

FILED
YAMHILL COUNTY, OR.
1984 DEC 26 AM 8:45
CHARLES STERN
COUNTY CLERK
DEPUTY

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

84-388

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance)
to Authorize an Amendment to)
the Official Yamhill County)
Zoning Map of the Yamhill)
County Zoning Ordinance, No.)
310, 1982, requested by Art)
Wachline, Tax Lot 2409-1000)
ORDINANCE NO. 384

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) on the 19th day of December, 1984, sat for the transaction of County business in special session, Commissioners David E. Bishop, Ted Lopuszynski and Robin J. Hamblet being present.

WHEREAS, Art Wachline has applied to the Yamhill County Department of Planning and Development for an amendment to the Official Zoning Map of Yamhill County Zoning Ordinance No. 310, 1982, to change the official zoning designation on Tax Lot 2409-1000 from EF-40/AF-20 to AF-20 in its entirety, in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan Map, said property being approximately four miles southwest of the City of Gaston, abutting County Road 255 (Williams Canyon Road) as more particularly identified on the enclosed Exhibit "B"; and

WHEREAS, on June 21, 1984, the Yamhill County Planning Commission considered said application and voted to neither approve or deny said application, but instead to refer said application to the Yamhill County Board of Commissioners without a recommendation from the Planning Commission; and

WHEREAS, on July 11, 1984, the Yamhill County Board of Commissioners held public hearing to consider said application, pursuant to Section 1207 of the Yamhill County Zoning Ordinance, No. 310, 1982; and

WHEREAS, based upon the testimony received in the public hearing and upon the reasons set forth in the attached findings of fact and conclusionary findings for approval, identified as Exhibit "A" and incorporated herein by this reference, the Board has found that an application for an amendment as requested by the applicant complies with the Yamhill County Zoning Ordinance, No. 310, 1982 and said zone change would be in the best interest of the citizens of Yamhill County; NOW THEREFORE

IT IS HEREBY ORDAINED by the Yamhill County Board of Commissioners as follows:

Section 1. The Official Zoning Map of the Yamhill County Zoning Ordinance, No. 310, 1982, be and hereby is amended to change the official zoning on Yamhill County Tax Lot 2409-1000 as identified on the attached Exhibit "B", from the present EF-40/AF-20 mix to AF-20 in its entirety.

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 19th day of December, 1984, at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk



By: Elaine Pearcey
Deputy ELAINE PEARCEY

DAVE BISHOP
Chairman DAVID E. BISHOP

DATE: 12-19-84

Ted Lopuszynski
Commissioner TED LOPUSZYNSKI

DATE: 12-19-84

APPROVED AS TO FORM BY:

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

(not available for signature)
Commissioner ROBIN J. HAMBLET

DATE: _____

Findings of Fact

1. The applicant has requested a change of zoning on the subject property from EF-40/AF-20 mixture to entirely AF-20. The zone change has been requested so that the applicant may obtain conditional use permit approval to partition the 33 acre parcel along County Road 255 which divides the parcel. Partitioning of the parcel along the County Road would result in the creation of a 20 acre parcel and a 13 acre parcel.
2. The EF-40/AF-20 District boundary on the property essentially follows vegetation lines, with the EF-40 zoned area being clear and the AF-20 zoned area wooded. The zoning pattern in the surrounding area is consistent with the EF-40/AF-20 zoning pattern which exists throughout the County. In general, AF-20 zoned lands are wooded or otherwise uncleared and steep; EF-40 zoned lands are predominantly cleared and cultivated.
3. There is no dwelling and no other structure located on the subject property.
4. The County Road that divides the property is gravelled and is 20 feet wide. At the point where the road divides the property there are no hazardous curves or other problems which may affect safety in crossing from one portion of the property to the other. Further, considering the density of development in the area, the road doesn't appear to be heavily traveled.
5. Approximately 18 acres of the subject property are zoned EF-40. The remaining 15 acres are zoned AF-20.
6. Soils on the wooded area of the eastern portion of the property are agricultural class VI and woodland site class 2 for Douglas fir production. Soils on the cleared area and the western portion of the property are agricultural class III and IV, Chehalem silty clay loam and Willakenzie silty clay loam. The Willakenzie soil also is woodland site class 2 for Douglas fir production.
7. Surrounding parcels range in size from 2 acres to over 200 acres. Parcels generally conform to the minimum parcel size standards of the EF-40/AF-20 districts. However, there are at least 25 parcels of less than 10 acres in size within 1 mile of the subject property. Those parcels abutting the subject property include a 7 acre parcel, two 20 acre parcels, a 56 acre parcel and 2 parcels of approximately 70 acres or more.
8. Land uses on surrounding parcels include agricultural and forestry uses and rural residential development. Farm uses on nearby lands include hay and grain production, vineyards, livestock grazing and orchard crops. Douglas fir production is also present in the area. There are 3 dwellings on a 20 acre parcel to the southeast and 1 non-farm dwelling on a 7 acre parcel to the southwest.
9. The following public agency comments have been received:
 - a. S.W.C.D. - No conflicts with the District's interests.
 - b. County Engineer - No conflicts with the Road Department's interests.
 - c. County Sanitarian - No conflicts with Environmental Health's interests.
10. The applicant has not submitted justification for the request. It has been indicated that the proposed 13 acres are to be sold so that someone could farm the acreage.
11. The Yamhill PAC reviewed the application at its meeting of April 26, 1984 and unanimously recommended denial of the request.

Conclusionary Findings

1. The proposed zoning boundary realignment is consistent with the Comprehensive Plan in that the "AFLH" Plan map designation applies to both the EF-40 and AF-20 districts. Further, both the EF-40 and AF-20 districts are considered agriculturally protective and, therefore, the proposed realignment would not be inconsistent with County agricultural policies.

SKETCH PLAN FOR OFFICIAL ZONING MAP AMENDMENT
EXHIBIT "B"
TO CHANGE THE OFFICIAL ZONING MAP
FROM "EF-40" TO "AF-20"

Applicant: Art Wachline
Address: 20375 W. Baseline
Aloha, Oregon 97006
Telephone: 645-9377
Tax Lot No.: 2409-1000
Docket No.: Z-251-84/C-535-84

Change applies to entire portion of tax lot 2409-1000.

