

ORDINANCE NO. 5132

AN ORDINANCE APPROVING A ZONE MAP AMENDMENT TO APPLY THE FLOOD AREA ZONE (FP) TO 28.25 ACRES AND THE 9000 MINIMUM LOT SIZE RESIDENTIAL ZONE (R-1) TO 1.65 ACRES OF TAX LOTS R4421 00900 AND 01200 UPON ANNEXATION INTO THE CITY LIMITS.

RECITALS:

WHEREAS, the Planning Department received an application for the annexation of tax lots R4421 00900 and 01200 into the city limits; and

WHEREAS, the McMinnville Municipal Code, Section 16.30.030 requires that all applicants for annexation must enter into an annexation agreement with the City of McMinnville; and

WHEREAS, on February 14, 2023, the McMinnville City Council approved Resolution No. 2023-09, an annexation agreement with the applicant; and

WHEREAS, the Annexation Agreement stipulates in Section 2(a)(3) that the property owner will receive a final unappealed land-use approval for city zoning on the property; and

WHEREAS, the Planning Department received an application for a Zone Map Amendment for the application of city zoning on tax lots R4421 00900 and 01200 upon annexation into the city limits; and

WHEREAS, a duly noticed public hearing before the McMinnville Planning Commission was held on March 16, 2023 after due notice had been provided in the local newspaper on February 21, 2023, and written notice had been mailed to property owners within 300 feet of the affected property on February 23, 2023; and

WHEREAS, at said public hearing, the application materials and a staff report were presented, and applicant and public testimony was received.

WHEREAS, the Planning Commission, being fully informed about said request, found that the requested Zone Change conformed to the applicable Comprehensive Plan goals and policies and review criteria based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

WHEREAS, the Planning Commission, by a vote of 9-0, recommended approval of said Zone Map Amendment; and

WHEREAS, the City Council having received the Planning Commission recommendation and staff report, hosted a public hearing on May 9, 2023 and having deliberated;

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

1. That the Council adopts the Decision, Conditions, Findings of Fact and Conclusionary Findings as documented in Exhibit A, approving the Zone Map Amendment (ZC 3-22; and
2. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the McMinnville City Council this 9th day of May 2023, by the following votes:

Ayes: Geary, Menke, Chenoweth, Peralta, Garvin

Nays: _____



MAYOR

Approved as to form:



City Attorney

Attest:



City Recorder

EXHIBITS:

- A. Decision Document for Docket ZC 3-22

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPLICATION FOR AN AMENDMENT TO THE ZONE MAP TO APPLY THE FLOOD AREA ZONE (FP) TO 28.25 ACRES AND THE 9000 MINIMUM LOT SIZE RESIDENTIAL ZONE (R1) TO 1.65 ACRES OF TAX LOTS R4421-00900 & R4421-01200 UPON ANNEXATION INTO THE CITY LIMITS

DOCKET: ZC 3-22 (Zone Change)

REQUEST: An application for an amendment to the Zone Map to apply the Flood Area Zone (FP) to 28.25 acres and the 9000 Minimum Lot Size Residential Zone (R-1) to 1.65 acres of the two tax lots upon annexation into the city limits.

LOCATION: Site Address: No assigned address
Map & Tax Lot: R4421 Tax Lots 00900 and 01200

CURRENT ZONING: EF-80, Exclusive Farm Use (County Zoning – Still in the Urban Growth Boundary)

APPLICANT: Steve Kay, Cascadia Planning,
prepared for Anders Johansen, property owner.

**PROPERTY
OWNER:** Anders Johansen

STAFF: Heather Richards, Community Development Director

**DATE DEEMED
COMPLETE:** February 14, 2023

**HEARINGS BODY
& ACTION:** The McMinnville Planning Commission makes a recommendation to the City Council. A Planning Commission recommendation of approval is transmitted to the City Council for a decision. A Planning Commission recommendation/decision of denial becomes the final decision unless that decision is appealed to the City Council.

PLANNING COMMISSION

HEARING DATE

& LOCATION: March 16, 2023 at 6:30 P.M., 200 NE 2nd Street, McMinnville, OR 97128.
Zoom meeting ID: 864 3046 1362, Passcode: 904774

DECISION-MAKING

BODY: The McMinnville City Council makes the final decision, unless the Planning Commission recommendation/decision is denial, in which case that is the final decision unless the Planning Commission decision is appealed to City Council.

Attachments:

- 1 – ZC 3-22 Application and Exhibits
- 2 – Annexation Agreement

MEETING DATE

& LOCATION:

May 9, 2023, at 7:00 PM, 200 NE 2nd Street, McMinnville, OR 97128
Zoom meeting ID: 859 1340 1163, Passcode: 681621

PROCEDURE:

An application for a Zone Map amendment is processed in accordance with the procedures in Section 17.72.120 of the McMinnville Municipal Code. The application is reviewed by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the McMinnville Municipal Code.

CRITERIA:

The applicable criteria for a Zone Map Amendment is specified in Section 17.74.020 of the McMinnville Municipal Code. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests. The proposal must also be consistent with applicable provisions of state law.

APPEAL:

The Planning Commission makes a recommendation to the City Council. If the Planning Commission recommendation is approval, the recommendation is forwarded to City Council to make the final decision. As specified in Section 17.72.190 of the McMinnville Municipal Code, the City Council's decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of decision is mailed.

COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Ziply Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of State Lands; and Oregon Department of Transportation. Their comments are provided in Section IV of this document.

Based on the findings and conclusionary findings, the City Council finds that the applicable criteria are satisfied and **APPROVES WITH CONDITIONS** the Zone Map Amendment (ZC 3-22).

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DECISION: APPROVAL WITH CONDITIONS
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City Council: 

Remy Drabkin, Mayor of McMinnville

Date: May 9, 2023

Planning Department: 

Heather Richards, Community Development Director

Date: May 10, 2023

Attachments (on file with the Planning Department):

1 – ZC 3-22 Application and Exhibits

2 – Annexation Agreement

I. APPLICATION SUMMARY:

Subject Property & Request

The applicant requests an amendment to the Zone Map to apply the Flood Area Zone (FP) to 28.25 acres and the 9000 Minimum Lot Size Residential Zone (R1) to 1.65 acres of tax lots R4421 00900 and 01200 upon annexation to the city limits. Tax Lot 900 contains approximately 12.40 acres and is located on the east side of the Three Mile Lane Bridge, while Tax Lot 1200 contains 17.6 acres on the west side of the bridge. Both tax lots are currently located within the Urban Growth Boundary (UGB) of McMinnville and are designated Residential and Floodplain on the City Comprehensive Plan Map. Consistent with the Comprehensive Plan, the applicant is proposing to change the current EF-80 (Exclusive Farm Use) zone designation to R-1 (Single-Family Residential) and F-P (Flood Area) when the parcels are annexed. Currently, the properties are in the county in McMinnville's Urban Growth Boundary with county zoning ***See Vicinity Map (Figure 1), Current Zoning Map (Figure 2), and Proposed Zoning Map (Figure 3).***

R-1 and R-2 zoned parcels to the south of the site are located within the city limits of McMinnville and are developed with single-family dwellings. To the east and west of the site are EF-80 zoned parcels under Yamhill County jurisdiction. To the north of the site, across the South Yamhill River, are F-P and R-1 zoned parcels that are developed with single-family residential uses.

The property is being considered for annexation into the city limits by the McMinnville City Council. Upon annexation the property will need to have city zoning. At their meeting on February 14, 2023, the McMinnville City Council adopted Resolution No. 2023-09 authorizing the City Manager to sign an annexation agreement with the property owner. One of the stipulations of the annexation agreement was that the property owner would successfully obtain land-use approval for city zoning on the subject properties. ***(See attached Annexation Agreement)***

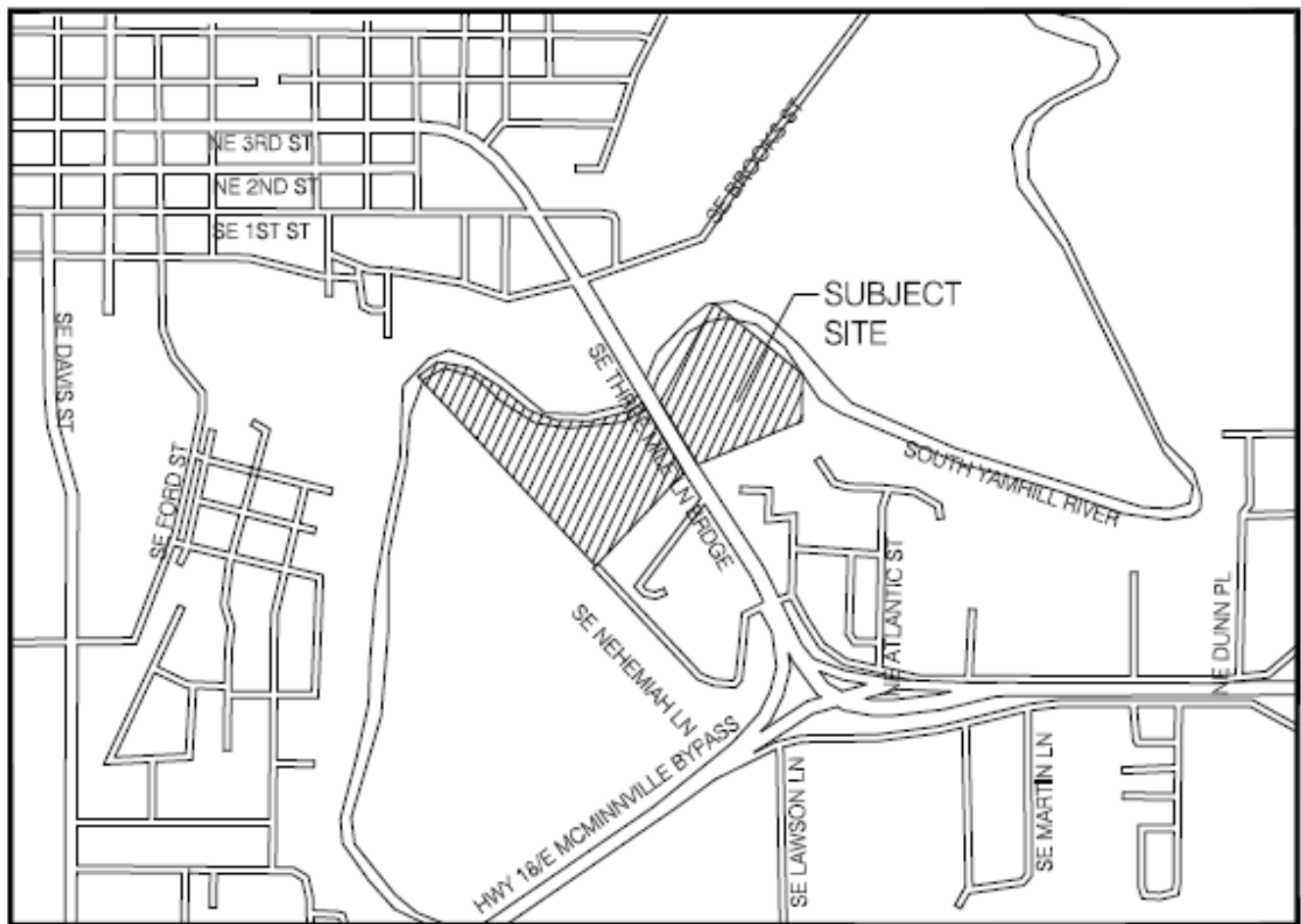
Most of the property is located within a flood plain and is not considered buildable. Only land on the edges of the property is considered buildable. An existing conservation easement and a 100-year floodplain are located on both tax lots, roughly paralleling the Yamhill River, which is located along the northern boundary of the site. Since almost all of the subject properties are encumbered by these natural features the property owner would like to initially build one residence on the property, but has the opportunity to partition into three lots in the future. ***See Future Development Plan with One Residence (Figure 4) and Future Development Plan with Land Division (Figure 5).***

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Figure 1. Vicinity Map



VICINITY MAP

Attachments (on file with the Planning Department):

1 – ZC 3-22 Application and Exhibits

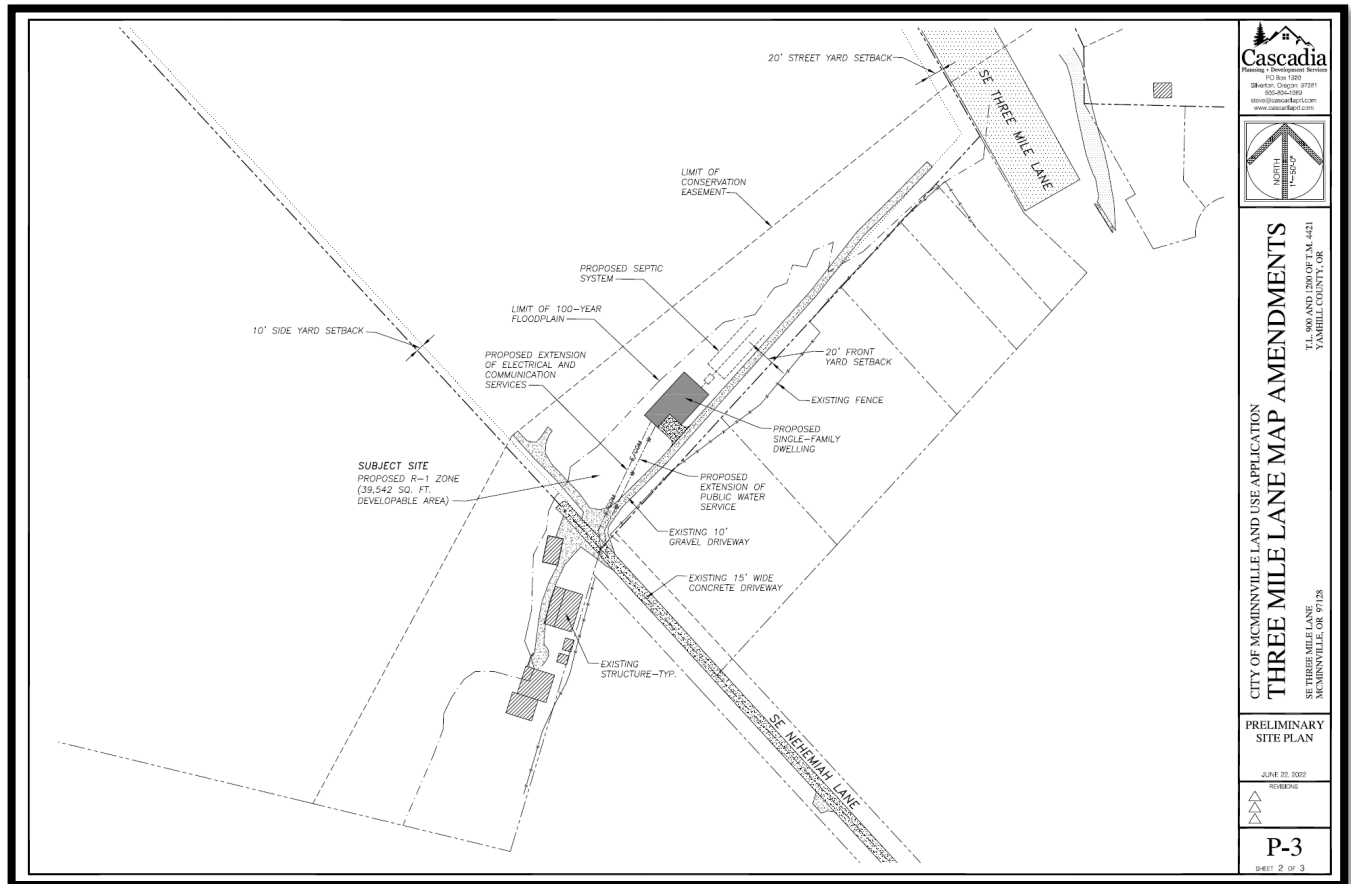
2 – Annexation Agreement

Figure 2. Current Zone Map (with County Zoning)



This map illustrates the Flood Area Zone after Annexation. The area is divided into several zones, including the Flood Area Zone after Annexation (shaded in light blue with diagonal lines) and the R-1 after Annexation (shaded in yellow). The map also shows the location of the Flood Area Zone after Annexation and the R-1 after Annexation. Key streets shown include Logan St, Macy St, Brooks St, Anne St, Three Mile Ln, Hereman Ln, Pacific St, Tilbury St, Turner Way, Atlantic St, and Village Ct. A red line indicates the boundary between the Flood Area Zone after Annexation and the R-1 after Annexation.

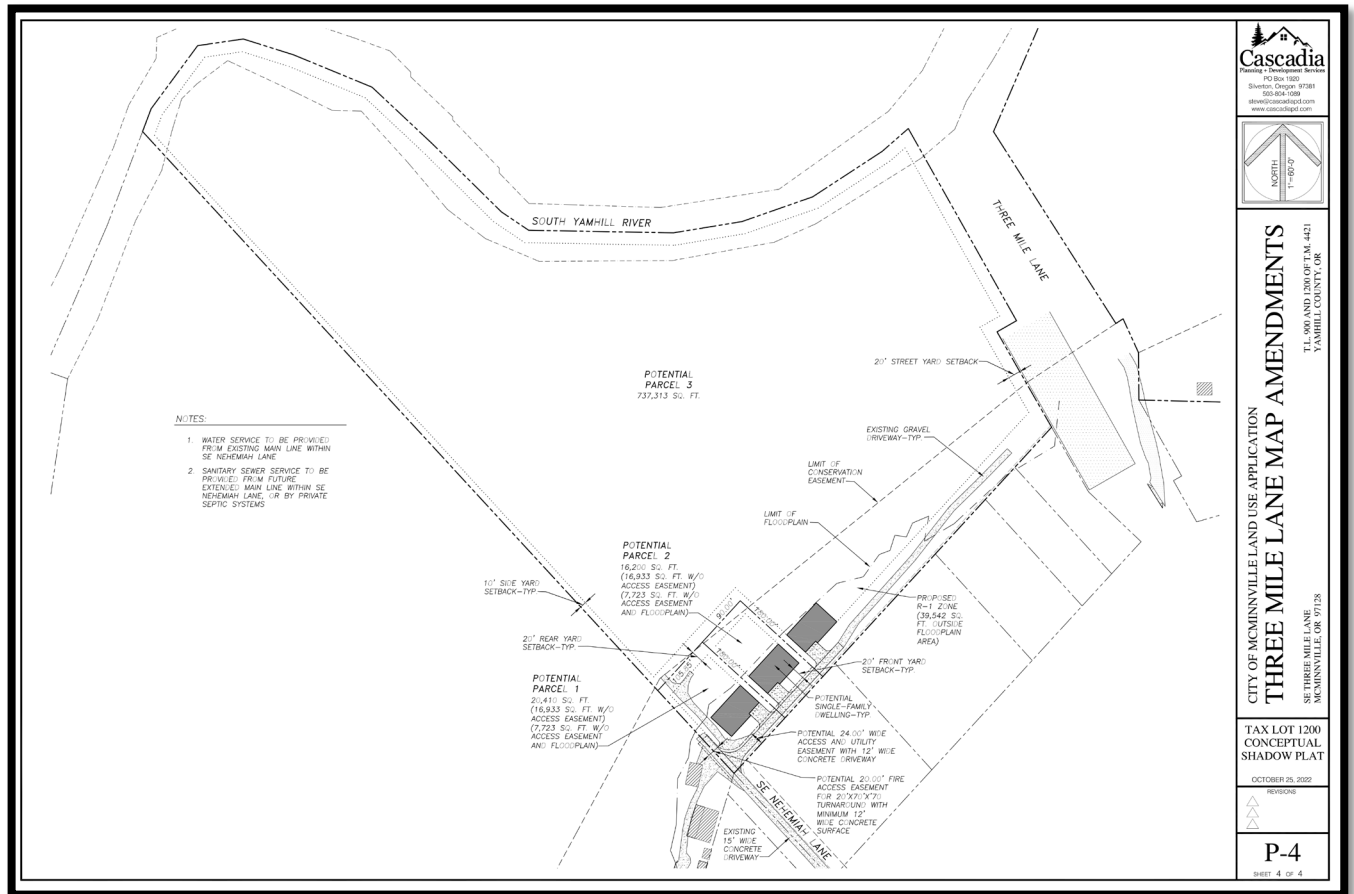
2 – Annexation Agreement

Figure 4. Future Development Plan with One Residence

Attachments (on file with the Planning Department):

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2 – Annexation Agreement

Figure 5. Future Potential Land Division Plan

There is a future planned multi-purpose trail along the Yamhill River on the site and the Annexation Agreement which is recorded on the property states that:

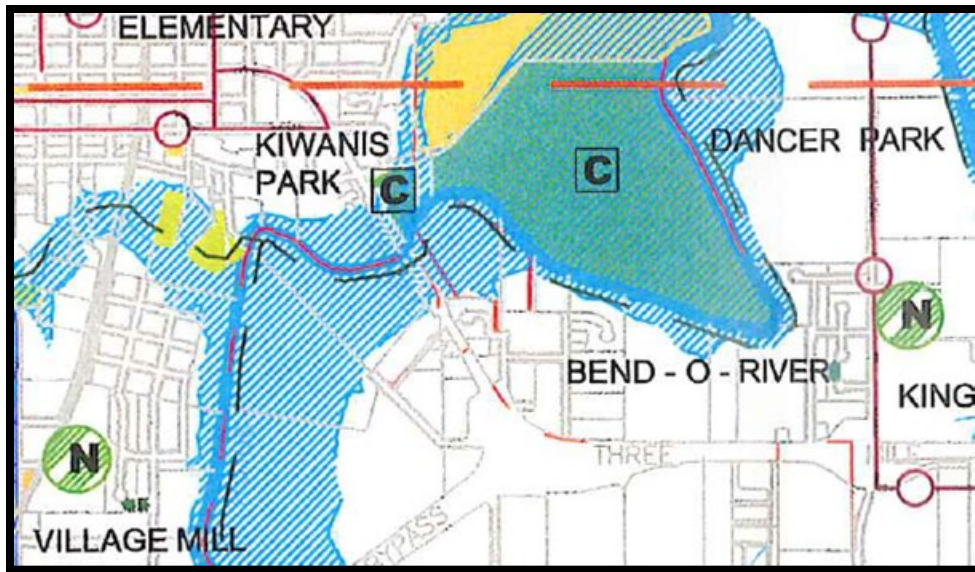
Owner agrees that it will, without any cost to the City, dedicate the necessary rights-of-way or easements for all Planned Improvements identified in the City's Public Facilities Plan. The Public Facilities Plan includes the Wastewater Conveyance Plan, Water Master Plan, Transportation System Plan and Parks and Recreation Plan.

The City's Parks, Recreation, and Open Space Master Plan identifies a future multi-purpose trail along the Yamhill River. When the City is ready to move forward with the construction of the trail, the property owner will dedicate the land for the trail for free, and the dedication will be from the center of the river to the outside edge of the trail section furthest from the river, based on the city's specifications for a multi-purpose trail along the river.

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*Excerpt from the Parks, Recreation and Open Space Master Plan
identifying a multi-use trail along the Yamhill River*

II. CONDITIONS:

1. This land-use approval will not be in effect until the subject site is annexed into the McMinnville city limits, at which time, these zones will be applied to the subject site.

III. ATTACHMENTS (on file with the Planning Department):

1. ZC 3-22 Application and Attachments
2. Annexation Agreement

IV. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Zply Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of Transportation; and Oregon Department of State Lands.

Responses were received from the following agencies, provided below:

- McMinnville Building Department
- McMinnville Engineering Department
- McMinnville Fire Department
- McMinnville Water & Light
- McMinnville Fire Department
- Comcast
- Department of State Lands

Attachments (on file with the Planning Department):

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Most of the comments do not create conditions of approval for the Zone Map amendment land-use decision but are important comments for the applicant when developing on the property.

- McMinnville Building Department

No building code issues for this referral. Fire department access will be evaluated at time of building permit application and is regulated under the authority of the Fire Department. The noted “POTENTIAL” easements and driveways may not be adequate. Adequacy will be determined by the Fire Department at the time building permits are processed.

- McMinnville Engineering Department

We will want to see a Local Improvement District and a waiver of remonstrance for any street improvements.

- McMinnville Fire Department

After reading through, I see that they are looking to add only one residence. In the past we have allowed these with the 15ft easement/driveway. It appears that there is a hydrant right on the corner so that would take care of water supply issues. The only issue we would have would be if the house were to be located more than 150ft from the roadway. If it is further we would require turnout and a turn around.

The Fire Department would allow the surface to be gravel, paved or concrete.

I would add that we will need a fire flow test from the nearby hydrant prior to any construction.

- McMinnville Water & Light

Property owner should identify existing electric transmission easement on east boundary of TL 900 and provide for access to the high-voltage transmission lines from Three-Mile Lane to provide for tree-trimming to mitigate risk of fire within the urban growth boundary. Geographic features make accessing the area from the north (river) or south (steep terrain) impractical.

McMinnville Water and Light records indicate that 50’ of a 100’ wide power easement (v117p204) exists on the east line of parcel 900. The easement should be included in the Three Mile Lane Map Amendments.



It appears that the existing home on tax lot 1200 will remain. If the new single family home site will be on its own tax lot, MW&L will need an easement to extend power from 1200 to the new parcel.

Need to identify and provide for access on the subject property (tax lot 900) to MW&L high-voltage transmission lines to provide for fire containment to mitigate risk of wildfire and to respond to fire. Due to geographic barriers along existing electric transmission easement, from the north (river) and south (steep terrain), current access is inadequate for emergency services.

Water is available on SE Mountain View.

Power is available on SE Mountain View.

- Comcast

If this development relocates the power poles along Nehemiah Lane, then Comcast would need to be notified to relocate our facilities.

- Department of State Lands

Thank you for including the Department of State Lands within the general notification list for this annexation. Please note that both 04S04W21 #900 & 1200 contain a wide swath of predominantly hydric soils as mapped on the Statewide Wetlands Inventory, see clip. Therefore there is a higher likelihood that wetlands may occur within this area. Please provide wetland land use notices when the City receives applications for land alteration, PUD or subdivision of these properties. Wetland Delineation and DSL removal-fill permits may be needed. Also note that the Yamhill River is designated essential salmonid habitat and therefore any activity below the ordinary high water elevation of the river may require a DSL permit. Again, please follow WLUN submittal guidance. The DSL ownership program will provide comments separately if needed.

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Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. No public testimony was submitted.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The application was submitted with the appropriate fees provided on June 30, 2022 as part of an annexation application. The applicant submitted the necessary documentation to demonstrate a neighborhood meeting was noticed and held in accordance with the provisions of Section 17.72.095 of the Zoning Ordinance.
2. The application was deemed complete on February 14, 2023, when an annexation agreement was authorized by the McMinnville City Council.
3. On February 10, 2023, notice of the application was provided to the Oregon Department of Land Conservation and Development (DLCD).
4. On February 13, 2023, notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, and City Manager; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Ziply Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of Transportation; and Oregon Department of State Lands. Notice of the application was also subsequently provided to the City Attorney.

Comments received from agencies are addressed in Section IV of this Decision Document.

5. On February 23, 2023, notice of the application and the March 16, 2023, Planning Commission public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance.
6. On February 21, 2023, notice of the application and the March 16, 2023 Planning Commission public hearing was published in the newspaper in accordance with Section 17.72.120 of the Zoning Ordinance.
7. The Planning Commission held a public hearing on March 16, 2023 to consider the request and voted to recommend approval of the zone map amendment to the City Council.
8. A public hearing notice was advertised in the News Register on May 2 and May 9 for a public hearing with the City Council
9. On May 9, the City Council hosted a public hearing and voted to approve the Zone Map Amendment.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:**
 - **Site Address:** No site address at this time.

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- **Map & Tax Lot:** R4421 00900 & 01200
- 2. **Size:** 29.90 acres
- 3. **Comprehensive Plan Map Designation:** Residential and Floodplain
- 4. **Zoning:** Currently EF 80 Yamhill County Zoning
- 5. **Current Development:** Undeveloped
- 6. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None Identified
 - b. **Other:** None Identified
- 7. **Transportation and Access:** The property is served by Nehemiah Lane, a county local road.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria and standards for a Zone Map Amendment are found in Chapter 17.74 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of a proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. “Proposals” specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Amendments to the City’s adopted and acknowledged planning documents, including amendments to the Comprehensive Plan Map and Zoning Map, are also subject to certain Statewide Planning Goals and associated statutes and administrative rules.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of many of the goals, policies, and proposals as they apply to quasi-judicial land use applications are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply certain applications, and are not addressed below

The following findings are made relating to specific Goals and Policies:

CHAPTER II. NATURAL RESOURCES

GOAL II 1: TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.

APPLICANT’S RESPONSE: The applicant is proposing to annex the 30 +/- acre site into the city limits of McMinnville and change the current EF-80 zoning to R-1 and F-P designations. The

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Topographic Survey demonstrates that the annexation territory is currently vacant. An existing conservation easement and a 100-year floodplain follow the South Yamhill River in the northern boundary of the site. The Preliminary Site Plan indicates that this riparian corridor will be preserved and only 39,542 sq. ft. (0.91 acres) of the 30 acre site will be developed with a single-family use.

FINDING: SATISFIED.

Policies - Land

- 1.00 *Urbanizable lands outside the city limits, but inside the Urban Growth Boundary, shall be retained, whenever possible, in agricultural use until such time as they are needed for urban development.*

APPLICANT'S RESPONSE: As illustrated on the attached Existing General Land Use Plan, the subject site is urbanizable land that is currently located within the McMinnville UGB. The submitted Topographic Survey indicates that most of the 30 acre site is located within a conservation easement, therefore it cannot be put into agricultural use. Per the attached Preliminary Site Plan, development of a home site is proposed for a small buildable area of Tax Lot 1200. Since other areas which are located outside of the floodplain and conservation easement on Lot 900 are too small for a home site, the applicant could continue farming those areas after the site is annexed.

FINDING: SATISFIED.

- 2.00 *The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, limiting soil characteristics, and natural hazards.*

APPLICANT'S RESPONSE: The applicant's General Land Use Plan indicates that a floodplain is located on the subject site. As required, the proposed development is located outside of the mapped floodplain so that natural hazards are minimized.

FINDING: SATISFIED.

Policies - Water

- 8.00 *The City of McMinnville shall continue to seek the retention of high water quality standards as defined by federal, state, and local water quality codes, for all the water resources within the planning area.*
- 9.00 *The City of McMinnville shall continue to designate appropriate lands within its corporate limits as "floodplain" to prevent flood induced property damages and to retain and protect natural drainage ways from encroachment by inappropriate uses.*
- 10.00 *The City of McMinnville shall cooperate with the Oregon Department of Environmental Quality, the Mid-Willamette Valley Council of Governments, and other appropriate agencies and interests to maintain water quality and to implement agreed upon programs for management of the water resources within the planning area.*
- 11.00 *The City of McMinnville shall cooperate with McMinnville Water and Light, the Bureau of Land Management, and Yamhill County to insure that the land use development actions*

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allowed in and around the municipal watershed do not lessen the water quality of the municipal water system below acceptable federal, state, and local standards.

APPLICANT’S RESPONSE: The submitted Existing General Land Use Plan illustrates the limits of a 100-year floodplain along South Yamhill River. The applicant’s Preliminary Site Plan indicates that the applicant intends to develop a low-density residential use in the southwest corner of Lot 1200, near other existing single-family dwelling, and approximately 650-ft. from the river. Since there are no proposed impacts within the conservation easement, water quality standards for the waterway will be maintained. As required, the proposed septic system will comply with DEQ standards, and the applicant will obtain appropriate local and state permits prior to the installation of the improvements.

FINDING: SATISFIED.

CHAPTER IV. ECONOMY OF MCMINNVILLE

GOAL IV 1: TO ENCOURAGE THE CONTINUED GROWTH AND DIVERSIFICATION OF MCMINNVILLE’S ECONOMY IN ORDER TO ENHANCE THE GENERAL WELL-BEING OF THE COMMUNITY AND PROVIDE EMPLOYMENT OPPORTUNITIES FOR ITS CITIZENS.

APPLICANT’S RESPONSE: The Existing General Land Use Plan indicates that the subject property is located within the UGB and adjacent to the city limits of McMinnville. The subject parcels are currently designated Residential on the City’s Comprehensive Plan Map. The applicant is proposing to annex Tax Lots 900 and 1200 and change the zoning to R-1 and F-P when the area is brought into the city limits. The proposed map amendments will allow the development of a single-family dwelling, providing additional housing opportunities for the workforce in McMinnville. Residents that live in the proposed dwelling will also purchase local goods and services, helping to contribute to the local economy. In addition, the annexation will provide additional property tax revenue for the City to use for providing public services.

FINDING: SATISFIED.

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.*
- 61.00 *The City of McMinnville shall monitor the conversion of lands to residential use to insure that adequate opportunities for development of all housing types are assured. Annual reports on the housing development pattern, housing density and mix shall be prepared for city review.*

APPLICANT’S RESPONSE: The City’s draft Housing Needs Analysis indicates that single-family and multi-family dwelling needs will be met through the development of 4,657 housing units during the 2021-2041 planning period. However, if all inventoried residential land supply is

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developed by 2041, the City will still maintain a deficiency of 1,926 dwelling units during the planning period. Therefore, annexation of the subject site is essential when addressing the public need for additional housing. As demonstrated by the attached Preliminary Site Plan, the proposed single-family dwelling unit on Tax Lot 1200 is consistent with the existing land use pattern, and the development will contribute towards the development of a variety of housing types for the community.

FINDING: SATISFIED.

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)*

APPLICANT'S RESPONSE: The City's draft Housing Needs Analysis indicates that single-family and multi-family dwelling needs will be met through the development of 4,657 housing units during the 2021-2041 planning period. However, if all inventoried residential land supply is developed by 2041, the City will still maintain a deficiency of 1,926 dwelling units during the planning period. Therefore, annexation of the subject site is essential when addressing the public need for additional housing. As demonstrated by the attached Preliminary Site Plan, the proposed single-family dwelling unit on Tax Lot 1200 is consistent with the existing land use pattern, and the development will contribute towards the development of a variety of housing types for the community.

FINDING: SATISFIED.

71.00 *The City of McMinnville shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map.*

APPLICANT'S RESPONSE: The subject site is currently designated Residential and Floodplain on the Comprehensive Plan Map, therefore the proposed R-1 and F-P zoning is consistent with the planned use of the parcels. The applicant is proposing to develop a single-family dwelling on the R-1 zoned portion of the site, in conformance with the above policy.

FINDING: SATISFIED.

71.05 *The City of McMinnville shall encourage annexations and rezoning which are consistent with the policies of the Comprehensive Plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types. (Ord.4840, January 11, 2006; Ord. 4243, April 5, 1983; Ord. 4218, November 23, 1982)*

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APPLICANT’S RESPONSE: The draft Housing Needs Analysis indicates that 4,657 dwelling units need to be developed during the 2021-2041 planning period. Therefore, approximately 1,164 dwelling units need to be constructed during the next 5 years to meet the projected demand. It is anticipated that at the end of the planning period, the City will have a projected deficiency of 1,926 dwelling units. Since the current residential land supply will only last about 12 years, and a portion of the available land supply is located outside of the city limits, the proposed annexation and residential development is timely and will serve a public need.

FINDING: SATISFIED.

71.06 *Low Density Residential Development (R-1 and R-2) Low-density residential development should be limited to the following:*

1. *Areas which are committed to low density development and shown on the buildable lands inventory as “developed” land;*
2. *Areas where street facilities are limited to collector and local streets;*
3. *Areas with mapped development limitations such as steep slopes, floodplains, stream corridors, natural drainageways, and wetlands; and*
4. *Areas with limited capacity for development identified in approved facility master plans, including sanitary sewer, water, drainage, and transportation facilities, unless such plans specify funded and scheduled improvements which will alleviate the problem and which can be provided concurrent with adequate capacity for the use. (Ord. 5098, December 8, 2020; Ord. 4796, October 14, 2003)*

APPLICANT’S RESPONSE: The subject site is currently designated Residential and Floodplain on the Comprehensive Plan Map. The proposed home site is accessed from SE Nehemiah Lane, a Local Street. Therefore, the proposed R-1 and F-P zoning is consistent with the above policies.

As demonstrated by the Existing General Land Use Plan, the area proposed for annexation is partially encumbered by a floodplain and conservation easement along the South Yamhill River.

Since the nearest sanitary sewer main line is located approximately 1,600-ft. from the site at the intersection of SE Nehemiah Lane and SE Three Mile Lane, the applicant is proposing to install a private septic system to serve the proposed home. Existing improvements to the section of SE Nehemiah Lane serving the subject site consist of a 15-ft. wide paved surface within a 60-ft. right-of-way. However, the Local Street has adequate capacity since only 3 other dwellings and 1 new dwelling will be served by the roadway.

FINDING: SATISFIED.

71.07 *The R-1 zoning designation shall be applied to limited areas within the McMinnville urban growth boundary. These include:*

2. *Neighborhoods and properties within the current urban growth boundary that are developed or have been approved for such densities (Michelbook, for example);*

Attachments (on file with the Planning Department):

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2 – Annexation Agreement

APPLICANT’S RESPONSE: The subject site is currently designated Residential and Floodplain on the Comprehensive Plan Map, therefore the proposed R-1 and F-P zoning is consistent with approved densities for the site.

FINDING: SATISFIED.

Urban Policies:

- 99.00 *An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:*
1. *Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
 2. *Storm sewer and drainage facilities (as required).*
 3. *Streets within the development and providing access to the development, improved to city standards (as required).*
 4. *Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*
 5. *Deleted as per Ord. 4796, October 14, 2003.*

APPLICANT’S RESPONSE: The Existing General Land Use Plan demonstrates that public utility and transportation facilities are located in the vicinity of the subject site and can be extended when the proposed home site is developed. Public water can be provided to the annexation territory by installing a meter and connecting a lateral to the existing main line at the north terminus of SE Nehemiah Lane. Similarly, electrical and communication services can be provided by connecting to existing lines at the north terminus of the right-of-way. Since the nearest sanitary sewer main line is located approximately 1,600- ft. from the site at the intersection of SE Nehemiah Lane and SE Three Mile Lane, the applicant is proposing to install a private septic system to serve the proposed home. As required, stormwater from impervious surfaces will be managed on-site in accordance with City standards. The attached Preliminary Site Plan indicates that this portion of SE Nehemiah Lane is currently developed with a 15-ft. paved surface, which is adequate for the 3 existing homes which access the roadway and the proposed single-family dwelling

FINDING: SATISFIED.

CHAPTER VI. TRANSPORTATION SYSTEM

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Policies - Streets:

- 117.00 *The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.*

APPLICANT'S RESPONSE: The submitted Topographic Survey and Preliminary Development Plan illustrate that SE Nehemiah Lane provides safe and easy access to the buildable portion of Lot 1200.

FINDING: SATISFIED.

- 118.00 *The City of McMinnville shall encourage development of roads that include the following design factors:*

1. *Minimal adverse effects on, and advantageous utilization of, natural features of the land.*
2. *Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.*
3. *Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.*
4. *Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)*
5. *Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist*

APPLICANT'S RESPONSE: As demonstrated by the Cover Sheet/Vicinity Map and General Land Use Plan, existing development, the floodplain, and an existing conservation easement limit how street connectivity can occur around and adjacent to the subject site. Due to low traffic volumes and since only 4 dwellings will be served by the 15-ft. wide section of SE Nehemiah Lane, all modes of travel can safely be accommodated by the existing roadway. As such, the existing street system is consistent with the above policies.

FINDING: SATISFIED.

- 119.00 *The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.*
- 120.00 *The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.*
- 121.00 *The City of McMinnville shall discourage the direct access of small-scale residential developments onto major or minor arterial streets and major collector streets.*

APPLICANT'S RESPONSE: As required, access to the buildable area of Tax Lot 1200 is from SE Nehemiah Lane, an existing Local Street.

FINDING: SATISFIED.

122.00 *The City of McMinnville shall encourage the following provisions for each of the three functional road classifications:*

3. *Local Streets*

- Designs should minimize through-traffic and serve local areas only.*
- Street widths should be appropriate for the existing and future needs of the area.*
- Off-street parking should be encouraged wherever possible*
- Landscaping should be encouraged along public rights-of-way.*

APPLICANT’S RESPONSE: As discussed above, the existing width of SE Nehemiah Lane is appropriate for low traffic generated by existing and proposed development using the roadway. The Preliminary Site Plan demonstrates that off-street parking can be provided within a 2-car garage and in the driveway serving the proposed home site.

FINDING: SATISFIED.

Policies – Parking

126.00 *The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.*

127.00 *The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes.*

APPLICANT’S RESPONSE: As mentioned above, the Preliminary Site Plan demonstrates that off-street parking can be provided within a 2-car garage and in the driveway serving the proposed home site.

FINDING: SATISFIED.

Policies – Bike Paths

130.00 *The City of McMinnville shall encourage implementation of the Bicycle System Plan that connects residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities.*

APPLICANT’S RESPONSE: Due to the low traffic volume and travel speeds on SE Nehemiah Lane, bicycles and vehicles safely share the roadway. Nehemiah Lane connects to SE Three Mile Lane to the southeast of the site, which in turn provides opportunities for biking to other community destinations.

FINDING: SATISFIED.

Policies - Complete Streets

132.24.00 *The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. Examples of how the Compete Streets policy is implemented:*

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1. *Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below).*
2. *Incorporate features that create a pedestrian friendly environment, such as:*
 - a. *Narrower traffic lanes;*
 - b. *Median refuges and raised medians;*
 - c. *Curb extensions (“bulb-outs”);*
 - d. *Count-down and audible pedestrian signals;*
 - e. *Wider sidewalks;*
 - f. *Bicycle lanes; and*
 - g. *Street furniture, street trees, and landscaping*

APPLICANT’S RESPONSE: As mentioned above, a total of 4 dwellings will be served by the 15-ft. wide section of SE Nehemiah Lane once the proposed single-family dwelling is developed on Tax Lot 1200. Due to the low traffic volume and travel speeds on SE Nehemiah Lane, all modes of travel can safely share the roadway. As such, the existing improvements are consistent with the above policies.

FINDING: SATISFIED.

CHAPTER VII. COMMUNITY FACILITIES AND SERVICES

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.

Policies – Sanitary Sewer

- 136.00 *The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.*
- 140.00 *The City of McMinnville shall continue to limit sewer service extensions to the areas within the urban growth boundary, except where service is granted to comply with state or federal laws. Areas outside the city limits, but within the urban growth boundary, shall be granted sewer service hook-ups only under policies adopted by the City.*
- 141.00 *The City of McMinnville shall continue to separate storm and sanitary sewers where they are connected to reduce the inflow of storm sewer waters to the sewage treatment plant. Ongoing*

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maintenance and improvements of the existing system shall also be undertaken to reduce infiltration of rain water into the system.

APPLICANT'S RESPONSE: Since the nearest sanitary sewer main line is located approximately 1,600-ft. from the site at the intersection of SE Nehemiah Lane and SE Three Mile Lane, the applicant is proposing to install a private septic system to serve the proposed home. As required, appropriate local and state permits will be obtained prior to construction of the improvements.

FINDING: SATISFIED.

Policies – Storm Drainage:

- 142.00 *The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.*
- 143.00 *The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.*

APPLICANT'S RESPONSE: As required, an on-site storm system will be designed to meet City standards. Stormwater from impervious surfaces will be managed so that it is released on-site at the pre-development rate.

FINDING: SATISFIED.

Policies – Water System:

- 144.00 *The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.*
- 145.00 *The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:*
1. *Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.*
 2. *Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
 3. *For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized.*
 4. *Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

APPLICANT'S RESPONSE: Public water can be extended to the annexation territory by installing a meter and connecting a lateral to the existing main line at the north terminus of SE Nehemiah Lane. As mentioned above, a private septic system will serve the proposed single-family dwelling on Tax Lot 1200.

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FINDING: SATISFIED.**Water and Sewer-Land Development Criteria**

151.00 *The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:*

1. *Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
2. *Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*
3. *Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
4. *Federal, state, and local water and waste water quality standards can be adhered to.*
5. *Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

APPLICANT'S RESPONSE: An existing public water line that is located at the north terminus of SE Nehemiah Lane has the capacity to serve the proposed single-family dwelling on Tax Lot 1200. As required, the developer will be responsible for the cost to install a meter and extend a lateral to serve the new home site. Since the new dwelling is located 1,600-ft. from the nearest public sanitary sewer line, the applicant is proposing to install a private septic system to serve the site. Prior to development of the proposed improvements, detailed plans will be submitted for building permits, demonstrating that federal, state, and local wastewater standards are met.

FINDING: SATISFIED.**Policies – Police and Fire Protection:**

152.00 *The City of McMinnville shall encourage the provision of adequate police and fire facilities and personnel to meet the needs of the community as it expands.*

155.00 *The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.*

APPLICANT'S RESPONSE: It is anticipated that City of McMinnville police and fire services have the capacity to serve the proposed single-family use on the subject site. As

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demonstrated by the attached Preliminary Site Plan, a turnaround meeting Fire Code standards is provided at the terminus of SE Nehemiah Lane.

FINDING: SATISFIED.

CHAPTER IX. URBANIZATION

GOAL IX 1: TO PROVIDE ADEQUATE LANDS 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.

APPLICANT’S RESPONSE: The City has recently prepared a draft Housing Needs Analysis which projects housing needs during the 2021- 2041 planning period. This analysis indicates that single-family and multi-family needs will be met through the development of 4,657 dwelling units during the planning period. However, the existing residential land supply will not meet the projected demand. Even if all of the available residential land supply is developed by 2041, the City will have a projected deficiency of 1,926 dwelling units during the planning period. Therefore, annexation of the subject site is essential when addressing the public need for additional housing.

FINDING: SATISFIED.

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.

GOAL X 2: TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

GOAL X 3: TO PERIODICALLY REVIEW AND AMEND THE McMINNVILLE COMPREHENSIVE PLAN TO REFLECT CHANGES IN COMMUNITY CIRCUMSTANCES, IN CITIZEN DESIRES, AND IN THE STATEWIDE GOALS.

188.00 *The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

189.00 *The City of McMinnville shall establish procedures for amending the Comprehensive Plan, Volumes I and II, and the implementation ordinances and measures in Volume III, which allow for citizen review and comment.*

APPLICANT’S RESPONSE: The requested land use actions are to annex the site into the City of McMinnville and change the Zoning Map designation from EF-80 to R-1 and F-P when the subject parcels are brought into the city limits. As required, citizens will have the opportunity to

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comment on the proposed map amendments at public hearings before the Planning Commission and City Council prior to issuance of the land use decision.

FINDING: SATISFIED.

McMinnville Zoning Ordinance (Title 17 of the Municipal Code)

The following Sections of the Zoning Ordinance provide criteria applicable to the request:

Chapter 17.74. Review Criteria

Section 17.74.010. Purpose. The purpose of this chapter is to provide the approval criteria for the following applications:

- Comprehensive Plan Map Amendment
- ...
- Zone Change

FINDING: SATISFIED/APPLICABLE. The criteria of this Chapter and applicable sections are the applicable criteria for the proposed Zone Map Amendment.

Section 17.74. 020. Comprehensive Plan Map Amendment and Zone Change – Review Criteria

17.74.020. Comprehensive Plan Map Amendment and Zone Change - Review Criteria. *An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:*

- A. *The proposed amendment is consistent with the goals and policies of the Comprehensive Plan;*

APPLICANT'S RESPONSE: *[Staff Note: These applicant's responses regarding the Comprehensive Plan are addressed in the Section above].*

FINDING: SATISFIED. Findings regarding consistency with the goals and policies of the Comprehensive Plan are provided above and are satisfied.

- B. *The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;*

APPLICANT'S RESPONSE: The Existing General Land Use Plan indicates that the subject site is part of an enclave of unannexed parcels that are bordered on multiple sides by properties that are located within the city limits of McMinnville. To the south are R-1 and R-2 zoned parcels which have already been developed with single-family dwellings. The applicant's proposal to annex the subject site will help resolve the patchwork of annexed and unannexed parcels along the south side of the river, and the proposed single-family dwelling will compliment the existing land use pattern in the area.

FINDING: SATISFIED. The City concurs with the applicant's response.

- C. *Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.*

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When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

NOTE: Residential use and development is not permitted within the M-1 zone, but is permitted within both the C-3 zone and Northeast Gateway Subarea 1 as a separate use or as part of a mixed-use development.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

APPLICANT'S RESPONSE: The Topographic Survey and Preliminary Site Plan demonstrate that needed public utilities are located in the vicinity of the site and can be extended when Tax Lot 1200 is developed with a single-family dwelling. Public water can be provided to the annexation territory by installing a meter and connecting a lateral to the existing main line at the north terminus of SE Nehemiah Lane. Similarly, electrical and communication services can be efficiently extended by connecting to existing lines at the north terminus of the right-of-way. Since the nearest sanitary sewer main line is located approximately 1,600-ft. from the site at the intersection of SE Nehemiah Lane and SE Three Mile Lane, the applicant is proposing to install a private septic system to serve the proposed home. As required, stormwater from impervious surfaces will be managed on-site in accordance with City standards.

The City's current Housing Needs Analysis indicates that single-family and multi-family needs will be met through the development of 4,657 dwelling units during the 2021-2041 planning period. However, the existing residential land supply cannot meet the projected demand for housing units. It has been determined that the City will have a projected deficiency of 1,926 dwelling units during the planning period even if all of the available residential land supply is developed. Therefore, annexation of the subject site is essential when addressing the public need for additional housing.

FINDING: SATISFIED.

Statewide Planning Goals and Applicable State Law

Goal 1: Citizen Involvement

APPLICANT'S RESPONSE: The requested land use actions are to annex the site into the City of McMinnville, change the Zoning Map designation for the site from EF-80 to R-1 and F-P. As required, citizens will have the opportunity to comment on the proposed map amendments at public hearings before the Planning Commission and City Council.

FINDING: SATISFIED.

Goal 2: Land Use Planning

APPLICANT'S RESPONSE: As discussed throughout this Applicant's Statement, the subject site is included in McMinnville's UGB and is designated Residential and Floodplain

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in the Comprehensive Plan. The subject site was selected for inclusion in the city limits is based on a number of locational factors including its access to the local street system, the ability to provide orderly and economic provision of public facilities and services, and compatibility with adjacent residential uses.

FINDING: SATISFIED.

Goal 3: Agricultural Lands

APPLICANT'S RESPONSE: The subject site is currently located within the City of McMinnville Urban Growth Boundary and is under transitional farm use. The parcels are currently under Yamhill County jurisdiction and are zoned EF-80. With the proposed annexation and zone change, the buildable portion of the site will be limited to the southeast corner of Tax Lot 1200. If desired by the property owner, the portion of Tax Lot 900 that is not encumbered by the conservation easement may continue to be used for limited agricultural purposes.

FINDING: SATISFIED.

Goal 4: Forest Lands

APPLICANT'S RESPONSE: The Existing General Land Use Plan illustrates that vegetated riparian areas are located adjacent to the South Yamhill River, along the north boundary of the property. However, since the subject property does not include designated forest lands, Goal 4 is not applicable to the proposed land designation.

FINDING: SATISFIED.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

APPLICANT'S RESPONSE: The subject site does not contain any designated open spaces, scenic, or historic areas. The attached Topographic Survey and Existing General Land Use Plan demonstrates that South Yamhill River, its adjacent floodplain, and low-lying areas within the subject site could potentially contain wetlands. A conservation easement occurs along the South Yamhill River in addition to the area's floodplain. The applicant's Preliminary Site Plan indicates that the proposed home site does not encroach into the floodplain or conservation easement areas on the site..

FINDING: SATISFIED.

Goal 6: Air, Water and Land Resources Quality

APPLICANT'S RESPONSE: If the proposed annexation and zoning designations are approved, specific site development plans will be submitted for building permit review. The permitting process will ensure compliance with local, state, and federal air, water, and land resource quality standards.

FINDING: SATISFIED.

Goal 7: Areas Subject to Natural Disasters and Hazards

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APPLICANT’S RESPONSE: City maps and the Existing General Land Use Plan indicate that the subject site contains floodplain areas along the bank of the South Yamhill River. The applicant’s Preliminary Site Plan indicates that no residential uses are proposed within hazardous areas of the site. Therefore, the submitted Annexation and Zoning Change applications are consistent with Goal 7.

FINDING: SATISFIED.

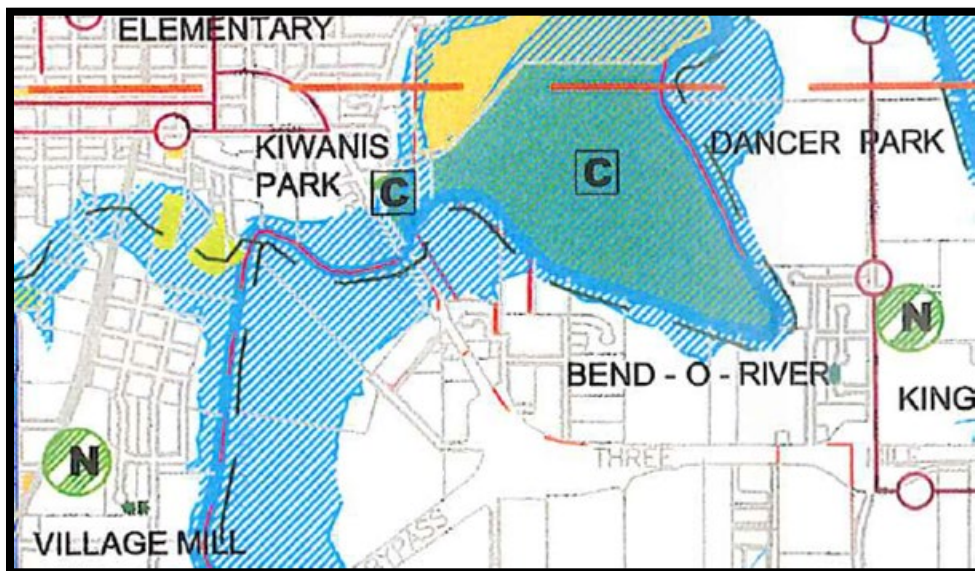
Goal 8: Recreation Needs

APPLICANT’S RESPONSE: The McMinnville Parks and Recreation Plan does not identify park facilities on the subject site. However, due to the presence of the conservation easement and proposed F-P zoning on the parcels, the riparian area along South Yamhill River will continue to be protected as open space.

FINDING: SATISFIED. There is a future planned multi-purpose trail along the Yamhill River on the site and the Annexation Agreement which is recorded on the property states that:

Owner agrees that it will, without any cost to the City, dedicate the necessary rights-of-way or easements for all Planned Improvements identified in the City’s Public Facilities Plan. The Public Facilities Plan includes the Wastewater Conveyance Plan, Water Master Plan, Transportation System Plan and Parks and Recreation Plan.

The City’s Parks, Recreation, and Open Space Master Plan identifies a future multi-purpose trail along the Yamhill River. When the City is ready to move forward with the construction of the trail, the property owner will dedicate the land for the trail for free, and the dedication will be from the center of the river to the outside edge of the trail section furthest from the river, based on the city’s specifications for a multi-purpose trail along the river.



Excerpt from the Parks, Recreation and Open Space Master Plan identifying a multi-use trail along the Yamhill River

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Goal 9: Economic Development

APPLICANT'S RESPONSE: The 30-acre subject site is currently designated Residential and Floodplain on the City's Comprehensive Plan Map. Currently the subject property is located within the UGB and outside the city limits of McMinnville. Since this proposal does not involve existing commercial or industrial lands, the proposed annexation and zoning map amendments are consistent with Goal 9

FINDING: NOT APPLICABLE.

Goal 10: Housing

APPLICANT'S RESPONSE: The submitted Preliminary Site Plan proposes the development of 1 single-family detached dwelling in the southwest corner of Tax Lot 1200. The proposed home site preserves natural resources and will not encroach into the floodplain along the South Yamhill River. The proposed development of a single-family dwelling helps to meet the need for additional residential units as identified in the 2003-2023 McMinnville Growth Management and Urbanization Plan. The City's more recent Housing Needs Analysis indicates that the City is maintaining a deficient residential land supply when addressing housings needs during the 2021-2041 planning period. As such, annexation and development of the subject site is essential when addressing the public housing need.

FINDING: SATISFIED.

Goal 11: Public Facilities and Services

APPLICANT'S RESPONSE: The Topographic Survey and Preliminary Site Plan demonstrate that needed public utilities are located in the vicinity of the site and can be extended when Tax Lot 1200 is developed with a single-family dwelling. Public water can be extended to the annexation territory by installing a meter and connecting a lateral to the existing main line at the north terminus of SE Nehemiah Lane. Similarly, electrical and communication services can be provided by connecting to existing lines at the north terminus of the right-of-way. Since the nearest sanitary sewer main line is located approximately 1,600-ft. from the site at the intersection of SE Nehemiah Lane and SE Three Mile Lane, the applicant is proposing to install a private septic system to serve the proposed home. As required, stormwater from impervious surfaces will be managed on-site in accordance with City standards. With annexation of the property, the subject site will also have access to City fire and police services. Therefore, the proposed map amendments comply with Goal 11.

FINDING: SATISFIED.

Goal 12: Economic Development

APPLICANT'S RESPONSE: The submitted Preliminary Site Plan indicates that, due to the presence of the floodplain and conservation easement, only 1 single-family dwelling will be developed on the site. Per the 11th Edition of the ITE Manual, the proposed dwelling will generate 10 average daily trips, 0.75 AM peak hour trips, and 1 PM peak hour trip. Based on the low impact of the development on existing transportation facilities, the applicant is not proposing to install improvements to SE Nehemiah Lane. The site plan

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indicates that the adjacent portion of SE Nehemiah Lane is currently developed with a 15-ft. paved surface, which is adequate for the 3 existing homes which access the roadway and the proposed single- family dwelling.

FINDING: SATISFIED.

Goal 14: Urbanization

APPLICANT’S RESPONSE: The City’s draft Housing Needs Analysis indicates that single-family and multi-family needs will be met through the development of 4,657 dwelling units during the 2021-2041 planning period. However, even if all available residential land supply is developed by 2041, the City will have a projected deficiency of 1,926 dwelling units during the planning period. Therefore, annexation of the subject site is essential when addressing the public need for additional housing.

The subject property is designated as a Residential and Floodplain on the City of McMinnville Comprehensive Plan Map. As discussed above, there is a documented need to develop additional housing to meet the needs of the projected population. The proposed annexation and zone changes will help meet this need for additional housing while preserving the floodplain areas of the site as open space.

FINDING: SATISFIED.