



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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**Planning Commission**  
**McMinnville Civic Hall, 200 NE 2<sup>nd</sup> Street**  
**November 15, 2018**

**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  Zack Geary, Vice-Chair  Erin Butler  Martin Chroust-Masin  Susan Dirks  Gary Langenwaller  Roger Lizut  Lori Schanche  Erica Thomas	<p><b>5:30 PM - WORK SESSION – CONFERENCE ROOM</b></p> <p><b>1. Call to Order</b></p> <p><b>2. Discussion Items</b></p> <p><b>A. Project Update:</b>            Great Neighborhood Principles (<i>Work Session - Exhibit 1</i>)</p> <p><b>B. Project Update:</b>            Buildable Lands Inventory, Housing Needs Analysis, Housing Strategy</p> <p><b>3. Adjournment</b></p>

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](http://www.mcminnvilleoregon.gov). You may also request a copy from the Planning Department.



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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**Planning Commission**  
**McMinnville Civic Hall, 200 NE 2<sup>nd</sup> Street**  
**November 15, 2018**

**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  Zack Geary, Vice-Chair  Erin Butler  Martin Chroust-Masin  Susan Dirks  Gary Langenwalter  Roger Lizut  Lori Schanche  Erica Thomas	<p><b>6:30 PM – REGULAR MEETING - COUNCIL CHAMBERS</b></p> <ol style="list-style-type: none"> <li><b>1. Call to Order</b></li> <li><b>2. Citizen Comments</b></li> <li><b>3. Approval of Minutes: September 20, 2018 (Exhibit 1)</b></li> <li><b>4. Public Hearings:</b> <ol style="list-style-type: none"> <li><b>A. <u>Legislative Hearing. G 3-18. Zoning Ordinance Text Amendment: Mixed Use in Commercial Zones (Exhibit 2)</u></b>                Request: The City of McMinnville is proposing to amend Chapters 17.06 (Definitions) and 17.33 (C-3 General Commercial Zone) of the McMinnville Zoning Ordinance. The proposal is related to residential use in the C-3 General Commercial zone. Currently, multi-family residential use (3 or more residential units) is permitted in the C-3 zone, whether as a separate use or as part of a mixed-use development. However, mixed-use development which includes only 1 or 2 upper-story residential units isn't currently permitted in the C-3 zone. The proposed amendment would permit this use in the C-3 zone, and would include an additional change related to ground-floor use.</li> </ol> </li> <li><b>5. Old/New Business</b> <ol style="list-style-type: none"> <li><b>A. Planning Commission Annual Update to the City Council – December 11, 2018, 7:00 PM</b></li> </ol> </li> <li><b>6. Commissioner/Committee Member Comments</b></li> <li><b>7. Staff Comments</b></li> <li><b>8. Adjournment</b></li> </ol>

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](http://www.mcminnvilleoregon.gov). You may also request a copy from the Planning Department.



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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## **WORK SESSION EXHIBIT 1 - STAFF REPORT**

**DATE:** November 15, 2018  
**TO:** Planning Commissioners  
**FROM:** Chuck Darnell, Senior Planner  
**SUBJECT:** Great Neighborhood Principles Project Update

---

### **Report in Brief:**

The purpose of this discussion item is to provide an update on the City of McMinnville Planning Department's Great Neighborhood Principles project. Staff will provide a detailed update during a presentation at the work session meeting.

### **Background:**

The McMinnville Planning Commission's 2017-2019 Work Plan included the Great Neighborhood Principles (GNP) project as a long-range planning work product. The purpose of the GNP project is to define what makes a great neighborhood in McMinnville, and to identify and describe specific principles that should be achieved in every neighborhood. These principles, once identified, will be adopted into the City's Comprehensive Plan, and will then guide future development code updates establishing requirements for future development projects.

Staff initiated the GNP project in August 2018 by forming a Project Advisory Committee (PAC) and Technical Advisory Committee (TAC) to provide guidance for staff and oversee the completion of the project.

### **Discussion:**

Two PAC meetings have been held, in September and October 2018. The first meeting was a kick-off meeting, introducing the PAC members to the project and providing an opportunity for small-group discussion and idea sharing on potential Great Neighborhood Principles. The second meeting was focused on PAC review and approval of the public engagement plan for the GNP project.

The GNP project is currently mid-way through the public engagement portion of the project. In order to solicit as much public input as possible, staff and the PAC decided on a variety of formats for information sharing and public engagement, including social media posts, social media polls, an online survey, placement of hard copies of the survey in various locations around the city, a public open house, and presentations to service organizations in McMinnville.

The survey has been the most successful method in generating input and feedback. **The survey is scheduled to be active online through midnight on November 25, 2018.** Staff will continue to push

---

*Attachments:*

*Online Survey Flyer – English and Spanish*

out the survey online and through other means, and would encourage the Planning Commission to assist in sharing the links to the survey with anyone who may be interested in providing input.

The survey is available in both English and Spanish, and can be accessed from the following links:

To take the survey in English, follow this link: <https://www.surveymonkey.com/r/NVF5D97>

Para tomar esta encuesta en Español, siga este link: <https://www.surveymonkey.com/r/NRCFHGW>

Also attached to this staff report is a flyer, in both English and Spanish, describing the survey and sharing links to the online survey. This flyer is being posted around the city in various locations, and could be sent along to anyone interested in providing input on the GNP project.

Staff will provide a more detailed presentation on the project during the work session meeting, including work completed to-date and upcoming key meetings and decisions related to the project. If you are interested in reviewing more detail and materials related to the project prior to the work session meeting, more information is available on the project website:

<https://www.mcminnvilleoregon.gov/planning/page/great-neighborhood-principles>

**Fiscal Impact:**

None.

**Recommendation/Suggested Motion:**

No specific motion is required at this time.

CD:hr



# WE NEED YOUR INPUT TO CREATE GREAT NEIGHBORHOODS!



**What makes a great neighborhood in McMinnville?**  
The goal of the [Great Neighborhood Principles](#) project is to answer that question. More specifically, this project will identify specific principles – which could also be referred to as elements or characteristics - that should be applied in every neighborhood.

**The City is looking for community input to help in identifying those principles.**

**Provide your input by taking our survey! Your input will help create Great Neighborhoods!**

To take the survey online (in English), follow the link or QR code:

<https://www.surveymonkey.com/r/NVF5D97>



Any questions? Contact the lead staff person:

Chuck Darnell, Senior Planner  
503-434-7330  
[chuck.darnell@mcminnvilleoregon.gov](mailto:chuck.darnell@mcminnvilleoregon.gov)





# ¡ NECESITAMOS SU ENTRADA PARA CREAR GRANDES VECINDARIOS!



## ¿Que hace un buen vecindario en McMinnville?

El objetivo del proyecto de [Great Neighborhood Principles](#) es para responder a esa pregunta. Más específicamente, este proyecto identificará principios específicos, que también podrán denominarse elementos o características, que deberían encontrarse en cada vecindario.

La ciudad está buscando información de la comunidad para ayudar a identificar esos principios.

**¡ Proporcione su entrada tomando nuestra encuesta! ¡ Esta encuesta ayudará a crear grandes vecindarios!**

Para tomar esta encuesta en Español, siga este link:

<https://www.surveymonkey.com/r/NRCFHGW>

¿Alguna pregunta? Comuníquese con el personal principal:

Chuck Darnell, Senior Planner  
503-434-7330  
chuck.darnell@mcminnvilleoregon.gov







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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

# MINUTES

---

**September 20, 2018  
Planning Commission  
Regular Meeting**

**6:30 pm  
McMinnville Civic Hall, 200 NE 2<sup>nd</sup> Street  
McMinnville, Oregon**

**Members Present:** Chair Roger Hall, Commissioners: Martin Chroust-Masin, Roger Lizut, Zach Geary, Gary Langenwaller, Lori Schanche, Susan Dirks, Erin Butler, and Erica Thomas

**Members Absent:** Erin Butler

**Staff Present:** Chuck Darnell – Senior Planner, Jamie Fleckenstein – Associate Planner, Heather Richards – Planning Director, Tom Schauer – Senior Planner, and David Koch – City Attorney

---

## 1. Call to Order

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

## 2. Citizen Comments

None

## 3. Action Items

- **August 16, 2018** (Exhibit 1)

Chair Hall explained that there was an error with the minutes that were distributed and that a vote to approve would be postponed to the next Planning Commission meeting. Commissioner Dirks pointed out that the draft minutes that were included in the packet had an error in that Commissioner Dirks made the motion for approval on the first action item and not Commissioner Schanche. Commissioner Langenwaller wanted to ensure that his comment asking if low income housing was part of the project be reflected in the minutes.

## 4. Discussion Items

### **A. Planning Commissioner Training**

David Koch, McMinnville's City Attorney gave a presentation on planning commissioner training that discussed land-use decisions, land-use procedures, the role of planning commissioners, Robert's Rules of Order, the different between quasi-judicial decision making and legislative decision-making.

Types of land-use decisions – when a planning commissioner is considering legislative decisions they sit in the role of policy maker, and when a planning commissioner is considering quasi-judicial decision they sit in the role of judge.

In quasi-judicial decisions, discretion is constrained. Planning Commissioners must apply the adopted criteria from the Comp Plan and the Zoning Ordinance. The decision needs to be based on evidence. The burden of evidence is on the applicant.

Applicants can meet the Comprehensive Plan and Zoning Ordinance criteria with the approval of conditions. Conditions of Approval need to be expressly authorized, reasonably related to criteria (rational nexus), and dedications and exactions must be roughly proportional to impacts of development.

Procedural rights – Attorney Koch reviewed the procedural rights of the applicant in the land-use process, ability to testify and rebut, de novo review, impartial and unbiased decision-making, ex-parte contacts, conflicts of interest, raise it or waive it, notice, LUBA and takings warning, continuance and open records, final rebuttal, and the 120-day rule.

Finally, Attorney Koch led the Planning Commission through a discussion of Robert's Rules of Order, how to interact with applicants and people testifying at public hearings, findings, and decisions made by the Planning Commission.

## **B. Mixed Use in Commercial Zones – (Exhibit 2)**

Senior Planner Tom Schauer provided a presentation about the C3 Zone and staff's recommendation to allow small scale upper story residential development in the C 3 Zone, to allow one and two dwelling units on the upper story of ground floor commercial.

Mr Schauer also discussed changing the language of the code that allows an owner occupied residence on the ground floor and recommended changing the language to a caretaker or accessory use to the primary business, as the owner-occupied language is problematic.

Currently in the McMinnville City Code, the C-3 zone allows the following residential uses as permitted uses:

- Condominiums subject to the provisions of the R-4 zone,
- Multiple-family dwelling subject to the provisions of the R-4 zone, and
- Owner-occupied residence in the same building as a business.

A multiple family dwelling is defined as three dwelling units or more. One and two-family dwelling units are not allowed in the C-3 Zone.

However, the C 3 Zone does not currently allow one and two-family dwelling units. Staff feels that a mixed-use product with one or two dwelling units on the upper story is just the type of product that the city would like to encourage in certain commercial districts.

While it is a legitimate issue to ensure commercially planned and zoned properties with C-3 zoning aren't subdivided and developed exclusively with single-family and two-family residential development, there is no similar reason to prevent one or two residential units from being located above other uses which are permitted in the C-3 zone. Multi-family development (with 3 or more



units) is already a permitted use in the C-3 zone and can be authorized as a standalone use or as part of a mixed-use development.

**Add Upper Story Residential Use as a Permitted Use:** A simple fix to the issue of one or two upper-story residential units is to simply add a new definition of “Upper Story Residential use” as discussed below, and add it as a permitted use in the C-3 zone. This allows the issue to be resolved directly in a straightforward way.

The simple fix of “Upper Story Residential Use” is a suitable short-term solution that doesn’t entail a more extensive rewrite at this time of the definitions, list of permitted uses, and specific use-related standards and limitations.

Commissioner Schanche asked that staff review the same type of upper story residential uses for the C1 and C2 zone.

Commissioner Geary asked that staff review whether or not it made sense to require a secondary entrance for the residential units. Commissioner Langenwalter suggested that this requirement would be too problematic for some and should not be required.

**Ground Floor Caretaker Dwelling versus Owner-Occupied Residence in the Same Building as a Business:** The other problematic residential use in the C 3 zone that can be fixed fairly simply is the “Owner-Occupied Residence in the Same Building as a Business”. Currently, multi-family buildings in the C-3 zone don’t have a requirement to be attached to a business. With the above amendment, one or two upper-story dwelling units wouldn’t be subject to the owner-occupancy requirement. Therefore, this would only apply to situations where there is a single ground floor dwelling unit. Owner-Occupied though is problematic. “Owner” is defined as the property owner. If there is any occupancy limitation, it would seem to be more appropriate to limit occupancy to a caretaker or the owner of the business, rather than the property owner. Additionally it is reasonable to limit the number of ground floor dwelling to just one associated with the business, to preserve ground-floor commercial space. However, there is the potential to have several buildings on a large lot, each with a business and caretaker dwelling that would have similar impact to several individual properties with one building on each property.

Another option would be to change the provision to allow one ground-floor dwelling unit in the same building as a business, without an occupancy limit. However, there are potential issues with changing this provision if it isn’t linked to the business in some way. For example, the residence might be occupied when there is no active business. To further clarify the ground floor residential use, the code could authorize a ground-floor residence in the same building with a business as an accessory use to the business, ensuring it is incidental to the business use but not requiring an association with the business.

Commissioner Chroust-Maisin asked why the ground floor residential unit needed to be associated with the business. After some discussion, commissioners directed staff to remove the requirement for it to be associated with the business.

Proposed Draft Amendment for Consideration:

- Add the following definition to Chapter 17.06:
  - **Ground Floor Residential Use / Caretaker Dwelling.** A dwelling unit in the same building as business
  - **Upper-Story Residential Use.** One or more dwelling units located in one or more stories above, and in the same building as, a permitted use on the ground floor,

whether the residential unit/s are attached or detached from one another or from buildings on abutting lots or parcels.

- Add "Upper-Story Residential Use" to the list of permitted use in the C-3 zone, in Section 17.33.010.
- Amend 17.33.010(4) as follows:

~~Owner-occupied residence~~ **One ground-floor caretaker dwelling** per property, which must be in the same building as a business and accessory to the business use of the building and property.

## 5. Commissioner/Committee Member Comments

None

## 6. Staff Comments

None.

## 7. Adjournment

Chair Hall adjourned the meeting at 8:45 p.m.

---

Heather Richards  
Secretary



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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## **STAFF REPORT**

**DATE:** November 15, 2018 Planning Commission Meeting  
**TO:** City of McMinnville Planning Commission  
**FROM:** Tom Schauer, Senior Planner  
**SUBJECT:** G 3-18. Zoning Ordinance Text Amendment: Small-Scale Mixed Use and Upper-Story Residential Use in C-3 General Commercial Zone

---

### **Report in Brief:**

This is a legislative hearing to consider proposed amendments to the Zoning Ordinance pertaining to small-scale mixed use and upper-story residential use in the C-3 General Commercial zone.

The City of McMinnville is proposing to amend Chapters 17.06 (Definitions), 17.33 (C-3 General Commercial Zone), and 17.60 (Off-Street Parking and Loading) of the McMinnville Zoning Ordinance.

The proposal is related to residential use in the C-3 General Commercial zone. Currently, multi-family residential use (3 or more residential units) is permitted in the C-3 zone, whether as a separate use or as part of a mixed-use development. However, mixed-use development which includes only 1 or 2 upper-story residential units isn't currently permitted in the C-3 zone. The proposed amendment would permit this use in the C-3 zone, and would include an additional change related to ground-floor use. The final proposal also includes an amendment to authorize associated parking to be located within 200 feet of the smaller-scale upper-story residential use.

### **Background:**

The Planning Commission held a work session on this topic on September 20, 2018. The Planning Commission was supportive of the proposal, and staff initiated the amendment.

The City of McMinnville has received requests to build or convert space in buildings to include one or two residential units above other permitted uses, such as commercial uses, in the C-3 General Commercial Zone. The C-3 zone currently permits multi-family development, defined as 3 or more units, but precludes 1- and 2-family residential structures, without differentiating between them as stand-alone detached uses or as part of mixed-use development. It would also authorize the parking for one or two upper-story residential units to be located within 200 feet of the site, rather than on-site, which could preclude conversion of some existing upper-story spaces to residential use.

The proposed amendment would authorize this smaller-scale mixed use development, and make a related change to existing provisions in the C-3 zone related to ground-floor residential accessory use, removing an owner-occupancy requirement.

Notice of the proposal was published in the newspaper and circulated for agency comment. No comments were received.



**Discussion:**

The proposal is substantially the same as the draft concept discussed at the Planning Commission work session. Several options related to the ground flood accessory use were discussed. The resulting proposal addressing that issue is consistent with the discussion from the work session. No additional comments have been received regarding the proposal. Since the original draft, staff has proposed amendments to the off-street parking requirements to authorize parking within 200-feet of the site for one or two upper story residential units, as is authorized for non-residential uses. For multi-family residential development of three or more units, the parking requirements would continue to apply the same as currently applies.

**Fiscal Impact:**

This policy has the potential to increase the City's property tax revenue by allowing more efficient use of land with additional opportunities for use of commercial properties that may not have sufficient area to convert upper story spaces to more intensive multi-family use.

**Commission Options:**

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

***Note:** This is a legislative hearing, so there is no requirement to continue the hearing or keep the record open.*

**Recommendation/Suggested Motion:**

**“THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY STAFF, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE THE PROPOSED ZONING ORDINANCE TEXT AMENDMENTS PRESENTED IN ATTACHMENT 1 TO THE DECISION DOCUMENT FOR DOCKET G 3-18.”**

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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)



**DECISION, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF LEGISLATIVE AMENDMENTS TO THE MCMINNVILLE ZONING ORDINANCE PERTAINING TO SMALL-SCALE MIXED-USE AND UPPER-STORY RESIDENTIAL USE IN THE C-3 GENERAL COMMERCIAL ZONE**

**DOCKET:** G 3-18

**REQUEST:** The City of McMinnville is proposing to amend Chapters 17.06 (Definitions) and 17.33 (C-3 General Commercial Zone) of the McMinnville Zoning Ordinance. The proposal is related to residential use in the C-3 General Commercial zone. Currently, multi-family residential use (3 or more residential units) is permitted in the C-3 zone, whether as a separate use or as part of a mixed-use development. However, mixed-use development which includes only 1 or 2 upper-story residential units isn't currently permitted in the C-3 zone. The proposed amendment would permit this use in the C-3 zone, and would include an additional change related to ground-floor use.

The final proposal also includes an amendment to Chapter 17.60 (Off-Street Parking and Loading) to authorize associated parking to be located within 200 feet of the smaller-scale upper-story residential use.

**LOCATION:** N/A

**ZONING:** N/A

**APPLICANT:** City of McMinnville

**STAFF:** Tom Schauer, Senior Planner

**DATE DEEMED COMPLETE:** October 15, 2018

**HEARINGS BODY:** McMinnville Planning Commission (recommendation to City Council)

**DATE & TIME:** Thursday, November 15, 2018.  
Meeting held at the Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon

**HEARINGS BODY:** McMinnville City Council (final decision)

**DATE & TIME:** Tentatively scheduled for December 11, 2018  
Meeting to be held at the Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon





**APPLICATION SUMMARY:**

The City of McMinnville is proposing to amend Chapters 17.06 (Definitions) and 17.33 (C-3 General Commercial Zone) of the McMinnville Zoning Ordinance. The proposal is related to residential use in the C-3 General Commercial zone. Currently, multi-family residential use (3 or more residential units) is permitted in the C-3 zone, whether as a separate use or as part of a mixed-use development. However, mixed-use development which includes only 1 or 2 upper-story residential units isn't currently permitted in the C-3 zone. The proposed amendment would permit this use in the C-3 zone, and would include an additional change related to ground-floor use.

The final draft also proposes an amendment to Chapter 17.60 to authorize associated parking to be located within 200 feet of the site with the upper-story residential use. Otherwise, current requirements specify that off-street parking for residential development must be located on the same site as the use. This could preclude conversion and reuse of upper-story portions of some existing buildings that don't have off-street parking.

**ATTACHMENTS:**

1. Proposed Amendments to Chapters 17.06 (Definitions), 17.33 (C-3 General Commercial Zone), and 17.60 (Off-Street Parking)

**COMMENTS:****Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

- No agency comments have been received as of November 8, 2018.

**Public Comments**

- No public comments have been received as of November 8, 2018.

**FINDINGS OF FACT**

1. The City of McMinnville has received requests to build or convert space in a building to include one or two residential units above other permitted uses, such as commercial uses, in the C-3 General Commercial Zone. The C-3 zone currently permits multi-family development, defined as 3 or more units, but precludes 1- and 2-family residential structures, without differentiating between them as stand-alone detached uses or as part of mixed-use development.
2. A work session was held with the Planning Commission on September 20, 2018 to review the proposed concept to address this issue and authorize small-scale mixed-use development in the C-3 zone. The Planning Commission concurred the proposed amendment should be initiated and scheduled for hearing.
3. The City of McMinnville is proposing to amend Chapters 17.06 (Definitions), 17.33 (C-3 General Commercial Zone), and 17.60 (Off-Street Parking) of the McMinnville Zoning Ordinance. The

---

*Attachments:*

*Attachment 1: Proposed amendments to Chapters 17.06, 17.33, and 17.60*

proposal is related to residential use in the C-3 General Commercial zone. Currently, multi-family residential use (3 or more residential units) is permitted in the C-3 zone, whether as a separate use or as part of a mixed-use development. However, mixed-use development which includes only 1 or 2 upper-story residential units isn't currently permitted in the C-3 zone. The proposed amendment would permit this use in the C-3 zone, and would include an additional change related to ground-floor use.

4. Public notification of the proposal and the November 15, 2018 Planning Commission public hearing was published in the November 6, 2018 edition of the News Register.
5. The final draft attached as Attachment 1 includes an amendment to Chapter 17.60 to authorize associated parking to be located within 200 feet of the site with the upper-story residential use.

### **CONCLUSIONARY FINDINGS:**

As addressed below, ***the applicable criteria are satisfied.*** The proposed amendments are consistent with the applicable Goals and Policies of the Comprehensive Plan and the applicable provisions of the Zoning Ordinance which comprise the approval criteria for the proposed amendments to the Zoning Ordinance.

### **McMinnville's Comprehensive Plan:**

The following Goals and Policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

#### **CHAPTER IV. ECONOMY OF MCMINNVILLE**

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

##### *General Policies:*

22.00 *The maximum and most efficient use of existing commercially designated lands will be encouraged as will the revitalization and reuse of existing commercial properties.*

***Finding: Satisfied.*** The proposal provides for efficient use of commercially designated lands through utilization of existing commercial designated land by creating additional opportunities for small-scale mixed use.

GOAL IV 4: TO PROMOTE THE DOWNTOWN AS A CULTURAL, ADMINISTRATIVE, SERVICE, AND RETAIL CENTER OF MCMINNVILLE.

##### *Downtown Development Policies:*

36.00 *The City of McMinnville shall encourage a land use pattern that:*

1. *Integrates residential, commercial, and governmental activities in and around the core of the city;*
2. *Provides expansion room for commercial establishments and allows dense residential development;*

---

##### *Attachments:*

*Attachment 1: Proposed amendments to Chapters 17.06, 17.33, and 17.60*

3. *Provides efficient use of land for adequate parking areas;*
4. *Encourages vertical mixed commercial and residential uses; and,*
5. *Provides for a safe and convenient auto-pedestrian traffic circulation pattern.  
(Ord.4796, October 14, 2003)*

**Finding: Satisfied.** The proposal provides additional opportunities for integrated mixed-use in the C-3 zone, which includes the downtown area.

*38.00 The City of McMinnville shall encourage the renovation and rehabilitation of buildings in the downtown area, especially those of historical significance or unique design.*

**Finding: Satisfied.** The proposal provides an opportunity for a viable economic use of upper-story portions of existing buildings in the downtown area, through smaller-scale mixed use, which may be viable in existing buildings that aren't large enough for larger-scale mixed use.

## **CHAPTER V. 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.*

**Finding: Satisfied.** The proposal provides additional opportunities for more variety of housing types in proximity to commercial uses and services, including opportunities for mixed-use in desirable walkable, mixed-use settings.

**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.**

*Policies:*

*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.*

**Finding: Satisfied.** The proposal provides opportunities for a compact form through additional opportunities for small-scale mixed-use and infill without additional land consumption.

*69.00 The City of McMinnville shall explore the utilization of innovative land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.*

**Finding: Satisfied.** The proposal provides opportunities for integrated mixed-use development in a manner that provides for compatibility of uses.

---

*Attachments:*

*Attachment 1: Proposed amendments to Chapters 17.06, 17.33, and 17.60*



70.00 *The City of McMinnville shall continue to update zoning and subdivision ordinances to include innovative land development techniques and incentives that provide for a variety of housing types, densities, and price ranges that will adequately meet the present and future needs of the community.*

**Finding: Satisfied.** The proposal provides additional opportunities for a variety of housing types, densities, and price ranges.

## CHAPTER VI. TRANSPORTATION SYSTEM

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.

### 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.*

**Finding: Satisfied.** This proposal would not change the current provisions for required off-street parking. However, with the potential for reutilization of existing upper-story spaces in pedestrian-oriented districts, the proposal provides the same flexibility for 1- or 2- upper story residential units that is available for non-residential uses to locate parking spaces within 200-feet of the property rather than on the property. In core downtown areas, the Zoning Ordinance provides a public parking strategy for commercial uses with certain areas that have no off-street parking requirement or a reduced parking requirement. However, this public parking strategy only applies to commercial uses. This proposal doesn't change the current strategy as it now applies to required parking for residential uses. It only provides flexibility for siting of required parking within 200 feet.

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.*

**Finding: Satisfied.** The proposal maintains the current parking requirements for number of required parking spaces for residential use, providing flexibility for location in proximity to the use.

128.00 *The City of McMinnville shall continue to assist in the provision of parking spaces for the downtown area.*

**Finding: Satisfied.** This current public parking strategy for the downtown area will continue to apply for commercial development. The proposal doesn't change requirements for the number of off-street parking spaces required for residential use and development in the downtown area.

---

*Attachments:*

*Attachment 1: Proposed amendments to Chapters 17.06, 17.33, and 17.60*

## CHAPTER VIII. ENERGY

### ENERGY CONSERVATION

GOAL VIII 2: TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.

*Policies:*

178.00 *The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.*

**Finding: Satisfied.** The proposed amendment provides additional opportunities for small-scale mixed-use of existing buildings and infill development that provides opportunities for energy conserving construction and proximity of uses on-site, as well as additional opportunities for residential use in proximity to nearby commercial uses, including walkable and bike able areas.

#### McMinnville’s City Code:

The McMinnville Zoning Ordinance is Title 17 of the McMinnville City Code. The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

#### Purpose Statements:

1. **Section 17.03.020. Purpose.** The purpose of the ordinance codified in Chapters 17.03 (General Provisions) through 17.74 (Review Criteria) of this title 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, adequate community facilities; and to provide assurance of opportunities for effective utilization of the land resources; and to promote in other ways public health, safety, convenience, and general welfare.

**Finding: Satisfied.** The proposed amendments encourage appropriate and orderly physical development by providing opportunities for small-scale residential use as part of mixed-use in the C-3 commercial zone, which already allows larger scale residential development and mixed-use. The proposed amendments ensure that commercial lands designated and intended for commercial, mixed use and specified residential uses aren’t used for exclusively 1- and 2-family detached developments, which are provided for in residential zones.

The proposed amendment defines the residential use and relationship between the residential and commercial uses in a manner designed to provide for compatibility of use, efficient operation in mutually beneficial relationships, with opportunities for shared services, with suitable population densities, and with workable relationships between land uses and the transportation system. The proposal also provides assurance of opportunities for effective utilization of land resources. This amendment will address the existing “gap” that allows for larger scale multi-family use and larger scale residential/commercial mixed use in the C-3 zone, but precludes smaller-scale mixed use. This amendment will allow for smaller scale-mixed use which was a common historic occurrence, with smaller commercial buildings having ground floor commercial use with one or two upper story residential units.

---

*Attachments:*

*Attachment 1: Proposed amendments to Chapters 17.06, 17.33, and 17.60*

**2. Chapter 17.06. Definitions.**

***Finding: Not Applicable.*** There is no separate purpose statement for Chapter 17.06.

**3. Chapter 17.33. C-3 General Commercial Zone.**

***Finding: Not Applicable.*** There is no separate purpose statement for Chapter 17.33.

**4. Chapter 17.60. Off-Street Parking and Loading.**

***Finding: Not Applicable.*** There is no separate purposed statement for Chapter 17.60.

**City of McMinnville**  
**File G 3-18: Proposed Development Code Text Amendment**  
**Small-Scale Mixed-Use and Upper-Story Residential Use in C-3 General Commercial Zone**

**Proposed Amendment:**

**Chapter 17.06. Definitions.**

- Add the following definitions to Chapter 17.06:
  - **Ground Floor Accessory Dwelling (Accessory to Business)** - A ground floor dwelling unit in the same building as a business and accessory to the business use of the building.
  - **Upper-Story Residential Use** - One or more dwelling units located in one or more stories above, and in the same building as, a permitted use on the ground floor, whether the residential unit/s are attached or detached from one another or from buildings on abutting lots or parcels.

**Chapter 17.33. C-3 General Commercial Zone.**

- **Section 17.33.010.**
  - Add “***Upper-Story Residential Use***” to the list of permitted use in the C-3 zone.
  - Amend Section 17.33.010(4) as follows:

~~Owner-occupied residence in the same building as a business;~~ ***One ground floor accessory dwelling per business building;***

**Chapter 17.60. Off-Street Parking and Loading.**

- **Section 17.60.050.**
  - Amend Section 17.60.050 as follows:

~~17.60.050 Spaces—Location.~~ ***Except for one or two upper-story residential dwelling units above a non-residential use,*** Off-street parking spaces for dwellings shall be located on the same lot with the dwelling.

All other required parking spaces shall be located not farther than two hundred feet from the building or use they are required to serve, measured in a straight line from the building. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).