

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 Amending the Yamhill County)
Comprehensive Plan to Include a New Section)
to Accommodate the Newberg Riverfront Master) ORDINANCE 714
Plan, Applicant the City of Newberg,)
Docket PAZ-08-01, and Declaring an Emergency)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in formal session on May 16, 2002, Commissioners Robert Johnstone, Thomas E.E. Bunn, and Leslie Lewis being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. Applicant the City of Newberg has developed a Newberg Riverfront Master Plan. This proposal was heard by the Newberg Urban Area Management Commission on February 27, 2002. The applicant and several proponents spoke. There was no appearance by any opponents. The NUAMC voted 5-0 to approve the application. The Commission forwarded the matter to the City Council and Yamhill County Board of Commissioners for hearing.

B. A duly noticed public hearing was held April 25, 2002 by the Yamhill County Board of Commissioners. The applicant was represented by Newberg planner Barton Brierly. No-one spoke in opposition. The Board duly deliberated, and voted unanimously to approve the application with the adoption of findings, attached to this Ordinance and hereby incorporated as Exhibit "A". NOW THEREFORE:

IT IS HEREBY ORDAINED BY THE BOARD that application PAZ-08-01 is approved for the reasons stated in the Findings for Approval and attached and incorporated into this Ordinance as Exhibit "A". The Yamhill County Comprehensive Plan is hereby amended as follows: Section I (Urban Growth) (A) shall include Policy e: *Yamhill County shall coordinate with the City of Newberg to implement the Newberg Riverfront Master Plan. The purpose of the Newberg Riverfront Master Plan is to limit current development in such a way that it does not preclude future implementation of the master plan. Yamhill County shall pursue, in cooperation with the respective property owners, changing the zoning designation of Tax Lots 3219-200 and 3230-100 to match Newberg's Comprehensive Plan designation as identified in the Newberg Riverfront Master Plan.*

B.O. 02-293

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 at McMinnville, Oregon this 16th day of May, 2002.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk

Robert Johnstone
Chairman ROBERT JOHNSTONE

By: *Kellye Fetters Deputy*
Deputy KELLYE FETTERS

Thomas E. E. Bunn
Commissioner THOMAS E. E. BUNN

FORM APPROVED BY:

Rick Sanai
RICK SANAI
Assistant County Counsel

Leslie Lewis
Commissioner LESLIE LEWIS

Findings for Approval PAZ-08-01 Newberg Riverfront Master Plan

HEARING DATE: April 25, 2002

DOCKET NO.: PAZ-08-01

REQUEST: City of Newberg proposal to amend Yamhill County's Comprehensive Plan to include a new section, I(A) Policy (e) to read: *Yamhill County shall coordinate with the City of Newberg to implement the Newberg Riverfront Master Plan. The purpose of the Newberg Riverfront Master Plan is to limit current development in such a way that it does not preclude future implementation of the master plan. Yamhill County shall pursue, in cooperation with the respective property owners, changing the zoning designation of Tax Lots 3219-200 and 3230-100 to match Newberg's Comprehensive Plan designation as identified in the Newberg Riverfront Master Plan.* The proposed amendment is intended to implement the proposed Newberg Riverfront Master Plan.

APPLICANT: City of Newberg

OWNERS: Multiple owners in Newberg's Riverfront Area.

LOCATION: South of Newberg along the riverfront of Willamette River in Sections 19, 29 and 30 of T3S.-R2W.

ZONE: Yamhill County AF-20 (Agricultural/Forestry Large Holding), AF- 10 (Agricultural/Forestry Small Holding) VLDR-5 (Very Low Density Residential), PWS (Public Works Safety Zone), MR2 (Mineral Resources Zone) and HI (Heavy Industrial Zone).

CRITERIA: Newberg Urban Area Management Agreement, Statewide Planning Goals, Yamhill County Comprehensive Plan Goals and Policies and the Oregon Administrative Rules.

FINDINGS:

A. Background Facts

1. The application stated that proposed amendments are intended to implement the proposed Newberg Riverfront Master Plan. Further, the application states that the proposed amendments may also be applicable to future land use planning in other areas of the City of Newberg and Yamhill County. The plan proposes to change the current designations of the approximately 190 acres within the plan area, which is within the Newberg Urban Growth Boundary (UGB), (181 acres Industrial and 9 acres Medium Density Residential) to a mix of Commercial, Medium Density Residential, Low Density Residential, and Park designations. However, the principal consultant who prepared the Riverfront Plan, CDA Consulting Group, estimates that only about 79 acres of the currently designated Industrial land lies outside of the Stream Corridor Overlay areas. Of that 79 acres, 31 acres is the closed landfill site which is currently

unbuildable and is questionable whether or not it would be buildable in the future. With this analysis, it appears that only about 48 acres of the currently designated industrial land is or would likely be buildable in the future. The City's staff report summarizes the request and provides background information.

B. Comprehensive Plan Amendment Criteria

1. Criteria to be addressed in UGB amendment requests include the *Newberg Urban Area Growth Management Agreement*, the statewide planning goals, and the city and county Comprehensive Plans. The review standards are detailed in the city's staff report which is herein incorporated by this reference. The Newberg staff has proposed a change to the Yamhill County Comprehensive Plan. The change will add the following Policy (e) to Section I (Urban Growth) A:

- e. Yamhill County shall coordinate with the City of Newberg to implement the Newberg Riverfront Master Plan. The purpose of the Newberg Riverfront Master Plan is to limit current development in such a way that it does not preclude future implementation of the master plan. Yamhill County shall pursue, in cooperation with the respective property owners, changing the zoning designation of Tax Lots 3219-200 and 3230-100 to match Newberg's Comprehensive Plan designation as identified in the Newberg Riverfront Master Plan.*

The Yamhill County staff agrees with the justifications made in the City of Newberg Staff Report (incorporated into these findings by this reference) for the proposal of changing the Yamhill County Comprehensive Plan, and will add the above italicized section.

C. Urban Growth Boundary Transportation Issues

1. The Yamhill County Transportation Plan Section 5.2.2 has Goals and Policies that deal with the issue of amendments to the Comprehensive Plan. Yamhill County staff has reviewed the transportation issues as justified in the City's staff report, the letter from DLCDC which indicated that there were some unresolved issues relating to the transportation element of the plan, and the City's response to those issues. The County staff agrees with the City's responses and feels that those issues have been addressed adequately, and that the DLCDC's concerns should be dismissed.