

YAMHILL COUNTY PLANNING COMMISSION MINUTES

Thursday, March 6, 2003 @7:00 p.m.
Yamhill County Courthouse, Room 32
535 E 5th St.
McMinnville, Oregon 97128

Roll Call: Gary Johnson, Daryl Garrettson, Sid Friedman, Bernie Diefenderfer, Robert Smiley, Brad Myers, Alan Halstead. Absent: Dean Brown and Marjorie Ehry. Staff: Ken Friday, Martin Chroust-Masin, Mike Brandt, Rick Sanai, County Counsel

Alan Halstead moved to approve the **minutes** from the February 6, 2003 Planning Commission hearing as submitted. Seconded by Robert Smiley. Approved unanimously.

QUASI-JUDICIAL PUBLIC HEARINGS:

DOCKET NO.: P-17-02
REQUEST: To partition a 6.21-acre parcel into two lots of 3.5 and 2.71-acres. The applicant has reconfigured the parcels so that the request no longer requires a variance to the depth to width ratio limitation of 3:1.
APPLICANT: Raymond O. Schumacher
TAX LOT: 4106-700
LOCATION: 36290 NE Wilsonville Road, Newberg
ZONE: VLDR-2.5, Very Low Density Residential (The property is also within the WRG Willamette River Greenway Overlay zone and the southern 150 feet is in the FP Floodplain Overlay District)
CRITERIA: Section 502.06 (A and B) of the *Yamhill County Zoning Ordinance*; and the *Yamhill County Land Division Ordinance*.

Vice-Chair Daryl Garrettson opened the hearing.

Ken Friday stated that the request for a hearing has been withdrawn and a decision will be made by the Planning Director.

DOCKET NO.: Z-02-02
REQUEST: Zone change from VLDR-2.5 Very Low Density Residential to AF-10 Agriculture Forestry Small Holding. The purpose of this request is to allow breeding, raising and training of equines. An approval of this request would also provide for riding lessons to general public.
APPLICANT: Robin L. Vachter
TAX LOT: 3219CA-901 and 902
LOCATION: 24285 NE Zard Lane, Newberg, Oregon
CRITERIA: Sections 501 and 1208.03 of the *Yamhill County Zoning Ordinance*; the *Yamhill County Comprehensive Plan*.

Abstentions, objections to jurisdiction, ex-parte contact: Sid Friedman stated that he used to own the property and sold the property to the Vachter's. He will abstain from the hearing. Gary Johnson noted that the Vachter's are occasional customers of his but should not affect his decision making.

Rick Sanai, County Counsel, read the “**raise it or waive it**” statement into the the record.

Staff Report: Martin Chroust Masin gave a brief review of the staff report. He distributed several items that were received after the packets were mailed. Questions: none

Proponent’s Case: Robin Vachter, 24285 NE Zard Ln., Newberg. Ms. Vachter entered supporting letters from neighbors and clients into the record. Yamhill County Youth and Family Services is requesting dates of horse camp for their youth activities. Questions: None.

Martin noted that a portion of the property is zoned AF-10.

Sterling Parker, 24285 NE Zard Ln., Newberg: He came in support of the application. Questions: What is your disposal plan for manure? Mr. Parker: It is composted over the winter and spread on the property or hauled off.

Jimmy Parrack, 24400 NE Zard Ln., Newberg He supports the zone change but has comments and concerns with the barn and manure. The barn is opposite his property and the manure pile gets large in the winter. It is not a pleasant site or smell. He would like this issue addressed either by hauling away or concealing. He would like some sort of buffer. Daryl Garrettson noted that this is a straight zone change and cannot be conditioned.

Opponents:

Del Washburn, 10820 Stevenson Road. He is not against the zone change but has some major concerns. Horses are moved from the property to a neighbor property along Stevenson Road. The horses damage the road and grass area and leave large manure piles. He is not against the horses and understand that there is not enough room for the number of horses. Mr. Washburn would like the applicant to be more considerate to the surrounding property owners. Daryl Garrettson: Boarding of horses is a permitted use. Is a riding school a conditional use? Staff: It is a permitted use.

Jimmy Parrack: There is a deer herd in the area and he is concerned that if the area is over stocked it could effect the wildlife.

Public Agency Report: The referrals were included in the packet with two additional referrals distributed at the start of the hearing.

Rebuttal: Robin: It is not beneficial to me to damage my property. I don’t want to over graze and I don’t want it to be junky. I am a single mom and trying to make ends meet. I lease other properties for the additional keep of the horses. Manure removal is a major problem in this industry. I will attempt to haul off monthly. Any farm has equipment. I need the zoning change to make it in the horse industry.

Mike Brandt noted that there is a provision that if boarding is an activity, site design review is required.

Staff Recommendation: Based on submitted evidence, staff believes that this application can work with harmony of all the neighbors. Staff recommends approval of the application.

Deliberation:

Gary Johnson: He agrees with staff but noted that Senate Bill 1010 and its' requirements could affect this operation. Ms. Vachter should talk to Soil and Water Conservation District about the issues. This could take care of the concerns of the neighbors.

Alan Halstead: He agrees with staff but is concerned with surrounding wells and drinking water. He supports the zone change but he shares the same concerns as the neighbors.

Brad Myers: No comment.

Robert Smiley: He thinks Senate Bill 1010 could take care of the problems.

Daryl Garrettson: He has concerns in the alternate site and impact area. This is rural residential and this is an agriculture operation on a small parcel.

Bernie Diefenderfer: Looking at it as a land use issue, I concur with staff.

MOTION: Gary Johnson moved to approve Docket Z-02-02. Seconded by Robert Smiley. Approved 5-1 with Daryl Garrettson opposed. (Sid Friedman abstained)

Adjournment: The hearing was adjourned at 7:55 p.m.

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