

ORDINANCE NO. 5113

AN ORDINANCE AMENDING TITLE 17 OF THE MCMINNVILLE CITY CODE, ADOPTING A NEW CHAPTER 17.11, RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS FOR COMPLIANCE WITH HB 2001 (2019 OREGON LEGISLATIVE SESSION), AND AMENDMENTS TO THE REST OF TITLE 17 AND THE COMPREHENSIVE PLAN TO SUPPORT THE NEW RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS.

RECITALS:

WHEREAS, the 2019 Oregon Legislature adopted HB 2001; and

WHEREAS, the City of McMinnville developed new Residential Design and Development standards (Docket G 6-21) to respond to HB 2001; and

WHEREAS, the Planning Commission hosted 8 work sessions over three years developing the draft Residential Design and Development Standards; and

WHEREAS, the McMinnville City Council hosted three work sessions over three years reviewing and providing feedback on the draft Residential Design and Development Standards; and

WHEREAS, six public information sessions were conducted on the draft Residential Design and Development Standards; and

WHEREAS, the Planning Commission hosted a public hearing on March 17, 2022 to collect public testimony on the draft Residential Design and Development Standards; and

WHEREAS, after they closed the public hearing on March 17, 2022, the Planning Commission voted to recommend the draft Residential Design and Development Standards to the City Council for adoption; and

WHEREAS, the City Council having received the Planning Commission recommendation, being fully informed about the proposed amendments, and having deliberated;

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. That Title 17 of the McMinnville Municipal Code is amended as provided in Exhibit 'A' and Exhibit 'B', adding a new Chapter 17.11 and amending several chapters and sections of Title 17.
2. That the McMinnville Comprehensive Plan is amended as provided in Exhibit 'C'.

3. That the adoption is based upon the findings in Exhibit 'D'.
4. This Ordinance will take effect 30 days after passage by the City Council.

Passed by the McMinnville City Council this 26th day of April, 2022 by the following votes:

Ayes: Drabkin, Garvin, Geary, Menke, Peralta, Chenoweth

Nays: _____



MAYOR

Approved as to form:

Attest:



City Attorney

City Recorder

EXHIBITS:

- A. Proposed New Chapter 17.11 of the McMinnville Municipal Code.
- B. Proposed Housekeeping Amendments to Title 17 of the McMinnville Municipal Code to Support Chapter 17.11 and Compliance with HB 2001 (2019 Legislative Session)..
- C. Proposed Housekeeping Amendments to the McMinnville Comprehensive Plan to Support Chapter 17.11 and Compliance with HB 2001 (2019 Legislative Session).
- D. Findings of Fact and Conclusionary Findings for Docket G 6-21

Proposed Amendments to the McMinnville Municipal Code – New Chapter

Chapter 17.11
RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS
(as adopted per Ordinance 5113, April 26, 2022)

Sections:

17.11.010	Purpose
17.11.011	Applicability
17.11.012	Introduction to Housing Types
17.11.013	Zoning Table of Allowed Housing Types
17.11.014	Definition of Housing Types
17.11.015	Introduction to Development Standards Tables
17.11.020	Tiny Houses
17.11.030	Cottage Clusters
17.11.040	Accessory Dwelling Units
17.11.050	Single Detached Houses
17.11.060	Plexes
17.11.070	Townhouses
17.11.080	Single Room Occupancy
17.11.090	Apartments
17.11.100	Residential Universal Design Standards
17.11.110	Planned Development Residential Design and Development Standards

17.11.010 Purpose. This chapter provides residential development and design standards for all housing types permitted in McMinnville’s residential and commercial zones.

The purpose of this chapter is to permit a wide variety of housing types while maintaining the character and values of McMinnville. These housing types provide greater options for the community and help implement the City’s vision for housing, including the Great Neighborhood Principles.

The proposed housing types range in size, affordability, and configurations, including attached and detached dwellings. The development standards for each housing type were calibrated specifically for McMinnville.

This chapter is divided into individual housing types with their associated development standards and universal design standards that apply to all housing types.

17.11.011 Applicability. The residential design and development standards in this chapter are applicable to all new housing construction, residential conversions, and new additions that comprise 50% or more of the structure.

17.11.012 Introduction to Housing Types

- A. A housing type is not a use category. It describes a type of development that can contain a residential use.
- B. A list of allowed, limited, and prohibited housing types in residential and commercial zones is provided in 17.11.013. Terms and abbreviations used are defined as follows:
 - 1. Yes, allowed (Y). Housing types that are allowed.
 - 2. Limited (L). Housing types that require a conditional use approval or are allowed subject to specific limitations.
 - 3. No, prohibited (N). Housing types that are not allowed under any circumstance.
- C. Housing types that are allowed or allowed on a limited basis are subject to the standards and provisions of the applicable development standards chapter, which is indicated in parentheses in the first column of the Housing Types Table in 17.11.013.
- D. All allowed housing types may be built on-site or brought to the site as a manufactured home.

17.11.013 Zoning Table of Allowed Housing Types. The table below depicts what housing type is allowed in each zone.

Housing Types	R-1	R-2	R-3	R-4	R-5	O-R	C-1	C-2	C-3
Tiny Houses (17.11.020)	Y	Y	Y	Y	N	Y	N	N	N
Cottage Clusters (17.11.030)	Y	Y	Y	Y	N	Y	N	N	N
Accessory Dwelling Units (17.11.040)	Y	Y	Y	Y	N	Y	N	N	L
Single Detached Houses (17.11.050)	Y	Y	Y	Y	N	Y	N	N	L
Plexes (17.11.060)	Y	Y	Y	Y	N	Y	N	N	L
Townhouse (17.11.070)	Y	Y	Y	Y	N	Y	N	N	L
Single Room Occupancy - Small Housing (17.11.080)	Y	Y	Y	Y	N	Y	N	N	L
Single Room Occupancy - Large Housing (17.11.080)	N	N	N	Y	Y	Y	N	N	Y
Apartments (All Apartment Types) (17.11.090)	N	N	N	L	Y	L	N	N	Y

Y = Yes, Allowed

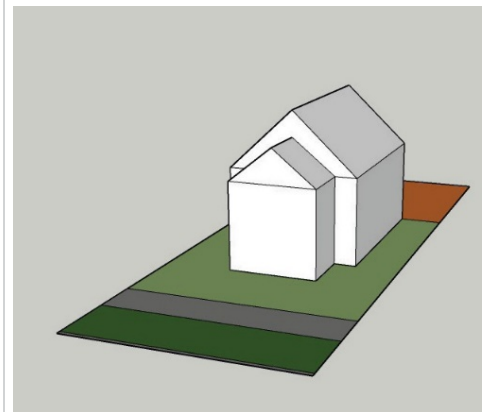
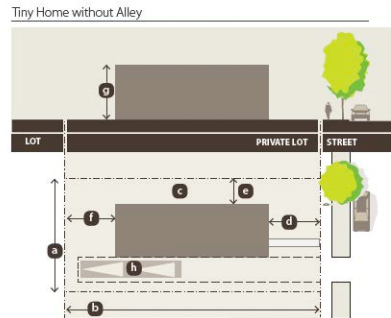
L = Limited, (see footnotes in housing types development standards tables)

N = No, Prohibited

17.11.014 Definition of Housing Types

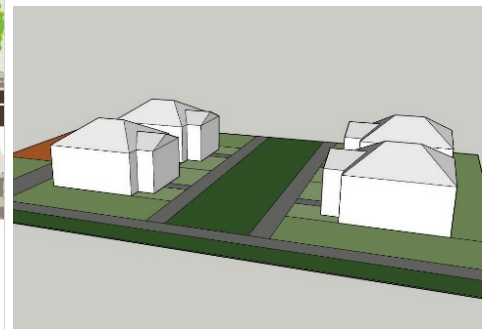
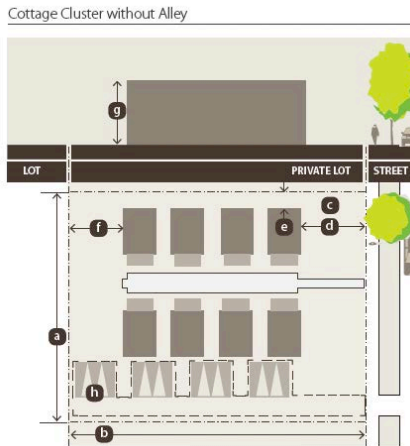
Tiny House

A Tiny House is a small permanent detached unit no more than 400 square feet.



Cottage Clusters

A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; Cottage Cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels.



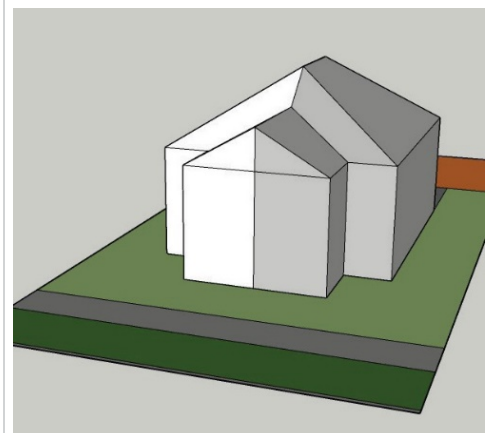
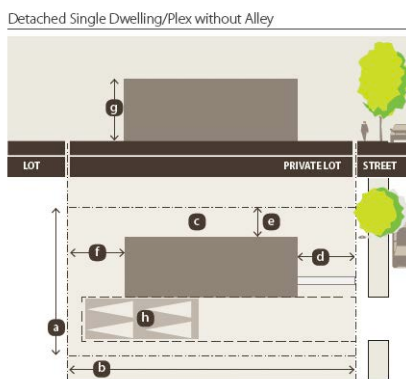
Plexes

Plexes include duplexes (two units), triplexes (three units), and quadplexes (four units).

Duplex: Two dwelling units on a single lot, may be attached or detached.

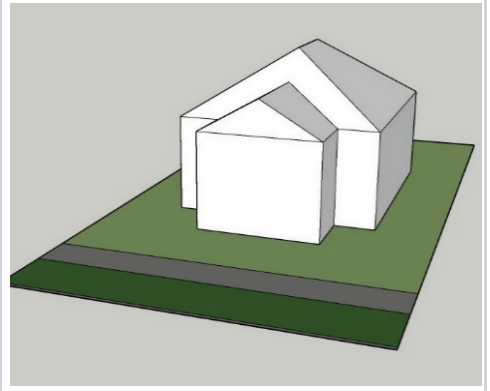
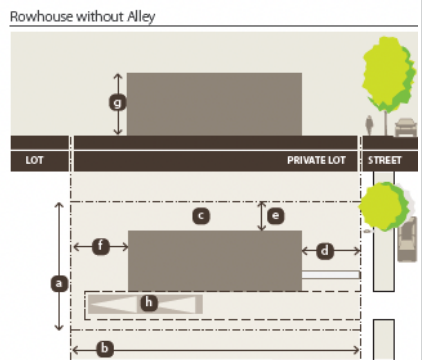
Triplex: Three dwelling units on a single lot, may be attached or detached, or a mix.

Quadplex: Four dwelling units on a single lot, may be attached or detached, or a mix.



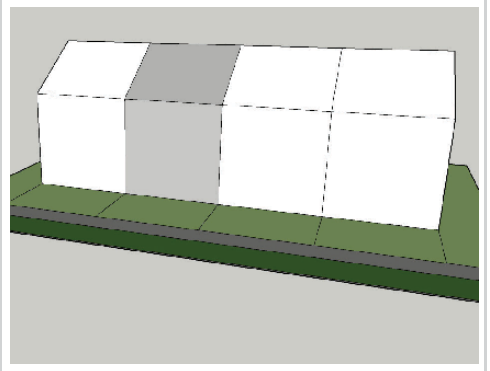
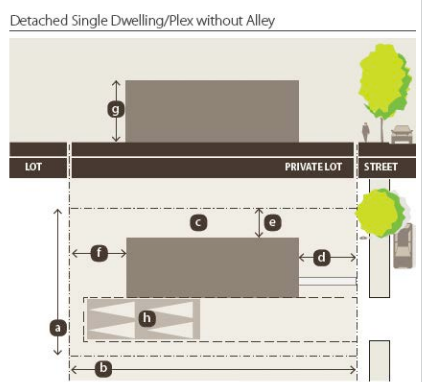
Single Dwelling

A detached building containing one dwelling unit. Single dwelling standards apply to units that are larger than 400 square feet.



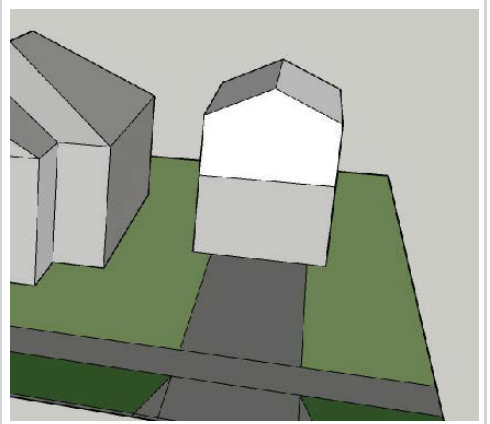
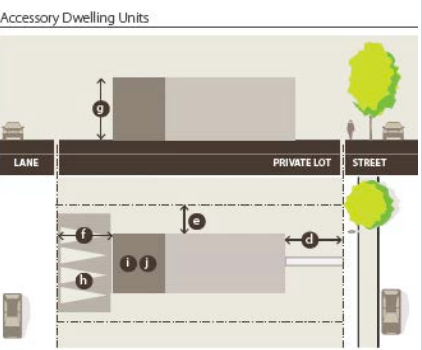
Townhouse

A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. Each dwelling unit has its own external entrance.



Accessory Dwelling Unit (ADU)

An ADU is a secondary, self-contained single-dwelling unit that may be allowed only in conjunction with a single-dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary single-dwelling. An accessory dwelling unit may be located within, attached to or detached from the primary single dwelling.



Single Resident Occupancy (SRO)

An SRO Housing Development is development of a site with two or more SRO Living Units and shared common areas and common facilities, including sanitary and/or food preparation areas, in one or more buildings on the site. All of the facilities for daily housekeeping, including living, sleeping, sanitation (toilet and bathing), dining, and food preparation are provided for the SRO Housing Development as a whole, subject to the standards provided in the Zoning Ordinance.



Apartments

(In order of density: Most dense to least dense)

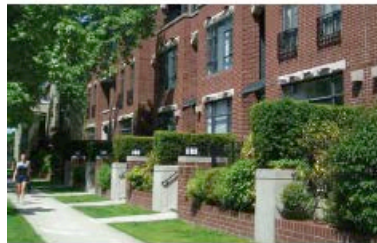
Apartment Block

Stacked dwelling units in a single building or groups of buildings on a single lot. Parking is shared, and entrance to units is typically accessed through a shared lobby.



Apartment Block

Density Range:
Context: City center



Medium Apartment Block

Density Range:
Context: City center and along major streets served by transit

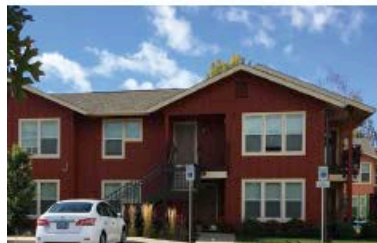


Small Apartment Block

Density Range:
Context: At the edges of low and medium density residential neighborhoods

Walk-Up Apartment

Buildings are limited to three stories, and consist of about four to 12 dwelling units each, accessible from a single open air stair. Individual apartment buildings are arranged around common open space and shared parking areas.



Single Walk-up

Density Range:
Context: At the edges of low density residential neighborhoods and along major streets

Courtyard Apartment

Attached dwelling units arranged around a courtyard, each with its own entry or other access off of the courtyard.



2-3 Story Courtyard

Density Range:

Context: City center, low and mid-density residential neighborhoods



Single Story Courtyard

Density Range:

Context: May be integrated into low density residential neighborhoods

17.11.015 Introduction to Development Standards Tables

- A. Each housing type has a development standards table. The table has information about minimum lot sizes, setbacks, height limitations, parking, and other relevant standards.
- B. The tables are set up to provide development standards for the housing type if used as part of a planned development, with alleys and without alleys, as well as part of a subdivision or infill in a subdivision.
- C. Development standards vary depending on the above conditions, mostly due to parking. Lot widths for homes without an alley tend to be wider to accommodate space for a driveway. Lots for homes with an alley can be narrower in width because parking is permitted directly off of the alley.
- D. The development standards for lots with or without an alley are applicable to planned developments per Chapter 17.51 of the McMinnville Municipal Code.
- E. The development standards for infill are required to match those of the existing zoning and adjacent lots.

17.11.020 Tiny Houses

- A. Characteristics. A Tiny House is a small permanent detached dwelling unit no more than 400 square feet. Because tiny houses are substantially smaller than a typical single dwelling, they may provide a less expensive homeownership product than a larger single dwelling house.
- B. Guiding Principles. Tiny houses should each have their own private open space and be situated similarly to single dwellings by facing the primary adjacent street. Tiny houses grouped in a cluster on a single lot should follow the standards and guidelines of a Cottage Cluster.
- C. Development Standards. Please see Table 1 below.

TABLE 1. TINY HOUSE DEVELOPMENT STANDARDS

	PLANNED DEVELOPMENT		SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL ⁽⁴⁾
a) Lot width (feet)	Min. 25	Min. 40	Match existing zone, subdivision, or Planned Development overlay district.
b) Lot depth (feet)	Min. 55	Min. 60	
c) Lot size (square feet)	Min. 1,400	Min. 2,100	
d) Front setback (feet)	Min. 10 ⁽¹⁾ or 15	Min. 15	
e) Side setback (feet)	Interior: Min. 3 ⁽²⁾ or 5 Exterior: 10	Interior: Min. 3 ⁽²⁾ or 5 Exterior: 10	
f) Rear setback (feet)	0 with garage, 20 without garage ⁽³⁾	Min. 20	
g) Building height (feet)	Max. 25	Max. 25	
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Minimum Off-Street Parking	One parking space per dwelling unit		
k) Universal Design Standards and Planned Development Standards that apply	Street frontage Front yard Alleys Compatibility Façade Parking Planned Development Standards: Usable Side Yard, Through Block, and Corner Common Greens		

⁽¹⁾ Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type

⁽²⁾ Must meet all requirements of Usable Side Yard Subdivision standards.

⁽³⁾ From alley property or easement line.

⁽⁴⁾ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Tiny House without Alley

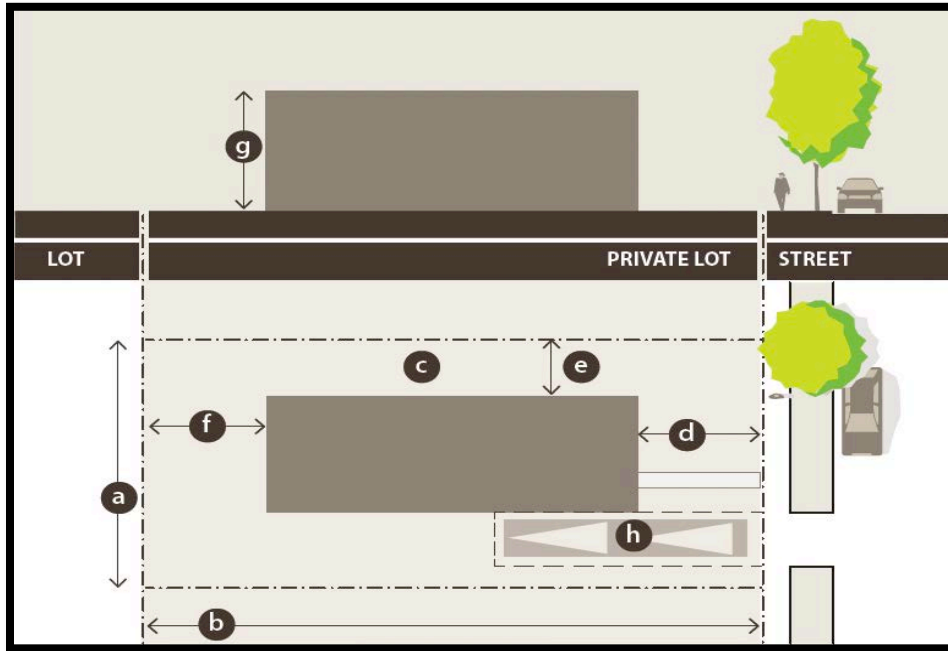
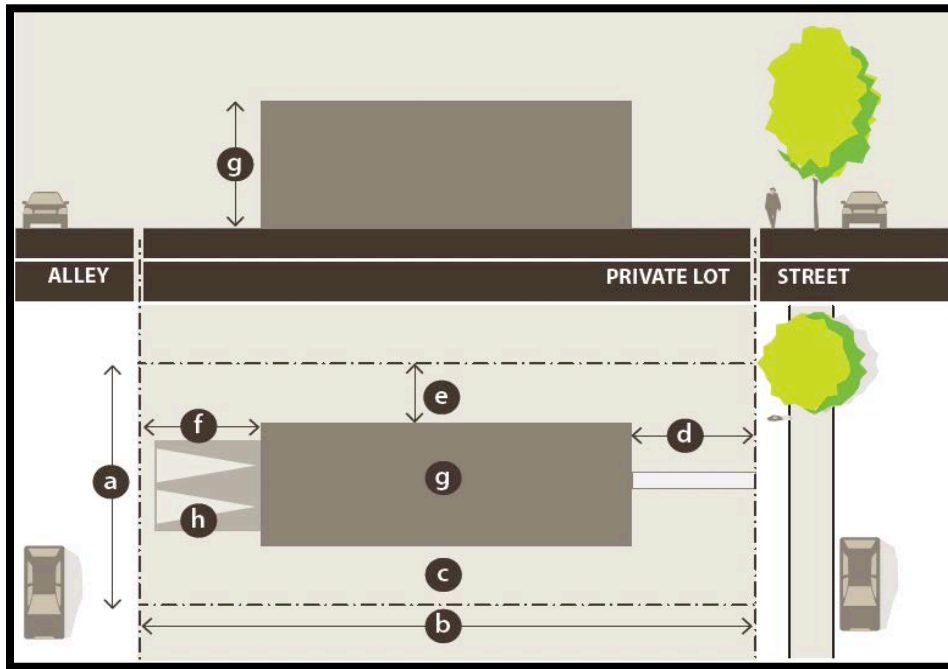


Figure 2. Tiny House with Alley



17.11.030 Cottage Cluster

- A. **Characteristics.** Cottage clusters are groups of four to eighteen detached dwelling units that are of smaller size than the typical single detached house. A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; Cottage cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels. Given their small footprint and low profile, cottages may provide an alternative housing option that fits seamlessly into detached low density residential neighborhoods.
- B. **Guiding Principles.**
1. Shared open space should be provided and located so that it serves as a central feature of the cluster of dwellings.
 2. Layer zones of landscaping to create a gradual transition from the commonly owned green to the privately-owned garden and porch of individual dwellings.
 3. Spacing between cottage cluster housing units shall meet applicable building code requirements.
- C. **Development Standards.** Please see Table 1 below.

Table 1. COTTAGE CLUSTER DEVELOPMENT STANDARDS			
	PLANNED DEVELOPMENT		SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL⁽⁴⁾
a) Lot width (feet)	Min. 35	Min. 45	Match existing zone, subdivision, or Planned Development overlay district.
b) Lot depth (feet)	Min. 65	Min. 65	
c) Lot size (square feet)	Min. 7,000	Min. 7,000	
d) Front setback (feet)	Min. 10	Min. 10	Min. 10
e) Side setback (feet)	Interior: Min. 7.5 Exterior: 10	Interior: Min. 7.5 Exterior: 10	Interior: Min. 7.5 Exterior: Min. 10
f) Rear setback (feet)	0 with garage, 10 without garage. ⁽¹⁾	Min. 10	Min. 10
g) Building height (feet)	Max. 25 or two stories, whichever is greater	Max. 25 or two stories, whichever is greater	Max. 25 or two stories, whichever is greater
h) Building separation	6	6	10
i) Building footprint, maximum ⁽²⁾	900	900	900
j) Unit size, average (square feet) ⁽³⁾	1,400	1,400	1,400

k)	Parking Zone	For lots with an alley: Parking is required to be located accessed off adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
l)	Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
m)	Minimum Off-Street Parking	One off-street parking space per dwelling unit. Cottage Cluster developments utilize shared parking areas and a shared driveway limited to one driveway per street frontage.		
n)	Minimum number of units	4	4	4
o)	Maximum number of units	18	12	12
p)	Density, minimum	Four units per acre	Four units per acre	Four units per acre
q)	Universal Design Standards and Planned Development Standards that apply	Street frontage Front yard Alleys Private open space Common open space Compatibility Façade Parking Planned Development Standards: Usable Side Yard, Through Block, and Corner Common Greens		

(1) From alley property or easement line.

(2) May exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. May not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.

(3) Maximum average floor area per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(4) Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Cottage Cluster without Alley

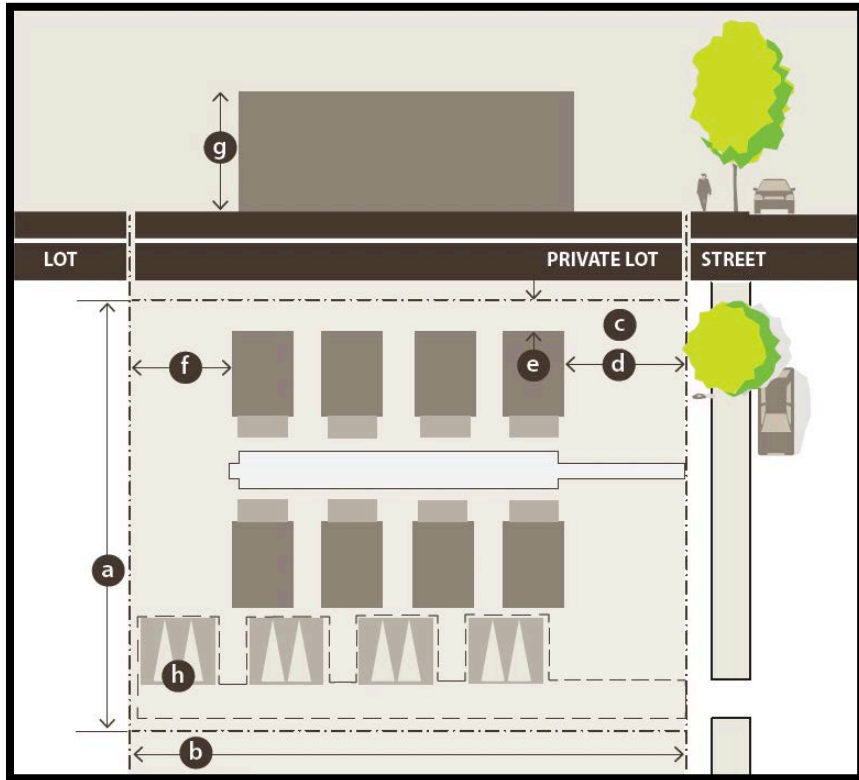
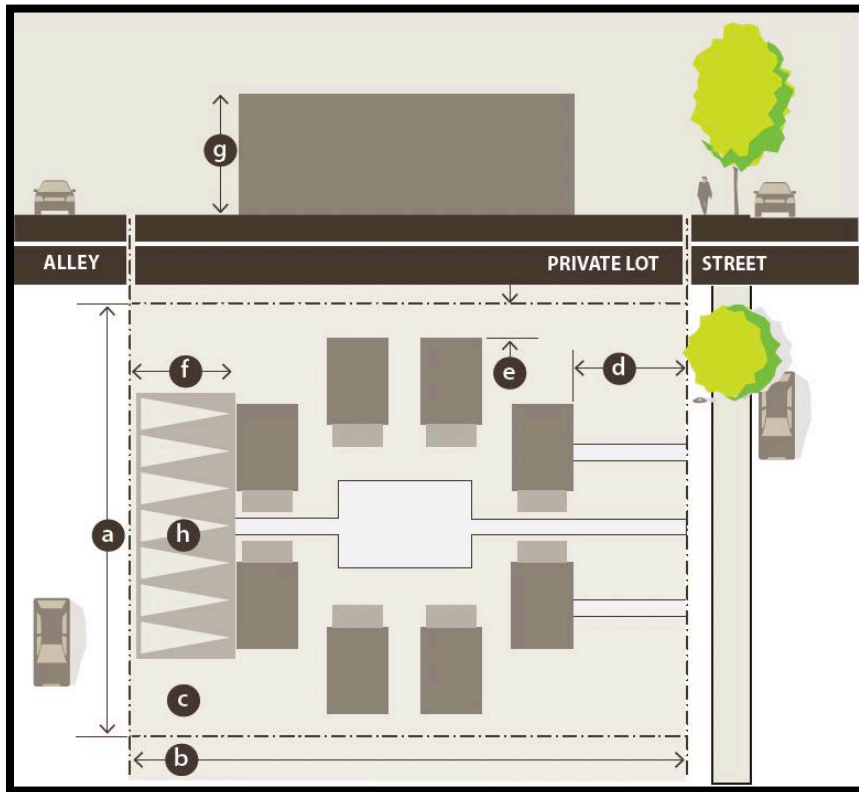


Figure 2. Cottage Cluster with Alley



D. Design Standards. Please see Table (2) below.

TABLE 2: COTTAGE CLUSTER DESIGN STANDARDS

	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL
a) Cottage orientation	<p>Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.</p> <p>A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:</p> <ul style="list-style-type: none"> ❖ Have a main entrance facing the common courtyard; ❖ Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and ❖ Be connected to the common courtyard by a pedestrian path. ❖ Cottages within 20 feet of a street property line may have their entrances facing the street. <p>Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.</p>		
b) Common courtyard design	<p>Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:</p> <ul style="list-style-type: none"> ❖ Common courtyard must be a single, contiguous piece ❖ Cottages must abut the common courtyard on at least two sides of the courtyard ❖ The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area. ❖ Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard. ❖ Up to 25% of the courtyard can be in a constrained area (e.g.; wetlands, forested areas, or steep slopes). 		
c) Common courtyard width, minimum (feet)	15	20	24
d) Common courtyard frontage on a street	Not required	required	Not required
e) Common courtyard square footage per unit	150	300	400

f) Common buildings	<p>Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, daycare, or community eating areas. Community buildings must meet the following standards:</p> <p>Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area.</p> <p>A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.</p>
g) Pedestrian access	<p>An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:</p> <ul style="list-style-type: none"> ❖ The common courtyard; ❖ Shared parking areas; ❖ Community buildings; and ❖ Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks. <p>The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.</p>
h) Windows	<p>Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single dwellings in the same zone</p>
i) Parking design: clustered parking	<p>Off-street parking may be arranged in clusters, subject to the following standards:</p> <ul style="list-style-type: none"> ❖ Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces. ❖ Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces. ❖ Parking clusters must be separated from other spaces by at least four (4) feet of landscaping. <p>Clustered parking areas may be covered.</p>
j) Parking location and access	<p>Off-street parking spaces and vehicle maneuvering areas shall not be located:</p> <ul style="list-style-type: none"> ❖ Within of 20 feet from any street property line, except alley property lines; ❖ Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys. <p>Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.</p>

k) Screening	Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.		
l) Garages and carports	<p>Garages and carports (whether shared or individual) must not abut common courtyards.</p> <p>Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.</p> <p>Individual detached garages must not exceed 400 square feet in floor area.</p> <p>Garage doors for attached and detached individual garages must not exceed 20 feet in width.</p>		
m) Accessory structures, maximum area	400	400	400
n) Existing structures	<p>On a lot or parcel to be used for a cottage cluster project, an existing detached single dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:</p> <ul style="list-style-type: none"> ❖ The existing dwelling may be nonconforming with respect to the requirements of this code. ❖ The existing dwelling may be expanded up to the maximum height or the maximum building footprint; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded. ❖ The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster. <p>The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard.</p>		
o) Conversions	<p>A preexisting detached single dwelling may remain on a lot or parcel with a Cottage Cluster as described below:</p> <ul style="list-style-type: none"> ❖ The preexisting single dwelling may be nonconforming with respect to the requirements of the applicable code; ❖ The preexisting single dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, a preexisting single dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded; ❖ The preexisting single dwelling shall count as a unit in the Cottage Cluster; ❖ The floor area of the preexisting single dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits. 		

17.11.040 Accessory Dwelling Units

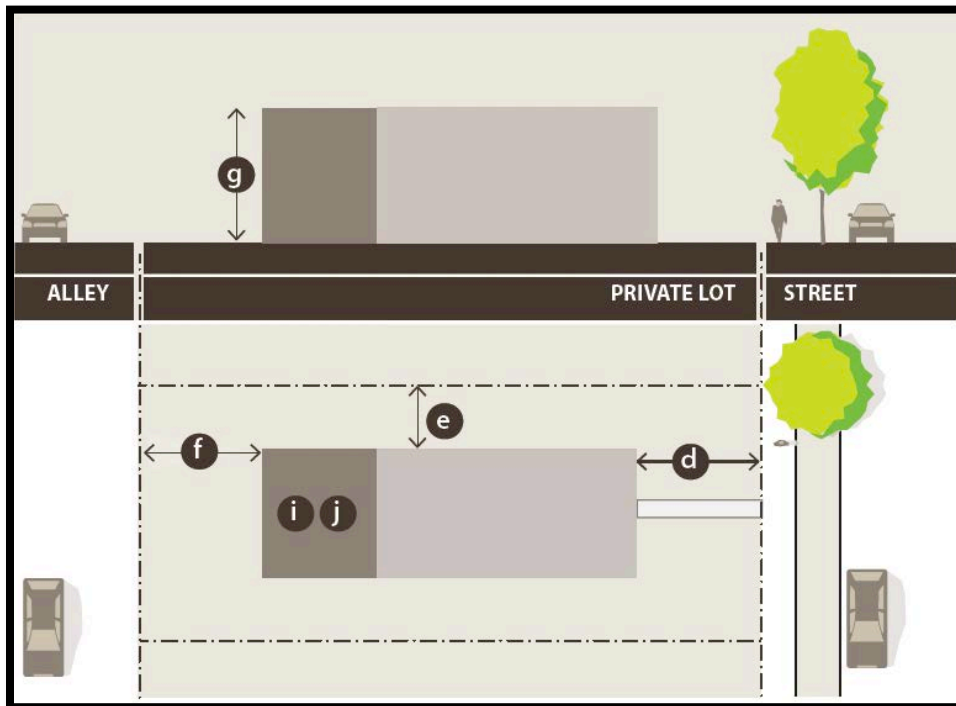
- A. Characteristics. An ADU is a secondary, self-contained single dwelling that may be allowed only in conjunction with a detached single dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary detached single dwelling. An accessory dwelling unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area. An accessory dwelling may be located within, attached to or detached from the primary single dwelling.
- B. Guiding Principles. The accessory dwelling unit may be established by:
1. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 2. Adding floor area to the primary dwelling, including a second story;
 3. Construction of a detached accessory dwelling unit on a lot with a primary single dwelling; or
 4. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.
 5. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.
 6. Not more than one accessory dwelling unit shall be allowed per lot or parcel.
 7. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that is completely independent from the primary dwelling.
 8. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.
- C. Development Standards. - Please see Table 1 below.

TABLE 1. ACCESSORY DWELLING UNITS DEVELOPMENT STANDARDS

a)	Lot width (feet)	N/A
b)	Lot depth (feet)	N/A
c)	Lot size (square feet)	N/A
d)	Front setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
e)	Side setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
f)	Rear setback (feet)	Match existing zone, subdivision, or Planned Development overlay district.
g)	Building height (feet)	Height of primary building or 25 feet, whichever is less. ⁽¹⁾
h)	Building size	Not more than 50% of main dwelling or not more than 1,000 square feet (whichever is smaller).
i)	Lot coverage	Not larger than the coverage of the primary dwelling.
j)	Universal Design Standards and Subdivision Standards that apply	Universal Design Standards that apply to the main dwelling apply to the accessory dwelling unit.
k)	Minimum Off-Street Parking	No additional off-street parking is required for accessory dwelling units.

(1) Applicable to detached ADUs.

Figure 1. Accessory Dwelling Units



- D. Design Standards. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.

17.11.050 Single Detached Houses

- A. Characteristics. Single dwellings are one home on a single lot, separated from adjacent dwellings by private open space in the form of side yards and backyards, and often set back from the public street with a front yard. Single dwelling standards apply to units that are larger than 400 square feet.
- B. Guiding Principles.
1. Avoid cookie-cutter appearance across multiple single dwellings in the same neighborhood by creating a variety of color, form, and façade details.
 2. Space driveways to allow for street trees and on-street parking.
 3. Garages facing the front should be recessed to reduce their prominence on the front façade.
- C. Development Standards. Please see Table 1 below.

TABLE 1. SINGLE DWELLING DEVELOPMENT STANDARDS

		PLANNED DEVELOPMENT		SUBDIVISION
		WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL ⁽¹⁾
a)	Lot width (feet)	Min. 35	Min. 45	Match existing zone, subdivision, or Planned Development overlay district.
b)	Lot depth (feet)	Min. 65	Min. 65	
c)	Lot size (square feet)	Min. 2,300	Min. 3,000	
d)	Front setback (feet)	Min. 15	Min. 15	
e)	Side setback (feet)	Interior: Min. 3 ⁽²⁾ or 7.5 Exterior: 10	Interior: Min. 3 ⁽²⁾ or 7.5 Exterior: 10	
f)	Rear setback (feet)	0 with garage, 20 without garage. ⁽³⁾	Min. 20	
g)	Building height (feet)	Max. 35	Max. 35	
h)	Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i)	Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j)	Minimum Off-Street Parking	Two parking spaces per dwelling unit.		
	Universal Design Standards and Planned Development Standards that apply	Street frontage Front yard Alleys Private open space Compatibility Façade Parking Planned Development Standards: Usable Side Yard, Through Block, and Corner Common Greens		

(1) Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

(2) Must meet all requirements of Usable Side Yard Subdivision standards.

(3) From alley property or easement line.

Figure 1. Detached Single Dwelling without Alley

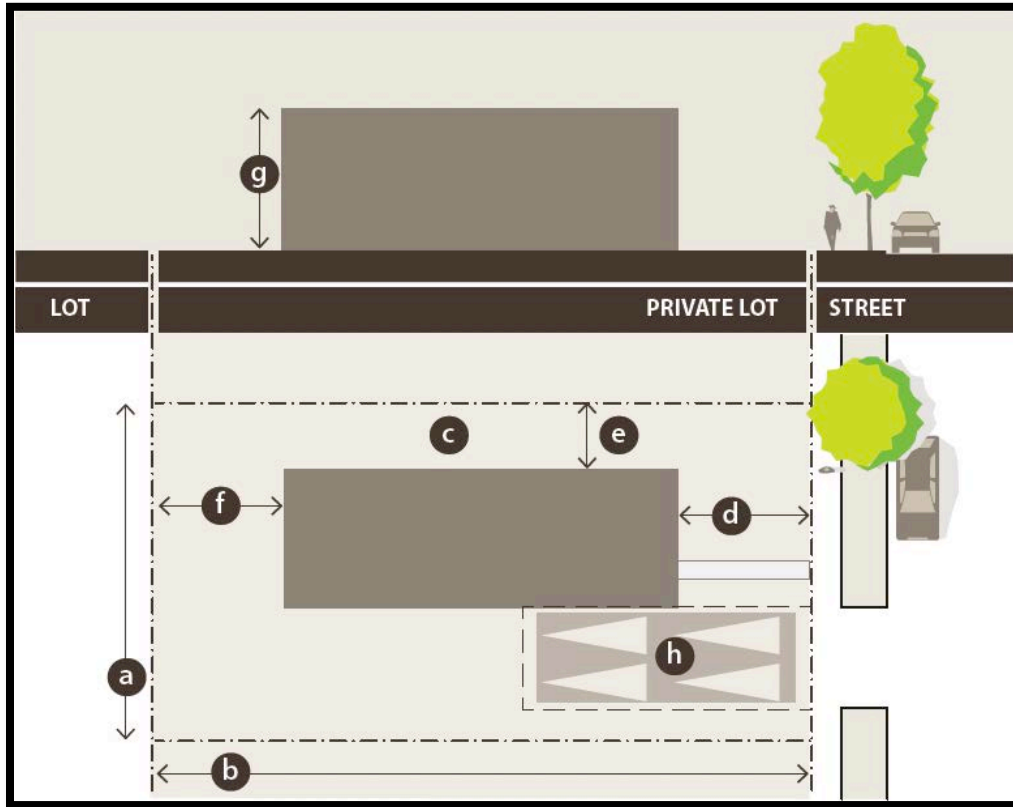
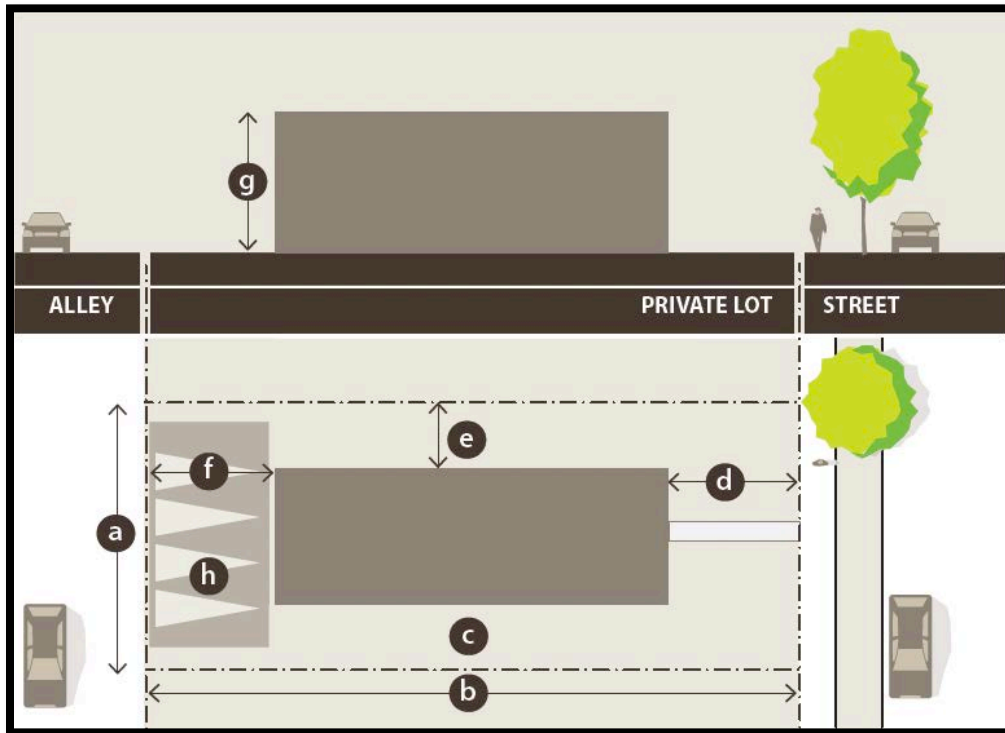


Figure 2. Detached Single Dwelling with Alley



17.11.060 Plexes

- A. Characteristics. A Plex is multiple dwellings on one lot (limited to four) stacked and/or side-by-side in a single structure, detached in separate structures, or a combination thereof. Plexes include duplexes (two units), triplexes (three units), and quadplexes (four units) on a single lot.
- B. Guiding Principles.
 - 1. Plex designs should be similar in size, scale and appearance when integrated into an existing single dwelling neighborhood.
 - 2. When situated on a corner lot, orient each entrance to a different street for privacy and neighborhood compatibility.
- C. Development Standards. Please see Table 1 below.

TABLE 1 PLEX DEVELOPMENT STANDARDS			
PLANNED DEVELOPMENT			SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL ⁽⁴⁾
a)	Lot width (feet)	Min. 35	Duplex and Triplex match existing zone, subdivision, or Planned Development overlay district.
b)	Lot depth (feet)	Min. 65	
c)	Lot size (square feet)	Duplex Min. 2,300 Triplex Min. 5,000 Quadplex Min. 7,000	
d)	Front setback (feet)	Min. 10 ⁽¹⁾ or 15	
e)	Side setback (feet)	Interior: Min. 3 ⁽²⁾ or 7.5 Exterior: 10	
f)	Rear setback (feet)	0 with garage, 20 without garage. ⁽³⁾	
g)	Building height (feet)	Max. 35	
h)	Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.	
i)	Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.	
j)	Minimum Off-Street Parking	One parking space per dwelling unit.	

<p>k)</p> <p>Universal Design Standards and Planned Development Standards that apply</p>	<p>Street frontage Front yard Alleys Private open space Compatibility Façade Parking Planned Development Standards: Usable Side Yard, Through Block, and Corner Common Greens</p>
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- (1) Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type
- (2) Must meet all requirements of Usable Side Yard Subdivision standards.
- (3) From alley property or easement line.
- (4) Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Plex without Alley

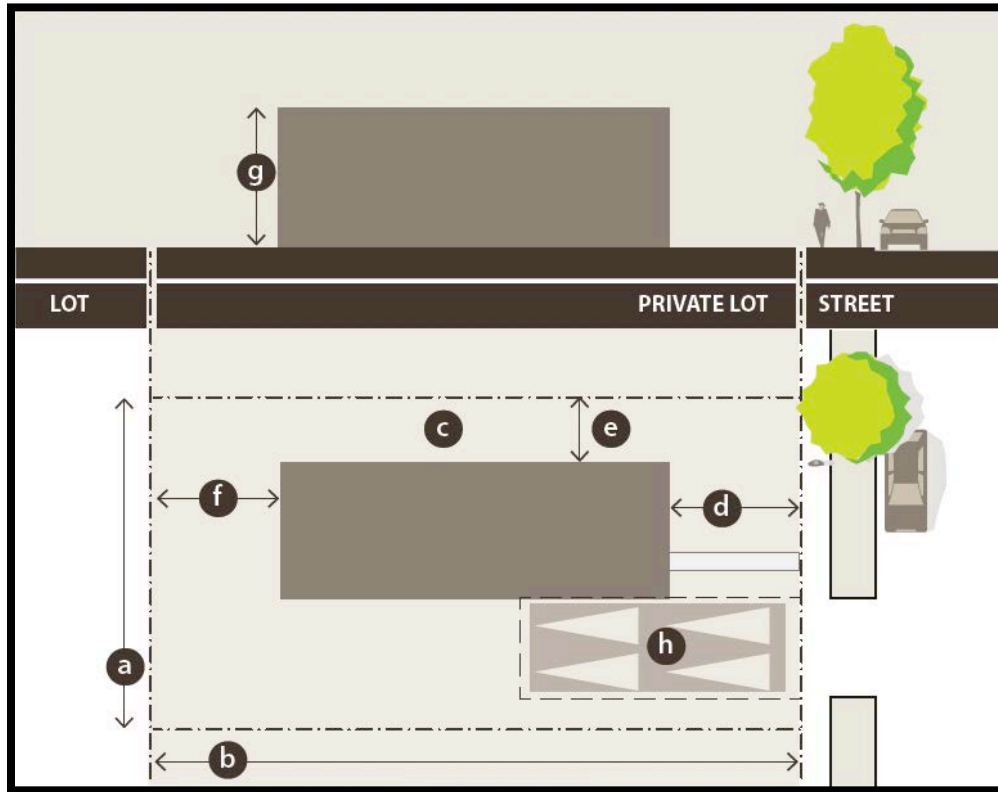
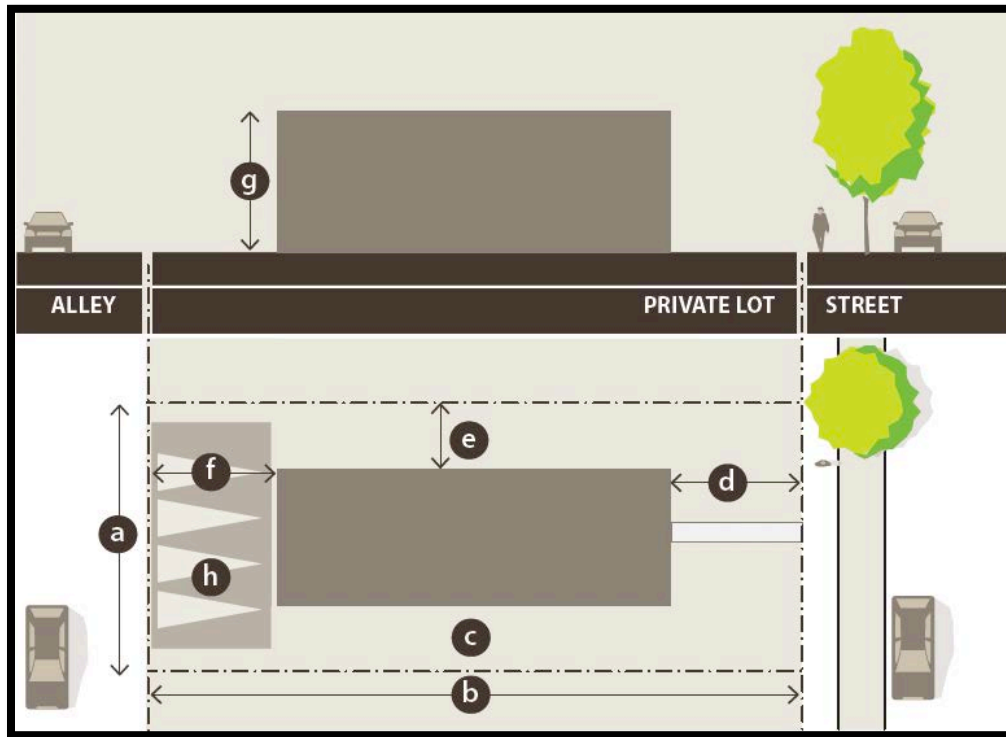


Figure 2. Plex with Alley



17.11.070 Townhouses

- A. Characteristics. Townhouses are attached units with common wall construction, each on a separate lot, and each with its own entry from a public or shared street or common area. Townhouse variation includes live/work units, typically with the “work” portion on the ground floor.
- B. Guiding Principles.
1. When fitting into existing single dwelling neighborhoods, group townhouses in smaller clusters, so that they are a compatible scale with surrounding development
 2. Design townhouses with a shared roof form, rather than a sawtooth shape with each unit having its own roof ridge. A shared roof form is more compatible with existing single dwelling neighborhoods.
 3. Provide alley-accessed parking, when possible, to minimize driveways and preserve the tree-lined street frontage.
- C. Development Standards. Please see Table 1 below.

TABLE 1. TOWNHOUSE DEVELOPMENT STANDARDS

	PLANNED DEVELOPMENT		SUBDIVISION
	WITH ALLEY	WITHOUT ALLEY	SUBDIVISION / INFILL ⁽⁴⁾
a) Lot width (feet) ⁽²⁾	Min. 20	Min. 22	Min. 22
b) Lot depth (feet)	Min. 60	Min. 60	Min. 60
c) Lot size (square feet)	Min. 1,500 ⁽³⁾	Min. 1,500	Min. 1,500
d) Front setback (feet)	Min. 15	Min. 15	Min. 15
e) Side setback (feet) ⁽⁴⁾	Interior: Min. 0 or 7.5 ⁽¹⁾ Exterior: Min. 10	Interior: Min. 0 or 7.5 ⁽¹⁾ Exterior: Min. 10	Match existing zone, subdivision, or Planned Development overlay district
f) Rear setback (feet)	0 (zero) with garage, 20 without garage.	Min. 10	
g) Building height (feet)	Max. 35	Max. 35	
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Minimum Off-Street Parking	One parking space per dwelling unit.		
k) Number of adjoining units and arrangement	Min. 2 Max. 8	Min. 2 Max. 4	Min. 2 Max. 4
l) Universal Design Standards and Planned Development Standards that apply	Street frontage Front yard Alleys Private open space Compatibility Façade Parking Planned Development Standards: Through Block, and Corner Common Greens		

⁽¹⁾ Interior side setback of 7.5 feet and exterior setbacks only apply to end units.

⁽²⁾ May allow frontage on public and private streets or alleys; and on shared or common drives.

⁽³⁾ Lot sizes for internal, external, and corner lots may be different as long as the townhouse project averages 1,500 sq ft or less.

⁽⁴⁾ Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

Figure 1. Townhouse without Alley

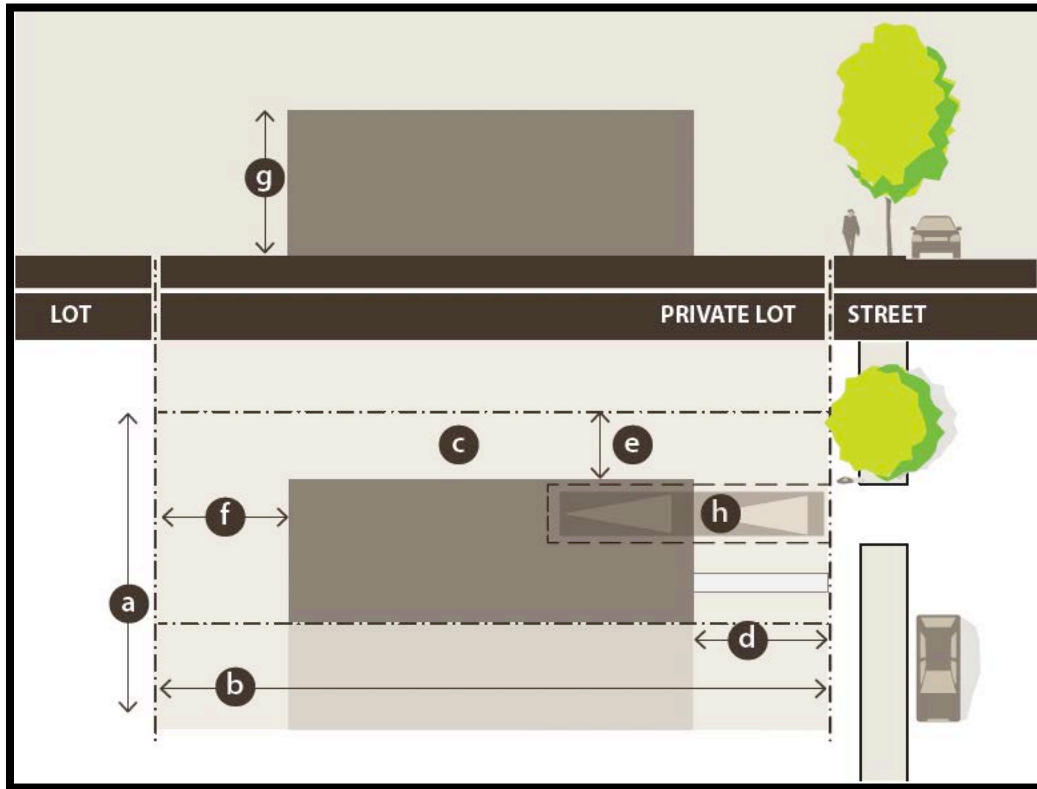
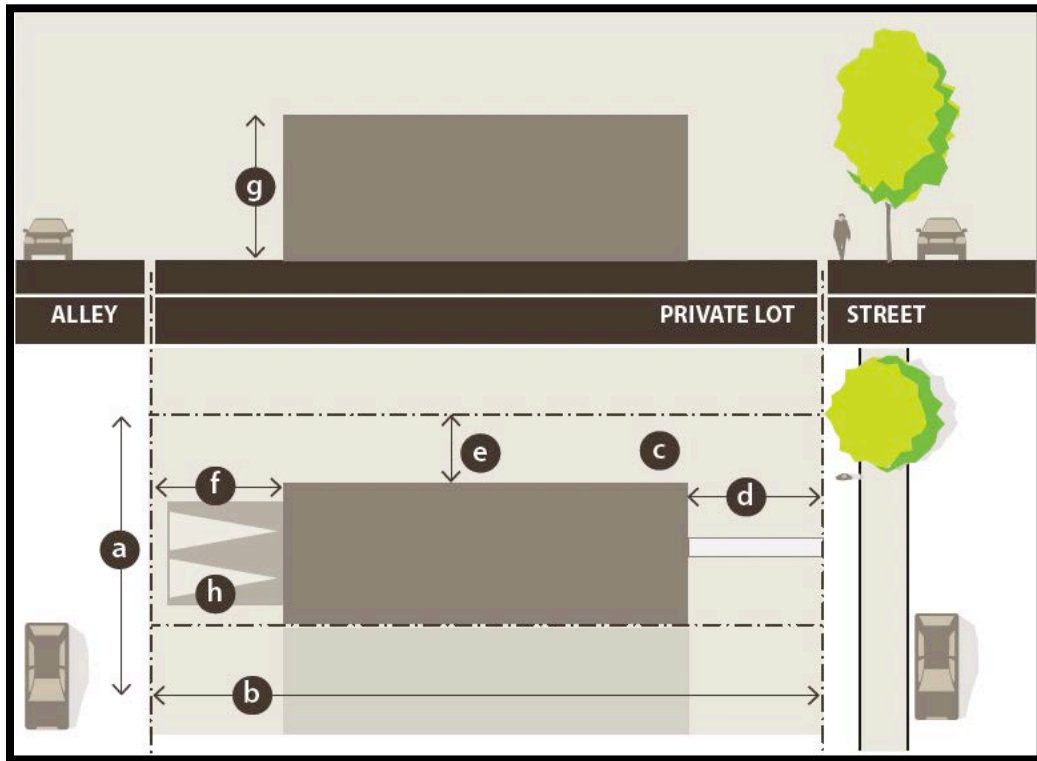


Figure 2. Townhouse with Alley



17.11.080 Single Room Occupancy

- A. Characteristics. Single Room Occupancy (SRO) housing is housing with single-room dwelling units which are the occupants' primary residence
- B. Guiding Principles. These SRO regulations are in addition to the regulations of the underlying zoning districts where SRO housing development is permitted.
 - 1. An SRO Housing Development shall comply with all of the applicable standards of this Chapter.
 - 2. An SRO Housing Development shall comply with the standards of the applicable zoning district including height, setbacks, and other standards of the zoning district.
 - 3. An SRO Housing Development shall comply with the standards of the respective Chapters of the Zoning Ordinance for landscaping, signs, fences, solid waste enclosures, and other applicable general provisions.
 - 4. An SRO Housing Development may include SRO living units and common facilities in one building or multiple buildings on the site, subject to the provisions of this Chapter.
 - 5. An SRO Housing Development shall comply with residential architectural and site design requirements. For purposes of determining the residential design standards applicable to SROs, the following shall apply:
 - a. Small SRO Housing Development in one building with primary exterior entrance to a common/shared interior area: Single-dwelling Residential Design Standards
 - b. Small SRO Housing Development in one building with separate exterior entrances to the individual private SRO units:
 - 1. Two private SRO units with exterior entrances = Duplex standards
 - 2. Three private SRO units with exterior entrances = Triplex standards
 - 3. Four private SRO units with exterior entrances = Fourplex standards
 - 4. Five or Six private SRO units with exterior entrances = Multi-dwelling standards
 - c. Small SRO Housing Development in multiple buildings: Shall be based on the most applicable standards based on the number of buildings and the number of SRO living units within each building that have individual exterior entrances; however:
 - 1. A Small SRO development in two buildings may use the standards for a single detached dwelling with an accessory dwelling unit (ADU), provided the second structure complies with the size limitations and standards for an ADU.
 - 2. A Small SRO development in multiple buildings may use the cottage cluster standards, provided any separate structure

containing more than one SRO living unit has the primary exterior entrance to a common/shared interior area.

- d. Large SRO Housing Development, whether in one building or multiple buildings: Multi-dwelling residential standards.
 6. Accessory uses and structures. An SRO Housing Development may include accessory uses and structures which are customary to residential development subject to the regulations of the Zoning Ordinance. Home occupations shall be subject to the provisions of the Zoning Ordinance, and home occupations involving on-site customers or use of common areas shall only be conducted in accordance with the approved management plan.
 7. Mixed-Use Development. In zoning districts that are not limited to more than one main building per lot, as provided in Section 17.54.030, SRO housing development may be included as part of a mixed-use development, provided all uses separately meet the applicable design and development standards in total.
 8. Buildings – Number Per Lot. For purposes of applying Section 17.54.030, a Small SRO Housing Development may be considered to be “a main building,” whether in one building or more than one building.
- C. Standards for Private SRO Living Units within an SRO Housing Development
1. Minimum and Maximum Size. There is no minimum or maximum size for an SRO living unit.
 2. Maximum Number of Rooms in an SRO Living Unit. There is no maximum number of rooms in an SRO living unit.
 3. Private Bathrooms, Kitchen/Food Preparation Area, and Closets.
 - a. An SRO living unit is not required to have a private bathroom facility or private kitchen/food preparation area. It may have one or the other but may not have both. A living unit with both is regulated as a “dwelling unit.”
 - b. Bathroom. There is no limit on the number of private bathroom facilities an SRO living unit may have. If an SRO living unit does not have a private bathroom or has only a private half bathroom, then common/shared bathroom facilities shall also be provided as required by this Chapter. A full bathroom contains at least one sink, a toilet, and a bathing facility (shower, bathtub, or combination unit). A half bathroom contains one sink and a toilet, but no bathing facility.
 - c. Kitchen/Food Preparation Area. An SRO Living Unit shall not have more than one private kitchen/food preparation area. An SRO living unit is considered to include a private kitchen/food preparation area if it includes, at minimum, a sink separate from the sink(s) for any private bathroom. If a separate sink is provided, then the food preparation area shall also include, at a minimum, all of the following: space for an under-counter or full-size refrigerator with a

dedicated outlet, the contiguous countertop work area of not less than four square feet, and a 20-amp small appliance branch circuit located above the countertop work area.

1. If any SRO Living Unit does not have a private kitchen/food preparation area, then complete common/shared kitchen/food preparation facilities shall be provided as part of the SRO Housing Development as required by this Chapter.

d. Closet. Each SRO living unit must have a closet, with at least four-square feet of closet space with an unobstructed height of at least five feet. The Planning Director may waive this requirement if equivalent storage space is provided or furnished in the unit in excess of the area required to meet minimum occupancy standards.

D. Common Spaces and Facilities

1. Usable Open Space. All SRO housing developments shall have at least 10 square feet of common usable open space per SRO living unit; however, no SRO housing development shall provide less than 200 square feet of common outdoor open space and 200 square feet of common indoor open space.

a. Maintenance areas, laundry facilities, storage (including bicycle storage), and common hallways shall not be included as usable indoor common space. Landscape areas that are less than eight feet wide shall not be included as outdoor common space.

b. Usable open space in smaller SRO Housing Developments may be located to serve all units. However, in larger SRO Housing Developments, and those with private SRO units on multiple floors or in multiple buildings, common open spaces and facilities should additionally be distributed for the use of those units on the respective floors and in the respective buildings.

2. Furnishings. Common open spaces shall be designed to accommodate appropriate furnishings and shall be furnished for use by residents.

a. Appropriate furnishings for indoor spaces may include such items as lounge chair(s) and/or couch(es), table(s) with chairs, writing desk(s), and television(s).

b. Outdoor furnishings may include such items as outdoor bench(es), table(s) with chairs, barbecue(s), and shade umbrella(s).

3. Laundry Facilities.

a. A minimum of two washers and two dryers shall be provided for an SRO housing development. Additional washers and dryers must be provided for any development that has more than 20 units at the ratio of one washer and one dryer for every additional 20 units.

b. If two or more washers and dryers are provided in the same location, they must be provided in a separate room.

4. Bathrooms.

a. Any provisions of the Building Code which provide more restrictive provisions shall apply.

- b. If any SRO unit within an SRO housing development lacks a full private bathroom, then common bathroom facilities shall be provided for the SRO housing development. Common bathrooms shall be either single-occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women. A minimum of one lavatory basin and one toilet shall be provided for each two living units which lack private bathrooms.
 - c. Common bathrooms shall have bathing facilities (shower, bathtub, or combination unit) at a ratio of one for every six people based on maximum occupancy as specified in Subsection 17.67.240(C), or fraction thereof, for units which lack full private bathrooms. Each shared/common shower or bathtub facility shall be single-occupant and provided with an interior lockable door.
 - d. Common bathrooms must be located on any floor that has any SRO units which lack full private bathrooms. However, if a two-story Small SRO Development has only one SRO unit without a full private bathroom on the second floor, the full common bathroom facilities may be provided on the main floor.
 - e. If SRO living units are located in separate buildings, common bathrooms shall be provided in any building where any SRO unit in that building lacks a full private bathroom. The number of lavatory basins, toilets, and bathing facilities in each building shall be calculated as specified in this Section based on the number of units lacking private bathroom facilities in that building.
5. Common Kitchen/Food Preparation Areas. Complete common kitchens/food preparation areas must be provided as part of an SRO Housing Development if any SRO living unit within the project does not have a private kitchen/food preparation area. A complete common kitchen/food preparation area contains equipment and facilities for a refrigerator/freezer, food storage, cooking and heating food, washing and preparing food, and washing dishes.
- a. Number
 - 1. One complete common kitchen/food preparation area shall be provided within the project for every 10 units, or portion thereof, which lack a private kitchen/food preparation area.
 - 2. The Director may reduce the requirement provided the management plan provides for meals provided at one or more congregate dining areas as part of the room and board.
 - 3. The Director may reduce the requirement for the number of separate common kitchen/food preparation areas provided the application demonstrates the common kitchen/food preparation areas contain multiple workstations and appliances comparably equivalent to separate common kitchen/food preparation areas.
 - b. Location
 - 1. For a Small SRO Development with multiple buildings, common kitchen/food preparation areas, and dining facilities may be

located in a separate shared/common building, or in a building that contains some of the SRO living units within the SRO Housing Development. Each separate building with SRO living units need not contain separate common kitchen/food preparation areas.

2. For a Large SRO Development, a minimum of one complete common kitchen/food preparation area must be provided on any floor where any SRO living units without private kitchens/food preparations areas are located.
 3. The Director may reduce this requirement for a two-story building with 20 units or less, or if the management plan provides for meals provided at a congregate dining area as part of the room and board.
6. Parking. Parking shall be provided at the rate of one off-street parking space per three SRO living units plus one space per two employees on the largest shift, but not less than two spaces plus one space per vehicle used in the operation of the SRO.
 7. Storage Space. All SRO units must have access to separate usable storage space within the project.
 8. Bicycle Storage. With the exception of projects that allow only senior residents, projects that have less than one automobile parking space per unit shall provide one easily accessible space for storing and locking a bicycle per unit. For projects that provide one parking space per unit, at least one bicycle storage space for every two units shall be provided.
 9. Garbage Disposal. Garbage disposal service must be included for the SRO development. Solid waste and recycling receptacles and enclosures shall be provided as required by Chapter 17.61 of the Zoning Ordinance. They must be located on property in a manner that does not hinder access to any required off-street parking or loading spaces and complies with the solid waste enclosure requirements unless individual wheeled receptacles are stored in a dedicated location inside a building.
- E. Management of SRO Housing Development
1. Management Plan. All SRO projects must have a management plan approved by the Planning Director. The management plan shall contain management policies, maintenance plans, rental procedures, tenant rules, and security procedures.
 2. 24-Hour Contact for Large SROs. Large SRO Housing Developments shall have a manager available on call 24 hours per day and shall provide contact information to residents.

17.11.090 Apartments. Apartments are a type of attached housing within single-story or multi-story buildings. Apartment dwelling units may share common walls, ceilings, or floors.

- A. Characteristics.

1. Site Sizes: Single walk-ups, block apartments, and many courtyard apartments can fit on a 100 x 100 foot lot. Bigger developments with multiple walk-up buildings may be as large as 250,000 square feet, or 500 x 500 foot lots.



2. Height Range: Apartment heights vary depending on the type and the location.



3. Density Ranges: Apartment densities vary depending on building type and site design layout.

B. Types of Apartments.

1. Courtyard Apartments

- a. Description: Attached housing units arranged around a courtyard, each with its own entry or other access from the courtyard.
- b. Appropriate Context: Courtyard apartments have large footprints and therefore fit in well to the edges of single dwelling neighborhoods and on major streets. They can be designed to be low in profile and to fit seamlessly into most detached single-dwelling neighborhoods. Like cottage clusters, they lend themselves to sensitive sites where preserving trees and open space is a priority.
- c. Also Named: Garden apartments
- d. Variations: Stacked (like townhouses) and oriented to a courtyard or open space; single level and oriented to a courtyard; bar-shaped or L-shaped instead of C-shaped; with separate garages from an alley or tucked under the development.
- e. Lot Sizes: Vary widely, from 10,000 to 80,000 square feet
- f. Density Range: 10-30 units per acre. (Note, maximum density will be governed by McMinnville's municipal code.)

- g. Building Height: Typically 2-3 stories. (Note, maximum height will be governed by McMinnville's Municipal Code.)
 - h. Construction Type and Building Code Issues: Typically Type V frame construction. Sprinklers for fire suppression are required if not common wall construction. Elevators needed if over 3 stories.
2. Walk-Up Apartments
- a. Description: Buildings are limited to three stories, and consist of about four to 12 units each, accessible from a single open-air stairwell. Dwelling units are typically constructed in Type V frame construction with fire sprinklers. Individual apartment buildings are arranged around common open space and shared parking areas.
 - b. Appropriate Context: Walk-up apartments are appropriate adjacent to or within a single dwelling neighborhood depending on site design, orientation to the street, location of parking, and the massing and scale of buildings.
 - c. Also Named: Woody Walk-Ups, Single Stair Walk-Ups
 - d. Variations: May have an internal stair. Generally, in this case, the maximum number of units per floor are four. They can be designed with front and back windows for cross ventilation. Buildings can be separated to offer access to light and air on three sides.
 - e. Lot Sizes: Vary widely, from 10,000 to 250,000 square feet
 - f. Density Range: 15 - 30 units per acre. (Note, maximum density will be governed by McMinnville's municipal code.)
 - g. Building Height: Usually 3 stories; can be 2 stories. (Note, maximum height will be governed by McMinnville's Municipal Code.)
 - h. Construction Type and Building Code Issues: Typically Type V frame construction. Sprinklers for fire suppression are required.
2. Apartment Block
- a. Description: Stacked dwelling units in a single building or groups of buildings on a single lot. Parking is shared, and entrance to units is typically accessed through a shared lobby.
 - b. Appropriate Context: Apartments vary widely in size and design but typically have large footprints and fit in well to the edges of single dwelling neighborhoods and on major streets.
 - c. Also Named: Flats, multifamily, apartments
 - d. Variations: Flats, lofts, two-level flats, split-level flats, through-building flats.
 - e. Lot Sizes: Vary widely, from 7,200 to 320,000 square feet.
 - f. Density Range: 10 - 200 units per acre. (Note, maximum density will be governed by McMinnville's municipal code.)
 - g. Building Height: 2-5 stories, if adjacent to or within a single dwelling neighborhood context. Can be much taller in central city

areas. (Note, maximum height will be governed by McMinnville’s Municipal Code.)

- h. Construction Type and Building Code Issues: Type V frame construction for buildings under 5 stories. Type V frame construction over Type I, for 6 or 8 stories, or Type I for taller buildings. Sprinklers for fire suppression are required. Elevators needed if over 3 stories.

C. Development Standards. Please see Table 1 below.

TABLE 1. MULTI-DWELLING DEVELOPMENT STANDARDS

LOTS OVER 14,000 SQUARE FEET			
	WITH ALLEY	WITHOUT ALLEY	INFILL ⁽⁴⁾
a) Lot width (feet)	Min. 50	Min. 50	Match existing zone, subdivision, or Planned Development overlay district.
b) Lot depth (feet)	Min. 100	Min. 100	
c) Lot size (square feet)	Min.5,000	Min. 5,000	
d) Front setback (feet)	Min. 10 ⁽¹⁾ or 15	Min. 15	
e) Side setback (feet)	Interior: Min. 3 ⁽²⁾ or 5 Exterior: 10	Interior: Min. 3 or 5 Exterior: 10	
f) Rear setback (feet)	0 with garage, 20 without garage. ⁽³⁾	Min. 20	
g) Building height (feet)	Varies, See underlying zone	Varies, See underlying zone	
h) Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. For lots without an alley: Parking is permitted to be located on the surface or in a garage. The front setback for garages is specified in Parking Development and Design Standards, Garage Setback.		
i) Driveways	Driveway spacing and width requirements are specified in Street Frontage, Frontage Types.		
j) Off-street Parking	See McMinnville Municipal Code Chapter 17.60		

(1) Must meet all requirements of Universal Design Standards: Front Yard (Type2) Urban Type

(2) Must meet all requirements of Usable Side Yard Subdivision standards.

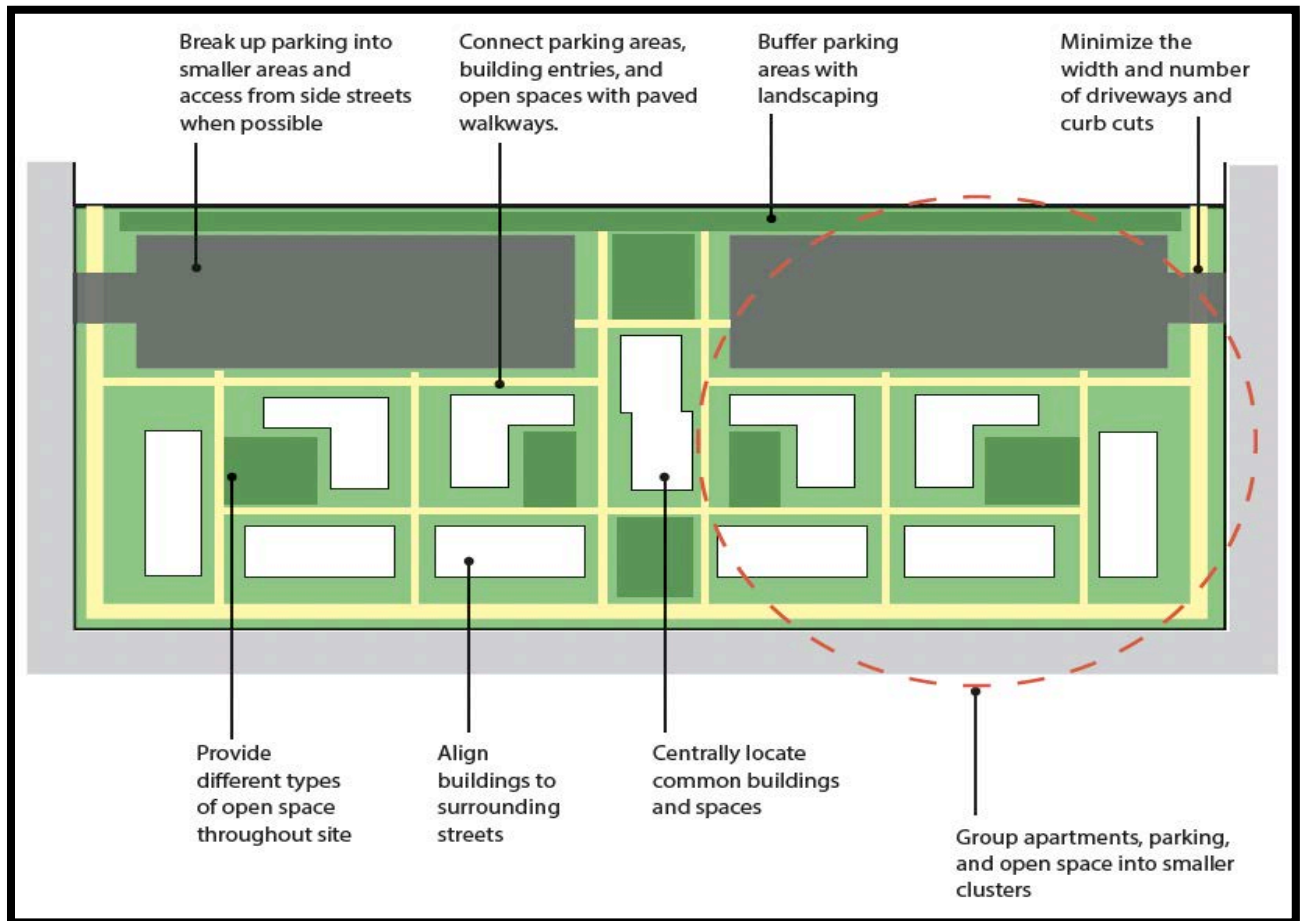
(3) From alley property or easement line.

(4) Infill is defined as lots less than 14,000 square feet or less than double the minimum lot size of the underlying zone, whichever is less.

- D. Design Standards. The Apartment Design Standards for multi-dwelling housing are standards that apply to apartment housing types. These standards are related to site design and building frontage, parking, compatibility with neighboring homes, open space, and private space.
1. Context and Site Design. Site design standards are intended to facilitate the development of attractive multi-dwelling housing. They encourage good site and building design, which contributes to livability, safety, and sustainability; helps create a stronger community, and fosters a quality environment for residents and neighbors.
 - a. Mirror the scale of blocks and the block-like structure of the surrounding neighborhood.
 - b. Connect the internal network of streets and paths to those of the surrounding area where possible.
 - c. Configure apartments, parking areas, and common open space in clusters that mirror the scale of blocks of the surrounding neighborhood or are no more than 10,000 square feet in area per cluster.
 - d. Residential units must be oriented to a common open space, including a common green, a plaza, or a pocket park.
 - e. Orient all buildings around a shared open space that meets the requirements of a Common Open Space.
 - f. Align buildings to surrounding streets.
 - g. Connect to surrounding neighborhoods, schools, parks, and other neighborhood destinations.
 2. Large Site Design Requirements.
 - a. Break up parking into smaller areas and access from side streets when possible
 - b. Connect parking areas, building entries, and open spaces with paved walkways.
 - c. Buffer parking areas with landscaping
 - d. Minimize the width and number of driveways and curb cuts
 - e. Provide different types of open space throughout site, both active and passive, including playgrounds, trails, volleyball courts, bocce ball courts, community gardens, etc.
 - f. Align buildings to surrounding streets
 - g. Centrally locate common buildings and spaces
 - h. Group apartments, parking, and open space into smaller clusters
 3. Pedestrian Access. On-site pedestrian circulation system shall include the following:
 - a. Continuous connections between the primary buildings, streets abutting the site, ground-level entrances, common buildings, common open space, and vehicle and bicycle parking areas.
 - b. At least one pedestrian connection to an abutting street frontage for every 200 linear feet of street frontage.

- c. Pedestrian walkways shall be separated from vehicle parking and maneuvering areas by physical barriers such as planter strips, raised curbs, or bollards.
- d. Walkways shall be constructed with the hard surface material, shall be permeable for stormwater, and shall be no less than 3 feet to 5 feet wide. If adjacent to a parking area where vehicles will overhang the walkway, a 7-foot-wide walkway shall be provided. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving materials.
- e. Spacing requirement: No further than 200 feet apart, on center. At least 1 pedestrian connection to an abutting street frontage for every 200 linear feet of street frontage.
- f. May be co-located with a common green.

Figure 1. Pedestrian Access.



4. Parking Lot Location and Design.

a. Characteristics.

- 1. A parking lot is a storage space for cars and should provide secure storage.

2. It is also a place where everyone is a pedestrian while getting to or from their car. Therefore, it should be designed primarily for the ease, safety and comfort of a person rolling or on foot.
 3. Clearly defined pathways through parking lots and garages to building entrances, surrounding sidewalks, and transit stops enhance pedestrian safety. These pathways also provide an opportunity to improve the appearance of parking lots.
 4. Design parking lots and garages so that vehicles are not the dominant feature.
 5. To encourage bicycling as a mode choice, bike parking areas should include bike repair, maintenance, and cleaning stations.
- b. Universal Design Standards for Nine Parking Spaces or More
1. Parking lot pathways should be designed as part of the seamless accessibility network described in Apartment Standards, particularly the required Through Connection.
 2. Driveways to shared parking areas are:
 - A. Limited to one driveway per street frontage.
 - B. Parallel parking is permitted on a driveway that crosses a front, side or rear yard abutting a street, but not within the required yard setback.
- c. Parking Lots For Small Multi-Dwelling Sites - Containing More Than Nine Parking Spaces but Fewer Than 16 Parking Spaces. Off-street parking may be arranged in clusters, subject to the following standards:
1. Residential developments with fewer than 16 dwellings are permitted parking clusters of not more than five contiguous spaces.
 2. Residential developments with 16 dwellings or more are permitted parking clusters of not more than eight contiguous spaces.
 3. Parking clusters must be separated from other spaces by at least four feet of landscaping.
 4. Clustered parking areas may be covered.
- d. Parking Lots For Medium-to-Large Multi-Dwelling Sites - Containing More Than 16 Parking Spaces.
1. Interior landscaping, minimum area
 2. Interior landscaping shall be required for off-street parking areas 5,000 square feet or greater in size.
 3. For parking lots less than 50,000 square feet, the minimum landscaped area is 5 percent.
 4. For parking lots 50,000 square feet and greater, the minimum landscaped area is 8 percent.
 5. Planted areas may take the form of landscape areas and planter bays.
 6. Landscaped areas along a through connection count toward required interior landscaping.

7. Landscaped islands and peninsulas shall be evenly distributed throughout all parking areas and separated no more than 60 feet from another. Such islands shall be provided with raised curbs, be a minimum of five feet in width, and shall each contain at least one deciduous tree. To achieve the maximum canopy coverage, all trees shall be non-columnar and have root systems that form deep before spreading to decrease the episodes of buckled pavement.
8. Trees may line the required Through Connection, and/or be clustered within landscape islands or planter bays, and/or shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.
9. When a parking area abuts property in a residential zone, a site-obscuring fence or wall, either permanent or of living material, shall be placed along the affected property line.
- e. Parking Lot Setbacks Adjacent to Buildings and Structures. Where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be set back from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, or by a minimum five-foot-wide paved pedestrian walkway.
- f. Parking Lot Location. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 1. Within of 20 feet from any street property line, except alley property lines;
 2. Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
 3. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
 4. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
 5. Garages and carports (whether shared or individual) must not abut common courtyards.
 6. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 7. Individual detached garages must not exceed 400 square feet in floor area.
 8. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

- g. Parking Lot Required Through Connections. Through Connections may be multi-modal or used exclusively for bicycle and pedestrian access and need to meet the standards in Table 1 below.

Table 1. Through Connection required components and options

Walkway	Planted area
<p>Walkway must be paved, and 10 feet wide minimum. Paved area may be:</p> <ul style="list-style-type: none"> a. 5 feet wide, minimum, each side of a drive aisle. b. 10 feet wide, minimum, one side of a drive aisle. c. 10 feet wide, minimum, if no drive aisle. <p>(Drive aisle minimum width 12 feet) Walkway surface must be clearly marked and differentiated from the surface parking area. Marking treatment maybe paint or paving material.</p>	<p>A planted area is required on one or both sides of the through connection walkway. Planted area must be a minimum of 6 feet wide. Planted areas may be:</p> <ul style="list-style-type: none"> d. 3 feet minimum, each side of the through connection walkway. e. 6 feet minimum, one side of the through connection walkway. <p>Landscaped areas along a through connection may be interrupted by vehicular crossings. Landscaped areas along a through connection count toward required interior landscaping.</p>

5. Common Open Space

a. Characteristics.

1. Provide opportunities for formal and informal recreational use by residents of all ages. This could be a shared recreational facility including sports fields, play structures, bike tracks, courts, swimming pool, or other options.
2. Provide tall deciduous trees for summer shade and winter solar access. When possible, preserve and incorporate large existing trees at least 9 inches in diameter as a focal point of open spaces.
3. Enhance the usability of the space through the inclusion of elements including seating, outdoor lighting, weather protection and/or shade structures, and art, among other features.
4. Incorporate landscaping that receives at least 50 percent of its irrigation from harvested rainwater.
5. Provide opportunities for food cultivation including a community garden and/or incorporating cultivated species into the landscaping.
6. A maximum of 50 percent of common open space may be provided in a rooftop deck that includes shared amenities, weather protection, and landscaping, and is accessible to all residents.
7. A shared outdoor courtyard or shared street/woonerf that is fronted by individual entrances, windows, and balconies There

should be a combination of hardscape and landscaped space and/or planters.

b. Required Elements, General.

1. A common open space shall be provided that is centrally located and designed with a clear function that enhances the livability of residents. These functions shall include passive and active uses. The open space shall be accessible to all residents and if possible be fronted by clearly defined unit entrances. The common open space shall serve as the focus of surrounding buildings. Entries and windows shall face the common open space to provide informal surveillance. Common open spaces shall be accessible to all residents.
2. Common open space shall be a minimum of 15 percent of the site.

c. Required Elements, Clustered Housing. Clustered housing, including cottage clusters and garden apartments, must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

1. The common courtyard must be a single, contiguous piece.
2. Cottages must abut the common courtyard on at least two sides of the courtyard.
3. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
4. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
5. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
6. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

6. Private Open Space

a. Characteristics.

1. Every dwelling needs private open space for relief from indoors and to provide access to fresh air, light, and nature. Private open space may take many forms based on the size of unit.
2. They should translate into a perception of an increase in living space and the ability to invite the outdoors in. Additionally, these open spaces can provide environmental benefits with plants that consume carbon dioxide and help reduce stormwater runoff. Spaces should be adequate to be usable, allowing space for a

- chair to sit in, a place to barbecue or hang clothes to dry, or for a pet to curl up.
3. Private open space should enhance the residential function of the building while also improving the appearance of the building. They should be integrated into the overall architectural form and add detail to the façade.
 4. Placement can vary based on privacy concerns. It can be combined across multiple floors.
- b. Required Elements.
1. All units shall have a minimum of 36 square feet of private open space that allows for personalization and private use of the space and contributes to the livability and function of the dwelling. Any exterior private open spaces shall be supplemented with operable windows to allow for cross-ventilation, increase airflow and provide the ability to control access to the outdoors.
 2. At least 50 percent of upper units shall have a balcony that is accessible from the interior of the unit that is a minimum of 60 square feet with no dimension less than 6 feet. These balconies can be designed to be up to the full width of the apartment in order to provide adequate space for use and allow greater indoor/outdoor flow. Balconies can be cantilevered, semi-recessed, or fully recessed. They should be located based on privacy and environmental concerns. If balconies are transparent, adequate storage should be provided within the unit or the larger building so that balconies do not become informal storage spaces.
 3. Private outdoor space at the ground level must meet the requirements of Universal Standards: Front Yard regardless of whether the private outdoor space is in the front, side, or rear of a building.
- c. Supplemental Elements. In addition to meeting the required elements above, projects must provide private open space in the form of one of the options listed below.
1. A “Juliet-style” balcony of 12-inch dimension that allows residents to bring a sense of the outdoors into the unit. Must have doors that can open inwards or full-height sliding glass doors to allow the introduction of fresh air and sunlight. If this item is selected, units must also include operable windows to increase airflow/ability to control access to the outdoors.
 2. An upper story rooftop deck or terrace that may include space for outdoor seating, dining, and planters for cultivation. This terrace may be stepped back on structures over two stories so as to reduce the visual impact of upper floors.
 3. Alternative option that meets the concept and guiding principles.

7. Alleys

a. Characteristics.

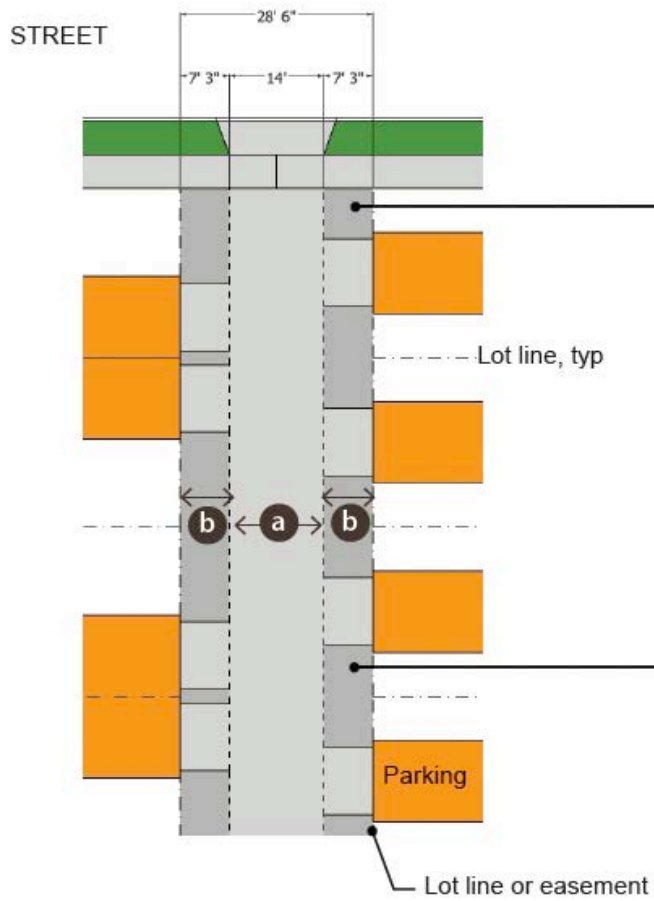
1. Alleys are critical in limiting the number of driveways accessing parking lots from the street edge. They can be used to access parking in the center of a block for middle housing or multi-dwelling housing arrangements.
2. Alleys vary in width and can be a public right of way or private easement. Visually narrowing the perceived width of alleys through landscaping, paving, and placement of garages or Accessory Dwelling Units ensures that they are not used for traffic. If well designed, they can be part of a total pedestrian pathway system through the neighborhood.
3. Provide alleys wherever possible, especially in new development. In existing neighborhoods, partial alleys can be provided.



b. Required Elements. Multi-dwelling development must meet the requirements of either:

1. Alley Type 1 (please see figure below)
2. Alley Type 2 (please see figure below)

Figure1. Alley Types



Examples of low landscape buffer treatments for an alley.

Alley Standards Type 1		
a	Travel Way Width	14 feet
b	Low Landscape Buffer	7.25 feet, each side

Alley Standards Type 2		
a	Travel Way Width	20 feet, minimum

8. Landscaping

a. Characteristics.

1. Use landscape elements, particularly plant materials, in an organized and harmonious manner that will enhance, protect and promote the economic, ecological, and aesthetic environment of McMinnville.
2. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:
 - a. Reduce soil erosion and the volume and rate of discharge of stormwater runoff.
 - b. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 - c. Mitigate the loss of natural resources.
 - d. Provide parking lot landscaping to reduce the harmful effects of heat, noise, and glare associated with motor vehicle use.
 - e. Create safe, attractively landscaped areas adjacent to public streets.
 - f. Require the planting of street trees along the City's rights-of-way.
 - g. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character, and value of existing neighborhoods.
 - h. Provide shade, and seasonal color.
 - i. Reduce glare, noise, and heat.
 - j. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
 - k. Unify development and enhance and define public and private places.
 - l. Preserve existing mature trees.
 - m. Enhance the urban forest and tree canopy.
 - n. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
 - o. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
 - p. Support McMinnville as a community that cares about its appearance. It is further recognized that landscaping increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant

living and working environments for all residents and visitors to the city.

- b. Required Elements.
 - 1. All areas of the site not occupied by the structures or paved areas shall be landscaped in an attractive and functional manner.
 - 2. A minimum of 20 percent of the net site shall be landscaped. Paved pedestrian paths, when integrated within the landscaped area, may satisfy up to 5 percent of this requirement. Landscaped setback areas, landscaped common open spaces, eco-roofs, vegetated stormwater facilities, preserved natural areas, and planter areas can be credited toward the minimum landscape standard.
- 9. Privacy and Screening
 - a. Characteristics. Low walls or fences are encouraged to provide separation between private open space and common open space, streets, or internal circulation paths. Fences should be designed to integrate with the architecture of the building and add visual interest through the use of materials, color, and detail.
 - b. Required Elements.
 - 1. All fences on the interior of the development shall be no more than 3 feet high. Fences along the rear or side property lines of the development may be up to 6 feet high. Chain-link fences are prohibited.
 - 2. Mechanical and communication equipment and outdoor garbage and recycling areas shall be screened so they are not visible from streets and common open spaces.
 - 3. Utilities such as transformers, heating and cooling, electric meters, and other utility equipment shall not be located within 5 feet of a front entrance and shall be screened with sight-obscuring materials.
 - 4. The placement of balconies above the first story shall not create a direct line of sight into the living spaces or backyards of adjacent residential properties.
- 10. Front Yard.
 - a. Characteristics.
 - 1. For all housing types the front setback—even when it is small or zero, should be designed to provide a transition from the public realm of the street to the private realm of the dwelling.
 - 2. The front setback provides a vital transition between the public area of the street and the private spaces within the dwelling. The smaller the front setback is, the more important the concept of layering public to private spaces becomes. When multi-dwelling units are on the ground floor of the building and face the perimeter of the site and surrounding streets, they must meet the standards of this section.

b. Required Elements.

1. Dwelling units located on the ground floor of the building and facing the perimeter of the site and surrounding streets must meet the requirements of either:

- a. Front Yard Type 1: Neighborhood (please see figure below)
- b. Front Yard Type 2: Urban (please see figure below)

Figure 1. Neighborhood Front Yard

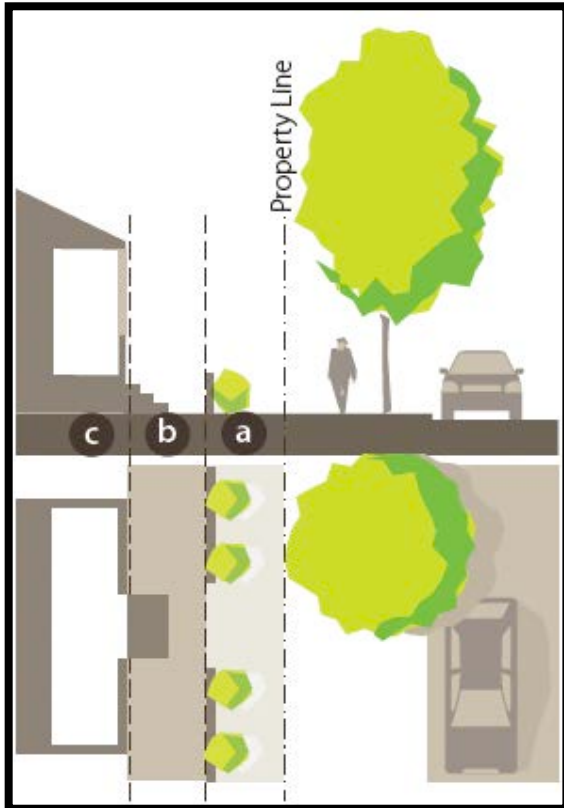


Figure 2. Urban Front Yard



Type 1 Front Yard (Neighborhood Type)

Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	Provides habitable and personalize-able outdoor space for the resident.	Fundamental requirements: <ul style="list-style-type: none"> <input type="checkbox"/> A minimum of 5-feet distance between inside edge of Gateway and edge of Porch-Stoop-Terrace <input type="checkbox"/> A paved walkway between sidewalk and entrance, which may be combined with a driveway Must provide one of the following or a combination: <ul style="list-style-type: none"> <input type="checkbox"/> Pedestrian-oriented hardscaped outdoor space <input type="checkbox"/> Lawn or planted area <input type="checkbox"/> Alternative option that meets the intent and purpose
c	Porch, Stoop or Terrace	Provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: The porch, stoop, or terrace must be at least 36 square feet in area and have minimum dimensions of 6 feet by 6 feet; and the porch must have a solid roof. In addition, must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof

Type 2 Front Yard (Urban Type)

Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Low wall <input type="checkbox"/> Change in paving material <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	At a minimum, provides a transitional zone between the domestic realm of the dwelling and the public realm of the street. If larger, it provides a habitable and personalize-able outdoor space for the resident.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Planted area <input type="checkbox"/> Wood decking
c	Porch, Stoop or Terrace	At a minimum, provides an outdoor entry vestibule. If larger, it provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Recessed area <input type="checkbox"/> Overhanging balcony <input type="checkbox"/> Canopy

*Items b and c may be combined into a single ten foot depth, provided the intent and purpose of each one is met.

11. Compatibility

- a. Characteristics. New multi-dwelling housing should be compatible with its surrounding context while introducing new shape, size, and detail variation, enabling different housing styles and types to sit side-by-side harmoniously.
- b. Required Elements.
 - 1. On a site with multiple buildings of varying scales (or that vary from the surrounding context), provide a gradual transition between scales. For example, locate dwellings that are similar in scale and density along the street frontage and transition to lower scale and density buildings toward the rear of the site. Use rear driveways and landscaping as a buffer backing up to adjacent properties of a different scale.
 - 2. Arrange building volumes and setbacks in a way that reflects neighborhood patterns along street frontages and contributes to the desired character.
 - 3. Arrange courtyard apartments so that end units reflect a neighborhood context of detached units along the street frontage.
 - 4. Step down taller buildings next to smaller buildings to enable buildings of larger-scale but similar proportions to blend in with surroundings.
 - 5. Step back upper floors so that the first two stories frame the street and relate to the human scale and reduce the visual impact of the third and higher floor.
- c. Supplemental Elements. In addition to meeting the required elements above, projects must respond to the compatibility requirement in the form of three of the options listed below.
 - 1. Use roof forms and bays to break up the overall mass of larger residential structures.
 - 2. Walls incorporate vertical wall offsets, projections, or recesses to reduce building façades into smaller volumes and define visually distinct living unit modules.
 - 3. Step back upper floors so that the first two stories frame the street and relate to the human scale and reduce the visual impact of the third and higher floor.
 - 4. Mark a distinct physical transition between the base and upper floors of a building through a change in brick pattern, change in materials and/or wall surface pattern, articulation of a floor line, or change in window types.
 - 5. Use horizontal elements the entire width of the front façade to mark a break between floors or along the roofline including band course, band molding, bellyband, or belt course.
 - 6. Use a variation in roof forms on all four elevations of a structure to visually break up monotony including pitched or sloping roof

elements, variations in pitch and height of roof planes, dormers, eaves, gable, or dormer end brackets, corbels, or decorative wood timbers.

7. Limit continuous ridgelines to less than 40 feet in length and continuous eaves to 25 feet in length.
8. Step down taller buildings next to smaller buildings to enable buildings of larger-scale but similar proportions to blend in with surroundings.

12. Wall and Roof Design

a. Characteristics.

1. For buildings that front the street, avoid long, monotonous, uninterrupted walls. Modulate buildings walls and roofs to prevent large, uninterrupted walls and building mass.
2. Differentiate between the base of the building and the top of the building to enhance the pedestrian realm. Make base treatment cohesive across façades and integrate with the architectural character of the building.
3. Multi-dwelling development must address the following design objectives:
 - A. Articulation – All street-facing buildings shall incorporate design elements that break up façades into smaller planes.
 - B. Eyes on the street – A certain percentage of the area of each street-facing façade must be windows or entrance doors.
 - C. Main entrance – On street-facing façades, at least one main entrance must meet standards for location, orientation, and visibility.
 - D. Detailed Design – All street-facing buildings shall include several features.

b. Required Elements.

1. Articulation

- A. For multi-dwelling buildings with 30 to 60 feet of street frontage, a minimum of one of the following elements shall be provided along the street-facing façades.
- B. For buildings with over 60 feet of street frontage, at least one element below shall be provided for every 30 feet of street frontage. Elements shall be distributed along the length of the façade so that there are no more than 30 feet between two elements.
 1. A porch at least 5 feet deep.
 2. A balcony that is at least 2 feet deep and is accessible from an interior room.
 3. A bay window that extends at least 2 feet.
 4. A section of the façade that is recessed by at least 2 feet deep and 6 feet long.
 5. A gabled dormer.

- C. Buildings under 30 feet in length are exempt from these requirements.
- 2. Eyes on The Street
 - A. At least 15 percent of the area of each street-facing façade must be windows or entrance doors. Windows used to meet this standard must be transparent and allow views from the building to the street. Glass blocks and privacy windows in bathrooms do not meet this standard.
 - B. Window area is considered the entire area within the outer window frame, including any interior window grid.
 - C. Doors used to meet this standard must face the street or be at an angle of no greater than 45 degrees from the street.
- 3. Main Entrances. Main entrances must meet both of the following standards.
 - A. Be no further than 8 feet behind the longest street-facing wall of the building.
 - B. Face the street, be at an angle of up to 45 degrees from the street, or open onto a porch. If the entrance opens up onto a porch, the porch must meet all of these additional standards.
 - 1. Be at least 25 square feet in area with a minimum 4 feet depth.
 - 2. Have at least one porch entry facing the street.
 - 3. Have a roof that is no more than 12 feet above the floor of the porch.
 - 4. Have a roof that covers at least 30 percent of the porch area.
- 4. Detailed Design.
 - A. For multi-dwelling buildings with up to 30 feet or more of street frontage, a minimum of two of the elements shall be provided along the street-facing façade or façades.
 - B. For buildings with over 30 feet of street frontage, at least one element shall be provided for every 30 feet of street frontage. Elements shall be distributed along the length of the façade so that there are no more than 30 feet between two elements.
 - 1. Covered porch at least 5 feet deep, as measured horizontally from the face of the main building façade to the edge of the deck, and at least 5 feet wide.
 - 2. Recessed entry area at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide.
 - 3. Offset on the building face of at least 16 inches from one exterior wall surface to the other.
 - 4. Dormer that is at least 4 feet wide and integrated into the roof form.

5. Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls.
6. Roofline offsets of at least 2 feet from the top surface of one roof to the top surface of the other.
7. Horizontal lap siding between 3 to 7 inches wide (the visible portion once installed). The siding material may be wood, fiber-cement, or vinyl.
8. Brick, cedar shingles, stucco, or other similar decorative materials covering at least 40 percent of the street-facing façade.
9. Gable roof, hip roof, or gambrel roof design.
10. Window trim around all windows at least 3 inches wide and 5/8 inches deep.
11. Window recesses, in all windows, of at least 3 inches as measured horizontally from the face of the building façade.
12. Balcony that is at least 3 feet deep, 5 feet wide, and accessible from an interior room.
13. Bay window at least 2 feet deep and 5 feet long.
14. One roof pitch of at least 500 square feet in area that is sloped to face the southern sky and has its eave line-oriented within 30 degrees of the true north/ south axis.

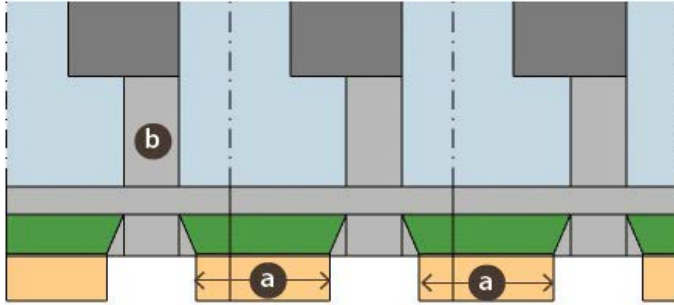
17.11.110 Universal Design Standards. The universal design standards are standards that apply to the following housing types: Tiny Houses, Cottage Clusters, Plexes, Single Dwellings, Townhouses and ADUs. These standards are related to site design, street frontage, architectural design, parking, compatibility with neighboring homes, open space, and private space requirements.

<u>Universal Design Standard</u>	Tiny House	Cottage Cluster	Plex	Single Dwelling	Town-house	ADU
Façade	X	X	X	X	X	X
Street Frontage	X	X	X	X	X	X
Front Yard	X	X	X	X	X	X
Alleys	X	X	X	X	X	X
Garages	X	X	X	X	X	X
Compatibility	X	X	X	X	X	X

- A. Façade. Welcoming facades contribute to the overall character of the neighborhood, promoting a safe, walkable, and bikable place.
1. Characteristics. The façade faces the street, or common greens, courtyards, or other common open spaces. It should be inviting with entry structures, such as porches, front doors and windows and other human-scaled elements. When dwellings have car access from the street, paved areas and garages should not dominate.
 2. Guiding Principles.
 - a. Garages that do not dominate. Entrances should be more prominent than garages.
 - b. Pair garages where possible to maximize planting strip and potential for street trees.
 - c. Entrances and windows that face the street, avoid blank walls. Emphasize private, ground-level entries to individual units when appropriate to the housing types, such as townhouses and plexes.
 - d. Building elements (lighting, repeating projects, bay windows, etc.) and private open space projections (balconies, porches, terraces, etc.) provide functional living space for residents and break up large façades.
 3. Fundamental Requirements.
 - a. Windows utilizing clear glass and/or doors, excluding garage doors, shall occupy a minimum of 25 percent of the overall area of the street-facing facade.
 - b. Except for dwellings on the flag portion of flag lots or on private access easements with no street frontage, the primary entrance shall be oriented toward the street which the dwelling faces.
 - c. At least one primary entrance for each structure must either:
 1. Directly face onto the street right-of-way.
 2. Be at an angle of up to 45 degrees from the street.
 3. Open onto a porch. The porch must be at least 25 square feet in area and have one entrance facing the street or have a roof.
 4. Face a central courtyard space or common open space that is adjacent to the street and abutted by dwellings on at least two sides.
 - d. Where a building is on a corner lot and fronts on two abutting streets, a dwelling unit on the corner of the building needs to be oriented to only one of the streets.
- B. Street Frontage. A common characteristic of McMinnville’s residential neighborhoods is a green leafy street edge that is created by street trees, and the planted strip between the sidewalk and the curb. When trees are given enough room for their roots to mature successfully, their branches shade the sidewalk and may even form a canopy over the street.

1. Characteristics.
 - a. Minimizing driveway curb cuts maximizes the value of the planter strip.
 - b. Uninterrupted curb space also provides a safer pedestrian environment and room for parking on the street.
2. Guiding Principles.
 - a. Even while introducing a variety of housing types and lot sizes (and widths), maintain the maximum amount of uninterrupted and generous plant strip for street trees.
 - b. Promote a healthy canopy of street trees in McMinnville's residential neighborhoods.
 - c. Provide parking space at the rear of the lot via an alley.
 - d. Space street-facing driveways far enough apart for street trees to be planted at frequent intervals.
 - e. Pair street-facing driveways to create more space for trees
 - f. Coordinate the spacing of street trees with the spacing of utilities' access across the plant strip
3. Fundamental Requirements.
 - a. Dwelling units with alley access must provide access off the alley to attached garages located behind the dwelling.
 - b. Choose from the following Frontage Types:
 1. Frontage Type 1: Front-Loaded Parking (See figure below)
 2. Frontage Type 2: Front-Loaded Parking with Paired Driveways (See figure below)
 3. Frontage Type 3: Alley-Loaded Parking (See figure below)

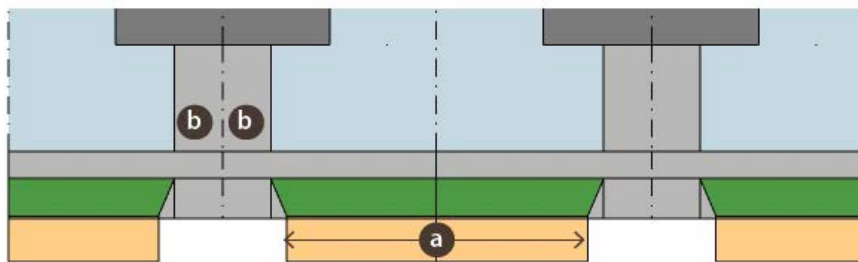
Frontage Type 1: Front-Loaded Parking



Frontage Type 1: Front-Loaded Parking

a	Minimum distance between driveways	24 feet
b	Maximum driveway width	40 percent of frontage

Frontage Type 2: Front-Loaded Parking with Paired Driveways

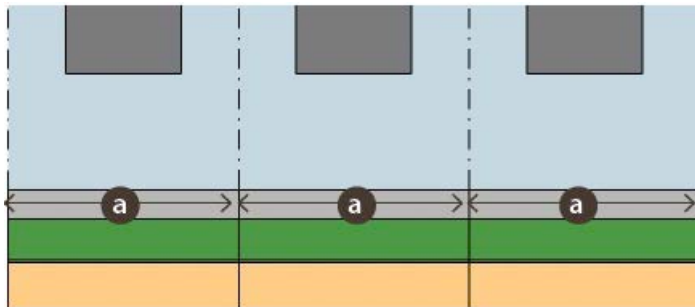


Frontage Type 2: Front-Loaded Paired Parking

a	Minimum distance between driveways	30 feet
b	Maximum driveway width	20 feet*

*Excludes the driveway approach width

Frontage Type 3: Alley-Loaded Parking



Frontage Type 3: Alley-Loaded Parking

a	Minimum street frontage width	Refer to development standards by housing type
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- C. Front Yard. The front setback provides a vital transition between the public area of the street and the private spaces within the dwelling. The smaller the front setback is, the more important the concept of layering public to private spaces becomes
1. Characteristics.
 - a. A typical three-part approach to layering is a low-fence at the back of the sidewalk, a landscaped paved dooryard, and before the entrance to the dwelling – a porch, a stoop or a terrace.
 - b. For very small front setbacks, vertical distance can make up for the lack of horizontal separation.
 2. Guiding Principle. For all housing types the front setback—even when it is small or zero, should be designed to provide a transition from the public realm of the street to the private realm of the dwelling.
 3. Fundamental Requirements.
 - a. Must choose from the following Front Yard Types:
 1. Front Yard Type 1: Neighborhood (see figure below)
 2. Front Yard Type 2: Urban (see figure below)

Figure 1. Neighborhood Front Yard

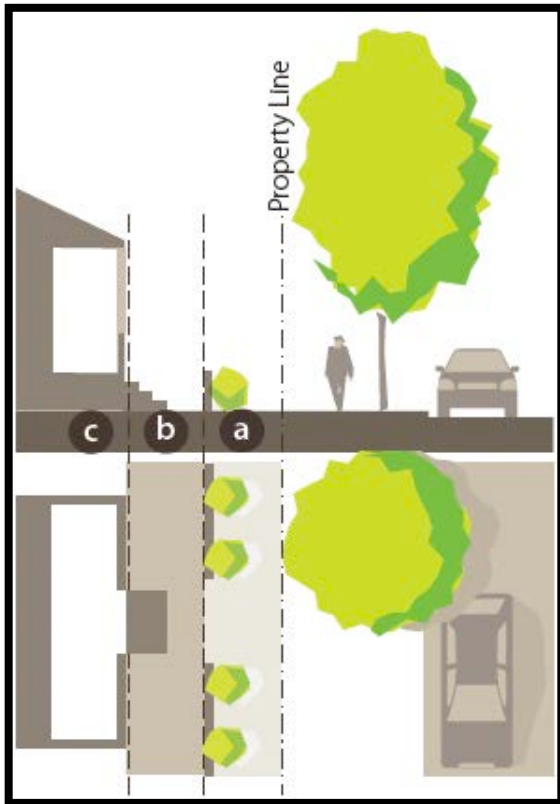
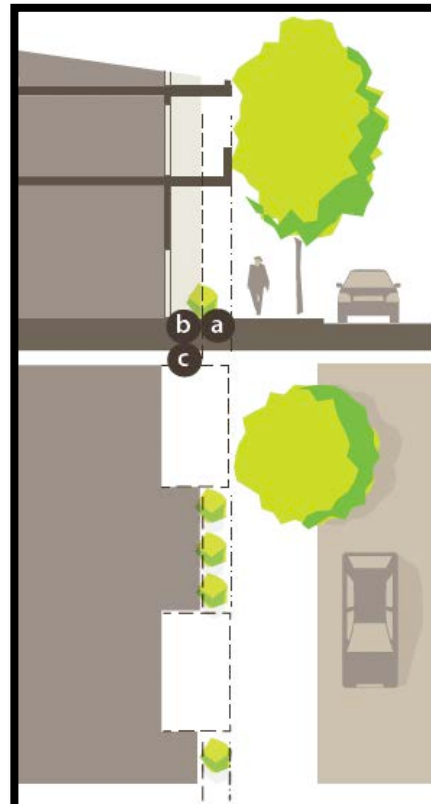


Figure 2. Urban Front Yard



Type 1 Front Yard (Neighborhood Type)			
Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	Provides habitable and personalize-able outdoor space for the resident.	Fundamental requirements: <input type="checkbox"/> A minimum of 5-feet distance between inside edge of Gateway and edge of Porch-Stoop-Terrace <input type="checkbox"/> A paved walkway between sidewalk and entrance, which may be combined with a driveway Must provide one of the following or a combination: <input type="checkbox"/> Pedestrian-oriented hardscaped outdoor space <input type="checkbox"/> Lawn or planted area <input type="checkbox"/> Alternative option that meets the intent and purpose
c	Porch, Stoop or Terrace	Provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: The porch, stoop, or terrace must be at least 36 square feet in area and have minimum dimensions of 6 feet by 6 feet; and the porch must have a solid roof. In addition, must provide one of the following: <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof

Type 2 Front Yard (Urban Type)			
Zone	Requirement	Intent and purpose	Ways to meet the requirement
a	Gateway	Marks the threshold between the public zone of the sidewalk and the private dwelling zone. May provide a location for address identification.	Must provide one of the following: <input type="checkbox"/> Low wall <input type="checkbox"/> Change in paving material <input type="checkbox"/> Low fence <input type="checkbox"/> Low planting—shrubs, grasses
b	Front Yard, Forecourt or Dooryard	At a minimum, provides a transitional zone between the domestic realm of the dwelling and the public realm of the street. If larger, it provides a habitable and personalize-able outdoor space for the resident.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Planted area <input type="checkbox"/> Wood decking
c	Porch, Stoop or Terrace	At a minimum, provides an outdoor entry vestibule. If larger, it provides an outdoor living area that is physically and visually connected to the public realm of the street. Provides opportunities for community interaction. May provide a location for address identification.	Fundamental requirements: Minimum of ten feet in depth.* Must provide one of the following: <input type="checkbox"/> Ornamental fencing or balustrade <input type="checkbox"/> Columns demarcating perimeter or supporting the roof <input type="checkbox"/> Recessed area <input type="checkbox"/> Overhanging balcony <input type="checkbox"/> Canopy

*Items b and c may be combined into a single ten foot depth, provided the intent and purpose of each one is met.

D. Alleys. Alleys are critical in limiting the number of driveways accessing lots from the street edge. They also allow for housing types, especially those that occupy narrow lots, such as townhouses or tiny houses, to sit alongside more conventional lot widths.

1. Characteristics.

- a. Alleys vary in width and can be public right of way or private easement.
- b. Visually narrowing the perceived width of alleys through landscaping, paving, and placement of garages or Accessory Dwelling Units ensures that they are not used for traffic.
- c. If well designed, they can be part of a total pedestrian pathway system through the neighborhood
- d. The design, paving, maintenance, and lighting of alleys is important to ensure they function properly and are safe and attractive.

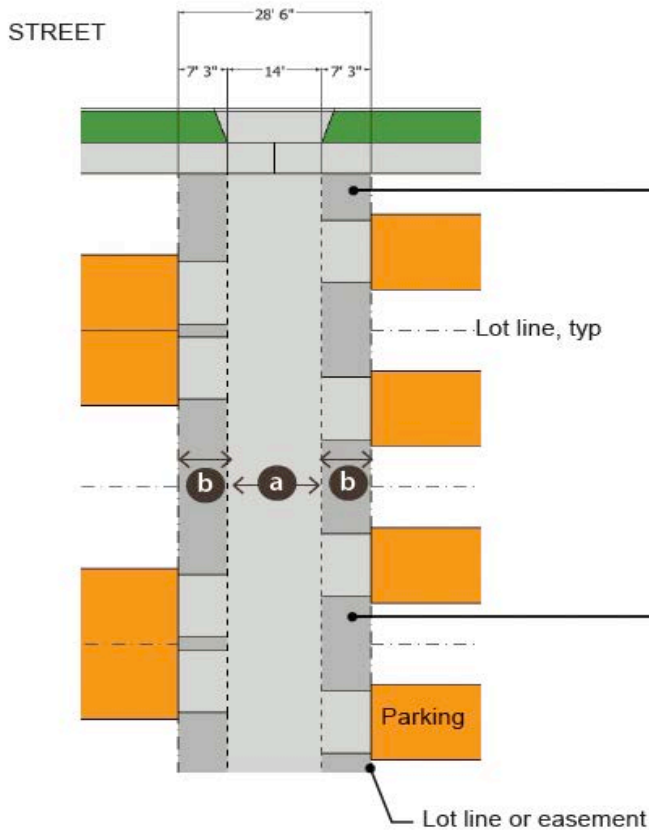


2. Guiding Principle. Provide alleys wherever possible, especially in new subdivisions. In existing neighborhoods, partial alleys can be provided.

3. Fundamental Requirements. Must choose from the following Alley Types:

- a. Alley Type 1 (see figure below)
- b. Alley Type 2 (see figure below)

Figure: Alley Types

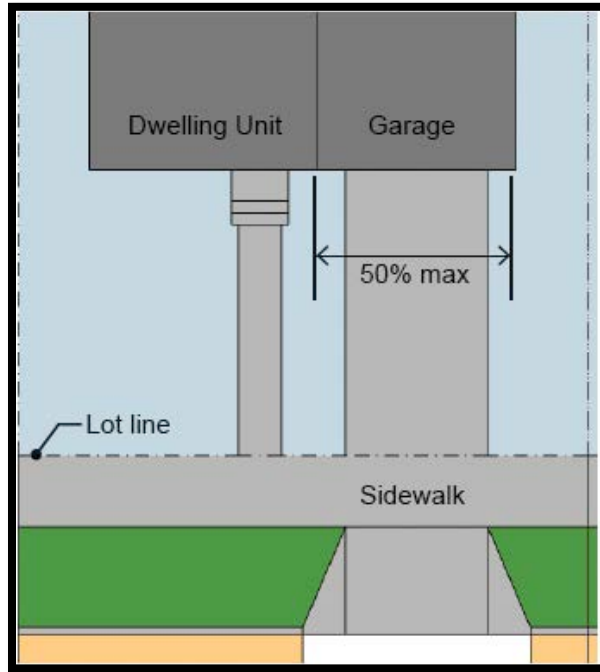


Examples of low landscape buffer treatments for an alley.

Alley Standards Type 1		
a	Travel Way Width	14 feet
b	Low Landscape Buffer	7.25 feet, each side
Alley Standards Type 2		
a	Travel Way Width	20 feet, minimum

- E. Garages. These standards apply to all garages that are accessory to a dwelling whether they are attached or detached to the primary dwelling.
 - 1. Length of Street Facing Garage Wall.
 - a. The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade. See Figure below.

Figure 1. Garage Percentage



- b. Where the street-facing façade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following.
- c. Interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall, or a covered balcony above the garage that is:
 1. At least the same length as the street-facing garage wall;
 2. At least 6 feet deep; and
 3. Accessible from the interior living area of the dwelling unit.
2. Garage setback.
 - a. A garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit.
 - b. Whether attached to a residence or as a separate structure, a covered storage facility (garage) for a vehicle on which the main opening is toward a street shall be located not less than 20 feet from the property line bordering the street.
3. Exceptions.
 - a. Garage that is less than half the façade width and flush with porch façade.
 1. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the dwelling unit, if:
 - A. The street-facing garage wall is 40 percent or less of the length of the building façade; and
 - B. There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch.

The porch must meet the standards for porches as set out in Universal Standards: Front Yard. (17.11.110(C))

- b. Sideways-Facing Garages. The garage may extend in front of the house when:
 - 1. It is oriented perpendicular to the street and fronts on a paved court. The sidewall of the garage must meet the requirements of the Length of the street-facing garage wall.
 - 2. The sidewall of the garage - which in this case is the street-facing façade - must meet the requirements of Façade Universal Standards.
 - 3. In addition, the garage must meet the front setback requirements of the underlying zone.
- c. Garages Adjacent to Alleys. A garage adjacent to an alley may have a zero-foot setback from the alley if allowed in the Development Standards table for the applicable housing type.

F. Compatibility

- 1. Guiding Principle. New housing should be compatible with its surrounding context while introducing new shape, size and detail variation, enabling different housing styles and types to sit side-by-side harmoniously.
- 2. Fundamental Requirements - Siting.
 - a. Single dwellings, duplexes, triplexes, quadplexes, tiny houses, and dwellings within cottage clusters that are of the same or very similar design must be separated by at least two lots and may not be directly across from one another. Similar design consists of exterior elevations that utilize the same or similar rooflines, projections, garage doors, paint colors, building materials, window sizes and orientation.
 - b. On a site with multiple buildings of varying scales (or that vary from the surrounding context), provide a gradual transition between scales. For example, locate dwellings that are similar in scale and density along the street frontage and transition to lower scale and density buildings toward the rear of the site. Use rear driveways and landscaping as a buffer backing up to adjacent properties of a different scale.
 - c. Arrange building volumes and setbacks in a way that reflects neighborhood patterns along street frontages and contributes to the desired character.
 - d. Arrange courtyard apartments so that end units reflect a neighborhood context of detached units along the street frontage.
- 3. Fundamental Requirements – Human Scale Design. Front and public-facing building facades must meet all of the following requirements:
 - a. Facades shall provide vertical offsets, projections, or recesses to break up the building façade. Vertical projections may encroach into exterior side yard setbacks by up to 20 percent of the required setback distance.

- b. Elevations shall include horizontal elements the width of the façade. The horizontal elements shall mark the break between floors or be located along rooflines, and may include fascia, band course, band molding, bellyband, or belt course.
 - c. A minimum of two types of building materials shall be used on the front elevations.
 - d. Trim with a minimum size of 3 inches on all windows.
 - e. In addition, front and public-facing building facades must provide at least four of the following options:
 - 1. Windows
 - 2. Gables
 - 3. Dormers
 - 4. Architectural Bays
 - 5. Awnings made of fabric, metal or wood framed
 - 6. Change in wall planes
 - 7. Ground floor wall lights/sconces
 - 8. Transom windows
 - 9. Balconies or decks
 - 10. Columns or pilasters – not decorative
4. Supplemental Requirements. Project must provide a minimum of three of the following elements.
- a. Use roof forms and bays to break up the overall mass of larger dwellings and reflect the building forms and scale of single dwellings.
 - b. Pair units under a single roof form and distinct building volume to provide massing reflective of detached dwellings.
 - c. Walls incorporate vertical wall offsets, projections, or recesses to reduce building façades into smaller volumes and define visually distinct living unit modules.
 - d. Step back upper floors so that first two stories frame the street and relate to the human scale and reduce visual impact of the third and higher floor.
 - e. Mark a distinct physical transition between the base and upper floors of a building through a change in brick pattern, change in materials and/or wall surface pattern, articulation of a floor line, or change in window types.
 - f. Use horizontal elements the entire width of the front façade to mark break between floors or along roofline including band course, band molding, bellyband, or belt course.
 - g. Use a variation in roof forms on all four elevations of a structure to visually break up monotony including pitched or sloping roof elements, variations in pitch and height of roof planes, dormers, eaves, gable, or dormer end brackets, corbels, or decorative wood timbers.
 - h. Limit continuous ridgelines to less than 40 feet in length and continuous eaves to 25 feet in length.

- i. Step down taller buildings next to smaller buildings to enable buildings of larger-scale but similar proportions to blend in with surroundings.

17.11.120 Planned Development Residential Design and Development Standards. Chapter 17.51 of the McMinnville Municipal Code allows for planned development overlays in McMinnville as a means of providing greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the provisions of the zoning ordinance. McMinnville encourages residential planned developments as a means of achieving the City’s adopted Great Neighborhood Principles.

A. Guiding Principles.

1. Appropriate site size and scale. Small to medium sites (10,000 square feet to 40,000 square feet) should act as infill sites and respond to the surrounding neighborhood in scale, character, building design, details and materials. Large sites (over 40,000 square feet) should provide a variety of housing types, centralized common open space, and an interconnected system of streets and pathways that connect to the surrounding neighborhood.
2. Livability. Residential Planned Developments should contribute to a livable neighborhood by incorporating visually pleasing design, minimizing the impact of vehicles, emphasizing pedestrian and bicycle connections, and providing public and private open spaces for outdoor use.
3. Compatibility. Residential Developments should have a scale that is appropriate for the surrounding neighborhood and maintains the overall residential character of McMinnville.
4. Safety and Functionality. Developments should be safe and functional, by providing visibility into and within a residential development and by creating a circulation system that prioritizes bicycle and pedestrian safety.
5. Enduring quality. Residential Planned Developments should incorporate design and building practices that promote the economic, ecological, and aesthetic environment of McMinnville, such as energy conservation, preservation of trees and open space, and quality building materials.

B. Required Elements, Great Neighborhood Principles. All residential planned developments shall meet the Great Neighborhood Principles as identified below.

1. Natural Feature Preservation. Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.
2. Scenic Views. Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including,

- but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.
3. Parks and Open Spaces.
 - a. Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.
 - b. Central parks and plazas shall be used to create public gathering spaces where appropriate.
 - c. Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.
 4. Pedestrian Friendly.
 - a. Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.
 - b. Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).
 5. Bike Friendly.
 - a. Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.
 - b. Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.
 6. Connected Streets.
 - a. Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements.
 - b. Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.
 7. Accessibility.
 - a. To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.
 - b. Design practices should strive for best practices and not minimum practices.
 8. Human Scale Design.
 - a. The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.

- b. Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.
 - c. Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).
 - 9. Mix of Activities.
 - a. Neighborhood destinations including, but not limited to, neighborhood-serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.
 - b. Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.
 - c. Neighborhoods are designed such that owning a vehicle can be optional.
 - 10. Urban-Rural Interface. Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.
 - 11. Housing for Diverse Incomes and Generations. A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.
 - 12. Housing Variety.
 - a. Neighborhoods shall have several different housing types.
 - b. Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.
 - 13. Unique and Integrated Design Elements. Residential Planned Developments shall be encouraged to have:
 - a. Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.
 - b. Opportunities for public art provided in private and public spaces.
 - c. Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners, landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood.
- C. Required Elements, Common Open Space. All Residential Planned Developments over four units shall meet the fundamental and supplemental requirements for Common Open Space.
 - 1. Characteristics.
 - a. Common open spaces offer residents social and health benefits while also defining and bringing character to a development.
 - b. Common open spaces may include shared recreational facilities such as play areas, sports fields or swimming pools; rooftop decks

that prompt interaction and include shared amenities such as grills, play space, or seating.

2. Guiding Principles.

- a. Common open space should be appropriately located so users feel safe and residents take ownership and responsibility for the shared space.
- b. The design should take into account its relationship to units, entries, and windows, as well as how landscaping or other barriers may impact sight corridors.
- c. Common open spaces should have clear intended uses with visual cues to inform users as to the desired function.
- d. Avoid large, hard-surfaced or landscaped areas that lack furnishings or other design elements suggesting specific activities.
- e. Break down large spaces into smaller, comfortable outdoor rooms through the use of fencing or low walls, furnishings and lighting, building placement, and plantings.
- f. Sensitive design will produce greater benefits than expensive materials or furnishings and certainly more options for use than large undefined open areas

3. Fundamental Requirements.

- a. A common open space shall be provided that is centrally located and designed with a clear function that enhances the livability of residents in the planned development. These functions shall include passive and active uses. The open space shall be accessible to all residents and if possible be fronted by clearly defined unit entrances. The common open space shall serve as the focus of surrounding buildings. Entries and windows shall face the common open space to provide informal surveillance. Common open space shall be accessible to all residents.
- b. Common open space shall be a minimum of 15 percent of the planned development. Passive open space shall not be more than 5 percent of the planned development.
- c. When vehicular areas are located between dwellings and common open space, clearly defined pathways shall be provided to enhance pedestrian safety.
- d. Pathway surface shall be clearly marked and differentiated from the vehicular area with paint or alternative paving material.
- e. Common open space shall have a minimum dimension of 20 feet at the narrowest part.
- f. Walkways are required between dwellings and common open space.

4. Supplemental Requirements. Provide at least four of the options listed below.

- a. Provide opportunities for formal and informal recreational use by residents of all ages. This could be a shared recreational facility

including sport fields, play structure, bike track, courts, swimming pool, or other options.

- b. Provide tall deciduous trees for summer shade and winter solar access. When possible preserve and incorporate large existing trees at least 9 inches in diameter as a focal point of open spaces.
- c. Enhance the usability of the space through the inclusion of elements including seating, outdoor lighting, weather protection and/or shade structures, and art, among other features.
- d. Incorporate landscaping that receives at least 50 percent of its irrigation from harvested rainwater.
- e. Provide opportunities for food cultivation. Include a community garden and/or incorporate cultivated species into the landscaping.

D. Supplemental Elements, Consideration

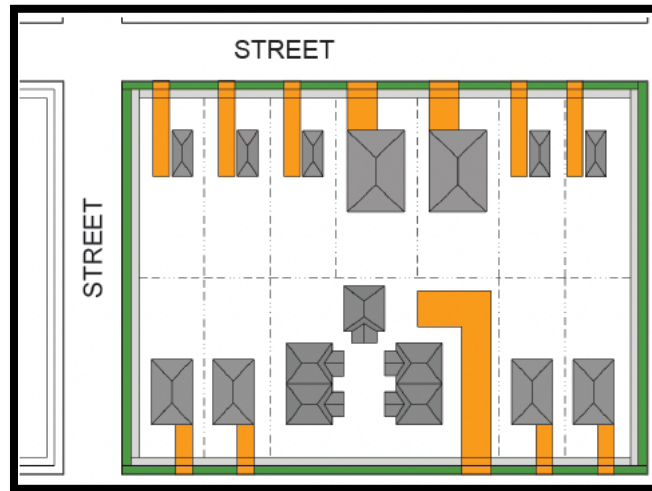
1. Modular Block Layouts.

- a. An intermix of housing types is possible if blocks are platted with a lot width module that can be aggregated. If lots are increments of 25 to 30 feet wide and can be aggregated into lots that are 50 or 60 feet wide (or 75 or 90 feet wide), a wide variety of dwelling types can occupy the same block.
 - 1. For example, narrow lot dwellings such as townhouses or tiny houses on 25 foot lots may sit next to larger lot dwellings such as courtyard apartments or cottage clusters on a 50- or 75-foot lot.
- b. In a new planned development, the greatest flexibility for lot variety is provided by having an alley serve as parking and driveway to each lot (see Figure “Block with Alley”).
- c. When parking is accessed via a driveway from the front of the lot, the lot width is governed by frontage requirements of Universal Design Standards – Street Frontage, and the minimum lot width will be 40 feet (see Figure “Block without Alley”).

Figure. Block with Alley.

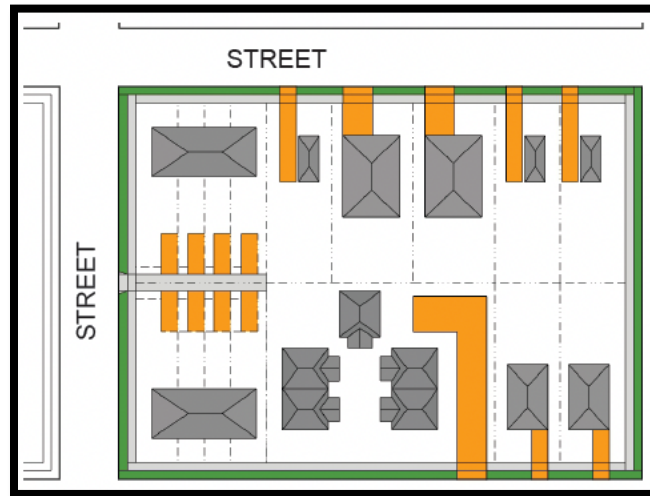


Figure. Block without Alley



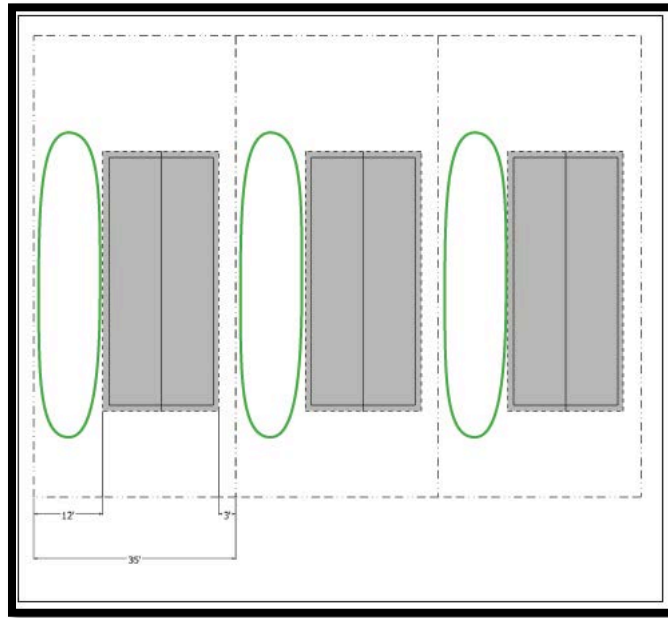
2. Block lengths.
 - a. Most housing types can be accommodated on blocks that are 200 to 220 feet deep and 200 to 350 feet wide, with an alley easement or dedicated right of way.
 - b. In an infill setting, narrow lot housing types may be “infilled” between more conventional larger-lot detached homes. The intermixing of lot widths ensures that affordable compact housing types can sit side-by-side with detached single dwellings. Cottage clusters and smaller-scale apartments, such as garden apartments or walk-up apartments, can be intermixed on lots that have been aggregated. Such apartments buildings need to be sized and designed to fit into the neighborhood context.
3. Partial alley at the end of a block. A partial alley is where an alley is used to provide access to parking at the rear of lots, in lieu of driveways located at the front of the lot (see Figure, Partial Alley Block). Turnarounds are not required for partial alleys.
 - a. Option 1: The total number of lots and units served by a partial alley shall be [six lots], but no more than [six units].
 - b. Option 2: The total number of lots and units served by a partial alley, if more than [six lots] or [six units], shall be approved by the Fire Marshal.

Figure. Hybrid Block Layout with Partial Alley



5. Usable Side Yard Setback. Optional for Tiny Homes, Plexes, and Single Dwellings in Residential Planned Developments. A usable side yard setback development is where dwelling units sharing street frontage are shifted to one side of their lot, to within 3 feet of the property line. This provides for greater usable yard space on each lot. These developments require that the planning for all of the house locations be done at the same time
 - a. Building setbacks. The side yard setback on one side of the house may be reduced to 3 feet. This reduction does not apply to the side yard setback adjacent to a street, or to the side yard setback adjacent to lots that are not part of the usable side yard setback project.
 - b. All other development standards that apply to the housing type must be met, (e.g., distance between driveways).
 - c. A deed restriction must be recorded on the deed of each applicable lot to ensure the continued fulfillment of this setback.
 - d. Eaves on the side of a house with a reduced setback must comply with proper fire separation requirements.
 - e. Consider the privacy of neighboring properties by designing homes with higher windows on the narrow setback side.

Figure. Usable side yard setbacks provide more space for each home.



**PROPOSED AMENDMENTS TO THE MCMINNVILLE MUNICIPAL CITY CODE –
TITLE 17, ZONING ORDINANCE**

New proposed language is represented by ***bold italic font***, deleted language is represented by ~~strikethrough font~~.

ZONING*

Chapters:

<u>17.03</u>	<u>General Provisions</u>
<u>17.06</u>	<u>Definitions</u>
<u>17.09</u>	<u>Zone Classifications, Boundaries, and Maps</u>
<u>17.10</u>	<u>Area and Master Planning Process</u>
<i><u>17.11</u></i>	<i><u>Residential Design and Development Standards</u></i>
<i><u>17.12</u></i>	<i><u>R-1 Low-Density, 9000SF Lot Residential Zone</u></i>
<i><u>17.15</u></i>	<i><u>R-2 Low-Density, 7000SF Lot Residential Zone</u></i>
<i><u>17.18</u></i>	<i><u>R-3 Medium-Density, 6000SF Lot Residential Zone</u></i>
<i><u>17.21</u></i>	<i><u>R-4 Medium, High-Density, 5000SF Lot Residential Zone</u></i>
<i><u>17.22</u></i>	<i><u>R-5 High-Density, Multiple-Dwelling Residential Zone</u></i>
<u>17.12</u>	<u>R-1 Single-Family Residential Zone</u>
<u>17.15</u>	<u>R-2 Single-Family Residential Zone</u>
<u>17.18</u>	<u>R-3 Two-Family Residential Zone</u>
<u>17.21</u>	<u>R-4 Multiple-Family Residential Zone</u>
<u>17.22</u>	<u>R-5 Multiple-Family Residential Zone</u>
<u>17.24</u>	<u>O-R Office/Residential Zone</u>
<u>17.27</u>	<u>C-1 Neighborhood Business Zone</u>
<u>17.30</u>	<u>C-2 Travel Commercial Zone</u>
<u>17.33</u>	<u>C-3 General Commercial Zone</u>
<u>17.36</u>	<u>M-L Limited Light Industrial Zone</u>
<u>17.39</u>	<u>M-1 Light Industrial Zone</u>
<u>17.42</u>	<u>M-2 General Industrial Zone</u>
<u>17.45</u>	<u>AH Agricultural Holding</u>
<u>17.48</u>	<u>F-P Flood Plain Zone</u>
<u>17.50</u>	<u>Neighborhood Activity Center Overlay District</u>
<u>17.51</u>	<u>Planned Development Overlay</u>
<u>17.52</u>	<u>Airport Overlay Zone</u>
<u>17.53</u>	<u>Land Division Standards</u>
<u>17.54</u>	<u>General Regulations</u>
<u>17.55</u>	<u>Wireless Communication Facilities</u>
<u>17.56</u>	<u>Large Format Commercial Development</u>
<u>17.57</u>	<u>Landscaping</u>
<u>17.58</u>	<u>Trees</u>
<u>17.59</u>	<u>Downtown Design Standards and Guidelines</u>

* Prior ordinance history: Ord. 3380 as amended by Ords. 3392, 3441, 3497, 3557, 3565, 3603, 3614, 3633, 3677, 3694, 3707, 3742, 3764, 3803, 3817, 3888, 3898, 3925, 3933, 3966, 3967, 3968, 3983, 3995, 4001, 4011, 4017, 4025, 4043, 4046, and 4066.

<u>17.60</u>	<u>Off-Street Parking and Loading</u>
<u>17.61</u>	<u>Solid Waste and Recycling Enclosure Plan</u>
<u>17.62</u>	<u>Signs</u>
<u>17.63</u>	<u>Nonconforming Uses</u>
<u>17.64</u>	<u>Marijuana Related Activities</u>
<u>17.65</u>	<u>Historic Preservation</u>
<u>17.66</u>	<u>City Center Housing Overlay Zone</u>
<u>17.67</u>	<u>Home Occupations</u>
<u>17.72</u>	<u>Applications and Review Process</u>
<u>17.74</u>	<u>Review Criteria</u>

Chapter 17.06

DEFINITIONS

[...]

Accessory Dwelling Unit – A secondary, self-contained single-family dwelling that may be allowed only in conjunction with a detached single-family dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary detached single-family dwelling. An accessory dwelling unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area. An accessory dwelling may be located within, attached to or detached from the primary single-family dwelling.

[...]

Cottage Cluster – *A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; A city may allow Cottage Cluster units to be located on a single Lot or Parcel, or on individual Lots or Parcels.*

[...]

Dwelling, Common-Wall – See “Common Wall Construction.”

Dwelling, Multiple Family – A building containing ~~three~~ **five** or more dwelling units.

Dwelling, Single Detached Family – A detached building containing one dwelling unit.

Dwelling, Single Attached – *A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings,*

including the walls of attached garages. Each dwelling unit has its own external entrance.

~~**Dwelling, Two-Family Duplex** – A detached building containing two dwelling units and commonly known as a duplex. *Two dwelling units on a single lot, may be attached or detached.*~~

~~**Dwelling, Triplex** – *Three dwelling units on a single lot, may be attached or detached.*~~

~~**Dwelling, Quadplex** – *Four dwelling units on a single lot, may be attached or detached.*~~

Dwelling Unit – A residence containing one or more rooms designed for occupancy by one family ~~residential dwelling~~ and having not more than one cooking facility. This includes both buildings constructed on-site and off-site, such as manufactured homes.

[...]

~~**Family** – For the purpose of this Zoning Ordinance, “family” refers to: An individual or two or more persons related by blood, marriage, adoption, or legal guardianship, or other duly authorized custodial relationship, living together as one housekeeping unit using one kitchen, and providing means of lodging to not more than two additional persons, excluding servants, or a group of not more than five unrelated persons, excluding servants, living together as one housekeeping unit using one kitchen. c; Ord. 4479A §1, 1991; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).~~

[...]

~~**Guesthouse, Servants’ Quarters** – (Repealed by Ord. 4952, March 13, 2012).~~

[...]

Single Room Occupancy (SRO)

SRO Housing Development - *An SRO Housing Development is development of a site with two or more SRO Living Units and shared common areas and common facilities, including sanitary and/or food preparation areas, in one or more buildings on the site. All of the facilities for daily housekeeping, including living, sleeping, sanitation (toilet and bathing), dining, and food preparation are provided for the SRO Housing Development as a whole, subject to the standards provided in the Zoning Ordinance.*

Small SRO Housing Development - *An SRO Housing Development with six or fewer SRO Living Units.*

Large SRO Housing Development - An SRO Housing Development with seven or more SRO Living Units.

SRO Living Unit - A single room occupancy living unit provides living and sleeping space for the exclusive use of the occupant, but requires that the unit share common sanitation (toilet and bathing) and/or food preparation facilities with other units within an SRO Housing Development.

[...]

Townhouse – A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. Each dwelling unit has its own external entrance.

Chapter 17.09

ZONE CLASSIFICATION, BOUNDARIES AND MAPS

17.09.010 Zones established. For the purpose of this title, the following zones are established in the city:

Abbreviated Zone	<u>Designation</u>
Single Family Low-Density 9000 SF Lot Residential zone	R-1
Two Family Low-Density 7000 SF Lot Residential zone	R-2
Multiple Family Medium-Density 6000 SF Lot Residential zone	R-3
Multiple Family Medium, High-Density 5000 SF Lot Residential zone	R-4
Multiple Family High-Density Residential zone	R-5
Office/Residential zone	O-R
Neighborhood Business zone	C-1
Travel Commercial zone	C-2
General Commercial zone	C-3
Limited Light Industrial zone	M-L
Light Industrial zone	M-1
General Industrial zone	M-2
Agricultural Holding zone	AH
Flood Area zone	F-P

(Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.12

R-1 SINGLE-FAMILY **LOW-DENSITY 9000 SF LOT** RESIDENTIAL ZONE

17.12.010 Permitted uses. In an R-1 zone, the following uses and their accessory uses are permitted:

A. ***Tiny Houses***, Site built single-***detached*** family dwelling and Class A mobile home subject to the following standards.

1. If the dwelling is removed, the exposed foundation and any outbuildings must be removed within 90 days or, if notice is given to the city, 180 days will be allowed for installation of another home on the existing foundation; and
2. A Class A mobile home shall have a pitched roof with a minimum slope of a nominal three feet in height for each 12 feet of run; and
3. A Class A mobile home shall not be located adjacent to an historic landmark or within an historic district, as identified in the current McMinnville Historic Resources Inventory; and
4. A Class A mobile home shall be multisectional, at least 24 feet in width, and enclose a space of not less than 1,000 square feet; and
5. A Class A mobile home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade; and
6. A Class A mobile home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing material which is comparable to the predominant materials used on surrounding dwellings, as determined by the Planning Director. This requirement shall not be interpreted to mean that the City is responsible for enforcing codes, covenants, and restrictions of any homeowner's or other association; and
7. A Class A mobile home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010; and
8. A Class A mobile home shall have a garage or carport constructed of like materials. An attached or detached garage may be required in lieu of a carport where a garage is consistent with the predominant construction of immediately surrounding dwellings.

B. ***Middle Housing***

1. ***Plexes: Duplex Dwelling; Triplex Dwelling; and Quadplex Dwelling.***
2. ***Cottage Clusters***
3. ***Townhouses***

~~Two-family dwelling on a corner lot with nine thousand square foot minimum area provided the subdivision plat designates the lot as duplex;~~

C. ***Single Room Occupancy – Small Housing.*** ~~A single-family dwelling having a common wall with one other single-family dwelling, provided:~~

- ~~1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
 - ~~2. The two dwellings shall have a common wall at the "zero" lot line.~~
 - ~~3. One of the lots shall be a corner lot approved for this use on a subdivision plat hereafter approved by the Planning Commission and filed in accordance with law, and:
 - ~~a. Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.~~
 - ~~b. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
OR both lots shall be interior lots approved for this use on subdivision plat here after approved by the Planning Commission and filed in accordance with the law, and approved by the Planning Commission and filed in accordance with the law, and~~
 - ~~c. Each lot shall comprise not less than nine thousand square feet in area.~~
 - ~~d. The setback requirements will apply to each dwelling unit independently, except that the setbacks for the "zero" lot line shall be waived.~~~~
 - ~~4. Each dwelling unit must have independent services which include but are not limited to sewer, water, and electricity.~~
 - ~~5. The common wall shall be a fire wall and shall be of a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
 - ~~6. Common wall, single family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
 - ~~7. Existing duplexes will be allowed to be converted to common wall, single-family dwelling units if they meet the provisions of this title and were constructed after January, 1974;~~
- D. Accessory Dwelling Unit (ADU) subject to the following standards:
- ~~1. The accessory dwelling unit may be established by:
 - ~~a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;~~
 - ~~b. Adding floor area to the primary dwelling, including a second story;~~
 - ~~c. Construction of a detached accessory dwelling unit on a lot with a primary single family dwelling; or~~
 - ~~d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~~~
 - ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet,~~

~~whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~

- ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
 - ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
 - ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
 - ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
 - ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
 - ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~
 - ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
 - ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
1. The structure is a residential dwelling unit.
 2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- F. Day Care Facility (Adult), under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
- G. Child Care Center, under the following provisions:

1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- H. Residential Home as defined in Chapter 17.06 (Definitions)
- I. Social relief facility, under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator reside at the home at any one time.
 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC) as amended, are met.
- J. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
- K. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- L. Public park and recreation area;
- M. Sewage pump station;
- N. Satellite dish provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- O. Resident occupied short term rental, subject to the provisions of Section 17.72.110 and the following standards:
1. Resident occupied short term rentals shall be allowed in single family dwellings, common-wall single family dwellings, and accessory dwelling units (ADUs). The structure shall retain the characteristics of a single **dwelling** family residence.
 2. That the establishment be occupied full-time by a resident.
 3. That no more than two guest sleeping rooms are provided on a daily or weekly basis for the use of no more than a total of five travelers or transients at any one time.
 4. That a minimum of one off-street parking space be provided for the two permitted guest sleeping rooms. The required off-street guest parking may be provided on an existing parking lot located within 200 feet of the short term rental.
 5. That signing be limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three square feet of face area.
 6. That the duration of each guest's stay at the short term rental be limited to no more than 30 (thirty) consecutive days.
 7. That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3997 of this code;
 8. Permits shall be issued to the current property owner at the time of application. Permits do not transfer with the sale or conveyance of the property. Upon any change in ownership, the short term rental permit for the subject property will become void. The use of the subject property as a short term rental by the new owner will again be subject to the application and review procedures in Section 17.72.110. The

following situations are not deemed to be a change in ownership for the purposes of this section:

- a. Transfer of property from a natural person(s) to a Trust serving the same natural person(s) or to a family member pursuant to a Trust; or
 - b. Transfer of ownership pursuant to a will or bequest upon the death of the owner.
9. Permits must be renewed annually. Failure to renew the short term rental permit annually will result in the permit becoming void, and the use of the subject property as a short term rental will again be subject to the application and review procedures in Section 17.72.110.
 10. Complaints on conditions 1 through 9 above will be reviewed by the Planning Commission at a public hearing. The Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the short term rental is found to be in violation of the criteria, the Planning Commission may terminate the use.
- P. Short term rental, subject to the provisions of Section 17.72.110 and the following standards:
1. Short term rentals shall not be located within 200 feet of another short term rental, or on the same property as another short term rental.
 2. Short term rentals shall be allowed in single family dwellings, common-wall single family dwellings, and accessory dwelling units (ADUs). The structure shall retain the characteristics of a residence.
 3. That a minimum of one off-street parking space be provided for each guest room.
 4. That signage is limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three (3) square feet of face area.
 5. That the duration of each guest's stay at the residence be limited to no more than 30 (thirty) consecutive days.
 6. That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3997.
 7. That the property owner shall live within the geographic area of the 97128 zip code or shall provide contact information of a person living within the geographic area of the 97128 zip code who shall be available to respond immediately to any emergency or complaint related to the short term rental.
 8. Permits shall be issued to the current property owner at the time of application. Permits do not transfer with the sale or conveyance of the property. Upon any change in ownership, the short term rental permit for the subject property will become void. The use of the subject property as a short term rental by the new owner will again be subject to the application and review procedures in Section 17.72.110. The following situations are not deemed to be a change in ownership for the purposes of this section:
 - a. Transfer of property from a natural person(s) to a Trust serving the same natural person(s) or to a family member pursuant to a Trust; or

- b. Transfer of ownership pursuant to a will or bequest upon the death of the owner.
- 9. Permits must be renewed annually. Failure to renew the short term rental permit annually will result in the permit becoming void, and the use of the subject property as a short term rental will again be subject to the application and review procedures in Section 17.72.110.
- 10. Complaints on conditions 1 through 9 above will be reviewed by the Planning Commission at a public hearing. The Planning Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the short term rental is found to be in violation of the criteria, the Planning Commission may terminate the use. (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018; Ord. 5040 §2, 2017; Ord. 4988 §1, 2015; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1, 2003; Ord. 4564 §2, §3, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4499 §1, 1991; Ord. 4477 §1, 1990; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.020 Conditional uses. In an R-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- ~~A. Two-family dwelling on corner lots with a minimum of nine thousand square feet;~~
- A. Cemetery.
- B. Child Care Center, under the following provisions:
 - 1. The facility is not a facility defined in Section 17.12.010(G)(1).
 - 2. Operator must have the appropriate licenses required by state regulations.
- C. Church;
- D. Community building, including library;
- E. Day Care Facility (Adult), under the following provisions
 - 1. The structure is not a residence.
 - 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 3. Operator must have the appropriate licenses required by state regulations.
- F. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators, and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time;
- G. Farming and keeping of domestic animals;
- H. Golf course, except driving range and miniature golf course when operated as a business;
- ~~I. Guesthouse or servants' quarters provided the lot is not less than twelve thousand square feet in area;~~
- J. Home office of a physician or minister;
- K. Public or private school;
- L. Electrical power substation;
- M. Water reservoir;

- N. ~~A single-family dwelling having a common wall with one other single-family dwelling, providing:~~
- ~~1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
 - ~~2. The two dwellings shall have a common wall at the “zero” lot line.~~
 - ~~3. One of the two lots shall be a corner lot, and:~~
 - ~~a. Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.~~
 - ~~b. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.~~
 - ~~OR both lots shall be interior lots, and:~~
 - ~~c. Each lot shall comprise not less than nine thousand square feet in area.~~
 - ~~d. The setback requirements will apply to each dwelling unit independently, except that the setback for the “zero” lot line shall be waived.~~
 - ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water, and electricity.~~
 - ~~6. The common wall shall be a fire wall and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
 - ~~7. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
 - ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974;~~
- O. Windmill, for generation of electricity or pumping water;
- P. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- Q. Fire Station Substation.
- R. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4959 §1, 2012, Ord. 4952 §1, 2012; Ord. 4944 §1(b), 2011; Ord. 4902 §1(b), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(b), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.030 Lot size. In an R-1 zone the lot area shall not be less than nine thousand square feet, except as provided in ~~Sections 17.12.010(C), and 17.12.020(O), and~~ **Section 17.11.070(C), Table 1(C), Townhouses**, of this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.040 Yard requirements. In an R-1 zone each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than ten feet, except an exterior side yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.050 Building height. In an R-1 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.060 Density requirements. ***In an R-1 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 9,000 square feet. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.*** ~~In an R-1 zone, the lot area per family shall not be less than nine thousand square feet, except that the lot area for approved two-family corner lots and common wall, single-family corner lots shall not be less than nine thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~17.12.070 Signs. Moved to Chapter 17.62~~

Chapter 17.15

R-2 SINGLE-FAMILY **LOW-DENSITY 7000 SF LOT** RESIDENTIAL ZONE

17.15.010 Permitted uses. In an R-2 zone, the following uses and their accessory uses are permitted:

- A. ***Tiny Houses,*** Site built single-family ***detached*** dwelling and Class A mobile home subject to the following standards:
 - 1. If the dwelling is removed, the exposed foundation and any outbuildings must be removed within 90 days or, if notice is given to the city, 180 days will be allowed for installation of another home on the existing foundation; and
 - 2. A Class A mobile home shall have a pitched roof with a minimum slope of a nominal three feet in height for each twelve feet of run; and
 - 3. A Class A mobile home shall not be located adjacent to a historic landmark or within a historic district, as identified in the current McMinnville Historic Resources Inventory; and
 - 4. A Class A mobile home shall be multisectional, at least 24 feet in width, and enclose a space of not less than 1,000 square feet; and

5. A Class A mobile home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade; and
6. A Class A mobile home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing material which is comparable to the predominant materials used on surrounding dwellings, as determined by the Planning Director. This requirement shall not be interpreted to mean that the City is responsible for enforcing codes, covenants and restrictions of any homeowner's or other association; and
7. A Class A mobile home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010; and
8. A Class A mobile home shall have a garage or carport constructed of like materials. An attached or detached garage may be required in lieu of a carport where a garage is consistent with the predominant construction of immediately surrounding dwellings.

B. Middle Housing

1. **Plexes: Duplex Dwelling; Triplex Dwelling; Quadplex Dwelling**
2. **Cottage Clusters**
3. **Townhouses**

~~Two-family dwelling on a corner lot with eight thousand square feet minimum area;~~

C. Single Room Occupancy – Small Housing. A single-family dwelling having a common wall with one other single-family dwelling, provided:

- ~~8. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
- ~~9. The two dwellings shall have a common wall at the "zero" lot line.~~
- ~~10. One of the lots shall be a corner lot approved for this use on a subdivision plat hereafter approved by the Planning Commission and filed in accordance with law, and:~~
 - c. ~~Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.~~
 - d. ~~Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.~~
~~OR both lots shall be interior lots approved for this use on subdivision plat here after approved by the Planning Commission and filed in accordance with the law, and approved by the Planning Commission and filed in accordance with the law, and~~
 - e. ~~Each lot shall comprise not less than nine thousand square feet in area.~~
 - f. ~~The setback requirements will apply to each dwelling unit independently, except that the setbacks for the "zero" lot line shall be waived.~~

- ~~11. Each dwelling unit must have independent services which include but are not limited to sewer, water, and electricity.~~
 - ~~12. The common wall shall be a fire wall and shall be of a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
 - ~~13. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
 - ~~14. Existing duplexes will be allowed to be converted to common wall, single-family dwelling units if they meet the provisions of this title and were constructed after January, 1974;~~
- D. Accessory Dwelling Unit (ADU) subject to the following standards:
- ~~1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
 - ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
 - ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
 - ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
 - ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
 - ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
 - ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
 - ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~

- ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
- ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~
- D. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
1. The structure is a residential dwelling unit.
 2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- E. Day Care Facility (Adult), under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
- F. Child Care Center, under the following provisions:
1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- G. Residential Home as defined in Chapter 17.06 (Definitions)
- H. Social relief facility, under the following provisions:
1. The structure is maintained in its residential character, operators own, lease, or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.
- I. Home occupation subject to the provisions of Chapter 17.67 (Home Occupations);
- J. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- K. Public park and recreation area;
- L. Sewage pump station;
- M. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.

- N. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N);
- O. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4988 §1, 2015; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2006; Ord. 4564 §2, §3, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4499; Ord. 4477 §1, 1990; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.020 Conditional uses. In an R-2 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Cemetery;
- B. Child Care Center, under the following provisions:
 - 1. The facility is not a facility defined in Section 17.15.010(G)(1).
 - 2. Operator must have the appropriate licenses required by state regulations.
- C. Church;
- D. Community building, including library;
- E. Day Care Facility (Adult), under the following provisions
 - 1. The structure is not a residence.
 - 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 3. Operator must have the appropriate licenses required by state regulations.
- F. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time.
- G. Farming and keeping of domestic animals;
- H. Golf course, except driving range and miniature golf course when operated as a business;
- I. Guesthouse ~~or servants' quarters~~ provided the lot is not less than twelve thousand square feet in area;
- J. Home office of a physician or minister;
- K. Public or private school;
- L. Electrical power substation;
- M. Water reservoir;
- N. Windmill, for the generation of electricity or pumping water;
- O. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to provisions of Chapter 17.55 (Wireless Communications Facilities).
- P. Fire Service Substation.
- Q. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4952 §1, 2012; Ord. 4944 §1, 2011; Ord. 4902 §1, 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(b), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.030 Lot size. In an R-2 zone, the lot size shall not be less than seven thousand square feet **except as provided in Section 17.11.070(C), Table 1(C), Townhouses**, of this title (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.040 Yard requirements. In an R-2 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C) Table 1(d), Cottage Clusters.**
- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than seven and one-half feet. ~~except~~ An exterior side yard on the street side of a corner lot shall be not less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.050 Building height. In an R-2 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.060 Density requirements. ***In an R-2 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 7,000 square feet. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.*** ~~In an R-2 zone, the lot area per family shall not be less than seven thousand square feet, except that the lot area for two-family corner lots and common wall, single-family corner lots shall not be less than eight thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~[17.15.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

Chapter 17.18

R-3 TWO-FAMILY MEDIUM-DENSITY 6000 SF LOT RESIDENTIAL ZONE

17.18.010 Permitted uses. In an R-3 zone, the following uses and their accessory uses are permitted:

- A. **Tiny Houses**, Single-family **detached** dwelling;
- B. **Middle Housing**
 - 1. **Plexes: Duplex Dwelling, Triplex Dwelling, Quadplex Dwelling (minimum lot size of seven thousand square feet)**
 - 2. **Cottage Clusters**
 - 3. **Townhouses**Two-family dwelling;
- C. **Single Room Occupancy – Small Housing.** ~~An attached single dwelling having a common wall with one other single-family dwelling, provided:~~

- ~~1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
- ~~2. The two dwellings shall have a common wall at the "zero" lot line.~~
- ~~3. Both lots combined comprise not less than **three thousand** eight thousand square feet in area. There is no minimum lot area for the individual lots created.~~
- ~~4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.~~
- ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.~~
- ~~6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State,~~
- ~~7. Common wall, single-family **dwelling** structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.~~

D. Accessory Dwelling Unit (ADU) subject to the following standards:

- ~~1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
- ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
- ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
- ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
- ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~

- ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
 - ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
 - ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~
 - ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
 - ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
1. The structure is a residential dwelling unit.
 2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- F. Day Care Facility (Adult), under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
- G. Child Care Center, under the following provisions:
1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- H. Residential Home as defined in Chapter 17.06 (Definitions)
- I. Social relief facility, under the following provisions:
1. The structure is maintained in its residential character, operators own, lease or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.

2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.
- J. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
 - K. Mobile home subdivision, provided that the provisions of both the McMinnville Land Division Ordinance and the Mobile Home Development Ordinance are met and that a minimum of ten contiguous lots are developed solely for mobile home occupation;
 - L. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
 - M. Public park and recreation area;
 - N. Sewage pump station;
 - O. Mobile home park, subject to the provisions of the Mobile Home Development Ordinance;
 - P. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
 - Q. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N).
 - R. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4988 §1, 2015; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2003; Ord. 4564 §4(part), §5, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4481 §1, 1991; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4221 §1, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.020 Conditional uses. In an R-3 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Cemetery;
- B. Child Care Center, under the following provisions:
 1. The facility is not a facility defined in Section 17.18.010(G)(1).
 2. Operator must have the appropriate licenses required by state regulations.
- C. Church;
- D. Community building, including library;
- E. Day Care Facility (Adult), under the following provisions
 1. The structure is not a residence.
 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 3. Operator must have the appropriate licenses required by state regulations.
- F. Social relief facility, when the following situations exist:
 1. The structure is not used as a residence by the operators, and/or
 2. Six or more people unrelated to the operator reside at the home at any one time.
- G. Farming and keeping of domestic animals;
- H. Golf course, except driving range and miniature golf course when operated as a business;

- I. Guesthouse ~~or servant quarters~~ provided the lot is not less than twelve thousand square feet in area;
- J. Home office of a physician or minister;
- K. Public or private school;
- L. Electrical power substation;
- M. Water reservoir;
- N. Windmill, for the generation of electricity or pumping water;
- O. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- P. Fire Service Substation.
- Q. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4952 §1, 2012; Ord. 4944 §1(d), 2011; Ord. 4902 §1(d), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(d), 1984; (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.030 Lot size. In an R-3 zone the lot size shall not be less than six thousand square feet **except as provided in Section 17.11.070(C), Table 1(C), Townhouses.** (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.040 Yard requirements. In an R-3 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than seven and one-half feet. An exterior side yard on the street side of a corner lot shall be not less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.050 Building height. In an R-3 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.060 Density requirements. **In an R-3 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 6,000 square feet, whichever is less. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.** ~~In an R-3 zone, the lot area per family shall not be less than four thousand square feet, except that the lot area for common wall, single-family corner lots shall not be less than eight thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~[17.18.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

Chapter 17.21

R-4 MULTIPLE-FAMILY **MEDIUM, HIGH-DENSITY 5000 SF LOT** RESIDENTIAL ZONE

17.21.010 Permitted uses. In an R-4 zone, the following uses and their accessory uses are permitted:

- A. **Tiny Houses**, Single-family **detached** dwelling;
- B. **Middle Housing**
 - 1. **Plexes: Duplex Dwelling; Triplex Dwelling; Quadplex Dwelling (minimum lot size of seven thousand square feet)**
 - 2. **Cottage Clusters**
 - 3. **Townhouses**
Two-Family Dwelling
- C. **Apartments**; Multiple-family dwelling subject to the following:
 - 1. **Developments with five or more units.**
 - 2. The property on which the use will be located has direct access from a major collector or minor arterial street, or a local collector street within 600' of a collector or arterial street; or
 - 3. The property is located within one-half mile of a planned or existing transit route; or
 - 4. The property is within one-quarter mile from a planned or existing neighborhood or commercial shopping area.
- D. Accessory Dwelling Unit (ADU) subject to the following standards:
 - 1. ~~The accessory dwelling unit may be established by:~~
 - a. ~~Conversion of an attic, basement, or garage or any other portion of the primary dwelling;~~
 - b. ~~Adding floor area to the primary dwelling, including a second story;~~
 - c. ~~Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or~~
 - d. ~~Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
 - 2. ~~The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
 - 3. ~~The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
 - 4. ~~The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~

- ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
- ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
- ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
- ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
- ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
- ~~10. ADUs are exempt from the residential density standards of this code.~~
- ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
- ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~

E. Condominium;

F. Residential Home as defined in Chapter 17.06 (Definitions)

G. ***Single Room Occupancy – Small Housing;***

Single Room Occupancy – Large Housing – A single-family dwelling – An attached single dwelling, having a common wall with one or more other single-family dwellings, provided:

- ~~1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
- ~~2. The dwelling shall have a common wall at the “zero” lot line.~~
- ~~3. Each lot shall average comprise not less than one thousand five hundred seven thousand square feet in area, or less.~~
- ~~4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.~~
- ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.~~
- ~~6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
- ~~7. Common wall, single-family dwelling structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty (50) as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.~~

- H. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 - 1. The structure is a residential dwelling unit.
 - 2. The provider resides at the dwelling.
 - 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 - 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 5. Operator must have the appropriate licenses required by state regulations.
- I. Day Care Facility (Adult), under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Twelve or fewer people are present at any one time at the center.
 - 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 4. Operator must have the appropriate licenses required by state regulations.
- J. Child Care Center, under the following provisions:
 - 1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 - 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- K. Residential Home as defined in Chapter 17.06 (Definitions).
- L. Residential Facility as defined in Chapter 17.06 (Definitions).
- M. Social relief facility, under the following provisions:
 - 1. The structure is maintained in its residential character, operators own, lease, or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Five or less people unrelated to the operator, reside at the home at any one time.
 - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.
- N. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
- O. Mobile home subdivision, provided that the provisions of both the McMinnville Subdivision Ordinance and the Mobile Home Development Ordinance are met and that a minimum of ten contiguous lots are developed solely for mobile home occupation;
- P. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- Q. Public park and recreation area;
- R. Sewage pump station;
- S. Mobile home park, subject to the provisions of the Mobile Home Development Ordinance;

- T. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N);
- U. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- V. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord 5098 §1, 2020, Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2003; Ord. 4564 §4(part), 1995; Ord. 4534 §5(part), §7(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4292 §2(e), 1984; Ord. 4221 §2, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.020 Conditional uses. In an R-4 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74.030:

- A. Campus living organization (fraternity, sorority or dormitory);
- B. Cemetery;
- C. Child Care Center, under the following provisions:
 1. The facility is not a facility defined in Section 17.21.010(J)(1).
 2. Operator must have the appropriate licenses required by state regulations.
- D. Church;
- E. Community building, including library;
- F. Day Care Facility (Adult), under the following provisions
 1. The structure is not a residence.
 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 3. Operator must have the appropriate licenses required by state regulations.
- G. Social relief facility, when the following situations exist:
 1. The structure is not used as a residence by the operators, and/or
 2. Six or more people unrelated to the operator reside at the home at any one time.
- H. Farming and keeping of domestic animals;
- I. Golf course, except driving range and miniature golf course when operated as a business;
- J. Home office of a physician or minister;
- K. Hospital and clinic;
- L. Nursing/convalescent home;
- M. A ~~multiple-family~~ dwelling constructed to a higher density than normally allowed in the R-4 ~~Multiple-Family~~ **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met:
 1. That public and private utilities and services would not be overtaxed by the proposed development. Utilities and services include, but are not necessarily limited to, water, sanitary sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.

2. That the transportation network in the immediate area as well as in the adjoining areas is capable of handling the prospective increase in traffic flow.
 3. That off-street parking be provided at the rate of one and one-half parking stalls per unit. A variance to this requirement may be considered by the Planning Commission when the proposed housing structure is limited solely to elderly residents.
 4. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in the zone as a direct result of the proposal using a "share" of that adjacent property's public or private utilities or services.
 5. That the provisions of this section may be utilized only in the core area, defined as that area bounded by First Street, Fifth Street, Adams Street, and Johnson Street.
- N. Public or private school or college;
- O. Electrical power substation;
- P. Water reservoir;
- Q. Windmill, for generation of electricity or pumping water;
- R. Bed and Breakfast establishment, provided:
1. That three or more guest sleeping rooms are provided on a daily or weekly basis for the use of six or more travelers or transients at any one time.
 2. That a minimum of one off-street parking space be provided for the first two guest sleeping rooms with an additional parking space for each additional guest sleeping room. The required off-street guest parking area may be provided within 200 feet from the bed and breakfast establishment.
 3. That signing be limited to only one non-illuminated or indirectly illuminated wooden sign not exceeding six square feet of face area.
 4. That smoke detectors be provided as per the requirements for "lodginghouses" in Ordinance 3997.
- S. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- T. Fire Service Substation. (Ord. 5104 §2, 2021; Ord. 4952 §1, 2012; Ord. 4944 §1(e), 2011; Ord. 4902 §1(e), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §1(f), 1984; Ord. 4221 §3, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.030 Lot size. In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for **attached single dwelling** ~~common wall, single-family~~ lots shall **average one thousand-five hundred square feet in area.** ~~not be less than two thousand five hundred square feet per family.~~ (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.040 Yard requirements. In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- B. A side yard shall not be less than six feet. ~~except~~ An exterior side yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.**
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet. (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.050 Building height. In an R-4 zone, a building shall not exceed sixty feet in height. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.060 Density requirements. In an R-4 zone, **the maximum density for single attached dwelling may not exceed four dwelling units per 5,000 square feet. Density maximum may not apply to any other permitted housing types, including accessory dwelling units.** ~~the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.21.020(M) are utilized.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~[17.21.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

Chapter 17.22

R-5 MULTIPLE-FAMILY **HIGH-DENSITY, MULTIPLE-DWELLING** RESIDENTIAL ZONE

(as adopted per Ordinance 5098, December 8, 2020)

Sections:

- 17.22.005 Purpose.
- 17.22.010 Permitted uses.
- 17.22.020 Conditional uses.
- 17.22.030 Lot size.
- 17.22.040 Yard requirements.
- 17.22.045 Multiple Buildings on One Lot: Separation Between Buildings, Parking Areas, Walks, and Drives
- 17.22.050 Building height.
- 17.22.055 Exterior Elevations

- 17.22.060 Density requirements.
- 17.22.070 Signs.

17.22.005 Purpose. This zone is intended to provide areas for high-density residential dwelling units and other closely related uses in designated Neighborhood Activity Centers, the downtown, and other appropriate locations within the city, consistent with comprehensive plan policies. Residential densities within this zone are typically 14 to 26 dwelling units per acre.

17.22.010 Permitted uses. In an R-5 zone, the following uses and their accessory uses are permitted:

- A. **Apartments;** ~~Multiple-family dwelling;~~
- B. Condominium;
- C. Boardinghouse, lodging house, or rooming house;
- D. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 - 1. The structure is a residential dwelling unit.
 - 2. The provider resides at the dwelling.
 - 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 - 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 5. Operator must have the appropriate licenses required by state regulations.
- E. Child Care Center, under the following provisions:
 - 1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 - 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- F. Social relief facility, under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Five or fewer people unrelated to the operator, reside at the home at any one time.
 - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC) as amended, are met.
- G. Home occupation, subject to the provisions of Chapter 17.67;
- H. Public park and recreation area;
- I. Sewage pump station;
- J. Satellite dish provided such dish is screened from abutting or facing residential properties by a sight-obscuring fence, wall, or planting. (Ord. 5104 §2, 2021)

17.22.020 Conditional uses. In an R-5 zone, the following uses and their accessory uses may be permitted, subject to the provisions of Chapters 17.72 and 17.74:

- A. Campus living organization (fraternity, sorority, or dormitory);

- B. Cemetery;
- C. Church;
- D. Community building, including library;
- E. Child Care Center, under the following provisions:
 1. The facility is not a facility defined in Section 17.22.010(E)(1).
 2. Operator must have the appropriate licenses required by state regulations.
- F. Day care facility, when the following situations exist:
 1. The structure is not used as a residence by the operators; and/or
 2. Thirteen or more children are present at any one time;
 3. That a certificate of approval be obtained for facilities with 7 or more children as required by ORS 418.810.
- G. Nursing/convalescent home;
- H. A multiple-family **dwelling** development constructed to a higher density than normally allowed in the R-5 multiple-family **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met.
 1. These provisions only apply in the downtown core area, bounded by First Street, Fifth Street, Adams Street, and Johnson Street;
 2. That public and private utilities and service would not be overtaxed by the proposed development. Utilities and service include, but are not necessarily limited to, water, sanitary sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
 3. That the transportation impact analysis study demonstrates the road network is capable of handling the prospective increase in traffic flow, or mitigating traffic impacts to a level that does not degrade network performance below minimum acceptable levels.
 4. That off-street parking be provided at the rate of one parking stalls per unit. The Planning Commission may consider a variance to this requirement when the proposed housing structure is limited solely to elderly residents.
 5. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in their base zone as a direct result of the proposal.
- I. Public or private school or college;
- J. Electrical power substation;
- K. Water reservoir;
- L. Windmill, for generation of electricity or pumping water;
- M. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55. [As amended by Ordinance 4732]. (Ord. 5104 §2, 2021)

17.22.030 Lot size. In an R-5 zone, the lot size shall not be less than five thousand square feet.

17.22.040 Yard requirements. In an R-5 zone, each lot shall have yards of the following sizes unless otherwise provided in Section 17.54.090:

- A. A front yard shall not be less than fifteen feet
- B. A side yard shall not be less than six feet. An exterior side yard shall not be less than fifteen feet.
- C. A rear yard shall not be less than twenty feet.
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.

17.22.045 Multiple Buildings on One Lot: Separation Between Buildings, Parking Areas, Walks, and Drives. To provide privacy, light, air, and access to the dwellings within the development, the following minimum standards shall apply:

- A. Buildings with windowed walls facing buildings with windowed walls shall maintain a 25-foot minimum separation.
- B. Buildings with windowed walls facing buildings with blank wall shall be placed a minimum of 15 feet apart.
- C. Buildings with opposing blank walls shall have a minimum 10-foot separation.
- D. Building separation shall also apply to building projections such as balconies, bay windows, and room projections.
- E. Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be increased. The rate of increased wall separation shall be one foot for each 15 feet of building length over 60 feet and 2 feet for each 10 feet of building over 30 feet.
- F. Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within 8 feet of the ground level.
 - 1. Driveways and parking lots shall be separated from windowed walls by at least 8 feet; walkways shall be separated by at least 5 feet.
 - 2. Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways shall be separated by at least 7 feet.
 - 3. Driveways and uncovered parking spaces shall be separated from doorways by at least 5 feet.

17.22.050 Building height. In an R-5 zone, a building shall not exceed sixty feet in height.

~~17.22.055 Exterior Elevations. The exterior elevations of buildings shall incorporate design features such as offsets, balconies, projections, or similar elements to preclude large expanses of uninterrupted building surfaces. In the event of a question of interpretation or application, the Director may refer the proposal to the Planning Commission.~~

17.22.060 Density requirements. In an R-5 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.22.020(I) are utilized.

17.22.070 Signs. In an R-5 zone, the following types of signs are permitted:

- A. A sign not to exceed six square feet in area identifying the owner or occupant of the property on which it is located. Such sign may be indirectly illuminated;
- B. A nonilluminated, temporary sign not to exceed six square feet in area concerning the lease, rental, or sale of a property;
- C. A nonilluminated sign not to exceed forty-eight square feet in area identifying a subdivision at the location of the sign;
- D. Signs may be located in a required front yard or a required side yard adjacent to a street but shall not be located in or extend over a street or public right-of-way;
- E. Political campaign signs are permitted as follows;
 - 1. Campaign signs shall not be erected earlier than six weeks prior to an election for which they were made.
 - 2. Permitted signs shall not exceed six square feet in area.
 - 3. Such signs shall be confined within private property and removed within fourteen days after the election for which they were made.
 - 4. Prior to the erection of any political campaign sign, the political treasurer on behalf of the candidate or issue shall post a bond in the form approved by the City Attorney and filed with the Planning Director in the amount of fifty dollars (\$50.00) guaranteeing removal of such signs within fourteen days after the election for which they are used.
 - 5. The City shall remove signs posted in the public right-of-way and those signs not removed from private property fourteen days following the election. The costs of removal shall be deducted from the bond posted; the bond or remaining portion thereof shall be refunded upon compliance with this section.
- F. A nonilluminated or indirectly illuminated sign not to exceed twenty-four square feet identifying a "model home," subject to the procedures outlined in Section 17.54.100.
- G. A non-illuminated free-standing sign not to exceed 15 feet in height, and 36 square feet in area may be permitted to identify a public school at the location of the sign. In lieu of such signage, a non-illuminated wall mounted sign not to exceed 48 square feet in area, or a non-illuminated or indirectly illuminated monument sign not to exceed six feet in height, and 48 square feet in area, is permitted. A reader board may be integral to the sign. Such signs shall be located in compliance with the setbacks applicable to the residential zone in which they are located.

Chapter 17.24

O-R OFFICE/RESIDENTIAL ZONE

17.24.010 Purpose. The purpose and intent of this zone is at least two-fold. One, it may be used to provide a transition and buffer area between commercially zoned

and residentially zoned areas; and two, it is intended to provide an incentive for the preservation of old and historical structures. It may also serve as a buffer zone along major arterials between the roadway and the interior residential areas. Therefore, the requirements set forth herein should be interpreted in relationship to the protection of abutting residential areas. Implementation and interpretation should take into consideration those factors conducive to a healthy place to live, and improvements should be in scale and relationship to surrounding property uses. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.020 Permitted buildings and uses. In an office/residential district, the following types of buildings and uses and their accessory uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- A. Subject to the requirements of the R-4 zone, the following residential uses and their accessory uses are permitted:
 1. **Tiny Houses**
 2. Single-family **detached** dwelling.
 3. **Townhouses** ~~Common wall, single-family dwelling.~~
 4. ~~Two-family dwelling (duplex).~~ **Plexes: Duplex Building; Triplex Building; Quadplex Building**
 5. **Apartments**; Multiple-family dwelling.
 6. Condominium.
 7. Boarding, lodging or rooming house;
 8. **Cottage Clusters**
 9. **Single Room Occupancy – Small Housing**
 10. **Single Room Occupancy – Large Housing**
- B. Antique/art galleries and associated sales;
- C. Barbershop;
- D. Beauty shop;
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 1. The structure is a residential dwelling unit.
 2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- F. Clinic;
- G. Day Care Facility (Adult), under the following provisions:
 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.

4. Operator must have the appropriate licenses required by state regulations.
- H. Child Care Center, under the following provisions:
1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- I. Social relief facility, under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural and Fire Life Safety Code (UBC) as amended.
- I. Home occupations;
- J. Library or museum;
- K. Offices: all professional, administrative and business offices, provided that retail sales are not allowed except for those sales incidental to the principal occupation conducted therein;
- L. Public and semi-public buildings essential to the physical and economic welfare of the area, such as fire stations, substations, and pump stations, provided that no stockpiling or storage of materials shall be allowed;
- M. Public and private parking lots;
- N. Dressmaking or Tailor shop;
- O. Studios for the following:
1. Artists.
 2. Interior decorator.
 3. Photographer;
- P. Secretarial service;
- Q. Telephone answering service;
- R. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N), except that subsection 17.12.010(N)(2) shall not apply.
- S. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- T. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55.
- U. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 4984 §1, 2014; Ord. 4732, 2000; Ord. 4534 §5(part), §7(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4292 §1(g), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.030 Conditional uses permitted. In an office/residential zone, the following uses and their accessory uses are permitted subject to the provisions of Chapter 17.72:

- A. Child Care Center, under the following provisions:

1. The facility is not a facility defined in Section 17.24.010(H)(1).
 2. Operator must have the appropriate licenses required by state regulations.
- B. Church;
- C. Day Care Facility (Adult), under the following provisions
1. The structure is not a residence.
 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 3. Operator must have the appropriate licenses required by state regulations.
- D. Social relief facility, when the following situations exist:
1. The structure is not used as a residence by the operators, and/or
 2. Six or more people unrelated to the operator reside at the home at any one time.
- E. Nursing/convalescent home;
- F. Windmill, for generation of electricity or pumping water;
- G. Bed and breakfast establishments, subject to the provisions of Section 17.21.020(Q). (Ord. 5104 §2, 2021; Ord. 4902 §1(f), 2008; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(h), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.040 Limitations on uses. The following conditions and limitations shall apply to all uses locating in the office/residential zone:

- A. Where a property in the office/residential zone abuts a property in a residential zone, a six-foot fence of a sight-obscuring material shall be placed along the affected property line. The fence shall be of such material and design so as not to detract from adjacent residences and shall be free of advertising. Responsibility for placement of the fence falls with the office/residential property when being changed from a residential use;
- B. Where a property in an office/residential zone abuts another property in an office/residential zone which is in residential use, a sight-obscuring fence or wall, whether permanent or of living material, shall be placed along the affected property line. The responsibility for placement of the fence or wall falls with the property requesting development approval;
- C. All parking areas and approach aisles shall be surfaced with asphaltic cement concrete or Portland cement concrete. Driving aisles, maneuvering aisles, and required parking spaces shall be clearly marked;
- D. No use of any structure in the office/residential zone shall normally occur between the hours of 8 p.m. to 7 a.m., save and except the residential uses permitted;
- E. No use creating a noise, vibration, odor, or other similar nuisances prohibited by City ordinances shall be permitted;
- F. A minimum of seven percent of the site shall be placed in landscaping. Landscape plans must be approved by the Landscape Review Committee prior to any building permits or occupancy permits being issued. This condition applies to all uses regardless of whether or not the outside dimensions of the structure are being changed, save and except this condition

does not apply to single-family ~~detached or attached~~, common wall single-family, or duplex residential uses;

- G. All outside lighting shall be directed away from residential zones and from residential uses in the office/residential zone;
- H. All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
 - 1. Off-street parking or loading.
 - 2. Temporary display and sales of merchandise, provided it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation.
- I. Items produced or wares and merchandise handled shall be limited to those sold at retail on the premises, except that home occupations are exempt from this limitation;
- J. Access points to and from the property must be approved by the City Engineer and the Planning Director;
- K. A plan showing the locations of all existing and proposed buildings and structures, parking areas and access points, lighting, signs, landscaping, and other such data as may have a bearing on the adjacent properties must be submitted to and approved by the Planning Director prior to issuance of any building permits and prior to any new use occupying an existing structure. The Planning Director shall approve said plan upon finding that all conditions and limitations of this title are met. Construction shall be in conformance with the approved plan. The Planning Director's decision may be appealed to the Planning Commission. Residential uses are exempt from this requirement. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[17.24.050 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]

17.24.060 Yard requirements. For new structures and additions in an office/residential zone, yards shall be maintained as follows (these setbacks shall apply only to new construction):

- A. There shall be a front yard of not less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- B. Side yards shall be not less than seven and one-half feet when adjacent to a residential zone; when adjacent to an office/residential zone, no side yard shall be required. ~~except that~~ Residential uses are subject to the side yard setback requirements of the R-4 zone, **except as provided in Section 17.11.030(C), Table 1(e), Cottage Clusters;**
- C. Exterior side yards shall be a minimum of fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- D. There shall be a rear yard of ~~not~~ **no** less than twenty feet when adjacent to a residential zone; when adjacent to a commercial zone or other property in this zone, then no rear yard setback shall be required. ~~except that~~ Residential uses are subject to the rear yard setback requirements of the R-4 zone, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters..** (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.070 Height of buildings. In an office/residential zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.080 Parking requirements. Parking shall be provided in accordance with Chapter **17.11 (housing) and** 17.60 of this ordinance. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.090 Parking variances.

- A. Variance to the parking requirements of Chapter 17.60 (Off-Street Parking and Loading) of this ordinance may be granted in the circumstance where an existing structure is being converted to a different use or occupancy subject to the following limitations:
1. At no time may a variance be granted for more than fifty percent of the required parking spaces.
 2. New structures may not be granted variances under this section.
 3. Variances approved under this section are not transferable and are valid only for the specific occupancy or use for which they are granted. Any new use desiring to locate in a structure or on property for which a variance has been granted regardless if such new use is in the same land use category as was the old use must either provide the required parking or receive variance approval.
- B. In entertaining a variance request, the Planning Commission may consider the following factors:
1. Is the variance necessary to preserve an existing structure and/or existing landscaping?
 2. Would the granting of a variance have an adverse impact on neighboring properties?
 3. Would the granting of the variance result in extensive street parking?
 4. Is there available public parking nearby?
 5. What is the expected traffic generation of the proposed use? Is it less than the required parking would indicate? (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.33

C-3 GENERAL COMMERCIAL ZONE

17.33.010 Permitted uses. In a C-3 zone, the following uses and their accessory uses are permitted:

1. All uses and conditional uses permitted in the C-1 and C-2 zones, except those listed in Section 17.33.020;
2. Existing lawfully established single-family **detached** dwellings built and occupied prior to November 25, 2021.
 - a. Lots for these uses will be limited to their current sizes and cannot be expanded.
 - b. If the single-family **detached** dwelling is not occupied for more than a year as a residential use, it is no longer considered a permitted use.

- c. Short-term rentals and resident-occupied short-term rentals will be considered a continued residential use for this code provision.
- 3. Existing lawfully established two-family **unit** dwellings built and occupied prior to November 25, 2021;
 - a. Lots for these uses will be limited to their current sizes and cannot be expanded.
 - b. If the two-family **unit** dwelling is not occupied for more than a year as a two-family **unit** dwelling, it is no longer considered a permitted use.
- 4. A new or existing lawfully established accessory dwelling unit which is accessory to, and on the same lot as, an existing lawfully established single-family dwelling built and occupied prior to November 25, 2021, subject to the following standards:
 - a. The accessory dwelling unit may be established by:
 - 1. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - 2. Adding floor area to the primary dwelling, including a second story; or
 - 3. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling.

The existing lawfully-established single-family dwelling shall remain designated as the primary dwelling.

- b. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.
- c. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.
- d. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.
- e. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.
- f. Not more than one accessory dwelling unit shall be allowed per lot or parcel.
- g. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.
- h. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.
- i. ADUs are exempt from the residential density standards of this code.
- j. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on same site.

- k. That a legally non-conforming accessory structure which is accessory to an existing lawfully established single-family dwelling may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).
- 5. Condominiums subject to the provisions of the R-4 zone, except that within the City Center Housing Overlay Zone designated in Chapter 17.66, density limitations of the R-4 zone shall not apply, and any special development standards of the Overlay Zone shall supersede those of the R-4 zone.;
- 6. **Apartments**, Multiple-family dwelling subject to the provisions of the R-4 zone, except that within the City Center Housing Overlay Zone designated in Chapter 17.66, density limitations of the R-4 zone shall not apply, and any special development standards of the Overlay Zone shall supersede those of the R-4 zone.;
- 7. Upper-story residential;
- 8. **Single-Room Occupancy – Large Housing**

[...]

17.33.020 Conditional uses. In a C-3 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators, and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time.
- B. Public or private school;
- C. Public transportation passenger terminal;
- D. *Outside of the City Center Housing Overlay Zone*, a multiple-family dwelling or condominium constructed to a higher density than normally allowed in the R-4 multiple-family **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met:
 - 1. That public and private utilities and services would not be overtaxed by the proposed development. Utilities and service include, but are not necessarily limited to, water, sanitary sewer, storm sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
 - 2. That the transportation network in the immediate area, as well as in the adjoining areas, is capable of handling the prospective increase in traffic flow.
 - 3. That off-street parking be provided at the rate of one and one-half parking stalls per unit. A variance to this requirement may be considered by the Planning Commission when the proposed housing structure is limited solely to elderly residents.
 - 4. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in the zone as a direct result of

the proposal using a “share” of that adjacent property’s public or private utilities or services.

5. That the provisions of this section may be utilized only in the core area, defined as that area bounded by First Street, Fifth Street, Adams Street and Johnson Street;
- E. Cable television ground receiving station;
- F. Utility transmission station;
- G. Water reservoir;
- H. Windmill, for generation of electricity or pumping water. (Ord. 5105 §2, 2021; Ord. 5104 §2, 2021; Ord. 4479A §4(part), 1991; Ord. 4279 §1(D), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.030 Yard requirements. Except as provided in Section 17.54.050, and “A” and “B” below, there shall be no required yards in a C-3 zone:

- A. Side yard shall not be less than twenty feet when adjacent to a residential zone;
- B. Rear yard shall not be less than twenty feet when adjacent to a residential zone. (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.040 Building height. In a C-3 zone, buildings shall not exceed a height of eighty feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.050 Use limitations. In a C-3 zone, outside storage abutting or facing a residential zone shall be enclosed by a sight obscuring fence. The fence shall obstruct the storage from view on the sides of the property abutting or facing a residential zone. The fence shall be of such material and design as will not detract from adjacent residences, shall be free of advertising, and shall be constructed according to plans submitted by the owner or authorized agent and approved by the Planning Director. Outside storage in a required yard shall not exceed ten feet in height. (Ord. 4477 §3, 1990).

Chapter 17.45

AH AGRICULTURAL HOLDING ZONE

17.45.010 Purpose. The purpose and intent of the agricultural holding zone is to provide for the continued practice of agriculture in areas where municipal sewer and water service exists or where an adopted city policy affecting the expansion of such services exists.

Further, uses allowed in this zone are to be consistent with proposals and policies contained in an adopted comprehensive plan for the city. The AH zone does not provide for an automatic farm use valuation for farms under the provisions of Oregon Revised Statutes, Chapter 308. However, the use of this zone shall not be construed as restricting

in any manner the granting of deferments under the provisions of Oregon Revised Statutes, Section 308.375. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.020 Interpretation. Where the conditions imposed by any provision of this chapter are less restrictive than comparable conditions imposed by any other provisions of this chapter or of any other ordinance, resolution, or regulation, the provisions which are more restrictive shall govern. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.030 Permitted uses. In the AH zone, the following uses and their accessory uses are permitted:

- A. Farming (definition as per ORS 215.203(a), (b), and (c), exempting a commercial feed lot operation of any kind);
- B. Single-family **detached** dwelling when comprehensive plan map designation is "residential";
- C. Sewage pump station. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.040 Conditional uses. In the AH zone, the following uses and their accessory uses may be permitted, subject to the provisions of Chapters 17.72 and 17.74:

- A. Public service or public utility buildings and structures, with no interior storage of any kind and no garages for the repair and/or maintenance of equipment;
- B. Park, golf course and other open-land recreational uses, but excluding commercial amusement uses such as golf driving range, race track or amusement park or other similar uses;
- C. Public safety facility;
- D. Home occupation;
- E. Electrical power substation;
- F. Water reservoir;
- G. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities). (Ord. 4732, 2000; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.050 Lot size. In an AH zone, a lot that is less than ten acres may not be created. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.060 Yard requirements. In an AH zone, the minimum yard requirements shall be as follows:

- A. Front yards shall be a minimum of thirty feet, except as otherwise required by planned development provisions;
- B. Side yards:
 - 1. Single-family **detached** dwellings, ten feet,
 - 2. Public utility structures, five feet,
 - 3. Barns, fifty feet; all other structures, twenty-five feet;
- C. Rear yards:
 - E. Single-family **detached** dwellings, twenty feet,
 - F. Public utility structures, five feet,
 - G. Barns, fifty feet; all other structures, twenty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.070 Building height. Building height in an AH zone shall be as follows:

- A. Twenty-five percent of lot depth or sixty feet maximum;
- B. Single--family ***detached*** dwellings, thirty-five feet maximum. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[17.45.080 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]

Chapter 17.53

LAND DIVISION STANDARDS (as adopted Ord. 4905, Jan. 27, 2009)

[...]

Subdivision

17.53.070 Submission of Tentative Subdivision Plan. An application to subdivide land shall be submitted in accordance with the application submittal procedures as stated in Sections 17.72.020 through 17.72.070 and shall be reviewed and approved under the following procedure: A subdivider shall prepare a tentative plan together with improvement plans and other supplementary material required to indicate his general program and objectives, and shall submit 25 (twenty-five) copies of the tentative plan and supplementary data to the Planning Director's office. The tentative plan need not be a finished drawing, but shall show pertinent information to scale in order that the review body may properly review the proposed development. Additionally, condominiums shall be processed under the provisions of ORS 100. All subdivision developments shall comply with the requirements of the Oregon Fire Code.

- A. Scale. The tentative plan shall be drawn on a sheet 18 (eighteen) by 24 (twenty-four) inches in size at a scale of one inch equals 50 (fifty) feet, or a reasonable engineer's scale for the sheet size. A smaller sheet size may be used provided that all required information is legible and is approved for use by the Planning Department.
- B. General Information. The following general information shall be shown on the tentative plan:
 1. Proposed name of subdivision. No plan of a subdivision shall be approved which bears a name which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the same county, except for the words "town," "city," "place," "court," "addition," or similar words, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the contiguous subdivision plat of the same name last filed; Date, north arrow, and scale of drawing;
 2. Appropriate identification clearly stating the plan is a tentative plan;
 3. Location of the subdivision sufficient to define the location and boundaries of the proposed tract;

4. Names and addresses of the owner(s), subdivider, engineer, and surveyor;
 5. In the event the subdivider plans to utilize the provisions of ORS 92.060 as pertains to "Delayed Monumentation," he shall notify the County Surveyor and Planning Commission and report said fact on the tentative plan;
 6. A subdivision guarantee report issued by a title insurance company in the name of the owner(s) of the land, showing all parties whose consent is necessary and their interest in the premises and all encumbrances, covenants, and other restrictions pertaining to the subject property.
- C. Existing Conditions. The following existing conditions shall be shown on the tentative plan:
1. The location, widths, and names of both opened and unopened streets within or adjacent to the tract, together with easements and other important features, such as section lines, city boundary lines, and monuments;
 2. The direction of slope by means of arrows or other suitable symbol;
 3. The location of at least one temporary bench mark, on established City datum, within 200 feet of the plat boundaries;
 4. The location and direction of water courses, and the location of areas subject to flooding on a probability frequency one (1) percent or greater;
 5. Natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees. Areas noted in the Comprehensive Plan, Volume I Background Element, Chapter VII, The Parks and Recreation and Open Space Master Plan (1999), as potential open space lands should be identified;
 6. Existing uses of the property, including location of existing structures to remain on the property after platting.
- D. Proposed Plan of Subdivision. The following information shall be included on the tentative plan:
1. The location, width, names, approximate grades, and radii of curves of streets. The relationship of streets to any existing streets and to any projected streets as shown on the McMinnville Comprehensive Plan Map 1980, as amended, or as identified in the McMinnville Comprehensive Plan text and Transportation System Plan, or as may be suggested by the Planning Commission in order to assure adequate traffic circulation;
 2. The location, width, and purpose of easements;
 3. The location and approximate dimensions of lots and the proposed lot and block numbers;
 4. Sites, if any, allocated for purposes other than single-family **detached** dwellings, such as multiple-family dwellings, parkland, open space common areas, etc.
 5. Access. As required by the Oregon Fire Code, a minimum of two access points is required when more than 30 (thirty) ~~one-family or two-family~~ **detached** dwellings or one-hundred multi-family **dwelling** units are being served.

- E. Partial Development. If the tentative subdivision plan pertains to only part of the tract owned or controlled by the subdivider, the requirements of Section 17.53.090 (future development plan) shall apply.
- F. Explanatory Information with Tentative Subdivision Plan. The following information shall be required by the Planning Commission or staff and if it cannot be shown practicably on the tentative plan, it shall be submitted in separate statements accompanying the tentative plan:
 - 1. A vicinity plan, showing existing subdivisions and unsubdivided land ownerships adjacent to the proposed subdivision, and showing how proposed streets and utilities may be extended to connect to existing streets and utilities;
 - 2. Proposed deed restrictions, if any, in outline form;
 - 3. The location of existing sewers, water mains, culverts, drain pipes, and electric lines and elevations of sewers at points of probable connections within the subdivision and in the adjoining streets and property;
 - 4. Special studies of areas which appear to be hazardous due to local conditions such as inundation or slippage;
 - 5. Contour lines related to an established bench mark on city datum and having minimum intervals as follows:
 - a. For slopes of less than five (5) percent: show the direction of slope by means of arrows or other suitable symbol together with not less than four (4) spot elevations per acre, evenly distributed;
 - b. For slopes of five (5) percent to 15 (fifteen) percent: two (2) feet;
 - c. For slopes of 15 (fifteen) percent to 20 (twenty) percent: five (5) feet;
 - d. For slopes of over 20 (twenty) percent: 20 (twenty) feet.
- G. Supplemental Plans with Tentative Subdivision Plans. Any of the following plans may be required by the Planning Commission or staff to supplement the plan of subdivision:
 - 1. Approximate center line and right-of-way profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of the streets and the nature and extent of street construction. Where any cut or fill will exceed three (3) feet in depth, a cross section of the road shall also be submitted.
 - 2. Proposals for storm water drainage and flood control, including profiles of proposed drainage ways.
 - 3. If lot areas are to be graded, a plan showing the nature of cuts and fills exceeding five (5) feet, and information on the character of the soil. (Ord. 4920, §4, 2010)

[...]

17.53.075 Submission of Final Subdivision Plat. Within 12 (twelve) months after approval of the tentative plan, the subdivider shall prepare a final plat in conformance with the tentative plan as approved. The subdivider shall submit the original drawing and two exact copies and any supplementary information to the City Engineer. 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 tentative plan to the Planning Commission and make any revisions considered necessary to meet changed conditions.

A. Information on Final Plat. In addition to that specified by ORS 92.050 and ORS 209.250, the following information shall be shown on the final plat and/or complied with:

1. The date, scale, north point, legend, controlling topography, such as bluffs, creeks, and other bodies of water, and existing cultural features, such as highways and railroads;
2. Legal description of the tract boundaries;
3. Name of the owner, subdivider, and surveyor;
4. Reference points of existing surveys identified, related to the plat by distances and bearings, and referenced to a field book or map as follows:
 - a. Stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the subdivision;
 - b. Adjoining lot corners of adjoining subdivisions;
 - c. Oregon Coordinate System
 - d. Error of closure throughout the subdivision shall not exceed one foot in 10,000 feet;
 - e. Measurement error shall not exceed one tenth of a foot between monuments, or one ten-thousandth of the distance shown on the subdivision plat, whichever is greater.
 - f. Other monuments found or established in making the survey of the subdivision or required to be installed by provisions of this ordinance.
5. The exact location, deflection angle, and width of streets and easements intercepting the boundary of the tract. The width of the portion of streets being dedicated and the width of existing right-of-way. For streets on curvature, curve data shall be based on the street center line. In addition to showing bearings in degrees, minutes, and seconds of a degree and distances in feet and hundredths of a foot, the following curve information shall be shown on the subdivision either on the face of the map or in a separate table:
 - a. Arc length;
 - b. Chord length;
 - c. Chord bearing;
 - d. Radius; and
 - e. Central angle.
6. Tract, block, and lot boundary lines and street rights-of-way and center lines, with dimensions, bearing and deflection angles, radii, arcs, points of curvature, and tangent bearings. Flood plain and normal high water lines for any creek or other body of water. Tract boundaries and street bearings shall be shown to the nearest 30 (thirty) seconds with basis of bearings. Distances shall be shown to the nearest 0.01 feet. No ditto marks shall be used;
7. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement of record is not definitely located, a statement of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the

easement with respect to the subdivision shall be shown. If the easement is being dedicated by the plat, it shall be properly referenced in the owner's certificates of dedication;

8. Lot numbers beginning with the number "1" and numbered consecutively;
9. Area of each lot shall be shown on the face of the plat, with acreage calculated to 1/100 acre or square footage to nearest square foot, when area is less than one acre;
10. Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale;
11. The following declarations which may be combined where appropriate;
 - a. A declaration signed and acknowledged by all parties having any recorded title or interest in the land, consenting to the preparation and recording of the plat;
 - b. A declaration signed and acknowledged as above, dedicating all parcels of land shown on the final map intended for public use except those parcels which are intended for the exclusive use of the lot owners in the subdivision, their licenses, visitors, **and** tenants, ~~and servants~~;
 - c. A declaration with the seal of the surveyor responsible for the survey and final map;
 - d. Other declarations, deed restrictions, or covenants as now or hereafter may be required by law.
12. A statement of water right, if appropriate, and, if a water right is appurtenant, a copy of the acknowledgment from the Water Resources Department must be attached before the County recording officer may accept the plat of the subdivision for recording (ORS 92.120).

[...]

Approval of Streets and Ways

17.53.100 Creation of Streets.

- A. The creation of streets shall be in conformance with requirements for a subdivision except, however, the City Council shall recommend the creation of a street to be established by deed if any of the following conditions exist:
 1. The establishment of the street is initiated by the City Council and is declared essential for the purpose of general traffic circulation, and the partitioning of land is an incidental effect rather than the primary objective of the street;
 2. The tract in which the street is to be dedicated is an isolated ownership of one acre or less;
 3. The tract in which the street is to be dedicated is an isolated ownership of such size and condition as to make it impractical to develop more than three (3) lots.

- B. In those cases where approval of a street is to be established by deed, a copy of the proposed deed shall be submitted to the City Engineer at least 15 (fifteen) days prior to the Planning Commission meeting at which consideration is desired. The deed and such information as may be submitted shall be reviewed by the Planning Commission and, if not in conflict with the standards of Sections 17.53.060 to 17.53.079 and Section 17.53.101 of these regulations, shall be recommended for approval with such conditions as are necessary to preserve these standards.
- C. An easement providing access to property and which is created to allow the partitioning of land for the purpose of lease, transfer of ownership, or building development, whether immediate or future, shall be in the form of a street in a subdivision, except that a private easement to be established by deed without full compliance with these regulations may be approved by the Planning Director under the following conditions:
 - 1. If it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration that is large enough to warrant partitioning into two more new parcels, i.e., a total of not more than three (3) parcels including the original may then exist, that may be provided with access and said access shall be not less than 15 (fifteen) feet in width and shall have a hard surfaced drive of 10 (ten) feet width minimum;
 - 2. The Planning Director shall require the applicant to provide for the improvement and maintenance of said access way, and to file an easement for said access way which includes the right to passage and the installation of utilities. Such requirements shall be submitted to and approved by the City Attorney.
 - 3. Access easements shall be the preferred form of providing access to the rear lots created by partition if the alternative is the creation of a flag lot.
- D. A private way/drive which is created to allow the subdivision of land shall be in the form of common ownership, provide on-street parking or parking bays to replace that displaced by limited parking area, be approved by the Planning Commission in the form of a planned development, and meet the following conditions:
 - 1. If it is the only reasonable method by which the rear portion of the existing parcel can be provided with access; or because of unusual topography, vegetative cover (preservable trees), lot size, or shape, it is the most feasible way to develop the parcel.
 - 2. The Planning Commission shall require the subdivider to provide the improvements to standards as set forth in Section 17.53.101(P) and maintenance of said private way/drive; to establish binding conditions upon each parcel taking access over said private way/drive, not limited to only the required maintenance, but to include adherence to the limited parking restrictions imposed by the individual planned development ordinance; and to provide necessary easements for the installation, operation, and maintenance of public utilities.
 - 3. Provisions must be made to assure that the private streets will be properly maintained over time and that new purchasers of homes or lots within the subdivision are notified, prior to purchase, that the street is

private and that maintenance fees may be charged. Such provisions must meet with the approval of the Planning Commission.

4. Street sign posts on private streets must contain a sign stating that the street is private. The design and location of such signs must be approved by the City Engineer.
5. Gates are prohibited within or across public rights-of-way. Gates are prohibited across private streets that serve single-family **detached** residential development of four or more lots or parcels, multi-family **dwelling** housing complexes, manufactured home parks, or commercial or industrial subdivisions (Amended 8/14/07 by Ordinance No. 4879).

17.53.101 Streets.

A. General. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. Where location is not shown in a comprehensive plan, the arrangement of streets in a subdivision shall:

1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical; or
3. Maximize potential for unobstructed solar access to all lots or parcels. Streets providing direct access to abutting lots shall be laid out to run in a generally east-west direction to the maximum extent feasible, within the limitations of existing topography, the configuration of the site, predesigned future street locations, existing street patterns of adjacent development, and the preservation of significant natural features. The east-west orientation of streets shall be integrated into the design.

[...]

U. Gates. Gates are prohibited within or across public rights-of-way. Gates are also prohibited across private streets that serve single-family **detached** residential development of four or more lots or parcels, multi-family **dwelling** housing complexes, manufactured home parks, or commercial or industrial subdivisions. The City may permit gates of limited duration for the purpose of facilitating public events, construction of public infrastructure, or other similar activities having a public interest or benefit at the discretion of the City Manager. (Ord. 5023, §2, 2017; Ord. 4922, §4B, 2010; Amended 8/14/07 by Ordinance No. 4879.)

[...]

17.53.105 Lots.

- A. Size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. All lots in a subdivision shall be buildable.
 - 1. Lot size shall conform to the zoning requirement of the area. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use contemplated. The depth of lot shall not ordinarily exceed two times the average width.
- B. Access. Each lot shall abut upon a street other than an alley for a width of at least 25 (twenty-five) feet or shall abut an access easement which in turn abuts a street for at least 15 (fifteen) feet if approved and created under the provisions of 17.53.100(C). Direct access onto a major collector or arterial street designated on the McMinnville Comprehensive Plan Map shall be avoided for all lots subdivided for single-family **detached**, common wall, or duplex residential use, unless no other access point is practical.
- C. Through lots. Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 (ten) feet wide, and across which there shall be no right of access, may be required along the line of lots abutting such a traffic artery or other incompatible use.
- D. Lot side lines. The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.
- E. Flag lots. The creation of flag lots shall be discouraged and allowed only when it is the only reasonable method of providing access to the rear of a lot which is large enough to warrant partitioning or subdividing.

[...]

Chapter 17.54

GENERAL REGULATIONS

(as amended Ord. 4912, March 24, 2009)

[...]

17.54.140 Keeping of Animals in a Residential Zone. It is not permissible to keep exotic, dangerous or wild animals as domestic pets. This includes any mammal, fowl, fish or any other species not commonly considered as pets or commonly raised for food or agricultural purposes which would be a possible threat to the life or health of humans as determined by the Yamhill County Animal Control Officer and the Planning Director. The slaughtering of animals is not permissible in residential zones.

- A. The keeping of the following animals is permitted in residential zones:
 - 1. Domestic dogs.
 - 2. Domestic cats.
 - 3. Gerbils, hamsters, rats or similar rodents kept in cages.

4. Non carnivorous fish kept in tanks and ponds.
 5. Non venomous reptiles.
 6. Domestic rabbits, consistent with the requirements of Section 17.54.140(B)(3). (Rabbits kept for commercial purposes or for food production are prohibited.)
 7. Vietnamese pot bellied pigs (one per residence).
 8. Domestic fowl or birds for non-commercial purposes excluding roosters and peacocks, consistent with the requirements of Section 17.54.140(B)(3).
 9. Livestock, consistent with the requirements of Section 17.54.140(B)(2)
- B. The following conditions shall apply in a zone when animals are permitted:
1. A dog kennel or dog facility exists when four (4) or more dogs of licensable age (six months or older) are kept for commercial reasons such as breeding, buying, selling or boarding. Such facilities are prohibited in a residential zone.
 2. In addition to the minimum lot area ~~per family~~ requirement for the zone, a minimum area of one-half acre of land (exclusive of buildings) shall be provided for accommodation of the animals listed in Subsections (a) and (b) below. The following animals are permitted in residential zones and shall not exceed the following density requirements:
 - a. One horse or one cow over six months of age for each additional half acre (21,780 square feet) over the minimum lot size.
 - b. Two sheep or two goats (or similar size livestock) over six months of age per each additional half acre over the minimum lot size.
 3. A minimum of 5,000 square feet of lot area is required to maintain up to two (2) fowl (excluding roosters and peacocks) or two (2) rabbits, or combination thereof. Each rabbit or fowl in excess of this number shall require an additional 1,000 square feet of lot area.
 4. No enclosure or pen for animals shall be placed in front of the residence nor shall it be closer than 70 feet to a front property line, 15 feet to a side property line or 10 feet to a rear property line.

Chapter 17.57

LANDSCAPING

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:

- A. Provide guidelines and standards that will:

1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
 2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 3. Mitigate the loss of natural resources.
 4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
 5. Create safe, attractively landscaped areas adjacent to public streets.
 6. Require the planting of street trees along the City's rights-of-way.
 7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
 8. Provide shade, and seasonal color.
 9. Reduce glare, noise and heat.
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy.
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Support McMinnville as a community that cares about its appearance.

It is further recognized that landscaping increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant living and working environments for all residents and visitors to the city.

The guidelines and standards contained in this chapter serve to help McMinnville realize the objectives noted above. These guidelines and standards are intended as minimum standards for landscape treatment. Owners and developers are encouraged to exceed these in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville. The landscaping provisions in Section 17.57.070 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.020 Definitions. For the purposes of this section, refer to Section 17.06.035 for Landscaping related definitions. (Ord. 4952 §1, 2012).

17.57.030 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

- A. R-4 (Multiple-Family **Dwelling** Residential zone, except the construction of a ~~Single-Family or Two-Family~~ **detached or plex** residential unit **units**);
- B. C-1 (Neighborhood Business zone);
- C. C-2 (Travel Commercial zone);
- D. C-3 (General Commercial zone);
- E. O-R (Office/Residential zone);
- F. M-L (Limited Light Industrial zone);
- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone). (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040 Specific uses requiring landscaping.

- A. Churches, subject to the landscaping requirements of a multiple-family **dwelling** development when in a residential zone and subject to the landscaping requirements of a commercial development when in a zone other than residential;
- B. Utility substations, subject to the landscaping requirements of commercial uses.
- C. Mobile home park, subject to the requirements of a multiple-family **dwelling** development;
- D. Multiple-family **dwelling**, commercial, and industrial uses in residential planned developments, subject to the landscaping requirements of the type of use in the planned development. (Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[...]

17.57.070 Area Determination—Planning factors.

- A. Landscaping shall be accomplished within the following ranges:
 - 1. Industrial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
 - 2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
 - 3. Multiple-family **dwelling**, twenty-five percent of the gross area. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by

the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

4. A parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection 2 of this section.
5. Any addition to or expansion of an existing structure or parking lot which results in additional lot coverage shall be landscaped as follows: Divide the amount of additional lot coverage (building area, not including basement or upper floors, plus required parking and loading zones) by the amount of the existing lot coverage (building area, not including basement or upper floors, plus required parking and loading zones), multiply by the percentage of landscaping required in the zone, multiply by the total lot area of both the original development and the addition; however, the total amount of the landscaping shall not exceed the requirements set forth in this subsection.

a. ALC (additional
lot coverage X % of landscaping X Total
 ELC (existing required lot area
 lot coverage)

b. Landscaping to be installed on an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
 1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
 2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
 3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
 4. The development and use of islands and plantings therein to break up parking areas.
 5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
 6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;
- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. Minor changes in the landscape plan, such as

like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the Planning Director's decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and approved by the Landscape Review Committee. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[...]

Chapter 17.58

TREES

(as adopted by Ord. 4654B Dec. 9, 1997)

[...]

17.58.080 Street Tree Planting—When Required. All new multi-family **dwelling** development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090. (Ord. 4654B §1, 1997).

[...]

17.58.100 Street Tree Plans

A. Submittal.

1. Subdivisions and Partitions: Street tree planting plans shall be submitted to the Landscape Review Committee for review and approval prior to the filing of a final subdivision or partition plat.
2. Commercial, Industrial, Parking Lots, and Multi-family **dwelling** Residential Development: Landscape plans, to include street tree planting as may be required by this ordinance, shall be submitted to the Landscape Review Committee for review and approval prior to the issuance of a building permit.

B. Street Tree Plan Content. At a minimum, the street tree planting plan should:

1. Indicate all existing trees, noting location, species, size (caliper and height) and condition;
2. Indicate whether existing trees will be retained, removed or relocated;
3. Indicate the measures to be taken during site development to ensure the protection of existing trees to be retained;
4. Indicate the location, species, and size (caliper and height) of street trees to be planted;
5. Indicate the location of proposed and existing utilities and driveways; and

6. Indicate the location of rights-of-way, existing structures, driveways, and existing trees including their species, size, and condition, within twenty feet of the subject site. (Ord. 4654B §1, 1997).

17.58.110 Street Tree Planting

- A. Residential subdivisions and partitions.
 1. Planting Schedule: Street trees required of residential subdivisions and partitions shall be installed prior to submittal of a final subdivision plat or partition plat. As an alternative the applicant may file a surety bond or other approved security to assure the planting of the required street trees, as prescribed in Section 17.53.153.
- B. Commercial, Industrial, Multi-family **dwelling**, Parking Lot Development.
 1. Planting Schedule: Street trees required of a commercial, industrial, multi-family **dwelling**, or parking lot development shall be installed at the time all other required landscaping is installed. (Ord. 4654B §1, 1997).

17.58.120 Street Tree Maintenance.

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.
- C. Maintenance of street trees, other than those located in the Downtown Tree Zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the Downtown Tree Zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).
- D. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040. (Ord. 5027 §2, 2017; Ord. 4654B §1, 1997).

Chapter 17.59

DOWNTOWN DESIGN STANDARDS AND GUIDELINES

(as adopted Ord. 4797, Oct. 23, 2003)

17.59.010 Purpose. To provide for the protection, enhancement and preservation of buildings, structures, and other elements in the downtown core which contribute to its special historic and cultural value. Further, it is not the purpose of this ordinance to create a “themed” or artificial downtown environment. Rather, its purpose is to build on the “main street” qualities that currently exist within the downtown and to foster an organized, coordinated, and cohesive historic district that reflects the “sense of place,” economic base, and history unique to McMinnville and the downtown core. (Ord. 4797 §1, 2003).

17.59.020 Applicability.

- A. The provisions of this Chapter shall apply to all lands located within the area bounded to the west by Adams Street, to the north by 4th Street, to the east by Kirby Street, and to the south by 1st Street. Lands immediately adjacent to the west of Adams Street, from 1st Street to 4th Street, are also subject to the provisions of this Chapter.
- B. The provisions of this ordinance shall apply to the following activities conducted within the above described area:
 - 1. All new building construction;
 - 2. Any exterior building or site alteration; and,
 - 3. All new signage.
- C. This ordinance shall not apply to the following activities or uses:
 - 1. Maintenance of the exterior of an existing structure, such as re-roofing, re-siding, or repainting where similar materials and colors are used that comply with this ordinance;
 - 2. Interior remodeling; and,
 - 3. Single-family **detached** detached housing.
- D. The Planning Director shall determine whether any proposed maintenance activity complies with this ordinance and whether the proposed activity is subject to the review procedures contained in this chapter.
- E. This ordinance shall apply only to those portions of a building or sign that are proposed for construction or modification and shall not extend to other elements of the building or sign that may be out of compliance with the requirements of this ordinance (i.e., a permit to replace a single window shall not require that all other windows on the building that may be out of compliance with this ordinance to be replaced, unless such action is initiated by the property owner). However, if a building should be destroyed due to fire, accident, or an act of God, the new or replacement structure shall be rebuilt to conform to the requirements of this ordinance. (Ord. 5034 §2, 2017; Ord. 4797 §1, 2003).

[...]

Chapter 17.60

OFF—STREET PARKING AND LOADING

[...]

17.60.050 Spaces—Location.

- A. Except as provided below, required off-street parking spaces for dwellings shall be located on the same lot with the dwelling. For the following residential uses, off-street parking shall be located not farther than five hundred feet from the building or use they are required to serve, measured in a straight line from the building.
 - 1. Off-street parking for one or two upper story residential dwelling units above a non-residential use
 - 2. Off-street parking for residential uses in the City Center Housing Overlay Zone designated in Chapter 17.66
- B. All other required parking spaces shall be located not farther than two hundred feet from the building or use they are required to serve, measured in a straight line from the building.
- C. When parking is provided on a different lot than the use it is required to serve, the applicant shall provide evidence of a binding parking agreement for use of the property for off-street parking consistent with the provisions of this Chapter for as long as the parking is required to serve the property. If the property is in different ownership or subsequently conveyed to a different owner, the parking agreement shall be recorded. (Ord 5105 §2, 2021; Ord 5060 §2, 2018; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.60.060 Spaces—Number required. Except for the southerly 100 feet of Block 10 and the northerly 100 feet of Block 11, Rowland's Addition and the area bounded by Second Street, Adams Street, Fourth Street, and Galloway Street, at the time of erection of a new structure or at the time of enlargement or change of use of an existing structure, off-street parking spaces shall be provided as follows unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or unloading.

- A. Residential land use category:
 - 1. Bed and breakfast establishments One space for the first two guest sleeping rooms and an additional space for each additional guest sleeping room.
 - 2. Boarding house, lodginghouse, or roominghouse One space per two guest accommodations.

- | | |
|--|---|
| 3. Fraternity, sorority, cooperative, or dormitory | One space per two sleeping accommodations. |
| 4. Multiple-family dwelling | One and one-half spaces per dwelling with less than three bedrooms, two spaces per dwelling unit with three or more bedrooms, and one space per dwelling unit which is expressly reserved for senior or handicapped persons. |
| 5. Single-family detached and two-family dwelling | Two spaces per dwelling with four or fewer bedrooms, and one additional space for every two additional bedrooms. |
| 6. Short-Term Rental and Resident Occupied Short-Term Rental. | Short Term Rental = One space for each guest room; Resident Occupied Short-Term Rental = one space per two permitted guest rooms.
One space per dwelling unit. |
| 7. Middle Housing – Duplexes, Triplexes, Quadplexes, Cottage Clusters, Townhomes, Tiny Homes | |
| 8. Single Room Occupany Housing (SRO) | One space per three SRO living units plus one space per two employee on the largest shift, but not less than two spaces plus one space per vehicle used in the operation of the SRO. |
| 8. Affordable Housing – Two-bedroom or less, serving households of 80% Area Median Income (AMI) or less (AMI is calculated per Yamhill County as determined by the State Housing Council based on information from the United States Department of Housing and Urban Development.) Income levels will need to be certified. | 0.5 spaces per dwelling unit. Property owner must agree to have the units identified that are serving households of 80% AMI or less to be deed restricted for that type of housing for at least 20 years. The deed restriction must be recorded on the property at the expense of the property owner. Language of the recorded document to be approved by the Planning Director. |

[...]

17.60.080 Design requirements.

- A. All parking lots and driving aisles shall be asphaltic cement concrete or Portland cement concrete with driving aisles, maneuvering aisle and parking spaces clearly marked, except that in an industrial zone, parking spaces which are in addition to those required by this chapter, may be surfaced with a minimum of treated gravel and maintained dust free.

- B. In a residential zone, a required front yard or a required side yard adjacent to the street shall not be used for any purpose except for off-street parking of motor vehicles, unless otherwise allowed by this ordinance, and such parking space shall not be less than twenty feet in depth from the property line.
- C. Safe access shall be provided as follows:
1. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.
 2. Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
 3. Driveways to off-street parking areas shall be designed and constructed to facilitate the flow of traffic and to provide for maximum safety of pedestrians and vehicular traffic on the site.
 4. Clear vision areas shall be provided at driveway exits for all uses except single-family **detached dwellings** and ~~two-family residential and~~ **plexes**, shall have minimum dimensions of ten feet measured along the street right-of-way and the edge of the driveway. In commercial and industrial zones, buildings and signs may be constructed with cantilevers which extend out over the clear vision area at a height greater than eight feet when measured from the top of the curb, or where no curb exists, from the established centerline grade. Except for existing permanent buildings and structures (other than signs), nonconformities shall be made to comply with the provisions of this section within seven years from the date of its adoption.
 5. Driveway cuts shall be a minimum of twenty feet from a street intersection.
- D. Parking areas shall be made compatible with surrounding uses as follows:
1. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property, sidewalk, or street.
 2. When a parking area in a commercial or industrial zone abuts a property in a residential zone, a site-obscuring fence or wall, either permanent or of living material, shall be placed along the affected property line. The responsibility for placement of the fence or wall lies with the commercial or industrial property.
 3. Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.
- E. Space size minimum shall be as follows:
1. Handicap parking spaces shall be a minimum of twelve feet wide and 19 feet in length.
 2. Compact and subcompact parking spaces shall be a minimum of eight feet by sixteen feet.
 3. Standard parking spaces shall be a minimum of eight feet six inches by nineteen feet.
- F. The type of space shall be set as follows:
1. Handicap spaces shall be required and designated as per current federal, state, and local regulations.

2. Standard spaces shall comprise not less than sixty-five percent of all newly constructed lot spaces.

Except as varied for good cause by the Building Official or Planning Director, maneuvering room shall be required and parking stalls measured according to the following table:

[...]

17.60.100 Reduced requirements for certain area.

- A. In the area bounded by Adams Street, Ford Street, Fourth Street, and Seventh Street, required off-street parking spaces for commercial establishments may be one-half of the number stated for the particular use in Section 17.60.060 (see special parking requirements map below).
- B. Except as provided in Subsection (C), within the City Center Housing Overlay Zone designated in Chapter 17.66, minimum required off-street parking spaces for residential uses shall be one space per dwelling unit.
- C. Within the areas described in Section 17.60.060 and 17.60.100 and depicted in the "Reduced Parking Requirements" map, minimum required off-street parking spaces for multi-family **dwelling** residential uses shall be 0.5 space per dwelling unit for studio and 1-bedroom dwellings. (Ord 5105 §2, 2021)

[...]

Chapter 17.61

SOLID WASTE AND RECYCLING ENCLOSURE PLAN

(as adopted by Ord. 4883, December 11, 2007)

17.61.010 Purpose and Intent. The purpose and intent of this chapter is to provide efficient, safe and convenient locations for solid waste and recycling containers, to provide adequate on-site maneuvering for collection vehicles and to ensure that solid waste enclosures for all commercial, industrial and multi-family **dwelling** development are in compliance with the solid waste and recycling pick-up standards of the service provider while contributing to the overall appearance and attractiveness of the City of McMinnville.

17.61.020 Applicability and Exemptions.

- A. The requirements of this chapter shall apply to all new commercial, industrial and multi-family **dwelling** developments of three (3) or more dwelling units.
- B. Existing development is exempt from the above requirements. Change-of-use and tenant improvement applications will be assessed on an individual

basis for their conformity to the enclosure requirements based on intensity of use and recommendations of the service provider.

- C. When unique physical constraints exist on a property, the Planning Director has the authority to work with the property owner to establish an alternative trash and recycling enclosure plan while still preserving the intent of the requirements of this chapter. Additionally, the Planning Director, in consultation with the service provider, has the authority to grant an exception to the requirement for a solid waste and recycling enclosure if it is determined that the proposed use will not generate enough trash and recycling to necessitate the use of trash receptacles which require screening or if the receptacles are to be maintained inside the building.

17.61.030 Guidelines and Standards.

- A. The location of an enclosure must allow for collection agency drive-in access. A fifty-foot (50) access approach is recommended. In addition to the approach, either an exit that allows the truck to move forward or a turn area with a minimum radius of 46.5 feet is preferred. Both approach and location shall be unobstructed and free of over head wires and low hanging trees. An eighteen-foot (18) minimum height clearance above the enclosure approach is required and a thirty-two-foot (32) vertical clearance is required above the container itself. The enclosure shall be of sufficient size to store trash and recycling receptacles, the size of which shall be determined by the collection agency and will be based on proposed use. A minimum distance of two-feet (2) is required between the container and existing or proposed structures. The enclosure shall be a minimum of six-feet (6) tall or six inches (6) higher than the top of the tallest container.
- B. Solid waste enclosures shall not be located within twenty-feet (20) of a required front or exterior yard and should be placed at the rear of a building whenever possible. Should an enclosure be placed within a required landscaped front or exterior yard, additional landscaping must be provided elsewhere on the property to compensate for the encroachment into the required landscaped yard. Any modifications to required landscaping must meet the approval of the Landscape Review Committee.
- C. Any trash or recycling enclosure which is visible from the street must provide landscaping around three (3) sides of the structure. Climbing vines and screening shrubs or hedges are appropriate and landscaping must be a minimum of three-feet (3) in height at the time of planting.
- D. Where a commercial or industrial zone abuts a residential zone, enclosures must be placed a minimum of thirty-feet (30) from any residential structure or as otherwise approved by the Planning Director.
- E. Generally, the design of the structure should match the exterior surface of the building and can be constructed of masonry, wood or concrete blocks in combination with plant material capable of forming a complete evergreen hedge. The floor of the enclosure shall be a concrete holding pad which must extend eight-feet (8) beyond the gates.
- F. Gates that screen the containers are required and must remain closed at all times except at times of service.

- G. Parking is prohibited in front of the enclosure and all parked vehicles must be located at a safe distance. A “No Parking” sign must be visibly placed on the gates of the enclosure.
- H. Solid waste and recycling enclosures must be placed in a location that is compatible with the City of McMinnville’s Fire Code.

17.61.040 Procedure. The applicant is responsible for contacting the collection agency for information regarding the size of containers required relative to proposed use *prior* to submittal of building plans. Two (2) copies of a Solid Waste and Recycling Enclosure plan shall be included in the submitted site (plot) plan or as a separate plan to allow for Planning Department review. At a minimum, the Enclosure Plan will illustrate the location, size and height of the proposed trash enclosure in addition to listing construction materials and any required landscaping. The structure must conform to the approved site plan at the time of final inspection.

Chapter 17.62

SIGNS

(as adopted by Ord. 4900, Nov. 5, 2008)

[...]

17.62. 070 Permanent Sign Regulations. Permanent signs may be erected and maintained only in compliance with the following specific provisions:

- A. Residential (R-1, R-2, R-3, and R-4) zones.
 - 1. Each subdivision or multi-family **dwelling** complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.
 - 2. Each public school, private school, and community building is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a nonilluminated freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in area; or a non-illuminated wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. In the case of a private school located within or upon an existing or proposed church facility or site, the total sign face area may be increased by eight (8) square feet. Each sign may include changeable copy (manual or electronic) subject to 17.62.070(E)(1 – 4, 6 and 7). Any electronic changeable copy sign must have all illumination

turned off between the hours of 8 p.m. and 7 a.m. Each sign shall meet the setbacks applicable to the residential zone in which it is located.

3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than six (6) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty (30) square feet in area and any subsequent sign may be no larger than six (6) square feet in area. Signs may include changeable copy (manual or electronic). Signs must be a minimum of ten (10) feet back from any property line. Landscaping shall be provided at the base of the sign, consistent with a plan to be submitted by the applicant for review and approval by the McMinnville Landscape Committee.
- B. Office Residential (O-R) zone. Each site or multi-tenant complex may have one permanent wall, monument, canopy, hanging, or projecting sign per frontage. Signs may not exceed the following heights: wall signs- thirty-five (35) feet; monument signs- four (4) feet; canopy, hanging, and projecting signs- ten (10) feet. Signs may not exceed twenty-four (24) square feet in area. Signs may be indirectly lit between 6 a.m. and 10 p.m. Signs must be at least five (5) feet from any property line.
- C. Commercial (C-1, C-2, and C-3) and Industrial (M-L, M-1, and M-2) zones. Signs in the commercial and industrial zones may be directly or indirectly lit and shall meet all setback requirements of its zone.
1. Freestanding Signs: Each site or multi-tenant complex is allowed one (1) permanent freestanding sign not to exceed forty-eight (48) square feet in area and six (6) feet in height. In addition, each site or multi-tenant complex is allowed one (1) additional permanent freestanding sign per 500 feet of frontage, not to exceed three (3) per site or multi-tenant complex, each not to exceed 125 square feet in area and twenty (20) feet in height if located on Highways 99W or 18 and sixteen (16) feet in height if located elsewhere.
 2. Mounted Signs: There is no limit on the area of permanent mounted signs except as provided in 17.62.070(D)(5).
- D. Supplemental permanent sign provisions.
1. No signs are permitted within a public right-of-way unless authorized by a public agency.
 2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.
 3. Maximum square footage restrictions include changeable copy and exclude accessory and incidental signs.
 4. Minimum clearance for projecting, canopy, and hanging signs when over a walkway or access area is eight (8) feet.
 5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over thirty-six (36) square feet in area.
 6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet the clear-vision requirements of Sections 17.54.050(F) and 17.54.080(A) and (B).

- E. Electronic changeable copy signs are subject to the following standards:
1. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.
 2. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above grade.
 3. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.
 4. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.
 5. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.
 6. On sites or multi-tenant complexes on which an electronic changeable copy sign is located, temporary signage is limited to that described in Section 17.62.060(B)(2) and (3).
 7. Electronic changeable copy signs must be permanently mounted to the ground or a structure.
- F. Drive-up Service Signs. Additional freestanding signs are permitted with businesses that employ drive-up service. One such sign, not to exceed 36 square feet in area or six feet in height, is allowed per order station. In addition, one secondary sign, a maximum of 15 square feet in area and five feet in height, is allowed per order station. Any freestanding sign that has copy facing toward a public street shall be located a minimum of thirty (30) feet from that street's property line. Wall mount signs shall be exempt from this requirement. (Ord. 5013 §1, 2016; Ord. 4935 §1, 2011; Ord. 4912 §3 2009)

[...]

Chapter 17.63

NONCONFORMING USES

Sections:

- | | |
|-----------|---|
| 17.63.010 | Purpose. |
| 17.63.020 | Lots of record—Single-family detached dwelling construction permitted. |
| 17.63.030 | Structures—Alteration or extension. |
| 17.63.040 | Changes to conforming use only. |
| 17.63.050 | Use of structure—Discontinuance. |
| 17.63.060 | Structure—Destruction. |
| 17.63.070 | Time limit for completion. |

17.63.010 Purpose. Within the zones established by this title there exist lots, structures and uses of land and structures which were lawful before the ordinance codified in this title was passed or amended, but which are now prohibited, regulated, or restricted under the terms of this title and amendments. It is the intent of this title to permit these nonconformities until they are removed or abandoned, but not to encourage their survival. Such uses are declared by this title to be incompatible with permitted uses in the zones involved. It is further the intent of this title that nonconformities shall not be enlarged upon, expanded or extended, except as provided for in this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.020 Lots of record—Single-family **detached** dwelling construction permitted. In a residential district, one single-family **detached** dwelling may be constructed on any single lot of record which is nonconforming because of area, width, length, or a combination thereof, provided the lot is no less than four thousand square feet in area. All other zoning requirements, such as yard dimensions, setbacks, etc., shall conform to the zone in which the lot is located. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.030 Structures—Alteration or extension. Structures conforming as to use but nonconforming as to height, yard requirements, setback, lot size, or density may be altered or extended, provided the alteration or extension does not result in a violation of this title, except as provided below:

- A. Dwellings may be altered or extended subject to the provisions of Section 17.54.050;
- B. Dwellings located in residential zones may be altered or extended so long as the alteration or extension does not result in a violation of this title or so long as the alteration or extension is confined within the existing building lines. (Ord. 4912 §3 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.040 Changes to conforming use only. If a nonconforming use is changed, it shall be changed to a use conforming to the regulations of the zone, and after it is changed, it shall not be changed back to a nonconforming use. If a use other than that allowed in the zone is desired, a change of zone may be applied for pursuant to Chapter 17.72 (Applications and Review Process) and Chapter 17.74 (Review Criteria) of this code. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.050 Use of structure—Discontinuance. If a nonconforming use, or the use of a nonconforming structure, is discontinued for a period of one year, further use of the property shall conform to the requirements of this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.060 Structure—Destruction.

- A. If a nonconforming structure or a structure containing a nonconforming use in the industrial land use category is destroyed by any cause to an extent exceeding sixty percent of the assessed structural value as recorded in the County Assessor's records at the time of destruction, a future structure or use of the property shall conform to the provisions of this ordinance;

- B. If a nonconforming structure or a structure containing a nonconforming use in a residential, commercial, or public land use category is destroyed by fire, accident, or an act of God, the structure may be rebuilt to the same size (square footage before destruction) and may be occupied by the use which occupied the structure at the time of destruction.
- C. In the case of a destruction of a nonconforming multiple-family **dwelling** residential structure, the structure, if rebuilt, may not contain more living units than existed prior to the destruction, except, however, in a C-3 zone within the City Center Housing Overlay Zone, this limitation shall not apply to a multiple-family **dwelling** structure that is nonconforming relative to the referenced setbacks of the R-4 zone, but meets the setbacks of the C-3 zone and which does not otherwise increase nonconformity relative to other development standards. (Ord 5105 §2, 2021; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.070 Time limit for completion. To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any building, structure or use for which a building permit has been legally issued prior to the effective date of adoption or amendment of the ordinance codified in this title, except that applications for extension of a building permit shall not be approved to exceed a period of one year from the date of adoption or amendment. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.67

HOME OCCUPATIONS

17.67.010 Home occupations—Purpose. The home occupation provision is included in recognition of the needs of many people who are engaged in small scale business ventures which could not necessarily be sustained if it were necessary to lease commercial quarters for them or which, in the nature of the home occupation, cannot be expanded to full-scale enterprises.

It is the intent of this ordinance that full-scale commercial or professional operations, which would ordinarily be conducted in a commercial or industrial district continue to be conducted in such district and not at home. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.020 Application—Approval. Application for a home occupation permit shall be submitted as required by Section 17.72.020. A permit for a home occupation shall be reviewed by the Planning Director consistent with the procedures in Section 17.72.100. Approval of the permit shall be subject to the following conditions:

- A. If the Planning Director finds that the standards noted in Section 17.67.030 have been met and approval of the permit would create no adverse impact on the immediate neighborhood or the surrounding area, the Director will,

within 21 days of the date of the application, issue a renewable and revocable permit, upon payment of the appropriate fee, for a one-year period;

- B. Permits may be renewed for one-year periods upon payment of the appropriate fee, provided that the permit has not been terminated under the provisions of Section 17.67.050 of this ordinance. Permits may also be terminated for failure to pay the renewal fee by the anniversary date of the permit. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.030 Home occupation standards. A home occupation shall mean that any occupation or profession may be carried on by a member of the **family occupants** residing on the premises, provided that the following conditions are satisfied:

- A. No sign is displayed other than that which is permitted by Section 17.62.040;
- B. There is no display that will indicate from the exterior that the building is being used for any purpose other than a dwelling;
- C. Outdoor storage or display of materials, equipment, or merchandise related to the occupation shall be prohibited;
- D. There are no paid employees beyond those residing at the residence listed as the site of the home occupation;
- E. All work being performed at the site must be done within the confines of a building and no noise, odor, dust, smoke or other evidence of the home occupation permeates beyond the confines of the property;
- F. The permit holder must reside at the location listed as the site of the home occupation;
- G. The use does not generate traffic which exceeds the numbers which would normally be found in the neighborhood. The Planning Director may impose other conditions as necessary in order to mitigate impacts related to traffic or clientele. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.040 Prohibited Uses. The following prohibited uses include, but are not limited to:

- A. Motor vehicle sales;
- B. Vehicle repair, body work, or painting;
- C. Storage and/or sale of fireworks;
- D. Junk and salvage operations;
- E. Any use that involves the use of hazardous substances or materials which might create a fire hazard or danger to neighboring properties as may be determined by the Fire Department;
- F. Parking of more than one business-related vehicle on-site.
- G. Marijuana business. (Ord 5000 §3, 2015, Ord 4947 §1, 2011)

17.67.050 Home occupation complaint procedures.

- A. Complaints will be investigated by the Planning Department. If the alleged violation is determined to exist by the Department, the permit holder will be notified of the violation of the standards or conditions by certified letter, and the time period in which the violation must be corrected. If the alleged violation has not been corrected within 15 days of the date of the letter or as may otherwise be specified, the Planning Department shall have cause to

revoke said permit. Notice of termination of the permit shall be provided by certified mail to the permit holder;

- B. Upon termination of the permit by the Planning Department, an appeal of the decision may be made to the Planning Commission as provided in Section 17.72.170 of this ordinance. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.060 Standards for judging objections. Standards for judging objections to a home occupation shall include, but not be limited to the following:

- A. Generation of excessive traffic;
- B. Monopoly of on-street parking spaces;
- C. Frequent deliveries and pickups by motor freight trucks;
- D. Noise in excess of that created by normal residential use (either in terms of volume or hours of occurrence);
- E. Smoke, fumes, or odors in excess of those created by normal residential use;
- F. Failure to meet the conditions listed in Section 17.67.030 Home Occupation Standards;
- G. Other offensive activities not in harmony with a residential neighborhood. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.070 Action by Commission—Home occupation complaints. The Commission, upon hearing the evidence, may:

- A. Approve the use as it exists;
- B. Require the use to be terminated; or
- C. Impose appropriate restrictions, such as limiting hours of operation, establishing a phase-out period, or other measures insuring compatibility with the neighborhood. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

TABLE OF CONTENTS

<u>Title</u>	<u>Page</u>
Chapter 17.03	GENERAL PROVISIONS..... 1
Sections:	
17.03.010	Title.....1
17.03.020	Purpose1
17.03.030	Severability1
17.03.040	Interpretation-More restrictive provisions govern.....1
17.03.050	Compliance with provisions required.....1
17.03.060	Enforcement2
17.03.070	Inspection and Right-of-Entry.....2
17.03.080	Violation-Procedure-Penalty2
17.03.090	Legal Proceedings as Alternative Remedy.....2
Chapter 17.06	DEFINITIONS..... 3
Sections:	

17.06.015	General Definitions	3
17.06.020	Special Definitions	24
17.06.025	Airport Overlay Zone Related Definitions	24
17.06.030	Flood Area Zone Related Definitions	26
17.06.035	Landscaping Related Definitions.....	27
17.06.036	Marijuana Activities Related Definitions	27
17.06.040	Sign Related Definitions.....	28
17.06.045	Tree Related Definitions	32
17.06.050	Wireless Communications Facilities Related Definitions	33
Chapter 17.09	ZONE CLASSIFICATION, BOUNDARIES AND MAPS.....	35
Sections:		
17.09.010	Zones established.....	35
17.09.020	Zone boundaries—Map adopted by reference	35
17.09.030	Zone boundaries—Designated	35
17.09.040	Zone boundaries—Official map.....	36
17.09.050	Annexed areas.....	36
Chapter 17.11	RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS	
Sections:		
17.11.010	Purpose	
17.11.011	Applicability	
17.11.012	Introduction to Housing Types	
17.11.013	Zoning Table of Allowed Housing Types	
17.11.014	Definition of Housing Types	
17.11.015	Introduction to Development Standards Table.....	
17.11.020	Tiny Houses	
17.11.030	Cottage Clusters	
17.11.040	Accessory Dwelling Units	
17.11.050	Single Detached Houses	
17.11.060	Plexes	
17.11.070	Townhouses.....	
17.11.080	Single Room Occupancy.....	
17.11.090	Apartments.....	
17.11.100	Residential Universal Design Standards.....	
17.11.110	Planned Development Residential Design and Development Standards	
Chapter 17.12	R-1 SINGLE-FAMILY LOW-DENSITY 9000 SF LOT RESIDENTIAL	
ZONE	37	
Sections:		
17.12.010	Permitted uses.....	37
17.12.020	Conditional uses	41
17.12.030	Lot size	42
17.12.040	Yard requirements	42
17.12.050	Building height	43
17.12.060	Density requirements	43
Chapter 17.15	R-2 SINGLE-FAMILY LOW-DENSITY 7000 SF LOT RESIDENTIAL	
ZONE	45	
Sections:		

17.15.010	Permitted uses.....	45
17.15.020	Conditional uses	48
17.15.030	Lot size	48
17.15.040	Yard requirements	48
17.15.050	Building height	49
17.15.060	Density requirements	49
<u>Title</u>		<u>Page</u>
Chapter 17.18 ZONE	R-3 TWO-FAMILY MEDIUM-DENSITY 6000 SF LOT RESIDENTIAL 51	
Sections:		
17.18.010	Permitted uses.....	51
17.18.020	Conditional uses	53
17.18.030	Lot size	54
17.18.040	Yard requirements	54
17.18.050	Building height	54
17.18.060	Density requirements	54
Chapter 17.21 RESIDENTIAL ZONE	R-4 MULTIPLE-FAMILY MEDIUM, HIGH-DENSITY 5000 SF LOT	55
Sections:		
17.21.010	Permitted uses.....	55
17.21.020	Conditional uses	57
17.21.030	Lot size	59
17.21.040	Yard requirements	59
17.21.050	Building height	59
17.21.060	Density requirements	59
[...]		
Chapter 17.63	NONCONFORMING USES.....	197
Sections:		
17.63.010	Purpose	197
17.63.020	Lots of record—Single-family dwelling construction permitted	197
17.63.030	Structures—Alteration or extension.....	197
17.63.040	Changes to conforming use only.....	197
17.63.050	Use or structure—Discontinuance.....	198
17.63.060	Structure—Destruction.....	198
17.63.070	Time limit of completion	198
[...]		

PROPOSED AMENDMENTS TO THE MCMINNVILLE COMPREHENSIVE PLAN,
VOLUME ii, GOAL AND POLICIES

New proposed language is represented by **bold italic font**, deleted language is represented by ~~strikethrough font~~.

CHAPTER V
HOUSING AND RESIDENTIAL
DEVELOPMENT

[...]

Policies:

59.00 *Opportunities for multiple-family **dwelling** and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.*

60.00 *Attached single-family dwellings and common property ownership arrangements (condominiums) shall be allowed in McMinnville to encourage land-intensive, cost-effective, owner-occupied dwellings.*

[...]

71.09 *Medium and **Medium-HighDensity Residential (R-3 and R-4)** - The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 dwelling units per net acre). Medium density residential development uses include small lot single-family **dwelling** detached uses, single family **dwelling** attached units, duplexes, ~~and triplexes~~, **quadplexes**, ~~and townhouses~~, **and cottage clusters**. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments:*

[...]

84.00 *Multiple-family **dwelling**, low-cost housing (subsidized) shall be dispersed throughout the community by appropriate zoning to avoid inundating any one area with a concentration of this type of housing.*

[...]

*Multiple-family **Dwelling** Development Policies:*

86.00 *Dispersal of new-multi-family **dwelling** housing development will be encouraged throughout the City in areas designated for residential and mixed-use development to encourage a variety of housing types throughout the*

*community and to avoid an undue concentration of multi-family **dwelling** development in specific areas of the community leading to a segregation of multi-family **dwelling** development in McMinnville from residential neighborhoods. Dispersal policies will be consistent with the Great Neighborhood Principles*

*In areas where there are the amenities, services, infrastructure and public facilities to support a higher density of multi-family **dwelling** development, and the area is commensurate with a higher concentration of multi-family **dwelling** development without creating an unintended segregation of multi-family **dwelling** development, such as McMinnville's downtown, the area surrounding Linfield University and Neighborhood Activity Centers, a higher concentration of multi-family **dwelling** development will be encouraged. (Ord. 5098, December 8, 2020)*

87.00 *Residential developments at densities beyond that normally allowed in the multiple-family **dwelling** zone shall be allowed in the core area subject to review by the City. These developments will be encouraged for (but not limited to) the provision of housing for the elderly.*

[...]

89.00 *Zoning standards shall require that all multiple-family **dwelling** housing developments provide landscaped grounds. (Ord. 4796, October 14, 2003)*

[...]

91.00 *Multiple-family **dwelling** housing developments, including condominiums, ~~boarding houses, lodging houses, rooming houses~~ but excluding campus living quarters, shall be required to access off of arterials or collectors or streets determined by the City to have sufficient traffic carrying capacities to accommodate the proposed development. (Ord. 4573, November 8, 1994)*

CHAPTER VIII ENERGY

Proposals:

37.00 The City of McMinnville should encourage the development of community gardens on vacant city lands and within multi-family **dwelling** housing developments as an energy saving device.

CHAPTER IX URBANIZATION

[...]

Policies:

- 187.95.06 *Residential densities in the focus area or portions of the support area adjacent to it should be between 8 to 20 dwelling units per net acre. These density ranges are generally appropriate for attached single-family **dwelling** housing or apartments. (Ord. 5098, December 8, 2020)*
- 187.95.07 *Densities in the support area should transition to between 4 - 10 dwelling units per net acre at the outer edge of the support area -- appropriate for commonwall homes, duplexes, and small lot single-family **dwelling** detached homes. (Ord. 5098, December 8, 2020)*



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
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MCMINNVILLE, OR 97128
503-434-7311
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DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF LEGISLATIVE AMENDMENTS TO THE MCMINNVILLE CITY CODE, TITLE 17, ADDITION OF CHAPTER 17.11 RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS. AMENDMENTS TO THE REST OF TITLE 17 ARE HOUSEKEEPING CONSISTANCY WITH CHAPTER 17.11.

DOCKET: G 6-21

REQUEST: The City of McMinnville is proposing amendments to the McMinnville Municipal Code and the McMinnville Comprehensive Plan to remove regulatory barriers for Middle Housing as defined by HB 2001; to meet City of McMinnville goals and policies related to housing; and to bring the City's Municipal Code into compliance with the two HB 2001 components: OAR 660-046-0000 through 660-046-0235 (Division 46). Proposed Municipal Code amendments include the addition of a new Chapter 17.11, Residential Design and Development Standards, housekeeping amendments to, Chapter 17.06 (Definitions), Chapter 17.12 (R-1 Low-Density Residential Zone), Chapter 17.15 (R-2 Low-Density Residential Zone), Chapter 17.18 (R-3 Medium Density Residential Zone), Chapter 17.21 (R-4 Medium High-Density Residential Zone) and Chapter 17.22 (R-5 High-Density Residential Zone), Chapter 17.60 (Off-Street Parking and Loading), and clean up of references throughout the code.

LOCATION: N/A

ZONING: R1, R2, R3, R4 and R5

APPLICANT: City of McMinnville

STAFF: Heather Richards, Planning Director

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: March 17, 2022, 6:30 p.m.
<https://mcminnvilleoregon.zoom.us/j/89271957372?pwd=OVF1ZFRxVGo3b3N CWVdPVTB0SHRjdz09>

Meeting ID: 892 7195 7372 Passcode: 910656

The public may also join the Zoom meeting by phone by using the phone number and meeting ID below:

Phone: +1 253 215 8782 Meeting ID: 892 7195 7372

DECISION-MAKING BODY: McMinnville City Council

DATE & TIME: April 26, 2022, 7:00 p.m.
 In-Person, 200 NE Second Street

Virtually:
<https://mcminnvilleoregon.zoom.us/j/86530067614?pwd=RXdlZ2FXc1IDTIJweHFQUjE5RzZ4UT09>

Meeting ID: 865 3006 7614 Passcode: 879903

The public may also join the Zoom meeting by phone by using the phone number and meeting ID below:

Phone: +1 253 215 8782 Meeting ID: 865 3006 7614

PROCEDURE: The application is subject to the legislative land use procedures specified in Sections 17.72.120 - 17.72.160 of the McMinnville Municipal Code.

CRITERIA: Amendments to the McMinnville Zoning Ordinance to fulfill the requirements of HB 2001 must be consistent with the applicable portions of OAR 660-046-0000 through 660-046-0235, Oregon State Land-Use Goals, the Goals and Policies in Volume II of the Comprehensive Plan and the Purpose of the Zoning Ordinance.

APPEAL: The Planning Commission will make a recommendation to the City Council. The City Council's decision on a legislative amendment may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date written notice of the City Council's decision is mailed to parties who participated in the local proceedings and entitled to notice and as provided in ORS 197.620 and ORS 197.830, and Section 17.72.190 of the McMinnville Municipal Code.

DECISION

Based on the findings and conclusions, the McMinnville City Council **APPROVES** of the legislative zoning and comprehensive plan text amendments in Docket G 6-21.

////////////////////////////////////
DECISION: APPROVAL
 //////////////////////////////////////

City Council: Scott Hill Date: 04/26/2022
 Scott Hill, Mayor of McMinnville

Planning Commission: Sidonie Winfield Date: 5/19/2022
 Sidonie Winfield, Chair of the McMinnville Planning Commission

Planning Department: Heather Richards Date: 5/19/2022
 Heather Richards, Planning Director

I. Application Summary:

The City of McMinnville is proposing amendments to the McMinnville Municipal Code and the McMinnville Comprehensive Plan to remove regulatory barriers for Middle Housing as defined by HB 2001; to meet City of McMinnville goals and policies related to housing; and to bring the City's Municipal Code into compliance with the two HB 2001 components: OAR 660-046-0000 through 660-046-0235 (Division 46). Proposed Municipal Code amendments include the addition of a new Chapter 17.11, Residential Design and Development Standards, housekeeping amendments to, Chapter 17.06 (Definitions), Chapter 17.12 (R-1 Low-Density Residential Zone), Chapter 17.15 (R-2 Low-Density Residential Zone), Chapter 17.18 (R-3 Medium Density Residential Zone), Chapter 17.21 (R-4 Medium High-Density Residential Zone) and Chapter 17.22 (R-5 High-Density Residential Zone), Chapter 17.60 (Off-Street Parking and Loading), and clean up of references throughout the code.

II. CONDITIONS OF APPROVAL

None.

III. FINDINGS OF FACT

1. The City of McMinnville must comply with HB 2001.
2. On May 3, 2021, city staff hosted a work session with the Planning Commission to discuss options regarding HB 2001 amendments to the McMinnville City Code. At that time, Planning Commission provided direction to move forward with a legislative effort to amend the McMinnville Municipal Code to remove regulatory barriers for middle housing as deemed appropriate.
3. On February 22, 2022, a joint work session was held with Planning Commission and City Council.
4. Notice of the application and the Planning Commission public hearing was published in the News Register on Friday, March 11, 2021, in accordance with Section 17.72.120 of the Zoning Ordinance.
5. On March 17, 2022, the Planning Commission held a duly noticed public hearing to consider the request and voted to recommend approval to the McMinnville City Council.
6. On April 26, 2022, the McMinnville City Council considered the Planning Commission recommendation and voted to adopt Ordinance No. 5113 approving the proposed zoning and comprehensive plan text amendments in Docket G 6-21.
7. Title 17 of the MMC provides the code provisions for zoning and development regulations for the City of McMinnville.

IV. COMMENTS RECEIVED

The following comments were received in support of the plan and are on file with the City of McMinnville Planning Department.

- Letter from 1000 Friends of Oregon and Friends of Yamhill County dated March 17, 2022

V. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application.

Alignment with Oregon’s Statewide Planning Goals and Administrative Rules:

Oregon Statewide Planning Goal #1, Citizen Involvement (OAR 660-015-0000(1)) – To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the ongoing land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement -- To provide for widespread citizen involvement. The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process. The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement. If the governing body wishes to assume the responsibility for, development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee’s review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

FINDING: SATISFIED. Chapter X of the McMinnville Comprehensive Plan outlines compliance with Oregon State Land-Use Goal #1. The Planning Commission has been identified as the Committee for Citizen Involvement for the City of McMinnville per McMinnville Comprehensive Plan Policy #190.00. The Planning Commission hosted a public hearing to consider this proposed amendment on March 17, 2022.

Oregon Statewide Planning Goal #2, Land Use Planning (OAR 660-015-0000(2)) – To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

FINDING: SATISFIED. The City of McMinnville has an acknowledged adopted Comprehensive Plan that provides a land use planning process and policy framework for all decisions and actions related to the use of land. The Comprehensive Plan is implemented through the McMinnville Municipal Code.

Oregon Statewide Planning Goals #3 – 9 do not apply to this action.

Oregon Statewide Planning Goal #10, Housing (OAR 660-015-0000(10)). To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density.

Buildable Lands -- refers to lands in urban and urbanizable areas that are suitable, available, and necessary for residential use. **Government-Assisted Housing** -- means housing that is financed in whole or part by either a federal or state housing agency or a local housing authority as defined in ORS 456.005 to 456.720, or housing that is occupied by a tenant or tenants who benefit from rent supplements or housing vouchers provided by either a federal or state housing agency or a local housing authority.

Household -- refers to one or more persons occupying a single housing unit.

Manufactured Homes – means structures with a Department of Housing and Urban Development (HUD) label certifying that the structure is constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC 5401 et seq.), as amended on August 22, 1981.

Needed Housing Units – means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing units" also includes government-assisted housing. For cities having populations larger than 2,500 people and counties having populations larger than 15,000 people, "needed housing units" also includes (but is not limited to) attached and detached single-family housing, multiple-family housing, and manufactured homes, whether occupied by owners or renters.

FINDING: SATISFIED. The amendments are intended to provide for McMinnville's housing needs and citizens, helping address its share of "the housing needs of citizens of the state."

The amendments are intended to help better "encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density."

There are no conflicts created by the proposed amendments related to Goal 10: Housing.

GUIDELINES

A. PLANNING

1. *In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include: (1) a comparison of the distribution of the existing population by income with the distribution of available housing units by cost; (2) a determination of vacancy rates, both overall and at varying rent ranges and cost levels; (3) a determination of expected housing demand at varying rent ranges and cost levels; (4) allowance for a variety of densities and types of residences in each community; and (5) an inventory of sound housing in urban areas including units capable of being rehabilitated.*
2. *Plans should be developed in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.*

3. *Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.*
4. *Plans providing for housing needs should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.*

FINDING: NOT APPLICABLE. The proposed amendments do not amend the adopted and acknowledged Housing Element of the City’s Comprehensive Plan. The proposal amends the Zoning Ordinance consistent with the Goals and Policies of the adopted and acknowledged Comprehensive Plan.

McMinnville’s most recent acknowledged Housing Needs Analysis and Buildable Lands Inventory was conducted in 2001 and amended in 2003. A resulting UGB amendment to meet the needs identified in the HNA was only just acknowledged in 2021. The City of McMinnville will be updating its Housing Needs Analysis and Buildable Lands Inventory in 2022 and 2023 in compliance with HB 2003 (2019 Legislative Session). At that time these proposed amendments will be considered as part of the Buildable Lands Inventory and Housing Needs Analysis per the direction of HB 2001 (2019 Legislative Session).

B. IMPLEMENTATION

1. *Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions.*

FINDING: NOT APPLICABLE. The proposed amendments update standards and provisions governing residential development. The scope of work doesn’t pertain to updating housing needs projections.

2. *Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes.*

FINDING: SATISFIED. The proposed amendments include the addition of Tiny Houses and Single Room Occupancy housing products as a means of providing more opportunities and options for home ownership and rental at different income levels.

3. *Decisions on housing development proposals should be expedited when such proposals are in accordance with zoning ordinances and with provisions of comprehensive plans.*

FINDING: SATISFIED. The proposed amendments provide for a variety of housing types as outright permitted uses in four of McMinnville’s five residential zones with clear and objective design and development standards that are reviewed upon a building permit submittal.

4. *Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.*

FINDING: NOT APPLICABLE. The proposed amendments allow for more efficient land utilization and opportunities for residential density as a permitted use within all of McMinnville’s currently zoned residential property.

5. *Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety codes; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.*

FINDING: SATISFIED. The proposed amendments amend zoning and land use controls to remove regulatory barriers to provide greater opportunities for households of all income levels within the City residential zones.

In addition, per HB 2001 and OAR 660-046-0030.660-046-0030 (Section 3, Chapter 639, Oregon Laws 2019). Implementation of Middle Housing Ordinances (2) In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a local government must include findings demonstrating consideration, as part of the post acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:

(a) Waiving or deferring system development charges. The City of McMinnville approved Ordinance No 5012, waiving system development charges for transportation and wastewater for qualifying affordable housing projects (McMinnville Municipal Code, 3.10.060.

(b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481. The City of McMinnville's draft June 2020 Housing Production Strategy recommends exploring property tax exemptions for affordable housing. Exploring a Multiple Unit Limited Tax Exemption Program and an Affordable Housing Property Tax Abatement was adopted as part of the McMinnville Affordable Housing Action Plan by the McMinnville City Council per Resolution No. 2020-08.

(c) Assessing a construction tax under ORS 320.192 and ORS 320.195. The McMinnville City Council adopted Resolution No. 2020-08 on February 11, 2020. This resolution adopted an action plan for the McMinnville Affordable Housing Committee. Part of that action plan includes the evaluation of a Construction Excise Tax for Affordable Housing. On April 26, 2022, the McMinnville City Council will consider Ordinance No. 5112, adopting a 1% Construction Excise Tax for Affordable Housing effective July 1, 2022.

6. *Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.*

FINDING: NOT APPLICABLE. The proposed amendments update standards and provisions governing residential development. The scope of work doesn't pertain to updating housing needs projections.

Oregon Statewide Planning Goals #11 – 19 do not apply to this action.

Oregon Administrative Rules (OAR) 660-046-0000 to OAR 660-046-0235 govern middle housing in medium and large cities in the state of Oregon. McMinnville is categorized as a large city in the rule, and the requirements relevant to large cities are addressed below.

660-046-0010 Applicability

1. *A local government that is a Medium City or Large City must comply with this division.*
2. *Notwithstanding section (1), a Medium or Large City need not comply with this division*

- for:
- a. *Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;*
 - b. *Lots or Parcels that are Zoned For Residential Use but do not allow for the development of a detached single-family dwelling; and*
 - c. *Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land's potential for planned urban development.*
3. *A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.*
- a. *Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.*
 - A. *Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5.*
 - i. *Medium and Large Cities may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone;*
 - ii. *Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5; and*
 - iii. *If a Medium or Large City has not adopted land use regulations pursuant to OAR 660-023-0090, it must apply a 100-foot setback to Middle Housing developed along a riparian corridor.*
 - B. *Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200.*

Medium or Large Cities may not apply the following types of regulations specific to Middle Housing:

 - i. *Use, density, and occupancy restrictions that prohibit*

- the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings; and*
- ii. Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.*
- b. Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.*
 - c. Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), Medium and Large Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:
 - A. Special Flood Hazard Areas as identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map; and*
 - B. Other hazard areas identified in an adopted comprehensive plan or development code; provided the Medium or Large City determines that the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings from the identified hazard. Greater risk includes but is not limited to actions or effects such as:
 - i. Increasing the number of people exposed to a hazard;*
 - ii. Increasing risk of damage to property, built, or natural infrastructure; and*
 - iii. Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.***
 - d. Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium and Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.*
 - e. Goal 11: Public Facilities and Services - Pursuant to OAR 660-011-0020(2), a public facility plan must identify significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. This includes public facility projects to support the development of Middle Housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Following adoption of Middle Housing allowances by a Large City, the Large City shall work to ensure that infrastructure serving undeveloped or underdeveloped areas, as defined in OAR 660-046-0320(8), where Middle Housing is allowed is appropriately designed and sized to serve Middle Housing.*

FINDING: SATISFIED.

1. OAR 660-046-0010 Applicability (2) requires that the city's code be amended to comply with Oregon Administrative Rules (OAR) 660-046-0000 to OAR 660-046-0235 governing middle housing in medium and large cities in the state of Oregon.
2. Proposed amendments satisfy these requirements because they will apply to the five zones which currently permit single detached dwellings, R-1, R-2, R-3, R,4 and R-5. These zones cover a majority of land area within the city and will allow for development of middle housing types on a wide range of lot sizes and neighborhood contexts.
3. The city will continue to apply protections to statewide land use planning goals 5, 6, 7, 9, 11, and 16 as applicable.

660-046-0030 Implementation of Middle Housing Ordinances

1. *Before a Medium or Large City amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the Medium or Large City must submit the proposed change to the Department for review and comment pursuant to OAR chapter 660, division 18.*
2. *In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a Medium or Large City must include findings demonstrating consideration, as part of the post- acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:*
 - a. *Waiving or deferring system development charges;*
 - b. *Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and*
 - c. *Assessing a construction tax under ORS 320.192 and ORS 320.195.*
3. *When a Medium or Large City amends its comprehensive plan or land use regulations to allow Middle Housing, the Medium or Large City is not required to consider whether the amendments significantly affect an existing or planned transportation facility.*

FINDING: SATISFIED.

1. The city provided notice of the proposed amendments to DLCD on February 10, 2022.
2. The proposed amendments increase affordability through the elimination of regulatory barriers to middle housing in single dwelling residential zones but do not include consideration of methods to increase affordability through modifying system development charges, tax exemptions, or through assessing a construction tax.
3. The proposed amendments do not include any consideration of the impact of middle housing on the transportation system.

660-046-0040 Compliance

4. *A Large City which is A Local Government That Has Not Acted by June 30, 2022 or within two years of qualifying as a Large City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code contained in OAR 660-046-0010(4) for the specific Middle Housing type that is not in compliance with the relevant rules in this division to all proposed development applications for that specific Middle Housing type until such time as the Large City has*

adopted provisions under section (1).

FINDING: SATISFIED.

The city will comply with the state requirement to adopt middle housing code amendments prior to June 30, 2022.

660-046-0205 Applicability of Middle Housing in Large Cities

1. *A Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130.*
2. *A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:*
 - a. *Goal-Protected Lands: Large Cities may regulate Middle Housing on Goal-Protected Lands as provided in OAR 660-046-0010(3);*
 - b. *Master Planned Communities: Large Cities may regulate or limit the development of Middle Housing in Master Planned Communities as follows:*
 - A. *If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan after January 1, 2021, it must allow the development of all Middle Housing types as provided in OAR 660-046-0205 through OAR 660-046-0235.*
 - i. *A Large City must plan to provide urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 20 dwelling units per net acre if located within a metropolitan service district boundary, and 15 dwelling units per net acre if located outside of a metropolitan service district boundary.*
 - ii. *If a proposed Middle Housing development exceeds the planned public service capacity of a Master Plan, the Large City may require the applicant demonstrate, through an amended public facility plan or similar mechanism, the sufficient provision of public services needed to serve the proposed development.*
 - iii. *A Large City may require a mix of two or more Middle Housing types within a Master Plan or portions of a Master Plan.*
 - iv. *A Large City may designate areas within the master plan exclusively for other housing types, such as multi-family residential structures of five dwelling units or more or manufactured home parks.*
 - B. *If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan before January 1, 2021, it may limit the development of Middle Housing other than Duplexes provided it authorizes in the entire master plan area a net residential density of at least eight dwelling units per acre and allows all dwelling units, at minimum, to be detached single-family dwellings or Duplexes. A Large City may only apply this restriction to portions of the area not developed as of January 1, 2021, and may not apply this restriction after the initial development of any area of the master plan or a plan that functions in the same manner as a master plan, except that a Large City may prohibit redevelopment of other housing types, such as multi-family residential structures and manufactured home parks.*
 - c. *Impacted by State or Federal Law: A Large City must demonstrate that regulations or limitations of Middle Housing other than Duplexes are necessary to implement or comply with an established state or federal law or regulation on these types of lands.*

3.A Large City may:

- a. Allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235; or
- b. Apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that the applicable Middle Housing type other than Duplexes is allowed on the following percentage of Lots and Parcels zoned for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):
 - A. Triplexes – Must be allowed on 80% of Lots and Parcels;
 - B. Quadplexes - Must be allowed on 70% of Lots and Parcels;
 - C. Townhouses - Must be allowed on 60% of Lots and Parcels; and
 - D. Cottage Clusters – Must be allowed on 70% of Lots and Parcels.

E. A Middle Housing type is “allowed” on a Lot or Parcel when the following criteria are met:

 - i. The Middle Housing type is a permitted use on that Lot or Parcel under the same administrative process as a detached single-family dwelling in the same zone;
 - ii. The Lot or Parcel has sufficient square footage to allow the Middle Housing type within the applicable minimum lot size requirement;
 - iii. Maximum density requirements do not prohibit the development of the Middle Housing type on the subject Lot or Parcel; and
 - iv. The applicable siting or design standards do not individually or cumulatively cause unreasonable cost or delay to the development of that Middle Housing type as provided in OAR 660-046-0210(3).

F. A Large City must ensure the equitable distribution of Middle Housing by allowing, as defined in subsection (3)(b)(E) above, at least one Middle Housing type other than Duplexes and Cottage Clusters on 75 percent or more of all lots and parcels zoned for residential use that allow for the development of detached single-family dwellings within each census block group, with at least four eligible Lots and Parcels as described in subsection (2) of this section, within a Large City.
- G. Large Cities must demonstrate continuing compliance with subsection (3)(b) at the following intervals:
 - i. At the initial submittal of a Middle Housing comprehensive plan or land use regulation change, in accordance with OAR Chapter 660, Division 18;
 - ii. At any future Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required earlier than six years after initial adoption of acknowledged land use regulations in compliance with this division; and
 - iii. With any future comprehensive plan or land use regulation changes that implements this division, in accordance with OAR Chapter 660, Division 18, for Large Cities that are not subject to the Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required more frequently than once every six years after initial adoption of acknowledged land use regulations in compliance with this division.

4. Pursuant to OAR 660-046-0205 through OAR 660-046-0230, the following numerical standards related to Middle Housing types apply:

- a. Duplexes – Large Cities may allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.
- b. Triplexes and Quadplexes – Large Cities may allow more than four dwelling units on a lot, including any accessory dwelling units.
- c. Townhouses – Large Cities must require at least two attached Townhouse dwelling units and must allow up to four attached Townhouse units subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. A Large City may allow five or more attached Townhouse dwelling units.
- d. Cottage Clusters –
 - A. A Large City is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five dwelling units in a Cottage Cluster. A Large City may allow, but may not require, greater than five units in a Cottage Cluster.
 - B. A Large City must allow up to eight cottages per common courtyard subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. Nothing in this section precludes a Large City from permitting greater than eight dwelling units per common courtyard.

FINDING: SATISFIED. Proposed amendments satisfy these requirements because:

1. Duplexes are permitted on all lots which permit detached single dwellings.
2. Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-dwellings, are permitted in areas zoned for residential use that allow for the development of single detached dwellings. The city will continue to apply protections to statewide land use planning goals 5, 6, 7, 9, 11, and 16 as applicable.
3. This section is not applicable because McMinnville has opted for the “minimum compliance” pathway.
4. Amendments comply with the numerical standards for each of the middle housing types.

660-046-0210 Provisions Applicable to Middle Housing in Large Cities

1. Large Cities may regulate Middle Housing to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).
2. Large Cities may regulate siting and design of Middle Housing, provided that the regulations;
 - a. Are clear and objective standards, conditions, or procedures consistent with the requirements of ORS 197.307; and
 - b. Do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable costs or delay.
3. Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:
 - a. Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);
 - b. Permitted uses and approval processes provided in OAR 660-046-0215;
 - c. Siting standards provided in OAR 660-046-0220;
 - d. Design standards in Large Cities provided in OAR 660-046-0225;
 - e. Middle Housing Conversions provided in OAR 660-046-0230;
 - f. Alternative siting or design standards provided in OAR 660-046-0235; and
 - g. Any siting and design standards contained in the Model Code referenced in

section OAR 660-046- 0010(4).

FINDING: SATISFIED. Proposed amendments satisfy these requirements because:

1. The city will continue to apply protections to statewide land use planning goals 5, 6, 7, 9, 11, and 16 as applicable.
2. The Residential Development and Design Standards (RDDS) use clear and objective siting standards, and applies those standards equally to detached single dwellings, duplexes, triplexes, and quadplexes.
3. Code amendments consists of siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay and include only the following:
 - a. Protections that are consistent with statewide land use planning goals 5, 6, 7, 9, 11, and 16.
 - b. All middle housing types are permitted land uses and are governed by the same approval processes and procedures as single detached dwellings.
 - c. The Residential Development and Design Standards (RDDS) use clear and objective siting standards, applies those standards equally to detached single dwellings, duplexes, triplexes, and quadplexes, or includes siting standards for attached single dwellings and cottage clusters that are based on the design standards in the Large City Model Code (LCMC), or are less restrictive.
 - d. The RDDS design standards, called Universal Design Standards, use clear and objective, quantitative criteria.
 - e. The RDDS standards address conversions of existing detached single dwellings to any of the middle housing types or have adopted language from the Large City Model Code (LCMC) or the less restrictive OAR benchmarks.
 - f. Code amendments do not rely on nor provide alternative siting or design standards as described in OAR 660-046-0235.
 - g. Code amendments use a number of siting and design standards that are contained in the Model Code section OAR 660-046- 0010(4).

660-046-0215 Permitted Uses and Approval Process

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307. Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

FINDING: SATISFIED. Proposed amendments satisfy these requirements because:

- Code amendments ensure that all HB-required middle housing types are permitted land uses, governed by the same approval processes and procedures as single detached dwellings.

660-046-0220 Middle Housing Siting Standards in Large Cities

1. *Large Cities must apply siting standards to Duplexes in the same manner as required for Medium Cities in OAR 660-046-0120.*
2. *The following governs Large Cities' regulation of siting standards related to Triplexes and*

Quadplexes:

- a. **Minimum Lot or Parcel Size:**
 - A. **For Triplexes:**
 - i. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 5,000 square feet or less, the minimum Lot or Parcel size for a Triplex may be no greater than 5,000 square feet.
 - ii. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 5,000 square feet, the minimum Lot or Parcel size for a Triplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - B. **For Quadplexes:**
 - i. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Quadplex may be no greater than 7,000 square feet.
 - ii. If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Quadplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.
 - C. A Large City may apply a lesser minimum Lot or Parcel size in any zoning district for a Triplex or Quadplex than provided in paragraphs A. or B.
- b. **Density:** If a Large City applies density maximums in a zone, it may not apply those maximums to the development of Quadplex and Triplexes.
- c. **Setbacks:** A Large City may not require setbacks greater than those applicable to detached single-family dwellings in the same zone.
- d. **Height:** A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone, except a maximum height may not be less than 25 feet or two stories.
- e. **Parking:**
 - A. **For Triplexes,** a Large City may require up to the following off-street parking spaces:
 - i. For Lots or Parcels of less than 3,000 square feet: one space in total;
 - ii. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total; and
 - iii. For Lots or Parcels greater than or equal to 5,000 square feet: three spaces in total.
 - B. **For Quadplexes,** a Large City may require up to the following off-street parking spaces:
 - i. For Lots or Parcels of less than 3,000 square feet: one space in total;
 - ii. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total;
 - iii. For Lots or Parcels greater than or equal to 5,000 square feet and less than 7,000 square feet: three spaces in total; and
 - iv. For Lots or Parcels greater than or equal to 7,000 square feet: four spaces in total.
 - C. A Large City may allow on-street parking credits to satisfy off-street parking requirements.
 - D. A Large City may allow, but may not require, off-street parking to be provided as a garage or carport.

- E. *A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.*
 - F. *A Large City may not apply additional minimum parking requirements to Middle Housing created as provided in OAR 660-046-0230.*
 - f. *Lot or Parcel Coverage and Floor Area Ratio: Large Cities are not required to apply Lot or Parcel coverage or floor area ratio standards to Triplexes or Quadplexes. However, if the Large City applies Lot or Parcel coverage or floor area ratio standards, it may not establish a cumulative Lot or Parcel coverage or floor area ratio for Triplexes or Quadplexes that is less than established for detached single-family dwelling in the same zone.*
 - g. *A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.*
- 3. *The following governs Large Cities' regulation of siting standards related to Townhouses:*
 - a. *Minimum Lot or Parcel Size: A Large City is not required to apply a minimum Lot or Parcel size to Townhouses, but if it applies those standards, the average minimum Lot or Parcel size for Lot or Parcels in a Townhouse Project may not be greater than 1,500 square feet. A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet, or less.*
 - b. *Minimum Street Frontage: A Large City is not required to apply a minimum street frontage standard to Townhouses, but if it applies those standards, the minimum street frontage standard must not exceed 20 feet. A Large City may allow frontage on public and private streets or alleys; and on shared or common drives. If a Large City allows flag Lots or Parcels, it is not required to allow Townhouses on those Lots or Parcels.*
 - c. *Density: If a Large City applies density maximums in a zone, it must allow four times the maximum density allowed for detached single-family dwellings in the same zone for the development of Townhouses or 25 dwelling units per acre, whichever is less.*
 - d. *Setbacks: A Large City may not require front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone and must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached.*
 - e. *Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone. If a Large City requires covered or structured parking for townhouses, the applicable height standards must allow construction of at least three stories. If a Large City does not require covered or structured parking, the applicable height standards must allow construction of at least two stories.*
 - f. *Parking:*
 - A. *A Large City may not require more than one off-street parking space per Townhouse dwelling unit.*
 - B. *Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.*
 - C. *A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.*
 - g. *Bulk and Scale: A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size, those standards cannot cumulatively or*

individually limit the bulk and scale of the cumulative Townhouse Project greater than that of a single-family detached dwelling.

- h. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Townhouse development application.*
- 4. The following governs Large Cities' regulation of siting standards related to Cottage Clusters:*
 - a. Minimum Lot or Parcel Size: A Large City is not required to apply minimum Lot or Parcel size standards to new Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel size for Cottage Clusters on a single Lot or Parcel, the following provisions apply:*
 - A. If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Cottage Cluster may be no greater than 7,000 square feet.*
 - B. If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Cottage Cluster may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.*
 - b. Minimum Lot or Parcel Width: A Large City is not required to apply minimum Lot or Parcel width standards to Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel width for Cottage Clusters, it may not require a minimum Lot or Parcel width that is greater than the standard for a single-family detached dwelling in the same zone.*
 - c. Density: A Large City may not apply density maximums to the development of Cottage Clusters. A Cottage Cluster development must meet a minimum density of at least four units per acre.*
 - d. Setbacks: A Large City may not require perimeter setbacks to be greater than those applicable to detached single-family dwellings in the same zone. Additionally, perimeter setbacks applicable to Cottage Cluster dwelling units may not be greater than ten feet. The minimum distance between structures may not be greater than what is required by applicable building code requirements or 10 feet.*
 - e. Dwelling Unit Size: A Large City may limit the minimum or maximum size of dwelling units in a Cottage Cluster, but must apply a maximum building footprint of 900 square feet per dwelling unit. A Large City may exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. A Large City may not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.*
 - f. Parking:*
 - A. A Large City may not require more than one off-street parking space per dwelling unit in a Cottage Cluster.*
 - B. A Large City may allow but may not require off-street parking to be provided as a garage or carport.*
 - C. Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.*
 - g. Lot or Parcel Coverage and Floor Area Ratio: A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters.*
 - h. Nothing in this division precludes a Large City from allowing Cottage Cluster dwelling units on individual Lots or Parcels within the Cottage Cluster development.*
 - i. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Cottage Cluster development application.*

660-046-0225 Middle Housing Design Standards in Large Cities

1. *A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:*
 - a. *Design standards in the Model Code for Large Cities in OAR 660-046-0010(4)(b);*
 - b. *Design standards that are less restrictive than those in the Model Code for Large Cities in OAR 660-046-0010(4)(b);*
 - c. *The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or*
 - d. *Alternative design standards as provided in OAR 660-046-0235.*
2. *A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.*

FINDING: SATISFIED. The proposed amendments satisfy these requirements because:

- The Residential Development and Design Standards (RDDS) use clear and objective siting standards, and applies those standards equally to detached single dwellings, duplexes, triplexes, and quadplexes, and
- The RDDS includes siting standards for attached single dwellings and cottage clusters that are based on the design standards in the Large City Model Code (LCMC), or it applies designs standards that are less restrictive, and
- The RDDS design standards, called Universal Design Standards, use clear and objective, quantitative criteria, and
- Are specifically designed to comply with OAR 660-046-0225(1)(c), by using the same design standards that are applied to single detached dwellings in the same zone,.

660-046-0230 Middle Housing Conversions

1. *Additions to, or conversions of, an existing detached single-family dwelling into Middle Housing is allowed in Large Cities pursuant to OAR 660-046-0205(2), provided that the addition or conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the Large City's development code.*
2. *If Middle Housing is created through the addition to, or conversion of, an existing single-family detached dwelling, a Large City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Middle Housing.*
3. *A preexisting detached single-family dwelling may remain on a Lot or Parcel with a Cottage Cluster as described below:*
 - a. *The preexisting single-family dwelling may be nonconforming with respect to the requirements of the applicable code;*
 - b. *The preexisting single-family dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, a preexisting single-family dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded;*
 - c. *The preexisting single-family dwelling shall count as a unit in the Cottage Cluster;*

- d. *The floor area of the preexisting single-family dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits; or*
- e. *A Large City may apply a time limit on the conversion of a single-family dwelling to a Cottage Cluster not to exceed five years.*

FINDING: SATISFIED. The proposed amendments satisfy these requirements because:

- The RDDS standards address conversions of existing detached single dwellings to any of the middle housing types, and
- The RDDS standards have adopted language from the Large City Model Code (LCMC) or the less restrictive OAR benchmarks.

660-046-0235 Alternative Siting or Design Standards

A Large City may adopt Siting or Design Standards not authorized by OAR 660-046-0220 or OAR 660-046-0225 as allowed under subsection (1) below if the city can demonstrate that it meets the applicable criteria laid out in either subsection (1) below. Siting or Design standards do not include minimum Lot or Parcel size and maximum density requirements.

1. *A Large City must submit to the Department findings and analysis demonstrating that the proposed standard or standards will not, individually or cumulatively, cause unreasonable cost or delay to the development of Middle Housing. To demonstrate that, the Large City must consider how a standard or standards, individually and cumulatively, affect the following factors in comparison to what is would otherwise be required under OAR 660-046-0220 or OAR 660-046-0225:*
 - a. *The total time and cost of construction, including design, labor, and materials;*
 - b. *The total cost of land;*
 - c. *The availability and acquisition of land, including areas with existing development;*
 - d. *The total time and cost of permitting and fees required to make land suitable for development;*
 - e. *The cumulative livable floor area that can be produced; and*
 - f. *The proportionality of cumulative time and cost imposed by the proposed standard(s) in relationship to the public need or interest the standard(s) fulfill.*

FINDING: SATISFIED. The proposed amendments do not rely on alternative siting or design standards as described in OAR 660-046-0235.

Comprehensive Plan

As described in the Comprehensive Plan, the Goals and Policies of the Comprehensive Plan serve as criteria for land use decisions. The following Goals and Policies from Volume II of the McMinnville Comprehensive Plan are applicable to this request:

CHAPTER V. HOUSING AND RESIDENTIAL DEVELOPMENT

GOAL V 1 TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

General Housing Policies:

58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities.

59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.

60.00 Attached single-family dwellings and common property ownership arrangements (condominiums) shall be allowed in McMinnville to encourage land-intensive, cost-effective, owner-occupied dwellings.

Housing Rehabilitation Policies:

62.00 The maintenance, rehabilitation, and restoration of existing housing in residentially designated areas shall be encouraged to provide affordable housing.

FINDING: SATISFIED. Goal V 1 and the relevant policies to middle housing are satisfied by this proposal because the code amendments will remove regulatory barriers to housing of all types, sizes and levels of affordability. Code amendments also encourage existing single detached dwellings to be converted to multiple units. Conversion of existing residential structures is an important complement to new construction affordable housing.

GOAL V 2 TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policies:

68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center, to designated neighborhood activity centers, and to those areas where urban services are already available before committing alternate areas to residential use. (Ord. 5098, December 8, 2020)

69.00 The City of McMinnville shall explore the utilization of innovative land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.

70.00 The City of McMinnville shall continue to update zoning and subdivision ordinances to include innovative land development techniques and incentives that provide for a variety of housing types, densities, and price ranges that will adequately meet the present and future needs of the community.

FINDING: SATISFIED. Code amendments to allow middle housing will support these policies. Code amendments also encourage existing single detached dwellings to be converted to multiple units. Conversion of existing residential structures is an energy-efficient and less land intensive alternative to new housing construction.

CHAPTER VIII. ENERGY

GOAL VIII 2 TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.

Policies:

178.00 The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.

179.00 The City of McMinnville shall amend pertinent ordinances to allow for design techniques which increase the efficient utilization of land and energy. Areas to examine shall include, but not be limited to:

- 1. The zoning ordinance requirements, including density, lot areas, and setbacks to increase utilizable space in lots, while maintaining health and safety standards.*
- 2. The geographic placement of various uses (commercial, industrial, residential) on the Comprehensive Plan Map to encourage energy-efficient locations.*
- 3. The zoning ordinance and planned development provisions to allow for cluster developments, individually owned, common-wall dwellings, and other design techniques that increase utilizable space and offer energy savings.*

FINDING: SATISFIED. Goal VIII 2 and relevant policies are satisfied because the proposed code amendments will encourage more efficient utilization of existing residential areas by allowing middle housing that includes more energy-efficient housing types.

CHAPTER IX. URBANIZATION

GOAL IX 1 TO PROVIDE ADEQUATE LAND TO SERVICE THE NEEDS OF THE PROJECTED POPULATION TO THE YEAR 2023, AND TO ENSURE THE CONVERSION OF THESE LANDS IN AN ORDERLY, TIMELY MANNER TO URBAN USES.

GOAL IX 2 TO ESTABLISH A LAND USE PLANNING FRAMEWORK FOR APPLICATION OF THE GOALS, POLICIES, AND PROPOSALS OF THE McMINNVILLE COMPREHENSIVE PLAN.

Great Neighborhood Principles – several policies are relevant to the middle housing amendments:

Policies:

187.10 The City of McMinnville shall establish Great Neighborhood Principles to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value, whether that place is a completely new development or a redevelopment or infill project within an existing built area.

187.20 The Great Neighborhood Principles shall encompass a wide range of characteristics and elements, but those characteristics and elements will not function independently. The Great Neighborhood Principles shall be applied together as an integrated and assembled approach to neighborhood design and development to create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood, and to create a neighborhood that supports today's technology and infrastructure, and can accommodate future technology and infrastructure.

187.30 The Great Neighborhood Principles shall be applied in all areas of the city to ensure equitable access to a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood for all McMinnville citizens.

187.40 The Great Neighborhood Principles shall guide long range planning efforts including, but not limited to, master plans, small area plans, and annexation requests. The Great Neighborhood Principles shall also guide applicable current land use and development applications.

187.50 The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13) and is followed by more specific direction on how to achieve each individual principle.

- 8. Human Scale Design. Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.*
 - a. The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.*
 - b. Buildings included design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.*
 - c. Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).*

- 11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.*
 - a. A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.*

- 12. Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.*
 - a. Neighborhoods shall have several different housing types.*
 - b. Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.*

FINDING: SATISFIED. Goals IX 1 and IX 2, along with the relevant policies, are satisfied. The objective of these updates is to further expand the range of middle housing types, including tiny houses, duplexes, triplexes, quadplexes, townhouses, cottage clusters, and apartments, which are allowed and encouraged by the city. A related objective is HB 2001 compliance for the housing types required by the legislation (duplexes, triplexes, quadplexes, townhouses, cottage clusters). Updates resulting from this project will reflect recommendations from the earlier citywide Housing Types project, called RDDS – Residential Development and Design Standards, which was directly related to implementing the McMinnville Great Neighborhood Principles.

CHAPTER X. CITIZEN INVOLVEMENT AND PLAN AMENDMENT

GOAL X 1 TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

FINDING: SATISFIED. The consultant's analysis of the draft document and their recommendations for potential updates were shared with and reviewed in detail by the Planning Commission during a work session discussion in April 2021. In addition, the Planning Department held three open house webinars to share information on the adopted missing middle OARs and the draft development standards that the City was in the process of developing. Those open house webinars were held April 27, 2021 through April 29, 2021. Feedback and direction on the consultant's recommendations were provided by the Planning Commission and incorporated into an updated draft of the Residential Development and Design Standards document. Work sessions were then conducted with the City Council and Planning Commission in August, 2021 to review the final recommendations.

On February 22, 2022 a joint work session was held with Planning Commission and City Council. Additionally, there were four public work sessions held on February 28th, March 1st, 2nd, and 3rd.

The public hearing process provides further opportunity for consideration of citizen involvement and input and associated deliberation.