



PLANNING DEPARTMENT

P.O. Box 40 • Irrigon, Oregon 97844
 (541) 922-4624 or (541) 676-9061 x 5503
 FAX: (541) 922-3472

AGENDA

Morrow County Planning Commission
Tuesday, December 2, 2025, 6:00 pm
Bartholomew Building, Heppner, OR

[For Electronic Participation See Meeting Information on Page 2](#)

Members of Commission

Stacie Ekstrom, Chair

John Kilkenny, Vice Chair

Norma Ayala

Charlene Cooley

Stephen Henthorn

Karl Smith

Tripp Finch

Brian Thompson

Elizabeth Peterson

Members of Staff

Tamra Mabbott, Planning Director

Stephen Wreccics, GIS Analyst

Michaela Ramirez, Administrative Assistant

Clint Shoemake, Planning Technician

Kaitlin Kennedy, Code Compliance Planner

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Minutes:** (Draft) October 28, 2025 [pgs. 4-6](#)
5. **Public Hearings** to begin at 6:00 PM (COMMISSION ACTION REQUIRED)

I. **Goal 5 Aggregate Resources Amendment: AC-161-25, Comprehensive Plan**

Amendment. Cliff Dougherty, Applicant; Patricia Dougherty, Owner. Application is to identify an existing Goal 5 aggregate resource as a Large Significant Resource in the Goal 5 inventory. Criteria for approval include Morrow County Zoning Ordinance (MCZO) Article 8 Amendments, ORS 215.298, and OAR 660-023-0180(3)(5)(7), OAR 660-023-040, and OAR 660-023-060. [pgs. 8-33](#)

- ### II. **Variance V-N-060-25: Rock It, LLC, Wade Aylett, Applicant and Owner:**
- The property is described as tax lot 800 of Assessor's Map 5N 26E 23A. The property is zoned Rural Residential (RR) and located on Washington Lane, approximately 0.7 miles west of the Irrigon city limits. The request is to allow a variance to seek relief from the age requirement for a manufactured home. Criteria for approval include Morrow County Zoning Ordinance (MCZO) Section 4.110(B) Manufactured Homes in a Rural Residential Zone and 7.200 Major Variance. [pgs. 35-55](#)

- 6. Other Business:
- 7. Correspondence:
- 8. Public Comment:
- 9. Adjourn

Next Meeting: Tuesday, January 27, 2026, at 6:00 p.m.
Location: Morrow County Government Center, Irrigon, OR

ELECTRONIC MEETING INFORMATION

Morrow County Planning is inviting you to a scheduled Zoom meeting. Topic: Planning Commission
Time: December 2, 2025, 6:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/6554697321?pwd=dFMxR2xlaGZkK1ZJRFVrS1Q0SmRxUT09&omn=84249165172>

Meeting ID: 655 469 7321

Passcode: 513093

Find your local number: <https://us02web.zoom.us/j/6554697321?pwd=dFMxR2xlaGZkK1ZJRFVrS1Q0SmRxUT09&omn=84249165172>

Should you have any issues connecting to the Zoom meeting, please call 541-922-4624. Staff will be available at this number after hours to assist.

This is a public meeting of the Morrow County Planning Commission and may be attended by a quorum of the Morrow County Board of Commissioners. Interested members of the public are invited to attend. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours before the meeting to Tamra Mabbott at (541) 922-4624, or by email at tmabbott@morrowcountyor.gov.

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**Draft Minutes of the Public Meeting of the
Morrow County Planning Commission
Tuesday, October 28, 2025, 6:00 pm
Morrow County Government Center
215 NE Main Ave, Irrigon, OR**

COMMISSIONERS PRESENT:

Stacie Ekstrom, Chair
Norm Ayala
Charlene Cooley
Stephen Henthorn
Karl Smith
Liz Peterson

COMMISSIONERS ABSENT:

John Kilkenny
Brian Thompson

ATTENDANCE via ZOOM:

Tripp Finch

STAFF PRESENT:

Tamra Mabbott, Planning Director
Michaela Ramirez, Administrative Assistant
Clint Shoemake, Planning Technician
Kaitlin Kennedy, Code Compliance Planner

Staff Zoom:

Stephen Wrecsics, GIS Analyst

1. CALL TO ORDER

Chair Ekstrom called the meeting to order at 6:00 PM

2. ROLL CALL**3. PLEDGE****4. APPROVAL OF September 30, 2025, DRAFT MINUTES**

Recommended Action: Approved with noted changes on page 5, an interruption, and a name misspelling.

Motion by: Commissioner **Peterson**

Seconded by: Commission **Cooley**

Action: **Unanimously Approved**

Presented by: Planning Director Tamra Mabbott

Request: Legislative Code Update: AZ-160-25, Morrow County Zoning Ordinance

Amendment. Zoning Code text update to implement new Eastern Oregon Solar Siting Standards found in Oregon Administrative Rules 660-33-0130(44) and OAR 660-006-0025. The new standards will be incorporated into the Exclusive Farm Use Zone and the Forest Use Zone. Criteria for approval are provided in MCZO Article 8 Amendments.

Director Mabbott: said that pages eight through ten were a summary of the rules. She went on to explain that the rules increase local thresholds for permitting based on the value of farm ground and include requirements for mitigating agricultural impacts. The commission considered adding Section 44 standards to their zoning ordinance, which would allow for more flexible rule application, while maintaining the existing Section 38 rules. She pointed out that Section 38 was not being replaced by 44.

Chair Ekstrom asked if the Planning Commission had any questions for Staff:

Commissioner Henthorn: asked why the acreage threshold was raised before permits came to the Planning Commission. He also asked if a plan came in under 140 acres under Section 44 on high-value farmland, it would automatically be approved.

Director Mabbott: responded no, they would need to meet all the standards.

Commissioner Henthorn: asked if a permit met the standards, it would not come to the Planning Commission.

Director Mabbott: responded that the project had to be 160 acres or lower to meet Section 44, and if not, it would then go to EFSC to meet the statewide acceptance goals.

Commissioner Henthorn: then asked why they changed it from 12 acres.

Director Mabbott: responded that the state had changed the rule.

Commissioner Henthorn: asked what would be the reason for Oregon opting out and said he also believes these projects would not be a cure-all. He went on to explain how these types of projects needed some type of backup and gave an example of a state that had a bad situation.

Director Mabbott: explained that the decision was made at a higher policy level.

Chair Ekstrom opened the Public Hearing for public testimony, comments, presentations, or rebuttal. There were none.

Testifying Parties:

Randy Baker, 70215, Boardman, OR 97818

Randy: asked if they were Topcon-type panels or Perth-type panels.

Director Mabbott: responded that she didn't know and that is not a site standard.

Randy: said he was asking about the technology.

Director Mabbott: responded that it's not a site standard.

Chair Ekstrom then closed the Public Hearing.

She then asked if the Planning Commission had any questions for the Staff; there were none.

Recommended Action: The Planning Commission recommends that the Board Of Commissioners approve Legislative Code Update: AZ-160-25, Morrow County Zoning Ordinance

Motion: The Planning Commission recommended that the Board Of Commissioners approve Legislative Code Update: AZ-160-25, Morrow County Zoning Ordinance

Motion by: Commissioner Peterson

Seconded by: Commissioner Smith

Vote: All voted

Action: 6 commissioners voted to recommend that the Board of Commissioners approve; Commissioner Henthorn voted not to recommend that the Board of Commissioners approve.

Director Mabbott: wanted to apologize about the previous meeting (Heritage Trail Concept Plan) and if there

was any confusion. She went on to say it was only a work session and not a formal hearing or proceeding, and that was why they didn't take public testimony. They would, however, schedule to adopt at the January 27th Planning Commission meeting. This would be adopted as an appendix, and public comments would be taken.

Counsel Kearns: spoke on Jonathan Tallman's comments and recommended that a Land Use procedure be done for the Heritage Trail Plan.

Clint: said he wanted to summarize the memo on page 22. He said they found a mistake and that the trail did entail private land. He pointed out that there were 11 miles of proposed trail west of Boardman. He stated that there were seven and a half miles of the trail on the Port of Morrow and Threemile Farms properties. Both organizations confirmed they were in support of the concept. He also spoke with the City of Boardman and reviewed the master park plan; they were supportive and mentioned the plan could be subject to change. The City of Boardman also had to come to an agreement with the BPA. Oregon Potato requested that its property be taken out of the plan.

Correspondence: October Planning Update

Public Comment:

Jonathan Tallman, Boardman, OR 97818

Adjourned: Meeting adjourned at 6:56 PM

Next Meeting: Tuesday, December 2, 2025, at 6:00 p.m. The next meeting will be held in Heppner, OR, in the Bartholomew Building in Heppner, OR.

Respectfully submitted,
Michaela Ramirez

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PLANNING DEPARTMENT

PO Box 40 • Irrigon, Oregon 97844
(541) 922-4624

November 24, 2025

MEMO

TO: Planning Commission

FROM: Tamra Mabbott, Planning Director

CC: Planning Department

RE: Comprehensive Plan Amendment to designate the Dougherty Quarry as a Goal 5 Large Significant Site in the Comprehensive Plan.

The above application is quasi-judicial as well as legislative and requires the Planning Commission to review and make a recommendation to the Board of Commissioners. The Board hearing is scheduled for December 17, 2025.

In 2019, the Planning Commission approved the quarry as a Conditional Use Permit (CUP) and limited the extraction to 500,000 tons, consistent with Oregon Administrative Rule 660—023-0180. The landowner now would like to designate the quarry as a Large Significant Site, which enables them to produce more than 500,000 tons of material.

In 2019, the CUP also approved a temporary concrete batch plant. Approval of this application would not affect the CUP approval for a temporary concrete batch plant; rather, that CUP remains valid.

The Planning Commission's action is to make a recommendation to the Board of Commissioners. That hearing is scheduled for December 17, 2025.

**Morrow County Board of Commissioners
Findings of Fact
AC-161-25
Expansion of Existing Goal 5 Aggregate Site**

REQUEST: To amend the Comprehensive Plan Goal 5 Aggregate Resources Inventory to amend the designation of the Dougherty Rock Quarry. The proposal is to increase the volume of material to be extracted from 500,000 tons to an undetermined amount, within the existing exterior boundary. Technically, the request is to amend the Goal 5 Significant Aggregate Resource Inventory in the County Comprehensive Plan and designate the quarry as a Large Significant Site in accordance with OAR 660-023-0180(4), and to modify the existing Conditional Use Permit CUP-S-336-19 for the aggregate activities.

APPLICANT/OWNER: Cliff Dougherty and Patricia Dougherty
65450 Spur Loop
Heppner, OR 97836

PROPERTY DESCRIPTION: Tax Lot 505 of Assessor's Map 1S 27

PROPERTY LOCATION: The property is located 14 miles north of Heppner on Spur Loop Road.

FINDINGS OF FACT:

I. BACKGROUND INFORMATION:

In 2019, the Planning Commission approved Conditional Use Permit CUP-S-336-19 which re-established a rock quarry and also approved a concrete batch plant. The 2019 CUP limited the volume of material to 500,000 tons. The Dougherty family would like to increase the volume of material to be extracted, although the surface area boundaries of the quarry area will not change. The quarry is on a list of significant aggregate resources in the Comprehensive Plan as required in OAR 660-023-0180. To permit the increased volume of material extracted, the county must adopt Findings to identify this as a Large Significant Site.

The quarry site is large enough to produce more than 500,000 tons of aggregate material; accordingly, the applicant has applied for protection as a site that will produce more than 500,000 tons. The applicant submitted test results from a lab that shows the material meets the Oregon Department of Transportation Base Aggregate Specifications.

Surrounding Land Uses. The surrounding land is agricultural, including dryland wheat and range land.

Quarry Site Operation and Reclamation. The applicant has provided information that indicates the area of extraction is 2.64 acres in size and will be mined in phases as the

aggregate is needed. The applicant currently operates under Department of Geology and Mineral Industries (DOGAMI) permit 25-0034.

II. SUMMARY OF APPLICABLE CRITERIA

To approve the request, the Board of Commissioners will be required to adopt findings to show that the request meets the necessary criteria. Those criteria are presented below in **bold** print with responses in regular print.

Morrow County Zoning Ordinance Section 3.010 Exclusive Farm Use Zone

E. CONDITIONAL USES PERMITTED. The following uses are permitted subject to county review, any specific standards for the use set forth in Section F, Article 6, the general standards for the zone, and any other applicable standards and review process in the ordinance:

- 10. Operations conducted for mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources subject to ORS 215.298.**

Morrow County Zoning Ordinance Section 3.200 Significant Resource Overlay Zone

A. PURPOSE: The purpose of the Significant Resource Overlay Zone is to provide a mechanism to recognize and protect resources deemed significant in Morrow County and listed in the Morrow County Comprehensive Plan Inventory of Significant Resources. (MC OR-1-2013).

B. APPLICATION. The Significant Resource Overlay Zone shall be applied to those sites that have been designated by Morrow County as a Significant Resource and listed in the Morrow County Comprehensive Plan. The resource categories in Division 23 that can be listed as “significant” and protected under Goal 5 are:

- Mineral and Aggregate Resources
- Wetlands
- Wildlife Habitat
- Federal Wild and Scenic Rivers
- Oregon Scenic Waterways
- Groundwater Resources
- Approved Oregon Recreation Trails
- Natural Areas
- Wilderness Areas
- Riparian Corridors
- Energy Sources
- Historic Resources

- **Open Space**
- **Scenic Views and Sites (MC-OR-1-2013)**

The proposed site is currently designated a “significant” Goal 5 resource in the Comprehensive Plan. Approval of the application would identify the site as a Large Significant Resource Site. The Significant Resource Overlay Zone would continue to be in effect.

C. CATEGORIES.

1. **Aggregate and Mineral Sites.** The Zoning Map will be amended to apply the Overlay Zone to an approved mining site including an impact area. Mineral and aggregate sites approved in Morrow County may have an impact area of up to 1500 feet when permitted under certain Comprehensive Plan approval processes. Based on the Comprehensive Plan analysis development in an Overlay Zone impact area is subject to the following standard:
 - a. **Uses permitted Outright.** Uses permitted outright in the underlying zone, except conflicting uses described in the Comprehensive Plan Analysis may be permitted subject to the standards and criteria of the underlying zone.
 - b. **Uses Allowed Conditionally.** Uses permitted conditionally in the underlying zone and conflicting uses shall be reviewed as conditional uses subject to the standards and criteria of the underlying zone and the criteria listed in paragraph 4 below.
 - c. **Prohibited Uses.** Uses identified through the Comprehensive Plan analysis as incompatible with mining in all instances shall not be permitted within the impact area.
 - d. **Approval Criteria for proposed uses allowed conditionally in the impact area.** The applicant must demonstrate compliance with the following criteria:
 - i. The proposed use will not interfere with or cause an adverse impact on lawfully established and lawfully operating mining operations;
 - ii. The proposed use will not cause or threaten to cause the mining operation to violate any applicable standards of this Section or County approval in the Comprehensive Plan;
 - iii. An application for a new noise or dust sensitive use shall demonstrate that the mining operation in the adjacent extraction area will maintain compliance with DEQ noise control standards and ambient air quality and emission standards as measured at the new noise or dust sensitive use. If deemed necessary by the Planning Director, the applicant for a new noise sensitive use shall submit an analysis prepared by an acoustical engineer, demonstrating that the applicable DEQ noise control standards are met or can be met by a specified date. If noise mitigation measures are necessary to ensure continued compliance on the part of the mining operation such measures shall be a condition of approval. If noise mitigation

measures are inadequate to ensure compliance with DEQ noise control standards, the noise sensitive use shall not be approved within the impact area. (MC OR-1-2013)

The above criteria would apply to future conditional use permit applications on land located within the impact area. All the land in the 1,500 foot impact area is zoned Exclusive Farm Use and therefore only a limited number of uses are allowed. There are no dwellings in the impact area or commercial power generation windmills in the impact area.

Parcels abutting the proposed site include lands zoned EFU. See attached map.

The quarry location is on a rock bluff. According to OAR 660-023-0180(5), future land uses that are expected to conflict with the quarry are required to be analyzed. As noted above, the underlying EFU Zoning would permit only a very limited number of uses other than farming or possibly another farm dwelling. Provided an application meets the farm dwelling standards, a future dwelling may be permitted on land inside the impact area, and the property line setback will be 100 feet.

Given the above, the application appears to comply with this standard.

Termination of the Overlay Zone. When a significant aggregate site has been depleted or can be proven to be uneconomical to mine, and either the reclamation completed or a proposed zone change and development is approved by the County that would eliminate the need for the reclamation, the Overlay Zone can be removed. Rezoning or other actions to terminate mining or the protection of the resource will not relieve requirements on the part of the owner or operator of obligations regarding the site in accordance with County approvals and Oregon State Law. (MC OR-1-2013)

Morrow County Zoning Ordinance Article 8 Amendments

Section 8.040. CRITERIA. The proponent of the application or permit has the burden of proving justification for its approval. The more drastic the request or the greater the impact of the application or permit on the neighborhood, area, or county, the greater is the burden on the applicant. The following criteria shall be considered by the Planning Commission in preparing a recommendation and by the County Board of Commissioners in reaching their decision.

- A. The local conditions have changed and would warrant a change in the zoning of the subject property(ies).**

This amendment is requested by the landowners to extract more material. The amendment is required by the Oregon Revised Statutes and Oregon Administrative Rules.

- B. The public services and facilities are sufficient to support a change in designation including, but not limited to, water availability relevant to both**

quantity and quality, waste and storm water management, other public services, and streets and roads.

The proposed Plan amendment to designate the quarry a Large Significant Site will not require changes to existing roadways. The mining activity and use complies with the county TSP.

1. **Amendments to the zoning ordinance or zone changes which significantly affect a transportation facility shall assure that land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:**
 - a. **Limiting allowed land uses to be consistent with the planned function of the transportation facility or roadway;**
 - b. **Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,**
 - c. **Altering land use designations, densities, or design requirements to reduce demand for automobile travel to meet needs through other modes.**
2. **Amendments to the zoning ordinance or zone changes which significantly affect a transportation facility shall assure that land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:**
 - a. **Changes the functional classification of an existing or planned transportation facility;**
 - b. **Changes standards implementing a functional classification;**
 - c. **Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or**
 - d. **Would reduce the level of service of the facility below the minimal acceptable level identified in the Transportation System Plan.**

(MC-C-8-98)

The proposed quarry will generate a modest volume of traffic only seasonally and will not cause a change to the functional classification of the primary and secondary access roads. The application complies with these standards.

- C. **That the proposed amendment is consistent with unamended portions of the Comprehensive Plan and supports goals and policies of the Comprehensive Plan, that there is a public need for the proposal, and that the need will be best served by allowing the request. If other areas in the county are designated for a use as requested in the application, then a showing of the**

necessity for introducing that use into an area not now so zoned and why the owners there should bear the burden, if any, of introducing that zone into their area.

The proposed amendment is consistent with unamended portions of the Comprehensive Plan. The application otherwise supports adopted goals and policies and complies with this standard.

D. The request addresses issues concerned with public health and welfare, if any.

This approval includes a condition to implement dust abatement measures.

III. OREGON REVISED STATUTES 215.298 Mining in exclusive farm use zone; Land use permit.

- (a) For purposes of ORS 215.213 (2) and 215.283 (2), a land use permit is required for mining more than 1,000 cubic yards of material or excavation preparatory to mining of a surface area of more than one acre. A county may set standards for a lower volume or smaller surface area than that set forth in this subsection.**
- (b) A permit for mining of aggregate shall be issued only for a site included on an inventory in an acknowledged comprehensive plan.**

This application will require a determination of Goal 5 significance by the Board of Commissioners for mining to be permitted. If approved, the site will be included in Morrow County's inventory of Large Significant Aggregate Sites in the Comprehensive Plan.

Oregon Case Law; Oregon Case Law LUBA Beaver State Sand and Gravel v. Douglas County, 43 or LUBA 140 (2002). The ORS 215.298 provision allows a mining operation on EFU-zoned lands if the site is on an "inventory" in a comprehensive plan. Because under the 1982 Goal 5 rule the term "inventory" referred to an inventory of significant mineral sites, ORS 215.209 allows mining in an EFU zone only if the site is on a comprehensive plan inventory of significant mineral sites, not if the site is on a separate list of non-significant sites. This action takes into account the LUBA Case described above. The aggregate mine will be placed on the Comprehensive Plan list of significant mineral sites and designated as a Large Significant Site that will produce more than 500,000 tons.

IV. STANDARDS OF THE OREGON ADMINISTRATIVE RULES, DIVISION 23 FOR GOAL 5 LARGE SIGNIFICANT SITES, OAR 660-023-0180(3),(5),(7), OAR 660-023-040 and OAR 660-023-050.

OAR 660-023-0180 Mineral and Aggregate Resources

This application can be found to comply with Statewide Planning Goal 5 where it

complies with OAR 660-023-0180(3) for Mineral and Aggregate Resources.

- (3) [Large Significant Sites] An aggregate resource site shall be considered significant if adequate information regarding the quantity, quality, and location of the resource demonstrates that the site meets any one of the criteria in subsections (a) through (c) of this section, except as provided in subsection (d) of this section:**
- (a) A representative set of samples of aggregate material in the deposit on the site meets applicable Oregon Department of Transportation (ODOT) specifications for base rock for air degradation, abrasion, and soundness, and the estimated amount of material is more than 2,000,000 tons in the Willamette Valley, or more than 500,000 tons outside the Willamette Valley;**
 - (b) The material meets local government standards establishing a lower threshold for significance than subsection (a) of this section; or**
 - (c) The aggregate site was on an inventory of significant aggregate sites in an acknowledged plan on September 1, 1996.**
 - (d) Notwithstanding subsections (a) and (b) of this section, except for an expansion area of an existing site if the operator of the existing site on March 1, 1996, had an enforceable property interest in the expansion area on that date, an aggregate site is not significant if the criteria in either paragraphs (A) or (B) of this subsection apply:**
 - (A) More than 35 percent of the proposed mining area consists of soil classified as Class I on Natural Resource and Conservation Service (NRCS) maps on June 11, 2004; or**
 - (B) More than 35 percent of the proposed mining area consists of soil classified as Class II, or of a combination of Class II and Class I or Unique soil, on NRCS maps available on June 11, 2004, unless the average thickness of the aggregate layer within the mining area exceeds:**
 - (i) 60 feet in Washington, Multnomah, Marion, Columbia, and Lane counties; (ii) 25 feet in Polk, Yamhill, and Clackamas counties; or (iii) 17 feet in Linn and Benton counties.**

Adequate information has been provided to the Planning Department regarding the quality, quantity, and location of the aggregate, and it does meet (a) above. Test results from Carlson Testing, Inc. are attached. Based on the test results, the site can be deemed a large significant resource. The quarry area is comprised of predominantly Gravel very gravelly loam, a class VII soil (USDA Soil Survey of Morrow County Area, 1983). According to the landowner, the site has the potential to produce in excess of 500,000 tons of aggregate. The application complies with this standard.

- (5) [Large Significant Sites] For significant mineral and aggregate sites, local governments shall decide whether mining is permitted. For a PAPA application involving an aggregate site determined to be significant under section (3) of this rule, the process for this decision is set out in subsections (a) through (g) of this**

section. A local government must complete the process within 180 days after receipt of a complete application that is consistent with section (8) of this rule, or by the earliest date after 180 days allowed by local charter.

- (a) The local government shall determine an impact area for the purpose of identifying conflicts with proposed mining and processing activities. The impact area shall be large enough to include uses listed in subsection (b) of this section and shall be limited to 1,500 feet from the boundaries of the mining area, except where factual information indicates significant potential conflicts beyond this distance. For a proposed expansion of an existing aggregate site, the impact area shall be measured from the perimeter of the proposed expansion area rather than the boundaries of the existing aggregate site and shall not include the existing aggregate site.

An impact area map is attached to these findings. The existing uses within the impact area are agriculture, mainly grazing and dryland wheat farming.

- (b) The local government shall determine existing or approved land uses within the impact area that will be adversely affected by proposed mining operations and shall specify the predicted conflicts. For purposes of this section, “approved land uses” are dwellings allowed by a residential zone on existing platted lots and other uses for which conditional or final approvals have been granted by the local government. For determination of conflicts from proposed mining of a significant aggregate site, the local government shall limit its consideration to the following:

- (A) Conflicts due to noise, dust, or other discharges with regard to those existing and approved uses and associated activities (e.g., houses and schools) that are sensitive to such discharges;

The 1,500-foot impact area surrounding the proposed quarry boundary contains farmland and range land. The subject parcel is very large and abuts other similar farmland and range lands. The applicant owns the quarry site and entire impact area. The quarry activities do not appear to create noise, dust or other discharges that would impact future farms or grazing in the impact area.

- (B) Potential conflicts to local roads used for access and egress to the mining site within one mile of the entrance to the mining site unless a greater distance is necessary in order to include the intersection with the nearest arterial identified in the local transportation plan. Conflicts shall be determined based on clear and objective standards regarding sight distances, road capacity, cross section elements, horizontal and vertical alignment, and similar items in the transportation plan and implementing ordinances. Such standards for trucks associated with the mining operation shall be equivalent to standards for other trucks of equivalent size, weight, and capacity that haul other materials;

The quarry operation has been in existence and has not created conflicts or

negative impacts on the roadways and transportation system. Traffic and transportation operations are expected to be similar with the proposed expansion. There are no proposed mitigating measures. The application can be found to comply with this standard.

(C) Safety conflicts with existing public airports due to bird attractants, i.e., open water impoundments as specified under OAR chapter 660, division 013;

There is no airport within the impact area, or anywhere nearby. The closest airport identified by the Comprehensive Plan is located in Lexington. There are no proposed mitigating measures.

(D) Conflicts with other Goal 5 resource sites within the impact area that are shown on an acknowledged list of significant resources and for which the requirements of Goal 5 have been completed at the time the PAPA is initiated;

No significant resources have been identified on the site or within the impact area. There are no proposed mitigating measures.

(E) Conflicts with agricultural practices; and

Agricultural use within 1,500 feet is primarily grazing. The quarry owner also owns the land within the 1,500 foot impact area and does not anticipate that mining activities will interfere with current farming practices.

(F) Other conflicts for which consideration is necessary in order to carry out ordinances that supersede Oregon Department of Geology and Mineral Industries (DOGAMI) regulations pursuant to ORS 517.780;

No other conflicts have been identified.

- (c) [If conflicts exist, measures to minimize] The local government shall determine reasonable and practicable measures that would minimize the conflicts identified under subsection (b) of this section. To determine whether proposed measures would minimize conflicts to agricultural practices, the requirements of ORS 215.296 shall be followed rather than the requirements of this section. If reasonable and practicable measures are identified to minimize all identified conflicts, mining shall be allowed at the site and subsection (d) of this section is not applicable. If identified conflicts cannot be minimized, subsection (d) of this section applies.**

For this application, the only conflict mentioned is the possibility of fugitive dust, which can be easily mitigated with a gravel surface or water abatement on the haul roads. Reasonable and practicable measures are identified that will minimize the identified conflict and mining should be allowed at the site.

- (d) [If conflicts cannot be minimized, then conduct an Economic, Social,**

Environmental and Energy (ESEE) analysis.] The local government shall determine any significant conflicts identified under the requirements of subsection (c) of this section that cannot be minimized. Based on these conflicts only, local government shall determine the ESEE consequences of either allowing, limiting, or not allowing mining at the site. Local governments shall reach this decision by weighing these ESEE consequences, with consideration of the following:

- (A) The degree of adverse effect on existing land uses within the impact area;**
- (B) Reasonable and practicable measures that could be taken to reduce the identified adverse effects; and**
- (C) The probable duration of the mining operation and the proposed post-mining use of the site.**

Mitigations can be added here in the future if conflicts are identified. Conflicting uses have not been identified.

- (e) Where mining is allowed, the plan and implementing ordinances shall be amended to allow such mining. Any required measures to minimize conflicts, including special conditions and procedures regulating mining, shall be clear and objective. Additional land use review (e.g., site plan review), if required by the local government, shall not exceed the minimum review necessary to assure compliance with these requirements and shall not provide opportunities to deny mining for reasons unrelated to these requirements, or to attach additional approval requirements, except with regard to mining or processing activities:**

- (A) For which the PAPA application does not provide information sufficient to determine clear and objective measures to resolve identified conflicts;**
- (B) Not requested in the PAPA application; or**
- (C) For which a significant change to the type, location, or duration of the activity shown on the PAPA application is proposed by the operator.**

The application did not identify any conflicts. The 1,500 foot impact area does not suggest the potential for impacts. The Comprehensive Plan may be amended based on the Board of Commissioners adopted findings.

- (f) Where mining is allowed, the local government shall determine the post-mining use and provide for this use in the comprehensive plan and land use regulations. For significant aggregate sites on Class I, II and Unique farmland, local governments shall adopt plan and land use regulations to limit post-mining use to farm uses under ORS 215.203, uses listed under ORS 215.213(1) or 215.283(1), and fish and wildlife habitat uses, including wetland mitigation banking. Local governments shall coordinate with DOGAMI regarding the regulation and reclamation of mineral and aggregate sites, except where exempt under ORS 517.780.**

The site will be reclaimed after the mining operation is no longer in operation. The quarry is permitted by the Department of Geology and Mineral Industries

(DOGAMI) and will comply with all mining and reclamation requirements of that state agency. The application can be found to comply with this standard.

- (g) Local governments shall allow a currently approved aggregate processing operation at an existing site to process material from a new or expansion site without requiring a reauthorization of the existing processing operation unless limits on such processing were established at the time it was approved by the local government.**

The proposed site is an existing site proposed for expansion.

V. COMPREHENSIVE PLAN GOAL 5 INVENTORY

This proposed amendment to the Morrow County Comprehensive Plan is to add the Dougherty Pit to the list of Goal 5 protected sites and classify it as a Large Significant Aggregate site. The following proposed changes will be made in Chapter Page 7, updated in 2013 MC OR-1-2013.

Open Space, Scenic and Historic Area Aggregate mines with Goal 5 Protection. A list of aggregate sites, attached, includes both those with protections under Goal 5 and those located on farmland and listed in the Comprehensive Plan. Some aggregate sites were declared significant when the Comprehensive Plan was adopted in 1980 and acknowledged in 1986, and others were on Morrow County's inventory of significant aggregate sites as of September 1, 1996, thus meeting the requirements of OAR 660-023-0180(3)(c). The remainder, approved or reclassified since that date, were protected under the rules prescribed in OAR 660 Division 23. Comprehensive Plan (MC OR-1-2013) See attached Appendix Inventory of Natural Resources, Aggregate and Mineral Resources.

VI. MORROW COUNTY ZONING ORDINANCE ARTICLE 6 CONDITIONAL USES

SECTION 6.020. GENERAL CRITERIA.

In judging whether a conditional use proposal shall be approved or denied, the Commission shall weigh the proposal's appropriateness and desirability, or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met or can be met by observance of conditions.

- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the Zoning Ordinance and other applicable policies and regulations of the County.**

The subject quarry area is a rocky hillside. Stockpiling, screening, crushing, and hauling of aggregate is located on land zoned for Exclusive Farm Use, where mining and mining activities are allowed. This application includes a Plan Amendment to change the designation of the site in the Aggregate and Natural Resources inventory in the Comprehensive Plan and classify it as a Large Significant Site. With the adoption of the plan amendment and in compliance with the applicable criteria in the MCZO, the proposed quarry complies with this standard.

B. If located within the Urban Growth Boundary of a city, that said city has had an opportunity to review and comment on the subject proposal.

This requirement does not apply as the property is not located within the Urban Growth boundary of any city.

C. The proposal will not exceed the carrying capacities of natural resources or public facilities.

The mining operation area is not located within a designated Critical Groundwater Area as defined in Administrative Rule by the Oregon Department of Water Resources (OWRD). According to the application, water for dust abatement and crushing will come from an existing well on the property. The mining operation area is within the Heppner Rural Fire Protection District, and the District was mailed a copy of the preliminary Staff Report. No comments from the Fire District have been provided to date. The application stated that all solid waste will be hauled from the proposed site. Portable restrooms will be provided.

There is a flood hazard area located through part of the quarry area. See attached National Flood Hazard Flood Insurance Rate Map. Although no permanent structures are proposed, the quarry operation should avoid any obstruction to the drainage or floodplain. Stockpiling should also be located outside of the designated flood hazard area. This is listed as a condition of approval.

Based on the above, the application can be found to not exceed carrying capacities of natural resources or public facilities and therefore complies with this standard.

SECTION 6.025 RESOURCE ZONE STANDARDS FOR APPROVAL

Note: These county standards are the same as ORS 215.298.

A. In the Exclusive Farm Use Zone, a conditional use may be approved only when the County finds that the use will not:

- 1. Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or**
- 2. Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.**

The proposed mining activity is common throughout central and southern Morrow County and historically has been compatible with adjacent farming and grazing. Mining of this site has occurred for many years, including crushing for Morrow County Public Works, and no complaints have been filed and no negative impacts have been noted. While dust from mining activities can be a nuisance or negatively impact some farming operations, vineyards for example, this existing mining operation has no record of negative impacts to surrounding farming operations. As a precautionary measure, dust abatement is recommended as a condition of approval. Based on the above, the application complies with this standard.

Where these county standards are the same as ORS 215.298, the land use is found to comply with both state and local standards in this regard.

SECTION 6.030. GENERAL CONDITIONS.

In addition to the standards and conditions set forth in a specific zone, this article, and other applicable regulations; in permitting a new conditional use or the alteration of an existing conditional use, the Commission may impose conditions which it finds necessary to avoid a detrimental impact and to otherwise protect the best interests of the surrounding area or the County as a whole. These conditions may include the following:

- A. Limiting the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.**
The mining activities will remain within the boundaries of the permitted area and are expected to create minimal environmental effects.

If an air quality permit is required by the Department of Environmental Quality, for example, for the operator or permittee of the portable rock crusher, said operator shall be required to secure appropriate permits from the DEQ. To ensure the discharges of contaminants and dust created by the mining operation comply with the applicable DEQ ambient air quality and emissions standards, this is listed as a condition of approval.

Hours of operation were not mentioned in the application. Given the remoteness of the site, and the fact that the quarry owner also owns all lands within the 1,500-impact area, the Planning Department proposes that the hours of operation not be limited unless complaints are filed.

This application can be found to comply with this standard.

- B. Establishing a special yard or other open space or lot area or dimension. Given the distance from neighboring lands and property lines, there does not appear to be a need to impose additional setbacks other than required in the underlying zone and to comply with reclamation requirements.**
Additional setbacks are not recommended. The application can be found to comply with this standard.

- C. Limiting the height, size or location of a building or other structure.**
There are no plans for a permanent structure at the mining site.

- D. Designating the size, number, location and nature of vehicle access points.**
Spur Loop Road, a county road, will provide the single point of access to the quarry area.

- 1. Where access to a county road is needed, a permit from Morrow County Public Works department is required. Where access to a state highway is needed, a permit from ODOT is required.**
Landowner will use existing access to the existing quarry.
- 2. In addition to the other standards and conditions set forth in this**

section, a Traffic Impact Analysis (TIA) will be required for all projects generating more than 400 passenger car equivalent trips per day. A TIA will include: trips generated by the project, trip distribution for the project, identification of intersections for which the project adds 30 or more peak hour passenger car equivalent trips, and level of service assessment, impacts of the project, and mitigation of the impacts. If the corridor is a State Highway, use ODOT standards. (MC-C-8-98)

The application did not address traffic impacts or estimate traffic volume. However, based on estimates from Public Works, truck traffic during hauling will be far below the 400-passenger car equivalent trips per day. Identified road impacts are addressed below. No TIA is deemed necessary.

E. Increasing the amount of street dedication, roadway width or improvements within the street right-of-way.

Additional street dedication is not proposed and is not warranted. The mining activity will utilize private internal roads that connect to Spur Loop Road, a county roadway.

1. It is the responsibility of the landowner to provide appropriate access for emergency vehicles at the time of development. (MC-C-8-98)

The subject site is in the Heppner Rural Fire Protection District, which was provided with a notice of the hearing. The District may recommend changes to access; however, the existing access appears to accommodate emergency services vehicles.

F. Designating the size, location, screening, drainage, surfacing or other improvement of a parking area or loading area.

The applicant provided a site plan that shows the general area for mining activity. A more specific site plan may be submitted in the future by the applicant or operator. The survey submitted with the application shows a stream, which was confirmed by the drone photos. The stream is intermittent. No permanent structures are proposed to be placed inside the channel. As noted above, a condition to comply with recommendations of the Natural Hazards Team of DLCD relative to the floodzone is listed as a condition of approval. The location is remote and parking will be provided on site. The applicant did not specify how dust will be controlled but did note there is a well on the property. Owner may use water for dust abatement if necessary. Drainage from the mining is expected to be contained on the subject property.

G. Limiting or otherwise designating the number, size, location, height, and lighting of signs.

The application did not indicate whether signs will be used for the aggregate site. Safety signs such as “trucks crossing” may be installed temporarily during hauling periods if recommended by Morrow County Public Works or the quarry operator.

H. Limiting the location and intensity of outdoor lighting and requiring its shielding.

The application did not identify outdoor lighting. It is expected that, when needed, lights may be used during hours of operation. It is recommended that lighting be limited during non-operating hours.

I. Requiring diking, screening, landscaping or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance.

Installation of a culvert may be considered as a precautionary measure, to prevent obstruction of water in the intermittent stream channel.

J. Designating the size, height, location and materials for a fence.

Signs are not proposed in the application. Any fence 6 feet in height or taller will require a Zoning Permit.

K. Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.

The mining area will occur within an area that has limited vegetation. Milk Canyon runs through the middle of the mining area. According to the Federal Emergency Management Agency (FEMA) digital flood map, there is a special *flood hazard area* that runs through the property, however, there is not a regulatory *floodway* on the property. There is a well on-site for dust abatement. A notice of this application was provided to the Oregon Department of Fish and Wildlife (ODFW), Oregon Water Resources Department (OWRD) and Federal Emergency Management Agency (FEMA), who have an opportunity to provide comments and recommend conditions of approval.

L. Other conditions necessary to permit the development of the County in conformity with the intent and purpose of this Ordinance and the policies of the Comprehensive Plan.

No other policies are known to apply, and therefore, no additional conditions of approval are recommended.

SECTION 6.050. STANDARDS GOVERNING CONDITIONAL USES.

A conditional use shall comply with the standards of the zone in which it is located and with the standards set forth in this subsection.

Local Permit Approval Criteria: An application for mineral or aggregate mining must address provisions found in Article 6 Conditional Uses Section 6.020 General Criteria, Section 6.025 Resource Zone Standards for Approval when in a Farm or Forest Zone, and the following:

1. Proposed hours and/or days of operation. The conditions as to when the mining and processing would be restricted to specific hours of operation or days when mining operations would be limited. For operations conducted after dark, limiting the location and intensity of outdoor lighting and requiring its shielding.

See above discussion under Criteria 6.030(A) above.

2. **Limiting or otherwise designating the number, size, location, height, and lighting of signs. Signs other than safety signs must comply with the sign requirements in Section 4 of the Zoning Ordinance.**
See above discussion under Criterion 6.030(G).
3. **A rock crusher, washer or sorter shall not be located within 500 feet from a residential or commercial use unless it can be established that the use will meet DEQ performance standards for noise and not be expected to cause a noise nuisance at nearby residential or commercial uses. In farm or forest use zones the processing of rock, aggregate or minerals shall not be within one-half mile of a noise sensitive area if the operation operates more than nine hours per day or for more than five days per week. (ORS 467.120(2)).**
There are no dwellings within miles of the quarry. The application complies with this standard.
4. **All water necessary for the proposed operation shall be appropriated and legally available to the site.**
According to the application, there is a well on the property.
5. **The discharge of airborne contaminants and dust created by mining shall comply with applicable DEQ ambient air quality and emissions standards, or approval shall be conditioned to ensure that such standards will not be violated.**
The application does not identify the name of the rock crushing company. The owner of the rock crusher is responsible for holding appropriate DEQ air permits.
6. **A Reclamation Plan approved by DOGAMI will be required for mining operations. When reviewing an applicant's submittal regarding a proposed reclamation plan, Morrow County will review the plan against the following criteria:**
 - a. **A description of the present land use and planned beneficial use of the site following the mining activity. The applicant must demonstrate that the planned beneficial use is compatible with the Comprehensive Plan and Zoning Ordinance.**
 - b. **Provisions for the backfilling, recontouring, topsoil replacement, seedbed preparation, mulching, fertilizing, selection of plant species, seeding or planting rates, and schedules;**
 - c. **Provisions for adequate setbacks and slopes to protect adjacent property and public safety;**
 - d. **A proposed time schedule for surface mining and reclamation procedures for the removal or disposal of all equipment, refuse, structures, and foundations from the permit area except permanent structures that are part of an approved Reclamation Plan.**
The landowner is responsible for complying with DOGAMI reclamation requirements. This is included as a condition of approval.
7. **In accordance with the Transportation System Plan, the requirements of the Public Works Department or the Oregon Department of Transportation shall**

be complied with regarding the minimization of potential conflicts to local roads used for access and egress to the mining site.

No changes are proposed and the existing access will continue to be used for the quarry operation. A notice of this application was submitted to ODOT and Morrow County Public Works Department, who may make recommendations relative to roads and access.

8. **Designating the size, number, location and nature of vehicle access points.**
 - a. **Where access to a county road is needed, a permit from Morrow County Public Works department is required. Where access to a state highway is needed, a permit from ODOT is required.**
See above discussion under Criterion 6.030(D).
 - b. **In addition to the other standards and conditions set forth in this section, a Traffic Impact Analysis (TIA) will be required for all projects generating more than 400 passenger car equivalent trips per day. A TIA will include: trips generated by the project, trip distribution for the project, identification of intersections for which the project adds 30 or more peak hour passenger car equivalent trips, and level of service assessment, impacts of the project, and mitigation of the impacts. If the corridor is a State Highway, use ODOT standards. (MC-C-8-98)**
See above discussion under Criterion 6.030(D). The application does not warrant a TIA as traffic will be significantly less than 400 trips per day. The application is in compliance with this standard.
9. **Increasing the amount of street dedication, roadway width or improvements within the street right-of-way. It is the responsibility of the land owner to provide appropriate access for emergency vehicles at the time of development. (MC-C-8- 98)**
See above discussion under Criterion 6.030(E). Additional street dedication is not warranted.
10. **An application for a mining operation contiguous to an existing operation approved under this section shall be evaluated in conjunction with the existing site when it appears the sites will be managed and operated as one.**
The proposed mining operation is not contiguous to an existing approved operation.
11. **Ensuring adequate space for parking and loading.**
See above discussion under Criterion 6.030(F).
12. **Approvals for or that include operations that batch and blend mineral and aggregate into asphalt cement may not be authorized within two miles of a planted vineyard. (one or more vineyards totaling 40 acres or more that are planted as of the date the application for batching and blending is filed).**
There is not a vineyard within miles of the property. A temporary batch plant was approved as part of CUP-S-336-19. That CUP relative to the temporary batch plant will remain valid after this plan amendment is approved. This criterion is

not applicable as the subject property is not within two miles of a planted vineyard.

13. A plan for the control of noxious weeds. (MC OR-1-2013)

The applicant shall provide to the Morrow County Weed Coordinator/Inspector a weed plan for the control of noxious weeds and “weeds of economic importance.” This shall include a pre-mining weed survey. This is listed as a condition of approval.

VII. AGENCIES NOTIFIED: Amanda PUNTON, Goal 5 Specialist, Dawn HERT, Eastern Region Representative, Natural Hazards Team, Department of Land Conservation and Development; Teresa Penninger, Oregon Department of Transportation; Nicholas Tatalovich, DOGAMI; Department of Environmental Quality, Bend Region Office, Air Quality Specialist; Mike Gorman, Morrow County Assessor; Eric Imes, Morrow County Public Works; Heppner Rural Fire Protection District, Lindsay Somers, Steve Cherry, Oregon Department of Fish & Wildlife, FEMA Region 10.

VIII. HEARING DATES:

Planning Commission
December 2, 2025
Bartholomew Building
Heppner, OR 97836

Board of Commissioners
December 17, 2025
Bartholomew Building
Heppner, OR 97836

IX. FINAL DECISION:

Option to Approve:

The Planning Commission may recommend to the Morrow County Board of Commissioners approval of the application, specifically to:

1. Adopt the Findings.
2. Include the aggregate site as a Large Significant Site in the list of Goal 5 Significant Aggregate Resources in the Comprehensive Plan.
3. Apply the Aggregate Resources Overlay Zone to the quarry area boundaries.
4. The Conditional Use Permit for the concrete batch plant remains unchanged and may continue.

Approval of the application is subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL:

1. The quarry operator shall comply with mining and operating permits in accordance with permits issued by the Department of Geology and Mineral Industries (DOGAMI).

2. Reclamation of the quarry shall be completed in compliance with the reclamation standards of the DOGAMI.
3. Quarry will be operated in accordance with state and federal Mine Safety regulations.
4. The applicant and operator shall take appropriate measures to abate blowing dust and sand.
5. Once adopted, the Goal 5 protection and the Significant Resources Overlay Zone requires that any new use within 1,500 feet from the quarry that would have the potential to conflict with the protected mining site, such as a residential use, or uses that would cover or prevent access to the site, shall be evaluated as required and shown to not conflict with the mining use. For mitigation purposes, appropriate conditions of approval for the new use may be required.
6. Consult with the Morrow County Weed Coordinator/Inspector and develop a weed plan for the control of noxious weeds and “weeds of economic importance.” This shall include a pre-mining weed survey.
7. Verify DEQ that the mining operation complies with applicable DEQ ambient air quality and emissions standards and submit the air permit, if applicable.
8. Provide water for dust abatement and mining, as necessary, to avoid fugitive dust.
9. Site shall remain free of garbage and debris and will otherwise comply with the Solid Waste Ordinance.
10. Operation of the quarry and mining activities shall not obstruct the flow of water from the intermittent stream.
11. Comply with recommendations of the state Natural Hazards Planning Team and/or FEMA, if any, relative to the special flood hazard area. Permanent structures within the mapped flood plain are prohibited unless the landowner complies with Flood Hazard Overlay Zone requirements.

MORROW COUNTY BOARD OF COMMISSIONERS

David Sykes, Chair

Jeff Wenholz, Vice Chair

Gus Peterson, Commissioner

DATE: _____

Attachments:

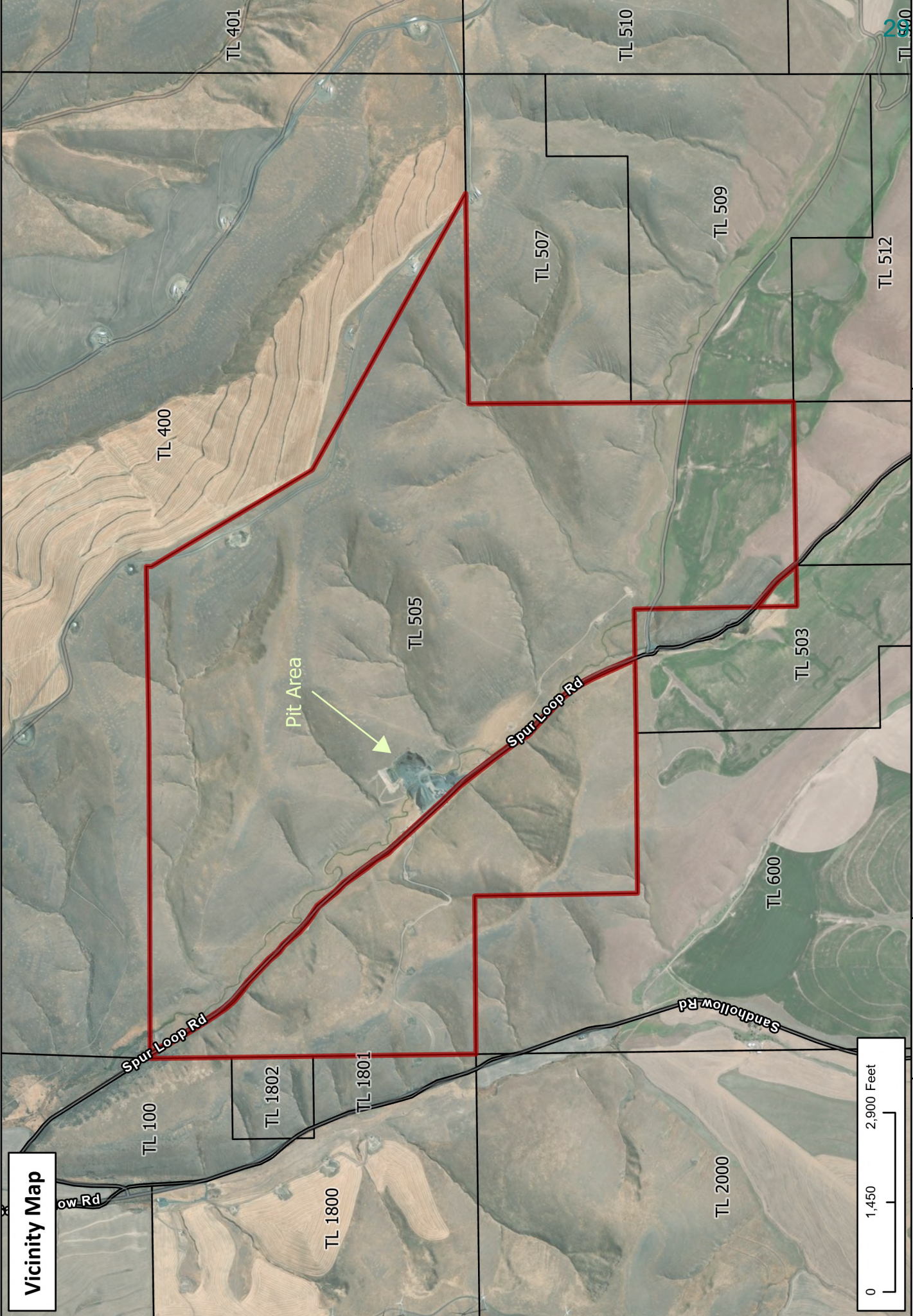
Vicinity Map

Soils Map

1,500 Impact Study Area Map

Comprehensive Plan Goal 5 Significant Resource Inventory

[./planning/amendments/2025/Cliff Dougherty/BOC Findings](#)



Vicinity Map



Application Number:
AC-161-25

Assessor's Map and Tax Lot:
01527E TL505

Property Owner:
Cliff Dougherty

Subject Property Size:
1915.4ac

Subject Property Zone:
EFU

Applicable MCZO Section:
Section 3.010

Morrow County Tax Lots

City Limits

Urban Growth Boundary

Subject Parcel

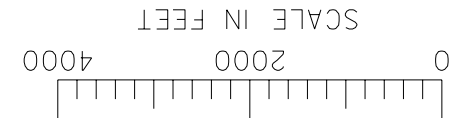
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NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN

Cartography By: Stephen Wreosics
Friday, October 24, 2025
Morrow County Planning Department

MORROW COUNTY

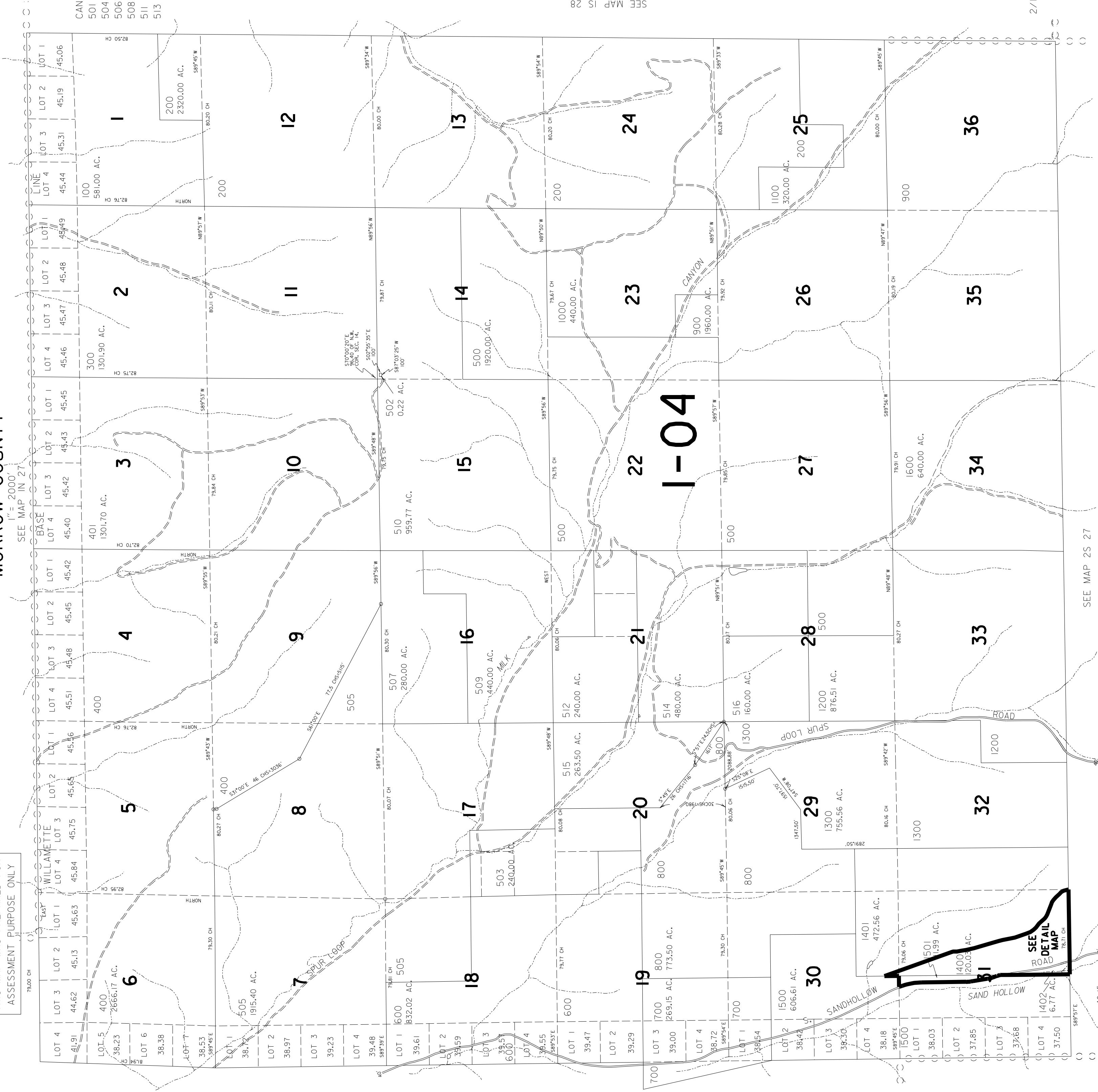
S:Planning/LP/2025/North

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



\$TIMES\$
\$DATES\$
\$FILES\$
\$USERNAME\$

1" = 2000'
SEE MAP IN 27

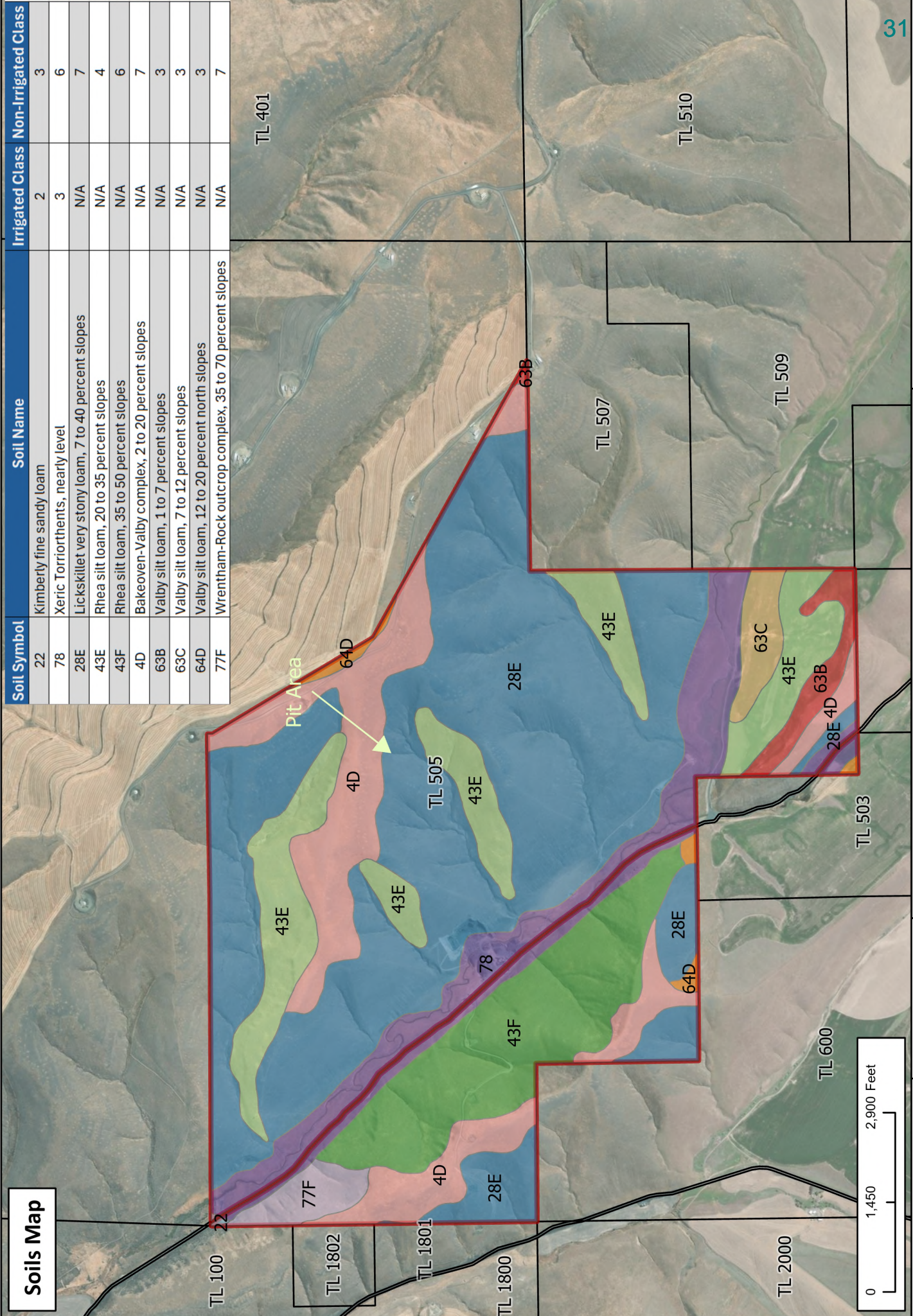


SEE MAP IS 26

SEE MAP IS 28

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Soils Map



Soil Symbol	Soil Name	Irrigated Class	Non-Irrigated Class
22	Kimberly fine sandy loam	2	3
78	Xeric Torriorthents, nearly level	3	6
28E	Lickskillet very stony loam, 7 to 40 percent slopes	N/A	7
43E	Rhea silt loam, 20 to 35 percent slopes	N/A	4
43F	Rhea silt loam, 35 to 50 percent slopes	N/A	6
4D	Bakeoven-Valby complex, 2 to 20 percent slopes	N/A	7
63B	Valby silt loam, 1 to 7 percent slopes	N/A	3
63C	Valby silt loam, 7 to 12 percent slopes	N/A	3
64D	Valby silt loam, 12 to 20 percent north slopes	N/A	3
77F	Wrentham-Rock outcrop complex, 35 to 70 percent slopes	N/A	7

Application Number:
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1915.4ac

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Morrow County Tax Lots

City Limits

Urban Growth Boundary

Morrow County Tax Lots

City Limits

Urban Growth Boundary

Subject Parcel



Coordinate System:
NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN
Cartography By: Stephen Wreosics
Friday, October 24, 2025
Morrow County Planning Department



31

1500ft Area Study

Spur Loop Rd

Spur Loop Rd

Sandhollow Rd

Pit Area



TL 100

TL 1802

TL 1800

TL 1801

TL 2000

TL 400

TL 401

TL 505

TL 507

TL 510

TL 509

TL 600

TL 503

TL 512

TL 500

Application Number:
AC-161-25

Assessor's Map and Tax Lot:
01527E TL505

Property Owner:
Cliff Dougherty

Subject Property Size:

1915.4ac

Subject Property Zone:

EFU

Applicable MCZO Section:

Section 3.010

Morrow County Tax Lots

City Limits

Urban Growth Boundary

Subject Parcel

Approximate Pit Boundary

1500ft Impact Area

Coordinate System:

NAD 1983 HARN StatePlane Oregon North FIPS 3601

Projection: Lambert Conformal Conic

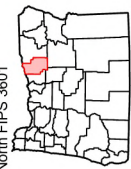
Datum: North American 1983 HARN

Cartography By: Stephen Wreosics

Tuesday, October 28, 2025

Morrow County Planning Department

S:Planning/Amendments/2025



National Flood Hazard Layer FIRMette



119°30'7"W 45°29'34"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Without Base Flood Elevation (BFE)
Zone A, V, A99

With BFE or Depth
Zone AE, AO, AH, VE, AR

Regulatory Floodway

SPECIAL FLOOD HAZARD AREAS

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
Zone X

Future Conditions 1% Annual Chance Flood Hazard
Zone X

Area with Reduced Flood Risk due to Levee. See Notes.
Zone X

Area with Flood Risk due to Levee
Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN

Area of Minimal Flood Hazard
Zone X

Effective LOMRs

Area of Undetermined Flood Hazard
Zone D

OTHER AREAS

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/28/2025 at 9:59 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

33



119°29'30"W 45°29'9"N



Basemap Imagery Source: USGS National Map 2023

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**PRELIMINARY FINDINGS OF FACT
MAJOR VARIANCE
V-N-060-25**

REQUEST: Request is for a variance to the manufactured home siting standards limiting installation to models that are no more than 10 years old.

APPLICANT/OWNER: Rock It, LLC
Wade Aylett
74854 Washington Ln.
Irrigon, OR 97844

PROPERTY DESCRIPTION: Tax lot 800 of Assessor's Map 5N 26E 23A

PROPERTY LOCATION: Approximately 0.7 miles west of Irrigon city limits and 0.25 miles south of the Columbia River, on the north side of Washington Lane.

I. BACKGROUND INFORMATION:

The subject parcel is approximately 3.27 acres, zoned Rural Residential (RR), and is located outside the Irrigon Urban Growth Boundary. It is fronted to the south by Washington Lane. Adjacent properties are zoned RR and developed accordingly.

The parcel currently contains two single-wide manufactured homes with separate driveways. The dwelling to the west is addressed as 74891 Washington Lane and the dwelling to the east is addressed as 74905 Washington Lane. The landowner recently purchased the parcel and is attempting to improve its condition.

The dwelling currently addressed as 74891 Washington Lane is an approximately 960 ft² 1990 Champion single-wide manufactured home in poor condition. The applicant proposes to replace it with an approximately 1,838 ft² 1993 Fleetwood double-wide manufactured home. The applicant has submitted as part of their application photos of the existing dwelling and the proposed replacement dwelling (see attached).

The Morrow County Zoning Ordinance (MCZO) requires a manufactured home placed in a rural residential zone to meet the manufactured home siting standards outlined in Section 4.110(B), Manufactured Homes in a Rural Residential Zone. This request would be a variance from the age requirement of MCZO Section 4.010(B)(1), which requires a manufactured home, "be multi-sectional (double-wide or larger); be a minimum of 1000 square feet; and be manufactured no more than ten years before the receipt date of the siting request application by the Planning Department".

II. APPROVAL CRITERIA:

Morrow County Zoning Ordinance (MCZO) Article 4, Section 4.110(B) Manufactured Homes in a Rural Residential Zone and Article 7, Section 7.200(B) Major Variance will apply. Criteria are listed below in **bold type**, followed by a response in standard type.

V-N-060-25

Preliminary Findings of Fact

S:/Planning/Variations/North/2025/V-N-060-25 Aylett MFH

Page 1 of 6

ARTICLE 4. SUPPLEMENTARY PROVISIONS

SECTION 4.110. Minimum Standards for a Manufactured Home on Individual Lots or Parcels as a Single-Family Dwelling.

- B. Manufactured Homes in a Rural Residential Zone:** A manufactured home permitted as a single-family dwelling on an individual lot or parcel in a residential zone (Rural Residential, Farm Residential or Suburban Residential) shall be in compliance with the following standards and regulations as a minimum.
1. **Be multi-sectional (double-wide or larger); be a minimum of 1000 square feet; and be manufactured no more than ten years before the receipt date of the siting request application by the Planning Department.**
The proposed replacement dwelling is an approximately 1,838 ft² 1993 Fleetwood double-wide manufactured home. This application requests a variance from this age requirement, as it is more than ten years old.
 2. **Placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.**
The existing dwelling is not installed on a foundation, however the applicant proposes to install the replacement dwelling on a foundation. It is recommended and included as a Condition of Approval that the replacement dwelling be placed on a foundation that meets these standards.
 3. **Have a pitched roof with a nominal slope of at least three feet in height for each 12 feet in width.**
The applicant states the replacement dwelling meets this standard. This criterion is met.
 4. **Certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code.**
The applicant states the replacement dwelling meets this standard. Per conversation with the Building Official, it is likely a 1993 manufactured home is not constructed to any lesser energy conservation standard than a 1993 stick-built home. This is one of the standards that will be inspected by the Building Department.
 5. **Have exterior siding and roofing materials which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the Planning Department.**
The replacement dwelling is a neutral gray color with material and appearance comparable to surrounding dwellings. This criterion is met.

6. **Have a garage or carport sited on the same lot or parcel of at least 180 square feet in size of like materials constructed before occupancy.**

The existing dwelling does not have a garage or carport that meets these requirements. It is recommended and listed as a Condition of Approval that the applicant construct a qualifying garage or carport prior to occupancy of the replacement dwelling.

7. **All manufactured home accessory buildings and structures shall comply with state and local construction and installation standards. Roofing and siding materials shall be of similar material and color and complementary to the existing manufactured home unit. Manufactured home accessory structures include porches and steps, awnings, cabanas, or any other structure or addition that depends in part on the manufactured home for its structural support, or in any manner is immediately adjacent to or attached to the manufactured home. Such structures or additions shall not total more than 40% of the total living space of the manufactured home. Garages or carports, either attached or detached, are not counted in this percentage. Ramadas, as defined in ORS 446, shall not be permitted.**

It is recommended and listed as a Condition of Approval that the required garage or carport shall be constructed of similar material and color and comply with state and local construction and installation standards. No other structures are being proposed as part of this application.

8. **When removing a manufactured home the owner of the property shall remove the foundation and all accessory structures and additions to the manufactured home and permanently disconnect sewer, water and other utilities if the manufactured home is removed from its foundation unless otherwise authorized by the County. In the event the owner fails to accomplish said work within 30-days from the day on which the manufactured home is moved from its foundation, the County may perform such work and place a lien against the property for the cost of such work. This condition shall not apply in the event that the manufactured home is replaced on the original foundation, or on the original foundation as modified, or by another approved manufactured home within 30-days of the original unit's removal. Said lien may be initiated by the County Board of Commissioners.**

The applicant proposes to install the replacement dwelling on a foundation as described in the response to 4.110(B)(2). This is recommended and listed as a Condition of Approval.

As part of the permitting process, the applicant will be required to obtain on-site septic approval from Umatilla County Public Health. This is recommended and listed as a Condition of Approval.

9. **A manufactured structure is recognized as any manufactured dwelling, or prefabricated structure more than 8 ½ feet wide that can be moved to a new location.**

The existing dwelling and replacement dwelling both meet this definition.

ARTICLE 4. DIMENSIONAL ADJUSTMENTS, VARIANCES, TEMPORARY USE PERMITS, AND NON-CONFORMING USES

SECTION 7.200 VARIANCES

A Variance can serve multiple purposes and is designed to provide relief from the literal requirements of a regulation found within this Zoning Ordinance. The result of approving a Variance should result in improved planning that would benefit the applicant and the broader community, and it may be the first step in reevaluating requirements or allowed uses within a use zone.

- B. **MAJOR VARIANCE.** The following are examples of Variances that could be considered: siting a manufactured home that is not in compliance with current manufactured home requirements, allowing for less frontage than required, allowing for a smaller lot size than required, approve a variance when a dimensional adjustment does not accomplish the needs of the property owner, and other similar or related instances. Use Variances amend or change the use of a property or structure. Area Variances tend to amend or change the area needed to validate a lot or parcel, or reduce necessary setbacks. Financial hardship does not qualify for a use or area Variance.

APPROVAL CRITERIA. The Planning Commission may grant a Major Variance upon finding that all of the following criteria are met. The burden is on the applicant to demonstrate compliance with the criteria.

1. **The variance relates to a specific lot or parcel of land.**
This variance is requested for a specific parcel. This criterion is met.
2. **The Variance can be granted without substantial detriment to the public good. It would allow for a building or site plan that is more compatible with adjacent land and land uses, or it does not create a conflict with adjacent uses.**
The subject parcel is in an area with several neighboring manufactured homes. The siting of a double-wide manufactured home which meets the design standards of Article 4 would be an improvement over the existing dwelling and would be comparable to homes within the surrounding area. This criterion is met.
3. **The Variance does not hinder compliance with applicable building code requirements or engineering design standards.**
This variance request is for relief from the age requirement of MCZO Article 4, Section 4.110(B)(1), which states that in a rural residential zone, a manufactured home permitted as a single-family dwelling shall be, "multi-sectional (double-wide or larger); be a minimum of 1000 square feet; and be manufactured no more than ten years before the receipt date

V-N-060-25

Preliminary Findings of Fact

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of the siting request application by the Planning Department.” The design standards are otherwise consistent with applicable building code requirements and engineering standards. The applicant will be required to comply with all other Building Code requirements for the proposed manufactured home.

4. **Approval of the Variance does not create a violation of this or any other adopted ordinance or code standard.**
Approval of this variance would not create a violation of any ordinance or code standard. If approved, the use would conform to the intent of the Zoning Ordinance. This criterion is met.
5. **Applicant shall provide evidence from the applicable fire district that services can be provided in the event of an emergency.**
A copy of these findings have been provided to the Irrigon Rural Fire Protection District for review and comment. It is recommended and listed as a Condition of Approval that the applicant comply with any recommendations regarding emergency vehicle access.
6. **Application for a Variance should include all necessary Variances anticipated for the proposed development.**
No other variances are requested or anticipated for the proposed development. This criterion is met.
7. **Application for a Variance is limited to one per year.**
There are no previous variances approved for this property and none are anticipated within the next year. This criterion is met. This permit is valid for the length of time the manufactured home is in place.

- III. **LEGAL NOTICE PUBLISHED:** November 12, 2025
East Oregonian

November 12, 2025
Heppner Gazette-Times
- IV. **AGENCIES NOTIFIED:** Mike Gorman, Morrow County Tax Assessor; Glenn McIntire, Building Official; Thomas Roberts, Irrigon RFPD; Umatilla County Public Health
- V. **PROPERTY OWNERS NOTIFIED:** November 6, 2025
- V. **COMMENTS RECEIVED:** None
- VI. **HEARING DATE:** December 2, 2025
Bartholomew Building
Heppner, OR
- VII. **PLANNING COMMISSION:**
Option #1: The Planning Commission may deny Major Variance V-N-060-25

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Preliminary Findings of Fact

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Option #2: The Planning Commission may approve Major Variance V-N-060-25 subject to the following **CONDITIONS OF APPROVAL**:

1. Applicant shall construct a garage or carport on the same lot of at least 180 square feet in size, of similar color and material, and in compliance with state and local construction and installation standards, prior to occupancy.
2. Applicant shall install the replacement dwelling on a foundation that meets the standards of MCZO Subsection 4.110(B)(2).
3. Applicant shall obtain appropriate Zoning and Building Permits for the replacement dwelling and the new garage or carport.
4. Applicant shall obtain on-site septic approval from Umatilla County Public Health.
5. Applicant shall comply with any recommendations from Irrigon RFPD regarding emergency vehicle access.

Stacie Ekstrom, Chair

Date

ATTACHMENTS:

Vicinity Map
 Adjoining Property Owners List
 Application
 Photographs of existing and replacement dwelling

Vicinity Map

Steagall Rd

Steagall Rd

Washington Ln

Washington Ln



Application Number:

V-N-060-25

Assessor's Map and Tax Lot:

05N26E23A TL800

Property Owner:

Rock It LLC

Subject Property Size:

3.27ac

Subject Property Zone:

RR

Applicable MCZO Section:

Section 3.040

☐ Morrow County Tax Lots

☐ City Limits

☐ Urban Growth Boundary

☒ Subject Property

Coordinate System:

NAD 1983 HARN StatePlane Oregon North FIPS 3601

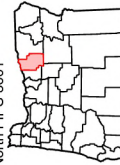
Projection: Lambert Conformal Conic

Datum: North American 1983 HARN

Cartography By: Stephen Wrecocks

Thursday, October 23, 2025

Morrow County Planning Department



TL 400

TL 1100

TL 900

TL 1000

TL 800

TL 601

TL 600

TL 700

TL 701

TL 1200

TL 1100

TL 1500

TL 900

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ASSESSOR'S MAP/TAX	OWNER 1	OWNER 2	MAIL ADDRESS	CITY	STATE	ZIPCODE
05N26E23D001100	CARDENAS HERRERA, EUDORO ETAL		195 NE OREGON AVE	IRRIGON	OR	97844
05N26E23D001000	CARDENAS, GONZALO ETAL		311 KLUCKITAT ST	UMATILLA	OR	97882
05N26E23D001200	CARDENAS, GONZALO ETAL		311 KLUCKITAT ST	UMATILLA	OR	97882
05N26E23D001600	AYLETT, DEBORA & AYLETT, WADE		74854 WASHINGTON LN	IRRIGON	OR	97844
05N26E23A000800	ROCK IT LLC		74854 WASHINGTON AVE	IRRIGON	OR	97844
05N26E23A001000	STEAGALL, CAROLE J		74953 WASHINGTON LN	IRRIGON	OR	97844
05N26E23A000400	STEAGALL, CAROLE J		74953 WASHINGTON LN	IRRIGON	OR	97844
05N26E23A000900	STEAGALL, CAROLE J		74953 WASHINGTON LN	IRRIGON	OR	97844
05N26E23D001504	CLEMENTS, MICHAEL & CLEMENTS, SHERENA		74958 BRACE RD	IRRIGON	OR	97844
05N26E23D001500	GEORGE, FREDERICK W		PO BOX 1755	UMATILLA	OR	97882
05N26E23D001503	TAYLOR, MARION, III		PO BOX 298	IRRIGON	OR	97844
05N26E23A000600	YOUNG, PAUL D		PO BOX 714	IRRIGON	OR	97844
05N26E23A000601	YOUNG, PAUL D		PO BOX 714	IRRIGON	OR	97844
05N26E23A000701	TURNER, THOMAS R		PO BOX 966	IRRIGON	OR	97844

V-N-060-25 | Rock It, LLC | RR 250ft Notice Area.

05N26E23A TL800

S:\Planning\Variances\North\2025



LAND USE APPLICATION Major VARIANCE REQUEST

RECEIVED 43
OCT 22 2025

BY: MR

V-N-060-25

PAID
ck 33836

Internal Use

File Number V-N-060-25 Date Received 10-22-25 Deemed Complete 10-29-25 Fee \$100

Type: ☐ Minor Variance (Administrative) ☒ Major Variance (Planning Commission)

Applicant / Contractor:

Name(s) Wade Aylett

Mailing Address 74859 Washington lane Irrigon or.

Phone 541-571-9200 E-mail RockSolid-live.com

Legal Property Owner: (if different from applicant)

Name(s) _____

Mailing Address _____

Phone _____ E-mail _____

Existing Property Description:

Township 5N Range 26 Section 23A Tax Lot 800 Zoning Designation RR

Physical Address 74891 + 74905 Washington lane Irrigon or.

Located within a UGB? NO If yes, which city? _____

Legal Access (e.g. road name) Washington lane

General Location The south 390 Feet of lot 2 + south 390 Feet west 35 ft. of lot 1 Block 35 west in section 23 Township 5N Range 26

The Planning Director or the Planning Commission, dependent upon the criteria identified, may authorize dimensional adjustments or variances from the requirements of this ordinance, or authorize temporary use permits, where it can be shown that owing to special and unusual circumstances related to a specific lot or desired activity, strict application of the ordinance would cause an undue or unnecessary hardship. In granting these permits, Planning Director decisions would be done either under clear and objective standards; or when discretion is applied by providing notice as required by law. Those decisions identified to be approved by the Planning Commission, conditions may be attached when the Planning Commission finds it necessary to protect the best interest of the surrounding property or vicinity and otherwise achieve the purpose of this ordinance.

Variance Type Requested: ☐ Area Variance ☐ Use Variance

Please explain why the variance is requested This variance is being requested to

replace an old single wide trailer with a
newer 1993 double wide. This property was purchased
recently and we are trying to improve the property.

Signature: I (we), the undersigned, acknowledge that I am familiar with requirements of approval for a variance and propose to meet all standards set forth as outlined above. I certify that the statements and information provided with this application are true and correct to the best of my knowledge.

Signed: Wade Aylett
Applicant

Wade Aylett
Legal Property Owner

Printed: Wade Aylett
Applicant

Legal Property Owner

Date: 10-21-25

If this application is not signed by the property owner, a letter authorizing signature by the applicant must be attached.

Morrow County Planning Department
215 NE Main Ave, PO Box 40, Irrigon, OR 97844
(541) 922-4624 FAX: (541) 922-3472

Revised 3/4/25

We are asking the planning commission for a variance on property legal description : the south 390 feet of lot 2 and the south 390 feet of the west 35 feet of lot 1 block 35 west, in section 23, Township 5 north, Range 26, east of the willamete meridian, in the county of morrow and the united states.

The purpose of the variance is to replace a single wide trailer which is currently on the property. The single wide trailer measures 16 by 60. We are wanting to replace it with a 1993 double wide measuring 27.6 by 66.6.

This property was purchased recently and we are trying to clean up and improve the property.

Thank you

APPLICANT PHOTOS

EXISTING DWELLING

1990 SINGLE-WIDE
MANUFACTURED HOME







APPLICANT PHOTOS

REPLACEMENT DWELLING

1993 DOUBLE-WIDE

MANUFACTURED HOME

