

BEFORE THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY

AN ORDINANCE AMENDING THE YAMHILL)
COUNTY COMPREHENSIVE PLAN, THE)
YAMHILL COUNTY ZONING ORDINANCE)
AND THE OFFICIAL ZONING MAP TO)
ADOPT NEW PLAN POLICIES FOR THE)
NEWBERG-DUNDEE BYPASS AND ADOPT)
AND APPLY A NEW INTERCHANGE)
OVERLAY DISTRICT AND DECLARING)
AN EMERGENCY)

ORDINANCE NUMBER 747

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON having sat for the transaction of business at 10:00 a.m. on September 30, 2004, Commissioners George, Lewis and Stern being present, does ordain as follows:

WHEREAS, the State of Oregon, by and through its Department of Transportation (ODOT), is proposing the Newberg-Dundee Transportation Improvement Project (NDTIP) to address traffic congestion and unsafe driving conditions in the OR 99W corridor identified in a Location Draft Environmental Impact Statement published in September, 2002; and

WHEREAS, ODOT, Yamhill County and the cities of Dundee, Dayton and Newberg concurred on Alternative 3J (Modified) as the recommended bypass alternative for routing traffic around the downtown areas of Newberg and Dundee, and through Yamhill County; and

WHEREAS, the Yamhill County Department of Planning and Development, on behalf of ODOT, initiated the application to amend the Yamhill County Comprehensive Plan and the Yamhill County Transportation System Plan to adopt exceptions to Statewide Planning Goals 3, 11, and 14 to authorize the bypass corridor and associated interchanges in rural Yamhill County; and

WHEREAS, the Board desires to minimize accessibility of rural lands from the proposed interchanges and to support continued rural use of the surrounding land, concurrent with adoption of the goal exceptions; and

WHEREAS, the Board desires to develop Interchange Area Management Plans to protect the function of the bypass and interchanges, consistent with the policies of the Oregon Highway Plan; and

WHEREAS, following public notice, the Board and the Yamhill County Planning Commission met for a joint workshop to discuss the proposed amendments on June 17, 2003, and met for joint hearings on June 24 and July 22, 2004; and

WHEREAS, on September 9, 2004, the Yamhill County Planning Commission considered the evidence and testimony in the record and voted to recommend to the Yamhill County Board of Commissioners that the application be approved; and

WHEREAS, the Yamhill County Planning Commission forwarded proposed findings of fact and conclusions of law in support of its recommendation to the Yamhill County Board of Commissioners; and

WHEREAS, on September 23, 2004 and September 30, 2004 the Yamhill County Board of Commissioners considered the evidence and testimony in the record and the recommendation of the Planning Commission, including the proposed findings and conclusions; and

WHEREAS, on September 30, 2004, the Yamhill County Board of Commissioners voted to accept the recommendation of the Planning Commission and approve the application initiated by the Yamhill County Department of Planning and Development on behalf of ODOT;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY ORDAINS AS FOLLOWS:

SECTION 1. YAMHILL COUNTY COMPREHENSIVE PLAN AMENDMENTS.

The Yamhill County Comprehensive Plan is hereby amended (Section III.A – Transportation) to delete one policy and adopt fourteen new policies specific to the Newberg-Dundee Bypass as set forth in Exhibit “A”.

SECTION 2. YAMHILL COUNTY OFFICIAL ZONING ORDINANCE AMENDMENTS.

The Yamhill County Zoning Ordinance is hereby amended to include an Interchange Overlay District (Section 908) to protect the rural area around the interchanges. The text of the ordinance is attached hereto as Exhibit “B”.

SECTION 3: OFFICIAL ZONING MAP AMENDMENTS.

The Official Zoning Map is hereby amended to apply the Interchange Overlay District to unincorporated lands around the four interchanges as shown in Exhibit “C”.

SECTION 4: FINDINGS.

In support of its adoption of Yamhill County Ordinance Number 747, the Yamhill County Board of Commissioners adopts the findings of fact and conclusions of law set out in the attached Exhibit “D”.

SECTION 4: EFFECTIVE DATE.

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.

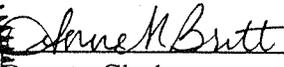
DONE AND ADOPTED BY THE YAMHILL COUNTY BOARD OF COMMISSIONERS THIS 30th DAY OF SEPTEMBER, 2004.

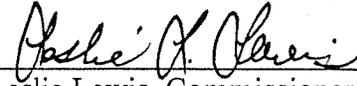
YAMHILL COUNTY BOARD OF COMMISSIONERS

ATTEST:

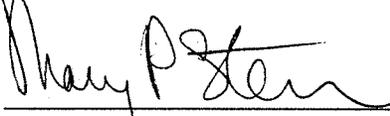

Kathy George, Chair

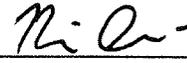



Deputy Clerk


Leslie Lewis, Commissioner

APPROVED AS TO FORM:


Mary Stern, Commissioner


County Counsel

Accepted by Yamhill County
Board of Commissioners on
9/30/04 by Board Order
04-706