

YAMHILL COUNTY CLERK
APR 11 4 41 PM '90
DEPUTY

INDEXED IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

90-232 FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance)	
to Adjust the Zoning Boundary)	
of Tax Lots 4510-01700 and)	
4509-02000 to designate the)	ORDINANCE NO. 505
Entirety as AF-20 as requested)	
by John and Julie Roodhouse,)	
Planning Docket Z-3-90, 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 April 11, 1990, Commissioners David E. Bishop, Dennis L. Goecks, and Ted Lopuszynski being present.

WHEREAS, Tax Lots 4510-1700 and 4509-2000 constitute a 100 acre parcel located approximately five miles west of the City of McMinnville on the south side of High Heaven Road and is comprised of mixed EF-40 and AF-20 zoning (herein referred to as "the subject parcel"); and

WHEREAS, on the 4th day of April, 1990 a public hearing was held before the Board on the question of whether to grant a zoning boundary adjustment to John and Julie Roodhouse, 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"; and

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

WHEREAS, the subject parcel 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, AF-20 zoning constitutes at least 55% of the subject parcel and the readjustment would not reduce the predominant zoning district which exists on the subject parcel; and

WHEREAS, the proposed boundary adjustment will follow existing property lines; NOW THEREFORE

THE YAMHILL COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

Section 1. Based upon the findings of fact and conclusionary findings 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, as amended, is hereby amended to designate the zoning on Tax Lots 4510-1700 and 4509-2000 as AF-20 in the 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 hereof.

DONE this 11th day of April, 1990 at McMinnville, Oregon.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk

DAVID E. BISHOP
Chairman DAVID E. BISHOP
Date: 4-11-90

By: *Elaine Pearcey*
Deputy ELAINE PEARCEY

Dennis L. Goecks
Commissioner DENNIS L. GOECKS
Date: 4-11-90

APPROVED AS TO FORM BY:

John M. Gray, Jr.
JOHN M. GRAY, JR.
Yamhill County Counsel

Ted Lopuszynski
Commissioner TED LOPUSZYNSKI
Date: 4-11-90

STAFF REPORT
Yamhill County Department of Planning and Development
April 4, 1990

DOCKET: 2-3-90

APPLICANT: John and Julie Roodhouse

REQUEST: For a zone change from EF-40/AF-20 zoning district to "AF-20" zoning district under section 303.01 of the Yamhill County Zoning Ordinance (Y.C.Z.O).

TAX LOT: 4510-1700, 4509-2000

LOCATION: Approximately five miles west of the City of McMinnville on the south side of High Heaven Road.

ZONING DESIGNATION: EF-40 - Exclusive Farm Use and AF-20 - Agriculture/Forestry Use.

COMMENTS RECEIVED: As of this writing, no comments have been received.

FINDINGS:

A. Background Facts

1. Parcel Size: 100 acres
2. Access: Off of High Heaven Road, a county road.
3. On-site Land Use: The applicant has indicated that the present property is used as a livestock grazing and breeding operation with improved pastures.
4. Approximately 55 acres (55%) of the parcel is currently zoned "AF-20" and 45 acres (45%) is currently zoned "EF-40". The Comprehensive Plan designation for the entire property is Agriculture/Forestry Large Holding.
5. The proposed zone alignment follows existing property lines and will result in single zoning district on the property.
6. In viewing the property and comparing zoning lines with an aerial photo, there is virtually no difference in terrain, land use, vegetation, etc., between the EF-40 and AF-20 portions of the property. The property characteristics are clearly reflective of AF-20 property throughout the County.
7. Surrounding zoning is mixed EF-40 and AF-20 with predominant zone being AF-20.

STAFF REPORT
Docket Z-3-90
Page 2

B. Ordinance Provisions

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 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.

C. Conclusions

1. 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.
2. 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 55% of the property (55 acres of a total of 100 acres) and the proposed adjustment will result in the remainder of the property also being zoned AF-20.
3. 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.

RECOMMENDATION

Based upon background facts and conclusions, the staff recommends approval of the application.

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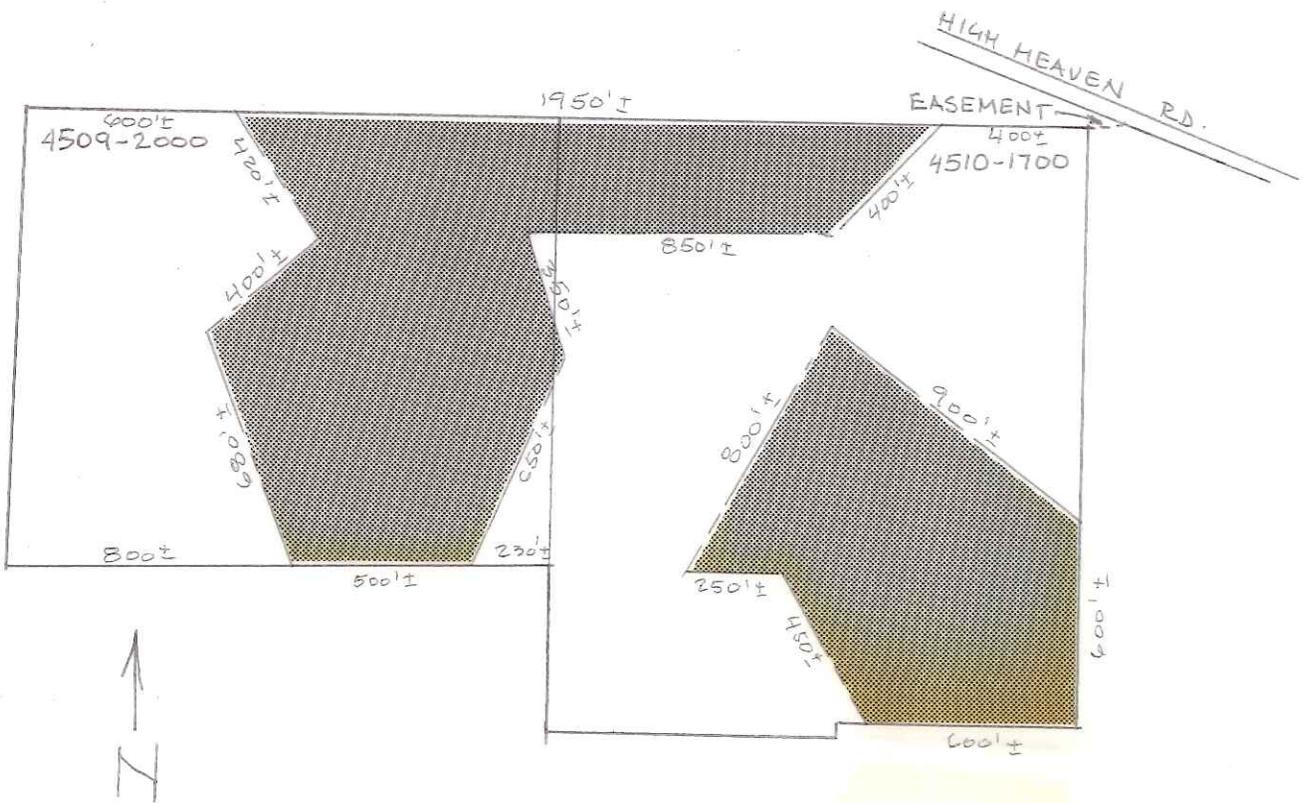
EXHIBIT "A" - Ordinance 505
Page 2

ZONE MAP AMENDMENT

ADOPTED BY THE YAMHILL COUNTY BOARD OF COMMISSIONERS

APRIL 11, 1990

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



Change applies to the shaded portions of Tax Lots 4510-1700 & 4509-2000

Map prepared by the Department of Planning and Development