

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

FILM 66 PAGE 1264

In the Matter of an Ordinance Amending the )  
 Yamhill County Comprehensive Plan (1974) )  
 Map from "AFLH" (Agriculture Forestry Large )  
 Holding) to "Public" and Amending the Official )  
 Zoning Map from "EF-80" (Exclusive Farm Use) )  
 to "PALF" (Public Airports/Landing Fields), and )  
 Taking an Exception to Goal 3 on a 7.3 acre )  
 portion of Tax Lot 3309-2301, Approving a )  
 Lot Line Adjustment to Add the 7.3 acres from )  
 Tax Lot 3309-2301 to Tax Lot 3309-2400, and )  
 Approving Site Design Review to Construct )  
 Aircraft Hangars on the 7.3 acre portion of )  
 Tax Lot 3309-2301; Applicant Dennis )  
 Sturdevant; Docket PAZ-01-99, L-02-99, )  
 SDR-02-99, and Declaring an Emergency. )

ORDINANCE 670

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in special session on April 15, 1999, Commissioners Robert Johnstone, Ted Lopuszynski, and Thomas E. E. Bunn being present.

WHEREAS, on January 15, 1999, the Department of Planning and Development received an application by Dennis Sturdevant ("applicant"), Planning Docket PAZ-01-99, L-02-99, SDR-02-99, for a Comprehensive Plan map amendment from "AFLH" (Agriculture Forestry Large Holding) to "Public", a zone change from "EF-80" (Exclusive Farm Use) to "PALF" (Public Airports/Landing Fields), an Exception to Statewide Planning Goal 3 on a 7.3 acre portion of Tax Lot 3309-2301, a lot line adjustment to add the 7.3 acres from Tax Lot 3309-2301 to Tax Lot 3309-2400 (Chehalem Airpark), and site design review to construct aircraft hangars on the 7.3 acre portion of Tax Lot 3309-2301; and

WHEREAS, on February 9, 1999, the application was deemed complete, and on March 4, 1999, the Planning Commission held a public hearing to consider the application and thereafter voted 7-0 to recommend approval of the request; and

WHEREAS, on April 1, 1999, the Board held a public hearing on the application, and following the close of the hearing, voted unanimously to tentatively approve the plan amendment, zone change, exception to statewide Goal 3, lot line adjustment, and site design review; and

ORDINANCE 670

Exhibit "A"

Page 1

B.O. 99-255

WHEREAS, the findings and conclusions attached hereto as Exhibit "A" and incorporated herein by this reference provide justification for approval of the application for the amendment to the Yamhill County Comprehensive Plan Map and Official Zoning Map, and that approval thereof is in the best interests of the citizens of Yamhill County; Now Therefore,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

Section 1. The Yamhill County Comprehensive Plan Map (1974), as amended, is hereby amended to reflect a plan designation of "P" (Public) on the 7.3 acre portion of Tax Lot 3309-2301 as more particularly shown on the map attached hereto and incorporated herein as Exhibit "B."

Section 2. The Official Zoning Map, as amended, is hereby amended to reflect a zoning designation of "PALF" (Public Airports/Landing Fields) on the 7.3 acre portion of Tax Lot 3309-2301 as more particularly shown on the map attached hereto and incorporated herein as Exhibit "B."

Section 3. A lot line adjustment is approved to transfer the 7.3 acres from Tax Lot 3309-2301 to Tax Lot 3309-2400, as more particularly shown on the map attached hereto and incorporated herein as Exhibit "B."

Section 4. Site design review is approved to construct aircraft hangars on the 7 acre portion of Tax Lot 3309-2301.

Section 5. The lot line adjustment and site design review approvals under this ordinance are subject to the following conditions:

1. The adjusted lots shall be surveyed pursuant to Section 6.120 of the *Yamhill County Land Division Ordinance* and a copy of the survey shall be submitted to the Planning Director prior to final approval.
2. A copy of the instrument(s) conveying the adjusted property shall be submitted to the Planning Department prior to recording with the County Clerk. The names on the instrument(s) conveying the property shall be the same as they appear in the tax records of Yamhill County.
3. The instruments conveying the adjusted properties shall either describe the readjusted lots in their entirety, or, if the instrument describes only that area being conveyed from one property to the adjoining property, the following statement shall be placed on the instrument:

"This conveyance is made solely as an adjustment of common boundary between adjoining properties, and does not create a separate parcel that can be conveyed independently of adjacent land."

- 4. All building locations shall comply with FAA standards for minimum distances from the runway unless a letter is submitted from either the FAA or State Aeronautics Division affirming that the hangers may be located closer to the runway. The buildings shall be located at least 30 feet from all property lines unless they are less than 15 feet in height, in which case they may be located a minimum of 3 feet from the side or rear property line.

Section 5. In adopting the plan amendment specified in Section 1, the County hereby takes an exception to Statewide Planning Goal 3.

Section 6. The findings attached as Exhibit "A" and incorporated herein by reference are hereby adopted in support of this ordinance.

Section 7. Emergency Clause. 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 15th day of April, 1999.

ATTEST

CHARLES STERN

County Clerk

By: Carol Ann White

Deputy

Carol Ann White

YAMHILL COUNTY BOARD OF COMMISSIONERS

Robert Johnstone  
Chairman ROBERT JOHNSTONE

Ted Lopuszynski  
Commissioner TED LOPUSZYNSKI

FORM APPROVED BY:

John C. Pinkstaff

JOHN C. PINKSTAFF  
Assistant County Counsel

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

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**ORDINANCE 670**

**EXHIBIT "A"**

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**PLANNING COMMISSION'S APPROVAL:** March 4, 1999

**BOARD OF COMMISSIONERS' APPROVAL:** April 15, 1999

**DOCKET:** PAZ-01-99, L-02-99, SDR-02-99

**REQUEST:** A lot line adjustment to add approximately 7 acres of tax lot 3309-2301 to tax lot 3309-2400 (Chehalem Airpark), which requires a Comprehensive Plan map amendment from Agriculture Forestry Large Holding to Public, a zone change from EF-80 Exclusive Farm Use to PALF Public Airports/Landing Fields district, and an Exception to Statewide Planning Goal 3 on the 7 acre portion of tax lot 3309-2301. The request is also for site design review to construct aircraft hangars on the 7 acre portion of tax lot 3309-2301.

**APPLICANT:** Dennis Sturdevant

**TAX LOTS:** 3309-2301 and 2400

**LOCATION:** On the east side of Dopp Road, just north of the airport runway.

**REVIEW CRITERIA:** Sections 803 and 1208 of the Yamhill County Zoning Ordinance; the Yamhill County Land Division Ordinance; OAR 660-04, Exception Process.

**FINDINGS:**

**A. Background Facts:**

1. Property size: 7.3 acres of tax lot 3309-2301 is proposed to be rezoned and added to the airport, tax lot 3309-2400.
2. Access: The airport fronts Dopp Road. The proposed expansion area would be accessed from the airport property.
3. On-site Land Use: The area that is proposed to be rezoned contains a hangar/pole building on the west end, an orchard in the center, and a cleared field on the east end. The remainder of that tax lot contains a single family residence near Dopp Road. The

airport, which consists of Tax Lots 3309-2400, 2403, 2405, 2406, 2408 and 3310-305, contains a paved runway, a hangar/office building, fueling area and an area for tying down aircraft.

4. **Surrounding Land Use:** The surrounding area is a level valley bisected by Chehalem Creek. The area is used for farming, but there are a number of dwellings in the vicinity, including four dwellings on small lots adjacent to the airport. Ewing Young School is approximately 1/4 mile to the north, and there is a church approximately 3/4 mile to the northwest on North Valley Road. About 1/2 mile to the southeast, where the topography changes from the valley floor to hills, is a large area of rural residential properties.
5. **Surrounding Zoning:** Except for the airport properties, which are zoned PALF, the surrounding area is zoned EF-80. The rural residential area to the southeast is zoned AF-10, and Ewing Young School is zoned Public Assembly Institutional.
6. **Water:** Any water would be supplied by a well.
7. **Sewage Disposal:** None existing on the 7.3 acres. There is an on-site septic system serving the airport office building.
8. **Fire Protection:** Newberg Rural Fire Protection District
9. **Soils:** Sheet 15 of the Yamhill County Soil Survey shows that the entire area is composed of Briedwell (Br) soil, which is Class II high-value farmland.
10. **Taxes:** The 7.3 acres is taxed at market value
11. **Previous Actions:** Tax Lot 3309-2300 was divided from Tax Lot 3309-2301 in 1974 (Docket P-325-74). A plan amendment and zone change from EF-40 to PALF were approved in 1992 on Tax Lots 3309-2408 and what is now 3310-305 (Docket PAZ-01-32).
12. **Description of Proposal:** The applicant proposes acquiring 7.3 acres from a property that is adjacent to the north, and using the property to construct aircraft hangars. Since the property is zoned EF-80, a zone change and exception to Statewide Planning Goal 3 are required.

**B. Zone Change and Plan Amendment Provisions and Analysis**

1. The Plan Amendment portion of the request is not subject to local review criteria.

2. The zone change portion of the request must comply with the standards and criteria in YCZO Section 1208.02. These provisions are:

- (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 for exceptions, if applicable.*

3. YCZO 1208.02 (A). The Comprehensive Plan goals and policies which may be pertinent are:

*Agricultural Lands Policy II.A.2.a: Yamhill County will continue to preserve those areas for farm use which exhibit Class I through IV soils as identified in the Capability Classification System of the U.S. Soil Conservation Service.*

The airport and the area that is proposed for rezoning contain Class II high-value farmland, so the proposal does not comply with this goal.

*Transportation Policy III.A.1.q: The status and proposed location or expansion of all airport facilities will be specifically designated in the plan map, as amended, and, if under county jurisdiction, will be accorded a planned-unit development designation in the zoning ordinance, in order to assure a compatible association of airport growth with surrounding urban development.*

If the plan designation is changed from EF to Public and an exception to Goal 3 is taken, then the proposed comprehensive plan designation of Public will be in compliance with the statewide goals, and the zone change to PALF would be consistent with the applicable comprehensive plan goals and policies as required by YCZO 1208.02(A).

4. YCZO 1208.02 (B). The Board finds that 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, as required by YCZO 1208.02 (B).
  - 4.1 The proposed use of the property is for the construction of hangars. The applicant has indicated that there is a lack of available hangar space for rent in the county, and that there is a waiting list of more than 20 people looking for hangar space at the airport. Letters from people who are on waiting lists for hangar space at both Chehalem Airpark and other airports in the vicinity have been submitted as evidence of this shortage. Staff contacted Galen McBee, manager of the McMinnville airport, who said that hangars for 20 single engine planes were constructed at the airport last year, and additional larger hangars for twin engine planes were built this year. He stated that this helped with the need for hangars, but that there is still a short waiting list. The owner of Sportsman Airpark in Newberg recently picked up an application for site design review to build more hangars there.
  - 4.2 In order to address the economic importance of airport uses, the applicant has submitted copies of brochures from the ODOT Aeronautics Section describing the economic contribution that aviation makes to the state and area economy. That information states that in 1995 the total output stemming from Chehalem Airpark was approximately \$4.6 million. Total full-time employment related to all airport activities, including secondary impacts, was estimated at 48 jobs, with an annual payroll of approximately \$684,300 [see article "Economic Impact of Airports, Chehalem Airpark", ODOT - Aeronautics Section page 120].

The availability and suitability of other PALF zoned lands is discussed in Finding B.6.

5. YCZO 1208.02. (C). The Board finds that 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, and therefore complies with YCZO 1208.02 (C).

- 5.1 The land uses in the immediate vicinity consist of farm uses and residences. There is also a school within 1/4 mile and a church less than one mile away. The airport is compatible with many types of farm uses since part of the airport activity involves agricultural practices such as aerial spraying, Christmas tree harvesting, and using a helicopter to shake hazelnuts out of trees. The overall housing density in the area is low because of the EF zoning, and there is unlikely to be much additional residential development. The majority of the AF-10 zoned area on the hills to the southeast has also been developed, although there are some vacant lots where dwellings would be permitted. The proposed change is appropriate considering that it is an expansion of an existing use, and will not affect the development pattern in the area, which will remain very low in density due to the surrounding zoning.

There are no known changes which have occurred in the vicinity that would support the proposed zone change. No additional utilities or services are needed.

6. YCZO 1208.02(D) The Board finds that 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, as required by YCZO 1208.02(D).
- 6.1 This criteria requires a finding that other land zoned PALF is either unavailable or not as well suited for the proposed use of airport hangars. There are other airstrips in the county that are designated PALF. Although hangars could possibly be constructed at some of these airstrips to meet the need for hangar space in the county, it would not address the issue of Chehalem Airpark's desire to expand their operations. Location also plays a role in where pilots want to base their planes. In addition, Chehalem Airpark has a paved runway, which many pilots find preferable to a grass or dirt strip.

Staff requested that the applicant provide information about uses occurring on property owned by Chehalem Airpark that is already zoned PALF, to determine whether the hangars could be located on existing airport property. The airport currently consists of 12.5 acres that is zoned PALF. Within this area are the paved runway, a 2500 square foot office and a 4900 square foot hangar. The runway extends in an east-west direction the full width of the property. Federal Aviation Regulations Part 77, as well as Section 907 of the YCZO, delineate the distance a building must be from the runway. No buildings are allowed within the primary surface, which extends 125 feet from the centerline of the runway. Beyond the primary surface is the transitional zone. Buildings shall not extend above an imaginary surface which extends upward at a slope of 7:1 from the outer edge of the primary surface. Thus if the proposed hangars were to be 10 feet in height, they could be no closer than 195 feet from the centerline of the runway. The applicant has submitted a map showing that the airport property extends approximately 200 feet south of the runway. Staff analysis shows that the distance may

be even less than this, closer to 150 feet. Regardless, there is not enough room to construct hangars within the PALF designated area that would meet the required 30 foot setback from property lines and still be at least 195 feet from the runway centerline.

7. Exception requirements, criterion (E), are addressed in section C of these findings.

**C. Goal Exception Requirements and Analysis**

1. The 7-acre portion of Tax Lot 3309-2301 is currently protected as agricultural land under Statewide Planning Goal 3. OAR 660-12-065(3)(o) states that "Expansions or alterations of public use airports that do not permit service to a larger class of airplanes" is consistent with Goals 3, 4, 11 and 14. Chehalem Airpark has been proposed for inclusion on the list of public use airports adopted by ODOT Administrative Rule (Aviation Section). Although it has not been formally adopted by the Transportation Commission, adoption is expected to occur on March 18, 1999. Consequently, findings for taking an exception to Goal 3 are included in this decision.

2. Oregon Administrative Rule (OAR) 660-04 contains the requirements for taking goal exceptions. OAR 660-04-020 contains four factors that must be addressed when taking an exception to a goal. They are:

- (a) *Reasons justify why the state policy embodied in the applicable goals should not apply.*
- (b) *Areas which do not require a new exception cannot reasonably accommodate the use.*
- (c) *The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception.*
- (d) *The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.*

4. OAR 660-04-020(a). OAR 660-04-022 states that the reasons justifying why the state policy embodied in the goal should not apply include, but are not limited to, that there is a demonstrated need for the proposed use, and either: 1) a resource upon which the use is dependent can be reasonably obtained only at the exception site and the use must be located near the resource; or 2) the use has special features or qualities that

necessitate its location on or near the proposed exception site. The request complies with 2) because the proposal is to expand an existing airport by constructing additional hangars. By nature, this must occur on property located within direct proximity of the airport runway. As discussed in Finding B.6, there is insufficient space for the airport expansion on land zoned PALF for which an exception has already been taken.

5. OAR 660-04-020 (b). Since the proposal is to expand the Chehalem Airpark, it is only necessary to analyze lands adjacent to the airport to determine whether they could reasonably accommodate the use - exception lands in other areas would not be suitable because they would not have direct access to the airport runway. As stated in Finding B.6, land within the current airport boundary that is zoned PALF cannot reasonably accommodate the proposed new hangars because of existing buildings and the mandatory distance from runways that new buildings can be constructed. There is no other adjacent exception land. Of the surrounding resource land, the hangars could not be constructed on lands to the west, because it would require aircraft to taxi across Dopp Road. Constructing the hangars on land to the east would remove land from a 144-acre commercial farm parcel. The land to the south consists of a 10-acre and 24-acre parcel, both in farm use. The configuration of these parcels is not as suitable for airport expansion, and not as easily accessible from the runway because there is a row of trees and a road between the airport and these properties. The 7-acre area which is proposed to be rezoned is the most suitable area for airport expansion because of the small parcel size, the existing building which is already being used as a hangar, the limited nature of the farm use occurring on the parcel, and the direct access to the airport runway.
6. OAR 660-04-020 (c). The proposal is for an exception to allow an expansion of an existing airport in a rural area. Although there would likely be an increase in the number of flights to and from the airport, this will not significantly change the economic, social, environmental or energy consequences resulting from the use. The airport does not prevent farming activities from occurring in the area. The 7 acres that are proposed to be added to the airport are not currently in farm use, and removing that land from the resource base will not have any long-term economic impact on the area.
7. OAR 660-04-020 (d). As discussed in Finding B.5, airport activities are compatible with and used in many aspects of farming. Approving the zone change will likely result in an increase of aviation activities and number of flights, since it will allow more aircraft to be based at the airport. The primary impact from increased flights is increased noise levels both from aircraft warming up on the ground and flying over properties. The airport has instituted noise abatement procedures to reduce the impact on nearby noise-sensitive uses, including directing aircraft to avoid flying over the church and school. On-the-ground noise will have the greatest effect on the two houses

to the west and to lot 2200, which is adjacent to the north. The Planning Commission may want to consider requiring as a condition of approval that fencing or vegetation be placed along the northern and western property lines of the 7-acre area if concerns about noise are raised by these property owners.

**D. Limited Use Overlay Provisions**

1. OAR 660-04-18(3)(a) states that when a reasons exception is taken, plan and zone designations must limit uses to only those that are justified in the exception. The findings in this report have focused on the proposed use of the property for aircraft hangars. However, ORS 836.616(2) contains a list of other airport-related activities that must be allowed at public use airports, including emergency medical flight services, law enforcement and firefighting activities, flight instruction, aircraft maintenance, crop dusting and other agricultural activities, aircraft rental and sales, sale of aeronautic equipment and supplies, and aeronautic recreational and sporting activities. The YCZO has not been amended to reflect that these activities must be permitted.
2. Section 904.03 of the YCZO contains provisions for limited use overlays. It states:
  - (A) *When the Limited Use Overlay District is applied, the uses permitted in the underlying zone shall be limited to those specifically referenced in the ordinance adopting the Limited Use Overlay District.*
  - (B) *The Limited Use Overlay District may be used to require conditional use approval for uses normally permitted outright.*
  - (C) *Reasonable conditions may be imposed in the Limited Use Overlay District as are necessary to assure compliance with the provisions of the Comprehensive Plan and this ordinance.*
  - (D) *Until the overlay has been removed or amended, the only permitted uses in an LU district shall be those specifically referenced in the adopting ordinance.*
3. Although Chehalem Airpark has not, as of the date of this report, been officially designated by ODOT as a public use airport, it appears fairly certain that it will be so designated. Since the uses listed in ORS 836.616 must be allowed at a public use airport, the Board finds that it is not necessary to place a limited use overlay on the airport.

**E. Lot Line Adjustment Analysis**

1. The application includes a request for a lot line adjustment to transfer 7.3 acres from Tax Lot 3309-2301 to Tax Lot 3309-2400, leaving a parcel in the EF-80 district just over an acre in size and containing a dwelling. The approval standards for lot line adjustments are found in Section 7.020 of the Yamhill County Land Division Ordinance (LDO), as follows:
  - (1) *All parcel sizes, property-line setbacks, and other dimensional attributes resulting from a lot-line adjustment shall conform to the provisions of this ordinance and the Zoning Ordinance or other ordinance. Conditions that existed legally prior to the application that do not conform to the ordinance provisions shall be allowed to continue.*
  - (2) *Lot-line adjustments shall conform to the Comprehensive Plan and Official Map, any criteria of the Zoning Ordinance, and any state requirements of Oregon Revised Statutes chapters 92, 197, and 215.*
  - (3) *A lot-line adjustment shall not result in the creation of a new lot or a replat of an existing subdivision or partition.*
  - (4) *All lots resulting from a lot-line adjustment shall have legal access to a public road pursuant to Sections 6.010 and 6.020.*
  
2. Section 803.06(B) of the YCZO states that the minimum parcel size for an aircraft landing field shall be 10 acres. The parcel size for any other use, the minimum parcel width, and the maximum depth-to-width ratio shall be established by the decision-making body. The proposed adjustment will increase the size and width of the airport tract and decrease the depth to width ratio. The new configuration is suitable for the proposed use. Tax Lot 3309-2301 did not conform to the minimum lot size in the EF-80 district prior to the adjustment, so that situation is allowed to continue.
  
3. The adjustment does not involve the creation of a new lot or a replat, in accordance with approval standard (3). The readjusted lots will both have access to Dopp Road, in accordance with standard (4).
  
4. Section 402.09(B)(2) contains standards for lot line adjustments in the EF district. The applicable standard is:

*Any parcels subject to an alteration in size through a lot-line adjustment shall be shown to be of a size at least as appropriate to maintain the existing commercial agricultural enterprise in the area as were the parcels prior to the adjustment.*

5. Currently, lot 2301 is 8.4 acres in size and lot 2400 is 1.8 acres. If the adjustment is approved, the lot sizes will be approximately 1 acre and 9 acres. None of the lot sizes involved is large enough to affect the commercial agricultural enterprise in the area.

**F. Site Design Review Provisions**

- 1.. Site design review is required for any new development in the PALF district. The applicant has submitted two different site plans. The first shows three 10-bay hangars to be constructed (over a 5 year time frame) on the eastern half of the 7-acre expansion area. The buildings are shown as being 48' by 240', and are separated by taxiways. The site plan shows the hangars will be located 3 feet from the northern property line. The second site plan is more generalized and shows two smaller hangars located along the northern property line near the center of the expansion area.
2. Section 1101.02(A) states that the review of a site development plan shall be based upon consideration of the following:
  1. *Characteristics of adjoining and surrounding uses;*
  2. *Economic factors relating to the proposed use;*
  3. *Traffic safety, internal circulation and parking;*
  4. *Provisions for adequate noise and/or visual buffering from noncompatible uses;*
  5. *Retention of existing natural features on site;*
  6. *Problems that may arise due to development within potential hazard areas.*
  7. *Comments and/or recommendations of adjacent and vicinity property owners whose interests may be affected by the proposed use.*
3. The airport expansion would have the greatest effect on the two dwellings on lots 2300 and the remainder of 2301 to the west, and lot 2200 to the north. Warming up and taxiing aircraft could result in increased noise impacts to these properties. The Board

finds that the conditions of approval setback requirements will be adequate to assure compliance with LDO section 7.020(1).

4. Regarding problems that may arise due to development within potential hazard areas, the site plan showing three hangars on the eastern half of the property does not comply with FAA standards for safe distances between buildings and runways. As explained in Finding B.6, a building 10 feet in height must be located at least 195' from the centerline of the runway. The first site plan shows the hangars would be less than 100' from the runway centerline. The 7-acre expansion area is wide enough to accommodate the hangars on the northern half of the parcel, although it may require removing part or all of the orchard. A revised site plan showing a hangar location that complies with the FAA standards will need to be submitted, along with additional information on the height and other dimensions of the proposed hangars. A condition of approval will assure compliance with this requirement.
5. Notice was sent to all property owners within 500 feet of the subject property. The Board considered all comments received.
6. The proposal must also comply with the development standards of the PALF district, which requires 30 setbacks from all property lines. There is an exception for accessory buildings to be located 3 feet from the side or rear property line if they are less than 15 feet in height, 60 feet from a road and 10 feet from any dwelling. No information has been provided concerning the proposed height of the hangars, but it would be feasible for them to meet the accessory building standards. A condition of approval will assure compliance with this requirement.

#### **CONCLUSIONS FOR APPROVAL:**

1. The request is for a Plan amendment from Agriculture Forestry Large Holding to Public and a zone change from EF-80 Exclusive Farm Use district to PALF Public Airports/ Landing Fields district, including taking a "reasons" exception, a lot line adjustment to add 7.3 acres to Chehalem Airpark, and site design review for the construction of hangars.
2. The applicant has submitted evidence that there is a need for additional hangar space in the county.
3. The hangars must be located on land with direct access to the airport runway. There is insufficient room to construct hangars on airport property that is already zoned PALF. There is no other adjacent exception land. The 7.3 acres is not currently in

agricultural use, and because of its small size there will be less impact to the agricultural land base in the area than if other adjacent lands were rezoned.

4. The request complies with the standards for a lot line adjustment in LDO Section 7.020 and YCZO Subsection 402.09(B)(2).
5. The site plan submitted with the application will need to be revised to show that the hangar location will not conflict with airport imaginary surfaces.

**DECISION:**

Based upon the above findings and conclusions, the Board approves the request by Dennis Sturdevant for a Comprehensive Plan map amendment from "AFLH" (Agriculture Forestry Large Holding) to "Public", a zone change from "EF-80" (Exclusive Farm Use) to "PALF" (Public Airports/Landing Fields), and an Exception to Statewide Planning Goal 3 on a 7.3 acre portion of Tax Lot 3309-2301, and also a lot line adjustment to add the 7.3 acres from Tax Lot 3309-2301 to Tax Lot 3309-2400 (Chehalem Airpark), and site design review to construct aircraft hangars on the 7.3 acre portion of Tax Lot 3309-2301, subject to the following conditions:

1. The adjusted lots shall be surveyed pursuant to Section 6.120 of the *Yamhill County Land Division Ordinance* and a copy of the survey shall be submitted to the Planning Director prior to final approval.
2. A copy of the instrument(s) conveying the adjusted property shall be submitted to the Planning Department prior to recording with the County Clerk. The names on the instrument(s) conveying the property shall be the same as they appear in the tax records of Yamhill County.
3. The instruments conveying the adjusted properties shall either describe the readjusted lots in their entirety, or, if the instrument describes only that area being conveyed from one property to the adjoining property, the following statement shall be placed on the instrument:

**This conveyance is made solely as an adjustment of common boundary between adjoining properties, and does not create a separate parcel that can be conveyed independently of adjacent land.**

4. All building locations shall comply with FAA standards for minimum distances from the runway unless a letter is submitted from either the FAA or State Aeronautics Division affirming that the hangars may be located closer to the runway. The

buildings shall be located at least 30 feet from all property lines unless they are less than 15 feet in height, in which case they may be located a minimum of 3 feet from the side or rear property line.

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