

IN THE BOARD OF COUNTY COMMISSIONERS FOR THE STATE OF OREGON

FILED
YAMHILL COUNTY, OREGON

83-567

FOR THE COUNTY OF YAMHILL

1984 JAN 10 PM 3:5

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

CHARLES STERN
COUNTY CLERK

In the Matter of an Ordinance)
to Authorize an Amendment to)
the Yamhill County Comprehen-)
sive Plan Map, Ordinance No.)
62, 1974, Requested by Bud)
and Jim Miller, Docket No.)
PA-131-83)

ORDINANCE NO. 363

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) on the 23rd day of November, 1983, sat for the transaction of County business in special session, Commissioners Robin J. Hamblet, Dave Bishop and Ted Lopuszynski being present.

WHEREAS, Section 6 of Ordinance No. 62, 1974, provides that an application for an amendment to the Yamhill County Comprehensive Plan Map shall first be referred to the Yamhill County Planning Commission and the Planning Commission shall recommend approval or denial of such application to the Board of Commissioners; and

WHEREAS, Bud and Jim Miller, in Docket No. PA-131-83 have applied to the Yamhill County Department of Planning and Development for an amendment to the Yamhill County Comprehensive Plan Map to change the existing Plan Map designation on Tax Lot 2315-5700 from "Agriculture/Forestry Large Holding" to "Agriculture/Forestry Small Holding"; and

WHEREAS, on the 6th day of October, 1983, the Yamhill County Planning Commission considered said application in a public hearing and voted 5 to 4 to deny said amendment; and

WHEREAS, the Board considered in a public hearing the application on the 2nd, 9th, and 23rd days of November, 1983, and voted on November 23, 1983, to approve said application, based upon the findings attached hereto as "Exhibit A" and incorporated herein by this reference; and

NOW THEREFORE, BASED UPON AND FOR THE REASONS SET FORTH in the attached Findings

IT IS HEREBY ORDAINED THAT the Comprehensive Plan Map of Yamhill County be and hereby is amended to change the Plan designation on Tax Lot 2315-5700 from "Agriculture/Forestry Large Holding" to "Agriculture/Forestry Small Holding", as is designated on the sketch plan attached hereto as "Exhibit B".

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 immediately upon passage hereof.

DONE this 23rd day of November, 1983 at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk

Robin J. Hamblet
Chairman ROBIN J. HAMBLET

By: *Elaine Pearcey*
Deputy ELAINE PEARCEY

Dave Bishop
Commissioner DAVE BISHOP

Date: 1-4-84

APPROVED AS TO FORM:

Date: Jan 4, 1984

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

Ted Lopuszynski
Commissioner TED LOPUSZYNSKI

Date: Jan 4 1984

ORDINANCE NO. 363

ORDINANCES 363 & 364
Exhibit "A"

PROPOSED FINDINGS - DOCKET PA-131-83/Z-244-83

1. The Board of Commissioners adopts the Plan Amendment/Zone Change application report, dated August 10, 1983 and labeled Exhibit "A" as findings of fact and conclusionary findings for approval of the requested plan amendment/zone change on Tax Lot 2315-5700 from "AFLH" and AF-20 to "AFSH" and AF-10. In particular the Board recognizes those conclusionary findings set forth on pages 13 through 29 of the report as addressing the criteria necessary for approval of a plan amendment/zone change request.
2. The Board of Commissioners finds that commercial agricultural and timber production are precluded on the subject property and that the property is best suited for rural residential development in conjunction with small-scale farm or forestry activities, due to existing development patterns on surrounding lands and to extreme topographic limitations on the subject property. Parcels abutting the subject property on 3 sides are generally 5 acres in size, are committed to rural residential development and are plan designated "Very Low Density Residential" and zoned VLDR-5 by Yamhill County. This existing residential development and planned residential development located in such close proximity to and on 3 sides of the subject property interferes with those practices normally associated with commercial timber and farm management activities. Likewise, practices normally associated with farm and forest use interfere with the common activities associated with residential development.

The Board further finds that lands in Washington County and located as near as 1/4 mile north and northeast of the subject property are predominantly zoned for 5 and 10 acre parcel sizes. This area of Washington County has been recognized as being unsuitable for agricultural and forestry uses and is best suited for rural residential development and small-scale farm and forestry uses of the type and scale proposed for the subject property.

3. County Policy I.B.2a. of the Revised Goals and Policies, Yamhill County Comprehensive Plan provides that the County will continue to recognize that the appropriate location of rural residential development is in "areas having unique scenic, locational and other suitable site qualities where the anticipated magnitude or density of development is not such as to require more than a very basic level of services." The Board finds that the subject property has unique scenic and locational qualities that warrant recognition of the property as an appropriate location for very low density residential development. Specifically, the Board finds that the sub-

ject site is bounded on 3 sides by existing 5 acre, rural residential parcels that have been excepted from applicable resource goals and further that the site offers magnificent, unobstructed views of the Tualatin Valley to the northeast. The proposed land use action will allow lower density residential development than now exists on adjacent residential lands, thereby providing for a mixture of housing types to utilize and derive enjoyment from the stunning and unique scenic resource afforded from Bald Peak, the highest point in the Chehalem Mountains.

4. The Board recognizes that a goal of the Comprehensive Plan is to preserve lands for commercial farm and forestry uses and finds that approval of this request will not be inconsistent with that goal. Specifically the Board finds that the subject property is unique from lands to the south that are plan designated "AFLH" and zoned AF-20 in that the subject property is bordered on 3 sides by lands that have been excepted and that are presently developed to rural residential densities. Lands directly to the south that are currently zoned AF-20 are only bordered on one side by rural residential development; on other sides they are bordered by AF-20 zoned lands and Bald Peak State Park.

The Board further finds that approval of the plan amendment/zone change request on the subject property will create a transition area between those lands to the north that are residentially oriented and those lands to the south that are agricultural. The proposed "AFSH" plan designation and AF-10 zoning district are recognized as areas that encourage small-scale farm/forestry activities and provide opportunities for extremely low density residential development and, thus, help serve as a buffer between higher density residential areas and larger scale farm/forest areas. The Board finds that applying such a plan designation and zoning to the subject property will not only put the property to a better, more practical use but will also provide a transition area that will allow for more unencumbered use of the surrounding residential area and those commercial farm/forest lands to the south of the subject property.

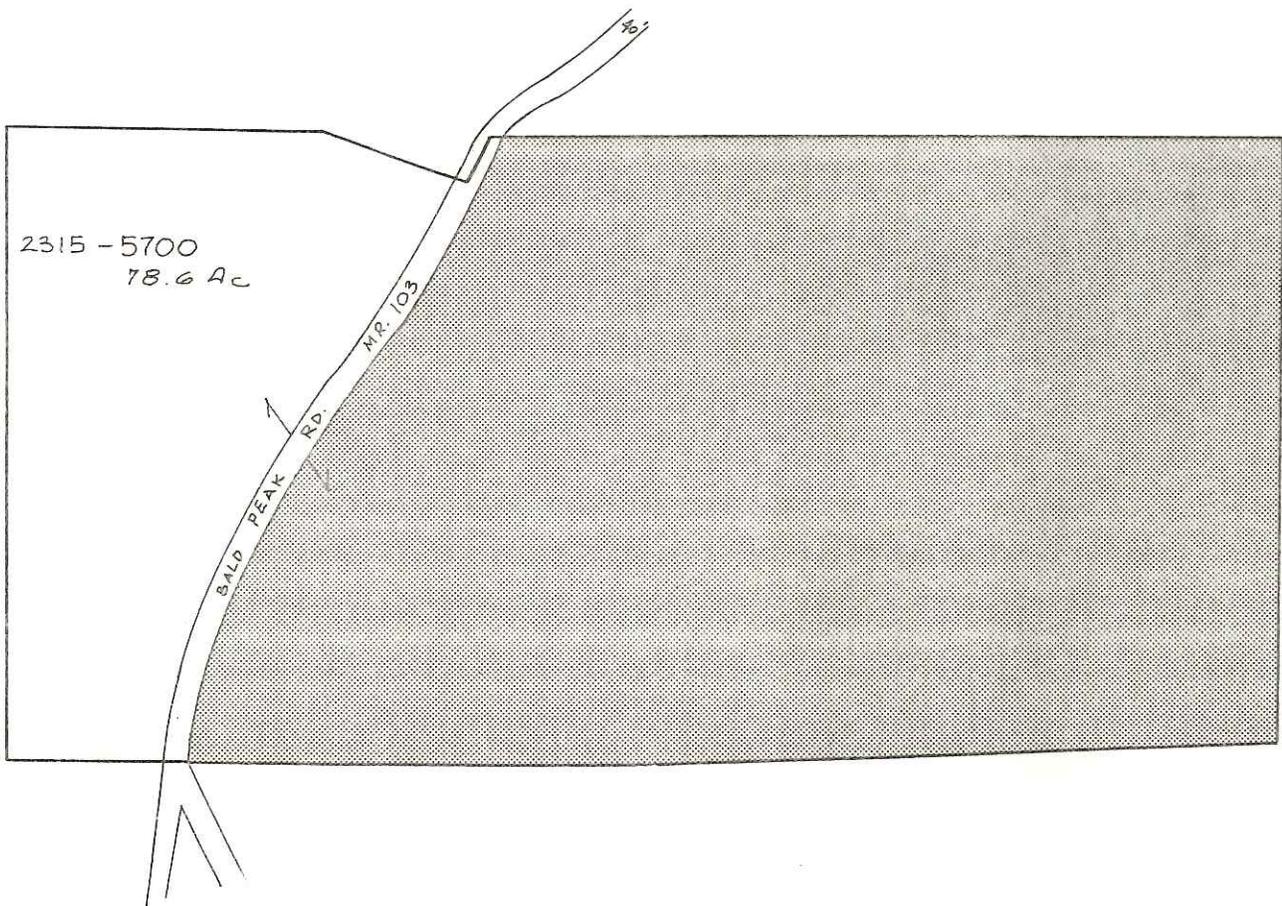
SKETCH PLAN FOR COMPREHENSIVE PLAN AMENDMENT
EXHIBIT "B"

TO CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION
FROM "Agriculture/Forestry Large Holding"
TO "Agriculture/Forestry Small Holding"

SKETCH PLAN FOR OFFICIAL ZONING MAP AMENDMENT

TO CHANGE THE OFFICIAL ZONING MAP
FROM "AF-20" TO "AF-10"

Applicant: Bud & Jim Miller
Address: 8545 S.W. Beaverton Hillsdale Hwy.
Portland, OR 97225
Phone: 292-6647
Tax Lot No.: 2315-5700
Docket No.: PA-131/Z-244-83



Changes Apply to shaded portion of Tax Lot 2315-5700

Sketch prepared by Yamhill County Department of Planning and Development