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 COUNTY CLERK

INDEX

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON  
 FOR THE COUNTY OF YAMHILL  
 SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

88-714

In the Matter of an Ordinance )  
 to Adjust the Zoning Boundary of )  
 Tax Lot 3304-3500, 3600, 3700, )  
 4301 to Make the Entire Parcel )  
 Designated as AF-20 by )  
 Authorizing an Amendment to the )  
Yamhill County Zoning Ordinance, )  
No. 310, 1982, requested by )  
 Lonny Fendall )

ORDINANCE No. 470

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board on the 23rd day of November, 1988, sat for the transaction of County business in special session, Commissioners Ted Lopyszynski, Dave Bishop & Don Porter being present.

WHEREAS, Tax Lot 3304-3500, 3600, 3700, 4301, a 82 acre parcel, located approximately 6 miles northwest of the City of Newberg, on the west side of Lewis Rogers Lane, in the northwest 1/4 Section 4 Township 3 South, Range 3 West, currently has a boundary line for EF-40 and AF-20 zones running through it; and

WHEREAS, on the 23rd day of November, 1988, a public hearing was held before the Board on the question of whether to grant a zoning boundary adjustment to the owner of said Tax Lot, 3304-3500, 3600, 3700, 4301, pursuant to Section 303.01 (I) of the Yamhill County Zoning Ordinance, No. 310, 1982; and

WHEREAS the entire 82 acre parcel was Plan-designated Agriculture/Forestry Large Holding; and

WHEREAS, Lonny Fendall has applied to the Department of Planning and Development for adjustment of the boundary which would result in the parcel being zoned AF-20 in its entirety; and

WHEREAS, the subject parcel has been in a single ownership since the adoption of Ordinance No. 310; and

WHEREAS, notice of the requested zone change has been sent to surrounding property owners and published in a newspaper of general circulation; and

WHEREAS, the proposed adjustment would not reduce in area the predominant zoning on the subject property in that the AF-20 District now consists of 51 acres of the parcel and the proposed adjustment will result in the remaining 31 acres being zoned AF-20; and

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

NOW THEREFORE, based upon and for the reasons set forth in the attached conclusionary findings for approval, identified in Exhibit "A" and incorporated herein by this reference.

IT IS HEREBY ORDAINED BY THE BOARD:

Section 1. The Official Zoning map of Yamhill County be and hereby is amended to designate the zoning on Tax Lot 3304-3500, 3600, 3700, 4301 as AF-20 in its entirety, as set forth in the attached sketch map, labeled Exhibit "B" 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 23rd day of November, 1988, at McMinnville, Oregon.

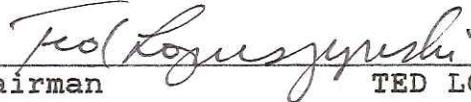
ATTEST:

CHARLES STERN  
County Clerk

By:   
Deputy ELAINE PEARCEY

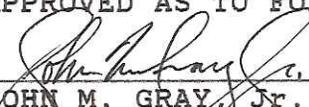


YAMHILL COUNTY BOARD OF COMMISSIONERS

  
Chairman TED LOPUSZYNSKI

  
Commissioner DONALD D. PORTER

APPROVED AS TO FORM BY:

  
JOHN M. GRAY, Jr.  
County Counsel

  
Commissioner DAVID E. BISHOP

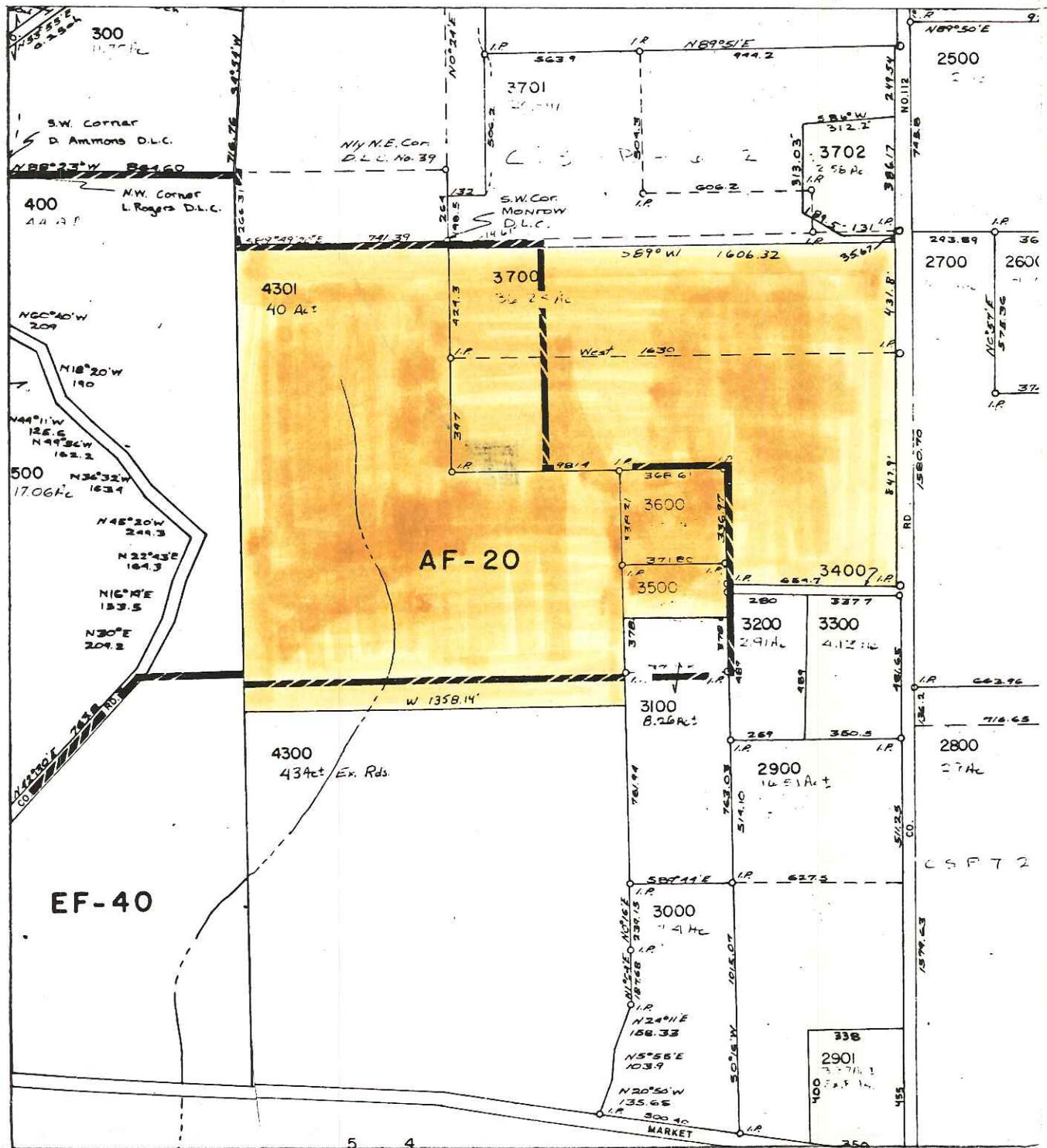
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FILM 47 PAGE 1699

APPLICANT: Lonny Fendall

TAX LOT NO: 3304 - 3500, 3600  
3700, 4301

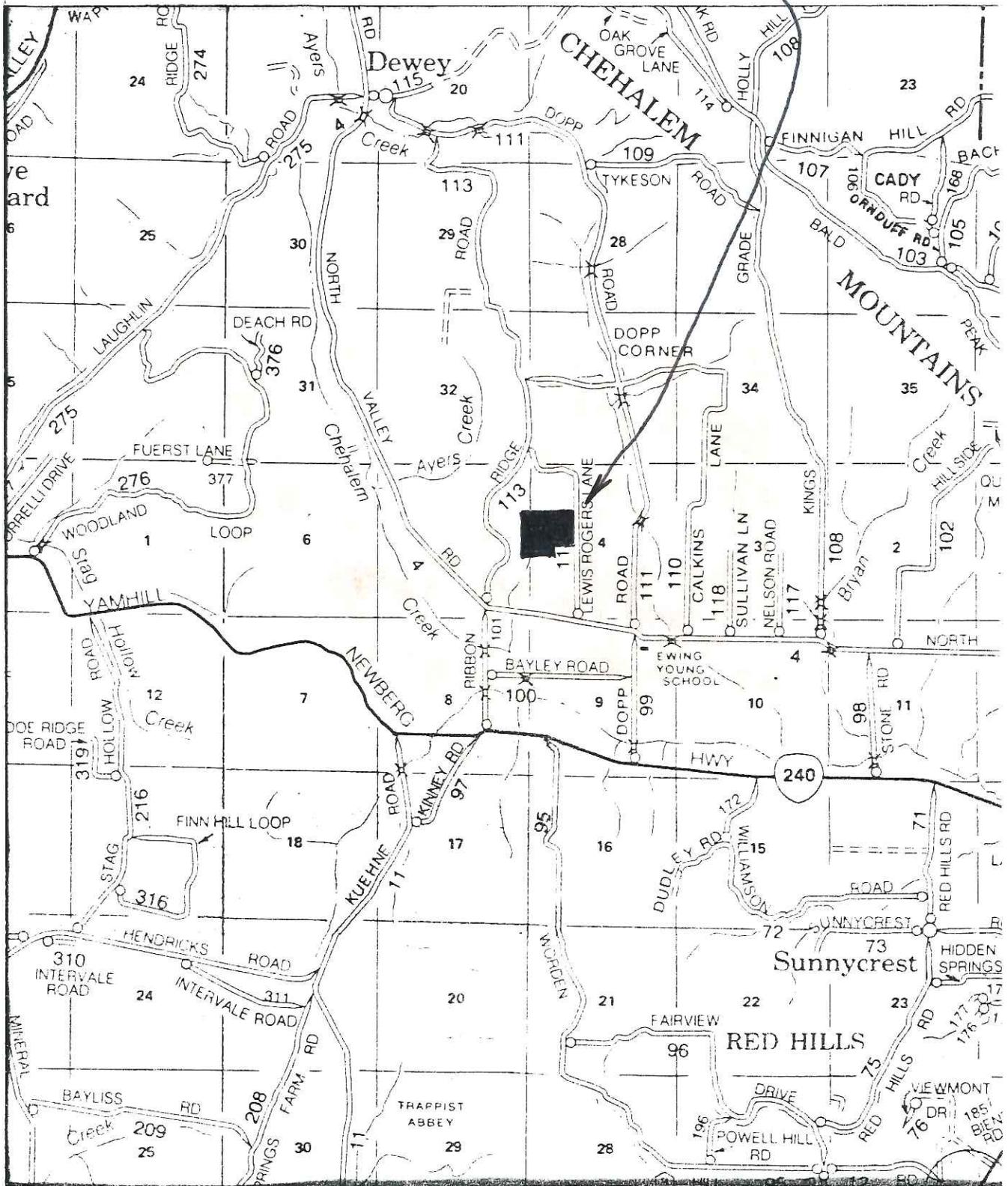


# VICINITY MAP

FILM 47 PAGE 1700



## LOCATION OF PROPERTY



---Exhibit-A-For-Ordinance No. 470 ----

Applicant: Lonny Fendall

Findings of Fact:

1. The applicant has requested to change the zoning on the 82 acre subject property from an Ef-40/af-20 mix to entirely AF-20.
2. The entire 82 acre property is plan designated "Agriculture/Forestry Large Holding."
3. Approximately 51 acres of the property are zoned AF-20 and the remaining 31 acres are zoned EF-40.
4. The proposed zone alignment will follow the existing property lines for the subject property and will result in a single zoning district for the property.
5. The AF-20 portion of the property is generally wooded with a mixture of oak and fir.
6. Notice of the requested zone change has been sent to surrounding property owners and published in a newspaper of general circulation.

Decision Making Criteria

The Board of Commissioners decision must be based upon consideration of the criteria for a zone boundary adjustment as set forth in Section 303.01 (I) of the Zoning Ordinance.

Conclusionary FindingsApproval

The following conclusionary findings can be made for approval of the request:

1. In that the Comprehensive Plan map designation for the entire property is "Agriculture/Forestry Large Holding" and because this plan designation applies to both the Ef-40 and AF-20 Districts 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 62% of the property (51 out of 82 acres) and the proposed adjustment will result in the remainder of the property also being zoned AF-20.
3. In that the property will be rezoned entirely AF-20 the boundary adjustment will follow existing property lines and will result in a single zoning district for the entire property.

Recommendation

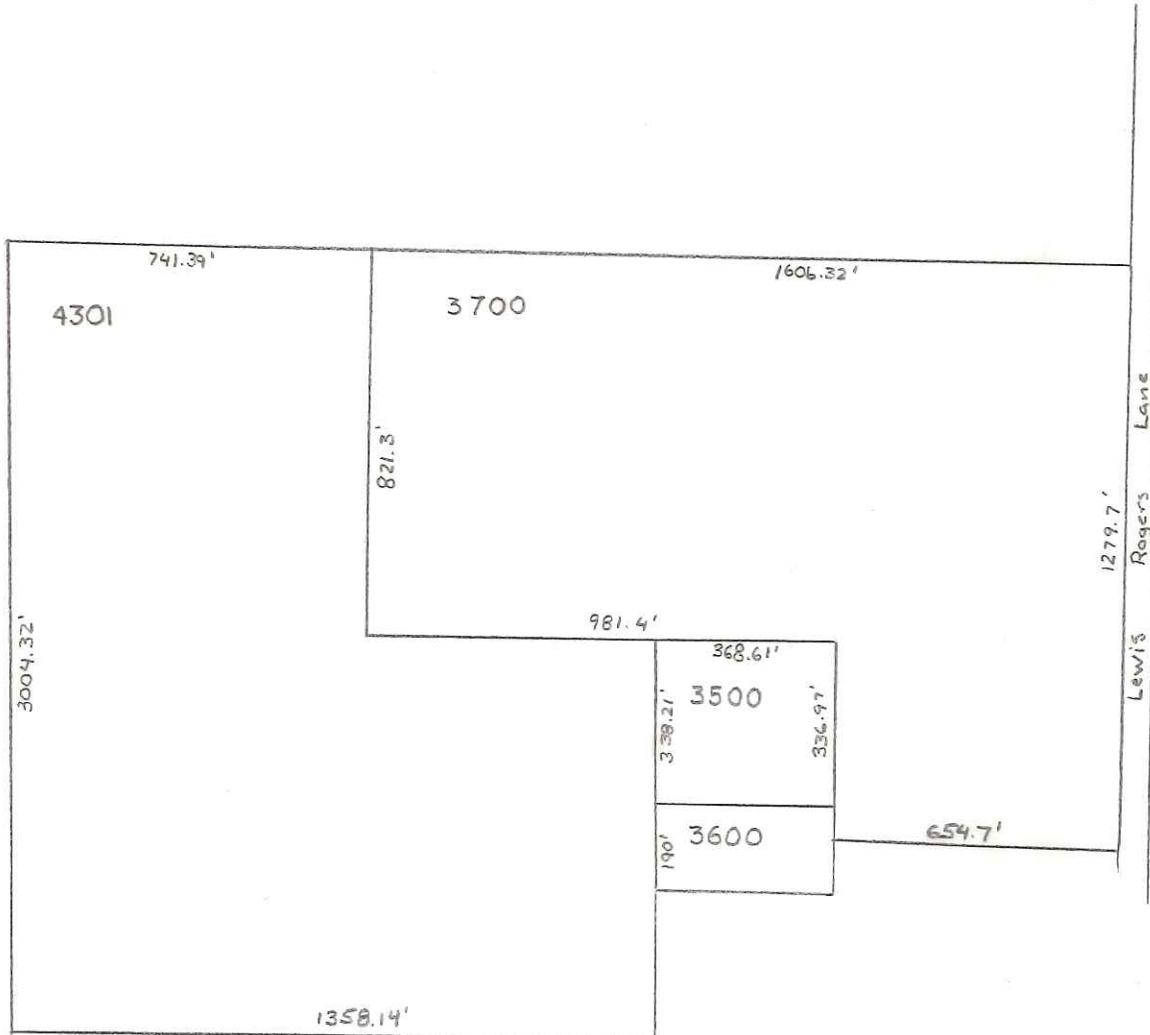
Based upon the findings of fact and the conclusionary findings for approval the staff recommends approval of the application.

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EXHIBIT "B" FOR ORDINANCE NO: 470

ZONE MAP AMENDMENT  
ADOPTED BY THE YAMHILL COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 23, 1988

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



SCALE 1 INCH = 400 FEET

Change applies to the total portion of Tax Lot No.

- 3304-4301
- 3304-3700
- 3304-3600
- 3304-3500

Map prepared by the Yamhill County Planning Department