

Conditional Use

CU 1-20

1113 NE 4th Street

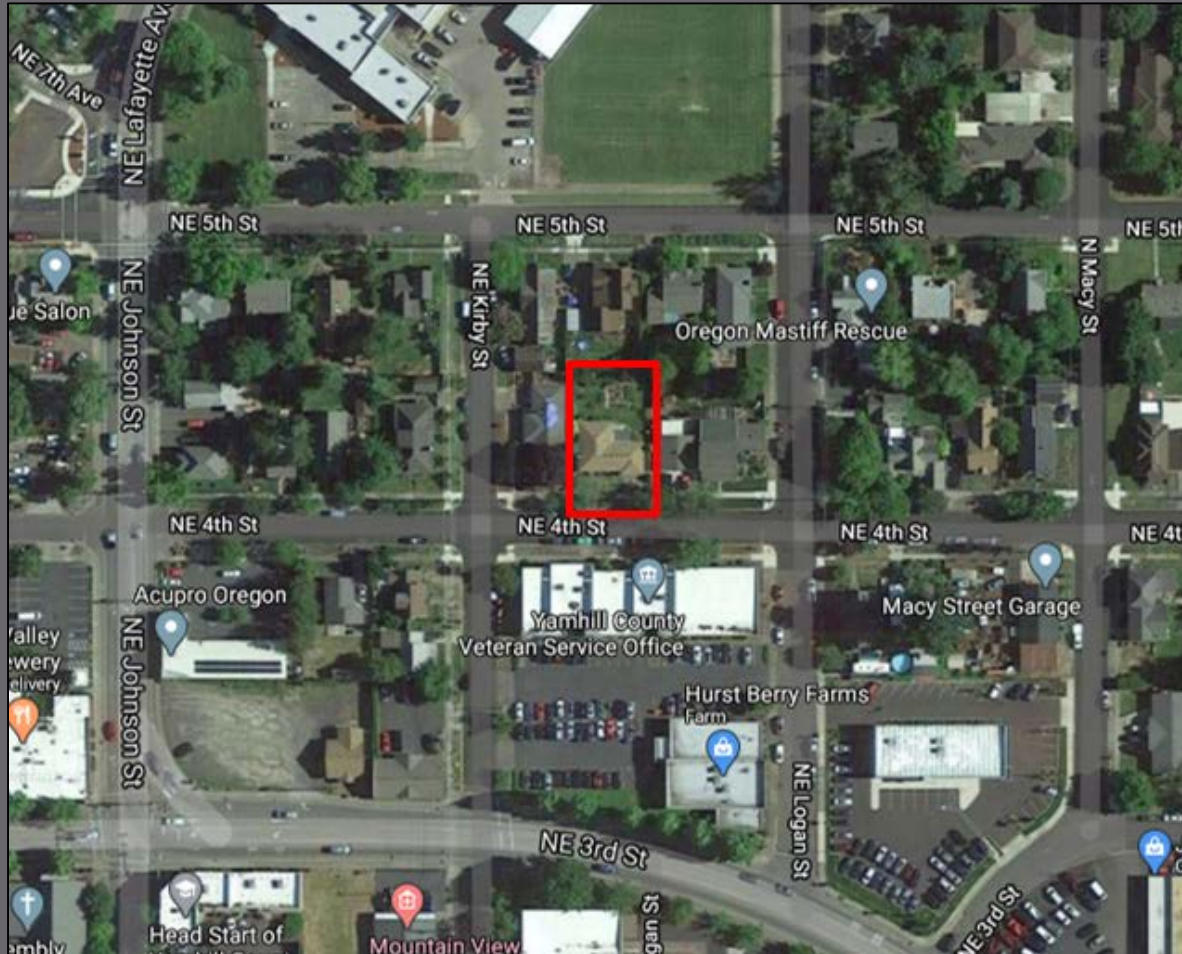
Planning Commission – Public Hearing

July 16, 2020

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SITE LOCATION

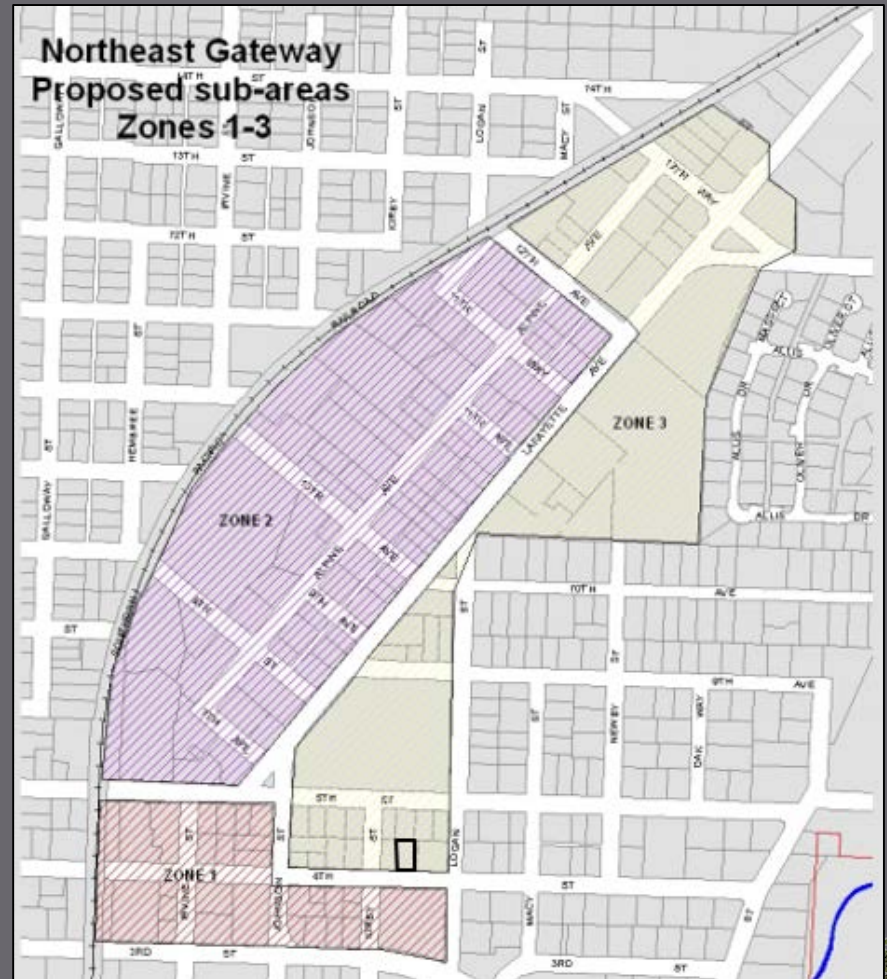


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CONDITIONAL USE REQUEST

- ❑ Approval of a conditional use permit to allow for the operation of a short term rental lodging use
- ❑ NE Gateway Planned Development Overlay District (Ord 4971)



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NE GATEWAY ALLOWED USES



Table 1

Use	Zone 1	Zone 2	Zone 3
Residential			
Single-Family	P ³	P ⁴	P - Only in R-2/R-4 zones
Social Relief Facility (up to 5 Individuals)	P	P	P
Two-Family	P	P	P ⁵
Multi-Family	P	P	P - Not permitted in R-2 zone
Group Living			
Assisted Living Facility/Nursing Home	C	C	C - Not permitted in R-2 Zone
Social Relief Facility (six or more)	C	C	C
Commercial			
Animal Grooming	P	P	P - Not permitted in Res zones
Call Center/Centralized Office	P	P	P - Not permitted in Res zones
Club/Lodge	C	C	C - Not permitted in Res zones
Commercial Recreation Center	C	C	C - Not permitted in Res zones
Conference Center	C	C	C - Not permitted in Res zones
Daycare (up to 12 individuals)	P	P	P
Daycare (more than 12 individuals)	C	C	C
Financial Services	P	P	P - Not permitted in Res zones
Food and Beverage Establishment (non-drive-through)	P	P	P - Not permitted in Res zones
Laundry Services	P	P	P - Not permitted in Res zones
Lodging: Bed and Breakfast/Vacation Home Rental	P	P	P - C in res zones
Lodging: Hotel/motel	P	P	P - Not permitted in Res zones
Office Medical/Professional	P	P	P - Not permitted in Res zones
Parking Lot (non-accessory to existing use)	P	P	P - Not permitted in Res zones
Parking Lot (Public)	P	P	P - Not permitted in Res zones
Personal Services (including gym, spa, barber shop)	P	P	P - Not permitted in Res zones
Retail Sales(General) up to 25,000 square-feet on ground floor - non-auto	P	P	P - Not permitted in Res zones
Retail Sales(General) greater than 25,000 square-feet on ground floor - non-auto	P	C	C - Not permitted in Res zones
Repair /Service (non-auto)	P	P	P - Not permitted in Res zones
Theater	P	P	P - Not permitted in Res zones
Industrial			
Food/Beverage Manufacturing	-	P	-
Industry, Light ⁶	-	P	-

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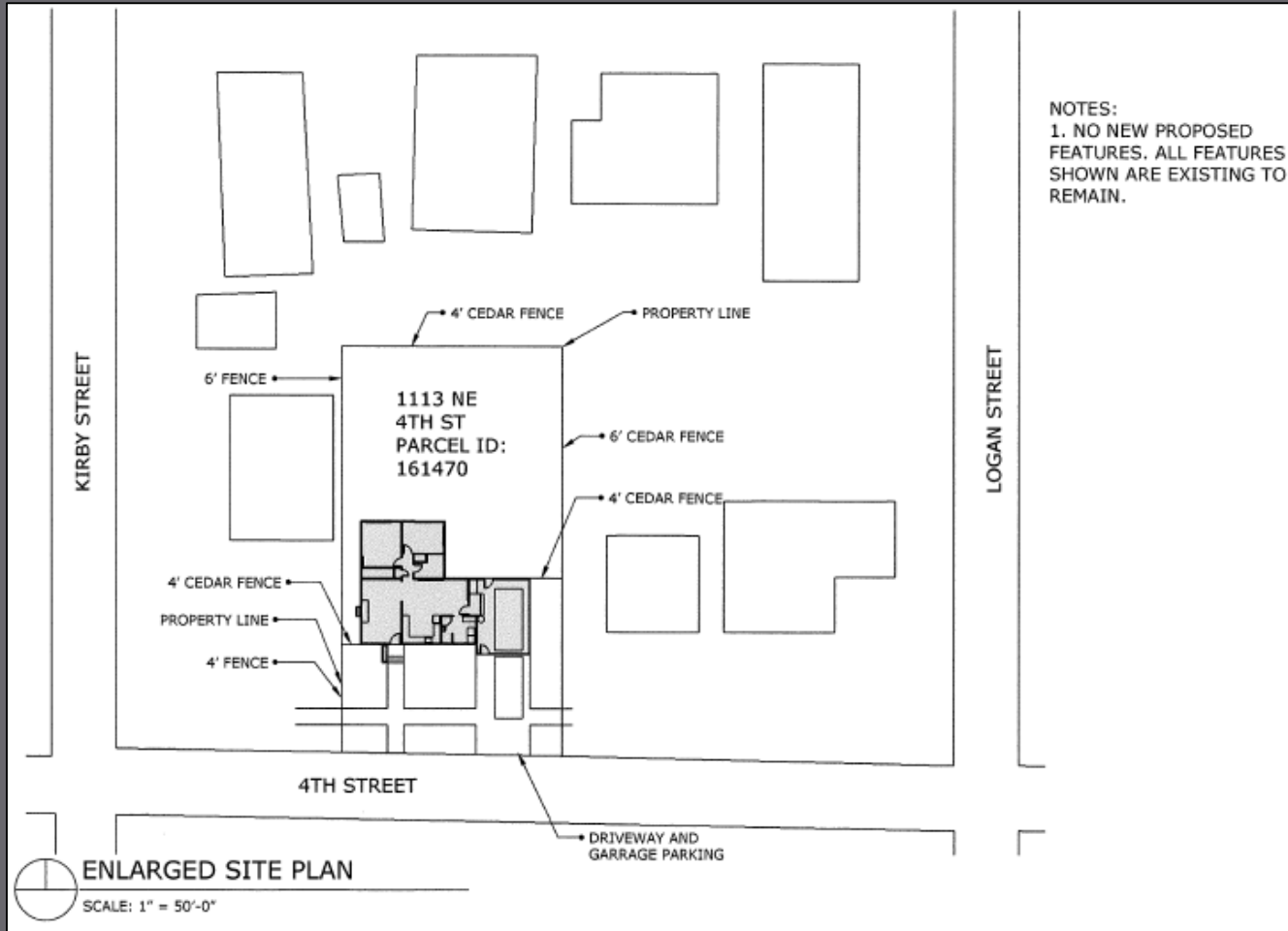
NE GATEWAY OVERVIEW

- ❑ Ord 4971 adopted in 2013 – At that time “vacation home rentals” were a conditional use in residential zones
 - ❑ November 2014 – Vacation home rentals changed to permitted uses
 - ❑ April 2018 – Vacation home rentals changed to “short term rentals”
 - ❑ NE Gateway language was not updated – Conditional Use still applies
- ❑ Unique NE Gateway Development Standards:
 - ❑ Section 5 – Development Review
 - ❑ Section 8 – Reduced off-street parking requirements

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CONDITIONAL USE REQUEST



NOTES:
1. NO NEW PROPOSED
FEATURES. ALL FEATURES
SHOWN ARE EXISTING TO
REMAIN.

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CONDITIONAL USE REVIEW CRITERIA

- 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;
- No proposed changes to existing structure or site – retain residential appearance and consistency with neighborhood
 - Operations – applicant proposing limit on occupancy to maximum of 5 adults, and prohibiting events or parties
 - Staff suggesting condition limiting occupancy consistent with other short term rentals

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SITE DESIGN & OPERATIONS



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CONDITIONAL USE REVIEW CRITERIA

- 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;
- NE Gateway permits a wide range of uses – some that would be more impactful on livability of the surrounding area than the proposed short term rental
- 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;
- No changes to existing structure or site – again retaining residential appearance of surrounding neighborhood

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CONDITIONS ALLOWED

17.74.040 – Placing Conditions on a Conditional Use Permit

Conditions may include the following:

- A. Limiting the manner in which the use is conducted including restrictions on the time a certain activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare, and odor;
- C. Limiting the height, size, or location of a building or other structure;
- D. Designating the size, number, location and nature of vehicle access points;
- G. Limiting or otherwise designating the number, size, location, height and lighting of signs;
- I. Requiring diking, screening, landscaping, or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance;
- J. Designating the size, height, location, and materials for a fence;
- K. Protecting and preserving existing trees, vegetation, water resource, wildlife habitat, or other significant natural resource;

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SUGGESTED CONDITIONS

1. That prior to use of the subject property for short term rental purposes, the applicant shall register with the McMinnville Finance Department as a transient lodging provider. Local Transient Lodging Tax shall be collected and remitted to the City as provided in McMinnville Ordinance No. 4974.
2. That 10-year Lithium battery powered smoke/CO2 detectors must be installed in all bedrooms and hallways within 15 feet from bedrooms.
3. That, as this use is required to be occupied as a single-family residence, occupancy of the vacation home rental shall be limited at all times to no more than five unrelated persons, or one or more individuals related by blood, marriage, adoption, or legal guardianship, or other duly authorized custodial relationship.

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SUGGESTED CONDITIONS

4. That signage is limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three (3) square feet of surface face area. The only type of signage allowed will be wall-mounted signage, and the wall-mounted sign shall only be placed in traditional locations in order to fit within architectural features to satisfy the requirements of the Northeast Gateway Planned Development Overlay District.
5. That in order to maintain adequate maneuvering space for pedestrians, vehicles shall not park in the driveway if they extend into and block the sidewalk space within the right-of-way adjacent to the subject site.

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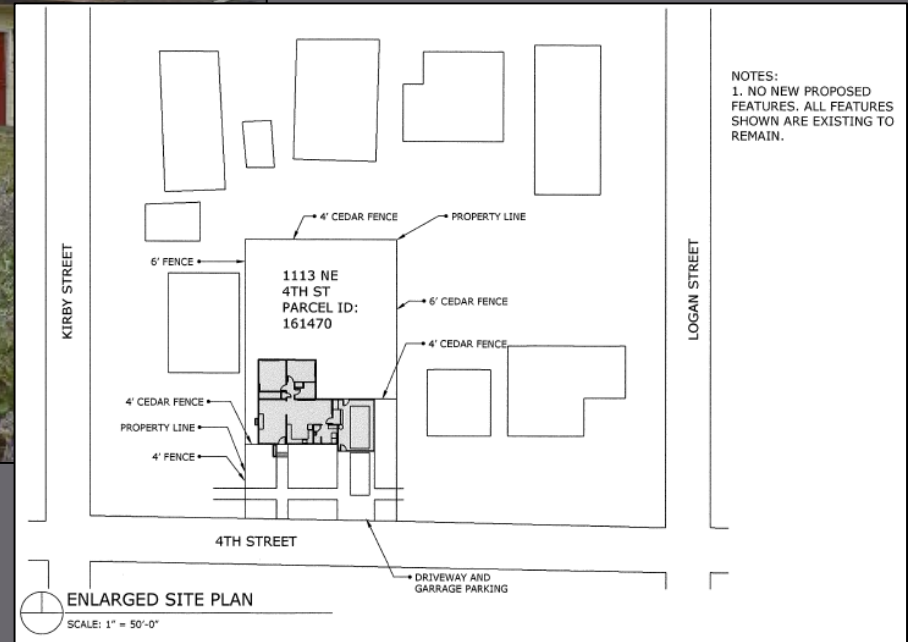
STAFF RECOMMENDATION

- ❑ Approval of Conditional Use with Conditions outlined in Decision Document
- ❑ Planning Commission action would be a *final action*, unless appealed to City Council

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QUESTIONS?



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