

**ORDINANCE NUMBER 747**  
**Exhibit "B"**  
**Amendments to the Yamhill County Zoning Ordinance**

The following amendments to the Yamhill County Zoning Ordinance are proposed for the Bypass and interchange areas. Revised or new code text is shown in underline type.

**AMEND the Table of Contents to add the following:**

Section 908 – Interchange Overlay District

**AMEND Section 301.00 (F), Classification of Districts, to add the following:**

- Interchange Overlay District

**AMEND the Zoning Ordinance, Overlay Districts, to add new text for Section 908.00 – Interchange Overlay District.**

**Section 908.00 – Interchange Overlay District**

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**908.01 Purpose**

The purpose of the Interchange Overlay District is to:

- A. Protect the planned function and capacity of the Newberg-Dundee Bypass (Bypass) as an "Expressway" as defined in the 1999 Oregon Highway Plan (OHP) by prohibiting direct private access to the Bypass and controlling access and managing land uses in the vicinity of the interchanges. The primary function of Expressways is to provide for interurban travel and connections to ports and major recreation areas with minimal interruptions. A secondary function is to provide for long distance intra-urban travel in metropolitan areas.
- B. Protect land designated for agriculture and rural development (e.g., exception areas) on the Yamhill County Comprehensive Plan from development pressures that could result from improved proximity, visibility, accessibility, and faster travel times associated with the four interchanges to the Bypass.
- C. Support continued rural use of lands surrounding the interchanges and protect the planned function and capacity of the Bypass and interchanges to serve primarily longer-distance through trips by retaining existing zoning within the Interchange Overlay District and discouraging expansion of urban growth boundaries (UGBs) toward the interchanges.

- D. Assure coordination between Yamhill County and ODOT on Site Design Review, building permit review and access management within the Interchange Overlay District.
- E. Provide the opportunity for Yamhill County to impose additional setback requirements or restrict use of the Bypass location corridor to low intensity uses such as agriculture, parking or storage in the interim period before the right-of-way for the Bypass is acquired by ODOT.

ODOT will prepare interchange area management plans for each of the four interchanges in partnership with Yamhill County, the affected cities and property owners. This Interchange Overlay District is intended as an interim land use tool that may be refined, revised or replaced as Interchange Area Management Plans are adopted for each of the four interchanges as required by the OHP and OAR 731-051-0200.

#### **908.02 Area of Application of Interchange Overlay District**

- A. The Interchange Overlay District shall apply to unincorporated lands within approximately ¼ mile (inside UGBs) to ½ mile (outside UGBs) of the end of the ramps to the following four interchanges to the Bypass:
  - 1. Dayton Interchange
  - 2. East Dundee Interchange
  - 3. Oregon 219 Interchange
  - 4. East Newberg Interchange
- B. The Interchange Overlay District shall be combined with at least one (1) underlying zoning district and may be combined with any zoning district pursuant to this ordinance. All property within the Interchange Overlay District shall be subject both to the provisions of this section and to the underlying zoning district. Nothing in this section shall be construed as a waiver or suspension of the provisions of any underlying zoning district, or any other applicable overlay district.
- C. The general boundaries of the Interchange Overlay District are shown on Figures 908-1 through 908-4 and shall be delineated on a parcel-specific basis on the Official Zoning Map.

#### **908.03 Interim Protection of Bypass Corridor through Site Design Review**

- A. Yamhill County shall maintain a parcel-specific map that illustrates the Bypass corridor (about 300 feet wide) approved in the Record of Decision for the Location Final Environmental Impact Statement.

- B. In the interim period before construction of the Bypass, Yamhill County shall coordinate with affected property owners and ODOT in an effort to avoid construction of permanent structures on the segments of the planned Bypass under Yamhill County jurisdiction.
- C. Site Design Review (see Section 1100 of this Ordinance) shall be required for development that includes all or a portion of a parcel within the Bypass corridor as described in A above. The County may waive the requirement for Site Design Review if a review of building plans indicates the proposed development will be located outside the Bypass corridor.
- D. Through the Site Design Review process, ODOT may recommend and Yamhill County may impose additional setback requirements before the Bypass is constructed.
- E. The width of the Bypass corridor subject to Site Design Review shall be narrowed when the Record of Decision is issued for the Design-level Environmental Impact Statement.

#### 908.04 Permitted Uses

- A. All uses of land and water that are permitted in the underlying zoning district(s) are also permitted in the Interchange Overlay District.
- B. All uses of land and water in the Interchange Overlay District are subject to the standards and limitations of the underlying zoning district(s), with the following additional limitations:
  - 1. All development within the boundaries of the Interchange Overlay District shall be reviewed by the Director prior to the issuance of building permits to ensure that the proposed development locate any access points to assure consistency with the anticipated access spacing standards for the interchanges.
  - 2. The Director will not issue a building permit for development within the Interchange Overlay District without first referring the development request to ODOT for review and recommendation. Unless otherwise agreed between ODOT and the applicant, failure to furnish a recommendation to the Director within 30 days will waive the requirement to have a recommendation accompany the development permit.

### 908.05 Conditional Uses

- A. All uses of land and water that are listed as conditional uses in the underlying zoning district(s) may also be allowed in the Interchange Overlay District subject to the following:
1. Yamhill County shall notify ODOT when an application is submitted for a proposed conditional use within the Interchange Overlay District.
  2. During the 30-day completeness review, ODOT may request that the applicant prepare a traffic impact study or an access plan to provide additional information on how the proposed conditional use may impact the interchange. If additional information is requested in writing by ODOT during the 30-day completeness review, such information shall be required by Yamhill County before the application is accepted as complete.
- B. The proposed conditional use shall be subject to the conditional use review criteria and requirements as outlined in Section 1202 of this Zoning Ordinance.
- C. In addition to the types of conditions of approval outlined in Section 1202.03 of the Zoning Ordinance, ODOT may recommend, and the decision-making body may impose conditions or mitigation to protect the function and capacity of the interchange; and to assure that proposed access points are located consistent with the anticipated access spacing standards for the interchange.

### 908.06 Limitations on Zone Changes within the Interchange Overlay District

- A. To achieve the purpose of the Interchange Overlay District, Yamhill County will not approve zone changes during the interim period before Interchange Area Management Plans are prepared and adopted.

### 908.07 UGB Amendments within the Interchange Overlay District

- A. Three of the four interchanges to the Bypass (Dayton, East Dundee and East Newberg) are located outside of acknowledged UGBs of the Cities of Dayton, Dundee and Newberg, respectively. The Oregon 219 interchange will be located inside the Newberg UGB.
- B. Proposed amendments to UGBs are governed by the criteria in Statewide Planning Goal 14 (Urbanization) and acknowledged UGB Management Agreements between Yamhill County and the respective cities. A

decision to expand the UGB must be approved by the Yamhill County Board of Commissioners and the respective City Council.

C. The 1999 OHP (Action 1B.3) directs ODOT to avoid expansions of UGBs along Interstate and Statewide Highways and around interchanges unless ODOT and the appropriate local governments agree to an interchange area management plan to protect interchange operation.

D. In cooperation with the Cities of Dayton, Dundee and Newberg, Yamhill County will not approve expansion of UGBs within the Interchange Overlay District in the interim period before interchange area management plans are adopted for the four interchanges to the Bypass. An exception to this limitation will be allowed for expansion of the Newberg UGB into the westerly portion of Urban Reserve Area C to accommodate construction of the Northern Arterial in the general location shown on the City of Newberg acknowledged Transportation System Plan.