



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD

February 7, 2024

Heather Richards
Community Development Director
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128



By email: Heather.Richards@mcminnvilleoregon.gov

RE: Approval of Request to Initiate Sequential UGB Process

Dear Community Development Director Richards,

I am pleased to inform you that the Department of Land Conservation and Development has received and approved your notice of election to use the sequential UGB process. As cited in your memorandum, OAR 660-025-0185 is applicable. It states:

A city and a county or counties may elect to submit a component of an urban growth boundary amendment...when the city and county determine that the final urban growth boundary amendment is likely to exceed 50 acres. The local governments must submit written notice of election to use the sequential review process contained in this rule to the department prior to submittal of a component for review. The notice of election shall propose the planning period for the amendment and include a draft work program. Upon joint written notice pursuant to section (2), the department will prepare a work program consisting of tasks to complete one or more of: land need analyses, land inventories, and responses to deficiency.

The City's notice indicates that a future urban growth boundary amendment to accommodate needed housing is likely to exceed 50 acres, and proposes a planning period of 2021 to 2041. DLCD has reviewed your submittal and finds that it contains the statement of local circumstances and identification of a draft work program as required by this rule. It has also been agreed to by Yamhill County, as required in OAR 660-025-0185.

Since receiving your notice, DLCD staff have worked with city staff to finalize a work program for the city (Attachment A). The department hereby authorizes the City of McMinnville to utilize the sequential UGB work program as provided in Attachment A of this letter. We look forward

to working with you over the coming years to provide land for McMinnville's growing population in keeping with the statewide planning goals.

Please contact your regional representative, Melissa Ahrens, at (503) 779-9821 melissa.ahrens@dlcd.oregon.gov if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Brenda D. Bateman".

Brenda Bateman, Ph.D.
Director

Attachments:

- A. City of McMinnville Sequential UGB Work Program

cc: Ken Friday, Yamhill County Planning Director
Melissa Ahrens, DLCD Regional Representative

Attachment A

City of McMinnville Work Program

Sequential UGB Amendment

Proposed Planning Period

The City is proposing 2021-2041 as the 20-year planning period for UGB assessment and amendment. This period is appropriate as the City has (1) completed a draft HNA and EOA and this was the planning period used for that analysis and (2) because the City's most recent UGB amendment occurred in December 2020. So, using the proposed period would reduce costs and administrative burdens associated with re-analyzing years from a different period.

Pre-Task: Complete and Disseminate Election to Use Sequential UGB Process. OAR 660-025-0185.

- A. *City – Develop notice of election to use sequential UGB and Draft Work Program.*
- B. *County – Concur with notice of election to use sequential UGB.*
- C. *DLCD – Receive joint notice of election to use sequential UGB.*
 - i. *Assist city in development of final work plan.*
 - ii. *Issue approval of election to use sequential UGB and work plan.*

Proposed Work Program

1. **Complete Housing Needs Analysis (HNA), Economic Opportunities Analysis (EOA) and Buildable Lands Inventory¹. OAR 660-024-0040 & OAR 660-024-0050.**

Begin by 12/31/2019, Complete by 2/29/24

- A. **City** – Complete appropriate studies and data mining to ascertain 20-year residential land need, 20-year employment land need and inventory buildable lands.
 - i. Post Acknowledgement Plan Amendment to Comprehensive Plan, adoption by McMinnville City Council via ordinance
 - ii. Notice to DLCD pursuant to OAR 660-025-0140
- B. **DLCD** – Receive Adopted Housing Needs Analysis, Economic Opportunities Analysis and Buildable Lands Inventory.
 - i. Serve on Technical Advisory Committee.
 - ii. Review and provide feedback on HNA/EOA/BLI prior to Adoption.
 - iii. For HNA and EOA, DLCD Director review within 90 days pursuant to OAR-660-025-0150 (appealable to LCDC)

¹ Adoption of the HNA by 12/31/23 will require development and adoption of a housing production strategy report by 12/31/24, per ORS 197.290. However, the HPS report does not require review as a component of this sequential UGB process.

Attachment A

2. Evaluate Land Use Efficiency Measures and Urban Growth Boundary Expansion.

Using results from the HNA, EOA, and accounting for efficiency measures, the city will determine the total amount of housing and employment land that needs to be added to the UGB. The final UGB expansion must be adopted by both the City and the County. Subtasks consist of:

Begin by 12/31/23 and Complete Task 2 by 3/1/26

A. City – Perform land evaluation.

- i. Land-Use Efficiency Measures. Identify and evaluate land use efficiency measures that will help meet residential and employment land need within the existing urban growth boundary. Prepare adoption-ready efficiency measures and adjust identified land needs accordingly.
- ii. Establish Preliminary Study Area. Use combined land need analysis from Task 1, as modified by Task 2(b)(i), to determine the scope of UGB Amendment.
 - a. Identify the initial study area pursuant to OAR 660-024-0065.
 - b. Identify exclusions from the preliminary Study Area.
 - c. Identify the final study area.
- iii. Evaluate Land in the Study Area for Inclusion in the UGB. Perform land evaluation pursuant to OAR 660-024-0067
- iv. UGB Comprehensive Plan Amendment, OAR 660-025-0175.
 - a. Complies with Statewide Goals, Statutes, and Rules
 - b. Develop Framework Plan for UGB lands with Comprehensive Plan Map designations and proposed land uses.
- v. Post Acknowledgement Plan Amendment to Comprehensive Plan and development code adoption by McMinnville City Council via ordinance.

B. County – Review and Consider Adoption of City UGB Amendment

- i. Review and consideration City UGB amendment into County Comprehensive Plan
- ii. Adoption of City UGB amendment into County Comprehensive Plan pursuant to ORS 197.628 to ORS 197.650 and OAR 660-025-0175

C. DLCD –

- i. Serve on Technical Advisory Committee.
- ii. Review and provide feedback on study area, land evaluation and comprehensive UGB plan amendment..
- iii. DLCD Director review within 90 days pursuant to OAR-660-025-0150 (appealable to LCDC)

Please note: None of the proposed completion dates in this program are binding; they are preliminary estimates.

However, For the purposes of an urban growth boundary amendment, a task approval is valid for four years. This means that if the UGB expansion is not completed within that time period, the expired work task would need to be updated, readopted, then acknowledged. This period may be extended for up to one year by the director if the local governments show good cause for the extension. The four-year period begins on the later date of:

- (a) Director approval order;
- (b) Commission final approval order; or
- (c) Completion of judicial review of the final approval order.