

ORDINANCE NO. 4988

An Ordinance adopting "housekeeping" amendments to certain chapters of the McMinnville Zoning Ordinance (No. 3380) and the Three Mile Lane Planned Development Overlay ordinance (No. 4572).

RECITALS:

WHEREAS, as part of the ongoing effort to improve the efficiency of McMinnville's comprehensive plan and implementing ordinances, the Planning Department has prepared draft "housekeeping" amendments to Chapters 17.06, 17.12, 17.15, 17.18, 17.53, 17.54, 17.60 of the zoning ordinance, and Section 1 of the Three Mile Land Planned Development Overlay Ordinance (No. 4572). The proposed revisions address the following topics and are located within:

- Chapters 17.06, 17.12, 17.15, and 17.18 related to Residential Facility;
- Chapters 17.12 and 17.54 regarding the renewal process for bed and breakfast and vacation home rental establishments, and temporary living units;
- Chapter 17.53 addressing the extension process for tentative subdivision plans;
- Chapter 17.60 correcting a typographical error; and
- Ordinance No. 4572 allowing temporary signs within the Three Mile Lane area.

WHEREAS, staff's draft amendments were presented to the Planning Commission at a public hearing held on March 19, 2015, after due notice had been published in the *News Register*, and after due notice was provided to the Oregon Department of Land Conservation and Development (DLCD) not less than 35 days prior to the public hearing. No public testimony was offered at the hearing in response to the proposed changes.

WHEREAS, following the close of the public hearing the Commission voted unanimously to forward a recommendation to the City Council for approval of the draft amendments to the McMinnville zoning ordinance (No. 3380) and the Three Mile Lane Planned Development ordinance (No. 4572); now, therefore

THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the following amendments are made to the McMinnville zoning ordinance (No. 3380) as follows: [New text is identified as underlined text while text to be deleted is shown in ~~strike through~~.]

A. Definition of Family and allowance of Residential Facility –

Section 17.06.015 Family(B) - ~~"An individual or two or more related or unrelated physically or mentally handicapped, or drug or alcohol dependent~~

~~persons receiving treatment, and any number of resident staff persons engaged in their care who are living as a single housekeeping unit using one kitchen. Such a residential unit is considered a residential home or residential facility as defined in the Oregon State Statute ORS 197.660(2) and ORS 197.665, as amended."~~

Allowance of Residential Facility -

~~Section 17.12.010 Permitted Uses - "G. Residential Facility as defined in Chapter 17.06 (Definitions)."~~

~~Section 17.12.020 Conditional Uses - "R. Residential Facility as defined in Chapter 17.06 (Definitions)."~~

~~Section 17.15.010 Permitted Uses - "G. Residential Facility as defined in Chapter 17.06 (Definitions)."~~

~~Section 17.15.020 Conditional Uses - "P. Residential Facility as defined in Chapter 17.06 (Definitions)."~~

~~Section 17.18.010 Permitted Uses - "G. Residential Facility as defined in Chapter 17.06 (Definitions)."~~

~~Section 17.18.020 Conditional Uses - "R. Residential Facility as defined in Chapter 17.06 (Definitions)."~~

B. Renewals -

~~Section 17.12.010(N)(8) - "Permits may be renewed for one-year periods upon payment of the appropriate fee prior to its expiration date ~~request of the applicant by filing a renewal application with the Planning Department and upon payment of a \$25 fee, provided that the permit has not been terminated under the provisions of Section 17.12.010(N)(9) below.~~"~~

Vacation home rental -

~~Section 17.12.010(O)(7) - "Permits may be renewed for one-year periods upon payment of the appropriate fee prior to its expiration date ~~request of the applicant by filing a renewal application with the Planning Department and upon payment of a \$25 fee, provided that the permit has not been terminated under the provisions of Section 17.12.010(O)(8) below.~~"~~

Temporary living unit -

~~Section 17.54.070(D) - "[..] Such permit shall be renewable upon payment of the appropriate fee prior to its expiration date ~~reapplication to the Planning~~"~~

Director in absence of any formal complaints or changes in circumstances and payment of semi-annual fee. [..]"

C. Submission of final subdivision plat -

Section 17.53.075 - "[..] Approval of the tentative subdivision plan shall be valid for a one-year period from the effective date of approval. Upon written request, the Director may approve a one-year extension of the decision. Additional extensions shall require the subdivider to resubmit the ~~If the subdivider wishes to proceed with the subdivision after the expiration of the 12 (twelve) month period following approval of the tentative plan by the Planning Commission, he must resubmit his tentative plan to the Planning Commission and make any revisions considered necessary to meet changed conditions.~~"

D. Parking variances for historic structures -

Section 17.60.150(B)(2) - "The Planning Director or Planning Commission shall base their decision on the factors listed in Section 17.60.150(C)~~17.60.060(C)~~ below and shall either approve, approve with conditions, or deny the application."

Section 2. That the following amendment is made to the Three Mile Lane Planned Development ordinance (No. 4572) as follows: [New text is identified as underlined text while text to be deleted is shown in ~~strikethrough~~.]

A. Three Mile Lane Planned Development Ordinance –

Ordinance No. 4572, Section 1

"[..] F. Temporary signage shall be allowed as per Section 17.62.060(B)(3) of the McMinnville Zoning Ordinance (No. 3380)."

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance No. 3823, entitled "Initiative and Referendum," for a period of 30 (thirty) days.

Passed by the City Council this 28<sup>th</sup> day of April 2015, by the following votes:

Ayes: \_\_\_\_\_ Drabkin, Jeffries, Menke, Ruden, Yoder

Nays: \_\_\_\_\_

Approved this 28<sup>th</sup> day of April 2015.

  
\_\_\_\_\_  
COUNCIL PRESIDENT

Attest:

  
\_\_\_\_\_  
RECORDER

Approved as to Form:

  
\_\_\_\_\_  
CITY ATTORNEY