

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

91-160

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

FILED  
YAMHILL COUNTY, OREGON  
1991 MAR 20 PM 1:11  
CHARLES STERN  
COUNTY CLERK

In the Matter of an Ordinance )  
to Adjust the Zoning Boundary )  
of Tax Lot 2418-501 to Desig- )  
nate the Entirety as AF-20, )  
as Requested by D. Broocks, )  
D. Burgh, D. Zaveson, and )  
N. Jacobs, Planning Docket )  
Z-01-91, and Declaring an )  
Emergency )

ORDINANCE NO. 520

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board), sat for the transaction of county business in special session on March 20, 1991, Commissioners Dennis L. Goecks, Ted Lopuszynski and Debi Owens being present.

WHEREAS, Tax Lot 2418-501 constitutes a 40 acre parcel on the west side of Gerrish Valley Road, approximately 4 miles northwest of Yamhill, and is comprised of mixed EF-40 and AF-20 zoning (herein referred to as "the subject parcel"); and

WHEREAS, on March 13, 1991 a public hearing was held before the Board on the question of whether to grant a zoning boundary adjustment to D. Broocks, D. Burgh, D. Zaveson, and N. Jacobs, owners of the subject parcel, pursuant to Section 303.01(I) of the Yamhill County Zoning Ordinance, No. 310, 1982, as amended; and

WHEREAS, the subject parcel is plan-designated "Agricultural/Forestry Large Holding" (EF-40); and

WHEREAS, approval of the application would allow the subject parcel to be zoned AF-20 in its entirety; and

WHEREAS, the application meets the criteria set forth in Section 303.01(I) as set forth in the attached Exhibit "A"; and

WHEREAS, notice of the requested zone change has been sent to surrounding property owners in conformance with law and has been published in a newspaper of general circulation and no comments in favor or opposed to the request have been received; and

WHEREAS, the boundary line readjustment is consistent with the Comprehensive Plan Map designation existing on the parcel; and

WHEREAS, AF-20 is the predominant zoning and constitutes approximately 77% of the current zoning of the subject parcel and the readjustment would not reduce in area the predominant zoning district which exists on the subject parcel; and

WHEREAS, the proposed boundary readjustment would follow existing property lines and would result in a single zoning district for the existing parcel; NOW THEREFORE,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS hereby ordains as follows:

Section 1. Based on the findings of fact and conclusions for approval set forth in the staff report, attached hereto as Exhibit "A" and incorporated herein by this reference, the official zoning map of the Yamhill County Zoning Ordinance, No. 310, 1982, as amended, is hereby amended to designate the zoning on Tax Lot 2418-501 as AF-20 in its entirety, as set forth on the attached map, labeled Exhibit "B" and incorporated herein by this reference.

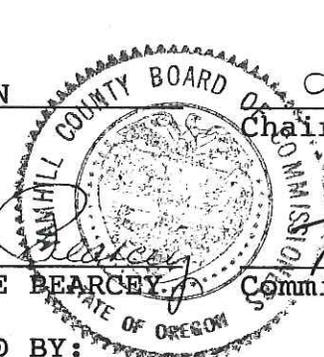
Section 2. This ordinance being necessary for the health, safety, and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, shall be effective upon passage.

DONE this 20th day of March, 1991 at McMinnville, Oregon.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN  
County Clerk



*Dennis L. Goecks*  
Chairman DENNIS L. GOECKS

By: *Elaine Bearcey*  
Deputy ELAINE BEARCEY

*Ted Lopuszynski*  
Commissioner TED LOPUSZYNSKI

FORM APPROVED BY:

*John C. Pinkstaff*  
JOHN C. PINKSTAFF  
Assistant County Counsel

*Debi Owens*  
Commissioner DEBI OWENS

EXHIBIT "A"

STAFF REPORT

Yamhill County Department of Planning and Development  
March 13, 1991

DOCKET NO.: Z-01-91

REQUEST: Zone change from EF-40 Exclusive Farm Use to AF-20 Agriculture/Forestry Use.

APPLICANT: D. Broocks, D. Burgh, D. Zaveson, and N. Jacobs

TAX LOT: 2418-501

LOCATION: Four miles northwest of the City of Yamhill on the west side of Gerrish Valley Road.

REVIEW CRITERIA: Section 303.1(I) of the Yamhill County Zoning Ordinance.

COMMENTS RECEIVED: Public Works Department: We have reviewed the file and find no conflicts with our interests. Access road should meet emergency vehicle access standards. The applicants should provide a plan, profile and typical section for their proposed access.

FINDINGS:

A. Background Facts

1. Parcel Size: 40 acres.
2. Access: Gerrish Valley Road
3. On-site Land Use: The applicant has indicated that the property is in agricultural and woodlot uses.
4. Zoning: Approximately 32.4 acres (77%) of the parcel is currently zoned AF-20 and 7.6 acres (23%) is currently zoned EF-40. The Comprehensive Plan designation for the entire property is Agriculture/Forestry Large Holding.
5. Surrounding Land Use: The area is characterized by a mix of cultivated agriculture, grazing, and woodlots.

B. Ordinance Provisions

1. Section 303.01 (I) of the Yamhill County Zoning Ordinance No. 468 and Section 303.01(I)(2) of the Yamhill County Zoning Ordinance No. 492, amending ordinance 468, makes provision for zone change from EF-40 to AF-20 which requires

STAFF REPORT

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approval by the Yamhill County Board of Commissioners. The proposed zone change must comply with the following criteria:

- (a) The boundary readjustment is consistent with the Comprehensive Plan Map designation existing on the parcel;
  - (b) The predominant zoning district includes at least 55% of the subject property, and the readjustment will not reduce in area the predominant zoning district which exists on the subject property.
  - (c) The boundary readjustment shall follow existing or proposed property lines, public roads, or rivers; and
  - (d) The boundary readjustment shall result in a single zoning district for the existing parcel or proposed parcels.
2. The Comprehensive Plan Map designation for the entire property is Agriculture/Forestry Large Holding. The proposed adjustment to make the entire property zoned AF-20 is consistent with the Comprehensive Plan Map designation on the property.
  3. The proposed zone boundary adjustment will not reduce in area the predominant zoning currently existing on the subject property in that the AF-20 District now applies to 77% of the property and the proposed adjustment will result in the remainder of the property also being zoned AF-20.
  4. The entire property will be rezoned to AF-20, the zone boundary will follow existing property lines and will result in a single zoning district for the entire property.

CONCLUSIONS AND RECOMMENDATION

Based upon the above findings, staff has determined that the request complies with the standards of the Yamhill County Zoning Ordinance, and recommends approval of the application.

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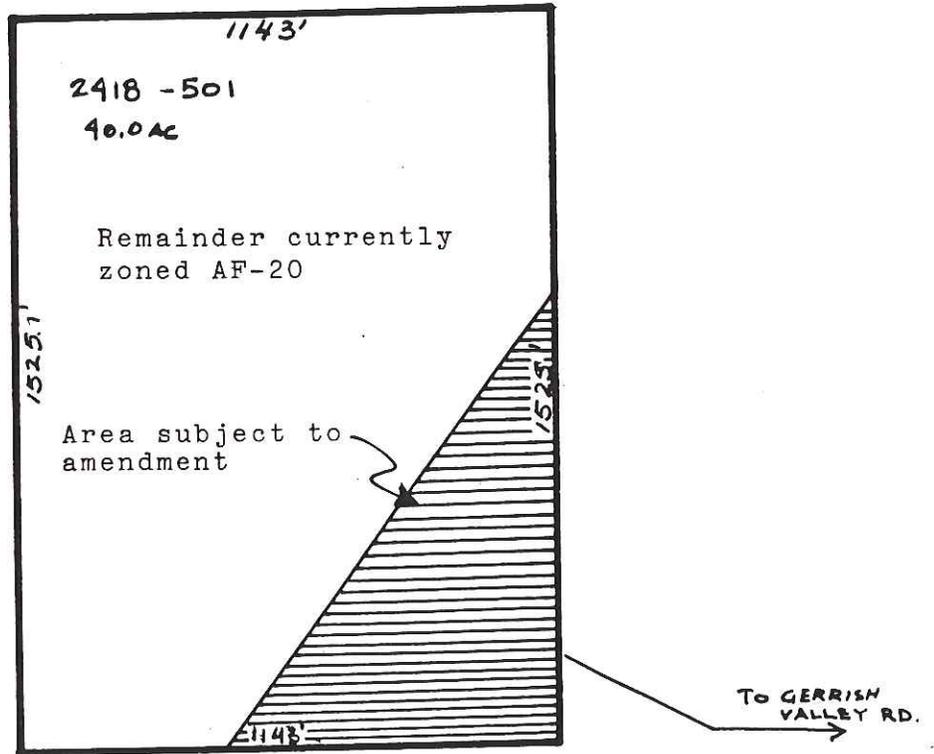
EXHIBIT "B" FOR ORDINANCE 520

ZONE MAP AMENDMENT ADOPTED BY  
YMHILL COUNTY BOARD OF COMMISSIONERS  
MARCH 20, 1991

TO CHANGE THE OFFICIAL ZONING MAP  
FROM EF-40 TO AF-20



Scale: 1"=400'



Map prepared by Department of Planning and Development  
3-19-91