

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

84-293

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance)
 Authorizing Amendment to the)
 Yamhill County Zoning Ordinance,)
 No. 310, 1982, on the Easterly)
 20 Acres of a 39.3 Acre Parcel) ORDINANCE NO. 375
 Known as Tax Lot 5631-1100 to)
 Change the Zone Map Designation)
 From EF-40 to HI, Requested by)
 Boise Cascade Corporation)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) on the 11 day of July, 1984, sat for the transaction of County business in regular session, Commissioners David E. Bishop, Ted Lopuszynski and Robin J. Hamblet being present.

WHEREAS, the above-named corporation has filed an application with the Yamhill County Planning Department to change the zone on a 39.3 acre parcel requesting that the zone be changed from EF-40 to HI on that property known as Tax Lot 5631-1100; and

WHEREAS, on the 3rd day of May, 1984, the Yamhill County Planning Commission held public hearing and voted to approve the change in zoning on 12 to 15 acres of said parcel, said decision being reflected in the attached Resolution of the Planning Commission; and

WHEREAS, the Yamhill County Board of Commissioners on the 30th day of May, 1984, held a public hearing to consider this request and determine that the requested change in zone map designation should be approved on the easterly 20 acres of the 39.3 acre parcel;

NOW THEREFORE, based upon the findings attached hereto, IT IS HEREBY ORDAINED by the Yamhill County Board of Commissioners as follows:

Section 1. That the Official Zoning Map of Yamhill County be and hereby is amended to reflect the change in zoning on the easterly 20 acres of the 39.3 acre parcel known as Tax Lot 5631-1100 to "HI" from EF-40" consistent with the findings of the Yamhill County Board of Commissioners attached hereto.

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 11 day of July, 1984, in McMinnville, Oregon.

ATTEST: YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
 County Clerk

David E. Bishop
 Chairman DAVID E. BISHOP
 Date: 7-16-84

By: *Edaine Pearcey*
 Deputy EBADNE PEARCEY

Ted Lopuszynski
 Commissioner TED LOPUSZYNSKI
 Date: 7-11-84

APPROVED AS TO FORM BY:
John M. Garrettson
 For DARYL S. GARRETTSON
 County Counsel

Robin J. Hamblet
 Commissioner ROBIN J. HAMBLET
 Date: 7-11-84

ORDINANCE NO. 375

In the Matter of an Amendment to the)
Yamhill County Zoning Ordinance, No. 310, 1982 as requested by Boise Cas-)
cade Corporation)

RESOLUTION 84-19

THE PLANNING COMMISSION OF YAMHILL COUNTY, OREGON, on the 3rd of May, 1984, sat for the transaction of County business at a regularly scheduled session. Commissioners Sadler, Treadway, Bunn Weidemann, Philpott, Bennette, Stockhoff and Miller 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 Boise Cascade Corporation 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 "Agriculture/Forestry Large Holding) to Heavy Industrial for a parcel described as being a 39.3 acre tract; and

WHEREAS, the Willamina/Grand Ronde Planning Advisory Committee reviewed the request at a public meeting on May 2, 1984 and recommended approval of the request; and

WHEREAS, the Planning Commission, on the 3rd of May held a public hearing as required by ORS 215.223 and 215.416 on the proposed amendment and voted to recommend approval of a zone change on a portion of the 39.3 acre tract, to-wit, up to 15 acres including the old quarry and vicinity land that lies in the southeast/eastern portion of the property, 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 up to 15 acres of a portion of Yamhill County Tax Lot 5631-1100 as "HI" 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.

DONE this 3rd day of May, 1984.

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

NAYES: _____

Approved by the Chairman on this 3rd day of May, 1984.

ATTEST:

YAMHILL PLANNING COMMISSION


Lynn Steiger
Planning Director


Dick Sadler, Chairman

EXHIBIT "A"

FINDINGS OF FACT

1. The applicant has requested a plan amendment/zone change on the 39.3 acre subject property to amend the Comprehensive Plan Map designation from "AFLH" to "HI" and to change the zoning from EF-40 to HI.
2. The proposed use for the property is a disposal site for log yard cleanup in conjunction with the Boise Cascade veneer mill located on the adjacent property to the south. The existing solid waste disposal area for the veneer mill is located on the existing mill site to the south; however, it has become sufficiently filled to make it necessary for Boise Cascade to seek an alternative site. The existing disposal area will be used for log storage when an alternative disposal site is approved.
3. Boise Cascade purchased the subject property together with the adjacent veneer mill property in 1973. When the Yamhill County Comprehensive Plan was adopted in 1974 and subsequently when the County was zoned in 1976, the subject property was planned and zoned for agricultural use and the adjacent mill property was planned and zoned Heavy Industrial. The applicant feels that the subject property should have been included in the Heavy Industrial Plan designation.
4. The Boise Cascade veneer mill presently employs 80 persons and, according to the applicant, "without a disposal site Boise Cascade cannot continue to operate."
5. Using aerial photographs it is estimated that approximately 8 acres of the existing veneer mill site have been used for disposal of log yard cleanup, including a disposal area that appears to have extended into the subject property.
6. The subject property is presently leased out for farming purposes. Additionally, an abandoned rock quarry exists on the subject property. The quarry area occupies approximately 3 acres and the applicant has indicated that it is proposed that the rock quarry be used for solid waste disposal. If the quarry is used, portions of the property can continue to be used for farming purposes.
7. Soils on the subject property are predominantly agricultural class III and IV, Willakenzie silty clay loam. These soils are site class 2 for Douglas fir production.
8. Other HI zoned properties in the County are devoted to existing development.
9. The applicant has considered the following alternatives to satisfy the mill's solid waste disposal needs.:
 - a. Purchasing a 30 acre site located west of the existing veneer mill site and County Road 477 and north of State Highway 18. This site is also zoned EF-40 and Plan-designated "AFLH". It has been rejected because of possible aesthetic problems associated with storage of log-yard residue along Highway 18, the desirability of this site for a higher industrial use because of highway and railroad access and because of the expense involved in acquiring this alternative site.
 - b. Using Riverbend Sanitary Landfill. This alternative has been rejected because of the expense involved in hauling and disposing of log yard refuse at the Landfill.

10. Surrounding properties are characterized by a variety of land uses and zones. Lands that abut the subject property on the northeast and west are zoned EF-40 and used for farm production. Farm crops generally include hay, pasture, legume and grains. The HI zoned veneer mill to the south abuts on lands that are zoned AF-20 and AF-10. Other properties within 1 mile of the site include HI zoned mill sites; AF-10, AF-20, and EF-40 lands that are used for small-scale to larger scale farm production. Properties within the Willamina City limits 1/4 mile to the west include residential uses and a school.
11. Access to the subject property is provided by way of County Road No. 477 which also abuts the veneer mill site.
12. The following public agency comments have been received:
 - a. DEQ - The company has requested/applied for a solid waste permit. This Department is requesting more information prior to processing the permit.
 - b. Willamina Planning Commission - At its meeting of April 16, 1984, the City Planning Commission reviewed the proposal and found no conflicts with Willamina's interests.
 - c. City of Sheridan - No conflicts with the City's interests.
 - d. O.D.O.T. - No conflicts with the Department's interests.
 - e. S.W.C.D. - No conflicts with the District's interests.
 - f. County Sanitarian - No conflicts with Environmental Health's interests.
 - g. County Engineer - No conflicts with the Road Department's interests.
13. The Willamina/Grande Ronde PAC will review the application at its meeting of May 2, 1984. The PAC recommendation will be presented at the public hearing.

Conclusionary Findings

Approval

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

1. The proposal is consistent with the Comprehensive Plan as follows:
 - a. The industrial development goal provides "to concentrate industries of similar types, service needs, and performance characteristics within designated areas of each of the existing urban centers." Although the subject property is not in an urban center it is located in an industrially zoned and developed corridor between the cities of Sheridan and Willamina, adjacent to an existing industrial site, and, as an expansion area for an existing, abutting industry, approval of the requested amendment on the subject property would concentrate industries of similar types and performance characteristics within a designated industrial area.

- b. In that the HI zoned and Plan-designated lands in the County are devoted to existing uses and are not available for further development, there are no lands in the County that do not require an exception and that can reasonably accommodate the use.
- c. In that use of the subject property as a log yard refuse disposal site for wood wastes generated by the adjacent veneer mill is essentially an expansion of an on-going use on the abutting property, impacts on surrounding lands would be basically unchanged and, therefore, the long term environmental, economic, social and energy consequences resulting from the use at the proposed site would not be significantly more adverse than would result from the same use being sited in other areas of the County.
- d. The proposed disposal site for log yard refuse would be compatible with other adjacent uses in that the same use as is being proposed on the subject parcel is already in existence on the abutting property to the south. Further, the disposal of log yard refuse is only an ancillary use to the principal use of veneer mill which exists on the abutting property, and the veneer mill presently exists without apparent incompatibility with surrounding land uses.

