



*Growing McMinnville*  
**MINDFULLY**

**McMinnville Growth Management and  
Urbanization Plan, 2003 – 2023**

City of McMinnville  
Remand Order 12-WKTASK-001814

**ZONING ORDINANCE  
AMENDMENTS**

December, 2020

**Appendix E**

**MGMUP 2020 Remand:**

These proposed amendments to the zoning code have been altered slightly from those proposed in the 2005 MGMUP that were adopted (Ordinance No. 4840 and Ordinance No. 4841) and then repealed in 2013 (Ordinance No. 4961) after the 2011 Court of Appeals decision. Code language related to accessory dwellings and allowances for residential uses in the C-3 zone have been removed. Code amendments related to these topics were subsequently enacted after 2013. They have, therefore, been removed from the amendments proposed here.

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## **NEIGHBORHOOD ACTIVITY CENTER**

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Proposal Summary: Amend the McMinnville Municipal Code by developing a special district ordinance, entitled “Neighborhood Activity Center Overlay District” that may be applied to lands within the city limits. Also, amend the McMinnville zoning ordinance by adding a definition for such use.

Zoning Ordinance Amendments:

**Amend Chapter 17.06, Definitions, by adding the following:**

17.06.425 Neighborhood Activity Center. “Neighborhood Activity Center” means a physically and aesthetically unified area, that serves as the center of a larger surrounding neighborhood, where all elements and land uses are designed to function as an integrated whole (rather than as a series of unconnected, unrelated developments). Neighborhood Activity Centers consist of a Focus Area with commercial, institutional, office uses and other mixed-use activities needed to support a specified geographic area. These centers also may include a Support Area with high- and medium-density residential uses that supports the non-residential uses in the center.

Add a Special District Ordinance, “***Neighborhood Activity Center Overlay District***”:

### **NEIGHBORHOOD ACTIVITY CENTER OVERLAY DISTRICT**

**Section 1. Purpose.** The purpose of the Neighborhood Activity Center Planned Development Overlay is to enable the development of lands in areas designated as activity centers on the McMinnville Framework Plan into fully integrated, high quality, mixed-use pedestrian oriented neighborhoods. The intent is to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation. Its provisions are based on the following design principles:

- All neighborhoods have identifiable centers and edges.
- All lots within the neighborhood are readily accessible to retail and recreation by non-vehicular means (a distance not greater than 1/4 mile).
- Uses and housing types are mixed and in close proximity to one another.
- Street networks are interconnected and blocks are small.
- Civic buildings are given prominent sites throughout the neighborhood.

**Section 2. Applicability/Location.** The Neighborhood Activity Center Planned Development Overlay that is created and implemented by this ordinance shall be subject to the following location guidelines:

|  |                                    |
|--|------------------------------------|
| <i>Minimum Separation between Neighborhood Activity Centers:</i>   | <u>0.50 to 1 miles</u>             |
| <i>Minimum Separation from Downtown McMinnville:</i>   | <u>1 - 1.5 miles</u>               |
| <i>Maximum distance that nonresidential uses may radiate outwards from the center of the activity center (along streets):</i>        | <u>800-1000</u><br>(about 1/4 mi.) |
| <i>Maximum distance away from edge of the Focus Area that high-density housing (a part of the Support Area) should be located:</i>   | <u>1/8 mi.</u>                     |
| <i>Maximum distance away from edge of the Focus Area that medium-density housing (a part of the Support Area) should be located:</i> | <u>1/4mi.</u>                      |

**Section 3. Notation on Zoning and Comprehensive Plan Maps.** An activity center overlay district may be applied to a site designated as an activity center on the McMinnville Framework Plan, Comprehensive Plan Map, and/or the McMinnville Zoning Map.

**Section 4. Policies and Procedures.** The following policies and procedures shall apply to lands within designated Neighborhood Activity Centers:

- A. The Neighborhood Activity Center (NAC) is intended to facilitate the development of an activity center at the neighborhood scale. Neighborhoods are contiguous areas, generally containing approximately 600 to 1500 dwellings, or approximately 1500 to 3500 people. The NAC should contain facilities vital to the day-to-day activity of a neighborhood (e.g., neighborhood grocery store, drug store, church, coffee shop) located in close proximity to residential uses. The NAC should contain the neighborhood’s highest-density housing and link pedestrian, bike, and transit networks from adjacent residential areas to the NAC
- B. Approval of a Neighborhood Activity Center Concept Plan that addresses the NAC planning requirements is required in locations that are not covered by an approved Area Plan or Master Plan. Approval of an NAC Concept Plan shall

follow the approval steps for an Area Plan and Master Plan set forth in Comprehensive Plan Policy 187.80 and 187.90.

- C. An approved Neighborhood Activity Center Concept Plan and/or development plan is required prior to any development or redevelopment within these overlay areas. At a minimum, a concept plan shall encompass the entire land area within a designated activity center overlay that is proposed for development. The specific boundaries of the activity center shall be reviewed with City staff to determine an appropriate boundary.

The following chart should be used as a guiding principle for the NAC Plan. Variances up to 20% will be allowed if the variance helps to achieve the purposed of the NAC as stated in Section 1.

|  | <b>Average Area</b>              |
|--|----------------------------------|
| <i>Combined focus and support areas</i>                  | <i>40 to 80 acres</i>            |
| <i>Support Area</i>                                      | <i>30 to 50 acres</i>            |
| <b><i>Focus Area, Acreage</i></b>                        |                                  |
| <i>focus area total acreage</i>                          | <i>8 to 30 acres</i>             |
| <i>focus area, commercial portion</i>                    | <i>2.5 to 10 acres</i>           |
| <i>focus area, office portion</i>                        | <i>2.5 to 10 acres</i>           |
| <i>focus area, institutional portion</i>                 | <i>1 to 10 acres</i>             |
| <i>focus area, public space (park, plaza)</i>            | <i>0.25 to 2.5 acre</i>          |
| <b><i>Focus Area, Floor Space</i></b>                    |                                  |
| <i>total retail floor space, acceptable range</i>        | <i>50,000 to 100,000 sq. ft.</i> |
| <i>total office floor space, acceptable range</i>        | <i>25,000 to 100,000 sq. ft.</i> |
| <i>total institutional floor space, acceptable range</i> | <i>2,500 to 25,000 sq. ft.</i>   |
| <i>max. size of largest non-grocery retailer</i>         | <i>10,000 to 30,000 sq. ft.</i>  |
| <i>max. size of grocery/supermarket</i>                  | <i>20,000 to 40,000 sq. ft.</i>  |

- D. A Neighborhood Activity Center Concept Plan addresses the general density, mix of uses, and development patterns within an activity center. They are less detailed than the development plans required for full site plan or subdivision review. The intent is to provide sufficient information to determine consistency with the land use plan and this ordinance.
1. An Activity Center Concept Plan shall, at a minimum, include the following:
    - a. Size and location of the land proposed for development as all or part of an activity center;
    - b. Proposed gross density of the activity center included the maximum number of units and square footage of uses;
    - c. A general concept plan showing major and minor transportation corridors and pedestrian linkages throughout including appropriate linkages between uses; and
    - d. Uses proposed for the activity center, including approximate total percentages of land area and general locations devoted to residential, office, commercial, and institutional uses. The Plan should show how the mixing of uses is being achieved.

- e. Information on how the plan meets the requirements of this ordinance, the applicable McMinnville Comprehensive Plan policies, McMinnville's Great Neighborhood principles, and other applicable implementing ordinances.
- F. Approval of an Activity Center concept plan shall be based upon compliance with the following criteria where deemed appropriate (i.e., it may not be practical for some existing or partially built activity centers to achieve certain design standards). The guidelines under each criterion must be used to satisfy the criterion, or the applicant may propose an alternative approach, as approved by the City, that better achieves the intent of the guidelines.
- 1. Plan Consistency: The concept plan has been prepared consistent with the requirements of this ordinance;
  - 2. Compact Development: The site layout is compact, and enables future intensification of development and changes in land use over time.
    - a. Guidelines:
      - 1) Opportunities for shared parking are utilized in the proposal; and
      - 2) If the site contains more than one use, the site layout clusters buildings on the site to promote linked trips. A cluster is a group of buildings that are attached, oriented on adjacent street corners, or are close together such that a pedestrian need not walk across more than one double-loaded row of parking (not inclusive of sidewalks, pathways, landscaping, plazas, and other pedestrian facilities) between building entrances; or
      - 3) The proposal contains an equally good or superior way to achieve the above criterion.
  - 3. Mixed Land Use: Where appropriate, land uses are mixed on-site or are mixed in combination with adjacent uses (existing or planned); the combining of land uses should promote easy access among stores and services by pedestrians.
    - a. Guidelines:
      - 1) The proposal is a "mixed-use" development or contributes to a mixed-use district. For the purposes of this ordinance, "mixed-use" means a combination of residential and commercial/industrial/civic uses, arranged vertically (in multiple stories of buildings) or horizontally (adjacent to one another); or
      - 2) The proposal is designed in such a way that it is well integrated with adjacent land uses. "Integrated" means that uses are within a comfortable walking distance (1/8 mile) and are connected to each other with direct, convenient and attractive sidewalks and/or pathways; or
      - 3) The existing and planned land uses on, or in the vicinity of, the site make it impracticable to meet Guideline A or B; or
      - 4) The proposal contains an equally good or superior way to achieve the above criterion.
  - 4. Pedestrian Access, Safety and Comfort: All portions of the development are accessible by a direct, convenient, attractive, safe, and comfortable

system of pedestrian facilities, and the development provides appropriate pedestrian amenities. The design of buildings supports a safe and attractive pedestrian environment.

a. Guidelines:

- 1) Commercial building(s) shall have at least one primary entrance facing *abutting* streets, or the primary entrance is directly accessed by a public
- 2) In any zone, pedestrian facilities, as described below, connect the development to adjacent land uses and provide connections through the development to the public street right-of-way;
- 3) Sidewalks and/or plazas are provided with weather protection (e.g., awnings/canopies), and a street furnishing zone on both sides of every public and private street. Appropriate pedestrian amenities (e.g., street tree well cut-outs, and space for outdoor seating, bus waiting areas, trash cans, newspaper vending machines, mail boxes, sidewalk displays, public art, etc.), are provided in the street furnishing zone; and
- 4) Parking and vehicle drives are located away from building entrances, and not between a building entrance and the street, except as may be allowed when a direct pedestrian connection is provided from the sidewalk to the building entrance;
- 5) Surface parking is oriented behind or to the side of a building when possible and shall be screened from the sidewalk by low walls, fences or hedges; for corner lots, buildings should generally be located and oriented to the corner portion of the lot, with parking to the rear or interior side;
- 6) Landscape buffering is provided between parking lots and all adjacent sidewalks; or
- 7) The proposal contains an equally good or superior way to achieve the above criterion.

5. Street Connections: The development is part of a connected street system that serves vehicles, pedestrians and bicycles.

a. Guidelines:

- 1) Public or private streets connect the development to adjacent neighborhoods;
- 2) No block face shall have a length greater than 500 feet without a dedicated alley or pathway providing through access;
- 3) The long axis of the street shall have appropriate termination with either a public monument, specifically designed building facade, or a gateway to the ensuing space;
- 4) Public streets are preferred over private streets to accommodate through traffic; and
- 5) The proposal implements all planned street connections, as designated by the City's Master *Plan*; or
- 6) The proposal contains an equally good or superior way to achieve the above criterion.

6. Parking and Land Use Efficiency: All of the following methods are used whenever possible to minimize the amount of land developed as surface parking.
  - a. Guidelines:
    - 1) Shared Parking. “Shared parking” means that multiple uses share one or more parking facilities. Parking demands must “peak” during different times of the day.
    - 2) Credit for on-street parking. The amount of required off-street parking shall be reduced by one off-street parking space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, subject to City standards, except that angled parking may be allowed for some streets, as approved by the City. The configuration of the on-street parking and allowable credit toward off-street parking requirements shall be addressed during site/design review. The City shall maintain a written record of credits granted per each use;
    - 3) Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City;
    - 4) Maximum parking ratio. Surface parking shall not exceed 110% of the minimum parking requirement for the subject land use(s). Exemptions to the standard can be approved through site/design review for developments that provide parking structures, shared parking, valet parking spaces, market rate parking, or similarly managed parking facilities;
7. Creating and Protecting Public Spaces: The proposal provides usable public space, and recognizes and responds appropriately to existing or planned public spaces (e.g., parks, civic buildings and spaces, transit stops, sidewalks, plazas, and similar spaces). Public spaces are “public” when they are within view of a street or other public space, accessible by pedestrians, and can be occupied by people. All developments shall meet or exceed the following guidelines.
  - a. Guidelines:
    - 1) The development does not diminish the safety, function, comfort or attraction of an existing public space, as described in 1-4, below.
      - i. “Safety” means both pedestrian safety near vehicles, and safety related to crime prevention; and
      - ii. The “function” of a public space may include transportation, in the case of the sidewalk; recreation and socialization, in the case of a plaza or park; and

- iii. “Comfort” means the ability of a public space to reasonably accommodate expected uses; and
    - iv. “Attraction” relates to the reason people use the public space; and/or
  - 2) The proposal contains an equally good or superior way to achieve the above criterion. A superior design may enhance an existing public space and/or create a superior public space(s).
- 8. Human Scaled Building Design: Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the neighborhood.
  - a. Guidelines:
    - 1) Existing architectural character of the neighborhood/district, which may or may not be an appropriate guide for new development or redevelopment;
    - 2) The continuity of the building sizes;
    - 3) How the street-level and upper-level architectural detailing is treated;
    - 4) Roof forms;
    - 5) Rhythm of windows and doors; and
    - 6) General relationship of buildings to public spaces such as streets, plazas, other open space, and public parking.
- 9. General Use and Design Standards. The proposal complies with the following guidelines:
  - a. Guidelines:
    - 1) The entire Activity Center land area shall be divided into blocks, streets, and lots and optional open space areas.
    - 2) Similar land categories shall generally front across streets. Dissimilar categories shall abut at rear lot lines. Corner lots which front on streets of dissimilar use shall be set back the same as the adjacent use with the lesser setback.
    - 3) Any commercial use which encourages patrons to remain in their automobiles while receiving goods or services, except service stations and banks; storage or warehousing facilities; auto sales; or retail uses that exceed 10,000 square feet in size (except grocery stores, which may be a maximum of 50,000 square feet in size) shall be prohibited. All commercial uses shall be conducted within complete enclosed buildings unless otherwise specified, except for sidewalk and pedestrian oriented uses, such as outdoor dining or sidewalk merchandise sales.
    - 4) All streets shall terminate at other streets within the neighborhood and connect to existing and projected through streets outside the development.



**Section 5. Procedures for Review.**

- A. Annexations to the City of lands within the area covered by this ordinance shall meet the requirements of the annexation ordinance. An Activity Center Concept Plan, as described in this ordinance, shall accompany applications for annexation. Such plan shall be part of the Concept Master Plan required for annexation necessary to satisfy the annexation ordinance's requirement for submittal of a general land use plan.
- B. Zone changes and land divisions submitted for approval shall be processed under the requirements and standards of Chapter 17.51 (Planned Development Overlay) of the McMinnville Zoning Ordinance. If standards and requirements of Chapter 17.51 differ from those established elsewhere by the City, the more restrictive standards and requirements shall be adhered to.
- C. Land division requests (partition, subdivision) shall be processed under the requirements of Chapter 17.53 of the Zoning Ordinance.
- D. Amendments to this ordinance shall be processed under procedures set out in Chapter 17.51 (Planned Development Overlay) of the McMinnville Zoning Ordinance.

## High Density Residential Zone

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Proposal Summary: Amend the R-4 zone to allow multiple-family housing subject to certain locational criteria. Also, propose a new multiple-family zone --- R-5 --- that would be exclusive to that housing type and associated uses.

### Zoning Ordinance Amendments:

Amend Chapter 17.21.010 (C) to read as follows:

“C. Multiple-family dwelling subject to the following:

1. The property on which the use will be located has direct access from a major collector or minor arterial street, or a local collector street within 600’ of a collector or arterial street; or
2. The property is located within one-half mile of a planned or existing transit route; or
3. The property is within one-quarter mile from a planned or existing neighborhood or commercial shopping area; and

Add a new Chapter (17.22, R-5, Multiple-family Residential Zone) to read as follows:

### Chapter 17.22

#### R-5 MULTIPLE-FAMILY RESIDENTIAL ZONE

### Sections:

|           |   |
|-----------|---|
| 17.22.005 | Purpose.  |
| 17.22.010 | Permitted uses.   |
| 17.22.020 | Conditional uses.   |
| 17.22.030 | Lot size.   |
| 17.22.040 | Yard requirements.  |
| 17.22.045 | Multiple Buildings on One Lot: Separation Between Buildings, Parking Areas, Walks, and Drives |
| 17.22.050 | Building height.  |
| 17.22.055 | Exterior Elevations   |
| 17.22.060 | Density requirements.   |
| 17.22.070 | Signs.  |

17.22.005 Purpose. This zone is intended to provide areas for high-density residential dwelling units and other closely related uses in designated Neighborhood Activity Centers, the downtown, and other appropriate locations within the city, consistent with comprehensive plan policies. Residential densities within this zone are typically 14 to 26 dwelling units per acre.

17.22.010 Permitted uses. In an R-5 zone, the following uses and their accessory uses are permitted:

- A. Multiple-family dwelling;
- B. Condominium;
- C. Boardinghouse, lodging house, or rooming house;
- D. Day care facility, under the following provisions:
  - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
  - 2. Twelve or fewer children are present at any one time at the center.
  - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code, as amended, are met.
  - 4. That a certificate of approval be obtained for facilities with 7 or more children as required by ORS 418.810.
- E. Residential child care facility, under the following provisions:
  - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
  - 2. Five or less children under care reside in the home at any one time.
  - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code, as amended, are met.
- F. Social relief facility, under the following provisions:
  - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
  - 2. Five or fewer people unrelated to the operator, reside at the home at any one time.
  - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC) as amended, are met.
- G. Home occupation, subject to the provisions of Chapter 17.67;
- H. Public park and recreation area;
- I. Sewage pump station;
- J. Satellite dish provided such dish is screened from abutting or facing residential properties by a sight-obscuring fence, wall, or planting. (As amended by Ordinance 4477, Oct. 9, 1990)

17.22.020 Conditional uses. In an R-5 zone, the following uses and their accessory uses may be permitted, subject to the provisions of Chapter 17.66:

- A. Campus living organization (fraternity, sorority, or dormitory);
- B. Cemetery;
- C. Church;
- D. Community building, including library;

- E. Day care facility, when the following situations exist:
  - 1. The structure is not used as a residence by the operators; and/or
  - 2. Thirteen or more children are present at any one time; (as amended by Ordinance 4534 April 27, 1993)
  - 3. That a certificate of approval be obtained for facilities with 7 or more children as required by ORS 418.810 (as amended by Ordinance 4534 April 27, 1993).
- F. Residential care facility, when the following situations exist:
  - 1. The structure is not used as a residence by the operators; and/or
  - 2. Six or more children are present at any one time.
- G. Social relief facility, when the following situations exist:
  - 1. The structure is not used as a residence by the operators; and/or
  - 2. Six or more people unrelated to the operator reside at the home at any one time.
- H. Nursing/convalescent home;
- I. A multiple-family dwelling development constructed to a higher density than normally allowed in the R-5 multiple-family zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met.
  - 1. These provisions only apply in the downtown core area, bounded by First Street, Fifth Street, Adams Street, and Johnson Street;
  - 2. That public and private utilities and service would not be overtaxed by the proposed development. Utilities and service include, but are not necessarily limited to, water, sanitary sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
  - 3. That the transportation impact analysis study demonstrates the road network is capable of handling the prospective increase in traffic flow, or mitigating traffic impacts to a level that does not degrade network performance below minimum acceptable levels.
  - 4. That off-street parking be provided at the rate of one parking stalls per unit. The Planning Commission may consider a variance to this requirement when the proposed housing structure is limited solely to elderly residents.
  - 5. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in their base zone as a direct result of the proposal.
- J. Public or private school or college;
- K. Electrical power substation [as amended by Ordinance 4732];
- L. Water reservoir;
- M. Windmill, for generation of electricity or pumping water;
- N. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55. [As amended by Ordinance 4732]

17.22.030 Lot size. In an R-5 zone, the lot size shall not be less than five thousand square feet.

17.22.040 Yard requirements. In an R-5 zone, each lot shall have yards of the following sizes unless otherwise provided in Section 17.54.090:

- A. A front yard shall not be less than fifteen feet;
- B. A side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet;
- C. A rear yard shall not be less than twenty feet;
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.

17.22.045 Multiple Buildings on One Lot: Separation Between Buildings, Parking Areas, Walks, and Drives. To provide privacy, light, air, and access to the dwellings within the development, the following minimum standards shall apply:

- A. Buildings with windowed walls facing buildings with windowed walls shall maintain a 25-foot minimum separation.
- B. Buildings with windowed walls facing buildings with blank wall shall be placed a minimum of 15 feet apart.
- C. Buildings with opposing blank walls shall have a minimum 10-foot separation.
- D. Building separation shall also apply to building projections such as balconies, bay windows, and room projections.
- E. Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be increased. The rate of increased wall separation shall be one foot for each 15 feet of building length over 60 feet and 2 feet for each 10 feet of building over 30 feet.
- F. Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within 8 feet of the ground level.
  1. Driveways and parking lots shall be separated from windowed walls by at least 8 feet; walkways shall be separated by at least 5 feet.
  2. Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways shall be separated by at least 7 feet.
  3. Driveways and uncovered parking spaces shall be separated from doorways by at least 5 feet.

17.22.050 Building height. In an R-5 zone, a building shall not exceed sixty feet in height.

17.22.055 Exterior Elevations. The exterior elevations of buildings shall incorporate design features such as offsets, balconies, projections, or similar elements to preclude large expanses of uninterrupted building surfaces. In the event of a question of interpretation or application, the Director may refer the proposal to the Planning Commission.

17.22.060 Density requirements. In an R-5 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.22.020(l) are utilized.

17.22.070 Signs. In an R-5 zone, the following types of signs are permitted:

- A. A sign not to exceed six square feet in area identifying the owner or occupant of the property on which it is located. Such sign may be indirectly illuminated;
- B. A nonilluminated, temporary sign not to exceed six square feet in area concerning the lease, rental, or sale of a property;
- C. A nonilluminated sign not to exceed forty-eight square feet in area identifying a subdivision at the location of the sign;
- D. Signs may be located in a required front yard or a required side yard adjacent to a street but shall not be located in or extend over a street or public right-of-way;
- E. Political campaign signs are permitted as follows;
  - 1. Campaign signs shall not be erected earlier than six weeks prior to an election for which they were made.
  - 2. Permitted signs shall not exceed six square feet in area.
  - 3. Such signs shall be confined within private property and removed within fourteen days after the election for which they were made.
  - 4. Prior to the erection of any political campaign sign, the political treasurer on behalf of the candidate or issue shall post a bond in the form approved by the City Attorney and filed with the Planning Director in the amount of fifty dollars (\$50.00) guaranteeing removal of such signs within fourteen days after the election for which they are used.
  - 5. The City shall remove signs posted in the public right-of-way and those signs not removed from private property fourteen days following the election. The costs of removal shall be deducted from the bond posted; the bond or remaining portion thereof shall be refunded upon compliance with this section.
- F. A nonilluminated or indirectly illuminated sign not to exceed twenty-four square feet identifying a "model home," subject to the procedures outlined in Section 17.54.100.
- G. A non-illuminated free-standing sign not to exceed 15 feet in height, and 36 square feet in area may be permitted to identify a public school at the location of the sign. In lieu of such signage, a non-illuminated wall mounted sign not to exceed 48 square feet in area, or a non-illuminated or indirectly illuminated monument sign not to exceed six feet in height, and 48 square feet in area, is permitted. A reader board may be integral to the sign. Such signs shall be located in compliance with the setbacks applicable to the residential zone in which they are located.

Chapter 17.10  
**AREA AND MASTER PLANNING PROCESS**

Proposal Summary: Amend the Zoning Ordinance to add a section on Area and Master Planning.

Sections

- 17.10.010 Purpose
- 17.10.020 Applicability
- 17.10.030 Procedures
- 17.10.040 Area Plan Process
- 17.10.050 Area Plan Scope and Components
- 17.10.060 Master Plans
- 17.10.065 Master Plan Process
- 17.10.070 Master Plan Submittal Requirements
- 17.10.080 Master Plan Review Criteria
- 17.10.091 Development of Areas Less than 10 Acres

17.10.10: Purpose. To provide a process that will allow for and ensure the transition from rural to urban land uses in a manner that is consistent with the McMinnville Comprehensive Plan, UGB expansion plans, and the City's overall land supply needs identified in applicable UGB expansion plans and documents.

17.10.20 Applicability. The Area Plan and Master Plan processes apply to all lands that are designated as Urban Holding (UH) on the McMinnville Comprehensive Plan Map.

17.10.30 Procedures.

- A. **Area Plan Requirement.** Prior to annexation or comprehensive plan map amendment, zone change, or development of any land in Urban Holding (UH) Comprehensive Plan Map designations, the City must review and adopt an Area Plan, if applicable.
- B. **Master Plan Requirement.**
  - 1. Concept Master Plan. The development and approval of a Concept Master Plan is required prior to annexation of any land in Urban Holding (UH) Comprehensive Plan Map designations as part of an annexation agreement.
  - 2. Master Plan. The development and approval of a Final Master Plan is required prior to a zone change, or development of any land in Urban Holding (UH) Comprehensive Plan Map designations and the UH Zone.

17.10.40 Area Plan Process.

- A. The City Council shall initiate an Area Planning process for lands that are designated as Urban Holding (UH) on the McMinnville Comprehensive Plan Map.

- B. Property owners may initiate the Area Planning process, if the City Council has not yet initiated or completed an Area Plan for land designated on the Comprehensive Plan Map as Urban Holding (UH) in a UGB expansion area.
  - 1. Area Planning may be initiated by property owners for lands 100 acres or greater in size.
- C. The City Council shall adopt an Area Plan as a guiding land use document. The adoption of the Area Plan is not a land use decision, and does not result in any changes to comprehensive plan designations or zoning districts.

17.10.50 Area Plan Scope and Components.

- A. Area Plans shall more specifically identify land uses, their locations, and their relationship to public facilities, natural resources, and existing urban uses. The land uses identified in an Area Plan must be consistent with the applicable Framework Plan and the identified land use needs for the Urban Holding (UH) area.
- B. Principles and Standards for Area Plans.
  - 1. Area Plans must embody the development principles of the applicable Framework Plan, UGB expansion plan, McMinnville Comprehensive Plan, and any other City land use policies and standards.
    - a. 2003-2023 McMinnville Growth Management and Urbanization Plan (MGMUP). The MGMUP provides guidance for the planning and development of fully integrated, mixed-use, pedestrian-oriented neighborhoods. Therefore, Area Plans for UH areas within the MGMUP areas will be developed to be consistent with:
      - 1) The guidelines and characteristics of the Traditional Neighborhood model, as described in the McMinnville Growth Management and Urbanization Plan.
      - 2) The potential identification of locations that would be suitable for Neighborhood Activity Centers (NACs) to meet neighborhood commercial land needs as identified in the MGMUP Framework Plan, and also support surrounding residential development, as described in the McMinnville Growth Management and Urbanization Plan.
      - 3) The City's adopted Great Neighborhood Principles, as described in Comprehensive Plan Policies 187.10 through 187.50.

17.10.60 Master Plans. Master Plans are required for annexation into the City of McMinnville, urbanization into City of McMinnville zones and development, for all properties 10 acres or more.

- A. **Applicability.** This section applies to all properties 10 acres or more proposed for annexation and/or rezoning from the UH zone to a city development zone.
  - 1. Master Plans shall be required for all lands 10 acres or greater in size.
  - 2. Lands less than 10 acres in size may be annexed into the city, and subsequently developed.
- B. **Purpose.** The purpose of a Master Plan is to provide:



1. Orderly and efficient development of the City consistent with the City's Framework Plans and adopted Area Plans.
2. Compatibility and/or transition with adjacent developments and the character of the area.
3. A complementary mix of uses and activities to achieve the Principles of the McMinnville Growth Management and Urbanization Plan.
4. An interconnected transportation network – streets, bicycle routes, and pedestrian trails – with the master plan area and to existing and planned City streets, routes and trails.
5. A range of housing choices for areas planned to have residential components.
6. A range of open spaces and recreation facilities, as needed to facilitate the Framework Plan, adopted Area Plan and Parks and Recreation Facility Plan.
7. Public and semi-public facilities and services.
8. Preservation of historic buildings, scenic views, and natural resources to the greatest extent possible.
9. Transitions or buffers between urban development and rural areas.
10. Implementation of McMinnville's Comprehensive Plan, including adopted Area Plans and the Great Neighborhood Planning Principles.

17.10.65 Master Plan Process.

- A. Concept Master Plan. For the conceptual plan review process, there is no need for the post acknowledgement plan amendments (PAPAs) to the Oregon Department of Land Conservation and Development, or local Measure 56 notice, although early involvement of nearby property owners and state agencies that may have an interest in the effect of urbanization on state interests is advised, because the decision does not yet amend the McMinnville Comprehensive Plan, as it is being reviewed and approved as part of an annexation agreement with the McMinnville City Council and is not considered a land-use decision. The Concept Master Plan should consider all of the same elements and factors as the Master Plan described below.
- B. Master Plan. For the final master plan approval, legislative review and approval is required as part of a quasi-judicial land-use decision as it will be an amendment to the McMinnville Comprehensive Land Use Plan and Zoning Map. Following the City Council's adoption of an Area Plan, but prior to the annexation, comprehensive plan map amendment, zone change, or development of any land within the subject Area Plan, property owners shall submit a Master Plan for review and approval by the City Council.
  1. Applications and requests for the approval of a Master Plan shall be reviewed under the review process described in MMC Section 17.72.120 (Applications – Public Hearing).

17.10.70 Master Plan Submittal Requirements. Applications for the review and approval of a Concept Master Plan and Master Plan shall include the following elements:

- A. Plan Objectives. A narrative shall set forth the goals and objectives of the Master Plan and how it achieves McMinnville's MGMUP and adopted Great Neighborhood Principles.
- B. Plan Area and Context. A map of the plan area and surrounding vicinity shall set the context for the Master Plan.
- C. Land Use Diagram. The land use diagram shall indicate the distribution and location of planned land uses for the Master Plan, including plans for park and open space and community facilities. The plan shall identify proposed comprehensive plan and zoning designations.
- D. Significant Resources Inventory. An inventory of significant natural resources, scenic and historic resources, and open space areas. When significant resources are present, the Master Plan shall include a management plan to protect resource sites.
- E. Natural Hazard Areas. Inventory and identify areas subject to natural hazards.
- F. Mixed Use Areas. Identify areas planned for mixed uses, which may also include Neighborhood Activity Centers if identified in the applicable Area Plan.
- G. Commercial Areas. Identify areas planned for commercial use, which may also include Neighborhood Activity Centers if identified in the applicable Area Plan.
- H. Residential Areas. Identify areas planned for housing development. The housing plan must identify a mix of housing types and densities so that the overall density in the area meets the housing density objectives for the area that are identified in the applicable Framework Plan and Area Plan. The applicable Framework Plan and Area Plan are based on a UGB expansion plan that includes findings that specify the housing types and densities that need to be achieved in order to meet future housing needs. Great Neighborhood Principle #11 also requires that "A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations."
- I. Parks and Open Space. Identify land suitable for park and recreation use in accordance with the needs in the applicable Framework Plan and Area Plan, and the standards in the McMinnville Parks, Recreation, and Open Space Master Plan.
- J. Transportation Analysis and Plan. Prepare a traffic impact analysis and local street plan that is consistent with street spacing and connectivity guidelines in the McMinnville Transportation System Plan (TSP). The street plan shall show the proposed classification for all streets, proposed bicycle routes, and proposed pedestrian facilities. The street plan shall show how streets, bike routes, and pedestrian facilities will connect with adjacent urban areas that are already existing and also how those facilities will be extended to adjacent UGB expansion areas that have not yet gone through the Master Planning process.

- K. Public Facilities Analysis and Plan. The plan must include a conceptual layout of public facilities (including at a minimum sanitary sewer, power, water, and storm drainage) needed to support the land use diagram. The Public Facilities Analysis should address overall capacities and must be consistent with the City's adopted facility master plans. Where necessary, the analysis shall identify improvements that may require amending the adopted facility master plans.
- L. Site Design and Development Standards. If unique or innovative development standards are proposed for any area within the Master Plan area that differ from the City's normal development standards, these may be identified in the Master Plan and requested through a Planned Development process.

17.10.80 Master Plan Review Criteria.

- A. In the review of an application for a Master Plan, the Planning Commission and City Council shall consider the following:
  - 1. Whether the proposed Master Plan is consistent with the Framework Plan, Area Plan, and Comprehensive Plan in terms of land use, density, transportation systems and networks, and open space.
  - 2. Whether the proposed Master Plan is generally suitable for the area in which it is proposed, considering existing and planned neighborhoods, shopping and employment areas, and natural resources and hazards.
  - 3. Whether the proposed Master Plan is integrated with existing developed or planned areas.
  - 4. Whether the Master Plan is consistent with the City's adopted Great Neighborhood Principles, which include:
    - a. Natural Feature Preservation. Great Neighborhoods are sensitive to the natural conditions and features of the land.
      - 1) Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.
    - b. Scenic Views. Great Neighborhoods preserve scenic views in areas that everyone can access.
      - 1) Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including, but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.
    - c. Parks and Open Spaces. Great Neighborhoods have open and recreational spaces to walk, play, gather, and commune as a neighborhood.
      - 1) Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.
      - 2) Central parks and plazas shall be used to create public gathering spaces where appropriate.

- 3) Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.
- d. Pedestrian Friendly. Great Neighborhoods are pedestrian friendly for people of all ages and abilities.
  - 1) Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.
  - 2) Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).
- e. Bike Friendly. Great Neighborhoods are bike friendly for people of all ages and abilities.
  - 1) Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.
  - 2) Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.
- f. Connected Streets. Great Neighborhoods have interconnected streets that provide safe travel route options, increased connectivity between places and destinations, and easy pedestrian and bike use.
  - 1) Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements.
  - 2) Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.
- g. Accessibility. Great Neighborhoods are designed to be accessible and allow for ease of use for people of all ages and abilities.
  - 1) To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.
  - 2) Design practices should strive for best practices and not minimum practices.
- h. Human Scale Design. Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built environment.
  - 1) The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.

- 2) Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.
- 3) Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).
- i. Mix of Activities. Great Neighborhoods provide easy and convenient access to many of the destinations, activities, and local services that residents use on a daily basis.
  - 1) Neighborhood destinations including, but not limited to, neighborhood-serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.
  - 2) Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.
  - 3) Neighborhoods are designed such that owning a vehicle can be optional.
- j. Urban-Rural Interface. Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.
  - 1) Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.
- k. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.
  - 1) A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.
- l. Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.
  - 1) Neighborhoods shall have several different housing types.
  - 2) Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.
- m. Unique and Integrated Design Elements. Great Neighborhoods have unique features, designs, and focal points to create neighborhood character and identity. Neighborhoods shall be encouraged to have:
  - 1) Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.
  - 2) Opportunities for public art provided in private and public spaces.
  - 3) Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners,

landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood.

17.10.90 Development of Areas Less than 10 Acres. Lands less than 10 acres in size may be annexed into the city and rezoned into urban zones without the approval and adoption of a Master Plan. This may occur when the lands are designated for only residential use in the applicable Area Plan.

- A. Following the annexation of lands that are less than 10 acres in size, the lands shall be subject to the Comprehensive Plan Map Amendment and Zone Change review processes described in MMC Section 17.72.120 and MMC Section 17.74.020. Urban comprehensive plan map designations and urban zoning districts shall be requested for the lands, and the designations and zoning districts must be consistent with the land uses identified in the adopted Area Plan that is applicable to the land in question.
- B. The development of lands less than 10 acres in size must:
  - 1. Be consistent with the uses identified in the Area Plan applicable to the land in question;
  - 2. Meet the City's adopted Great Neighborhood Principles;
  - 3. Include a local street plan that complies with the applicable Area Plan, the McMinnville TSP, and other local street spacing and connectivity requirements; and
  - 4. Be consistent with all other required policies and standards of the McMinnville Comprehensive Plan and Zoning Ordinance.

**Summary Graphic of UGB Expansion Planning Process:**

