

06 NOV 29 P2:08

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

Approval of a Zone change from AF-10 Agriculture Forestry)
Small Holding to VLDR-2 1/2 Very Low Density Residential) Ordinance 795
for a 6.82 Acre Parcel, Tax Lots 3230B-5401, 5402 and 5403,)
Docket Z-01-06, Applicant Jeff Twenge)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business on Wednesday, November 22, 2006, Commissioners Leslie Lewis, Kathy George. and Mary P. Stern being present.

IT APPEARING TO THE BOARD that Jeff Twenge applied for a Zone change from AF-10 Agriculture Forestry Small Holding to VLDR-2 1/2 Very Low Density Residential to allow the property to be divided into two rural residential home sites, and

The Yamhill County Planning Commission held a duly noticed public hearing on June 1, 2006 and approved the application by a vote of 9-0. No person appealed this approval to the Yamhill County Board of Commissioners, so the approval now becomes final.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE BOARD:

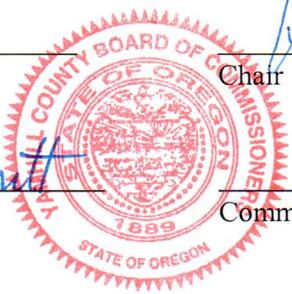
The application is approved as detailed in the Findings for Approval, Exhibit "A", attached and hereby incorporated into this ordinance. A map is attached as Exhibit "B".

DONE this 22nd day of November, 2006, at McMinnville, Oregon.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

JAN COLEMAN
County Clerk



Leslie A. Lewis
Chair LESLIE LEWIS

By Anne Britt
Deputy Anne Britt

Kathy George
Commissioner KATHY GEORGE

APPROVED AS TO FORM:

Rick Sanai
Rick Sanai, Assistant County Counsel

Mary P. Stern
Commissioner MARY P. STERN

Exhibit "A"

Findings for Approval

- DOCKET NO.:** Z-01-06
- REQUEST:** Zone change from AF-10 Agriculture Forestry Small Holding to VLDR-2 1/2 Very Low Density Residential. The purpose is to allow the property to be divided into two rural residential home sites.
- APPLICANT:** Jeff Twenge
- TAX LOTS:** 3230B-5401, 5402 and 5403
- LOCATION:** 9985 NE Trillium Lane and 23830 NE Dayton Avenue, Newberg, Oregon
- AREA SIZE:** Approximately 6.28 acres
- CRITERIA:** Sections 501, 502 and 1208 of the Yamhill County Zoning Ordinance; the Yamhill County Comprehensive Plan Goals and Policies may be argued to apply.

A. Background Facts

1. *Access:* Trillium Lane and Dayton Avenue outside the City of Newberg.
2. *On-site Land Use:* The Tax Lots 3230B-5401, 5402 and 5403, located on the west side of Trillium Lane and south of Dayton Avenue, are wooded with deciduous trees and are relatively flat. Tax Lot 3230B-5400 contains a dwelling and another dwelling is being constructed on Tax Lot 3230B-5402. There are number of accessory buildings on Tax Lot 3230B-5401.
3. *Surrounding Land Use:* The surrounding area is primarily rural residential in character, approximately 1.0 to 3.0 acres and averaging 2.5 acres in size. There are several subdivisions that have been created in the surrounding area. The subject parcel is almost halfway between the City of Newberg and the City of Dundee.
4. *Surrounding Zoning:* A few parcels to the north across Dayton Avenue are zoned AF-10, otherwise, all surrounding parcels are currently zoned VLDR-2.5. However, all parcels in the area have the Comprehensive Plan designation of Very Low Density Residential.
5. *Water:* The applicants indicated that the parcels are and will be served by a water district.
6. *Sewage Disposal:* Septic systems are the only option in this area.

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7. *Previous Actions:* Previous partition and lot-line adjustment applications created Tax Lots 3230B-5401, 5402 and 5403. The applicant wishes to separate Tax Lot 3230B-5402 into two parcels.

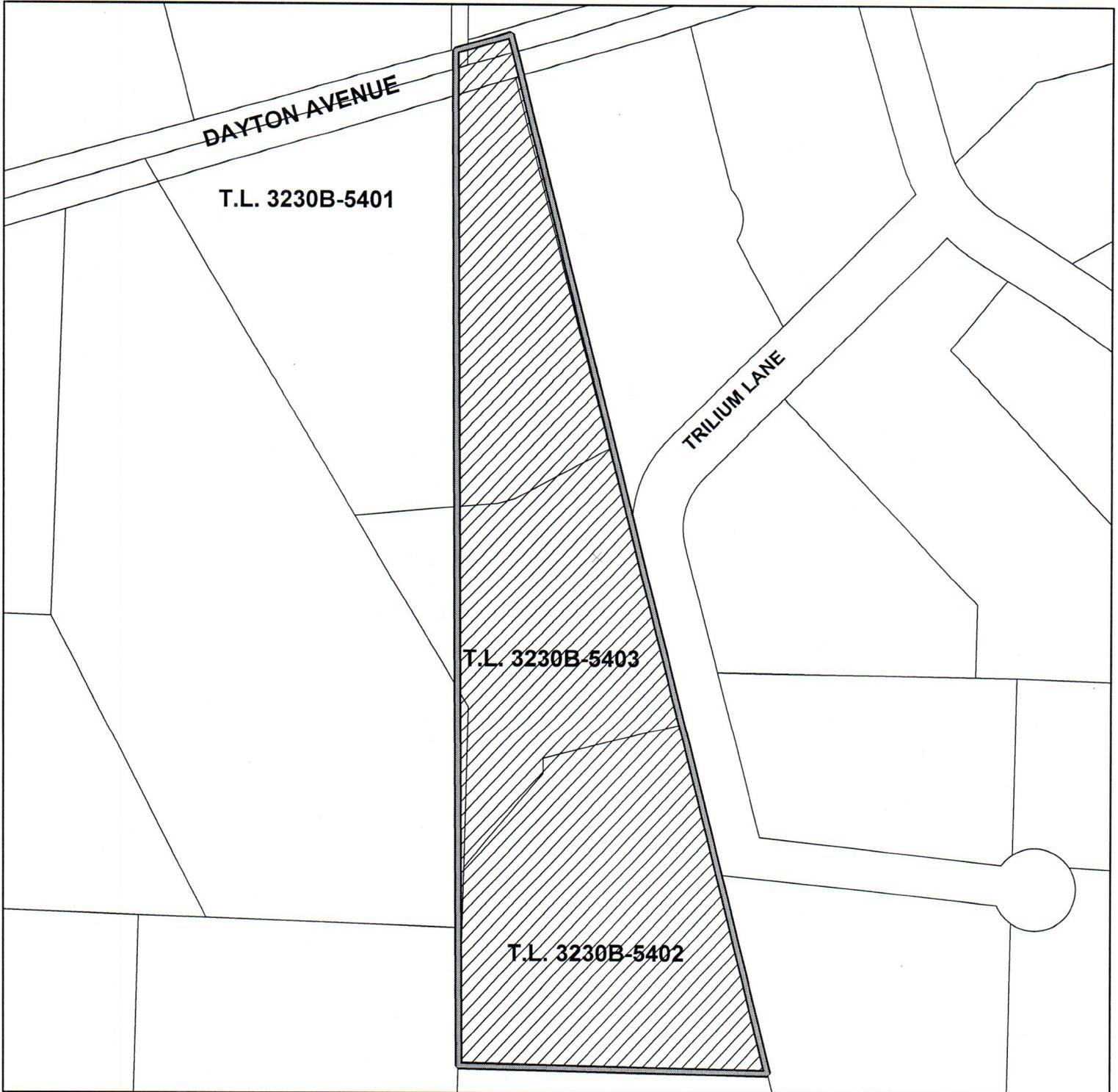
B. Ordinance Provisions and Analysis

1. The request complies with the standards and criteria in the *Yamhill County Zoning Ordinance* (YCZO) Section 1208.02. These provisions are as follows:
 - A. *The proposed change is consistent with the goals, policies and any other applicable provisions of the Comprehensive Plan.*
 - 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.*
 - 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.*
 - 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.*
 - E. *The amendment is consistent with the current Oregon Administrative Rules (OAR's) for exceptions, if applicable.*
2. Regarding criterion (a), a zone change to VLDR is consistent with the Comprehensive Plan designation of Very Low Density Residential (VLDR). Comprehensive Plan policy (a) of Goal I.B.2 states:

Yamhill County will continue to recognize that the appropriate location of very low density residential development is in designated large areas where commitments to such uses have already been made through existing subdivision, partitioning, or development and by virtue of close proximity to existing urban centers;....

The subject area complies with this policy because it is part of a large exception area zoned for residential use located between and in close proximity to Cities of Newberg and Dundee. The area is committed to residential use and there are a number of subdivisions adjacent to the subject area.

ZONE CHANGE FROM "AF-10", AGRICULTURE/FORESTRY SMALL HOLDING
TO "VLDR-2.5", VERY LOW DENSITY RESIDENTIAL,



Legend

 Z-01-06



ORDINANCE No.: 795

EXHIBIT "B"

B.0.06-943