

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON

83-120 FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Adoption of )  
Minor Textual Amendments to )  
Sections 402.03, 403.03, )  
404.02, 404.03, 1006.02 and )  
1006.06 of the Yamhill County )  
Zoning Ordinance, Ordinance )  
No. 310, 1982. )

ORDINANCE NO. 331

CHARLES STERN  
COUNTY CLERK  
DEPUTY

MAR 24 4 12 PM '83

FILED  
YAMHILL COUNTY, OREGON

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, (the Board) on the 23rd day of March, 1983, sat for the transaction of County business in regular session, Commissioners Hamblet, Bishop and Lopuszynski being present.

WHEREAS, ORS Chapter 197 and 215 provide and authorize Yamhill County to adopt a Comprehensive Plan in compliance with the Statewide Goals and to enact zoning regulations to implement said Plan; and

WHEREAS, Yamhill County adopted on September 25, 1975, a Comprehensive Plan, which Comprehensive Plan, as amended, was acknowledged by the Land Conservation and Development Commission as complying with the Statewide Goals and Guidelines on June 5, 1980; and

WHEREAS, on the 11th day of February, 1976, Yamhill County adopted Zoning Ordinance No. 83, setting forth comprehensive zoning regulations for Yamhill County, which Ordinance as amended was acknowledged on June 5, 1980, as implementing an acknowledged Comprehensive Plan; and

WHEREAS, Yamhill County Ordinance No. 83 has been amended numerous times, which resulted in a series of documents which were difficult to understand, and resulted in continual cross-references to amending Ordinances in order to determine the actual zoning regulations in existence in Yamhill County; and

WHEREAS, Ordinance No. 310 was adopted by the Board on December 1, 1982 and said document places all the appropriate zoning regulations within one document; and

WHEREAS, five items were inadvertently omitted from the text of Ordinance No. 310 when it was adopted by the Board in December, 1982;

NOW, THEREFORE, IT IS HEREBY ORDAINED that Exhibit "A" attached hereto and by this reference incorporated herein shall constitute textual amendments to the Yamhill County Zoning Ordinance, Ordinance No. 310.

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 on the passage hereof.

DONE and dated this 23rd day of March, 1983.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN, County Clerk

Chairman ROBIN HAMBLET

Elaine Pearcey  
ELAINE PEARCEY, Deputy

DAVE BISHOP  
Commissioner DAVE BISHOP

APPROVED AS TO FORM BY:

Ted Lopuszynski  
Commissioner TED LOPUSZYNSKI

for John M. Gray Jr.  
DARYL S. GARRETTSON  
Yamhill County Counsel

## EXHIBIT "A"

### Amendment #1 - Section 402.03 (Changes are underlined)

- F. Commercial activities that are in conjunction with farm use;
- G. Mineral resource extraction and mineral resource processing, subject to the applicable criteria in Section 404;
- H. Extraction and development of oil, natural gas or geothermal resources, subject to the criteria specified in subsection 404.10;
- I. Home occupation, subject to the standards and limitations set forth in Section 1004;
- J. The boarding of horses for profit;
- K. Personal-use airports or helicopter pads, including associated hangars, maintenance and service facilities. For the purpose of this Section, a personal use airport is defined as an airstrip restricted, except for aircraft emergencies, to the use by the owner or by his invited guests, on an infrequent and occasional basis, and by commercial aviation activities in connection with agricultural or forestry operations. No aircraft may be based or stored at a personal use airport except those owned or controlled by the owner of the airstrip;
- L. Livestock feeding yard, less than five hundred (500) feet from a residential zoning district or urban growth boundary;
- M. Community or municipal water supply system, except within acknowledged service boundaries;
- N. Community or municipal sanitary sewer system; and
- O. Utility facility in conjunction with a permitted use.

#### 402.04 Prohibited Uses.

Uses of land and water not specifically mentioned in this Section are prohibited in the EF-40 District. In order to preserve EF-40 lands for farm and forest uses, subdivisions and residential planned unit developments shall be prohibited.

Amendment #2 - Section 403.03  
(Changes are underlined)

land uses that may be incompatible  
with accepted farm or forestry  
practices.

- D. Park or open space which is publicly or privately owned, operated or maintained, including hunting and fishing preserves;
- E. Fruit and vegetable stand for produce not grown on the property;
- F. Commercial activities that are in conjunction with farm use;
- G. Mineral resource extraction and mineral resource processing, subject to the applicable criteria in Section 404;
- H. Extraction and development of oil, natural gas or geothermal resources, subject to the criteria specified in subsection 404.10;
- I. Home occupation, subject to the standards and limitations set forth in Section 1004;
- J. The boarding of horses for profit;
- K. Personal-use airports or helicopter pads, including associated hangars, maintenance and service facilities. For the purpose of this Section, a personal use airport is defined as an airstrip restricted, except for aircraft emergencies, to the use by the owner or by his invited guests, on an infrequent and occasional basis, and by commercial aviation activities in connection with agricultural or forestry operations. No aircraft may be based or stored at a personal use airport except those owned or controlled by the owner of the airstrip;
- L. Livestock feeding yard, less than five hundred (500) feet from a residential zoning district or urban growth boundary;
- M. Community or municipal water supply system, except within acknowledged service boundaries;
- N. Community or municipal sanitary sewer system; and
- O. Utility facility in conjunction with a permitted use.

Amendment #3 - Section 404.02  
(Changes are underlined)

- J. Propagation and harvesting of a forest product; and
- K. Manufacture and storage of brick and tile.

404.03 Permitted Uses--MR-2.

In the MR-2 District, the following uses shall be permitted:

- A. Quarry or mining operations for the extraction of rock, clay, soil, sand and gravel;
- B. Exploration for oil, natural gas or geothermal resources;
- C. Rock crushing, washing or screening;
- D. Stockpiling of rock or earth products in conjunction with the operation of the mineral resource business on-site;
- E. A dwelling for the owner, in conjunction with a permitted use as established by subsections 404.03(H) and 404.03(I). If the dwelling is a mobile home, it shall, in addition to the requirements of this Section, also be subject to the mobile home standards set forth in Section 1002;
- F. A dwelling and accessory structures for a caretaker or watchman in conjunction with the operation of a mineral resource business. If the dwelling is a mobile home, it shall, in addition to the requirements of this Section, also be subject to the mobile home standards set forth in Section 1002;
- G. Storage of heavy equipment in conjunction with the operation of the mineral resource business on-site;
- H. Farm uses, as follows: the current employment of land, including that portion of such lands under buildings supporting accepted farming practices, for the purpose of obtaining a profit in money by raising, harvesting and selling crops, or by the feeding, breeding, management and sale of, or the production of livestock, poultry, furbearing animals, or honey bees; or by dairying and the sale of dairy products and other agricultural or horticultural use or animal husbandry; or by any

Amendment #4 - Section 404.03  
(Changes are underlined)

combination thereof. Farm use includes the preparation, storage and marketing of the products raised on such land for man's use and animal use;

- I. Propagation and harvesting of a forest product; and
- J. Manufacture and storage of brick and tile.

**404.04 Conditional Uses.**

In the MR District, pursuant to the Type B application procedure set forth in Section 1301, and subject to the conditional use review criteria listed in Section 1202, and any other applicable criteria established by this Ordinance, the following uses may be allowed conditionally:

- A. Manufacture and storage of concrete and aggregate products such as preformed steps, beams, fences, vaults and similar products, provided that the aggregate needs are supplied from the same site where storage and manufacturing takes place;
- B. Extraction and development of oil, natural gas or geothermal resources, subject to the requirements of subsection 404.10;
- C. Coal and precious metals extraction, processing and stockpiling from the same site where extraction takes place;
- D. Any structure necessary and appurtenant to the above uses;
- E. Permanent concrete batching or hot-mix batching plants;
- F. The following additional use may be allowed conditionally in the MR-2 District:
  - 1. Portable concrete batching or portable hot-mix batching plants.

**404.05 Prohibited Uses.**

Uses of land and water not specifically mentioned in this Section are prohibited in the MR District. In

Amendment #5 - Sections 1006.02 and 1006.06  
(Changes are underlined)

1006. SIGNS

1006.01 Purpose.

The purpose of this Section is to provide information about and direct travelers to services and points of interest; and to provide a pleasant environment to the people of Yamhill County while regulating such signs that will not, by reason of their size, location, construction or manner of display endanger the public safety of individuals or confuse, mislead or obstruct the vision necessary for public safety and welfare and to preserve the aesthetic and recreational value of travel on roadways.

1006.02 General Provisions.

A. Permits.

Permits shall be required for all signs that are:

1. Electrical or illuminated;
2. Free-standing and greater than one hundred (100) square feet in surface area;
3. Roof-mounted or wall-mounted and greater than twenty (20) square feet in area; and
4. Business identification signs erected within County rights-of-way; and

B. State Permits.

All business identification or advertising signs along state highway corridors, whether sited on-premise or off-premise, shall conform to the provisions of the Oregon Motorist Information Act, 1971 and are subject to permits from the Oregon State Highway Division; signs within the highway corridor permitted by the State shall be deemed to meet the requirements of this Ordinance.

C. Political Signs.

Political signs, together with pre-existing billboards, are exempt from the permit provisions of this Section; however, said signs are subject to

the requirements regulating illumination and structural integrity as provided by the National Electric Code.

D. Setbacks.

All signs shall be situated so as not to adversely affect safety, corner vision or other similar conditions. Unless otherwise specified, all signs shall observe the yard setback requirements of the zoning district in which they are located.

1. Sign clearances shall be in accordance with Section 225 of the National Electric Code.

E. Blanketing.

No sign shall be situated in a manner which results in the blanketing of an existing sign.

F. Illuminated Signs.

Signs shall be nonflashing and nonrevolving. Artificially illuminated signs, or lights used to indirectly illuminate signs shall be placed, shielded or deflected so as not to shine in dwelling units or to create excessive glare along adjacent roads. The light intensity of an illuminated sign shall not exceed the accepted standards of the sign industry, as provided by the Oregon Electric Sign Association.

G. Pre-existing Signs.

1. Signs and sign structures not conforming to the requirements of this Ordinance shall be subject to the amortization provisions set forth in subsection 1006.09.
2. Pre-existing billboards shall be exempt from the above provisions; except, billboards shall be deemed to be a business nonconformity and be subject to Section 1205 of this Ordinance.

H. Off-Premise Signs.

Off-premise signs shall not be allowed except as provided in subsection 1006.07.

- E. Nothing in this Ordinance shall be deemed to affect signs within enclosed buildings or inside windows, whether or not such signs are visible from the road.
- F. Flashing signs, strings of lights, pennants or similar devices shall be prohibited, except for the following:
  - 1. National, state, institutional or corporate flags properly displayed;
  - 2. Holiday decorations in season; and
  - 3. Streamers, banners, etc., used for one (1) week only to call attention to the grand opening of a completely new business or the grand opening of a business that has relocated to entirely new premises.

1006.06 Electrical and Illuminated Signs in the RI, LI, HI, RC, HC and NC Zoning Districts.

Electrical and illuminated signs shall be permitted on-premise within the RI, LI, HI, RC, HC and NC Districts and shall be regulated as follows:

- A. Electrical equipment used in connection with electrical or illuminated signs shall be installed in accordance and by permit with the National Electric Code, Articles 600 and 225.
- B. Signs incorporating electrical components shall be constructed of noncombustible materials, other than plastics, as approved by the Uniform Building Code. The enclosed shell of electric signs shall be water-tight except that service holes fitted with covers shall be provided into each compartment of such signs.
- C. Every sign containing electrical components or illumination devices shall bear an underwriter's label, or approved testing laboratory, and the name of the sign erector and the date of installation. Such name and date shall be placed and maintained at a readily legible location on the sign structure.
- D. No electrical or illuminated sign shall exceed fifty (50) square feet in surface area.