

FILED
YAMHILL COUNTY, OREGON

1987 OCT -8 PM 3:59

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

87-583

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance to)
 Adjust the Zoning Boundary of Tax)
 Lots 4526-1900, 4527-100 & 4534-)
 100 to Make the Entire Parcel)
 Designated as AF-20 by Authorizing)
 an Amendment to the Yamhill County)
Zoning Ordinance, No. 310, 1982,)
 requested by Marilyn Dell.)

ORDINANCE NO. 452

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) on the 30th day of September, 1987, sat for the transaction of County business in special session, Commissioners David Bishop, Ted Lopuszynski and Donald Porter being present.

WHEREAS, Tax Lots 4526-1900, 4527-100 and 4534-100 a 684 acre parcel, located approximately 3 miles southwest of the City of McMinnville, west of Youngberg Hill Road in Sections 26, 27 and 34, Township 4 South, Range 5 West, currently has a boundary line for EF-40 and AF-20 zones running through it; and

WHEREAS, on the 30th day of September, 1987, 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 Lots, Cansac Investors, Inc., pursuant to Section 303.01(I) of the Yamhill County Zoning Ordinance, No. 310, 1982; and

WHEREAS, the entire 684 acre parcel was Plan-designated Agriculture/Forestry Large Holding; and

WHEREAS, Marilyn Dell 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 386 acres of the parcel and the proposed adjustment will result in the remaining 298 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 Lots 4526-1900, 4527-100 and 4534-100 as AF-20 in its entirety, as set forth in the attached sketch map, labeled Exhibit "B" incorporated herein by this reference.

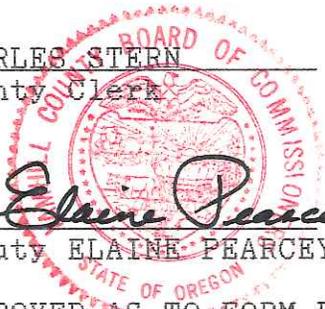
Section 2. This Ordinance being necessary for the health, safety and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, shall be effective upon passage hereof.

DONE this 30th day of September, 1987, at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk



By: Elaine Pearcey
Deputy ELAINE PEARCEY

[Signature]
Chairman

Ted Logunyszynski
Commissioner

APPROVED AS TO FORM BY:

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

[Signature]
Commissioner

STAFF MEMORANDUM
Board of Commissioners
September 30, 1987
Room 32, Courthouse

Docket: Z-4-87
Request: A Zone change from EF-40/AF-20 to entirely AF-20.
Location: Approximately three (3) miles southwest of the City of McMinnville, west of Youngberg Hill Road, Tax Lots 4526-1900, 4527-100 & 4534-100.
Applicant: Marilyn Dell.

Findings of Fact

1. The applicant has requested to change the zoning on the 684 acre subject property from an EF-40/AF-20 mix to entirely AF-20.
2. The entire 684 acre property is plan designated "Agriculture/Forestry Large Holding."
3. Approximately 386 acres of the subject property are zoned AF-20 and the remaining 298 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. 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 Findings

Approval

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 Holdings" and because this plan designation applies to both the EF-40 and AF-20 districts, the proposed boundary adjustment to make the entire property zoned AF-20 is consistent with the Comprehensive Plan map designation on the property.

STAFF MEMORANDUM
Board of Commissioners
September 30, 1987
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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 58% of the property (386 out of 684 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 from its present EF-40/AF-20 mix to completely AF-20, the boundary adjustment will result in a single zoning district for the entire property.

Recommendation

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

SKETCH MAP FOR OFFICIAL ZONING MAP AMENDMENT

EXHIBIT "B" FOR ORDINANCE NO. 452

ZONE CHANGE ADOPTED BY THE
YAMHILL COUNTY BOARD OF COMMISSIONERS

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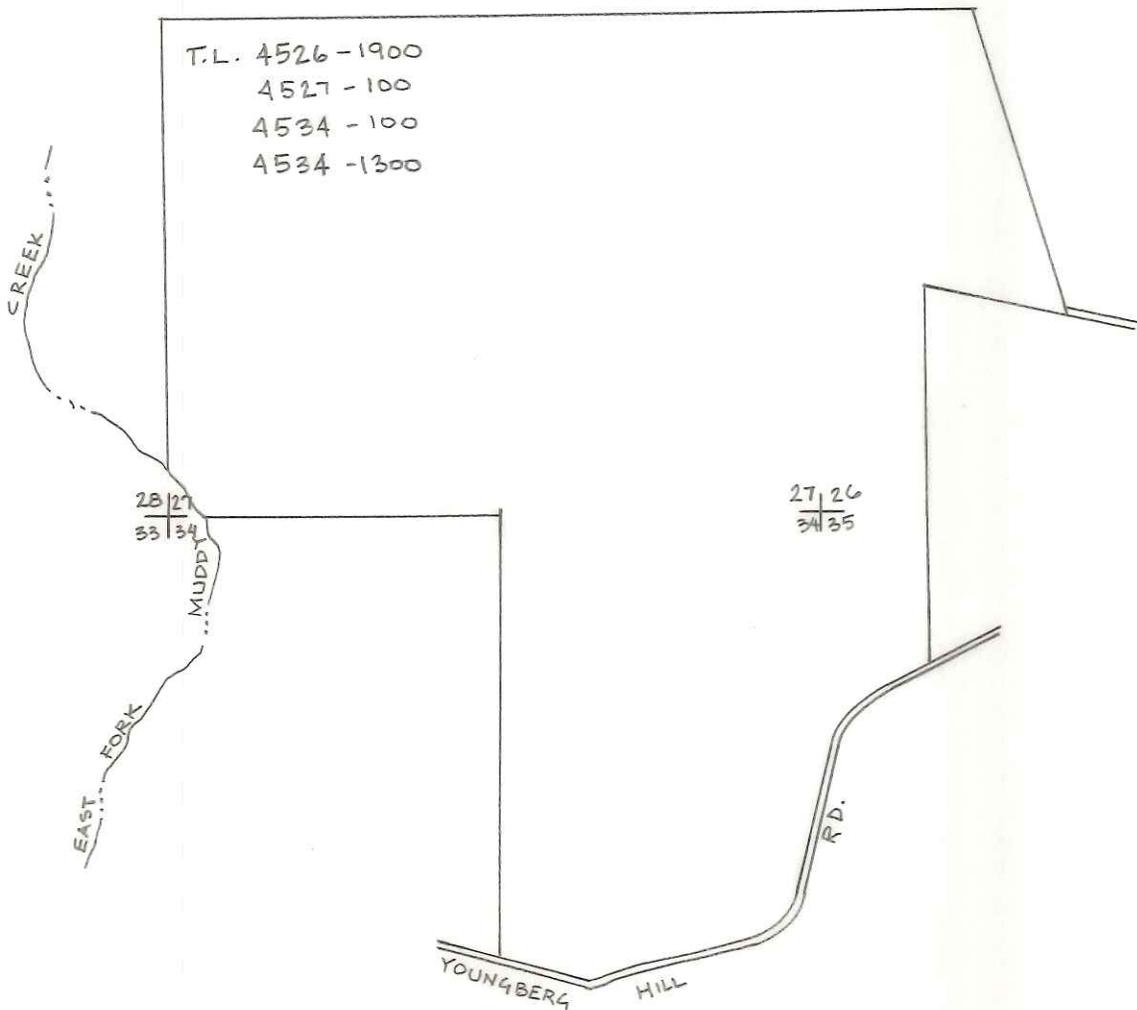
SEPTEMBER 30, 1987

TO CHANGE THE OFFICIAL ZONING MAP
FROM "EF40" TO "AF-20"

Applicant: Marilyn Dell
Address: 708 N. Baker St.
McMinnville, OR 97128
Phone: (503) 472-8444
Tax Lot No: 4526-1900, 4527-100
4534-100, 4534-1300
Docket No: Z-4-87



NOT TO SCALE



Changes applies to entire portion of tax lot no's.: 4526-1900,
4527-100, 4534-100, 4534-1300.

Sketch prepared by Yamhill County Department of Planning & Development.