



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

1/6/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Morrow County Plan Amendment
DLCD File Number 005-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, January 19, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Carla McLane, Morrow County
Gloria Gardiner, DLCD Urban Planning Specialist
Amanda Punton, DLCD Regional Representative
Jon Jinings, DLCD Regional Representative

<paa> YA

D L C D NOTICE OF ADOPTION

DEC 30 2009

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

LAND CONSERVATION AND DEVELOPMENT

(See reverse side for submittal requirements)

Jurisdiction: Morrow County Local File No.: AC(M)-015-09 AC-014-09 (If no number, use none)

Date of Adoption: December 23, 2009 Date Mailed: December 28, 2009 (Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: August 14, 2009

- Comprehensive Plan Text Amendment
Comprehensive Plan Map Amendment
Land Use Regulation Amendment
Zoning Map Amendment
New Land Use Regulation
Other: (Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Amend the Comprehensive Plan to include a locally significant aggregate site to Morrow County's list of locally significant aggregate sites. Amend the Comprehensive Plan Map to include the aggregate site location

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same

Plan Map Changed from: N/A to

Zone Map Changed from: N/A to

Location: 1N 23 Section 19 Tax Lot 3102 Acres Involved: 10

Specify Density: Previous: N/A New:

Applicable Statewide Planning Goals: Goal 1, 5

Was an Exception Adopted? Yes: No: X

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: DLCD,

DOGAMI, DEQ, ODOT, DDOE

Local Contact: Carla McLane Area Code + Phone Number: 541 922 4624

Address: PO Box 40

City: Irrigon, OR Zip Code+4: 97844

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.



PLANNING DEPARTMENT

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

NOTICE OF DECISION

December 28, 2009

AC-014-09
AC(M)-015-09
Morrow County Comprehensive Plan
Morrow County Comprehensive Plan Map

This notice is to inform you that on December 23, 2009, the Morrow County Court adopted Ordinance Number MC-7-2009 amending the Morrow County Comprehensive Plan and Comprehensive Plan Map. Specifically Morrow County amended the list of significant aggregate sites adding the approved site and added the site to the Comprehensive Plan Map..

The requirements for filing an appeal of the decision to the Land Use Board of Appeals (LUBA) are set forth in ORS 197.830 to 197.845. State law and associated administrative rules promulgated by LUBA describe the period within which any appeal must be filed and the manner in which such an appeal must be commenced. Presently, ORS 197.830(9) requires that a notice of intent to appeal plan or land use regulation amendments adopted pursuant to ORS 197.610 to 197.625 "shall be filed not later than 21 days after notice of the decision sought to be reviewed is mailed or otherwise submitted to parties entitled to notice under ORS 197.615." Notice of this decision was mailed on December 28, 2009. The deadline to appeal is January 18, 2010.

Cordially,

Handwritten signature of Carla McLane in cursive.

Carla McLane
Planning Director

I certify that on December 28, 2009, I mailed a copy of this Notice of Decision by first class mail to all persons entitled to notice of this decision.

Handwritten signature of Mary Curry in cursive.
Mary Curry, Office Manager

12/28/09

Date

BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

AN ORDINANCE AMENDING THE MORROW
COUNTY COMPREHENSIVE PLAN AND THE
COMPREHENSIVE PLAN MAP TO INCLUDE
A LOCALLY SIGNIFICANT AGGREGATE
RESOURCE SITE

COUNTY ORDINANCE

NO. MC-7-2009

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

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

WHEREAS, an application was filed by Dana and Tonya Heidemann to include approximately 10 acres of ground as a locally significant resource site under Goal 5 and to amend the Morrow County Comprehensive Plan Inventory of Significant Aggregate Sites by a Plan amendment; and

WHEREAS, the Morrow County Planning Commission held a hearing to review the request on September 29, 2009 at the Port of Morrow Riverfront Center; and

WHEREAS, the Morrow County Planning Commission unanimously recommended approval of the request and adopted Planning Commission Final Findings of Fact; and

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on December 9, 2009, at the North Morrow County Annex in Irrigon, Oregon; and

WHEREAS, the Morrow County Court affirmed that the proposed aggregate site meets the requirements under Oregon Administrative Rule whereby a site shall produce less than 500,000 tons of aggregate material and the soils contain less than 35 percent of soils classified as Class I or II on NRCS maps; and

WHEREAS, the Morrow County Court deemed the site at the subject property a locally significant aggregate site.

NOW THEREFORE THE COUNTY COURT OF MORROW COUNTY ORDAINS AS
FOLLOWS:

Section 1 Title of Ordinance:

This Ordinance shall be known, and may be cited, as the "2009 Heideman Quarry Locally Significant Site Comprehensive Plan and Map Amendment."

Section 2 Affected Documents:

The Morrow County Comprehensive Plan and the Morrow County Comprehensive Plan Map are amended with a text amendment in the Goal 5 Analysis Chapter Aggregate Sites List.

1. Text Amendment: Insert the following on page 102 of the Comprehensive Plan:
Site/Permit Number 25-0068 Type of Material: Quarry Rock County Zone
Designation: EFU Remarks: Locally Significant Goal 5 Designation: n/a
2. Map Amendment: The Morrow County Comprehensive Plan Aggregate Resources Map will be amended to indicate the site as shown on the attached Location Map.

Section 3 Effective Date

This ordinance shall be effective on February 1, 2010.

Date of First Reading: December 16, 2009

Date of Second Reading: December 23, 2009

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 23rd DAY OF DECEMBER, 2009

ATTEST:

MORROW COUNTY COURT:

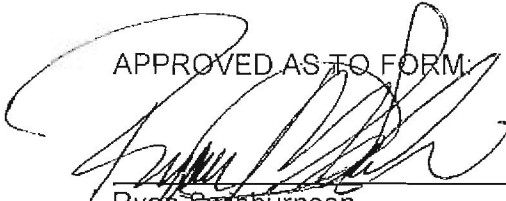

Bobbi Childers
County Clerk




Terry K. Tallman, Judge


Ken Grieb, Commissioner

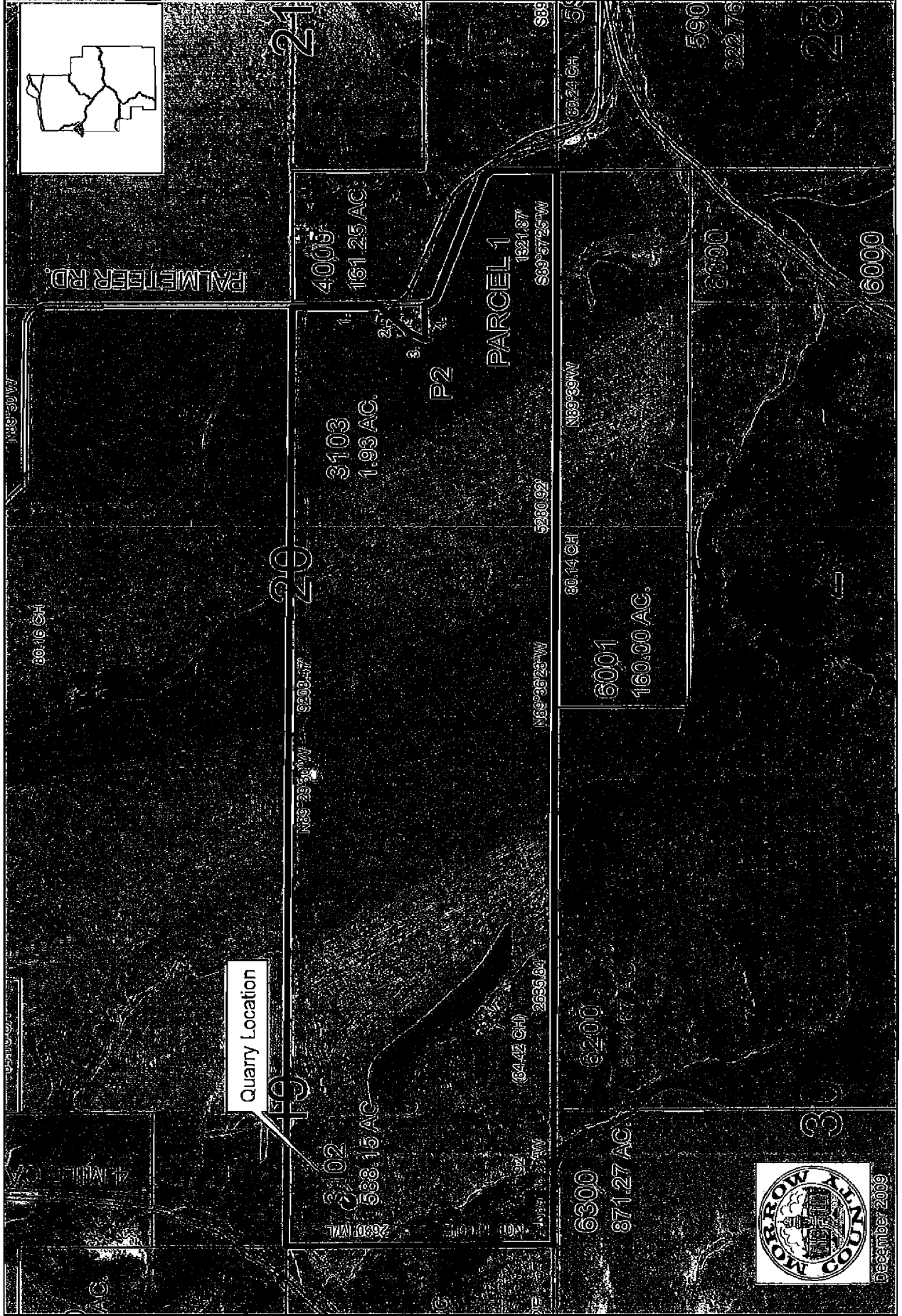
APPROVED AS TO FORM:


Ryan Swinburnson
County Counsel


Leann Rea, Commissioner

AC(M)-15-09
 AC-14-09
 Location Map

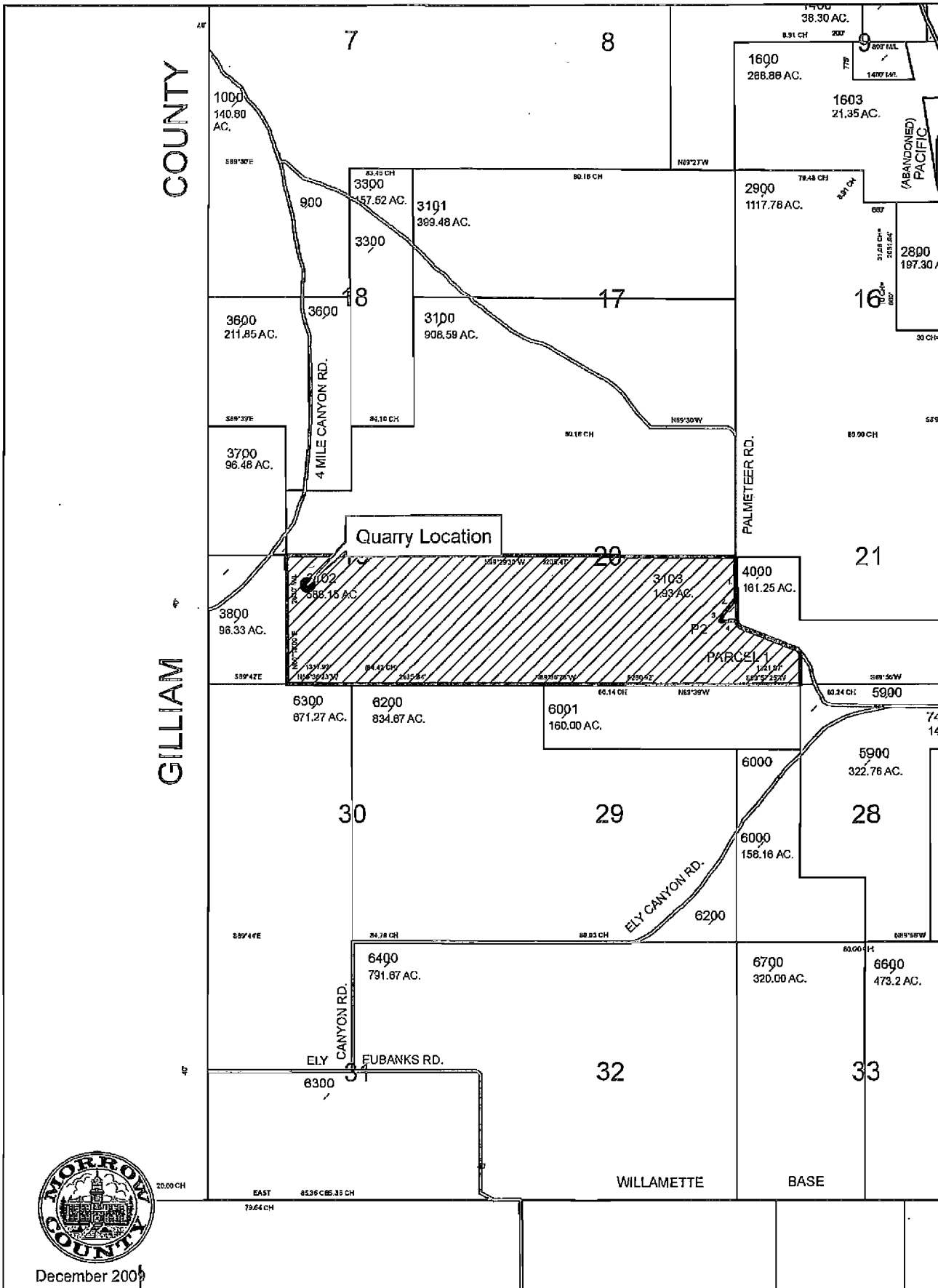
Subject Property



December 2009

AC(M)-15-09 AC-14-09 Location Map

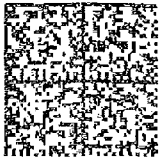
 Subject Property



December 2009

DURTY PLANNING DEPT.
P.O. BOX 40
SON, OR 97844

DLCD
Larry French
635 Capitol St. NW Ste. 200
Salem OR 97301-2540



UNITED STATES
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