



City of Yamhill

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AGENDA

CITY OF YAMHILL, CITY PLANNING COMMISSION MEETING
City of Yamhill Council Chambers, 205 S Maple St., Yamhill, OR 97119 & Zoom
Wednesday, March 16, 2022
7:00 PM

Please use the link below to join the webinar:

<https://us02web.zoom.us/j/89649610926?pwd=ZjhYcFp2cWFtRCs4NUIJYUxsdFdUdz09>

Passcode: 266458

Please use the following phone number link:

(253) 215-8782 or (346) 248-7799

Webinar ID: 896 4961 0926

Passcode: 266458

Public Hearing – Planning Commission

1. Call to Order –Roll Call
2. Public Hearing:
 - A. File #CA 21-03 – Electronic Message Center Signs
 - B. File #CA 21-04 – Carport
3. Public Comment: Anyone wishing to comment during this Teleconference Meeting, please send an email with the topic and a brief overview at least 2 days prior to the meeting date to s.b.candau@cityofyamhill.org or call 503-662-3511
4.
 - A. Next Planning Commission Meeting on April 20, 2022
 - B. Commissioner Comments/Discussion
7. Adjournment

***** Yamhill Planning Commission meetings are accessible for disabled individuals. The City will also endeavor to provide services for persons with impaired hearing or vision and other services, if requested, at least 48 hours prior to the meeting. To obtain services, please call City Hall at (503)662-3511 *****

STAFF REPORT

TO: Yamhill Planning Commission
FROM: Walt Wendolowski, Contract Planner
SUBJECT: Planning File #CA 21-03 – Yamhill Development Code Amendment
DATE: March 7, 2022

I. BACKGROUND

- A. **APPLICANT:** City of Yamhill.
- B. **REQUEST:** The City seeks to amend the Yamhill Development Code by modifying the language for reader board signs, and, establishing new regulations for electronic message center signs. Specific language included in Attachment “A”.
- C. **DECISION CRITERIA:** Yamhill Development Code; Section 10.132.060 to Section 10.320.100.

II. APPLICATION SUMMARY

- A. The proposed amendment modifies existing provisions for reader boards and establishes new regulations for electronic message centers. The proposed language is found in Attachment “A” and summarized below:
 - 1. Section 10.64.030(G) is amended by striking out requirements limiting service station reader boards to advertising fuel prices, and, requiring reader boards to be permanently attached.
 - 2. Section 10.64.030(J) is a new Section, establishing regulations for electronic message centers (EMC). Briefly:
 - a. EMCs are allowed in all zones except residential.
 - b. The maximum size is 24 square feet.
 - c. The changeable copy portion is calculated at a rate two times that of other signs. Therefore, the full 24 square foot limit may not be allowed depending on the underlying size limitation.
 - d. Static messages signs must remain static for at least 10 minutes. The brightness must be reduced between 9PM to 7AM and if the sign is within 100-feet of residentially zoned land, the static display must be turned off between 9PM and 7AM.
 - e. Alternating message signs must hold an image for at least 15 seconds with an image transaction of no more than one second. Such signs must be turned off between 9PM and 7AM.

- B. This action amends the Development Code for the City. The current Code does not identify a specific process to amend the Code language. However, provisions in Section 10.132.060 address changes to the Comprehensive Plan text. This Section was used as a substitute as it amends the text of a planning document.

III. FINDINGS

- A. Section 10.132.060. Any amendment to the text, shall be initiated by the governing body or by the Planning Commission by ordinance. This requirement is also noted in Section 10.48.120.

FINDINGS: Consistent with this requirement, the proposed text amendment was initiated by the Planning Commission with support from the City Council.

- B. Section 10.132.070 states the Planning Commission shall conduct a public hearing for a proposed Comprehensive Plan amendment and shall submit a recommendation to the City Council. The City Council shall then conduct a public hearing on the proposed Comprehensive Plan amendment. If the decision of the Council is contrary to the Planning Commission's decision, the Council shall refer the proposal back to the Planning Commission for further review. The Planning Commission and Council must make written findings of its decision, and if the Council approves the Comprehensive Plan amendment, such action shall be confirmed by resolution.

FINDINGS: The amendment will follow the above noted procedure. The purpose of the hearing is for the Commission to review the request and provide a recommendation to the City Council.

- C. Section 10.132.080 outlines the application procedures, noting is must be filed in accordance with the provisions of Chapter 10.128 of this title.

FINDINGS: This application complies with the above noted requirements.

- D. Section 10.132.090 identifies the required findings (i.e., decision criteria) to support a proposed amendment. The Planning Commission and City Council shall analyze the following points and, in a written form, incorporate such findings in its decision:

- 1. 10.132.090(A) - That there is a public need for a Comprehensive Plan amendment.

FINDINGS: The Commission recognized changes in sign technology and determined establishing a consistent set of regulation to be beneficial to the community.

2. 10.132.090(B) - That there was an error in the original Comprehensive Plan.

FINDINGS: In this case, the lack of consistent regulations was identified.

3. 10.132.090(C) - That there is a need to change the currently adopted Comprehensive Plan.

FINDINGS: As noted, a change in the Code was needed to address the identified need.

4. 10.132.090(D) - That there is an inadequacy of other comparatively planned and/or zoned land currently available to satisfy the public need.

FINDINGS: This subsection does not apply as the proposal does not alter existing zoning.

5. 10.132.090(E) - That the property proposed to be changed is the best property available for the Comprehensive Plan amendment.

FINDINGS: This subsection also does not apply as the proposal does not alter existing zoning.

6. 10.132.090(F) - That the proposed Comprehensive Plan amendment is in conformance with all statewide goals, and any applicable street, highway and/or utility plans for the area.

FINDINGS: The proposed sign code amendments address specific design and aesthetic concerns of the City and do not conflict with the statewide land use goals.

7. 10.132.090(G) - That the proposed property is adequate in size and shape to facilitate those uses allowed in the proposed zone upon adoption of the Comprehensive Plan amendment.

FINDINGS: This subsection does not apply as the proposal addresses changes to sign regulations and does not change allowed uses within the various zones.

8. 10.132.090(H) - That the proposed property is properly related to streets and highways to adequately serve the type of traffic that will be generated by the uses in the proposed zone upon adoption of the Comprehensive Plan amendment.

FINDINGS: This subsection does not apply as the proposal addresses changes to sign regulations and does not change allowed uses within the various zones and therefore associated traffic impacts.

9. 10.132.090(I) - That the proposed Comprehensive Plan amendment will have no adverse effect on abutting property or the permitted uses thereof.

FINDINGS: The potential impact of EMC was considered, and provisions were included to regulate hours of operation and brightness.

- E. Section 10.132.100 notes the amendments shall be effective upon the passage of the ordinance by the City Council changing the Plan. This is a procedural matter that applies if the Council approves the changes.
- F. Essentially, the City recognized changes in sign technology and determined establishing a consistent set of regulation to be beneficial to the community. The language sets limits as to size, hours of operation, brightness and impacts on residential zoned land.

IV. RECOMMENDATION

City staff finds the proposal complies with the identified criteria and recommends the Planning Commission recommend the City Council approve the proposed Development Code amendments contained in Attachment "A".

V. PLANNING COMMISSION ACTION

- A. The Planning Commission has the following options:
 1. Recommend City Council approval of the proposed amendments, adopting findings contained in the staff report;
 2. Recommend City Council approval of the proposed amendments, adopting modified findings; or
 3. Recommend City Council reject the proposed amendments, establishing findings as to why the application fails to comply with the decision criteria.
- B. Staff will prepare and Order for the Chair's signature.

ATTACHMENT "A"

I. Amend 10.64.030(G) as follows (old language stricken):

(G) Reader board Signs. Reader board signs are prohibited except for theater marquees advertising only current presentations and automobile service stations ~~advertising only fuel prices~~. No more than one reader board sign shall be permitted for each theater and automobile service station. ~~Only permanently attached reader board signs are allowed after permit is obtained.~~

II. Add a new Section 10.64.030(J) as follows and renumber accordingly:

(I) Electronic Message Center Signs (EMC) are permitted subject to the limitations shown in the table below:

Electronic Message Center Standards by Zone, Size, and Display Method

Zoning	Size of EMC	Number of EMC Signs (1)	Display: Static Message	Display: Alternating Message
C-3 General Commercial PF – Public Facility	Up to 24 sq. ft for the changeable portion of the sign	One	Allowed	Allowed
LI – Light Industrial EI – Employment Industrial	Up to 24 sq. ft for the changeable portion of the sign	One	Allowed	Prohibited
All Residential Zones	N/A	None	Prohibited	Prohibited

- (1) Maximum size of EMC is limited by the maximum size of signs allowed in that zone. Any electronic changeable copy portion of a sign will have its area calculated at a rate two times that of other signs. Therefore, EMCs of the size shown may or may not be allowed.
- (2) Static Message - The display on the entire electronic message center stays constant for a period of at least 10 minutes, and during that period does not appear to change, move, scroll, vary color, or vary light intensity. A Static EMC will dim between the hours of 9:00 PM and 7:00 AM to no more than ten percent of its daytime luminosity unless it is located within 100 feet of residentially zoned land in which case it will be turned off between 9:00 PM and 7:00 AM.
- (3) Alternating Message - The display on the entire electronic message center is held constant for a period of at least fifteen seconds and does not appear to change, move, scroll, vary color, or vary light intensity during that period and where the image transitions to another image instantly or in a transition of less than one second. An Alternating EMC will be turned off between the hours of 9:00 PM and 7:00 AM.

STAFF REPORT

TO: Yamhill Planning Commission
FROM: Walt Wendolowski, Contract Planner
SUBJECT: Planning File #CA 21-04 – Yamhill Development Code Amendment
DATE: March 7, 2022

I. BACKGROUND

- A. **APPLICANT:** City of Yamhill.
- B. **REQUEST:** The City seeks to amend the Yamhill Development Code by establishing new regulations for temporary accessory structures used as garages or carports. Specific language included in Attachment “A”.
- C. **DECISION CRITERIA:** Yamhill Development Code; Section 10.132.060 to Section 10.320.100.

II. APPLICATION SUMMARY

- A. The proposed amendment modifies Section 10.72.070 with a new subsection “(B)”, establishing new regulations for temporary accessory structures used as garages or carports. The proposed language is found in Attachment “A” and summarized below:
 - 1. The language is designed to address structures which are manufactured off-site and assembled/constructed on the property.
 - 2. Covering are limited to the manufacturers’ products, must be structurally sound and comply with the Structural Specialty Code.
 - 3. Only one such structure is allowed in a residential zone but may be located in any yard.
 - 4. Structures in the front yard must meet a 20-foot setback.
 - 5. Side yard setbacks (along with clear-vision provisions) apply if located in a side yard.
 - 6. A minimum 5-foot setback from all property lines if the structure is placed in the rear yard and does not exceed 10-feet in height. Structures exceeding 10-feet in height must maintain a 10-foot setback from the rear property line.
 - 7. Structures within non-residential zones must comply with setback requirements of the zone. Otherwise, there are no restrictions.
- B. This action amends the Development Code for the City. The current Code does not identify a specific process to amend the Code language. However, provisions in Section 10.132.060 address changes to the Comprehensive Plan text. This

Section was used as a substitute as it amends the text of a planning document.

III. FINDINGS

- A. Section 10.132.060 notes that any amendment to the text, shall be initiated by the governing body or by the Planning Commission by ordinance. This requirement is also noted in Section 10.48.120.

FINDINGS: Consistent with this requirement, the proposed text amendment was initiated by the Planning Commission with support of the City Council.

- B. Section 10.132.070 states the Planning Commission shall conduct a public hearing for a proposed Comprehensive Plan amendment and shall submit a recommendation to the City Council. The City Council shall then conduct a public hearing on the proposed Comprehensive Plan amendment. If the decision of the Council is contrary to the Planning Commission's decision, the Council shall refer the proposal back to the Planning Commission for further review. The Planning Commission and Council must make written findings of its decision, and if the Council approves the Comprehensive Plan amendment, such action shall be confirmed by resolution.

FINDINGS: The amendment will follow the above noted procedure. The purpose of the hearing is for the Commission to review the request and provide a recommendation to the City Council.

- C. Section 10.132.080 outlines the application procedures, noting is must be filed in accordance with the provisions of Chapter 10.128 of this title.

FINDINGS: The application complies with the above noted requirements.

- D. Section 10.132.090 identifies the required findings (i.e., decision criteria) to support a proposed amendment. The Planning Commission and City Council shall analyze the following points and, in a written form, incorporate such findings in its decision:

1. 10.132.090(A) - That there is a public need for a Comprehensive Plan amendment.

FINDINGS: The Commission found the structures were being installed without any specific guidelines or requirements. The provisions ensure building permits will be obtained and the structures will comply with a reasonable set of setback requirements.

2. 10.132.090(B) - That there was an error in the original Comprehensive Plan.

FINDINGS: In this case, the lack of consistent regulations was identified.

3. 10.132.090(C) - That there is a need to change the currently adopted Comprehensive Plan.

FINDINGS: As noted, a change in the Code was needed to address the identified need for consistent regulation of temporary garages and carports.

4. 10.132.090(D) - That there is an inadequacy of other comparatively planned and/or zoned land currently available to satisfy the public need.

FINDINGS: This subsection does not apply as the proposal does not alter existing zoning.

5. 10.132.090(E) - That the property proposed to be changed is the best property available for the Comprehensive Plan amendment.

FINDINGS: This subsection also does not apply as the proposal does not alter existing zoning.

6. 10.132.090(F) - That the proposed Comprehensive Plan amendment is in conformance with all statewide goals, and any applicable street, highway and/or utility plans for the area.

FINDINGS: The proposed amendments address specific design, location and construction concerns of the City and do not conflict with the statewide land use goals.

7. 10.132.090(G) - That the proposed property is adequate in size and shape to facilitate those uses allowed in the proposed zone upon adoption of the Comprehensive Plan amendment.

FINDINGS: This subsection does not apply as the proposal addresses temporary carport/garage structures and does not change allowed uses within the various zones.

8. 10.132.090(H) - That the proposed property is properly related to streets and highways to adequately serve the type of traffic that will be generated by the uses in the proposed zone upon adoption of the Comprehensive Plan amendment.

FINDINGS: This subsection does not apply as the proposal does not change allowed uses within the various zones and therefore associated traffic impacts.

9. 10.132.090(I) - That the proposed Comprehensive Plan amendment will have no adverse effect on abutting property or the permitted uses thereof.

FINDINGS: The impact of these temporary structures were considered, and provisions were included regarding location and structural requirements.

- E. Section 10.132.100 notes the amendments shall be effective upon the passage of the ordinance by the City Council changing the Plan. This is a procedural matter that applies if the Council approves the changes.
- F. The City recognized temporary structures are common in the community. The language sets limits on location and ensures new structures will comply with building requirements.

IV. RECOMMENDATION

City staff finds the proposal complies with the identified criteria and recommends the Planning Commission recommend the City Council approve the proposed Development Code amendments contained in Attachment "A".

V. PLANNING COMMISSION ACTION

- A. The Planning Commission has the following options:
 - 1. Recommend City Council approval of the proposed amendments, adopting findings contained in the staff report;
 - 2. Recommend City Council approval of the proposed amendments, adopting modified findings; or
 - 3. Recommend City Council reject the proposed amendments, establishing findings as to why the application fails to comply with the decision criteria.
- B. Staff will prepare and Order for the Chair's signature.

ATTACHMENT "A"

Amend Chapter 10.72 - Accessory Structures as follows (new language underlined; old language stricken):

10.72.070 Vehicle Storage of ~~Trailer Coaches, Camper Units, and Trailers.~~

(A) Trailer coaches, camper units, and trailers shall not be stored in a required front or side yard. For the purpose of this subsection the word "stored" relates to any unit which shall remain in a similar position for a period of 48 hours or more. (See Chapter 10.84 regarding the use of recreational vehicles as guest quarters.) Ord. 454 §2, 2000)

(B) Temporary accessory structures used as garages or carports.

(1) Temporary accessory structures which are manufactured elsewhere and erected on the site and which require a building permit, shall be structurally sound and shall be anchored. Such structures shall be maintained in good condition using only original manufacturer's metal, plastic, tarpaulin, or fiberglass coverings. No other materials shall be used as a covering. Such structures shall meet all applicable Structural Specialty Code requirements including requiring a building permit.

(2) In residential zones, one temporary accessory structure, used as a private garage or carport, as defined by this title, may be located within the front, side, or rear yard of a lot.

(a) If located in a front yard, the temporary accessory structure will be setback at least 20 feet from the front property line.

(b) If located in a side yard, side yard setbacks must be maintained including clear vision setbacks for corner lots.

(c) If located within a rear yard the following setbacks apply for structures 10 feet or less in height there shall be a minimum five-foot setback along the side and rear property lines. For structures greater than 10 feet in height there shall be a setback of five feet along each side property line and 10 feet along the rear property line.

(3) In commercial and industrial zones, temporary accessory structures may be located on any portion of the lot or parcel, subject to applicable setback and Building Code requirements.