



**Oregon**

Theodore R. Kulongoski, Governor

**Department of Land Conservation and Development**

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



**NOTICE OF ADOPTED AMENDMENT**

10/10/2011

**TO:** Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

**FROM:** Plan Amendment Program Specialist

**SUBJECT:** City of McMinnville Plan Amendment  
DLCD File Number 003-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

**DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL:** Friday, October 21, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

**Cc:** Jennifer Lynagh, City of McMinnville  
Angela Lazarean, DLCD Urban Planning Specialist  
Steve Oulman, DLCD Regional Representative

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FORM 2

DLCD

# Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person  electronic  mailed

DATE  
STAMP

DEPT OF

OCT 03 2011

LAND CONSERVATION  
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of McMinnville**

Local file number: **G 1-11**

Date of Adoption: **September 27, 2011**

Date Mailed: **September 29, 2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 7-1-11

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amending specific sections of McMinnville Zoning Ordinance (No.3380) to define and conditionally permit fire and medical emergency response facilities (fire service substations) in residential zones. Amended Zoning Ordinance sections are 17.06, 17.12.020, 17.15.020, 17.18.020, and 17.21.020.

Does the Adoption differ from proposal? No.  
Same.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location: **City of McMinnville**

Acres Involved: **City-wide**

Specify Density: Previous:

New:

Applicable statewide planning goals: 1,11

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD file No. 003-11 (18885) [16788]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None.

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Local Contact: Jennifer Lynagh

Phone: (503) 434-7311 Extension:

Address: 231 NE 5<sup>th</sup> Street

Fax Number: 503-474-4955

City: McMinnville Zip: 97128

E-mail Address:

Jennifer.lynagh@ci.mcminnville.or.us

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### **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)**  
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 16, 2010

ORDINANCE NO. 4944

An Ordinance amending the McMinnville Zoning Ordinance (No. 3380) by adding fire service substations as a conditional use in residential zones.

RECITALS:

Over the past several decades, McMinnville's growth has pushed outward from its historic core. As a result of this, average fire and emergency medical response times have increased and for some neighborhoods, response times in excess of six minutes are not uncommon. In order to address this situation, the McMinnville Fire Department has recommended the placement of fire substations in outlying residential neighborhoods, thereby allowing quicker response than could be provided from its downtown station.

While such facilities are permitted in commercial zones, currently there is no provision in McMinnville's zoning ordinance to permit or conditionally permit them in residential zones. Placing fire stations in residentially zoned areas has been a successful partnership in many other communities as a means to improve response capabilities.

Planning staff have worked with the Fire Department to draft language that would add fire service substations as a conditional use to each of the City's residential zones. This would afford public review of such proposed developments, and, if approved, improve public safety in those areas served by the substation.

A public hearing was held on August 18, 2011, at 6:30 p.m. on the draft amendments after due notice had been given in the local newspaper on August 10, 2011. At the conclusion of this hearing and based upon the testimony received, the Planning Commission recommended that the proposed amendments to the Zoning Ordinance to conditionally permit fire service substations in residential zones as recommended by staff be approved; now, therefore,

THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That Ordinance No. 3380 be amended as follows:

(a) That Chapter 17.06 be amended by adding the following definition:

**Fire Service Substation** - A building and appurtenances necessary for housing and maintaining vehicles, personnel, and equipment used for fire fighting and emergency medical services and ancillary functions. Such facility shall be secondary to the primary municipal fire station.

(b) That section 17.12.020 of Chapter 17.12 be amended by adding the following:

T. Fire Service Substation.

(c) That Section 17.15.020 of Chapter 17.15 be amended by adding the following:

R. Fire Service Substation.

(d) That Section 17.18.020 of Chapter 17.18 be amended by adding the following:

R. Fire Service Substation.

(e) That Section 17.21.020 of Chapter 17.21 be amended by adding the following:

U. Fire Service Substation.

Section 2. That this ordinance shall be subject to the terms and conditions of Ordinance No. 3823 entitled, "Initiative and Referendum," for a period of 30 (thirty) days.

Passed by the Council this 27<sup>th</sup> day of September 2011, by the following votes:

Ayes: Hill, Jeffries, May, Menke, Ruden, Yoder

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

Approved this 27<sup>th</sup> day of September 2011.

  
\_\_\_\_\_  
MAYOR

Attest:

Approved as to Form:

  
\_\_\_\_\_  
CITY RECORDER

  
\_\_\_\_\_  
CITY ATTORNEY



230 NE Second Street, McMinnville, Oregon 97128



Plan Amendment Specialits  
Dept of Land Conservation & Development  
635 Capitol Street NE, Suite 150  
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