

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL
SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Approving a Comprehensive Plan and a Zoning Map Amendment from Very Low Density Residential (VLDR-2.5) to Light/General Industrial (LI) for Tax Lot No. R5429 01200; Applicant: Green Power Electrical Contractors, Inc.; and Declaring an Emergency

ORDINANCE NO. 934

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business on April 18, 2024, Commissioners Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

IT APPEARING TO THE BOARD as follows:

WHEREAS, On November 27, 2023, the County received a request from Green Power Electrical Contractors, Inc. for a Yamhill County Comprehensive Plan and zoning map amendment for Tax Lot R5429 01200 from Very Low Density Residential (VLDR-2.5) to Light/General Industrial (LI); and

WHEREAS, This matter came before the Planning Commission for public hearing on February 1, 2024, and the Planning Commission voted unanimously to recommend approval of the application by the Board of Commissioners, but with the addition of a Limited Use Overlay; and

WHEREAS, The Board held a public hearing on the application on March 28, 2024; and

WHEREAS, Following deliberation, the Board voted unanimously to approve the application sans the recommended Limited Use Overlay; and now, therefore

THE BOARD ORDAINS AS FOLLOWS:

Section 1. The Zoning Map of Yamhill County is hereby amended to reflect a Zoning Map designation of “Light/General Industrial District (LI)” for Tax Lot No. R5429 01200, as identified on the attached Exhibit A map, incorporated herein by reference.

Section 2. The findings attached as Exhibit B, and incorporated herein by this reference, are hereby adopted in support of this Ordinance.

Section 3. This Ordinance being necessary for the health, safety, and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, is effective immediately.

DATED this 18th day of April, 2024, at McMinnville, Oregon.



YAMHILL COUNTY BOARD OF COMMISSIONERS

ATTEST

KERI HINTON
County Clerk

By: *Carolina Rook*
Deputy CAROLINA ROOK

FORM APPROVED BY:

Jodi Gollehon
JODI GOLLEHON
Assistant Yamhill County Counsel

Lindsay Berschauer AYE NAY
Chair LINDSAY BERSCHAUER X

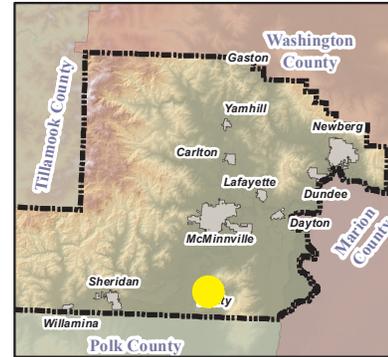
Kit Johnston
Commissioner KIT JOHNSTON X

Mary Starrett
Commissioner MARY STARRETT X

Approved by the Yamhill County Board of
Commissioners on 4/18/24
via Board Order 24-112

EXHIBIT A - MAPS FOR ORDINANCE 934
ADOPTED BY THE YAMHILL COUNTY BOARD OF COMMISSIONERS
APRIL 11, 2024
FOR A ZONE CHANGE FROM
Very Low Density Residential (VLDR-2.5)
to
Light/General Industrial District (LI)
for
Tax Lot No. R5429 01200

YAMHILL COUNTY TAX LOT INFORMATION & CONTEXTUAL MAP



Property Information

Docket: PAZ-01-23

9155 SW Laughter Ln

 Subject Parcel(s)

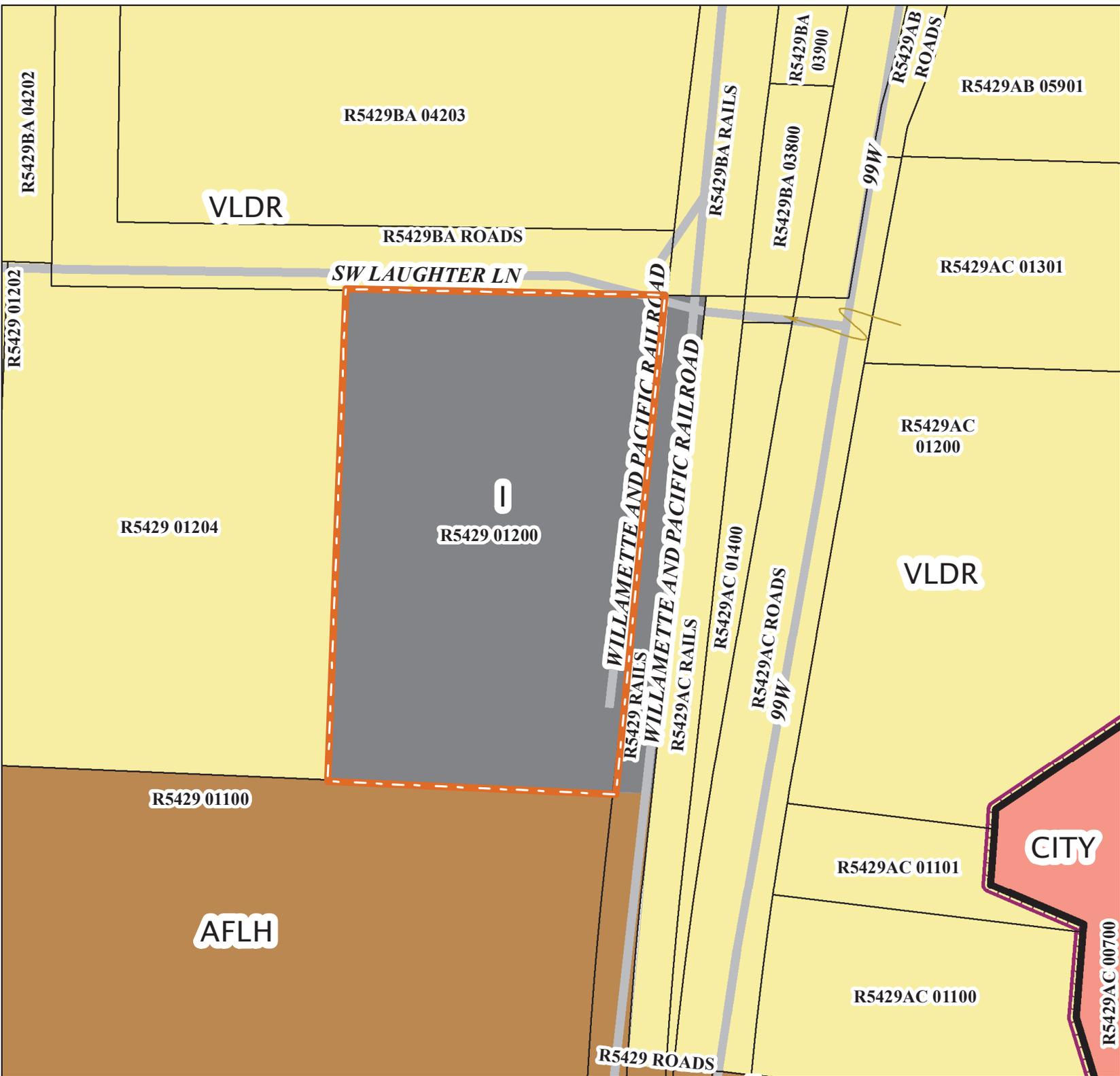
Tax Lot: R5429 01200

Lot Acreage: 2.01

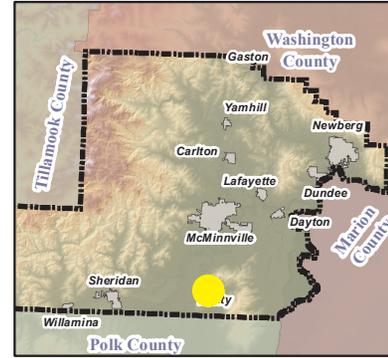
County Comprehensive Plan Designations

-  VLDR - Very Low Density Residential
-  AFLH - Agriculture/Forestry Large Holding
-  I - Industrial
-  Amity Urban Growth Boundary
-  Amity City Limits

1 inch = 100 feet



YAMHILL COUNTY TAX LOT INFORMATION & CONTEXTUAL MAP



Property Information

Docket: PAZ-01-23

9155 SW Laughter Ln



Subject Parcel(s)

Tax Lot: R5429 01200

Lot Acreage: 2.01

Approved Zoning Districts

 Exclusive Farm Use
EF-80, EF-40, EF-20

 LI - Light Industrial

 VLDR - Very Low Density Residential



Amity Urban Growth Boundary



Amity City Limits

1 inch = 100 feet



Exhibit A
Page 3 of 3



Last Update: April 10, 2024

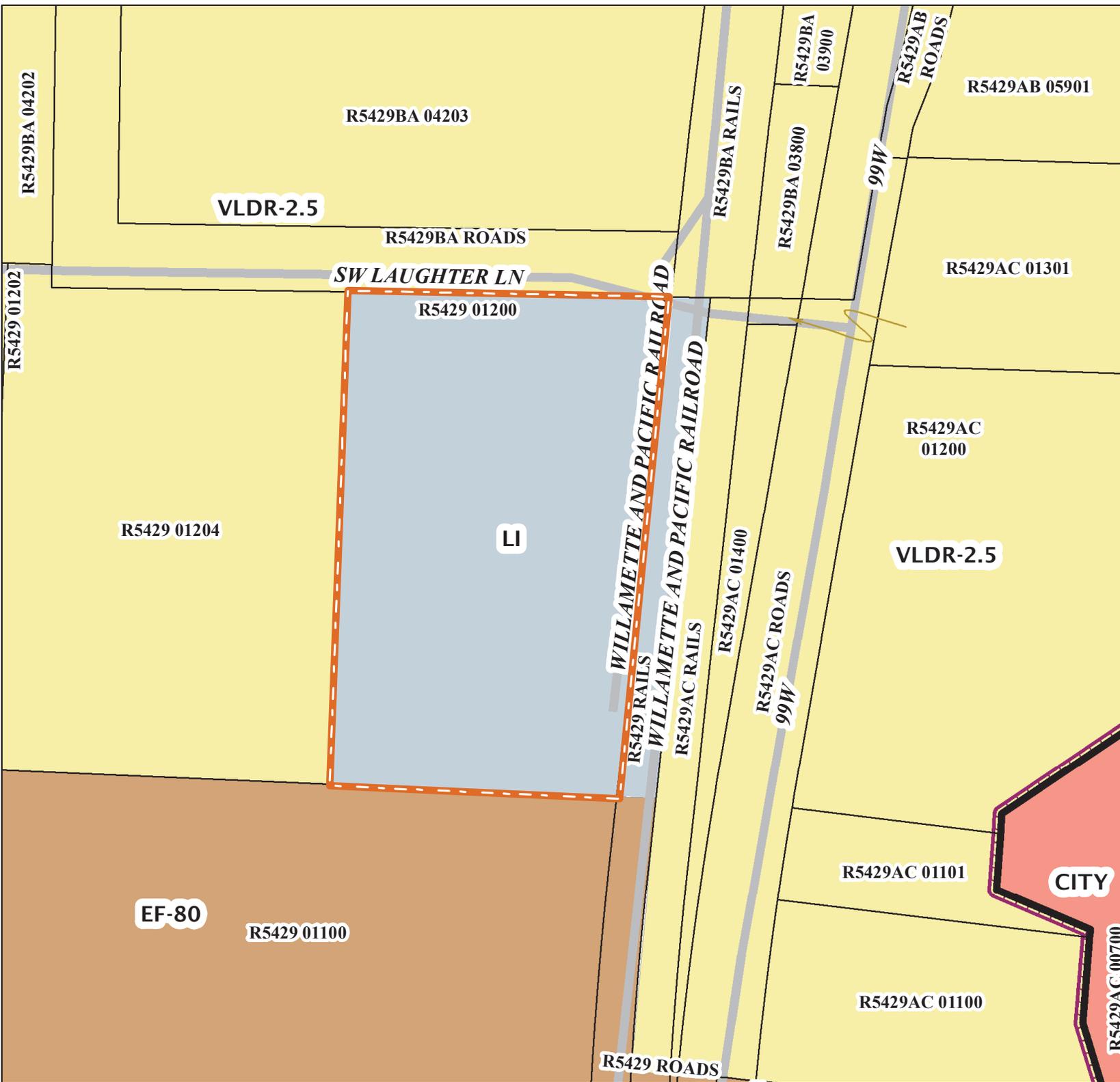


EXHIBIT B
FINDINGS IN SUPPORT OF APPROVAL
ORDINANCE 934
(Board Order 24-112)

HEARING DATES: February 1, 2024 – Planning Commission Hearing
April 4, 2024 – Board of Commissioners Hearing

DOCKET NO.: PAZ-01-23

REQUEST: Approval of a Comprehensive Plan amendment from Very Low Density Residential to Industrial and a zone change from VLDR-2.5, Very Low Density Residential to LI, Light Industrial.

APPLICANT: Green Power Electrical Contractors, Inc.

OWNER: Bryce & Cherish Roberts

TAX LOT: R5429 01200

LOCATION: 9155 SW Laughter Lane, Amity.

CRITERIA: Sections 502, 702, and 1208.02 of the Yamhill County Zoning Ordinance. Section 904, Limited Use Overlay may also be applied. Comprehensive Plan policies may be applicable. OAR 660-12-0060 Transportation Planning Rule.

A. Background Facts

1. *Parcel size:* Approximately 2-acres.
2. *Access:* SW Laughter Lane which provides access to Highway 99W.
3. *On-site Land Use:* There is a single-family dwelling and shop building located on the parcel, and an approved home occupation has been operated from the property since 2009.
4. *Surrounding Zoning and Land Use:* Adjacent parcels to the north, west, and east are zoned for Very Low Density Residential (VLDR-2.5) use. These VLDR-zoned lots are all dedicated to rural residential use, with single-family dwellings and accessory buildings (e.g., garages, shops, etc.) commonly found on these properties. The Portland & Western Railroad parallels the subject parcel's eastern property line. Anderson Reservoir is located a short distance to the west of the subject parcel. Koenig Tractor Company is located across Highway 99W from the subject lot. Land to the south of the subject lot is zoned for Exclusive Farm Use (EF-80 zone). The lots in the EF-80 zone

are commonly farmed with grass seed and hay production and vineyards being the most common farm uses occurring in the surrounding area. The parcel is located approximately 300-feet west of the Amity city limits.

5. *Water:* The application indicates the parcel is to be served by a well.
6. *Sewage Disposal:* An existing septic system.
7. *Exception:* The property was found to be a built and committed exception to Goals 3 (Agricultural) and 4 (Forestry) in Code Area 5.16 adopted by Exception's Statement II, April 23, 1980, and was plan designated VLDR, Very Low Density Residential. The exception area is not within an 'unincorporated community' as that term is defined by OAR 660-022-0010(10).
8. *Previous Actions:* A partition and special exception request was approved in 1978, Docket SE-19-78 and P-899-78. A request to rezone the subject parcel from AF-10 to VLDR-2.5 was approved in 2002, Docket Z-01-01 (Board Order 02-226). A lot line adjustment to transfer 5' x 407' strip of land from the subject parcel to 5430-00100, Docket L-12-04. A partition was approved in 2006, Docket P-04-05, that led to the creation of the subject parcel. A conditional use permit was approved in 2009, Docket C-11-08, for the Applicant to operate the electrical contractor's business on the property.

B. Zone Change and Plan Amendment Provisions and Analysis

The application states that the intended use of the property is to allow for the growth of the electrical contracting business that has been operating on the property since 2009, as a home occupation. Home occupations are limited in several respects in statute and in the County zoning ordinance, most notably in terms of the number of employees that work at the business to no more than five (5), and that a home occupation business can only be operated from structures normally found within the underlying zoning district—which in this lot's case is currently the Very Low Density Residential (VLDR-2.5) zone. The application notes that the electrical contracting business has thrived over the years and has outgrown the home occupation limitations and the Applicant would like the opportunity to grow the business to reach its maximum potential and stay on the property and within the community. The Applicant is requesting for the property's Comprehensive Plan designation to be amended from the Very Low Density Residential District to the Industrial District, and a zone change from the VLDR-2.5 zone to the Light Industrial (LI) zone. The LI zone allows for a use such as Farm, industrial or contractors equipment or materials manufacture, storage, sales, repair or service, including automobile repair garage. The Light Industrial section of the County zoning ordinance, Section 702.02, provides a list of permitted uses in the LI zone, and all permitted uses in this zone are subject site design review. One of the uses permitted in the LI zone is: Farm, industrial or contractor's equipment or materials manufacture, storage, sales, repair or service, including automobile repair garage, pursuant to 702.02(B) of the YCZO. The Applicant's business is an electrical contractor's business that involves providing electrical service to the local area. So long as the site meets the Site Design Review standards and the standards and limits listed in the LI zone, there is not a limitation on the number of employees

who can work on-site, nor a limitation on the type of structure that can be used to support an industrial business.

This plan amendment and zone change application must comply with the Yamhill County Comprehensive Plan, the Oregon Revised Statutes, and the Oregon Administrative Rules, which will be addressed throughout this report. The application must also comply with the standards and criteria in YCZO Section 1208.02. These provisions include:

- (A) *The proposed change is consistent with the goals, policies, and any other applicable provisions of the Comprehensive Plan; and*
- (B) *There is an existing demonstrable need for the particular uses allowed by the requested zone, considering the importance of such uses to the citizenry or the economy of the area, the existing market demand which such uses will satisfy, and the availability and location of other lands so zoned and their suitability for the uses allowed by the zone; and*
- (C) *The proposed change is appropriate considering the surrounding land uses, the density and pattern of development in the area, any changes which may have occurred in the vicinity to support the proposed amendment and the availability of utilities and services likely to be needed by the anticipated uses in the proposed district; and*
- (D) *Other lands in the County already designated for the proposed uses are either unavailable or not as well-suited for the anticipated uses due to location, size, or other factors; and*
- (E) *The amendment is consistent with the current Oregon Administrative Rules for exceptions, if applicable.*

An analysis of each respective provision follows.

1. Analysis: *Is the proposed change consistent with the goals, policies, and any other applicable provisions of the Comprehensive Plan?*

Though the majority of the Yamhill County Goals and Policies are aspirational and not to be mistaken for, or interpreted as, approval criteria it is required that they be considered. It is a fact that some of the goals and policies conflict with one another. They are simply to be used as a guide to aid decision makers. For example, where goals or policies conflict the decision makers need to weigh the evidence and decide which goal or policy the request satisfies. Therefore, the County would need to decide whether it is more appropriate for the 2-acre lot to be preserved for rural residential use or if it is better suited to rural industrial development.

Since an exception to Statewide Planning Goals 3 and 4 has already been taken for the subject parcel, Comprehensive Plan goals and policies related to agricultural and forest lands are not applicable. In addressing this standard, the application states, in part, that the zone change

facilitates the continued occupancy of the property so the Applicant would not need to relocate, potentially leaving the County. Approval of the Comprehensive Plan amendment and zone change would also allow for the growth of the business, to hire additional staff, and continue to provide a valuable electrical contractor's services to the community of Yamhill County.

Goals and policies which the County feels are applicable are addressed below:

Industrial Development Goal Statement I.H.1: To concentrate industries of similar types, service needs, and performance characteristics within designated areas of each of the existing urban centers; to encourage adequate land for new industrial development within urban growth boundaries; to encourage the relocation of existing industries from undesirable locations in order to eliminate land use conflicts; to attract new industries in accordance with the need to achieve a more balanced local property tax and employment base, while maintaining a high standard of environmental quality; and to protect the stability and functional aspect of industrial areas by protecting them from incompatible uses.

Policy I.H.1.b: To the greatest extent possible, industrial areas will be located within urban growth boundaries. Those industrial areas located outside urban growth boundaries will be compatible with the industrial development goal and will be located where they can be adequately served by necessary major utility lines, including electric power substations and transmission lines, trunk sewer lines, trunk water lines, and where appropriate, trunk gas lines.

The above goals and policies encourage the location of industrial uses within the urban growth boundaries. Although not located within an urban growth boundary, the Applicant's parcel is located approximately 300-feet west and 700-feet south of the Amity city limits and along a stretch of Highway 99W so much of the necessary infrastructure is in place for the transition of this property from residential land to Light Industrial operation and use. The subject parcel is bordered to the east by the Southern Pacific Railroad and Highway 99W, so the parcel has adequate access to a well-developed transportation network with existing major utility services. There is an existing well and septic system serving the dwelling and shop building and the Applicant has expressed no interest or need for the expansion of city sewer or water lines, or any other urban-scale utility service. The Applicant's business has operated onsite for many years and there is no record of the electrical contracting business being incompatible with the surrounding residential lots. The proximity of this tract to the city of Amity strongly suggests that this industrial area, although outside of an urban growth boundary, can be adequately served by necessary major utility and access services.

The Applicant provided an extensive analysis of the County's Comprehensive Plan and an equally extensive justification demonstrating that the proposed zone change and Comprehensive Plan amendment complies with the aspirational goals and policies outlined in the County's Comprehensive Plan. Staff will provide some of the more salient points from the Applicant's justification. The Applicant notes that Section I of the County's Comprehensive Plan relates to urban growth, change, and economic development. The Applicant notes that approval of the Comprehensive Plan amendment and zone change would not result in a loss of valuable farm or

forestland as this property is currently zoned for residential use. The site currently has developed all the wastewater, potable water, and utility services necessary for the business to continue operating from the subject parcel and to expand beyond the limitations placed on the operation of a home occupation, so no additional services are needed or requested by the Applicant. Approval of the Comprehensive Plan amendment and zone change will allow the Applicant to continue operating their business from this site, but also to expand the business by hiring additional employees which will be of benefit to the local economy. The Applicant notes that there are no external impacts from the operation of the business, with no emissions or environmental impacts generated onsite because there is very little manufacturing occurring in conjunction with the business and the little manufacturing or repair of parts or materials is conducted within the existing shop building. For many years the existing business provides a necessary electrical service to residential, agricultural, and commercial structures in the surrounding area which supports and enhances the economic diversity and resilience of the local economy.

Section II of the County's Comprehensive Plan is related to the protection of the County's land and water resources. The Applicant notes that the subject parcel is not zoned for agricultural or forest use and is excepted from the state agricultural and forest Goals and Policies due to its VLDR zoning designation. This lot has been built and committed to rural residential use for decades so there will be no loss of farm or forest land, and a re-zoning to Light Industrial uses will not result in a loss of valuable resource land but will allow for a successful business to grow and further support the agricultural, residential, commercial, and industrial uses occurring in the surrounding area.

The guidance provided by Sections III (Transportation, Communications, Public Utilities) and IV (Public Land, Facilities, Services) of the Comprehensive Plan are further discussed below, but to summarize, the subject parcel appears to be ideally situated in terms of transportation with direct access to a county road (Laughter Lane) that provides rapid and easy access to Highway 99W. The Applicant notes that both of these roadways are operating below designed capacity limits. The business is served by a well and septic system that are adequately serving the existing dwelling and shop building and no expansion of city services is required.

Section V (Environmental Quality) of the County's Comprehensive Plan provides goals and policies are presented to ensure that development and land use changes will not harm the environment. There are no emissions or other activities occurring at the site that would adversely impact the air, soil, or water quality of the parcel or surrounding lands. The operation of the existing business does not lead to harm to wildlife or otherwise compromise the wellbeing of the natural environment in the surrounding area because there is no pollution generated or other emissions created in conjunction with the business that could harm the natural environment.

Section VI (Energy Conservation) of the County Comprehensive Plan is particularly relevant because the Applicant is a construction and electrical contractor, so they are very conscious of energy efficiency and conservation. The Applicant provides electrical service to a variety of users in the local area and identify as experts at providing green energy systems.

Section VII (Implementation, Evaluation, Review) of the Comprehensive Plan is procedural in nature and outlines mechanisms for which applications, such as this one, are evaluated. The

Comprehensive Plan places an emphasis on citizen involvement, and a Comprehensive Plan amendment and zone change request must be processed using the County's "Type C" procedures, which entails a public hearing before the County's Planning Commission and Board of Commissioners following a public notice period. This process provides ample opportunity for members of the public to provide feedback to the County regarding the proposed Comprehensive Plan amendment and zone change. The hearings allow for citizens interested or potentially impacted by this request to present either written or verbal testimony in favor or opposition to the request. All comments submitted by citizens or public agencies were entered into the record and shared with the Applicant, the Planning Commission, and the Board of Commissioners.

The County finds that the Applicant has sufficiently addressed this criterion and further that the request is in compliance with the aspirational Goals and Policies provided by the Yamhill County Comprehensive Plan.

2. *Analysis: Is there an existing demonstrable need for the particular uses allowed by the requested zone, considering the importance of such uses to the citizenry or the economy of the area, the existing market demand which such uses will satisfy, and the availability and location of other lands so zoned and their suitability for the uses allowed by the zone*

Regarding the need for the proposed use, the request is to convert a 2-acre lot from the Very Low Density Residential (VLDR) zone to the Light Industrial (LI) zone, and this request is being made to facilitate the growth of the existing electrical contracting business beyond the five (5) employee limit imposed on all home occupations. The purpose of the LI zone is to provide for light and general industrial uses in locations that are compatible with adjacent urban development, per Section 702.01 of the YCZO. The Applicant's electrical contracting business includes such activities as material and equipment construction and repair, storage of work materials, the provision of electrical and contracting service for barns, pole buildings, farm structures, and various industrial and commercial electrical devices and installations. This type of use is permitted, subject to site design review, pursuant to subsection 702.02(B) which allows, "Farm, industrial or contractors equipment or materials manufacture, storage, sales, repair or service, including automobile repair garage...". The Applicant contends that the zone change and Comprehensive Plan amendment are necessary because they would like to be able to grow their successful business beyond what is permitted of a home occupation and also because there is a lack of LI zoned lots available in the County.

The Applicant conducted an analysis of all available land zoned for light industrial use within the unincorporated areas of the County. This analysis found that most light industrial zoned land is found near the outskirts of incorporated cities or in rural unincorporated communities where light industrial uses were established prior to Oregon's zoning regulations. The analysis found that many of these light industrial zoned lots are relatively small in size, and the majority of these lots have established uses in place so are not available to the Applicant. In all, the Applicant found that there are fewer than 25 lots zoned for Light Industrial use and these lots are fully developed and/or unavailable for purchase by the Applicant. The Applicant found that there are no lots zoned for Light Industrial use in the area around Amity. The Applicant found that there are two small LI parcels in Sheridan, both of which are occupied by a wrecking yard. There is an industrial park located along Highway 99W, north of McMinnville which is also fully occupied, and small LI

zoned lots locate south of McMinnville which are also occupied and unavailable for the Applicant's use. The Applicant identified small pockets of LI zoned lots along the south edge of Dundee, and also just north of Dundee, however none of these lots are available. The Applicant found that there is LI zoned land north of Dayton, south of Highway 99W, that is fully developed and unavailable for use. The Applicant found that there is currently no land zoned for Light Industrial use in the Newberg area, as well. In contrast, the Applicant found that there is a greater abundance of VLDR-zoned land in the County and further noted that there will be no net reduction in available housing if the Comprehensive Plan amendment and zone change request is approved because the existing dwelling will remain on the property and will function as a caretaker's dwelling which is permitted in the LI zone in conjunction with a permitted use, such as the Applicant's electrical contracting use.

The County finds that the Applicant has sufficiently addressed this criterion.

3. *Analysis: Is the proposed change appropriate considering the surrounding land uses, the density and pattern of development in the area, and any changes which may have occurred in the vicinity to support the proposed amendment, and is there availability of utilities and services likely to be needed by the anticipated uses in the proposed district?*

A portion of this criterion requires the proposed change to be shown to be appropriate considering the surrounding land uses along with the density and pattern of development in the area. A more comprehensive description of the surrounding land uses, the development pattern in the area, and changes to the surrounding area, as well as existing utilities and services in the area is provided in greater detail herein.

The County considered whether the proposed zone change and Comprehensive Plan amendment from VLDR to LI was appropriate considering the surrounding land use information presented earlier in these findings. The Applicant notes that the Comprehensive Plan amendment and zone change will not impact the current use of the subject lot. If approved, the change to the Light Industrial zoning designation will allow the Applicant to hire additional employees and grow the business beyond what is inherently permitted by the County's home occupation standards which limit a home-based business to no more than 5 employees. The infrastructure needed for the business to operate and grow are already in place due to the operation of this business onsite since 2009. A dwelling is located on the property and will remain onsite as a caretaker's dwelling that is permitted in conjunction with a use that is allowed in the LI zone. There is an existing accessory building on the property that is used as a warehouse and fully functional shop. There is adequate parking on the property to serve employees and any clients/patrons that need to visit the location, and the driveway serving the property accesses SW Laughter Lane which connects to Highway 99W. The warehouse/shop building is sited adjacent to the railroad tracks that are adjacent and parallel to the eastern property line of the subject lot. If approved, there would be no need for the development of new utilities or services, nor would there be a need for the expansion of existing utilities or services to support the business.

The Applicant is not proposing any land division in association with the proposed zone change so the density of lots in the surrounding area will remain unchanged. The Applicant is not proposing any new construction activities to support the existing business so the pattern of

development in the surrounding area will also remain unchanged. The Applicant's business has operated on this lot since 2009 and appears to have been conducted in a manner that is compatible with the rural residential uses occurring in the surround area. The Applicant intends to maintain the existing home on the property which will be in keeping with the development patterns common in this area. The subject parcel is quite close to Amity's city limits and Urban Growth Boundary with other businesses operating just north of the subject lot within Amity's city limits, also along Highway 99W.

The County finds that the Applicant has sufficiently addressed this criterion.

4. Analysis: *Are other lands in the County already designated for the proposed uses either unavailable or not as well-suited for the anticipated uses due to location, size, or other factors?*

As previously discussed, the Applicant submitted an analysis of the other lands in the unincorporated area of the County that are zoned for Light Industrial use. The Applicant identified several challenges to the use of the limited number of LI-zoned lots in the County. The Applicant evaluated these properties based upon the feasibility of these other LI-zoned lots to support the electrical contracting business. The Applicant found that there are currently no vacant and available Light Industrial zoned lots in the County that would be suitable to support the electrical contracting business. The County also found that one of the available LI-zoned parcels is located within a hazard overlay district, namely the 100-year floodplain, which presents a challenge for the future development of that specific property. For the reasons provided above in section B-2, the Applicant was unable to locate any available alternative lands that are as well-suited as the subject tract.

The County finds that the Applicant has sufficiently addressed this criterion.

5. Analysis: *Is the amendment consistent with the current Oregon Administrative Rules for exceptions, if applicable?*

As noted above, the property was found to be a built and committed exception to Goals 3 (Agricultural) and 4 (Forestry) in Code Area 5.16 adopted by Exception's Statement II, April 23, 1980 and was plan designated VLDR, Very Low Density Residential. Goal 14 (Urbanization) requires a limitation on the intensity of development to that which is rural in nature, otherwise, an exception to the Goal is required. Additional limitations, such as setbacks and septic requirements would further limit development of additional structures on the property, thus limiting the scale to conform with other rural Light Industrial properties in the County. Section 702.07(C) in the LI zone states: The maximum parcel coverage shall be thirty (30) percent for any use. The subject tract is 2-acres in size, allowing a maximum of approximately 26,136-square feet of building footprint on the property.

The County finds that the Applicant has sufficiently addressed this criterion.

C. Goal 12 (Transportation Rule) Provisions and Analysis

The provisions of the Transportation Planning Rule, implementing Goal 12, must be addressed. OAR 660-12-0060 contains the provisions that must be met:

(1) If an amendment to a functional plan, an acknowledged Comprehensive Plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or Comprehensive Plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or Comprehensive Plan.

A traffic impact analysis or trip generation analysis was not submitted with the Applicant's application. The County surmises that the justification for this is that the Applicant does not anticipate generating a significant increase in the volume of additional trips or traffic to/from the property because the business has been operating onsite for approximately 16-years and the operation of this business does not appear to have significantly impacted traffic on SW Laughter Lane or Highway 99W. If approved, the Applicant will have the opportunity to hire additional employees but will not significantly increase the number of patrons visiting the property. All affected transportation facilities are operating at acceptable performance levels. The functional classification of the transportation facilities will not be changed in the Yamhill County Transportation Plan. Any future physical expansion to the existing construction facility would be subject to a site design review before building permits would be issued, and at that time, the

County could request a traffic impact analysis report be submitted with the site design review application. This would allow the County to evaluate the scale of any future expansion to the electrical contracting business and the potential impacts to traffic in the area, prior to approval of an expansion of the existing use or implementation of a new use on the subject parcel.

The County did not receive any comments or concerns from either the County Public Works Department or the Oregon Department of Transportation regarding the Applicant's request.

The County finds that the Applicant has sufficiently addressed this criterion.

CONCLUSIONS FOR APPROVAL:

1. The proposal is consistent with Comprehensive Plan goals and policies.
2. The proposal is consistent with Section 1208.02 of the Yamhill County Zoning Ordinance.
 - a. There is an existing demonstrable need for the particular uses allowed by the requested zone change.
 - b. The proposed change is appropriate considering the surrounding land uses, the density and pattern of development in the area, any changes which may have occurred in the vicinity to support the proposed amendment, and the availability of utilities and services likely to be needed by the anticipated uses.
 - c. Other lands in the County already designated for the proposed uses are either unavailable or not as well-suited for the anticipated uses.
 - d. The property was found to be consistent with the current Oregon Administrative Rules for exceptions.
3. The Applicant has demonstrated that the use complies with the (Goal 12) Transportation Planning Rule in that it will not have a significant effect on transportation facilities in the area.

END