



City of McMinnville
Planning Department
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MINUTES

January 18, 2018
Planning Commission
Regular Meeting

6:30 pm
McMinnville Civic Hall, 200 NE 2nd Street
McMinnville, Oregon

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

Members Absent: Susan Dirks

Staff Present: Chuck Darnell – Associate Planner and Heather Richards – Planning Director

1. Call to Order

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

2. Citizen Comments

None

3. Election of Chair and Vice-Chair

Roger Hall was nominated for Chair for 2018. The nomination passed 8-0.

Zack Geary was nominated for Vice Chair for 2018. The nomination passed 8-0.

4. Approval of Minutes

A. December 21, 2017 Work Session

B. December 21, 2017

Commissioner Schanche moved to approve the December 21, 2017 Work Session and Regular Meeting minutes. The motion was seconded by Commissioner Geary and passed 8-0.

5. Public Hearing (Quasi-Judicial)

A. Variance (VR 3-17) (Exhibit 3)

Applicant withdrew their application on January 10, 2018.
This public hearing is no longer needed.

Request: Requesting approval of a zoning variance to allow a reduction in the minimum 1,000 separation requirement between commercial recreational retail marijuana facilities to a minimum separation requirement of 500 feet.

Location: The subject site is zoned C-3 (General Commercial) and is located at 1208, 1212, 1214 and 1224 SW Baker Street and 625 SW Clairmont Street and is more specifically described as Tax Lots 3400, 3900 and 4000, Section 29 AB, T.4 S., R.4 W., W.M.

Applicant: Waynes Wurld LLC

6. Discussion Items

- **Vacation Home Rentals**

Associate Planner Darnell gave a presentation on vacation home rentals. Public comment had been taken on this issue in October regarding the impact on neighborhoods. Staff had researched how vacation home rentals were regulated in other jurisdictions and provided that information to the Commission at their last meeting. At that meeting, they had discussed spacing standards to minimize the impact to neighborhoods. Staff recommended that if the Commission was interested in a spacing standard, that it be for a certain distance between vacation home rentals. He did not think the number of vacation home rentals in the City warranted placing a cap on the number and thought the spacing standard would address the concerns. There had also been discussion regarding the options for the spacing standard, and staff recommended a set spacing standard distance measuring from the property lines. They had discussed one vacation home rental per block and he discussed the various block lengths in the City. Staff recommended the spacing standard to be 150 feet. They also recommended that existing vacation home rentals be allowed to continue to operate even if they did not meet the new spacing standard. He showed how the 150 feet would cover the block area. The City was working on creating a new code enforcement program that would include levels of fines for different types of violations. The City was working with a student team to identify vacation home rentals that were not licensed. He discussed the definitions of vacation home rental, bed and breakfast, and rental properties in commercial zones which were outdated. Historically vacation rental homes were only allowed on property that had a single family home, not duplexes, apartments, or ADUs. He suggested updating the description of these uses in the code. He would like direction on the spacing standard, where these types of uses were allowed, what types of structures they were allowed in, and the short term rental definition.

There was discussion regarding allowing vacation home rentals in duplexes and apartments, unlicensed rentals, how some of these units were being used for short term housing not vacation home rentals, and possible fines and fees.

There was consensus that a spacing standard should be used instead of some other metric.

Commissioner Langenwaller suggested the spacing standard be increased to 200 or 250 feet.

Commissioner Butler thought that number was arbitrary, and it should be a certain percentage of rentals allowed in the neighborhood.

Commissioner Schanche was comfortable with the 150 feet.

Commissioner Geary did not think 150 feet was enough. Chair Hall agreed.

There was discussion regarding what number to use for the spacing standard taking into account the integrity of the neighborhoods, parking issues, and tourism opportunities.

Planning Director Richards stated relying on variances to demonstrate whether the separation standard was or was not working was not a good idea as it was difficult to put site-specific conditions into the criteria in a variance.

The majority of the Commission was in favor of a spacing standard of 200 feet, which was the distance of the smallest block in McMinnville.

Discussion ensued regarding allowing vacation home rentals in duplexes, multi-family, and ADUs.

Commissioner Geary was concerned about the affordable housing supply.

Associate Planner Darnell said other cities had allowed vacation rentals in one-half of a duplex.

Commissioner Butler thought it made sense to allow vacation home rentals in these units because it still preserved the nature of the neighborhood.

Commissioner Chroust-Masin suggested they should only be allowed in duplexes and ADUs, and should exempt multi-family which would include tri-plexes and above in residential zones.

Planning Director Richards said some communities only allowed vacation home rentals in multi-family and not single family zones in order to protect neighborhoods. She thought the objectives were to make sure there were not too many vacation home rentals proportionate to what was being used to house residents and to ensure that vacation home rentals were not eviscerating a sense of neighborhood. McMinnville would continue to be a tourist magnet and there would be more and more pressure for these types of products, and they had to decide where it made the most sense to accommodate them in the community.

The majority of the Commission agreed to allow vacation home rentals in duplexes, multi-family, and ADUs and the spacing standard of 200 feet would apply to duplexes and ADUs. There was consensus for planning staff to come up with a different spacing standard for multi-family.

Commissioner Geary wanted it clarified that if the ADU was a vacation home rental, another rental would not be allowed on the site.

There was discussion regarding the short term rental definition.

Associate Planner Darnell said staff recommended that the classifications of boarding house in commercial and vacation rentals in residential be updated to short term rental. He asked how they should incorporate bed and breakfasts and whether they should also be considered short term rentals. If so, they would be subject to the same spacing standard.

Commissioner Schanche liked the 21 day maximum stay for short term rentals.

Commissioner Butler discussed the difference between a vacation home rental where the whole house was rented and someone renting out a room in their home. She did not think they should be in the same category.

Commissioner Langenwaller concurred. With bed and breakfasts, there would not be ghost houses because the owner lived there and was part of the neighborhood. He did not think the spacing standard needed to apply to those.

Commissioner Schanche thought bread and breakfasts were more in the category of hotel.

Commissioner Geary asked how they would verify owner occupied. Associate Planner Darnell agreed that would be difficult to enforce.

Planning Director Richards stated it was difficult to use land use as the way to enforce it.

Commissioner Chroust-Masin questioned being able to verify guests staying in bed and breakfasts longer than seven days. Planning Director Richards said they relied on people to report those who were not following the code. Associate Planner Darnell did not see tracking how many days people stayed as an issue, because it did not have an impact on the land use.

There was consensus that rental of a room in a home that was permanently occupied by someone was different than renting an entire home out. Staff would separate those in the short term rental definition. The maximum length of stay of 21 days would not be changed.

7. Old/New Business

None

8. Commissioner Comments

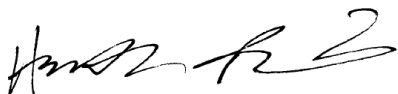
None

9. Staff Comments

None

10. Adjournment

Chair hall adjourned the meeting at 8:15 p.m.



Heather Richards
Secretary