

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 Approving a Zone Map Change from Exclusive Farm Use (EF-80) to Agriculture Forestry Small Holding (AF-10) for Tax Lots: R4307 02301; Applicant: Caleb and Haley Bunn; and Declaring an Emergency

ORDINANCE 936

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business on August 15, 2024, Commissioners Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

IT APPEARING TO THE BOARD as follows:

WHEREAS, On March 4, 2024, Caleb and Haley Bunn requested a zone map change for Tax Lot R4307 02301 from Exclusive Farm Use (EF-80) to Agriculture Forestry Small Holding (AF-10) on the portion of their property with the Comprehensive Plan designation of Very Low Density Residential (VLDR); and

WHEREAS, This matter came before the Planning Commission for public hearing on July 11, 2024, and the Planning Commission voted unanimously to recommend approval of the application by the Board of Commissioners; and

WHEREAS, Pursuant to YCZO 1208.01(C), the Board is not required to hold an additional public hearing if the zone map change request does not include a Comprehensive Plan map amendment; and now, therefore

THE BOARD ORDAINS AS FOLLOWS:

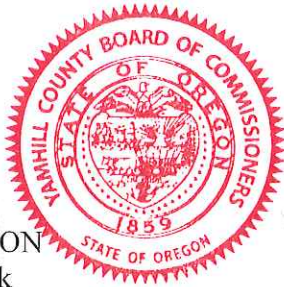
Section 1. Tax Lot No. R4307 02301, as identified in the attached Exhibit A, is hereby rezoned to Agriculture Forestry Small Holding (AF-10).

Section 2. The findings attached as Exhibit B, and incorporated herein by this reference, are hereby adopted in support of this Ordinance.

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, is effective immediately.

//

DATED this 15th day of August 2024, at McMinnville, Oregon.



YAMHILL COUNTY BOARD OF COMMISSIONERS

ATTEST

KERI HINTON
County Clerk

By: Carolina Rook
Deputy CAROLINA ROOK

FORM APPROVED BY:

Jodi Gollehon
JODI GOLLEHON
Assistant Yamhill County Counsel

Lindsay Berschauer

Chair LINDSAY BERSCHAUER

AYE NAY

X

Kit Johnston

Commissioner KIT JOHNSTON

X

Mary Starrett

Commissioner MARY STARRETT

X

Approved by the Yamhill County Board of
Commissioners on 08/15/2024
via Board Order 24-256



Find address or place

Q

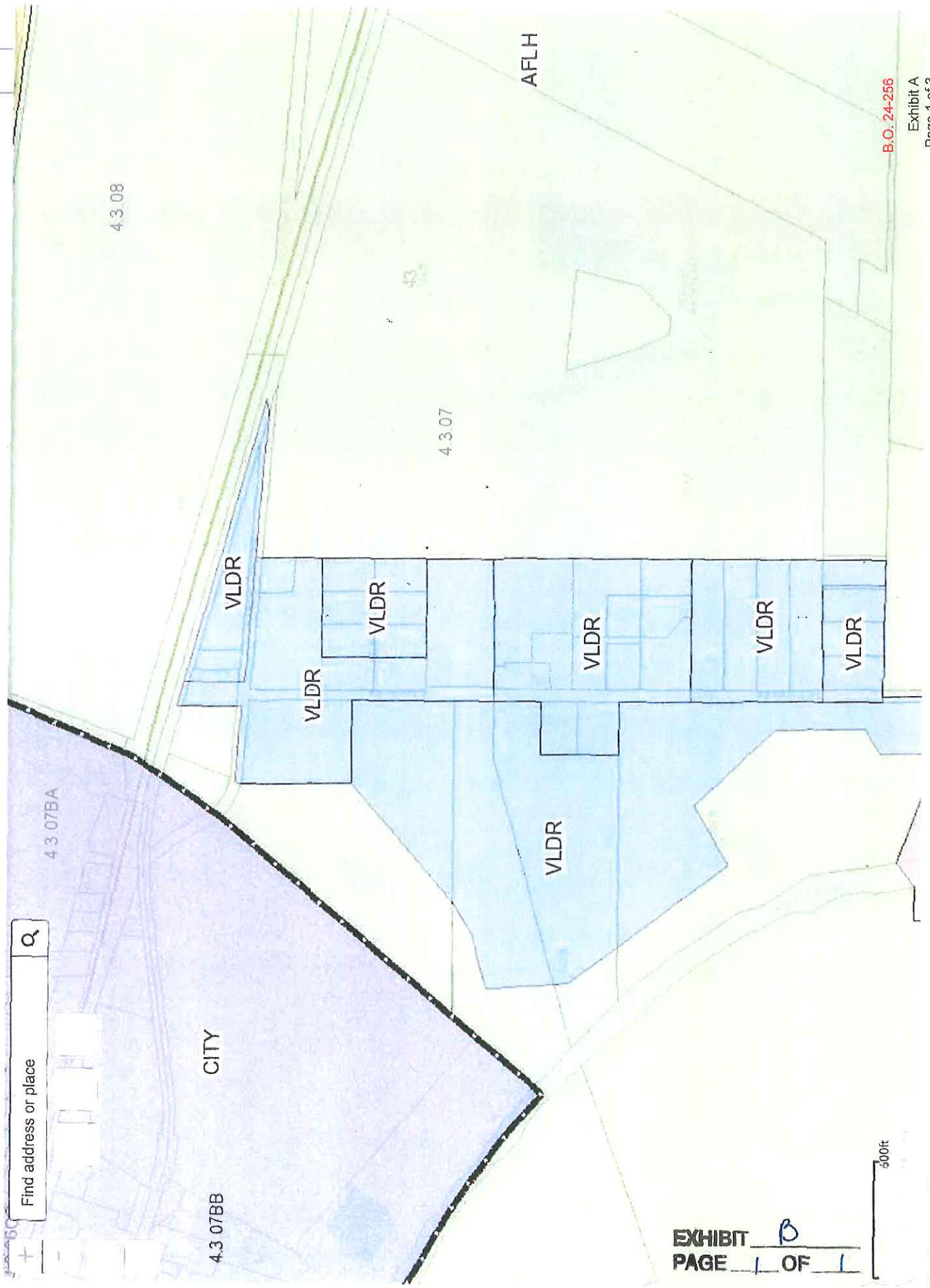


EXHIBIT B
PAGE 1 OF 1

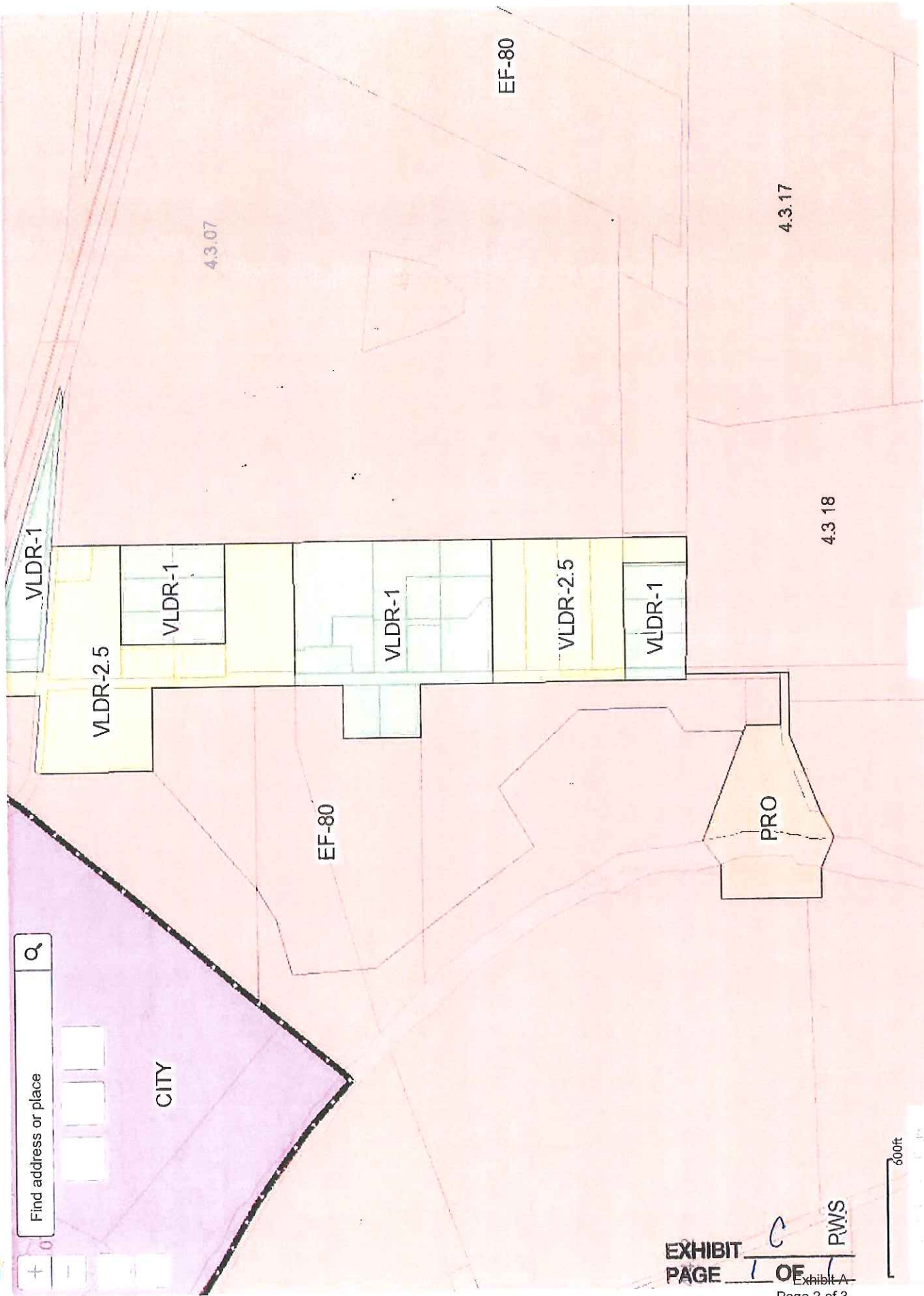


EXHIBIT
PAGE 1

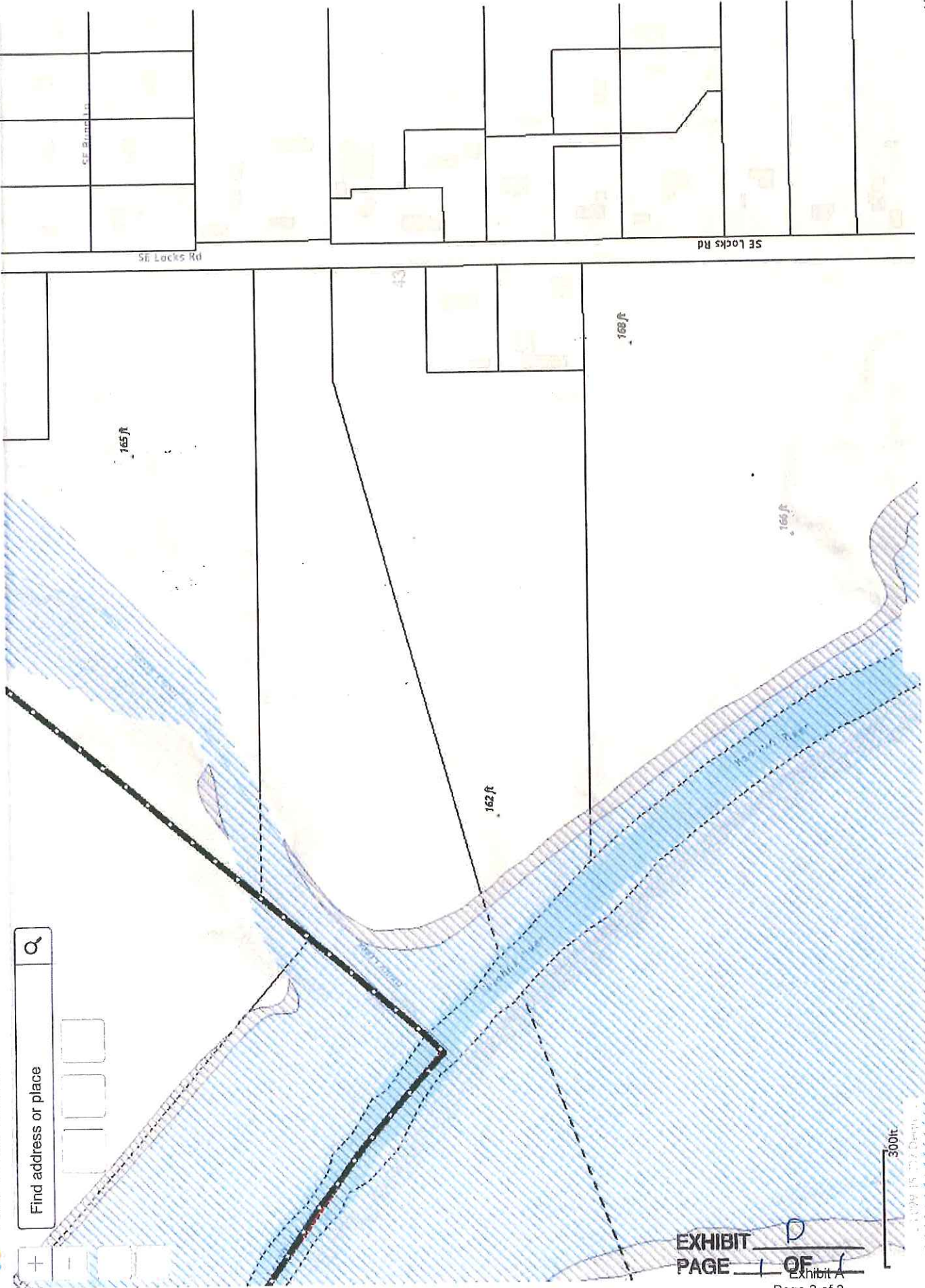
OE
Exhibit A
Page 2 of 3

PWS

600ft

Find address or place

Map navigation controls: zoom in (+), zoom out (-), and a full-screen button.



Docket Z-01-24 Wright/Bunn

I. Staff Report

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

HEARING DATES: July 11th – Planning Commission Hearing
TBD – Board of Commissioners Hearing

DATE: June 26, 2024

DOCKET NO.: Z-01-24

REQUEST: Approval of a zone change from Exclusive Farm Use (EF-80) to Agriculture Forestry Small Holding (AF-10).

APPLICANT: Catherine Wright

OWNER: Caleb and Haley Bunn

TAX LOT: 4307-2301

LOCATION: Located to the south of address 290 SE Locks Rd. Dayton.

ZONE: EF-80, Exclusive Farm Use

CRITERIA: Sections 402, 501 and 1208.02 of the Yamhill County Zoning Ordinance. Oregon Administrative Rule, OAR 660-12-0060 Transportation Planning Rule.

REFERRALS: *Public Works* – No comments received to date.
Dayton Rural Fire District – No comments received to date.
SWCD – No comments received to date.
ODOT – No comments received to date.
Water Master – No comments received to date.
DLCD – No comments received to date.
Sanitarian – No comments received to date.

EXHIBITS:

- I. Staff Report
- II. Application
 - a. Letter of Incompleteness
 - b. Response to Letter of Incompleteness
- III. Exclusive Farm Use EF-80 and Agriculture and Forestry Small Holding (AF-10) Zoning Ordinances
- IV. Public Notice
- V. Public Agency Reports
- VI. Comments Received

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

STAFF REPORT

FINDINGS:

A. Background Facts

1. *Parcel size:* 14.7 acres
2. *Access:* There is a proposed driveway with access to SE Locks Rd.
3. *On-site Land Use:* Currently the parcel is being used for farming including raising Christmas trees, flowers, bees, and grazing cattle. There are no structures on the property. Henry Creek runs through the property on the west side and the Yamhill River borders the southwest property. There are approximately 5.6 acres of fir trees along the river and creek.
4. *Surrounding Zoning and Land Use:* The property is bordered to the west by the City of Lafayette. To the north, south and west is Exclusive Farm Use, EF-80 District, and to the east is Very Low Density Residential, VLDR, District. Uses in the area include farming, housing, as well as commercial uses to the north, along nearby Highway 99. The Lafayette Sewer Plant is nearby to the west.
5. *Water:* The application indicates that water will be provided by a well.
6. *Sewage Disposal:* A proposed septic.
7. *Previous Actions:* There is no previous land use history associated with the parcel.
8. *Overlay District:* A portion of the western property is within the Flood Plain Overlay District. The property is not within any other overlay districts.

B. Zone Change and Plan Amendment Provisions and Analysis

1. The property is zone EF-80, but most of the parcel has a Comprehensive Plan of VLDR, very low density residential. A small portion at the far west side of the property has a Comprehensive Plan designation of AFLH. Property to the east has a VLDR Comprehensive Plan designation and is zone VLDR-1. The request is to only change the zoning within the VLDR Comprehensive Plan. The application is not requesting any change to the zoning of the portion of the property which is subject to the AFLH Comprehensive Plan designation. The applicant is requesting the zone change due to the need for a smaller agricultural and residential parcel within Yamhill County.
2. This zone change application must comply with the Oregon Revised Statutes, and the Oregon Administrative Rules, which will be addressed throughout this report.
3. The application must also comply with the standards and criteria in YCZO Section 1208.02. These provisions are:

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT STAFF REPORT

- (A) *The proposed change is consistent with the goals, policies, and any other applicable provisions of the Comprehensive Plan.*

Though most of the Yamhill County Goals and Policies are aspirational and not to be mistaken for, or interpreted as, approval criteria it is required that they be considered. It is a fact that some of the goals and policies conflict with one another. They are simply to be used as a guide to aid decision-makers. For example, where goals or policies conflict the decision makers need to weigh the evidence and decide which goal or policy the request satisfies. Therefore, the Planning Commission and Board of Commissioners would need to decide whether it is more appropriate for the 14.7-acre tract to be preserved for the more agricultural-focused uses or if it is better suited to allow for both small farm and rural residential use.

The applicant states that the comprehensive Plan designation for most of the property is VLDR. The VLDR designation is consistent with Section I. A. of the Yamhill County Comprehensive Land Use Plan in that it encourages low density residential development in areas contiguous with existing cities and with access to services. (Goal 3, Policy B.) This area is adjacent to the city limits of Lafayette and is near to other low density residential zoning with parcels ranging in size from 0.89 acres to 23 acres. The described use is consistent with both the comprehensive plan and physical development in the area.

4. (B) *There is an existing demonstrable need for the particular uses allowed by the requested zone, considering the importance of such uses to the citizenry or the economy of the area, the existing market demand which such uses will satisfy, and the availability and location of other lands so zoned and their suitability for the uses allowed by the zone.*

The applicant's response includes their wish to have a small commercial farm and homestead in an area where parcels of this size with a home, are limited. The applicant believes that it is not feasible for a farm of this size to support the gross sales necessary to qualify for a farm dwelling under the current zoning. The applicant explains that the AF-10 zoned parcels are of great importance to the citizenry of Yamhill County and the economy. They state that a significant portion of Yamhill County's economy comprises the hospitality business, hotels, restaurants, wineries, breweries, etc., thus requiring additional agriculture product to the area that support niche farming that compliment the large-scale farms in the area. The applicant further describes that the availability of these types of parcels is very limited. The applicant provided a list of 12 available properties, see exhibit 2, all of which would not meet their needs.

5. (C) *The proposed change is appropriate considering the surrounding land uses, the density and pattern of development in the area, any changes which may have occurred in the vicinity to support the proposed amendment and the availability of*

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT STAFF REPORT

utilities and services likely to be needed by the anticipated uses in the proposed district.

A significant portion of the property is designated VLDR, Very Low Density Residential on the County's comprehensive plan. The applicant wishes to apply a zone change only to the that portion of the property. Many of the surrounding properties are zoned VLDR. The request for a zone change would be in character with the surrounding area. Most of the surrounding properties include single family residences, with parcel sizes ranging from 0.85 acres to 23 acres. The applicant does not wish to subdivide the property and requests the AF-10 zone, which would limit the intensity of development to the area. The AF-10 zone is considered a rural residential district similarly to the VLDR district.

6. (D) *Other lands in the county already designated for the proposed uses are either unavailable or not as well-suited for the anticipated uses due to location, size, or other factors.*

According to the applicant, there are very few other lands in the area currently with a Comprehensive Plan designation of VLDR and which meet the criteria of Yamhill County's Comprehensive Plan Goal 3, Policy B. The applicant states that there are very few, if any, other options for a rural parcel of approximately 10 acres with a dwelling, close to city services. The applicant concludes that there are currently no such properties listed for sale in Yamhill County. The proposed use includes a small-scale farm and a single-family residence. The applicant intends to raise flowers, goats, bees, chickens, and orchard fruit. Due to the size, the location, existing nearby uses, and the designated Comprehensive Plan of VLDR, this property would be best suited for the AF-10 designation.

7. (E) *The amendment is consistent with the current Oregon Administrative Rules for exceptions, if applicable.*

This amendment is consistent with the existing Comprehensive Plan designation of VLDR and as such does not require the application of any exceptions.

C. Goal 12 (Transportation Rule) Provisions and Analysis

1. The provisions of the Transportation Planning Rule, implementing Goal 12, must be addressed. OAR 660-12-060 contains the provisions that must be met:

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT STAFF REPORT

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

2. Regarding this criterion, the Applicant did not submit a traffic impact analysis to the Planning Department nor did Planning staff receive any comments or concerns from the county Public Works Department regarding the Applicant's request. The request is for a single-family dwelling, which should not produce more than 10 trips per day. Therefore, it appears that the proposed use is consistent with the existing characteristics of the area. The road infrastructure appears to be able to support the single-family residence. If required, a new driveway would be subject to Yamhill County Public Works permitting process.

CONCLUSIONS FOR APPROVAL:

1. The request is for a zone change from EF-80, Exclusive Farm Use, to AF-10, Agriculture Forestry Small Holding, residential rural.
2. The proposal is consistent with Comprehensive Plan goals and policies.
3. The proposal is consistent with Section 1208.02 of the *Yamhill County Zoning Ordinance*.

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

STAFF REPORT

CONCLUSIONS FOR DENIAL:

1. The applicant has not demonstrated that the request satisfies Sections 1208.02(B) and (D) in that it has not been shown that there is a need for those uses allowed in the requested zone and that other land within the County is either unavailable or not as well suited for the use.
2. The applicant has not adequately demonstrated that the use complies with the Transportation Planning Rule.
3. The proposal is inconsistent with Comprehensive Plan goals and policies

RECOMMENDATION:

A staff recommendation will be given after the receipt of additional testimony.

II. Application

979-24 000065-PLAN

YAMHILL COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT

LAND USE APPLICATION

525 NE Fourth Street, McMinnville, OR 97128 • Tel: 503-434-7516 • Fax: 503-434-7544

Docket 2-01-24
 Date 3-4-23
 Rec'd by sol
 Receipt # 929290
 Fee \$3,604.00

APPLICANT			LEGAL OWNER (IF DIFFERENT)		
Last name	First	MI	Last name	First	MI
Wright, Catherine A.			Caleb Bunn and Haley Bunn		
Mailing address (Street or PO Box)			Mailing address (Street or PO Box)		
PO Box 625			3209 Lorian Lane SE		
City	State	Zip	City	State	Zip
McMinnville, OR 97128			Salem, OR 97302		
Telephone			Telephone		
503-472-0344			971-241-6600		
E-mail address			E-mail address		
catherine@twslaw.net			bunncaleb@yahoo.com		
If the applicant is not the legal owner, state interest in property:					
PROPERTY INFORMATION					
Tax Lot(s): 4307-2301			Zone: EF-80		
Size of Tract (include all adjacent tax lots) Approximately 14.7 acres					

1. TYPE OF APPLICATION (what is requested?): Zone change from EF-80 to AF-10.
2. JUSTIFICATION FOR REQUEST YCZO Section(s): YCZO Section 1208.02 and consistent with Comprehensive Plan designation of VLDR.

A Planner will assist you in identifying the review criteria that apply to your request. The review criteria are used to determine whether your application will be approved or denied. It is your responsibility to provide adequate written justification and any other evidence you feel is relevant to explain how your request complies with the review criteria. Failure to provide adequate justification may result in your application being denied or deemed incomplete until additional information is provided.
3. Present use of property: Raising flowers, bees, cattle grazing, Christmas trees.
4. Please list the type of buildings that are currently on the property (i.e. manufactured home, pole building, agricultural barn, etc.):
None.
5. Is there a septic system on the property? ☐ Yes ☒ No
6. How will water be provided? ☒ Well ☐ City ☐ Other _____
7. What road and/or easement is the property accessed from? SE Locks Road

8. To your knowledge, do any of the following natural hazards exist on the property?



Floodplain



Areas of erosion



Steep slopes



Fish or wildlife habitat



Soil limitations for building or septic

THE APPLICANT MUST SUBMIT:

1. Completed application form, signed by the applicant and property owner (if different). The owner's signature must be notarized.
2. Site plan drawn to scale showing property lines, location and size of all existing buildings, existing and proposed access roads, and location and size of any proposed new buildings.
3. Written justification of how the application complies with the approval criteria. Attach additional sheets to this form.
4. Filing fee (make check payable to Yamhill County).

General land use application used for Conditional Use, Variance, Site Design Review, Floodplain, Willamette River Greenway, Comprehensive Plan Amendment and Zoning District Boundary Amendment, Comprehensive Plan Amendment, and Zone Change.

NOTE: Fees are not transferrable or refundable.

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.

Catherine A. Wright

Applicant's signature

3/1/24

Date

Property owner's signature (if different)

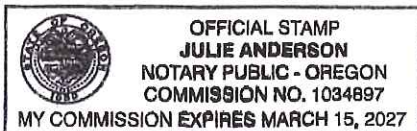
Date

State of Oregon

County of Yamhill

Signed before me on this 1 day of March, 20 24

by Catherine A. Wright



Julie Anderson

Notary Public for Oregon

My Commission expires 3/15/27

8. To your knowledge, do any of the following natural hazards exist on the property?



Floodplain



Areas of erosion



Steep slopes



Fish or wildlife habitat



Soil limitations for building or septic

THE APPLICANT MUST SUBMIT:

1. Completed application form, signed by the applicant and property owner (if different). The owner's signature must be notarized.
2. Site plan drawn to scale showing property lines, location and size of all existing buildings, existing and proposed access roads, and location and size of any proposed new buildings.
3. Written justification of how the application complies with the approval criteria. Attach additional sheets to this form.
4. Filing fee (make check payable to Yamhill County).

General land use application used for Conditional Use, Variance, Site Design Review, Floodplain, Willamette River Greenway, Comprehensive Plan Amendment and Zoning District Boundary Amendment, Comprehensive Plan Amendment, and Zone Change.

NOTE: Fees are not transferrable or refundable.

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.

Applicant's signature

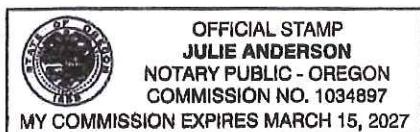


Date

03/01/2024

Property owner's signature (if different)

Date

State of OregonCounty of YamhillSigned before me on this 1 day of March, 20 24by Caleb Bunn

Notary Public for Oregon

My Commission expires 3/15/27

8. To your knowledge, do any of the following natural hazards exist on the property?



Floodplain



Areas of erosion



Steep slopes



Fish or wildlife habitat



Soil limitations for building or septic

THE APPLICANT MUST SUBMIT:

1. Completed application form, signed by the applicant and property owner (if different). The owner's signature must be notarized.
2. Site plan drawn to scale showing property lines, location and size of all existing buildings, existing and proposed access roads, and location and size of any proposed new buildings.
3. Written justification of how the application complies with the approval criteria. Attach additional sheets to this form.
4. Filing fee (make check payable to Yamhill County).

General land use application used for Conditional Use, Variance, Site Design Review, Floodplain, Willamette River Greenway, Comprehensive Plan Amendment and Zoning District Boundary Amendment, Comprehensive Plan Amendment, and Zone Change.

NOTE: Fees are not transferrable or refundable.

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.

Applicant's signature

Date

Haley Bunn
Property owner's signature (if different)

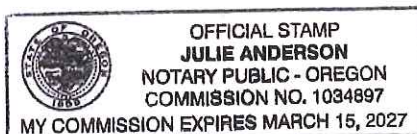
3/1/2024
Date

State of Oregon

County of Yamhill

Signed before me on this 1 day of March, 20 24.

by Haley Bunn.



Julie Anderson
Notary Public for Oregon
My Commission expires 3-15-27

PROPERTY INFORMATION

Tax Lot Subject to Zone Change: 4307-2301

Ownership: Caleb Bunn and Haley Bunn. See Exhibit A.

ZONE CHANGE CRITERIA

Summary of Request

The property in question is currently zoned EF-80, but most of the parcel has a Comprehensive Plan of VLDR (Very Low Density Residential). A small portion at the far west side of the property has a Comprehensive Plan designation of AFLH. Property to the east has a VLDR Comprehensive Plan designation and is zoned VLDR-1 (with some adjacent parcels zoned VLDR 2.5). (See attached Exhibits B and C.)

REVIEW CRITERIA

1208.02 Review criteria:

- A. *The proposed change is consistent with the goals, policies and other applicable provisions of the Comprehensive Plan.*

The Comprehensive Plan designation for the majority of this property is VLDR. The VLDR designation is consistent with Section IA of the Yamhill County Comprehensive Land Use Plan in that it encourages low density residential development in areas contiguous with existing cities and with access to services. (Goal 3, Policy B.) This area is adjacent to the city limits of Lafayette and is typical of the type of area described in Goal 3, Policy B.

- B. *There is an existing, demonstrable need for the particular uses allowed by the requested zone, considering the importance of such uses to the citizenry or the economy of the area, the existing market demand which such uses will satisfy, and the availability and location of other lands so zoned and their suitability for the uses allowed by the zone.*

The applicants wish to conduct a small commercial farm and homestead. This requires a small acreage which allows farming but on which applicants can also reside. Applicants' farming operations are too small to generate sufficient income and the size parcel they can work with is too small to generate the necessary income to qualify for a primary farm dwelling under the current zoning. Applicants need a very specific type of property, a small

acreage with a dwelling. Such parcels are very rare in this area. This property, if zoned AF-10, would meet their needs. The property has been in applicant Caleb Bunn's family for many generations and applicants hope to retain it and use it to operate their small farm. The products (flowers, honey, chickens, fruit) which applicants intend to continue to produce are products which will serve the restaurant/food and hospitality industries which are prevalent in Yamhill County.

- C. *The proposed change is appropriate considering the surrounding land uses, the density and pattern of development in the area, any changes which may have occurred in the vicinity to support the proposed amendment and the availability of utilities and services likely to be needed by the anticipated uses in the proposed district.*

The proposal is for a zone change to AF-10 within the VLDR comprehensive plan area. This is consistent with the land uses in the surrounding area. To the west of the property is the City of Lafayette. To the east are small, residential parcels of 1-5 acres. To the north is a parcel in combined agricultural and residential use. To the south is an undeveloped parcel currently in agricultural use. A change of zone to AF-10 on this 14.7 acre parcel would allow placement of one dwelling on this property, but would not otherwise change the land use. Thus, a larger, rural residential parcel is in keeping with surrounding uses. Water would be provided by a well on the subject property, and a septic system would be installed on the subject property. A parcel of 14.7 acres, most of which is not within the flood zone, can appropriately accommodate both a well and septic system. The property adjoins a county road (SE Locks Road) and power is available (and currently serves multiple residential parcels on the east side of SE Locks Road).

- D. *Other lands in the county already designated for the proposed uses are either unavailable or not as well suited for the anticipated uses due to location, size or other factors.*

There are very few other lands in the area currently with a Comprehensive Plan designation of VLDR and which meet the criteria of Yamhill County's Comprehensive Plan Goal 3, Policy B. The applicant has very few, if any, other options for a rural parcel of approximately 10 acres with a dwelling, close to city services. There are currently no such properties listed for sale in Yamhill County. The applicant wishes to operate a small farm on the subject property and reside on site in order to make operation of such farm economically feasible. The applicant intends to raise flowers, goats, bees, chickens, and orchard fruit, and to maintain the existing trees.

- E. *The amendment is consistent with the current administrative rules (OARs) for exceptions, if applicable.*

This amendment is consistent with the existing Comprehensive Plan designation of VLDR and as such does not require the application of any exceptions.

ADDITIONAL INFORMATION

1. The subject property is zoned EF-80, but is subject to two Comprehensive Plan designations. The majority of the property has a Comprehensive Plan designation of VLDR. A small portion on the west side of the property has a Comprehensive Plan designation of AFLH. This application is for a change only to the zoning within the VLDR Comprehensive Plan designation. The applicant is not requesting any change to the zoning of the portion of the property which is subject to the AFLH Comprehensive Plan designation.
2. Part of the western boundary of the property is bordered in part by the South Yamhill River. A portion of the subject property which lies adjacent to the river is subject to flooding. See attached Exhibit D.

EXHIBIT LIST

1. Deed
2. Comprehensive Plan map
3. Zone map
4. Flood map

BARGAIN AND SALE DEED

James L. Bunn, Trustee of the Jim Bunn
Revocable Living Trust
16900 S Hwy 99W
Amity, OR 97101

to

Caleb Bunn and Haley Bunn
3209 Lorian Lne SE
Salem, OR 97302

SEND TAX STATEMENTS TO:

Caleb and Haley Bunn
3209 Lorian Ln SE
Salem, OR 97302

AFTER RECORDING, RETURN TO:

Caleb and Haley Bunn
3209 Lorian Ln SE
Salem, OR 97302

OFFICIAL YAMHILL COUNTY RECORDS
KERI HINTON, COUNTY CLERK

202400451



\$86.00

01/19/2024 11:38:59 AM

DMR-DDMR Cnt=1 Stn=3 SUTTONS
\$10.00 \$5.00 \$11.00 \$60.00

BARGAIN AND SALE DEED – Statutory Form

James L. Bunn, Trustee of the Jim Bunn Revocable Living Trust, grantor, conveys to Caleb Bunn and Haley Bunn, Grantees, the following described real property situated in Yamhill County, Oregon:

See attached Exhibit A

The true consideration for this conveyance is \$80,000.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHT, IN ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTING PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTION 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 19 day of January, 2024

James L. Bunn, Trustee

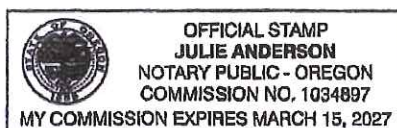
STATE OF OREGON)

) ss.

County of Yamhill)

On the 19 of January, 2024, personally appeared the above-names James L. Bunn, who acknowledged that the foregoing instrument was his voluntary act and deed.

Before me:



Julie Anderson
NOTARY PUBLIC FOR OREGON

"EXHIBIT A"

Date: 27 October 2023

Bunn - Legal Description "A" (14.7 Ac. more or less)

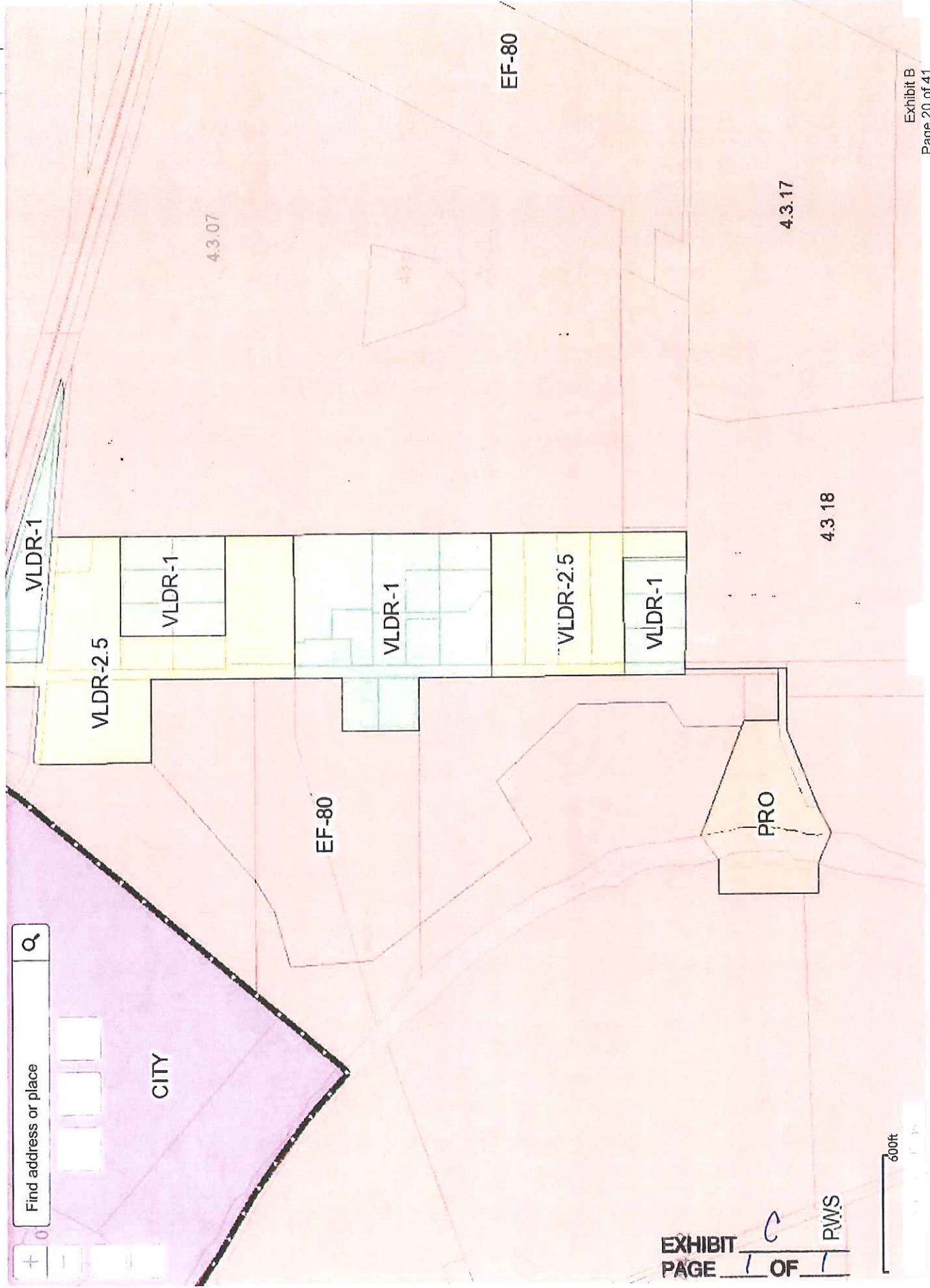
A tract of land in Section 7, Township 4 South, Range 3 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the northwest corner of Block 18 of the FISK'S SUBDIVISION Franklin Martin Donation Land Claim; thence East 1597.1 feet along the north line of said Block 18 to an iron rod as shown by CS-13127; thence East 10 feet to the northeast corner of Block 18 of said FISK'S SUBDIVISION Franklin Martin DLC; thence South 00°04'26" East 196.31 feet; thence North 89°59' 53" West 10 feet to an iron rod as shown by CS-13127; thence continuing North 89°59' 53" West 284.98 feet to an iron rod as shown by CS-13127; thence South 74°30'43" West 1200.30 feet to an iron rod as shown by CS-13127; thence continuing South 74°30'43" West 200 feet more or less to the northerly bank of the Yamhill River; thence westerly along the river bank to the southeast corner of the Joel Perkins DLC; thence North 40° East 484.44 feet along the west line of said FISK'S SUBDIVISION Franklin Martin DLC to the beginning point. The intention of this deed is, and the deed conveys to, the western boundary of Locks Rd based on the understanding that the Locks Rd is 40 feet rather than 60 feet wide.

Find address or place



EXHIBIT B
PAGE 1 OF 1



Find address or place

+

-

0

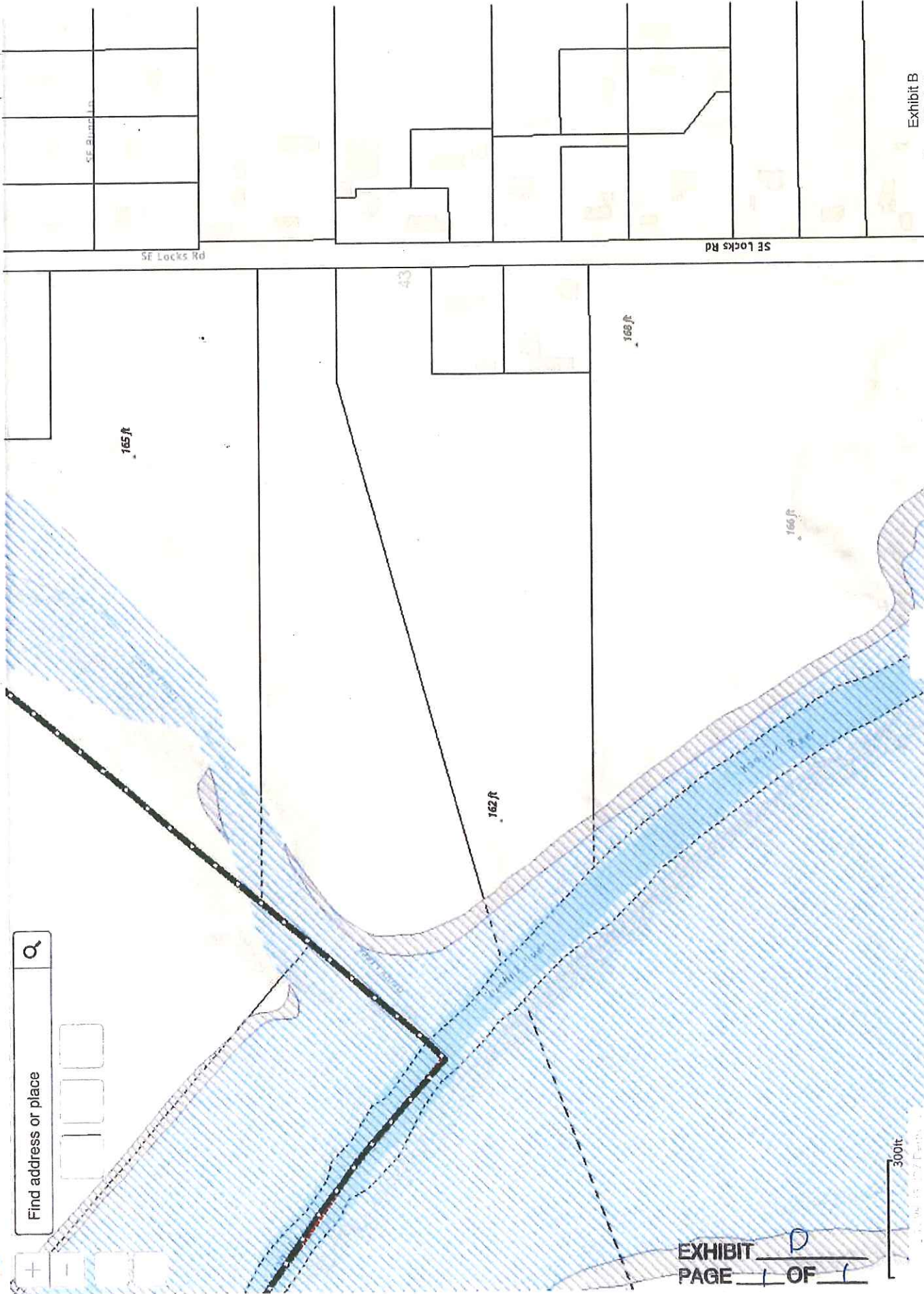


EXHIBIT D
PAGE 1 OF 1

TANKERSLEY & WRIGHT, LLC

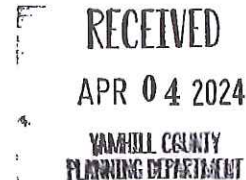
ATTORNEYS AT LAW
PO BOX 625
701 NE EVANS STREET
McMINNVILLE, OREGON 97128
Website: www.twslaw.net
Telephone 503-472-0344
Facsimile 503-472-7629

CATHERINE A. WRIGHT
catherine@twslaw.net

JULES DRABKIN - Retired
THOMAS C. TANKERSLEY - Retired

April 2, 2024

Tiffanie Willis
Yamhill County Planning and Development
400 NE Baker Street
McMinnville, OR 97128



Re: Caleb and Haley Bunn
Docket No. Z-01-24

Dear Tiffanie:

You requested additional information to address the criteria of Yamhill County Zoning Ordinance §1208.02(B) and (D).

Section 1208.02(B) provides: "There is an existing, demonstrable need for the particular uses allowed by the requested zone, considering the importance of such uses to the citizenry or the economy of the area, the existing market demand which such uses will satisfy, and the availability and location of other lands so zoned and their suitability for the uses allowed by the zone."

The need for smaller agricultural and residential parcels in Yamhill County can be shown by the very limited supply of such parcels. While there are some smaller parcels zoned and suitable for agricultural uses, their location may not be appropriate and/or they do not allow siting of a dwelling because the income requirements for a farm dwelling cannot be met on smaller parcels. As such, small-scale family farming is generally a second occupation. Having a dwelling on the farm site is necessary to dedicate the most time possible to tending crops and livestock. There are many factors that can go into the critical timing of tasks that need done when farming including weather, soil conditions, and livestock status, all of which can change unexpectedly. Tending to and watering crops, letting out and taking in livestock for the day, as well as addressing unexpected situations that may arise is not practical from afar. Additionally, most such parcels are sought for small family farming operations which rely on having suitable land which is relatively close to the customers they will be supplying. Most often, these customers are CSA (Community Supported Agriculture) members or are hotels and restaurants in McMinnville and Newberg. Farms in Grand Ronde and Willamina are generally too far from these customers to facilitate efficient and affordable business. Such farms need to be relatively close to the customers and must allow the farmer to reside on the property in order to most efficiently and affordably farm it.

Such parcels are of great importance to the citizenry of Yamhill County and the economy, and support uses such as those intended by the owners which in turn supports local residents and businesses. A significant portion of Yamhill County's economy (approximately 17 percent - see Exhibit 1) comprises the hospitality business - hotels, restaurants, wineries, breweries, etcetera. Many of these businesses want to promote local produce, whether that is flowers in a hotel or tasting room, ingredients for restaurants, or farmer's markets selling local produce to the public. There is a consistent and growing market demand for local produce grown on small family farms and niche crops which are not supplied by commercial scale farms.

Farming is the backbone of our nation and is Yamhill County's primary industry. Small farms are the connective tissue to a community. According to the USDA National Institute of Food and Agriculture, "Family and small farms are vital to our economy and well-being as a nation. Not only do they support the competitiveness and sustainability of rural and farm economies, they serve to protect and enhance natural resources and the environment, provide a nursery for the development of new enterprises and marketing systems, [and] maintain rural populations. These farms, most of which are family-owned and operated, confront considerable challenges due to current trends, such as increased movement into cities, an aging population, farm consolidation, and changing weather patterns." With limited parcels that are viable for small-scale farming, re-zoning is a means to bridge the gap to enable these important and dwindling enterprises to continue. Parcels of around 5 to 25 acres are generally too small to be considered useful for large commercial farms and are only put into production and nurtured by small scale family farms.

As shown by the review of parcels currently available on the market (see Exhibit 2), there are no other parcels currently available which are zoned AF-10 and very few which can accommodate a small agricultural enterprise and a dwelling.

Section 1208.02(D) provides: "Other lands in the County already designated for the proposed uses are either unavailable or not as well-suited for the anticipated uses due to location, size or other factors."

A review of parcels in Yamhill County containing 5 to 25 acres currently available for sale in March, 2024 is summarized on the enclosed chart.

The owners need a piece of property which can accommodate agricultural uses and a home. It also needs to be small enough to manage without employees, and affordable. Twelve parcels were identified, none of them currently zoned AF-10, and none of them, for various reasons, suitable for the uses allowed in an AF-10 zone. (Specifically, agriculture and/or forestry, and a dwelling.)

Many of these parcels were not buildable. Many of them were heavily forested, and some of them had steep slopes. The review identified only one parcel which was

Tiffanie Willis
April 2, 2024
Page 3

buildable and suitable for agricultural uses. However, that property, on Garfield Street in Carlton, is only 7 acres and lies more than 50 percent within the flood zone which leaves it unsuitable for most agricultural enterprises.

This review indicates that small agricultural parcels of approximately ten acres which allow a dwelling, as is generally allowed in the AF-10 zone, are very hard to find in Yamhill County. The owners' need for such a parcel, and the inability to find a similarly situated parcel within Yamhill County, demonstrates the need for such parcels in this area. Allowing a change of zone for this parcel will allow the owners to conduct their small family farm on a suitable, affordable parcel which is well suited for their needs.

Very truly yours,

TANKERSLEY & WRIGHT, LLC



Catherine A. Wright

CAW:jca

Enc.

cc: Caleb and Haley Bunn

QuickFacts
Yamhill County, Oregon

QuickFacts provides statistics for all states and counties. Also for cities and towns with a population of 5,000 or more.

All Topics

Yamhill County,
Oregon

Population Estimates, July 1, 2022, (V2022)	108,362
PEOPLE	
Population	
Population estimates, July 1, 2023, (V2023)	108,644
Population Estimates, July 1, 2022, (V2022)	108,362
Population estimates base, April 1, 2020, (V2023)	107,726
Population estimates base, April 1, 2020, (V2022)	107,726
Population, percent change - April 1, 2020 (estimates base) to July 1, 2023, (V2023)	0.9%
Population, percent change - April 1, 2020 (estimates base) to July 1, 2022, (V2022)	0.6%
Population, Census, April 1, 2020	107,722
Population, Census, April 1, 2010	99,193
Age and Sex	
Persons under 5 years, percent	5.0%
Persons under 18 years, percent	20.8%
Persons 65 years and over, percent	18.9%
Female persons, percent	49.7%
Race and Hispanic Origin	
White alone, percent	90.9%
Black or African American alone, percent (c)	1.3%
American Indian and Alaska Native alone, percent (c)	2.0%
Asian alone, percent (c)	2.0%
Native Hawaiian and Other Pacific Islander alone, percent (c)	0.3%
Two or More Races, percent	3.5%
Hispanic or Latino, percent (c)	17.3%
White alone, not Hispanic or Latino, percent	75.5%
Population Characteristics	
Veterans, 2018-2022	7,510
Foreign born persons, percent, 2018-2022	7.4%
Housing	
Housing units, July 1, 2022, (V2022)	41,254
Owner-occupied housing unit rate, 2018-2022	69.4%
Median value of owner-occupied housing units, 2018-2022	\$408,500
Median selected monthly owner costs -with a mortgage, 2018-2022	\$1,939
Median selected monthly owner costs -without a mortgage, 2018-2022	\$631
Median gross rent, 2018-2022	\$1,302
Building permits, 2022	539
Families & Living Arrangements	
Households, 2018-2022	38,371
Persons per household, 2018-2022	2.65
Living in same house 1 year ago, percent of persons age 1 year+, 2018-2022	84.4%
Language other than English spoken at home, percent of persons age 5 years+, 2018-2022	12.9%
Computer and Internet Use	
Households with a computer, percent, 2018-2022	95.3%
Households with a broadband Internet subscription, percent, 2018-2022	89.7%
Education	
High school graduate or higher, percent of persons age 25 years+, 2018-2022	89.9%
Bachelor's degree or higher, percent of persons age 25 years+, 2018-2022	29.3%
Health	
With a disability, under age 65 years, percent, 2018-2022	11.7%
Persons without health insurance, under age 65 years, percent	7.8%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2018-2022	59.6%
In civilian labor force, female, percent of population age 16 years+, 2018-2022	54.9%
Total accommodation and food services sales, 2017 (\$1,000) (c)	190,070
Total health care and social assistance receipts/revenue, 2017 (\$1,000) (c)	531,005
Total transportation and warehousing receipts/revenue, 2017 (\$1,000) (c)	44,984
Total retail sales, 2017 (\$1,000) (c)	1,122,210
Total retail sales per capita, 2017 (c)	\$10,656

Docket Z-01-24

Tax Lot 4307-2301

Owners: Caleb and Haley Bunn

Applicant: Catherine A. Wright, Tankersley & Wright, LLC

ACRES	LOCATION	BUILDABLE?	PRICE	NOTES
9	Old Railroad Grade Road, Yamhill	No	\$109,000.00	Heavily forested
10.8	Sheridan	Yes, per listing	\$298,000.00	Steep slopes, heavily forested
6.54	Lincoln Avenue, Yamhill	No	\$298,000.00	EF-20/too small
7	Garfield Street, Carlton	Yes, per listing	\$300,000.00	50%+ within flood zone
20	Peavine Road, McMinnville	No	\$429,000.00	EF-40
8	Bridge Street, Sheridan	Yes	\$919,000.00	Development property/city approved for subdivision
23	Quarry Road, Newberg	No	\$658,000.00	EF-20, wooded, vineyard
22	Cove Orchard	Yes	\$630,000.00	EF-20, too expensive
7	Highway 18, Sheridan	Probably not	\$550,000.00	Adjoins highway, not suitable for livestock
22	Spirit Mountain Road, Grand Ronde	Yes	\$550,000.00	Heavily forested F-80, not suitable for agriculture
20	Fort Hill Road, Willamina	Yes	\$450,000.00	Heavily forested F-80, not suitable for agriculture
26	River Bend Road, McMinnville	Yes, per listing	\$439,000.00	EF-80 forested. Almost entirely within flood zone.

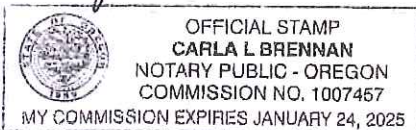
III. Public Notice

APPLICANT: Catherine Wright
PO Box 6250
McMinnville OR 97128

I, Stephanie Curran, on the 25th day of June, 2024
sent the attached public notice of Docket No. E-01-24 to the property owners identified by the PIN
numbers listed above, and interested persons listed on this sheet.

STATE OF OREGON
County of Yamhill

The foregoing instrument was acknowledged before me this 25th day of June, 2024
by Stephanie Curran



Carla Brennan
Notary Public For Oregon
My Commission Expires 1-24-25

R4307 01203
HAGLE MICHAEL O
3405 SE LOCKS RD
DAYTON, OR 97114

R4307 02100 WYMAN HENRY C &
CHRISTIE A TRUST
WYMAN HENRY C & CHRISTIE A TRUSTEES
2844 PONTE VERDE LANE
DAVIS, CA 95616

R4307 01208 HOLDERBY LORETTA L
HOLDERBY CEDRICK N
3359 SE LOCKS RD
DAYTON, OR 97114

R4307 01205 MYER MELISSA C
MYER PATRICK D
3351 SE LOCKS RD
DAYTON, OR 97114

R4307 02201 KATZLER VALERIE D
KATZLER PETER A JR
3280 SE LOCKS RD
DAYTON, OR 97114

R4307 01206
BUNN DAVID
13545 SE BUNN LN
DAYTON, OR 97114

R4307 03000
D & J RANCHES LLC
5801 SE BANSEN LN
DAYTON, OR 97114

R4307 01202
COPLEY-ZILL MARY L
3275 SE LOCKS RD
DAYTON, OR 97114

R4307 02200
ASHLEY TIMOTHY R
7640 SE WEBFOOT RD
DAYTON, OR 97114

R4307 01201 JOHNSON MAY L
JOHNSON DAVID E
3119 SE LOCKS RD
DAYTON, OR 97114

R4307 01204 FRANK DANIEL
ABBE HEATHER
3117 SE LOCKS RD
DAYTON, OR 97114

R4307 01200
BUNN DAVID
13545 SE BUNN LN
DAYTON, OR 97114

R4307 01100
BUNN DAVID
13545 SE BUNN LN
DAYTON, OR 97114

R4307 01007 BUNN JANECE T CO-TRUSTEE
BUNN BENJAMIN A JR CO-TRUSTEE
13570 SE LOCKS LOOP RD
DAYTON, OR 97114

R4307 01006
EXPANSION INTERNATIONAL INC
5400 W FRANKLIN RD STE J
BOISE, ID 83705

R4307 01005
BUNN ZELDA K
1912 NW KALE WY
MCMINNVILLE, OR 97128

R4307 01002/1003/1004
BUNN DAVID L
13545 SE BUNN LN
DAYTON, OR 97114

R4307 02800
KHALIL & SONS INC
2240 SW 3RD ST
CORVALLIS, OR 97333

R4307 02600
FOUR D'S & K LLC
ATTN: JOAN & DEAN KOCH
2600 NW HIGH HEAVEN RD
MCMINNVILLE, OR 97128

R4307 00900 BUNN JANECE T CO-TRUSTEE
BUNN BEN A JR CO-TRUSTEE
13570 SE LOCKS LOOP RD
DAYTON, OR 97114

R4307 01000
BECKWITH BOZEB B
13465 SE BUNN LN
DAYTON, OR 97114

R4307 01001 BECKWITH KATHLEEN M
BECKWITH WAYNE E TRUSTEE
3455 SE LOCKS RD
DAYTON, OR 97114

R4307 00700 HENRY WAYLAND W
HENRY WAYLAND W FAMILY REVOCABLE
14200 N HIGHWAY 99W
DAYTON, OR 97114

R4307 02400/2500 BUNN LONA J
BUNN THOMAS E
2900 SE LOCKS RD
DAYTON, OR 97114

R4307 02301 BUNN HALEY
BUNN CALEB
3209 LORIAN LN SE
SALEM, OR 97302

R4307 02700
LAFAYETTE CITY OF
535 NE 5TH ST
MCMINNVILLE, OR 97128

R4307 02300 BECKWITH KATHLEEN M
BECKWITH WAYNE E TRUSTEE
13465 SE BUNN LN
DAYTON, OR 97114

Catherine Wright
PO Box 625
McMinnville, OR 97128

Z-01-24
R4307-2301
Bunn
TW

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

400 NE BAKER STREET • McMinnville, OREGON 97128

Phone:(503) 434-7516 • Fax:(503)434-7544 • TTY: (800) 735-2900 Internet Address: www.yamhillcounty.gov/238

NOTICE OF PUBLIC HEARING

Thursday, July 11, 2024, 7pm

Yamhill County Courthouse, Room 32

535 NE 5th Street

McMinnville, Oregon

Attend via Zoom: <https://us06web.zoom.us/j/97354678574>

Webinar ID: 97354678574

The YAMHILL COUNTY PLANNING COMMISSION will hold a public hearing at the above time and place to consider the request described below. The request may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comment or may appear and testify at the hearing either in person or via Zoom. Comments submitted the day of the hearing will not be accepted via e-mail or fax but must be submitted in writing (12 copies) at the hearing. All issues and concerns should be raised for consideration by the Planning Commission prior to the close of the hearing because any appeal may be limited to the record of the hearing. Failure to raise an issue, either in person or in writing, or failure to provide statements or evidence sufficient to allow an opportunity to respond to the issue precludes an affected party's appeal of the decision to the Land Use Board of Appeals on that issue.

The application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection, and copies may be purchased at a reasonable cost. A staff report will be available for inspection at no cost seven days prior to the hearing, and copies will be available for purchase at a reasonable cost. The location of the hearing is accessible to persons with disabilities. Please call the Planning Department if you will need any special accommodations to attend or participate in the meeting. For further information, contact Tiffanie Willis at the Yamhill County Department of Planning and Development, 400 N.E. Baker St., McMinnville, 97128, at willist@yamhillcounty.gov, or at (503) 434-7516.

DOCKET NO.:	Z-01-24
REQUEST:	Approval of a zone change from EF-80, Exclusive Farm Use District to AF-10, Agriculture and Forestry Small Holding District.
PLAN DESIGNATION:	Very Low Density Residential
APPLICANT:	Catherine Wright
OWNER:	Caleb and Haley Bunn
TAX LOT:	4307-2301
LOCATION:	Property to the south of address 290 SE Locks Rd., Dayton
CRITERIA:	Section 1208.02 of the Yamhill County Zoning Ordinance.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLERS: ORS Chapter 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser.

The decision on the requested zone change will be based on whether the request complies with the review criteria found in Section 1208.02 of the Yamhill County Zoning Ordinance, as follows:

1208.02 Review Criteria

A quasi-judicial change to a zoning map may be authorized, pursuant to Subsection 1208.01, provided that the request satisfies all applicable requirements of this ordinance, and also provided that the applicant demonstrates compliance with the following criteria:

- A. That the proposed change is consistent with the goals, policies, and any other applicable provisions of the Comprehensive Plan.*
- B. That there is an existing demonstrable need for the particular uses allowed by the requested zone, considering the importance of such uses to the citizenry or the economy of the area, the existing market demand which such uses will satisfy, and the availability and location of other lands so zoned and their suitability for the uses allowed by the zone.*
- C. That the proposed change is appropriate considering the surrounding land uses, the density and pattern of development in the area, any changes which may have occurred in the vicinity to support the proposed amendment and the availability of utilities and services likely to be needed by the anticipated uses in the proposed district.*
- D. That other lands in the county already designated for the proposed use are either unavailable or not as well-suited for the anticipated uses due to location, size, or other factors.*
- E. That the amendment is consistent with the current Oregon Administrative Rules for exceptions, if applicable.*

Procedures Regarding Hearings by the Planning Commission Acting on Quasi-judicial Actions in Yamhill County

The Nature and Conduct of Public Hearings

1. Parties to quasi-judicial proceedings are entitled to an opportunity to appear, either in person or through a representative, to present and rebut testimony and evidence before an impartial authority, to record the proceedings, and to receive a written notice of the decision, based on the record made at the hearing.
2. The following persons qualify as parties:
 - (a) the applicant;
 - (b) all persons that are entitled by ordinance to receive a notice of the hearing; and
 - (c) other persons who demonstrate that the action affects a substantial right of those persons.
3. No person shall testify without:
 - (a) receiving recognition from the Planning Commission chairperson;
 - (b) stating his or her full name and address; and
 - (c) if requested, stating the basis on which he or she is entitled to status as a party. A challenge to this status may be made by the Planning Commission or another party. A ruling shall be made by the Planning Commission regarding the person's right to testify.
4. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting. Audience demonstrations, applause, and display signs shall not be permitted. The chairperson of the Commission shall have the authority to inform, reprimand, or remove any person or persons for violation of the rules of conduct.

Order of Procedure

Rules of Evidence

1. No person shall present irrelevant, immaterial, or unduly repetitious testimony or evidence.
2. Testimony and evidence must be directed toward the criteria applicable to the subject hearing.
3. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Commission and parties an opportunity to respond to the issue precludes appeal based on that issue beyond the local level.

Hearing Procedure

In the conduct of a hearing, the Planning Commission shall have the authority to:

1. Determine who qualifies as a party;
2. Regulate the course, sequence, and decorum of the hearing;
3. Dispose of procedural requirements or similar matters;
4. Rule on offers of proof and relevancy of evidence and testimony;
5. Impose reasonable limitations on the number of witnesses heard and set reasonable time limits for oral presentations and rebuttal testimony;
6. Grant, deny, or approve with conditions the matter being heard.

Burden of Proof

The burden of proof is placed upon the applicant. Such proof shall show that the request complies with all applicable standards and criteria of the Comprehensive Plan and Zoning Ordinance.

-
1. Announce the nature and purpose of the hearing;
 2. Ask for disclosure of any potential conflicts of interest or ex parte contact by those on the Commission;
 3. Ask parties of the hearing if there is a challenge to the ability of any member of the Commission to make an unbiased decision on the case;
 4. State that testimony and evidence must be directed toward the relevant criteria or other criteria in the plan or ordinance which a person believes to apply to the decision;
 5. State that failure to raise an issue accompanied by statements or evidence sufficient to afford the Commission and parties an opportunity to respond to the issue precludes appeal beyond the local level;
 6. Request the Planning Director or his designee to present a summary of staff findings and the criteria applicable to the request;
 7. Allow the applicant to be heard first, testifying on his own behalf or by a representative.
 8. Allow parties or witnesses in favor of the proposal to be heard;
 9. Allow parties or witnesses opposed to the proposal to be heard;
 10. Ask for comments submitted by governmental agencies;
 11. Allow rebuttal testimony;
 12. Ask for the staff recommendation.

13. Prior to the conclusion of the initial hearing, any party may request an opportunity to present additional testimony or evidence regarding the application. The Commission shall grant such a request by continuing the public hearing or leaving the record open for additional written evidence or testimony.
14. Upon conclusion of the initial hearing, if there is no request to present additional testimony or evidence, the Commission shall decide whether to close the hearing and render a decision or continue the hearing to a later date. The Commission may request proposed findings and conclusions from any party to the hearing.

Appeal of Commission Decisions

1. A decision of the Planning Commission may be appealed to the Board of County Commissioners for review. A petition for review must be submitted to the Planning Department within fifteen (15) days of the date of decision. The date of decision is the date the notice of decision is mailed, not the date of the hearing.
2. Only parties to the subject action may appeal the Commission's decision.

Accommodation of Physical Impairments

Please notify the Planning Department of any special physical or language needs as far in advance of the hearing as possible. The courthouse is handicapped accessible.
TDD 503-434-7519.

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

525 NE 4TH STREET | McMinnville, Oregon 97128

Phone: (503) 434-7516 | Fax: (503) 434-7544 | TTY: (800) 735-2900

Internet Address: <http://www.co.yamhill.or.us/planning>

June 21, 2024

To: ☐ Public Works
☐ SWDC
☐ Dayton Rural Fire Dept.
☐ City of Lafayette

☐ ODOT
☐ Water Master
☐ Sanitarian
☐ DLCD

Re: **Docket Z-01-24**, Catherine Wright, Tax Lot R4307-2301

The referenced docket is currently under consideration by Yamhill County. A request for approval of a zone change from Exclusive Farm Use (EF-80) to Agriculture Forestry Small Holding (AF-10). The request involves an approximately 14.7-acres parcel located south of the address 290 SE Locks Rd., Dundee.

Your recommendations and suggestions will be used to guide the decision-maker when reviewing this request. If you wish to have your comments on the enclosed material considered, please return this form by this date: **July 8, 2024**.

Your prompt reply will facilitate the processing of this application and will ensure consideration of your recommendations. Please check the appropriate space below and provide any comments you wish in the space provided, or on additional sheets.

PLEASE NOTE

If a comment is not received by the deadline indicated, the decision-making authority will assume that there is no conflict between the request and the interests of your agency or organization and make its decision accordingly.

☐ 1. We have reviewed the file and find no conflicts with our interests.

☐ 2. A formal recommendation is under consideration and will be submitted to you by: _____

☐ 3. Please refer to the enclosed letter.

☐ 4. All existing and proposed primary and repair drainfield sites must be within the property lines that they serve or a recorded easement must be provided.

Signed _____ Title _____ Date _____

mailed 6/18/24 12:05 pm

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

400 NE BAKER STREET • McMinnville, OREGON 97128

Phone: (503) 434-7516 • Fax: (503) 434-7544 • TTY: (800) 735-2900

Internet Address: <http://www.co.yamhill.or.us/planning>

June 18, 2024

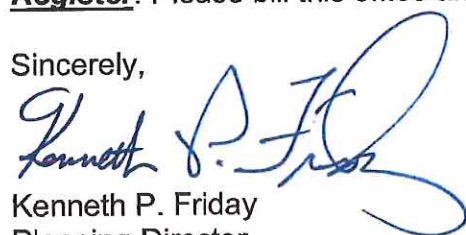
VIA EMAIL

News Register
611 E Third St.
McMinnville, Oregon 97128

VIA EMAIL: Ccrafton@newsregister.com

Please publish the following notice of public hearing in the June 21, 2024, issue of the **News Register**. Please bill this office and supply us with an affidavit of publication.

Sincerely,



Kenneth P. Friday
Planning Director

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the Yamhill County Planning Commission will hold a public hearing on July 11, 2024, at 7:00 P.M. in room 32 of the Yamhill County Courthouse, located at 535 East Fifth Street, McMinnville to consider: **DOCKET Z-01-24**, a request by Catherine Wright for approval of a zone change from EF-80, Exclusive Farm Use District to AF-10, Agriculture and Forestry Small Holding District. The property involved is plan designated VLDR Very Low Density Residential. The parcel is identified as Tax Lot 4307-2301 and is located at south of the property addressed as 290 SE Locks Rd, Dayton. This application is being reviewed based on criteria in Section 1208.02 of the Yamhill County Zoning Ordinance. Interested parties are invited to send written comment to willist@co.yamhill.or.us or may appear and testify at the hearing. Comments submitted the day of the hearing will not be accepted via e-mail or fax but must be submitted in writing (12 copies) at the hearing. Failure to raise an issue, either in person or in writing, or failure to provide statements or evidence sufficient to allow the Planning Commission an opportunity to respond to the issue precludes an affected party's appeal of the decision to the Land Use Board of Appeals on that issue. Additional information is available from the County Planning Department at 503-434-7516. Dated June 21, 2024, Ken Friday, Planning Director.

To participate in the hearing using Zoom please use the link below to join the webinar:
<https://us06web.zoom.us/j/97354678574>

Tiffanie Willis

From: DLCD Plan Amendments <plan.amendments@dlcd.oregon.gov>
Sent: Monday, April 8, 2024 9:04 AM
To: Tiffanie Willis
Subject: Confirmation of PAPA Online submittal to DLCD

Caution: This email originated outside of the Yamhill County email system

Yamhill County

Your notice of a proposed change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development.

Local File #: Z-01-24

DLCD File #: 001-24

Proposal Received: 4/8/2024

First Evidentiary Hearing: 7/11/2024

Submitted by: willist@yamhillcounty.gov

If you have any questions about this notice, please reply or send an email to plan.amendments@dlcd.oregon.gov.

IV. Public Agency Reports

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

525 NE 4TH STREET | McMinnville, Oregon 97128

Phone: (503) 434-7516 | Fax: (503) 434-7544 | TTY: (800) 735-2900

Internet Address: <http://www.co.yamhill.or.us/planning>

June 21, 2024

To: ☐ Public Works
☐ SWDC
☐ Dayton Rural Fire Dept.
☐ City of Lafayette

☐ ODOT
☐ Water Master
☐ Sanitarian
☐ DLCD

Re: **Docket Z-01-24**, Catherine Wright, Tax Lot R4307-2301

The referenced docket is currently under consideration by Yamhill County. A request for approval of a zone change from Exclusive Farm Use (EF-80) to Agriculture Forestry Small Holding (AF-10). The request involves an approximately 14.7-acres parcel located south of the address 290 SE Locks Rd., Dundee.

Your recommendations and suggestions will be used to guide the decision-maker when reviewing this request. If you wish to have your comments on the enclosed material considered, please return this form by this date: **July 8, 2024**.

Your prompt reply will facilitate the processing of this application and will ensure consideration of your recommendations. Please check the appropriate space below and provide any comments you wish in the space provided, or on additional sheets.

PLEASE NOTE

If a comment is not received by the deadline indicated, the decision-making authority will assume that there is no conflict between the request and the interests of your agency or organization and make its decision accordingly.

☒ 1. We have reviewed the file and find no conflicts with our interests.

☐ 2. A formal recommendation is under consideration and will be submitted to you by: _____

☐ 3. Please refer to the enclosed letter.

☐ 4. All existing and proposed primary and repair drainfield sites must be within the property lines that they serve or a recorded easement must be provided.

Signed



Title

REUS

Date

6/25/2024

Docket Z-01-24 Wright/Bunn

Comments Received