



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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Web Address: <http://www.oregon.gov/LCD>

## NOTICE OF ADOPTED AMENDMENT

November 2, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Morrow County Plan Amendment  
DLCD File Number 002-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 14, 2006**

This amendment was submitted to DLCD for review with less than the required 45-day notice because the jurisdiction determined that emergency circumstances required expedited review. 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

cc: Doug White, DLCD Community Services Specialist  
Matthew Crall, DLCD Transportation Planner  
Jon Jinings, DLCD Regional Representative  
Carla McLane, Morrow County

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DLCD NOTICE OF ADOPTION DEPT OF

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

OCT 26 2006

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: Morrow County Local File No.: 2006 TSP Update (If no number, use none)

Date of Adoption: 10/18/2006 (Must be filled in) Date Mailed: 10/24/2006 (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 6/8/2004

- Comprehensive Plan Text Amendment (checked)
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."

Added two projects to the long-term project list in the Morrow County TSP. Also changed the functional classification of Brenner Canyon Road from Local Road to Minor Collector.

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: Acres Involved: N/A

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1E12

Was an Exception Adopted? Yes: No: X

DLCD File No.: 002-06 (15300)



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: X 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, ODOT, MC Public Works

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](mailto: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

DEPT OF

OCT 26 2006

LAND CONSERVATION  
AND DEVELOPMENT

## NOTICE OF DECISION

October 24, 2006

Morrow County Transportation System Plan 2006 Update:

This notice is to inform you that on October 18, 2006, the Morrow County Court adopted Ordinance Number MC-06-2006 amending the Morrow County Transportation System Plan. Specifically the Court approved the following:

- Change the functional classification of Brenner Canyon Road from Local Road to Minor Collector.
- Add the Valby/Brenner Canyon Road project to the "5 to 20 Year Recommended Roadway System Projects" lists in the Morrow County Transportation System Plan (Tables 5-5 and 6-10) and amend the Estimated Total Cost of those project Lists.
- Add the County Line Road project to the "5 to 20 Year Recommended Roadway System Projects" lists in the Morrow County Transportation System Plan (Tables 5-5 and 6-10) and amend the Estimated Total Cost of those project Lists.

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 October 24, 2006. The deadline to appeal is November 15, 2006.

Cordially,

A handwritten signature in cursive script that reads "Carla McLane".

Carla McLane  
Planning Director

I certify that on October 24, 2006, I mailed a copy of this Notice of Decision by first class mail to all persons entitled to notice of this decision.

A handwritten signature in cursive script that reads "Carla McLane".  
Signature

10/24/2006  
Date

BEFORE THE MORROW COUNTY COURT  
OF MORROW COUNTY

AN ORDINANCE ADOPTING THE 2006  
AMENDMENT TO THE MORROW  
COUNTY TRANSPORTATION SYSTEM  
PLAN, SPECIFICALLY TWO ADDITIONS  
TO THE LONG-TERM PROJECT LISTS.

COUNTY ORDINANCE  
NO. MC-06-2006

THE COUNTY OF MORROW DOES ORDAIN AS FOLLOWS:

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

WHEREAS, Morrow County's Comprehensive Land Use Plan was acknowledged on January 30, 1986; and

WHEREAS, Morrow County adopted a Transportation System Plan in 1998 and an update in 2005; and

WHEREAS, a request was filed by the Morrow County Public Works Department on behalf of the Morrow County Road Committee to adopt two additions to the Morrow County Transportation System Plan Long-Term Projects List; and

WHEREAS, the Morrow County Planning Commission held two hearings to review the request on August 29, 2006, at the Morrow County School District Building in Lexington, Oregon and on September 26, 2006, at the North Morrow County Annex Building in Irrigon, Oregon; and

WHEREAS, the Morrow County Planning Commission unanimously recommended to the County Court approval of the request and adoption of the additions to the TSP Long-Term Projects List; and

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on October 18, 2006, at the Port of Morrow County Riverfront Center in Boardman, Oregon;

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 2006 Morrow County Transportation System Plan Amendment - Long-Term Project List Update."

Section 2 Morrow County Transportation System Plan - Amendment

The Morrow County Transportation System Plan shall be amended to include the two new projects on the Long-Term Projects List, specifically Tables 5-5 and 6-10. The updated tables are attached to this adopting ordinance and incorporated as Exhibits 1 and 2.

- Exhibit 1: Amended Table 5-5 Morrow County 5-20 Year Recommended Roadway System Projects
- Exhibit 2: Amended Table 6-10 Morrow County 5-20 Year (Medium Priority) recommended Roadway System Projects

Additionally the Transportation System Plan shall be amended to identify Brenner Canyon Road as a Minor Collector, a change in status from Local Road.

Section 3 Effective Date

Given that it is the policy of the State of Oregon that time is of the essence in deciding Land Use matters an emergency is declared to exist and this ordinance shall be effective ten (10) day after execution.

Date of first reading: October 18, 2006

Date of second reading: October 18, 2006

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 18<sup>th</sup> DAY OF OCTOBER, 2006.

ATTEST:



MORROW COUNTY COURT:

*Bobbi Childers by Theresa Jenson*  
Bobbi Childers, County Clerk Deputy Clerk

*Terry K. Tallman*  
Terry K. Tallman, Judge

*John E. Wenzholz*  
John E. Wenzholz, Commissioner

APPROVED AS TO FORM:

\_\_\_\_\_  
County Counsel

*Ray Grace*  
Ray Grace, Commissioner



Exhibit 1

TABLE 5-5 MORROW COUNTY 5 to 20 Year RECOMMENDED ROADWAY SYSTEM PROJECTS		
Roadway	Project Description	Estimated Cost
CR #689 (Olson Road)	Construct new overpass over I-84	\$9,000,000
CR #589 (Kunze Road)	Main Street to Tower Road (5.5 miles) – reconstruct and pave	\$2,700,000
CR #670 (Sunflower Flat Road)	Pave over gravel road (9.0 miles, a Federal Forest Highway Project)	\$2,500,000
CR #681 (lone-Gooseberry Road)	McElligott Road to Hwy 206 (8.3 miles) – reconstruct roadway	\$2,300,000
CR #761 (Depot Lane)	Paterson Ferry Road to Division Road 4.9 miles) – reconstruct and pave	\$2,000,000
CR #598 (Kunze Lane) and CR #689 (Olson Road)	On Kunze, South Main to Olson Road (0.7 miles). On Olson, Kunze Lane to I-84 – reconstruct and pave (2.0 miles total)	\$900,000
CR #733 (Sand Hollow Road)	Hwy 74 to new pavement (6.7 miles) – reconstruct and pave	\$900,000
CR #793 (Little Butter Creek Road)	Currin Ranch north (5.2 miles) – reconstruct and pave	\$600,000
CR #608 (Upper Rhea Creek Road)	Ruggs to Basey Canyon Road (4.5 miles) – improve drainage and pave	\$500,000
CR #759 (Bombing Range Road)	At Hwy 207 - acquire right-of-way to realign intersection, construct new section and pave	\$400,000
CR #906 (3 <sup>rd</sup> Street)	Nevada Avenue to Depot Lane (0.8 miles) – reconstruct and pave	\$350,000
CR #747 (Miller Road)	Kunze Lane to Wilson Lane (0.5 miles) – reconstruct and pave	\$250,000
CR #598 (Kunze Lane)	Olson Road to Miller Road (0.5 miles) – reconstruct and pave	\$250,000
CR #681 (lone-Gooseberry Road)	Realign at junction with Hwy 206	\$15,000
CR #713 (Shobe Canyon Road)	Realign at junction with Hwy 206/207	\$15,000
CR #612 (Clarks Canyon Road)	Realign at junction with Hwy 206/207	\$10,000
CR #693 (Rhea Creek Road)	Realign at junction with Hwy 206/207	\$8,000
CR #533 (Porcupine Lane)	Realign at junction with Hwy 206/207	\$5,000
CR #581 (Brenner Canyon) and CR #589 (Valby Road)	See Planning Commission 2006 TSP Update	\$4,046,140
5 to 20-YEAR PROJECTS ESTIMATED TOTAL COST		\$26,749,140

## Exhibit 2

TABLE 6-10 MORROW COUNTY 5-20-Year (medium priority) RECOMMENDED ROADWAY SYSTEM PROJECTS		
Map Key / Roadway.	Project Description	Estimated Cost (\$1,000's)
A / CR #670 (Sunflower Flat Road)	Pave over gravel road (9.0 miles, a Federal Forest Highway Project)	\$2,500
B / CR #681 (lone-Gooseberry Road)	McElligott Road to Hwy 206 (8.3 miles) – reconstruct roadway	\$2,300
C / CR #761 (Depot Lane)	Paterson Ferry Road to Division Road 4.9 miles) – reconstruct and pave	\$2,000
D / CR #598 (Kunze Lane) and CR #689 (Olson Road)	On Kunze, South Main to Olson Road (0.7 miles). On Olson, Kunze Lane to I-84 – reconstruct and pave (2.0 miles total)	\$900
E / CR #733 (Sand Hollow Road)	Hwy 74 to new pavement (6.7 miles) – reconstruct and pave	\$900
F / CR #793 (Little Butter Creek Road)	Currin Ranch north (5.2 miles) – reconstruct and pave	\$600
G / CR #608 (Upper Rhea Creek Road)	Ruggs to Basey Canyon Road (4.5 miles) – improve drainage and pave	\$500
H / CR #759 (Bombing Range Road)	At Hwy 207 - acquire right-of-way to realign intersection, construct new section and pave	\$400
I / CR #906 (3 <sup>rd</sup> Street)	Nevada Avenue to Depot Lane (0.8 miles) – reconstruct and pave	\$350
J / CR #747 (Miller Road)	Kunze Lane to Wilson Lane (0.5 miles) – reconstruct and pave	\$250
K / CR #598 (Kunze Lane)	Olson Road to Miller Road (0.5 miles) – reconstruct and pave	\$250
L / CR #681 (lone-Gooseberry Road)	Realign at junction with Hwy 206	\$15
M / CR #713 (Shobe Canyon Road)	Realign at junction with Hwy 206/207	\$15
N / CR #612 (Clarks Canyon Road)	Realign at junction with Hwy 206/207	\$10
O / CR #693 (Rhea Creek Road)	Realign at junction with Hwy 206/207	\$8
P / CR #533 (Porcupine Lane)	Realign at junction with Hwy 206/207	\$5
Q / CR #581 (Brenner Canyon) and CR #589 (Valby Road)	See Planning Commission 2006 TSP Update	\$4,046
5-20-YEAR PROJECTS ESTIMATED TOTAL COST		\$26,749