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BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Amending Newberg's Urban Growth Boundary to Include)
Approximately 200 Acres of Property, Most of Which Is Already Within) Ordinance 803
the Newberg Urban Reserve Overlay District, Docket PA-03-06, Applicant)
the City Of Newberg, and Declaring an Emergency)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the "Board") sat for the transaction of county business on February 7, 2007, Commissioners Kathy George, and Leslie Lewis being present, and Mary P. Stern being excused.

IT APPEARING TO THE BOARD that the city of Newberg requested to amend Newberg's Urban Growth Boundary to include approximately 200 acres of property, most of which is already within the Newberg Urban Reserve Overlay district, and

IT APPEARING TO THE BOARD that the matter was heard by the Newberg Urban Area Management Commission at a duly noticed public hearing on September 21, 2006, and unanimously approved. The matter was heard by the Newberg City Council and approved by Ordinance 2006-2661 effective December 6, 2006. A public hearing was held before the Board on January 24, 2007, the city of Newberg being represented by Barton Brierly. NOW, THEREFORE,

IT IS HEREBY ORDAINED BY THE BOARD, that the application is approved as detailed in the Findings for Approval, attached as Exhibit "A" and by this reference incorporated herein. This ordinance, being necessary for the health, safety, and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, is effective upon passage.

DONE this 7th day of February, 2007, at McMinnville, Oregon.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

JAN COLEMAN
County Clerk

Kathy George

Chair

KATHY GEORGE

By: *Anne Britt*
Deputy Anne Britt



Mary P. Stern

Commissioner

MARY P. STERN

APPROVED AS TO FORM:

Leslie Lewis
Commissioner

LESLIE LEWIS

Rick Sanai
Rick Sanai, Assistant County Counsel

FINDINGS:

DOCKET NO.: PA-03-06 (City of Newberg File No. UGB-05-011)

REQUEST: The request is to amend Newberg's Urban Growth Boundary to include approximately 200 acres of property. Most of the property is already within the Newberg Urban Reserve Overlay district. The City has requested to change the comprehensive plan designation to PQ, LDR, LDR/1A, MDR and HDR.

APPLICANT: The City of Newberg

LOCATION: Generally on the west and northwest side of the City of Newberg. North of North Valley Road and Bell Road and in the vicinity of Chehalem Road.

PLAN DESIGNATION: Agriculture/Forestry Small Holding, Very Low Density Residential with an Urban Reserve Area Overlay applied to the majority of the other parcels.

ZONE: AF-10 Agriculture/Forestry Small Holding, VLDR-1 Very Low Density Residential, PAI Public Assembly, Institutional, LDR Low Density Residential

CRITERIA: Newberg Urban Area Management Agreement, Statewide Planning Goals, Yamhill County Comprehensive Plan Goals and Policies and the Oregon Administrative Rules including OAR 660-04, Exception Process and OAR 660-12-0060 Transportation Planning Rule.

A. Background Facts

1. *Size:* Approximately 197.5 acres, of which the city calculates that it will add 179 acres of buildable land to the Newberg Urban Growth Boundary.
2. *Access:* Various but the main roads include Highway 240, North Valley Road, Chehalem Drive, Calkins Lane, and Old Yamhill Road.
3. *On-site Land Use:* The properties are predominantly in rural residential use.
4. *Current Zoning:* Very Low Density Residential VLDR-1, -2.5 and -5, AF-10, Agriculture/Forestry Small Holding.
5. *Surrounding Land Use:* The surrounding properties are in a mixture of residential, rural residential and farm uses.
6. *Water:* City water would be available if the subject land is annexed.
7. *Fire Protection:* Newberg Rural Fire District
8. *Sewage Disposal:* City sewer would be available if the subject land is annexed.

9. *Soils:* The soils maps are shown in the application. (Note: While the property does contain soils that are rated as "high-value" agricultural soils, in 1980 the property had an exception to the farm and forest preservation goals.)
10. *Exception:* On May 3, 1979 Yamhill County adopted Exceptions Statement I which included the property in Code Area 1.4, North Newberg and 1.8 Newberg/Dundee exception area. These areas were challenged and Exceptions Statement II was adopted by the Board of Commissioners April 23, 1980. At that time an exception to Goals 3 and 4 were taken based on the area being committed to rural residential use and the subject properties were given a VLDR Very Low Density Residential and Agriculture/Forestry Small Holding comprehensive plan designation. In 1995 Yamhill County and the City of Newberg adopted the Urban Reserve Area. Yamhill County adopted Ordinance 596 on July 19, 1995 which identified all the subject land but the "Aspen Estates" area south of Highway 240 as part of Newberg Urban Reserve Area.
11. *Fish and Wildlife:* The May 1979 Natural Resource Conservation Plan identifies the streams in the area as "fish habitat." The property is not identified as part of the Big Game Winter Range.
12. *Coordinated Population Projection:* ORS 195.036 requires the county to establish and maintain a population forecast for use in maintaining and updating comprehensive plans, and to coordinate the forecast with each of the cities in the county. In order for the population figure to be coordinated, the Board of Commissioners adopted a Board Order which identifies the Planning Director as the person responsible for identifying the number. It appears that the first coordination was attempted back in 1997. At that time our office wrote to each city and explained that the county's 1996 Transportation System Plan (TSP) was intended as the starting point for the numbers. The county's TSP had a 2014 population projection for Newberg at 30,656. In our 1997 letter, our office had proposed projecting the average annual growth rate from 2014 to 2020 for a projection. The County files do not show that the City responded to these attempts to identify a coordinated population figure.

In 2003, the Newberg planning staff contacted Yamhill County Planning and asked that we accept projections from the 1995 Urban Reserve Area Report out to 2040. Planning responded with a letter which stated we would accept the 2020 projection of 33,200 but asked for additional information related to the 2030 and 2040 projections. The reasons for requesting this additional information was explained in our September 30, 2003 response letter. The second paragraph stated the following:

Additional information will be necessary in order for our office to agree to the 2030 and 2040 projections. The reason for this is twofold. First, the study that was the basis of the Urban Reserve Area was done approximately ten years ago. Secondly, the Office of Economic Analysis (OEA) significantly reduced the overall county projection for the years 2020, 2030 and 2040. Our office did voice objection to this reduction and sent both Newberg and McMinnville copies of our objections. Neither city responded to these reduced projections. Therefore, based on the age of the original study, and the OEA's reduced projections, it appears appropriate to have better information prior to adoption of a 2030 or 2040 projection.

Since that time Newberg has commissioned an updated study. On November 29, 2005 a request was submitted with the study to recognize the new projections. On December 30, 2005 the Planning Department wrote back a response that stated in part:

As we have previously discussed Newberg's projection is 15 to 25 years beyond what every other city in the County has adopted. Because the projection is so far beyond what other cities have adopted our office will be discussing the possibility of coordinating a long range forecast with the other cities. Due to this the numbers that have been submitted by Newberg can not yet be recognized as a coordinated population forecast under ORS 195.036.

Subsequently our office did contact the planning representatives from the other cities. We sent out the Newberg population projection and asked for written confirmation that they did not object to the new number. When the County Planning Department called the cities to follow up and ask for written confirmation that they did not object we were assured that it would be forthcoming. Unfortunately it was not. Recently, the Newberg Planning staff offered to help by sending out the data and asking to reply with a "check the box" letter to indicate if they had objections. To date, three of the nine other cities have replied that they had no objections. When the other cities reply indicating they do not object then, our office will issue a letter stating that the cities numbers are a coordinated population projection.

Page 18 of the City's application state that, "To some extent, Yamhill County has already coordinated acceptance of Newberg's population projections in adopting Ordinance 781." The reason given for this statement is the reference in Ordinance 781 which incorporates the City's findings for Ordinance 2006-2636 into Ordinance 781. The County Planning Department disagrees with this conclusion for two reasons. First, while Ordinance 2006-2636 (the Ordinance prepared by the City of Newberg) does contain a wealth of information related to population, our office can not find where it states something to the effect, ". . . and the coordinated population projection for the City of Newberg is _____." Our office did want to include that information in case this land use action was appealed. However, simply including the population information did not somehow make them the coordinated figures. Secondly, the findings did clearly state, "The last coordinated population projection for Newberg is 33,200 for the year 2020." It does not appear that it could be stated more clearly as to what the County adopted as the coordinated number population projection.

Since the Newberg URA was established to provide developable land to the year 2020, and the County and City have coordinated a population projection out to 2020, and Cities are required to have a 20-year supply of buildable lands inside their Urban Growth Boundary (UGB), the issue of a coordinated population projection is a moot point. However, it will need to be revised prior to the addition of land into the Newberg URA.

B. Urban Growth Boundary Amendment Criteria

1. Criteria to be addressed in UGB amendment requests include the *Newberg Urban Area Growth Management Agreement*, the statewide planning goals, and the city and county Comprehensive Plans. The review standards from the first three of these are detailed in the city's application. The application did consider the Yamhill County Comprehensive Plan and much of the justification of Newberg's Comprehensive Plan criteria follows similar reasoning for justification of the Yamhill County Comprehensive Plan Criteria.

Even though the majority of the Yamhill County Goals and Policies are aspirational and not to be mistaken for, or treated as, approval criteria it is required that they be considered. It is a fact that some of the goals and policies conflict with one another. They are simply to be used as a guide to aid decision makers. For example, where goals or policies conflict the decision makers need to weigh the evidence and decide which goal or policy the request satisfies.

2. The Yamhill County Comprehensive Plan, Section I.A., Goal 1, directs County:

To encourage the containment of growth within existing urban centers, provide for the orderly, staged, diversified and compatible development of all of the cities of Yamhill County, and assure an efficient transition from rural to urban land use.

In 1995 the urban reserve area project was completed. The Newberg Urban Reserve Area (URA) land supply was intended to provide adequate land for the City of Newberg needs to 2020. The majority of the subject land was included in the URA. The urban reserve anticipated to fulfill the need for urban development 10-years beyond the adopted Urban Growth Boundary (UGB). At that time, the reserve was to fulfill the needed land for urban development until 2020. A small area known as Aspen Estates is also proposed to be transferred which is outside of the Urban Reserve Area. However, as noted in Finding A.10 above, the property has had an exception to the protection of Goals 3 (related to the protection of Agricultural lands) and Goal 4 (related to the protection of Forest land). Since the property is exception land it is the second highest priority for inclusion in the UGB.

In the past, one of the main issues for expansion of the urban growth boundary has been the transfer of jurisdiction of roadways. This will be discussed in Section C of this report. The City and County will need to determine an agreed upon schedule for the transfer of jurisdiction for the affected roads.

3. The Yamhill County Comprehensive Plan, Section I.A., Goal 2, directs Yamhill County:

To encourage the containment of urban services and facilities and other public capital improvements within existing urbanizing areas in order to achieve an orderly pattern of urban growth.

The expansion is proposed for property that was designated in 1995 as being part of the Newberg Urban Reserve Area and for an area which has had an exception to Goals 3 and 4. As indicated in the application, there have been improvements to the urban facilities and services that would help to support development of this property to urban uses. Based on the availability of urban improvements and services to the property, it appears that approval would result in an orderly pattern of urban growth.

4. The Yamhill County Comprehensive Plan, Section I.A., Goal 3, states:

To create convenient and attractive residential neighborhoods which can be efficiently serviced with roads, utilities, schools, parks and commerce, and can take advantage of desirable physical features; and to give a satisfactory range of choice to the prospective householder through the imaginative use of a variety of design concepts.

The proposal is for additional residential buildable lands. The City of Newberg has made preliminary plans for the URA lands so that once they are taken into the UGB/City Limits they can be efficiently served and incorporated into the City's long range plans. The executing of those plans would result in convenient and attractive residential neighborhoods. The city of Newberg's "Northwest Newberg 2006 UGB Expansion Justification and Findings Report" dated August 3, 2006 is hereby adopted and incorporated into these Findings by this reference.

6. The Yamhill County Comprehensive Plan, Section II, Goal 2, Policy a. states:

Yamhill County will continue to preserve those areas for farm use which exhibit Class I through IV soils as identified in the Capability Classification System of the U.S. Soil Conservation Service.

The majority of the property is made up of high-value farmland which consists of agricultural Class I-IV soils. However, as noted above an exception to Goal 3 and 4, related to the protection of agricultural and forest land was taken in 1980. The exception was based on the subject parcel and surrounding area being irrevocably committed to rural residential use. Therefore the goals and policies related to the protection of farm and forest land do not apply to the subject properties.

C. Urban Growth Boundary Transportation Issues

1. The Yamhill County Transportation Plan Section 5.2.2 has Goals and Policies that deal with issue of UGB amendments and Annexations. Goals 4, 5, and 6 of this section state:
 4. *It is the policy of Yamhill County to coordinate the County Transportation System Plan with the transportation plans of the ten incorporated cities within Yamhill County. The County will emphasize continuity in the classification of roads and appropriate design standards for roadways which link urban areas with rural areas outside Urban Growth Boundaries. At the time of UGB amendment Yamhill County and the City involved shall agree on classification and design standards of all County Roads within the proposed UGB area prior to finalization of the amendment.*
 5. *County policy will encourage the expeditious transfer of jurisdiction of roadways to incorporated cities in conjunction with annexation. It is the policy of Yamhill County that developers of property who propose annexation and who have frontage on a road that does not meet city road standards shall have the primary responsibility for upgrading the road to city standards. Roads shall be upgraded at the time of annexation, or the developer shall sign an agreement with the city to upgrade the road at the time of development. Transfer of jurisdiction shall require the approval of both the County and the City in accordance with the provisions in Oregon Revised Statutes 373.270.*
 6. *It is the policy of Yamhill County to require the transfer, or an agreement to transfer with specific time lines and milestones as part of the agreement, of jurisdiction of County roadways within urban growth boundaries to their respective cities at the time of annexation.*

As noted above the Yamhill County Transportation System Plan requires “. . . *the expeditious transfer of jurisdiction of roadways to incorporated cities in conjunction with annexation.*” The applicant city of Newberg stated that the roadways will be transferred to city jurisdiction when the properties bordering the subject roads are annexed into the city limits.

CONCLUSIONS:

1. The request is to amend Newberg’s Urban Growth Boundary to include approximately 200 acres of property. Most of the property is already within the Newberg Urban Reserve Overlay district. The City has requested to change the comprehensive plan designation to PQ, LDR, LDR/1A, MDR and HDR.
2. The applicant has demonstrated that the request satisfies the Yamhill County Comprehensive Plan goals and policies.

NORTHWEST NEWBERG

2006 UGB EXPANSION

JUSTIFICATION & FINDINGS REPORT

**City of Newberg, Oregon
August 3, 2006**



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MAPS

The City has relied on the following City of Newberg GIS maps to support its decision to expand the UGB:

- Map 1: 2006 UGB Expansion Areas
- Map 2: Adopted Urban Reserve Areas (1995)
- Map 3: Urban Reserve Study Areas (2004), URAs (1995), Exception Areas and Agricultural Soil Capability Classes (2005)
- Map 4: UGB Expansion Areas (2006), Adopted Urban Reserve Areas (1995) Showing 2006 Comprehensive Plan Map Amendments
- Map 5: Transportation Systems Plan Map for UGB Expansion Areas (Kittleson, 2005)
- Map 6: 2025 Recommended Water System Improvements
- Map 7: Potential Sewer Service to Urban Reserve Areas and Expansion Study Areas
- Map 8: Urban Reserve Study Area Water Features (Winterbrook, 2006)

APPENDICES

- Urban Reserve Areas Public Utilities Cost Estimates
- Task 1.2 Technical Report: Water Features Inventory
- Comment, Chehalem Park and Recreation District

REFERENCED:

Background Studies, Council Resolutions, Ordinances and Agreements

Studies

- *City of Newberg Urban Reserve Area Project*, Dorman and Associates (1994)
- *Population Projection for Newberg, Yamhill County, Oregon: 2000 – 2040*, Barry Edmonston, Director, Population Research Center, Portland State University (2004)
- *Housing and Residential Land Needs Report*, Johnson-Gardner (2004)
- *Report to Newberg City Council: Recommendations for Newberg’s Future*, Ad Hoc Committee on Newberg’s Future (2005)
- *Newberg Water Features Inventory*, Winterbrook Planning (2006)
- *Public Involvement and County Coordination Process for Newberg 2006 UGB Expansion*, Newberg Planning and Building Department (2006)

- *Newberg Urban Reserve Area Public Services Analysis*, Newberg Public Works Department (2006)

Council Resolutions

- Council Resolution No. 2005-2590, Directing City Staff to Undertake Activities Needed to Implement the Recommendations of the Ad Hoc Committee on Newberg's Future
- Council Resolution No. 2004-2511, A Hardship Request for Water Service Outside of City Limits for Aspen Estates Water Association.
- Council Resolution No. 2003-2486, Establishing an Ad Hoc Committee on Newberg's Future.

Council Ordinances

- Ordinance 2005-2619, Adopting the Newberg Transportation System Plan and amending Newberg Comprehensive Plan policies and Newberg Development Code text.
- Ordinance 95-2397, Amending the Newberg Comprehensive Plan Map and Text to Establish an Urban Reserve Area.
- Ordinance 2005-2626, Amending the Newberg Comprehensive Plan to Establish Revised Population and Land Need Projections.
- Ordinance 2006-2634, Amending the Newberg Comprehensive Plan Policies.

Yamhill County Ordinances

Ordinance 781, Approving an Urban Growth Boundary Amendment for the City of Newberg

Newberg Urban Area Growth Management Agreement (NUAGMA)

Newberg Urban Area Growth Management Agreement (UAGMA) as amended in 2000.

EXECUTIVE SUMMARY

This report explains the underlying planning and legal rationale for the 2006 Newberg Urban Growth Boundary (UGB) Amendments. The findings in this report are consistent with recent amendments to the Newberg Comprehensive Plan that assess the need for and supply of buildable land through the Year 2025. These findings demonstrate consistency with Statewide Planning Goal 14 – Urbanization.¹

The 2006 Newberg UGB Amendments are designed to allow the City of Newberg to achieve several community planning objectives recommended by the Ad Hoc Committee on Newberg's Future and adopted by the Newberg City Council. The amendment process has been coordinated with Yamhill County and is consistent with Oregon's land use planning program. The City of Newberg, Yamhill County, the Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT) have been actively working to develop these amendments since 2003.

Land Need and Supply Summary

The primary basis for the 2006 UGB amendments is City Ordinance No. 2005-2626, which amended the Newberg Comprehensive Plan (the Plan) by updating the population projection and land needs assessment through the Year 2025. The Newberg City Council adopted this ordinance on November 22, 2005. This ordinance was not appealed and was therefore "acknowledged" by the Land Conservation and Development Commission (LCDC).

The 2006 UGB Amendments meet a portion of the City's 2025 residential and institutional land needs. Table 1 summarizes residential and institutional buildable land needs that are met by the 2006 UGB expansion. Both residential and institutional land needs (schools, parks, religious institutions, etc.) typically are met within Newberg's three residential plan designations and zones: Low Density Residential (LDR/R-1), Medium Density Residential (MDR/R-2) and High Density Residential (HDR/R-3).

To fully accommodate Newberg's projected Year 2025 population of 38,352 (an increase of 17,200 people and 5,720 new dwelling units), the UGB should include a total 1,123 buildable residential acres to meet both residential and institutional land needs.² As shown on Table 1, the 2004 UGB has 514 buildable residential acres, leaving an unmet need of 609 acres. The 2006 Plan amendment adds 179 buildable acres to the UGB, resulting in a residual unmet need of 430 buildable residential / institutional acres.

¹ The City of Newberg has elected to proceed with the proposed plan and code amendment package based on the "new" Statewide Planning Goal 14 (Urbanization), which became effective on June 28, 2005.

² City of Newberg Ordinance 2005-2626.

Table 1: 2025 Residential and Institutional Land Needs (Buildable Acres)

Type	2005-2025 Land Need	2004 UGB	(Deficit)	2006 UGB Amendments	Remaining Deficit
Residential	874	514	(609)	142	(430)
Institutional	249			37	
Totals	1,123			179	

Source: Newberg Comprehensive Plan, Tables IV-1, IV-7 and IV-13

The 2006 Plan amendments add 172 acres of buildable land within the North and Northwest Urban Reserve Areas (URAs). Most of the land (142 acres) will be designated for residential use, with 37 acres designated for institutional use. Ten acres of park land are planned for land with a residential designation in the Northwest URA. The UGB expansion also includes 23 developed lots within the Aspen Estates Exception Area (immediately south of Highway 240 and west of the 2004 UGB³ and the rear portions of 10 developed lots split by Chehalem Creek. Together, these rural residential areas have only seven acres of buildable residential land.

After accounting for the capacity of the 2006 UGB to meet cumulative Year 2025 residential and institutional land needs, there is a remaining deficit of 430 acres in the residential / institutional need categories. The 2006 UGB Amendments are not intended to meet employment needs except to the extent that employment is provided in institutions (e.g., schools) or home occupations in residential zones.

The unmet residential and institutional need of 430 acres, as well as unmet Commercial and large-site Industrial needs (40-50 acres), will be addressed when the City considers additional UGB/URA expansions in 2006-08.

Definitions

Several terms are used repeatedly in these findings:

- "Urban Reserve Study Areas" (or simply "Study Areas");
- "Urban Reserve Areas" (URAs);
- "Exception areas";
- "Resource land"; and the
- "2006 Urban Growth Boundary (UGB) Expansion Area".

³ Council Resolution No. 2004-2511 authorizes the City to provide water service to 23 developed lots in Aspen Estates. These 23 lots are located outside the Newberg City Limits and UGB. Well water serving these lots has very high sodium content, making it undrinkable and harmful to lawns and shrubbery. When the City authorizes extension of water service to land outside the City Limits, a signed "consent to annex" form is required. However, these lots must be included within the UGB in order for them to be annexed to the City. Therefore, to alleviate this hardship condition, all 23 lots must be included within the Newberg UGB.

Urban Reserve Study Areas

Map 3 shows six Urban Reserve Study Areas that were approved by the Ad Hoc Committee for Newberg's Future in 2004 for analyzing growth alternatives. The six Study Areas include about 10 square miles of rural land (6.4 square miles of which are buildable) that *potentially* could accommodate Newberg's Year 2040 urban land needs. Thus, the Study Areas include considerably more than needed to accommodate planned Year 2040 growth. The rationale for determining the boundaries of each study area is described in the Committee's *Report to Newberg City Council – Recommendations for Newberg's Future* (pp. 21-24). Map 3 also shows whether land within the Study Areas is an Urban Reserve Area, an Exception Area or Resource Land.

Urban Reserve Areas

In 1995, the City of Newberg and Yamhill County amended their respective comprehensive plans to designate Year 2030 Urban Reserve Areas (URAs) for the City of Newberg. URAs are the highest priority for UGB expansion. Map 2 shows the location of these URAs. A comparison of Map 1 and Map 2 shows that the 2006 UGB Expansion Area includes the designated URAs in the Northwest Study Area and a portion of those in the North Study Area.

Exception Areas

Exception areas include land that is "physically developed" or built upon, or "irrevocably committed to" non-resource use. Typically, exception areas have been divided into small parcels and are zoned for rural residential (or rural commercial or industrial) use – not for agriculture or forest use. Exception areas are the next priority for UGB expansion.

Resource Land

Resource land includes land that is zoned for exclusive farm use or commercial forest use. Resource land is the lowest priority for UGB expansion.

2006 UGB Expansion Area

The 2006 UGB Expansion Area is shown on Map 1, and is intended to meet a portion of the City's Year 2025 residential and institutional land needs. The 2006 UGB amendments include URAs in the North and Northwest Study Areas, and rural residential (exception area) lots in the Southwest Study Area.

By statute (ORS 197.298), adopted URAs are the highest priority and "exception areas" are the next priority for Newberg's UGB expansion. In contrast, agricultural and forest land outside of designated URAs is the lowest priority for UGB expansion. **No agricultural or forest land outside acknowledged URAs is proposed for inclusion within the 2006 Newberg UGB.**

A comparison of Map 1 with Map 2 and Map 3 shows the statutory priority for each UGB expansion area, as follows:

- **North Valley UGB Expansion Area** – North Valley URA
- **North Hills UGB Expansion Area** – Western portion of the North Hills URA
- **Northwest UGB Expansion Area** – Northwest URA
- **Aspen Estates UGB Expansion Area** - Part of a developed rural residential exception area within the Southwest Study Area, where groundwater problems exist and the City has agreed to provide water service.

Table 2. 2006 UGB Expansion Areas

UGB Expansion Area	Gross Acres	Buildable Acres
North Valley	47	47
North Hills	26	26
Northwest	100	99
Aspen Estates	26	7
Highway 240 ⁴	2	0
Total	201	179

The City has analyzed the cost of providing sanitary sewer, water, storm drainage and transportation facilities necessary to serve the 2006 UGB Expansion Area. Except for upper portions of the North URA, all other URAs can be provided with urban facilities in an efficient manner in the short-term at reasonable cost. The eastern (higher elevation) portion of the North URA is substantially more expensive to serve than the 2006 UGB Expansion area.

Conclusion

This report provides an overall justification for the 2006 Newberg UGB Amendments. The 2006 UGB expansion will help meet a portion of the City's long-range housing and institutional land use needs. A total of 179 acres of buildable land is added to the Newberg UGB in 2006. Additional land will be added as a result of the 2007-08 planning process.

ORS 197.298 establishes priorities for inclusion of land within UGBs. In Newberg's case, the highest priorities are Urban Reserve Areas (URAs) and exception areas. Most of this land within the 2006 UGB Expansion Areas is within designated URAs; the remainder is located within Aspen Estates – a rural residential exception area. The City can provide public facilities to serve

⁴ Approximately 2.2 acres of Highway 240 right-of-way is located between Northwest URA Expansion Area and Aspen Estates Expansion Area. This area should be added to the City's UGB so that it can be annexed when areas to the north or south are annexed.

this area in a timely and efficient manner.

REPORT ORGANIZATION AND LOCAL PLANNING PROCESS

A. Report Organization

This UGB Justification Report is organized to address Statewide Planning Goal 14 (Urbanization) requirements for UGB amendments.

Part I – Land Needs Assessment

Part I of this report addresses Year 2025 land needs and the capacity of the existing UGB to meet these needs, as required by the "Land Need" subsection of the amended Goal 14. UGB amendments are also governed by applicable Oregon state statutes and applicable Statewide Planning Goals and administrative rules (OARs).⁵

- *Statewide Planning Goal 1 (Citizen Involvement)* requires public involvement in all phases of the planning process. Public and agency involvement is addressed in *Public Involvement and County Coordination Process for Newberg 2006 UGB Expansion*, Newberg Community Development Department (2006)
- *Goal 2 (Land Use Planning)* requires an adequate factual base, the consideration of alternatives, and coordination with Yamhill County and affected state agencies. This report, plus recent amendments to the Newberg Comprehensive Plan provide the factual basis for the 2006 UGB Amendments. The Ad Hoc Committee considered numerous alternatives before making its recommendations to the Newberg City Council. Coordination with Yamhill County is required by the Newberg Urban Area Management Agreement (NUAMA) and is demonstrated by the minutes of Newberg Urban Area Management Commission (NUAMC) meetings.
- *Goals 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) and 7 (Areas Subject to Natural Hazards)* apply in the determination of "buildable" lands. Goal 5 resources are considered in Part II of this report.
- *Goals 9 (Economy of the State) and 10 (Housing)* apply to the determination of employment and housing needs. Goal 9 is not applicable to these amendments because only residential lands are included within the 2006 UGB Expansion Areas. *Goal 10 Housing* needs are addressed in Part I of this report.
- *Goals 8 (Recreational Needs) and 11 (Public Facilities and Services)* inform needs determinations for parks and schools. Land needs for parks and schools are addressed in Part I of this report. Provision of sanitary sewer, water and storm drainage facilities is considered in Part II of this report.

⁵ For jurisdictions choosing to apply the amended Goal 14, the goal "exception" requirements of ORS 197.732, Part II of Goal 2 (Land Use Planning) and OARS 660-004-0010(1)(c) and 660-004-0020 no longer apply to UGB amendments.

- *Goal 12* (Transportation) and its implementing rule (OAR Chapter 660, Division 012) require that plan amendments do not adversely affect state facilities. Transportation issues are considered in Part II of this report. The 2005 update to the Newberg Transportation System Plan (TSP) considered all land within the 2004 UGB and the 1995 URAs, and therefore addresses potential impacts from UGB expansion into the Northwest and North URAs.
- *Goal 13* (Energy Conservation) is addressed in the analysis of energy consequences required by Goal 14 and is considered in Part II of this report.

ORS 197.296 (Factors to establish sufficiency of buildable lands within urban growth boundary; analysis and determination of residential housing patterns) requires local governments to meet identified housing needs and to increase land use efficiency within the UGB before expanding onto adjacent rural lands. ORS 197.303 to 197.314 (Needed Housing) require local governments to provide for "needed housing types" under clear and objective zoning standards.

Therefore, Part I of this report also incorporates findings related to compliance with Statewide Planning Goals 1-2 and 5-13, and applicable statutes and rules, as well as Goal 14 (Urbanization). Part I also addresses ORS 197.296 (sufficiency and efficiency of land use) and 197.303 to 197.314 (Needed Housing) statutory requirements.

Part I also addresses ORS 197.296 and Goal 14 requirements related to land use efficiency within the existing (2004) and adopted (2006) UGB. In particular, this section explains "measures" adopted to increase land use efficiency within the existing UGB, and explains "why identified needs cannot reasonably be accommodated on land already inside the urban growth boundary." Throughout this report the existing (pre-amendment) UGB is referred to as the **2004 UGB** (the base year); and the amended UGB is referred to as the **2006 UGB**.

Part II – Boundary Location

Part II of this report addresses ORS 197.298 "Priorities for Urban Growth Boundary Expansion" and the "Boundary Location" subsection of Goal 14.

ORS 197.298 establishes "Priorities" for determining which lands should be added to a UGB. The location of UGB amendments also must be consistent with applicable Land Conservation and Development Commission (LCDC) or Statewide Planning Goals. Statewide Planning Goals 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) and 7 (Areas Subject to Natural Hazards) also apply to the determinations of which lands are "buildable" and which are not.

Part III – Comprehensive Plan Designations

Part III of this report describes the proposed changes in comprehensive plan maps resulting from the UGB expansion. These include land use designations, water features, and park locations.

Part IV – Yamhill County and Newberg Comprehensive Plan Policies

Part IV of this report addresses applicable policies of the Yamhill County and Newberg Comprehensive Plans.

B. Newberg's 2006 UGB Amendment Process

In 1995, the City of Newberg and Yamhill County jointly designated Urban Reserve Areas (URAs) adjacent to the acknowledged Newberg UGB. In 2000, the Newberg City Council and the Yamhill County Board of Commissioners amended the Newberg Urban Area Management Agreement (NUAMA). This agreement establishes the Newberg Urban Area Management Commission (NUAMC) to review and make recommendations to the Newberg City Council and Yamhill County Board of Commissioners regarding Comprehensive Plan Amendments outside the Newberg City Limits.

In 2003, the Newberg City Council established the Ad Hoc Committee on Newberg's Future (the Committee).⁶ The Council created the Committee to provide a forum for citizen involvement in planning for Newberg's future land use patterns. The Committee was asked to make recommendations that would help the City Council make future amendments to the Comprehensive Plan. In support of the Committee's deliberations, the City undertook population, employment, housing and buildable lands studies. The Committee considered Newberg's future land use needs through the years 2025 and 2040.

The Committee met from April 2004 to July 2005 and considered future population, employment and housing needs, and buildable land requirements for residential, institutional, industrial and commercial development. The Committee reviewed the supply of buildable land within the existing UGB, and evaluated land suitability in designated Urban Reserve Areas (URAs) and surrounding Urban Reserve Study Areas.

The Committee received support from City staff and consultants, including Barry Edmonston⁷, Johnson-Gardner Associates⁸ and Winterbrook Planning⁹. The Committee also sought and received input from state agencies and the general public, including residents, businesses, and property owners within the Newberg City Limits and immediately outside (within 1.5 miles of) the City Limits. The Committee provided for citizen involvement at 26 public meetings and 2 public open houses. The Committee held two open houses, conducted two surveys, received comments at each of their meetings, and reviewed scores of letters. As a result of this process, the Committee made recommendations regarding future land needs, buildable lands, and the

⁶ The Ad Hoc Committee was established pursuant to Council Resolution No. 2003-2486.

⁷ *Population Projection for Newberg, Yamhill County, Oregon: 2000 – 2040*, Barry Edmonston, Director, Population Research Center, Portland State University (2004).

⁸ *Housing and Residential Land Needs Report*, Johnson-Gardner (2004).

⁹ Winterbrook Planning provided technical and process support to the Ad Hoc Committee (2004-05) and prepared the Water Features Report (2006).

magnitude and direction of UGB and URA expansion. The Committee presented its *Report to Newberg City Council* on July 21, 2005. The City Council unanimously accepted the Committee's report.

Council Resolution 2005-2590

On August 1, 2005, the City Council adopted Resolution No. 2005-2590, directing City staff to undertake activities needed to implement the recommendations of the Ad Hoc Committee on Newberg's Future. The City Council subsequently adopted a series of ordinances based on this report, described immediately below. The findings in this document reference the following, recently adopted ordinances amending the Newberg Comprehensive Plan and the Transportation System Plan (TSP), and adopting the Newberg Economic Development Opportunities Analysis (EOA):

- *Newberg Transportation System Plan* (2005 Update – Ordinance 2005-2619)
- *Newberg Comprehensive Plan* (Revised Population Projection and Land Needs Assessment – Ordinance 2005-2626)
- *Newberg Comprehensive Plan* (Policy Amendments – Ordinance 2006-2634)
- *Newberg Economic Opportunities Analysis* (Ordinance 2006-2635)

NUAMC is scheduled to begin its initial review of the 2006 Northwest UGB Amendment Package on September 21, 2006. NUAMC will forward its recommendation to the Yamhill County Board of Commissioners and the Newberg City Council for review and adoption. Upon adoption by both jurisdictions, the UGB amendment package will be forwarded to the Department of Land Conservation and Development (DLCD) for its review.

C. A Step-by-Step Summary

The following is a step-by-step summary of milestones leading up to the 2006 UGB Amendment proposal.

Step 1: Adoption of Urban Reserve Areas (1995)

ORS 197.298 sets forth "priorities" for inclusion of land within UGBs to meet long-term (20-year) urban growth needs. The first priority for meeting UGB expansion needs is Urban Reserve Areas (URAs), and the second priority is "exception areas" (i.e., land that is not designated by Yamhill County for exclusive farm or commercial forest use). The lowest priority is farm and forest land outside of designated URAs.

Newberg wisely coordinated with Yamhill County in the designation of URAs in 1995 to provide for long-term growth needs. Most of the land proposed for UGB expansion in 2006 is located within adopted URAs. The remainder is located within an acknowledged rural residential exception area. Thus, the 2006 UGB amendment is limited to land that is higher priority for UGB expansion, as defined by ORS 197.298 "Priorities for Urban Growth Boundary Expansion."

Step 2: Draft 2025 Population Forecast and Land Needs Assessment (2004)

In 2004, Barry Edmonston of Portland State University's Population Research Center prepared population projections for the City of Newberg through Year 2040. In 2005, Newberg had an estimated 21,132 people residing within its UGB. By 2025, Newberg's population is projected to reach 38,352 – an increase of 17,200 persons.¹⁰ The Ad Hoc Committee for Newberg's Future used the Johnson Gardner 2004 Land Needs Analysis as the foundation for its recommendations for expanding the Newberg UGB.¹¹

Step 3: Draft Buildable Lands Inventories (2003-04)

All land within the UGB was classified as vacant, partially vacant/redevelopable, committed or developed, or unbuildable.¹² Generally, unbuildable land was constrained by steep slopes (25% or greater) or within stream corridor boundaries. The Ad-Hoc Committee reviewed the criteria, methods and results of this inventory and incorporated those results into its recommendation. Winterbrook Planning applied the methods to prepare the buildable lands inventory within study areas outside the UGB.

Step 4: Newberg Future Options Study (2004-05)

Under the guidance of the Ad Hoc Committee, six future growth areas (study areas) outside the 2004 UGB were identified and evaluated to meet future growth needs. The study areas included all designated Newberg Urban Reserve Areas (URAs) and potential 2040 URAs. The buildable land area within each study area was analyzed to model different scenarios and alternatives for meeting Newberg's future land needs. The resulting growth alternatives were presented at a March 2005 public open house.

Step 5: Transportation System Plan Amendments (2005)

In 2005, the City Council adopted the 2005 update to the Newberg Transportation System Plan (TSP). Ordinance 2005-2619 amended the TSP to account for traffic generated from planned development within the 2004 UGB plus all designated URAs outside the UGB. Because the updated TSP considers future traffic from designated URAs, and because the remaining development capacity of the Aspen Estates UGB Expansion Area is extremely limited, it is reasonable to conclude that the City's 2006 UGB amendment package will not adversely affect any existing or planned transportation facility.

¹⁰ *Newberg Comprehensive Plan*, Table III-2 (November 2005).

¹¹ *Housing and Residential Land Needs Report*, Johnson-Gardner (2004).

¹² The Buildable Lands Inventory for residential land within the existing UGB was prepared by The Benkendorf Associates Corporation (TBAC), under subcontract to Johnson Gardner. The City of Newberg staff prepared the buildable land inventory for commercial and industrial land.

Step 6: Ad Hoc Committee Recommendations to the City Council (2005)

In July 2005, the Ad Hoc Committee made its recommendation to the City Council. The recommendations addressed how Newberg should provide for its future land needs, where to expand the UGB and URAs, and potential comprehensive plan map and zoning district changes within the existing UGB. The Committee specifically recommended expanding the UGB to include the existing URA in the North Valley Urban Reserve Area and most of the Northwest Urban Reserve Area.

Step 7: Comprehensive Plan Amendments (Ordinance 2005-2626)

The primary factual basis for the 2006 UGB amendments is City Ordinance No. 2005-2626, which amended the Newberg Comprehensive Plan (the Plan) by updating the Year 2025 population projection and land needs assessment. The Newberg City Council adopted this ordinance on November 22, 2005. This ordinance was subsequently acknowledged by LCDC.

Ordinance 2005-2626 includes the City's 2025 population projection and provides the factual basis for determining Year 2025 land needs and buildable lands supply. This ordinance amended the Newberg Comprehensive Plan to include revised population, housing, employment and public/semi-public land needs projections, as well as a revised buildable lands inventory. The Comprehensive Plan's Table IV-14 demonstrates that Newberg must increase its land supply by 609 net buildable acres to meet Year 2025 residential and institutional land needs.

Step 8: Comprehensive Plan Policy Amendments (Ordinance 2006-2634)

The City Council adopted comprehensive plan amendments to increase residential densities and thereby use land more efficiently. The primary "measures" to achieve higher densities in Newberg include (a) selected Comprehensive Plan Map amendments from a lower to a higher density residential designation; and (b) significantly increased density assumptions based on allowance for "density averaging" and increasing the proportion of medium and high density residential housing; and recent development experience showing more intensive land utilization rates. As a result, the 2005 amendments to the Plan (*ref* Plan Table IV-5) show substantial increases in planned residential density – from an average of 6.8 to 8.3 dwelling units per buildable acre – a planned increase of 27%.

Step 9: Coordination Between Newberg and Yamhill County

Newberg and Yamhill County have a long and fruitful history of intergovernmental coordination.¹³ The first Newberg Urban Area Growth Management Agreement (NUAGMA) was adopted by the City Council and Board of Commissioners in the summer of 1979, and has been updated by both jurisdictions in 1998 and again in 2000. This document provides

¹³ See *Public Involvement and County Coordination Process for Newberg 2006 UGB Expansion*, Newberg Community Development Department (2006).

a mutually agreeable process for UGB amendments and includes the following policy objectives:

“The City of Newberg and Yamhill County recognize the need for coordination and cooperation in the management of growth in and around the Newberg Urban Area. This agreement is formulated in accordance with this principle.

This agreement establishes a process for maintaining ongoing planning efforts, designed to keep pace with growth and change. It is essential that intergovernmental coordination be maintained to assure the citizens of the City of Newberg and Yamhill County that growth occurs in an orderly and efficient manner.

To that end, this agreement sets forth the means by which a plan for management of the unincorporated area within the Urban Growth Boundary will be implemented and by which the Urban Growth Boundary may be modified.”

Section VI of the NUAGMA provides for the establishment of the Newberg Urban Area Management Commission (NUAMC). NUAMC is comprised of elected officials, planning commissioners and citizens from both jurisdictions, and is responsible for conducting hearings and making recommendations to the City Council and the Board of Yamhill County Commissioners regarding UGB amendments and related growth management issues. NUAMC conducted its first public hearing on the 2006 UGB Amendment Package on September 21, 2006.

Step 10: Amend 2006 UGB to Provide for Housing and Institutional Needs

The purpose of the 2006 UGB Amendments is to relieve the shortage of buildable residential and institutional land, by adding 179 acres of buildable land to the UGB to meet residential land needs. This UGB amendment only satisfies a portion of the 2025 land need. However, this incremental step is a clear choice with readily available urban services. The balance of the residential land need is dependent on continuing planning efforts within the UGB, extending services to other URAs, and final resolution of Newberg – Dundee Bypass issues.

PART I: LAND NEEDS ASSESSMENT (GOAL 14: LAND NEEDS)

The **Land Need** section of Goal 14 reads as follows:

"Establishment and change of urban growth boundaries shall be based on the following:

(1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and

(2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space ...

In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need."

The 2006 UGB Amendment Package addresses only residential and institutional land needs through the Year 2025. Provision of land for commercial and industrial needs will be addressed through the Urban Reserve process scheduled for adoption in 2007. The land needs assessment compares projected land needs through the year 2025 with the supply of land within the existing (2004) Newberg UGB. Residential and institutional land needs are directly related to projected population growth. In contrast, employment land needs are based on the siting requirements of targeted employers.

Needs for housing, livability and institutional uses over the approximately 20-year planning period are discussed in the sections. Together with a section examining measures to increase the intensity of land use within the existing (2004) UGB, these sections provide the basis for determining the amount and types of land outside the existing UGB that are needed for residential and institutional uses through the year 2025.

A. Ad Hoc Committee on Newberg's Future – Report to City Council

The following quote from the Committee's report to the Newberg City Council provides a summary of its recommendations related to residential and institutional growth needs.

The City should provide for a reasonable and well-planned level of growth that encourages community excellence and preserves our uniqueness. Land use plans should be innovative and creative and provide for flexibility down the road. The City should create a balanced, complete community with a sense of small, local neighborhoods, while also providing for commerce and industry.

Growth and Development

The Committee based its recommendations on a medium population growth projection that anticipates that Newberg will have a population of 38,352 by 2025, and a population of 54,097 by 2040.

Residential Development

The City needs to both provide needed housing and conserve land overall. Recent development has occurred at densities less than those planned. To accommodate the anticipated population growth, the City should:

- *Encourage housing of all types and levels of affordability, with a wide range of parcel sizes;*
- *Encourage development to occur closer to planned densities through a variety of positive incentives;*
- *Encourage residential development within the current Urban Growth Boundary;*
- *Re-designate areas within the UGB that are appropriate for medium or high density residential development;*
- *Expand the Urban Growth Boundary to accommodate future residential development, giving consideration to several areas, including areas to the east and southeast of Newberg...*

Institutional Development

Adequate school land should:

- *Be provided to serve future students, to allow for educational excellence and to reflect new methods of learning, such as small learning communities*
- *Be located near existing and future student populations.*

Park land should:

- *Be scattered throughout Newberg and surrounding areas so as to be easily accessible to all communities.*
- *To serve future residents, new parks should be located in areas of residential growth.*

The City should provide opportunities for new institutions, such as churches and lodges, which are easily accessible to the public and compatible with the surrounding community. These should be located in areas with appropriate site characteristics, such as level ground.

B. Population Projection

Residential and institutional land needs are directly related to population projections.

Newberg's population quintupled from 1960 to 2005, from 4,204 (City Limits) to 21,132 (Urban Growth Area) according to PSU estimates. The 2006 UGB amendment package is based on a Year 2025 population projection of 38,352 with an average annual growth rate (AAGR) of 3.025%. This population projection represents an increase of 17,220 persons from Newberg's

2005 population estimate.¹⁴ This adopted population projection serves as the basis for projecting residential and public/semi-public land needs through the Year 2025.

To some extent, Yamhill County has already coordinated acceptance of Newberg's population projections in adopting Ordinance 781, "Approving an Urban Growth Boundary Amendment for the City of Newberg." The ordinance, which the County adopted on March 29, 2006, brought eight parcels from the Newberg Urban Reserve Area into the Urban Growth Boundary. In Finding A.15 for that ordinance, "Coordinated Population Projection," the County stated:

Under ORS 195.036 cities are required to coordinate their population projections with the counties. The last coordinated population projection for Newberg is 33,200 for the year 2020. On November 29, 2005 the city of Newberg mailed a letter to Yamhill County requesting that their revised population projections be recognized as a coordinated population forecast.

Further, the County's findings for Ordinance 781 conclude by stating:

These items are addressed in the application prepared by SR Design LLC and the City's findings for ordinance 2006-2636, both of which are appended and hereby incorporated into this Ordinance, which also adopts their findings and conclusions.

With this statement, the County adopted the City's findings and conclusions for Ordinance 2006-2636, City's revised population projections and land needs estimates for 2025 and 2040. These population projections will be further coordinated through adoption of this UGB amendment.

Goal 14, Land Need factor (2), recognizes that changes to a UGB may be based on demonstrated need for employment opportunities. As noted earlier, the 2006 Northwest UGB expansion includes buildable land for residential and institutional uses only. Although institutional uses such as schools and churches will employ some people, and residential uses may have limited home occupations, no industrial or commercial land is included in the 2006 UGB expansion areas. Land allocations for future employment opportunities will be addressed during the 2006-07 Urban Reserve expansion analysis.

C. Buildable Lands Inventory

In the Buildable Lands Inventory (BLI), the City determined the buildable land area within the Newberg UGB as of 2004 on a parcel-by-parcel basis. The BLI includes vacant and redevelopable land in the existing (2004) UGB. This land base is the starting point for determining how much future growth can be accommodated inside the existing UGB and the unmet land need that must be accommodated through zone changes or UGB expansion. Physical constraints such as steep slopes (greater than 25%) and stream setbacks (25 feet on either side of a stream corridor) have been deducted from the parcel size. Thus, the buildable

¹⁴ This figure was based on the Portland State University Center for Population Research estimate plus existing and planned population within the UGB.

land inventory is based on buildable acres, not gross acres. This inventory also omits land located within the future right-of-way of the proposed Newberg-Dundee Bypass.¹⁵ In 2004, Newberg had approximately 778 acres of buildable land inside its existing UGB (Table 3).

Table 3: 2004 UGB Buildable Land Inventory

Plan Designation	Buildable Land (Acres)
Low Density Residential	359
Medium Density Residential	142
High Density Residential	13
Commercial	105
Industrial	159
TOTAL	778

Source: Ad Hoc Committee on Newberg's Future (2005), Report to Newberg City Council

D. Residential Land Needs

"Base Case" Residential Land Needs

Goal 14, Land Need factor (2), provides that changes to a UGB may be based on demonstrated need for housing. In 2004, the Ad Hoc Committee determined Newberg's residential land needs based on the requirements of ORS 197.296 and Statewide Planning Goals 10 (Housing) and 14 (Urbanization). This section considers the "base case" scenario from which to determine the housing and buildable land area needs for residential uses for the planning period from 2005 to 2025. Once the base case has been established, this section considers the results of the housing needs analysis and identifies land use efficiency measures that enable the City to provide affordable housing opportunities and reduce its need for buildable residential land.

Residential Land Needs Based on Actual Housing Mix and Density

The "Base Case Scenario" described below is based on "actual housing mix and densities" observed from 1991-2003 as prescribed by ORS 197.296(4)(a). Implementation of this base case scenario would not require additional plan policy or code text amendments.¹⁶ Implementation of this "actual development" scenario would, however, require comprehensive plan map and (eventually) zoning map amendments within the expanded portion of the UGB.

For the base case scenario based on actual development, the City:

1. Determined the actual mix and density of dwelling unit (DU) types in new developments from 1991 to 2003 (Table 4);
2. Used the 2025 population projection of 38,352;

¹⁵ This figure is based on the route configuration for modified 3j alternative.

¹⁶ Newberg has three residential plan designations: Low Density Residential (LDR), Medium Density Residential (MDR) and High Density Residential (HDR). Three zones implement these designations: R-1, R-2 and R-3, respectively.

3. Assumed a projected average household size figure of 2.76;¹⁷
4. Applied an average occupancy rate of 95% (or a vacancy rate of 5%¹⁸) to all housing types;
5. Adjusted for "committed" development projects and housing units that will be displaced by the proposed Newberg-Dundee Bypass; and
6. Calculated the number of housing units for each land use type (Table 5).

¹⁷ The actual household size has changed in Newberg from 2.71 in 1990 to 2.76 in 2000.

¹⁸ The 2000 US Census shows overall vacancy rates in Newberg of 5.2%. This is a substantial increase from 1990's overall vacancy rate of 2.7%. As with household size, The City projected a *midrange* vacancy rate of 5%.

Table 4. Recent Development Experience (1991-2003)

Plan Designation	Density and Housing Type Assumptions	
	LDR	Units/Acre
Housing Type		Single-family detached
Average Lot Size		9,800 sq. ft.
MDR	Units/Acre	5.8
	Housing Type	Duplexes
HDR	Units/Acre	15.4
	Housing Type	2 story apartments with surface parking

Table 5 shows what would happen if recent trends in housing mix were to continue into the future.

Table 5. 2025 Housing Need – Recent Development Trends

Plan Designation	Recent Housing Mix	Housing Need (units)
LDR	60.9%	3,483
MDR	24.8%	1,419
HDR	14.3%	818
Total		5,720

Table 6 shows what would happen if recent trends in housing type and density were used to determine future housing needs. A total of 1,265 buildable acres would be needed to meet Year 2025 housing needs – exclusive of institutional land needs. Thus, the base case projection does not include institutional land need for Public and Semi-Public uses, which is discussed below.

Table 6. 2025 Residential Land Need – Recent Development Trends

Plan Designation	Housing Need (units)	Density (units/acre)	Land Need (acres)
LDR	3,483	3.6	968
MDR	1,418	5.8	244
HDR	818	15.4	53
Total			1,265

Base Case Housing Need Conclusions

Newberg currently has 514 buildable residential acres within its 2004 UGB. Without the adoption of land use efficiency measures, as discussed below, Newberg would require approximately 751 *additional* buildable acres of residential land to meet its housing needs through the year 2025 (Table 7).¹⁹

Table 7. 2025 Residential Land Need – Recent Development Trends

Plan Designation	Land Need	Land Supply	Deficit
LDR	968 ac	359 ac	(609 ac)
MDR	244 ac	142 ac	(102 ac)
HDR	53 ac	13 ac	(40 ac)
Total	1,265 ac	514 ac	(751 ac)

E. Institutional Land Needs

Goal 14, Land Need factor (2) recognizes that changes to a UGB may be based on demonstrated need for “livability or uses such as public facilities, streets and roads, schools, parks or open space.” The need for institutional facilities such as schools, churches, government buildings, and parks will expand as population increases. Such uses are necessary to support planned population growth and (in the case of parks, open space and schools) increase the livability of residential neighborhoods. In Newberg, such uses typically locate on land designated for residential use, but may also have a special “PQ - Public Quasi-Public” designation.

Park land needs are shown in Table 8, below. Park standards described in the 1999 Newberg Parks and Recreation Comprehensive Plan Update were used to determine the need for buildable and unbuildable (natural area parks) land to accommodate parks and schools. To project land needs for institutional lands, the City categorized land uses by type: schools, parks and other (religious institutions, private schools, nursing homes, and the like). The Ad Hoc Committee identified school and park needs in consultation with the Newberg School District and the Chehalem Park and Recreation District, respectively. Other institutional needs were based on existing population to land area ratios.

The institutional land needs are derived from information provided by the Newberg School District and the Chehalem Park and Recreation District 1994 *Park Plan* and recent amendments to the Newberg Comprehensive Plan (Ordinance 2005-2616).

¹⁹ This estimate assumes relatively large buildable parcels, and does not account for inefficiencies in land development that would likely occur when highly-parcelized built and committed exception areas are converted to urban residential uses.

Schools

As envisioned by Goal 11 (Public Facilities and Services) and ORS 197.296, the residential land supply should provide for school siting needs²⁰: According to information provided by Newberg Public Schools, the Newberg area is expected to need three additional school sites by the year 2025. Approximately 65 acres will be needed to accommodate these new schools. Site sizes fall in the following ranges:

2025

- One alternative high school (3-5 acres);
- One elementary school (12 acres); and
- One large high school (50 acres).

In addition, private schools are expected to continue to expand with the population growth. The need for an additional 20 acres by 2025 is based on a City of Newberg survey of existing private schools regarding their future expansion plans.

Consequently, the total amount of land needed for schools is approximately 85 acres.

Parks

Statewide Planning Goal 8 (Recreational Needs) requires that cities work with park and recreational districts to provide for the siting of necessary recreational facilities. The Newberg Comprehensive Plan includes a number of site characteristic and locational policies to guide park development:

4. Recreation Policies

- e. Recreational facilities shall be located throughout the planning area in order to minimize distances between residential areas and recreational opportunities.*
- f. The continued multiple use of public facilities for recreational and other purposes shall be encouraged. In particular, schools and parks shall be located on adjacent sites wherever possible.*
- g. Recreational standards for the planning area shall be as follows. These standards shall be considered as desirable guidelines to be achieved whenever possible.*

²⁰ ORS 197.296(4) reads as follows:

"(4) ... As part of this process, the amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary."

Table 8. Parks Needs by Category

Category	Level of Service (acres per 1,000 people)	Service Size Range	Area
Neighborhood Parks	2.5	Free standing: -10 acres. Adjacent to elementary school: 2-5 acres with additional 6 acres of school playground	¼ - ½ mile
Community Parks	5-8	Free Standing: 10-25 acres. Adjacent to middle or high School: 8-15 acres with additional 12 acres of school yard	Not more than 1- 1½ miles
City Wide Park	N.A.	25 acre minimum	Entire City
Regional Park	N.A.	180-200 acres	Park service area

Source: Chehalem Park and Recreation District (CPRD)

- k. *The City will cooperate with the Chehalem Park and Recreation District to locate parks and scenic areas which are easily accessible to the City's population and which can be developed to provide recreational opportunities for a variety of age and interest groups.*

The Committee carefully reviewed the Chehalem District Park and Recreation Plan (*Park Plan*) when developing urban park land need requirements. The *Park Plan* establishes a park area-to-population ratio of 6.5-10.5 acres per 1,000 people and makes district-wide recommendations concerning park size standards.²¹ The City population forecast projects population increases of 17,220 people by 2025, which means that Newberg will need 111-181 acres of additional parkland by the Year 2025. However, not all parkland needs will be met within the Newberg UGB, and not all of it must be met on buildable land.

The Chehalem Park and Recreation District's (CPRD) Park Plan identifies three basic types of parks:

1. Neighborhood Parks: 1-5 acres, serving 1,000 to 5,000 people;
2. Community Parks: 5-25 acres, serving 3,000 to 25,000 people; and
3. District Parks: 25 or more acres, serving 25,000 to 50,000 people.

Because Newberg is the CPRD's most densely populated city, park sizes within the UGB were established in the Newberg Comprehensive Plan. Therefore, to accommodate the projected increase in population, the Committee estimated that Newberg will need approximately the following additional parks by the Year 2025:

²¹ The Chehalem Park and Recreation District's (CPRD) Park Plan identifies three basic types of parks: Neighborhood Parks serving 1,000 to 5,000 people, Community Parks serving 3,000 to 25,000 people, and District Parks serving 25,000 to 50,000 people.

- 4-6 new neighborhood parks at an average size of 3-5 buildable acres per park;
- 2-3 additional community parks at an average size of 20 buildable acres per park;
- and
- 1 additional district/city park at 25 acres – need possibly met in Riverfront area.

Using a mid-range of the above needs, the amount of land needed for parks is approximately 85 acres.

Other Public and Semi-Public Uses

City of Newberg staff estimated the need for other institutional needs based on the 2025 population projection. City facilities will need approximately 32 acres by the year 2025. Religious institutions and "other institutional" land needs were projected based on current land to population ratios. Religious institutions are expected to use approximately 40 additional acres by the year 2025. Cemeteries and other institutional uses are expected to use 7 additional acres by 2025.

Table 9: Summary of Institutional Land Needs (acres)

Category	2025 Additional Buildable Acres
Schools	85
Parks	85
Other	79
Total Year 2025 Institutional Land Need	249

Based on Newberg’s plans, and actual ratios of population to land occupied by institutional uses, Newberg will need about 85 net buildable acres for schools, 85 net buildable acres for parks, and 79 acres for other institutional uses through the year 2025. The City relied on redevelopment of existing commercial and public lands to meet government employment needs. Since parks, schools, and other institutional uses typically require a location in a residential zoning district, such institutional use needs add to the demand for vacant buildable residential land. In summary, Newberg requires approximately 249 additional net buildable acres of residential land to meet its 2025 institutional use land needs.

Recap of Base Case Residential Land Needs without Efficiency Measures

Without land use efficiency measures (i.e., relying on existing plan designations and zoning), from 2005 to 2025 Newberg will require approximately 751 net buildable acres of residential land for housing, and 249 net buildable acres for institutional uses. The total amount of residential land needed for Newberg during the planning period without land use efficiency measures would be 1,000 acres. Again, this need range does not account for land use inefficiencies that result when built and committed exception areas are converted to urban residential use – as required by Goal 14 and ORS 197.298. However, these inefficiencies are accounted for below.

F. Affordable Housing and Land Efficiency Measures

ORS 197.296 and Goal 14 together require that cities adopt measures to increase land use efficiency within urban growth boundaries. The Land Need section of Goal 14 requires a demonstration that identified land needs cannot reasonably be accommodated on land already inside the UGB by increasing land use efficiency. Goal 14, Land Need, provides that:

"Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary."

As explained above, in this case, these standards require a demonstration that the projected needs for urban residential and institutional uses cannot be accommodated within the City's existing UGB, either by locating the needed uses on vacant buildable land within the UGB or by increasing the existing or future density and efficiency of uses within the UGB.

The City considered several alternatives and analyzed several measures to increase the intensity and efficiency of land use in Newberg, prior to determining the need for UGB expansion. These land use intensification measures are described in the Ad Hoc Committee's *Report to the City Council* and include provisions for a shift in the housing mix to more affordable multi-family housing types, increased density, future plan amendments and re-zoning, and density averaging.

Housing Mix Shift

The Johnson-Gardner *Housing and Residential Land Needs Report* (2004) shifted the housing mix to reflect the changing demographics of Newberg.

Table 10. 2025 Housing Need – 2004 Housing Needs Analysis

Plan Designation	Future Housing Mix	Housing Need (units)
LDR	47.0%	2,691
MDR	27.2%	1,556
HDR	25.8%	1,473
Total		5,720

Increased Planned Residential Densities

The Ad Hoc Committee recommended increasing the planned residential densities. Many of the Committee's recommendations were adopted by the Newberg City Council as policy amendments to the Newberg Comprehensive Plan (Ordinance 2006-2634).

Recent residential development has occurred at densities less than the maximum planned residential density, particularly in the MDR designation. Policy I.1.b identifies "target densities" and encourages development to occur at or near planned densities by providing positive incentives. Based in part on market trends toward smaller lots coupled with higher land prices, plus the City's adopted policy commitment to encourage development to occur

at or near planned densities, the Newberg Comprehensive Plan projects that average residential densities will increase by 27% during the planning period.

As shown on Table 11, projected increases in residential densities are used to determine future residential land need. Due to planned increases in density, average lot sizes in the LDR designation are anticipated to decrease from an average of 9,800 square feet to 8,000 square feet. Similarly, in the MDR designation, the shift from duplexes to townhouses will provide an affordable homeownership opportunity at higher residential densities.

Table 11. Planned Residential Densities

Plan Designation	Density and Housing Type Assumptions		
		Recent Experience	Adopted Policy
LDR	Units/Acre	3.6	4.4
	Resultant Average Lot Size	9,800 sq. ft.	8,000 sq. ft.
MDR	Units/Acre	5.8	9
	Housing Type (Example)	Duplexes	Townhouses (3,900 sq. ft. lots)
HDR	Units/Acre	15.4	16.5
	Housing Type (Example)	2 story apartments w/ surface parking	2-3 story apartments w/ surface parking
Average Density Increase		-	27%

Source: Ad Hoc Committee on Newberg's Future – Report to Newberg City Council

Future Actions

The Ad Hoc Committee recommended zone changes within the 2004 UGB to meet future housing needs, especially for the HDR designation. The Committee also recommended density averaging to increase the efficiency of developing small infill sites within Newberg. Both of these changes are proceeding under separate actions.

G. Revised 2025 Residential Land Need

Table 12 shows planned residential densities based on revised assumptions regarding housing mix and increased planned densities.

Table 12. Revised 2025 Residential Land Need

Plan Designation	Housing Need (units)	Density (units/acre)	Land Need (buildable acres)
LDR	2,691	4.4	612
MDR	1,556	9.0	173

HDR	1,473	16.5	89
Total	5,720		874

As shown in Table 7, without the adoption of land use efficiency measures, Newberg would require approximately 751 buildable acres of residential land to meet its housing needs through the year 2025. **With the efficiency measures described above, the need for residential land is reduced by over 50% -- to 360 acres (see Table 13).**

Table 13. 2025 Residential Land Need – Efficiency Measures

Plan Designation	Land Need	Land Supply	Deficit
LDR	612 ac	359 ac	(253 ac)
MDR	173 ac	142 ac	(31 ac)
HDR	89 ac	13 ac	(76 ac)
Total	874 ac	514 ac	(360 ac)

The total residential and institutional land needed for Newberg during the planning period with land use efficiency measures would be 609 acres (360 acres residential + 249 acres institutional), nearly 400 acres less than under the "Base Case" analysis.

H. Summary of Post-Amendment Residential Land Needs and Buildable Land Supply

The 2006 Newberg UGB Amendments will partially meet Year 2025 residential and institutional land needs as shown in Table 14 below. Note that the adopted plan and code amendment package includes (a) re-designation of land inside the existing UGB to intensify land use in certain areas, and (b) expansion of the UGB to meet certain Year 2025 identified needs.

Table 14. Summary of Residential and Institutional Buildable Land Need and Supply after 2006 UGB Amendment

Plan Designation*	Buildable Land Supply (Acres)	Buildable Land Need (Acres)	2006 UGB Surplus (Deficit in Acres)
LDR	465	612	(147)
MDR	172	173	(1)
HDR	19	89	(70)
Institutional	37	249	(212)
Total	693	1,123	(430)

* Note: 10 acres of park land needs will be met on land designated for residential use.

In summary, the 2006 UGB Amendments partially meet identified residential, institutional, and livability needs for the City of Newberg through the year 2025. Remaining land needs will be addressed during the 2007-08 planning process.

PART II: UGB LOCATIONAL ANALYSIS (ORS 197.298; GOALS 5, 7, 11-13; GOAL 14, BOUNDARY LOCATION FACTORS 1-4)

The Goal 14 Boundary Location section reads as follows:

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:

- (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.*

The locational criteria in Goal 14 require a comparative evaluation of potential UGB expansion areas that can reasonably be expected to meet identified needs. As noted in Part I of this report, the 2006 UGB amendment package will meet a portion of Year 2025 residential and institutional needs.

ORS 197.298 Priorities for Urban Growth Boundary Expansion

ORS 197.298 establishes "priorities" for UGB expansion. The highest priority for UGB expansion is land within designated URAs; the next priority is land within built and committed exception areas; and the lowest priority is land that is zoned for farm or forest uses. Within the lowest priority resource lands, the City should expand into low value resource land before bringing in higher value resource land. Map 3 shows potential UGB expansion areas in terms of ORS 197.298 priorities. Thus, Map 3 shows agricultural soil classes for land within the lowest priority resource areas – that is, land with an agricultural or forest land designation. Agricultural soil classes are not shown for land within higher priority urban reserve areas and exception areas.

The 2006 UGB amendment package includes selected Urban Reserve Areas (URAs) located within the North and Northwest Study Areas. Because ORS 197.298 places the highest priority on urban reserve areas for meeting identified land needs, the comparative analysis considers acknowledged Newberg URAs shown on Maps 2 and 3. Each URA is evaluated for consistency with Goal 14 (Urbanization) Boundary Location Factors 1-4, and Goals 5, 6 and 11.

The only second priority land proposed for inclusion is found in Aspen Estates – a rural residential exception area located in the Southwest Study Area. The 23 developed Aspen Estates lots are proposed for inclusion because of high sodium content in existing well water supplies. Aspen Estates is the only exception area outside of a designated URA that is

proposed for inclusion within the UGB. As noted in Section B to follow, there is a special need under ORS 197.298(3) to provide potable water to this area that cannot be met by inclusion of land within higher priority URAs. In order to provide water service efficiently to existing residences in Aspen Estates, it is necessary to run water lines through undeveloped portions of these lots. To address Goal 14 Boundary Location Factor 4, Goal 2 exception areas (built and committed to non-resource uses) and agricultural soil classifications and typical farming activities were inventoried for land adjacent to each Urban Reserve Area.

Public Facilities and Land Use Efficiency

To address Goals 11 (Public Facilities and Services), 12 (Transportation) and 14 (Boundary Location Factor 2), the Newberg Public Works Department analyzed the feasibility and cost of providing water, sanitary sewer, storm sewer and transportation facilities to each Urban Reserve Area. (See Maps 5, 6 and 7 and *Urban Reserve Areas Public Facilities Cost Estimates*.)

Impacts to Inventoried Water Features

To address Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Resources, and Open Spaces), Goal 7 (Areas Subject to Natural Hazards) and Goal 14 Boundary Location Factor 3 (economic, social, environmental and energy consequences), wetlands, stream corridors, floodplains, and wildlife habitat (for special status species) were inventoried within each Urban Reserve Study Area. Land with protected water features is not considered to be available to meet housing or employment needs. (See Map 8.)

Buildable Land Area within Urban Reserve Study Areas

Finally, to determine the area of buildable land for each Urban Reserve Area, the City applied the same methods used within the existing Newberg UGB.²² Physical constraints such as steep slopes (greater than 25%) and stream setbacks (25 feet on either side of a stream corridor) have been deducted from the parcel size, so the buildable land inventory is based on gross buildable acres, not gross acres. This inventory also omits land located within the future right-of-way of the proposed Newberg-Dundee Bypass,²³ but not land for future local street rights-of-way.

²² The following summarizes methods used by Winterbrook and Ecotrust to determine gross buildable land for each parcel within each of the URA study areas:

A. The gross area of each parcel was determined based on Yamhill County Tax Assessor's data.
B. Then the following areas were subtracted from the gross acreage figure to determine the gross buildable acreage for each parcel:

- Developed (calculated based on 0.1ac per \$100,000 of improved assessed value)
- Stream corridors (25-foot unbuildable setback on either side)
- Slope (25% or greater based on Ecotrust Digital Elevation Model (DEM))

The result is a gross buildable area for each parcel within each URA study area. Please note that additional land must be removed to account for local street rights-of-way to determine net buildable land area.

²³ Based on the route configuration for ODOT's modified 3j alternative.

A. Description of Existing Newberg Urban Reserve Areas

The 2006 UGB Expansion Areas include designated Urban Reserve Areas (URAs) in Northwest Newberg, and selected lots within a rural residential exception area (Aspen Estates) near Chehalem Creek. A comparison of Maps 1, 2 and 3 shows that the relationship between the 2006 UGB Expansion Areas, designated URAs and the applicable Urban Reserve Study Areas is as follows:

- **North Valley UGB Expansion Area – North Valley URA – North Study Area**
- **North Hills UGB Expansion Area – North Hills URA – North Study Area**
- **Northwest UGB Expansion Area – Northwest URA – Northwest Study Area**
- **Aspen Estates UGB Expansion Area** (developed residential lots within a rural residential exception area where City water service is required to address well water quality problems) – **Southwest Study Area**

Table 15 describes the location and buildable acreage within each of Newberg’s acknowledged URAs. Note that no buildable land remains in the East URA due to natural constraints and land consumed by the Newberg-Dundee Bypass.

Table 15. Newberg Urban Reserve Area Locations and Characteristics

Urban Reserve Area (URA)	Location/Characteristics	Buildable Acres
Northwest	Along Chehalem Drive, north of Hwy 240, and south of Kemper Crest. Small to medium sized parcels with rural residential uses. Relatively flat. Bordered by stream along east side (existing UGB).	99
North Valley	East of Chehalem Drive, South of North Valley Road, and West of Terrace. Seven parcels. Relatively flat.	47
North Hills	East of Hwy 219, south of Bell Road, and west of Springbrook Road. Mix of parcel sizes. Steeper slopes.	240
Northeast	North and south of Hwy 99W, west of Benjamin, including parcels along Harmony and Kilmer. Hwy 99W access. Future Newberg-Dundee Bypass interchange. Planned to meet future Commercial needs.	49
East	South of Fernwood, north of Wilsonville Road, and ¼ mile east of UGB. Constrained by spring corridor and future Newberg-Dundee Bypass	0
Southeast	West of Hwy 219 and south of Wynooski. Adjacent to existing industrial area.	37
TOTAL	All 1995 URAs	472

B. ORS 197.298 – Priority Areas for UGB Expansion

ORS 197.298(1) establishes the following priorities for inclusion of land within a UGB:

197.298 Priority of land to be included within urban growth boundary. (1) In addition to any requirements established by rule addressing urbanization, land may not be included within an urban growth boundary except under the following priorities:

(a) First priority is land that is designated urban reserve land under ORS 195.145, rule or metropolitan service district action plan.

(b) If land under paragraph (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or nonresource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710.

The Newberg 2006 UGB expansion includes land within designated and acknowledged Urban Reserve Areas located in the North and Northwest Study Areas, as shown on Maps 1 and 3. Several developed rural residential lots within the Aspen Estates exception area with very limited development potential (a total of 7 acres of potentially buildable infill land) has also been included, solely to provide water service to specific lots with an undrinkable groundwater supply.²⁴ The statutory bases for inclusion of the second priority Aspen Estates lots are ORS 197.298(3)(a) and (c). There is a specific need to alleviate a harmful water condition on residentially developed lots that cannot be accommodated by bringing in other, higher priority land that does not have this problem (ORS 197.298(3)(a)). Moreover, the 7 acres of potentially buildable infill land is included solely because it is necessary to provide water service efficiently to the developed Aspen Estate lots (ORS 197.298(3)(c)).

In conclusion, the 2006 UGB expansion includes land within the designated Urban Reserve Areas plus the Aspen Estates exception area.

C. Goal 14 Boundary Location Factors 1 and 2 – Efficiency and Serviceability

Goal 14 Boundary Location Factors 1 and 2 establish the following priorities for inclusion of land within a UGB:

²⁴ Council Resolution No. 2004-2511 authorizes the City to provide water service to 23 developed lots in Aspen Estates. These 23 lots are located outside the Newberg City Limits and UGB. Well water serving these lots has very high sodium content, making it undrinkable and harmful to lawns and shrubbery. When the City authorized extension of water service to land outside the City Limits, a signed "consent to annex" form was required. However, these lots must be included within the UGB in order for them to be annexed to the City. Therefore, to alleviate this hardship condition, all 23 lots must be included within the Newberg UGB. Ten intervening lots split by Chehalem Creek have also been included.

- (1) *Efficient accommodation of identified land needs*
- (2) *Orderly and economic provision of public facilities and services;*

In evaluating alternative areas for possible inclusion in the UGB, these factors require consideration of each Urban Reserve Area's relative serviceability and efficiency in accommodating identified land needs. The City of Newberg determined which Urban Reserve Areas could be most efficiently developed for identified land needs and economically provided with public facilities and services.

Transportation System Extension

In 2005, the Newberg City Council adopted the Newberg Transportation System Plan (TSP).²⁵ The findings adopting the TSP addressed Statewide Planning Goal 14 – Urbanization as follows:

Statewide Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

Finding: *The study area for the TSP update includes the Newberg Urban Growth Boundary and Urban Reserve areas. In order to provide an orderly and efficient transition from rural to urban land use, a comprehensive transportation plan is necessary. This plan provides that comprehensive system. Small segments of a few transportation facilities are currently shown on rural lands, which are not currently under the jurisdiction of Newberg. These facilities are not planned to accommodate any urban uses outside Urban Growth Boundaries. Any such recommended improvements will need to be coordinated with Yamhill County. All the facilities can be approved without an exception to Goal 14, as stated in the findings addressing Goal 3 above. Thus, the plan is consistent with Goal 14.*

Thus, the TSP specifically addressed transportation impacts resulting from planned development within the 2004 UGB plus the 1995 URA. Map 5, Transportation Systems Plan for UGB Expansion Areas (2005)²⁶, shows Chehalem Drive, North Valley Road, Foothills Drive, College Street, Main Street, Columbia Drive, Highway 240 (Illinois Street), and Aspen Way as the primary collector and arterial street system serving the 2006 UGB Expansion Areas.

Section 6.2 of the TSP identifies the intersection improvements necessary to accommodate increased traffic resulting in part from anticipated development within the 2006 UGB Expansion Areas. Specific transportation projects identified in the TSP include substantial improvements to Main Street, Chehalem Drive, Oregon Highway 240, Illinois Street, Columbia Drive, College Street and Foothill Drive. With these improvements, the local and state transportation system will have the capacity to accommodate planned development within the 2004 UGB and the 2006 UGB Expansion Areas.

²⁵ See Ordinance 2005-2619.

²⁶ This map is identified as Figure 6-1, Functional Classification Plan, in the adopted Newberg TSP.

Efficiency and Serviceability

Newberg Public Works evaluated the cost of extending sewer, water, and storm drainage services to each of the Urban Reserve Areas. (See *Newberg Urban Reserve Area Public Facilities Cost Estimates*, Planning and Building Department (2006).)

The results are summarized in Table 16. Composite costs for providing sanitary sewer, water and storm drainage facilities are given a high, medium or low ranking. A "high" ranking means that the area is relatively costly to serve, whereas a "low" ranking means the opposite. Actual cost data appears in "Urban Reserve Areas Public Cost Estimates" (see appendices).

Table 16: Public Facilities Analysis

Urban Reserve Area (1995)	URA Cost-of-Service Composite Ranking			
	Sewer	Water	Storm Drainage	Composite Ranking
1. Northwest	medium	low	medium	medium
2. North Valley	medium	medium	medium	medium
3. North Hills - West	medium	low	low	medium
3. North Hills - East	medium	very high	low	high
4. Northeast	medium	low	medium	medium
5. East*	NA	NA	NA	NA
6. Southeast	low	low	low	low

Source: Newberg Planning and Building Department

* Note that the East URA has no buildable land due to the preferred location of the Newberg-Dundee Bypass route.

As shown on Table 16 above, the 2006 UGB Expansion Areas (Northwest, North Valley and North Hill – West, and Northeast all have a "medium" composite cost-per-acre ranking. The North Hills – East URA has the only high ranking, based solely on the extremely high cost of providing water service to this high elevation area. The Southeast URA has the only "low" ranking.

The 2006 UGB Expansion Areas can be served within the short- to intermediate-term, as can the Northeast and Southeast URAs. The North Hills – East URA cannot be provided with urban water service in the short-term, in part because of the high costs of providing high elevation water service to this area, and in part due to uncertainties associated with planning for the large, intervening area²⁷ that is now the subject of an extensive specific area planning process. The *Newberg Urban Reserve Area Public Facilities Cost Analysis* includes detailed information regarding how each UGB expansion area will be provided with sanitary sewer, water, storm drainage and transportation facilities, both in the short- (2005-2010) and long- (2010-2025) term.

²⁷ This intervening land is owned by the Austin family and includes several hundred acres of buildable land.

Transportation

As noted in the transportation discussion below, the Newberg TSP identifies a number of projects that must be completed to adequately serve planned development in the 2006 UGB Expansion Areas. Chehalem Drive improvements are especially important, since all 2006 UGB Expansion Areas will be served by the planned arterial street. As noted in the TSP, there are substantial costs associated with the Newberg-Dundee Bypass that will serve the Northeast, East and Southeast URAs. Although the route for this major facility has been tentatively determined, there are a number of unresolved questions regarding funding that need to be better resolved before these areas are included within the Newberg UGB.

Public Facilities Conclusion

The Newberg Urban Reserve Area Public Facilities Cost Analysis shows that providing sewer, water, and drainage service to the selected UGB expansion areas is feasible during the planning period, and reasonably economical. Consequently, the 2006 UGB expansion complies with Boundary Location Factor 2.

On the other hand, the cost of providing urban services to the North Hills – East URA is substantially higher. This is primarily due to high costs associated with water services, especially at higher elevations.

Although sanitary sewer, water and storm drainage services also can be provided to the Northeast and Southeast URAs in the at reasonable cost, uncertainties associated with the Newberg-Dundee Bypass, and the need for additional planning for the entire Bypass area, make argue against inclusion of these areas within the UGB at this time.

D. Goal 14 Boundary Location Factor 3 – Comparative ESEE Consequences

Goal 14 Boundary Location Factor 3 requires a comparative analysis of the economic, social, environmental, and energy consequences prior to making a decision on the direction of growth:

(3) Comparative environmental, social, economic and energy consequences

As noted above, the "second priority" exception areas will do little to help the City to meet identified residential or institutional needs. The Aspen Estates lots are included as a UGB Expansion Area solely to alleviate a water quality problem by allowing for the extension of the City's water system to provide potable water to existing residential lots immediately outside the existing City Limits and UGB. The UGB amendment will, therefore, have positive ESEE consequences that would not occur in any other rural residential exception area adjacent to the Newberg UGB. Drinkable water will maintain property values that would otherwise have suffered in the absence of City water. Social consequences are positive because drinkable water is essential to health and quality of life. Environmental consequences are positive because the existing well water was too salty to use as irrigation water for most plants. And energy consequences are uniquely positive because the only alternative to City water would have been trucking water to serve existing homes, which consumes more energy than piping City water to these lots.

Because almost all of the buildable land included within the 2006 UGB Expansion Areas is within designated URAs, for comparative analysis, we considered the ESEE consequences of including each of Newberg's acknowledged URAs. This is because ORS 197.298 Priorities for UGB Expansion identifies urban reserve areas as the highest priority for meeting demonstrated population and employment needs.

To address Boundary Location Provision 3, the City described the ESEE consequences of expansion of residential or institutional uses in each Urban Reserve Area, described why each Urban Reserve Area would be suitable or unsuitable for the proposed UGB expansion, and then summarized the findings for each ESEE category.

Economic Consequences

Economic consequences include impacts on the County's agricultural economy and cost of providing urban facilities. Because all land within the 2006 UGB will meet residential and institutional land needs, employment potential is not a factor.

As shown on Map 3, agricultural land adjacent to the 2006 UGB Expansion Areas (located in the North and Northwest Study Areas) has lower quality agricultural soils than agricultural land adjacent to Northeast and Southeast URAs. This analysis assumes that there is a relationship between agricultural soil class and the potential impact on the agricultural economy. Generally speaking, land within the North and Northwest Study Areas has Class II-III or higher agricultural soils, whereas the Northeast and Southeast Study Areas have predominantly Class I and II agricultural soils. In addition, the Ad Hoc Committee received testimony from Filbert farmers in along Chehalem Drive that blight has adversely affected Filbert orchards in this area. For these reasons, the consequences for the agricultural economy of expanding to the Northwest are less adverse than expanding to the Northeast and Southeast. Lots within Aspen Estates do not abut agricultural land, and therefore provision of water service to developed lots will not adversely affect Yamhill County's agricultural economy.

As noted in Tables 16 and 17, above, costs of providing public facilities to land within the 2006 UGB Expansion Areas are less than for the North Hills – East URA, although roughly comparable to the costs for serving the Northeast and Southeast URAs. The primary reason for higher costs of service in the North Hills – East URA is the need for a higher elevation water reservoir to serve this area.

Social Consequences

Social consequences include the ability to meet affordable housing objectives, create quality neighborhoods, and provide for institutional needs. The Northwest and North Valley URAs provide relatively flat and buildable land that can meet identified short- to intermediate-term residential and institutional needs. The relatively flat, undeveloped sites are well-suited to effective master planning. Much of the buildable residential land in these areas has expansive views that will help the City to provide higher end housing opportunities. Because these URAs have direct access to Chehalem and North Valley Roads and can be

readily provided with sanitary sewer, water and storm drainage facilities as relatively low costs, these areas will also provide relatively affordable housing opportunities. Finally, several parcels in the North Valley URA are owned by religious and private educational institutions, and therefore will directly meet a portion of the City's long-term institutional land need. Therefore, the social consequences of including the 2006 UGB Expansion Area are positive. The North Hills – West area is being included at this time specifically to meet identified needs for institutional expansion. By including certain developed lots in Aspen Estates, positive social consequences will result from alleviating water quality problem.

In contrast, the Northeast, East and Southeast URAs face uncertainty regarding the exact location and timing of the Newberg-Dundee Bypass. In the short-term, they face constraints imposed by city and county ordinances that preclude bringing land in the interchange overlay areas into the UGB prior to the adoption of interchange area management plans.

The portion of the North Hills URA east of the expansion area would be very costly to serve with basic public facilities in the short- to intermediate term, since it is constrained by the lack of a high elevation water reservoir, and would be prohibitively expensive to serve with water, sewer and roads prior to the development of the intervening Austin properties. Premature development would have the negative social impact of increasing housing costs.

Environmental Consequences

Environmental consequences address potential impacts on inventoried natural features (riparian corridors and wetlands) both within and adjacent to URAs, as shown on Map 8: Urban Reserve Study Area Water Features (2006). The closer that urban development comes to a protected water feature, the greater the likelihood of conflict. Table 17 compares the water feature acreage by study area.

Table 17: Water Feature Area as Percent of Study Area

Study Area	Total Acreage	Water Feature Acreage	Percent of Total
Northwest	906	55	6%
North	1,657	84	5%
Northeast	585	24	4%
East	1,268	123	10%
Southeast	789	192	24%
Southwest	1,288	212	16%
Total / Average	6,493	691	11%

The 2006 UGB Expansion Areas are located mainly in the North and Northwest Study Areas, where the water feature percentage is relatively low (5-6%) compared with the average water feature percentage for all six study areas (11%). Only the East Study Area has a lower proportion of water feature coverage. The East, Southeast and Southwest Study Areas have a much higher percentage of water feature coverage than the North, Northwest

and East Study Areas. However, a comparison of Maps 4 and 8 shows that the Aspen Estates Expansion Area, although in the northeast corner of the Southwest Study Area, includes only the portion of Chehalem Creek flowing through 10 of the lots. Moreover, as also shown on Maps 4 and 8, the Northwest, North Valley and North Hills Expansion Areas have no significant water features.

Energy Consequences

Energy consequences consider travel distances to the urban center, solar orientation and energy costs related to the provision of public facilities (especially sewer and water). Since all of the URAs about the Newberg UGB, there are no significant differences in travel distance to the City Center. However, as noted in the *Newberg Urban Reserve Area Public Facilities Cost Analysis*, several URAs require sanitary sewer pump stations, which consume more energy than gravity flow sewer. Water would also need to be pumped to a higher elevation water reservoir to serve portions of the North Hills – West URA. The Northwest, North and East URAs all have south-facing slopes, which are conducive to solar access.

The 2006 UGB Expansion Areas can be served with gravity flow sewer and the existing water storage system. These areas have direct access to Chehalem Drive, an arterial street connecting directly to the City Center. South-facing slopes in the Chehalem Drive and North Valley Study Areas provide more opportunities for solar access than other study areas. For these reasons, the energy consequences of including the 2006 UGB Expansion Areas (Northwest, North Valley and North Hills – West) are relatively positive when compared with areas that require sanitary sewer pump stations.

ESEE Summary

The 2006 UGB expansion locations in Urban Reserve Areas in the North and Northwest Study Areas generally have positive ESEE consequences and are better suited to meet identified land needs than Urban Reserve Areas to the north, east or southeast.

E. Goal 14 Boundary Location Factor 4 – Compatibility with Resource Land

Goal 14 Boundary Location Factor 4 establishes the following priority for inclusion of land within a UGB:

(4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

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. The 2006 UGB expansion brings in two types of land: (1) selected first priority Urban Reserve Areas that abut agricultural land and the acknowledged Newberg UGB; and (2) selected lots within Aspen Estates that are completely surrounded by other lots within a designated rural residential exception area. Inclusion of lots within Aspen Estates will not create agricultural compatibility problems, because these lots already have homes and are not adjacent to agricultural land.

The expansion of the UGB to include URAs in the North Study Area will actually decrease incompatibilities with agricultural land, because the UGB will now have a public right-of-way to buffer agricultural land to the north. However, expansion into URAs in the Northwest Study Area is likely to create some conflict with abutting agricultural lands to the west. However, these conflicts were "acknowledged" when these URAs were established in 1995.

Soil Type and Agricultural Productivity by Urban Reserve Area

This analysis of agricultural suitability identifies the types of soil adjacent to or "near" (within 400' of) each of four identified Urban Reserve expansion areas and describes crops typically grown on these soil types as shown in the Soil Survey of Yamhill County Area (US Department of Agriculture, 1974). As explained in text following Table 18, all of the lands adjacent to expansion areas contain some soil types suitable for grass, pasture, and cereal grains. Some Class I-III soils are additionally suitable for vegetables, hops and berries; the Class III soils must be irrigated. 2006 UGB Expansion Areas are defined as follows:

- The North Valley URA, the western portion of the North Hills URA within the North Study Area; and
- the Northwest URA within the Northwest Study Area.

Table 18: Soil Types Adjacent or Near Expansion Areas

Soil Type Name	Map Symbol	Slope	High Value Farmland	Soil Class	Expansion Area(s)
Amity Silt Loam	Am	0-2%	Yes	IIw	Northwest
Carlton Silt Loam	CaD	12-20%	Yes	IVe	North Valley
Cove Silty Clay Loam	Cs	0-2%	No	IIIw	Northwest
Hazelair Silty Clay Loam	HcB	0-7%	No	IIIe	North Valley
Hazelair Silty Clay Loam	HcD	7-20%	No	IVe	North Valley North Hills - East
Jory Clay Loam	JRF	30-60%	No	VIe	North Valley North Hills - East
Nekia Clay Loam	NcB	2-7%	Yes	IIIe	North Valley
Nekia Clay Loam	NcD	7-20%	Yes	IVe	North Valley
Panther Silty Clay Loam	PaD	4-20%	No	VIw	North Valley
Shale Rock Land	SH	NA	No	VIe	North Valley
Stony Land	SL	NA	No	VIe	North Valley North Hills - East
Terrace Escarpment	Te	20-40%	No	VIe	Northwest
Wapato Silty Clay Loam	Wc	0-3%	No	IIIw	North Valley Northwest
Willakenzie Silty Clay Loam	WeE	20-30%	Yes	IVe	North Valley
Willakenzie Silty Clay Loam	WeF	30-45%	No	VIe	North Valley
Willakenzie Silty Clay Loam	WkD	7-20%	Yes	IVe	North Valley
Woodburn Silt Loam	WuB	0-7%	Yes	IIw	North Valley Northwest
Woodburn Silt Loam	WuC	7-12%	Yes	IIe	North Valley Northwest

- **Amity Silt Loam (Am – Class II).** This soil has moderately slow permeability. Roots can penetrate to a depth of more than 60 inches. The available water capacity is 11 to 13 inches. Tilth is good, but cultivation is restricted by a high water table during winter and early in spring. Surface runoff is slow, and during heavy rains this soil is slightly susceptible to sheet erosion. Fertility is moderate. Most of the acreage is cultivated. Vegetables, small grain, grass seed, hay, and pasture plants are the important crops. Capability unit IIw-2. **Amity Silt Loam is found adjacent to or near the 2006 UGB Expansion Area.**
- **Carlton silt loam, 12 to 20 percent slopes (CaD).** This soil is on foot slopes. Runoff is medium, and there is a severe erosion hazard in unprotected areas during rainy periods. Small grain, hay, and pasture plants are the major crops. Some areas where drainage has been improved are used for orchards. Capability unit IVe -4. **Carlton Silt Loam is found adjacent to or near North Valley UGB Expansion Area N2.**
- **Cove silty clay loam, thick surface, 0 to 2 percent slopes (Cs – Class III).** The profile of this soil is similar to that of Cove silty clay loam, except that the depth to clay ranges from 16 to 24 inches. Texture in the surface layer ranges from silty clay loam to silty clay. Available water capacity is 6 to 7.5 inches, and the fertility is moderately low. Hay and pasture plants are the principal crops, but spring grain and vegetable crops are also grown. **Capability unit IIIw-2. Cove Silty Clay Loam is found adjacent to or near the Northwest Expansion Area.**
- **Hazelair silty clay loam, 2 to 7 percent slopes (HcB – Class III).** This gently sloping soil is on low hills. This Hazelair soil has slow permeability. Roots can penetrate readily to the clay, which is at depths of 12 to 24 inches. The available water capacity is 4 to 7 inches. Tilth is fair, and cultivation is restricted during winter and early in spring by seepage. Surface runoff is slow, and erosion is a slight hazard in unprotected areas during rainy periods. Fertility is low. About half the acreage of this soil is cultivated. Spring grain, hay, and pasture plants are grown. Capability unit IIIe-3. **Hazelair Silty Clay Loam (HcB) is found adjacent to or near North Valley Expansion Area.**
- **Hazelair silty clay loam, 7 to 20 percent slopes (HcD – Class IV).** This soil is similar to Hazelair silty clay loam, 2 to 7 percent slopes, and is used for similar crops. Runoff is medium, and erosion is a severe hazard in unprotected areas during rainy periods. Capability unit IVe -3. **Hazelair Silty Clay Loam (HcD) is found adjacent to or near Expansion Area N2.**
- **Jory clay loam, 30 to 60 percent slopes (JRF – ClaSs VI).** Some areas of this mapping unit are in the part of the survey area that was mapped at high intensity. Runoff is medium, and the erosion hazard is severe in unprotected areas during rainy periods. This soil is used mainly for timber and pasture. Management is moderately difficult. Capability unit VIe-5. **Jory Clay Loam is found adjacent to or near the North Valley Expansion Area.**
- **Nekia clay loam, 2 to 7 percent slopes (NcB – Class III).** This gently sloping soil is on smooth ridgetops and side slopes. Depth to bedrock ranges from 20 to 40 inches but is mostly 20 to 30 inches. This Nekia soil has moderately slow permeability. Roots can penetrate to the bedrock. The available water capacity is 3 to 7 inches. Tilth is good, and the soil can be cultivated throughout the year except during stormy periods in winter and spring. Surface runoff is slow, and erosion is a slight hazard in unprotected areas during rainy periods. Fertility is moderate. Most of the acreage is cultivated. Orchard fruit, grain, hay, and

pasture plants are the principal crops. Berries and grass for seed are also grown. Capability unit IIIe-4. **Nekia Clay Loam is found adjacent to or near the North Valley Expansion Area.**

- **Nekia clay loam, 7 to 20 percent slopes (NcD – Class IV).** This soil is used for crops similar to those grown on Nekia clay loam, 2 to 7 percent slopes. Runoff is slow to medium. Erosion is a moderate hazard in unprotected areas during rainy periods. Capability unit IVe-1. **Nekia Clay Loam is found adjacent to or near the North Valley Expansion Area.**
- **Panther silty clay loam, 4 to 20 percent slopes (PaD – Class VI).** This gently sloping to strongly sloping soil is in swales and basins on hills. It formed from siltstone and shale. This Panther soil has very slow permeability. Roots are restricted by the clay at depths of 10 to 18 inches. The available water capacity above the clay is 2 to 4 inches and for the whole profile is 6.5 to 10 inches. This soil is difficult to cultivate except during the summer months when seepage is at a minimum. Surface runoff is slow to medium. The erosion hazard is slight, but the soil may slide during heavy rains in the wet season. Fertility is low. Most of the acreage has been cleared. Hay and pasture plants are the important crops. Capability unit VIw-1. **Panther Silty Clay Loam is found adjacent to or near the North Valley Expansion Area.**
- **Shale rock land (SH – Class VI)** is 50 to 75 percent rock outcrops. The rest is well-drained soils that are too variable to identify and map separately. The soils are less than 20 inches deep over siltstone, sandstone, and shale. They are strongly sloping to very steep. In areas that are not cultivated, the vegetation is oak, poison-oak, grasses, and some Douglas-fir. Less than a third of the acreage is cultivated. Hay and pasture plants are the principal crops. Small grain can be grown where slopes are favorable and rock outcrops are of limited extent. Uncultivated areas are in natural oak-grass and pasture. Capability unit VIe-4. **Shale Rock Land is found adjacent to or near the North Valley Expansion Area.**
- **Stony land (SL – Class VI)** consists of well-drained soils that are shallow and very shallow over igneous rock (fig. 10). These soils are too variable to map separately. They are less than 20 inches deep over hard basalt rock and are commonly very stony. They are on gently sloping hilltops and very steep sides of drainageways. The vegetation is grasses, poison-oak, oak, and Douglas-fir. Stony land is too shallow and stony to be cultivated. Pasture is the principal use. Capability unit VIe-1. **Stony Land is found adjacent to or near Expansion Area N1.**
- **Terrace escarpments (Te – Class VI)** are along small streams that have cut deeply into the Willamette Valley terraces, and where the terraces meet the bottom lands and flood plains along the major streams and rivers. The short, smooth slopes range from 20 to 40 percent. The soil material is silty and sandy and is stratified. It is too variable to be classified as a soil series. This land is well suited to wildlife use. It is poorly suited to homesites because of the unstable soil conditions. Capability unit VIe-1. **Terrace Escarpments are found adjacent to or near the Northwest Expansion Area.**
- **Wapato silty clay loam, 0 to 3 percent slopes (Wc – Class III).** This soil is in low-lying areas along streams. It has smooth topography and is subject to short periods of overflow and ponding. Most of the acreage has been cleared for cultivation. Small grain, hay, and pasture plants are the principal crops. Corn, other late-planted vegetable crops, and grass and legumes for seed are also important. Drainage either by open ditches or tile is

needed in order to lower the water table in spring. Because of the low-lying position of the soil, drainage outlets are often difficult to establish. Capability unit IIIw-5. **Wapato Silty Clay Loam is found adjacent to or near the Northwest and North Valley Expansion Areas.**

- **Willakenzie silty clay loam, 20 to 30 percent slopes (WeE – Class IV).** This soil contains scattered basalt stones that rolled down from higher areas. Runoff is medium, and the erosion hazard is severe. The main crops are orchard fruit, small grain, hay, and pasture plants. Stripcropping, terraces, diversions, and other intensive management practices are required. Oak-grassland pasture is the principal use in uncleared areas. Douglas-fir also is grown. Capability unit IVe -2. **Willakenzie Silty Clay Loam (WeE) is found adjacent to or near the North Valley Expansion Area.**
- **Willakenzie silty clay loam, 30 to 45 percent slopes (WeF – Class VI)** This soil contains basalt stones. Runoff is rapid in cleared areas, and the erosion hazard is severe. Oak-grassland pasture is the principal use, but Douglas-fir is grown in places. Management is moderately difficult. Capability unit VIe-5. **Willakenzie Silty Clay Loam (WeF) is found adjacent to or near the North Valley Expansion Area.**
- **Willakenzie silty clay loam, moderately shallow, 7 to 20 percent slopes (WkD – Class IV).** This soil has a profile similar to that of Willakenzie silty clay loam, moderately shallow, 2 to 7 percent slopes, except that the rooting depth is 20 to 30 inches. Included in mapping are stony areas. The available water capacity is 3 to 5 inches. Surface runoff is slow to medium, and the erosion hazard is severe in unprotected areas during rainy periods. Small grain, hay, and pasture plants are the principal crops. Uncultivated areas are in oak-grassland pasture. A few prime orchards are in production. Capability unit IVe -1. **Willakenzie Silty Clay Loam (WkD) is found adjacent to or near the North Valley Expansion Area.**
- **Woodburn silt loam, 0 to 7 percent slopes (WuB – Class II).** This is the most extensive soil on the Willamette Valley terraces. Slopes are dominantly 0 to 3 percent. Most of the acreage is cultivated. Small grain and legume seed are the most important crops. Orchard trees, vegetable crops, berries, alfalfa, and hay and pasture plants are also grown. Capability unit IIw-6. **Woodburn Silt Loam (WuB) is found adjacent to or near the Northwest and North Valley Expansion Areas.**
- **Woodburn silt loam, 7 to 12 percent slopes (WuC – Class II)** This soil is similar to Woodburn silt loam, 0 to 7 percent slopes, except that it has short, strong slopes on sides of drainage-ways. Runoff is slow to medium, and erosion is a slight to moderate hazard in unprotected areas during rainy periods. Crops grown are similar to those grown on the more nearly level Woodburn soils. Intensive drainage is required to control seepage from adjacent soils. Capability unit IIe-4. **Woodburn Silt Loam (WuC) is found adjacent to or near the Northwest and North Valley Expansion Areas.**

Farm Land Compatibility

Existing agricultural uses on farm land adjacent to the 2006 UGB Expansion Areas include grazing and hay production, orchards, grains, berries and vegetable crops. Residential uses create potential for conflicts with agricultural practices due to vandalism, roaming pets, and residents' sensitivity to dust, odors and chemicals commonly used in agriculture. Most of Newberg's residential development is expected to occur in the Northwest and North Valley

UGB Expansion Areas, while the North Hills UGB Expansion Area will have a higher proportion of institutional uses.

Both the Northwest and North Valley Expansion Areas abut high value Class II-IV agricultural soils, so development of these areas for urban uses will have some impact on farm activities. The Northwest Expansion Area west of Chehalem Drive is adjacent to higher quality agricultural soils (primarily Class II-III) than the North Valley Expansion Area (which abuts more Class IV-VI soils).

These agricultural conflicts were recognized when URAs were established by the City and County, and acknowledged by LCDC, in 1995. Although the City's goal has been to minimize points of conflict between new residential designations and high value farmland, ORS 197.298 makes URAs the highest priority for inclusion within UGBs. Since most of the URAs that can be serviced efficiently in the short-term abut agricultural land, the City has no choice but to include these areas within the UGB.

The 2006 Newberg UGB also minimizes conflicts between residential land uses and agricultural activities by expanding the UGB to include an existing rural residential exception area (Aspen Estates). The lots that have been included within the 2006 UGB abut other rural residential lots – not agricultural or forest land.

PART III – COMPREHENSIVE PLAN AMENDMENTS

In adding the 2006 UGB Expansion Area, the City of Newberg and Yamhill County are also amending their comprehensive plans to show the new land use designations for these areas, the general locations for parks to serve the area, and a new stream corridor map for land within the urban reserve study areas.

A. Comprehensive Plan Designations

Map 4 shows the future land use designations for the 2006 UGB Expansion Area. Property at the corner of North Valley Road and Chehalem Drive is designated PQ Public-Quasi-Public, reflecting its ownership and ongoing construction by a church. The other PQ property, east of Hwy 219, is also owned by a church and private school with plans to expand the existing quasi-public uses of the property.

The LDR Low Density designation was applied to the North Valley Road area and the majority of the Northwest UGB Expansion Area. The North Valley Road area is sloped, and well-suited to larger single family view homes. The other LDR area may develop slowly due to the high level of parcelization and the desire of some residents to retain a rural lifestyle. Also, some clustering of development may be needed to accommodate drainage. Since the Aspen Estates area is already developed with 1-acre lots and offers little potential for future growth, LDR/1A zoning was applied to allow the area to be annexed without triggering an immediate need for full urban services.

The areas marked as MDR are consistent with adjoining development, which is also either medium density or low density at 6.6 units per acre. The HDR is located at the intersection of Hwy 240 and Chehalem Drive, consistent with Newberg's location policy that high density areas should be easily accessible to arterial streets.

The comprehensive plan maps for both the City and the County need to show these designations as part of the expansion of the Urban Growth Boundary. Yamhill County policies state that the Newberg Comprehensive Plan designations apply inside the City's UGB. Until property is annexed, however, the County zoning applies, subject to the terms of the Newberg Urban Area Growth Management Agreement, as amended.

B. Park Locations

Existing Parks. Several parks are close to the area proposed for inclusion in the UGB, and can serve some of the area's parks needs. These include:

- Chehalem Valley Middle/Antonia Crater Elementary/Wright Sports Fields complex. This is an 18 acre community wide park along Chehalem Drive that provides sports fields, playgrounds, and picnic areas. It serves both City wide and district wide sports needs, as well as serving a neighborhood park for the local area.

- Buckley Park. This is a $\frac{3}{4}$ acre tot-lot park along Mountainview Drive. Due to its small size, it only can effectively provide for the recreation needs of residents within $\frac{1}{4}$ mile.
- Jaquith Park. This is a 15-acre park community park along Main Street the provides ball fields and various other sports facilities, as well as picnic areas and walking trails.
- Oak Knoll tot-lot. This is $\frac{1}{4}$ acre tot-lot on Hilltop Drive that is largely for nearby residences.

According to the adopted park standards, a neighborhood park should be available within $\frac{1}{4}$ to $\frac{1}{2}$ mile of new proposed residential areas. The UGB expansion area could also include land for a new community park (which would also serve as one of the neighborhood parks). City staff performed an analysis to determine the needed locations for future parks based on these criteria.

The proposed UGB addition area south of Bell Road and east of Highway 219 is close only to the Oak Knoll tot-lot. However, the main use anticipated for this area is a church/private school complex that is intended to include walking trails and ball fields. Thus, this expansion will meet some local recreational needs.

The proposed UGB addition along North Valley Road is all within $\frac{1}{4}$ mile of the Chehalem Valley/Crater/Wright park complex, and can use that park as a neighborhood park.

The proposed UGB addition area along Chehalem Drive south of Oxford St. and north of Columbia Drive is more than $\frac{1}{2}$ mile from the Chehalem Valley/Crater/Wright park, so it cannot use that effectively as a neighborhood park. It also is more than $\frac{1}{4}$ mile from the Buckley Park tot-lot, so that park cannot effectively serve the area. Thus, a new future park is proposed near the intersection of Mountainview Drive and Chehalem Drive. This should be a neighborhood park ($\frac{1}{2}$ to 5 acres in size). The park potentially could be a community park (10-25 acres) if a sufficiently large parcel could be obtained.

The proposed UGB addition area along Chehalem Drive south of Columbia Drive is within $\frac{1}{4}$ to $\frac{1}{2}$ mile of Jacquith Park as the crow flies. However, a branch of Chehalem Creek separates the park from the new residential area. Thus, the park cannot reasonably meet the neighborhood park needs of this area. Thus, a new neighborhood park ($\frac{1}{2}$ acre to 5 acres in size) is proposed somewhere near the intersection of Chehalem Drive and Highway 240.

Based on this analysis, city staff identified the locations for two new parks to serve the 2006 UGB Expansion Area: one in the northern part of the "Northwest UGB Expansion Area," and one in the southern part, near Hwy 240. These are shown on Map 4 using asterisks to indicate that the locations are generalized, not site-specific. The Superintendent of the Chehalem Park and Recreation District was asked to review these recommendations and found them acceptable. He offered some location refinements, and suggested taking advantage of existing drain ways for park use of properties that are not very usable for building lots.

In conjunction with the addition of the 2006 UGB Expansion Area, these two parks should be identified on the comprehensive plan maps for both the City and the County.

C. Stream Corridors

Chehalem Creek is the major water feature in the 2006 UGB Expansion Area. Tributaries extend into the North and Northwest Study Areas (see Maps 4 and 8). South of Hwy 240, it has been designated Essential Salmon Habitat by the Department of State Lands.

In conjunction with its UGB/URA expansion program, the City of Newberg engaged Winterbrook Planning to evaluate water features within potential UGB/URA study areas. Water feature information will be useful in addressing Statewide Planning Goal 14 "locational factors" in assessing the relative values of each of six identified study areas surrounding the existing UGB. To address Statewide Planning Goal 14 (Factor 5, economic, social, environmental and energy consequences) and Goal 5 (Natural Resources), Winterbrook inventoried wetlands and stream corridors within the study areas. This work included an off-site field inventory combined with review of existing data and maps to determine the location, quantity and quality of Goal 5 resources within each study area. Where wetlands shown on the National Wetlands Inventory were not evident, they were omitted. Wetlands were considered significant for the purposes of the study if they 1) provide high quality fish or wildlife habitat, water quality, or hydrologic control functions; or 2) have a hydrologic connection to a fish-bearing stream.

The consultant recommended that all fish-bearing stream corridors be protected, and all wetlands within the stream corridors be protected with a minimum 50-foot buffer. He felt that the few significant "isolated" wetlands within the study area could be protected at the wetland boundary.

This reconnaissance-level information will be used by City GIS to refine the buildable lands inventory (Goal 5 resources are considered constrained lands and are removed from the mapping of Goal 3 agricultural land resources.) The City of Newberg digitized locations of wetlands and stream corridors as polygon or point data on water feature maps. The water features inventory provides a factual basis for the evaluation of urban growth alternatives, and is provided as an appendix to this document.

When the 2006 UGB Expansion Area is added to the Newberg UGB, the map showing stream corridors and wetlands in the 2006 UGB Expansion Area should also be adopted by the City and County.

PART IV – YAMHILL COUNTY AND NEWBERG COMPREHENSIVE PLAN

This section identifies applicable policies from the Yamhill County and Newberg Comprehensive Plans and explains why the 2006 UGB amendment package complies with these policies.

Yamhill County

Yamhill County adopted the Newberg urban reserve area (URA) amendments over 10 years ago. In 1995, the City of Newberg coordinated with Yamhill County in the adoption of URAs adjacent to the 20-year Newberg Urban Growth Boundary (UGB). The purpose of the URA designation was to accommodate planned urban development through the Year 2030. At the time of adoption, Yamhill County determined that each of the Newberg URAs complied with applicable Yamhill County Comprehensive Plan policies and applicable Statewide Planning Goals and administrative rules.

ORS 197.298 recognizes that URAs are the *first priority* for meeting identified a city's demonstrated urban growth needs. In 2005, the City of Newberg amended its comprehensive plan to identify its urban growth needs through the 2025. This amendment was not challenged and has therefore been acknowledged by the LCDC. Adopted Newberg Comprehensive Plan goals and policies address the growth management policy issues found in the Yamhill Comprehensive Plan quoted below.

Table 19 shows that the 2006 UGB amendment package includes land within three designated URAs, or approximately 36% of the URA buildable land total. The 2006 UGB expansion is intended to include land necessary to meet a portion of 2025 urban growth needs. Table 19 shows that the City is bringing just over one-third of the designated URA buildable land total at this time. Please note that seven additional buildable acres are included outside of URAs, within the Aspen Estates exception area.

Table 19. URA Buildable Land Acreage Included within 2006 Newberg UGB

Urban Reserve Area	Buildable Acres Included within 2006 UGB	Buildable Acres Not Included within 2006 UGB
North Valley	47	0
North Hills	26	214
Northwest	99	0
Northeast	0	49
East	0	0
Southeast	0	37
Total	172	300
Percentage	36%	74%

A. URBAN AREA DEVELOPMENT GOAL STATEMENT

1. *To encourage the containment of growth within existing urban centers, provide for the orderly, staged, diversified and compatible development of all of the cities of Yamhill County, and assure an efficient transition from rural to urban land use.*
 - a. *Yamhill County will, in cooperation with the cities and special districts of the county, encourage urban growth to take the form of a series of compact, balanced communities, each with its own business and community center and each related to industrial areas and other centers of employment.*
 - b. *Yamhill County will cooperate and coordinate with each of the cities in the development of urban growth boundaries and will adopt an urban area growth management agreement with each city which outlines a growth management plan for unincorporated areas within the boundary and the means by which the boundary can be modified.*
 - c. *Yamhill County will recognize the lands within established urban growth boundaries as the appropriate and desired location for urban development.*
2. *To encourage the containment of urban services and facilities and other public capital improvements within existing urbanizing areas in order to achieve an orderly pattern of urban growth.*
 - a. *Yamhill County will continue to seek full cooperation and coordination among the cities, the school districts, other special-purpose districts of the county and the county itself in jointly planning and programming all land use, urban services and facilities and other public improvements having an impact on the rate and direction of urban growth.*

Proposed Findings

The Newberg URAs were adopted by Yamhill County in 1995 and define areas appropriate for future UGB expansion. Each of these URAs was found to be consistent with Yamhill County urban area development goals and policies. Upon adoption, urban services and facilities will be contained within the amended UGB, as required by County and City comprehensive policies, and the NUAMA. Newberg has prepared preliminary public facilities plans showing how each of the URAs within the 2006 UGB can be provided efficiently with sanitary sewer, water, stormwater and transportation facilities. (See Maps 6 and 7.)

Since 1995, the City has examined its ability to provide urban services to URAs in the short- to intermediate-term. The primary reason for including the Northwest URAs within the 2006 UGB is the City's ability to provide urban services within the next 5-10 years to meet housing and institutional needs. By the same token, the City's inability to provide urban services over the next 10 years to URA land to the northeast, east, and southeast is the principal reason for *not* including these urban reserves within the UGB at this time. Land within the North Hills, Northeast, East and Southeast URAs that is not included within this

round of UGB amendments will re-considered as part of the 2007-08 plan amendment process.

B. CITY GROWTH AND DEVELOPMENT POLICIES

Policies

- a. *All urban growth boundaries in the county will be delineated as shown on the plan map and no extension of urban land uses or city water and sewer services beyond the designated urban growth boundaries will be undertaken without concurrent amendments to both the respective city and county comprehensive plans.*
- b. *Yamhill County will encourage major land uses or functional areas and domestic water supply and sanitary sewer service areas in the cities to develop progressively outward and to be extended on a staged basis until they become coextensive with and fully service the designated urban area.*

Proposed Findings

These policies are addressed in Parts I and II of this Narrative, especially under the Part II, Goal 2 and 14 discussion. To address Policies D(a-b), 23 developed lots within Aspen Estates are included within the 2006 UGB. These developed rural residential parcels have very poor quality well water due to its high sodium content, and require City water for domestic and landscaping purposes. By including selected lots within Aspen Estates within the 2006 UGB, the City extension of water service to these lots will be consistent with Policies D(a-b), above.

C. ECONOMIC DEVELOPMENT GOAL STATEMENT

1. *To maintain a rate and pattern of economic growth sufficient to prevent recurring high levels of unemployment and under-employment in the county, balance the real property tax base of the various cities, and strengthen local economic bases.*

Policies

- a. *Yamhill County will, in cooperation with the cities, the local chambers of commerce and affiliated industrial promotion groups, and State agencies concerned with State and regional economic development, encourage a diversified employment base, the strengthening of trade centers, and the attraction of both capital and labor intensive enterprises, consistent with the needs of each community and the county as a whole.*
- b. *Yamhill County will encourage economic development projects which do not conflict with the predominant timber and agricultural character of the county.*

Proposed Findings

Although no employment lands are included within the 2006 UGB, the provision of an adequate supply of land for a variety of housing types is a critical factor that firms consider

when decided to remain or locate in a community. Moreover, home offices provide an increasing share of employment due to advances in electronic communications. Finally, increasing the institutional land supply will help to provide limited employment related to schools, parks and religious organizations.

D. AGRICULTURAL LANDS GOAL STATEMENT

1. *To conserve Yamhill County's farm lands for the production of crops and livestock and to ensure that the conversion of farm land to urban use where necessary and appropriate occurs in an orderly and economical manner.*

Proposed Findings

Goal 14 – Urbanization and ORS 197.298 balance the competing land needs of agriculture and forestry on the one hand, and future urban growth on the other. Goal 14 requires that cities provide enough land for 20-year growth needs. ORS 197.298 defines land within URAs as the “highest priority” for expanding urban growth boundaries to meet 20-year land needs. Since Newberg is expanding almost exclusively on high priority URA land, the agricultural policies listed above are met. Agricultural lands are not affected by the decision to expand into the Aspen Estates rural residential exception areas, because (a) exception areas are not defined as “agricultural land,” and (b) none of the lots included within the UGB abut agricultural land.

E. TRANSPORTATION GOAL STATEMENT

1. *To provide and encourage an efficient, safe, convenient and economic transportation and communication system, including road, rail, waterways, public transit and air, to serve the needs of existing and projected urban and rural development within the county, as well as to accommodate the regional movement of people and goods and the transfer of energy, recognizing the economic, social and energy impacts of the various modes of transportation.*

Policies

- e. *Yamhill County will cooperate with and support the State Highway Division, the Mid-Willamette Valley Council of Governments, and any other county or regional transportation agency in an effort to establish a viable and productive regional transportation planning process and operations system geared to identifying, prioritizing and resolving both present and future transportation needs, with special reference to our county and regional network.*
- k. *All county transportation-related decisions will be made in particular consideration of energy efficiency and conservation.*
- o. *All transportation-related decisions will be made in support of the efficient and economic movement of people, goods, and services throughout the region, and will be based on the location and adequacy of facilities for such goods and services.*

Proposed Findings

- The 2005 Newberg TSP addresses transportation impacts resulting from development within the 2004 UGB plus all URAs adopted by the City and County in 1995.

F. AIR, WATER AND LAND RESOURCES QUALITY GOAL STATEMENT

- 1. To conserve and to protect natural resources, including air, water, soil and vegetation and wildlife, from pollution or deterioration which would dangerously alter the ecological balance, be detrimental to human health, or compromise the beauty and tranquility of the natural environment.*

Proposed Findings

- The Newberg Comprehensive Plan includes policies that address air, water and land resources quality as development occurs within the Newberg UGB. LCDC has acknowledged these policies as adequate to address state and federal environmental standards. Map 8, Water Features, inventories and maps significant riparian corridors and wetlands within six Study Areas that surround the 2004 UGB. These areas will be protected by the City of Newberg when this land is annexed and developed in accordance with City standards.

Yamhill County Conclusion

The proposed 2006 UGB expansion meets all applicable Yamhill County Comprehensive Plan goals and policies.

Newberg Comprehensive Plan

As discussed in the Executive Summary, the primary basis for the 2006 UGB amendments is City Ordinance No. 2005-2626, which amended the Newberg Comprehensive Plan (the Plan) by updating the population projection and land needs assessment through the Year 2025. The land needs assessment demonstrated that additional land is needed to meet long-term residential and institutional growth needs.

Thus, the need for the 2006 UGB Amendments is demonstrated in the Comprehensive Plan itself. The following findings address policies that help define the location of the 2006 UGB Amendments. Each applicable Newberg policy is quoted in italic, and is followed by findings demonstrating that the policy has been met by amending the UGB in the location shown in the 2006 UGB Amendments.

- B.2. The Comprehensive Plan and implementing ordinances shall be reviewed continually and revised as needed. Major reviews shall be conducted during the State periodic review process.*

Proposed Findings

The 2006 UGB Amendments implement Newberg Comprehensive Plan amendments adopted in 2005 and 2006 and therefore are needed revisions to the Comprehensive Plan that have occurred outside the State periodic review process.

Urbanization Policies

- C.1. *The conversion of urbanizable land from agricultural to urban land uses shall be orderly and efficient.*
- C.2. *Agriculture is a part of our heritage, uniqueness, culture and future. Inclusion of lands in agricultural use within the Urban Growth Boundary is recognition of a commitment to future urbanization, as such lands are necessary to meet long-range population and economic needs, based on criteria outlined in the statewide Urbanization Goal. Urbanization of agricultural land shall be carefully considered and balanced with the needs of the community as a whole.*

Proposed Findings

By including portions of adopted URAs and adjacent rural residential exception areas that can be efficiently provided with urban services, the 2006 UGB Amendments are "orderly and efficient" within the meaning of Policy C.1. The land included with the 2006 UGB Amendments have been determined to be necessary to meet Year 2026 growth needs. No agricultural lands outside of designated URAs are included within the 2006 UGB Amendments. Therefore, Policies C.1 and C.2 are met.

Air, Water and Land Resource Policies

- D.2. *Development in drainageways shall be limited in order to prevent erosion and protect water quality. Trees provide needed protection from erosion and should be maintained.*
- E.1. *Development shall not exceed the carrying capacity of the air, water or land resource base.*

Proposed Findings

The *Newberg Water Features Inventory*, Winterbrook Planning (2006) identifies natural drainageways and associated riparian vegetation. These "stream corridors" are not considered to be "buildable land." In the *Newberg Urban Reserve Area Public Services Analysis*, Newberg Planning and Building Department (2006) demonstrates that adequate public facilities can be provided to support planned development within UGB expansion areas.

In Aspen Estates, some 23 developed residential lots have exceeded the carrying capacity of the water resource base, because well water is inadequate to serve residences on these lots. Therefore, extending the UGB to allow these lots to be served with City water furthers Policy E.1.

Recreation Policies

The Newberg Comprehensive Plan includes a number of policies to guide park location:

- G.4.a. *Recreational facilities and services shall expand to meet growing recreational demands. In cooperation with Chehalem Park and Recreation District, these demands shall periodically be assessed and plans for programs and facilities shall be revised accordingly.*
- G.4.b. *To ensure that adequate lands shall be available for recreation, areas which are suitable recreational sites due to locational and natural qualities shall be designated as park land on the land use plan map. Other less specific park sites shall also be indicated on the plan.*
- G.5.e. *Recreational facilities shall be located throughout the planning area in order to minimize distances between residential areas and recreational opportunities.*
- G.5.f. *The continued multiple use of public facilities for recreational and other purposes shall be encouraged. In particular, schools and parks shall be located on adjacent sites wherever possible.*
- G.5.g. *Recreational standards for the planning area shall be as follows. These standards shall be considered as desirable guidelines to be achieved whenever possible.*

Park Area Standards*			
Classification	**Level of Service (Acres Per 1000 People)	Service Size Range	Area
Neighborhood Parks	2.5	Free standing: -10 acres. Adjacent to an elementary school; 2-5 acres with the school supplying about 6 acres of playground.	1/4-1/2 Mile
Community Parks	5.0-8.0	Free standing; 10-25 acres. Adjacent to junior or senior high school; 8-15 acres with school supplying about 12 acres.	Not more than 1-1/2 miles
City Wide Park	N.A.	25 acre minimum	Entire City
Regional Park	N.A.	180 to 200 acres	Park service area

Source: Chehalem Park & Recreation District

* Park Area Standards as established by the National Recreation and Park Association

** Level of Service (L.O.S.) - The National Recreation and Park Association uses the "Level Of Service" to describe the necessary acreage for urban areas considering the following factors:

1. An expression of minimum acceptable facilities for citizens of every community.
2. A guideline to determine land requirements for various kinds of park and recreation facilities.
3. A basis for relating recreational needs to spatial analysis within a community-wide system of parks, recreation areas, and open spaces. (Amended by Ordinance 2005-2616, February 7, 2005)

G.5.h. *Public and private recreational development will be encouraged on sites suitable for the proposed uses.*

- G.5.i. *The City shall cooperate with Chehalem Park and Recreation District to provide recreational opportunities which meet the needs of Newberg and Yamhill County residents as well as any transient and regional population.*
- G.5.k. *The City will cooperate with the Chehalem Park and Recreation District to locate parks and scenic areas which are easily accessible to the City's population and which can be developed to provide recreational opportunities for a variety of age and interest groups.*

Proposed Findings

The proposed amendments have been coordinated with the Chehalem Park and Recreation District and provide residentially-designated lands that will help to meet park needs identified in the polices above. The Comprehensive Plan Map (Map 4) identifies potential locations for one neighborhood park and one community park in the Northwest UGB Expansion Area.

I. HOUSING

GOAL: *To provide for a diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.*

POLICIES:

1. Density Policies

I.1.a. *Density rather than housing type shall be the most important development criteria and shall be used to classify different types of residential areas on the plan.*

I.1.b. *Target densities shall be as follows:*

<i>Classification</i>	<i>Units Per Gross Acre*</i>
<i>Urban Low Density</i>	<i>4.4</i>
<i>Urban Medium Density</i>	<i>9</i>
<i>Urban High Density</i>	<i>16.5</i>

**Includes a 25 percent allowance for streets*

The City shall encourage development to occur at or near those planned densities by providing positive incentives, such as lot size averaging, while maintaining and improving livability.

Proposed Findings

The 2006 UGB Amendments are based on the "target densities" prescribed in Policy I.1.b. These amendments will provide land in the Low, Medium and High Density designations that will help to diversity the City's type, density and location of needed housing to further the goal of providing affordable housing to existing and future Newberg residents.

2. Location Policies

- I.2.a. *Medium and high density areas should be located for immediate access to collector streets or minor arterials and should not cause traffic to move through low density areas. High density areas should be easily accessible to arterial streets. They should also be located near commercial services and public open spaces.*

3. Mix Policies

- I.3.f. *The City shall ensure that enough land is planned for manufactured homes, particularly in conjunction with transportation corridors.*
- I.3.m. *Within the urban area, land use policies will attempt to provide a broad range of residential uses and encourage innovative development techniques.*

Proposed Findings

As shown on the 2006 Comprehensive Plan Map (Map 4), medium and high density residential areas are located with immediate access to collector and minor arterial streets. Low and medium density residential areas will provide options for manufactured homes along major transportation corridors.

- K.4.k. *For the purposes of compliance with the Transportation Planning Rule, OAR 660-12-0060 and in order to support the goal exception that Yamhill County must take to advance construction of the Bypass, the City of Newberg acknowledges that reliance upon the Bypass as a planned facility to support comprehensive plan amendments, zone changes or UGB expansions is premature.*

Accordingly, proposed changes to lands already planned and zoned for urban uses inside the Newberg UGB or annexations or UGB expansions outside of designated Urban Reserve Areas approved as of August 1, 2004 shall be subject to the analysis and mitigation requirements of OAR 660-12-0060. Upon adoption of a Bypass financing plan by the Oregon Transportation Commission, those portions of the Bypass identified to be constructed within the 20-year planning horizon by the financial plan can be considered planned transportation facilities pursuant to OAR 660-12-0060. It is expected that the Oregon Transportation Commission will adopt a financing plan in approximately three years of adopting this plan policy.

Lands designated as Urban Reserve Areas as of August 1, 2004, and identified in Appendix A may or may not depend upon the transportation capacity of the future bypass or the improved capacity of Oregon 99W due to the future construction of the bypass. It is the policy of the City of Newberg to plan and zone those planned urban reserve areas that are outside the Interchange Area Management Plan Areas, as identified in Appendix A, to be compatible with the trip generation assumptions used to develop the Newberg 2025 Transportation Model when they are annexed into the City. For the purposes of this policy, compatibility means that trips estimated as attributable to planning and zoning in an Urban Reserve Area shall be no greater than 5 percent above the estimates used for that area in the Newberg 2025 Transportation Model. The trip generation assumptions for each Urban Reserve Area and a map illustrating these areas are provided in Appendix A and Table A-1. Annexation of the Urban Reserve Areas will

not occur at a rate any greater than 30 percent of the total Urban Reserve Area in any five year period from the date of the adoption of this policy or until the adopted financing plan proposes construction of the bypass or portions of the bypass relied upon for capacity by the development proposal within the planning horizon. This assumption addresses assumed capacity on Oregon 99W only; development in these Urban Reserve Areas will continue to be subject to OAR 660-012-0060 for impacts to transportation facilities other than Oregon 99W.

Those planned Urban Reserve Areas located within the Bypass Interchange Overlay District shall be subject to the provisions of the Overlay District in the interim period before the City of Newberg and the Oregon Transportation Commission adopt Interchange Area Management Plans for the Oregon 219 and East Newberg Interchanges. Upon adoption, the IAMPs will guide land use and capacity issues for purposes of complying with OAR 660-012-0060.

Proposed Findings

None of the 2006 UGB Expansion Areas is served directly by the Newberg-Dundee Bypass. One of the reasons for not including land with the Northeast and Southeast URAs was to allow further Bypass-related planning before inclusion of these otherwise serviceable areas.

Sewers and Water Policies

- L.2.a. All existing development within the City limits will connect to public sewer and water systems as soon as they become available.*
- L.2.d. Sewer and water service shall not be provided outside the City limits except for cases of health hazards, where no other alternative exists, and where property owners agree to annex upon request of the City.*

Proposed Findings

All land added to the UGB as a result of these amendments is required to connect to City sewer and water before urban development may proceed.

M. ENERGY

GOAL: *To conserve energy through efficient land use patterns and energy-related policies and ordinances.*

1. Planning Policies

- M.1.a. The City will encourage energy-efficient development patterns. Such patterns shall include the mixture of compatible land uses and a compactness of urban development.*

Proposed Findings

The 2006 UGB Amendments encourage an energy-efficient development pattern by (a) including land with direct access to major streets that connect to nearby commercial districts, and (b) including land that is adjacent to the existing UGB (and in most cases City Limits), thereby encouraging a compact urban growth form.

N. URBANIZATION

Goals

- N.1. *To provide for the orderly and efficient transition from rural to urban land uses.*
- N.2. *To maintain Newberg's identity as a community which is separate from the Portland Metropolitan area.*

Policies

1. Urban Growth Boundary and Urban Reserve Area Policies

- N.1.a. *The conversion of lands from rural to urban uses within the Urban Growth Boundary will be based on a specific plan for the extension of urban services.*
- N.1.d. *The Urban Growth Boundary shall designate urbanizable land.*

Proposed Findings

The 2006 UGB Amendments meet Statewide Planning Goal 14 (Urbanization) by designating urbanizable land consistent with Policy N.1.d. In fact, the policies listed above were adopted by the City to comply with Goal 14. Policy N.1 is met because the City will be growing primarily into URAs which were adopted to facilitate an orderly and efficient transition from rural lands outside the UGB to urban lands within it. The 2006 UGB Amendments include land on the west side of Newberg – and do not bring the UGB any closer to the Portland Metropolitan Area. The *Newberg Urban Reserve Area Public Services Analysis*, Newberg Public Works Department (2006) shows that it is feasible to extend urban services to planned UGB expansion areas, and demonstrates that adequate public facilities can be provided to support planned development within UGB expansion areas.

- N.1.f. *In expanding or otherwise altering the Urban Growth Boundary, the Boundary shall follow road rights-of-way, lot lines, or natural features.*

Proposed Findings

The 2006 UGB amendments include boundaries that follow road rights-of-way and lot lines as required by this policy.

- N.1.h. *The designated Urban Reserve Area identifies the priority lands to include within the Newberg Urban Growth Boundary to meet projected growth needs to provide a thirty (30) to fifty (50) year land supply. Designated Urban Reserve Area lands will be included within the Urban Growth Boundary on a phased basis at periodic review. Property owners will also have the opportunity to request that land within the designated Urban Reserve Area be included within the Newberg Urban Growth Boundary, based on the criteria outlined in LCDC Goal 14 and the Urban Growth Management Agreement.*

Proposed Findings

Except for a small rural residential exception area that requires City water service, all of the land included in the 2006 UGB Amendments is within a designated URA. The Council finds that it is acceptable to include a relatively small amount land within the UGB outside the periodic review process to meet short-term residential and institutional land needs, and inclusion of the identified land is consistent with Goal 14 and the NUAGMA adopted by the City and Yamhill County.

N.1.i. The City of Newberg will initiate transportation and utility corridor planning for the Urban Reserve Area in coordination with Yamhill County and property owners. The corridor plans shall provide the framework to guide interim rural development and long-range urban development within the Urban Reserve Area.

Proposed Findings

The City of Newberg has amended its Transportation System Plan, in coordination with Yamhill County, to address impacts from development of land within URAs. The Newberg TSP has also been coordinated with affected property owners, and provides a framework to guide long-range urban development within the expanded UGB area.

N.2.c. Property outside the Urban Growth Boundary may be annexed only upon inclusion of such property into the Urban Growth Boundary.

Proposed Findings

The intent is to annex all of the land that has been included within the UGB as a result of these amendments. Aspen Estates has already signed an agreement to annex to the City of Newberg in order to be served by City water.

City of Newberg Conclusion

The basis for the 2006 UGB Amendments is documented in the Newberg Comprehensive Plan as amended in 2005. The findings above demonstrate that the location of the 2006 UGB amendments is consistent with other applicable Newberg Comprehensive Plan polices.

SUMMARY OF COMPREHENSIVE PLAN AMENDMENTS

The 2006 UGB expansion includes two URAs in the North and Northwest Study Areas, a portion of a third URA in the North Study Area, plus selected lots served by Chehalem Drive and Hummingbird Court in the Aspen Estates rural residential exception area immediately south of Highway 240. This rural residential land provides 7 buildable acres to meet identified urban residential growth needs, and has been included within the UGB to allow the City to provide water service to developed lots with severe groundwater problems. No agricultural or forest land outside of URAs is included within the 2006 UGB Expansion.

The 2006 UGB expansion includes URA land within the North and Northwest Study Areas to meet 2025 residential and institutional needs. Several lots within Aspen Estates, a small rural residential exception area, are being included within the UGB to allow the City to extend water service to an area with poor groundwater, with limited infill potential. This area will be zoned for 1-acre minimum lot sizes until sewer service is extended to the area. Table 20 summarizes the buildable land supply in the UGB expansion area.

Table 20. 2006 UGB Residential Land Supply (buildable acres)

Location	LDR	MDR	HDR	PQ	Total
North Valley	37	0	0	10	47
North Hills - West	0	0	0	26	26
Northwest	63	30	6	0	99
Aspen Estates	7	0	0	0	7
Total Acres	107	30	6	36	179

The 2006 UGB amendment package adds no additional Commercial or Industrial land. Non-residential / institutional employment land needs will be addressed during the 2007-08 URA expansion process.

Amendment Summary

The 2006 UGB Expansion Areas meet a portion of the City's Year 2025 residential and institutional land needs as shown in Table 21 below. Note that the adopted plan and code amendment package includes (a) re-designation of land inside the existing UGB to intensify land use in certain areas, and (b) expansion of the UGB to meet Year 2025 identified needs.

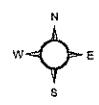
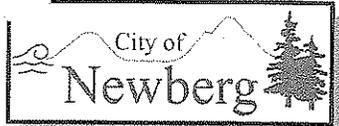
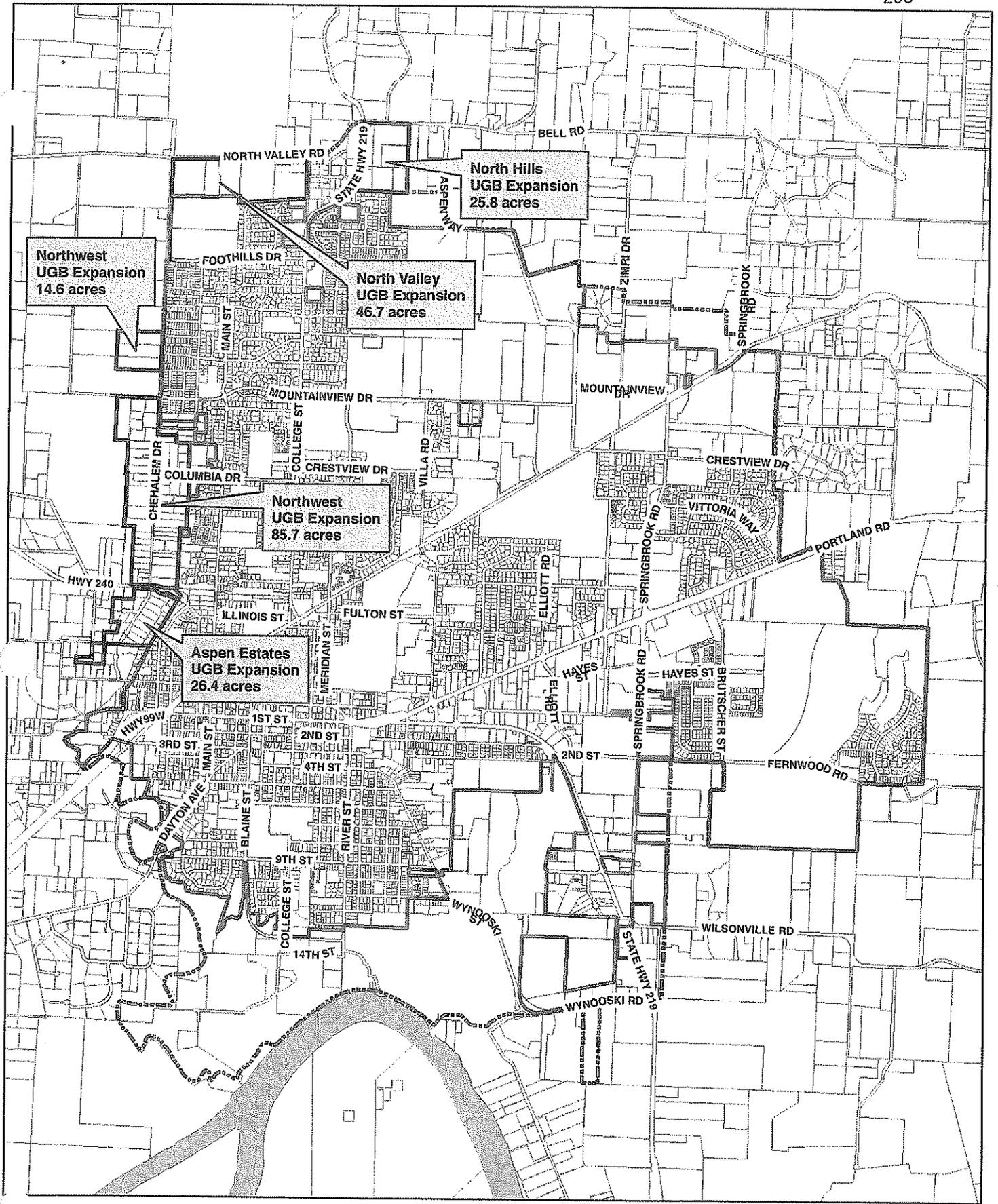
Table 21: 2006 UGB – Overall UGB Demand / Supply Comparison (Acres)

Plan Designation	Buildable Land Supply	Buildable Land Need	2006 UGB Surplus (Deficit)
LDR	465	612	(147)
MDR	172	173	(1)
HDR	19	89	(70)
Institutional (Including Schools, Parks and Religious Institutions)	37	249	(212)
TOTAL	693 acres	1,123 acres	(430 acres)

In summary, the 2006 Plan *partially* meets identified residential, institutional, and livability needs for the City of Newberg through the year 2025.

The economic, social, environmental and energy consequences of expanding into the Northwest, North Valley and west end of the North Hills URAs are relatively positive when compared with other adopted URAs. Generally speaking, the costs of providing urban sanitary sewer, water, storm drainage and transportation facilities to serve the 2006 UGB Expansion Areas are lower than for the remainder of the North Hills - East, and are comparable to the Northeast and Southeast URAs. There is no remaining buildable land in the East URA due to the anticipated Newberg-Dundee Bypass.

Environmental impacts are also less, since the Northwest and North Valley URAs have relatively few significant riparian corridors or wetlands. Finally, agricultural land impacts are lower (except when compared with the North Hills URA), since the agricultural lands adjacent to the 2006 UGB Expansion Area are generally of lower quality than adjacent agricultural soils in the Northeast, East and Southeast URAs.



1 inch equals 2,500 feet

Legend

-  UGB Expansion Areas
-  Newberg City Limits
-  Current UGB

Map 1

**UGB Expansion Areas
(2006)**

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