



City of McMinnville
Planning Department
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MINUTES

March 21, 2019
Planning Commission
Regular Meeting

6:30 pm
McMinnville Civic Hall, 200 NE 2nd Street
McMinnville, Oregon

Members Present: Chair Roger Hall, Commissioners: Erin Butler, Martin Chroust-Masin, Susan Dirks, Christopher Knapp, Gary Langenwalter, Roger Lizut, and Lori Schanche

Members Absent: Amanda Perron

Staff Present: Chuck Darnell – Senior Planner, Heather Richards – Planning Director, and Tom Schauer – Senior Planner

1. Call to Order

Chair Hall called the meeting to order at 6:30 p.m.

2. Citizen Comments

None

3. Approval of Minutes

- **February 21, 2019 Work Session Minutes**
- **February 21, 2019 Planning Commission Minutes**

Commissioner Butler pointed out an error in the minutes on page 5 where she had asked why the applicant was not building townhomes instead of Commissioner Perron.

Commissioner Langenwalter moved to approve the February 21, 2019 minutes as amended. The motion was seconded by Commissioner Chroust-Masin and passed 8-0.

4. Public Hearing:

A. Quasi-Judicial Hearing. Conditional Use Permit (CU 1-19)

Request: Conditional Use Permit to operate a bed and breakfast establishment within an existing home. The property is currently approved for a resident-occupied short-term rental, which allows no more than two guest sleeping rooms. A Conditional Use Permit for a bed and breakfast establishment would authorize three or more guest

sleeping rooms. The applicant is requesting approval for up to four guest sleeping rooms within the existing home.

Location: The subject site is zoned R-4 (Multiple Family Residential) and is located at 806 SE Davis Street. It is more specifically described as Tax Lot 1100, Section 21CC, T.4 S., R. 4 W., W.M.

Applicant: Katherine Jabuka

Chair Hall opened the public hearing and read the hearing statement. He asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Hall asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none. Chair Hall asked if any Commissioner had visited the site. If so, did they wish to discuss the visit to the site? Several members of the Commission had visited the site. There was no discussion regarding the visits.

Senior Planner Schauer presented the staff report. This was a request for a conditional use permit to operate a bed and breakfast at 806 SE Davis Street. The property was in the R-4 zone. He explained the location of the property, surrounding neighborhood, and locations of other short term rentals. He then reviewed the approval criteria and conditions. The property would need to be registered with the City and would pay the transient lodging tax. There would be a maximum of four guest rooms and it would be resident occupied. It would need to comply with the required parking as well. If a sign was added in the future, it would need to comply with the standards. Smoke detectors were also required. They might need to upgrade their meter size through McMinnville Water and Light. The permit would need to be renewed annually. Staff recommended approval with conditions.

Commissioner Chroust-Masin clarified this was an application for renting four bedrooms. He asked where the resident lived. Senior Planner Schauer said they would either use one of the bedrooms and rent the other three or they would use the living area as a studio residence.

Commissioner Langenwalter pointed out a spelling error on page 155. He also commented on Condition 2 and how there was no maximum occupancy listed. Senior Planner Schauer said that was the way the definition was written for a bed and breakfast, limiting it to the four guest bedrooms and allowing 6 or more guests.

Commissioner Langenwalter thought that should be revisited at a later time.

There was no public testimony.

Chair Hall closed the public hearing.

Commissioner Dirks thought the application should be approved, but wished the applicant had come to the hearing.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to APPROVE CU 1-19 subject to the conditions of approval. SECONDED by Commissioner Lizut. The motion PASSED 8-0.

B. Legislative Hearing. Comprehensive Plan Text Amendment: Great Neighborhood Principles (G 1-19)

Request: The City of McMinnville is proposing text amendments to Chapter IX (Urbanization) of the McMinnville Comprehensive Plan. The proposal is related to the incorporation of Great Neighborhood Principles (GNP) into the City's land use planning program. The purpose of the GNP is to define what makes a great neighborhood in McMinnville, and to identify and describe specific principles (which also could be referred to as elements or characteristics) that shall be achieved in every neighborhood. The GNP will ensure that new development and redevelopment, as it occurs, creates places and neighborhoods that are livable, healthy, social, safe, and vibrant for all residents of McMinnville. The GNP will guide future development, and will also be used to guide future development code updates establishing more detailed requirements to achieve and implement the GNP.

Applicant: City of McMinnville

Chair Hall opened the public hearing. He asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application.

Commissioner Schanche disclosed that she participated on the Project Advisory Committee for this project.

Senior Planner Darnell gave the staff report. This was a legislative hearing for Comprehensive Plan text amendments related to Great Neighborhood Principles. The intent of the principles was to create great neighborhoods in McMinnville by including certain elements in future developments. A Project Advisory Committee had overseen the project and there had been a public engagement process. The proposed text amendments were recommended to be added to the Urbanization Chapter of the Comprehensive Plan. Each of the 13 principles would become policies in the new section of the chapter. He reviewed the language that would be added including the intent, how the principles would be applied, a description of each principle, and proposals to implement the principles. The principles were: natural feature preservation, scenic views, parks and open spaces, pedestrian friendly, bike friendly, connected streets, accessibility, human scale design, mix of activities, urban/rural interface, housing for diverse incomes and generations, housing variety, and unique and integrated design elements. No public testimony had been received about the text amendments. McMinnville Water and Light had suggested some amendments to the principles, which had been provided to the Commission that night. Some of the suggestions were more detailed than the policy level principles that had been drafted. These amendments had not been taken to the Project Advisory Committee or the public. Staff did not think they should be adopted at this time, however he explained the few additions to the language that staff recommended to address the intent of McMinnville Water and Light's comments. If the Commission recommended approval, these text amendments would go to the City Council on April 9. He explained the positive feedback they had received from the public for creating these principles.

Commissioner Dirks asked why McMinnville Water and Light waited so long before making such substantial changes and what was their response to staff's proposal. Senior Planner Darnell said McMinnville Water and Light was contacted for comments at the end of the process, as

was the standard procedure. Staff had not shared the suggested language with them yet, but if the Commission approved it, they would share that with McMinnville Water and Light before it went to Council.

Planning Director Richards had let McMinnville Water and Light know about staff's recommendation. The City did not have this type of micro language in the code. She thought McMinnville Water and Light wanted to ensure the utility's infrastructure was a consideration when designing and planning neighborhoods. She thought the amended language staff was proposing would give that assurance. There were other policies in the Comprehensive Plan dealing with infrastructure systems as well.

Commissioner Dirks wanted to make sure that McMinnville Water and Light understood the Commission was not ignoring the suggestions, but that the level of detail was not in the great neighborhood principles.

There was no public testimony.

Chair Hall closed the public hearing.

Commissioner Langenwalter proposed adding an Item C under number 7, Accessibility, to read, "Great neighborhoods are designed such that owning a vehicle can be optional."

Commissioner Chroust-Masin did not think adding the language was necessary because it was always optional. He was in favor of the text amendments, and wanted to make sure they would not end up on a shelf unused.

Planning Director Richards recommended adding Commissioner Langenwalter's proposed language under number 9, Mix of Activities.

Commissioner Langenwalter pointed out a current residential development in the western area of McMinnville that was designed to require residents to have cars.

Commissioner Dirks said the Project Advisory Committee had worked for several months on these text amendments. She did not think it was in Commission's purview to make these changes if the issue was not raised in the public process.

Commissioner Butler pointed out the development to the west was not done under the Great Neighborhood Principles. She was in favor of adding the proposed language to number 9 and have it be associated with the Mix of Activities principle.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the staff, Commissioner Langenwalter MOVED to RECOMMEND APPROVAL to the City Council for G 1-19 including proposal 48, amendment to policy 187.20, and added Item C to Great Neighborhood Principle number 9. SECONDED by Commissioner Knapp. The motion PASSED 8-0.

C. Legislative Hearing. Comprehensive Plan Text Amendment: Historic Preservation Plan (G 2-19)

Request: The City of McMinnville is proposing to amend the goals and policies of Chapter III (Cultural, Historical, and Educational Resources) of McMinnville's Comprehensive

Plan and to adopt a Historic Preservation Plan as an appendix to the Comprehensive Plan to provide a guide for the City's historic preservation program for the next 15 to 20 years. The Historic Preservation Plan would include the following elements: a historic context statement for McMinnville; an overview of the current status of the City's historic preservation program; goals, policies, and proposals to guide future historic preservation work and activities to be completed by the City (which would also be included in Chapter III of the Comprehensive Plan as described above); and an implementation matrix organizing the future historic preservation work and activities into ongoing, short-term, mid-term, and long-term timeframes. The Historic Preservation Plan would not include any specific changes to any development code or regulatory processes. There are some recommendations on potential code amendments to analyze further and future survey work to complete, but no changes would occur to the City's development code or regulatory processes from the action to adopt the Historic Preservation Plan.

Applicant: City of McMinnville

Chair Hall opened the public hearing. He asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Senior Planner Darnel provided the staff report. This was another legislative hearing for Comprehensive Plan text amendments related to the incorporation of a Historic Preservation Plan. A couple of years ago the City updated the historic preservation chapter of the City's code and incorporated new regulations in response to an update to the Oregon Administrative Rules for how historic resources were treated. The OARs called for a historic preservation ordinance, following the Secretary of the Interior's standards and guidelines, creating a local historic context statement, and adopting a Historic Preservation Plan. He explained the process for developing the Plan, which would be a guide to the City's historic preservation program for the next 15-20 years. There were stakeholder meetings, public meetings, and Historic Landmarks Committee meetings where input was received that helped guide the process. The proposed text amendments would be added to the Cultural, Historical, and Educational Resources Chapter of the Comprehensive Plan and new goals, policies, and proposals would be added to the existing section titled Historic Preservation. The entire Historic Preservation Plan would be adopted as an appendix to the Comprehensive Plan as well. He then reviewed the components of the Historic Preservation Plan which included the historic context statement, evaluation and status of the current program, new goals, policies, and proposals, implementation plan, and maps identifying areas for further consideration and study. Some of the goals were to increase awareness of McMinnville's history and Historic Preservation Program, encourage the preservation and rehabilitation of historic resources, document and protect historic resources, and increase heritage tourism. No public testimony had been received on this item. McMinnville Water and Light had some recommendations for language changes. Staff had reviewed those changes, which focused on modern utility services to historic structures. Some of it was too detailed and did not fit well with the policies. Staff recommended a new proposal under Goal 3.4 to encourage the preservation and rehabilitation of historic resources that acknowledged the need to provide modern utility services to these buildings, but also that there was an overarching goal of preserving the historic character of those places. If the Commission approved the text amendments, they would go to the City Council on April 23.

Commissioner Schanche asked if there was a reason the comments from McMinnville Water and Light came in so late. Senior Planner Darnell said similar to the previous text amendments,

the standard notification process had prompted their response and staff had reviewed their recommendations, but felt that they did not fit in well with the policy level language in the remainder of the proposed Comprehensive Plan text amendments. Staff still suggested addressing the comments by including the proposed new proposal.

Commissioner Schanche was in support of the text amendments. She pointed out a typo in the Historic Preservation Plan on page 13.

Commissioner Butler pointed out a typo on page 32.

Commissioner Dirks wanted to make sure realtors knew that properties were on the historic landmarks list when they were sold. Proposal 3.26 addressed that, but it was not a short term priority. Senior Planner Darnell said the Historic Landmarks Committee had been discussing how to make property owners more aware of properties that were historic resources and it was part of their work plan for 2019.

Commissioner Dirks asked about the revision to the Plan for the pre-European settlement history. Senior Planner Darnell explained that was Proposal 3.08, to partner with tribal organizations to further research and document the history of human settlement prior to the European explorer arrival to expand the historic context in the Plan. That was a mid-term policy in the implementation chapter.

Commissioner Langenwaller asked if the City adopted the Historic Preservation Plan, why were there no changes to the Development Code or regulatory processes. Senior Planner Darnell explained the Plan did not include any specific updates to the historic review processes.

Commissioner Chroust-Masin thought people should be aware that it was a voluntary program and there was a process to withdraw from the program and that should be included in the Plan. If they wanted people to stay in the program, there needed to be some incentives for them. He suggested putting plaques on buildings with the histories of the buildings for walking tours and more awareness. Senior Planner Darnell stated that the withdrawal from the program was not necessarily voluntary, but that there was a process that a property owner could go through to request removing their property from the Historic Resource Inventory. He discussed the process for getting properties unlisted from the inventory, and also stated that there was a proposal included in the plan to continue creating walking tour brochures to highlight historic properties.

Cynthia Lopez, McMinnville resident, advocated for adding language to the Plan letting people know in the buying process that they were buying a historic house. She was also in favor of adding plaques to the homes.

Chair Hall closed the public hearing.

Commissioner Lizut had served on the historic preservation committee in Corvallis and that committee did not have the kind of support and quality that this Plan provided. He thought it was a good and impressive Plan and it would be a very useful tool to protect what McMinnville had and to guide the future.

Commissioner Langenwaller complimented all those involved in the creation of the Plan. It was thorough and well done.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the staff, Commissioner Lizut MOVED to RECOMMEND APPROVAL to the City Council for G 2-19 including the amendment addressing McMinnville Water and Light's concerns. SECONDED by Commissioner Langenwalter. The motion PASSED 8-0.

5. Old/New Business

None

6. Commissioner/Committee Member Comments

Commissioner Schanche suggested reordering the agenda so those items that had public testimony would go first.

Commissioner Dirks liked the reorganization of the staff report. Planning Director Richards said that had been part of the Strategic Plan.

7. Staff Comments

Planning Director Richards said staff had been watching the legislature regarding the planning bills that were being discussed, especially regarding affordable housing. She explained proposed HB 2001 and how she had given feedback on amendments to the bill.

8. Adjournment

Chair Hall adjourned the meeting at 8:16 p.m.



Heather Richards
Secretary