



# City of Yamhill

A small taste of Oregon

**CITY OF YAMHILL  
CITY PLANNING COMMISSION MEETING  
Tuesday September 15, 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 7:10pm by Vice-Chair Moore.

**ROLL CALL:**

Members present: Commissioners Fox and Player

Present by Conference Phone: Commissioner Moore

Members absent: Chair Prendergast

City staff present: City Recorder Gilmore, City Planner John Morgan

**2. Flag Salute:**

Vice-Chair Moore led the flag salute with all those present participating.

**3. Public Hearing:**

**A. Public Hearing on amending code text amendment-side yard and street side corner lot setbacks.**

Vice-Chair Moore opened the Public Hearing at 7:12pm for amending the code text amendment for side yard and street side corner lot setbacks.

John Morgan reviewed the provided staff report, stating on July 7, 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, or 10 feet of a street side yard. The proposed amendment will have no effect on residential density within the R-2 zone.

On August 4, 2020 the Planning Commission approved draft language to be considered at tonight's public hearing. Morgan stated that tonight's hearing is a Legislative Hearing and not a quasi-judicial hearing as it is a matter of public policy and will not carry the constraints of a quasi-judicial hearing.

Morgan reviewed the Findings required for granting the amendment that included: Yamhill Municipal Code Title 10 – Zoning (aka Yamhill Development Code) has existing side yard setbacks larger than the norm in surrounding and comparable cities. Reducing side yard setbacks allows homes up to five feet wider on a lot in the R-2 zone giving more room for floorspace and bedrooms perhaps making the more livable and available for larger families. While the City does not have a current Buildable Lands Inventory or

Housing Need Analysis, antidotal evidence and the experience of Planning Commissioners supports the desirability of this provision. There is a need in the Yamhill community to accommodate more families and make more efficient use of land. This criterion is met.

The amendment proposal comes at the request of Steve Miller of Emerio Design, the project manager for the Yamhill Park Estates subdivision currently under development. Miller gave a background for the proposed request:

The proposed side yard setback amendment is intended to create setbacks that allow for ranch style houses with wide driveways to accommodate either three car garages or a space for an RV or boat. No amendment is proposed to the minimum lot area development standards or residential density standards of the R-2 zone. The proposed amendment will not result in a change in the residential density of the R-2 zone. The garage entrance setback will remain 20 feet. The text amendment is only proposed 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 modifications to the side yard setbacks will allow for greater diversity in home elevations and allow for more appealing street frontages by lessening the predominance of two-story home along street frontages. Miller also noted that neighboring cities such as Carlton, Dayton, Gaston and Sheridan that are similar in size to the City of Yamhill, are consistent with the proposed text amendment to the side yard setbacks.

Vice-Chair Moore asked is there were any questions for Miller.

Patty Pairan of Maple Street questioned if smaller setbacks would give the square footage of lots a larger size. Miller responded that the smaller setbacks do not change the lot dimension or any ownership of your property. Pairan questioned how it wouldn't change the lot size and it was reiterated that the amendment has nothing to do with changing the lot size but changes the setbacks within the boundaries of the current lot size, which is a 6,000 square feet minimum lot size in the R-2 Zone. Pairan also had concerns that the sub-division won't be affordable housing and believed that the proposal had originally been listed as affordable housing. Miller stated that the project by Emerio Design was never proposed as an affordable housing project through the whole process, but as market housing.

Vice-Chair Moore closed the Public Hearing at 7:30pm and asked for the Commissioner's deliberation. No questions or comments followed, and consensus was that the criteria for the findings has been met.

Fox made motion, Player seconded to approve amending code text amendment-Side Yard and street side corner lot setbacks and recommend the amendment to the City Council for adoption at the October 14, 2020 meeting.

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

Motion Carried.

**B. Public Hearing on amending code text amendment- Zero lot line for corner lots.**

Vice-Chair Moore opened the Public Hearing at 7:40pm for amending the text code amendment for zero lot line for corner lots.

John Morgan reviewed the provided staff report stating an amendment of the text is to consider allowing duplexes on corner lots to be divided so each dwelling unit can be sold independently. This amendment proposal comes at the request of Chuck Mitchell of Yamhill.

The proposed code language would add: 10.12.070 (B) In an R-1, R-2 and RM 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. Staff supports this proposal because it creates a new path to homeownership for those wishing a smaller or more affordable home. It simply allows a duplex to be legally split so each half can be sold independently. The proposal keeps all the design and density standards for a duplex in each zone. This means the number of duplexes in the community is not affected, and it means duplex lot sizes remain the same.

Vice-Chair Moore asked if there were any questions or comments.

Patty Pairan of Maple Street questioned if a duplex in this amendment is referring to a duplex lot, such as a double lot, or a duplex meaning an apartment. Morgan reported that the amendment refers to one building, two-dwelling units. Pairan also had a concern if this could potentially allow for a 4-plex or a 6-plex. Morgan reported that no, that could not be the case, as duplexes are defined as “one building containing two dwelling units”, and duplexes are specifically allowed only on corner lots in certain zones.

Vice-Chair Moore closed the Public Hearing at 7:48pm and asked for the Commissioner’s deliberation. No questions or comments followed, and consensus was that the criteria for the findings has been met.

Fox made motion; Player seconded to approve amending code text amendment- Zero lot line for corner lots and recommend the amendment to the City Council for adoption at the October 14, 2020 meeting.

Roll Call: Ayes: Player, Fox and Moore

Nays: None

Motion Carried.

## Regular Meeting – Planning Commission

Regular meeting opened by Vice-Chair Moore at 7:50 pm.

**4. Public Comment:**

None Received

**5. New Business:**

A. None Scheduled.

**6. Unfinished Business:**

A. None Scheduled.

**7. Committee Review Discussion:**

A. Approval of Planning Commission Minutes from August 4, 2020.

Player made motion, seconded by Fox to approve minutes.

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

The Motion Carried.

**B. Schedule next Planning Commission Meeting**

Consensus is to tentatively schedule the next Meeting for Tuesday, December 1, 2020.

**C. Commissioner Comments/Discussion**

None Received.

**8. Information/Announcements:**

A. Candidate Certification for the November 3, 2020 Election.

B. Vacancies: Budget Committee - 1 member-  
Planning Commission – 1 member- Applications are available at City Hall.

**9. Adjournment: 7:50 pm**

Player made motion to adjourn, Fox seconded.

All in favor, meeting adjourned at 7:50pm

Respectfully Submitted:  
Lori Gilmore  
City Recorder/Treasurer