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MEMORANDUM

DATE: December 7, 2020
TO: Mayor Hill and McMinnville City Council
FROM: Heather Richards, Planning Director
SUBJECT: Response to City Council Questions from December 2 and December 3, 2020
Ordinance No. 5098 Public Hearing

A handwritten signature in black ink, appearing to read 'HR', is placed over the 'FROM' line of the memorandum header.

This memo provides responses to questions from City Council from the public hearing on Wednesday, December 2, 2020, and Thursday, December 3, 2020.

QUESTION:

- ***Can you provide examples of planning techniques to buffer the development between housing and farms? Is there a Comprehensive Plan policy that addresses this or is there something that we can add to the Comprehensive Plan to reinforce this?***

RESPONSE:

There was some testimony and dialogue during the public hearing on December 2, 2020 and December 3, 2020 about the need to provide buffering between urban uses that would be developed in expanded UGB areas and the operating farms outside of the UGB boundary.

Staff would note that there is an existing Great Neighborhood Principle (in existing Comprehensive Plan Policy 187.50 as Great Neighborhood Principle #10) that speaks to urban-rural interface and buffering between those uses. That existing Great Neighborhood Principle is identified below:

10. *Urban-Rural Interface. Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.*
 - a. *Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.*

The currently proposed zoning text amendments would require that Area Plans and Master Plans be developed to be consistent with the Great Neighborhood Principles. Proposed Section 17.10.50(B)(1) (also can be seen on page E-17 of Appendix E) states that "Area Plans must embody the development principles of the applicable Framework Plan, UGB expansion plan, McMinnville Comprehensive Plan, and any other City land use policies and standards." More specifically, proposed Section 17.10.50(B)(1)(a)(3) specifies that "...Area Plans for UH areas within the MGMUP areas will be developed to be consistent with: ... The City's adopted Great Neighborhood Principles, as described in Comprehensive Plan Policies 187.10 through 187.50." Further, at the Master Plan level, proposed

Section 17.10.80(4) (also can be seen on page E-20 of Appendix E) describes one of the review criteria for the consideration of a Master Plan as “Whether the Master Plan is consistent with the City’s adopted Great Neighborhood Principles” (and then goes on to list all of the Great Neighborhood Principles). Therefore, the “Urban-Rural Interface” Great Neighborhood Principle and its requirements for buffers or transitions between urban lands and rural lands will need to be addressed through the development of Area Plans and Master Plans, which would occur prior to any development and would ultimately need to be reviewed and approved by the City Council.

In regards to actual planning techniques that would provide for a satisfactory buffer between urban and rural uses, staff will not have adequate time to research and develop recommendations for those techniques between the time that this issue was identified during the public testimony and when the City Council will be potentially taking action on the UGB ordinance. Staff would note that there were some ideas discussed by the Project Advisory Committee that worked on the development of the Great Neighborhood Principles for how to achieve the urban-rural interface principle, which included using natural features, greenways, parks, or open spaces between urban development and adjacent rural areas. However, none of these ideas were adopted as city code or policy.

If the Council is interested in providing more direct guidance in the development of planning or land use techniques that would achieve satisfactory buffering between urban and rural uses (and therefore achieve Great Neighborhood Principle #10), staff would recommend that an additional proposal be included as part of the proposed Comprehensive Plan amendments. A staff-suggested proposal that addresses this is provided below (note – this would be inserted into the new Comprehensive Plan proposals in Appendix D):

New Proposed Comprehensive Plan Proposal 48.25: The City shall develop land use techniques and standards that provide for buffering and transitions between urban uses and surrounding rural uses outside of the UGB. These land use techniques and standards shall provide more specific guidance for how developments may achieve Great Neighborhood Principle #10 (Urban-Rural Interface).

QUESTION:

- ***What are the specific ramifications of the Anderson Farm land that crosses two properties, one of which is in the UGB and one of which isn't?***

RESPONSE:

This question relates to the Riverside South area, which was previously added to the UGB in Phase 1 and received a Comprehensive Plan designation of “R” Residential, and a plan designation of “FP” for portions in the floodplain. Riverside Loop and SE Parma Drive form the edge of the UGB in this vicinity, with properties to the west in and properties to the east out.

This question appears to pertain to properties owned by one property owner and rented to Anderson Farms: Tax lot 3000, at the NW corner of NE Riverside Drive and SE Parma Drive, is approximately 5 acres and within the UGB. Tax lot 3400 across SE Parma Drive to the east is in the same ownership, outside the UGB. The current proposal would only change the Comprehensive Plan Map designation for that property already within the UGB from “R” Residential to “UH” Urban Holding, with the small strip of “FP” adjacent to the road retaining that designation. The zoning of that property would be unchanged

by this proposal. It has a county rural residential zone with a 2.5-acre minimum lot size. There would be no change to the county's comprehensive plan designation of the property outside the UGB east of SE Parma Drive.

There are no specific ramifications associated with retaining the property this way, with a portion in the UGB and a portion out of the UGB. One property is entirely in the floodplain and thus is not buildable and is not in the UGB. The other property is buildable and is in the UGB, but the property owner who rents the property to Anderson Farms has control over whether or not they want to annex the property that is in the UGB into the city and develop it to city specifications. At such time as that may occur, the road currently separating that property from the floodplain property that is farmed would likely remain in its current alignment – much like Hill Road separates residential development on the edge of the city with the farm land adjacent to it. This property is also on the far edge of the Riverside South area. All of the property west of this property would need to annex into the city first. Based on the conversations that we have heard from those property owners that is highly unlikely to occur in our generation.

The "UH" designation would ensure that if and when the property owners pursue annexation and urbanization of the portion of the property in the UGB, that it would occur consistent with a master planning process for the area, rather than in an unplanned, piecemeal manner.

QUESTION:

- ***Can we look at adding a clearer definition of "buffering" (between multi-family residential and single-family residential) to the zoning code as part of this process? It seems relevant to the UGB expansion as we grow and expand and as we encourage redevelopment of properties to higher densities.***

RESPONSE:

The buffering language is recommended for deletion, as it would be in conflict with the Great Neighborhood Principles, presenting a problematic conflict that would be difficult to address with defensible findings. This prior language resulted in policy direction that would result in seclusion and segregation, in conflict with the Great Neighborhood Principles which address integration and inclusivity. As a separate project, the City is drafting residential design standards to address design and scale of residential development for different housing types.

QUESTION:

- ***If we are including policies relative to updating the Parks Master Plan soon, yet given we always talk about funding mechanisms specific to those projects, can we also include language and "proposals" relative to the creation of parks-specific funding mechanisms? This could be general, such as "explore additional funding mechanisms for parks and open spaces development."***

RESPONSE:

Yes, that could be added as a Comprehensive Plan policy. This is a standard task in a public facility plan update and is usually included in the scope of work, however if City Council wanted to reinforce this value with a comprehensive plan policy suggested language is below.

Proposed New Comprehensive Plan Policy #182.75 in Chapter IX, "Urbanization": *When updating City Public Facility Plans, the City shall strive to identify a variety of funding resources for the plan's capital improvement program.*

QUESTION:

- ***As we look to expand our borders to serve more citizens and diversify and thusly improve our community, can we look for specific ways to improve our too-centralized positioning when it comes to our facilities? Can we add language and policies to the guidelines and expectations of the NAC overlay districts and additional master planning documents required as submittals for annexations to specifically include areas of land that the city can use/have to spread out its services and delivery of them?***

RESPONSE:

The proposed Neighborhood Activity Center (NAC) Comprehensive Plan Policies and Overlay District Ordinance do include language that speak to public and institutional uses being included and encouraged within NACs. More specifically, proposed Comprehensive Plan Policy 188.01 (can be seen on Page D-14 of Appendix D) states that NAC focus areas "...should include a mix of commercial, office, institutional, and high density residential uses. The commercial and institutional uses support the common day-to-day demands of the surrounding neighborhood for goods, services, and facilities..." In addition, proposed Section 1 of the NAC Overlay District Ordinance (can be seen on page E-2 of Appendix E) includes a design principle that states that "Civic buildings are given prominent sites throughout the neighborhood". Section 4(C) of the NAC Overlay District Ordinance (can be seen on page E-4 of Appendix E) provides guided sizes and areas (in terms of acres and square feet) of institutional uses within the focus area of a NAC.

Example public/institutional uses that are listed in proposed Policy 188.01 include "Post Office" and "Public Market", but other institutional uses could be included in an NAC as this list is simply described as example uses. Other institutional uses could include a community center, library, fire station, or government center, if it was ultimately the intention of the City to provide services and facilities in a manner that is not "too-centralized" as this specific question poses.

Staff would note that this is a larger question of government operations and provision of services that would require much more dialogue by the City Council, staff, and the community in its role as a service provider and implications as a property owner. However, if such a model of service provision was ultimately decided upon by the City Council in the future, the NAC Comprehensive Plan and Overlay District Ordinance language would support siting of neighborhood serving/satellite uses.

QUESTION:

- ***With the documents required of incoming master plans and NAC plans, should there be any requirement, or discussion of requirements around the inclusion of a financial pro-forma to show that the plan is rooted in some actual rational basis of success, versus a fleeting hope?***

RESPONSE:

Market factors are considered and addressed as part of the refinement of area planning projects to consider the scale and uses that can be supported by the neighborhood. However, a financial pro-forma is not a legal requirement of a land-use decision. Typically the inability to perform on a development proposal is covered by an expiration date of the land-use decision. But land-use decisions are not decisions that approve a developer; they are land-use decisions that approve specific proposals that, after approval, run with the land. The person or entity that applies for the land-use decision is not always the same as the person or entity that builds the project. Regardless of whether a financial pro forma should be required, examining whether such a requirement can be structured to have clear and objective criteria, as required under state law, is outside the scope of the proposal currently before the Council.

QUESTION:

- ***Do you have a document that more easily compares the code and policy amendments and changes in a side-by-side manner so we can more comfortably weight the changes to our governing code?***

RESPONSE:

This was provided to City Council on Thursday, December 3, 2020.

QUESTION:

- ***Do we have a good sense from our downtown association and businesses how they feel on the NACs? If the commercial centers are as the planning department hopes, it will no doubt curtail some of the business to the downtown.***
- ***Do we have any mechanisms or hopes to protect that stated vital and important asset to our community and further develop the growth, outward, of our city?***

RESPONSE:

The City has not received specific feedback from the McMinnville Downtown Association (MDA) or businesses within the downtown on the proposed NACs. However, the NACs were discussed at the community level over the many years of public involvement and dialogue that led to the development of the original MGMUP. This public involvement process occurred from 1995 – 2002, and led to the development of the MGMUP, of which the NAC development model was a key component. The NACs

have further been discussed in the many years that the City Council considered the MGMUP and the UGB amendments from 2003 - 2012. Staff has made the current MDA staff aware of the current UGB effort and the response to the Court of Appeals remand, and the public hearing process that is underway right now.

The MGMUP does describe the downtown area as the central economic center of McMinnville. The MGMUP includes a description of the “Historic Downtown” as an existing growth management technique and land use efficiency (see pages 35-36 of the MGMUP), and focuses on the downtown continuing to serve as McMinnville’s center of commerce and activity. In addition, the MGMUP describes the downtown as an existing activity center (see page 90 of the MGMUP) that serves the entire McMinnville community. New findings proposed in the MGMUP (in the green box on Page 36) speak to the zoning provisions that continue to support the downtown core, and also speak to further work that the City may pursue to encourage further residential development in the downtown area that would further support businesses in this area.

The proposed Neighborhood Activity Center (NAC) Comprehensive Plan Policies and Overlay District Ordinance do include language that requires a minimum separation between any new NAC and the downtown area, which will reduce the potential for NACs to compete with existing downtown businesses. Proposed Comprehensive Plan Policy 188.03 (can be seen on Page D-15 of Appendix D) and Section 2 of the NAC Overlay District Ordinance (can be seen on page E-3 of Appendix E) both require that NACs be a minimum distance of 1 to 1.5 miles from downtown McMinnville.

Ultimately, there will need to be a balance between the downtown area and its provision of all of the economic activity of the city, and the need for some neighborhood-serving commercial activity that would occur in future NACs, if the City intends to encourage a more sustainable community. For example, NACs and their neighborhood-serving commercial uses will provide opportunities for residents to reduce reliance on automobiles for all of their daily needs. This is just one of the social, health, and environmental benefits of NACs and how they will support the future growth of the community. More of the benefits of NACs are described in the MGMUP (see pages 80-91 of the MGMUP).

QUESTION:

- ***What, if anything, should we consider at this time with our documents, to encourage either new and better routes from the southwesterly area to the hospital or new medical developments out west?***

RESPONSE:

From a transportation standpoint, that is typically updated as part of the TSP. A portion of 2nd Street is currently classified as a minor arterial in the TSP to carry east-west traffic. Through downtown, it turns into a minor collector and 3rd Street turns into a major collector. The City has talked about changing that dynamic with a TSP update. 3rd Street should not be a major collector if it is trying to foster a pedestrian environment. Additionally it is more likely that residents in the SW Area will use Highway 18 to access the hospital as the fastest and most direct route.

The analysis did not consider travel time to the hospital as a criteria. The comment noted expected delays getting to the hospital via 2nd Avenue through downtown. A travel time search using a mapping

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direction tool starting at SW Fellows/SW Hill Road, which is the northwest edge of the areas in the southwest that are recommended for inclusion, shows that travel time to the medical center is ~9 minutes and the recommended route is not through downtown. The concern stated regarding this issue is noted and included as part of the record. However, staff’s position remains unchanged that it is not an applicable standard for considering the proposal before the Council, nor is the testimony provided supported by record evidence that would alter the objective analysis in the record, and accordingly does alter staff’s recommendation.

