

CITY OF MILTON-FREEWATER
PLANNING COMMISSION MINUTES
May 4, 2026

The Planning Commission of the City of Milton-Freewater met for an informal pre-meeting study session at 6:30 pm on May 4, 2026 for the purpose of discussing questions on agenda items.

Those present were Commissioners, Mary Ward, Reilly Miller, Margo Piver, and Chair Nathan Lyon.

Staff participants included Planning Assistant Cassidy Ruiz.

No action was taken.

The study session adjourned at 6:59 p.m.

The Planning Commission meeting was called to order on Monday, May 4, 2026 in the Albee Room of the City Library, 8 SW 8th Ave, Milton-Freewater, OR 97862 at 7:00 p.m. by Chair Nathan Lyon.

Commissioners Present: Commissioners Mary Ward, Reilly Miller, Margo Piver, and Chair Nathan Lyon.

Commissioner Tucker Stringham was absent.

There are currently two commissioner positions vacant.

Staff Participants: Planning Assistant Cassidy Ruiz.

Citizens Participants: Maria Hernandez – 137 W Broadway Ave., Tim Johnson – 722 S Main Street.

Chair Nathan Lyon asked if there were any corrections or additions to the April 6, 2026 minutes. None were stated. Commissioner Mary Ward motioned to approve the April 6, 2026 minutes as written. Commissioner Reilly Miller seconded the motion. All were in favor of approval. Motion carried 4-0. The minutes of the April 6, 2026 meeting minutes were approved as written.

Citizen Concerns: None shared.

The public hearing was then opened for the Conditional Use request from Maria Hernandez to allow a childcare center, caring for a maximum of 24 children on property located at 101 W Broadway Avenue; Map 5N3502DA tax lot: 6200.

Rules for a public hearing were read. No members of the Commission abstained or disclosed ex parte contact.

No audience member objected to any commissioner's right to participate in the public hearing.

Planning Assistant Cassidy Ruiz stated that the notice of the hearing was published as required by law.

Planning Assistant Cassidy Ruiz stated that no comments were received.

Planning Assistant Cassidy Ruiz provided the staff report.

BACKGROUND

The applicant is proposing to start a childcare center at 101 W Broadway. This location previously operated as a flower shop, retail store, and café, but has not had an active business since 2017.

The applicant currently operates an existing childcare facility, Little Ardo's Academy, located at 133 W Broadway. The applicant received Conditional Use Permit approval for that location in 2008 and has been operating the business since that time.

The subject property is approximately 4,356 square feet in size, consisting of approximately 2,384 square feet of interior space and 1,972 square feet of exterior area. The proposed childcare center would include three classrooms, a teacher's lounge, a receiving office, an additional office, two bathrooms, a storage area, and a large enclosed outdoor play area.

In addition to the on-site outdoor play area, the applicant has indicated that children may also utilize the outdoor play area at the existing childcare facility located at 133 W Broadway.

The applicant has identified six parking spaces assigned to the business for parent drop-off and pick-up. The applicant has also stated that staff may park at the existing childcare facility at 133 W Broadway and walk to the proposed center

CODE PROVISIONS

10-4-4(C) CONDITIONAL USES: CHILDCARE FACILITY

10-9-6 GENERAL CRITERIA (CONDITIONAL USE PERMITS)

10-9-6: A conditional use permit may be granted after development of findings which show that the following general criteria, and any specific standards applicable to the proposed use, have been met. This section will apply unless excluded from consideration for specific uses in Section 10-9-7.

- (A) The proposal has properly addressed traffic flow on the subject parcel, and interaction with public streets adjacent to the property as regards width and pavement type sufficient to carry the quantity and kind of traffic generated by the use.

Findings: West Broadway serves a mix of commercial and residential uses and has historically accommodated commercial traffic in this area. The subject property is located along West Broadway where existing street width and pavement improvements support typical commercial vehicle activity.

A traffic divider is in front of the business, which limits traffic movement to one direction (eastbound). This configuration helps organize vehicle movements and reduces conflicting turning movements near the site. In addition, the property is located on a corner with a stop sign, requiring vehicles to slow and stop in the vicinity of the proposed childcare center, which further supports safe traffic operations.

The proposed use would primarily generate traffic during standard business day hours associated with drop-off and pick-up times. The applicant has identified six designated parking spaces for parent drop-off and pick-up. While these spaces are on street, they are striped and allow

vehicles to pull out of the travel lane, reducing interference with through traffic on West Broadway. A large sidewalk is also present along the frontage of the property, providing additional separation between vehicular traffic and pedestrians and supporting safe drop-off and pick-up activity.

Based on the existing street improvements, traffic control devices, designated drop-off/pick-up parking, and sidewalk infrastructure, the proposal has adequately addressed traffic flow on the subject parcel and interaction with adjacent public streets. The width and pavement type of West Broadway are sufficient to carry the quantity and kind of traffic generated by the proposed use.

(B) The subject parcel is of sufficient size and shape to permit proper operation of the use including necessary landscaping to buffer parking and any anticipated expansion.

Findings: The subject parcel is of sufficient size and shape to permit proper operation of the proposed childcare use. No landscaping is required by City Code; therefore, buffering for parking areas is not applicable to this proposal.

The interior space of the building appears adequate to accommodate children of varying ages, as well as providing necessary space for teachers and staff. The proposed layout includes classrooms, offices, restrooms, storage, and staff areas necessary for operation of the childcare facility. The Department of Early Learning and Care will review and confirm that the interior space and facility layout are adequate as part of the state licensing process.

City standards require outdoor play areas to provide a minimum of 200 square feet per child for the first five children, plus 50 square feet for each additional child. Based on the applicant's proposal to serve 24 children, a minimum of 1,950 square feet of fenced outdoor play area is required. The applicant proposes 1,972 square feet of enclosed outdoor play area, which meets the City's minimum requirement. The Department of Early Learning and Care will also verify that the outdoor play area meets applicable state requirements.

Based on the size and configuration of the parcel, the adequacy of the interior space, and the provision of sufficient outdoor play area, the subject parcel is of sufficient size and shape to permit proper operation of the proposed use.

(C) The overall design and operation of the use such that it is reasonably compatible with the livability or appropriate development of adjacent property and the neighborhood as regards to public safety, traffic, noise, hours of operation and health and safety.

Findings: The proposed childcare center is located within a Commercial zoning district, which is intended to accommodate uses that generate a higher level of activity and pedestrian traffic. The proposed use is consistent with the expected development pattern and intensity of the surrounding area.

Outdoor activity associated with the childcare center would be limited to supervised play periods and parent drop-offs and pick-up times, which would occur during normal daytime business hours. The outdoor play area is enclosed by fencing, which helps contain activity and provides separation from adjacent properties.

Surrounding properties are primarily commercial in nature. Adjacent uses include storage units and the post office. Access to the storage units is not located directly adjacent to the fenced play area, reducing potential conflicts. The post office primarily conducts business within the building, which further limits interaction between uses. Given the commercial nature of surrounding properties, the proposed childcare center is not expected to negatively impact the livability or appropriate development of adjacent parcels.

Traffic associated with the use is expected to occur primarily during business hours and will consist mainly of short-term drop-off and pick-up activity. The fenced outdoor play area, limited hours of outdoor use, and commercial surroundings reduce potential noise impacts. In addition, the childcare center will be required to obtain certification and licensing through the Department of Early Learning and Care, which includes review of operational safety, staffing, and facility standards.

Based on the above, the overall design and operation of the childcare center are reasonably compatible with adjacent properties and the surrounding neighborhood with respect to public safety, traffic, noise, hours of operation, and general health and safety.

10-9-7 SPECIFIC STANDARDS

10-9-7 (F): – DAY CARE CENTER, CHILD CARE FACILITY, PRIVATE SCHOOL PROVIDING FOR SEVEN OR MORE CHILDREN

1. Site- obscuring fence or chain link (or equivalent) of at least four feet high surrounding play yards. A sight-obscuring fence may be required to ensure the privacy of adjoining neighbors.

Findings: The proposal includes a site-obscuring fence surrounding the outdoor play area. The applicant has indicated that the outdoor play yard will be enclosed by a six-foot-tall sight-obscuring fence. This exceeds the minimum requirement of a four-foot-high fence and provides additional privacy and separation from adjoining properties. Therefore, the proposal meets the fencing requirement for outdoor play areas.

2. Minimum of 200 square feet of outdoor play area per child for up to five children, plus 50 square feet for each additional child.

Findings: Based on the applicant's proposal to serve 24 children, a minimum of 1,950 square feet of outdoor play area is required. The applicant proposes approximately 1,972 square feet of enclosed outdoor play area. Therefore, the proposal meets the minimum outdoor play area requirement.

3. At least one off-street parking space reserved for loading and unloading of children, or as provided in Sections 10-6-4 if in excess of 25 students.

Findings: The applicant is proposing to serve 24 children; therefore, additional parking requirements for facilities serving more than 25 students are not applicable.

While off-street parking is not required, the applicant has identified six on-street parking spaces located adjacent to the business. These spaces are striped and allow vehicles to pull out of the flow of traffic for drop-off and pick-up activities. In addition, the applicant has stated that off-street parking available at the existing childcare facility located at 133 W Broadway (Little Ardo's) may be utilized by staff. Based on the limited number of students and the availability of designated on-street parking and nearby off-street staff parking, the proposal is adequate to accommodate loading and unloading activities.

4. The physical facilities for the care of children, such as building construction, sanitation, plumbing, heating, lighting, ventilation, maintenance, indoor and outdoor activity areas and fire protection are approved by inspection such by City provided inspector(s).

Findings: Staff will defer to the State of Oregon, Department of Early Learning and Care, for review and approval of these facility standards as part of the required licensing and certification process. The applicant has indicated they are currently working with the State to obtain the necessary certification for operation of the childcare facility. Compliance with State licensing requirements will address the applicable health, safety, and facility standards for the proposed use.

As a condition of approval, once the business has been fully licensed, the applicant shall provide copies of all required certifications and approvals to the Planning Department prior to opening their business.

GENERAL COMMENTS

The proposed childcare center represents a reuse of an existing commercial structure that has been vacant since 2017. The proposed use is consistent with the Commercial zoning designation and the surrounding pattern of development, which includes a mix of commercial and public service uses.

The applicant is an existing and established childcare provider within the community and is currently operating a licensed facility at 133 W Broadway. The proposed expansion demonstrates continuity of care and an established operational history, which supports the viability of the proposed use.

Based on the information provided, the proposal appears to be appropriately scaled for the site and compatible with surrounding commercial uses. Final approval and operation remain contingent upon compliance with all applicable City and State requirements.

STAFF RECOMMENDATION

Staff recommend approval of the proposed childcare center at 101 W Broadway, subject to the applicant obtaining and providing proof to the Planning Department of all required State of Oregon Department of Early Learning and Care licensing prior to opening.

The applicant was then invited to speak.

Maria Hernandez introduced herself to the Commission. She stated that her business, Little Ardo's, has been operating since 2008. Hernandez stated that she seems to always have children on the waitlist for childcare and that this new facility would be beneficial to the city. Childcare is in high demand everywhere.

Chair Lyon asked if the building was in good shape.

Hernandez stated that remodeling will have to be done. The State licenser stated that he liked the same, but the building is dated. Before opening, they want to provide a nice space for their children.

Chair Lyon asked if they had an opening date.

Hernandez stated that they were hoping to open in June.

Chair Lyon stated that he was happy to see the building being used after being empty for so long.

Chair Lyon asked if there was anyone in favor of the application. None were stated.

Chair Lyon asked if there was anyone in opposition to the application. None were stated.

Chair Lyon asked the Commissioners if there were any more questions.

The Public hearing was declared closed.

Commissioner Miller motioned to adopt the findings of fact and staff report provided and approve the Conditional Use Permit received from Maria Hernandez to allow a child care center, caring for a maximum of 24 children, with the condition that they must be in compliance with the Child Care Division and other State Requirements and provide all documented proof of their certification to the Planning Department.

Commissioner Piver seconded the motion. All were in favor. The motion carried 4-0.

Planning Assistant Cassidy Ruiz presented the Administrative Actions of the Planning Department.

Planning Assistant Cassidy Ruiz stated that on May 13th, 2026, there is a special Planning Commission Meeting scheduled.

The meeting was adjourned at 7:45 p.m.