

YAMHILL COUNTY
COMPREHENSIVE PLAN, 1974
ORDINANCE, NO. 62,
1974

Yamhill County Department
of Planning & Development
September, 1974

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IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

(Sitting for the Transaction of County Business)

In the Matter of an Ordinance)
to Adopt the Yamhill County)
Comprehensive Plan, 1974)

Ordinance No. 62

WHEREAS, ORS 197.175 and 215.050 provide that the Yamhill County Board of Commissioners shall adopt and from time to time revise a comprehensive plan for the use of land in the County, that said plan shall be consistent with the goals listed in ORS 215.515, and that said plan shall conform to the standards prescribed by ORS 215.055 in order to promote the public health, safety and general welfare; and

WHEREAS, the Board has appointed eight citizen advisory committees as provided under ORS 215.046 and as required under ORS 197.160 (2) to assist in the preparation of a comprehensive plan, and has consulted with said committees as established thereunder, as well as with the Yamhill County Planning Commission, in respect to the preparation of a comprehensive plan; and

WHEREAS, the Board has caused to be prepared a comprehensive plan for all lands in the County and has provided for the coordination of such plan with all planning activities affecting land uses within the County, including those of the County, cities, special districts and state agencies, to assure an integrated comprehensive plan for the entire area of the County as required under ORS 197.190 (1); and

WHEREAS, pursuant to the provisions of ORS 215.060, the Board held public hearings on the 19th, 21st, 25th, 27th and 28th days of February, 1974, and on the 21st day of March, 1974, in various cities of the County in respect to the proposed adoption of a comprehensive plan map; and

WHEREAS, on the 27th day of March, 1974, the Board adopted by resolution the Yamhill County Comprehensive Plan Map, 1974, and by reference the Yamhill County Comprehensive Plan Map, Alternative "A", 1974, the resolution being recorded in Miscellaneous Film Volume 25, Page 1,471, in the office of the County Clerk; and

WHEREAS, on the 8th day of August, 1974, after due notice was given according to law, the Board convened a meeting with the Yamhill County Planning Commission and the chairmen of the aforementioned citizen advisory committees to review and hear representations in respect to a draft statement of goals, policies and narrative of a comprehensive plan; and

WHEREAS, on the 9th day of August, 1974, the Board authorized and directed the preparation and publication of a final draft of said comprehensive plan, to be entitled the Yamhill County Comprehensive Plan, 1974; and

WHEREAS, on the 25th day of September, 1974, after due notice was given according to law, the Board held a public hearing in respect to the adoption by ordinance of the Yamhill County Comprehensive Plan, 1974, as submitted for publication, including the said Yamhill County Comprehensive Plan Map, 1974, and the said Yamhill County Comprehensive Plan Map, Alternative "A", 1974, in the form and at the scale previously adopted by resolution; and

WHEREAS, the Board has now determined that such Ordinance is necessary and proper for the promotion of the public health, safety and general wel-

fare, and that it would be in the best interests of the people of Yamhill County to adopt the said Plan, Plan Map and Plan Map, Alternative "A"; and

WHEREAS, after the termination of the said public hearing before the Board, and in the regular session of the Board on the 25th day of September, 1974, a motion was duly made and regularly passed to adopt said Ordinance for Yamhill County;

NOW THEREFORE, IT IS HEREBY ORDAINED:

SECTION 1. TITLE.

This Ordinance may be cited for all purposes as the Yamhill County Comprehensive Plan, 1974, Ordinance, No. 62, 1974.

SECTION 2. APPLICATION.

This Ordinance is hereby enacted for the area of Yamhill County outside of incorporated cities and shall apply to all planning activities affecting land uses within the County, including those of the County, cities, special districts and state agencies.

SECTION 3. DEFINITIONS.

For the purposes of this Ordinance, all words, terms and expressions contained herein shall be interpreted as follows:

- (1) BOARD means the Yamhill County Board of Commissioners;
- (2) CITIZEN ADVISORY COMMITTEE means a committee appointed by resolution of the Board pursuant to the provisions of ORS 197.160 (2) and ORS 215.046;
- (3) COMMISSION means the Yamhill County Planning Commission;
- (4) DIRECTOR means the Yamhill County Planning Director;

(5) PLAN means the Yamhill County Comprehensive Plan, 1974, the Yamhill County Comprehensive Plan Map, 1974, and the Yamhill County Comprehensive Plan Map, Alternative "A", 1974, and any provision therein, as amended;

(6) PLAN AMENDMENT means a substantive change in any provision of the Plan requiring action by the Board pursuant to the provisions of ORS 215.060;

(7) PLAN INTERPRETATION means a review and determination by the Board or Commission in respect to the meaning or intent of any provision of the Plan.

SECTION 4. BASIC PROVISIONS.

(1) The Yamhill County Comprehensive Plan, 1974, a copy of which is attached hereto and certified as Schedule "A" to this Ordinance, is hereby adopted.

(2) The Yamhill County Comprehensive Plan Map, 1974, a copy of which is attached hereto and certified as Schedule "B" to this Ordinance, is hereby adopted.

(3) The Yamhill County Comprehensive Plan Map, Alternative "A", 1974, a copy of which is attached hereto and certified as Schedule "C" to this Ordinance, is hereby adopted.

SECTION 5. FEES.

(1) Pursuant to the provisions of ORS 215.110 (5), the fee to be charged to defray the costs incurred in the review and investigation of, and action upon, any application for a Plan amendment or Plan interpretation is sixty dollars (\$60.00).

(2) The costs for which fees are levied under subsection (1) of this section do not include costs for which fees are prescribed under other County ordinances.

SECTION 6. ADMINISTRATION.

(1) The Director is charged with the administration of this Ordinance.

(2) In respect to any proposed Plan amendment or requested Plan interpretation, application shall be made to the Director on forms approved by the Board, and the application shall be accompanied by the prescribed fee. Any application for a Plan amendment shall, if required, be accompanied by a letter of explanation or intent together with plans outlining the layout, design and staging of any proposed development and any other pertinent information, and copies thereof shall be furnished in sufficient number to circulate to all interested or affected referees as required by subsection (5) of this section.

(3) Any person may make application for a Plan amendment, or for a Plan interpretation in the event that any provision of the Plan is unclear or that there is a difference of opinion with the Director in respect to any matter of interpretation.

(4) Any application for a Plan amendment or Plan interpretation shall first be referred to the Commission, and the Commission shall hold a hearing thereon pursuant to the provisions of ORS 215.060 and the Rules of Procedure for the Conduct of Hearings Relating to Land-Use Matters, and shall make a recommendation to the Board.

(5) Prior to referral of any application to the Commission under subsection (4) of this section, the Director shall refer the application

for review, investigation and comment to any city, county, special district, state or federal agency, citizen advisory committee or person deemed to have an interest in or be affected by such application, and the Director shall allow at least thirty (30) days for reply from the date of mailing of the referral to the date on which the application is to be heard and considered by the Commission. The Director shall provide for the coordination, review and filing of all responses hereunder and shall prepare and submit a report thereon to the Commission prior to the hearing and consideration of the application by the Commission.

(6) Upon receipt of the approved minutes of the Commission hearing and recommendation, the Board shall hear the application de novo in the manner provided by subsection (4) of this section and shall make a determination. Any determination constituting a Plan amendment shall be made by ordinance, and any determination in respect to a Plan interpretation shall be made by resolution. A copy of any ordinance or resolution adopted hereunder shall be furnished to the Director, and the Director shall notify the Commission and the applicant in writing of the action taken.

(7) The Board may, on its own motion, review any action taken under subsections (1) to (3), inclusive, of this section.

SECTION 7. REPEAL.

The 1985 Preliminary General Plan for Northeast Yamhill County and the 1985 Preliminary General Plan for South Central Yamhill County, prepared in 1968 and 1969, respectively, and duly adopted by the Yamhill County Planning Commission, are hereby repealed.

SECTION 8.

This Ordinance shall be in force and effect from and after the 25th day of September, 1974.

Dated this 25th day of September, 1974.

YAMHILL COUNTY BOARD OF COMMISSIONERS

Morris Miller
Commissioner

W. H. Brumby
Commissioner

Gene Howard
Commissioner

Attest: *Naqne Weiker*
County Clerk

By: *Shirley E. Mullen*
Deputy