

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

FILED
 YAMHILL COUNTY, OREGON
 AUG 17 4 21 PM '78
 WANDA GATT
 COUNTY CLERK
Jacobson DEPUTY

In the Matter of an Ordinance to amend)
 the Yamhill County Zoning Ordinance,)
 Ordinance No. 83, 1976, SECTION 38,) ORDINANCE NO. 156
 SPECIAL EXCEPTIONS.)

THE BOARD OF COMMISSIONERS of Yamhill County, Oregon, (the Board) on the 29th day of March, 1978, sat for the transaction of County business, in regular session, Commissioners John P. Macaulay, Colin Armstrong and Ted Lopuszynski being present.

WHEREAS, the Board of Commissioners enacted Ordinance No. 83, 1976, on the 11th day of February, 1976, being the Yamhill County Zoning Ordinance and Official Zoning Map, and

WHEREAS, the Yamhill County Department of Planning and Development has requested an amendment to the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 to add to Section 38 the following subsection: "Section 38.400 Application for Special Exception in "HC" and "LC" zoning districts"., and

WHEREAS, the Newberg/Dundee Planning Advisory Committee met on February 22, 1978 to recommend denial of the proposed amendment, and

WHEREAS, the McMinnville Planning Advisory Committee met on February 22, 1978 and voted to recommend approval of the proposed amendment, and the Amity Planning Advisory Committee met on February 27, 1978 and voted to recommend approval of the proposed amendment, and

WHEREAS, the Yamhill County Planning Commission on the 16th day of March, 1978, held a public hearing on the proposed amendment and voted that the amendment proposed under Docket No. Z-138-78 be recommended for approval with a modification to the time the Director shall submit a written report and the Commission shall initiate review of any action taken by the Director, and

WHEREAS, on the 29th day of March, 1978, the Board of Commissioners held a public hearing on the proposed amendment and voted to amend Section 38 of Ordinance No. 83, 1976 as proposed by the Yamhill County Department of Planning and Development.

NOW THEREFORE, IT IS HEREBY ORDAINED that the following subsection be and hereby is added to Section 38 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976:

38.400 Application for Special Exception in "HC" and "LC" zoning districts.

- (1) Notwithstanding Section 38.200, the Director may approve a Special Exception in an "HC" or "LC" zoning district to permit a use similar to those permitted uses within the "HC" and "LC" zoning districts.
- (2) Application for special exception shall be made to the Director on a form prescribed by the Director, together with a letter of intent or plans as necessary to explain the requested use and the reasons or grounds therefore and one-half (1/2) of the filing fee for special exception as provided in Section 47.100. The Director shall review the application and make a written determination as to the suitability of the proposed use in accordance with the findings required by Section 38.200 of this ordinance, with conditions as are deemed appropriate. Issuance of notices and other procedural matters under this action shall be as prescribed in Section 37.200.
- (3) The Director shall submit a written report to each member of the Commission within fifteen (15) days of any action taken pursuant to Section 38.400. The Commission may initiate review of any action taken by the Director pursuant to Section 38.400 with thirty (30) days of the date of the Director's action and may sustain or reverse any decision of the Director and may remove, add, or modify conditions as required by the Director.

This Ordinance shall be in force and effect from and after the 29th day of March, 1978.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

WANDA CATT
County Clerk

John P. Macaulay
Chairman John P. Macaulay

Patricia A. Mullen
Patricia A. Mullen
Deputy

Colin Armstrong
Commissioner Colin Armstrong

APPROVED BY FORM:

By: *[Signature]*
Robert S. W. Loughby, Legal Counsel
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Ted Lopuszynski
Commissioner Ted Lopuszynski