



PLANNING DEPARTMENT

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MEMO: May 11, 1994

TO: Morrow County Court

FROM: Morrow County Planning Commission

SUBJECT: Findings and Recommendations of the Morrow County Planning Commission Regarding the Implementation of Land Use Designations for the Morrow County Portion of the Umatilla Army Depot

I. Introduction

This is the final hearing necessary to establish land use (zoning) designation for the Morrow County portion of the Umatilla Army Depot. The Planning Commission held the two prescribed hearings on February 28 and March 28, 1994. Tapes of these two meetings are on file with the Morrow County Planning Department. For the record, there were no written or oral comments in opposition to the findings, recommendations or actions taken to approve a limited use overlay zone on the lands comprising the Morrow County portion of the Umatilla Army Depot. After the hearing, and with Court approval and/or changes, we will prepare the necessary changes to the Zoning Ordinance, Comprehensive Plan and Zoning Maps.

II. The Morrow County Planning Commission implemented the proceedings, findings and then action under Section 3.110, Limited Use Overlay Zone of the Morrow County Zoning Ordinance as follows:

Section 3.110. Limited Use Overlay Zone, LU. The purpose of the Limited Use Overlay Zone is to limit the list of permitted uses and activities allowed in the allowing zone to only those uses and activities which are justified in the Comprehensive Plan 'reasons' exception statement under ORS 197.732(1)(c). The Limited Use Overlay Zone is intended to carry out the administrative rule requirement for 'reasons' exceptions pursuant to OAR 660-14-018(3).

Overlay Zone Requirements. When the Limited Use Overlay Zone is applied, the uses permitted in the underlying zone shall be limited to those uses and activities specifically referenced in the ordinance adopting the Limited Use Overlay Zone. The Limited Use Overlay Zone cannot be used to authorize uses other than those expressly provided in the underlying zone. Reasonable conditions may also be imposed by the provisions of the Comprehensive Plan and this Ordinance. Until the Overlay Zone has been removed or amended through the plan amendment process, the only permitted uses and activities in the zone shall be those specifically referenced in the adopting ordinance.

The Limited Use Overlay Zone is to be applied through the plan amendment and rezoning process at the time the primary plan and zone designation is being changed. The ordinance adopting the overlay zone shall include the findings showing that: 1) no other zoning district currently provided in the zoning ordinance can be applied consistent with the requirements of the 'reasons' exception statement because the zoning would allow uses beyond those justified by the exception; 2) the proposed zone is the best suited to accommodate the desired use(s); and 3) it is required under the exception rule (OAR 660, Division); 4) to limit the uses permitted in the proposed zone.

Official Plan/Zoning Map. The official plan/zoning map shall be amended to show an LU suffix on any parcel where the Limited Use Overlay Zone has been applied.

Site Plan Requirement. In addition to limiting the uses in the zone, it may be necessary to require County approval of the location of buildings, access and parking, screening and other site planning considerations in order to ensure the compatibility of the permitted uses with the area. This requirement may be added by specific reference in the adopting ordinance. The ordinance shall indicate any special concerns or locational requirements that must be addressed in the site plan and be approved by the Planning Commission.

The Umatilla Army Depot Comprehensive Plan Report and Technical Report, dated October 1993, and Exhibit V, "Land Use Plan", prepared by the Benkendorf Associates, Corp., for the area within Morrow County constitutes the Zoning Map for the Morrow County area and would meet the requirement under Section 3.110 as the official Plan/Zoning Map.

The Ordinance and Plan would come into effect as each area is released by the U.S. Government.

III. Recommendations of the Morrow County Planning Commission to the Morrow County Court

- A. The Morrow County Planning Commission recommends the approval of the following amendments to the Zoning Ordinance, Comprehensive Plan and Zoning Map as follows:
1. The Umatilla Army Depot Plan prepared by Benkendorf Associates Land Use Map marked "Exhibit A" be made a part of the official zoning map of Morrow County.
 2. That the land use shown on this map to become effective as each area or parcel is released by the U.S. Government.
 3. That the agricultural designation be the same as the EFU Zone in the Morrow County Zoning Ordinance.
 4. That the Wildlife Reserve and Agriculture/Wildlife Management areas to appear in the Zoning Ordinance under Section 3.200, SIGNIFICANT RESOURCE OVERLAY ZONE, Subsection F, Page 97 as "WILDLIFE HABITAT ZONE". Land areas incorporated in wildlife preserves, refuges or private or governmental game management areas or hunting preserves, or areas identified by the Wildlife Commission, State of Oregon or Agricultural/Wildlife Management Areas both public or private owned and operated and land areas providing habitat for wild, rare or endangered species listed by the Wildlife Commission, State of Oregon or by the Bureau of Sport Fisheries and Wildlife, United States Department of the Interior, upon state and federally owned land.
 5. Lands transferred to state or federal agencies shall not be subject to the Morrow County Zoning Ordinance where said lands fall under Federal Supremacy clause. These lands shall be subject to county and state building permits and land use compatibility review.
 6. Heavy and light industrial uses shall be the same as those listed in the Morrow County Zoning Ordinance as General Industrial.