In the Matter of
from EF-80 and
AF-80 and AF-
Located at 1910
Road, McMinn
601 and 602, A
Washington, C
and the June K.
and Declaring a

THE B
transaction of c
present, and Co

IT APP
Trust, June K. W
02) for a zone ch
Use on a parcel
600, 601 and 602
forwarded the re
2003, the Board
necessary findin

IT IS HE
detailed in the F
ordinance, being
emergency havin

DONE t

ATTEST

CHARLES STE
County Clerk

By:
Deputy KELLY

APPROVED AS

Rick Sanai, Assi

reflect the mixed agricultural and forest use of the property, a quasi-judicial zone map change back to Agricultural/Forestry may be authorized, pursuant to Subsection 1208.01, and provided that the applicant demonstrates compliance with the following:

A. The area to be rezoned consists primarily of foothill and ridgetop holdings above the flat terrace and valley floor commercial agriculture areas, and below the contiguous timberlands of the Coast Range.

B. At least 50% of each parcel that is proposed to be rezoned is forested.

C. At least 50% of each parcel that is proposed to be rezoned was designated Agriculture/Forestry prior to December 29, 1993.

D. The area being rezoned contains such a mixture of agricultural and forest uses that neither Goal 3 nor Goal 4 can be applied alone.

E. The proposed amendment shall result in an area of at least 160 contiguous acres with the requested designation, including adjacent land.

F. Any amendment that would reduce the minimum lot size complies with the requirements of Section 1208.03(F).

The above criteria are addressed in Findings B.2 through B.7 below.

2. Regarding the location of the tract as specified in criterion (A) above, the average elevation of the lots in question ranges from approximately 600' to 1000' above sea level. The topography is hilly and includes some ridge tops. The request meets this criterion.

3. Regarding criterion (B) above, the 1992 aerial photograph of the area shows that more than 50% of each parcel within the subject tract is forested. The parcels also contain some cleared areas that appear to contain pastures. The purpose section of the Agriculture/Forestry District states in part:

> *The purpose of the Agriculture/Forestry District is to identify and protect lands designated as Agriculture/Forestry Large Holding on the Comprehensive Plan, that are a mixture of agricultural and forest management operations, and other uses which are compatible with such operations.*

Due to the mixed nature of the use of the properties, and the fact that the applicants are using the properties for a mixture of farm and forestry uses, it appears that the requested change would be appropriate. The request meets this criterion.

4. Regarding criterion (C), the Official 1980 County Zoning Map, which was valid until December 29, 1993, shows the subject tract to have more than 50% of land zoned AF-20 Agriculture/Forestry use. As mentioned in Finding (A.11), 59% of the tract was zoned as

AF-20 Agriculture/Forestry and 41% f the tract was zoned EF-40 Exclusive Farm Use. The request meets this criterion.

5. Regarding criterion (D) the lots contain Class III and IV soils and are, therefore, considered agricultural land pursuant to goal 3, however, they also contain more than 50% of forested area. The majority of the soils are capable of producing 145 cubic feet of wood fiber per acre per year. Therefore, none of the lots are exclusively suitable for goal 3 use or goal 4 use.

6. Regarding criterion (E), the request involves approximately 212 acres to be rezoned to AF-80 and AF-40. The amendment would therefore result in an area of more than 160 acres with the requested designation.

7. Criterion (F) above does not apply since the approval of the request would not reduce the minimum lot size on the property. The applicant wishes to retain the minimum lot size designation as they are currently. The 80-acre minimum parcels are proposed to receive AF-80 zoning designation and the 40-acre minimum parcel is proposed to change to AF-40 zoning designation.

CONCLUSION

1. The request is for a zone change from EF-80 and EF-40 Exclusive Farm Use to AF-40 and AF-80 Agriculture Forestry Use. Total area proposed to be rezoned is 212 acres.

2. The zone change is appropriate to reflect the mixed uses on the property.

3. The request complies with the criteria listed in Section 1208.4 of the Yamhill County Zoning Ordinance.

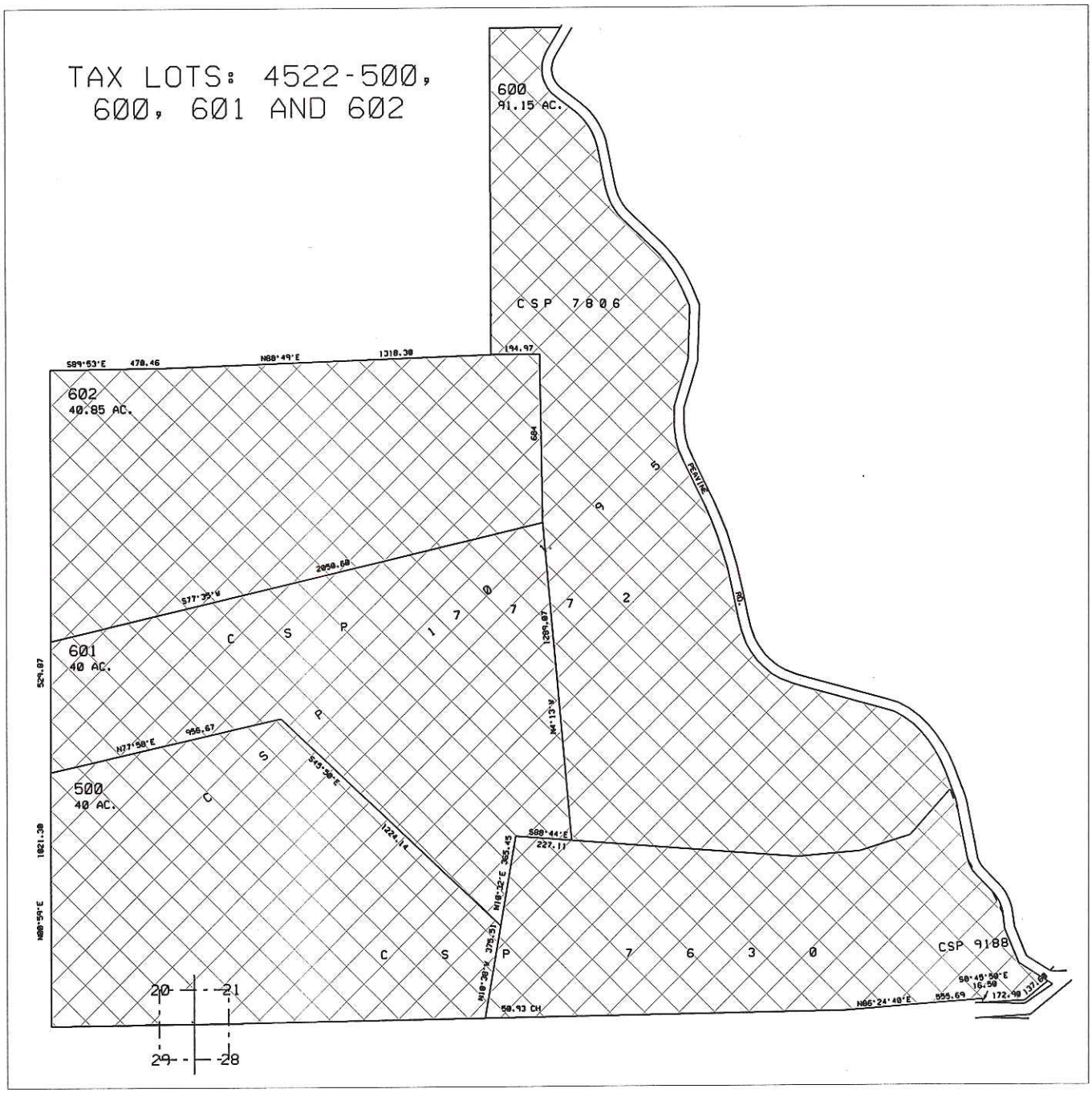
4. The proposed designation is appropriate for the intended use of the property.

5. The proposed change will continue to allow the opportunity for growing and harvesting trees.

Based on the above findings and conclusions, the request by attorney Catherine A. Wright, on behalf of Harold and Christine Washington, Christine and Emil Feibel Trust, June K. Wolf Trust, for a zone change from EF-80 and EF-40 Exclusive Farm Use to AF-80 and AF-40 Agriculture Forestry Use on Tax Lots 4521-500, 600, 601 and 602 is hereby approved.

EXHIBIT "B" FOR ORDINANCE NO. 725

ZONE CHANGE FROM
EF-80 TO AF-80 AND EF-40 TO AF-40
COUNTY AGRICULTURE/FORESTRY LARGE HOLDING DESIGNATION



PREPARED BY YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

AREA SUBJECT TO AMENDMENT

ORDINANCE 725
EXHIBIT "B"