

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

93-307

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

FILED  
YAMHILL COUNTY, OREGON  
235 MAY 12 PM 12:44  
COURT CLERK

In the Matter of an Ordinance )  
 Amending the Yamhill County )  
 Comprehensive Plan Map and )  
 Zoning Map to Change, on a )  
 7 acre parcel known as Tax Lot )  
 4431-400, the Plan Map )  
 Designation From Agriculture/ )                   ORDINANCE 554  
 Forestry Large Holding to Commer- )  
 cial and the Zone Map Designation )  
 from EF-40 to HC Highway/Tourist )  
 Commercial; Applicant Richard )  
 Espejo; and Declaring an Emergency )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board"), sat for the transaction of county business in special session on May 12, 1993, Commissioners Dennis L. Goecks and Ted Lopuszynski being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. Richard Espejo ("Applicant") has applied to the Department of Planning and Development for a Comprehensive Plan Map amendment from Agriculture/Forestry Large Holding to Commercial and a zone map amendment from EF-40 to HC Highway/Tourist Commercial District on a 7 acre parcel known as Tax Lot 4431-400 identified on the attached Exhibit "C."

B. On March 4, 1993 the Yamhill County Planning Commission held a public hearing to consider the application. Six members were present, but one member abstained from consideration of the application. Following the hearing, the Planning Commission voted 3-2 to recommend denial of the application. Thereafter, the Board voted on its own motion to review the application.

C. On April 28, 1993 the Board held a public hearing on the application and voted 2-1, Commissioner Goecks dissenting, to grant tentative approval to application.

D. The findings and conclusions attached hereto as Exhibit "A" and by this reference incorporated herein provide a justification for the Board's action of April 28, 1993 based on the Board's determination that exceptions to Statewide Planning Goals 11 and 14 are not necessary. However, to the extent the law requires exceptions to Goals 11 and 14, the Board adopts the findings contained in Exhibit "B" to justify those exceptions.

E. The attached Exhibits "A" and "B" demonstrate that the proposed amendment to the Yamhill County Comprehensive Plan Map and

the Official Zoning Map of Yamhill County are 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 is hereby amended as specified in the attached Exhibit "C", made a part of this ordinance by reference, to reflect a plan map designation of "Commercial" for a 7 acre parcel known as Tax Lot 4431-400.

Section 2. The Official Zoning Map of Yamhill County is hereby amended as specified in the attached Exhibit "B", to reflect a zoning designation of HC Highway/Tourist Commercial District on a 7 acre parcel known as Tax Lot 4431-400.

Section 3. The findings attached as Exhibits "A" incorporated herein by this reference are adopted in support of this ordinance.

Section 4. In adopting the plan amendment specified in Section 1, the county hereby takes an exception to Statewide Planning Goal 3.

Section 5. To the extent an exception is required by law to be taken to Statewide Planning Goals 11 and 14, the county takes exceptions to Statewide Planning Goals 11 and 14 in adopting the plan amendment specified in Section 1. The findings attached as Exhibit "B" incorporated herein by this reference are adopted in support of these exceptions.

Section 6. A "Limited Use Overlay" is hereby imposed on Tax Lot 4431-400 to limit the use of the property to recreational vehicle sales and service and accessory uses.

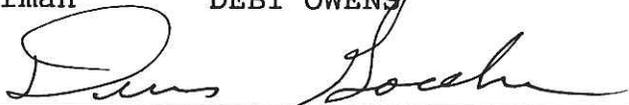
Section 7. This ordinance being necessary for the health, safety, and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, is effective upon passage.

DONE at McMinnville, Oregon this 12th day of May, 1993.

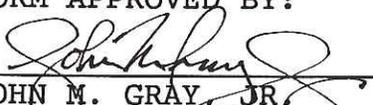
ATTEST

  
CHARLES STERN  
County Clerk  
By:   
Deputy CLERK GAYNE MITCHELL

YAMHILL COUNTY BOARD OF COMMISSIONERS

(Not available for Signature)  
Chairman DEBI OWENS  
  
Commissioner DENNIS L. GOECKS

FORM APPROVED BY:

  
JOHN M. GRAY, JR.  
Yamhill County Counsel

  
Commissioner TED LOPUSZYNSKI

**EXHIBIT "A"**  
**Ordinance 554**  
Findings for Approval

**BOARD**

**HEARING:** April 28, 1993

**FINAL DECISION:** May 12, 1993

**DOCKET:** PAZ-04-92

**APPLICANT:** Richard Espejo

**REQUEST:** Comprehensive Plan map amendment from Agriculture/Forestry Large Holding to Commercial and a zone change from EF-40 Exclusive Farm Use to HC Highway/Tourist Commercial District.

**TAX LOT:** 4431-400

**LOCATION:** Approximately 500 feet east of the intersection of Highway 18 and Durham Lane.

**FINDINGS:**

**A. Background Facts**

1. Property size: 7 acres.
2. Access: Durham Lane.
3. On-site Land Use: The property is a field presently unused for agricultural purposes. No agricultural activities have taken place on the property for at least 2 - 3 years.
4. Surrounding Land Use: The surrounding area is characterized by large scale agriculture, rural residential, and commercial uses. The commercial use is a recreational vehicle sales and service lot located west of the subject property and is operated by the applicant. The rural residential uses are located to the north between Highway 18 and Sheridan Road. This land contains eight parcels of less than 10 acres, seven of which have dwellings on them. This land is part of the Exceptions Study and is designated as Area 52. There are several large farm holdings to the south and east and in the surrounding area that are characterized by sugar beets, pastureland and grass seed production.
5. Surrounding Zoning: The surrounding zoning to the west is HC Highway/Tourist Commercial District. There is a 4.8-acre parcel to the north that is zoned PAI Public Assembly Institutional. The remaining surrounding area is all zoned EF-40 Exclusive Farm Use.
6. Soils: Sheet 34 of the Yamhill County Soil Survey indicates the property is composed of the following soil types:

<u>Soil Name</u>	<u>% of Property</u>	<u>Slope</u>	<u>Aq Class</u>
Amity silt loam (Am)	60	0-2 %	II
Dayton silt loam (Dc)	30	0-2 %	III
Woodburn silt loam (WuB)	10	0-7 %	II

7. Fire Protection: McMinnville Rural Fire District.
8. Taxes: Tract Land.

B. Oregon Administrative Rule Provisions and Analysis

1. Oregon Administrative Rule (OAR) Chapter 660, Division 4, explains the requirements for taking exceptions to statewide goals. The subject property is considered agricultural land by virtue of its Class II and III soil (see Finding A.7). The property is not on the county inventory of forest lands, so Goal 3, but not Goal 4, applies. An exception to Goal 3 is required if the land is to be designated for any use other than exclusive farm.
2. OAR 660-04-018 outlines the optional procedures for taking exceptions. The first is to base the exception on "physical development" and/or "irrevocable commitment" of the property to non-agricultural use. This type is intended to recognize and allow existing types of development and was used in the original exception of the neighboring property. The second is a "reasons" exception, which allows a jurisdiction to zone property with a non-agricultural designation if there are grounds for the change. The latter path has been taken in this case.
3. OAR 660-04-022(1) deals with reasons exceptions, and states:

For uses not specifically provided for in subsequent sections of this rule or OAR 660, Division 14, the reasons shall justify why the state policy embodied in the applicable goals should not apply.

In essence, the applicant needs to explain why the property should be zoned for highway commercial instead of agricultural use. The "subsequent sections of this rule" and Division 14 are not relevant to this request.

The reasons the applicant has relied upon to justify the exception are based on the size of the parcel, economic enhancement, and suitability of the site for the proposed use. These factors are considered in more detail in Finding B.5 of this report.

Statewide Goal 14 requires urban uses to be allowed only within Urban Growth Boundaries unless an exception to that Goal is justified. Recreational vehicle (R.V.) sales could be established inside the city limits in most commercial zones, however this is also true of most other uses permitted in the HC zone. One issue is why this type of use is appropriate for a highway commercial zone. The first answer to this is the nature of the customers that use this facility. The applicant has submitted evidence that 83% of his customers come from outside the Yamhill County area. Highway 18 is used heavily by people going from Portland to the coast so many tourists travel by this facility. In addition to the sales and service of R.V.s, the applicants are planning to make available propane sales, and they have a long-term plan of developing sewage disposal facilities. This would provide more services to tourists as intended by the HC zone. Because of the land required for an adequate septic system, it is unlikely that the waste disposal service could be provided without the additional area.

The second reason for locating R.V. sales outside the city limits is simply the size of the vehicles. R.V.s are typically much larger than

other vehicles and as such have difficulty maneuvering in cities. Obviously, R.V.s can drive through city streets; however, locating the sales lot outside of the city limits helps to prevent traffic congestion and street access problems associated with larger vehicles.

4. OAR 660-04-020(2) states that justifications for exceptions based on reasons shall address the following four factors:

- (a) ...the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations including the amount of land for the use being planned and why the use requires location on resource land.
- (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.

These factors are considered in Findings 5 through 8 below.

5. Regarding criterion (a) above, the applicants have indicated the subject parcel has not been utilized for agricultural purposes.

The record establishes that Evergreen Farms, a large scale agricultural business, stated that it would not be economically feasible to farm the subject property. Another local farmer who leases property in the area also submitted a letter indicating that he would not consider farming the property because it was not economically feasible. Another neighbor who also farms in the area also stated he would not consider farming the parcel.

In addition to the agricultural goal, the applicant suggested the county also consider Goal 9, dealing with Economic Development. This goal states the county is, "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and property of Oregon's citizens." Yamhill County has adopted a similar goal: "To maintain a rate and pattern of economic growth sufficient to prevent recurring high levels of unemployment and underemployment in the county..." The use proposed on the property would greatly expand the existing R.V. sales and service lot located on the adjacent parcel. The applicant stated that expansion of this use would likely increase the number of employees by one to three people. This is significantly more than would be expected to be employed by farm use of the property.

6. Regarding factor (b) above, the applicant submitted a list of five properties presently zoned for HC use which include the applicant's adjacent R.V. sales lot. All of these properties currently support an active commercial use. Due to their present commercial activity the lots were not available. The applicant analysed and provided a survey of property in the McMinnville UGB which established that no property

suitable for the applicant's operation was available. The Board finds that the scope of the survey was reasonable and was not unduly limited. In addition, however, the applicant submitted an analysis that surveyed potential sites throughout the entire county. Only one site was located, but that site was rejected due to safety concerns. Evidence submitted by the applicant as to necessity for significant space for propane sales, sewage disposal and additional service area is found to support the need for a total of 10 acres.

7. Regarding criterion (c) above, the only apparent long-term environmental consequence of this use is the applicant's plan to pave most of the additional area. The economic and social consequences of the proposed amendment is the expansion of a business that will likely employ one to three more people. The applicant indicated that the existing business had between \$11 and \$14 million in sales during the past two years. This is expected to increase with the additional area provided in the zone change. Alternative sites requiring ten acres would have a more significant negative impact on adjoining agricultural and other uses than would a rezoning of the subject parcel.
8. Regarding criterion (d) above, expansion of the R.V. sales in the HC zone requires approval of a site design review. This review is intended to mitigate any adverse impacts with neighboring uses.
9. OAR 660-04-018(3) provides rules governing zoning in exception areas justified by "reasons." These provisions state:
  - (a) ...plan and zone designations must limit the uses and activities to only those uses and activities which were justified in the exception.
  - (b) When a local government changes the types or intensities of uses within an exception area approved as a "reasons" exception, a new "reasons" exception is required.

Regarding the first of these requirements, there are uses permitted in the HC zone besides R.V. sales. Consequently there is a need to employ the Limited Use Overlay zone in this request. Said overlay will ensure that the use permitted by the zone change will be limited to that requested by the applicant.

The second requirement above does not apply until a change of use is requested.

10. Participants in this proceeding have suggested that Statewide Planning Goals 11 and 14 also apply to this decision. The Board finds that they do not. However, to the extent applicable law makes those goals applicable, the Board adopts the findings contained in the attached Exhibit "B" to support exceptions to both goals.

C. Ordinance Provisions and Analysis

1. Section 1204 of the Yamhill County Zoning Ordinance (YCZO) states that exceptions to statewide goals are subject only to the requirements of the Oregon Administrative Rules discussed in Section B of this report. The Plan Amendment portion of this request is not subject to local review criteria.

2. The zone change portion of the subject request must comply with the standards and criteria in YCZO Section 1208.02. These provisions are:
- (a) That the proposed change is consistent with the goals, policies, and any other applicable provisions of the Comprehensive Plan.
  - (b) 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.
  - (c) 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.
  - (d) That other lands in the county already designated for the proposed use are either unavailable or not as well-suited for the anticipated uses due to location, size, or other factors.
  - (e) That the amendment is consistent with the current Oregon Administrative Rules for exceptions, if applicable.

The findings regarding these criteria are provided in subsections 3 through 7 below.

3. Regarding Comprehensive Plan goals and policies, Goals II.A.1 and II.A.2 of the Plan text are, respectively:

To conserve Yamhill County's farm lands for the production of crops and livestock and to ensure that the conversion of farm land to urban use where necessary and appropriate occurs in an orderly and economical manner; and

To conserve Yamhill County's soil resources in a manner reflecting their suitability for forestry, agriculture and urban development and their sustained use for the purposes designated on the County plan map.

The soil survey indicates all of the subject portion of the property has class II and III soil, which is to be preserved for farm use according to Policy A under Goal II.A.2. The county comprehensive plan also directs the county to consider the economic consequences of planning actions. Goal II.F.1 states:

To maintain a rate and pattern of economic growth sufficient to prevent recurring high levels of unemployment and underemployment in the county, balance the real property tax base of the various cities, and strengthen local economic bases.

As indicated in Findings B.5 and B.7 the current R.V. sales on the adjacent property had annual gross sales during the past two years of between 11 to 14 million dollars per year. The addition of more area to conduct the business would increase the amount of possible sales. With the rezoning and expansion of the R.V. service center, the applicant

plans to hire an additional one to three people to work in the service department.

4. Regarding the need for the proposed change, the county has commissioned studies dealing with tourism and economic development. The study determined that tourism is an important and growing business in Yamhill County. Approval of the request would allow expansion of an existing tourist related business.

The availability of other lands and their suitability is discussed in Finding B.6 above.

5. Regarding criterion (c), the most evident change to the neighboring area is the establishment of the R.V. sales lot on the adjacent three acre parcel. The success of this business supports the need for additional space to accommodate this use. The applicant has shown a need for a total of 10 acres to adequately serve the travelling public. The additional space is needed to provide services such as propane refilling and sewage disposal. These services must be located in an area large enough to allow recreational vehicles to safely move about. Initially, the Oregon Department of Transportation expressed concern as to the impact of the application on traffic on Highway 18. In response, the applicant submitted a traffic survey and supplement. The additional submittals established that no significant impact would occur to Highway 18 from an approval of the application. The survey found that the number of accidents per million vehicle miles at the Durham Lane/Highway 18 intersection was less than the average, and that none of the reported accidents were related to the applicant's business.

Additionally, the evidence supports a determination that changes in the area include an increase in the use of Highway 18 as a route from Portland and the surrounding area to the coast. This change increases the need for a tourist related business along this route.

Other uses in the area include both small and large scale agricultural operations. These operations have not objected to the existing operation on the property or objected to the application. To buffer the use from the surrounding farms the applicant has provided landscaping surrounding the property. Additionally, two sides of the subject parcel are bordered by roads. The roads and landscaping help to buffer the use from neighboring farm operations.

6. Findings B.6 and C.4 of this report apply to criterion (d), above, as well.
7. Regarding criterion (e), the OAR requirements are addressed in Section B of this report.
8. Section 904.04 of the Yamhill County Zoning Ordinance lists the standards necessary for applying the limited use overlay provisions to any application. These standards are:
  - A. That permitted uses and activities will be limited to those uses and activities justified and approved in the exception, as required by OAR 660-04-018(3)(a).
  - B. That a review had been made of all districts in the ordinance, and it has been determined that none of those districts limit the uses and activities, as required by OAR 660-04-018(3)(a).

- C. That the location proposed in the underlying district is equally or better-suited than any other possible district.
9. Regarding criterion (a) above, if the zone change is approved permitted uses must be limited to an R.V. sales and service lot and accessory uses.
  10. Regarding criterion (b) above, no other zoning district limits uses to R.V. sales only.
  11. Regarding criterion (c) above, the necessity of the location of the proposed use has been discussed in finding B.6 above.

**CONCLUSIONS FOR APPROVAL:**

1. The request is for an amendment to the Yamhill County Comprehensive Plan map for approximately seven acres from Agriculture/Forestry Large Holding, to Commercial and a zone change for the same property from EF-40 Exclusive Farm Use to HC Highway/Tourist Commercial District.
2. The unique circumstances of the subject site support a determination that reasons exist to establish that the property should not be subject to Goal 3. To the extent necessary to comply with law, the attached Exhibit "B" includes reasons why the property should not be subject to Goals 11 and 14.
3. Areas that do not require a new exception cannot reasonably accommodate the use because of unavailability of suitable land zoned for HC Highway/Tourist Commercial District or other land within the Urban Growth Boundary.
4. Any long-term negative environmental impacts on the site arising from the rezoning of the property are outweighed by the favorable economic and social consequences of the proposed change. The energy consequences of the proposal are negligible. The negative impacts are far less in the proposed expansion area than would reasonably occur if an exception to a Statewide Planning Goal was taken on ten acres elsewhere along the Highway 18 corridor.
5. The uses allowed by the proposed change are or can be made compatible with other uses in the vicinity.
6. The request is consistent with the goals and policies of the Yamhill County Comprehensive Plan.
7. The uses allowed on the subject property must be limited to R.V. sales and associated uses.

**DECISION:**

The application is allowed and a limited use overlay is imposed on the subject property to limit the use of the property to recreational vehicle sales and service and accessory uses.

EXHIBIT "B"

I. GOAL ELEVEN (Public Facilities and Services)

1. Expansion of Valley RV to the requested site will not change or significantly increase the need for public facilities and services.

2. The rural fire department found no conflict with their interest they simply ask that adequate water for fire protection be provided during any construction and afterward as required by the Uniform Fire Code. The property is on city water so there should be no problem with water supply. No other public facility responded to the application.

3. Even if the applicant was not in compliance with the policy behind Goal Eleven, reasons exist which justify not applying this goal. The applicant is seeking a highway commercial zone classification. As indicated in the application and various supplemental materials that is to provide highway and commercial tourists service for the traveling public. This classification cannot technically be considered urban land, urbanizable land or rural land. It thus does not fall under any classification under goal eleven. Goal eleven strictures as to public facilities and services provided for each of the classifications should not apply. This particular site of ten acres still qualifies as a small scale highway tourist commercial service. This particular business is similar to a two acre highway commercial zone for a gas and service station. The logical extension of that is that the vehicles are four to five time larger in a RV service situation than they would be in a gas station. Because of the size of the RVs, a ten acre parcel for service and other related activities is similar to a two acre parcel for service in similar related actions toward an automobile.

Be this a RV sales and service center or a automobile service and market or other commercial area the policies of goal eleven should not apply. The purpose of this highway commercial zoned is aimed purely at the traveling public and not either a rural or urban area. Valley RV provides important aid to the traveling public and with this expansion can more than triple their ability to aid both in the number of people servicable and the number of services provided.

4. It has already been shown that no other highway commercial property of the size needed for this burgeoning business is available within the immediate vicinity much less the entire County of Yamhill. Several reasons have been shown why it is necessary for placement of this business on the highway rather than in the urban growth boundary. The first is that the placement within the urban growth boundary will not satisfy the needs of the highway and traveling public, as the legislature desired when they created highway and tourist commercial zones. Additional problems exist in that urban placement of this business causes extreme congestion and a high likelihood of accidents. The applicant indicated that he has previously located his business within the urban growth boundary and found that this location was inappropriate because of the congestion. Vehicles of this size caused problems for other users of the road and problems existed for the customers delivering their vehicles to the business. Effectively these problems have made property within the urban growth boundary an unreasonable alternative. New areas created within the urban growth boundary would not cure this problem because they would only cause new congestion. Recreational vehicles are very unique because their usage is limited to tourism and travel which are neither urban or rural uses.

No property was located within the vicinity of McMinnville which contained the necessary acres. Even when the search was extended beyond the vicinity only one piece of property was found in the County of Yamhill. That piece of property suffers some physical attributes that make it unreasonable to place this use on that property. The property is located in a position when traveling east from the coast that would make the property out of the line of sight until after having gone by. This causes problems as RV drivers cannot easily turn around nor could they maneuver in town to get back to the location. Additionally the only exit provided for the site was not sufficient to handle large numbers of RV motorhomes because of the angle of the turn.

5. The long term environmental, economic, social, and energy consequences as a result of this use would be the same or better on this particular site than any other site also requiring a goal exception. The particular site that is sought is bordered on two sides by roads. This natural buffer lessens the impact this property will have on the surrounding farm land or rural residential properties. Expansion of this business next to property that is already using energy and providing economical benefit will result in only a small increase of social impact or energy use while providing a great deal of economic benefit. Conversely placing this use in a different area requiring an

exception that does not have such a business at the location will be a drastic change and is more likely to have an adverse impact.

6. The applicant has shown a history of creating an aesthetically pleasing display which as plans indicate will continue in the future. The display creates a positive social impact. The applicant has further shown a great economic benefit to the area by creating twenty five jobs with the probability of 2 to 3 more. Finally the applicant has shown an ability to create or design measures that limit the environmental or energy impact to the least possible in this kind of business

7. The proposed uses obviously are compatible with the RV dealership that exists immediately next to it. Over the several years that the RV dealership has existed there has been no complaints or problems with surrounding farm land. It is important to remember that across Durham Lane from the site in question, is an agricultural holding which does not have any residents nearby. The property is predominately used for growing crops and thus there are no compatibility problem. One property across from Highway 18 is a public assembly gathering which has not been impacted in any way, shape, or form by the three acre business, nor would there be any impact by any additional expansion. Although no impact on any other aspect of the surrounding community has been determined, the applicant has shown a consistent desire to cohabitate with his neighbors by the use of measures aimed at creating an aesthetically pleasing environment. Additionally no public facilities or services listed in Goal Eleven other than the McMinnville Fire Department indicated any concern as to the application. The fire departments concerns shall be alleviated through the following of the Uniform Fire Code restrictions.

## II. GOAL FOURTEEN (Urbanization)

1. As previously indicated this use should not be classified as urban or rural based on the highway commercial classification. The classification is set up to provide tourist commercial services and highway commercial services. Valley RV has done so in the past and by expansion will be able to do so on a more comprehensive basis in the future.

Some aspects of the state policy embodied in Goal Fourteen are moot in the vicinity of McMinnville. This is because no property is available to allow the applicant a choice of location within the urban growth boundary. Even if property within the

urban growth boundary was available placement within that area would be problematic and not meet the need for servicing highway and tourist customers.

The lot in question does not meet the minimum lot size as utilized in this farm zone. The minimum lot size is 40 acres and is established to provide sufficient land to economically farm. The lot in question is seven acres and is uneconomical to farm either by an individual living on the property, Evergreen, a large farm conglomerate, a local area itinerate who rents several lots of varying acreage nearby, or a neighbor. Though this property is zoned for agricultural usage the economics of this situation make it impossible to be used as such.

No highway commercially zoned property is available within the vicinity as indicated in the applicant's application, or even within the county.

A survey was done to find commercial property with ten acres within the vicinity. The vicinity search is all that is required by 1000 Friends of Oregon vs. LCDC, 302 Or 526, 731 P.2d 1015 (1987). An additional survey scope included the whole County of Yamhill. Even in the additional survey that is not required by case law only one piece of property was available of the acreage necessary. No areas were found in the immediate vicinity which did not require a new exception, in the search beyond the immediate vicinity only one property was found which was excluded as a viable alternative for safety, commercial and traveling reasons.

The applicant has shown a need for the additional acreage. The need involves reasons of economics, aesthetics, and servicing of the traveling public. The applicant intends to place propane on the property which must be set up away from other vehicles or buildings while also requiring room to turn the vehicles around. A dump tank is also intended which requires room to turn the vehicle around. At the present time the service bays are not sufficient to handle the number of RVs that stop requiring repairs and thus additional bays will be built. The additional space will allow landscaping in conjunction with the business which will improve the aesthetics. Lastly the space is needed to continue the increase in business that has occurred over the last few years. The record has shown that 10 acres are needed. Several acres will be used for frontage. One acre will be used for propane. One acre for dumping of waste. The remaining area will be used for repair of traveling patrons. The applicant has made his best estimates as to the space needed.

If used as agricultural land, this parcel would employ one-third to one-half of a person and it would still be a losing economic proposition, thus the reason no one has farmed the property in a number of years. On the other hand the applicants request would provide a significant economic benefit to the local community. While tourist and highway travelers in RVs are unlikely to enter urban growth boundaries for required repairs or services they are very willing to stop along the roadway and during the pendency of repairs enter into the community. It has also been indicated that expansion will lead to several jobs.

The requested use on the site involved does not interfere with orderly and efficient transition from urban to rural land use as it is a highway commercial usage. The reasons stated above justify why state policy of Goal fourteen should not apply.

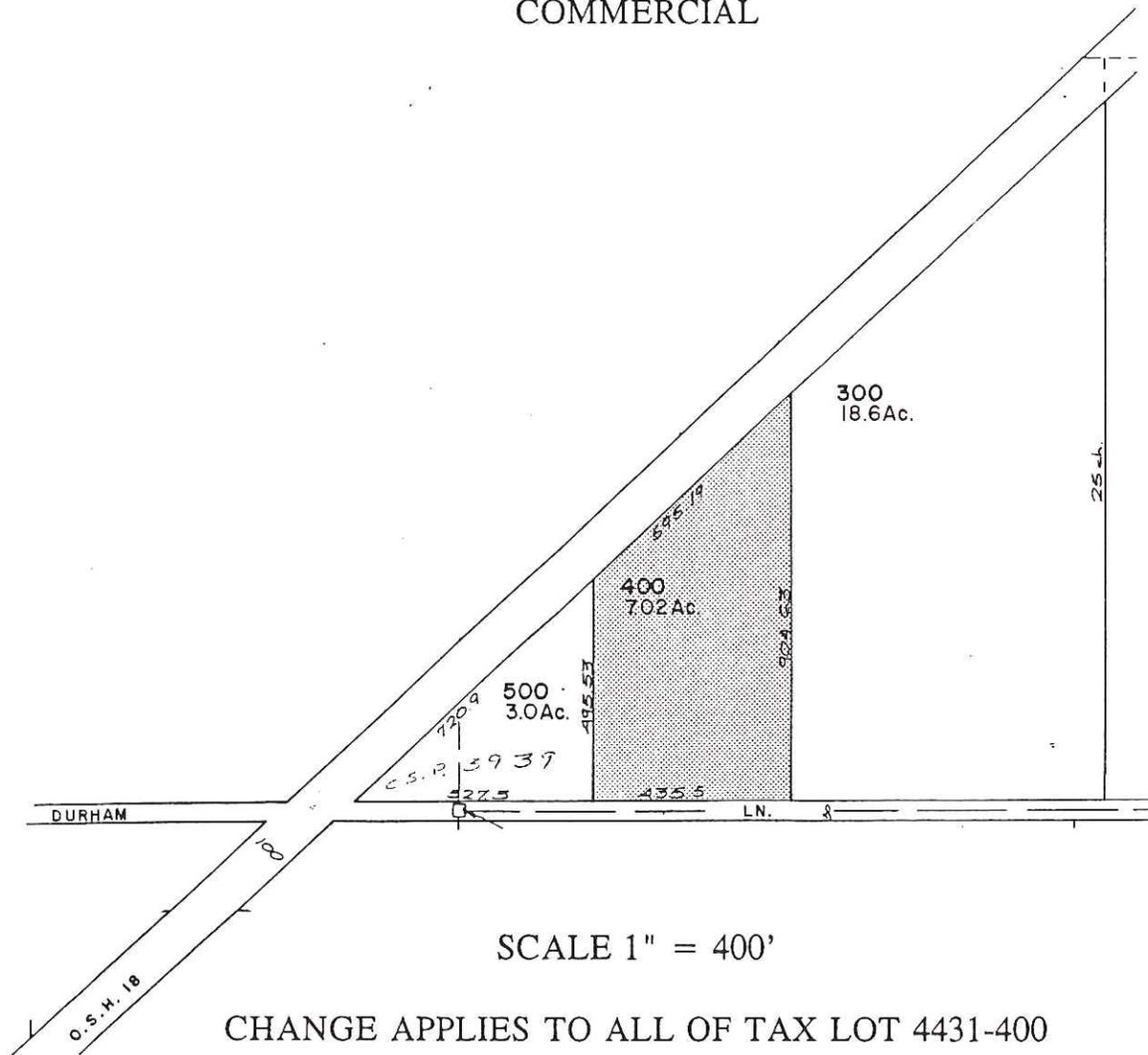
2. Areas which do not require a new exception cannot reasonable accommodate this use as indicated above.

3. Long term environmental economic social and energy consequences resulting from the use of the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than what would typically result from the same use located in areas requiring a goal exception other than the proposed site as indicated in section I, paragraphs five, six.

4. The proposed uses are compatible with other adjacent uses or will be so rendered by measures designed to reduce adverse impact as indicated in section I, paragraph seven.

EXHIBIT "C" FOR ORDINANCE NO: 554

PLAN AMENDMENT/ZONE CHANGE  
ADOPTED BY THE YAMHILL COUNTY BOARD OF COMMISSIONERS  
MAY 12, 1993  
TO CHANGE THE OFFICIAL ZONING MAP  
FROM EF-40 EXCLUSIVE FARM USE TO HC HIGHWAY COMMERCIAL  
AND THE PLAN DESIGNATION FROM  
AFLH AGRICULTURE/FORESTRY LARGE HOLDING TO C  
COMMERCIAL



CHANGE APPLIES TO ALL OF TAX LOT 4431-400  
MAP PREPARED BY THE DEPARTMENT OF PLANNING AND  
DEVELOPMENT