

YAMHILL COUNTY PLANNING COMMISSION

Thursday, March 4, 2010- 7:00 p.m.
Yamhill County Courthouse, Room 32
535 NE 5th St.
McMinnville, Oregon 97128

Roll Call: Matt Dunckel, David Polite, Michael Sherwood, Daryl Garrettson, John Abrams, Alan Halstead Marjorie Ehry, Bob White. **Staff:** Ken Friday, Michael Brandt, Stephanie Armstrong

The minutes from the Planning Commission Hearing of February 4, 2010 were unanimously approved.

Chair Garrettson opened the public hearing.

Abstentions, Objections to Jurisdiction, Ex Parte Contact: None.

Ken Friday read the “raise it, or waive it” statement required by ORS 197.763.

QUASI-JUDICIAL PUBLIC HEARING:

- DOCKET NO.:** Z-03-09
REQUEST: Zone change from EF-80, Exclusive Farm use to AF-80, Agriculture/Forestry.
APPLICANT: John Balwit
OWNERS: John Balwit and Nicholas Kristof
TAX LOTS: 5504-100, 200 and 300
LOCATION: The majority of the property is located east of the intersection of Masonville, Muddy Valley and Eagle Point Roads. An area of approximately 6 acres is located west of this intersection. In addition, approximately 120 acres is located south of Masonville Road.
AREA SIZE: Approximately 397 acres
CRITERIA: Sections 402, 403 and 1208.03 of the Yamhill County Zoning Ordinance; the Yamhill County Comprehensive Plan Goals and Policies.

Staff Report: Ken Friday gave a brief review of the staff report.

Proponent’s Case: John Balwit: 1684 SW Bonnie Jean Pl, McMinnville: Gave a brief description of the property and his plans.

Questions of Proponent: None.

Opponent’s case: Susan Watkins, 13440 SW McCabe Chapel Rd, McMinnville: Not opposed to the application but made comments regarding the future placement of a dwelling on the parcel. Thinks the 750 foot standard for public notice is not appropriate for rural areas. Thinks the County should be looking at rezoning property as a policy rather than a case-by-case basis. The whole area should be reviewed. She said she was part of a committee (Committee for Family Forest Land) who’s goal is to keep forest land in forest use.

Garrettson said the Board of Commissioners would be the ones to initiate policy changes.

Susan Meredith: 14100 SW McCabe Chapel Rd, McMinnville: Not opposed to the application. Noticed a larger issue with the EF zone and agreed with Ms. Watkins. Garrettson explained how the present EF zoning came into being.

Public agency report: Ken introduced a letter from DLCD.

Rebuttal: Mr. Balwit explained his involvement in the forestry aspect of the property.

Staff recommendation: Staff recommends approval of the request.

Deliberation:

All the commission members stated that they concurred with staff.

Alan Halstead moved to approve Docket Z-03-09. Marjorie Ehry seconded the motion. **Motion passed unanimously.**

2. **DOCKET NO.:** Z-01-10
 REQUEST: Zone change from EF-80, Exclusive Farm use to F-80, Forestry.
 APPLICANTS: Kathryn McCallie, Bette Suderman and Barbara Thompson
 TAX LOT: 5613-700
 LOCATION: 17545 SW Gopher Valley Road, Sheridan
 AREA SIZE: 41.6 acres
 CRITERIA: Sections 401, 402 and 1208.03 of the Yamhill County Zoning Ordinance; the Yamhill County Comprehensive Plan Goals and Policies.

Staff Report: Stephanie Armstrong gave a brief review of the staff report.

Proponent's Case: Kathryn McCallie: 14275 SW Peavine Road, McMinnville: Gave a brief description of the property and the family history. Their family has owned it since 1943. The rezoning to a forestry designation would allow it to be sold and for them to close out the trust.

Questions of Proponent: None.

Opponent's case: None.

Public agency report: Stephanie introduced a letter from DLCD that had been received today.

Mike Brandt gave the history on the owners attempt at a Measure 37 claim and their eventual denial of their Measure 49 claim.

Staff recommendation: Staff recommends approval of the request.

Deliberation:

All the commission members stated that they concurred with staff.

Alan Halstead moved to approve Z-01-10. Marjorie Ehry seconded the motion. **Motion passed unanimously.**

3. **DOCKET NO.:** C-18-09/SDR-17-09
 REQUEST: Conditional use and site design review to establish a summer youth camp.
 APPLICANT: A. Dirk Parker
 TAX LOT: 4504-503

LOCATION: 20838 Baker Creek Road, McMinnville
ZONE: F-80 Forestry Use
CRITERIA: Sections 401.04(W), 401.05, 1101.02 and 1202.02 of the *Yamhill County Zoning Ordinance*. Oregon Administrative Rule 660-006-0031.

Abstentions, Objections to Jurisdiction, Ex Parte Contact: Matt Duckel stated he had done work with Mr. Parker but indicated it would not affect his ability to vote on this issue.

Staff Report: Ken Friday gave a review of the staff report.

Questions of Staff: Daryl Garrettson: Any documentation showing it will be operated by a non-profit? Friday: No. Daryl Garrettson: Asked about the grade of road. Ken Friday: Stated the road was steep but no grading information is in the file. Michael Sherwood: Any recreational areas noted on the application? Friday: No. Michael Sherwood: What if the applicant wanted to add some in the future? Ken Friday: The applicant would need a new SDR application if new areas are added. Matt Dunckel: Since there is a new home on the property the rural fire department must have approved the access.

Proponent's Case: Dirk Parker, 839 NE Ashby Ct., McMinnville, stated that the road had been reviewed by the fire department. He stated that a well will be drilled if the spring is not approved for the intended use. He said his attorney is drafting up the paperwork to make them into a non-profit organization. Sherwood: Asked if it economically feasible to operate the camp. Daryl Garrettson: He said that they need a commitment to lease from the church. Without the long term commitment he interprets that it doesn't meet the OAR. He asked if they wanted a continuance in order to get that commitment. The Commission took a 5-minute break so the applicant could consider. Parker: requested a 30 day continuance.

Daryl Garrettson asked if anyone is in opposition that can not come back next month. No one indicated they could not return to the next hearing.

Halstead moved and seconded by Ehry to continue Docket C-18-09/SDR-14-09, to April 1, 2010, Room 32 of the Yamhill County Courthouse at the point of "Questions of Proponents". Motion passed unanimously

Other business:

Mike spoke of SB 1055. Is going to have a work session on the topic to address the issues.
Ken said we have the sand and gravel application available.

Adjourn: Planning Commission hearing adjourned at 8:04 PM.