



**City of McMinnville**  
**Planning Department**  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## MEMORANDUM

**DATE:** July 20, 2017  
**TO:** McMinnville Planning Commission  
**FROM:** Ron Pomeroy, Principal Planner  
**SUBJECT:** Draft Amendments to Wireless Communications Facilities –  
McMinnville Zoning Ordinance Chapter 17.55

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### Report in Brief:

The purpose of this discussion item is to review draft amendments to the McMinnville Zoning Ordinance (Ordinance 3380) specific to Section Chapter 17.55 (Wireless Communications Facilities) to ensure FCC compliance and achieve a more desirable community aesthetic.

### Background:

In February, 2017, the Planning Department presented the Commission with an overview of a three-year Department work plan to accomplish a number of projects along with estimated calendar targets of when you might expect to see those work products. One of the first-year identified projects is an update to the Wireless Communications Facilities chapter (Chapter 17.55) of the McMinnville zoning ordinance. This work session provides those amendments for your consideration.

### Discussion:

McMinnville's first Wireless Communications Facilities ordinance was adopted in June, 2000, as Chapter 17.55 of the McMinnville Zoning Ordinance. This is the first proposed amendment to that chapter in the 17 years since its adoption.

Currently, wireless communications towers located in Industrial zones have no height limitation. This has resulted in some towers being constructed in the 140 to 150-foot height range; specifically, towers to serve telecommunications companies are currently being installed near the maintenance shop at the Yamhill County Fairgrounds and on property located south of Highway 18 and north of the Airport hangers.

While the current code requires telecommunication antennas in residential zones and the historic downtown area to be obscured from view from all streets and immediately adjacent properties, there is little guidance as to how this should be accomplished. The current chapter also allows 20-feet of additional height to be added to antenna support structures in all zones except for the Agricultural Holding and Floodplain zones. Additionally, while co-location of antennas is required prior to the installation of new towers, there is little required to demonstrate the inability to co-locate and the need for a new tower to be installed.

In our review of this chapter, we considered the wireless facility requirements of other jurisdictions. In that review we found that, while many cities had not updated their wireless requirements for seven or more years, the City of Wilsonville's code was updated in 2016 and addressed many of the areas that have been a concern to the McMinnville Planning Department and have provided guidance for these proposed amendments. The key proposed modifications occur in the following areas:

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**Department Mission:** *Providing excellent customer service, public engagement, and proactive planning programs to promote McMinnville as the most livable and prosperous city in the state of Oregon now and into the future.*

Memorandum

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Re: Planning Commission Work Session - Draft Amendments to Wireless Communications Facilities

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- Height limitations
- Visual Impact
- Screening and Landscaping
- Color
- Signage
- Limitation on equipment building storage size and height; exceeding these standards would require the facility to be placed in an underground vault.
- Lighting
- Setbacks and Separation
- Co-Location – Burdon of proof required
- Application submittal requirements
- Noise
- Abandoned Facilities
- Review process and approval criteria

Staff has provided a copy of the proposed amendments to the legal team of Beery Elsner & Hammond, LLP, for review and current FCC compliance; BEH specializes, in part, in Municipal Law & Governance, and Land Use & Development Review. The proposed attached text amendments include any resultant comments and/or notations. Staff will consider any such information prior to the July 20<sup>th</sup> Planning Commission work session.

**Recommended Text Amendments:**

The amendments being proposed are provided as an attachment to this memorandum. The intent of this recommendation, if approved, is a full replacement of the existing Wireless Communications Facilities chapter of the zoning ordinance.

**Fiscal Impact:**

None

**Recommendation:**

Staff contends that this amendment would be beneficial to the community in terms of land use and aesthetics while allowing opportunities for continued local growth in the wireless communications industry. While no specific motion is required or requested, the Planning Commission may provide guidance to staff in drafting the final proposed text amendments to this chapter which are scheduled to be presented during a public hearing at the next regular Planning Commission meeting to be held on August 17, 2017.