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

<paa> ya/
FORM 2

D L C D NOTICE OF ADOPTION

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

(See reverse side for submittal requirements)

DEPT OF

OCT 26 2006

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: Morrow County
Local File No.: 2006 TSP Update

Date of Adoption: 10/18/2006
Date Mailed: 10/24/2006

Date the Notice of Proposed Amendment was mailed to DLCD: 10/18/2006

☑ 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.”

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 N/A
Zone Map Changed from: N/A to N/A
Location: N/A Acres Involved: N/A
Specify Density: Previous: N/A New: N/A
Applicable Statewide Planning Goals: 12/1
Was an Exception Adopted? Yes: ☑ No: ☧

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 Melam Area Code + Phone Number: 541-922-4034

Address: PO Box 40

City: Irrigon OR Zip Code+4: 97844

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**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 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

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revised: 7/29/99
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,

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.
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.

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 18th DAY OF OCTOBER, 2006.

ATTEST: MORROW COUNTY COURT:

Bobbi Childers, County Clerk

Terry K. Talman, Judge

John E. Wenholz, Commissioner

APPROVED AS TO FORM:

County Counsel Ray Grace, Commissioner
### TABLE 5-5

**MORROW COUNTY**

5 to 20 Year RECOMMENDED ROADWAY SYSTEM PROJECTS

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