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MINUTES

September 21, 2017
Planning Commission
Work Session Meeting

5:30 pm
McMinnville Civic Hall, 200 NE 2nd Street
McMinnville, Oregon

Members Present: Chair Roger Hall, Vice-Chair Zack Geary, Commissioners: Erin Butler, Martin Chroust-Masin, Susan Dirks, Gary Langenwalter, Roger Lizut, and Lori Schanche

Members Absent: Erica Thomas

Staff Present: David Koch – City Attorney, Ron Pomeroy – Principal Planner, and Heather Richards – Planning Director

1. Call to Order

Chair Hall called the meeting to order at 5:30 p.m.

2. Discussion Items:

• Vacation Home Rentals

Principal Planner Pomeroy said the City adopted vacation home rental standards in 2008. They were conditional uses that had a 660 foot spacing requirement between them. Since there were no complaints, the City moved in 2012 to remove the spacing standards. In 2014 the City amended the standards to take it from Planning Commission conditional use review to administrative staff review. The standards included maintaining the characteristics of a single family residence, providing one off street parking space for each guest bedroom, signs were limited to 3 square feet and only one, the rental limitation was 21 consecutive days, there needed to be smoke detectors, there needed to be a local person who could respond immediately to emergency situations, they could be renewed for one year at a time, and the Planning Commission would review any complaints. Some concerns that had recently been raised were: vacation rental homes were commercial uses being allowed in residential neighborhoods, vacation rental homes might have a negative impact on the neighborhood social cohesion, they could remove homes from long term residency and affordable housing stock, and in some cases there were too many clustered together. The current City inventory showed there were 38 permitted and active vacation home rentals. He discussed the map of where the rentals were located. They averaged renting 100 and one-half days per year. Less than 1% of the single family housing stock was in vacation rental home use now. The residences that typically utilized vacation rental homes were not those that were utilized for affordable housing needs. The effect of these rental homes on neighborhoods could result from a number of different factors and he described those factors. The only City of those surveyed that had spacing standards was Bend, which was 250 feet between rentals, but only in certain areas of the city. Manzanita capped the

number of rentals allowed in certain areas. Most cities required two off street parking spaces for these rentals.

There was discussion regarding the concern some citizens had of having too many rentals in a certain neighborhood and how to balance that with private property rights.

There was consensus for staff to contact Bend and Manzanita to find out more about their programs and to bring this item back to the October work session and invite stakeholders and interested parties to come to the work session to discuss the issues.

Commissioner Geary would like to know how Manzanita governed spacing, classified the zoning, and how it was received. He also wanted staff to look at capacity for enforcement, penalizing those who were not following the code, what the average price point was for the rentals, and how many of the rentals were owned by the same person.

- **Neighborhood Meetings**

Planning Director Richards stated at the last Planning Commission meeting staff had been directed to look into whether or not to require neighborhood meetings for certain land use applications. A lot of communities required neighborhood meetings. She asked if the Commission wanted to amend the code to include this requirement.

There was discussion regarding the neighborhood groups in the City and the pros and cons of neighborhood meetings.

Commissioner Butler questioned whether they should make this a requirement as it could be onerous on the developer.

Planning Director Richards said one of the things to think about was when in the process the neighborhood meeting should take place. She thought it should take place before the land use application was submitted. Another question was which land use applications would they want to require to hold a neighborhood meeting or should it just be a suggestion.

There was consensus to have staff explore the options for requiring neighborhood meetings for certain land use applications.

Commissioner Schanche said notices were sent to property owners, not renters. She suggested using door hangers to notice neighborhood meetings. She thought the meetings should be more like an open house with questions and answers and not restricted to only a presentation from the developer and limited public input.

Commissioner Geary asked for a list of the types of applications that had been submitted in the last 12 months.

There was consensus to make neighborhood meetings a requirement.

Planning Director Richards suggested bringing this item back to the November work session with a recommendation for which applications should require a neighborhood meeting.

- **Planning Commission By-Laws**

Planning Director Richards said McMinnville Industrial Promotions gave a presentation to the City Council on the sign code enforcement program that was currently underway to get signs into compliance by December 31, 2017. The enforcement program had been impactful to some property owners and Council directed staff to change the deadline to December 31, 2018 to make sure the code was achieving what the City wanted it to achieve. The current code had a maximum height of 20 feet and 100 square feet of area, and the previous code had a maximum height of 30 feet and 150 square feet of area. The bulk of the impacted property owners fell between the 20 and 30 feet. Staff was going to bring to the Commission a suggested code amendment to change the effective date and create a plan to have a dialogue about the issues

in the next six months. No city in the state of Oregon had successfully implemented an amortization program.

City Attorney Koch said when codes changed in most jurisdictions, uses were allowed to continue as lawful non-conforming uses until there was a change to the sign or change in the use or new development. To require the structure to be torn down, downsized, or moved was not common. It moved towards unconstitutional takings where the City might have to pay compensation to the property owners.

There was discussion regarding how the businesses at the time were given 8 years to come into compliance and now they were opposed to the enforcement program. Planning Director Richards confirmed some companies had come into compliance, though they were ones that were inexpensive to change.

3. Adjournment

Chair Hall adjourned the meeting at 6:30 p.m.



Heather Richards
Secretary