

BEFORE THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY

AN ORDINANCE AMENDING THE YAMHILL)
COUNTY COMPREHENSIVE PLAN AND THE)
YAMHILL COUNTY TRANSPORTATION)
SYSTEM PLAN TO INCLUDE EXCEPTIONS)
TO STATEWIDE PLANNING GOALS 3, 11)
AND 14 AUTHORIZING THE EAST DUNDEE)
INTERCHANGE FOR THE NEWBERG-)
DUNDEE BYPASS PROJECT AND)
DECLARING AN EMERGENCY.)

ORDINANCE NUMBER 750

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 Yamhill County Department of Planning and Development, at the request of the Oregon Department of Transportation (“ODOT”), has applied to Yamhill County for amendments to the Yamhill County Comprehensive Plan and the Yamhill County Transportation System Plan in the form of goal exceptions to Statewide Planning Goals 3, 11 and 14 to authorize the East Dundee Interchange for the Newberg Dundee Bypass Project, including its road connecting the Bypass to Oregon 99W, (East Dundee Interchange) ; and

WHEREAS, following public notice, this application came before the Yamhill County Planning Commission and the Yamhill County Board of Commissioners for a work session on June 17, 2004, and for public hearings on June 24, 2004 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 YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

SECTION 1. YAMHILL COUNTY COMPREHENSIVE PLAN AMENDMENTS.

1. The exceptions to Goals 3, 11 and 14 authorizing the East Dundee Interchange, which are set out in Sections 1-7 of ODOT's "Findings of Fact and Statement of Reasons in Support of Exceptions to Goals 3, 11 and 14" attached hereto as Exhibit "A", are hereby incorporated within and made a part of the Yamhill County Comprehensive Plan with the modifications set out in an "Errata Sheet" submitted by ODOT on July 22, 2004, attached hereto as Exhibit "B".
2. The Yamhill County Comprehensive Plan also is amended to include the analysis of economic, social, environmental and energy ("ESEE") consequences for the Bypass Project East Dundee Interchange set out in Paragraph D.3 of the Findings of Fact and Conclusions of Law" that are attached hereto as Exhibit "C". However, this particular amendment shall take effect only in the event that the Yamhill County Board of Commissioners' decision is appealed and a reviewing body, in the final decision on appeal, concludes that the Goal 5 rule applies and requires Yamhill County to adopt an ESEE analysis authorizing the East Dundee Interchange.

SECTION 2. YAMHILL COUNTY TRANSPORTATION SYSTEM PLAN AMENDMENTS.

The Yamhill County Transportation System Plan is hereby amended to:

1. Identify the East Dundee Interchange on the transportation facility plan map.
2. Identify the East Dundee Interchange as long-term projects on the project list.
3. Identify approximately \$300 million as the estimated total Bypass Project cost, including the cost of improvements inside Newberg and Dundee and the East Dundee Interchange; and
4. Identify federal and state dollars as the primary source of funding for the East Dundee Interchange.

SECTION 3. FINDINGS.

In support of its adoption of Yamhill County Ordinance Number 750, the Yamhill County Board of Commissioners adopts the findings of fact and conclusions of law set out in attached Exhibit "C".

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

County Clerk

Leslie Lewis, Commissioner

APPROVED AS TO FORM:

Mary Stern, Commissioner

County Counsel