



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

Planning Commission
McMinnville Civic Hall, 200 NE 2nd Street
September 19, 2019

5:30 PM Work Session
6:30 PM Regular Meeting

Welcome! All persons addressing the Planning Commission will please use the table at the front of the Council Chambers. All testimony is electronically recorded. Public participation is encouraged. Public Hearings will be conducted per the outline on the board in the front of the room. The Chair of the Planning Commission will outline the procedures for each public hearing.

If you wish to address Planning Commission on any item not on the agenda, you may respond as the Planning Commission Chair calls for "Citizen Comments."

Commission Members	Agenda Items
Roger Hall, Chair	5:30 PM - WORK SESSION – CONFERENCE ROOM
Lori Schanche, Vice-Chair	1. Call to Order
Erin Butler	2. Discussion Items
Martin Chroust-Masin	<ul style="list-style-type: none">3MLAP (Three Mile Lane Area Plan) Update (Work Session, Exhibit 1)
Susan Dirks	3. Adjournment
Christopher Knapp	
Gary Langenwalter	
Roger Lizut	
Amanda Perron	

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.

*Please note that these documents are also on the City's website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.



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Commission Members	Agenda Items
Roger Hall, Chair	6:30 PM – REGULAR MEETING - COUNCIL CHAMBERS
Lori Schanche, Vice-Chair	1. Call to Order
Erin Butler	2. Citizen Comments
Martin Chroust-Masin	3. Approval of Minutes
Susan Dirks	<ul style="list-style-type: none"> • July 18, 2019 Planning Commission Minutes - (Exhibit 1a) • August 15, 2019 Work Session Minutes – (Exhibit 1b) • August 15, 2019 Planning Commission Minutes – (Exhibit 1c)
Christopher Knapp	4. Public Hearings
Gary Langenwalter	A. <u>Quasi-Judicial Hearing. Variance (CU 3-19 & TML 2-19)- (Exhibit 2)</u>
Roger Lizut	Request: Approval of a conditional use permit and Three Mile Lane design review to allow for the construction of a new memory care residential facility. The memory care facility would be a single story building that contains 44 resident beds, and would provide residential facilities for elderly individuals who suffer from Alzheimer's, dementia, and other age-related mental ailments.
Amanda Perron	Location: The subject site is zoned R-4PD (Multiple Family Residential Planned Development) and is located at 235 NE Dunn Place. It is more specifically described as Tax Lot 1700, Section 22CD, T.4 S., R. 4 W., W.M.
	Applicant: Sam Thomas, on behalf of property owner McMinnville Senior Living, LLC
	5. Commissioner/Committee Member Comments
	6. Staff Comments – (HB 2001 presentation, time permitting) (Exhibit 3)
	7. Adjournment

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WORK SESSION - EXHIBIT 1

STAFF REPORT

DATE: September 19, 2019
TO: Planning Commission Members
FROM: Heather Richards, Planning Director
SUBJECT: Three Mile Lane Area Plan

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This is a presentation to update the City Council on the Three Mile Lane Area Planning project.

Attachments:

Three Mile Lane Area Plan Public Involvement Strategy
Draft Presentation

Fiscal Impact:

This effort is funded by a Transportation Growth Management grant from Oregon Department of Transportation and Department of Land Conservation and Development.

Attachments:

Three Mile Lane Area Plan Presentation
Three Mile Lane Area Plan Public Involvement Plan



Area
Plan

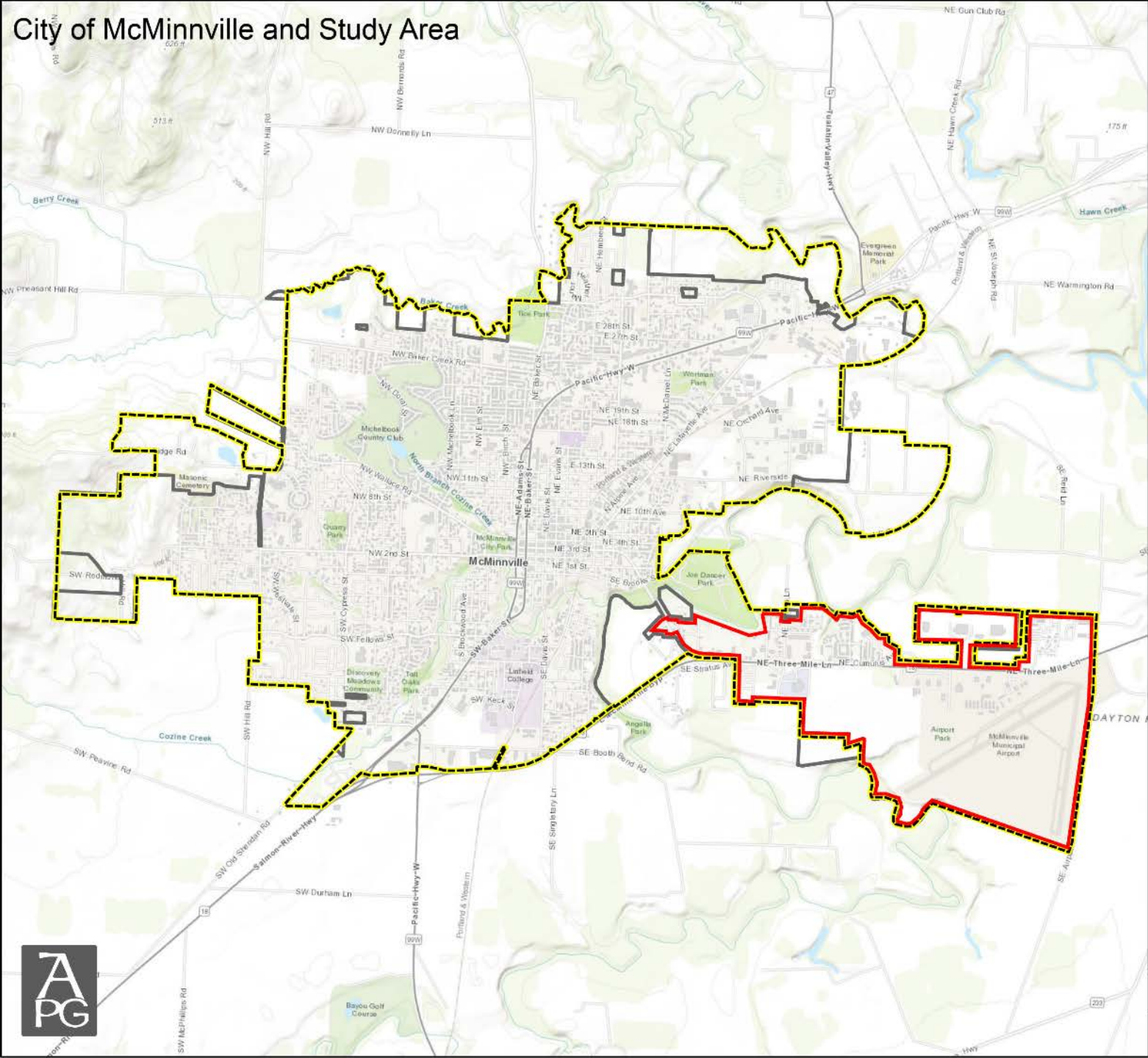
City of McMinnville

Planning Commission Update
September 19, 2019

Project Update

www.threemilelane.com





Legend

- Study Area (Rough)
- UGB
- City Limits

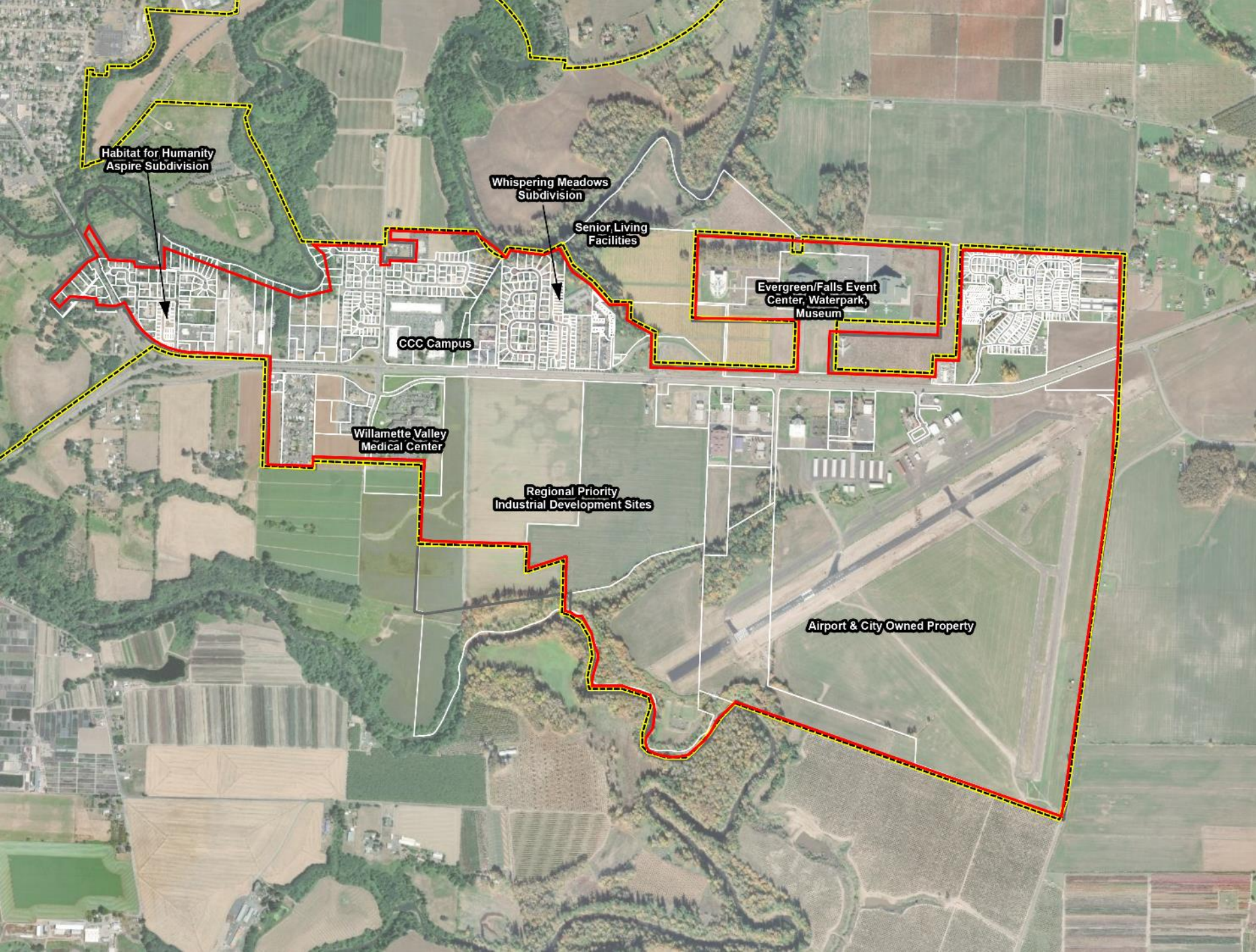


0 1,000 2,000 4,000 Feet

Prepared By:
Angelo Planning Group

Date:
10/16/2018

Study Area Context



Study Area

Project Goals

GOAL 1: Support and enhance the district's economic vitality and marketability

GOAL 2: Provide opportunities for a complementary mix of land uses, consistent with the vision of a diverse and vibrant district

GOAL 3: Enhance multi-modal connections throughout the district.

GOAL 4: Create an aesthetically pleasing gateway to the City of McMinnville.

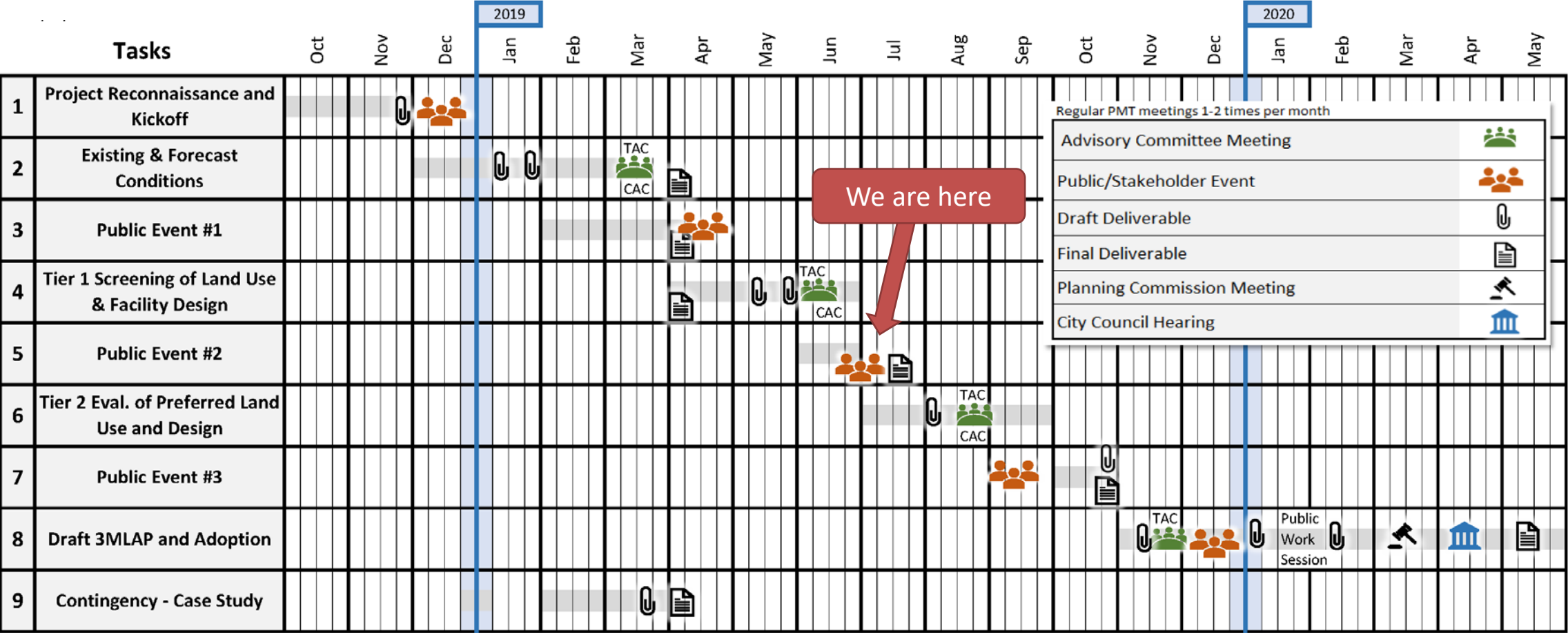
Project Purpose and Background



The purpose of the project is to develop an area plan for the Three Mile Lane corridor informed by:

- Three Mile Lane Overlay District, 1981 & 1994
- Highway 18 Corridor Refinement Plan, 1996
- McMinnville Transportation System Plan (TSP), 2010
- Green Cities Project and Design Charrette, 2017
- Residential BLI/Housing Needs/Housing Strategy (ongoing)
- Over two decades of development and the prospects for new investment

Project Schedule



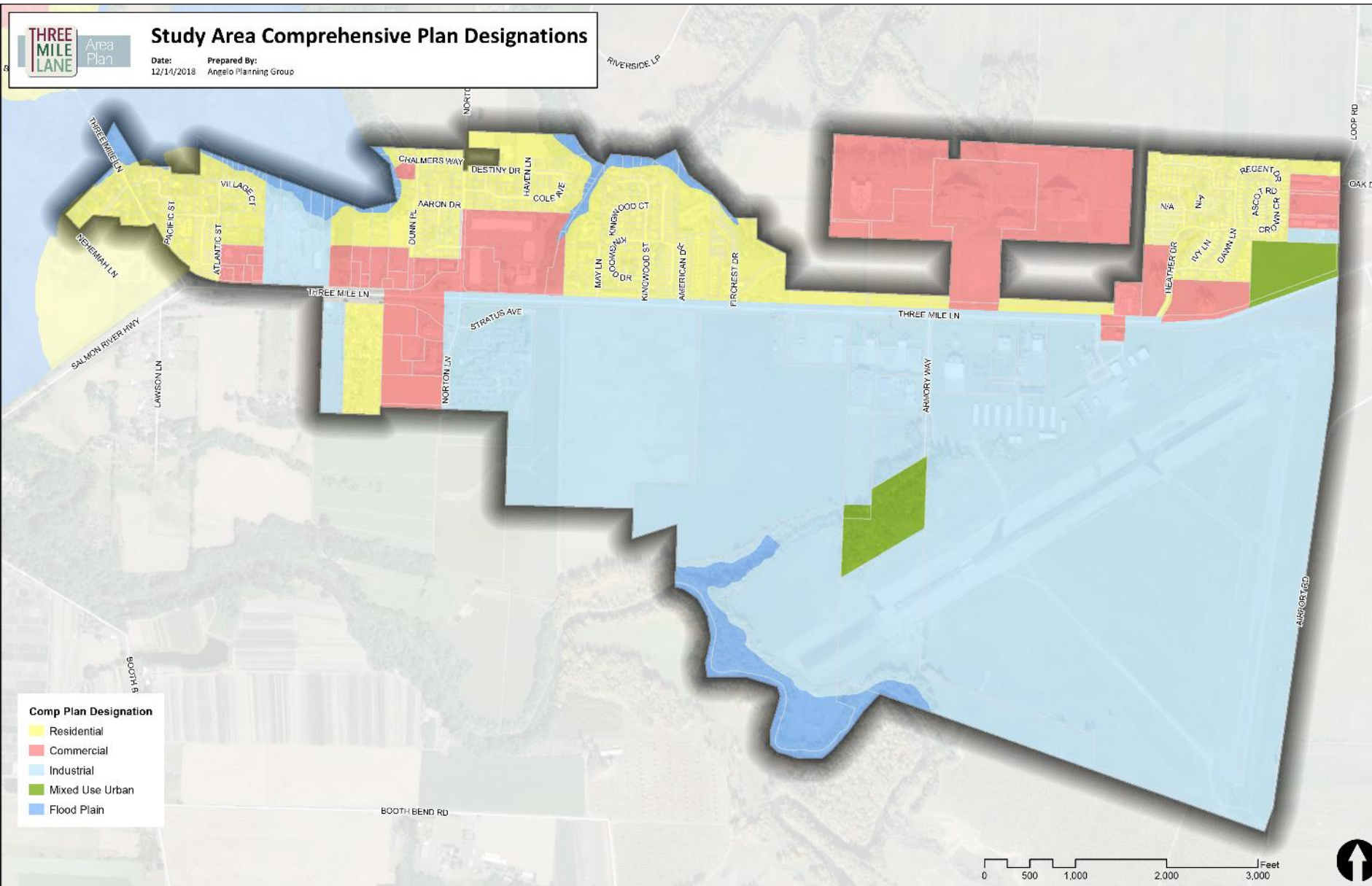
Technical & Reference Documents

- Existing Land Use & Zoning
- Existing Transportation Operations & Safety
- Conditions Booklet
- Economic Analysis
- Case Study Report
- Evaluation Criteria Memorandum
- Design Booklet

Available at: <https://threemilelane.com/>

Existing Conditions: Land Use & Zoning



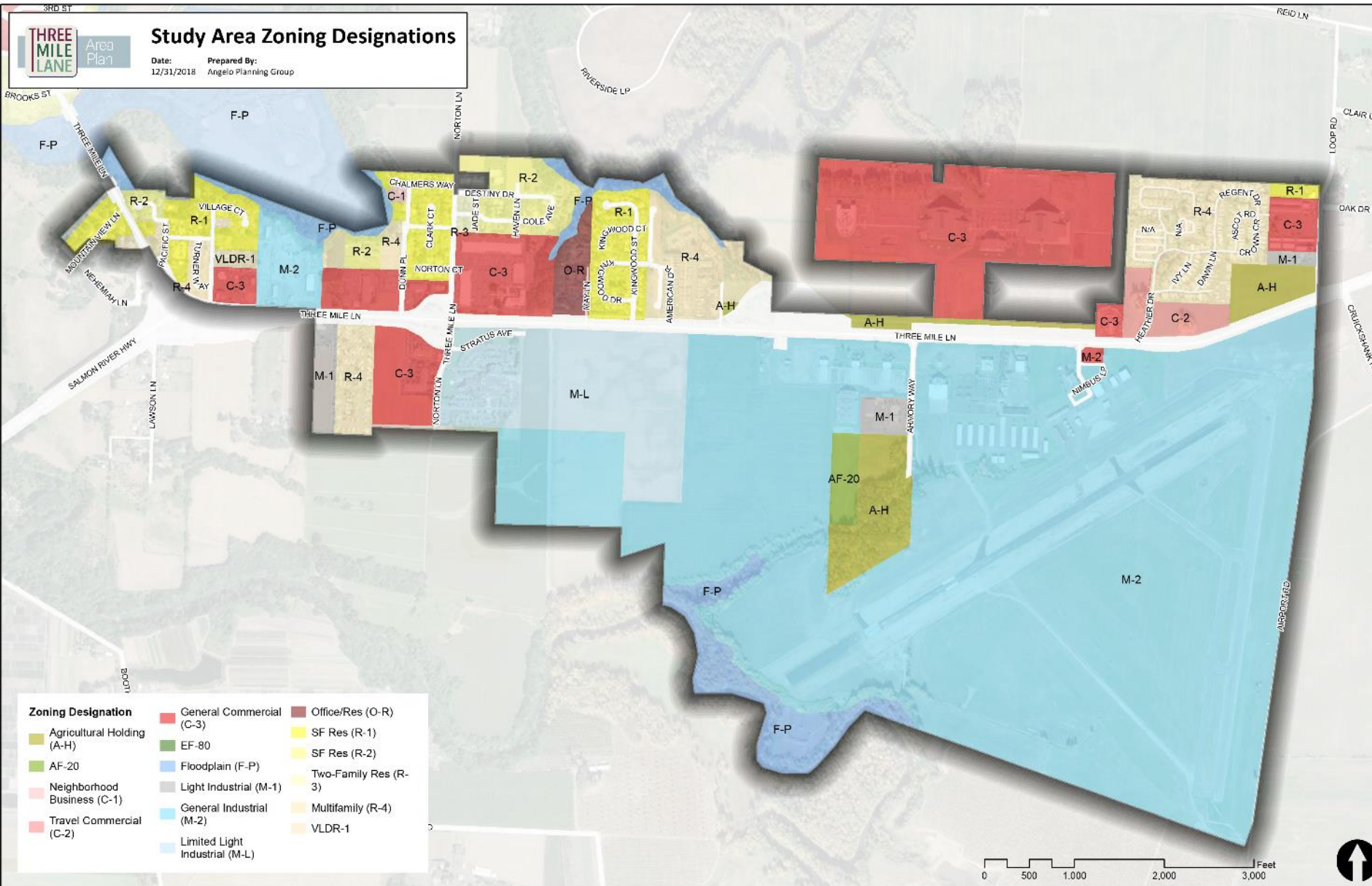


Comprehensive Plan

Comp Plan Designation

- Residential
- Commercial
- Industrial
- Mixed Use Urban
- Flood Plain

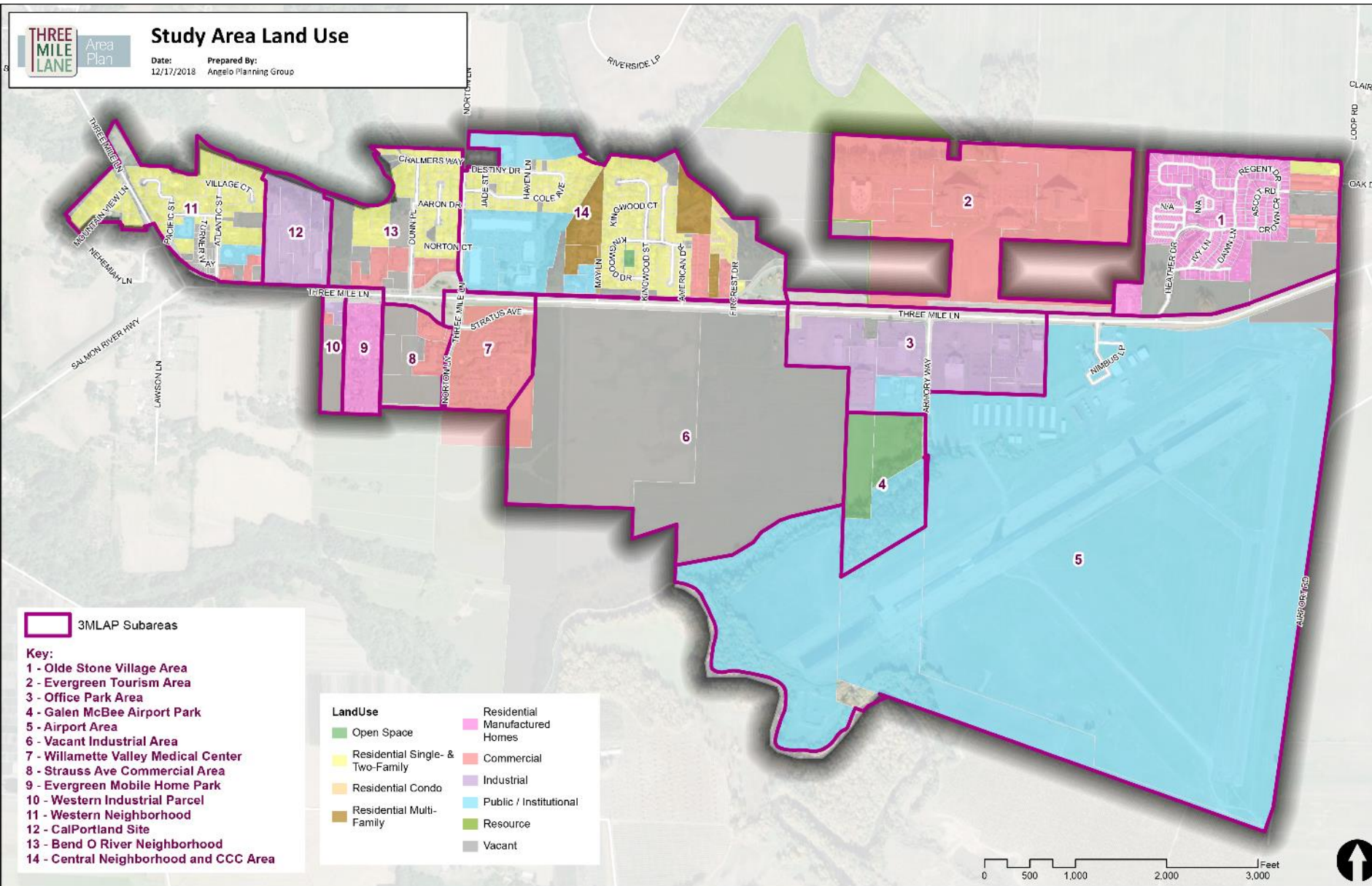
Land Use & Zoning



Zoning

- Zoning Designation**
- Agricultural Holding (A-H)
 - AF-20
 - Neighborhood Business (C-1)
 - Travel Commercial (C-2)
 - Office/Res (O-R)
 - SF Res (R-1)
 - SF Res (R-2)
 - Two-Family Res (R-3)
 - Multifamily (R-4)
 - VLDR-1
 - General Commercial (C-3)
 - EF-80
 - Floodplain (F-P)
 - Light Industrial (M-1)
 - General Industrial (M-2)
 - Limited Light Industrial (M-L)

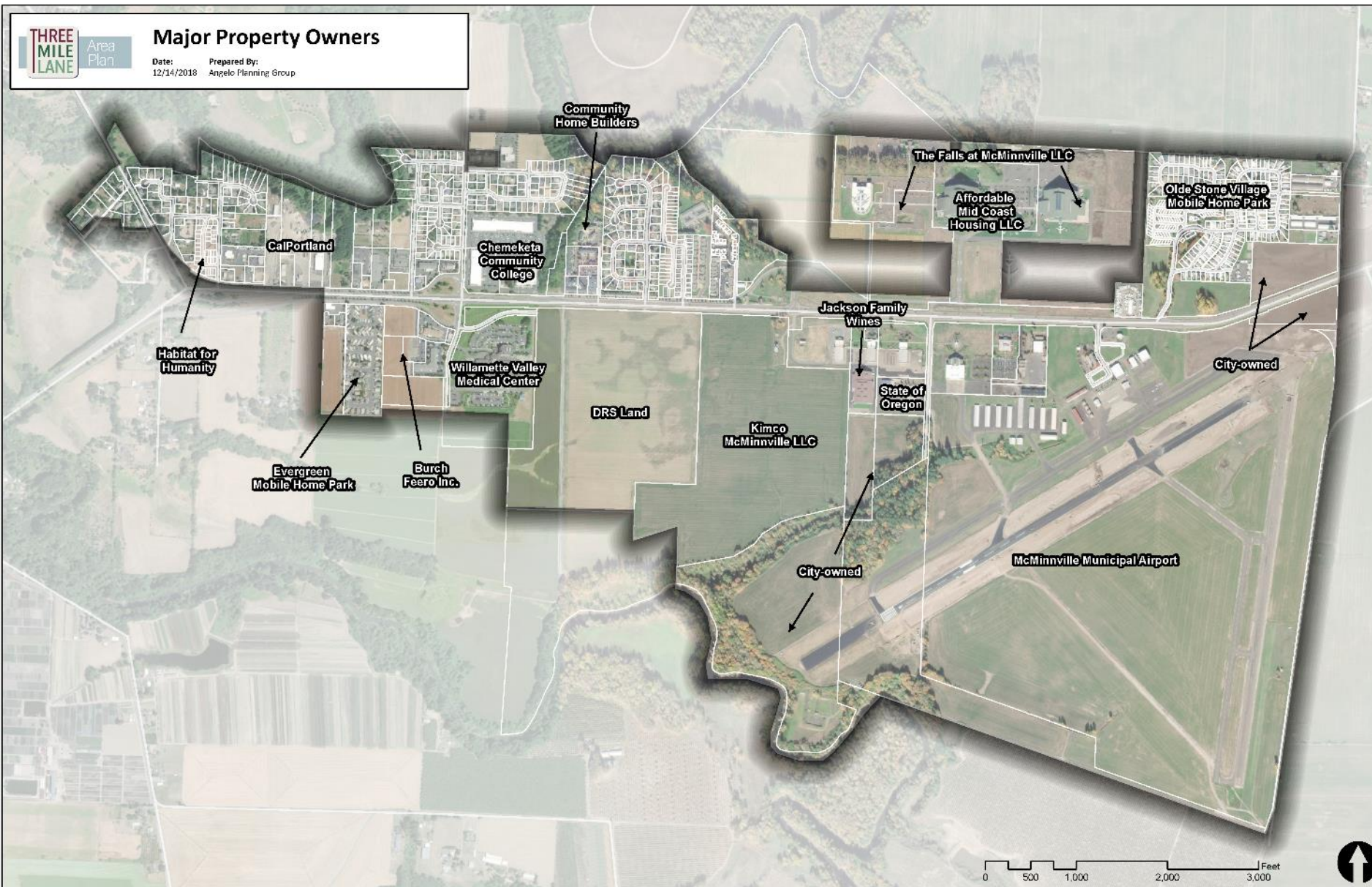
Land Use & Zoning



Land Use

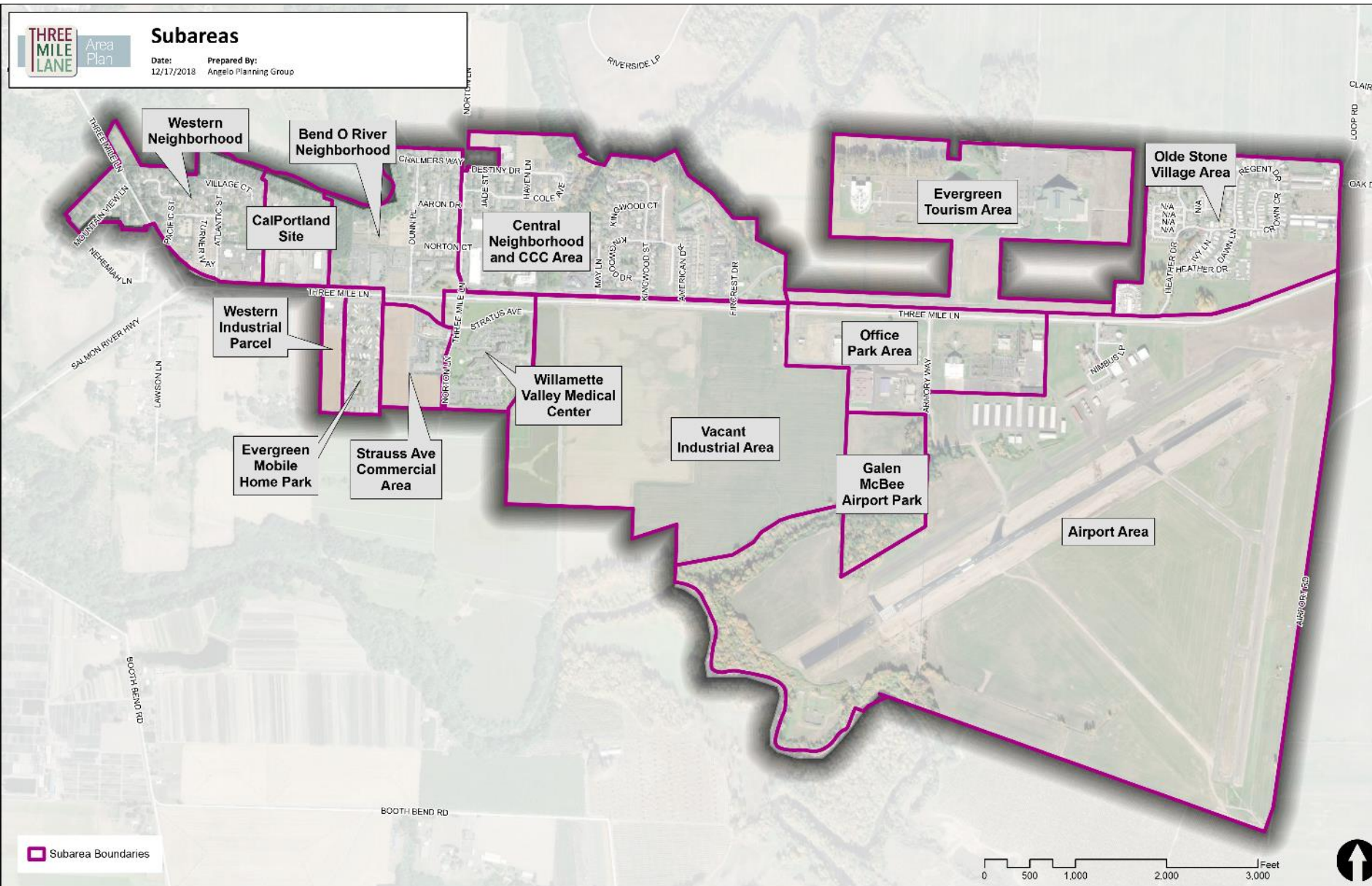
LandUse	
Open Space	Residential Manufactured Homes
Residential Single- & Two-Family	Commercial
Residential Condo	Industrial
Residential Multi-Family	Public / Institutional
	Resource
	Vacant

Land Use & Zoning



Major Property Owners

Land Use & Zoning



Subareas

Land Use & Zoning



Evergreen Tourism Area



Office Park Area



Galen McBee Airport Park



Willamette Valley Medical Center



Strauss Ave Commercial Area



Evergreen Mobile Home Park

Land Uses by Subarea

Land Use & Zoning



Western Neighborhood



CalPortland Site



Bend O River Neighborhood



Bend O River Neighborhood



Central Neighborhood and
CCC Area



Central Neighborhood and
CCC Area

Land Uses by Subarea

Land Use & Zoning

Land Use Opportunities

LIGHT INDUSTRIAL



Light industry



Light industry



Agricultural building forms

AMENITIES AND TOURISM



Existing regional attraction



Industrial structure converted to community market



Gateway

NEIGHBORHOODS



Diverse forms of housing development, e.g. cottages



Recreation



Complete streets

NATURAL FEATURES



Mature stands of trees within the Three Mile Lane study area



Access to outdoor activities / food production

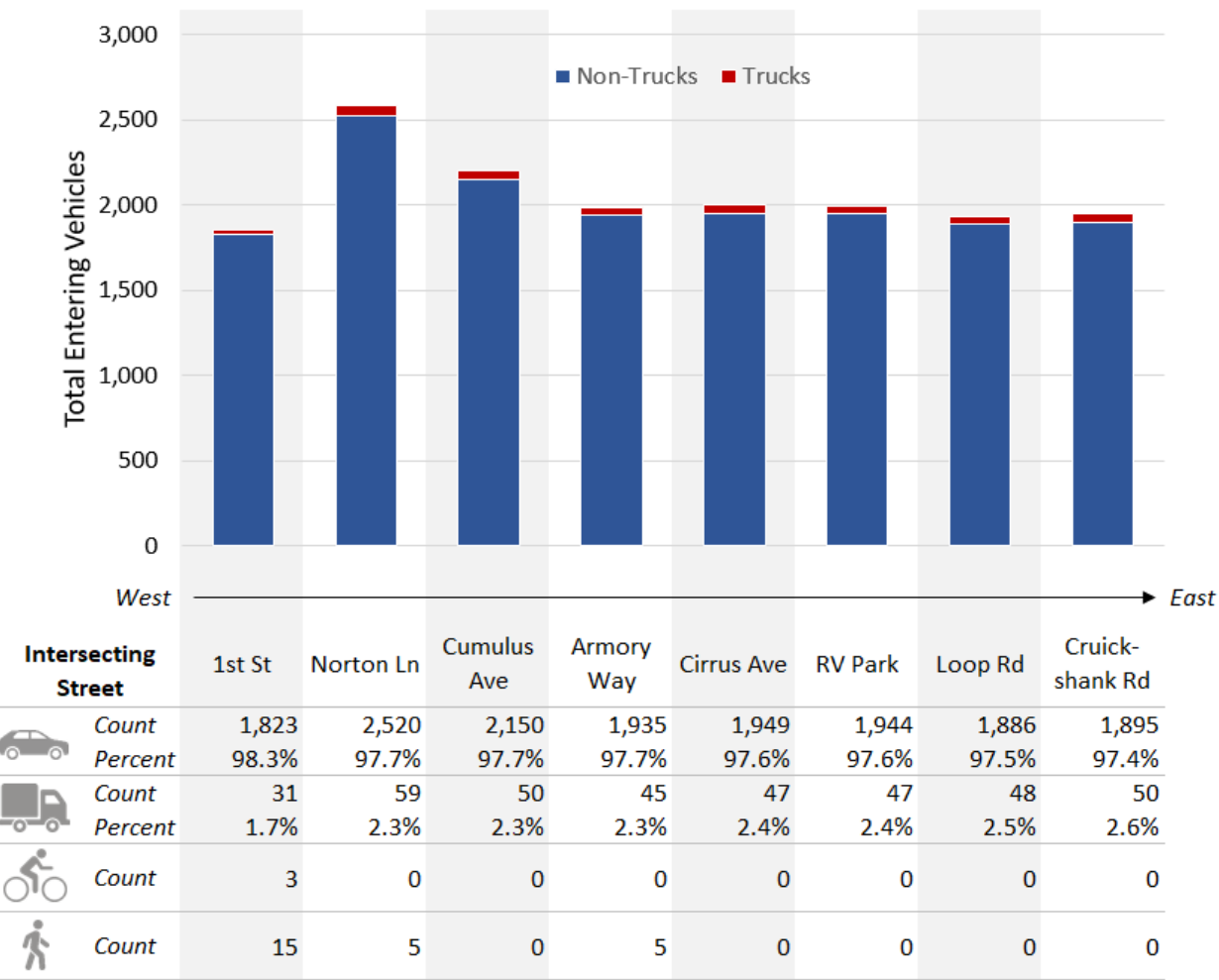


Nature trails

Existing Conditions: Transportation

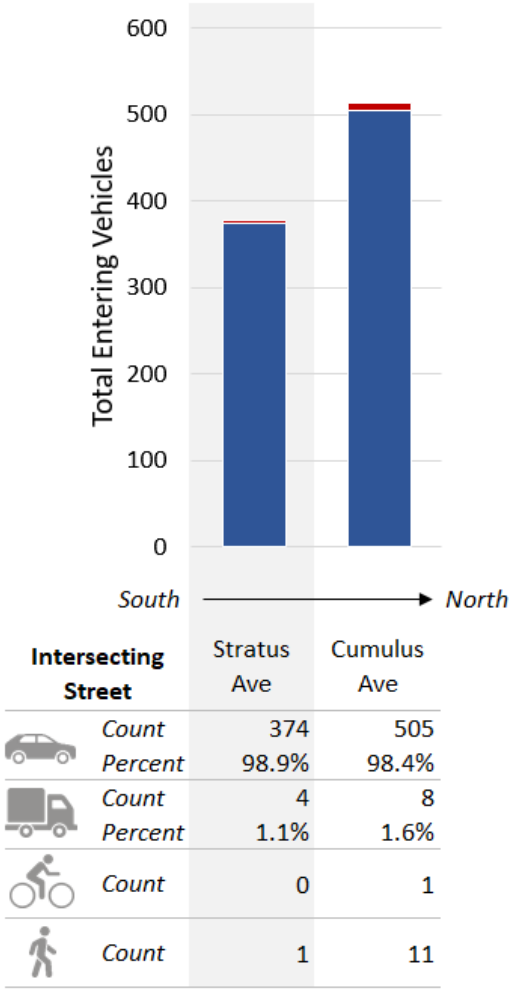


Multimodal Traffic Counts



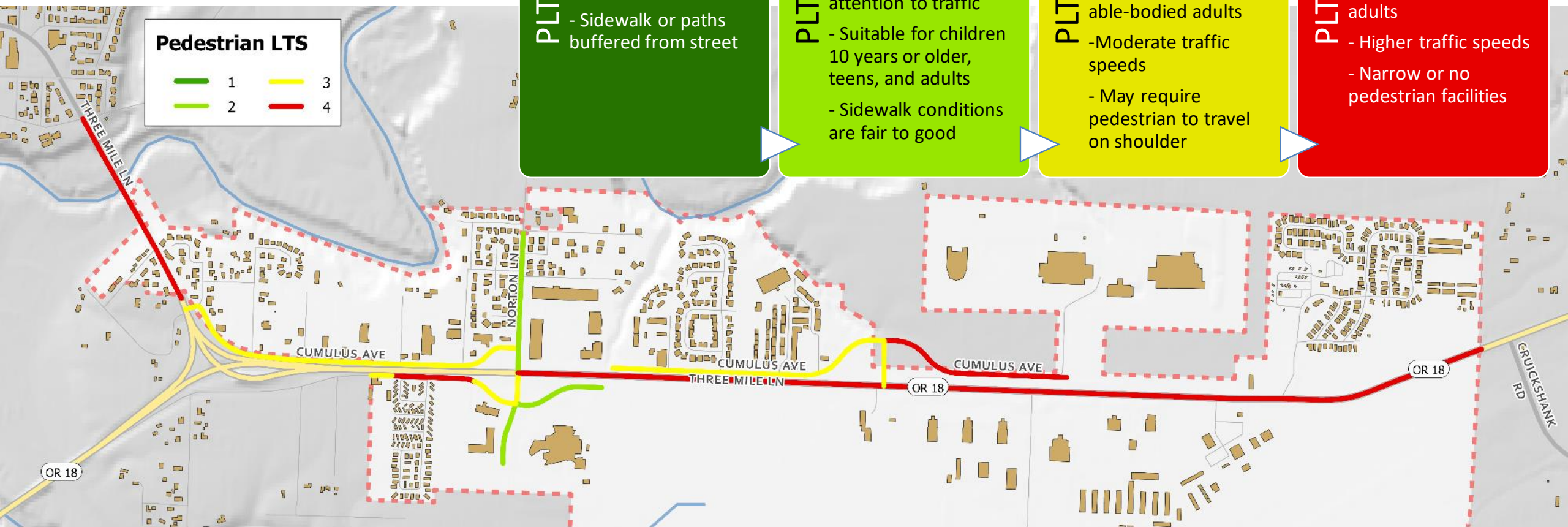
Three Mile Lane
Intersections

Norton Lane
Intersections



Pedestrian System

Pedestrian Level of Stress (PLTS)



PLTS 1

- Minimal traffic stress
- Low traffic speeds
- Sidewalk or paths buffered from street

PLTS 2

- Little traffic stress but requires paying attention to traffic
- Suitable for children 10 years or older, teens, and adults
- Sidewalk conditions are fair to good

PLTS 3

- Moderate stress
- Suitable for most able-bodied adults
- Moderate traffic speeds
- May require pedestrian to travel on shoulder

PLTS 4

- High traffic stress
- For able-bodied adults
- Higher traffic speeds
- Narrow or no pedestrian facilities

Bicycle System

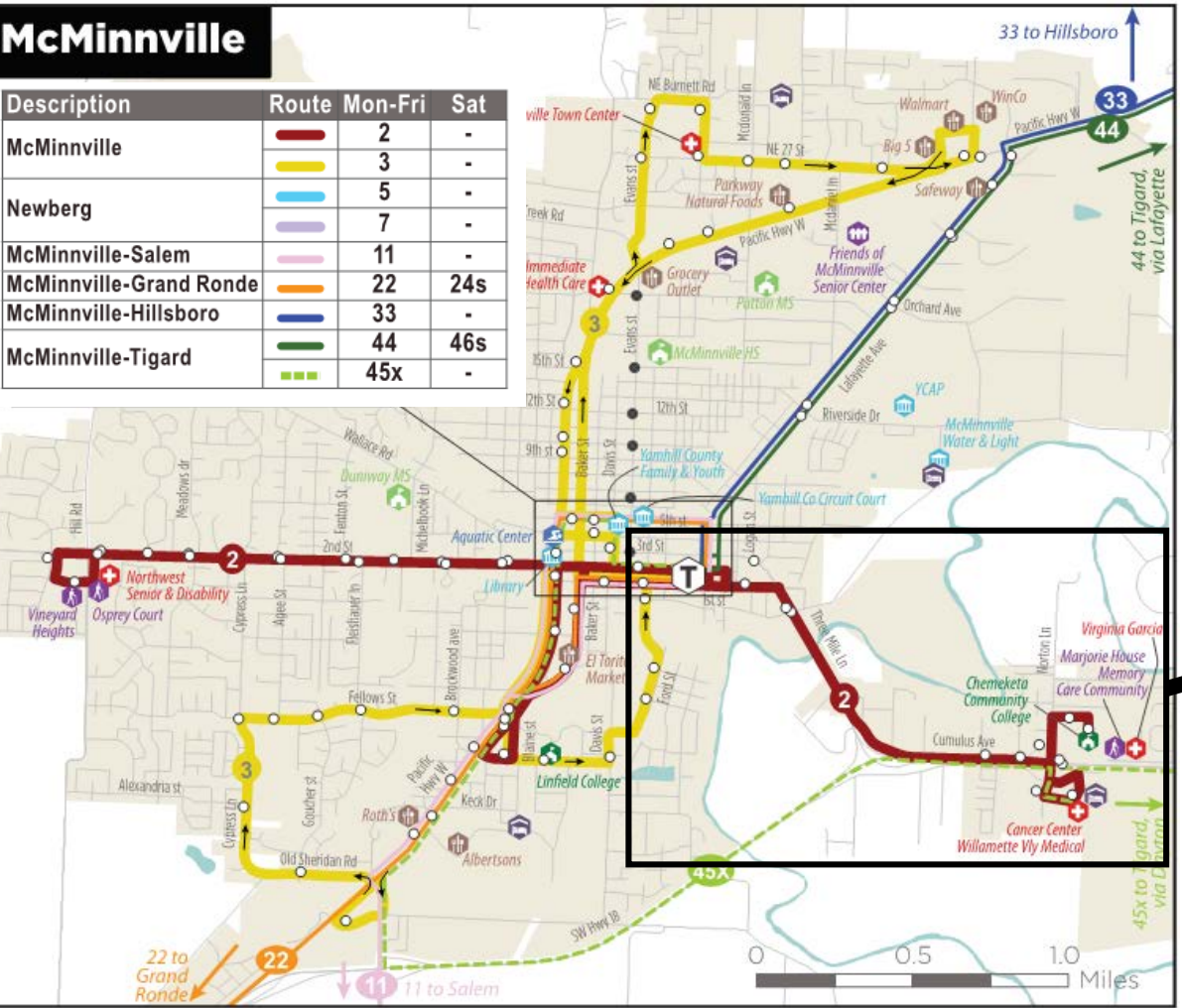
Bicycle Level of Stress (BLTS)



Transit System

McMinnville

Description	Route	Mon-Fri	Sat
McMinnville	<div></div>	2	-
	<div></div>	3	-
Newberg	<div></div>	5	-
	<div></div>	7	-
McMinnville-Salem	<div></div>	11	-
McMinnville-Grand Ronde	<div></div>	22	24s
McMinnville-Hillsboro	<div></div>	33	-
McMinnville-Tigard	<div></div>	44	46s
	<div></div>	45x	-




Transit System

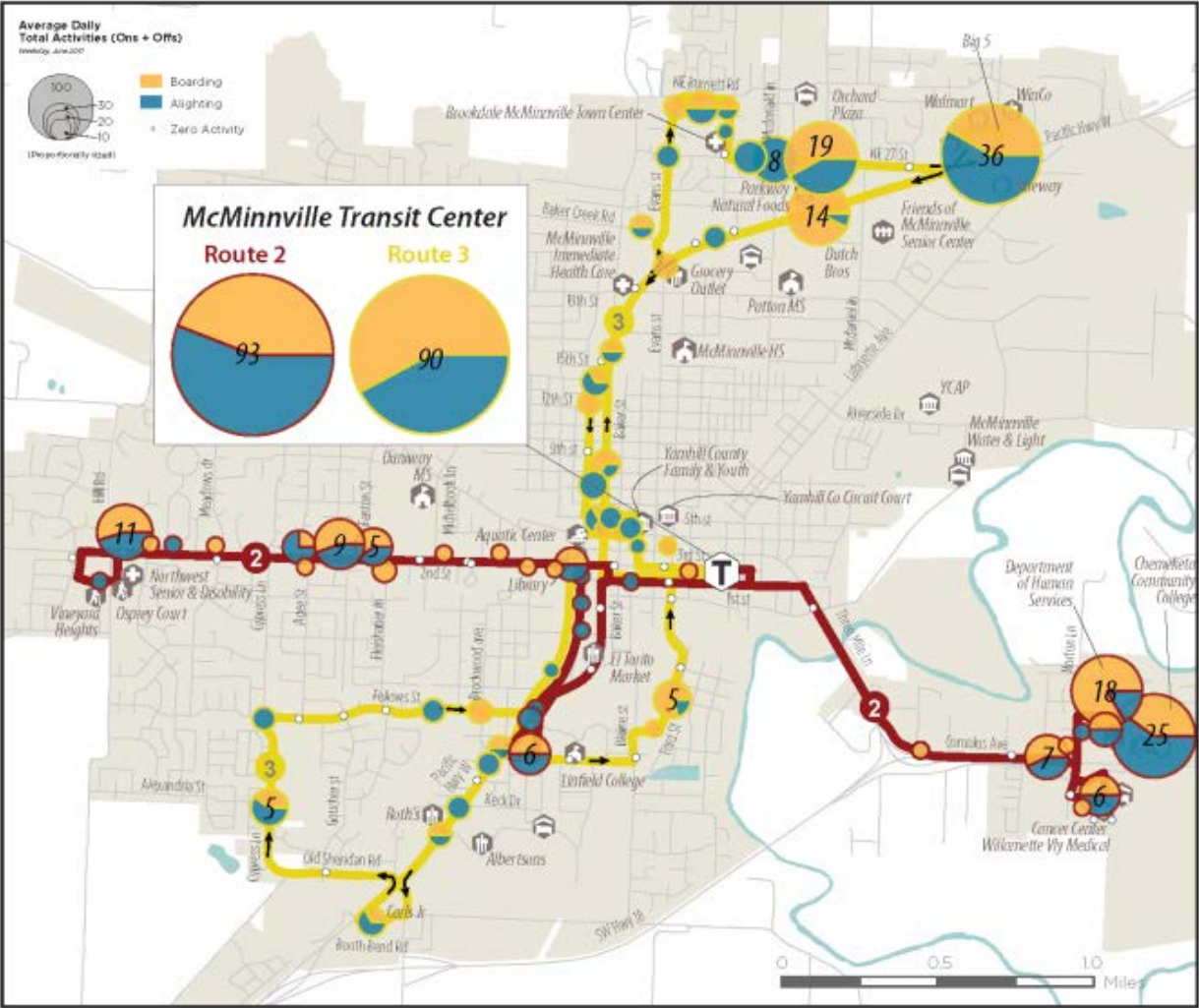
McMinnville Route #2 Service

Transit Level of Service					
A	B	C	D	E	F
X					

Key Findings

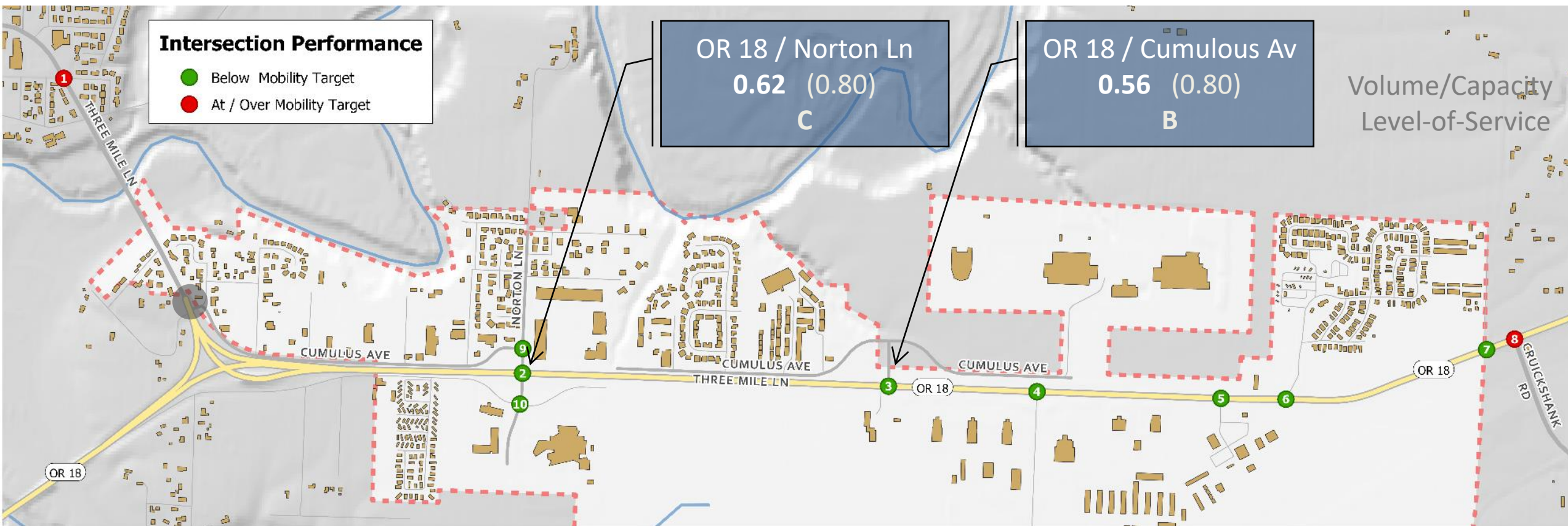


- YCTA provides limited (hourly) service on Route 2 connecting to downtown McMinnville.
- If and when YCTA service increases to 30 minute frequency, future transit operations will improve to LOS C.



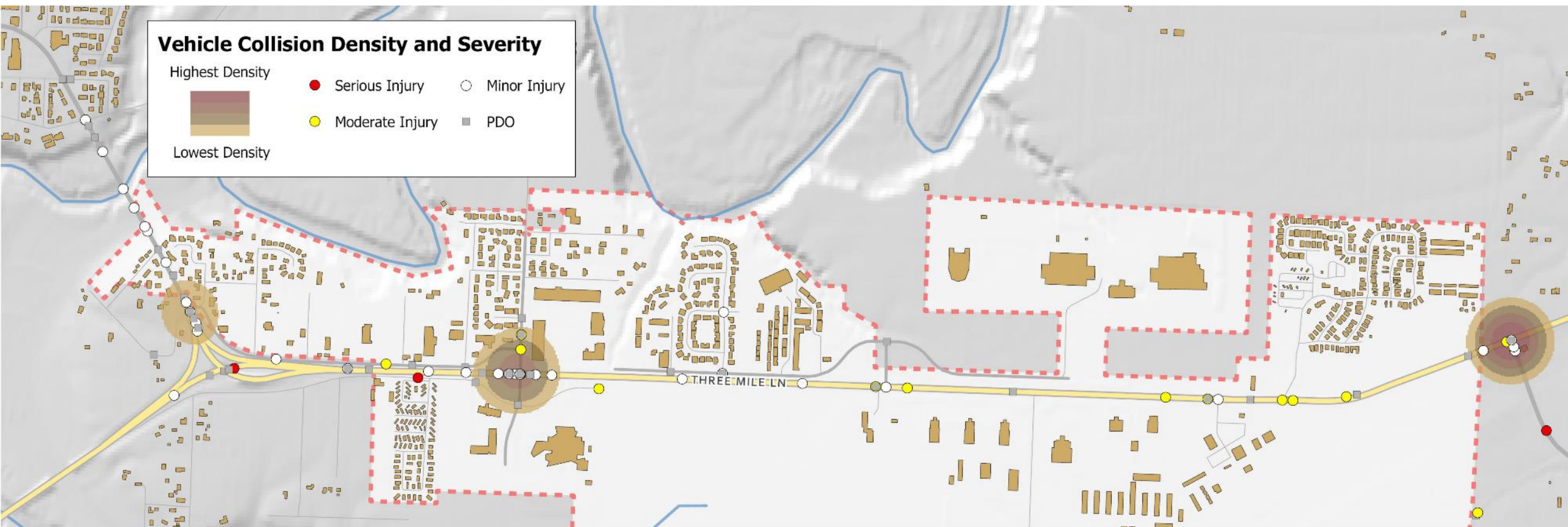
Vehicle System

Intersection Traffic Operations – P.M. Peak Hour



Vehicle System

Vehicle Safety Evaluation – Reported Crashes (2012-2016)

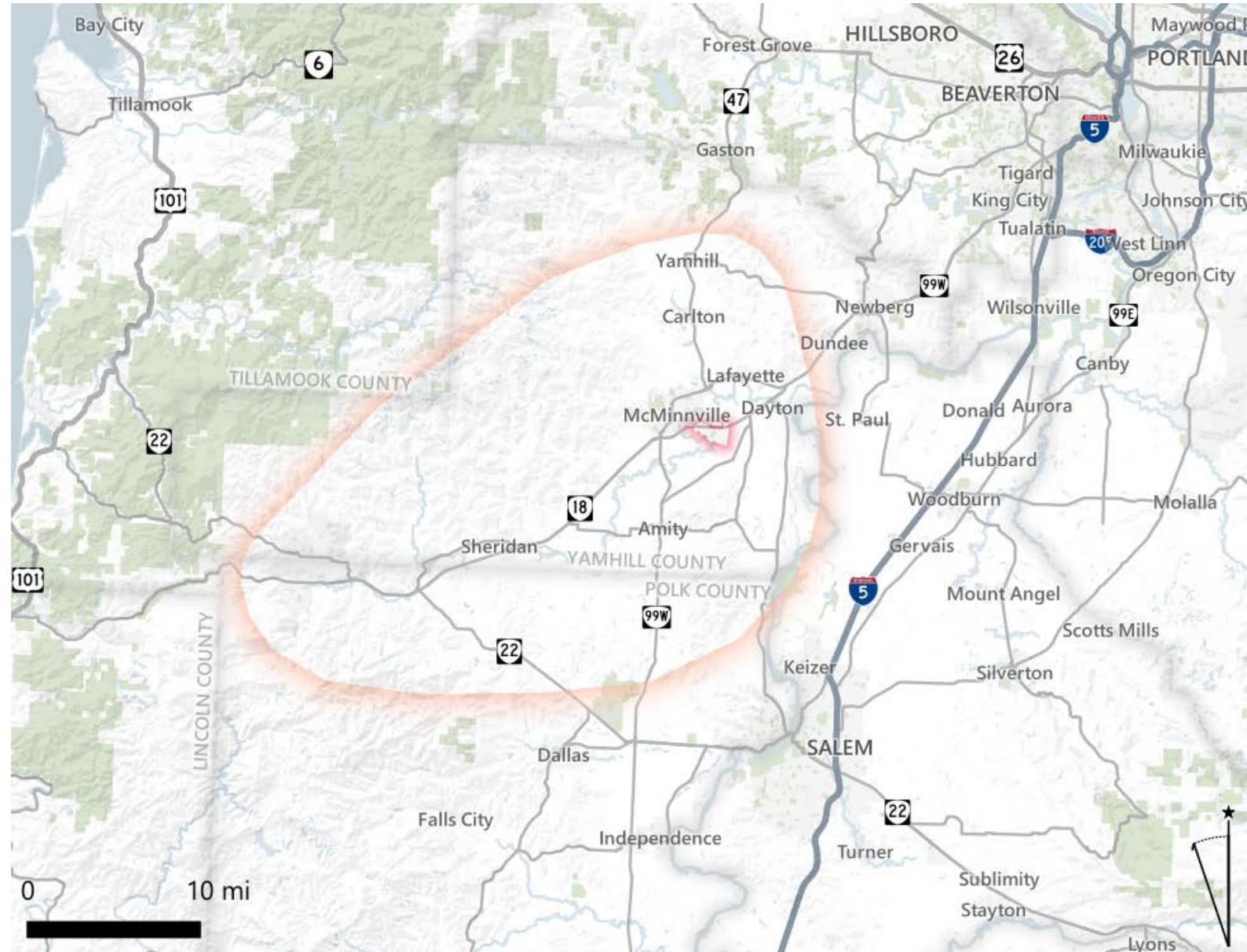


Economic Analysis



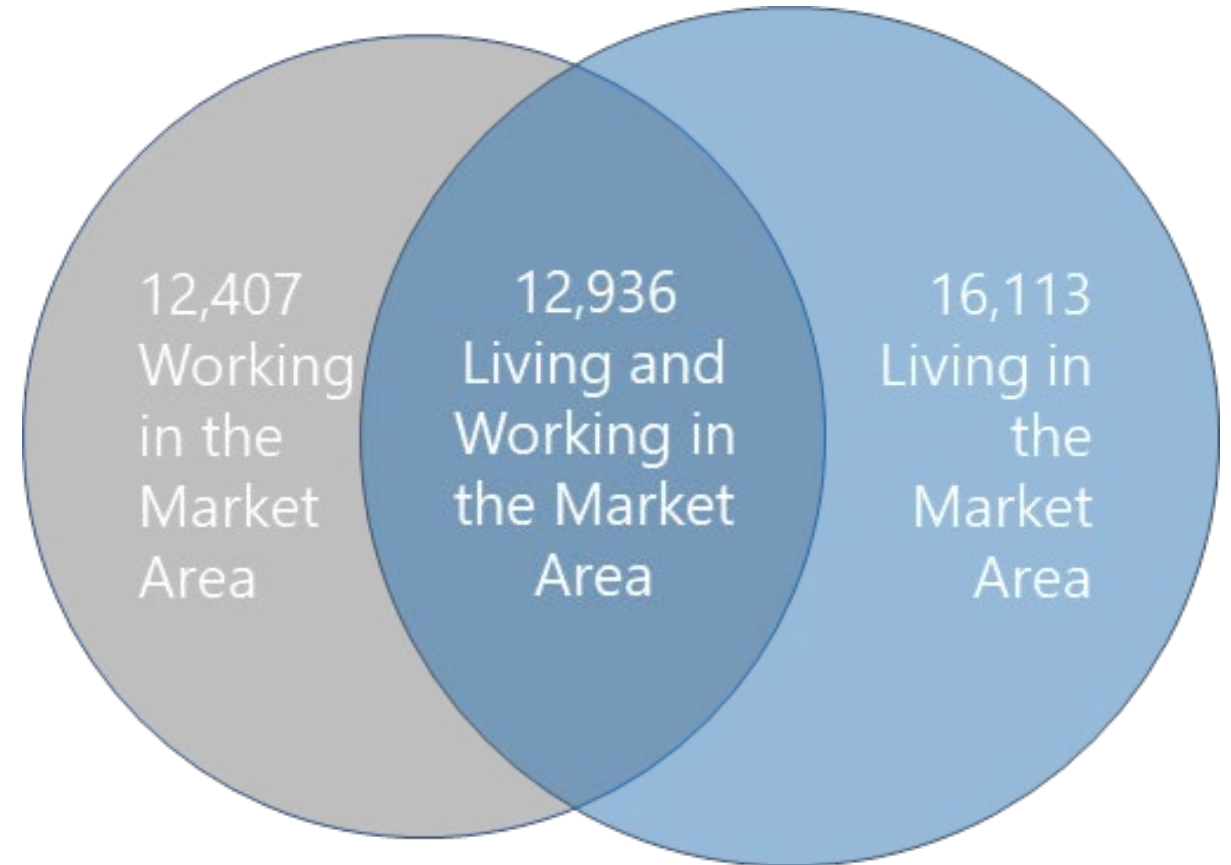
Market Area

Represents the area from which the most demand for residential, commercial, and industrial uses will originate

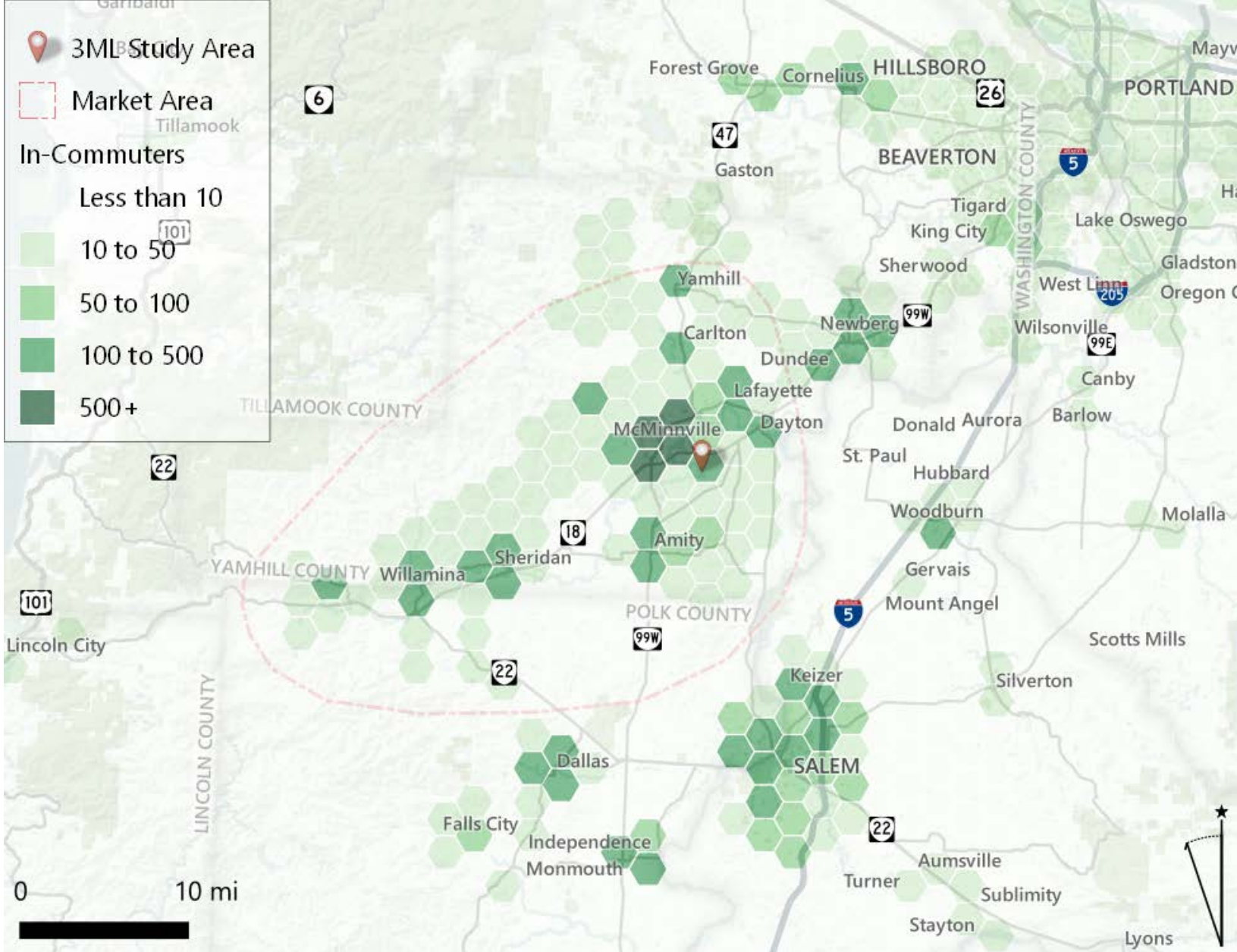


Commute Patterns

- McMinnville is a commuter City
 - Only 45% of employed Market Area residents work in the Market Area
 - 39% of employed McMinnville residents work in McMinnville

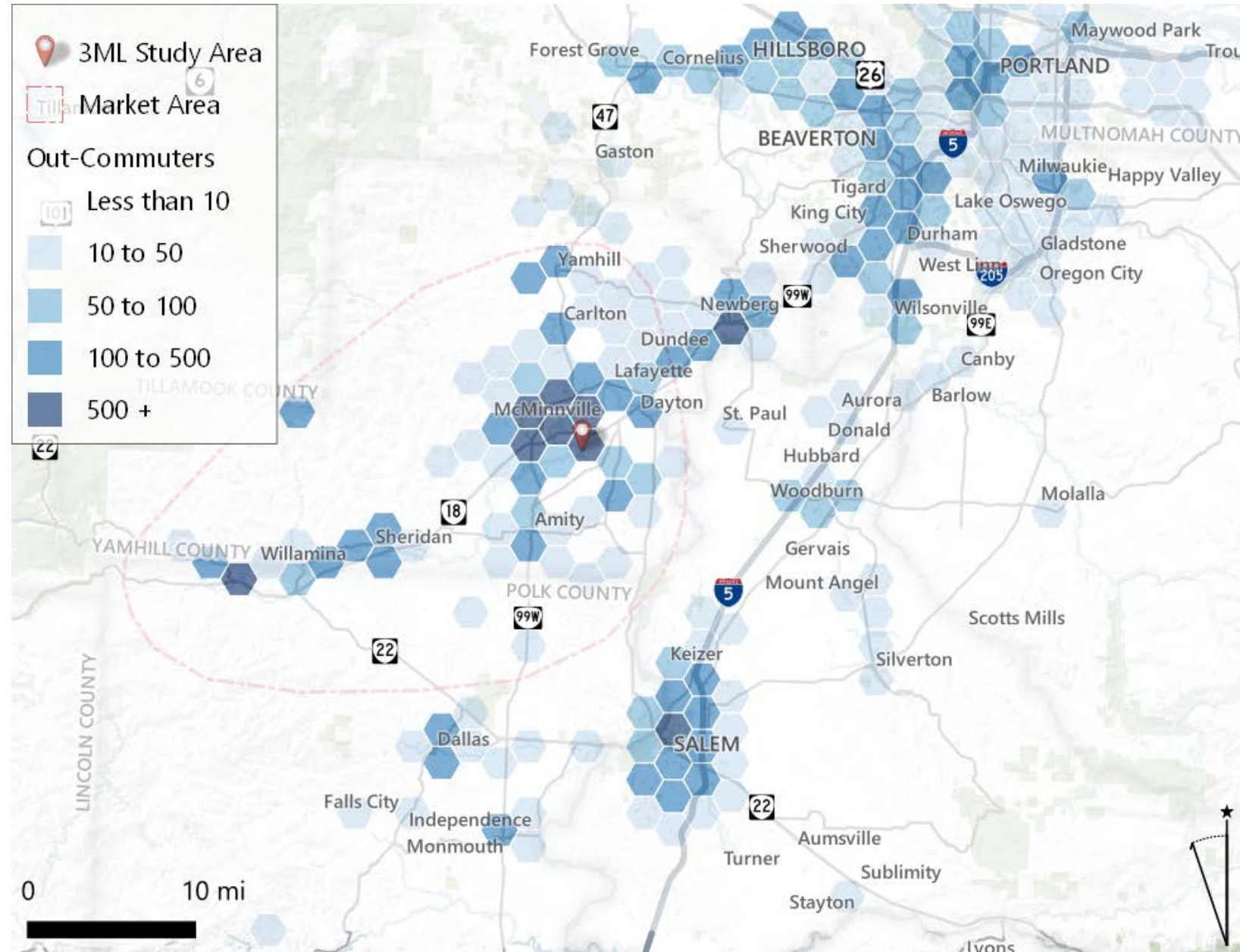


- Most people commute to work in the market area from nearby

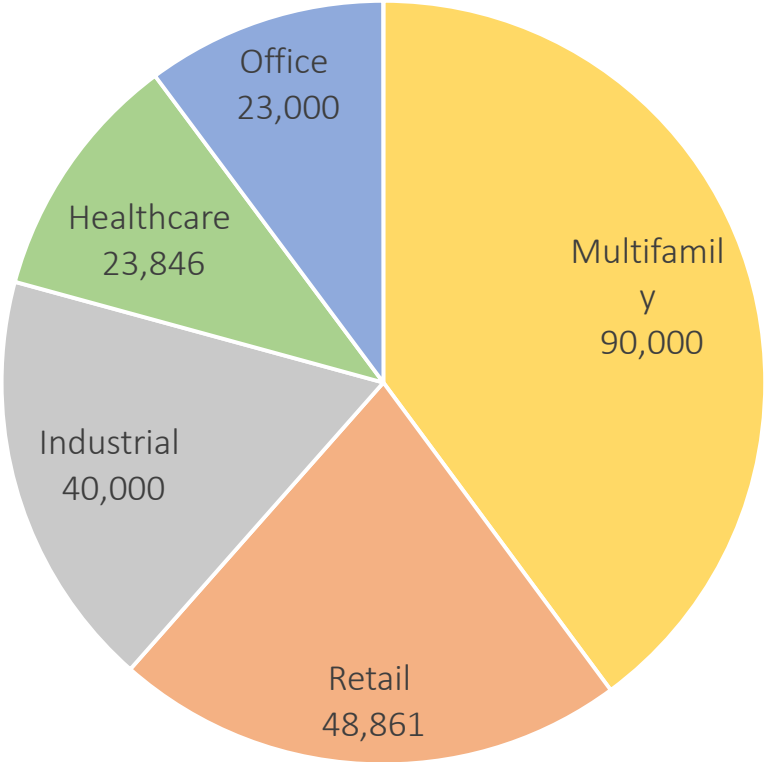


Job locations of market area residents

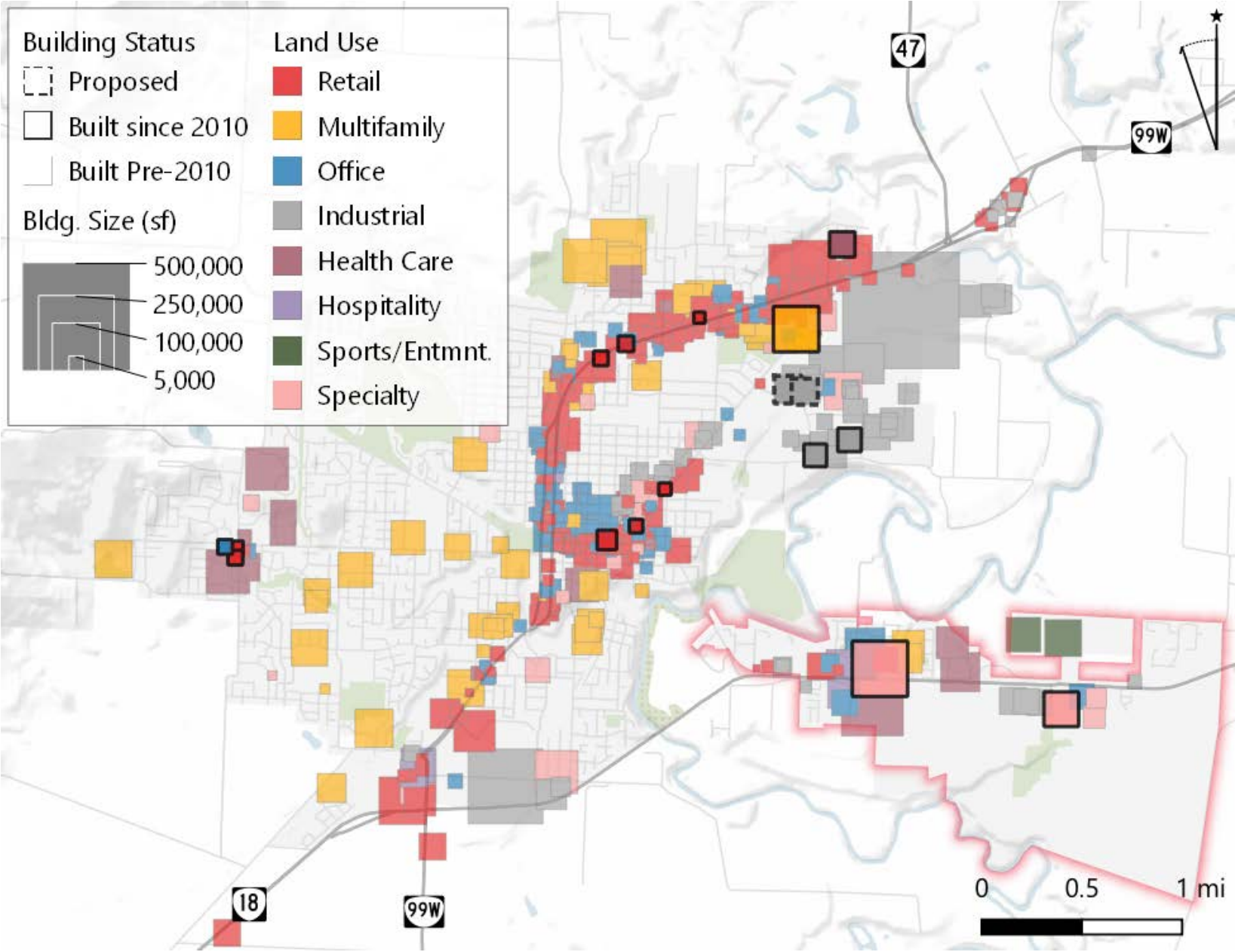
- Many more people commute *from* the market area than live there
- McMinnville attracts significantly more residents that work across the greater region
- Significantly more people travel further to parts of the metro and Salem



Development Activity



September 19, 2019

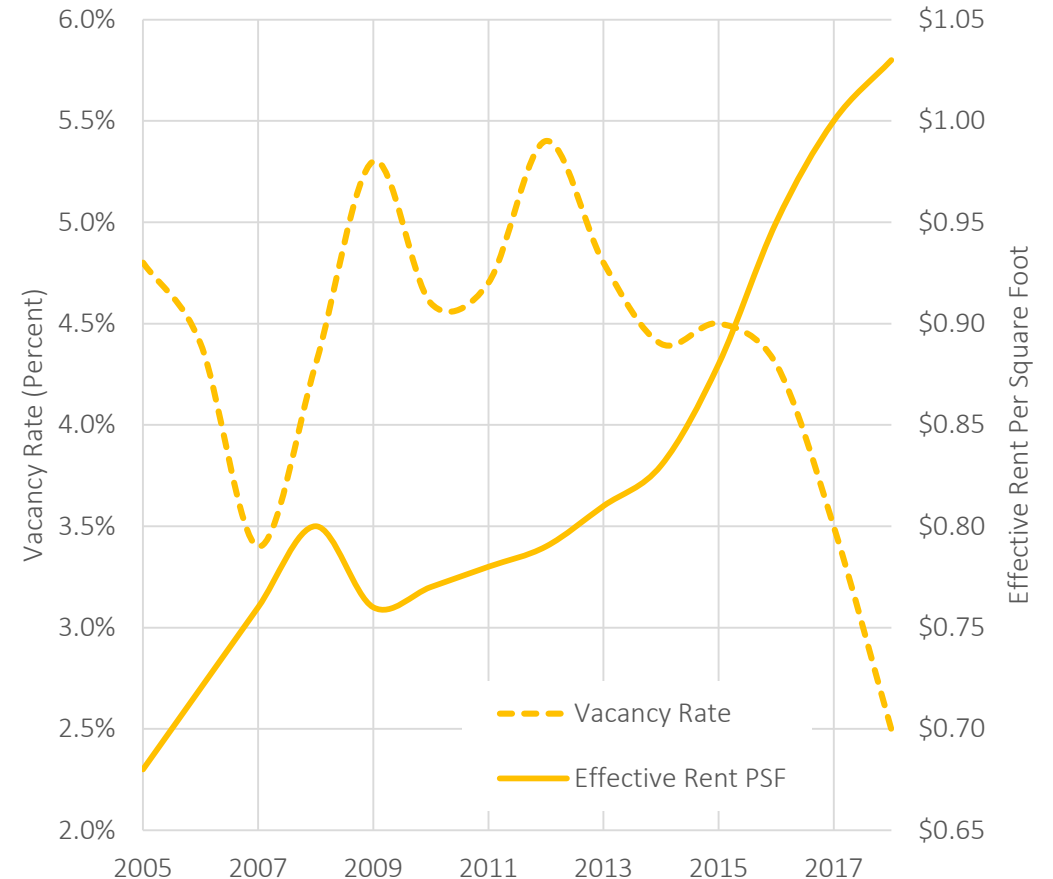


Planning Commission Update

Apartment market data indicates strong demand for new construction



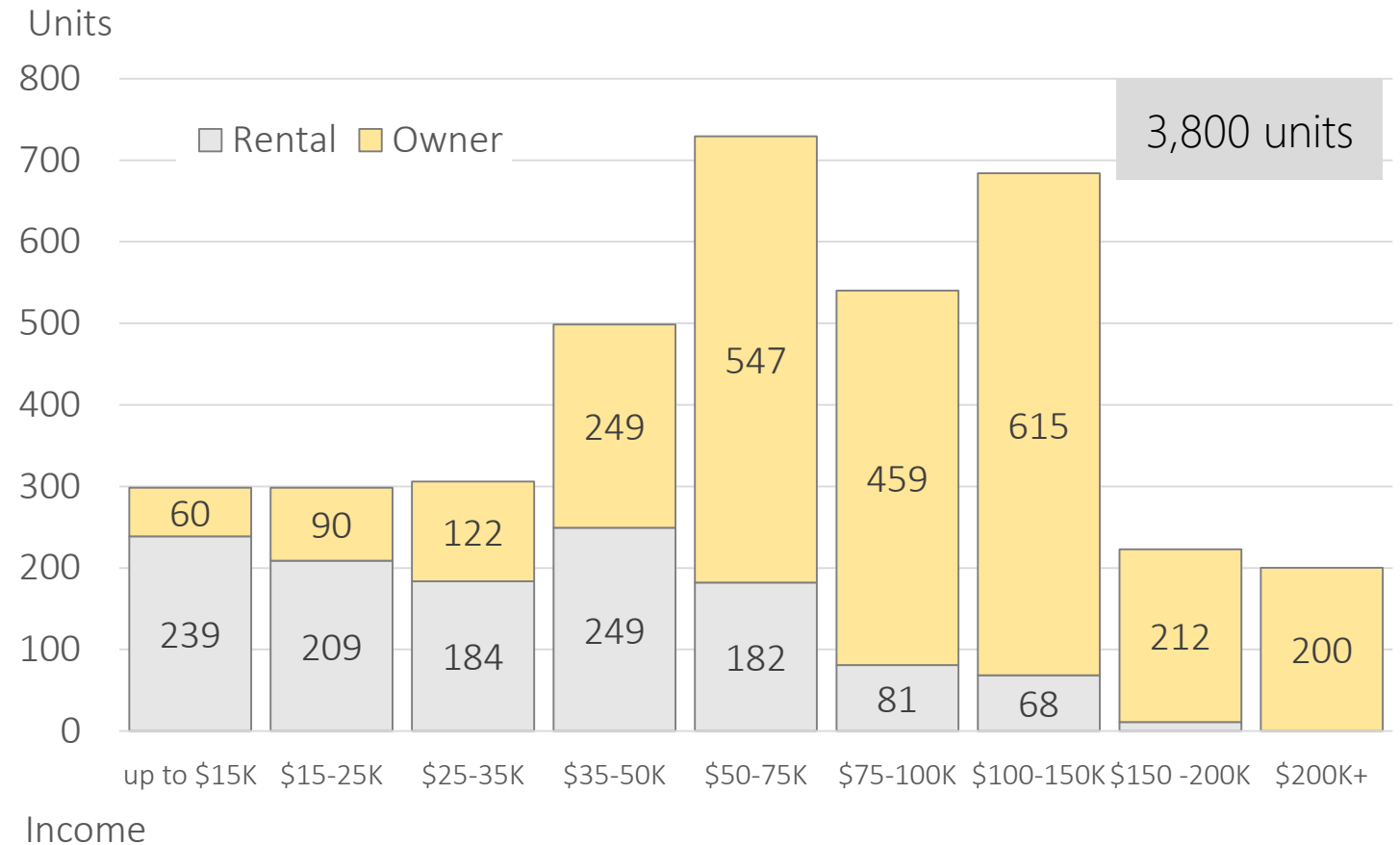
- Prospects are strong regional and nationally.
- Strong rent growth but low average rents across all inventory
- New construction expected to rent for ~\$1.50 PSF
- Very low vacancy indicates demand, but rents may only support lower-density residential typologies like townhomes and garden apartments (walkups)



10-year Residential Demand Market Area



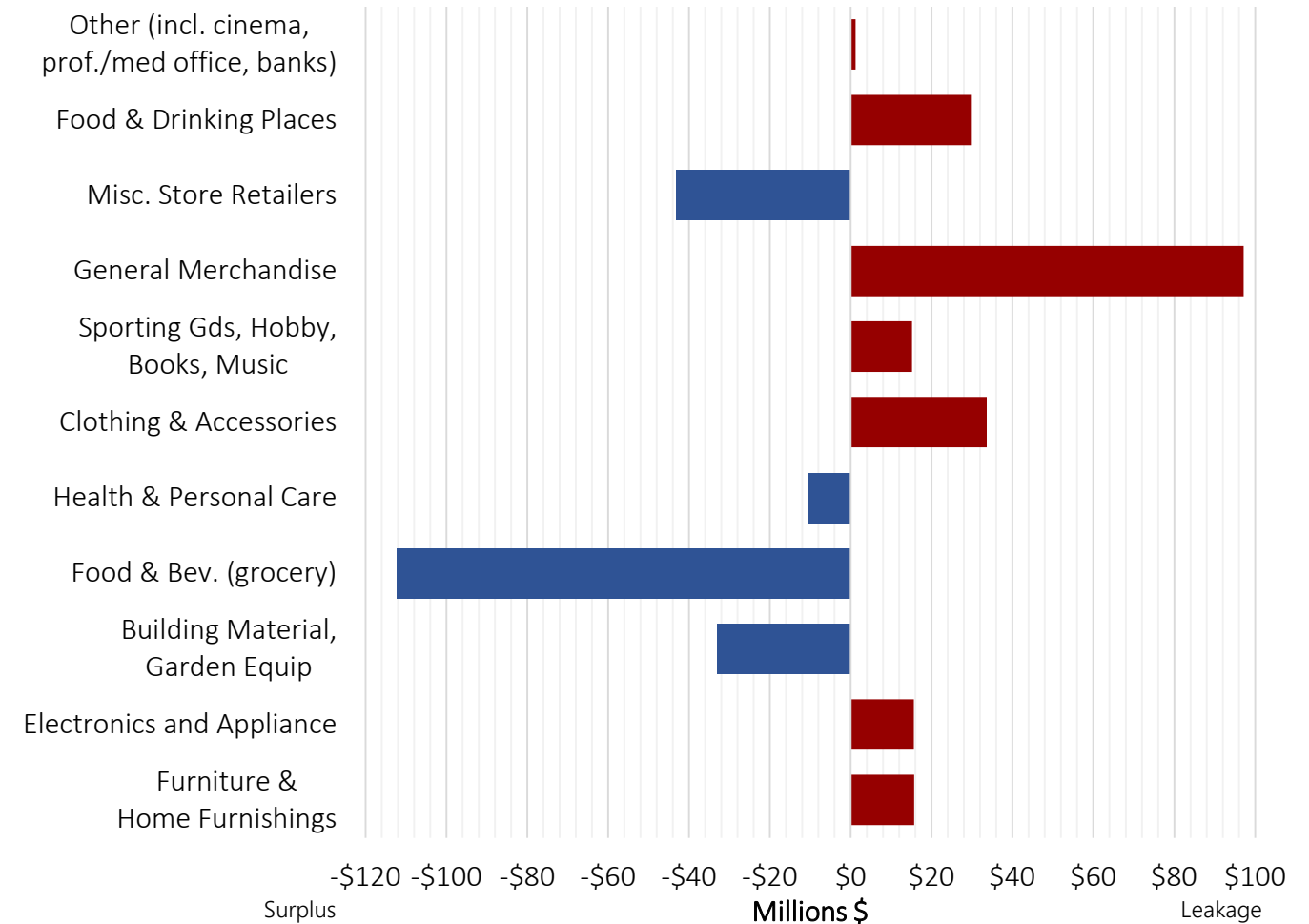
- Regional demand for 3,800 residential units over 10 years
- 3ML could capture a significant portion on site:
 - 200+ apartments (~6 acres)
 - ~100 townhomes (~7 acres)
 - Single-family, zoning permitting



Retail spending indicates immediate opportunities for new construction



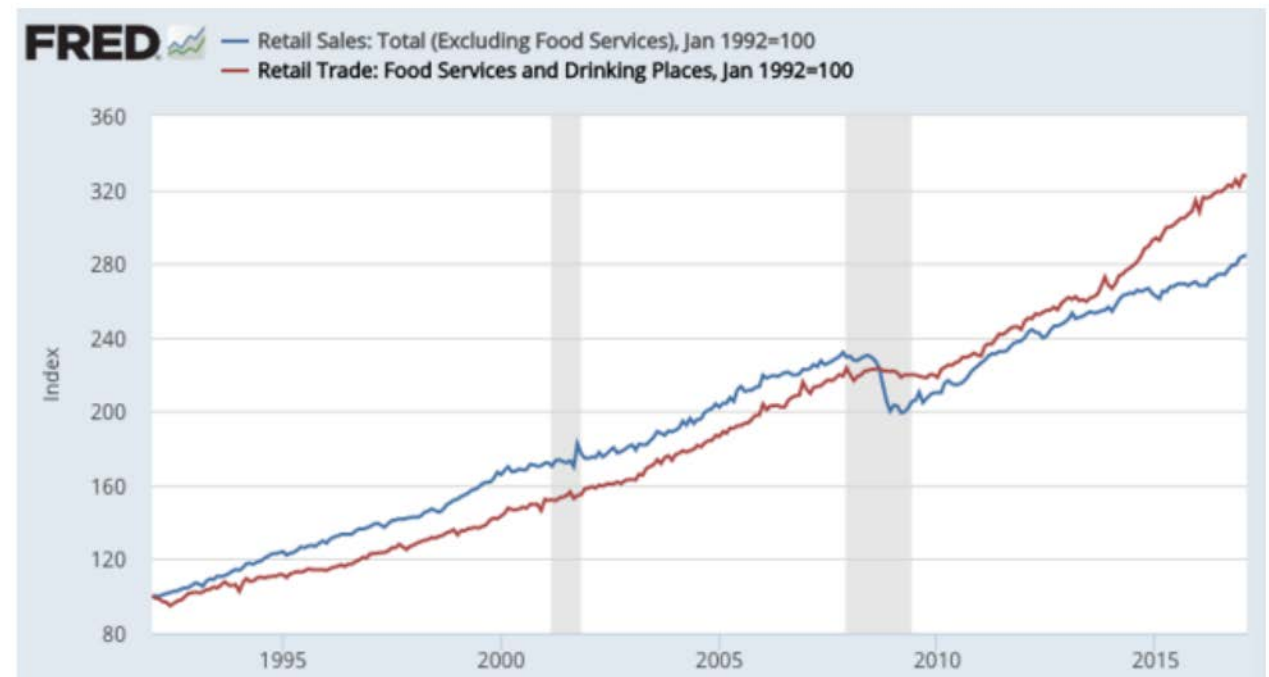
- Significant opportunities in Gen. Merch. and dining/drinking based on leakage
- Large *existing* surplus in grocery supply, but population growth will still drive demand for additional grocery stores.
- Demand from tourist and other visitor spending would inflate demand but is not captured in the data



Goods vs. Entertainment Spending

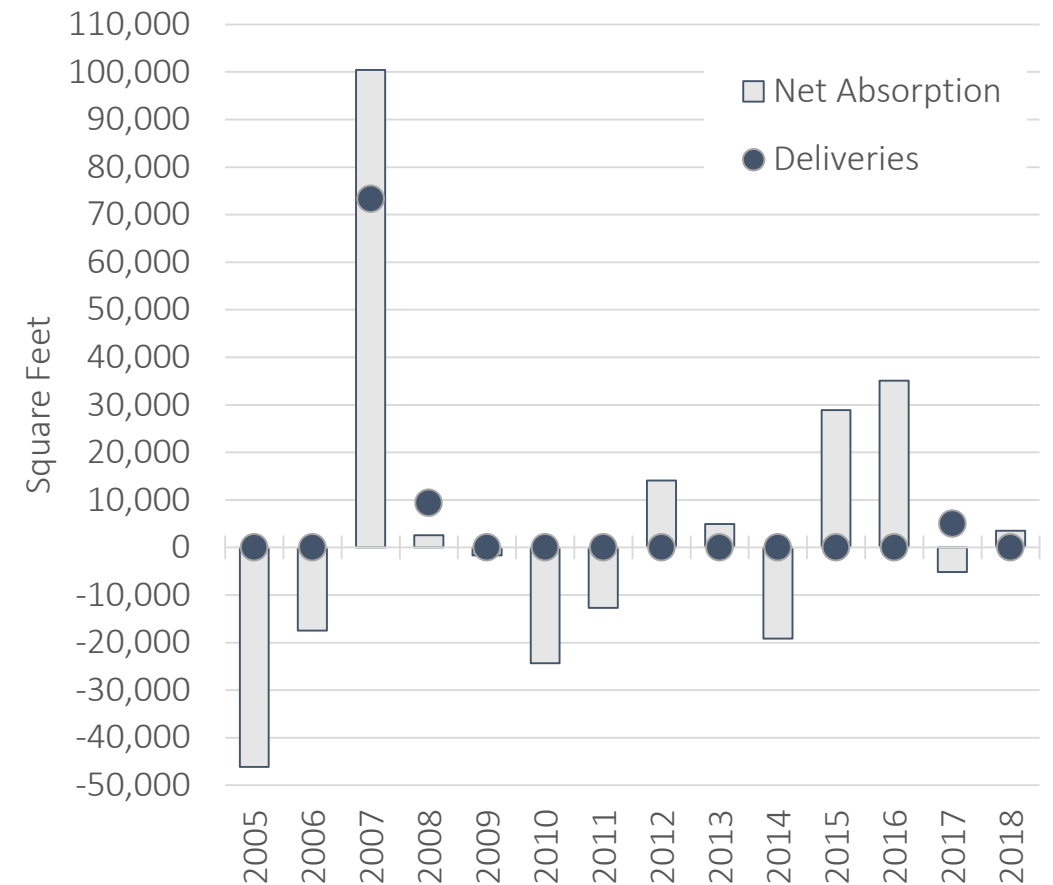
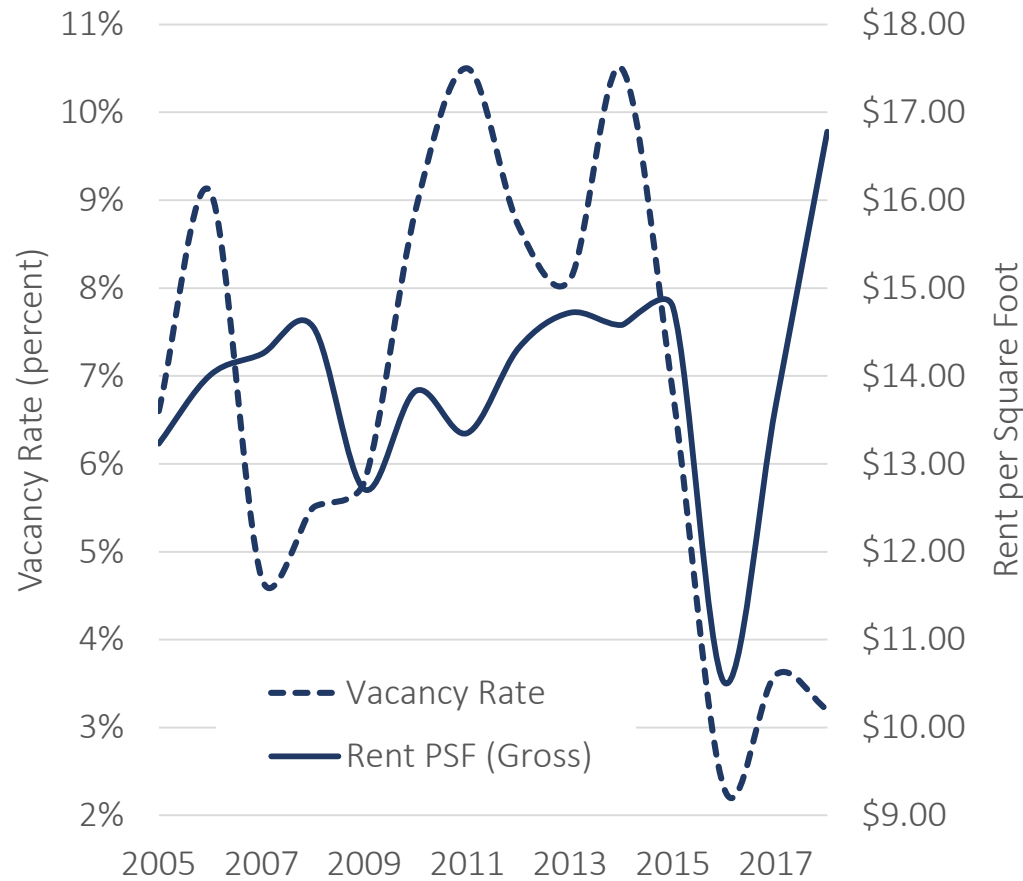
- Despite the perceived “retail apocalypse,” spending on retail goods and services at bricks and mortar locations continues to grow.
- Notably, Americans’ spending at restaurants and bars is growing faster than spending at other retail establishments, reflecting both cultural changes, and Americans’ increasing interest in sharing experiences with family and friends (sometimes at the expense of spending on goods.)

Sales at Non-Food Retail vs. Restaurants/Bar

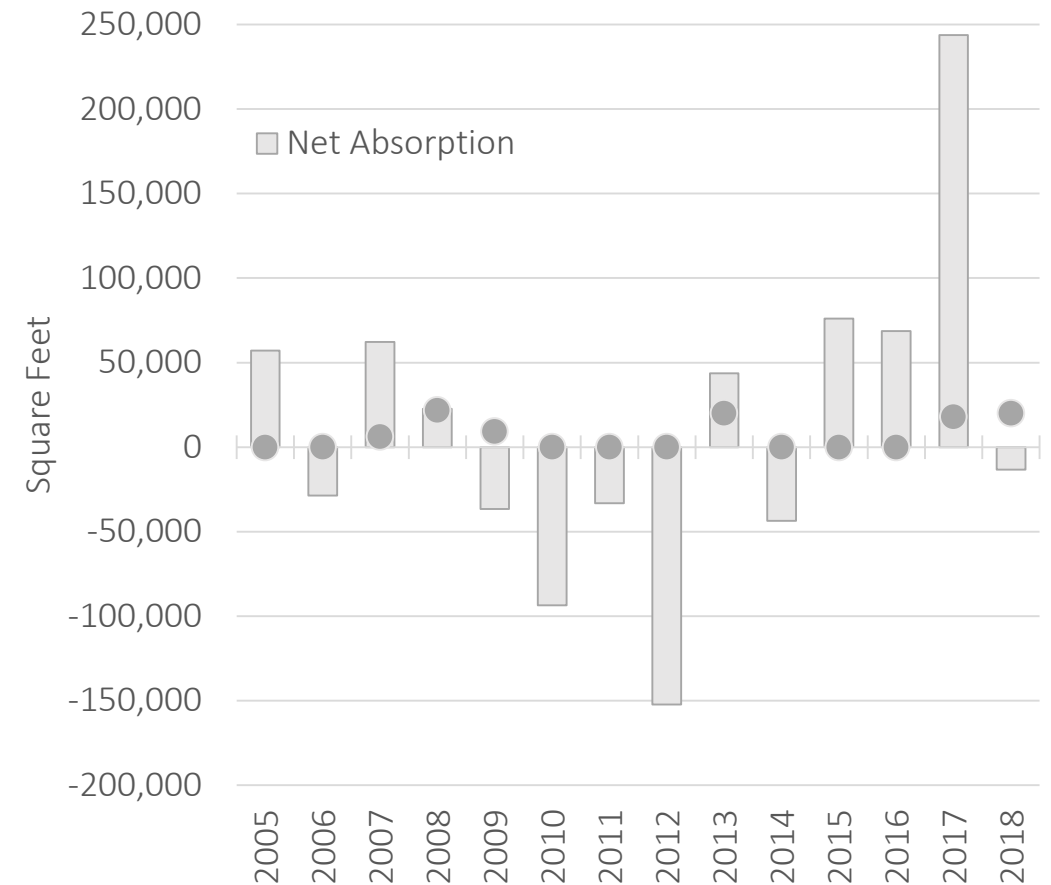
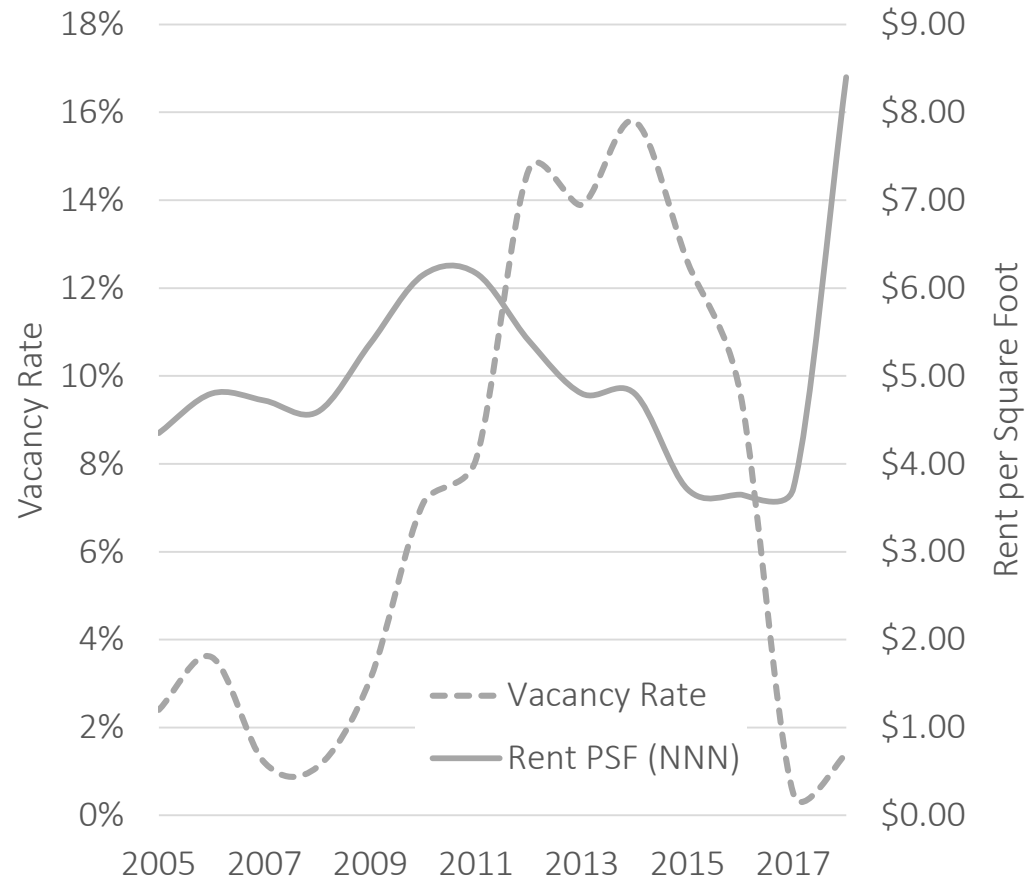


Source: Federal Reserve Economic Data (FRED).

The office market is tight and rents are improving



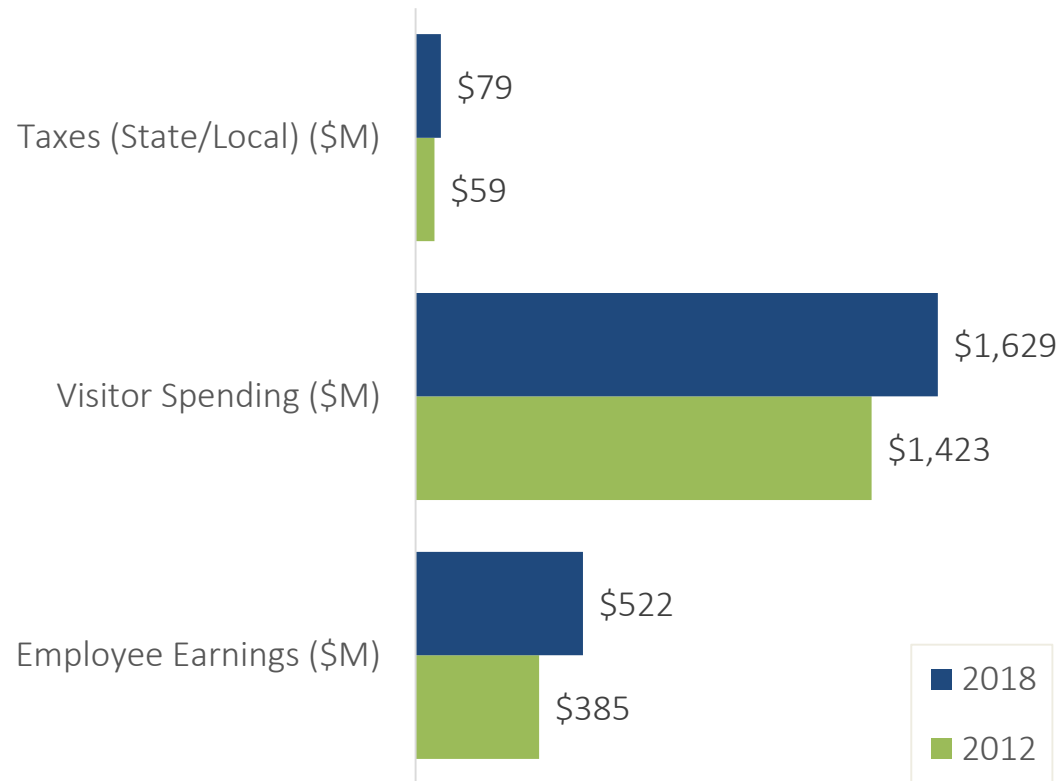
The industrial is very tight and prospects are improving



Tourism is growing and provides unique opportunities



Willamette Valley Travel Impacts



- Willamette Valley was the second-most visited tourist destination in Oregon with almost 20 million visitors in FY 2017
- The arts and culture environment in Yamhill County is a growing field of increasing vitality. Artist studios and monthly wine walks increasingly attract visitors from outside the region.
- Tourism growth increases demand for lodging, retail, restaurants, and craft industrial development.

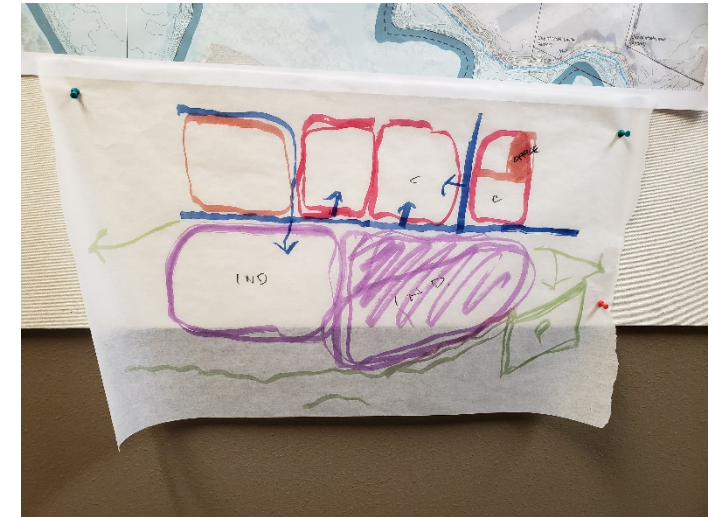
Anticipated Development Mix

- Residential
 - Townhomes
 - Garden apartments
- Grocery anchored and/or mid-to-large format retail
 - Specialty/experiential retail, especially tied to the wine industry
- Low-rise office
- Craft industrial
- Mixed-use commercial (office over retail)
- Lodging and hospitality

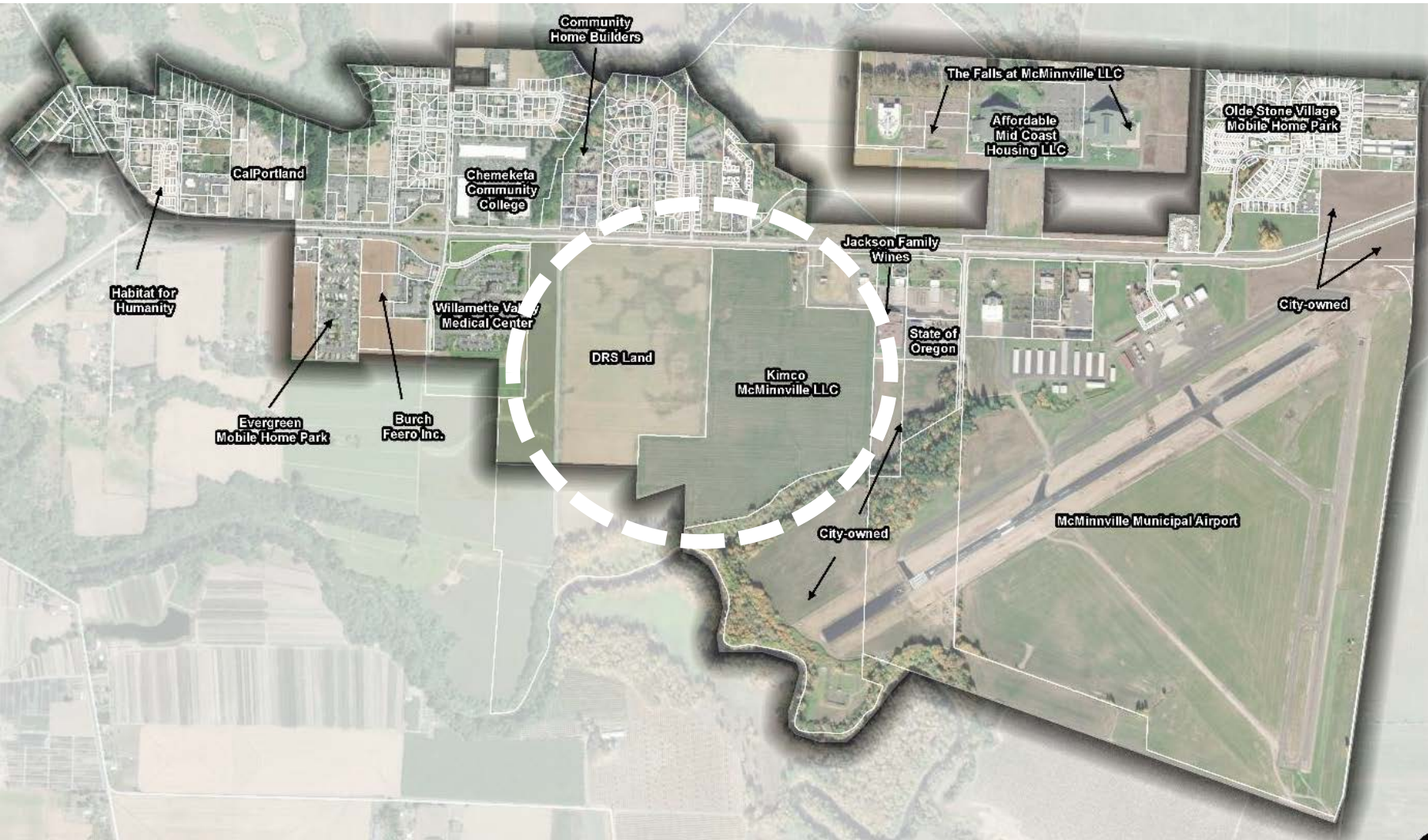
Public Outreach



- Advisory Committee Meeting & Design Charette
- Property Owners Work Session & Case Studies

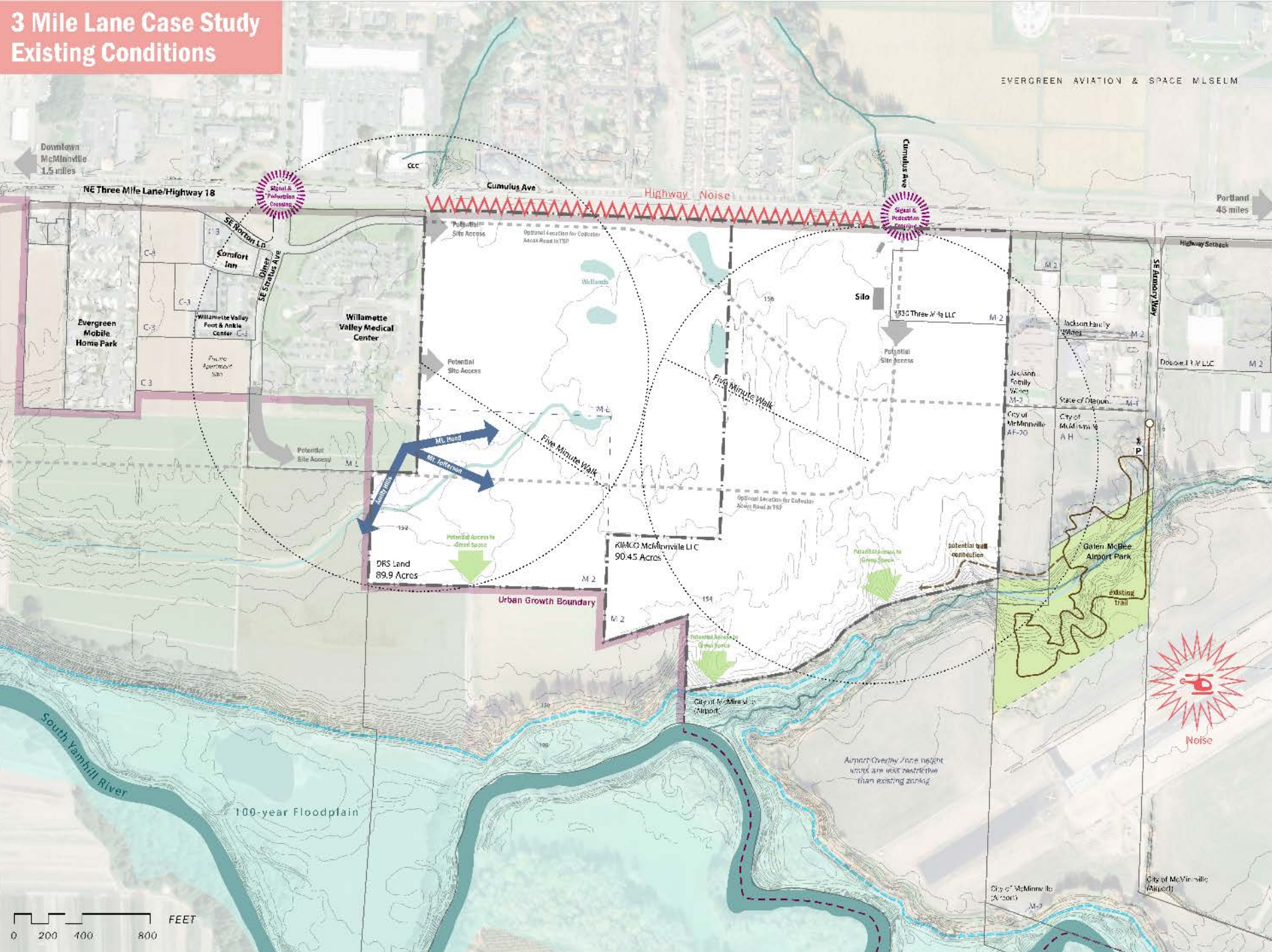


Redevelopment Case Study



- Market / design study for large, undeveloped sites
- Will include:
 - Potential building programs
 - Conceptual site studies
 - Preliminary development pro forma

3 Mile Lane Case Study Existing Conditions



Redevelopment Case Study: Existing Conditions



Design Charrette

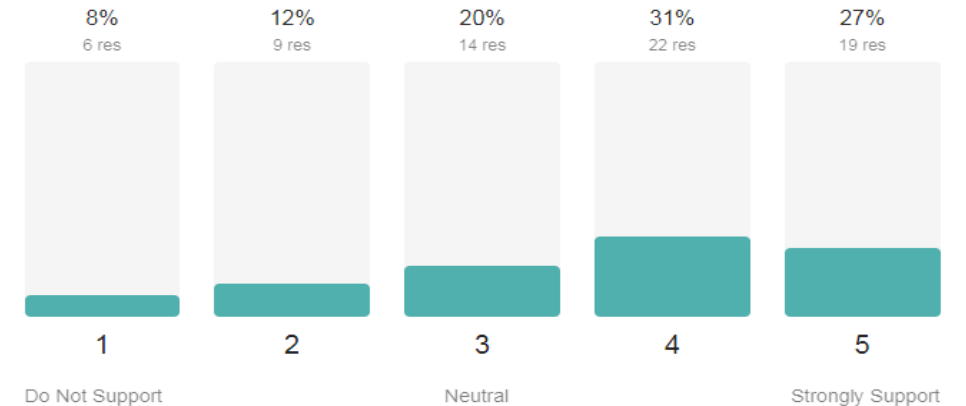
Public Outreach Open House and Survey



What is your level of support for **Goal 1**?

70 out of 70 answered

3.60 Average rating



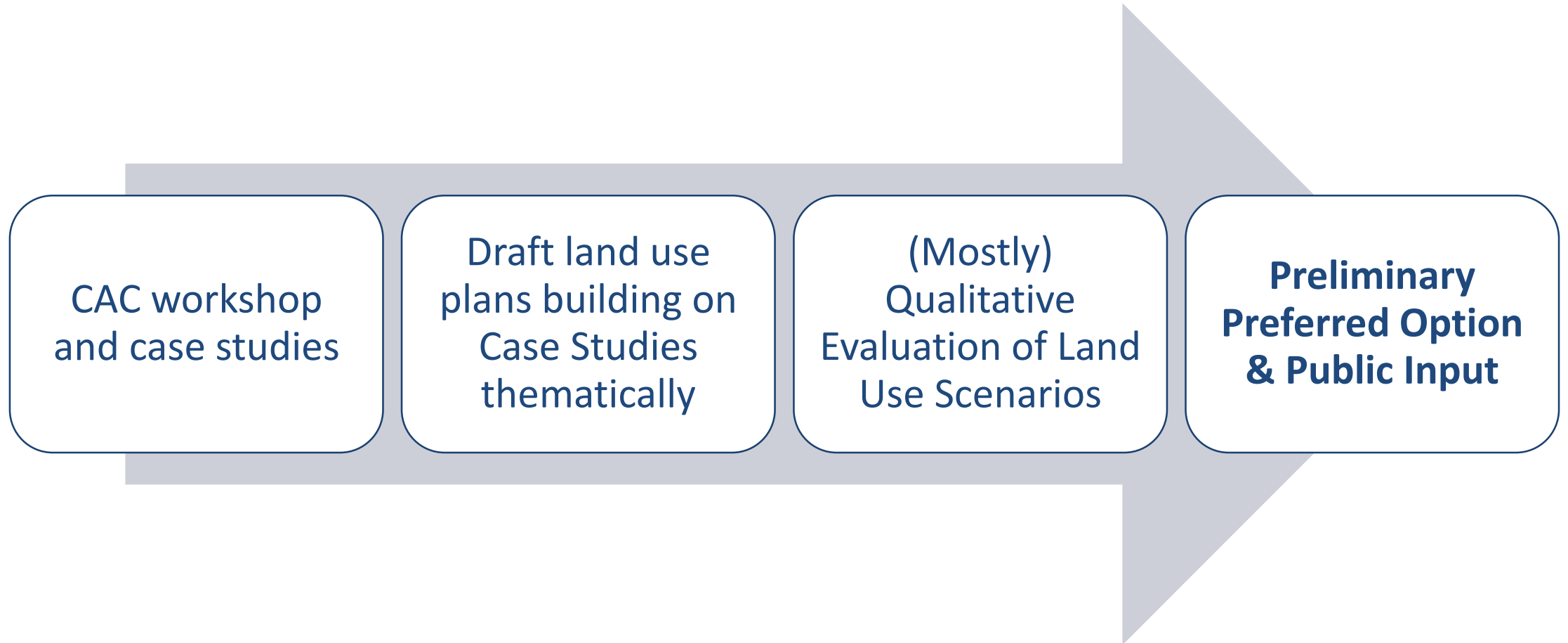
Goal 1 comments:

- Too much emphasis on commercial/industrial development
- Industrial is at odds with "attractive" and "tourist destinations"
- Would like to preserve the rural/suburban character
- I want more opportunities for work and revenue in that area - destination shopping center with retailers like Costco and Target would be great for the community.
- I'm not very interested in retail/commercial development.
- It depends on what kinds of industry you're talking about.
- Need to add a balance of public green space/parks.
- Diversity of goods and services would be beneficial in this area
- Homeowners in the area would love a full-sized grocery
- There is a large need for medical facilities and medical office that this area could fulfill.
- Connectivity
- Preserve trees and habitat
- I'd rather see residential uses and affordable housing than more business use.
- Use waterways for local activities and tourism
- Parking, traffic, and safety issues need to be addressed.

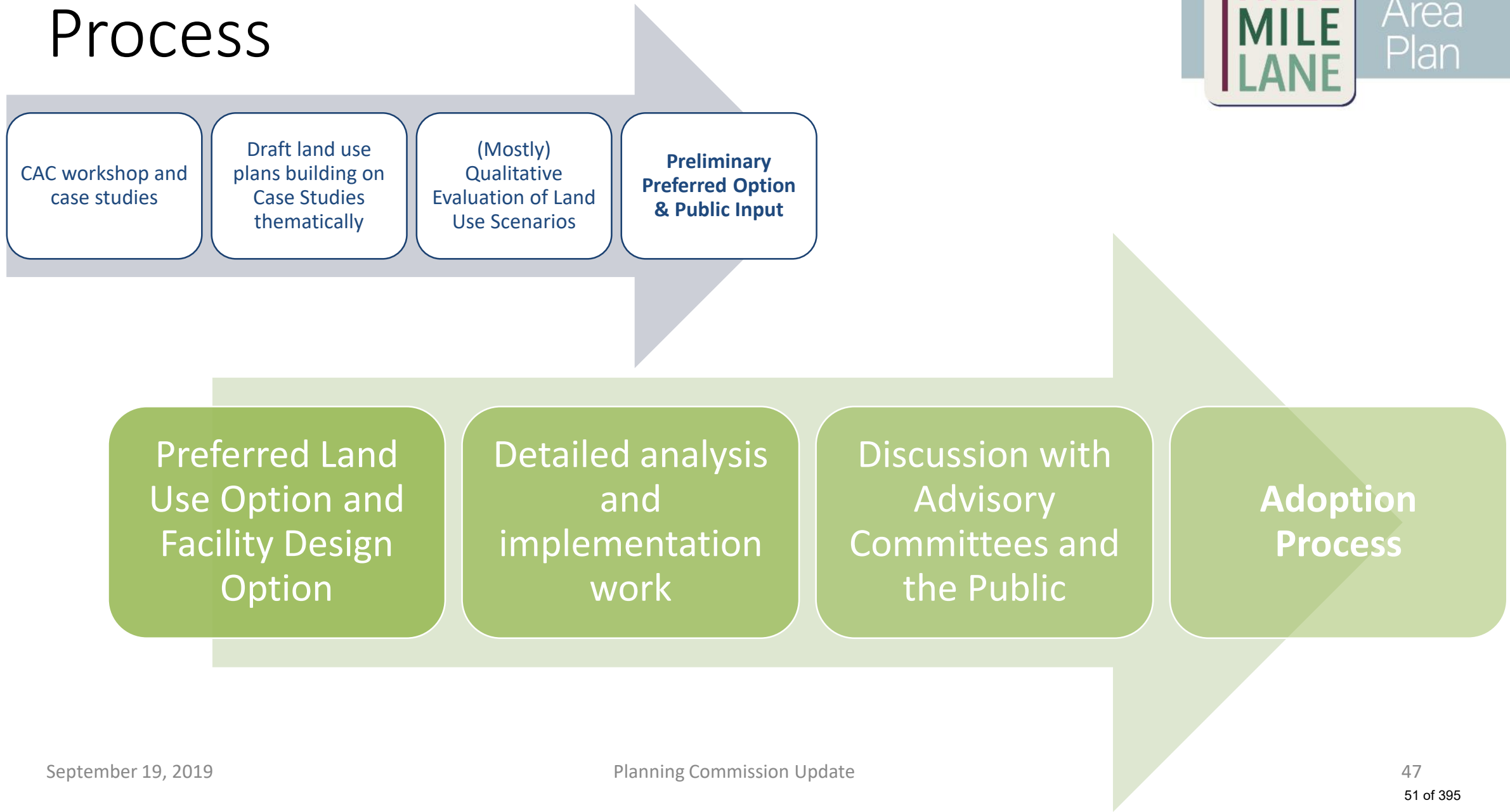


Town Hall and Charrette

Process



Process



Land Use and Facility Design Options

Common Elements

- Boundaries remain the same: UGB is in the same location, developable land is roughly 400 acres
- Airport expected to develop per the 2004 Airport Plan
- Local roadway designs are adaptable to any land use concept



Common Elements: Transportation

- Cumulus Avenue is connected to SW Norton Lane through or adjacent to the Chemeketa Community College campus.
- New public 'complete' streets are added to new developments south of Three Mile Lane.
- Three Mile Lane bridge is improved for bicycle and pedestrian safety.
- New and improved bicycle and pedestrian connections throughout the area.



Common Elements: Urban Design

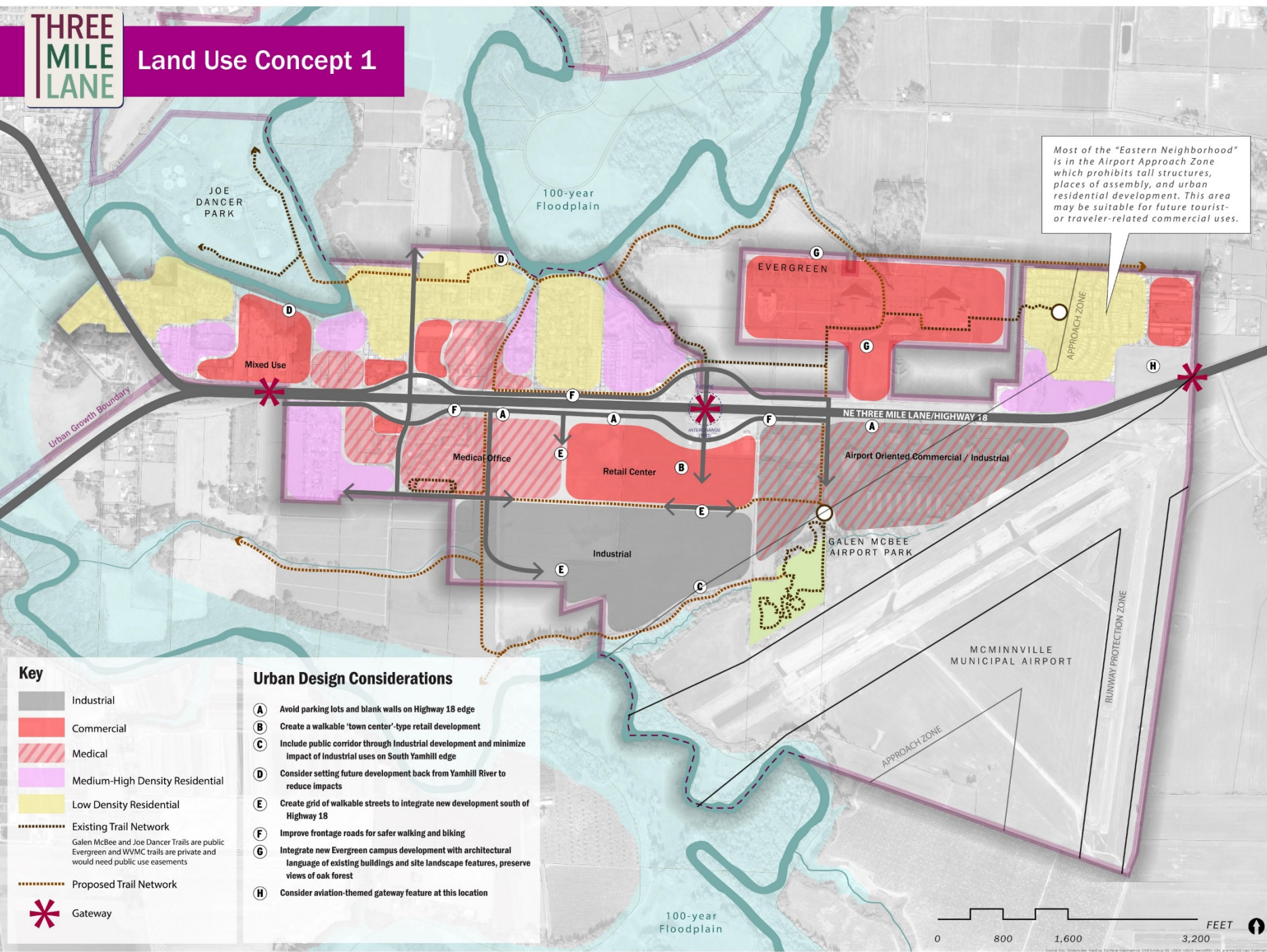
- Landscape and architectural design standards are recommended to ensure new development is designed to reflect regional agricultural and historic forms and support this area's function as a gateway to McMinnville.
- Preserve views to natural features like mountains and the river
- Gateway elements are included to mark the entrance to McMinnville

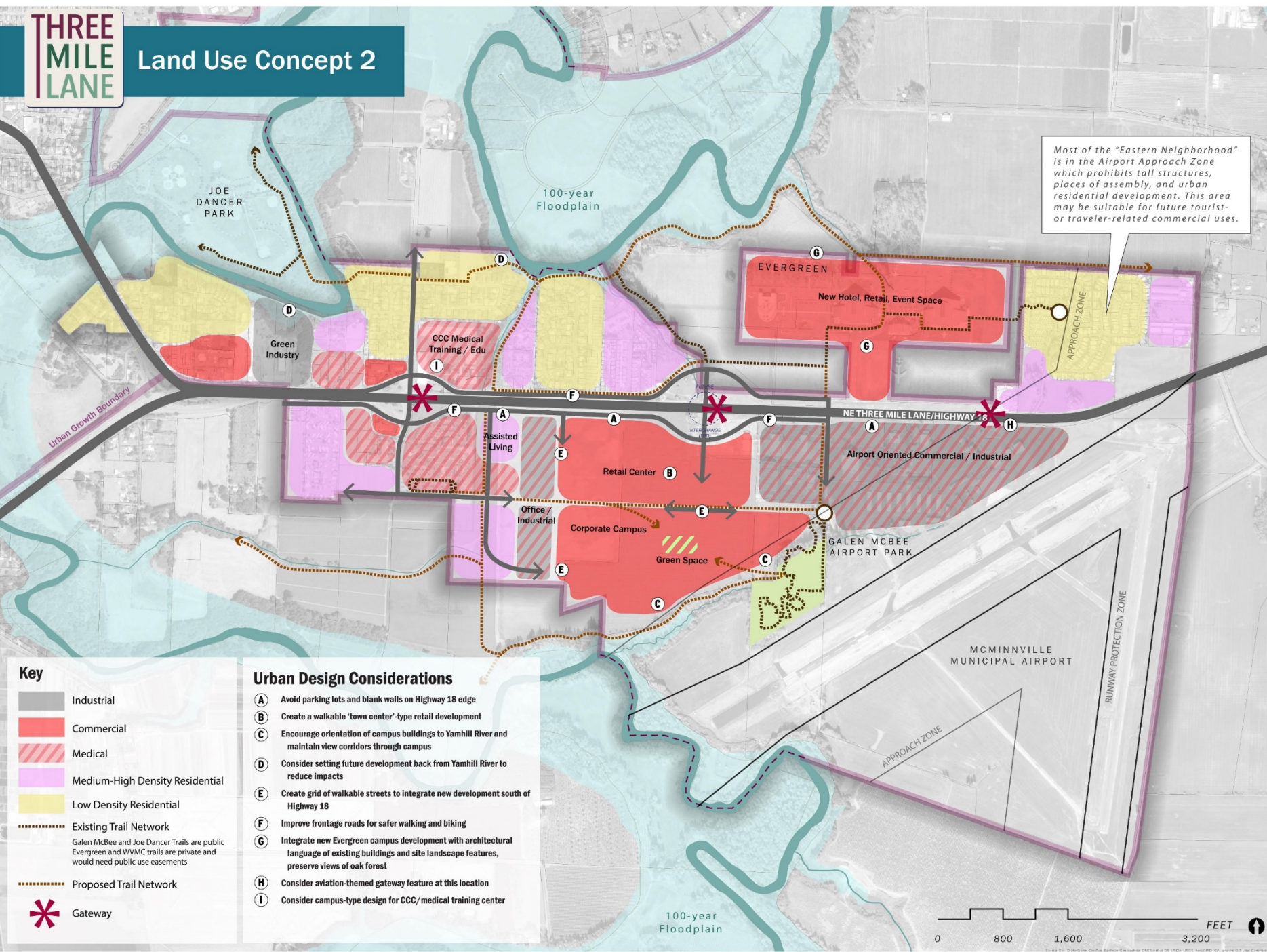


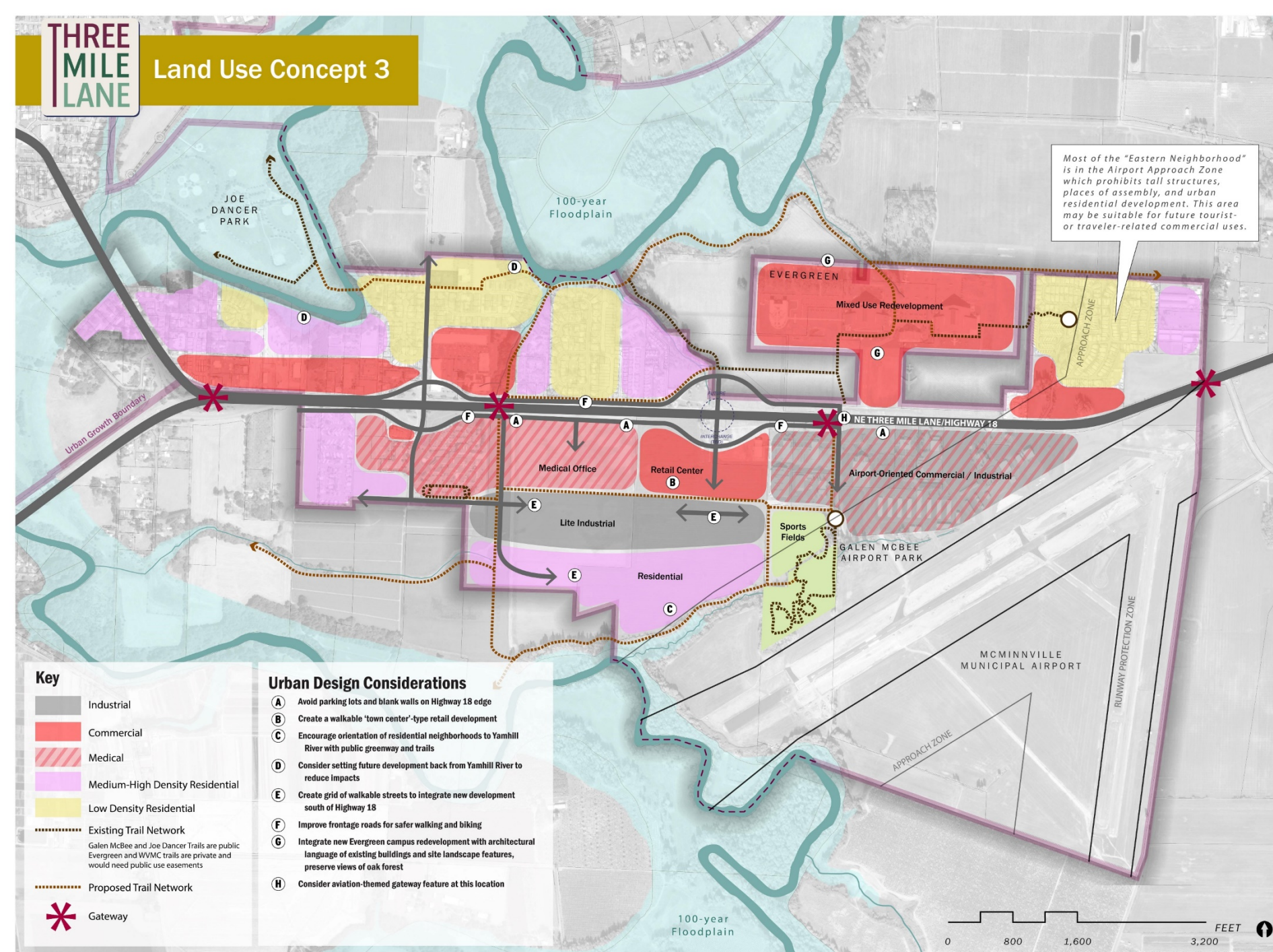
Common Elements: Parks and Trails

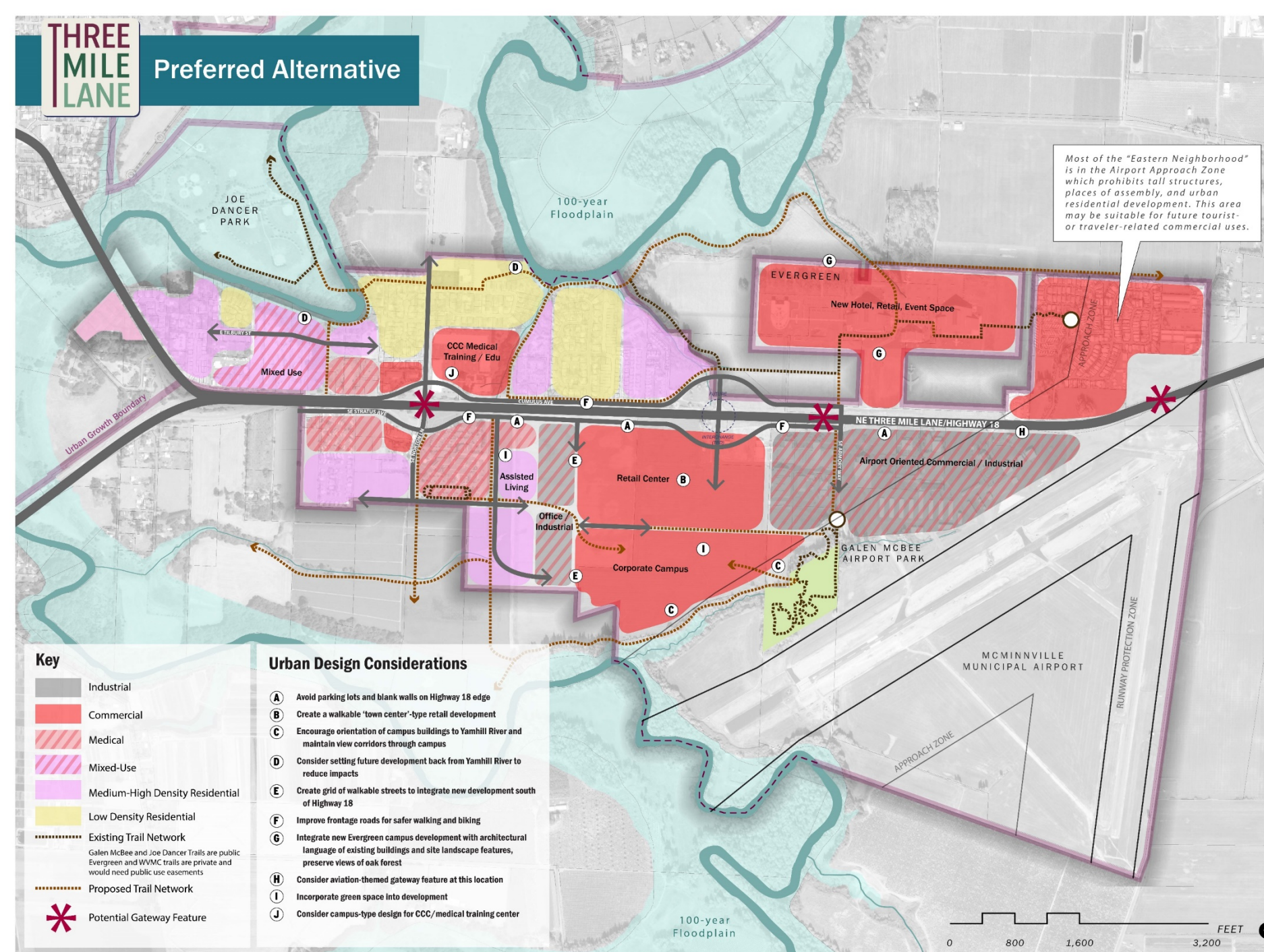
- A trail system connects the South Yamhill River, Galen McBee Airport Park, Evergreen Campus, and Joe Dancer Park along riparian corridors and through new development. The location of these trails changes slightly per concept, but they are always present.
- Recreational access is added to the Yamhill River and riparian corridors and oak stands are protected







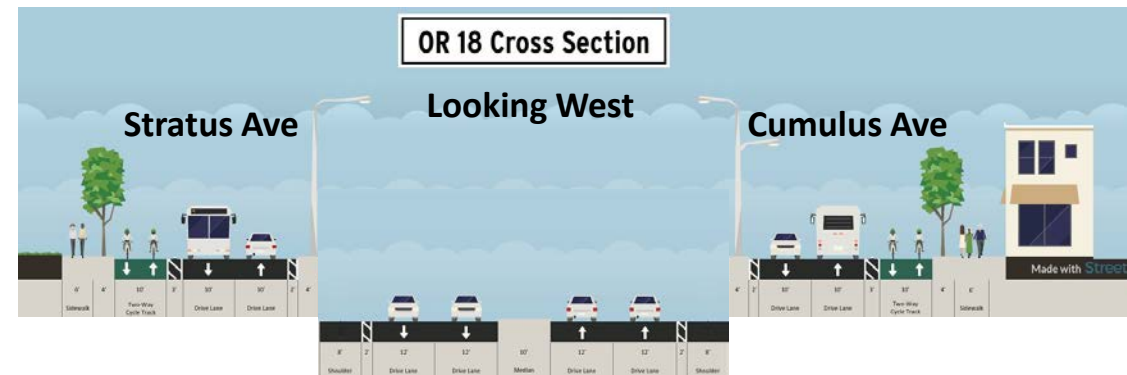




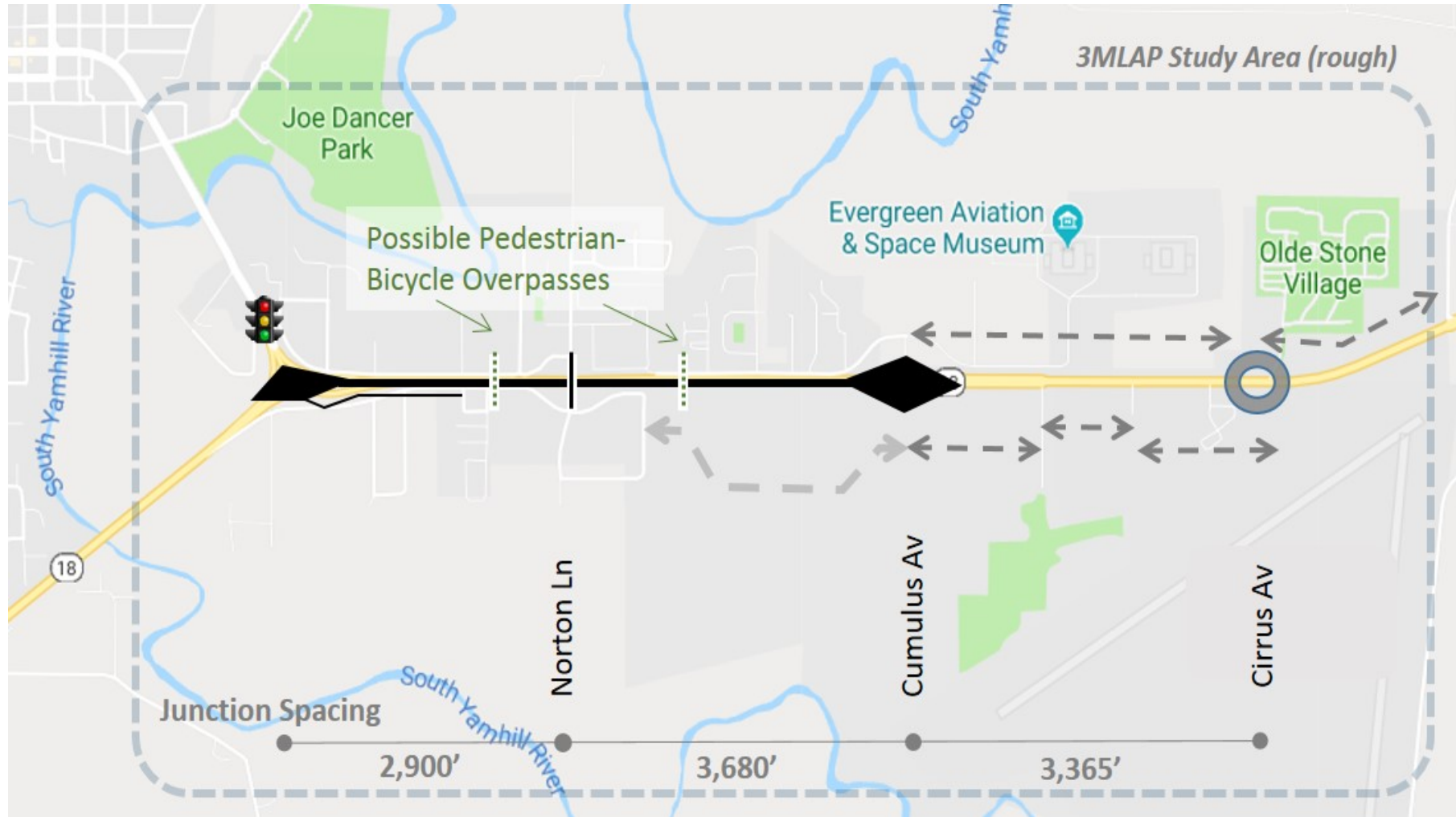
A HYBRID OF ALL THREE

- Walkable McMinnville Retail Center reflecting McMinnville's unique charm.
- Corporate campus, with buildings oriented to Yamhill River; maintaining view corridors.
- Mixed-use and medical-related uses.
- New hotel, retail and event space; tourist-commercial.

Three Mile Lane Design Options



Facility Design Option 1: Interchanges



Facility Design Option 1: Interchanges



Area
Plan

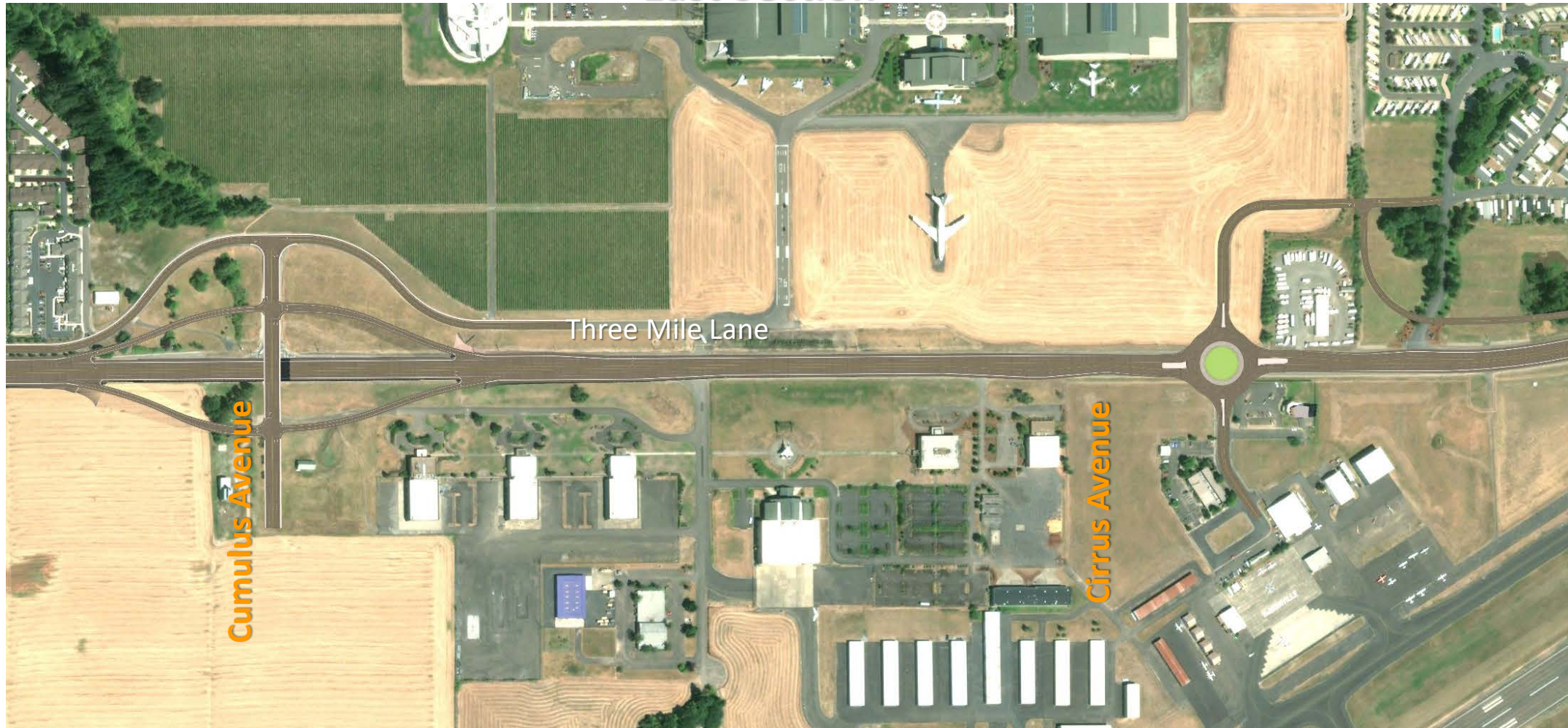
West Section



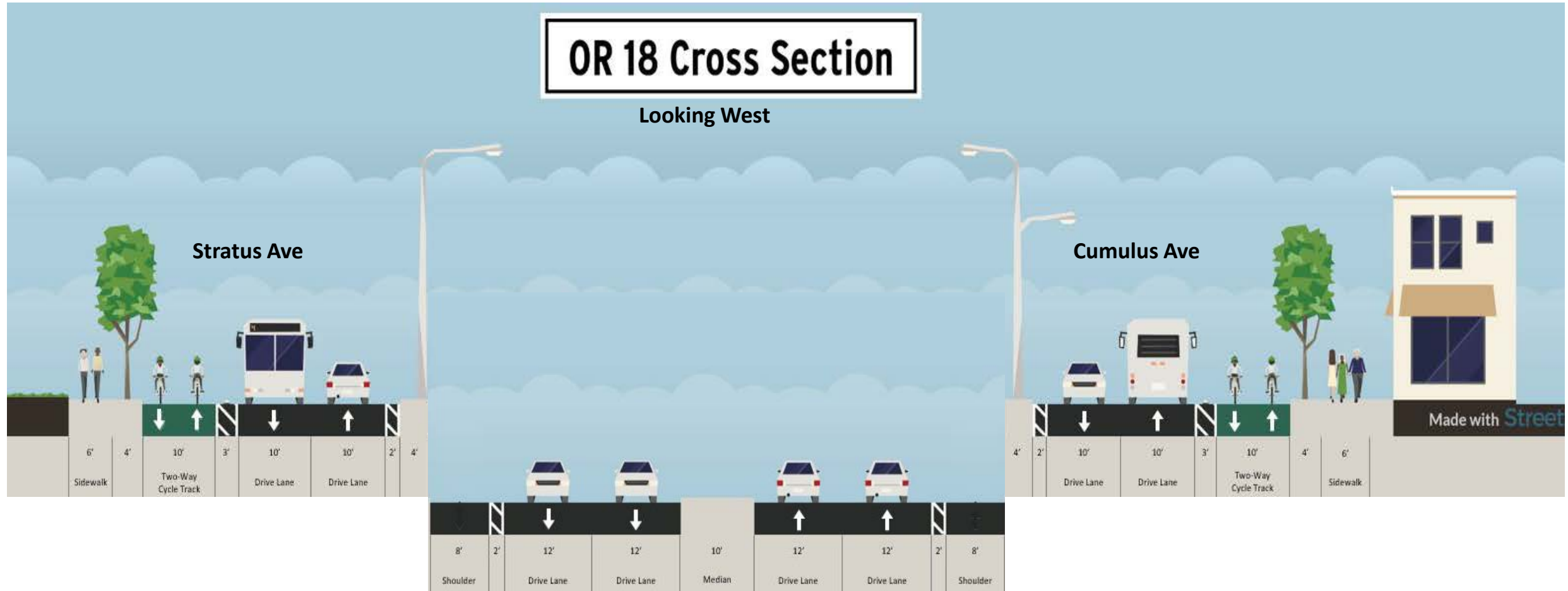
Facility Design Option 1: Interchanges



East Section



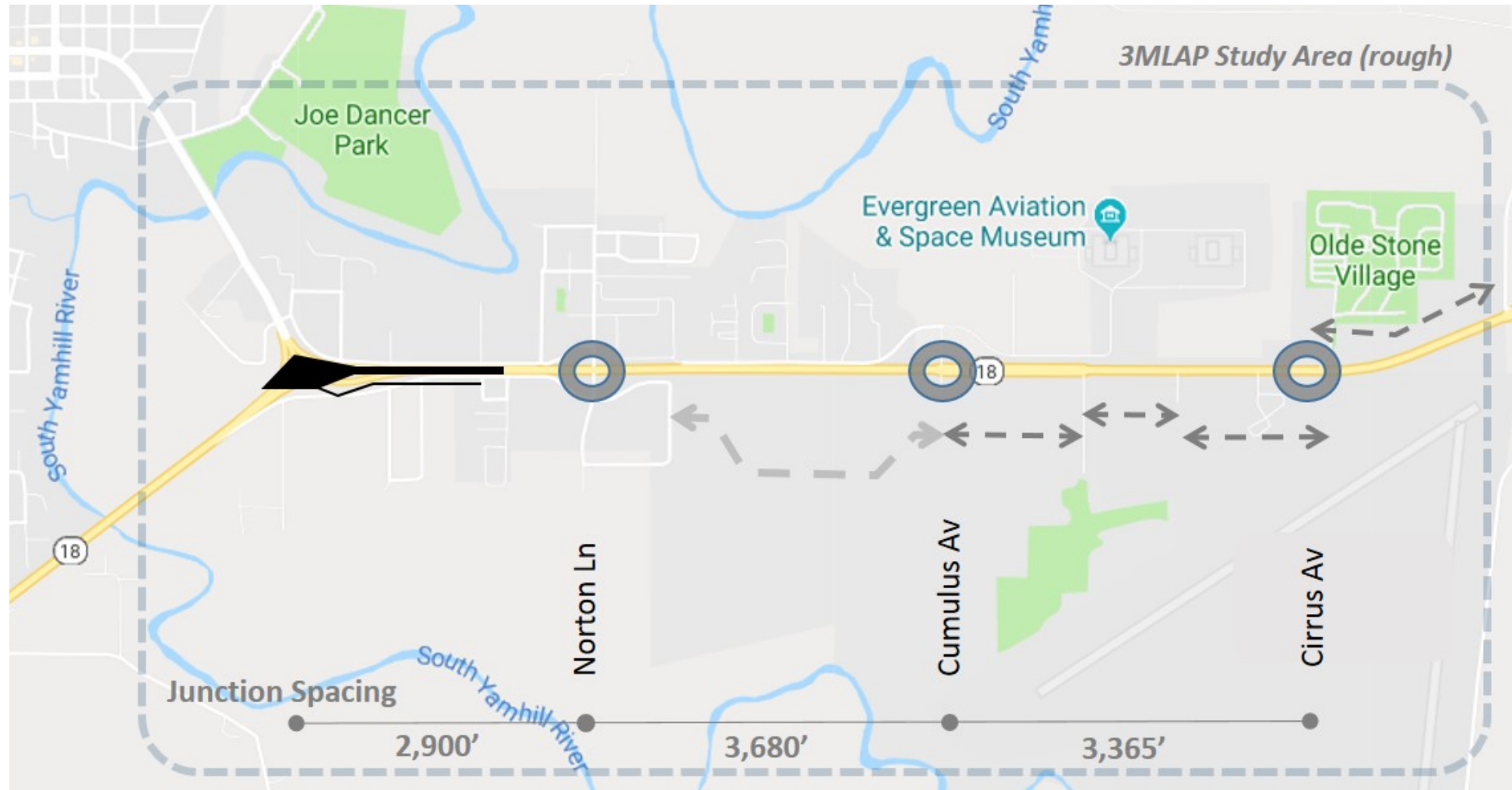
Facility Design Options



Facility Design Option 2: Roundabouts

THREE
MILE
LANE

Area
Plan



Facility Design Option 2: Roundabouts

THREE
MILE
LANE

Area
Plan

West Section



Facility Design Option 2: Roundabouts

Norton Lane

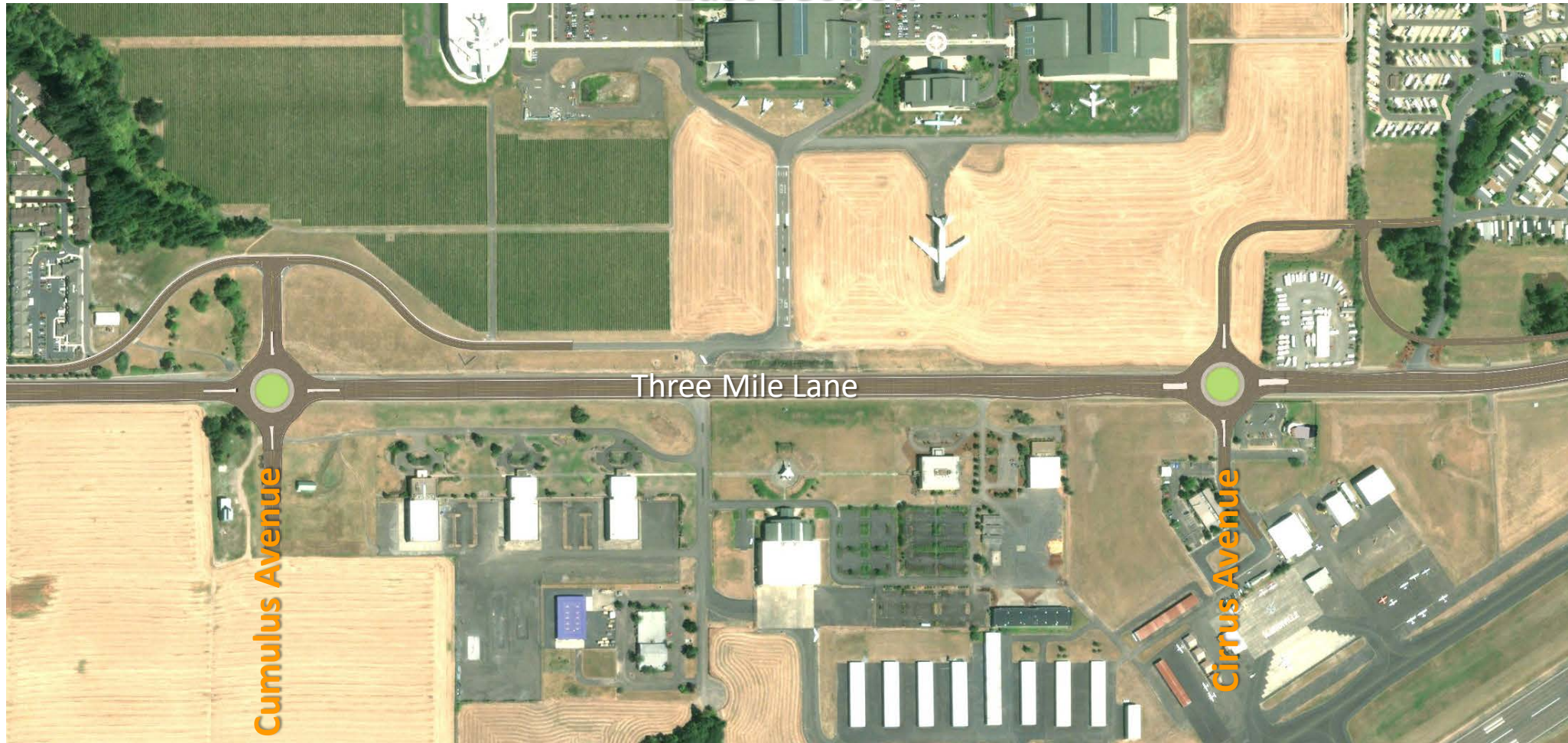


September 19, 2019

Facility Design Option 2: Roundabouts

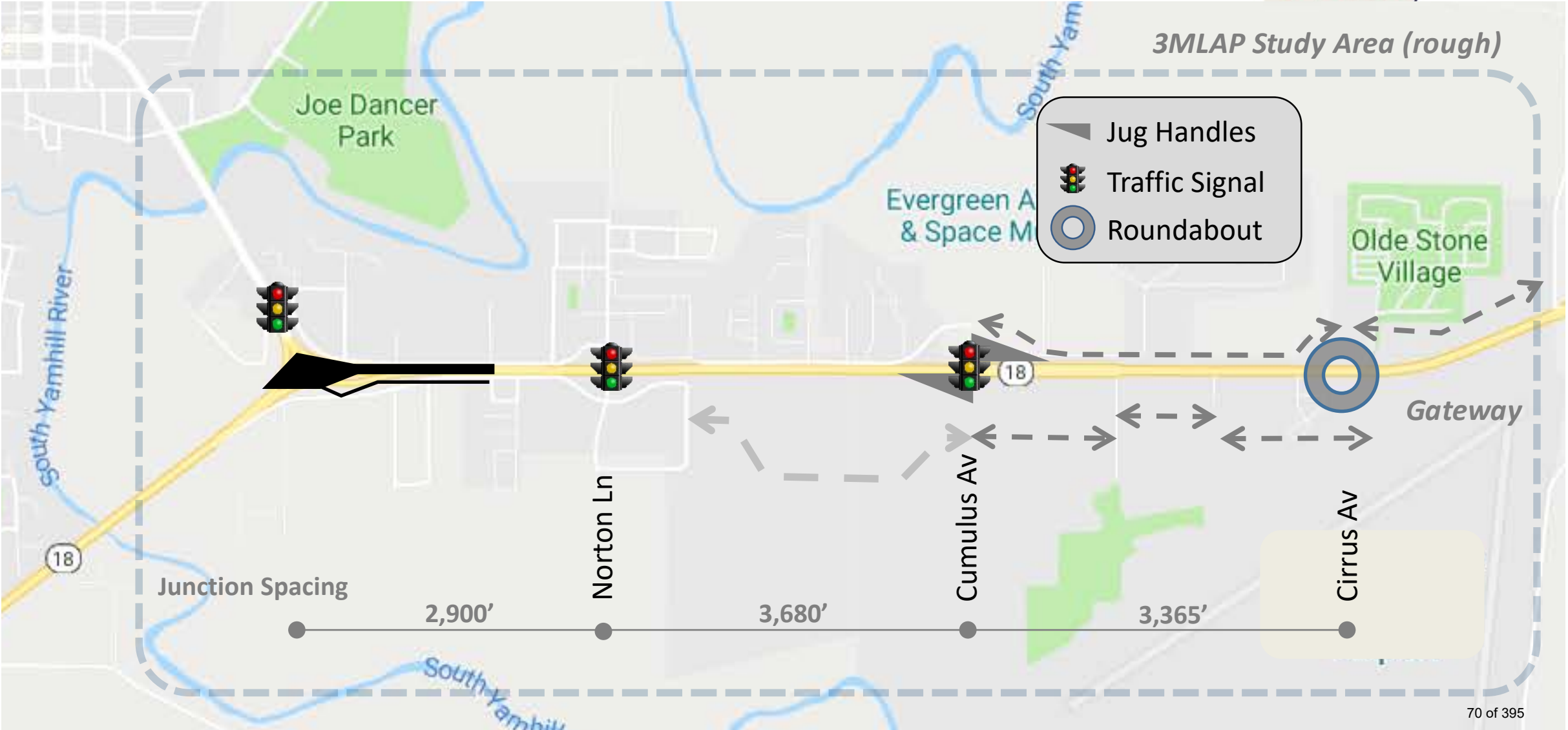


East Section



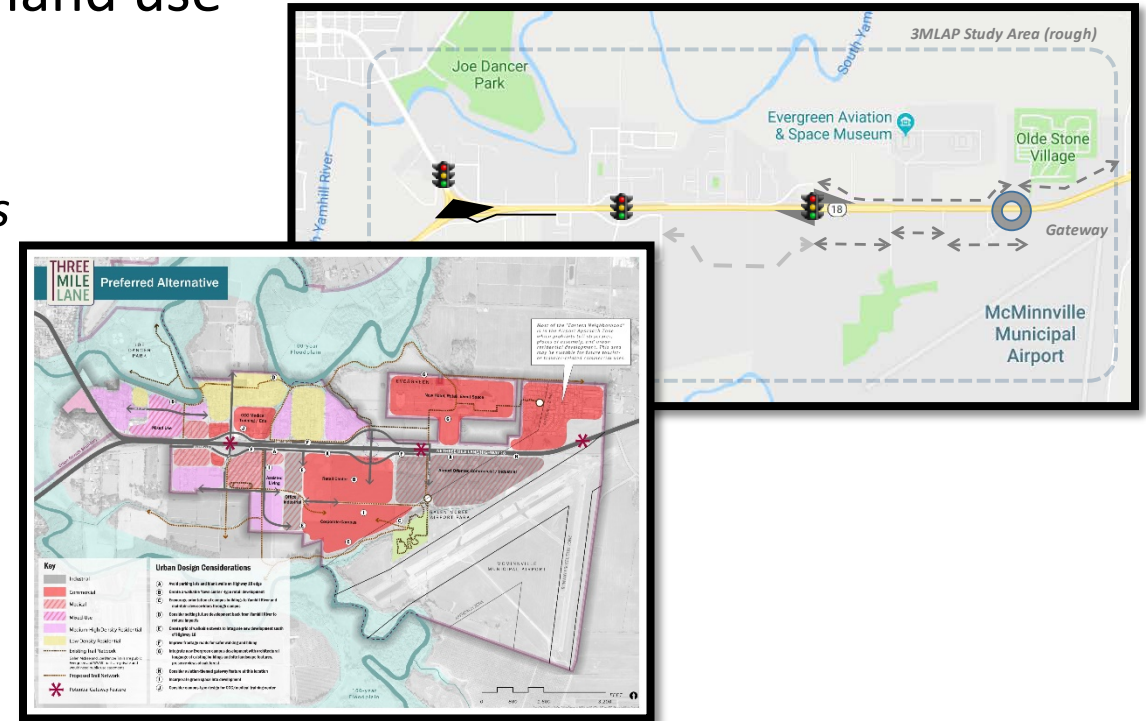
Preliminary Preferred Facility Design

3-Mile Lane Corridor



Next Steps

- Preferred Alternative Design and Evaluation
 - Traffic operations, multimodal assessment, and safety analysis
 - Recommended changes to support land use
 - *New and updated policies*
 - *Land use and zoning amendments*
 - *Changes in development requirements*
- TAC & CAC Meeting #3
 - Fall, 2019
- Public Event
 - Fall 2019



APPENDIX INFORMATION



Vision Statement

The Three Mile Lane District is a vibrant community that serves as the gateway to Downtown McMinnville and Oregon Wine Country. Employment opportunities, attractive housing options, and tourist destinations characterize the area. Residents and workers enjoy safe and efficient options to travel to Downtown McMinnville and benefit from close proximity to a variety of goods and services, all easily reached by motorist, bicyclist, pedestrian, and transit rider alike. The connection to McMinnville's rich history and the surrounding landscape is reflected in urban design elements throughout the area, highlighting the uniqueness of this special place.

Goals & Objectives

GOAL 1: Support and enhance the district's economic vitality and marketability

Objectives

- Leverage land uses for economic development, urban density, and family wage job creation and retention
- Optimize existing economic drivers in the area (airport, business park, tourism areas, hospital, community college)
- Enable development/redevelopment
- New tourism opportunities that capitalize on area's unique assets

Goals & Objectives

GOAL 2: Provide opportunities for a complementary mix of land uses, consistent with the vision of a diverse and vibrant district

Objectives

- Incorporate Great Neighborhood Principles
- Mix of housing types: single-family detached, attached housing, and multi-family
- Mixed-use development
- Transit-supportive land use pattern
- Access to amenities for residents, employees, and visitors
- Bicycle/pedestrian trail/pathway system

Goals & Objectives

City of McMinnville Great Neighborhood Principles

1. Natural Feature Preservation
2. Scenic Views
3. Parks and Open Spaces
4. Pedestrian Friendly
5. Bike Friendly
6. Connected Streets
7. Accessibility
8. Human Scale Design
9. Mix of Activities
10. Urban Rural Interface
11. Housing for Diverse Incomes
12. Housing Variety
13. Unique and Integrated Design

Goals & Objectives

GOAL 3: Enhance multi-modal connections throughout the district

Objectives

- Improve pedestrian and bicycle connections, safety, and comfort
- Improve transit connectivity and access
- Improve driver safety in the corridor; meet State and City mobility targets; protect freight mobility; balance access to properties with transportation function

Goals & Objectives

GOAL 4: Create an aesthetically pleasing gateway to the City of McMinnville

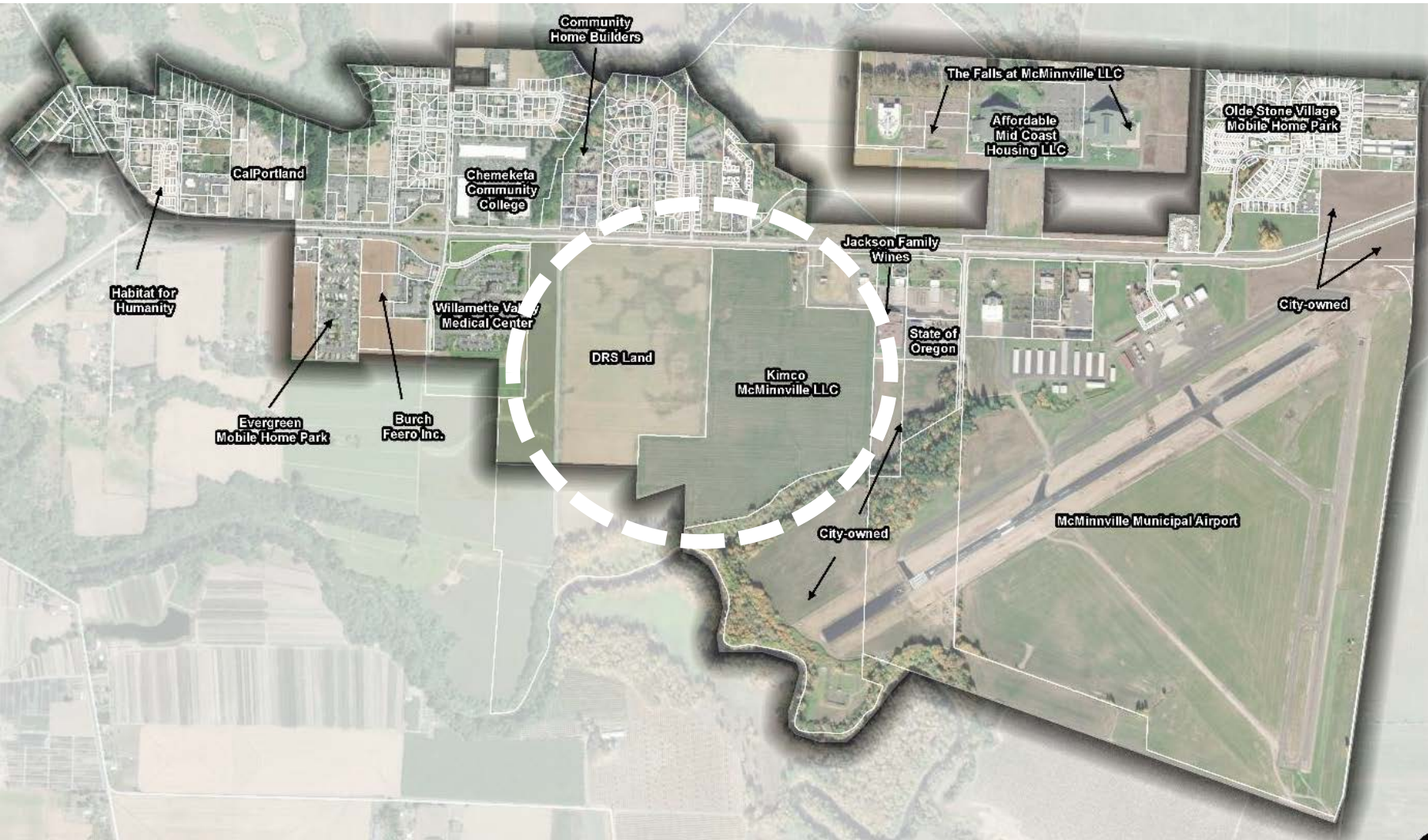
Objectives

- Gateway feature that can be enjoyed from multiple vantage points
- Development opportunities and streetscape improvements
- Cohesive design language
- Context-appropriate landscape design – create a buffer to the highway, human scale, sense of place

Goals & Objectives

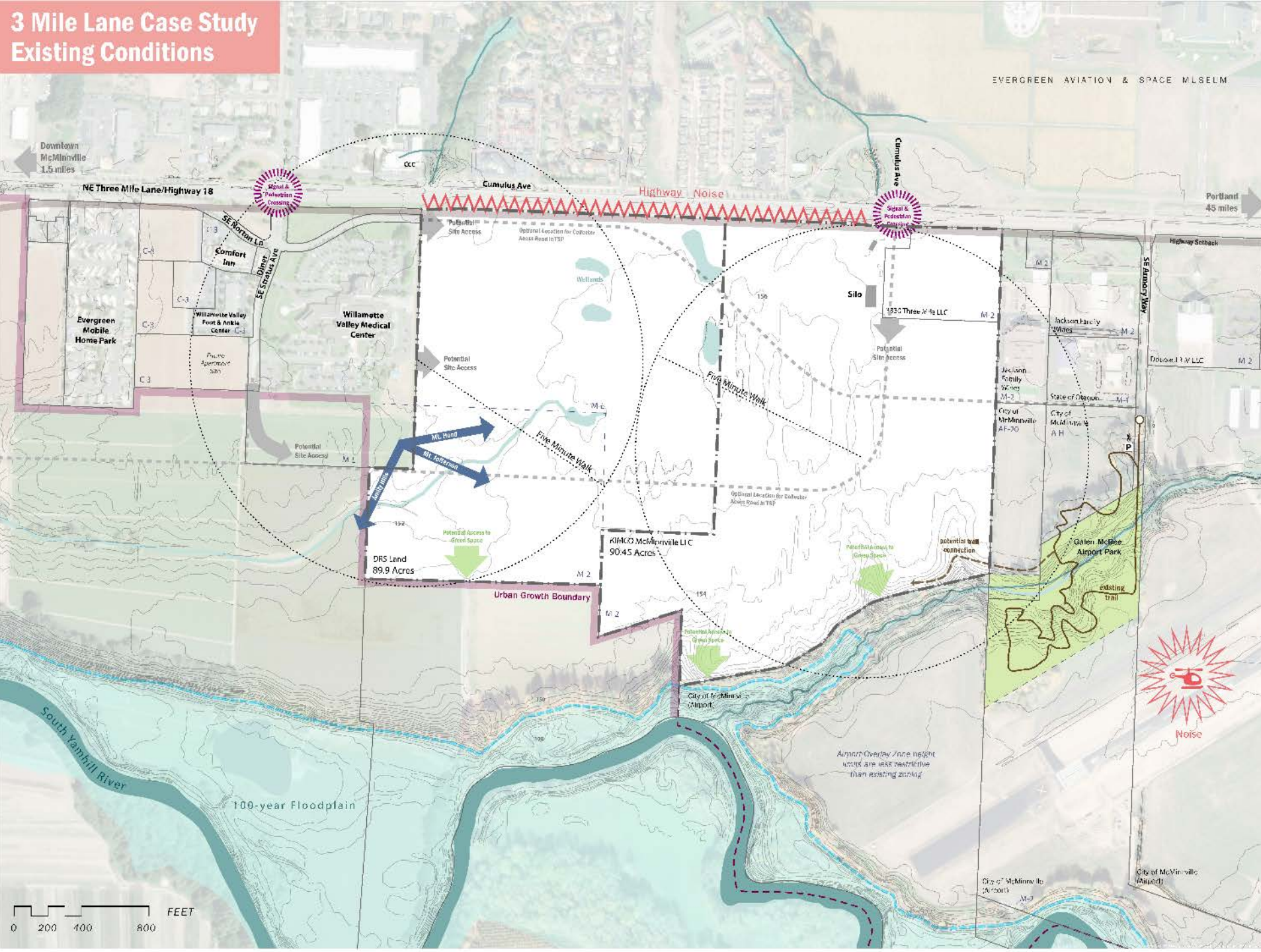
- *Are your hopes for the area reflected in the vision statement, goals and objectives?*
- *Do the proposed goals adequately support the vision statement? Will the associated objectives help the community achieve the vision?*
- *Are there any important aspects that are missing from the goals and objectives?*
- *Is there anything included that isn't helpful in achieving the desired future expressed by the vision statement?*

Redevelopment Case Study



- Market / design study for large, undeveloped sites
- Will include:
 - Potential building programs
 - Conceptual site studies
 - Preliminary development pro forma

3 Mile Lane Case Study Existing Conditions



Redevelopment Case Study: Existing Conditions



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

MEMORANDUM

DATE: November 8, 2018

SUBJECT: THREE MILE LANE AREA PLAN (3MLAP) – PUBLIC INVOLVEMENT STRATEGY

Background

This project will develop an Area Plan for the Three Mile Lane corridor in McMinnville (approx. 1340 acres, see attached maps), updating the 1981 Three Mile Lane Overlay District and the 1996 Highway 18 Corridor Refinement Plan, integrating land uses (residential, industrial, commercial, tourism, hospital and airport) and a multi-modal transportation system (vehicular/bike/ped/transit) that serves both local and state transportation needs and provides active connectivity amongst the land uses on the Three Mile Lane corridor as well as with the city center. The area plan will also provide a vehicle to maximize the opportunities for job creation, housing, and resiliency planning in the corridor by leveraging the land assets to their highest and best use for affordable housing, industrial development, tourism development, opportunities for hospital- and airport- related activities, and gateway improvements.

Three Mile Lane is a corridor of mixed land uses (high density residential subdivisions, community college, hospital, roadside commercial, regional tourism commercial, industrial, office campus and airport). However the uses are disparate and are not connected very well with each other or with the city center with a multi-modal transportation system. With the aide of a consultant team and a Project Advisory Committee, this project will review the 1981 Three Mile Lane Overlay District, the 1996 Highway 18 Corridor Refinement Plan, and the 2010 McMinnville Transportation System Plan evaluating whether or not the proposed transportation scenarios are adequate for the evolving land uses, and develop new scenarios if necessary that ensure there are multiple connections amongst the land uses for enhanced mobility, and an unified local road network that allows for a variety of transportation options connecting the Three Mile Lane land uses to each other and the City Center.

In simpler terms, this Area Plan should set the stage for how this area should build out in the future, and the infrastructure that we need to plan for including roads, bicycle and pedestrian paths, sewer and water) to support that build out and ensure that all of the different uses are optimally connected with each other in a safe and convenient way as well as with the city center.

The City of McMinnville hopes to achieve, through a comprehensive public process, the development of an area plan for the Three Mile Lane district that depicts the future vision for the area in such a way that it:

- Integrates housing, economic development, tourism opportunities and gateway developments in a way that complements each other and creates enduring value for future generations.

- Leverages the land-use opportunities of Three Mile Lane for economic development opportunities so that the combined energies of the tourism destination of the Falls Event Center, the Hospital, the Commercial / Industrial District and the Airport all complement and reinforce each other's potential.
- Creates a transportation network that serves both the north and south side of Highway 18 in the Three Mile Lane corridor that connects the business community, the hospital, residential neighborhoods, and tourism amenities with the City Center and downtown McMinnville through attractive local roads, bicycle/pedestrian trails, and transit.
- Ensures that future development serves the community of McMinnville to its highest and best standards.
- Defines Three Mile Lane as a gateway to McMinnville.

ISSUE: Due to the age of the governing plans, the design and plans for a multi-modal transportation system connecting the land uses within the area and with the city center is limited. Local road connectivity across the Yamhill River is dependent upon the crossing at Yamhill River bridge. Freight connections from Highway 18 to the McMinnville Industrial Park is cumbersome. Bicycle and pedestrian infrastructure is fragmented. Transit opportunities are accommodated but not well integrated. Since the adoption of the overlay district and the corridor refinement plan, the Evergreen Campus has been developed, the local hospital was constructed, Chemeteka College expanded its campus and presence in McMinnville, several affordable housing developments have been constructed or are under construction. The existing development is comprised of many different land uses that are not connected very well with each other or with the city center. Most uses are dependent upon the highway for access as the frontage roads on both side of Highway 18 are fragmented. McMinnville will need to identify how to connect all of these different land uses and interests both literally with transportation infrastructure but also with a holistic vision as the area grows into its potential.

With several large tracts of undeveloped land and the recent large business investments in this area, Three Mile Lane is poised for the most growth potential of any district in the city. As this corridor develops into a tourism attractor with the Wings and Waves Water Park, the Space and Aviation museums and the new planned hotel and conference center developments, there is also an opportunity to define this corridor as a gateway to McMinnville with urban design amenities associated with the transportation system and future planned transportation improvements. An area plan will provide a vehicle to maximize the opportunities for job creation, housing, and resiliency planning in the corridor by leveraging the land assets to their highest and best use for affordable housing, industrial development, tourism development, hospital expansion, airport expansion and gateway improvements. It will then allow for the City of McMinnville and ODOT to review the 1996 Highway 18 Corridor Refinement Plan and ensure that it meets all of the local, regional and state needs of the area for transportation infrastructure.

OPPORTUNITY: Large property owners in the study area are posed to make significant investments in their properties but are interested and willing to work with the community and the City of McMinnville on developing an Area Plan to ensure that their investments serve the long-term needs and goals of the community. Without the Area Plan, and the resulting refinement of the overlay district and corridor refinement plan, the City may lose the opportunity to partner with these large property owners on infrastructure investments that will further the goals of the community in terms of integrating the lands uses and transportation systems in this area to serve future generations with multi-modal transportation choices.

EXPECTED OUTCOMES: In addition to the planned deliverables of an Area Plan with zoning ordinance and comprehensive plan amendments, it is expected that this project will allow for more land use efficiencies, strategic and targeted job creation, tourism investment opportunities, mixed use neighborhoods with affordable housing, multi-modal transportation choices, connectivity to the city center, enhanced freight mobility, resiliency planning connecting medical services with residential neighborhoods, and gateway urban design place-making.

This project will produce the following deliverables: 1) a Three Mile Lane Area Plan (3MLAP) adopted by the City of McMinnville with an articulated vision for the area, goals and objectives, performance metrics and a recommended implementation plan; 2) amendments to the Three Mile Lane Overlay District with design and development standards; 3) Comprehensive Plan Map Amendments; 4) zoning ordinance text amendments relative to the tourism commercial zone and potentially the creation of an airport zone; and 5) potential amendments to the 1996 Highway 18 Corridor Refinement Plan and the 2010 McMinnville Transportation System Plan if needed.

Purpose of Public Involvement

Public involvement is the hallmark of good community planning. The intent of the project is to establish broad public engagement throughout the project as work occurs. The City of McMinnville and consultant team will solicit public input after presentations of initial findings and before conducting work. The project will rely on a Project Advisory Committee to review draft products and provide input at key points (e.g. before recommendations and decisions are made and before draft work products are finalized). The project, requires many assumptions that need to be vetted and agreed upon, as well as many policy choices that will affect current and future residents. In short, local review and community input are essential to developing policy approaches that are locally appropriate and politically viable.

Public Involvement must allow the community an opportunity to fully engage in the 3MLAP planning process. City shall consider, and work with Consultant to address "environmental justice" issues; "environmental justice" is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. "Fair treatment" means that no group of people, including a racial, ethnic, or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies. "Meaningful involvement" means that: (1) Potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and health; (2) The public's contribution can influence the regulatory agency's decision; (3) The concerns of all participants involved will be considered in the decision making process; and (4) The decision makers seek out and facilitate the involvement of those potentially affected.

The public involvement program must include specific steps to provide opportunities for participation by federal Title VI communities. City and Consultant shall utilize the ODOT Title VI (1964 Civil Rights Act) Plan guidance to identify Title VI populations, formulate public involvement strategies, and report outreach efforts to, and participation by, Title VI communities.

Public Involvement Strategy

The Three Mile Lane Area Plan Public Involvement Strategy is focused on three primary components: 1) Project Advisory Committee; 2) Public Outreach; and 3) Online Project Website.

Project Advisory Committee

This project will utilize a Project Advisory Committee to inform the final product. The Project Advisory Committee will consist of a Citizen Advisory Committee (CAC) and Technical Advisory Committee (TAC).

The purpose of the Project Advisory Committee is to
:

- Review draft work products, advise on public involvement, and consider public input when making recommendations
- Advise the project team on matters regarding land-use needs, economic development opportunities, transportation needs and other issues relative to the area plan.
- Work collaboratively with, and provide guidance to, the staff and consultant project team in the preparation of the Three Mile Lane Area Plan
- Review, provide input on, and recommend a draft Three Mile Lane Area Plan to City Council and Planning Commission.

Citizen Advisory Committee

The CAC should be comprised of a representative snapshot of the City of McMinnville's demographic profile, with every effort made to include representative age groups, income levels, cultural identities, etc., living and working within the community. To this end, the City has sought out advisory committee members that represent one or more of the following:

Accessibility Advocates
Active Transportation Advocates
Architects or Developers
Property Owners and Business Owners
Business Owners
Chemeketa Community College
Transit Riders or YCTA Board Member
Planning Commission
City Council
Linfield College
School District
Housing Advocates
Senior Citizens
Working Professionals
Young Adults
Youth
Latino Representatives

Technical Advisory Committee

The TAC should be comprised of technical advisors from the City of McMinnville (City Engineering, Public Works, Planning and Parks Divisions), Oregon Department of Transportation, Yamhill County Transit Authority, Oregon Department of Land Conservation and Development, Public Safety Representatives, and Bicycle and Pedestrian Representatives.

Exhibit 1. Project Advisory Committee Members

Citizen Advisory Committee (CAC)	
REPRESENTING	
Planning Commission	Christopher Knapp Lori Schanche
City Council	Zach Geary Scott Hill Wendy Stassens
Property and Business Owners	Robert Banagay – Business Owner Danielle Hoffman, Chemeketa College Peter Hoffstetter, Willamette Valley Medical Center Stewart Kircher, Property Owner Chris Norville, Airport Manager Alan Roodhouse, Property Owner Chris Shelby, Business, Property Owner Mary Stern, Habitat for Humanity
Partner Stakeholders	MEDP – TBD Courtney Cunningham – Local Business Ken Denier – Urban Design, Architect Alan Fox – McMinnville Resident Phil Frischmuth – McMinnville Resident David Hayes – McMinnville Resident Galen McBee – Active Transportation (Bike.Ped) Sandy Rabe – McMinnville Resident Danielle Zemlicka – McMinnville Resident
Technical Advisory Committee (TAC)	
Planning Staff	Heather Richards – Co- Lead Jamie Fleckenstein – Co-Lead
Engineering Staff	Mike Bisset, City Engineer
ODOT	Michael Duncan, Senior Region Planner, Project Manager Daniel Fricke, Area Planner Keith Blair, Traffic Analyst Dorothy Upton, Traffic Analyst Jenna Berman, Active Transportation Liaison Kristie Gladhill, Planning Analysis (TPAU)
DLCD	Angela Carnahan, Regional Representative
YCTA	Cynthia Thompson, Executive Director

Project Management Team

The Project Management Team (PMT) will be comprised of City and Consultant Staff as shown in exhibit below.

Exhibit 2. Project Management Team Members

Agency/Firm	Individual	Role and Responsibility
City of McMinnville	Heather Richards	Co-Lead, Project Manager
City of McMinnville	Jamie Fleckenstein	Co-Lead, Project Manager
Oregon Department of Transportation	Michael Duncan	Project Director
Angelo Planning Group	Darci Rudzinski	Lead, Project Manager
Angelo Planning Group	Andrew Parish	Project Director
Andrew Mortensen	David Evans Associates	Project Support
Chris Zahas	Leland Consulting	Project Support
Ken Pirie	Walker Macy	Project Support

The City shall issue press releases, place advertisements in media, process and send mail and e-mail, place articles and announcements in City publications, identify stakeholders and conduct similar activities to support public involvement efforts for the Project. Consultant shall prepare text and graphics for public involvement material, as more particularly specified in the Statement of Work ("SOW").

City shall provide for Spanish translation of key outreach materials throughout the Project.

External Communications Protocols

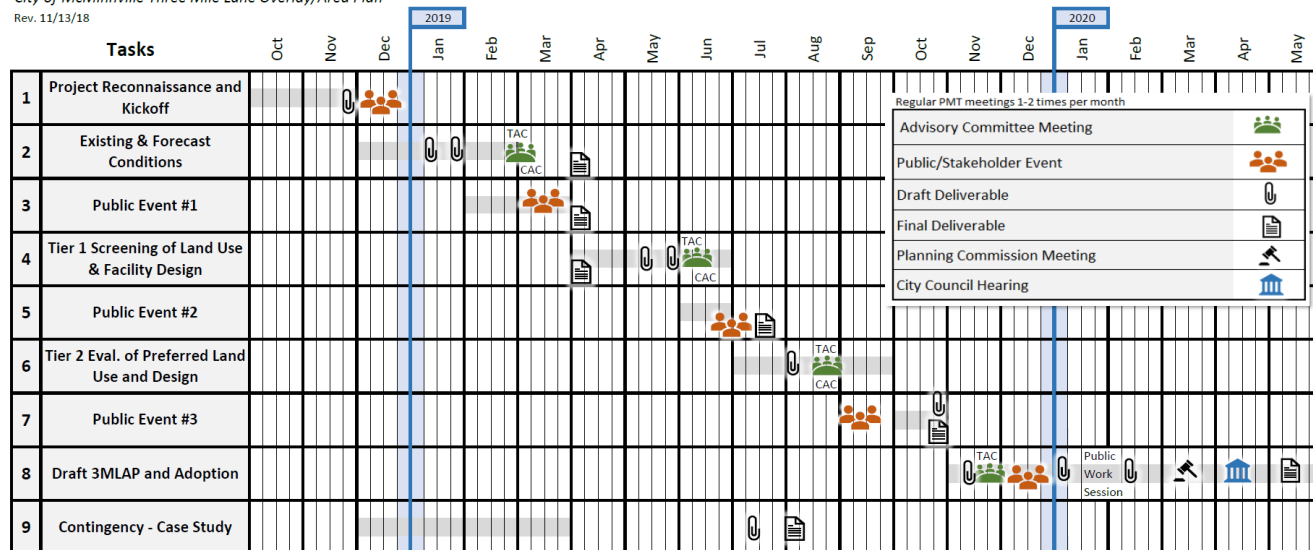
Heather Richards from the City of McMinnville is the city's project manager. Any external communications (e.g., community members, industry representatives, media, et.) will be routed through Heather Richards.

Public Outreach

Public Open House Workshops

The City expects to host three public workshops per the following project schedule. These projects will both inform on project progress and solicit input for decision-making milestones and community aspirations for the area.

City of McMinnville Three Mile Lane Overlay/Area Plan
Rev. 11/13/18



Focus Group Interviews

The project will host three focus group interviews with stakeholders to identify key issues of concerns, obtain input on vision and goals, and solicit input on how their organizations want to be involved in the project. One of these focus groups must represent organizations, agencies or institutions that serve Title VI populations in the study area. Other focus groups will represent the development community and Study Area stakeholders.

Broader Public Engagement

The project will include additional means of informing and engaging the community: The City of McMinnville will utilize its social media network to help communicate the progress of the project to the general public. The City has a presence on a blog website, facebook, Instagram and twitter under the moniker of McMinnville Matters.

Project Website

Project website. The consultant team will develop a project website to provide project information to the public. Threemilelane.com



City of McMinnville

[ABOUT THE PROJECT](#) [LATEST NEWS](#) [PROJECT DOCUMENTS](#) [GET INVOLVED](#) [CONTACT US](#)

threemilelane.com



City of McMinnville
Planning Department
231 NE Fifth Street
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MINUTES – Exhibit 1a

July 18, 2019
Planning Commission
Regular Meeting

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

Members Present: Chair Roger Hall, Commissioners: Erin Butler, Martin Chroust-Masin, Susan Dirks, Christopher Knapp, Gary Langenwalter, Roger Lizut, Amanda Perron, and Lori Schanche

Members Absent: None

Staff Present: David Koch – City Attorney, Heather Richards – Planning Director, and Tom Schauer – Senior Planner

1. Call to Order

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

2. Citizen Comments

None

3. Public Hearings

A. Quasi-Judicial Hearing. ROSTR 6-19 (Resident Occupied Short Term Rental) (Exhibit 1)

Request: Approval to allow for the operation of a resident occupied short term rental establishment within an existing residence.

Location: The subject site located at 331 NE 7th Street, and is more specifically described as Tax Lot 13100, Section 21BB, T. 4 S., R. 4 W., W.M.

Applicant: Heather Jordan

6:31 Chair Hall said the applicant had withdrawn this application.

B. Quasi-Judicial Hearing. ZC 3-19 (Zone Change) & S 2-19 (Subdivision) (Exhibit 2)

Request: Approval to rezone the property from R-1 (Single-Family Residential) to R-3 (Two-Family Residential), and approval of a tentative subdivision plan, to allow for development of a 17-lot single-family residential subdivision.

Location: The subject site is located off NE Newby Street, between NE Grandhaven Dr and NE 27th St, and is more specifically described as Tax Lot 1100, Section 09DC, T. 4 S., R. 4 W., W.M.

Applicant: Leonard Johnson

6:31 Opening Statement: Chair Hall read the opening statement and described the application.

6:36 Disclosures: Chair Hall opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Hall asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none. Chair Hall asked if any Commissioner had visited the site. If so, did they wish to discuss the visit to the site? Several members of the Commission had visited the site, but had no comments to make on the visits.

6:37 Staff Presentation: Senior Planner Schauer explained the property was 2.93 acres located on NE Newby Street. The requested zone change was to change the zoning from R-1 to R-3 and the proposed subdivision was for 17 lots intended to provide lots for 15 single family detached homes and two single family attached homes. No additional written testimony had been received since the packet was prepared. He reviewed the criteria for the zone change. There was another property zoned R-3 that was across the street to the east. Everything in this area was residential zoning. In the code it stated when the proposed amendment concerned needed housing as defined in the Comprehensive Plan, criterion B would not apply to the rezoning of land designated as residential. In addition the housing policies in the Comprehensive Plan would be given added emphasis and the other policies in the plan would not be used to exclude or discourage needed housing. The definition of needed housing was all housing on land zoned for residential use or mixed residential and commercial use that was determined to meet the need shown for housing within an Urban Growth Boundary at price ranges and rent levels that were affordable to households within the County with a variety of incomes and included detached and attached single family housing. Since this application dealt with needed housing, they only had to look at criterion A and C, however the application would have met criterion B anyway. He discussed the applicable policies in the Comprehensive Plan including housing and residential development and where R-3 should occur. The areas where R-3 should be located were those areas not committed to low density, had a proximity to collector and arterial streets, no topographical constraints or poor drainage, existing public facilities with adequate capacity, proximity to public transportation, and provided opportunities for buffering low density areas. There were transit lines, commercial centers, and public open space nearby. Utilities and services were also nearby and adequate to serve the site. Staff recommended the Commission recommend approval of the zone change to the City Council with no conditions. He made one revision to the background information.

Senior Planner Schauer then discussed the subdivision application which was conditioned on the approval of the R-3 zone change. The proposal was for 17 lots, 15 single family detached homes and two single family attached homes. The property was generally square in shape and Buel and Hoffman Streets were stubbed to the property. Buel was a residential street that was 26 feet curb to curb and had a planter strip and street trees. Newby was a local street that connected between Grandhaven and 27th and was 34 feet curb to curb with curb tight sidewalks. Based on the existing development patterns, there was no option to provide street connections to the west or south. He then described the proposed layout of the subdivision. There would be

a new street connection to Buel and aligning with Hoffman. It would be a 28 foot cross section with planter strip and street trees on both sides and sidewalks behind them which was the current local street standard. Lots 3 and 4 were the lots for the attached housing. Lot 13 would have access by an easement that crossed Lot 14. He reviewed the subdivision criteria. One of the key issues on the site was that it was bisected by a natural drainageway that ran west to east. The applicant proposed to pipe it and reroute it within the public street. In order to do that, there had to be a review to see if there were any wetlands or jurisdictional waters that would be subject to permitting by the US Army Corps of Engineers and Department of State Lands. The first review was to look at the national wetland inventory which showed a rivering wetland and that led to the applicant doing a wetland delineation on the property. They found there were no wetlands, but there were 3,900 square feet of jurisdictional waters. They did not know yet if those could be mitigated off site. Before any development could occur, the applicant would need to get authorization to do the off site mitigation. While the Comprehensive Plan had provisions for the preservation of natural drainageways to the extent practical, this was the end of the open drainage and was an intermittent drainageway. Staff recommended deferring to the Department of State Lands and Corps of Engineers to determine whether the condition could be met. The standards for the street and lot layouts were met. The land division standards could be met through standardized conditions. The standards for the R-3 zone were met as well. There were some standards for providing solar access to lots. The applicant had done this to the extent possible by making half of the road going east to west. Staff thought the criteria had been satisfied with the conditions of approval in the staff report and recommended approval. He explained the revisions to the decision document including some repetitive language that needed to be deleted in the background information, clarification of Condition #22 that the street standards only applied to the new street, and revision to Condition #25 that access for Lot 13 did not have to be built to the same structural standard as a private street, but could be a driveway with a ten foot paved section within a 15 foot easement. The findings had been changed to reflect the changes to the conditions.

7:07 Commission Questions: Commissioner Langenwalter pointed out in the staff report the jurisdictional waters were listed as .7 acres instead of .07 acres. He referred to the subdivision decision document in the "other requirements" section, #27 said the applicant shall provide 25% of the single family lots for sale to the general public. He thought there were ways the applicant could get around that and he suggested adding a condition that the pricing of those lots be equivalent to the land value of the homes being built by the applicant. This would allow for a continued level playing field.

Commissioner Dirks said sometimes the conditions included the applicant submitting an architectural design book of the subdivision to the Planning Department. Was there a reason that was not included? Senior Planner Schauer stated the applications where that condition was included was for planned developments, and this was not a planned development.

Commissioner Dirks asked about the location of the jurisdictional waters. Was it a problem to move the water to pipes that would go under the street? Senior Planner Schauer clarified where the waters were located and how it would be piped to the street. It would be reviewed by the Engineering Department to make sure it was consistent with City standards.

7:16 Applicant's Testimony: Ron Pomeroy, representing the applicant, said this was a straightforward zone change and subdivision application. It would provide 17 new single family residential lots in town. It was in close proximity to commercial, an elementary school, and a park and would provide the last missing transportation link in this area. He discouraged the Planning Commission from adding a condition regarding the pricing of the lots as there should be a

broader policy discussion about the City getting involved in private pricing. They were in support of all of staff's conditions as amended. He requested approval of the applications.

Commissioner Dirks asked what the square footage and price point for the homes would be. Leonard Johnson, applicant, answered the homes would be 1,300 to 1,800 square feet and as many single stories as possible. The price range would be market driven.

Commissioner Butler asked why they were only doing two attached single family homes. Mr. Pomeroy explained it had to do with lot size and design of the subdivision. It offered a variety of housing in the neighborhood.

Commissioner Butler asked if this was the densest they could build for R-3 on this lot. Mr. Pomeroy stated they had not looked at what the densest design could be, however he did not think it could be much denser than what was proposed.

Public Testimony:

7:23 Proponents: None

7:23 Opponents: Kelly Bird, McMinnville resident, lived on the west side of this lot and his property directly abutted this property. This used to be an untamed natural area. He asked if any two story homes were going to be built directly abutting his property. He did not want people looking directly down into his backyard. He would prefer any homes on the west side be limited to single story dwellings. He was also concerned about the headlights shining onto his property from cars coming into the development.

Commissioner Schanche said the applicant had shown that the two stories were on the north side of the property.

Vanessa Hadick and Jason Petredis, McMinnville residents, said their property also abutted this property on the northwest side. They received notification of this hearing in the mail on July 2 and had gone to the Planning Department to look at all of the documents. The narrative was not available until the packet was posted online. They asked if this was something they should have access to earlier or should they have specifically asked for it. It would have been nice to have more time to review it.

Planning Director Richards explained the narrative was done by the applicant and should have been in the file. Senior Planner Schauer thought it might be because there were two folders, one for the zone change and one for the subdivision. Mr. Petredis clarified he had only seen one folder.

Ms. Hadick was also concerned about privacy, and thought there should be privacy screening. There was not arborvitae around all four sides of the property line. Mr. Petredis said another concern was safety due to increased traffic flow onto Grandhaven. There was a slight curvature where Buel connected to Grandhaven and across the street was the school where the buses made turn arounds. There was no safety crosswalk there. People parked on both sides of Grandhaven during pick up and drop offs and other school activities. It was dangerous for those on Buel turning onto Grandhaven because visibility was decreased. More traffic flow would only exacerbate the problem. Regarding the open drainage, the Storm Drainage Master Plan stated open waterways needed to be kept open and had specific criteria for where it opened and where it went back to daylight. Whenever they piped water, it increased the velocity and flow of the

water which had a cascading downward effect. He thought downstream neighbors would have an issue with that.

Senior Planner Schauer said typically an applicant submitted a set of drawings showing the proposed piping that were reviewed by the Engineering Department.

Planning Director Richards said there were a number of conditions applicants had to meet, and those for engineering were done after the land use decision was made but occurred before an applicant could move forward with any infrastructure improvements.

Mr. Petredis said it was a natural waterway and not seasonal as there was always water there. Ms. Hadick said it was discouraging to think this was one of the few remaining natural resources that existed on this property and it would be piped and covered. There were no plans to include green space in this subdivision.

Mr. Petredis asked about the solar access reference. He mentioned an article by Dr. Joshua Rhodes regarding the best orientation for solar access. Senior Planner Schauer explained the standard in the code.

Ms. Hadick said if east-west was the best orientation to maximize solar exposure, only half of the proposed street was east-west. Instead they could have two cul-de-sacs that were facing east-west and would maximize solar output and potentially provide an easement for the open waterway.

Mr. Petredis asked that a temporary privacy fence be put up along the property boundaries during construction and to add a condition that the primary ingress and egress for all construction activity be from Newby and not Buel.

Commissioner Schanche asked about the lack of a crosswalk by the school. Mr. Petredis stated it was a high traffic area during peak times and there were kids out with no designated crosswalk.

Ms. Hadick thought they should add the condition regarding the pricing for the homes.

7:42 Rebuttal: None

7:42 Chair Hall closed the public hearing.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

7:43 Commission Deliberation: Commissioner Dirks suggested adding a condition to put in temporary fencing and to use Newby as the primary access during the construction period. She also suggested adding to Conditions #10, 11, and 12 to ask the Engineering Department to look at the problems with the water eroding downstream or potential problems the new drainage system might cause downstream.

Planning Director Richards clarified they wanted to ensure that when Engineering reviewed the stormwater plan, that they needed to look at what was occurring downstream as well. She was not sure if looking downstream was part of the Storm Drainage Master Plan standards and they could amend the conditions.

City Attorney Koch wanted to make sure it was tied to specific criteria. Commissioner Dirks did not think it needed to go beyond what was required in the Storm Drainage Master Plan.

City Attorney Koch stated Condition #10 already captured what was required in the Storm Drainage Master Plan. Planning Director Richards added that all of the City's plans and policies related to waterways and how they were impacted by development were reviewed by the respective state agencies that oversaw those waterways and were responsive to federal regulations.

Senior Planner Schauer said the drainage would be diverted into storm drainage pipes and be discharged into an existing pipe that opened up into a natural drainage area. He thought anyone with concerns about downstream issues of erosion related to velocities could discuss them with Engineering.

Commissioner Schanche said the applicant would not be able to build this unless the state approved.

Planning Director Richards said the Department of State Lands would look at the impact of the development to the waterway and the other lands that would be affected by the waterway.

Commissioner Dirks thought the proposed conditions covered these concerns.

City Attorney Koch said when the Storm Drainage Master Plan was put together they mapped out the existing flow rates for this water basin from where the water flow began to where it flowed to the next water basin. Each of the major basins had been broken into sub basins and this flowed through four different sub basins. There were projections for future flow as well. When the applicant submitted their plans to Engineering, they would have to demonstrate that their stormwater plan would not increase velocity or volume of the water that would have normally been deposited off of the property based on the modeling that had been done.

Commissioner Perron clarified the water was piped into the property and then piped out of the property. She thought some of the path of the water or the shape of the land had been influenced by that fact. She did not see it as a waterway in its natural shape because it had a pipe terminus on each end. There could be things put in place to mitigate the risks that came with piping water.

Senior Planner Schauer said the applicant was getting water from point a to point b through a defined route that would go through the street into the point of discharge that was already there. The question would be if there were issues with the cumulative impacts of what was there now and what was proposed. They did not want to increase flows that increased velocity and created more stream erosion. If it was problematic, mitigation would be identified.

Commissioner Langenwaller suggested adding a condition that permanent evergreen be planted on the west and north boundaries for privacy screening.

Commissioner Dirks asked if they could add a condition for open space.

Planning Director Richards said no, the standards did not require open space. Regarding the screening, they would need to know the zoning ordinance criteria or Comprehensive Plan policy for that condition.

Commissioner Langenwaller withdrew his suggestion.

Based on the findings of fact, conclusionary findings for approval, materials submitted by the applicant, and evidence in the record, Commissioner Langenwaller MOVED to RECOMMEND

the City Council APPROVE ZC 3-19. SECONDED by Commissioner Lizut. The motion PASSED 9-0.

There was discussion regarding possible landscape buffering from the low density residential. Planning Director Richards said they would let the Council know this was a concern of the Planning Commission and if there was a way to recommend something outside of what was voted on tonight, staff would add it to the recommendations to Council. They were not able to include a condition for construction buffering or using Newby as the construction access, although she thought the applicant would be willing to use Newby as the access.

Commissioner Langenwalter was willing to withdraw the idea for a condition regarding the pricing of the homes, however he would like it to be a conversation in the future.

Based on the findings of fact, conclusionary findings for approval, materials submitted by the applicant, and evidence in the record, Commissioner Butler MOVED to RECOMMEND the City Council APPROVE S 2-19 subject to the conditions of approval provided in the decision document and amendments made by staff at this meeting. SECONDED by Commissioner Perron. The motion PASSED 9-0.

8:10-8:18 The Commission took a short break.

C. Legislative Hearing. G 3-19 (Zoning Ordinance Amendment “Floating Zone)” (Continued from June 27, 2019) (Exhibit 3)

Request: Amendment to the McMinnville Zoning Ordinance to add a new Section, Chapter 17.49: Innovative Housing Pilot Project Floating Zone. This amendment would establish provisions for the Innovative Housing Pilot Project Floating zone, but it would not rezone any properties. It would establish a designated eligibility area. Only property owners within this area would be eligible to apply to have the floating zone designation applied to a property through a future land use application, which would require a separately noticed public hearing process.

Applicant: City of McMinnville

8:18 Opening Statement: Chair Hall read the opening statement and described the application.

8:18 Disclosures: Chair Hall opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

8:19 Staff Presentation: Senior Planner Schauer said this was a continuation from the hearing in June. The proposal would add a chapter to the zoning ordinance to create a Floating Zone. There was a map with the eligible boundaries for the designation and a Request For Proposals process for projects to address housing needs. If a project was successful, a neighborhood meeting would be held, an application would be submitted, and the designation would be applied to the property. There would be up to two pilot projects and the property owner and applicant would be requesting the designation. This idea came from the Affordable Housing Task Force to make progress on some vulnerable populations including seniors, veterans, unaccompanied youth, and victims of domestic violence. They were looking at an area that included industrial land because there was a deficit of residential land in the City but there was some surplus of industrial land. This was a way to respond to a critical need, but not through a process that would

waive standards and respond without considering the impacts. They wanted to ensure there would be high quality development and management of a transitional housing project. He discussed how this was consistent with the Comprehensive Plan in the economy, housing, transportation, and citizen involvement policies. There was a lot of unmet need for the lowest income residents in the community. Siting needed to occur near transportation and the transitional housing and services could be located on the same site. In looking at the consistency with the zoning ordinance, they had to look at the purpose of the ordinance and any applicable chapters. This would be a new chapter in the ordinance. There would also be design development standards to mitigate conflicts. The testimony that had been heard so far had to do with conflicts between residential and industrial uses, concern the industrial area should remain industrial, question if there were any feasible sites in the eligible area, how any mitigation should be done by the non-industrial property, avoidance of nuisance law suits by having an applicant sign a covenant that declared the right to the adjoining industry to continue their normal practices, and concern that there had been a neighborhood meeting to discuss a specific development proposal on a site within the boundary and how that application could go forward as a planned development application whether or not the floating zone was enacted. If the floating zone didn't go through, that application could still be submitted with the current zoning. Staff had provided a map that showed the existing businesses in the area, vacant sites, and those that were currently being marketed. Another letter had been submitted from a residential neighbor that asked if notice was sent beyond the minimum requirements. Since the last hearing, staff had sent notices to additional property owners who were bordering this area and received inquiries and one letter. The issues that had been brought up were mitigation of conflicts and approach to right to industry. Staff thought the applicable criteria were met. He asked the Commission if this was the best approach to address the policy objectives. There were suggestions for revisions at the last hearing and staff thought they should be added to the recommendation and reviewed by the City Attorney.

8:33 Commission Questions: Commissioner Chroust-Masin asked if they could limit the size of projects so it would not take a lot of industrial land. Senior Planner Schauer explained it was set up to only select two pilot projects. There was no acreage limitation currently.

Commissioner Langenwaller asked if they could use the 2019 homeless count figures. He also pointed out a spelling error in the staff report. Senior Planner Schauer said the homeless count numbers had not been published yet.

Commissioner Perron asked about the vacant properties that were listed. Senior Planner Schauer clarified they were properties for sale. The map showed the properties that were available for the floating zone designation.

Commissioner Butler asked if a property had to be vacant to apply. Planning Director Richards said someone could submit a proposal for a site with a building already on it to retrofit the building for a transitional housing project. It did not have to be a vacant property.

Commissioner Langenwaller asked what kind of public transportation was available on Riverside Drive. Senior Planner Schauer said that would be one of the considerations for the pilot projects, whether it was suitable in terms of transportation. Planning Director Richards said Yamhill County Transit Authority did not have a fixed route serving the industrial zone, but did set up relationships with housing projects that had need.

Commissioner Lizut asked if all of the vacant properties were owned by property owners or by an outside group or agency. One of the significant issues was only current property owners were allowed to participate in this program. Planning Director Richards said the pilot projects could

happen anywhere within the boundary. It was the property owner's choice to be part of the application, whether they were local or out of town owners.

Public Testimony:

- 8:43 Proponents: Mark Davis, McMinnville resident, was a member of the Affordable Housing Task Force. It was not a unanimous decision of the Task Force to forward the floating zone idea to the Planning Commission. They wanted to deal with the homeless issue in the community and there were three ways to go about it. They could try to find some residential land for a facility, although there was none available now and they would have to wait at least three years for the Urban Growth Boundary expansion. They could declare an emergency and put in a facility wherever they could. Staff had suggested the floating zone idea and it seemed the most reasonable as there was opportunity for public input and it could only happen if a property owner was willing to sign off on it. It also had an RFP process where proposals could be vetted to make sure there was someone to oversee the project and be responsible for it. He thought the suggestions made by the public at the last hearing were reasonable. There might be no proposals, but they wanted to see if it would work.

Marcie Rosensweig, McMinnville resident, was working with the Community Wellness Collective on solutions to homelessness. There was a housing and homeless emergency in the City. She was in favor of the floating zone, however she was concerned that they not make it look like a permanent zone when it was a temporary solution to a larger problem. She did not think it was fair to site two projects in this industrial area, for both the property owners and nearby residential owners. She would like to see it broadened to look across Highway 18 and at Booth Bend Road where there were other industrial areas. There needed to be more urgency from everyone around this issue. She gave an example of the unseen homeless who were working at jobs and living in their cars. Dustin Court and Marsh Lane were the tip of the iceberg. She asked that they proceed with this as expeditiously as possible. She did not think there needed to be interior landscaping with ten foot arborvitae for screening as it was expensive for a temporary shelter. This was a pilot project and emergency measure. They did not want to take over industrial land and make it residential land. She did not think this should be high quality development, but emergency development. She thought they should make sure that public lands could also be used for these types of projects if they were available.

Commissioner Chroust-Masin said they could not move the process along faster if there were no projects. Ms. Rosensweig thought there might not be any willing property owners in this area, and all of the industrial sites should be included. It would take some pressure off of this area and spread it around town.

- 9:02 Opponents: Rebecca Majors Thrash, McMinnville resident, had to deal with the homeless on Marsh Lane. They had trespassed on her property. She asked what security would be given to the home owners that abutted these project sites. She had concerns about the cleanliness, running water, and toilets needed by the future residents. Putting in something temporary wasn't going to help. Some homeless wanted money and to be left alone to do their drugs or drink their alcohol. She did not want it near her, and one of the vacant sites on the map was right next to her property.

Charlene McCreight, McMinnville resident, was sympathetic to this problem. She gave an example of a homeless person looking into her house windows and verbally abused her. She was concerned about safety and theft as people were also walking in her yard. She was also concerned about the property values and other people coming to these sites to make use of the

services. This was an area where property owners had been dealing with this for over a year and they were talking about bringing more people into the area to live.

Commissioner Perron asked about the kind of transitional housing they were talking about. This would be more of an apartment building style, not a campground. Planning Director Richards stated transitional housing was anything from 2 weeks to 2 years and for people who were trying to achieve permanent housing who were working and in case management. There was the ability to bring in shelters that were movable and temporary. The intent was that they would be managed by a service provider. It was never conceptualized as a campground that was not managed or a low barrier shelter. The reason for the landscaping and fencing requirements was for security and buffering so it would not decrease the value of nearby properties.

Ms. McCreight said if this did pass, they needed to be in contact with the Yamhill County Sheriff's Department because not all of the residents would abide by the rules.

City Attorney Koch reassured her that the McMinnville police would respond to emergency calls as well.

Aaron Orta, McMinnville resident, appreciated all of the work and thought that had gone into this. He was opposed because he didn't know what the projects might be. He also did not think this would be temporary, but the facilities would become permanent. In his previous job he drove to Dustin Court and was able to help some people and others did not want help. He did not think there was any planning for the logistics for how it would work and the agencies involved and it would fail.

Planning Director Richards said the way this program was written was the zone was an overlay to the underlying zone. If a project came in and built a residential building and was successful for 20 years, but the decision was made to take it back to the industrial zone and use the same building for industry, it would be able to revert back to industrial. There was a very specific order to the program and the logistical piece had been built into the system in terms of the RFP process. She then explained the RFP process and how the projects would be reviewed by a committee of community members to make sure this was the right project for McMinnville. No project could take place unless the land use allowed it. This was the first step in the process and the second step would be the RFP process. This had been in discussion for two years at the Affordable Housing Task Force and a lot had been put into it as a means to bring a solution to the table.

Tom Vale, Yamhill County resident, was a property owner in the industrial area. He thought this would not be temporary; it would be the same as rezoning the property. The rezoning to a residential use in the industrial area would have many problems including safety and loss of use of the property as it was originally designated. He questioned whether the property labeled #3 on the boundary map should be included in the eligible properties because of the Kelly McDonald project. Typically industrial and residential were separated because they were totally different uses. They were trying to solve a problem by creating another much larger problem. There had been a lot of effort to bring jobs and industrial land to the City. If the tables were turned and there was excess residential land, they would not move industrial proposals into residential.

Commissioner Knapp said if a property was assigned, the property owner had the right to take back their land at any time. Planning Director Richards said it was not a rezone, but adding an additional zone to the property. The industrial zone did not go away, but an additional zone was placed on the property. The property owner always had the right to revert back to the industrial zone. Regarding property #3, it was in the area. There was a suggestion that this program was

being put together to enable the project that was presented at the neighborhood meeting for that property to move forward. These were two entirely separate things.

Mr. Vale thought there was no set of circumstances where an investment would be made in the infrastructure to put forward anything that would fit the RFP they would be looking for that could be turned back to an economic use without many years going by to pay for that initial infrastructure investment. He still thought it would change the effective zoning of these properties.

Senior Planner Schauer read the proposed language regarding the removal of the floating zone designation which stated that the property owner could submit a written request to remove the floating zone from the property and no further action was required to remove the designation.

Mr. Vale said there would be a huge economic cost and the likelihood of it happening was slim. If one of these projects was his neighbor, it would affect how he could use his industrial property or safely operate it that would not change for a long time. The infrastructure needed for residential was a higher cost than what was needed for industrial use.

Gary Van Der Veen, McMinnville resident, asked if the floating zone would be transferable if the ownership changed. He was concerned that if there was a new owner, they could do something entirely different under the floating zone. Planning Director Richards said yes, the use stayed with the land and would transfer with ownership.

City Attorney Koch said if there were conditions of approval imposed when the floating zone was approved, and the ownership transfer would have to comply with the same terms and conditions that were originally approved. Any change in use would require a new application. They could state in the requirements that a change in ownership so long as they kept the same use could continue or a change in ownership required a new application.

Senior Planner Schauer said the way it was written now was that the project and the site would go together and be a good fit for the site. It was not a generic zone that could change uses over time. Any change would need to be reviewed.

Bob Emerick, McMinnville resident, owned property in the industrial area. He was concerned about the eligibility area and if there were criteria that established that to know what it really meant.

Senior Planner Schauer said the pilot projects in the floating zone limited the eligible number of projects to two. They would advertise the RFP and anyone in that area could apply. It would be a property owner partnering with an applicant for a project. He explained the RFP process and land use approval which included a neighborhood meeting and public hearing process.

Mr. Emerick was not opposed to this idea, but his business was a waste facility and could be viewed as a nuisance. That was why he had built it as far away from residential as possible. He was concerned about nuisance complaints and possible law suits with residential uses and how it could impact his business. Industrial businesses made a lot of noise and smells at all times of the day and night which were not conducive to residential use.

Planning Director Richards said the right to industrial use had been raised at the last meeting and the suggested language that had been provided to mitigate it would be included.

Commissioner Schanche said they wanted to have both uses exist and she thought anything on the edge of the industrial area would work. If this was passed, an industrial area owner would be included on the committee that would review the RFP projects.

Mr. Emerick agreed the edges would be the best location for this type of project as opposed to inside the industrial area. He wanted to make sure the existing businesses were protected as part of the criteria.

Andy Tyssen, Yamhill County resident, owned a business in this area. He thought this was a good program, but this was the wrong place. The City also needed to take care of its businesses. Businesses were making investments in the community and if they were going to allow programs like this in an industrial area it would affect property values. If they wanted to continue to build up the industrial area, this program would send the opposite message. He did not think this would be short term and it would be better done in a different area.

Alan Amerson, McMinnville resident, clarified the uses of the properties on the boundary map. He was not in favor of putting housing in an industrial area. There were not many properties in this area that would be available for this type of project. Also there was not much industrial land left and it needed to remain industrial. He thought it would be better to put these projects out by the airport or by the hospital.

Jeff Madison, Tigard resident, owned property in this area. He agreed with the comments made by Mr. Vale. He asked if the City had the ability to revoke the designation if the project introduced crime and complaints in the area.

City Attorney Koch said they could write in a condition that would address that. It would be at the discretion of the Planning Commission and Council to incorporate it in as a condition for the projects. The property owner had the right to be done with the zoning at any time. The question would be if a neighboring property owner was having problems with people breaking in to their facility and if they could complain to the City and the City in enforcing the conditions of approval could revoke it. That affect could be crafted into the ordinance.

Mr. Madison thought they should include a reasonable process for revocation and a complaint process.

Commissioner Chroust-Masin asked if they were tied to using this area only or could they explore other industrial areas. Planning Director Richards stated the area could be changed. They could also send this back to the Affordable Housing Task Force with the concerns that had been raised to see if they had a suggestion for a different area.

Commissioner Chroust-Masin thought they should make a condition that the sites only be on the fringes of the industrial area and not in the middle of the area.

Commissioner Langenwaller thought it should be left as it was and the location be part of the RFP scoring process.

10:05 Chair Hall closed the public hearing.

10:05 Commission Deliberation: Commissioner Langenwaller said many people were worried about crime. He thought the people who would be in the transitional housing would not be the kind of people who were using drugs and alcohol and doing crimes.

Commissioner Butler agreed. These were not the same people that were causing problems on Dustin Court and Marsh Lane. It would be those who had jobs and were living in their cars. Homeless numbers were going up because of domestic violence. She agreed this was an emergency and this program created an opportunity.

Based on the findings and conclusions, Commissioner Butler MOVED to RECOMMEND the City Council APPROVE G 3-19 as presented in Attachment 1 of the decision document. SECONDED by Commissioner Langenwalter.

Commissioner Dirks suggested amending the motion to add language that would protect industrial rights and add a revocation process.

Commissioner Chroust-Masin wanted to add another amendment, that only Parcels 1, 2, 3, and 7 be considered for this program.

Commissioner Butler did not agree with limiting the parcels for the program as that would be vetted through the RFP process.

Commissioner Lizut stated this was an outline for a process that looked like a good process to him. The property owner had to agree to the project, there would be 2 pilot projects, and there would be an RFP process to make sure the projects fit. He thought they should go forward with the program as it was written.

Commissioner Langenwalter suggested amending the motion to broaden the potential sites outside of the current boundaries to add the other industrial areas in the City.

Planning Director Richards said the reason this area was chosen was because of proximity to services. If they wanted to spread it to more industrial land they could.

Commissioner Chroust-Masin voiced concern that those other areas had not been notified and would not be able to testify on this issue.

Commissioner Butler thought they needed to stick with the current boundary area and if this program was successful, include other industrial areas. She also was not comfortable with adding more areas without notice.

Commissioner Langenwalter withdrew his suggestion.

Commissioner Butler agreed as the maker of the motion to the amendments made by Commissioner Dirks, to add language that would protect industrial rights and add a revocation process. Commissioner Langenwalter agreed as the second. The motion PASSED 9-0.

City Attorney Koch said this would go to the City Council in August.

4. Action Item:

A. MP 1-17 (Minor Partition) Approval Extension Request - (Exhibit 4)

Request: Approval of a request for an extension of a previously approved tentative partition plan (MP 4-17). The tentative partition was originally approved by the Planning Director on June 26, 2017. The applicant was not able to complete the required conditions of approval prior to submitting a final plat, and requested a one year

extension of the tentative partition approval on May 31, 2018. That one year extension request was approved by the Planning Director with a new deadline of June 26, 2019. Due to the original engineer hired to provide the improvement plans not completing the work required, the applicant was not able to complete the required conditions of approval, and has requested an additional extension of the tentative partition approval to June 26, 2020. The applicant has hired a new engineering firm to address the condition of approval requirements. Additional extensions beyond one year require the approval of the Planning Commission.

Location: The subject parcel is identified as Parcel 3 of Partition Plat 2001-35 and is also identified as Tax Lot 3402, Section 15, T. 4 S., R. 4 W.

Applicant: Bryce Roberts

10:18 Chair Hall introduced the application.

Planning Director Richards stated this was a request for an extension on a land use decision for a minor land partition. It was coming to the Commission after two years from approval because the property owner was working with an engineer on the project and there were some issues with the engineering firm being able to produce the product. The applicant had chosen to move on to a different engineer. Staff recommended approval.

Commissioner Lizut MOVED to APPROVE the additional extension of the tentative partition plan approval to June 26, 2020. SECONDED by Commissioner Knapp. The motion PASSED 9-0.

Commissioner Langenwalter asked that staff look into language for fair pricing for situations when there was a 25% allowance to make lots available to the public. The price should be no more than a similar house that the developer was building.

There was consensus for staff to look into the issue.

5. Staff Comments

10:22 Planning Director Richards said there would be a joint Work Session with the City Council and County Commission on August 21 to discuss the results of the Housing Needs Analysis and Buildable Lands Inventory and discuss next steps.

6. Adjournment

Chair Hall adjourned the meeting at 10:23 p.m.

Heather Richards
Secretary



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

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MINUTES – Exhibit 1b

August 15, 2019
Planning Commission
Work Session

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

Members Present: Chair Roger Hall, Commissioners: Erin Butler, Martin Chroust-Masin, Susan Dirks, Christopher Knapp, Gary Langenwalter, Roger Lizut, Amanda Perron, and Lori Schanche

Members Absent: None

Staff Present: Heather Richards – Planning Director and Tom Schauer – Senior Planner

1. Call to Order

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

2. Discussion Items:

Public Hearing Procedures - Review and Discussion

Staff and the Planning Commission discussed procedures for legislative and quasi-judicial hearings and applicable requirements for those hearings. There was also discussion about etiquette for how these meetings could be conducted. There was further discussion about applicable review criteria, findings, and conditions of approval. Conditions can only be applied if necessary to satisfy a criterion. For hearings in which the Planning Commission makes a recommendation to City Council, there is also an opportunity for staff to share information about the issues the Planning Commission identified questions or concerns about based on their review or public testimony, and for staff to speak with the applicant about the possibility to voluntarily consent or stipulate to conditions that may not otherwise be necessary to satisfy criteria.

There was also discussion about what options were available to the Commission if one or more Commissioners felt they needed more time to review issues, the record, or criteria to determine whether the application satisfied the criteria or if there was a need to review whether additional conditions might be necessary to satisfy the criteria based on testimony presented as part of the record and/or at the public hearing.

3. Adjournment

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

Heather Richards
Secretary



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MINUTES – Exhibit 1c

August 15, 2019
Planning Commission
Regular Meeting

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

Members Present: Chair Roger Hall, Commissioners: Erin Butler, Martin Chroust-Masin, Susan Dirks, Christopher Knapp, Gary Langenwalter, Roger Lizut, Amanda Perron, and Lori Schanche

Members Absent: None

Staff Present: Heather Richards – Planning Director and Tom Schauer – Senior Planner

1. Call to Order

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

2. Citizen Comments

None

3. Approval of Minutes

- **June 27, 2019 Planning Commission Minutes**

Committee Member Dirks moved to approve the June 27, 2019 Planning Commission minutes. The motion was seconded by Committee Member Schanche and passed 9-0.

4. Public Hearing:

A. Quasi-Judicial Hearing. Variance (VR 1-19) (*Exhibit 1*)

Request: Variance to the front yard setback of the R-3 zone from the required 15 (fifteen) feet to ten (10) feet to allow for the construction of a new porch.

Location: The subject site is zoned R-3 (Two Family Residential) and is located at 1032 NE Hembree Street. It is more specifically described as Tax Lot 12000, Section 16CD, T.4 S., R. 4 W., W.M.

Applicant: Hans Van Dale

Opening Statement: Chair Hall read the opening statement and described the application.

Disclosures: Chair Hall opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Hall asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none. Chair Hall asked if any Commissioner had visited the site. If so, did they wish to discuss the visit to the site? Several members of the Commission had visited the site, but had no comments to make on the visits.

Staff Presentation: Senior Planner Schauer stated this was a request for a variance to the setbacks in the R-3 zone to allow the construction of a new porch on Hembree Street. No public testimony had been received on this application. He described the subject site and history of the area. It had been an area of R-3 for many years, and at one point the setback had been reduced from 20 feet to 15 feet. Most of this area was developed prior to the R-3 zoning, so much the existing development doesn't meet the current standards of the R-3 zone, which requires greater setbacks and larger lot sizes. He explained how the existing porch would be replaced with a wider porch that would be covered and have a greater depth. He showed the location of the proposed porch relative to the property line, and described the applicable regulations for setbacks that apply to the porch and stairs. With the variance, the porch and stairs would be allowed to be five feet closer to the front property line, with the porch setback at ten feet and the stair setback at five feet from the front property line on Hembree. The applicant had provided photographs and information about the existing setbacks in the area which showed that several homes and porches did not meet the 15 foot setback. He then discussed the applicable review criteria. This area developed prior to the R-3 zoning which made many properties non-conforming. What was being requested provided for development that was comparable to what was existing in this area which was unique compared to other R-3 zoned areas. A variance runs with the land, but the conditions would tie the variance to the specific proposal, so it is not an open-ended variance to the front setbacks for development that is not part of the current proposed porch. The zoning ordinance requires work to be initiated within one year of the approval, or the variance becomes void. He also recommended revising Condition #1 to clarify the proposal involved a variance on Hembree and also for encroachment into the setback on 11th Street for a portion of the width of the porch. The proposed porch is not closer to 11th Street than the side of the existing house which is nonconforming, but the side of the porch would also encroach into that setback, as reflected on the drawings submitted by the applicant.

Applicant's Testimony: Hans Van Dale thanked staff for their help with this application.

The Commission complimented Mr. Van Dale's application.

Public Testimony:

Proponents: Mark Houston, Mr. Van Dale's neighbor, said this was an eclectic neighborhood. It had been slowly improving over the last six years and this was another improvement. He was excited about this project and endorsed it.

Opponents: None

Chair Hall closed the public hearing.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

Commission Deliberation: Commissioner Chroust-Masin thought the application met the criteria and he was in support.

Commissioner Knapp lived in this area of the City and was also excited about the project. Based on the findings of fact, conclusionary findings for approval, materials submitted by the applicant, and evidence in the record, Commissioner Schanche MOVED to APPROVE VR 1-19 including the revised Condition #1. SECONDED by Commissioner Knapp. The motion PASSED 9-0.

5. Commissioner/Committee Member Comments

Commissioner Butler thought it was strange that this neighborhood was rezoned to R-3 and that it was an undue burden to make the property owners in this area go through a variance process for this type of request.

Planning Director Richards explained if the Commission wanted to amend the existing zone so these types of variances were not required, staff could be directed to come back with the strengths and weaknesses of moving forward. She explained why this area was rezoned R-3. If the Commission wanted to change that, they would need to look for other areas where that zoning could apply because they still needed that type of zone. There was going to be a work session with the City Council on August 21 to discuss the Housing Needs Analysis and Housing Strategy. One strategy was to take the residential zones and make them all one zone allowing single family up to four-plexes and having one high density residential zone.

Commissioner Dirks said they might want to consider a future legislative action to evaluate broader zoning changes to the historic neighborhood. The question was if they wanted to work through the zoning ordinance to allow various types of changes in this designated historic area.

6. Staff Comments

Planning Director Richards explained what was on the next meeting's agenda. She would give an update on the Three Mile Lane planning process at the next meeting as well. She discussed the Council's decision on the Oak Ridge Meadows application which had passed 4-3. Some of the issues were the hydrology report, floodplain, and traffic.

There was discussion regarding the construction of Shadden Drive and updating the City's wetland maps.

7. Adjournment

Chair Hall adjourned the meeting at 7:28 p.m.

Heather Richards
Secretary



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

STAFF REPORT – EXHIBIT 2

DATE: September 19, 2019
TO: Planning Commission Members
FROM: Chuck Darnell, Senior Planner
SUBJECT: PUBLIC HEARING: CU 3-19 (Conditional Use) and TML 2-19 (Three Mile Lane Development Review)

STRATEGIC PRIORITY & GOAL:

 GROWTH & DEVELOPMENT CHARACTER Guide growth & development strategically, responsively & responsibly to enhance our unique character.	 HOUSING OPPORTUNITIES (ACROSS THE INCOME SPECTRUM) Create diverse housing opportunities that support great neighborhoods.
--	---

Report in Brief:

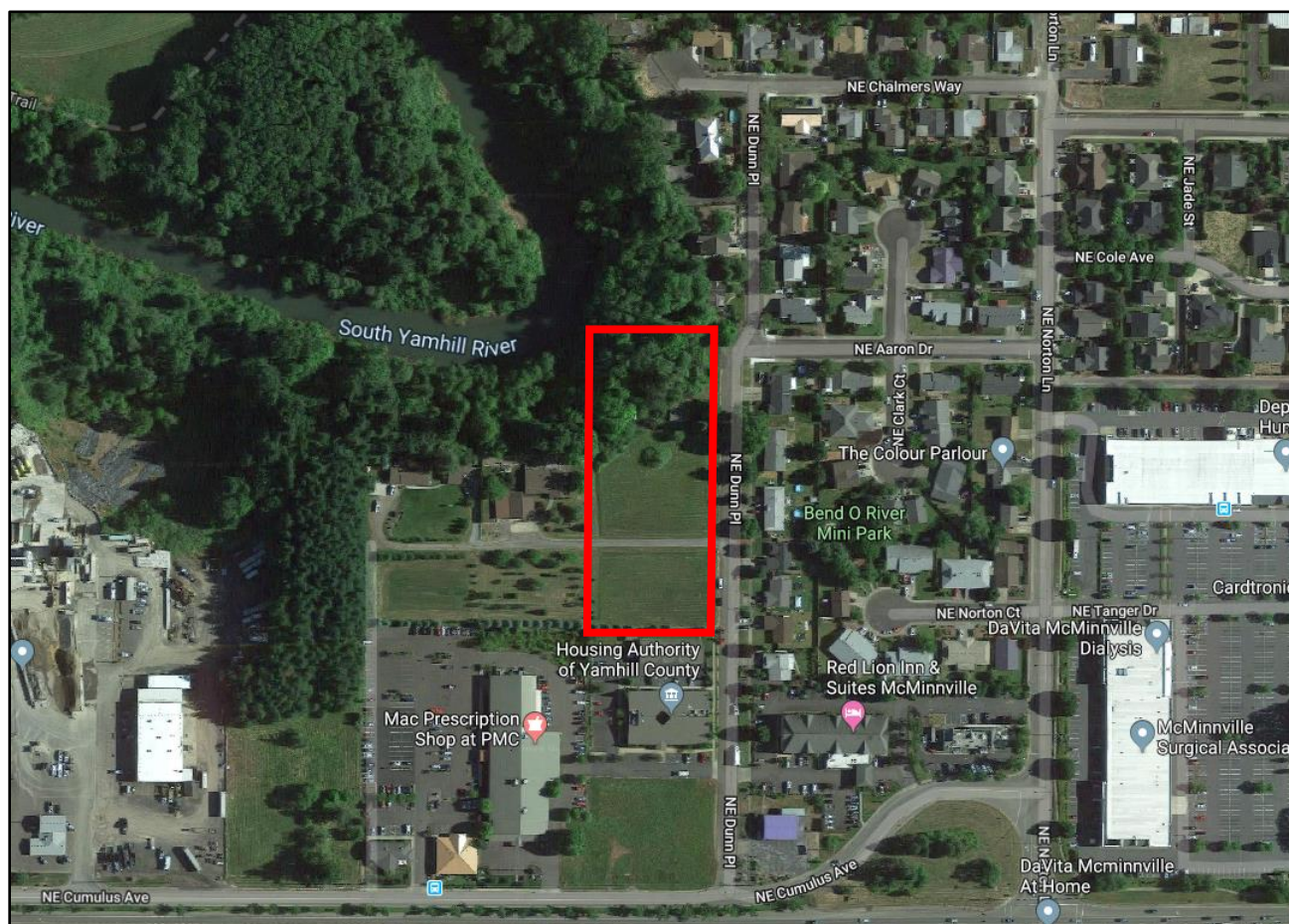
This is a quasi-judicial hearing to consider a request for a Conditional Use (CU 3-19) and Three Mile Lane Development Review (TML 2-19) from applicant Sam Thomas, on behalf of property owner McMinnville Memory Care, LLC. The request is to approve Conditional Use and Three Mile Lane Development Review requests to allow for the development of a memory care facility with 44 beds for residence by elderly individuals who suffer from Alzheimer's dementia, and other age-related mental ailments.

Background:

The subject site is located at 235 NE Dunn Place. The property is more specifically described as Parcel 1, Partition Plat 2004-33. The property is also identified as Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M. The subject site is provided in Figure 1 below:

Attachments:

Attachment A: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of CU 3-19
Attachment B: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of TML 2-19
Attachment C: CU 3-19 and TML 2-19 Application Materials

Figure 1. Subject Site

In August 2012, the City adopted Ordinance 4956, which amended the zoning of the subject site, and also adopted a Planned Development Overlay District on the subject site. The adoption of Ordinance 4956 resulted in the zoning of the subject site being R-4 PD (Multiple Family Residential Planned Development). Ordinance 4956 included conditions applicable to development within the planned development area. These conditions remain in effect and one in particular adopted a master plan for the subject site. The master plan included the partition of the subject site and the dedication of new public right-of-way between two new parcels as shown on the conditional use site plans, as well as the development of a single story building on the subject site. The same condition of approval from Ordinance 4956 that approved the master plan also required that the master plan become binding on the site. Therefore, much of the development of the site is controlled by that previously approved master plan that is binding on the site, such as the street alignment and building placement. Some minor changes are proposed from the approved master plan, but they are very minor and are the result of more detailed engineering and construction plan development. These minor changes are discussed in more detail in the Conditional Use Decision Document attached to this staff report.

The approved master plan from Ordinance 4956, as well as the currently proposed site plan, are provided in Figure 2 and Figure 3 below:

Attachments:

Attachment A: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of CU 3-19

Attachment B: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of TML 2-19

Attachment C: CU 3-19 and TML 2-19 Application Materials

Figure 2. Previously Approved Master Plan

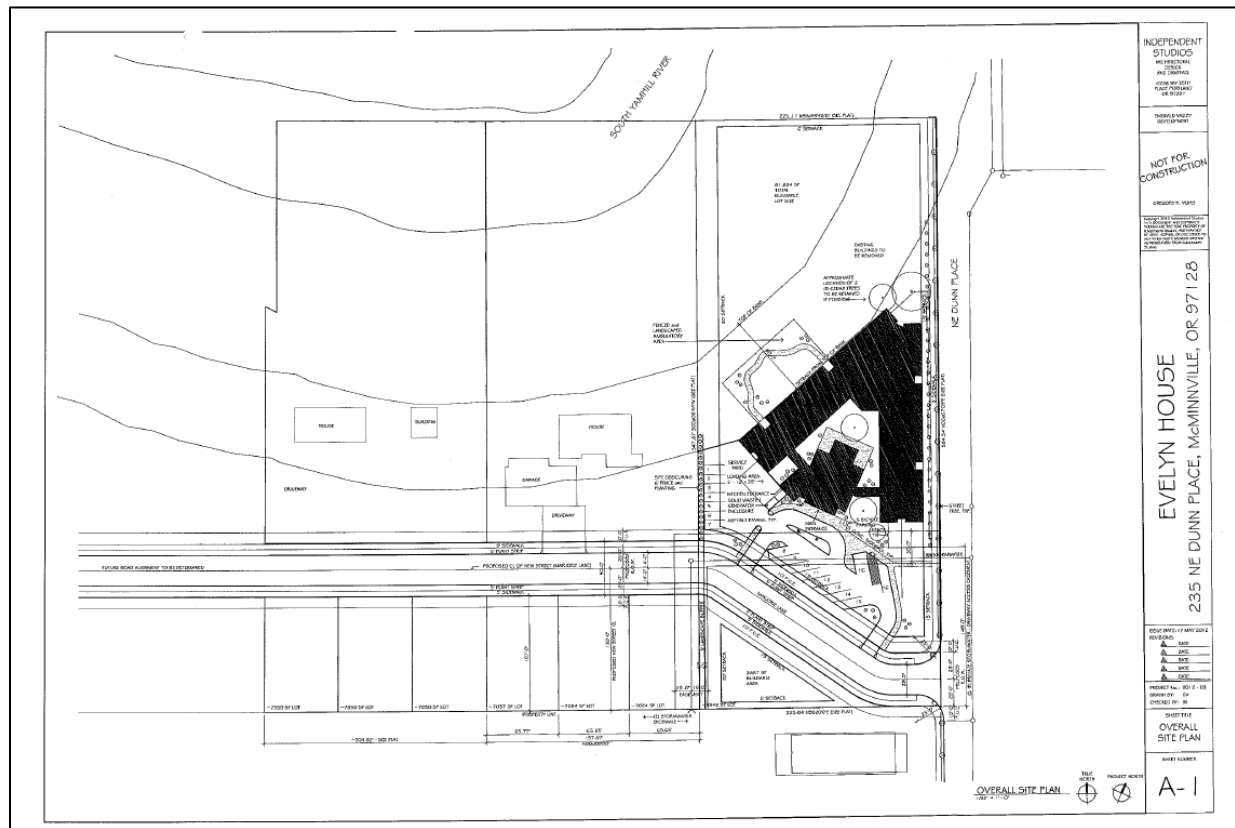
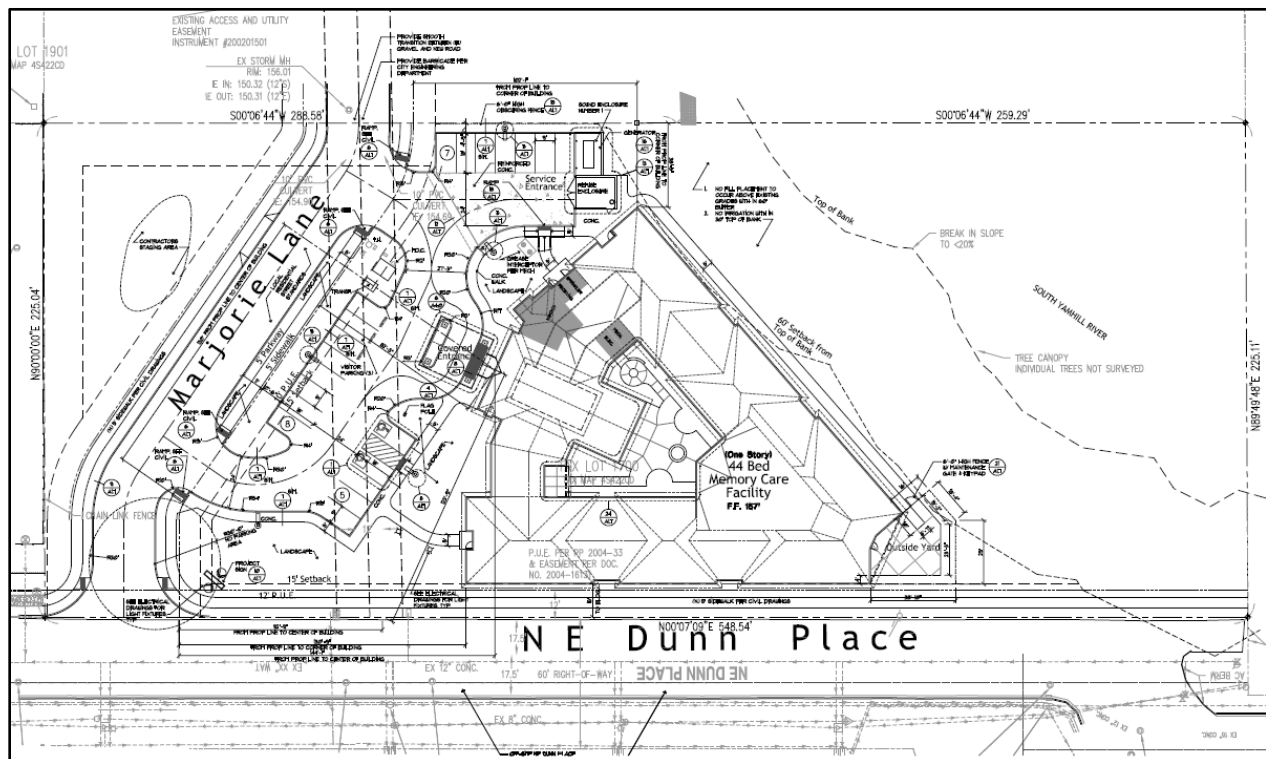


Figure 3. Proposed Site Plan



Attachments:

Attachment A: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of CU 3-19

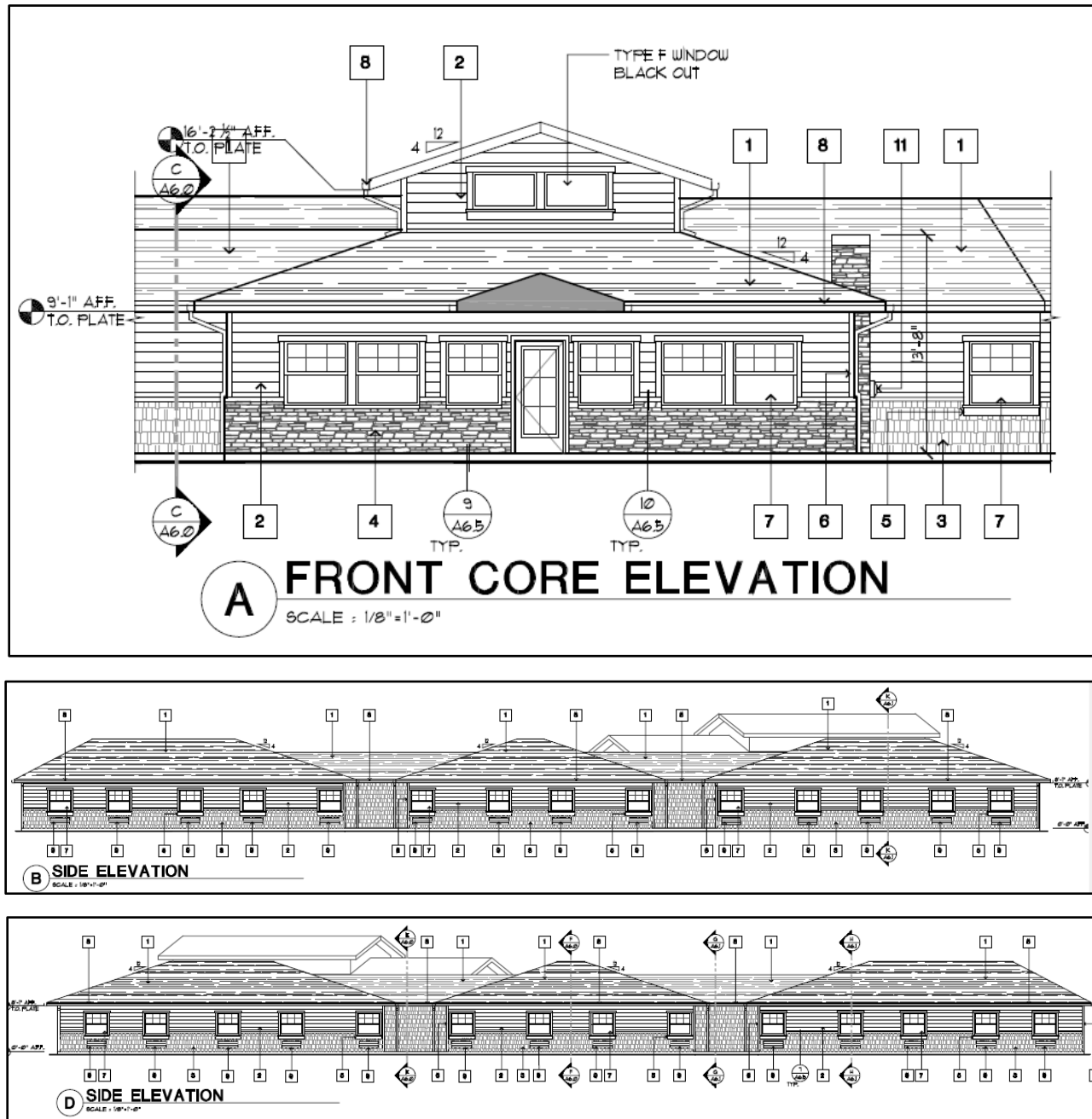
Attachment B: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of TML 2-19

Attachment C: CU 3-19 and TML 2-19 Application Materials

The subject site is also located within the larger Three Mile Lane Planned Development Overlay district, which encompasses all of the McMinnville Urban Growth Boundary lands north and south of the Highway 18/Three Mile Lane corridor. The Three Mile Lane Planned Development Overlay district was adopted by Ordinance 4131 and later amended by Ordinance 4572. These ordinances include additional site and building design standards, and also require that all new development and signage be approved through a Three Mile Lane Development Review process. In addition to the site plan shown above, the applicant has provided renderings and building elevations that are requested to be approved both through the Conditional Use review as well as for the required Three Mile Lane Development Review.

The proposed building elevations and renderings are provided in Figure 4 below:

Figure 4. Proposed Building Elevations and Rendering



Attachments:

Attachment A: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of CU 3-19
Attachment B: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of TML 2-19
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Discussion:

The decisions for these land-use applications are dependent upon whether or not the applications meet state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code. The applications can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria. Attached are decision documents that provide the Findings of Fact and Conclusionary Findings for the requested Conditional Use and Three Mile Lane Development Review. These documents outline the legal findings on whether or not the applications meet the applicable criteria and whether or not there are conditions of approval that, if achieved, put the applications in compliance with the criteria.

The Conditional Use application (CU 3-19) is subject to the Conditional Use review criteria in Section 17.74.030 of the Zoning Ordinance. The Three Mile Lane Development Review application (TML 2-19) is subject to the policies and procedures of Ordinance 4131 (Three Mile Lane Planned Development Overlay) as amended by Ordinance 4572. Specifically, Section 4 (Policies) and Section 5 (Signs) of Ordinance 4572 include standards that apply to development within the overlay district. The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The specific review criteria for Conditional Uses in Section 17.74.030 of the McMinnville Zoning Ordinance require the applicant to demonstrate that:

- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;

Attachments:

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- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

In judging whether or not a conditional use proposal shall be approved or denied, the Planning Commission shall weigh its appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed. The applicant has provided a narrative and findings to support the request for the Conditional Use, based on how they believe it meets the applicable review criteria and other Comprehensive Plan goals and policies.

Overall, staff concurs with the applicant's arguments and supports the approval of the Conditional Use, subject to some conditions. As discussed in more detail above, much of the site development and building placement is pre-determined by the Planned Development Overlay district and the binding master plan that was approved for the subject site by Ordinance 4956. The applicant has begun the process of partitioning the existing property as shown in the approved master plan, allowing for the memory care facility to be developed on the parcel north of the new street identified in the approved master plan. A condition of approval is suggested to be included on the Conditional Use to ensure that the partition of the property is completed, and that all applicable conditions of approval from the partition approval be completed.

The location, size, and design of the building and the other site improvements have been thoughtfully planned, with consideration of the building's massing and scale and how it relates to the surrounding existing uses. The building is only one story and limited in height, and also incorporates a variety of roof forms, particularly along the side facades that are oriented towards surrounding right-of-ways and properties. The variety in roof shape, along with a repetitive window pattern and changes in building materials, provides for façade articulation that reduces the potential visual impact and scale of the building, as the side facades are the longest individual walls on the building.

The subject site is located adjacent to the South Yamhill River, which touches the northwest corner of the property, and includes floodplain areas and a steep slope along the river bank. The applicant has provided a geotechnical report with recommendations for development of the site, including a 60 foot building setback from the top of the slope and specific building requirements for any site improvements that occur closer than 60 feet from the top of slope. The proposed site plan honors these geotechnical recommendations, which not only ensure safe development of the site but also preserve these environmental and natural features of the site. Conditions of approval are suggested by staff to ensure that the geotechnical recommendations are met during the building permit process. In order to further preserve natural features of the site, a condition of approval is included to require that existing trees within the buffer area and steep slope be preserved, and that no tree in those areas be removed without prior review and approval of the Planning Department.

Finally, the development of the site will include landscaping around the new building and street trees within the right-of-ways adjacent to the site. The development of the adjacent right-of-ways will improve the pedestrian connectivity of the surrounding area with the addition of sidewalks and planter strips. Also, the property owners will be dedicating an easement along the South Yamhill River within the 60 foot setback buffer area, which is required through a condition of approval and the completion of the partitioning of the property. This easement will allow for the future development of a Yamhill River Greenway trail, as identified in the City of McMinnville Parks, Open Space, and Recreation Master Plan, providing an additional pedestrian, bicycle, and recreational amenity for the surrounding neighborhood. A conceptual landscape plan was submitted with the conditional use plans that shows extensive landscaping within the memory care facility site, and a condition of approval is included to require that the plan be reviewed in more detail by the Landscape Review Committee.

Attachments:

Attachment A: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of CU 3-19

Attachment B: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of TML 2-19

Attachment C: CU 3-19 and TML 2-19 Application Materials

The applicant's narrative and findings also respond to the proposed development of the site and how it meets the requirements of the Three Mile Lane Planned Development Overlay district. Overall, staff concurs with the applicant and finds that the minimum standards are achieved and is recommending approval of the Three Mile Lane Planned Development Review and the building elevations provided.

Below is a table summarizing the applications' compliance with critical criteria. The Decision Documents for the land-use applications have the detailed analysis and findings for this compliance:

CU 3-19 (Conditional Use)

Issue	Notes	Condition to Help Meet Criteria
Compatibility of Development with Surrounding Neighborhood	<ul style="list-style-type: none"> • Size and Height of Building • Variation in Roof Height and Form • Building Elevations with Façade Articulation • Landscaping and Street Trees 	<p>Approved plans and elevations identify these project components</p> <p>Condition of Approval #10 & #11 – Require landscape plan review by LRC and installation of street trees</p>
No Impacts on Livability, Value, or Appropriate Development of Abutting Properties	<ul style="list-style-type: none"> • New Street Oriented to Allow Future Extension and Current Connectivity • Access to Site Limited to New Street – None on Existing Dunn Place ROW • Massing of Building Similar to Surrounding Built Form 	<p>Condition of Approval #1 – Requires partition of property to be completed with ROW dedication</p> <p>Approved plans and elevations identify these project components</p>
Operations of Facility	<ul style="list-style-type: none"> • Request to Reduce Off-Street Parking Requirement • Residents of facility will not drive, which will result in less traffic than what some permitted uses would generate. • Parking reduction decreases site area paved and used for parking and circulation. 	<p>Condition of Approval #9 – Allow for reduction of off-street parking spaces by two spaces</p>
Preservation of Natural Features	<ul style="list-style-type: none"> • Steep Slope and Floodplain on Northwest Portion of Site • Mature Trees • Yamhill River Greenway Opportunity in Parks Master Plan 	<p>Condition of Approval #1 – Requires partition of property to be completed with trail easement dedication</p> <p>Condition of Approval #2 – 7 – Ensure that site development follows geotechnical recommendations to preserve steep slope</p> <p>Condition of Approval #8 – Require tree preservation within 60 foot setback area and steep slope area</p>

Attachments:

Attachment A: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of CU 3-19

Attachment B: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of TML 2-19

Attachment C: CU 3-19 and TML 2-19 Application Materials

TML 2-19 (Three Mile Lane Development Review)

Issue	Notes	Condition to Help Meet Criteria
Three Mile Lane Planned Development Overlay Standards	<ul style="list-style-type: none"> • Minimum Three Mile Lane Development and Design Standards Achieved • Architecture of Building Compatible with Site and Surrounding Area • Signage for Site Identified Near Corner of NE Dunn Place and New Street 	<p>Condition of Approval #1 & #2 – Requires partition of property to be completed and Conditional Use conditions of approval to be satisfied</p> <p>Approved plans and elevations identify major project components</p> <p>Condition of Approval #3 – Require sign to be nonilluminated</p>

Commission Options:

- 1) Close the public hearing and **APPROVE** the applications, per the decision documents provided which include the findings of fact.
- 2) **CONTINUE** the public hearing to a specific date and time.
- 3) Close the public hearing, but **KEEP THE RECORD OPEN** for the receipt of additional written testimony until a specific date and time.
- 4) Close the public hearing and **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation:

Staff recommends approval of the land-use applications with the conditions specified in the decision documents. A recommended motion is provided below.

MOTION FOR CU 3-19:

BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVES CU 3-19, SUBJECT TO THE CONDITIONS OF APPROVAL PROVIDED IN THE DECISION DOCUMENT.

MOTION FOR TML 2-19:

BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVES TML 2-19, SUBJECT TO THE CONDITIONS OF APPROVAL PROVIDED IN THE DECISION DOCUMENT.

Attachments:

Attachment A: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of CU 3-19

Attachment B: Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of TML 2-19

Attachment C: CU 3-19 and TML 2-19 Application Materials



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE
APPROVAL OF A CONDITIONAL USE PERMIT FOR A MEMORY CARE FACILITY AT 235 NE
DUNN PLACE**

DOCKET: CU 3-19 (Conditional Use)

REQUEST: Application for a Conditional Use to allow for the development of a memory care facility with 44 beds for residence by elderly individuals who suffer from Alzheimer's dementia, and other age-related mental ailments.

LOCATION: 235 NE Dunn Place. The property is more specifically described as Parcel 1, Partition Plat 2004-33. The property is also identified as Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M.

ZONING: R-4 PD (Multiple Family Residential Planned Development) and F-P (Flood Plain)

APPLICANT: Sam Thomas, on behalf of owner McMinnville Senior Living, LLC

STAFF: Chuck Darnell, Senior Planner

**DATE DEEMED
COMPLETE:** July 17, 2019

**DECISION MAKING
BODY & ACTION:** The McMinnville Planning Commission makes the final decision, unless the Planning Commission's decision is appealed to the City Council.

**DECISION DATE
& LOCATION:** September 19, 2019, Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.

PROCEDURE: An application for a Conditional Use Permit is processed in accordance with the procedures in Section 17.72.120 of the Zoning Ordinance. The application is reviewed by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the Zoning Ordinance.

CRITERIA: The applicable criteria for a Conditional Use Permit are specified in Section 17.74.030 of the Zoning Ordinance. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

APPEAL: As specified in Section 17.72.180 of the Zoning Ordinance, the Planning Commission's decision may be appealed to the City Council within 15 calendar days of the date the written notice of decision is mailed. The City's final decision is subject to the 120 day processing timeline, including resolution of any local appeal.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Frontier Communications; Comcast; Recology; Oregon Department of State Lands; and Northwest Natural Gas. Their comments are provided in this document.

DECISION

Based on the findings and conclusionary findings, the Planning Commission finds the applicable criteria are satisfied with conditions and **APPROVES** the Conditional Use Permit (CU 3-19), **subject to the conditions of approval provided in Section II of this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Commission: _____
Roger Hall, Chair of the McMinnville Planning Commission

Date:_____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Attachments :
Attachment 1 – Application and Attachments

I. APPLICATION SUMMARY:***Subject Property & Request***

The proposal is an application for a Conditional Use Permit (CU 3-19) to allow for the construction of a new memory care residential facility. The memory care facility would be a single story building that contains 44 resident beds, and would provide residential facilities for elderly individuals who suffer from Alzheimer's, dementia, and other age-related mental ailments. The subject site is located at 235 NE Dunn Place and is more specifically described as Parcel 1, Partition Plat 2004-33. The property is also identified as Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M.

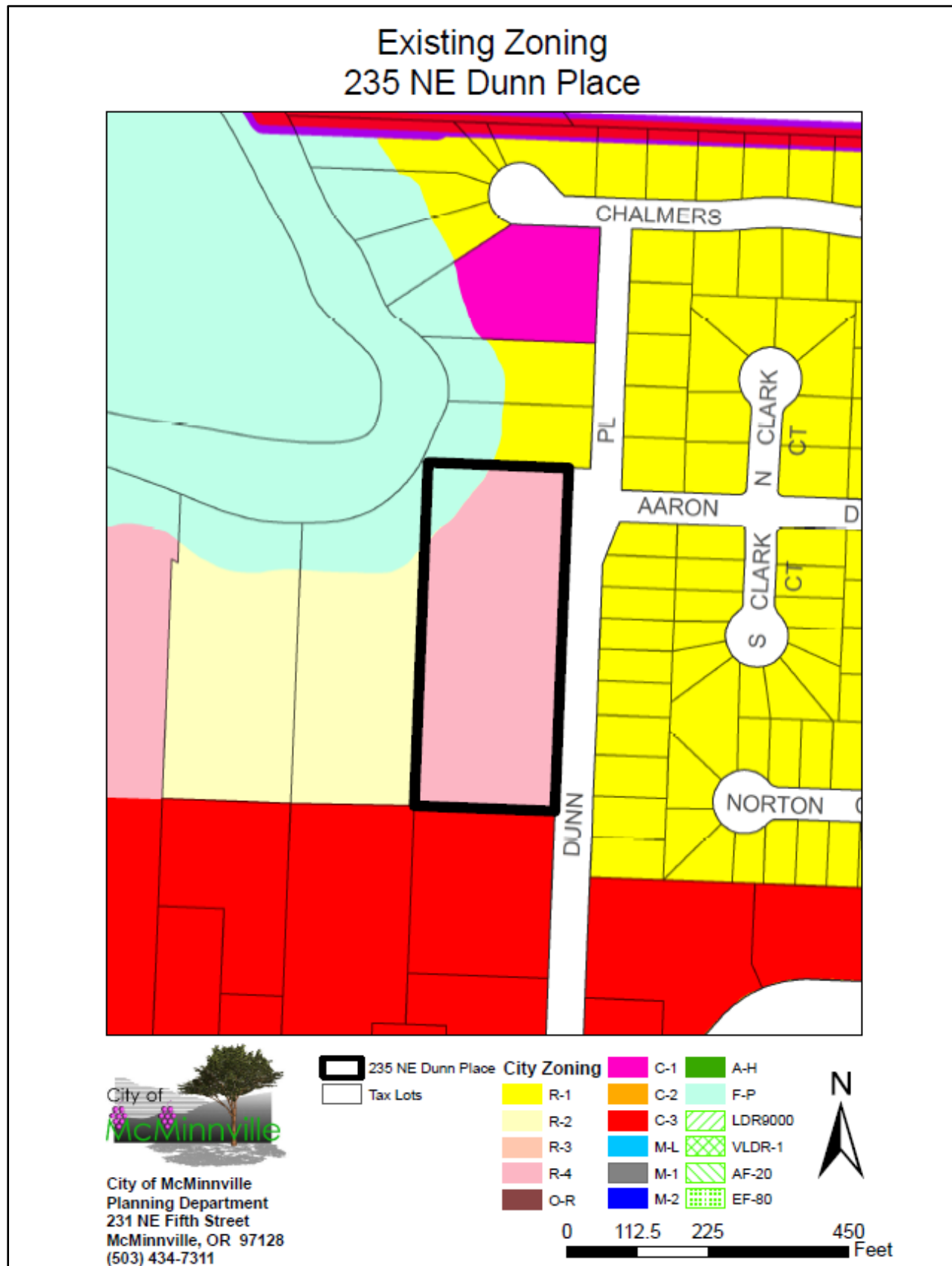
The subject property is located on the west side of NE Dunn Place between NE Cumulus Avenue and NE Aaron Drive. The subject property is zoned R-4 PD (Multiple Family Residential Planned Development), and is subject to a Planned Development Overlay District adopted by Ordinance 4956. A portion of the property is also zoned F-P (Flood Plain). The surrounding properties have a variety of zoning designations, including R-2 PD (Single Family Residential Planned Development) to the west, C-3 PD (General Commercial Planned Development) to the south, and R-1 PD (Single Family Residential Planned Development) to the north and east. The areas to the west and south are subject to a Planned Development Overlay District adopted by Ordinance 4719, which also included the subject site before it was included in a later Planned Development Overlay District adopted by Ordinance 4956. Uses on the surrounding properties include single family residential to the west, office and medical uses to the south, and single family residential to the north and east.

See Vicinity Map (Figure 1), Zoning Map (Figure 2), and Applicant's Proposed Site Plan & Rendering (Figure 3) below.

Figure 1. Vicinity Map



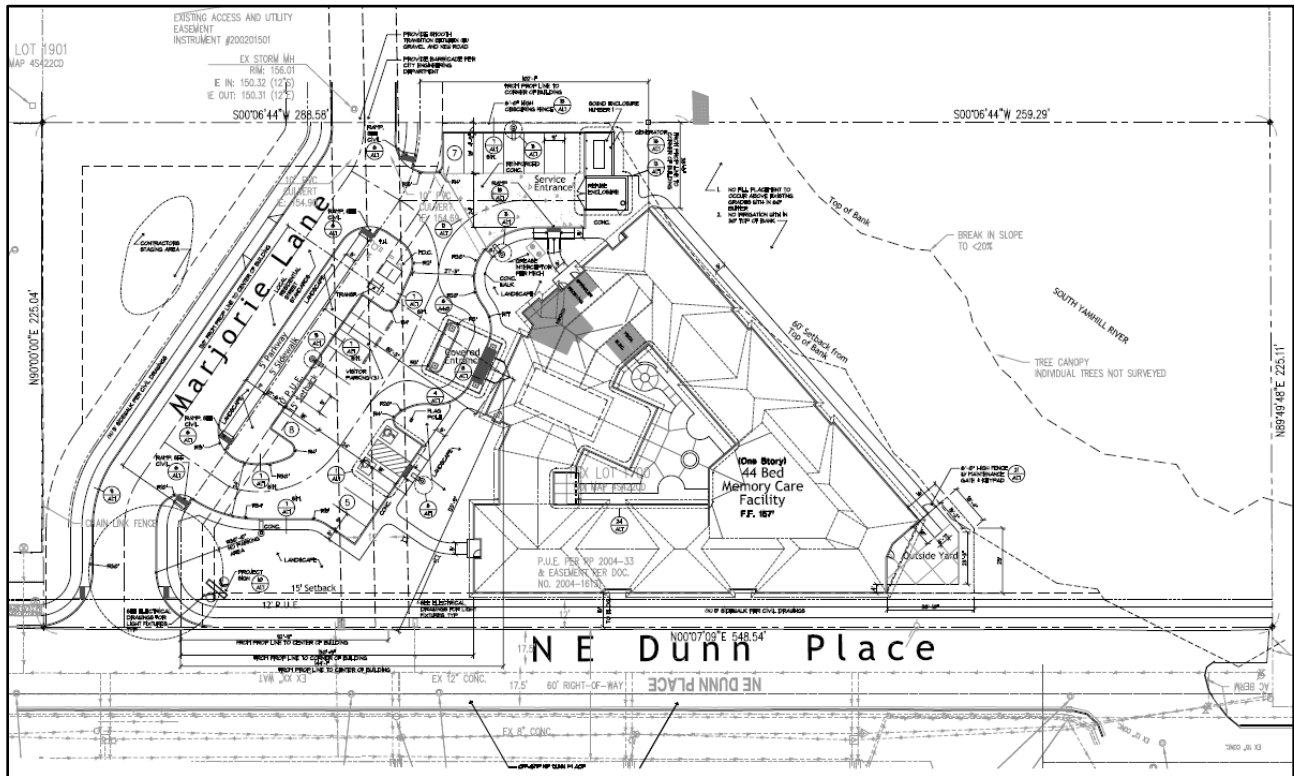
Figure 2. Zoning Map



Attachments:

Attachment 1 – Application and Attachments

Figure 3. Applicant's Proposed Site Plan & Rendering



The applicant provided the following background information on the property and the proposed use:

“The residence is designed for elderly individuals who suffer from Alzheimer’s, dementia, and other age-related mental ailments. This use does not include hospital or nursing home levels of care. None of the residents would be permanently bed-ridden.

The proposed use is defined as a “Nursing/convalescent home” under the McMinnville Zoning Ordinance. This proposed use requires review and approval under a conditional use, partition, design review, landscape plan review, and the various building and trade permits related to on-site and off-site improvements.

Attachments :

Attachment 1 – Application and Attachments

The site improvements will include a new public road, proposed to be named “Marjorie Lane” that will be developed according to City street standards. The road will create a remainder parcel approximately 0.2-acre in size that could be developed with allowed uses described in the R4 zone under the City of McMinnville Zoning Ordinance. [...]

Memory Care residences are designed for elderly people who suffer from Alzheimer’s, dementia, and other mental ailments. The typical resident is single and in their 70’s or 80’s. Residents require personal assistance with their daily routine including meal preparation, bathing, and taking medication.”

In August 2012, Ordinance 4956 was approved, establishing the Planned Development Overlay for subject property and rezoning the property to R-4 PD (Multiple Family Residential Planned Development). Condition #2 of Ordinance 4956 approved a master plan for the subject site, which included the partition of the subject site and the dedication of new public right-of-way between two new parcels as shown on the conditional use site plans. The same condition of approval from Ordinance 4956 required that the master plan become binding on the site. Therefore, much of the development of the site is controlled by that previously approved master plan that is binding on the site, such as the street alignment and building placement. The site plan proposed for the new memory care facility building and other site improvements is consistent with that binding master plan from the 2012 review and approval of the Planned Development Overlay District.

More recently, the property owners also submitted a tentative partition application to complete the partition and right-of-way dedication that are shown on the master plan that is binding on the site. The application was reviewed as docket number MP 4-19 in accordance with the procedures in Section 17.72.110 of the Zoning Ordinance, and was approved by the Planning Director with conditions. Most of the conditions of approval relate to required public infrastructure improvements and also that the site development comply with recommendations from a geotechnical report that was completed for the development of the site due to the steep slope and soil stability of the property. Some of the conditions of approval from the tentative partition will be discussed in more detail in the Conclusionary Findings in Section VII below, as they impact the development of the proposed memory care building on the subject site.

See MP 4-19 Tentative Partition Plan (Figure 4) below.

PARTITION PLAT

A REPLAT OF PARCEL 1 OF PARTITION PLAT NO. 2004-33,
LOCATED IN THE SOUTHWEST 1/4 OF SECTION 22,
TOWNSHIP 4 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN,
CITY OF MCMINNVILLE, YAMHILL COUNTY, OREGON
DATE:

PARTITION PLAT NO. _____
SHEET 1 OF 2

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	20.00'	90°02'22"	31.44'	145.08'±0.76' 28.30'
C2	14.00'	34°25'00"	6.40'	572.33'±0.76' 8.32'
C3	64.00'	34°25'00"	38.69'	1722.35'±0.76' 38.11'
C4	14.00'	34°25'00"	6.40'	1722.35'±0.76' 8.34'
C5	64.00'	34°25'00"	38.69'	1722.35'±0.76' 38.05'
C6	20.00'	63°34'40"	22.19'	158.02'±0.76' 21.07'
C7	39.00'	34°25'00"	23.56'	1722.35'±0.76' 23.22'
C8	39.00'	34°25'00"	23.54'	572.33'±0.76' 23.19'
C9	15.00'	90°02'22"	23.56'	145.08'±0.76' 21.22'
C10	15.00'	22°33'23"	5.99'	176.26'±0.76' 5.95'

LEGEND

- SET 5/8" X 30" IRON ROD W/PC INScribed "XAS EXACT" ON
- SET 5/8" X 30" IRON ROD WITH 1" ALUMINUM CAP INScribed "XAS EXACT" ON
- EXISTING FOUND MONUMENT AS NOTED
- HILLS UNLESS NOTED OTHERWISE

DOC. NO. DOCUMENT NUMBER PER YAMHILL COUNTY DEED RECORDS

W/PC WITH A YELLOW PLASTIC CAP PARTITION PLAT NUMBER PER YAMHILL COUNTY DEED RECORDS

SN SURVEY NUMBER PER YAMHILL COUNTY DEED RECORDS

P/E PUBLIC UTILITY EASEMENT

ROW ROAD-TO-WAY

SF SQUARE FEET

(1) RECORD INFORMATION PER PP NO. 2004-33

(2) RECORD INFORMATION PER PP NO. 2005-21

(3) RECORD INFORMATION PER PP NO. 11646

PREPARED FOR
MCMINNVILLE ENERGY LLC
1900 NW 42ND ST SUITE 100
SALEM, OREGON 97302

THIS IS AN EXACT COPY OF THE ORIGINAL PARTITION PLAT

07/20/19
REGISTERED PROFESSIONAL LAND SURVEYOR
Michael J. Wright
MICHAEL J. WRIGHT
153 NW 10TH AVE
SALEM, OREGON 97302
PHONE 503.563.1552
FAX 503.563.1552
WWW.MJW-SURV.COM

AKS ENGINEERING AND FORESTRY, LLC
12805 SW HEDMAN RD
SUITE 100
TUALATIN, OR 97062
PHONE 503.563.1552
FAX 503.563.1552
WWW.AKS-ENG.COM

**ENGINEERING • PLANNING • SURVEYING
FORESTRY • LANDSCAPE ARCHITECTURE**

DETAIL A
SCALE: 1"=10'

The application is subject to Conditional Use criteria in Section 17.74.030 of the Zoning Ordinance, which are intended to “weigh the appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the proposed location.” The Planning Commission may impose conditions it finds necessary “to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole.” The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The specific review criteria for Conditional Uses in Section 17.74.030 of the McMinnville Zoning Ordinance require the applicant to demonstrate that:

- Attachments :
Attachment 1 – Application and Attachments

- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

The applicant has provided findings to support the request for a Conditional Use. These will be discussed in detail in Section VII (Conclusionary Findings) below.

II. CONDITIONS:

1. Prior to the issuance of any building or development permits for the project, the subject site shall be partitioned as approved by the tentative partition recently reviewed under docket number MP 4-19. All applicable conditions of approval from docket number MP 4-19 shall be satisfied.
2. Prior to the issuance of any building or development permits for the project, the applicant shall provide a current geotechnical report or statement produced and stamped by a registered professional geotechnical engineer, verifying that the conditions of approval based on the August 15, 2014 *Report of Geotechnical Site Investigation* by Strata Design, Inc. remain valid and that the proposed building site is stable and suitable for the proposed construction. Should the analysis return a finding that the setback should be increased to a distance greater than the 60 feet offered by the applicant, the Planning Director shall have the authority to approve minor modifications to the submitted plan consistent with those findings.
3. That a detailed storm drainage plan, which incorporates the requirements of the City's 2009 Storm Drainage Master Plan and the recommendations of the geotechnical report for the subject site dated August 15, 2014 by Strata Design, Inc., must be submitted to, and approved by, the City Engineering Department. Roof downspouts shall discharge into solid, smooth-walled drainage pipes to carry the collected water to an appropriate surface discharge point away from the crest of the slope. Water shall be directed away from the crest of the slope. Infiltration systems shall not be used for discharge of stormwater.

Additionally, the applicant shall provide an engineered capacity analysis of the existing public storm drainage system downstream of the subject site documenting the system's ability to accommodate the subject development and other properties that it serves. If there is not adequate capacity in the existing system, the developer will be required to either design and construct sufficient improvements to the existing system, or to design and construct an alternate system to empty into the South Yamhill River. If the final storm drainage plan incorporates the use of backyard collection systems and easements, such must be private rather than public, and private maintenance agreements must be approved by the City for them. Calculations for

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any onsite, private detention systems shall be submitted to the City Engineer and Building Official for review and approval. Any utility easements needed to comply with the approved plan must be reflected on the final partition plat.

4. That the proposed development is subject to the following conditions, based on the recommendations of the August 15, 2014 *Report of Geotechnical Site Investigation* by Strata Design, Inc., or as may otherwise be modified by subsequent studies (see Condition No. 3):
 - A. All new buildings and structural improvements shall be set back at least 60 feet from the crest of the slope (the “60-foot buffer zone”), consistent with the surveyed topographic plan required as part of the tentative partition for the subject site, unless construction practices as prescribed by a registered professional geotechnical engineer are followed. All building permit applications for construction within this buffer zone shall be accompanied by a report or statement produced and stamped by a registered professional geotechnical engineer, verifying that the building site is stable and suitable for the proposed construction.
 - B. No fill placement shall occur above existing grades within the 60-foot buffer zone.
 - C. No irrigation systems shall be placed within 30 feet of the crest of the slope.
 - D. All building and construction layout shall be designed under the purview of a registered professional geotechnical engineer, to assure appropriate setbacks and drainage systems.
5. That prior to issuance of any building permits for construction within the northern 150 feet of the subject site, the applicant shall submit a report or statement produced and stamped by a registered professional geotechnical engineer, confirming that the buried trash pit referenced in the March 14, 2005, geotechnical report (p. 2) has been removed and the resulting hole filled and compacted.
6. That all applications for building permits within the 60-foot buffer zone noted in the August 15, 2014 *Report of Geotechnical Site Investigation* by Strata Design, Inc., shall be accompanied by a report or statement produced and stamped by a registered professional geotechnical engineer, verifying the appropriate setback, and confirming the drainage system design to be in accordance with the conditions of approval of this file.
7. That the applicant shall secure from the Oregon Department of Environmental Quality (DEQ) any applicable storm runoff and site development permits, including a 1200C permit, prior to construction of the required site improvements. Evidence of such permits shall be submitted to the City Engineer.
8. That all existing trees on the steep slope on the northwest portion of the site and within the 60 foot setback area between the top of slope and the memory care building shall be preserved. Trees within these areas shall not be removed without prior review and approval of the Planning Director.
9. Based on the proposed use of the building as a memory care facility and the fact that the residents of the facility will not operate motor vehicles, the required number of off-street parking spaces on the site shall be reduced to 20 spaces for the 44 bed facility.
10. That the applicant shall submit a landscape plan and Landscape Plan Review application to the McMinnville Landscape Review Committee for their review and approval prior to the issuance of building permits for the memory care facility. All landscaping on the site shall be installed as

approved by the Landscape Review Committee prior to final building permit inspections being completed.

11. That the applicant shall plant street trees within curbside planting strips in accordance with a street tree plan to be prepared by the applicant and submitted to the Landscape Review Committee for their review and approval. The street tree plan shall identify the locations of all street lights, fire hydrants, utility vaults, transformers, and other public and private utilities. The placement of those utilities shall be strategic to allow for as many street trees to be planted within the partition area as possible. All street trees shall have a two-inch minimum caliper, exhibit size and growing characteristics appropriate for the particular planting strip, and be spaced as appropriate for the selected species and as may be required for the location of above ground utility vaults, transformers, light poles, and hydrants. In planting areas that may be constrained, additional consideration shall be given to the tree species and other planting techniques, as determined by the Landscape Review Committee, may be required to allow for the planting of street trees without compromising adjacent infrastructure. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material which does not meet this standard.

- A. Trees shall be provided with root barrier protection in order to minimize infrastructure and tree root conflicts. The barrier shall be placed on the building side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth.
- B. Each year the applicant shall install street trees, from October 1 to April 1, adjacent to those properties on which a structure has been constructed and received final occupancy. This planting schedule shall continue until all platted lots have been planted with street trees.
- C. It shall be the applicant's responsibility to relocate street trees as may be necessary to accommodate individual building plans. The applicant shall also be responsible for the maintenance of the street trees, and for the replacement of any trees which may die due to neglect or vandalism, for one year from the date of planting.

III. ATTACHMENTS:

1. CU 3-19 Application and Attachments (on file with the Planning Department)
2. Public Testimony Received (on file with the Planning Department)
 - a. Nanette and Julia Pirisky, 262 NE Dunn Place and 135 NE Dunn Place, Email received on August 16, 2019 (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Frontier Communications; Comcast; Recology; Oregon Department of State Lands; and Northwest Natural Gas. The following comments were received:

- McMinnville Engineering Department

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These conditions will apply to the project. They were included in the prior conditional use approval letter, and have been updated as appropriate. (Note – the conditions suggested by the Engineering Department are included in the conditions in Section II above.)

- McMinnville Water and Light

Street tree spacing on “Planting Plan” (A1.3) may need to be revisited to ensure that street trees comply with required spacing from streetlights. This project will require an Extension Agreement between McMinnville Water & Light and the owner of the property. Please contact McMinnville Water & Light for details.

Public Comments

Notice of this request was mailed to property owners located within 100 feet of the subject site. One item of public testimony was received by the Planning Department.

- Nanette and Julia Pirisky, 262 NE Dunn Place and 135 NE Dunn Place,
 1. Email received on August 16, 2019 – expressing opposition to the development of the subject site with an assisted living facility, traffic impacts on the surrounding neighborhood, and loss of natural area and wildlife habitat.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Sam Thomas, on behalf of owner McMinnville Senior Living, LLC, held a neighborhood meeting on June 11, 2019.
2. The applicant submitted the Conditional Use application (CU 3-19) on June 12, 2019.
3. The application was deemed incomplete on July 1, 2019. A revised application submittal, including items that were requested by the Planning Department to deem the application complete, was provided on July 15, 2019.
4. The application was deemed complete on July 17, 2019. Based on that date, the 120 day land use decision time limit expires on November 14, 2019.
5. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Frontier Communications; Comcast; Recology; Oregon Department of State Lands; and Northwest Natural Gas.

Comments received from agencies are addressed in Section IV of the Decision Document.

6. Notice of the application and the September 19, 2019 Planning Commission public hearing was mailed to property owners within 200 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance.
7. Notice of the application and the September 19, 2019 Planning Commission public hearing was published in the News Register on Tuesday, September 10, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.

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One item of public testimony was submitted to the Planning Department prior to the Planning Commission public hearing. That item of testimony is provided in the Attachments in Section III and discussed in Comments in Section IV.

8. On September 19, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 235 NE Dunn Place (Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M.)
2. **Size:** 2.83 acres (total existing site); 2.27 acres (Parcel 1 from recently reviewed (Docket Number MP 4-19) tentative partition) will be the site of the memory care facility
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-4 PD (Multiple Family Residential Planned Development) and F-P (Flood Plain)
5. **Overlay Zones/Special Districts:** Planned Development Overlay Ordinance 4956, Planned Development Overlay Ordinance 4719, Three Mile Lane Planned Development Overlay District (Ordinances 4131 and 4572)
6. **Current Use:** Existing vacant single-family dwelling
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** The northwest portion of the site is located within Zone AE of the floodway and 100-year floodplain of the South Yamhill River, as identified on the FEMA Flood Insurance Rate Map (FIRM) panels.
8. **Other Features:**
 - a. **Slopes:** A majority of the site is relatively flat, but a steep slope exists in the northwest portion of the site. The property slopes steeply at approximately 60 percent, dropping approximately 25 vertical feet from the flat portion of the site downward toward the edge of the South Yamhill River.
 - b. **Easements and Utilities:** Partition Plat 2004-33 identifies a 30 foot wide access and utility easement (identified as Instrument #200201501) that is improved with an existing gravel driveway providing access to the two existing parcels to the west. The existing conditions plan also identifies an existing storm sewer line and sanitary sewer line that run through the easement area, likely providing utilities to properties to the west.
9. **Utilities:**
 - a. **Water:** The property is served by a water main in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a water main within the new public right-of-way. The treatment plant has sufficient treatment capacity.
 - b. **Sewer:** The property is served by an 8" sewer main in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a sanitary sewer main within the new public right-of-way. A private utility plan for the development of the site identifies that the sanitary sewer main extension would serve the two new parcels created by the partition. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.

- c. **Stormwater:** Storm water in NE Dunn Place is conveyed by curb and gutter to catch basins and storm drains in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a storm sewer main within the new public right-of-way. A private utility plan for the development of the site identifies that the storm sewer main extension would serve the two new parcels created by the partition.
 - d. **Other Services:** Other services are available to the property. No overhead utilities are present on either side of NE Dunn Place.
10. **Transportation:** NE Dunn Place is classified as a Local Residential Street in the Transportation System Plan (TSP). The existing right-of-way is 60 feet wide, with improved street surface of approximately 36 feet in width that is not centered within the right-of-way. No sidewalks exist on the west side of NE Dunn Place along the subject site's frontage. To accommodate public sidewalk improvements, a 12 foot wide sidewalk easement along the subject site's frontage on NE Dunn Place was recorded on Partition Plat 2004-33 for the purposes of providing sidewalks, planter strips, and curbs. The east side of NE Dunn Place is improved with curb and gutter, sidewalk and planter strip. The street has two travel lanes and has on-street parking on both sides of the street, with no bike lanes.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Conditional Use are specified in Section 17.74.030 of the Zoning Ordinance

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL II 1: TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.

Land

Policy 2.00 The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, limiting soil characteristics, and natural hazards.

Policy 3.00 The City of McMinnville shall review any identified mineral and aggregate resource locations to determine the quality of the material, the likelihood that it will be extracted and the compatibility of the site with surrounding land uses. The City shall seek to resolve any conflicts between aggregate resource locations and surrounding land uses, and shall protect, whenever possible, mineral and aggregate resources from future encroachment by incompatible uses, especially residential uses.

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APPLICANT’S RESPONSE: The proposed development is located within the boundaries of the City of McMinnville. The proposed development is located near the South Yamhill River and would maintain a building setback of 60 feet to minimize impacts to natural areas. The site does not contain any known mineral or aggregate resources to the best of our knowledge. The application complies with the above policies.

FINDING: SATISFIED WITH CONDITIONS #2, 4, 5, 6 AND 7. The City concurs with the applicant’s findings. A geotechnical report was provided with the application materials that analyzed the site in terms of soil content and slope stability. The geotechnical report was completed in 2014, therefore a condition of approval is included to require that the geotechnical report be verified by a registered professional geotechnical engineer to ensure that the findings and recommendations in the 2014 geotechnical report are still valid. Other conditions of approval are included to require that the development of the site be consistent with the recommendations of the geotechnical report, as may be updated based on the re-verification of that report, that any building permits within the required setback area be stamped by a registered professional geotechnical engineer, that the applicant provide evidence that the buried trash pit on the site has been remediated, and that the applicant secure applicable storm runoff and site development permits from the Oregon Department of Environmental Quality (DEQ).

Air

- Policy 5.00 The quality of the air resources in McMinnville shall be measured by the standards established by the Oregon Environmental Quality Commission and the Federal Environmental Protection Agency.*
- Policy 6.00 The City of McMinnville shall cooperate with the Oregon Department of Environmental Quality to insure that applications for air quality related permits are examined for compatibility with the City’s comprehensive plan.*
- Policy 7.00 Land use decisions involving new major emission sources or expansion of existing sources shall be reviewed for the effects the emission source will have on the local and regional airshed. Maintenance of the quality of the air resources, within established federal and state standards, shall be a criterion for approval of these land use decisions.*

APPLICANT’S RESPONSE: The proposed development does not include applications for air quality permits. The proposed development would not create a major source of air emissions. The application complies with the above policies.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

Water

- Policy 8.00 The City of McMinnville shall continue to seek the retention of high water quality standards as defined by federal, state, and local water quality codes, for all the water resources within the planning area.*
- Policy 9.00 The City of McMinnville shall continue to designate appropriate lands within its corporate limits as "floodplain" to prevent flood induced property damages and to retain and protect natural drainage ways from encroachment by inappropriate uses.*
- Policy 10.00 The City of McMinnville shall cooperate with the Oregon Department of Environmental Quality, the Mid-Willamette Valley Council of Governments, and other appropriate agencies and interests to maintain water quality and to implement agreed upon programs for management of the water resources within the planning area.*

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Policy 11.00 The City of McMinnville shall cooperate with McMinnville Water and Light, the Bureau of Land Management, and Yamhill County to insure that the land use development actions allowed in and around the municipal watershed do not lessen the water quality of the municipal water system below acceptable federal, state, and local standards.

APPLICANT’S RESPONSE: The subject property includes a portion within the 100-year floodplain of the South Yamhill River on the northwest corner of the property. All proposed site improvements, including buildings, vehicle use, areas, and pedestrian areas would be located outside the mapped floodplain and floodway as indicated on the Yamhill County Maps Public ArcGIS Application, accessed July 9, 2019. The proposed development would not lessen water quality. The application complies with the above policies.

FINDING: SATISFIED WITH CONDITIONS #3 AND 7. The City concurs with the applicant’s findings, but clarifies that the northwest portion of the site is located within Zone AE of the floodway and 100-year floodplain of the South Yamhill River, as identified on the FEMA Flood Insurance Rate Map (FIRM) panels. In addition, conditions of approval are included to require that a detailed storm drainage plan, which incorporates the requirements of the City’s 2009 Storm Drainage Master Plan and the recommendations of the geotechnical report for the subject site dated August 15, 2014 by Strata Design, Inc., be submitted for review and approval by the City Engineering Department, and that the applicant secure applicable storm runoff and site development permits from the Oregon Department of Environmental Quality (DEQ).

Noise

Policy 12.00 The City of McMinnville shall insure that the noise compatibility between different land uses is considered in future land use decisions and that noise control measures are required and instituted where necessary.

APPLICANT’S RESPONSE: The proposed development would be compatible with the existing noise levels of surrounding residential development and would cause a major increase in existing noise levels. The application complies with the above policy.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

Policy 58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities.

APPLICANT’S RESPONSE: The proposed development for a memory care facility provides a housing option for elderly residents of the City of McMinnville and surrounding area. The proposed development adds variety to the housing types and density of the City of McMinnville. The application complies with the above policy.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policy 68.00: The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

APPLICANT’S RESPONSE: The proposed memory care facility would be sited near an established residential community with access to city services. The proposed development creates a compact development. The application complies with the above policy.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

Policy 80.00: In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.

APPLICANT’S RESPONSE: The subject property is located near the South Yamhill River to the northwest corner of the property. A building setback of 60 feet will be maintained to preserve the riparian and wooded area along the river back. The application complies with the above policy.

FINDING: SATISFIED WITH CONDITION #8. The City concurs with the applicant’s findings, and adds that the setback area and steep slope will be preserved through various conditions of approval that require the development of the site to meet the geotechnical findings and recommendations that were submitted with the application materials (described in more detail above). In addition, a condition of approval is included to require that existing trees within the 60 foot setback area or the sloped area beyond the top of slope shall not be removed without prior review and approval of the Planning Director. Public testimony received (described in Section IV) expressed concern with the loss of the trees on the subject site as they provide natural wildlife habitat. The preservation of these trees is consistent with Policy 80.00 in that the existing natural features will remain intact on the undevelopable portions of the site.

Policy 81.00: Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, commercial facilities, parks, and other residential areas, shall be encouraged.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #1. A condition of approval is included to require that the subject property be partitioned as approved through the recently reviewed tentative partition application, which was reviewed under docket number MP 4-19. The condition of approval specifies that all applicable conditions of approval from docket number MP 4-19 shall be satisfied. One of the conditions of the tentative partition approval was that the final plat include the dedication of a public easement to allow for a multi-use trail to be developed by the City in the future.

The City of McMinnville Parks, Recreation, and Open Space Master Plan (June 1999) includes a number of recommendations and actions related to recreation and open space facilities that are applicable to land within the subject site. Chapter 6 of the City of McMinnville Parks, Recreation, and Open Space Master Plan (Recommendations) includes the following recommendations:

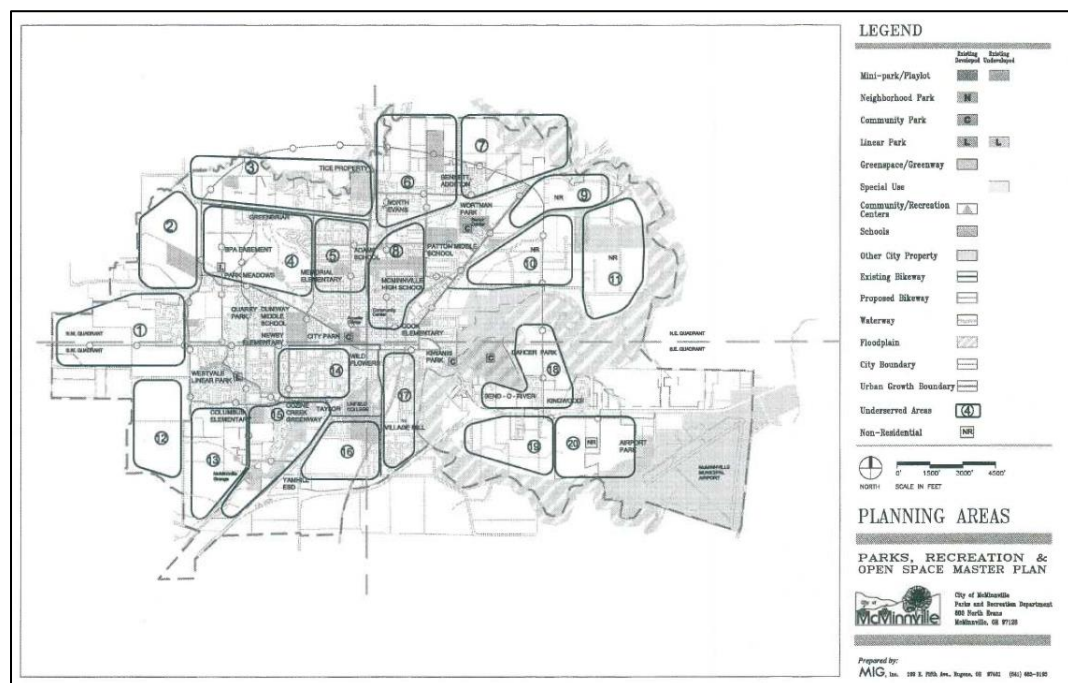
- Protect natural areas and stream corridors by acquiring greenways along creeks and the Yamhill River.

- Provide public access to natural areas and trail-related recreation by developing trails through greenways and in natural areas.
- Provide an interconnected pedestrian and bicycle system that links McMinnville's parks and open spaces and connects them to neighborhoods, work places, and schools.

In addition, Table 11 of the City of McMinnville Parks, Recreation, and Open Space Master Plan (Recreation Facility Action Plan – Southeast) includes the following actions:

- Greenspace/Greenways: Acquire Yamhill River greenway
- Trails and Connectors: Develop a pedestrian bridge from Bend-O-River Neighborhood to Dancer Park
- Trails and Connectors: Develop Yamhill River Greenway trail

The subject site is located within the Southeast quadrant of the City, as it was described in the City of McMinnville Parks, Recreation, and Open Space Master Plan. The subject site is also located within underserved area number 18, which would benefit from the completion of the recommendations and actions in the Master Plan that are described above. A map identifying these area from the Master Plan is provided below:



The subject site is adjacent to the Yamhill River. In order to develop the Yamhill River greenway and trail along the Yamhill River, as described in the City of McMinnville Parks, Recreation, and Open Space Master Plan, a condition of approval from docket number MP 4-19 requires that the final plat include a public easement to allow for the City to construct a greenway trail in the future. The condition of approval specifies that, prior to any construction activity on the site or the development of final plat mylars, the applicant shall develop a site plan identifying the location of the public easement for greenway trail purposes. The site plan including the location of the greenway trail will be reviewed and approved by the Planning Director, and the easement will be located in a reasonable location within the 60 foot setback buffer required between the top of the slope on the subject site and the memory care building being proposed with this conditional use request. The easement will connect between the new sidewalk to be constructed on the west side of NE Dunn Place and the western property line of proposed Parcel 1 (northern parcel). At a minimum, the easement shall be 20 feet in width to accommodate a future 10 foot wide multi-use path with five foot buffers on each side.

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Policy 82.00: The layout of streets in residential areas shall be designed in a manner that preserves the development potential of adjacent properties if such properties are recognized for development on the McMinnville Comprehensive Plan Map

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #1. A condition of approval is included to require that the subject property be partitioned as approved through the recently reviewed tentative partition application, which was reviewed under docket number MP 4-19. The condition of approval specifies that all applicable conditions of approval from docket number MP 4-19 shall be satisfied. The partition includes the dedication of public right-of-way in the form of a new street, which is shown on the conditional use site plan. This new street will provide access to the existing parcels to the west, which are identified in the Comprehensive Plan for residential development. The dedication of the new street also results in a parcel on the south side of the new street within the existing subject site. A condition of approval from docket number MP 4-19 requires that the driveway access to the southern parcel be strategically placed to allow for flexibility in the placement of a building on the parcel, given its unique triangular shape.

Policy 92.03: Housing developments for the elderly shall, as far as possible, locate near community centers, parks, and shopping areas, or where transportation services can be provided to enable access to these activity areas.

APPLICANT’S RESPONSE: The subject property is located one (1) block from the Bend O River mini park, 2 blocks from a shopping center, and approximately ¼ mile from Willamette Valley Hospital. The application complies with the above policy.

FINDING: SATISFIED. The City concurs with the applicant’s findings, and adds that the applicant has stated that residents of the memory care facility do not drive or operate vehicles. The applicant has also stated that, while the residents are not permanently bed-ridden, the individuals at the site require personal assistance with their daily routines. Therefore, the proximity to community centers and shopping areas is not as essential for the proposed facility as it would be for more mobile elderly populations. However, the site is located within walking distance of commercial services and a small park. In addition, the property will include in the future a trail along the Yamhill River Greenway, as described in more detail above.

Urban Policies

Policy 99.00 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:

- 1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
- 2. Storm sewer and drainage facilities (as required).*
- 3. Streets within the development and providing access to the development, improved to city standards (as required).*
- 4. Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*
- 5. Deleted as per Ord. 4796, October 14, 2003.*

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APPLICANT’S RESPONSE: A preliminary analysis of the existing utilities by the civil engineer for this project and discussions with utility providers indicates there are adequate sanitary, stormwater, and water available to serve this project. Connections to existing utilities would be developed concurrently with the memory care residence construction sequence. The proposed new street would be developed to current city standards. The application complies with the above policies.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Streets

Policy 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.

APPLICANT’S RESPONSE: The proposed development would include the construction of a new public street, tentatively named “Marjorie Lane”, that would connect adjacent single-family homes to the west, the proposed memory care residence, and Dunn Place. The road would be development to City Standards to ensure safe and easy access to each parcel nearby. The application complies with the above policy.

FINDING: SATISFIED WITH CONDITION #1. The City concurs with the applicant’s findings, and adds that a condition of approval is included to ensure that the new street is completed as required through the final partition process.

Policy 118.00 The City of McMinnville shall encourage development of roads that include the following design factors:

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.*
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.*
- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.*
- 4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010)*

APPLICANT’S RESPONSE: The proposed road, Marjorie Lane, would be designed to meet city standards and would not exceed the minimum required width, reducing the amount of land dedicated to this purpose. The road would connect to two single-family homes to the west and allow the properties to have direct access to Dunn Place for ingress and egress. The road design includes a 50-foot wide right-of-way. The preliminary design includes a 5-foot wide sidewalk, 4 and ½ foot wide planter area, and 28-foot wide paved roadway with 2.5% slope away from the roadway centerline. A cul-de-sac street is not proposed as part of the proposed road design. The proposed development complies with Policy 118.00.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

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Policy 122.00 The City of McMinnville shall encourage the following provisions for each of the three functional road classifications.

3. Local Streets

- Designs should minimize through-traffic and serve local areas only.
- Street widths should be appropriate for the existing and future needs of the area.
- Sufficient street rights-of-way should be obtained prior to development of adjacent lands.
- Off-street parking should be encouraged wherever possible.
- Landscaping should be required along public rights-of-way.

APPLICANT’S RESPONSE: The proposed development would construct a new public road, tentatively named “Marjorie Lane”. The roads functional classification would likely be a “local street”. It would be designed to serve the two single-family homes to the west, the proposed memory care facility, and future development on the remainder lot that would be located south of Marjorie Lane. The street would be designed with a 50- foot wide right-of-way to allow for two-way traffic. The proposed memory care development would include off-street parking for employees and visitors. Memory care residents would not own or drive personal vehicles. Landscaping will be provided along Marjorie Lane and Dunn Place to City standards. The application complies with Policy 122.00.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

Parking

Policy 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

Policy 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes.

APPLICANT’S RESPONSE: The proposed development would include 20 off-street parking spaces for employees and visitors to the memory care residence. Memory care residents would not drive personal motor vehicles for obvious safety reasons. An off-street parking reduction from the required 22 spaces to 20 spaces is being requested as part of this application due to the fact that memory care residents do not drive. A loading area for refuse bin servicing and deliveries is provided on the memory care site. The application complies with Policies 126.00 and 127.00 above.

Additional Applicant Response in Introduction Section of Application: As part of this conditional use application, the applicant is seeking a reduction to the number of parking spaces required from 22 to 20, a 9% reduction. The City of McMinnville Zoning Ordinance provides a parking ratio for the closest equivalent use as “Convalescent, hospital, nursing home, sanitarium, or rest home” which states...“one space per two beds for patients or residents” pursuant to Section 17.60.060(B)(4). Therefore, a 44-bed residence would require 22 parking spaces under the Zoning Ordinance.

Memory care residents would not own or operate motor vehicles, thereby reducing the need for on-site parking to visitors, staff, and occasional deliveries. Based on Mosaic’s knowledge of operating similar facilities, the proposed number of parking spaces would adequately serve the proposed Memory Care residence.

FINDING: SATISFIED WITH CONDITION #9. The City concurs with the applicant's findings, and also concurs with the rationale to allow for the reduction in parking spaces on the site. This reduction is permitted through the provisions of Section 17.74.040(F) of the McMinnville Municipal Code, and will be described in the findings for that section below.

Complete Streets

Policy 132.24.00 The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. Examples of how the Compete Streets policy is implemented:

- 1. Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below).*
- 2. Incorporate features that create a pedestrian friendly environment, such as:*
 - a. Narrower traffic lanes;*
 - b. Median refuges and raised medians;*
 - c. Curb extensions (“bulb-outs”);*
 - d. Count-down and audible pedestrian signals;*
 - e. Wider sidewalks;*
 - f. Bicycle lanes; and*
 - g. Street furniture, street trees, and landscaping*
- 3. Improve pedestrian accommodation and safety at signalized intersections by:*
 - a. Using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists.*
 - b. Timing signals to minimize pedestrian delay and conflicts.*
 - c. Balancing competing needs of vehicular level of service and pedestrian safety.*

APPLICANT'S RESPONSE: The proposed development includes the construction of a new public road, tentatively name Marjorie Lane. The right-of-way will be developed to City Standards. The roadway features include new sidewalks along Marjorie Lane and Dunn Place along the entire frontage of the subject property. The exact details of the roadway improvements will be designed by a licensed civil engineer and submitted to the City of McMinnville for review and approval. The application complies with Policy 132.24.00.

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the new street is being constructed to be consistent with the applicable Transportation System Plan standards through the final partitioning process.

Aesthetics

Policy 132.47.00 The City should update and maintain its street design standards to increase aesthetics of the street's environment through landscaping and streetscape design.

APPLICANT'S RESPONSE: Street improvements along Dunn Place and Marjorie Lane would include sidewalks and a planting strip with street trees to comply with City Standards. Landscaping will be designed by an Oregon licensed landscape architect. The application complies with Policy 132.47.00.

FINDING: SATISFIED. The City concurs with the applicant's findings.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMinnville URBAN GROWTH BOUNDARY.

Sanitary Sewer System

Policy 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines within the framework outlined below:

- 1. Sufficient municipal treatment plant capacities exist to handle maximum flows of effluents.*
- 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
- 3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized.*
- 4. Extensions will implement applicable goals and policies of the comprehensive plan.*

APPLICANT’S RESPONSE: Based on discussions with City staff, there is adequate capacity to serve the proposed development. The sanitary sewer system will be designed by an Oregon licensed civil engineer in accordance with applicable City of McMinnville development standards. The application complies with Policy 139.00.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

Storm Drainage

Policy 142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00 The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

APPLICANT’S RESPONSE: Based on discussions with City staff, there is adequate stormwater capacity to serve the proposed development. The storm system will be designed by an Oregon licensed civil engineer in accordance with applicable City of McMinnville development standards. The application complies with Policy 142.00.

FINDING: SATISFIED WITH CONDITIONS #3 AND 7. The City concurs with the applicant’s findings, and adds that conditions of approval are included to require that a detailed storm drainage plan, which incorporates the requirements of the City’s 2009 Storm Drainage Master Plan and the recommendations of the geotechnical report for the subject site dated August 15, 2014 by Strata Design, Inc., be submitted for review and approval by the City Engineering Department, and that the applicant secure applicable storm runoff and site development permits from the Oregon Department of Environmental Quality (DEQ).

Attachments :

Attachment 1 – Application and Attachments

Water System

Policy 144.00 The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

- 1. Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.*
- 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
- 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized.*
- 4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

APPLICANT’S RESPONSE: Based on discussions with McMinnville Water and Light, there is adequate water available to serve the proposed development. The sanitary sewer system will be designed by an Oregon licensed civil engineer in accordance with applicable McMinnville Water and Light and City of McMinnville development standards. The application complies with Policy 145.00.

FINDING: SATISFIED. The City concurs with the applicants findings.

Police and Fire Protection

Policy 153.00 The City shall continue coordination between the planning and fire departments in evaluating major land use decisions.

Policy 155.00 The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

APPLICANT’S RESPONSE: The proposed building will include security in form of fences, gates, and CCTV. At least 2 staff members are on duty 24 hours a day, 7 days a week. Fire protection equipment, such as fire alarms and fire sprinklers, will provided to meet building code requirements and enhance employee and resident safety. The application complies with Policy 153.00.

FINDING: SATISFIED. The City concurs with the applicant’s findings, and adds that emergency services departments were provided an opportunity to review the proposal, and offered no comments or objections to the proposed development of the conditional use on the subject site.

GOAL VII 3: TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOYMENT OF ALL CITIZENS OF THE COMMUNITY.

Policy 159.00 The City of McMinnville’s Parks, Recreation, and Open Space Master Plan shall serve to identify future needs of the community, available resources, funding alternatives, and priority projects.

Attachments :

Attachment 1 – Application and Attachments

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #1. A condition of approval is included to require that the subject property be partitioned as approved through the recently reviewed tentative partition application, which was reviewed under docket number MP 4-19. The condition of approval specifies that all applicable conditions of approval from docket number MP 4-19 shall be satisfied. One of the conditions of the tentative partition approval was that the final plat include the dedication of a public easement to allow for a multi-use trail to be developed by the City in the future.

As described in more detail above, the City of McMinnville Parks, Recreation, and Open Space Master Plan (June 1999) includes a number of recommendations and actions related to recreation and open space facilities that are applicable to land within the subject site. In order to develop the Yamhill River greenway and trail along the Yamhill River within the subject site, as described in the City of McMinnville Parks, Recreation, and Open Space Master Plan and in more detail above, a condition of approval from docket number MP 4-19 requires that the final plat include a public easement to allow for the City to construct a greenway trail in the future. The condition of approval specifies that, prior to any construction activity on the site or the development of final plat mylars, the applicant shall develop a site plan identifying the location of the public easement for greenway trail purposes. The site plan including the location of the greenway trail will be reviewed and approved by the Planning Director, and the easement will be located in a reasonable location within the 60 foot setback buffer required between the top of the slope on the subject site and the memory care building being proposed with this conditional use request. The easement will connect between the new sidewalk to be constructed on the west side of NE Dunn Place and the western property line of proposed Parcel 1 (northern parcel). At a minimum, the easement shall be 20 feet in width to accommodate a future 10 foot wide multi-use path with five foot buffers on each side.

GOAL IX 2: TO ESTABLISH A LAND USE PLANNING FRAMEWORK FOR APPLICATION OF THE GOALS, POLICIES, AND PROPOSALS OF THE McMINNVILLE COMPREHENSIVE PLAN

Policy 187.10 The City of McMinnville shall establish Great Neighborhood Principles to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value, whether that place is a completely new development or a redevelopment or infill project within an existing built area.

Policy 187.20 The Great Neighborhood Principles shall encompass a wide range of characteristics and elements, but those characteristics and elements will not function independently. The Great Neighborhood Principles shall be applied together as an integrated and assembled approach to neighborhood design and development to create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood, and to create a neighborhood that supports today’s technology and infrastructure, and can accommodate future technology and infrastructure.

Policy 187.30 The Great Neighborhood Principles shall be applied in all areas of the city to ensure equitable access to a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood for all McMinnville citizens.

Attachments :

Attachment 1 – Application and Attachments

Policy 187.40 The Great Neighborhood Principles shall guide long range planning efforts including, but not limited to, master plans, small area plans, and annexation requests. The Great Neighborhood Principles shall also guide applicable current land use and development applications.

Policy 187.50 The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13), and is followed by more specific direction on how to achieve each individual principle.

1. *Natural Feature Preservation. Great Neighborhoods are sensitive to the natural conditions and features of the land.*
 - a. *Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.*

APPLICANT’S RESPONSE: The subject property contains a portion of the South Yamhill River on the northwest corner of the property. The proposed memory care building and associated improvements would be set back 60 feet from the top of bank to minimize impacts to natural areas. This setback will allow for the natural area near the river to remain undisturbed. Trees along the riverbank and riparian area will be preserved. Some trees near the existing dwelling and outbuildings would need to be removed to allow demolition of the structures. A precise plan indicating which trees will be preserved is still under development. No development will occur near steep slopes along the riverbank.

FINDING: SATISFIED WITH CONDITIONS #2, 4, 5, 6, 7, AND 8. The City concurs with the applicant’s findings, and adds that conditions of approval are included to ensure that the natural features on the site are preserved during the development of the site. A geotechnical report was provided with the application materials that analyzed the site in terms of soil content and slope stability. The geotechnical report was completed in 2014, therefore a condition of approval is included to require that the geotechnical report be verified by a registered professional geotechnical engineer to ensure that the findings and recommendations in the 2014 geotechnical report are still valid. Other conditions of approval are included to require that the development of the site be consistent with the recommendations of the geotechnical report, as may be updated based on the re-verification of that report, that any building permits within the required setback area be stamped by a registered professional geotechnical engineer, that the applicant provide evidence that the buried trash pit on the site has been remediated, and that the applicant secure applicable storm runoff and site development permits from the Oregon Department of Environmental Quality (DEQ). In addition, a condition of approval is included to require that existing trees within the 60 foot setback area or the sloped area beyond the top of slope shall not be removed without prior review and approval of the Planning Director. Public testimony received (described in Section IV) expressed concern with the loss of the trees on the subject site as they provide natural wildlife habitat. The preservation of these trees and the steep slopes on the subject site is consistent with Policy 187.50(1).

2. *Scenic Views. Great Neighborhoods preserve scenic views in areas that everyone can access.*
 - a. *Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including, but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.*

APPLICANT’S RESPONSE: The proposed memory care building will consist of single-story structure that is a maximum of 20 feet 9 1/8 inches in height. This lower building height will help preserve views to the north.

FINDING: SATISFIED. The City concurs with the applicant's findings. The proposed memory care building will be a single story, and at just under 21 feet in height the structure will be well under the maximum height of 60 feet that is allowed in the R-4 zone. The building is also proposed to be located at least 60 feet, in some areas further, from the top of the steep slope that exists on the northwestern portion of the site. This setback area will preserve views of the South Yamhill River corridor from the surrounding land uses and from the public right-of-way along NE Dunn Place. As described in more detail above, a public trail easement will also be located in the 60 foot setback area. This public space will provide opportunities for the public to view the South Yamhill River corridor and the natural landscapes associated with it.

3. *Parks and Open Spaces. Great Neighborhoods have open and recreational spaces to walk, play, gather, and commune as a neighborhood.*
 - a. *Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.*
 - b. *Central parks and plazas shall be used to create public gathering spaces where appropriate.*
 - c. *Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.*

APPLICANT'S RESPONSE: The proposed project does not include a proposal for new public parks or open space. However, the proposed development does include an indoor courtyard for resident enjoyment of the outdoors and secure, exterior courtyard facing the wooded area near the South Yamhill River. The nearest park is Bend O River mini park located between the cul-de-sacs of NE Clark Ct and NE Norton Ct one block away from the proposed development.

FINDING: SATISFIED WITH CONDITION #1. The City concurs with the applicant's findings, but adds that a condition of approval is included to require that the subject property be partitioned as approved through the recently reviewed tentative partition application, which was reviewed under docket number MP 4-19. The condition of approval specifies that all applicable conditions of approval from docket number MP 4-19 shall be satisfied. One of the conditions of the tentative partition approval was that the final plat include the dedication of a public easement to allow for a multi-use trail to be developed by the City in the future, as described in more detail above. Therefore, additional park and open space, consistent with the City of McMinnville Parks, Recreation, and Open Space Master Plan, will be provided on the subject site in the future through the public trail easement that is being required through the partitioning process.

4. *Pedestrian Friendly. Great Neighborhoods are pedestrian friendly for people of all ages and abilities.*
 - a. *Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.*
 - b. *Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).*

APPLICANT'S RESPONSE: A 5-foot-wide sidewalk will be developed on each side of proposed Marjorie Lane providing pedestrian access to the site. Additionally, street improvements along NE Dunn Place will span the length of the subject property, including street trees and sidewalk on the west side of the street.

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the new street and sidewalk infrastructure is being constructed to be consistent with the applicable Transportation System Plan standards through the final partitioning process. All new sidewalks will be constructed with a planter strip between the sidewalk and the street. These planter strips

will include street trees at a minimum, which will provide buffering for a more enjoyable and safe pedestrian experience. The new sidewalks will complete a gap in the sidewalk system along the west side of NE Dunn Place. Together with the future multi-use trail described in more detail above, the subject site will be vastly improved with pedestrian friendly features and will improve the pedestrian environment of the surrounding neighborhood.

5. *Bike Friendly. Great Neighborhoods are bike friendly for people of all ages and abilities.*
 - a. *Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.*
 - b. *Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.*

APPLICANT’S RESPONSE: The proposed project would develop a new public road, Marjorie Lane, with required sidewalk and planter strips for street trees. Due to the low traffic of this street, it would be bike friendly for employees who choose to commute by bicycle.

FINDING: SATISFIED. The City concurs with the applicant’s findings. The subject site and the surrounding street network are not identified for further bike facilities in the existing Transportation System Plan. The multi-use trail described in more detail above will provide for an additional bike amenity within the neighborhood that will be off-street and therefore will be a more enjoyable and safe option for bicyclists than using the surrounding street network. The multi-use trail, when constructed, will also provide for increased connectivity between the surrounding residential neighborhoods, both existing and potential future neighborhoods.

6. *Connected Streets. Great Neighborhoods have interconnected streets that provide safe travel route options, increased connectivity between places and destinations, and easy pedestrian and bike use.*
 - a. *Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements.*
 - b. *Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.*

APPLICANT’S RESPONSE: The proposed project would develop a new public road, Marjorie Lane, with required sidewalk and planter strips for street trees.

FINDING: SATISFIED. The City concurs with the applicant’s findings, and adds that the new street and sidewalk infrastructure is being constructed to be consistent with the applicable Transportation System Plan standards through the final partitioning process. The new street is aligned to allow for future extension to the west to serve future residential redevelopment as identified in the McMinnville Comprehensive Plan.

7. *Accessibility. Great Neighborhoods are designed to be accessible and allow for ease of use for people of all ages and abilities.*
 - a. *To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.*
 - b. *Design practices should strive for best practices and not minimum practices.*

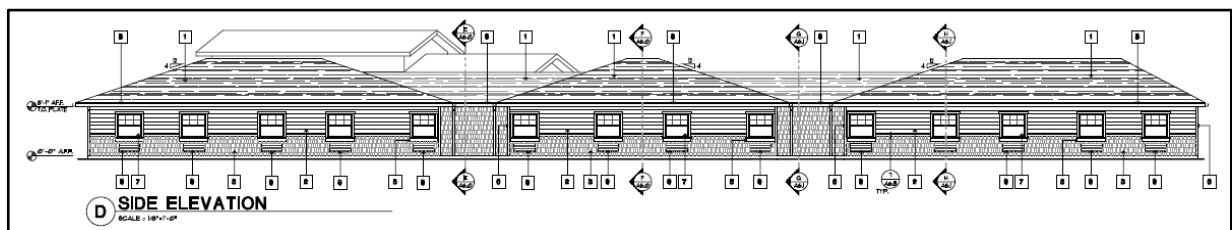
APPLICANT’S RESPONSE: Given the nature of the facility, there is special consideration and emphasis on the design of parking areas, walking paths, and buildings to make sure these features will be accessible for elderly individuals.

FINDING: SATISFIED. The City concurs with the applicant's findings.

8. *Human Scale Design.* Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.
 - a. The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.
 - b. Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.
 - c. Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).

APPLICANT'S RESPONSE: The proposed building would be oriented toward a new public right-of-way, Marjorie Lane. The site will include generous landscaping, lighting in and around parking areas and walkways, and secure features such as fences and gates. Additionally, the residence will have staff available 24/7 to monitor activities of the building and grounds.

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the proposed building is of a scale that is compatible with the surrounding built environment that is comprised of single family residential uses to the east and lower intensity commercial uses to the south. The building design also includes features that will be comfortable at a human scale. The entrance to the building is designed to be prominent and easily identifiable from the public right-of-way through the use of a taller gable roof feature and a covered drive through entrance. The covered drive through entrance provides for comfortability and ease of use for the primary future residents of the facility, who may require assistance with entering and exiting vehicles, and will be able to do so in an area that is protected from the elements. The most prominent building elevation will be the east elevation immediately adjacent to the NE Dunn Place public right-of-way. However, the east building façade includes a repetitive window pattern, windows with decorative finishes such as trim and windowsills, and varying roof heights and shapes. The east elevation can be seen below:



9. *Mix of Activities.* Great Neighborhoods provide easy and convenient access to many of the destinations, activities, and local services that residents use on a daily basis.
 - a. Neighborhood destinations including, but not limited to, neighborhood-serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.
 - b. Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.
 - c. Neighborhoods are designed such that owning a vehicle can be optional.

APPLICANT'S RESPONSE: There are many medical, recreational, and dining options near the vicinity of the proposed project with easy access from Highway 18. There are numerous medical facilities in the area. As mentioned previously, memory care residents do not drive. Employees would be able to access nearby services without having to drive a motor vehicle. It is expected that some employees would commute by bicycle.

Attachments:

Attachment 1 – Application and Attachments

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the proposed memory care use introduces a new use to the surrounding neighborhood that already includes a variety of residential and commercial uses.

10. Urban-Rural Interface. Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.

- a. Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.*

APPLICANT'S RESPONSE: The proposed project is a single-story building consisting of approximately 19,000 square feet. The memory care residence provides a soft transition from more intensive uses such as the commercial areas near Three Mile Lane, and single-family residential uses.

FINDING: SATISFIED. The City concurs with the applicant's findings, but clarifies that the subject site is surrounded by other property that is also within the McMinnville Urban Growth Boundary. While rural uses are not adjacent to the site, a significant natural feature does exist adjacent to the site in the South Yamhill River corridor. As described in more detail above, the site is being designed to provide for setbacks from the steep slope on the northwest portion of the site, which will also provide for a transition between the developed portion of the site and the natural state of the South Yamhill River corridor.

11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.

- a. A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.*

APPLICANT'S RESPONSE: The subject property is zoned R4. The proposed memory care residence provides a specialized housing option for residents who need assistance with their daily routine. The proposed project adds to the diversity of housing in the City of McMinnville. As part of the proposed development, a remainder parcel would be created on the south side of the newly created Marjorie Lane. This parcel could be developed for residential use or other uses allowed under the R4 zoning district. There are currently no immediate plans to develop the remainder parcel.

FINDING: SATISFIED. The City concurs with the applicant's findings.

12. Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.

- a. Neighborhoods shall have several different housing types.*
b. Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.

APPLICANT'S RESPONSE: The subject property is zoned R4. As part of the proposed development, a remainder parcel would be created on the south side of the newly created Marjorie Lane. This parcel could be developed for residential use or other uses allowed under the R4 zoning district. There are currently no immediate plans to develop the remainder parcel.

FINDING: SATISFIED. The City concurs with the applicant's findings.

13. *Unique and Integrated Design Elements. Great Neighborhoods have unique features, designs, and focal points to create neighborhood character and identity. Neighborhoods shall be encouraged to have:*

- a. *Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.*
- b. *Opportunities for public art provided in private and public spaces.*
- c. *Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners, landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood.*

APPLICANT’S RESPONSE: The proposed development will be designed to meet building code standards for water and energy conservation. There are no current plans for public art. The pedestrian amenities of the site include street lights, parking lot lighting, pathway light bollards, landscaping, interior courtyard with raised beds, and a fountain, and fencing around an exterior courtyard. The design approach will integrate the form and function of these features with the main building design.

FINDING: SATISFIED. The City concurs with the applicant’s findings.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

Policy 188.00 The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The process for a Conditional Use review provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearing(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville Zoning Ordinance

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) provide criteria applicable to the request:

Chapter 17.03. General Provisions

17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

Attachments:

Attachment 1 – Application and Attachments

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

Chapter 17.21 Multiple-Family Residential Zone

17.21.020 Conditional Uses. In an R-4 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74.030:: [...]

K. Nursing/convalescent home;

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The subject site is zoned R-4 PD (Multiple Family Residential Planned Development), which allows for the intended memory care facility use of the property as a conditional use. A memory care facility is consistent with the definition of “Nursing/convalescent home” in Section 17.06.015 of the McMinnville Municipal Code, which is “Any facility for the care, boarding, and housing of elderly persons or medical outpatients, including rest homes, homes for the aged, and similar uses operating under any name or as may be licensed by the State of Oregon.”

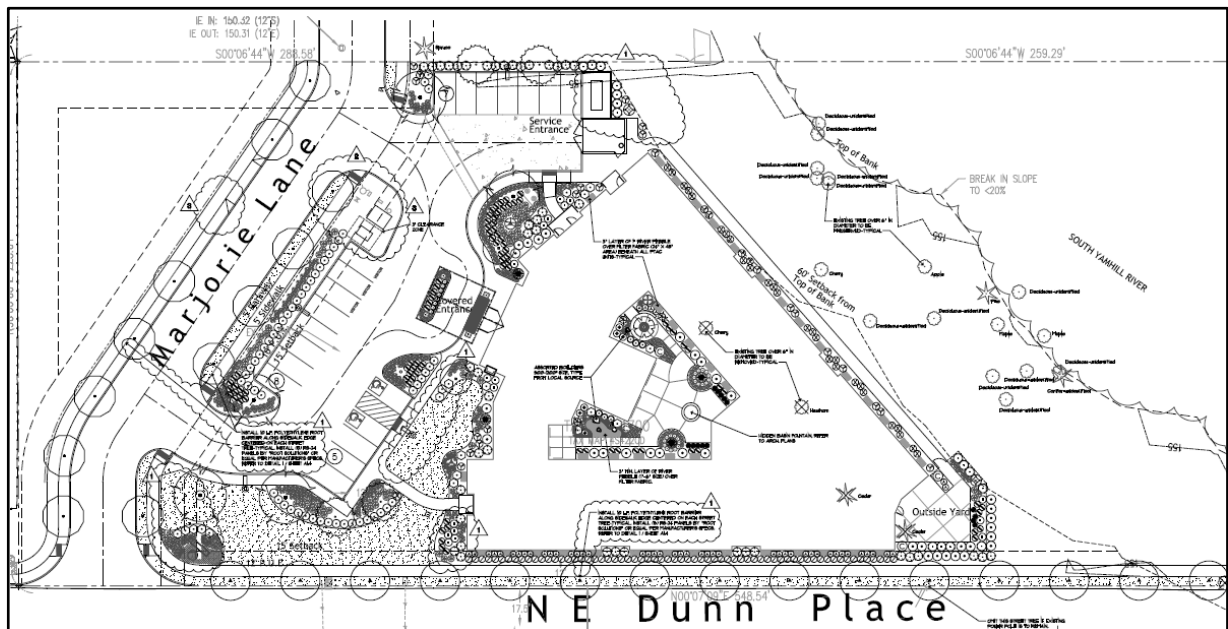
Chapter 17.57 Landscaping

17.57.030 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

A. R-4 (Multiple-Family Residential zone, except the construction of Single-Family or Two-Family Residential unit);

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #10. A condition of approval is included to require that a landscape plan be submitted for review and approval by the Landscape Review Committee. The applicant does intend to include extensive landscaping throughout the subject site, as shown below in the submitted preliminary landscape plan:



Attachments:

Attachment 1 – Application and Attachments

Chapter 17.58 Trees

17.58.080 Street Tree Planting—When Required. All new multi-family development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #11. A condition of approval is included to require that street trees be planted within the planter strips adjacent to the subject site, and that the street tree planting plan be included in the landscape plan required to be reviewed and approved by the Landscape Review Committee.

Chapter 17.74 Review Criteria

17.74.030. Authorization to Grant or Deny Conditional Use.

A conditional use listed in this ordinance shall be permitted, altered or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, a change in the use or in lot area, or an alteration of any structure shall conform to the requirements for conditional uses. In judging whether or not a conditional use proposal shall be approved or denied, the Planning Commission shall weigh its appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

17.74.030(A). *The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;*

APPLICANT’S RESPONSE: The proposed Memory Care residence provides a needed housing option in the City of McMinnville for residents who may suffer from Alzheimer’s, dementia, and other mental ailments. The proposed development will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance. The only zoning code variance sought is for a reduction in the required number of parking spaces from 22 to 20, a 9% reduction, due to the fact that memory care residents do not own or drive personal motor vehicles. Based on Mosaic’s experience operating several similar facilities in Oregon, the proposed number of parking spaces would be adequate for this size of memory care residence.

FINDING: SATISFIED. The City concurs with the applicant’s findings, and also refers to the findings provided for the applicable Comprehensive Plan goals and policies in Section VII (Conclusionary Findings) above.

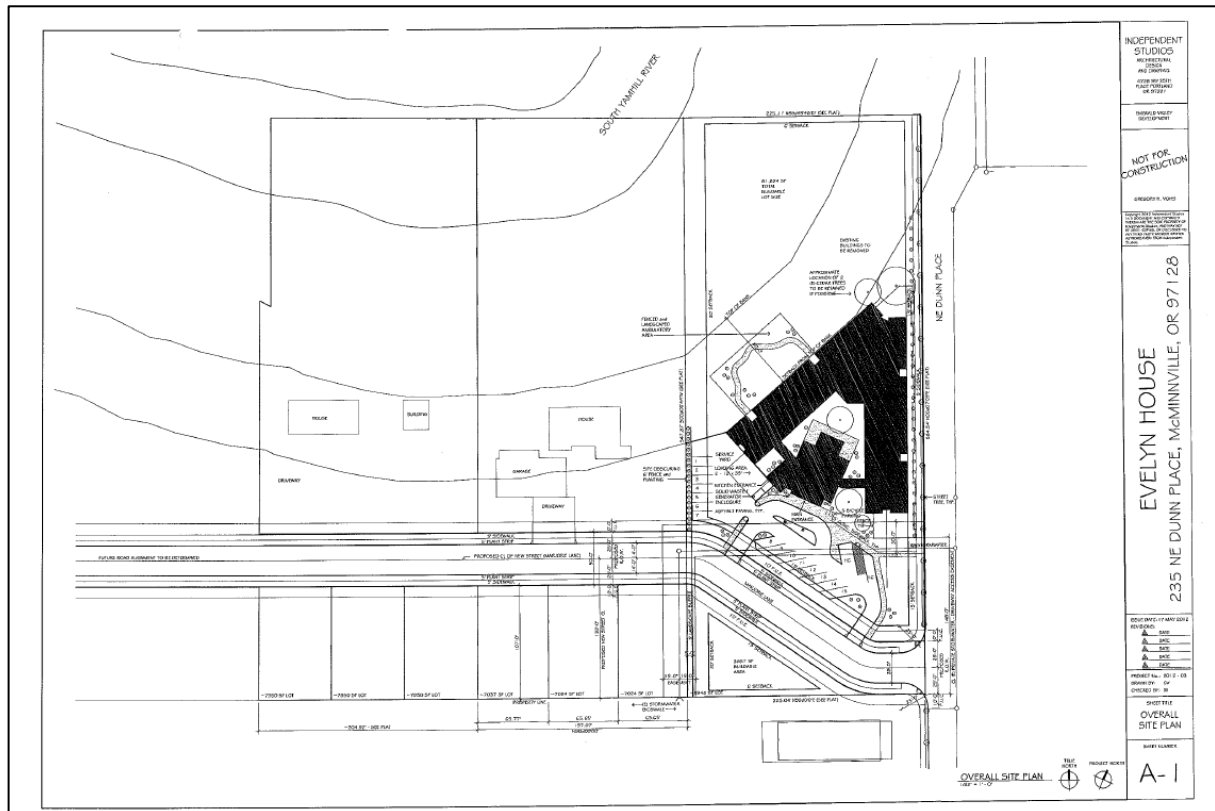
17.74.030(B). *That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;*

APPLICANT’S RESPONSE: The proposed memory care residence is primarily residential in nature and is located on a large lot. The proposed development will have a minimal impact to the surrounding neighborhood. The proposed development provides a good transition from single-family homes to commercial projects near Three Mile Lane.

Attachments:

Attachment 1 – Application and Attachments

FINDING: SATISFIED. The City concurs with the applicant's findings. The City adds that the subject site is regulated by a Planned Development Overlay District adopted by Ordinance 4956, which included the approval of a master plan that became binding on the site. The master plan identifies the alignment of the new street, proposed to be constructed through a partition process as described in more detail above, and the location of the building and circulation areas on the site. Therefore, much of the site development is regulated and controlled by that binding master plan, and the site plan proposed is consistent with the binding master plan. The previously approved master plan can be seen below:

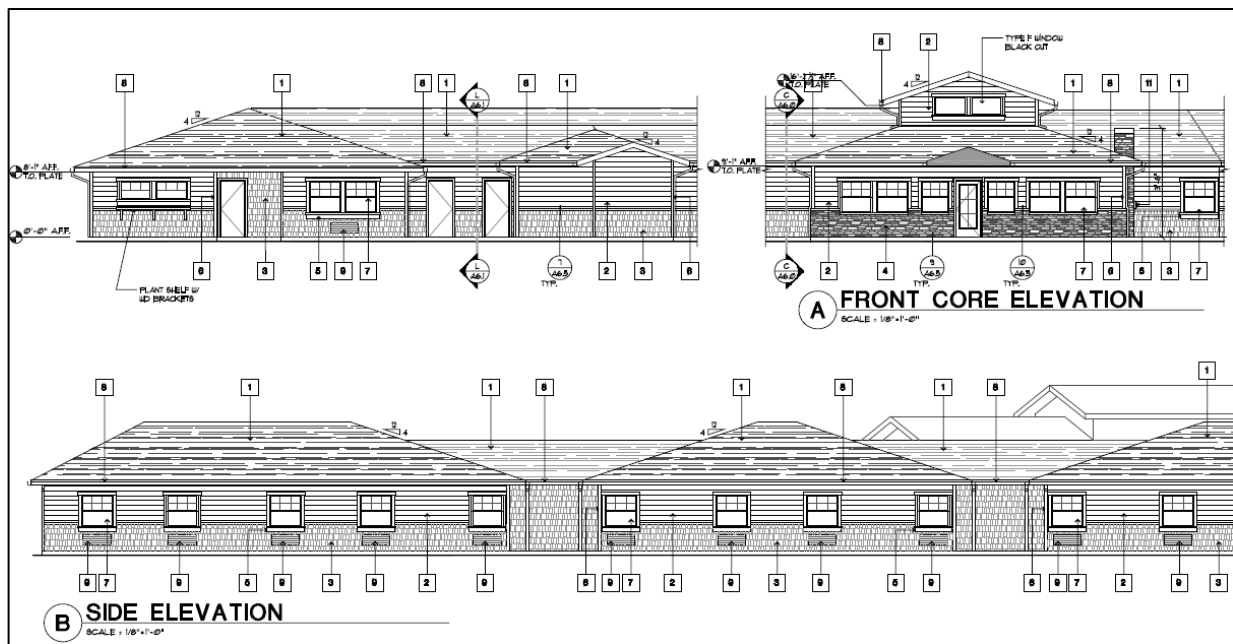


The proposed building is of a size that is compatible with the surrounding neighborhood and the scale of the existing development in the surrounding area. Single family residential development exists to the north and east, most of which is currently single story buildings although the maximum building height in the surrounding R-1 zone would allow up to 35 foot tall structures. The memory care building is also proposed to be only one story. The maximum height of the building is 20 feet 9 1/8 inches, which only occurs at the main entrance that has a more prominent and taller roofline. The remainder and majority of the building is only about 17 feet in height at the peak of the roofs, which is similar to and compatible with the existing development in the surrounding area.

The building does have a large footprint, but there are features of the building that help in reducing the massing. The building includes a variety of roof heights, sizes, and forms, including both gable ends and hipped roofs. The building facades that are oriented towards the surrounding single family residential development have hipped roofs with the peak running parallel to the building wall, which also reduces the massing and visual impact of the building as viewed from the surrounding public right-of-ways. These variations in building height and orientation can be seen in the front and side elevations below:

Attachments :

Attachment 1 – Application and Attachments

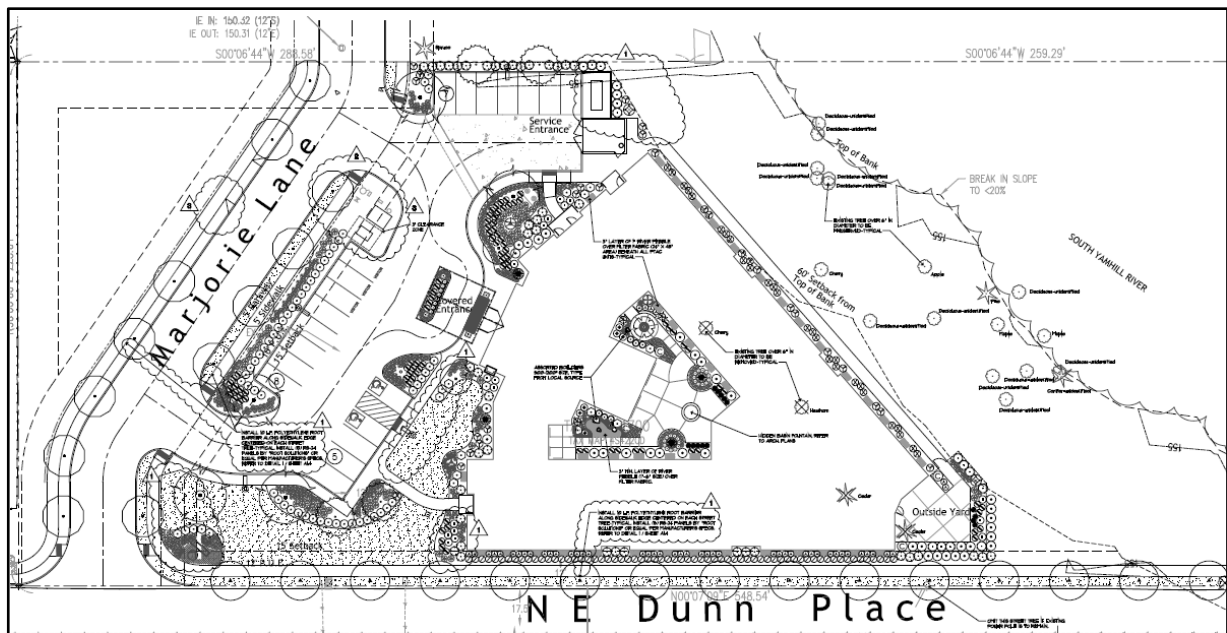


The design of the building also includes other features that will break up the façade and reduce the effect of the building massing, which can be seen in the front and side elevations above. Repetitive windows patterns, including windows with detailed trim and windowsills, are present on each façade. The building also has multiple exterior materials in what is described by the applicant as a northwest contemporary design with a mix of natural materials, including horizontal siding, shake siding, stone-wrapped columns, and wood beams.

The location of the building on the site includes a large rear yard setback, which is 60 feet from the top of the slope that exists on the northwest portion of the site. While the large setback is included for environmental reasons, as described in more detail above, it does reduce the lot coverage and preserves a portion of the site as open space to again reduce the scale and massing of the development. Conditions of approval are included to require that the development of the site be consistent with the recommendations of the geotechnical report, one of which is the 60 foot setback from the top of slope which will preserve this area and the natural features that exist on the site. The developed portion of the site is proposed to be extensively landscaped, including the planting of street trees within the public right-of-ways adjacent to the subject site. The proposed landscaping and trees will provide additional buffering and screening of the new building from surrounding uses. The preliminary landscape plan can be seen below:

Attachments:

Attachment 1 – Application and Attachments



Access to the site is proposed to be from a new street being dedicated through a partitioning process reviewed and approved under a recent tentative partition (docket number MP 4-19). Two access points are proposed into the site, which will allow for ingress and egress for emergency services vehicles and other larger transportation vehicles that may be required to provide transportation for residents of the facility. Off-street parking spaces are proposed in the same location, south of the building. The location of the parking and access points to the site will limit potential conflicts with single family uses and the multiple access points that exist along the east side of NE Dunn Place.

These design features of the proposed development result in a use of the site that is reasonably compatible with and has minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood.

17.74.030(C). *That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;*

APPLICANT'S RESPONSE: The proposed memory care residence will not cause significant adverse impacts on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to outright permitted uses. The bulk, scale, and mass of the proposed building is below the maximum density and height allowed within the R4 zone. The proposed memory care residence meets all required setbacks of the R4 zone.

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the location, site, design, and operations of the substation facility will not cause any significant adverse impact on the livability, value, or appropriate development of abutting properties, based on the description of the location, site, design, and operations and the additional conditions of approval described in the finding for 17.74.030(B) above.

17.74.030(D). *The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;*

APPLICANT'S RESPONSE: The proposed development will be located near the middle of the subject property. The property will be generously landscaped. The architectural style of the building will be a northwest contemporary design with a mix of natural materials, including stone-wrapped columns and wood beam.

Attachments:

Attachment 1 – Application and Attachments

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the location, site, design, and operations of the substation facility will be as attractive as the nature of the use and its setting warrant, based on the description of the location, site, design, and operations and the additional conditions of approval described in the finding for 17.74.030(B) above.

17.74.030(E). *The proposal will preserve environmental assets of particular interest to the community;*

APPLICANT'S RESPONSE: The subject property is located south of the South Yamhill River. The proposed Memory Care building would be set back 60 feet from the top of bank, limiting development near the river and riparian area.

FINDING: SATISFIED. The City concurs with the applicant's findings. As discussed in more detail above, significant natural features on the site will be preserved, including the floodplain area, steep slope, and existing trees within the 60 foot setback area and on the steep slope.

17.74.030(F). *The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.*

APPLICANT'S RESPONSE: The proposed development is residential in nature, providing a safe, secure, and caring environment for persons suffering from Alzheimer's, dementia, and other mental impairments. Mosaic Management has built and operated several similar residences in Oregon and one in New Mexico. The proposed development is a modern facility that will also provide jobs in the community. The proposed development will not artificially alter property values for speculative purposes.

FINDING: SATISFIED. The City concurs with the applicant's findings.

17.74.040. Placing Conditions on a Conditional Use Permit.

In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which it finds necessary to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole. These conditions may include, but need not be limited to, the following:

- A. Limiting the manner in which the use is conducted including restrictions on the time a certain activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare, and odor;
- B. Establishing a special yard or other open space, lot area, or dimension;
- C. Limiting the height, size, or location of a building or other structure;
- D. Designating the size, number, location and nature of vehicle access points;
- E. Increasing the amount of street dedication, roadway width, or improvements within the street right-of-way;
- F. Designating the size, location, screening, drainage, surfacing, or other improvement of a parking area or truck loading area;
- G. Limiting or otherwise designating the number, size, location, height and lighting of signs;
- H. Limiting the location and intensity of outdoor lighting and requiring its shielding;
- I. Requiring diking, screening, landscaping, or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance;
- J. Designating the size, height, location, and materials for a fence;
- K. Protecting and preserving existing trees, vegetation, water resource, wildlife habitat, or other significant natural resource;

Attachments:

Attachment 1 – Application and Attachments

- L. Such other conditions as will make possible the development of the City in an orderly and efficient manner in conformity with the intent and purposes set forth in this ordinance.

APPLICANT’S RESPONSE: As part of this conditional use application, the applicant is seeking a reduction to the number of parking spaces required from 22 to 20, a 9% reduction. The City of McMinnville Zoning Ordinance provides a parking ratio for the closest equivalent use as “Convalescent, hospital, nursing home, sanitarium, or rest home” which states...“one space per two beds for patients or residents” pursuant to Section 17.60.060(B)(4). Therefore, a 44-bed residence would require 22 parking spaces under the Zoning Ordinance.

Memory care residents would not own or operate motor vehicles, thereby reducing the need for on-site parking to visitors, staff, and occasional deliveries. Based on Mosaic’s knowledge of operating similar facilities, the proposed number of parking spaces would adequately serve the proposed Memory Care residence.

FINDING: SATISFIED WITH CONDITION #9. The City concurs with the applicant’s findings, and also concurs with the rationale to allow for the reduction in parking spaces on the site. The applicant has requested a reduction in the number of off-street parking spaces on the subject site, which can be allowed under the conditional use process through a condition of approval that designates the size of the parking areas pursuant to Section 17.74.040(F). Therefore, a condition of approval is included to allow for only 20 off-street parking spaces for the 44 bed facility.

Planned Development Ordinance

The following Sections of the Planned Development adopted by Ordinance 4956 provide criteria applicable to the request:

Section 2. *That the property described in “Exhibit A” is hereby rezoned from a City R-2 PD (Single-Family Residential, Planned Development) zone to a City R-4 PD (Multi-Family Residential Planned Development) zone, subject to the following conditions:*

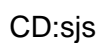
1. *That all applicable requirements of McMinnville Planned Development Ordinance No. 4719 shall remain in effect.*
2. *That the Evelyn House master plan, submitted as part of this application, shall be placed on file with the Planning Department and become a part of the zone, and binding on the owner and developer. That the developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director’s decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director’s decision by the Planning Commission may be initiated at the request of any one of the Commissioners.*

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The proposed site plan is generally consistent with the approved master plan that is binding on the site. There are some minor changes in the new site plan due to further site engineering and construction plan preparation. However, the minor changes do not significantly change the intent of the approve plan. They include a minor shift in the alignment of the new street to line up with the center line of the existing access easement providing access to the parcels to the west, a reconfiguration of the drive aisle through the site, and the removal of a patio space on the north side of the building due to it being located within the required 60 foot setback from the top of the steep slope. The approved master plan for the “Evelyn House” is provided below:

Attachments:

Attachment 1 – Application and Attachments



Attachments :
Attachment 1 – Application and Attachments



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS MCMINNVILLE
PLANNING COMMISSION FOR APPROVAL OF THREE MILE LANE DEVELOPMENT REVIEW FOR
NEW DEVELOPMENT AT 235 NE DUNN PLACE**

DOCKET:	TML 2-19 (Three Mile Lane Development Review)
REQUEST:	Application for Three Mile Lane Development Review to allow for the development of a memory care facility with 44 beds for residence by elderly individuals who suffer from Alzheimer's dementia, and other age-related mental ailments within the Three Mile Lane Planned Development Overlay District.
LOCATION:	235 NE Dunn Place. The property is more specifically described as Parcel 1, Partition Plat 2004-33. The property is also identified as Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M.
ZONING:	R-4 PD (Multiple Family Residential Planned Development) and F-P (Flood Plain)
APPLICANT:	Sam Thomas, on behalf of owner McMinnville Senior Living, LLC
STAFF:	Chuck Darnell, Senior Planner
DATE DEEMED COMPLETE:	July 17, 2019
DECISION MAKING BODY & ACTION:	The McMinnville Planning Commission makes the final decision, unless the Planning Commission's decision is appealed to the City Council.
DECISION DATE & LOCATION:	September 19, 2019, Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
PROCEDURE:	An application for Three Mile Lane Development Review is processed in accordance with the procedures in Section 17.72.110 of the Zoning Ordinance, which requires Planning Director review with property owner notification. Due to the fact that the Three Mile Lane Development Review application was submitted concurrently with another land use application, the Three Mile Lane Development Review application is subject to the hearing procedure that affords the most opportunity for public hearing and notice, per Section 17.72.070 of the McMinnville Municipal Code. The other land use applications require review by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the Zoning Ordinance. Therefore, the Planning Commission will take final action on the Three Mile Lane Development Review request.

CRITERIA: The applicable criteria are specified in Section 4 (Policies) and Section 5 (Signs) of Ordinance 4131 - Three Mile Lane Planned Development Overlay as amended by Ordinance 4572. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

APPEAL: As specified in Section 17.72.180 of the Zoning Ordinance, the Planning Commission's decision may be appealed to the City Council within 15 calendar days of the date the written notice of decision is mailed. The City's final decision is subject to the 120 day processing timeline, including resolution of any local appeal.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Frontier Communications; Comcast; Recology; Oregon Department of State Lands; and Northwest Natural Gas. Their comments are provided in this document.

DECISION

Based on the findings and conclusionary findings, the Planning Commission finds the applicable criteria are satisfied with conditions and **APPROVES** the Three Mile Lane Development Review (TML 2-19), **subject to the conditions of approval provided in Section II of this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Commission: _____
 Roger Hall, Chair of the McMinnville Planning Commission

Date:

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Attachments :

Attachment 1 – Application and Attachments

I. APPLICATION SUMMARY:***Subject Property & Request***

The proposal is an application for Three Mile Lane Development Review to allow for the construction of a new memory care residential facility on a property within the Three Mile Lane Planned Development Overlay district. The memory care facility would be a single story building containing 44 resident beds, and would provide residential facilities for elderly individuals who suffer from Alzheimer's, dementia, and other age-related mental ailments. The subject site is located at 235 NE Dunn Place and is more specifically described as Parcel 1, Partition Plat 2004-33. The property is also identified as Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M. The property is located within Zone 1 of the Three Mile Lane Planned Development Overlay district.

The subject property is located on the west side of NE Dunn Place between NE Cumulus Avenue and NE Aaron Drive. The subject property is zoned R-4 PD (Multiple Family Residential Planned Development), and is subject to a Planned Development Overlay District adopted by Ordinance 4956. A portion of the property is also zoned F-P (Flood Plain). The surrounding properties have a variety of zoning designations, including R-2 PD (Single Family Residential Planned Development) to the west, C-3 PD (General Commercial Planned Development) to the south, and R-1 PD (Single Family Residential Planned Development) to the north and east. The areas to the west and south are subject to a Planned Development Overlay District adopted by Ordinance 4719, which also included the subject site before it was included in a later Planned Development Overlay District adopted by Ordinance 4956. Uses on the surrounding properties include single family residential to the west, office and medical uses to the south, and single family residential to the north and east.

See Vicinity Map (Figure 1), Zoning Map (Figure 2), and Applicant's Proposed Site Plan & Rendering (Figure 3) below.

Figure 1. Vicinity Map

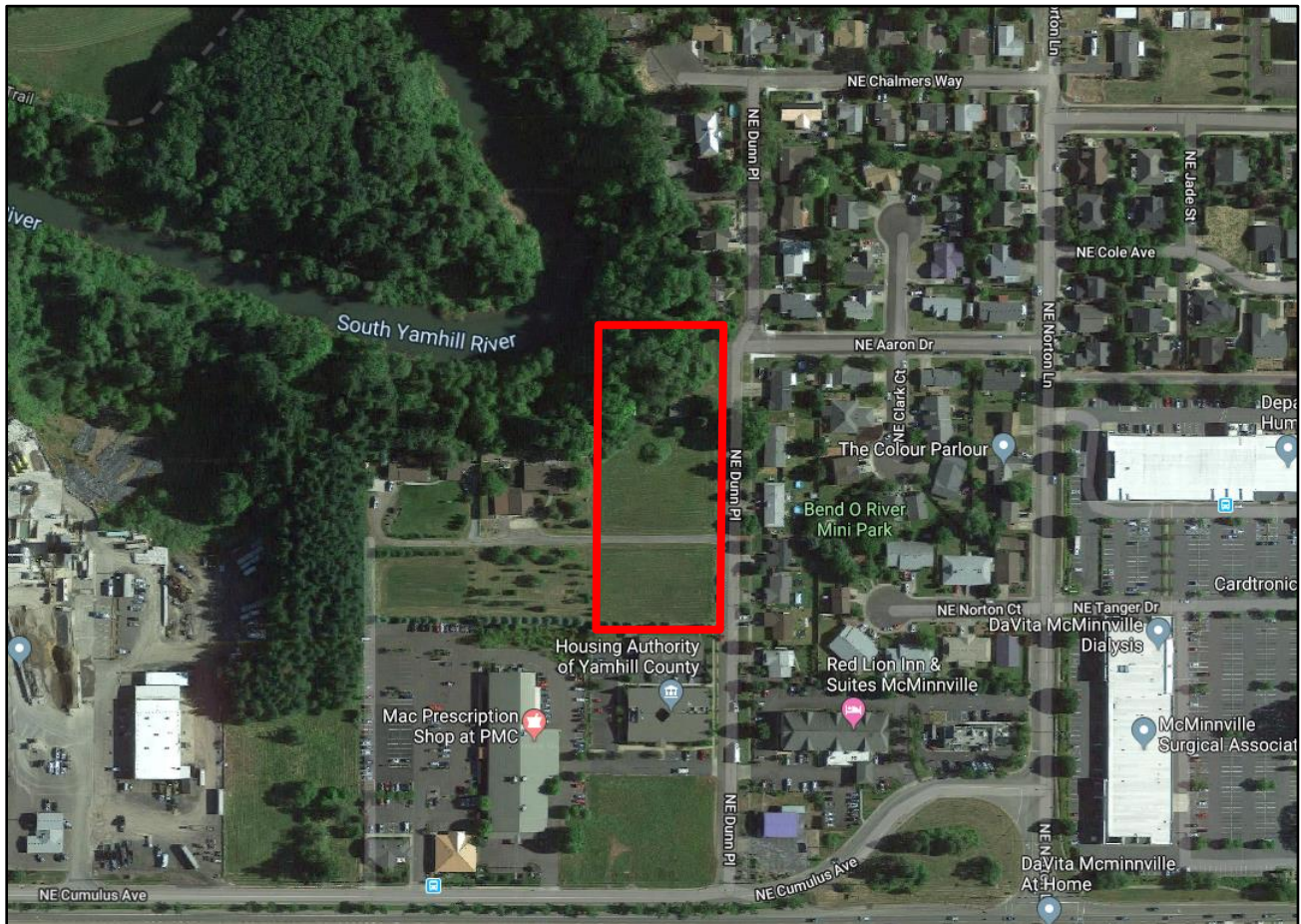


Figure 2. Zoning Map

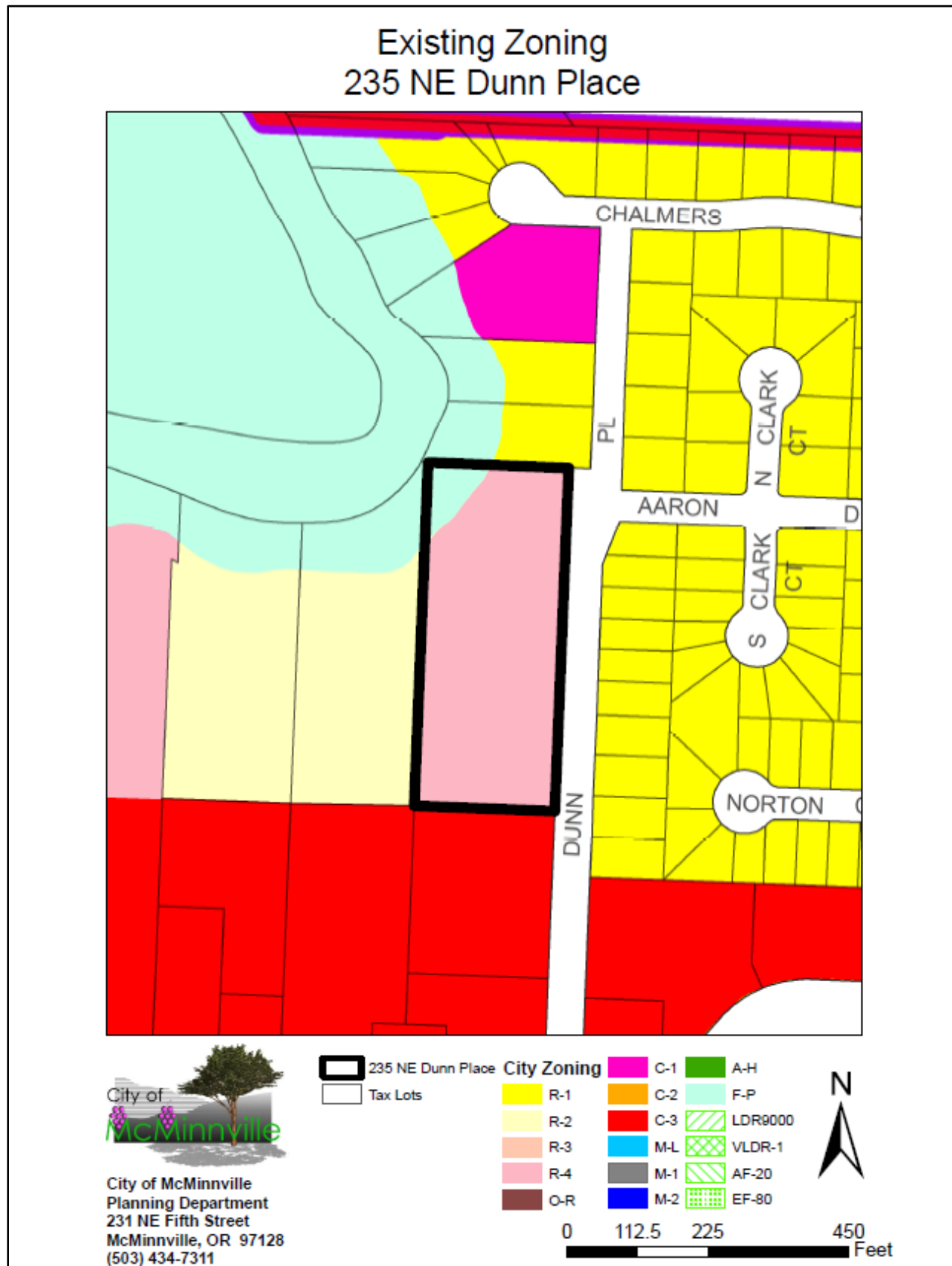
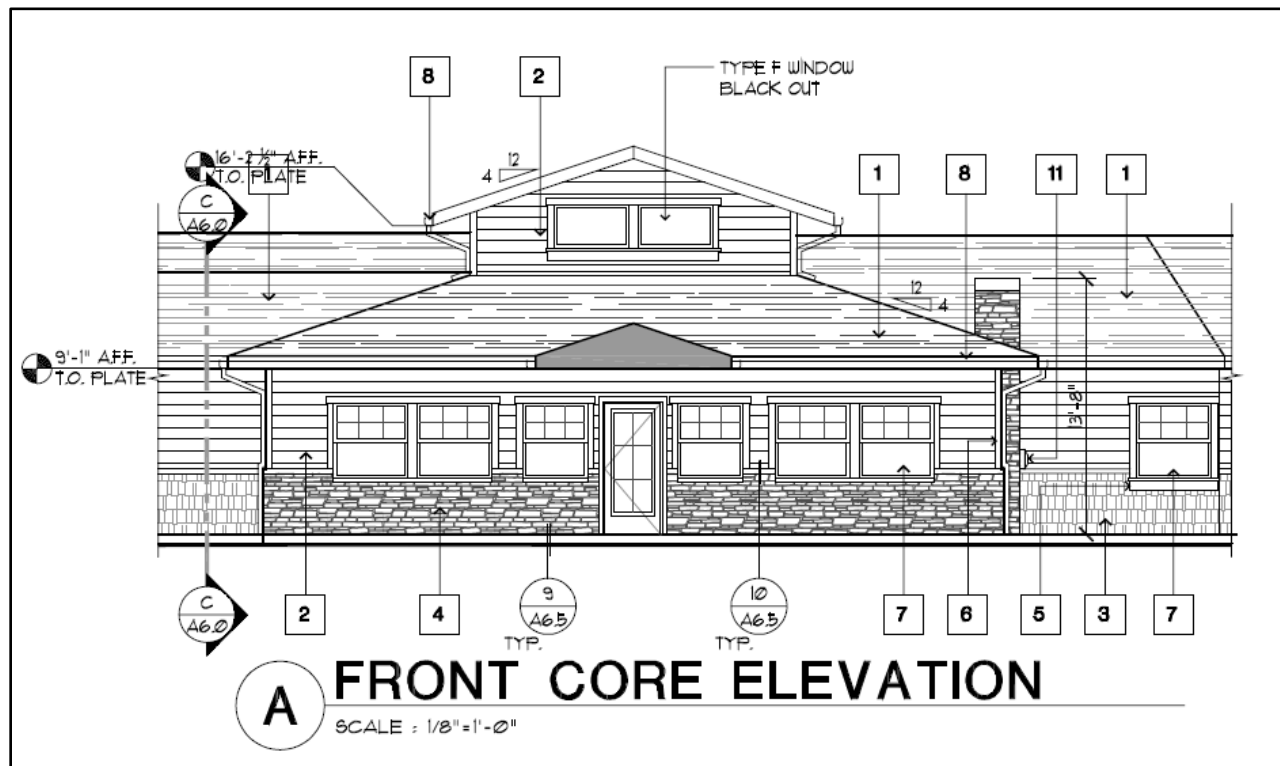
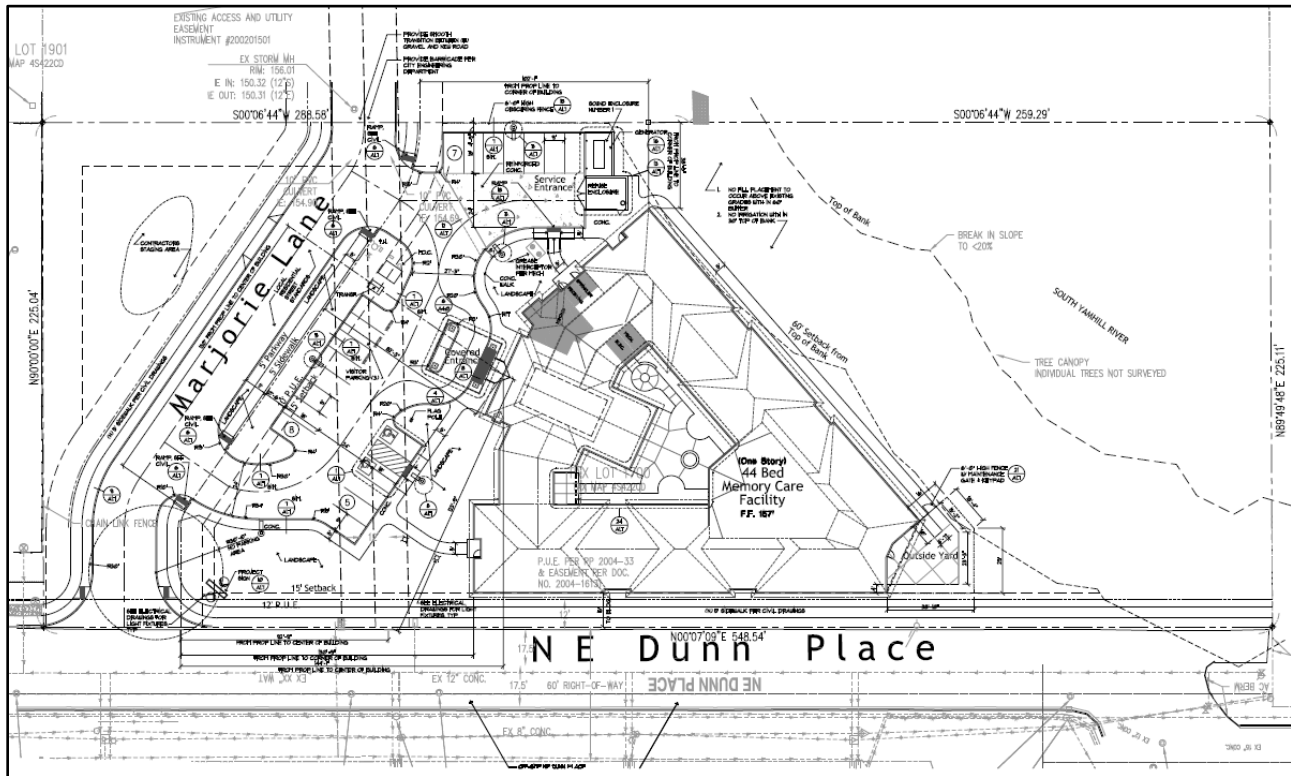
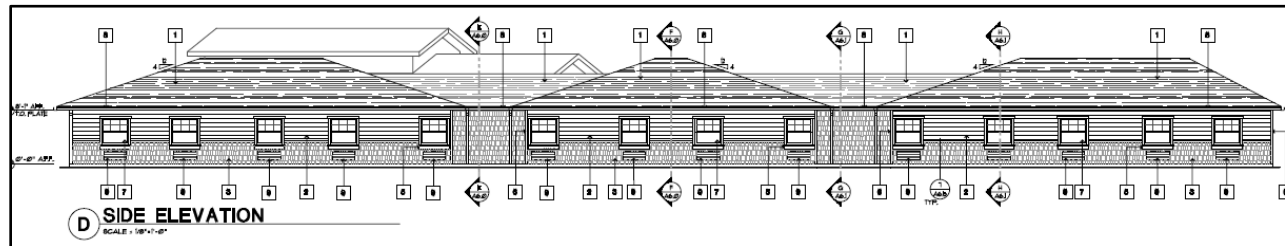
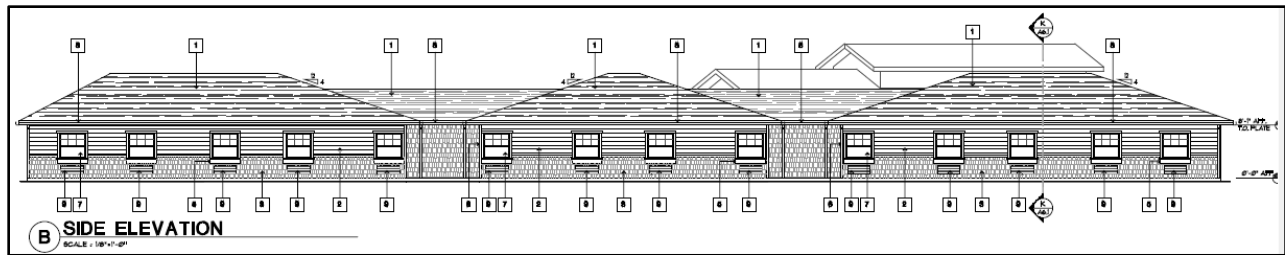


Figure 3. Applicant's Proposed Site Plan, Elevations & Rendering



Attachments :
Attachment 1 – Application and Attachments



In August 2012, Ordinance 4956 was approved, establishing the Planned Development Overlay for subject property and rezoning the property to R-4 PD (Multiple Family Residential Planned Development). Condition #2 of Ordinance 4956 approved a master plan for the subject site, which included the partition of the subject site and the dedication of new public right-of-way between two new parcels as shown on the Three Mile Lane Development Review plans. The same condition of approval from Ordinance 4956 required that the master plan become binding on the site. Therefore, much of the development of the site is controlled by that previously approved master plan that is binding on the site, such as the street alignment and building placement. The site plan proposed for the new memory care facility building and other site improvements is consistent with that binding master plan from the 2012 review and approval of the Planned Development Overlay District.

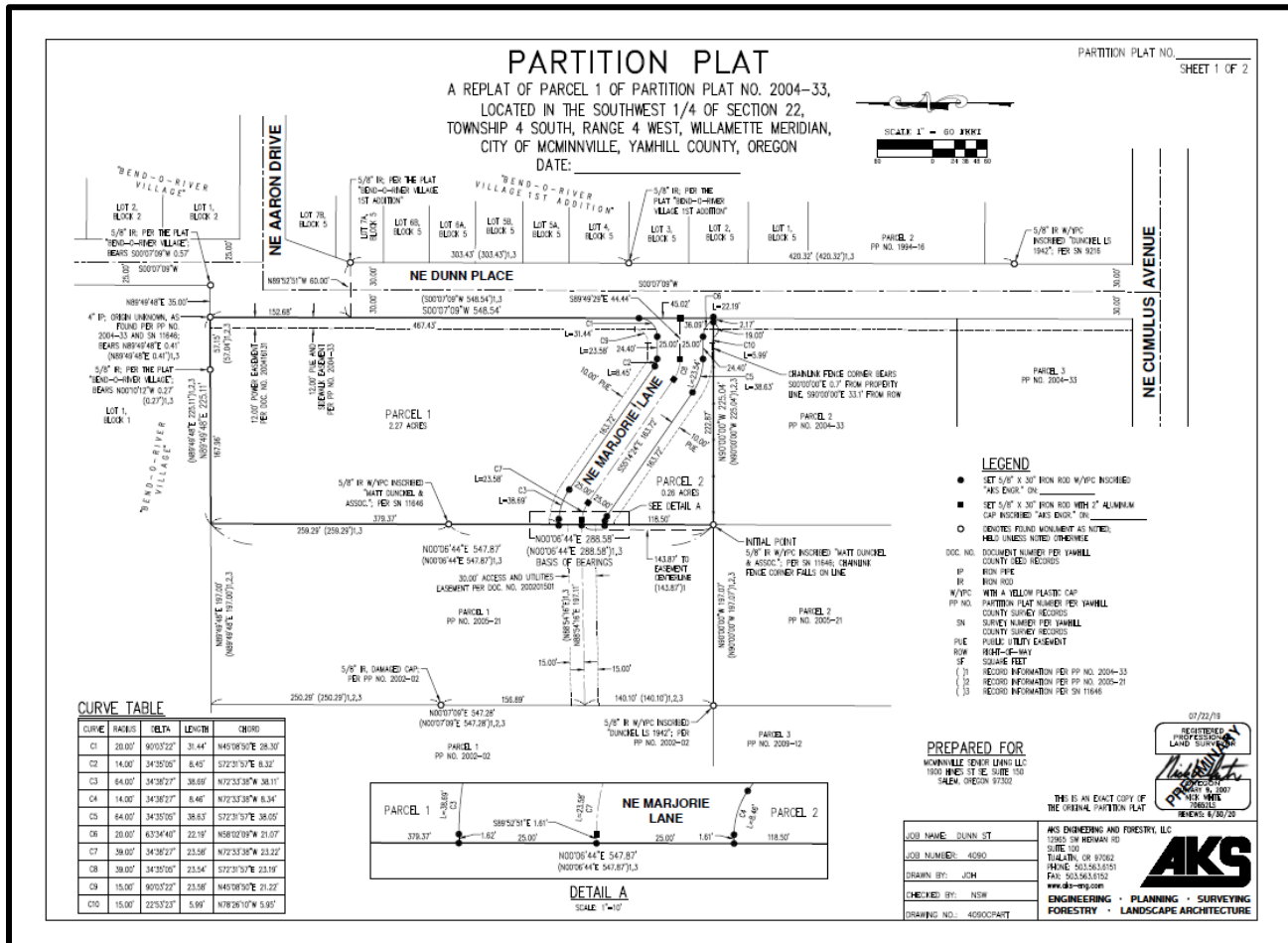
More recently, the property owners also submitted a tentative partition application to complete the partition and right-of-way dedication that are shown on the master plan that is binding on the site. The application was reviewed as docket number MP 4-19 in accordance with the procedures in Section 17.72.110 of the Zoning Ordinance, and was approved by the Planning Director with conditions. Most of the conditions of approval relate to required public infrastructure improvements and also that the site development comply with recommendations from a geotechnical report that was completed for the development of the site due to the steep slope and soil stability of the property. Some of the conditions of approval from the tentative partition will be discussed in more detail in the Conclusionary Findings in Section VII below, as they impact the development of the proposed memory care building on the subject site.

Attachments :

Attachment 1 – Application and Attachments

See MP 4-19 Tentative Partition Plan (Figure 4) below.

Figure 4. MP 4-19 Tentative Partition Plan



Summary of Criteria & Issues

The application is subject to the policies and procedures of the Three Mile Lane Planned Development Overlay district, which was originally adopted by Ordinance 4131 and later amended by Ordinance 4572. Section 4 of Ordinance 4572 includes the following policies that regulate development within the Three Mile Lane Planned Development Overlay district:

- The goals and policies of the McMinnville Comprehensive Plan, Volume II, and applicable regulations and standards in Volume III, and other City codes shall be adhered to.
- A one hundred twenty (120) foot setback from the centerline of Highway 18 shall be established both north and south of the highway.
- Access requirements adopted hereafter in an access plan for this area shall be adhered to. Provisions of the plan shall include:
 - The minimization of entrances onto Three Mile Lane;
 - The development of on-site circulation systems, connecting to adjoining properties, including public frontage roads;
 - The provisions of acceleration-deceleration lanes and left-turn refuges when and where necessary and practicable.

Attachments:

Attachment 1 – Application and Attachments

4. The provision of bikeways along frontage roads or on-site circulation systems. Bikeway connections accessing Three Mile Lane shall be provided so that the frontage road or on-site circulation system can serve as an alternative route for cyclists traveling along Three Mile Lane.
- D. Landscaping and buffer strips along the highway frontage may be required including noise buffering methods, such as berms and/or plantings.
- E. Mixed housing-type residential developments shall be allowed and encouraged in those areas designated as residential.
- F. Temporary signage shall be allowed as per Section 17.62.060(B)(3) of the McMinnville Zoning Ordinance (No. 3380).

In addition, Section 5 of Ordinance 4572 includes standards for permanent signage within the Three Mile Lane Planned Development Overlay district. These standards will be described in more detail in Section VII (Conclusionary Findings) below.

The applicant has provided findings to support the request for Three Mile Lane Development Review. These will be discussed in detail in Section VII (Conclusionary Findings) below.

II. CONDITIONS:

1. Prior to the issuance of any building or development permits for the project, the subject site shall be partitioned as approved by the tentative partition recently reviewed under docket number MP 4-19. All applicable conditions of approval from docket number MP 4-19 shall be satisfied.
2. That the development and use of the site shall be consistent with the Conditional Use permit approved for the site under docket number CU 3-19. All applicable conditions of approval from docket number CU 3-19 shall be satisfied.
3. That the monument sign on the subject property shall be nonilluminated.

III. ATTACHMENTS:

1. TML 2-19 Application and Attachments (on file with the Planning Department)
2. Public Testimony Received (on file with the Planning Department)
 - a. Nanette and Julia Pirisky, 262 NE Dunn Place and 135 NE Dunn Place, Email received on August 16, 2019 (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Frontier Communications; Comcast; Recology; Oregon Department of State Lands; and Northwest Natural Gas. The following comments were received:

- McMinnville Engineering Department

These conditions will apply to the project. They were included in the prior conditional use approval letter, and have been updated as appropriate. (Note – the conditions suggested by the Engineering Department are included in the conditions in Section II above.)

- McMinnville Water and Light

Street tree spacing on “Planting Plan” (A1.3) may need to be revisited to ensure that street trees comply with required spacing from streetlights. This project will require an Extension Agreement between McMinnville Water & Light and the owner of the property. Please contact McMinnville Water & Light for details.

Public Comments

Notice of this request was mailed to property owners located within 100 feet of the subject site. One item of public testimony was received by the Planning Department.

- Nanette and Julia Pirisky, 262 NE Dunn Place and 135 NE Dunn Place,
 1. Email received on August 16, 2019 – expressing opposition to the development of the subject site with an assisted living facility, traffic impacts on the surrounding neighborhood, and loss of natural area and wildlife habitat.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Sam Thomas, on behalf of owner McMinnville Senior Living, LLC, held a neighborhood meeting on June 11, 2019.
2. The applicant submitted the Three Mile Lane Development Review application (TML 2-19) on June 12, 2019.
3. The application was deemed incomplete on July 1, 2019. A revised application submittal, including items that were requested by the Planning Department to deem the application complete, was provided on July 15, 2019.
4. The application was deemed complete on July 17, 2019. Based on that date, the 120 day land use decision time limit expires on November 14, 2019.
5. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Frontier Communications; Comcast; Recology; Oregon Department of State Lands; and Northwest Natural Gas.

Comments received from agencies are addressed in Section IV of the Decision Document.

6. Notice of the application and the September 19, 2019 Planning Commission public hearing was mailed to property owners within 200 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance.
7. Notice of the application and the September 19, 2019 Planning Commission public hearing was published in the News Register on Tuesday, September 10, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.

One item of public testimony was submitted to the Planning Department prior to the Planning Commission public hearing. That item of testimony is provided in the Attachments in Section III and discussed in Comments in Section IV.

8. On September 19, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 235 NE Dunn Place (Tax Lot 1700, Section 22CD, T. 4 S., R. 4 W., W.M.)
2. **Size:** 2.83 acres (total existing site); 2.27 acres (Parcel 1 from recently reviewed (Docket Number MP 4-19) tentative partition) will be the site of the memory care facility
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-4 PD (Multiple Family Residential Planned Development) and F-P (Flood Plain)
5. **Overlay Zones/Special Districts:** Planned Development Overlay Ordinance 4956, Planned Development Overlay Ordinance 4719, Three Mile Lane Planned Development Overlay District (Ordinances 4131 and 4572)
6. **Current Use:** Existing vacant single-family dwelling
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** The northwest portion of the site is located within Zone AE of the floodway and 100-year floodplain of the South Yamhill River, as identified on the FEMA Flood Insurance Rate Map (FIRM) panels.
8. **Other Features:**
 - a. **Slopes:** A majority of the site is relatively flat, but a steep slope exists in the northwest portion of the site. The property slopes steeply at approximately 60 percent, dropping approximately 25 vertical feet from the flat portion of the site downward toward the edge of the South Yamhill River.
 - b. **Easements and Utilities:** Partition Plat 2004-33 identifies a 30 foot wide access and utility easement (identified as Instrument #200201501) that is improved with an existing gravel driveway providing access to the two existing parcels to the west. The existing conditions plan also identifies an existing storm sewer line and sanitary sewer line that run through the easement area, likely providing utilities to properties to the west.
9. **Utilities:**
 - a. **Water:** The property is served by a water main in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a water main within the new public right-of-way. The treatment plant has sufficient treatment capacity.
 - b. **Sewer:** The property is served by an 8" sewer main in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a sanitary sewer main within the new public right-of-way. A private utility plan for the development of the site identifies that the sanitary sewer main extension would serve the two new parcels created by the partition. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
 - c. **Stormwater:** Storm water in NE Dunn Place is conveyed by curb and gutter to catch basins and storm drains in NE Dunn Place. A recently reviewed tentative partition includes the dedication of a public right-of-way for a new street, which would include an extension of a storm sewer main within the new public right-of-way. A private utility plan for the development of the site identifies that the storm sewer main extension would serve the two new parcels created by the partition.
 - d. **Other Services:** Other services are available to the property. No overhead utilities are present on either side of NE Dunn Place.

10. **Transportation:** NE Dunn Place is classified as a Local Residential Street in the Transportation System Plan (TSP). The existing right-of-way is 60 feet wide, with improved street surface of approximately 36 feet in width that is not centered within the right-of-way. No sidewalks exist on the west side of NE Dunn Place along the subject site's frontage. To accommodate public sidewalk improvements, a 12 foot wide sidewalk easement along the subject site's frontage on NE Dunn Place was recorded on Partition Plat 2004-33 for the purposes of providing sidewalks, planter strips, and curbs. The east side of NE Dunn Place is improved with curb and gutter, sidewalk and planter strip. The street has two travel lanes and has on-street parking on both sides of the street, with no bike lanes.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for Three Mile Lane Development Review are specified in Ordinance 4131 and more specifically in Ordinance 4572 which amended Ordinance 4131.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

Policy 188.00 The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The process for a Three Mile Lane Development Review request provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearing(s). All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville Zoning Ordinance

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) provide criteria applicable to the request:

Attachments :

Attachment 1 – Application and Attachments

Chapter 17.03. General Provisions

17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

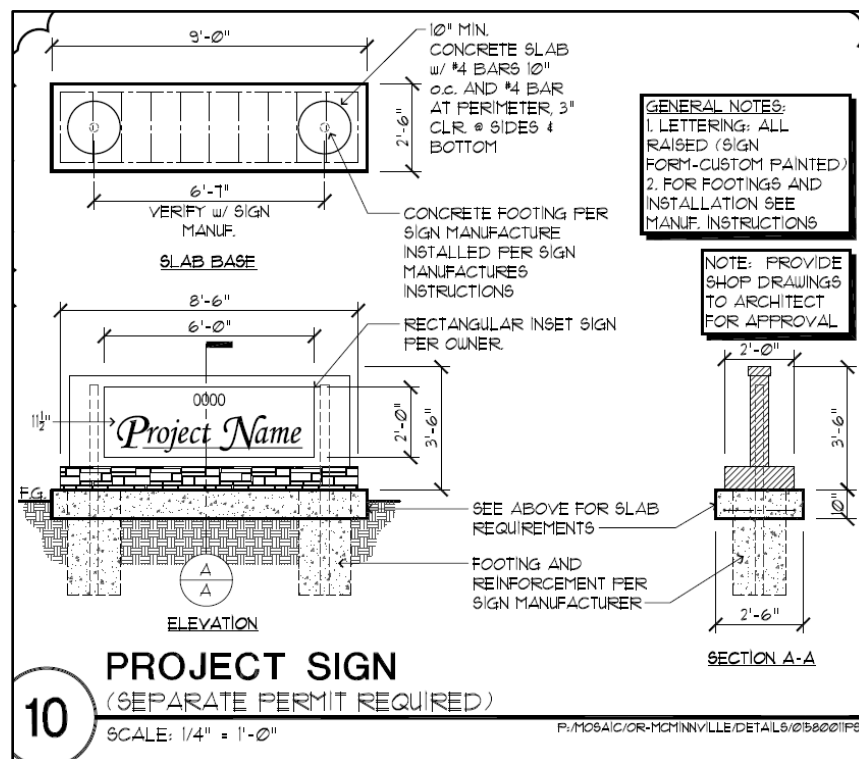
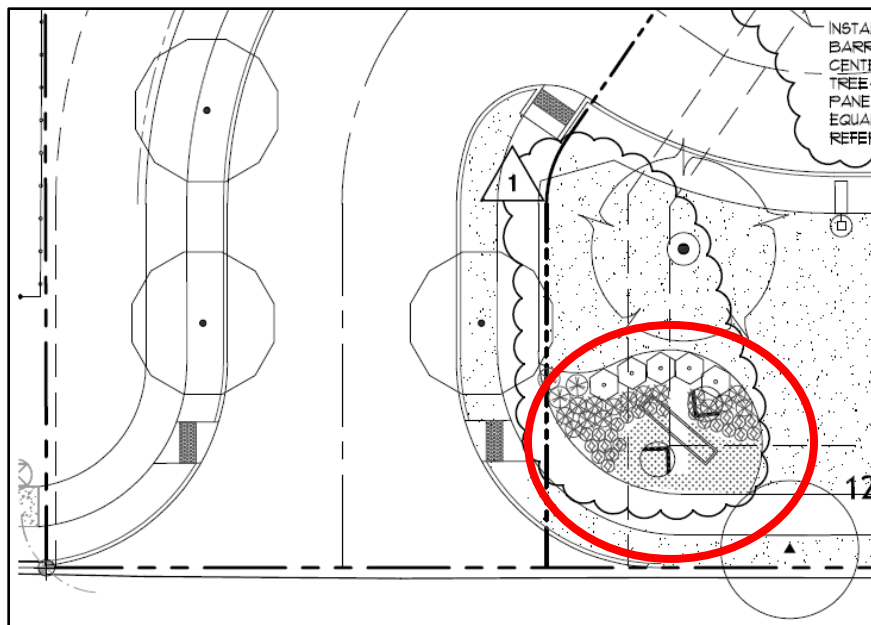
17.62.070 Permanent Sign Regulations. Permanent signs may be erected and maintained only in compliance with the following specific provisions:

- A. Residential (R-1, R-2, R-3, and R-4) zones.
 1. Each subdivision or multi-family complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.

APPLICANT'S RESPONSE: The proposed monument sign for the Memory Care residence is found on Sheet A1.7, detail 10. The sign height would be 3 feet, 6 inches and the width is 8 feet, 6 inches for a total area of approximately 30 square feet, which is under the maximum height and sign area per the above criterion. The materials of the sign will match and complement the proposed main building.

FINDING: SATISFIED WITH CONDITION #3. The City concurs with the applicant's findings. The City also adds that there is a discrepancy in the code between the Signs chapter (Chapter 17.62) and the Three Mile Lane Planned Development Overlay district Ordinance regulations. In the "Scope" section of the Signs chapter, in Section 17.62.020, it is stated that "this chapter does not apply to lands within the areas described in ... the Three Mile Lane Ordinances 4572 and 4131." However, the sign regulations in Section 5 of Ordinance 4572 only provide provisions for commercial and industrial designated properties. With no regulations for residentially designated properties in the Three Mile Lane Planned Development Overlay district Ordinance, the most applicable residential sign regulations from Chapter 17.62 of the Zoning Ordinance were applied.

The sign is proposed to be located near the corner of NE Dunn Place and the new street to be constructed south of the facility, and is proposed to be surrounded with landscaping. The location, design, and size of the sign can be seen below:



A condition of approval is included to require that the sign be nonilluminated. The site plan identified that electrical fixtures may be installed near the sign, and the condition of approval ensures that the electrical fixtures are not installed for sign illumination.

Planned Development Ordinances

The following Sections of the Three Mile Lane Planned Development Overlay district adopted by Ordinance 4131 provide criteria applicable to the request:

Section 1. Statement of Purpose. *The City of McMinnville finds that the development of lands on the north and south sides of Three Mile Lane (Oregon Highway 18) is acceptable if provisions are made to*

Attachments :

Attachment 1 – Application and Attachments

integrate the dual functions of the highway as a bypass around the City and a land service arterial for adjacent properties. The City also finds that development along Three Mile Lane is desirable if it is of good quality and design, if the living and working environments developed are compatible with each other, and if the living environment includes open spaces, parks, and features buffering of residential uses from the highway. The City recognized, during the comprehensive planning process, that to insure that these concerns are met, proper designations on the McMinnville Comprehensive Plan and Zoning Maps must be made, and, further, that a planned development overlay must be placed over the area establishing specific conditions for development.

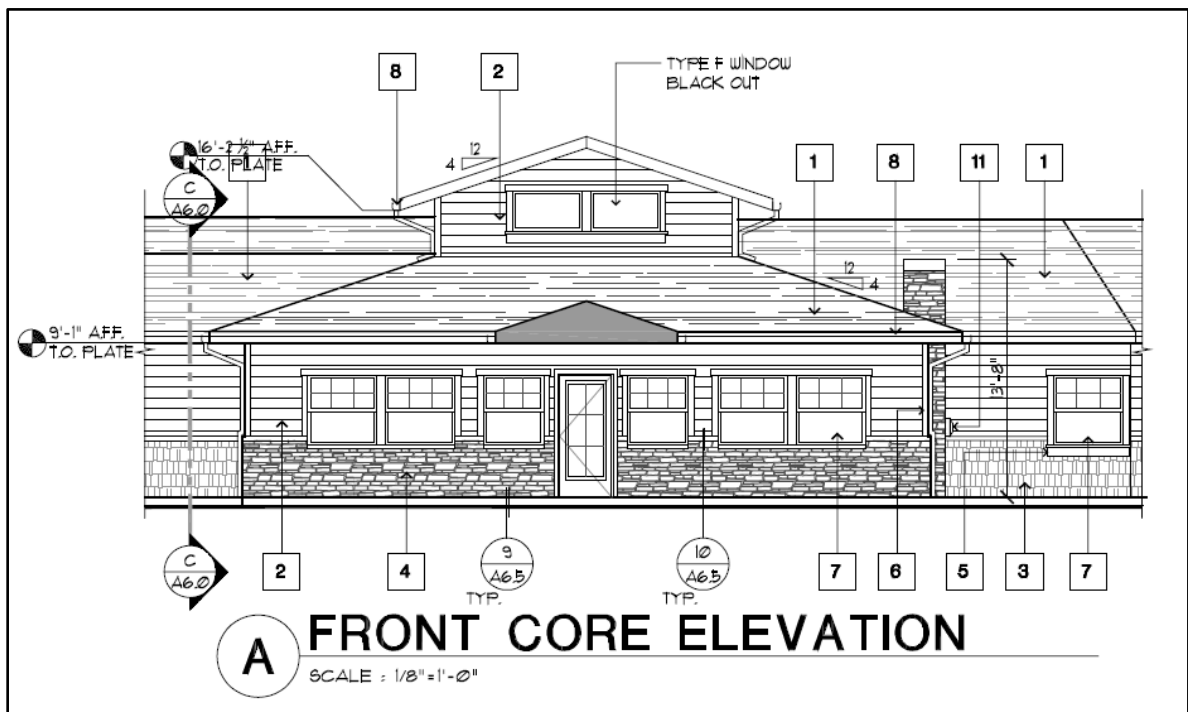
APPLICANT’S RESPONSE: None.

FINDING: SATISFIED WITH CONDITION #1 AND #2. The proposed development of the site is found to be acceptable for the Three Mile Lane Planned Development Overlay district. The proposed use of the site was reviewed as a Conditional Use under docket number CU 3-19. Elements of the project design were found through that review process to meet the criteria of a conditional use, particularly the compatibility of the proposed use with the surrounding area and the incorporation of site development features that preserved significant natural features on the site. Some of these design elements will be ensured through conditions of approval on the Conditional Use permit, and the Three Mile Lane Development Review therefore requires that those conditions of approval be satisfied.

Overall, the proposed development is of a quality and design that is suitable for the proposed site, compatible with the surrounding area and land uses, and includes the preservation of natural features on the site such as mature trees, steep slope, floodplain areas, and the South Yamhill River. A condition of approval from a recently reviewed partition (reviewed under docket number MP 4-19) required that a public trail easement be dedicated on the final partition plat, which will provide for park and open spaces on the subject site to improve the living environment and carry out the recommendations of the City of McMinnville Parks, Open Space, and Recreation Master Plan.

The proposed building design incorporates features that are similar to the architecture and form of other prominent buildings in the Three Mile Lane Planned Development Overlay district, but at a scale that is compatible with the existing development and land uses in the surrounding area. Specifically, the proposed building includes a taller roof feature centered above the main entrance of the building, with a similar canopy structure providing covered loading and unloading in front of the main entrance of the building. The roof features on these structures are the only true gable ends on the building, with the other portions of the building having hipped roofs. The hipped roofs are oriented more toward the side property lines, which provides for a softening in the massing of the building and breaks up the longer building facades that orient towards surrounding single story residential development. The taller and more prominent gable end roof structures are similar to the architecture of other significant buildings in the overlay district including the Evergreen Aviation Museum campus buildings north of Highway 18 and the Jackson Family Winery building south of Highway 18.

These taller roof structures can be seen in the renderings and elevations below:



The following Sections of Ordinance 4572, which amended the Three Mile Lane Planned Development Overlay district, provide criteria applicable to the request:

Section 4. Policies. *The following policies shall apply to the property described on the map in Exhibit "A":*

- A. The goals and policies of the McMinnville Comprehensive Plan, Volume II, and applicable regulations and standards in Volume III, and other City codes shall be adhered to.

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The proposal is consistent with the applicable Comprehensive Plan goals and policies, as well as Zoning Ordinance requirements, as described in the findings for those policies above.

- B. A one hundred twenty (120) foot setback from the centerline of Highway 18 shall be established both north and south of the highway.

Attachments :

Attachment 1 – Application and Attachments

APPLICANT'S RESPONSE: The subject property is located approximately 540 feet from the centerline of Highway 18.

FINDING: SATISFIED. The City concurs with the applicant's findings.

- C. Access requirements adopted hereafter in an access plan for this area shall be adhered to. Provisions of the plan shall include:

1. The minimization of entrances onto Three Mile Lane;
2. The development of on-site circulation systems, connecting to adjoining properties, including public frontage roads;
3. The provisions of acceleration-deceleration lanes and left-turn refuges when and where necessary and practicable.
4. The provision of bikeways along frontage roads or on-site circulation systems. Bikeway connections accessing Three Mile Lane shall be provided so that the frontage road or on-site circulation system can serve as an alternative route for cyclists traveling along Three Mile Lane.

APPLICANT'S RESPONSE: The proposed development would be accessed most directly from Highway 18 via NE Norton Ln and NE Cumulus Ave, and NE Dunn Place. There are no driveways proposed directly to Highway 18. As a part of the development, a new public road tentatively named "Marjorie Lane" would be constructed to provide access to two adjacent properties to the west of the project site which will provide for potential for future connections.

FINDING: SATISFIED. The City concurs with the applicant's findings.

- D. Landscaping and buffer strips along the highway frontage may be required including noise buffering methods, such as berms and/or plantings.

APPLICANT'S RESPONSE: The subject property is not located along the frontage of Highway 18.

FINDING: SATISFIED. The City concurs with the applicant's findings.

- E. Mixed housing-type residential developments shall be allowed and encouraged in those areas designated as residential.

APPLICANT'S RESPONSE: The proposed memory care residence provides a needed housing option for elderly residents in and around the City of McMinnville.

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that the proposed use is allowed as a conditional use in the underlying R-4 (Multiple Family Residential) zone. The property owners have submitted a concurrent Conditional Use application to allow for the proposed use to operate.

- F. Temporary signage shall be allowed as per Section 17.62.060(B)(3) of the McMinnville Zoning Ordinance (No. 3380).

APPLICANT'S RESPONSE: The subject property will comply with temporary signage regulations per the above criterion.

FINDING: SATISFIED. The City concurs with the applicant's findings, and adds that no temporary signage is currently proposed by the applicant.

Section 5. Signs. *The following regulations apply to those properties designated as either industrial or commercial on the McMinnville Comprehensive Plan Map and which are located within the area described in Exhibit “A.” All signage must be approved by the Three Mile Lane Design Review Committee and may not exceed the maximums established in this section. The Three Mile Lane Design Review Committee may take into account color selection; sign material; relationship to site and building design; size, form, mass, height, and scale of sign; the sign’s location and proximity to existing signs on adjacent parcels; and other sign design elements appropriate to ensuring that the proposed sign is compatible with the objectives of this ordinance. The Three Mile Lane Design Review Committee may require a proposed sign to be redesigned as necessary to make it consistent with the objectives of this ordinance including, but not limited to, restricting the size and height of the sign, its location, form, color, and material.*

- A. Zone 1. The following regulations apply to commercially or industrially designated properties which fall within zone 1:
 1. That only one free-standing sign shall be allowed per parcel as they exist at the time of the passage of this ordinance and as they are represented on Exhibit “B”, subject to the following:
 - a) The maximum height of any free-standing sign shall be 15 feet.
 - b) The maximum square footage per sign face is 24 square feet and there shall be a maximum of two sign faces per free-standing sign.
 - c) A free-standing sign is allowed only on properties with frontage on the Highway 18 frontage road.
 2. In lieu of a free-standing sign as listed in subsection 1 above, one monument-type sign shall be allowed per parcel as they exist at the time of the passage of this ordinance and as they are represented on Exhibit “B”, subject to the following:
 - a) Maximum square footage per sign face shall be 50 square feet, and there shall be a maximum of two sign faces per monument sign.
 - b) Maximum sign height shall be six feet, and the top of the sign shall not be more than eight feet above the center line grade of the Three Mile Lane frontage road.
 - c) Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually back-lit letters, providing that no plastic sign cabinets are allowed.
 3. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than 12 inches from the building face, subject to the following:
 - a) Total area of building signage may not exceed eight percent of the total area of the face of the building which is most closely parallel to Highway 18 or the frontage road and may not exceed four percent on the other sides.
 - b) The area of building signs shall be measured as the area around or enclosing each sign cabinet, or where sign cabinets are not used, the area shall be that within a single continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message.
 4. If a parcel is divided after the date of the adoption of this ordinance, the sign allowances established in subsections 1. and 2 above will apply only to the original parcel or what remains of it and newly created parcels are limited to the sign allowances established in subsection 3 above except as provided in subsection (A) (5) below.
 5. The Three Mile Lane Design Review Committee may allow the sharing of a single free-standing sign by an original parcel or what remains of it and parcels divided after the date of the adoption of this ordinance. The total sign size shall not exceed that allowed for the original parcel.
 6. Portable signs and signs with flashing or moving parts are prohibited.

APPLICANT’S RESPONSE: None.

Attachments :

Attachment 1 – Application and Attachments

FINDING: NOT APPLICABLE. The subject site is not commercially or industrially designated, so the above sign regulations do not apply. Therefore, the most applicable residential sign regulations from Chapter 17.62 of the Zoning Ordinance were applied, as described in the findings for those regulations above.

Section 6. Procedures for Review:

- A. *No development or signage may take place within the Three Mile Lane Planned Development Overlay without such development or signage gaining the approval of the Three Mile Lane Design Review Committee.*

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. The applicant submitted an application for Three Mile Lane Development Review, which was reviewed and processed prior to any development or signage taking place on the subject site.

CD:sjs

569-19-000 329-PLAN

**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128
 (503) 434-7311 Office • (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:

File No. CU319
 Date Received 6/12/19
 Fee \$2,325.00
 Receipt No. _____
 Received by RH

Conditional Use Application

Applicant Information

Applicant is: ☐ Property Owner ☐ Contract Buyer ☐ Option Holder ☒ Agent ☐ Other _____

Applicant Name Sam Thomas - Lenity Architecture Phone (503) 399-1090

Contact Name _____ Phone _____
 (If different than above)

Address 3150 Kettle Court SE

City, State, Zip Salem, OR 97301

Contact Email samt@lenityarchitecture.com

Property Owner Information

Property Owner Name McMinnville Memory Care, LLC Phone (503) 391-9999
 (If different than above)

Contact Name Doug Sproul Phone _____

Address 1900 Hines St SE, Suite 150

City, State, Zip Salem, OR 97302

Contact Email dougs@mosaicms.com

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 235 NE Dunn Place

Assessor Map No. R4 422CDQ1700 Total Site Area 2.83 acres +/-

Subdivision None Block _____ Lot _____

Comprehensive Plan Designation Residential Zoning Designation R4

1. State nature of the request in detail: See attached project narrative

2. Describe in detail how the request will be consistent with the McMinnville Comprehensive Plan and the objectives of the zoning ordinance: See attached project narrative

3. Describe how the location size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with, and have minimum impact on, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development:_____

See attached project narrative

6. Has the development been specifically designed to preserve any environmental assets or unique topography or vegetation of the site? If so, how? The proposed building will be setback 60' from nearby South Yamhill River.
Existing vegetation in the riparian area and a 60' setback from the river will be maintained.


SEE NARRATIVE

7. Explain how the development and use of the land as proposed has no inappropriate purpose, such as to artificially alter property values for speculative purposes: The proposed development is residential in nature, providing a safe, secure, and caring environment for people who suffer from Alzheimer's, dementia, and other mental impairments. The proposed development is a modern facility that will also provide jobs to the community. The proposed development will not artificially alter property values for speculative purposes. SEE NARRATIVE


In addition to this completed application, the applicant must provide the following:

- ☒ A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), clearly showing existing and proposed features within, and adjacent to, the subject site, such as: Access; lot and street lines with dimensions; distances from property lines to structures; structures and other proposed and existing improvements; north direction arrow; and significant features (slope, vegetation, adjacent development, drainage, etc.).
- ☒ A legal description of the property, preferably taken from deed.
- ☒ Payment of the applicable review fee, which can be found on the Planning Department web page.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

6/12/2019
Date


Property Owner's Signature

5/17/2019
Date



Planning Department

231 NE Fifth Street • McMinnville, OR 97128

(503) 434-7311 Office • (503) 474-4955 Fax

www.mcminnvilleregon.gov

569-19-000 330-PLNG

Office Use Only:

File No. TML2-19

Date Received 6/12/19

Fee \$1,385.00

Receipt No. _____

Received by RH

Three Mile Lane Development Review

Applicant Information

Applicant is: ☐ Property Owner ☐ Contract Buyer ☐ Option Holder ☒ Agent ☐ Other _____

Applicant Name Sam Thomas - Lenity Architecture Phone (503) 399-1090

Contact Name _____ Phone _____
(If different than above)

Address 3150 Kettle Court SE

City, State, Zip Salem, OR 97301

Contact Email samt@lenityarchitecture.com

Property Owner Information

Property Owner Name McMinnville Memory Care, LLC Phone (503) 391-9999
(If different than above)

Contact Name Doug Sproul Phone _____

Address 1900 Hines St SE, Suite 150

City, State, Zip Salem, OR 97302

Contact Email dougs@mosaicms.com

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 235 NE Dunn Place

Assessor Map No. R4 422CDQ1700 Total Site Area 2.83 acres +/-

Subdivision None Block _____ Lot _____

Comprehensive Plan Designation Residential Zoning Designation R4

Three Mile Lane Development Review Information & Submittal Requirements



Planning Department
231 NE Fifth Street • McMinnville, OR 97128
(503) 434-7311 Office • (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Overview

The area known as Three Mile Lane includes lands to the north and south of Oregon Highway 18, and from the eastern City limits west to the vicinity of the South Yamhill River bridge and Three Mile Lane Spur intersection with Highway 18. The Three Mile Lane Design Review Committee was formed to provide for the protection and enhancement of one of McMinnville's gateways through a review of any proposed development within the area. The review process by the Three Mile Lane Design Review Committee ensures that development, landscaping, and signage along Three Mile Lane is aesthetically pleasing and representative of the City of McMinnville as a whole.

For more information regarding development within the Three Mile Lane area, please refer to [Planned Development Ordinance Nos. 4131](#) and [4572](#).

Submittal Requirement

The following materials must be provided at the time of submittal, or the application will not be accepted for processing.

- ☐ A completed Three Mile Lane Development Review application form.
- ☐ For new construction or structural modifications, two copies of the following:
 - A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating the existing site conditions including topography, structures, utilities, vegetation, and access.
 - Relevant building and construction drawings.
 - Building elevations of all sides visible from a public street.
 - Proposed signage and landscaping.
- ☐ A narrative describing the architectural features that will be used in the building's design, including materials and colors.
- ☐ Other information deemed necessary to show consistency with the requirements of the Three Mile Lane planned development ordinances and/or as required by the Planning Director.

Review Process

An application for development within the Three Mile Lane area shall be reviewed by the Three Mile Lane Design Review Committee as stated in Section 17.72.110 (Director's Review with Notification) of the Zoning Ordinance after notification of the application has been provided to property owners within 100 feet of the subject site.

The decision of the Three Mile Lane Design Review Committee may be appealed to the Planning Commission as outlined in Section 17.72.170 (Appeal from Ruling of Planning Director) of the Zoning Ordinance.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and some minor discoloration or shadows, suggesting it's a scan of a physical document. There is no handwriting or printed text on the page.

- ☐ *For new construction or for structural modifications, a site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating the existing site conditions including topography, structures, utilities, vegetation, and access.*
- ☐ *Relevant building and construction drawings, including building elevations of all sides visible from a public street, and proposed signage and landscaping.*
- ☐ *A narrative describing the architectural features that will be used in the building's design, including materials and colors.*
- ☐ *Other information deemed necessary to show consistency with the requirements of the Three Mile Lane planned development ordinances and/or required by the Planning Director.*

Applicant's Signature

Property Owner's Signature

180 of 395

Agent Authorization

McMinnville Senior Living, LLC ("Owner"), does hereby appoint **Lenity Architecture, Inc.**, 3150 Kettle Court SE, Salem, OR 97301 ("Lenity") as Owner's true and lawful authorized agent in regards to McMinnville Memory Care ("Project"). Lenity is hereby authorized to act on Owner's behalf to communicate and negotiate with any third party related to all permits, applications and authorizations (collectively "Approvals") sought on behalf of Owner for the Project, have access to any and all information related any Approval sought for the project or any information otherwise related to the Project and to make commitments on behalf of Owner or enter into agreements on behalf of Owner to take actions necessary to obtain any Approval related to the Project. This authorization shall be effective until revoked by Owner in writing.

Dated: May 17th, 2019

(entity name)

McMinnville Senior Living, LLC

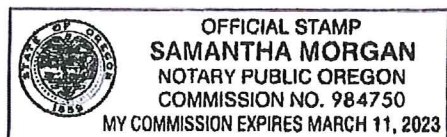
By: [Signature] (sign)

By: Douglas Sprout (print)

Title: Managing Member

State of Oregon
County of _____

This instrument was acknowledged before me on May 17, 2019, by Samantha Morgan as Notary of Marion County.



Samantha Morgan
Notary Public – State of Oregon

After recording return to:

Thomas J. Wettlaufer
625 Hawthorne Ave SE, Suite 100
Salem, OR 97301
TAX STATEMENT SEND TO:
MCMINNVILLE SENIOR LIVING, LLV
2735 12th STREET SE, STE 100
SALEM, OR 97302

Yamhill County Official Records		201409345
DMR-DDMR	07/28/2014 03:07:31 PM	
Stn=4 MILLSA		
4Pgs \$20.00 \$11.00 \$5.00 \$20.00	\$56.00	
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.		
Brian Van Bergen - County Clerk		

STATUTORY WARRANTY DEED

EMERALD VALLEY DEVELOPMENT LLC, an Oregon limited liability company, ("Grantor"), does hereby convey and warrant to MCMINNVILLE SENIOR LIVING, LLC, an Oregon limited liability company ("Grantee"), the following described real property (the "Property"), situated in the County of Yamhill, State of Oregon

See attached Exhibit "A".

The Property is free of liens and encumbrances, EXCEPT:

See attached Exhibit "B".

The true consideration for this conveyance is other property or value.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 28 day of July, 2014

After recording return to:

Thomas J. Wettlaufer
625 Hawthorne Ave SE, Suite 100
Salem, OR 97301
TAX STATEMENT SEND TO:
MCMINNVILLE SENIOR LIVING, LLV
2735 12th STREET SE, STE 100
SALEM, OR 97302

STATUTORY WARRANTY DEED

EMERALD VALLEY DEVELOPMENT LLC, an Oregon limited liability company, ("Grantor"), does hereby convey and warrant to MCMINNVILLE SENIOR LIVING, LLC, an Oregon limited liability company ("Grantee"), the following described real property (the "Property"), situated in the County of Yamhill, State of Oregon

See attached Exhibit "A".

The Property is free of liens and encumbrances, EXCEPT:

See attached Exhibit "B".

The true consideration for this conveyance is other property or value.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 28 day of July, 2014

Recorded by TICOR TITLE

4718140306278

EMERALD VALLEY DEVELOPMENT LLC

By: Dana L Popick

Name: Dana L Popick

Its: Managing Member

STATE OF Oregon)

) ss.

County of Washington

On this 28 day of July, 2014, personally appeared before me the within-named Dana Popick, as MM of Emerald Valley Development LLC.

Before me:

Devon Morse
NOTARY PUBLIC FOR Oregon
My Commission Expires: 10/09/15

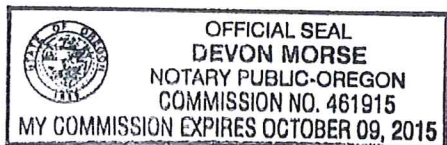


EXHIBIT A
REAL PROPERTY LEGAL DESCRIPTION

Parcel 1, PARTITION PLAT NO. 2004-33, in the City of McMinnville, Yamhill County, Oregon.

EXHIBIT B
ENCUMBRANCES

1. Easement and Maintenance Agreement

Executed by: Mary Bennett, Personal Representative of the Estate of Lucy Full; Michael Full and Kay Full, husband and wife and Mary Bennett, Trustee of the Bennett Family Trust, dated September 13, 1995

For: Ingress and Egress

Recording Date: January 22, 2002

Recording No.: 200201501

2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of McMinnville, a Municipal Corporation of the State of Oregon, acting by and through its Water & Light Commission

Purpose: Electrical distribution

Recording Date: August 5, 2004

Recording No: 200416131

7/9/2019

McMINNVILLE MEMORY CARE – PROJECT NARRATIVE – REVISION 1

PROJECT DESCRIPTION

Lenity is pleased to assist Mosaic Management with land use, architecture, and landscape design services in a proposal for a new Memory Care residence in the City of McMinnville. The Memory Care residence would be a single-story building with 44 resident beds located at 235 NE Dunn Place.

The residence is designed for elderly individuals who suffer from Alzheimer's, dementia, and other age-related mental ailments. This use does not include hospital or nursing home levels of care. None of the residents would be permanently bed-ridden.

The proposed use is defined as a "Nursing/convalescent home" under the McMinnville Zoning Ordinance. This proposed use requires review and approval under a conditional use, partition, design review, landscape plan review, and the various building and trade permits related to on-site and off-site improvements.

The site improvements will include a new public road, proposed to be named "Marjorie Lane" that will be developed according to City street standards. The road will create a remainder parcel approximately 0.2-acre in size that could be developed with allowed uses described in the R4 zone under the City of McMinnville Zoning Ordinance.

This written statement addresses the applicable review and decision criteria for the conditional use and design review applications. The partition application will be submitted separately. The landscape plan will be submitted with the building permit application.

The subject property is located at 235 NE Dunn Place and consists of approximately 2.83 acres. The entire property is zoned R-4. Surrounding properties consist of single family residential to the east and west. The Housing Authority of Yamhill County is located to the south. The South Yamhill River is located north.

The South Yamhill River meanders along the northwest portion of the property which includes thick riparian vegetation and mature trees. The proposed memory care building would be setback 60 feet from top of bank.

MEMORY CARE USE

Memory Care residences are designed for elderly people who suffer from Alzheimer's, dementia, and other mental ailments. The typical resident is single and in their 70's or 80's. Residents require personal assistance with their daily routine including meal preparation, bathing, and taking medication.

PARKING DEMAND AND ZONING ORDINANCE REQUIREMENT

As part of this conditional use application, the applicant is seeking a reduction to the number of parking spaces required from 22 to 20, a 9% reduction. The City of McMinnville Zoning Ordinance provides a parking ratio for the closest equivalent use as "Convalescent, hospital, nursing home, sanitarium, or rest home" which

states..."one space per two beds for patients or residents" pursuant to Section 17.60.060(B)(4). Therefore, a 44-bed residence would require 22 parking spaces under the Zoning Ordinance.

Memory care residents would not own or operate motor vehicles, thereby reducing the need for on-site parking to visitors, staff, and occasional deliveries. Based on Mosaic's knowledge of operating similar facilities, the proposed number of parking spaces would adequately serve the proposed Memory Care residence.

APPLICABLE REVIEW AND DECISION CRITERIA

R4 Development Standards Compliance

Table 1 – Compliance with Applicable R4 Zone and Development Standards

Standard	Requirement	Provided
Lot Size	5,000 square feet minimum	Parcel 1: 2.2 acres, Parcel 2: 8,712-sq. ft.
Front Yard	15 feet minimum	82 feet, 3 inches
Side Yard - Interior	6 feet minimum	38 feet, 5 inches
Side Yard – Exterior	15 feet minimum	15 feet
Rear Yard	20 feet minimum	100+ feet
Top of Bank Setback	60 feet from Top of Bank	60 feet from Top of Bank
Height	60 feet maximum	20 feet 9 1/8 inches
Density	1500 square feet/unit minimum	2,801.7 square feet/unit
Parking	1 space per two beds* 44 beds /2 = 22 parking spaces	20 spaces (2 accessible)

***Based on Convalescent hospital, nursing home, sanitarium, or rest home use**

CONDITIONAL USE CRITERIA

A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;

Applicant Response: The proposed Memory Care residence provides a needed housing option in the City of McMinnville for residents who may suffer from Alzheimer's, dementia, and other mental ailments. The proposed development will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance. The only zoning code variance sought is for a reduction in the required number of parking spaces from 22 to 20, a 9% reduction, due to the fact that memory care residents do not own or drive personal motor vehicles. Based on Mosaic's experience operating several similar facilities in Oregon, the proposed number of parking spaces would be adequate for this size of memory care residence.

B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;

Applicant Response: The proposed memory care residence is primarily residential in nature and is located on a large lot. The proposed development will have a minimal impact to the surrounding neighborhood. The

proposed development provides a good transition from single-family homes to commercial projects near Three Mile Lane.

C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;

Applicant Response: The proposed memory care residence will not cause significant adverse impacts on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to outright permitted uses. The bulk, scale, and mass of the proposed building is below the maximum density and height allowed within the R4 zone. The proposed memory care residence meets all required setbacks of the R4 zone.

D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;

Applicant Response: The proposed development will be located near the middle of the subject property. The property will be generously landscaped. The architectural style of the building will be a northwest contemporary design with a mix of natural materials, including stone-wrapped columns and wood beam.

E. The proposal will preserve environmental assets of particular interest to the community;

Applicant Response: The subject property is located south of the South Yamhill River. The proposed Memory Care building would be set back 60 feet from the top of bank, limiting development near the river and riparian area.

F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

Applicant Response: The proposed development is residential in nature, providing a safe, secure, and caring environment for persons suffering from Alzheimer's, dementia, and other mental impairments. Mosaic Management has built and operated several similar residences in Oregon and one in New Mexico. The proposed development is a modern facility that will also provide jobs in the community. The proposed development will not artificially alter property values for speculative purposes.

DESIGN REVIEW GUIDELINES

Section 1. The terms and provisions of Section 4 of Ordinance 4131 are hereby supplanted with the following terms and provisions: Section 4. Policies. The following policies shall apply to the property described on the map in Exhibit "A":

A. The goals and policies of the McMinnville Comprehensive Plan, Volume II, and applicable regulations and standards in Volume III, and other City codes shall be adhered to.

B. A one hundred twenty (120) foot setback from the centerline of Highway 18 shall be established both north and south of the highway.

Applicant Response: The subject property is located approximately 540 feet from the centerline of Highway 18.

C. Access requirements adopted hereafter in an access plan for this area shall be adhered to. Provisions of the plan shall include:

1. The minimization of entrances onto Three Mile Lane;
2. The development of on-site circulation systems, connecting to adjoining properties, including public frontage roads;
3. The provisions of acceleration-deceleration lanes and left-turn refuges when and where necessary and practicable.
4. The provision of bikeways along frontage roads or on-site circulation systems. Bikeway connections accessing Three Mile Lane shall be provided so that the frontage road or on-site circulation system can serve as an alternative route for cyclists traveling along Three Mile Lane.

Applicant Response: The proposed development would be accessed most directly from Highway 18 via NE Norton Ln and NE Cumulus Ave, and NE Dunn Place. There are no driveways proposed directly to Highway 18. As a part of the development, a new public road tentatively named "Marjorie Lane" would be constructed to provide access to two adjacent properties to the west of the project site which will provide for potential for future connections.

D. Landscaping and buffer strips along the highway frontage may be required including noise buffering methods, such as berms and/or plantings.

Applicant Response: The subject property is not located along the frontage of Highway 18.

E. Mixed housing-type residential developments shall be allowed and encouraged in those areas designated as residential.

Applicant Response: The proposed memory care residence provides a needed housing option for elderly residents in and around the City of McMinnville.

F. Temporary signage shall be allowed as per Section 17.62.060(B)(3) of the McMinnville Zoning Ordinance (No. 3380). (Ord. 4988 §1, 2015)

Applicant Response: The subject property will comply with temporary signage regulations per the above criterion.

SIGNS

Each subdivision or multi-family complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.

Applicant Response: The proposed monument sign for the Memory Care residence is found on Sheet A1.7, detail 10. The sign height would be 3 feet, 6 inches and the width is 8 feet, 6 inches for a total area of

approximately 30 square feet, which is under the maximum height and sign area per the above criterion. The materials of the sign will match and complement the proposed main building.

COMPREHENSIVE PLAN GOAL AND POLICIES

GOAL II 1: TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.

LAND

Policies:

1.00 Urbanizable lands outside the city limits, but inside the Urban Growth Boundary, shall be retained, whenever possible, in agricultural use until such time as they are needed for urban development.

2.00 The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, limiting soil characteristics, and natural hazards.

3.00 The City of McMinnville shall review any identified mineral and aggregate resource locations to determine the quality of the material, the likelihood that it will be extracted and the compatibility of the site with surrounding land uses. The City shall seek to resolve any conflicts between aggregate resource locations and surrounding land uses, and shall protect, whenever possible, mineral and aggregate resources from future encroachment by incompatible uses, especially residential uses.

4.00 The City of McMinnville, in cooperation with the Oregon Department of Geologic and Mineral Industries, shall insure that aggregate sites are reclaimed after their usefulness has expired.

Applicant Response: The proposed development is located within the boundaries of the City of McMinnville. The proposed development is located near the South Yamhill River and would maintain a building setback of 60 feet to minimize impacts to natural areas. The site does not contain any known mineral or aggregate resources to the best of our knowledge. The application complies with the above policies.

AIR

Policies:

5.00 The quality of the air resources in McMinnville shall be measured by the standards established by the Oregon Environmental Quality Commission and the Federal Environmental Protection Agency.

6.00 The City of McMinnville shall cooperate with the Oregon Department of Environmental Quality to insure that applications for air quality related permits are examined for compatibility with the City's comprehensive plan.

7.00 Land use decisions involving new major emission sources or expansion of existing sources shall be reviewed for the effects the emission source will have on the local and regional airshed. Maintenance of the quality of the air resources, within established federal and state standards, shall be a criterion for approval of these land use decisions.

Applicant Response: The proposed development does not include applications for air quality permits. The proposed development would not create a major source of air emissions. The application complies with the above policies.

WATER

Policies:

8.00 The City of McMinnville shall continue to seek the retention of high water quality standards as defined by federal, state, and local water quality codes, for all the water resources within the planning area.

9.00 The City of McMinnville shall continue to designate appropriate lands within its corporate limits as "floodplain" to prevent flood induced property damages and to retain and protect natural drainage ways from encroachment by inappropriate uses.

10.00 The City of McMinnville shall cooperate with the Oregon Department of Environmental Quality, the Mid-Willamette Valley Council of Governments, and other appropriate agencies and interests to maintain water quality and to implement agreed upon programs for management of the water resources within the planning area.

11.00 The City of McMinnville shall cooperate with McMinnville Water and Light, the Bureau of Land Management, and Yamhill County to insure that the land use development actions allowed in and around the municipal watershed do not lessen the water quality of the municipal water system below acceptable federal, state, and local standards.

Applicant Response: The subject property includes a portion within the 100-year floodplain of the South Yamhill River on the northwest corner of the property. All proposed site improvements, including buildings, vehicle use, areas, and pedestrian areas would be located outside the mapped floodplain and floodway as indicated on the Yamhill County Maps Public ArcGIS Application, accessed July 9, 2019. The proposed development would not lessen water quality. The application complies with the above policies.

NOISE

Policies:

12.00 The City of McMinnville shall insure that the noise compatibility between different land uses is considered in future land use decisions and that noise control measures are required and instituted where necessary.

Applicant Response: The proposed development would be compatible with the existing noise levels of surrounding residential development and would cause a major increase in existing noise levels. The application complies with the above policy.

HOUSING AND RESIDENTIAL DEVELOPMENT

GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

General Housing Policies:

58.00 City land development ordinances shall provide opportunities for development of a variety of housing types and densities.

Applicant Response: The proposed development for a memory care facility provides a housing option for elderly residents of the City of McMinnville and surrounding area. The proposed development adds variety to the housing types and density of the City of McMinnville. The application complies with the above policy.

68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.

Applicant Response: The proposed memory care facility would be sited near an established residential community with access to city services. The proposed development creates a compact development. The application complies with the above policy.

80.00 In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.

Applicant Response: The subject property is located near the South Yamhill River to the northwest corner of the property. A building setback of 60 feet will be maintained to preserve the riparian and wooded area along the river back. The application complies with the above policy.

92.03 Housing developments for the elderly shall, as far as possible, locate near community centers, parks, and shopping areas, or where transportation services can be provided to enable access to these activity areas. (Ord. 4796, October 14, 2003)

Applicant Response: The subject property is located one (1) block from the Bend O River mini park, 2 blocks from a shopping center, and approximately ¼ mile from Willamette Valley Hospital. The application complies with the above policy.

99.00 An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:

1. Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.
2. Storm sewer and drainage facilities (as required).
3. Streets within the development and providing access to the development, improved to city standards (as required).
4. Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)
5. Deleted as per Ord. 4796, October 14, 2003.

Applicant Response: A preliminary analysis of the existing utilities by the civil engineer for this project and discussions with utility providers indicates there are adequate sanitary, stormwater, and water available to serve this project. Connections to existing utilities would be developed concurrently with the memory care residence construction sequence. The proposed new street would be developed to current city standards. The application complies with the above policies.

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

STREETS

Policies:

117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.

Applicant Response: The proposed development would include the construction of a new public street, tentatively named “Marjorie Lane”, that would connect adjacent single-family homes to the west, the proposed memory care residence, and Dunn Place. The road would be development to City Standards to ensure safe and easy access to each parcel nearby. The application complies with the above policy.

118.00 The City of McMinnville shall encourage development of roads that include the following design factors:

1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.
2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.
3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.
4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths). (Ord.4922, February 23, 2010) VOLUME II Goals and Policies Page 34
5. Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist

Applicant Response: The proposed road, Marjorie Lane, would be designed to meet city standards and would not exceed the minimum required width, reducing the amount of land dedicated to this purpose. The road would connect to two single-family homes to the west and allow the properties to have direct access to Dunn Place for ingress and egress. The road design includes a 50-foot wide right-of-way. The preliminary design includes a 5-foot wide sidewalk, 4 and ½ foot wide planter area, and 28-foot wide paved roadway with 2.5% slope away from the roadway centerline. A cul-de-sac street is not proposed as part of the proposed road design. The proposed development complies with Policy 118.00.

122.00 The City of McMinnville shall encourage the following provisions for each of the three functional road classifications:

- (3) Local Streets –Designs should minimize through-traffic and serve local areas only. –Street widths should be appropriate for the existing and future needs of the area. –Off-street parking should be encouraged wherever possible. –Landscaping should be encouraged along public rights-of-way.

Applicant Response: The proposed development would construct a new public road, tentatively named “Marjorie Lane”. The roads functional classification would likely be a “local street”. It would be designed to serve the two single-family homes to the west, the proposed memory care facility, and future development on the remainder lot that would be located south of Marjorie Lane. The street would be designed with a 50-foot wide right-of-way to allow for two-way traffic. The proposed memory care development would include off-street parking for employees and visitors. Memory care residents would not own or drive personal vehicles. Landscaping will be provided along Marjorie Lane and Dunn Place to City standards. The application complies with Policy 122.00.

PARKING

Policies:

126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes.

Applicant Response: The proposed development would include 20 off-street parking spaces for employees and visitors to the memory care residence. Memory care residents would not drive personal motor vehicles for obvious safety reasons. An off-street parking reduction from the required 22 spaces to 20 spaces is being requested as part of this application due to the fact that memory care residents do not drive. A loading area for refuse bin servicing and deliveries is provided on the memory care site. The application complies with Policies 126.00 and 127.00 above.

COMPLETE STREETS

132.24.00 The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. Examples of how the Complete Streets policy is implemented:

1. Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below).
2. Incorporate features that create a pedestrian friendly environment, such as:
 - a. Narrower traffic lanes;
 - b. Median refuges and raised medians;
 - c. Curb extensions (“bulb-outs”); VOLUME II Goals and Policies Page 38
 - d. Count-down and audible pedestrian signals; e. Wider sidewalks;
 - f. Bicycle lanes; and
 - g. Street furniture, street trees, and landscaping
3. Improve pedestrian accommodation and safety at signalized intersections by:
 - a. Using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists.
 - b. Timing signals to minimize pedestrian delay and conflicts.
 - c. Balancing competing needs of vehicular level of service and pedestrian safety. (Ord. 4922, February 23, 2010)

Applicant Response: The proposed development includes the construction of a new public road, tentatively name Marjorie Lane. The right-of-way will be developed to City Standards. The roadway features include new sidewalks along Marjorie Lane and Dunn Place along the entire frontage of the subject property. The exact details of the roadway improvements will be designed by a licensed civil engineer and submitted to the City of McMinnville for review and approval. The application complies with Policy 132.24.00.

AESTHETICS

132.47.00 The City should update and maintain its street design standards to increase aesthetics of the street's environment through landscaping and streetscape design. (as adopted by Ord. 4922, February 23, 2010).

Applicant Response: Street improvements along Dunn Place and Marjorie Lane would include sidewalks and a planting strip with street trees to comply with City Standards. Landscaping will be designed by an Oregon licensed landscape architect. The application complies with Policy 132.47.00.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE McMINNVILLE URBAN GROWTH BOUNDARY.

SANITARY SEWER SYSTEM

Policies: 136.00 The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines within the framework outlined below: VOLUME II Goals and Policies Page 54

1. Sufficient municipal treatment plant capacities exist to handle maximum flows of effluents.
2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.
3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized.
4. Extensions will implement applicable goals and policies of the comprehensive plan.

Applicant Response: Based on discussions with City staff, there is adequate capacity to serve the proposed development. The sanitary sewer system will be designed by an Oregon licensed civil engineer in accordance with applicable City of McMinnville development standards. The application complies with Policy 139.00

STORM DRAINAGE

Policies:

142.00 The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Applicant Response: Based on discussions with City staff, there is adequate stormwater capacity to serve the proposed development. The storm system will be designed by an Oregon licensed civil engineer in accordance with applicable City of McMinnville development standards. The application complies with Policy 142.00

WATER SYSTEM

Policies:

145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

1. Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.
2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.
3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized.
4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.

Applicant Response: Based on discussions with McMinnville Water and Light, there is adequate water available to serve the proposed development. The sanitary sewer system will be designed by an Oregon licensed civil engineer in accordance with applicable McMinnville Water and Light and City of McMinnville development standards. The application complies with Policy 145.00

POLICE AND FIRE PROTECTION

Policies:

153.00 The City of McMinnville shall continue coordination between the planning and fire departments in evaluating major land use decisions.

Applicant Response: The proposed building will include security in form of fences, gates, and CCTV. At least 2 staff members are on duty 24 hours a day, 7 days a week. Fire protection equipment, such as fire alarms and fire sprinklers, will provided to meet building code requirements and enhance employee and resident safety. The application complies with Policy 153.00.

GREAT NEIGHBORHOOD PRINCIPLES

Policies:

187.10 The City of McMinnville shall establish Great Neighborhood Principles to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value, whether that place is a completely new development or a redevelopment or infill project within an existing built area.

187.20 The Great Neighborhood Principles shall encompass a wide range of characteristics and elements, but those characteristics and elements will not function independently. The Great Neighborhood Principles shall be applied together as an integrated and assembled approach to neighborhood design and development to create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood, and to create a neighborhood that supports today's technology and infrastructure, and can accommodate future technology and infrastructure.

187.30 The Great Neighborhood Principles shall be applied in all areas of the city to ensure equitable access to a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood for all McMinnville citizens.

187.40 The Great Neighborhood Principles shall guide long range planning efforts including, but not limited to, master plans, small area plans, and annexation requests. The Great Neighborhood Principles shall also guide applicable current land use and development applications.

187.50 The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13) and is followed by more specific direction on how to achieve each individual principle.

1. Natural Feature Preservation. Great Neighborhoods are sensitive to the natural conditions and features of the land.

a. Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.

Applicant Response: The subject property contains a portion of the South Yamhill River on the northwest corner of the property. The proposed memory care building and associated improvements would be set back 60 feet from the top of bank to minimize impacts to natural areas. This setback will allow for the natural area near the river to remain undisturbed. Trees along the riverbank and riparian area will be preserved. Some trees near the existing dwelling and outbuildings would need to be removed to allow demolition of the structures. A precise plan indicating which trees will be preserved is still under development. No development will occur near steep slopes along the riverbank.

2. Scenic Views. Great Neighborhoods preserve scenic views in areas that everyone can access.

a. Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including, but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.

Applicant Response: The proposed memory care building will consist of single-story structure that is a maximum of 20 feet 9 1/8 inches in height. This lower building height will help preserve views to the north.

3. Parks and Open Spaces. Great Neighborhoods have open and recreational spaces to walk, play, gather, and commune as a neighborhood.

a. Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.

b. Central parks and plazas shall be used to create public gathering spaces where appropriate.

c. Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.

Applicant Response: The proposed project does not include a proposal for new public parks or open space. However, the proposed development does include an indoor courtyard for resident enjoyment of the outdoors and secure, exterior courtyard facing the wooded area near the South Yamhill River. The nearest park is Bend O River mini park located between the cul-de-sacs of NE Clark Ct and NE Norton Ct one block away from the proposed development.

4. Pedestrian Friendly. Great Neighborhoods are pedestrian friendly for people of all ages and abilities.

- a. Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.
- b. Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).

Applicant Response: A 5-foot-wide sidewalk will be developed on each side of proposed Marjorie Lane providing pedestrian access to the site. Additionally, street improvements along NE Dunn Place will span the length of the subject property, including street trees and sidewalk on the west side of the street.

5. Bike Friendly. Great Neighborhoods are bike friendly for people of all ages and abilities.

- a. Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.
- b. Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.

Applicant Response: The proposed project would develop a new public road, Marjorie Lane, with required sidewalk and planter strips for street trees. Due to the low traffic of this street, it would be bike friendly for employees who choose to commute by bicycle.

6. Connected Streets. Great Neighborhoods have interconnected streets that provide safe travel route options, increased connectivity between places and destinations, and easy pedestrian and bike use.
- a. Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements. Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.

Applicant Response: The proposed project would develop a new public road, Marjorie Lane, with required sidewalk and planter strips for street trees.

7. Accessibility. Great Neighborhoods are designed to be accessible and allow for ease of use for people of all ages and abilities.
- a. To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.
 - b. Design practices should strive for best practices and not minimum practices.

Applicant Response: Given the nature of the facility, there is special consideration and emphasis on the design of parking areas, walking paths, and buildings to make sure these features will be accessible for elderly individuals.

8. Human Scale Design. Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.
- a. The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.

- b. Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.
- c. Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).

Applicant Response: The proposed building would be oriented toward a new public right-of-way, Marjorie Lane. The site will include generous landscaping, lighting in and around parking areas and walkways, and secure features such as fences and gates. Additionally, the residence will have staff available 24/7 to monitor activities of the building and grounds.

9. Mix of Activities. Great Neighborhoods provide easy and convenient access to many of the destinations, activities, and local services that residents use on a daily basis.

- a. Neighborhood destinations including, but not limited to, neighborhood-serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.
- b. Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.
- c. Neighborhoods are designed such that owning a vehicle can be optional.

Applicant Response: There are many medical, recreational, and dining options near the vicinity of the proposed project with easy access from Highway 18. There are numerous medical facilities in the area. As mentioned previously, memory care residents do not drive. Employees would be able to access nearby services without having to drive a motor vehicle. It is expected that some employees would commute by bicycle.

10. Urban-Rural Interface. Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.

- a. Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.

Applicant Response: The proposed project is a single-story building consisting of approximately 19,000 square feet. The memory care residence provides a soft transition from more intensive uses such as the commercial areas near Three Mile Lane, and single-family residential uses.

11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.

- a. A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.

Applicant Response: The subject property is zoned R4. The proposed memory care residence provides a specialized housing option for residents who need assistance with their daily routine. The proposed project adds to the diversity of housing in the City of McMinnville. As part of the proposed development, a remainder parcel would be created on the south side of the newly created Marjorie Lane. This parcel could be developed for residential use or other uses allowed under the R4 zoning district. There are currently no immediate plans to develop the remainder parcel.

12.Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.

- a. Neighborhoods shall have several different housing types.

Applicant Response: The subject property is zoned R4. As part of the proposed development, a remainder parcel would be created on the south side of the newly created Marjorie Lane. This parcel could be developed for residential use or other uses allowed under the R4 zoning district. There are currently no immediate plans to develop the remainder parcel.

- b. Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.

Applicant Response: The proposed memory care residence is an example of northwest contemporary architecture. The material choices are a mix of Hardie plank siding, shake shingle siding, wood and stone.

13.Unique and Integrated Design Elements. Great Neighborhoods have unique features, designs, and focal points to create neighborhood character and identity. Neighborhoods shall be encouraged to have:

- a. Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.
- b. Opportunities for public art provided in private and public spaces.

Applicant Response: The proposed development will be designed to meet building code standards for water and energy conservation. There are no current plans for public art.

- c. Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners, landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood. (Ord 5066 §2, April 9, 2019)

Applicant Response: The pedestrian amenities of the site include street lights, parking lot lighting, pathway light bollards, landscaping, interior courtyard with raised beds, and a fountain, and fencing around an exterior courtyard. The design approach will integrate the form and function of these features with the main building design.

NEIGHBORHOOD MEETING SUMMARY

A neighborhood meeting was held on Tuesday, June 11th 2019 between 5:45pm and 7:00pm at the McMinnville Community Center in Room 102. 8 neighbors attended the meeting.

The design team presented overall details of the project and provided a site plan, floor plan, and rendering of the building design for neighbor review and comment. Doug Sproul provided information on Mosaic Management and its operations.

Overall, the comments were supportive of the project. There were questions from neighbors about security of the property. Doug noted that the property will have security cameras on the interior and exterior that monitor entrances and exits. Also, staff are present on the property, a minimum of two employees, at all times.

Neighbors requested to save as many trees on the north side of the property. The owner plans to keep as many trees as possible but some of the trees near the existing dwelling and outbuilding will need to be removed. A specific tree removal plan is still in process.

Neighbors mentioned that the grass on the property is very tall and needs to be mowed. Doug indicated he will have a local landscape crew out to mow the overgrown grass.

A sign-in sheet was kept, and 4 comment cards were received. Both are attached herein.

CONCLUSION

The proposed 44 bed memory care facility provides a needed housing option for seniors within the City of McMinnville. Negative impacts will be mitigated to the extent possible. A new public road would be developed.

If you have any questions, please reach out to me at (503) 798-4391 or by e-mail: samt@lenityarchitecture.com

Sincerely,

Samuel A. Thomas



Senior Land Use Specialist

NEIGHBORHOOD MEETING COMMENT CARD
Project: McMinnville Memory Care – 235 NE Dunn Place

Meeting: June 11, 2019 6:00 pm – 7:00 pm

McMinnville Community Center - Room 102

600 NE Evans Street, McMinnville, OR 97128

NAME	ADDRESS PHONE / EMAIL	SIGNATURE	NOTICE LETTER RECEIVED
NANCY HART DON NOVODOCZKY	280 NE DUNN PL NHARTMAN42@OUTLOOK.COM	Nancy Hart	<input checked="" type="radio"/> YES <input type="radio"/> NO
Linda O'Hara	1580 SW Ashley Dr McMinnville	Linda O'Hara	<input checked="" type="radio"/> YES <input type="radio"/> NO
Dave + Barbara Tracy	265 NE Dunn Place MC	Barbara Tracy	<input checked="" type="radio"/> YES <input type="radio"/> NO
Julia Pirisky	262 NE Dunn Pl McM 97128		<input checked="" type="radio"/> YES <input type="radio"/> NO
Nancy Palashy	2526 N.E. Grove Dr. McMinnville Or	Nancy Palashy	<input checked="" type="radio"/> YES <input type="radio"/> NO
Nanette Pirisky	135 NE Dunn Place (HAYC) Mac. OR 97128	Nanette Pirisky	YES <input checked="" type="radio"/> NO
			YES <input type="radio"/> NO
			YES <input type="radio"/> NO
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NEIGHBORHOOD MEETING COMMENT CARD

Project: McMinnville Memory Care – 235 NE Dunn Place

Meeting: June 11, 2019 6:00 pm – 7:00 pm

McMinnville Community Center - Room 102

600 NE Evans Street, McMinnville, OR 97128

Did the presentation and documents provided at the meeting clearly identify the scope of the project?

☒ Y/N _____

If no, please describe the requested clarification:

Do you have other issues or concerns about the proposed development?

Y/N _____

If yes, please explain:

Nothing comes to mind at this time.

Questions were answered - thank you!!!

Name (please print): _____

Address: _____

NEIGHBORHOOD MEETING COMMENT CARD

Project: McMinnville Memory Care – 235 NE Dunn Place

Meeting: June 11, 2019 6:00 pm – 7:00 pm

McMinnville Community Center - Room 102

600 NE Evans Street, McMinnville, OR 97128

Did the presentation and documents provided at the meeting clearly identify the scope of the project?

☒ Y/N _____

If no, please describe the requested clarification:

Do you have other issues or concerns about the proposed development?

Y/N _____

If yes, please explain:

Name (please print): NANCY HART

Address: 280 NE DUNN PL.

NEIGHBORHOOD MEETING COMMENT CARD

Project: McMinnville Memory Care – 235 NE Dunn Place

Meeting: June 11, 2019 6:00 pm – 7:00 pm

McMinnville Community Center - Room 102

600 NE Evans Street, McMinnville, OR 97128

Did the presentation and documents provided at the meeting clearly identify the scope of the project?

Y/N _____ If no, please describe the requested clarification:

Do you have other issues or concerns about the proposed development?

Y/N _____

If yes, please explain:

Name (please print): Nancy Palasky

Address: 2526 N.E. Aaron Dr.

McMinnville, Oregon 97128

NEIGHBORHOOD MEETING COMMENT CARD

Project: McMinnville Memory Care – 235 NE Dunn Place

Meeting: June 11, 2019 6:00 pm – 7:00 pm

McMinnville Community Center - Room 102

600 NE Evans Street, McMinnville, OR 97128

Did the presentation and documents provided at the meeting clearly identify the scope of the project?

Y/N Y If no, please describe the requested clarification:

Do you have other issues or concerns about the proposed development?

Y/N N

If yes, please explain:

Name (please print): JULIA A PIRISKY

Address:

262 NE DUNN PL
McMinnville OR 97128

An architectural rendering of a proposed new building for the City of Grand Haven. The building is a single-story structure with a modern design, featuring a combination of horizontal siding and stone veneer. It has a low-pitched roof and large, dark-framed windows. A prominent feature is a covered entrance area on the left side, supported by stone pillars. The building is surrounded by landscaping, including several trees and shrubs. In the foreground, a paved area with a white curb shows three people: a man in a dark jacket and light shorts walking away from the viewer, a person in a white shirt and dark pants standing near the entrance, and a woman in a dark dress walking towards the building. A white SUV is parked on the left side of the image. The text "ARTIST RENDERING" is visible in the bottom right corner.

SUITE SUMMARY

GENERAL NOTES

- ## CONSTRUCTION GENERAL NOTES

- ## LAND USE INFORMATION

STRUCTURAL DESIGN DATA

-- FOR SPECIAL INSPECTION SEE SHEET S2.1 --

SEE SHEETS A02 FOR ADDITIONAL INFORMATION

NE CHALMERS WAY

NE DESTINY DR

NE COLE AVE

NE AARON DR

CLARK CT

NE NORTON CT

NE NORTON ST

NE TANGER DR

NE CUMULUS AVE

NE SALMON RIVER WAY

SOUTH YAMHILL RIVER

PROJECT LOCATION

NE 4TH AVE

NE 1ST ST

NE 2ND ST

NE 3RD ST

NE 4TH ST

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ARCHITECTURAL

ARCHITECTURAL (Cont'd)

KITCHEN

STRUCTURAL

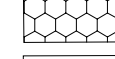
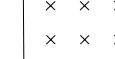

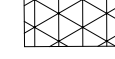

RADON

RI RADON PROTECTION PLAN





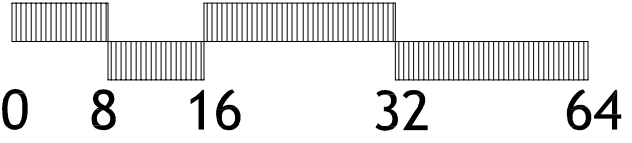
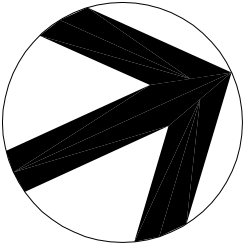
DESIGN PRESSURE CALCULATIONS	
STATIC PRESSURE-ASSUMED	65 PSI.
GRM TOTAL FOR VALVE #1: 131 GRM	
<u>WATER LOSS CALCULATIONS</u>	<u>P&L LOSSES</u> (GAINS)
1" WATER METER (ELEV. APPROX. - 3100)	10
ELEVATION AT HEAD APPROX. - 15100	0
GATE VALVES	10
1" DOUBLE CHECK VALVE BACKFLOW PREVENTER	3.0
1" MASTER VALVE	2.13
1" CLASS 35 PVC MAINLINE (300 LF.)	142
1" REMOTE CONTROL VALVE	2.13
CLASS 200 PVC LATERALS	0.12
FITTING LOSS (10% MAX 4 LATERAL LOSSES)	0.20
TOTAL LOSSES	110.4
DESIGN PRESSURE REQUIRED AT HEAD	40.20
STATIC PRESSURE REQUIREMENT	51.04
STATIC PRESSURE AVAILABLE	65.20
RESIDUAL PRESSURE	(13.96)

DRIIP EMITTER SCHEDULE			DRIIP HYDROZONE LEGEND	
CONTAINER	EMITTER(S)	VOLUME		
4" POTBEDS	XB-1033 SERIES	VARIABLE		HYDROZONE 4
1 GAL.	XB-10PC-1032	1 G.P.H.		HYDROZONE II
2 GAL.	XB-10PC-1032	1 G.P.H.		HYDROZONE II
3 GAL./3'-10" B4B	(2) XB-10PC-1032	2 G.P.H.		HYDROZONE II
5 GAL./8'-24" B4B	(2) XB-10PC-1032	2 G.P.H.		HYDROZONE II
1 GAL./30"-36" B4B	(2) XB-10PC-1032	2 G.P.H.		
15 GAL./3'-4 1/4"-5' B4B	(3) XB-10PC-1032	6 G.P.H.		
B4B TREES	XFS-06-12	11 G.P.H.		

NOTES-

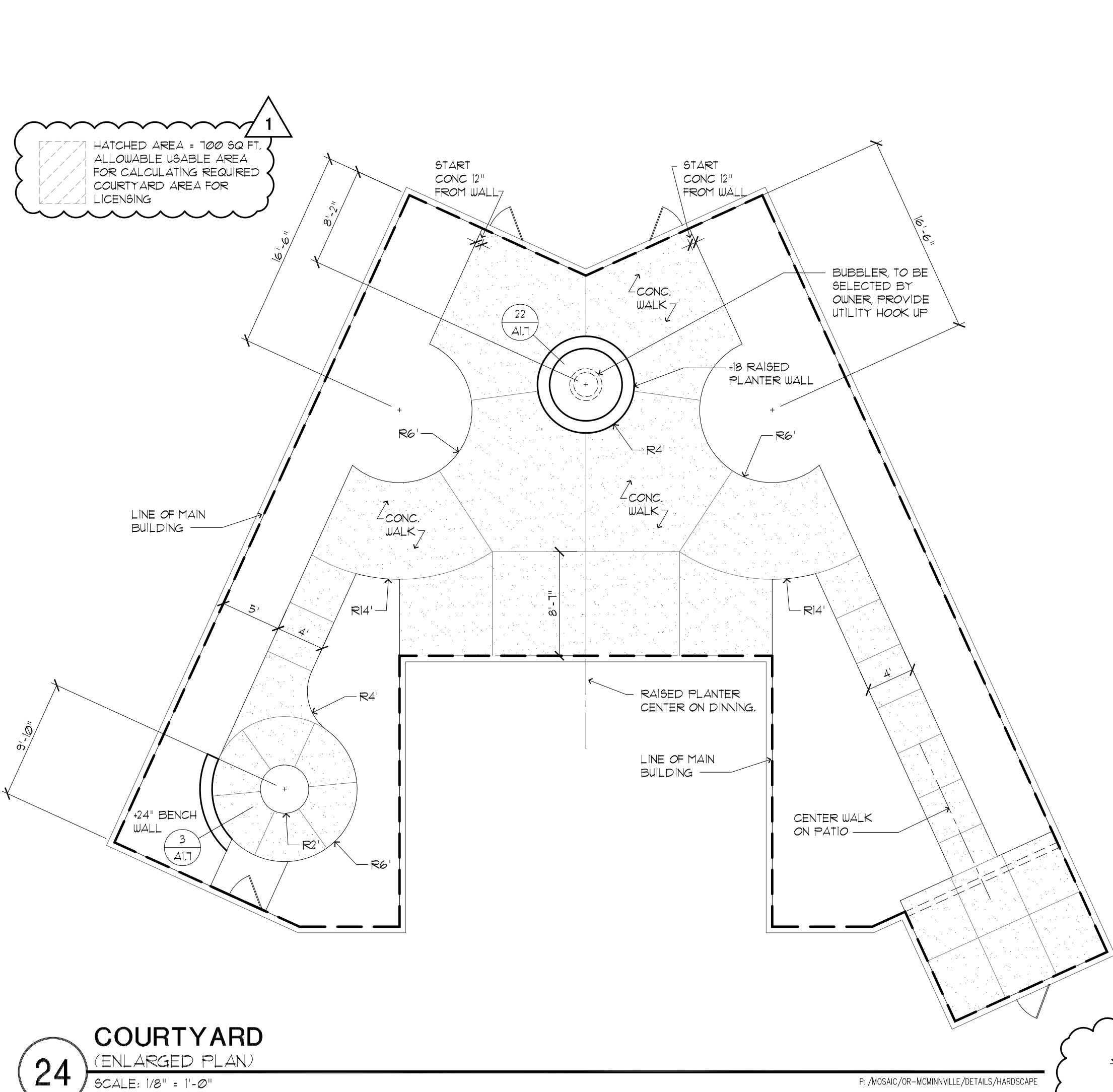
1. Refer to Sheet A1.4 for Irrigation Details.

WHOLE SHEET REVISIONS, P.O.C. REV.
ADDITIONAL ZONES/ZONE
RECONFIGURATIONS, PIPE SIZING REVS.
AND EQUIPMENT REVISIONS.

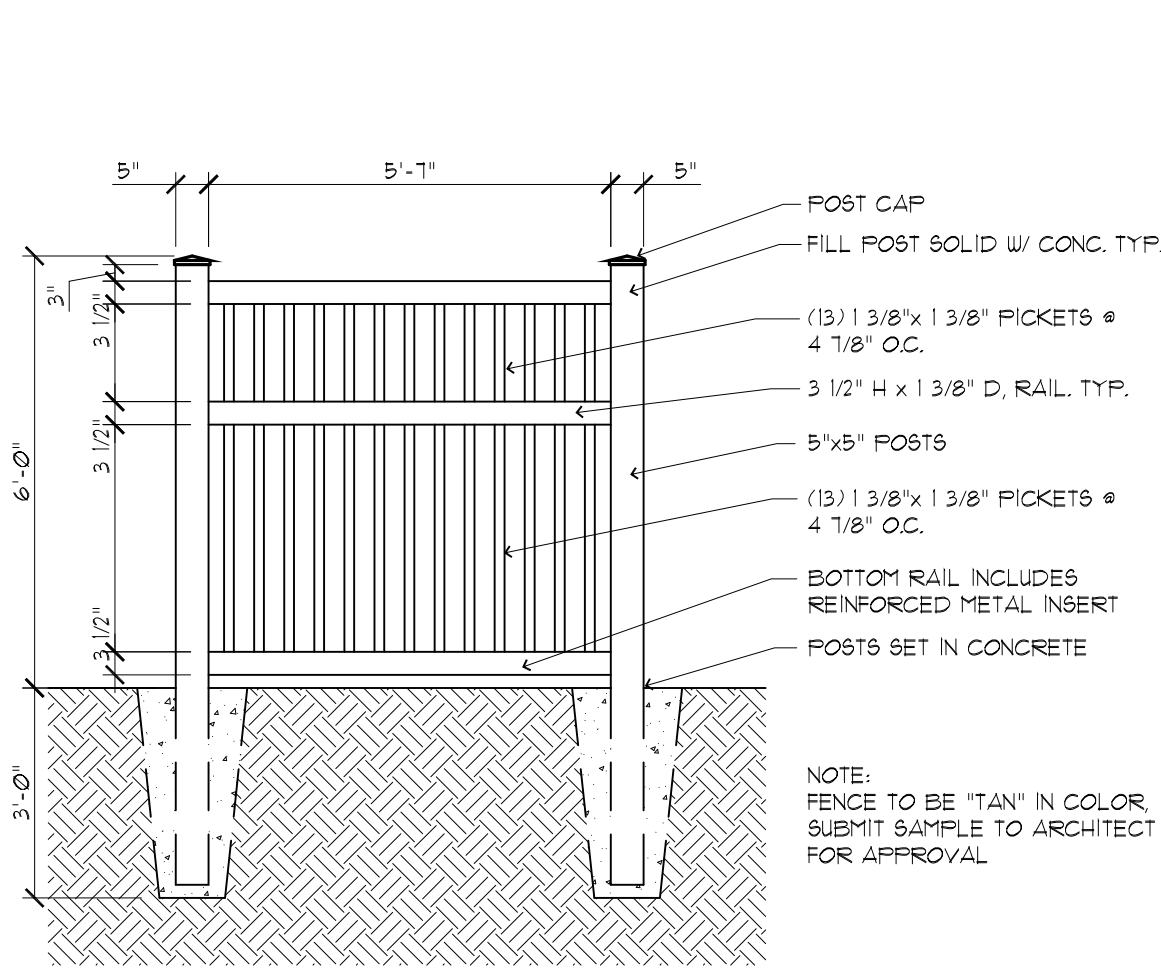




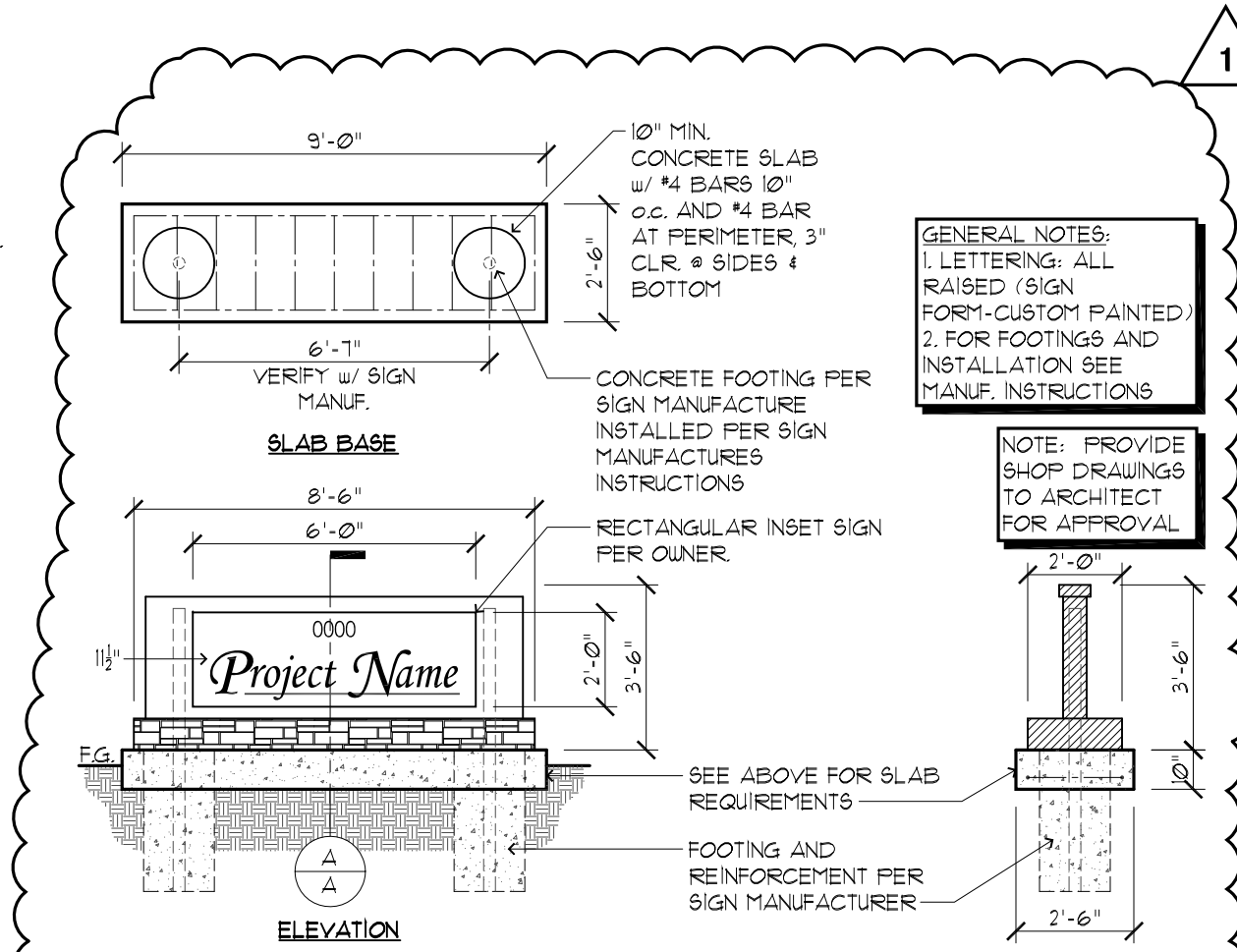
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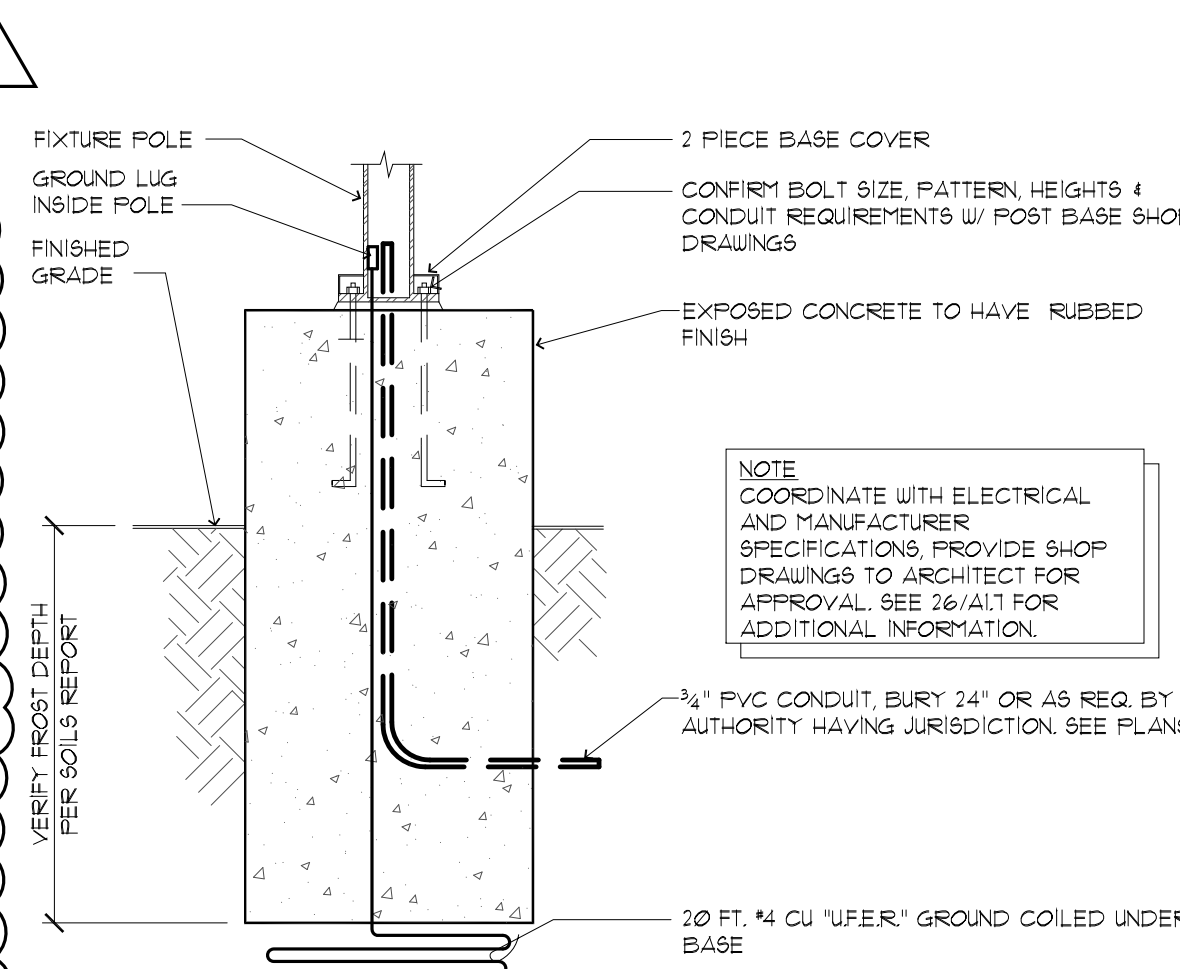
24 COURTYARD (ENLARGED PLAN)
SCALE: 1/8" = 1'-0"



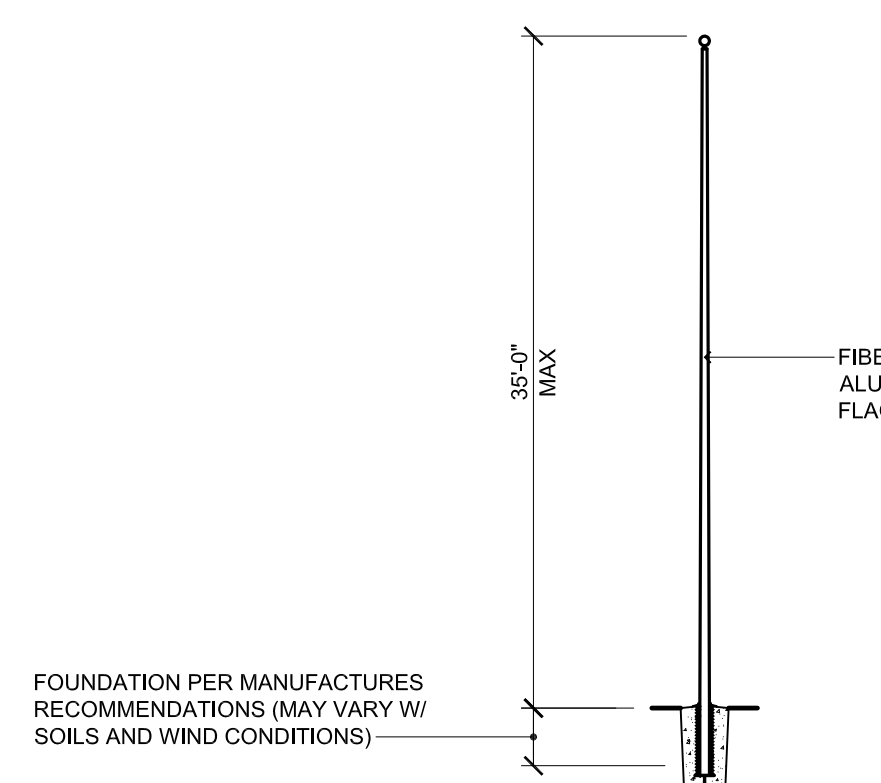
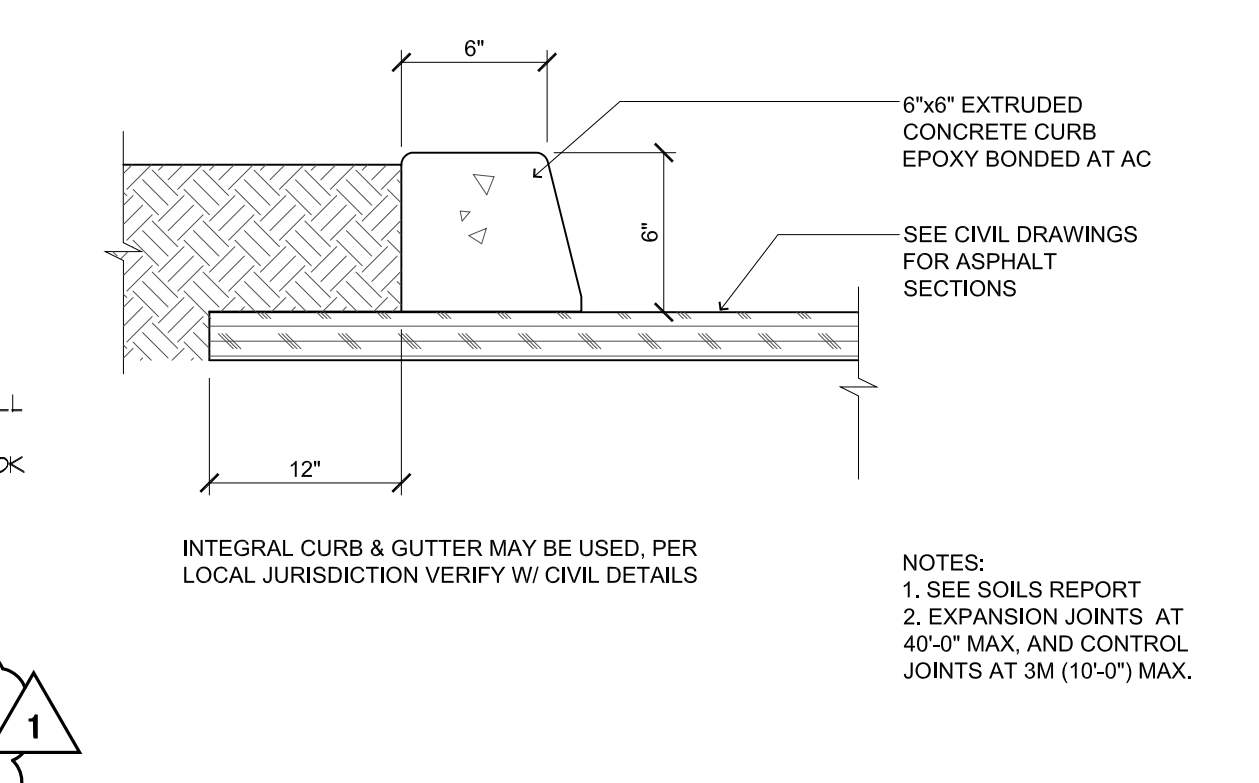
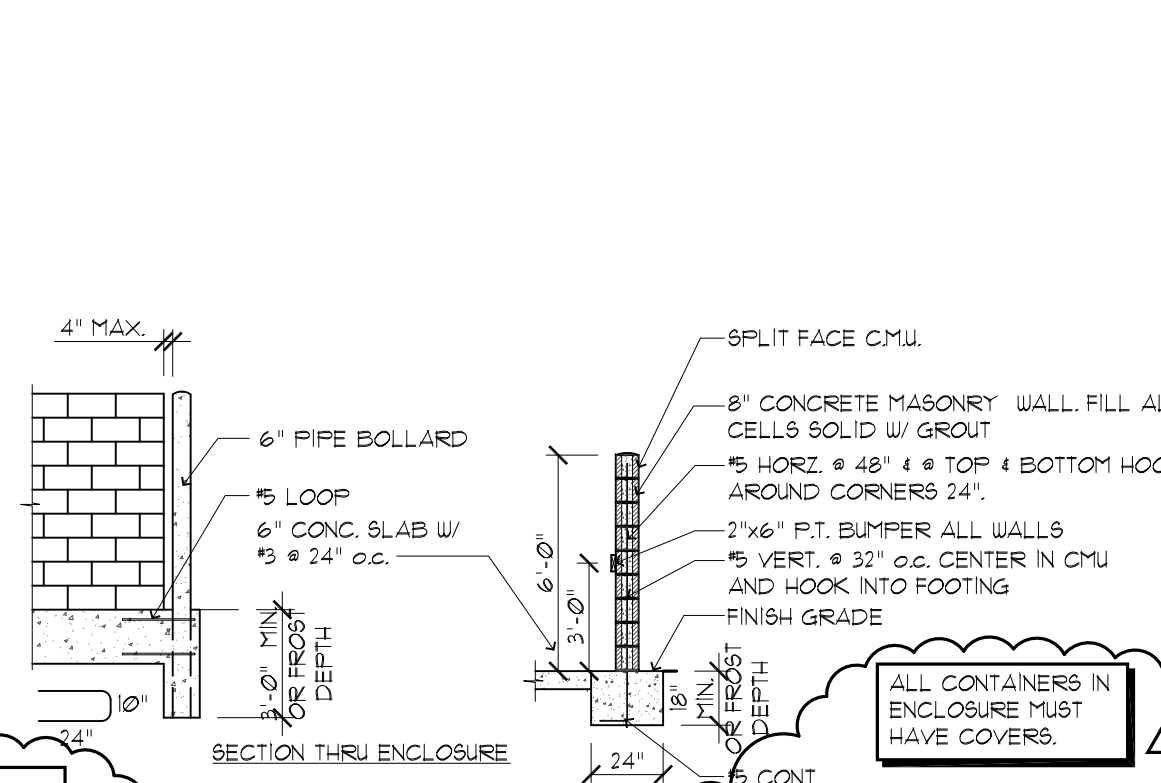
15 OBSCURING STYLE FENCE (FENCE)
SCALE: NOT TO SCALE (1:32)



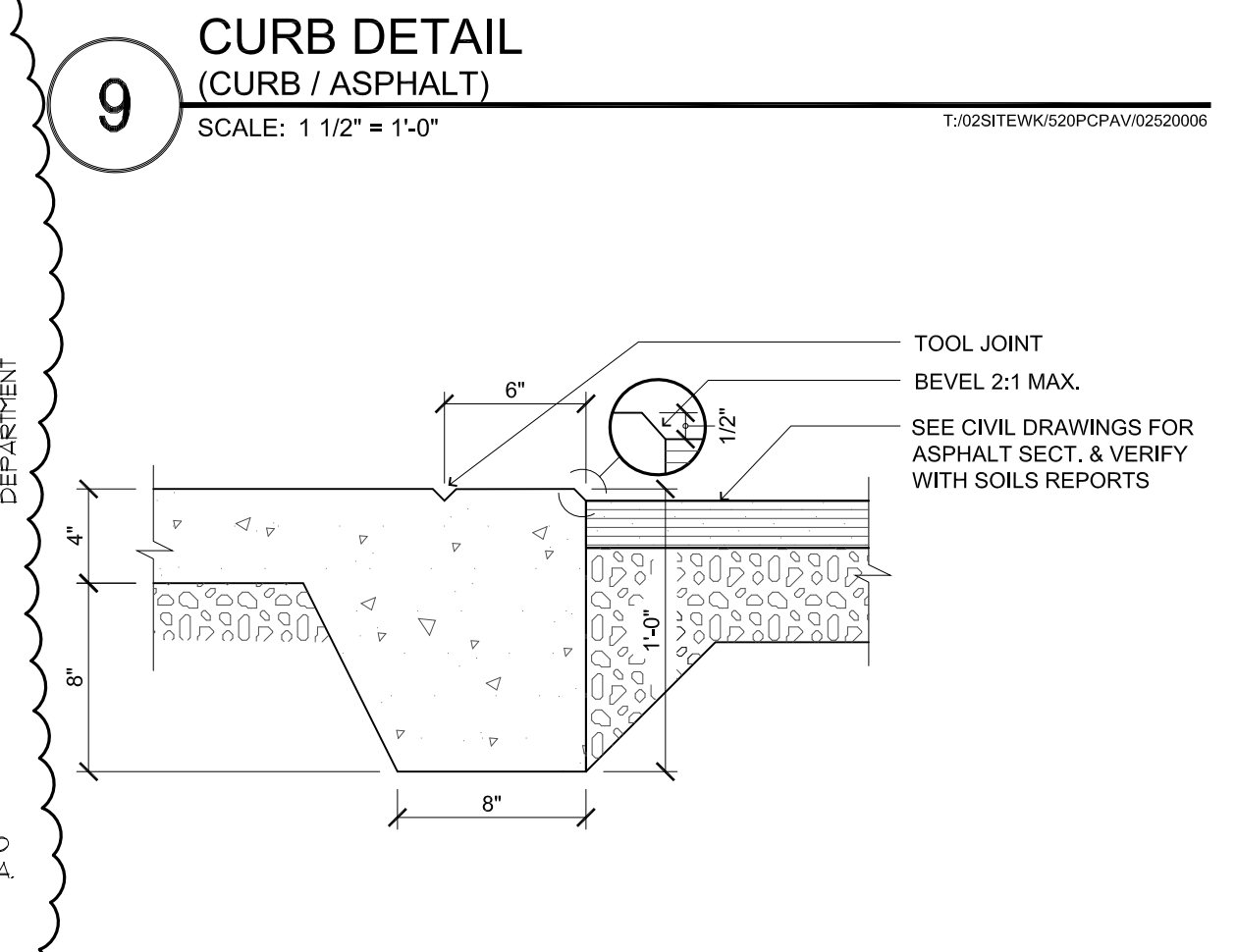
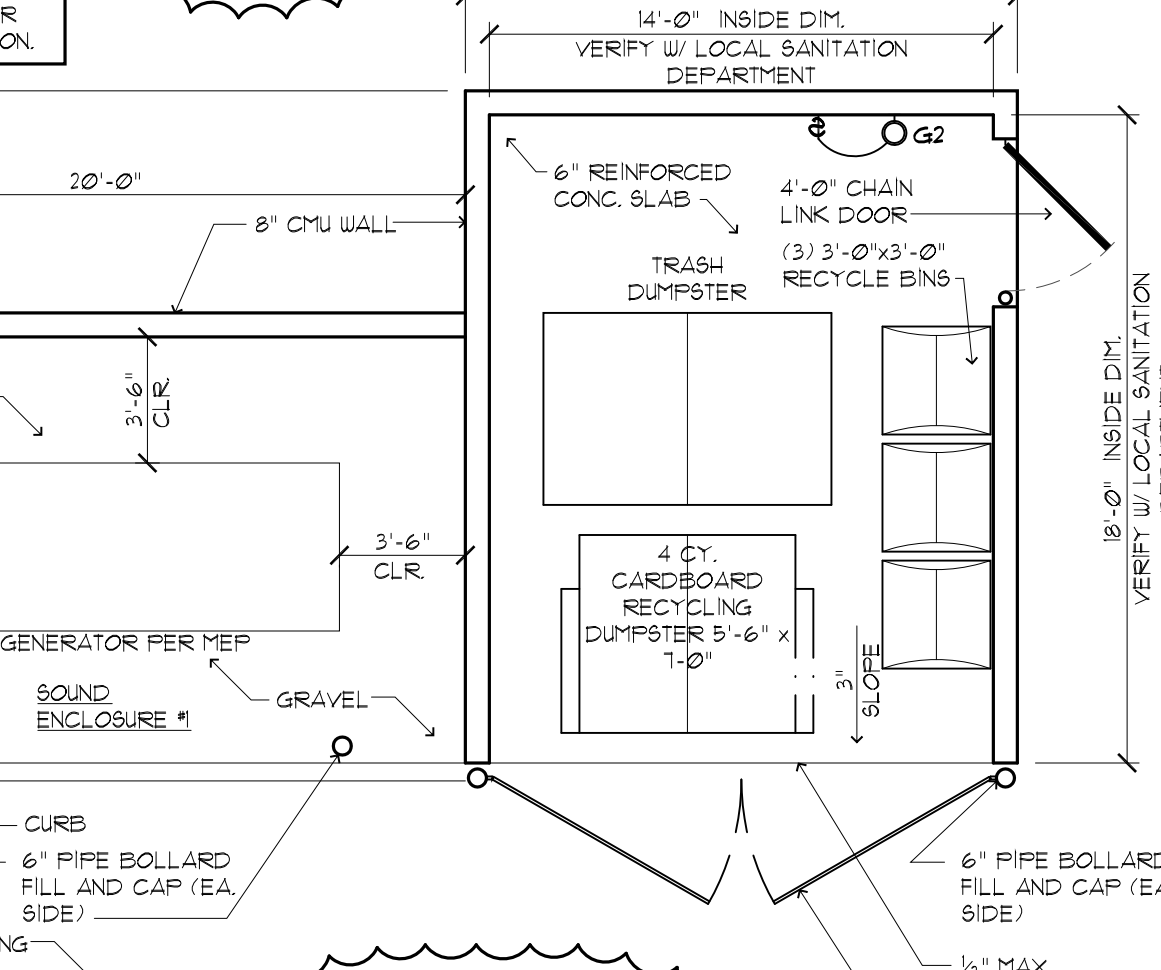
10 PROJECT SIGN (SEPARATE PERMIT REQUIRED)
SCALE: 1/4" = 1'-0"



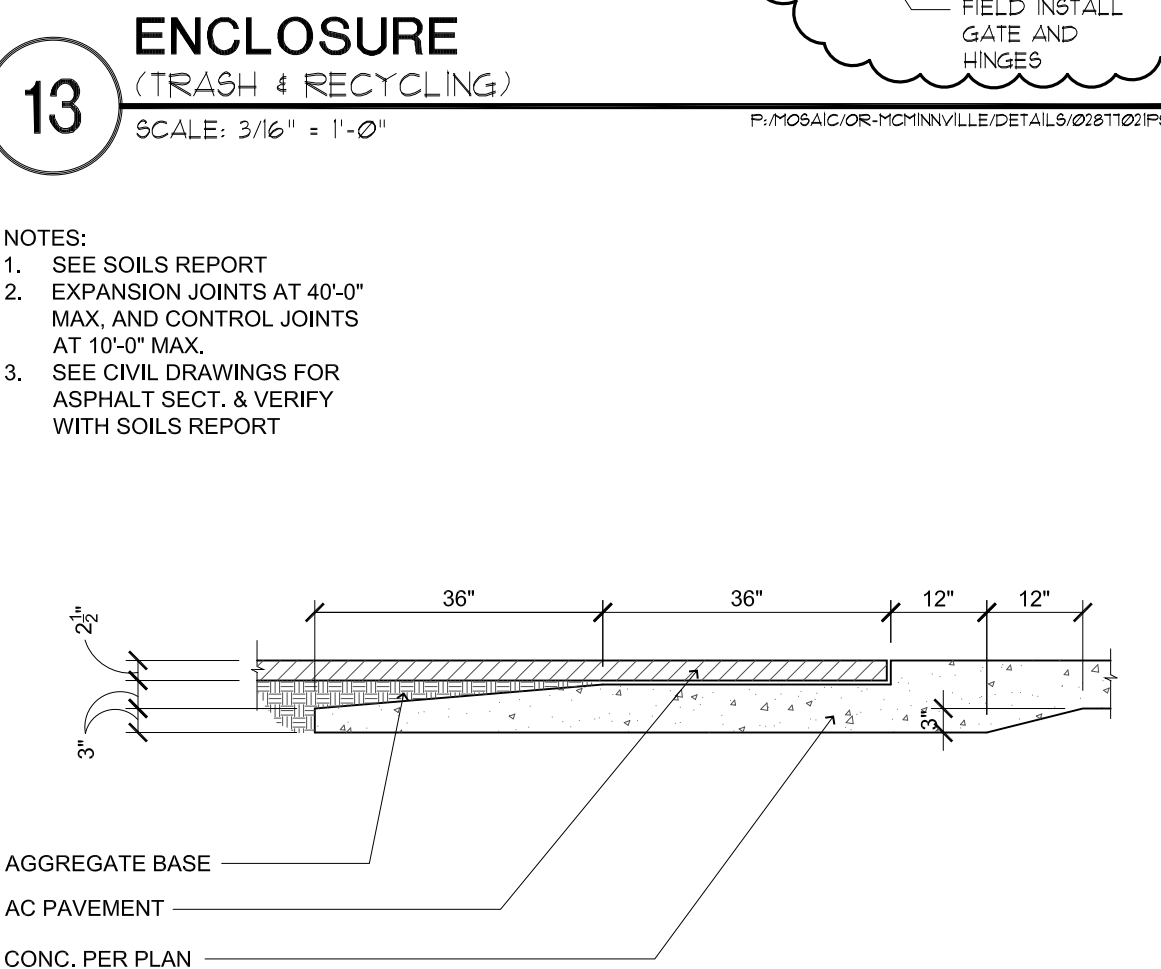
5 PARKING LOT LIGHT BASE
SCALE: 3/4" = 1'-0"



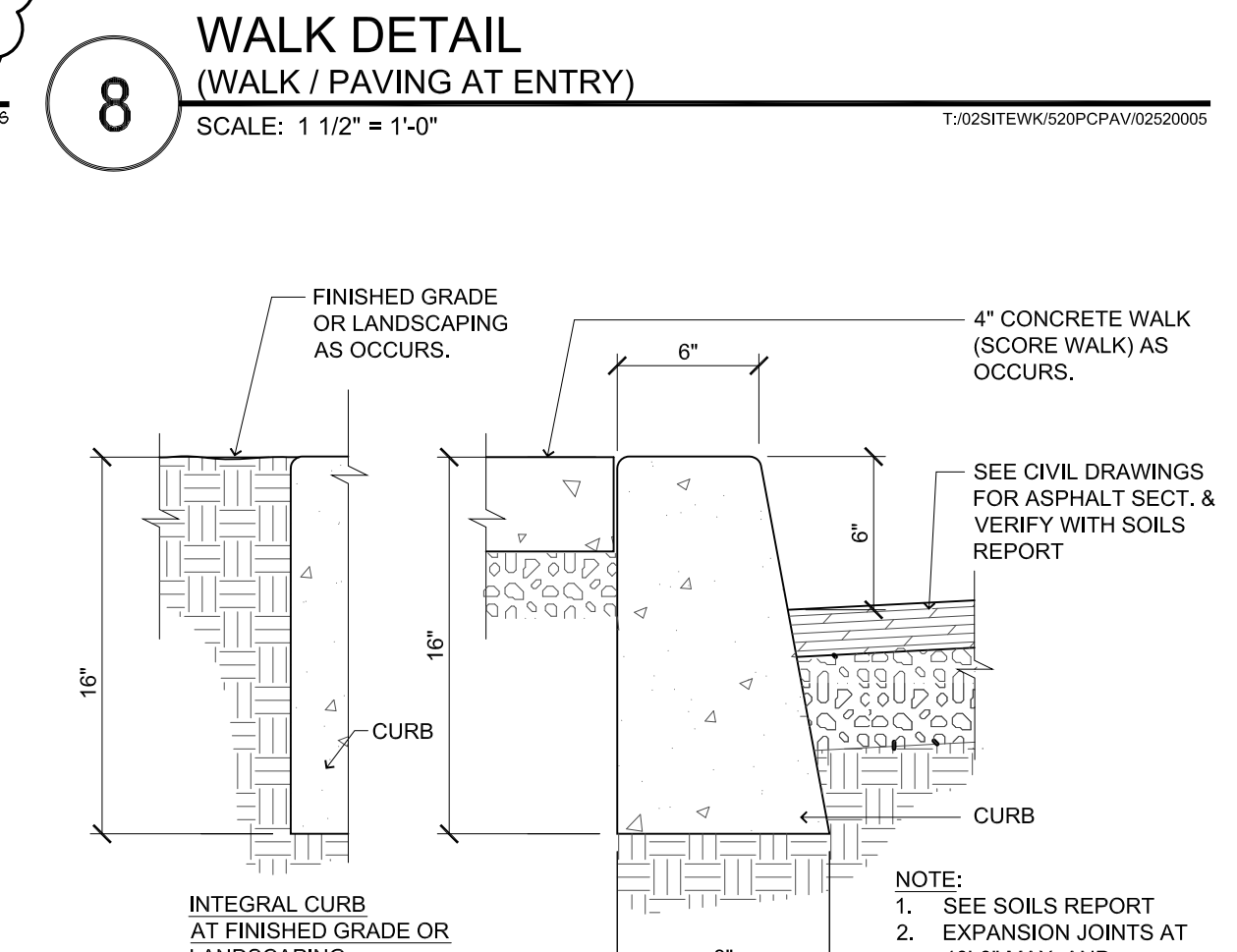
4 FLAG POLE (GROUND SET CONE)
SCALE: NOT TO SCALE



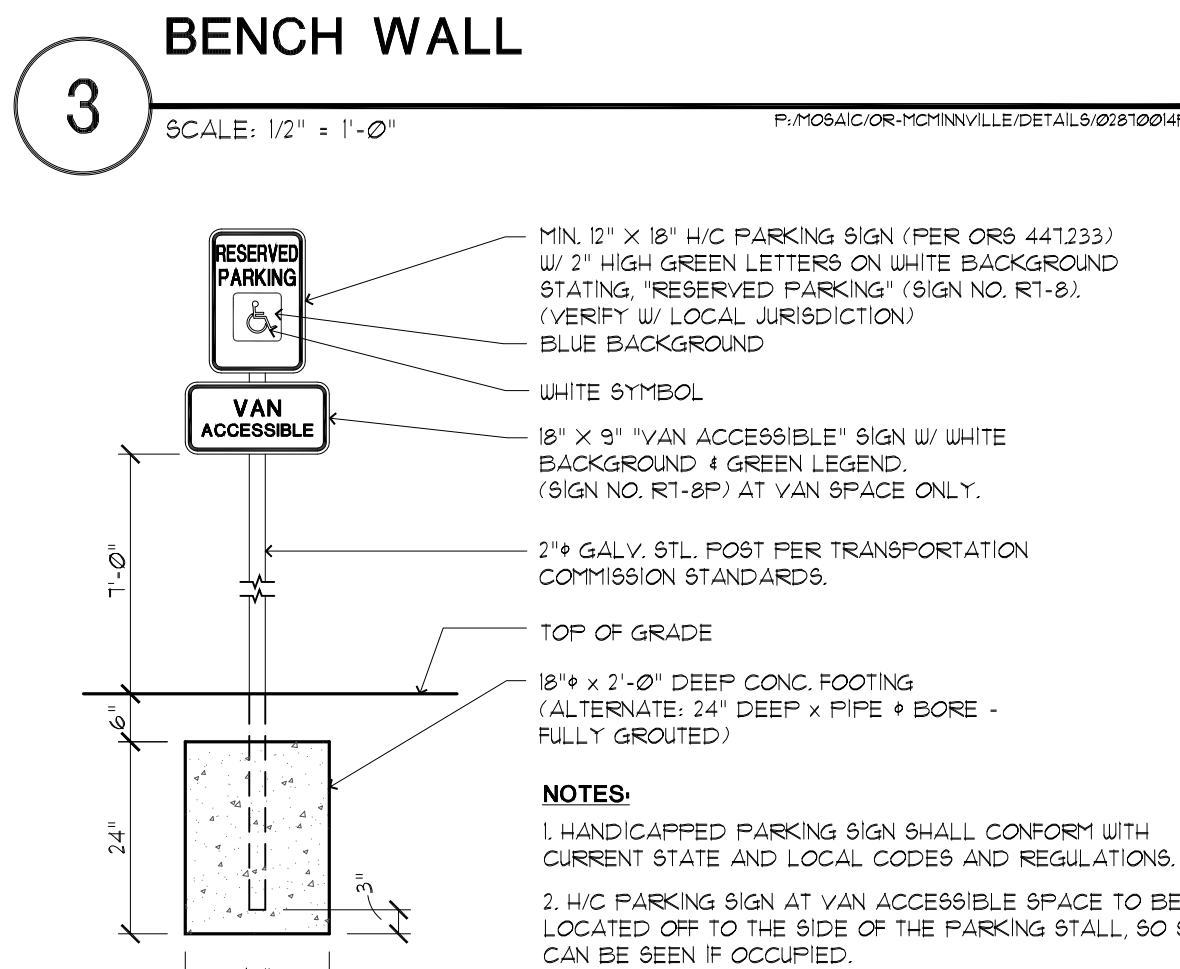
9 CURB DETAIL (CURB / ASPHALT)
SCALE: 1 1/2" = 1'-0"



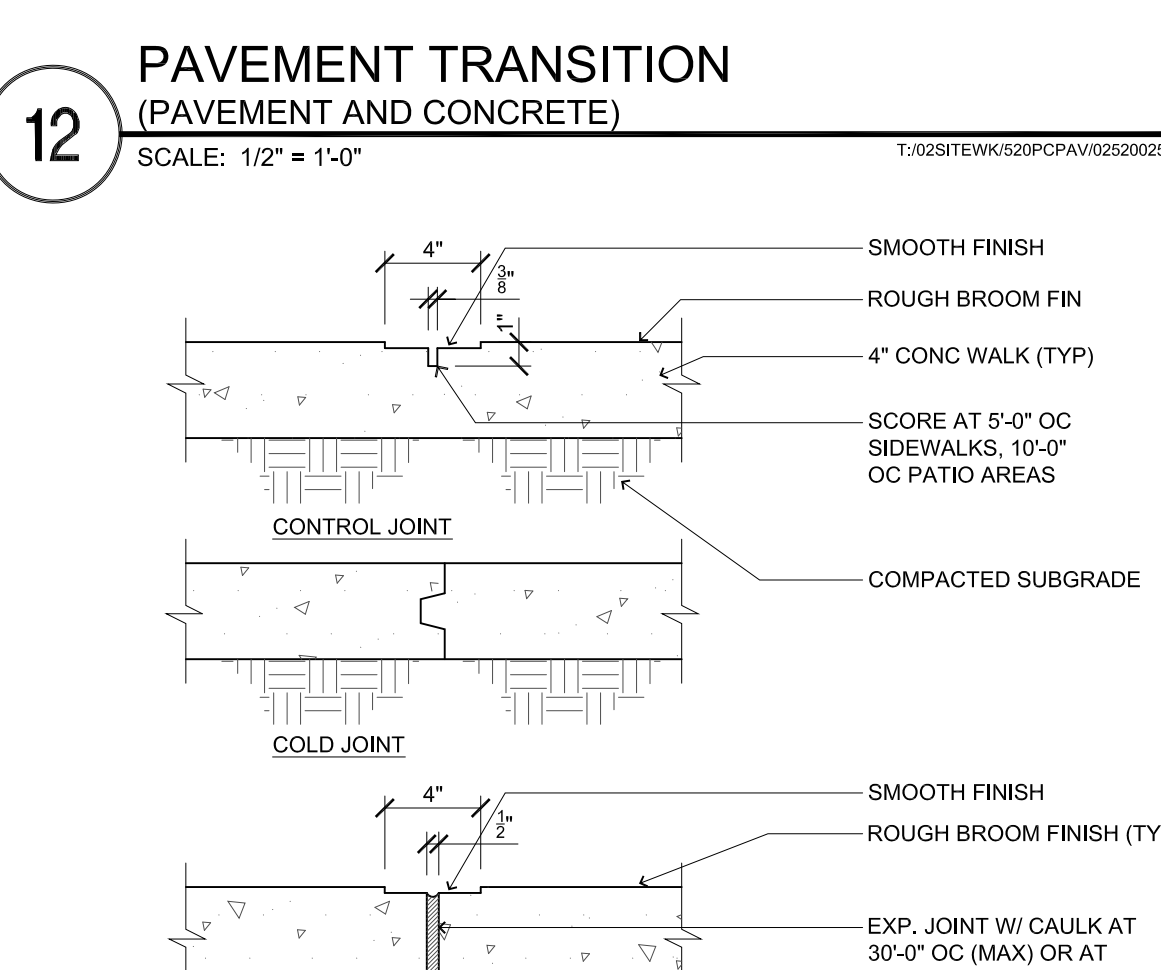
13 ENCLOSURE (TRASH & RECYCLING)
SCALE: 3/16" = 1'-0"



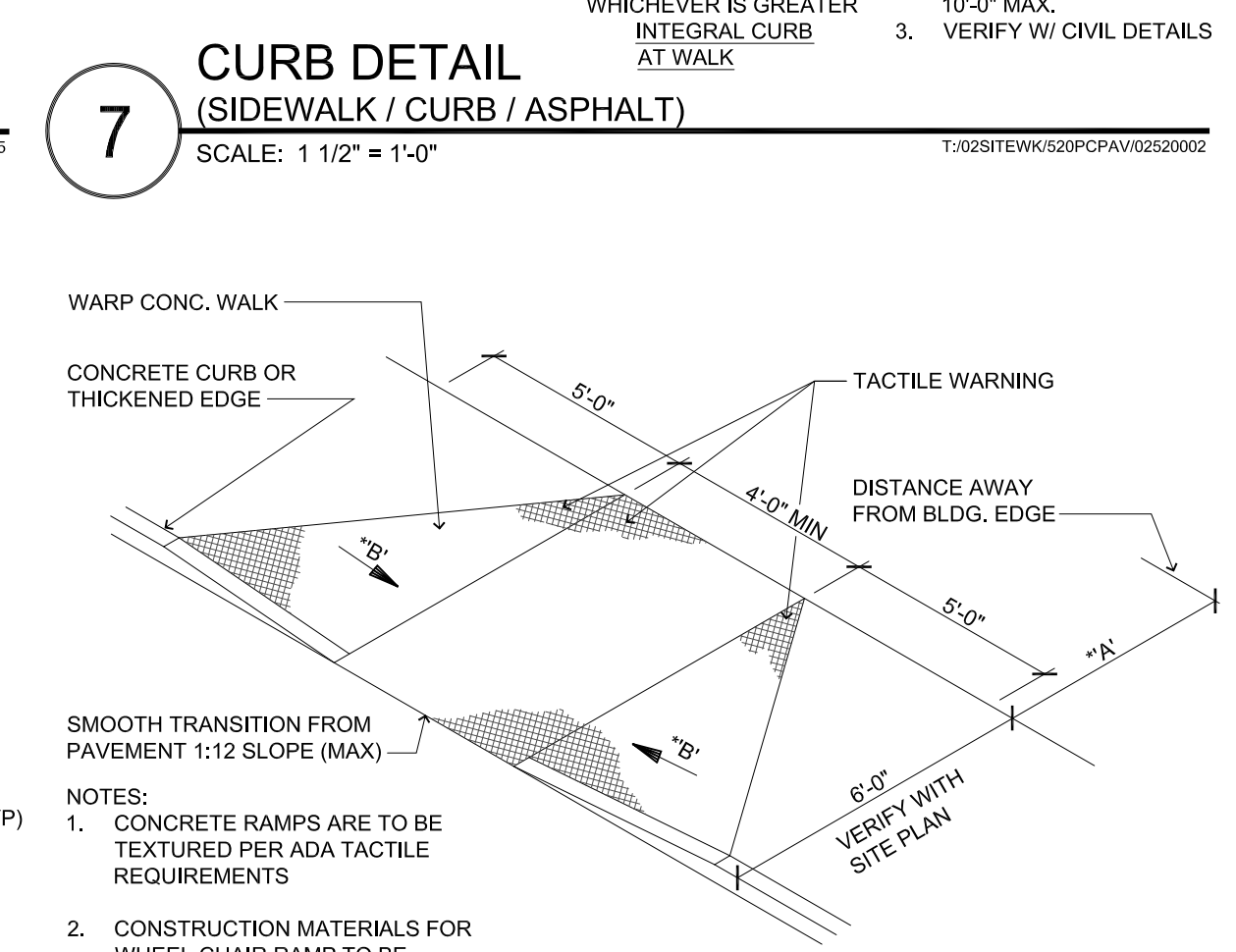
8 WALK DETAIL (WALK / PAVING AT ENTRY)
SCALE: 1 1/2" = 1'-0"



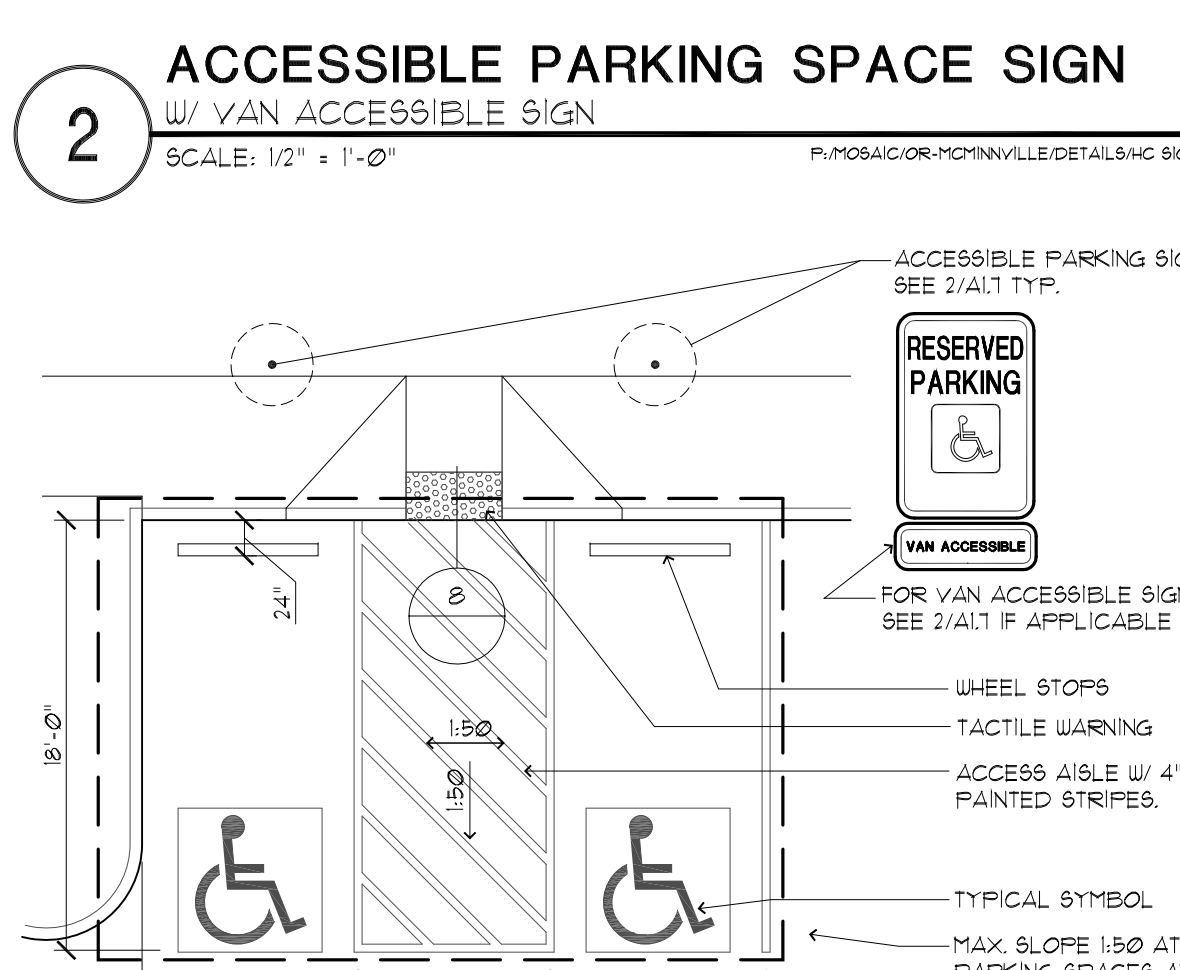
3 BENCH WALL
SCALE: 1/2" = 1'-0"



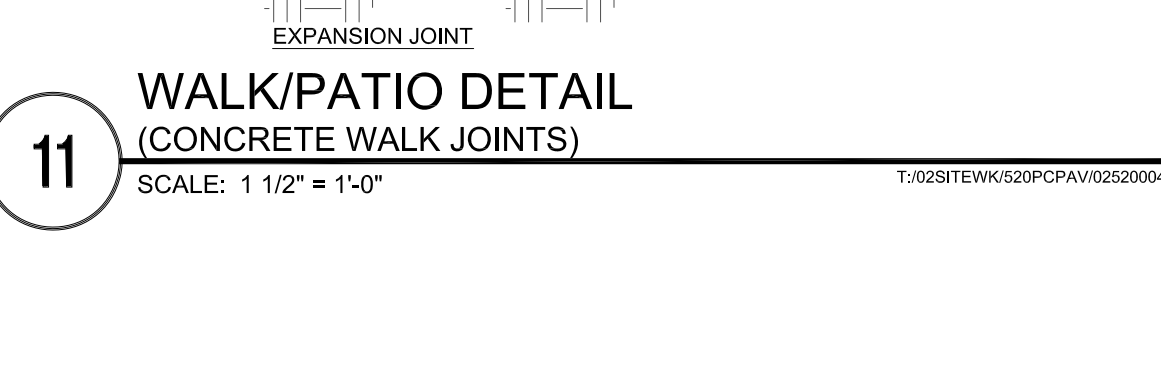
12 PAVEMENT TRANSITION (PAVEMENT AND CONCRETE)
SCALE: 1/2" = 1'-0"



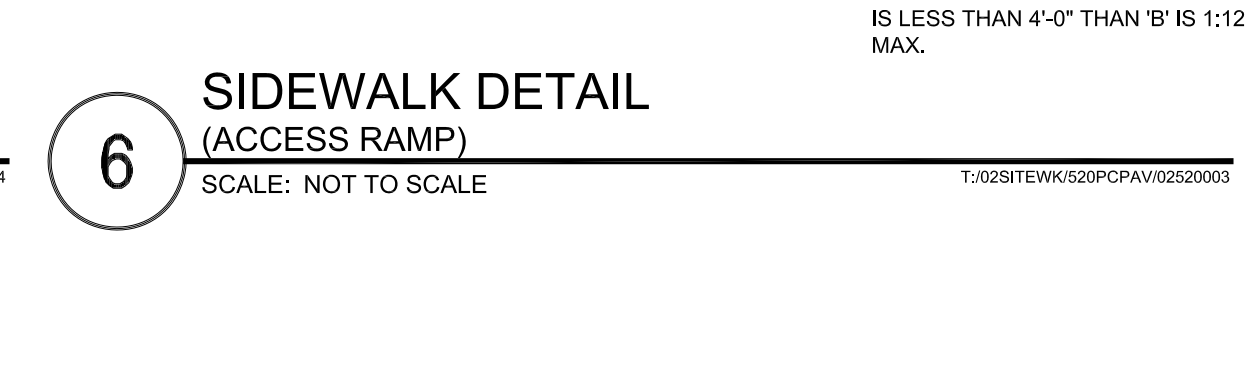
7 CURB DETAIL (SIDEWALK / CURB / ASPHALT)
SCALE: 1 1/2" = 1'-0"



2 ACCESSIBLE PARKING SPACE SIGN w/ VAN ACCESSIBLE SIGN
SCALE: 1/2" = 1'-0"



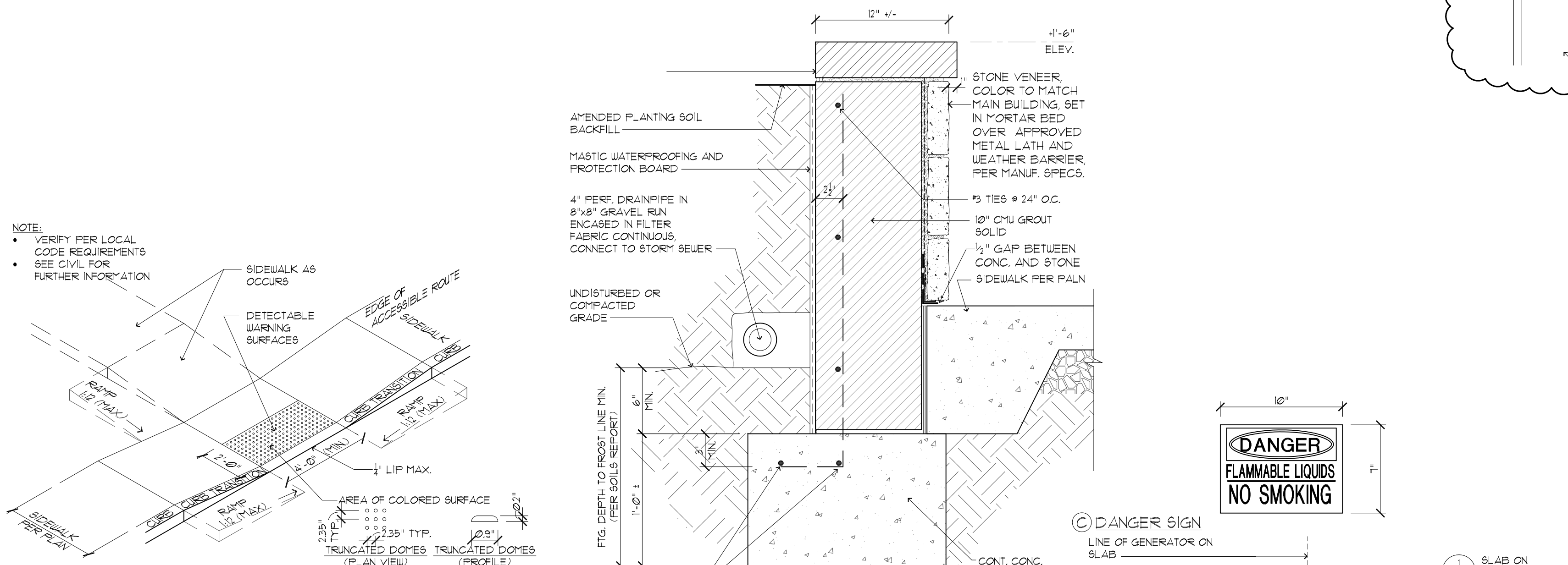
11 WALK/PATIO DETAIL (CONCRETE WALK JOINTS)
SCALE: 1 1/2" = 1'-0"



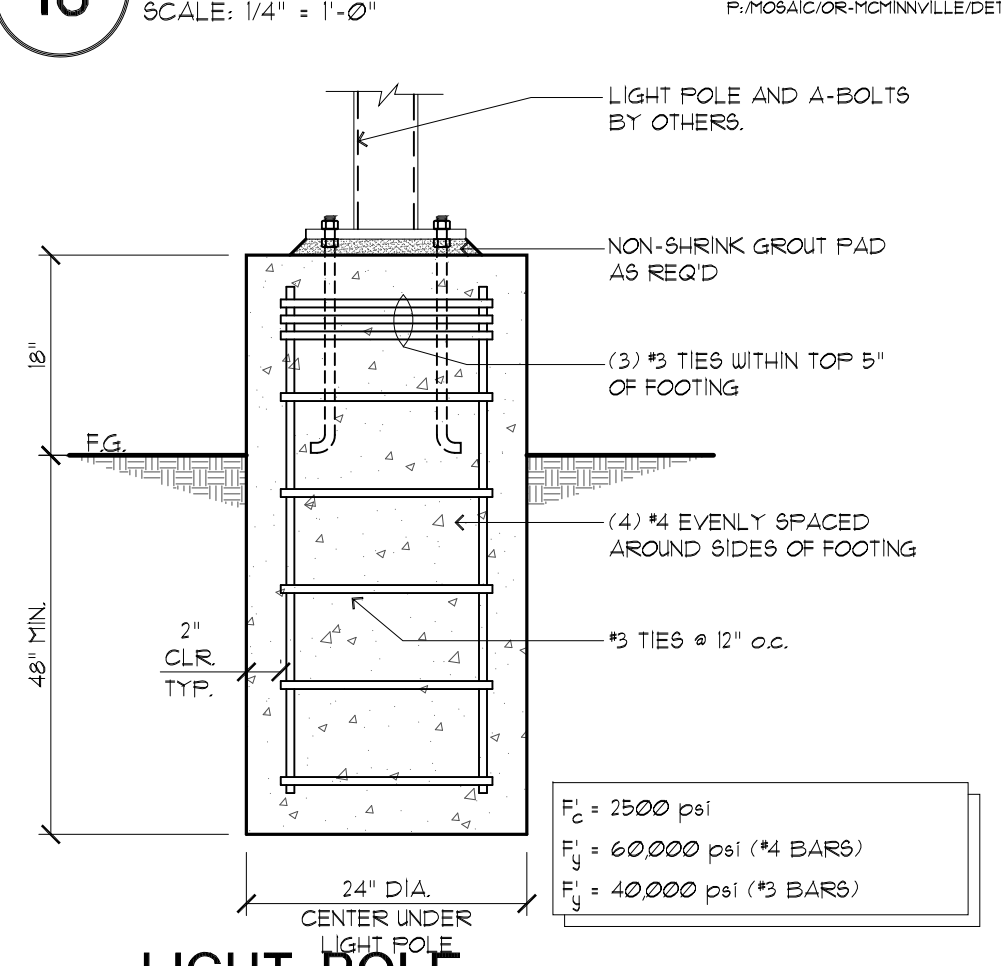
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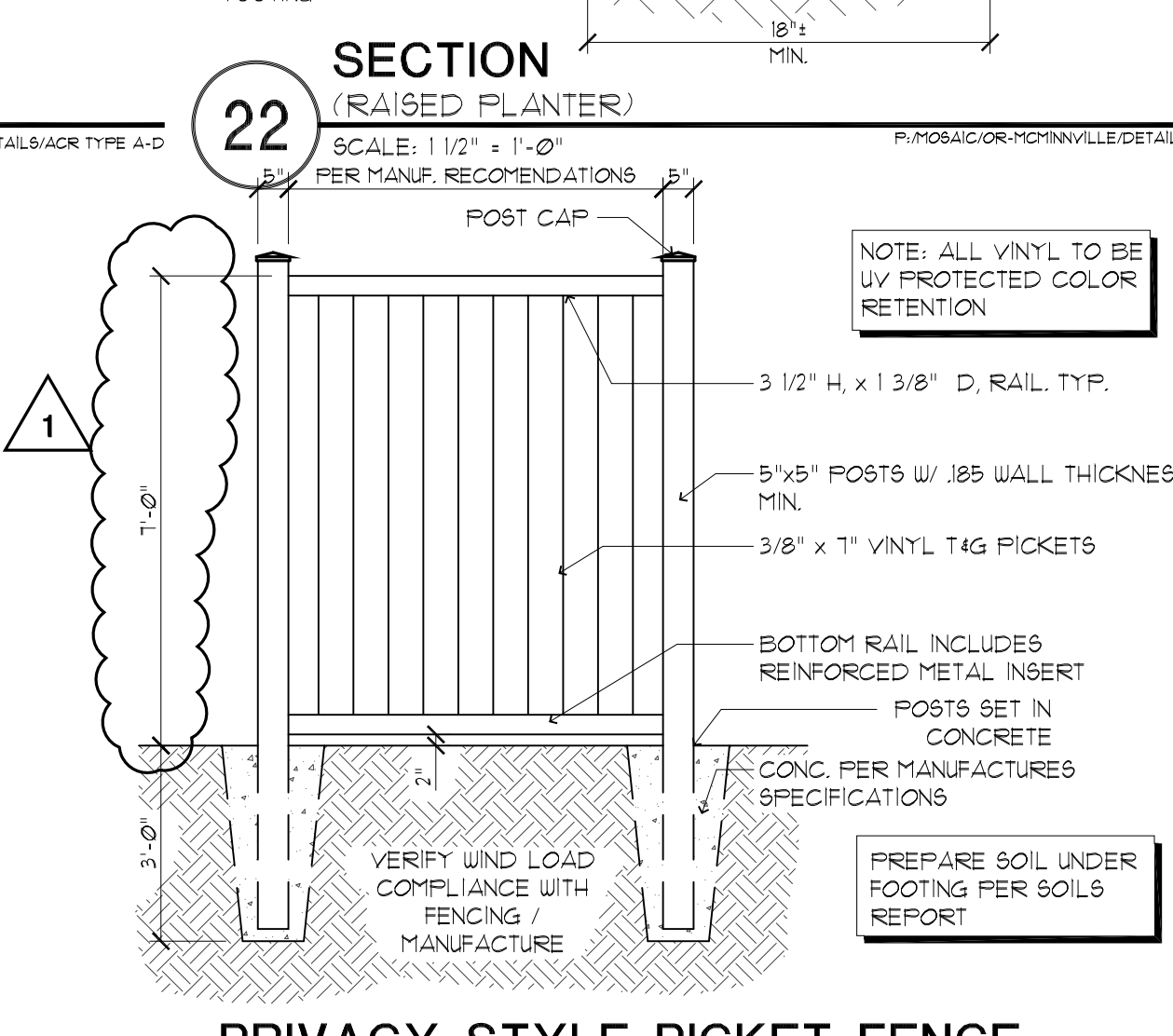
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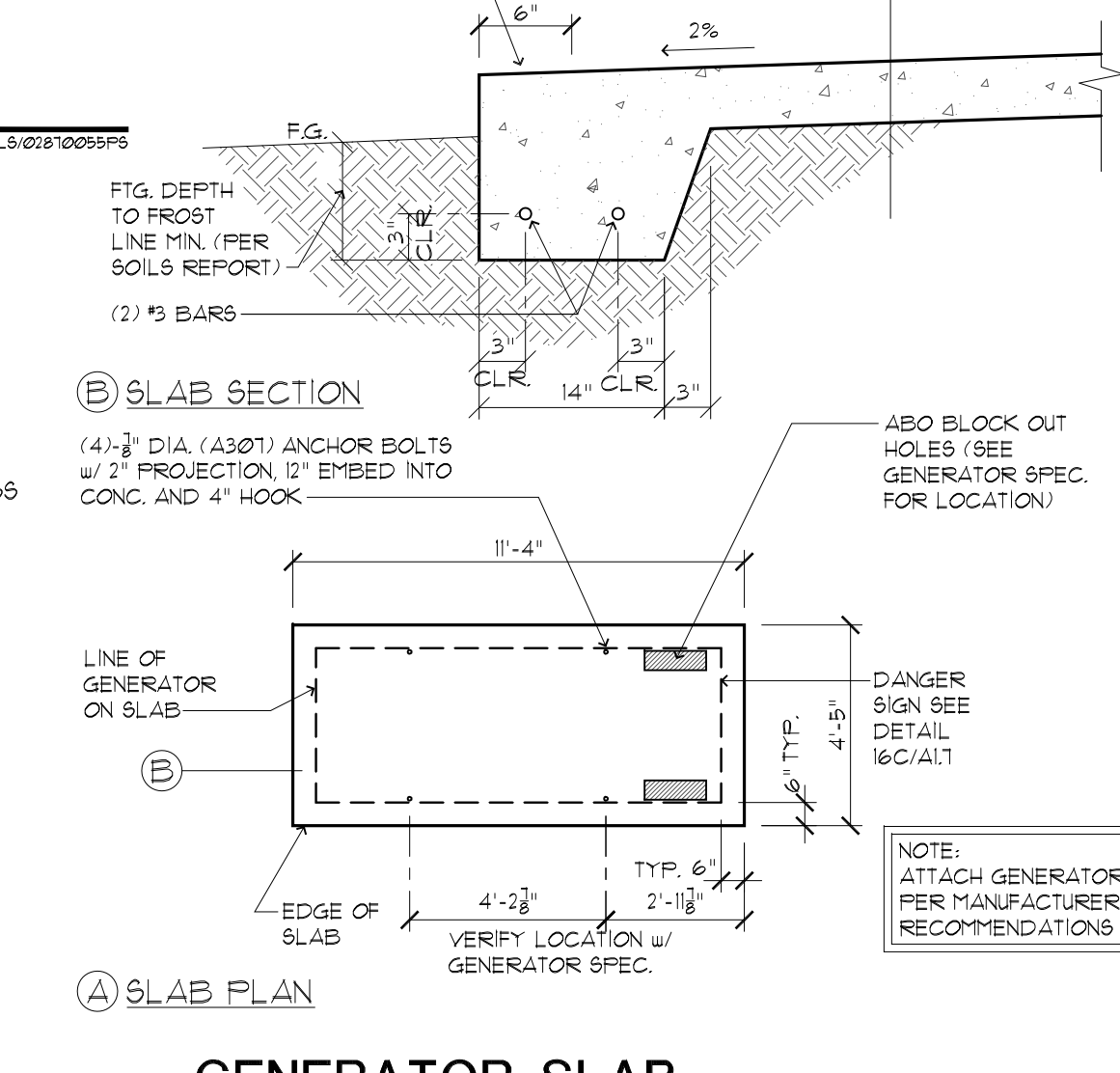
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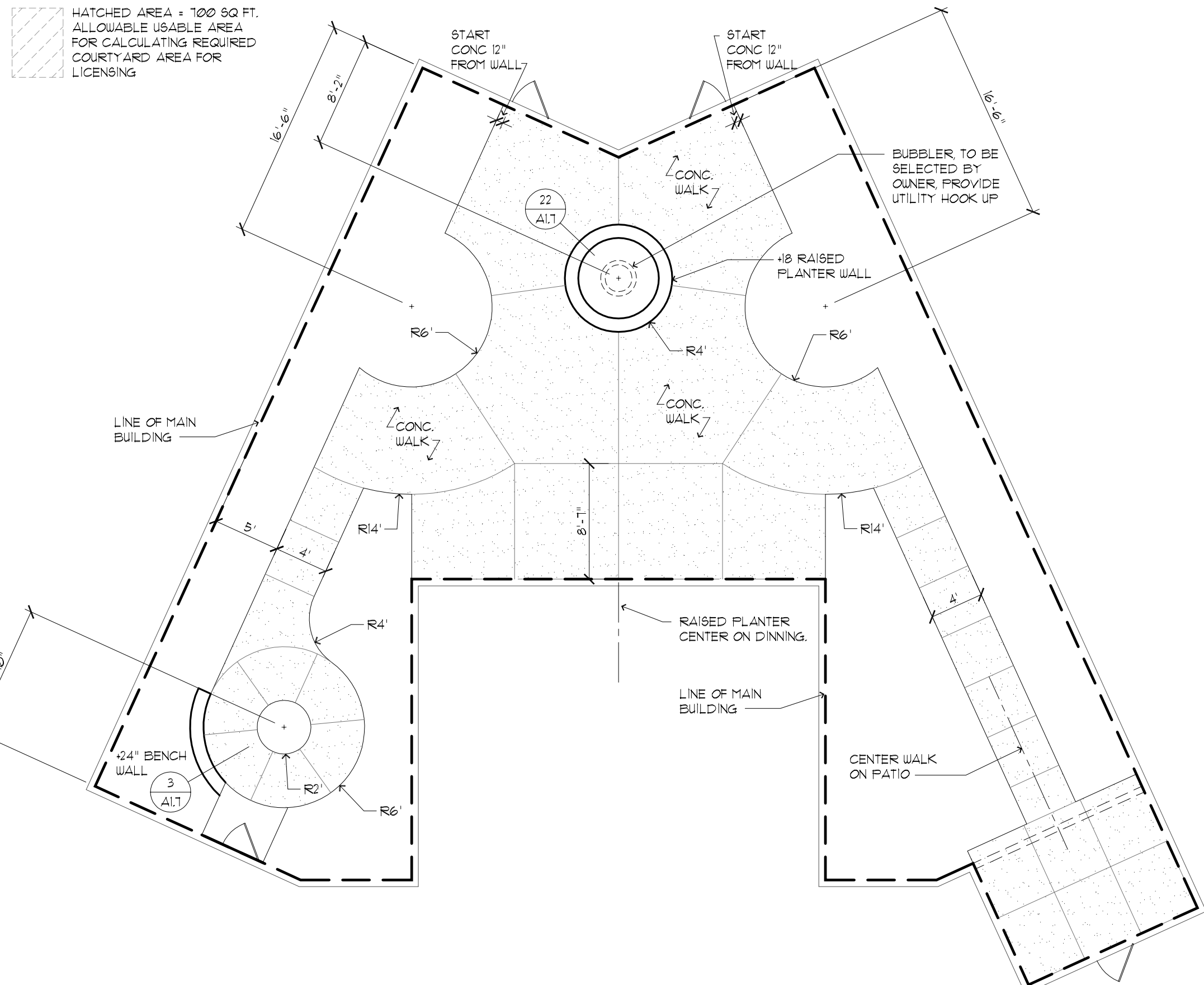
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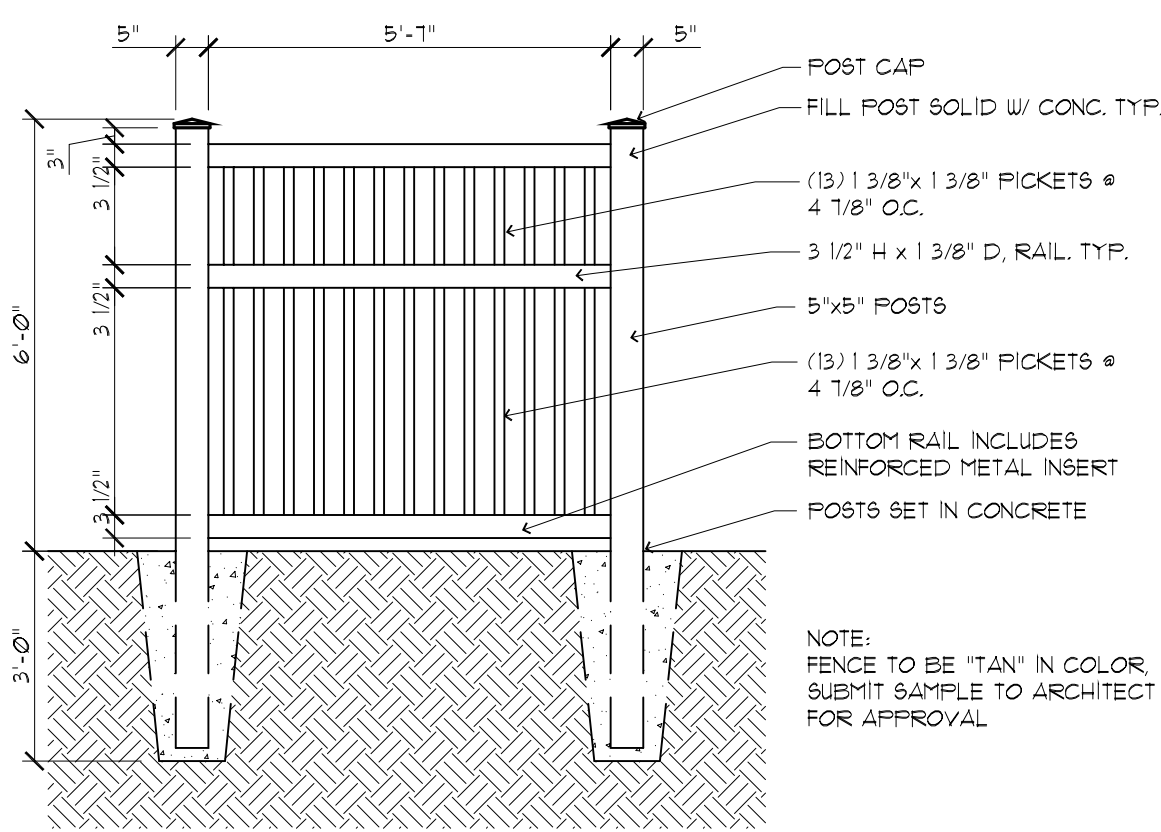
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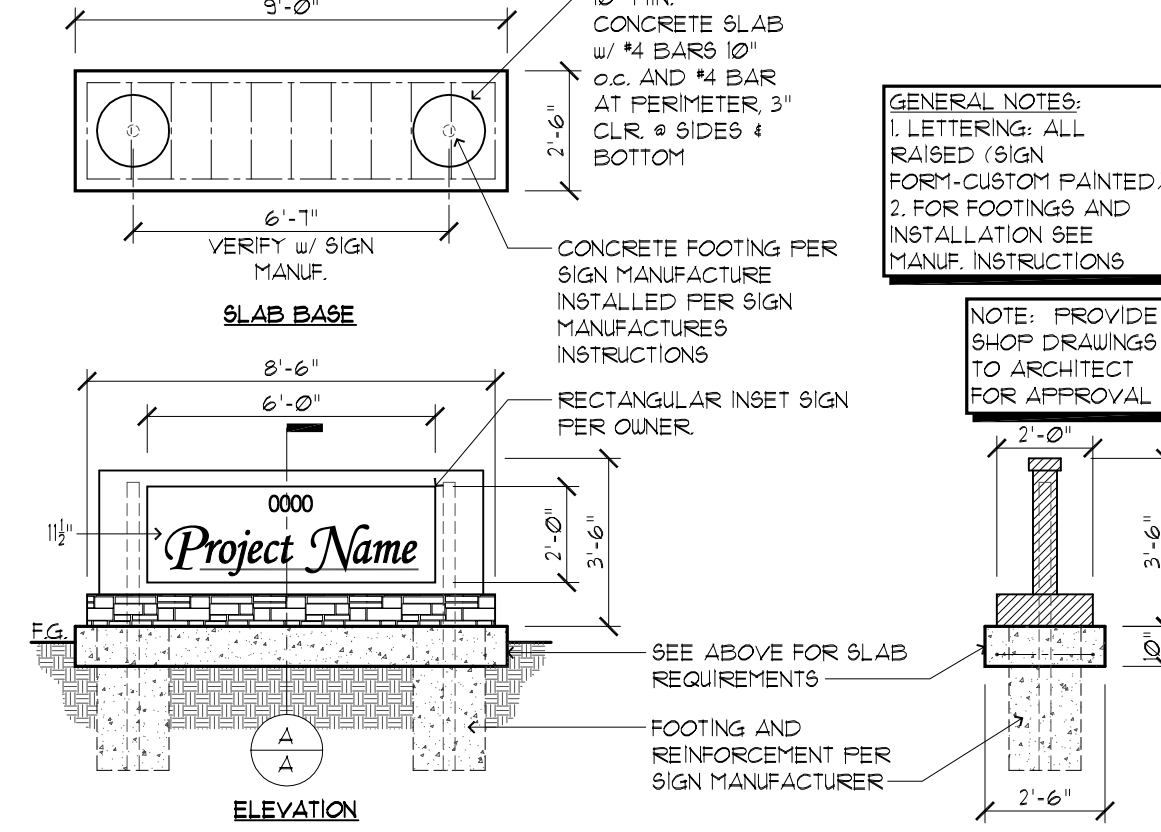
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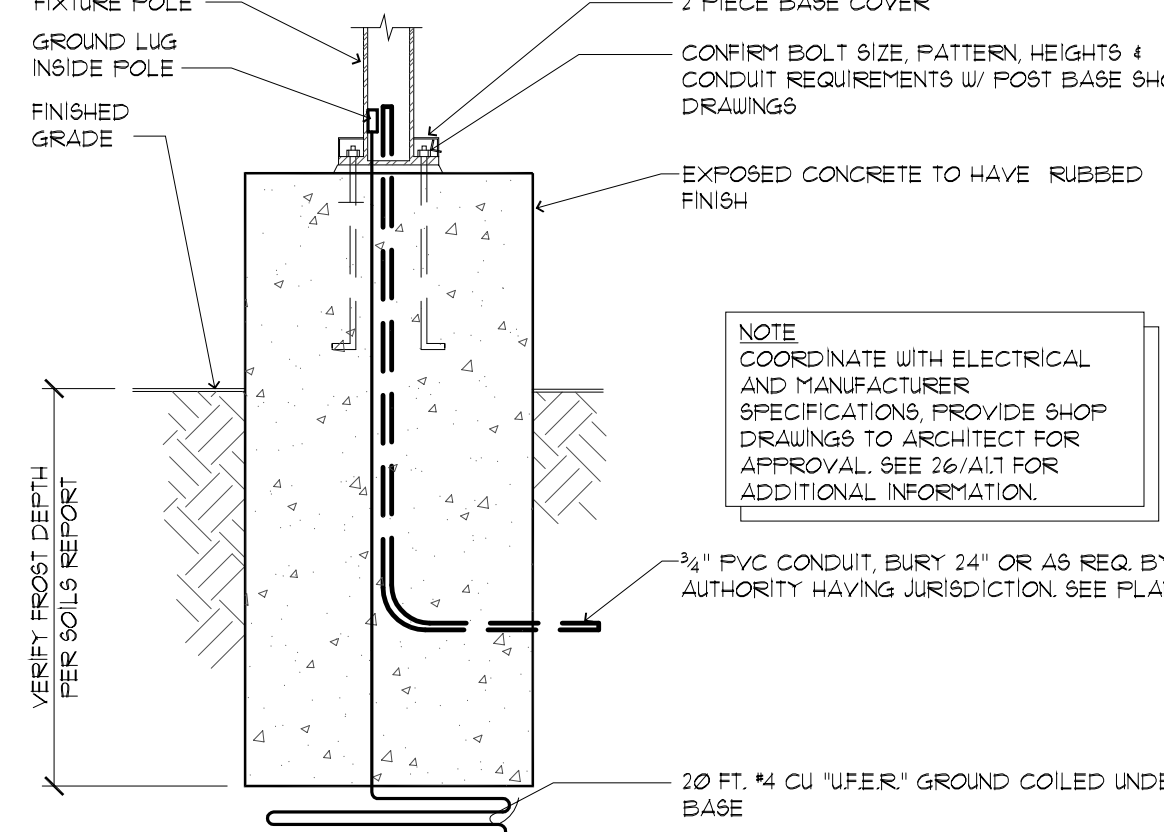
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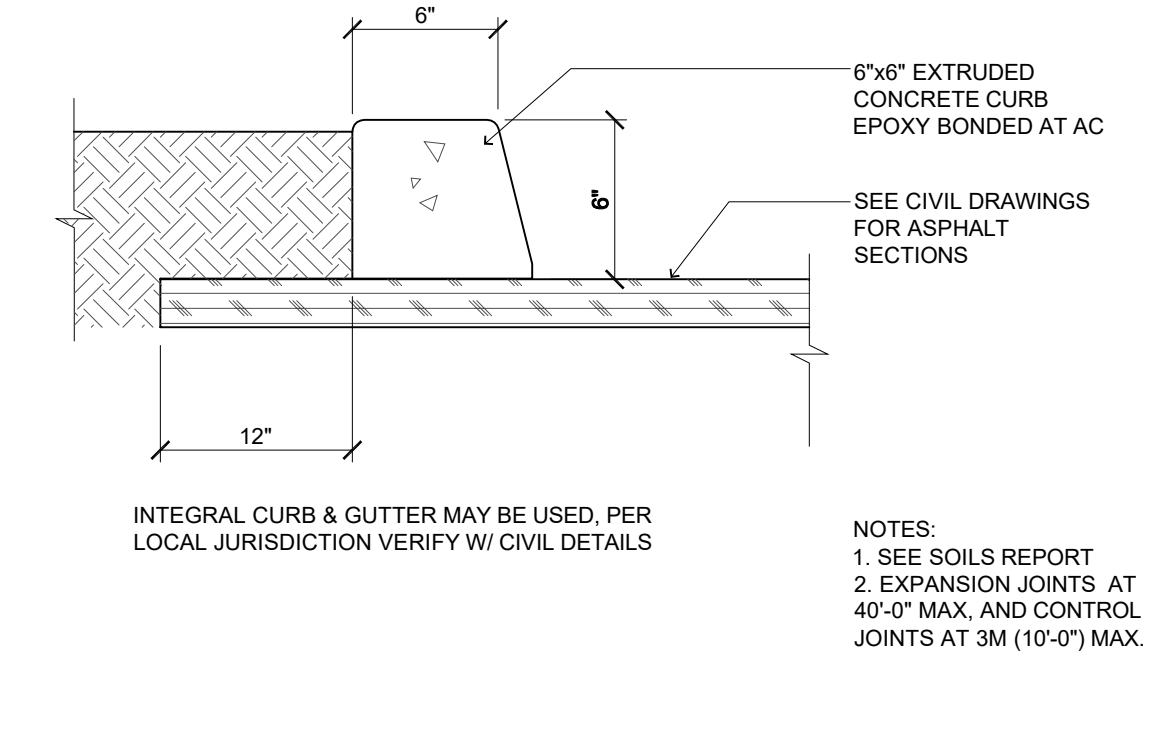
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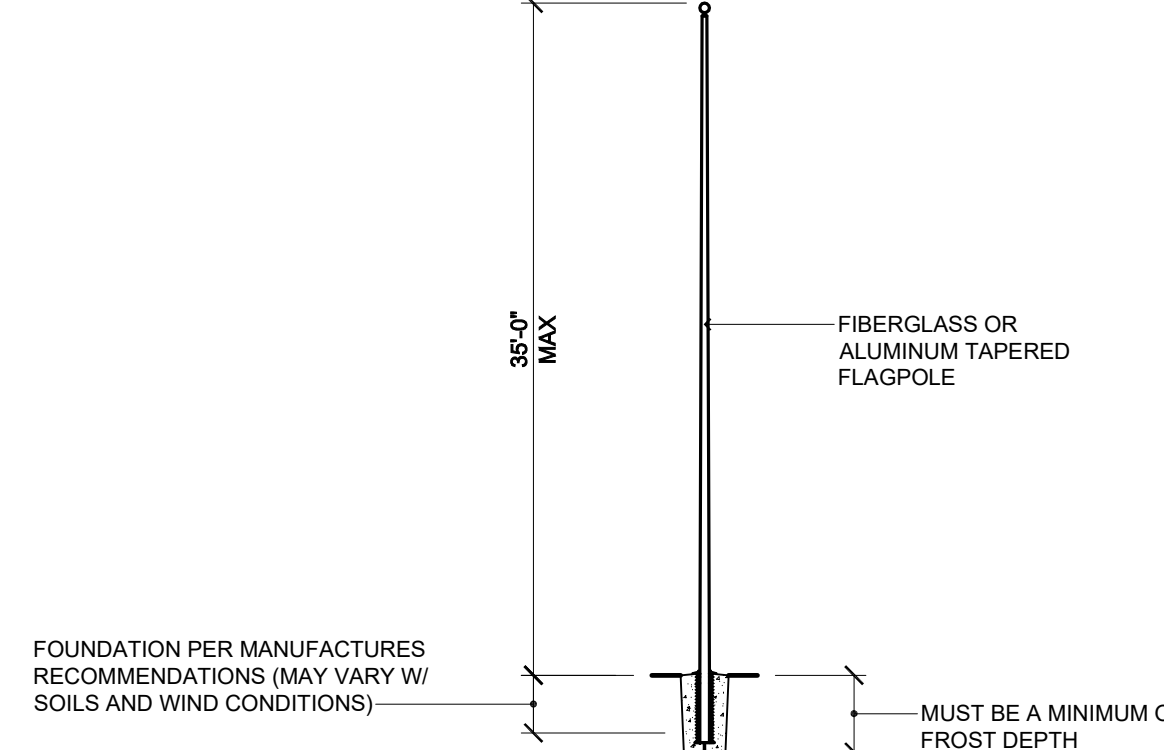
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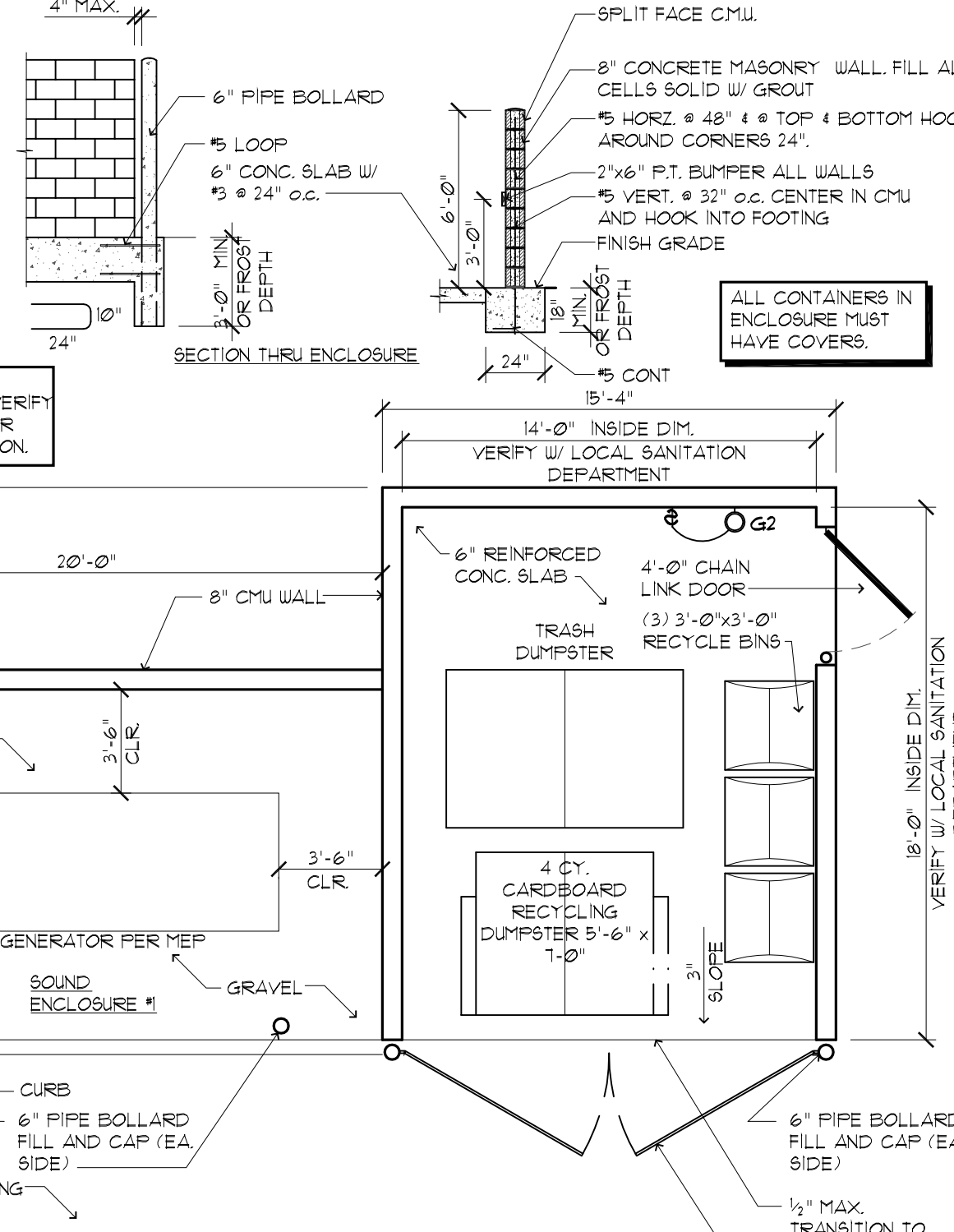
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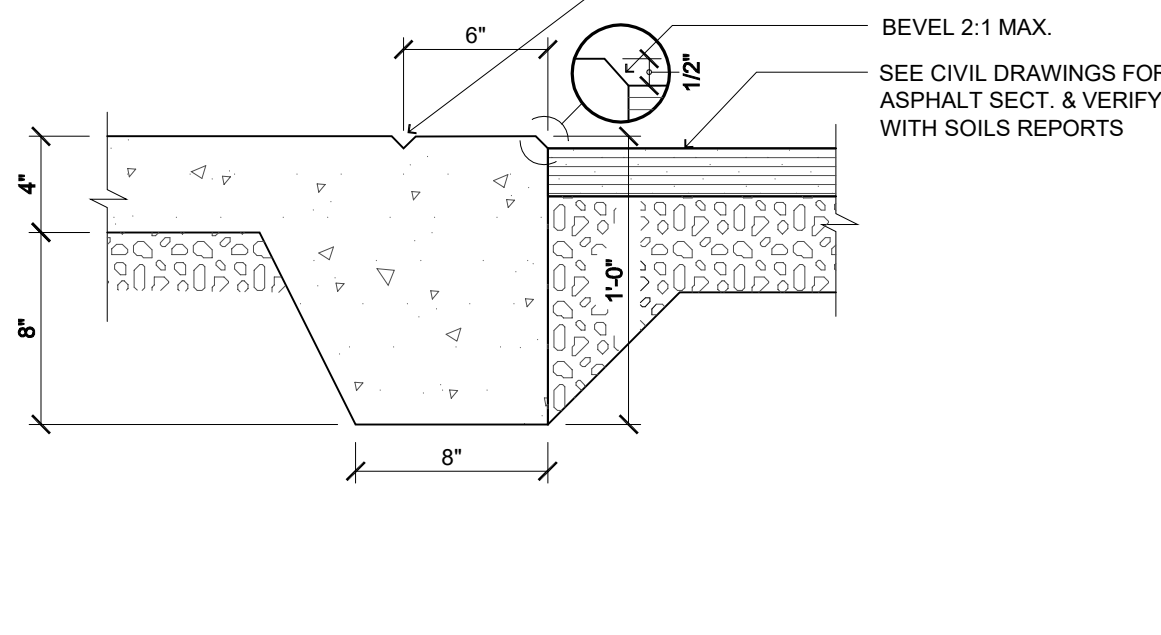
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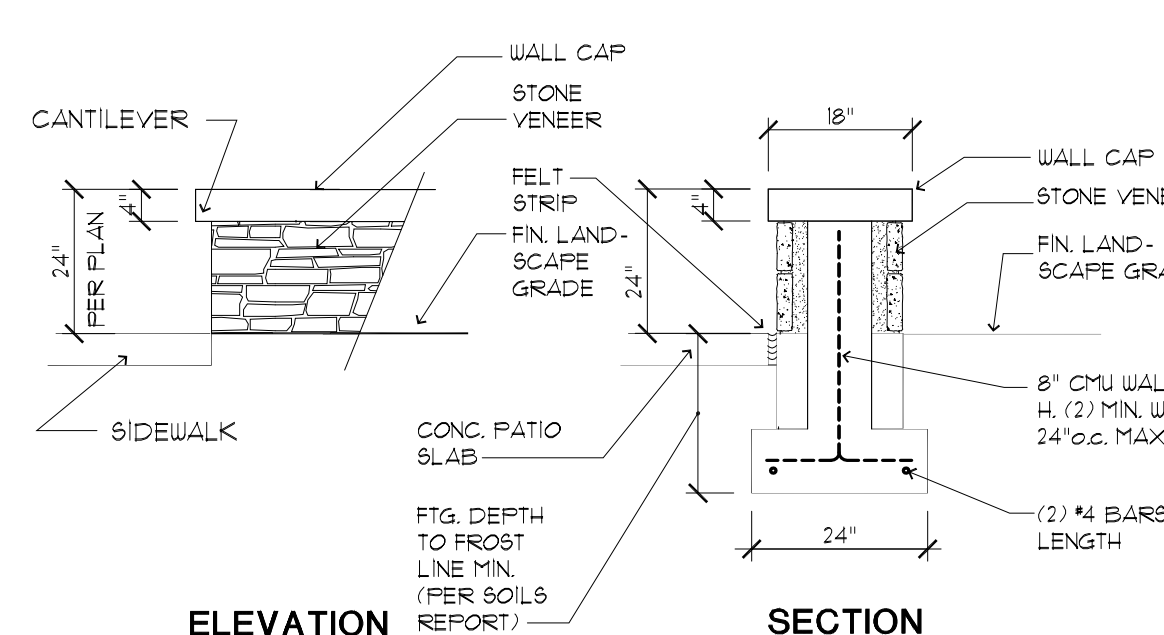
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(GROUND SET CONE)
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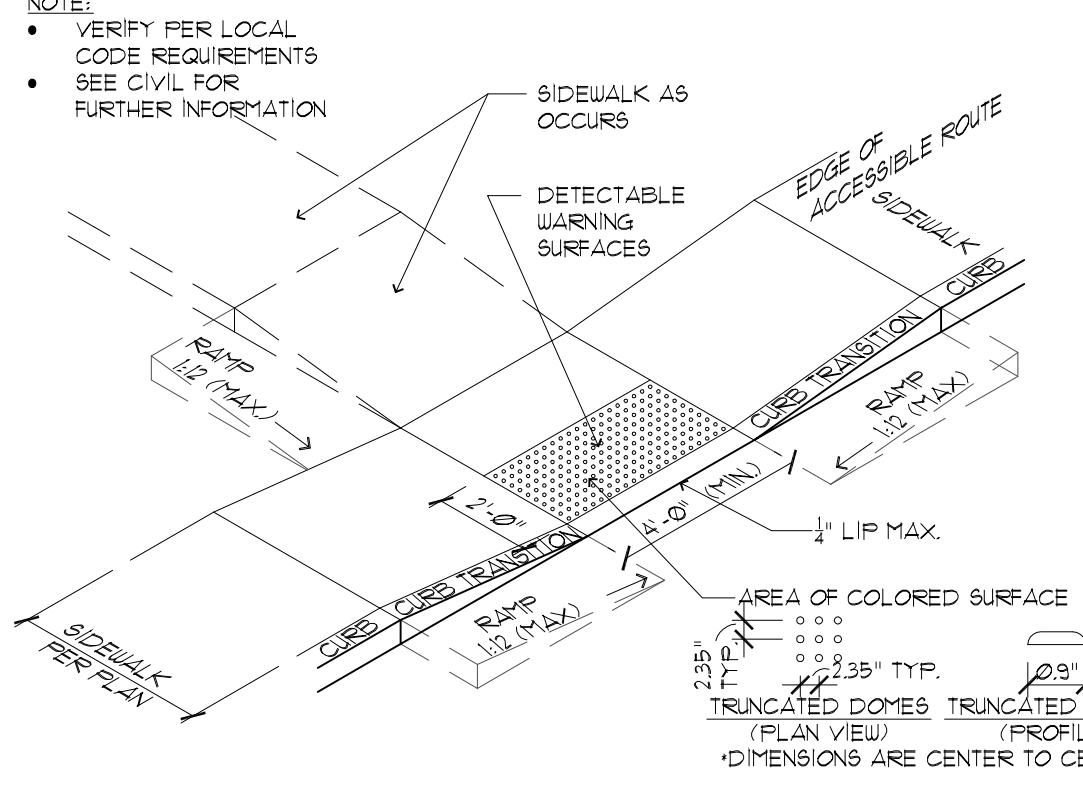
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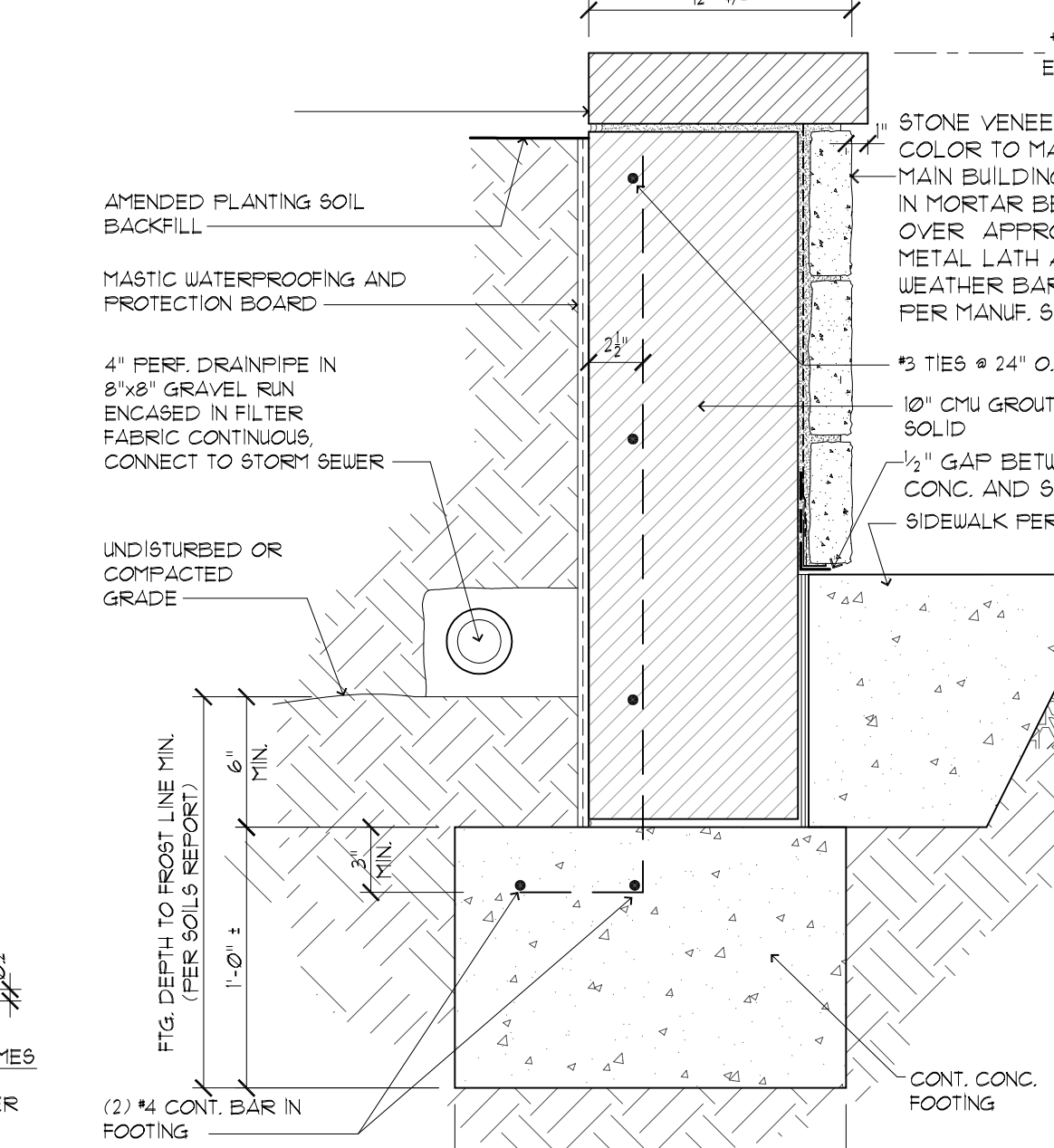
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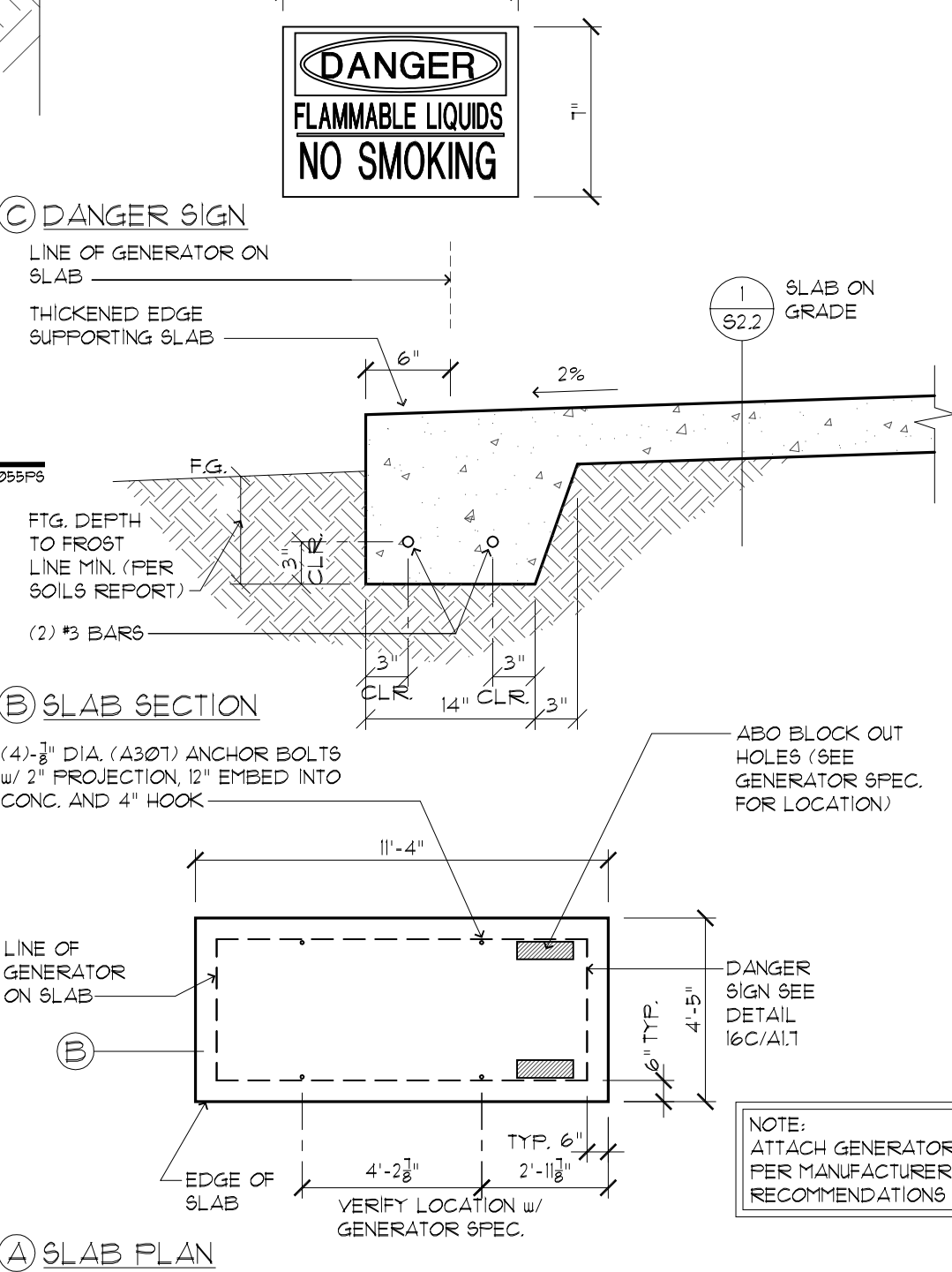
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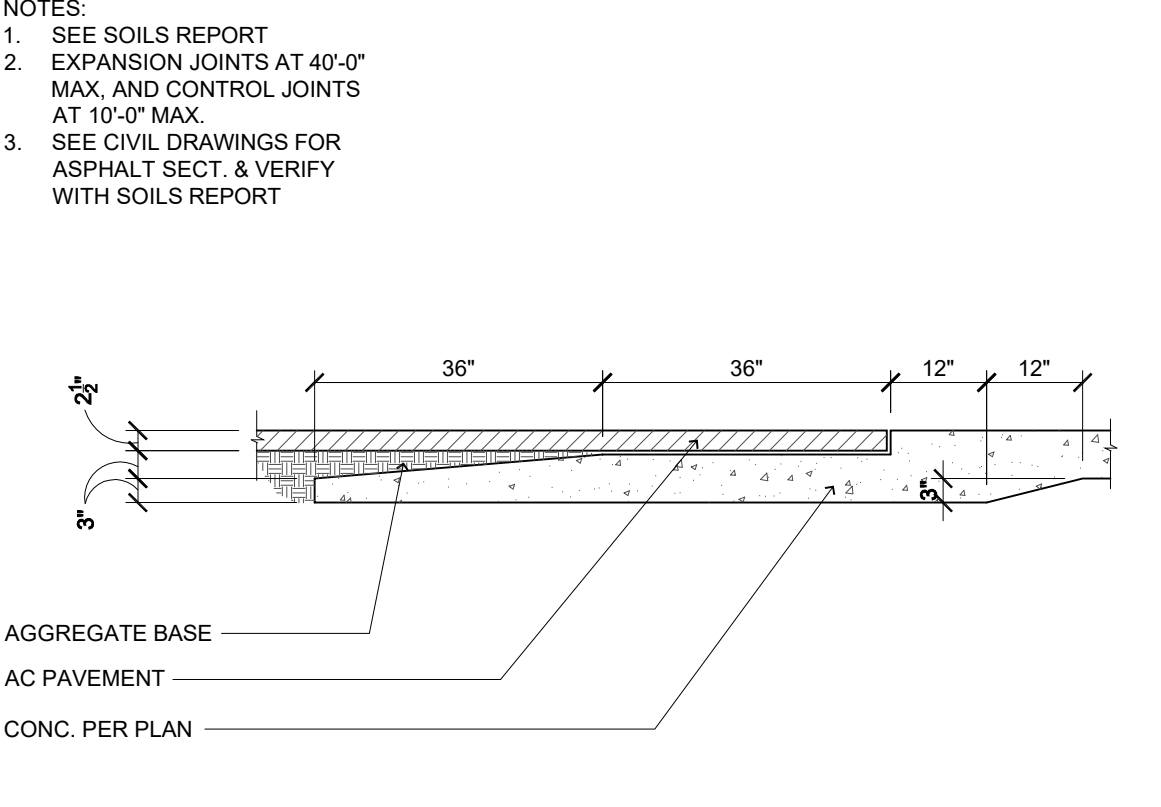
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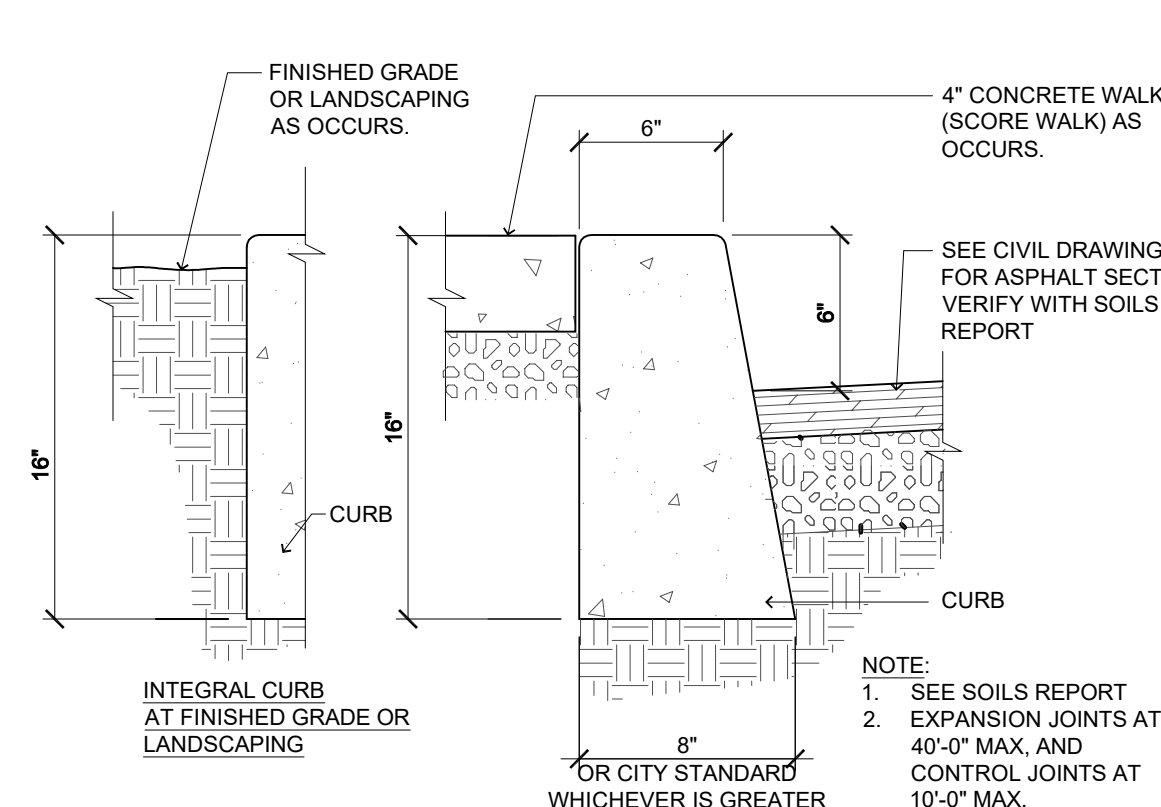
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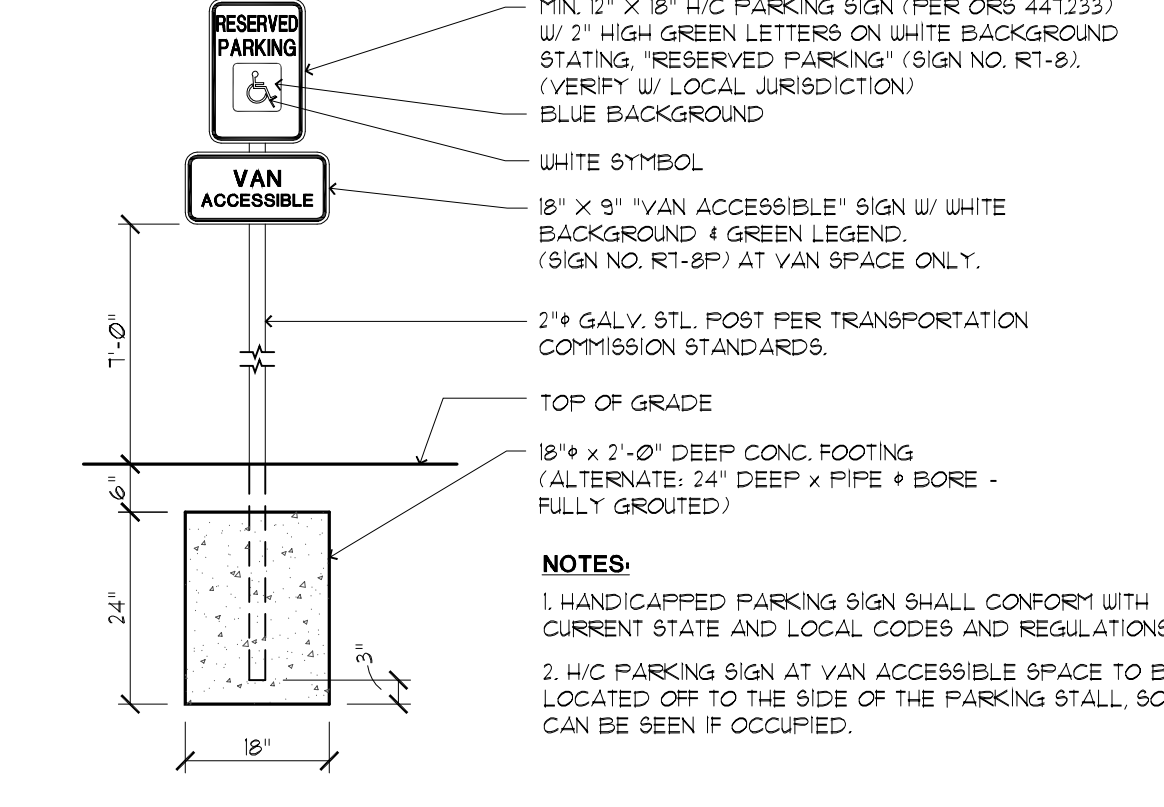
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(LAYOUT)
SCALE: 1/4" = 1'-0"



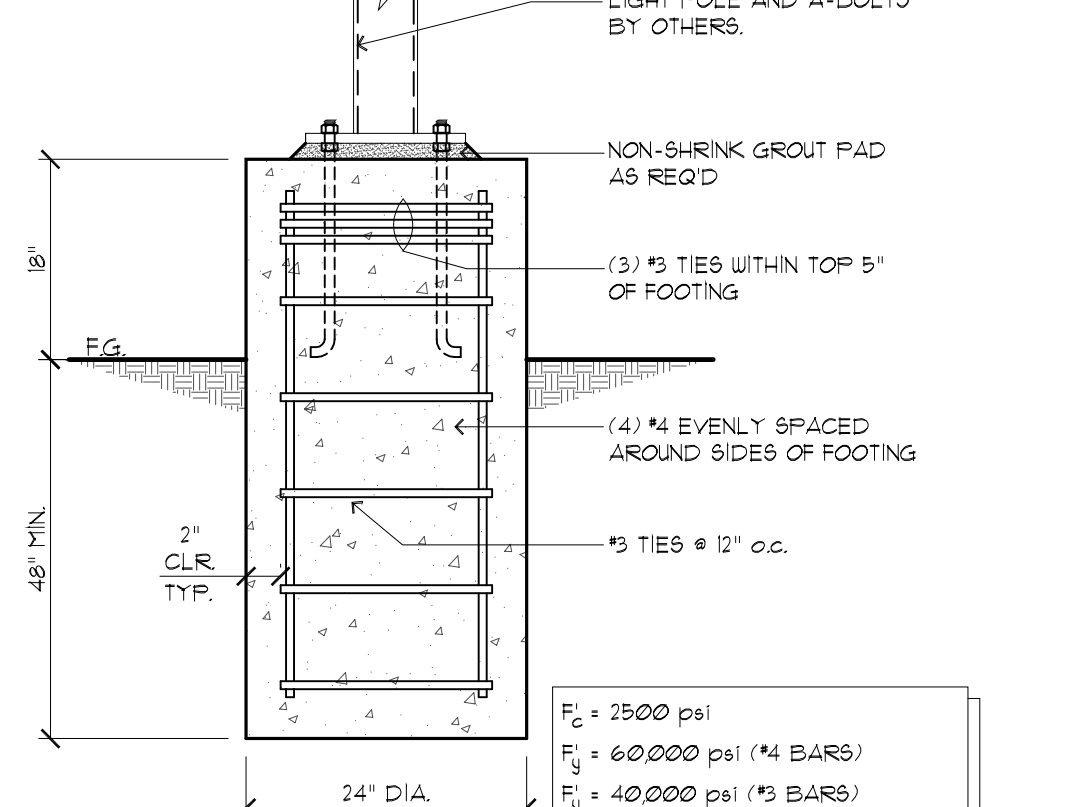
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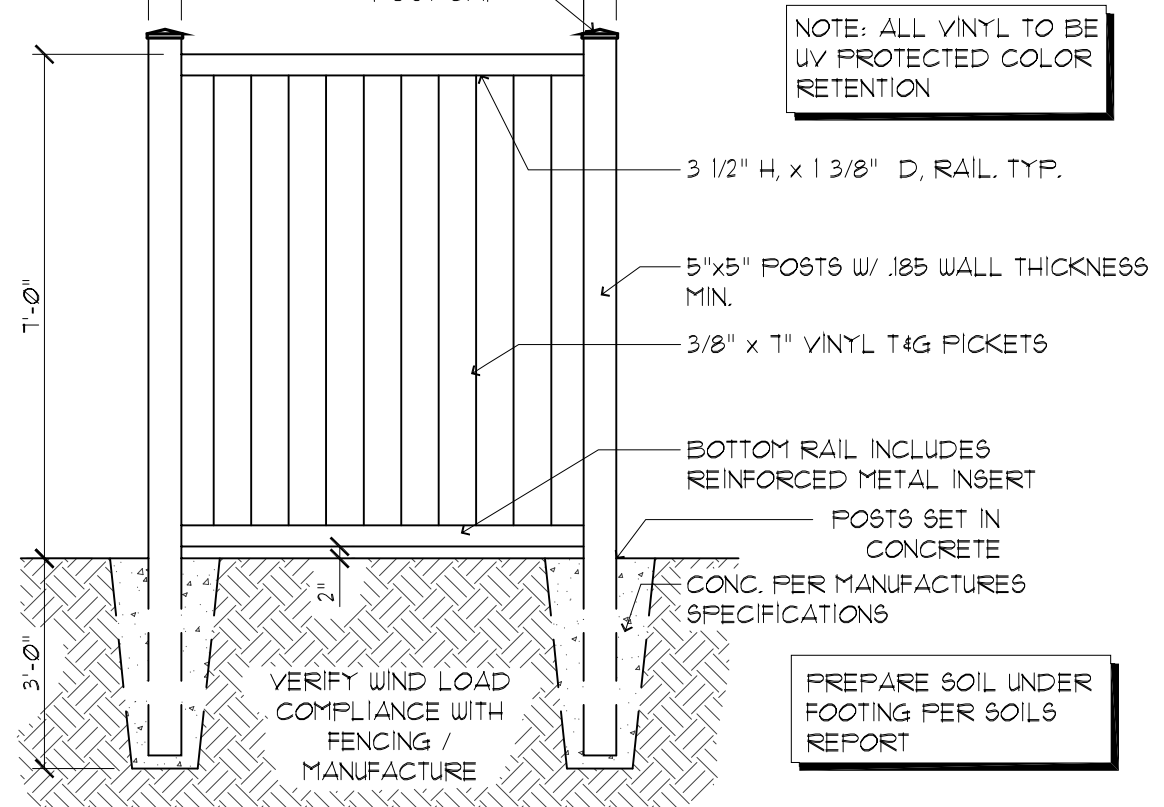
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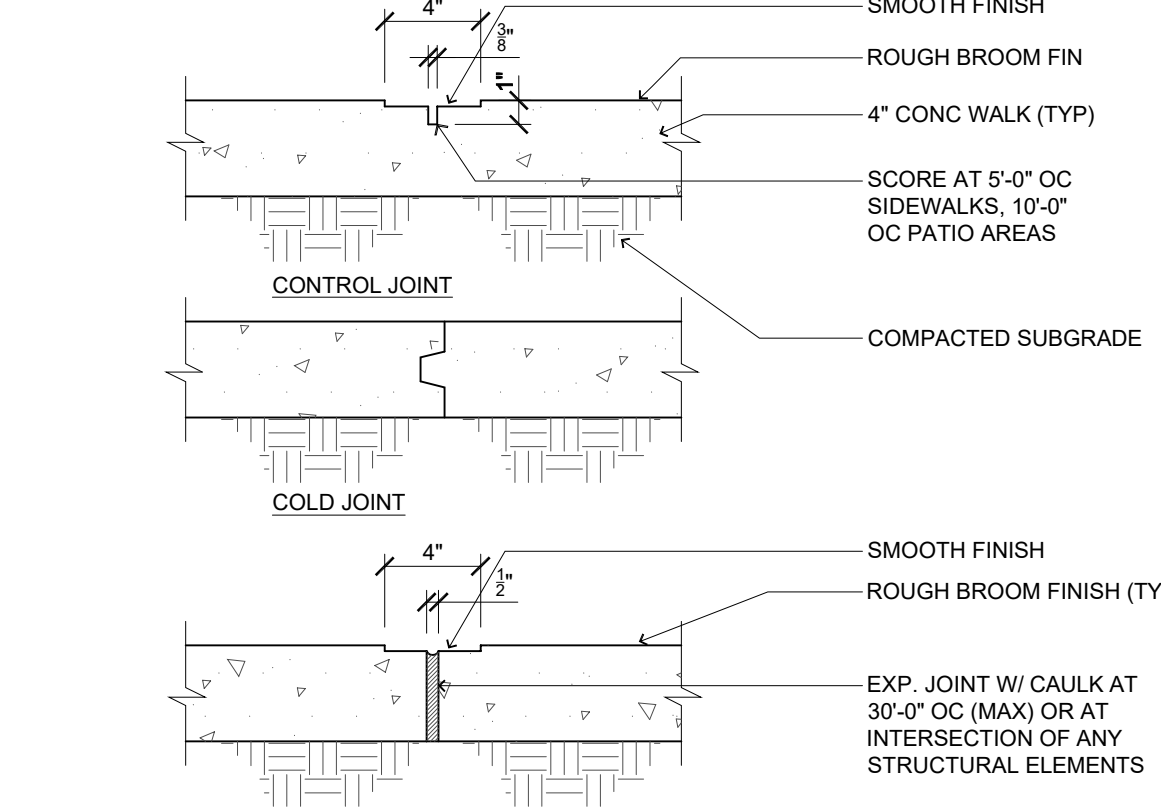
2 ACCESSIBLE PARKING SPACE SIGN
w/ VAN ACCESSIBLE SIGN
SCALE: 1/2" = 1'-0"



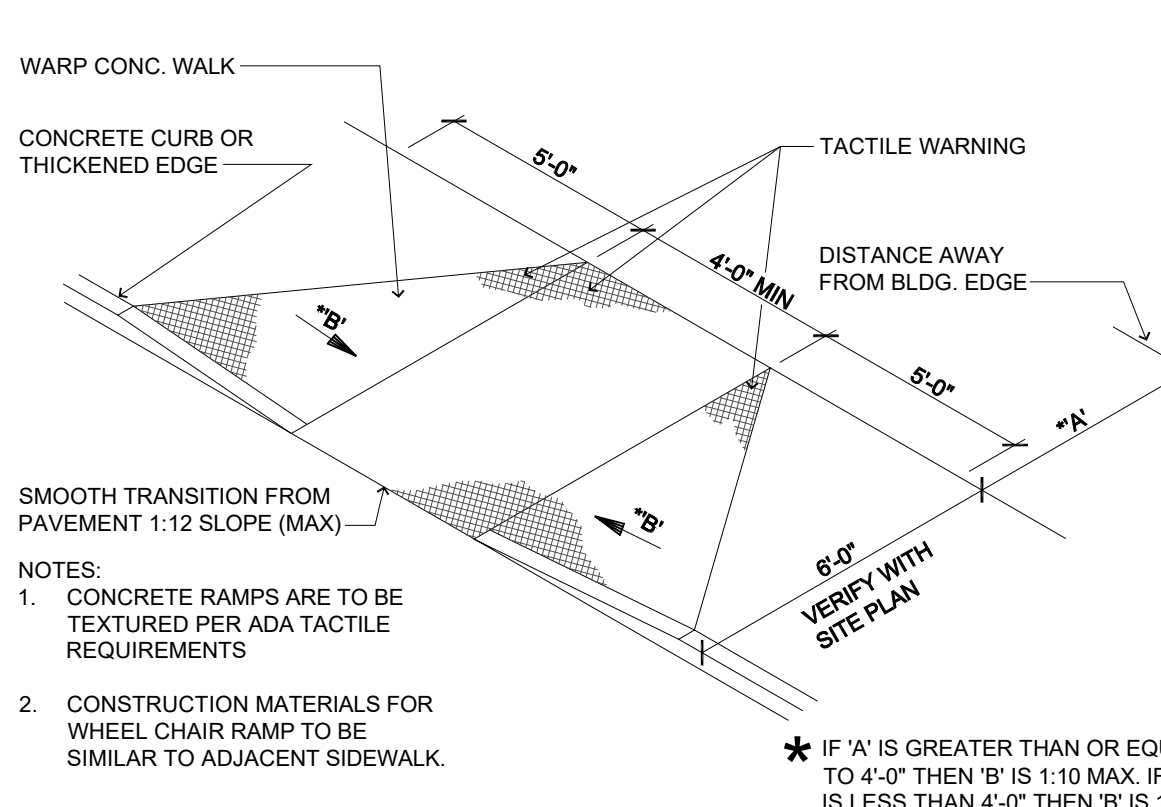
26 LIGHT POLE
(FOOTING DETAIL)
SCALE: 1" = 1'-0"



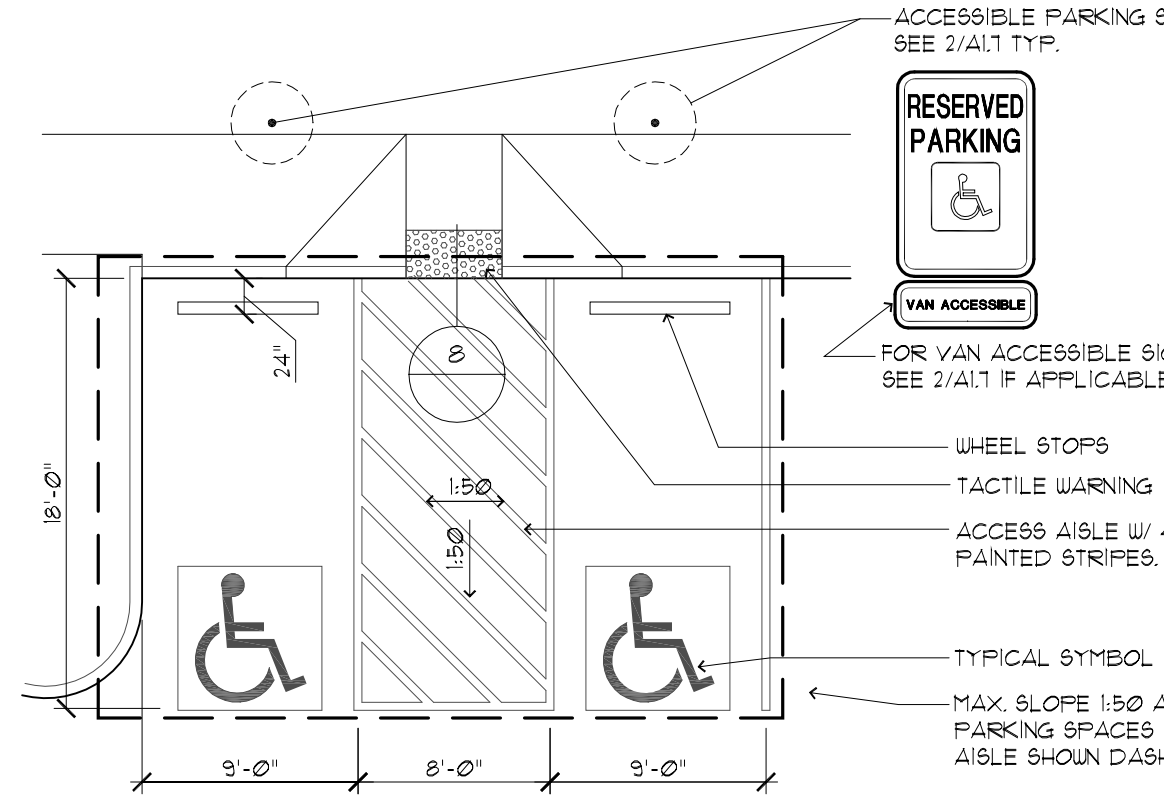
21 PRIVACY STYLE PICKET FENCE
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11 WALK/PATIO DETAIL
(CONCRETE WALK JOINTS)
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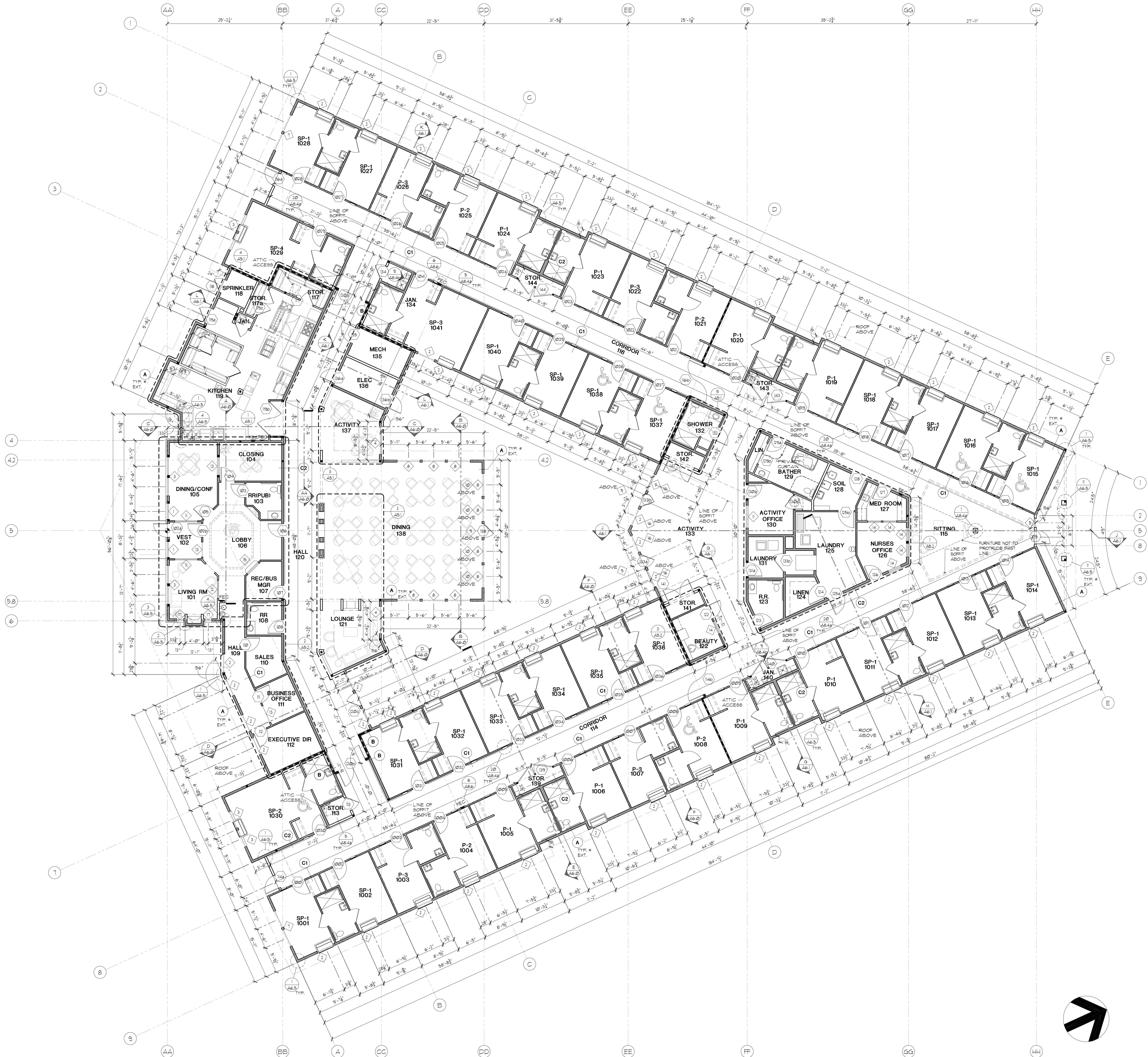


6 SIDEWALK DETAIL
(ACCESS RAMP)
SCALE: NOT TO SCALE



1 PARKING STALL
SCALE: 1/8" = 1'-0"

scale: 7/8/2019 8:24 AM mosaiq - plot: 7/8/2019 8:24 AM mosaiq - file: mosaiq\projects\mosaiq\3.1 floor plan.dwg, A3.1 FLOOR PLAN



LEGEND

- ACCESSIBLE SUITE
- TUB/SHOWER
- ROLL-IN SHOWER
- CONTROL POINT TO MATCH W/ SITE D.M.
- DESIGNATES WALL TYPES SHOWN SHEETS A11
- DOOR DESIGNATION, SEE A82
- WINDOW DESIGNATION, SEE A82
- WINDOW GLAZING DESIGNATION (TEMPERED)
- SMOKE BARRIER/ DRAFT STOP, SEE ASSEMBLY 'B' ON SHEET A11
- WALL PARTITION
- WALL PARTITION WITH INSULATION, SOUND ATTENUATION BATT INSULATION AT INTERIOR
- REC SEE 6/A8.6
- STONE VENEER PER EXT. ELEVATIONS

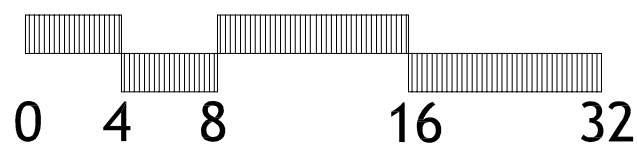
GENERAL NOTES:

- PROVIDE DRYWALL EXPANSION JOINTS AT CORRIDOR FACE OF ALL INTERIOR DOOR JAMBS
- INSTALL BACKING AT ALL HOLD OPENS, FUTURE GRAB BARS
- REFER TO ROOF PLAN FOR DOWNSPOUT LOCATIONS
- REFER TO 1/4" AS SHEETS FOR ENLARGED SUITE PLANS
- REFER TO A11 FOR TYPICAL WALL ASSEMBLIES
- REFER TO A81 CODE COMPLIANCE PLAN FOR ADD'L INFO ON WALL CONSTRUCTION AND FIRE-SMOKE RATED WALLS
- ALL JAMB FRAMING # HINGE SIDE TO BE 4" WGN
- REFER TO SHEETS A16 AND A86 FOR FIRE-RATED CONSTRUCTION DETAILS AND INFO
- NOT USED
- SEE DETAIL 14, B, 17/A8.30 FOR MINIMUM ACCESSIBLE FLOOR CLEARANCE AT PLUMBING FIXTURES
- SEE 16/A82 FOR MINIMUM ACCESSIBLE FLOOR CLEARANCES AT DOORS

JOINTS BETWEEN GYPSUM BOARDS IN SYSTEMS RATED FOR FIRE, SOUND, OR SHEAR MUST BE CONSTRUCTED WITH THE GYPSUM BOARD EDGES IN MODERATE CONTACT. MODERATE CONTACT MEANS THAT THE EDGES ARE ESSENTIALLY TOUCHING EACH OTHER. IT IS POSSIBLE FOR THE GYPSUM BOARD EDGES TO BE IN MODERATE CONTACT YET NOT TOUCH ALONG THE ENTIRE LENGTH OF THE JOINT. THEREFORE, IN GYPSUM BOARD SYSTEMS RATED FOR FIRE, SOUND, OR SHEAR, SHALL GAPS SPACED SPORADICALLY ALONG THE JOINT ARE ACCEPTABLE AS LONG AS THE BOARD EDGES ARE ESSENTIALLY TOUCHING ONE ANOTHER. GAPS UP TO 1/8" MUST BE FILLED WITH A THROUGH-PENETRATION SEALANT (FIRE CAULK). GAPS OVER 1/8" ARE NOT ACCEPTABLE.

SEE DETAIL 1 AND 3 ON S2.3 FOR ALLOWABLE BORING / NOTCHING OF MEMBERS.

FIRE EXTINGUISHERS SHALL BE INSTALLED IN ACCORDANCE WITH SECTION 906 OF THE 2014 OSSC AND THE 2014 OREGON FIRE CODE



FLOOR PLAN

SCALE: 1/8"=1'-0"

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FLOOR PLAN

DATE

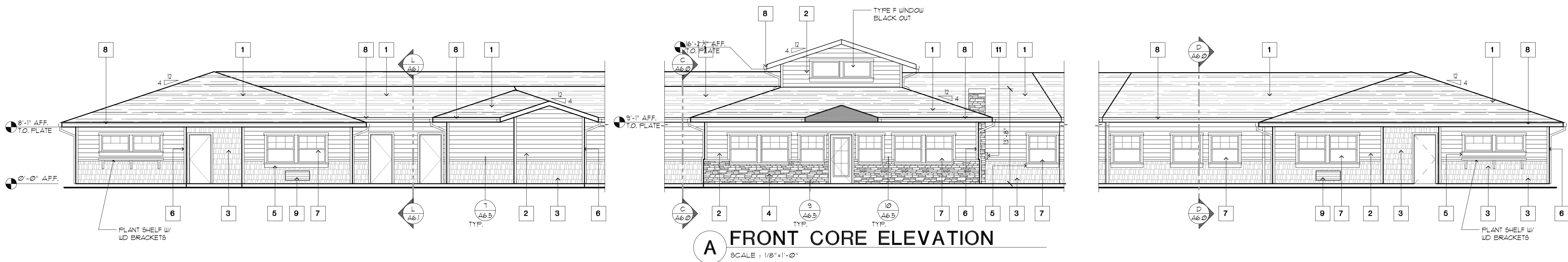
6/12/2019

REVISED DATE

SHEET

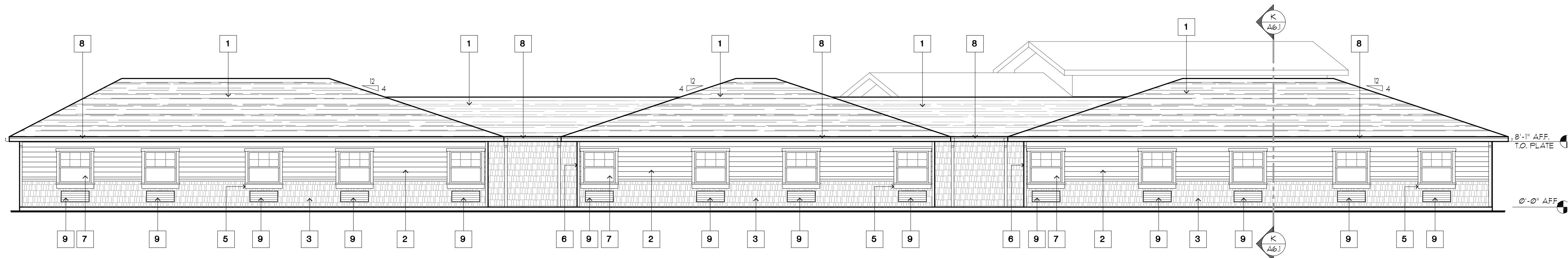
A
3.1

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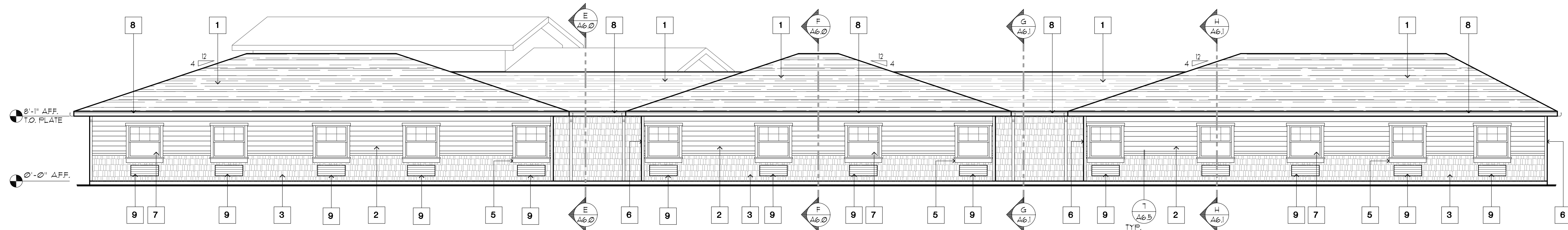


A FRONT CORE ELEVATION
SCALE : 1/8"=1'-0"

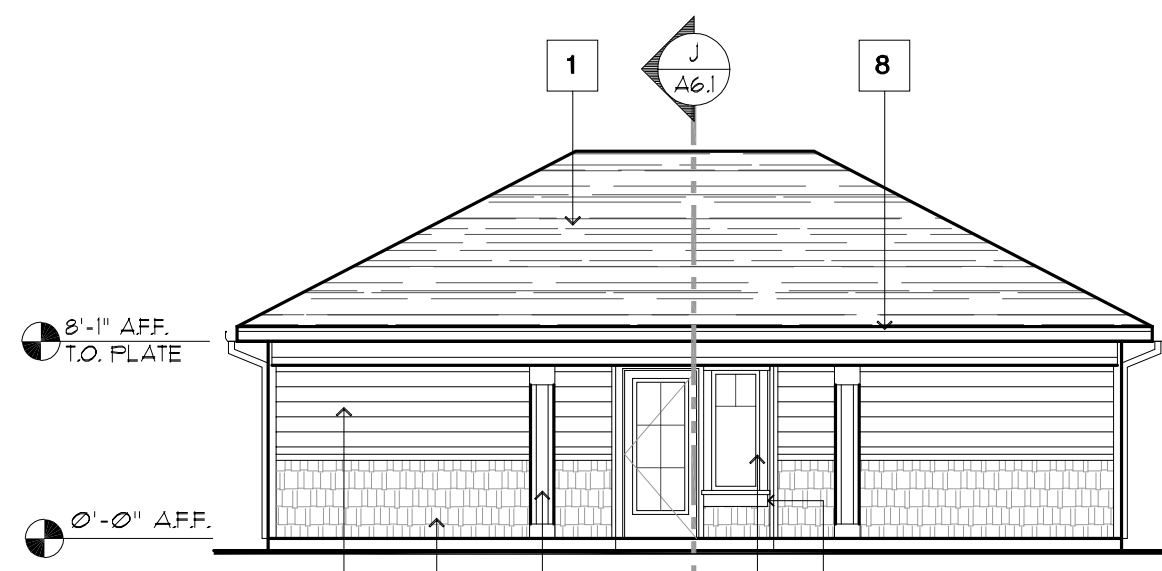
KEY NOTES/COLORS	
1	ARCH. CORR. 25 YR. COLOR: TBD
2	CEMENT BOARD SIDING (HORIZ. 1" REVEAL) MANUF. JAMES HARDIE COLOR: TBD
3	CEMENT BOARD SHINGLE (1" EXPOSURE) MANUF. JAMES HARDIE COLOR: TBD
4	STONE COLOR: TBD
5	2x6 CEMENT TRIM BOARD COLOR: TBD
6	2x4 CEMENT TRIM BOARD TRIM COLOR: TBD
7	VINYL FRAMED INSULATED WINDOWS W/TRIM COLOR: TBD
8	2x8 FASCIA W/CONT. GUTTER COLOR: TBD
9	PTAC COLOR: TO MATCH ADJACENT BUILDING COLOR, TYP.
10	WOOD COLUMN (HARDIE) COLOR: TBD
11	FIREPLACE VENT



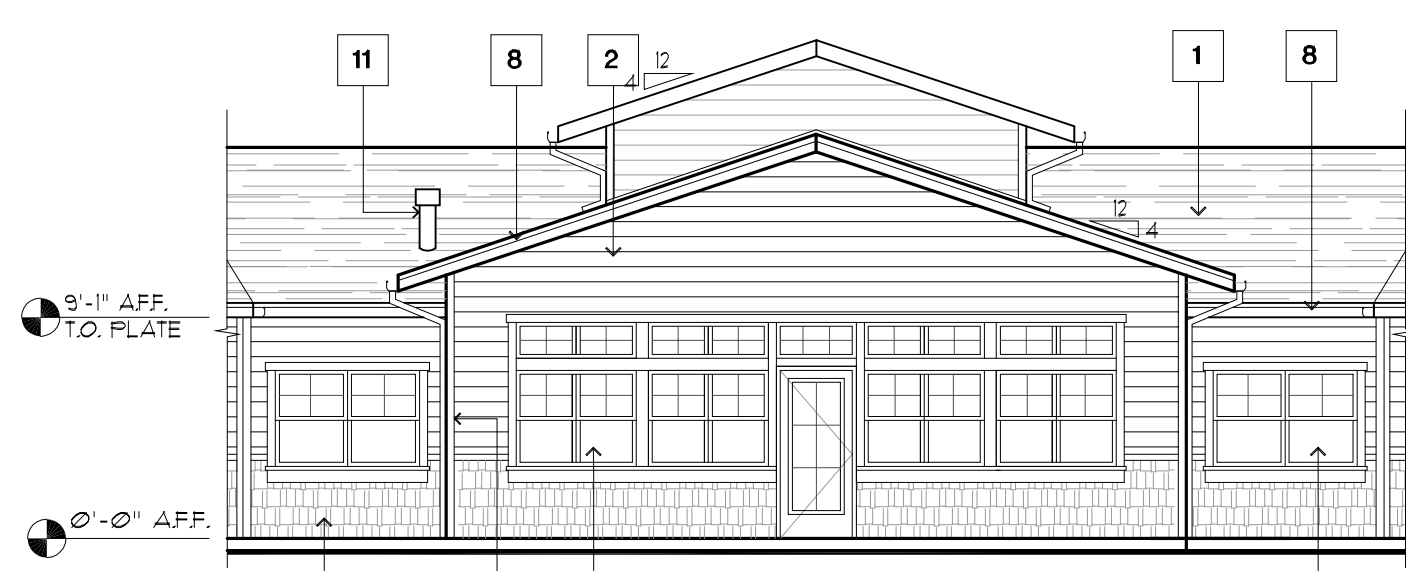
B SIDE ELEVATION
SCALE : 1/8"=1'-0"



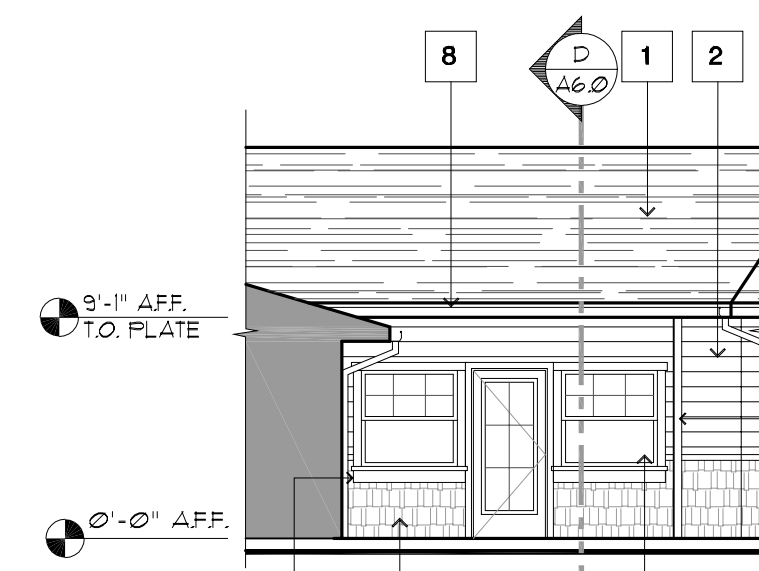
D SIDE ELEVATION
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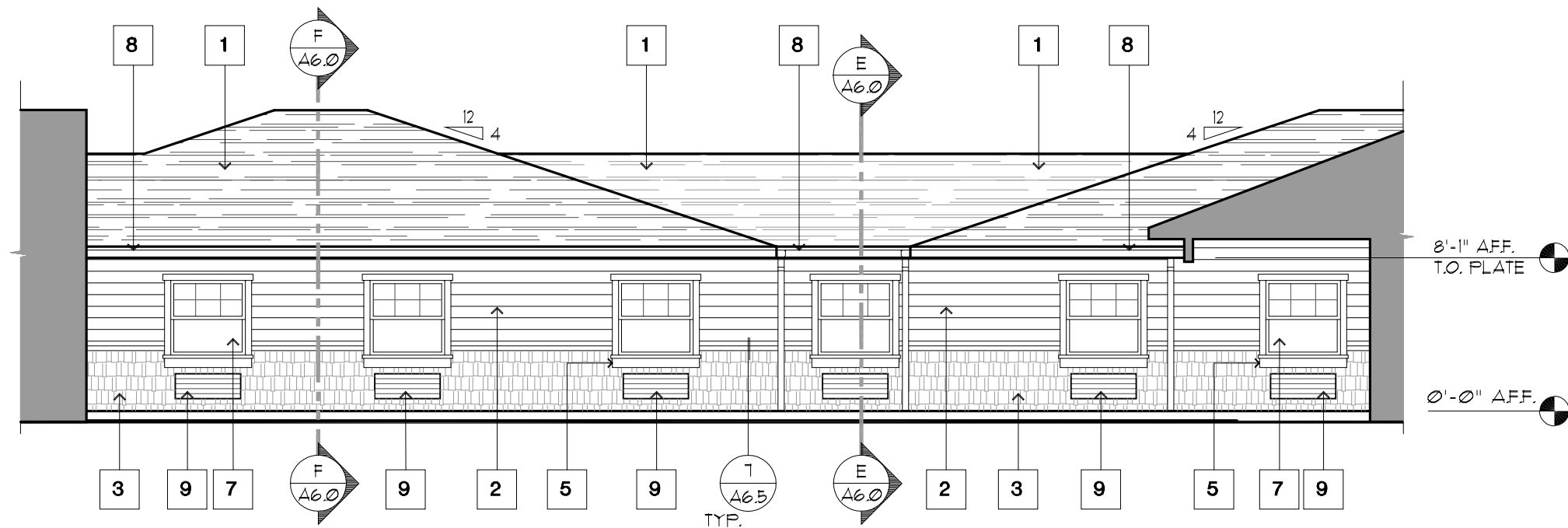
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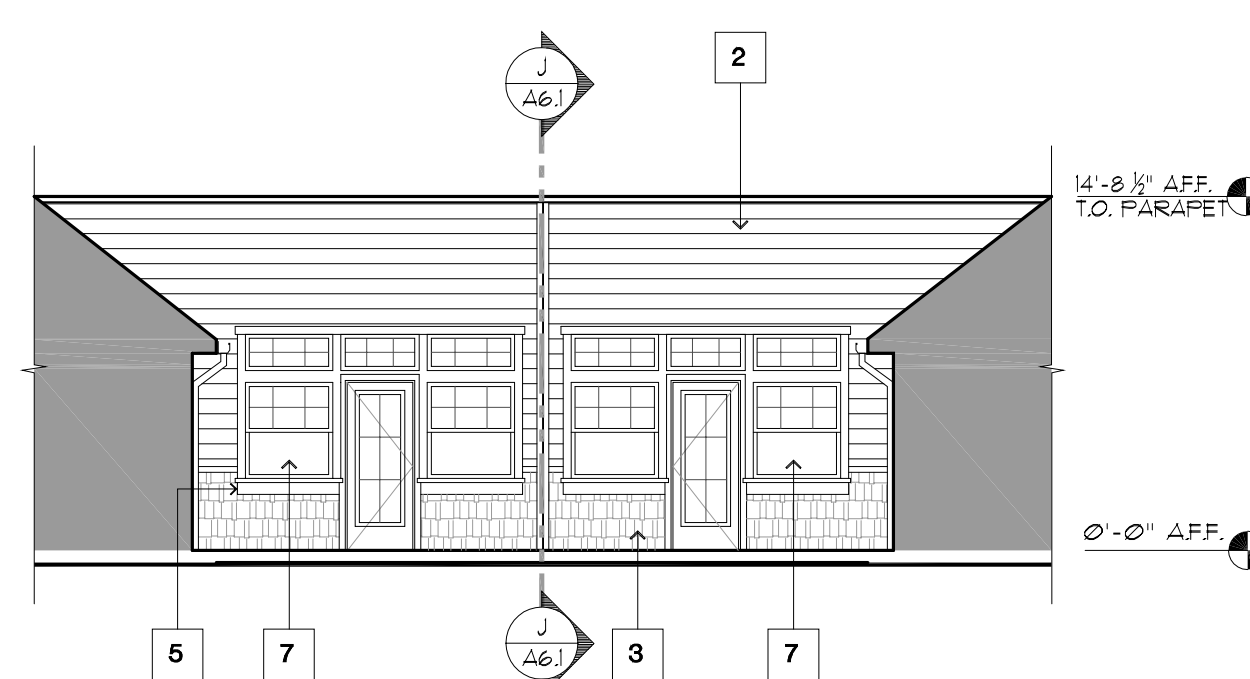
E COURTYARD ELEVATION
SCALE : 1/8"=1'-0"



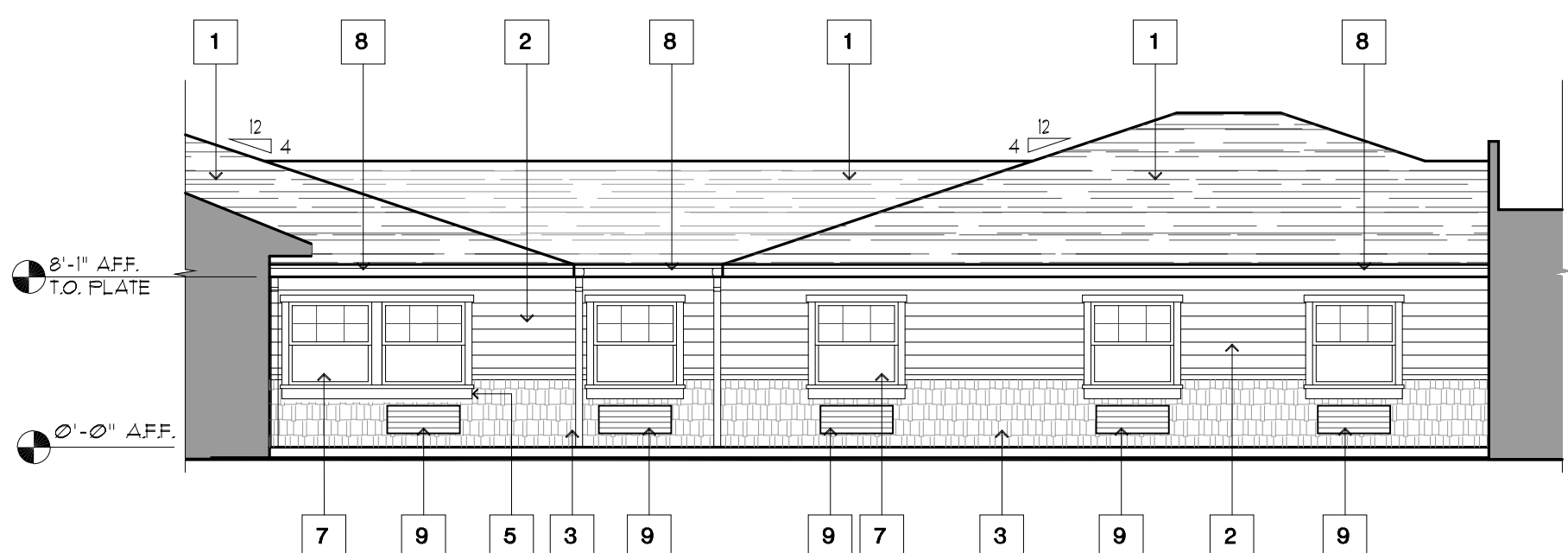
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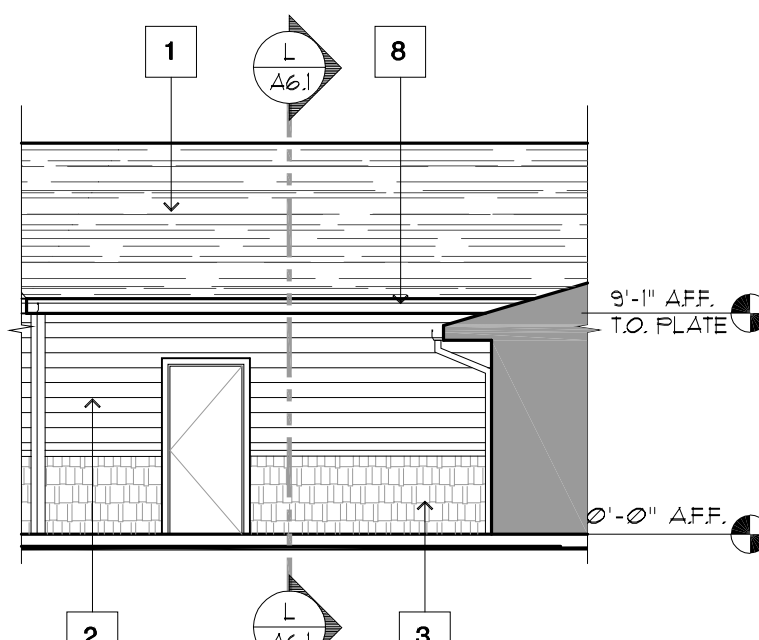
G COURTYARD SIDE ELEVATION
SCALE : 1/8"=1'-0"



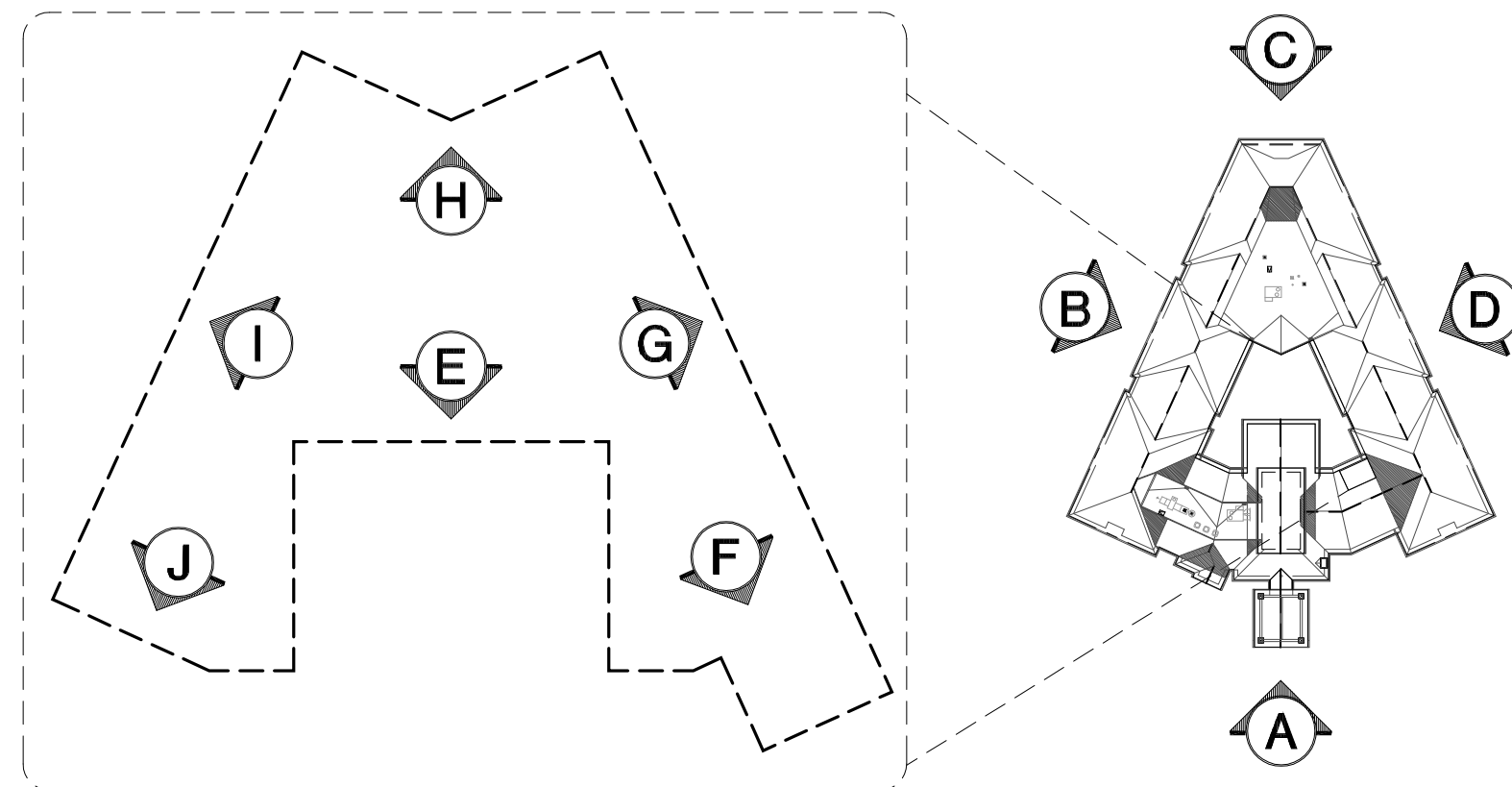
H COURTYARD ELEVATION
SCALE : 1/8"=1'-0"



I COURTYARD SIDE ELEVATION
SCALE : 1/8"=1'-0"



J COURTYARD ELEVATION
SCALE : 1/8"=1'-0"



ELEVATION KEY
SCALE: N.T.S.



REPORT OF GEOTECHNICAL SITE INVESTIGATION

**Proposed Memory Care Center
235 NE Dunn Court
McMinnville, Oregon**

Prepared for

McMinnville Memory Care, LLC
Attn: Mr. Douglas Sproul
2735 12th Street #100
Salem, OR 97302

August 15, 2014



August 15, 2014

McMinnville Memory Care, LLC
Attn: Mr. Douglas Sproul
2735 12th Street #100
Salem, OR 97302

RE: Report of Geotechnical Site Investigation
Proposed Memory Care Facility
235 NE Dunn Place, McMinnville, Oregon

Dear Mr. Sproul:

In accordance with your request, Strata Design LLC (STRATA) transmits this enclosed Geotechnical Report for the your above proposed development project. Based on our current subsurface soil exploration and characterization, it is our opinion that development of the site, as currently proposed, should be conducive using conventional foundation applications and with the previous buffer protection zone from the slope bank of S. Yamhill River.

Respectfully Submitted,



Randall S. Goode, PE
Senior Geotechnical Engineer

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1.0 INTRODUCTION

Strata Design LLC (STRATA) is pleased to submit this Report of Geotechnical Site Assessment report for your subject proposed site development in McMinnville, Oregon (FIGURE 1). The site is approximately 2.83 acres, and located northwest of the intersection of NE Cumulus Avenue and NE Dunn Place in the southwest quarter of Section 22, Township 4 South, Range 4 West of the Willamette Meridian. The development area will be located on predominantly level grades within the cleared portions of the property, which now contains an unoccupied single family residence and shop building. The southeast bank of the South Fork of the Yamhill River border along the west boundary of the property.

The site is planned to be developed into a senior care facility with the design layout as shown in FIGURE 2. The project would include associated local street and utility improvements. The current site plan has incorporated building and a grading and development limit setback of 60 feet away from the top of the Yamhill River bank slope. The buffer follows in accordance with the recommended practice set forth in a previous (2005) geotechnical report, referenced below.

1.1 Project Description

Evelyn House will be a State of Oregon licensed enhanced memory care facility for 44 residents with a building footprint of approximately 21,000 SF. We understand that the development at the site will include grading for construction of the new buildings, storm and sanitary utilities, and roadway and driveways paved with asphaltic concrete.

We assume that the new buildings will be a maximum of 2 stories, supported on embedded column and shallow spread footings of wood or steel framing and also may utilize concrete slab-on-grade floors in certain buildings. While detailed structural load information was not available for our review, we preliminarily assume that building loads will contain perimeter footing loads of less than 5 kips per lineal foot (klf), interior column loads of less than 60 kips, and uniform floor slab loads of less than 200 pounds per square foot (psf).

1.2 Scope of Work

The purpose of our work was to evaluate surface and subsurface conditions associated with the proposed development portion of the site in order to provide geotechnical engineering recommendations for design and construction of the development. Our scope of work included the following:

- Review prior onsite exploratory borings, soil classifications and laboratory analysis completed in the geotechnical reports referenced below.
- Log subsurface soil data utilizing truck-mounted cone penetrometer testing (CPT) at 3 select locations.

- Profile the subsurface materials encountered in the explorations utilizing the CPT data readings with correlation to Standard Penetration Tests (SPTs).
- Provide geotechnical recommendations for site preparation, stripping depths, utility trench excavation and backfill, wet/dry weather earthwork, fill type for imported materials, use of on-site soils, compaction criteria, and grading.
- Provide geotechnical engineering recommendations for design and construction of shallow spread foundations and floor slabs, including an allowable design bearing pressure, minimum footing depth and width requirements, and subsurface drainage.
- Estimate settlement of foundations and floor slabs based on preliminarily assumed building design loadings.
- Provide recommendations for the Seismic Site Class, mapped maximum considered earthquake spectral response accelerations, site seismic coefficients, and Seismic Design Category.
- Provide a qualitative discussion of seismic hazards at the site, including liquefaction potential, slope instability, and surface rupture
- Provide a written report summarizing the results of our Geotechnical Investigation.

2.0 REVIEWS OF PREVIOUS REPORTS

In preparation of our report, STRATA has also obtained and reviewed document information related to the following previous site geotechnical reports in 2005 as follows:

- *Preliminary Geotechnical Site Evaluation, Proposed Residential Subdivision, NE Dunn Place and NE Cumulus Avenue, prepared by GeoDesign, Inc., dated January 2005.*
- *Slope Stability Report for NE Dunn Residential Subdivision, prepared by GeoDesign, Inc. dated March 14, 2005.*

3.0 SITE DESCRIPTION

3.1 General

The subject property is listed as Tax Lot 01700 and consists of a total of approximately 2.83 acres. The site is bordered by NE Dunn Place to the east, and is offset by approximately 500 feet from NE Cumulus Road to the south. The south fork of Yamhill River is present along and within portions of the north and west property boundaries. An uninhabited, older two-story residence, accessory garage and shed, remain on the property in the northwest portion of the property. Existing residential and street development is present to the east, north and south. No development or disturbance is planned within 60 feet of the top of the bank of the S. Yamhill River, as was previously recommended in the 2005 Report of slope stability analysis.

3.2 Site Geology

The available mapping¹ indicates that the site is underlain by Pleistocene- to Holocene-Age, middle terrace deposits (Willamette Silt) consisting of poorly sorted clay, silt, sand, and fine to very coarse gravel. The unit is mapped up to about 150 feet deep in some locations. The flood deposits are likely underlain by Miocene-Age, Columbia River Basalt.

3.3 Site Surface Conditions

The site is cleared of forested trees, and contains mixed vegetation consisting of noxious weeds, Himalayan blackberry and grasses. The northwest portion of the site contains the heavily vegetated and forested bank of the S. Yamhill River which slopes at approximately 60 degrees down to the water level, approximately 25 feet elevation below the near level remaining area of the site. The level portion primarily contains a farmed grass field, along with a relict (unoccupied) house, and detached accessory building, shed and water well house. Vertical relief across the development portion of the site is very slight, on the order of 2 feet.

3.4 Site Subsurface Conditions

3.4.1 Field Exploration

A truck-mounted cone penetrometer testing (CPT) push probe was utilized to explore subsurface soil properties. STRATA selected three CPT test locations, with depths between 25 and 40 feet, as shown in FIGURE 2.

FIGURE 3 (attached) provides the soil exploration logs and our summary of the relative shear strengths resulting from the previous subsurface exploration logs (2005) using SPT testing and grab sampling, and the present CPT subsurface strata profiles.

3.4.2 Subsurface Units:

Soils sampled in prior site drilling and profiled with the current CPT tests, indicate the site subsurface is of native origin, with an approximately 6-inch layer of topsoil that is underlain by interbedded alluvium (floodplain) consisting of SILTS and SILTY SANDS. The generalized profile of soil units is as follows:

Unit 1 – SILT Below the organic topsoil, the alluvium unit consists of saturated, medium stiff, dark brown, SILT, profiled to a depth of about 6 feet. This stratum generally in moist condition and had low plasticity.

¹ Open file Report 0-81-6. Preliminary Geologic Map of the McMinnville and Dayton Quadrangles, By Michael E. Brownfield and Herbert G. Schlicker. Oregon. Published by the Oregon Department of Geology and Mineral Industries, 1981.

Unit 2 – INTERBEDDED SILTY SAND/CLAYEY SILT:

Underlying the SILT stratum, are interbedded medium stiff to stiff, wet, brown, clayey silts and silty sands. Water was added to samples of the clayey silt and found to have a low “thread toughness” and low plasticity.

3.4.3 Groundwater

We anticipate that groundwater levels will fluctuate due to seasonal and annual variations in precipitation, changes in site utilization, or other factors. Additionally, the on-site, silt (ML) may be conducive to formation of seasonally, perched groundwater.

Based on a review of water well logs from the Oregon Water Resources Department Division, and findings obtained during our CPT explorations, the site water levels are believed to be approximately 15 feet (average) below ground surface approximate to the elevation of NE Dunn Place. Therefore, we would anticipate that groundwater will not be encountered during construction at the site, based on the depth of the proposed excavations.

4.0 SEISMIC CONSIDERATIONS

4.1 Seismic Design

Earthquake ground motion parameters for the site were obtained based the United States Geological Survey (USGS) Seismic Design Values for Buildings - Ground Motion Parameter Calculator². The site Latitude 45.20324° North and Longitude 123.16905° West were input as the site location. The following table shows the seismic ground values for this design case in accordance with Section 1613.5 of the 2012 OSSC.

Table 1: Seismic Ground Motion Values (Site Class D)

	Parameter	Value
Mapped Acceleration Parameters	Spectral Acceleration, 0.2 second (S_s)	0.995 g
	Spectral Acceleration, 1.0 second (S_1)	0.469 g
Coefficients (Site Class D)	Site Coefficient, 0.2 sec. (F_A)	1.102
	Site Coefficient, 1.0 sec. (F_v)	1.531
Adjusted MCE Spectral Response Parameters	MCE Spectral Acceleration, 0.2 sec. (S_{MS})	1.096 g
	MCE Spectral Acceleration, 1.0 sec. (S_{M1})	0.718g
Design Spectral Response Accelerations	Design Spectral Acceleration, 0.2 seconds (S_{DS})	0.731 g
	Design Spectral Acceleration, 1.0 second (S_{D1})	0.479 g

² United States Geological Survey, 2012. Seismic Design Parameters determined using: “U.S. Seismic Design Maps Web Application - Version 3.0.1,” from the USGS website <http://geohazards.usgs.gov/designmaps/us/>.

4.2 Seismic Hazards

Qualitative evaluations of seismic hazards were based on the available geologic mapping, the soils encountered within the depths explored, and our observations of the existing site surface conditions.

4.2.1 Liquefaction

In general, liquefaction occurs when deposits of loose/soft, saturated, cohesionless soils, generally sands and silts, are subjected to strong earthquake shaking. If these deposits cannot drain quickly enough, pore water pressures can increase, approaching the value of the overburden pressure. The shear strength of a cohesionless soil is directly proportional to the effective stress, which is equal to the difference between the overburden pressure and the pore water pressure. When the pore water pressure increases to the value of the overburden pressure, the shear strength of the soil approaches zero, and the soil can liquefy. The liquefied soils can undergo rapid consolidation or, if unconfined, can flow as a liquid. Structures supported by the liquefied soils can experience rapid, excessive settlement, shearing, or even catastrophic failure.

In our professional judgment, the risk of liquefaction occurring at this site would be very low during the design level earthquake.

4.2.2 Surface Rupture

4.2.2.1 Faulting

Although the site is situated in a region of the country known for seismic activity, no known faults exist on or immediately adjacent to the site. Therefore, the risk of surface rupture at the site due to faulting is considered low.

4.2.2.2 Lateral Spread

Surface rupture due to lateral spread can occur on sites underlain by liquefiable soils that are located on or immediately adjacent to slopes steeper than about 3 degrees (20H:1V), and/or adjacent to a free face, such as a stream bank or the shore of an open body of water. During lateral spread, the materials overlying the liquefied soils are subject to lateral movement downslope or toward the free face.

As discussed above, the risk of liquefaction occurring at the site during a design level earthquake is generally low. If soils underlying the site were to liquefy over a sufficiently continuous area, lateral displacement could occur. As discussed above, were liquefaction to occur, the lateral extent of liquefied soils are anticipated to be localized and generally

discontinuous. Therefore, the risk of surface rupture to liquefaction at the site is generally considered low.

4.3 Slope Stability

The risk of seismically-induced instability of the existing site slopes was previously evaluated by quantitative slope stability analysis, including seismic loads, as detailed in the above referenced previous geotechnical studies.

We compiled profile comparisons to correlate the field data obtained for undrained shear strength, as shown in FIGURE 3. This provides a relative comparison of the current CPT values (converted to equivalent SPT data) and SPT data from GeoDesign (2005). Given the predominance of fine-grained particles size to depths of 40 feet bgs, the SPT blow counts (used in the 2005 stability analysis) may be reflecting lower soil shear values due to the drop hammer impact (fine-grained shearing) versus the CPT profiles.

From our review of the present CPT data profile of the subsurface, we believe the earlier analysis and calculation of slope stability should be considered conservative in its approach. Therefore the plan minimum setback from the top of slope of 60 feet is appropriate in assurance of long term stability of the site. During our current site reconnaissance, no evidence of recent slope movements, ground cracking, sloughing or erosion along the slopes was observed.

5.0 CONCLUSIONS

Based on the results of our site assessment, the site may be developed as described in Section 1.1 of this report, provided the recommendations contained in this report and applicable building codes are incorporated into the site design and construction. New buildings constructed at the site can be supported on conventional, shallow foundations bearing on the existing, properly prepared native soils, or on structural fill placed over the native soils. No significant fill or mass waste was encountered within the proposed development or improvement areas of the property.

In order to maintain the intention of the slope buffer area, no disposal or infiltration of stormwater should occur within the 60 foot buffer area. Our understanding is that disposal of stormwater from the proposed new development would be served by conventional stormwater detention and treatment located at the northeast corner area of the site from the slope area, with overflow pipe conveyance out to the storm system of NE Dunn Place.

The following paragraphs present specific geotechnical recommendations for design and construction of the proposed development.

6.0 RECOMMENDATIONS

As we have observed discrete locations of the subsurface, please note that our recommendations are based on the assumptions that the subsurface conditions do not deviate appreciably from those found during the field investigation. STRATA should be consulted for further recommendations if the design and/or location of the proposed development changes, or variations and/or undesirable geotechnical conditions are encountered during site development.

6.1 Site Preparation

6.1.1 Site Stripping

Vegetation and organic topsoil should be removed from, and for a minimum 5-foot margin around, proposed building and pavement locations, as well as areas that are to receive structural fill. Based on the results of our field explorations, stripping depths on the order of ½ to 2 feet should be anticipated. Stripping depths may increase or decrease at locations away from our explorations. A geotechnical representative from STRATA should provide recommendations for actual stripping depths based on observations during site preparation. Stripped materials should be transported for off-site use or disposal, and/or stockpiled for later use in landscaped areas. If encountered during site preparation, existing structures (foundations, concrete slabs, buried utilities), existing fill, debris, or other deleterious material should be completely removed and disposed of off site.

Grubbing of trees should include the removal of the root mass, and roots greater than ½-inch in diameter. Grubbed material should be transported off-site for disposal. Root masses from larger trees may extend several feet bgs. Where root masses are removed within the structural footprint, the resulting excavation should be properly backfilled with structural fill.

6.1.2 Subgrade Preparation

After site preparation as recommended above, and prior to placement of fill and/or excavation for footings, a geotechnical representative from STRATA should probe and/or observe a proof-roll of the exposed subgrade soils in order to identify areas of excessive yielding. If areas of soft soil or excessive yielding are identified, the affected material should be stabilized as recommended by the geotechnical engineer or his representative. Stabilization may be achieved by over-excavation to firm, stable subgrade, and replacement with compacted structural fill or stabilization rock (e.g. 4-inch-minus crushed rock). Separation geotextiles, geogrid reinforcement, or cement/lime amendment of subgrade soils can also be utilized to stabilize soft or yielding areas.

The test pits conducted at the site were loosely backfilled during our field investigation. Where test pits are located within finalized building or pavement areas, the loose backfill materials

should be re-excavated. The resulting excavations should be backfilled with structural fill placed and compacted in general accordance with Section 6.3.

6.1.3 Erosion Control

Erosion and sedimentation control measures should be employed in accordance with applicable City, County, and State regulations regarding erosion control.

6.2 **Wet Weather Considerations**

For planning purposes, the wet season should be considered to extend from late September to late June. It is our experience that dry weather working conditions should prevail between early July and the middle of September. Notwithstanding the above, soil conditions should be evaluated in the field by the geotechnical engineer or his representative at the initial stage of site preparation to determine whether the recommendations within this section should be incorporated into construction.

6.2.1 General Considerations

The on-site soils (silt and sandy silt) are susceptible to disturbance during wet weather. Trafficability of these soils may be difficult, and significant damage to subgrade soils will likely occur, if earthwork is undertaken without proper precautions at times when the exposed soils are more than a few percentage points above optimum moisture content.

For construction that occurs during the wet season, methods to limit soil disturbance should be employed. Site preparation activities may need to be accomplished using track-mounted equipment, loading removed material onto trucks supported on granular haul roads. Soils that have been disturbed during site preparation activities should be over-excavated to firm, stable subgrade, and replaced with imported granular structural fill.

6.2.2 Equipment Haul Roads & Staging Areas

Haul roads subjected to repeated heavy construction traffic will require a minimum of 18 inches of imported granular material. For light staging areas, 12 inches of imported granular material should be sufficient. Additional granular material, geo-grid reinforcement, or cement amendment may be considered based on site conditions and/or loading at the time of construction. The imported granular material should consist of crushed rock, with characteristics consistent with Section 6 of this report. The imported granular material should be placed in a single lift and compacted using a smooth-drum, non-vibratory roller.

Where new subgrades are prepared in areas of repeated construction traffic, geotextile fabric should be placed prior to placement of imported granular material. The geotextile fabric should meet the requirements set forth in the current Oregon Department of Transportation (ODOT)

Standard Specification for Construction, Section 02320. In accordance with table 02320-1 of the ODOT specifications, the separation fabric should have a minimum puncture strength of (ASTM D4833) of 80 pounds and an apparent opening size (ASTM D4751) no larger than the U.S. Standard No. 30 sieve.

6.2.3 Footing Subgrade Protection

A minimum of 3 inches of imported granular material should be placed over exposed foundation subgrades in order to provide protection from foot traffic during inclement weather. The imported granular material should consist of imported granular structural fill. The imported granular material should be placed in one lift over the prepared, undisturbed subgrade, and compacted using non-vibratory equipment until well keyed.

6.3 Structural Fill

The geotechnical engineer should be provided the opportunity to review all materials considered for use as structural fill (prior to placement). The geotechnical engineer or his representative should be contacted to evaluate compaction of structural fill as the material is being placed. Evaluation of compaction may take the form of in-place density tests and/or proof-roll tests with suitable equipment. Structural fill should be evaluated at intervals not exceeding every 2 vertical feet as the fill is being placed.

6.3.1 On-Site Soils

Use of the on-site silt and sandy silt (ML) as fill in structural areas (pavement and buildings) may be difficult because these soils are sensitive to small changes in moisture content and difficult, if not impossible, to adequately compact during wet weather. Use of the on-site soils for the berm construction would be feasible if moisture conditioned and placed and compacted in lifts in accordance with our recommendations. Generally, we anticipate that the moisture content of these soils will be higher than the optimum moisture content for satisfactory compaction. Therefore, moisture conditioning (drying) should be expected in order to achieve adequate compaction. If used as structural fill, these soils should be free of organic matter, debris, and particles larger than 3 inches. They should be placed in lifts with a maximum thickness of about 8 inches at moisture contents within -1 and $+3$ percent of optimum, and compacted to not less than 92 percent of the material's maximum dry density, as determined in general accordance with ASTM D1557 (Modified Proctor).

If the on-site soils cannot be properly moisture-conditioned and/or processed, we recommend using imported granular material for structural fill in building or pavement areas.

6.3.2 Imported Granular Structural Fill

Imported granular structural fill should consist of angular pit or quarry run rock, crushed rock, or crushed gravel that is fairly well graded between coarse and fine particle sizes. The granular fill should contain no organic matter, debris, or particles larger than 4 inches, and have less than 5 percent material passing the U.S. Standard No. 200 Sieve. The percentage of fines can be increased to 12 percent of the material passing the U.S. Standard No. 200 Sieve if placed during dry weather, and provided the fill material is moisture-conditioned, as necessary, for proper compaction. Granular fill material should be placed in lifts with a maximum thickness of about 12 inches, and compacted to not less than 95 percent of the material's maximum dry density, as determined in general accordance with ASTM D1557 (Modified Proctor). Proper moisture conditioning and the use of vibratory equipment will facilitate compaction of these materials.

For fine grading purposes, the maximum particle size should be limited to 1½ inches. Compaction of granular fill materials with high percentages of particle sizes in excess of 1½-inches should be evaluated by periodic proof-roll observation or continuous observation by the STRATA geotechnical representative during fill placement, since it cannot be tested conventionally using a nuclear densometer. Granular fills with high percentages of particle sizes in excess of 1½-inches should be capped with a minimum of 12 inches of 1½-inch-minus, or smaller, granular fill under all structural elements (footings, concrete slabs, pavements, etc.).

6.4 Shallow Spread Foundations

6.4.1 Acceptable Subgrade Soils

Satisfactory subgrade support for shallow foundations can be obtained from the native, stiff silt and/or on structural fill placed on these soils. These soils were encountered at depths of about 2 feet bgs within our explorations.

If soft, loose, or otherwise unsuitable soils are encountered, they should be over-excavated as recommended by the STRATA geotechnical representative at the time of construction. The resulting over-excavation should be brought back to grade with imported granular structural fill. All granular pads for footings should be constructed a minimum of 6 inches wider on each side of the footing for every vertical foot of over-excavation.

6.4.2 Minimum Footing Width, Embedment & Nearby Excavation

Individual spread footings should have a minimum width of 24 inches. Continuous wall footings should have a minimum width of 18 inches for light-framed structures up to two stories in height. All footings should be founded at least 18 inches below the lowest adjacent grade. Excavations near footings should not extend within a 1H:1V plane projected out and down from the outside, bottom edge of the footings.

6.4.3 Bearing Pressure and Settlement

The minimum footing dimensions described above will likely govern footing sizes. Nonetheless, footings founded as recommended above on suitable subgrades may be proportioned for a maximum allowable soil bearing pressure of 2,200 pounds per square foot (psf). This bearing pressure is a net bearing pressure, applies to the total of dead and long-term live loads, and may be increased by one-third when considering seismic or wind loads.

For the recommended design bearing pressure, total settlement of footings is anticipated to be less than 1 inch. Differential settlements between adjacent columns and/or bearing walls should not exceed ½-inch.

6.4.4 Lateral Capacity

We recommend using a maximum passive (equivalent-fluid) earth pressure of 250 pounds per cubic foot (pcf) for design for footings confined by the native, very stiff to stiff silt to sandy silt (ML). A maximum passive earth pressure of 350 pcf may be used for imported granular structural fill that is properly placed and compacted during construction. The recommended earth pressure was computed using a factor of safety of 1½, which is appropriate due to the amount of movement required to develop full passive resistance.

An ultimate coefficient of friction equal to 0.35 may be used when calculating resistance to sliding for footings founded on the native silt to sandy silt. An ultimate coefficient of friction equal to 0.45 may be used when calculating resistance to sliding for footings founded on a minimum of 6 inches of imported granular structural fill (crushed rock) that is properly placed and compacted during construction.

6.4.5 Drainage

We recommend that foundation drains be installed at the exterior base elevations of continuous wall footings. Foundation drains should consist of a minimum 4-inch-diameter, perforated, PVC/HDPE drainpipe wrapped with a non-woven geotextile filter fabric. The drains should be backfilled with a minimum of 2 cubic feet of open graded drain rock per lineal foot of pipe. The drain rock should be encased in a geotextile fabric in order to provide separation from the surrounding soils. Foundation drains should be positively sloped and should outlet to a suitable discharge point. The geotechnical engineer or his representative should observe the drains prior to backfilling. Roof drains should not be tied into foundation drains.

6.5 Floor Slabs

6.5.1 Acceptable Subgrade Soils

Where floor slab buildings are included in the design plan, subgrade support for floor slabs supporting up to 200 psf area loading, can be obtained from the native, stiff silt (ML), overlain with a minimum 6-inch crushed rock capillary break layer, discussed below.

If soft, loose, or otherwise unsuitable soils are encountered, they should be over-excavated as recommended by the STRATA geotechnical representative at the time of construction. The resulting over-excavation should be brought back to grade with imported granular structural fill.

6.5.2 General

A minimum 6-inch-thick layer of crushed rock base, compacted to not less than 95 percent of the material's maximum dry density, as determined in general accordance with ASTM D1557 (Modified Proctor), should be placed over the prepared subgrade to provide a uniform surface for placing concrete, and supporting the slab. Base rock material placed directly below the slab should have a maximum particle size of ¾-inch or less.

For floor slabs constructed as recommended, a modulus of subgrade reaction of 150 pounds per cubic inch (pci) is recommended for the design of the floor slab. Floor slabs constructed as recommended will likely settle less than ½-inch. For general floor slab construction, slabs should be jointed around columns and walls to permit slabs and foundations to settle differentially.

6.5.3 Subgrade Moisture Considerations

Liquid moisture and moisture vapor should be expected at the subgrade surface. The crushed rock base recommended above typically serves as a capillary break and provides protection against liquid moisture. Where moisture vapor emission through the slab must be minimized, e.g. impervious floor coverings, storage of moisture sensitive materials directly on the slab surface, etc., a vapor retarding membrane or vapor barrier below the slab should be considered. Factors such as cost, special considerations for construction, floor coverings, and end use suggest that the decision regarding a vapor retarding membrane or vapor barrier be made by the architect and owner.

If a vapor retarder or vapor barrier is placed below the slab, its location should be based on current American Concrete Institute (ACI) guidelines, ACI 302 Guide for Concrete Floor and Slab Construction. In some cases, this indicates placement of concrete directly on the vapor retarder or barrier. Please note that the placement of concrete directly on impervious membranes increases the risk of plastic shrinkage cracking and slab curling in the concrete.

Construction practices to reduce or eliminate such risk, as described in ACI 302, should be employed during concrete placement.

6.6 Pavements

6.6.1 General

This report excludes pavement thickness design at this time. It is acknowledged that the development will include private street/parking and public frontage improvements. Our office may be contacted should you wish STRATA to prepare the site pavement section design.

6.6.2 Pavement Subgrade Preparation

In dry weather conditions, after site, and prior to placement of base course material or structural fill, the geotechnical representative should observe a proof roll test of the prepared subgrade in order to identify areas of excessive yielding. The proof roll test should be performed using a fully-loaded, conventional, dump truck or water truck. If localized areas of soft soil or excessive yielding are identified, the affected material should be over-excavated to firm, stable subgrade, and replaced with imported granular structural fill in conformance with this report. If extensive areas of soft soil or excessive yielding are identified, measures to stabilize or improve the subgrade may include the addition of a sub-base layer, reinforcement using geogrid, or cement amendment.

Preparation of pavement subgrade soils during wet weather should be in conformance with Section 6.2 of this report. We recommend that increased base rock sections and a geotextile separation fabric be used in wet conditions in order to support construction traffic and protect the subgrade.

6.7 Utility Trenches

6.7.1 Utility Trench Excavation

Temporary trench cuts should stand near vertical to depths of at least 4 feet in the native soils encountered near the surface. If seepage is encountered that undermines the stability of the trench, or caving of the sidewalls is observed during excavation, the sidewalls should be flattened or shored.

If groundwater is present at the base of utility excavations, we recommend placing trench stabilization material at the base of the excavations. Trench stabilization material should consist of 1-foot of well-graded gravel, crushed gravel, or crushed rock with a maximum particle size of 4 inches, and less than 5 percent material passing the U.S. Standard No. 4 Sieve. The material should be free of organic matter and other deleterious material, placed in one lift, and compacted until well-keyed.

While we have described certain approaches to the trench excavation, dewatering, and base stabilization, it is the contractor's responsibility to select the excavation and dewatering methods, to monitor the trench excavations for safety, and to provide any shoring required to protect personnel and adjacent improvements. All trench excavations should be in accordance with applicable OSHA and State regulations.

6.7.2 Trench Backfill Material (Structural Areas)

Trench backfill for the utility pipe base and pipe zone should be placed in accordance with the pipe manufacturer's recommendations. In the absence of manufacturer guidelines, it should be placed in maximum 10-inch-thick loose lifts, and compacted to not less than 90 percent of the material's maximum dry density, as determined in general accordance with ASTM D1557. Backfill above the pipe zone should be placed in maximum 10-inch-thick loose lifts, and compacted to not less than 92 percent of the material's maximum dry density in general accordance with ASTM D1557. Trench backfill within 3 feet of finished subgrade elevation should be placed in maximum 10-inch-thick loose lifts and compacted to not less than 95 percent of the material's maximum dry density as determined in general accordance with ASTM D1557.

6.8 Stormwater Drainage Considerations

We recommend that paved surfaces and ground near or adjacent to buildings be sloped to drain away from the buildings. Surface water from impervious surfaces should be collected and routed to the stormwater collection system (design by others) located to the outer northeast edge of the property. In no manner should concentrated flow of stormwater be discharged to the slope area.

6.9 Observation of Construction

Satisfactory earthwork, foundation, and pavement performance depends to a large degree on the quality of construction. Sufficient observation of the contractor's activities will document that the work is completed in accordance with the construction drawings and specifications. Subsurface conditions observed during construction should be compared with those encountered during subsurface explorations by engaging the geotechnical engineer during the work in order to confirm subsurface conditions have not changed significantly from those anticipated based on the findings of this report. This would involve intermittent observations and testing of the earthwork and subgrade preparation for structural fills, shallow foundations, floor slabs, and pavements.

7.0 LIMITATIONS

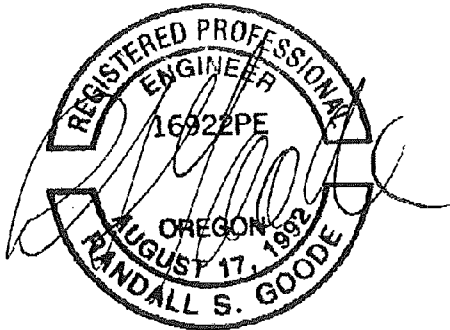
We have prepared this report for use by the owner/developer and other members of the design and construction team for the proposed development. The opinions and recommendations

contained within this report are not intended to be, nor should they be construed as a warranty of subsurface conditions, but are forwarded to assist in the planning and design process.

We have made observations based on our explorations that indicate the soil conditions at only those specific locations and only to the depths penetrated. These observations do not necessarily reflect soil types, strata thickness, or water level variations that may exist between or away from our explorations.

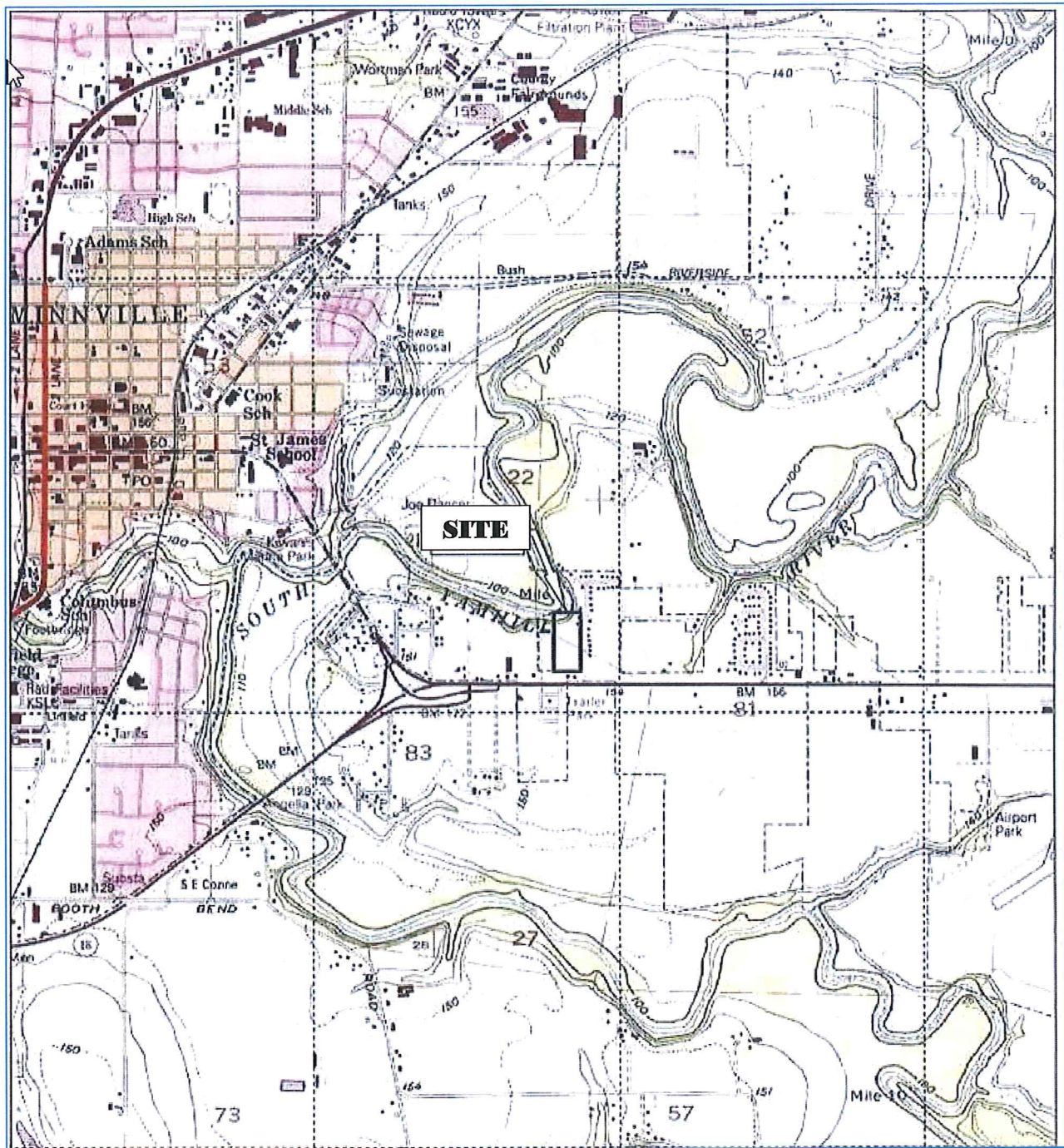
Our work has been conducted in general conformance with the standard of care in the field of geotechnical engineering currently in practice in the Pacific Northwest for projects of this nature and magnitude. No warranty, express or implied, exists on the information presented in this report. By utilizing the findings within this report, the addressee acknowledges and accepts the risks and limitations of development at the site, as outlined within the report.


Respectfully Submitted,
STRATA DESIGN, LLC

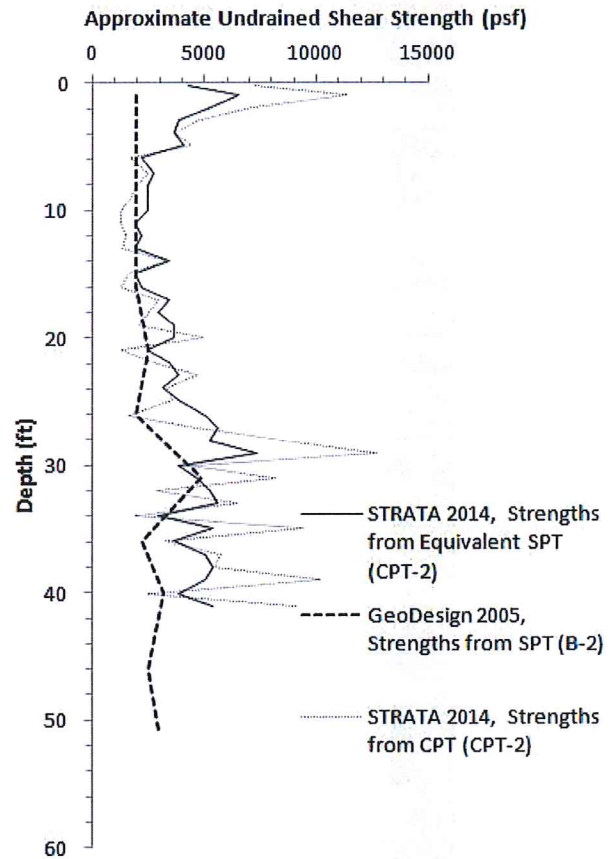
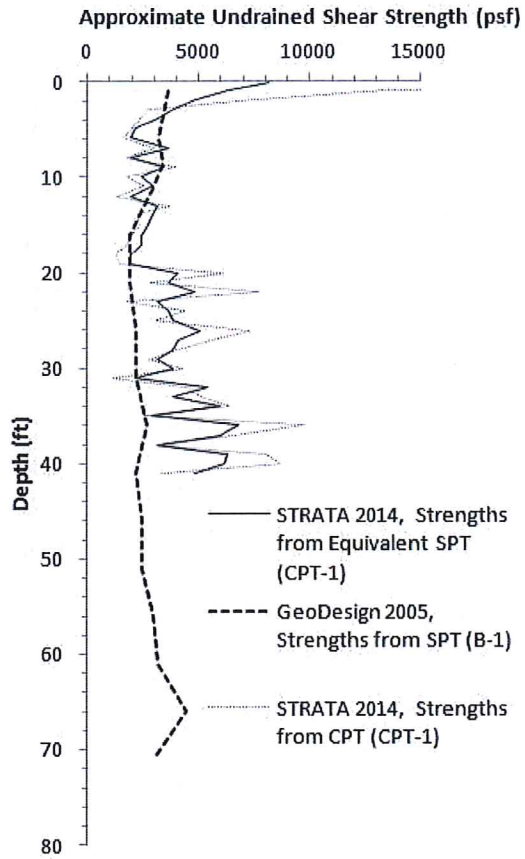



Randall S. Goode, PE
Principle Geotechnical Engineer

Attachments: Figure 1 - Site Vicinity and Topography Map
Figure 2 - Site Plan
Figure 3 - Comparison Graph, SPT vs. CPT
CPT Soil Testing Logs



	<p>SITE VICINITY AND TOPOGRAPHY MAP</p> <p>235 NE DUNN PLACE</p> <p>MCMINNIVILLE, OREGON</p>	<p>FIGURE</p> <p>1</p>
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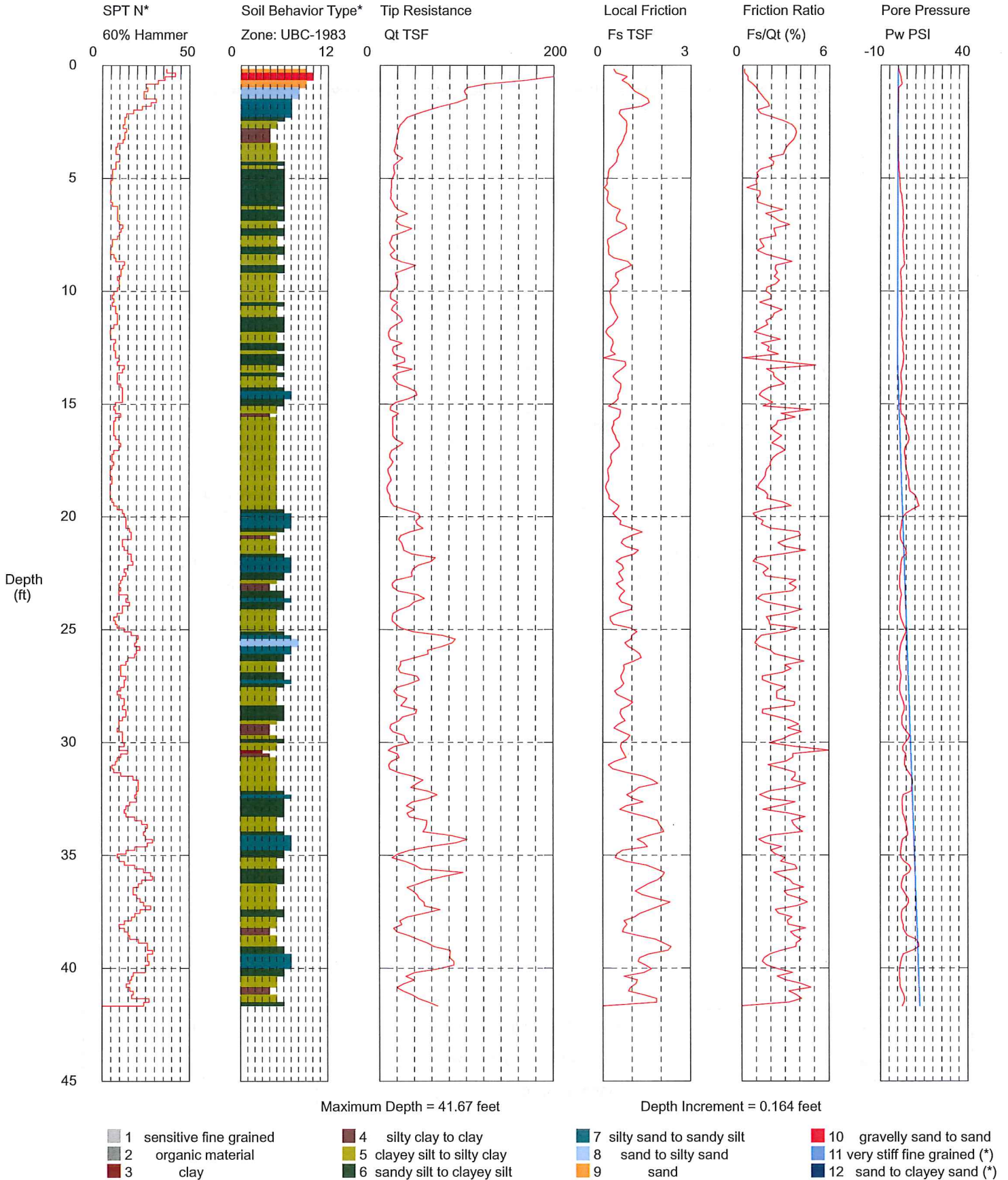


<p>August 2014</p> 	<p>SOIL STRENGTH PROFILES</p> <p>235 NE DUNN PLACE</p> <p>MCMINNVILLE, OREGON</p>	<p>FIGURE</p> <p>3</p>
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CPT-1 / 235 Dunn Place McMinnville

Operator: OGE TAJ
 Sounding: CPT-1
 Cone Used: DPG1211

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 Location: Strata Design / CPT-1 / 235 Dunn Place McMinnville
 Job Number: OGE 14038CPT-1(021)

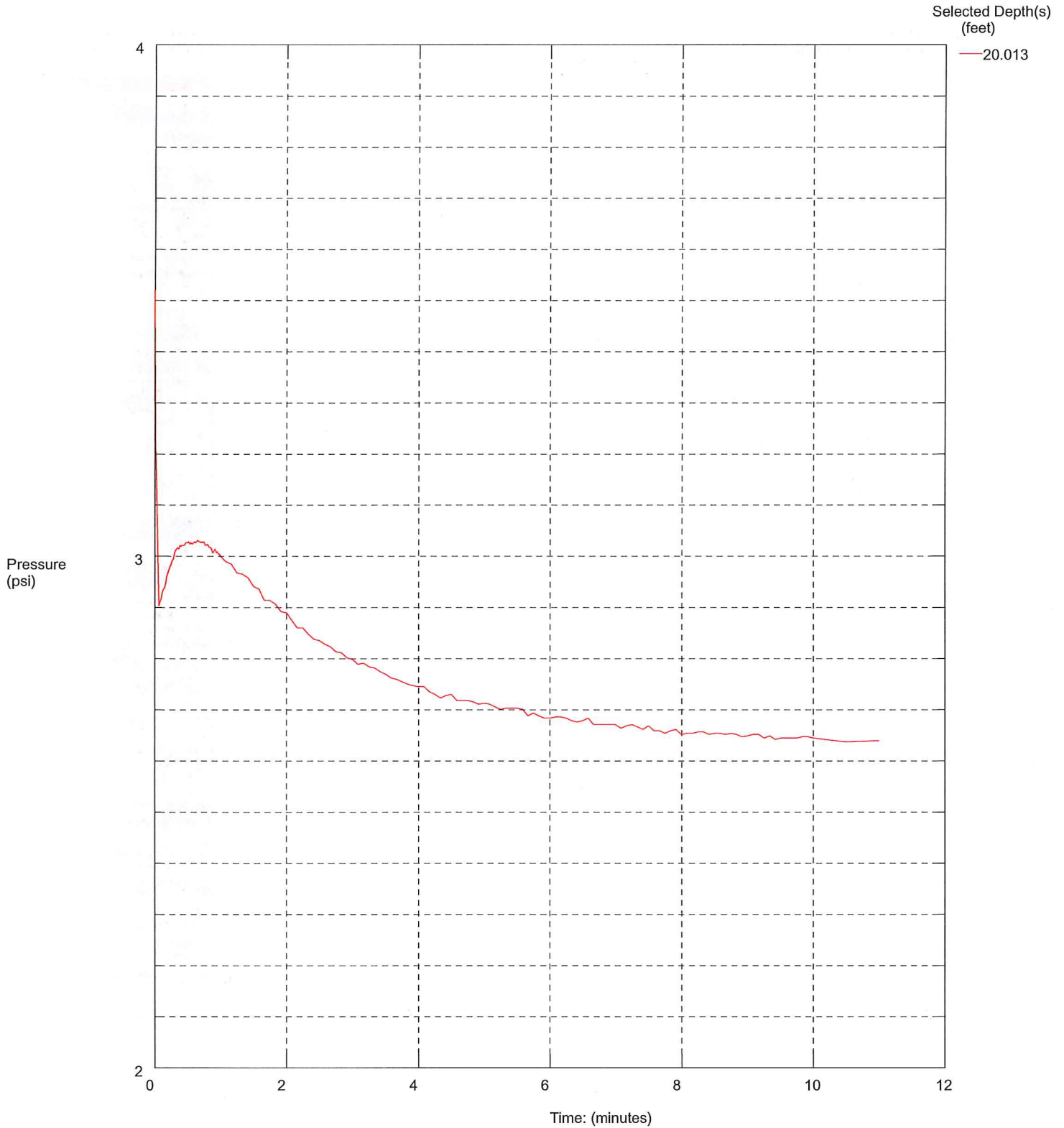


*Soil behavior type and SPT based on data from UBC-1983

CPT-1 / 235 Dunn Place McMinnville

Operator OGE TAJ
Sounding: CPT-1
Cone Used: DPG1211

CPT Date/Time: 8/7/2014 9:46:47 AM
Location: Strata Design / CPT-1 / 235 Dunn Place McMinnville
Job Number: OGE 14038CPT-1(021)

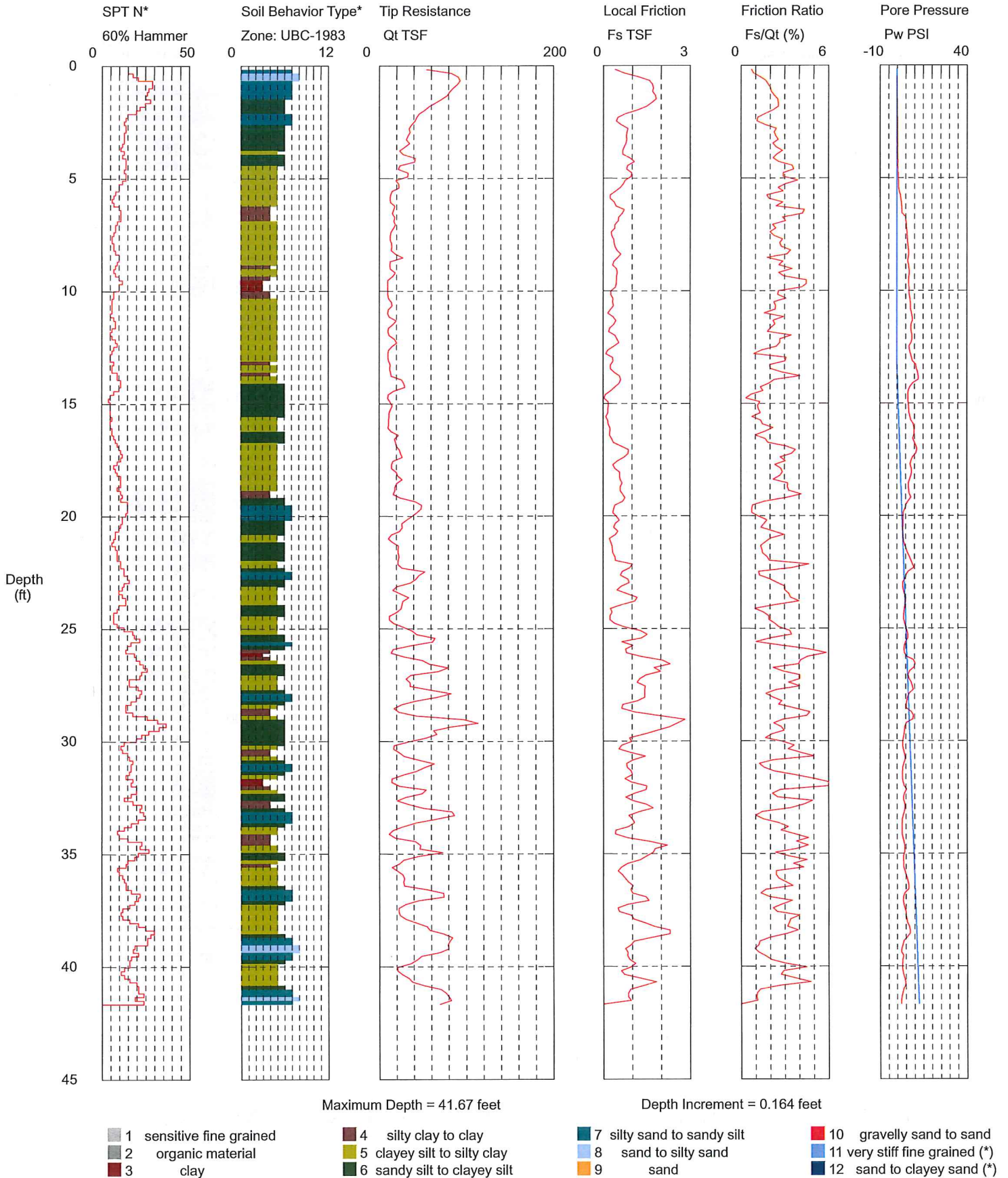


Maximum Pressure = 3.521 psi

CPT-2 / 235 Dunn Place McMinnville

Operator: OGE TAJ
 Sounding: CPT-2
 Cone Used: DPG1211

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 Job Number: OGE 14038CPT-2(021)



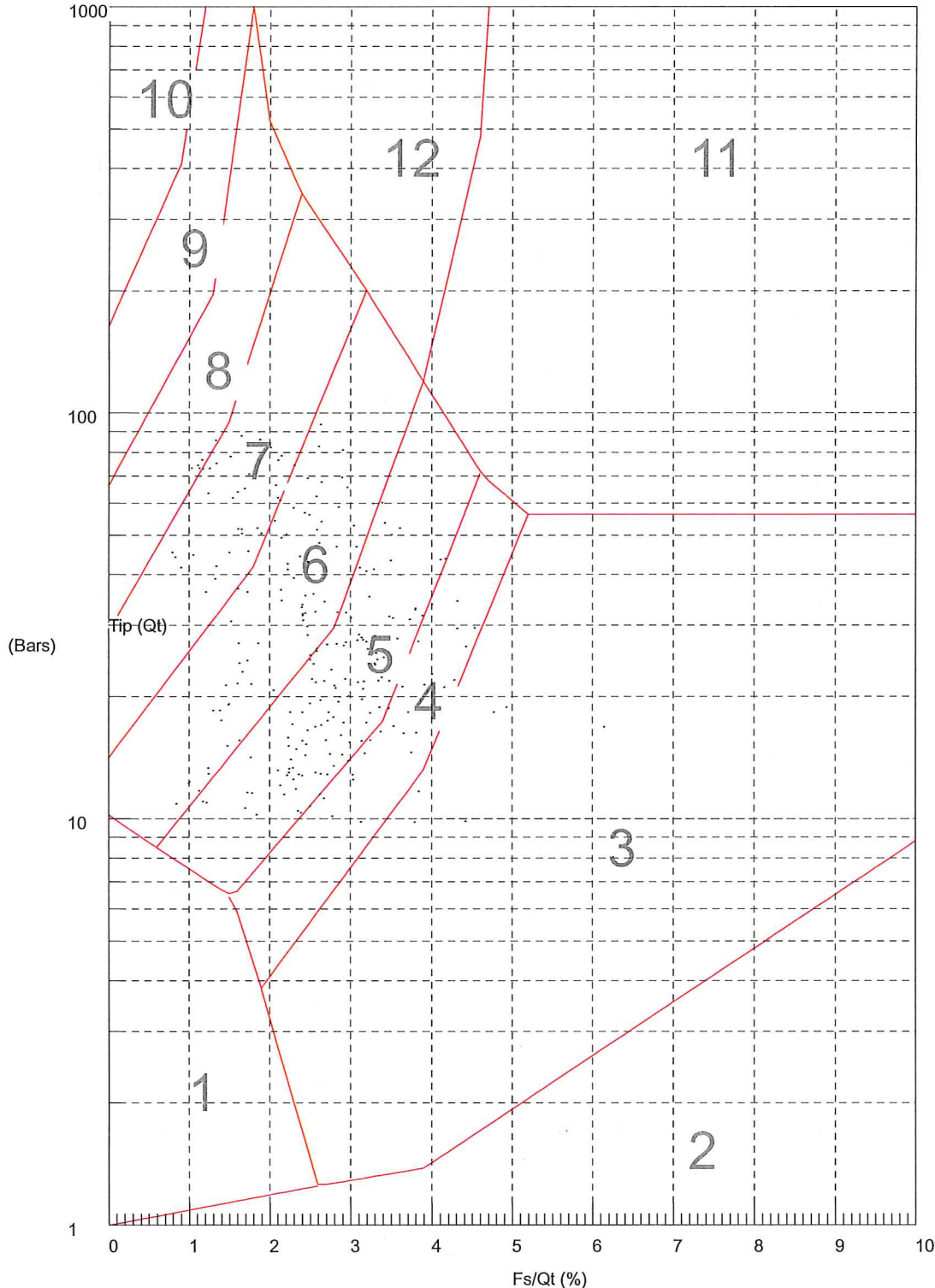
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CPT-2 / 235 Dunn Place McMinnville

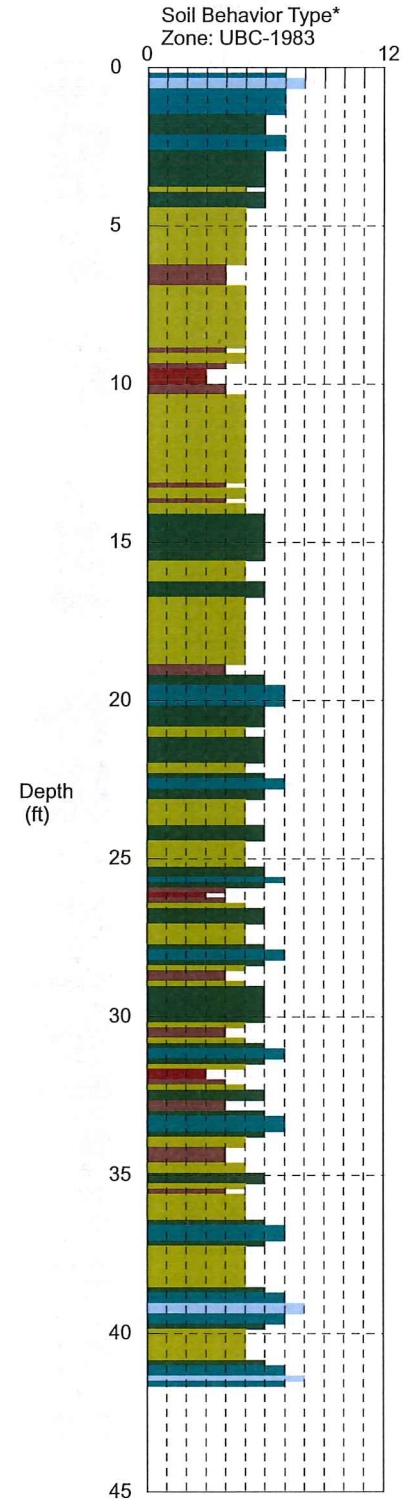
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 Cone Used: DPG1211

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 Job Number: OGE 14038CPT-2(021)

Classification Data:
 Robertson and Campanella UBC-1983



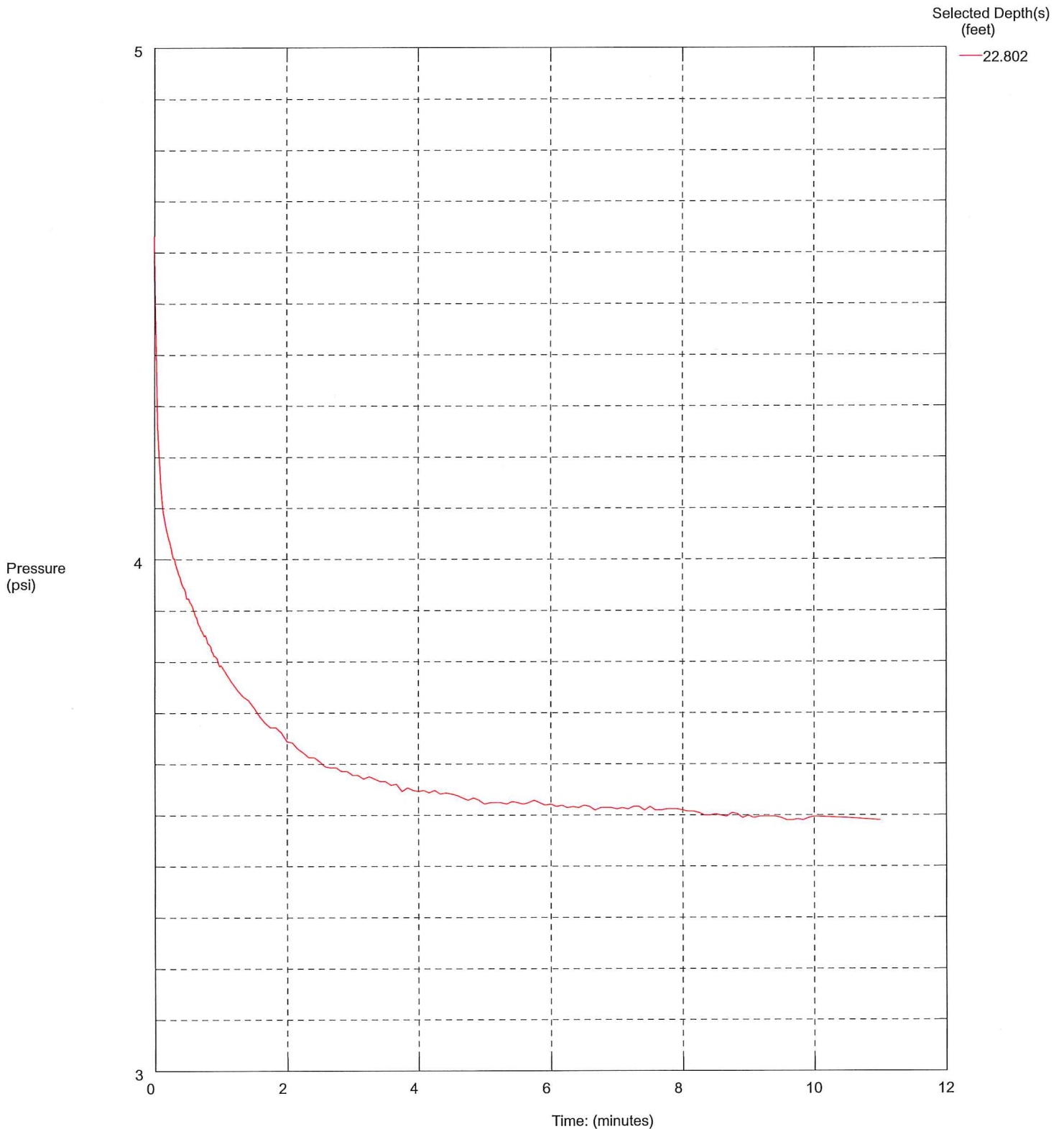
- | | | | |
|--------------------------|-----------------------------|----------------------------|--------------------------------|
| 1 sensitive fine grained | 4 silty clay to clay | 7 silty sand to sandy silt | 10 gravelly sand to sand |
| 2 organic material | 5 clayey silt to silty clay | 8 sand to silty sand | 11 very stiff fine grained (*) |
| 3 clay | 6 sandy silt to clayey silt | 9 sand | 12 sand to clayey sand (*) |



CPT-2 / 235 Dunn Place McMinnville

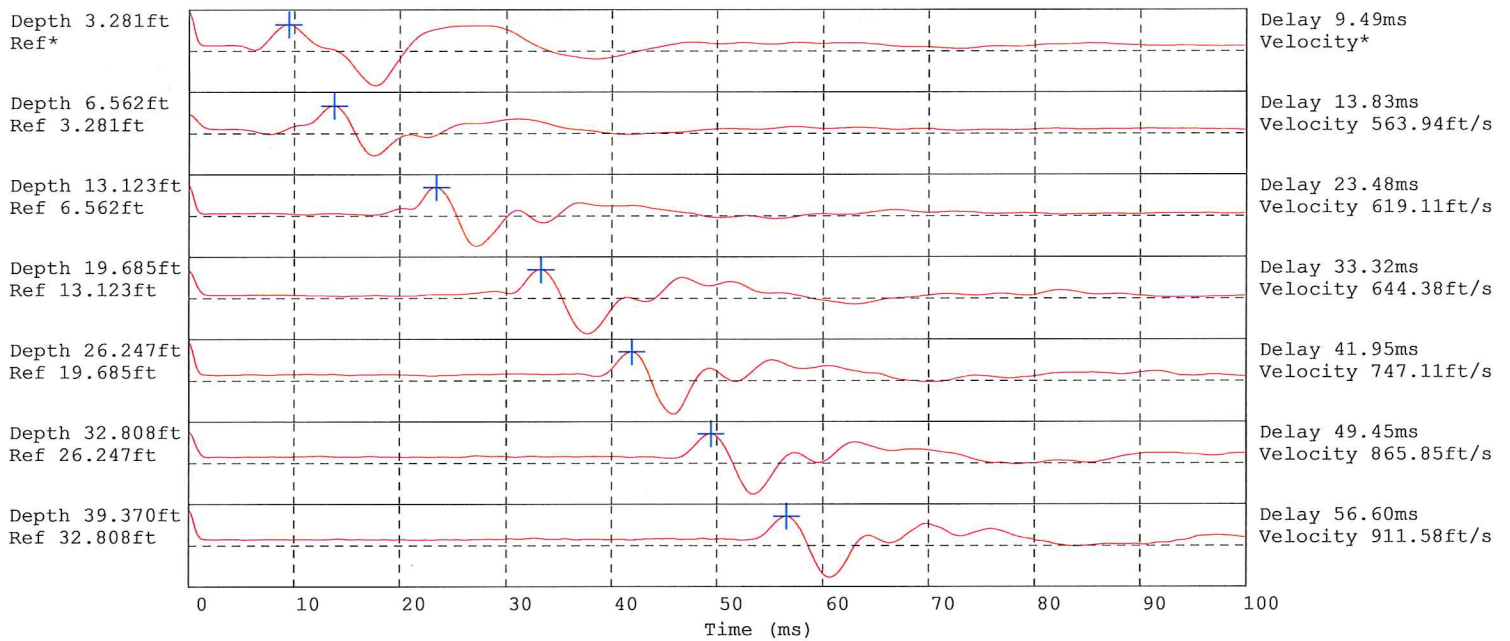
Operator OGE TAJ
Sounding: CPT-2
Cone Used: DPG1211

CPT Date/Time: 8/7/2014 10:57:34 AM
Location: Strata Design / CPT-2 / 235 Dunn Place McMinnville
Job Number: OGE 14038CPT-2(021)



Maximum Pressure = 4.631 psi

Strata Design / CPT-2 / 235 Dunn Place McMinnville

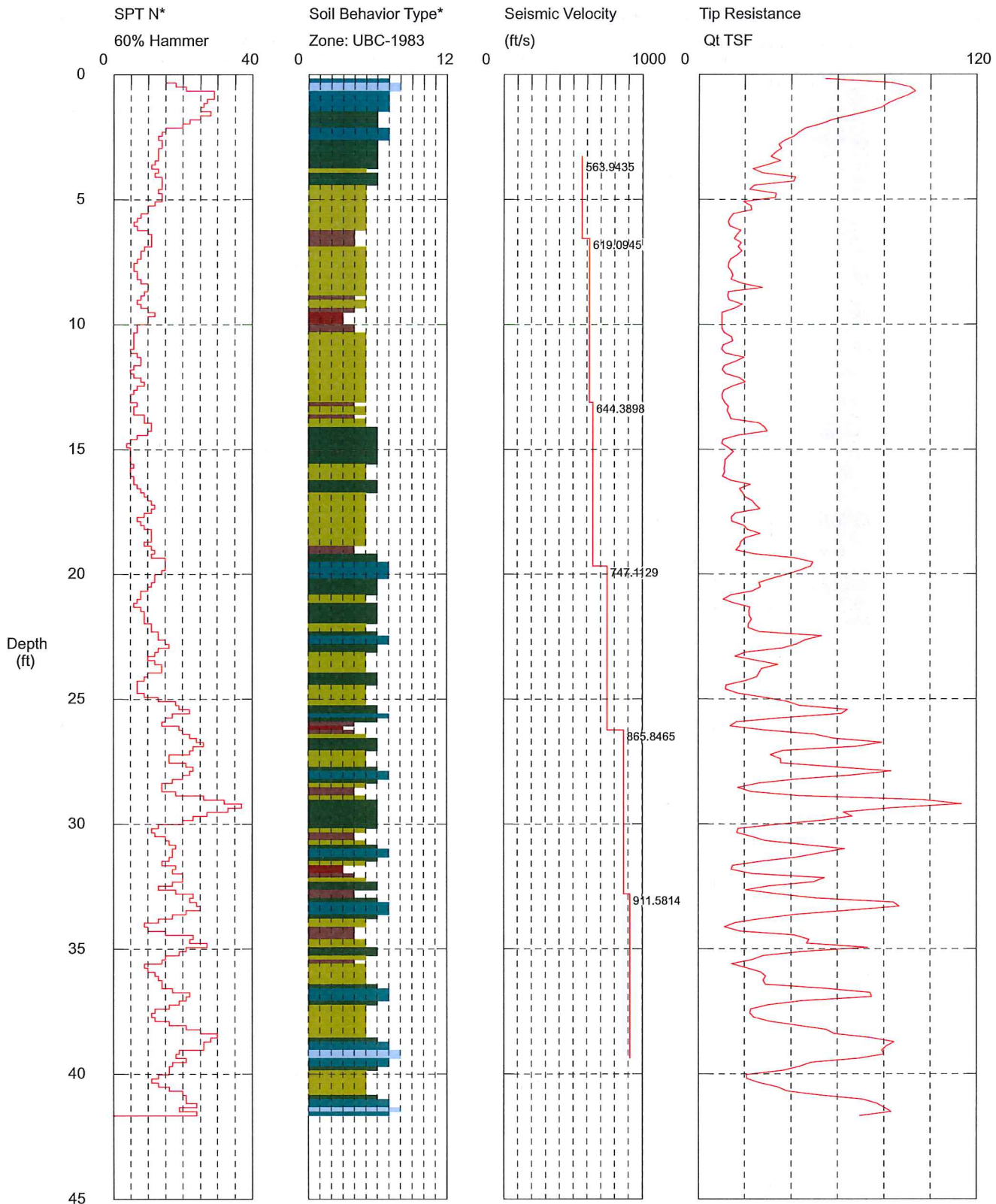


Hammer to Rod String Distance 1.3 (m)
* = Not Determined

CPT-2 / 235 Dunn Place McMinnville

Operator: OGE TAJ
 Sounding: CPT-2
 Cone Used: DPG1211

CPT Date/Time: 8/7/2014 10:57:34 AM
 Location: Strata Design / CPT-2 / 235 Dunn Place McMinnville
 Job Number: OGE 14038CPT-2(021)



Maximum Depth = 41.67 feet

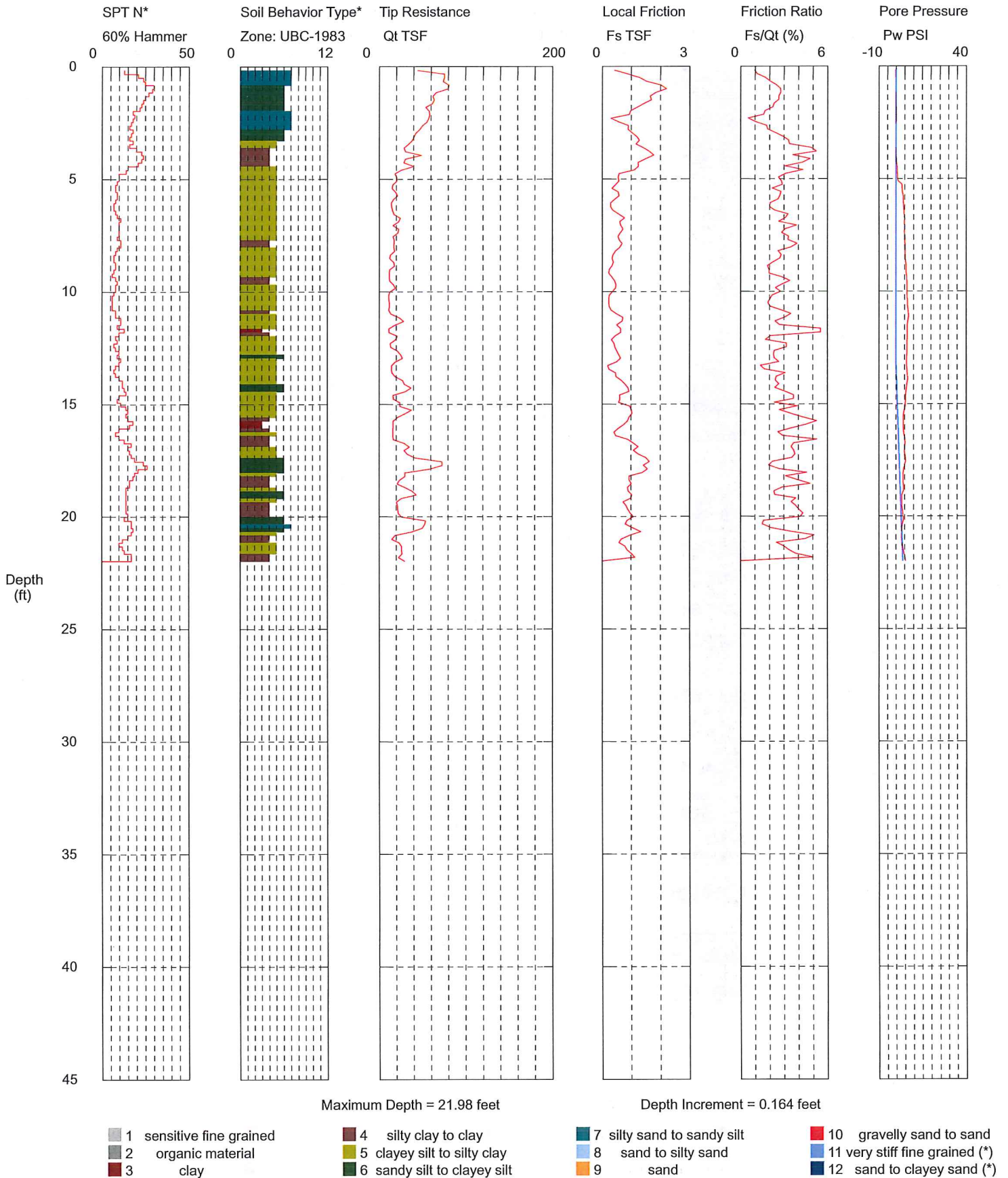
Depth Increment = 0.164 feet

- | | | | |
|--------------------------|-----------------------------|----------------------------|--------------------------------|
| 1 sensitive fine grained | 4 silty clay to clay | 7 silty sand to sandy silt | 10 gravelly sand to sand |
| 2 organic material | 5 clayey silt to silty clay | 8 sand to silty sand | 11 very stiff fine grained (*) |
| 3 clay | 6 sandy silt to clayey silt | 9 sand | 12 sand to clayey sand (*) |

*Soil behavior type and SPT based on data from UBC-1983

Operator: OGE TAJ
 Sounding: CPT-3
 Cone Used: DPG1211

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 Location: Strata Design / CPT-3 / 235 Dunn Place McMinnville
 Job Number: OGE 14038CPT-3(021)



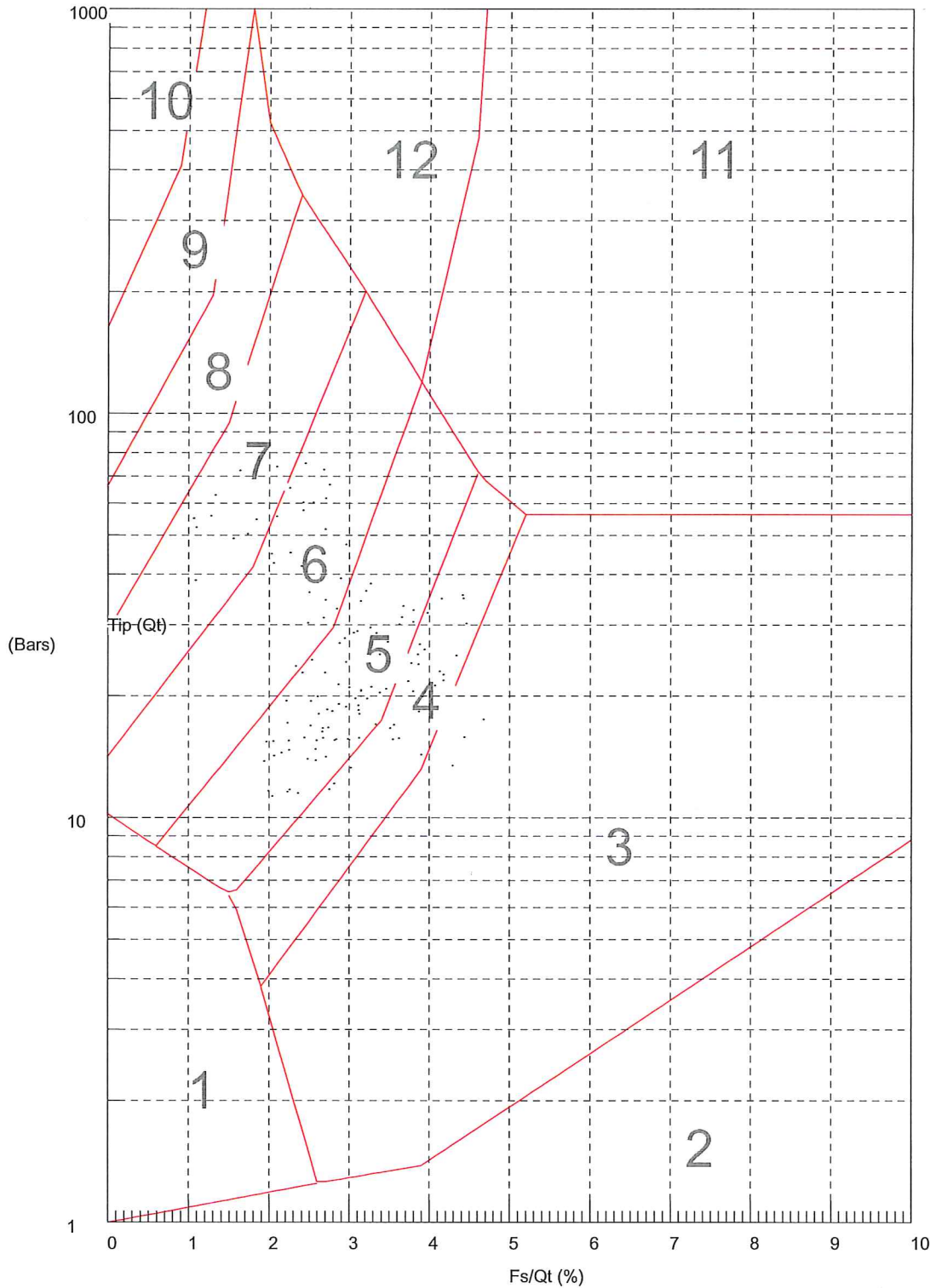
*Soil behavior type and SPT based on data from UBC-1983

CPT-3 / 235 Dunn Place McMinnville

Operator: OGE TAJ
 Sounding: CPT-3
 Cone Used: DPG1211

CPT Date/Time: 8/7/2014 12:00:36 PM
 Location: Strata Design / CPT-3 / 235 Dunn Place McMinnville
 Job Number: OGE 14038CPT-3(021)

Classification Data:
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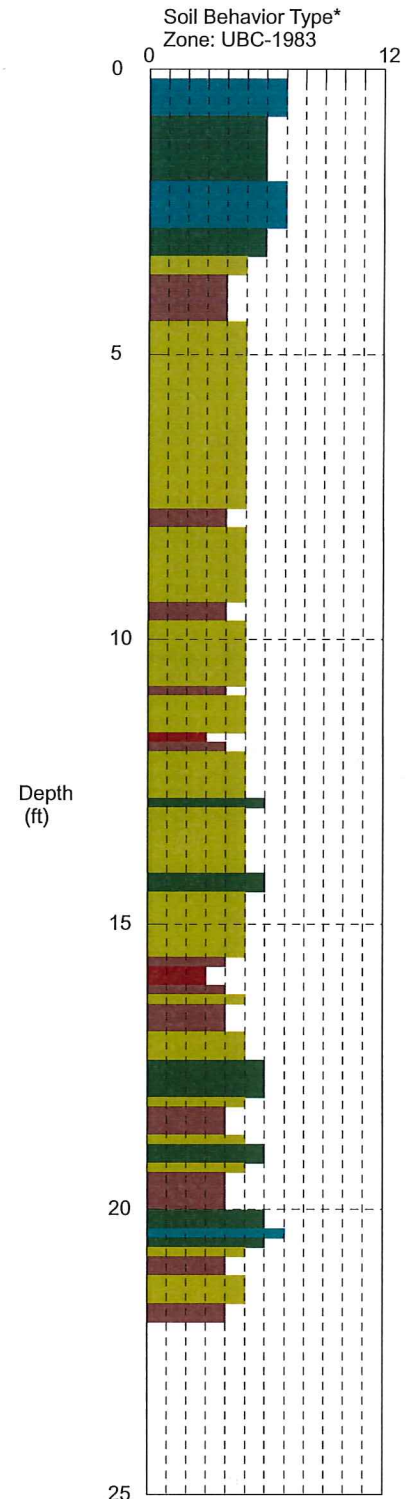


1 sensitive fine grained
 2 organic material
 3 clay

4 silty clay to clay
 5 clayey silt to silty clay
 6 sandy silt to clayey silt

7 silty sand to sandy silt
 8 sand to silty sand
 9 sand

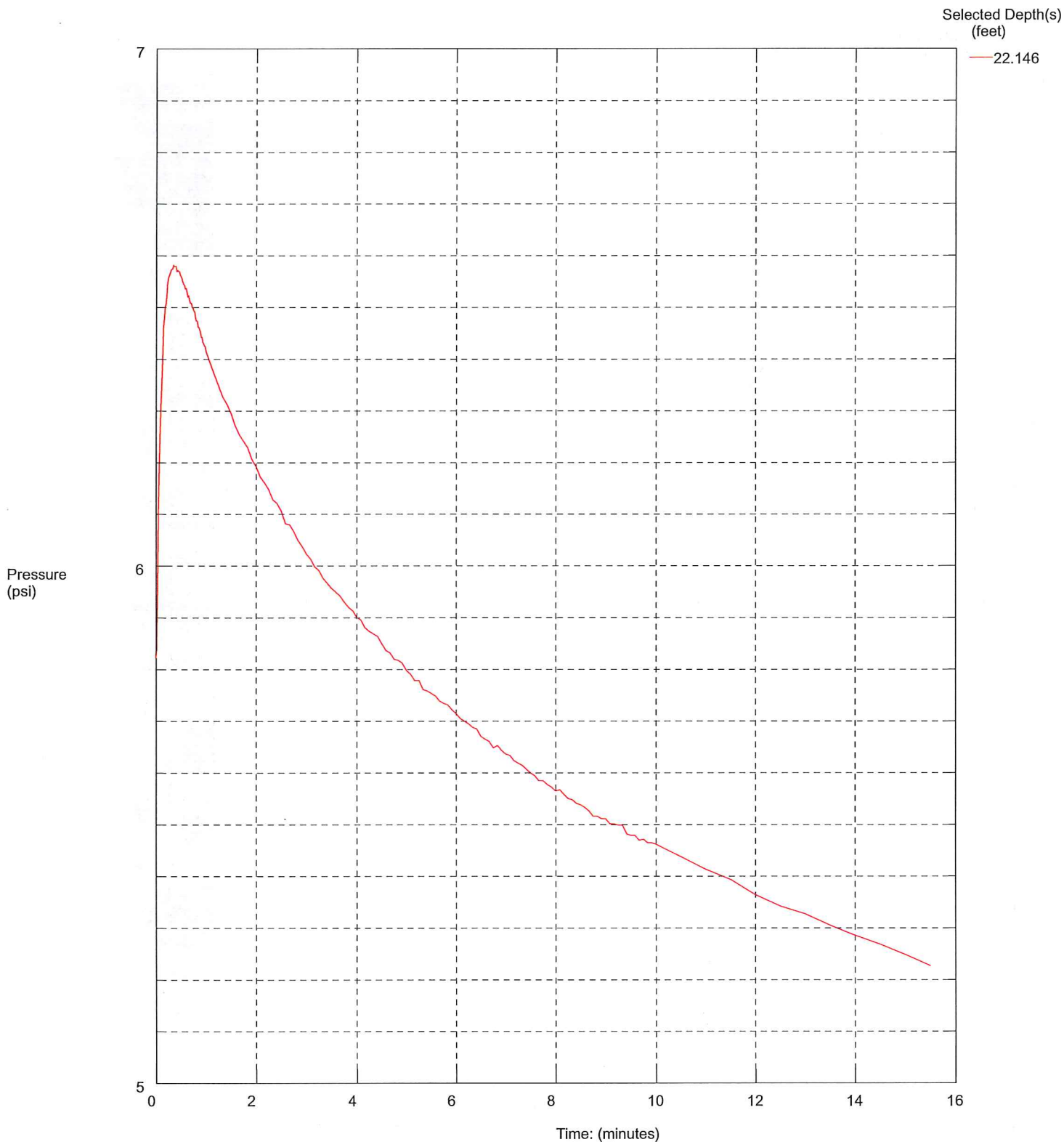
10 gravelly sand to sand
 11 very stiff fine grained (*)
 12 sand to clayey sand (*)



CPT-3 / 235 Dunn Place McMinnville

Operator OGE TAJ
Sounding: CPT-3
Cone Used: DPG1211

CPT Date/Time: 8/7/2014 12:00:36 PM
Location: Strata Design / CPT-3 / 235 Dunn Place McMinnville
Job Number: OGE 14038CPT-3(021)



Maximum Pressure = 6.581 psi



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128
www.mcminnvilleoregon.gov

PUBLIC HEARING NOTICE
PLANNING COMMISSION REVIEW OF CONDITIONAL USE AND
THREE MILE LANE DESIGN REVIEW REQUESTS
235 NE DUNN PLACE

NOTICE IS HEREBY GIVEN that applications for a Conditional Use and Three Mile Lane Design Review have been submitted to the McMinnville Planning Department. The purpose of this notice is to provide an opportunity for surrounding property owners to submit comments regarding these applications or to attend the public meeting of the Planning Commission where this request will be reviewed and a public hearing will be held. Please contact Chuck Darnell with any questions at (503) 434-7330.

DOCKET NUMBER: CU 3-19 / TML 2-19 (Conditional Use and Three Mile Lane Design Review)

REQUEST: Approval of a conditional use permit and Three Mile Lane design review to allow for the construction of a new memory care residential facility. The memory care facility would be a single story building that contains 44 resident beds, and would provide residential facilities for elderly individuals who suffer from Alzheimer's, dementia, and other age-related mental ailments.

APPLICANT: Sam Thomas, on behalf of property owner McMinnville Senior Living, LLC

SITE LOCATION(S): 235 NE Dunn Place
(see attached map)

MAP & TAX LOT(S): R4422CD01700

ZONE(S): R-4 PD (Multiple Family Residential Planned Development)

MMC REQUIREMENTS: McMinnville Municipal Code (MMC), Chapter 17.21, Sections 17.74.030 and 17.74.040; Ordinance Nos. 4131 and 4572
(see reverse side for specific review criteria)

NOTICE DATE: August 21, 2019

PUBLIC HEARING DATE: September 19, 2019 at 6:30 P.M.

HEARING LOCATION: McMinnville Civic Hall Building
200 NE 2nd Street, McMinnville, OR, 97128

Proceedings: A staff report will be provided at least seven days before the public hearing. The Planning Commission will conduct a public hearing, take testimony, and then make a decision to either recommend approval of the application to the McMinnville City Council or deny the application.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, and to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission and City Council in making a decision. Should you wish to submit comments or testimony on this application prior to the public meeting, please call the Planning Department office at (503) 434-7311, forward them by mail to 231 NE 5th Street, McMinnville, OR 97128, or by email to chuck.darnell@mcminnvilleoregon.gov.

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 on the Planning Department's portion of the City of McMinnville webpage at www.mcminnvilleoregon.gov.

Appeal: 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 the Commission to respond to the issue precludes an action for damages in circuit court.

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.

REVIEW CRITERIA:

17.74.030 Authorization to Grant or Deny Conditional Use. A conditional use listed in this ordinance shall be permitted, altered or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, a change in the use or in lot area, or an alteration of any structure shall conform to the requirements for conditional uses. In judging whether or not a conditional use proposal shall be approved or denied, the Planning Commission shall weigh its appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;
- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;
- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;
- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;
- E. The proposal will preserve environmental assets of particular interest to the community;
- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

17.74.040 Placing Conditions on a Conditional Use Permit. In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which it finds necessary to avoid a detrimental environmental impact and to otherwise protect the best interest of the surrounding area or the community as a whole. These conditions may include, but need not be limited to, the following:

- A. Limiting the manner in which the use is conducted including restrictions on the time a certain activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare, and odor;
- B. Establishing a special yard or other open space, lot area, or dimension;
- C. Limiting the height, size, or location of a building or other structure;
- D. Designating the size, number, location and nature of vehicle access points;
- E. Increasing the amount of street dedication, roadway width, or improvements within the street right-of-way;
- F. Designating the size, location, screening, drainage, surfacing, or other improvement of a parking area or truck loading area;
- G. Limiting or otherwise designating the number, size, location, height and lighting of signs;
- H. Limiting the location and intensity of outdoor lighting and requiring its shielding;
- I. Requiring diking, screening, landscaping, or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance;
- J. Designating the size, height, location, and materials for a fence;
- K. Protecting and preserving existing trees, vegetation, water resource, wildlife habitat, or other significant natural resource;
- L. Such other conditions as will make possible the development of the City in an orderly and efficient manner in conformity with the intent and purposes set forth in this ordinance.

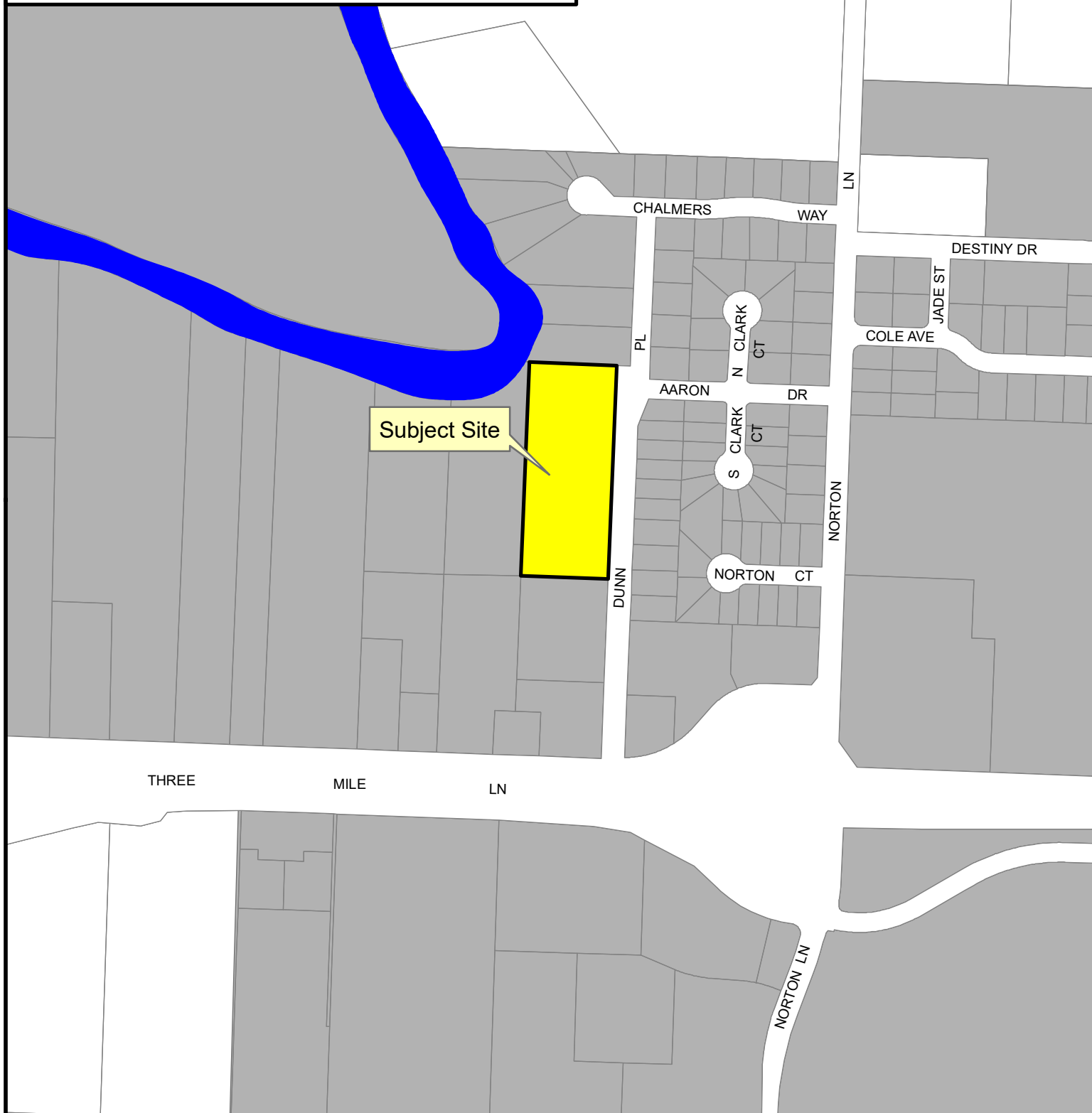
Ordinance Nos. 4131 and 4572 (Three Mile Lane Planned Development Overlay):

All applicable standards and policies in Ordinance Nos. 4131 and 4572 apply to this request.

Comprehensive Plan Goals and Policies:

All applicable goals and policies apply to this request.

Vicinity Map



Map No.	Tax Lot	Site Address	Owner	Attn:	Mailing Address	City State	Zip
1	R4422CD00146	2516 NE NORTON CT	TRUNK ELIZABETH J	TRUNK ELIZABETH J	1259 NW AUGUSTA DR	MCMINNVILLE OR	97128
2	R4422CD01500	250 NE DUNN PL	KYLE RICHARD R	KYLE RICHARD R	250 NE DUNN PL	MCMINNVILLE OR	97128
3	R4422CD01300	280 NE DUNN PL	NOVODOCZKY DONALD (WROS)	NOVODOCZKY DONALD (WROS)	280 NE DUNN PL	MCMINNVILLE OR	97128
4	R4422CD00126	439 NE CLARK CT	PEREZ HEBERTO &	PEREZ HEBERTO &	439 NE CLARK CT	MCMINNVILLE OR	97128
5	R4422CD00154	150 NE DUNN PL	GRANT ROBERT A &	GRANT ROBERT A &	PO BOX 641	AMITY OR	97101
6	R4422CD00145	2515 NE NORTON CT	LIMON JOSE	LIMON JOSE	2515 NE NORTON CT	MCMINNVILLE OR	97128
7	R4422CD01000	265 NE DUNN PL	TRACY DAVID L	TRACY DAVID L	265 NE DUNN PL	MCMINNVILLE OR	97128
8	R4422CD01701	135 NE DUNN PL	HOUSING AUTHORITY OF YAMHILL COUNTY	HOUSING AUTHORITY OF YAMHILL COUNTY	135 NE DUNN PLACE	MCMINNVILLE OR	97128
9	R4422CD00124	457 NE CLARK CT	GARCIA JUAN A	GARCIA JUAN A	457 NE CLARK CT	MCMINNVILLE OR	97128
10	R4422CD01600	2535 NE CUMULUS AVE	EJJ PROPERTIES INC	EJJ PROPERTIES INC	2535 NE CUMULUS AVE	MCMINNVILLE OR	97128
11	R4422CD00155	160 NE DUNN PL	VARGAS ARTURO	VARGAS ARTURO	160 NE DUNN PL	MCMINNVILLE OR	97128
12	R4422CD01901	2435 NE CUMULUS AVE	PMC INVESTMENTS LLC	PMC INVESTMENTS LLC	2435 NE CUMULUS AVE STE A	MCMINNVILLE OR	97128
13	R4422CD00162	240 NE DUNN PL	WON WILBUR	WON WILBUR	PO BOX 824	KEALAKEKUA HI	96750
14	R4422CD00128	2525 NE NORTON CT	MCMINNVILLE CITY OF	MCMINNVILLE CITY OF	535 NE 5TH ST	MCMINNVILLE OR	97128
15	R4422CD00125	463 NE CLARK CT	GAVIDIA CLAY A	GAVIDIA CLAY A	463 NE CLARK CT	MCMINNVILLE OR	97128
16	R4422CD01900	165 NE DUNN PL	FULL MICHAEL	FULL MICHAEL	PO BOX 722	MCMINNVILLE OR	97128
17	R4422CD00156	170 NE DUNN PL	CASTELLANO CHRISTINA C	CASTELLANO CHRISTINA C	2232 E 3RD ST	NEWBERG OR	97132
18	R4422CD00127	431 NE CLARK CT	PARTIDA RUBEN	PARTIDA RUBEN	PO BOX 1481	MCMINNVILLE OR	97128
19	R4422CD02000	2395 NE CUMULUS AVE	LINCK DELWIN	LINCK DELWIN	2395 NE CUMULUS AVE	MCMINNVILLE OR	97128
20	R4422CD00800	301 NE DUNN PL	SEIGFRIED GEORGE R	SEIGFRIED GEORGE R	301 NE DUNN PL	MCMINNVILLE OR	97128
21	R4422CD00160	220 NE DUNN PL	OHARA LINDA C	OHARA LINDA C	1580 SW ASHLEY DR	MCMINNVILLE OR	97128
22	R4422CD00157	180 NE DUNN PL	BECERRA ROLANDO	BECERRA ROLANDO	180 NE DUNN PL	MCMINNVILLE OR	97128
23	R4422CD00161	230 NE DUNN PL	JOHNSTON BRIAN W	JOHNSTON BRIAN W	11320 SE LAFAYETTE HWY	DAYTON OR	97114
24	R4422CD00121	535 NE CLARK CT	NEUBIG SCOTT R	NEUBIG SCOTT R	535 NE CLARK CT	MCMINNVILLE OR	97128
25	R4422 02300		CITY OF MCMINNVILLE	CITY OF MCMINNVILLE	230 NE 2ND ST	MCMINNVILLE OR	97128
26	R4422CD00159	210 NE DUNN PL	OHARA LINDA C	OHARA LINDA C	1580 SW ASHLEY DR	MCMINNVILLE OR	97128
27	R4422CD00153	140 NE DUNN PL	ORTEGA ROBERTO S	ORTEGA ROBERTO S	140 NE DUNN PL	MCMINNVILLE OR	97128
28	R4422CD00158	190 NE DUNN PL	AMIEL GEORGE E TRUSTEE	AMIEL GEORGE E TRUSTEE	1655 SE QUEENBOROUGH CT	MCMINNVILLE OR	97128
29	R4422CD00900	275 NE DUNN PL	BURCH SANDRA	BURCH SANDRA	275 NE DUNN PL	MCMINNVILLE OR	97128
30	R4422CD00122	507 NE CLARK CT	HOLDER RONALD S	HOLDER RONALD S	507 NE CLARK CT	MCMINNVILLE OR	97128
31	R4422CD01400	262 NE DUNN PL	PIRISKY JULIA A	PIRISKY JULIA A	262 NE DUNN PL	MCMINNVILLE OR	97128
32	R4422CD01700	235 NE DUNN PL	MCMINNVILLE MEMORY CARE LLC	DOUG SPROUL	1900 HINES ST SE STE 150	SALEM OR	97302
34	R4422CD02001		PMC INVESTMENTS LLC	PMC INVESTMENTS LLC	2435 NE CUMULUS AVE STE A	MCMINNVILLE OR	97128
Owner	R4422CD00123	2526 NE AARON DR	PALASKY NANCY	PALASKY NANCY	2526 NE AARON DR	MCMINNVILLE OR	97128
Applicant			LENITY ARCHITECTURE	SAM THOMAS	3150 KETTLE COURT SE	SALEM OR	97301



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

EXHIBIT 3 - STAFF REPORT

DATE: September 19, 2019
TO: Planning Commission Members
FROM: Heather Richards, Planning Director
SUBJECT: HB 2001 Presentation

STRATEGIC PRIORITY & GOAL:

 GROWTH & DEVELOPMENT CHARACTER Guide growth & development strategically, responsively & responsibly to enhance our unique character. OBJECTIVE: Strategically plan for short and long-term growth and development that will create enduring value for the community.	 HOUSING OPPORTUNITIES (ACROSS THE INCOME SPECTRUM) Create diverse housing opportunities that support great neighborhoods. OBJECTIVE: Collaborate to improve the financial feasibility of diverse housing development opportunities.
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Report in Brief:

This is a presentation about HB 2001 passed in the Oregon 2019 Legislative Session and the impacts to cities like McMinnville.

Background:

HB 2001, sponsored by Representative Koteck, was often referred to as the “Missing Middle Housing” bill and garnered a substantial amount of media attention due to its premise that cities in Oregon would be mandated to allow missing middle housing in single family residential zones. It amends ORS 197.296, ORS 197.303, ORS 197.312 and ORS 455.610, declaring an emergency. It was adopted on June 18, 2019. (Please see attached enrolled House Bill 2001).

Middle housing is defined by the bill as duplexes, triplexes, quadplexes, cottage clusters (groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard), and townhouses (a dwelling unit constructed in a row or two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit).

Per HB 2001, all cities with a population of 25,000 or more shall allow development of all middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings, and a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.

Attachments:

- HB 2001 Enrolled
- June 2019 Legislative Fiscal Statement
- State Budget Impact Report
- Draft McMinnville Future Housing Strategy

HB 2001 does not prohibit cities from permitting single-family dwellings in areas zoned for single-family dwellings; middle housing in areas not required under this section.

Impacted cities with populations of 25,000 or more need to amend their comprehensive plan no later than June 30, 2022 to accommodate the provisions of this bill.

All of the City of McMinnville's residential zones will be impacted by HB 2001 as they all allow single-family dwellings.

Discussion:

There are many different components that the City must consider when strategizing how to comply with this bill, several of which are delineated below.

Infrastructure Capacity: When HB 2001 was first proposed a significant concern of the Oregon American Planning Association and the Oregon City Planning Director's Association was whether or not the existing infrastructure systems and plan could support the increased density mandated in the bill. Per ORS, cities plan infrastructure systems to support the proposed density of the city's comprehensive plan and zones – no more and no less. Presumably this helps cities to “right-size” their infrastructure from a cost perspective. Outside of large metropolitan areas, the infrastructure systems and amenities in single family residential zones are just not planned to support a 400% increase in density. Roads, water and sewer systems are not designed and built to support that type of density. And this is the case in McMinnville. Although the water reclamation facility has capacity to assume additional growth, the wastewater conveyance system serving neighborhoods is constrained in some areas of McMinnville and pipes would need to be replaced to accommodate the mandate of HB 2001. Additionally, there was recent discussion during a land-use application consideration that the current standards for the local residential neighborhood street network is too congested and should be reduced – which would require more street construction in existing neighborhoods to accommodate HB 2001. (Interestingly, Section 3(5) of HB 2001 states, “when a local government makes a legislative decision to amend its comprehensive plan of land use regulations to allow middle housing in areas zones for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.”)

One of the reasons that cities do not have to implement the mandates of HB 2001 until June 30, 2022, is to provide cities with enough time to evaluate and update their Wastewater Master Plan, Stormwater Master Plan, Water Master Plan, Transportation System Plan, Parks Master Plan, and School Facility Plans to accommodate the increased density.

HB 2001 provides \$3,500,000 to the Department of Land Conservation and Development to provide technical assistance to cities with this planning effort. The League of Oregon Cities estimates that there will be 32 cities who need to do this work and that the average cost for the public facility updates will be \$250,000 - \$400,000 per city.

HB 2001 does allow the Department of Land Conservation and Development to grant a local government an extension for allowing the Middle Housing in single family residential zones for neighborhoods where water, sewer, storm drainage or transportation services are either significantly deficient or are expected to be significantly deficient by December 31, 2023. The extension cannot be longer than the anticipated timeframe to fix the deficiency. A request for an extension must be filed June 30, 2021.

Attachments:

- HB 2001 Enrolled
- June 2019 Legislative Fiscal Statement
- State Budget Impact Report
- Draft McMinnville Future Housing Strategy

Residential Design and Development Standards: With the advent of production housing as a means of achieving affordability in housing, staff has fielded many complaints about the lack of residential design standards to ensure that homes along streets were not being built in such a manner that they mirror each other, creating the effect of what is commonly known as cookie-cutter housing. And since one of the adopted Great Neighborhood Principles is a diversity of housing and a diverse housing zone was part of the recommended future housing strategy drafted by the Housing Needs Analysis Project Advisory Committee, staff has already started working on draft residential design and development standards that can be used to help accommodate the HB 2001 mandate. When staff conducted surveys as part of the Great Neighborhood Principles, it became fairly clear that many people react to what the housing product looks like rather than the amount of units in the structure. People more often than not expressed a desire to see duplexes, triplexes and quadplexes that look like single family dwelling units. (Please see images below).



ADU/CARRIAGE HOUSE

DUPLEX - Side by Side/Stacked

TRIPLEX



FOURPLEX

MANSION APARTMENT

BUNGALOW COURT



TOWNHOME

APARTMENT BUILDING - Small

APARTMENT BUILDING -Large



Duplex

Cottage

Quadplex

Attachments:

- HB 2001 Enrolled
- June 2019 Legislative Fiscal Statement
- State Budget Impact Report
- Draft McMinnville Future Housing Strategy

The proposed residential design and development standards takes this preference into account. Standards are being developed for tiny homes, cottage clusters, plexes, single family dwellings, townhouses and multi-family structures. There will be a non-discretionary streamlined design review process or a flexible design review process that the developer can choose. The standards will be developed to accommodate new construction, infill development, with an alley and without an alley, and will have illustrative guidelines. After a draft standard is complete, the City will solicit public input on the design and development standards with the intent of adoption by June, 2021.

Building Code Standards: HB 2001 directs the Oregon Building Codes Division to revise the building codes to allow alternate approval of construction related to conversions of single-family dwellings into no more than four residential dwelling units

Other Mandates of HB 2001:

- **Affordable Housing Programs:** Cities need to consider ways to increase the affordability of middle housing by considering ordinances and policies that include but are not limited to: waiving or deferring system development charges; adopting or amending criteria for property tax exemptions and assessing a construction excise tax. All of which are recommended in the draft McMinnville Housing Strategy.
- **Accessory Dwelling Units:** Cities cannot require additional off-street parking for accessory dwelling units. The City of McMinnville currently does so this will need to be amended in the zoning ordinance. If the Accessory Dwelling Unit is being used as a vacation rental, cities can require additional off-street parking.
- **Annual Reporting:** Cities will need to report more categories of housing on their annual reports.

Attachments:

- HB 2001 Enrolled
- June 2019 Legislative Fiscal Statement
- State Budget Impact Report
- Draft McMinnville Future Housing Strategy

Attachments:

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- June 2019 Legislative Fiscal Statement
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Fiscal Impact:

The fiscal impact of this state mandate to the City of McMinnville is unknown at this time. The City will need to evaluate its transportation, wastewater, water and utility infrastructure to ascertain how it will support the increased density allowed in the bill in neighborhoods that were not previously planned for that type of density.

According to the League of Oregon Cities, there are 53 cities subject to changing zoning and engineering review requirements under this measure. Of these, 32 of the cities are within the Metro boundary or have populations of over 25,000. The League of Oregon Cities estimates that costs for each city could include \$80,000 for a code update, \$250,000 for internal staffing costs, and \$250,000-\$400,000 for engineering review of infrastructure capacity. (Please see attached Fiscal Impact Statement of Proposed Legislation dated June 7, 2019.)

This does not include other costs such as actual upgrades to infrastructure to support housing, which could be substantial in McMinnville due to current infrastructure constraints.

The bill allocates \$3,500,000 to the Department of Land Conservation and Development for the purpose of providing technical assistance to local governments in developing plans for to improve water, sewer, storm and transportation services. It is not clear yet how this money will be deployed. (Please see attached state budget impact of proposed legislation document).

Since the city is currently in a growth analysis evaluation which requires updating the public facility plans, the work associated with HB 2001 could be incorporated into that scope of work. Public facility updates have not yet been budgeted for in the City of McMinnville budget.

Next Steps:

Finish Draft Residential Design and Development Standards and start public engagement and input process with a goal of adoption by February, 2021.

Initiate infrastructure plan updates to accommodate HB 2001 with a goal of completion by February, 2021.

Attachments:

- HB 2001 Enrolled
- June 2019 Legislative Fiscal Statement
- State Budget Impact Report
- Draft McMinnville Future Housing Strategy

Enrolled House Bill 2001

Sponsored by Representative KOTEK; Representatives FAHEY, HERNANDEZ, MARSH, MITCHELL, POWER, STARK, WILLIAMS, ZIKA (Presession filed.)

CHAPTER

AN ACT

Relating to housing; creating new provisions; amending ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section:

(a) “Cottage clusters” means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.

(b) “Middle housing” means:

(A) Duplexes;

(B) Triplexes;

(C) Quadplexes;

(D) Cottage clusters; and

(E) Townhouses.

(c) “Townhouses” means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

(2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:

(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and

(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.

(3) Except as provided in subsection (4) of this section, each city not within a metropolitan service district with a population of more than 10,000 and less than 25,000 shall allow the development of a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. Nothing in this subsection prohibits a local government from allowing middle housing types in addition to duplexes.

(4) This section does not apply to:

(a) Cities with a population of 1,000 or fewer;

(b) Lands not within an urban growth boundary;

(c) Lands that are not incorporated and also lack sufficient urban services, as defined in ORS 195.065;

(d) Lands that are not zoned for residential use, including lands zoned primarily for commercial, industrial, agricultural or public uses; or

(e) Lands that are not incorporated and are zoned under an interim zoning designation that maintains the land's potential for planned urban development.

(5) Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.

(6) This section does not prohibit local governments from permitting:

(a) Single-family dwellings in areas zoned to allow for single-family dwellings; or

(b) Middle housing in areas not required under this section.

SECTION 3. (1) Notwithstanding ORS 197.646, a local government shall adopt land use regulations or amend its comprehensive plan to implement section 2 of this 2019 Act no later than:

(a) June 30, 2021, for each city subject to section 2 (3) of this 2019 Act; or

(b) June 30, 2022, for each local government subject to section 2 (2) of this 2019 Act.

(2) The Land Conservation and Development Commission, with the assistance of the Building Codes Division of the Department of Consumer and Business Services, shall develop a model middle housing ordinance no later than December 31, 2020.

(3) A local government that has not acted within the time provided under subsection (1) of this section shall directly apply the model ordinance developed by the commission under subsection (2) of this section under ORS 197.646 (3) until the local government acts as described in subsection (1) of this section.

(4) In adopting regulations or amending a comprehensive plan under this section, a local government shall consider ways to increase the affordability of middle housing by considering ordinances and policies that include but are not limited to:

(a) Waiving or deferring system development charges;

(b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to 307.523, 307.540 to 307.548 or 307.651 to 307.687 or property tax freezes under ORS 308.450 to 308.481; and

(c) Assessing a construction tax under ORS 320.192 and 320.195.

(5) When a local government makes a legislative decision to amend its comprehensive plan or land use regulations to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

SECTION 4. (1) Notwithstanding section 3 (1) or (3) of this 2019 Act, the Department of Land Conservation and Development may grant to a local government that is subject to section 2 of this 2019 Act an extension of the time allowed to adopt land use regulations or amend its comprehensive plan under section 3 of this 2019 Act.

(2) An extension under this section may be applied only to specific areas where the local government has identified water, sewer, storm drainage or transportation services that are either significantly deficient or are expected to be significantly deficient before December 31, 2023, and for which the local government has established a plan of actions that will remedy the deficiency in those services that is approved by the department. The extension may not extend beyond the date that the local government intends to correct the deficiency under the plan.

(3) In areas where the extension under this section does not apply, the local government shall apply its own land use regulations consistent with section 3 (1) of this 2019 Act or the model ordinance developed under section 3 (2) of this 2019 Act.

(4) A request for an extension by a local government must be filed with the department no later than:

- (a) December 31, 2020, for a city subject to section 2 (3) of this 2019 Act.
- (b) June 30, 2021, for a local government subject to section 2 (2) of this 2019 Act.
- (5) The department shall grant or deny a request for an extension under this section:
 - (a) Within 90 days of receipt of a complete request from a city subject to section 2 (3) of this 2019 Act.
 - (b) Within 120 days of receipt of a complete request from a local government subject to section 2 (2) of this 2019 Act.
- (6) The department shall adopt rules regarding the form and substance of a local government's application for an extension under this section. The department may include rules regarding:
 - (a) Defining the affected areas;
 - (b) Calculating deficiencies of water, sewer, storm drainage or transportation services;
 - (c) Service deficiency levels required to qualify for the extension;
 - (d) The components and timing of a remediation plan necessary to qualify for an extension;
 - (e) Standards for evaluating applications; and
 - (f) Establishing deadlines and components for the approval of a plan of action.

SECTION 5. ORS 197.296 is amended to read:

197.296. (1)(a) The provisions of subsections (2) to (9) of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

(2) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use, a local government shall demonstrate that its comprehensive plan or regional framework plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years. The 20-year period shall commence on the date initially scheduled for completion of the periodic or legislative review.

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of **existing and projected** housing need by type and density range, in accordance with **all factors under** ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

- (A) Vacant lands planned or zoned for residential use;
- (B) Partially vacant lands planned or zoned for residential use;
- (C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and
- (D) Lands that may be used for residential infill or redevelopment.

(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;

(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and

(C) The presence of a single family dwelling or other structure on a lot or parcel.

(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity *[and need]* pursuant to subsection [(3)] **(3)(a)** of this section must be based on data relating to land within the urban growth boundary that has been collected since the last *[periodic]* review or *[five]* **six** years, whichever is greater. The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;

(B) Trends in density and average mix of housing types of urban residential development;

(C) **Market factors that may substantially impact future urban residential development; and**

[(C) Demographic and population trends;]

[(D) Economic trends and cycles; and]

[(E)] **(D)** The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity *[and need]*. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period *[for economic cycles and trends]* longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or *[more]* **both** of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary[;].

(b) Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall *[monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or]* **adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable vali-**

ation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region. For a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the metropolitan service district.

[(c) Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.]

(c) As used in this subsection, “authorized density level” has the meaning given that term in ORS 227.175.

(7) Using the **housing need** analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

(b) *[The]* A local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved **following the adoption of these actions**. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next periodic review or at the next legislative review of its urban growth boundary, whichever comes first.

(9) In establishing that actions and measures adopted under subsections (6) and (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section, *[and]* is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section **and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period**. Actions or measures, or both, may include but are not limited to:

- (a) Increases in the permitted density on existing residential land;
- (b) Financial incentives for higher density housing;
- (c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- (d) Removal or easing of approval standards or procedures;
- (e) Minimum density ranges;
- (f) Redevelopment and infill strategies;
- (g) Authorization of housing types not previously allowed by the plan or regulations;
- (h) Adoption of an average residential density standard; and
- (i) Rezoning or redesignation of nonresidential land.

(10)(a) The provisions of this subsection apply to local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of less than 25,000.

(b) At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use, a city shall, according to rules of the commission:

- (A) Determine the estimated housing needs within the jurisdiction for the next 20 years;
 - (B) Inventory the supply of buildable lands available within the urban growth boundary to accommodate the estimated housing needs determined under this subsection; and
 - (C) Adopt measures necessary to accommodate the estimated housing needs determined under this subsection.
- (c) For the purpose of the inventory described in this subsection, “buildable lands” includes those lands described in subsection (4)(a) of this section.

SECTION 6. ORS 197.303 is amended to read:

197.303. (1) As used in ORS [197.307] **197.295 to 197.314**, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

- (a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b) Government assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and
- (e) Housing for farmworkers.

(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last periodic or legislative review or six years, whichever is greater, and the projected future changes in these factors over a 20-year planning period:

- (a) Household sizes;**
- (b) Household demographics in terms of age, gender, race or other established demographic category;**
- (c) Household incomes;**
- (d) Vacancy rates; and**
- (e) Housing costs.**

(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last periodic or legislative review or six years, whichever is greater, if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

[2] **(5) Subsection (1)(a) and (d) of this section does not apply to:**

- (a) A city with a population of less than 2,500.**
- (b) A county with a population of less than 15,000.**

[3] **(6) A local government may take an exception under ORS 197.732 to the definition of “needed housing” in subsection (1) of this section in the same manner that an exception may be taken under the goals.**

SECTION 7. ORS 197.312, as amended by section 7, chapter 15, Oregon Laws 2018, is amended to read:

197.312. (1) A city or county may not by charter prohibit from all residential zones attached or detached single-family housing, multifamily housing for both owner and renter occupancy or manufactured homes. A city or county may not by charter prohibit government assisted housing or impose additional approval standards on government assisted housing that are not applied to similar but unassisted housing.

(2)(a) A single-family dwelling for a farmworker and the farmworker's immediate family is a permitted use in any residential or commercial zone that allows single-family dwellings as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of a single-family dwelling for a farmworker and the farmworker's immediate family in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other single-family dwellings in the same zone.

(3)(a) Multifamily housing for farmworkers and farmworkers' immediate families is a permitted use in any residential or commercial zone that allows multifamily housing generally as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of multifamily housing for farmworkers and farmworkers' immediate families in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other multifamily housing in the same zone.

(4) A city or county may not prohibit a property owner or developer from maintaining a real estate sales office in a subdivision or planned community containing more than 50 lots or dwelling units for the sale of lots or dwelling units that remain available for sale to the public.

(5)(a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

(b) As used in this subsection[,]:

(A) "Accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

(B) **"Reasonable local regulations relating to siting and design" does not include owner-occupancy requirements of either the primary or accessory structure or requirements to construct additional off-street parking.**

(6) Subsection (5) of this section does not prohibit local governments from regulating vacation occupancies, as defined in ORS 90.100, to require owner-occupancy or off-street parking.

SECTION 8. Section 1, chapter 47, Oregon Laws 2018, is amended to read:

Sec. 1. (1) For purposes of this section:

(a) A household is severely rent burdened if the household spends more than 50 percent of the income of the household on gross rent for housing.

(b) A regulated affordable unit is a residential unit subject to a regulatory agreement that runs with the land and that requires affordability for an established income level for a defined period of time.

[(c) A single-family unit may be rented or owned by a household and includes single-family homes, duplexes, townhomes, row homes and mobile homes.]

(2)(a) The Housing and Community Services Department shall annually provide to the governing body of each city in this state with a population greater than 10,000 the most current data available from the United States Census Bureau, or any other source the department considers at least as reliable, showing the percentage of renter households in the city that are severely rent burdened.

(b) The Housing and Community Services Department, in collaboration with the Department of Land Conservation and Development, shall develop a survey form on which the governing body of

a city may provide specific information related to the affordability of housing within the city, including, but not limited to:

(A) The actions relating to land use and other related matters that the governing body has taken to increase the affordability of housing and reduce rent burdens for severely rent burdened households; and

(B) The additional actions the governing body intends to take to reduce rent burdens for severely rent burdened households.

(c) If the Housing and Community Services Department determines that at least 25 percent of the renter households in a city are severely rent burdened, the department shall provide the governing body of the city with the survey form developed pursuant to paragraph (b) of this subsection.

(d) The governing body of the city shall return the completed survey form to the Housing and Community Services Department and the Department of Land Conservation and Development within 60 days of receipt.

(3)(a) In any year in which the governing body of a city is informed under this section that at least 25 percent of the renter households in the city are severely rent burdened, the governing body shall hold at least one public meeting to discuss the causes and consequences of severe rent burdens within the city, the barriers to reducing rent burdens and possible solutions.

(b) The Housing and Community Services Department may adopt rules governing the conduct of the public meeting required under this subsection.

(4) No later than February 1 of each year, the governing body of each city in this state with a population greater than 10,000 shall submit to the Department of Land Conservation and Development a report for the immediately preceding calendar year setting forth separately for each of the following categories the total number of units that were permitted and the total number that were produced:

(a) Residential units.

(b) Regulated affordable residential units.

(c) Multifamily residential units.

(d) Regulated affordable multifamily residential units.

(e) Single-family *[units]* **homes**.

(f) Regulated affordable single-family *[units]* **homes**.

(g) Accessory dwelling units.

(h) Regulated affordable accessory dwelling units.

(i) Units of middle housing, as defined in section 2 of this 2019 Act.

(j) Regulated affordable units of middle housing.

SECTION 9. ORS 455.610 is amended to read:

455.610. (1) The Director of the Department of Consumer and Business Services shall adopt, and amend as necessary, a Low-Rise Residential Dwelling Code that contains all requirements, including structural design provisions, related to the construction of residential dwellings three stories or less above grade. The code provisions for plumbing and electrical requirements must be compatible with other specialty codes adopted by the director. The Electrical and Elevator Board, the Mechanical Board and the State Plumbing Board shall review, respectively, amendments to the electrical, mechanical or plumbing provisions of the code.

(2) Changes or amendments to the code adopted under subsection (1) of this section may be made when:

(a) Required by geographic or climatic conditions unique to Oregon;

(b) Necessary to be compatible with other statutory provisions;

(c) Changes to the national codes are adopted in Oregon; or

(d) Necessary to authorize the use of building materials and techniques that are consistent with nationally recognized standards and building practices.

(3) Notwithstanding ORS 455.030, 455.035, 455.110 and 455.112, the director may, at any time following appropriate consultation with the Mechanical Board or Building Codes Structures Board,

amend the mechanical specialty code or structural specialty code to ensure compatibility with the Low-Rise Residential Dwelling Code.

(4) The water conservation provisions for toilets, urinals, shower heads and interior faucets adopted in the Low-Rise Residential Dwelling Code shall be the same as those adopted under ORS 447.020 to meet the requirements of ORS 447.145.

(5) The Low-Rise Residential Dwelling Code shall be adopted and amended as provided by ORS 455.030 and 455.110.

(6) The director, by rule, shall establish uniform standards for a municipality to allow an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code in areas where the local jurisdiction determines that the fire apparatus means of approach to a property or water supply serving a property does not meet applicable fire code or state building code requirements. The alternate method of construction, which may include but is not limited to the installation of automatic fire sprinkler systems, must be approved in conjunction with the approval of an application under ORS 197.522.

(7) For lots of record existing before July 2, 2001, or property that receives any approval for partition, subdivision or construction under ORS 197.522 before July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code may apply the uniform standards established by the director pursuant to subsection (6) of this section. For property that receives all approvals for partition, subdivision or construction under ORS 197.522 on or after July 2, 2001, a municipality allowing an alternate method of construction to the requirements for one and two family dwellings built to the Low-Rise Residential Dwelling Code must apply the uniform standards established by the director pursuant to subsection (6) of this section.

(8) The director, by rule, shall establish uniform standards for a municipality to allow alternate approval of construction related to conversions of single-family dwellings into no more than four residential dwelling units built to the Low-Rise Residential Dwelling Code that received occupancy approval prior to January 1, 2020. The standards established under this subsection must include standards describing the information that must be submitted before an application for alternate approval will be deemed complete.

(9)(a) A building official described in ORS 455.148 or 455.150 must approve or deny an application for alternate approval under subsection (8) of this section no later than 15 business days after receiving a complete application.

(b) A building official who denies an application for alternate approval under this subsection shall provide to the applicant:

(A) A written explanation of the basis for the denial; and

(B) A statement that describes the applicant's appeal rights under subsection (10) of this section.

(10)(a) An appeal from a denial under subsection (9) of this section must be made through a municipal administrative process. A municipality shall provide an administrative process that:

(A) Is other than a judicial proceeding in a court of law; and

(B) Affords the party an opportunity to appeal the denial before an individual, department or body that is other than a plan reviewer, inspector or building official for the municipality.

(b) A decision in an administrative process under this subsection must be completed no later than 30 business days after the building official receives notice of the appeal.

(c) Notwithstanding ORS 455.690, a municipal administrative process required under this subsection is the exclusive means for appealing a denial under subsection (9) of this section.

(11) The costs incurred by a municipality under subsections (9) and (10) of this section are building inspection program administration and enforcement costs for the purpose of fee adoption under ORS 455.210.

SECTION 10. (1) It is the policy of the State of Oregon to reduce to the extent practicable administrative and permitting costs and barriers to the construction of middle housing, as defined in section 2 of this 2019 Act, while maintaining safety, public health and the general welfare with respect to construction and occupancy.

(2) The Department of Consumer and Business Services shall submit a report describing rules and standards relating to low-rise residential dwellings proposed under ORS 455.610, as amended by section 9 of this 2019 Act, in the manner provided in ORS 192.245, to an interim committee of the Legislative Assembly related to housing no later than January 1, 2020.

SECTION 11. Section 12 of this 2019 Act is added to and made a part of ORS 94.550 to 94.783.

SECTION 12. A provision in a governing document that is adopted or amended on or after the effective date of this 2019 Act, is void and unenforceable to the extent that the provision would prohibit or have the effect of unreasonably restricting the development of housing that is otherwise allowable under the maximum density of the zoning for the land.

SECTION 13. A provision in a recorded instrument affecting real property is not enforceable if:

(1) The provision would allow the development of a single-family dwelling on the real property but would prohibit the development of:

- (a) Middle housing, as defined in section 2 of this 2019 Act; or
- (b) An accessory dwelling unit allowed under ORS 197.312 (5); and

(2) The instrument was executed on or after the effective date of this 2019 Act.

SECTION 14. (1) Sections 2, 12 and 13 of this 2019 Act and the amendments to ORS 197.296, 197.303, 197.312 and 455.610 and section 1, chapter 47, Oregon Laws 2018, by sections 5 to 9 of this 2019 Act become operative on January 1, 2020.

(2) The Land Conservation and Development Commission, the Department of Consumer and Business Services and the Residential and Manufactured Structures Board may take any actions before the operative date specified in subsection (1) of this section necessary to enable the commission, department or board to exercise, on or after the operative date specified in subsection (1) of this section, the duties required under sections 2, 3 and 10 of this 2019 Act and the amendments to ORS 455.610 by section 9 of this 2019 Act.

SECTION 15. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$3,500,000 for the purpose of providing technical assistance to local governments in implementing section 3 (1) of this 2019 Act and to develop plans to improve water, sewer, storm drainage and transportation services as described in section 4 (2) of this 2019 Act. The department shall prioritize technical assistance to cities or counties with limited planning staff or that commit to implementation earlier than the date required under section 3 (1) of this 2019 Act.

SECTION 16. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by House June 20, 2019

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 30, 2019

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2019

Approved:

.....M.,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

.....
Bev Clarno, Secretary of State

FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

Measure: HB 2001 - A16

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Haylee Morse-Miller
Reviewed by: Ken Rocco, Matt Stayner
Date: June 7, 2019

Measure Description:

Requires cities with population greater than 10,000 to allow duplexes in lands zoned for single-family dwellings within urban growth boundary.

Government Unit(s) Affected:

Metro, Cities, Counties, Department of Consumer and Business Services (DCBS), Department of Land Conservation and Development (DLCD)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Analysis:

HB 2001 - A16 outlines regulations related to middle housing, including where middle housing is allowed and how it can be regulated. Cities with populations of 25,000 or more and counties or cities within a metropolitan service district are directed to allow development of middle housing and duplexes in certain zoned areas; and cities not within a metropolitan service district with populations between 10,000 and 25,000 are directed to allow development of duplexes in certain zoned areas. Local governments may regulate siting and design of middle housing, but not in a way that discourages development of this housing type, and are directed to consider ways to increase middle housing affordability. Cities are directed to update their land use regulations or amend comprehensive plans in order to encourage middle housing by June 30, 2021 or by June 30, 2022, with deadlines based on population. The Department of Land Conservation and Development (DLCD) may grant extensions to these timelines in cases where the local government has identified infrastructure deficiencies, and submitted a remediation plan.

Under this measure, the requirements regarding housing needs analyses by certain cities and metropolitan service districts are changed. Cities with populations over 10,000 are directed to report to DLCD the number of certain types of units that are permitted and produced. The Department of Consumer and Business Services (DCBS) is directed to establish standards for a municipality to allow alternate approval of construction that converts a single-family dwelling into four or fewer residential dwelling units. DCBS is directed to submit a report describing rules and standards related to low-rise residential dwellings, to an interim committee of the Legislative Assembly related to housing, no later than January 1, 2020.

The Land Conservation and Development Commission (LCDC), in partnership with DCBS, is to develop a model middle housing ordinance by December 31, 2020, which local governments must use if they have not developed their own housing ordinance. The measure further appropriates \$3.5 million General Fund to the Department of Land Conservation and Development (DLCD) to provide technical assistance to local governments, and contains two blank General Fund appropriations to for the purpose of implementing and enforcing this measure.

Counties and DCBS anticipate minimal fiscal impact as a result of this measure; further fiscal impacts are outlined below.

Metro

The fiscal impact for Metro is indeterminate but likely minimal. Metro may have a fiscal impact related to the required analysis of existing and projected housing need, should this project require a substantial analysis of housing resources. Otherwise, Metro anticipates minimal fiscal impact from this measure.

Cities

Cities anticipate an indeterminate but potentially large fiscal impact as a result of this measure, and note that this bill could potentially trigger an unfunded mandate.

According to the analysis from the League of Oregon Cities, there are 53 cities subject to changing zoning and engineering review requirements under this measure. Of these, 32 of the cities are within the Metro boundary or have populations of over 25,000, and could face higher costs of implementation of this measure. The remaining 21 cities, which have populations of between 10,000 and 25,000, and are located outside of Metro, have lesser requirements and could face relatively lower costs as a result of this measure.

The League of Oregon Cities estimates that costs for each city could include \$80,000 for a code update, \$250,000 for internal staffing costs, and \$250,000-\$400,000 for engineering review of infrastructure capacity. This does not include other costs such as public outreach and actual upgrades to infrastructure to support housing, which would increase costs substantially. It is notable however, that the review of infrastructure capacity is not a requirement of the bill, it is an activity that a city may choose to do to substantiate a request for an extension of the timeline to update their land use rules or comprehensive plans as required under the measure due to infrastructure deficiencies.

DLCD and LCDC

DLCD anticipates a cost of \$5.0 million General Fund in the 2019-21 biennium and \$4.9 million General Fund in the 2021-23 biennium.

The bill provides a \$3.5 million General Fund appropriation to DLCD which will be used by the agency to provide direct technical assistance through contracted services, provided to local governments as grants, or a combination of both for assistance with implementing this measure. It is unknown if DLCD will be able to disburse the entire \$3.5 million General Fund for technical assistance in the upcoming biennium; disbursement of local assistance grant funding is typically done on a reimbursement basis and therefore, those cities adhering to the longer timeline requirements may not apply for reimbursement prior to the end of the biennium.

DLCD anticipates that implementation of this measure will require four new positions (3.25 FTE), at an estimated cost of \$620,997 General Fund. These positions would provide technical assistance, review proposed codes, and develop a model code for middle housing. Positions would be limited duration through the end of 2021-23 biennium and include:

- Two Planner 3 positions (1.25 FTE)
- One Planner 4 position (1.00 FTE)
- One Administrative Specialist 2 position (0.50 FTE)
- One Procurement and Contracts Specialist 2 (0.50 FTE)

Additionally, DLCD anticipates \$916,955 in Services and Supplies costs related to items such as legal costs, employee-related Services and Supplies, enforcement costs, consultants for formation of a model ordinance, and procurement fees.

The fiscal impact to DLCD will vary based on other pending legislation. Should other housing-related measures such as HB 2003 be approved by the Legislature, then overlapping position responsibilities could decrease the funding and staffing levels DLCD has identified for this measure.

DCBS

DCBS does not believe that the adoption of rules for the local process will have a significant impact, and can be absorbed with existing agency resources.

HB 2001 A BUDGET REPORT and MEASURE SUMMARY

Joint Committee On Ways and Means

Prepared By: Ali Webb, Department of Administrative Services

Reviewed By: Matt Stayner, Legislative Fiscal Office

**Department of Land Conservation and Development
2019-21**

PRELIMINARY

Budget Summary*

	2017-19 Legislatively Approved Budget ⁽¹⁾	2019-21 Current Service Level	2019-21 Committee Recommendation	Committee Change from 2017-19 Leg. Approved	
				\$ Change	% Change
General Fund	\$ -	\$ -	\$ 3,500,000	\$ 3,500,000	100.0%
Total	\$ -	\$ -	\$ 3,500,000	\$ 3,500,000	100.0%

Position Summary

Authorized Positions	0	0	0	0
Full-time Equivalent (FTE) positions	0.00	0.00	0.00	0.00

⁽¹⁾ Includes adjustments through December 2018

* Excludes Capital Construction expenditures

Summary of Revenue Changes

House Bill 2001 appropriates \$3,500,000 General Fund to the Department of Land Conservation and Development (DLCD) for the purpose of providing technical assistance to local governments to implement middle housing regulations and provide urban services.

Summary of Transportation and Economic Development Subcommittee Action

The Subcommittee approved a one-time increase of \$3,500,000 General Fund to DLCD's budget for the 2019-21 biennium. The appropriation will fund Special Payments expenditures to provide technical assistance to local governments, through contracted services and/or grants, to implement middle housing regulations and to develop plans to improve water, sewer, storm drain, and transportation services. The bill requires DLCD to provide necessary technical assistance to local governments to implement provisions of the bill by either June 30, 2021 or June 30, 2022, depending on a city's population size. House Bill 2001 declares an emergency and is effective upon passage.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Land Conservation and Development
 Ali Webb - 503-378-4588

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>SUBCOMMITTEE RECOMMENDATION</u>									
SCR 003 - Grant									
Special Payments (6085 Other Special Payments)	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	3,500,000		
TOTAL ADJUSTMENTS	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	3,500,000	0	0.00
SUBCOMMITTEE RECOMMENDATION	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	3,500,000	0	0.00

PRELIMINARY

City of McMinnville

Housing Strategy

June 2019

Prepared for:
City of McMinnville

FINAL REPORT

ECONorthwest
ECONOMICS • FINANCE • PLANNING

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Acknowledgements

ECONorthwest prepared this report for the City of McMinnville. ECONorthwest and the City of McMinnville thank those who helped develop the McMinnville Housing Strategy. This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

Project Advisory Committee (PAC)

Citizen Advisory Committee (CAC)

Marilyn Worrix, Chair	Alan Ruden	Beth Caster
Kellie Menke, Vice Chair	Sid Friedman	Michael Jester
Roger Lizut	Mark Davis	Robert J. Banagay
Susan Dirks	Danielle Hoffman	Amanda Perron
Roger Hall	Andrew Burton	Matt Deppe
		Patty O'Leary

Technical Advisory Committee (TAC)

State of Oregon

Angela Carnahan, Regional Representative – Oregon Department of Land Conservation and Development

Kevin Young, Housing Specialist– Oregon Department of Land Conservation and Development

City of McMinnville

Tom Schauer, Senior Planner – Lead
Heather Richards, Planning Director
Chuck Darnell, Senior Planner
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1. Introduction

In 2018, the City of McMinnville received a Technical Assistance planning grant from the Department of Land Conservation and Development (DLCD) to develop a buildable land inventory (BLI), housing needs analysis (HNA), and housing strategy. The BLI and HNA determine whether the City has enough land to accommodate 20-years of population and housing growth. They also address needs for 5-, 10-, and 46-year periods. The BLI and HNA also provide the basis for an update to the City's Comprehensive Plan Housing Element, as well as the basis for developing a Housing Strategy to respond to the identified housing need. While the BLI and HNA predominantly provide the quantitative basis, the Housing Strategy addresses qualitative issues about how the City will plan for those needs, including policies to ensure the community achieves enduring value for future generations.

This work was undertaken with guidance by a Project Advisory Committee through a series of meetings, recommendations, and decision points. The project also included broader outreach with a focus group and public open house to seek input on housing needs and strategies to address identified needs.

Importantly, the housing strategy recognizes that the city does not build housing, but rather provides the regulatory framework in which housing is built. The first part of the strategy focuses on land use tools to ensure there is adequate land planned and zoned to meet the community's future housing needs, promoting opportunities for a variety of housing types, whether market rate or subsidized housing. This strategy further strives to provide opportunities for lower-cost market rate housing to the extent possible to achieve more housing affordability without reliance on subsidies if and when possible. However, it is recognized that housing for those with the lowest incomes is unlikely to be achieved at market rates, and will require some housing provided through affordable housing models that also include subsidized housing, choice vouchers, "sweat equity," etc. Unfortunately, in a community the size of McMinnville there are very few resources available to subsidize housing and without the requested changes in HB 2997 2019, allowing McMinnville to implement inclusionary zoning on housing developments for affordable housing, McMinnville has very few regulatory tools to mandate affordable housing. Like many smaller cities in Oregon, McMinnville will continue to face significant challenges providing subsidized housing for its residents with the lowest incomes.

The City is committed to working hard to ensure that every resident in McMinnville has a great neighborhood in which to live. Recently, the City adopted its Great Neighborhood Principles, thirteen principles of neighborhood development describing what makes a great neighborhood in McMinnville, with a goal of inclusivity and providing a great neighborhood for every resident to live in regardless of income. *See Exhibit 1.*

Exhibit 1. Summary of McMinnville's Great Neighborhood Principles

McMinnville's Great Neighborhood Principles will guide land use patterns, design, and development of the places where McMinnville citizens live, work, and play.



Great Neighborhoods are sensitive to the natural conditions and features of the land.



Great Neighborhoods preserve scenic views in areas that everyone can access.



Great Neighborhoods have open and recreational spaces to walk, play, gather, and commune as a neighborhood.



Great Neighborhoods are pedestrian friendly for people of all ages and abilities.



Great Neighborhoods are bike friendly for people of all ages and abilities.



Great Neighborhoods have interconnected streets that provide safe travel route options, increased connectivity between places and destinations, and easy pedestrian and bike use.



Great Neighborhoods are designed to be accessible and allow for ease of use for people of all ages and abilities.



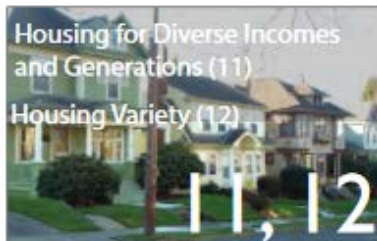
Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.



Great Neighborhoods provide easy and convenient access to many of the destinations, activities, and local services that residents use on a daily basis.



Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.



11 - Great Neighborhoods provide housing opportunities for people and families in all stages of life.
12 - Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.



Great Neighborhoods have unique features, designs, and focal points to create neighborhood character and identity.

McMinnville’s housing strategy strives to make transformational and fundamental changes to the Comprehensive Plan and Zoning Ordinance to ensure policies and regulations that provide neighborhoods with a variety of housing types, income levels and generations, rather than the homogeneous neighborhoods defined by Euclidean zoning.

Traditionally, when communities undertake their Housing Needs Analysis and Housing Strategy, they determine what the make-up of the future population is for the community and evaluate how they are going to meet the needs of that future population by identifying the types of housing they will encourage through their policies and housing strategy. Typically, the assumption is that the higher density housing is more affordable and therefore multi-family is the most affordable housing type to serve the population base on the lower end of the affordability spectrum (*see Exhibit 2*). However, that does not always bear true in reality and may be what had led to some of the affordable housing issues.

With this Housing Strategy, the City intends to dispel the notion that each of the major categories of needed housing types described in ORS 197.303(1)(a) (single family detached, single family attached and multi-family) is a proxy for a level of affordability (*see Exhibit 2*). Rather, it is recognized that there is a wide range of affordability within each of these major housing types, and communities should have housing strategies that promote housing choices in terms of housing types and in terms of ownership or rental, regardless of income. People are making their housing choices based upon two factors: 1) what they can afford; and 2) how they prefer to live (rental versus ownership, detached versus attached housing). Ideally a housing strategy would provide housing at all income levels that provide choices for all preferences (*see Exhibit 3*). There is not one “right” way to meet housing needs. **Exhibit 4** provides a conceptual illustration of how different communities might address housing needs in very different ways.

Exhibit 2. Relationships between affordability, housing type, and strategy in the traditional statutory model


Assumptions Inherent in Traditional Statutory Model			
	Less Affordable  More Affordable		
	1	2	3
A-Housing Type	Single-Family Detached	Single-Family Attached	Multi-Family
B-Density	Low Density	Medium Density	High Density
C-Affordability	High Cost	Medium Cost	Low Cost
Strategy	↓	↓	↓
Housing Mix Strategy	Reduce Share Compared to Historic	Increase Share Compared to Historic	Increase Share Compared to Historic
Housing Density Strategy	Increase Density of SFD	Increase Density of SFA	Increase Density of MFH
Leads To:	↓	↓	↓
Presumptive Outcome	<ul style="list-style-type: none"> • Lower % SFD in Mix • Increase Density of SFD • <u>Lower Cost:</u> • Less of the most expensive housing type • Make this housing type more affordable by increasing its density 	<ul style="list-style-type: none"> • Greater % SFA in Mix • Increase Density of SFA • <u>Lower Cost:</u> • More of a more afford. housing type • Make this housing type more affordable by increasing its density 	<ul style="list-style-type: none"> • Greater % of MFH in Mix • Increase Density of MFH • <u>Lower Cost:</u> • More of the most afford. housing type • Make this housing type more affordable by increasing its density
Action:	“Lock In” a mix and density, and determine how to achieve those with the strategy		

Exhibit 3. Affordable housing types by income level

	Extremely Low Income (≤ 30% of MHI) 509 HH in 20 Year Forecast 11% of total units	Very Low Income (30 – 50% of MHI) 507 HH in 20 Year Forecast 11% of total units	Low Income (50-80% of MHI) 719 HH in 20 Year Forecast 15% of total units	Middle Income (80 - 120% of MHI) 992 HH in 20 Year Forecast 21% of total units	High Income (≥ 120% of MHI) 1,930 HH in 20 Year Forecast 41% of total units
Single Family Detached	Tiny Home Villages Mobile Homes	Tiny Home Villages Mobile Homes Manufactured Homes Single Family Detached – Habitat and CHB, Section 8	Tiny Home Villages Mobile Homes Manufactured Homes Cottage Clusters Small Lot Subdivisions Single Family Detached – Habitat and CHB, Section 8	Single Family Detached Cottage Clusters Small Lot Subdivisions	Single Family Detached Cottage Clusters Small Lot Subdivisions
Single Family Attached		Common Wall Duplexes – Section 8 Townhomes – Section 8	Common Wall Duplexes – Section 8 Townhomes – Section 8	Common Wall Duplexes Townhomes	Common Wall Duplexes Townhomes
Multi-Family	Duplexes – Section 8 Triplexes – Section 8 Quadplexes – Section 8 Apartments – Section 8 Apartments - Subsidized	Duplexes – Section 8 Triplexes – Section 8 Quadplexes – Section 8 Apartments – Section 8 Apartments - Subsidized	Duplexes – Section 8 Triplexes – Section 8 Quadplexes – Section 8 Apartments – Section 8 Apartments - Subsidized	Duplexes Triplexes Quadplexes Apartments Condos	High End Duplexes High End Triplexes High End Quadplexes Apartments Condos

Exhibit 4. Spatial models of housing density



Provision of housing is accomplished by a wide variety of organizations including the City, builders, housing providers, and other organizations. Municipalities must fulfill certain requirements under state law and can choose to undertake additional roles to help achieve development of needed housing.

- The City of McMinnville’s Primary Role: Land Use Planning & Growth Management.**
 The City has a responsibility under state law to manage land use and development, including land and backbone infrastructure for housing. The City does this through its Comprehensive Plan and land use regulations. The City must adopt and amend plans to ensure an adequate supply of land zoned to accommodate needed housing, together with supporting infrastructure. Plans must be compliant with state and federal law, while reflecting local values and vision for a livable community.

- **The City of McMinnville’s Potential Roles.** The City does not build housing. In addition to its primary role in managing growth, the City may employ additional strategies to help builders and housing providers deliver market-rate and subsidized housing. Evaluation of these strategies, including evaluation of implementation options, are typically the basis for the work plans various City committees carry out with the appropriate charge. City committees generally include representatives of organizational partners.

Housing Strategic Priorities

Through the technical analysis of the Housing Needs Analysis and input from the Project Advisory Committee, the City identified four strategic priorities (SP). In light of Council’s adoption of the Great Neighborhood Principals, the Housing Strategy includes a fifth priority to address urban form. The strategic priorities are listed below.

- **Land Availability (SP1):** This strategic priority focuses on strategies that ensure an adequate land supply—not just a 20-year supply as Goal 10 requires, but also a pipeline of serviced land that is available for immediate development. Strategies include tools such as boundary amendments to expand the urban area, map amendments to increase density or amount of residentially zoned, and policy and code amendments to address development standards related to uses, density, and lot sizes. This Strategic Priority focuses on land supply, capacity, and availability.
- **Wider Variety of Housing Types (SP2):** This strategic priority intends to allow and encourage a wider array of housing types. This includes all needed housing types identified in ORS 197.303 and include tools to achieve a wider variety of housing types. The city has already adopted some of these tools such as allowing corner duplexes and accessory dwelling units. Other tools include expanding the types of housing allowed in low density zones, and allowing housing types such as cottage housing, tiny homes, and co-housing.
- **Housing Affordability (SP3):** This strategic priority focuses on McMinnville’s housing affordability issues. Much of that work is already underway with the council-appointed Affordable Housing Task Force.¹ This housing strategy is coordinated with that effort but does not intend to duplicate past or future efforts of the Task Force. As such, this housing strategy focuses on a narrow range of strategies which may complement or supplement Task Force efforts.
- **Infrastructure & Public Facilities (SP4):** This strategic priority focuses on ensuring that adequate and cost-effective infrastructure and public facilities are available to support new housing. It includes provision of services by the City and other services providers, including transportation, water, wastewater, stormwater, and parks functional plans. There are two predominant aspects to this strategic priority. First, as the City evaluates opportunities to meet needs within the current UGB, it is necessary to identify and

¹ <https://www.mcminnvilleoregon.gov/mahtf/page/mcminnville-affordable-housing-task-force-27>

evaluate existing infrastructure & public facilities planning assumptions, capacity, and potential constraints which may need to be resolved to facilitate housing at authorized densities, opportunities for infill and redevelopment, up-zoning, and/or special area planning that may incorporate housing or mixed-use development. Second, it will be necessary to evaluate infrastructure & public facilities needs associated with future expansion areas, including potential Urban Reserve and UGB expansion areas. Some of these issues may overlap, as there could be some cases where “downstream” capacity considerations might affect additional growth whether within the current UGB or in future expansion areas.

- **Urban Form (SP5):** This strategic priority focuses on preserving McMinnville’s character. The adoption of the Great Neighborhood Principles provides the foundation. This strategic priority includes strategies that preserve the character of existing neighborhoods while allowing new housing, and strategies that ensure that the Great Neighborhood principles are reflected in new development, in the unincorporated areas of the UGB, and in future expansion areas. *See Exhibit 4.*

Each of the strategies and actions aligns with one or more strategic priorities.

2. The McMinnville Housing Strategy

This Housing Strategy is an action plan. Accordingly, herein, the individual strategies and tools have been re-organized into **Strategies** and **Actions**. Each strategy includes individual actions grouped together as a series of tasks. When necessary these have been organized into a series of sequential tasks when there are task dependencies that drive the order of the work. There may also be certain efficiencies where there are similar tasks for more than one strategy that could be carried out at the same time to address similar issues for multiple strategies.

Organizing strategies into these groups also provides a specific context for individual strategies. The same strategy might be implemented differently depending on the specific context and objective to be achieved. For example, planning for a “diverse housing type” zone might be accomplished the same way throughout the UGB, or it might be tailored and accomplished one way for infill and redevelopment and a different way for new lands brought into the UGB. Grouping of strategies is also intended to help develop interdepartmental work plans, schedule work, assign resources, and identify budget needs.

In addition to the 20-year Housing Needs Analysis required by state law for UGB planning, the City also conducted the BLI and HNA to include analysis of land supply and housing needs for 5-, 10-, and 46- year periods to facilitate development of short-, medium-, and long-term strategies which are responsive to different needs, issues, and constraints associated with each of these time periods.

The McMinnville Housing Strategy was developed over the course of several meetings with the Project Advisory Committee. The committee reviewed key issues and prioritized more than 80 potential land-use and non-land-use actions. The following supporting materials from the PAC meeting are included as appendices to this document:

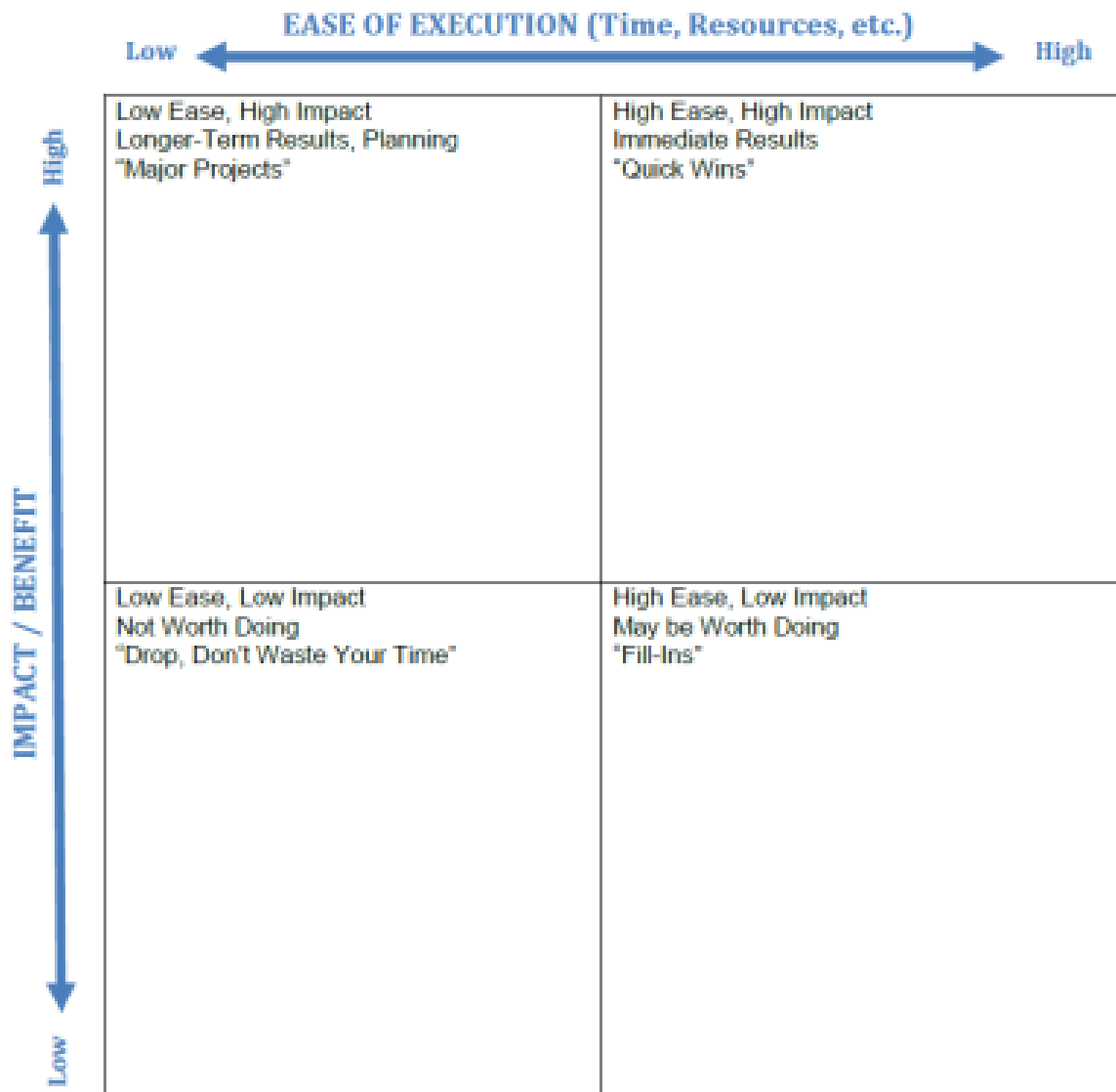
- **Appendix A.** Table 1. Issues Associated with Strategic Priorities. This table identifies issues from the BLI and HNA and also evaluates current conditions; existing plans, policies, and regulations; and new state law that might be addressed as part of the housing strategy.
- **Appendix B.** Table 2. McMinnville Housing Strategy – Potential Strategies and Actions. This table lists each strategy and cross references it with strategic priorities, applicability to affordability groups, applicability to short/medium/long term needs and issues, and other factors.
- **Appendix C.** Table 3. Description of Potential Strategies and Actions. This table provides more detailed descriptions of the potential housing strategies and actions listed in Table 2. In addition, the table provides further information about the potential scale of impact of the strategy.

The Strategies and Actions described below cross-reference with the tables in the appendices (where appropriate) and are identified by their numerical reference (for example A1). In some

instances, additional implementation actions or tasks which are necessary as part of a strategy were identified. Any additional actions do not have a cross-reference.

Further, committee members were presented with an “ease/impact” matrix to assist with prioritizing the most impactful strategies and were also asked to consider how long it would take to complete work and realize benefits of a strategy once initiated until completion, which might require early initiation. This is discussed at a high level under the headings for the strategies below.

Exhibit 5. Ease/Impact Prioritization Matrix



Strategies and Actions

The following strategies and actions have been identified to respond to McMinnville’s future housing need and will be further evaluated by the appropriate City committees, with public

processes, research, and an opportunities and constraints analysis. The strategies and actions were discussed and prioritized by the PAC. Implementation may also identify other key strategies and actions that need to be undertaken as part of a group of strategies undertaken together. Note that some individual actions may be part of more than one strategy.

Based on the City's roles in addressing housing needs described above, the strategies in each exhibit are grouped into two broad categories:

- **Land Use Strategies. (Shown in green headings).** These are related to the City's primary role of land use planning and management.
- **Other, Non-Land Use Strategies. (Shown in orange headings).** These are other strategies the City may employ to help builders and housing providers deliver needed housing. These strategies must still all occur within the parameters of the land use framework. Some of these strategies are also used by other organizations and partners involved in provision of housing.

Land Use Strategies

Strategy 1. Growth Planning

Summary: This strategy focuses on increasing the supply of buildable lands and conducting all of the associated planning and implementation tasks which are required.

This strategy will predominantly address Strategic Priority 1: Land Availability. It will also address issues of Infrastructure & Public Facilities. It is also a prerequisite to being able to address many of the strategic priorities and address a wide variety of affordability objectives. This Strategy is low ease / high impact. This work needs to be started/continued in the short-term because it will take years before the results / benefits are realized. Many of the following actions include additional planning and implementation actions.

Potential Actions or Projects:

- 1.1 **Develop an Urban Reserve Area (URA) (E36).** Cities may establish Urban Reserve Areas (URAs) for a period of up to 30 years beyond the Urban Growth Boundary (UGB) planning period of 20 years, for a combined period of up to 50 years. These become the highest priority lands for future UGB expansions. Urban Reserve Areas provide an opportunity for efficient infrastructure planning and future urbanization.
- 1.2 **Establish a Framework Plan for the URA (E37).** A framework plan identifies the major land uses, transportation backbone, infrastructure needs, and sequencing for the long-term growth within the URA. As these lands come into the UGB, area plans will be developed to ensure land uses and housing are provided consistent with the long-term framework plan.

- 1.3 **Identify an Expanded UGB per the URA (E38).** Urban Reserve Planning helps guide where to establish an Urban Growth Boundary to meet needs for the 20-year planning period. In addition to other applicable law, this action could also potentially establish local criteria for housing affordability as part of the UGB expansion process.
- 1.4 **Develop Area Plans for UGB Lands Identifying Housing Opportunities (E39).** Area plans for the UGB refine the framework plan into a more detailed land use plan for areas within the UGB. Development proposals would require master plans consistent with the area plans.
- 1.5 **Conduct Infrastructure Planning for URA and UGB Areas (Update infrastructure plans for growth lands) (D29).** Infrastructure plans are generally sized with capacity for build-out of the Urban Growth Boundary. Expansion of the UGB will necessitate updates to the public facility plans to provide capacity to serve new areas. Infrastructure planning can also be sized to accommodate future growth within designated Urban Reserve Areas, providing for more cost-efficient provision of services.
- 1.6 **Update Goal 5 Natural Resource Planning & Policies, incl. Wetlands and Riparian Areas (F41).** The City has not adopted certain local “Goal 5” resource policies, which will be required, including a Local Wetland Inventory (LWI) and standards for riparian corridors. These will further affect or inform the capacity of lands within the UGB and future growth areas.
- 1.7. **Update Goal 7 Hazards Planning & Policies, incl. Landslide Susceptibility (F42).** The City has not adopted certain local “Goal 7” policies for hazards, including areas mapped by DOGAMI (The Oregon Department of Geology and Mineral Industries) as high landslide susceptibility. DOGAMI is in the process of refining their mapping which will further inform this work, which could affect or inform the capacity of lands within the UGB and future growth areas.
- 1.8. **Review and Update City/County Urban Growth Management Agreement (UGMA) if needed.** The UGMA defines planning authorities and procedures between the city and Yamhill County for the unincorporated areas of the UGB.
- 1.9. **Implement Great Neighborhood Principles (C26).** In April 2019, the City adopted Great Neighborhood Principles (GNP) and associated policies as part of the Comprehensive Plan. Some of these policies address mixed income and mixed housing neighborhoods. These policies will need to be implemented with code amendments, which can include other strategies, such as Strategy A2 to achieve a Diverse Housing Zone.
- 1.10. **Create a Diverse Housing Zone (A2).** Explore residential zoning with targeted/ minimum density and multiple allowed housing types. This zone would authorize a variety of housing types and sub-types including single-family detached and attached and multi-family housing types (such as duplexes, triplexes and quad-plexes, and cottage clusters). In contrast to traditional zoning, this strategy would be used to implement Great Neighborhood Principles (GNP), including the framework and area

planning for growth areas, to specify a housing mix and associated average density that would need to be achieved in an area.

- 1.11. **Develop a High-Density Residential Zone (A3).** This strategy would be used in conjunction with and to complement the Great Neighborhood Principles and diverse housing zone (A2) to provide for higher density housing types in specific areas, such as more dense core areas, centers, nodes, etc. which would be higher density than the densities for housing types which would be incorporated on smaller lots within the diverse housing zone, such as duplexes, cottages, townhomes, row houses, and tri- and quad-plexes.
- 1.12. **Develop Annexation Process to Mandate Housing Types Upon Annexation per Area Plans (E40).** Lands brought into the UGB are placed in an urban holding zone, allowing for annexation phasing plans. Annexation would require master plan approval addressing required housing mix and average density, site design, and development standards.

Exhibit 6. Summary of Potential Actions or Projects

Reference	Tasks or Projects	Time Period		
		Near-term	Mid-term	Long-term
1.1	E36. Plan for Urban Reserve Area (URA)	X		
1.2	E37. Develop Framework Plan for URA	X		
1.3	E38. Plan for UGB within Urban Reserve	X		
1.4	E39. Develop Area Plans for UGB		X	X
1.5	D29. Conduct Infrastructure Planning for URA and UGB Areas.	X		
1.6/1.7	F41 & F42. Update Goal 5 and Goal 7 planning for URA and UGB areas.		X	
1.8	Review and Update City/County IGA if needed		X	
1.9	B26. Establish Guidance on Implementation of Great Neighborhood Principles That Will Inform Land Use for Urban Reserves and UGB.	X		
1.10/1.11	A2 & A3. Establish Provisions in the Zoning Ordinance for a New “Diverse Housing” Zone and a New “High Density” Zone	X		
1.12	E40. Establish Requirements for Master Planning Prior to Annexation to Ensure Areas Will Be Consistent with Framework and Area Plans, Great Neighborhood Principles, and Affordability Targets.		X	

Strategy 2. Housing Development in Existing UGB

Summary: This strategy focuses on increasing the capacity of lands already inside the UGB for residential development. Some of the actions may also have capacity benefits for future lands not already in the UGB.

This strategy addresses Strategic Priorities 1 (Land Availability) and 5 (Urban Form). This strategy seeks to achieve more efficient use of land within the current UGB through more efficient land use – which is also required by Goal 14 and ORS 197.296. It helps address short-term needs, and it addresses urban form through decisions implementing policies for Great Neighborhood Principles within the current UGB.

This strategy is low and high ease / high impact. This work needs to be started/continued in the short-term and may see both immediate as well as long-term results.

Potential Actions or Projects:

- 2.1 **Create a Diverse Housing Zone (A2).** Explore residential zoning with targeted/ minimum density and multiple allowed housing both within existing zones and in a new zone as applicable. This zone would authorize a variety of housing types and sub-types including single-family detached and attached and multi-family housing types, such as duplexes, cottages, townhomes, row houses, and tri- and quad-plexes. In contrast to traditional zoning, this strategy would be used to implement Great Neighborhood Principles (GNP).
- 2.2 **Develop a High-Density Residential Zone (A3).** This strategy would be used in conjunction with and to complement the Great Neighborhood Principles and diverse housing zone (A2) to provide for higher density housing types in specific areas, such as more dense core areas, centers, nodes, etc. which would be higher density than the densities for housing types such as duplexes, cottages, townhomes, row houses, and tri- and quad-plexes which would be incorporated on smaller lots within the diverse housing zone.
- 2.3 **Provide Density Bonuses to Developers (A15).** The local government allows developers to build housing at densities higher than are usually allowed by the underlying zoning. Density bonuses are commonly used as a tool to encourage greater housing density in desired areas, provided certain requirements are met. This strategy is generally implemented through provisions of the local zoning code and is allowed in appropriate residential zones. Bonus densities can also be used to encourage development of low-income or workforce affordable housing. An affordable housing bonus, if the proposed project provides a certain amount affordable units, would allow more housing units to be built than what would be allowed by zoning.

- 2.4 **Promote Infill Development, Allowing Flexibility in Existing Zones with Appropriate Design and Development Standards (A13).** This policy seeks to maximize the use of lands that are fully developed or underdeveloped and makes use of existing infrastructure by identifying and implementing policies that (1) improve market opportunities and (2) reduce impediments to development in areas suitable for infill or redevelopment.
- 2.5 **Update Infrastructure Plans for Infill Development (D28).** In some developed areas, infrastructure plans including waste water collection and transportation may have assumed no additional development and were not planned for infill and redevelopment to higher intensity. Further, in undeveloped areas, these plans may have assumed growth would occur at historic densities, which may be less than the maximum density permitted by zoning, limiting density of new development where there may be a desire to encourage infill and redevelopment.
- 2.6 **Implement Great Neighborhood Principles (C26).** In April 2019, the City adopted Great Neighborhood Principles (GNP) and associated policies as part of the Comprehensive Plan. Some of these policies address mixed income and mixed housing neighborhoods. These policies will need to be implemented with code amendments, which can include other strategies, such as Strategy A2 to achieve a Diverse Housing Zone and A13 to promote infill development with appropriate design and development standards.
- 2.7 **Re-designate or Rezone Land for Housing (A1).** The types of land rezoned for housing are vacant or partially vacant low-density residential and employment land rezoned to multifamily or mixed use. In rezoning land, it is important to choose land in a compatible location. When rezoning employment land, it is best to select land with limited employment capacity (e.g., smaller parcels) in areas where multifamily housing would be compatible (e.g., along transit corridors or in employment centers that would benefit from new housing). This policy change increases opportunity for comparatively affordable multifamily housing and provides opportunities for mixing residential and other compatible uses.

Exhibit 7. Summary of Potential Actions or Projects

Reference	Tasks or Projects	Time Period		
		Near-term	Mid-term	Long-term
2.1	A2. Create a Diverse Housing Zone	X		
2.2	A3. Develop a High-Density Residential Zone	X		
2.3	A15. Provide Density Bonuses to Developers	X		
2.4	A13. Promote Infill Development, Allowing Flexibility in Existing Zones with Appropriate Design and Development Standards	X		
2.5	D28. Update Infrastructure Plans for Infill Development		X	
2.6	B26. Establish Guidance on Implementation of Great Neighborhood Principles That Will Inform Land Use for Urban Reserves and UGB.		X	
2.7	A1. Re-designate or Rezone Land for Housing		X	

Strategy 3. Infrastructure & Public Facilities Planning

Summary: This strategy would provide data to help inform decision-making about where there might already be infrastructure capacity that could accommodate additional growth or make adjustments to capital projects already identified in infrastructure plans that haven't yet been built, to achieve efficiencies and add capacity.

As special area planning has been undertaken, and as higher density development applications have been submitted, there has been additional ad-hoc infrastructure analysis that indicates there may be limitations to capacity to serve new development consistent with zoned densities, through infill and redevelopment, within special area planning areas, or through up-zoning. Sufficiency of infrastructure capacity and public facilities will also be a factor in evaluating future growth areas.

This strategy should be undertaken early as a prerequisite to other projects. It will provide information needed to help inform other work. This strategy has the potential to help meet short-term needs as well as address longer-term infrastructure and public facility needs.

This strategy is low and high ease / high impact. This work needs to be started/continued in the short-term and may see both immediate as well as long term results.

Potential Actions or Projects:

- 3.1 **Assess Infrastructure Capacity to Support Infill (D28, Supports D30, D35).** This is a variation on option D28 & D30. It will provide data to help support other efforts that could Use a “value engineering” approach to determine available capacity or potential infrastructure projects to add capacity and identify areas that could be used for infill/redevelopment, up-zoning, more efficient use, etc., possible reallocation of density etc. The intent is to identify where capacity exists and consider land use options that might capitalize on that capacity. It could also help identify areas with known limited capacity, where plans already include projects for maintenance or some new capacity, and whether those improvements could upsize the same planned improvement to achieve more capacity if there are areas that could be up-zoned, etc.
- 3.2 **Repeal Outdated Policies Related to Old Sewer Treatment Capacity Limits (C27).** Previously, the City’s sewer treatment plant (water reclamation facility) had limitations on treatment capacity, and the City established policies that limited density in certain areas commensurate with the treatment capacity limitations. The treatment capacity of the plant has increased, and those limitations are no longer necessary, and should be repealed.
- 3.3 **Identity Issues and Plan for Water Zone 2 Infrastructure Improvements (D34).** The western portion of the UGB is at a higher elevation which requires separate infrastructure for water service within Water Service Pressure Zone 2, which will require a new water storage tank. Buildable lands within the UGB which area in Zone 2 will be unavailable for development until they can be served with water. The investment in the Zone 2 water infrastructure won’t occur without sufficient area and timely development to help fund the necessary water infrastructure.
- 3.4 **Develop Infrastructure Allocation Policies (D30).** If there are current infrastructure capacity limits, developing policies to allocate the capacity can provide greater certainty about capacity and allowable density of development phasing in the short term, in support of development, redevelopment, and infill priorities.
- 3.5 **Identify Areas with Underutilized Infrastructure Capacity (D35).** Areas with underutilized infrastructure capacity may be evaluated as candidates for additional development intensity of vacant lands or infill and redevelopment opportunities in developed areas.
- 3.6 **Encourage “To and Through” Infrastructure Policies (D33).** These policies ensure infrastructure extensions are sized to serve development as well as to extend beyond the development in the future to serve outlying properties.

Exhibit 8. Summary of Potential Actions or Projects

Reference	Tasks or Projects	Time Period		
		Near-term	Mid-term	Long-term
3.1	D28. Assess Infrastructure Capacity to Support Infill	X		
3.2	C27. Repeal Outdated Comprehensive Plan Policies Related to Old Sewer Treatment Capacity Limits	X		
3.3	D34. Identify Issues and Plan for Water Zone 2 Infrastructure Improvements	X		
3.4	D30. Develop Infrastructure Allocation Policy	X		
3.5	D35. Identify Areas with Underutilized Infrastructure Capacity	X		
3.6	D33. Encourage To and Thru Infrastructure Policies		X	

Strategy 4. Special Area Planning

Summary: This strategy includes planning for defined geographic areas or special districts to adjust existing land use plans and evaluate opportunities to include housing or mixed-use development and determine whether and how that could occur.

Strategy 4 relates to Strategy 2 (Housing Development in Existing UGB). This strategy recognizes studies that are currently underway and that are in the Planning Department's future work plan that assess the potential for housing in McMinnville's core and on Three Mile Lane.

Because two of these projects are already underway, this planning phase is high ease / high impact. Work on two of the special area plans will be completed in the short-term and may see both immediate as well as long term results.

Potential Actions or Projects:

- 4.1 **City Center Housing Strategy (underway, B23).** The strategy will evaluate a defined area within the City Center for opportunities to increase context-sensitive housing within that area. This work has the potential to implement other strategies. The study area is partially within the designated Urban Renewal District area where eligible for TIF (K62), and could include strategies such as such as infill (A13), redevelopment, rezoning for residential use (A1), up-zoning (A3), identification of possible opportunity sites (H48), and determination of associated infrastructure needs (D28).

- 4.2 **Evaluate Three Mile Lane for Residential Development (underway, B24).** The Three Mile Lane Area Plan includes evaluation of land use alternatives that could include opportunities to increase housing within the defined study area. This work has the potential to implement other strategies, which could include rezoning to residential or mixed-use (A1), up-zoning (A3), and determination of associated infrastructure needs (D28, D30).
- 4.3 **Undertake a Highway 99W Corridor Study – Explore Opportunities for Higher Density Mixed-Use Development (B25).** This work could include opportunities for higher density mixed-use development in anticipation of changing commercial patterns.

Exhibit 9. Summary of Potential Actions or Projects

Reference	Tasks or Projects	Time Period		
		Near-term	Mid-term	Long-term
4.1	B23. City Center Housing Strategy (underway)	X		
4.2	B24. Evaluate Three Mile Lane for Residential Development (underway).	X		
4.3	B25. Undertake a Highway 99W Corridor Study – Explore Opportunities for Higher Density Mixed-Use Development		X	

Strategy 5. Land Use / Code Amendments

Summary: This strategy includes different policy options that could be incorporated into the land use policies and development standards to help meet housing needs consistent with McMinnville’s Great Neighborhood Principles. Many of these could be undertaken independently of one another but might be reviewed more efficiently if evaluated together at the same time through a single review process.

These code amendments generally do not need to be undertaken in a specific sequence. They may individually vary in ease and impact. Some may be required for statutory compliance.

Potential Actions or Projects:

- 5.1 **Allow Duplexes, Cottages, Townhomes, Row Houses, and Tri- and Quad-Plexes in Single-Family Zones with Appropriate Design & Development Standards (A9).** Allowing these housing types can increase overall density of residential development and may encourage a higher percentage of multifamily housing types. This approach would be implemented through the zoning ordinance and would list these housing

types as outright allowable uses in appropriate residential zones. These housing types provide additional affordable housing options and allow more residential units than would be achieved by detached homes alone.

5.2 Implement Other Code Amendments Prioritized by the PAC. These include the following:

- Allow More Housing Types (A9)
- Develop a High-Density Residential Zone (A3)
- Permit ADUs in SF Zones (A11)
- Allow Small Residential Lots (A4)
- Mandate Minimum Residential Densities (A6)
- Increase Allowable Residential Densities (A7)
- Promote Infill Development, Allowing Flexibility in Existing Zones with Appropriate Design and Development Standards (Underway) (A13)
- Allow Small or “Tiny” Homes and Identify Opportunities for Tiny Home Developments. (A12)
- Allow Clustered Residential Development (A8)
- Allow Cohousing and “Group Quarters” (SROs, etc.) (A10)
- Evaluate Transfer of Density for Protection of Natural Features (A 18)

5.3 Streamline Zoning Code and Other Ordinances (G44). Complexity of zoning, subdivision, and other ordinances can make development more difficult, time consuming, and costly. Streamlining development regulations can result in increased development. As part of the streamlining process, McMinnville should evaluate potential barriers to affordable workforce housing and multifamily housing. Potential barriers may include height limitations, complexity of planned unit development regulations, etc.

5.4 Implement the Great Neighborhood Principles (C26). In April 2019, the City adopted Great Neighborhood Principles (GNP) and associated policies as part of the Comprehensive Plan. Some of these policies address mixed income and mixed housing neighborhoods. These policies will need to be implemented with code amendments, which can include other strategies, such as Strategy A2 to achieve a Diverse Housing Zone.

5.5 Repeal Outdated Policies Related to Old Sewer Treatment Capacity Limits (C27). Previously, the City’s sewer treatment plant (water reclamation facility) had limitations on treatment capacity, and the City established policies that limited density in certain areas commensurate with the treatment capacity limitations. The treatment capacity of the plant has increased, and those limitations are no longer necessary, and should be repealed.

- 5.6 **Evaluate Code for Fair Housing Act Best Practices (A22).** Historically, many communities have regulated residential use through definitions of “dwelling,” “family,” and “household” that described the maximum number of related and/or unrelated people living as a household within a dwelling unit. These regulations typically predated the Fair Housing Act, and new best practices which further the Fair Housing Act take a different approach to defining these terms and regulating residential use. Resulting regulations are more inclusive in permitting residential use.
- 5.7 **Advocate for Inclusionary Zoning Enablement – State Legislation and Annexation Processes (A14).** Inclusionary zoning policies tie development approval to, or provide regulatory incentives for, the provision of low- and moderate-income housing as part of a proposed development. Mandatory inclusionary zoning requires developers to provide a certain percentage of low-income housing. Incentive-based inclusionary zoning-provides density or other types of incentives. Price of low-income housing passed on to purchasers of market-rate housing; inclusionary zoning impedes the “filtering” process where residents purchase new housing, freeing existing housing for lower-income residents. Some cities have long had quasi-inclusionary housing provisions in their codes that are implemented at the point of annexation. SB 1533 2016 and HB 2997 2019 related to this issue but failed to provide inclusionary zoning reform that meets McMinnville’s needs.

Exhibit 10. Summary of Potential Actions or Projects

Reference	Tasks or Projects	Time Period		
		Near-term	Mid-term	Long-term
5.1	A9. Allow Duplexes, Cottages, Townhomes, Row Houses, and Tri- and Quad-Plexes in single-family zones with appropriate design & development standards	X		
5.2	Other code amendments prioritized by the PAC. <ul style="list-style-type: none"> • A9. Allow more housing types • A3. Develop a high-density residential zone • A11. Permit ADU in SF Zones • A4. Allow Small Residential Lots • A6. Mandate Minimum Residential Densities • A7. Increase Allowable Residential Densities • A13. Promote Infill Development, Allowing Flexibility in Existing Zones with Appropriate Design and Development Standards (Underway) • A12. Allow small or “tiny” homes and identify opportunities for tiny home developments. • A8. Allow Clustered Residential Development • A10. Allow Cohousing and “Group Quarters” (SROs, etc.) • A19. Evaluate Parking Code as a Barrier to Housing • A18. Evaluate Transfer of Density for Protection of Natural Features 	X	X	X
5.3	G44. Streamline Zoning Code and Other Ordinances	X	X	X
5.4	C26. Implement the Great Neighborhood Principles	X		
5.5	C27. Repeal Outdated Policies Related to Old Sewer Treatment Capacity Limits	X		
5.6	A22. Evaluate Code for Fair Housing Act Best Practices	X		
5.7	A14. Advocate for Inclusionary Zoning Enablement – State Legislation and Annexation Processes	X		

Other, Non-Land Use Strategies

Strategy 6. Programs for Affordable Housing (Non-Land Use)

Summary: This strategy includes different policy options that could be evaluated independently of one another. These are not land use actions, and don't go through the land use process. These don't become part of the Comprehensive Plan and land use regulations.

This strategy includes a prioritized list of actions to be evaluated by the Affordable Housing Task Force and/or other City committee. These are listed in priority identified by the PAC. This list can generally be undertaken for individual evaluation rather than as part of a larger sequenced project.

These actions range from low to high ease and low to high impact and are listed per priority for discussion and evaluation.

Potential Actions or Projects:

- 6.1 **Pursue Funds for Affordable Housing (City Influence).** This strategy recognizes that there are funding mechanisms that the City can institute that could be used for affordable housing.
 - **Transient Lodging Tax Funds for Affordable Housing (K68).** The City receives 30% of the transient lodging taxes collected to offset impacts of tourism on city services. Some cities have dedicated some or all of these funds towards affordable housing under the premise that short term rentals are displacing affordable housing supply and that the tourism industry creates more demand for affordable housing.
 - **Urban Renewal Funds or Tax Increment Financing (K63).** The City can direct urban renewal funds to incentivize workforce housing in the city center.
 - **Construction Excise Tax (K64).** Recent state legislation allows cities to collect a construction excise tax dedicated specifically for affordable housing.
 - **Community Development Block Grant Funds (K69).** The City can apply to the State of Oregon for Community Development Block Grant Funds as part of the state's entitlement program. And the City can pursue a Principal City CDBG Entitlement status.
- 6.2 **Financial Incentives Supporting Inclusionary Zoning (I52).** In addition to regulatory mandates and incentives for inclusionary zoning, there can be financial incentives to help achieve inclusionary zoning, or to help increase the level of affordability or percentage of affordable units. If a City adopts both inclusionary zoning and a Construction Excise Tax, a city must offer certain incentives for developments subject to inclusionary zoning.

- 6.3 **Reduced or Waived Planning Fees, Permit Fees, SDCs for Affordable Housing (I55).** Planning fees, permit fees, and SDCs can be reduced or waived for qualifying affordable housing developments. McMinnville has already enacted planning, permit, and certain SDC waivers for qualifying affordable housing developments.
- 6.4 **Vertical Housing Tax Abatement (Locally Enabled and Managed) (I51).** Subsidizes "mixed-use" projects to encourage dense development or redevelopment by providing a partial property tax exemption on increased property value for qualified developments. The exemption varies in accordance with the number of residential floors on a mixed-use project with a maximum property tax exemption of 80% over 10 years. An additional property tax exemption on the land may be given if some or all of the residential housing is for low-income persons (80% of area is median income or below). The proposed zone must meet at least one of the following criteria: Completely within the core area of an urban center; Entirely within half-mile radius of existing/planned light rail station; Entirely within one-quarter mile of fixed-route transit service (including a bus line); Contains property for which land-use comprehensive plan and implementing ordinances effectively allow "mixed-use" with residential.
- 6.5 **SDC Financing and Credits (I53).** Enables developers to spread their SDC payment over time, thereby reducing upfront costs. Alternately, credits allow developers to make necessary improvements to the site in lieu of paying SDCs. Note that the City can control its own SDCs, but often small cities manage them on behalf of other jurisdictions including the County and special districts. Funding can come from an SDC fund or general fund. In some cases, there may be no financial impact. Can come in the form of student, low-income, or workforce housing.
- 6.6 **Parcel assembly (H45).** Parcel assembly involves the city's ability to purchase lands for the purpose of land aggregation or site assembly. It can directly address the issues related to limited multifamily lands being available in appropriate locations (e.g., near arterials and commercial services). Typical goals of parcel assembly programs are: (1) to provide sites for rental apartments in appropriate locations close to services and (2) to reduce the cost of developing multifamily rental units. Parcel assembly can lower the cost of multifamily development because the City is able to purchase land in strategic locations over time. Parcel assembly is more often associated with development of government-subsidized affordable housing, where the City partners with nonprofit affordable housing developers.
- 6.7 **Multiple-Unit Limited Tax Exemption Program (Locally Enabled and Managed (I49).** Multi-unit projects receive a ten-year property tax exemption on structural improvements to the property as long as program requirements are met. There is no ground floor active use requirement for this tool. The City of Portland's program, for example, limits the number of exemptions approved annually, requires developers to apply through a competitive process, and encourages projects to provide greater public benefits to the community. This program is enabled by the state, but managed by the local jurisdiction.

- 6.8 **Sole Source SDCs (I54).** Retains SDCs paid by developers within a limited geographic area that directly benefits from new development, rather than being available for use city-wide. This enables SDC eligible improvements within the area that generates those funds to keep them for these improvements. Improvements within smaller areas can enhance the catalytic and redevelopment value of the area. This tool can also be blended with other resources such as LIDs and TIF. Funding can come from an SDC fund or general fund. In some cases, there may be no financial impact. The housing can come in the form of student, low income, or workforce housing.
- 6.9 **Grants or Loans (I56).** Through the annual budget process, the City can allocate funds to assist affordable housing developments as part of an Affordable Housing Fund. Assistance can also be provided through no- or low-interest loans. That typically occurs in conjunction with a revolving loan fund that allows the fund to grow over time as loans are repaid.
- 6.10 **Vacant Property Tax.** This strategy would assess additional taxes on vacant residential properties. The intent is to disincentivize land holding and speculation and to encourage housing development.
- 6.11 **Fee for Demolition of Affordable Home for Expensive Home.** This action would assess additional fees for certain demolitions. It would be modeled after a policy in Lake Oswego. The intent is to preserve affordable housing stock.

Exhibit 11. Summary of Potential Actions or Projects

Reference	Tasks or Projects	Time Period		
		Near-term	Mid-term	Long-term
6.1	Pursue Funds for Affordable Housing (City Influence) <ul style="list-style-type: none"> • K68. Transient Lodging Tax Funds for Affordable Housing. • K63. Urban Renewal Funds or Tax Increment Financing. • K64. Construction Excise Tax. • K69. Community Development Block Grant Funds. 	X	X	X
6.2	I52. Financial Incentives Supporting Inclusionary Zoning		X	
6.3	I55. Reduced or Waived Planning Fees, Permit Fees, SDCs for Affordable Housing	X		
6.4	I51. Vertical Housing Tax Abatement (Locally Enabled and Managed)		X	
6.5	I53. SDC Financing and Credits	X		
6.6	H45. Parcel Assembly	X	X	X
6.7	I49. Multiple-Unit Limited Tax Exemption Program (Locally Enabled and Managed)		X	
6.8	I54. Sole Source SDCs		X	
6.9	Vacant Property Tax	X		
6.10	I56. Grants or Loans		X	X
6.11	Fee for Demolition of Affordable Home for Expensive Home	X		

Strategy 7. Leveraging Partnerships for Housing (Non-Land Use)

Summary: This strategy includes different policy options that could be evaluated independently of one another. These may require a partner organization to take on a new or expanded role or may require formation or identification of a new organizational partner.

Several of the high priority actions identified by the PAC require partnerships with external organizations.

Potential Actions or Projects:

7.1 Support Partners Pursuit of Affordable Housing Funds for:

- **Low Income Housing Tax Credit (P78).** The Low-Income Housing Tax Credit Program (LIHTC) is an incentive to encourage the construction and rehabilitation of rental housing for lower-income households. The program offers credits on federal tax liabilities for 10 years. Individuals, corporations, partnerships and other legal entities may benefit from tax credits, subject to applicable restrictions. Annually, the U.S. Department of Treasury allocates tax credits to each state. Oregon Housing and Community Services (OHCS) administers the tax credit program for the state of Oregon. Tax credits offer direct federal income tax savings to owners of rental housing developments who with a developer are willing to set-aside a minimum portion of the development's units for households earning 60 percent or less of gross area median income. Developers of tax credit developments typically sell the credits to investors who are willing to provide capital in return for the economic benefits (including tax credits) generated by the development.
- **Homeownership Programs (I57).** Cities (and other partners) use a variety of programs to assist with homeownership
 - **Homebuyer Assistance Programs.** These Down Payment Assistance loans help low- or moderate-income households cover down payment and closing costs to purchase homes on the open market. These programs either give loans or grants, most frequently to first time homebuyers.
 - **Inclusionary Housing Program.** Some cities have an Inclusionary Housing Ordinance (IH) requires that new residential development contribute at least 20% of the total units as permanently affordable housing. Options for meeting this requirement can be allow the affordable units to be located on or off site. Cities that use inclusionary housing generally have programs to ensure that housing continues to be affordable over the long-term.
 - **Partnerships.** Cities often work with partnerships with nonprofit agencies that provide homeownership assistance.
- **Oregon Affordable Housing Tax Credit (P77).** The 1989 Oregon Legislature created the Oregon Affordable Housing Tax Credit Program (OAHTC). Under the OAHTC Program, the Department has the authority to certify tax credits for projects. Through the use of tax credits, lending institutions are able to lower the

cost of financing by as much as four percent for housing projects or community rehabilitation programs serving low-income households. The savings generated by the reduced interest rate must be passed directly to the tenant in the form of reduced rents.

- **Housing Rehabilitation Programs (I59)** Cities (and other partners) often offer home rehabilitation programs, which provide loans to low- and moderate-income households for rehabilitation projects such as making energy efficiency, code, and safety repairs. Some programs provide funding to demolish and completely reconstruct substandard housing.
- **State Affordable Housing Funding (M73).** 2019 proposed legislation, HB 3349 that would change the tax income code to eliminate certain deductions, and the resulting revenues would fund state affordable housing programs.

7.2 Community Land Trust (CLT) (H47). A Community Land Trust (CLT) creates permanent affordability by severing the value of the land and the improvements (i.e., the house). The land is held in trust by a nonprofit or other entity then leased to the homeowner. The homeowner enjoys most of the rights of homeownership, but restrictions are placed on use (e.g., owner occupancy requirement), and price restrictions on resale ensure that the home remains affordable. CLTs may be used in conjunction with land banking programs, where the city or a nonprofit housing corporation purchases a future site for affordable housing or other housing that meets community goals. A variation to the community land trust is to have the City own the property rather than the land trust, and lease property to income-qualifying households (such as low-income or moderate-income households) to build housing. The City would continue to own the land over the long-term, but the homeowner would be able to sell the house. Restrictions on resale ensure that the home remains affordable.

7.3 Affordable Housing Property Tax Abatement (I50). There are several statutory authorizations for different types of affordable housing property tax abatements which could apply to affordable housing developments that aren't already tax exempt. Some of these can be designated for a limited duration.

7.4 Land Banking (H46). Land banks are public or community-owned entities created to acquire, manage, maintain, and repurpose vacant, abandoned, and foreclosed properties for conversion into productive use. Land banks can play a variety of roles. They can play a very limited role, such as simply acquiring property on behalf of a local municipality, or a broader role of property developer. It is important to note that land banks are not financial institutions: financing comes from developers, banks, and local governments. Land banks may be granted special powers via state enabling legislation. These powers can include the ability to remove legal and financial barriers, such as delinquent property taxes, that often render vacant and abandoned properties inaccessible or unattractive to the private market. Land banks acquire

properties through different means, but the most common pipeline is the property tax foreclosure system.

Exhibit 12. Summary of Potential Actions or Projects

Reference	Tasks or Projects	Time Period		
		Near-term	Mid-term	Long-term
7.1	Support Partners Pursuit of Affordable Housing Funds for: <ul style="list-style-type: none"> • P78. Low Income Housing Tax Credit • I57. Home Ownership Programs • P77. Oregon Affordable Housing Tax Credit • I59. Housing Rehabilitation Programs • M73. State Affordable Housing Funding 	X	X	X
7.2	H47. Community Land Trust (CLT)	X	X	X
7.3	H50. Affordable Housing Property Tax Abatement		X	X
7.4	H46. Land Banking	X	X	

3. Appendices

The McMinnville Housing Strategy builds upon various materials provided to the Project Advisory Committee (PAC) throughout the project. Materials from the May 21st PAC meeting are attached as appendices:

- **Appendix A.** Table 1. Issues Associated with Strategic Priorities. This table identifies issues from the BLI and HNA and also evaluates current conditions; existing plans, policies, and regulations; and new state law that might be addressed as part of the housing strategy.
- **Appendix B.** Table 2. McMinnville Housing Strategy – Potential Strategies and Actions. This table lists each strategy and cross references it with strategic priorities, affordability groups, and other factors.
- **Appendix C.** Table 3. Description of Potential Actions. This table provides more detailed descriptions of the potential housing strategies and actions listed in Table 2. In addition, the table provides further information about the potential scale of impact of the strategy.
- **Appendix D.** Prioritization Results from May 21, 2019 PAC Meeting.

Links to full size copies of these materials and additional supporting materials are provided below. Due to the length and format of documents, these materials are incorporated by reference through links to files on the City website.

Materials from May 21st PAC Meeting (includes above tables)

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/1675/0-5-housing_strategy_memo_and_tables_5-14-2019.pdf

Materials from the March 7th PAC Meeting: Thinking About McMinnville’s Future Housing Needs – A Guide

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/1675/city_memo_-_housing_strategy_guidance1.pdf

January 22nd Focus Group Notes (see Exhibit 2)

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/1675/housing_pac_meeting_5_materials_3-7-2019_print.pdf

February 5th Public Open House Notes (see Exhibit 3)

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/1675/housing_pac_meeting_5_materials_3-7-2019_print.pdf

This table identifies issues from the BLI and HNA and also evaluates current conditions; existing plans, policies, and regulations; and new state law that might be addressed as part of the housing strategy.

Table 1. Issues Associated with Strategic Priorities

1. Land Supply, Capacity, & Availability	2. Wider Variety of Housing Types	3. Affordability	4. Infrastructure	5. Great Neighborhood Principles & Urban Form
Land Use Issues & Considerations				
Barriers:				
<p>Lack of available, buildable land in the UGB to meet short-term needs.</p> <p>Some “Buildable Lands” in the UGB aren’t truly “available” for development, despite presumptions stated in state statutes or administrative rules. Land may be unavailable due to unwilling property owners, including the unincorporated UGB, etc.</p> <p>There are additional plan updates required and lag time after land is added to the UGB before it can be rezoned and ready for urban development.</p> <p>There is uncertainty in the Buildable Land Inventory regarding additional “Goal 5” natural resource impacts. The City will need to conduct planning for a local wetland inventory and riparian corridors to determine impacts on buildable land supply.</p> <p>There is uncertainty in the Buildable Land Inventory regarding additional “Goal 7” hazards impacts. The state will be refining landslide hazards mapping; in addition, there is no statute or administrative rule interpreting the state’s landslide hazard susceptibility classifications.</p> <p>See additional barriers under “Infrastructure” related to serviceability of buildable lands in the UGB and unknowns about current downstream capacity that could affect service of expansion areas.</p>	<p>No “middle housing” zone. There isn’t a zoning district between the R-3 and R-4 zones in the Zoning Ordinance, which could cover a density range of 11-20 units/acre typical of 2-story “middle housing” types. This means zoning options are lower density or higher density.</p> <p>-The R-3 zone allows for density in the range of approximately 7 to 11 du/acre; it doesn’t allow for attached housing or multi-family housing over 2 units.</p> <p>-The R-4 zone allows for density in the range of approximately 9 to 30 du/acre; it is the only residential zone that allows for attached housing and multi-family housing with 3 or more units.</p> <p>-This can exacerbate infrastructure planning for somewhat higher densities, since a rezone from R-3 to R-4 would allow a significant increase from 11 to 30 units per acre, rather than a more modest increase from 11 to 20 units per acre.</p> <p>No existing residential zone allows density greater than 30 du/acre (R-4), except when higher density is authorized as a conditional use in the defined core area. The R-4 standards also apply in commercial zones that allow residential uses.</p> <p>The highest density residential zone (R-4) also allows single-family development as a stand-alone permitted use with a minimum lot size</p>	<p>Current Inclusionary Zoning (IZ) Enabling Legislation Limits Cities. Current state law provisions governing local “inclusionary zoning” have largely been inapplicable in McMinnville since it is currently authorized only for multi-family structures with 20 or more units, which isn’t the type of multi-family housing typically built in McMinnville. Further, inclusionary zoning isn’t current authorized for single-family housing.</p> <p>In addition, the definition of affordability in the IZ legislation doesn’t authorize cities to establish affordability requirements below 80% median income.</p>	<p>Until infrastructure planning is completed, it is unknown whether “downstream” infrastructure in the UGB will be able to serve future expansion areas without first being upsized to allow for extensions.</p> <p>Buildable lands within the UGB in Water Service Zone 2 are unserviceable in the short-term until a Zone 2 reservoir is built (estimated 10 years).</p> <p>Sewer Capacity Constraints. The sewer (wastewater) collection plan was based on development of vacant lands at historic development densities by zone, rather than maximum density permitted by existing zoning. In addition, this planning didn’t assume developed properties would experience infill and redevelopment at higher density permitted by existing zoning. This presents constraints:</p> <p>- Constraints to Code Amendments. This may limit code amendments that would authorize additional, “middle housing” types within existing zoning districts.</p> <p>- Constraints to Permitted Development and Densities. This doesn’t always allow development of vacant lands consistent with maximum density permitted by existing zoning.</p> <p>- Constraints to Infill & Redevelopment. This doesn’t always allow infill and redevelopment of developed properties consistent with higher or maximum density permitted by existing zoning.</p>	<p>Current Euclidean Zoning System Limits Mix of Housing and Density. However, most development occurs through the Planned Development process which achieves housing mix to some extent (up to 25% of area) based on density averaging of the underlying zone. However, this requires reducing density of other housing to achieve the same average, or requires rezoning.</p> <p>Form-Based Codes. Some “form-based codes” can allow development that is compatible within a neighborhood by regulating the size and physical characteristics of a building, while providing flexibility regarding the density within the building envelope. The same exterior building form/envelope can contain fewer large units or a greater number of smaller units. Some density-based codes can prevent this flexibility. This should be considered when implementing Great Neighborhood Principles, Diverse Housing Types zoning and public facilities planning. It is unclear how this could be implemented in a way that satisfies statutory requirements which require a density-based zoning.</p>

1. Land Supply, Capacity, & Availability	2. Wider Variety of Housing Types	3. Affordability	4. Infrastructure	5. Great Neighborhood Principles & Urban Form
	<p>of 5,000 square feet. This could be a barrier to achieving other needed housing.</p> <p>Finer-Grained Zoning. There is a need for a finer gradation of residential uses based on “scale”. Anything over a duplex or semi-detached housing (two attached units) is only permitted in the R-4 zone. Further, for 3 or more units, there is no differentiation of multi-family housing development that has the same number of units, whether all in one building or in multiple smaller buildings. More smaller-scale structures can be permitted and compatible within different neighborhood contexts.</p> <p>Some uses may already be permitted, but not in all zones, so there may be a need to increase opportunities for where certain uses are permitted. Finer gradation will help this.</p> <p>Fair Housing Act. Code provisions should be reviewed in the context of Fair Housing Act best practices to ensure residential living models aren’t inadvertently prohibited by the zoning ordinance due to outdated definitions and regulations.</p> <p>Other Co-Living Land Uses. Places where people live are classified by the Census Bureau as either residential use or group quarters. Some codes inadvertently prohibit some residential living situations and housing types that don’t technically meet the definition of residential use, but would typically fall under the Census Bureau’s classification of group quarters. Some of this may be addressed through code provisions consistent with Fair Housing Act best practices.</p>		<p>- Constraints to Upzoning. This doesn’t always permit upzoning of vacant lands already in the UGB.</p> <p>Short-Term Housing Strategies May be Impacted by Capacity Constraints. More efficient use of land within the current UGB would be a strategy to help meet short-term needs until additional land is available through a UGB amendment, associated public facility plan updates, and extension/ availability of services to those lands. <i>However, this strategy may be impacted by infrastructure capacity issues.</i></p> <p>Transportation Plan Modeling. Transportation Planning assumed no further development in certain developed areas, posing similar potential issues as described above for sewer, possibly affecting infill & redevelopment, upzoning, etc.</p> <p>Existing Policies Restricting Density. Due to previous sewer <u>treatment</u> capacity limitations which are no longer applicable, the City adopted density restrictions for part of the UGB which are no longer needed and should be formally repealed.</p>	
Opportunities:				
		<p>SB 2997 Enabling Legislation for Broader Use of Inclusionary Zoning. If enacted, SB 2997 will allow McMinnville greater discretion in use of “inclusionary zoning” to specify a % of housing in new developments as part of land use approval.</p>		

1. Land Supply, Capacity, & Availability	2. Wider Variety of Housing Types	3. Affordability	4. Infrastructure	5. Great Neighborhood Principles & Urban Form
New Requirements:				
	<p>HB 2001 “Middle Housing” Mandates. If enacted, HB 2001 will mandate that cities to plan for and permit small “middle housing” multi-family types in more zones.</p> <p>HB 2001 ADU Mandates. If enacted, HB 2001 will require change to McMinnville’s current ADU implementation (to eliminate off-street parking requirements for ADUs).</p>			<p>HB 2001. If HB2001 is enacted, implementation of GNP will need to be consistent with HB 2001 mandates.</p>
Additional Considerations:				
	<p>Transition from Current Zoning Structure. The transition from the current zoning structure to regulations that implement Great Neighborhood Principles will mean some traditional land use tools more applicable to Euclidean zoning with more separated housing types and densities won’t be applicable. There may be some more traditional tools that would be used in the interim as implementation of the Great Neighborhood Principles is phased in (map amendments that upzone property, code amendments that authorize more efficient use in existing zones, etc.).</p> <p>Inclusivity of Diverse Housing Types. In addition to providing opportunities for a wider variety of housing types, it will be key that this is closely coordinated with the implementation of Great Neighborhood Principles to address inclusion of these diverse housing types within neighborhoods, together with appropriate requirements for mix and average density, design standards, and other considerations.</p> <p>Context-Based Design Standards. Some design standards are based on use and don’t account for different locational contexts, such as different urban vs. suburban forms and design standards for multi-family development depending on location and context.</p>		<p>It would be useful to map current capacity, currently planned capacity, and capacity that would result from public facility plan updates.</p> <p>If there are areas unlikely to experience new development, it may be possible to transfer allowed density to other areas where sewer capacity could be utilized for new development or infill.</p>	<p>Great Neighborhood Principles Adopted. The City has adopted Great Neighborhood principles which will need to be implemented.</p> <p>Great Neighborhood Principles – Implementation. The City will be implementing the recently adopted Great Neighborhood Principles, which will be a transformative step in how the City regulates residential land use in a manner than provides for neighborhoods with a mix of housing types and housing for different incomes.</p> <p>Phase-in of Great Neighborhood Principles will need a strategy. Some existing developed areas may have different requirements as the implementation is phased in.</p> <p>Special Area Planning Projects Underway. Several district planning efforts are underway that may identify nodal areas suitable for higher-density housing than would be achieved within the context of smaller neighborhood settings.</p> <p>Larger development sites should be subject to framework planning that sets performance requirements for future neighborhood developments.</p> <p><i>(Some housing related aspects of planning for urban form will be incorporated into a broader urbanization strategy which will include planning for all uses).</i></p>

1. Land Supply, Capacity, & Availability	2. Wider Variety of Housing Types	3. Affordability	4. Infrastructure	5. Great Neighborhood Principles & Urban Form
Other Issues and Considerations Related to Delivery of Housing (Non Land Use)				
Barriers				
		<p>Lack of Housing Supply Prevents Partner Resources from Being Fully Utilized. Many Section 8 Housing Choice Vouchers available through the Housing Authority can't be used to help subsidize housing costs due to lack of housing or housing within the price point that would allow vouchers to be used. Reducing the cost of market-rate housing could also present an opportunity to more fully utilize these vouchers to provide a subsidy for more affordable market-rate housing.</p> <p>Lack of available sites could preclude partners such as the Housing Authority from developing affordable housing using Low Income Housing Tax Credits, which means lost opportunity for use of outside funds which would be highly competitive if sites were available.</p> <p>Administrative Cost Could Impact Ability to Manage a Housing Program that Requires Monitoring of Deed Restricted Affordable Housing. Deed-restricted affordable housing can help ensure affordable housing supply is maintained, but can require a housing program and staff to administer a program over the long term. <i>(There could be exploration of potential partnership opportunities to administer a program).</i></p>		
Opportunities				
		<p>(Time Sensitive). Opportunity Zone. McMinnville has a significant area within a designated Opportunity Zone which can be an incentive to affordable housing.</p> <p>New Opportunity: SB595 Enabling Legislation for Affordable Housing Funds. If enacted, SB 595 will allow cities to decide whether to dedicate a portion of local transient lodging tax to affordable housing.</p>		

1. Land Supply, Capacity, & Availability	2. Wider Variety of Housing Types	3. Affordability	4. Infrastructure	5. Great Neighborhood Principles & Urban Form
New Requirements				
Additional Considerations				
	<p>Education & Awareness. It is important to keep homebuilders up to date on regulatory changes and opportunities for new housing types authorized by code amendments.</p> <p>In addition, some uses may already be permitted in some zones by a less familiar name.</p> <p>It is also important to evaluate what is a permitted use vs. what is actually built. The community may assume certain uses aren't permitted because they haven't been built, when that might not be the reason.</p> <p>There may be reasons why trending ideas aren't being built in the housing market that need to be further explored. (financial, regulatory, etc.)</p> <p>Transitional Housing. There is a need for both permanent housing and transitional housing.</p>	<p>There is a need to increase more affordable owner-occupied housing opportunities as well as rental opportunities. Further, such housing equity can help households maintain housing options as housing prices escalate. (Supported by land use tools to authorize a wider variety of housing types in more areas).</p>		

TABLE 2. MCMINNVILLE HOUSING STRATEGY – POTENTIAL STRATEGIES AND ACTIONS - DRAFT MATRIX

Strategic Option		Housing Benefits						Strategic Timeframe			Strategic Priority					Housing Need Met							Status		Priority	
		Market Rate		Subsi- dized				Near-Term, 2021-2026 (5 year)	Mid-Term, 2021-2031 (10 year)	Long-Term 2021-2041 (20 year)	1 – Land Supply, Capacity, Availability	2 – Wider Variety of Housing Types	3 – Housing Affordability	4 – Infrastructure	5 – Great Neighborhood Principles and Urban Form	<u>Extremely Low Income</u> (≤ 30% of MHI) 509 HH in 20 Year Forecast 11% of total units	<u>Very Low Income</u> (30-50% of MHI) 507 HH in 20 Year Forecast 11% of total units	<u>Low Income</u> (50-80% of MHI) 719 HH in 20 Year Forecast 15% of total units	<u>Middle Income</u> (80 - 120% of MHI) 992 HH in 20 Year Forecast 21% of total units	<u>High Income</u> (> 120% of MHI) 1,930 HH in 20 Year Forecast 41% of total units	Budgeted? Plan Started? Plan Adopted? Implementation Draft? Implemented? Ongoing?	Additional Implementation or Implementation Refinement? (Opp. or Req.)	High			
		Ownership	Rental	Ownership	Rental																		Program Impact, (Low, Medium, High)	Nexus with Affordable Housing Action Plan	Medium	
	LAND USE STRATEGIES (City)																									
A	Evaluate Zoning Code and Other Ordinances to Advance Strategic Priorities (efficiencies, regulatory incentives, and regulatory mandates)																									
1	Re-designate or rezone land for housing	Y	Y	Y	Y	L-H	Y	Y	Y		Y-S	Y	Y			Y	Y	Y	Y	Y	Y-O	Y				
2	Explore residential zoning with a targeted/minimum density standard and multiple allowed housing types.	Y	Y	Y	Y	M-H		Y	Y	Y	Y-C	Y	Y		Y				Y	Y	-					
3	Develop a High Density Residential Zone	Y	Y	Y	Y	M-H	Y	Y	Y	Y	Y-C	Y	Y		Y	Y	Y	Y	Y	Y	-					
4	Allow Small Residential Lots	Y		Y		L-M	Y	Y	Y	Y	Y-C	Y	Y		Y				Y	Y	-					
5	Mandate Maximum Lot Sizes					L-M					Y-C										-					
6	Mandate Minimum Residential Densities	Y	Y	Y	Y	L-M	Y	Y	Y	Y	Y-C	Y	Y		Y				Y	Y	-					
7	Increase Allowable Residential Densities	Y	Y	Y	Y	L-M	Y	Y	Y	Y	Y-C		Y			Y	Y	Y	Y	Y	-					
8	Allow Clustered Residential Development	Y	Y	Y	Y	Med	Y	Y	Y	Y	Y-C	Y	Y		Y			Y	Y	Y	-					
9	Allow Duplexes, Cottages, Townhomes, Row Houses, and Tri- and Quad-Plexes in single-family zones with appropriate design and development standards	Y	Y	Y	Y	L-M	Y	Y	Y	Y	Y-C	Y	Y		Y			Y	Y		-	Y (R)		(R)	HB2001	
10	Allow Co-housing and “Group Quarters” (SROs, etc.)	Y	Y	Y	Y	L-M	Y	Y	Y	Y		Y	Y		Y	Y	Y	Y	Y	Y	-					
11	Permit Accessory Dwelling Units (ADUs) in single-family zones (Further Revisions to Current Implementation)	Y	Y	Y	Y	Low		Y	Y	Y	Y-C	Y	Y		Y	Y	Y	Y	Y		Y-I	Y (R)		(R)	HB2001	
12	Allow small or “tiny” homes & identify opportunities for tiny home developments	Y	Y	Y	Y	L-M	Y	Y	Y	Y	Y-C	Y	Y		Y	Y	Y				Y	Y (O)				
13	Promote Infill Development by allowing for flexibility in existing zones with appropriate design and development standards	Y	Y	Y	Y	L-M		Y	Y	Y	Y-C	Y	Y		Y	Y	Y	Y	Y	Y	Y-S	Y				
14	Evaluate Incentive-Based Zoning for Affordable Housing (Inclusionary Zoning - Regulatory Mandates Paired with Incentives, Eligibility for Financial Incentives)			Y	Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y			-	(O)				
15	Provide Density Bonuses to Developers	Y	Y	Y	Y	Low	Y	Y	Y	Y	Y-C		Y			Y	Y	Y			-					
16	Allow Transfer or Purchase of Development Rights	Y	Y	Y	Y	L-M		Y	Y	Y	Y-C			Y		Y	Y	Y	Y	Y	-					
17	Transfer of Density	Y	Y	Y	Y	L-M		Y	Y	Y	Y-C			Y				Y	Y		-					

Strategic Option		Housing Benefits						Strategic Timeframe			Strategic Priority					Housing Need Met					Status		Priority
		Market Rate		Subsi- dized				Near-Term, 2021-2026 (5 year)	Mid-Term, 2021-2031 (10 year)	Long-Term 2021-2041 (20 year)	1 – Land Supply, Capacity, Availability	2 – Wider Variety of Housing Types	3 – Housing Affordability	4 – Infrastructure	5 – Great Neighborhood Principles and Urban Form	<u>Extremely Low Income</u> (≤ 30% of MHI) 483 HH in 20 Year Forecast 11% of total units	<u>Very Low Income</u> (30-50% of MHI) 482 HH in 20 Year Forecast 11% of total units	<u>Low Income</u> (50-80% of MHI) 683 HH in 20 Year Forecast 15% of total units	<u>Middle Income</u> (80 - 120% of MHI) 943 HH in 20 Year Forecast 21% of total units	<u>High Income</u> (> 120% of MHI) 1,833 HH in 20 Year Forecast 41% of total units	<u>Budgeted?</u> <u>Plan Started?</u> <u>Plan Adopted?</u> <u>Implementation Draft?</u> <u>Implemented?</u> <u>Ongoing?</u>	Additional Implementation or Implementation Refinement? (Opp. or Req.)	High
		Ownership	Rental	Ownership	Rental																		Program Impact, (Low, Medium, High)
18	Evaluate transfer of density for protection of natural features – develop policies	Y	Y	Y	Y	L-M		Y	Y	Y	Y-C						Y	Y		-			
19	Evaluate reduced parking standards for different housing types	Y	Y	Y	Y	Low		Y	Y	Y	Y-C		Y			Y	Y	Y	Y		-		
20	Reduce Street Width Standards (Further Revisions)			Y	Y	Low					Y-C		Y							Y-I	N		
21	Regulations to Preserve Existing Housing Supply	Y	Y	Y	Y	Low	Y	Y	Y	Y			Y			Y	Y	Y			-		
22	Fair Housing Act Best Practices	Y	Y	Y	Y	L-M		Y	Y	Y		Y	Y		Y	Y	Y	Y	Y		-		
B	Conduct Special Area Planning which Includes Housing Opportunities																						
23	City Center Housing Strategy	Y	Y	Y	Y	L-M	Y	Y	Y	Y	Y-C	Y	Y		Y	Y	Y	Y	Y	Y	Y-S		
24	Evaluate Three Mile Lane for Residential Development	Y	Y	Y	Y	L-M		Y	Y		Y-C		Y			Y	Y	Y	Y	Y	Y-S		
25	99 W Corridor Study – Promote Higher Density Mixed-Use Development in anticipation of changing commercial patterns.	Y	Y	Y	Y	L-M		Y	Y	Y	Y-S	Y	Y		Y		Y	Y			?		
B	Ensure Comprehensive Plan Policies Support Strategic Priorities																						
26	Great Neighborhood Principles	Y	Y	Y	Y	Low	Y	Y	Y	Y	Y-C	Y	Y		Y	Y	Y	Y	Y	Y	Y-A	Y	
27	Repeal outdated Comprehensive Plan policies previously needed to limit density based on previously limited sewer treatment capacity	Y	Y	Y	Y	L-M		Y	Y	Y	Y-C			Y		Y	Y	Y	Y	Y	-		
D	Develop Infrastructure Plans to Support Strategic Priorities																						
28	Update Infrastructure Plans for Vacant/Infill Develop.	Y	Y	Y	Y	L-M		Y	Y	Y	Y-C		Y	Y	Y	Y	Y	Y	Y	Y	-		
29	Update Infrastructure Plans for Growth Lands	Y	Y	Y	Y	M-H			Y	Y	Y-S			Y		Y	Y	Y	Y	Y	-		
30	Develop Infrastructure Allocation Policies and Methodologies to Manage Systems and Accommodate Need	Y	Y	Y	Y	Low		Y			Y-C			Y		Y	Y	Y	Y	Y	-		
31	Develop Alternative Mobility Network that is Convenient and Attractive to Offset Pressure on Vehicular Network.	Y	Y	Y	Y	Low				Y	Y-C			Y	Y	Y	Y	Y	Y	Y	-		
32	Develop Plan Documents that Allow for Emerging Technology Responsiveness and Flexibility	Y	Y	Y	Y	?	Y	Y	Y	Y		Y	Y		Y	Y	Y	Y	Y	Y	-		
33	Encourage “To and Through” Infrastructure Development	Y	Y	Y	Y	M-H		Y	Y	Y	Y-C			Y		Y	Y	Y	Y	Y	-		

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		Ownership	Rental	Ownership	Rental																		
34	Identify issues with Water Zone 2 and Plan for strategic plan for implementing infrastructure improvements.	Y	Y			Low			Y	Y	Y-S			Y					Y	Y	-		
35	Identify areas with underutilized infrastructure capacity.	Y	Y	Y	Y	L-M		Y	Y		Y-C			Y		Y	Y	Y	Y	Y	-		
E	Increase Buildable Lands Inventory – Developing a 5, 10, 20 and 50 Year Inventory & Phase-In																						
36	Develop an Urban Reserve Area (URA)	Y	Y	Y	Y	L-H				Y	Y-S			Y		Y	Y	Y	Y	Y	-		
37	Develop a Framework Plan for URA	Y	Y	Y	Y	L-H				Y	Y-S	Y	Y	Y	Y	Y	Y	Y	Y	Y	-		
38	Identify Expanded Urban Growth Boundary per URA	Y	Y	Y	Y	High			Y	Y	Y-S			Y		Y	Y	Y	Y	Y	-		
39	Develop Area Plans for UGB lands identifying housing opportunities	Y	Y	Y	Y	High			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-		
40	Develop annexation process to mandate housing types upon annexation per area plans.	Y	Y	Y	Y	High			Y	Y	Y-S	Y	Y		Y	Y	Y	Y	Y	Y	-		
F	Complete “Functional” Planning that Further Affects or Informs Buildable Land Inventory																						
41	Goal 5 Planning and Policies – Natural Resources, Including Local Wetland Inventory. Evaluate policies for wetland mitigation within the city limits as it pertains to housing development.	Y	Y	Y	Y	Low		Y	Y	Y	Y-S					Y	Y	Y	Y	Y	-		
42	Goal 7 Planning and Policies – Hazards, Including Landslides. Update soils analysis for identified constrained buildable land (high landslide susceptibility)	Y	Y	Y	Y	Low		Y	Y	Y	Y-S								Y	Y	Y-S	Y (O)	
G	Evaluate Administrative and Procedural Reforms																						
43	Expedited / Fast-tracked building permits for affordable housing			Y	Y	Low	Y	Y	Y	Y			Y			Y	Y	Y			-		
44	Expedite land use procedures for affordable housing and other land use decisions	Y	Y	Y	Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y			-		

Strategic Option		Housing Benefits						Strategic Timeframe			Strategic Priority					Housing Need Met							Status		Priority
		Market Rate		Subsi- dized				Program Impact, (Low, Medium, High)	Nexus with Affordable Housing Action Plan	Near-Term, 2021-2026 (5 year)	Mid-Term, 2021-2031 (10 year)	Long-Term 2021-2041 (20 year)	1 – Land Supply, Capacity, Availability	2 – Wider Variety of Housing Types	3 – Housing Affordability	4 – Infrastructure	5 – Great Neighborhood Principles and Urban Form	Extremely Low Income (≤ 30% of MHI)	Very Low Income (30-50% of MHI)	Low Income (50-80% of MHI)	Middle Income (80 - 120% of MHI)	High Income (> 120% of MHI)	Budgeted? Plan Started? Implementation Draft? Implemented? Ongoing?	Additional Implementation or Implementation Refinement? (Opp. or Req.)	High
		Ownership	Rental	Ownership	Rental													483 HH in 20 Year Forecast 11% of total units	482 HH in 20 Year Forecast 11% of total units	683 HH in 20 Year Forecast 15% of total units	943 HH in 20 Year Forecast 21% of total units	1,833 HH in 20 Year Forecast 41% of total units			No
	OTHER STRATEGIES (City)																								
H	Land Interventions to Reduce Costs and Facilitate Housing Development																								
45	Parcel Assembly			Y	Y	L-M	Y	Y	Y	Y	Y-A		Y			Y	Y	Y			-				
46	Land Banking			Y	Y	L-M	Y	Y	Y	Y	Y-A		Y			Y	Y	Y			-				
47	Land Trusts			Y	Y	L-M	Y	Y	Y	Y	Y-A		Y			Y	Y	Y			-				
48	Public Land Disposition			Y	Y	High	Y	Y	Y	Y	Y-A		Y			Y	Y	Y			Y-O	Y			
I	Evaluate Financial Incentives and Affordable Housing Subsidy & Assistance Programs to Retain Housing Stock, Add Supply, and Help People Afford Housing																								
49	Multiple-Unit Limited Tax Exemption Program (Locally Enabled and Managed)				Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y			-				
50	Affordable Housing Property Tax Abatement				Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y			-				
51	Vertical Housing Tax Abatement (Locally Enabled and Managed)	Y	Y	Y	Y	L-M		Y	Y	Y		Y	Y		Y	Y	Y	Y	Y	Y	-				
52	Financial Incentives for Inclusionary Zoning			Y	Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y			-				
53	SDC Financing and Credits	Y	Y	Y	Y	Low	Y	Y	Y	Y			Y			Y	Y	Y	Y	Y	-				
54	Sole Source SDCs	Y	Y	Y	Y	L-M		Y	Y	Y			Y	Y					Y	Y	-				
55	Reduced / Waived Building Permit fee, Planning fees, and/or SDCs for Affordable Housing				Y	Low	Y	Y	Y	Y			Y			Y	Y	Y			Y-I	N			
56	General Fund Grants or Loans			Y	Y	?	Y	Y	Y	Y			Y			Y	Y	Y			-				
57	Home ownership programs (direct assistance)	Y		Y		Low	Y	Y	Y	Y			Y			Y	Y	Y	Y		-				
58	Rental assistance programs (direct assistance)		Y		Y	Low	Y	Y	Y	Y			Y			Y	Y	Y			-				
59	Housing Rehabilitation Programs	Y		Y		Low	Y	Y	Y	Y			Y			Y	Y	Y			-				
60	Programs to Preserve Existing Housing Supply	Y	Y	Y	Y	Low	Y	Y	Y	Y			Y			Y	Y	Y			-				
J	Evaluate Tools to Help Fund Infrastructure or Facilitate Equitable & Timely Infrastructure Extension																								
61	Local Improvement District (LID)	Y	Y	Y	Y	L-M		Y	Y	Y				Y		Y	Y	Y	Y	Y	Y-O**				
62	Reimbursement District	Y	Y	Y	Y	L-M		Y	Y	Y				Y		Y	Y	Y	Y	Y	Y-O**				

Strategic Option		Housing Benefits						Strategic Timeframe			Strategic Priority					Housing Need Met							Status		Priority
		Market Rate		Subsidized				Program Impact, (Low, Medium, High)	Nexus with Affordable Housing Action Plan	Near-Term, 2021-2026 (5 year)	Mid-Term, 2021-2031 (10 year)	Long-Term 2021-2041 (20 year)	1 – Land Supply, Capacity, Availability	2 – Wider Variety of Housing Types	3 – Housing Affordability	4 – Infrastructure	5 – Great Neighborhood Principles and Urban Form	Extremely Low Income (≤ 30% of MHI)	Very Low Income (30-50% of MHI)	Low Income (50-80% of MHI)	Middle Income (80 - 120% of MHI)	High Income (> 120% of MHI)	Budgeted? Plan Started? Plan Adopted? Implementation Draft? Implemented? Ongoing?	Additional Implementation or Implementation Refinement? (Opp. or Req.)	High
		Ownership	Rental	Ownership	Rental													483 HH in 20 Year Forecast	482 HH in 20 Year Forecast	683 HH in 20 Year Forecast	943 HH in 20 Year Forecast	1,833 HH in 20 Year Forecast			Low
K	Consider Programs and Revenue Sources to Generate Revenue to Fund Subsidy Programs and Incentives																							No	
63	Urban Renewal / Tax Increment Finance (TIF)	Y	Y	Y	Y	Med		Y	Y	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N?			
64	Construction Excise Tax (CET)			Y	Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y			-				
65	Linkage Fees	Y	Y	Y	Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y	Y		-				
66	General Fund			Y	Y	?	Y	Y	Y	Y			Y			Y	Y	Y			-				
67	General Obligation (GO) Bonds			Y	Y	M-H	Y	Y	Y	Y			Y			Y	Y	Y			-				
68	SB 595 - Transient Lodging Tax (TLT) – up to 30% for Affordable Housing			Y?	Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y			?	(O)			
69	Community Development Block Grant (CDBG)+Sec. 108			Y	Y	?	Y	Y	Y	Y			Y	Y		Y	Y	Y			-				
70	Housing Trust Funds			Y	Y	?	Y	Y	Y	Y	Y		Y			Y	Y	Y			-				
71	Fees or Other Dedicated Revenue			Y	Y	?		Y	Y	Y			Y			Y	Y	Y			-				
L	Education and Outreach																								
72	Ensure builders and housing providers are aware of current opportunities and recent regulatory reforms	Y	Y	Y	Y	Low	Y	Y	Y	Y		Y	Y			Y	Y	Y	Y	Y	Y-O	Y (O)			
M	Advocate for State/Federal Legislative Actions That Increase State Agency Program Funding Available to Fund Affordable Housing																								
73	State Affordable Housing Funding - HB 3349			Y	Y	?	Y	Y	Y	Y			Y			Y	Y	Y							
N	Apply for and Utilize State, Federal, and Foundation Resources																								
74	Use grants, programs, and technical assistance when available and cost-effective*			Y	Y	?	Y	Y	Y	Y			Y			Y	Y	Y			Y-O	Y			
O	Partnerships																								
75	Misc. Partnerships - (Placeholder to Capture Ideas)					-																			
P	Strategies and Tools Employed by Orgs. Other Than City																								
76	Misc. Other – (Placeholder to Capture Ideas)					-																			
77	Oregon Affordable Housing Tax Credit (OAHTC)*				Y	L-M	Y	Y	Y	Y			Y			Y	Y	Y							
78	Low Income Housing Tax Credits (LIHTC)*				Y	Med	Y	Y	Y	Y			Y			Y	Y	Y							

*Some state and federal programs apply directly between the state and a housing developer or lender, without City involvement; however, the state may look for local support and/or matches when making competitive award decisions, such as with Low Income Housing Tax Credits.

**Authorized by the City, but not frequently used

Note 1: While the City has a traditional Euclidean zoning program, a Planned Development (PD) process is almost exclusively employed for most new subdivision developments, which provides flexibility and has achieved a mix of housing types and densities not otherwise permitted in the underlying zoning. In addition, implementation of Great Neighborhood Principles (GNP) and transition into the new program may mean some strategies applicable to current zoning will no longer apply when GNPs are implemented.

Note 2: Market rate housing benefits may apply across the board, or may be targeted to market rate at the more affordable end of the spectrum that can be achieved at market rates without subsidies – typically in the “workforce housing” range of 80-120% of median income.

Table 3. This table provides more detailed descriptions of the potential housing strategies and actions listed in Table 3. In addition, the table provides further information about the potential scale of impact of the strategy.

Strategy Name	Description	Scale of Impact
I. LAND USE STRATEGIES (City)		
A. Regulatory Changes. Changes to the Zoning Code and Other Ordinances to Advance Strategic Priorities (through increasing residential land and capacity, flexibility, efficiencies, regulatory incentives, regulatory mandates, etc.)		
A1. Redesignate or rezone land for housing	<p>The types of land rezoned for housing are vacant or partially vacant low-density residential and employment land rezoned to multifamily or mixed use. In rezoning land, it is important to choose land in a compatible location, such as land that can be a buffer between an established neighborhood and other denser uses or land adjacent to existing commercial uses. When rezoning employment land, it is best to select land with limited employment capacity (e.g., smaller parcels) in areas where multifamily housing would be compatible (e.g., along transit corridors or in employment centers that would benefit from new housing).</p> <p>This policy change increases opportunity for comparatively affordable multifamily housing and provides opportunities for mixing residential and other compatible uses.</p>	Scale of Impact - Low to high: Scale of impact depends on the amount and location of land rezoned and the densities allowed on the rezoned land.
A2. Diverse Housing Zone. Explore residential zoning with targeted/ minimum density and multiple allowed housing types	<p>This zone would authorize a variety of housing types and sub-types including single-family detached and “middle housing” attached and multi-family housing types.</p> <p>In contrast to traditional zoning, this strategy would be used to implement Great Neighborhood Principles (GNP), including the framework and area planning for growth areas, to specify a housing mix and associated average density that would need to be achieved in an area.</p>	Scale of impact – Medium to high: This strategy allows a broader range of housing types; the impact will depend on market response.
A3. Develop a high density residential zone	This strategy would be used in conjunction with and to complement the Great Neighborhood Principles and diverse housing zone (A2) to provide for higher density housing types in specific areas, such as more dense core areas, centers, nodes, etc.	Scale of Impact – Medium to high: The key impacts of this strategy will be (1) ensuring land is available for higher density housing types, and (2) achieving

Strategy Name	Description	Scale of Impact
(cont.)	which would be higher density than the densities for “middle housing” types which would be incorporated on smaller lots within the diverse housing zone.	greater land use efficiencies that the city currently achieves in the R-4 zone.
A4. Allow Small Residential Lots	<p>Small residential lots are generally less than 5,000 sq. ft. This policy allows individual small lots within a subdivision or short plat. Small lots can be allowed outright in the minimum lot size and dimensions of a zone, or they could be implemented through the subdivision or planned unit development ordinances.</p> <p>This policy is intended to increase density and lower housing costs. Small lots limit sprawl, contribute to the more efficient use of land, and promote densities that can support transit. Small lots also provide expanded housing ownership opportunities to broader income ranges and provide additional variety to available housing types.</p>	<p>Scale of Impact – Low to medium.</p> <p>Cities have adopted minimum lot sizes as small as 3,000 sq. ft. However, it is uncommon to see entire subdivisions of lots this small. Small lots typically get mixed in with other lot sizes.</p>
A5. Mandate Maximum Lot Sizes	<p>This policy places an upper bound on lot size and a lower bound on density in single family zones. For example, a residential zone with a 6,000 sq. ft. minimum lot size might have an 8,000 sq. ft. maximum lot size yielding an effective net density range between 5.4 and 7.3 dwelling units per net acre.</p> <p>This approach ensures minimum densities in residential zones by limiting lot size. It places bounds on building at less than maximum allowable density. Maximum lot sizes can promote appropriate urban densities, efficiently use limited land resources, and reduce sprawl development.</p>	<p>Scale of Impact – Low to medium.</p> <p>Mandating maximum lot size may be most appropriate in areas where the market is building at substantially lower densities than are allowed or in cities that do not have minimum densities.</p>
A6. Mandate Minimum Residential Densities	<p>This policy is typically applied in single-family residential zones and places a lower bound on density. Minimum residential densities in single-family zones are typically implemented through maximum lot sizes. In multiple-family zones they are usually expressed as a minimum number of dwelling units per net acre. Such standards are typically implemented through zoning code provisions in applicable residential zones.</p> <p>This policy increases land-holding capacity. Minimum densities promote developments consistent with local comprehensive plans and growth assumptions. They reduce sprawl development, eliminate underbuilding in residential areas, and make provision of services more cost effective.</p>	<p>Scale of Impact - Low to medium.</p> <p>Increasing minimum densities and ensuring clear urban conversion plans may have a small to moderate impact depending on the observed amount of underbuild and the minimum density standard.</p>

Strategy Name	Description	Scale of Impact
A7. Increase Allowable Residential Densities	<p>This approach seeks to increase holding capacity by increasing allowable density in residential zones. It gives developers the option of building to higher densities. This approach would be implemented through the local zoning or development code. This strategy is most commonly applied to multifamily residential zones.</p> <p>Higher densities increase residential landholding capacity. Higher densities, where appropriate, provide more housing, a greater variety of housing options, and a more efficient use of scarce land resources. Higher densities also reduce sprawl development and make the provision of services more cost effective.</p>	<p>Scale of Impact – Low to medium. This tool can be most effective in increasing densities where very low density is currently allowed or in areas where a city wants to encourage higher density development.</p>
A8. Allow Clustered Residential Development	<p>Clustering allows developers to increase density on portions of a site, while preserving other areas of the site. Clustering is a tool most commonly used to preserve natural areas or avoid natural hazards during development. It uses characteristics of the site as a primary consideration in determining building footprints, access, etc. Clustering is typically processed during the site review phase of development review.</p>	<p>Scale of Impact – Medium. Clustering can increase density, however, if other areas of the site that could otherwise be developed are not developed, the scale of impact can be reduced.</p>
A9. Allow Duplexes, Cottages Townhomes, Row Houses, and Tri- and Quad-Plexes in single-family zones with appropriate design & development standards	<p>Allowing these housing types can increase overall density of residential development and may encourage a higher percentage of multifamily housing types. This approach would be implemented through the local zoning or development code and would list these housing types as outright allowable uses in appropriate residential zones. These housing types provide additional affordable housing options and allow more residential units than would be achieved by detached homes alone.</p>	<p>Scale of Impact – Low to Medium. Allowing these types of housing in more zoning districts may provide a relatively small number of new, relatively affordable, housing opportunities.</p>
A10. Allow Cohousing and “Group Quarters” (SROs, etc.)	<p>Co-housing is a type of intentional community that provides individual dwelling units, both attached and detached, along with shared community facilities. Members of a co-housing community agree to participate in group activities and members are typically involved in the planning and design of the co-housing project. Private homes contain all the features of conventional homes, but residents also have access to extensive common facilities, such as open space, courtyards, a playground, and a common house.</p>	<p>Scale of Impact – Low to Medium. While cohousing may be able to achieve multifamily housing densities, it is unlikely that this housing type would make up a large portion of new housing stock, thereby diminishing its impact.</p>

Strategy Name	Description	Scale of Impact
(cont.)	<p>This approach would be implemented through the local zoning or development code and would list these housing types as outright allowable uses in appropriate residential zones.</p> <p>NOTE: “Co-housing” is often a permitted use as one of the permitted housing types (single-family, attached housing, or multi-family) that has private social arrangements which are not publicly regulated through the zoning ordinance).</p> <p>“Group Quarters” is a useful category used by the Census Bureau to describe living situations that aren’t classified as dwellings. This includes a variety of different living situations where occupants have some private living spaces, but each private living space doesn’t comprise a full dwelling unit, and there are certain shared common areas. For example, they may have one or more of the following: shared kitchen and dining facilities, living rooms, and/or bathrooms, etc. Examples include SROs (Single Room Occupancy housing, etc.). Similar to differentiation of “middle housing” multi-family housing types, these could be regulated and differentiated by zoning based on size categories.</p>	<p>“Group quarters” uses may reduce construction costs and address a potentially unmet need.</p>
A11. Permit Accessory Dwelling Units (ADUs) in single-family zones	<p>Communities use a variety of terms to refer to the concept of accessory dwellings: secondary residences; “granny” flats; and single-family conversions, among others. Regardless of the title, all of these terms refer to an independent dwelling unit that share, at least, a tax lot in a single-family zone. Some accessory dwelling units share parking and entrances. Some may be incorporated into the primary structure; others may be in accessory structures. Accessory dwellings can be distinguished from “shared” housing in that the unit has separate kitchen and bathroom facilities. ADUs are typically regulated as a conditional uses. Some ordinances only allow ADUs where the primary dwelling is owner-occupied.</p> <p>NOTE: McMinnville has already adopted and simplified ADU provisions. HB 2001 may require a modification that would eliminate additional off-street parking requirements for ADUs.</p>	<p>Scale of Impact - Low. Oregon law recently changed to require cities to allow ADUs. McMinnville has received few permit applications for ADUs in recent years.</p>

Strategy Name	Description	Scale of Impact
A12. Allow small or “tiny” homes and identify opportunities for tiny home developments.	<p>“Tiny” homes are typically dwellings that are 500 square feet or smaller. Some tiny houses are as small as 100 to 150 square feet. They include stand-alone units or very small multifamily units.</p> <p>Tiny homes can be sited in a variety of ways: locating them in RV parks (they are similar in many respects to Park Model RVs), tiny home subdivisions, or allowing them as accessory dwelling units.</p> <p>Smaller homes allow for smaller lots, increasing land use efficiency. They provide opportunities for affordable housing, especially for homeowners.</p>	<p>Scale of Impact – Low to medium:</p> <p>Scale of impact depends on regulation of tiny homes, where they are allowed, and market demand for tiny homes.</p>
A13. Promote Infill Development, Allowing Flexibility in Existing Zones with Appropriate Design and Development Standards	<p>This policy seeks to maximize the use of lands that are fully developed or underdeveloped. Make use of existing infrastructure by identifying and implementing policies that (1) improve market opportunities, and (2) reduce impediments to development in areas suitable for infill or redevelopment.</p> <p>Regulatory approaches to promote infill development include:</p> <ul style="list-style-type: none"> • Administrative streamlining • Allowing accessory dwelling units (ADUs) • Allowing small lots • Density bonuses 	<p>Scale of Impact – Low to medium. In general, infill development, especially small-scale infill, is more expensive than other types of residential development. Some types of infill development, such as ADUs, may provide opportunities for relatively affordable housing.</p>
A14. Incentive-Based Zoning and Inclusionary Zoning	<p>Inclusionary zoning policies tie development approval to, or provide regulatory incentives for, the provision of low- and moderate-income housing as part of a proposed development. Mandatory inclusionary zoning-requires developers to provide a certain percentage of low-income housing. Incentive-based inclusionary zoning-provides density or other types of incentives.</p> <p>Price of low-income housing passed on to purchasers of market-rate housing; inclusionary zoning impedes the “filtering” process where residents purchase new housing, freeing existing housing for lower-income residents.</p> <p>Some cities have long had quasi-inclusionary housing provisions in their codes that are implemented at the point of annexation.</p> <p><i>Legislative Authorizations: SB 1533 (2016), HB 2997 (2019, pending)</i></p>	<p>Scale of Impact – Low to medium.</p> <p>Inclusionary zoning has recently been made legal in Oregon. The scale of impact would depend on the inclusionary zoning policies adopted by the city.</p>

Strategy Name	Description	Scale of Impact
A15. Provide Density Bonuses to Developers	<p>The local government allows developers to build housing at densities higher than are usually allowed by the underlying zoning. Density bonuses are commonly used as a tool to encourage greater housing density in desired areas, provided certain requirements are met. This strategy is generally implemented through provisions of the local zoning code and is allowed in appropriate residential zones.</p> <p>Bonus densities can also be used to encourage development of low-income or workforce affordable housing. An affordable housing bonus would allow for more housing units to be built than allowed by zoning if the proposed project provides a certain amount affordable units.</p>	Scale of Impact - Low.
A16. Allow Transfer or Purchase of Development Rights (TDR/PDR)	<p>This policy is intended to move development from sensitive areas to more appropriate areas. Development rights are transferred to “receiving zones” and can be traded. This policy can increase overall densities. This policy is usually implemented through a subsection of the zoning code and identifies both sending zones (zones where decreased densities are desirable) and receiving zones (zones where increased densities are allowed).</p>	<p>Scale of Impact – Low to medium.</p> <p>Actual impact will depend on the extent to which the policy is used. TDRs may have little impact on overall densities since overall density is not changed; rather it is moved around. TDRs can be used to encourage higher densities in selected areas.</p>
A17. Transfer of Density	<p>Transfer of density can be similar to TDR/PDR (A16), but could potentially be implemented in a more simplified manner that doesn’t require the same administrative tracking of sending and receiving zones. For example, a Planned Development may allow a mix of housing types and densities which have the same overall density as allowed in the underlying zone that would achieved through development with uniform minimum lot sizes.</p>	<p>Scale of Impact – Low to medium.</p> <p>Actual impact will depend on the extent to which the policy is used. Density transfers may have little impact on overall densities since overall density is not changed; rather it is moved around.</p>
A18. Evaluate transfer of density for protection of natural features	<p>This policy could be implemented in a number of different ways, but with the specific intent of encouraging preservation of natural features by transferring allowed density elsewhere. This could be outside of the development or elsewhere within a development if applicable, similar to A16 or A17. The policy could also be achieved by permitting smaller lot sizes for lots abutting natural features so the natural feature can be better preserved in a distinct tract of land without reducing the development capacity of the site.</p>	<p>Scale of Impact – Low to medium.</p> <p>Actual impact will depend on the extent to which the policy is used. Density transfers for natural resource protection may have some impact on overall densities since it is allowing density to be captured on lands that would otherwise be unbuildable.</p>

Strategy Name	Description	Scale of Impact
A19. Reduced Parking Requirements for Different Housing Types	<p>Allows development of housing units to with discretionary reduction of parking requirements if an applicant can demonstrate that no more parking is needed.</p> <p>Reduced parking requirements are generally used in conjunction of development of subsidized affordable housing but cities like Portland have reduced or eliminated parking requirements for market-based multifamily housing in specific circumstances.</p>	<p>Scale of Impact - Low.</p> <p>The City could require the developer to prove the need and public benefit or reducing parking requirements to increase housing affordability.</p>
A20. Reduce Street Width Standards	<p>This policy is intended to reduce land used for streets and slow down traffic. Street standards are typically described in development and/or subdivision ordinances. Reduced street width standards are most commonly applied on local streets in residential zones.</p> <p>Narrower streets make more land available to housing and economic-based development. Narrower streets can also reduce long-term street maintenance costs.</p> <p>NOTE: <i>McMinnville has already adopted “skinny street” provisions, so any additional revisions would likely be minimal.</i></p>	<p>Scale of Impact - Low. This policy is most effective in cities that require relatively wide streets.</p>
A21. Regulations to Preserve Existing Housing Supply	<p>Housing preservation ordinances typically condition the demolition or replacement of certain housing types on the replacement of such housing elsewhere, fees in lieu of replacement, or payment for relocation expenses of existing tenants. Preservation of existing housing may focus on preservation of smaller, more affordable housing. Approaches include:</p> <ul style="list-style-type: none"> • Housing preservation ordinances • Housing replacement ordinances • Single-room-occupancy ordinances • Regulating demolitions 	<p>Scale of Impact - Low. Preserving small existing housing can make a difference in the availability of affordable housing in a city but it is limited by the existing stock housing, especially smaller, more affordable housing.</p>
A22. Fair Housing Act Best Practices	<p>Amendments to Definitions and Regulations, Using Best Practices to Further the Fair Housing Act. Historically, many communities have regulated residential use through definitions of “dwelling,” “family,” and “household” that described the maximum number of related and/or unrelated people living as a household within a dwelling unit. These regulations typically predated the Fair Housing Act, and new best practices which further the Fair Housing Act take a different approach to defining these terms and regulating residential use. Resulting regulations are more inclusive in permitting residential use.</p>	<p>Scale of Impact – Low to medium. This strategy would potentially help low income households obtain affordable housing by allowing more unrelated people to reside in a single dwelling.</p>

Strategy Name	Description	Scale of Impact
B. Special Area Planning which Includes Housing Opportunities		
B23. City Center Housing Strategy	The strategy will evaluate a defined area within the City Center for opportunities to increase context-sensitive housing within that area. This work has the potential to implement other strategies. The study area is partially within the designated Urban Renewal District area where eligible for TIF (K62), and could include strategies such as such as infill (A13), redevelopment, rezoning for residential use (A1), upzoning (A3), identification of possible opportunity sites (H48), and determination of associated infrastructure needs (D28).	Scale of Impact – Low to medium. This work is ongoing; it provides an opportunity to identify potential extent of residential component. Impact will also depend on market conditions.
B24. Evaluate Three Mile Land for Residential Development	The Three Mile Lane Area Plan includes evaluation of land use alternatives that could include opportunities to increase housing within the defined study area. This work has the potential to implement other strategies, which could include rezoning to residential use (A1), upzoning (A3), and determination of associated infrastructure needs (D28, D30)	Scale of Impact – Low to medium. This work is ongoing; it provides an opportunity to identify potential extent of residential component. Impact will also depend on market conditions.
B25. Hwy 99W Corridor Study – Opportunity for Higher-Density Mixed use Development	This work could include opportunities for higher density mixed-use development in anticipation of changing commercial patterns.	Scale of Impact – Low to medium. Impact will depend on market conditions.
C. Ensure Comprehensive Plan Policies Support Strategic Priorities		
C26. Great Neighborhood Principles	In April 2019, the City adopted Great Neighborhood Principles (GNP) and associated policies as part of the Comprehensive Plan. Some of these policies address mixed income and mixed housing neighborhoods. These policies will need to be implemented with code amendments, which can include other strategies, such as Strategy A2 to achieve a Diverse Housing Zone.	Scale of Impact – Low. The GNPs are primarily focused on urban form.
C27. Repeal outdated policies related to old sewer treatment capacity limits	Previously, the City's sewer treatment plant (water reclamation facility) had limitations on treatment capacity, and the City established policies that limited density in certain areas commensurate with the treatment capacity limitations. The treatment capacity of the plant has increased, and those limitations are no longer necessary, and should be repealed. (Comprehensive Plan Housing Policies – 71.10)	Scale of Impact – Low to medium.

Strategy Name	Description	Scale of Impact
D. Develop Infrastructure Plans to Support Strategic Priorities		
D28. Update infrastructure plans for vacant/infill development	In some developed areas, infrastructure plans including waste water collection and transportation may have assumed no additional development and were not planned for infill and redevelopment to higher intensity. Further, in undeveloped areas, these plans may have assumed growth would occur at historic densities, which may be less than the maximum density permitted by zoning, limiting density of new development where there may be a desire to encourage infill and redevelopment.	Scale of Impact – Low to medium. It is difficult to determine impact until the assessment is completed; impact will depend on market response.
D29. Update infrastructure plans for growth lands	Infrastructure plans are generally sized with capacity for build-out of the Urban Growth Boundary. Expansion of the UGB will necessitate updates to the public facility plans to provide capacity to serve new areas. Infrastructure planning can also be sized to accommodate future growth within designated Urban Reserve Areas, providing for more cost-efficient provision of services.	Scale of Impact – Medium to high. The HNA concludes a significant deficit of residential lands; ensuring services is essential to transitioning land to a developable state.
D30. Develop infrastructure allocation policies	If there are current infrastructure capacity limits, developing policies to allocate the capacity can provide greater certainty about capacity and allowable density of development phasing in the short term, in support of development, redevelopment, and infill priorities.	Scale of Impact – Low. This strategy is primarily about efficient use of infrastructure and timing and will have little impact on land capacity.
D31. Develop alternative mobility network	Planning and developing an alternative mobility network can shift some trips to alternative transportation modes, providing transportation choice and reducing congestion. This can support infill and redevelopment that supports alternative modes in congested areas.	Scale of Impact – Low. This will have little impact on housing cost or type, but will ensure livable neighborhoods.
D32. Develop plans that allow for emerging technology	As new technologies emerge, there may be opportunities to reduce demand on certain infrastructure and transportation systems, potentially increasing capacity by reducing travel demand for some trips. Plans should be designed to allow for this technology and be flexible in adapting plans to reduced demand and congestion on systems that may enable additional infill and redevelopment	Scale of Impact – Unknown. Not enough is known about the impact of emerging technologies such as autonomous vehicles to predict their impact.
D33. Encourage “to and through” infrastructure policies	These policies ensure infrastructure extensions are sized to serve development as well as to extend beyond the development in the future to serve outlying properties.	Scale of Impact – Medium to high. This strategy will have little impact on housing type or affordability, but will ensure adequate capacity to serve lands in a timely and economical manner.

Strategy Name	Description	Scale of Impact
D34. Identify issues and plan for Water Zone 2 infrastructure improvements	The western portion of the UGB is at a higher elevation which requires separate infrastructure for water service within Water Service Pressure Zone 2, which will require a new water storage tank. Buildable lands within the UGB which area in Zone 2 will be unavailable for development until they can be served with water. The investment in the Zone 2 water infrastructure won't occur without sufficient area and timely development to help fund the necessary water infrastructure.	Scale of Impact – Low. This strategy will allow development of land included in the BLI.
D35. Identify areas with underutilized infrastructure capacity	Areas with underutilized infrastructure capacity may be evaluated as candidates for additional development intensity of vacant lands or infill and redevelopment opportunities in developed areas.	Scale of Impact – Low to medium. This strategy would potentially allow higher density development; impact will depend on market response.
E. Increase Buildable Land Inventory – Developing a 5, 10, 20, and 50 Year Inventory & Phase-In		
E36. Establish an Urban Reserve Area (URA)	Cities may establish Urban Reserve Areas (URAs) for a period of up to 30 years beyond the Urban Growth Boundary (UGB) planning period of 20 years, for a combined period of up to 50 years . These become the highest priority lands for future UGB expansions. Urban Reserve Areas provide an opportunity for efficient infrastructure planning and future urbanization.	Scale of Impact – Low to high. URAs are a long-term land supply strategy. The short term impact will be none; the impact 10-20+ years out could be significant in allowing better infrastructure and land supply.
E37. Establish a framework plan for the URA	A framework plan identifies the major land uses, transportation backbone, infrastructure needs, and sequencing for the long-term growth within the URA. As these lands come into the UGB, area plans will be developed to ensure land uses and housing are provided consistent with the long-term framework plan.	Scale of Impact – Low to high. URAs are a long-term land supply strategy. The short term impact will be none; the impact 10-20+ years out could be significant in allowing better infrastructure and land supply.
E38. Identify an expanded UGB per the URA	Urban Reserve Planning helps guide where to establish an Urban Growth Boundary to meet needs for the 20-year planning period.	Scale of Impact – High. Land supply is one of McMinnville's biggest short-term constraining factors.

Strategy Name	Description	Scale of Impact
E39. Develop area plans for UGB lands identifying housing opportunities	Area plans for the UGB refine the framework plan into a more detailed land use plan for areas within the UGB. Development proposals would require master plans consistent with the area plans.	Scale of Impact – High. Land supply is one of McMinnville's biggest short-term constraining factors. This strategy will ensure efficient development of expansion areas.
E40. Develop annexation process to mandate housing types upon annexation per area plans.	Lands brought into the UGB are placed in an urban holding zone, allowing for annexation phasing plans. Annexation would require master plan approval addressing required housing mix and average density, site design, and development standards.	Scale of Impact – High. Land supply is one of McMinnville's biggest short-term constraining factors. This strategy will ensure efficient development of expansion areas.
F. Complete “Functional” Planning that Further Affects or Informs the Buildable Land Inventory		
F41. Goal 5 Natural Resource Planning & Policies, incl. wetlands and riparian areas	The City has not adopted certain local “Goal 5” resource policies, which will be required, including a Local Wetland Inventory (LWI) and standards for riparian corridors. These will further affect or inform the capacity of lands within the UGB and future growth areas.	Scale of Impact – Low. This strategy may take certain lands off the buildable inventory.
F42. Goal 7 Hazards Planning & Policies, incl. landslide susceptibility	The City has not adopted certain local “Goal 7” policies for hazards, including areas mapped by DOGAMI (The Oregon Department of Geology and Mineral Industries) as high landslide susceptibility. DOGAMI is in the process of refining their mapping which will further inform this work, which could affect or inform the capacity of lands within the UGB and future growth areas.	Scale of Impact – Low. This strategy may take certain lands off the buildable inventory.

Strategy Name	Description	Scale of Impact
G. Evaluate Administrative and Procedural Reforms		
G43. Administrative and Procedural Reforms	Regulatory delay can be a major cost-inducing factor in development. Oregon has specific requirements for review of development applications; however, complicated projects frequently require additional analysis such as traffic impact studies, etc. A key consideration in these types of reforms is how to streamline the review process and still achieve the intended objectives of local development policies.	Scale of Impact - Low. The level of impact on production of housing and housing affordability will be small and will depend on the changes made to the city's procedures.
G44. Streamline Zoning Code and other Ordinances	Complexity of zoning, subdivision, and other ordinances can make development more difficult, time consuming, and costly. Streamlining development regulations can result in increased development. As part of the streamlining process, cities may evaluate potential barriers to affordable workforce housing and multifamily housing. Potential barriers may include: height limitations, complexity of planned unit development regulations,	Scale of Impact - Low to medium. The level of impact on production of housing and housing affordability will depend on the changes made to the zoning code and other ordinances.

Strategy Name	Description	Scale of Impact
II. OTHER STRATEGIES – NON LAND USE (City)		
H. Land Interventions to Reduce Costs and Facilitate Housing Development		
H45. Parcel assembly	<p>Parcel assembly involves the city's ability to purchase lands for the purpose of land aggregation or site assembly. It can directly address the issues related to limited multifamily lands being available in appropriate locations (e.g., near arterials and commercial services). Typical goals of parcel assembly programs are: (1) to provide sites for rental apartments in appropriate locations close to services and (2) to reduce the cost of developing multifamily rental units</p> <p>Parcel assembly can lower the cost of multifamily development because the City is able to purchase land in strategic locations over time. Parcel assembly is more often associated with development of government-subsidized affordable housing, where the City partners with nonprofit affordable housing developers.</p>	<p>Scale of Impact - Low to medium: Parcel assembly is most likely to have an effect on a localized area, providing a few opportunities for new multifamily housing development over time.</p>
H46. Land Banking	<p>Land banks are public or community-owned entities created to acquire, manage, maintain, and repurpose vacant, abandoned, and foreclosed properties for conversion into productive use. Land banks can play a variety of roles. They can play a very limited role, such as simply acquiring property on behalf of a local municipality, to a broader role of property developer. It is important to note that land banks are not financial institutions: financing comes from developers, banks, and local governments.</p> <p>Land banks may be granted special powers via state enabling legislation. These powers can include the ability to remove legal and financial barriers, such as delinquent property taxes, that often render vacant and abandoned properties inaccessible or unattractive to the private market. Land banks acquire properties through different means, but the most common pipeline is the property tax foreclosure system.</p>	<p>Scale of Impact - Low to medium: Land banking would have the biggest impact on production of low- and moderate-income affordable housing. Considering how difficult it can be to build this type of affordable housing, and the level of need for affordable housing, land banking could encourage development of more affordable housing types.</p>

Strategy Name	Description	Scale of Impact
H47. Community Land Trust (CLT)	<p>A Community Land Trust (CLT) creates permanent affordability by severing the value of the land and the improvements (i.e., the house). The land is held in trust by a nonprofit or other entity then leased to the homeowner. The homeowner enjoys most of the rights of homeownership, but restrictions are placed on use (e.g., owner occupancy requirement) and price restrictions on resale ensure that the home remains affordable.</p> <p>CLTs may be used in conjunction with land banking programs, where the city or a nonprofit housing corporation purchases a future site for affordable housing or other housing that meets community goals.</p> <p>A variation to the community land trust is to have the City own the property rather than the land trust, and lease property to income-qualifying households (such as low-income or moderate-income households) to build housing. The City would continue to own the land over the long-term but the homeowner would be able to sell the house. Restrictions on resale ensure that the home remains affordable.</p>	Scale of Impact - Low to medium: A land trust will have the biggest impact on production of low- and moderate-income affordable housing. Considering how difficult it is to build this type of affordable housing and the level of need for affordable housing, a land trust could increase nonprofits' capacity to build affordable housing.
H48. Public Land Disposition	The public sector sometimes controls land that has been acquired with resources that enable it to dispose of that land for private and/or nonprofit redevelopment. Land acquired with funding sources such as tax increment, EB5, or through federal resources such as CDBG or HUD Section 108 can be sold or leased at below market rates for various projects to help achieve redevelopment objectives. This increases development feasibility by reducing development costs and gives the public sector leverage to achieve its goals via a development agreement process with the developer. Funding can come from Tax Increment, CDBG/HUD 108, EB-5.	Scale of Impact - Low to medium: Using public land would have the biggest impact on production of low- and moderate-income affordable housing. Impact varies considering how difficult it is to build this type of affordable housing and the level of need for affordable housing.
I. Financial Incentives and Affordable Housing Subsidy & Assistance Programs to Retain Housing Stock, Add Supply, and Help People Afford Housing (Tax abatement programs that decrease operational costs by decreasing property taxes, Programs to lower the cost of development)		
I49. Multiple-Unit Limited Tax Exemption Program (Locally Enabled and Managed)	Multi-unit projects receive a ten-year property tax exemption on structural improvements to the property as long as program requirements are met. There is no ground floor active use requirement for this tool. The City of Portland's program, for example, limits the number of exemptions approved annually, requires developers to apply through a competitive process, and encourages projects to provide greater public benefits to the community. This program is enabled by the state, but managed by the local jurisdiction.	Scale of Impact – Low to medium. The design of the tax abatement program will impact whether and how many developers use the tax abatement, which will affect the scale of the impact.

Strategy Name	Description	Scale of Impact
I50. Affordable Housing Property Tax Abatement	There are several statutory authorizations for different types of affordable housing property tax abatements which could apply to affordable housing developments that aren't already tax exempt. Some of these can be designated for a limited duration. Some of these are authorized by statute and require local enabling legislation or approvals.	Scale of Impact – Low to medium. The design of the tax abatement program will impact whether and how many developers use the tax abatement, which will affect the scale of the impact.
I51. Vertical Housing Tax Abatement (Locally Enabled and Managed)	Subsidizes "mixed-use" projects to encourage dense development or redevelopment by providing a partial property tax exemption on increased property value for qualified developments. The exemption varies in accordance with the number of residential floors on a mixed-use project with a maximum property tax exemption of 80% over 10 years. An additional property tax exemption on the land may be given if some or all of the residential housing is for low-income persons (80% of area is median income or below). The proposed zone must meet at least one of the following criteria: <ul style="list-style-type: none"> • Completely within the core area of an urban center. • Entirely within half-mile radius of existing/planned light rail station. • Entirely within one-quarter mile of fixed-route transit service (including a bus line). • Contains property for which land-use comprehensive plan and implementing ordinances effectively allow "mixed-use" with residential. 	Scale of Impact – Low to medium. The design of the tax abatement program will impact whether and how many developers use the tax abatement, which will affect the scale of the impact.
I52. Financial incentives supporting inclusionary zoning	In addition to regulatory mandates and incentives for inclusionary zoning, there can be financial incentives to help achieve inclusionary zoning, or to help increase the level of affordability or percentage of affordable units. If a City adopts both inclusionary zoning and a Construction Excise Tax, a city must offer certain incentives for developments subject to inclusionary zoning.	Scale of Impact – Low to medium. The design of the program will impact whether and how many developers use the incentives which will affect the scale of the impact.

Strategy Name	Description	Scale of Impact
I53. SDC Financing and Credits	<p>Enables developers to spread their SDC payment over time, thereby reducing upfront costs. Alternately, credits allow developers to make necessary improvements to the site in lieu of paying SDCs. Note that the City can control its own SDCs, but often small cities manage them on behalf of other jurisdictions including the County and special districts. Funding can come from an SDC fund or general fund. In some cases there may be no financial impact. Can come in the form of student, low-income, or workforce housing.</p> <p>An additional variation is deferral of SDC payment from time of building permit issuance to when the building is occupied, which can reduce up-front costs, but can potentially present create administrative issues.</p>	<p>Scale of Impact – Low. The City may consider changes in SDCs to allow financing, but the City would want to ensure that the impact should be spread-out and non-negatively impact one entity.</p>
I54. Sole Source SDCs	<p>Retains SDCs paid by developers within a limited geographic area that directly benefits from new development, rather than being available for use city-wide. This enables SDC eligible improvements within the area that generates those funds to keep them for these improvements. Improvements within smaller areas can enhance the catalytic and redevelopment value of the area. This tool can also be blended with other resources such as LIDs and TIF. Funding can come from an SDC fund or general fund. In some cases there may be no financial impact. The housing can come in the form of student, low income, or workforce housing. However, in some cases, this could limit the ability to aggregate SDC resources regardless of geographic area for larger infrastructure projects.</p>	<p>Scale of Impact – Low to medium. Depends on extent to which SDCs can be aggregated to complete larger projects.</p>
I55. Reduced or waived planning fees, permit fees, SDCs for affordable housing	<p>Planning fees, permit fees, and SDCs can be reduced or waived for qualifying affordable housing developments.</p> <p>McMinnville has already enacted planning, permit, and certain SDC waivers for qualifying affordable housing developments.</p>	<p>Scale of Impact – Low. McMinnville has already enacted planning, permit, and certain SDC waivers for qualifying affordable housing developments.</p>
I56. General Fund Grants or Loans	<p>Through the annual budget process, the City can allocate funds to assist affordable housing developments. Assistance can also be provided through no- or low-interest loans. That typically occurs in conjunction with a revolving loan fund that allows the fund to grow over time as loans are repaid.</p>	<p>Scale of Impact – Unknown. Impact is dependent on obtaining grants.</p>

Strategy Name	Description	Scale of Impact
I57. Home ownership programs	<p>Cities (and other partners) use a variety of programs to assist with homeownership</p> <ul style="list-style-type: none"> • Homebuyer Assistance Programs. These Down Payment Assistance loans help low- or moderate-income households cover down payment and closing costs to purchase homes on the open market. These programs either give loans or grants, most frequently to first time homebuyers. • Inclusionary Housing Program. Some cities have an Inclusionary Housing Ordinance (IH) requires that new residential development contribute at least 20% of the total units as permanently affordable housing. Options for meeting this requirement can be allow the affordable units to be located on or off site. Cities that use inclusionary housing generally have programs to ensure that housing continues to be affordable over the long-term. • Partnerships. Cities often work with partnerships with nonprofit agencies that provide homeownership assistance. 	<p>Scale of Impact - Low. While homeownership programs are important, limited funds mean that the number of households that benefit from homeownership programs is relatively small.</p>
I58. Rental assistance programs	<p>Cities (and other partners) use a variety of programs to provide rental assistances</p> <ul style="list-style-type: none"> • Section 8 Voucher: This assistance subsidizes the difference between 30 to 40 percent of a household's income and the area's Fair Market Rent (FMR). • Rental assistance programs. These programs offer a range of services, such as assistance with security deposits. • Rent Control. Rent control regulations control the level and increases in rent, over time resulting in rents that are at or below market rates. • Partnerships. Cities often work with partnerships with nonprofit agencies that provide rental assistance. 	<p>Scale of Impact - Low. Renter assistance programs are important. However, limited city funds mean that the number of households that benefit from rental assistance resulting from city funding is relatively small.</p>
I59. Housing Rehabilitation Programs	<p>Cities (and other partners) often offer home rehabilitation programs, which provide loans to low- and moderate-income households for rehabilitation projects such as making energy efficiency, code, and safety repairs. Some programs provide funding to demolish and completely reconstruct substandard housing.</p>	<p>Scale of Impact - Low. Limited fund availability means that relatively few households will be able to access housing rehabilitation funds.</p>
I60. Non-regulatory programs and incentives to	<p>While rehabilitation programs can help preserve housing supply there are other strategies that can help preserve housing supply, or affordable housing supply. For example, if a long-term deed restriction requiring affordable rents for a specified period is</p>	<p>Scale of Impact - Low. Impact would be limited by the availability of funding.</p>

Strategy Name	Description	Scale of Impact
preserve existing housing supply	set to expire, an affordable housing agency may acquire a property to retain the housing as affordable units.	
J. Tools to Help Fund Infrastructure or Facilitate Equitable & Timely Extension of Infrastructure		
J61. Local Improvement District (LID)	This tool is a special assessment district where property owners are assessed a fee to pay for capital improvements, such as streetscape enhancements, underground utilities, or shared open space. LIDs must be supported by a majority of affected property owners and setting up fair LID payments for various property owners, who are located different distances from the improvement can be challenging. However, if successful it succeeds in organizing property owners around a common goal. It also allows property owners to make payments over time to bring about improvements quickly that benefit them individually. LIDs can also be bundled with other resources, such as TIFs.	Scale of Impact – Low to medium. This tool can only be used when certain majority requirements are met for properties to be assessed.
J62. Reimbursement District	<p>A reimbursement district is a tool that provides equity if the City or a developer must extend public facilities along other properties in order to enable development of a property. If intervening properties connect to the infrastructure extended at the expense of the developer or City, a reimbursement district allows the City or developer who paid for the extension to recoup costs that would have been incurred by the intervening properties if they had to extend it on their own at the time of their development.</p> <p>Unless or until the intervening property develops in a manner that would have required the infrastructure extension, there is no assessment. Therefore, there is no assurance that the City or developer that installed the infrastructure will recoup the costs.</p> <p>This tool can overcome a situation where a developer may be hesitant to extend services if the intervening property can connect for free at developer's expense.</p>	Scale of Impact – Low to medium. This tool doesn't provide a new funding source, but may sometimes impact decisions to extend infrastructure to serve new development.

Strategy Name	Description	Scale of Impact
K. Programs and Revenue Sources to Generate Revenue to Fund Subsidy Programs and Incentives (Sources of funding to pay for infrastructure to support development)		
K63. Urban Renewal / Tax Increment Finance (TIF)	<p>Tax increment finance revenues are generated by the increase in total assessed value in an urban renewal district from the time the district is first established. As property values increase in the district, the increase in total property taxes (i.e., City, County, school portions) is used to pay off the bonds. When the bonds are paid off, the entire valuation is returned to the general property tax rolls. TIFs defer property tax accumulation by the City and County until the urban renewal district expires or pays off bonds. Over the long term (most districts are established for a period of 20 or more years), the district could produce significant revenues for capital projects. Urban renewal funds can be invested in the form of low-interest loans and/or grants for a variety of capital investments:</p> <ul style="list-style-type: none"> • Redevelopment projects, such as mixed-use or infill housing developments • Economic development strategies, such as capital improvement loans for small or start up businesses which can be linked to family-wage jobs • Streetscape improvements, including new lighting, trees, and sidewalks • Land assembly for public as well as private re-use • Transportation enhancements, including intersection improvements • Historic preservation projects • Parks and open spaces 	<p>Scale of Impact – Medium. Urban Renewal funding is a flexible tool that allows cities to develop essential infrastructure or provides funding for programs that lower the costs of housing development (such as SDC reductions or low interest loan programs). Portland used Urban Renewal to catalyze redevelopment across the City, including the Pearl District and South Waterfront.</p>
K64. Affordable Housing Construction Excise Tax (CET)	<p>An affordable housing construction excise tax (CET) is a tax on the value of new construction that is used to fund affordable housing. CETs are governed by state law but provide local control over some aspects of the tax structure, rates, etc.</p> <p>A CET can be established using a flat rate or a tiered/marginal rate, which can help further affordable housing objectives.</p> <p><i>(Legislative Authorization: SB 1533, 2016)</i></p>	<p>Scale of Impact – Low to medium. Impacts would depend on (1) the amount of the tax, (2) the amount of revenue generated, and (3) how the funds are invested.</p>

Strategy Name	Description	Scale of Impact
K65. Linkage Fees for Non-Residential Development	Linkage fees are a type of impact fee based on the source of the impact. In this case, the fee is based on the impact of commercial and industrial development creating additional housing demand. New nonresidential development generates jobs, which triggers housing needs for their workers. Commercial and/or industrial developers are charged fees, usually assessed per square foot, which then are used to build new housing units. A communitywide analysis is usually performed to estimate the type and amount of jobs and wages that are expected to be generated by new development.	Scale of Impact – Low to medium. Impact is dependent on the design of the program which will determine how many projects are required to pay fees.
K66 & 67. General Fund and General Obligation (GO) Bonds	The city can use general fund monies on hand or can issue bonds backed by the full faith and credit of the city to pay for desired public improvements. GO Bonds require a public vote which can be time-consuming and costly. GO Bonds also raise property owner taxes.	Scale of Impact – Medium to high. GO Bonds can be used to develop essential infrastructure or provides funding for programs that lower the costs of housing development (such as SDC reductions or low interest loan programs).
K68. Transient Lodging Tax (TLT) – Up to 30% for Affordable Housing (SB595)	This legislation would enable cities with a local transient lodging tax to use a portion for affordable housing. Currently 70% of local funds must go to tourism, and 30% can be allocated to general fund. SB595 would authorize a maximum of 30% be dedicated for affordable housing, authorized to be deducted from the 70% for tourism. <i>(Legislative Authorization: SB595, 2019, pending)</i>	Scale of Impact – Low to moderate Would require Council action to appropriate funds for housing and the amount of funding. Would provide a stable annual funding source dedicated to affordable housing.

Strategy Name	Description	Scale of Impact
<p>K69. Community Development Block Grants (CDBG)</p> <p>(Federal Program, Locally Administered)</p>	<p>Community Development Block Grants (CDBG) provide communities with resources to address a range of community development needs, including infrastructure improvements, housing and commercial rehab loans and grants, as well as other benefits targeted to low- and moderate-income persons. Funds can be applied relatively flexibly. This program has been run since 1974, and is seen as being fairly reliable, but securing loans/grants for individual projects can be competitive.</p> <p>Some drawbacks to CDBG funds include:</p> <ul style="list-style-type: none"> • Administration and projects must meet federal guidelines such as Davis Bacon construction requirements. • Amount of federal funding for CDBG has been diminishing over the past few years. • CDBG program is not in the control of the City. 	<p>Scale of Impact – Unknown. Impact is dependent on qualifying as an entitlement community with an annual appropriation or obtaining grants competitively through the state/small cities program</p>
<p>p/o K69. CDBG – Section 108 (Federal Program, Locally Administered)</p>	<p>HUD Section 108 increases the capacity of block grants to assist with economic development projects by enabling a community to borrow up to five times its annual CDBG allocation. These funds can be fairly flexible in their application. The program has been in operation since 1974 and has gained reliability. It enables a larger amount of very low interest-rate-subordinate funding for eligible projects. As with CDBGs, the process of securing the loan can be competitive.</p>	<p>Scale of Impact - Low. Section 108 funds could be used to help finance development of some affordable housing but would only cover a portion of the affordable housing development.</p>
<p>K70. Housing Trust Funds</p>	<p>Housing trust funds are designed locally so they take advantage of unique opportunities and address specific needs that exist within a community. Housing trust funds support virtually any housing activity that serves the targeted beneficiaries and would typically fund new construction and rehabilitation, as well as community land trusts and first time homeowners.</p> <p>This tool is often used in cities with inclusionary zoning ordinances, which generates fees to fund development of the housing trust fund. Successfully implementing this tool requires a dedicated funding source.</p>	<p>Scale of Impact – Unknown. Impact is dependent on program design.</p>

Strategy Name	Description	Scale of Impact
K71. Fees or Other Dedicated Revenue	Directs user fees into an enterprise fund that provides dedicated revenue to fund specific projects. Examples of those types of funds can include parking revenue funds, stormwater/ sewer funds, street funds, etc. The City could also use this program to raise private sector funds for a district parking garage wherein the City could facilitate a program allowing developers to pay fees-in-lieu or “parking credits” that developers would purchase from the City for access “entitlement” into the shared supply. The shared supply could meet initial parking need when the development comes online while also maintaining the flexibility to adjust to parking need over time as elasticity in the demand patterns develop in the district and influences like alternative modes are accounted for. Funding can come from residents, businesses, and developers. Also these fees or revenues allow for new revenue streams into the City.	Scale of Impact – Unknown. Impact is dependent on program design.
L. Education and Outreach		
L72. Education and Outreach	Ensure housing developers are aware of regulatory changes that authorize additional housing options or flexibility. Provide information that explains housing options that are already available under existing zoning and building codes, but may use different terminology than is commonly recognized.	Scale of Impact – Low.
M. Advocacy for State/Federal Legislative Actions that Increase State Agency Program Funding Available to Fund Affordable Housing		
M73. State Affordable Housing Funding	This legislation would change the tax income code to eliminate certain deductions, and the resulting revenues would fund state affordable housing programs. <i>(Legislation: HB 3349, 2019, pending)</i>	Scale of Impact – Unknown.
N. Apply for and Utilize State, Federal, and Foundation Resources		
N74. Use grants, programs, and technical resources when available and cost-effective	Continue to utilize grant funds and other resources when available to fund housing related planning and housing-related programs.	Scale of Impact – Unknown. Impact is dependent on obtaining grants.

Strategy Name	Description	Scale of Impact
O. Partnerships		
O75. Misc. Partnerships	Placeholder Only – To Capture Ideas / Discussion	
P. Strategies and Tools Employed by Organizations Other Than the City		
P76. Misc. Strategies	Placeholder Only – To Capture Ideas / Discussion	
P77. Oregon Affordable Housing Tax Credit (OAHTC)	<p>The City is directly not involved in this program.</p> <p>The 1989 Oregon Legislature created the Oregon Affordable Housing Tax Credit Program (OAHTC). Under the OAHTC Program, the Department has the authority to certify tax credits for projects. Through the use of tax credits, lending institutions are able to lower the cost of financing by as much as four percent for housing projects or community rehabilitation programs serving low-income households. The savings generated by the reduced interest rate must be passed directly to the tenant in the form of reduced rents.</p>	Scale of Impact – Low to medium. The city is not directly involved in this program.
P78. Low Income Housing Tax Credits (LIHTC)	<p>The Low Income Housing Tax Credit Program (LIHTC) is an incentive to encourage the construction and rehabilitation of rental housing for lower-income households. The program offers credits on federal tax liabilities for 10 years. Individuals, corporations, partnerships and other legal entities may benefit from tax credits, subject to applicable restrictions.</p> <p>Annually, the U.S. Department of Treasury allocates tax credits to each state. Oregon Housing and Community Services (OHCS) administers the tax credit program for the state of Oregon. Tax credits offer direct federal income tax savings to owners of rental housing developments who with a developer are willing to set-aside a minimum portion of the development's units for households earning 60 percent or less of gross area median income. Developers of tax credit developments typically sell the credits to investors who are willing to provide capital in return for the economic benefits (including tax credits) generated by the development.</p>	Scale f Impact – Moderate to high. The city is not directly involved in this program.

Land Use Action	Aggregate Results (2 groups)
A9. Allow more housing types	81
A2. Diverse Housing Zone. Explore residential zoning with targeted/ minimum density and multiple allowed housing types	73
A3. Develop a high density residential zone	73
D28. Update infrastructure plans for infill development	67
A13. Promote Infill Development, Allowing Flexibility in Existing Zones with Appropriate Design and Development Standards	60
A4. Allow Small Residential Lots	58
A8. Allow Clustered Residential Development	57
E36. Establish an Urban Reserve Area (URA)	57
D29. Update infrastructure plans for growth lands	53
E38. Identify an expanded UGB per the URA	48
B23. City Center Housing Strategy	47
E40. Develop annexation process to mandate housing types upon annexation per area plans.	47
G44. Streamline Zoning Code and other Ordinances	45
A11. Permit ADU in SF Zones	43
A12. Allow small or “tiny” homes and identify opportunities for tiny home developments.	43
A14. Incentive-Based Zoning and Inclusionary Zoning	42
C26. Great Neighborhood Principles	42
A10. Allow Cohousing and “Group Quarters” (SROs, etc.)	39
E39. Develop area plans for UGB lands identifying housing opportunities	39
E37. Establish a framework plan for the URA	37
B24. Evaluate Three Mile Land for Residential Development	36
A6. Mandate Minimum Residential Densities	35
A7. Increase Allowable Residential Densities	35
A1. Redesignate or rezone land for housing	32
F41. Goal 5 Natural Resource Planning & Policies, incl. wetlands and riparian areas	29
A22. Fair Housing Act BMP	28
C27. Repeal outdated policies related to old sewer treatment capacity limits	28
D34. Identify issues and plan for Water Zone 2 infrastructure improvements	27
A18. Evaluate transfer of density for protection of natural features	26
A19. Reduced Parking	26
G43. Administrative and Procedural Reforms	26

B25. Hwy 99W Corridor Study – Opportunity for Higher-Density Mixed use Development	24
D30. Develop infrastructure allocation policies	23
D33. Encourage “to and through” infrastructure policies	22
A5. Mandate Maximum Lot Sizes	21
A16. Allow TDR/PDR	20
Other: Look for opportunities to rezone existing single-family to R-3 and R-4 to address short-term deficit identified in HNA	20
A15. Provide Density Bonuses	15
A21. Regulations to Preserve Existing Housing	14
F42. Goal 7 Hazards Planning & Policies, incl. landslide susceptibility	14
D32. Develop plans that allow for emerging technology	12
A20. Reduce Street Width Standards	11
A17. Transfer of Density	10
D35. Identify areas with underutilized infrastructure capacity	10
D31. Develop alternative mobility network	6

Non-Land Use Action	Aggregate Results (2 groups)
p78 lihtc	77
I57. Home ownership programs	74
P77. Oregon Affordable Housing Tax Credit	60
K68. Transient Lodging Tax (TLT) – Up to 30% for Affordable Housing (SB595)	55
I59. Housing Rehab	54
H47. Community Land Trust (CLT)	50
I52. Financial incentives supporting inclusionary zoning	48
I58. Rental assistance programs	47
I55. Reduced or waived planning fees, permit fees, SDCs for affordable housing	45
K69. Community CDBG	44
I50. Affordable Housing Property Tax Abatement	43
M73. State Affordable Housing Funding	43
H46. Land Banking	40
K63. Urban Renewal TIF	39
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J61. LID	33
K70. Housing Trust Funds	32
I60. Non-regulatory programs and incentives to preserve existing housing supply	29
H45. Parcel assembly	28
I49. Multiple-Unit Limited Tax	25
K64. Affordable Housing Construction Excise Tax (CET)	25
J62. Reimbursement District	24
p/o K69. CDBG 108	24
N74. Use grants, programs, and technical resources when available and cost-effective	24
H48. Public Land Disposition	22
I54. Sole Source SDC	21
other: Vacant Property tax	20
K66 & 67. General Fund and General Obligation	17
I56. General Fund Grants or Loans	14
K71. Fees or Other	14
L72. Education and Outreach	14
Other: Fee for demo of affordable home for expensive home	14
K65. Linkage Fees for Non-Residential	12
O75. Misc. Partnerships	6
P76. Misc. Strategies	2

HB 2001

Missing Middle Housing State Mandates for Cities



PLANNING COMMISSION, 09.19.19



HB 2001

Missing Middle Housing State Mandates for Cities

Compliance required by
June 30, 2022



PLANNING COMMISSION, 09.19.19



HB 2001

Missing Middle Housing State Mandates for Cities

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What does compliance
mean for the City of
McMinnville?



PLANNING COMMISSION, 09.19.19

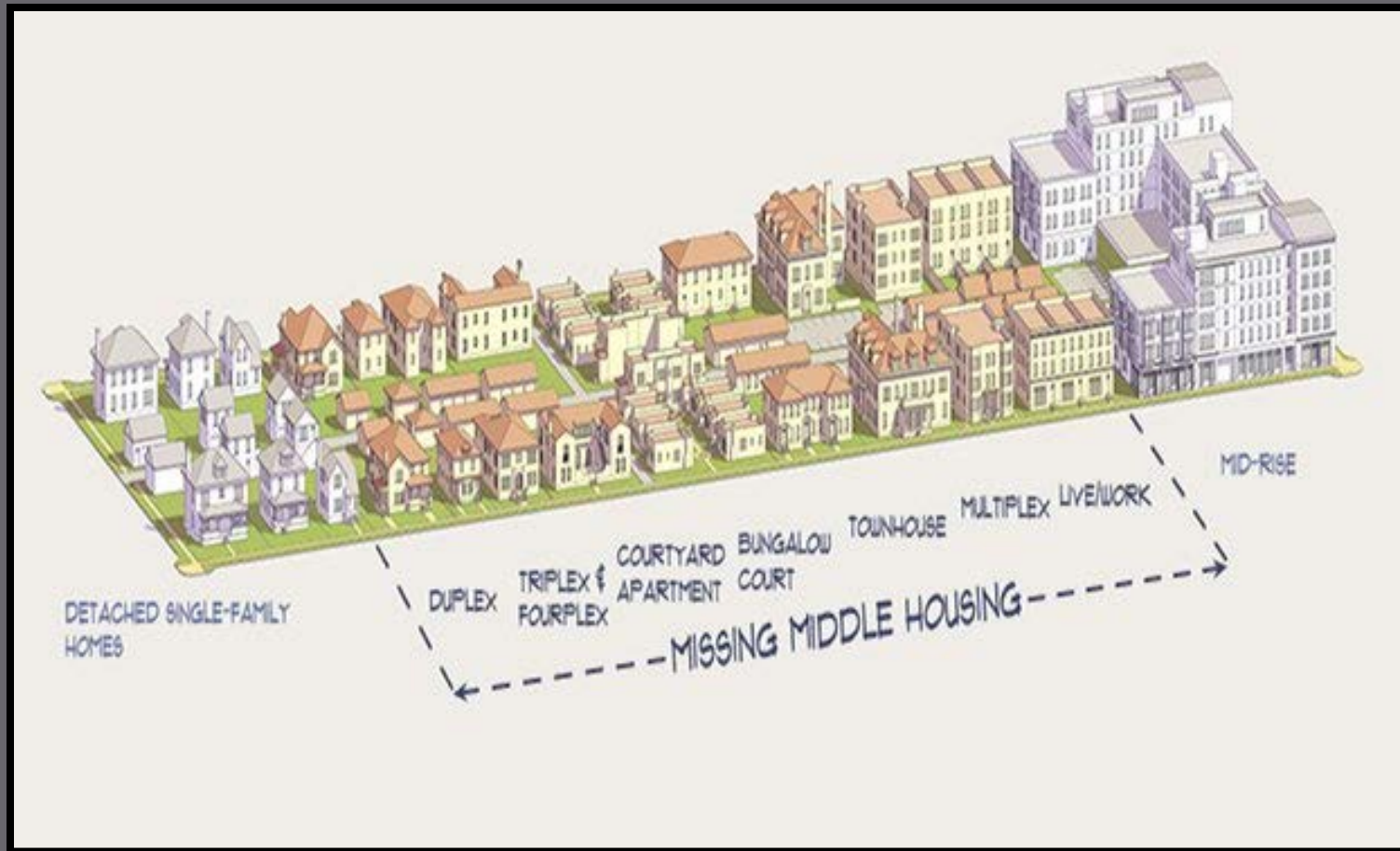


WHAT IS MISSING MIDDLE HOUSING?



PLANNING COMMISSION, 09.19.19

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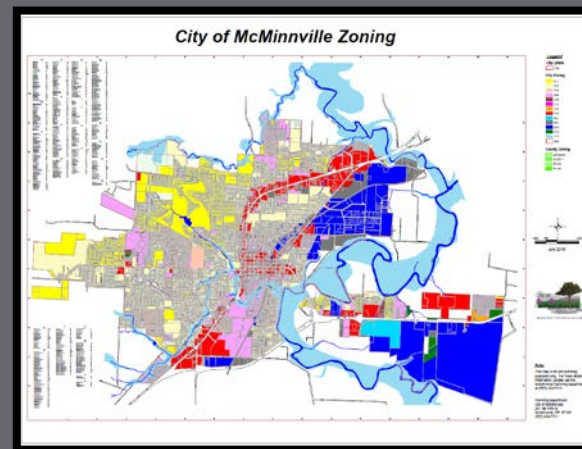
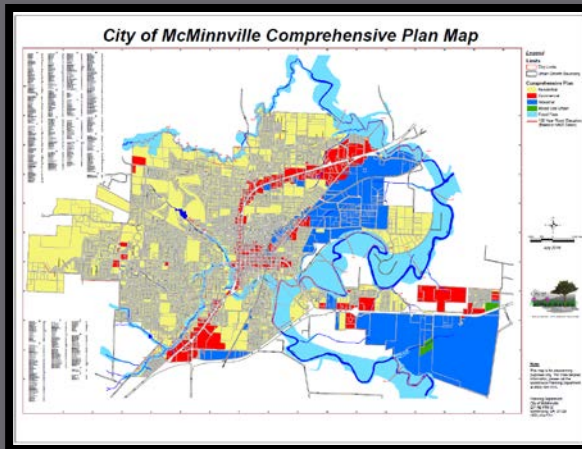
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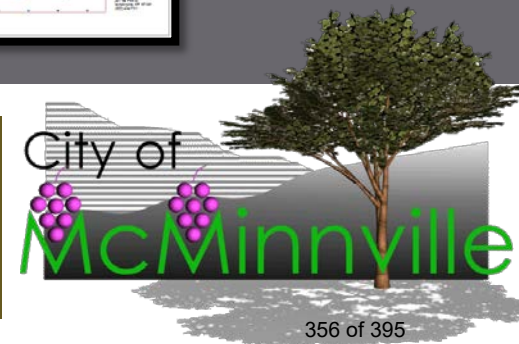
PLANNING COMMISSION, 09.19.19

MANDATES OF THE BILL

- ❑ All cities with a population of 25,000 or more need to adopt regulations that allow duplexes, triplexes, quadplexes, cottage clusters, and townhouses in all zones that allow detached single-family dwelling units by June 30, 2022.
- ❑ In McMinnville that is in all of our residential zones.



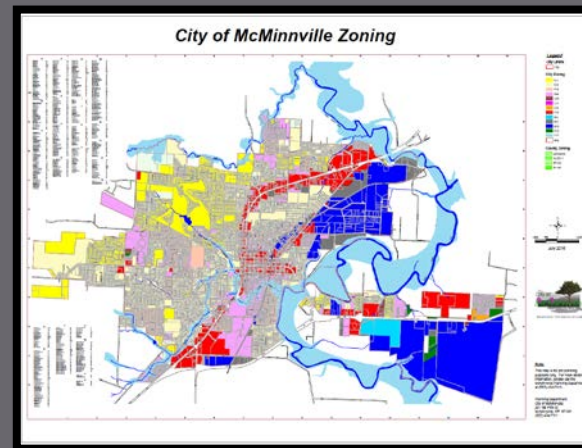
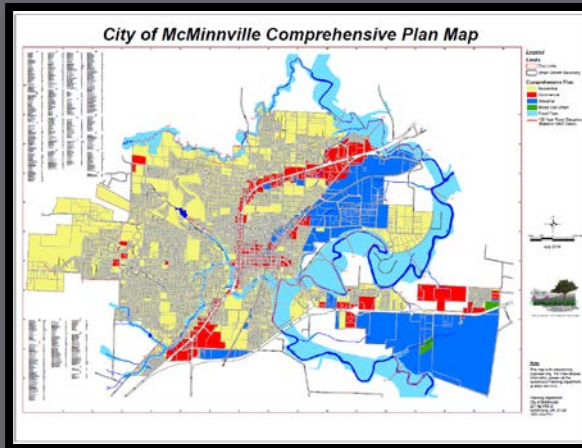
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4,749 Acres



PLANNING COMMISSION, 09.19.19



BILL'S INTENTION

- ❑ CREATE INCLUSIVE NEIGHBORHOODS
- ❑ SIMILAR TO OUR RECENTLY ADOPTED GREAT NEIGHBORHOOD PRINCIPLES? How do we ensure that these new housing types are compatible with existing neighborhoods and community values.

Comprehensive Plan Policy 187.10: The City of McMinnville shall establish Great Neighborhood Principles to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value, whether that place is a completely new development or a redevelopment or infill project within an existing built area.

PLANNING COMMISSION, 09.19.19



BILL'S INTENTION

- ❑ CREATE INCLUSIVE NEIGHBORHOODS
- ❑ SIMILAR TO OUR RECENTLY ADOPTED GREAT NEIGHBORHOOD PRINCIPLES? How do we ensure that these new housing types are compatible with existing neighborhoods and community values.

Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.

A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.

PLANNING COMMISSION, 09.19.19



BILL'S INTENTION

- ❑ CREATE INCLUSIVE NEIGHBORHOODS
- ❑ SIMILAR TO OUR RECENTLY ADOPTED GREAT NEIGHBORHOOD PRINCIPLES? How do we ensure that these new housing types are compatible with existing neighborhoods and community values.

Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.

- *Neighborhoods shall have several different housing types.*
- *Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.*

CITY COUNCIL, 09.10.19



WHAT DOES THIS MEAN?

- ❑ **HOW DO WE SUPPORT IT WITH INFRASTRUCTURE?** We need to figure out how to support that type of increased density with our current infrastructure systems – wastewater, water, transportation, parks and schools.
- ❑ **WHAT WILL IT LOOK LIKE?** How do we ensure that these new housing types are compatible with existing neighborhoods and community values.

PLANNING COMMISSION, 09.19.19



DRAFT HOUSING STRATEGY:

PLANNING FOR GROWTH – MCMINNVILLE STYLE

PLANNING COMMISSION, 09.19.19



DRAFT RECOMMENDED STRATEGIES

Strategy	Housing Development in Existing UGB
Near-Term	Create a Diverse Housing Zone
Near-Term	Promote infill development allowing flexibility in existing zones with appropriate design and development standards
Near-Term	Update infrastructure plans for infill development

Strategy	Infrastructure & Public Facilities Planning
Near-Term	Assess infrastructure capacity to support infill
Near-Term	Develop infrastructure allocation policy
Near-Term	Identify areas with underutilized infrastructure capacity

PLANNING COMMISSION, 09.19.19



RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS:

PROTECTING MCMINNVILLE'S SMALL TOWN CHARM

PLANNING COMMISSION, 09.19.19

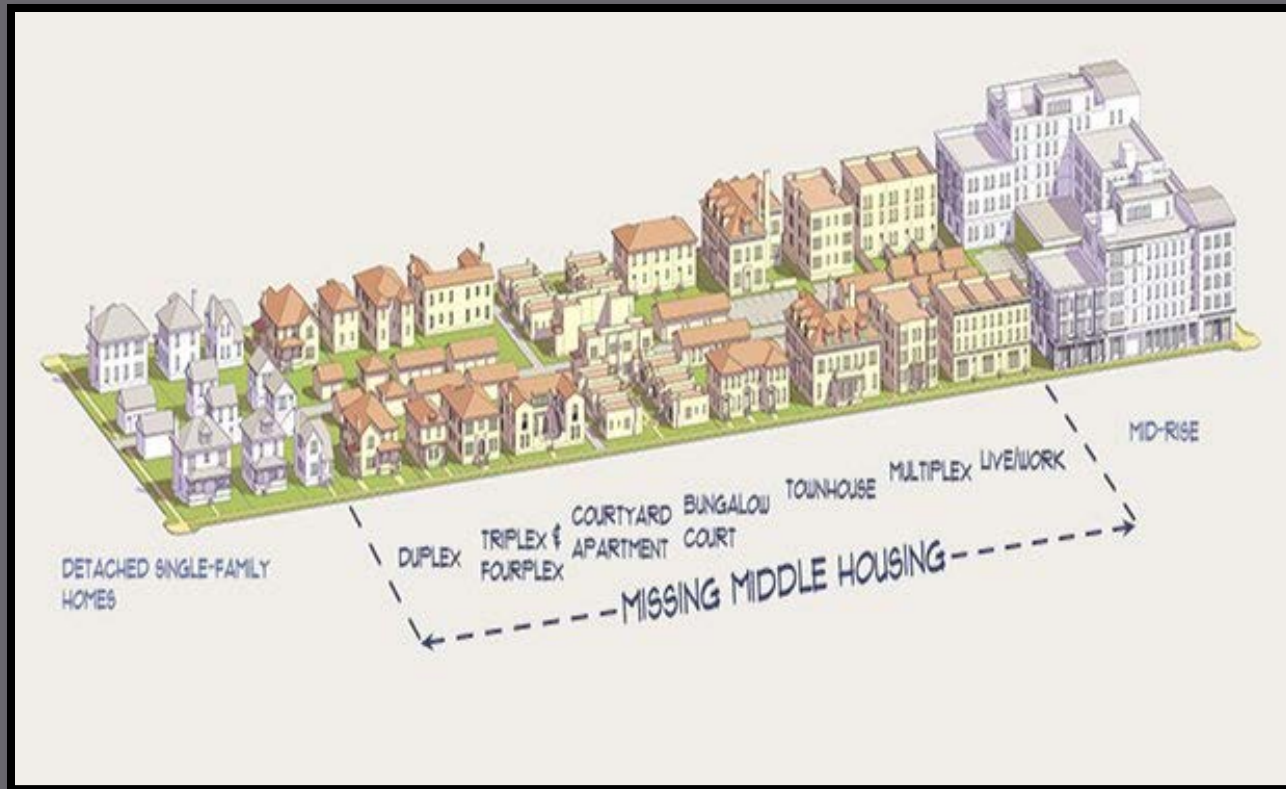


RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS



PLANNING COMMISSION, 09.19.19

RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS



PLANNING COMMISSION, 09.19.19

RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS



PLANNING COMMISSION, 09.19.19

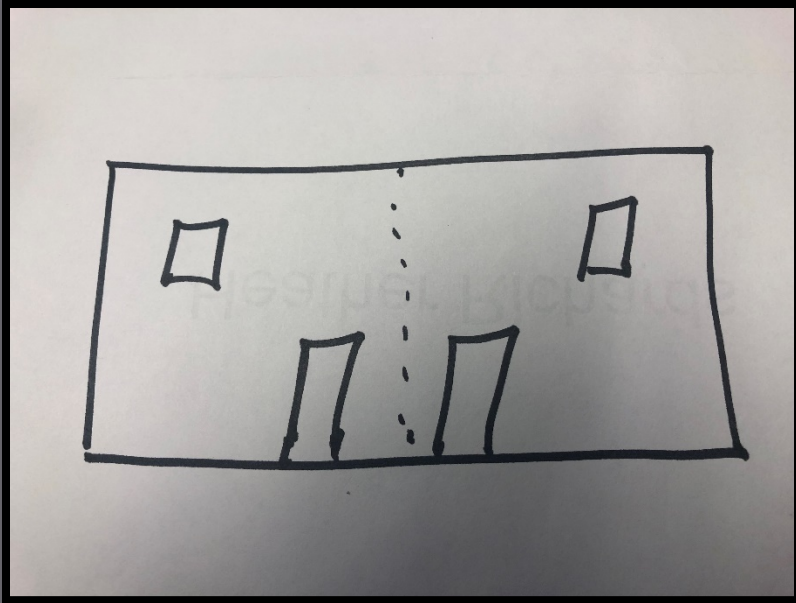
RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS



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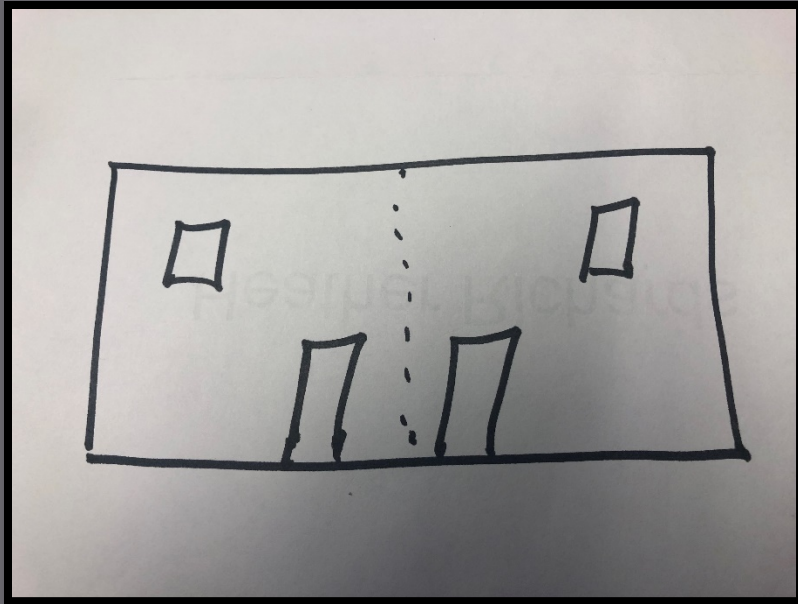
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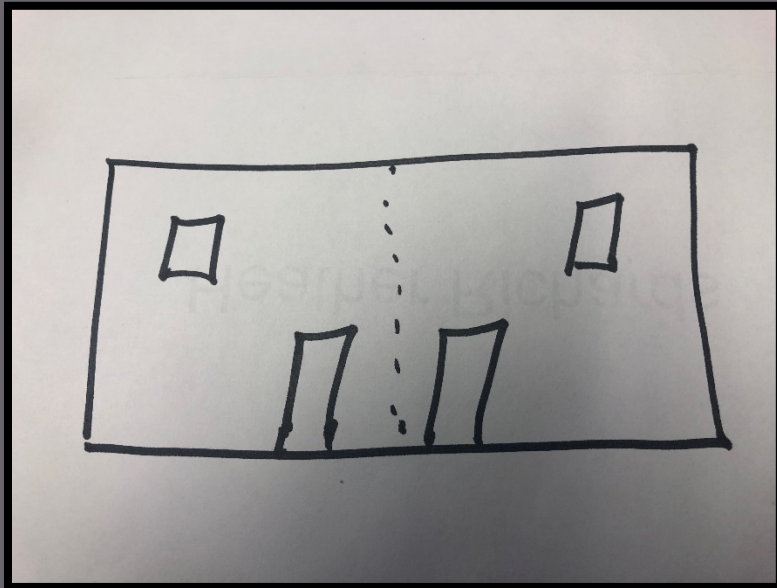


RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS



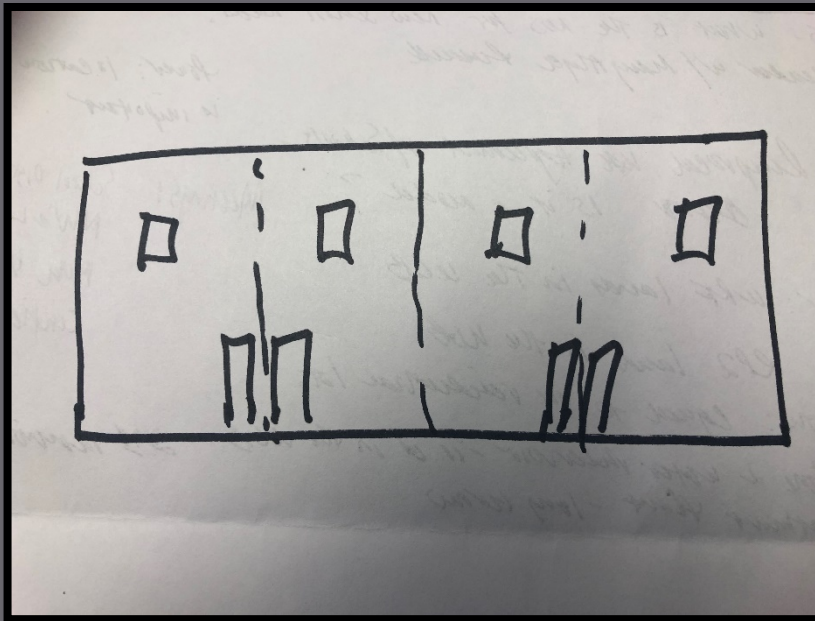
PLANNING COMMISSION, 09.19.19

RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS



PLANNING COMMISSION, 09.19.19

RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS

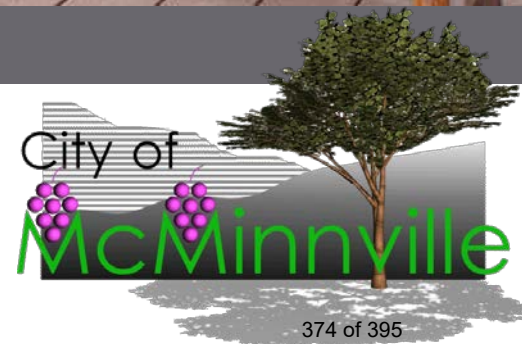


PLANNING COMMISSION, 09.19.19





PLANNING COMMISSION, 09.19.19

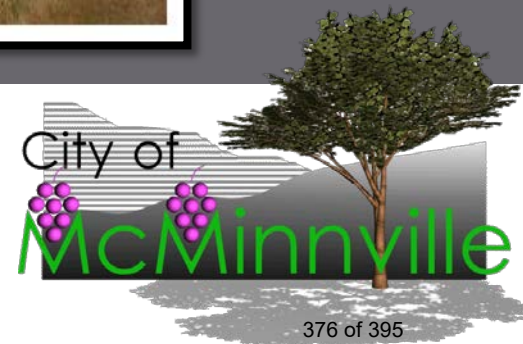




PLANNING COMMISSION, 09.19.19



PLANNING COMMISSION, 09.19.19





Missing Middle Housing

PLANNING COMMISSION, 09.19.19





PLANNING COMMISSION, 09.19.19





PLANNING COMMISSION, 09.19.19





PLANNING COMMISSION, 09.19.19





PLANNING COMMISSION, 09.19.19



Proposal 46.00. The City shall develop development codes that allow for a variety of housing types and forms, and shall develop site and design requirements for those housing types and form

Introduction

PLANNING COMMISSION, 09.19.19



PLANNING COMMISSION, 09.19.19

City Centre Land Use Bylaw Amendment
Table No. 24
March 8, 2014

City Centre
City Centre is a multiple dwelling unit and is designed to be a high-density, mixed-use development. It is located in the City Centre area of the City of Vancouver. The development is a multi-story building with a mix of residential and commercial units. The building is designed to be a high-density, mixed-use development. It is located in the City Centre area of the City of Vancouver. The development is a multi-story building with a mix of residential and commercial units.

Apartment
Apartment is a multiple dwelling unit and is designed to be a high-density, mixed-use development. It is located in the City Centre area of the City of Vancouver. The development is a multi-story building with a mix of residential and commercial units. The building is designed to be a high-density, mixed-use development. It is located in the City Centre area of the City of Vancouver. The development is a multi-story building with a mix of residential and commercial units.

Purpose statement

Building footprint and site view (plan), and cross section view

Aerial view (axonometric or perspective view)

- » Housing types summary page
- » Shows building footprints, cross section and aerial view
- » Allows quick comparison

Code Pages

9.12.6-2 Detached Single Dwelling

Residential Building Detached Single Dwelling shall conform to the following standards:

	ALBERTA DRIVE/ BIRCHDALE	RIVERSIDE	WATERWAYS	WATERWAYS MOBILE HOME
1 Lot width	Min. 12.2m Min. 7.6m for lots between Paradise Ave and Birch Road	Min. 7.6m	Min. 12.2m	Min. 10m
2 Lot depth	Min. 30m	na	Min. 30m	na
3 Lot area	Min. 400m ² Min. 300m ² for lots between Paradise Ave and Birch Road	na	Min. 372m ²	Min. 280m ²
4 Front yard setback	Min. 6m	Min. 6m	Min. 4.5m	Min. 2.0m
5 Side yard setback	Min. 1.2m Min. 3m (extension)	Min. 1.2m Min. 6m (extension)	Min. 1.2m Min. 3m (extension)	na
6 Rear setback	For lots with a lane: Min. 1m with garage Min. 6m without garage If rear setback is between 1.5m and 6m, a garage is not permitted For lots without a lane: Min. 4.5m	For lots with a lane: Min. 1m with garage Min. 6m without garage If rear setback is between 1.5m and 6m, a garage is not permitted For lots without a lane: Min. 7.6m	For lots with a lane: Min. 1m with garage Min. 6m without garage If rear setback is between 1.5m and 6m, a garage is not permitted For lots without a lane: Min. 3m	Min. 2m
7 Lot coverage and building width	Max. 45% Max. building width 21m	na	Max. 50% Max. building width 21m	Max. 45%
8 Building height	The maximum height of buildings is set out in the City Centre Height Map in Appendix 3			
9 Required driveway	Min. 1.5m wide driveway required between the street and the primary structure, if the primary structure contains more than one dwelling			
10 Parking zone	For lots with a lane: Parking is required to be located adjacent to the lane. Parking is permitted to be located on the surface or in a garage. Side yard setback for parking zone: Min. 1.2m. Parking zone depth: Max. 6m. For lots without a lane: Parking is permitted to be located on surface or in a garage. Front setback for parking zone: Min. 1.5m. Side yard setback for parking zone: Min. 1.2m. Parking zone depth: Max. 13.7m			
11 Vehicular entrance width	Min. 1m for lots 12.2m wide or wider; the 1m may be extended over 2 driveways (e.g. 3.6m per driveway) Max. 3.5m for lots less than 12.2m wide			

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Figure 9.12.6-1 Detached Single Dwelling on Lot with a Lane

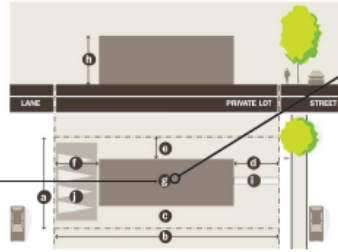
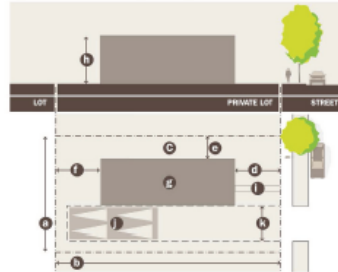


Figure 9.12.6-2 Detached Single Dwelling on Lot without a Lane



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Development standards vary by context or zone

Each development standards is keyed to graphic

» Development standards for one housing type

» Numerical standards in a table

» All standards keyed to table

Code Pages

PLANNING COMMISSION, 09.19.19



	TINY HOUSE			COTTAGE CLUSTER			PLEX			SINGLE DWELLING			ROWHOUSE			
STANDARDS	WITH ALLEY	NO ALLEY	INFILL	WITH ALLEY	NO ALLEY	INFILL	WITH ALLEY	NO ALLEY	INFILL	WITH ALLEY	NO ALLEY	INFILL	WITH ALLEY	NO ALLEY	INFILL	
a	Lot width (feet)	20	40	30	125	150	140	30	40	40	30	40	40	20	40	40
b	Lot depth (feet)	30	40	80	80	60	100	60	80	80	60	80	80	60	80	80
c	Lot size (square feet)	600	1,600	2,400	10,000	9,000	14,000	1,800	3,200	3,200	1,800	3,200	3,200	1,200	3,200	3,200
d	Front setback (feet)	15		Match existing	15		Match existing	15		Match existing	15		Match existing	15		Match existing
e	Side setback (feet)	0, 10 exterior		7.5, 15 exterior	7.5, 15 exterior			0, 10 exterior		7.5, 15 exterior	0, 10 exterior		7.5, 15 exterior	0, 15 exterior		
f	Rear setback (feet)	3 with garage, 20 without garage. ¹	20		3 with garage, 20 without garage. ¹	20		3 with garage, 20 without garage. ¹	20		3 with garage, 20 without garage. ¹	20		3 with garage, 20 without garage. ¹	20	
g	Building height (feet)	25			25			35			35			35		
h	Parking requirements				No more than 4 grouped			No more than 4 grouped						No more than 4 grouped		
	Front setback	NA	20		NA	20		NA	20		NA	20		NA	20	
	Side setback ²	3		7.5	3		7.5	3		7.5	3		7.5	3		7.5
	Dwelling unit setback	0	0	0	6	6	6	6	6	6	NA	NA	NA	6, when grouped	6, when grouped	6, when grouped

¹ Setbacks between 5 and 20 not permitted.

² Zero parking side setback when driveways are paired with adjacent property.

Cottage Cluster



Cottages with layers of open space from private porches to common shared open space.

Concept

A cottage cluster is a collection of multiple, compact, detached single-dwellings, each on their own lot, clustered around pockets of shared open space. Parking and common areas are co-owned and managed. Given their small footprint and low profile, cottages can fit seamlessly into most detached single dwelling neighborhoods.

Cottage Clusters fit easily into existing residential neighborhoods. Their configuration around shared open space works well for odd-shaped lots and lots with sensitive natural resources.

Guiding Principle

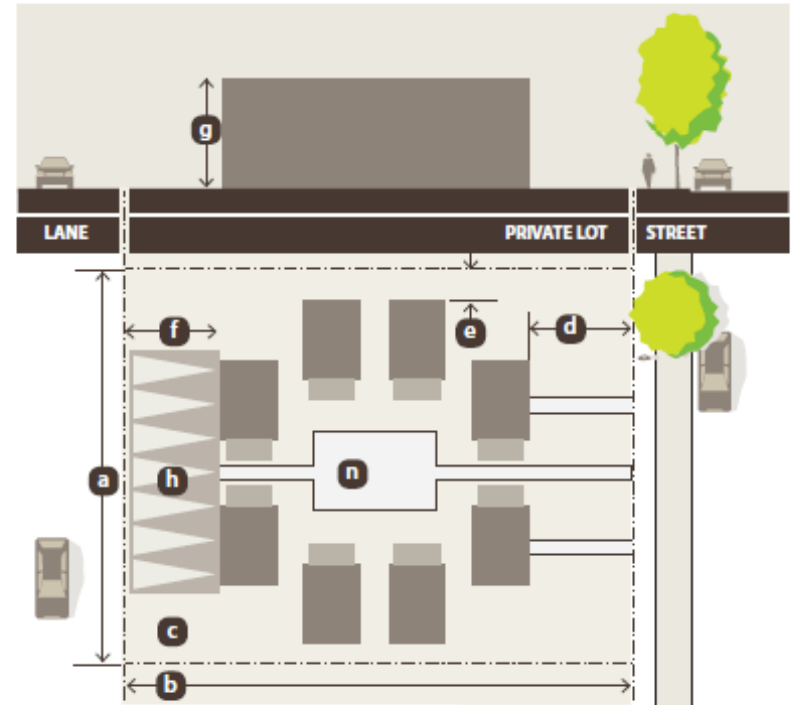
Shared open space should be provided and located so that it serves as a central feature of the cluster of dwellings.

Layer zones of landscaping to create a gradual transition from the commonly owned green to the privately-owned garden and porch of individual dwellings.



Cottage cluster design with shared common house and parking grouped in small areas.

Cottage Cluster with Alley



PLANNING COMMISSION, 09.19.19



INFRASTRUCTURE CAPACITY:

THE BIG LIFT

PLANNING COMMISSION, 09.19.19



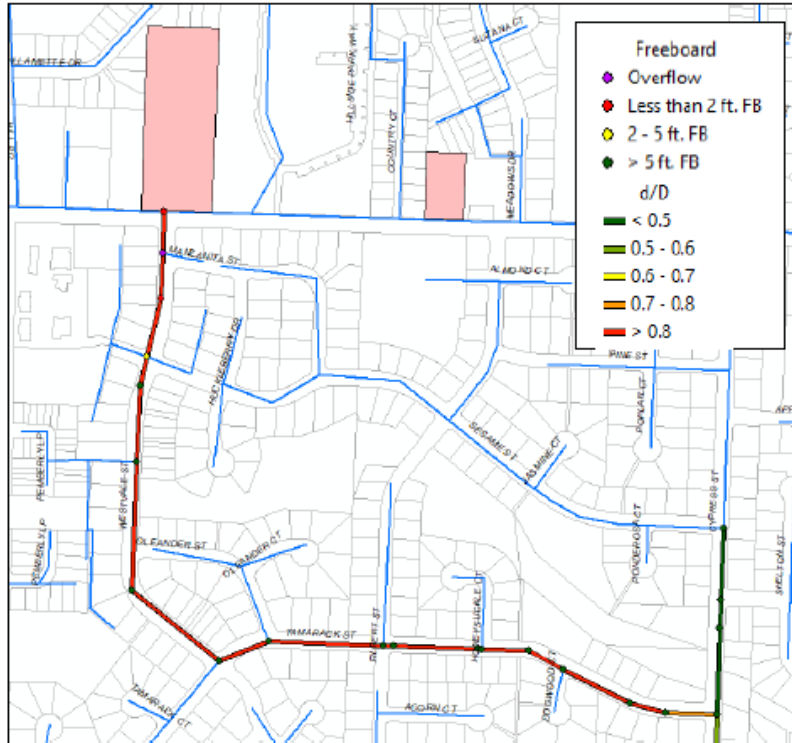
WHAT DOES THIS MEAN?

- ❑ Cities have to accommodate mandate by updating infrastructure plans and investing in the appropriate infrastructure support.
- ❑ In McMinnville, wastewater and transportation are a concern.
- ❑ They were designed for a proposed density less than current maximum density in the residential zones.
 - Wastewater fix is a discussion of larger network pipes. WRF is planned to accommodate higher density.
 - Transportation is a more difficult discussion.

PLANNING COMMISSION, 09.19.19



WASTEWATER CAPACITY ISSUES



Response to a rezone application from R2 to R4 on 2nd Street.

Would need to replace 3700 linear feet sewer lines in Westvale Street and Tamarack Street between 2nd Street and Cypress Lane.

PLANNING COMMISSION, 09.19.19

TRANSPORTATION CAPACITY ISSUES

City	Local Street Standards
Ashland	1,500 ADT*
Redmond	1,200 ADT*
Corvallis	2,000 ADT* (1,200 preferred in residential areas)
Newberg	No measure by ADT. Use a measure of intersection functionality (v/c or LOS) together with street design that is context-sensitive and incorporates type/intensity of surrounding land uses.
Bend	1,500 ADT*
Grants Pass	4,000 ADT* (Note – Three different ROW standards for local streets based on ADT level)

Complete Street Design Standards										
Streetscape	Street Profile		Arterial		Collector		Neighborhood Connector	Local Residential	Alley	
			Major	Minor	Major	Minor				
			2-4 lanes (12 ft.)	2 lanes (11 ft.)	2 lanes (11 ft.)	2 lanes (10 ft.)				
	Bike	Auto/Truck Amenities (lane widths)	2-4 lanes (12 ft.)	2 lanes (11 ft.)	2 lanes (11 ft.)	2 lanes (10 ft.)	See Street Width	See Street Width	20 ft.	
		Median / Center Turn Lane	14 ft.	12 ft.	12 ft.	10 ft.	None	None	None	
		Bike Facility	2 Lanes (6 ft.)	2 Lanes (6 ft.)	2 Lanes (5 ft.)	2 Lanes (5 ft.) or Shared Lane	Shared Lane	Shared Lane	None	
		Curb-to-curb Street Width	On-Street Parking Two Sides	na	na	na	30 or 40 ft.	28 ft.	28 ft.	Not Apply
			74 ft.	46 ft.	44 ft.	30 or 40 ft.				
		Pedestrian Amenities	Sidewalks (both sides)	8 ft. Com	5 ft. Res 10-12 ft. Com	5 ft. Res 10-12 ft. Com	5 ft. Res 10-12 ft. Com	5 ft. Res	5 ft. Res	None
			Planter Strips	6 ft. Res na Com	6 ft. Res na Com	6 ft. Res na Com	6 ft. Res na Com	5 ft. Res	5 ft. Res	None
Traffic Management	Pedestrian Zone (See Appendix A)	Preferred Adjacent Land Use - Intensity	High	Medium to High	Medium	Medium	Medium to Low	Low	Low	
	Maximum Average Daily Traffic	32,000	20,000	16,000	10,000	1,200 - 3,000	1,200	500		
	Traffic Calming	Not Typical	Not Typical	Not Typical	Permissible/ Not Typical	Not Typical	Typical	Not Typical		
	Managed Speed	35 mph	30-35 mph	25-30 mph	25 mph	25 mph	15-25 mph	10 mph		
	Through-Traffic Connectivity	Primary	Typical	Typical	Typical	Not Typical	Not Permissible	Not Permissible		
	Access Control	Yes	Yes	Some	Some	No	No	No		
	Maximum Grade	6%	6%	10%	10%	12%	12%	12%		
	Right-of-Way:	104 ft.	96 ft.	74 ft.	56 ft. (one bike lane) 66 ft. (bike lane)	50 ft.	50 ft.	20 ft.		

*It was not clear if these ADTS were a maximum design standard

PLANNING COMMISSION, 09.19.19



WHAT DOES THIS MEAN?

- ❑ Estimated costs for updating infrastructure plans per LOC = \$250,000 - \$400,000 for consultant costs and \$250,000 for internal staffing dedication.
- ❑ Bill allocated \$3,500,000 to help with the work. 53 cities subject to mandate. \$66,000 per city.
- ❑ Plans need to be updated by February, 2021 in case the city needs to apply for an extension.
- ❑ Need to identify how capital improvement upgrades will be funded.

PLANNING COMMISSION, 09.19.19



OTHER MANDATES:

PLANNING COMMISSION, 09.19.19



OTHER MANDATES OF HB2001

- ☐ **ADUs – remove requirement for off-street parking and owner-occupied status.**

- ☐ **Explore policies and programs that include but are not limited to:**
 - **waiving or deferring system development charges for affordable housing.**
 - **Adopting or amending criteria for property tax exemptions**
 - **Assess a construction excise tax**

- ☐ **Annual Reporting – will need to report on new middle housing units built in previous year.**

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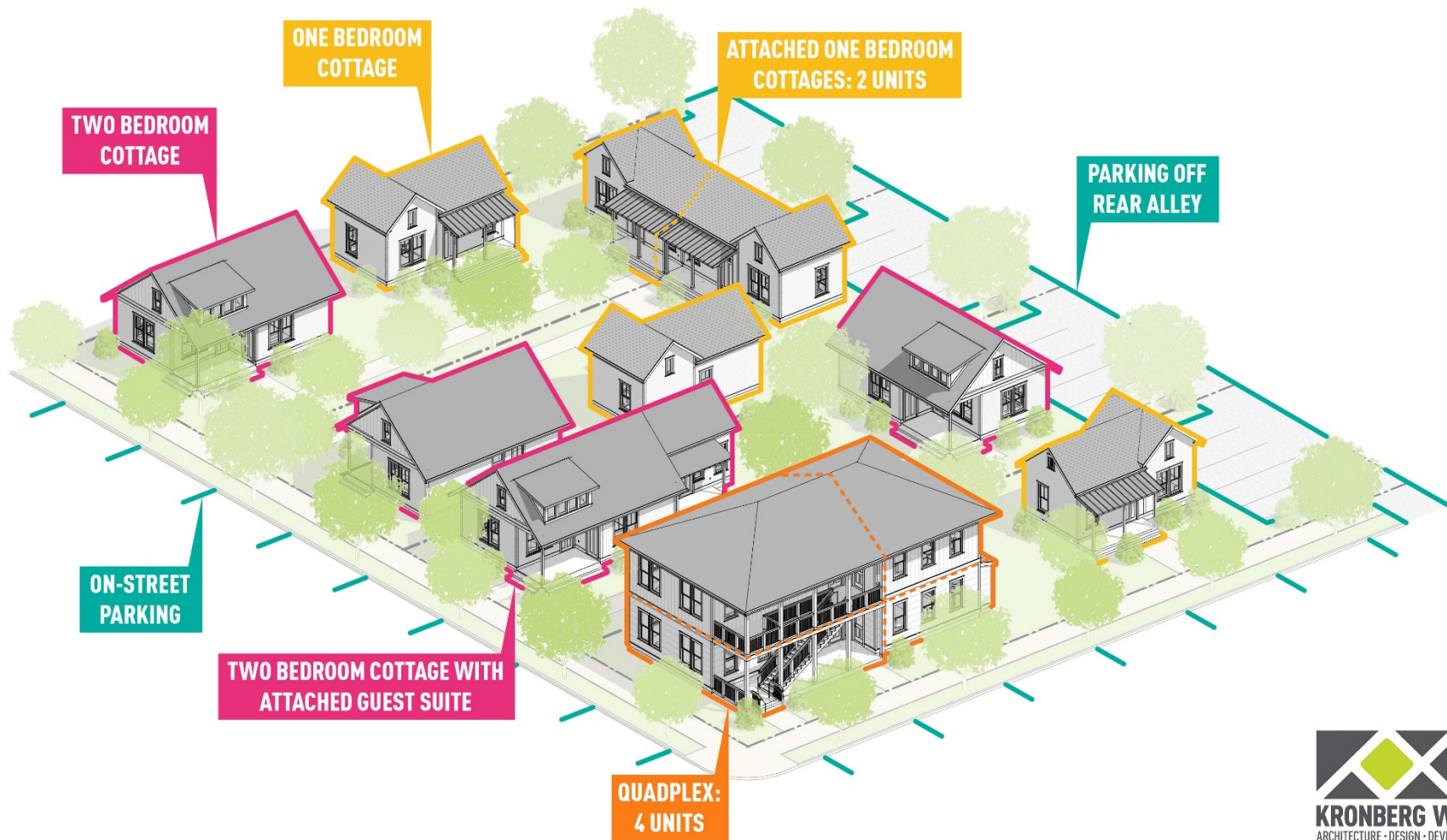


NEXT STEPS

- ❑ **Finish Residential Site Design and Development Standards and start public engagement for input and review, with a targeted date of February, 2021 adoption.**
- ❑ **Identify timeframe and scope of work for infrastructure planning to support the bill mandate, with a targeted date of February, 2021 for adoption.**
- ❑ **There may be an opportunity to combine public infrastructure planning with infrastructure analysis associated with growth planning.**

PLANNING COMMISSION, 09.19.19





PLANNING COMMISSION, 09.19.19