



# *Growing McMinnville* **MINDFULLY**

## **McMinnville Growth Management and Urbanization Plan, 2003 – 2023**

City of McMinnville

Remand Order 12-WKTASK-001814

### **PHASE 1 UGB AMENDMENT FINDINGS FOR LAND SELECTION**

December, 2020

**Attachment 2**

## B. Prioritization and Assessment of Land to Add to the UGB

The selection of which specific parcels of land to add to the UGB is governed by several overlapping standards or sets of standards. ORS 197.298 establishes a system of priorities for selecting land to be added to a UGB. Both ORS 197.298(2) and Goal 14 factor 6 require that land with lower agricultural capability be given higher priority for inclusion. In addition, ORS 197.732(1)(c)(C) and Goal 2, Part II(c)(3) require that the long-term environmental, economic, social and energy (ESEE) consequences resulting from adding the selected areas to the UGB are not significantly more adverse than would result from adding alternative areas to the UGB. Goal 14 Factor 5 also requires consideration of the ESEE consequences of adding the selected areas to the UGB. Finally, pursuant to Goal 14 factors 3 and 4, the consideration of alternative areas should include their relative serviceability and efficiency of location in relation to the existing urban area.

**Findings:** McMinnville has completed an exhaustive parcel-level analysis of the eleven square miles of land that is now contained within its present urban growth boundary. From this analysis it was determined that there exists 1,309.5 acres of vacant buildable land, far less than needed for the planning period.<sup>1</sup> In an attempt to minimize this expansion, and consistent with the requirements of statute, the City has identified several land use measures that, when implemented, will make more efficient use of land within the boundary and, therefore, reduce the identified land need (land use efficiency measures are described in Section V of the *McMinnville Growth Management and Urbanization Plan*). To provide for the remaining, unmet future need, McMinnville must inventory and assess the lands that surround its current boundary to determine those lands that are most appropriate to accommodate future urban development, consistent with Goal 14 and the City's plan policies.

In determining which lands to consider, State statute provides a specific list of priorities that cities must follow. This list, found in ORS 197.298, requires the city look first to "exception land" (land already partially urbanized, land with poor soils for agriculture, or reduced lot size) before considering farm or forestland. More specifically, this statute requires cities to consider lands in the following sequence:

1. Established Urban Reserves;
2. Exception land, and farm or forest land (other than high value farm land) surrounded by exception land;
3. Marginal lands designated pursuant to ORS 197.247;
4. Farm and forest land.<sup>2</sup>

Specific to McMinnville, there are no urban reserve lands adjacent to its urban growth boundary, nor are there marginal lands. The task, therefore, is to first identify and analyze exception lands as to their ability to accommodate future urban land needs and, if inadequate to meet that need, then farm and forestlands are to be considered.

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<sup>1</sup> Of these, 881.1 acres are designated for residential use, 102.4 acres for commercial use, and the balance, some 326 acres, for industrial use.

<sup>2</sup> The City did not analyze sites with predominantly Class I agricultural soils because they are the last resort for inclusion in the urban growth boundary.

Consistent with this directive, the City first mapped and inventoried exception lands that are contiguous to the current urban growth boundary. There are nine such geographically distinct exception sub-areas, identified as follows:

Westside Road

Bunn's Village

Riverside North

Riverside South

Lawson Lane

Booth Bend Road

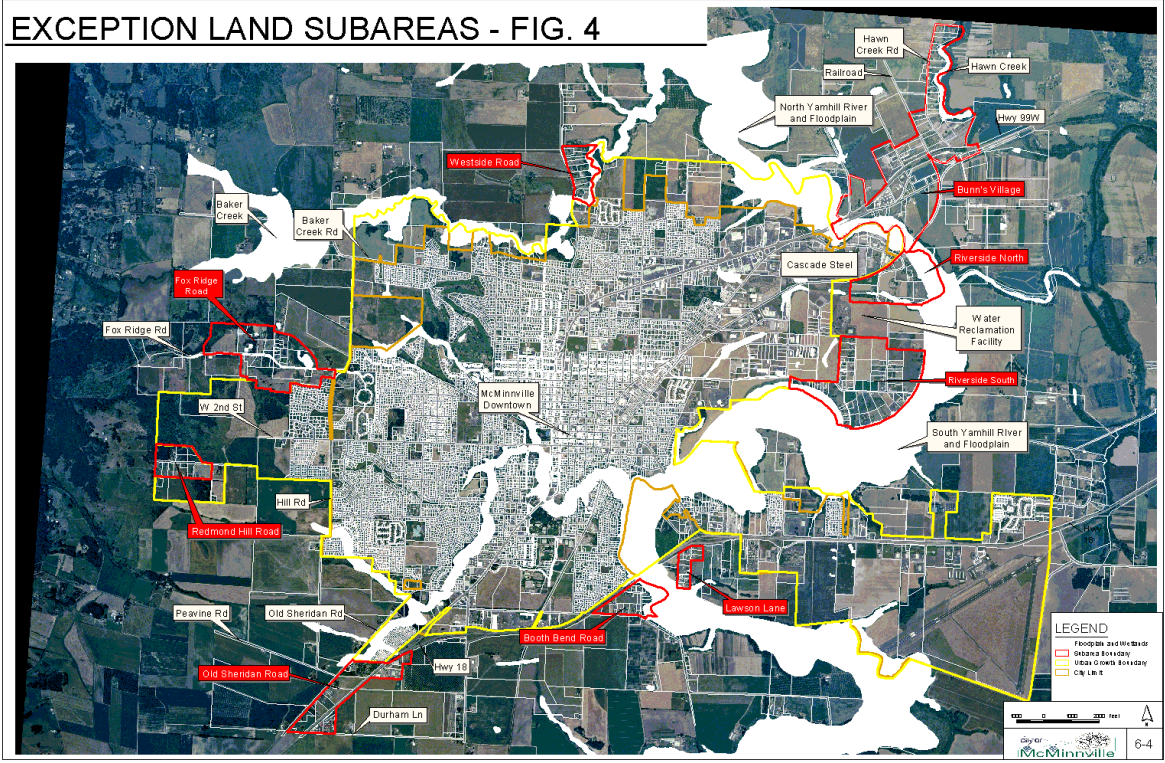
Old Sheridan Road

Redmond Hill Road

Fox Ridge Road

The location of each of the exception sub-areas is provided Map 1.

# EXCEPTION LAND SUBAREAS - FIG. 4



## 1. ORS 197.298

ORS 197.298(1) requires that the following priorities be used in selecting land for inclusion in a UGB (in order of higher to lower priority for inclusion):

- (1) Land designated as an urban reserve under ORS 197.298.

**Finding:** McMinnville has no lands designated “urban reserve,” therefore this criterion does not apply.

- (2) Exception areas or non-resource land adjacent to the UGB.

**Findings:** Following is a summary evaluation of factors affecting urbanization for each of the nine exception areas evaluated as part of the *McMinnville Growth Management and Urbanization Plan, Appendix C*.

**D. Riverside South:** The Council recommends the Riverside South exception area be included in the McMinnville UGB. An evaluation of factors affecting future urbanization of this area follows.

Annexation – Development of this sub-area to urban densities requires that it be annexed to the City of McMinnville. In so doing, urban services necessary to support such development can be extended to it.

A requirement of annexing property to the City is that it be contiguous to the current city limits. As that criterion applies to this particular sub-area, the McMinnville city limit line generally forms this sub-area’s western boundary. However, occupying this length of this portion of the sub-area’s boundary is the McMinnville Industrial Promotions industrial park property on which exist, or are planned to exist, heavy industrial uses; the land is zoned M-2, General Industrial.

There are 13 partially vacant or vacant parcels within this sub-area that are contiguous to the current city limits. These parcels are located along Riverside Drive and Blossum Drive; 11 of which are identified as partially vacant, and two as vacant. The vacant parcels are 0.44 and 1.36 acres in size, and the remaining 11 parcels provide a total of 16.14 acres of buildable land averaging 1.24 buildable acres per parcel with an average improvement value of \$67,337 per parcel. Successful annexation of either of the two largest areas of buildable land, as previously identified, are dependent upon successful annexation of one or more of these partially vacant or vacant properties. The largest of these parcels yields 7.02 gross acres of buildable land, while the others average only 0.76 acres of buildable land each and are generally not contiguous. Given the road and utility improvements necessary to provide urban services to these sites, and the small amount of developable land within which to recoup such improvement costs, it is not likely that these properties would individually request annexation. A series of parcels including one of the larger development opportunity areas seeking annexation together would make necessary improvements more economical per developable acre. As in any annexation proposal, it will be incumbent upon the applicant(s) to seek, and gain, approval from the City Council and the electorate, to annex to the city. Critical to that request would be public improvement plans demonstrating the ability to provide sufficient services and transportation opportunities to support and serve urban development.

*Transportation* – Upon entering the sub-area from the west, Riverside Drive extends easterly some 1,900 feet and then turns 90-degrees to the north and extends an additional 1,900 feet before exiting the sub-area across resource zoned land.

Connecting to Riverside Drive and creating a large rural loop road to the south is Riverside Loop. While Riverside Loop has been platted to continue northward an additional 1,650 feet to terminate in another cul-de-sac, these improvements have never been put in place and this land is currently being farmed. Riverside Loop forms the majority of the southern and eastern edges of the sub-area. Additionally, Blossum Drive and Walnut Avenue extend northerly from Riverside Drive as previously described. All roads within the Riverside South sub-area are classified as rural roads<sup>3</sup> by Yamhill County.

Most roads within the sub-area are currently below minimum Yamhill County road improvement standards in terms of both right-of-way dimensions and construction, and all are below City of McMinnville standards. Riverside Drive, along this length, is improved with an approximately 25-foot wide paved section providing two travel lanes; one in each direction. All of the roads within this sub-area are devoid of curbs, gutters, bike lanes, sidewalks, lighting and storm drainage. Some of the other more notable deficiencies include streets lacking any form of paved surface and all of the cul-de-sac streets greatly exceed the maximum length as per the local standard. Residences are arranged along all of these roads.

Additionally, the eastern intersection of Riverside Drive and Riverside Loop is characterized by a sharp, more than 90 degree, sweeping turn and a steep grade change. Any urbanization of this area would, at a minimum, require the realignment of this intersection and softening of this grade change.

In addition, reconstruction of the subgrade of certain portions of the remaining alignment would also likely be necessary. As the entire eastern and southern portions of Riverside Loop exist within the 100-year floodplain, permits would be necessary from the Department of Environmental Quality, the Army Corps of Engineers, and the Oregon Division of State Lands to allow necessary landform modifications and improvements. The cost of these permits and atypical engineering and surveying costs would be added to the typical cost of such improvements. More importantly, development along this road would only be permitted to occur on the north side, the area outside of the floodplain. By allowing development to occur on only one side of the street it will likely be economically unfeasible to develop further those properties adjacent to Riverside Loop. As such, to serve the nineteen or so acres of developable land within the interior of Riverside Loop, a new series of local streets, all connecting directly to Riverside Drive, would need to be constructed. This would require the cooperation of the ten or so affected property owners. The affected property owners would pay this street improvement, and all others required to support further urbanization within the sub-area, as part of their development, through a local improvement district, or other financing means.

In addition to this transportation improvement, all streets within this sub-area are in need of substantial improvement, including additional right-of-way, in order to bring them up to standards required to permit urban density development. In addition, the sub-area would need to be master planned to identify opportunities for additional local street

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<sup>3</sup> A local county road designation with an average daily traffic volume of 500 vehicles or more: Yamhill County Transportation System Plan (1996).

access (for example, local connecting streets between Blossum Drive and Walnut Avenue) in order to achieve a reasonable level of urban development opportunities.

Urban Form – While the clustering of housing types and costs in a pedestrian friendly environment promotes interaction among a variety of socio-economic groups and creates an overall greater sense of community, this will be difficult to achieve within this sub-area. As with the Riverside North sub-area, this is due in no small part to the adjacent and nearby industrial uses previously described which generally do not make visually pleasing or otherwise compatible or preferred neighbors to residential uses. These uses will have a negative effect upon the quality of life for future residents of the sub-area.

In addition to these considerations, it is important to note the distance from the centroid of this sub-area to other supportive urban services. Notably, the nearest elementary and middle schools are located some two miles away. Similarly, the nearest general commercial area where daily goods and services could be obtained is also located about two miles away from the center of this sub-area as is the nearest place of worship. In sum, there are no supportive services within a reasonable proximity to this sub-area given the travel distances as described.

As with the Riverside North sub-area, entrance into this sub-area from either available direction requires travel through established heavy industrial areas. Specifically, entering from the south first requires travel through the Riverside Drive industrial area within which is found the McMinnville Industrial Promotions industrial subdivision and other industrial sites. Entering the sub-area from the north requires travel through an industrial area dominated by the Cascade Steel Rolling Mill, Kizer Excavating, and the slag storage and shipping operation of the Cascade Steel mill, and travel alongside the gray watering fields of the municipal Water Reclamation Facility. With this sub-area being bordered on all sides by land zoned for either industrial or resource use, it is possible to consider that land within this sub-area, if urbanized, may be better suited for non-residential development.

**H. Redmond Hill Road:** The Council recommends the Redmond Hill Road exception area be included in the McMinnville UGB. An evaluation of factors affecting future urbanization of this area follows.

Water Service – McMinnville’s current water distribution system is designed as a single-level pressure system providing service to those properties situated between 100 feet and 275 feet in elevation. The subject sub-area is situated at elevations that range from 280 feet (extreme eastern corner of the sub-area) to 490 feet (western portion), almost the entirety of which sits well above the current water service level. Provision of public water to this area will require considerable expense, estimated to exceed \$3.4 million.

Transportation – Redmond Hill Road provides the only current public means of vehicular access within this sub-area. The right-of-way dimension for this gravel surfaced, Yamhill County local road measures 30-feet in width. As a prerequisite to allowing urban density development, the road would need to be improved to City standards. As such, this would require an additional 20-feet of right-of-way width, removal and reconstruction of the existing subgrade, construction of a paved travel surface a minimum of 26-feet in width, 5-foot wide sidewalks on both sides of the street, and curbs and gutters.

Typically, additional right-of-way width can be acquired as part of development that may occur adjacent to substandard streets or roads, such as Redmond Hill Road. However, in this particular case, there is existing development that fronts this road, making it difficult to acquire the needed right-of-way in this fashion. The other alternatives include purchasing the needed right-of-way, using eminent domain authority to acquire it, participation in a local improvement district or alternate road improvement financing mechanism, or constructing a modified City local residential street section in the existing right-of-way (no public sidewalks; no planting strip).

Slope, existing development patterns, and lack of additional public rights-of-way combine to make traffic circulation within this sub-area, and to adjoining properties, problematic.

Property Values, Existing Development Patterns – The nine partially vacant properties within this sub-area yield buildable acreages ranging in size from 0.38 acres to 5.55 acres, and average 2.08 acres. Improvement values of these parcels average \$151,611, while the combined improvement and land value of these nine parcels is \$365,197. Of these partially vacant parcels, only two yield buildable acreages greater than five-acres in size. The remaining seven parcels yield buildable acreages all less than two acres in size.

**I. Fox Ridge Road:** The Council recommends the Fox Ridge Road exception area be included in the McMinnville UGB. An evaluation of factors affecting future urbanization of this area follows.

Annexation – Development of this sub-area to urban densities requires that it be annexed to the City of McMinnville. In so doing, urban services necessary to support such development can be extended to it.

A requirement of annexing property to the City is that it be contiguous to the current city limits. As that criterion applies to this particular sub-area, the city limits line forms this sub-area's southern boundary. However, it is important to note that occupying approximately 2,720 linear feet of this 3,980-foot long southern boundary (nearly 70 percent) is the property owned -- and developed -- by the Masonic Cemetery. There is but one other private property, located to the immediate east of the cemetery, which also borders the current city limits. Given that the cemetery is developed, and that there is no conceivable benefit that would accrue to this property from annexation to the City, it is reasonable to assume that owners of the cemetery property would not take such action in the future. That being the case, urbanization of this sub-area rests solely upon the property owner of Tax Lot 4419-2000 (a partially developed, 19-acre parcel), to seek, and gain approval from the electorate, to annex that property to the city. That annexation, however, does not solve the problem for other properties in the sub-area to urbanize.

Bordering this 19-acre parcel to the north, across Fox Ridge Road, are two privately held parcels; at least one of which must also annex in order to provide the opportunity for any other properties within this sub-area to annex. One of these, identified as Tax Lot 4418CC-1000, is classified as "developed" and is occupied by a single-family residence and outbuildings. The other parcel, identified as Tax Lot 4418CC-101, is classified as "partially vacant." The improvements on this particular property, however, consist of the former gravel borrow pit (now a lake), and a residence of which the improvement value



is in excess of \$280,000. In addition, the “vacant” portion of this parcel measures approximately 1.3 acres in size and is situated in the extreme northern portion of the site, behind the existing residence.

In summary, existing development, and this sub-area’s situation relative to the existing city limits, presents a significant challenge to its ability to be annexed and urbanized.

Water Service – McMinnville’s current water distribution system is designed as a single-level pressure system providing service to those properties situated between 100 feet and 275 feet in elevation. The subject sub-area is situated at elevations that range from 255 feet (extreme eastern corner of the sub-area) to 445 feet (western portion), the vast majority of which sits well above the current water service level. Provision of public water to this area, as described previously, will require considerable expense, estimated to exceed \$3.4 million.

Transportation – Fox Ridge Road is the only current public means of vehicular access within this sub-area. The right-of-way dimension for this Yamhill County road measures 40-feet in width. Within this has been constructed a paved surface that averages 25-feet in width. Gravel shoulders are situated on either side of the paved travel surface. To accommodate urban density development, the road would need to be improved to City standards. As such, this would require an additional 10-feet of right-of-way width, removal and reconstruction of the existing subgrade, construction of a paved travel surface a minimum of 26-feet in width, 5-foot wide sidewalks on both sides of the street, and curbs and gutters.

Typically, additional right-of-way width can be acquired as part of development that may occur adjacent to substandard streets or roads, such as Fox Ridge Road. However, in this particular case, there is a significant amount of existing development that fronts this road, making it improbable to acquire the needed right-of-way in this fashion. The other alternatives include purchasing the needed right-of-way, using eminent domain authority to acquire it, or constructing a modified City local residential street section in the existing right-of-way (sidewalks at the curb; no planting strip).

There are also within this sub-area several long private drives that provide access to existing residences. The width, length, improved condition, and number of residences that currently take access from these will not permit their use for further residential development, under City standards. As such, further partitioning or subdividing of buildable land located adjacent to these drives may require the dedication and improvement of public rights-of-way to provide the required access.

Slope, existing development patterns, and lack of additional public rights-of-way combine to make traffic circulation within this sub-area, and to adjoining properties, problematic.

Property Values, Existing Development Patterns – The developed residentially zoned properties within this sub-area average 0.76 acres in size and about \$212,000 in combined land and improvement value. The residentially zoned partially vacant properties, of which there are 15, range in size from 0.87 acres to 24.1 gross acres, and average 6.37 acres in size. In value, the improvements found on these parcels average \$162,781; land averages \$239,797. All but four of these partially vacant parcels yield

buildable acreages that are less than four acres in size. Their average combined improvement and land value for these 15 parcels is slightly more than \$386,500.

Of further note is the arrangement of the vacant and larger partially vacant parcels. In particular, the largest partially vacant parcel in the sub-area (24.1 acres in size, 18.6 acres of which are vacant) is located in the extreme northwest corner. This property borders other non-resource land only on the east; property owned by McMinnville Water and Light. As such, unless McMinnville Water and Light annexes their property to the City, and provided that other properties annex first to even allow this possibility, this partially vacant property will not be able to develop to urban densities.

### **Summary Analysis and Conclusions: Exception Lands**

Once a city has determined that there is a need for additional land outside its existing urban growth boundary, and what the nature and extent of that need is, the priorities of ORS 197.298 apply. This statute appears to make clear that exception lands must be included in the urban growth boundary unless one or more of the following circumstances exist:

- A. Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;
- B. Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or
- C. 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. [1995 c.547 §5; 1999 c.59 §56]

In order to determine if exception lands are to be included in the amended urban growth boundary the City must determine if any or all of these nine sub-areas can reasonably accommodate its identified land needs.

The “McMinnville Residential Land Needs Analysis” concludes that the city will require land to accommodate approximately 6,014 new dwelling units during the planning period. It further concludes that, in contrast to the preceding fourteen years time, there will be need for an increased percentage of multi-family, or single-family attached, housing to address the housing needs of McMinnville households at all income levels. In addition, there will continue to be a shift toward smaller single-family lot sizes, similar to recent development trends. These changes will cause future residential densities to increase dramatically from what was experienced in the preceding fourteen years time by some 22 percent (from 5.9 dwelling units per net acre to 7.2 dwelling units per net acre).<sup>4</sup>

To meet these demands the City proposes to implement a number of land use measures that would help to satisfy these future housing needs. The cornerstone of these measures is the creation of neighborhood activity centers, or areas within the city that are appropriate for and capable of accommodating neighborhood commercial development and higher density housing. This type of development is dependent upon locations along arterials and collector streets, in

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<sup>4</sup> It is important to note that all projected low density, single-family detached housing needs can be accommodated on lands within the existing McMinnville urban growth boundary. Therefore, no additional land for such housing is needed beyond the current UGB. The residential expansion need, therefore, is for lands that are suitable for relatively higher density housing.

areas well served by public facilities and streets, and in areas that benefit from close proximity to other schools and support services.

In addition to these residential land needs, the City has documented a need for approximately 314 acres of public parkland, 96 acres for public school use, and 193 acres for future commercial development. As described above, much of this commercial need would be met by the implementation of neighborhood activity centers.

Beyond the requirements of law, for purposes of good planning, land should be suitable for the intended use.<sup>5</sup> For example, it makes little sense to plan and zone land for lower income housing if that land is steeply sloped, is in an area characterized by higher land values, or is otherwise expensive to develop. Similarly, planning and zoning land for a future neighborhood activity center that is situated in an area of predominantly low density rural development, that is expensive to serve, has relatively little available vacant buildable land, is extensively parcelized, and has a resident population opposed to increased density would likely not be a wise or prudent choice.

Given this, the City further analyzed each of the previously described sub-areas to assess their ability to reasonably accommodate the identified residential land needs as they are described in the “McMinnville Residential Land Needs Analysis,” the “Economic Opportunities Analysis” (and the revisions to those documents), and the “Growth Management and Urbanization Plan.” If determined to be able to reasonably accommodate this need, the City then examined the sub-area’s ability to accommodate commercial land needs, and other identified residential needs, particularly schools and public parks. If found through this effort that lands within a sub-area could not reasonably accommodate identified residential land needs, the City did not conduct further analysis as to the sub-area’s ability to provide for needed commercial land. In so doing the City reasoned that the type of commercial development encouraged by the City’s land use plan is of a neighborhood scale that is located central to a surrounding—and supporting—higher density residential neighborhood. Absent this support, or ability to create such a market, it is unreasonable to provide for commercial uses in the sub-area. Schools and parks were treated in similar fashion. These public facilities typically follow residential development, or, at best, occur concurrent with residential development. Lacking the ability to develop lands within a particular sub-area to urban residential densities would seem to preclude any thought that public schools or parks should be located there.

For purposes of the City’s analysis, the following factors were considered in order to assess a sub-area’s ability to reasonably accommodate an identified land need:

### Physical constraints

In general, sub-areas that have a higher percentage of area constrained by identified wetlands, floodplain, steep slope, or other environmentally sensitive area are less suitable for residential or commercial use due to their obvious development limitations and associated costs. However, some open space or parkland needs may be appropriate to locate in floodplain areas

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<sup>5</sup> Both the Oregon Land Use Board of Appeals, and the Oregon Court of Appeals have indicated that where the need identified by the local government can be satisfied only by land with certain characteristics, only lands that have those characteristics should be evaluated under ORS 197.298. As DLCD stated in its staff report to its Commission in May of 2002, regarding the City of North Plains Periodic Review Task: “[. . .] to require a local government to do otherwise would be to require it to evaluate (and possibly to include within its UGB) lands that can’t satisfy the identified land need for additional lands. Neither the statutes nor Goal 14 require or even suggest this result.”

to serve adjacent residents. Specifically, it is anticipated that 41 acres of the projected parkland need will be met on land located within the 100-year floodplain. There are four additional park types also identified in the Parks and Recreation Master Plan for which future land needs were not projected (Mini-Parks/Playlots, Linear Parks, Special Use Parks, and Trails and Connectors). Portions of those park needs could also be located on land identified as being within the 100-year floodplain.

#### Location relative to existing and planned facilities

The City has reviewed its myriad of public facility plans, and the information provided previously in the sub-area descriptions, to determine the relative cost of providing service to each sub-area, and issues specific to providing those services. Key facilities necessary to support and accommodate the identified land needs include water, sanitary sewer, fire stations, parks, and schools. In addition, transportation, to include streets, bicycle, public transit, and pedestrian facilities is a critical determining factor, particularly in light of the City's desire to create compact, walkable neighborhoods, thereby maximizing land use efficiency and opportunities for alternative modes of travel.

As noted in DLCD's "Planning for Residential Growth: A Workbook for Oregon's Urban Areas," a key consideration in determining the ability of land to accommodate an identified need is cost.<sup>6</sup> In general, and for purposes of this analysis, sub-areas found to have public facility costs in excess of those typically found in urban area development are less likely to accommodate needed housing than those that are less expensive to serve. Also, distance from existing or planned schools was considered (the farther removed from an elementary school, the less able to reasonably accommodate identified residential land need). It should be noted that some sub-areas, due to existing development patterns, narrow rights-of-way, or access limitations, are less able to accommodate McMinnville's needed housing than other sub-areas that lack such limitations. In summary, sub-areas determined to be neither economic nor orderly to serve with needed key facilities were judged less capable of accommodating identified land needs.

#### Location relative to surrounding uses

Good planning strongly suggests that residential development not be located adjacent to uses that produce smoke, noise, dust, fumes, chemicals, or other conflicts that would diminish the resident's ability to use and enjoy their property. In this context, sub-areas were evaluated as to their location relative to heavy industrial planned areas, the airport, rail, and major or minor arterial streets. Sub-areas located proximate to such uses were judged less able to reasonably accommodate identified residential land needs.

This analysis also examined the sub-areas to determine their ability to accommodate a mix of uses, most specifically, high-density housing and neighborhood commercial. Factors considered were the presence of major collector streets, adjacency to urban density development, and extent to which the sub-area may be parcelized (the less parcelized, the easier to accommodate mixed use, higher density neighborhood development).

#### Location relative to market demand

The DLCD Workbook states that:

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<sup>6</sup> Appendix D: Guidelines for Location and Density of Housing, page D-2.

“High density housing requires high land values; higher land values are likely to be associated with places where density is already higher. In other words, future high density housing will tend to go in areas that are developed at high densities.”<sup>7</sup>

Consistent with the suggestions provided in the DLCDC Workbook, the City has evaluated land values for each sub-area and the ability of the market to supply different types and densities of housing within them. Changes in land use plans (i.e., the designation of a rural residential area for higher density, urban scale housing) should be sensitive to the extent to which demographic and economic conditions are likely to support those changes.

#### Existing development patterns and other factors affecting urbanization

The amount of existing development, and its location and pattern within the sub-area are critical factors in assessing the sub-area’s ability to accommodate identified land needs. For example, exception land areas that have a high ratio of developed land to buildable land (vacant and partially vacant lands) are generally more difficult to develop to higher residential densities, both from a development and from a neighborhood support perspective. These patterns may also significantly affect the manner in which utilities can—or cannot—be provided to future development within the sub-area. In addition, the extent of parcelization and individual ownerships are important considerations. The more an area exhibits such patterns, the more difficult it is to facilitate urban development in an efficient and compact form. Even if such lands are brought into the UGB, it is less likely that they would redevelop during the planning period to urban densities due to the difficulties and expenses of redeveloping an area that has so many different ownerships.

In an effort to better understand each of the exception land sub-area’s ability to reasonably accommodate the City’s identified residential land needs, the above described locational factors have been reduced to a series of numerically ranked criteria. These criteria, the values assigned to each criterion, and the results of this analysis are provided in Attachment 2 of this document. In summary, Lawson Lane far outscored the other exception land sub-areas (42 points), with the Fox Ridge Road and Redmond Hill Road sub-areas finishing in second and third position (27 and 26 points, respectively), some distance above the next nearest score. Booth Bend Road, Old Sheridan Road, and Riverside North finished tied in fourth position (19 points each), with Riverside South, Westside Road, and Bunn’s Village in the final three positions (17, 12, and 8 points, respectively).<sup>8</sup>

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<sup>7</sup> *McMinnville Growth Management and Urbanization Plan* - Appendix D: Guidelines for Location and Density of Housing, page D-3.

<sup>8</sup> A list of criteria and their respective weighting can be found in Attachment of Appendix C of the *McMinnville Growth Management and Urbanization Plan*.

**Table 16. Ranking of Exception Study Areas**

	Exception Land Subarea								
	Lawson Lane	Fox Ridge Road	Redmond Hill Road	Booth Bend Road	Old Sheridan Road	Riverside North	Riverside South	Westside Road	Bunn's Village
<b>Buildable Lands Data</b>									
Gross Acres (GA)	18.24	143.5	39.92	42.33	48.97	100.82	192.58	34.9	201.99
Percent of GA that are developed/constrained	41%	55%	42%	69%	25%	64%	33%	60%	40%
Gross Vacant Buildable Acres (GVBA)	10.76	65.0	23.15	13.17	36.51	36.34	128.6	13.9	121.02
Percent of GVBA that are "partially vacant"	85%	92%	81%	78%	100%	84%	58%	100%	72%
Percent of GVBA that are "vacant"	15%	8%	19%	22%	0%	16%	42%	0%	28%
<b>Criteria</b>									
<b>Physical Constraints</b>									
Percent of floodplain, slope	5	5	0	0	5	0	5	0	5
<b>Existing / Planned Facilities</b>									
Proximity to elementary school	3	0	0	0	0	0	0	3	0
<b>Cost of Service</b>									
Sanitary Sewer	5	0	0	0	0	0	0	0	0
Municipal Water	10	0	0	10	5	5	5	0	0
Electricity	10	10	10	10	10	10	10	10	10
Transportation	5	5	0	0	0	0	0	0	0
<b>Surrounding Uses</b>									
Percent of perimeter bordering resource land	0	5	10	0	0	0	0	5	0
<b>Improvement Value</b>									
Average sub-area value	10	5	7	7	7	7	0	0	3
<b>Urban Containment</b>									
<b>Factors affecting urbanization:</b>									
Annexation	-2	---	---	-2	-2	-2	-2	-2	-2
Transportation	-2	-2	-2	-2	-2	-2	-2	-2	-2
Utility service	---	-2	-2	-2	---	-2	---	---	-2
Public safety	---	-2	---	---	-2	---	---	---	---
Development pattern	---	-2	-2	---	---	---	-2	---	-2
Urban form	-2	---	---	-2	-2	-2	-2	-2	-2
<b>Totals:</b>	<b>42</b>	<b>27</b>	<b>26</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>17</b>	<b>12</b>	<b>8</b>
<b>Rank:</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4(T)</b>	<b>4(T)</b>	<b>4(T)</b>	<b>7</b>	<b>8</b>	<b>9</b>

It is important to understand that this analysis is not intended to serve to define the ultimate choices for McMinnville when considering which exception land sub-areas to include, or exclude, from its future urban growth plan. Its purpose is merely to provide yet another tool for evaluating each area's characteristics, opportunities, and constraints relative to providing the most suitable land needed for the city's future population. This assessment must be balanced with the other requirements of Statewide planning law, and the City's comprehensive plan policies.

From the analysis conducted above, and based on the City's policies, State planning law, and other findings and observations contained in each of the sub-area's descriptions, the City concludes that the Westside Road, Bunn's Village, Riverside North, Booth Bend Road, and Old Sheridan Road sub-areas cannot reasonably accommodate identified land needs. In summary, the City found the following relative to each of these sub-areas:

Westside Road (not proposed for inclusion)

- Every parcel within the sub-area is partially developed, yielding but 13.9 acres of partially vacant land.
- The thirteen parcels that comprise this sub-area average 1.1 acres in size.
- Westside Road provides vehicular access to the parcels within this sub-area. Travel speeds, sight distances, and traffic volumes will severely limit additional access to this County road.
- The sub-area is located north of Baker Creek, beyond the natural edge that currently separates urban development from rural land uses.

- Improvement values within the sub-area are high relative to other exception areas.
- Transportation improvement costs necessary to support urban development are high.

#### Bunn's Village (not proposed for inclusion)

- The North Yamhill River physically separates the sub-area from the McMinnville urban area.
- The sub-area's linear shape, and existing development patterns, makes the provision of water service costly and problematic.
- The cost of providing sanitary sewer service to this sub-area is high.
- Highways 99 and 47 are limited in their ability to provide additional access to private lands within the sub-area.
- The tandem bridges that cross the North Yamhill River, connecting this sub-area to the McMinnville urban area, are narrow and do not provide width to accommodate bike lanes or sidewalks. Further, the bridges are considered by ODOT to be "functionally obsolete."
- Urbanization of this sub-area would increase the potential for land use conflicts, particularly with the surrounding farmlands.
- Extension of urban services to this sub-area would increase pressure to urbanize surrounding resource lands.
- The sub-area is extensively parcelized, making it difficult to create urban, compact development.
- Existing rural residential development densities are very low (one dwelling unit per 2.5 acres).

#### Riverside North (not proposed for inclusion)

- The sub-area is physically bordered by lands planned and developed for heavy industrial use on the north and west (Willamette Pacific rail line, Cascade Steel Rolling Mill, Air Liquide). To the east the sub-area is bordered by the 100-year floodplain of the North Yamhill River; to the south is the McMinnville Wastewater Treatment Facility and vacant land for the future expansion of this facility, and the McMinnville fire training tower. These adjacent uses, and their associated noise, dust, light, and other impacts, do not support a market for urban residential development, regardless of the type and density of housing. These adjacent uses lend strong support for this area's future transition and use to industrial, should it ever be made part of the McMinnville urban area.
- Public access to, and through, this sub-area is limited to Riverside Drive, a County road that serves and traverses through a heavy industrial area to the north.
- This sub-area is physically remote from public elementary schools and other supportive commercial and public services.

#### Booth Bend Road (not proposed for inclusion)

- The sub-area is physically isolated from the McMinnville urban area by Oregon Highway 18, a designated “expressway” that serves as the sub-area’s northwestern border.
- Urbanization of this sub-area would increase the potential for urban / rural conflict given its location and proximity to active agricultural uses to the south.
- The cost of providing public services necessary to support this sub-area’s urbanization, relative to the amount of vacant buildable land is high.

#### Old Sheridan Road (not proposed for inclusion)

- The cost of providing public services necessary to support this sub-area’s urbanization is high.
- Access to this sub-area is limited to Old Sheridan Road, a County road subject to occasional flooding.
- The development of this sub-area for commercial uses would be contrary to current McMinnville plan policies that discourage strip development (see Plan Policy 24.00).

In support of the City’s desire to create a compact urban form and walkable neighborhoods, McMinnville intends to adopt plan policy and zoning ordinance provisions to create several neighborhood activity centers at key locations throughout McMinnville. These centers will provide land for the vast majority of the city’s future commercial and higher density residential housing. Underpinning this effort is the need to make available lands that are in proximity to existing schools and other public services, that are capable of being assembled into large blocks of land, that are not adjacent to rail or existing and planned heavy industrial areas, and that are in proximity to public utilities capable of supporting such density or that can be provided at relatively low cost.

The sub-areas identified above for non-inclusion exhibit characteristics inconsistent with these locational criteria. These sub-areas are, in summary, extensively parcelized; held in multiple ownerships; require costly extension or upgrades to existing public utilities to support urban density development; are located some distance from existing public utilities, schools, and other services; in some cases, located adjacent to heavy industrial development and rail; and have extensive amounts of rural residential development in locations and patterns that make higher density development impracticable or timely. These sub-areas, therefore, cannot reasonably accommodate the identified residential land needs.

Absent supporting urban residential development, it is not appropriate that these sub-areas be considered for other identified residential land needs, such as schools, parks, and churches, or for commercial land needs.

Table 17, below, summarizes findings related to exceptions areas.



**Table 17. Exceptions Lands Analysis Summary**

Sub-area	Buildable Land			Existing / Planned Facilities and Services						
	# of Tax Lots	Gross Vacant Buildable Acres	Average Buildable Parcel Size	Cost	Service Issues	Cost	Service Issues	Cost	Service Issues	School
<b>Recommended for Urbanization:</b>										
Riverside South	71	128.6	1.8	M	Parcelization, ownership patterns make utility extension difficult and expensive.	H	Parcelization, ownership patterns make utility extension difficult and expensive.	H	Substandard roads; access through industrial areas	1.5 miles (Cook)
Lawson Lane	15	10.8	0.7	L		M		M	Limited access; unimproved road	1 mile (Cook)
Redmond Hill Road	12	23.2	1.9	H	Majority of area above current water service level; requires major investment to provide service.	H	Topography, parcelization, ownership patterns make utility extension difficult and expensive.	H	Limited access; unimproved road	1.75 miles (Columbus)
Fox Ridge Road	29	65.0	2.2	H	Majority of area above current water service level; requires major investment to provide service.	H	Topography, parcelization, ownership patterns make utility extension difficult and expensive.	M	Limited access; unimproved road	1.5 miles (Newby)
<b>TOTALS:</b>	<b>127</b>	<b>227.5</b>								
<b>AVERAGE:</b>			<b>1.7</b>							
<b>Not Recommended for Urbanization:</b>										
Westside Road	13	13.9	1.1	M	"Dead end" system w/ low pressure	M	Requires 1,000 foot extension, pump station; parcelization makes utility extension difficult and expensive.	H	Limited access; limited ability to provide additional circulation within sub-area	0.6 miles (Grandhaven)
Bunn Village	55	125.7	2.3	H	Requires long extension of existing service; result in "dead end" system w/ low pressure due to shape of sub-area.	H	Requires long extension of trunk line to reach area; pump stations; parcelization and ownership patterns make provision of service expensive and difficult; environmental factors add to cost.	H	Limited access; ODOT concern re: impact to State highway.	1.9 miles (Grandhaven)
Riverside North	16	36.3	2.3	M	Parcelization, ownership patterns make utility extension difficult and expensive.	M	Parcelization, ownership patterns make utility extension difficult and expensive.	H	Substandard roads; access through industrial areas	1.8 miles (Grandhaven)
Booth Bend Road	19	13.2	0.7	L		H	Requires extension under Highway 18.	H	Limited access; unimproved road	1.25 miles (Cook)
Old Sheridan Road	18	36.5	2.0	M		H		H	No access to Hwy 18; ODOT concern re: Durham/Hwy 18 intersection.	1.25 miles (Columbus)

Costs are expressed as: L = Low (\$0 - \$200,000); M = Medium (\$200,001 - \$800,000); and H = (in excess of \$800,000)

The "Guiding Principles" read as follows:

- Principle #1: Land Use Law - Comply with state planning requirements
- Principle #2: Historic Development Patterns -- In general, respect existing land use and development patterns and build from them
- Principle #3: Hazards and Natural Resources -- Avoid development in areas of known hazards or natural resources
- Principle #4: Cost of Urban Services -- Consider the availability and cost of providing urban services to new development
- Principle #5: Density -- Adopt policies that allow the market to increase densities, and push it to do so in some instances
- Principle #6: Traditional Development -- Consistent with principles #4 and #5, Allow and encourage development that meets the principles of "smart growth"
- Principle #7: UGB Expansions -- Contain urban expansion within natural and physical boundaries, to the extent possible.

Principle #1 is not considered in this summary in that compliance with state planning requirements is not a factor that can be ranked; compliance is an absolute requirement. Principle #2 is not considered in that historic development patterns would be markedly changed in each sub-area given the push to urbanize currently rural areas of development.

### Exception Land Sub-Area Capacity

Inclusion of the Riverside South, Lawson Lane, Redmond Hill Road, and Fox Ridge Road sub-areas will provide an additional 227.51 acres of buildable land for urban development as detailed in Table 18, below. At planned densities, this land will accommodate 906 additional dwelling units. Even with these areas added to the existing McMinnville urban growth boundary, there still exists a need for land to accommodate 2,159 dwelling units. This assumes that these exception land sub-areas would not provide any land for commercial or other residential land needs (schools, churches, parks, etc.).

**Table 18. Exception Land Sub-area Capacity Analysis**

Exception Subarea	Number of Tax Lots	Gross Acres	Existing Development/ Constraints	Gross Vacant Buildable Acres	Assumed Gross Density	Dwelling Units
Riverside South	71	192.58	63.98	128.60	4.30	552
Lawson Lane	15	18.24	7.48	10.76	4.30	46
Redmond Hill Road	12	39.92	16.77	23.15	3.50	81
Fox Ridge Road	29	143.48	78.48	65.00	3.50	227
<b>Exception Areas Subtotals</b>	<b>127</b>	<b>394.22</b>	<b>166.71</b>	<b>227.51</b>	<b>3.98</b>	<b>906</b>

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. The exception areas deemed appropriate for inclusion in the McMinnville UGB contain about 228 gross buildable acres and capacity for just over 900 dwelling units. This leaves a land need of approximately 672 acres and a dwelling unit need for 2,159 dwelling units. Thus, McMinnville will be required to consider lower priority lands (priority 3 and 4) as defined by ORS 197.298.

- (3) Land designated as marginal land under ORS 197.247.

**Finding:** Yamhill County is not a “marginal lands” county and has no lands designated as “marginal lands”; therefore, this criterion does not apply.

- (4) Land designated for agriculture or forestry in an acknowledged comprehensive plan.

**Findings:** As previously noted, the priorities as provided in ORS 197.298(1) are satisfied because there are no:

- Designated urban reserve lands.
- Insufficient exceptions lands to meet identified needs.
- Designated marginal lands.

Therefore, the Council concludes that agricultural and/or forestland<sup>9</sup> must be included in the UGB to meet demonstrated needs for residential, commercial, park and school land.

Goal 14, factor 6, requires consideration of the following:

*Retention of agricultural land as defined; with Class I being the highest priority for retention and Class VI the lowest priority.*

<sup>9</sup> ORS 197.298(3) allows land of lower priority to be included in a UGB in the following circumstances:

- (a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;
- (b) Future urban services could not reasonably be provided to the higher priority [lands] due to topographical or other physical constraints; or
- (c) Maximum efficiency of land uses within a proposed [UGB] requires inclusion of lower priority lands in order to include or provide services to higher priority lands.

Since no “higher priority” land exist adjacent to McMinnville’s pre-amendment UGB, the City need not demonstrate that these criteria are satisfied. However, the findings under Goal 14, factors 3-5, demonstrate compliance with ORS 197.298(3)(a-c), to the extent that these criteria might be determined applicable to these proceedings.

In addition, ORS 197.298(2) requires that land of "lower capability as measured by the [U.S. Natural Resources Conservation Service (NRCS) agricultural soil] capability classification system or by cubic foot site class, whichever is appropriate for the current use," be given higher priority for inclusion in a UGB.

In addition, ORS 197.298(2) requires that land of "lower capability as measured by the [U.S. Natural Resources Conservation Service (NRCS) agricultural soil] capability classification system or by cubic foot site class, whichever is appropriate for the current use," be given higher priority for inclusion in a UGB. Also, ORS 197.298 (3) allows land of lower priority to be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land needed for one or more of the following reasons:

- (a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;
- (b) Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or
- (c) 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.

**Findings:** The Council carefully considered impacts on agricultural and forestlands when deciding which direction to expand the UGB. As detailed on maps available through the National Resources Conservation Services for Yamhill County, and as submitted into the record by 1000 Friends of Oregon, dated August 4, 2003, most resource lands adjacent to the McMinnville UGB have class II, or III soil types. A relatively small band of class I soils exist immediately northwest and north of McMinnville; a small area of class IV soil is located immediately east of the McMinnville Municipal Airport. In its analysis, 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 at least three sides by the existing UGB and/or non-resource lands, and/or other significant natural or man-made edge (e.g., slope, floodplain, arterial street);
3. Resource land needed to allow extension of public facilities to serve land within the existing UGB; and
4. Resource land held by public entities.

Lands not meeting these criteria were assumed to be less appropriate for meeting the City's identified land needs due primarily to their greater distance from existing and planned public facilities (more expensive to serve), and surrounding uses (surrounded almost entirely by other resource land, thereby increasing the potential for urban and agricultural conflict). This prioritization scheme is consistent with the guiding principles described in the *McMinnville*

*Growth Management and Urbanization Plan*—specifically, principles #2, *Historical Development Patterns -- Respect existing land use and development patterns and build from them*, and #7, *UGB Expansions -- Contain urban expansion within natural and physical boundaries, to the extent possible*.

Application of criteria 1-4 listed above, as well as the guiding principles described in Section III of the *McMinnville Growth Management and Urbanization Plan*, resulted in resource lands north of Baker Creek and the North Yamhill River, east and south of the South Yamhill River, and south of Highway 18 being excluded from initial consideration. This left five geographically distinct resource sub-areas for analysis: Grandhaven; Norton Lane; Three Mile Lane; Southwest; and, Northwest. As a result of testimony provided during the public hearing process regarding this plan amendment, a sixth resource land sub-area was added, referred to as the "Thompson" property. To accommodate this addition, the southern third of the Southwest sub-area was removed from further consideration. The location of these resource areas is shown on Map 2, below.

**Findings:** In 2003, the Council carefully considered impacts on agricultural and forestlands when deciding which direction to expand the UGB. The methods used in conducting this analysis, and the findings of this analysis, are detailed in the MGMUP and in the Findings document (pages 50 – 53).<sup>10</sup> In its review of the MGMUP in March and April of 2004, the Oregon Department of Land Conservation and Development (DLCD) concluded that the City's analysis was deficient and recommended to its commission (LCDC) that additional work be done to support the prior decisions relative to which resource lands should be included --- or excluded --- from the proposed urban growth boundary. Specifically, the DLCD recommended the following:

"Using maps provided by the US Natural Resource Conservation Service and the Oregon Department of Agriculture, identify areas with class 3 and 4 agricultural soils and either (1) include them in the UGB instead of areas with class 1 and 2 soils, if any, or (2) explain why they should not be included based on the standards in ORS

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<sup>10</sup> In its 2003 analysis, 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 at least three sides by the existing UGB and/or non-resource lands, and/or other significant natural or man-made edge (e.g., slope, floodplain, arterial street);
3. Resource land needed to allow extension of public facilities to serve land within the existing UGB; and
4. Resource land held by public entities.

Lands not meeting these criteria were assumed to be less appropriate for meeting the City's identified land needs due primarily to their greater distance from existing and planned public facilities (more expensive to serve), and surrounding uses (surrounded almost entirely by other resource land, thereby increasing the potential for urban and agricultural conflict). This prioritization scheme is consistent with the guiding principles described in the *McMinnville Growth Management and Urbanization Plan*—specifically, principles

#2, *Historical Development Patterns -- Respect existing land use and development patterns and build from them*, and #7, *UGB Expansions— Contain urban expansion within natural and physical boundaries, to the extent possible*

Application of criteria 1-4 listed above, as well as the guiding principles described in Section III of the *McMinnville Growth Management and Urbanization Plan*, resulted in resource lands north of Baker Creek and the North Yamhill River, east and south of the South Yamhill River, and south of Highway 18 being excluded from initial consideration. This left five geographically distinct resource sub-areas for analysis: Grandhaven; Norton Lane; Three Mile Lane Southwest; and, Northwest. As a result of testimony provided during the public hearing process regarding this plan amendment, a sixth resource land sub-area was added, referred to as the "Thompson" property. To accommodate this addition, the southern third of the Southwest sub-area was removed from further consideration

197.298(3). Areas with class III and IV soils east of the airport are excluded from this requirement."

Consistent with this recommendation, the City has mapped areas surrounding the McMinnville urban area, extending outward a distance of one mile from its 1981 urban growth boundary, for the purpose of identifying the existence and location of soils rated by the US Natural Resource Conservation Service as Class III or Class IV. The locations of these soils were depicted at the October 25, 2005, joint City Council, Yamhill County Board of Commissioners, McMinnville Urban Area Management Commission, public work session on slide 18 ("Soil Class") of a PowerPoint presentation and in the work session packets provided to decision makers.

Generally, lands composed predominantly of Class II soils surround McMinnville's urban area. In lesser proportions, there exists a linear band of Class I soil that parallels Baker Creek in northwest McMinnville; threads of Class III soils, which appear to follow historical creek and drainage courses are found in various isolated locations around the city's perimeter; Class III, IV, and VI and VIII soils primarily in the moderately to steeply sloped hills of west McMinnville; and some additional Class IV soils found east and north of the McMinnville Municipal Airport.

Further direction is provided in Statewide Planning Goal 14 (Urbanization), which states that the location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197.298 and with consideration of the following factors:<sup>11</sup>

- (1) Efficient accommodation of identified land needs;
- (2) Orderly and economic provision of public facilities and services;
- (3) Comparative environmental, energy, economic and social consequences; and
- (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

That Goal continues by stating that in determining need, local governments may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need.<sup>12</sup>

Specific to the MGMUP, McMinnville's future land needs specific to commercial and residential uses (to include parks, schools, and similar "residential" uses) are described at some length in the plan, the key elements of which are summarized in the following:

### Residential Land Need--

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<sup>11</sup> Responses to these factors are found in pages 66–73 of the Findings document.

<sup>12</sup> Beyond the requirements of law, for purposes of good planning, land should be suitable for the intended use. Both the Oregon Land Use Board of Appeals and the Oregon Court of Appeals have indicated that where the need identified by the local government can be satisfied only by land with certain characteristics, only lands that have those characteristics should be evaluated under ORS 197.298. As DLCDC stated in its staff report to its Commission in May of 2002, regarding the City of North Plains Periodic Review Task: "[...] to require a local government to do otherwise would be to require it to evaluate (and possibly include within its UGB) lands that can't satisfy the identified land need for additional lands. Neither the statutes nor Goal 14 require or even suggest this result.

- ❑ At its core, the MGMUP proposes the use of "Neighborhood Activity Centers" to promote pedestrian-friendly, compact development. These centers are selected due to their location, distribution, proximity to vacant buildable lands, ability to accommodate higher intensity and density development, and their context and ability to foster the development of a traditional, or complete, neighborhood. These centers need to be located at major street intersections.
- ❑ To address issues of land use efficiency and minimizing rural / urban conflict, the MGMUP is based in part upon urban containment and the concentration of development in areas that have adequate carrying capacity to support Neighborhood Activity Center development. Urbanization of areas that are contrary to these principles should be avoided.
- ❑ The MGMUP encourages the principles of "smart growth" to create walkable, mixed-use communities. This means smaller single-family lot sizes, a higher percentage of multi-family housing, and mixing of neighborhood scale commercial uses.
- ❑ All planning should be in the form of complete and integrated communities containing housing, shops, work places, schools, parks and civic facilities essential to the daily life of the residents.
- ❑ Future development should respect the area's historical development patterns and natural and man-made constraints that have --- and are proposed to continue to --- shape McMinnville's growth and sense of place. In so doing, potential urban and rural land use conflicts are kept to a minimum, as is the speculative pressure to develop rural lands beyond the urban edge for urban uses. To the extent possible, urban expansion should:
  - Stay west and north of the South Yamhill River;
  - Stay south and west of the North Yamhill River;
  - Stay south of Baker Creek; and
  - Not cross south of Highway 18, west of the South Yamhill River.
- ❑ Housing mix will shift markedly toward historically higher percentages of multi-family housing (duplexes, commonwalls, and apartment complexes). Larger concentrations of such housing types, and in particular, apartment development, will require locations on arterial or collector streets, consistent with adopted plan policy.<sup>13</sup> Further, based upon long-standing policy (since 1978), multi-family housing will not be concentrated in any one neighborhood, but will, instead, be distributed throughout the city.
- ❑ Based upon recent experience, City polices propose to limit future neighborhood and community park types to lands outside of the 100-year floodplain.

### Commercial Land Need -

- ❑ Commercial land uses should not extend in a manner that would promote auto-oriented, commercial "strip" development.

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<sup>13</sup> The McMinnville Residential Land Needs Analysis concluded that McMinnville's housing need is for 25 percent multi-family housing (tri-plex and larger).

- Commercial uses should form the center, or active component, of planned Neighborhood Activity Centers.

The City finds three geographic areas within one mile of the McMinnville urban growth boundary that exhibit Class III or Class IV soils. These areas are shown in Figures 1, 2 and 3, and are identified as:

- Lands North and East of the McMinnville Municipal Airport;
- Lands in the McMinnville West Hills; and
- Lands West of Old Sheridan Road (Southwest McMinnville).

A description of each area follows.

#### Area North of Fox Ridge Road –

Three parcels, which abut the existing urban growth boundary north of Fox Ridge Road, are dominated by Class III and IV soils. The westerly parcel is Assessor Map No. R4513-00100, a 94.73-acre piece owned by the Abrams family and is part of their larger farm and timber operation. The central parcel is a 16-acre portion of the larger tax lot 200, the southern portion of which is a former exception area that was approved for addition to the urban growth boundary in 2004 by LCDC. The easterly parcel is the approximately 34-acre parcel (Assessor Map R4418-00700, owned by Mark Smith).

Topographically, this area immediately adjacent to Hill Road is generally flat, but rises abruptly at the southwest where it merges with the foothills (the "West Hills"), which rise up to the west along Fox Ridge Road. The Class III and IV soils comprise the flat portions of the Smith parcel, and a small portion (northern edges) of the other parcels. Predominantly, these Class III and IV soils are consistent with the steeply sloped areas in the southern portions of the westerly two parcels where gradients can exceed 25 percent.

The flatter portions of these parcels have historically been farmed for field crops, although the sloped areas at the south are managed for timber production, and a small area within the unincorporated portion of tax lot 200 has been cultivated for Christmas trees. The parcels border the current McMinnville urban growth boundary at the south, southwest, and east.

The abutting parcels to the southwest are under County jurisdiction and tend to be small acreage residential properties, with mixed oak/Douglas fir forest and some livestock pasture. The McMinnville Water and Light reservoirs are within this cluster of parcels. At the west and to the north of the central parcel are additional parcels within the Abrams farm operation. At the north, tax lot 701 is a 42-acre piece, which was just recently approved by the State for inclusion to the urban growth boundary; this parcel is owned by the McMinnville School District No. 40 and is slated as a future high school site.

For the reasons discussed below, the City finds that tax lot R4418-00700 (Smith parcel) is appropriate for use in satisfying the identified residential land needs, but the City finds that the northern portion of tax lot R4418-00200 and the entirety of tax lot R4513-00100 are inappropriate for satisfying future land needs.

### Land use compatibility -

Tax lot 700 lies between low-density residential housing to the south and southwest and a future high school site to the north. Because this parcel abuts the school property, it would be ideal for medium to high-density residential development, which would also provide a reasonable transition between the school and the low-density development to the south/southwest. In addition, medium-density residential development on this parcel would be consistent with ongoing development on the east side of Hill Road, which includes a future elementary school site and a mixture of medium- and low-density residential development.

### Agricultural land compatibility -

Tax lot 700, if brought into the urban growth boundary, would be bordered by actively farmed land (the northern portion of tax lot 200) along an approximately 350-foot length of its western boundary, but would otherwise abut the school site at the north, Hill Road at the east, Fox Ridge Road at the south, and the urban growth boundary at the southwest. Development of tax lot 700 would remove farmland from production which is a long, narrow piece wedged between the school site and the existing urban growth boundary; the City believes there is more likelihood of conflicts between urban and farm uses if tax lot 700 is left as agricultural land. The preliminary plans for the future high school site indicate that the westerly portion will be used for outdoor activities and athletic events; these uses can provide a buffer between agricultural activities to the west and north and residential development on tax lot 700.

If the northern portion of tax lot 200 were brought into the urban growth boundary, it would abut the agricultural tax lot 100 at the west for a distance of approximately 1,100 feet, and tax lot 1000 at the north for about 500 feet. Although the southern portion of this piece of land would be unlikely to develop due to the steepness of the slopes, the northern portion could develop, resulting in a "prong" of residential development between the agricultural uses to the north and west, and the school property at the east.

Tax lot 100, if brought into the urban growth boundary, would be bordered by actively farmed land on two sides and along a portion of a third. This would leave an island of farm parcels bordered by the school property at the south, residential development at the southwest and west, Hill Road at the east, and Baker Creek Road at the north. This would also cut off tax lots R44 18 1000 and 1100, also owned by the Abrams family, from the remaining portions of the farm operation.

### Complete neighborhoods -

Tax lot 700 lies within the preliminary boundaries of the Northwest Neighborhood Activity Center (NAC). As discussed elsewhere in this document, NACs are intended to provide medium- and high-density housing close to neighborhood scale commercial development and transit corridors, because low-density housing needs are already met within the existing urban growth boundary. Hill Road is designated as a transit corridor and planned transit route in the MGMUP; since tax lot 700 abuts Hill Road at the east; this provides an excellent opportunity to plan for development that can take full advantage of transit opportunities. The NAC plan in the MGMUP (Figure 8) calls for medium-density (R-3 and R-4) residential development on tax lot 700; the City stands by this recommendation.



Tax lot 100 and the northern portion of tax lot 200 also lie within the Northwestern NAC boundaries. However, the City now finds that these two properties should be excluded from the urban growth boundary and the NAC because they will have limited connectivity with Hill Road and with development of tax lot 700 (absent the addition of other lands to the north and west, as proposed in the 2003 MGMUP): the steep slopes in the southern portions of these two properties leave only perhaps a 200-foot wide buildable corridor extending across tax lots 700, 200 and 100. Although such a corridor could potentially be developed with a 60-foot wide local street right-of-way lined by homes on each side, the City finds that this would be an inefficient use of tax lots 200 and 100. Since the street could not make a connection to the north, it would have to be designed as a dead-end street, which would be an inefficient system.

For the reasons cited above, the City concludes that specific types of land needs as identified in the MGMUP cannot be reasonably accommodated by the areas of Class III and Class IV soils within tax lot R4513-00100 or the northern portion of tax lot R4418-00200. The City, therefore, has not included these lands in its expanded urban growth boundary, as permitted by ORS 197.298 (3) (a).

However, the City also concludes that identified residential land needs can be accommodated by tax lot R4418-00700, which is predominately Class III and Class IV soils. The City, therefore, recommends its inclusion into the expanded urban growth boundary.

#### West Hills Area west of Fox Ridge Road and Redmond Hill Road –

It should be noted that the Fox Ridge Subarea proposed in the MGMUP was acknowledged by LCDC for inclusion into the urban growth boundary in 2004, as was the Redmond Hill Road Subarea at the terminus of Redmond Hill to the south. Adjacent to the west of this newly expanded westerly urban growth boundary is a concentration of Class III and IV soils. This area is characterized by moderate to steeply sloping terrain, with slopes ranging from approximately seven percent to more than 25 percent.

Class IV soils in the West Hills Area are essentially confined to the most severe slopes including those over 25 percent gradient; these soils tend to be located further west and do not adjoin the existing urban growth boundary. Class III soils dominate the area adjacent to the urban growth boundary. The concentration of Class III soils adjacent to the westerly urban growth boundary is approximately 200 acres.

The parcels in the West Hills area have been managed primarily for timber production, although farming of field crops and Christmas trees is also evident. These lands, because of their elevation and tree cover, give visual form and edge to the City's western perimeter.<sup>14</sup>

For the following reasons, the City finds that the above-described lands are inappropriate for use in satisfying the identified residential and commercial land needs. As such, they are not included in the amended McMinnville urban growth boundary.

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<sup>14</sup> Development of the West Hills area that is situated inside the current McMinnville urban growth boundary is encumbered by the West Hills Planned Development Overlay Ordinance. In part, this overlay was established in recognition of the "scenic values unique to this area, and topographical features which are not conducive to the standard development practices normally employed in residential designs in the City."

## Development constraints -

### *Slopes*

This area of Class III soils abuts the existing urban growth to the east. The City's housing needs are for medium- and high-density; it is generally accepted that higher elevation lands with views, such as the West Hills area, tend to be developed for low-density residential housing. This has been the case in McMinnville, as is evident elsewhere in the west hills. Further, in conversations with local engineers, City staff are advised that sloped land areas can cost anywhere from \$5,000 to \$15,000 per lot in additional development costs, depending on site-specific conditions. They also note that the construction of multi-family housing on such sloped land is problematic, from an environmental perspective, in that it requires extensive grading to accommodate the larger building footprint and off-street parking areas. This is not consistent with the housing type (more affordable) or density needed, as described in the MGMUP.

### *Water*

As discussed elsewhere in the MGMUP, McMinnville's current water distribution system is designed as a single-level pressure system that can only provide service to those properties situated between 100 feet and 275 feet in elevation. The West Hills area west of the urban growth boundary has a low elevation of approximately 300 feet, and rises westward to a high of 560 feet and sits entirely above the current water service level. Provision of public water to this area would require considerable expense. It appears from the McMinnville Water & Light Water Master Plan that the agency has contemplated construction of an additional pressure zone system that could provide water service up to a high elevation of 415 feet; this elevation occurs at roughly the midpoint of the Class III soils in the West Hills area. However, even if an additional pressure system were constructed at some point in the future, for reasons of slope and market, the City envisions that it would only enable the development of low-density single-family residential within the West Hills area. Since the City is in need of medium- and high-density residential development, construction of an additional pressure system will not help in this endeavor.

### *Transportation*

Two public streets stub to the existing urban growth boundary at the east edge of the West Hills area: Fox Ridge Road at the north terminates in a series of private driveways and easements serving residences on acreages; Redmond Hill Road at the south is a public street all the way through to its existing stub at the urban growth boundary. For development to occur in the West Hills area west of the current urban growth boundary, Redmond Hill Road could be extended, but a secondary access road would have to be created in order to provide reasonable circulation and needed emergency vehicle access. For extension of Fox Ridge Road, right-of-way dedication would have to occur either along the existing privately held driveways or along a new alignment. A third option would be the extension of West 2<sup>nd</sup> Street, which currently stubs approximately 3,000 feet to the east of the existing urban growth boundary. Of further consideration, Peavine Road lies to the southwest of the West Hills area; however, a wide band of severe slopes (exceeding 25 percent gradient) lies between Peavine Road and the area of Class III soils, which are adjacent to the existing urban growth

boundary, creating an impediment to a street connection. Extension of any of these three streets would require expensive design and construction measures because of the relatively steep grades present across this area.

#### Land use compatibility -

The area within the western portion of the existing urban growth boundary is above the 275-foot elevation mark for service under the existing municipal water system. To the east of that elevation marker, the area is rapidly undergoing development with low-density single-family residential subdivisions. Preliminary indications are that this development pattern will continue. If needed medium- and high-density housing were placed in the West Hills area through westward expansion of the urban growth boundary, it would lie between low-density housing at the east and resource land at the west. From a planning perspective, this is not a logical scenario as it increases the potential for conflicts between residential uses and farm/forest resource management

This area's distance to commercial development also adds to its infeasibility for medium- and high-density residential development. The goal of higher-density residential development is that residents will not have to travel far to obtain services, and that public transportation will be most accessible. The West Hills area is a significant distance (more than a mile and a half) from any existing or proposed concentration of services.

#### Agricultural land compatibility -

The West Hills area borders on farm and forestry lands to the north, west, and south. If brought into the urban growth boundary and developed with needed medium- or high-density housing, the potential for conflicts between the residential development and surrounding farming or forestry operations would increase significantly: the expansion would increase the number of dwelling units and residents adjacent to these farm and forestry operations.

Further, the bulk of the Class III soils within this portion of the West Hills are parts of larger parcels which are managed for farm or forestry uses, and comprise the best soils of those parcels; development on these soils would leave the residual parcels dominated by Class IV or lesser quality soils.

#### Complete neighborhoods -

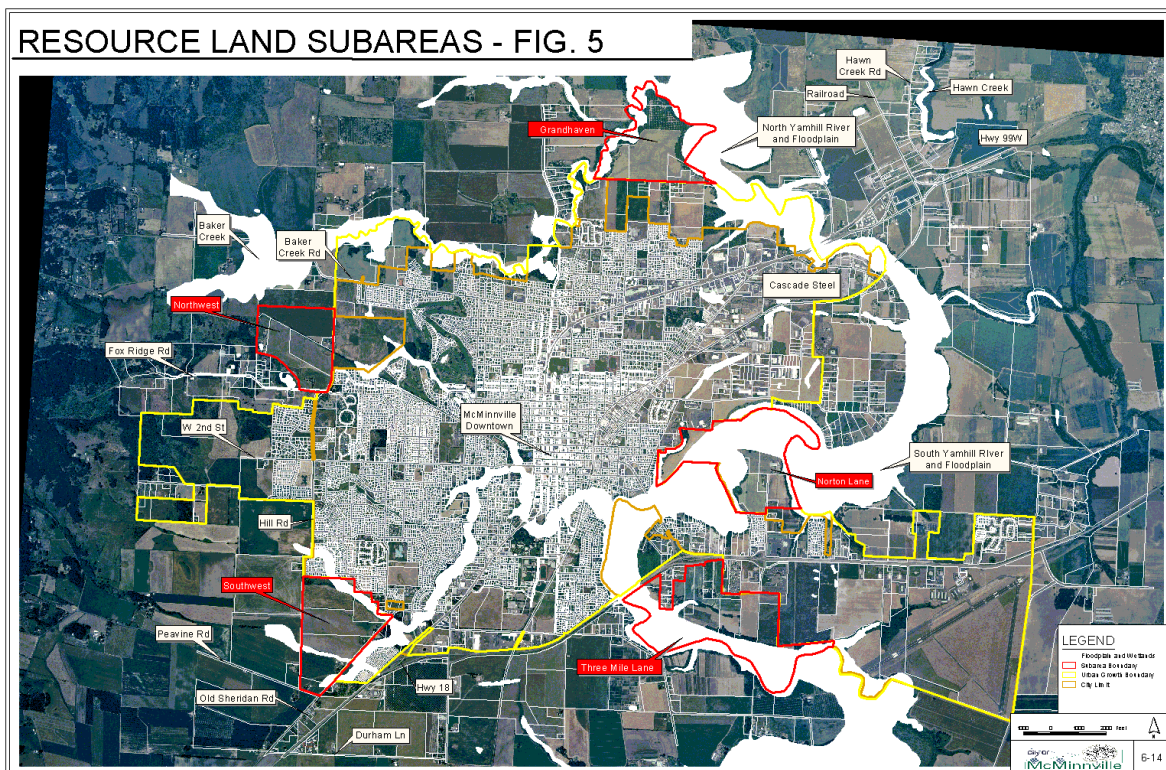
The Class III soils adjacent to the existing urban growth boundary at the west edge of McMinnville are concentrated outside the boundaries of the nearest Neighborhood Activity Center (NAC). Development of medium- to high-density housing in this area would create a "satellite" area extending out into the resource land areas.

In accordance with ORS 197.298 (3) (a), (b), and (c), the City concludes that the concentration of Class III soils within the West Hills area adjacent to the existing westerly urban growth boundary are inadequate to accommodate the specific types of land needs identified in the MGMUP, for the reasons cited above. Accordingly, the City has not included these lands within its expanded urban growth boundary.

**Conclusion:**

Based upon the above findings, the City has concludes that resource lands within the Northwest, Southwest, Grandhaven, Norton Lane, Three Mile Lane, and West Hills South subareas are, on balance, best suited to accommodate the residential and commercial land needs as identified in the MGMUP. In summary, other areas analyzed and not included were found to be unable to reasonably accommodate such needs for reasons related to the cost and feasibility of providing necessary urban services (elevation and distance), transportation, distance to planned and existing services (schools, commercial development), potential rural/urban conflict, public safety, and inconsistency with growth management planning concepts and goals, as stated in the MGMUP.

The Council concludes that ORS 197.298(2) and (3) and Factor 6 are satisfied because areas with higher capability agricultural land are being retained outside the UGB and other areas with lower capability agricultural are proposed for inclusion. Where higher priority lands are proposed for inclusion, the City has provided sufficient reasons to satisfy ORS 197.298 (3) (a - c).



## 2. Factor 3

(3) Orderly and economic provision for public facilities and services<sup>[1]</sup>

**Findings:** In evaluating alternative areas for possible inclusion in the UGB, this factor requires consideration of their relative serviceability. Following is a description of service issues for the sub-areas proposed for inclusion in the UGB. Detailed descriptions regarding serviceability issues for sub-areas not recommended for inclusion are found in Appendix C of the MGUMP. Based on such analysis, the City finds that the inclusion of the following sub-areas is neither orderly nor economic: Westside Road; Bunn's Village area, Riverside North, Booth Bend Road, and Old Sheridan Road.

### Exceptions Areas Recommended for Inclusion

#### Riverside South Sub-area

##### Sewer:

Although located adjacent to the Water Reclamation Facility to the north, the Riverside South sub-area is served exclusively by private septic systems as it is beyond the current urban service area. Development of this sub-area to urban densities will require the abandonment of these private systems and, in their place, the provision of a public sanitary sewer system.

While sanitary sewer service could be extended to adequately serve this sub-area, the distance of that extension to reach most of the developable area is lengthy. Specifically, the two largest concentrations of buildable land each lie near the center of the sub-area; one to the north of Riverside Drive and one to the south within the interior of Riverside Loop. Reaching either of these areas from the system's current terminus at the intersection of Riverside Drive and Miller Street requires improvement along a distance of approximately 4,000 feet (about 3/4 mile). Such an extension of this 12-inch trunk line along the frontage of the fifteen, or so, rural residential properties within this corridor would, in most cases, provide only the possibility of partitioning land to create one or two new residential parcels each. The cost of adequate sanitary sewer service per developable acre may, therefore, be categorized as high. Additionally, due to the sloping topography within the sub-area, one or more pump stations would be required in order for the system to be functional. A critical issue in providing service to this sub-area is the need to develop and implement a comprehensive public utility strategy to efficiently serve the additional development in this heavily parceled area.

##### Water:

The Riverside South sub-area is served exclusively by individual private wells. Such wells would be abandoned over time commensurate with urban development. The municipal water main that is closest to this sub-area is a ten-inch line that is located in Riverside Drive at its intersection with Miller Street. According to McMinnville Water and Light, enlargement and extension of existing lines located both northwest and west of the sub-area would be necessary to create a loop system capable of serving urban density development.

McMinnville Water and Light estimates the cost for providing municipal water to this sub-area as moderate (ranging from \$200,000 to \$800,000).

**Electric:**

Electrical service to the Riverside South sub-area is currently provided by McMinnville Water & Light. The closest electrical sub-stations to this sub-area are the Windishar Substation located at the southwest corner of the Cascade Steel Rolling Mill site, and the Cascade Substation located along the Riverside Drive frontage of the Cascade Steel Rolling Mill near its intersection with Highway 99W. The existing feeders presently serving this sub-area would need to be upgraded in order to sufficiently support future urban development of this area.

McMinnville Water and Light estimates the cost for providing electric service to this sub-area as low (\$0 to \$200,000).

**Transportation:**

The Riverside South sub-area is provided access to the McMinnville urban area solely by Riverside Drive. This roadway extends through the sub-area and connects to Lafayette Avenue farther to the west, and to Highway 99W to the north. In so doing, the road travels through areas planned and currently developed for heavy industrial use. Within the urban growth boundary, Riverside Drive is designated as a major collector and is improved to those standards. Within this sub-area, Riverside Drive is a narrow, two-lane paved County road situated within a 50-foot wide right-of-way.

Blossum Drive, an 800-foot long gravel cul-de-sac road forms part of the sub-area's western edge. Some 550 feet to the east is the Walnut Avenue cul-de-sac road that extends northward from Riverside Drive a distance of some 1,500 feet. Approximately midway between the intersections of Blossum Drive and Walnut Avenue with Riverside Drive, another local rural road, Riverside Loop, extends to the south some 1,400 feet before turning to the east in a long, sweeping curve to again intersect with Riverside Drive. No other public roads or rights-of-way exist within this sub-area. Also, there are currently no bike lanes or sidewalks within the Riverside South sub-area.

**Redmond Hill Road Sub-area****Sewer:**

Similar to the situation within the Fox Ridge Road Sub-area, there are topographic and existing development patterns that serve to make extending public sanitary sewer service to this sub-area difficult and expensive. In addition, this sub-area will not be able to be served with sanitary sewer service until a westerly extension of an existing sewer trunk line, currently located some 3,900 feet to the east, is in place. This improvement will be constructed commensurate with adjacent development and will extend westerly from its current terminus near the intersection of Redmond Hill Road and Howard Drive located within the Hillsdale, 1<sup>st</sup> Addition residential subdivision. According to the City of McMinnville Engineering Department, costs associated with providing public sanitary sewer service to this sub-area are estimated to be high.

**Water:**

Individual, private wells currently serve as the source of domestic water for the lands within this sub-area. As described in the McMinnville Water and Light "Water System

Master Plan,” this area is located above the current water service area and cannot be provided public water without construction of an upper level system. This system would require, in part, the acquisition of land on which to build a new reservoir (northeast of this sub-area at an elevation of some 510 feet), construction of two reservoirs each with a 1.65 million gallon capacity, pump station, and transmission line connecting the existing reservoirs with the planned reservoir and pump station. In 1996, McMinnville Water and Light estimated the cost for these improvements, necessary to supporting urban development in the Fox Ridge Sub-area, at \$3.4 million.

#### **Electric:**

McMinnville Water and Light estimates the costs for providing electric service to the Redmond Hill Sub-area as low (ranging from \$0 to \$200,000). Existing feeders on North Hill Road would have to be upgraded to accommodate the additional projected load, however.

#### **Transportation:**

As noted previously, Redmond Hill Road is the only public road serving this sub-area. This Yamhill County road extends west from Hill Road a distance of 4,100 feet (nearly all of which is gravel surface) before it enters and crosses through the midsection of the sub-area. This gravel road has a right-of-way dimension of thirty feet and is classified as a by Yamhill County. No other public roads or rights-of-way exist within this sub-area.

Extending from this public road are several narrow, private drives that afford access to the parcels that are located within the sub-area.

#### **Fox Ridge Road Sub-area**

##### **Sewer:**

While there are topographic and existing development patterns that serve to make extending public sanitary sewer service to this sub-area, and, as a consequence, its cost, there are no other known reasons that would preclude the provision of such service. In addition, due to the site’s topography, sanitary sewer effluent would gravity flow in two directions: to the north and into the Michelbook drainage basin; and, to the south into the Cozine drainage basin, thus requiring additional trunk line construction beyond that which would otherwise be required. Pump stations are not anticipated within such gravity flow systems. According to the City of McMinnville Engineering Department, costs associated with providing public sanitary sewer service to this sub-area are estimated to be high.

##### **Water:**

Individual, private wells currently serve as the source of domestic water for the lands within this sub-area. As described in the McMinnville Water and Light “Water System Master Plan,” this area is located above the current water service area and cannot be provided public water without construction of an upper level system. This system would require, in part, the acquisition of land on which to build a new reservoir (southwest of this sub-area at an elevation of some 510 feet), construction of two reservoirs each with a 1.65 million gallon capacity, pump station, and transmission line connecting the

existing reservoirs with the planned reservoirs and pump station. In 1996, McMinnville Water and Light estimated the cost for these improvements, necessary to supporting urban development in the Fox Ridge Sub-area, at \$3.4 million.

**Electric:**

McMinnville Water and Light estimates the costs for providing electric service to the Fox Ridge sub-area as low (ranging from \$0 to \$200,000). Existing feeders on North Hill Road would have to be upgraded to accommodate the additional projected load, however.

**Transportation:**

As noted previously, a single public road currently serves the Fox Ridge Sub-area: Fox Ridge Road. This Yamhill County road extends west from Hill Road through the midsection of the sub-area. Its right-of-way dimension is forty feet, which is currently improved with a paved surface averaging 25-feet in width. The road is classified as a local access road by Yamhill County. No other public roads or rights-of-way exist within this sub-area.

Extending from this public road are numerous narrow, private drives that afford access to the parcels that are located within the sub-area.

**Resource Areas Recommended for Inclusion**

**Northwest Sub-area**

**Sewer:**

The Northwest sub-area is served exclusively by individual private septic systems. Development of this sub-area to urban residential densities will require the abandonment of these private systems and, in their place, the provision of a public sanitary sewer system. Sewer improvements necessary to support urbanization of this sub-area would include a westward extension of the existing eight-inch trunk line located within Hill Road. There are no known geographic or topographic features that would complicate this extension. Pump stations are not anticipated.

**Water:**

Municipal water to serve this area will be provided by extending the sixteen-inch line that runs along the southern portion of the sub-area. As there are no topographic or other physical constraints to providing this service, such improvement cost is anticipated to be low (ranging from \$0 to \$200,000).

**Electric:**

This area is presently provided electrical service by McMinnville Water and Light. Existing feeders are determined to be adequate to accommodate the future urban development within this sub-area. McMinnville Water and Light estimates the costs for providing electric service to this sub-area as low (ranging from \$0 to \$200,000).



## **Transportation:**

Hill Road, designated as a minor arterial in the City of McMinnville Transportation Master Plan, currently serves as the primary vehicular access to this sub-area. Additional access is provided by Fox Ridge Road, a Yamhill County road that travels west from Hill Road. Both Hill Road and Fox Ridge Road currently lack the right-of-way width (50 feet and 40 feet, respectively) sufficient to accommodate and support full, urban development of this sub-area; additional travel lanes, sidewalks, street lights, curbs, and gutters. Such improvements would be required of individuals developing property within this sub-area commensurate with their project demands and impacts (the need for additional right-of-way lessens the amount of buildable land within the sub-area). Additionally, straightening of the existing Hill Road “S” curve, located at the southeast corner of this sub-area, would be required during the planning period. More specifically, the McMinnville Transportation Master Plan calls for the softening of this curve (creation of larger centerline radii) so as to sufficiently accommodate the vehicular and pedestrian impacts of future urban development within the area.

The McMinnville Bikeway Plan (1994) recommends the modification of street design standards to include bike lanes. Additionally, the adopted McMinnville Transit Study (1997) identifies a future transit route (Conceptual Bus Route 1) to serve areas located along Hill Road. This route would provide service to this sub-area.

## **Summary of Factor 3 (serviceability) issues**

### **Riverside South**

Upon entering the sub-area from the west, Riverside Drive extends easterly some 1,900 feet and then turns 90-degrees to the north and extends an additional 1,900 feet before exiting the sub-area across resource zoned land. Connecting to Riverside Drive and creating a large rural loop road to the south is Riverside Loop. While Riverside Loop has been platted to continue northward an additional 1,650 feet to terminate in another cul-de-sac, these improvements have never been put in place and this land is currently being farmed. Riverside Loop forms the majority of the southern and eastern edges of the sub-area. Additionally, Blossum Drive and Walnut Avenue extend northerly from Riverside Drive as previously described. All roads within the Riverside South sub-area are classified as rural roads<sup>15</sup> by Yamhill County.

Most roads within the sub-area are currently below minimum Yamhill County road improvement standards in terms of both right-of-way dimensions and construction, and all are below City of McMinnville standards. Riverside Drive, along this length, is improved with an approximately 25-foot wide paved section providing two travel lanes; one in each direction. All of the roads within this sub-area are devoid of curbs, gutters, bike lanes, sidewalks, lighting and storm drainage. Some of the other more notable deficiencies include streets lacking any form of paved surface and all of the cul-de-sac streets greatly exceed the maximum length as per the local standard. Residences are arranged along all of these roads.

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<sup>15</sup> A local county road designation with an average daily traffic volume of 500 vehicles or more: Yamhill County Transportation System Plan (1996).

Additionally, the eastern intersection of Riverside Drive and Riverside Loop is characterized by a sharp, more than 90 degree, sweeping turn and a steep grade change. Any urbanization of this area would, at a minimum, require the realignment of this intersection and softening of this grade change.

Reconstruction of the subgrade of certain portions of the remaining alignment would also likely be necessary. As the entire eastern and southern portions of Riverside Loop exist within the 100-year floodplain, permits would be necessary from the Department of Environmental Quality, the Army Corps of Engineers, and the Oregon Division of State Lands to allow necessary landform modifications and improvements. The cost of these permits and atypical engineering and surveying costs would be added to the typical cost of such improvements. More importantly, development along this road would only be permitted to occur on the north side, the area outside of the floodplain. By allowing development to occur on only one side of the street it will likely be economically unfeasible to develop further those properties adjacent to Riverside Loop. As such, to serve the nineteen or so acres of developable land within the interior of Riverside Loop, a new series of local streets, all connecting directly to Riverside Drive, would need to be constructed. This would require the cooperation of the ten or so affected property owners. The affected property owners would pay this street improvement, and all others required to support further urbanization within the sub-area, as part of their development, through a local improvement district, or other financing means.

In addition to this transportation improvement, all streets within this sub-area are in need of substantial improvement, including additional right-of-way, in order to bring them up to standards required to permit urban density development. In addition, the sub-area would need to be master planned to identify opportunities for additional local street access (for example, local connecting streets between Blossum Drive and Walnut Avenue) in order to achieve a reasonable level of urban development opportunities.

### **Redmond Hill Road**

McMinnville's current water distribution system is designed as a single-level pressure system providing service to those properties situated between 100 feet and 275 feet in elevation. The subject sub-area is situated at elevations that range from 280 feet (extreme eastern corner of the sub-area) to 490 feet (western portion), almost the entirety of which sits well above the current water service level. Provision of public water to this area, as described previously, will require considerable expense, estimated to exceed \$3.4 million.

Redmond Hill Road provides the only current public means of vehicular access within this sub-area. The right-of-way dimension for this gravel surfaced, Yamhill County local road measures 30-feet in width. As a prerequisite to allowing urban density development, the road would need to be improved to City standards. As such, this would require an additional 20-feet of right-of-way width, removal and reconstruction of the existing subgrade, construction of a paved travel surface a minimum of 26-feet in width, 5-foot wide sidewalks on both sides of the street, and curbs and gutters.

Typically, additional right-of-way width can be acquired as part of development that may occur adjacent to substandard streets or roads, such as Redmond Hill Road. However, in this particular case, there is existing development that fronts this road, making it difficult to acquire the needed right-of-way in this fashion. The other alternatives include purchasing the needed right-of-way, using eminent domain authority to acquire it, participation in a local improvement

district or alternate road improvement financing mechanism, or constructing a modified City local residential street section in the existing right-of-way (no public sidewalks; no planting strip).

Slope, existing development patterns, and lack of additional public rights-of-way combine to make traffic circulation within this sub-area, and to adjoining properties, problematic.

### **Fox Ridge Road**

McMinnville's current water distribution system is designed as a single-level pressure system providing service to those properties situated between 100 feet and 275 feet in elevation. The subject sub-area is situated at elevations that range from 255 feet (extreme eastern corner of the sub-area) to 445 feet (western portion), the vast majority of which sits well above the current water service level. Provision of public water to this area, as described previously, will require considerable expense, estimated to exceed \$3.4 million.

Fox Ridge Road is the only current public means of vehicular access within this sub-area. The right-of-way dimension for this Yamhill County road measures 40-feet in width. Within this has been constructed a paved surface that averages 25-feet in width. Gravel shoulders are situated on either side of the paved travel surface. To accommodate urban density development, the road would need to be improved to City standards. As such, this would require an additional 10-feet of right-of-way width, removal and reconstruction of the existing subgrade, construction of a paved travel surface a minimum of 26-feet in width, 5-foot wide sidewalks on both sides of the street, and curbs and gutters.

Typically, additional right-of-way width can be acquired as part of development that may occur adjacent to substandard streets or roads, such as Fox Ridge Road. However, in this particular case, there is a significant amount of existing development that fronts this road, making it improbable to acquire the needed right-of-way in this fashion. The other alternatives include purchasing the needed right-of-way, using eminent domain authority to acquire it, or constructing a modified City local residential street section in the existing right-of-way (sidewalks at the curb; no planting strip).

There are also within this sub-area several long private drives that provide access to existing residences. The width, length, improved condition, and number of residences that currently take access from these will not permit their use for further residential development, under City standards. As such, further partitioning or subdividing of buildable land located adjacent to these drives may require the dedication and improvement of public rights-of-way to provide the required access.

Slope, existing development patterns, and lack of additional public rights-of-way combine to make traffic circulation within this sub-area, and to adjoining properties, problematic.

### **Conclusion:**

The City has reviewed its myriad of public facility plans, and the information provided previously in the sub-area descriptions, to determine the relative cost of providing service to each sub-area, and issues specific to providing those services. Key facilities necessary to support and accommodate the identified land needs include water, sanitary sewer, fire stations, parks, and schools. In addition, transportation, to include streets, bicycle, public transit, and pedestrian facilities is a critical determining factor, particularly in light of the City's desire to create compact, walkable neighborhoods, thereby maximizing land use efficiency and opportunities for

alternative modes of travel. The City can provide services to the exceptions areas proposed for inclusion in the UGB more efficiently than other exceptions areas. While some issues exist with providing services to the sub-areas proposed for inclusion (as described above), they do not present problems that suggest they not be included in the UGB.

#### 4. Factor 5; ORS 197.732(1)(c)(C) and Goal 2, Part II(c)(3)

(5) Environmental, energy, economic and social consequences<sub>[...]</sub>

The long-term [ESEE] consequences resulting from the use of the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site.

**Findings:** OAR 660-04-020(2)(c), which implements ORS 197.732(1)(c)(C) and Goal 2, Part II(c)(3), requires a description of the characteristics of the alternative areas considered, the impacts of urbanization on the areas considered (positive and negative), and the advantages and disadvantages of including each “Study Area,” or a portion of a Study Area, in the UGB. Such a description and analysis is found in Appendix C of the *McMinnville Growth Management and Urbanization* plan.

Impacts on agricultural and forestland are considered in the Council’s findings with respect to Goal 14, Factors 6 and 7. From a social and economic perspective, avoidance of high value farmland and productive forestland generally should be encouraged, because the lands support Yamhill County’s resource-based economy. From an environmental perspective, development of steeply sloped areas, floodplains and riparian corridors should be discouraged, to minimize adverse impacts on these sensitive lands. From an energy conservation standpoint, residential development should be encouraged in areas that abut the existing UGB and which rely on gravity-flow sewer collection rather than energy-consumptive sanitary sewer pump stations.

The long-term economic, social, environmental and energy (ESEE) consequences of including (or not including) each of the alternative Study Areas in the UGB are described below.

**Economic Consequences:** Economic impacts of adding land to the UGB include both potential tax revenues (by increasing improvement value) and costs (for development and maintenance of infrastructure). Additional impacts may occur from conversion of lands from one use to another (i.e., agricultural to residential or industrial).

##### **Exceptions areas**

Riverside South. Parcelization and ownership patterns make extension of water and sewer difficult and expensive. Substandard roads and access through industrial areas would add to transportation costs.

Redmond Hill Road. Cost of providing water, sewer, and transportation services to this sub-area are estimated as “high.” The majority of the area is above current water service level. Moreover, topography, parcelization, ownership patterns make utility extension difficult and expensive.

Fox Ridge Road. Costs of providing water and sewer service to this sub-area are estimated as “high;” cost of provide transportation service is estimated as “medium.” The majority of the area is above current water service level. Moreover, topography, parcelization, ownership patterns make utility extension difficult and expensive.

##### **Resource areas**

Northwest. Development of this area will require provision of water, sewer and transportation systems. Improvement cost for water service is anticipated to be low (ranging from \$0 to \$200,000). McMinnville Water and Light estimates the costs for providing electric service to this sub-area as low (ranging from \$0 to \$200,000). The

inclusion of this area within the UGB would have economic impacts by removing lands from agricultural production and converting them to urban uses.

The City finds that the economic consequences of the proposed urban growth boundary expansion, as compared to the inclusion of other alternative sites noted above, are far less adverse. The proposed boundary provides adequate land for residential and commercial development in a pattern that is more compact and economic than would result from the inclusion of the Riverside North, Bunn's Village, Westside Road, Old Sheridan Road, Booth Bend Road, and other resource lands situated adjacent to the existing urban growth boundary.

Social Consequences: Key among the Council's social considerations were (a) providing affordable housing opportunities and jobs for existing and future McMinnville residents, (b) minimizing the community's tax and rate burdens by providing public facilities and services in a cost-efficient manner, and (c) maintaining the quality of life in McMinnville, by maintaining open space, providing parks and schools, and minimizing threats to life and property. The Neighborhood Activity Centers proposed in the *McMinnville Growth Management and Urbanization* plan are intended to provide affordable housing opportunities and an urban form that minimizes the cost of service development and provision. The *McMinnville Growth Management and Urbanization* plan also reinforces the City's Park Master Plan, makes provisions for schools – including the site in the Northwest Study Area proposed for a new high school.

The City finds that an orderly, compact, phased growth pattern, contingent upon the provision of the full level of urban service, including but not limited to sewer, water, police and fire, community facilities, schools, and governmental services, will have a positive impact on the social fabric of the community. Because of the location of Bunn's Village, Old Sheridan Road, Westside Road, Booth Bend Road, Riverside North, and other resource lands beyond the natural and man-made edges that define the McMinnville urban area, and their inability to provide for compact, phased and orderly growth patterns, they are found to have more adverse social consequences than other lands proposed for inclusion.

Environmental Consequences: The City does not allow development in floodplains and regulates development in areas with steep slopes.

Energy Consequences: The Council also considered energy consequences, as measured by (a) compact urban growth form and access to/distance from the City center and other key facilities, (b) minimization of vehicle trips, and (d) the need for sanitary sewer pump stations.

For the above reasons, the Council concludes that inclusion of the proposed expansion areas within the UGB will have relatively positive energy consequences (i.e., will result in less energy consumption) than would inclusion of buildable portions of other Study Areas considered.

Summary: Table 19 summarizes the Council's conclusions. Based on the Council's review of agricultural land classifications, buildability, environmental, locational and infrastructure issues, the data support the conclusion that the areas recommended for inclusion in the UGB are the most suitable areas (i.e. have the least adverse long-term ESEE consequences).

**Table 19: Summary of Study Area Suitability for Inclusion in the McMinnville UGB**

Sub-area	Buildable Land			Existing / Planned Facilities and Services						
	# of Tax Lots	Gross Vacant Buildable Acres	Average Buildable Parcel Size	Cost	Water Service Issues	Cost	Sewer Service Issues	Cost	Transportation Service Issues	School Distance from Elementary School
<b>Recommended for Urbanization:</b>										
Riverside South	71	128.6	1.8	M	Parcelization, ownership patterns make utility extension difficult and expensive.		Parcelization, ownership patterns make utility extension difficult and expensive.		Substandard roads; access through industrial areas	1.5 miles (Cook)
Lawson Lane	15	10.8	0.7	L					Limited access; unimproved road	1 mile (Cook)
Redmond Hill Road	12	23.2	1.9	H	Majority of area above current water service level; requires major investment to provide service.		Topography, parcelization, ownership patterns make utility extension difficult and expensive.		Limited access; unimproved road	1.75 miles (Columbus)
Fox Ridge Road	29	65.0	2.2	H	Majority of area above current water service level; requires major investment to provide service.		Topography, parcelization, ownership patterns make utility extension difficult and expensive.		Limited access; unimproved road	1.5 miles (Newby)
<b>TOTALS:</b>	<b>127</b>	<b>227.5</b>								
<b>AVERAGE:</b>			<b>1.7</b>							
<b>Not Recommended for Urbanization:</b>										
Westside Road	13	13.9	1.1	M	"Dead end" system w/ low pressure		Requires 1,000 foot extension, pump station; parcelization makes utility extension difficult and expensive.		Limited access; limited ability to provide additional circulation within sub-area	0.6 miles (Grandhaven)
Bunn Village	55	125.7	2.3	H	Requires long extension of existing service; result in "dead end" system w/ low pressure due to shape of sub-area.		Requires long extension of trunk line to reach area; pump stations; parcelization and ownership patterns make provision of service expensive and difficult; environmental factors add to cost.		Limited access; ODOT concern re: impact to State highway.	1.9 miles (Grandhaven)
Riverside North	16	36.3	2.3	M	Parcelization, ownership patterns make utility extension difficult and expensive.		Parcelization, ownership patterns make utility extension difficult and expensive.		Substandard roads; access through industrial areas	1.8 miles (Grandhaven)
Booth Bend Road	19	13.2	0.7	L			Requires extension under Highway 18.		Limited access; unimproved road	1.25 miles (Cook)
Old Sheridan Road	18	36.5	2.0	M					No access to Hwy 18; ODOT concern re: Durham/Hwy 18 intersection.	1.25 miles (Columbus)

Costs are expressed as: L = Low (\$0 - \$200,000); M = Medium (\$200,001 - \$800,000); and H = (in excess of \$800,000)

The "Guiding Principles" read as follows:

- Principle #1: Land Use Law - Comply with state planning requirements
- Principle #2: Historic Development Patterns -- In general, respect existing land use and development patterns and build from them
- Principle #3: Hazards and Natural Resources -- Avoid development in areas of known hazards or natural resources
- Principle #4: Cost of Urban Services -- Consider the availability and cost of providing urban services to new development
- Principle #5: Density -- Adopt policies that allow the market to increase densities, and push it to do so in some instances
- Principle #6: Traditional Development -- Consistent with principles #4 and #5, Allow and encourage development that meets the principles of "smart growth"
- Principle #7: UGB Expansions -- Contain urban expansion within natural and physical boundaries, to the extent possible.

Principle #1 is not considered in this summary in that compliance with state planning requirements is not a factor that can be ranked; compliance is an absolute requirement. Principle #2 is not considered in that historic development patterns would be markedly changed in each sub-area given the push to urbanize currently rural areas of development.

## C. Serviceability and Compatibility of Land Added to the UGB

Once a need to add land to the UGB has been demonstrated, and the requirements for selection of areas to be added is satisfied, it is still necessary to demonstrate that the City has the capability to provide public facilities and services to the areas in an orderly and economic manner (Goal 14 factor 3) and that proposed urban uses of the areas will be compatible with other adjacent uses (Goal 14 factor 7; ORS 197.732(1)(c)(D) and Goal 2, Part II(c)(4)).

### 2. Factor 7; ORS 197.732(1)(c)(D) and Goal 2, Part II(c)(4)

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

The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.

**Findings:** The Council notes that the term “compatible” does not require that there be no interference with, or adverse impact of any kind on, adjacent uses, but rather that the uses be reasonably able to coexist. OAR 660-04-020(2)(d).

In this section the Council considers the impacts on rural lands of including identified portions of within the McMinnville UGB, as part of the City’s legislative plan amendment process. In order to analyze such impacts, the City must have first described the character of rural properties that are adjacent to the proposed UGB Expansion Areas.

Land uses and observed farm and forest practices on land adjacent to the subject properties are described below:

- Northwest sub-area. The Northwest sub-area is located west of McMinnville. Hill Road and the McMinnville urban growth boundary form the sub-area’s eastern edge. A portion of Fox Ridge Road delineates the southernmost extent of the sub-area while property lines define the remaining edges (Figure 98). The sub-area is bordered by actively farmed agricultural land to the west and north, by rural residential uses to the west and south, and by the Park Meadows and Shadden Claim residential subdivisions as well as vacant land planned for residential development across Hill Road to the east; twelve acres of this land has been identified as the location of a future public elementary school (Figure 99).

Topographically, the sub-area is almost entirely flat, sloping slightly upward to the southwest. A drainage slough, historically referenced as the Star Mill ditch and significant to McMinnville’s local history, traverses the midsection of the site in a southeast to northwest alignment. Access to this sub-area is provided entirely by Hill Road to the east and Fox Ridge Road to the south.

The sub-area contains approximately 145 acres of land. With 4.31 acres being accounted for by existing development, 140.22 acres of the sub-area exists as vacant buildable land. The sub-area is comprised of five parcels with an average size of 28.91 acres, all carrying a Yamhill County zoning designation of EF-80 (Exclusive Farm Use, 80-acre minimum) – (Figure 100). One of these parcels, 32-acres in size (R4418-00701), was purchased by the McMinnville School District No. 40 several years ago and is identified by the District as the future site of a high school to serve the west side of McMinnville and the surrounding rural area (Figure 101). Table 14, below, provides a buildable lands summary of this sub-area.



The Council concludes that the proposed expansion areas will not create compatibility conflicts between uses. Much of the existing UGB is adjacent to resource lands that are currently in agricultural uses. Expansion of the UGB would not create new uses that would create new types of compatibility issues.