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IN THE COUNTY COURT OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

(Sitting for the Transaction of County Business)

In the Matter of an Ordinance  
to Amend Yamhill County Zoning  
Ordinance.

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ORDINANCE NO. 26

This matter came on to be heard before the Yamhill County Court on the 10th day of October, 1967, meeting in regular session, County Judge C. N. Teegarden and County Commissioners Morris Majors and R. A. Schaad being present, upon the recommendation of the Yamhill County Planning Commission that the governing body of Yamhill County amend Yamhill County Zoning Ordinance No. 1; and

It appearing to the County Court that at a regular session of the Yamhill County Planning Commission held on the 19th day of September, 1967, the said Planning Commission, after a public hearing held on the matter on the 19th day of September, 1967, notice of which hearing was given as required by statute, has recommended to the County Court that the amendments hereinafter set forth be adopted for the area of Yamhill County outside the boundaries of incorporated cities therein, and the Yamhill County Court finds that the proposed amendments are in the best interest of Yamhill County; and the court having unanimously adopted the recommendation of the Yamhill County Planning Commission; now, therefore,

IT IS HEREBY ORDAINED:

Section 1. Yamhill County Zoning Ordinance No. 1 is amended to add:

Section 91. Purpose. The purpose of "planned development" is to permit the application of new technology and greater freedom of design in land development than may be possible under a strict interpretation of the provisions of Sections 7 through 52 of this regulation. The use of these provisions is dependent upon the submission of an acceptable plan and satisfactory assurances it will be carried out. Such plan should accomplish substantially the same general objectives as proposed by the comprehensive plan for the area.

Section 92. Standards and Requirements. The following standards and requirements shall govern the application of a planned development in a zone in which it is permitted:

(1) The principal use of land in a planned development shall reflect the type of use indicated on the comprehensive plan or zoning map for the area. Accessory uses within the development may include uses permitted in any zone, except uses permitted in the M-2 zone are excluded from all other zones. Accessory uses shall not occupy more than 25 per cent of the floor area of the principal use.

(2) Planned development shall not be permitted on a parcel of land less than 10 acres in area in a residential or agricultural zone, or 5 acres in a commercial or industrial zone.

Section 93. Procedure. The following shall be observed when a planned development proposal is submitted for consideration:

(1) An applicant shall submit 11 copies of a preliminary development plan to the commission for study at least 7 days prior to the commission meeting at which it is to be considered. The preliminary plan shall include the following information:

- (a) Proposed land uses, building locations and housing unit densities.
- (b) Proposed circulation pattern indicating the status of street ownership.
- (c) Proposed open space uses.
- (d) Proposed grading and drainage pattern.
- (e) Economic and supporting data to justify any proposed commercial and industrial elements in an area not so zoned.
- (f) Relation of the proposed development to the surrounding area and comprehensive plan.

(2) Prior to discussion of the plan at a commission meeting, copies shall be submitted by the planning director, to the county sanitarian and the county engineer for study and comment.

(3) The commission shall consider the preliminary development plan at a meeting at which time the findings of the sanitarian, engineer, and the planner shall also be considered. In reviewing the plan, the commission shall need to determine that:

- (a) There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard regulation requirements.
- (b) Resulting development will not be inconsistent with the comprehensive plan objectives or zoning provisions of the area.
- (c) The area around the development can be planned to be in substantial harmony with the proposed plan.
- (d) The plan can be completed within a reasonable period of time.
- (e) Any proposed commercial or industrial development can be justified economically.

- (f) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.
- (g) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

(4) If, in the opinion of the commission, the foregoing provisions are satisfied, the proposal shall be processed according to this section. If the commission finds to the contrary, they may recommend the application be denied or return the plan to the applicant for revision.

(5) In addition to the requirements of this section, the commission may attach conditions it finds necessary to carry out the purposes of this ordinance.

(6) Before approving a planned development, the commission shall follow the procedure for considering an amendment as required in Sections 80 through 83 of Yamhill County Zoning Ordinance No. 1.

(7) Permits for construction in a planned development shall be issued only on the basis of the approved plan. Any changes in the approved plan shall be submitted to the commission for processing as an amendment to this ordinance.

(8) An approved planned development shall be identified on the zoning map in addition to the existing zoning.

DATED this 25<sup>th</sup> day of October, 1967.

YAMHILL COUNTY COURT

ATTEST:

JACK BEELER  
County Clerk

Beverice E. Pearson  
Deputy

K/C N Teegarden  
County Judge

Morris Major  
County Commissioner

R A Schaad  
County Commissioner