



231 NE Fifth Street • McMinnville, Oregon 97128 • [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

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December 11, 2020

Re: Notice of Decision – Adoption of Amendment to McMinnville Urban Growth Boundary

Dear Interested Party:

This is to advise you that, at a public meeting held at 7:00 p.m. on Tuesday, December 8, 2020, the McMinnville City Council took action to adopt amendments to the McMinnville Comprehensive Plan and McMinnville Urban Growth Boundary, and the McMinnville Municipal Code. The action of the City Council took place following public hearings held at 6:00 PM on December 1, 2020, 6:00 PM on December 2, 2020, and 6:00 PM on December 3, 2020. You are receiving this letter and notice of decision because you participated in the public hearings, either by providing oral testimony during the hearings or by providing written testimony that was included in the legal record of the proceedings.

The action of the City Council resulted in the approval of Ordinance 5098, which adopted amendments to the McMinnville Comprehensive Plan Map, McMinnville Comprehensive Plan, and McMinnville Municipal Code (Chapter 17), as well as approving the McMinnville Growth Management and Urbanization Plan (MGMUP) and its appendices, and adding land supply to McMinnville's Urban Growth Boundary. Ordinance 5098 and the amendments associated with it were adopted in response to the Land Conservation and Development Commission's (LCDC) Remand Order 12-WKTASK-001814, dated February 29, 2012, and also in response to Court of Appeals of the State of Oregon Decision A134379 (*1000 Friends of Oregon v. LCDC*, 244 Or. App. 239, 259 P.3d 1021 (2011)).

More specifically, Ordinance 5098 resulted in the following:

- 1) Adoption of the "McMinnville Growth Management and Urbanization Plan (MGMUP), December 2020" and its appendices. This action:
  - a. Amends the McMinnville Comprehensive Plan, Volume I, the urbanization element;
  - b. Amends the goals, policies and proposals of Chapter II (Natural Resources), Chapter IV (Economy), Chapter V (Housing), Chapter VII (Facilities and Services), and Chapter IX (Urbanization) of the McMinnville Comprehensive Plan per Appendix D of the MGMUP; and
  - c. Adopts amendments to the McMinnville Municipal Code adding a Neighborhood Activity Center Planned Development Overlay District, a new Chapter 17.10, "Area and Master Planning Process", and a new Chapter 17.22, "High Density Residential Zone" per Appendix E of the MGMUP.
  - d. Appendix A and Appendix B provide the factual basis for the population, housing and employment land needs to which the plan responds. Appendix C, D, E, and G provide supporting evidence for the application of the urban growth boundary land

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selection analysis and related implementation policies and procedures. Appendix F provides the Comprehensive Plan Map amendments for the urban growth boundary amendment.

- 2) Amendment of the Comprehensive Plan Map to add land to the McMinnville Urban Growth Boundary (UGB). The UGB amendment results in the inclusion of an additional 862.40 gross acres and 662.40 gross buildable acres in the McMinnville UGB.
- 3) Amendment of the Comprehensive Plan Map by designating or re-designating land within McMinnville's UGB with Comprehensive Plan designations for both Phase I and Phase II of the UGB expansion. The Comprehensive Plan designations include Urban Holding, Industrial, Commercial, and Floodplain, as identified in Exhibit B of Ordinance 5098.

The action of the City Council responds to the Land Conservation and Development Commission (LCDC) remand order and the associated Court of Appeals of the State of Oregon decision, amends the City's urban growth boundary by more than 50 acres, and also completes remaining elements of an outstanding periodic review work task. Therefore, the City is required to submit the City Council's decision on these amendments to the Director of the Oregon Department of Land Conservation and Development (DLCD) in the manner provided under ORS 197.615 and ORS 197.628 to 197.650.

The notice of the City Council's decision was sent to the Director of DLCD on the same date as this letter (December 11, 2020).

Enclosed with this letter is a copy of signed Ordinance 5098. Due to the size of the documents associated with Ordinance 5098, the documents described in Ordinance 5098 and its exhibits are listed as being "On File with the Planning Department". However, Ordinance 5098 and all of its exhibits and supporting documents are also available on the Planning Department's portion of the City of McMinnville webpage at <https://www.mcminnvilleoregon.gov/planning/page/mgmup-2003-ugb-remand-project>. The materials can also be made available at the McMinnville Planning Department office at 231 NE 5<sup>th</sup> Street, McMinnville, Oregon for pick-up. Due to the COVID-19 public health emergency, the Planning Department office is closed to walk-in customers. If you cannot access the materials electronically, please call the Planning Department at (503) 434-7311 to request a copy of the materials, and staff will assist in making the materials available physically by appointment and in a manner that meets social distancing requirements.

Parties that wish to object to the City Council's decision must submit their objections in writing to DLCD at their Salem office within 21 days from the date of this notice of the decision (by January 1, 2021). For objection(s) to be valid, the objector must clearly identify the alleged deficiency(ies) sufficiently to identify the relevant section of the final decision and the statute, goal, or administrative rule the submittal is alleged to have violated, suggest specific revisions that would resolve the objection(s), and demonstrate that the objecting party participated at the local level orally or in writing during the local process leading to the final decision. Objections that do not meet these requirements will not be considered by DLCD or LCDC. Objectors must also provide a copy of the objection to the City of McMinnville.

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Submit the objection in hard copy or via email to:

Attention: Periodic Review Specialist  
Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301  
Email: DLCD.PR-UGB@state.or.us

An objection must contain three elements. Address each of these in your objection:

1. Show how you participated in the UGB amendment either by speaking at a public meeting or by sending written comments about the proposal;
2. Explain your objection to the adopted amendment. Be as specific as possible, including what goal, rule, or statute has been violated and why; and
3. Recommend a specific change that would resolve your objection.

Following the City Council's decision on Ordinance 5098, the Yamhill County Board of Commissioners held a public hearing at 10:00 AM on December 10, 2020. Following the public hearing, the Yamhill County Board of Commissioners adopted Ordinance 912 which amended the Yamhill County Comprehensive Land Use Plan and Yamhill County Comprehensive Land Use Plan Map to reflect the decisions made by the City of McMinnville in its adoption of Ordinance 5098. Enclosed with this letter is a copy of signed Yamhill County Ordinance 912 and the County's notice of their decision. These documents are being provided to the parties that participated in the County public hearing as the official notice of the County's decision. These documents are also being provided to all parties that participated in the City's public hearing as a courtesy.

If you have any questions regarding this matter, please feel free to contact the Planning Department at 503-434-7311.

If you have questions about DLCD's review of this work task, please contact Kevin Young, the DLCD Regional Representative for this work task at: 503-602-0238, or [kevin.young@state.or.us](mailto:kevin.young@state.or.us).

Sincerely,



Heather Richards, PCED  
Planning Director

cc: Morris Eagleman, Ruby Troncin, Jennifer M. Bragar, Kari Moser, Dan Fricke - ODOT, Susan Dirks, Steve Leonard, Mark Davis, R. Scott Trent, Aaron & Jennifer Wood, McMinnville Industrial Promotions, Jenny Stolarz, Alexis Biddle - 1000 Friends of Oregon, Sid Friedman - Friends of Yamhill County, Abigail Neilan, Dennis & Julie McGanty, Melanie Byers-Jones, Gene Baty, Peg Hegna, Al Ashcroft, Charles Walker, Christine Anderson, MEDP, Steven L. Pfeiffer - Perkins Coie, Patty O'Leary, Cristi Mason-Rivera, Mara Pauda, Janet Redmond, Mark Fery, Travis Johnson, Ramsey McPhillips, Ezra Hammer - Homebuilders Association, Jennifer Redmond-Noble, Joseph Wain, Jerri Solan, Donnie Mason, Barbara Boyer, Davis S. Wall, Patricia Lea Trent, John F. Porter II, Steve Langer, Susanne Beukema, Debbie Robertson, Joe Rivera

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Enclosures:

*Ordinance No. 5098*

*An Ordinance Adopting Certain Amendments to the McMinnville Comprehensive Plan Map, Comprehensive Plan and McMinnville Municipal Code (Chapter 17), Approving the McMinnville Growth Management and Urbanization Plan and its Appendices, and Adding Land Supply to McMinnville's Urban Growth Boundary (Docket G 6-20)*

*Yamhill County Ordinance No. 912*

*In the Matter of Adopting the McMinnville Growth Management and Urbanization Plan and McMinnville Urban Growth Boundary as Part of the Yamhill County Comprehensive Plan, and Declaring an Emergency*

*Yamhill County Notice of Decision on Ordinance No. 912*