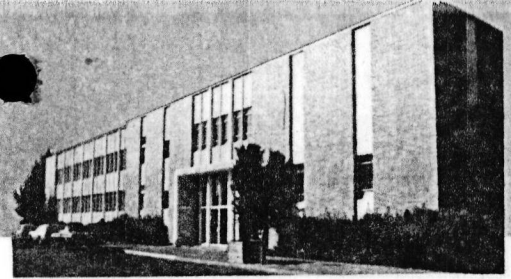


YAMHILL COUNTY

Oregon



DEPARTMENT OF PLANNING &
DEVELOPMENT

June 24, 1980

M.C. Gilbert
City Administrator
City of Newberg
414 E. First St.
Newberg, OR 97132

Re: Docket No. C-380-80

Dear Mr. Gilbert:

At the June 23, 1980 meeting of the Yamhill County Hearings Officer, your request for a conditional use greenway permit to allow construction of a 24" diameter water transmission line across the Willamette River via an existing bridge was approved. This decision was based on the following findings, as noted in the staff memorandum dated June 23, 1980.

1. Since the proposed water line would follow a route similar to the existing water line over an old highway bridge, there would be no adverse impact on fish and wildlife habitats, agricultural lands, significant natural and scenic areas, areas of ecological, scientific, historical or archaeological significance, areas of annual flooding or on the quality of air, water and land resources in and adjacent to the Greenway.
2. Criteria regarding the harvesting of timber, extraction of aggregate deposits and public access are not applicable to this application.
3. In that the City of Newberg's well field and water treatment facility is in the area and an existing water line follows the old highway bridge in a manner similar to the proposed water line, the proposed development would be compatible with the site, the surrounding area and the environment.
4. Approval of this request would assist in the maintenance of public safety in that the City of Newberg has indicated that the proposed water transmission line would alleviate present water storage shortages.
5. Approval of this request would not reduce the recreational potential of the area in that the proposed water line would be located on an existing bridge which is compatible with existing recreational uses in the area.
6. The proposed water line would be similar in character and location to the existing water line and, as such, erosion potential and the affect on the vegetative fringe should not change significantly.
7. In that the water line would cross the river over an existing bridge it

appears that it would be located away from the river to the greatest practicable degree.

Conditional use permit will not be issued until after fifteen (15) days of the date of the Hearings Officer's decision in order to allow for any appeal therefrom under Section 45 of the Ordinance. You may commence work authorized by the Commission only after the permit is issued.

The Yamhill County Zoning Ordinance, Ordinance No. 83, 1976, Section 45, provides for appeal of any action or ruling of the Hearings Officer by an affected party within fifteen (15) days of the decision of a proposed action. The Board of Commissioners, on its own motion, may also order review of any decision of the Hearings Officer within thirty (30) days of the decision. Anyone wishing to file an appeal on the Hearings Officer decision on your application must notify this office by letter indicating their desire to do so. Such letter must be received by this office no later than July 8, 1980, together with the appropriate filing fee. If no appeal is filed by any interested party or if no review is ordered by the Board of Commissioners, the decision of the Hearings Officer will be final.

Minutes of the Hearings Officer meeting are located in the office of the Department of Planning and Development, Room 17, Courthouse, McMinnville, Oregon, and are available for your inspection during regular working hours. If you have any questions, please contact this office.

Very truly yours,

for Maggie Collins
Dave Bishop
Planning Director

DB-MB:gb

cc: Board of Commissioners
Kramer, Chin & Mayo, Inc.
Clay Moorhead

STAFF MEMORANDUM
AGENDA ITEM 3
YAMHILL COUNTY HEARINGS OFFICER
June 23, 1980 - 7:30 P.M.
Yamhill County Courthouse, Rm. 105
McMinnville, Oregon

3. Docket: C-380-80
Request: A conditional use permit to allow the construction of a municipal water line across the Willamette River via an existing bridge within the Willamette River Greenway.
Location: Approximately $\frac{1}{4}$ mile South of the City of Newberg, at approximately River Mile 50 in the NW $\frac{1}{4}$ of Section 29, T3S-R2W.
Applicant: Kramer, Chin & Mayo, Inc. (City Of Newberg)

Findings of Fact

1. The applicant has requested a conditional use permit to allow construction of a municipal water line across the Willamette River via an existing bridge located within the Willamette River Greenway.
2. The proposed 24" diameter water transmission line would convey water from the City of Newberg's well field located in Marion County. There is currently a 12" diameter water transmission line extending from the well field, across the bridge to the water treatment plant located in Yamhill County. The larger water line is needed for the City to increase its water supply capability in order to avoid water shortages.
3. The bridge, across which the existing water line is constructed and the new water line is proposed, was formerly a highway bridge.
4. Surrounding land uses include Spaulding Pulp and Paper Co., the City of Newberg water treatment facility, a County Park and agricultural operations.
5. The County Watermaster has reviewed the proposal and found no conflicts with his interests.
6. The State Marine Board has reviewed the proposal and found no conflicts with their interests. They did question why a public hearing was being conducted.
7. The Oregon Department of Transportation has reviewed the proposal and found no conflict with their interests. They did indicate that a permit would be required and the preliminary plans would need to be reviewed. In addition, the bridge crossing would require Oregon State Highway Division Bridge Design approval.
8. The City of Newberg Planning Department has reviewed the proposal and found no conflicts with their interests.

9. The County Sanitarian has reviewed the proposal and found no conflicts with their interests.
10. The Marion County Planning Department is currently reviewing the City of Newberg's request and a copy of their decision and conditions of approval, if any, will be presented at the public hearing.
11. The Newberg/Dundee Planning Advisory Committee (PAC) reviewed the proposal at their May 28, 1980 meeting, and unanimously recommended approval of the application.

Decision-Making Criteria

Section 34.300 of Ordinance 203 provides that no conditional use permit shall be approved or issued which would allow any change of use, intensification of use, or development within the Willamette River Greenway District unless and until the application is reviewed and the following findings are made:

1. Agricultural lands will be preserved and maintained for farm use consistent with LCDC Statewide Planning Goal #3.
2. Significant fish and wildlife habitats will be protected.
3. Significant natural and scenic areas, viewpoints and vistas will be preserved.
4. Areas of ecological, scientific, historical, or archaeological significance will be protected, preserved, restored, or enhanced to the maximum extent possible.
5. The quality of the air, water and land resources in and adjacent to the Greenway will be preserved in the development, change of use, or intensification of use of land within the Willamette River Greenway District.
6. Areas of annual flooding, floodplains, water areas and wetlands will be preserved in their natural state to the maximum possible extent to protect the water retention, overflow and natural functions.
7. The natural vegetative fringes along the River will be maintained to assure scenic quality, protection of wildlife, protection from erosion and screening of uses from the River.
8. The harvesting of timber will be conducted in a manner which will ensure that wildlife habitat and the natural scenic qualities of the Greenway will be maintained or will be restored.

water line is only issue
minor intensification in use - considered
criteria adopt staff findings

9. The proposed development, change or intensification of use is compatible with the site, the surrounding area and the environment.
10. The proposed development, change or intensification of use, if located within 50 feet of the ordinary high water line and is a water or shoreline dependent use.
11. Erosion potential will be controlled in areas considered for development and change or intensification of use, by appropriate means which are compatible with the character of the Greenway.
12. Extraction of aggregate deposits and reclamation will be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, noise and safety.
13. Recreational needs will be satisfied by public and private means in a manner consistent with the carrying capability of the land and with minimum conflict with farm use.
14. Maintenance of public safety and protection of public and private property, especially from vandalism and trespass, will be provided to the maximum extent practicable.
15. A minimum building setback line of 50 feet from the ordinary high water line of the Willamette River will be provided except for buildings other than residences provided in conjunction with farm use and except for buildings and structures in conjunction with a water-related or a water dependent use.
16. Public access, where necessary and appropriate, will be provided to and along the River by appropriate legal means for any public use or development.
17. Any development will be located away from the River to the greatest possible degree.
18. The intensification, change of use or development provides the maximum landscaped area, open space or vegetation that is feasible between the activity and the River.

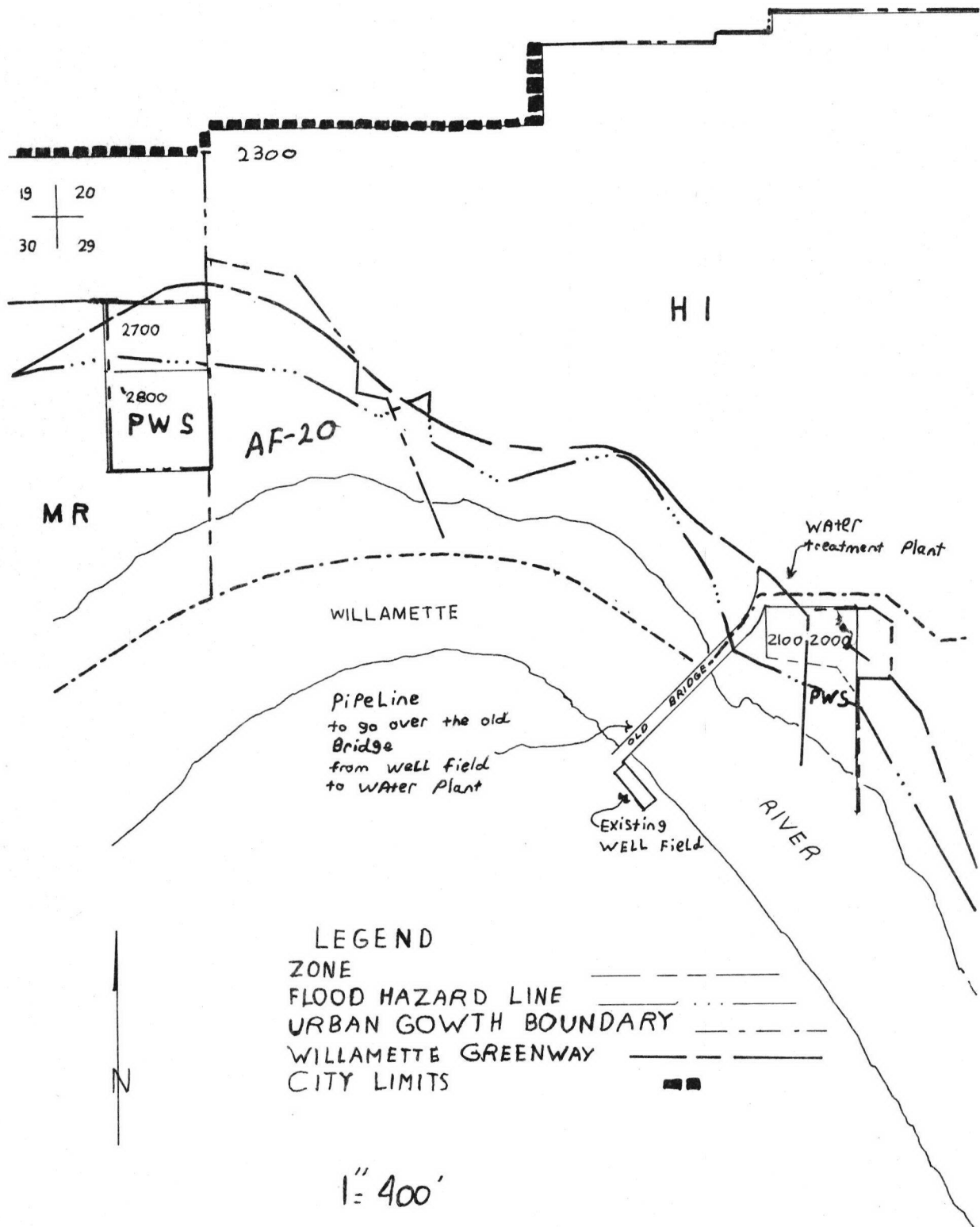
Recommendation

The following conclusionary findings can be made for approval of the application:

1. Since the proposed water line would follow a route similar to the existing water line over an old highway bridge, there would be no adverse impact on fish and wildlife habitats, agricultural lands, significant natural and scenic areas, areas of ecological, scientific, historical or archaeological significance, areas of annual flooding or on the quality of air, water and land resources in and adjacent to the Greenway.
2. Criteria regarding the harvesting of timber, extraction of aggregate deposits and public access are not applicable to this application.
3. In that the City of Newberg's well field and water treatment facility is in the area and an existing water line follows the old highway bridge in a manner similar to the proposed water line, the proposed development would be compatible with the site, the surrounding area and the environment.
4. Approval of this request would assist in the maintenance of public safety in that the City of Newberg has indicated that the proposed water transmission line would alleviate present water storage shortages.
5. Approval of this request would not reduce the recreational potential of the area in that the proposed water line would be located on an existing bridge which is compatible with existing recreational uses in the area.
6. The proposed water line would be similar in character and location to the existing water line and, as such, erosion potential and the affect on the vegetative fringe should not change significantly.
7. In that the water line would cross the river over an existing bridge it appears that it would be located away from the river to the greatest practicable degree.

Based on findings of fact and conclusionary findings for approval, staff recommends approval of the application.

C-380-80



YAMHILL COUNTY LAND USE APPLICATION

Fee waived

Yamhill County Department of
Planning and Development
Yamhill County Courthouse
McMinnville, OR 97128
503-472-9371 EXT 201

File No. C-380-20
Fee Paid _____ Receipt# _____
Date Received MAY 5 80
Staff Member gwe

☐ PLAN CHANGE

☐ ZONE CHANGE

Present Designation _____

Present District _____

Proposed Designation _____

Proposed District _____

☐ LOT SIZE VARIANCE

☒ CONDITIONAL USE

☐ ZONE VARIANCE

☐ SPECIAL EXCEPTION

Plan Designation: _____

Zone District: _____

Name of Applicant: Kramer, Chin & Mayo, Inc. Home: _____
Phone Office: 221-1814
Mailing Address: 10 S.W. Ash Street, Portland, Oregon 97204
Applicant is: ☐ Legal Owner ☐ Contract Purchaser ☒ Agent

DESCRIPTION OF SUBJECT PROPERTY

Legal Owner: City of Newberg, Oregon Signature: _____

Mailing Address: 414 East First Street, Newberg, Oregon 97132

~~Tax Lot No.~~ Old Highway Bridge Lot Size _____ (acres/sq.ft.)

1/4 of _____ 1/4 of Section 29 Township 35 Range 2W

General Location: Fronting _____ side of _____

_____ miles ^{NE} from _____ (name or number of road)

_____ ^{SW} (city)

Willamette River, River Mile 50; near Publishers Paper

1. What is requested: Permit to construct a 24-inch diameter water transmission line from the City's existing well field to the City's water treatment plant, across the Willamette River, utilizing the existing highway bridge. Also a permit to perform repair, sandblasting, painting and general maintenance functions to* As allowed by _____ Section _____ of the Zoning Ordinance.

2. Justification of Request: (Attach separate sheet).

*maintain the bridge in a useable state.

(OVER)

3. Present Use of Property: conveyance of water across the
Willamette River
4. Date of Purchase of Property: _____
5. Has a septic system Site Approval been obtained for the parcel?
Yes _____ No _____
6. Has a septic system Permit been issued for the parcel? Yes _____
No _____. If yes, list septic permit number _____
7. Has a well been drilled on the parcel? Yes _____ No _____
8. Has a road been constructed into the parcel? Yes _____ No _____
If no, has a road approach permit been obtained? Yes _____ No _____
What is the road approach permit number? _____
If yes, indicate type and width of road: _____
9. Are there currently any structures on the property? Yes _____ No _____
If yes, list type and current use of each structure: _____

10. Is the property serviced by city water or sewer? Yes _____ No _____
If yes, list servicing agency: sewer _____ water _____
11. Do you own any property abutting the parcel for which this request is
made? Yes _____ No _____
If yes, list tax lot number(s) _____
12. To your knowledge, have any previous requests been made to the Planning
Department on this tax lot? Yes _____ No _____
If yes, please indicate applicant's name and docket number: _____

I hereby certify that the above information and evidence submitted are
in all respects true and correct to the best of my knowledge and belief.
I understand that issuance of a permit based on this application will not
excuse me from complying with effective ordinances and resolutions of
Yamhill County and Oregon Revised Statutes despite any errors on the part
of the issuing authority in checking this application.

NOTE:

Attach detailed, accurate site plans
(1"=400' scale preferred). Other
statements, plans, photos, etcetra,
which would help to substantiate
and clarify your request may also be
submitted.

Michael
Applicant's signature

Date

5-1-80

2. JUSTIFICATION OF REQUEST

The City of Newberg has recently embarked on a program to increase its water supply capability to avoid past water shortages. The City currently conveys its water across the Willamette River from its well field in Marion County to the water treatment plant in Yamhill County in a 12-inch diameter pipe on the old Highway Bridge. This existing pipe is inadequate to carry the required increased flow, and as a result, there is a need to construct a new 24-inch diameter pipeline across the bridge. The new pipeline would continue the existing use of conveyance of water across the Willamette River.

To avoid further deterioration, maintenance functions on the bridge need to be performed.

NOTICE OF DECISION
GREENWAY DEVELOPMENT PERMIT CASE NO. 80-7

Notice is hereby given that the Planning Director for Marion County has APPROVED the following described conditional use greenway development permit subject to certain conditions. The findings and conclusions on which the Director based his decision are noted below.

APPLICATION: Application of city of Newberg to construct an above ground 24 inch pipeline within the Willamette River Greenway (Section 179.040 of the Marion County Zoning Ordinance) in an EFU (Exclusive Farm Use) zone on property located near Newberg at river mile 50 (Sec. 29, T3S, R2W)

FINDINGS AND CONCLUSIONS:

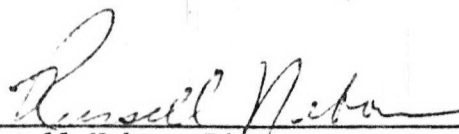
1. This request is for the city of Newberg to run an additional 24 inch water line from a well in Marion County across the Old State Highway Bridge (#140) into Yamhill County.
2. The city of Newberg has existing water lines running across the Old State Highway 140 Bridge which is no longer used for vehicular travel.
3. The pipeline would run underground on either side of the bridge.
4. The area in Marion County surrounding this site is in agricultural production.
5. This intensification of the existing use would not have a significant impact on any scenic, scientific or historical areas identified by the Marion County Comprehensive Plan.
6. By having the pipeline underground its impact on the natural vegetative fringe along the river and surrounding farmland will be minimized.
7. This additional pipeline will be compatible with the existing uses on the site and the surrounding area.
8. The Planning Department has received responses from the following agencies, all of which state they require a permit for the proposed activity: Marion County Department of Public Works, State Department of Transportation and the State Department of Health.
9. Provided that certain conditions of approval are complied with this request would meet the criteria specified in Section 179.050 of the Marion County Zoning Ordinance.

CONDITIONS:

1. The pipeline should be located in close proximity to the existing pipelines.
2. The pipe should be painted a color which will diminish its visual impact.

3. Permits shall be obtained from all of the required agencies including, but not limited to, the Marion County Department of Public Works, Oregon Department of Transportation and the Oregon Board of Health.

PROCEDURE: The Marion County Zoning Ordinance provides that greenway development permit applications be considered first by the County Planning Director. If the Planning Director is satisfied that the application clearly conforms with all Marion County land use policies and regulations he approves the application. Otherwise, the Director must deny the application. Any interested person may appeal the Director's decision. The appeal must be in writing and be received in the Marion County Planning Department, 220 High Street NE, Salem by Aug 2, 1980. A public hearing is held on appeals. The Hearings Officer or Planning Commission considers the application on the basis of the evidence presented at the hearing. The Director's previous decision does not prejudice the Hearings Officer's or Planning Commission's consideration. If you have any question about this application or the decision please call 588-5038 or visit the County Planning Office at the above address.



Russell Nebon, Director
Marion County Planning Department

July 18, 1980

Date

BROWN/bf

MARK KNUDSON - CRAMER CHIN & MAD



JUNE 3, 1980

CITY OF NEWBERG WELLS 5 & 6

A TRACT OF LAND SITUATED IN SECTION 29, TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, MARION COUNTY, OREGON THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF OREGON STATE HIGHWAY NO. 140 THAT IS THE NORTHWEST CORNER OF THAT TRACT CONVEYED TO THE CITY OF NEWBERG BY DEED RECORDED AT BOOK 391, PAGE 592, MARION COUNTY DEED RECORDS SAID BEING NORTH 3597.025 AND WEST 22.247 FEET FROM A $\frac{1}{2}$ INCH PIPE AT THE MOST EASTERLY NORTHEAST CORNER OF THE J.F. MARKLEY DONATION LAND CLAIM; THENCE ALONG THE ARC OF A 1248.207 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS N15°34'11"E 31.143 FEET) A DISTANCE OF 31.144 FEET; THENCE EAST 249.888 FEET; THENCE NORTH 127.723 FEET; THENCE EAST 200.00 FEET; THENCE SOUTH 200.00 FEET; THENCE WEST 214.445 FEET; THENCE SOUTH 183.791 FEET; THENCE WEST 165.518 FEET TO A POINT ON THE EAST LINE OF SAID CITY OF NEWBERG TRACT; THENCE NORTH ALONG SAID EAST LINE 226.067 FEET TO THE NORTHEAST CORNER OF SAID CITY OF NEWBERG TRACT; THENCE WEST, ALONG THE NORTH LINE OF SAID TRACT, 78.284 FEET TO THE POINT OF BEGINNING, CONTAINING 1.9663 ACRES OF LAND MORE OR LESS.

NAY:TR

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

FILED
YAMHILL COUNTY, OREGON

MAY 20 10 16 AM '80

WANDA CATT
COUNTY CLERK
DEPUTY

In the Matter of Waiving the Application Fees)
for Processing the Greenway Conditional Use)
Permit for the City of Newberg.)

ORDER NO. 80-263

THE BOARD OF COMMISSIONERS of Yamhill County, Oregon, (the Board) on the 7th day of May, 1980, sat for the transaction of County business, Commissioners Ted Lopuszynski, John P. Macaulay and Colin Armstrong being present.

IT APPEARING TO THE BOARD that the City of Newberg is planning to make some changes in the water line and to do some maintenance on the Bridge over the Willamette River, and

IT FURTHER APPEARING TO THE BOARD that the City of Newberg is asking the Board to waive the application fees for processing the Greenway Conditional Use permit to do the above described work, and

IT FURTHER APPEARING TO THE BOARD that it would be in the best interest of Yamhill County to waive the application fees for processing this permit.

IT IS, THEREFORE, HEREBY ORDERED BY THE BOARD that the Application Fees for processing the Greenway Conditional Use Permit for the City of Newberg, be and hereby are waived by the Yamhill County Board of Commissioners.

DONE this 7th day of May, 1980, at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

WANDA CATT
County Clerk

Ted Lopuszynski
Chairman Ted Lopuszynski

Patricia A. Mullen
Patricia A. Mullen

Deputy

APPROVED AS TO FORM:

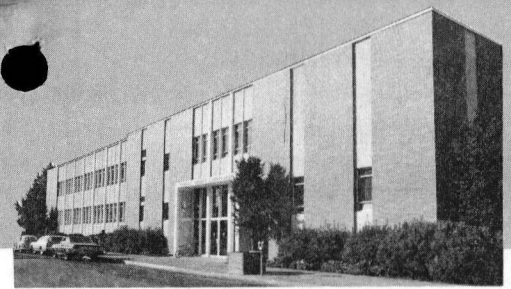
John P. Macaulay
Commissioner John P. Macaulay

BY: *Daryl S. Garrettson*
Daryl S. Garrettson, County Counsel

Colin Armstrong
Commissioner Colin Armstrong

YAMHILL COUNTY

Oregon



DEPARTMENT OF PLANNING &
DEVELOPMENT

YAMHILL COUNTY HEARINGS OFFICER HEARINGS

SPECIAL MEETING - JUNE 23, 1980

7:30 P.M.

County Courthouse, Rm. 105

AGENDA SUMMARY

1. Roll Call.
2. Approval of Minutes.
3. C-380-80 - See attached.
4. C-381-80 - See attached.
5. C-388-80/V-94-80 - See attached.
6. V-95-80 - See attached.
7. C-384-80/TS-115-80 - See attached.
8. C-385-80/TS-118-80 - See attached.
9. Report on Recent Board of Commissioners' Actions.
10. Other Business.
11. Adjournment.

3218-103 103

2. JUSTIFICATION OF REQUEST

The City of Newberg has recently embarked on a program to increase its water supply capability to avoid past water shortages. The City currently conveys its water across the Willamette River from its well field in Marion County to the water treatment plant in Yamhill County in a 12-inch diameter pipe on the old Highway Bridge. This existing pipe is inadequate to carry the required increased flow, and as a result, there is a need to construct a new 24-inch diameter pipeline across the bridge. The new pipeline would continue the existing use of conveyance of water across the Willamette River.

To avoid further deterioration, maintenance functions on the bridge need to be performed.

STAFF MEMORANDUM
AGENDA ITEM 4
YAMHILL COUNTY HEARINGS OFFICER
Juen 23, 1980 - 7:30 P.M.
Yamhill County Courthouse, Rm. 105
McMinnville, Oregon

4. Docket: C-381-80
Request: A conditional use permit to allow separation of a 1.5 acre parcel with an existing school house from an 88.78 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
Location: Approximately 1.5 miles West of the City of Amity, South of Highway 153 (Bellevue Hopewell Highway) in the NW $\frac{1}{4}$ of Section 30, T5S-R4W, Tax Lot 5430-500.
Applicant: John McDaniel.

Findings of Fact

1. The applicant has requested a conditional use permit to allow separation of a 65 acre parcel with an existing school house from an 88.78 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
2. There is currently a vacant, historic school building located on the property. The remainder of the property is generally devoted to grass seed production. Surrounding properties are generally characterized by intensive agricultural operations, predominantly grain and grass seed production. An electric substation is located across the highway from the applicants property.
3. Parcels in the area of the applicants property range in size from approximately 1 acre to over 350 acres.
4. The soils on the proposed 1.5 acre parcel are agricultural Class II, Amity silt loam with slopes of 0-2%. The soils on the property as a whole are predominantly Class II and IV, with lesser amounts of Class III soil also present according to the Soil Survey of Yamhill Area, Oregon prepared by the USDA-SCS, January, 1974.
5. The property is currently under farm deferral for tax purposes according to the County Assessor's Office.
6. The property abuts State Highway 153 (Bellevue-Hopewell Highway). The Oregon Department of Transportation reviewed the proposal and found no conflicts with their interests.
7. The County Sanitarian has indicated that an approved subsurface sewage disposal site has been located on the property. In addition, it was noted that due to the location of the approved drainfield area and the requested curtain drain, the distance between the North and South property lines of the proposed 1.5 acre parcel must be 300 feet.

8. The existing, historic Briedwell school building is estimated to have been built in 1907.
9. The Amity Planning Advisory Committee considered the application at their May 27, 1980 meeting, but due to the lack of quorum no official recommendation could be made.

Decision-Making Criteria

The Hearings Officer's decision must be based upon consideration of the following criteria:

1. ORS 215.213 provides for creation of non-farm residential dwellings in exclusive farm use zones if that use will not interfere with surrounding properties in agricultural use and will not alter the overall land use pattern of the area.
2. The Yamhill County Comprehensive Plan, 1974 provides on page 105 that "the (zoning) Ordinance will also protect agricultural lands from incompatible or competing uses, specifically rural residential uses." Further, that "all zoning designations will be sufficiently flexible to allow a landowner in a farm use zone to make some other productive use of portions of his land which are not productive farm land, provided such alternative use will not thwart the purpose of the zone in preserving and protecting highly productive farm land." Page 106 provides that in areas of productive farm land, "conditional uses will be of the type which would cause little damage to farmland or interfere with farm activities, and all such proposed uses will be reviewed to ensure compliance with the intent of the farm zone."
3. Section 11.370 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 states:

In the EF-40 District, pursuant to the provisions of ORS 215.213(3) and Articles IV and VI of this Ordinance, single-family dwellings or mobile homes, not provided in conjunction with farm use, may be authorized as conditional uses, upon a finding by the Board that each such dwelling or mobile home:

1. is compatible with farm uses described in ORS 215.203(2) and is consistent with the intent and purposes set forth in ORS 215.243; and
2. does not interfere seriously with accepted farming practices, as defined in ORS 215.023(2)(c), on adjacent lands devoted to farm use; and

3. does not materially alter the stability of the overall land use pattern of the area; and
4. is situated upon generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and location and size of tract; and
5. complies with such other conditions as the Hearings Body considers necessary, and provided that:
 - (a) no conditional use permit authorized under Section 11.370 of this Ordinance shall be permitted on any lot or site if its approval will reduce the parcel being partitioned or subdivided below forty (40) acres in size; and
 - (b) where proposed, a location and site plan shall first be prepared and approved by the Commission clearly delimiting and designating the land area deemed to be unsuitable for the production of farm crops and livestock, but suitable for single-family dwellings or mobile homes; and
 - (c) a subdivision or partition application shall be made and approved under the provisions of Ordinances adopted by Yamhill County controlling subdivision and partitioning adopted pursuant to ORS 92.044 and ORS 92.046 in respect to the land area designated and approved herein for residential use; and
 - (d) the overall residential density of any land area designated and approved herein for residential use, or any portion thereof to be developed in stages, shall not exceed one dwelling per two and one-half ($2\frac{1}{2}$) acres and the minimum lot size shall not be less than one (1) acre; and
 - (e) the number of lots to be created from any lot, site, or and under the same ownership in any calendar year shall exceed ten (10), and no additional lots shall be created until at least one-half ($\frac{1}{2}$) of those already created are occupied by single-family dwellings or mobile homes.
4. Policy II.A.2.a. of the Revised Goals and Policies of the Yamhill County Comprehensive Plan states that Yamhill County will continue to preserve those areas for farm use which exhibit Class I-IV soils as identified in the Capability Classification System of the U.S.S.C.S.

Recommendation

The following conclusionary findings can be made for denial of the application:

1. As a school house and later as a vacant structure, the building has been existing compatibly with surrounding agricultural operations, however, approval of this request would have the effect of converting the vacant structure into a nonfarm dwelling. This could be incompatible with farm uses described in ORS 215.203(2) and could potentially interfere with accepted farming practices on adjacent lands.
2. Although there are existing substandard parcels in the immediate area, the general parcelization pattern and land use characteristics of the area are such that introduction of a two (2) acre parcel and nonfarm dwelling could alter the stability of the overall land use pattern in the area.
3. Since the soil on the proposed 1.5 acrea parcel is Class II agricultural land, approval of this request would be inconsistent with the County policy regarding the preservation of Class I-IV soils.

The following conclusionary findings can be made for approval of the application:

1. The proposed partitioning would be compatible with farm uses described in ORS 215.203(2) and consistent with the intent and purposes set out in ORS 215.243 since it has coexisted with surrounding agricultural operations as a separate noncultivated parcel with a nonfarm structure since the early 1900's.
2. In that the proposed partitioning lies adjacent to an existing residence and is bordered from surrounding agricultural lands by a state highway and has existed as a nonfarm parcel and structure for several years without adversely affecting surrounding agricultural lands, it is not anticipated that this request would seriously effect accepted farming practices on adjacent lands.
3. Since the proposed 1.5 acre parcel already contains a nonfarm structure and any future structures on the remaining 87 plus acres must be in conjunction with farm use, approval of this request would not materially alter the stability of the overall land use pattern of the area.
4. Although the proposed 1.5 acre parcel consists of Class II agricultural land, it is located in an area of the property that historically has not been farmed and has been devoted to the school building, play ground and parking area. In addition, to convert the 1.5 acre parcel to agricultural land would necessitates the destruction of a historic structure and the size and nature of the track does not warrant the conversion of the parcel to agricultural production.

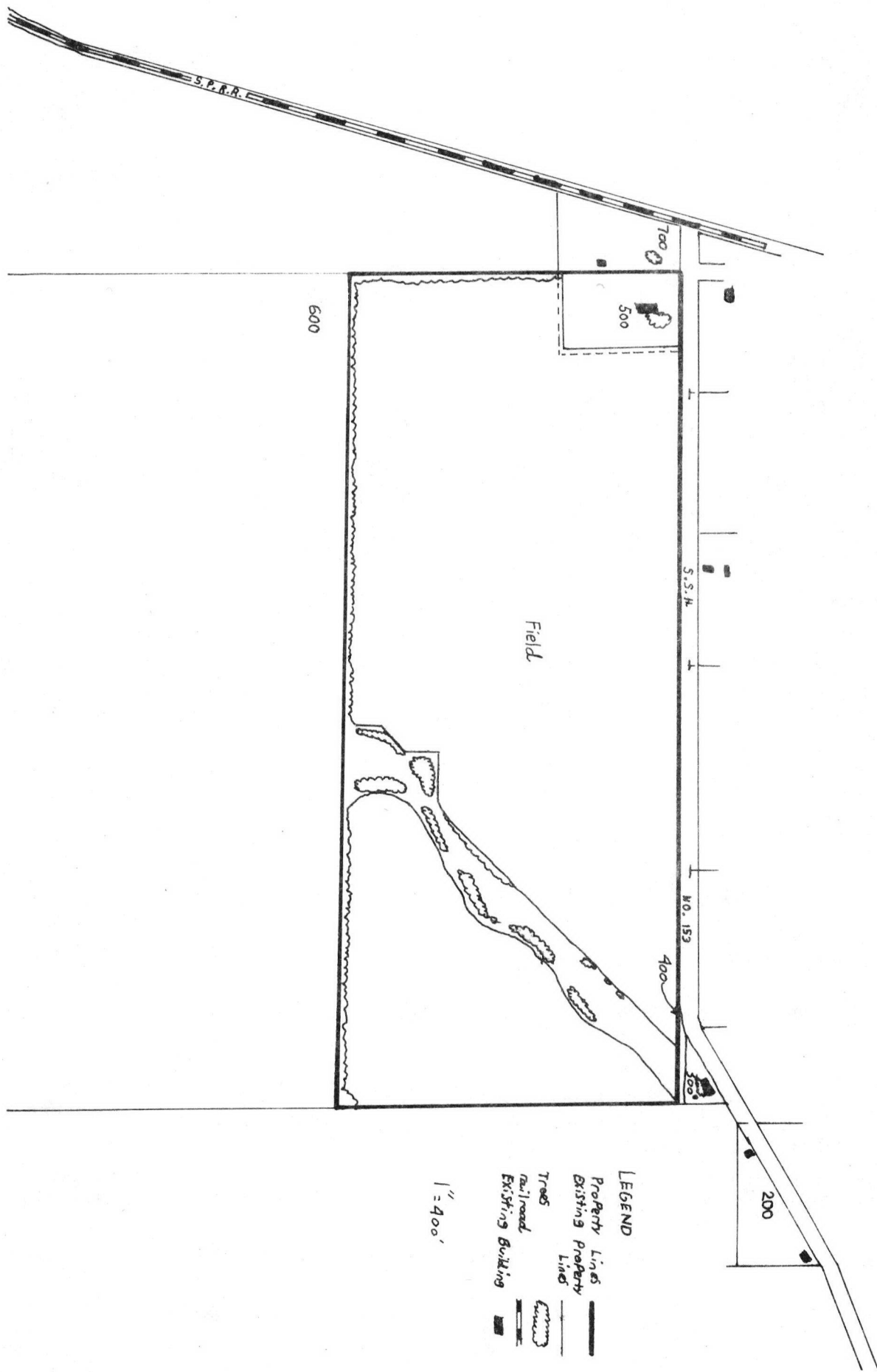
STAFF MEMORANDUM
AGENDA ITEM 4
YAMHILL COUNTY HEARINGS OFFICER
June 23, 1980 - 7:30 P.M.
Page 5

5. Since the remaining larger parcel would be 87 plus acres in size, approval of this request would not reduce the larger parcel below the minimum of 40 acres in the "EF-40" zone.

If the application is approved, staff recommends that the following condition be imposed:

1. In order to maintain the overall density requirement of one (1) principal dwelling per forty (40) acres, the existing residence shall be considered in all future density calculations of the larger parent parcel.

It appears from evidence presented in the application that approval of this request would provide a method to preserve and renovate a structure of historic significance. In view of this unique situation and based on the findings of fact and conclusionary findings for approval, staff recommends approval of the application.



YAMHILL COUNTY LAND USE APPLICATION

Yamhill County Department of
Planning and Development
Yamhill County Courthouse
McMinnville, OR 97128
503-472-9371 EXT 201

File No. C-381-80
Fee Paid \$125.00 Receipt # 8643
Date Received 5-6-80
Staff Member MCHM-

☐ PLAN CHANGE

☐ ZONE CHANGE

Present Designation _____

Present District _____

Proposed Designation _____

Proposed District _____

☐ LOT SIZE VARIANCE

☒ CONDITIONAL USE

☐ ZONE VARIANCE

☐ SPECIAL EXCEPTION

Plan Designation: "AFLH"

Zone District: "EF-40"

Name of Applicant: John M. McDaniel Home: 472-2042
Phone Office: 472-5158
Mailing Address: Route 3, Box 432 McMinnville, OR 97128
Applicant is: ☐ Legal Owner ☒ Contract Purchaser ☐ Agent

DESCRIPTION OF SUBJECT PROPERTY

Legal Owner: Wallace Harrison Signature: _____

Mailing Address: Mississippi

Tax Lot No. 5430-500 Lot Size 88.78 Acres (acres/sq.ft.)

1/4 of 1/4 of Section 30 Township 5S Range 4W

General Location: Fronting South side of SSH #153

2 1/2 miles West NE from Amity on Bellevue Road just before you cross SP Railroad
SW (city)

1. What is requested: Separation of 1 1/2 Acre partial with existing old school house
from a tract of land containing 87.77 acres total. This school has been known as
No. 7 school and was built in early 1900's.

As allowed by Section 11.370 of the
Zoning Ordinance.

2. Justification of Request: (Attach separate sheet).

(OVER)

3. Present Use of Property: All of the acreage in total tract is being cultivated and farmed except the area where the old school is located and its old yard and parking area which have existed for many years.
4. Date of Purchase of Property: 1978
5. Has a septic system Site Approval been obtained for the parcel?
Yes _____ No X Old existing septic tank on property
6. Has a septic system Permit been issued for the parcel? Yes _____
No X _____. If yes, list septic permit number _____
7. Has a well been drilled on the parcel? Yes X Old existing No _____
8. Has a road been constructed into the parcel? Yes X borders No _____
SSN #153
If no, has a road approach permit been obtained? Yes _____ No _____
What is the road approach permit number? Pre dates _____
If yes, indicate type and width of road: _____
9. Are there currently any structures on the property? Yes X No _____
If yes, list type and current use of each structure: Old existing school house plus storage shed.
10. Is the property serviced by city water or sewer? Yes _____ No X _____
If yes, list servicing agency: sewer _____ water _____
11. Do you own any property abutting the parcel for which this request is made? Yes _____ No X _____
If yes, list tax lot number(s) _____
12. To your knowledge, have any previous requests been made to the Planning Department on this tax lot? Yes _____ No X _____
If yes, please indicate applicant's name and docket number: _____

I hereby certify that the above information and evidence submitted are in all respects true and correct to the best of my knowledge and belief. I understand that issuance of a permit based on this application will not excuse me from complying with effective ordinances and resolutions of Yamhill County and Oregon Revised Statutes despite any errors on the part of the issuing authority in checking this application.

NOTE:

Attach detailed, accurate site plans (1"=400' scale preferred). Other statements, plans, photos, etcetra, which would help to substantiate and clarify your request may also be submitted.

John M. McDaniel
Applicant's signature

5-6-80

Date

Justification for request for partitioning of this partial of land is based on Section 11.370 as follows:

1. The separation would be compatible with farm uses described in ORS 215.203(2) because it has been separated from the actual farm land portion of the total land ever since the school house was built and the adjoining school yard area was fenced off from the total acreage.

. It would seem that this partitioning would be consistent with the intent and purposes set forth in ORS 215.243 in the respect that the economic returns of the school house area in its present condition are very small on the county tax roll and positively no return to me unless I would destroy this old historic landmark and farm the area in question, which is not reasonable considering the lot size and the value of the building.

2. The separation would in no way interfere with accepted farming practices as defined in ORS 215.203(2)(c) on adjacent lands devoted to farm use. This partial has not been used in the farming operation of either the present owner or past owners ever since it was built as a school years ago. The location of the partial is in the extreme NW corner of the total tract, next to an existing home bordering an existing state secondary road.

3. This separation can in no way materially alter the stability of the overall land use pattern of the area as it will not be changing anything that does not already exist and has been existing for many, many years.

4. This partial is unsuitable for production of crops in its present condition because of its past usage as a school and existing yard area. In order to put this in a productive condition I would either have to destroy its present building or sell it to some one who can utilize it in its present condition by renovating the

old school house. The land size in itself is too small to warrant destroying the building to recover the farm ground.

5. It is hoped that this separation would comply with other conditions the Commission considers necessary.

John M McDaniel

STAFF MEMORANDUM

AGENDA ITEM 6

YAMHILL COUNTY HEARINGS OFFICER

June 23, 1980 - 7:30 P.M.

Yamhill County Courthouse, Rm. 105

McMinnville, Oregon

6. Docket; C-388-80/V-94-80
 Request: A conditional use/variance to allow the placement of a secondary residence for farm help on a 4.63 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40" and "AF-20".
 Location: Approximately 1.5 miles West of the City of Dundee South of County Road No. 95 (Worden Hill Rd.) in the SE $\frac{1}{4}$ of Section 27, T3S-R3W, Tax Lot 3327-2500.
 Applicant: John & Sally Bauers.

Findings of Fact

1. The applicant has requested a variance to allow the placement of a secondary residence for farm help on a four point six (4.6) acre parcel in an area designated "Agriculture/Forestry Large Holding" and zoned "EF-40".
2. The applicant has a total of thirty (30) acres in his ownership, Tax Lot No's 3327-1501, 2500 and 2600. The applicant is involved in the growing and harvesting of grapes on 25 acres of his property.
3. At this time there is a single-family dwelling on the property, which is occupied by the applicant.
4. The soil on the property is primarily Class III, Jory clay loam according to the Soil Survey of Yamhill Area, Oregon, prepared by USDA-SCS, January, 1974.
5. The applicant has addressed the variance criteria 1-10 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976, Section 41.
6. The County Sanitarian has indicated that there is an approval for a new underground sewage disposal system.
7. The parcels, Tax Lot No's 3327-1501 and 2600, which are in the applicant's ownership, are presently under farm deferral for tax purposes according to the County Assessor's office.
8. The Newberg/Dundee Planning Advisory Committee (PAC) has considered the application at their regular May meeting and requested that the application be changed from a variance to a conditional use permit. At that time they approved the application with the following conditions:
 1. That there will be a restriction placed on the adjoining property, Tax Lot No. 3327-2600, that no additional dwelling shall be built.

9. The application was modified from a variance to the conditional use/ variance, in order to accommodate the possibility of imposing conditions on the application.

Decision-Making Criteria

The Hearings Officer's decision must be based upon the following criteria:

Reference to Section 41 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976: "The purpose of a variance is to provide administrative relief when a strict application of the zoning requirements for ... lot area ... would impose unusual practical difficulties or unnecessary physical hardship on the property owner."

Section 41.200 provides that the Hearings Officer may authorize a variance ... after making all of the following findings:

1. That it will not be contrary to the public interest or to the intent and purpose of this Section, this Ordinance, and the zoning district in which it is located.
2. That, owing to special conditions, a literal enforcement of the Ordinance would result in unnecessary hardship to the property owner.
3. That it shall not permit the establishment of any use which is not permitted within a particular zoning district, or any use for which a conditional use permit is required.
4. That special conditions and circumstances exist which are peculiar to the land, building or structure involved and which are not applicable to other lands, buildings, or structures in the same zoning district.
5. That literal interpretation of the requirements of this Ordinance would deprive the applicant of rights commonly enjoyed by owners of other properties in the same zoning district under the terms of this Ordinance and would result in an unnecessary hardship on the owner of the property.
6. That the special conditions and circumstances do not result from the actions of an owner of the property.
7. That granting the variance requested will not confer on the applicant any special privilege with regard to the use of lot or site which is denied by this Ordinance to other lands, buildings or structures in the same zoning district.

8. That no non-conforming use of adjacent lands, buildings, or structures in the same zoning district, and no permitted or non-conforming use of lands, buildings, or structures in other zoning districts shall be considered grounds for the issuance of a variance.
9. That the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure in harmony with the intent of this Ordinance.
10. That such variance would result in minimal detriment to the neighborhood and would not cause substantial adverse effect upon property values or environmental conditions in the immediate vicinity or in the district in which the property is located.

Recommendation

The following conclusionary findings can be made for approval of the application:

1. The granting of the variance will not be contrary to the public interest or to the intent and purpose of Section 41 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 in that this request is not changing the size, the nature or the character of the parcel itself.
2. Special condition in the form of the size of the property is not the result of an action by the present property owner and are peculiar to this land; therefore, a literal enforcement of the zoning ordinance would result in an unnecessary hardship to the property owner.
3. The proposed variance would not allow the establishment of a use not permitted in the "EF-40" zoning district.
4. The granting of the variance would not confer any special privilege in regards to use of the site which is denied other property owners in the area.
5. The proposed variance from the Zoning Ordinance requirements is the minimum variance possible.
6. The granting of the variance would not cause adverse impact on property values in the immediate vicinity of the applicant's property.

STAFF MEMORANDUM
AGENDA ITEM 6
YAMHILL COUNTY HEARINGS OFFICER
June 23, 1980 - 7:30 P.M.
Page 4

7. The conditional use shall comply with the standards of the "EF-40" zoning district.

If the application is approved staff recommends that the following conditions be imposed:

1. That the temporary structure be issued to the applicant for the purpose of providing a dwelling for his farm help, and that it be nontransferable.
2. That the secondary dwelling be reviewed after three (3) years for compliance with the provisions of the permit.
3. That upon termination of the requested use the secondary dwelling shall be removed from the parcel.
4. That the permit shall automatically become null and void if the land changes ownership.
5. That as long as the secondary dwelling is used for farm help, there will be a building restriction on the rest of the applicant's property Tax Lots 3327-2600 and 1501, and no additional dwellings shall be built.
6. That John and Sally Bauers shall sign an agreement with Yamhill County acknowledging all conditions imposed by the Hearings Officer regarding Docket No. C-388-80/V-94-80 and shall submit evidence to the Planning Director that such agreement has been recorded in the deed and mortgage records of Yamhill County.

Based on the findings of fact and conclusionary findings for approval, staff recommends approval of the application.

1. Variance will not increase the number of septic tanks, nor will it decrease the amount of usable agricultural land.
2. Placing the mobile home on nearby land would be much more costly, because of need for another septic tank.
3. The variance will actually enhance agricultural use of the land.
4. The owner also owns agricultural land nearby.
5. Without the variance it would be much more difficult to house the necessary agricultural workers.
There are other mobile homes in the area, which are utilized for agricultural workers.
6. Parcels of the land have been purchased individually by the owner, as they presently are.

7. The reason for the variance is ~~agricultural~~. The area is zoned agricultural and the same privileges are granted to other agricultural lands.

8. ~~Issuance~~ of variance would conform to the use of all adjacent lands, which is agricultural

9. This is definitely the minimum variance that would allow the desired agricultural use of the property

10. The ~~issuance~~ of variance would only change the location of the mobile home (lot size variance for adjacent piece of property has been waived)

There would be no detriment to the neighborhood. It would not have adverse effect on property values. Eliminating the need for another septic tank might even improve the environmental conditions.

LEGEND

Property Lines

Property Site

Proposed Site

zone

woods

Buildings

1" = 400'



AF-20

Woods

1701

PWS

1400

1700

1500

orchard

1501

1502

orchard

1600

ORCHARD

1800

COUNTY

ROAD

N6

95

2800

EF-40

2600

E-2500

2400

orchard

2300

EF-40

2000

2700

STAFF MEMORANDUM

AGENDA ITEM 6

YAMHILL COUNTY HEARINGS OFFICER

June 23, 1980 - 7:30 P.M.

Yamhill County Courthouse, Rm. 105

McMinnville, Oregon

6

6. Docket: V-95-80
Request: A variance to the minimum side yard setbacks of 15' to permit construction of a pole building within 5' of the property line, on a three (3) acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
Location: Approximately four (4) miles Southeast of the City of Sheridan, West of Market Road No. 25 (Bellevue Ballston Road), in the SE $\frac{1}{4}$ of Section 32, T5S-R5W, Tax Lot 3255-14-1 & 3255-5-1.
Applicant: Kenneth Johnson.

Findings of Fact

1. The applicant has requested a variance to the minimum side yard setback requirements of 15' to permit construction of a pole building within 5' of the property line on a three (3) acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
2. There is currently a single-family dwelling and a small storage shed located on the property. The storage shed is to be demolished upon completion of the proposed pole building. Surrounding properties are characterized by intensive agricultural operations, predominantly grain production. The South Yamhill River borders the southern edge of the applicant's property.
3. The soils on the property are agricultural Class II and VI, Willamette silt loam and Terrace escarpments, according to the Soil Survey of Yamhill Area, Oregon, prepared by the USDA-SCS, January, 1974.
4. The property consists of two (2) tax lots (3255-5-1 and 3255-14-1). The proposed pole building would be built on tax lot 3255-14-1, which is an abandoned roadway. The roadbed is flat, hard and rocky. A significant portion of the remainder of the property is characterized by unfavorable terrain for construction purposes and is within the floodplain of the South Yamhill River. An alternative, relatively flat potential building site, is devoted to a vegetable garden.
5. The County Sanitarian has indicated that they reviewed the proposal and found no conflicts with their interests provided that the proposed pole building is not positioned over any portion of an existing septic system.

6. The County Road Department has reviewed the proposal and found no conflicts with their interests.
7. The Sheridan Planning Advisory Committee (PAC) reviewed the request at their June 2, 1980 meeting, and unanimously recommended approval of the application. This decision was based on the lack of alternative sites on the property for the proposed pole building and the fact that there were no objections from adjacent landowners.

Decision-Making Criteria

The Hearings Officer's decision must be based upon consideration of the following criteria:

The purpose of a variance is to provide administrative relief when a strict application of the zoning requirements for lot width, lot depth, lot depth, lot area, building height, setback, access or other dimensional requirements in any zoning district would impose unusual practical difficulties or unnecessary physical hardships on the property owner. These difficulties or hardships may result from geographic, topographic or other physical conditions on the site or in the immediate vicinity or from street location or traffic conditions in the immediate vicinity. No variance shall be permitted which would have the effect of rezoning, or granting a special privilege with regard to use of lot or site not shared by other property in the same district. No variance shall be granted if a hardship is commonly shared by adjacent parcels when rezoning to a more appropriate use is the proper remedy.

Section 41.200 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976, states:

1. That it will not be contrary to the public interest or to the intent and purpose of this Section, this Ordinance, and the zoning district in which it is located.
2. That, owing to special conditions, a literal enforcement of the Ordinance would result in unnecessary hardship to the property owner.
3. That it shall not permit the establishment of any use which is not permitted within a particular zoning district, or any use for which a conditional use permit is required.

4. That special conditions and circumstances exist which are peculiar to the land, building or structure involved and which are not applicable to other lands, buildings, or structures in the same zoning district;
5. That literal interpretation of the requirements of this Ordinance would deprive the applicant of rights commonly enjoyed by owners of other properties in the same zoning district under the terms of this Ordinance and would result in an unnecessary hardship on the owner of the property.
6. That the special conditions and circumstances do not result from the actions of an owner of the property.
7. That granting the variance requested will not confer on the applicant any special privilege with regard to the use of lot or site which is denied by this Ordinance to other lands, buildings or structures in the same zoning district.
8. That no nonconforming use of adjacent lands, buildings, or structures in the same zoning district, and no permitted or nonconforming use of lands, buildings, or structures in other zoning districts shall be considered grounds for the issuance of a variance.
9. That the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure in harmony with the intent of this Ordinance.
10. That such variance would result in minimal detriment to the neighborhood and would not cause substantial adverse effect upon property values or environmental conditions in the immediate vicinity or in the district in which the property is located.

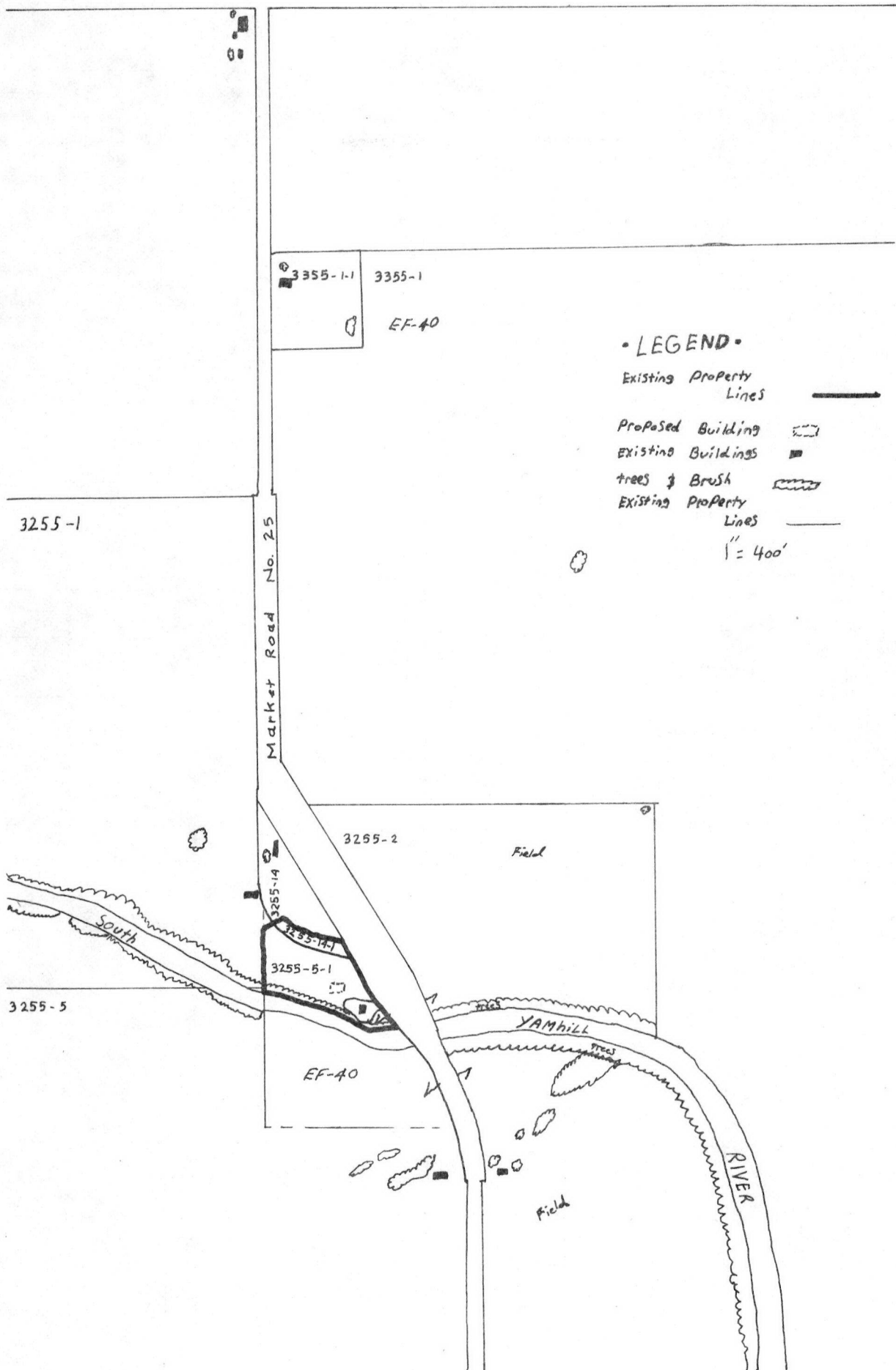
Recommendation

The following conclusionary findings can be made for approval of the application:

1. The requested variance would be consistent with the intent and purpose of Section 41 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976, and the "EF-40" zoning district and would not be contrary to the public interest in that the requested relief pertains to adverse land conditions and the proposed pole building is agricultural in nature.
2. A literal enforcement of this ordinance would result in an undue hardship on the applicant in that utilization of the only alternative level building spot would deprive the applicants of their garden lot.

3. The proposed pole building is a permitted use in the "EF-40" zone.
4. Special conditions in the form of topographical constraints and the floodplain of the South Yamhill River limit the availability of an alternative building site.
5. A literal interpretation of the requirements of this ordinance would remove the cultivated portion of the property from production, thereby denying the applicant a right commonly enjoyed by owners of other properties in the "EF-40" zone.
6. The special conditions upon which the variance request is based are geographic and topographic in nature and not the result of an action of the property owner.
7. Granting the variance would allow the applicant to continue utilizing the cultivated portion of their property for a garden and would not confer a special privilege on the applicant with regard to the use of the property.
8. The applicant has not based the variance request on any nonconforming uses of adjacent lands which may exist in the same zoning district.
9. The applicant has submitted justification for the requested variance and it appears from the plot plan and the lay of the land that the variance is the minimum variance that will make possible the reasonable use of the land.
10. Since the proposed pole building is agricultural in nature, it would be consistent with the "EF-40" zone and compatible with surrounding agricultural uses and would not adversely effect the environment or surrounding property values.

Based on findings of fact and conclusionary findings for approval, staff recommends approval of the application.



YAMHILL COUNTY LAND USE APPLICATION

Yamhill County Department of
Planning and Development
Yamhill County Courthouse
McMinnville, OR 97128
503-472-9371 EXT 201

File No. V-95-80
Fee Paid 5/31/80 Receipt # 8668
Date Received 5/21/80
Staff Member MB

☐ PLAN CHANGE

☐ ZONE CHANGE

Present Designation _____

Present District _____

Proposed Designation _____

Proposed District _____

☐ LOT SIZE VARIANCE

☐ CONDITIONAL USE

☒ ZONE VARIANCE

☐ SPECIAL EXCEPTION

Plan Designation: ATZ H

Zone District: CE-10

X
Name of Applicant: Kenneth L. Johnson Home: 843-3434
Phone Office: 843-2433
Mailing Address: Route 1, Box 71A, Sheridan, OR
Applicant is: ☒ Legal Owner ☐ Contract Purchaser ☐ Agent

DESCRIPTION OF SUBJECT PROPERTY

Legal Owner: Kenneth L. Johnson Signature: Kenneth L. Johnson
Mailing Address: Route 1, Box 71A
Tax Lot No. 3255-14-1 3255-5-1 Lot Size 3 acres (acres/sq.ft.)
1/4 of 1/4 of Section 32 Township 5S Range 5W
General Location: Fronting west side of _____
(name or number of road)
5 miles NE from Sheridan
(city)

1. What is requested: Variance to set back requirements for construction of pole barn. Building to be built within 5' of property line.

_____. As allowed by _____ Section _____ of the
Zoning Ordinance.

2. Justification of Request: (Attach separate sheet).

see attached

(OVER)

3. Present Use of Property none - only our personal for parking vehicles
4. Date of Purchase of Property: June, 1979
5. Has a septic system Site Approval been obtained for the parcel? N/A
Yes ✓ No _____
6. Has a septic system Permit been issued for the parcel? Yes ✓
No _____. If yes, list septic permit number home is 10 yrs. old
7. Has a well been drilled on the parcel? Yes ✓ No _____
8. Has a road been constructed into the parcel? Yes ✓ No _____
If no, has a road approach permit been obtained? Yes _____ No _____
What is the road approach permit number? _____
If yes, indicate type and width of road: black top
9. Are there currently any structures on the property? Yes x No _____
If yes, list type and current use of each structure: _____
One-family dwelling and small storage shed which will be demolished upon
completion of the pole barn
10. Is the property serviced by city water or sewer? Yes _____ No x
If yes, list servicing agency: sewer _____ water _____
11. Do you own any property abutting the parcel for which this request is made? Yes _____ No x
If yes, list tax lot number(s) _____
12. To your knowledge, have any previous requests been made to the Planning Department on this tax lot? Yes _____ No x
If yes, please indicate applicant's name and docket number: _____

I hereby certify that the above information and evidence submitted are in all respects true and correct to the best of my knowledge and belief. I understand that issuance of a permit based on this application will not excuse me from complying with effective ordinances and resolutions of Yamhill County and Oregon Revised Statutes despite any errors on the part of the issuing authority in checking this application.

NOTE:

Attach detailed, accurate site plans (1"=400' scale preferred). Other statements, plans, photos, etcetra, which would help to substantiate and clarify your request may also be submitted.

Kenneth J. Johnson
Applicant's signature

5/21/80
Date

Justification of Request:

Our property is located on the site of the old county road and proposed location for the building is on this old road bed, therefore, the land is of no value for any use. The remainder of the property is banks of the Yamhill River. The only other land available for the structure would be our current garden lot.

STAFF MEMORANDUM
 AGENDA ITEM 7
 YAMHILL COUNTY HEARINGS OFFICER
 June 23, 1980 - 7:30 P.M.
 Yamhill County Courthouse, Rm. 105
 McMinnville, Oregon

7. Docket: C-384-80/TS-115-80
 Request: A conditional use/temporary structure permit to allow the placement of a temporary secondary residence on a 152 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "AF-20".
 Location: Approximately five (5) miles Northwest of the City of Sheridan, Northeast of Market Road No. 8 (Rock Creek Rd.) in the NW ¼ of Section 17, T5S-R6W, Tax Lot 1756-1.
 Applicant: Ed. Hasslen.

Findings of Fact

1. The request is in accord with the public interest. The assistance given will alleviate both anxiety and hazard for both the Hasslens' and the Cochrans'. Temporary permits, Section 39 provides for the issuance of a permit for a use which is temporary or seasonal in nature. The "Agricultural/Forestry Large Holding" zone allows for the placement of a temporary dwelling for special care under Section 11.340, Yamhill County Zoning Ordinance, Ordinance No. 83, 1976. The applicant's request is in accord with the intent and purpose of the Ordinance.
2. The requested use is allowed under Section 11.340, Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 as a conditional use.
3. A subsurface sewage repair permit has been issued the applicant and the proposed mobile home will be connected to a newly installed sanitation system. There are no anticipated inordinate environmental difficulties.
4. A general regulation is provided within the text of Section 11.340 that allows the requested use.
5. The property is under the control of Mr. & Mrs. Ed Hasslen, the applicant.
6. The request is deemed to be of the utmost importance and urgency. It is apparent that Mr. & Mrs. Cochran require assistance which can be provided by their daughter, Mrs. Hasslen. The request is in conformance with the provisions of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976.
7. Public notice was posted on May 22, 1980. There have been no adverse comments received on this application.

8. Attached is a letter dated May 22, 1980 from Alton E. Wiebe, M.D., that describes the reasoning behind Mr. & Mrs. Hasslen's request for a Temporary Structure/Conditional Use Permit.

Decision-Making Criteria

The Hearings Officer's decision must be based upon consideration of the following criteria:

Section 11.340 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 states: In the EF-40 District, when authorized pursuant to Article VI of this Ordinance one (1) mobile home shall be permitted in conjunction with the principal dwelling or mobile home of the owner on any lot or site for the purpose of providing a separate residence on a temporary basis for owner's father, mother, brother, sister, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, grandparent or grandchild, or other person requiring special care subject to the following conditions:

1. Any permit issued hereunder shall be valid for a period of three (3) years or such shorter period as the Commission or hearings body determines to be appropriate, provided, however, that such permit may be revoked by the Director at any time if any of the reasons for which the permit was granted are no longer applicable, or any condition attached thereto is violated.
2. Any permit issued hereunder is granted to the applicant only and is not deemed to run with the land.

Recommendation

The following conclusionary findings can be made for approval of the request:

1. The application satisfies the requirements of Section 11.340 and Section 42 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976.
2. The proposed secondary dwelling would be on the same site as the principal dwelling and would utilize existing facilities for sewerage and water.

Based upon the conclusionary findings for approval, staff recommends approval of the application with the following conditions:

STAFF MEMORANDUM

AGENDA ITEM 7

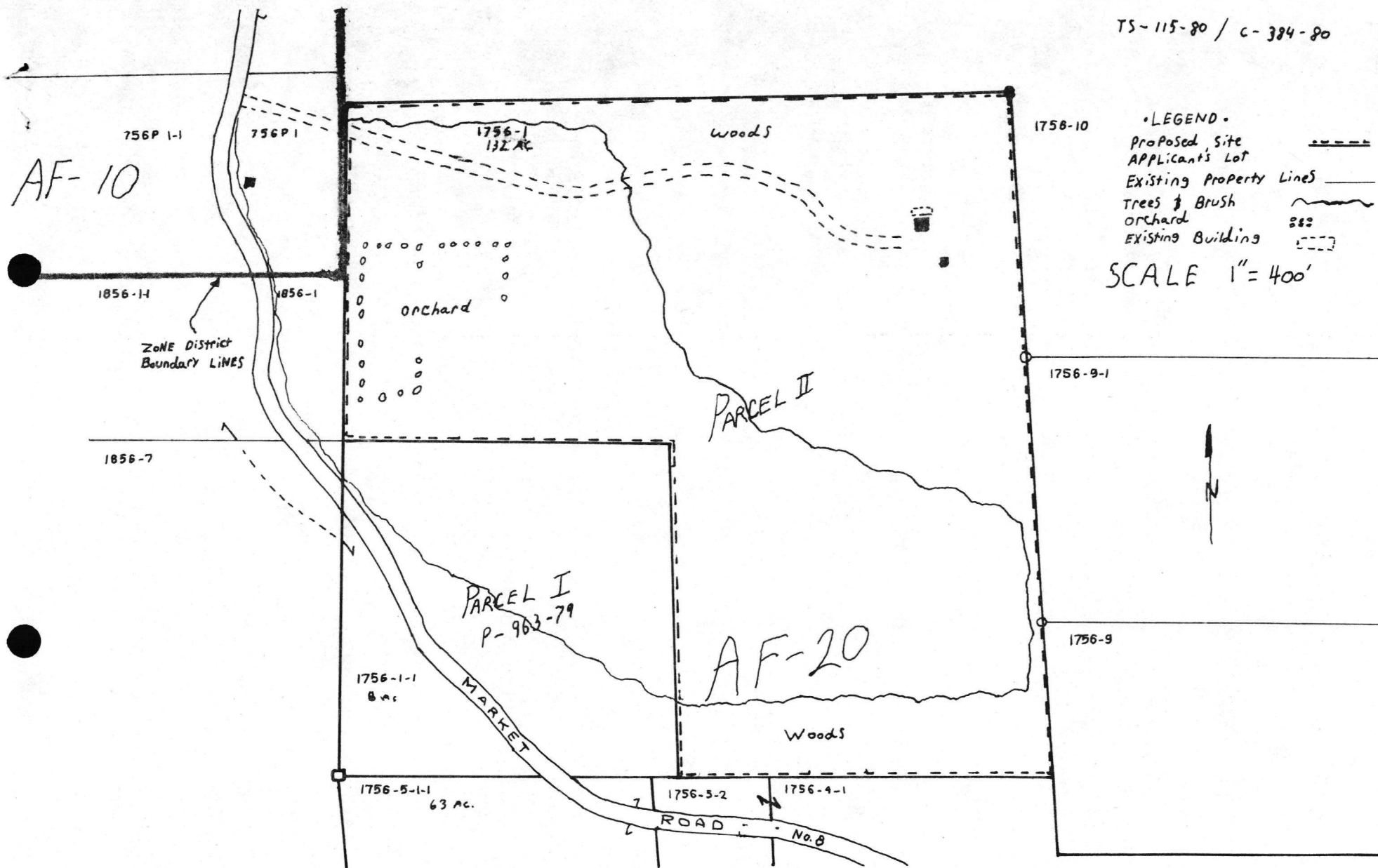
YAMHILL COUNTY HEARINGS OFFICER

June 23, 1980 - 7:30 P.M.

Page 3

1. That the Temporary Structure be issued to the applicant for their use only, and that it be nontransferable.
2. That the secondary dwelling be reviewed after three (3) years for compliance with the provisions of the permit.
3. That upon termination of the requested use the secondary dwelling be removed from the parcel.
4. That Mr. Ed Hasslen shall sign an agreement with Yamhill County acknowledging all conditions imposed by the Hearings Officer regarding Docket No. C-384-80/TS-115-80 and shall submit evidence to the Planning Director that such agreement has been recorded in the deed and mortgage records of Yamhill County.

TS-115-80 / C-384-80



We are requesting this permit due to the health of my parents. My father must use a walker, has become almost unable to rise or set without help and has had numerous falls. My mother has a heart condition and shouldn't be lifting or help lift him and he also demands almost constant care. She can't cope with this alone. My husband, two sons and one daughter and I live in Shandon area and with a permit to put the Trailer in our yard on our 152 acres there would be no need to put them into a rest home.

My mother has had cancer of esophagus, is unable to talk & so is even unable to call in case of emergency. They live in Portland now and must be moved, hopefully closer to their family.

Harold Hasslen

GREELEY CLINIC, P.C.

GORDON C. MYERS, M.D.
ALTON E. WIEBE, M.D.
RAY E. MOORE, M.D.
DOUGLAS R. MYERS, M.D.

PHYSICIANS AND SURGEONS
FAMILY MEDICINE
285-6607

SUSAN A. MORK
BUSINESS MANAGER
285-4830

May 22, 1980

RECEIVED

MAY 30 1980

YAMHILL COUNTY
DEPT. OF PLANNING AND DEVELOPMENT

Mr. George W. Campbell
Planning Department
Yamhill County Courthouse
McMinnville, OR 97128

Dear Mr. Campbell:

I am writing in behalf of two of my patients who have been seen in this office for a number of years. The first is Mr. Paul Cochran, an 88-year-old man with multiple medical problems who now lives with his elderly wife who is his chief source of care. He has had cancer of his prostate, a leg fracture, and now requires much care which his wife has been delivering. He is also falling occasionally. His wife has had a laryngectomy and is unable to call out for help. She has been able to care for him, but she does have congestive heart failure and other medical problems. She is having more difficulty in caring for him and herself.

It is my understanding that their children live in Yamhill County and are willing to move the elderly parents into a mobile home on their property with a ramp so that they are nearby and can help take care of this elderly couple. However, this will require a hardship permit.

I am asking you to consider this favorably. In my opinion, if these living arrangements can be made, this couple will be able to function with family help instead of requiring placement in a nursing home situation.

Sincerely,



Alton E. Wiebe, M.D.

AEW rjn
(meDic)

STAFF MEMORANDUM
 AGENDA ITEM 8
 YAMHILL COUNTY HEARINGS OFFICER
 June 23, 1980 - 7:30 P.M.
 Yamhill County Courthouse, Rm. 105
 McMinnville, Oregon

8. Docket: C-385-80/TS-118-80
 Request: A conditional use/temporary structure permit to allow placement of a secondary mobile home on a 37.69 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
 Location: Approximately 2.5 miles Southwest of the City of Carlton, West of County Road No. 220 (Shelton Road), in the NW $\frac{1}{4}$ of Section 30, T3S-R4W, Tax Lot 3430-800.
 Applicant: Merle S. Dix.

Findings of Fact

1. The request is in accord with the public interest. The assistance given will alleviate both anxiety and hazard for both Mr. Dix and Mrs. Beulah Simmons. Temporary permits, Section 39 provides for the issuance of a permit for a use which is temporary or seasonal in nature. The "Agricultural/Forestry Large Holding" zone allows for the placement of a temporary dwelling for special care under Section 11.340, Yamhill County Zoning Ordinance, Ordinance No. 83, 1976. The applicant's request is in accord with the intent and purpose of the Ordinance.
2. The requested use is allowed under Section 11.340, Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 as a conditional use.
3. A letter of adequacy regarding the subsurface sewage disposal system has been submitted. The temporary structure shall be connected to the existing system. There are no anticipated inordinate environmental difficulties.
4. A general regulation is provided within the text of Section 11.340 that allows the requested use.
5. The property is under the control of Mrs. Dix, the applicant's mother.
6. The request is deemed to be of the utmost importance and urgency. It is apparent that Mrs. Simmons requires assistance which can be provided by her nephew, Mr. Dix. The request is in conformance with the provisions of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976.
7. Public notice was posted on June 6, 1980. There have been no adverse comments received on this application.

8. The large part of the property is leased out for agricultural cultivation.
9. Attached is a letter dated May 30, 1980 from Klaus Martin, M.D., that describes the reasoning behind Mr. Dix's request for a temporary structure/conditional use permit.

Decision-Making Criteria

The Hearings Officer's decision must be based on the following criteria:

Section 11.340 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 states: In the EF-40 District, when authorized pursuant to Article VI of this Ordinance one (1) mobile home shall be permitted in conjunction with the principal dwelling or mobile home of the owner on any lot or site for the purpose of providing a separate residence on a temporary basis for owner's father, mother, brother, sister, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, grandparent or grandchild, or other person requiring special care subject to the following conditions:

1. Any permit issued hereunder shall be valid for a period of three (3) years or such shorter period as the Commission or hearings body determines to be appropriate, provided, however, that such permit may be revoked by the Director at any time if any of the reasons for which the permit was granted are no longer applicable, or any condition attached thereto is violated.
2. Any permit issued hereunder is granted to the applicant only and is not deemed to run with the land.

Recommendation

The following conclusionary findings can be made for approval of the request:

1. The application satisfies the requirements of Section 11.340 and Section 42 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976.
2. The proposed secondary dwelling would be on the same site as the principal dwelling and would utilize existing facilities for sewerage and water.

Based upon the conclusionary findings for approval, staff recommends approval of the application with the following conditions:

STAFF MEMORANDUM
AGENDA ITEM 8
YAMHILL COUNTY HEARINGS OFFICER
June 23, 1980 - 7:30 P.M.
Page 3

1. That the Temporary Structure be issued to the applicant for their use only, and that it be nontransferable.
2. That the secondary dwelling be reviewed after three (3) years for compliance with the provisions of the permit.
3. That upon termination of the requested use the secondary dwelling be removed from the parcel.
4. That Merle S. Dix and Elma Dix shall sign an agreement with Yamhill County acknowledging all conditions imposed by the Hearings Officer regarding Docket No. C-385-80/TS-118-80 and shall submit evidence to the Planning Director that such agreement has been recorded in the deed and mortgage records of Yamhill County.

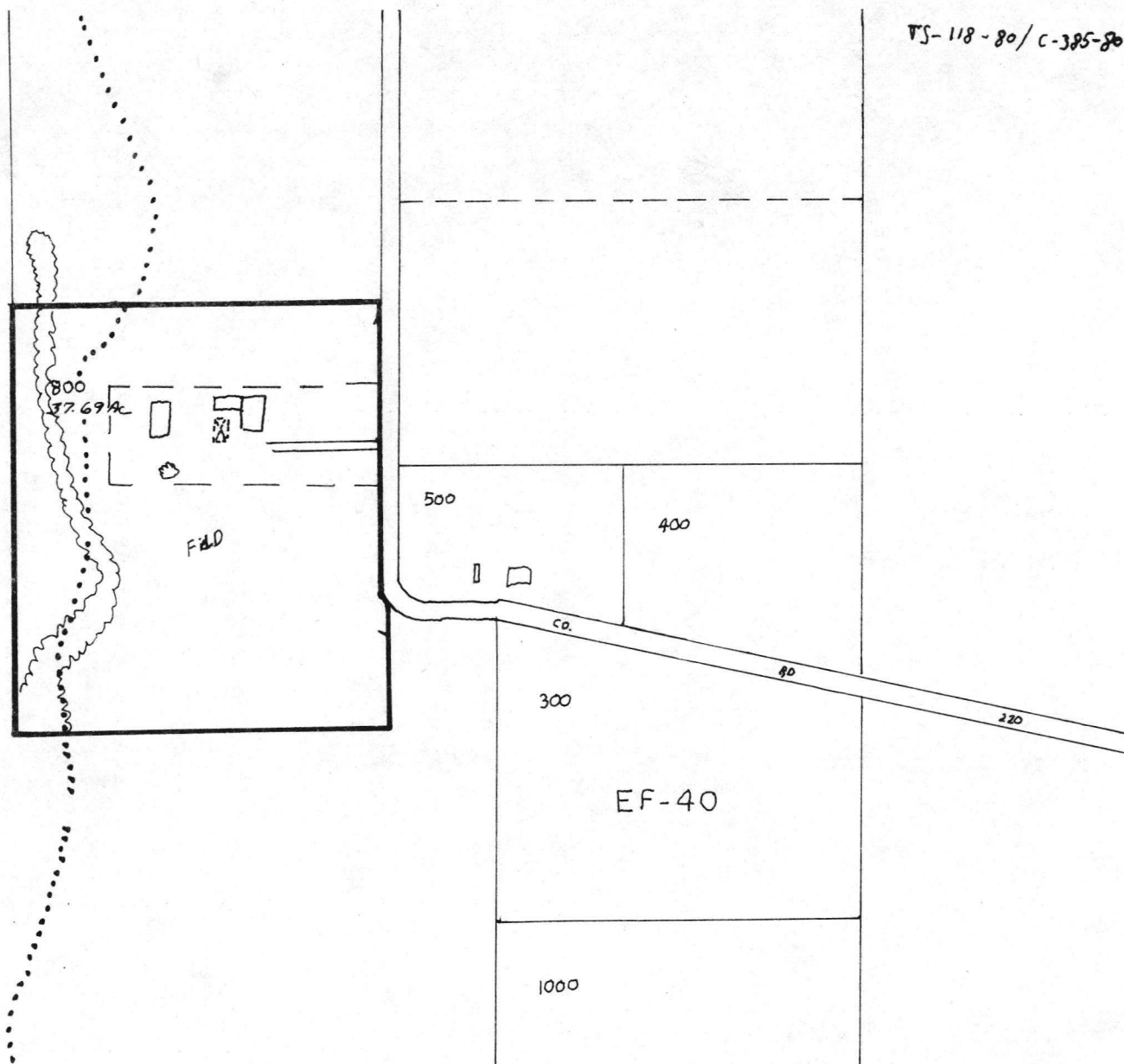
• LEGEND •

Flood Lines

Mobile Home

House & Barn
Trees

SCALE 1" = 400'



YAMHILL COUNTY LAND USE APPLICATION

Yamhill County Department of
Planning and Development
Yamhill County Courthouse
McMinnville, OR 97128
503-472-9371 EXT 201

File No. C-385-80
Fee Paid 125.00 Receipt # 8682
Date Received 5/31/80
Staff Member OK

☐ PLAN CHANGE

Present Designation _____

Proposed Designation _____

☐ ZONE CHANGE

Present District _____

Proposed District _____

☐ LOT SIZE VARIANCE

☒ CONDITIONAL USE /TS

☐ ZONE VARIANCE

☐ SPECIAL EXCEPTION

Plan Designation: "AFLH"

Zone District: "EF-40"

Name of Applicant: Melba S. Dix Home: 472-7288
Phone Office: 472-2104
Mailing Address: Route 2 Box 120 McMinnville, OR 97128
Applicant is: ☐ Legal Owner ☐ Contract Purchaser ☒ Agent

DESCRIPTION OF SUBJECT PROPERTY

Legal Owner: Elma Dix Signature: Elma Dix
Mailing Address: Rte 1 Box 180 Carlton, OR 97111
Tax Lot No. 3430-800 Lot Size 384- (acres/sq.ft.)
_____ 1/4 of _____ 1/4 of Section _____ Township _____ Range _____
General Location: Fronting West side of Shelton Road # 220
(name or number of road)
2 1/2 miles NE from Carlton
SW (city)

1. What is requested: Placement of a small mobile home for a
relative that is suffering of APO and needs assistance with her
physical living & health problems.
_____. As allowed by _____ Section _____ of the
Zoning Ordinance.

2. Justification of Request: (Attach separate sheet).

(OVER)

3. Present Use Property: RECREATION, EXCEPT FARMSTEAD PORTION
WHICH WILL NOT LOCATE IN SITE IT HAS TO BE ALLOWED
4. Date of Purchase of Property: 1902
5. Has a septic system Site Approval been obtained for the parcel?
Yes ☒ 1960-4 No ☐
6. Has a septic system Permit been issued for the parcel? Yes ☐
No ☐. If yes, list septic permit number _____
7. Has a well been drilled on the parcel? Yes ☒ No ☐
8. Has a road been constructed into the parcel? Yes ☒ No ☐
If no, has a road approach permit been obtained? Yes ☐ No ☐
What is the road approach permit number? _____
If yes, indicate type and width of road: _____
9. Are there currently any structures on the property? Yes ☒ No ☐
If yes, list type and current use of each structure: _____
Home used by owner
High school 2000
10. Is the property serviced by city water or sewer? Yes ☐ No ☒
If yes, list servicing agency: sewer _____ water _____
11. Do you own any property abutting the parcel for which this request is made? Yes ☐ No ☒
If yes, list tax lot number(s) _____
12. To your knowledge, have any previous requests been made to the Planning Department on this tax lot? Yes ☐ No ☒
If yes, please indicate applicant's name and docket number: _____

I hereby certify that the above information and evidence submitted are in all respects true and correct to the best of my knowledge and belief. I understand that issuance of a permit based on this application will not excuse me from complying with effective ordinances and resolutions of Yamhill County and Oregon Revised Statutes despite any errors on the part of the issuing authority in checking this application.

NOTE:

Attach detailed, accurate site plans (1"=400' scale preferred). Other statements, plans, photos, etcetra, which would help to substantiate and clarify your request may also be submitted.

Michael A. King
Applicant's signature

May 30 1980
Date

May 30 1980

To anyone who may be concerned;

This letter is attached to a conditional use permit request for the placement of a small mobile home on property belonging to Elma Dix. I will attempt to explain the necessity of the request.

Elma Dix is 80 years of age and lives in her own home located on the property the permit is requested for, she is able to maintain her residence with some daily assistance from her son, Merle Dix.

Her sister, Beulah Simmons for whom the request is made, is 83 years of age and needs daily supervision in her existence also.

With the agreement of both sisters, and certainly with my approval they might be able to assist each other, have their meals together, and generally look after each other in a very limited manner, but with my assistance, avoid going to a care center for several more years.

My aunt formerly lived in Stanfield Oregon but I have moved her down here on the advice of her neighbors and friends, and will start taking care of her which I could not do at Stanfield. She has no children and has been widowed for three years.

I certainly hope you can approve this request for it can mean quite a lot in the quality of life for two senior citizens and allow me to care for them much better.

Thank you for considering this matter

Sincerely

Merle S. Dix

Wednesday, 7:30 P.M.

MINUTES

May 28, 1980

REGULAR MEETING

Newberg-Dundee Planning Advisory Committee

P.G.E. Building

Newberg, OR

Bill Coffield was appointed by consensus to be temporary chairman until acting chairman could be present.

Members present were: Clement, Hunkins, Wendling, Crawford, B. Coffield, F. Coffield arrived for Docket Item 4
Swehla arrived late, at 10:50 P.M. (excused)

Park excused

Also present were: Anita Evans, Mr. & Mrs. Paul Phillips, Robert Edwards, Nancy R. Maxwell, Al Maxwell, John Trolan, John & Sally Bauers, Willard & Kathryn Seelye, Lester Van Sant, Leah Amundson, Willie D. Owens, Jerry D. Schmidt, John Cach

1. Roll Call.

The meeting was called to order at 7:35 P.M.

2. Approval of Minutes.

Ken Hunkins recommended a change to the previous minutes, Docket Item: C-373-80/V-89-80, first paragraph, third sentence to read "Section 11.370 was the area in the Zoning Ordinance addressing the identified problem posed by this conditional use and variance request."

3. Docket: V-92-80

Request: A variance to the minimum side yard setback requirements of 30' to permit construction of a house within 10' of the property line on a 2.3 acre parcel in an area designated "Agriculture/Forestry Small Holding" on the Comprehensive Plan map and presently zoned "AF-10".

Location: Approximately seven (7) miles Southeast of the City of Newberg, West of County Road No. 40 (Earlwood Road) in the SE ¼ of Section 36, T3S-R2W, Tax Lot 3236-3300 and 3236-3000.

Applicant: Paul Phillips.

The staff report was presented by Bill Campbell. It was indicated that Mr. Phillips would, if required, improve the lot and remove the trailer house. If he has to build his house at a different location on the lot, he would have to remove more trees. The Sanitation Department indicated no conflicts. Mr. Campbell explained the sixty foot right-of-way required by the Road Department.

Proponent's Case. Mr. Phillips stated why he needs this variance.

Opponent's Case. No opposition has been expressed by the neighbors.

Robert Wendling moved "to approve this docket request because of potential unnecessary hardship to the applicant. The setback is to be no closer than 10 feet to the 60 foot right-of-way." The motion was seconded by Crawford. Motion Carried by Unanimous vote.

4. Docket: V-94-80
Request: A variance to allow the placement of a secondary residence for farm help on a 4.63 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
Location: Approximately 1.5 miles West of the City of Dundee, South of County Road No. 95, (Worden Hill Rd.) in the SE ¼ of Section 27, T3S-R3W, Tax Lot 3327-2500.
Applicants: John & Sally Bauers.

Staff report was presented by Bill Campbell. A letter from the applicant was read in justification of the application. There have been no letters of opposition received.

Proponent's Case. Mr. Bauers stated his case. There was discussion of setbacks, septic tank requirement and dwelling placement permit.

Concern was expressed about the potential of separating present tracts with resultant potential for increased residential density.

Opposition. None received.

Staff deliberation. Mr. Crawford recommended a conditional use permit as a more appropriate way of administering this request.

Ken Hunkins moved "to deny this application on 41.200, para. 6 of the Zoning Ordinance." Crawford seconded the motion. The Motion Carried Unanimously.

Mr. Crawford moved "we recommend a conditional use permit instead of a variance with following condition: that no additional buildings be erected on the adjacent 2 tax lots of Mr. Bauers." The Motion Carried Unanimously.

Recess.

Reconvene to Docket Item V-94-80.

Mr. Bauer stated that the condition to remove the 2nd house before future sale of this 5 acre parcel. The conditional use agreement would have to be carefully written (between Mr. Bauer and Yamhill County).

5. Docket: C-382-80/TS-113-80
Request: A conditional use/temporary structure permit to allow the placement of a secondary mobile home on a one (1) acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
Location: Approximately seven (7) miles Northwest of the City of Newberg, South of County Road No. 110, in the SW $\frac{1}{4}$ of Section 33, T2S-R3W, Tax Lot 2333-1900.
Applicant: Kathryn Seelye.

Staff report was given by Bill Campbell. The applicant's letter was read. No referrals have been received by the County.

Proponent's Case. Mrs. Seelye presented her reasons for this conditional use permit. Discussion followed concerning the question of number of dwellings per unit size parcel.

Opponent's Case. None.

Rebuttal. Mr. Coffield had a question about Mr. Seelye's illness.

Staff Deliberation. Bill Coffield moved "we approve the application with the condition that additional property be added if necessary to meet minimum standards." Seconded by Mr. Crawford.

Roll call vote. Hunkins: Nay. Rest affirmative.

6. Docket: C-380-80
Request: A conditional use permit to allow the construction of a municipal water line across the Willamette River via an existing bridge within the Willamette River Greenway.
Location: Approximately $\frac{1}{4}$ mile South of the City of Newberg, at approximately River Mile 50 in the NW $\frac{1}{4}$ of Section 29, T3S-R2W.
Applicant: Kramer, Chin & Mayo, Inc. (City of Newberg)

Staff report presented by Bill Campbell. Discussion followed whether it was expansion or continuing use. There were no public agencies opposed.

Proponent's Case. None.

Opponent's Case. None.

Mr. Crawford moved "to recommend approval". Mr. Wendling seconded the motion. The Motion Carried Unanimously.

7. Docket: PA-86-80/Z-185-80
Request: An amendment to the Yamhill County Comprehensive Plan, 1974 to change the Plan Map designation from "Agriculture/Forestry Small Holding" to "Highway Service Commercial" on a 4.5 acre tract. An amendment to the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 to change the official zoning map from "AF-10" to "HC" on a 4.5 acre tract.
Location: Approximately 1/10 of a mile NE of the City of Dundee, North of Highway 99W and East of County Road No. 74, in the NW 1/4 of Section 25, T3S-R3W, Tax Lot No. 3325-600.
Applicant: Willie D. Owens.

Staff report was presented by Bill Campbell. The applicant's response was read. Letters from public agencies were read. "Strip Commercial" wording was discussed.

Proponent's Case. Mr. Owens gave the history of this request from his viewpoint. Discussion centered on his attempts to upgrade his auction.

Opponent's Case. No opponents.

Staff Deliberation. Bob Wendling gave his report.

Motion was made to "be approved to have a special exception and P.U.D. overlay of the "HC" zone based upon the following:

1. Needs of the applicant
2. Meeting area needs for sanitation improvement
3. Would permit upgrading of present operation".

Motion was seconded by Mr. Clement.

Roll call vote. Motion Carried Unanimously by voice vote.

Motion made by Hunkins "to designate Crawford to represent the PAC at the June 3rd Planning Commission meeting". Motion seconded by Wendling. Motion Carried Unanimously.

8. Docket: PA-82-80/Z-183-80
Request: An amendment to the Yamhill County Comprehensive Plan, 1974 to change the Plan map designation from "Very Low Density Residential" to "Heavy Industrial" on a 44 acre tract. An amendment to the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 to change the official zoning map from "VLDR-2½" to "HI" on a 44 acre tract.
Location: Approximately one (1) mile Southeast of the City of Newberg, South of County Road No. 47 in the NE ¼ of Section 29, T3S-R2W, Tax Lot 3229-400, 500, 600, 800 and 2300.
Applicant: Spaulding Pulp and Paper Co.

Staff report by Bill Campbell.

Proponent's Case. Presented by Andy Anderson.

Opponent's Case. None present. No adjacent property owner responses.

Public Agencies. SCS responded. They have some problems with environmental impact on the immediate area. A response is forthcoming from DEQ.

Staff Deliberation. The motion was made by Bill Coffield to "approve this docket item with a P.U.D. overlay and restricting operation to Publishers." The motion was seconded by Crawford. Question Called. Motion Carried Unanimously.

9. Docket: PA-72-79/Z-165-79
Request: An amendment to the Yamhill County Comprehensive Plan, 1974 to change the Plan map designation from "Agriculture/Forestry Large Holding" to "Very Low Density Residential" and an amendment to the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976, to change the zone district from "Agriculture/Forestry 20 acre Minimum" to "Very Low Density-5 Acre Minimum" on a twenty-five (25) acre parcel.
Location: Approximately eight (8) miles Northwest of the City of Newberg, ¼ mile North of the intersection of Mt. Top Road and McCormick Hill Road, in the SW ¼ of Section 25, T2S-R3W, Tax Lot Nos. 2325-3200, 2325-3300 and 2325-3000.
Applicant: Lester Grover Van Sant.

Staff report by Bill Campbell.

Proponent's Case. Mr. Van Sant presented his case.

Opponent's Case. Anita Evans, a local property owner, gave her reasons for being opposed. Water availability, other subdivisions and no proven public need of this property.

Public Agency response.

Staff report. Hunkins reported the property was steep and perceived not very farmable.

Staff Deliberations. Demonstration of public need not properly addressed. No documentation supporting need.

Dave Swehla moved "to deny the application because of lack of exceptions process and no proof of need." Motion seconded by Clement. Discussion. Question. Motion Carried with two (2) opposed.

10. Docket: V-93-80
Request: A variance to the minimum side yard setbacks of 15' to permit construction of a garage within 5' of the property line on a one (1) acre parcel in an area designated "Very Low Density Residential" on the Comprehensive Plan map and presently zoned "VLDR-1".
Location: Approximately ¼ mile West of the City of Newberg, West of County Road No. 67 (Chehalem Drive), in the SW ¼ of Section 18, T3S-R2W, Tax Lot 3218CA-2700.
Applicant: James Hawkins.

Not enough data to consider this request at this time.

11. Consideration of New Members:

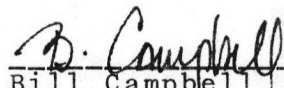
- 1) John Trolan
- 2) Anita Evans

Mr. Swehla moved that "the above two people be recommended for membership." Bill Coffield seconded the motion. The Motion Carried Unanimously.

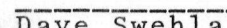
12. Meeting adjourned at 12:40 A.M.

Submitted by:

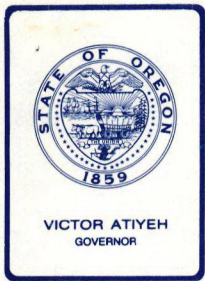
Approved by:



Bill Campbell
Acting Secretary



Dave Swehla
Chairman



Department of Transportation

PARKS AND RECREATION DIVISION

525 TRADE STREET S.E., SALEM, OREGON 97310

April 1, 1980

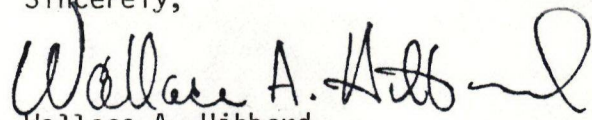
Clay Moorhead
City Planning Director
414 E. First Street
Newberg OR 97132

Dear Mr. Moorhead:

The State Parks and Recreation Division, Willamette River Greenway Program has designated a single contact person for the purpose of reviewing and commenting on Greenway conditional use and extraordinary exception permit applications from the local government jurisdictions. In order to process these requests more efficiently we would prefer that you send all such notices directly to John E. Lilly, Manager, State Park River Programs, 525 Trade Street S.E., Salem, Oregon 97310.

Please update your mailing list to indicate Mr. Lilly as the contact person for all Greenway permit review and comment opportunities. Thank you for your cooperation.

Sincerely,


Wallace A. Hibbard,
Assistant Administrator

WAH:nmw

cc: Frank Stiles
Warren Gaskill
John Lilly
Jim Payne

Monday, 7:30 P.M.

MINUTES

June 23, 1980

REGULAR MEETING

YAMHILL COUNTY HEARINGS OFFICER

Courthouse, Rm. 105

McMinnville, OR

ATTENDANCE

Present

Brian Williams, Hearings Officer

Mike Brandt, Associate Planner

Martin Chroust-Masin, Associate
Planner

Dyke Mace, Sanitarian

Dave Jory, Assistant County Counsel

Sandra Lewis, Recording Secretary

1. The Hearings Officer introduced those present as noted above.

2. The Minutes of the previous meeting were approved.

3. Docket: C-380-80

Request: A conditional use permit to allow the construction of a municipal water line across the Willamette River via an existing bridge within the Willamette River Greenway.

Location: Approximately $\frac{1}{4}$ mile South of the City of Newberg, at approximately River Mile 50 in the NW $\frac{1}{4}$ of Section 29, T3S-R2W.

Applicant: Kramer, Chin & Mayo, Inc. (City Of Newberg)

Objection to Jurisdiction - None.

Staff Report - Mr. Brandt presented the Staff Report as submitted in the Staff Memorandum and located the property on the Comprehensive Plan and Zoning maps. He added the Newberg/Dundee Planning Advisory Committee (PAC) reviewed the proposal at their May 28, 1980 meeting, and unanimously recommended approval of the application.

Proponent's Case - Clay Moorhead, of the Newberg Planning Department, stated he is presenting the proponent's case. He stated that the City well sites are located on the south side of the river. He stated there are 3 sites totalling seven different wells. He stated this is one of the main areas from which the City receives water. He stated this is a secondary system since there is a high iron content in the water and it has to be treated at the water treatment plant which is located on the North side of the Willamette River. He stated the Publishers Paper property going down Dog Ridge Road clear over to the Sanitary Land Fill on the west is all within the Newberg Urban Growth Boundary. He stated there is an existing bridge built in 1913 and completely upgraded in 1922. He stated the City

has been doing a comprehensive water study that was initiated by Roberts and Meyers, which was completed in 1978. He stated the study showed a need for a new water line. He stated they recommended a 24" diameter line coming from the well site to the water treatment plant. He stated the primary reason is for upgrading and for providing additional water for the entire incorporated City limits itself and for the approximately 700 users outside the City. He stated the water will be transported along an existing bridge that was built in 1913 and which does need some repairs. He stated it has been determined to be the most cost efficient way of providing water service to the City itself. He stated the alternative route that was considered would have a buried transmission line under the river and over to the eastern side of Publishers Paper. He located the alternative route on the map and stated this would be more disruptive to the Greenway and to the River and would be expensive. He stated there could be some shifting of the line and slope could be a problem. He stated that for these reasons, the City has decided to renovate the existing bridge and completely tear off the top surface deck of the bridge and place the transmission line on it and also a walkway for service of the line. He stated there is an existing line on the bridge and the same facility would be utilized since the existing lines course would be followed. He stated it would not cause any damage to the shoreline and would have the least adverse impact in providing water transmission from Marion County to the City itself.

Upon questioning by Mr. Williams, Mr. Moorhead stated the bridge is no longer used as a highway. He stated they plan to continue to use the old 12" line in addition to the new 24" line.

Cross-Examination - Upon questioning by Mr. Jory, Mr. Moorhead stated that during the summer there have been shortages for varying periods of time since 1977. He stated that since 1977 during the summer there has been a type of rationing program. He stated that it is not that they do not have the capacities since there is adequate storage facilities, but the problem is that there is not enough water transmission up to the facilities to keep them at a full level. He stated the line will be a major transmission line which would transport water into the entire water distribution system so it would also be supplying the new subdivisions and the new commercial development. He stated the cost has been levied through a bond that was passed a year ago and work is ready to begin through that bond issue.

Opponent's Case - None.

Public Agency Report - Mr. Brandt stated the Soil and Water Conservation District has reviewed the proposal and find no conflicts with their interests. He stated the Oregon Department of Transportation indicates the permit will be required and preliminary plans should be reviewed by Rick Kuehn of their

Staff and that the bridge crossing will require an Oregon State Highway Division bridge design approval. He stated Paul Don Heffner of the State Marine Board inquired as to why there will be a public hearing conducted. He stated the Newberg Planning Department has reviewed the proposal and find no conflict with their interests. He stated the County Sanitation Department has reviewed the proposal and find no conflict with their interests. He stated the Marion County Planning Department indicated they would forward their decision and conditions before tonights hearing but this information has not been received. He stated the County Watermaster finds no conflicts with his interests but that he would like to review the plans before this is approved.

Upon questioning by Mr. Williams, Mr. Moorhead stated that the City of Newberg has talked to Marion County and they have not determined the appropriate process to go through.

Rebuttal - Mr. Moorhead stated that when the City designs this they will go through all the appropriate channels so there will be a quality project.

Staff Recommendation - Mr. Brandt stated that based on the fact that there does appear to be a public need for the expansion of the water line, and the fact that it is in substantial conformance with the Yamhill County Greenway Ordinance, staff recommends approval of the application. He added that there is a section of the Greenway Ordinance that deals with the maintenance and repair of existing uses and this seems to apply to the bridge. He stated it is a permitted use for the maintenance and repair usual and necessary for the continuance of an exist use.

Close of Hearing and Deliberation - The Hearings Officer stated the application will be granted and the findings contained in the Staff Report will be adopted. He stated this is basically a minor intensification of use. He stated he has considered all of the criteria in the Greenway Ordinance.

4. Docket: C-381-80
Request: A conditional use permit to allow separation of a 1.5 acre parcel with an existing shcool house from an 88.78 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
Location: Approximately 1.5 miles West of the City of Amity, South of Highway 153 (Bellevue Hopewell Highway) in the NW ¼ of Section 30, T5S-R4W, Tax Lot 5430-500.
Applicant: John McDaniel. Docket:

Objection to Jurisdiction - None.

Staff Report - Mr. Brandt presented the staff report as submitted in the Staff Memorandum and located the property on the Comprehensive Plan and Zoning maps. He corrected finding of fact #1 to read ...to allow separation of a 1.5 acre parcel....

Proponent's Case - Mr. McDaniels, Rt. 3, Box 432, McMinnville, stated he has owned the property for 3 or 4 years and does not want to fix the old school house up himself. He stated the roof is in need of repair and he wants to sell it to someone who will restore it and use it as a historical marker. He stated if he does not get the property separated off the building will fall down. He stated the property has not been farmed since 1900 so there will be no change in use. He stated there are three people interested in purchasing the property one of whom is at the meeting. He stated she has a background in this type of work. He stated he does not want to rent it out and has had trouble with vandals in it. He stated he has a septic approval on the property.

Dee McKenzie, Rt. 1, Box 212, McMinnville, stated she is representing her daughter who is an adjacent property owner. She stated she is in support of the application since the old school building should be restored and should not be torn down. She stated if something is not done to the building it will fall down. She stated she has met the lady who wants to buy it and she is sincere in her desire to restore it. She referred to conclusionary findings for approval, especially items 3 and 4. She stated there will be no change in use of the property and there will be no land taken out of farm production. She stated she would like to see the application approved with the condition made by staff, that in order to maintain the overall density requirement of one principal dwelling per forty acres, the existing residence shall be considered in all future density calculations of the larger parent parcel.

Upon questioning by Mr. Williams, the woman who is interested in purchasing the property and restoring the old school house stated she plans to make it into a residence while preserving the historical character. She stated her name is Susan Hebard and she is now living in Amity. She stated she has experience in restoring historical buildings from doing this kind of work in Scotland for the past few years.

Cross-Examination - None.

Opponent's Case - None.

Public Agency - Mr. Brandt stated staff has received a letter from the State Historical Preservation Office from the staff archeologist and they indicate they can only make conditional comments since they are unsure of the applicants plans for the building. They indicated the school is of a historical interest and is potentially eligible for the national register of historic places. They indicated they have no problem with private ownership or adaptive use of historic buildings and the building does qualify for tax benefits and grant and aid program for matching funds for restoration. They indicated that if the building is no longer in use and is threatened with deterioration or destruction an adaptive use may be the only way to save the structure. They indicated the proponent must understand that to qualify for tax benefits and grant money they would have to follow federal guidelines that would emphasize the architectural integrity of the exterior of the building and use of compatible materials and design in restoration.

Mr. Brandt stated the County Engineer indicates that any new road approaches will require permits from the Oregon Department of Transportation. He stated the Oregon Department of Transportation indicates that they have reviewed the proposal and find no conflict with their interests. He stated Steve Christensen Amity Fire Chief, indicates they find no conflicts with their interests.

Mr. Mace stated there is a site approval on the parcel. He stated because of concerns with the curtain drain they are requesting that the parcel be at least 300 feet in depth.

Rebuttal - Mr. McDaniel stated it would be no problem getting the 300 foot depth.

Staff Recommendation - Mr. Brandt stated staff has prepared findings for approval and denial of the application and based primarily on the fact that the application does satisfy the criteria under 11.370 of the Ordinance, and this is a unique application since the building is of historical significance, staff recommends approval of the application with the condition as noted in the Staff Memorandum. He added that staff had not included a condition to satisfy the Sanitarian's concerns since from maps and the aerial photo it appears the depth of the property will be well over 300 feet.

Close of Hearing and Deliberation - Mr. Williams stated the application will be approved and the conclusionary findings for approval contained in the Staff Memorandum will be adopted. He stated the condition stated in the Staff Memorandum will be imposed and that the existing residence referred to is the school house.

Mr. Brandt stated the applicant will receive a letter informing him of the decision and of the 15 day appeal period on the application.

(Docket Item #5 had been withdrawn)

6. Docket; V-95-80
Request: A variance to the minimum side yard setbacks of 15' to permit construction of a pole building within 5' of the property line, on a three (3) acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
Location: Approximately four (4) miles Southeast of the City of Sheridan, West of Market Road No. 25 (Bellevue Ballston Road), in the SE $\frac{1}{4}$ of Section 32, T5S-R5W, Tax Lot 3255-14-1 & 3255-5-1.
Applicant: Kenneth Johnson.

Objection to Jurisdiction - None.

Staff Report - Mr. Brandt located the property on the Comprehensive Plan and Zoning maps and presented the Staff Report as submitted in the Staff Memorandum.

Proponent's Case - Mr. Johnson, Rt. 1, Box 71A, Sheridan, stated the Sheridan PAC sees no conflict with the application and there is no other place on the property that would be a suitable site.

Upon questioning by Mr. Williams, Mr. Johnson stated there is just his home and an old roadbed on the property. He located a garden spot on the map and stated there are 4 or 5 fruit trees to the back of the property.

Cross-Examination - None.

Opponent's Case - None.

Public Agency - Mr. Mace stated the Sanitation Department has no conflict with the application as long as the proposed pole building does not interfere with any portion of the drainfield.

Mr. Brandt stated the County Engineer indicates they have no conflict with the proposal.

Mr. Johnson stated the septic system sits away from the site and it would not interfere with it.

Staff Recommendation - Mr. Brandt stated based on the fact that

the applicant has addressed the variance criteria under section 41.200 of the Zoning Ordinance staff is recommending approval of the application.

Close of Hearing and Deliberation - Mr. Williams stated the application will be approved and the conclusionary findings for approval contained in the Staff Report will be adopted.

7. Docket: C-384-80/TS-115-80
Request: A conditional use/temporary structure permit to allow the placement of a temporary secondary residence on a 152 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "AF-20".
Location: Approximately five (5) miles Northwest of the City of Sheridan, Northeast of Market Road No. 8 (Rock Creek Rd.) in the NW $\frac{1}{4}$ of Section 17, T5S-R6W, Tax Lot 1756-1.
Applicant: Ed. Hasslen.

Objection to Jurisdiction - None.

Staff Report - Mr. Chroust-Masin presented the Staff Report as submitted in the Staff Memorandum and located the property on the Comprehensive Plan and Zoning maps.

Proponent's Case - Mr. Hasslen, Rt. 2, Box 174, Sheridan, stated he is in agreement with the information presented in the Staff Memorandum.

Opponent's Case - None.

Public Agency - Mr. Chroust-Masin stated the County Engineer indicates any new road approaches will require road approach permits from the County Road Department.

Mr. Mace stated that last summer a new system was installed on the parcel for the permanent residence. He stated the system will handle the temporary structure. He stated an additional tank has already been placed in the ground for the temporary structure.

Staff Recommendation - Mr. Chroust-Masin stated that based on the findings of fact and conclusionary findings for approval contained in the Staff Memorandum staff recommends approval of the application.

Close of Hearing and Deliberation - The Hearings Officer stated the application will be approved and the findings contained in the Staff Memorandum will be adopted and more specifically that the request is for a mobile home in conjunction with the principal dwelling for the special care of the parents of the appli-

cant. He stated the conditions contained in the Staff Memorandum will be imposed.

8. Docket: C-385-80/TS-118-80
Request: A conditional use/temporary structure permit to allow placement of a secondary mobile home on a 37.69 acre parcel in an area designated "Agriculture/Forestry Large Holding" on the Comprehensive Plan map and presently zoned "EF-40".
Location: Approximately 2.5 miles Southwest of the City of Carlton, West of County Road No. 220 (Shelton Road), in the NW ¼ of Section 30, T3S-R4W, Tax Lot 3430-800.
Applicant: Merle S. Dix.

Objection to Jurisdiction - None.

Staff Report - Mr. Chroust-Masin presented the Staff Report as submitted in the Staff Memorandum and located the property on the Comprehensive Plan and Zoning maps.

Proponent's Case - None.

Opponent's Case - None.

Public Agency - Mr. Chroust-Masin stated the Carlton Rural Fire District has no conflicts with the application. He stated the septic tank has been checked and does not need to be pumped.

Mr. Williams read a letter from Dr. Klaus Martin indicating Mrs. Simmons, the applicants aunt, needs close observation and care which is presently being provided at a nursing home. The letter indicated she could be cared for by her family if she lived adjacent to them and that nursing home care may again be required in the future.

Mr. Chroust-Masin stated due to a lack of a quorum, the Carlton PAC did not make an official recommendation.

Mr. Mace stated the septic system on the property will handle the additional residence.

Mr. Chroust-Masin stated the mobile home has already been allowed to be placed on the property through a 90 day permit since Mrs. Simmons is ill.

Upon questioning by Mr. Williams, Mr. Chroust-Masin stated Mrs. Dix, the applicant's mother lives in the house on the property and Mrs. Simmons, her sister will be living in the mobile home.

Mr. Chroust-Masin stated Mr. Dix lives about two miles up the road and will look in on both the women.

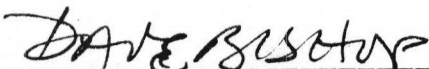
Close of Hearing and Deliberation - Mr. Williams stated the application will be approved and the findings contained in the Staff Memorandum will be adopted with the specific findings that this will be in conjunction with the principal dwelling and is for a sister requiring special care. He stated the conditions contained in the Staff Memorandum will be adopted and as far as condition #4, only Elma Dix will need to sign the agreement since it is her land.

Recent Board of Commissioners Actions - None.

Other Business - Mr. Brandt stated Mr. Fields submitted a letter of appeal today and the appeal period ends tomorrow. He stated Mr. Fields did not submit the application fee and he did not formally sign the appeal form. He stated a member of the staff contacted him by phone and Mr. Fields stated he did not wish to appeal. He stated staff will send him a registered letter tomorrow and Mr. Fields will be given 2 days from that time to formally state that he wants to appeal and to bring in the \$75.00 filing fee and sign the appeal form. Mr. Brandt stated if this is not done by the end of the 2 day period the matter will be considered closed for the time being and the application approved with the conditions as stated.

Meeting adjourned at 8:30 P.M.

APPROVED



Dave Bishop
Planning Director

Brian Williams
Hearings Officer

Date



May 14, 1980

KCM 201-07

Mr. Clay Moorhead
City Planner
414 East First Street
Newberg, Oregon 97132

RE: Greenway Permit Hearings

Dear Mr. Moorhead:

As requested, I have reviewed our contract as it applies to permits. It is within our Scope of Work to prepare permit applications, which we have done. We feel that the City has responsibility for holding any public hearings. Of course, we are available to attend any hearings and are ready to provide any backup information to the City.

Sincerely,

KRAMER, CHIN & MAYO, INC.

A handwritten signature in dark ink, appearing to read "Garry S. Ott".

Garry S. Ott, P.E.
Project Leader

GSO:swb

CC: Ed Sigurdson
Bob Sanders, City of Newberg



CITY OF

NEWBERG

414 E. First Street

Newberg, OR 97132

1 May 1980

Yamhill County Board of Commissioners
Yamhill County Courthouse
5th & Evans Streets
McMinnville, OR 97128

RE: Greenway Conditional Use Permit ✓

Gentlemen:

The City of Newberg respectfully requests a waiver of the application fees for processing the Greenway Conditional Use Permit. A copy of the application is attached for your review.

The primary purpose of the application is to gain approval for construction of an additional municipal water line across the old Newberg Highway bridge.

Please contact us as soon as possible if additional information is needed.

Sincerely,

M. C. Gilbert
City Administrator

MCG:bym

Enc

xc: Bill Cambell
County Planning



April 17, 1980

RECEIVED
APR 21 1980
YAMHILL COUNTY
DEPT. OF PLANNING AND DEVELOPMENT

Mr. Bill Campbell
Senior Planner
Dept. of Planning & Development
Yamhill County Courthouse
McMinnville, Oregon 97128

Re: Greenway Permit for Construction of a Water Transmission Main

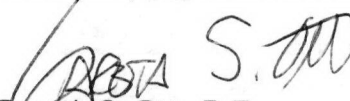
Dear Mr. Campbell:

Attached is a land-use permit application for construction of an additional waterline across the old Newberg Highway bridge. We are also making a permit application to Marion County.

Thank you for your efforts in trying to combine the public hearing. Please call if you have any questions.

Sincerely,

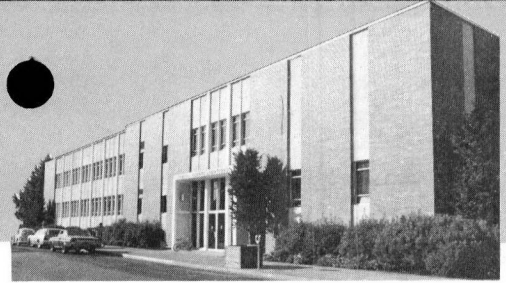
KRAMER, CHIN & MAYO, INC.


Gareth S. Ott, P.E.

GSO/dw

YAMHILL COUNTY

Oregon



DEPARTMENT OF PLANNING &
DEVELOPMENT

April 29, 1980

Clay Moorhead
Planner
City of Newberg
Newberg, OR 97132

Re: Greenway C.U.P.
proposed water line expansion

Dear Clay:

Kramer, Chin & Mayo, Inc. sent us the enclosed application for the Greenway C.U.P.. Would you have it signed and re-submit together with a request for waiver of filing fee.

We have had discussions with Marion County regarding having one hearing, rather than having one in each jurisdiction. We'll keep you posted on developments there. If you have any questions please contact this office.

Sincerely,

Bill Campbell
Senior Planner

BC:dm

Enclosure

YAMHILL COUNTY LAND USE APPLICATION

Yamhill County Department of
Planning and Development
Yamhill County Courthouse
McMinnville, OR 97128
503-472-9371 EXT 201

File No. _____
Fee Paid _____ Receipt# _____
Date Received _____
Staff Member _____

☐ PLAN CHANGE

☐ ZONE CHANGE

Present Designation _____

Present District _____

Proposed Designation _____

Proposed District _____

☐ LOT SIZE VARIANCE

☒ CONDITIONAL USE

☐ ZONE VARIANCE

☐ SPECIAL EXCEPTION

Plan Designation: _____

Zone District: _____

Name of Applicant: Kramer, Chin & Mayo, Inc. Home: _____
Phone Office: 221-1814
Mailing Address: 10 S.W. Ash Street, Portland, Oregon 97204
Applicant is: ☐ Legal Owner ☐ Contract Purchaser ☒ Agent

DESCRIPTION OF SUBJECT PROPERTY

Legal Owner: City of Newberg, Oregon Signature: _____

Mailing Address: 414 East First Street, Newberg, Oregon 97132

~~Tax Lot No.~~ Old Highway Bridge Lot Size _____ (acres/sq.ft.)

1/4 of _____ 1/4 of Section 29 Township 35 Range 2W

General Location: Fronting _____ side of _____

_____ miles ^{NE} from _____ (name or number of road)

_____ (city)

Willamette River, River Mile 50; near Publishers Paper

1. What is requested: Permit to construct a 24-inch diameter water trans-
mission line from the City's existing well field to the City's water treat-
ment plant, across the Willamette River, utilizing the existing highway
bridge. Also a permit to perform repair, sandblasting, painting and gener-
al maintenance functions to* As allowed by _____ Section _____ of the
Zoning Ordinance.

2. Justification of Request: (Attach separate sheet).

*maintain the bridge in a useable state.

(COVER)

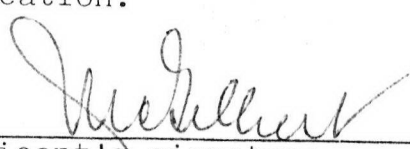
3. Present Use of Property: conveyance of water across the
Willamette River
4. Date of Purchase of Property: _____
5. Has a septic system Site Approval been obtained for the parcel?
Yes _____ No _____
6. Has a septic system Permit been issued for the parcel? Yes _____
No _____. If yes, list septic permit number _____
7. Has a well been drilled on the parcel? Yes _____ No _____
8. Has a road been constructed into the parcel? Yes _____ No _____
If no, has a road approach permit been obtained? Yes _____ No _____
What is the road approach permit number? _____
If yes, indicate type and width of road: _____
9. Are there currently any structures on the property? Yes _____ No _____
If yes, list type and current use of each structure: _____

10. Is the property serviced by city water or sewer? Yes _____ No _____
If yes, list servicing agency: sewer _____ water _____
11. Do you own any property abutting the parcel for which this request is
made? Yes _____ No _____
If yes, list tax lot number(s) _____
12. To your knowledge, have any previous requests been made to the Planning
Department on this tax lot? Yes _____ No _____
If yes, please indicate applicant's name and docket number: _____

I hereby certify that the above information and evidence submitted are in all respects true and correct to the best of my knowledge and belief. I understand that issuance of a permit based on this application will not excuse me from complying with effective ordinances and resolutions of Yamhill County and Oregon Revised Statutes despite any errors on the part of the issuing authority in checking this application.

NOTE:

Attach detailed, accurate site plans (1"=400' scale preferred). Other statements, plans, photos, etcetra, which would help to substantiate and clarify your request may also be submitted.

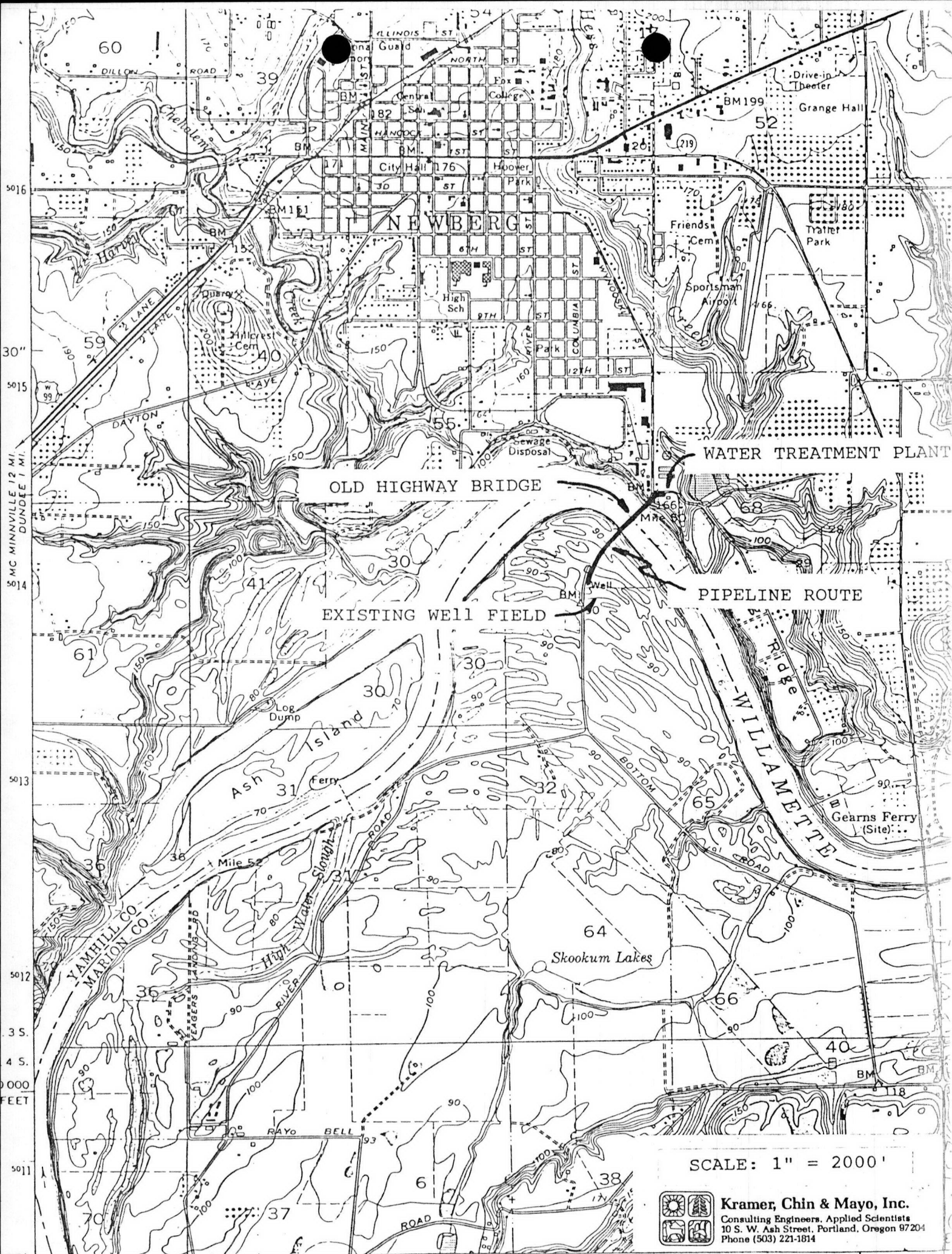

Applicant's signature

5-1-80
Date

2. JUSTIFICATION OF REQUEST

The City of Newberg has recently embarked on a program to increase its water supply capability to avoid past water shortages. The City currently conveys its water across the Willamette River from its well field in Marion County to the water treatment plant in Yamhill County in a 12-inch diameter pipe on the old Highway Bridge. This existing pipe is inadequate to carry the required increased flow, and as a result, there is a need to construct a new 24-inch diameter pipeline across the bridge. The new pipeline would continue the existing use of conveyance of water across the Willamette River.

To avoid further deterioration, maintenance functions on the bridge need to be performed.



OLD HIGHWAY BRIDGE

EXISTING WELL FIELD

WATER TREATMENT PLANT

PIPELINE ROUTE

SCALE: 1" = 2000'



Kramer, Chin & Mayo, Inc.
Consulting Engineers, Applied Scientists
10 S. W. Ash Street, Portland, Oregon 97204
Phone (503) 221-1814