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 Amending )
Sections 404 (Mineral Resource Zone) )
and 802 (Public Works/Safety Zone) of )
Yamhill County Zoning Ordinance No. 310, )
as Amended, to Allow Establishment of a )
Park as a Conditional Use in Such Zones;
Docket G-2-97; and Declaring an Emergency.

ORDINANCE NO 630

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in special session on May 28, 1997, Commissioners Thomas E. E. Bunn, Robert Johnstone, and Ted Lopuszynski, being present.

WHEREAS, sections 404 and 802 of the Yamhill County Zoning Ordinance, No. 310, as amended ("the YCZO"), sets forth approval standards for conditional uses in the Mineral Resource Zone and the Public Works/Safety Zone, respectively; and

WHEREAS, neither of these zones presently permits establishment of park facilities; and

WHEREAS, the Department of Planning and Development has received a request to allow the expansion of a county park (Roger's Landing) into an adjacent Mineral Resource Zone and a Public Works/Safety Zone; and

WHEREAS, the Board of Commissioners believes that it is desirable to allow establishment or expansion of parks as conditional uses in mineral resource and public works/safety zones, and that it is therefore necessary to amend pertinent conditional use provisions in YCZO sections 404 and 802; and

WHEREAS, properly noticed public hearings were held on this ordinance on April 3, 1997 before the Yamhill County Planning Commission, which voted unanimously to recommend approval of the ordinance, and subsequently, before the Board on May 14, 1997 and the Board unanimously approved the adoption of the ordinance; and

WHEREAS, the Board has determined that adoption of the ordinance provisions in the attached Exhibit "A" will be in the best interest of the citizens of Yamhill County; Now, Therefore,
THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

Section 1. Sections 404.04 and 802.03 of the Yamhill County Zoning Ordinance, No. 310, as amended, are hereby amended as provided and specified in the attached Exhibit "A", which is by this reference made a part of this ordinance. Materials and language contained in brackets are hereby deleted from Ordinance 310 as amended, and materials underlined are added to those ordinances.

Section 2. The explanation of the amendments under this ordinance set forth in Exhibit "B", which is attached hereto and incorporated into this ordinance by reference, is hereby adopted to support the Board's determination that this ordinance is necessary and proper.

Section 3. Severability Clause. If any section or subsection contained in this ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall continue in full force and effect unless those parts, standing alone, are incapable of being executed in accordance with legislative intent.

Section 4. 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 28th day of May, 1997.

ATTEST

CHARLES STERN
County Clerk

YAMHILL COUNTY BOARD OF COMMISSIONERS

THOMAS E. E. BUNN
Chairman

TED LOPUSZYNSKI
Commissioner

ROBERT JOHSTONE
Commissioner

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YCZO Section 404.04 is amended to read:

404.04 Conditional Uses.

In the MR District, pursuant to the Type B application procedure set forth in Section 1301, and subject to the conditional use review criteria listed in Section 1202, and any other applicable criteria established by this Ordinance, the following uses may be allowed conditionally:

A. Manufacture and storage of concrete and aggregate products such as preformed steps, beams, fences, vaults and similar products, provided that the aggregate needs are supplied from the same site where storage and manufacturing takes place;

B. Extraction and development of oil, natural gas or geothermal resources, subject to the requirements of subsection 404.10;

C. Coal and precious metals extraction, processing and stockpiling from the same site where extraction takes place;

D. Any structure necessary and appurtenant to the above uses;

E. Permanent concrete batching or hot-mix batching plants;

F. The following additional use may be allowed conditionally in the MR-2 District:

1. Portable concrete batching or portable hot-mix batching plants.

G. Parks or playgrounds owned and operated by a governmental agency or a nonprofit community organization, subject to Section 1101, Site Design Review.
YCZO Section 802.03 is amended to read:

802.03 Conditional Uses.

In the PWS District, no use may be allowed as a conditional use:

In the PWS District, pursuant to the Type B application procedure set forth in Section 1301, and subject to the conditional use review criteria listed in Section 1202, and any other applicable criteria established by this Ordinance, the following use may be allowed conditionally:

Parks or playgrounds owned and operated by a governmental agency or a nonprofit community organization, subject to Section 1101, Site Design Review.
HEARING DATE: April 3, 1997

DOCKET NO.: G-2-97

REQUEST: Amendments to Sections 404 (Mineral Resource Zone) and 802 (Public Works/Safety Zone) of the Yamhill County Zoning Ordinance to allow establishment of a park as a conditional use in each of these zones. The purpose of the amendments is to allow for eventual expansion of Roger’s Landing.

APPLICANT: Yamhill County

LOCATION: The amendments would apply to all Mineral Resource and Public Works/Safety zoned properties in Yamhill County

REVIEW CRITERIA: ORS 215, OAR 660-06, OAR 660-33 and Section 1207 of the Yamhill County Zoning Ordinance.

COMMENTS: Memo from Jaynie Mitchell

FINDINGS:

A. Analysis of Proposed Amendments

Exhibit A, as attached, contains proposed amendments to Sections 404 and 802 of the Yamhill County Zoning Ordinance. The intent of the zoning ordinance revisions is to allow establishment of a park as a conditional use in the Mineral Resource (MR) and Public Works Safety (PWS) zones. The purpose of the amendment is to allow the eventual expansion of Roger’s Boat Landing. Presently the landing is on property zoned AF-20. The Yamhill County Park Board has applied to the Marine Board for a grant to expand Roger’s Landing. The proposed expansion would be to the west of the existing site and is planned to be placed on land included in the Mineral Resource and Public Works Safety zones. Neither of these zones allows the establishment nor expansion of park facilities. Therefore, the Board of Commissioners has requested that the zoning ordinance be amended to include parks as a conditional use in these zones.
B. **Zoning Ordinance Provisions and Analysis**

1. Section 1207.02 of the Yamhill County Zoning Ordinance (YCZO) contains the review criteria pertinent to the proposed zoning ordinance text amendments, stating:

   *A legislative amendment shall satisfy all applicable requirements of this ordinance in addition to the following:*

   **A.** *An amendment to the text of this ordinance shall be based upon a need for such an amendment identified by the Board, the Commission, or the Director.*

   **B.** *The amendment shall be consistent with the Comprehensive Plan, and with all other provisions of this ordinance, and with federal, state, or local government statutes, rules and regulations.*

2. Regarding criterion (A), the Board of Commissioners requested that the Planning Director initiate the process to add parks as a conditional use in the MR and PWS zones. As explained above, a grant has been applied for to expand Roger's Boat Landing. The proposed expansion area is partially on property zoned MR and PWS. Presently those zones do not allow the establishment of a park. The amendments would provide a land use process to potentially allow the expansion of Roger's Boat Landing.

3. Regarding criterion (B), the Yamhill County Goals and Policies Section IV B lists *Parks and Recreation*. The summary of this section includes the statement, "There is a lack of water-based recreational opportunities in Yamhill County." Policy statement (c) of this section states:

   "Yamhill County will seek to offer greater opportunities for water-based recreation on the Willamette and South Yamhill Rivers and their tributaries."

There are no goals and policies listed under Section IV Public Land, Facilities, and Services that prohibit the establishment of a park in a PWS zone. Goals and policies related to mineral and aggregate resources are listed in Section II F. Goal Statement 2 of this section directs the county:

*Exhibit "B" - Ordinance 630*
To ensure that irreparable environmental damage or the creation of safety hazards does not result from mining, quarrying or extractive activities; and to ensure that reclamation of mining, quarrying and extraction sites accomplished according to an approved reclamation plan.

Allowing a park as a conditional use in the mineral resource zone would allow one more option in future reclamation of an abandoned quarry site.

**C. Conclusions:**

1. The proposal is to amend the text of the Yamhill County Zoning Ordinance.

2. The proposed text language complies with the review criteria for a legislative amendment in Section 1207.02 of the Yamhill County Zoning Ordinance.

3. The proposed amendments comply with the Yamhill County Comprehensive Plan goals and policies and state statutes.
# Oregon Commission on Children & Families

**COUNTY CARRY OVER PLAN AMENDMENT, 1995-97 BIENNium**

**Date:** May 14, 1997  
(Due May 31, 1997)

Mail form to: OCCF, Fiscal Section, 530 Center Street NE, Suite 300, Salem, OR 97310

<table>
<thead>
<tr>
<th>PROGRAMS/PROJECTS TO BE FUNDED</th>
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<th>BUDGET AMOUNT</th>
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<th>PROPOSED USE/OTHER COMMENTS</th>
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<tbody>
<tr>
<td>Family Friendly Business</td>
<td>JS GS</td>
<td>900 600</td>
<td>7/1/97</td>
<td>12/31/97</td>
<td>Establish a Family Friendly Business Program to enlist businesses in caring for families</td>
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<tr>
<td>Parent Education Campaign</td>
<td>JS GS</td>
<td>700 550</td>
<td>7/1/97</td>
<td>12/31/97</td>
<td>Coordinate a campaign that promotes the idea of parenting education as an accepted and valuable activity. Direct efforts to families of infants.</td>
</tr>
<tr>
<td>Commission Marketing</td>
<td>GS</td>
<td>500</td>
<td>7/1/97</td>
<td>12/31/97</td>
<td>Develop and market the Commission in Yamhill County</td>
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<tr>
<td>Amity Community Progress Team</td>
<td>JS GS</td>
<td>1560 1560</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Increase community spirit, involvement, support and awareness; provide and coordinate human services and become focal point of community activities through development of family resource center</td>
</tr>
<tr>
<td>Homeless/Runaway Youth Respite Care</td>
<td>Yi-Gen</td>
<td>4542</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Provide respite care for homeless and runaway youth</td>
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97-307
**Oregon Commission on Children & Families**

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<tr>
<td>Community Response Team</td>
<td>JS SRI</td>
<td>22398 4850</td>
<td>07/01/97</td>
<td>09/31/97</td>
<td>Develop community capacity to meet their own needs and provide pre-crisis response in the communities of Newberg, Yamhill and Carlton</td>
</tr>
<tr>
<td>Volunteers of Willamina</td>
<td>JS GS</td>
<td>4130 1000</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Promote a community that cares about children &amp; families; coordinate human services with other groups, agencies and organizations; provide useful, fun, productive and educational activities for the children in the community.</td>
</tr>
<tr>
<td>McMinnville Community Progress Team</td>
<td>JS GS</td>
<td>5700 5700</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Promote a safe, nurturing, supportive environment for families and individuals; take a leadership role in promoting coordination/collaboration for all community services; address the issues of youth &amp; families that leads to homelessness</td>
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<tr>
<td>Newberg Community Progress Team</td>
<td>JS GS</td>
<td>6242.65</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Make Newberg inviting and welcoming to newcomers in the community; Create opportunities for belonging and practical support for all families in Newberg by assisting community members to access local resources and to interact with one another and local service groups; Celebrate and support the contributions of the diverse cultures represented in the Newberg community.</td>
</tr>
<tr>
<td>Dundee Community Progress Team</td>
<td>JS GS SRI</td>
<td>5222 4153.35</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Develop a community center to serve as an information and referral site; become a focal point of community activities; create useful, fun and educational opportunities for all members of the community. Build collaborative and supportive relationships among all members of the community including, but not limited to law enforcement, government, school, business, churches and service organizations.</td>
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# Oregon Commission on Children & Families

**COUNTY CARRY OVER PLAN AMENDMENT, 1995-97 BIENNUM**

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*(Due May 31, 1997)*

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<tr>
<td>Lafayette Community Action Team</td>
<td>JS</td>
<td>2832</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Maintain and further develop a communication plan which furthers better understanding among all members of the Lafayette community; Create useful, fun and educational opportunities for all members of the Lafayette community; Build a supportive relationship among all members of the Lafayette community including law enforcement, schools, businesses and government.</td>
</tr>
<tr>
<td>Carlton Together Progress Team</td>
<td>JS</td>
<td>3500</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Increase neighborhood attachment and support by offering community/family resources and activities; To involve children of the community in useful and productive activities; Develop and maintain a community outreach center</td>
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# Oregon Commission on Children & Families

## COUNTY CARRY OVER PLAN AMENDMENT, 1995-97 BIENNIAL

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<td>Sheridan Community Progress Team</td>
<td>GS JS</td>
<td>735 735</td>
<td>07/01/97</td>
<td>12/31/97</td>
<td>Develop community spirit, involvement, support and awareness and to promote an environment that values and supports all of its members; Assist in the development and implementation of a parenting education plan for the community to strengthen families.</td>
</tr>
</tbody>
</table>

**LOCAL CCF CHAIR APPROVAL:**  
Signature: [Signature]  
Date: 5/14/97

**COUNTY BOARD APPROVAL:**  
Signature: [Signature]  
Date: 5-21-97

**REGIONAL COORDINATOR APPROVAL:**  
Signature: [Signature]  
Date: 5-28-97