

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON,
FOR THE COUNTY OF YAMHILL YAMHILL COUNTY, OREGON

82-216

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

MAY 27 11 39 AM '82

In the Matter of an Amendment)
to the Yamhill County Zoning)
Ordinance, Ordinance No. 83,)
1976, to include Oil and)
Natural Gas Exploration as a)
Conditional Use in the F-40,)
EF-40, AF-20, AF-10 and VLDR)
Zoning Districts.)

CHARLES STERN
COUNTY CLERK
DEPUTY

ORDINANCE NO. 293

The Board of Commissioners of Yamhill County, Oregon (the Board), on the 26th day of May, 1982, sat for the transaction of County business, in special session, Commissioners Colin Armstrong, Ted Lopuszynski, and Robin J. Hamblet being present.

WHEREAS, the Board, on the 11th day of February, 1976, adopted Ordinance No. 83 and enacted zoning regulations to implement the Yamhill County Comprehensive Plan, 1974; and

WHEREAS, Section 43.200 of the Ordinance No. 83 sets forth the procedure for amendments to the text of the Yamhill County Zoning Ordinance; and

WHEREAS, oil and natural gas exploration is not presently addressed by the Zoning Ordinance; and

WHEREAS, Nahama and Weagant Energy Company has highlighted a public need for the development of a clear Zoning Ordinance procedure to guide exploration activities within Yamhill County; and

WHEREAS, all of the Planning Advisory Committees within Yamhill County reviewed the proposed amendment to the text of the Zoning Ordinance and recommended that the amendment be approved; and

WHEREAS, the Yamhill County Planning Commission conducted a public hearing on May 6, 1982, to review the proposed text amendment. The Planning Commission recommended approval of the amendment based upon the findings and conclusions set forth in "Exhibit A"; and

WHEREAS, the Board held a public hearing on the 26th day of May, 1982, to consider the proposed amendment to the text of the Zoning Ordinance, Ordinance No. 83, 1976; NOW THEREFORE,

The Yamhill County Board of Commissioners Ordains as follows:

Schedule A of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976, is hereby amended as set forth in "Exhibit B," based upon the findings and conclusions set forth in "Exhibit A." "Exhibit A" and "Exhibit B" are adopted by reference and incorporated herein.

Approved this 26th day of May, 1982, at McMinnville, Oregon.

ATTEST:

Yamhill County Board of Commissioners:

CHARLES STERN, COUNTY CLERK

by Elaine Pearcey
DEPUTY ELAINE PEARCEY

Ted Lopuszynski
CHAIRMAN TED LOPUSZYNSKI

APPROVED AS TO FORM BY
COUNTY COUNSEL:

Colin Armstrong
COMMISSIONER COLIN ARMSTRONG

Daryl S. Garretson
DARYL S. GARRETSON

Robin J. Hamblet
COMMISSIONER ROBIN J. HAMBLET

EXHIBIT "A"

FINDINGS AND CONCLUSIONS Z-216-82

1. Exploration for oil and natural gas resources is not specifically addressed by the Zoning Ordinance. The applicant has highlighted a public need for the development of a clear land use procedure at the local level to guide exploration activities within Yamhill County.
2. The unpredictable distribution of oil and natural gas resources is not amendable to exclusive treatment with a Mineral Resource Zone. It would be difficult for an applicant to justify a zone change to MR prior to actual exploration and documentation that oil and/or natural gas resources are present on-site.
3. The experience of many Oregon counties indicates that oil and natural gas exploration can be compatible with several types of land use.
4. The conditional use permit procedure would provide the County with the discretion to approve or deny each exploration proposal and the flexibility to fashion site-specific conditions.
5. The proposed text amendment would be consistent with Comprehensive Plan goals and policies relating to Economic Development, Industrial Development and Mineral and Aggregate Resources (See Decision Making Criteria). Goals and Policies relating to Agricultural Land, Water Resources, Air, Water and Land Resources Quality and Energy Conservation would be specifically considered during the conditional use permit procedure.
6. The proposed amendment to the text of the Zoning Ordinance to include oil and natural gas exploration as a conditional use in the F-40, EF-40, AF-20, AF-10 and VLDR Zoning Districts does not present conflicts with the purpose and use provisions outlined in each of the zoning districts.
7. The applicant has demonstrated that the proposed text amendment is timely in that exploration leases have been obtained by Nahama and Weagant and an application for a permit to drill a well for the exploration of natural gas is pending at the State level.

EXHIBIT "B"

"Operation for the exploration of oil and natural gas resources, as defined by ORS 520.005" shall be a conditional use in the F-40, EF-40, AF-20, AF-10 and VLDR Zoning Districts.

Amendment to Yamhill County Zoning Ordinance, Ordinance No. 83, 1976.