



# City of Yamhill

A small taste of Oregon

**AGENDA**  
**CITY OF YAMHILL, CITY PLANNING COMMISSION MEETING**  
**Council Chambers – 155 E 1<sup>st</sup> Street**  
**Tuesday August 4, 2020**  
**7:00 PM**

**Regular Meeting – Planning Commission**

1. **Call to Order** –Roll Call
2. **Flag Salute:**
3. **Public Comment:** (This time is provided for persons in the audience on ANY item of Planning Commission business, except those items which appear on this agenda or refer to land use requests, however, the Planning Commission reserves the right to defer any request for action from any persons addressing the Planning Commission who have not been placed on the agenda. Comments shall be limited to two to five minutes, at the Chair's discretion.)
4. **New Business:**
  - A. None Received.
5. **Unfinished Business:**
  - A. Consider amending code text amendment – Side Yard Setback R2 Zone.
  - B. Consider amending code text amendment -Zero lot line for corner lots.
6.
  - A. Approval of Planning Commission Minutes from July 6, 2020.
  - B. Schedule next Planning Commission Meeting.
7. **Information/Announcements:**
  - A. Vacancies:  
Budget Committee - 1 member-  
Planning Commission – 1 member- Applications are available at City Hall.
8. **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 \*\*\*\*

5.A.

**CITY OF YAMHILL, OREGON  
PLANNING COMMISSION  
STAFF REPORT  
August 4, 2020**

**Development Code Text Amendment concerning Side-Yard Setbacks in the R-2 Zone**

On July 6, 2020, the Planning Commission voted to initiate an amendment of the text of the Development Code to consider amending the side yard setback in the R-2 zone from 7.5 feet to 5 feet.

The Planning Commission's role this evening is to settle on the proposed Code language which will go to public hearing. The Commission's ultimate responsibility is to make a recommendation to the City Council on the proposed Code amendment.

The hearing will be set before the Commission for the regular October 6, 2020 meeting. The two-month delay is due to the required 35-day notice of the proposed amendment to the Oregon Department of Land Conservation and Development. The Commission could choose to hold an earlier meeting for this hearing and decision as long as it is 35 days from the day notice is given. The earliest date would be September 9, 2020.

The Council hearing and decision will be scheduled for the first available Council meeting after the Commission adopts its recommendation to Council.

The proposed code language is:

**10.16.060 Yard Requirements.**

In an R-2 zone, each lot shall have yards of the following size unless provided for in Chapter 10.76:

(B) Side Yards. There shall be a side yard on each side of the main building on every lot in an R-2 zone in width of ~~seven and one-half~~ five feet. A side yard on the street side of a corner shall be not less than 20 feet

**Recommendation**

Staff recommends the Planning Commission, by motion, approve the proposed language for the purpose of holding a public hearing, and set that hearing date.

5.B.

**CITY OF YAMHILL, OREGON  
PLANNING COMMISSION  
STAFF REPORT  
August 4, 2020**

**Development Code Text Amendment concerning Duplexes in the R-1, R-2, R-3,  
and RM Residential Zones**

On July 6, 2020, the Planning Commission voted to initiate an amendment of the text of the Development Code to consider allowing duplexes on corner lots to be divided so each dwelling unit can be sold independently.

The Planning Commission's role this evening is to settle on the proposed Code language which will go to public hearing. The Commission's ultimate responsibility is to make a recommendation to the City Council on the proposed Code amendment.

The hearing will be set before the Commission for the regular October 6, 2020 meeting. The two-month delay is due to the required 35-day notice of the proposed amendment to the Oregon Department of Land Conservation and Development. The Commission could choose to hold an earlier meeting for this hearing and decision as long as it is 35 days from the day notice is given. The earliest date would be September 9, 2020.

The Council hearing and decision will be scheduled for the first available Council meeting after the Commission adopts its recommendation to Council.

The proposed code language is:

**R-1 Zone**

**10.12.070 Lot Size and Width.**

(A) In an R-1 zone, except as noted in Section (B) below, the minimum requirements for lot area shall be 7,000 square feet for each dwelling, including a legally established two-family dwelling. The width of the lot at the building line shall be not less than 60 feet. The depth of the lot shall not be less than 90 feet.

(B) In an R-1 zone, a lot on which a legally established two-family dwelling exists or is being built may be divided so as to allow the two-family dwelling to be divided and have separate ownerships of each dwelling and the associated portion of the original lot providing all State of Oregon Residential Structure Building Code requirements are met. The minimum requirements for lot area shall be no less than 50% of the minimum required lot area for a non-divided two-family dwelling. The width of each lot at the building line shall be not less than 30 feet. The depth of the lot shall not be less than 90 feet.

**R-2 Zone**

**10.16.070 Lot Size and Width.**

(A) In an R-2 zone, except as noted in Section (B) below, the minimum requirements for lot area shall be 6,000 square feet for each dwelling and 7,000 square feet for a legally established two-

family dwelling. The width of the lot at the building line shall be not less than 60 feet. The depth of the lot shall not be less than 90 feet.

(B) In an R-2 zone, a lot on which a legally established two-family dwelling exists or is being built may be divided so as to allow the two-family dwelling to be divided and have separate ownerships of each dwelling and the associated portion of the original lot providing all State of Oregon Residential Structure Building Code requirements are met. The minimum requirements for lot area shall be no less than 50% of the minimum required lot area for a non-divided two-family dwelling. The width of each lot at the building line shall be not less than 30 feet. The depth of the lot shall not be less than 90 feet.

**R-3 Zone**

**10.16.070 Lot Size and Width.**

(A) In an R-3 zone, except as noted in Section (C) below, the minimum requirements for lot area shall be 6,000 square feet. The width of the lot at the building line shall be not less than 60 feet. The depth of the lot shall not be less than 90 feet.

(B) Each additional dwelling unit shall require 2,000 square feet of lot area (See table). No main building or group of main buildings shall occupy more than 60% of the lot area, and no detached accessory structure may occupy more than 25% of any side or rear yard.

**Multifamily Dwelling Lot Area Requirements**

No. of Dwelling Units	Lot Area (Sq. Ft.)
1	6,000
2	8,000
3	10,000
4	12,000
5	14,000
6	16,000
7	18,000
8	20,000
9	22,000
10	24,000
15	34,000
20	44,000

(C) In an R-3 zone, a lot on which one legally established two-family dwelling exists or is being built may be divided so as to allow the two-family dwelling to be divided and have separate ownerships of each dwelling and the associated portion of the original lot providing all State of Oregon Residential Structure Building Code requirements are met. The minimum requirements for lot area shall be no less than 50% of the minimum required lot area for a non-divided two-family dwelling. The width

of each lot at the building line shall be not less than 30 feet. The depth of the lot shall not be less than 90 feet.

## **RM Zone**

### **10.21.070 Lot Size, Width, and Depth.**

In an RM zone, except as noted in Section (B) below the minimum requirements for lot area shall be 6,000 square feet. The width of a lot at the building line shall be not less than 60 feet, and the depth of a lot shall be not less than 90 feet.

(B) In an RM zone, a lot on which one legally established two-family dwelling exists or is being built may be divided so as to allow the two-family dwelling to be divided and have separate ownerships of each dwelling and the associated portion of the original lot. The minimum requirements for lot area shall be no less than 50% of the minimum required lot area for a non-divided two-family dwelling. The width of each lot at the building line shall be not less than 30 feet. The depth of the lot shall not be less than 90 feet.

## **Recommendation**

Staff recommends the Planning Commission, by motion, approve the proposed language for the purpose of holding a public hearing, and set that hearing date.

6.A.



# City of Yamhill

A small taste of Oregon

**CITY OF YAMHILL  
CITY PLANNING COMMISSION MEETING  
Council Chambers – 155 E 1<sup>st</sup> Street  
Monday, July 6, 2020 7:00 PM  
MINUTES**

**Public Hearing – Planning Commission**

**1. Call to Order – Roll Call**

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

**ROLL CALL:**

Members present: Commissioners Prendergast, Braddock, and Player  
Present via Phone: Commissioner Moore – Joined at 7:10pm  
Excused Absence: Commissioner Fox  
City staff present: City Recorder Gilmore, Interim-Superintendent Malis,  
City Planner John Morgan

**2. Flag Salute:**

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

**3. Public Hearing:**

**A. Public Hearing on Partition Application PAR 20-01.**

This is an application for a request to partition a 13,158 square foot parcel in the R-2 Zone into two new lots located at 17836 Highway 47.

Chair Prendergast opened the Public Hearing for Partition Case # 20-01 at 7:04 pm and reviewed the purpose of the Commission and the procedures for the Public Hearing. There were no objections to jurisdiction. Prendergast 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 read a procedure statement for the record, which is required by State law, for those that testify.

City Planner, John Morgan presented the staff report for the proposed partition. The existing lot is the site of an older single-family home and outbuildings. All existing structures will be removed, and the land prepared for new construction. There is an existing driveway accessing Highway 47. The proposal will allow construction of two new houses. The lot configuration utilizes a flag lot with a new shared driveway along

the west side of the property. This will be a permanent 20-foot access easement to serve the rear lot and house. By code it will be paved. ODOT has verbally confirmed to staff that there should be no issue with issuing a driveway permit for a new shared driveway as long as the old driveway is closed. The property is zoned Single-Family Residential (R-2), the minimum lot size in the R-2 zone is 6,000 square feet.

It was noted for the record that the Partition Application specified the size of lots to be created as Lot 1- 6,408sf and Lot 2- 6,750sf, whereas the plat drawing showed evenly split lots at 6,579 S.F. The applicant understands that each parcel shall meet the dimensional standards for the R-2 zone.

Teresa Gilmore, the representative for the applicant, Sigmund Holdings LLC was in attendance. Gilmore stated the lots will be used to build single-family dwelling homes and asked for any questions.

There were no statements from proponents or opponents.

Brian Jensen, the Fire Chief for the Yamhill Fire Protection District, expressed a concern for the property easement, and stated it can not be blocked by any vehicles at any time and the no parking will need to be enforced. Jensen recommends signage or the residents be made aware of the restriction for the easement area. The driveway will also need the required turnaround area that will be necessary before approving any building compliance applications. Jensen also reported that all residential homes under 3,600sf

must have a minimum fire flow of 1,000gpm. A flow test will need to be done from the nearest hydrant and if the minimum 1,000gpm is not met, sprinkler systems will be required in the homes.

There was discussion regarding requesting O.D.O.T lower the speed limit on Highway 47 on the North end of town. Morgan recommends the City Council and the Fire Board approach O.D.O.T. together to propose the lowering of the speed limit.

Chair Prendergast closed the Public Hearing at 7:25pm.

Motion by Prendergast seconded by Braddock, to approve Partition Application, PAR 20-01, with the recommended conditions of approval and adopt findings contained in the staff report, and include conditions that the applicant and Fire Chief agree on driveway parking restrictions and directs staff to prepare an Order for the signature of the Chair.

Roll Call: Ayes: Moore, Player, Braddock and Prendergast  
Nays: None

Motion Carried.

### **Regular Meeting – Planning Commission**

#### **4. Public Comment:**

None Received.

**5. New Business:**

**A.** Consider initiating a code text amendment – Side Yard Setback R2 Zone.

John Morgan reported that the first step in considering an amendment of the Development Code is to have it initiated. This simply means agreeing to take up the proposal for a change so it can be considered. Considering a proposed change in no way infers support or approval for the proposal. Initiation means agreeing to talk about it and move it forward through an adoption process if warranted.

A proposal has been received from Steve Miller, Emerio Design to request the City's consideration in amending the City of Yamhill Zoning Code, Section 10.16.060(B) Yard requirements to modify side yard setbacks of R-2 zone. The Text amendment proposal is to amend the side yard setbacks of the R-2 zoning district to allow buildings to extend within 5-feet of the side yard, or 10 feet of a street side yard. The proposed amendment will have no effect on residential density within the R-2 zone.

Moore made motion; Prendergast seconded to approve to initiate an amendment of the Development Code to change the side-yard setback in the R-2 zone to five-feet and a side yard on the street side of a corner lot shall be not less than 10-feet.

Roll Call: Ayes: Moore, Player, Braddock and Prendergast  
Nays: None

Motion Carried.

**B.** Consider initiating a code text amendment -Zero lot line for corner lots.

Morgan reiterated that initiating an amendment means agreeing to take up the proposal for a change so it can be considered. Considering a proposed change in no way infers support or approval for the proposal.

A proposal has been received from Chuck Mitchell to request the City considers amending the Code to allow zero-lot line dwellings on corner lots. Currently the Code allows duplexes on corner lots. Mr. Mitchell is suggesting creating a means whereby each side of a duplex can be sold individually.

Prendergast made motion; Player seconded to approve initiating an amendment of the Development Code to allow zero-lot line two-unit dwellings on corner lots.

Roll Call: Ayes: Moore, Player, Braddock and Prendergast  
Nays: None

Motion Carried.

**C.** Consider initiating a code text amendment to bring Yamhill Development Code into compliance with Oregon State Law regarding processes for land divisions.



Staff is asking the City to consider amending the Code to change the process for consideration of partitions and subdivisions to Administrative Review instead of automatically bringing them before the Planning Commission for public hearing, deliberation, and decision.

This Code amendment is to bring the Yamhill Development Code into compliance with State Law. Amendments to the Statutes addressing Needed Housing were adopted in 2016 and are now being incorporated into local codes statewide. The Statute language quoted below is the part of the Needed Housing package of amendments. This language is focused on streamline the processes for developing affordable housing: "A local government shall approve an application for a permit, authorization or other approval necessary for the subdivision or partitioning of, or construction on, any land for needed housing that is consistent with the comprehensive plan and applicable land use regulations."

Motion by Player seconded by Braddock to approve initiating an amendment of the Development Code to change processing of partition and subdivision applications to Administrative Review Decisions.

Roll Call: Ayes: Moore, Player, Braddock and Prendergast  
Nays: None

Motion Carried.

**D. Review Municipal Code 10.64.030 (G) regarding reader board signs.**

Staff recommends the City to consider initiating an amendment to the Yamhill Municipal Code to allow for reader board signs in the Commercial Zone, 10.64.030.

Motion by Moore seconded by Player to approve initiating an amendment to the code to consider the role of reader boards in the Commercial Zone.

Roll Call: Ayes: Moore, Player, Braddock and Prendergast  
Nays: None

Motion Carried.

**6. Unfinished Business:**  
**A. None Scheduled.**

**7. A. Approval of Planning Commission Minutes from October 1, 2019.**

There were no members in opposition to the minutes.  
Prendergast made motion, seconded by Braddock to approve minutes.

Roll Call: Ayes: Prendergast, Braddock, Player and Moore  
Nays: None

The Motion Carried.

**B.** Schedule next Planning Commission Meeting.  
Consensus is to tentatively schedule the next meeting for Tuesday, August 4, 2020.

**8. Information/Announcements:**

**A.** City Caucus – Wednesday, July 8, 2020 at 6:00pm, Beulah City Park.

**9. Adjournment: 8:05pm**

Prendergast made motion to adjourn, Player seconded.

All in favor, meeting adjourned at 8:05pm

Respectfully Submitted:  
Lori Gilmore  
City Recorder/Treasurer

7. A.



# City of Yamhill

A small taste of Oregon

## **ACCEPTING APPLICATIONS FOR (1) PLANNING COMMISSIONER AND (1) BUDGET COMMITTEE MEMBER**

**The City of Yamhill is currently looking for interested citizens to fill seats on the Planning Commission and Budget Committee.**

There is currently one (1) vacant seat on the City Planning Commission and the term of office runs until December 31, 2022. Meetings are scheduled for the first Tuesday of each month.

There is currently one (1) vacant seat on the Budget Committee. The terms of office are for three years. The City Budget Committee meetings are usually held in the beginning of April with meetings through May.

Experience is not required. Candidates must be residents that have resided within the city limits of Yamhill for the last 12 consecutive months.

All interested parties are invited to submit an application to the City Council. The application is available at Yamhill City Hall.

For additional information and/or questions, please contact the City Recorder's office, Yamhill City Hall at 503-662-3511.