



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

503-434-7311

[www.mcminnvilleoregon.gov](http://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, DOCKET G 2-21, RELATING TO HOUSING AND AMENDING CHAPTERS 17.33, 17.54,  
17.60, 17.63, AND ADDING CHAPTER 17.66**

**DOCKET:** G 2-21

**REQUEST:** The City of McMinnville is proposing to amend the Zoning Ordinance to (a) add provisions allowing existing single-family dwellings and duplexes as permitted uses in the C-3 zone, (b) establish a City Center Housing Overlay Zone and associated provisions, and (c) add provisions allowing temporary use of an RV as a residence during construction of a permanent dwelling(s) on the same lot. The amendments would affect the following Chapters, as summarized in more detail in ***Exhibit B***.

Amend:

- Chapter 17.33, C-3 General Commercial Zone
- Chapter 17.54, General Regulations
- Chapter 17.60, Off-Street Parking and Loading
- Chapter 17.63, Nonconforming Uses

Add:

- Chapter 17.66, City Center Housing Overlay Zone

**LOCATION:** N/A, Multiple. This proposal includes some provisions which amend standards and some provisions which would apply within a designated City Center Housing Overlay Zone shown in the Staff Report and in the proposed Chapter 17.66.

**ZONING:** N/A, Multiple

**APPLICANT:** City of McMinnville

**STAFF:** Tom Schauer, Senior Planner

**HEARINGS BODY:** McMinnville Planning Commission

**DATE & TIME:** September 16, 2021, 6:30pm. Meeting held virtually via Zoom meeting software:  
<https://mcminnvilleoregon.zoom.us/j/88033487320?pwd=SzY5d3A2SDRlVU9VTnVPeHRHZZB1UT09>

**Zoom ID:** 880 348 7320

**Zoom Password:** 947797

**DECISION-MAKING**

**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 McMinnville Planning Commission recommends **APPROVAL** of the Zoning Ordinance legislative amendments (G 2-21) to the McMinnville City Council.

////////////////////////////////////  
**DECISION: APPROVAL**  
////////////////////////////////////

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**

This application is a proposal initiated by the City of McMinnville to amend the Zoning Ordinance to (a) add provisions allowing existing single-family dwellings and duplexes as permitted uses in the C-3 zone, (b) establish a City Center Housing Overlay Zone and associated provisions, and (c) add provisions allowing temporary use of an RV as a residence during construction of a permanent dwelling(s) on the same lot.

The staff report provides more detailed background information regarding each of three topics. See **Page 1 of Exhibit B** for a summary of the Sections amended. See the remainder of **Exhibit B** for the proposed amendments,

## **II. ATTACHMENTS**

- Exhibit B. Proposed Amendments.

## **III. FINDINGS OF FACT – GENERAL FINDINGS**

1. Docket G 2-21 is a legislative package of City-initiated proposed zoning ordinance amendments related to housing. The proposal is intended to increase housing opportunities and remove regulatory barriers associated with provision of housing, consistent with the Comprehensive Plan.
2. On August 19, 2021, city staff hosted a work session with the Planning Commission to review the draft proposal. **Exhibit B** reflects some revisions from the initial draft, resulting from discussion and input at the August 19, 2021 Planning Commission work session.

## **IV. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. Notice of the application and the September 16, 2021 Planning Commission public hearing were provided to DLCD on August 5, 2021.
2. Notice of the application and the September 16, 2021 Planning Commission public hearing was published in the News Register on Wednesday, September 8, 2021, in accordance with Section 17.72.120 of the Zoning Ordinance.
3. On September 16, 2021, the Planning Commission held a duly noticed public hearing to consider the request.

## **V. CONCLUSIONARY FINDINGS:**

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

### **Zoning Ordinance**

The Purpose Statement of the Zoning Ordinance serves as a criterion for Zoning Ordinance amendments:

17.03.020 Purpose. The purpose of the ordinance codified in Chapters 17.03 (General Provisions) through 17.74 (Review Criteria) of this title is to encourage appropriate and orderly physical development in the city through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, adequate

community facilities; and to provide assurance of opportunities for effective utilization of the land resources; and to promote in other ways public health, safety, convenience, and general welfare.

**FINDING: SATISFIED.** The proposed amendments achieve these purposes as further articulated in the Comprehensive Plan, addressed in more detail below. Further, the City Center Housing Overlay provisions further achieve these goals in a manner which carries out some of the action items in the City Center Housing Strategy.

On May 11, 2021, City Council adopted the City Center Housing Strategy Final Report by Resolution 2021-27. This was the culmination of work through a public process that began in 2019, guided by the McMinnville Urban Renewal Advisory Committee (MURAC) and an 18-member Project Advisory Committee, with a recommendation from both entities to City Council.

The purpose of the project was to create a strategy to potentially increase and incentivize more housing within the city center area and the surrounding higher density residential zones where there may be capacity for additional housing opportunities.

### **Comprehensive Plan**

As described in the Comprehensive Plan, the Goals and Policies of the Comprehensive Plan serve as criteria for land use decisions. The following Goals and Policies from Volume II of the McMinnville Comprehensive Plan are applicable to this request:

#### **CHAPTER IV. ECONOMY OF MCMINNVILLE**

##### **GOAL IV 4: TO PROMOTE THE DOWNTOWN AS A CULTURAL, ADMINISTRATIVE, SERVICE, AND RETAIL CENTER OF McMINNVILLE.**

*Downtown Development Policies:*

*36.00 The City of McMinnville shall encourage a land use pattern that:*

- 1. Integrates residential, commercial, and governmental activities in and around the core of the city;*
- 2. Provides expansion room for commercial establishments and allows dense residential development;*
- 3. Provides efficient use of land for adequate parking areas;*
- 4. Encourages vertical mixed commercial and residential uses; and,*
- 5. Provides for a safe and convenient auto-pedestrian traffic circulation pattern. (Ord.4796, October 14, 2003)*

**FINDING: SATISFIED.** The proposal is consistent with the applicable Goal and Policies of Chapter IV of the Zoning Ordinance. The proposed amendments include provisions to help achieve integration of residential use and development in the core, allow dense residential development, and provide more efficient use of land as the in addressing parking provisions.

#### **CHAPTER V. HOUSING AND RESIDENTIAL DEVELOPMENT**

##### **GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.**

*General Housing Policies:*

- 58.00 *City land development ordinances shall provide opportunities for development of a variety of housing types and densities.*

*Housing Rehabilitation Policies:*

- 62.00 *The maintenance, rehabilitation, and restoration of existing housing in residentially designated areas shall be encouraged to provide affordable housing.*

**FINDING: SATISFIED.** The proposal is consistent with Goal V.1 and associated policies of the Zoning Ordinance. The proposed amendments include City Center Housing Overlay provisions to help encourage retention of existing housing in the Overlay area, and to allow for retention, utilization, and restoration of existing housing in core areas.

**GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.**

*Policies:*

- 68.00 *The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center, to designated neighborhood activity centers, and to those areas where urban services are already available before committing alternate areas to residential use. (Ord. 5098, December 8, 2020)*
- 69.00 *The City of McMinnville shall explore the utilization of innovative land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.*
- 70.00 *The City of McMinnville shall continue to update zoning and subdivision ordinances to include innovative land development techniques and incentives that provide for a variety of housing types, densities, and price ranges that will adequately meet the present and future needs of the community.*

*Multiple-family Development Policies:*

- 86.00 *Dispersal of new-multi-family housing development will be encouraged throughout the City in areas designated for residential and mixed-use development to encourage a variety of housing types throughout the community and to avoid an undue concentration of multi-family development in specific areas of the community leading to a segregation of multi-family development in McMinnville from residential neighborhoods. Dispersal policies will be consistent with the Great Neighborhood Principles*

*In areas where there are the amenities, services, infrastructure and public facilities to support a higher density of multi-family development, and the area is commensurate with a higher concentration of multi-family development without creating an unintended segregation of multi-family development, such as McMinnville's downtown, the area surrounding Linfield University and Neighborhood Activity Centers, a higher concentration of multi-family development will be encouraged. (Ord. 5098, December 8, 2020)*

- 87.00 *Residential developments at densities beyond that normally allowed in the multiple-family zone shall be allowed in the core area subject to review by the City. These developments will be encouraged for (but not limited to) the provision of housing for the elderly.*
- 90.00 *Greater residential densities shall be encouraged to locate along major and minor arterials, within one-quarter mile from neighborhood and general commercial shopping centers or within neighborhood activity centers, and within a one-half mile wide corridor centered on existing or planned public transit routes. (Ord. 5098, December 8, 2020; Ord. 4840, January 11, 2006; Ord. 4796, October 14, 2003)*

**FINDING: SATISFIED.** The proposal is consistent with Goal V.2 and associated policies of the Zoning Ordinance. The proposed amendments remove barriers and promote efficient residential use within the City Center Housing Overlay, helping to provide opportunities for a variety of housing types, densities, and price ranges.

## **CHAPTER VI. TRANSPORTATION SYSTEM**

### **GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER**

#### ***PARKING***

##### *Policies:*

- 126.00 *The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.*
- 127.00 *The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes.*
- 128.00 *The City of McMinnville shall continue to assist in the provision of parking spaces for the downtown area.*

**FINDING: SATISFIED.** The proposal is consistent with applicable Goal and Parking Policies of Chapter VI of the Zoning Ordinance. The proposed amendments provide opportunities for more efficient utilization of land for parking within the City Center Housing Overlay.

#### ***TRANSPORTATION SUSTAINABILITY***

- 132.37.00 *Through implementation of the TSP and the Comprehensive Plan, the City of McMinnville will, to the extent possible, seek measures that simultaneously help reduce traffic congestion, pollution, crashes and consumer costs, while increasing mobility options for non-drivers, and encouraging a more efficient land use pattern. (Ord. 4922, February 23, 2010)*

**FINDING: SATISFIED.** The proposal is consistent with applicable Goal and Transportation Sustainability Policies of Chapter VI of the Zoning Ordinance. The proposed amendments provide opportunities to increase mobility options for non-drivers, as well as increased opportunities for some trips by other modes in the City Center area, and a more efficient land use pattern.

## CHAPTER VIII. ENERGY

### ENERGY CONSERVATION

#### GOAL VIII 2: TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.

179.00 *The City of McMinnville shall amend pertinent ordinances to allow for design techniques which increase the efficient utilization of land and energy. Areas to examine shall include, but not be limited to:*

1. *The zoning ordinance requirements, including density, lot areas, and setbacks to increase utilizable space in lots, while maintaining health and safety standards.*
2. *The geographic placement of various uses (commercial, industrial, residential) on the Comprehensive Plan Map to encourage energy-efficient locations.*
3. *The zoning ordinance and planned development provisions to allow for cluster developments, individually owned, common-wall dwellings, and other design techniques that increase utilizable space and offer energy savings.*
4. *The subdivision and zoning ordinances to encourage energy-efficient design such as proper landscaping for solar heating and cooling, solar orientation of dwellings and other site design considerations.*
5. *The building codes to encourage energy-efficient residential, commercial, and industrial building design and construction techniques.*

**FINDING: SATISFIED.** The proposal is consistent with applicable Goal and Energy Conservation Policies of Chapter VIII of the Zoning Ordinance. The proposed amendments provide opportunities for more efficient use of land within the City Center Housing Overlay and core area.

## CHAPTER X. CITIZEN INVOLVEMENT AND PLAN AMENDMENT

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

**FINDING: SATISFIED.** The proposal is consistent with applicable Goal of Chapter X of the Zoning Ordinance. The proposed amendments implement action items in the City Center Housing Strategy, developed through public engagement including work with the McMinnville Urban Renewal Advisory Committee (MURAC) and a Project Advisory Committee, both of which recommended the final report to City Council. The final report was adopted by City Council.

The McMinnville Affordable Housing Committee also recommended that land use proceedings be initiated for the package of proposed amendments.

The Planning Commission held a work session in August to review and discuss the draft amendments, and the proposal incorporates input from the Planning Commission.

The public hearing process provides further opportunity for consideration of citizen involvement and input and associated deliberation.