

ORDINANCE NO. 4124

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing residential designation to an industrial designation and rezoning certain property from an AH (Agricultural Holding) zone to an M-1 PD (Light Industrial Planned Development) on a parcel of land approximately 30,600 square feet in size located on Three Mile Lane.

RECITALS:

The Planning Commission received an application for a comprehensive plan amendment (CPA 1-81) and a zone change (ZC 23-80) dated December 12, 1980 on the property described as Tax Lot 200, Section 22 DD, T. 4 S., R. 4 W., W. M. (for portions thereof within the City); and

A public hearing was held on February 12, 1981 at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on February 2, 1981, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing the testimony of the applicant was received; testimony from surrounding property owners in opposition to the requested change was received; a staff report was presented; and

The Planning Commission being fully informed about said comprehensive plan map amendment and zone change, found that a need existed for said change based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the plan amendment would be consistent with the comprehensive plan and the land uses existing in the area; and

The Planning Commission approved said plan amendment and zone change and has recommended said changes to the Council; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Douglas W. Burch.

Section 2. That the comprehensive plan map shall be amended from a residential designation to an industrial designation for the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein.

Section 3. That the property described in Exhibit "A," which is attached hereto and incorporated herein by this reference, shall be rezoned from existing AH (Agricultural Holding) zone to an M-1 PD (Light Industrial Planned Development) zone, subject to the following conditions and advisory statement:

- (a) That the zone change apply only to that portion of Tax Lot 200, Section 22 DD, T. 4 S., R. 4 W., W. M., which is in the City limits. The remainder of the property must conform to the restrictions and limitations of the Yamhill County zoning classifications.

- (b) That no expansion of the existing buildings be allowed.
- (c) That the uses to be allowed at the subject site must first be approved at a public meeting by the Planning Commission. Notification will be mailed to all property owners within 300 feet of the site informing them as to the date the Planning Commission will be meeting on the proposed use. The applicant shall supply the following information to the Planning Department 21 days prior to the scheduled meeting at which the application will be considered:

A statement enumerating the type of use proposed, the number of employees expected, the expected working hours, and any machinery expected to be used. If outside storage is expected, the types of materials to be stored will be listed.

It will be the Planning Commission's responsibility to determine that the proposed use will be compatible with the existing uses and future development of surrounding lands. The Commission must determine that the following conditions can be met:

- (1) Normal hours of operation. Uses involving late night operation of machinery or late night freight handling will not be allowed. Hours of operation may be limited on other uses.
 - (2) Minimal noise generation. The Commission shall determine if the noise levels associated with the proposed use are acceptable.
 - (3) Traffic generation. Uses involving heavy traffic generation (especially truck traffic) may be excluded by the Commission.
- (d) All manufacturing, construction or repair associated with allowed uses shall take place within enclosed structures.
 - (e) No outside storage may take place in the rear yard, unless allowed under Yamhill County zoning requirements. Storage in all other yards must be surrounded by a site-obscuring fence.
 - (f) A site-obscuring fence or hedge not less than six feet in height must be maintained on the side yards of the site.
 - (g) All applicable parking requirements shall be met.
 - (h) Any freestanding signs must be nine square feet or less in size, and must be indirectly illuminated if lighted. Any signs placed flat against a building must also be indirectly illuminated.
 - (i) Any outside lighting must be directed away from all residentially designated areas.

- (j) Nothing in these conditions may be construed to require lesser standards than those required by laws, ordinances, and codes adopted by the City of McMinnville and the State of Oregon.
- (k) That landscaping plans be submitted to and approved by the Landscape Review Committee prior to occupancy of the building.
- (l) Approval of this zone change does not constitute a precedent for allowing industrial development on the north side of Three Mile Lane in the area designated as residential on the McMinnville Comprehensive Plan Map, 1980. The City recognizes this area for future residential development.

Passed by the Council this 3 day of March, 1981, by the following votes:

Ayes: Gormley, Gale, Macy, Allen, Wilson

Nays: _____

Approved this 3 day of March, 1981.



COUNCIL PRESIDENT

Attest:



RECORDER