



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF LEGISLATIVE AMENDMENTS TO THE MCMINNVILLE CITY CODE, TITLE 17, CHAPTER 17.03, GENERAL PROVISIONS.

- DOCKET:** G 5-20
- REQUEST:** The City of McMinnville is proposing to amend Title 17, Chapter 17.03 of the McMinnville Municipal Code, General Provisions, to align the enforcement of Title 17 with the city's new code compliance program.
- LOCATION:** N/A
- ZONING:** N/A
- APPLICANT:** City of McMinnville
- STAFF:** Heather Richards, Planning Director
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** July 16, 2020. Meeting held virtually via Zoom meeting software, Zoom Online Meeting ID 942 3599 8716.
- HEARINGS BODY:** McMinnville City Council
- DATE & TIME:** TBD
- PROCEDURE:** The application is subject to the legislative land use procedures specified in Sections 17.72.120 - 17.72.160 of the McMinnville Municipal Code.
- CRITERIA:** Amendments to the McMinnville Zoning Ordinance must be consistent with the Goals and Policies in Volume II of the Comprehensive Plan and the Purpose of the Zoning Ordinance.
- APPEAL:** The Planning Commission will make a recommendation to the City Council. The City Council's decision on a legislative amendment may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date written notice of the City Council's decision is mailed to parties who participated in the local proceedings and entitled to notice and as provided in ORS 197.620 and ORS 197.830, and Section 17.72.190 of the McMinnville Municipal Code.

DECISION

Based on the findings and conclusions, the Planning Commission recommends **APPROVAL** of the legislative zoning text amendments (G 5-20) to the McMinnville City Council.

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

Date: _____

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

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

I. Application Summary:

The City of McMinnville is proposing to amend Title 17, Chapter 17.03 of the McMinnville Municipal Code (MMC), General Provisions, to align the enforcement of Title 17 with the city's new code compliance program.

II. CONDITIONS OF APPROVAL

None.

III. FINDINGS OF FACT – PROCEDURAL FINDINGS

1. Notice of the application and the July 16, 2020 Planning Commission public hearing was published in the News Register on Tuesday, July 7, 2020, in accordance with Section 17.72.120 of the Zoning Ordinance.
2. On July 16, 2020, the Planning Commission held a duly noticed public hearing to consider the request.

IV. FINDINGS OF FACT – GENERAL FINDINGS

3. Title 17 of the MMC provides the code provisions for zoning and development regulations for the City of McMinnville.
4. Chapter 17.03, entitled, General Provisions, provides the methodology for enforcing the provisions of Title 17.
5. Historically, the City of McMinnville has used a municipal court process for code compliance and enforcement, however on August 13, 2019, the McMinnville City Council adopted Ordinance no. 5078, amending the McMinnville Municipal Code to establish a civil code enforcement process that is more efficient.

V. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application.

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

Citizen Involvement

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

Finding: Goals X 1 is satisfied by this proposal in that the proposed modifications were reviewed at a public hearing by the McMinnville Planning Commission on July 16, 2020.