



City of McMinnville
Planning Department
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MINUTES

November 19, 2020
Planning Commission
Regular Meeting

6:30 pm
Zoom Online Meeting
McMinnville, Oregon

Members Present: Chair Roger Hall, Commissioners: Robert Banagay, Susan Dirks, and Beth Rankin, and Lori Schanche

Members Absent: Erin Butler, Gary Langenwalter, and Roger Lizut

Staff Present: Heather Richards – Planning Director and Ethan Downs – Youth Liaison

1. Call to Order

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

2. Approval of Minutes

- **June 18, 2020**

The June 18, 2020 minutes were approved by consensus.

3. Citizen Comments

None

4. Work Session:

- **Childcare – Development Code Provisions**

Planning Director Richards said the City's planning and zoning regulations were antiquated when it came to child care and was potentially a barrier. Child care was for children 13 years old and younger. She showed a graph of regulated child care supply for children under age 13 from 1999 to 2018 which showed that even though the need was increasing, the number of slots available was decreasing. She also showed a table of the percentage of children with access to childcare in metropolitan and nonmetropolitan counties which showed rural areas trended a little bit less than metropolitan areas. For children age five and under, only 3 out of 36 counties were not child care deserts in Oregon. A child care desert was defined as a county with more than three young children for every child care slot. There were slots to serve less than one-third of overall children. Yamhill County was a county that did not have access to affordable child care. She showed a map of counties that had public funding playing a major role in creating the supply in the majority of Oregon counties. Across Oregon there was inadequate regulated child care supply, especially for infants and toddlers. The Governor had made it an emergency issue and wanted to work with cities and counties to prop up child care. The most affordable child care was family care in someone's home, but it was less consistent and reliable than centers. The

most expensive child care was accredited centers. What the City of Bend did to incentivize more child care facilities was reduce their transportation SDCs from \$18,639 to \$5,592 per 1,000 square feet. That exemption expired on December 30, 2020. They were able to incentivize 13 new providers and 156 new slots. Currently in McMinnville, day care facilities were allowed in the R1, R2, R3, R4, and OR zones. They were allowed if the structure was maintained in its residential character, was operator owned, leased, or rented and resided therein, and operated at a usage level equal to or subservient to the residential use of the structure. Twelve or fewer people were allowed to be present at any one time at the center and they had to follow the requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC). A certificate of approval had to be obtained for facilities within seven or more people as required by ORS 418.810. It was a conditional use if the structure was not used as a residence by the operators and/or thirteen or more people were present at any one time. A certificate of approval had to be obtained for facilities within seven or more people as well. In commercial and industrial zones (C3, ML, M1, and M2), facilities required a conditional use permit and one off-street parking space per teacher or supervisor. She explained the process for conditional use permits, which were costly and took about 3-4 months. There was a new state law, ORS 329A.440, that said cities and counties could only apply zoning restrictions on registered or certified family child care in an area zoned for residential or commercial use if the conditions were no more restrictive than conditions imposed on other residential buildings in the same zone. A registered or certified family child care home was defined as a place where child care was offered in the home of the provider to not more than 16 children, including the children of the provider. In McMinnville the threshold was 12 including the teacher and provider, which meant they could only provide child care to 10 kids without having to go through a conditional use process. The law said they could not do that. The providers were not required to reside in the home and it could not be a conditional use for commercial zones. There was no limitation to the number of children for certified child care centers; it was based on the number of adult supervisors to children and was regulated by the state.

Planning Director Richards then discussed removing zoning barriers in McMinnville. They needed to make it 16 children allowed in residential zones, remove the requirement that the provider had to reside in the home, and make child care facilities outright permitted in commercial and industrial zones regardless of the number of children. The size would determine the amount of off-street parking and the pick-up and drop-off zone. She asked if the Commission was comfortable moving forward to amend the code as proposed. She asked if they wanted to consider reducing SDCs. SDCs were a significant upfront capital expense for child care centers. They were based on the peak hour trip counts. Residential child care up to 16 kids had no SDC charges. Staff was looking into treating SDCs differently for child care. If the Commission wanted to move forward with the changes, staff would bring it back to the Commission in January.

There was consensus for staff to move forward with the proposed changes.

- **Annual Accomplishments and 2021 Work Plan**

Planning Director Richards explained the process in putting together the 2021 Work Plan. She reviewed the Five Year Work Plan and the items that were accomplished last year and those that would need to be continued to the next year. These included the residential site and design review standards, cottage clusters, site and planned development history, proposed UGB amendment, Comprehensive Plan map amendment, and Framework Plan and area planning. She then discussed the items in the 2021 Work Plan and updated Five Year Work Plan. Commissioner Dirks asked how the information sessions had gone for the UGB remand process. Planning Director Richards said there had not been many questions and most were in support.

She was not sure what the public testimony would be at the City Council public hearing, and she explained how people could give testimony.

Commissioner Dirks asked about the timeframe if it was approved. Planning Director Richards said the City Council had to approve it, then the County Commission had to approve it, then it would be sent to the state to be reviewed by state staff. If they signed off on it, someone could appeal the DLCD Director decision and the appeal would go to LCDC. To appeal it, they would need to have standing at the local level. The Director would have 120 days to make the decision. She thought they would know by April or May. If approved, the next step for the City would be area planning.

Planning Director Richards asked if there were any other items to add to the Work Plan.

There was discussion regarding what should be included in the Downtown Plan.

Commissioner Rankin was concerned about the lack of multiple family units and how current applications that had been approved were postponing the multiple family development portions of the projects. She would like to look into incentives for multi-family. She would also like to look into ways to encourage sustainable construction and development such as passive solar siding.

Youth Liaison Ethan Downs thought they should look into promoting community gardens.

5. Commissioner Comments

None

6. Staff Comments

Planning Director Richards said they had advertised for the open Planning Commission positions and a lot of applications had been received. Interviews would be held soon and a recommendation brought back to the Council.

7. Adjournment

Chair Hall adjourned the meeting at 7:32 p.m.



Heather Richards
Secretary