



Oregon

Theodore R. Kubongoski, 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 004-09

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
Jon Jinings, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative

<paa> YA

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)

Jurisdiction: Morrow County Local File No.: AZ-013-09
(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
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____
(Please Specify Type of Action)

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

Added four zone Designations to Section 2.010 (Resource Related Industrial, Tourist Commercial, Rural Light Industrial, Speedway & U Overlay) and changed in Section 2.020 "by reference" to "by ordinance."

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."

The change to Section 2.020 where adoptions are done by adoption use to read "by reference"

Plan Map Changed from: N/A to _____

Zone Map Changed from: N/A to _____

Location: N/A Acres Involved: _____

Specify Density: Previous: N/A New: _____

Applicable Statewide Planning Goals: 1

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: 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

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

AZ-013-09
Morrow County Zoning Ordinance
Article 2 Establishment of Zones Amendment

This notice is to inform you that on December 23, 2009, the Morrow County Court adopted Ordinance Number MC-8-2009 amending the Morrow County Zoning Ordinance. Specifically Morrow County amended Article 2 Establishment of Zones..

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 script.

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 script.

Mary Curry, Office Manager

12/28/09

Date

BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

AN ORDINANCE ADOPTING AMENDMENTS
TO THE MORROW COUNTY ZONING
ORDINANCE ARTICLE 2 ESTABLISHMENT
OF ZONES.

COUNTY ORDINANCE

NO. MC-8-2009

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, Planning staff initiated changes to the Zoning Ordinance Article 2 Establishment of Zones to add new Zone Designations to Section 2.010 Identified Zone Designations; and

WHEREAS, Planning staff and the Planning Commission recommended other additional changes to Section 2.020 Location of Zones to clarify that changes to the Zoning Map are adopted by ordinance, not by reference; and

WHEREAS, the Morrow County Planning Commission held hearings to review the request on September 29, 2009, at the Port of Morrow Riverfront Center in Boardman, Oregon, and on October 27, 2009, 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 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 did consider the testimony and evidence presented to them;

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 "Article 2 Establishment of Zones 2009 Amendment."

Section 2 Affected Document

The Morrow County Zoning Ordinance Article 2 Establishment of Zones is amended and shall be replaced in its entirety with the document identified as Exhibit 1.

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:

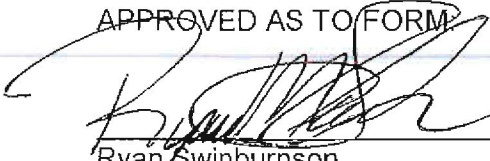

Bobbi Childers
County Clerk




Terry K. Tallman, Judge


Ken Grieb, Commissioner

APPROVED AS TO FORM:


Ryan Swinburnson
County Counsel


Leann Rea, Commissioner

ARTICLE 2. ESTABLISHMENT OF ZONES

SECTION 2.010. IDENTIFIED ZONE DESIGNATIONS. For the purpose of this ordinance, the following zones are hereby identified.

Zone Designation	Abbreviated Designation	Code Section
Exclusive Farm Use Zone	EFU	3.010
Resource Related Industrial Zone	RRI	3.015
Forest Use Zone	FU	3.020
Rural Service Center Zone	RSC	3.030
Rural Residential Zone	RR	3.040
Farm Residential Zone	FR	3.041
Small Farm-40 Zone	SF	3.042
Suburban Residential Zone	SR	3.050
Suburban Residential 2A Zone	SR-2A	3.051
General Commercial Zone	C-G	3.060
Tourist Commercial Zone	TC	3.061
General Industrial Zone	M-G	3.070
Air Industrial Park Zone	AI	3.071
Space Age Industrial Zone	SAI	3.072
Port Industrial Zone	PI	3.073
Umatilla Army Depot Transition Zone	UADTZ	3.074
Rural Light Industrial Zone	RLI	3.075
Airport Approach Zone	A-A	3.090
Airport Hazard Zone	A-H	3.091
Flood Plain Overlay Zone	FP	3.100
Limited Use Overlay Zone	LU	3.110
Speedway Limited Use Overlay Zone	SO	3.130
Parkland Overlay Zone	PO	3.150
Significant Resource Overlay Zone	SRO	3.200
Historic Buildings and Sites		3.300

SECTION 2.020. LOCATION OF ZONES. The boundaries for the zone listed in this ordinance are indicated on the Morrow County Zoning Map which is hereby adopted by ordinance. The boundaries shall be modified in accordance with zoning map amendments which shall be adopted by ordinance.

SECTION 2.030. ZONING MAP. A zoning map or zoning map amendment adopted by Section 2.020 of this ordinance or by an amendment thereto shall be prepared by authority of the Planning Commission or by a modification by the County Court of a map amendment so prepared. The map or map amendment shall be dated with the effective date of the ordinance that adopts the map or map amendment. A certified print of the adopted map or map amendment shall be maintained in the office of the County Clerk as long as this ordinance remains in effect.

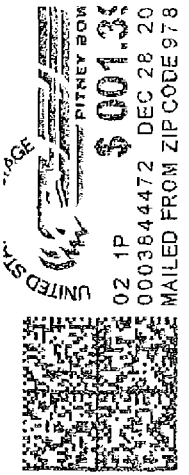
SECTION 2.040. ZONE BOUNDARIES. Unless otherwise specified, zone boundaries are section lines, subdivision lines, lot lines, center lines of street or railroad right-of-ways, water courses, ridges or rimrocks, or such lines extended. Whenever uncertainty exists as to the boundary of a zone as shown on the Zoning Map or amendment thereto, the following regulations shall control:

A. Where a boundary line is indicated as following a street, alley, canal, or railroad right-of-way, it shall be construed as following the centerline of such right-of-way.

B. Where a boundary line follows or approximately coincides with a section line or division thereof, lot or property ownership line, it shall be construed as following such line.

C. If a zone boundary, as shown on the Zoning Map, divides a lot or parcel between two zones, the entire lot or parcel shall be deemed to be in the zone in which the greater area of the lot or parcel lies, provided that this adjustment involves a distance not exceeding 100 feet from the mapped zone boundary.

COUNTY PLANNING DEPT.
P.O. BOX 40
GON, OR 97844



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