

# MINUTES

April 6, 2023  
Planning Commission  
Regular Meeting

6:30 pm  
Hybrid Meeting  
McMinnville, Oregon

**Members Present:** Sidonie Winfield, Beth Rankin, Dan Tucholsky, Matt Deppe, Gary Langenwalter, Megan Murray, Sylla McClellan, and Brian Randall

**Members Absent:**

**Staff Present:** Heather Richards – Community Development Director, John Swanson – Senior Planner, Adam Tate – Associate Planner, and Bill Kabeiseman – Bateman Seidel Legal Counsel

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## 1. Call to Order

Chair Winfield called the meeting to order at 6:30 p.m.

## 2. Citizen Comments

Mark Davis, McMinnville resident, commented on the hearings process. He did not think at the last meeting they should have asked if the Commission was in favor or opposed to the legislative item. He thought they should all be on the same page trying to figure out the best way to solve the problem, not being divided into pros and cons.

## 3. Public Hearings

- A. **Legislative Hearing (Dockets G 3-22): Amendment to the McMinnville Comprehensive Plan, Volume I – Background Element, adopting the Natural Hazards Inventory and Management Program Options and Recommendations; amendment to the McMinnville Comprehensive Plan, Volume II – Goals and Policies, adding a new Chapter XI, entitled Natural Features; amendments to the McMinnville Municipal Code, Chapters 17.48, Flood Area Zone, and Chapter 17.49, Natural Hazard Overlay Subdistricts; and the adoption of the Natural Hazard Mitigation Zone (NH-M) and Natural Hazard Protection Zone (NH-P)**

**Docket:** G 3-22

**Applicant:** City of McMinnville

Chair Winfield opened the public hearing and read the hearing statement. She asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Staff Report: Community Development Director Richards provided a presentation on natural hazards planning. These actions would not impact properties within the UGB until they were annexed into the City limits. Most of the protection zone that was not also within the floodplain zone was in the UGB by Fox Ridge Road. She discussed Oregon land use law, McMinnville's Comprehensive Plan, City's Goal 7 – natural hazards work, what natural hazard planning was, State's Goal 7 – natural hazards, history of hazard planning, new data in 2018, Yamhill County update in 2018/19, Oregon Natural Hazards Mitigation Plan in 2020 and vulnerability assessments, landslide hazards and how McMinnville was a potential high risk for landslides, UGB work and hazard mapping in 2020, earthquakes and soil liquefaction, how McMinnville had a 45% chance of an earthquake with an intensity of VI or greater in the next 100 years, and policy directions for future development. Policies in the Comprehensive Plan were adopted to do a natural hazards inventory and develop a Natural Hazards Overlay Zone. The mitigation planning focused on geologic and wildfire hazards. Staff did a natural hazards inventory and risk assessment in 2021. That created the recommendation for two new natural hazards overlay zones, NH-M mitigation subdistrict and NH-P protection subdistrict. Questions from property owners were about conformance and exemptions. There were also requirements for new construction in these zones. They recommended new Comprehensive Plan policies and staff also recommended that 50% of development rights could be transferred to other residential property within the City with an average lot size reduction of 20%. This was for property in the NH-P zone. Partner agencies were all supportive of the recommendations but would provide technical feedback that would be brought back to the May 4 public hearing. She explained the public outreach and comments/concerns that had been received. She then reviewed the next steps, including continuing the hearing.

There were questions regarding how the hazard area was for slopes of 25% or more, properties grandfathered in, 100 year old floodplain map, transfer of development rights scenarios, additional studies on properties, difference between 50% and 100% property rights transfer, insurance risk, and refining the DOGAMI maps.

Mark Davis, McMinnville resident, was generally supportive of the idea of hazards planning, but there were a lot of unanswered questions. He thought they needed more accurate maps and calculations for risk. There would be a financial impact on property owners and affordable housing. The hazards should also take into account the floodplains.

David Koch, McMinnville resident, supported this work. However, he was concerned about the DOGAMI maps data being utilized. He explained the scale differences and how it was inappropriate to adopt the maps into land use planning documents and apply them on a lot and parcel level. More accurate mapping was needed. He also thought the Commission was being asked to adopt Comprehensive Plan rules regarding natural features and restrictions on trees and stream corridors.

Community Development Director Richards clarified they had removed the natural resources policies for more analysis. They were waiting for calculations for the natural hazard mitigation zones from the consultants.

Earl Anderson, McMinnville resident, discussed the added risk of development, especially if trees were removed on sloped areas and digging into the hillsides. He was concerned the mitigation would not be enough to decrease the risk if slopes were compromised.

Community Development Director Richards said they relied on reports from industry experts to know what was safe to build.

Cheryl Lambright, McMinnville resident, was also concerned about the trees and root systems being dug into, soil erosion, and building.

Kim Palacios, McMinnville resident, was not clear about the removal of trees. Chair Winfield clarified the concern was about future development and removal of trees and impact to the soil. Community Development Director Richards said there would be future work about protecting trees

and tree groves and review of their removal. Staff could help clarify if she was in the proposed hazard zones.

Allan Larsen, McMinnville resident, said most of the parcels on Fox Ridge Road had more acreage, and he wondered if all that would be allowed was one house on the lots.

Community Development Director Richards said if one of the properties chose to come into the City, the land could be subdivided for a planned development or they could do a transfer of development rights.

Commissioner McClellan MOVED to CONTINUE the hearing for G 3-22 to the May 4, 2023 meeting. SECONDED by Commissioner Langenwalter. The motion PASSED 8-0.

#### **4. Commissioner Comments**

Commissioner Rankin had just received the County Assessor's Office information on property transfers from corporations and would share her information at a future meeting.

#### **5. Staff Comments**

Community Development Director Richards said Commissioner Schanche had resigned and they were advertising for her position. The Gwendolyn Hotel decision had been appealed and would go before City Council later in April.

#### **6. Adjournment**

Chair Winfield adjourned the meeting at 8:41 p.m.