



City of McMinnville
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Work Session

Exhibit 1 - STAFF REPORT

DATE: September 21, 2017
TO: McMinnville Planning Commission
FROM: Chuck Darnell, Associate Planner
SUBJECT: Neighborhood Meetings

Report in Brief:

The purpose of this discussion item is to consider requiring neighborhood meetings for certain types of land use applications, as a means of providing information to surrounding property owners and for the developer to identify neighborhood concerns that might be mitigated.

Background:

Based on the level and type of public testimony received at recent public hearings, the Planning Commission directed staff to explore the topic of neighborhood meetings and how they could potentially be included in the land use application review process. The Planning Commission's interest in exploring neighborhood meetings is driven by a desire to better provide information on land use applications and development projects to the residents and community members in the areas surrounding potential projects.

Discussion:

Citizen involvement is a key component of the Oregon Statewide Planning Program. Specifically, Goal 1 of the Oregon Statewide Planning Program is "To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process". In addition, the McMinnville Comprehensive Plan supports and encourages citizen involvement. Goal X 1 in Chapter X of the McMinnville Comprehensive Plan is "To provide opportunities for citizen involvement in the land use decision making process established by the City of McMinnville." The establishment of a neighborhood meeting process would be consistent with and supported by these state and local planning goals, and neighborhood meetings are an example of a mechanism used to increase citizen involvement in the planning process.

Staff completed research and has found that neighborhood meeting requirements are common in many communities in Oregon. Some of the communities that require neighborhood meetings are:

- Portland
- Beaverton
- Hillsboro
- Tigard
- Gresham
- Fairview
- Bend
- Corvallis
- Eugene
- Albany
- Washington County
- Lane County

Attachments:

Attachment A: Gresham City Code Language on Neighborhood Meetings

Attachment B: TGM Model Development Code Related to Neighborhood Meetings

Neighborhood meetings are used as a tool in the land use process for a variety of reasons. These types of meetings provide an opportunity for residents in the immediate areas near a future project to gather information, preview a project proposal, and ask questions of the developer or applicant. In most communities, the intent of holding a neighborhood meeting is to provide an opportunity for affected property owners to provide input on a project earlier on in the project development or planning phases. The idea behind this is that project specifics could be revised based on the feedback received at neighborhood meetings, prior to an official land use application being submitted for City review. This could result in the submittal of land use applications that are more responsive to neighborhood concerns and could expedite the review and public hearing processes.

If the Planning Commission is interested in requiring neighborhood meetings, staff would recommend that the neighborhood meeting be held prior to the official land use application submittal. This would allow for the type of early engagement described above, and would also separate the neighborhood meeting from the City's state statute-required timeframe for reviewing a land use application. In order to achieve this, satisfactory evidence of a neighborhood meeting being held could be added as a required application material and would need to be provided along with a land use application in order for it to be deemed complete.

Types of Applications Requiring Neighborhood Meetings:

Another topic of discussion related to neighborhood meetings, should the Planning Commission decide to require them, is the types of land use applications that would warrant and require a neighborhood meeting to be held. In the research completed, the types of land use applications that require a neighborhood meeting to be held vary widely by individual community.

In McMinnville, land use applications are organized by the type of review process that an application requires. Applications that currently require a public hearing before the McMinnville Planning Commission include:

- Annexations
- Comprehensive Plan Amendment
- Zone Change
- Subdivision (more than 10 lots)
- Planned Development
- Planned Development Amendment
- Variance
- Conditional Use Permit

Applications that currently do not require a public hearing and are decided upon by the Planning Director after providing property owner notification, but often generate public testimony include:

- Partition
- Subdivision (up to 10 lots)
- Vacation Home Rental
- Bed and Breakfast

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Most communities require neighborhood meetings for all application types that eventually go before an appointed body for review. Some communities require neighborhood meetings based on the specific type of development occurring, the zoning district the project is located within, or the project’s location and relationship to surrounding development. For example, the City of Albany requires a neighborhood meeting for any multiple family development that is adjacent to a residential zone and any commercial development that includes the addition of outside eating areas within a certain distance of residential uses.

Process for Neighborhood Meetings

The process for how a neighborhood meeting is notified and managed, and the required documentation that could be provided to the City related to a neighborhood meeting taking place, also varies widely by community. A few examples of the processes required by different communities are provided below:

	Distance Notified	Requirements of Presentation at Meeting	Evidence Provided with Land Use Application
Bend	500 feet	Map; Site Plan; Elevations of Structures; Description of Use; Opportunity for public to provide comments	Neighborhood Association representative signs form showing that meeting occurred
Washington County	Require notification to “Surrounding Neighborhood”. Post notice of meeting on project site.	None specified.	Meeting notes; Meeting notice
Fairview	No specified notification area.	None specified.	Meeting notes; Sign-in sheet
Gresham	300 feet. Larger notification area in some special districts. Post notice of meeting on project site.	Site Plan; Description of major elements of project; Land uses and densities; Building sizes and heights; Opportunity for attendees to speak	Copy of meeting notice; Copy of mailing list; Affidavits for mailed and posted notices; Copy of materials presented at meeting; Meeting notes
Eugene	300 feet or 500 feet, depending on type of application. Post notice of meeting on project site.	Site Plan; Opportunity for public to provide comments	Copy of meeting notice; Meeting notes; Sign-in sheet

Staff believes that the Gresham City Code language on neighborhood meetings is very thorough, and could be used as a template if the Planning Commission is interested in directing staff to draft language on neighborhood meetings for the McMinnville land use application process. The section of the Gresham City Code on neighborhood meetings is attached to this staff report.

In terms of the mailing of the notices to surrounding property owners, the City of McMinnville has different public hearing notification distances for different types of applications. Notices of public hearing are sent to surrounding property owners as follows:

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- Variance – 100 feet
- Conditional Use – 200 feet
- Comprehensive Plan Amendment, Zone Change, Planned Development, Subdivision – 300 feet

To be consistent with the existing McMinnville public hearing notification processes and to avoid confusion with the public, staff would recommend that the neighborhood meeting noticing distances be the same as the noticing distances for public hearings for each different type of application.

The Oregon Department of Land Conservation and Development (DLCD) encourages neighborhood meetings as well, and their Transportation and Growth Management (TGM) program has a Model Development Code that they provide for cities to use in land development codes and zoning ordinances. The section of the Model Development Code related to neighborhood meetings is attached to this staff report, and includes the type of language on neighborhood meeting requirements and processes that are typically found in individual city codes and zoning ordinances. Staff is not recommending that the specific language in the Model Development Code be included in any zoning text amendment drafted for the City of McMinnville, but wanted to provide the Model Development Code language as another template for the type of language that could be included in any zoning text amendment.

Fiscal Impact:

None.

Recommendation/Suggested Motion:

No specific motion is required, but the Planning Commission may provide guidance to staff as to whether the Commission would like staff to begin drafting zoning text amendments to incorporate a requirement for neighborhood meetings in the McMinnville land use application review process.

If the Commission is interested in drafting neighborhood meeting requirements, staff recommends that the proposed language require that neighborhood meetings be held prior to submittal of a land use application, and that evidence of the neighborhood meeting being held be submitted as a required material with a land use application. Staff could draft zoning text amendments that specifically describe the requirements for the notification of the neighborhood meeting, the process and presentation at the meeting itself, and the materials that would be required to be submitted as evidence that the meeting was held.

If the Commission is interested in requiring neighborhood meetings, staff also requests that the Commission provide specific guidance on the types of land use applications or development projects that would warrant a neighborhood meeting. One option that staff would recommend would be to require a neighborhood meeting for any land use application type that would require a public hearing. If the Commission believes that this would be overly burdensome on smaller projects, the Commission could have a discussion on more narrowly specifying the types of projects that would require a neighborhood meeting. Examples of this would be a planned development that includes a certain number of dwelling units, or a zone change to a higher density, or any application adjacent to existing residential uses or zones.

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