



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, April 20, 2022
7:00 PM

Please use the link below to join the webinar:

<https://us02web.zoom.us/j/89649610926?pwd=ZjhYcFp2cWFtRCs4NUlJYUxsdFdUdz09>

Passcode: 266458

Please use the following phone number link:

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

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Continuance – Planning Commission

1. **Call to Order** –Roll Call
2. **Continuance of 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. Approval of Planning Commission Minutes from February 2, 2022
 - B. Approval of Planning Commission Minutes from March 16, 2022
 - C. Next Planning Commission Meeting on May 18, 2022
 - D. 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: Yamhill Development Code Amendment
Planning File #CA 21-03 – Electronic Message Signs

DATE: April 11, 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 Yamhill Fire Protection District installed an electronic message sign on their Olive Street property. Unfortunately, the sign failed to comply with current sign regulations which prohibits this type of sign. In response, the City proceeded to consider new regulations to allow electronic message signs. The language under consideration is included as Attachment “A”.
- B. The Planning Commission conducted a public hearing on March 16, 2022 to review the proposed amending language. During the course of the hearing a number of concerns were raised: impact on residentially zoned land; community aesthetic; ODOT review; and, how the regulations relate to the current Fire District sign. The Commission voted to continue the matter to their April meeting directing staff to provide alternative actions for the Commission to consider.

III. DISCUSSION

- A. Considering the previous concerns, staff offers the following:
 - 1. Residential Impacts – The current language simply requires static message signs located within 100-feet of residentially zoned land to be turned off between 9:00 PM and 7:00 AM. All alternating message signs must also be turned off between these hours. The regulations do not prohibit placement of either type of sign next to residentially zoned land,

only that static message signs (and effectively alternating message signs) must be turned off between 9:00 PM and 7:00 AM. There is a limited commercial area so that homes along or near Maple, Olive, Azalea and Main Streets would be in close proximity to these signs.

Options – One option is to extend the 100-foot distance to 200-feet. While potentially reducing impacts, it may be unable to address all concerns or situations. Alternatively, require conditional use approval for these types of signs regardless of whether they are static or alternating. A public hearing would provide the opportunity for neighbors to identify issues.

2. Aesthetics - The current language is in response to the action of the Fire District. Had the District sign not been installed, the Commission may want to consider whether there is any community interest for these types of signs. While they offer a public benefit by providing local information, comments voiced a concern with impacts on the small-town aesthetic if these were to proliferate.

Options – One obvious option is to not adopt the proposed regulations, effectively prohibiting these types of signs. Another option is to limit their placement to government buildings, such as schools. This would disperse the sign locations thereby avoiding a concentration of EMC signs in the downtown area. As a suggestion, in these types of cases, an increased sign area may be appropriate - at a minimum eliminate the 50% area penalty.

3. ODOT Review – Signs along state highways require approval from the Oregon Department of Transportation. Specific application procedures are contained in OAR Chapter 734, Division 60. While there are no direct prohibitions, the language is designed to clearly reduce potential adverse impacts on traffic.

Options – A provision could be included requiring proof of an ODOT permit prior to installation of the sign.

4. Relation to the Fire District Sign – Usually, pre-existing uses or structures may continue to be used if new regulations change their conformity. Here, the sign was not conforming to any sign requirements at the time of its placement. It must be noted, however, adopting a regulation that would allow that particular sign would address the conformity issue.

- B. The Commission also requested staff consider other examples of similar ordinances. The 2020 Yamhill population was 1,147. Similar, small communities within the Willamette Valley were selected for an “apples-to-apples” comparison. The results:

City	Population	Message Sign (1)	Process (2)	Notes
Monroe	647	Y	SDR	(3)
Gaston	676	Y	CU	(4)
Halsey	962	(5)		(5)
Donald	1,009	N		
Tangent	1,231	Y	Variance	(3)
Amity	1,757	Y	CU	(3)
Carlton	2,220	Y	CU	(3)
Millersburg	2,919	Y	CU	(3)
Dundee	3,238	Y	SDR	(6)
Harrisburg	3,652	N		

- (1) Y=Yes; N=No. There did not appear to be a distinction between a changeable message sign (the letters are installed/replaced by hand) and an electronic message sign.
- (2) SDR=Site Design (or Plan) Review; CU=Conditional Use.
- (3) Other than applicable, height, location, square footage, and similar criteria, the code did not include specific design criteria for this type of sign.
- (4) Attached Exhibit “A” outlines the Conditional Use decision criteria.
- (5) Limited to the commercial downtown.
- (6) Attached Exhibit “B” outlines the design requirements.

Generally, the sample communities either prohibit the use or require some type of application and review. Of the 10 communities, five require some type of a public hearing and three either prohibit them outright or restrict their location.

IV. SUMMARY COMMENTS

In reviewing the material, the following comments are submitted for the Commission’s consideration:

- A. Fire District Sign – The decision to address the legitimacy of the sign is beyond the scope of this report. Adopting electronic message sign regulations will only cure the issue if: (1) the City adopts specific regulations allowing the sign; or, (2) the City adopts the current language allowing electronic message signs and the District is granted a sign variance.
- B. Interest – The larger question is whether the City wishes to allow these signs. Comments were made regarding negative impacts on residences and whether these signs fit with the community aesthetics. To avoid a proliferation of signs at

the City center, an option would be to limit signs to public type uses such as a school or City Hall.

- C. Regulations – If the signs are found to be acceptable, the City may wish to reconsider the review process and specific regulations. As noted, half of the surveyed communities require Conditional Use approval (see Exhibit “A” for Gaston’s criteria). This may be a suitable way to address neighborhood concerns. The Dundee regulations in Exhibit “B” go into greater regulatory detail.

V. PLANNING COMMISSION ACTION

- A. The Planning Commission has the following options:
1. Recommend City Council approval of the proposed amendments in Attachment “A”, adopting findings contained in the staff report;
 2. Recommend City Council approval of modified amendments to Attachment “A”, adopting findings contained in the staff report;
 3. Recommend City Council reject the proposed amendments contained in Attachment “A”, establishing findings as to why the application fails to comply with the decision criteria.
 4. Direct staff to return with modified language based on the comments, discussions and reports considered by the Commission.
- B. If a decision to approve or deny is made. staff will prepare an 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.

Exhibit "A"
City of Gaston

152.306.10 Conditional Use Permits - Signs

A conditional use approval shall be required for rotating/revolving signs, flashing signs, or message signs located in the in a Commercial Industrial or Public Facility zones. A conditional use to Chapter 152.306 will be processed according to the conditional use procedures in Chapter 152.407, but shall be subject to the following criteria:

- (A) The proposed sign, when conditioned, will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area.
- (B) The proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree.
- (C) The proposed sign will not present a traffic or safety hazard.
- (D) If the application is for a flashing and/or message sign, no rotary beacon lights, zip lights, strobe lights, or similar devices shall be allowed. No chaser effect or other flashing effects consisting of external lights, lamps, bulbs or neon tubes are allowed. Only flashing effects by way of internal illumination are allowed.
- (E) If the application is for a rotating/revolving sign, such sign cannot flash or be illuminated by intermittent light. Rotating/revolving signs shall revolve at a speed no greater than 5 revolutions per minute.
- (F) The total allowed sign area for a business shall be reduced by 25% if the business has a flashing, rotating/revolving, or message sign.
- (G) The proposed sign will comply with all other regulations, including, but not limited to height and placement restrictions.

**Exhibit “B”
City of Dundee**

D. **Changeable Copy.** Changeable copy by nonelectronic means may be utilized on any permitted sign, and is limited to a maximum of 25 square feet of sign face. A sign with changeable copy by electronic means is subject to the size limitations in subsection (D)(8) of this section and shall be constructed, operated and continuously comply with the following provisions:

1. **Lumination.**
 - a. An electronic display sign may not have a nighttime (dusk to dawn) lumination intensity of more than 280 candelas per square meter (nits) and shall not have a daytime (dawn to dusk) lumination intensity of more than 140 candelas per square meter (nits) over ambient light conditions.
 - b. The sign shall have a mechanism that automatically adjusts the lumination level to comply with the standards in subsection (D)(1)(a) of this section.
 - c. In addition to the standard of subsection (D)(1)(a) of this section, no electronic display sign shall be brighter than necessary for clear and adequate visibility, or of such brilliance or intensity as to present a hazard to persons traveling in the right-of-way. Upon notice by the city administrator or designee that a sign is out of compliance with these standards, the owner or operator of an electronic display sign shall immediately adjust the lumination of the sign.
2. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
3. The party owning or controlling an electronic display sign shall adjust the sign to meet the brightness standards in accordance with the determination of the city administrator or designee.
 - a. The adjustment shall be made within two days of notice of noncompliance from the city administrator or designee.
 - b. The party owning or controlling the electronic display sign may appeal the determination of the city administrator or designee to the planning commission, in accordance with the public hearing process for Type III actions set forth in Chapter [17.401](#) DMC.
4. Electronic display signs shall be equipped with a means to immediately turn off the display when it malfunctions. The party owning or controlling an electronic display sign shall turn off the sign or lighting within one hour of being notified by the city administrator or designee that it is not in compliance with the standards of this section.
5. An application for a sign permit shall include documents from the sign manufacturer showing the lumination standards in subsections (D)(1)(a), (b), and (c) and (D)(4) of this section are met.
6. A sign with an electronic display greater than four square feet shall be a freestanding monument sign only.

7. The message on an electronic display sign shall change no more than once every 10 seconds for signs with an electronic sign face of four square feet or less, and no more than once every 10 minutes for signs with an electronic sign face greater than four square feet. The change in message or copy may occur instantaneously or may fade or dissolve with a transition time of no more than two seconds between each separate message or display.
8. A sign with changeable copy by electronic means is limited to a maximum of four square feet; however, a sign with changeable copy by electronic means which is located on property owned by a unit of government is limited to a maximum of eight square feet.

STAFF REPORT

TO: Yamhill Planning Commission

FROM: Walt Wendolowski, Contract Planner

SUBJECT: Yamhill Development Code Amendment
Planning File #CA 21-04 – Temporary Carport/Garage

DATE: April 11, 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 regulations for temporary accessory structures used as garages or carports. The proposed language is found in Attachment “A”.
- B. The Planning Commission conducted a public hearing on March 16, 2022 reviewing the proposed code amendment language. During the course of the hearing questions were raised as to the effectiveness of the amendments. The Commission voted to continue the matter to their April meeting directing staff to further review the matter.

III. DISCUSSION

- A. The proposed language found in Attachment “A” and is summarized below:
 - 1. The language is designed to address structures which are manufactured off-site and assembled/constructed on the property.
 - 2. Coverings 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. While semi-permanent by design, building code provisions require the structures to conform with setback requirements. For the record, the following table includes all setbacks (and height) requirements in the residential zones:

Zone	Front Yard	Side Yard	Side Yard Street	Rear Yard	Rear Yard Street (1)	Height
R-1	20 ft.	7.5 ft.	20 ft.	20 ft.	14-26 ft.	35 ft.
R-2	20 ft.	5 ft.	10 ft.	20 ft.	14-26 ft.	35 ft.
R-3	20 ft.	7.5 ft.	20 ft.	20 ft.	20-26 ft.	35 ft.
Accessory Structure	20 ft.	7.5 ft.	20 ft.	(2)	Comply with Zone	35 ft.

(1) Setback is a function of the number of stories.

(2) May be located in required rear yard. Minimum setback = 5 ft.; maximum height = 12 ft.; maximum building area = 200 sq. ft.

C. Based on prior discussions, it was noted residents were using these types of structures as a semi-permanent means to cover their RVs, boats, and cars, vehicles often located in the side yard or driveway. While intending to address the use of these types of structures, the following must be noted:

1. Though semi-permanent by design, these are still structures and currently require compliance with building codes.
2. As structures, they are required to comply with all setback requirements of the underlying zone.
3. Providing a cover for a vehicle located in the side yard may not be possible as the structure would likely violate the minimum setback requirement if the structure is placed adjacent to the dwelling.
4. Similarly, structures placed on driveways may be unable to meet the 20-foot minimum setback.

D. There are circumstances where placement of a temporary carport/garage is possible; however, regardless of yard location the structure - like any other structure - must still meet all setback and height limitation requirements of the underlying zone. Nothing in the proposed language changes the basic requirements contained in the Development Code.

IV. RECOMMENDATION

Unless additional discussion or information changes these basic circumstances, or alternative methods are proposed, staff recommends the Commission reject the proposed amendments. As written, the language does not alter current Development Code requirements.

V. PLANNING COMMISSION ACTION

- A. The Planning Commission has the following options:
1. Recommend City Council approval of the proposed amendments in Attachment “A”, adopting findings contained in the staff report;
 2. Recommend City Council approval of modified amendments to Attachment “A”, adopting findings contained in the staff report;
 3. Recommend City Council reject the proposed amendments contained in Attachment “A”, establishing findings as to why the application fails to comply with the decision criteria.
 4. Direct staff to return with modified language based on the comments, discussions and reports considered by the Commission.
- B. If a decision to approve or deny is made. staff will prepare an 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 sideyard. 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.



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CITY OF YAMHILL, CITY PLANNING COMMISSION MEETING February 2, 2022 7:00 PM MINUTES

Regular Meeting – Planning Commission

1. Call to Order –Roll Call

Chair Moore called the meeting to order at 7:14 PM.

Present by Teleconference: Commissioner Sue Richardson and Lynden Carl.

Present In-Person: Commissioners Shea Corrigan, Ken Moore, and Jon Hodgkins

Staff Present by Teleconference: Walt Wendolowski, City Planner; John Christiansen, City Engineer; Jason Wofford, Facilities Manager; and Petra Schuetz, City Administrator Pro Tem

Present In-Person: Sharon Bregante-Candau, Administrative Clerk

2. Continuance of Public Hearing (from 12/15/2021):

A. Subdivision Permit Application SDV 21-01

Chair Moore stated that a correction needed to be made, that the record was held open until January 12, 2022 not January 19, 2022.

Chair Moore asked if there was any bias or ex parte from the Planning Commissioners which there was none.

City Planner, Walt Wendolowski, summarized the Staff Report from Walt Wendolowski, City Planner, dated January 13, 2022, that is included in the record.

Deliberations of Commissioners, City Planner, and City Engineer was had.

Motion by Corrigan, seconded by Hodgkins, to deny Subdivision Permit Application SDV 21-01 due to inadequate water supply, City of Yamhill Municipal Code 11.08.040(C).

Roll call: Ayes: Corrigan, Carl, Hodgkins, and Richardson

Nays: Moore

The motion carried.

Wendolowski will provide an Order and Notice of Decision by Friday, February 4, 2022.

3. Public Comment:

Public comment was received from the following:

Jay Disbrow, Rocky Losli, Sherry Wilson, and Robert Davis.

6. Information/Announcements:

A. Next Planning Commission Meeting on February 16, 2022.

Chair Moore requested from Schuetz that on February 16, 2022, that Schuetz provide training for the Planning Commissioners. Schuetz agreed to provide training. Chair Moore stated that instead of a Planning Commission meeting on February 16, 2022, that this meeting will be training for the Planning Commissioners.

B. Commissioner Comments/Discussion.

None.

7. Adjournment: 9:26 pm

Chair Moore declared the meeting adjourned at 9:26pm

Respectfully Submitted:
Sharon Bregante-Candau
Administrative Clerk



City of Yamhill

A small taste of Oregon

CITY OF YAMHILL, CITY PLANNING COMMISSION MEETING March 16, 2022 7:00 PM MINUTES

Regular Meeting – Planning Commission

1. Call to Order –Roll Call

Commissioner Shea Corrigan called the meeting to order at 7:04 PM.

Present by Teleconference: Commissioner Sue Richardson

Present In-Person: Commissioners Shea Corrigan, Lynden Carl, and Jon Hodgkins

Staff Present by Teleconference: Walt Wendolowski, City Planner; and Petra Schuetz, City Administrator Pro Tem

Present In-Person: Sharon Bregante-Candau, Administrative Clerk

Absent: Commissioner Ken Moore

2. Public Hearing:

A. File #CA 21-03 – Electronic Message Center Signs

City Planner, Walt Wendolowski, summarized the Staff Report from Walt Wendolowski, City Planner, dated March 7, 2022, that is included in the record.

Public Comment:

- Patty Pairan of Maple St.
- Doug Edwards of Maple St.
- Brian Jensen of Olive St.
- Robert Davis of Maple St.
- Carol Prendergast of Olive St.
- Jay Disbrow of Main St.

Motion by Carl, seconded by Hodgkins, to continue the public hearing for File #CA 21-03 Electronic Message Center Signs to the next planning commission meeting which is scheduled for April 20, 2022.

Roll call: Ayes: Corrigan, Carl, Hodgkins, and Richardson
Nays: None

The motion carried.

B. File #CA 21-04 – Carport

City Planner, Walt Wendolowski, summarized the Staff Report from Walt Wendolowski, City Planner, dated March 7, 2022, that is included in the record.

Public Comment:

- Doug Edwards of Maple St.
- Patty Pairan of Maple St.
- Robert Davis of Maple St.

Motion by Hodgkins, seconded by Carl, to continue the public hearing for File #CA 21-04 Carport to the next planning commission meeting which is scheduled for April 20, 2022.

Roll call: Ayes: Corrigan, Carl, Hodgkins, and Richardson
Nays: None

The motion carried.

3. Public Comment:

Public comment was received from the following:

Doug Edwards.

6. Information/Announcements:

- A.** Next Planning Commission Meeting on April 20, 2022
- B.** Commissioner Comments/Discussion

7. Adjournment: 8:23pm

Corrigan made motion to adjourn, Hodgkins seconded.

All in favor, meeting adjourned at 8:23pm

Respectfully Submitted:
Sharon Bregante-Candau
Administrative Clerk