

**YAMHILL COUNTY PLANNING COMMISSION**

Thursday, February 4, 2010- 7:00 p.m.

Yamhill County Courthouse, Room 32

535 NE 5<sup>th</sup> St.

McMinnville, Oregon 97128

**Roll Call:** Matt Dunckel, Michael Sherwood, Daryl Garrettson, John Abrams, Alan Halstead, Marjorie Ehry, Bob White. **Absent:** David Polite **Staff:** Ken Friday, Michael Brandt

Election of officers. All PC members that are present voted for officers. Daryl Garrettson was elected Chair and David Polite was elected Vice-Chair.

The minutes from the Planning Commission Hearing of November 5, 2009 were unanimously approved.

Chair Garrettson opened the public hearing on Docket PAZ-04-09.

**Abstentions, Objections to Jurisdiction, Ex Parte Contact:** Matt Dunckel stated he has worked for Far West Development in the past, however, it won't affect his decision.

Ken Friday read the "raise it, or waive it" statement required by ORS 197.763.

**QUASI-JUDICIAL PUBLIC HEARING:**

- DOCKET:** PAZ-04-09

**REQUEST:** Approval of a Comprehensive Plan amendment from Very Low Density Residential to Light Industrial; a zone change from VLDR 2.5, Very Low Density Residential to LI, Light Industrial. The purpose of the plan amendment and zone change is to eventually establish a storage lot for recreational vehicles.

**APPLICANT:** Far West Development Corporation represented by Jessica Cain

**TAX LOT:** Lot 4 of Tax Lot 3324-7912

**LOCATION:** 23530 NE Dunberg Loop, Newberg, Oregon

**ZONE:** VLDR-2.5 Very Low Density Residential

**CRITERIA:** Sections 502, 702 and 1208.02 of the Yamhill County Zoning Ordinance. Section 904, Limited Use Overlay may also be applied. Comprehensive Plan policies may be applicable. OAR 660-12-0060 Transportation Planning Rule. The Unincorporated Communities Rule in OAR 660-022-0030 and Statewide Planning Goals 11 and 14.

**Staff Report:** Ken Friday gave a brief review of the staff report.

**Questions of Staff:** Garrettson asked how wide the median is on the highway. Ken Friday said he wasn't sure but would try to find out.

**Proponent's Case:** Jessica Cain: 700 N Deborah Rd, Suite 250, Newberg, attorney representing the applicant, explained why the application satisfied the Yamhill County Comprehensive Plan. She said the applicant would like to have a small office and caretakers residence. The existing access is proposed to be used. Ms. Cain described the characteristics of the surrounding area and discussed the lack of availability/suitability of other appropriately zoned property. The applicant will provide a visual buffer. Ms. Cain explained there will be no traffic increase and that the applicant wouldn't mind having an overlay to limit the use to RV storage.

**Questions of Proponent:** Michael Sherwood asked where the existing RV storage is and what the landscaping and the site would look like. Ms. Cain pointed to the location on a map and explained the proposed landscaping

and graveling. Sherwood asked about access to the highway. Ms. Cain described the existing access along the eastern side of the property.

Bob White asked about traffic leaving the site and the existing problem with traffic backed up on the highway. Ms. Cain explained why that had not been a problem with the existing vehicle storage on the HI zoned property.

Marjorie Ehry asked if they plan on having covered storage because of the demand for such a use. Jessica Cain explained they wouldn't because the market demand isn't there.

Chair Garrettson asked if the existing RV storage near the subject parcel is full and if the owner of that site objects to the proposed use. Ms. Cain said the site is full and the property owner of the existing RV storage facility has no objection to proposed use. Ms. Cain also noted that the owner of the existing RV storage facility was in the audience. Chair Garrettson asked if the city of Newberg has withdrawn their objection. Ms. Cain said she can't speak for the city but that the cities are agreeable to their proposal. Chair Garrettson asked if they have worked this out with ODOT and what the situation is for legal access to the lot. Ms. Cain explained she is working on it with ODOT and the property has deeded access.

**Opponent's case:** None.

**Public Agency report:** Chair Garrettson said he would like to hear from the city of Newberg.

Barton Brierly, City of Newberg Planning Director, PO Box 970, Newberg - Stated they also do contract work for the city of Dundee and can answer those questions as well. Mr. Brierly would like to maintain rural uses and atmosphere between the two cities. He would prefer the existing zoning to remain but would not be against the proposal if the proposed buffer zone is included as a condition of approval. Ken Friday asked for clarification from Mr. Brierly on what the city would like to see as part of that condition. Barton said he would like there to be a condition on the zone change approval as well as an opportunity to comment on the site design review (SDR) application.

**Staff Recommendation:** Staff recommended approval with an overlay with a few restrictions.

**Deliberation:** Alan Halstead recommended a modification to the conditions by staff. John Abrams asked what the process would be if the overlay zone were modified. Ken Friday said modification of the overlay zone would require going through a similar zone change process. Mike Brandt said if the limited use overlay were changed it would require input from the cities, County and Planning Commission. Daryl Garrettson stated he has some concerns regarding the RV's using the existing road approach but there are RV's already using the approach with no apparent problems. Chair Garrettson stated he is also concerned that the issues with ODOT have not been worked out but is in favor of the application. Marjorie Ehry thought this is one of the better uses that could go in with the buffer and is in favor of the application. Matt Dunckel agreed this is the best use of the property. Bob White stated it fills a need and is in favor.

Alan Halstead moved to recommend approval of PAZ-04-09 with staff recommendations as amended. Michael Sherwood seconded the motion. **Motion passed unanimously.**

## LEGISLATIVE PUBLIC HEARING

2.     **DOCKET NO.:**       G-02-09  
       **REQUEST:**        To modify the Yamhill County Zoning Ordinance to incorporate the new Flood Insurance Rate Maps from the Federal Emergency Management Agency, dated March 2, 2010, and to update the language in the Yamhill County Flood Hazard Overlay zone (section 901 of the Yamhill County Zoning Ordinance).  
       **APPLICANT:**       Yamhill County  
       **LOCATION:**         This ordinance change would apply to the Flood Hazard Overlay zone.  
       **CRITERIA:**        ORS 197 and 215, OAR 660-06 and Section 1207.02 of the Yamhill County Zoning

## Ordinance.

Staff Report: Ken Friday gave a brief review of the staff report. Mike Brandt added some information regarding the proposed changes.

**Questions of Staff:** Matt Dunckel asked if we had a choice on whether or not to adopt the changes. Mike Brandt said there are things that are required and there are parts that are strong recommendations. Chair Garrettson asked why review by an architect was being deleted. Mike Brandt said because it is required that it be an engineer. Matt Dunckel asked if they could pass a motion to adopt all that is “required.” Mike Brandt said yes that could be a recommendation to the Board and provided more information. John Abrams agreed with Matt Dunckel and explained that he was only in favor of adopting language updates that were required.

Alan Halstead moved to recommend to the Board that the required changes are adopted and the rest of the changes be dropped. Seconded by Matt Dunckel. **Motion passed unanimously.**

### **Other business:**

Susan Watkins, President of Waste Not, gave an update to the PC regarding the Riverbend Landfills application to expand the landfill and handed out a copy of the appeal they filed and part of the findings that were adopted by the Board of Commissioners.

Ken noted that the Planning Department received an application for a quarry - which would likely be heard in March.

The Planning Commission was wondering if a new member had been chosen by the Board to fill the vacant position. Mike said the Board reopened the process.

**Adjourn:** Planning Commission hearing adjourned at 8:04 PM.