

Conditional Use Information & Submittal Requirements



Planning Department
231 NE Fifth Street ◦ McMinnville, OR 97128
(503) 434-7311 Office ◦ (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Overview

A conditional use permit is required when a use is listed as conditionally permitted in a specific zone, as opposed to being outright permitted. Examples of uses that require a conditional use permit are churches and school uses in a residential zone. To see full lists of uses that are conditionally permitted in each zone please refer to the McMinnville Zoning Ordinance and then click on the zone in which your property is located.

For more information about the conditional use permit process, please refer to Sections 17.74.030 (Authorization to Grant or Deny Conditional Use) through 17.74.060 (Use Conveyed with Property-Termination Condition and Procedures) of the Zoning Ordinance.

Before submitting an application for a conditional use permit, it is strongly encouraged that you contact Planning Department staff to discuss your proposal.

Application Submittal

The following materials must be provided at the time of submittal, or the application will not be accepted for processing.

- A completed Conditional Use Permit application form, filled out completely and accurately. If additional explanation or materials would assist or support the request, include them with the application form.
- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), clearly showing existing and proposed features within, and adjacent to, the subject site, such as: Access; lot and street lines with dimensions; distances from property lines to structures; structures and other proposed and existing improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.).
- A legal description of the subject property, preferably taken from the deed.
- Compliance of Neighborhood Meeting Requirements.
- Payment of the applicable review fee.

Review Process

An application for a conditional use permit is subject to a public hearing before the McMinnville Planning Commission. In advance of such hearing, public notice is provided to neighboring property owners within 200 feet of the subject property advising them of the proposed request and inviting their

participation in the upcoming hearing. The procedure for providing notice of the request, and the public hearing process, is outlined in Sections 17.72.120 (Applications – Public Hearings) through 17.72.130 (Public Hearing Process) of the Zoning Ordinance. At the conclusion of the scheduled hearing, the Commission will make their decision based upon the applicable review criteria and testimony received. The decision made by the Planning Commission may be appealed to the City Council as outlined in Section 17.72.180 (Appeal from Ruling of Planning Commission) of the Zoning Ordinance.

In judging whether or not a request for a conditional use permit shall be approved or denied, the Planning Commission must find that the applicant has demonstrated that the following criteria are either met, can be met by observance of conditions, or are not applicable:

- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the Zoning Ordinance and other applicable policies of the City;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimal impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

It is important that the applicant provide detailed responses to each of these criteria within the space provided in the Conditional Use Permit application form or on additional sheets, if necessary.



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Office Use Only:

File No. _____
Date Received _____
Fee _____
Receipt No. _____
Received by _____

Conditional Use Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name _____ Phone _____

Contact Name _____ Phone _____
(If different than above)

Address _____

City, State, Zip _____

Contact Email _____

Property Owner Information

Property Owner Name _____ Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address _____

Assessor Map No. R4 - - Total Site Area _____

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation _____ Zoning Designation _____

1. State nature of the request in detail: _____

2. Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance: _____

3. Describe how the location size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development: _____

6. Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site? If so, how? _____

7. Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes: _____

In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), clearly showing existing and proposed features within, and adjacent to, the subject site, such as: Access; lot and street lines with dimensions; distances from property lines to structures; structures and other proposed and existing improvements; north direction arrow; and significant features (slope, vegetation, adjacent development, drainage, etc.).*
- A legal description of the property, preferably taken from deed.*
- Compliance of Neighborhood Meeting Requirements.
- Payment of the applicable review fee, which can be found on the Planning Department web page.*

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature

Date

Property Owner's Signature

Date