



PLANNING DEPARTMENT

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**Minutes of the Public Meeting of the
Morrow County Planning Commission
Tuesday, July 26, 2022 7:00 p.m.
Morrow County Government Building, Irrigon, Oregon
(Meeting was held in person and through video conferenced via Zoom)**

Morrow County Planning Commissioners Present: Mary Killion, Stanley Anderson

Attendance via Zoom: Vice Chair Greg Sweek, Stacey Ekstrom, Wayne Seitz

Excused Absent: Chair Jeff Wenzholz, Brian Thompson, Rod Taylor, Karl Smith

Morrow County Staff Present: Tamra Mabbott, Planning Director, Stephanie Case, Planner II, Stephen Wrecsics, GIS Planning Technician, Katie Keely, Compliance Planner.

Called to Order: Meeting was called to order by Vice Chair Sweek at 7:00pm.

The Pledge of Allegiance was recited.

Approval of Minutes: *Commission Ekstrom moved approval of the June 28, 2022 minutes Commissioner Seitz seconded. Called for vote, approved unanimously.*

Public Hearings: Planning Commission Vice Chair Sweek read the Planning Commission Statement and Hearing Procedures.

PUBLIC HEARING Morrow County Subdivision Ordinance and Zoning Ordinance Amendment AS-138-22 and AZ-139-22 This action is to update the Morrow County Subdivision Ordinance and relevant sections of MCZO Articles 9 and 1. Applicable criteria include MCZO Section 8.040 Amendments. This is the first of at least two public hearings with the final hearing before the Board of Commissioners.

Presented by: Planner II, Stephanie Case who summarized the request and the history which included Planning staff, County Assessor and County Surveyor working together to make recommended changes to the Subdivision Ordinance and relevant sections of Articles 9 and 1 of the Morrow County Zoning Ordinance.

Staff recommendation is to approve the findings and recommend the Board of Commissioners amend the Morrow County subdivision Ordinance and relevant portions of Article 9 and 1 of the Morrow County Zoning Ordinance.

Vice Chair Sweek called for questions from Commissioners for staff. Commissioner Killion asked if it was a subdivision was it smart to have it not come before Planning Commission? Vice Chair Sweek advised that the streamline changes would apply to a land partition not a subdivision application. Vice Chair Sweek and Commissioner Seitz noted that they like the simplified Administrative Review process if it is straight forward and if planning has no issues. It will save people time. Commissioner Ekstrom noted that as someone who has gone through the process, she is 100% in favor of having it be a decision with in the Planning Department.

Planner II, Stephanie Case advised that something more complex would still come to the Planning Commission for input and approval. Planning Director Tamra Mabbott clarified the process for administrative decisions which require public notice, etc. Counsel Dan Kearns added information to commissioners and staff for clarifications.

Vice Chair Sweek opened the testimony for the Public Hearing, from those in favor. No comments in person or through Zoom.

No one spoke in opposition in person or through Zoom. No other comments were made.

Vice Chair Sweek closed Public Hearing.

Commissioner Anderson moved to recommend to the Board of Commissioners approval of AS-138-22 and AZ-139-22 with Findings, including the changes that would allow land Partitions as a type 2 or administrative decision as presented to go forward to the BOC hearing scheduled for August 24th,2022. Commissioner Killion seconded motion. Called for a vote, unanimous approval

PUBLIC HEARING: Land Use Decision LUD-N-43-22: Umatilla Electric Cooperative, applicant. Landowners include Amazon Data Services, Inc., Farmland Reserve, Inc and Terra Poma Land, LLC. Request is to construct an approximately one-half mile of 230 kV transmission line to connect a new data center to an existing substation. Properties are described as tax lot 1701 of Assessors Map 4N 25 EWM; tax lot 3416 of Assessors Map 4N 26; tax lot 100 Of Assessor’s Map 4N 25 13. The properties are zoned Exclusive Farm Use (EFU). The new transmission line will connect to an existing substation located on the east side of Bombing Range Road and crossing over to the west cross three parcels. Approval criteria includes MCZO Section 3.010(B)(25) and (D)(10).

Report was presented by Planner II, Stephanie Case who explained the application will allow construction and operation of an approximate 0.5-mile-long double circuit 230kV transmission line and related facilities on lands zone Exclusive Farm Use. Staff recommendation is to approve Land Use Decision LUD-N-43-22 subject to the list of conditions in the Findings.

Vice Chair Sweek called for questions from Commissioners for staff. Vice Chair Sweek inquired on the Letter received from the Confederated Tribes of the Umatilla Indian Reservation. Planner Case explained that Kristen with the Cultural Resource Protection Program (CRPP) requested that if there are any new poles required as part of the transmission line construction outside of the right of way on Bombing Range Road the CTUIR recommends an archeological subservice testing on the pole location due to the proximity to historic property of religious and cultural significance. Vice Chair Sweek asked if this has that been something that has been a condition of approval on previous powerline approvals? Planner Case responded that she does not believe so in the last few years although this property is close to a historic property of religious and cultural significance. Planning Director Tamra Mabbott noted that county routinely sends notice to CTUIR CRPP and there is often no response. Their (CTUIR) response is directed at the location, not the type of use.

Commissioner Killion noted that she had reached out to Planner Case and she answered a question for her in regards to private and public use and confusion that she had in regards to this land use decision.

Counsel Dan Kearns elaborated on the private and public use and with power poles it is not common that it is private use. This is a public service being provided to a private development.

Vice Chair Sweek opened the testimony for the Public Hearing, from those in favor.

Umatilla Electric Cooperative (UEC) legal representative Laura Westmeyer spoke in favor of the Land Use Decision.

Commissioner Killion asked if the power or need for power would be used for more than just the data center. She noted her concern for farm land and the use of the EFU zone for this purpose. UEC engineer Cole Bode spoke about how the addition to the substation would allow better capacity to surrounding needs on Bombing Range Road and not just the data center.

No one spoke in opposition in person or through Zoom. No other comments were made. Vice Chair Sweek closed Public Hearing.

Planning Director Mabbott noted that if the Commission moves to approve the application the Planning Department would recommend adding a condition in response to the Confederated Tribes request. To include language such as 'if there is ground disturbance that they would conduct an archeological subservice testing for the poles.'

Commissioner Seitz moved to approve the record for LUD-N-43-22 with the added condition for the Confederated Tribes. Commissioner Ekstrom seconded motion. Called for vote, approved unanimously.

Planning Director Tamra Mabbott responded to a question raised by Commissioner Killion about a potential conflict and noted a reply from Counsel. Before the vote Commissioner Killion would like to ask the question. Commissioner Killion asked if she was able to vote because she had received funds from UEC while sitting on a nominating committee. Counsel Dan Kearns advised that this would not be a violation of ethics, because she does not have a direct financial stake in the business. Additionally, because it is not current, and she is not an employee and does not have a business that is benefiting directly. Vice Chair Sweek advised that a person can always call the Oregon Ethics Committee as well, as they are very helpful.

Called for vote, approved unanimously.

PUBLIC HEARING Land Partition LP-N-511-22: Scott and Jaime Meakins, Applicants and Owners. The property is described as tax lot 3400 of Assessor's Map 5N 26E 23B. The property is zoned Rural Residential (RR) and located east of Eighth Road West between Washington Avenue and Usage Lane. Criteria for approval includes MCZO Section 3.040 Rural Residential Zone and MCSO Article 5 Land Partitioning.

Staff report presented by Planner and GIS staff Stephen Wrecsics who summarized the request is to partition an approximate 6.40-acre property into two parcels. Staff recommendation is to approve LP-N-511-22 subject to list of conditions.

Vice Chair Sweek called for questions from Commissioners for staff. No questions from Commissioners.

Vice Chair Sweek opened the testimony for the Public Hearing, from those in favor.

No other comments through Zoom.

No one spoke in opposition in person or through Zoom. No other comments were made.

Vice Chair Sweek closed Public Hearing.

Vice Chair Sweek called for questions from Commissioners for Staff.

Commissioner Seitz moved to approve the record for LP-N-511-22 Commissioner Killion seconded motion. Called for vote, approved unanimously

PUBLIC HEARING Land Partition LP-N-512-22 and Replat R-N-078-22: Port of Morrow, Applicant and Owner. The property is described as tax lot 107 of Assessor's Map 4N 26E 6. The property is zoned Port Industrial (PI) and located between Lewis and Clark Drive and Gar Swanson Road, along Internet Parkway. The request is to reconfigure Parcel 2 of Partition Plat 2021-18, creating three new parcels. Criteria for approval includes the Morrow County Zoning Ordinance (MCZO) Section 3.073 Port Industrial Zone and Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.

Staff report presented by Stephen Wreccics who summarized the request was to partition by replat parcel 2 of Partition plat 2021-18 into 2 parcels. Recommendation is to approve LP-N-512-22 and Replat R-N-078-22 subject to list of conditions.

Vice Chair Sweek called for questions from Commissioners for staff. No questions from Commissioners. Vice Chair Sweek opened the testimony for the Public Hearing, from those in favor. No other comments through Zoom. No one spoke in opposition in person or through Zoom. No other comments were made. Vice Chair Sweek closed Public Hearing. Vice Chair Sweek called for questions from Commissioners for Staff.

Commissioner Seitz moved to approve the record for LP-N-512-22 and Replat R-N-078-22 Commissioner Ekstrom seconded motion. Called for vote, approved unanimously

Correspondence / Staff Comment:

- Directors Report – July
- DLCD- Transportation Funding Grant

The next meeting of the Morrow County Planning Commission is scheduled for Tuesday, August 30, 2022 at 7:00 pm. The meeting will be offered via Zoom and in person at the Bartholomew Building, Heppner, Oregon. If we do not have an action to come before the Commission the next meeting will be Sept 27th, 2022.

Adjournment: Meeting was adjourned at 8:40 pm.

Respectfully Submitted,

Katie Keely