

Yamhill County Comprehensive Land Use Plan

Revised Goals And Policies - Adopted December 30, 1996
Incorporating Goal and Policy amendments through Ordinance 618

SECTION II. The Land and Water

A. Agricultural Lands

SUMMARY

Agriculture plays an integral role in the overall economy of the county. A significant amount of land within the county has soils which are defined as having high quality agricultural capability.

The need to maintain the integrity and viability of the agricultural land base has been clearly recognized by Yamhill County residents.

Expansion of urban development into rural areas creates conflicts between farm and urban activities, thereby decreasing the potential for agricultural productivity.

In addition to agriculture's important role in the economy of the county, vast expanses of farm land provide county residents with scenic open space which contributes to their overall health and welfare.

Irrigation is an important element in the production of some farm crops, and water storage is an effective means of prolonging the irrigation season.

GOAL STATEMENT

1. To conserve Yamhill County's farm lands for the production of crops and livestock and to ensure that the conversion of farm land to urban use where necessary and appropriate occurs in an orderly and economical manner. (104) R

POLICIES

- A. Yamhill County will provide for the preservation of farm lands through appropriate zoning, recognizing comparative economic returns to agriculture and alternative uses, changing ownership patterns and management practices, changing market conditions for agricultural produce, and various public financial incentives. (105)
- B. Yamhill County shall provide for the protection of farmland in large blocks through minimum lot sizes of 20, 40, and 80 acres, as appropriate, on the Comprehensive Plan and official zoning maps. Any proposal to reduce the minimum lot size on a farm or

farm/forest parcel shall be shown to be appropriate to maintain the existing commercial agricultural enterprise in the area. (565)

- C. Yamhill County recognizes that certain areas of the county are characterized by such a mixture of farm and forest use that the agricultural lands and forest lands goals of this Plan are both applicable. Farm and forest resources within these areas shall be protected through mixed-use zoning that recognizes both types of use. Any proposal to change the zoning designation of a parcel from a farm or forest classification to a mixed-use zone shall include a demonstration that the use of the parcel is such a mixture that neither the farm nor forest land goals can be exclusively applied. (565)

- D. Yamhill County will provide for the conservation of farm lands through various plan implementation measures and the review of any public or private land use determinations subject to county jurisdiction, including urban development activity and the location and construction of highways and utility transmission lines which disturb the soil cover and natural drainage pattern, and increase storm runoff, erosion and sedimentation. (106)

- E. Yamhill County will recognize and support watershed storage projects in the Yamhill River basin for their irrigation and flood control benefits. (106) R

- F. Yamhill County will continue to support State special assessment incentives relative to farm lands which are subject to ORS statutes or other farm management programs in order to preserve such lands for farm use and production. (106) R

- G. Yamhill County will not permit subdivision on lands designated by the county comprehensive plan as Exclusive Farm Use or Agriculture/Forestry Large Holding in order to preserve such lands for forest and farm uses and production. (233, 565)

- H. No proposed rural area development shall substantially impair or conflict with the use of farm or forest land, or be justified solely or even primarily on the argument that the land is unsuitable for farming or forestry or, due to ownership, is not currently part of an economic farming or forestry enterprise.

- I. In order to conserve energy in the production and delivery of food and other agricultural products, Yamhill County will encourage the creation of farmer's markets and will encourage the use of less petroleum-intensive farming methods while providing related technical assistance.

- J. Yamhill County shall adopt provisions in the zoning ordinance that will be used as standards for review of requests to change the minimum lot size within the areas designated Exclusive Farm Use or Agriculture/Forestry Large Holding on the Comprehensive Plan map, or from a farm, forest, or agriculture/forestry designation to a different resource classification. (565)

- K. Any Comprehensive Plan or zone map amendment that would reduce the minimum lot size on property within an Exclusive Farm Use or Agriculture/Forestry designation shall not be granted final approval by Yamhill County until the amendment has been considered and approved by the Land Conservation and Development Commission pursuant to ORS 215.780(2). The zoning ordinance shall provide a process for conditional approval by Yamhill County, concurrence by the Land Conservation and Development Commission and final approval by Yamhill County in applications subject to this subsection. (Ord 618)

GOAL STATEMENT

- 2. To conserve Yamhill County's soil resources in a manner reflecting their suitability for forestry, agriculture and urban development and their sustained use for the purposes designated on the county plan map.

POLICIES

- A. Yamhill County will continue to preserve those areas for farm use which exhibit Class I through IV soils as identified in the Capability Classification System of the U.S. Soil Conservation Service.

- B. Yamhill County will continue to support ASCS soil conservation measures and SWCD best management practices designed to protect and improve forest and agricultural land productivity and to prevent unnecessary losses through excavation, stripping, erosion and sedimentation. (108) R

C. Yamhill County will establish an ordinance to control erosion and sedimentation in subdivision developments and both public and private roadway construction.

D. Yamhill County will require that construction permits contain provisions to protect sites from soil erosion.

B. Forest Lands

SUMMARY

The timber industry is Yamhill County's number one basic export economy. In addition to employment and wood products, the county's forest lands provide watershed areas for cities, recreational areas, and fish and wildlife habitat.

A future guarantee of productive forest lands in the county is of concern as the demand for wood products, recreational areas, expanded municipal water supplies and fish and wildlife habitat increase.

Uncertainties exist regarding the adequacy of timber supply for the future. In most locations of the county, marginal agricultural lands can be converted to productive forest lands.

Nearly half of the land area in the county is designated on the plan map as Commercial Forestry; other productive forest lands are scattered throughout the land area designated as Agriculture/Forestry Large Holding.

GOAL STATEMENT

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

POLICIES

- A. Yamhill County will cooperate with federal and State agencies, large private timber owners and small woodland owners to manage forest and grazing lands for the highest aggregate economic, recreational and ecological benefits which these lands can sustain, including timber production, livestock range, fish and wildlife habitat, watershed protection, erosion control and recreational use. (98) R

- B. Yamhill County will continue to support State special assessment incentives, reforestation programs, and forest management plans and programs in order to preserve and rehabilitate forest lands in the county.

- C. Yamhill County will encourage afforestation of marginal agricultural lands in the county. (100) R

- D. Yamhill County will provide for the preservation of forest lands through appropriate zoning, and provide for maintenance of commercial-sized forest units via an 80-acre minimum lot size.

- E. Yamhill County recognizes that areas of the county are characterized by such a mixture of farm and forest use that the agricultural lands and forest lands goals of this Plan are both applicable. Farm and forest resources within these areas shall be protected through mixed-use zoning that recognizes both types of use. Any proposal to change the zoning designation of a parcel from a farm or forest classification to a mixed-use zone shall include a demonstration that the use of the parcel is such a mixture that neither the farm nor forest land goals can be exclusively applied. (565)

- F. Yamhill County shall adopt provisions in the zoning ordinance that will be used as standards for review of requests to change the minimum lot size within areas designated Agriculture/Forestry Large Holding on the Comprehensive Plan map, or from a farm, forest, or agriculture/forestry designation to a different resource classification. (565)

- G. Yamhill County will not permit subdivision on lands designated by the county comprehensive plan as Commercial Forest or Agriculture/Forestry Large Holding in order to preserve such lands for forest and farm uses and production. (565)

C. Water Resources

SUMMARY

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

GOAL STATEMENT

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

POLICIES

- A. Yamhill County will cooperate with federal and state agencies, the cities of the county, and the local soil and water conservation district to identify, conserve and develop water resources on a long-range, multiple-use basis in response to need, with full consideration given to the benefits, costs, potential uses and the carrying capacity of the resource.

- B. Yamhill County will continue participation in the FEMA National Flood Insurance Program to prevent flood-caused loss of life and property, by identifying and mapping the floodplains and floodways of the county, restricting land uses within the floodplains to those which are open and undeveloped, including forestry, agriculture, wildlife habitat and recreational areas and encouraging improved watershed management practices and the construction of watershed storage projects for flood control.

- C. Yamhill County will support the establishment of minimum stream flows to ensure the continuance of beneficial in-stream uses.

- D. Yamhill County will support Soil and Water Conservation District efforts to aid in erosion, sediment, and run-off control.

- E. Yamhill County will coordinate with and support city, regional, state and federal water-quality plans and programs so that high water quality will be achieved in the cities of the county, that sound watershed management practices will take place, and that improved treatment of point and nonpoint sources of water pollution will be achieved.

- F. Yamhill County will continue to support the water well monitoring programs of the U.S. Geological Survey and State Department of Water Resources in order to better manage the county's groundwater resources.

- G. Yamhill County will encourage a study by the U. S. Geological Survey of major groundwater recharge areas in the county.

- H. Yamhill County will encourage the prudent use of all county resources and support the development of water conservation techniques and practices.

- I. Where conflicting uses are identified or intended, in specific proposals or programs, the economic, social, environmental and energy consequences of the conflicting uses shall be determined as used as a basis for decision-making.

- J. It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review land use applications for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizontally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (Natural Resource Conservation Plan, Yamhill County, Oregon, May 1979 -U.S.D.A. - Soil Conservation Services), that are not regulated under the Forest Practices Act. (Ord 471)

- K. It is county policy that land use management practices and nonstructural solutions to problems of erosion and flooding are preferred to structural solutions. Water erosion control structures, including riprap and fill, should be reviewed by the appropriate state permitting authority to insure that they are necessary, are designed to incorporate vegetation where possible, and designed to minimize adverse impacts on water currents, erosion, and accretion patterns.

- L. Yamhill County will rely upon the Forest Practices Act and regulations adopted under that Act to insure protection of surface water on non-federal forest lands from forest activities that negatively impact surface waters. (Ord. 471)

- M. Yamhill County will coordinate with the cities with watersheds in the county to identify municipal watershed areas as an overlay to the Official Zoning Map. Within the

designated Watershed Overlay, the county will provide notice of proposed land use actions to the affected city. The affected city shall have an opportunity to forward a recommendation on the proposed land use action prior to a final county decision, and may propose specific conditions to protect water quality. (566)

- N. Yamhill County will complete the Goal 5 process for wetlands in the county, other than Walker Creek, no later than the next required periodic review of the county's land use plan and regulations. (Ord. 471) Specifically, the Goal 5 process for the following significant resource sites shall be completed by the next periodic review:

East Creek	Cedar Creek
South McGuire	Neverstill
Meadow Lake	Nelson's Golden Valley
Upper Nestucca	Tillamook Burn 1
Nestucca River	Tillamook Burn 2(566)

D. Fish and Wildlife

SUMMARY

Yamhill County has a rich and varied wildlife resource which includes upland game, fur bearers, anadromous and warm water fish, waterfowl, and a large variety of nongame species.

The county has several sensitive wildlife habitat areas whose protection is essential for the well-being of the resource.

Fishing provides important recreational benefits to Yamhill County citizens. Land use conflicts can occur which would degrade the county's wildlife resource.

GOAL STATEMENT

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

POLICIES

- A. Yamhill County will cooperate with the Oregon Fish and Wildlife Department, the Yamhill County cities, the U.S. Agricultural Stabilization and Conservation Service, the Bureau of Reclamation, and the soil and water conservation districts of the region to identify, conserve, and protect fish and wildlife habitat; determine areas of critical imbalance and threats to particular species; and formulate and implement measures for the improvement of existing habitat and the creation of new habitat where needed. (101)

- B. Yamhill County will recognize the need to conserve and protect fish and wildlife habitat in its plan implementation measures; and the following will be considered in any public or private land use determination subject to county review; the impact of harvesting forested areas where there is no forest management plan for regeneration of the forest lands; the filling or drainage of swamps or marshes; the damming of rivers and streams; the location and construction of highways and utility transmission lines; and any other land development activities which significantly interfere with the vegetation or soil cover or drainage patterns in critical habitat areas. (102) R

- C. All identified sensitive wildlife areas will be classified as exclusive agriculture, forest land or open space. No major land use change, including but not limited to road construction and recreational developments will be permitted without approval of measures to limit undesirable impacts on sensitive wildlife areas.

- D. Habitat of all species indicated as endangered, threatened, or vulnerable will be preserved. Nesting sites of endangered bird species will be protected and buffered from conflicting uses.

- E. Yamhill County will recognize and support watershed storage projects in the Yamhill River Basin where streamflow maintenance benefits improve water quality for enhancement of sport fisheries and native species. (103) R

- F. In the Sensitive and Peripheral Big Game Winter Range, all proposed zone changes and applications for partitions will be referred to the Oregon Department of Fish and Wildlife for determination of conflicts with big game habitat requirements. In the event the Department identifies and informs the county that site-specific habitat conflicts exist, the

county will not approve said zone changes without seeking resolution of such conflicts. (Ord. 233) (Ord 491)

G. Yamhill County will rely upon the Forest Practices Act and regulations adopted under that Act to ensure protection of Fish and Wildlife on non-federal forest lands from forest activities that negatively impact fish and wildlife. (Ord. 471)

H. Although Pigeon Mineral Spring sites have been determined by the county not to constitute "ecologically significant natural areas" they are significant wildlife habitat. These sites are therefore included in the county's inventory of significant wildlife areas. Information is available indicating the possible existence of Pigeon Mineral Spring sites. However, current information is not adequate to identify with particularity the location, quality, and quantity of these resource sites. These sites are therefore included in the comprehensive plan inventory as a special category. It is the policy of Yamhill County that land use management practices for the protection of inventoried Pigeon Mineral Spring sites that are agreed to by affected property owners are a preferred method of protection for these habitats, but owner consent will not be the determinative criterion in whether a site is included on the inventory. To achieve this goal, Yamhill County will coordinate with the Oregon Department of Fish and Wildlife and owners of property containing inventoried Pigeon Mineral Spring sites for the development of a habitat protection program for the sites. It is intended that the Goal 5 process will be completed for these sites prior to the termination of Yamhill County's next periodic review. (Ord 546)

E. Open Space

SUMMARY

Yamhill County possesses an extensive open space network that contributes to the overall rural character and liveability of the county.

GOAL STATEMENT

1. To insure the continuance of the open space character that has always existed in Yamhill County.

POLICIES

- A. Yamhill County will cooperate with all governmental and recreation agencies within the region to identify open space and scenic resources, to determine resident and non-resident

recreation needs, and to formulate and implement measures for open space preservation and use. (94)

- B. The inventory will include, but not be limited to the location, quantity and quality of the following resources: fish and wildlife habitats; ecologically and scientifically significant natural areas; outstanding scenic view and sites; water areas, wetlands, watersheds, and groundwater resources; wilderness areas; historic areas, sites, structures and objects; cultural areas; potential and approved Oregon recreation trails; potential parks and recreation sites.

- C. Where conflicting uses are identified concerning an open space, natural or scenic resource proposal, the economic, social, environmental and energy consequences of the conflicting uses will be determined and programs developed to achieve the goal.

GOAL STATEMENT

- 2. To preserve and improve potential recreational and other open spaces in both urban and rural environments for all to enjoy. (94)

POLICIES

- A. Yamhill County will seek to establish a permanent county open space net; increased public access to areas of prime recreational significance; the development of additional water-based recreational opportunities; and continuity of scenic views, buffer areas, wildlife and natural habitat and associated natural environments. (95) R

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

F. Mineral and Aggregate Resources

SUMMARY

An inventory of mineral and aggregate resources for Yamhill County is scheduled to be undertaken in 1979 by the Oregon Department of Geology and Mineral Industries. Mineral resources in Yamhill County consist mainly of sand and gravel, and rock quarries.

The Willamette River is a major source of sand and gravel. Unless properly developed and rehabilitated, mining and quarrying activity can pose irreparable environmental damage.

GOAL STATEMENT

1. To protect mineral deposits from urban encroachment, provided that such deposits are not located on land identified for urban and rural residential development by the Comprehensive Plan and Plan Map; to ensure that all extraction of mineral resources takes place under conditions which foster compatibility with existing surrounding land uses; and to provide for the restoration of extraction sites for future agriculture, open space, recreational or other appropriate uses. (Ord. 301)

POLICIES

- A. Mineral and aggregate resources will be recognized as a nonrenewable resource important to the growth and development of the county and of the surrounding region. (Ord. 301)
- B. Yamhill County will continue to cooperate with State and federal agencies within the region to identify lands that are, can, or should be utilized for sources or processing of mineral aggregates; will determine present and future needs; and will formulate and implement necessary measures for the protection of such sources or sites; and sites that are found to be compatible with the Plan goals will be recognized through appropriate plan designations and zone districts on the Plan and zone maps. (Ord. 301)
- C. Areas designated by the Comprehensive Plan for urban and rural residential development or other conflicting uses will continue to be protected from incompatible mining activities through appropriate zoning and review measures. (Ord. 301)
- D. Areas designated by the Comprehensive Plan for mineral resources will continue to be protected from incompatible urban and rural residential development and other conflicting uses through appropriate zoning and review measures. If such development is approved, adequate setbacks and use limitations will be applied to the development to minimize conflicts with adjacent future mining operations. (Ord. 301).

- E. Where a property has been identified as having important mineral and aggregate resources and is identified as farm or forest land in the Comprehensive Plan, and conflicts exists between competing uses, consideration of the economic, social, environmental and energy consequences shall be a part of the aggregate site designation and zoning process. (Ord. 301)

GOAL STATEMENT

- 2. To ensure that irreparable environmental damage or the creation of safety hazards does not result from mining, quarrying or extractive activities; and to ensure that reclamation of mining, quarrying and extraction sites is accomplished according to an approved reclamation plan.

POLICIES

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

G. Ecologically and Scientifically Significant Natural Areas (Ord 471)

SUMMARY

An inventory of ecologically and scientifically significant natural areas in Yamhill County was completed by the Nature Conservancy in 1977. In 1988 the Oregon Natural Heritage Data Base of the Nature Conservancy completed an update of Yamhill County natural areas that included a review of the significance of those sites listed in the 1977 inventory and investigation of additional sites.

GOAL STATEMENT

To protect land and water areas that have substantially retained their natural character and land and water areas that, although altered in character, are important as habitat for plant, animal or marine life, for the study of natural historical, scientific, or paleontological features or for the appreciation of their natural features.

POLICIES

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

H. Outstanding Scenic Views and Sites (Ord 471)

SUMMARY

Outstanding scenic views and sites exist throughout Yamhill County. Scenic views are an important component of the liveability, attractiveness, and economic health of the county.

GOAL STATEMENT

1. To protect outstanding scenic views and sites for future generations.

POLICIES

- A. Yamhill County will allow uses that may impact scenic resources in the county, subject to the protection offered by the Statewide Land Use Planning Goals, Yamhill County Comprehensive Plan and zoning provisions, particularly site design review, solid waste enforcement, and any other measures as may be adopted to protect the scenic attractiveness of the county.

- B. The Yamhill County Parkway Committee, established by Board Order 88-642 will develop a strategy for establishing a parkway along the State Highways 99 and 18 corridor in Yamhill County.

I. Historic Areas, Sites, Structures and Objects and Cultural Areas (Ord 471)

SUMMARY

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

GOAL STATEMENT

1. To protect sites, structures and objects that have local, regional, statewide, or national historical significance, and areas characterized by evidence of an ethnic, religious or social group with distinctive traits, beliefs, and social forms, for future generations.

POLICIES

- A. Through its Historic Landmark Commission and preservation program adopted in 1988, Yamhill County shall limit uses that conflict with significant historic and cultural resources duly designated as Yamhill County Landmarks.

- B. Yamhill County will continue to seek funding and otherwise promote activities designed to further the public's understanding of the cultural and historic diversity of the county.

J. Potential and Approved Federal Wild and Scenic Waterways and State Scenic Waterways (Ord 471)

SUMMARY

The Statewide Comprehensive Outdoor Recreation Plan (SCORP) (1983) developed by the State Parks and Recreation Division of the Oregon Department of Transportation, lists certain Yamhill County River segments as possessing "sufficient resource values to include them in an inventory of potential study for future designation into either the State Scenic Waterways System or the National Wild and Scenic Rivers System." (P. 47). Other rivers and streams may be designated for protection by the state or federal government in the future.

GOAL STATEMENT

1. To protect approved federal wild and scenic waterways and state scenic waterways, and to coordinate with state and federal agencies studying potential federal wild and scenic waterways and state scenic waterways.

POLICIES

- A. The following river segments are identified as potential scenic waterways:

1. Willamette River (federal status) from southern county border downstream approximately 26 miles from Salem.
2. Nestucca River (state status) from the lower end of Old Meadow Lake to county border.
3. Nestucca (Little) River (federal status) entire length within Yamhill County.

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

- B. Yamhill County shall coordinate with state and federal agencies in applying the Statewide Planning Goal 5 rule process in the event a study is made for designation of any of the above-listed river segments as a federal, wild, and scenic river and/or State Scenic Waterway.
- C. The Nestucca River (from immediately below the McGuire Dam downstream to its confluence with East Creek) and Walker Creek (from its source to the confluence with the Nestucca River) is designated a State Scenic Waterway. So long as it retains its state designation, the county recognizes Walker Creek, and that portion of the Nestucca River within Yamhill county, as a significant Goal 5 resource. It is the county's intent to remove the designation of Walker Creek as a significant Goal 5 resource if the state scenic waterway designation is removed in the future. Removal of the county's Scenic

Waterway Overlay designation will require a Comprehensive Plan Amendment and a revised ESEE consequences analysis under Goal 5. The county recognizes that the State Parks and Recreation Department has the lead role in the development of management plans and review of land use activities adjacent to designated state scenic waterways. The county will coordinate and cooperate with the State Parks and Recreation Department and property owners within the scenic waterway boundary to ensure compatibility and consistency of regulatory controls. (566)

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