

ORDINANCE NO. 4796

An ordinance adopting the "McMinnville Growth Management and Urbanization Plan," appendices, and supporting findings as part of the McMinnville Comprehensive Plan.

RECITALS:

In August of 2000, the McMinnville Planning Department contracted with ECONorthwest to prepare a residential buildable lands and land needs analysis that would provide a legislative review of its comprehensive plan in order to determine if adequate land exists within the McMinnville urban growth boundary sufficient to support future residential growth. The analysis would also serve to update elements of the McMinnville Comprehensive Plan, Volume I related to housing, community facilities, and urbanization.

The first draft of the "McMinnville Residential Land Needs Analysis" was completed in January of 2001, and was presented to the McMinnville Planning Commission and City Council at a public work session held on January 23, 2001. Joint public hearings before the Planning Commission and City Council were held on February 27, 2001, and April 10, 2001, at which considerable public testimony was received regarding the draft analysis. In addition, a public hearing before the Citizens' Advisory Committee (CAC) was held on March 20, 2001, at which additional public testimony concerning the draft analysis was received. A final public hearing on this analysis was held before the Planning Commission and City Council on May 22, 2001, at which time the "McMinnville Residential Land Needs Analysis" was adopted. Subsequent to that action, the Oregon Department of Land Conservation and Development appealed the City's decision to the Oregon Land Use Board of Appeals (LUBA). On December 19, 2001, LUBA remanded the City's decision.

In response to this remand, the City conducted community-wide public forums on June 3, 2002, and July 8, 2002, in an effort to solicit input as regard McMinnville's future growth and how it should best be managed. Following those public forums, at which over 150 people participated, a joint work session was held on September 17, 2002, with the City Council, Planning Commission, McMinnville Urban Area Management Commission, Citizens' Advisory Committee, and Yamhill County Board of Commissioners to review the results of those forums and to provide direction to staff regarding the preparation of the "McMinnville Growth Management and Urbanization Plan."

The draft "McMinnville Growth Management and Urbanization Plan" was presented to the reviewing bodies noted in the preceding paragraph at a public work session held on June 18, 2003. An additional joint public work session was held regarding this plan on July 21, 2003. Joint public hearings with these same reviewing bodies were held on August 4 and 5, 2003, to receive public testimony regarding the draft plan.

At a final joint public hearing, held on August 12, 2003, and after studying the testimony provided, and the contents of the draft plan, the McMinnville Citizens' Advisory Committee, Planning Commission, McMinnville Urban Area Management Commission, and Yamhill County Board of Commissioners recommended to the City Council that the plan be adopted, subject to certain amendments, and that findings be prepared for their adoption on October 14, 2003. The amendments to the draft plan included the following: 1) That the "Thompson Property" be added to the proposed urban growth boundary expansion; 2) that an amount of land similar to that contained in the Thompson property be excluded from the Southwest sub-area; 3) that all maps and text be revised accordingly; and, 4) that the changes recommended by staff in the memorandum entitled "Response to comments received during McMinnville Growth Management and Urbanization Plan public hearings," dated August 12, 2003, be incorporated into the plan, with the exception of the recommendation pertaining to the exclusion of floodplain land from the proposed boundary expansion (include such land in boundary expansion).

The McMinnville City Council met on October 14, 2003, to review and adopt the findings and statement of reasons in support of the "McMinnville Growth Management and Urbanization Plan" as provided herein; now therefore,

THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the "McMinnville Growth Management and Urbanization Plan," dated May 2003, as described and amended in the following description, a copy of which is attached hereto and incorporated herein by this reference, is hereby adopted as part of the McMinnville Comprehensive Plan, Volume I. Further:

- (a) Appendix A, "Population and Employment Justification," is adopted as an update to the "McMinnville Residential Land Needs Analysis," dated May 2001, and the "McMinnville Economic Opportunities Analysis," dated November 2001.
- (b) Appendix B, "Revised Buildable Land Analysis," is adopted as an update to the "McMinnville Residential Land Needs Analysis," dated May 2001, and the "McMinnville Economic Opportunities Analysis," dated November 2001. Table 13 of Appendix B is further amended to reflect revised employment forecasts, and Table 24 is amended to reflect adjustments to public and semi-public land needs as described in the Planning Department's "Response to comments received during McMinnville Growth Management and Urbanization Plan public hearings memorandum dated August 12, 2003.

- (c) Appendix C, "Alternative Sites Analysis," is adopted to satisfy the requirements of ORS 197.298 and the requirements of Statewide Planning Goals 2 and 14.
- (d) Appendix D, "Proposed Plan Policy Amendments," is adopted, amending chapters IV (Economy of McMinnville), V (Housing and Residential Development), VI (Transportation System), and IX (Urbanization) of Volume II of the McMinnville Comprehensive Plan that are required in order to implement the "McMinnville Growth Management and Urbanization Plan." Plan policies 31.00, 33.00, 36.00(3), 45.00, and 188.02 are further amended as follows:
1. Amend plan policy 31.00 to read as follows:

"31.00 Commercial developments shall be designed in a manner which minimizes bicycle/pedestrian conflicts . . ."
 2. Replace plan policy 33.00 with the following:

"33.00 Encourage efficient use of land for parking; small parking lots and/or parking lots that are broken up with landscaping and pervious surfaces for water quality filtration areas. Large parking lots shall be minimized where possible. All parking lots shall be interspersed with landscaping islands to provide a visual break and to provide energy savings by lowering the air temperature outside commercial structures on hot days, thereby lessening the need for inside cooling."
 3. Amend plan policy 36.00(3) to read as follows:

36.00 The City of McMinnville shall encourage a land use pattern that: [. . .]

(3) Provides efficient use of land for adequate parking areas."
[. . .]
 4. Amend plan policy 45.00 to read as follows:

"45.00 The City of McMinnville shall ~~study the feasibility of developing~~ provide for bicycle and pedestrian paths and/or lanes between residential areas and designated Neighborhood Activity Centers and between residential areas and downtown McMinnville."
 5. Amend plan policy 188.02 to read as follows:

"188.02 The following uses ~~should~~ shall be avoided in a neighborhood activity center: [. . .]

- (e) Appendix E, "Proposed Zoning Ordinance Amendments," is adopted, thereby amending Chapters 17.06, 17.12, 17.15, 17.18, 17.21, 17.33; creating a new Chapter 17.22; and, implementing a new "Neighborhood Activity Center Planned Development Overlay." Sections 17.12.060, 17.15.060, 17.18.060, and 17.21.060 of the McMinnville zoning ordinance are further amended by adding the following sentence to the existing text:

"This requirement does not apply to accessory dwelling units."

- (f) Appendix F, "Proposed Comprehensive Plan Map Amendments and Zone Changes," is adopted, thereby amending the City's comprehensive plan map and zone map and implementing certain planned developments as follows:

1. That the properties described as parcels 1 and 2 as shown on Figure 1, which is attached hereto and incorporated herein by this reference, be amended from an industrial designation to a commercial designation.
2. That the properties described as parcels 3, 4, 5, 6 and 18 as shown on Figure 2, which is attached hereto and incorporated herein by this reference, be amended from an industrial designation to a residential designation.
3. That the property described as parcel 7 as shown on Figure 3, which is attached hereto and incorporated herein by this reference, be amended from an industrial designation to a residential designation.
4. That the property described as parcel 9 as shown on Figure 4, which is attached hereto and incorporated herein by this reference, be amended from a mixed use designation to a residential designation.
5. That the property described as parcel 10 as shown on Figure 5, which is attached hereto and incorporated herein by this reference, be amended from a mixed use designation to a residential designation; and that the properties described as parcels 11, 12, 13 and 14 as shown on Figure 5 be amended from a mixed use designation to a commercial designation.

6. That the property described as parcel 8 as shown on Figure 6, which is attached hereto and incorporated herein by this reference, be amended from a mixed use designation to an industrial designation; and that the properties described as parcels 15 and 16 as shown on Figure 6 be amended from a mixed use designation to a residential designation.
7. That the property described as parcel 17 as shown on Figure 7, which is attached hereto and incorporated herein by this reference, be amended from a residential designation to a commercial designation; and that the properties described as parcels 19 and 20 as shown on Figure 7 be amended from an industrial designation to a residential designation.
8. That the properties described as parcels 1 and 2, as shown on Figure 1 of this Ordinance are hereby rezoned from an M-1 (Light Industrial) zone to a C-3 (General Commercial) zone.
9. That the property described as parcel 3, as shown on Figure 2 of this Ordinance is hereby rezoned from an M-1 PD (Light Industrial Planned Development) zone to an R-3 (Two-Family Residential) zone. That the properties described as parcels 4, 5 and 6, as shown on Figure 2 of this Ordinance are hereby rezoned from an M-1 PD (Light Industrial Planned Development) zone to an R-4 PD (Multiple-Family Residential Planned Development) zone subject to the following conditions:
 - i. Residential density shall be limited to no more than a total of 25 dwelling units for these three parcels, combined, unless an approved secondary access is provided to the satisfaction of the McMinnville Fire Department.
 - ii. Prior to development of these parcels, the owner(s) shall submit a master plan to the McMinnville Planning Department for review and approval. The master plan shall clearly depict proposed land uses, density, circulation, and other details deemed necessary by the City. The plan shall include all three parcels. To the extent practicable, the master plan shall be consistent with the goals, principles, and design concepts contained in the "Brickworks Property Redevelopment Study," May 1999.
10. That the property described as parcel 18, as shown on Figure 2 of this Ordinance is hereby rezoned from an M-2 (General Industrial)

- zone to an R-4 PD (Multiple-Family Residential Planned Development) zone. Vehicular access to this property shall be limited to Chandler Avenue.
11. That the property described as parcel 7, as shown on Figure 3 is hereby rezoned from an M-2 (General Industrial) zone to an R-4 PD (Multiple-Family Residential Planned Development) zone.
 12. That the property described as parcel 9, as shown on Figure 4 of this Ordinance is hereby rezoned from an AH (Agricultural Holding) zone to an R-4 PD (Multiple-Family Residential Planned Development) zone subject to the following conditions:
 - i. Vehicular access shall be coordinated through adjacent properties.
 - ii. High-density housing shall be encouraged.
 - iii. Development shall require buffering from adjacent industrially zoned land to the west and from adjacent commercially zoned land to the south.
 13. That the property described as parcel 10, as shown on Figure 5 of this Ordinance is hereby rezoned from an AH (Agricultural Holding) zone to an R-1 PD (Single-Family Residential Planned Development) zone. That the properties described as parcels 11, 12 and 14, as shown on Figure 5 of this Ordinance are hereby rezoned from an AH (Agricultural Holding) zone to a C-3 (General Commercial) zone. That the property described as parcel 12, as shown on Figure 5 of this Ordinance is hereby rezoned from an AH (Agricultural Holding) zone to a C-3 PD (General Commercial Planned Development) zone, subject to the following conditions:
 - i. No direct access onto Highway 18 is permitted.
 - ii. All business, service, repair, processing, and merchandise displays shall be conducted wholly within an enclosed building except for off-street parking and loading, temporary display and temporary sales provided it is undercover of a projecting roof and does not interfere with pedestrian or automobile circulation, and outside storage of non-retail goods, provided it is screened from visibility beyond the property line.
 - iii. That a minimum of 20 percent of the site shall be landscaped.

- iv. That uses shall be limited to those permitted by Chapter 17.45.030(A) and (C) (farming, and sewage pump station), and Chapter 17.45.040(A), (C), and
14. That the property described as parcel 8, as shown on Figure 6 of this Ordinance is hereby rezoned from an AH (Agricultural Holding) zone to an M-2 PD (General Industrial Planned Development) zone.
15. That the property described as parcel 17, as shown on Figure 7 of this Ordinance is hereby rezoned from an R-4 (Multiple-Family Residential) zone to a C-3 PD (General Commercial Planned Development) zone. That the properties described as parcels 19 and 20, as shown on Figure 7 of this Ordinance are hereby rezoned from an M-2 (General Industrial) zone to an R-4 (Multiple-Family Residential) zone.

Section 2. That the "McMinnville Growth Management and Urbanization Plan -- Findings," dated October 14, 2003, a copy of which is attached hereto and incorporated herein by this reference, is hereby adopted as part of the McMinnville Comprehensive Plan, Volume I.

Section 3. That the McMinnville comprehensive plan map is amended to reflect a revised urban growth boundary consistent with the boundary contained in the "McMinnville Growth Management and Urbanization Plan," as amended by the addition of the Thompson property and deletion of parcels in the southern portion of the Southwest sub-area, a copy of which is attached hereto and incorporated herein by this reference.

Section 4. That the "McMinnville Growth Management and Urbanization Plan" is further amended to reflect changes to certain information, text, tables, and maps as caused by the inclusion of the Thompson property into the proposed urban growth boundary, and removal from the proposed boundary the two parcels located in the southern portion of the Southwest Sub-area. These changes are summarized in the document entitled "McMinnville Growth Management and Urbanization Plan -- Addendum," dated October 14, 2003, a copy of which is attached hereto and incorporated herein by this reference.


Section 5. That this ordinance shall be subject to the terms and conditions of Ordinance No. 3823 entitled, "Initiative and Referendum," for a period of thirty (30) days.

Passed by the Council this 14th day of October 2003, by the following votes:

Ayes: Aleman, Hansen, Olson, Springer

Nays: _____

Approved this 14th day of October 2003.


MAYOR

Attest:


RECORDER

Approved as to form:


CITY ATTORNEY