

FILED
YAMHILL COUNTY, OREGON
1986 DEC 31 AM 11:28
CHARLES STEIN
COUNTY CLERK
ALONG (Signature)
DEPUTY

86-618

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL
SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance)
Amending the Yamhill County)
Comprehensive Plan, 1974, to)
Allow an Expansion of the)
Urban Growth Boundary of the)
City of Dundee to Encompass) ORDINANCE 438
Additional Right-of-Way on)
Edwards Drive and to Incor-)
porate the Dundee Cemetery)
and Water Storage Tank; Plan-)
ning Docket P-2-86; and De-)
claring an Emergency)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) on the 31st day of December, 1986, sat for the transaction of county business in special session, Commissioners Donald D. Porter and Ted Lopuszynaki being present.

WHEREAS, the City of Dundee has applied to the Department of Planning and Development in order to expand its urban growth boundary to include two parcels identified on the attached Exhibit "B" and more particularly described as follows:

Site 1 - The easterly one half of County Road No. 79, Edwards Drive, to coincide with the approved surrender of jurisdiction of that portion of County Road 79 as referenced in Yamhill County Board Order 83-543, and Exhibit "A" to the statement of acceptance of the surrender of jurisdiction by the City of Dundee dated April 18, 1985;

Site 2 - The Dundee Cemetery and Dundee Reservoir site that adjoins the Dundee city limits, Tax Lots 3326AB-3400, 3326AC-5400, and 3326-101; and

WHEREAS, pursuant to rules adopted July 26, 1979, under authority of Board Order 79-258 said application was first considered and approved by the Planning Commission and City Council of the City of Dundee and thereafter following a public hearing in the Yamhill County Courthouse on March 20, 1986, the Yamhill County Planning Commission recommended to the Board of Commissioners that the Yamhill County Comprehensive Plan be amended to allow the expansion of the urban growth boundary as described above; and

WHEREAS, on April 9, 1986, the Board held a public hearing and thereafter voted unanimously to approve the above-described comprehensive plan amendment and urban growth boundary expansion; and

WHEREAS, on December 1, 1986, the Board and the Dundee City Council held a joint public hearing on the application and voted unanimously to grant the application and directed staff to prepare findings of fact and conclusionary findings in support of such approval; and

WHEREAS, staff has prepared findings of fact and conclusionary findings for approval and based upon such findings attached hereto as Exhibit "A" and by this reference incorporated herein, it appears appropriate to grant the application of the City of Dundee as set forth above; and

WHEREAS, Statewide Planning Goal 14 and Oregon Administrative Rule 660-04-010 require that the procedures and requirements of Goal 2 for goal exception be followed when an urban growth boundary is amended to include rural land, and the findings set forth in Exhibit "A" demonstrate compliance with Goal 14 and OAR 660-04-010; and

WHEREAS, because it is logical and in the best interests of the citizens of Yamhill County and the City of Dundee that the City of Dundee urban growth boundary should encompass the easterly one half of Edwards Drive, the Dundee City Cemetery, and the Dundee water storage tank; NOW THEREFORE

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ordains as follows:

Section 1. Based upon the findings of fact and conclusionary findings attached hereto as Exhibit "A" and by this reference incorporated herein, the Yamhill County Comprehensive Plan, 1974, is hereby amended as follows:

- (a) To allow the expansion of the urban growth boundary of the City of Dundee to include the easterly portion of County Road 79 (Edwards Drive) as more particularly described in the statement of acceptance by the City of Dundee of the surrender of jurisdiction of County Road 79 signed by Floyd I. Aylor, Mayor of Dundee, and dated April 18, 1985, as more particularly identified on the attached map identified as Exhibit "B" and incorporated herein by this reference; and
- (b) To allow the expansion of the urban growth boundary of the City of Dundee to include the Dundee Cemetery and Dundee water storage tank identified as Tax Lots 3326AB-3400, 3326AC-5400, and 3326-101, as identified on the attached Exhibit "A" incorporated herein by this reference; and
- (c) To designate the parcels referred to in this section as "Future Urbanizable" on the Yamhill County Comprehensive Plan Map.

Section 2. Based upon the findings of fact and conclusionary findings set forth in Exhibit "A" and by this reference incorporated herein, an exception is hereby taken, to the extent required by OAR 660-04-010, to Statewide Planning Goal 14, to allow inclusion of the subject parcels referred to above and that said expanded urban growth boundary and the said exception shall be incorporated into and shall become a part of the Yamhill County Comprehensive Plan.

Section 3. 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 become effective

upon passage hereof.

DONE at McMinnville, Oregon this 31st day of December, 1986.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk

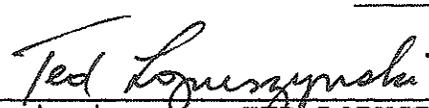

Chairman DONALD D. PORTER
Date: 12-31-86

By 
Deputy ELAINE PEARCEY

(not available for signature)
Commissioner DAVID E. BISHOP
Date: _____

APPROVED AS TO FORM BY:


JOHN M. GRAY, JR.
Yamhill County Counsel


Commissioner TED LOPUSZYNSKI
Date: Dec 31, 1986

ORDINANCE 438

FINDINGS

These findings are adopted by the Yamhill County Board of Commissioners (the Board) in support of its action of December 31, 1986, to amend the Yamhill County Comprehensive Plan, 1974 to allow an expansion of the urban growth boundary of the City of Dundee. There are two areas of amendment of the existing urban growth boundary of the City of Dundee affected by Ordinance 438. First, the amendment allows expansion of the urban growth boundary to take in the easterly portion of County Road 79 (Edwards Drive) to coincide with a surrender of jurisdiction and subsequent acceptance of jurisdiction over that portion of Edwards Drive within the City of Dundee. The amendment relating to Edwards Drive will extend the urban growth boundary from the centerline of Edwards Drive to the easterly right-of-way. The second area of amendment takes in the fully developed City of Dundee cemetery and the tax lot on which the City of Dundee water storage tank is located. Both areas of amendment are contiguous to the existing city limits.

The Board makes the following findings in support of Ordinance 438:

1. The Board finds that due to the insubstantial effect of the addition of one half of Edwards Drive to the urban growth boundary and the full development of the Dundee Cemetery, and the tax lot supporting the water storage tank, that the seven Goal 14 amendment criteria are not applicable to this amendment. The Board has considered each factor and finds no conflict with any Goal 14 amendment factor by the urban growth boundary expansion.

2. The Board finds that no impact on either resources protected by the goal or the requirement for the city to provide services will be made by the expansion of the urban growth boundary accomplished by Ordinance 438.

3. The Board finds that there are no areas within the UGB which could accommodate a water storage tower because of the need for high elevation not found elsewhere within the UGB. The Board further finds that there are no areas within the UGB which could reasonably accommodate a cemetery.

4. The Board finds that there are no long-term environmental, economic, social, or energy consequences resulting from the expansion of the urban growth boundary to encompass the easterly portion of Edwards Drive, the Dundee City Cemetery and the Dundee water storage tank.

5. The Board finds that the proposed uses as roadway, cemetery, and water storage tank are compatible with other existing adjacent uses.

6. The Board finds that the expansion of the urban growth boundary to encompass the easterly portion of Edwards Drive, the Dundee City Cemetery and the Dundee water storage tank is in the best interests of the citizens of Dundee and Yamhill County.

Area of
Amendment

Dundee Urban Growth Boundary
As Amended December 31, 1986

Exhibit B Ordinance 438

FILM 44 PAGE 1775

Edwards Drive Right-of-Way

DUNDEE

251

266

Exhibit "B"
Ordinance 438

