

ORDINANCE NO. 5047

AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE MCMINNVILLE CITY CODE, SPECIFIC TO MULTIPLE CHAPTERS TO UPDATE DEFINITIONS AND THE REGULATION OF SHORT TERM RENTALS AND LODGING ESTABLISHMENTS IN RESIDENTIAL AND COMMERCIAL ZONES

RECITALS:

The McMinnville Planning Department asked the Planning Commission to discuss the City of McMinnville's vacation home rental regulations based on the number of complaints that had been received on multiple recent vacation home rental applications that had been submitted to the Planning Director for review and approval; and

The Planning Commission discussed the vacation home rental regulations and directed staff to complete research into alternative regulations and how they might apply to McMinnville. The Planning Commission discussed the topic of vacation home rentals and analyzed research completed by staff at their September 21, 2017, October 19, 2017, December 21, 2017, and January 18, 2018 work session meetings. An opportunity for public comments was provided at the October 19, 2017 work session meeting. At the January 18, 2018 work session meeting, the Planning Commission directed staff to draft amendments to the McMinnville Zoning Ordinance to incorporate updated regulations and definitions for rental and lodging establishments in the City of McMinnville; and

A public hearing was held before the McMinnville Planning Commission on February 15, 2018, after due notice had been provided in the local newspaper on February 6, 2018. At the February 15, 2018, Planning Commission public meeting, after the application materials and a staff report were presented and testimony was received, the Commission closed the public hearing. After deliberation, the Planning Commission voted to recommend approval of G 1-18 to the McMinnville City Council; and

The City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the McMinnville Zoning Ordinance based on the material submitted by the Planning Department and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The City Council having received the Planning Commission recommendation and staff report, and having deliberated;

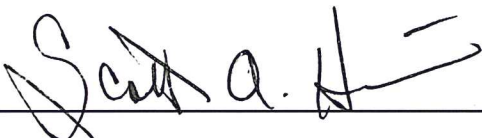
NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. That the Council adopts the Decision, Findings of Fact and Conclusionary Findings, as documented in Exhibit A for G 1-18; and
2. That Chapter 17.06 (Definitions), Chapter 17.12 (R-1 Single-Family Residential Zone), Chapter 17.15 (R-2 Single-Family Residential Zone), Chapter 17.18 (R-3 Two-Family Residential Zone), Chapter 17.21 (R-4 Multiple-Family Residential Zone), Chapter 17.24 (O-R Office/Residential Zone), Chapter 17.30 (C-2 Travel Commercial Zone), Chapter 17.60 (Off-Street Parking and Loading), and Chapter 17.72 (Applications and Review Process) of the McMinnville Zoning Ordinance are amended as provided in Exhibits B - J. Text that is added is shown in **bold underlined** font while text that is removed is shown in ~~strikeout~~ font.
3. That this Ordinance shall take effect 30 days after its passage by the City Council:

Passed by the Council this 10th day of April 2018, by the following votes:

Ayes: Drabkin, Garvin, Menke, Peralta, Ruden, Stassens

Nays: _____




MAYOR

Attest:

Approved as to form:



CITY RECORDER



CITY ATTORNEY



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT
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DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF LEGISLATIVE AMENDMENTS TO MULTIPLE CHAPTERS OF THE MCMINNVILLE ZONING ORDINANCE TO UPDATE DEFINITIONS AND THE REGULATION OF SHORT TERM RENTALS AND LODGING ESTABLISHMENTS IN RESIDENTIAL AND COMMERCIAL ZONES.

DOCKET: G 1-18

REQUEST: The City of McMinnville is proposing to amend Chapter 17.06 (Definitions), Chapter 17.12 (R-1 Single-Family Residential Zone), Chapter 17.15 (R-2 Single-Family Residential Zone), Chapter 17.18 (R-3 Two-Family Residential Zone), Chapter 17.21 (R-4 Multiple-Family Residential Zone), Chapter 17.24 (O-R Office/Residential Zone), Chapter 17.30 (C-2 Travel Commercial Zone), Chapter 17.60 (Off-Street Parking and Loading), and Chapter 17.72 (Applications and Review Process) of the McMinnville Zoning Ordinance. The proposed zoning text amendments are related to the reclassification of vacation home rentals as short term rentals. The amendments will introduce spacing standards for short term rentals located in residential zones and will update the standards that apply to short term rentals in residential zones for better clarification on the required design and operation of these types of uses. The amendments will also address the classification of short term rentals in the commercial zones to better define these types of uses as short term rentals instead of the current classification as boarding houses or lodging houses.

LOCATION: N/A

ZONING: N/A

APPLICANT: City of McMinnville

STAFF: Chuck Darnell, Associate Planner

DATE DEEMED COMPLETE: January 18, 2018

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: February 15, 2018. Meeting held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

DECISION-MAKING

BODY: McMinnville City Council

DATE & TIME: March 13, 2018 (first reading of Ordinance No. 5047), and April 10, 2018 (second reading of Ordinance No. 5047). Meetings held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

COMMENTS: This matter was referred to the following public agencies for comment: Oregon Department of Land Conservation and Development, McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Recology Western Oregon; Comcast; Northwest Natural Gas. Their comments are provided in this decision document.

DECISION

Based on the findings and conclusions, the Planning Commission recommends **APPROVAL** of the legislative zoning text amendments (G 1-18) to the McMinnville City Council.

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DECISION: APPROVAL
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City Council: Scott Hill
Scott Hill, Mayor of McMinnville

Date: 4/10/2018

Planning Commission: Roger Hall
Roger Hall, Chair of the McMinnville Planning Commission

Date: 4/19/2018

Planning Department: Heather Richards
Heather Richards, Planning Director

Date: 4/16/18

APPLICATION SUMMARY:

The City of McMinnville is proposing to amend Chapter 17.06 (Definitions), Chapter 17.12 (R-1 Single-Family Residential Zone), Chapter 17.15 (R-2 Single-Family Residential Zone), Chapter 17.18 (R-3 Two-Family Residential Zone), Chapter 17.21 (R-4 Multiple-Family Residential Zone), Chapter 17.24 (O-R Office/Residential Zone), Chapter 17.30 (C-2 Travel Commercial Zone), Chapter 17.60 (Off-Street Parking and Loading), and Chapter 17.72 (Applications and Review Process) of the McMinnville Zoning Ordinance. The proposed zoning text amendments are related to the re-defining of vacation home rentals as short term rentals. The amendments will introduce spacing standards for short term rentals located in residential zones and will update the standards that apply to short term rentals in residential zones for better clarification on the required design and operation of these types of uses. The amendments will also address the classification of short term rentals in the commercial zones to better define these types of uses as short term rentals instead of boarding houses or lodging houses.

ATTACHMENTS:

None.

COMMENTS:

This matter was referred to the following public agencies for comment: Oregon Department of Land Conservation and Development, McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Recology Western Oregon; Comcast; Northwest Natural Gas. The following comments have been received:

None Received

Additional Testimony

No notice was provided to property owners for this application. No public testimony was received by the Planning Department prior to the public hearing.

Testimony was provided at the public hearing. Comments in favor of the proposed amendments were provided by Sidonie Winfield, and comments in opposition were provided by Dennis Cuc.

FINDINGS OF FACT

1. The City of McMinnville is proposing to amend Chapter 17.06 (Definitions), Chapter 17.12 (R-1 Single-Family Residential Zone), Chapter 17.15 (R-2 Single-Family Residential Zone), Chapter 17.18 (R-3 Two-Family Residential Zone), Chapter 17.21 (R-4 Multiple-Family Residential Zone), Chapter 17.24 (O-R Office/Residential Zone), Chapter 17.30 (C-2 Travel Commercial Zone), Chapter 17.60 (Off-Street Parking and Loading), and Chapter 17.72 (Applications and Review Process) of the McMinnville Zoning Ordinance. The proposed zoning text amendments are related to the re-defining of vacation home rentals as short term rentals. The amendments will introduce spacing standards for short term rentals located in residential zones and will update the standards that apply to short term rentals in residential zones for better clarification on the required design and operation of these types of uses. The amendments will also address the classification of short term rentals in the commercial zones to better define these types of uses as short term rentals instead of boarding houses or lodging houses.
2. This matter was referred to the following public agencies for comment: Oregon Department of Land Conservation and Development, McMinnville Fire Department, Police Department,

Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Recology Western Oregon; Comcast; Northwest Natural Gas. No comments in opposition have been provided.

3. Public notification of the public hearing held by the Planning Commission was published in the February 6, 2018 edition of the News Register. No comments in opposition were provided by the public prior to the public hearing.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Policy 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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville's City Code:

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

Chapter 17.03 – General Provisions:

17.03.020 Purpose. The purpose of the ordinance codified in Chapters 17.03 (General Provisions) through 17.74 (Review Criteria) of this title is to encourage appropriate and orderly physical development in the city through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, adequate community facilities; and to provide assurance of opportunities for effective utilization of the land resources; and to promote in other ways public health, safety, convenience, and general welfare.

Finding: Section 17.03.020 is satisfied by the legislative amendments in that the proposed amendments incorporate spacing standards and operational requirements for short term rentals that will better protect the character of residential areas of the city and will reduce the intrusion of incompatible uses in residential areas. The spacing standard of 200 feet between short term rentals in residential zones will allow for a concentration of these types of uses that allows for the establishment of additional short term

rental uses, but does not overly burden the existing residents of established residential areas. The spacing standard will not apply in the commercial zones. This will provide ample opportunity for short term rental uses to locate in areas that are planned and zoned for commercial uses, thereby providing these uses to locate in an area that will be mutually beneficial with other surrounding commercial uses. The proposed amendments to the definitions of short term rentals and other lodging establishments will promote the general welfare of the city by better addressing the types of land uses that are operating in the current housing market and rental economy.

CD:sjs

Chapter 17.06

DEFINITIONS

(as adopted by Ord. 4952, March 13, 2012)

Sections:

17.06.010 Generally.
17.06.015 General Definitions. [...]

17.06.015 General Definitions [...]

~~**Boardinghouse, Lodginghouse or Roominghouse** – A building where lodging with or without meals is provided for compensation for not more than five persons in addition to members of the family occupying such building. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).~~

[...]

~~**Hotel** – A building which is designed, intended, or used for the accommodation of guests on a temporary basis for compensation. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968). See “Lodging”~~

[...]

Lodging – A building, or group of buildings, which is designed, intended, or used for the accommodation of guests on a temporary basis for compensation. Lodging includes hotels and motels.

~~**Motel** – A building or group of buildings on the same lot containing guests units, which building or group is intended or used primarily for the accommodation of transient automobile travelers. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968). See “Lodging”~~

[...]

Short Term Rental – The use of an entire dwelling unit by any person or group of person entitled to occupy for rent for a period of no more than 30 (thirty) consecutive days. Short term rentals include vacation home rentals approved under the regulations in effect through May 10, 2018.

Short Term Rental, Resident Occupied – The use of no more than two guest sleeping rooms by any person or group of persons entitled to occupy for rent for a period of no more than 30 (thirty) consecutive days. The dwelling unit is occupied by a full-time resident at the time that the guest sleeping rooms within the dwelling unit are available for overnight rental. Resident occupied short term rentals include bed and breakfast establishments approved under the regulations in effect through May 10, 2018.

[...]

Vacation Home Rental — ~~The use of a dwelling unit by any person or group of person entitled to occupy for rent for a period of less than 21 (twenty one) consecutive days. (Ord. 4902 §1(a), 2008).~~

[...]

Chapter 17.12

R-1 SINGLE-FAMILY RESIDENTIAL ZONE

Sections:

- 17.12.010 Permitted uses.
- 17.12.020 Conditional uses.
- 17.12.030 Lot size.
- 17.12.040 Yard requirements.
- 17.12.050 Building height.
- 17.12.060 Density requirements.

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

N. ~~Bed and breakfast establishments~~ **Resident occupied short term rental**, subject to the provisions of Section 17.72.110 and the following standards:

1. ~~That the structure be designed for and occupied as a single family residence.~~ **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 family residence.
2. That the establishment be ~~owner-~~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 ~~bed and breakfast establishment~~ **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 ~~bed and breakfast establishment~~ **short term rental** be limited to no more than seven **30 (thirty)** consecutive days ~~and no more than fifteen days in the 30 day period.~~
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 may be renewed for one-year periods upon payment of the appropriate fee prior to its expiration date, provided that the permit has not been terminated under the provisions of Section 17.12.010(N)(9) below.~~ **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 ~~89~~ 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 ~~bed and breakfast establishment~~ **short term rental** is found to be in violation of the criteria, the Planning Commission may terminate the use.
- O. ~~Vacation home rental~~ **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. ~~That the structure be designed for and occupied as a single family residence.~~ **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 family 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 ~~guest's~~ stay at the residence be limited to ~~less~~ **no more than 30 (thirty)** ~~21 (twenty one)~~ 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 city limits **geographic area of the 97128 zip code** or shall provide contact information of a person living within the city limits **geographic area of the 97128 zip code** who shall be available to respond immediately to any emergency or complaint related to the ~~vacation home~~ **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 may be renewed for one-year periods upon payment of the appropriate fee prior to its expiration date, provided that the permit has not been terminated under the provisions of Section 17.12.010(N)(9) below.~~ **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 ~~7~~**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 ~~vacation-home~~ **short term** rental is found to be in violation of the criteria, the Planning Commission may terminate the use. (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 §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).

[...]

Chapter 17.15

R-2 SINGLE-FAMILY RESIDENTIAL ZONE

Sections:

17.15.010 Permitted uses. [...]

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

- N. ~~Bed and breakfast establishments~~**Resident occupied short term rentals**, subject to the provisions of Section 17.12.010(N);
- O. ~~Vacation home rentals~~**Short term rentals**, subject to the provisions of Section 17.12.010(O). (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).

[...]

Chapter 17.18

R-3 TWO-FAMILY RESIDENTIAL ZONE

Sections:

17.18.010 Permitted uses. [...]

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

- P. ~~Bed and breakfast establishments~~ **Resident occupied short term rentals**, subject to the provisions of Section 17.12.010(N).
- Q. ~~Vacation home rentals~~ **Short term rentals**, subject to the provisions of Section 17.12.010(O). (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).

[...]

Chapter 17.21R-4 MULTIPLE-FAMILY RESIDENTIAL ZONESections:

17.21.010 Permitted uses. [...]

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

~~F. Boardinghouse, lodginghouse, or roominghouse; [...]~~

R. ~~Bed and breakfast establishments~~ **Resident occupied short term rentals**, subject to the provisions of Section 17.12.010(N); [...]

T. ~~Vacation home rentals~~ **Short term rentals**, subject to the provisions of Section 17.12.010(O). (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).

[...]

Chapter 17.24

O-R OFFICE/RESIDENTIAL ZONE

Sections:

- 17.24.010 Purpose.
17.24.020 Permitted buildings and uses. [...]

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. Single-family dwelling.
 2. Common wall, single-family dwelling.
 3. Two-family dwelling (duplex).
 4. Multiple-family dwelling.
 5. Condominium.
 6. ~~Boarding, lodging, or rooming house;~~ [...]
- R. ~~Bed and breakfast establishments~~ **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.~~ [...]
- U. ~~Vacation home rentals~~ **Short term rentals**, subject to the provisions of Section 17.12.010(O) (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).

[...]

Chapter 17.30

C-2 TRAVEL COMMERCIAL ZONE

Sections:

17.30.010 Permitted uses. [...]

17.30.010 Permitted uses. In a C-2 zone, the following uses and their accessory uses are permitted: [...]

- B. ~~Boardinghouse, lodginghouse or roominghouse;~~ [...]
- D. ~~Hotel and motel~~ **Lodging (hotels and motels)**; [...]
- K. ~~Vacation home rental, subject to the provisions of Section 17.12.020(R) excluding (3).~~ (Ord. 4902 §1(g), 2008; (Ord. 4732, 2000; Ord. 4534 §1, 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(i), 1984; Ord. 4279 §1(A), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968). **Short term rental**;

[...]

Chapter 17.60

OFF—STREET PARKING AND LOADING

Sections:

- 17.60.010 Applicability of chapter.
- 17.60.020 Property owner's responsibility.
- 17.60.030 Plans required.
- 17.60.040 Spaces—Used to park automobiles only.
- 17.60.050 Spaces—Location.
- 17.60.060 Spaces—Number required. [...]

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 and two-family dwelling. | Two spaces per dwelling with four or fewer bedrooms, and one additional space for every two additional bedrooms. |

6. ~~Vacation home rental~~ **Short term rental and resident occupied short term rental**

One space for each guest room

B. Institutional land use category:

1. Churches, clubs or lodges

One space per every four fixed seats or every eight feet of bench length in the main auditorium or sanctuary. One space per every 75 square feet in the main auditorium when no permanent seats or benches are maintained.

2. College—commercial or business

One space per every three classroom seats.

3. College—residential type

One space per every three full-time equivalent students.

4. Convalescent hospital, nursing home, sanitarium, or rest home

One space per two beds for patients or residents.

5. Day care, preschool, nursery, or kindergarten

One space for each teacher or supervisor.

6. Elementary or junior high school

One space per classroom plus one space per administrative employee or one space per four seats or eight feet of bench length in the auditorium or assembly room, whichever is greater.

7. Hospital

Three spaces per two beds.

8. Library, reading room, museum, or art gallery

One space per 300 square feet of floor area.

9. Other places of public assembly including stadiums

One space per four seats or eight feet of bench length.

10. Senior high school

One space per classroom plus one space per administrative employee plus one space per each six students or one space per four seats or eight feet of bench length in the main auditorium or gymnasium, whichever is greater.

C. Commercial land use category

- | | |
|--|---|
| 1. Automobile service station | Two spaces per each lubrication stall, rack, or pit and one per each two gasoline pumps. |
| 2. Auto wash | One and one-half spaces per employee. |
| 3. Banks, financial institutions | One space per 200 square feet of floor area. |
| 4. Barber shop and beauty parlor | One space per each employee plus two spaces per each barber or beauty chair. |
| 5. Bed and breakfast establishment (as amended Ord 4292, July 24, 1984) | One space for the first two guest sleeping rooms and an additional space for each additional guest sleeping room. |
| 6. Bowling alley | Six spaces per alley. |
| 7. Dance hall, skating rink, pool or billiard parlor, and similar commercial recreational uses without fixed seating | One space per 100 square feet of floor space. |
| 8. Drive-in restaurants or similar drive-in uses for the sale of beverages, food, or refreshments for consumption on the premises. | One space per four seats or one space per 200 square feet of floor area, whichever is greater. |
| 9. Establishments for sale and consumption on the premises of beverages, food, or refreshments | One space per 100 square feet of floor area or one per four seats, whichever is greater. |
| 10. Laundromats and coin operated dry cleaners | One space per every two washing machines. |
| 11. Medical or dental office, including clinic | One space per 200 square feet of floor area. |
| 12. Mortuary | One space per four seats or eight feet of bench length in chapel. |
| 13. <u>Lodging</u> (Motel or hotel) | One space per each guest room. Parking for motel or hotel restaurants or ball rooms must be figured separately as per the requirements of this section. |
| 14. Nursery | One space per 300 square feet of floor area of the building. |

- | | |
|---|--|
| 15. Pharmacy | One space per 150 square feet of floor area. |
| 16. Private golf club, swimming pool, club, tennis club, or other similar uses | One space for each two member families, or if anticipated membership has not been achieved, one space for every two member families anticipated at maximum membership or one space for every four persons when facility is used to capacity. |
| 17. Professional office (non-medical or dental) | One space per 300 square feet of floor area. |
| 18. Retail store, except as otherwise specified in this section | One space per 250 square feet of floor area. |
| 19. Retail stores handling bulky merchandise or household furniture | One space per 500 square feet of floor area. |
| 20. Service or repair shop | One space per 400 square feet. |
| 21. Theater | One space per each three seats. |
| 22. Vacation home rental <u>Short term rental and resident occupied short term rental</u> | One space for each guest room |

D. Industrial land use category:

- | | |
|---|--|
| 1. Manufacturing establishment | One space per 1,000 square feet of floor area or two spaces per three employees working on the largest shift during peak season, whichever is greater. |
| 2. Wholesale establishment, warehousing | One space per 2,000 square feet of floor area or two spaces per three employees on the largest shift during peak season, whichever is greater. |

(Ord 4902 §1(h), 2008; Ord. 4479A §5, 1991; Ord. 4477 §5, 1990; Ord. 4419 §2, 1988) Ord. 4292 §2(j), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[...]

Chapter 17.72

APPLICATIONS AND REVIEW PROCESS
(as amended by Ord. 4920, January 12, 2010)

[...]

17.72.090 Application Review Summary Table. The following table offers an overview of land use applications and corresponding review body. Additional information regarding the notification and approval criteria for specific land use applications can be found by referring to the procedural reference section in the right-hand column of the table. Information regarding the hearing body and the hearing procedure can be found in this chapter. (Ord. 5034 §2, 2017; Ord. 4984 §1, 2014).

<u>Review Process</u>	<u>Land Use Application</u>	<u>Zoning Ordinance Reference</u>
Applications and Permits- Director’s Review Without Notification	Home Occupation Permit	17.67
	Large Format Commercial Design Review (standard)	17.56.040
	Manufactured Home Park Permit	Ord. No.4220
	Model Home Permit	17.54.060
	Property Line Adjustment	17.53.050
	Recreational Vehicle Park Permit	Ord. No.4220-Section 12
	Temporary Living Unit Permit	17.54.070
Applications- Director’s Review with Notification	Downtown Design Review (minor alterations)	17.59.030-040
	Administrative Variance	17.74.080-090
	Bed and Breakfast <u>Resident Occupied Short Term Rental</u>	17.12.010(N)
	Classification of an Unlisted Use	17.54.010
	Downtown Design Review	17.59.030-040
	Large Format Commercial Design Review (variation to prescribed standards)	17.56.040
	Partition	17.53.060
	Subdivision-up to 10 lots	17.53.070
	Three Mile Lane Design Review	Ord. Nos. 4131, 4572
	Transitional Parking Permit	17.60.130
Vacation Home Rental <u>Short Term Rental</u>	17.12.010(O)	
Applications Public Hearing- Planning Commission	Downtown Design Review (major alterations or waivers, reviewed by Historic Landmarks Committee)	17.59.030-040
	Annexations* **	Ord. No. 4357
	Appeal of Director’s Decision	17.72.170
	Application (Director’s Decision) for which a Public Hearing is Requested	17.72.120
	Comprehensive Plan Map or Text Amendment*	17.74.020
Conditional Use Permit	17.74.030-060	

	Planned Development Amendment*	17.74.070
	Legislative Amendment *	17.72.120
	Subdivision (more than 10 lots)	17.53.070
	Variance	17.74.100-130
	Zone Change*	17.74.020
Public Hearing- City Council	Appeal of Planning Commission's Decision	17.72.180
	Hearings Initiated by City Council	17.72.130
MUAMC***	Urban Growth Boundary (UGB) Amendment	Ord. Nos. 4130,4146
Public Hearing - Historic Landmarks Committee	Demolition of National Register of Historic Places Structure	17.65.050 (D)

* Following Public Hearing, Planning Commission makes recommendation to City Council

** Following City Council recommendation, Annexation requests are subject to voter approval

*** McMinnville Urban Area Management Commission

17.72.095 Neighborhood Meetings.

A. A neighborhood meeting shall be required for:

1. All applications that require a public hearing as described in Section 17.72.120, except that neighborhood meetings are not required for the following applications:
 - a. Comprehensive plan text amendment; or
 - b. Zoning ordinance text amendment; or
 - c. Appeal of a Planning Director's decision; or
 - d. Application with Director's decision for which a public hearing is requested.
2. Tentative Subdivisions (up to 10 lots)
3. ~~Vacation Home Rentals~~ **Short Term Rental**

[...]

17.72.110 Applications – Director's Review with Notification. The following applications shall be submitted as stated above in Section 17.72.020 and shall be reviewed by the Planning Director or designee.

- Administrative Variance
- ~~Bed and Breakfast (Less than three (3) guest sleeping rooms)~~
- Classification of an Unlisted Use
- Downtown Design Review (major alterations or waivers, reviewed by Historic Landmarks Committee)
- Large Format Commercial Development (variation to standard)
- **Resident Occupied Short Term Rental**
- **Short Term Rental**
- Tentative Partition
- Tentative Subdivision (up to 10 lots)
- Three Mile Lane Design Review
- Transitional Parking Permit
- ~~Vacation Home Rental~~

[...]

