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# MINUTES

March 23, 2022  
Historic Landmarks Committee  
Regular Meeting

3:30 pm  
Zoom Meeting  
McMinnville, Oregon

**Members Present:** Mary Beth Branch, Mark Cooley, Eve Dewan, Hadleigh Heller, Christopher Knapp, and John Mead

**Members Absent:**

**Staff Present:** Heather Richards – Planning Director and Adam Tate – Associate Planner

**Others Present:** Chris Chenoweth – City Council

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## 1. Call to Order

Chair Mead called the meeting to order at 3:37 p.m.

## 2. Citizen Comments

None

## 3. Approval of Minutes

None

## 4. Work Session

- Public Records – Discussion of OTAK Memorandum date 03.01.22

City Attorney Guile-Hinman discussed the implications of the memo and overall work session process. There was no current pending application on this matter and they were not in a quasi-judicial land use process. However, there were concerns raised about potential bias or lack of transparency. Informal discussion on an application before it was submitted was not prohibited. Anything Committee members stated in work sessions were purely informational and not to be used or relied upon by the applicant in a future application process. Any documents exchanged in work sessions should be part of the record for the future application. She had advised staff that the OTAK memo should be part of the record, and if the Committee needed any clarifications made to the statements in the memo, that should be discussed today. If there were any future work sessions, she advised documents not be exchanged but general concepts could be discussed. She explained ex parte communications and the role of staff.

There was discussion regarding documents that needed to be part of the record, reasons this came to the HLC in a work session, how this was a unique case, if informal work sessions should be done in the future, and appropriate questions and feedback at work sessions.

Gary Reddick explained the intentions of the memo, to memorialize the notes of the meeting for internal processes. He still wanted to work closely with the Committee to get the project right and did not have to issue a memorandum if the Committee requested it not be done.

Because Committee comments and responses were included in the memo, there was consensus to include verbatim minutes with the memo.

The Committee would decide at a future meeting whether these discussions and feedback would be given at work sessions.

## 5. Action Items

- Demolition Code Discussion and Staff Report

Planning Director Richards discussed the issues raised at the last meeting where the Committee discussed demolition code amendments. These included compliance with the OAR on decisions for demolitions for properties on the national register, and whether it should be for only contributing resources or contributing and non-contributing resources. Second was clarity on decisions for requests for demolition relative to the factors. The third was the remedy for non-compliance.

The changes she suggested included a replacement plan when a structure was to be demolished, relocation evaluation, and remedies for demolition and demolition by neglect. Compliance with the OAR would be applicable for only contributing resources in a historic district or resources that were individually listed on the national register. She also added a section for application requirements including the date of construction, property owner information, types of alterations that were done in current and previous ownership, and maintenance investments. She also added the relocation evaluation and replacement plan in the application. There was criteria added in the economic section and a section was added for imposing certain conditions and findings to allow a delay of a demolition, posting the property to seek alternatives, and providing resources to restore the resource. She then discussed demolition by neglect and penalty for demolitions without approval.

There was discussion regarding adding an approval of a replacement plan if a resource had been demolished without approval, changing the penalty section to real market value of the most recent assessors' statement for both structure and land, criteria for whether or not it caused a financial hardship to the owner, notifying the Committee when there were code compliance plans in effect for historic properties, historic landmark vs. historic resource, alteration process vs. demolition process and striking new construction from the demolition process, charging a fine per day or a percentage of the assessed or real market value for demolition by neglect, identifying any portion of ownership on the application, and the economic information required to prove financial hardship for commercial and residential properties.

Staff would come back with the changes to the code as discussed.

- HLG Public engagement program final poster list and quick update

Associate Planner Tate gave an update on the final poster list for the Historic Landmarks Outreach Program Poster Series. The first ones would come out in May.

## 6. Old/New Business

- 436 SE Baker Street

Planning Director Richards said while going through a land use process for a rezone, it was discovered that alterations were made to the historic resource that had not come through historic design review. They were going through code compliance now, and needed to get building permits for the deck and stairwell. She asked if the HLC wanted them to come through the process for historic review retroactively.

Committee Member Dewan said her landlord also owned this house, but it would not affect her decision.

There was discussion regarding the alterations that were made to the home. There was consensus for the property owner to submit an application for review.

## **7. Committee Member Comments**

None

## **8. Staff Comments**

None

## **9. Adjournment**

Chair Mead adjourned the meeting at 5:37 p.m.