



Oregon
Theodore R. Kubongosi, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

12/18/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Yamhill County Plan Amendment
DLCD File Number 005-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, January 03, 2013

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Ken Friday, Yamhill County
Jon Jinings, DLCD Community Services Specialist
Angela Lazarean, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

☐ In person ☐ electronic ☐ mailed

DEPT OF

DEC 14 2012

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **Yamhill County**

Local file number: **G-02-12**

Date of Adoption: **12/6/2012**

Date Mailed: **12/13/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 10/31/2012

☒ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amendment of the TSP element of the county comprehensive plan to acknowledge the potential future use of a 15.25 mile section of Union Pacific Railroad right of way as a bicycle and hiking trail and to provide for potential use of the same right of way for commuter and/or freight rail. The right of way is located between McMinnville and Gaston.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **NA**

to:

Zone Map Changed from: **NA**

to:

Location: **RR right-of-way between McMinnville and Gaston**

Acres Involved:

Specify Density: Previous: **NA**

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? ☐ YES ☐ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 005-12 (19576) [17278]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Ken Friday**
Address: **525 NE Fourth Street**

City: **McMinnville**

Zip: **97128-**

Phone: **(503) 434-7516** Extension: **3630**

Fax Number: **503-434-7544**

E-mail Address: **fridayk@co.yamhill.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper** if available.
3. **Send this Form 2 and one complete paper copy** (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (**ORS 197.615**).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (**ORS 197.830 to 197.845**).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (**ORS 197.615**).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 **green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail **plan.amendments@state.or.us**.

BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Amending the Yamhill County Transportation System)
Plan to Accommodate the Yamhelas "Rails to Trails" Project,) Ordinance 880
Docket G-02-12)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of County business on December 6, 2012, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

IT APPEARING TO THE BOARD that Yamhill County wished to consider amendments to the Yamhill County Transportation System Plan (YCTSP), an element of the county comprehensive plan, to acknowledge the potential future use of a 15.25-mile section of Union Pacific Railroad right-of-way between McMinnville and Gaston as a bicycle and hiking trail, and to provide for potential future use of the same right-of-way for commuter and/or freight rail, and

IT APPEARING TO THE BOARD that the Planning Commission and the Board heard this matter at a duly noticed joint public hearing on November 29, 2012, and the Planning Commission voted 8-1 to recommend approval, and immediately after receiving this recommendation the Board voted 3-0 to approve the application. NOW, THEREFORE,

IT IS HEREBY ORDAINED BY THE BOARD, that the application is approved and the Yamhill County Transportation System Plan is hereby amended as follows: the underlined sentences on pages 91, 97 and 139 (attached and incorporated into this ordinance by this reference) are hereby added.

DONE this 6th day of December, 2012, at McMinnville, Oregon.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

REBEKAH STERN DOLL

County Clerk

By: Anne Bitt
Deputy Anne Bitt



APPROVED AS TO FORM:

Rick Sanai
RICK SANAI, Yamhill County Counsel

Leslie A. Lewis
Chair LESLIE LEWIS

Kathy George
Commissioner KATHY GEORGE

Mary P. Stern
Commissioner MARY P. STERN

5.5 AIR/RAIL/WATER/PIPELINE PLAN

AIR TRANSPORTATION PLAN

For the Air Service, the McMinnville Municipal Airport Master Plan provides forecasts of aviation activity, capacity and plans for the future together with a development program. The County zoning ordinance provides for an Airport Overlay (AO) zone. AO zone was established to prevent air space obstructions near public use airports and to ensure compatibility between the Airport use and surrounding land uses.

In addition to the McMinnville Airport, an airport site selection study was conducted for the City of Newberg and finalized in 1990. The study recommended that the City of Newberg not to purchase Sportsman Airpark or pursue development of a new airport facility at the time of the report.

Policies

1. Yamhill County is committed through its zoning ordinance and transportation plan to protect the McMinnville Municipal Airport as a vital county-wide transportation facility and efforts will be made to regulate land use in the environs of the airport to prevent the erection of further airport hazards and obstructions, at the same time preventing any residential encroachment upon critical noise contours without informed consent.
2. The status and proposed location or expansion of all airport facilities shall be specifically designated in a plan map, as amended, and, if under county jurisdiction, will be accorded a planned -unit designation in the zoning ordinance, in order to assure a compatible association of airport growth with surrounding urban development.

FREIGHT RAIL TRANSPORTATION PLAN

It is recommended that effort to be made to maintain the existing rail service and expand it in the County. Currently, plans to ship freight north through Newberg to the Southern Pacific's Brooklyn rail yard are being considered. Willamette and Pacific (W&P) plans to ship commodities daily from/to Newberg and McMinnville through Eugene instead of Portland.

In addition, ODOT's 1994 Oregon Freight Rail Plan states that shipments on the Willamina Branch are weight limited to 240,000 per four-axle rail car, and track conditions limit train operating speed. A benefit/cost (B/C) evaluation of this line for eligibility for federal rehabilitation and improvement assistance shows the Willamina Branch to have the third highest B/C ratio of the eight rehabilitation projects considered eligible in Oregon.

Policies

1. Yamhill County does not support further rail abandonment or diminishment of service.
2. Yamhill County supports improvement of rail line conditions to retain railroads as effective freight carriers in Yamhill County.
3. Yamhill County will pursue, whenever possible, conversion of abandoned rail lines through the federal "Rails to Trails" program and seek to integrate these abandoned lines into the County's trail/bikeway system.
4. Yamhill County supports the Hagg Lake to McMinnyville Rail With Trail Project (Yambelas Westsider Trail Project) and considers it important to both the County's rail and trail/bikeway systems.

WATER TRANSPORTATION PLAN

The Yamhill County Transportation System Plan recognizes water-borne transportation as an important mode for the movement of goods and recreation, and recommends that future use of the Willamette River be preserved as a transportation system resource, especially for the shipment of large and heavy, bulk commodities.

Policies

1. Yamhill County supports the dredging of the Yamhill River throughout its entire length as it borders Yamhill County not only for the movement of goods but also for recreational activities.

PIPELINE TRANSPORTATION PLAN

Current pipeline transportation in and through Yamhill County includes transmission lines for electricity, cable television, telephone service, water, sewer, and natural gas. The Yamhill County Transportation System Plan encourages continued use of these pipelines to move goods throughout the County.

5.6 YAMHILL COUNTY TRANSPORTATION PROJECT LIST

A list of expected transportation projects over the next twenty years is provided below. The list has been compiled based on:

- 1) Analyzing accident data provided by the State on the County roadway network
- 2) Results of the County and State bridge inspection program
- 3) Expert knowledge of the County Public Works Department
- 4) Applying capacity analysis on the County roadway network
- 5) Efforts to enhance other modes of transportation.

Roadway improvement projects listed below include:

- ☐ Bikeways (Figure 26)
- ☐ Intersections
- ☐ Bridges
- ☐ Pavement improvement projects including:
 - Pavement maintenance and rehabilitation projects
 - Pavement of collector gravel roads
 - Pavement of local gravel roads

The list also includes public transportation improvement projects and short term projects listed in the 1994 Transportation Improvement Plan published by the Oregon Department of Transportation.

Other projects that are of major concern to the County are listed finally including the Dundee-Newberg bypass, McDougall Corner, Wheatland Ferry, and east-west minor arterial in north Newberg.

At least once a year, Yamhill County will review identified transportation projects and, if necessary, add, delete, and/or reprioritize them to accommodate new conditions.

A. YAMHILL COUNTY BIKEWAY SYSTEM SUGGESTED IMPROVEMENTS

PRIORITY LIST "A"

WESTSIDE ROAD PHASE I

Vicinity	McMinnville Area
Section	Baker Creek Road to Donnelly Lane
Length	1.4 miles
Alignment	
Horizontal	Generally straight with an assortment of flat and moderately sharp curves
Vertical	Mostly flat with an occasional valley
Traffic Volume	3,400 vehicles per day
Traffic Speeds	35 mph to 55 mph
Surface	Paved - Excellent Condition
Width	22 feet wide (11 feet per each travel lane)
Shoulders	Rock and earth shoulders
Recommended Action	Construct a 6 foot wide paved shoulder contiguous to each travel lane
Estimated Cost	\$236,966 (1995 Dollars)

NORTH VALLEY ROAD/BELL ROAD PHASE I

Vicinity	Newberg Area
Section	Aspen Way to Tangen Road
Length	2.05 miles
Alignment	
Horizontal	Mostly straight with an occasional sharp or moderately sharp curve
Vertical	Generally flat with a limited number of severe grade changes
Traffic Volume	1,600 vehicles per day
Traffic Speeds	45 mph to 60 mph
Surface	Paved - Fair Condition on Bell Road and Good Condition on North Valley Road
Width	20 feet wide (10 feet per each travel lane)
Shoulders	No shoulders along some sections, rock and earth shoulders along the remaining sections
Recommended Action	Construct a 6 foot wide paved shoulder contiguous to each travel lane.
Estimated Cost	\$418,176 (1995 Dollars)

HAGG LAKE TO McMINNVILLE RAIL AND TRAIL PROJECT

<u>Vicinity</u>	<u>North Central Yamhill County</u>
<u>Section</u>	<u>Union Pacific Railroad From McMinnville to Hagg Lake</u>
<u>Length</u>	<u>15.25 miles in Yamhill County</u>
<u>Alignment</u>	
<u>Horizontal</u>	<u>Predominantly flat.</u>
<u>Surface</u>	<u>Gravel and rail</u>
<u>Recommended Action</u>	<u>Construct a multi-use path along the existing railroad right-of-way</u>
<u>Estimated Cost</u>	<u>TBD (ROW acquisition is \$2.4 million)</u>

4. NORTH NEWBERG EAST-WEST MINOR ARTERIAL

As part of the Newberg Transportation plan, an open public workshop was held to provide a forum for public participation, represented by Newberg's Citizen's Advisory Committee (CAC), in the assessment of the city-wide future transportation/land use system alternatives. It was agreed in the workshop that a major east/west minor arterial street in north Newberg was needed to provide local traffic access and circulation within a balanced transportation system. It was also agreed that the preferred alternative for Newberg's Transportation System Plan was the "Mountainview/Crestview Extension". However, a petition to stop the Crestview Drive Extension was presented by the Oxberg Neighborhood Residents in the Workshop. After reviewing the petition CAC decided to request from the City Staff and their consultant team to conduct additional study of more specific alternatives of an east/west minor arterial in the north Newberg area for improved local traffic circulation and access.

The study examined three alternatives:

- 1) Springbrook-only
- 2) Crestview/Mountainview Extension
- 3) Mountainview Extension.

These alternatives were compared based on:

- Travel time between Highway 99W (at proposed Bypass interchange) and Mountainview Drive at Springbrook Street
- Average travel speed between Highway 99W (at proposed Bypass interchange) and Mountainview Drive at Springbrook Street
- Vehicle miles of travel (VMT)
- Vehicle hours of travel (VHT)
- Vehicle delay
- Anticipated costs of roadway construction, and right-of-way acquisition.

Of the three alternatives, the Crestview/Mountainview Extension alternative was found to provide the greatest relief of traffic congestion on Springbrook Street and other collector streets in the immediate area. In terms of VHT, it had the lowest overall travel time. Total vehicle delay on Springbrook was found to be lowest under the Crestview/Mountainview alternative. This alternative was found to cost about \$3.07 million.

Discussions with the City of Newberg have indicated that Benjamin Road was also considered by the City as an alternate east/west connector. However, it was found that there will be too much misdirection of traffic to provide the relief needed from traffic going to the middle of the City and turning north.

It is recommended that the Oregon Department of Transportation, in cooperation with the City of Newberg and Yamhill County, and possibly as part of OR 99W corridor study, determine the optimum location of the east-west minor arterial connection with Highway 99W in consideration to the location of by-pass interchange. As part of this study, the City of Newberg and Yamhill County shall work together on setting the criteria for selecting the optimum alternative.

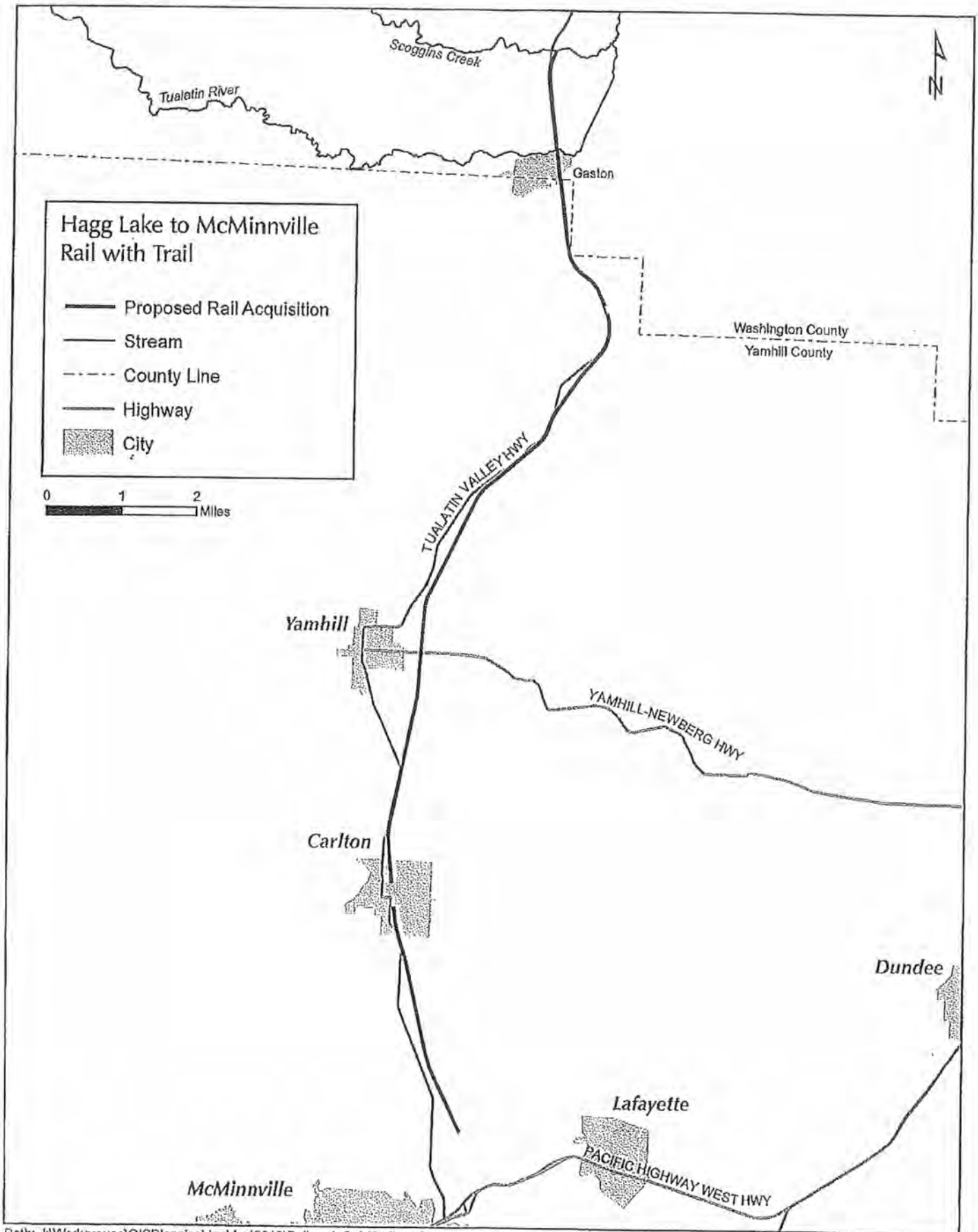
In addition, urban growth management agreements between the County and the cities in Yamhill County shall be strengthened to define the timelines, procedures, and responsibilities of involved parties in regard to management, planning, and annexation of roadways by the cities. Several roadways currently under County jurisdiction are located within the Urban Reserve Area (URA) for the city of Newberg as shown in Figure 31.

5. HAGG LAKE TO McMINNVILLE RAIL WITH TRAIL PROJECT (YAMHELAS WESTSIDER TRAIL PROJECT)

In 2002, Union Pacific Railroad proposed to sell 17-miles of abandoned railway for \$9 million. In 2012 the asking price was reduced to \$2.4 million. The abandoned railway runs from McMinnville to Hagg Lake. The corridor connects the cities of McMinnville, Carlton, Yamhill and Gaston. The Majority of the railway is in Yamhill County, with 1.75 miles entering into Washington County. (See Figure 31.1)

The Hagg Lake to McMinnville Rail with Trail project is a multi-faceted solution to multiple issues. It would allow alternative access to destinations, increase tourism, and assist with the movement of goods in the Willamette Valley. Hagg Lake provides various facilities to the public and cycling communities greatly utilize the roads surrounding the lake. From this destination and traveling south, the only access for cyclists is along a busy state highway (Hwy 47). There is a lack of off-street recreational trails in this area.

The proposed trail would also enhance economic development. Presently tourism and the mobility of goods from Portland to Yamhill County happen via Highway 47. The long term goal of this project is to have a rail line along with the trail component. The Rail with Trail project will improve regional accessibility for business owners and allow the connection to other rail lines in the future. Yamhill County is known for its agricultural production and wine industry. This project will also be a critical factor towards the long term viability for manufacturing and tourism in the valley.



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DONE this 6th day of December, 2012, at McMinnville, Oregon.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

REBEKAH STERN DOLL

County Clerk

By: Anne Britt
Deputy Anne Britt



APPROVED AS TO FORM:

Rick Sanai
RICK SANAI, Yamhill County Counsel

Leslie A. Lewis
Chair LESLIE LEWIS

Kathy George
Commissioner KATHY GEORGE

Mary P. Stern
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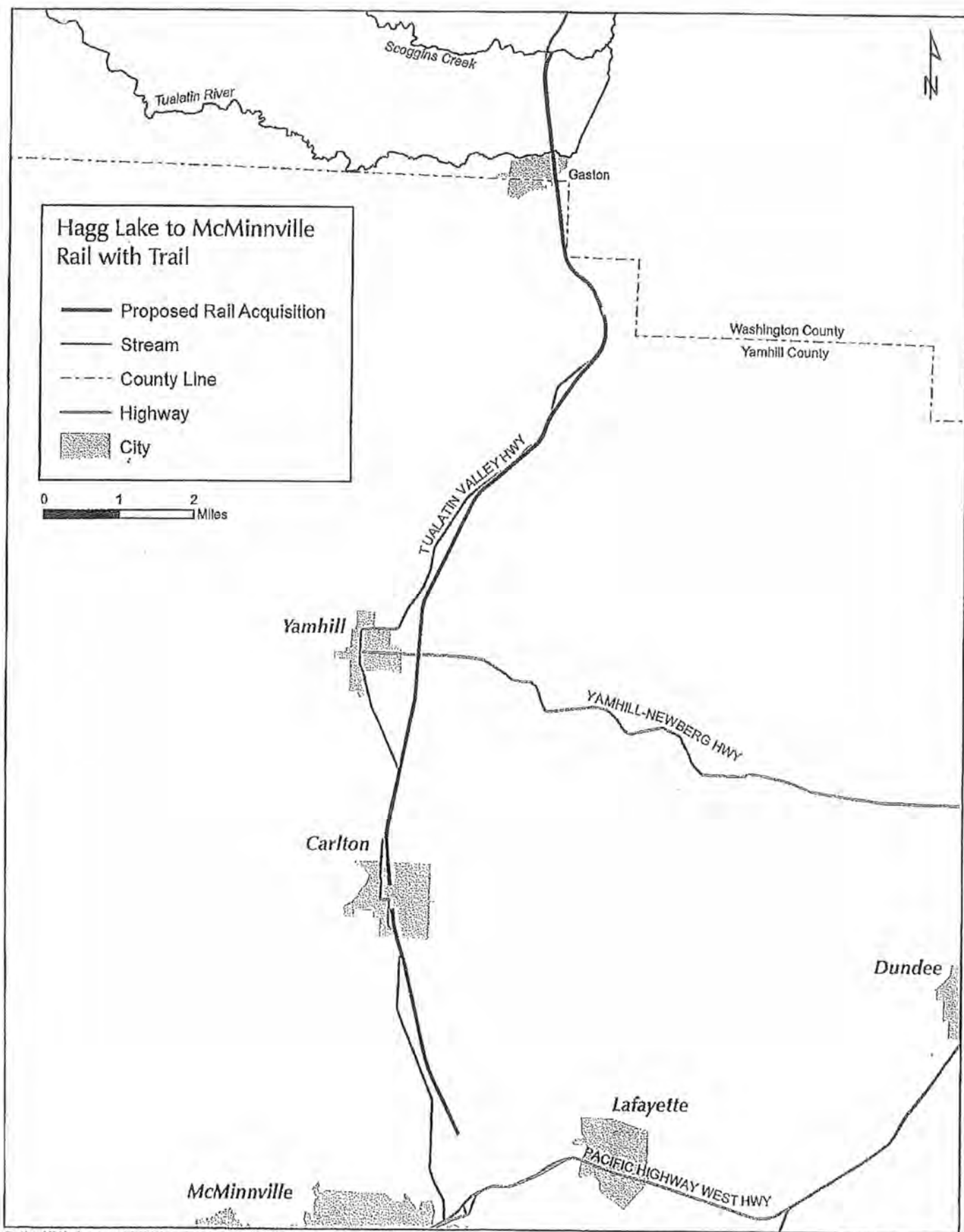
In addition, urban growth management agreements between the County and the cities in Yamhill County shall be strengthened to define the timelines, procedures, and responsibilities of involved parties in regard to management, planning, and annexation of roadways by the cities. Several roadways currently under County jurisdiction are located within the Urban Reserve Area (URA) for the city of Newberg as shown in Figure 31.

5. HAGG LAKE TO McMINNVILLE RAIL WITH TRAIL PROJECT (YAMHELAS WESTSIDER TRAIL PROJECT)

In 2002, Union Pacific Railroad proposed to sell 17-miles of abandoned railway for \$9 million. In 2012 the asking price was reduced to \$2.4 million. The abandoned railway runs from McMinnville to Hagg Lake. The corridor connects the cities of McMinnville, Carlton, Yamhill and Gaston. The Majority of the railway is in Yamhill County, with 1.75 miles entering into Washington County. (See Figure 31.1)

The Hagg Lake to McMinnville Rail with Trail project is a multi-faceted solution to multiple issues. It would allow alternative access to destinations, increase tourism, and assist with the movement of goods in the Willamette Valley. Hagg Lake provides various facilities to the public and cycling communities greatly utilize the roads surrounding the lake. From this destination and traveling south, the only access for cyclists is along a busy state highway (Hwy 47). There is a lack of off-street recreational trails in this area.

The proposed trail would also enhance economic development. Presently tourism and the mobility of goods from Portland to Yamhill County happen via Highway 47. The long term goal of this project is to have a rail line along with the trail component. The Rail with Trail project will improve regional accessibility for business owners and allow the connection to other rail lines in the future. Yamhill County is known for its agricultural production and wine industry. This project will also be a critical factor towards the long term viability for manufacturing and tourism in the valley.



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