

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 an Urban Growth Boundary Expansion)
for the City of McMinnville to Add Approximately 34.58 Acres)
to Accommodate the Expansion of the Evergreen Aviation Museum,)
Amending the County Comprehensive Plan from Agriculture/Forestry) **ORDINANCE 753**
Large Holding to Future Urbanizable, Tax Lots Nos. 4423-600 and)
4423-1300, Applicant Evergreen Aviation, Rescinding Ordinance 738,)
Planning Docket PA-01-04, and Declaring an Emergency)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business on Thursday, January 6, 2005, Commissioners Mary P. Stern, Leslie Lewis and Kathy George being present.

IT APPEARING TO THE BOARD that Evergreen Aviation Educational Center submitted an application to the City of McMinnville and Yamhill County requesting that the current McMinnville urban growth boundary be expanded to include an additional 34.58 acres of land for commercial purposes. More specifically, the applicant is requesting the boundary be expanded to the north, west and east of the existing Evergreen Aviation Museum to allow construction of a proposed expansion of the Evergreen Aviation Museum complex. The property is further described as a portion of Tax Lots 600 and 1300, Section 23, T4S, R4W, W.M.

The McMinnville Urban Area Management Commission (MUAMC), McMinnville City Council, and Yamhill County Board of Commissioners held a joint public hearing on April 12, 2004, at 7:00 p.m. on the proposed amendment after due notice had been given in the local newspaper on March 25, 2004, and written notice had been mailed to owners of property located within 750 feet of the affected property; and

At the conclusion of the April 12 meeting, the reviewing bodies closed the hearing to further public testimony. At the request of one of those testifying, the public record was kept open until 5:00 p.m., April 19, 2004, for the submittal of written testimony regarding the subject request. In addition, the reviewing bodies granted an additional seven days time (to 5:00 p.m., April 26, 2004) for the applicant to provide written response to any objections that may have been filed by April 19, 2004. Friends of Yamhill County, and Mr. Mark Davis filed timely written comments. Timely response to these objections was filed by the applicant.

A joint public meeting of the MUAMC, McMinnville City Council, and Yamhill County Board of Commissioners was held on April 26, 2004, at 7:00 p.m. (continued from their April 12, 2004 meeting), for the purpose of considering the prior testimony and written responses regarding the subject request.

At said meeting, the MUAMC approved the urban growth boundary amendment and recommended said change to the Yamhill County Board of Commissioners and City Council. The County adopted Ordinance 738 on April 26, 2004, and that ordinance was timely appealed to the Land Use Board of Appeals. On June 10, 2004, the parties stipulated to a stay of the appeal. In August, 2004, the parties entered into a Settlement

Agreement. Consistent with the terms of that Agreement, Evergreen Aviation submitted a revised application to the MUAMC, McMinnville City Council, and Yamhill County Board of Commissioners. A duly noticed joint public hearing was held December 8, 2004, wherein the MUAMC approved the revised application and recommended the McMinnville City Council and Yamhill County Board of Commissioners do the same.

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

Section 1. That the Board rescinds Ordinance 738 and adopts the findings contained within the applicant's "Revised Application for UGB Amendment - November 2004" as referenced in Section 1 of the City of McMinnville Ordinance 4816, hereby incorporated into this ordinance by this reference.

Section 2. That the Comprehensive Plan is hereby amended to include the approximate 34.58 acres of land located to the west, north, and east of the existing Evergreen Aviation Museum property and as depicted on the applicant's "Revised Application for UGB Amendment - November 2004". The property is further described as a portion of Tax Lots 600 and 1300, Section 23, T. 4 S., R. 4 W., W.M.

Section 3. That the property described in Section 2 of this Ordinance is hereby designated as "Future Urbanizable" on the county's Comprehensive Plan Map. A map of the area is appended as Exhibit "B".

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 upon passage.

DONE this 6th day of January, 2005, at McMinnville, Oregon.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

JAN COLEMAN

County Clerk

Chair

MARY P. STERN

By: *Anne Britt*
Deputy Anne Britt

Leslie Lewis
Commissioner

LESLIE LEWIS

APPROVED AS TO FORM:

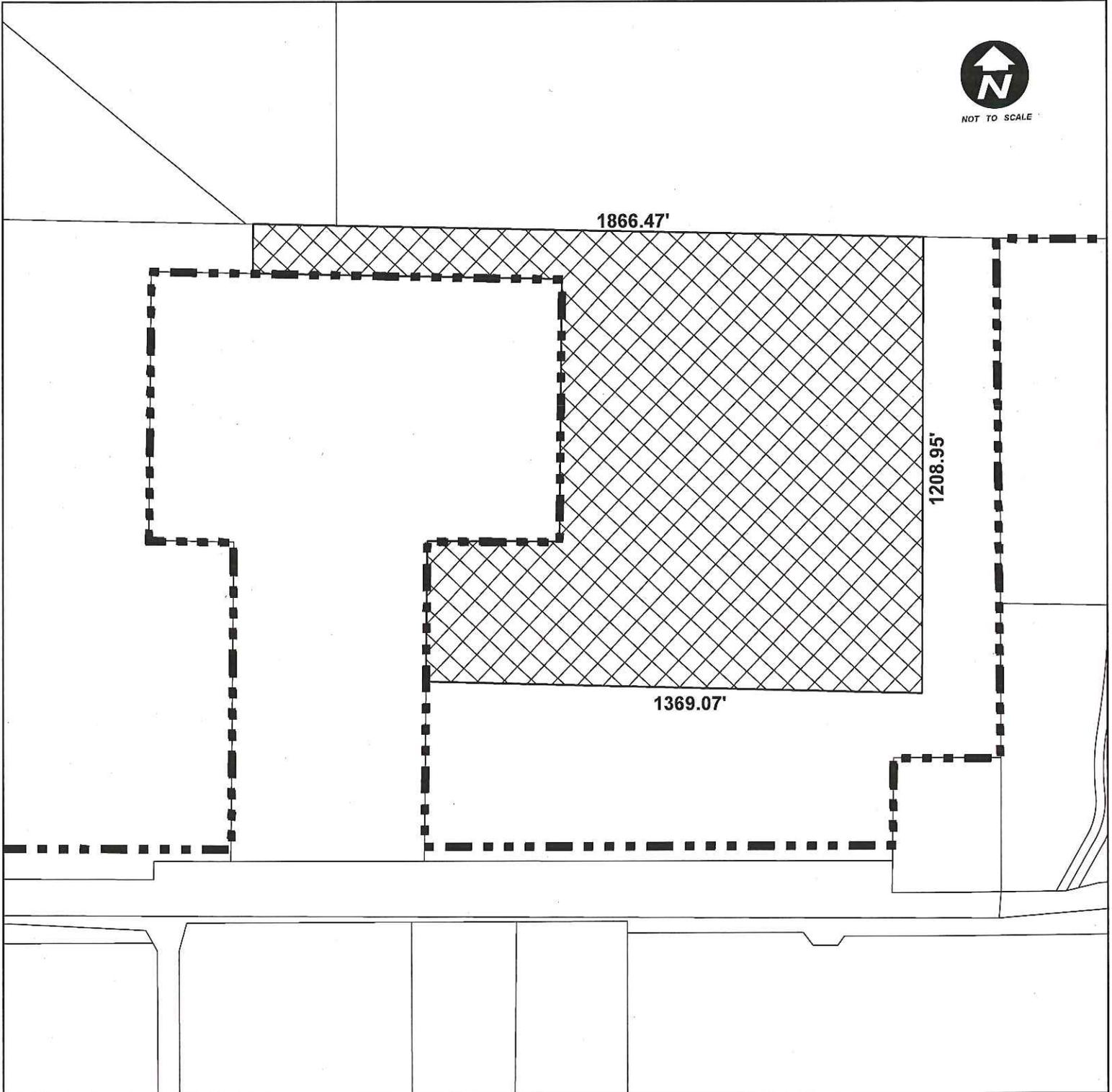
Kathy George
Commissioner

KATHY GEORGE

Rick Sanai
Rick Sanai
Assistant County Counsel

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COMPREHENSIVE PLAN AMENDMENT TO AMEND
CITY OF McMinnville URBAN GROWTH BOUNDARY



Legend



CITY LIMITS



Area Subject to Amendment

ORDINANCE No.: 753

EXHIBIT "B"

B.O. 05-11