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FILED
YAMHILL COUNTY, OREGON
1985 JUL 10 PM 12:00
CHARLES STERN
COUNTY CLERK
Alvin Selts
DEPUTY

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
85-501 FOR THE COUNTY OF YAMHILL
SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance)
Amending Portions of Yamhill)
County Zoning Ordinance, No.) ORDINANCE NO. 412
310, 1982, relating to the)
EF-40 and AF-20 Zones)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) on the 10th day of July, 1985, sat for the transaction of County business, in regular session, Commissioners Ted Lopuszynski and David E. Bishop being present.

WHEREAS, certain proposed amendments have been reviewed by the Yamhill County Planning Commission to the Yamhill County Zoning Ordinance, No. 310, 1982; and

WHEREAS, at a public hearing on June 6, 1985, the Planning Commissioner recommended that the following provisions set forth in this ordinance be adopted as amendments to the Yamhill County Zoning Ordinance, No. 310, 1982; and

WHEREAS, at public hearing on June 26, 1985, the Yamhill County Board of Commissioners heard public testimony in regard to said proposed amendments and concluded that said amendments would be in the best interests of the citizens of Yamhill County

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY AS FOLLOWS:

Section 1. That Section 4 of the Yamhill County Zoning Ordinance, No. 310, 1982 be and hereby is repealed in its entirety.

Section 2. That Section 402.09(B)(1) be and hereby is amended to read in its entirety as follows:

"Newly created parcels. Except as provided in subsection 402.03(C), the minimum size allowable for a newly created parcel shall be forty acres or that size which is appropriate for the continuation of the existing commercial, agricultural enterprise in the area; whichever is greater."

Section 3. That Section 403.09(B)(1) be and hereby is amended to read in its entirety as follows:

"Newly created parcels. Except as provided in subsection 403.03(C), the minimum size allowable for a newly created parcel shall be twenty acres or that size which is appropriate for the continuation of the existing commercial, agricultural enterprise in the area; whichever is greater."

Section 4. That Section 402.03(C)(2)(e) be and hereby is amended to read in its entirety as follows:

"e. Any dwelling proposed for either parcel shall be subject to either Section 402.06 for farm or forest dwelling or Section 402.07 for non-farm dwelling, whichever is applicable."

Section 5. That Section 403.03(C)(2)(e) be and hereby is amended to read in its entirety as follows:

"e. Any dwelling proposed for either parcel shall be subject to either Section 403.06 for farm or forest dwelling or Section 403.07 for non-farm dwelling, whichever is applicable."

Section 6. That Section 402.07(D) be and hereby is amended to read in its entirety as follows:

"(D).Is situated upon land generally unsuitable for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of tract, a lot or parcel shall not be considered unsuitable solely because of its size or location if it can be reasonably put to use in conjunction with other land; and"

Section 7. That Section 403.07(D) be and hereby is amended to read in its entirety as follows:

"(D).Is situated upon land generally unsuitable for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of tract; a lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm use in conjunction with other land; and"

Section 8. That Section 402.06(C)(1)(a) be and hereby is amended to read in its entirety as follows:

"(a). Evidence that the parcel currently supports accepted farming practices, as described in subsection 402.02(A), for the primary purpose of obtaining a profit in money, and will be appropriate to continue existing commercial farm enterprises within the area, provided, however, a mobile home placement permit may be granted upon submission of a management plan which demonstrates that the parcel will support accepted farming practices as described

in subsection 402.02(A), for the primary purpose of obtaining a profit in money, and will be appropriate to continue existing commercial farm enterprises within the area, subject to the following:

- (i) Within two years of the granting of the mobile home placement permit the management plan is implemented;
- (ii) When said management plan is implemented, building permits for a conventional home may be issued; and
- (iii) If the management plan is not implemented within the two year period described above, the mobile home shall be removed and the placement permit shall be void, provided however the management plan is partially implemented a one time, one year extension may be granted by the Director."

Section 9. That Section 403.06(B)(1)(a) be and hereby is amended to read in its entirety as follows:

"(a). Evidence that the parcel currently supports accepted farming practices as described in subsection 403.02(A), for the primary purpose of obtaining a profit in money, and will be appropriate to continue the existing commercial farm enterprises within the area, provided however, a mobile home placement permit may be granted upon submission of a management plan which demonstrates that the parcel will support accepted farming practices as described in subsection 403.02(A) for the primary purpose of obtaining a profit in money and will be appropriate to continue existing commercial farm enterprises within the area, subject to the following:

- (i) Within two years of the granting of the mobile home placement permit the management plan is implemented;
- (ii) When said management plan is implemented, building permits for a conventional home may be issued; and
- (iii) If the management plan is not implemented within the two year period described above, the mobile home shall be removed and the placement permit shall be void, provided however if the management plan is partially implemented, a one time, one year extension may be granted by the Director."

Section 10. Effective Date. In accordance with Oregon Revised Statute 203.045, this ordinance shall take effect on the 90th day after the date of adoption.

DONE this 10th day of July, 1985 at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Counsel
By: Elaine Pearcey
Deputy ELAINE PEARCEY
APPROVED AS TO FORM BY:

Daryl S. Garrettson
County Counsel

Ted Lopuszynski
Chairman TED LOPUSZYNSKI
Date: 7-10-85

(not available for signature)
Commissioner DONALD D. PORTER
Date: _____

David E. Bishop
Commissioner DAVID E. BISHOP
Date: 7-10-85