

File

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

95-266

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 Change the Designation from)
Agriculture/Forestry Large Holding to)
Agriculture/Forestry Small Holding, to)
Amend the Official Zoning Map from)
AF-20 Agriculture/Forestry to AF-10)
Agriculture/Forestry, and Taking an)
Exception from Statewide Planning Goals)
3 and 4 on Approximately 131 Acres)
Comprised of 26 Parcels; Applicant)
Yamhill County; Planning Docket G-7-94;)
and Declaring an Emergency.)

ORDINANCE 590

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in special session on May 10, 1995 Commissioners Dennis L. Goecks, Robert Johnstone, and Thomas E. E. Bunn being present.

WHEREAS, on November 3, 1994 the Department of Planning and Development initiated an application (Planning Docket G-7-94) for a Comprehensive Plan Map amendment from Agriculture/Forestry Large Holding to Agriculture/Forestry Small Holding, a zone change from AF-20 Agriculture/Forestry to AF-10 Agriculture/Forestry Small Holding, and an exception to Statewide Planning Goals 3 and 4, on the following 26 parcels more particularly described on Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, on February 2, 1995 the Yamhill County Planning Commission held a public hearing to consider the application and thereafter approved the zone change and recommended approval of the comprehensive plan amendment and exception, and referred the matter to the Board of Commissioners; and

WHEREAS, on April 19, 1995, the Board held a public hearing on the application at which testimony and evidence was received and that following the close of the hearing and the record, the Board deliberated and a voted unanimously to tentatively approve the application for the comprehensive plan amendment, zone change and exception, and directed staff to prepare an ordinance and findings in support of approval; and

WHEREAS, the findings and conclusions attached hereto as Exhibit "A and incorporated herein by this reference provide a justification for approval of the application, including the taking of an exception to Statewide Land Use Planning Goals 3 and 4; and

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WHEREAS, the attached Exhibit "A" demonstrates that the proposed exception and amendment to the Yamhill County Comprehensive Plan, Plan Map, and Official Zoning Map of Yamhill County are in the best interests of the citizens of Yamhill county; Now Therefore,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

Section 1. The Yamhill County Comprehensive Plan and Plan Map (1974) are hereby amended as specified in the attached Exhibit "B", made part of this ordinance by reference, to reflect a plan designation of Agriculture/Forestry Small Holding on the 26 parcels described and shown in Exhibit "B".

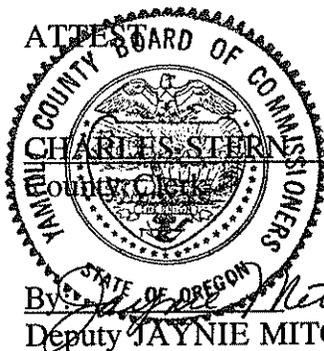
Section 2. In adopting the plan amendment specified in this ordinance, the county hereby takes an exception to Statewide Planning Goals 3 and 4.

Section 3. The Official Zoning Map of Yamhill County is hereby amended as specified in the attached Exhibit "B" to reflect a zoning designation of "AF-10 Agriculture/Forestry Small Holding".

Section 4. The findings attached as Exhibit "A" and incorporated herein by reference are hereby adopted in support of this ordinance.

Section 5. This ordinance being necessary for the health, safety, and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, is effective upon passage.

DONE at McMinnville, Oregon this 10th day of May, 1995.



YAMHILL COUNTY BOARD OF COMMISSIONERS

Dennis L. Goecks
Chairman DENNIS L. GOECKS

Robert Johnstone
Commissioner ROBERT JOHNSTONE

FORM APPROVED BY:

John C. Pinkstaff
JOHN C. PINKSTAFF
Assistant County Counsel

Thomas E. E. Bunn
Commissioner THOMAS E. E. BUNN

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EXHIBIT "A"

ORDINANCE NO. 590

DOCKET: G-7-94

AREA: Area 76 of Docket G-2-92

MAP NUMBER: 5624 and 5625

REQUEST: Comprehensive Plan Map amendment from Agriculture/Forestry Large Holding to Agriculture/Forestry Small Holding and a zone change from AF-20 Agriculture/Forestry to AF-10 Agriculture/Forestry Small Holding.

REVIEW CRITERIA: OAR 660-04-025 and 660-04-028

FINDINGS:

A. Background Facts

1. Area Size: 131.7 acres
2. Parcels involved: 26, including all subdivision lots and portions of five other parcels.
3. Separate owners: 18
4. Parcels developed: 13
5. Parcels developed prior to Statewide Planning Goals (SPG): 7 (five of these dwellings are inside the study area).
6. Land Use and Characteristics of Study Area: Cherry Hill Road borders the study area to the west. Uses are a mixture of rural residential, small woodlots and pasture for sheep. The topography of the area is a hillside that slopes to the north and east. The hillside may prevent combination of portions of this study area from adjacent farm uses.
7. Surrounding Land Use: Parcels to the south and west are in uses similar to that of the study area. The zoning to the west is AF-10 Agriculture/Forestry Small Holding. Property to the north and south are in more intensive farm uses which includes pasture for sheep, vineyards, Christmas trees and woodlots. The two properties immediately adjacent to the north are approximately 35 acres and contain three dwellings. Approximately one-half mile to the south is the City of Sheridan.
8. Water Information: See attached well logs.

9. Fire Protection: Sheridan Rural Fire Department.
10. Floodplain: Flood Insurance Rate Maps 432C shows none of the study area is in the 100-year floodplain.
11. Development Pattern: All of the parcels were created by the Yamhill Walnut Groves Subdivision that was platted in 1909. A dwelling was placed on lots 1 and 2 of tax lot 5624-2600 by lot-size variance LOR-67-84, but was never constructed. The dwelling located on Tax Lot 5624-2600 was placed prior to adoption of the statewide planning goals. Dwellings were placed on Tax Lots 5625-2100 and 2400 by lot-size variances PV-516-80 and PV-479-79, respectively. Nonfarm dwellings were approved on tax lots 5624-2900 and 5625-2000 by Dockets C-29-91 and C-8-91, respectively.
12. Ownership Pattern: Tax Lots 5624-2600, 2601 and 2700 are in a contiguous ownership of 19.5 acres.
13. Other Factors: Adjacent to the west of this study area is the majority of the Yamhill Walnut Groves Subdivision. This area is zoned Agriculture/Forestry Small Holding which allows rural residential and small farm uses.
14. Area History: This study area is part of the Yamhill Walnut Groves Subdivision that was platted in 1909. Originally the county zoned the entire area VLDR-5 Very Low Density Residential. In review of the plan the Department of Land Conservation and Development required more detailed findings to justify this zoning designation. The county did two exceptions statements to try and justify the zoning. In Exceptions Statement II, adopted April 23, 1980 the area west of Cherry Hill Road (Road No. 420) was changed to AF-10 Agriculture/Forestry Small Holding and the area east of Cherry Hill Road was changed to AF-20 Agriculture/Forestry.

The area east of Cherry Hill Road was identified as study area 76 and evaluated as part of Docket G-2-92. On April 15, 1993, the Planning Commission reviewed this study area. They decided that due to the adjacent exception area, pre-existing parcelization, ownership pattern and topography of the land, area should be forwarded to the Board of Commissioners for exception to the Statewide Planning Goals. The motion passed unanimously. On September 23, 1993, the Board of Commissioners took public testimony and decided to approve the request for exception to the Statewide Planning Goals and change the zone designation to Agriculture/Forestry Small Holding.

The exception and zone change for this area one of three ordinances that included 12 other areas, and the ordinance approving this area was appealed to the Land Use Board of Appeals (LUBA). 1000 Friends of Oregon and Sid Friedman vs. Yamhill County, LUBA No.s 93-214, 93-215 and 93-216. On July 18, 1994, LUBA remanded the ordinance containing this area to the county for more detailed findings. In the interim, Brian Purone studied the county records and found a discrepancy in Exception Statement II, adopted April 23, 1980. The conclusions in this study area state "Because of a larger parcelization pattern due to recombination of small lots west of Cherry Hill Road, that

portion of the Code Area is not committed to rural residential development." This statement does not match what eventually occurred. The property east of Cherry Hill Road was treated as though it were not committed to rural residential development and was zoned AF-20. The alternative is either the conclusion was a misprint or the wrong portion was mapped and zoned for agricultural use. Mr. Purone went to the Board of Commissioners with this and related information and convinced the Board to initiate a legislative zone change. The information from Mr. Purone, the record of the hearings, adoption, and appeal of Ordinance 562 (i.e., record of LUBA No. 93-214, 93-215 and 93-216).

15. Soils: See soil map and soil table attached to the Staff Report. The Yamhill County Sanitarian indicates that the soils are predominantly Peavine designation in this area. This series has a high feasibility (75%) unless slopes exceed 30% which lowers the feasibility significantly. Chehalem soils are poorly drained and have feasibility of <25%.

B. Administrative Rule Provisions and Analysis

1. Oregon Administrative Rule 660-04-025 lists requirements that counties must follow if rural land is to be zoned for uses other than farming or forestry (called "taking an exception to the Goals"). Generally, in order to zone rural land for residential use, it must be "physically developed" or "irrevocably committed" to nonresource use. For Land Physically Developed to Other Uses. OAR 660-04-025(2) states:

"Whether land has been physically developed with uses not allowed by an applicable Goal, will depend on the situation at the site of the exception. The exact nature and extent of the areas found to be physically developed shall be clearly set forth in the justification for the exception. The specific area(s) must be shown on a map or otherwise described and keyed to the appropriate findings of fact. The findings of fact shall identify the extent and location of the existing physical development on the land and can include information on structures, roads, sewer and water facilities, and utility facilities. Uses allowed by the applicable goal(s) to which an exception is being taken shall not be used to justify a physically developed exception."

2. Existing Features

- 2.1 **Structures:** Four structures were constructed inside the study area prior to adoption of the SPGs. These four structures are along the south and west boundaries. There are several parcels with portions inside the study area. The reason only portions are included in this study is that the other sections are zoned AF-10 Agriculture/Forestry Small Holding. Two of these have dwellings constructed outside of the study area near the intersection of Regia Drive and Cherry Hill Road.

- 2.2 **Roads:** The study area is bordered on the west side by Cherry Hill Road. This is one of the main roads providing access to the Yamhill Walnut Groves subdivision. Valley View Lane travels along the south and east property lines but it only provides local driveway access. Other driveways are located throughout the area. A platted roadway borders the north property line and turns south, and then west. This roadway splits three contiguous ownerships. While this road is platted only the northern portion of it had been constructed as of the writing of this report.
- 2.3 **Sewer, Water and Utility Facilities:** Sewer service to the subject lots is provided by septic systems. Water is supplied by groundwater sources. Electricity and phone service are generally available in the area.
- 2.4 **Area Physically Developed:** The question of how much area is "developed" by a dwelling needs to be addressed. The assessor's office removes one acre around each dwelling from deferral. Certainly this is the minimum amount that should be considered to be "developed" by the presence of a dwelling. The next question is specifically how much of a five or ten acre parcel is "developed" with the presence of a dwelling. The specific area "developed" by a dwelling will depend on many factors which include dwelling size, dwelling placement, driveway length, accessory uses and other improvement necessary for placement of a dwelling. As noted above, the dwellings are not the only things present that can "develop" a parcel to a nonresource use. Roads and other improvements made to service a subdivision or group of parcels will also "develop" an area to a nonresource use. In this case there are six dwellings placed prior to adoption of the statewide planning goals that border the north, south and east property lines. These dwellings should be considered together with the roads that are designed to serve these structures. Along the west property line is Cherry Hill Road. This is a major county road that provides the main access into Sheridan for not only these six dwellings but dozens of others that are west of this road. The other two roads border the north, south and part of the eastern border of this study area. These roads provide local access to the existing dwellings. Considering these three roads together with the dwellings existing prior to the statewide planning goals, they effectively "develop" the north, south and west borders of the study area. These borders are developed because they effectively discourage or block recombination of the parcels in the study area with larger farm parcels outside of the study area.
3. Oregon Administrative Rule 660-04-028(2) and (6) list the exception requirements for land irrevocably committed to other uses. These rules require consideration of the following factors:
- 3.1 **Characteristics of the Exception Area:** The uses in the area include rural residences, small woodlots and pasture for sheep. The area is part of a hillside that slopes down to the north and east. An intermittent stream cuts through the center of the study area and flows down to the northeast. This stream is at the bottom of a valley that traverses the middle of the study area from the westernmost parcel to the northeast corner of the area. The USGS topographic map shows the two sides of this valley are relatively steep. Approximately one-third of the eastern border, near the middle of this study area, is very

steep, with slopes of up to 30 percent. North of the study area, the adjoining land levels off for approximately 1000 feet and then starts up a steep hillside. Because of the difference in topography of the study area to that of property to the north and east, it is unlikely that adjoining owners would be interested in purchasing land in the study area to increase their holdings.

- 3.2 **Characteristics of Adjacent Lands:** Property to the west is part of the same subdivision as the subject lot. This half of the subdivision is also served by Cherry Hill Road. Various improved roadways also intersect this subdivision and they include Regia Drive, Mayette Drive, Canyon Road, Tower T.V. Road, and Thunderhead Lane. This subdivision includes small farm uses similar to that of the study area. Land to the north and south is in more extensive farm uses which includes pasture for sheep, vineyards, and woodlots. Approximately one-half mile to the south the land is inside the City of Sheridan and is in urban uses.
- 3.3 **Relationship between Exception Area and Adjacent Land:** The western half of the study area appears to be almost identical in uses and development as the subdivision to the west. The eastern half of the study area contains larger ownerships. Although no commercial farms exist in this area the eastern half appears to have more extensive farm uses. As indicated above, farm uses exist to the south which include pasture for sheep, vineyards and woodlots. It is unlikely that parcels in this study area would be combined with these properties to the south because each lot along the southern boundary is less than six acres and is developed with a dwelling. This is due to the fact that parcels with a dwelling are generally more expensive and make the cost to a farmer or forester too expensive to justify. While some limited farm and forestry uses can be preformed on lots of this size the parcelization pattern found in this study area more closely resembles that found in the AF-10 Agriculture Forestry Small Holding zone. This zone allows small-scale or more intensive farm and forestry activities.
- 3.4 **Existing Adjacent Uses:** See Finding A.7.
- 3.5 **Existing Public Facilities and Services:** See Findings A.8 and B.2.
- 3.6 **Parcel Size and Ownership Pattern, Study Area/Adjacent Land:** Parcels vary in size from 2.5 to 19.5 acres. The majority of parcels are between five to ten acres. Only one contiguous ownership exists which is 19.5 acres. Land adjacent to the west is subdivided into five acre lots and has a similar ownership pattern as that of the study area. Land to the south contains parcels that are less than 20 acres. Within a half mile these parcel sizes get smaller and development increases to an urban scale. Land to the north and east contains parcels in larger ownerships that vary from 20 to over 100 acres.
- 3.7 **Neighborhood and Regional Characteristics:** See Findings A.6 and A.7.
- 3.8 **Natural and Man-Made Features/Impediments:** See Finding B.2.
- 3.9 **Physical Development:** See Finding B.2.

- 3.10 **Other Relevant Factors:** This study area contains 26 subdivision lots. Of these, 18 are in separate ownership. OAR 660-04-028(6)(c)(B) states that small parcels do not in themselves constitute irrevocable commitment. However, small parcels in separate ownerships are more likely to be irrevocably committed if the parcels are developed, clustered in a large group or around a road designed to serve the parcels. The latter description fits the study area. The existence of this parcelization pattern severely limit the potential for resource uses. The greater the number of separate owners, especially if those ownerships are developed will dwellings, the lower the chance that these parcels could be aggregated into a farm or forestry holding that could be used for resource use.

During public testimony, a property owner in the study area submitted information that there are deed covenants and restrictions on some of the parcels that limit farm uses. The specific deed restriction is No. 2 recorded in Film Vol 95, Page 1808 which states:

"Said lots or tracts shall not be used for the purpose of raising, breeding, pasturing, boarding, buying or sell of mink, nutria, rodents, hogs, pigs, or piglets."

This restriction applies to tax lots 5624-2601, 2600, 2700, 2800, 2900, 3000, and 5623-2500. These restrictions limit the possibility of establishing a farm use. This restriction is on several of the vacant parcels along the eastern boundary of the study area. A limitation like this could discourage adjoining farmers from purchasing these lots to combine with their farms.

- 3.11 **Resource Uses:** In the original adoption of this area for a legislative zone change to AF-10, the county relied on arguments that parcels in the area could not be put to "commercial" farm or forest use due to development existing in the area. The Land Use Board of Appeals ruled that the county must also consider noncommercial farm and forest uses. To determine the resource uses that could be established on the property the soils must be evaluated. The three main soil types in this study area are Peavine, Chehalem and Willakenzie. These soil types have an agricultural rating of Class III, IV and VI. The Yamhill County Soil Survey lists the following agricultural uses for these soils:

Peavine: Peavine soils are used mainly for orchards, small grains, hay, pasture, and timber.

Chehalem: Small grain, hay and pasture plants are the most important crops.

Willakenzie: Small grain, hay, and pasture plants are the principal crops.

The gross sales from these type of farm products can be used as an indicator of the productivity of these parcels and their value to the farm community. All three of these soil types list small grain and hay as crops that can be produced. The Planning Department has a table that lists the Average Estimated Price and Yield of Commodities

for 1989-91. The average price per acre is calculated for the crops identified. These are calculated for representative parcel sizes in the study area.

Crop	Average Sales Per Acre	19.5 Acres	14.76 Acres	5 Acres
Wheat	\$ 298	\$ 5,811	4,398	1,490
Hay Silage	\$ 240	\$ 4,680	3,542	1,200
Filberts	\$ 560	\$ 5,460 *	8,265	2,800
Cherries	\$ 1,091	\$10,637 *	16,103	5,455
Peaches	\$ 2,281	\$22,239 *	33,667	11,405
Apples	\$ 2,475	\$24,131 *	36,531	12,375
Bartlett Pears	\$ 2,718	\$26,500 *	40,117	13,590

* Only half of the 19.5 acre holding has soils that are suitable for orchard crops.

This table is somewhat simplified as there are many factors that would influence the success of a crop. If these orchard crops could be established with the existing development, the average gross sales from the farm products would be considered to contribute in a substantial way to the existing agricultural economy.

3.12 Regarding timber, only half of the 19.5 acre holding is listed as suitable for timber production. The 14.76 acre parcel contains soils that are suitable for timber production. These soils (Peavine) are listed as capable of producing 160 cubic feet of commercial tree species. This calculates to 2361 cubic feet of timber per year. In 1993 the legislature changed the law to allow dwellings to be established on forested parcels. One of the methods allows placement of a dwelling if the parcel is not capable of producing 5,000 cubic feet of commercial tree species. It appears from this that the legislature did not believe that parcels that produce less than 5,000 cubic feet of timber yearly would be considered to substantially contribute to the timber industry. Because the largest parcel in this study area suitable for timber production produces less than 2,400 cubic feet of commercial tree species each year, the parcels in the area would not substantially contribute to the timber industry of the area.

3.13 Brian Perone ("Perone") presented evidence that commercial resource use in the area is impracticable due the number of small parcels in separate ownerships, topography and dwellings. Perone contacted several farmers in the area and none have any interest in the commercial resource use due to the size of the land. Noncommercial resource uses set forth above are impracticable because of the following factors:

(1) Majority of land is considered "highly erodible" by the ASCS due to slopes in excess of 5% and land in area is 11% slope.

(2) Very high level of management would be required for resource use.

(3) Growing season for many crops is limited due to elevation, late spring and early fall frosts.

(4) Pears, apples and peaches need to be irrigated, and there is no water for irrigation in this area, and therefore these three crops should not be considered viable alternatives.

(5) Cherries should be irrigated when they are being established, and although they can be grown on dryland this will effect the time it takes to reach full production and their yield. The OSU District Farm Management Extension Agent indicated that if a cherry orchard could be established, then full production would take 10 or 11 years, and then under optimum conditions there would be only 4 tons per year per acre, and it would be hard to make any money at 4 tons per year. Sig Siegner of the Oregon Cherry Growers Inc indicated that the elevation, type of ground, and lack of irrigation water is not conducive to young trees and that other crops should be considered.

(6) Only one half (1/2) fee the 19.5 acres holding has soils suitable for orchard crops. Additional acreage would also be unavailable for orchard use due to acres needed for driveway, house, yard, barn and slopes of 30% or greater, leaving 6 or 7 acres at most available for orchard plantings. And when one considers that the 14.76 acres does not take into account the area where slopes are 30% or greater, one is left with at most, only 5 acres available for orchard.

(7) The added cost for deer fencing for the area would be \$2,500 to \$6,000

(8) If one tried to use the area for orchard one would lose money, and not make a substantial contribution to the agricultural economy in the area. Given that after 12 years the first year the cumulative costs would be \$13,356 for cherries, and after recovery of the cumulative costs this would leave a \$489 return on the investment after 13 years.

(9) Likewise, filberts would not be likely to be any better, and a \$560 gross sales per acre is not substantial.

(10) It is unclear how wheat and hay silage can be done on a noncommercial basis.

3.14 Rural vs. Urban Lot Sizes: If this zone change is allowed, the county needs to address whether substandard lots would be allowed to be developed and if the size of such lots would be at an urban or rural scale. The entire study area is part of the Yamhill Walnut Groves subdivision. This subdivision created parcels of approximately five acres each. The only exception to this is a parcel that was adjusted down to 2.5 acres. This parcel already contains a dwelling so a zone change to Agriculture/Forestry Small Holding would not allow another dwelling on this parcel. The remaining subdivision lots are five acres or greater. If the proposed zone change were approved it would allow one dwelling on each five acre subdivision lot. This pattern is similar to that allowed on the western side of Cherry Hill Road where the remainder of the Yamhill Walnut Groves Subdivision is located. The Yamhill County Zoning Ordinance contains a Very Low Density Residential zone that allows residential development of one dwelling per five acres. The zoning that allows this parcel size has been acknowledged by the Land

Conservation and Development Commission as being rural rather than urban. Therefore the Board finds that allowing one dwelling per five acres is a rural, not an urban, scale of use.

- 3.15 **Goal 5 Resources:** The northern half of the study area is in the Peripheral Big Game Winter Range. The Yamhill County Goals and Policies restrict rezoning in the Peripheral Big Game Winter Range. Policy statement II.D.f states:

"In the Sensitive and Peripheral Big Game Winter Range, all proposed zone changes and applications for partitions will be referred to the Oregon Department of Fish and Wildlife for determination of conflicts with big game habitat requirements. In the event the Department identifies and informs the county that site-specific habitat conflicts exist, the county will not approve said zone change without seeking resolution of such conflicts."

During the initial hearings a referral was mailed to the Oregon Department of Fish and Wildlife (ODFW). At that time comments were submitted by Gary Hostick, of the ODFW on several study areas. These comments were that additional residents may conflict with deer and elk (populations) in the county and will result in conflicts between residents, hunters, and wildlife. Gary Hostick was again contacted and asked to evaluate this specific study area. Mr. Hostick wrote a letter dated February 10, 1995 that indicated the department would not oppose the proposed action because it dealt with an existing subdivision. See letter dated February 10, 1995 from the Department of Fish and Wildlife.

CONCLUSIONS FOR APPROVAL

1. The study area has 26 parcels in 18 separate ownerships.
2. Eleven of the parcels contain dwellings, six of these were placed prior to adoption of the Statewide Planning Goals.
3. There is one contiguous ownerships of close to 20 acres.
4. The study area is adjacent to land zoned for rural residential use.
5. Although soils on the parcel are suitable for some farm uses, the existing roads, parcelization, topography, dwellings and ownership pattern of this area all contribute to irrevocably commit this area to nonresource use. Platted roadways border the north, south and west. These create a barrier to combination of the parcels with larger holdings to be in resource use. Land adjacent to the east of the study area appears to be used as pasture. As noted above an intermittent stream bisects the property. While the stream alone does not prevent the combination of land with this property, the thick brush, deciduous trees and uneven topography that follow the creek bank inhibits the combination of parcels with larger resource holdings. Noted in Finding A.2 and A.3 is

the fact that out of 26 parcels or portions of parcels, 18 are in separate ownerships. This high number of separate ownerships also helps to irrevocably commit the area to nonresource use. The reason for this is it is more difficult to combine property into larger blocks for resource use when multiple owners are involved. Coupled with this is the fact that as noted in Finding A.4, 11 of the parcels contain dwellings. Parcels developed with dwellings are even less likely to be desirable for a farm or forester to aggregate into their holding simply due to the extra expense a dwelling usually adds to the cost of a parcel. The cost to benefit ratio would likely not be enough to warrant a farm or forester being interested in purchasing the parcels in this study area for resource use. The consequence of this situation is that this area is physically developed and irrevocably committed to a nonresource use.

Therefore, the amendment is consistent with the Oregon Administrative Rule requirements for zoning of exception areas.

DECISION:

The Board hereby approves the request for a Comprehensive Plan Map amendment from Agriculture/Forestry Large Holding to Agriculture/Forestry Small Holding and a zone change from AF-20 Agriculture/Forestry to AF-10 Agriculture/Forestry Small Holding, and exception to Goals 3 and 4.

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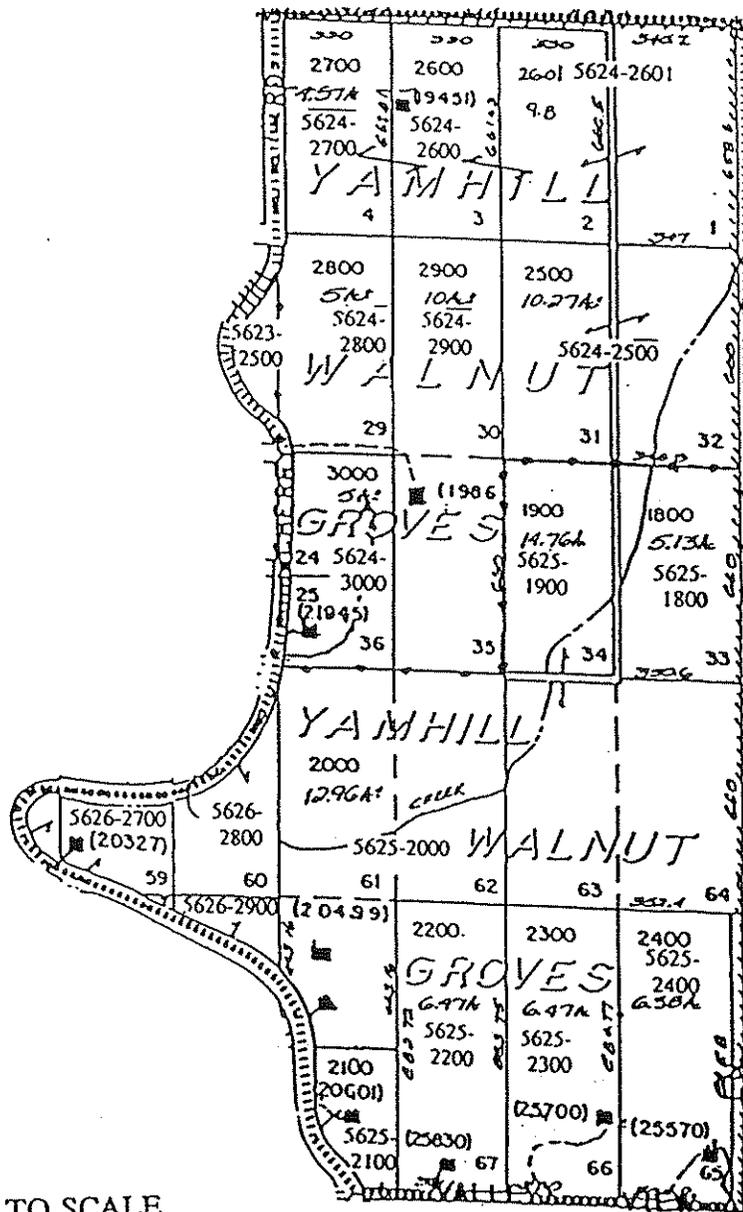
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EXHIBIT "B" FOR ORDINANCE NO. 590

PLAN AMENDMENT/ZONE CHANGE

ADOPTED BY THE YAMHILL COUNTY BOARD OF COMMISSIONERS

TO CHANGE THE PLAN DESIGNATION FROM AFLH TO AFSH
AND THE OFFICIAL ZONING MAP FROM AF-20 TO AF-10



- MAP NOT TO SCALE
- ALSO DESCRIBED AS AREA 76
- CHANGE APPLIES TO THE PROPERTY SHOWN ABOVE
- MAP PREPARED BY THE YAMHILL COUNTY PLANNING DEPARTMENT
- CHANGES APPLY TO ABOVE TAX LOTS IN T5S, R6W, SEC 24 AND 25

5623-2500, 5624-2500, -2600, -2601, -2700, -2800, -2900, -3000, 5625-1800, -1900, -2000, -2200, -2300, -2400 and portions of tax lots 5625-2100, 5626-2600, -2700, -2800 and -2900