

MINUTES

Members Present: Chair Wendy Stassens, Vice Chair John Tidge, Commissioners Martin Chroust-Masin, Zack Geary, Roger Hall, Charles Hillestad, Jack Morgan, and Nanette Pirisky

Members Absent: Commissioner Erica Thomas

Staff Present: Chuck Darnell – Associate Planner, David Koch, - City Attorney, Heather Richards – Planning Director, and Sarah Sullivan – Permit Technician.

**1. Call to Order**

Chair Stassens called the meeting to order at 6:30 p.m. and called for any citizen comments. There were none.

**2. Citizen Comments**

None

**3. Approval of Minutes: September 15, 2016**

Chair Stassens called for action on the Planning Commission minutes from the September 15, 2016 meeting. Commissioner Chroust-Masin MOVED to APPROVE the minutes as presented; SECONDED by Commissioner Geary. Motion PASSED with one abstention.

**4. Public Hearing (Legislative): G 1-16**

Request: The City of McMinnville is proposing to amend Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance to add provisions related to the time period for providing notice of sign noncompliance, deadlines for property owners to appeal such notice and request an exception, additional grounds for granting an exception to the enforcement of the sign ordinance, and amendments to remove content-based sign regulations.

Applicant: City of McMinnville

Chair Stassens opened the public hearing at 6:35 p.m. She called for abstentions, objection to jurisdiction, and disclosures. There were none.

Chair Stassens asked for the staff report and recommendations.

Associate Planner Chuck Darnell introduced himself to the Commissioners as the newest member of the Planning Department. Mr. Darnell explained the proposed amendments to the Sign Ordinance, specific to the amortization and content neutrality. He gave a brief summary of the original ordinance adopted in 2008.

Mr. Darnell explained the original amortization period and the reasoning for the need to extend the deadline, specific to staff numbers, resources available to conduct a survey of non-

conforming signs, and notice to the property owner not being sent. He stated that the change would allow for a survey to be conducted for non-compliance signs and a notice to be sent to property owners, which would then provide them with six (6) months to bring non-compliant signs into compliance.

Mr. Darnell also noted that there would be an exemption process, allowing property owners to demonstrate their sign is in compliance with the regulations of the Sign Ordinance. He said that based on the exemption request, the review could either be done by the Planning Director or would be heard before the Planning Commission.

Mr. Darnell stated the last amendment would be regarding content neutrality, citing "Reed vs City of Gilbert." He stated that the amendments to this reference were minor, rephrasing "Menu Board" with "Drive-up Services" and allowing additional free standing signs for business with Drive-up services, which he explained ties the regulation to the use, not the message.

Chair Stassen asked if there were any questions for staff.

Commissioner Hilestad asked City Attorney David Koch about the reasoning for amending the amortization period and why notice is required.

Mr. Koch explained that way part of the original ordinance approved in 2008 and the procedures and requirements still apply.

Discussion ensued regarding the purpose of changing "menu board" to "drive-up service" and the number of signs allowed.

Commissioner Hillestad expressed his concern regarding the term "drive-up order station" and the definition. He suggested adding the wording **drive up** in front of order station within the "Drive-up Services" section.

Some additional discussion occurred regarding the Planning Director's approval of sign exemption requests, the allowance of school and church signs within residential neighborhoods, and the priority in terms of work load for the Planning Department to complete the inventory and notification of non-compliant signs.

Chair Stassen asked if anyone in the audience would like to speak.

Jared Miller, 914 SE Ford Street, thanked staff and Mr. Koch for providing an explanation to the changes.

Chair Stassen asked if there were any questions for Mr. Miller. There were none.

Chair Stassen closed the public hearing at 7:00 p.m.

Chair Stassen asked if the Commissioner's would like to discuss the amendments and proposed changes by Commissioner Hilestad, which was to add the words **drive-up** in front of order station within Section 16.62.070(F).

Commissioner Morgan **MOVED** to recommend that, based on the testimony and materials submitted, the amendments proposed, and the addition of **drive-up** in front of *order station* within Section 16.62.070(F), the City Council approve the proposed amendments.

**SECONDED** by Commissioner Hall. The motion **PASSED** unanimously.

## 5. Public Hearing (Legislative): G 2-16

Request: The City of McMinnville is proposing to amend Section 17.64.040(A)(6) (Marijuana Related Activities – Performance Standards) of the McMinnville Zoning Ordinance to add a reference to the Oregon Administrative Rule definition of “school,” and to delete the reference to “state licensed preschool.”

Applicant: City of McMinnville

Chair Stassens opened the public hearing at 7:03 p.m. She called for abstentions, objection to jurisdiction, and disclosures. There were none.

Chair Stassens asked for the staff report and recommendations.

Planning Director Heather Richards explained that the changes to the ordinance reflected the discussion from the September work session. She stated that she would like to add one more suggested amendment to the text amendment represented in the staff report, relevant to Section 17.064.40(A)(6)(a) and that was to delete “*Public, private or parochial elementary or secondary*” so that the final recommended amended text would say “School as defined by Oregon Administrative Rules 333-008-1110(2)”. She explained that this will allow the state to amend the definition of School, without the City having to amend its ordinances. Ms. Richards also noted the removal of “State Licensed Preschool” from the ordinance.

Chair Stassens asked if any members of the audience wished to speak. There were none.

Chair Stassens closed the public hearing at 7:05 p.m.

Chair Stassens asked the Commissioners if they wished to discuss the amendments. All were in agreeance with the proposed amendments.

Commissioner Morgan MOVED to recommend that, based on the testimony and materials submitted, the amendments proposed, and the strikethrough of *Public, private or parochial elementary or secondary*, the City Council approve the proposed amendments.

SECONDED by Commissioner Hall. The motion PASSED unanimously.

## 6. Old/New Business

Ms. Richards explained that there were two (2) items to discuss under Old/New Business: 1) being the annual review of the Gospel Rescue Mission conditional use permit (CU 2-15) approval; and 2) a brief presentation regarding the zoning map and future changes.

Gospel Rescue Mission. Ms. Richards stated that per the original approval of CU 2-15, there was a condition for an annual review of the facility to see if any complaints had been made. She explained that at this time the facility was still under construction and not operating, therefore there was nothing to report. Ms. Richards suggested that the Commission, per the approval, review the annual report next year.

Zone Map. Ms. Richards said that staff was working to established long range planning goals. She explained, referencing a zoning map, the different uses within residential zones, specific to parks, public facilities, and airport land inside the security fence. Ms. Richards indicated that currently there are many uses in residential and employment lands that would make more sense

in other dedicated zones, such as parks which are on residential land in a park zone, schools and government buildings which are on residential or commercial property in a public facilities zone, Linfield Campus land which is in a commercial zone rezoned to a special district University zone, and land which is inside the security fence at the airport that is currently zoned industrial in an airport zone. Then the zoning map would be illustrative of actual land-uses and the building lands inventory would be a truer representation of land available for different land use classifications.

Ms. Richards stated that this is just the beginning discussions for potential new zone classifications. She said this would give a better understanding of the land needs within the city for residential, commercial, and industrial zoned properties.

Commissioner Morgan asked if there was a way to show vacant land within each zone.

Ms. Richards explained that staff was working on gathering that information for a housing needs analysis and buildable lands inventory. She mentioned that there has been no state acknowledged inventory since 2001.

Ms. Richards stated that there would be continued discussion and possible work sessions with the Commission about establishing the additional zones.

## **7. Commissioner Comments**


None

## **8. Staff Comments**

Ms. Richards explained that the Commission would have three (3) items before them at the November Planning Commission Meeting: 1) Baker Creek Development, a zone change, planned development amendment, and tentative 213 lot subdivision, 2) McMinnville High School conditional use permit, to expand the school facilities and a variance request to the maximum height allowed; and 3) The final discussion regarding the Citizen's Advisory Committee and the creation of Ad-Hoc committees.

## **9. Adjournment**

Commissioner Croust-Masin MOVED to adjourn the meeting; SECONDED by Commissioner Hilestad. Motion PASSED unanimously and Chair Stassens adjourned the meeting at 7:33 p.m.



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Heather Richards  
Secretary