

ORDINANCE NO. 4075

An Ordinance rezoning certain property from existing County zone of LDR-9000 (Low-density Residential--9,000 square foot minimum) and a City zone of R-2 (Single-family Residential) to a City zone of R-4 PD (Multiple-family Planned Development) on a parcel of land approximately 18 acres in size located south of Riverside Drive.

WHEREAS, the Planning Commission received an application for a zone change (ZC 23-79) dated February 13, 1980, on the property described as a portion of Tax Lot 200, Section 21, T. 4 S., R. 4 W., Willamette Meridian; and

WHEREAS, a public hearing was held on March 13, 1980 at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on March 3, 1980, and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing the testimony of the applicants and surrounding property owners was received and a staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said zone change, and based on the observations and the findings of fact has approved said zone change and has recommended said change 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 John Otting and Lois Otting (as modified by the Planning Commission).

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from existing County zone of LDR-9000 (Low-density Residential--9,000 square foot minimum) and a City zone of R-2 (Single-family Residential) to a City zone of R-4 PD (Multiple-family Planned Development), subject to the following conditions:

- (a) That an earthen berm be placed the entire length of the Riverside Drive frontage; that at the crest of the berm evergreen trees be planted close enough together to insure a solid wall of landscaping; the berm must be of a height which will protect the park from truck noise on Riverside Drive and from potential glare and noise from the future industrial areas; the final design of the berm must be approved by the City Engineer and the City Planning Director; and the berm must be in place prior to any mobile home units being placed upon the site.
- (b) That the entire boundary of the subject site be thickly planted in evergreens; landscape approval must be obtained from the City Landscape Review Committee.
- (c) That no mobile home unit may be placed any closer than 20 feet from the outside boundary of the subject site.
- (d) That the sanitary and storm sewer layout and the drainage plan, including street cross sections, must be approved by the City Engineering Department.

- (e) That the electrical system, water system, and street lighting system must be approved by the City Water and Light Department.
- (f) That the following conditions be met:
- (1) All mobile homes shall be skirted within sixty (60) days of being set.
  - (2) All utilities (water, gas, electricity, sewer, and television cable) shall be underground.
    - a. All electrical installations shall conform to national electrical code as amended and adopted by the State of Oregon for mobile homes.
    - b. All plumbing installations shall conform to Uniform Plumbing Code as amended and adopted by the State of Oregon regarding mobile home parks.
      1. Cleanouts shall be installed as per code.
      2. Pressure regulators to be installed on all supply lines where water pressure exceeds sixty (60) pounds per square inch.
      3. All plumbing lines above ground to be protected against freezing.
  - (3) All mobile homes shall meet structural and heating as well as plumbing and electrical codes as required by HUD regulations adopted June 15, 1976.
  - (4) No mobile homes may be occupied until they are inspected and accepted by the McMinnville Building Department.
- (g) That a detailed plan conforming to the Department of Commerce Mobile Home Standards be submitted and approved by the City Building Department. Included on that plan must be a notation of the maximum unit size each lot may have placed on it. All provisions of the State of Oregon Department of Commerce Mobile Home standards must be met.
- (h) That the site plan shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.

The developer is responsible for requesting permission of the Planning Commission for any major change of the details of the adopted tentative plan. Minor changes to the details of the adopted tentative plans may be approved by the City Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the commissioners.

- (i) That the zone change is approved for a mobile home park and its accessory uses only. A change in use will void the zone change.
- (j) That a noisome easement be granted to the City for the entire site; said easement shall be prepared by the City Attorney.
- (k) That an emergency access gravel road acceptable to the engineering and fire departments be provided.
- (l) The development will cater to a mixture of families, couples, and single people, and will include recreational facilities for children.

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance 3823, entitled "Initiative and Referendum," for a period of thirty (30) days.

Passed by the Council this 1 day of April, 1980, by the following votes:

Ayes: Smith, Willoughby, Allen, Springer, Wilson and Hamby.

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

Approved this 1 day of April, 1980.

  
\_\_\_\_\_  
MAYOR

Attest:

  
\_\_\_\_\_  
RECORDER

Exhibit A

ZC 23-79

Beginning at the Northeast corner of Lot 12 of Cottage Addition to the City of McMinnville, a subdivision of record in Yamhill County, Oregon; thence North  $00^{\circ}32'04''$  East (C.S.P.-6548 = North  $00^{\circ}35'50''$  East), along the East line of that tract of land described in Film Volume 120, Page 977 of Yamhill County Deed Records and as established by C.S.P.-6548, Volume T, Page 878, Yamhill County Surveyor Records, a distance of 476.63 feet to a 1" iron pipe; thence North  $16^{\circ}32'04''$  East 200.00 feet; thence North  $21^{\circ}36'11''$  East 262.92 feet to the southerly right-of-way line of Riverside Drive (40.00 foot Right-of-way); thence South  $88^{\circ}47'30''$  East, along said southerly right-of-way line, 930.41 feet to a 3/4" iron pipe as established by C.S.P.-5390, Volume S, Page 80, Yamhill County Surveyor Records at the Northeast corner of that tract of land described in Film Volume 111, Page 1250 of Yamhill County Deed Records; thence South  $22^{\circ}25'43''$  West 972.05 feet to the point of intersection with the easterly extension of the northerly line of said Cottage Addition to the City of McMinnville; thence North  $89^{\circ}34'20''$  West 717.51 feet to the point of beginning. Containing 18.07 acres of land, more or less.