



**CITY OF YAMHILL  
CITY PLANNING COMMISSION MINUTES  
WEDNESDAY– October 4, 2017**

**Public Hearing – Planning Commission**

**1. Call to Order –Roll Call**

The Yamhill Planning Commission meeting was called to order at 7:03pm by Chair Mitchell.

**ROLL CALL:**

Members present: Commissioners Mitchell, Fox, Padberg and Moore  
Excused Absence: Commissioner Prendergast  
City staff present: City Recorder Gilmore, Superintendent Howard,  
City Planner John Morgan

**2. Flag Salute:**

Chair Mitchell led the flag salute with all those present participating.

**3. Public Hearing:**

**A.** Public hearing on proposed Sub-Division application – 210 N. Olive Street.

Chair Mitchell opened the Public Hearing at 7:05pm for the proposed Sub-Division application, Case # SDV 17-01, submitted by Steve Reimann. Mitchell reviewed the purpose of the Commission and the procedures for the Public Hearing. It was noted that there were no letters or phone calls received regarding the proposed sub-division. Mitchell asked those in attendance if there were any objections to the hearing notice or jurisdiction to hear this case, none followed. It was noted that no Commissioner declared Ex parte contact, conflict or bias.

City Planner John Morgan presented the staff report for the proposed sub-division indicating that it is an application from Steve Reimann to subdivide a property into four new lots. The existing property has an area of 39,600 square feet. Four lots are proposed of 10,269 square feet for Lot 1, 10,182 square feet for Lot 2, 9,592 square feet for Lot 3, and 9,561 square feet for Lot 4. The existing house and shop will be sited on the new Lot 1.

Morgan stated that Richard Howard, the Yamhill Public Works Superintendent provided the following information concerning the infrastructure;

*The water meters will be located on the west side of Olive Street; therefore, no city easement will be required. The sewer systems will need to be individual pump systems with individual lines out to the sewer main in Olive, therefore no city easement will need to be required. There will need to be an agreement between the 2 flag lots for the drive access for proper maintenance and any easements for their water and sewer running to Olive. There will need to be proper county permits as it is a county road. The drain is a county drain therefore the county will need to approve the drain relocation as well as the city.*

Morgan also stated that the R-3 zone establishes a minimum lot size of 6,000 square feet. The proposed lots all exceed this minimum lot size. The zone establishes a dimension standard of width being no less than 60 feet and depth no less than 90 feet. Both standards are exceeded in the proposed subdivision. Section 11.20.040 of the Subdivision Chapter of the City Code establishes standards for street improvements. It says that if a property being developed has a frontage of less than 250 feet, no improvement is required as long as a non-remonstrance agreement is entered into with the City of Yamhill. As the property frontage is 132 feet, no improvement will be required but the non-remonstrance agreement will be required.

Morgan reviewed the approval criteria stating that the criteria for a subdivision are found in the Community Development Code in Section 11.08.040. That section reads:

*11.08.040 Subdivision Review Criteria*

*Approval of a subdivision shall require compliance with the following:*

- (A) The proposal shall comply with the applicable development standards in Chapter 11.20, as appropriate, including provisions for streets and utilities.*
- (B) Each lot shall satisfy the dimensional standards and density standard of the applicable zoning district, unless a variance from these standards is approved.*
- (C) Adequate public facilities shall be available to serve the existing and newly created lots.*

Morgan reported the Findings of Fact based on the available information stating the staff makes the following findings of fact:

- (A) The proposal shall comply with the applicable development standards in Chapter 11.20, as appropriate, including provisions for streets and utilities.*

FINDING: As demonstrated in the discussion in the staff report, all the applicable development standards in Chapter 11.20 are met and therefor the criteria is met.

- (B) Each lot shall satisfy the dimensional standards and density standard of the applicable zoning district, unless a variance from these standards is approved.*

FINDING: As demonstrated in the discussion in this staff report, all the dimensional and density standards of the R-3 Two-Family Residential Zone are met.

*(C) Adequate public facilities shall be available to serve the existing and newly created lots.*

FINDING: As demonstrated in the discussion in this staff report, all sewer, water, and storm drainage facilities are available to the subject property and sited appropriately on the proposed site plan subject to detailed review when construction plans are reviewed and approved by the City. Public utility easements will be required for the public lines within the subdivision. Street facilities are available to the subject property.

Morgan concluded that the proposed subdivision meets the standards necessary for approval and should be approved. Morgan made the recommendation to the Planning Commission to APPROVE the application and adopt the staff report as the findings of fact subject to the following conditions of approval:

1. The final plat will conform to the approved preliminary plat as represented in the application and at the public hearing.
2. All utilities will be built to City standards as permitted by the Public Works Superintendent.
3. A non-remonstrance agreement for future improvements to Olive Street will be entered into with the City prior to City approval of the final plat.
4. Public utility easements as directed by City Public Works Superintendent or the County will be recorded on the final plat.
5. A permanent access easement with provisions for permanent maintenance will be recorded with the Plat across Lot 2 for the benefit of Lots 3 and 4, and across Lot 4 for the benefit of Lot 3.
6. Appropriate County permits will be obtained for access to Olive Street and for the relocation of the storm sewer line.

Chair Mitchell asked if there were any proponents in attendance for the proposed Sub-Division application.

Steve Reimann, the applicant, introduced himself and stated that his engineer is also in attendance to answer any questions. Reimann indicated that he would like to build single family homes and will not be building two-family homes on the development.

Randy Murphy a resident on N. Olive Street questioned the existing easement that goes from north to south through the middle of the proposed sub-division, and whether it will leave enough room for the adjacent neighbor to develop their property and in the future attach to that easement. Murphy showed concern for other properties along the West side of Olive Street and if the easements all lined up to enable future development. Morgan stated that the City cannot compel the property owners to plan for the future, especially if it does not benefit the property owner. Morgan indicated that the easement could possibly be extended in the future if there were willing property owners.

Patty Pairan a resident on N. Maple Street stated that she feels their residence does not have sufficient water pressure and is concerned with allowing more housing development with the current water pressure issues. Howard replied that two years ago

the Pairan's water line was replaced from the mainline to the meter and followed up with a pressure reading. Most City properties have a pressure reading of 65 to 70 pounds and according to State Law, the City is required to provide a minimum of 20 pounds of pressure. Howard stated that the water volume can be affected if the water lines are not large enough and indicated that many of the City's lines need to be upgraded and there are future plans to begin those upgrades. Howard also stated that if a property owner inside of the City Limits wants to build, the City is required to service that property and cannot deny service. Pairan explained that she cannot understand how the City can justify approving more housing when she feels the existing residents do not have sufficient water pressure. Howard stated that he is not aware of any other residents with insufficient water pressure, but would like to hear from the residents so their lines can be tested. Howard would be able to test to find out if the problem is from the mainline to the meter or from the meter to the residence. Howard also reported that the water line from the reservoir needs to be upgraded to a larger line, and the City is in the planning stage for that project.

Yamhill Fire Chief Brian Jensen commented that if multi-family dwellings were built on the property, a 26-foot-wide road would be required, as opposed to the 20-foot-wide access road for single family dwellings. Jensen recommended that a condition be added to include a 7<sup>th</sup> condition, requiring that the sub-division development meet all fire access and water supply codes.

Chair Mitchell asked if there were any opponents in attendance for the proposed Sub-Division application. None were received.

Mitchell closed the oral testimony for the Public Hearing at 7:45pm and asked for the commissioner's deliberation.

It was noted that Morgan's staff report listed the proposed sub-division property as a R-2 Single-Family Residential Zone, when in fact it is zoned R-3 Two-Family Residential. The error does not affect the findings of fact in the staff report.

Motion by Fox, seconded by Moore, to approve sub-division permit application SDV. #17-01; and adopt the staff report with the Findings of Fact subject to the conditions of approval from the staff report and adding condition number 7, that the applicant will meet all fire access and water supply codes.

Roll Call: Ayes: Moore, Padberg, Fox and Mitchell  
Nays: None

Motion Carried.

The Commission directs staff to prepare an order, with findings of fact, to support the decision for the signature of the Chair.

Mitchell closed the Public Hearing at 7:50pm and called for a five-minute recess.

## Regular Meeting – Planning Commission

Regular meeting opened by Chair Mitchell at 8:00pm

### 4. Public Comment:

None Received.

### 5. New Business:

A. None Scheduled.

### 6. Unfinished Business:

A. Discuss and consider creating Public Facility Zone.

Chair Mitchell recommended a future discussion regarding creating a public facility zone at the August 1, 2017 Planning Commission Meeting. Consensus from the Commission at that meeting was to direct John Morgan to draft new language for possible code amendments to add a zone for public property and consider the drafts at the next scheduled planning meeting.

Morgan provided a draft amendment for Municipal Code Chapter 10.36 to include the purpose of the PF (PUBLIC FACILITY) zone is to provide areas appropriate for specific public and semi-public uses and to ensure their compatibility with adjacent uses. It is intended that this zone be applied to individual parcels shown to be an appropriate location for a certain public or semi-public use. If the use existing at the time the PF zone is applied is discontinued or if a proposed use is not established, it is the intent that the land be rezoned to conform to surrounding zoning or be devoted to permitted uses. The Commission would like to see the Public Facility Zone include City Public Works Shops, Beulah Park, and School Campus's, and would like to move forward with the re-zoning of these areas at the same time as the Public Facility Zone amendment. The draft includes a significant amendment to 10.36.030 (A), which would read: "For establishment of new public uses, construction of new buildings greater than 2,500 square feet at the site of an established public use, or expansion of existing buildings by 2,500 square feet or more, a development plan shall be submitted to the Planning Commission for their approval in accordance with the provisions of Chapter 10.112." Chapter 10.36.040 would be changed to read: "In an PF zone, no building or structure, other than approved towers, light standards, or antennas, shall exceed a height of 50 feet. Towers over 50 feet will need conditional use approval." 10.36.050 would be added to include lot size; The parcel size shall be adequate to contain all structures within the required yard setbacks. 10.36.060 would be added to include Yard Setback Requirements; Setbacks are required around the perimeter of a property used for public use as follows: Front Setback – 20', unless the Planning Commission approves a smaller alternative setback during the development review process. Side and Rear Setback – None required if adjacent to any non-residentially zoned property. If adjacent to a residentially zoned property the setback shall be the same as required on the adjacent property.

Motion by Padberg, seconded by Moore, to initiate zoning code text amendments for the Public Facility Zone and initiate the zone changes to include City Public Works Shops property, Beulah Park, School Campus property and the Yamhill Fire District property to the new public zone if adopted by the City Council. Commission sets the public hearing for Tuesday, December 5, 2017.

Roll Call: Ayes: Moore, Padberg, Fox and Mitchell  
Nays: None

Motion Carried.

**7. A. Approval of Planning Commission Minutes from August 1, 2017.**

There were no members in opposition to the minutes.

Fox made motion, seconded by Moore to approve minutes.

Roll Call: Ayes: Mitchell, Padberg, Fox and Moore  
Nays: None

The Motion Carried.

**8. Information/Announcements:**

**A.** None Received.

**9. Adjournment: 8:45PM**

Fox made motion to adjourn, Padberg seconded.

All in favor, meeting adjourned at 8:45pm

Respectfully Submitted:  
Lori Gilmore  
City Recorder/Treasurer