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## Economic Opportunities Analysis (EOA) and Urbanization Study

### Public/Semi-Public Lands Work Group

#### Meeting #1: Agenda

Thursday, September 5, 2019, 3:30pm-4:30pm

Police Department Training Room, 121 SW Adams Street

Committee Members	Time	Agenda Items
<p><b><u>Public/Semi-Public Lands Work Group:</u></b></p> <p><b><i>PAC Members:</i></b>            Paul Davis, Chemeketa            Susan Muir, Parks            Mike Bisset, City Infrastructure            John Dietz, MWL            Other Interested PAC Members</p> <p><b><i>Additional Representatives:</i></b>            Mary Ann Rodriguez, Linfield            Matt Johnson, Churches            Laura Syring, SD, Parks            Peter Keenan, SD            Ryan McIrvine, SD/Athletics            Steve Ganzer, Parks</p>	3:30pm	1. Call to Order/Introductions (10 mins)
	3:35pm	2. Overview of Project and Role of Public/Semi-Public Lands Work Group
	3:45pm	3. Estimating Public/Semi-Public Land Needs – Methods and Assumptions - <b><i>Exhibit 1: Overview of Public &amp; Semi-Public Land Need Policies, Data, and Methods Memo</i></b>
	4:20pm	4. Next Steps & Comments (5 mins)
	4:25pm	5. Adjournment
<p><b><u>Technical Advisory Committee (TAC):</u></b>            Tom Schauer - Lead            Heather Richards            Chuck Darnell            Jamie Fleckenstein            Mike Bisset            Susan Muir (Parks Director)            Angela Carnahan (DLCD)            Stephanie Armstrong            (Yamhill County)</p>		

DATE: August 29, 2019  
TO: McMinnville Urbanization Committee  
CC: Heather Richards and Tom Schauer, City of McMinnville  
FROM: Bob Parker and Margaret Raimann  
SUBJECT: OVERVIEW OF PUBLIC AND SEMI-PUBLIC LAND NEED POLICIES, DATA AND METHODS

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This memo provides an overview of the urbanization study and public land needs. It is intended as contextual information for the Committee. While we encourage robust discussion, we are not seeking any Committee recommendations at this meeting.

## 1 Introduction

The City of McMinnville initially adopted an Urban Growth Boundary (UGB) in January 1981, intended to meet needs for a 20-year period from 1980-2000. In 2007-2008, the City submitted a UGB amendment to DLCD this UGB amendment was subsequently appealed and ultimately the Court of Appeals found that the city could only justify a portion of the lands it had identified for inclusion in the UGB. The city is now in the process of reviewing future land needs.

ECONorthwest is in the final stages of completing a housing needs assessment (HNA), residential buildable land inventory (RBLI), and housing strategy for the City of McMinnville. ECONorthwest is also in the process of preparing a Goal 9 compliant Economic Opportunities Analysis (EOA) for the City of McMinnville to assess whether there is sufficient land within the Urban Growth Boundary (UGB) to accommodate employment growth for the 20-year period between 2021 and 2041. Both these technical studies are intended to support a review of land sufficiency for the McMinnville UGB and for Urban Reserve Planning through 2067.

The two technical studies identify land supply and demand for housing and employment. Cities, however, provide land for other uses that support housing and employment as well as other aspects of community life. The City has also contracted with ECONorthwest to complete an Urbanization Study that accounts for uses other than residential and employment uses including public and semi-public land needs. Specifically, public and semi-public uses include:

- Public Schools
- Private Schools
- Religious Uses
- Parks
- Government
- Semi-Public Services
- Infrastructure

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This memorandum presents an overview of methods, data, and assumptions required to estimate public and semi-public land needs in the McMinnville UGB as well as methodological options for identifying public and semi-public land needs.

## 2 Legal Framework: Land Needs for Public and Semi-Public Uses

Land demand for public- and semi-public uses are real needs. These needs exist independent of residential and employment uses, or are substantially different from those uses. For example, schools are employers, but they have land needs that are unlike typical commercial or industrial uses. Addressing the needs through a different method is justifiable and provides more reliable estimates. It also requires close attention to land needs (particularly employment) to avoid double-counting.

McMinnville presently has no public land plan designation or zoning district. Thus, public and semi-public (churches, fraternal organizations, etc.) uses locate on residential or employment land. This analysis does not allocate public and semi-public land needs by designation; that process will be conducted as part of the UGB expansion.

No mention of public land need exists in Goals 9 (Economy), 10 (Housing), or 11 (Public Facilities) or in their related administrative rules. Goal 14 (Urbanization) explicitly discusses specific public lands under Land Need Factor 2 (emphasis added):

Demonstrated need for housing, employment opportunities, livability or uses such as **public facilities, streets and roads, schools, parks or open space**, or any combination of the need categories in this subsection

OAR 660-024, the administrative rule that implements Goal 14 provides more specific guidance (OAR 660-024-0040(1)):

The UGB must be based on the appropriate 20-year population forecast for the urban area as determined under rules in OAR chapter 660, division 32, and must provide for needed housing, employment and other urban uses such as **public facilities, streets and roads, schools, parks and open space** over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.

While the rule does not provide specific guidance on how to estimate public and semi-public land, it explicitly acknowledges the uncertainties of such estimates: ... “need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.” We use this guidance in working through potential methodological options.

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OAR 660-024-0040(7) provides specific guidance related land needs for transportation and public facilities:

The determination of 20-year land needs for transportation and public facilities for an urban area must comply with applicable requirements of Goals 11 and 12, rules in OAR chapter 660, divisions 11 and 12, and public facilities requirements in ORS 197.712 and 197.768. The determination of school facility needs must also comply with 195.110 and 197.296 for local governments specified in those statutes.

ORS 195.110 (included in the appendix) provides guidance for school facility plans. The legal guidance is clear: school needs must be based on adopted facilities plans. ORS 197.296 provide specific guidance for schools (emphasis added):

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or more of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. **The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary;**

OAR 660-024-0040(10) provides a safe harbor for estimating public land needs:

As a safe harbor during periodic review or other legislative review of the UGB, a local government may estimate that the 20-year land needs for streets and roads, parks and school facilities will together require an additional amount of land equal to 25 percent of the net buildable acres determined for residential land needs under section (4) of this rule, and in conformance with the definition of "Net Buildable Acre" as defined in OAR 660-024-0010(6).

The use of this safe harbor was discussed by the Residential Lands Public Advisory Committee (PAC). The PAC recommendation was to not use the OAR 660-024-0040(10) safe harbor. The PAC favored an empirical approach to estimating land needs because (1) they felt the safe harbor underestimates need, (2) the more detailed analysis provides better estimates of land need, and (3) the disaggregated analysis provides more specific data for matching land needs to specific site requirements.

### 3 Existing Public and Semi-Public Uses

A first step in estimating public and semi-public land needs is to inventory current lands. The 2002 HNA found McMinnville had about 1,099 net acres (acres in tax lots) in public and semi-public uses (See Exhibit 1 - Table 5-31 from the 2002 HNA below). About 575 of those acres are in the McMinnville Airport. The percentage of each use located on land designated for residential uses is shown in the final column and ranges from 100% for other private schools to 0% for the airport.

**Exhibit 1 - Table 5-31. Summary of existing public and semi-public uses (2000)**

Use Type	Net Acres	Net Acres on Residential Land	Net Acres on Non-Residential Land	Percent on Residential Land
Airport	575.8	0.0	575.8	0%
Private Schools	206.9	171.8	35.1	83%
Linfield College	204.0	168.9	35.1	83%
Other Private Schools	2.9	2.9	0.0	100%
Religious	89.7	77.1	12.6	86%
Government	130.9	1.5	129.4	1%
Semi-Public Services	71.5	36.4	35.2	51%
Infrastructure	24.1	4.3	19.8	18%
<b>Total</b>	<b>1,098.9</b>	<b>291.1</b>	<b>807.8</b>	<b>na</b>

Source: City of McMinnville, October 2000

Note: table does not include lands for public schools and parks.

Exhibit 2 shows tax exempt land by land use. McMinnville has about 1,504 net acres (acres in tax lots) in public and semi-public uses—or about 43.0 acres per 1,000 persons. About 602 of those acres are in the McMinnville Airport and 192 acres are part of Linfield College. The results show that 40% (603 acres) of the tax exempt land is the McMinnville Airport (under city ownership), 18% is park and open space (271 acres), 13% is in primary and secondary schools (both public and private) and supporting uses like the ESD (193 acres), 8% by the city (115 acres), and 7% is owned by Linfield College (103 acres). Six percent of the land (90 acres) is owned by religious organizations. Smaller areas are owned by other governmental entities.

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**Exhibit 2. Exempt Land by Use (note – data are preliminary and subject to change)**

Source: Yamhill County Assessment Data (2019)

<b>Public/Semi-Public Use</b>	<b>Tax Lots</b>	<b>Acres</b>	<b>Acres/1000 persons</b>
Airport	7	602.8	17.2
Cemetary	1	0.1	0.0
Church	58	90.0	2.6
<b>City Land (not including Parks)</b>			
City - Facilities	31	18.0	0.5
City - Utility	13	80.2	2.3
<b>City Subtotal</b>	<b>44</b>	<b>98.2</b>	<b>2.8</b>
<b>Other Government Land</b>			
Federal	4	4.7	0.1
State	4	4.4	0.1
County	44	47.6	1.4
<b>Other Government Subtotal</b>	<b>52</b>	<b>56.7</b>	<b>1.6</b>
<b>Public Schools</b>			
School - Dist 40	20	166.7	4.8
School - ESD	4	15.3	0.4
School - Other	10	10.6	0.3
<b>School Subtotal</b>	<b>34</b>	<b>192.6</b>	<b>5.5</b>
<b>Linfield College</b>			
School - Linfield	20	80.4	2.3
Linfield Student Housing	17	22.1	0.6
<b>Linfield Subtotal</b>	<b>37</b>	<b>102.6</b>	<b>2.9</b>
Park	18	192.8	5.5
Open Space	34	95.5	2.7
<b>Park &amp; Open Space Subtotal</b>	<b>52</b>	<b>288.2</b>	<b>8.2</b>
<b>Total</b>	<b>372</b>	<b>1504.0</b>	<b>43.0</b>

We note that many of the categories listed in Exhibit 2 did not have land needs associated with them in the 2002 HNA. This will likely be the case in the 2019 Urbanization study. Preliminary analysis suggests that Linfield and other private schools will likely have no land need. At this point, ECO has identified no land needs for additional federal and state lands in McMinnville.

## 4 Estimating Land Needs for Public and Semi-Public Uses

In the absence of specific guidance (as with public schools), estimating land needs for other uses is typically based on either (1) needs identified in adopted plans, or (2) historical uses expressed in acres per 1000 persons. For context, Table 5-34 from the 2002 HNA shows the needs identified in the 2002 McMinnville Housing Needs Analysis.

The HNA estimate a total need for 172.1 acres for the uses listed in Table 5-34. It also estimated a need for 250 acres of parkland, and 96 acres for public schools, for a total of 518 acres in all plan designations. The 2002 analysis did not identify any additional land need for Linfield College.

Note that the HNA estimated land needs for residential lands. It assumed that all the public school and parkland would be accommodated on residential lands, and that 65.6 acres of the other land needs shown in Table 5-34 would be accommodated on residential lands.

**Exhibit 3 - Table 5-34. Other public/semi-public land needs, 2000-2020**

Use Type	Acres/1000 Persons	Total Need, 2000-2020	Percent on Residential	Residential Acres Needed, 2000-2020
Private Schools	0.1	1.6	83%	1.3
Religious	3.6	48.4	86%	41.6
Government	5.2	70.6	1%	0.8
Semi-Public Services	2.8	38.6	51%	19.6
Infrastructure	1.0	13.0	18%	2.3
<b>Total</b>	<b>12.7</b>	<b>172.1</b>	<b>na</b>	<b>65.6</b>

Source: City of McMinnville; analysis by ECONorthwest, 2000

Note: Private school land need assumes Linfield College does not need additional land beyond their current campus holdings.

#### 4.1 Land needed for parks

The adopted McMinnville Parks, Recreation, & Open Space Master Plan (1999) identifies seven types of local park facilities and describes the local resident's and Council's vision for the future of the City's parks, recreation services, trails and open space facilities. The adopted master plan provides recommended acreage standards for three of the Plan's seven types, stated as an acres-per-thousand-population ratio. The three types of park facilities within the master plan that are provided with adopted acreage standards are Neighborhood Parks, Community Parks, and Greenspace/Greenway Parks.

Exhibit 4 shows undeveloped lands, developed parks, and paths in McMinnville's park inventory. The inventory shows that McMinnville has 291.4 acres of park land. Of this, 217.4 acres are in developed parks; 7.5 acres are in developed pathways, and 69.1 are undeveloped lands owned by the city.

## Exhibit 4. McMinnville Parkland Inventory

Source: McMinnville GIS (2019)

Park	Acres			Total Acres
	Undeveloped Land	Developed Park	Path	
<b>Airport Park</b>		<b>12.1</b>		<b>12.1</b>
Angela Court undeveloped	2.3			2.3
<b>Ash Meadows</b>	<b>1.3</b>			<b>1.3</b>
Ashwood Derby	0.3			0.3
<b>Barber undeveloped</b>	<b>11.8</b>			<b>11.8</b>
Bend-o-River		0.3		0.3
<b>Bennette Addition</b>	<b>0.2</b>			<b>0.2</b>
BPA Pathway			2.1	2.1
<b>BPA Pathway II</b>			<b>3.8</b>	<b>3.8</b>
Brookview	0.7			0.7
<b>Carlson undeveloped</b>	<b>3.3</b>			<b>3.3</b>
Chegwyn Farm		3.7		3.7
<b>City Park</b>		<b>15.3</b>		<b>15.3</b>
Creekside Cozine undeveloped	3.9			3.9
<b>Crestwood</b>	<b>1.7</b>			<b>1.7</b>
Dancer Park		82.3		82.3
<b>Dayton undeveloped</b>	<b>4.7</b>			<b>4.7</b>
Discovery Meadows		21.4		21.4
<b>Fir Ridge</b>	<b>0.7</b>			<b>0.7</b>
Goucher Pathway			1.7	1.7
<b>Greenbriar</b>	<b>0.2</b>			<b>0.2</b>
Heather Hollow	3.2			3.2
<b>Jandina</b>	<b>2.2</b>			<b>2.2</b>
Jandina III	2.0			2.0
<b>Jay Pearson Park</b>	<b>4.2</b>			<b>4.2</b>
Kingwood		0.6		0.6
<b>Kiwanis Park</b>		<b>4.6</b>		<b>4.6</b>
Meadowridge	0.7			0.7
<b>North Evans</b>	<b>0.3</b>			<b>0.3</b>
Quarry	11.9			11.9
<b>Riverside Drive Dog Park</b>		<b>3.9</b>		<b>3.9</b>
Roma Sitton	2.0			2.0
<b>Rotary Nature Preserve</b>		<b>32.8</b>		<b>32.8</b>
Tall Oaks Cozine undeveloped	11.1			11.1
<b>Taylor Park</b>		<b>0.3</b>		<b>0.3</b>
Thompson Park		2.3		2.3
<b>Village Mill</b>	<b>0.5</b>			<b>0.5</b>
West Hills Park		7.8		7.8
<b>West McMinnville Linear Park</b>		<b>5.8</b>		<b>5.8</b>
Wortman Park		21.4		21.4
<b>TOTAL</b>	<b>69.1</b>	<b>214.7</b>	<b>7.5</b>	<b>291.4</b>



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Parkland needs are typically called in “level of service” standards expressed in acres of parkland per 1,000 population. Most plans are explicit that level of service is for developed parks and trails. Some plans have standards for open space; many do not.

McMinnville has an estimated 34,950 persons in 2019.<sup>1</sup> If all 291 acres included, McMinnville currently has 8.3 acres of parkland per 1,000 persons. If undeveloped lands are not included, that figure falls to 6.4 acres per 1,000 persons.

The adopted 1998 McMinnville Parks, Recreation, & Open Space Master Plan (1999) identifies a level of service (LOS) standard of 14.0 acres per 1,000 population. The results show that the City is far under the adopted level of service standard. McMinnville would need 489.3 acres of developed parkland to meet its level of service standard. Assuming that vacant and undeveloped lands can be developed, the City needs an additional 198 acres of parkland to meet the LOS in 2019.

## 4.2 Land needed for schools

NOTE: We'll need some assistance from the SD to interpret the materials they provided. The plan does not clearly address land inventory and facilities needs.

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<sup>1</sup> This is an extrapolation; the official PSU population estimates will not be released until late in 2019.

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## 5 Appendix

The Appendix provides statutory and administrative rule guidance for school facility planning (ORS 195.110) and Planning for Local Parks (660-034-0040).

### 5.1 School Facility Planning

**195.110 School facility plan for large school districts.** (1) As used in this section, “large school district” means a school district that has an enrollment of over 2,500 students based on certified enrollment numbers submitted to the Department of Education during the first quarter of each new school year.

(2) A city or county containing a large school district shall:

(a) Include as an element of its comprehensive plan a school facility plan prepared by the district in consultation with the affected city or county.

(b) Initiate planning activities with a school district to accomplish planning as required under ORS 195.020.

(3) The provisions of subsection (2)(a) of this section do not apply to a city or a county that contains less than 10 percent of the total population of the large school district.

(4) The large school district shall select a representative to meet and confer with a representative of the city or county, as described in subsection (2)(b) of this section, to accomplish the planning required by ORS 195.020 and shall notify the city or county of the selected representative. The city or county shall provide the facilities and set the time for the planning activities. The representatives shall meet at least twice each year, unless all representatives agree in writing to another schedule, and make a written summary of issues discussed and proposed actions.

(5)(a) The school facility plan must cover a period of at least 10 years and must include, but need not be limited to, the following elements:

(A) Population projections by school age group.

(B) Identification by the city or county and by the large school district of desirable school sites.

(C) Descriptions of physical improvements needed in existing schools to meet the minimum standards of the large school district.

(D) Financial plans to meet school facility needs, including an analysis of available tools to ensure facility needs are met.

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(E) An analysis of:

(i) The alternatives to new school construction and major renovation; and

(ii) Measures to increase the efficient use of school sites including, but not limited to, multiple-story buildings and multipurpose use of sites.

(F) Ten-year capital improvement plans.

(G) Site acquisition schedules and programs.

(b) Based on the elements described in paragraph (a) of this subsection and applicable laws and rules, the school facility plan must also include an analysis of the land required for the 10-year period covered by the plan that is suitable, as a permitted or conditional use, for school facilities inside the urban growth boundary.

(6) If a large school district determines that there is an inadequate supply of suitable land for school facilities for the 10-year period covered by the school facility plan, the city or county, or both, and the large school district shall cooperate in identifying land for school facilities and take necessary actions, including, but not limited to, adopting appropriate zoning, aggregating existing lots or parcels in separate ownership, adding one or more sites designated for school facilities to an urban growth boundary, or petitioning a metropolitan service district to add one or more sites designated for school facilities to an urban growth boundary pursuant to applicable law.

(7) The school facility plan shall provide for the integration of existing city or county land dedication requirements with the needs of the large school district.

(8) The large school district shall:

(a) Identify in the school facility plan school facility needs based on population growth projections and land use designations contained in the city or county comprehensive plan; and

(b) Update the school facility plan during periodic review or more frequently by mutual agreement between the large school district and the affected city or county.

(9)(a) In the school facility plan, the district school board of a large school district may adopt objective criteria to be used by an affected city or county to determine whether adequate capacity exists to accommodate projected development. Before the adoption of the criteria, the large school district shall confer with the affected cities and counties and agree, to the extent possible, on the appropriate criteria. After a large school district formally adopts criteria for the capacity of school facilities, an affected city or county shall accept those criteria as its own for purposes of evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment.

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(b) A city or county shall provide notice to an affected large school district when considering a plan or land use regulation amendment that significantly impacts school capacity. If the large school district requests, the city or county shall implement a coordinated process with the district to identify potential school sites and facilities to address the projected impacts.

(10) A school district that is not a large school district may adopt a school facility plan as described in this section in consultation with an affected city or county.

(11) The capacity of a school facility is not the basis for a development moratorium under ORS 197.505 to 197.540.

(12) This section does not confer any power to a school district to declare a building moratorium.

(13) A city or county may deny an application for residential development based on a lack of school capacity if:

(a) The issue is raised by the school district;

(b) The lack of school capacity is based on a school facility plan formally adopted under this section; and

(c) The city or county has considered options to address school capacity. [1993 c.550 §2; 1995 c.508 §1; 2001 c.876 §1; 2007 c.579 §1]

## **5.2 Planning for Local Parks**

### **660-034-0040**

(1) Local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 to 197.625 in order to implement such local park plans. Local governments are not required to adopt a local park master plan in order to approve a land use decision allowing parks or park uses on agricultural lands under provisions of ORS 215.213 or 215.283 or on forestlands under provisions of OAR 660-006-0025(4), as further addressed in sections (3) and (4) of this rule. If a local government decides to adopt a local park plan as part of the local comprehensive plan, the adoption shall include:

(a) A plan map designation, as necessary, to indicate the location and boundaries of the local park; and

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(b) Appropriate zoning categories and map designations (a “local park” zone or overlay zone is recommended), including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in local park master plan.

(2) Unless the context requires otherwise, this rule does not require changes to:

(a) Local park plans that were adopted as part of an acknowledged local land use plan prior to July 15, 1998; or

(b) Lawful uses in existence within local parks on July 15, 1998.

(3) All uses allowed under Statewide Planning Goal 3 are allowed on agricultural land within a local park and all uses allowed under Statewide Planning Goal 4 are allowed on forest land within a local park, in accordance with applicable laws, statewide goals, and rules.

(4) Although some of the uses listed in OAR 660-034-0035(2)(a) to (g) are not allowed on agricultural or forest land without an exception to Goal 3 or Goal 4, a local government is not required to take an exception to Goals 3 or 4 to allow such uses on land within a local park provided such uses, alone or in combination, meet all other statewide goals and are described and authorized in a local park master plan that:

(a) Is adopted as part of the local comprehensive plan in conformance with Section (1) of this rule and consistent with all statewide goals;

(b) Is prepared and adopted applying criteria comparable to those required for uses in state parks under OAR chapter 736, division 18; and

(c) Includes findings demonstrating compliance with ORS 215.296 for all uses and activities proposed on or adjacent to land zoned for farm or forest use.

**Statutory/Other Authority:** ORS 195.120 & 197.040

**Statutes/Other Implemented:** ORS 195.120 - 195.125

**History:**

LCDD 3-2006, f. & cert. ef. 4-14-06

LCDD 3-2004, f. & cert. ef. 5-7-04

LCDD 3-1998, f. & cert. ef. 7-15-98