



City of Yamhill

A small taste of Oregon

**CITY OF YAMHILL
CITY PLANNING COMMISSION MEETING
Tuesday January 5, 2021 7:00 PM
MINUTES**

THIS MEETING WAS A TELECONFERENCE

Regular Meeting – Planning Commission

1. Call to Order –Roll Call

Chair Prendergast called the meeting to order at 7:05 PM via the Zoom Teleconference.

Present by Teleconference: Chair Prendergast, Commissioners Moore and Fox
Staff Present Teleconference: Lori Gilmore, City Recorder; John Morgan, City Planner;
Jason Wofford, Facilities Manager; Sharon Bregante-Candau, Administrative Clerk
Excused Absence: Commissioner Player

2. Public Comment:

None Received.

3. New Business:

A. Discuss adopting a code section for Temporary Carports.

City Planner Morgan was directed by staff to research codes in nearby cities to find if there were any provisions for temporary carports or similar structures. Yamhill's Municipal Code does not specifically address this type of structure. Out of Morgan's findings he included the City of Carlton's and City of Lebanon's code. The City of Carlton was the only one that had provisions for putting a temporary carport in the front yard setback. Attached to the report is the language from the Carlton Development Code for information. That attachment also includes the language from the City of Lebanon Development Code which uses an illustration specifically indicating no accessory structures are allowed in the front yard setback. Lebanon's Code is typical. All the other codes prohibited accessory structures in the front yard setback, as does Yamhill's. Morgan spoke with the Yamhill County Building Inspector about how they classify the typical "temporary carport," meaning a structure with a metal frame and a metal or canvas roof with no walls. These are classified as a structure because they typically exceed 200 sq. ft. and generally require a building permit. Anchoring is required to prevent it from being blown over by strong winds.

Discussion was had about different types of structures, the City does currently require a building permit and they aren't allowed in the front yard, allowing in the front yard because they have no sidewalls, and code enforcement on existing structures.

Consensus to have Morgan draft something similar to the City of Carlton's code and bring to the next meeting for review. This would include assuming non-conforming uses for existing structures and only code enforce if complaints were received.

4. Unfinished Business:

- A.** Discuss proposed code text amendment to bring Yamhill Development Code into compliance with Oregon State Law regarding processes for land divisions.

Commission's discussion during the July 6, 2020 Planning Meeting approved and directed staff to initiate an amendment of the Development Code to change processing of partition and subdivision applications to Administrative Review Decisions.

Morgan provided a staff report with an original date of September 15, 2020 for reference. Morgan indicated that the proposed code is a very hot topic debated by Planning Directors and City Attorneys. There is no consensus on the specific meaning of the Oregon Statute language. Since the Commission voted to initiate the proposed change, Morgan has not pursued the amendment because of the lack of clarity on the legal demand for the change. The Commission was asked to decide if it wants to pursue the amendment or wait until the legal issues settle out statewide.

After a brief discussion of the pros and cons of having staff vs planning commission review partition and subdivision applications, the Commission decided to table this in order to see how this is handled at the State level in the future.

- B.** Discuss proposed code amendment- Municipal Code 10.64.030 (G) regarding reader board signs.

Commission's discussion during the July 6, 2020 and December 1, 2020 Planning Meeting directed staff to research further regulations and draft reader board provisions to allow in the Commercial and Public Facility Zones and submit a draft of the code amendment addressing Commission's concerns.

Morgan provided a staff report and a draft revision to the code addressing reader boards. Suggested removing content specific language because it was ruled unconstitutional by the Supreme Court to regulate content. There was some discussion on the size and placement of signs with regards to churches. A new section for Electronic Message Center Signs (EMC) was added in the draft. Morgan pointed out that the electronic changeable copy portion of these signs is calculated at a rate two times that of other signs to reduce the visual impact. Discussion about luminosity and hours that an EMC would be turned off, such as between 9:pm or 10:pm to 6am. The Commission was asked to discuss the draft and make any amendments it finds needed. Discussion continued regarding the School District and the Fire District already having reader boards and how they were allowed without the approval of the Planning Commission. It was noted that the School District was approved several years ago by the inhouse Building Inspector. The Yamhill Fire District was a recent approval by staff that allowed the sign in a public facility zone. Commissioners Prendergast and Fox stated their frustration for the signs being allowed prior to updating the Code.

Morgan responded to Bregante's question that if signs are located on properties adjacent to Highway 47 or Highway 240, O.D.O.T. would not need to give approval if the signs are not in the right-of-way and on private property.

The Commission will continue to work on this when they reconvene at the next meeting in February.

Wofford interjected with a question about the building code requirements for new buildings with regards to grease traps. Morgan responded that he would have to check with the County to get the building code requirements.

5. A. Approval of Planning Commission Minutes from December 1, 2020.

Prendergast made motion, seconded by Fox to approve minutes.

Roll Call: Ayes: Prendergast, Moore and Fox
Nays: None

The Motion Carried.

B. Schedule next Planning Commission Meeting.
Consensus is to tentatively schedule the next Meeting for Tuesday, February 2, 2021.

C. Commissioner Comments/Discussion
None Received.

6. Information/Announcements:

A. Vacancies:
Budget Committee - 2 members-
Planning Commission – 1 member- Applications are available at City Hall.

7. Adjournment: 8:00PM

Prendergast made motion to adjourn, Moore seconded.
All in favor, meeting adjourned at 8:00pm

Respectfully Submitted:
Sharon Bregante-Candau
Administrative Clerk