



# Oregon

Theodore R. Kulongoski, 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](http://www.lcd.state.or.us)



## NOTICE OF ADOPTED AMENDMENT

01/21/2009

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 001-09

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, February 03, 2009

This amendment was not submitted to DLCD for review prior to adoption Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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: Planning Director, Morrow County  
Doug White, DLCD Community Services Specialist  
Jon Jinings, DLCD Regional Representative

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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 LAND CONSERVATION AND DEVELOPMENT JAN 15 2009

Jurisdiction: Morrow County Local File No.: AZ(M) 009-08
Date of Adoption: January 7, 2009 Date Mailed: January 13, 2009
Date the Notice of Proposed Amendment was mailed to DLCD: September 2, 2008

- Comprehensive Plan Text Amendment
Land Use Regulation Amendment
New Land Use Regulation
Comprehensive Plan Map Amendment
[X] Zoning Map Amendment
Other:

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

Applied the Resource Related Industrial use zone to the subject property

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: ECU to RRI
Location: 4N 26 TL 3420 Acres Involved: 48.60
Specify Density: Previous: N/A New: N/A
Applicable Statewide Planning Goals: 1
Was an Exception Adopted? Yes: No: X

DLCD File No.: 001-09 (NOA) Proposed 001-09 (17425) [15359]



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,

Morrow County

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

### NOTICE OF DECISION

January 13, 2009

AZ(M)009-08 - Resource Related Industrial  
Application of Resource Related Industrial use zone to subject property.

This notice is to inform you that on January 7, 2009, the Morrow County Court adopted Ordinance Number MC-01-2009 amending the Morrow County Zoning Ordinance Map. Specifically Morrow County amended the above map zoning 48.6 acres Resource Related Industrial.

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 January 13, 2009. The deadline to appeal is February 3, 2009.

Cordially,



Carla McLane  
Planning Director

I certify that on January 13, 2009, I mailed a copy of this Notice of Decision by first class mail to all persons entitled to notice of this decision.



Gretchen Pedersen

1-13-09  
Date



BEFORE THE MORROW COUNTY COURT  
OF MORROW COUNTY

AN ORDINANCE AMENDING MORROW  
COUNTY ZONING MAP TO INCLUDE THE  
RESOURCE RELATED INDUSTRIAL USE  
ZONE DESIGNATION AND TO APPLY THE  
RESOURCE RELATED INDUSTRIAL USE  
ZONE TO THE SUBJECT PROPERTY  
TOTALING APPROXIMATELY 48.60 ACRES

COUNTY ORDINANCE  
NO. MC-01-2009

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, the Oregon Economic and Community Development Department, in cooperation with the Land Conservation and Development Department, identified a need for an Oregon business and suggest to Morrow County Planning staff a new use zone - Resource Related Industrial; and

WHEREAS, the Morrow County Planning Commission held two public hearings to review the request on November 27 and December 4, 2007, at the North Morrow County Annex Building in Irrigon, Oregon; and

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

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on December 19, 2007, at the Port of Morrow Riverfront Center in Boardman, Oregon; and

WHEREAS, the Morrow County Court did adopt the language for the Resource Related Industrial zone on January 9, 2008;

WHEREAS, The County Ordinance MC-01-2008 did not include language to amend the Zoning Map and did not apply the Resource Related Industrial zone to the subject property; and

WHEREAS, the Morrow County Planning Commission held two public hearings to review the request to amend the Zoning Map and apply the Resource Related Industrial zone to the subject property on October 28, 2008 at the Heppner City Hall and December 2, 2008 at the Morrow County School District Building in Lexington, Oregon; and

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

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on December 17, 2008, at the Port of Morrow Riverfront Center in Boardman, Oregon; and

WHEREAS, the Morrow County Court did approve application of the Resource Related Industrial zone to the subject property and did amend the Zoning Map to reflect the change after holding a public hearing on December 17, 2008;

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 "Application of the Resource Related Industrial Use Zone "

Section 2 Affected Document

The Zoning Map of Morrow County shall be amended to designate the subject property as Resource Related Industrial. See attached Exhibit 1 Zoning Map.

Section 3 Subject Property:

The affected property, approximately 48.60 acres, is currently know as tax lot 3420 of Assessor's Map 4N 26, also known as Parcel 1 of Partition Plat 2006-5.

Section 4 Declaration of an Emergency and Effective Date


As this action is correcting an error and timeliness is important an emergency is declared. This ordinance shall be effective on its adoption date of January 7, 2009.

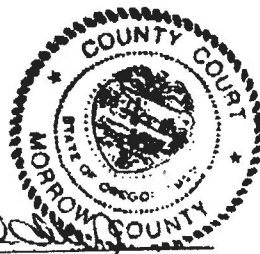
Date of First Reading: December 17, 2008

Date of Second Reading: January 7, 2009

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 7<sup>th</sup> DAY OF JANUARY 2009.


ATTEST:

  
Bobbi Childers  
County Clerk




MORROW COUNTY COURT:

  
Terry K. Tallman, Judge

  
Ken Grieb, Commissioner

APPROVED AS TO FORM:

  
Ryan Swinburnson  
County Counsel

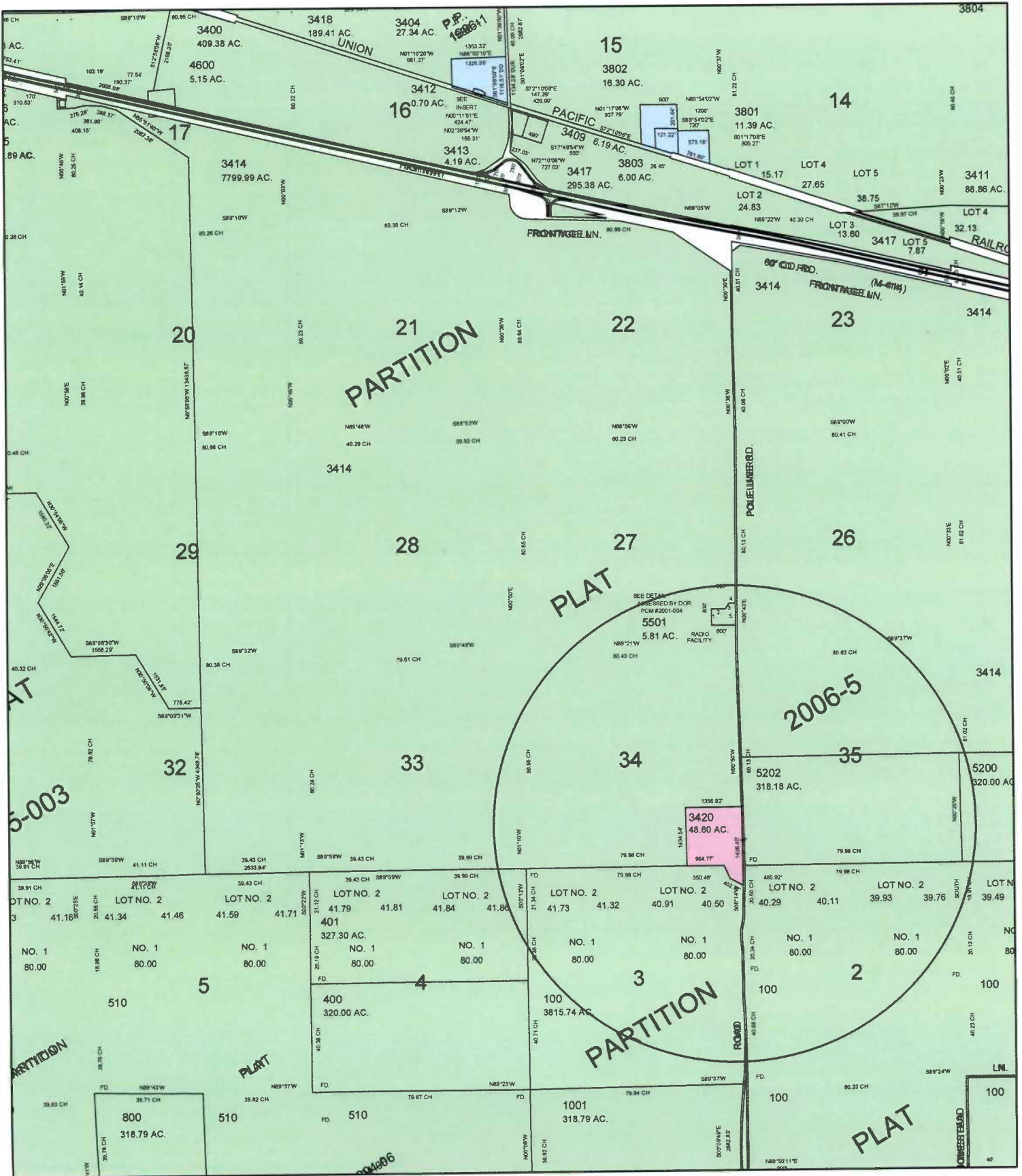
  
Leann Rea, Commissioner





- Zoning**  
 <all other values>  
**ZID**  
 EFU  
 MG  
 RRI

# AZ(M) 009-08 Zoning Map



COUNTY PLANNING DEPT.  
P.O. BOX 40  
SALEM, OR 97344



Attn: Plan Amendment Specialist  
DLCDC  
635 Capitol Street NE Suite 150  
Salem OR 97301-2540