

83-611

FOR THE COUNTY OF YAMHILL

1984 JAN 10 AM 10:45

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

CHARLES STERN  
COUNTY CLERK

DEPUTY

In the Matter of an Ordinance )  
to Implement Planning Commis- )  
sion Resolution No. 83-15, )  
Authorizing an Amendment to )  
the Official Zoning Map of )  
the Yamhill County Zoning Ordi- )  
nance, No. 310, 1982, Requested )  
by City of Lafayette )

ORDINANCE NO. 367

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) on the 4th day of January, 1984, sat for the transaction of County business in regular session, Commissioners Dave Bishop, Ted Lopuszynski and Robin J. Hamblet being present.

WHEREAS, pursuant to ORS 215.402 to 215.422 and Section 1301.01 (C)(8) of the Yamhill County Zoning Ordinance, decisions by the Yamhill County Planning Commission to approve or deny request for amendment to the Zoning Ordinance are final unless an aggrieved party appeals to the Board within fifteen days, or unless the Board in its discretion elects, pursuant to Section 1301.05 of the Zoning Ordinance to review the decision on its own motion within fifteen days, and

WHEREAS, the City of Lafayette has made application to the Yamhill County Department of Planning and Development to amend the Official Zoning Map of the Yamhill County Zoning Ordinance, No. 310, 1982, to change the official zoning on Tax Lot 4307-3100 and 4319-1600, from "EF-40" to "PWS"; and

WHEREAS, the Planning Commission has adopted Resolution No. 83-15 approving an amendment to the Zoning Ordinance, based upon the application of the City of Lafayette to change the zoning designation on Tax Lots 4307-3100 and 4319-1600 from "EF-40" to "PWS", a copy of said Resolution being attached hereto and by this reference incorporated herein as if fully set forth herein; and

WHEREAS, on the 21st day of December, 1983, the Board held public hearing to consider the request for a Plan Amendment and Zone Change by the applicant and voted to affirm the decision of the Yamhill County Planning Commission to amend the Official Zoning Map as requested, based upon the findings of fact and conclusionary findings for approval set forth in the attached Exhibit "A" and subject to the condition that all necessary permits from the County Road Department shall be obtained for any work to be conducted within the County right-of-way and that installation of the waterline shall be conducted in accordance with the standards set out by the County Engineer in his letter dated October 14, 1983, said letter being attached hereto as Exhibit "C"; NOW THEREFORE, based upon and for the reasons set forth in the attached Resolution and Exhibits,

IT IS HEREBY ORDAINED BY THE BOARD that the Official Zoning Map of Yamhill County Zoning Ordinance be and hereby is amended, consistent with and as set forth in attached Resolution No. 83-15 of the Yamhill County Planning Commission, subject to the condition that all necessary permits from the County Road Department be obtained for any work to be conducted within County right-of-way and that installation of waterline shall be conducted in accordance with the standards set out by the County Engineer in the attached Exhibit "C".

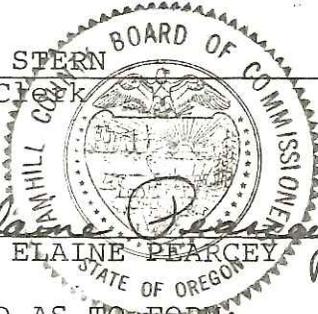
THIS ORDINANCE being necessary for the health, safety and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, shall be effective upon passage hereof.

DONE this 4th day of January, 1984 at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN  
County Clerk



By: Elaine Pearcey  
Deputy ELAINE PEARCEY

APPROVED AS TO FORM:

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

DAVE BISHOP Jan. 4, 1984  
Chairman DAVE BISHOP

Ted Lopuszynski  
Commissioner TED LOPUSZYNSKI

Robin J. Hamblet Jan. 4, 1984  
Commissioner ROBIN J. HAMBLET

In the Matter of an Amendment to the )  
Yamhill County Zoning Ordinance, )  
No. 310, 1982 as requested by )  
the City of Lafayette )

RESOLUTION NO. 83-15

THE PLANNING COMMISSION of Yamhill County, Oregon, on the 1st day of December, 1983, sat for the transaction of County business at a regularly scheduled session. Planning Commissioners Treadway, Bunn, Weidemann, Philpott, Miller, Sadler, Schatz, Stockhoff and Bennette were present.

WHEREAS, the Yamhill County Board of Commissioners adopted the Yamhill County Zoning Ordinance, No. 310, 1982 on the 1st day of December, 1982, being the Yamhill County Zoning Ordinance text and Official Zoning Map; and

WHEREAS, ORS 215.020 provides that a governing body may create a county planning commission and, pursuant to ORS 215.406, may designate the planning commission to serve as a hearings officer with all the power and duties of a hearing officer as prescribed by ORS 215.010 and 215.402 to 215.422; and

WHEREAS, the Yamhill County Board of Commissioners created the Yamhill County Planning Commission by adoption of an unnumbered Board Order on the 6th day of November, 1957 and designated that planning commission as the hearings body for petitions for amendments to the Yamhill County Zoning Ordinance, No. 310, 1982 by adoption of Ordinance No. 138 on the 1st day of June, 1977; and

WHEREAS, it appears to the Planning Commission that a petition submitted on behalf of the City of Lafayette has been filed with the Yamhill County Department of Planning and Development, pursuant to Section 1207 of Ordinance No. 310 to amend said Ordinance, and change the Official Zoning Map designation from "EF-40" for parcels described as being a 10,000 square foot tract and a 15,000 square foot tract; and

WHEREAS, the Dayton Planning Advisory Committee reviewed the amendment request at a public meeting and unanimously recommended approval of the request; and

WHEREAS, the Planning Commission, on the 1st day of December, 1983, held public hearing as required by ORS 215.223 and 215.416 on the proposed amendment and voted to approve the request based on the findings and conclusions attached hereto as Exhibit "A" and by this reference made a part hereof;

NOW THEREFORE, IT IS HEREBY RESOLVED that the Official Zoning Map be and hereby is amended to show the Zoning Designation on a 10,000 square foot tract and a 15,000 square foot tract of Yamhill County Tax Lots 4307-3100 and 4319-1600 as PWS as shown on the sketch plan attached hereto as Exhibit "B" and by this reference made a part hereof.

This resolution shall be in force and effect from and after the date the change is properly recorded on the Official Zoning Map. The Yamhill County Planning Director be and hereby is directed and authorized to amend said Official Zoning Map in conformance with this Ordinance.

Such amendment is to be done in conjunction with a Comprehensive Plan map change from Agriculture/Forestry Large Holding to Public Facilities recommended by the Planning Commission to be approved by the Board of Commissioners for the same area.

DONE this 1st day of December, 1983.

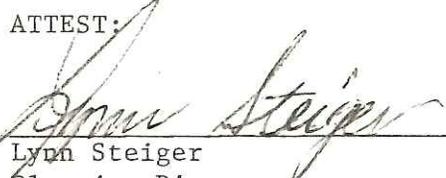
AYES: Treadway, Bunn, Weidemann, Philpott, Miller, Sadler, Schatz,  
Stockhoff and Bennette

NAYES: None

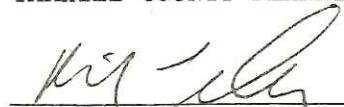
ABSTENTIONS: None

Approved by the Chairman on this 1st day of December, 1983

ATTEST:

  
Lynn Steiger  
Planning Director

YAMHILL COUNTY PLANNING COMMISSION

  
Dick Sadler, Chairman

Docket: PA-132-83/Z-245-83/C-521-83  
Request: An amendment to the Yamhill County Comprehensive Plan, 1974 to change the Plan Map designation from Agriculture/Forestry Large Holding to "Public Facilities" on a 10,000 square foot tract and a 15,000 square foot tract. An amendment to the Yamhill County Zoning Ordinance, No. 310, 1982 to change the official zoning map from "EF-40" to "PWS" on a 10,000 square foot tract and a 15,000 square foot tract. A conditional use permit to allow extension of the municipal water main from the two well sites to the City of Lafayette.

Location: Approximately three quarters (3/4) mile and two (2) miles south of the City of Lafayette, west of Market Road No. 18 in the SW 1/4 of Section 7 and the NW 1/4 of Section 19, T4S-R3W, Tax Lots 4307-3100 and 4319-1600. Please take note that the approval of this application may require the taking of an exception to either the Statewide Planning Goals or the Resource Goals of the Yamhill County Comprehensive Plan, pursuant to HB 2295.

Applicant: City of Lafayette.

#### Findings of Fact

1. The applicant has requested a plan amendment/zone change on a 10,000 square foot tract and a 15,000 square foot tract to amend the Comprehensive Plan Map designation from "AFLH" to "Public Facilities" and to change the zoning from "EF-40" to "PWS" (see maps attached). A conditional use permit has also been requested to allow extension of a water line from the well sites to the City.
2. The requested plan amendment/zone change is necessary to accommodate two proposed new well sites for the City of Lafayette. The new wells are part of a HUD-funded improvement program for the City's municipal water system.
3. Lafayette has had a history of water problems associated with bacteria and seasonal inadequacy of its water supply. The existing water supply is fed from springs and suffers from bacteriological contamination in excess of EPA standards. Earlier this year, a grant was awarded to the City to correct these problems.
4. Well log data for Lafayette and the surrounding area indicate that the aquifer south of the city is the best source of pure water in the quantities needed for the City's water system. Test wells have been drilled on the subject sites and indicate that sufficient water is available to meet the needs of the City of Lafayette's water system without creating problems of drawdowns on nearby wells.
5. The two test wells will be enlarged from their existing six-inch diameter to standards necessary to meet the water needs of Lafayette. Pumps will be installed in the wells. The pumps will be enclosed in a fiberglass structure, and the well will be enclosed with cyclone fencing. The fenced area will measure approximately 50'x50'.
6. The proposed water main will be installed along County right-of-way, in areas zoned "EF-40" and "AF-20". There are no plans to allow any hookups outside of the Lafayette Urban Growth Boundary.
7. The proposed well sites are currently vacant and have been used for pasture and wheat production in the past.
8. Soils on the subject sites are Agricultural Class II, Woodburn and Amity silt loam.
9. Surrounding lands are generally in agricultural production. The applicant has indicated that because ground water supplies in the area appear to be excellent, and because the use of the subject sites will be limited to the wells and pumps necessary for the water system, the water supply for surrounding agricultural operations and residences should remain adequate, and the impacts of the proposal on surrounding land uses should be negligible.

10. The following public agency comments have been received:
  - A. County Engineer - The Road Department is requiring that the City obtain permits for all operations conducted within County right-of-way (see attached letter).
  - B. County Sanitarian - A letter from Mike Ladd, Watermaster, will be needed to assure that the wells are properly drilled and protected.
  - C. State Water Resources Department - The Department reviewed the proposal and found no conflicts with its interests.
  - D. City of Dayton - No conflicts with the City's interests.
  - E. City of Lafayette - No conflicts with the City's interests.
11. The applicant has submitted information addresssing the applicable Comprehensive Plan Goals and Policies, the criteria for rezoning the property and the criteria for taking an exception to resource goals.
12. The Dayton PAC reviewed the application at their meeting of November 10, 1983 and unanimously recommended approval of the proposal.
13. At the present time, all "PWS" zones in the County are committed to existing land uses.

#### Decision-Making Criteria

The Planning Commission's decision must be based upon the goals and policies of the Comprehensive Plan, upon the amendment review criteria as set forth in Section 1207 of the Zoning Ordinance, upon the conditional use permit review criteria as set forth in Section 1202 of the Zoning Ordinance, and upon the criteria for the taking of an exception as set forth in Section 19a of HB 2295.

#### Approval

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

1. The request is consistent with the goals and policies of the Comprehensive Plan as noted on Pages 2 through 4 of the applicant's justification information.
2. There is a need for the proposed municipal wells in that the City of Lafayette currently has both quality and quantity problems associated with its existing water supply, and since the two proposed wells are expected to alleviate these problems and provide Lafayette with an adequate supply of clean water.
3. The proposed amendment to accommodate a new municipal water source for Lafayette is timely considering that the City of Lafayette currently has problems associated with the quantity and quality of its existing water supply and considering that the City recently received grant funding to allow upgrading of its water supply system.
4. In that the only existing "PWS" zoned lands in the County are devoted to existing land uses, there are no developable "PWS" zones available to accommodate the proposed use. Further, since the proposed wells are dependent upon an adequate groundwater supply and because the subject sites are located in an area that has been found to have a good groundwater supply, the subject sites are well suited for the proposed plan amendment/zone change.
5. The proposed municipal water main extension is listed as a conditional use in both the "EF-40" and "AF-20" Districts.

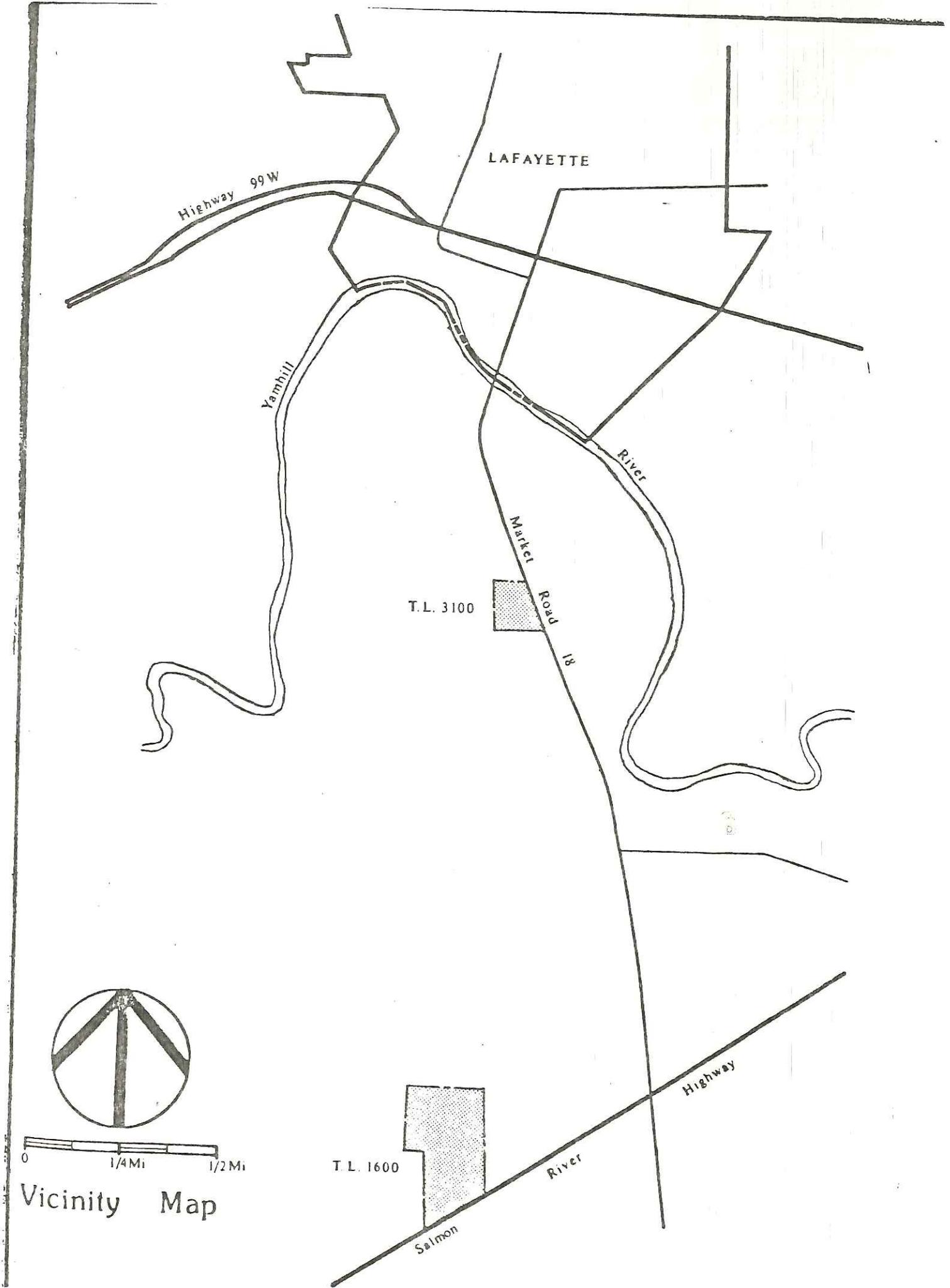
6. The route and location of the proposed water main is appropriate considering the relative location of the proposed wells to the City of Lafayette and considering that the water main route is located within County right-of-way and will be subject to appropriate permits from the County Road Department and be subject to the construction standards set out by the Road Department.
7. The proposed water main extension will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district in that the water main will be installed within County right-of-way and not in cultivated, agricultural areas. Further, the applicant has indicated that the proposed water line will only serve areas within the Lafayette Urban Growth Boundary and will not be used to service County lands along the transmission route.
8. The applicant has submitted conclusionary findings addressing the exceptions criteria set forth in Section 19a of HB 2295 (see pages 4 through 6 of the applicant's justification information).

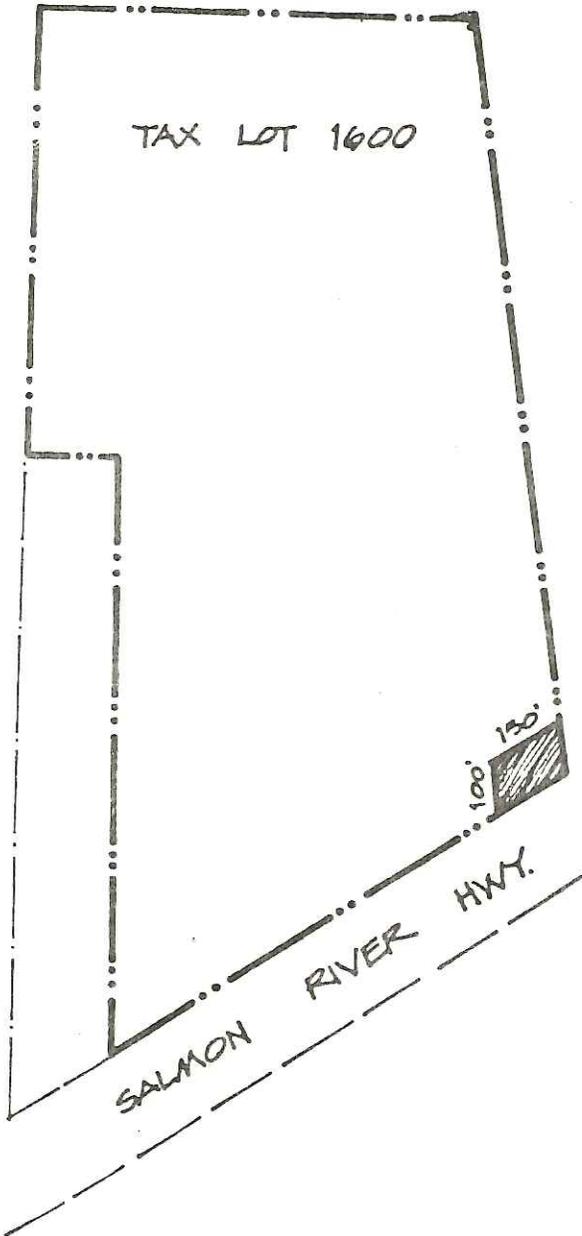
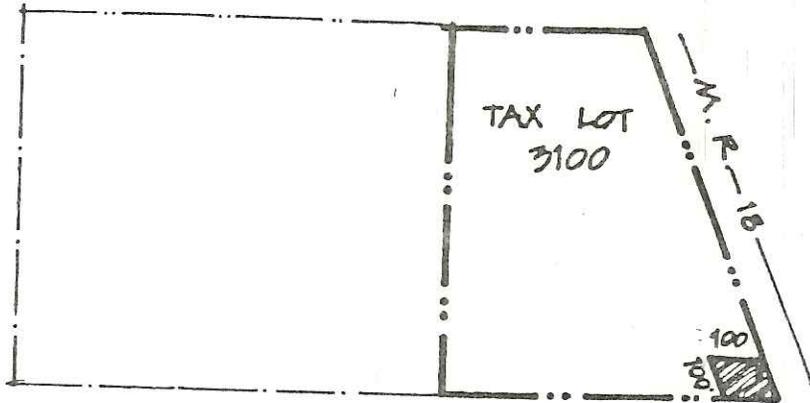
Recommendation

Based on findings of fact and conclusionary findings for approval, the staff recommends approval of the application with the following condition:

That all necessary permits from the County Road Department shall be obtained for any work to be conducted within County right-of-way and that installation of the water line shall be conducted in accordance with the standards set out by the County Engineer in his letter dated October 14, 1983.

EXHIBIT "B"





LEGEND

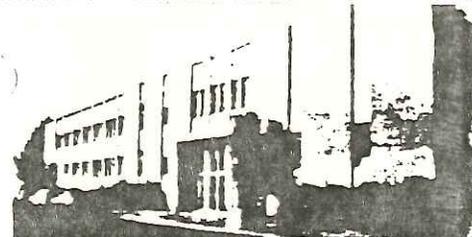
 WELL SITE



SCALE: 1" = 400'

# YAMHILL COUNTY

Oregon



COUNTY ROADMASTER  
Lloyd H. May

October 14, 1983

Jim Schuette, P.E.  
Westect Engineering, Inc.  
3421 S. E. 25th Street  
Salem, Oregon 97302

Re: Lafayette Water Main Project

Dear Jim:

Pursuant to our conversation on 10-11-83 I have reviewed your preliminary plans and find the following areas of concern;

- 1.) Your specifications should include provisions for construction zone signing. Both Temporary (tilt up) and semi-permanent (wooden post-to remain until the project is completed) should be required. Placement and maintenance should be the responsibility of the contractor.
- 2.) The Bridge hanger details should be submitted along with the appropriate design calculations. A final stamped design will be required on this detail.
- 3.) Clean-up provisions should be stressed both in your specifications and by your inspector(s). This will be especially crucial if construction takes place this winter or spring.
- 4.) The safety of the travelling public as well as the construction crew is of paramount importance. The contractor should be required to have all of the flaggers, permanent signage, temporary signage, traffic cones, and barricades installed and properly maintained prior to construction.
- 5.) As we discussed the road crossing at Station 23+50 should be a bore rather than an open cut for safety reasons. Temporary construction easements may be required from adjoining property owners to accommodate the extra room required by the boring equipment.
- 6.) The contractor will have to have a certificate of insurance on the file with this office with limits of liability of at least \$100,000/300,000. A "workmanship" type of performance bond will also be required, to be held for at least 12 months.
- 7.) All valve boxes should be placed in such a manner that normal brush cutting and ditch cleaning operations will not be impaired.

EXHIBIT C, p. 1

Lafayette Water Main Project page 1

- 8.) Permanent marker posts warning of valve boxes should also be required.
- 9.) All distrubed driveway culverts and cross culverts shall be replaced with new materials unless the salvaged pipe material are in an acceptable condition. All new pipe materials shall conform to Yamhill County Road specs and in no case shall a culvert diameter of less than 12 inches be allowed.

Based on your preliminary plans and own discussions, I believe that the above list covers my "SPECIAL" concern.

I have also included a copy of this County's back fill and compactic requirements.

Please feel free to contact me if you have any questions on any of the above.

Sincerely,



William A. Gille, P.E.

County Engineer

WAG/ew

cc. Daryl Garrettson, County Counsel

EXHIBIT C, p. 2

Lafayette Water Main Project page 2