

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

An Ordinance amending the Yamhill County)
Comprehensive Plan of 1974 for the Bureau)
of Reclamation's proposed Moores Valley)
Dam Project and providing for referral.)

ORDINANCE NO. 93

WANDA OATT
COUNTY CLERK
DEPUTY
JUN 30 3 57 PM '76
YAMHILL COUNTY, OREGON

The Board of Commissioners of Yamhill County, Oregon, ordains as follows:

SECTION 1. SHORT TITLE AND PLEADING.

This ordinance shall be known as "Ordinance No. 93 amending the Yamhill County Comprehensive Plan of 1974" and may be so cited or pleaded.

SECTION 2. AMENDMENT TO PAGES 96 AND 97 OF PLAN TEXT.

The policy statement in italics beginning near the bottom of page 96 of the Yamhill County Comprehensive Plan of 1974, hereinafter called "the Plan", and concluding on page 97 of the Plan which now reads "That Yamhill County will continue to support State special assessment incentives and other similar legislative actions, as well as federal incentive and grant-in-aid programs which are designed to secure and preserve elements of the open space net, provide increased recreational access, and develop low-intensity use recreational reservoirs" be and the same hereby is amended to read as follows:

"That Yamhill County will continue to support State special assessment incentives and other similar legislative actions, as well as federal incentive and grant-in-aid programs which are designed to secure and preserve elements of the open space net, provide increased recreational access, and, except for the Moores Valley Project described on page 175, develop low-intensity use recreational reservoir

SECTION 3. AMENDMENT TO PAGES 175 AND 176 OF PLAN TEXT.

The last four sentences on page 175 of the Plan which conclude on page 176 and which now read "The Bureau's attention is currently directed toward the Moores Valley and Carlton Lake reservoirs, with two alternatives being considered for the Moores Valley project. One would feature high-intensity recreational use to address the needs of the Portland metropolitan area; the other would feature low-intensity use with a trail system, remote camp sites and a sport fishery. Because the first proposal would generate traffic, commercial development, and possible population growth beyond that desired by area residents, the county is willing to share in the costs of the project only if the low-intensity recreational development proposal is adopted" be and the same hereby is amended to read as follows:

"The Bureau's attention is currently directed toward the Moores Valley and Carlton Lake reservoirs, with two alternatives being considered for the Moores Valley project. One would feature high-intensity recreational use; the other would feature low-intensity use with a trail system, remote camp sites and a sport fishery. It is recognized that

the high-intensity proposal would generate traffic, commercial development, road maintenance costs, and possibly population growth, but these factors are outweighed by the benefits which will be enjoyed by the County from the project. Approximately thirty-seven million seven hundred fifty thousand dollars will be expended by the Federal Government for the construction of the project. Users of the facility will spend some money in the County while using and traveling to and from the facility. The project will greatly expand the recreational opportunities within the County for residents. Therefore, the County is willing to share in the cost of this one high-intensity recreational development if that proposal is adopted."

SECTION 4. EFFECTIVE DATE.

A. Sections 1 to 3 of this ordinance shall be effective from and after December 10, 1976, unless rejected by the legal voters of Yamhill County pursuant to the provisions of Section 5 of this ordinance.

B. Sections 4 and 5 of this ordinance, being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and Sections 4 and 5 of this ordinance shall be effective immediately upon enactment by the Board of Commissioners of Yamhill County, Oregon, hereinafter called "the Board".

SECTION 5. REFERRAL PROVISION.

A. The provisions of sections 1 to 3 of this ordinance shall be submitted to the legal voters of Yamhill County for their approval or rejection at a special election which shall be held at the same time and at the same places in Yamhill County as the state-wide general election on November 2, 1976.

B. The Yamhill County Clerk shall have the power and hereby is authorized and directed to do all appropriate or necessary acts to carry out subsection A of this Section. The following acts shall be performed in the conduct of the said special election:

(1) The Board shall, not less than 124 days prior to the next state-wide general election, enter an order calling a special election to be held as provided in this Section. Said order shall include a proposed ballot title which order and proposed ballot title shall be filed with the Yamhill County Clerk not less than 124 days prior to the said special election. The Yamhill County Clerk shall cause said proposed ballot title to be published in at least one issue of two newspapers of general circulation in Yamhill County as soon as practicable after said order and proposed ballot title are filed. The procedure for any person dissatisfied with the proposed ballot title shall be as provided in ORS 254.077 with the Yamhill County Circuit Court substituted for the Supreme Court.

(2) Arguments for and against the approval of this ordinance shall be filed with the Yamhill County Clerk in accordance with Chapter 254 of the Oregon Revised Statutes not less than 110 days prior to said special election and the Yamhill County Clerk shall cause these arguments, the title of this Ordinance, and Sections 1 to 3 of this Ordinance to be distributed in a voters' pamphlet not less than 15 days before the election and in such a manner that a copy is available to each registered elector in the County. Any person or organization may file with the Yamhill County Clerk a typewritten argument supporting or opposing this ordinance. The Yamhill County Clerk shall provide at no cost one page in the voters' pamphlet for the first argument filed with the Clerk in favor of this ordinance. The Yamhill County Clerk shall provide at no cost one page in the voters' pamphlet for the first argument filed with the Clerk against this ordinance. If more material supporting or opposing the ordinance be filed with the Clerk, the person or organization filing such material shall first pay the Yamhill County Clerk a fee in an amount determined by the Clerk pursuant to ORS 254.310 for each additional page or space in the voters' pamphlet. Said fee shall be paid into the General Fund of Yamhill County.

(3) The Yamhill County Clerk shall cause the publication of a facsimile ballot in at least one issue of two newspapers of general circulation in Yamhill County in accordance with Chapter 254 of the Oregon Revised Statutes.

(4) The Yamhill County Clerk shall conduct the special election on this ordinance and do all acts directed and authorized in this section in accordance with Chapter 254 of the Oregon Revised Statutes. The provisions of this section are severable in the event a court of competent jurisdiction rules any provision or part of this section in conflict with any provision of Chapter 254, said provision or part in conflict shall be inoperative and the provision of Chapter 254 replaced therefore. If any provision or part of this section is held by a court of competent jurisdiction to be invalid for any reason such decision shall not affect the validity of the remaining portions of this section.

(5) On or before November 30, 1976, the Yamhill County Clerk shall determine the results of the special election on this ordinance and cause her certificate to be filed with the Board. The Board shall as soon as practicable thereafter proclaim the results.

