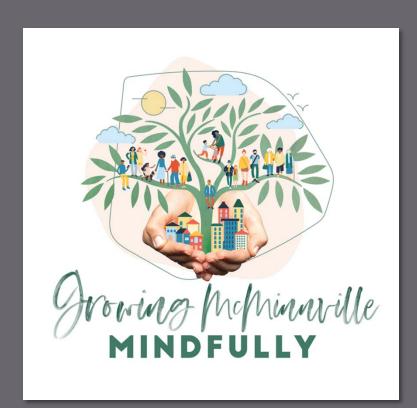


From MINDFULLY



MCMINNVILLE'S UGB REMAND RESPONSE:

YAMHILL COUNTY BOARD OF COUNTY COMMISSIONERS UPDATE

We are responding to the LCDC remand to the City of McMinnville for the MGMUP 2003-2023, first submitted in 2003 and modified in 2005. LCDC remand based on Court of Appeals remand to LCDC.



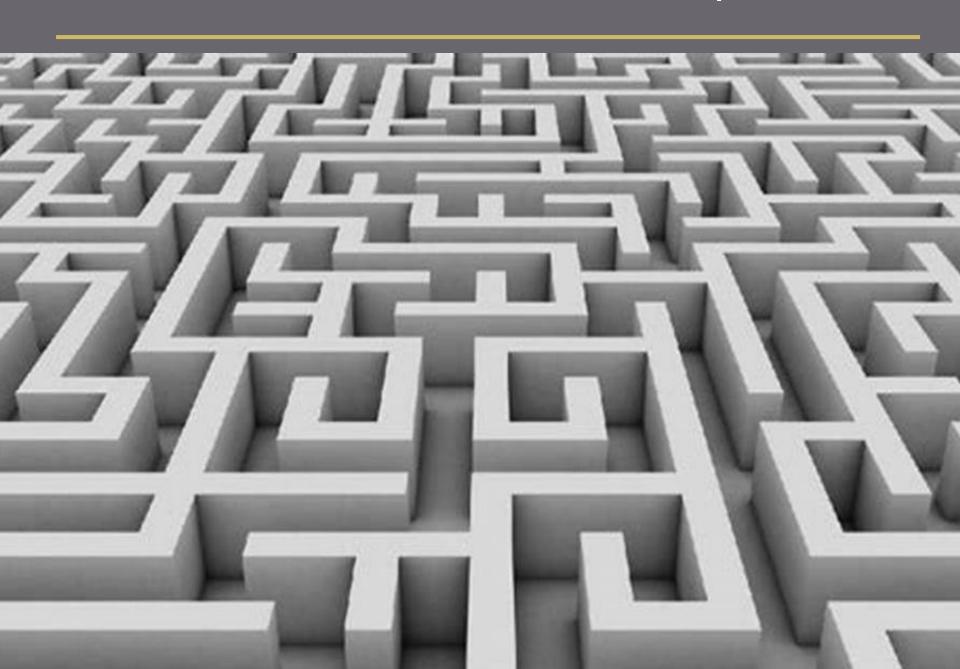
PUTTING IT ALL IN PERSPECTIVE







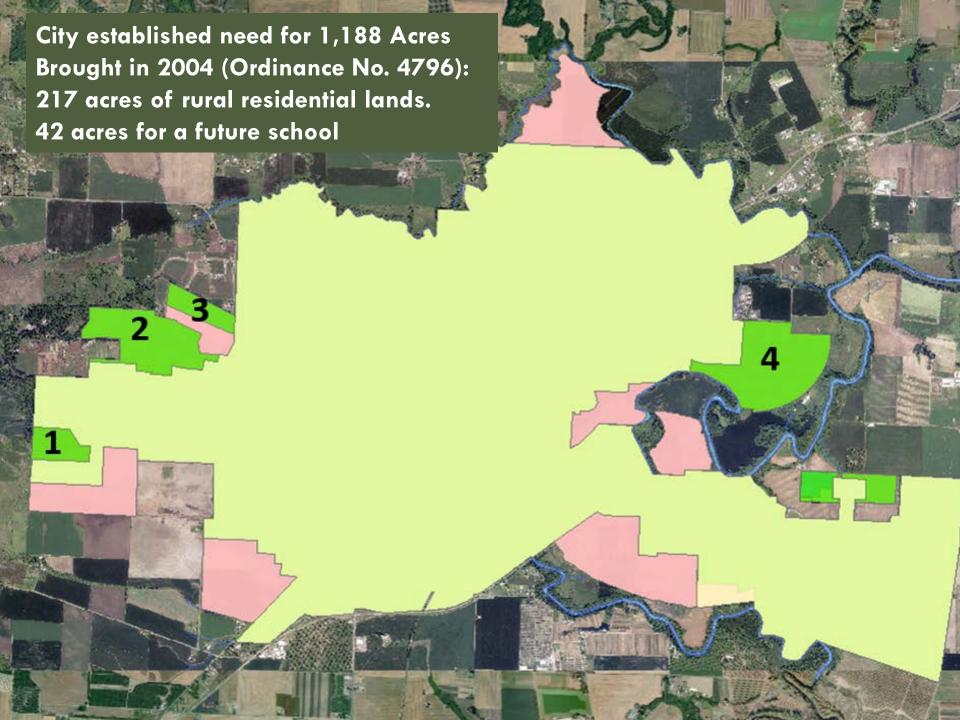
GROWTH PLANNING – MCMINNVILLE, Is there a path forward?

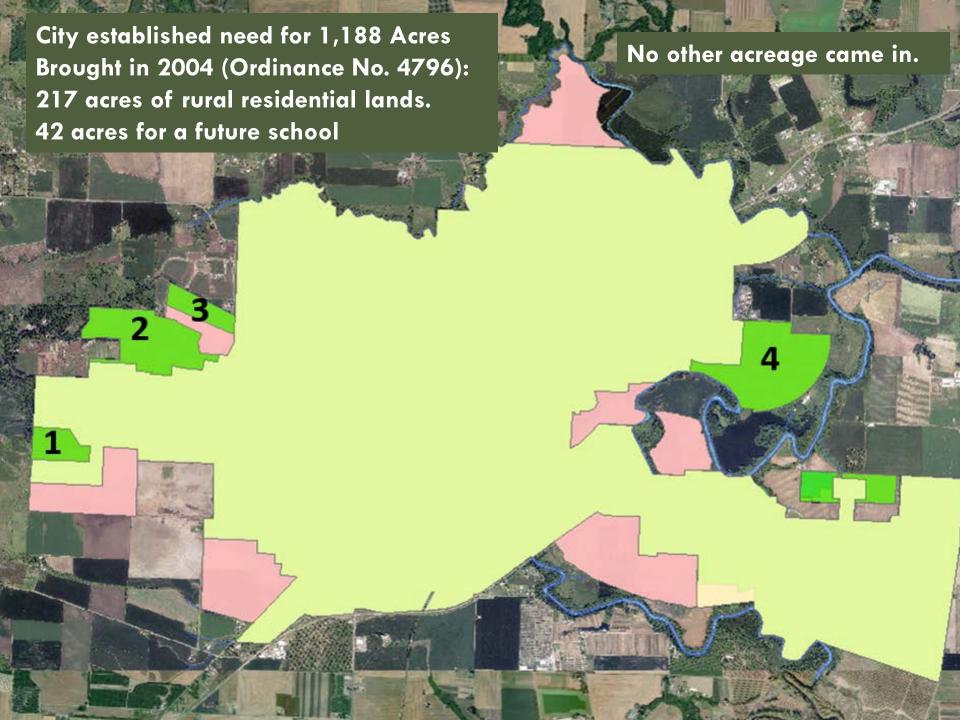


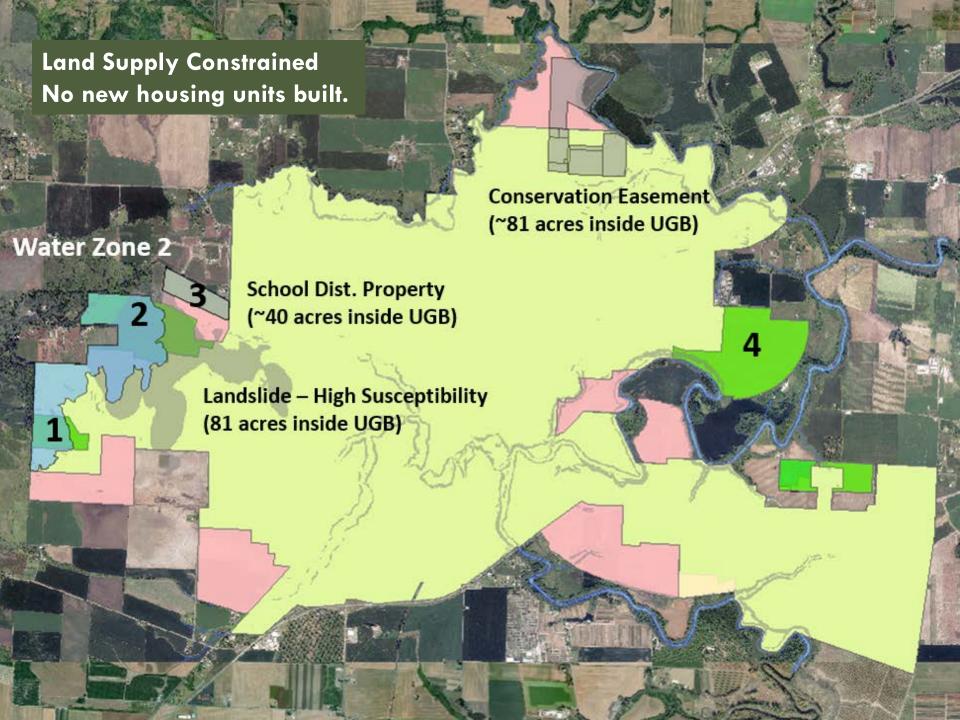
MCMINNVILLE UGB HISTORY

1981: Adopted UGB for 1980-2000 Planning Period 1994: Entered Periodic Review with DLCD **1994-1995:** Residential inventory/projections 1994-1995: Commercial land inventory and projection 1995-1997: HB 2709 retrofit to Residential inventory and needs 1999: Community Growth and Land Use Analysis project 2000-2002: Residential BLI, adoption, DLCD appeal, LUBA remand 2001-2003: Economic Opportunities Analysis **2002-2003:** Additional local review produced the McMinnville Growth Management and Urbanization Plan adopted in 2003 **2003-2013:** Continued defense of Growth and Expansion plan 2013: Remand by Oregon Circuit Court of Appeals **2013:** Decision to let it rest. – battle worn and resource depleted. oxdot **2018**: Start work again with HNA/EOA and direction to pursue URA/UGB

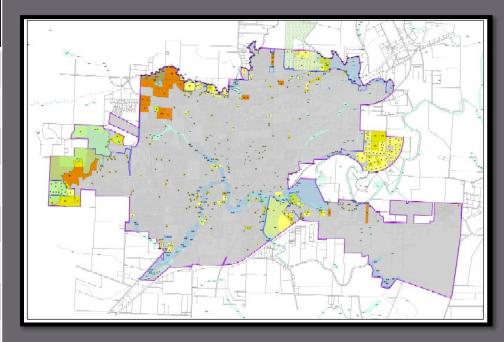
City of MCMinn ville







Size of Parcel	Inside City Limits	In UGB
> 20 Acres (2)	22 Acres	21 Acres
10 Acres (4)	0	4
5 – 10 Acres (7)	1	6
4 – 5 Acres (5)		5
3 – 4 Acres (9)	1	8
2 – 3 Acres	38 Properties	
1 – 2 Acres	94 Properties	
0 – 1 Acres	190 Properties	





- ☐ McMinnville is beginning to GENTRIFY.
- ☐ Deficit of 1050 homes.
- ☐ Lower and moderate income households are being displaced.
- Homelessness is increasing.
- ☐ Average home sales price in 2019 was \$398,200.

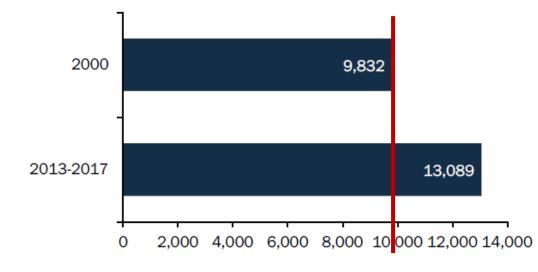


Housing Mix

The total number of dwelling units in McMinnville increased by 3,257 units from 2000 to 2017 (33% change).

Exhibit 9. Total Dwelling Units, McMinnville, 2000 and 2013–2017

Source: US Census Bureau, 2000 Decennial Census, SF3 Table and 2013–2017 ACS Table B25024.



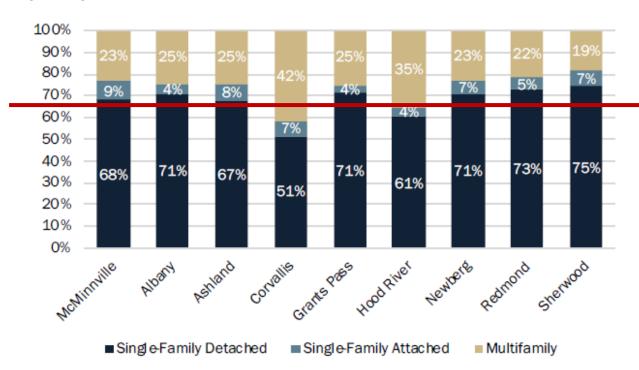
Total Dwelling Units



McMinnville has a larger share of single-family attached housing than other comparison cities.

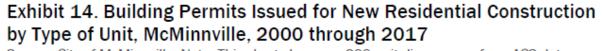
Exhibit 12. Housing Mix, McMinnville and Comparison Cities, 2013–2017

Source: US Census Bureau, 2013–2017 ACS, Table B25024. Note: Comparison cities selected by the City of McMinnville.

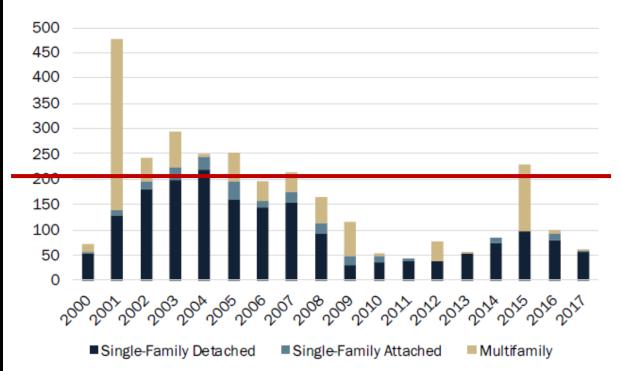




MCMINNVILLE – HOUSING DEFICIT

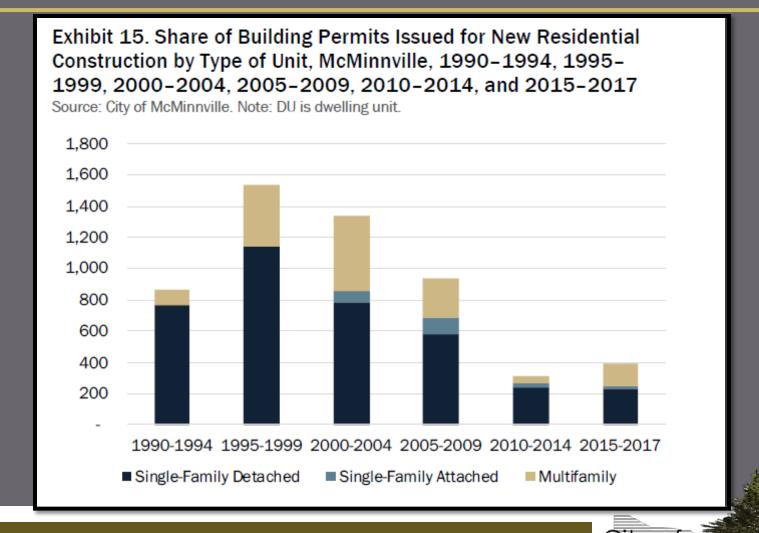


Source: City of McMinnville. Note: This chart shows a ~200 unit discrepency from ACS data presented in Exhibit 9. That said, there is a margin of error associated with ACS data.





MCMINNVILLE - HOUSING DEFICIT





If your household earns....

\$15,000

\$25,150

\$40,240

\$50,300

\$55,400

\$60,400

(30% of MFI)

(50% of MFI)

(80% of MFI

(100% of MFI) (120% of MFI)

Then you can afford....

\$375 monthly rent

\$630 monthly rent

OR

\$1,000 monthly rent

OR

\$1,260 monthly rent

OR

\$1,510 monthly rent

OR

\$45,000-\$53,000

home sales price

\$75,000-\$88,000 home sales price \$141,000-\$161,000 home sales price

\$176,000-\$201,000 home sales price \$211,000-\$242,000

home sales price



.5 FTE, earning minimum wage \$13,000



Food Processor \$25,490



Healthcare Support \$36,705



Real Estate Broker \$52,287



Firefighter \$65,904

If your household earns....

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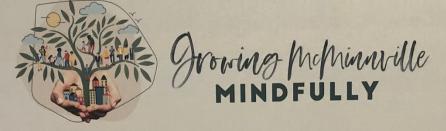


Firefighter \$65,904

ESTABLISHING NEED IS NOT THE ISSUE

HOW TO ACCOMMODATE THE NEED IS



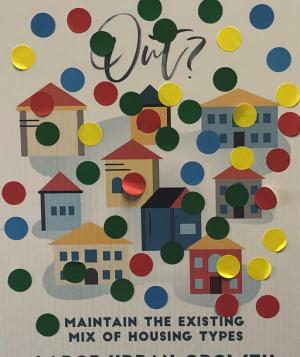


SHOULD McMINNVILLE GROW...

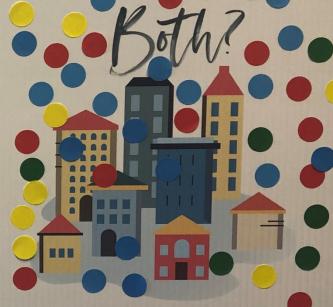


HIGHER DENSITY
RESIDENTIAL DEVELOPMENT
(apartment complexes, smaller lots, diplexes & triplexes)

NO URBAN GROWTH BOUNDARY EXPANSION



LARGE URBAN GROWTH BOUNDARY EXPANSION



ADDITION OF HIGHER DENSITY RESIDENTIAL DEVELOPMENTS AND SINGLE FAMILY HOMES

SMALL URBAN GROWTH BOUNDARY EXPANSION

CC/BOC Direction – August 21, 2019

- 1. INITIATE URBAN RESERVE AREA PLANNING
- 2. GENERAL FACILITY PLANNING
- 3. URBAN GROWTH BOUNDARY ANALYSIS
- 4. UGB FRAMEWORK PLAN, SPECIFIC FACILITY PLANNING
- 5. UGB AREA PLANS, ANNEXATION



URA / UGB

- 50 year land supply with a combination of exception/redevelopment lands and farm/vacant lands.
- 20 year land supply that is based upon cohesive area planning, and fiscal infrastructure planning



URA / UGB

- 50 year land supply with a combination of exception/redevelopment lands and farm/vacant lands.
- ☐ 20 year land supply that is based upon cohesive area planning, and fiscal infrastructure planning

Successfully accomplished by nine communities, all supported by DLCD and funded with TA Grants.

DLCD has a new policy change, and does not support this process anymore.

POTENTIAL PATHS FORWARD

- 1. URA/UGB
- 2. UGB
 - a. Dust off 2003 Submittal, resubmit with revised findings
 - b. New alternatives analysis
 - c. Concurrent with URA
- 3. REGIONAL PROBLEM SOLVING
 - a. RPS 2003 UGB Plan
 - b. RPS URA/UGB
- 4. LEGISLATIVE BILL
- 5. QUASI-JUDICIAL UGB AMENDMENTS
- 6. DO NOTHING (Wait for a state-wide fix)
- 7. NEGOTIATE A DEAL



CITY COUNCIL DIRECTED STAFF TO EVALUATE RESPONDING TO THE 2012 REMAND OF THE 2003 MGMUP



MCMINNVILLE UGB HISTORY

1981: Adopted UGB for 1980-2000 Planning Period 1994: Entered Periodic Review with DLCD **1994-1995:** Residential inventory/projections 1994-1995: Commercial land inventory and projection 1995-1997: HB 2709 retrofit to Residential inventory and needs 1999: Community Growth and Land Use Analysis project 2000-2002: Residential BLI, adoption, DLCD appeal, LUBA remand 2001-2003: Economic Opportunities Analysis 2002-2003: Additional local review produced the McMinnville Growth Management and Urbanization Plan adopted in 2003 2003-2013: Continued defense of Growth and Expansion plan **2013:** Remand by Oregon Circuit Court of Appeals 2013: Decision to let it rest. - battle worn and resource depleted. □ 2018: Start work again with HNA/EOA and direction to pursue URA/UGB



LEGAL VIABILITY

 McMinnville can legally respond to LCDC's remand. (DLCD supports this interpretation).

Pursuant to statutes and administrative rules in effect at the time of the submittal
 2006.



TODAY'S WORKSESSION

- 1. REVIEW COURT DECISION AND REMAND
- 2. WORK PROGRAM AND PROGRESS THUS FAR
 - Defining Land Need
 - Buildable Land Need
 - Hazards Study Goal 7
 - Locational Needs Analysis
- 3. CONCLUSION AND NEXT STEPS



COORDINATION WITH COUNTY

Approve and submit by Dec. 31, 2020. CC and BOCC

- Rely on joint public hearings and decision making meetings in October, November and December.
- Rely on joint work session meetings (August)
- Monthly updates to CC scheduled, BOCC?



THE COURT'S DECISION

- 1. Petitioners argued there were three assignments of error.
- 2. Court ruled there was only one assignment of error.

"The City erred in its application of ORS 197.298, and that a correct application of the law could compel a different result."

ORS 197.298 = Priority of land to be included with urban growth boundary.

TRY AGAIN = REMAND!

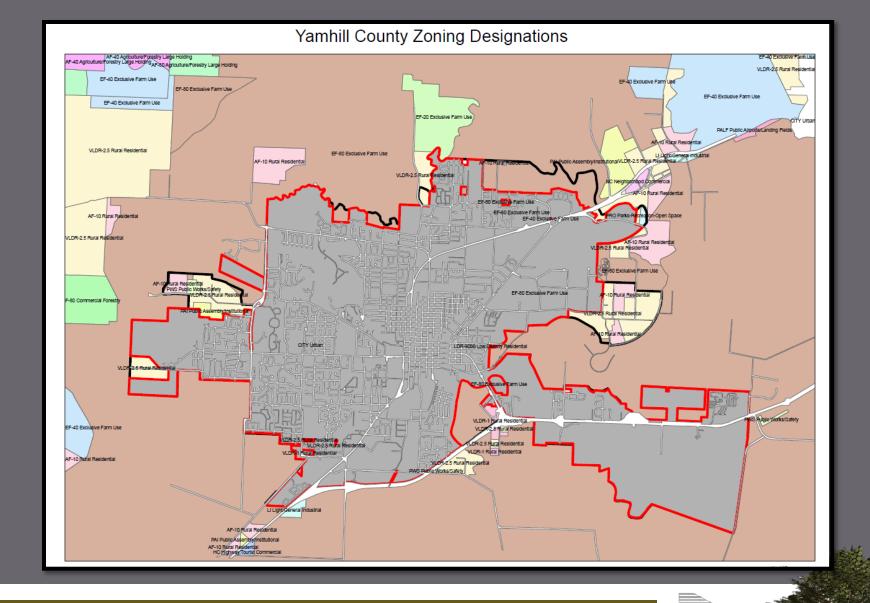


ORS 197.298 - PRIORITY LANDS FOR UGB AMENDMENTS

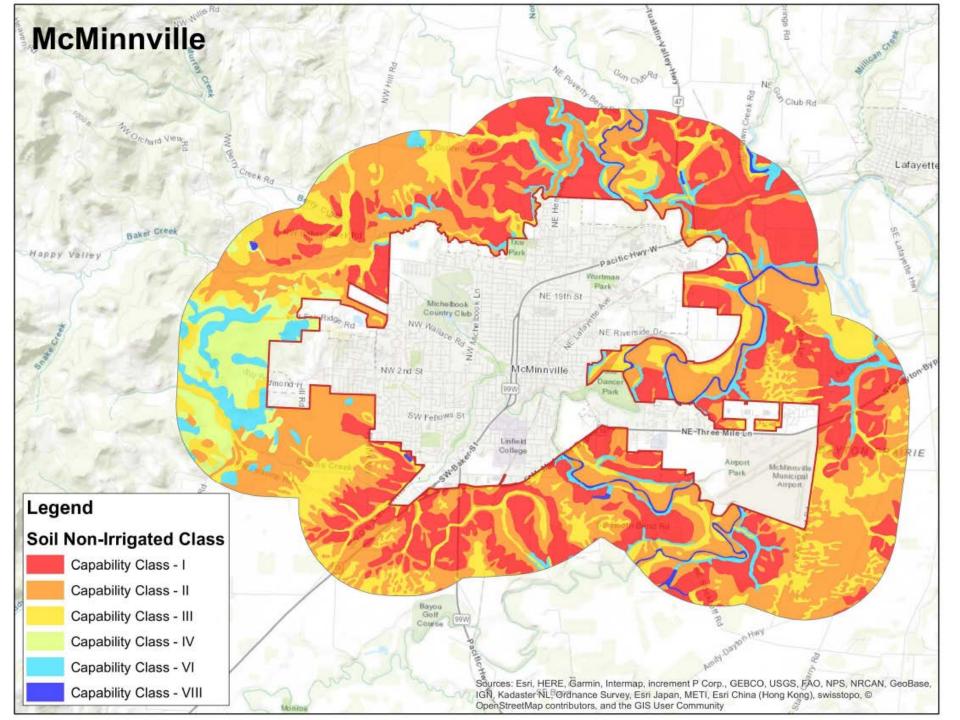
- First Priority = Urban Reserve Land
- 2) Second Priority = Land adjacent to the UGB that is an exception area or non-resource land.
- 3) Third Priority = Land designated as marginal land.
- 4) Fourth Priority = Agricultural and Forest Lands

Land of lower priority can be included if land of higher priority is found to be inadequate to accommodate the amount of land needed

- Specific types of identified land needs cannot be reasonably accommodated on higher priority lands.
- Future urban services could not reasonably be provided on higher priority lands due to topographical or other physical constraints
- Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.







THE COURT'S DIRECTION - TRY AGAIN

1. We are no longer disputing —

Population Forecast
Housing Needs
Employment Needs
Park Land Needs
Institutional Needs

2. However, we are working within a set of rules that were established at the time of the submittal in 2003 and what is in the public record for the land-use decision. (ORS, GOALS AND PERIODIC REVIEW)



THE COURT'S DIRECTION - TRY AGAIN

- Clarified how ORS 197.298 and Goal 14 work together.
- Clarified the selection sequence to meet City's
 20 Year planning horizon growth needs:
 - 1) ID Buildable Land
 - 2) Consider Exception Land
 - 3) Last Consideration is Resource Land



REMAND PROGRAM OVERVIEW

What is in the Court decision?

Specific problems to correct:

- Included more land north of Fox Ridge Road.
- Consider the cost to extend public facilities <u>after</u> identifying buildable lands.



REMAND PROGRAM OVERVIEW

What is in the Court decision?

Specific problems to correct:

- Analyze study areas in a consistent manner.
- Apply findings to our decisions in the correct manner.



WORK PROGRAM OVERVIEW

Work Tasks

- Technical
 - Mapping, analyzing impacts, preparing documents and findings.
- Procedural
 - Public information, work sessions, hearings



WORK PROGRAM OVERVIEW

Tasks — Technical

- Revise study area maps and ID buildable land.
- Apply ORS 197.298 and Goal 14 Location Factors for City's Identified Need
- Recommend UGB map.



WORK PROGRAM OVERVIEW

<u>Major Tasks - Technical</u>

Prepare Plan Documents

- Draft 2003/2023 plan document.
- Share with the public.
- Prepare findings
- Support adoption process



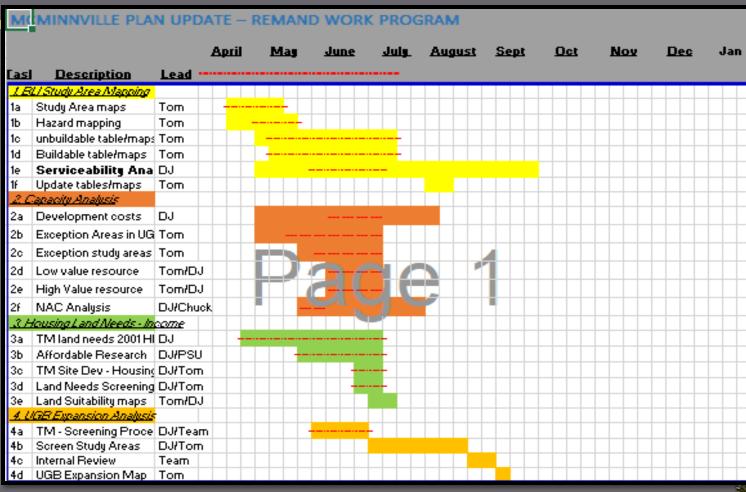
WORK PROGRAM OVERVIEW

<u>Major Tasks - Procedural</u>

- Website
- Public information/outreach
- County Coordination
- Formal Legislative hearings
- Adoption and submit to LCDC



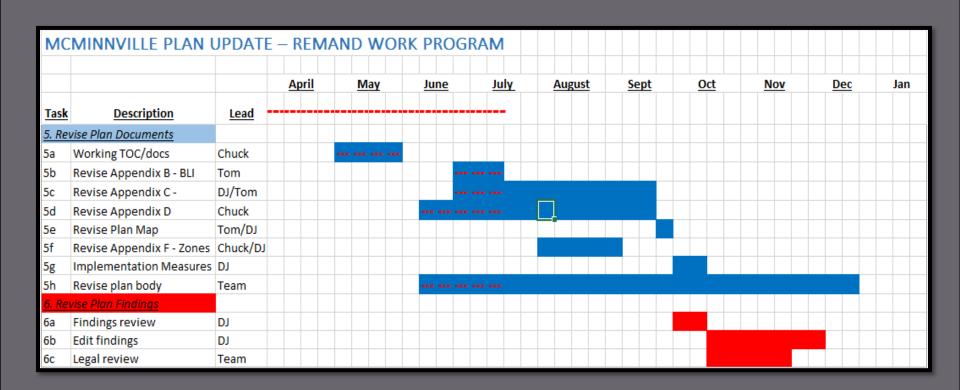
WORK PROGRAM SCHEDULE





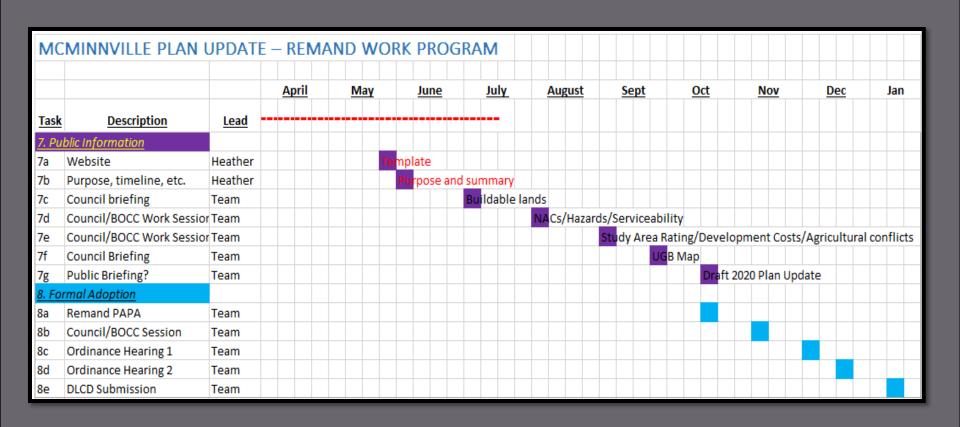


WORK PROGRAM SCHEDULE





WORK PROGRAM SCHEDULE





COURT DIRECTION – STEP ONE: DETERMINE THE LAND NEEDED



DETERMINING LAND NEED – COURT AFFIRMED

The Court accepted the housing and employment forecast and related land needs analysis as adopted in 2005.

Residential land need outside the UGB is derived from forecast housing needs, and the capacity of land inside the UGB.



BUILDABLE LAND NEED

Table 7. Forecast of *needed* new dwelling units and land need by type, McMinnville, 2003-2023

	Number of	Needed DU	Density (DU/ Net	Density (DU/Gross
Housing type	DU	by Type	Res Acre)	Res Acre)
Single-family	3,607	60.0%	5.4	4.3
Detached (R-1)	601	10.0%	4.5	3.3
Detached (Other)	1,804	30.0%	5.5	4.1
Manufactured in subdivisions	601	10.0%	5.5	5.0
Manufactured in parks	601	10.0%	6.5	5.9
Multi-family	2,407	40.0%	14.0	11.6
Row/Townhouse/Duplex	722	12.0%	10.0	7.5
Apartment	1,685	28.0%	17.0	15.0
Total	6,014	100.0%	7.2	5.7

Source: ECONorthwest

Note: Group quarters not included in number or percent of dwelling units



BUILDABLE LAND NEED

2003 Net Land
Need Outside the
UGB sans 110
Commercial land
need - ~1140 acres
total

Table 12. Total additional acres needed in the McMinnville UGB, 2003-2023

Category	Needed Gross Res Acres
New housing	536.9
Group Quarters	13.3
Parks	314.0
Schools	96.0
Private Schools	1.5
Religious	47.6
Government	0.9
Semi-Public Services	22.5
Infrastructure	2.6
Total	1,035.4

Source: City of McMinnville, ECONorthwest

Note: Parkland need assumes the City standard of 14.0 acres per 1,000 residents will be met. The recent \$9 million park bond is a strong indication of the City's commitment to this standard.



BUILDABLE LAND NEED

2006 Corrected Record - New Land Need

Table 14. Comparison of land supply and demand, McMinnville UGB, 2003-2023

Plan Designation	Land Need (2003-2023)	Gross Buildable Acres (Jan 2003)	Deficit (Surplus)
Residential ^a	1,538.4	881.1 <u>880.5</u>	1019.2 1019.8
Commercial	219.1	102.4	106.0
Industrial	269.7	326 <u>327.1</u>	(44.7) <u>(46)</u>
Total Buildable Land			
Need Outside UGB	2,027.2	1309.5 <u>1312.9</u>	1125.2 1125.8

Source: ECONorthwest, 2003

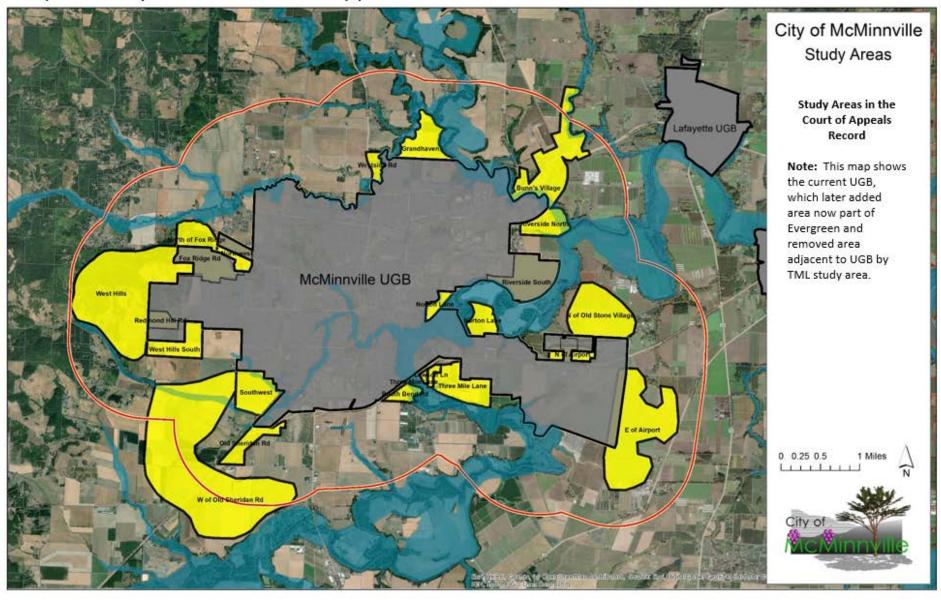


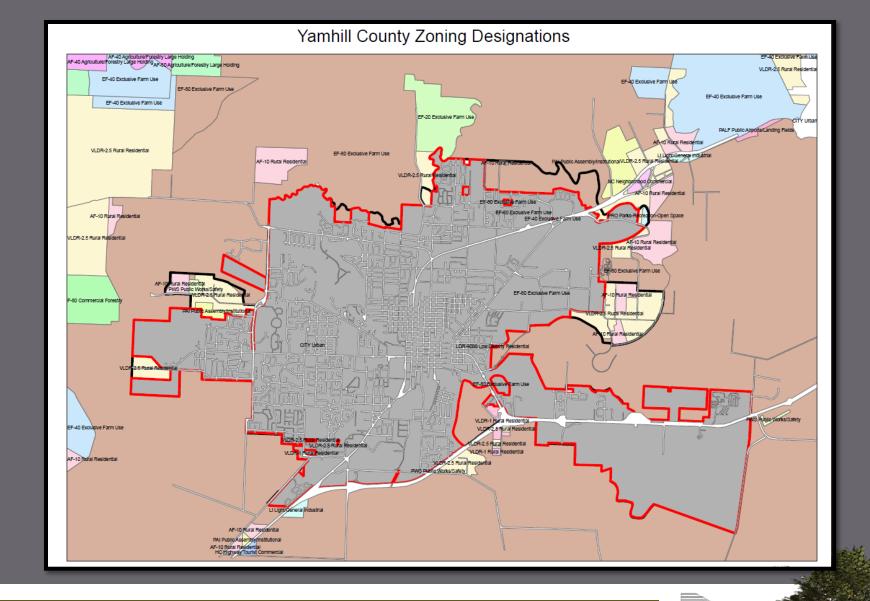
COURT DIRECTION – STEP TWO: DETERMINE THE ADEQUACY OF CANDIDATE LANDS UNDER ORS 197.298 (1) AND (3)

PART ONE: IDENTIFY BUILDABLE LAND IN STUDY AREA

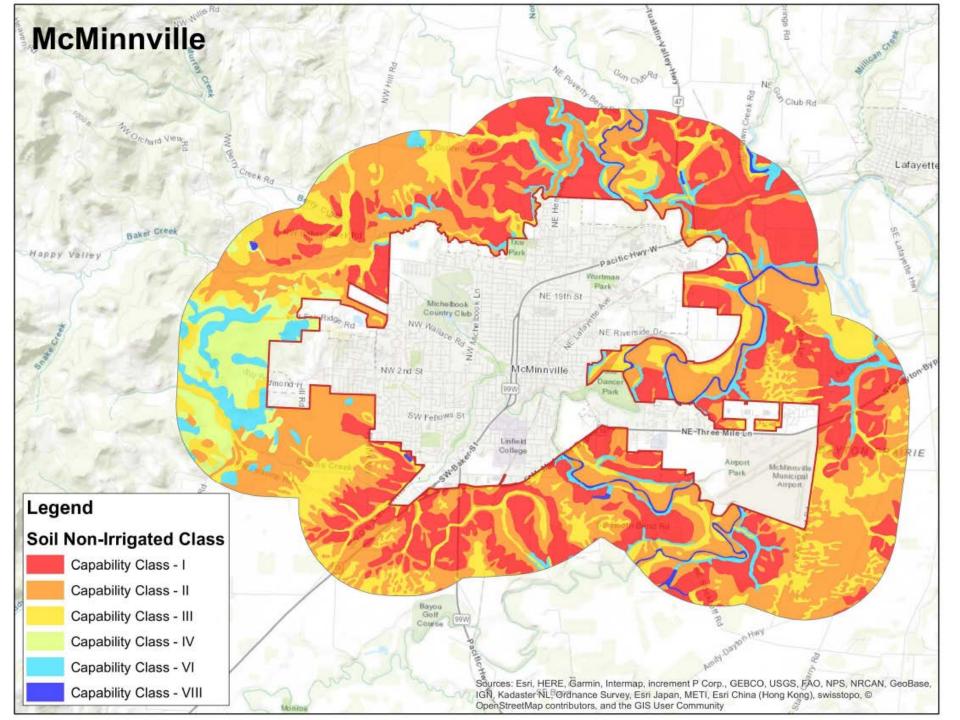


Map 1. Study Areas in Court of Appeals Record

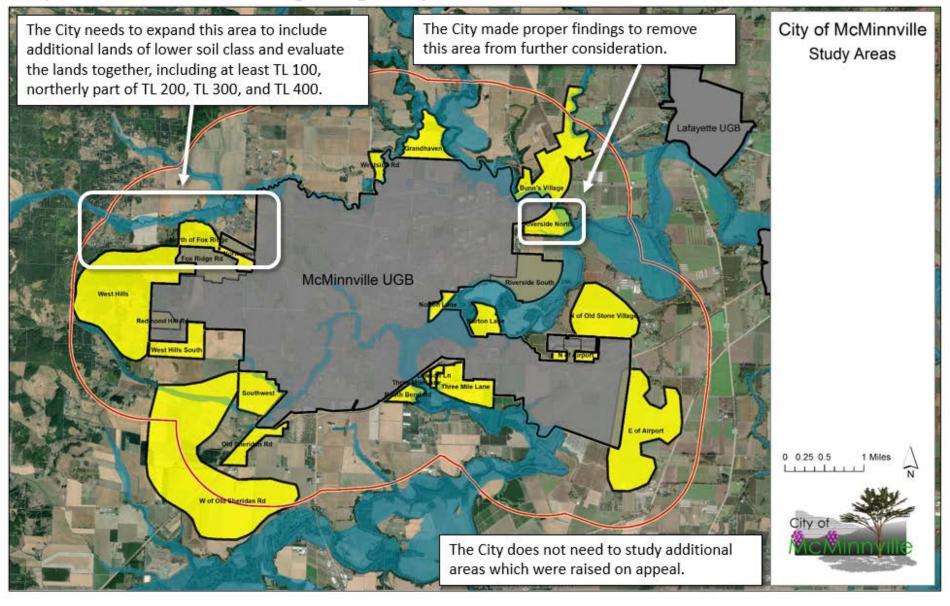




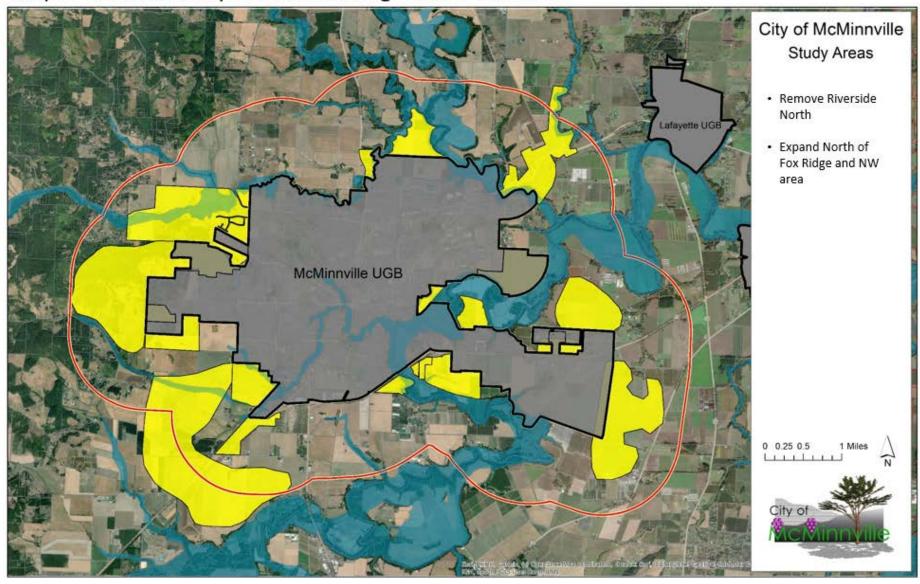




Map 2. Court's Direction Regarding Study Areas



Map 3. Revised Study Areas Reflecting Court's Direction



COURT OF APPEALS SUMMARY

MGMUP, Section III. Guiding Principles for Future Land Use:

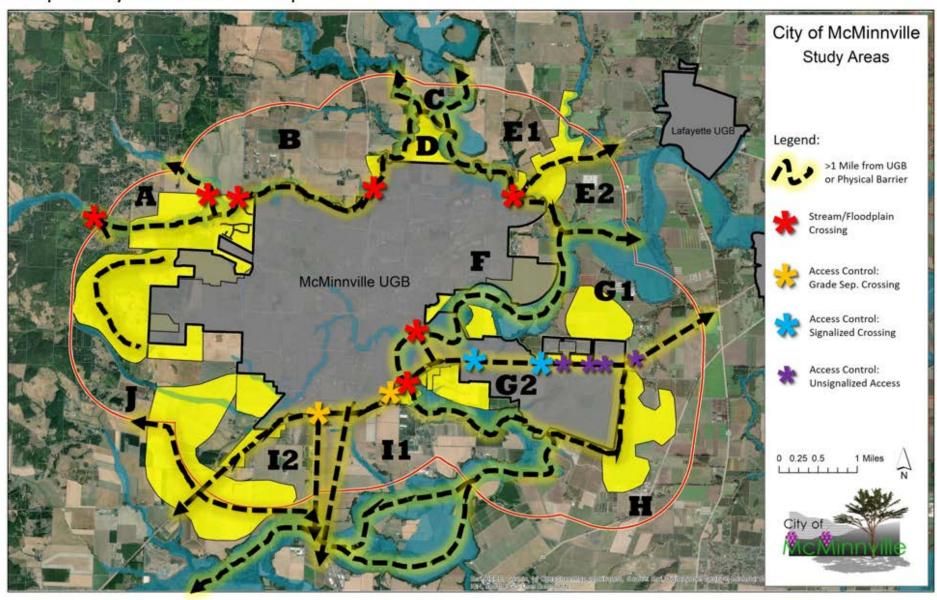
Principle 7: UGB Expansions: Contain urban expansion within natural and physical boundaries, to the extent possible. (cont.)

Expansion of the McMinnville urban growth boundary should, therefore, to the extent possible and permitted by law:

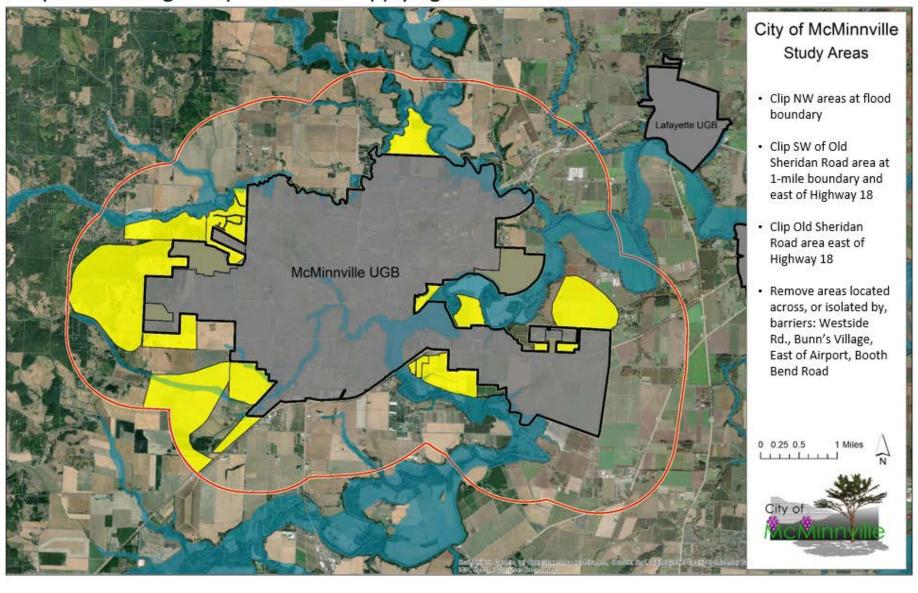
- Stay west and north of the South Yamhill River;
- Stay south and west of the North Yamhill River;
- Stay south of Baker Creek Road; and
- Not cross south of Hwy 18, west of the Yamhill River



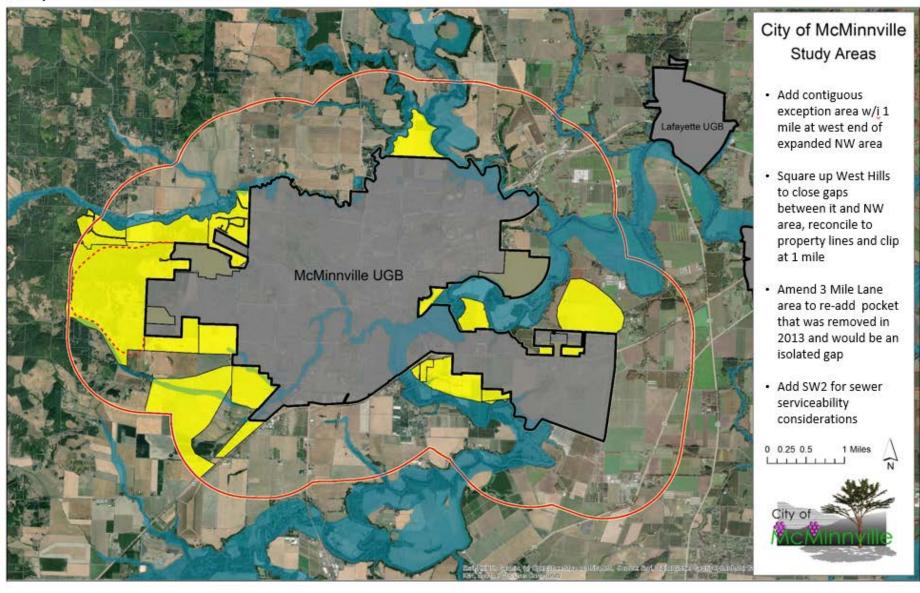
Map 4. Physical Barriers Map

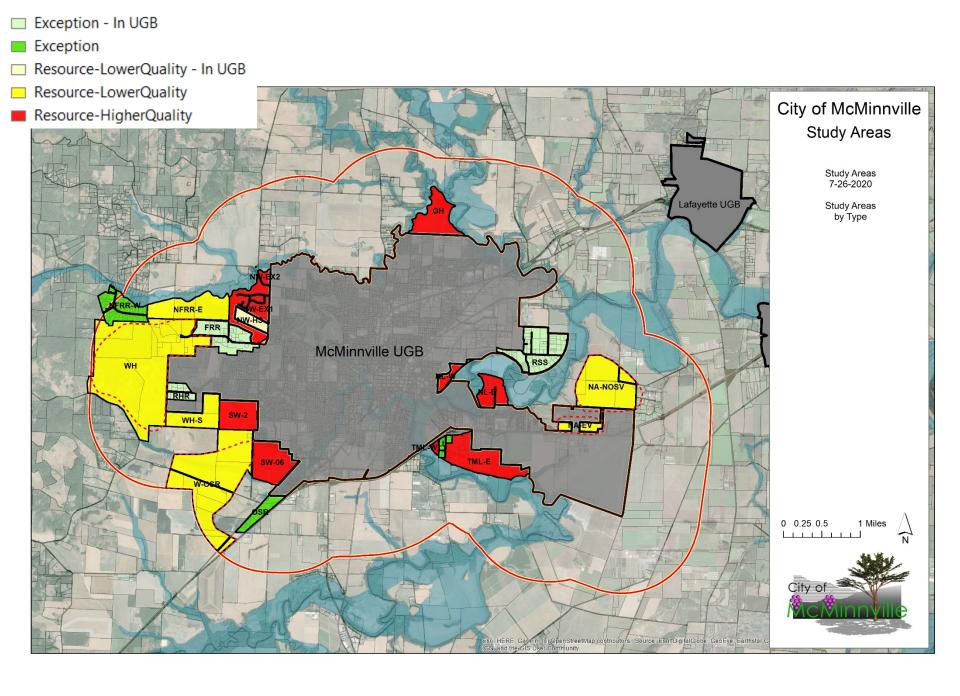


Map 5. Resulting Study Areas After Applying Barriers Filters



Map 6. Further Revisions





REMAND – NEXT STEPS

<u>Tasks</u> - Technical

Map what's not buildable?

- Flood plains, steep slopes, landslide hazards.
- Physical Barriers: Baker Creek, N. Yamhill River, airport, etc.



REMAND – NEXT STEPS

Major Tasks — Technical

Map what's not Buildable?

- Natural resource conservation areas.
- Land that cannot be served by public facilities. Jacobs Engineering.
- Hazard Areas Goal 7



HAZARDS STUDY: EVALUATING CONSTRAINTS AND HAZARDS IN STUDY AREAS



GOAL 7 – AREAS SUBJECT TO NATURAL HAZARDS

Oregon Land Use Goal #7 requires local governments to adopt comprehensive plans inventories, policies and implementing measures to reduce risk to people and property from natural hazards.

Natural hazards for purposes of this goal are: floods, landslides, earthquakes, wildfire, etc.



NEW HAZARD INFORMATION FOR MCMINNVILLE

State Hazard Mitigation Plan — Just Released Draft (Chapter on Yamhill County — HR Landslides and Earthquakes)

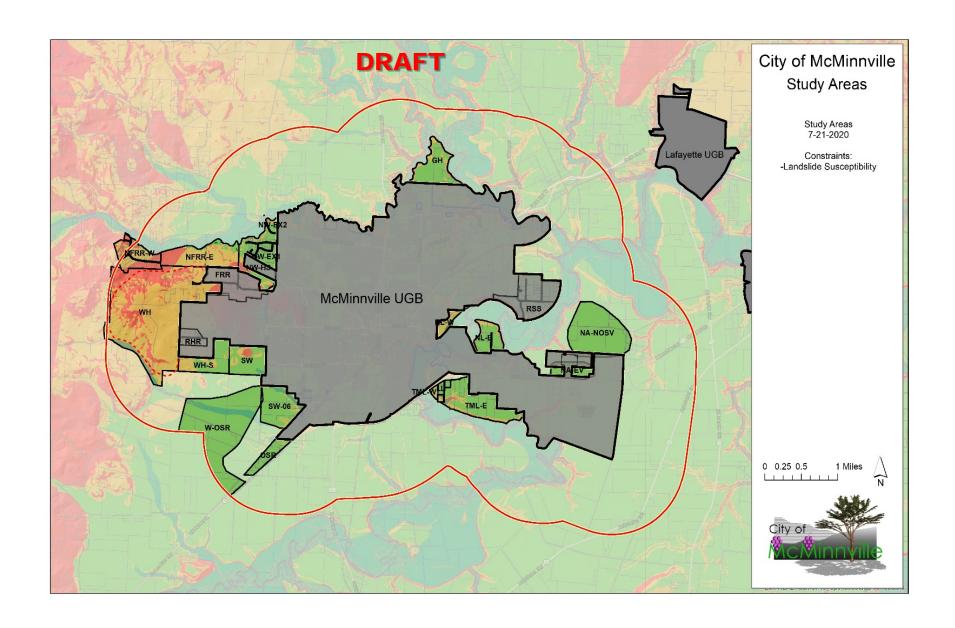
Yamhill County NHMP — Draft Update in Circulation

McMinnville NHMP - Addendum to YC NHMP in Circulation

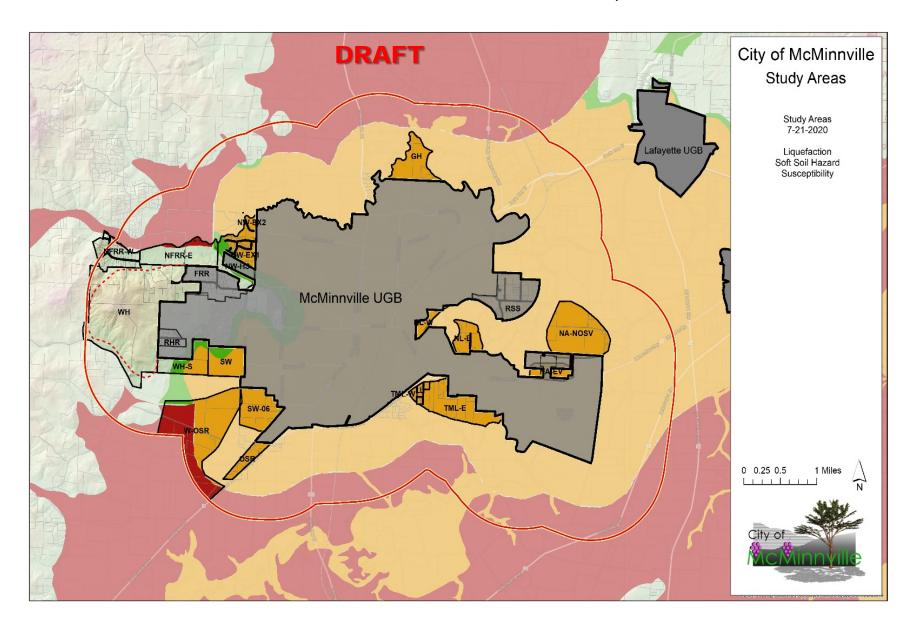
McMinnville Hazards Study – Just Completed – UGB/URA



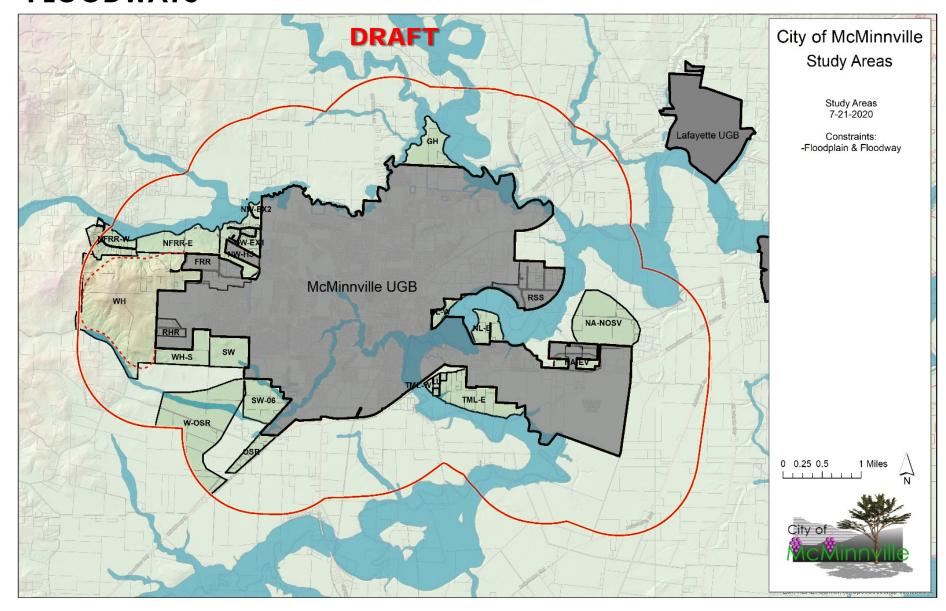
UGB REMAND RESPONSE STUDY AREA- LANDSLIDES



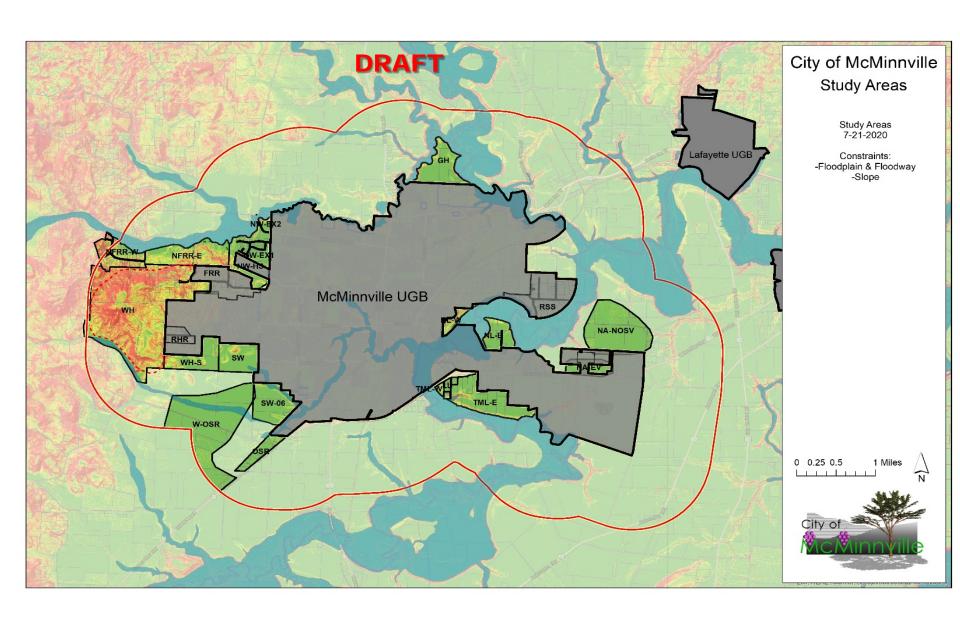
UGB REMAND RESPONSE STUDY AREA- LIQUEFACTION RISK



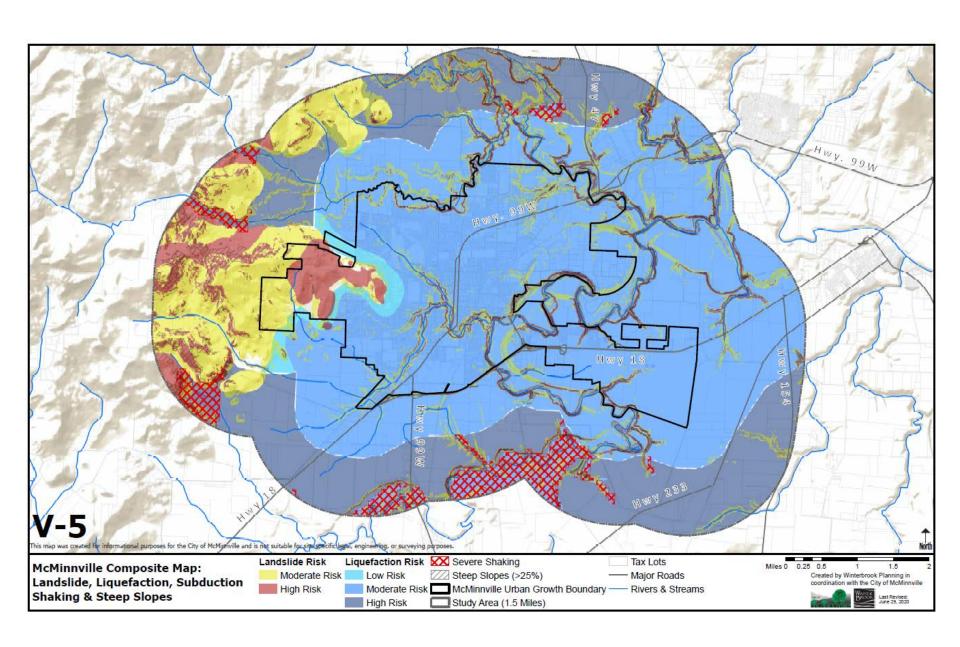
UGB REMAND RESPONSE STUDY AREA - FLOODPLAINS AND FLOODWAYS



UGB REMAND RESPONSE STUDY AREA – STEEP SLOPES



COMPOSITE HAZARD MAP – URA STUDY BOUNDARY



COURT DIRECTION – STEP TWO: DETERMINE THE ADEQUACY OF CANDIDATE LANDS UNDER ORS 197.298 (1) AND (3)

PART TWO: LOCATIONAL ANALYSIS – INTEGRATING GOAL 14 AND ORS 197.298



ORS 197.298 - CREATE PRIORITY LANDS MAP

Take Final Buildable Lands Map

Identify Priority Land Analysis on Final Map

First Priority = Urban Reserve Land

Second Priority = Land adjacent to the UGB that is an exception area or non-resource land.

Third Priority = Land designated as marginal land.

Fourth Priority = Agricultural and Forest Lands



SCREENING CRITERIA -

APPLY GOAL 14 LOCATION FACTORS TO PRIORITY BUILDABLE LANDS MAP

- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;



SCREENING CRITERIA -

APPLY GOAL 14 LOCATION FACTORS TO PRIORITY BUILDABLE LANDS MAP

- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority;



SCREENING CRITERIA -

APPLY GOAL 14 LOCATION FACTORS TO PRIORITY BUILDABLE LANDS MAP

(7) Compatibility of the proposed urban uses with nearby agricultural activities.



SCREENING CRITERIA -

APPLY GOAL 14 LOCATION FACTORS TO PRIORITY BUILDABLE LANDS MAP

Refine these with criteria that match local conditions and needs.

Apply them in priority order to study areas (i.e. exception land first).



UGB Study Area Screening Criteria										
UGB Study Area Screenin	ig Criteria									
						_				
	Goal 14 Factors		L.,,,,		, ,		<u>, , , , , , , , , , , , , , , , , , , </u>		ļ,	
Criteria Applied	economicon and Public facilision of	whies of	4) Wakinum enge	Then Fried	Social Coment	The Street	6/46.69/00	, entre	21Compatibility w.	Agreents.
										Basis
Public Facilities										
Extension Costs and										
feasibility	•		0							\$
Existing Capacity Limits	•		0							\$
Commercial/MFR Housing										
Acres <5% Slope			•							Numeric
Development Costs			•		0					\$
Distance to Services			•		0					Numeric
Annex. Feasibility	0		•							Numeric
Buildable Area			•		0					Numeric

YC BOCC UGB REMAND RESPONSE UPDATE, JULY 30, 2020

UGB Study Area Screening Criteria										
	Goal 14 Factors									
Criteria Applied	economic promision con son con con con con con con con con con c	"Wies of	4) Manimum effici	Than Frince	Slenuronment Society, Econom	W. Sequest	6/4G. Lange	Telentis	2)Compatibility	Mune No
										Basis
Urban Integration										
Buildable Land %			•							Numeric
Bike/Ped Suitability	0		•		•					Qualitative
Neighbor. Continuity			•		•					Qualitative
Transit Access	0		•		•					Yes/No
Hazard Risks										
Landslide			0		•					Numeric
Slope			0		•					Numeric
Liquifaction			0		•					Numeric
Wildfire			0		•					Numeric

City of City o

UGB Study Area Screening Criteria										
OGB Study Area Screenin	ig Criteria									
	Goal 14 Factors					Н		Н		
Criteria Applied	economic participas	, sign	4) Washimm effect	Toon frings	Stewnoment Society Froment	W. Sequent	6/4G. Land p.	/ refentio	2) Comparibility	Mareou S.
••										Basis
Priority Sequence										
Soil Class (I - VI)							•			Numeric
Priority Standing *							•			Numeric
Other										
Resource Conflict?			•		•				0	Yes/No
Park Accessibility/Suitability			•		•					Qualitative
Trail Accessibility/Suitability			•		•					Qualitative
Ag. Use Conflicts									•	Qualitative
* - ORS 197.298(1) • - Primary concern										
o - Secondary concern										

YC BOCC UGB REMAND RESPONSE UPDATE, JULY 30, 2020

Metric Basis

Numeric - \$/acre, percentage, density

Comparative – Yes/No

Qualitative – Suitability for a use



				Developable	24			Undevelopable
				Excellent/Very Good	Good	Fair	Poor	Very Poor
	List of Categories	Source	Description(s)	1	2	3	4	5
	Siopes	City	Rankings (1, 2, 3, 4, 5)	0% - 5%	5% - 10%	10% - 15%	15% - 25%	> 25% (Score = 0)
	Liquefaction Susceptibility	City	Rankings (2, 3, 4)	Low	Low-Moderate	Moderate	Moderate-High	High
	Landslide Hazard	City	Rankings (High, Mod, Low)	Low	N/A	Moderate	N/A	High
Developable?	Floodway	City	City; Floodway = means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.	None Present, Score = 1	N/A	N/A	N/A	Present; Score = 0
Develo	Floodzone A	City	City; A = Areas with a 1% chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage.	None Present Score = 1	N/A	N/A	N/A	Present; Score = 0
	Floodzone AE	City	City, AE = the base floodplain where base flood elevations are provided - AE zones are now used on new format FIRMs instead of A1-A30 zones.	None Present Score = 1	N/A	N/A	N/A	Present; Score = 0
	Wedand	City	Presence	None Present; Score = 1	N/A	N/A	N/A	Present; Score = 0
	Vegetation							
	Water	McMinnville Water & Light	Zone Bands based on 140-ft increments (roughly 65 psi)	Zone1	Zone2	Zone3	Zone4	Zone5
Serviceable?	Wastewater	City		Gravity service	Gravity service, extension longer than X feet	Pump Station Required	Pump Station High head >100 feet	Pump Station High Head > 150 feet
Š	Bridge Structure Required	City	Water or railroad crossing(s) or other	No need	NA	short crossing	N/A	Not feasible
Š	Connectivity to Existing road network	City	Need for new arterials, collectors and extensive road network to serve the development	Local Road or Extension of Existing Local Road	NA	Extension of Collector or Arterial	N/A	New Collector or Arterial
	Existing Roads - Capacity		Availabile capacity for additional traffic from development with future forecasts (Level of Service, LOS)	LOSA	LOSB	LOS C and LOS D	LOS E	LOSF
	Existing Roads - Wildening		Need for improvements of existing roads for additional traffic from development with future forecasts (Volume-to-capacity ratio, v/c)	w/c < 0.5	0.5 < v/c < 0.6	0.6 < vio < 0.8	0.8 < v/o < 1.0	wlc>1.0

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No one criteria or factor is determinant. Council must balance the pros and cons and decide which areas best meet identified needs.



FINAL OUTCOMES

UGB EXPANSION MAP that balances ORS 197.298 (Land Priority Structure) and Goal 14 (Locational Factors) per the direction of the Court's Decision.



NEXT STEPS

- Next Week Growing McMinnville Mindfully Website
- August 25 CC Update (Buildable Lands Map, Servicability Analysis, Screening Criteria)
- Late September Draft UGB Map
- Late October Draft Documents
- ❖ November Joint CC/BOCC Meeting
- ❖ December Joint CC/BOCC Public Hearing and Adoption



GROWTH PLANNING - MCMINNVILLE, Moving Forward Mindfully









From MINDFULLY