

**Minutes of the Public Meeting of the  
Morrow County Planning Commission  
Tuesday, May 25, 2021, 7:00 p.m.  
Irrigon Library Community Room, Irrigon, Oregon  
(Also video conferenced via Zoom)**

**Morrow County Planning Commissioners Present:** Chair Jeff Wenholz, Vice Chair Mifflin Devin, Stanley Anderson, Stacie Ekstrom, Wayne Seitz, Karl Smith, Greg Sweek, and Rod Taylor.

**Excused:** Brian Thompson

**Morrow County Staff Present:** Tamra Mabbott, Planning Director; Stephen Wrecsics, GIS Planning Technician; Justin Nelson, County Counsel; and Dianna Strong, Office Assistant.

The Pledge of Allegiance was recited.

**Approval of Minutes:**

Chair Wenholz suggested an amendment to the draft minutes from April's Planning Commission: page 3, fourth paragraph, last sentence: recommendation to remove the word, "residential" from before the final sentence, ("...septic needs ..."). Commissioner Smith moved to approve the Minutes of April 27, 2021, as amended on Page 3; Commissioner Devin seconded; and the motion carried.

**Public Hearings:**

Planning Commission Chair Wenholz read the Planning Commission Hearing Procedures.

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

Stephen Wrecsics, GIS Planning Technician, presented the request.

Vice-Chair Devin declared that he is employed by the Port of Morrow, and would like to recuse himself from the vote on this application.

**In Favor:** Jacob Cain, Port of Morrow, spoke in favor.

No one spoke in opposition. No other comments were made.

Commissioner Sweek made a motion to approve R-N-067-21; Commissioner Taylor seconded; all Commissioners voted in favor, and the motion carried.

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

Stephen Wrecsics, GIS Planning Technician, presented LP-N-495-21.

Director Mabbott presented comments submitted by Tim Daly, Manager, Daly Ranch LLC. He requested a condition of approval to require only water from the property be used.

Chris Kowitz, North Central Region Manager, Oregon Water Resources Department, submitted written comments stating the use of the existing well/spring is adequate for the house. Director Mabbott shared that, during research for this property, it was discovered that county standards do not require a water source for a land partition, though a septic system is a requirement. Therefore, the findings meet the standards as written, with no need for additional conditions of approval.

**In Favor:** Steve and Lisanne Currin appeared before the Commission to speak in favor of the partition. They believe they have a valid application and have done all that is required for approval. Lisanne acknowledged the comments submitted, and stated they believe the water issue and the proposed land partition application are two separate matters. Their research led them to understand that this application can be approved as a "dry partition," but this is not necessary, due to the availability of adequate water from the well on the property. Furthermore, if the current well were proved to be inoperable, their conversation with Watermaster Greg Silbernagel informed them that another domestic well could be dug in the future.

**In Opposition:** Tim Daly appeared before the Commission to speak in opposition. He is not opposed to the Land Partition, but has concerns regarding the availability of water for Daly Ranch, LLC from the spring easement. Secondly, Mr. Daly wants protection from any possible future litigation that could come from a future owner of the partitioned property relying on the spring water, which dries up occasionally, or potential contamination from cattle ranching.

**Neutral Comments:** Chris Kowitz, North Central Region Manager, Oregon Water Resources Department, spoke regarding the comment letter he submitted. Director Mabbott restated the terms for better understanding: A property owner can drill a well for domestic purposes, though a water right is not required; could deepen an existing well; or could abandon an existing well and dig a new well on the property. Mr. Kowitz confirmed this to be correct.

Director Mabbott asked if the matter of the stream is not relevant to the partition application, but rather a civil matter, and what recommendations Mr. Kowitz might offer. He agreed the stream is separate. Rules around exempt use of springs are straightforward. However, there are questions regarding the use of a spring easement if not on owned property. Exception may be

made in the case of a land partition, though not intentionally excused from this regulation. Mr. Kowitz indicated further research is in order regarding rights for a spring easement.

Director Mabbott shared her appreciation of all the work and input by Mr. Silbernagel and Mr. Kowitz.

Commissioner Sweek made a motion to approve LP-N-495-21; Commissioner Smith seconded; all Commissioners voted in favor, and the motion carried.

Stephen Wrecsics, GIS Planning Technician, presented LUD-N-35-21.

Lisanne and Steve Currin spoke in favor.

No one spoke in opposition. No other comments.

Commissioner Seitz made a motion to approve LUD-N-35-21; Commissioner Smith seconded; all Commissioners voted in favor, and the motion carried.

*Continued from April 27<sup>th</sup> Planning Commission Meeting:* **Land Partition LP-N-493-21: Umatilla Electric Cooperative, Applicant and Port of Morrow, Owner.** The property is described as tax lot 200 of Assessor's Map 4N 26E 07. The property is zoned Port Industrial (PI) and located at the Highway 730 and Interstate 84 Interchange. Request is to partition an 81.5-acre parcel to create two parcels. Criteria for approval includes the MCZO Article 3 Section 3.073 Port Industrial and MCSO Article 5 Land Partitioning.

Stephen Wrecsics noted that UEC has withdrawn this application.

Joe Cottrell, Bonneville Power Administration, requested that he be informed should the Port of Morrow propose future development. Director Mabbott stated she would follow up with Mr. Cottrell on the next business day.

**Correspondence / Staff Comment:**

Director Mabbott's May 12, 2021, Planning Update to the Morrow County Board of Commissioners.

Director Mabbott shared that the Morrow County Board of Commissioners will be hosting a presentation on June 23, 2021, 12-2 pm, in Heppner. There is room for 1-2 Planning Commissioners. If interested, please contact Director Mabbott.

**Public Comment:** None

The next meeting of the Morrow County Planning Commission is scheduled for Tuesday, June 29, 2021 at 7:00 pm. The meeting will be offered via Zoom and in person at the Irrigon Library Conference Room.

**Adjournment:** Meeting was adjourned at 7:48 pm.

Respectfully Submitted,  
Dianna Strong