

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

92-805

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Adoption)	
of an Ordinance Amending the Road)	
Widening and Right of Way)	
Dedication Requirements of the)	ORDINANCE 542
Yamhill County Land Division)	
Ordinance, No. 497, and Declaring)	
an Emergency)	

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in special session on the 4th of November, 1992, Commissioners Ted Lopuszynski, Debi Owens, and Dennis Goecks being present.

WHEREAS, on December 27, 1989 Yamhill County adopted the Yamhill County Land Division Ordinance No. 497 (codified), as adopted by Board Order 89-930 (hereinafter "Land Division Ordinance"); and

WHEREAS, upon the suggestion of the Yamhill County Public Works Department, the Board initiated an amendment to the County's Land Division Ordinance to make discretionary, rather than mandatory, the widening of substandard roads and/or dedication of right-of-way or agreement to dedicate additional right-of-way as a condition of partition or subdivision approvals; and

WHEREAS, a properly noticed hearing was held before the Yamhill County Planning Commission on September 17, 1992, and the Commission voted to recommend that the Land Division Ordinance No. 497 be so amended; and

WHEREAS on October 21, 1992 a properly noticed hearing was held before the Board and the Board determined that it is in the public interest to so amend Section 6.015 of Land Division Ordinance No. 497; NOW, THEREFORE,

IT IS HEREBY ORDAINED BY THE YAMHILL COUNTY BOARD OF COMMISSIONERS as follows:

Section 1. Section 6.015 of the codified edition of Yamhill County Land Division Ordinance, Ordinance 497 is hereby amended to read:

"6.015 ROAD WIDENING AND DEDICATION OF RIGHT-OF-WAY

1. Road widening of substandard width roads will be encouraged in all areas, zones and plan designations where deemed necessary to provide for an adequate means of access, transporta-

tion, walkways, maintenance and the placement of utilities. The widening shall be sufficient to bring a full road up to a minimum right-of-way width of 60 feet, or a half road up to a minimum right-of-way width of 30 feet. Mandatory widening of substandard roads and/or the dedication of right-of-way or an agreement to dedicate additional right-of-way [shall] may be required in any of the following circumstances:

A. If the road is located in or bounds an area designated on the Yamhill County Comprehensive Plan, 1974, for any use other than "agriculture large holding" or "forestry"; or

B. If the road is shown on the Comprehensive Plan referred to in subsection 1 above or any other future plan dealing with the classification or projection of roads duly adopted by the Board, and the road is designated thereon as a major, secondary, arterial or collector status; or

C. If a subdivision or partition is being proposed, in which case the widening shall be required only along those sides of the existing road bounding the lots or parcels being created; or

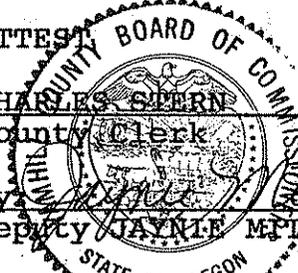
D. If the engineer, on inspection of the proposed subdivision or partition, deems that the public safety requires such widening or that additional right-of-way is necessary to provide for adequate drainage or the installation of utilities anticipated by development of the subdivision or partition.

2. Streets and roads for public use platted as a part of a partition or subdivision shall be dedicated without any reservation or restriction other than reversionary rights upon vacation of the street or road, and easements for public utilities."

Section 2. Emergency Clause. 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 its passage.

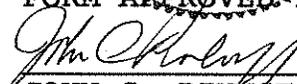
DONE this 4th day of November, 1992 at McMinnville, Oregon.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS
CHARLES STERN
County Clerk

By: 
Deputy JAYNE MITCHELL

FORM APPROVED BY:


JOHN C. PINKSTAFF
Assistant County Counsel

YAMHILL COUNTY BOARD OF COMMISSIONERS

(Not Available for Signature)
Chairman TED LOPUSZYNSKI


Commissioner DEBI OWENS


Commissioner DENNIS L. GOECKS

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Accepted by Yamhill County
Board of Commissioners on
11-4-92 by Board Order
92-805.