



Growing McMinnville
MINDFULLY



MCMINNVILLE'S UGB REMAND RESPONSE: CITY COUNCIL 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.

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



PUTTING IT ALL IN PERSPECTIVE



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MCMINNVILLE NEEDS TO EXPAND ITS UGB

The need to expand has not been the issue, it is how and where the city expands that has been a contested dialogue for 20 years, plagued by opposition, challenges and appeals.

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



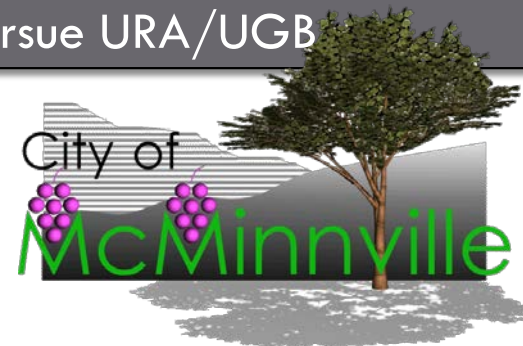
GROWTH PLANNING – MCMINNVILLE, Is there a path forward?



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.
- ❑ **2018:** Start work again with HNA/EOA and direction to pursue URA/UGB

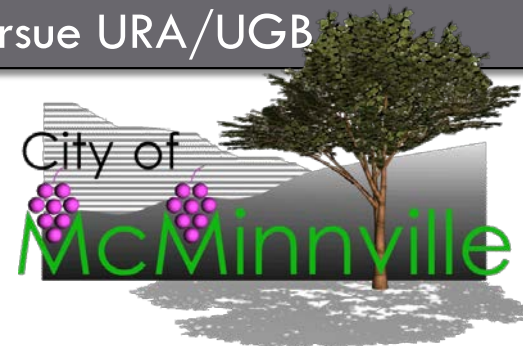
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POTENTIAL PATHS FORWARD

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

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

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TONIGHT'S WORKSESSION

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

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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!

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ORS 197.298 – PRIORITY LANDS FOR UGB AMENDMENTS

- 1) **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**

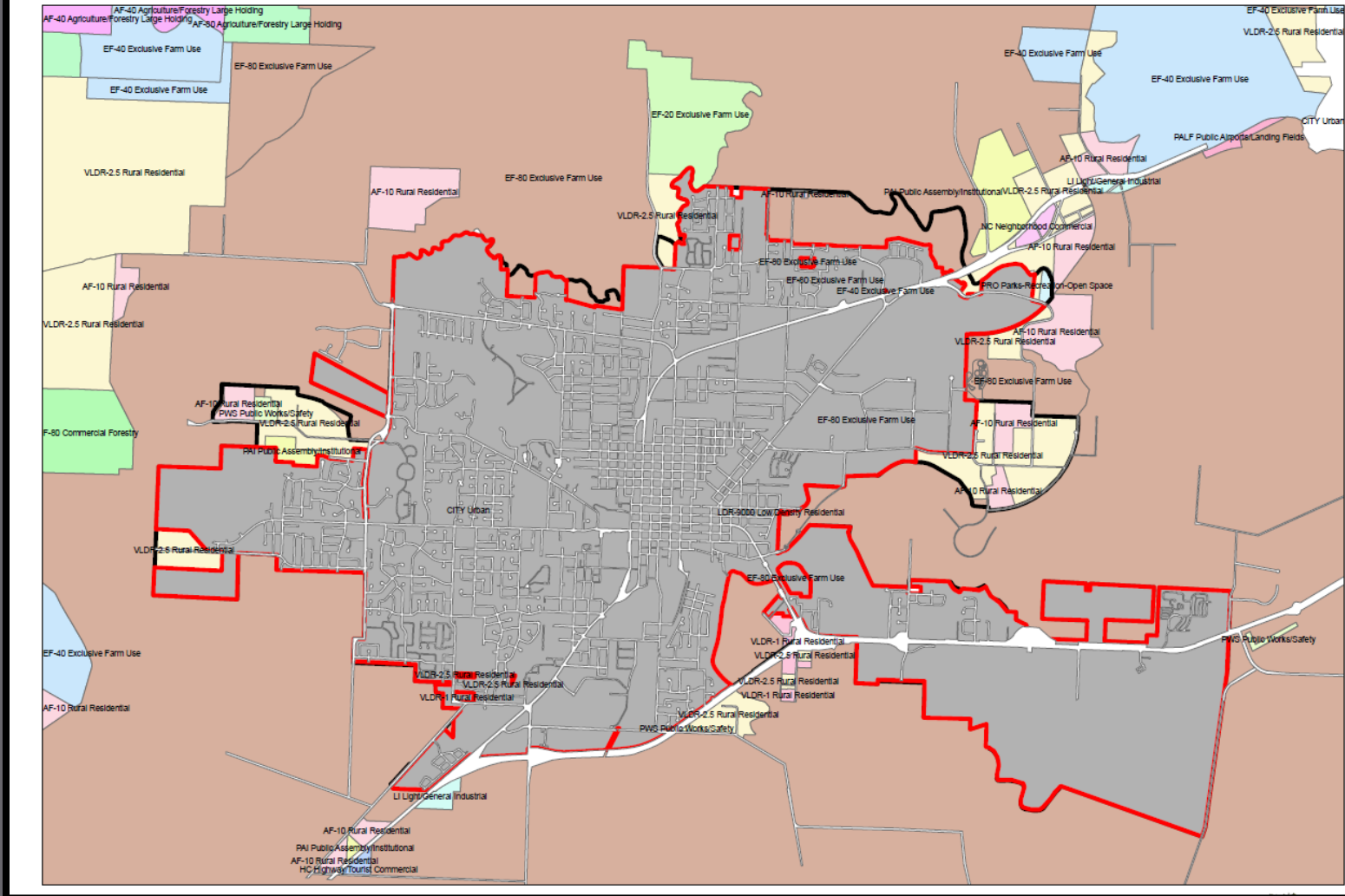
Land of lower priority can be included if land of higher priority is found to be inadequate to accommodate the amount of land needed

- 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.

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Yamhill County Zoning Designations

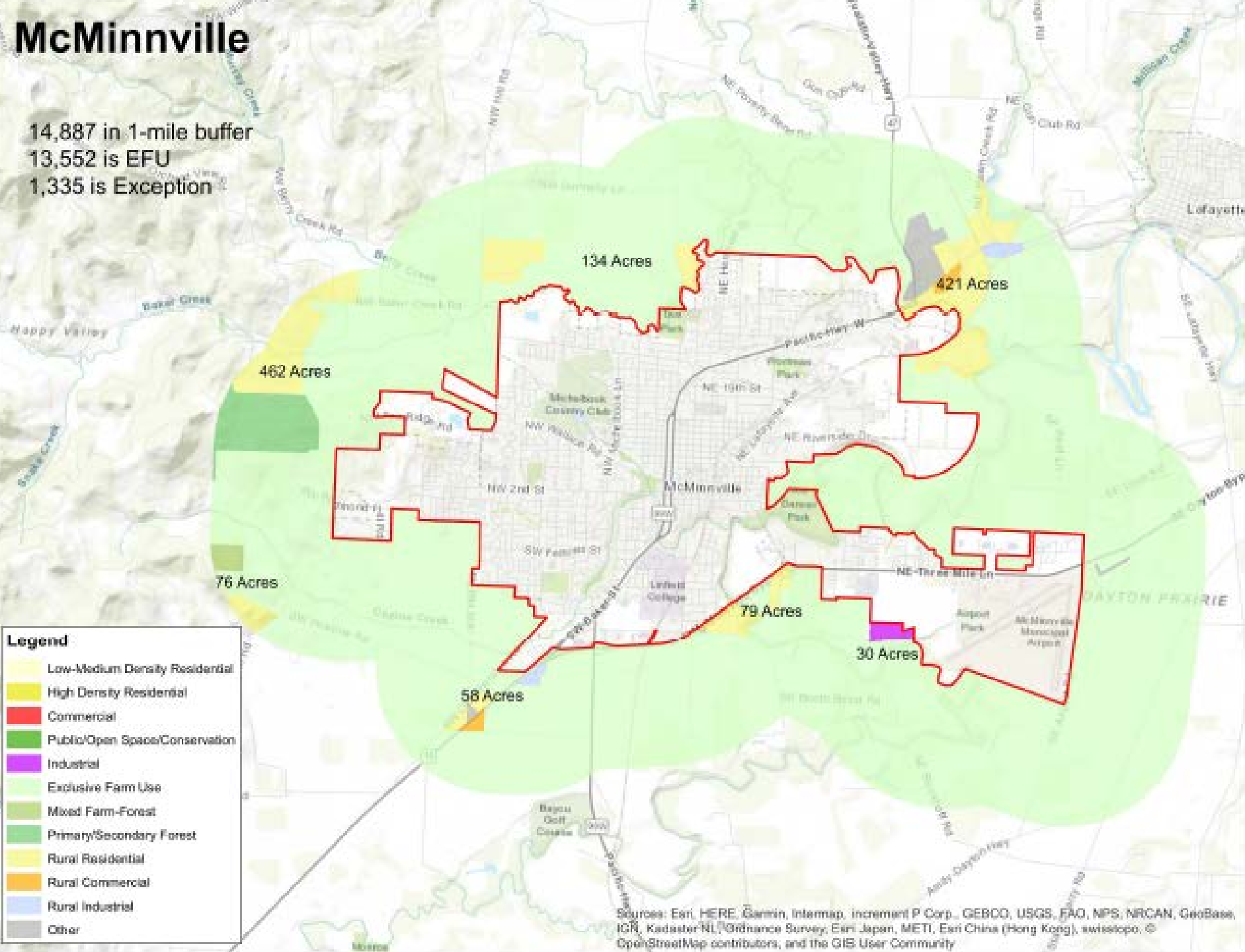


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McMinnville

14,887 in 1-mile buffer
13,552 is EFU
1,335 is Exception

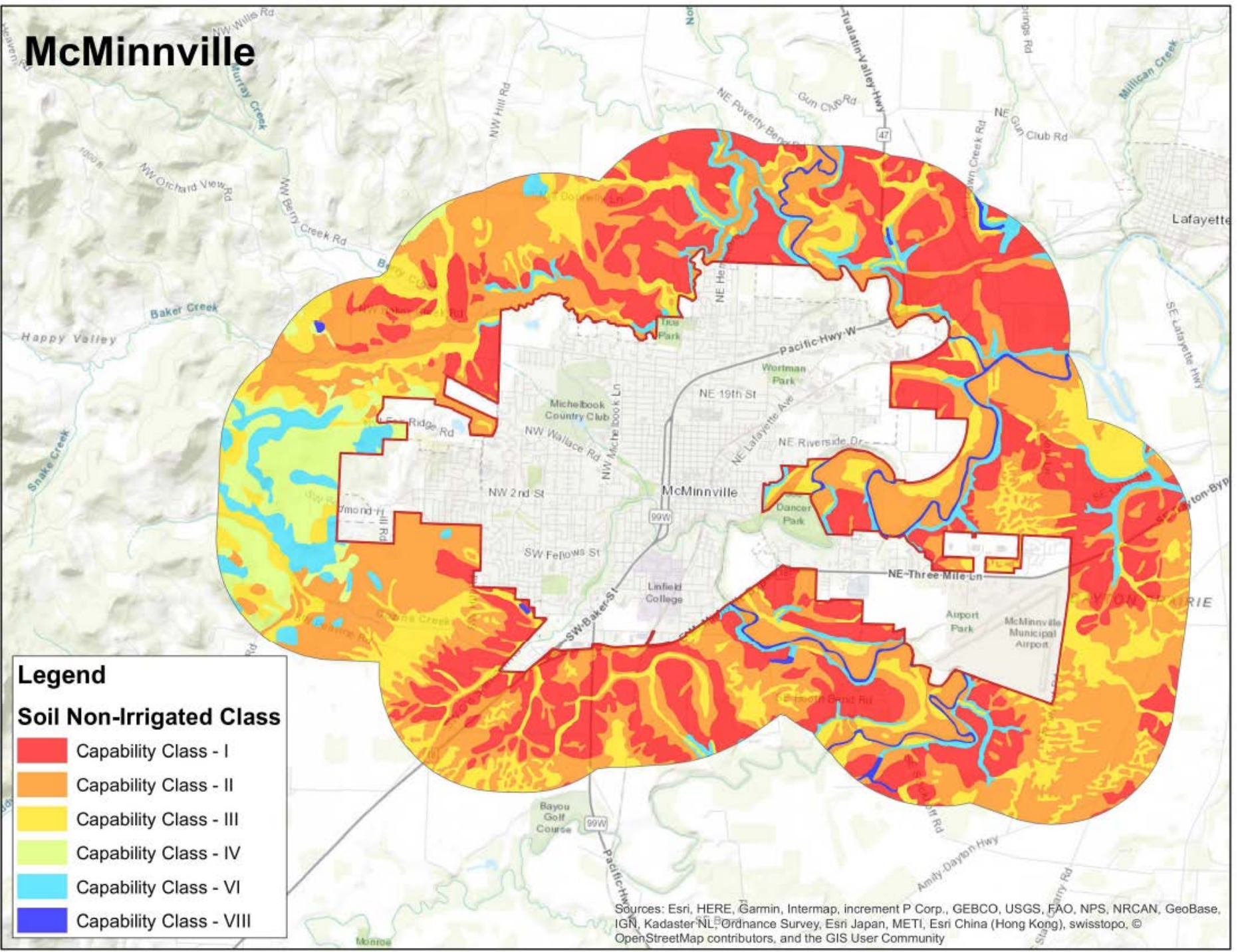


Legend

- Low-Medium Density Residential
- High Density Residential
- Commercial
- Public/Open Space/Conservation
- Industrial
- Exclusive Farm Use
- Mixed Farm-Forest
- Primary/Secondary Forest
- Rural Residential
- Rural Commercial
- Rural Industrial
- Other

Source: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL/Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

McMinnville



Legend

Soil Non-Irrigated Class

- Capability Class - I
- Capability Class - II
- Capability Class - III
- Capability Class - IV
- Capability Class - VI
- Capability Class - VIII

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

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)

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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

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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 after 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.**

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WORK PROGRAM OVERVIEW

Work Tasks

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

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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.**

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WORK PROGRAM OVERVIEW

Major Tasks – Technical

Prepare Plan Documents

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

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WORK PROGRAM OVERVIEW

Major Tasks – Procedural

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

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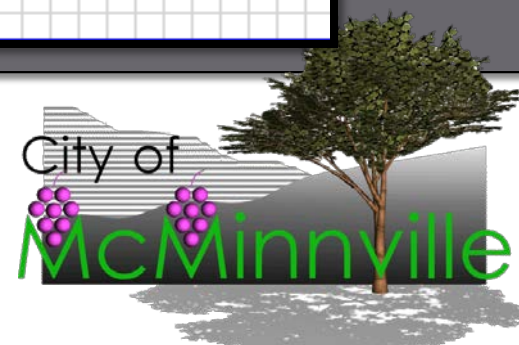


WORK PROGRAM SCHEDULE

McMINNVILLE PLAN UPDATE – REMAND WORK PROGRAM			April	May	June	July	August	Sept	Oct	Nov	Dec	Jan
Task	Description	Lead	-----									
1. EUI Study Area Mapping												
1a	Study Area maps	Tom	█	█								
1b	Hazard mapping	Tom	█	█								
1c	unbuildable table/maps	Tom		█	█	█	█	█	█	█	█	█
1d	Buildable table/maps	Tom		█	█	█	█	█	█	█	█	█
1e	Serviceability Ana	DJ		█	█	█	█	█	█	█	█	█
1f	Update tables/maps	Tom					█	█	█	█	█	█
2. Capacity Analysis												
2a	Development costs	DJ		█	█	█	█	█	█	█	█	█
2b	Exception Areas in UG	Tom		█	█	█	█	█	█	█	█	█
2c	Exception study areas	Tom		█	█	█	█	█	█	█	█	█
2d	Low value resource	Tom/DJ		█	█	█	█	█	█	█	█	█
2e	High Value resource	Tom/DJ		█	█	█	█	█	█	█	█	█
2f	NAC Analysis	DJ/Chuck		█	█	█	█	█	█	█	█	█
3. Housing Land Needs - Income												
3a	TM land needs 2001 HI	DJ	█	█	█	█	█	█	█	█	█	█
3b	Affordable Research	DJ/PSU	█	█	█	█	█	█	█	█	█	█
3c	TM Site Dev - Housing	DJ/Tom	█	█	█	█	█	█	█	█	█	█
3d	Land Needs Screening	DJ/Tom	█	█	█	█	█	█	█	█	█	█
3e	Land Suitability maps	Tom/DJ	█	█	█	█	█	█	█	█	█	█
4. UGB Expansion Analysis												
4a	TM - Screening Proce	DJ/Team		█	█	█	█	█	█	█	█	█
4b	Screen Study Areas	DJ/Tom				█	█	█	█	█	█	█
4c	Internal Review	Team					█	█	█	█	█	█
4d	UGB Expansion Map	Tom						█	█	█	█	█

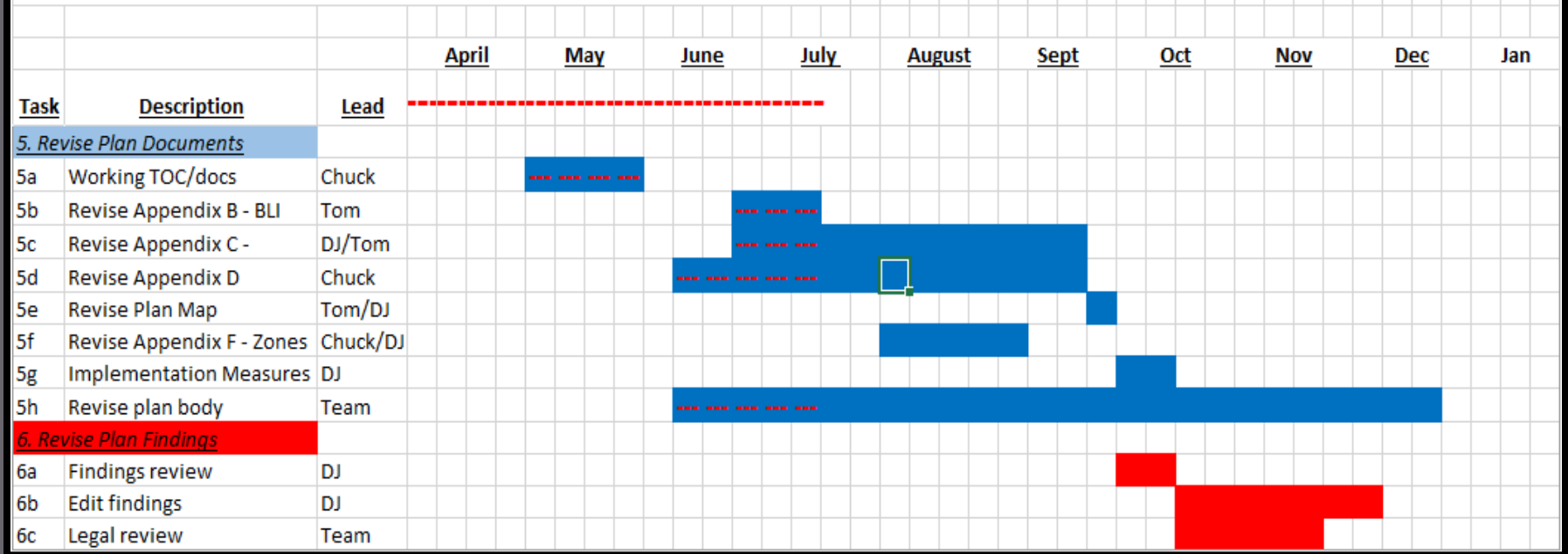
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WORK PROGRAM SCHEDULE

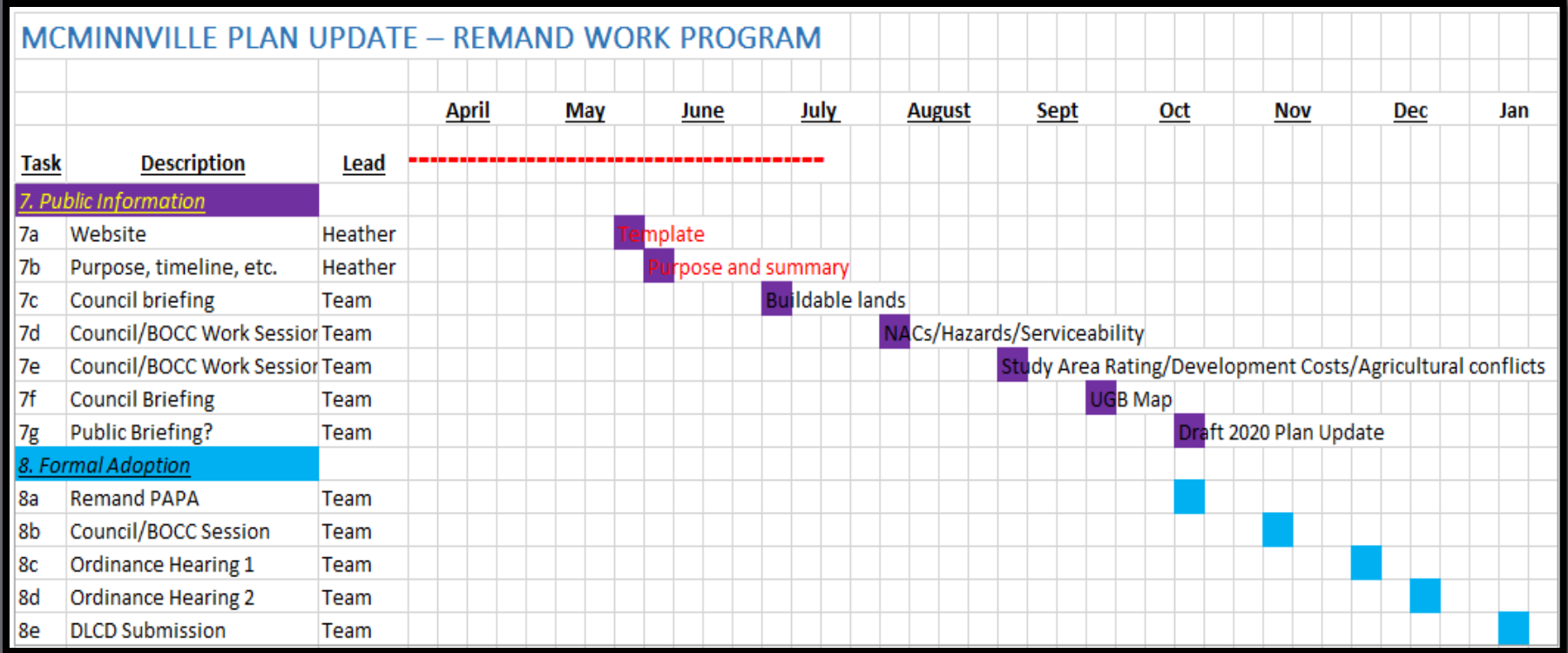
MCMINNVILLE PLAN UPDATE – REMAND WORK PROGRAM



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WORK PROGRAM SCHEDULE



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WORK PROGRAM STATUS REPORT

Public Facility Serviceability Analysis – in process w/ late summer completion. Jacobs Engineering.

Land Development Cost Study – in process w/ completion early August. PSU Master of Real Estate Econ. students

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COURT DIRECTION – STEP ONE: DETERMINE THE LAND NEEDED

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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

Housing type	Number of DU	Needed DU by Type	Density (DU/ Net Res Acre)	Density (DU/Gross 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

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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	881.4 <u>880.5</u>	1019.2 <u>1019.8</u>
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 <u>1125.8</u>

Source: ECONorthwest, 2003



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	881.4 880.5	1019.2 1019.8

Residential land need includes increased percentage of multifamily or single-family attached housing, 314 acres of park land, and 96 acres for public schools , since parks and schools locate on residential lands in McMinnville.



BUILDABLE LAND NEED

Adjustments under review:

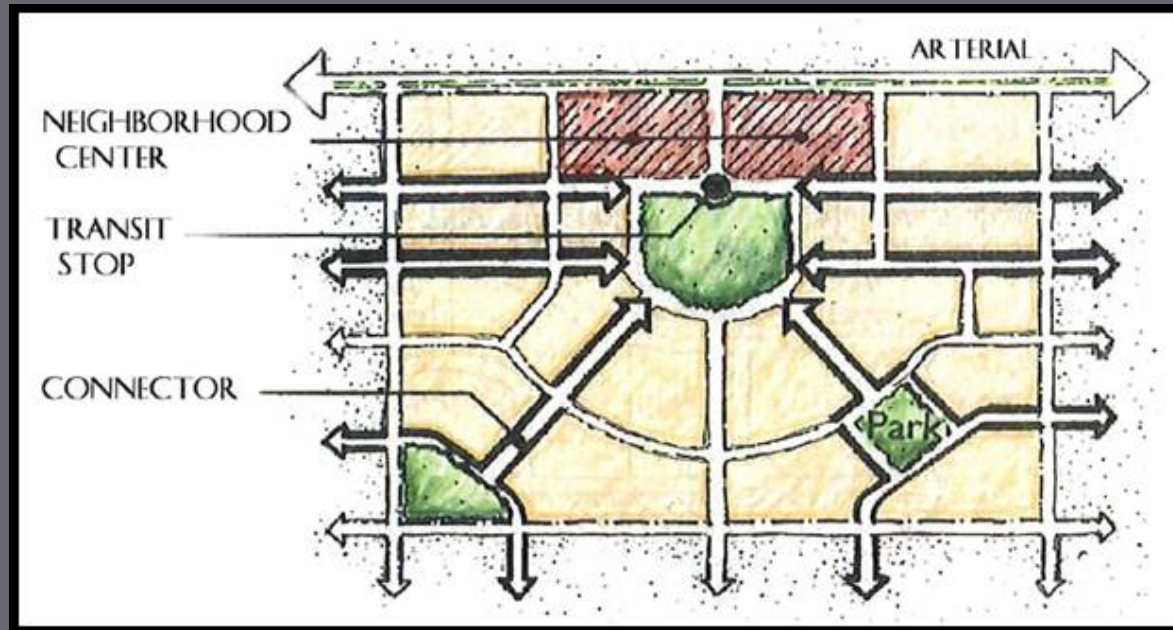
- Corrections for minor accounting errors related to UGB and zoning adjustments.
- Capacity assumptions for the Exception Areas added in 2004. An adjustment could change the land need tables.



NEIGHBORHOOD ACTIVITY CENTERS

PETITIONERS CHALLENGE:

ARE NOT A LAND NEED AS DEFINED BY STATE LAW



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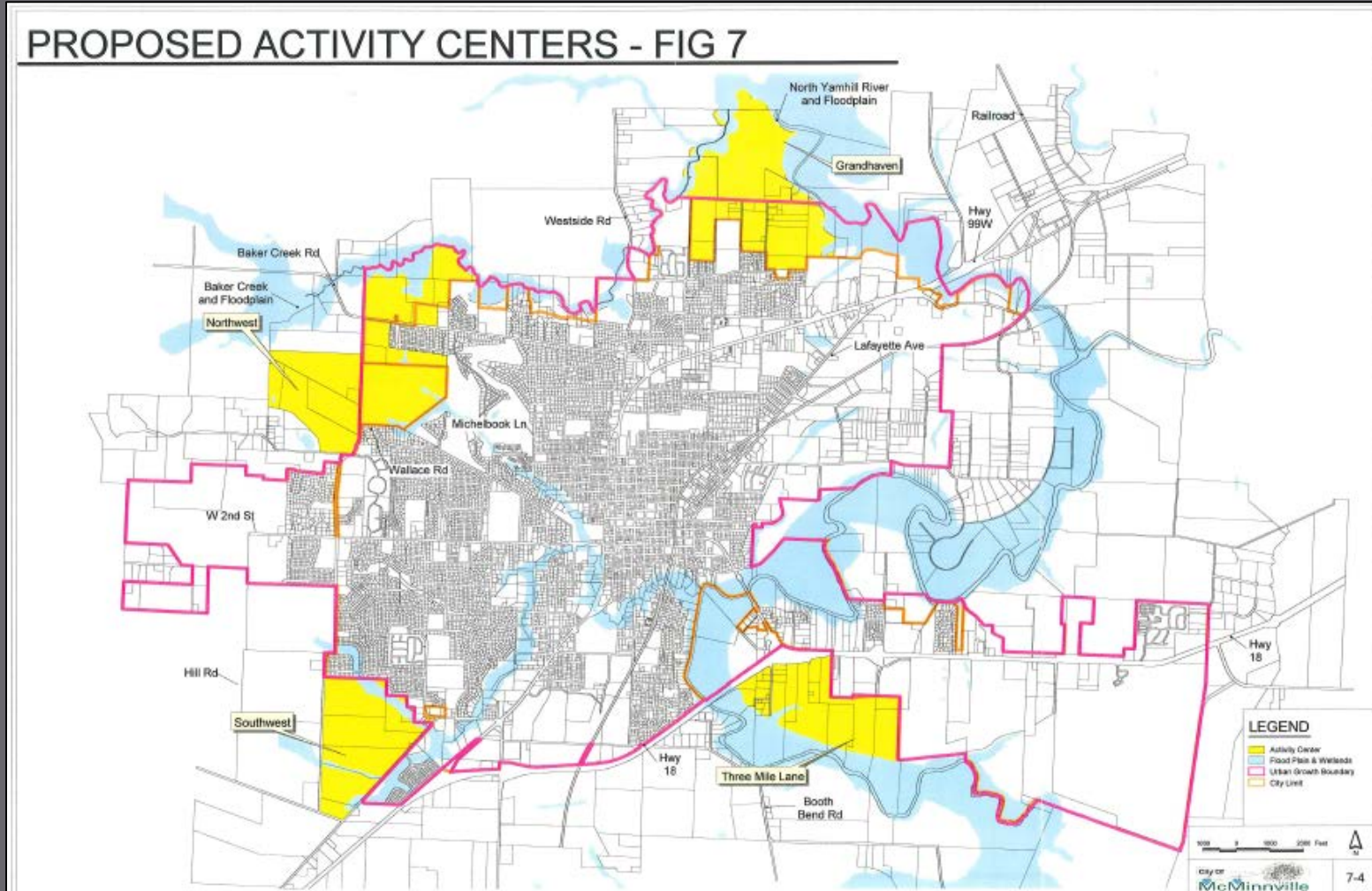
NEIGHBORHOOD ACTIVITY CENTERS

- ❑ Main component of original MGMUP
- ❑ “...neighborhoods are each centered or organized around an activity center that would provide a range of land uses within walking distance of neighborhoods - preferably within a one-quarter mile area - including neighborhood-scaled retail, office, recreation, civic, school, day care, places of assembly, public parks and open spaces, and medical offices. Surrounding the activity center (or focus area) are support areas, which include the highest-density housing within the neighborhood, with housing densities progressively decreasing outward.”



NAC ORIGINAL LOCATIONS

PROPOSED ACTIVITY CENTERS - FIG 7

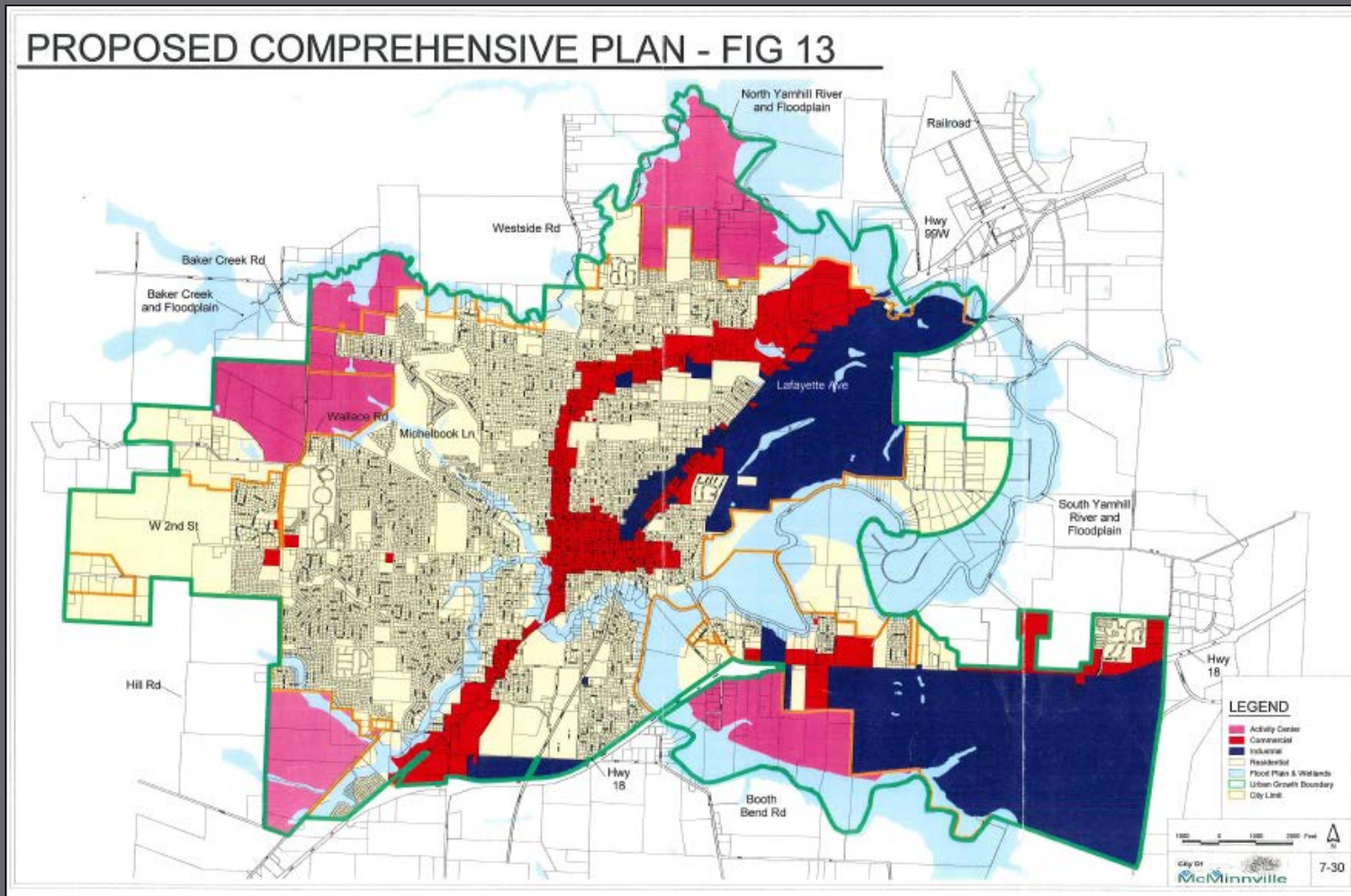


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NAC ORIGINAL LOCATIONS

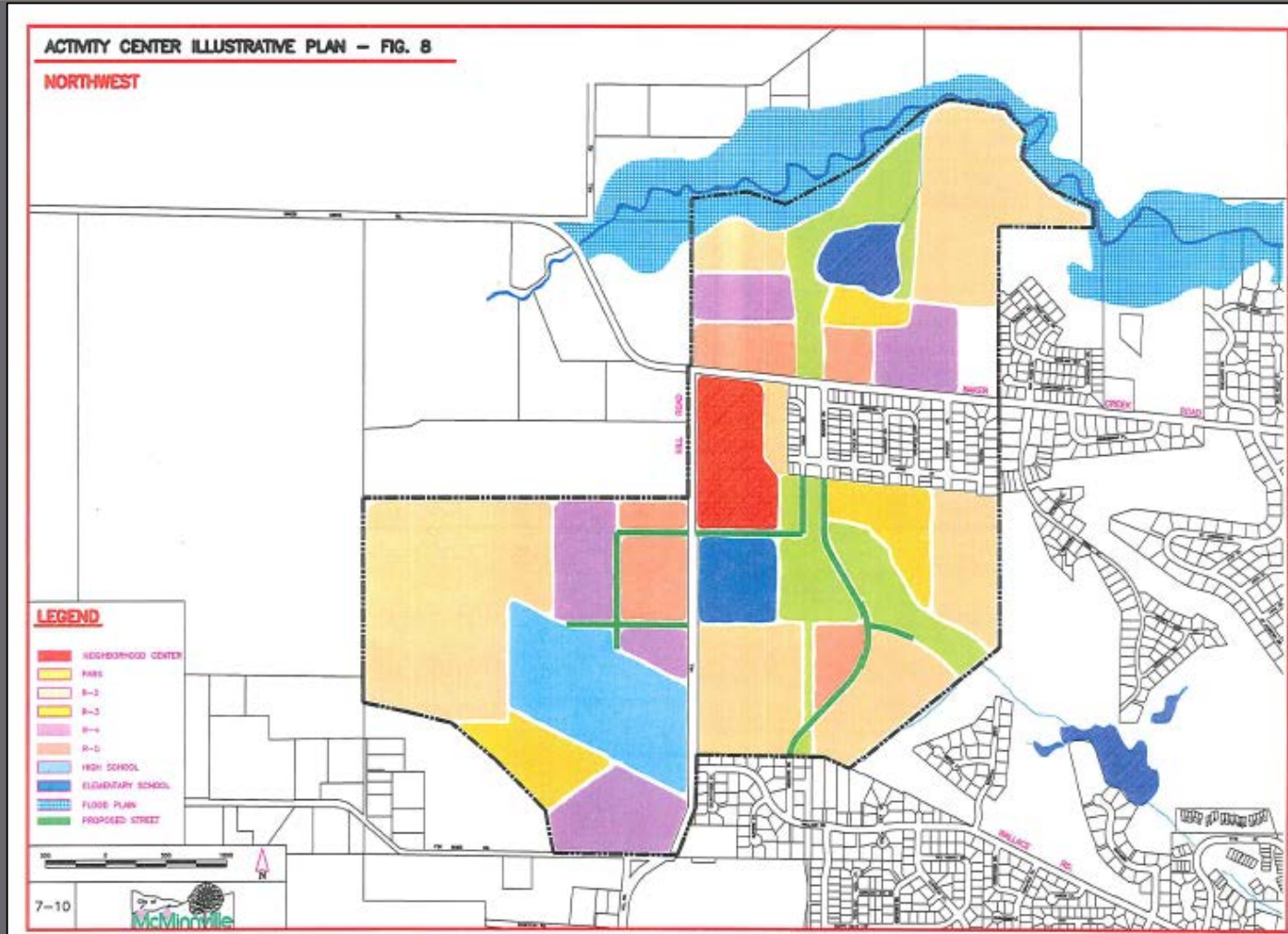
PROPOSED COMPREHENSIVE PLAN - FIG 13



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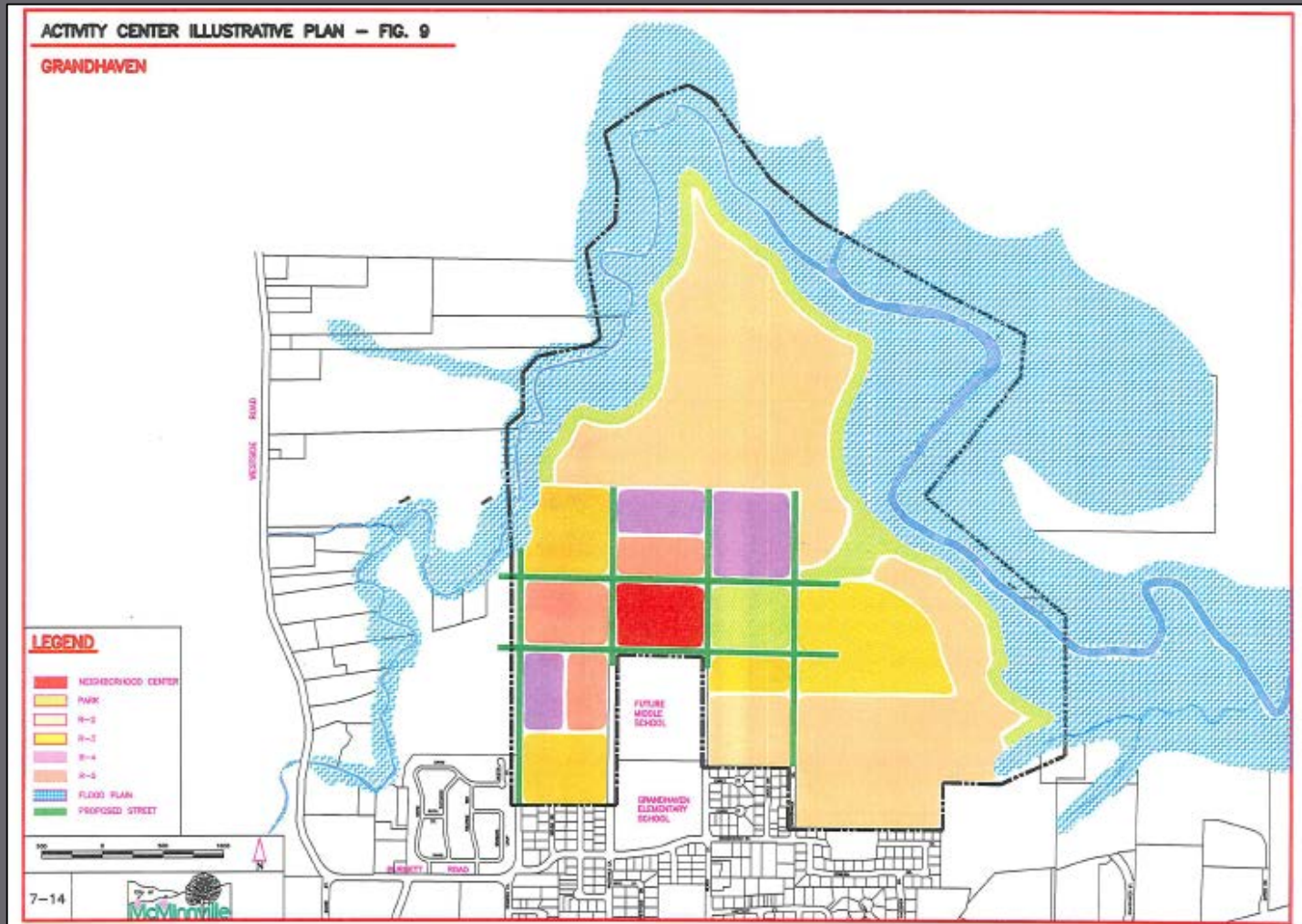
NORTHWEST NAC



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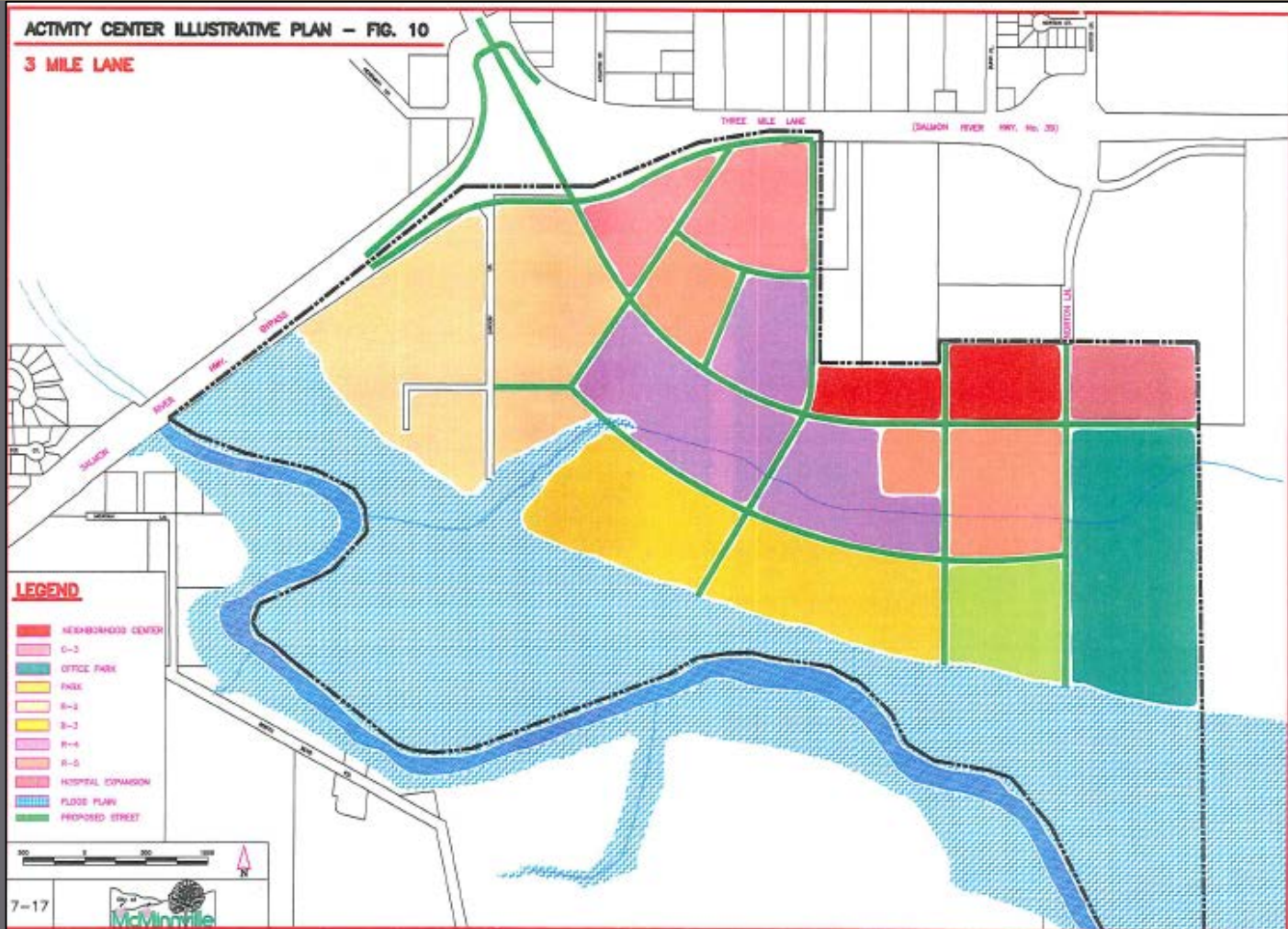


GRANDHAVEN NAC



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THREE MILE LANE NAC



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SOUTHWEST NAC



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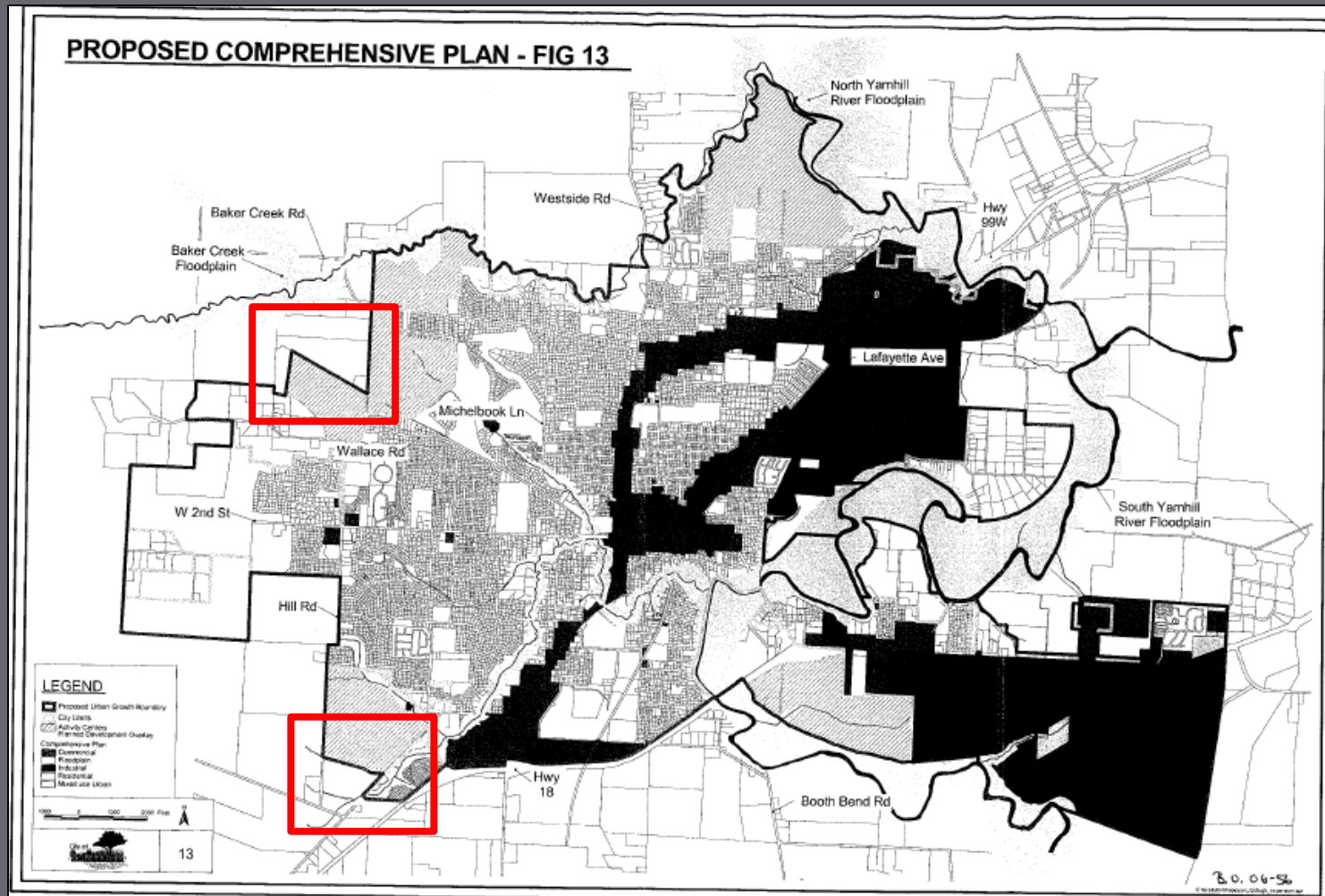


2006 NAC AMENDMENTS

- ❑ Objections filed during DLCD review of 2003 submittal and LCDC hearings occurred in 2004
- ❑ Ordinance 4841 (2006) amended NAC components of MGMUP:
 - ❑ Floodplain areas removed
 - ❑ Northwest NAC reduced in size
 - ❑ Southwest NAC reduced in size
 - ❑ Removal of illustrative land use plans for all NACs
 - ❑ Residential Comp Plan designations with PD overlays in areas previously identified for NACs
 - ❑ Amended Policy 187 to require City to prepare plans for NAC areas at later date within planning period



NAC REVISED LOCATIONS



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COURT OF APPEALS FINDINGS - NAC

12 LCDC's first defense--that the city appropriately identified a quantity of
13 needed NAC land and applied ORS 197.298(1) to that quantified need--fails because that
14 is not what the city did. The city did determine that the NAC mixed-use category of land
15 use would use less land than the traditional low-density residential development for
16 housing needs. But the city did not quantify the amount of any needed mixed-use
17 category of commercial and residential land uses and then apply the ORS 197.298(1)
18 priorities to that quantified mixed-use need. To recall, ORS 197.298(1) is applied to
19 determine if land of a particular priority "is found to be inadequate to accommodate the
20 *amount of land*" determined to be needed. (Emphasis added.) Here, the city quantified
21 the need for categories of residential, commercial, industrial, parkland, and other land

1 uses and then applied the priorities to those quantitative needs. However, the city used
2 the defined qualities of an NAC (*e.g.*, size, location to downtown, and urban form) as a
3 basis to rule out higher-priority land under ORS 197.298(1), and, in doing so, proved the
4 wrong point.

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COURT OF APPEALS SUMMARY

- ❑ City did not quantify the amount of needed mixed-use category of land (NAC lands for compact, pedestrian-friendly neighborhood centers).
- ❑ City used qualities of an NAC to exclude lands from inclusion in UGB, without identifying NAC as a land need.
- ❑ Findings for exclusion of land areas inconsistent and not specific enough to identified land needs.



REMAND PROPOSED APPROACH

NAC to be included as a policy approach

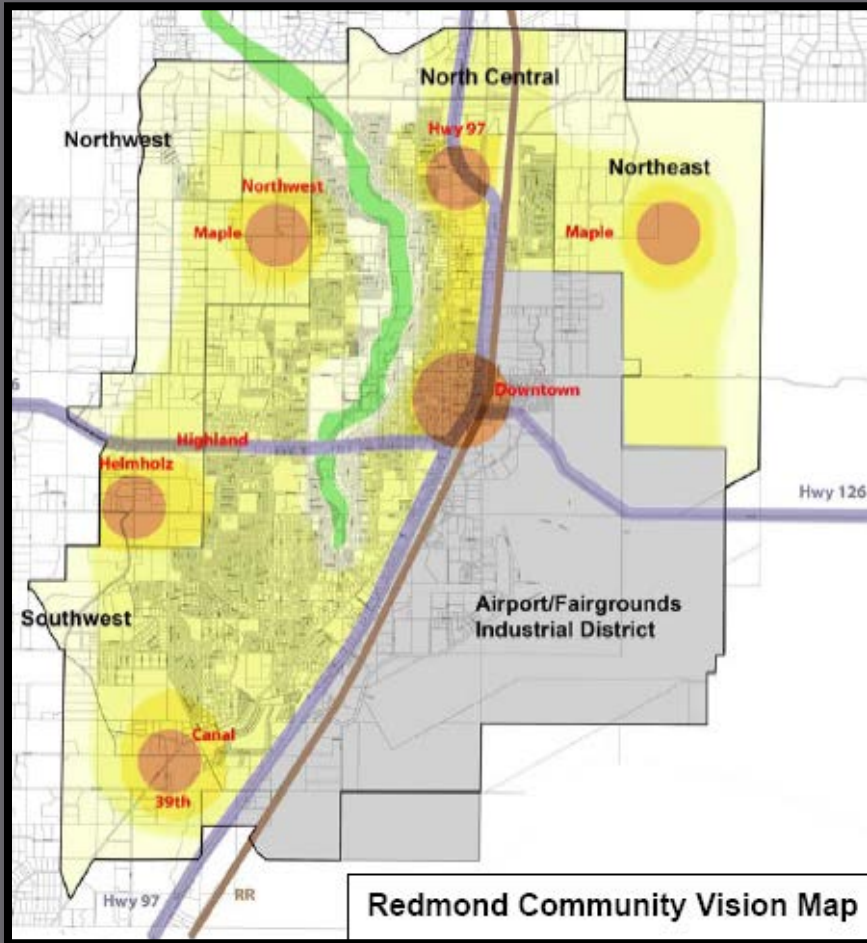
- ❑ Similar to 2006 amendments

However, the following changes to 2006 approach:

- ❑ *No specific locations will be identified, approximate areas identified on a framework plan.*
- ❑ *Implementation Methodology after UGB Amendment:*
 - Policy will describe characteristics of an NAC, such as required size, locational factors, land uses
 - City will create area plans based on the framework plan after UGB amendment and use area plans for master planning prior to annexation.

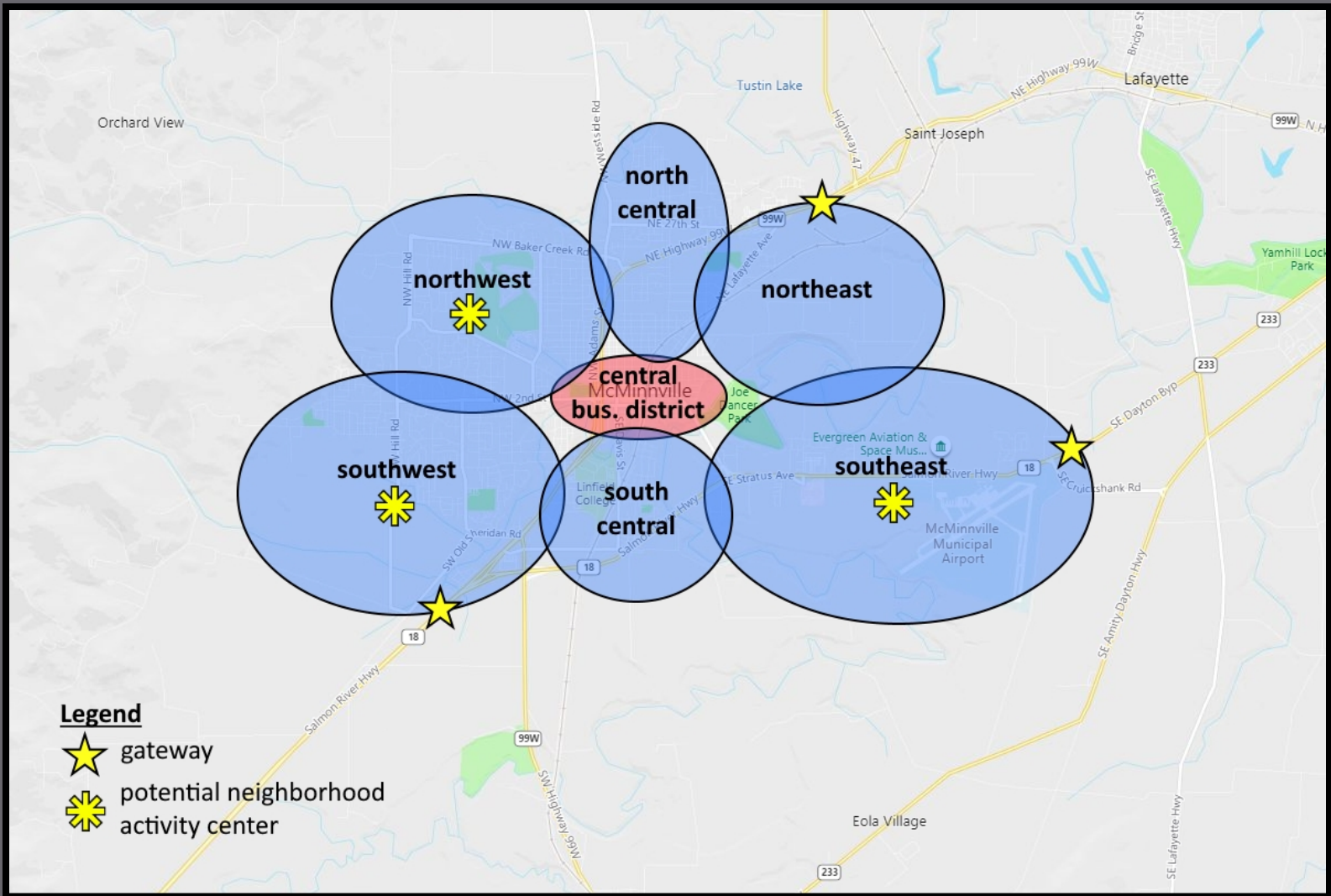


BUBBLE DIAGRAM OPPORTUNITY AREAS



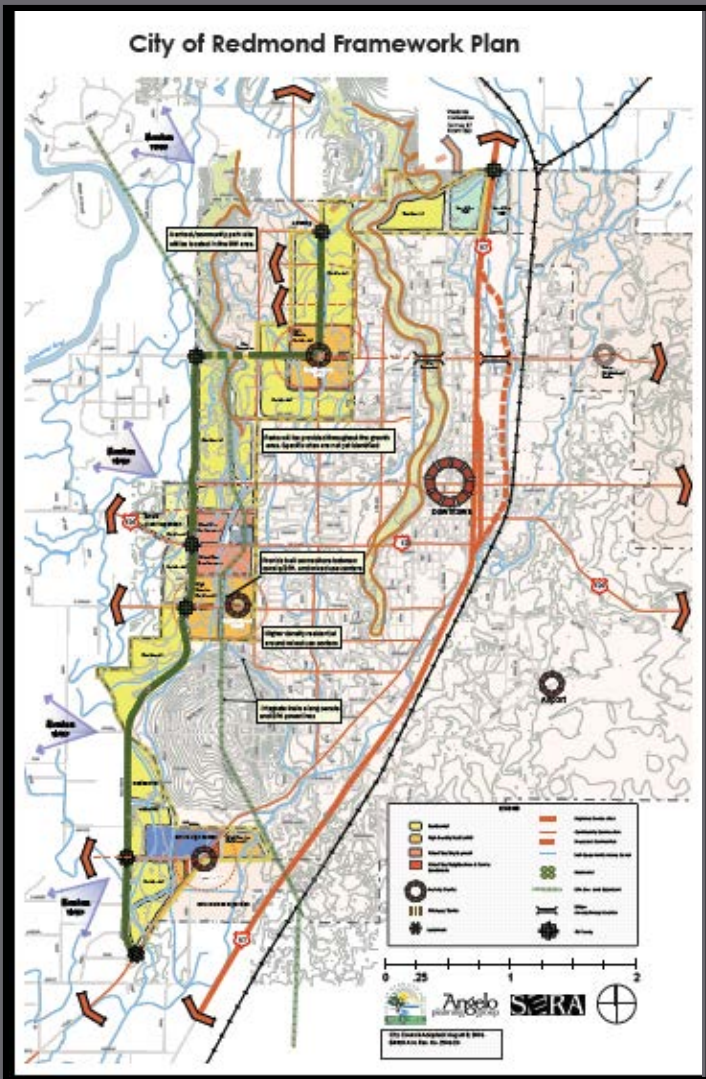
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FRAMEWORK PLAN – UGB LANDS

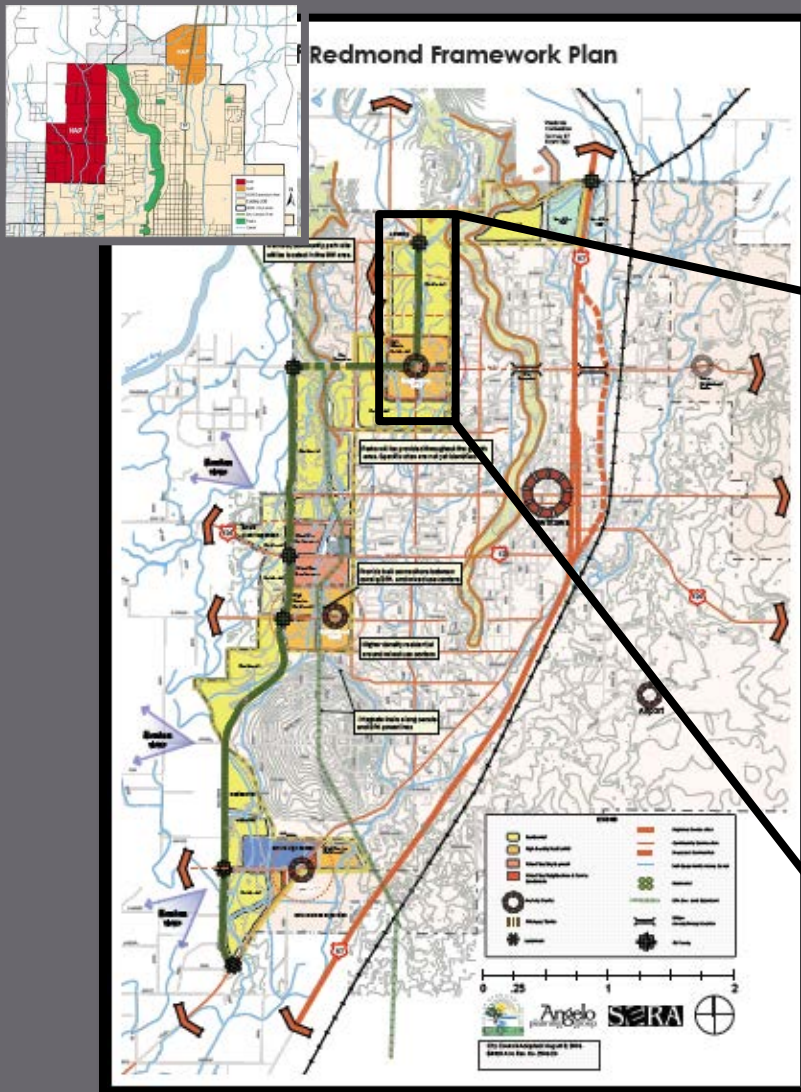
Conceptual guide for future lands in the UGB holding zone.

General guidance to community form and design.

Promote Great Neighborhood Principles with commercial centers that are bike and pedestrian friendly with public spaces.

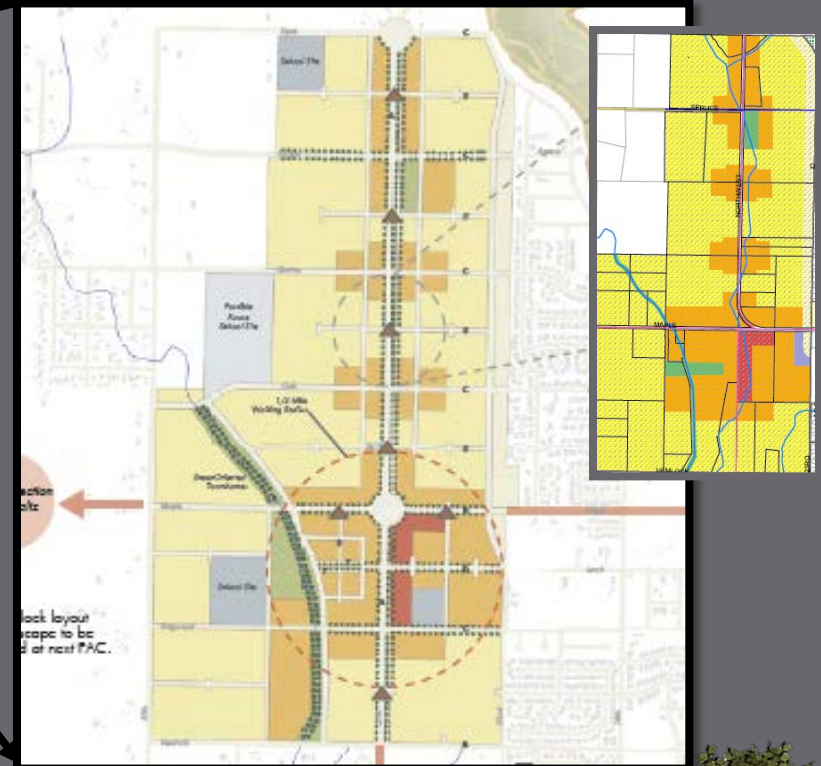
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AREA PLANS:

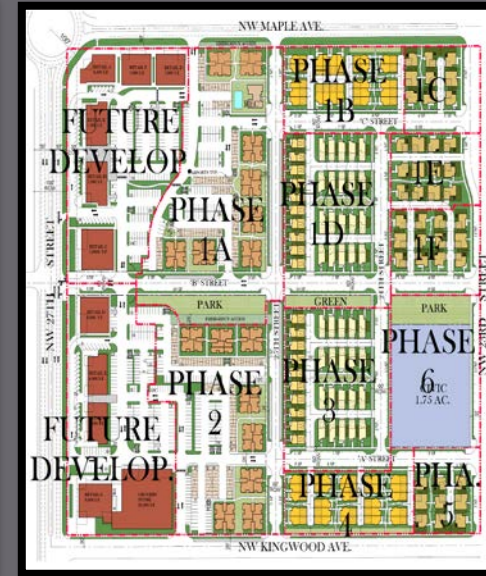
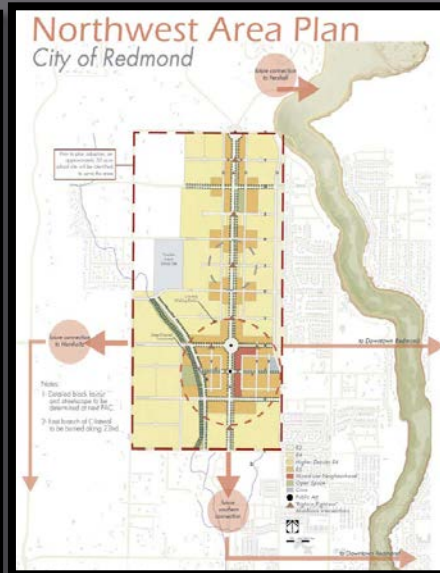
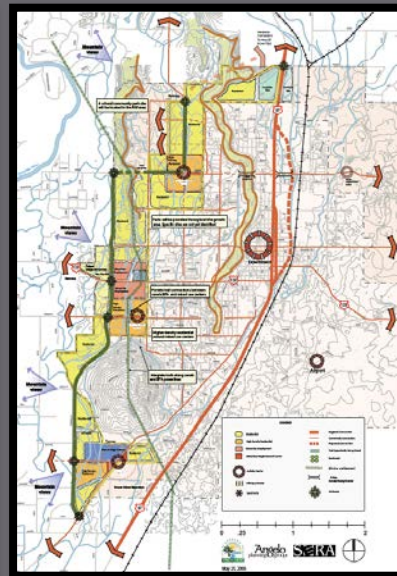
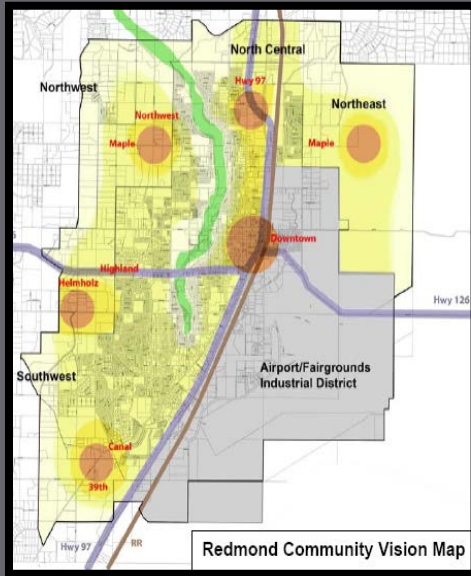
- Public facilities are cohesive and adequate
- Schools
- Mix of housing units



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OPPORTUNITY TO SITE



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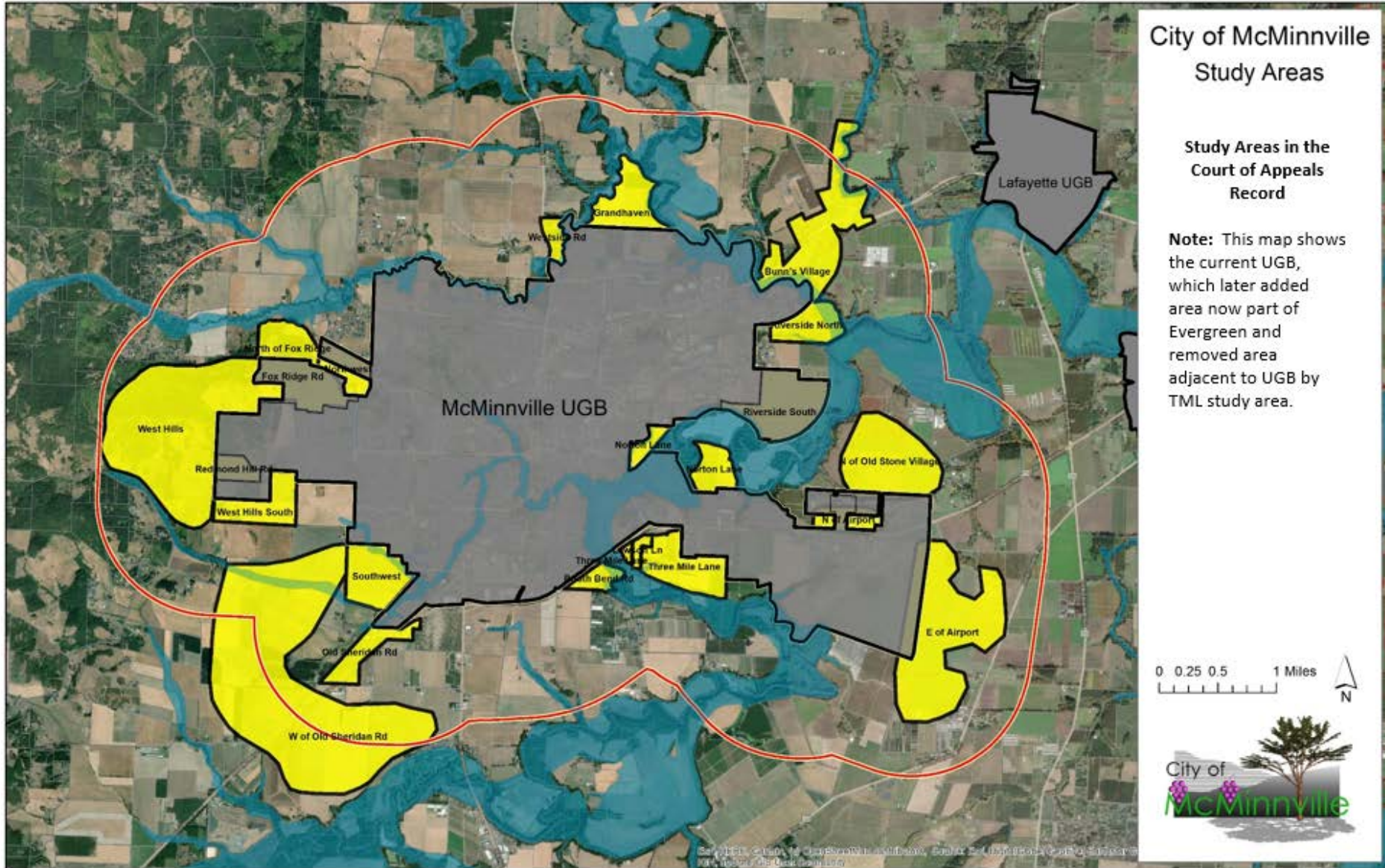
**COURT DIRECTION – STEP TWO:
DETERMINE THE ADEQUACY OF CANDIDATE
LANDS UNDER ORS 197.298 (1) AND (3)**

**PART ONE:
IDENTIFY BUILDABLE LAND IN STUDY AREA**

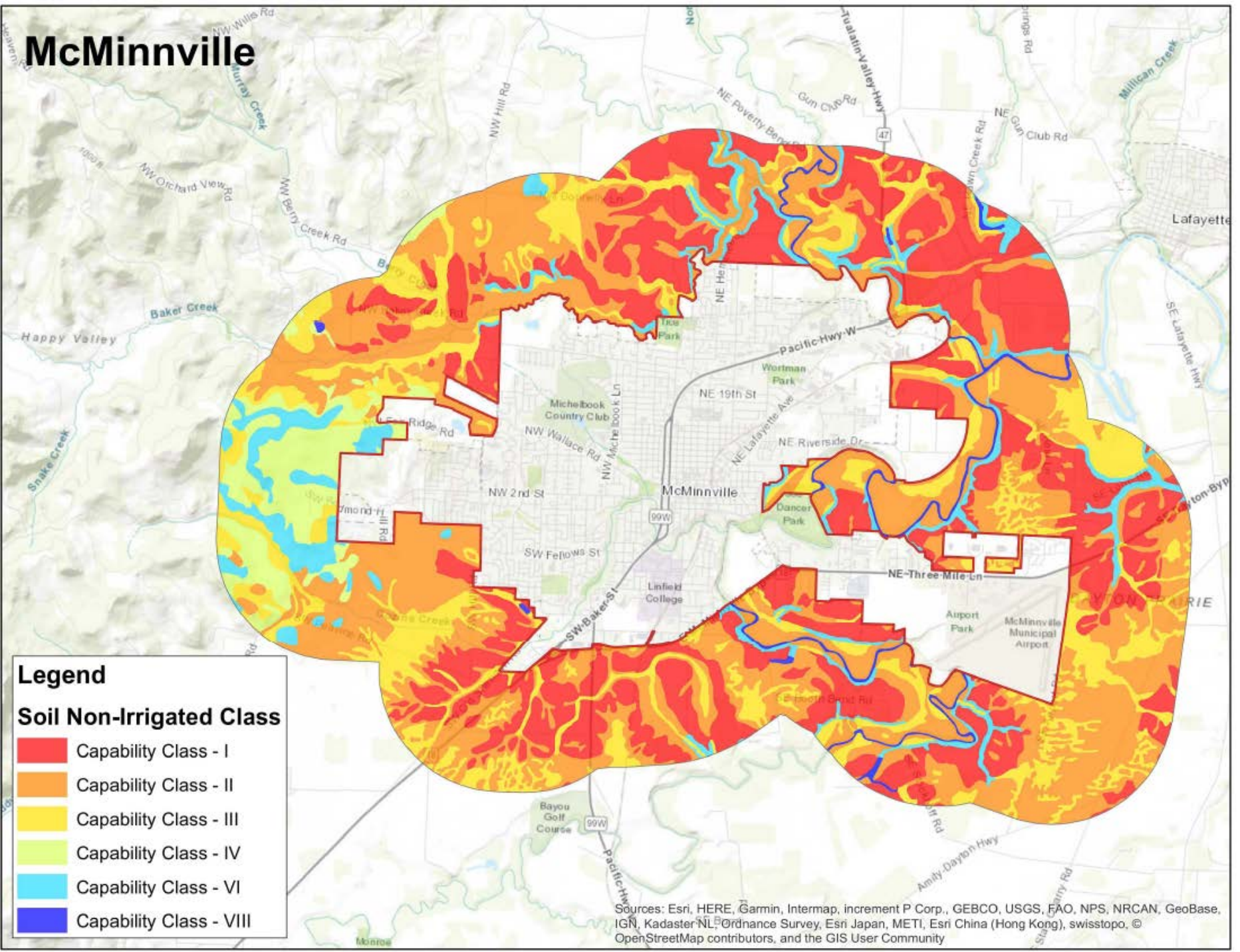
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Map 1. Study Areas in Court of Appeals Record



McMinnville



Legend

Soil Non-Irrigated Class

- Capability Class - I
- Capability Class - II
- Capability Class - III
- Capability Class - IV
- Capability Class - VI
- Capability Class - VIII

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

CITY MGMUP SUBMITTAL

Resource Land Evaluation

The amount of gross vacant buildable land contained within the above described exception land sub-areas-Riverside South, Redmond Hill Road, Lawson Lane, and Fox Ridge Road-is inadequate to meet the previously identified land need for the planning period.

As such, the City has conducted an analysis of the farm and forest lands (resource lands) that surround the McMinnville urban growth boundary to determine their ability to reasonably accommodate the identified unmet land need.

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



CITY MGMUP SUBMITTAL

The City looked first at all resource lands within one mile of the current urban growth boundary that met the following criteria:

1. Resource lands that are surrounded by the existing urban growth boundary, and the Yamhill River, Baker Creek, or Panther Creek;
2. Resource land surrounded on three sides by the existing UGB, non-resource lands, and/or other significant natural or man-made edge (e.g., slope, floodplain or arterial street); and/or
3. Resource land needed to allow extension of public facilities to serve land within the existing UGB.

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



COURT OF APPEALS SUMMARY

“OAR 660-004-0020(2)(b)(C) did not require the city to evaluate any particular alternative site proposed by petitioners.

Instead, the city applied particular criteria (**e.g., within one mile of the 1981 UGB, composition of Class III or IV soils, and within prescribed geographic boundaries**) to inventory the lands to be studied. Petitioners did not object to the city or LCDC that those inventory criteria were unlawful or that they had been misapplied to petitioners' suggested alternative resource lands areas. *Thus, the commission did not err in failing to require the city to study those areas for inclusion.*”

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020

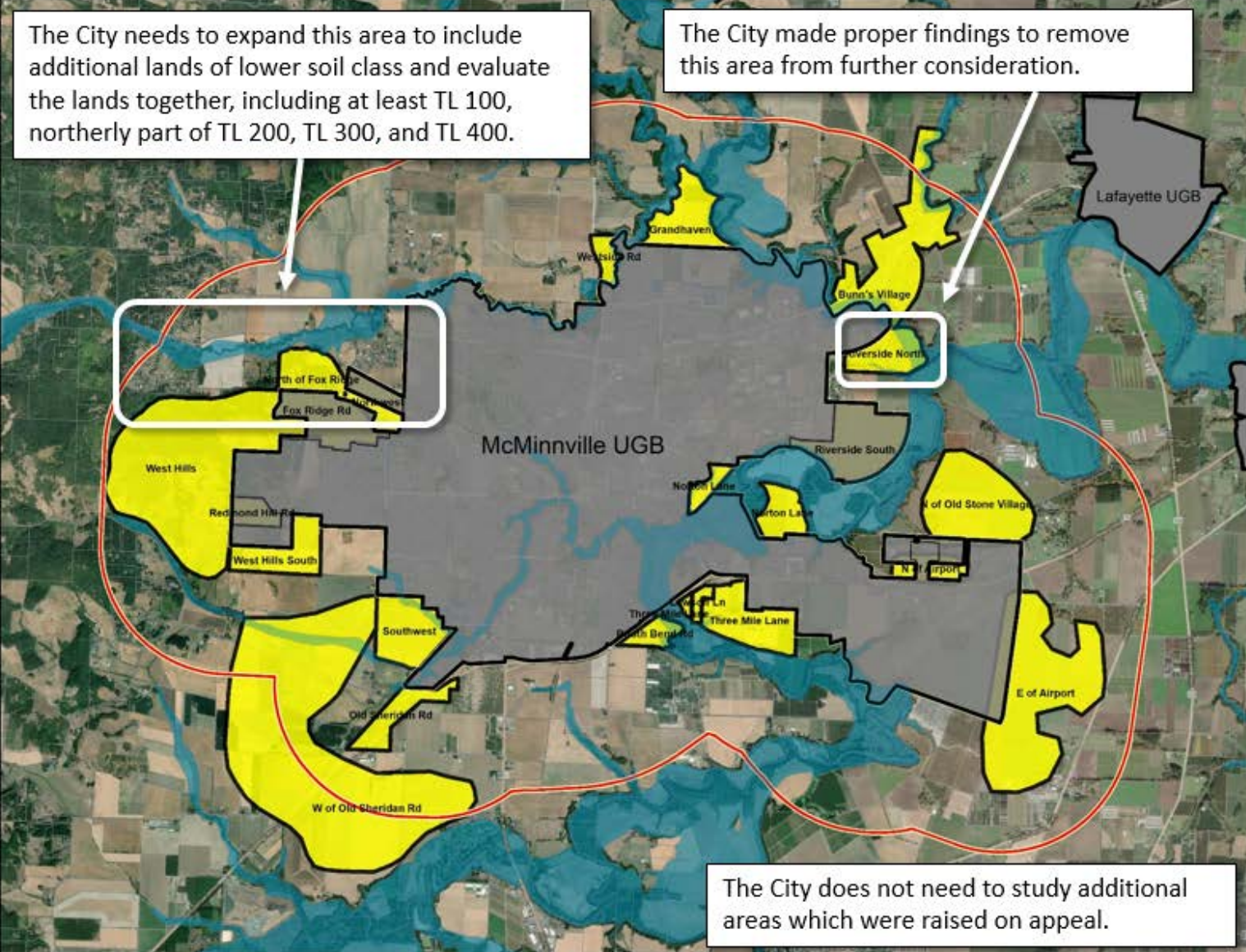


Map 2. Court's Direction Regarding Study Areas

The City needs to expand this area to include additional lands of lower soil class and evaluate the lands together, including at least TL 100, northerly part of TL 200, TL 300, and TL 400.

The City made proper findings to remove this area from further consideration.

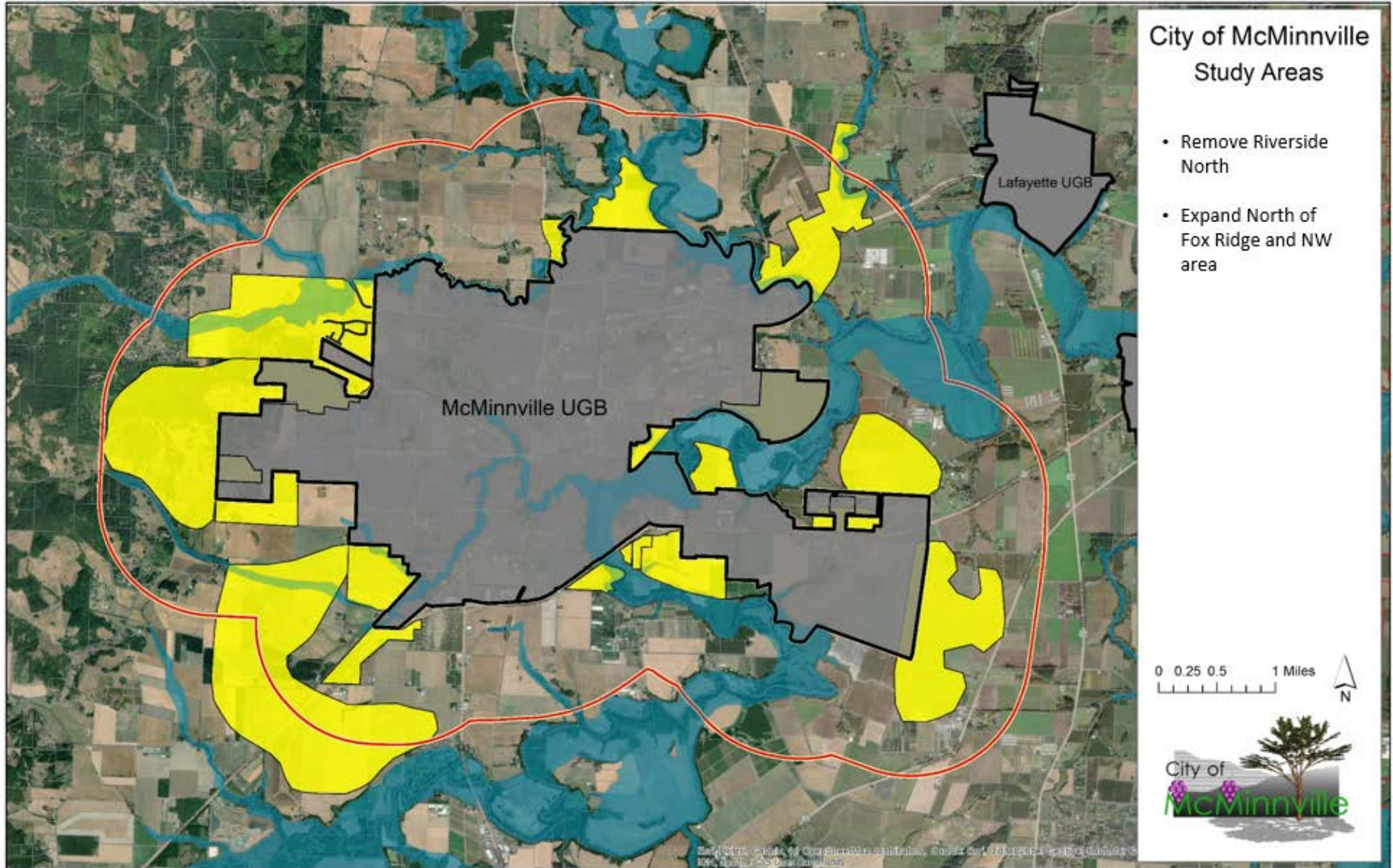
City of McMinnville
Study Areas



The City does not need to study additional areas which were raised on appeal.



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.)

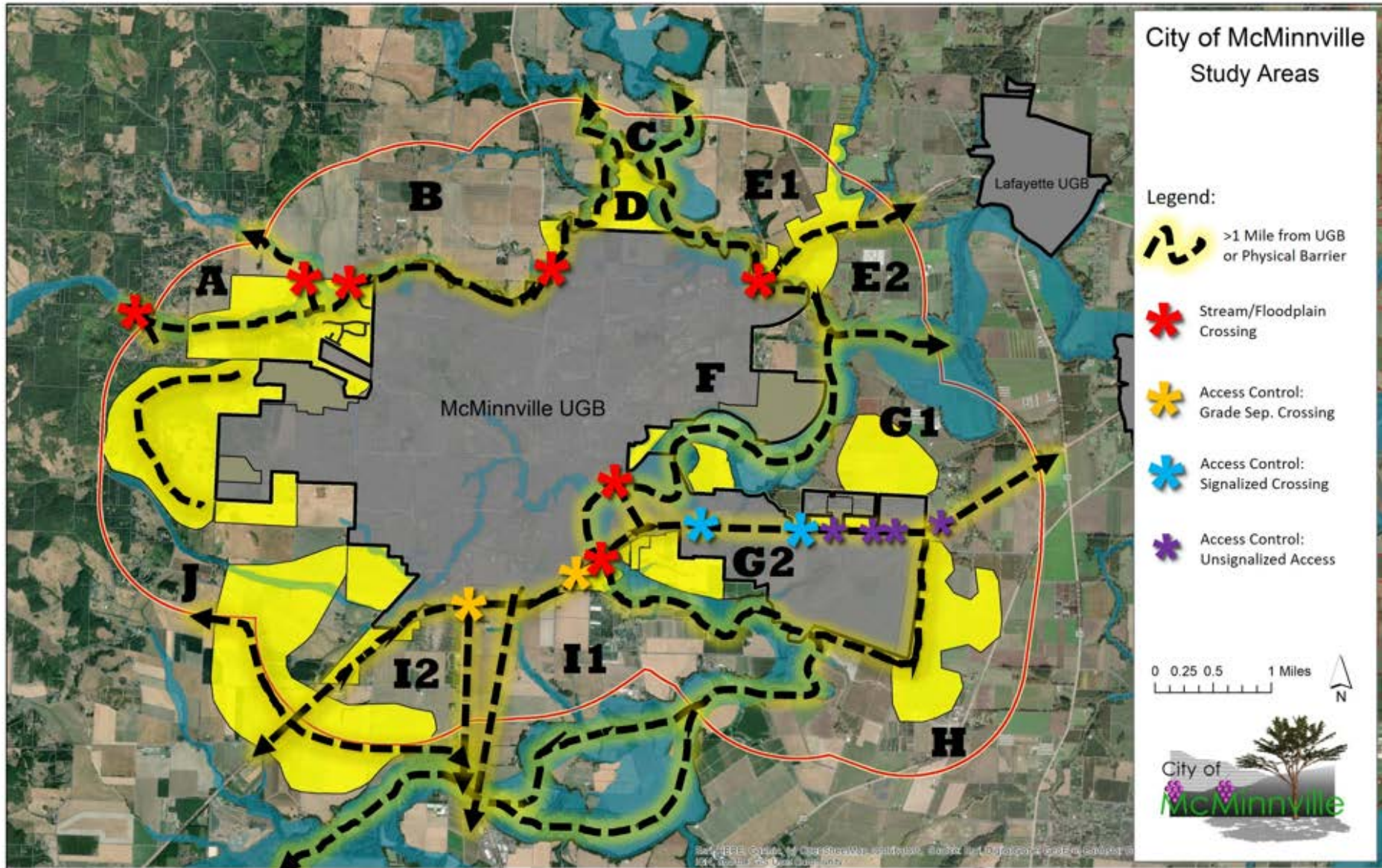
Expansion of the McMinnville urban growth boundary should, therefore, to the extent possible and permitted by law:

- **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**

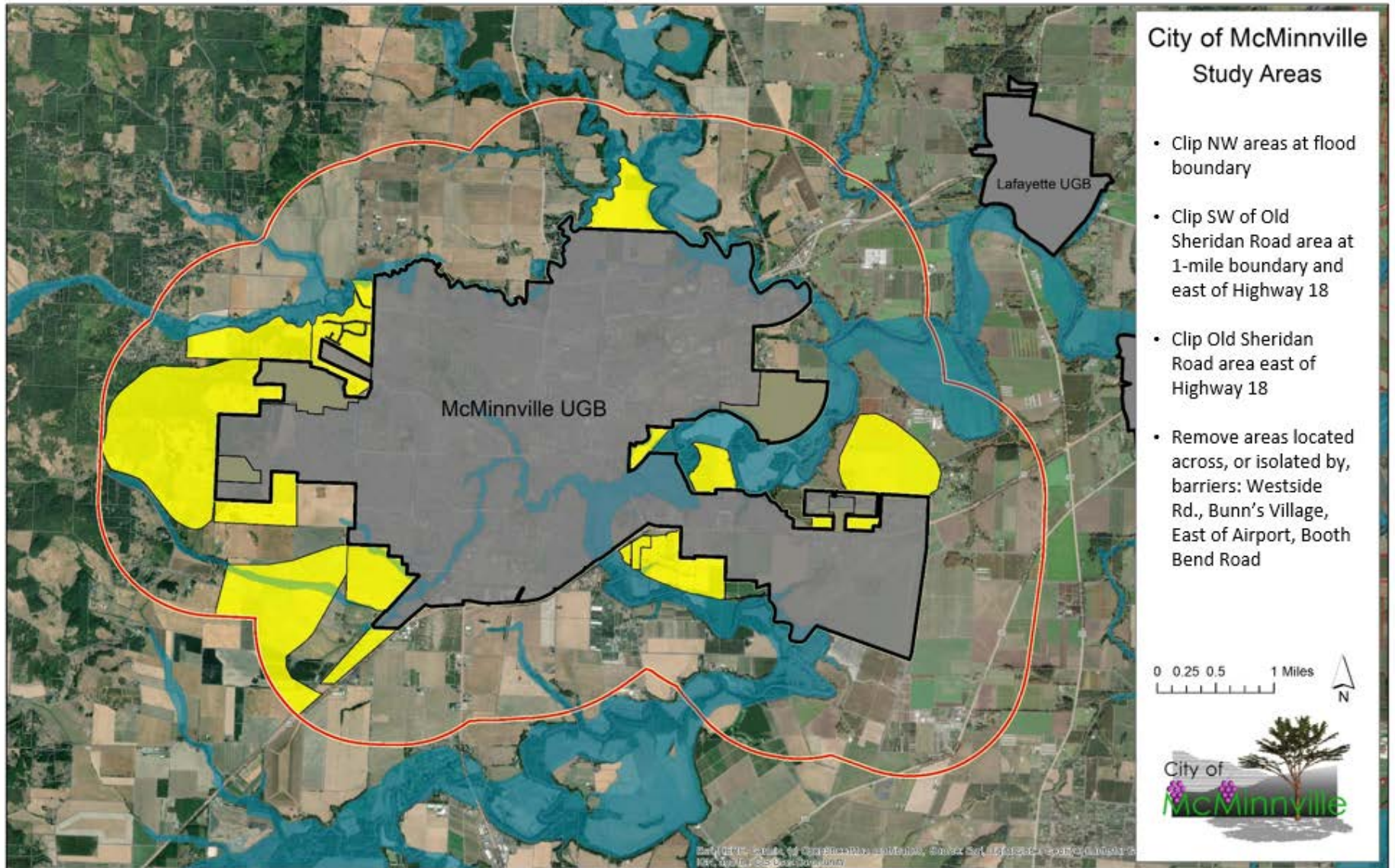
CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



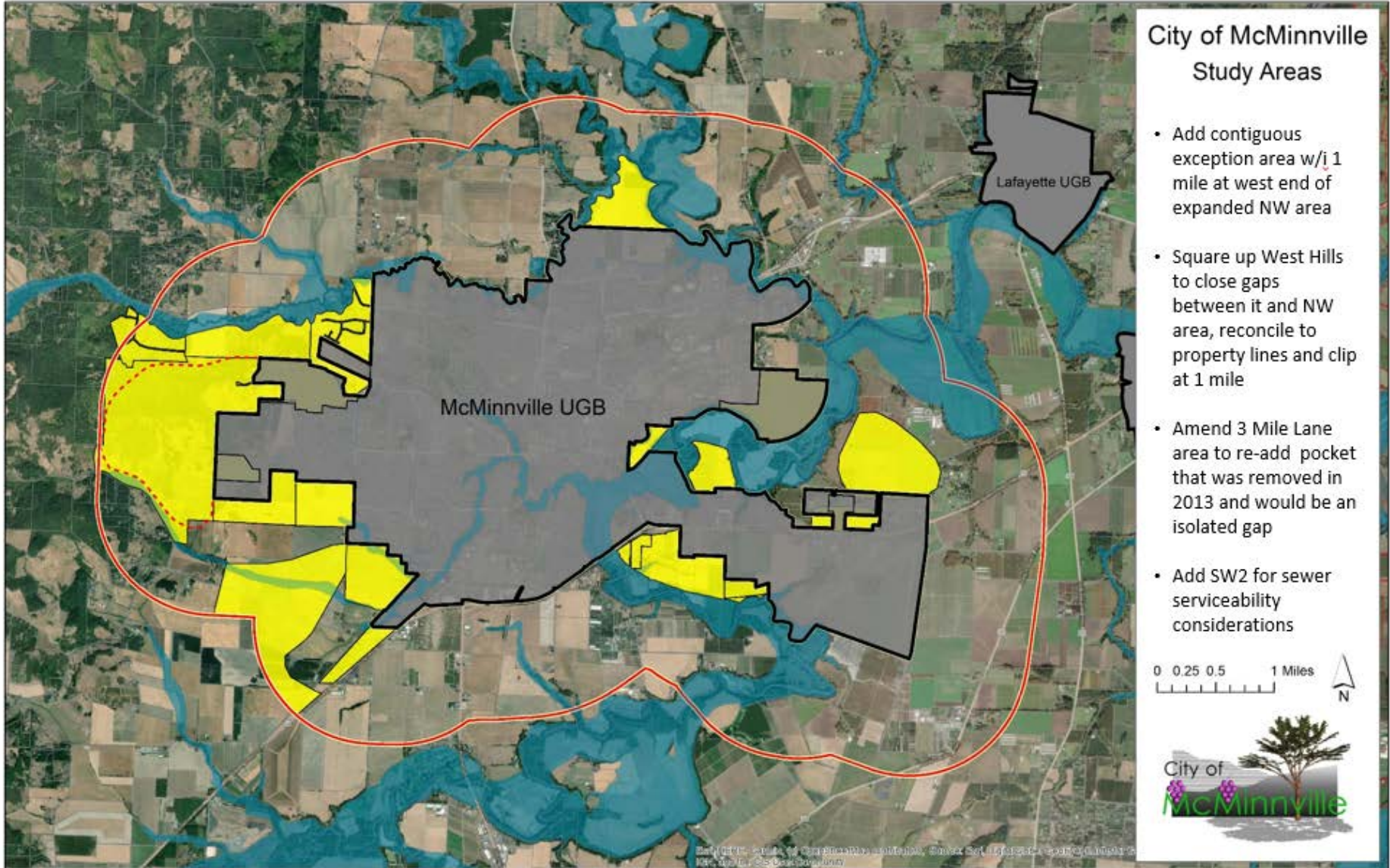
Map 4. Physical Barriers Map



Map 5. Resulting Study Areas After Applying Barriers Filters



Map 6. Further Revisions



REMAND – NEXT STEPS

Tasks - 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

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



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

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



GOAL 7 NATURAL HAZARD STUDY

Purpose of Natural Hazard study:

- Inventory mappable natural hazards
- Consider management options for hazard areas
- Suggest policy/mapping amendments to Comp. Plan.



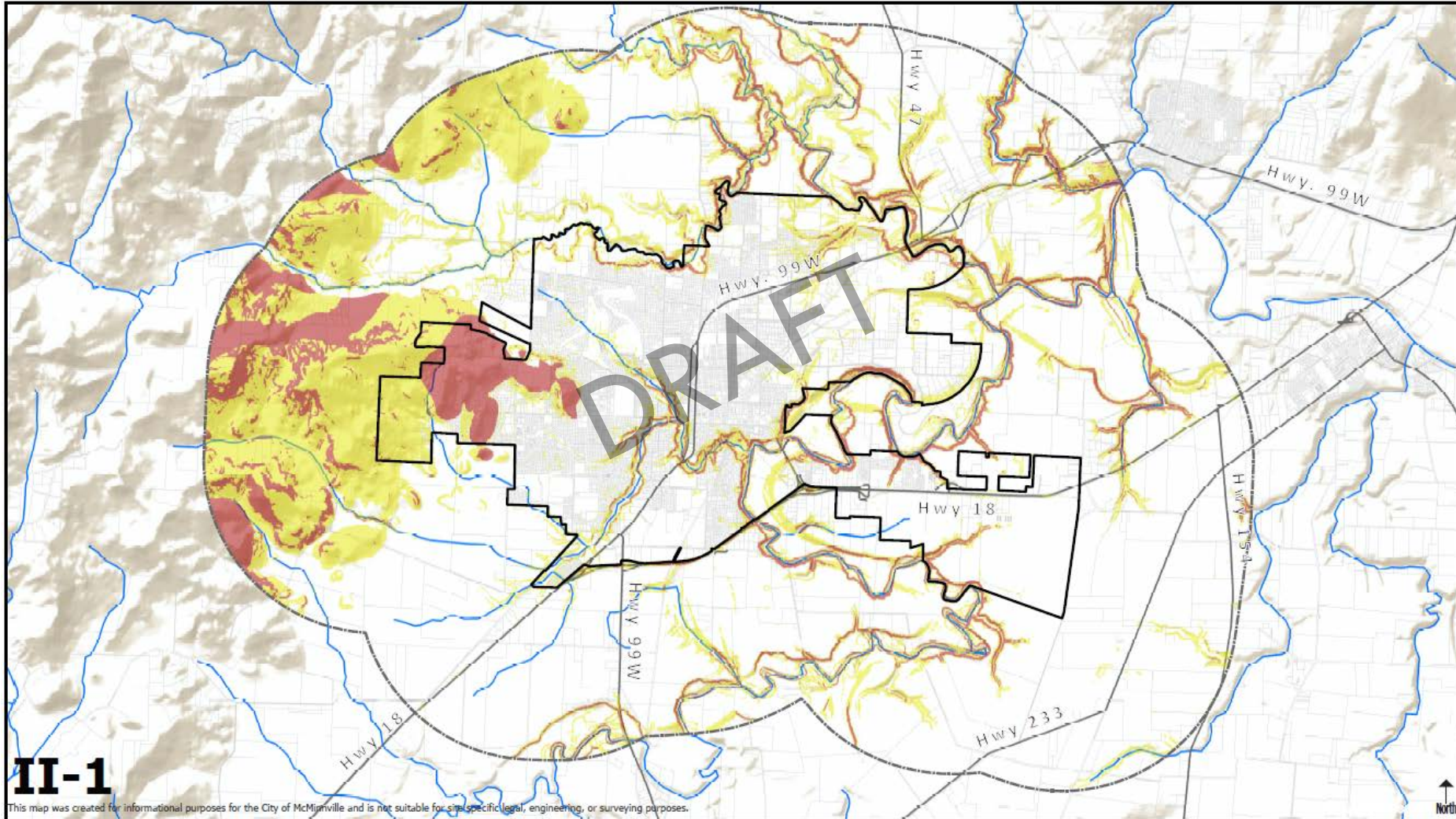
MAPPABLE HAZARDS

- **Geological Hazards**
 - **Landslide**
 - **Steep Slope**
 - **Earthquake Liquefaction**
 - **Earthquake Shaking**
- **Flood Hazards**
- **Wildfire Hazards**
- **Composite Hazards (areas with one or more overlapping hazard)**

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



GEOLOGIC - LANDSLIDES



II-1

This map was created for informational purposes for the City of McMinnville and is not suitable for site-specific legal, engineering, or surveying purposes.

**McMinnville
Geologic Hazards:
Landslides**

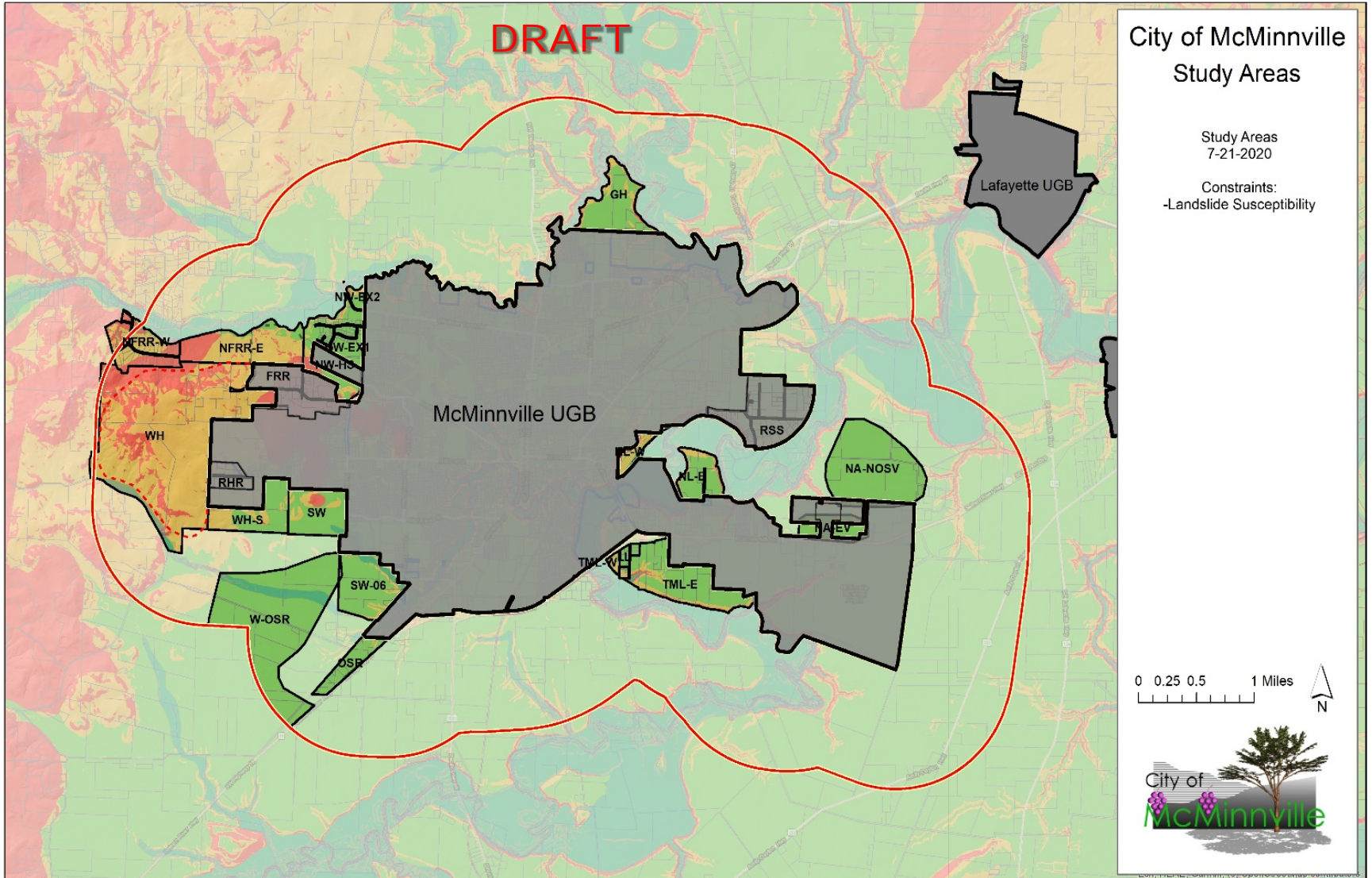
- | | | |
|-----------------------|-----------------------------------|------------------|
| Landslide Risk | McMinnville Urban Growth Boundary | Major Roads |
| Moderate Risk | Study Area (1.5 Miles) | Rivers & Streams |
| High Risk | Tax Lots | |



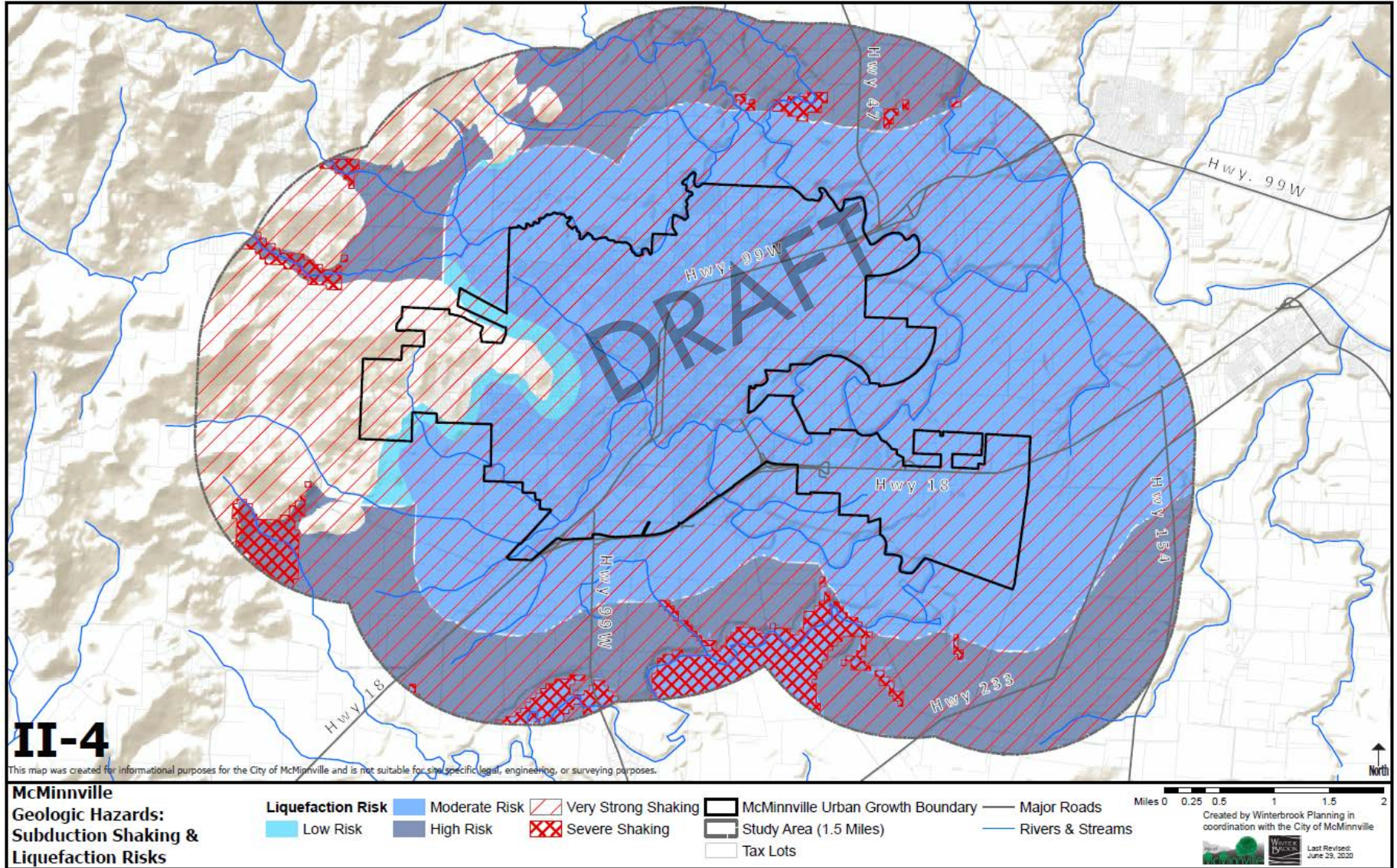
Created by Winterbrook Planning in coordination with the City of McMinnville



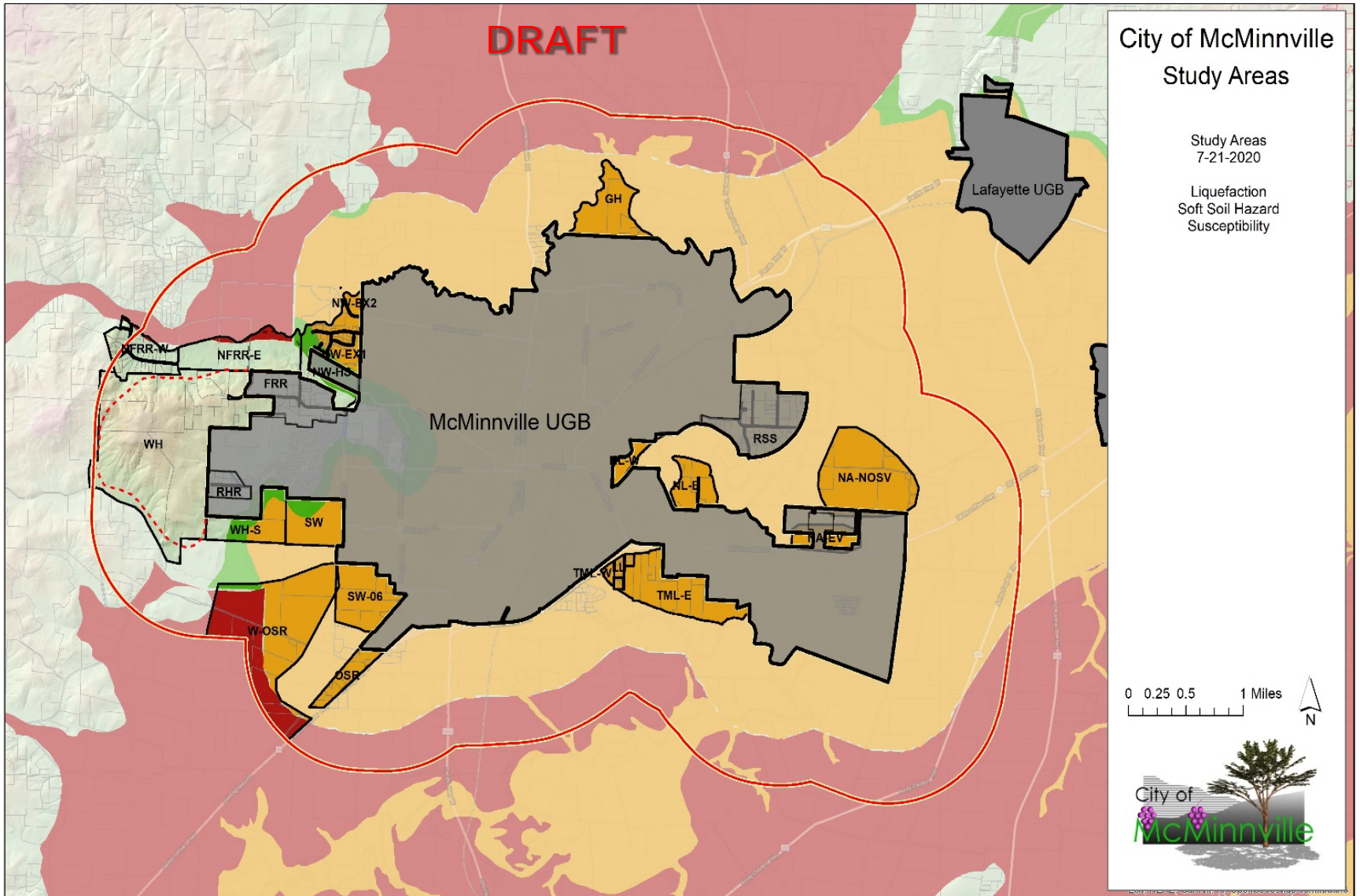
UGB REMAND RESPONSE STUDY AREA- LANDSLIDES



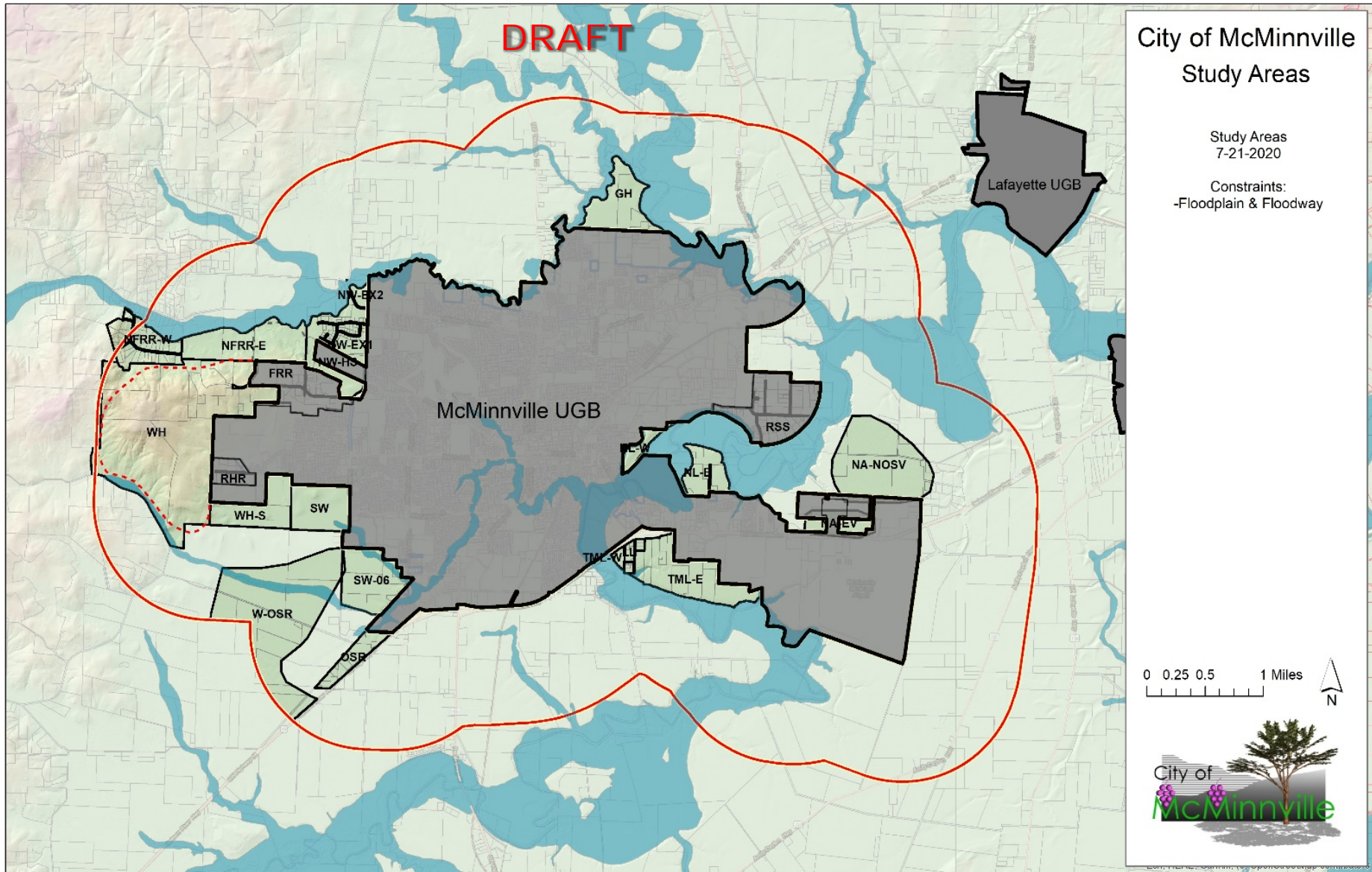
GEOLOGIC – LIQUEFACTION RISK



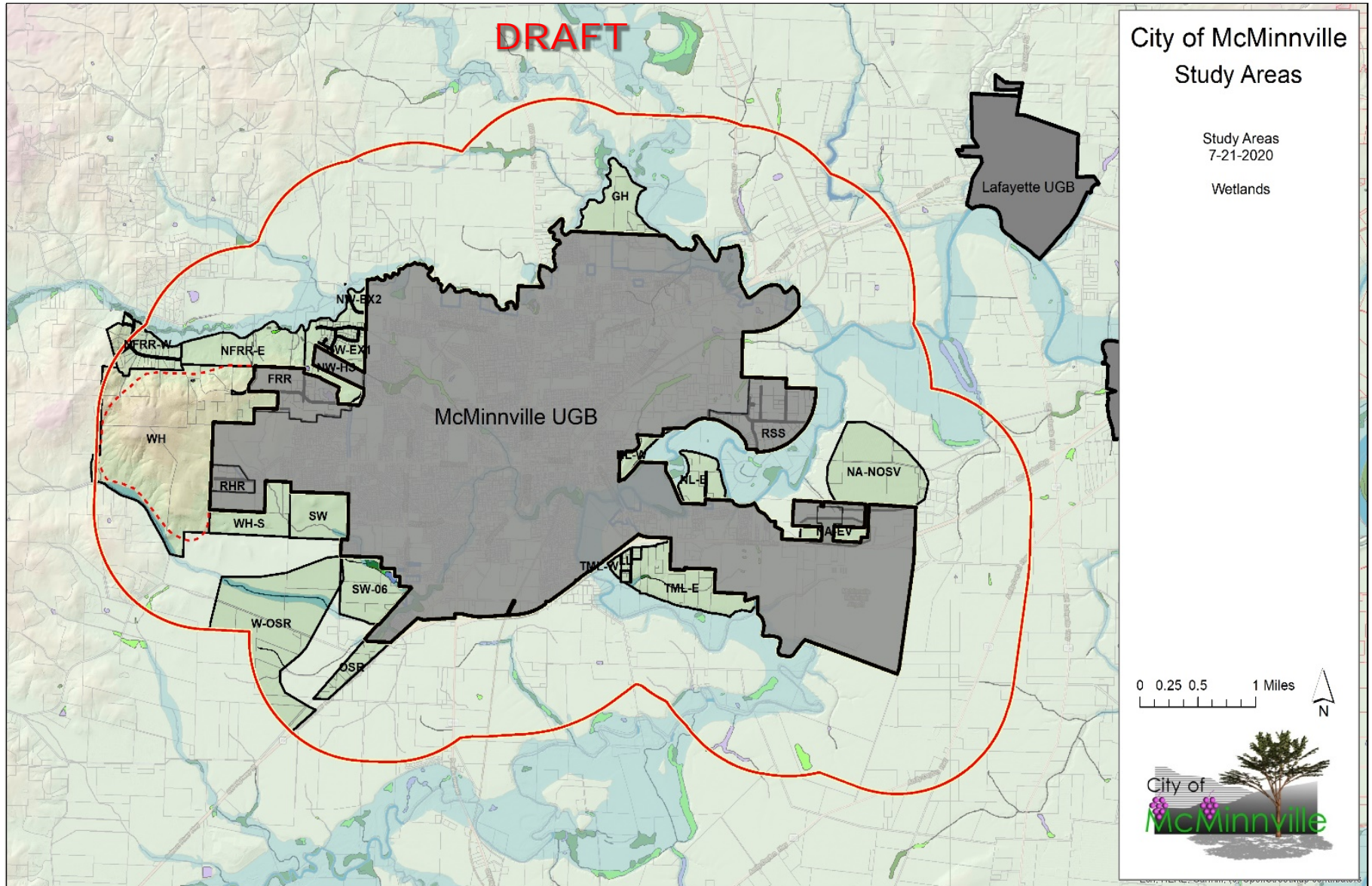
UGB REMAND RESPONSE STUDY AREA- LIQUEFACTION RISK



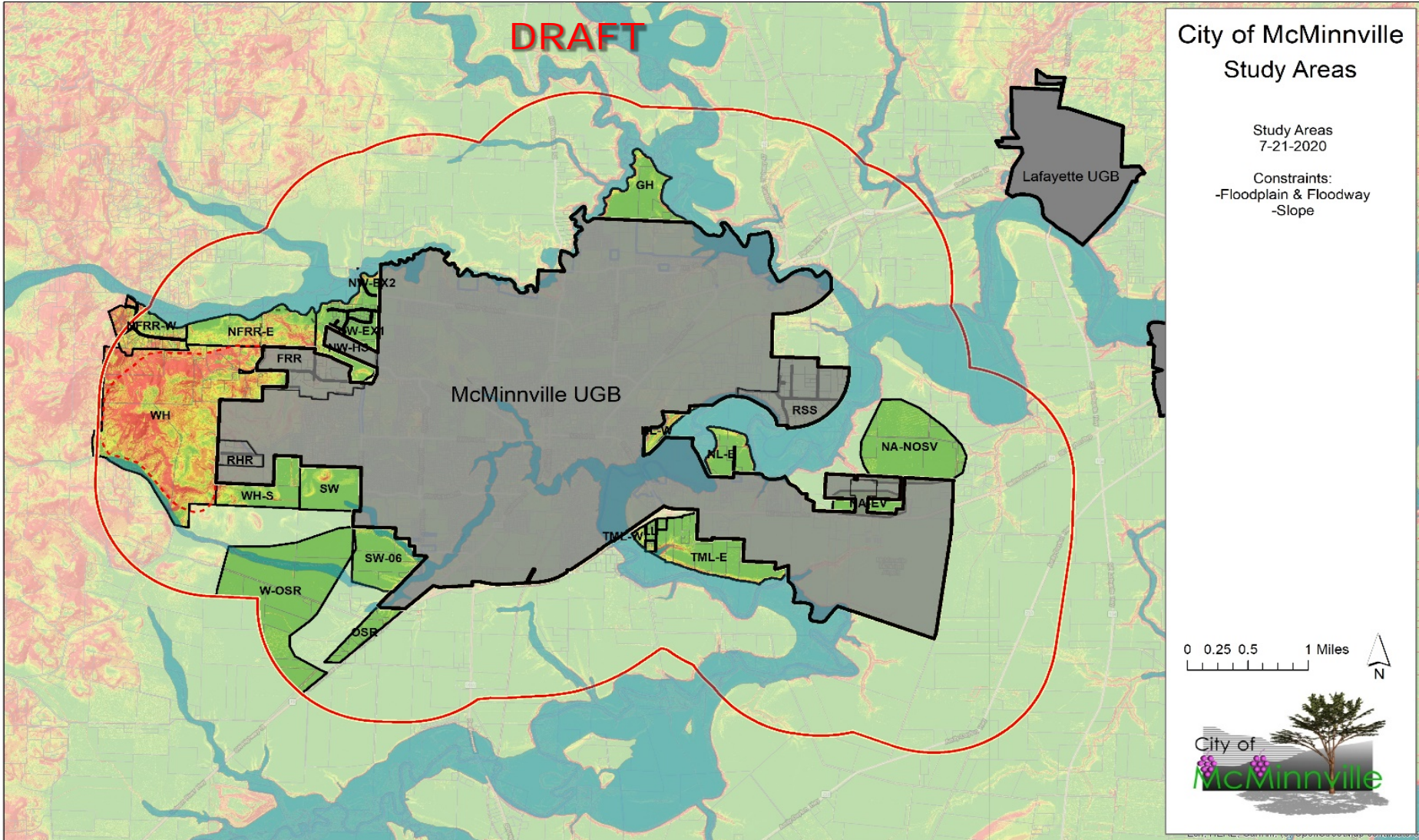
UGB REMAND RESPONSE STUDY AREA - FLOODPLAINS AND FLOODWAYS



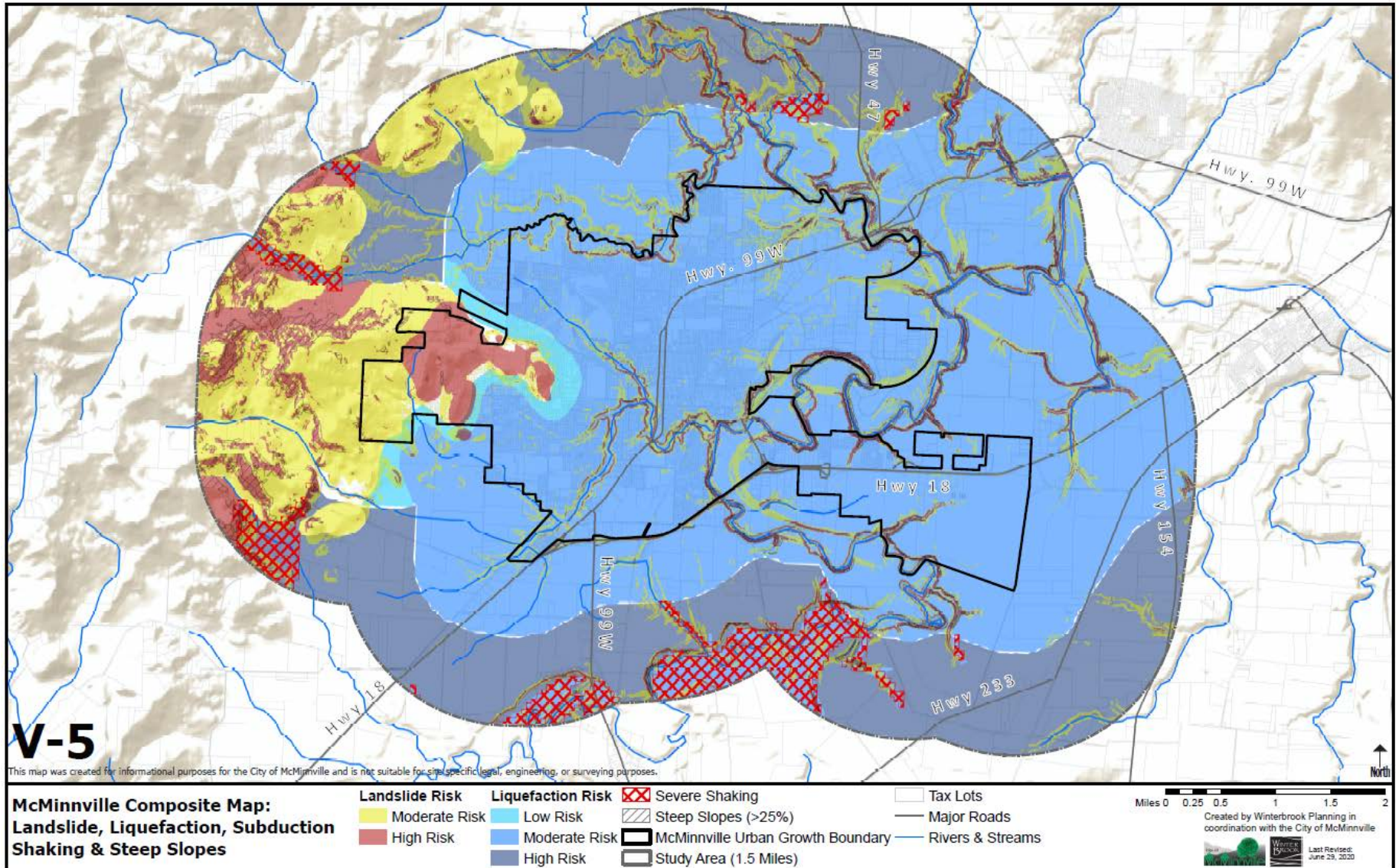
UGB REMAND RESPONSE STUDY AREA - WETLANDS



UGB REMAND RESPONSE STUDY AREA – STEEP SLOPES

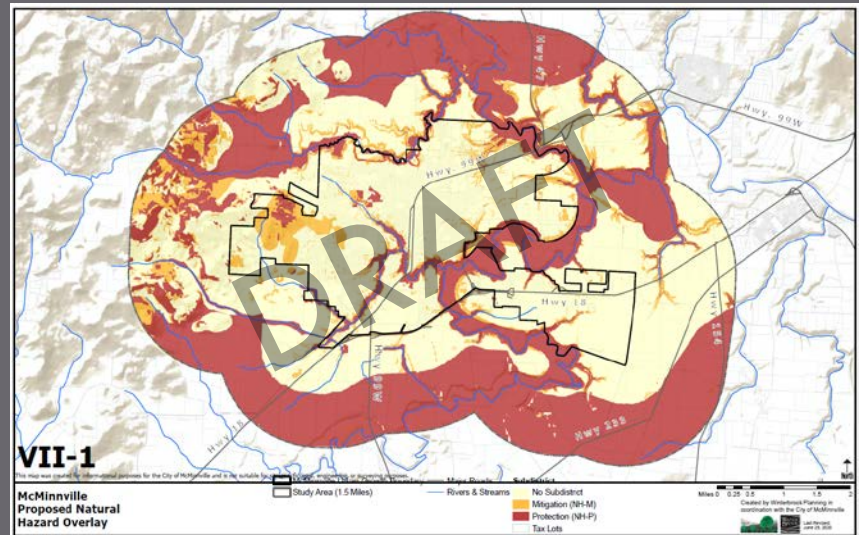


COMPOSITE HAZARD MAP – URA STUDY BOUNDARY



MANAGEMENT/POLICY OPTIONS

- Remand – Evaluate as potential constraint
- Future Policy:
Proposed Natural Hazard Overlay
- Proposed policy framework to help protect life and property from impact of hazards



CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



**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**

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



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

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



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;

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SCREENING CRITERIA –

APPLY GOAL 14 LOCATION FACTORS TO PRIORITY BUILDABLE LANDS MAP

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

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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).

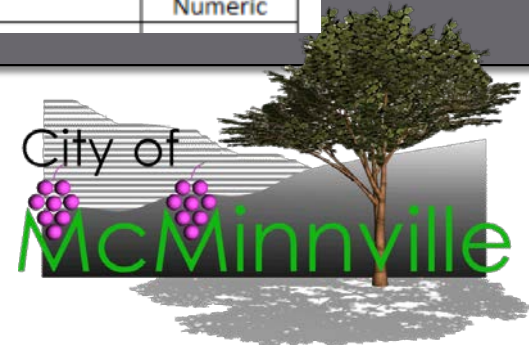
CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



UGB SCREENING CRITERIA

UGB Study Area Screening Criteria									
Goal 14 Factors									
Criteria Applied	3) Orderly and economic provision of public facilities	4) Maximum efficiency at the urban fringe	5) Environment, Energy, Economy, Social Consequences	6) AG Land Retention	7) Compatibility with Ag. uses nearby				
									Basis
Public Facilities									
Extension Costs and feasibility	●	○							\$
Existing Capacity Limits	●	○							\$
Commercial/MFR Housing									
Acres <5% Slope		●							Numeric
Development Costs		●	○						\$
Distance to Services		●	○						Numeric
Annex. Feasibility	○	●							Numeric
Buildable Area		●	○						Numeric

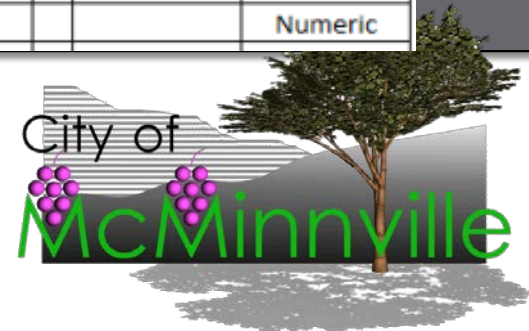
CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



UGB SCREENING CRITERIA

UGB Study Area Screening Criteria							
Goal 14 Factors							
Criteria Applied	3) Orderly and economic provision of public facilities	4) Maximum efficiency at the urban fringe	5) Environment, Energy, Economy, Social Consequences	6) AG. Land Retention	7) Compatibility with Ag. uses nearby	Basis	
Urban Integration							
Buildable Land %		●					Numeric
Bike/Ped Suitability	○	●	●				Qualitative
Neighbor. Continuity		●	●				Qualitative
Transit Access	○	●	●				Yes/No
Hazard Risks							
Landslide		○	●				Numeric
Slope		○	●				Numeric
Liquifaction		○	●				Numeric
Wildfire		○	●				Numeric

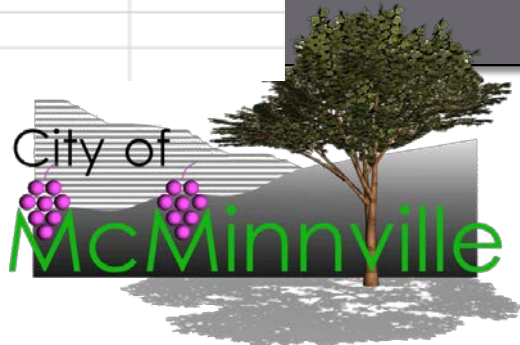
CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



UGB SCREENING CRITERIA

UGB Study Area Screening Criteria											
Goal 14 Factors											
Criteria Applied	3) Orderly and economic provision of public facilities			4) Maximum efficiency at the urban fringe		5) Environment, Energy, Economy, Social Consequences		6) AG. Land Retention		7) Compatibility with Ag. uses nearby	
											Basis
Priority Sequence											
Soil Class (I - VI)								•			Numeric
Priority Standing *								•			Numeric
Other											
Resource Conflict?			•		•					o	Yes/No
Park Accessibility/Suitability			•		•						Qualitative
Trail Accessibility/Suitability			•		•						Qualitative
Ag. Use Conflicts										•	Qualitative
* - ORS 197.298(1)											
• - Primary concern											
o - Secondary concern											

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



UGB SCREENING CRITERIA

Criteria Added for:

Suitability for needed low/moderate income housing and for neighborhood serving commercial.

Hazards including wildfire, liquefaction, severe shaking, landslides.

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



UGB SCREENING CRITERIA

Metric Basis

Numeric - \$/acre, percentage, density

Comparative – Yes/No

Qualitative – Suitability for a use

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



UGB SCREENING CRITERIA

Metric Basis

- 3-point high, medium, low rating
- 5-point scale

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



UGB SCREENING CRITERIA

List of Categories	Source	Description(s)	Developable				Undevelopable	
			Excellent/Very Good 1	Good 2	Fair 3	Poor 4	Very Poor 5	
Slopes	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; 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	
	Floodzone A	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; 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	
	Wetland	City	Presence	None Present; Score = 1	N/A	N/A	N/A	Present; Score = 0
	Vegetation							
Serviceable?	Water	McMinnville Water & Light	Zone Bands based on 140-ft increments (roughly 65 psi)	Zone1	Zone2	Zone3	Zone4	Zone5
	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	
	Bridge Structure Required	City	Water or railroad crossing(s) or other	No need	N/A	short crossing	N/A	Not feasible
	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		Available capacity for additional traffic from development with future forecasts (Level of Service, LOS)	LOS A	LOS B	LOS C and LOS D	LOS E	LOS F	
Existing Roads - Widening		Need for improvements of existing roads for additional traffic from development with future forecasts (Volume-to-capacity ratio, v/c)	v/c < 0.5	0.5 < v/c < 0.6	0.6 < v/c < 0.8	0.8 < v/c < 1.0	v/c > 1.0	

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



UGB SCREENING CRITERIA

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

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



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.**

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



NEXT STEPS

- ❖ **Next Week – Growing McMinnville Mindfully Website**
- ❖ **July 30 – BOCC Presentation**
- ❖ **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**

CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020



GROWTH PLANNING – MCMINNVILLE, Moving Forward Mindfully



CITY COUNCIL UGB REMAND RESPONSE UPDATE, JULY 22, 2020





Growing McMinnville
MINDFULLY