

PUBLIC NOTICE



NOTICE IS HEREBY GIVEN that the McMinnville Planning Commission will hold a public hearing on the 21st day of December, 2017, at the hour of 6:30 p.m. at the McMinnville Civic Hall Building at 200 NE Second Street in the City of McMinnville, Oregon, to take testimony and evidence on the following matter:

VARIANCE FOR SETBACK AND CLEARANCE OF FREESTANDING SIGN

DOCKET NUMBER: VR 2-17

Double R Products, on behalf of Truax Corporation, is requesting approval of a variance to reduce the required setbacks for the proposed addition of an electronic changeable copy sign to the existing freestanding sign on the property. The applicant is also requesting a reduced clearance from the base of the sign cabinet to the ground than the clearance that is normally required for signs adjacent to arterial streets. The subject site is located at 101 NE Highway 99W. It is more specifically described as Tax Lot 4700, Section 16CB, T.4 S., R. 4 W., W.M.

The Planning Commission will conduct a hearing, take testimony and make a decision on the variance application. Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision.

The Planning Commission's decision on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Testimony and evidence at the public hearing must be directed toward those criteria, which are generally as follows:

1. The goals and policies of the McMinnville Comprehensive Plan.
2. The requirements of McMinnville Ordinance No. 3380 (the Zoning Ordinance) with particular emphasis on Section 17.03.020 (Purpose), Chapter 17.62 (Signs), Chapter 17.72 (Applications and Review Process), Section 17.74.100 (Variance – Planning Commission Authority), and Section 17.74.110 (Conditions for Granting Variance).

17.74.110 Conditions for Granting Variance. A variance may be granted only in the event that the following circumstances substantially exist:

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape legally existing prior to the date of the ordinance codified in this title, topography, or other circumstance over which the applicant has no control;
- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess;
- C. The variance would not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city plan or policy;
- D. The variance requested is the minimum variance which would alleviate the hardship.

The referenced zoning ordinance criteria is available for review in the Planning Department's portion of the city's website located at: www.mcminnvilleoregon.gov.

Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5th Street, McMinnville, Oregon, during working hours, and is available for review in the Planning Department's portion of the city's website located at: www.mcminnvilleoregon.gov.

For additional information contact Chuck Darnell, Associate Planner, at the above address, or phone (503) 434-7311.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.


Heather Richards
Planning Director

(Map of area on back)