

North Powder City Council
Public Hearing
Conditional Use Permit Application
April 1, 2024
6PM City Hall

Attendance: Mayor John Frieboes, Councilors Justin Wright, Vicki Townsend, Don McClure, Jeff Nielsen, & Lindsey Thompson, City Recorder Beth Wendt

Others: Kaitlyn Zink, Barbara Weeks, Nina McClure, Dave Hoene

Mayor Frieboes called the meeting to order and asked for ex parte contact. Mayor Frieboes noted that his wife was contacted by Mrs. Zink and they helped her understand the Conditional Use Process.

Beth gave a staff report to identify criteria and standards. The applicant, Kaitlyn Zink, applied for a Conditional Use Permit to have an in-home bakery at 190 A Street. It is in the Industrial Zone in a residential area. A home occupation is an allowable use with a Conditional Use Permit as noted in the Zoning Ordinance #1983-3. Other criteria for a Conditional Use Permit and a home occupation are identified in Section 10.04(2) and 10.04(4) of Ordinance 1983-3. ORS 616-723 identifies exceptions for food establishments in a residential dwelling. Criteria noted in the Zoning Ordinance may be used to support or deny the application. The applicant submitted required documentation along with the application.

Kaitlyn Zink was asked to present her application. Kaitlyn would like to operate an in-home business called KaitMade Sourdough. She would like citizens of North Powder to have access to homemade goods. She teams up with local farmers and CJ's Country Store to get locally sourced flour for her breads. She would like to sell her product at the Farmer's Market and CJ's Country Store.

There was no testimony in support from the audience. Beth noted there was a letter from ODOT. ODOT would like to review plans for a sign or farm stand prior to anything being installed next to Hwy 237 (2nd Street). Kaitlyn added that they plan to use their entire property to the full benefit of the business by planting fruit trees and a garden that would also be available for community use.

There was no testimony opposing the application and no further comments from the applicant.

Testimony was closed to the Public. Justin thought it was a good idea. Don appreciated that Kaitlyn submitted a complete and clear application. Vicki asked about the farm stand. Kaitlyn thought it wouldn't be close enough to the street to be an issue. Beth clarified that Kaitlyn should check with ODOT prior to putting anything up just to be sure it doesn't interfere with ODOT's regulations.

Suggested motions to accept or deny were provided to the Council. Beth reminded that the motion needs to be precise and include all conditions that are to be attached to the Conditional Use Permit.

Jeff made a motion to approve the application by Kaitlyn Zink for a Conditional Use Permit to operate an in-home bakery business at 190 A Street, in the city of North Powder. The applicant has met Criteria stated in North Powder's Zoning Ordinance #1983-3, Section 10.04(4) for a Home Occupation. In addition to the criteria set in Section 10.04(4), the following conditions shall also apply:

1. The applicant will purchase an annual Business License from the City of North Powder.
2. The applicant will keep all required State and Federal business licensing current, including a food handler's permit, and shall abide by all State and Federal rulings regarding in-home food establishments.
3. The Conditional Use permit shall apply ONLY to an in-home bakery and sale of such goods. There will be NO drive-thru service or food service seating area.

4. Before constructing a Farm Stand or other signage, the applicant will get ODOT approval and will coordinate such approval with the City's zoning ordinance.

5. The Conditional Use Application shall apply only to the person named on the application and shall be valid as long as that person is the owner and operator of the business as approved by the City Council.

6. Changes or modifications to the use as approved will require a new Conditional Use Application.

Lindsey seconded the motion. Motion carried unanimously.

Beth will send out a Notice of Decision to Kaitlyn and ODOT within 5 days and prepare a Conditional Use Permit with all conditions listed on the permit.

Meeting adjourned at 6:15PM. Regular Council Meeting will resume at 7PM.

Respectfully Submitted,

Attest:

Beth Wendt
City Recorder