a condition of approval below.

- 4. All uses permitted by this section shall be screened from abutting properties in a residential zone by densely planted trees and shrubs or sight-obscuring fencing.**

The subject parcel abuts commercial and residentially zoned properties. Abutting the subject parcel to the east, tax lot 1000 is zoned commercial and is located in city of Irrigon. North of tax lot 1000 is tax lot 500 which is also zoned commercial. A fence around the property boundary is recommended as a condition of approval. Fencing along the northern boundary would be a minimum condition.

- 5. All uses shall be subject to any additional requirements for access and parking in Article 4 and the Transportation System Plan, as well as any specific requirements recommended by the TIA, if applicable.**

A TIA was not included with this application. A trip cap of 30 vehicle trips per day is recommended by Oregon Department of Transportation and is included as a condition of approval for this application.

Section 3.060 (H). Sign Limitations. In addition to standards and regulations set forth by this ordinance relative to signs, and by ORS Chapter 377 and Administrative Rules

adopted pursuant thereto when applicable in a C-G Zone, the following sign limitations shall apply:

1. No free-standing sign shall exceed 200 square feet and a height of 20 feet.
2. No sign shall exceed 25% of the area of the wall it is attached to.
3. No sign shall be located within or protrude into or over a street right-of-way.
4. All signs shall be located in such a manner so as to not shine or reflect glare directly onto a lot in an abutting residential zone or onto a street right-of-way.

There are no new signs proposed in conjunction with this CUP. Any signs installed at a future date will be subject to the above limitations.

Section 3.060 (I). Off-Street Parking and Loading. In a C-G Zone, off-street parking and loading shall be provided in accordance with the provisions of this section and Article 4.

Although designated vehicle parking areas are not identified on the applicant's site plan, sufficient space is provided on the subject site to accommodate storage of up to five commercial trucks in addition to vehicle parking associated with the residential use of the site. This criterion is met.

Section 3.060 (J). Transportation Impacts

1. Traffic Impact Analysis (TIA). In addition to the other standards and conditions set forth in this section, a TIA will be required for all projects generating more than 400 passenger car equivalent trips per day. Heavy vehicles – trucks, recreational vehicles and buses – will be defined as 2.2 passenger car equivalents. A TIA will include: trips generated by the project, trip distribution for the project, identification of intersections for which the project adds 30 or more peak hour passenger car equivalent trips, and level of service assessment, impacts of the project, and, mitigation of the impacts. If the corridor is a State Highway, use ODOT standards. (MC-C-8-98)

This application is anticipated to generate ± 30 additional vehicular trips to the site. A condition of approval is included to cap the number of trips to the site to 30 per day. Therefore, a TIA is not required.

Section 4.010 Access.

Application is subject to access management standards in this section. Compliance will require a revised site plan with accurate measurements of property to show spacing from the intersection.

SECTION 6.020 General Criteria. In judging whether or not a conditional use proposal shall be approved or denied, the Commission shall weigh the proposal's appropriateness and desirability, or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met or can be met by observance of conditions.

(1) The proposal will be consistent with the Comprehensive Plan and the objectives of the Zoning Ordinance and other applicable policies and regulations of the County.

The proposed use may be allowed as a Conditional Use Permit in the General Commercial Zone. Although a trucking business is not specifically listed as a Conditional Use, the business is consistent with the intent of Section 3.060(B). The use can be found to be consistent with the Comprehensive Plan and Zoning Ordinance.

(2) If located within the Urban Growth Boundary of a city, that said city has had an opportunity to review and comment on the subject proposal.

This criterion is not applicable as the proposed use is located outside the Urban Growth Boundary.

(3) The proposal will not exceed carrying capacities of natural resources or public facilities.

The property is located in the Ordinance Critical Groundwater Area (CGWA). There is one existing domestic (exempt) well located on the property used as a domestic well for the existing home. A second well would not be allowed. The existing well could serve both a dwelling and the shop, however, water is not proposed for the shop building.

The parcel is also located in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA), a designation declared by the State of Oregon in 1990 based on nitrates levels that exceed federal and state nitrate levels for drinking water.

No evidence is available that demonstrates use of the existing exempt use would negatively affect natural resources.

SECTION 6.030 General Conditions In addition to the standards and conditions set forth in a specific zone, this article, and other applicable regulations; in permitting a new conditional use or the alteration of an existing conditional use, the Commission may impose conditions which it finds necessary to avoid a detrimental impact and to otherwise protect the best interests of the surrounding area or the County as a whole. These conditions may include the following:

A. Limiting the manner in which the use is conducted including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

The proposed trucking business could generate some noise and traffic. However, based on comments submitted by Oregon Department of Transportation, a trip cap would be required which limits the trips to 30 per day or the equivalent of 5 trucks.

B. Establishing a special yard or other open space or lot area or dimension.

Recommended as a conditional of approval is the requirement to install fencing and landscaping. This is listed as a condition of approval.

C. Limiting the height, size or location of a building or other structure.

The applicant has provided a site plan that includes a shop and a new location for a replacement dwelling. Applicant has not made any requests to permit a structure that exceeds the height, size, or location standards.

D. Designating the size, number, location and nature of vehicle access points.

1. Where access to a county road is needed, a permit from Morrow County Public Works Department is required. Where access to a state highway is needed, a permit from ODOT is required.

Applicant has proposed to construct a second access to SW Second Street. However, a second access would not meet minimum spacing standard (250 feet from the intersection). Applicant may need to obtain a new Access Permit from Morrow County Public Works for the change in use of the existing access. This is included as a condition of approval. Additionally, applicant has proposed a

new access onto State Highway 730. Applicant will need to secure an access permit from ODOT for a new driveway onto State Highway. This is also included as a condition of approval.

2. In addition to the other standards and conditions set forth in this section, a TIA will be required for all projects generating more than 400 passenger car equivalent trips per day. A TIA will include: trips generated by the project, trip distribution for the project, identification of intersections for which the project adds 30 or more peak hour passenger car equivalent trips, and level of service assessment, impacts of the project, and mitigation of the impacts. If the corridor is a State Highway, use ODOT standards.

Applicant did not submit a TIA. Based on ODOT's comments, state will not require a TIA provided county imposes a trip cap and limit the trucks to a total of 5. That is the equivalent of 30 trips per day, based on AASHTO standards.

- E. Increasing the amount of street dedication, roadway width or improvements within the street right-of-way.**
Increases in street dedication, roadway width, or improvements are not proposed and do not appear to be necessary.
1. **It is the responsibility of the land owner to provide appropriate access for emergency vehicles at the time of development.**
The existing internal roadway and informal parking areas (open space) provides appropriate access for emergency vehicles. Notice and an opportunity to comment was provided to Irrigon Fire District. Recommendations, if any, may be incorporated by Planning Commission.
- F. Designating the size, location, screening, drainage, surfacing or other improvement of a parking area or loading area.**
The property is not located in a designated floodplain. The Oregon Department of Environmental Quality may require a permit for stormwater if the improved surface is greater than one acre.
- G. Limiting or otherwise designating the number, size, location, height, and lighting of signs.**
No signs are required or proposed.
- H. Limiting the location and intensity of outdoor lighting and requiring its shielding.**
Outdoor lighting was not included in the application but may be shown on the plot plan for the Zoning Permit.
- I. Requiring diking, screening, landscaping or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance.**
The applicant submitted a site plan. A final plan will be required to show a single driveway/access point. Additional conditions are not recommended for this criterion.
- J. Designating the size, height, location and materials for a fence.**
Staff recommends fencing be a condition of approval.
- K. Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.**
Notice of the application was provided to Oregon Water Resources Department (OWRD). Use of the existing exempt well is proposed. Landowner would not qualify for a second well. Property is located within the West Extension Irrigation District (WEID). Included below is a condition of approval requiring applicant to coordinate with WEID

prior to construction of new buildings or development of a truck parking area. No other natural resources appear to be impacted.

L. Other conditions necessary to permit the development of the County in conformity with the intent and purpose of this Ordinance and the policies of the Comprehensive Plan.

This application would allow the property to be used as a small trucking business co-located with a single-family dwelling. The proposed use appears to be compatible with the commercial zone and adjacent uses. Property is located in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA) where many wells have tested for nitrate levels that exceed state and federal drinking water standards. It is recommended that applicant test the drinking water well regularly and install water treatment if necessary.

- III. LEGAL NOTICE PUBLISHED:** January 4, 2024
Heppner Gazette-Times and East-Oregonian
- IV. AGENCIES NOTIFIED:** Eric Imes, Public Works Director; Assessor's Office, Greg Silbernagel, Watermaster; Irrigon Fire Protection District; DEQ Eastern Regional Office, Lower Umatilla Basin Groundwater Management Area Committee, City of Irrigon, Assessor's Office, Umatilla County Environmental Health, ODOT District 12 and Region 5, West Extension Irrigation District.
- V. PROPERTY OWNERS NOTIFIED:** January 10, 2024
- VI. HEARING DATE:** January 30, 2024
North Morrow Government Building
Irrigon, Oregon and via ZOOM
- VII. ACTION OF THE PLANNING COMMISSION:** Planning Department staff recommend approval of the Conditional Use Permit subject to the following conditions:
1. Conditional Use Permit is allowed only if the Zone and Plan Map Change is approved by the Board of Commissioners.
 2. A Trip Cap of 30 trips per day maximum is imposed. Landowner shall submit a report annually to verify compliance with the trip cap.
 3. It shall be the applicant's responsibility to secure an access permit from Oregon Department of Transportation if a new driveway is proposed to State Highway 730.
 4. Comply with access or other requirements recommended by Irrigon Rural Fire District to insure emergency response vehicle access.
 5. Zoning Permit. A Zoning permit is required for the new shop building and for the mobile home if landowner replaces the existing mobile home with a new mobile home or stick built home. Only one dwelling is allowed on the property.
 6. Obtain permit approval from Umatilla County Public Health Department for on-site septic

system, if required, for the replacement mobile home.

7. Construct a fence (site obscuring) to buffer the trucks from the highway and from adjacent residences.
8. Install drought tolerant landscaping to create a buffer and to present a positive aesthetic for the Irrigon gateway.
9. Comply with access or driveway improvements recommended by Morrow County Public Works. This may require a new Access Permit.
10. Property is limited to a single well.
11. Where the property lies within the Lower Umatilla Basin Groundwater Management Area (LUBGWMA) it is recommended that the landowner test the drinking water well for nitrates and other possible contaminants and take proactive measures to insure clean drinking water.
12. Where parcel is located within the West Extension Irrigation District, applicant is required to coordinate with WEID prior to placement of buildings and construction of parking area.

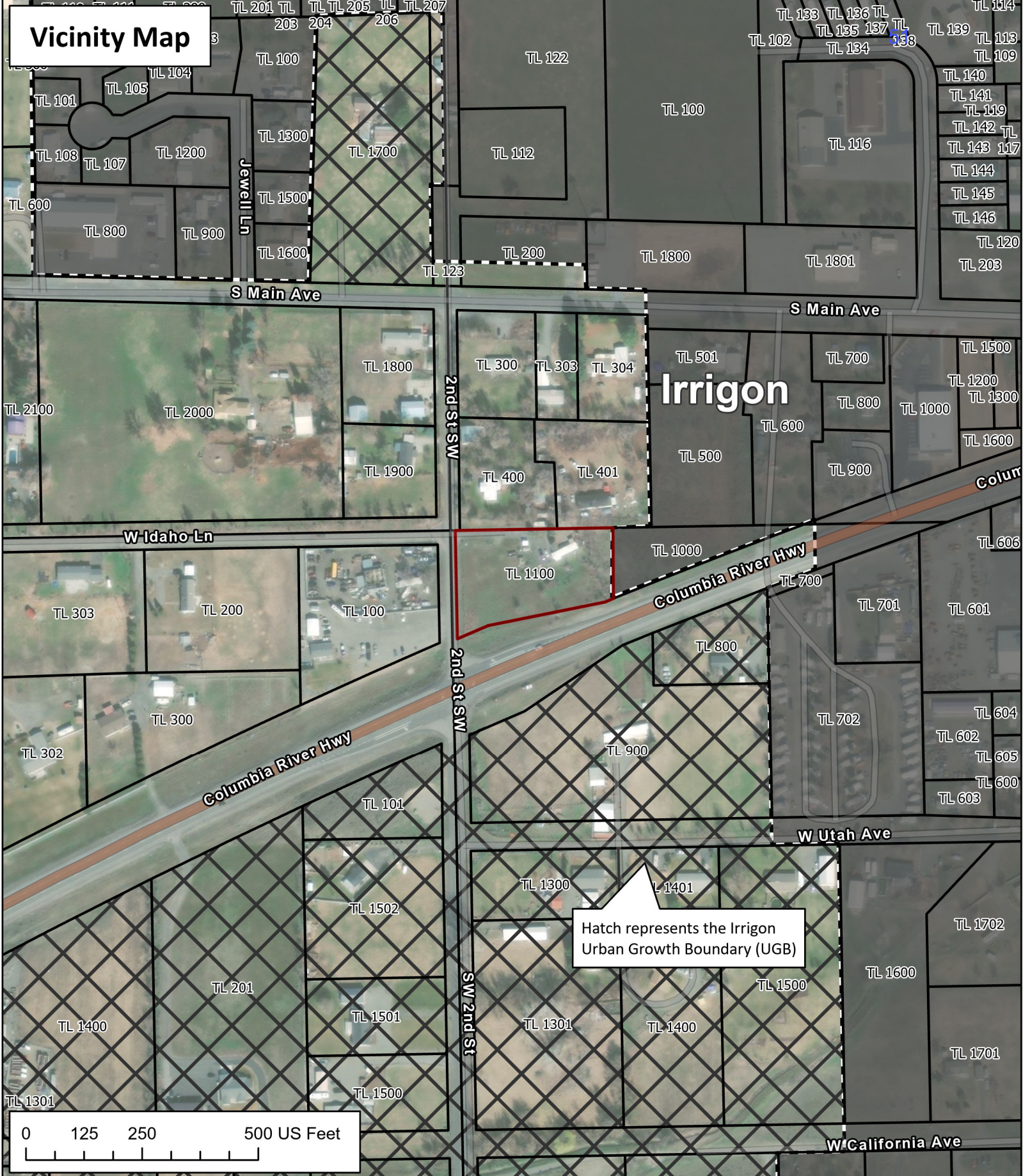
Stacie Eckstrom, Chair

Date

Attachments:

Vicinity Map
 Zoning, City Limits and UGB Map
 Site Plan
 Letter from ODOT

Vicinity Map



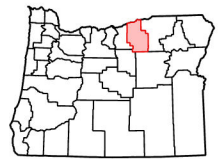
ACM-151-24
AZM-152-24

Suzanne E. Frederickson
5N26E25A TL1100

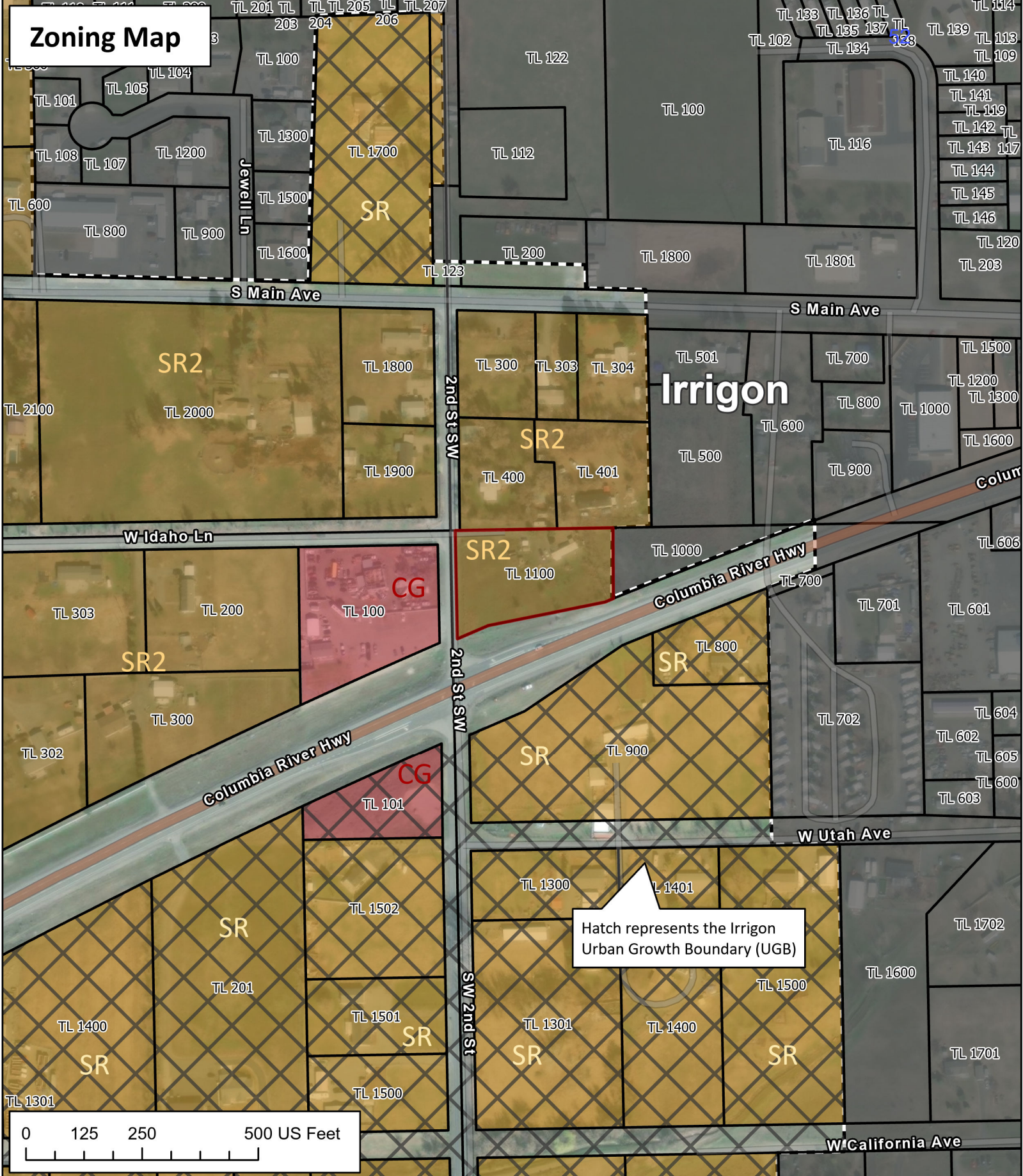
-  Morrow County Tax Lot
-  City Limits
-  UGB
-  Morrow County Tax Lot selection

Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics
Friday, January 5, 2024
Morrow County Planning Department



Zoning Map



Hatch represents the Irrigon Urban Growth Boundary (UGB)



ACM-151-24
AZM-152-24

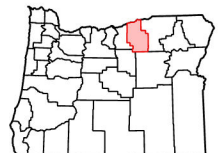
Suzanne E. Frederickson
5N26E25A TL1100

- City Limits
- Morrow County Tax Lot
- UGB
- Morrow County Tax Lot selection

- CG
- SR
- SR2

Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN

Cartography By: Stephen Wrecsics
Friday, January 5, 2024
Morrow County Planning Department





January 8, 2024

Tamra Mabbott, Planning Director VIA EMAIL: tmabbott@co.morrow.or.us
Morrow County
P O Box 40
Irrigon, OR 97844

Subject: Proposed ACM-151-23; AZM-152-23 Comprehensive Plan and Zoning Map Amendment and CUP-N-363-23 of 1.5 acres of Suburban Residential 2A (SR2A) to General Commercial (GC), adjacent to West city limits of Irrigon at State Highway 730/SW 2nd Street

The Oregon Department of Transportation (ODOT) has jurisdiction of State Highway 730, including responsibility for managing access within the corridor. ODOT is committed to preserving the function of the state highway system and public infrastructure investments as the area infills and redevelops.

At a minimum, we recommend the County apply a trip cap, to be determined, to the zone change and/or the County should require the applicant to provide a Traffic Impact Analysis (TIA) for reasonable worst case in the General Commercial zone.

A trip cap should be based upon a single-family residence of 10 trips, plus the trucking use with the number of trucks, local (home at night) or long haul. If the applicant will have 5 trucks that are local, it would only be 10 – 20 trips per day, so a trip cap of 30 trips would support the proposed use. Otherwise, the proposed General Commercial zoning would allow hundreds to a thousand trips with potential impacts to both the State highway and local transportation system.

Ensuring the transportation system is managed effectively to support multi-modal choices in accordance with the County and City of Irrigon's Transportation System Plans is necessary to satisfy requirements of the ORS 660-012 Transportation Planning Rule.

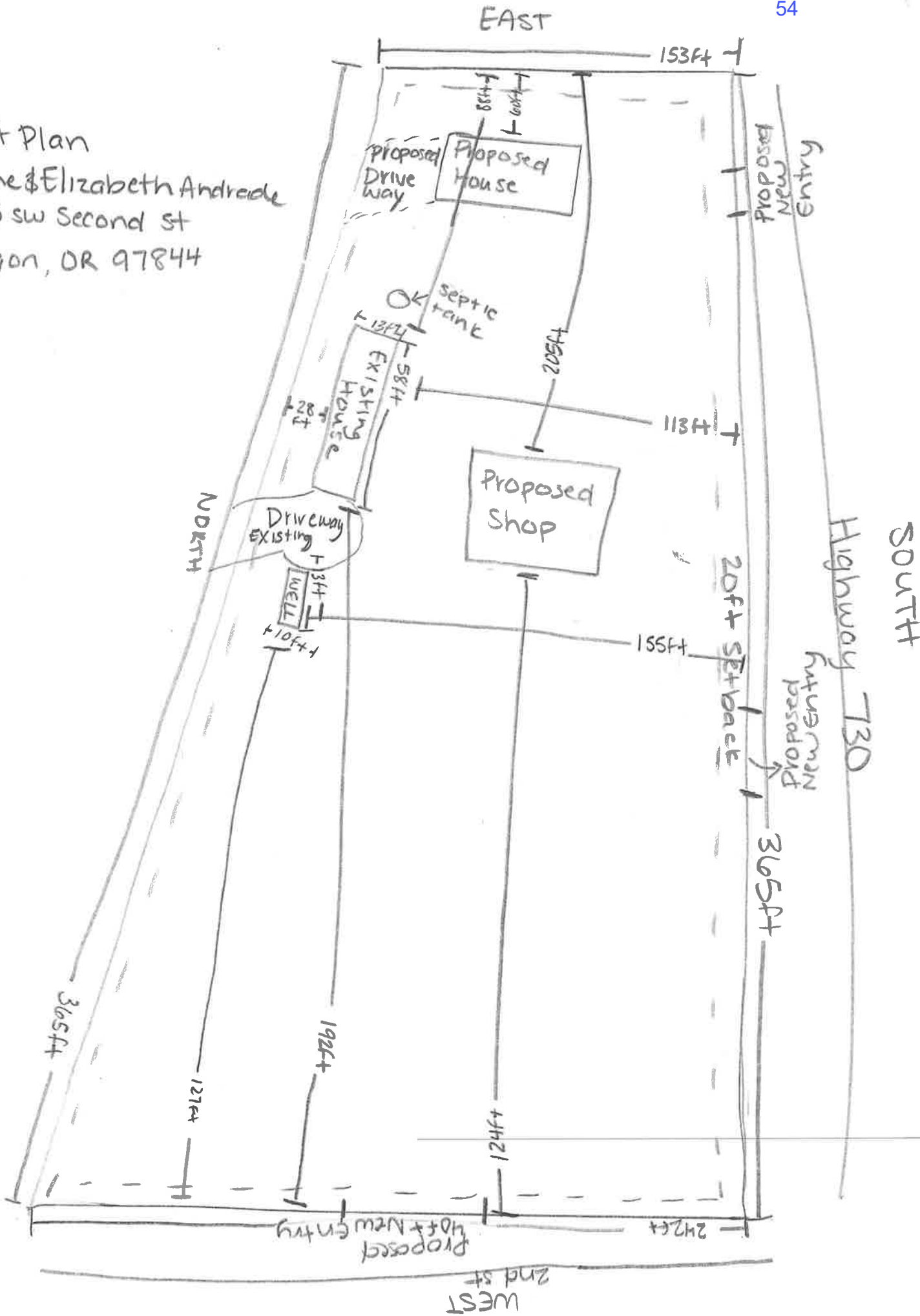
ODOT welcomes the opportunity to meet with the County, City and applicant regarding future development plans and the trip cap or timing of a TIA. Thank you for the opportunity to comment.

Rich Lani, District 12 Manager

CJS

cc: Ken Patterson, ODOT Region 5 Manager
David Boyd, Regional Access Management Engineer
Paul Howland, District 12

Plot Plan
 Selene & Elizabeth Andrade
 205 sw Second St
 Irrigon, OR 97844



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PLANNING DEPARTMENT

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

MEMORANDUM

TO: Planning Commission

FROM: Tamra Mabbott, Planning Director
 Landon Jones, Planning Tech

CC: Katie Keely, Compliance Planner

Date: January 19, 2024

RE: Update on CUP-N-339-19 Compliance
 Follow up to June 2023 Planning Commission meeting
 Conditional Use Permit Compliance Review for
 CUP-N-339-19 Cesar Andrade & Victor Nunez

Planning Commission revoked CUP-N-339-19 at the June 27, 2023 meeting. Planning Commission requested staff provide a six-month update in January 2024.

The permit, CUP-N-339-19, allowed a Home Occupation for Cesar Andrade. The CUP allowed Mr. Andrade to store two (2) semi-trucks on his property which could exit the property once per week. The permit also allowed Mr. Andrade to store seven (7) smaller farm trucks that would only operate one month out of the year during harvest season.

Since June, Mr. Andrade and his family have actively sought out a property which would allow his to operate a business and live on the same site. Staff has met with the Andrade family multiple times over the recent months to find a resolution to their compliance issue. With the help of staff, Mr. Andrade and his family have found a parcel with potential to house their family and commercial operation. The parcel is the subject of a hearing on January 30, 2024 to rezone a parcel of land located just outside the city limits of Irrigon.

Andrade's continue to operate the trucking business on their property while looking for a new location. The Planning Department has not received any complaints in regards to the trucking business. To the best of the Planning Department's knowledge, Andrade's comply with the conditions of the original Conditional Use Permit.

- Condition 1: Operations related to this permit should not interrupt or interfere with surrounding residential use.
- Condition 2: All heavy equipment and truck traffic shall take place between the hours of 7:00am and 11:00pm, consistent with the Morrow County Noise Ordinance.
- Condition 5: Any person employed at this location will be limited to immediate family members.

Vicinity Map



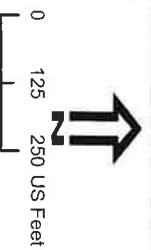
CUP-N-339-19

Cesar Andrade
5N26E36BC TL1600

Morrow County Tax Lot

Subject Parcel

Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN
Cartography By: Stephen Weesies
Monday, January 1, 2024
Morrow County Planning Department





Vicinity Map

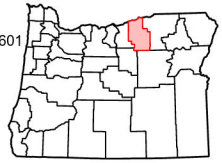


CUP-N-339-19

Cesar Andrade
5N26E36BC TL1600

-  Morrow County Tax Lot
-  Subject Parcel

Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN
Cartography By: Stephen Wreccics
Monday, January 1, 2024
Morrow County Planning Department



0 125 250 US Feet

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To: Morrow County Board of Commissioners
 From: Tamra Mabbott, Planning Director
 CC: Planning Commission
 BOC Date: December 20, 2023
 RE: Monthly Planning Update (November and December combined)

Mission Statement

Morrow County Planning Department provides guidance and support to citizens for short term and long-range planning in land use, to sustain and improve the county's lands for future generations. Our goal is to foster development where people can live, work & play.

Planning Commission

As has been customary, a combined November-December Planning Commission meeting was held, this year on December 5th in Heppner. The agenda included a number of code updates and amendments primarily to implement new laws adopted by the Oregon Legislature but also included some housekeeping changes to streamline and clarify the code and process for siting data centers. Planning Commission also considered amendments that would have allowed accessory dwelling units (ADU's). Amendments will be considered by Board of Commissioners on January 17, 2024 at their regular meeting in Irrigon.

| <u>Planning Permits</u> | <u>October 2023</u> | <u>November 2023</u> |
|--------------------------------|----------------------------|-----------------------------|
| Zoning Permits | 6 | 2 |
| Land Use Compatibility Reviews | 5 | 5 |
| Land Partitions | 2 | 1 |
| Property Line Adjustments | 0 | 0 |
| Land Use Decisions | 0 | 0 |
| Rural Addresses | 0 | 1 |
| Plan and Zone Amendment | 0 | 0 |
| Farm Ag Exempt Permit | 1 | 0 |

Energy Projects

Planning staff had several meetings with developers to discuss existing and proposed new projects as well as amendments to permits for various projects. Staff have been coordinating with developers from Sunstone Solar who are proposing a mitigation program to offset the impacts of a large solar farm, approximately 10,000 acres of farm land. The developer, Pinegate Renewables, met with stakeholders and Board of Commissioners in November and requested Board input on

prioritizing projects. On December 6, Pinegate Renewables gave an update to the Board and requested staff work with them on their project plan. Planning and Public Works are collaborating on a variety of road projects and agreements related to renewable energy projects. The 2023 code update incorporates legislative changes relative to siting energy projects.

Summary of energy projects in Morrow County is found here

<https://www.co.morrow.or.us/planning/page/renewable-energy-1>

Planning Director helped coordinate with Umatilla County, participation in a legal appeal of a large renewable energy project permitted in Umatilla County. Morrow County participated as a friend of the court, amicus, to voice support for locally adopted standards generally. See Umatilla County v. Oregon Department of Energy, Energy Facility Siting Council, and Nolin Hills Wind, LLC. Energy Facility Siting Council 2022ABC05140.

Morrow County Heritage Trail Update

Planning received final confirmation and approval of a state grant which will be used to update the Heritage Trail Master Plan, including the final executed Agreement and Notice to Proceed Letter from Oregon Parks and Recreation Department. Planning will post a Request for Proposal for design, planning and engineering services in January. The project will update the 2000 Concept Plan and will include an assessment of existing conditions, conceptual trail alignment and capital improvement plan design guidelines, policies and procedures and an implementation and funding plan. Public involvement will be vital for this planning effort. Planning Department is looking for people who live near the trail or use the trail or would like to be involved. Please contact the Planning Department if you are interested in sharing your ideas about the trail.

Interpretive Panel Update

Consultants Sea Reach Ltd were in Irrigon on November 13, 2023 from 10:00 to noon to present draft panels. Staff published newspaper advertisements for the meeting in the North Morrow Times as well as the Heppner Gazette. There was a good turnout of people from Irrigon and Boardman communities. Consultants Sea Reach Ltd presented first draft concepts for all interpretive panels. Attendees commented and left suggestions as to some changes that they would like to see in a final draft form and the notes were given to Sea Reach Ltd to make their adjustments. The first draft updated interpretive panels are available for review upon request to staff. The existing panels can be viewed on the Planning webpage:

<https://www.co.morrow.or.us/planning/page/heritage-trail-panels>

WATER AND PLANNING ACTIVITIES

Water Advisory Committee

Director continues to meet regularly with GSI Water Solutions Inc. Planning staff and GSI Water Solutions Inc., finalized four Briefing Papers (water quality, quantity and drinking water and special projects in the region) after receiving final comments from the Water Advisory Committee and the Board of Commissioners. The papers and additional materials such as research, reports, data, etc. are posted on the webpage. <https://www.co.morrow.or.us/planning/page/water>

The next WAC meeting is scheduled for Monday, January 8, 4-6 pm at the North Morrow County Building in Irrigon. Meetings are open to the public. The WAC will hear from some local and

regional organizations about water recharge and water planning projects. A draft list of policies and projects may be discussed.

LUBGWMA

Regular LUBGWMA meetings were held on Thursday, October 12 Thursday, November 8th. Meetings and other materials about the LUBGWMA are posted here: <https://lubgwma.org/> Commissioner Drago is the voting member; Planning Director Mabbott is the alternate. Commissioner Drago and Director Mabbott also helped host a driving tour of the LUBGWMA with Umatilla County and senior staff of the Oregon Department of Environmental Quality.

Drinking Water mid- and long-term solutions – Bi-County EPA Grant

County is wrapping up the final Request for Proposal (RFP) to complete work that will be funded by the Environmental Protection Agency (EPA) grant. The work will be for all lands in Umatilla and Morrow Counties that are also within the LUBGWMA. A scoring committee will meet to review the projects and possibly conduct interviews. Staff is coordinating on a date for both county elected Boards to meet and accept public input on the Scope of Work, sign a bi-county intergovernmental agreement and award a contract. Work on the project should begin in March, 2024.

Water Data and Mapping

GIS Associate Planner Stephen Wrecsics continues to work on map layers using data from from Oregon Water Resources Department (OWRD) and Oregon Department of Environmental Quality (ODEQ). Staff will soon receive data from Oregon Health Authority (OHA). The data will allow county to develop and maintain a comprehensive dataset of parcels in the LUBGWMA. Several coordinating meetings have taken place.

On October 31st, Planning Director attended a tour of regional water projects in the Basin and then a gathering of legislators and other folks in the area learning about water recharge projects.

CODE COMPLIANCE

Code enforcement staff is out on leave and the rest of the Planning Department is filling in to cover existing and new complaints. The focus of work in October – December was to follow up with the neighborhood clean-up project that was initiated in Spring 2023. A second and final round of letters were mailed to residents; another batch of letters to neighborhoods will be mailed in late December. The neighborhood approach had some positive impact in one neighborhood and only marginal success in the other two neighborhoods.

Natural Hazard Mitigation Plan (NHMP) Update Staffing adjustments at Oregon's Department of Land Conservation and Development (DLCD) have slightly affected schedules. Stakeholders are adapting to these modest changes as they work within the revised scheduling framework. Anyone interested in the NHMP Update please contact Stephen Wrecsics swrecsics@co.morrow.or.us The plan update is scheduled to be complete the first half of 2024.

Oregon Farm and Forest Conservation Improvement Plan

Planning Director continues to participate on the Technical Working Group (TWG) for the Department of Land Conservation Development Farm and Forest Conservation Program Improvement Plan. The group is reviewing historical policy, statutes, Administrative Rules and

legal cases relating to farm and forest land planning in Oregon. Participation is a voice for issues eastern Oregon; other committee members are from western Oregon. Working Group recommendations will be forwarded to the Land Conservation & Development Commission.

Data Centers

Staff held numerous meetings to discuss permitting for AWS data centers in Morrow County. The fruitful discussion and recommendations were included in the Zoning Ordinance update.

Columbia Development Authority

Stephen Wrecsics published an ESRI Storymap that provides an insightful overview of the ongoing land transfer from the Umatilla Chemical Depot to the Columbia Development Authority. This interactive platform offers a comprehensive exploration, delving into the history of the Umatilla Chemical Depot and its transition to the Columbia Development Authority. Through a combination of maps, images, and narratives, the Storymap illuminates the various facets of this significant land transfer. It serves as an informative tool to potential developers, offering a nuanced understanding of the local landscape transformation and the collaborative efforts shaping its future.



To view the Story Map, click the following link:

<https://www.co.morrow.or.us/planning/page/interactive-maps-and-dashboards>

Morrow County Off Highway Vehicle (OHV) Park In addition to taking drone footage of the OHV Park, staff spent time with Public Works and Parks staff reviewing existing Parks Plan and identifying uses that will require code and plan amendments. Both department are preparing for the plan amendment. This project will carry over into 2024 but the goal is to complete prior to the next round of Oregon Parks grant programs.

GEODC Planning Director Mabbott is participating on the advisory group for the Greater Eastern Oregon Development Corporation (GEODC) Comprehensive Economic Development Strategy (CEDS). The Advisory Committee will help develop and refine the 2024-2029 CEDS Update, a planning tool GEODC uses to coordinate regional economic development efforts. GEODC is the Economic Development District serving 7 counties including Morrow, Gilliam, Grant, Malheur, Umatilla, Harney and Wheeler Counties.

Building Inspection Services Matt Jensen, County Administrator and Tamra Mabbott, Planning Director met with Boardman City Manager Brandon Hammond, Building Official, Glenn McIntire and Building Clerk Jackie McCauley to discuss the Intergovernmental Agreement for Building Inspection and permitting services. Everyone agree that the program was working well. The IGA will continue without changes. Parties did discuss opportunities to improve turn around time for septic inspections, which is a service carried out by Umatilla County Environmental Health as part of a different IGA.

Professional Development

Planning Director attended the annual statewide planning conference in Eugene, October 25-27th and, together with Bob Waldher, Umatilla County Community Development Director, presented a session entitled “Water Quality and Land Use Planning” using the Umatilla Basin as a case study to describe how water quality and quantity fit in to local planning programs.

Two Resources, Two Approaches

Land

- Comprehensive Planning and Regulation
 - Local Water Planning – Focus on Quantity
 - Place Based Planning: Union, Harney, Benton
 - Umatilla County 2050 Plan 2008
 - Deschutes Basin Plan
 - State Agency Coordination (ORS 197.180 and OAR 66030)

Water

- Focus is Management and Regulation
 - Oregon Water Resources Department (OWRD)
 - Regional and District Offices Focus on Management and Regulation
 - * Water Rights and Certificates
 - * Integrated Water Resources Strategy (IWRS)



LUBGWMA Chronology

(Including Nitrate Identification)

- **Early 1900s** – ?
- **1956** – USGS Study: Geology and Groundwater of the Umatilla Basin
- **1990** – Oregon DEQ Designation of LUBGWMA
- **1996** – LUBGWMA Committee Formed
- **1997** – First Action Plan
- **2020** – Second Action Plan
- **2022** – Morrow County Drinking Water Emergency Declaration
- **2022** – LUBGWMA Committee Restructured
 - DEQ appointed LUBGWMA Committee consisting of 11 voting members from 10 regionally representative categories including: Morrow County, Umatilla County, Science and Research, Industry and Business, Irrigated Agriculture, Livestock/Dairy/CAFO, Environmental Organizations, City Government, Tribal Government, and General Public (2 members).



Planning Director attended the annual Association of Oregon Counties (AOC) conference in November and helped during the county tastin event, along with Umatilla and Morrow County

Tourism Coordinator Karie Walchli, Umatilla County CDD Bob Waldher and Umatilla County Commissioner Dan Dorrان. The Annual Tasting event is a fun opportunity for all 36 counties to showcase locally grown and processed farm products.

In November, Planning Director participated in the “One Stop” meeting with Business Oregon and Town of Lexington, regarding funding for a new well and upgraded water system. Water infrastructure was one of the projects identified in the October 2022 Willow Creek Valley Housing Implementation Strategy found here:

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/16533/willowcreekvalleyhip_november2022_final.pdf

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To: Morrow County Board of Commissioners
 From: Tamra Mabbott, Planning Director
 CC: Planning Commission
 BOC Date: January 17, 2024
 RE: Monthly Planning Update

Mission Statement

Morrow County Planning Department provides guidance and support to citizens for short term and long-range planning in land use, to sustain and improve the county's lands for future generations. Our goal is to foster development where people can live, work & play.

Planning Commission approved a multi-part code update at the December 5, 2023 meeting. The code update will next go to the Board of Commissioner for final consideration. Planners met with various stakeholders to discuss proposed new language.

| <u>Planning Permits</u> | <u>December 2023</u> | <u>YEAR END 2023</u> |
|--------------------------------|-----------------------------|-----------------------------|
| Zoning Permits | 13 | 82 |
| Land Use Compatibility Reviews | 3 | 68 |
| Land Partitions | 0 | 3 |
| Property Line Adjustments | 0 | 4 |
| Land Use Decisions | 0 | 11 |
| Rural Addresses | 1 | 20 |
| Plan and Zone Amendment | 4 | 7 |
| Farm Ag Exempt Permit | 5 | 12 |

Energy Projects

Planning staff had several meetings with developers to discuss existing and proposed new projects as well as amendments to permits for various projects.

Summary of energy projects in Morrow County is found here

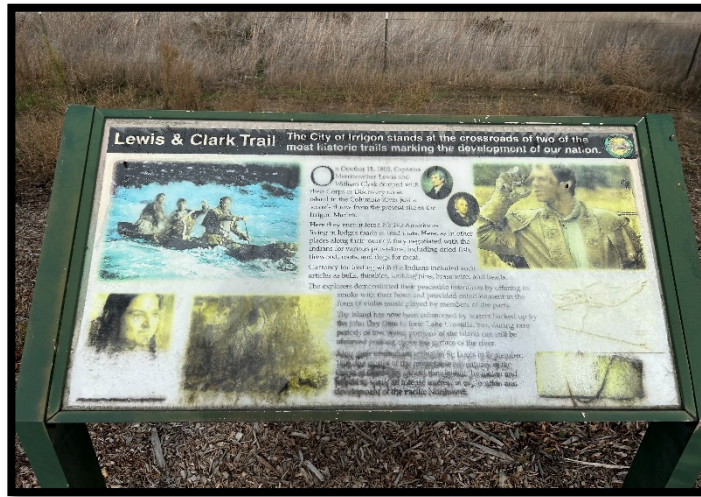
<https://www.co.morrow.or.us/planning/page/renewable-energy-1>

Morrow County Heritage Trail Update

Planning will be posting a Request for Proposal for the Heritage Trail Master Plan update.

Interpretive Panel Update

Following the November 13, 2023 stakeholder meeting discussing the first draft concepts for all interpretive panels, all comments made at the meeting and through email were composed into a single document. Subsequent materials and panel exhibits were collected by staff according to the comments which were then delivered to Sea Reach Ltd along with all public comments, for their use on further drafts. The first draft updated interpretive panels are available for review upon request to staff. The existing panels can be viewed on the Planning webpage: <https://www.co.morrow.or.us/planning/page/heritage-trail-panels>



WATER AND PLANNING ACTIVITIES

Water Advisory Committee

Planning Director and GSI Water Solutions Inc. worked on a draft list of policies and projects for the Water Advisory Committee to review and discuss. WAC meeting was held on Monday, January 8, 4-6 pm at the North Morrow County Building in Irrigon. Presenters included JR Cook of the Northeast Oregon Water Association (NOWA) who discussed the Umatilla Basin 2050 Plan and numerous recharge projects NOWA has helped developed over the past 15 years. WAC also heard from Donna Beverage, Union County Commissioner, about the Union County Place-Based Planning effort. Tamra Mabbott, Planning Director, gave a presentation on the nexus between water and land use planning. Agenda and meeting materials are posted on the webpage. <https://www.co.morrow.or.us/planning/page/water> Meetings are open to the public. The next WAC meeting is scheduled for March 11, 2024, 4-6 pm at the North Morrow County Government Center, Irrigon.

LUBGWMA

Several subcommittee meetings and the primary LUBGWMA meeting was held in December.

Drinking Water mid- and long-term solutions – Bi-County EPA Grant

The Request for Proposal (RFP) to complete work that will be funded by the Environmental Protection Agency (EPA) grant was posted on the county webpage. A pre-proposal meeting with interested engineering firms was held on January 4, 2024. A scoring committee will meet to review the projects and possibly conduct interviews. Staff is coordinating on a date for both county elected Boards to meet and accept public input on the Scope of Work, sign a bi-county intergovernmental agreement and award a contract. Work on the project should begin in March, 2024.

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CODE COMPLIANCE

Code enforcement staff is out on leave and the rest of the Planning Department is filling in to cover existing and new complaints. The focus of work in January was to follow up with the neighborhood clean-up project that was initiated in Spring 2023. The neighborhood approach had some positive impact in one neighborhood and only marginal success in the other two neighborhoods. Following the December letters, staff has been communicating with landowners out of compliance to formulate a plan to either return to compliance or result in a citation from Morrow County. Another batch of letters to a neighborhood was sent at the beginning of January. Staff has been seeing positive improvements among multiple landowners who have been contacted.

Natural Hazard Mitigation Plan (NHMP) Update Staffing adjustments at Oregon's Department of Land Conservation and Development (DLCD) have slightly affected schedules. Stakeholders are adapting to these modest changes as they work within the revised scheduling framework. Anyone interested in the NHMP Update please contact Stephen Wrecsics swrecsics@co.morrow.or.us The plan update is scheduled to be complete the first half of 2024.

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