

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 an Ordinance Amending the)
Yamhill County Comprehensive Plan (1974))
Map from "VLDR" (Very Low Density))
Residential to "AFLH" (Agriculture Forestry)
Large Holding), Amending the Official Zoning)
Map from "VLDR-2.5" to "EF-80" (Exclusive)
Farm Use), Approving a Conditional Use)
and Site Design Review to Allow Expansion)
of a Grass Seed Storage Business Operating as a)
Commercial Activity in Conjunction With Farm)
Use; Approving a Partition to Divide a 2.5 Acre)
Lot from Tax Lot 3421-1400, and Approving)
a Lot Line Adjustment to Combine a 2.5 Acre)
Lot with 2.75 Acres From an Adjacent Parcel;)
Tax Lots 3421-702, 1400 and 1800;)
Applicant Madsen Grain Co.; Planning)
Docket PAZ-02-99, C-04-99, SDR-08-99,)
P-07-99, and L-15-99; and Declaring an)
Emergency.)

ORDINANCE 671

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in special session on June 10, 1999, Commissioners Robert Johnstone, Ted Lopuszynski, and Thomas E. E. Bunn being present.

WHEREAS, on April 6, 1999, the Department of Planning and Development received an application by Madsen Grain Co. ("applicant") for a comprehensive plan map amendment from "VLDR" (Very Low Density Residential) to "AFLH" (Agriculture Forestry Large Holding) and a zone change from "VLDR-2.5" to "EF-80" (Exclusive Farm Use) on a 2.5 acre portion of Tax Lot 3421-1400, a conditional use and site design review to allow expansion of a grass seed storage business operating as a commercial activity in conjunction with farm use on Tax Lots 3421-702, 1400 and 1800, a partition to divide a 6.6 acre parcel (Tax Lot 3421-1400) into a 4.1 acre parcel (Parcel 1) and a 2.5 acre parcel (Parcel 2) and a lot line adjustment to combine the 2.5 acre parcel in Tax Lot 3241-1400 with portions of Tax Lots 3241-702 and 1800, Planning Docket PAZ-02-99, C-04-99, SDR-08-99, P-07-99 and L-15-99; and

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WHEREAS, on May 6, 1999, the Planning Commission held a public hearing to consider the application and thereafter voted 5-0 to recommend approval of the request; and

WHEREAS, on May 27, 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, lot line adjustment, conditional use, partition, and site design review; and

WHEREAS, the findings and conclusions attached hereto as Exhibit "A" and incorporated herein by this reference provide justification for approval of the application, 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 "AFLH" (Agriculture Forestry Large Holding) on a 2.5 acre portion of Tax Lot 3421-1400, 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 "EF-80" (Exclusive Farm Use) on a 2.5 acre portion of Tax Lot 3421-1400, as more particularly shown on the map attached hereto and incorporated herein as Exhibit "B."

Section 3. The request for a conditional use and for site design review on Tax Lots 3421-702, 1400 and 1800 to allow construction of an additional storage building for the existing grass seed storage business which is operating as a commercial activity in conjunction with farm use, are approved. subject to the following conditions:

1. All permits required by Yamhill County for building construction and electrical installation shall be obtained.
2. The storage building shall be constructed to substantially conform to the preliminary site plan. Any significant change in the site plan may require an additional site design review approval.

Section 4. The request for preliminary partition to divide a 6.6 acre parcel (Tax Lot 3421-1400) into a 4.1 acre parcel (Parcel 1) and a 2.5 acre parcel (Parcel 2) and for a lot line adjustment to combine the 2.5 acre parcel in Tax Lot 3241-1400 with portions of Tax Lots 3241-702 and 1800 (resulting in an adjusted Parcel 2 of approximately 5.29 acres), are approved, as more particularly shown on the map attached hereto and incorporated herein as Exhibit "B", subject to the following conditions:

1. Prior to final partition approval, a survey of Parcels 1 and the adjusted Parcel 2 shall be completed by a registered land surveyor pursuant to Section 6.120 of the *Yamhill County Land Division Ordinance*. The final partition plat shall substantially

conform to the preliminary map. The property line adjustments shall be clearly indicated on the face of the final plat. The Yamhill County Planning Docket Number "P-07-99" shall appear on the face of the plat.

2. Parcel 2 (5.29 acres) shall be served by a 30 foot (minimum) nonexclusive easement for ingress and egress. The easement shall be assigned from a public right-of-way to the parcel. The easement shall be surveyed and shown on the face of the final plat. The access shall be constructed, or a road construction agreement shall be completed and recorded, prior to final plat approval. The access shall be capable of meeting minimum requirements for access by fire protection equipment.
3. Prior to final approval, each lot shall be shown to have an adequate quantity and quality of water. Either certification shall be provided that water will be provided to the parcel line of each lot by a municipal or community water system, or domestic water shall be provided to each lot by an on-site well or wells, with the location of the well(s) indicated on the face of the plat, or the following disclosure shall be placed on the plat:

No municipal, public utility, community water supply or private system will be provided to the purchaser of those lots noted hereon.

Each lot not provided with a well or community service shall be so identified.

4. The metes and bounds descriptions of each created lot shall be submitted with the final plat. All existing structures shall meet the minimum setback requirements of 30 feet from all new property lines.
5. Parcel 1 shall have an existing septic system evaluation approved. Any repairs to the system must be completed prior to final partition approval.

Section 5. The findings attached as Exhibit "A" and incorporated herein by reference are hereby adopted in support of this ordinance.

Section 6. 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 10th day of June, 1999.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHAREES STERN
County Clerk

By: *Carol Ann White*
Deputy Carol Ann White

Robert Johnstone
Chairman ROBERT JOHNSTONE

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

FORM APPROVED BY:

John C. Pinkstaff
JOHN C. PINKSTAFF
Assistant County Counsel

Ted Lopuszynski
Commissioner TED LOPUSZYNSKI

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Accepted by Yamhill County
Board of Commissioners on
6-10-99 by Board Order
99-393

ORDINANCE 671

EXHIBIT "A"

PLANNING COMMISSION'S APPROVAL: May 6, 1999

BOARD OF COMMISSIONERS' APPROVAL: June 10, 1999

DOCKET NO.: PAZ-02-99, C-04-99, SDR-08-99, P-07-99, L-15-99

REQUEST: A request for a comprehensive plan map amendment from "VLDR" (Very Low Density Residential) to "AFLH" (Agriculture Forestry Large holding) and a zone change from "VLDR-2.5" to "EF-80" (Exclusive Farm Use) on a 2.5 acre portion of Tax Lot 3421-1400, a conditional use and site design review to allow expansion of a grass seed storage business operating as a commercial activity in conjunction with farm use on Tax Lots 3421-702, 1400 and 1800, a partition to divide a 6.6 acre parcel (Tax Lot 3421-1400) into a 4.1 acre parcel (Parcel 1) and a 2.5 acre parcel (Parcel 2) and a lot line adjustment to combine the 2.5 acre parcel in tax lot 3241-1400 with portions of tax lots 3241-702 and 1800. When applications are approved, Madsen Grain Company will acquire a 5.29-acre parcel containing the existing business, and construct an additional storage building.

APPLICANT: Madsen Grain Co.

OWNER: Sitton Brothers, Inc.

TAX LOT: 3421-702, 1400 and 1800

LOCATION: North of Meadow Lake Road, just west of Carlton.

CRITERIA: Sections 402, 1101, 1202 and 1208 of the Yamhill County Zoning Ordinance and the Yamhill County Land Division Ordinance. Comprehensive Plan policies may also be applicable.

FINDINGS:

A. Background Facts:

1. Property size: Approximately 5.29 acres. The plan amendment and zone change is proposed on approximately 2.79 acres. The following findings focus on the proposed 5.29 acre parcel which contains the seed cleaning business.

2. Access: Meadow Lake Road, a paved county road .
3. On-site Land Use: The area containing the existing grain operation is asphalted and contains outbuildings associated with the seed cleaning business .
4. Surrounding Land Use: The property to the south is in rural residential use. Property to the east, across the flood plain of the North Yamhill River, is inside the city limits of Carlton. The remainder of the surrounding area contains farm uses which include grain production.
5. Surrounding Zoning: The property to the north and east is zoned EF-80 Exclusive Farm use. Property to the south and west is zoned VLDR 2.5 Very Low Density Residential.
6. Water: No additional supply needed.
7. Sewage Disposal: None proposed, a septic tank is the only option.
8. Fire Protection: Carlton Rural Fire District
9. Soils: Sheet 19 of the Yamhill County Soil Survey shows that the site is predominantly composed of Woodburn silt loam soils (WuB). This soil is Class II, and is high-value farmland. The edge of the property that contains the steeper slopes is classified as terrace escarpments (Te), which is rated as Class VI.
10. Taxes: Farm deferral.
11. Previous Actions: In 1994 the property received approval for a site design review, conditional use and flood plain approval (Docket SDR-4-95/C-6-94/CFP-2-94) to allow construction of an additional storage building.
12. Flood plain: Flood Insurance Rate Map 410249 -0137 and -141 indicate that the property is within the flood plain. The property in the flood plain is within what is called the generalized flood elevation area. This means that no detailed study has been done to determine the flood elevation. The closest elevation is located 1,000 feet to the south and shows the flood plain at 131 foot elevation. The applicant has submitted a statement from a surveyor that indicates the property is at 137.2 foot elevation.

B. Zone Change and Plan Amendment Provisions and Analysis

1. Approval of a request for a zone change must be based on compliance 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.*

2. The Board finds that the request is consistent with the goals, policies, and any other applicable provisions of the Comprehensive Plan and therefore satisfies YCZO 1208.02(A) as follows. The goals and policies regarding rural area development and agricultural uses are written from the context of protecting agricultural land from being rezoned to a rural residential use. However, plan goals and policies which may be pertinent are:

Section I, B. Rural Area Development, Goal 1 directs the county:

To provide an adequate amount of land, development areas and sites to accommodate those uses which are customarily found in rural areas or require or are better suited to rural locations, without compromising the basic goal relating to urban containment and orderly urban development.

From the context of the Rural Area Development section, the development that is referred to is predominantly rural residential. This goal statement directs the county to maintain an adequate amount of land to provide for rural residential development. The approximate amount of land that will be removed from VLDR 2.5 acre zoning is approximately 2.5 acres. Rezoning of this property will result in a loss of one homesite. Yamhill County has several thousand acres zoned for rural residential use.

The loss of one potential homesite is not a significant reduction in the amount of rural residential land that is available for development.

Section II, Agricultural Goal 1, policy a. states:

Yamhill County will provide for the preservation of farm lands through appropriate zoning, recognizing comparative economic returns to agriculture and alternative uses, changing ownership patterns and management practices, changing market conditions for agricultural produce, and various public financial incentives.

There is a seed cleaning facility on one of the subject tax lots. The plan amendment and zone change will allow for an additional area zoned and plan designated for farm use. The additional area will be used as a storage facility for the seed cleaning operation. The applicant has indicated the additional storage is needed for the grass seed. Encouraging farm uses and supporting commercial uses in conjunction with farm use is consistent with the agricultural goal.

3. 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) as follows. The applicants received approval for construction of an additional storage building in 1994. In the application it states that farm use in the area is growing and the existing facility has been at capacity the past few years. Expansion of the existing facility is necessary to fulfill the market demand in the area. Although there is other property in the area that is already zoned EF-80, the subject parcel is next to the existing seed cleaning operation, making it most suitable for the proposed use.
4. 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, as required by YCZO 1208.02(C). The subject property is currently surrounded by EF-80 Exclusive Farm use and VLDR 2.5 Very Low Density Residential zoning. Both of these zones allow farm uses. The rural residential uses exist to the southwest of the subject property. The grass cleaning facility has already been established and has been in use for a number of years. The request is ultimately to construct an additional storage warehouse. To date there have been no objections to the proposed use. The warehouse is to be located near the north end of the property, away from the rural residential zone. The proposed zone change is appropriate to allow this use considering

the surrounding land uses and density and pattern of development. Regarding availability of utilities and services, no additional services are expected to be required on the site for the warehouse.

5. 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). As noted in Finding B.3 above, although there is other property in the area that is already zoned EF-80, the subject parcel is next to the existing seed cleaning operation. Therefore, other property is not as well suited for the anticipated use due to its location.
6. Regarding YCZO 1208.02(E), no exception is required.

C. Conditional Use Criteria and Analysis

1. Conditional use criteria in Section 1202.02 are as follows:

- (A) *The use is listed as a conditional use in the underlying zoning district;*
- (B) *The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;*
- (C) *The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements, and natural features.*
- (D) *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district.*
- (E) *The proposed use is appropriate, considering the adequacy of the public facilities and services existing or planned for the area affected; and*
- (F) *The use is or can be made compatible with existing uses and other allowable uses in the area.*

2. Conditional use approval criteria in Section 402.07(A) are as follows:

- A. *In the Exclusive Farm Use District, prior to establishment of a conditional use, the applicant shall demonstrate compliance with the following criteria in addition to other applicable provisions of this ordinance.*

1. *The use will not force significant change in accepted farming or forest practices on surrounding lands devoted to farm or forest use.*
2. *The use will not significantly increase the cost of accepted farming or forest practices on lands devoted to farm or forest use.*

These requirements are considered in Findings C.3 through C.9, below.

3. The Board finds that the use is listed as a conditional use in the underlying zoning district, as required by YCZO 1202.02(A). Section 402.10(B)(1) definition of Commercial Activities in Conjunction with Farm Use includes the "processing, packaging and wholesale distribution and storage of a product not derived primarily from farm activities on the premises" (emphasis added). Section 402.04(G) lists Commercial Activities in Conjunction with Farm Use as a conditional use. The construction of an additional storage warehouse is, therefore, a conditional use.
4. The Board finds that the use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use as required by YCZO 1202.02(B). As long as the use is a commercial activity in conjunction with farm use, with the limitation described above, the request would be consistent with the goals and policies of the Yamhill County Comprehensive Plan related to agricultural use.
5. The Board finds that the proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district as required by YCZO 1202.02(C). Regarding suitability of the parcel for an additional storage building, the only limitation to construction of such a use would be the flood plain overlay district. No other physical limitations of the site have been identified. The applicant has submitted a statement from a surveyor that the property is above the identified flood plain.
6. The Board finds that the proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district as required by YCZO 1202.02(D). The character of the area is predominantly agricultural. The seed cleaning operation is already existing. An additional storage building should not cause any greater interference with surrounding land uses. Since the seed cleaning operation already exists, an additional storage building will be in character with the surrounding area and will not substantially limit impair or prevent the use of surrounding properties for permitted uses.

7. The Board finds that the proposed use is appropriate, considering the adequacy of the public facilities and services existing or planned for the area affected as required by YCZO 1202.02(E). No additional public services are anticipated to be needed on-site.
8. The Board finds that the existing and allowed uses in the area are primarily agricultural and rural residential as required by YCZO 1202.02(F). As stated above the storage building will be compatible with existing uses in the area.
9. The Board finds that the request satisfies YCZO 402.07(A) requirements that (1) The use will not force significant change in accepted farming or forest practices on surrounding lands devoted to farm or forest use and (2) The use will not significantly increase the cost of accepted farming or forest practices on lands devoted to farm or forest use. The use has already existed for a number of years and therefore the proposed use will not cause any significant change or increased costs to surrounding farm practices.

D. Site Design Review Criteria

1. YCZO Section 1101.01(A) for Site Design Review requires consideration of the following factors in the review of site development plans:
 - (1) *Characteristics of adjoining and surrounding uses;*
 - (2) *Economic factors related to the proposed use;*
 - (3) *Traffic safety, internal circulation and parking;*
 - (4) *Provision for adequate noise and/or visual buffering from incompatible uses;*
 - (5) *Retention of existing natural features on site; and*
 - (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.*
2. The Board finds that the characteristics of adjoining and surrounding uses which are agricultural and rural residential have been adequately addressed as required by YCZO 1101.01(A)(1). The seed cleaning facility is already established and therefore the effects on the surrounding area, to a large degree, already exist.

3. The Board finds that the economic factors related to the proposed use have been adequately addressed as required by YCZO 1101.01(A)(2) There have been no economic factors that have been identified that prevent the expansion.
4. The Board finds that the traffic safety, internal circulation and parking have been adequately addressed as required by YCZO 1101.01(A)(3). Regarding traffic, the applicant states that there will be no significant additional traffic generated from the construction of this building since it will only be used for storage. The parcel has large areas asphalted that can be used to provide parking and internal circulation. Concerning parking, YCZO 1007.02 requires one parking space for every 2,000 square feet of storage area. Since the proposal is to build (50 x 90) 4,500 square feet of additional storage, two additional parking spaces would be required. As indicated above, the surfaced area should provide more than enough room for parking.
5. The Board finds that provision for adequate noise and/or visual buffering from incompatible uses have been adequately addressed as required by YCZO 1101.01(A)(4). Noise on the site is already existing from the seed cleaning facility. The addition of the storage building should not create additional noise beyond what is already occurring on-site. No additional noise buffering shall be required. The location of the building is on the northern end of the parcel away from the rural residential zone. No additional visual buffering will be required for this location.
6. The Board finds that retention of existing natural features on site have been adequately addressed as required by YCZO 1101.01(A)(5). There are no significant natural features on-site that need to be preserved.
7. The Board finds that problems that may arise due to development within potential hazard areas have been adequately addressed as required by YCZO 1101.01(A)(6). The property is identified as being in the flood plain overlay district. However, the applicant has submitted a statement from a surveyor that appears to show the property is elevated out of the flood plain. Additionally there is a previous statement in the file from an engineer that indicates the flood elevation at the subject property is 133 feet. The surveyors information shows the building site at 137.2 feet. Therefore, the property is not within the flood hazard area.
8. The Board finds that comments and/or recommendations of adjacent and vicinity property owners whose interests may be affected by the proposed use have been adequately addressed as required by YCZO 1101.01(A)(7). No written comments have been received from neighboring property owners. Favorable comments received from the OSU Extension Service included estimates of agricultural production and value of farm sales in Yamhill County for 1998.

E. Partition and Lot Line Adjustments

1. Section 402.09(B)(2) of the YCZO lists the following requirements for lot-line adjustments:

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 adjustment. When one or more parcels subject to a proposed adjustment are larger than the minimum lot size in the zone, the same number of parcels shall be as large or larger than the minimum lot size after the adjustment. When all parcels subject to the proposed adjustment are as large or larger than the minimum lot size in the zone, no parcel shall be reduced below the applicable minimum lot size. The lot line adjustment shall not result in an increase in the potential number of dwellings on the parcels. When an area that contains an existing dwelling will be conveyed from one parcel (Parcel A) to the adjacent parcel (Parcel B), Parcel B must either receive land use approval for the dwelling under the terms of this ordinance, or, in the alternative, a deed affidavit shall be recorded by the owner of Parcel A prohibiting the establishment of any new principal dwellings on the adjusted parcel or parcels.

2. The Board finds that the requirements of section 402.09(B)(2) are satisfied. No dwellings are being transferred and no parcel is over 80 acres. Therefore, findings regarding this aspect of the above criterion are not necessary. The resulting lots must be shown to be at least as appropriate to maintain the commercial farm use of the area. The adjustment will take away approximately 2.5 acres of agricultural land from a combined lot size of 38.6 acres. The newly created parcel would allow expansion of a commercial activity that helps to support farm use. Therefore, the resulting lots would be just as appropriate for farm use.
3. Partition requirements are included as conditions of approval.

CONCLUSIONS FOR APPROVAL:

1. The request is for a plan amendment and zone change from VLDR Very Low Density Residential to Agriculture/Forestry Large Holding and a zone change from VLDR 2.5 Very Low Density Residential to Exclusive Farm Use.
2. The proposed zone change is consistent with Comprehensive Plan goals and policies, and is appropriate because it contains a commercial activity in conjunction with farm use.

3. Based upon the above findings, the applicant has demonstrated that the request is consistent with Section 1208 of the Yamhill County Zoning Ordinance.
4. The request for construction of an additional storage building satisfies the conditional use and site design review standards in Sections 1202.02 and 1101.02.

DECISION:

Based on the above findings and conclusions for approval, the request by Madsen Grain Company for a Comprehensive Plan map amendment and zone change to change a 2.5-acre portion of Tax Lot 3421-1400 from Very Low Density Residential/VLDR-2.5 district to Agriculture Forestry Large Holding/EF-80 Exclusive Farm Use district, is approved, and the request for conditional use approval and site design review to allow the construction of an additional storage building for the existing grass seed storage business which is operating as a commercial activity in conjunction with farm use is approved subject to the following conditions:

1. All permits required by Yamhill County for building construction and electrical installation shall be obtained.
2. The storage building shall be constructed to substantially conform to the preliminary site plan. Any significant change in the site plan may require an additional site design review approval.

Finally, based on the findings and conclusions for approval, the partition request and the request for a lot line adjustment is approved subject to the following conditions:

1. Prior to final partition approval, a survey of Parcels 1 and the adjusted Parcel 2 shall be completed by a registered land surveyor pursuant to Section 6.120 of the *Yamhill County Land Division Ordinance*. The final partition plat shall substantially conform to the preliminary map. The property line adjustments shall be clearly indicated on the face of the final plat. The Yamhill County Planning Docket Number "P-07-99" shall appear on the face of the plat.
2. Parcel 2 (5.29 acres) shall be served by a 30 foot (minimum) nonexclusive easement for ingress and egress. The easement shall be assigned from a public right-of-way to the parcel. The easement shall be surveyed and shown on the face of the final plat. The access shall be constructed, or a road construction agreement shall be completed and recorded, prior to final plat approval. The access shall be capable of meeting minimum requirements for access by fire protection equipment.

3. Prior to final approval, each lot shall be shown to have an adequate quantity and quality of water. Either certification shall be provided that water will be provided to the parcel line of each lot by a municipal or community water system, or domestic water shall be provided to each lot by an on-site well or wells, with the location of the well(s) indicated on the face of the plat, or the following disclosure shall be placed on the plat:

No municipal, public utility, community water supply or private system will be provided to the purchaser of those lots noted hereon.

Each lot not provided with a well or community service shall be so identified.

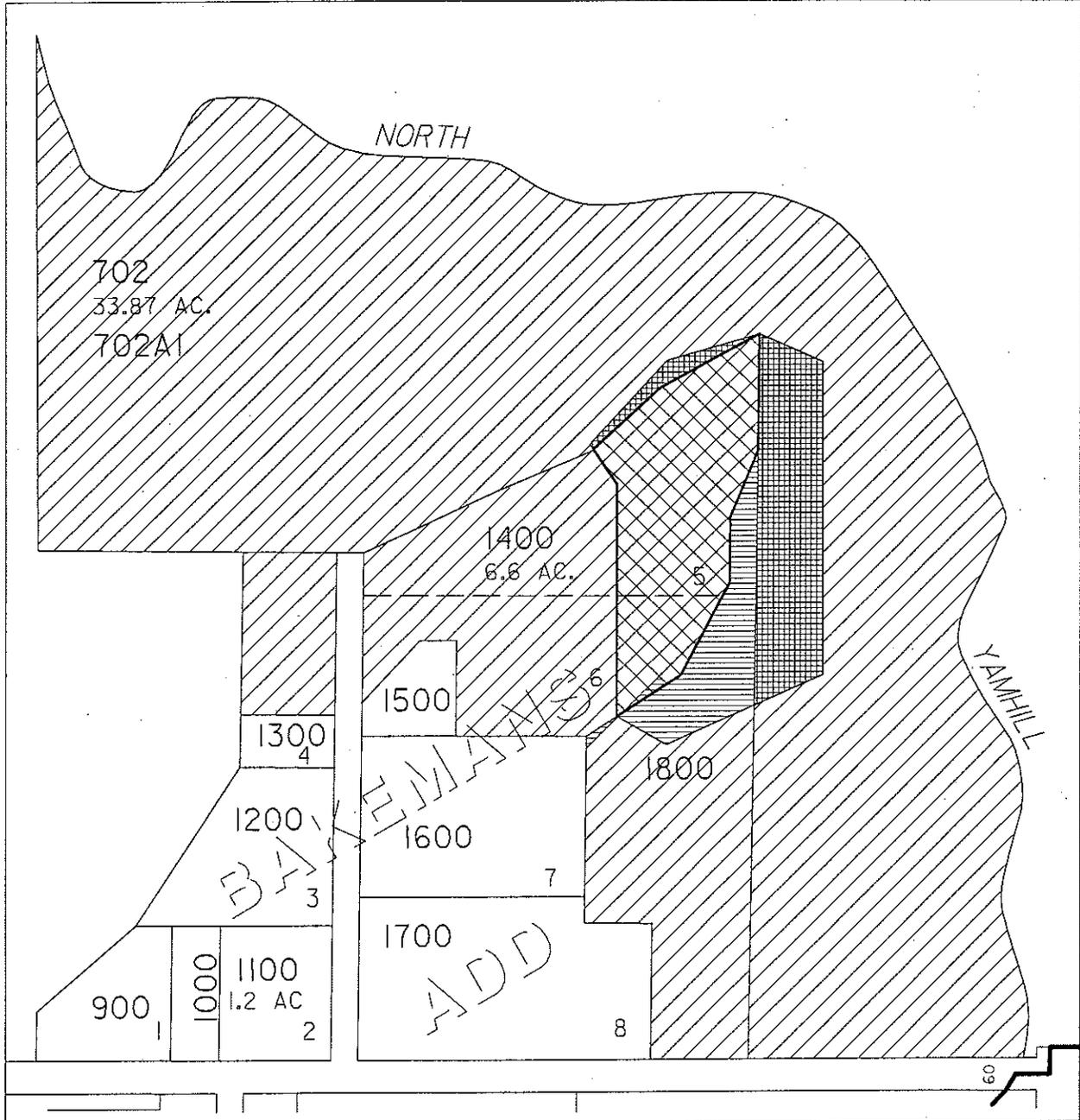
4. The metes and bounds descriptions of each created lot shall be submitted with the final plat. All existing structures shall meet the minimum setback requirements of 30 feet from all new property lines.
5. Parcel 1 shall have an existing septic system evaluation approved. Any repairs to the system must be completed prior to final partition approval.

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EXHIBIT "B" FOR ORDINANCE NO. 671

PLAN AMENDMENT/ZONE CHANGE
ADOPTED JUNE 10, 1999 BY
THE YAMHILL COUNTY BOARD OF COMMISSIONERS

TO CHANGE THE PLAN DESIGNATION
FROM VLDR TO AFLH
AND THE OFFICIAL ZONING MAP
FROM VLDR 2.5 TO EF-80



- | | |
|--|---|
|  AREA BEING CHANGED FROM VLDR (VLDR2.5) TO AFLH (EF-80) |  AREA BEING ADJUSTED FROM T.L. 3421-702 |
|  PARCELS INVOLVED IN THIS APPLICATION |  AREA BEING ADJUSTED FROM T.L. 3421-1800 |