



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED AMENDMENT

December 12, 2013

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 002-13

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. The submitted ordinance was adopted by the Morrow County on December 4, 2013, per ORS 197.615 (3) and DLCD did not notify within five working days of receipt, any persons who requested notification.

Appeal Procedures*

DLCD DEADLINE TO APPEAL:

Acknowledged under ORS Sections 197.615, 197.625, and 197.830 (9)

This amendment was submitted to DLCD for review 35 days prior to adoption. Pursuant to ORS 197.625 if no notice of intent to appeal is filed within the 21-day period set out in ORS 197.830 (9), the amendment to the acknowledged comprehensive plan or land use regulation or the new land use regulation shall be considered acknowledged upon the expiration of the 21-day period.

Under ORS 197.830 (9) a notice of intent to appeal a land use decision or limited land use decision shall be filed not later than 21 days after the date the decision sought to be reviewed becomes final. 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 ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Carla McLane, Morrow County
Jon Jinings, DLCD Community Services Specialist
Grant Young, DLCD Regional Representative
Gary Fish, DLCD Transportation Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE
STAMP
DEPT. OF
DEC 04 2013
LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

Jurisdiction: Morrow County Local file number: ATSP-063-13
 Date of Adoption: November 25, 2013 Date Mailed: 12/2/2013
 Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: August 20, 2013
☐ Comprehensive Plan Text Amendment ☐ Comprehensive Plan Map Amendment
☐ Land Use Regulation Amendment ☐ Zoning Map Amendment
☐ New Land Use Regulation ☒ Other: TSP Amendment

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

Added Frontage ~~land~~ Pole Line Road project to Appendix B
Table B-1.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: NA to:
 Zone Map Changed from: NA to:
 Location: Intersection of Pole Line & Frontage Acres Involved: NA
 Specify Density: Previous: NA New:

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19
☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment... yes

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 002-13 (19981) [17697]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, MCLW

Local Contact: *Carla McLane*

Phone: *541) 922-4624* Extension:

Address: *PO Box 40*

Fax Number: *541-922-3472*

City: *Irrigon OR*

Zip: *97844*

E-mail Address: *cmclane@co.morrow.or.us*

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

**Planning Commission Final Findings of Fact
Transportation System Plan Amendment
ATSP-063-13**

REQUEST: To amend Appendix B Table B-1 adding the Frontage Lane/Pole Line Road project to the High Priority Recommended Roadway System Projects list.

APPLICANT: Morrow County Public Works
P.O. Box 428
Lexington, OR 97839

OWNER: Same

LOCATION: South of Interstate 84 and east of the Patterson Ferry Road overpass/interchange.

I SUMMARY OF APPLICATION AND PROCESS:

The Morrow Transportation System Plan was originally prepared in 1997 as part of the Morrow County overall Comprehensive Plan as required by Oregon Revised Statute (ORS) 197.712 and the Transportation Planning Rule (TPR) OAR 660 Division 12 developed by the Department of Land Conservation and Development (DLCD). The TPR and its provisions are designed to encourage the development of a planning process that allows development of future transportation facilities, protect the operation of existing and future transportation facilities, coordinate the review of land use decisions, and promote safe and convenient pedestrian and bicycle circulation.

This amendment is to add a single project to the High Priority Recommended Roadway System Projects list for improvements to Frontage Lane and Pole Line Road just east of the Patterson Ferry Road overpass/interchange. Attached to these Findings is Appendix B Table B-1 indicating the proposed change.

II SUMMARY OF APPLICABLE CRITERIA

MORROW COUNTY COMPREHENSIVE PLAN: The necessary steps are outlined in the chapter Review and Revision Processes. There are no specific criteria identified, but there is a statement that "the public need and justification for the particular change should be established." Also to be considered are changes in Oregon Revised Statutes, Oregon Case Law, Oregon Statewide Planning Goals, Requirements of the County and its Cities, Needs of Residents or Landowners, and Concerns of the County and other Affected Governmental Units.


The public need and justification for the particular change should be established:

Planning staff would state the public need for this change is the continuing growth and development of the Morrow County transportation system coupled with the growth of the Port of Morrow and agricultural activities south of Interstate 84 in the vicinity of Pole Line Road and Homestead Lane.

Planning staff would find that these criteria have been met.

- III **DLCD 35 DAY NOTICE:** August 20 , 2013
- IV **PROPERTY OWNER NOTICE:** September 4, 2013
- V **LEGAL NOTICE:** Heppner Gazette Times and East-Oregonian
September 4, 2013
- VI **AGENCIES NOTIFIED:** Grant Young and Angela Houck, Department of Land
Conservation and Development; Teresa Penninger and Marilyn Holt, Oregon
Department of Transportation; Burke O'Brien and Bob Nairns, Morrow County Public
Works; Mike Gorman, Morrow County Assessor's Office
- VII **HEARING DATES:**
Planning Commission
September 24, 2013
Heppner City Hall
Heppner, Oregon

County Court
October 16, 2013
Port of Morrow Riverfront Center
Boardman, Oregon
- IX **RECOMMENDATION:** The Planning Department recommends that the Planning
Commission recommend to the Morrow County Court adoption of the amended
Appendix B Recommended Roadway System Projects Table B-1 High Priority
Recommended Roadway System Projects list. See attached.


David Sykes, Chair

9/26/2013
Date

Attachments:
Vicinity Map
Appendix B Table B-1
Letter from GreenWood Resources faxed August 8, 2013
Letter from Sage Hollow Ranch LLC
Letter from Meenderinck Dairy LLC

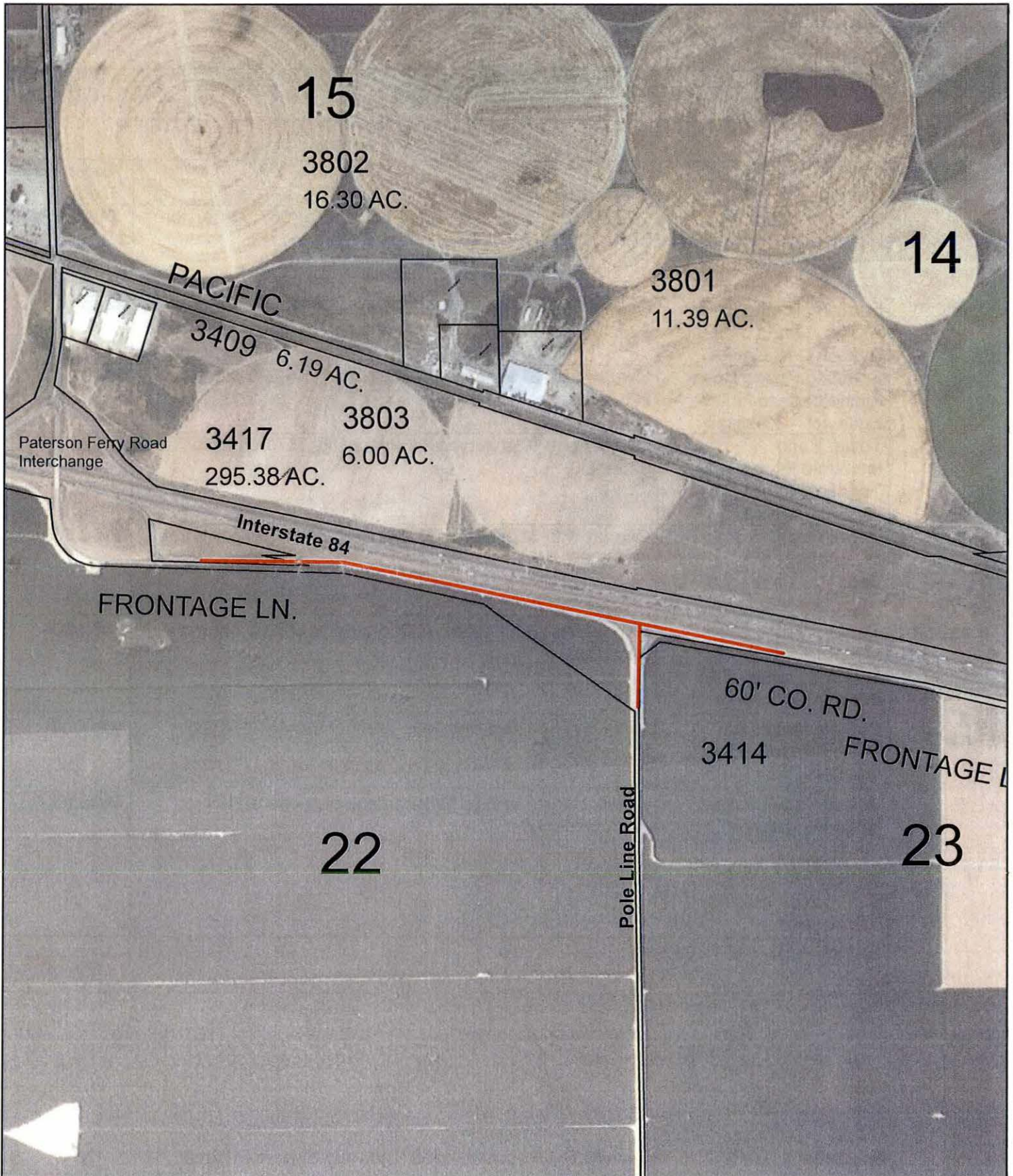


Transportation System Plan Amendment

ATSP-063-13

Frontage Lane/ Pole Line Road Intersection Improvements

— Project Area



**APPENDIX B
RECOMMENDED ROADWAY SYSTEM PROJECTS**

TABLE B-1 MORROW COUNTY HIGH PRIORITY RECOMMENDED ROADWAY SYSTEM PROJECTS 2011/2012 - 2016/2017 ROADWAY SYSTEM PROJECTS		
Roadway	Project Description	Estimated Cost
Bombing Range Road Highway 207 to Juniper Lane - 2.3 miles	Overlay with 3" of hot mix/4,385 tons @ \$57.00 per ton = \$250,000.00	\$400,000
Bombing Range Road Alpine Lane to Finley Butte Jct - 3.9 miles	Overlay with 3" of hot mix/4,385 tons @ \$57.00 per ton = \$250,000	\$400,000
Bombing Range Road Alpine Lane to Finley Butte Jct - 3.9 miles	Overlay with 3" of hot mix/4,385 tons @ \$57.00 per ton = \$250,000	\$400,000
Tower Road Interstate 84 to Taggares Lane - 7.0 miles (a portion)	Overlay with 3" of hot mix/4,385 tons @ \$57.00 per ton = \$250,000	\$400,000
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Eastregaard Road Wilson Road to Canal - 0.5 miles	Work on shoulders and pave with hot mix @ \$57.00 per ton = \$28,000	\$65,000
Wilson Lane/Laurel Road Intersection	Install left-turn lane on Wilson Lane plus associated improvements	\$400,000
Frontage Lane (1.3 miles) Pole Line Road (0.5) miles including intersection	Redesign of intersection removing current "Y" design and rebuild of both roads	\$2,456,300
ESTIMATED TOTAL COST		\$5,321,300

**FAXED**
AUG 0873669 Homestead Lane
Boardman, Oregon 97818Mail: PO Box 870
Hermiston, Oregon 97838

Tel: 541.481.2620

FAX: 541.481.2518

Morrow County Road Department
100 S Court St.,
Heppner, Oregon 97836

Re: Pole Line Road I84 Frontage Road Intersection

Attn: Burke O'Brien

Dear Burke,

Pursuant to our discussion regarding potential improvement of the Morrow County Pole Line Road I84 Frontage Road Intersection, please find comments.

Greenwood Tree Farm Fund, represented by Greenwood Resources, is in support of Morrow County improving the above intersection for the following reasons. The traffic generated by GTFF operations each workday passing through the Pole Line/Frontage intersection is:

Cars & Vans


Greenwood Resources employees and contractors	125 people (vans & cars peak farm season)
Upper Columbia Mill employees	65 (cars)
Columbia Forest Products employees	5-10 (cars)
Vendors	10-15 (cars)

Trucks

Chip Trucks	25
Hog Fuel Trucks	8
Sawdust Trucks	3
Lumber Trucks	15
Veneer Trucks	5

The current intersection was not designed for the amount of vehicles currently using Pole Line Road. We have concerns about the safety of this intersection for our employees, contractors, and the general public. We fully support the improvement of the existing intersection to ensure safety for our employees and the public.

Best Regards,



Bruce Sumners
Harvest Manager
GTFF Mill Corp

Morrow County Road Department
100 S Court St.,
Heppner, Oregon 97836

Re: Pole Line Road I-84 Frontage Road Intersection

ATTN: Burke O'Brien

Dear Burke,

Pursuant to inquiries regarding potential improvements of the Morrow County Pole Line Road and I-84 frontage road intersection, below are our Comments.

Sage Hollow Ranch LLC is in support of Morrow County improving this intersection. Our employees, contractors and suppliers pass through this intersection daily. We estimate the traffic generated daily by our dairy and feed lot operations as below. Each of these vehicles will pass through the intersection twice, coming to and leaving our facilities.

Cars, vans and light trucks:

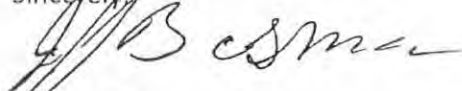
Employees	40
Contractors	15
Vendors, applicants etc.	15

Trucks

Milk Haulers	2
Cattle haulers	2
Suppliers	20

The current intersection was not designed for the number and size of vehicles currently using this intersection and we have concerns about the safety of those we employ and have business relationships with, as well as the general public and we fully support improvements to the intersection.

Sincerely,



Jeff Bosma

Sage Hollow Ranch LLC
74100 Pole Line Road, P O Box 9
Boardman, OR 97818

Meenderinck Dairy LLC

**218 East 100 South
PO Box 485
Jerome, ID 83338**

**74906 Homestead Lane
Hermiston, OR 97838
208-324-9844**

Morrow County Road Department
100 S Court St.
Heppner, OR 97836

Re: Pole Line Road I84 Frontage Road Intersection

Attn: Burke O'Brien

Dear Burke,

We would like to weigh in on the above named issue as the owner of Meenderinck Dairy, LLC.

Meenderinck Dairy, LLC is in support of Morrow County improving the above intersection for the following reason. The traffic generated by Meenderinck Dairy, LLC operations each and every day passes through the Pole Line/Frontage intersection is as follows:

Cars & Vans:

Meenderinck Dairy, LLC employee's	20 people
Vendors	10 people

Trucks:

Feed Commodities Deliveries	25 deliveries per week
Milk Truck to pick up milk	2x a day for 14 per week

We completely agree the current intersection was not designed for the amount of vehicles currently using Pole Line Road. We have many concerns about the safety of this intersection for our employees, vendors, and the general public. We fully support the improvement of the existing intersection to ensure safety for our employees and the people we do business with, and the public.

Best Regards,



Pete Meenderinck, Owner
Meenderinck Dairy, LLC



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 2, 2013

ATSP-063-13
Morrow County Transportation System Plan
Appendix B Recommended Roadway System Projects
Table B-1 High Priority Recommended Roadway System Projects

This notice is to inform you that on November 25, 2013, the Morrow County Court adopted Ordinance Number ORD-2-2013 adopting an amended Appendix B Recommended Roadway System Projects Table B-1 High Priority Recommended Roadway System Projects.

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 2, 2013. The deadline to appeal is December 23, 2013.

Cordially,

A handwritten signature in blue ink, appearing to read "Carla McLane".

Carla McLane
Planning Director

I certify that on December 2, 2013, 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 blue ink, appearing to read "Diana Lea Thompson".
Signature _____ Date 12/2/13

BEFORE THE MORROW COUNTY COURT
OF MORROW COUNTY

AN ORDINANCE ADOPTING AN UPDATED
APPENDIX B RECOMMENDED ROADWAY
SYSTEM PROJECTS TABLE B-1 HIGH
PRIORITY RECOMMENDED ROADWAY
SYSTEM PROJECTS TO AMEND THE
MORROW COUNTY TRANSPORTATION
SYSTEM PLAN

COUNTY ORDINANCE

NO. ORD-2-2013

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, Morrow County adopted a Transportation System Plan in 1998, a significant update in 2005, minor updates in 2006, 2007, 2009 and 2010, a major update in 2012, and a minor update in 2012 to recognize two Interchange Area Management Plans; and

WHEREAS, the Morrow County Public Works Department is making application for an Immediate Opportunity Fund grant to support improvements to the Frontage Lane and Pole Line Road intersection; and

WHEREAS, the Morrow County Planning Commission held a hearing to review the request on September 24, 2013, at the Heppner City Hall in Heppner, Oregon; and

WHEREAS, the Morrow County Planning Commission unanimously recommended approval of the request and adopted Final Planning Commission Findings of Fact dated September 26, 2013; and

WHEREAS, the Morrow County Court held a hearing to consider the recommendation of the Morrow County Planning Commission on October 23, 2013, at the Port of Morrow Riverfront Center in Boardman, 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 2013 Update to the Morrow County Transportation System Plan to Amend Appendix B Table B-1.

Section 2 Affected and Attached Documents

The following Table within the Morrow County Transportation System Plan shall be repealed and replaced:

Appendix B

Recommended Roadway System Projects

Table B-1 High Priority Recommended Roadway System Projects List

Section 3 Effective Date

In support of the Public Works grant application process this Ordinance shall be effective on January 1, 2014.


Date of First Reading: October 30, 2013


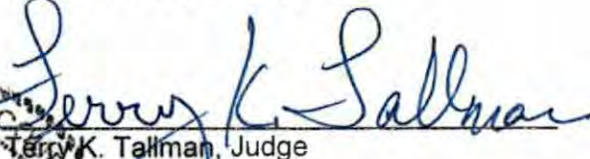

Date of Second Reading: November 25, 2013

DONE AND ADOPTED BY THE MORROW COUNTY COURT THIS 25th DAY OF NOVEMBER, 2013.

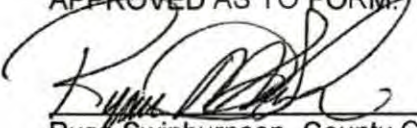
ATTEST:

MORROW COUNTY COURT:


Bobbi Childers, County Clerk



Terry K. Tallman, Judge

Ken A. Grieb, Commissioner

APPROVED AS TO FORM:


Ryan Swinburnson, County Counsel


Leann Rea, Commissioner

MORROW COUNTY, OREGON CJ2013-0135
Commissioners' Journal 11/27/2013 01:12:43 PM



2013-0135

I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Bobbi Childers - County Clerk



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Morrow County Planning Dept.
PO Box 40
Irrigon OR 97844



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 000.66⁰
0001738866 DEC 02 2013
MAILED FROM ZIP CODE 97844

DEPT OF

DEC 04 2013

LAND CONSERVATION
AND DEVELOPMENT

DLCD
Angela Houck
635 Capitol St. NW, Ste 150
Salem, OR 97301-2540

97301254099

