

YAMHILL COUNTY CODE

TITLE 11: LAND USE

Chapter 11.05: Yamhill County Comprehensive Plan Code

TABLE OF CONTENTS

<i>Section</i>	<i>Title</i>
NA	INTRODUCTION
I.	URBAN GROWTH AND CHANGE AND ECONOMIC DEVELOPMENT
	11.05.01.01 Urban Area Development
	11.05.01.02 Rural Area Development
	11.05.01.03 Alternative Development
	11.05.01.04 City Growth and Development
	11.05.01.05 Housing
	11.05.01.06 Economic Development
	11.05.01.07 Commercial Development
	11.05.01.08 Industrial Development
II.	THE LAND AND WATER
	11.05.02.01 Agricultural Lands
	11.05.02.02 Forest Lands
	11.05.02.03 Water Resources
	11.05.02.04 Fish and Wildlife
	11.05.02.05 Open Space
	11.05.02.06 Mineral and Aggregate Resources
	11.05.02.07 Ecologically and Scientifically Significant Natural Areas
	11.05.02.08 Outstanding Scenic Views and Sites
	11.05.02.09 Historic Areas, Sites, Structures, and Objects and Cultural Area
	11.05.02.10 Potential and Approved Federal Wild and Scenic Waterways and State Scenic Waterways
	11.05.02.11 Additional Plan Policies on Goal 5
III.	TRANSPORTATION, COMMUNICATIONS AND PUBLIC UTILITIES
	11.05.03.01 Transportation
	11.05.03.02 Utilities
IV.	PUBLIC LAND, FACILITIES, AND SERVICES
	11.05.04.01 Public Facilities and Services
	11.05.04.02 Parks and Recreation
	11.05.04.03 Willamette Greenway

- V. ENVIRONMENTAL QUALITY
 - 11.05.05.01 Air, Water and Land Resources Quality
- VI. ENERGY CONSERVATION
 - 11.05.06.01 Energy Conservation
- VII. IMPLEMENTATION, EVALUATION, AND REVIEW
 - 11.05.07.01 Citizen Involvement
 - 11.05.07.02 Review and Update

LEGISLATIVE HISTORY

INTRODUCTION

In 1969 the State Legislature passed legislation requiring all local governments in Oregon to prepare comprehensive land use plans. In 1973, the State Legislature acted again and created through ORS Chapter 197 (Senate Bill 100) the basis for a viable State land-use planning program, established a Land Conservation and Development Commission (LCDC), and directed each city and county in the State to prepare and adopt comprehensive plans consistent with statewide planning goals which were to be approved by the Commission by January 1, 1975. Each city and county was also required to enact zoning, subdivision and other ordinances or regulations to implement their comprehensive plans and their implementing ordinances must be updated and revised to comply with the statewide planning goals adopted by the LCDC.

The Yamhill County Comprehensive Plan was prepared and adopted prior to the development of LCDC's statewide planning goals. For this reason, the plan must be updated, and revised where necessary, to bring it into compliance with LCDC goals. Furthermore, changes in patterns of county growth and general local and economic trends in the five years since the Plan was adopted warrant such an update.

The process of preparing the existing Plan involved the time and commitment of many individuals and groups. The preparation of the Plan was a joint effort of the Board of County Commissioners, the Planning Commissioners of the County, McMinnville and Newberg, representatives of the small city planning commissions, eight County planning advisory committees and all those interested citizens who appeared at the public hearings on the Plan or contacted the County offices to offer their comments, ideas and proposals. The Plan reflects the concerns, hopes, and desires of a wide spectrum of Yamhill County citizens.

Since its adoption and implementation, the Plan has given able direction to the County's growth and development. It has served as a solid document in establishing growth policy for the County. The time, energy, and commitment of numerous individuals and interest groups have produced a comprehensive plan of which Yamhill County can justly be proud.

This update to the 1974 Comprehensive Plan is intended as a refinement of that document. In accordance with ORS Chapter 197, this refinement has been guided by the applicable statewide land use goals with which the comprehensive plan must be in conformance.

Paramount to the County plan update process has been the reexamination of goal and policy statements which form the basis of the Comprehensive Plan. Goals are general directives or achievements towards which the County

wishes to go in the future. Policies are more specific statements of action to move the county towards attainment of the goals. These policies are used in daily decision-making or in the development of ordinances by the County.

Many of the goal and policy statements in the 1974 Plan are just as applicable and appropriate today as they were at the time they were formulated. These have remained intact. Others which no longer apply or are inappropriate because of changing conditions or legislation have been deleted or revised. New goals and policies have been adopted to address topics not covered in the original Plan.

Implementation of the County goals and policies can occur several ways. Many are implemented through county ordinance. Other goals and policies will apply to individual issues or proposals put forth by both private and public sectors. Still others will require action dependent upon the County's fiscal resources through time.

Where certain goals and policies conflict with others, the final decision will require a weighing of the merits in order to achieve a balanced decision. Through time, the goals and policies are guides for consistent, reasonable and balanced land use decisions.

For those goals and policies that are a part of the 1974 Comprehensive Plan, parentheses indicate the page where they are found in the 1974 Plan text. An "R" next to a parenthesis indicates an adopted revision of a 1974 Plan goal or policy.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

SECTION 1 – URBAN GROWTH AND CHANGE AND ECONOMIC DEVELOPMENT

11.05.01.01 Urban Area Development.

a) Summary.

- (i) Growth in Yamhill County is being most heavily influenced by spillover from the Portland metropolitan area. The northeast section of the county has been absorbing the brunt of this growth pressure and will continue to do so in the future.
- (ii) Due to a vigorous policy to attract additional industry into the city, McMinnville should also see rapid population growth in coming years.
- (iii) Future growth pressures will increase the potential for sprawl development, a condition which results in higher costs in providing public facilities and services due to the extension, then underutilization, of those services.
- (iv) Economic, energy, and environmental considerations point to the need for containing urban growth to existing urban centers.
- (v) An establishes urban growth boundary for each city of Yamhill County will assist in the orderly and efficient transition from rural urban land uses.

b) Goal Statement. To encourage the containment of growth within existing urban centers, provide for the orderly, staged, diversified and compatible development of all of the cities of Yamhill County, and assure an efficient transition from rural to urban land use. (60)

(i) *Policies.*

1. Yamhill County will, in cooperation with the cities and special districts of the county, encourage urban growth to take the form of a series of compact, balanced communities, each with its own business and community center and each related to industrial areas and other centers of employment.
2. Yamhill County will cooperate and coordinate with each of the cities in the development of urban growth boundaries and will adopt an urban area growth management agreement with each city which outlines a growth management plan for unincorporated areas within the boundary and the means by which the boundary can be modified.

3. Yamhill County will recognize the lands within established urban growth boundaries as the appropriate and desired location for urban development.
 4. Yamhill County will coordinate with the City of Newberg to adopt an Urban Reserve Area (URA). The URA identifies high priority lands to include with the Newberg UGB to meet long-term urban growth needs to the year 2030. Interim rural development within the Urban Reserve Area will be regulated with tools such as corridor plans, shadow plats, clustering and redevelopment plans to ensure that long term options for urban development are protected.
 5. Population projections and trends adopted by cities within Yamhill County impact county projections and planning functions. To insure that cities within the county accurately project population trends of their jurisdictions, in reviewing their plans the county shall actively participate in periodic review proceedings of cities within the county.
- c) Goal Statement. To encourage the containment of urban services and facilities and other public capital improvements within existing urbanizing areas in order to achieve an orderly pattern of urban growth. (70)
- (i) *Policies*.
 1. Yamhill County will continue to seek full cooperation and coordination among the cities, the school districts, other special-purpose districts of the county and the county itself in jointly planning and programming all land use, urban services and facilities and other public improvements having an impact on the rate and direction of urban growth. (70)
 2. Yamhill County will seek to establish a general commitment by all providers of urban services that no subdivision of lands in designated urban areas on the Plan Map will be permitted without the provision of urban services commensurate with the location, nature and scale of the proposed development, recognizing the overall capital program for community services and the ultimate net cost to the community of the services to be provided. (70)
 3. Yamhill County will coordinate with the cities to ensure that rural residential development contiguous with urban growth boundaries does not restrict long-term options for urban expansion.
- d) Goal Statement. To create convenient and attractive residential neighborhoods which can be efficiently serviced with roads, utilities, schools, parks and commerce, and can take advantage of desirable physical features; and to give a satisfactory range of choice to the prospective householder through the imaginative use of a variety of design concepts. (116)
- (i) *Policies*.
 1. Yamhill County will continue to recognize that the appropriate location of medium-density residential development is in areas having a full range of urban services and amenities within or immediately adjacent to central business districts; immediately adjacent to public traffic generators, such as schools, parks, hospitals, and regional or neighborhood shopping centers; or in selected small areas having unique scenic qualities and a location where community water supply and sewage-disposal system, adequate access by way of a road of collector or higher status and other urban services necessary to meet the needs of the intended residents can and will be provided. (117)
 2. Yamhill County will continue to recognize that the appropriate location of low-density residential development is in areas where adequate access and services to satisfy the scale of ultimate development can and will be provided. Such areas would generally be within, or contiguous with, existing urban centers, but may also be demonstrated, in selected outlying areas of varying size having appropriate site qualities and other supporting services. (118)

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE 444 eff 04/15/87; AMENDED VIA ORDINANCE NO. 596 eff 10/17/95]

11.05.01.02 Rural Area Development.

a) Summary.

- (i) Expansion of urban development into rural areas is a matter of public concern because of the unnecessary increase in costs of community services, conflicts between farm and urban activities,

and the loss of open space and natural beauty around urban centers occurring as a result of such expansion.

- (ii) Recognizing the potential problems and conflicts arising from development in the rural area, major concerns connected with any rural area development proposal are its location, nature and scale.
- (iii) Encroachment of urban development into rural areas threatens to remove valuable farm lands from needed agricultural uses.

b) **Goal Statement.** To provide an adequate amount of land, development areas and sites to accommodate those uses which are customarily found in rural areas or require or are better suited to rural locations, without compromising the basic goal relating to urban containment and orderly urban development. (66)

(i) *Policies.*

1. Yamhill County will recognize the lands designated on the plan map as Agriculture/Forestry Small Holding (AFSH), Very Low Density Residential (VLDR) and Low Density Residential (LDR) as the appropriate and desired location for rural residential development, while at the same time encouraging opportunities for small scale or intensive agricultural and forestry activities within these plan-designated areas.
2. All proposed rural area developments shall be based on a reasonable expectation of the demand for the use of such land or facilities within a reasonable period of time and no large-scale development shall be approved without:
 - a. The submission and approval of a layout and design concept, with provision for the staging and servicing of all phases of the development;
 - b. The approval of all federal and state agencies relative in any applicable health, safety and environmental controls; and
 - c. An adequate demonstration of the financial capacity and responsibility of the proponents to complete the development and provide for operation and maintenance services. (66)
3. All proposed rural area development and facilities:
 - a. Shall be appropriately, if not uniquely, suited to the area or site proposed for development;
 - b. Shall not be located in any natural hazard, steep slope, severe drainage problems or soil limitations for building or sub-surface sewage disposal, if relevant;
 - c. Shall be furnished with adequate access and an adequate access and an adequate individual or community water supply, if required; and shall not be justified solely or even primarily on the argument that the land is less costly than alternative better sites or that federal or state aid is available in the form of subsidized water supply or sewerage extensions from nearby urban centers. (67)
4. No proposed rural area development shall require or substantially influence the extension of costly services and facilities normally associated with urban centers, such as municipal water supply and sanitary sewerage or power, gas and telephone services, nor shall it impose inordinate net costs on mobile, centralized public services, such as police and fire protection, school busing or refuse collection. (68)
5. Proposed rural development within acknowledged urban growth boundaries or designated urban reserve areas shall be reviewed by the affected city to ensure that long-term options for development to urban densities with full urban services are protected.

c) **Goal Statement.** To accommodate the demand for rural residential development at very low densities and in areas which are not amenable to integrated neighborhood designs, provided such areas are suited to the uses intended and exhibit high amenity value, and such developments do not preempt farm or forest lands, or generate inordinate service demands of their own. (116)

(i) *Policies.*

1. Yamhill County will continue to recognize that the appropriate location of very low density residential development is in designated large areas where commitments to such uses have already been made through existing subdivision, partitioning, or development and by virtue of

close proximity to existing urban centers; or in small, limited areas having unique scenic, locational and other suitable site qualities where the anticipated magnitude or density of development is not such as to require more than a very basic level of services, such as single local-road access, individual domestic wells and sewage-disposal systems, and possible rural fire protection.

2. Yamhill County will continue to recognize that the appropriate location of very low density residential development is in designated small holding area where reasonable opportunities for agricultural and forestry activities exist and where the anticipated magnitude or density of development is not such as to require more than a very basic level of services, such as single local-road access, individual domestic wells and sewage disposal systems, and possibly rural fire protection. (119)

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 596 eff 10/17/95]

11.05.01.03 Alternative Development.

a) Summary.

- (i) It is important for the county to be able to respond to changing needs and conditions as they occur.
- (ii) The planned unit development (PUD) concept provides a viable alternative to conventional urban development patterns.

b) Policies.

- (i) Yamhill County will review and accommodate, wherever possible, any new or alternative development concepts or proposals, provided such concepts or proposals are consistent with and do not compromise in any way the established disposition of land uses on the Plan Map or the goals and policies of the Plan. (71)
- (ii) Yamhill County will encourage the use of the planned unit development (PUD) concept in both urban and rural environments and any proposed PUDs will be reviewed on the basis of the Plan-established location criteria for the individual uses and densities. (73)

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.01.04 City Growth and Development.

a) Summary.

- (i) Each of the ten cities in Yamhill County has established, or is in the process of establishing, an urban growth boundary.
- (ii) The stage extension of city services will facilitate orderly urban expansion.
- (iii) Growth pressures in and around the cities of McMinnville and Newberg make these areas particularly vulnerable to land use conflicts.

b) Policies.

- (i) All urban growth boundaries in the county will be delineated as shown on the plan map and no extension of urban land uses or city water and sewer services beyond the designated urban growth boundaries will be undertaken without concurrent amendments to both the respective city and county comprehensive plans.
- (ii) Yamhill County will encourage major land uses or functional areas and domestic water supply and sanitary sewer service areas in the cities to develop progressively outward and to be extended on a staged basis until they become coextensive with and fully service the designated urban area.
- (iii) The designated residential area west of Hill Road and east of Lafayette-Riverside industrial area (in McMinnville) will be denied city water and sewer services until all other designated residential areas are substantially developed, and such services will not be extended across Baker Creek, the North Yamhill River, or Highway 18 except in the designated PUD area. (76)
- (iv) The designated PUD area (along Three Mile Lane in McMinnville) will be retained for the time being in its present agricultural and limited commercial, industrial and public uses and be designated for the uses shown on the map, and the area will be developed in accordance with the general policies of this plan and the following principles set out in the recommendations of the city and county planning commissions relative to Three Mile Lane land use policy:

1. Both Yamhill County and the City of McMinnville recognize that residential, commercial and industrial development along Three Mile Lane is desirable if it is of good quality and design. Further, such development should be staged in accordance with need and be compatible with the traffic-carrying function of Three Mile Lane, and the design capacity of the sewer and water service extensions into the area. Therefore, both governing bodies will consider applications for zone changes to property within their jurisdiction provided that the planned unit development concept is utilized.
2. Both Yamhill County and the City of McMinnville will look favorably upon mixed urban development projects; that is, that integrated designs for commercial, industrial and residential uses will be encouraged.
3. Both Yamhill County and the City of McMinnville, in considering applications for zone changes, will place heavy emphasis upon:
 - a. The minimization of entrances onto Three Mile Lane;
 - b. The development of on-site circulation systems;
 - c. The provision of deep setbacks, landscaping, buffer strips, sign controls, and the setting of an adequate setback line from existing right-of-way line;
 - d. The provision of service roads and acceleration and deceleration lanes and left-turn refuges when and where necessary and practicable.
- (v) The City of McMinnville will adopt an annexation policy and urban service policy which would qualify properties for annexation and the extension of urban services based on applicable statewide goals and the applicable policies in the McMinnville Comprehensive Plan. In the case of Three Mile Lane, annexation and extension of urban services will include, but not be limited to, the following considerations:
 1. The location and area of the land to be annexed shall be defined as the boundary of the sewer service area east to County Roads 92 and 464 and areas approximately 1500 feet north of Three Mile Lane and approximately 1200 feet south of the Lane;
 2. The present and proposed use of the land to be annexed;
 3. The availability of, and current service policies concerning access, water supply and sewerage; and
 4. The need to annex the land to the city. (76)R
- (vi) An Urban Reserve Area is designated for the City of Newberg as shown on the Comprehensive Plan Map. The URA identifies high-priority land to include within the City of Newberg UGB on a phased basis to meet urban Reserve Area shall be regulated and reviewed as outlined in the City of Newberg/ Yamhill County Urban Growth Management Agreement to ensure that long term opportunities for urban development are protected.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 596 eff 10/17/95]

11.05.01.05 Housing.

a) Summary.

- (i) Through its regulatory and legislative powers the county can greatly influence choice in housing types, location, density, and cost within its boundaries.
- (ii) The rising costs in land, labor, materials and financing, combined with increasing population pressure, have created a housing problem in Yamhill County reflected in both the quantity and quality of the existing stock.
- (iii) The county has numerous housing units in need of rehabilitation to make them safe, sanitary and decent places in which to live.
- (iv) Federally subsidized housing programs have provided some relief for those who could not otherwise afford quality shelter, yet it appears that many in need are still unaided. In 1978 the county enacted a new building, mechanical and plumbing ordinance which adopts by reference the Uniform Building Code, the Uniform Mechanical Code, and the Uniform Plumbing Code of 1976 published by the International Conference of Building Officials.

- (v) Home occupations are widely practiced in both urban and rural areas of Yamhill County.
- b) Goal Statement. To assure the provisions of safe, sanitary and decent housing for all residents of the county at a reasonable cost. (125)
 - (i) *Policies*.
 1. Yamhill County will continue to cooperate with all governments and housing agencies within the region in promoting unified housing policies and action programs as well as an equitable distribution of assisted housing throughout the county. (125) R
 2. Yamhill County will continue to administer uniform building, mechanical and plumbing codes for all new construction, as well as consider the adoption and administration of a uniform housing code to assure the maintenance and upgrading of existing housing units to code standards. (126) R
 3. Yamhill County will provide opportunities for a variety of housing types in different residential environments, including single-family structures, conventional and modular type construction, and mobile homes to serve the housing needs of all components of the county population. (126) R
 4. Yamhill County will encourage an adequate supply of new and rehabilitated housing units for rental or purchase by low- and moderate-income families and individuals through support of, and participation in, state and federal programs.
 5. Yamhill County will coordinate its efforts with each city in order to avoid potential conflicts with respect to countywide housing opportunities and demand.
 6. Yamhill County will establish a process by which builders and citizens can receive an energy efficiency evaluation of their site and house plans.
 7. Yamhill County will provide assistance to local realtors, developers, contractors and other members of the building community to inform buyers of total life-cycle housings costs.
 8. Home occupations will continue to be recognized and reasonably regulated in all medium and low density residential areas in accordance with accepted standards and practice in urban environments. (128)
 9. A reasonable expansion of the concept and definition of home occupation will apply to very low density residential and agricultural small and large holding areas where small-scale, family-operated, home-craft industry or repair service has been traditionally carried on, and such uses will be reasonably regulated, subject to limitations on location, scale, performance characteristics, commercial character, and visibility from bounding roads or adjoining property. (128)

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.01.06 Economic Development.

- a) Summary.
 - (i) The economy of Yamhill County is largely based upon agricultural and forestry related industries.
 - (ii) Economic diversification generally results in a stronger, more stable local economy by increasing employment opportunities.
 - (iii) Yamhill County has traditionally been plagued by high levels of unemployment, but the attraction of new industries in recent years has helped to alleviate this condition. An overall Economic Development Plan can serve as a guide to the fulfillment of the county's economic development goals and policies.
- b) Goal Statement. To maintain a rate and pattern of economic growth sufficient to prevent recurring high levels of unemployment and under-employment in the county, balance the real property tax base of the various cities, and strengthen local economic bases. (92) R
 - (i) *Policies*.
 1. Yamhill County will, in cooperation with the cities, the local chambers of commerce and affiliated industrial promotion groups, and State agencies concerned with State and regional economic development, encourage a diversified employment base, the strengthening of trade

- centers, and the attraction of both capital and labor intensive enterprises, consistent with the needs of each community and the county as a whole.
2. Yamhill County will encourage economic development projects which do not conflict with the predominant timber and agricultural character of the county.
 3. Yamhill County will ensure citizen participation in economic development planning through the continued involvement of the Yamhill County Economic Development Committee.
 4. Yamhill County will develop an Overall Economic Development Program which is consistent with the county comprehensive plan. This program will be outlined in an incorporated into the economic element of the county comprehensive plan.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.01.07 Commercial Development.

a) Summary.

- (i) The decline of downtown business districts is a problem facing each of the cities in Yamhill County.
- (ii) Yamhill County residents' orientation to the Portland and Salem metropolitan areas for shopping, entertainment, medical services and other related commercial services and facilities has tended to drain the commercial vitality of many of the cities. Commercial strip development is often characterized by sprawl, conflicting uses, lack of access control and service roads, inadequate setbacks, and lack of adequate off-street parking and loading facilities.

b) Goal Statement. To create an environment for commercial development which will preserve and enhance the vitality of the central business districts, assure safer, more convenient and attractive community and neighborhood commercial centers, and protect prime commercial sites for use in advance of need. (129)

(i) *Policies.*

1. Small neighborhood or local commercial uses will be encouraged to locate or relocate only within or immediately adjacent to the residential development or area intended to be served and be spaced in a pattern reflecting this market. (132)
2. The county will discourage the expansion of strip commercial and provide for the redevelopment of strip commercial areas.
3. Commercial uses unsuited to downtown areas will normally be restricted to other areas within the urban growth boundary.
4. Yamhill County will adopt landscape and design criteria for all forms of commercial development occurring outside urban growth boundaries.
5. Highway service and tourist commercial uses catering to the needs of the traveling public will be encouraged to locate within existing urban centers. Traditional central commercial uses will be encouraged to locate or relocate only in existing town centers and the dispersal of such uses to peripheral highway locations will be discouraged. (133) R
6. As part of the on-going planning program the county will coordinate with the cities to:
 - a. Prepare and maintain an inventory of buildable commercial lands; and
 - b. Work with businessmen and community groups to formulate re-development plans for existing commercial areas.
7. Recreational commercial uses will be encouraged to locate within urban growth areas or in compatible urban commercial areas where their location and space requirements can be most satisfactorily fulfilled. (133) R
8. New highway-oriented commercial development at limited-access highway interchanges will only be permitted in urban areas where direct access is provided from a local street system. The county will prohibit direct access from the State highway system for commercial development oriented to limited-access highways.
9. To maintain the integrity and function of the highway system, new commercial development shall be discouraged along the route of any limited-access highway.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 517 eff 01/30/91]

11.05.01.08 Industrial Development.

a) Summary.

- (i) Industrial development is important to the economic vitality of Yamhill County. The provision of adequate urban services is a major concern in an industry's location and operation.
- (ii) Some industrial activities generate land, water and/or air pollution which can pose both a hazard and a nuisance to those living in the area.
- (iii) Industrial parks serve to consolidate industrial activities into a designated area in order to reduce incompatibility with surrounding land uses.
- (iv) Performance standards are a means of regulating industrial activity so as to moderate or abate objectionable features in their operation.

b) Goal Statement. To concentrate industries of similar types, service needs, and performance characteristics within designated areas of each of the existing urban centers; to encourage adequate land for new industrial development within urban growth boundaries; to encourage the relocation of existing industries from undesirable locations in order to eliminate land use conflicts; to attract new industries in accordance with the need to achieve a more balanced local property tax and employment base, while maintaining a high standard of environmental quality; and to protect the stability and functional aspect of industrial areas by protecting them from incompatible uses.

(i) *Policies.*

1. Heavy industrial uses with seasonal or high nuisance characteristics will be encouraged to locate or relocate only in or immediately adjacent to urban areas where all required services are available, well removed and shielded from existing or projected residential development; and conversely, that prime heavy industrial sites will be identified and protected from encroachment of other urban uses pending acquisition and development.
2. To the greatest extent possible, industrial areas will be located within urban growth boundaries. Those industrial areas located outside urban growth boundaries will be compatible with the industrial development goal and will be located where they can be adequately served by necessary major utility lines, including electric power substations and transmission lines, trunk sewer lines, trunk water lines, and where appropriate, trunk gas lines.
3. Industrial uses which are incompatible with surrounding residential or commercial development and cannot bear the cost of abating their incompatible characteristics, whether related to performance or appearance, will be encouraged to locate or relocate only within urban centers, where contact with residential development is, or will be at a minimum, and where all required services are immediately available. (136)
4. Industrial uses will be located so that adequate buffer space is provided between incompatible land uses.
5. The county will develop appropriate performance, design and specification standards and requirements for all existing and possible future industrial uses to guide their location or relocation in the county and within existing industrial areas of the county. (137)
6. Agricultural, forestry and mineral resource-oriented industry will be accommodated in areas close to the resources utilized, provided that such industrial uses are compatible with any nearby urban development, city water supply and sewerage are not required, and waste discharges constitute no threat to the environment.
7. Established industrial areas may be extended and new industrial areas designated by plan amendment where development trends warrant such extension or designation and full urban services are extended into the area, if appropriate, and the extension or designation of land use and services is consistent with all other goals and policies of the comprehensive plan. (139)
8. Industrial development will utilize the transportation system in an efficient and safe manner and reduce energy consumption by identifying for industrial development areas with alternative transportation opportunities, and by locating employment opportunities close to public transportation and, where appropriate, in community areas.
9. Non-railroad users will be discouraged from locating next to a railroad right-of-way.

10. The county will undertake a study to determine the availability and suitability for development of existing industrial land.
11. The county will encourage industry that is energy conserving and energy efficient. Energy efficient and conservation measures that will be promoted include, but are not limited to the following:
 - a. Efficient building, manufacturing, and heating practices;
 - b. Cogeneration systems including the burning of wastes; and
 - c. Utilization of new and alternative systems.
12. The county will encourage industrial development which bases its products on renewable and indigenous raw materials.
13. The county will recognize and encourage small scale industries as viable alternatives to larger, conventional enterprises.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

SECTION 2 – THE LAND AND WATER

11.05.02.01 Agricultural Lands.

a) Summary.

- (i) Agriculture plays an integral role in the overall economy of the county. A significant amount of land within the county has soils which are defined as having high quality agricultural capability.
- (ii) The need to maintain the integrity and viability of the agricultural land base has been clearly recognized by Yamhill County residents.
- (iii) Expansion of urban development into rural areas creates conflicts between farm and urban activities, thereby decreasing the potential for agricultural productivity.
- (iv) In addition to agriculture's important role in the economy of the county, vast expanses of farmland provide county residents with scenic open space which contributes to their overall health and welfare.
- (v) Irrigation is an important element in the production of some farm crops, and water storage is an effective means of prolonging the irrigation season.

b) Goal Statement. To conserve Yamhill County's farmlands for the production of crops and livestock and to ensure that the conversation of farmland to urban use where necessary and appropriate occurs in an orderly and economical manner. (104) R

(i) *Policies.*

1. Yamhill County will provide for the preservation of farmlands through appropriate zoning, recognizing comparative economic returns to agriculture and alternative uses, changing ownership patterns and management practices, changing market conditions for agricultural produce, and various public financial incentives. (105)
2. Yamhill County shall provide for the protection of farmland in large blocks through minimum lot sizes of 20, 40 and 80 acres, as appropriate, on the Comprehensive Plan and official zoning maps. Any proposal to reduce the minimum lot size on a farm or farm/forest parcel shall be shown to be appropriate to maintain the existing commercial agricultural enterprise in the area.
3. Yamhill County recognizes that certain areas of the county are characterized by such a mixture of farm and forest use that the agricultural lands and forest lands goals of this Plan are both applicable. Farm and forest resources within these areas shall be protected through mixed-use zoning that recognizes both types of use. Any proposal to change the zoning designation of a parcel from a farm or forest classification to a mixed-use zone shall include a demonstration that the use of the parcel is such a mixture that neither the farm nor forest land goals can be exclusively applied.
4. Yamhill County will provide for the conservation of farmlands through various plan implementation measures and the review of any public or private land use determinations

subject to county jurisdiction, including urban development activity and the location and construction of highways and utility transmission lines which disturb the soil cover and natural drainage pattern, and increase storm runoff, erosion and sedimentation. (106)

5. Yamhill County will recognize and support watershed storage projects in the Yamhill River basin for their irrigation and flood control benefits. (106) R
 6. Yamhill County will continue to support State special assessment incentives relative to farmlands which are subject to ORS statues or other farm management programs in order to preserve such lands for farm use and production. (106) R
 7. Yamhill County will not permit subdivision on lands designated by the county comprehensive plan as Exclusive Farm Use or Agriculture/Forestry Large Holding in order to preserve such lands for forest and farm uses and production.
 8. No proposed rural area development shall substantially impair or conflict with the use of farm or forest land, or be justified solely or even primarily on the argument that the land is unsuitable for farming or forestry or, due to ownership, is not currently part of an economic farming or forestry enterprise.
 9. In order to conserve energy in the production and delivery of food and other agricultural products, Yamhill County will encourage the creation of farmer's markets and will encourage the use of less petroleum-intensive farming methods while providing related technical assistance.
 10. Yamhill County shall adopt provisions in the zoning ordinance that will be used as standards for review of requests to change the minimum lot size within the areas designated Exclusive Farm Use or Agriculture/Forestry Large Holding on the Comprehensive Plan map, or from a farm, forest, or agriculture/forest designation to a different resource classification.
 11. Any Comprehensive Plan or zone map amendment that would reduce the minimum lot size on property within an Exclusive Farm Use or Agriculture/Forestry designation shall not be granted final approval by Yamhill County until the amendment has been considered and approved by the Land Conservation and Development Commission pursuant to ORS 215.780(2). The zoning ordinance shall provide a process for conditional approval by Yamhill County, concurrence by the Land Conservation and Development Commission and final approval by Yamhill County in applications subject to this subsection.
- c) Goal Statement. To conserve Yamhill County's soil resources in a manner reflecting their suitability for forestry, agriculture and urban development and their sustained use for the purposes designated on the county plan map.
- (i) *Policies.*
 1. Yamhill County will continue to preserve those areas for farm use which exhibits Class I through IV soils as identified in the Capability Classification System of the U.S. Soil Conservation Service.
 2. Yamhill County will continue to support ASCS soil conservation measures and SWCD best management practices designed to protect and improve forest and agricultural land productivity and to prevent unnecessary losses through excavation, stripping, erosion and sedimentation. (108) R
 3. Yamhill County will establish an ordinance to control erosion and sedimentation in subdivision developments and both public and private roadway construction.
 4. Yamhill County will require that construction permits contain provisions to protect sites from soil erosion.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 233 eff 04/09/1980; AMENDED VIA ORDINANCE NO. 565 eff 12/29/93; AMENDED VIA ORDINANCE NO. 618 eff 12/30/96]

11.05.02.02 Forest Lands.

a) Summary.

- (i) The timber is Yamhill County's number one basic export economy. In addition to employment and wood products, the county's forest lands provide watershed areas for cities, recreational areas, and fish and wildlife habitat.
- (ii) A future guarantee of productive forest lands in the county is of concern as the demand for wood products, recreational areas, expanded municipal water supplies and fish and wildlife habitat increase.
- (iii) Uncertainties exist regarding the adequacy of timber supply for the future. In most locations of the county, marginal agricultural lands can be converted to productive forest lands.
- (iv) Nearly half of the land area in the county is designated on the plan map as Commercial Forestry; other productive forest lands are scattered throughout the land area designated as Agriculture/Forestry Large Holding.

b) Goal Statement. To conserve and to manage efficiently the county's forest and range resources, thereby ensuring a sustained yield of forest products, adequate grazing areas for domestic livestock, habitat for fish and wildlife, protection of forest soils and watershed, and preservation of recreational opportunities. (98)

(ii) *Policies.*

1. Yamhill County will cooperate with federal and State agencies, large private timber owners and small woodland owners to manage forest and grazing lands for the highest aggregate economic, recreational and ecological benefits which these lands can sustain, including timber production, livestock range, fish and wildlife habitat, watershed protection, erosion control and recreational use. (98)R
2. Yamhill County will continue to support State special assessment incentives, reforestation programs, and forest management plans and programs in order to preserve and rehabilitate forest lands in the county.
3. Yamhill County will encourage afforestation of marginal agricultural lands in the county. (100)R
4. Yamhill County will provide for the preservation of forest lands through appropriate zoning and provide for maintenance of commercial-sized forest units via an 80-acre minimum lot size.
5. Yamhill County recognizes that areas of the county are characterized by such a mixture of farm and forest use that the agricultural lands and forest lands goals of this Plan are both applicable. Farm and forest resources within these areas shall be protected through mixed-use zoning that recognizes both types of use. Any proposal to change the zoning designation of a parcel from a farm or forest classification to a mixed-use zone shall include a demonstration that the use of the parcel is such a mixture that neither the farm nor forest land goals can be exclusively applied.
6. Yamhill County shall adopt provisions in the zoning ordinance that will be used as standards for review of requests to change the minimum lot size within areas designated Agriculture/Forestry Large Holding on the Comprehensive Plan map, or from a farm, forest, or agriculture/forestry designation to a different resource classification.
7. Yamhill County will not permit subdivision on lands designated by the county comprehensive plan as Commercial Forest or Agriculture/Forestry Large Holding in order to preserve such lands for forest and farm uses and production.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 565 eff 12/29/93]

11.05.02.03 Water Resources.

a) Summary. Efficient use of county water resources is a benefit to all citizens, as water is an essential part of the livability of an area.

b) Goal Statement. To conserve and to manage efficiently our water resources in order to sustain and enhance the quality and quantity of flows for all consumptive and non-consumptive uses and to abate flood, erosion and sedimentation problems.

(i) *Policies.*

1. Yamhill County will cooperate with federal and state agencies, the cities of the county, and the local soil and water conservation district to identify, conserve and develop water resources on a long-range, multiple-use basis in response to need, with full consideration given to the benefits, costs, potential uses and the carrying capacity of the resource.
2. Yamhill County will continue participation in the FEMA National Flood Insurance Program to prevent flood-caused loss of life and property, by identifying and mapping the floodplains and floodways of the county, restricting land uses within the floodplains to those which are open and undeveloped, including forestry, agriculture, wildlife habitat and recreational areas and encouraging improved watershed management practices and the construction of watershed storage projects for flood control.
3. Yamhill County will support the establishment of minimum stream flows to ensure the continuance of beneficial in-stream uses.
4. Yamhill County will support Soil and Water Conservation District efforts to aid in erosion, sediment, and run-off control.
5. Yamhill County will coordinate with and support city, regional, state and federal water-quality plans and programs so that high water quality will be achieved in the cities of the county, that sounds watershed management practices will take place, and that improved treatment of point and nonpoint sources of water pollution will be achieved.
6. Yamhill County will continue to support the water well monitoring programs of the U.S. Geological Survey and State Department of Water Resources in order to better manage the county's groundwater resources.
7. Yamhill County will encourage a study by the U.S. Geological Survey of major groundwater recharge areas in the county.
8. Yamhill County will encourage the prudent use of all county resources and support the development of water conservation techniques and practices.
9. Where conflicting uses are identified or intended, in specific proposals or programs, the economic, social, environmental and energy consequences of the conflicting uses shall be determined as used as a basis for decision-making.
10. It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review land use applications for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizontally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (Natural Resources Conservation Plan, Yamhill County, Oregon, May 1979 - U.S.D.A. – Soils Conservation Services), that are not regulated under the Forest Practices Act.
11. It is county policy that land use management practices and nonstructural solutions to problems of erosion and flooding are preferred to structural solutions. Water erosion control structures, including riprap and fill, should be reviewed by the appropriate state permitting authority to insure that they are necessary, are designed to incorporate vegetation where possible, and designed to minimize adverse impacts on water currents, erosion, and accretion patterns.
12. Yamhill County will rely upon the Forest Practices Act and regulations adopted under that Act to insure protection of surface water on non-federal forest lands from forest activities that negatively impact surface waters.
13. Yamhill County will coordinate with the cities with watersheds in the county to identify municipal watershed areas as an overlay to the Official Zoning Map. Within the designated Watershed Overlay, the county will provide notice of proposed land use actions to the affected city. The affected city shall have an opportunity to forward a recommendation on the proposed

land use action prior to a final county decision, and may propose specific conditions to protect water quality.

14. Yamhill County will complete the Goal 5 process for wetlands in the county, other than Walker Creek, no later than the next required periodic review of the county's land use plan and regulations. Specifically, the Goal 5 process for the following significant resource sites shall be completed by the next periodic review:
 - a. East Creek
 - b. South McGuire
 - c. Meadow Lake
 - d. Upper Nestucca
 - e. Nestucca River
 - f. Cedar Creek
 - g. Neverstill
 - h. Nelson's Golden Valley
 - i. Tillamook Burn 1
 - j. Tillamook Burn 2

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 233 eff 04/09/1980; AMENDED VIA ORDINANCE NO. 471 eff 12/28/1988; AMENDED VIA ORDINANCE NO. 511 eff 07/25/90; AMENDED VIA ORDINANCE NO. 566 eff 12/29/93]

11.05.02.04 Fish and Wildlife.

a) Summary.

- (i) Yamhill County has a rich and varied wildlife resource which includes upland game, fur bearers, anadromous and warm water fish, waterfowl, and large variety of nongame species.
- (ii) The county has several sensitive wildlife habitat areas whose protection is essential for the well-being of the resource.
- (iii) Fishing provides important recreational benefits to Yamhill County citizens. Land use conflicts can occur which would degrade the county's wildlife resource.

b) Goal Statement. To conserve the fish and wildlife habitat of Yamhill County with a view to maintaining an optimum ecological balance, enhancing the sport fishing and hunting resources of the county, and protecting endangered species. (101)

(i) *Policies.*

1. Yamhill County will cooperate with the Oregon Fish and Wildlife Department, the Yamhill County cities, the U.S. Agricultural Stabilization and Conservation Service, the Bureau of Reclamation, and the soil and water conservation districts of the region to identify, conserve, and protect fish and wildlife habitat; determine areas of critical imbalance and threats to particular species; and formulate and implement measures for the improvement of existing habitat and the creation of new habitat where needed. (101)
2. Yamhill County will recognize the need to conserve and protect fish and wildlife habitat in its plan implementation measures; and the following will be considered in any public or private land use determination subject to county review; the impact of harvesting forested areas where there is no forest management plan for regeneration of the forest lands; the filling or drainage of swamps or marshes; the damming of rivers and streams; the location and construction of highways and utility transmission lines; and any other land development activities which significantly interfere with the vegetation or soil cover or drainage patterns in critical habitat areas. (102) R
3. All identified sensitive wildlife areas will be classified as exclusive agriculture, forest land or open space. No major land use change, including but not limited to road construction and recreational developments will be permitted without approval of measures to limit undesirable impacts on sensitive wildlife areas.
4. Habitat of all species indicated as endangered, threatened, or vulnerable will be preserved. Nesting sites of endangered bird species will be protected and buffered from conflicting uses.

5. Yamhill County will recognize and support watershed storage projects in the Yamhill River Basin where streamflow maintenance benefits improve water quality for enhancement of sport fishing and native species. (103) R
6. In the Sensitive and Peripheral Big Game Winter Range, all proposed zone changes and applications for partitions will be referred to the Oregon Department of Fish and Wildlife for determination of conflicts with big game habitat requirements. In the event the Department identifies and informs the county that site-specific habitat conflicts exist, the county will not approve said zone changes without seeking resolution of such conflicts.
7. Yamhill County will rely upon the Forest Practices Act and regulations adopted under that Act to ensure protection of Fish and Wildlife on non-federal forest lands from forest activities that negatively impact fish and wildlife.
8. Although Pigeon Mineral Spring sites have been determined by the county not to constitute “ecologically significantly significant natural areas” they are significant wildlife habitat. These sites are therefore included in the county’s inventory of significant wildlife areas. Information is available indicating the possible existence of Pigeon Mineral Spring sites. However, current information is not adequate to identify with particularity the location, quality, and quantity of these resource sites. These sites are therefore included in the comprehensive plan inventory as a special category. It is the policy of Yamhill County that land use management practices for the protection of inventoried Pigeon Mineral Spring sites that are agreed to by affected property owners are a preferred method of protection for these habitats, but owner consent will not be the determinative criterion in whether a site is included on the inventory. To achieve this goal, Yamhill County will coordinate with the Oregon Department of Fish and Wildlife and owners of property containing inventoried Pigeon Mineral Spring sites for the development of a habitat protection program for the sites. It is intended that the Goal 5 process will be completed for these sites prior to the termination of Yamhill County’s next periodic review.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 233 eff 04/09/1980; AMENDED VIA ORDINANCE NO. 471 eff 12/28/1988; AMENDED VIA ORDINANCE NO. 491 eff 12/12/90; AMENDED VIA ORDINANCE NO. 546 eff 12/16/92]

11.05.02.05 Open Space.

- a) Summary. Yamhill County possesses an extensive open space network that contributes to the overall rural character and livability of the county.
- b) Goal Statement. To insure the continuance of the open space character that has always existed in Yamhill County.
 - (i) *Policies*.
 1. Yamhill County will cooperate with all governmental and recreation agencies within the region to identify open space and scenic resources, to determine resident and non-resident recreation needs, and to formulate and implement measures for open space preservation and use. (94)
 2. The inventory will include, but not be limited to the location, quantity and quality of the following resources: fish and wildlife habitats; ecologically and scientifically significant natural areas; outstanding scenic view and sites; water areas, wetlands, watersheds, and groundwater resources; wilderness areas; historic areas, sites, structures and objects; cultural areas; potential and approved Oregon recreation trails; potential parks and recreation sites.
 3. Where conflicting uses are identified concerning an open space, natural or scenic resources proposal, economic, social, environmental and energy consequences of the conflicting uses will be determined and programs developed to achieve the goal.
- c) Goal Statement. To preserve and improve potential recreational and other open spaces in both urban and rural environments for all to enjoy. (94)
 - (i) *Policies*.
 1. Yamhill County will seek to establish a permanent county open space net; increased public access to areas of prime recreational significance; the development of additional water-based recreational opportunities; and continuity of scenic views, buffer areas, wildlife and natural habitat and associated natural environments. (95) R

2. Yamhill County will continue to support State special assessment incentives and other similar legislative actions as well as federal incentive and grant-in-aid programs which are designed to secure and preserve elements of the open space net, provide increased recreational access, and develop low intensity use recreational reservoirs. Funding proposals and incentives to preserve open space including the following: allocation of money in the county budget for fee acquisition; acceptance of donations and bequests of land where the scenic or recreational value justifies its removal from the tax rolls, and the on-going expense of its maintenance; easement acquisition; and acquisition of development rights. (96) R

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.02.06 Mineral and Aggregate Resources.

a) Summary.

- (i) An inventory of mineral and aggregate resources for Yamhill County is scheduled to be undertaken in 1970 by the Oregon Department of Geology and Mineral Industries. Mineral resources in Yamhill County consist mainly of sand and gravel, and rock quarries.
- (ii) The Willamette River is a major source of sand and gravel. Unless properly developed and rehabilitated, mining and quarrying activity can pose irreparable environmental damage.

b) Goal Statement. To protect mineral deposits from urban encroachment, provided that such deposits are not located on land identified for urban and rural residential development by the Comprehensive Plan and Plan Map; to ensure that all extraction of mineral resources takes place under conditions which foster compatibility with existing surrounding land uses; and to provide for the restoration of extraction sites for future agriculture, open space, recreational or other appropriate uses.

(i) *Policies.*

1. Mineral and aggregate resources will be recognized as a nonrenewable resource important to the growth and development of the county and of the surrounding region.
2. Yamhill County will continue to cooperate with state and federal agencies within the region to identify lands that are, ca, or should be utilized for sources or processing of mineral aggregates; will determine present and future needs; and will formulate and implement necessary measures for the protection of such sources or sites; and sites that are found to be compatible with the Plan goals will be recognized through appropriate plan designations and zone districts on the Plan and zone maps.
3. Areas designated by the Comprehensive Plan for urban and rural residential development or other conflicting uses will continue to be protected from incompatible mining activities through appropriate zoning and review measures.
4. Areas designated by the Comprehensive Plan for mineral resources will continue to be protected from incompatible urban and rural residential development and other conflicting uses through appropriate zoning and review measures. If such development is approved, adequate setbacks and use limitations will be applied to the development to minimize conflicts with adjacent future mining operations.
5. Where a property has been identified as having important mineral and aggregate resources and is identified as farm or forest land in the Comprehensive Plan, and conflicts exists between competing uses, consideration of the economic, social, environmental and energy consequences shall be a part of the aggregate site designation and zoning process.

c) Goal Statement. 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 is accomplished according to an approved reclamation plan.

(i) *Policies.*

1. All requests for mining, quarrying, and extractive operations will be required to prepare and submit detailed plans of the site operation and plans for reclamation to ensure proper continued operation and final closure of the development. Approval of the request may occur only after the posting of all necessary performance bonds and submittal of all applicable plans.
2. Yamhill County will cooperate with State regulatory agencies in support of the reclamation or restoration of all lands subject to mining, quarrying, and extractive activities; and assurance will be required at the outset of the development by the posting of adequate performance bonds.
3. All requests for operations within any stream bed will require the approval of appropriate governmental agencies.
4. Operating standards adopted for mineral resource sites will be designed to the greatest extent possible to protect air and water quality, soil resources and natural vegetation from deterioration or irreparable environmental damage.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 301 eff 09/01/1982]

11.05.02.07 Ecologically and Scientifically Significant Natural Areas.

- a) Summary. An inventory of ecologically and scientifically natural areas in Yamhill County was completed by the Nature Conservancy in 1977. In 1988 the Oregon Natural Heritage Data Base of the Nature Conservancy completed an update of Yamhill County natural areas that included a review of the significance of those sites listed in the 1977 inventory and investigation of additional sites.
- b) Goal Statement. To protect land and water areas that have substantially retained their natural character and land and water areas that, although altered in character, are important as habitat for plant, animal or marine life, for the study of natural historical, scientific, or paleontological features or for the appreciation of their natural features.

(i) *Policies.*

1. Yamhill County's Goal 5 analysis of information on Yamhill County natural areas, provided by the Oregon Natural Heritage Data Base, is included in an attachment to the county's Revised Local Periodic Review Order of 1988-89 and is a data base supplement adopted as background information to the Comprehensive Plan, by reference.

[ADOPTED VIA ORDINANCE NO. 471 eff 12/28/88; AMENDED VIA ORDINANCE NO. 511 eff 07/25/90; AMENDED VIA ORDINANCE NO. 566 eff 12/29/93]

11.05.02.08 Outstanding Scenic Views and Sites.

- a) Summary. Outstanding scenic views and sites exist throughout Yamhill County. Scenic views are an important component of the livability, attractiveness, and economic health of the county.
- b) Goal Statement. To protect outstanding scenic views and sites for future generations.

(i) *Policies.*

1. Yamhill County will allow uses that may impact scenic resources in the county, subject to the protection offered by the Statewide Land Use Planning Goals, Yamhill County Comprehensive Plan and zoning provisions, particularly site design review, solid waste enforcement, and any other measures as may be adopted to protect the scenic attractiveness of the county.
2. The Yamhill County Parkway Committee, established by Board Order 88-642 will develop a strategy for establishing a parkway along the State Highways 99 and 18 corridor in Yamhill County.

[ADOPTED VIA ORDINANCE NO. 471 eff 12/28/88]

11.05.02.09 Historic Areas, Sites, Structures and Objects and Cultural Areas.

- a) Summary. As described more fully in Yamhill County's Revised Local Periodic Review Order for 1988-89, Yamhill County has surveyed and inventoried historic and cultural resources in the county and has established mechanisms for protection of significant historic and cultural resources.

- b) Goal Statement. To protect sites, structures and objects that have local, regional, statewide, or national historical significance, and areas characterized by evidence of an ethnic, religious or social group with distinctive traits, beliefs, and social forms, for future generations.
 - (i) *Policies*.
 - 1. Through its Historic Landmark Commission and preservation program adopted in 1988, Yamhill County shall limit uses that conflict with significant historic and cultural resources duly designated as Yamhill County Landmarks.
 - 2. Yamhill County will continue to seek funding and otherwise promote activities designed to further the public’s understanding of the cultural and historic diversity of the county.

[ADOPTED VIA ORDINANCE NO. 471 eff 12/28/88]

11.05.02.10 Potential and Approved Federal Wild and Scenic Waterways and State Scenic Waterways.

- a) Summary. The Statewide Comprehensive Outdoor Recreation Plan (SCORP) (1983) developed by the State Parks and Recreation Division of the Oregon Department of Transportation, lists certain Yamhill County River segments as possessing “sufficient resource values to include them in an inventory of potential study for future designation into either the State Scenic Waterways System or the National Wild and Scenic Rivers System.” (P. 47). Other rivers and streams may be designated for protection by the state or federal government in the future.
- b) Goal Statement. To protect approved federal wild and scenic waterways and state scenic waterways, and to coordinate with state and federal agencies studying potential federal wild and scenic waterways and state scenic waterways.
 - (i) *Policies*.
 - 1. The following river segments are identified as potential scenic waterways:
 - a. Willamette River (federal status) from southern county border downstream approximately 26 miles from Salem.
 - b. Nestucca (state status) from the lower end of Old Meadow Lake to county border.
 - c. Nestucca (Little) River (federal status) entire length within Yamhill County.

Zoning along the above-listed segment of the Willamette is entirely EF-40 and AF-20, both resource zone designations. The segment of the Nestucca in Yamhill County is located entirely within the F-80 district, which is a resource designation, or on BLM property. The segment of the Little Nestucca in Yamhill County is entirely within the F-80 district or in the Siuslaw National Forest. Yamhill County recognizes and designates the above-listed river segments as significant Goal 5 resources.

- 2. Yamhill County shall coordinate with state and federal agencies in applying the Statewide Planning Goal 5 rule process in the event a study is made for designation of any of the above-listed river segments as a federal, wild, and scenic river and/or State Scenic Waterway.
- 3. The Nestucca River (from immediately below the McGuire Dam downstream to its confluence with East Creek) and Walker Creek (from its source to the confluence with the Nestucca River) is designated a State Scenic Waterway. So long as it retains its state designation, the county recognizes Walker Creek, and portion of the Nestucca River within Yamhill County, as a significant Goal 5 resource. It is the county’s intent to remove the designation of Walker Creek as a significant Goal 5 resource if the state scenic waterway designation is removed in the future. Removal of the county’s Scenic Waterway Overlay designation will require a Comprehensive Plan Amendment and a revised ESEE consequences analysis under Goal 5. The county recognizes that the State Parks and Recreation Department has the lead role in the development of management plans and review of land use activities adjacent to designated state scenic waterways, The county will coordinate and cooperate with the State Parks and Recreation Department and property owners within the scenic waterway boundary to ensure compatibility and consistency of regulatory controls.

[ADOPTED VIA ORDINANCE NO. 471 eff 12/28/88; AMENDED VIA ORDINANCE NO. 511 eff 07/25/90; AMENDED VIA ORDINANCE NO. 566 eff 12/29/93]

11.05.02.11 Additional Plan Policies on Goal 5.

- a) Ordinances implementing the Comprehensive Plan shall be administered consistent with relevant provisions of the Oregon Administrative Rules and Oregon Revised Statutes.
- b) If a land use approval is requested, and the approval may affect a Goal 5 resource that is identified by substantial evidence during the proceeding, or is listed in a local, state, or federal resource inventory, the approving authority shall address the following issues with findings:
 - (i) Is there sufficient information on the quantity, quality, and location of the Goal 5 resource to determine if the requested land use action will adversely affect the resource?
 - (ii) In considering the economic, social, environmental and energy consequences of the requested land use action, would approval conflict with the Goal 5 resource?
 - (iii) If a conflict is identified, in considering the economic, social, environmental, and energy consequences and other statewide goals:
 - 1. Are the consequences of such importance that should not be allowed?
 - 2. Is the conflicting use of sufficient importance that it should be allowed, notwithstanding the possible impacts on the Goal 5 resource?
 - 3. Are the Goal 5 resource and the conflicting use of sufficient relative importance such that the conflicting use should be allowed, with proper mitigation?
- c) Land use applications for which a state or federal review or permit is required shall not receive final approval by the county unless all necessary state and federal approval has been granted or assured.
- d) Where necessary, mitigation and site design review shall be as provided in Section 1101 of the Zoning Code, as well as applicable Oregon Administrative Rule provisions and local goals and policies.
- e) This policy shall not apply to Goal 5 resources that are protected by zoning designations or other provisions of the Comprehensive Plan or land use regulations.

[ADOPTED VIA ORDINANCE NO. 444 eff 04/15/1987]

SECTION 3 – TRANSPORTATION, COMMUNICATIONS AND PUBLIC UTILITIES

11.05.03.01 Transportation.

- a) Summary.
 - (i) Efforts need to be coordinated among local, regional, state and federal agencies in order to develop a sound transportation system for the county.
 - (ii) The regional transportation needs must be addressed primarily in respect to the utilization of the county's arterials as State thoroughfares.
 - (iii) A major concern of the county is to develop a transportation system that will maintain and enhance the quality of life enjoyed by its residents.
 - (iv) Due primarily to the increasing traffic load and traffic hazards on all county roads, there is a need to control access points for future development.
 - (v) In view of the rapidly increasing cost and decreasing supply of energy, it is imperative that all transportation decisions take into account the conservation of energy.
 - (vi) The provision of adequate bicycling and pedestrian paths within the county is a concern of the county residents. Such modes of transportation lend themselves particularly to the rural nature of the county.
 - (vii) There is a potential for the McMinnville Municipal airport to be developed into a Basic Transport facility.
 - (viii) Rail freight service to the county is provided by southern Pacific Railroad. The county operates a limited public transit system.
 - (ix) In order to protect the scenic resources of the county, outstanding highway views should be designated as scenic areas.
 - (x) *[Newberg-Dundee Bypass provisions added under Ordinance 747]*

1. Yamhill County and ODOT have discussed ways to relieve traffic congestion on Oregon 99W through Newberg and Dundee for many years.
 2. A Southern Bypass is included in Newberg's acknowledged Transportation System Plan and also is an element of Dundee's recently adopted Transportation System Plan.
 3. ODOT initiated a tiered environmental impact statement to consider transportation alternatives for the Newberg-Dundee corridor. A Tier 1 Location Draft Environmental Impact Statement (LDEIS) was published in September 2002. The LDEIS evaluated eight Build Alternatives and a No Build Alternative.
 4. Following the public comment period and public hearings on the LDEIS, the Project Oversight Steering Committee (which includes representatives of ODOT, the Federal Highway Administration, Yamhill County, and the Cities of Newberg, Dundee, Dayton and McMinnville) determined that a Bypass was needed to solve the region's growing traffic congestion problem.
 5. The recommended four-lane Bypass (Modified 3J) extends for approximately 11 miles from the Rex Hill area east of Newberg to the intersection of Oregon 99W and Oregon 18 (McDougal Corner) near Dayton.
 6. The Bypass will function as a high-speed statewide expressway and freight route as defined in the Oregon Highway Plan. The Bypass includes four associated interchanges at Dayton (directional), East Dundee (full movement), Oregon 219 (full movement) and East Newberg (directional). The Bypass and interchanges will be fully access controlled and no direct access will be allowed from private properties. The primary function of the Bypass is to provide for high-speed, through trips and to relieve congestion on Oregon 99W through the downtown areas of Newberg and Dundee.
 7. ODOT and Yamhill County will complete the local land use process for the location of the Bypass (corridor width of about 300 feet) before the record of decision is issued on the Location Final Environmental Impact Statement. The specific Bypass alignment within the wider location corridor will be determined in the Tier 2 Design Environmental Impact Statement.
 8. Land use actions including goal exceptions are required for the portions of the Bypass, located on rural lands. As part of the goal exception, Yamhill County must adopt facility design and land use measures to minimize accessibility of rural lands from the proposed transportation facility and support continued rural use of surrounding lands. The new policies specific to the Bypass were adopted concurrent with the goal exception to address the requirements of OAR 660-012-0070 of the Transportation Planning Rule. In addition, a new Interchange Area Overlay District is established and applied to implement the new plan policies.
- b) Goal Statement. To provide and encourage an efficient, safe, convenient and economic transportation and communication system, including roads, rail, waterways, public transit and air, to serve the needs of existing and projected urban and rural development within the county, as well as to accommodate the regional movement of people and goods and the transfer of energy, recognizing the economic, social and energy impacts of the various modes of transportation. (142)
- (i) *Policies*.
 1. Yamhill County will encourage the establishment of a transportation system supportive of a geographically distributed and diversified industrial economy for the county including coordination with all city comprehensive plans.
 2. All transportation-related decisions will be made in consideration of land use impacts including but not limited to adjacent land use patterns, both existing and planned, and their designated uses and densities.
 3. Yamhill County will cooperate and establish close liaison with the State Department of Transportation, the cities of the county, the Tri-County Metropolitan Transportation District of Oregon (Tri-Met), the Southern Pacific Railroad, the Federal Aviation Administration, Federal Highway Administration, and private utility companies operating in the county, in

- respect to matters relating to the location, design and programming of roads, railroads, public transit facilities, airports, transmission lines, pipelines, waterways, energy corridors and communications facilities to guide and accommodate the emerging development patterns of the county. (142)
4. Yamhill County will, in cooperation with the State Highway Division and the cities of the county, established a comprehensive list of recommended road improvements throughout the county, establish a suitable review mechanism for arriving at and amending priorities on a continuing basis and work towards the creation of an on-going capital improvement program closely coordinated with all agencies of government responsible, including cities for road location, construction, finance and maintenance. (145)
 5. Yamhill County will cooperate with and support the State Highway Division, the Mid-Willamette Valley Council of Governments, and any other county or regional transportation agency in an effort to establish a viable and productive regional transportation planning process and operations system geared to identifying, prioritizing and resolving both present and future transportation needs, with special reference to our county and regional network. (145)
 6. Yamhill County will establish by ordinance in cooperation with the State Highway Division, the cities of the county, adjoining counties, the U.S. Postal Service and all affected special purpose districts, including fire protection districts, a system for naming all public roads and numbering property as prescribed by ORS 215.110(1)(c), and in doing do will give full consideration to the costs, benefits and timeliness of such action. (152)
 7. Yamhill County will appoint a committee of interested citizens to study all State highways within the county and inventory and evaluate the aesthetic features of the views for such highways, consider the eligibility of specific sections for designation as scenic areas under the provisions of the Scenic Areas Act, and make appropriate recommendations to the Planning Commission and Board of Commissioners in respect to a petition to the Scenic Area Board to hold hearings on the possible designation of scenic areas within Yamhill County. (153)
 8. Yamhill County will, in cooperation with the cities of the county, and in consultation with the Mid-Willamette Valley Council of Governments, private companies providing transit services, make a comprehensive study of public transit possibilities, including bus and rail, and if economically feasible, will seek such services as are found to be safe, efficient, and convenient in serving the transportation needs of the residents of the county. (155)
 9. Yamhill County will encourage bicycle and pedestrian traffic as an element of the transportation system by coordinating with the cities within the county to develop an integrated system of safe and convenient bicycle and pedestrian ways to complement other modes of transportation. (158)
 10. Yamhill County will require new development to:
 - a. Limit access points on highways designated as arterials when alternative access points are feasible.
 - b. Provide a frontage setback requirement of 50 feet from the public right-of-way of all designated arterials within the county for commercial and industrial development; and
 - c. Minimize direct access points onto arterial right-of-ways by encouraging the utilization of common driveways.
 11. All county transportation-related decisions will be made in particular consideration of energy efficiency and conservation.
 12. Yamhill County will establish programs, such as van or car-pooling to increase vehicle occupancy and reduce unnecessary passenger car travel.
 13. Transportation needs for the disadvantaged, such as the low income, the handicapped, and the elderly, will be considered in the development of the county transportation system.
 14. Yamhill County will utilize existing facilities and right-of-ways to the fullest extent possible provided that such use is consistent with the county comprehensive plan.

15. All transportation-related decisions will be made in support of the efficient and economic movement of people, goods, and services throughout the region, and will be based on the location and adequacy of facilities for such goods and services.
16. The county plan and zoning ordinance will continue to recognize the need for protecting the McMinnville Municipal Airport as a vital county-wide transportation facility and efforts will be made to regulate land use in the environs of the airport to prevent the erection of further airport hazards and obstructions, at the same time preventing any residential encroachment upon the critical noise contours.
17. The status and proposed location or expansion of all airport facilities will be specifically designated in the plan map, as amended, and, if under county jurisdiction, will be accorded a planned-unit development designation in the zoning ordinance, in order to assure a compatible association of airport growth with surrounding urban development. (161)
18. *Specific Policies for the Newberg-Dundee Bypass.*
 - a. The functions of the Newberg-Dundee Bypass are to accommodate and divert longer-distance through trips around the Newberg-Dundee urban area and to serve regional trips going to and from Newberg or Dundee (i.e., those trips with either an origin or destination outside of the Newberg-Dundee urban area). The function of the planned intermediate interchanges is to provide access between Newberg or Dundee and other regions (e.g., McMinnville, Portland or the coast). It is not the function of the interchanges to provide for or attract regional commercial or highway commercial development in the vicinity of the interchanges. In general, needs for commercial development should be accommodated in areas currently planned for commercial development within Newberg and Dundee. Plan amendments and zone changes shall be consistent with the function of the bypass and interchanges as set forth in this policy.
 - b. Yamhill County will apply an Interchange Overlay District to unincorporated county lands that are within approximately $\frac{1}{4}$ to $\frac{1}{2}$ mile of the interchange ramps to protect agricultural and rural lands from development pressures that could result from improved proximity, visibility, accessibility and faster travel times associated with the interchanges to the Newberg-Dundee Bypass.
 - c. Yamhill County will retain existing zoning within the Interchange Overlay District and discourage expansion of urban growth boundaries toward the interchanges to support continued rural use of lands surrounding the interchanges and to protect the planned function and capacity of the Bypass and interchanges to serve primarily longer-distance through trips.
 - d. Within the Interchange Overlay District, Yamhill County will permit all uses that are permitted outright or that may be authorized as conditional uses in the underlying zoning district(s).
 - e. Yamhill County will provide notice to ODOT of all proposed land use and development applications within the boundaries of the Interchange Overlay District. ODOT may request that an applicant submit a traffic impact study or access plan before a land use application is accepted as complete by Yamhill County. Yamhill County zoning maps shall clearly indicate on a parcel-specific basis if property is within the planned right-of-way for the Newberg Dundee Bypass or interchanges.
 - f. ODOT may recommend that Yamhill County impose conditions or mitigation to land use or development approvals to protect the function and capacity of the interchange; to protect the planned right-of-way for the bypass and interchange; and to assure that proposed access points are located consistent with the anticipated access spacing standards for the interchange.

- g. Yamhill County will consider and may impose additional setback requirements or restrict use of the planned right-of-way to low intensity uses such as agriculture parking or storage in the interim period before right-of-way for the Newberg-Dundee Bypass is acquired by ODOT.
- h. In cooperation with the City of Newberg. Yamhill County will not approve expansion of the Newberg UGB within the East Newberg or Oregon 219 Interchange Overlay District until Interchange Area Management Plans are prepared and adopted for the respective interchanges by ODOT. Yamhill County and the City of Newberg. An exception to this policy will be allowed for a limited 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.
- i. In cooperation with the City of Dundee. Yamhill County will not approve expansion of the Dundee UGB within the East Dundee Interchange Overlay District until an Interchange Area Management Plan is prepared and adopted for the interchange by ODOT. Yamhill County and the City of Dundee. Yamhill County will coordinate with the City of Dayton to discourage further expansion of the Dayton UGB to the north or east of the South Yamhill River, with the exception of possible expansion needed for the city's sewage treatment lagoons.
- j. The Newberg Dundee Bypass is being planned and developed as a two tiered project where the corridor will first be approved and then the design of the facility will be approved. Therefore. for purposes of compliance with the Transportation Planning Rule (OAR 660-012-060), the bypass and associated interchanges are not considered to be planned transportation facilities and cannot be relied upon for providing additional planned capacity until the Oregon Transportation Commission approves a financing plan for the project.
- k. Yamhill County will coordinate with ODOT and the affected jurisdictions to further explore and implement agreed upon elements of the Alternate Mode and Land Use Components of the Newberg-Dundee Transportation Improvement Project.
- l. Yamhill County will coordinate with ODOT and the affected jurisdictions and property owners to adopt Interchange Area Management Plans for each of the four interchanges. consistent with the requirements of the 1999 Oregon Highway Plan. The interchange area management plans will address the following at a minimum: access management standards. road connections and local street circulation. compatible land uses and bypass termini protection. The interchange area management plans will be designed to protect the function and capacity of the interchanges for at least a 20 to 25-year planning period.
- m. These policies for the Newberg-Dundee Bypass and the provisions of the Interchange Overlay District shall be considered interim provisions that may be refined. revised or replaced as needed based on the Tier 2 Design EIS and/or the adopted Interchange Area Management Plans.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79; AMENDED VIA ORDINANCE NO. 517 eff 01/30/91; AMENDED VIA ORDINANCE NO. 747 eff 09/30/04]

11.05.03.02 Utilities.

a) Summary.

- (i) Transmission lines and pipelines cross miles of land, consume many acres of right-of-way, and have a significant impact on land use. The Public Utility Commission has allowed for local review of utility location with its agency coordination program.
- (ii) The county recognizes the effects that the development of utilities has on land use and sees a need for close consideration and cooperation with the utility companies.

b) Goal Statement. (See goal statement under Public Facilities and Services)

(i) *Policies.*

1. Yamhill County will review all right-of-way acquisitions for utility lines and facilities and, where appropriate, require:
 - a. That the route or corridor chosen locate on or parallel to existing public or private right-of-ways and avoid the creation of unusable parcels;
 - b. That the route or corridor chosen have a minimum visual impact along highways and in residential areas, blend well with the natural landscape, and create minimum conflict with present and planned uses of the land;
 - c. That clearing for, and construction of, transmission lines, pipelines and other utility facilities be performed in a manner which will maximize preservation of natural beauty and conservation of natural resources, and which will minimize scarring of the landscape or siltation of streams;
 - d. That following construction of utility facilities, construction areas will be cleaned up and efforts will be made to restore the landscape and the land capability to its original condition prior to constructions; and
 - e. That a maintenance program for utility facilities include maintenance of the environmental preservation and restoration achieved during all phases of construction.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

SECTION 4 – PUBLIC LAND, FACILITIES, AND SERVICES
--

11.05.04.01 Public Facilities and Services.

a) Summary.

- (i) The county sees a need to integrate public facilities and services in an effort to eliminate costs and conserve energy.
- (ii) Coordination with all jurisdictions and affected agencies is essential in the development and maintenance of adequate public facility systems.
- (iii) The expansion of public facilities is a major factor in directing urbanization. The consolidation of water and sanitary sewer facilities can reduce the construction, operation and maintenance costs of such facilities.
- (iv) The joint acquisition and use of school and park sites can represent a substantial economic benefit to the cities and the county.
- (v) There are a number of sites of historic and archaeological significance worthy of preservation within the county.
- (vi) It is necessary to identify, reserve and protect future domestic water supply sources in order to meet the increasing urban and rural needs.
- (vii) It is a concern of the county to regulate public and quasi-public institutional uses within rural areas of the county.
- (viii) Recycling of solid waste materials conserves natural resources and energy.

b) Goal Statement. To develop a timely, orderly and efficient arrangement of public services and facilities to serve as a framework for urban and rural development, including public lands and buildings, parks and recreation areas and facilities, schools, police and fire protection, domestic water supply, sanitary and storm sewerage and other drainage facilities, and power, gas and telephone services. (166)

(i) *Policies.*

1. Yamhill County will coordinate with the cities within its jurisdiction to provide an orderly phasing of water, sanitary sewerage, storm drainage and other public services and facilities within the urban growth boundaries.
2. Public facilities and services for rural areas will be provided and maintained at levels appropriate for rural use only.

3. In recognition of the necessity to promote the conservation of energy, Yamhill County will assume a demonstrative role through the application of energy conserving practices that will support the development and operation of an efficient arrangement of public facilities and services within the county.
4. Yamhill County will coordinate with the cities and appropriate local, state, and federal agencies in providing for the health and service needs of the public, particularly the needs of the disadvantaged, including the young, the elderly and the handicapped.
5. Yamhill County will encourage the consolidation of city, county, and state administrative offices, public health, safety and welfare buildings, and community cultural facilities as opportunities that will promote energy conservation, provide convenient, centralized services and attractive building and open space groupings. (168) R
6. Yamhill County will, where practicable, encourage the consolidation of city, county, school district, utility and state works yards, shops, bus barns, and equipment and storage yards, in order to realize economies of scale in land acquisition, development, and operation and maintenance costs, and eliminate present facilities which are incompatible with sensitive residential and commercial areas throughout the county. (171)
7. Close cooperation will be encouraged among the cities, the school districts, and the county in respect to matters of school site selection, acquisition, planning, servicing, and joint use in keeping with the anticipated direction and pattern of urbanization within the urban growth boundary. (172) R
8. Yamhill County will work with cities within the county, the Yamhill County Historical Society, the Oregon Historical Society, the Oregon State Museum of Anthropology, the State Historical Preservation Officer, the Heritage and Conservation Administration, and all other interested groups to identify and preserve sites of historic or archaeological interest. (179)
9. Yamhill County will accommodate the location of non-profit, institutional organizations as defined by the Internal Revenue Code in the designated agriculture and forestry small holding areas on the Plan Map, provided such uses are compatible with such areas, the stated goals and policies of the plan are fully complied with, and such uses are established and regulated as planned unit developments under the zoning ordinance. (181) R
10. Yamhill County will cooperate with other interested agencies to identify, acquire and/or reserve in advance through appropriate open space zoning designations suitable watershed areas and reservoir sites to serve the domestic water needs of the emerging urban and rural development areas of the county. (182)
11. Yamhill County will encourage the dedication of major drainage-ways such as wetlands, swales, intermittent creek basins and roadside depressions for the purpose of storm water collection.
12. Yamhill County will encourage and cooperate with regional solid waste management programs in scale with the county's needs and subject to equitable cost-sharing arrangements for each of the services and facilities developed on a regional basis. (188) R
13. Yamhill County will assist in the organization of special purpose districts, such as water and irrigation districts, waster associations and county service districts, which would be able to utilize federal and state funds to build reservoirs and provide the desired services to their respective communities or clientele. (183)
14. The establishment of domestic water supply systems will be supported where such systems conform to all applicable water quality and engineering design criteria developed by the Oregon State Health Division; where the supply, storage and distribution of facilities are able to satisfy insurance fire-flow requirements and provide a given reserve for maximum daily use and emergency needs; where such systems are developed at a level consistent with the ability of the providing agency to support the services and provide qualified personnel for operation and maintenance; where the extension of water distribution lines is justified by the users' ability to support the services within a reasonable period of time; and where the extension of

water distribution lines will not create development levels incompatible with the basis county goal of preserving agricultural and forestry lands.

15. Groundwater supplies will be protected from critical draw-downs or disrupted flows occasioned by surrounding land use development or activities, such as mining and logging where municipal watersheds exist; surface water supplies will be protected from unusual increases in turbidity and sedimentation caused by farming, logging, mining excavation or grading; and both ground water and surface water supplies will be protected from contamination by subsurface sewage disposal systems, sewage lagoons, sanitary landfill sites and other sources of pollution. (184) R
16. Yamhill County will assist in the organization of special purpose districts such as sanitary districts, sanitary authorities, and county service districts which would be able to utilize federal and state funds to build collection and treatment facilities and provide the necessary services to their respective communities or clientele. (184)
17. The development of sanitary sewerage systems will be supported where such systems conform to all applicable federal and state standards pertinent to the collection, treatment, and final disposal of effluent; support will be given for the continued separation of sanitary and stormwater collection systems and the development of correction programs to reduce ground and surface water infiltration; support will be given for the separation and disposal of industrial wastes which differ significantly from normal domestic sewage in strength or composition, or which contains significant qualities of grease, chemicals or suspended metals; and the planning management criteria enunciated for domestic water systems should be applied with equal consideration to sanitary sewerage systems. (184)
18. The development of small biological and physical-chemical plants in areas of existing or planned urban densities in rural environments will be supported, provided they are operated by a public agency or licensed private corporation or homes association and meet established federal and state operational and water-quality standards. (185)
19. Yamhill County will encourage, where feasible, the land disposal of treated waste effluents and will consider in land use actions around the cities of the county, the future need for such applications of treated wastes. (185) R
20. Yamhill County will support any consolidation of water and sewer facilities to secure the potential economies of scale and organization, providing their potential environmental impacts are consistent with existing land-use plans, related urban growth goals and policies, established water quality standards, and where separate local facilities are shown to be more expensive.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.04.02 Parks and Recreation.

- a) Summary. The Oregon State Park Department, Yamhill County, Chehalem Parks and Recreation District, the school districts and the Yamhill County cities provide a variety and different levels of park and recreation opportunities for county residents and the transient population. Most of the park land outside Yamhill County cities are accessible only by automobile. There is a lack of water-based recreational opportunities in Yamhill County.
- b) Goal Statement. To provide adequate recreational opportunities in both the rural and urban environments to meet existing and projected needs.
 - (i) *Policies*.
 1. Yamhill County will cooperate with all governments and recreation agencies within the region to identify recreation, open space, and scenic resources; determine resident and nonresident needs and formulate and implement measures for providing recreation services.
 2. Yamhill County will seek the cooperation of the cities, school districts and Chehalem Park and Recreation district in the joint acquisition, development, operation and maintenance of combined school and neighborhood park and playground sites in harmony with projected neighborhood needs and surrounding uses. (175)

3. Yamhill County will seek to offer greater opportunities for water-based recreation on the Willamette and South Yamhill Rivers and their tributaries. (175) R
4. Yamhill County will encourage the location of urban parks in scenic areas which are easily accessible to much of the urban population and which can be developed to provide recreation opportunities for a variety of age and interest groups. (176)
5. Yamhill County will encourage the development of rural parks with appropriate spacing to serve the needs of county residents on sites which have unique aesthetic value, appropriate access by road or path, and are otherwise suitable for picnicking and water-related activities. (176)
6. Yamhill County will encourage an appropriate amount of park and recreation development designed to meet the needs of the transient and regional population. (177) R
7. Yamhill County will promote the development of an integrated bicycle and pedestrian trail system to provide recreational opportunities and to link open space, Yamhill County communities and park areas. (178) R
8. Yamhill County will explore the possibilities of placing a greater share of the burden of park acquisition on new residents of the county who generate an increased demand for parks and open space. (178)
9. Yamhill County will encourage cooperation among government agencies to increase recreation opportunities, programs and facilities for county residents, and will explore the possibilities of providing recreation programs for the small towns and rural areas of the county. (179)
10. For the purpose of implementing recreation programs and development, Yamhill County will investigate funding alternatives such as tax levies, bonding grants in aid, user fees and subdivision ordinance stipulation.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.04.03 Willamette Greenway.

a) Summary.

- (i) The Willamette River is a valuable resource, offering unique scenic and recreational opportunities.
- (ii) A sound management program will ensure that the Willamette River remains valuable for all to enjoy.

b) Goal Statement. To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River.

(i) *Policies.*

1. Yamhill County will cooperate with appropriate governmental agencies and special districts to protect all Willamette Greenway lands and resources.
2. Yamhill County will identify a Willamette Greenway Boundary on the county comprehensive plan and zoning maps, and will develop and adopt a greenway ordinance, providing for the review of intensifications, changes of use, or developments within the Willamette Greenway Boundary to ensure compatibility with the goal.
3. Yamhill County will continue to cooperate with the Oregon Department of Transportation in examining the feasibility of future acquisition plans within the Willamette Greenway Boundary.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

SECTION 5 – ENVIRONMENTAL QUALITY
--

11.05.05.01 Air, Water and Land Resources Quality.

- ##### **a) Summary. Yamhill County has retained an overall high-quality natural environment, yet the impact of human activities on the environment has upset the natural ecological balances and the high aesthetic quality of the county in the past, and poses the threat of future deterioration. The increasing demands put upon the air resources of the county affect the capability of those resources to provide for a clean, enjoyable and safe**

environment. The Willamette Valley is prone to air pollution as a result of climatic and physiographic conditions. Suspended particulates from a number of sources, including automobiles, dust, field and slash burning, and industry process losses, pose the largest air pollution problem for Yamhill County.

b) Goal Statement. To conserve and to protect natural resources, including air, water, soil and vegetation and wildlife, from pollution or deterioration which would dangerously alter the ecological balance, be detrimental to human health, or compromise the beauty and tranquility of the natural environment. (189)

(i) *Policies*.

1. Yamhill County will cooperate with the State Department of Environmental Quality in enforcing state and federal regulations designed to achieve high air quality. (189) R
2. Yamhill County will, in making land use decisions relative to industrial or other uses likely to pose a threat to air quality, consider proximity of the proposed use to residential areas and meteorological factors such as seasonal prevailing wind direction and velocity. (190)
3. Yamhill County will cooperate with the State Department of Environmental Quality in implementing noise control regulations. (192)
4. Consideration will be given to adopting an ordinance requiring environmental impact review of all major public and private development proposals and the social and economic costs and benefits associated with any particular development proposal will be properly evaluated prior to public endorsement or approval. (196)
5. In order to maintain and improve the quality of the county's air, water and land resources, Yamhill County will seek to minimize irreversible and other long-term impacts in its development of energy resources; support efforts, where feasible, for the appropriate and efficient recovery of energy as a means to reduce waste problems; and encourage a program to recover and recycle used motor oil.

c) Goal Statement. To preserve and enhance the charm and amenity values of the county, while accommodating change, through ensuring harmony between urban development and the natural environment, at the same time cultivating more attractive urban environments in which to live, work and play. (193)

(i) *Policies*.

1. Yamhill County will, in cooperation with the cities, work to establish high standards for urban development and redevelopment, initiate incentives and regulatory programs to achieve such standards and seek abatement of the aesthetic degradation of the environment resulting from conflicting land uses and blighted neighborhoods, indiscriminate waste disposal, offensive outdoor storage and advertising, and the lack of adequate natural and landscaped open space. (193)
2. Yamhill County will work to maintain a healthy natural balance among the any life forms existing together within the region. (192)

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

SECTION 6 – ENERGY CONSERVATION

11.05.06.01 Energy Conservation.

a) Summary.

- (i) At the present time Yamhill County residents depend on oil, natural gas and electricity to meet 95 percent of their fuel and utility needs.
- (ii) All of these primary fuels are imported into the county, which means taking more capital out of local circulation to pay for energy use.
- (iii) Over 50 percent of the energy Yamhill County residents purchase is lost, largely through inefficient and inappropriate use.
- (iv) Energy resources that are efficiently and appropriately used offer numerous benefits including: prolonging existing rates, reducing energy-related expenses, conserving and creating local jobs, reducing pollution, and preserving natural resources.

- (v) Solar energy is available in Yamhill County to provide substantial portions of the residential and commercial heating needs.
- (vi) Sufficient wind energy is available at sites in Yamhill County to generate electricity cheaper than the cost of thermally (coal or nuclear) produced electricity.
- (vii) Water power and biomass wastes, including logging and mill residues, also offer potential energy sources to Yamhill County residents.

b) Goal Statements.

- (i) To reduce the per capita use of fossil fuels and other non-renewable sources of energy through the efficient and appropriate use of all energy.
- (ii) To promote the conservation of existing depletable energy resources and the development of local, renewable resources to ensure that an adequate supply will be available to Yamhill County citizens at a reasonable cost.

c) Policies.

- (i) Yamhill County will encourage and support the highest possible current and future energy efficient design standards in all land use issues.
- (ii) Yamhill County will identify, monitor and protect sites of energy supply, especially, but not limited to, wind and water power.
- (iii) Yamhill County will support efforts to investigate and establish appropriately scaled units of renewable energy production.
- (iv) Yamhill County will promote development of renewable energy resources, including but not limited to solar, wind, water and biomass.
- (v) Through the services of the Yamhill County Energy Committee, Yamhill County will continue efforts of cooperation and communication between citizens, utilities, local governments and state and federal agencies concerning energy-related issues and programs, and will participate in formulating state and regional policies that determine how energy is to be produced and consumed locally.
- (vi) Yamhill County will continue to provide information, technical assistance and otherwise demonstrate energy conservation.
- (vii) Yamhill County will continue its energy conservation planning program, amplifying its energy-related inventories, proposals, programs and plans, in efforts to guarantee a reasonable level of energy self-sufficiency.
- (viii) Yamhill County will establish standards to guide the appropriate and efficient use of energy in its programs, purchases and practices.
- (ix) Yamhill County will establish standards to conserve energy in its motor pool vehicles and practices.
- (x) Yamhill County will analyze and minimize total life cycle costs in its new and remodeling programs, and other capital investments.
- (xi) Yamhill County will encourage programs for resource recovery and recycling of solid wastes.
- (xii) Yamhill County will assist local governments to promote the use of conservation, solar and other renewable sources of energy supply.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

SECTION 7 – IMPLEMENTATION, EVALUATION, AND REVIEW

11.05.07.01 Citizen Involvement.

a) Summary.

- (i) Extensive efforts were made to involve Yamhill County citizens during the development of the 1974 County Comprehensive Plan.
- (ii) The county has a citizen involvement program composed of eight planning advisory committees which meet regularly to review land use proposals in their respective areas.

- (iii) The county’s citizen involvement program has been approved by the Land Conservation and Development Commission.

b) Policy.

- (i) Yamhill County will continue to implement an ongoing citizen involvement program that provides county residents opportunity to be involved in all phases of the planning process.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.07.02 Review and Update.

a) Summary.

- (i) Changing needs and conditions will necessitate future review, evaluation, and updating of the Comprehensive Plan and its supporting documents. Intergovernmental coordination of all planning activities affecting land uses within the county are necessary to assure an integrated comprehensive plan for the entire area of Yamhill County.

b) Policies.

- (i) Yamhill County will review any development concepts or proposals which conflict with the Plan Map, goals or policies in light of changing needs and conditions and in keeping with established procedures of Plan evaluation, amendment, and update.
- (ii) Yamhill County will undertake a major update of the Comprehensive Plan and review of all supporting documents every five years to ensure that an adequate factual basis for planning decisions is maintained.
- (iii) Yamhill County will encourage federal, state, and regional agencies and special districts to coordinate their planning efforts with those of the county.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

LEGISLATIVE HISTORY

Adopted via Ordinance No. 62 on 09/25/1974, effective 09/25/1974

Amended via Ordinance No. 72 on 08/20/1975, effective 08/20/1975

Repealed via Ordinance No. 206 on 06/27/1979, effective 06/27/1979

Adopted via Ordinance No. 206 on 06/27/1979, effective 06/27/1979

Amended via Ordinance No. 233 on 04/09/1980, effective 04/09/1980

Amended via Ordinance No. 301 on 09/01/1982, effective 09/01/1982

Amended via Ordinance No. 444 on 04/15/1987, effective 04/15/1987

Amended via Ordinance No. 471 on 12/28/1988, effective on 12/28/1988

Amended via Ordinance No. 491 on 12/12/1990, effective 12/12/1990

Amended via Ordinance No. 511 on 07/25/1990, effective 07/25/1990

Amended via Ordinance No. 517 on 01/30/1991, effective 01/30/1991

Amended via Ordinance No. 546 on 12/16/1992, effective 03/16/1992

Amended via Ordinance No. 565 on 12/29/1993, effective 12/29/1993

Amended via Ordinance No. 566 on 12/29/1993, effective 12/29/1993

Amended via Ordinance No. 596 on 07/19/1995, effective 10/17/1995

Amended via Ordinance No. 618 on 12/30/1996, effective 12/30/1996

Amended via Ordinance No. 747 on 09/30/2004, effective 09/30/2004

Amended via Ordinance No. 875 on 08/16/2012, effective 08/16/2012