

YAMHILL COUNTY PLANNING COMMISSION

Thursday, July 11, 2013 ≅ 7:00 p.m.
Yamhill County Courthouse, Room 32
535 NE 5th St.
McMinnville, Oregon 97128

Roll Call: Daryl Garrettson, Matt Dunckel, Alan Halstead, Dan Armstrong, Marla Robison, Michael Sherwood, Michael Griffith, John Abrams, Marjorie Ehry **Absent:** None **Staff:** Michael Brandt, Ken Friday

QUASI-JUDICIAL PUBLIC HEARING:

DOCKET NO.: C-03-13/SDR-03-13

REQUEST: A request by Edward Fus for a conditional use and site design review approval to allow a winery and tasting room, and to host up to three events per year. Each event could be up to three consecutive days.

APPLICANT: Edward Fus

ZONING: AF-10 Agriculture/Forestry Small Holding

TAX LOTS: 5414-4402

LOCATION: 9099 SE Three Trees Lane, Amity

CRITERIA: Section 501.03(P), 1101.02 and 1202.02 of the Yamhill County Zoning Ordinance

Mike Brandt indicated that Mr. Fus had requested to continue this item to another hearing so he could negotiate with his neighbors related to the CC&Rs. Mike stated that the Planning Department would send out a new notice for the future hearing, which would likely be September 5, 2013.

LEGISLATIVE PUBLIC HEARING:

DOCKET NO.: G-01-13

REQUEST: To add the agri-tourism uses to the VLDR and AF-10 zones.

APPLICANT: Yamhill County

ZONE: VLDR-2.5, Very Low Density Residential and AF-10 Ag/Forestry Small Holding

CRITERIA: Section 1207.01 of the Yamhill County Zoning Ordinance

Chair Garrettson opened the hearing.

Mike Brandt presented the staff report which included a map of the exception areas and the minimum lot sizes for the VLDR and AF-10 zones. Mike noted that this information had been requested during the May hearing.

Public Testimony:

Susan Meredith spoke on behalf of Friends of Yamhill County and went over the concerns listed in the letters from Ilsa Perse and Tom Abrego, Vice-President FYC.

Staff Recommendation:

Mike Brandt did not give a recommendation. Mike advised the Planning Commission that if you are in favor of allowing these events in the rural residential zone then you should consider some sideboards. If you are recommending against this, then you should articulate why you are opposed of this.

Marjorie asked about the cost of applying under the present event ordinance. Ken Friday said it ranged from \$69 to about \$985.00.

Matt Dunckel – I don't see the problem, if it is Ag. based. I am having a hard time coming up with a reason to deny such a request.

Daryl Garretson - If there is no one who is coming to us to support this, do we really want to take action to support this? We don't guarantee peace and tranquility in the EF zones, we kind of do in the rural residential zones. The Planning Commission discussed the possibility of requiring a type B notice for all agri-tourism events in the rural residential zone.

Mike explained that when we have complaints our code enforcement officer does an investigation. He said we recently had our code enforcement person go out to investigate a complaint on a private mud-drag/four-wheeler competition that was to be held 4th of July weekend. The threat of further code enforcement stopped the event. Mike said he did agree with Susan Meredith when she said the code enforcement office was complaint driven.

Michael Sherwood gave an example of a nut-drying barn used for wine tastings with 200-300 people showing up and parking along Corral Creek Road. He said they did this for two years. Mike Brandt agreed but added that neighbors contacted the Planning Department during the second year and our office did an investigation. The owner eventually did apply for a conditional use permit. Mike said that when the notice went out neighbors wanted conditions and we responded by placing those conditions on the approval.

Alan Halstead, moved to deny the request. He said that the rural residential zone is not conducive to agri-tourism events. Matt Dunckel – I think I agree they are not conducive on the smaller parcels due to the commercial nature of the use, but how about the 10-acre pieces? Dan Armstrong – we need to treat them the same. Michael Sherwood seconded the motion. John Abrams – if the person has 5 acres of blueberries could they have an event? Mike Brandt no, but it depends on the marketing of the activities because they can do direct marketing of their farm product. Alan Halstead called for the question. Voted 6-3 to pass the motion. (John Abrams, Marjorie Ehry and Matt Dunckel in opposition)

Matt Dunckel moved that in the event the Board wants to go through with this, that the Board send this back to us for further consideration. Marla Robison seconded. Motion approved unanimously.

Alan Halstead moved to approve the minutes of May 2, 2013. Marjorie Ehry seconded. Approved unanimously

Other business – Mike Brandt went over the passage of SB 841. Ken Friday gave an update on the Transportation System Plan.

Adjourned at 7:42PM