



**CITY OF YAMHILL
CITY PLANNING COMMISSION MEETING
Tuesday – August 7, 2018
7:00 PM**

Minutes

Public Hearing – Planning Commission

1. Call to Order –Roll Call

The Yamhill Planning Commission meeting was called to order at 7:00pm by Chair Mitchell.

ROLL CALL:

Members present: Commissioners Mitchell, Player, Moore, Fox and 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 Conditional Use Permit Application CUP 18-01.
(Operation of Child Care Center)

This is an application for a conditional use permit to allow operation of a registered family child care facility in an existing house in a R-2 Single Family zone located at 870 E. First Street, Yamhill.

Chair Mitchell opened the Public Hearing for Conditional Use Case # 18-01 at 7:03pm and reviewed the purpose of the Commission and the procedures for the Public Hearing. There were no objections to jurisdiction. 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.

It was noted that Commissioner Prendergast left the meeting at 7:06pm.

City Planner, John Morgan presented the staff report for the proposed condition use.

Conditional uses are uses that otherwise would be permitted in a zone, but they may have potential impacts on the surrounding area which warrant imposing conditions of approval that are designed to mitigate those impacts. Conditional Use applications can be denied when it is determined the potential impacts are so great there is no reasonable way to mitigate them.

The requested use is listed in Yamhill Development Code Section 10.16.030 – Conditional Use, as follows:

10.16.030(A)(1) – Public, semi-public, parochial and privately-owned kindergartens or day nurseries, provided the residential character of the building is unchanged.

The proposed day care facility will be operated by the resident of the home within the existing residential structure. The facility will be licensed by the State of Oregon as a registered child care center. Such a facility is limited to a maximum of 10 children. At this level of licensing, no additional employees are required nor are none proposed. The license requirements also cover the physical condition and arrangements of the spaces used for caring of children, the programmatic elements of the care including outdoor play times, etc., and the safety requirements relative to potential injury from materials, falls, fire, and other potential hazards.

The single-family residence has a double width driveway long enough to allow parking for four cars. The house is on the corner of 1st and Balm Streets. Neither street has curbs or sidewalks.

The recommendation and conditions of approval requires the applicant: (1) to obtain and maintain State of Oregon licensing as required for a Child Care Center and (2) a sign, not exceeding one square foot in size, will designate the existing driveway as the appropriate location for dropping off and picking up children. Notice of the driveway being the area for drop-off and pick-up will be included in the written rules of the Child Care center and will be referenced in all contracts for child care services.

The applicant Tania Sackett, who resides at 870 E. First Street was in attendance and available for any questions. Sackett stated that she understood the conditions of approval and would abide by the conditions if the application was approved.

Two letters were received in opposition of allowing the Child Care Center at the First Street location. Morgan read both opposition letters and stated that neither letter pertained to land use criteria, and should not impact the findings of fact detailed in the Staff Report. The letters referenced personal reasons to oppose the child care center as it is near a former resident that will be released from prison in the future and upon release, will not be able to reside near a child care center. Chair Mitchell stated that he is not opposed to approving the Child Care Center but chooses to abstain from voting, due to knowing the person incarcerated.

Chair Mitchell closed the Public Hearing at 7:30pm

Motion by Fox, seconded by Player, to approve Conditional Use Application, CUP 18-01, adopting the findings of fact of the Planning Commission's staff report subject to the conditions of approval from the staff report and directs staff to prepare an Order for the signature of the Chair.

Roll Call: Ayes: Moore, Player and Fox
Nays: None
Abstain: Mitchell

Motion Carried.

Regular Meeting – Planning Commission

Chair Mitchell opened the Regular meeting at 7:32pm

4. Public Comment:

None Received.

5. New Business:

- A.** Discuss and review Municipal Code 5.04.030, 10.108.010 and 10.16.020 pertaining to goats or pigs within City Limits.

At the July 11, 2018 City Council meeting, a city resident requested permission to maintain 4H animals (goats and pigs) at their residence from approximately the end of May to the end of July, yearly. The City Council directed the Planning Commission to review the current Municipal Codes pertaining to goats and swine and discuss if 4H animals can be allowed for short periods of time yearly. A discrepancy was also noted that Chapter 5.04.030 (A) reads that "no person shall have or keep goats or swine within the City limits", and Chapter 10.16.020 (C) also reads "in no instance shall goats or pigs be maintained on any lot within the City limits", but Chapter 10.108.010 (B) (1) reads "Miniature livestock animals, including miniature horses and goats, may be kept as pets subject to certain standards" which requires the parcel being at least 15,000 square feet.

After a thorough discussion, the Planning Commissioners consensus was to leave the code as it stands, and not allow goats or pigs within the City Limits, regardless of the purpose or length of time. The only exception would be for a miniature goat if the parcel is more than 15,000 square feet and meets the standards of Chapter 10.108.010 (B) (1). The Commission noted that a city resident would not be able to file for a Conditional Use Permit to maintain 4H animals, as it is not an allowed use under the conditional use criteria for an approval.

6. Unfinished Business:

- A.** Continue discussion regarding City growth and infrastructure.

This item was on the May 1, 2018 agenda, per Chair Mitchell's request, and discussion was postponed until a future meeting due to Mitchell's absence from that meeting.

Morgan reported that the City has a serious water problem, with no adequate supply or capacity and a lack of water rights which is putting a constraint on development potential in the community. Howard indicated that the City has been hindered the last few years by not having an updated Water Master Plan which is currently eighteen years old but should be updated at least every ten years. In order to apply for funding Grants, the City will need to have the new Water Master Plan in place and approved by the City Council. The draft of the new Water Master Plan is due to be approved by the Council at the August 8, 2018 meeting and the City can move forward with seeking funding for future water projects. Discussion continued regarding the City's future plans for a water line upgrade from the reservoir into town. Also discussed was placing a booster pump on the Northwest end of town to increase fire flow capacity, as per Oregon Fire Code, 1,000 gpm for residential and 1,500 gpm Commercial is now a requirement for fire flow. Howard also reported that the State requires a set amount of water to be available in storage for fire flow capacity and for fighting fires and indicated the City needs more storage to meet these requirements. The Planning Commissioners consensus is to continue to discuss improvements to infrastructure and work closely with City Staff to stay informed of plans and progress.

7. A. Approval of Planning Commission Minutes from June 5, 2018.

There were no members in opposition to the minutes.

Moore made motion, seconded by Fox to approve minutes.

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

The Motion Carried.

B. Schedule next Planning Commission meeting for Tuesday, September 4, 2018.

It was noted that due to a land use application being received on July 31, 2018, the tentative Public Hearing and next meeting is scheduled for Tuesday, September 4, 2018.

8. Information/Announcements:

A. City Council meeting – Wednesday, August 8, 2018

9. Adjournment: 8:58pm

Moore made motion to adjourn,
All in favor, meeting adjourned at 8:58pm

Respectfully Submitted:
Lori Gilmore
City Recorder/Treasurer