



# City of Yamhill

A small taste of Oregon

## AGENDA

### CITY OF YAMHILL, CITY PLANNING COMMISSION MEETING City of Yamhill Council Chambers, 205 S Maple St., Yamhill, OR 97119 & Zoom Wednesday, July 20, 2022

7:00 PM

Please use the link below to join the webinar:

[https://us02web.zoom.us/j/89896800213?pwd=-3-DZoNMRR1HjnXsd9Y\\_V50Hf4Bt1d.1](https://us02web.zoom.us/j/89896800213?pwd=-3-DZoNMRR1HjnXsd9Y_V50Hf4Bt1d.1)

Passcode: 371225

Please use the following phone number link:

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

Webinar ID: 898 9680 0213

Passcode: 371225

1. **Call to Order** –Roll Call
2. **Public Hearing:**
  - A. File #LLA 22-01 – 1000 E 2<sup>nd</sup> St.
3. **Continuance of Public Hearing:**
  - A. File #CA 21-03 – Electronic Message Center Signs
4. **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](mailto:s.b.candau@cityofyamhill.org) or call 503-662-3511
5.
  - C. Next Planning Commission Meeting on August 17, 2022
  - D. Commissioner Comments/Discussion
6. **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 No. 22-01 (Property Boundary Adjustment)  
**DATE:** July 10, 2022

**I. BACKGROUND INFORMATION**

- A. **APPLICANT:** Terah Mitchell.
- B. **PROPERTY LOCATION:** The subject property is located at 1000 E. 2<sup>nd</sup> Street and includes two lots identified by the County Assessor Map as located within R3404AD Tax Lot 9419 and Tax Lot 9402.
- C. **ZONING:** Single Family Residential (R-2).
- D. **PARCEL SIZE:** Tax Lot 9419 – 8400 square feet; Tax Lot 9402 – 2200 square feet.
- D. **EXISTING DEVELOPMENT:** A single family home is located on Tax Lot 9419 while Tax Lot 9402 is vacant. Public street access is available, and the residence is served by public sewer and water.
- E. **REQUEST:** The applicant is requesting approval of a Property Boundary Adjustment to combine the two parcels.
- F. **DECISION CRITERIA:** This decision will be based on compliance with the criteria contained in Section 11.16 of Title 11 of the Yamhill Municipal Code.

**II. APPLICATION SUMMARY**

- A. The applicant intends to combine the two parcels into a single 10,600 square foot property. No other development is planned. Section 11.16 of the Municipal Code governs property boundary adjustments.
- B. Boundary adjustments are staff-level reviews. However, Section 11.16.030(E) requires any adjustment resulting in an alteration exceeding 10% of the total land area of any affected parcel must follow partitioning procedures. As the Commission reviews partitions, the Commission, in turn, must review the boundary adjustment.

## II. CRITERIA AND FINDINGS

- A. Section 11.16.010 - Purpose. A property boundary adjustment is a change to a property boundary that only modifies existing lots or parcels and does not create a new lot or parcel. A property boundary adjustment is also a change to a property boundary when a lot line is extinguished converting two properties into one.

FINDINGS: The proposal will combine the two lots, which provisions in this Section allow.

- B. Section 11.16.020 - Submittal Requirements. This Section establishes the submittal requirements for a property boundary adjustment. For the record, the applicant submitted the necessary material.

- C. Section 11.16.030 - Review Criteria. Approval or denial of a property boundary adjustment shall be based on the following criteria:

1. Section 11.16.030(A) - A property boundary adjustment cannot create a parcel. Creation of a parcel requires approval of a land division.

FINDINGS: The proposal combines the two lots and does not create a new lot or parcel.

2. Section 11.16.030(B) - Following the property boundary adjustment, all lots or parcels must comply with lot size and dimensional standards of the applicable land use district. For nonconforming lots, the adjustment shall not increase the degree of nonconformance of the subject property.

FINDINGS: For a single-family home in the R-2 zone, the minimum lot size is 6,000 square feet, with a minimum depth of 90-feet and a minimum width of 60-feet at the building line. The proposal increases the existing lot width and depth, as well as lot area, beyond the minimum requirements.

3. Section 11.16.030(C) - The adjustment shall not result in a setback violation for existing structures.

FINDINGS: Minimum setbacks are 5-feet along each side and 20-feet for the front and rear yards. The proposal increases the side yard setback on the west side. After the adjustment, the existing dwelling will meet or exceed all minimum setback requirements.

4. Section 11.16.030(D) - The adjustment should not reorient or significantly reconfigure the lots or parcels.

FINDINGS: The proposal combines the two existing lots and does not reorient or reconfigure any of the external boundaries.

Section 11.16.030(E) - Property boundary adjustments resulting in an alteration exceeding 10% of the total land area of any affected parcel shall require approval under the partitioning procedures, including compliance with design standards. Specific decision criteria are found in Section 11.12.50 and are reviewed below:

- a. Section 11.12.50 (A) - Each parcel shall meet the access requirements of Chapter 11.20.

FINDINGS: At approximately 70-feet, the combined property exceeds the minimum 25-foot requirement.

- b. Section 11.12.50 (B) - Each parcel shall satisfy the dimensional standards of applicable zoning district unless a variance from these standards is approved.

FINDINGS: As noted, the combined lots meet or exceed all dimensional standards of the R-2 zone. The request does not require a variance.

- c. Section 11.12.50 (C) - Adequate public facilities shall be available to serve the existing and newly created parcels.

FINDINGS: The property is currently served by public water, sewer, and storm facilities. Additional improvements are not required.

- D. Section 11.16.050 - Completion of a Property Boundary Adjustment. After a property boundary adjustment is approved, the new boundary becomes effective only after the following steps are completed:

- 1. Section 11.16.050(A) - The metes and bounds legal descriptions of the adjusted properties are recorded with the Yamhill County Clerk.
- 2. Section 11.16.050(B) - If required by ORS Chapter 92 or the requirements of this chapter, a final map and boundary survey are prepared and all new boundaries are monumented as required by ORS Chapters 92 and 209. If so required, the final map

FINDINGS: This is a Code requirement to complete the process and the applicant's responsibility.

### III. RECOMMENDATION AND CONDITIONS OF APPROVAL

Based on the above findings, City staff concludes the proposal complies with the applicable decision criteria and recommends the Planning Commission approve the application for a Property Boundary Adjustment subject to the following conditions:

- A. A metes and bounds legal description of the adjusted lots shall be recorded with the Yamhill County Clerk within one year of the final date of this decision. The common property boundaries shall be relocated as indicated on the submitted site plan.
- B. If required by ORS Chapter 92, a final map and boundary survey shall be prepared, and all new boundaries shall be monumented as required by ORS Chapters 92 and 209.
- C. The applicant is advised Yamhill County may require the preparation of a new final plat. If so required, the plat shall be submitted to the City for signatures. After signatures are received, the applicant shall file the final plat in the County Clerk's office and return a copy to the City.
- D. Compliance with these conditions shall be the sole responsibility of the applicant.

### IV. PLANNING COMMISSION ACTION

- A. The Planning Commission has the following options:
  - 1. Approve the application, adopting findings and conditions contained in the staff report; or
  - 2. Approve the application, adopting modified findings and/or conditions; or
  - 3. Deny the application, 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.

## NOTICE OF PLANNING COMMISSION PUBLIC HEARING

**July 20, 2022, 7:00 p.m.**

City Council Chambers  
205 South Maple Street  
Yamhill, Oregon 97148

The City of YAMHILL PLANNING COMMISSION will hold its regular meeting on Wednesday, July 20, 2022 at 7:00 PM via **Zoom** and **in-person** at the above address. Go to [www.cityofyamhill.org](http://www.cityofyamhill.org) for log in information. This meeting includes a public hearing to consider the following application:

**APPLICANT:** City of Yamhill.  
**LOCATION:** The application affects all properties within the City.  
**REQUEST:** The City seeks to amend the Yamhill Municipal Code by modifying the language for reader board signs and establishing new regulations for electronic message center signs.  
**CRITERIA:** Yamhill Municipal Code; Section 10.132.060 to Section 10.320.100.  
**DOCKET No.:** File # 21-3

Persons interested in the proposal should become involved in the land use decision-making process. Any one desiring to speak for or against the proposal may do so in person or by representative at the hearing. Written comments may also be filed with the City of Yamhill prior to the public hearing. All documents, evidence, and staff reports relied upon by the applicant, including a list of Yamhill Municipal Code approval criteria applicable to the request, are available on the City's Website or for inspection at the Yamhill City Hall.

The Planning Commission's review is for the purpose of providing a recommendation to the Yamhill City Council. A recommendation by the Planning Commission for City Council to approve or deny the request will be based upon the above listed criteria and these criteria only. At the hearing it is important that comments relating to the request pertain specifically to the applicable criteria. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue.

A copy of the staff report will be available at least seven days prior to the hearing for inspection at no cost, or, a copy can be obtained for \$.25/page. If you need any special accommodations to participate in the hearing, please notify City Hall 24-hours before the meeting.

For further information please contact Sharon Bregante-Candau Administrative Clerk, Yamhill City Hall, 205 South Maple Street, Yamhill, Oregon 97148; (503) 662-3511.