

ORDINANCE NO. 4506

An Ordinance adopting and approving certain changes to the McMinnville Comprehensive Plan Map, 1980, and the McMinnville Zoning Map, 1980; setting certain conditions of development; amending Ordinance Nos. 4082, 4214, and 4410; and repealing Ordinance Nos. 4381, 4441, 4453, and 4466 in their entirety.

RECITALS:

The City's periodic review notice from the Land Conservation and Development Commission requires that the City review its Comprehensive Plan for compliance with new or amended goals or rules. To comply with the commercial and economic development rule (OAR 660-09), the City completed an economic resources inventory and a land needs projection. It was concluded that an additional 98 acres of commercially designated land would be needed to accommodate the City's commercial land needs to year 2010.

The Citizens Advisory Committee worked on the topic to determine those areas where commercial expansion would be most logical over time. The product of their work was a recommendation to the Planning Commission that some 146 parcels located in several areas of town and totalling 98 acres be redesignated and rezoned to commercial.

The Planning Commission then held a public hearing and a special work session on the Citizen Advisory Committee's recommendation and ended up removing some of the recommended parcels while adding some others. The Planning Commission then forwarded their recommendation to the City Council.

The City Council reviewed the Planning Commission recommendation at an August 26, 1991 work session. A public hearing on the recommendation was held by the Council on October 8, 1991 and a public hearing on this Ordinance which implements the Council's decision on the matter was held on November 12, 1991.

It is the desire of the City Council to adopt the changes to the Comprehensive Plan Map within the City's urban growth boundary and to adopt the changes to the zoning map within the corporate limits of the City at this time in order to bring the City into compliance with the statewide planning statutes found in ORS Chapters 197 and 227, and specifically with the City's periodic review notice from the Land Conservation and Development Commission; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the City's Comprehensive Plan Map shall be amended as follows:

- (a) That parcels 1, 2, and 3 as shown on Exhibit "A," which is attached hereto and incorporated herein by this reference, be amended from a residential designation to a commercial designation; and that parcels 1, 2, 3, 4, 5, 6, 7, 21, 22, 23, 24 and 25, as shown on Exhibit "B," which is attached hereto and incorporated herein by this reference, likewise be amended from a residential designation to a commercial designation.

- (b) That parcels 1 through 22, inclusive; 24 through 32, inclusive; 35 through 48, inclusive; and 50 through 56, inclusive, as shown on Exhibit "C," which is attached hereto and incorporated herein by this reference, be amended from an industrial designation to a commercial designation; and that parcel 23 shown on Exhibit "C" be amended from a residential designation to a commercial designation.
- (c) That parcels 57, 60, 61, and 62 as shown on Exhibit "D," which is attached hereto and incorporated herein by this reference, be amended from an industrial designation to a commercial designation.
- (d) That parcels 1, 2, and 3 as shown on Exhibit "E," which is attached hereto and incorporated herein by this reference, be amended from a residential designation to a commercial designation; and that parcel 4 as shown on Exhibit "E" be amended from an industrial designation to a commercial designation.
- (e) That parcel 5 as shown on Exhibit "F," which is attached hereto and incorporated herein by this reference, be amended from a residential designation to a commercial designation.
- (f) That parcels 1, 2, 3, 4, and 6 as shown on Exhibit "G," which is attached hereto and incorporated herein by this reference, be amended from a residential designation to a commercial designation.
- (g) That parcels 1, 2, 3, 4, 5, and 6 as shown on Exhibit "H" which is attached hereto and incorporated herein by this reference, are hereby redesignated from the mixture of industrial and residential designations which encumber the property to a commercial designation and that Ordinance No. 4214, Section 2, be amended by striking all reference to the above described property and by amending the map adopted by said Ordinance to exclude the above described properties (CPA 1-82).

Section 2. That parcels 1, 2, and 3 as shown on Exhibit "A" are hereby rezoned from AH PD (Agricultural Holding Planned Development) to C-3 PD (General Commercial Planned Development), from R-1 PD (Single-family Residential Planned Development) to C-3 PD (General Commercial Planned Development), and from R-1 (Single-family Residential) to C-3 PD (General Commercial Planned Development), respectively, subject to the following conditions:

- (a) That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed at the street frontage. An arborvitae hedge or some similar type of planted visual screen shall be required along the property lines where adjacent to residentially zoned lands.

- (b) Detailed plans showing elevations, site layout, signing, landscaping, parking, and lighting must be submitted to and approved by the Planning Commission before actual development may take place. The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to place conditions on any development and to determine whether or not specific uses are permissible.
- (c) No use of any retail commercial use shall normally occur between the hours of 12:30 a.m. and 6:00 a.m.
- (d) No building shall exceed the height of 35 feet.
- (e) That if outside lighting is to be provided, it must be directed away from residential areas and public streets.
- (f) That signs located within the planned development site be subject to the following limitations:
  - 1. All signs must be flush against the building and not protrude more than 12 inches from the building face, except that up to two free standing monument-type signs not more than six feet in height and which meet the requirements of (2) and (3) below are allowed;
  - 2. All signs, if illuminated, must be indirectly illuminated and nonflashing;
  - 3. No individual sign exceeding thirty-six (36) square feet in size shall be allowed.
- (g) All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
  - 1. Off-street parking and loading.
  - 2. Temporary display and sales of merchandise, providing it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation.
- (h) That Section 3 of Ordinance No. 4082 is hereby amended by substituting the words "C-3 PD (General Commercial Planned Development)" for the words "AH PD (Agricultural Holding Planned Development)". All other applicable provisions of Ordinance 4082 remain in full force and effect.
- (i) That Ordinance No. 4410, Section 2, be amended by removing the above described parcel 2 as shown on Exhibit "A" from the adopted description and map of those properties effected by Ordinance No. 4410.

Section 3. That the properties described as parcels 1, 2, 3, 4, 5, 6, 7, 21, 22, 23, 24, and 25 on Exhibit "B" of this Ordinance are hereby rezoned from an R-4 (Multiple-family Residential) zone to an O-R (Office/Residential) zone.

Section 4. That the properties described as parcels 1 through 22, inclusive; and 41 through 48, inclusive; as shown on Exhibit "C" of this Ordinance are hereby rezoned from an M-1 (Light Industrial) zone to a C-3 (General Commercial) zone. That the properties described as parcels 50 through 56, inclusive, as shown on Exhibit "C" of this Ordinance are hereby rezoned from an M-1 PD (Light Industrial Planned Development) zone to a C-3 (General Commercial) zone. That the properties described as parcels 25 through 32, inclusive; and 35 through 40, inclusive; as shown on Exhibit "C" of this Ordinance are hereby rezoned from an M-2 (General Industrial) zone to a C-3 (General Commercial) zone; and that the property described as parcel 23 on Exhibit "C" of this Ordinance is hereby rezoned from an R-4 (Multiple-family Residential) zone to a C-3 (General Commercial) zone.

Section 5. That the properties described as parcels 57, 60, 61, and 62 on Exhibit "D" of this Ordinance are hereby rezoned from an M-2 (General Industrial) zone, an M-1 (Light Industrial) zone, an M-2 zone, and an M-1 zone, respectively, to a C-3 PD (General Commercial Planned Development) zone subject to the following condition:

(a) All uses permitted in Chapter 17.33 of the McMinnville Zoning Ordinance (Ordinance No. 3380) are allowed subject to the provisions of that Chapter except for the following uses, which are not allowed:

1. Boarding house, lodging house, rooming house;
2. Public or private school;
3. Hotel or motel;
4. Single-family or multiple-family dwelling.

Section 6. That the properties described as parcels 1 and 2 on Exhibit "E" of this Ordinance are hereby rezoned from an R-2 (Single-family Residential) zone to a C-3 (General Commercial) zone. That the property described as parcel 3 on Exhibit "E" of this Ordinance is hereby rezoned from an R-4 (Multiple-family Residential) zone to a C-3 (General Commercial) zone. That the property described as parcel 4 on Exhibit "E" of this Ordinance is hereby rezoned from an M-1 (Light Industrial) zone to a C-3 (General Commercial) zone.

Section 7. That that portion of the property described as parcel 5 on Exhibit "F" of this Ordinance which is presently within the corporate limits of the City of McMinnville is hereby rezoned from an R-1 (Single-family Residential) zone to a C-3 (General Commercial) zone.

Section 8. That the properties described as parcels 1 and 2 on Exhibit "G" of this Ordinance are hereby rezoned from an R-3 (Two-family Residential) zone to an O-R (Office/Residential) zone. That the properties described as parcels 3 and 4 on Exhibit "G" of this Ordinance are hereby rezoned from an R-2 (Single-family Residential) zone to an O-R (Office/Residential) zone. That the property described as parcel 6 on Exhibit "G" of this Ordinance is hereby rezoned from an R-4 (Multiple-family Residential) zone to an O-R (Office/Residential) zone.

Section 9. That those portions of the properties shown as parcels 2 and 3 on Exhibit "H" of this Ordinance which are presently within the corporate limits of the City of McMinnville are hereby rezoned from an AH PD (Agricultural Holding Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone, subject to the provisions of Section 10 below. That the property described as parcel 5 on Exhibit "H" of this Ordinance is hereby rezoned from a county AF-20 (Agricultural/Forestry 20-acre minimum) zone to a City C-3 PD (General Commercial Planned Development) zone, subject to the provisions of Section 10 below. That the property described as parcel 6 on Exhibit "H" of this Ordinance is hereby rezoned from an M-L PD (Limited Light Industrial Planned Development) zone to a C-3 PD (General Commercial Planned Development) zone, subject to the provisions of Section 10 below. That those properties shown on Exhibit "H" of this Ordinance as parcels 1 and 4, and those portions of the properties as shown on Exhibit "H" as parcels 2 and 3 but which are outside the corporate limits of the City, shall be zoned C-3 PD (General Commercial Planned Development) upon annexation to the City, shall be subject to the provisions of Section 10 below, and such requirements shall be noted on the face of the Comprehensive Plan Map.

Section 10. The provisions of Chapter 17.33 of Ordinance No. 3380 (the McMinnville Zoning Ordinance) shall apply to the development of the properties noted on Exhibit "H" of this Ordinance subject to the following conditions and limitations:

- (a) No individual use which according to the latest version of the Institute of Traffic Engineers Trip Generation Manual would generate in excess of 1,500 trips on an average week day is permitted.
- (b) No direct access onto Highway 18 (Three Mile Lane) is permitted.
- (c) All business, service, repair, processing, and merchandise displays shall be conducted wholly within an enclosed building except for the following:
  1. Off-street parking and loading.
  2. Temporary display and temporary sales of merchandise, providing it is undercover of a projecting roof and does not interfere with pedestrian or automobile circulation.

3. Outside storage of non-retail goods, provided it is screened from visibility beyond the property lines.
- (d) That all outside lighting must be directed away from residential areas.
  - (e) That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed on the street frontages. An arborvitae hedge or some similar type of planted screen shall be required along the north property line where the commercial zoning abuts residential zoning. Special attention shall be paid to the landscaping along Norton Lane where the commercial area is across the street from the residential portions of the Bend O'River Village First Addition subdivision.
  - (f) The following list is exempt from Section 10 (c) above: automobile, truck, trailer, boat, golf cart, or other type of implement sales, and nursery sales which require outdoor displays are allowed subject to strict interpretation and application of subsections (e) and (g) of Section 10.
  - (g) That plans and elevations for all buildings must be submitted to and approved through a design review process to be conducted by a person or persons to be appointed by the City Council before any development may take place. The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance shall be used as the basis for such review. The decision(s) of the design review person or persons may be appealed to the Planning Commission.
  - (h) That only two free-standing signs, limited to a maximum of 30 feet in height, are allowed, one on the west side of Norton Lane and one on the east side of Norton Lane. All other signs must either be flush against the buildings and not protrude more than 12 inches from the building face, or they must be non-illuminated or indirectly illuminated monument-type signs not exceeding six feet in height nor 100 square feet in area.

Section 11. That Ordinance Nos. 4381, 4441, 4453, and 4466 are hereby repealed in their entirety.

Section 12. That this Ordinance shall be subject to the terms and conditions of Ordinance No. 3823, entitled "Initiative and Referendum," for a period of 30 days.

Passed by the Council this 10th day of December, 1991 by the following votes:

Ayes: Aleman, Windle, Massey, Blanchard, Dell, Hansen

Nays: \_\_\_\_\_

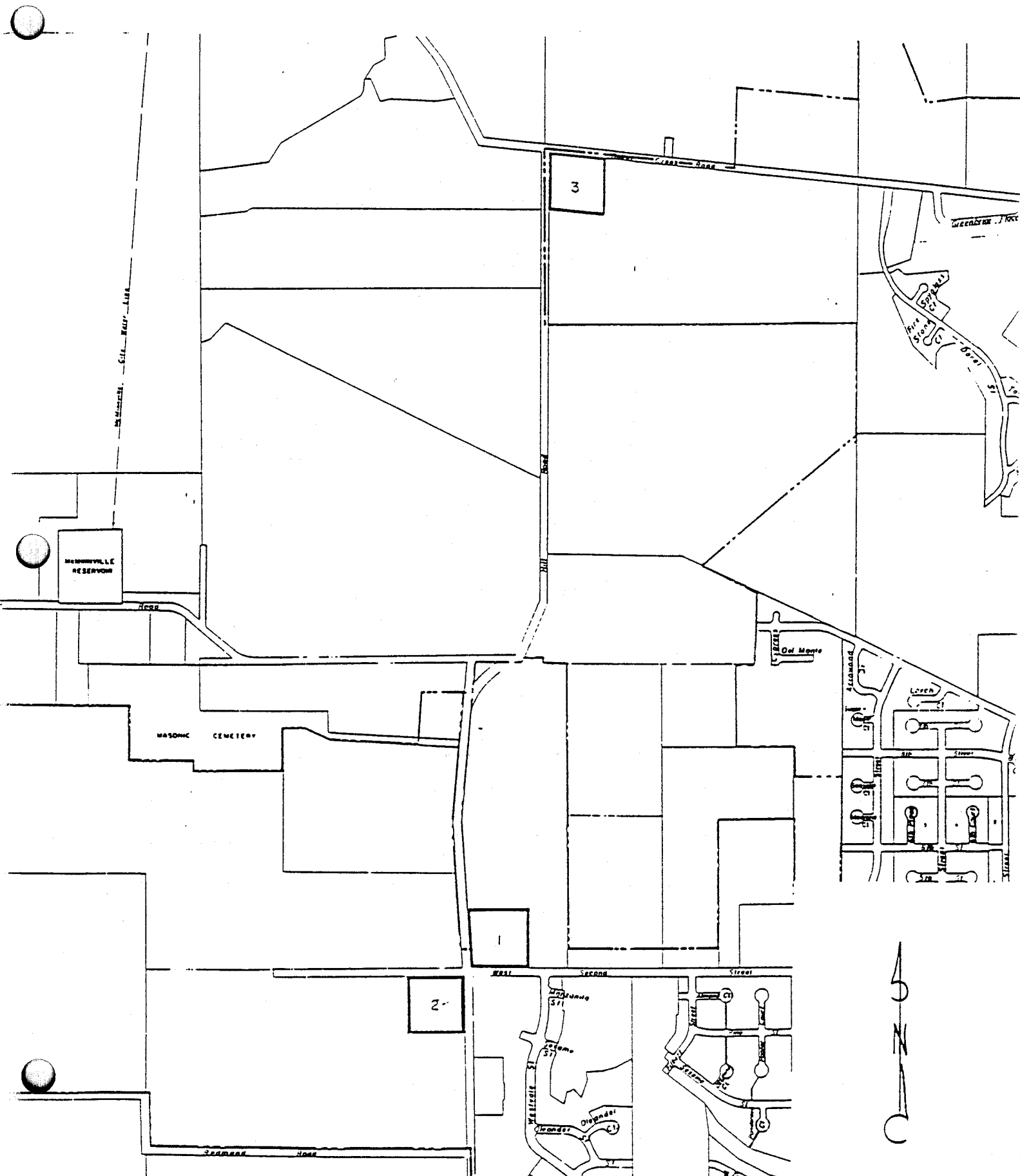
Approved this 10th day of December, 1991.

Attest:

Carole M Berdeit  
RECORDER

Edward J. Gormley  
MAYOR

EXHIBIT 'A'



City Water Line

MEMPHIS RESERVOIR

MASONIC CEMETERY

3

2

1

Col. Moore

GREENBERRY ROCK

St. John's  
St. Mary's  
St. Ann's

Lincoln  
Leach  
Steel  
Main  
Second  
Third



Scale: 1" = 1000'

200 4506

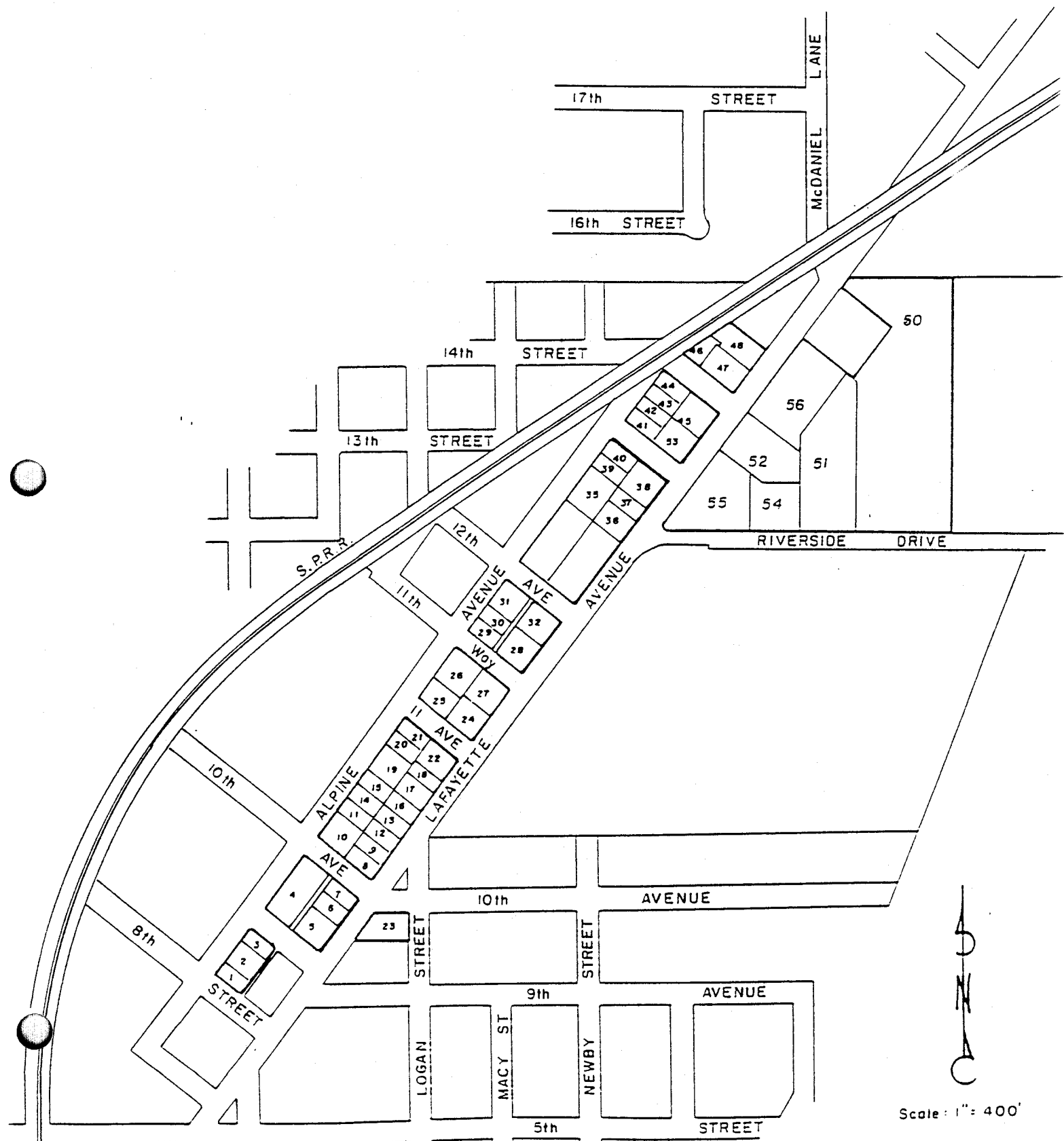


EXHIBIT "B"



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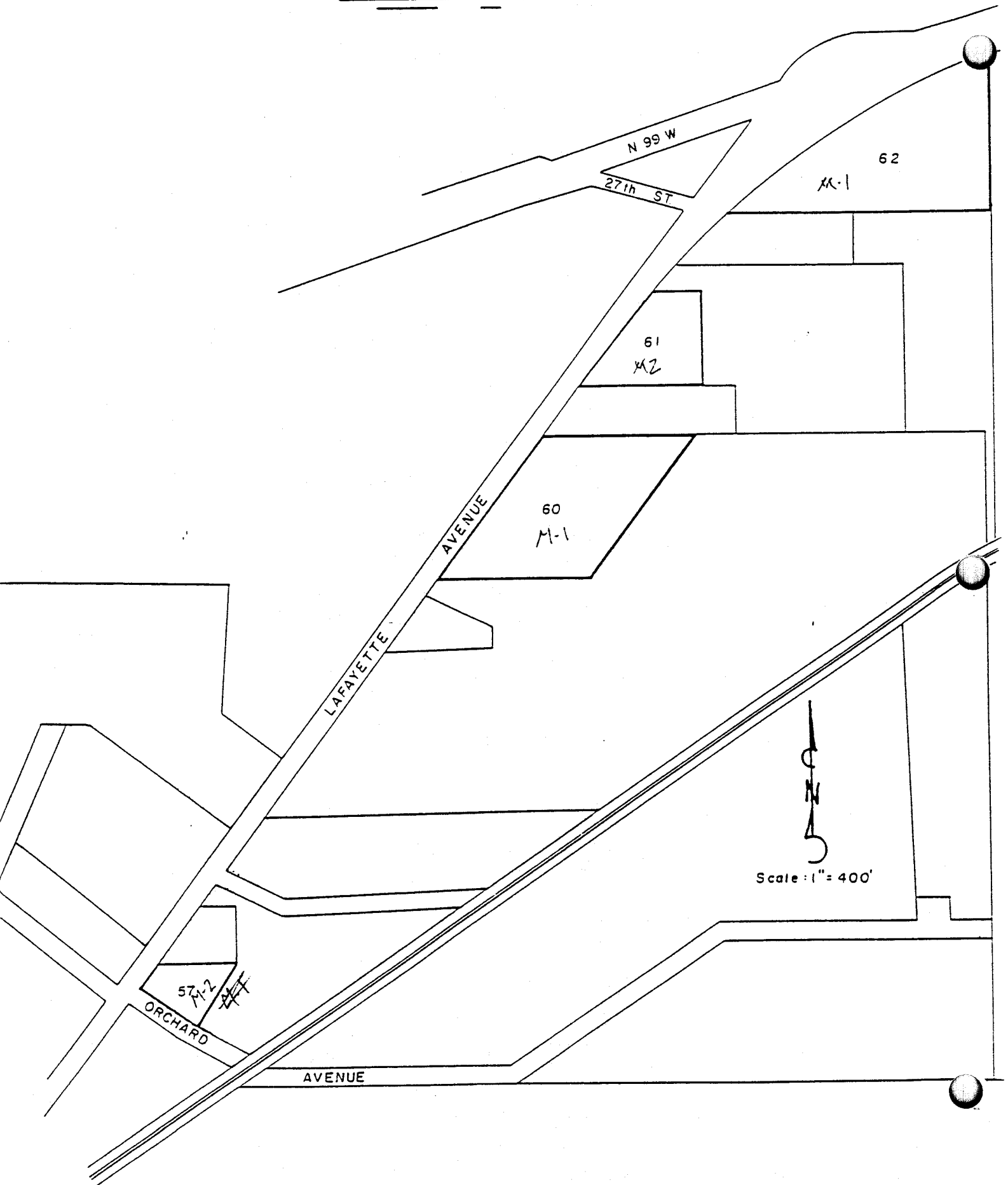
EXHIBIT "C"



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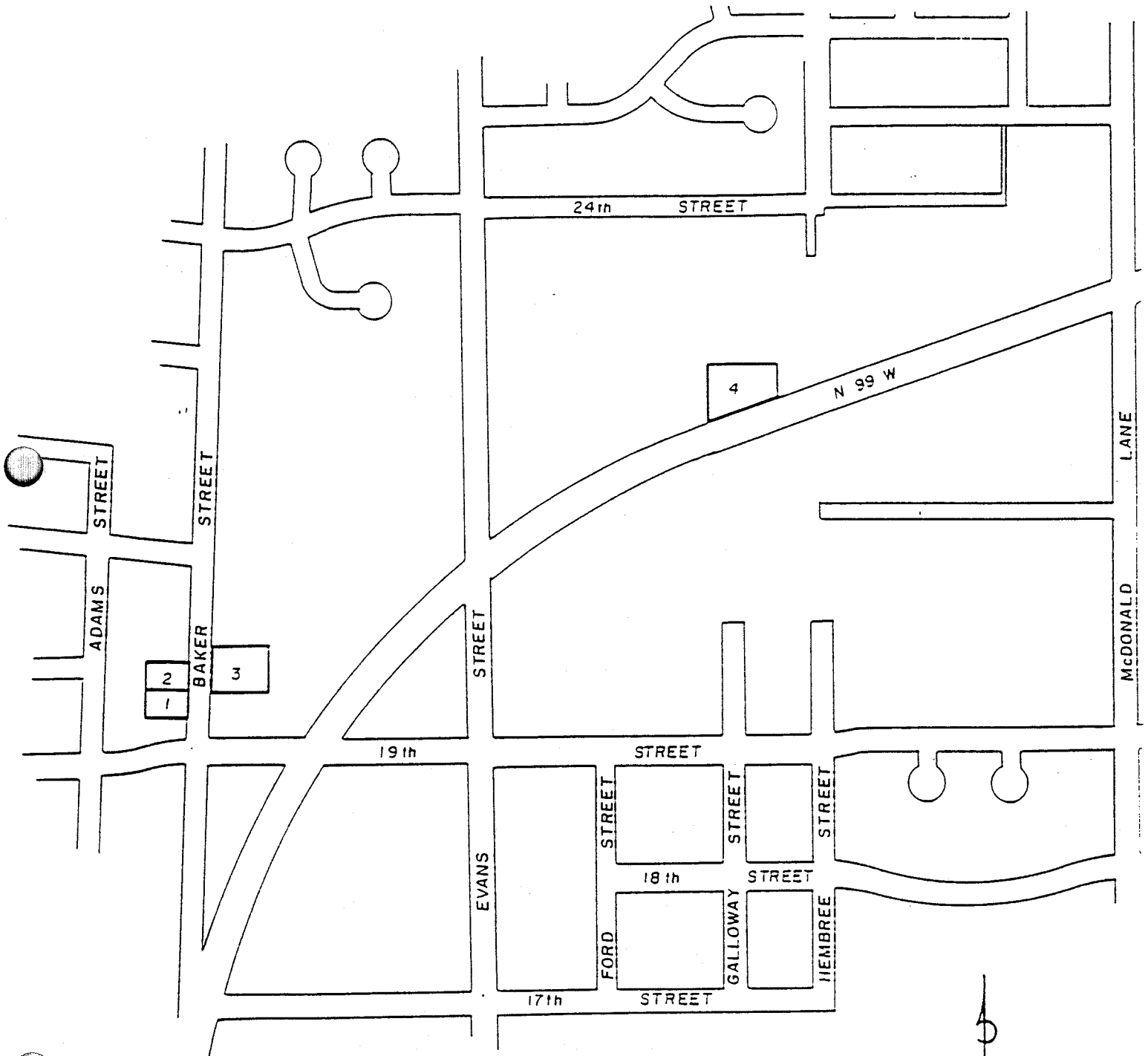
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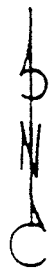


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EXHIBIT "E"

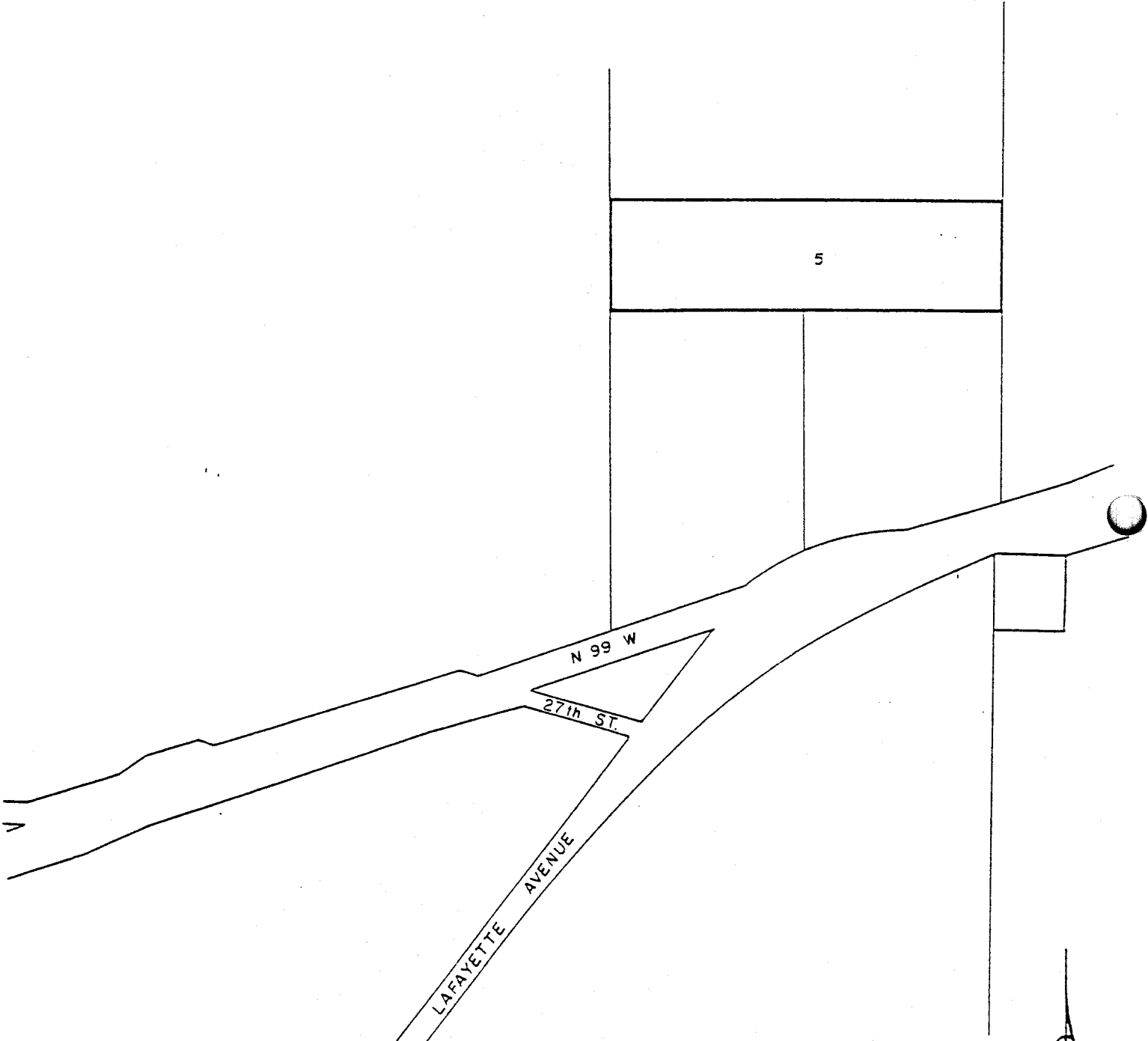


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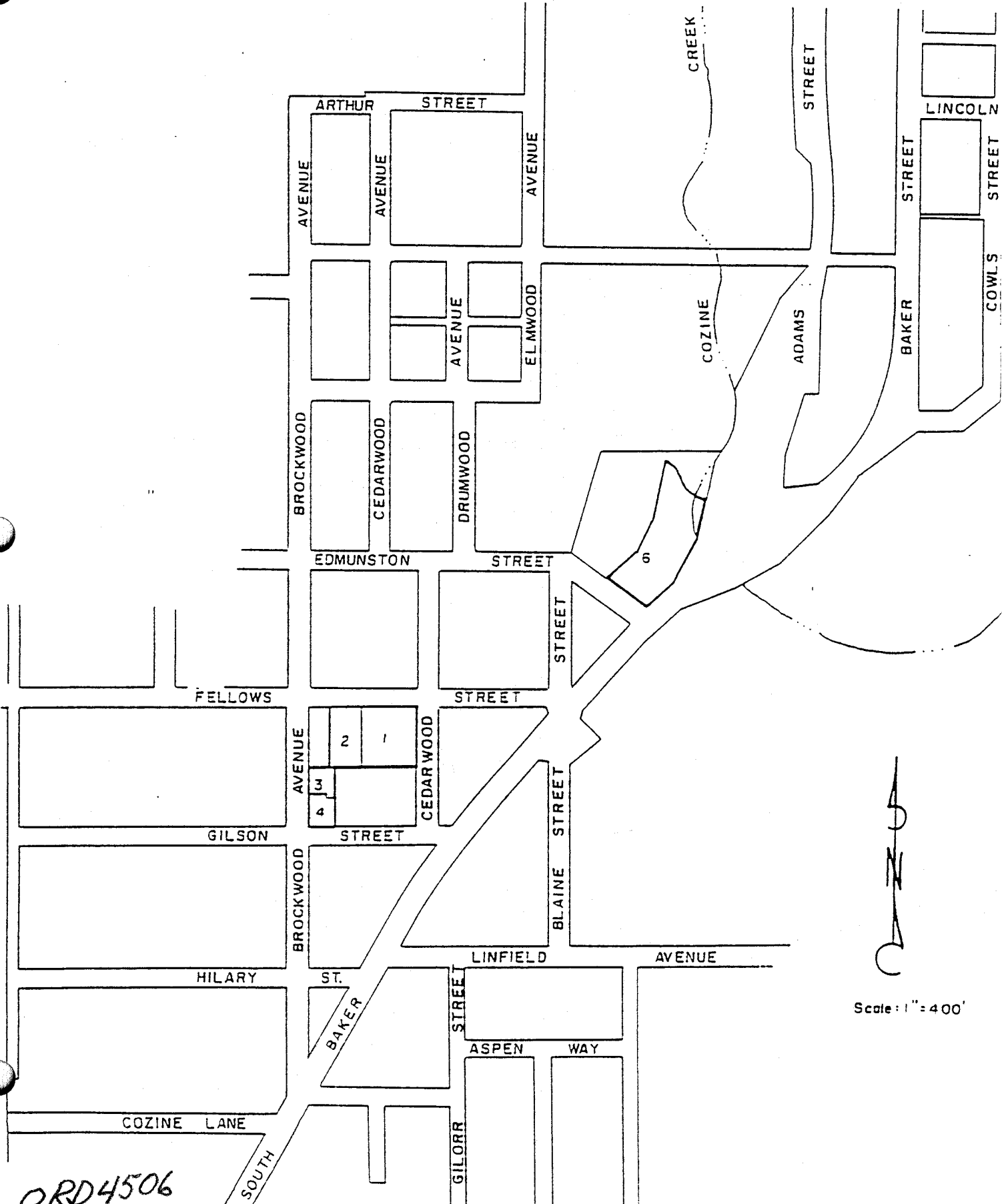
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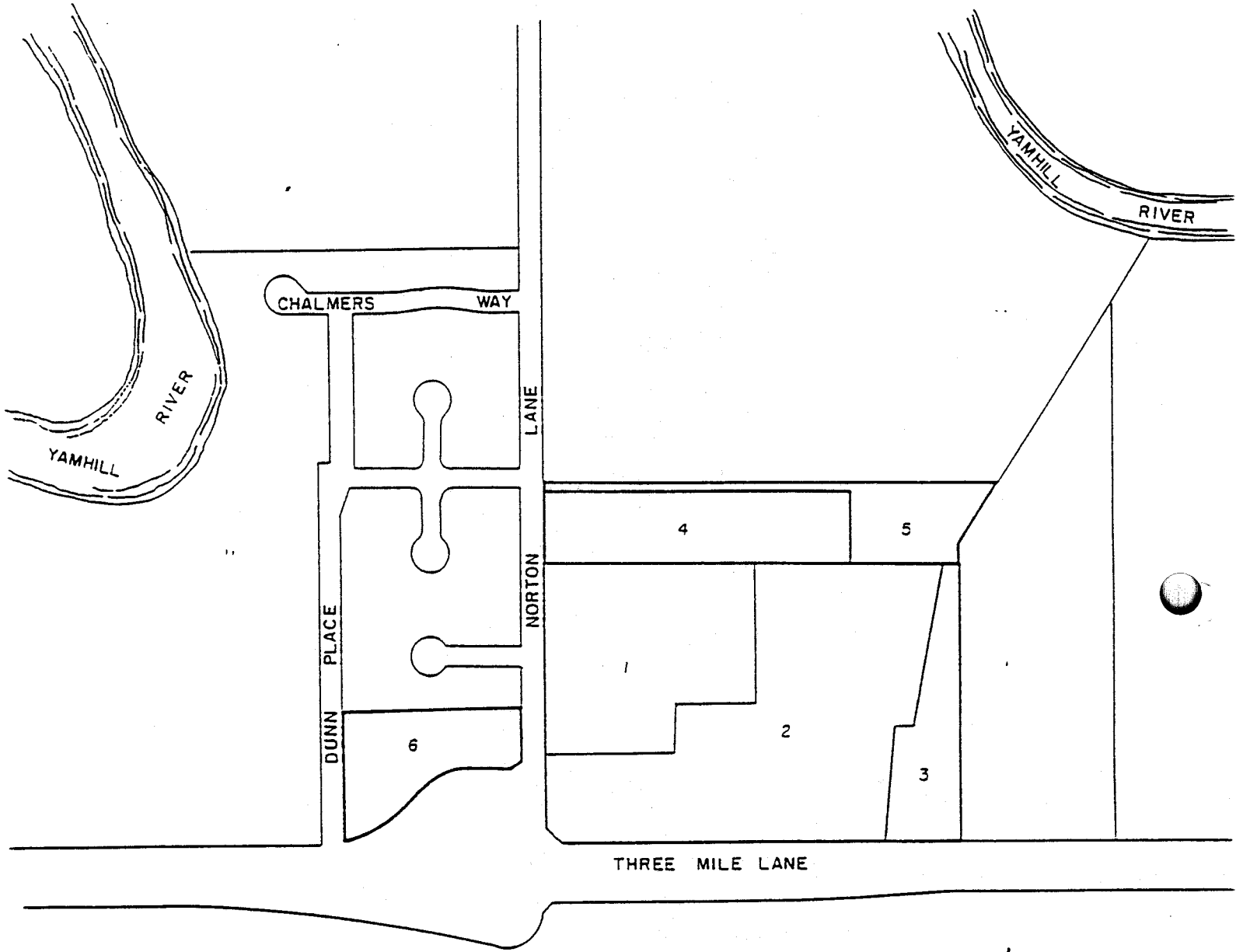
EXHIBIT "G"



Scale: 1" = 400'

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EXHIBIT "H"



Scale : 1" = 400'

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