



000247

**HEARING DATE:** October 23, 2003

**DOCKET:** PA-01-03 (Newberg File No. UGB-07-03 and CPA-21-03)

**APPLICANT:** Chehalem Park and Recreation District

**REQUEST:** The request is to amend Newberg's Urban Growth Boundary to include 181.7 acres. The applicant requested that the Newberg comprehensive plan designation for the property be Parks (P) and Stream Corridor (SC). This allows the property to be zoned in the future Community Facilities District (CF) and allow a golf course.

**TAX LOTS:** 3221-4200, 3222-3300, 3400 and 3500

**LOCATION:** Between Fernwood and Wilsonville Road. The portion of property adjacent to Fernwood Road is south of the intersection of Fernwood Road and Brutscher Street

**ZONE:** Exclusive Farm Use, EF-40 and EF-20

**FINDINGS**

**I. Statewide LCDC Goals:** The following Statewide goals apply to this application: Goal 1 (Citizen Involvement); Goal 2 (Land Use Planning); Goal 3 (Agricultural Lands); Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources); Goal 6 (Air, Water and Land Resources Quality); Goal 7 (Areas Subject to Natural Disasters and Hazards); Goal 8 (Recreational Needs); Goal 9 (Economic Development); Goal 10 (Housing); Goal 11 (Public Facilities and Services); Goal 12 (Transportation); Goal 13 (Energy Conservation); Goal 14 (Urbanization); and Goal 15 (Willamette River Greenway). [Goals 4 and 16-19 do not apply to this site.]

**A. Goal 1, Citizen Involvement.** The applicant met with City of Newberg and Yamhill County planning staff, Newberg Fire and Police Department representatives, and the Yamhill County Farm Bureau. Public notice has been provide to all properties within 750 feet of the site and the site has been posted. Public notice was provided to the Oregon Department of Land Conservation and Development per state regulations. The proposed project complies with this goal. Public hearings were held before the Newberg Urban Area Management Commission, Newberg City Council and the Yamhill County Board of Commissioners.

**B. Goal 2, Land Use Planning.** This goal states that land use decisions be made in accordance with city, county and regional comprehensive plans, and that suitable implementation ordinances to those plans must be adopted. It requires that plans be based on factual information, that local plans and ordinances are coordinated with those of other jurisdictions and agencies, and that plans be reviewed periodically and amended as needed.

000248

Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation. For this particular amendment, a goal exception is requested to Goal 3 (Agricultural Lands). See Exception request and findings under Section I. Goal 3.

The City's Comprehensive Plan was originally adopted in 1979 and has been amended several times since then. The City's Development Code implements the Comprehensive Plan. An amended Newberg Urban Area Growth Management Agreement between the City and Yamhill County was adopted in 1998 to assure coordination and cooperation between the City and County in the management of growth within the Newberg UGB and URAs. This agreement establishes a process for maintaining ongoing planning efforts, designed to keep pace with growth and change, recognizing that intergovernmental coordination is essential to assure citizens of the City and County that growth occurs in an orderly and efficient manner. In May of 2001, The City of Newberg's Development Code was amended to include a Community Facilities (CF) zoning district designation. This district is intended to be consistent with the Parks (P) and Public/Quasi Public (PQ) designations of the Comprehensive Plan. It allows for a zone to protect and implement the Parks and Public/Quasi-Public designations. The purpose of this amendment is to ensure appropriate development of properties owned by public agencies such as CPRD and is intended to be used for community facilities, while encouraging the preservation of natural resources and open space inventoried under the requirements of the statewide planning goals.

All of the affected governmental units including the Department of Land Conservation and Development, were provided notices of this application more than 45 days in advance of the initial hearing. All of the issues raised by those governmental units are addressed and responded to elsewhere within these findings.

- C. **Goal 3, Agricultural Lands.** The site is designated AFLH (Agriculture/Forestry - Large Holding) on the Yamhill County Comprehensive Plan, and is zoned EF-40 and EF-20 (Exclusive Farm). As shown on the soils map [Applicant's Appendix 3], soils on the site are a mixture of Class I, II, III, and IV soil types.

The following Farmland Analysis Table indicates the soil types and capacity of the soils on the golf course property. The analysis indicates that of the 181.7 acres, 149.5 acres, or 82% of the total acreage, are considered prime farmland according to the Yamhill County Soils Maps.

Farmland Analysis										
Newberg Golf Course Site										
Soil Type	Class	Class I	Capability Class	Recommended Crops	Total Acres	Prime Farmland (Acres)	Stream Corridor (acres)	Prime Farmland Less Stream Corridor(Acres)	Definition	
WUB - Woodburn Silt Loam (0-7% slopes)	2e	2e	IIe-4 IIIw-6 IIIe-5	Alfalfa 6 tons W Wheat 100 Bu.	87.6	87.6	0	87.6	Prime Farmland	
WIA - Willamette Silt Loam (0-3% slopes)	1	1	I-1 IIe-1 IIIe-1	Alfalfa 6-7 tons W Wheat 110 Bu.	33.8	33.8	0	33.8	Prime Farmland	
WuD - Woodburn Silt Loam (12-20% slopes)	3e	3e	IIe-4 IIIw-6 IIIe-5	Alfalfa 6 tons W Wheat 90 Bu.	10.9	0	2	0	None Prime Farmland	
Te - Terrace Escarpment (mixed soils)	6e		VIe-1		19.4	0	4	0	None Prime Farmland	
WC - Wapato Silty Clay Loam	3w	3w	IIIw-5		17.8	17.8	16	1.8	Prime Farmland (if drained and either protected from flooding or not frequently flooded during the growing season)	
Am - Amity Silt Loam	2w	2w	IIw-2	Barley 75 Bu. W Wheat 100 Bu.	10.3	10.3	4	6.3	Prime Farmland (If drained)	
Da - Dayton Silt Loam	4w	4w	IIIw-1	Barley 38 Bu.	1.9	0	0	0	None Prime Farmland	
TOTAL ACRES					181.7	149.5	26	129.5		

% Prime Farmland =  $100 \times \frac{149.5}{181.7} = 82\%$

**Exception Request:** The proposed UGB amendment requests an exception to Goal 3 based upon the criteria stated in OAR 660, Division 4.

- (i) *Reasons justify why the state policy embodied in the applicable goals should not apply (This factor can be satisfied by compliance with the seven factors of Goal 14.)*

**Finding:** The proposal meets the seven factors of Goal 14. These are addressed under Section II, the Newberg Urban Area Management Agreement Urban Growth Boundary Amendment criteria, within these findings.

- (ii) *Areas which do not require a new exception cannot reasonably accommodate the use.*

**Finding:** The Bookin Group, a land use planning firm, was retained to conduct a comprehensive Alternatives Analysis for a proposed 18-hole golf course and related pedestrian amenities to be developed by the Chehalem Park and Recreation District (CPRD). This Alternatives Analysis is one of the requirements when taking an exception to Goal 3, Agricultural Lands. In requesting an exemption, the applicant must demonstrate, per OAR 660 004-0010(1)(c)(B)(ii), that this criterion is met.

To determine if such lands are not available, the applicant must follow the hierarchy of urbanization established in ORS 197.298. This hierarchy dictates that lands be evaluated according to the following priority: 1) urban reserves, 2) designated exception areas, 3) marginal areas, and 4) resource (agricultural and forest) areas. The ORS provides that if the use cannot be “reasonably accommodated” on higher-priority lands, then the next lower priority of lands may be considered, and so forth, if and until reaching the lowest priority for urbanization, resource lands. In the resource category, those areas with low-value farm soils must be evaluated first before turning to high-value farm soils as potential sites.

In compliance with this hierarchy, all potentially suitable alternatives in each land category were evaluated against more detailed siting standards to determine whether the golf course could be reasonably accommodated. These criteria consisted of a variety of factors such as site size, topography, availability of water, and congruency with local, State, and CPRD policies regarding land use and public access to recreational facilities.

This criteria has a comparative or analytic component to it. The use of the word “reasonably” denotes some measure or application of discretion by the decision maker. However, the criteria does not provide additional information as to determine what is or is not a reasonable accommodation. As a result, the local decision maker needs to determine what are criteria that would be applied to any particular specific application. Many of the potential additional criteria to assess whether other properties can or cannot reasonably accommodate the use, are on a spectrum. For example, one criterion used for this application is that the property not contain significant acreage greater than 12% slope. Obviously, a different criteria could have been no greater than 11%, or not greater than 13% slope. For purposes of analyzing the alternative properties, a choice must be made as to where in the spectrum the cutoff between a property that can and cannot reasonably accommodate a use, should be. We have determined that all of the following criteria are, in fact, reasonable criteria under all the circumstances. Throughout the remainder of the document, these criteria have been referred to as minimum site characteristics.

A base inventory of potential sites within the CPRD was developed in order to evaluate the suitability of specific sites for use as a golf course. The criteria for developing the base inventory was based upon the minimum site characteristics of size and topography, as described below:

000251

- Total site size of 175 acres minimum.

Rationale: The minimum acreage is based upon the proposed use as an 18-hole, tournament-size public golf course facility with driving range, clubhouse, and pedestrian trail system. This need has been documented in the corollary needs assessment. For the base inventory, the minimum acreage could either be a single site or multiple sites that, when aggregated, comprise a minimum contiguous area of 175 acres.

Opponents have argued that the use of 175 acres as a minimum site characteristic is not justified because the pedestrian trail system could be located at another site. However, the proposed park design allows the pedestrian trail system to be efficiently incorporated into the design of the golf course, resulting in no additional land being needed. Further, the minimum industry standard for an 18-hole golf course is 170 acres. Had the applicant used 170 acres, rather than 175 acres, there would have been no difference in the results of the Alternatives Analysis.

- Slope no greater than 12%.

Rationale: Industry standards for golf course siting require a finished slope no greater than 12% for the site to be considered "walkable". Additionally, as a public facility, a fundamental goal is to provide access to the greatest number of users, including those who are mobility-impaired, which is achieved at slopes less than 12%. This is doubly true for this facility in which pedestrian trails are to be included. Therefore, sites with significant areas of slopes greater than 12% were ruled out at the first level of analysis, as their inclusion would violate the physical accessibility of the golf course. Furthermore, although sites greater than 12% could potentially be graded to provide the necessary slope, this would entail an undue level of site-specific evaluation outside the scope of the alternatives analysis. The significant grading of a site would violate the limitations on site preparation placed by the National Audubon Society and the cost would violate Goal 8's economic limitations.

Application of this criterion also implements Goal 8 Planning Guideline (c) *meet recreational needs of persons of limited mobility and finances and (e) are available to the public at nominal cost* by limiting sites to those areas, which are accessible to a greater number of users for both the golf course and the pedestrian trails. Similarly, by eliminating sites without likely need of the intensive site preparation associated with steeper slopes, construction costs are kept lower which in turn keeps greens fees lower and makes the facility more accessible to those with limited finances.

Site-specific evaluation criteria were applied to the sites within the six land use categories to assess whether the alternative could reasonably accommodate the proposed use. These criteria and the rationale for their selection are presented below:

- Compatibility/conflict of the proposed golf course use with local plans, policies, goals, and ordinances.

Rationale: At a minimum, the suitability of specific sites for use as a golf course should not

conflict with the adopted plans, policies, goals, or ordinances of local jurisdictions. It should also be noted where the siting of the golf course in a particular location would promote the objectives of any of these public instruments. Examples of such plans include Comprehensive Plans, Specific Plans, land use inventories, and the Newberg Bypass alignment alternative.

000252

- Cost and feasibility of acquiring the land as a function of number of parcels, number of owners, and any other site-specific acquisition complexities.

Rationale: The number of properties and cost of acquisition for the 175-acre site is an important consideration for the development of the golf course. Although a larger number of tax lots or ownerships is not necessarily an impediment to the *physical* siting of a golf course, multiple parcels in different ownerships can complicate land assembly, increasing time and cost. An assessment of the ability of CPRD to purchase and aggregate multiple properties must be taken into consideration as it affects the ability of the district to assemble land in a cost-effective and timely manner.

This factor also implements Goal 8 Planning Guidelines (b) *meet recreational needs of persons of limited mobility and finances* and (e) *are available to the public at nominal cost* when considering land acquisition costs and complexities that may result in higher greens fees.

- Proximity and accessibility to majority users.

Rationale: The golf course users will come from Newberg and elsewhere within the District. However, the users' points of origin extend beyond that of the CPRD district. Additional users will come from the remainder of the primary market area, including McMinnville and southwest Portland metropolitan area. According to the Newberg Golf Course Traffic Impact Study prepared by Lancaster Engineering in September 2002, the golf course can anticipate 644 total weekday trips. The impacts of this increase in trips on the transportation system and distance traveled from the points of origin are siting suitability considerations.

Heavier weight is afforded to those sites that best serve the population center of the District, Newberg, and the PMA from which many more users will originate. Sites that serve these areas most directly will reduce travel time, trip length, and associated pollution and congestion. Additionally, locating the facility as close to the user base as possible creates better opportunities for alternative modes of travel such as carpooling and public transit. In seeking sites that meet these goals, this evaluation criterion further implements three Goal 8 Planning Guidelines:

- (a) *Meet recreational needs requirements for high-density population centers;*
- (c) *Meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or areas, and in the recreational use itself; and*
- (d) *Minimize environmental deterioration.*

- **Availability of a minimum of 450,000 gallons of water per day.**

Rationale: As noted in the Public Utilities Availability Report (August 2002) prepared by Anderson Engineering, the maximum daily demand for the golf course irrigation system is

450,000 gallons per day during the summer from mid-April to mid-October. The availability and reliability of this quantity of water is a critical consideration in the siting of the golf course.

000253

Although this minimum site characteristic is stated in terms of a maximum daily usage needed during the summer months, for purposes of considering the site characteristics, it is a minimum amount of available water needed. It is based on utilizing the most efficient cutting edge design in golf course architecture and building. The proposal will be built in accordance with The National Audubon Society's Approved Standards, which include limiting the utilization of natural resources, such as water. The facility will be designed with multiple water features so that water usage can be spread out during the day and stored in these water features, which will then, in turn, be used to water the course itself at the peak usage time in the evenings. Additionally, the facility will be tiled so that there is a maximum recapture of water put on the course. Even utilizing these water reduction mechanisms, the 450,000 gallons is still the minimum necessary.

- **For resource lands, analysis of low-value and high-value soils.**

Rationale: After analyzing all sites of higher urbanization priority, the remaining resource areas must undergo a further ordering by soil classifications. Soils of a lower value are to be considered for the proposed use prior to sites composed of high value soils. In Yamhill County, these consist of Class I, and II soils; Class III soils of the following: Carlton, Chehalem, Dayton, Jory, Laurelwood, Nekia, Willakenzie, Woodburn, and Yamhill; and Class IV soils of the following: Carlton, Dayton, Jory, Laurelwood, Willakenzie, and Yamhill. This arrangement places the resource lands into two categories, the low-value of which must be eliminated prior to seeking any resource areas characterized by high-value soils.

Consideration In Eliminating Potential Alternative Sites. The Alternative Sites Analysis is a multi-factor analysis. No site was eliminated based on a single factor. Instead, before eliminating any site, multiple factors were identified that justify not using the alternative site. The reasons taken together justify the exclusion of the sites. Materials provided with the Alternative Sites Analysis and additional maps provided on November 5, 2003, in a letter to Ken Friday from the applicant's attorney, show the difficulty in siting this use in the Park District. Virtually all of the soils in the district are high value soils. The community of Newberg is surrounded on three sides by natural resources, which effectively, eliminate areas from consideration. These resources include, a mountain to the north, a mountain to the east, and a river to the south. There are significant ground water limited areas, particularly in and around the mountains. The same materials show that any location for this use will necessarily have to be on high value farmland.

The base inventory as developed from the minimum siting standards was divided into the following five (5) categories based on the urbanization hierarchy.

**(1) Current urban areas inside Newberg and Dundee UGBs.**

Inside Dundee UGB. The City of Dundee has indicated in its letter of July 31, 2003, that it does not have the capacity to provide the required 450,000 gallons per day for golf course irrigation. Restrictions on new water rights in tributaries to the Willamette River, or the Willamette River itself, leave only wells as a potential water source. According to the Water Master for this District, Bill Ferder, to meet the water usage need of 450,000 gallons a day, would require that a single well with a volume of 700 gallons per minute (gpm) to pump half the day. Likewise, this water

quantity could be met with 7 wells with a volume of 100 gpm pumping for half the day. Well logs in the area indicate that there are wells that exceed 100 gpm, which suggests that anywhere between 5 and 7 wells would be needed. These wells would compete with the City of Dundee's well and, therefore, are not capable of being obtained. An additional issue is water sustainability. Even if the wells were obtained, there is no way to guarantee that these well sites would provide sustainable water. A public investment in developing a golf course should not be made based on an unreliable resource. Therefore, because this fundamental siting requirement cannot be met anywhere within the Dundee UGB, no search for sites was undertaken.

**Inside Newberg UGB.** The search within Newberg's UGB resulted in the identification of two large, undeveloped sites inside City limits that met the minimum site and topography requirements. Larger parcels to the south of the City, but within the UGB, were not considered due to significant committed uses including a cemetery, airport, wastewater treatment plant, and newsprint mill. The remaining vacant or underdeveloped sites were of inadequate size, either alone or aggregated, to meet the minimum 175 acre size requirement. (Figure 2)

(a) **UGB Alternative 1: Austin Industries Properties**

This site is located in the northeast portion of the City of Newberg, to the north of the railroad. This large land holding exceeds the 175 acres needed for the golf course. Therefore, a representative area consisting of 176 acres in 11 contiguous parcels zoned for a variety of uses including Commercial, Industrial, and Low- and Medium Density Residential was selected as an alternative site.

● **Compatibility/conflict of the proposed golf course use with local plans, policies, goals, and ordinances.**

The siting of the golf course in this location would require the use of approximately 67 acres of industrially zoned land, 20 acres of commercially zoned land, and the remainder in Low Density Residential (R-1)- and Medium Density Residential (R-2) use. For the site to be developed as a golf course, the Industrial and Commercially zoned acreage would require a Comprehensive Plan and Zone change to an appropriate zone, such as R-1 or R-2. The remaining 79 acres of the total site are zoned R-1 and R-2 in which golf courses are permitted as a conditional use.

The result of developing this site would be a decrease in the potential for employment that would otherwise be provided by the Industrial and Commercially zoned parcels. The applicant, in this case CPRD, would have to demonstrate that the Comprehensive Plan amendment and zone change are consistent with the City's goals and projected needs. The applicant would have a great burden of proof to demonstrate that the land-intensive golf course within the City would be more appropriate than the current Industrial and Commercial uses, particularly since Comprehensive

Plan Table IV-9 indicates that the amount of industrial land currently within the UGB is 480 acres less than what will be needed in 2010, and the amount of commercial land within the UGB is approximately 50 acres less than what will be needed in 2010. The ability to make such a case is highly unlikely, and without the additional land that this would provide, the site is too small for the proposed golf course.

Newberg, much like the rest of Oregon, is suffering from high unemployment. Requiring Newberg to change their plans to accommodate its use by eliminating a significant portion of their industrial property, will hinder their efforts to develop more jobs. At a time when the Governor is having a Statewide focus on identifying and increasing the amount of industrial land, it would make no sense to require a jurisdiction to eliminate important industrial property from their inventory.

Of greater significance for the City, however, would be the reduction in residential land if the site were used for a golf course. As identified in the Crater Lane Urban Growth Boundary Amendment findings (Planning File UGB 2-01), the City has an identified projected shortage of residential land. Specifically, the City projects a shortage of 169 acres of Low Density Residential land and a 92 acres of Medium Density Residential land, for a total of 261 acres in these two categories by the year 2010. The loss of an additional 79 acres increases this deficit by 30% to 340 acres in the immediate future. In numbers of housing units lost, this is the equivalent to an average of 522 housing units that would be provided by the densities of 4.4 – 8.8 units per acre in permitted in Low- and Medium-Density zones.

The Austin Industries Properties is owned by Ken Austin and Joan Austin, and their family. The Austins also own ADEC, which is immediately adjacent to the "Austin Industries Properties". ADEC is one of Newberg's largest employers, employing over 900 people. The current plant includes several buildings, but is effectively built out. The company supplies more than three-quarters of the schools of dentistry in the Country, and has more than 60% of the United States' market for dental equipment. Worldwide, they additionally have a significant market share. It is likely that at some point in the future they will need to expand into the industrial property that they own next to their current site. Re-zoning of this property for use as a golf course would restrict ADEC's ability to create more jobs, in violation of Goal 9. Use of the residential property in and around ADEC would also limit the ability to provide housing close to this major employer. This would violate several Goals, in that it would eliminate an opportunity for encouraging alternative modes of transportation, and a mixed-use neighborhood.

Newberg is currently in an unbalanced residential lot market. At

a recently added D.R. Horton development, the day before the second phase was released, people began camping out for the lots. By the time the business office opened for the sale of the second phase lots, 19 property owners were in line. By the end of the day, the phase had been sold out (as reported in the Newberg Graphic).

The County recently acknowledged the 2020 population forecast of 33,200 people from Newberg. There is insufficient land in the UGB, to accommodate this growth. Converting this significant and large portion of residential land would only exacerbate those problems.

Siting the golf course inside the UGB would exacerbate an existing residential shortfall, the direct consequence of which would be a more immediate need to expand the UGB in other areas as the City's supply would be placed in further decline.

- **Cost and feasibility of acquiring the land as a function of number of parcels, number of owners, and any other site-specific acquisition complexities.**

Although the site consists of eleven parcels, they are held under a single ownership, which reduces the complexity of site acquisition. According to previous site analysis conducted by Hobson Ferrarini and Associates, Yamhill County Tax Assessor records indicate a market value of \$13.9 million dollars for the 11 parcels. This site acquisition cost, when added to the \$3.5 million needed to develop the facility would result in greens fees of approximately \$175 per round. This far exceeds the standard municipal golf course greens fee of \$30-\$40 which is the range which CPRD plans to charge. Therefore, the cost to acquire this site both places it out of range of the CPRD budget and renders it no longer accessible to the public for whom it is designed to serve.

This conflicts with Goal 8, which provides Planning Guidelines as follows:

Priorities should be given to areas, facilities, and uses that:

- a) Meet recreational needs requirements for high density population centers;
- b) Meet recreational needs of persons of limited mobility and finance;
- c) Meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area, and in the recreational use itself;
- d) Minimizing environmental deterioration;
- e) Are available to the public at nominal cost; and
- f) Meet the needs of visitors to the State.

(c) and (e) which seek to provide recreational facilities for those with limited finances and at a nominal cost to the general public. Additionally, this fails to meet one of the Recreation Policies of Goal G "*Open Space, Scenic, Natural Historic and Recreational Resources*" in the Newberg Comprehensive Plan. Recreation Policy 4.d. states: "*High priority shall be given to recreational facilities and services designed to . . . provide recreational opportunities for persons of limited mobility and finances*". Financial feasibility and affordability for the end-users is mentioned more than any other factor in Goal 8's Planning Guidelines.

Chehalem Park and Recreation District is a quasi-governmental agency. Its Board of Directors are elected by the members of the District. They have adopted a comprehensive plan pursuant to Goal 8. That plan follows the plain language of Goal 8. It not only allows economics to play a factor, but, in fact, requires that it be a factor. If the Park District were before this body seeking a zone change to the Austin property to provide a public golf course which would have greens fees of \$175.00, that request would have been denied, as it would violate Goal 8.

- **Proximity and accessibility to a majority of users.**

Because Newberg is the population hub of the CPRD, any potential site located here has an advantage over others in the district when evaluated against this factor of proximity and accessibility to a majority of users by definition. Further, as the majority of projected users of the golf course will come from the west and southwest Portland metropolitan area, beyond CPRD borders, sites in Newberg, especially on the east, serve this population best in terms of proximity and accessibility. The benefits of a location close to the population base is reduced vehicle miles traveled and opportunities to use alternative modes of travel which in turn reduces emissions and traffic congestion in the District.

The Austin Site is well placed for both the CPRD population and golf course users because of its location on the east side of Newberg with access to Highway 99W via Benjamin Road from the east. Although Benjamin Road would be closed contingent upon the Newberg-Dundee Bypass, access would still be available from Highway 99W.

This location meets Goal 8 planning guidelines (a) *meet recreational needs requirements for high-density population centers; (c) meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or areas, and in the recreational use itself; and (d) minimize environmental deterioration.*

- **Availability of water.**

The site is fully served by City sewer and water and has access to a non-potable water source for irrigation that will decrease the impacts on the City water resources. This municipal source provides a reliable source of water that provides the long-term assurances CPRD needs to ensure that irrigation needs can be met. Additionally, the availability of a non-potable water source helps to conserve potable water for those uses that require it.

**Conclusion.** The Austin Industries site can physically accommodate the proposed golf course and provide the water that it needs. Additionally, it is located in the population center of the CPRD and can serve the greater PMA. However, the siting of the golf course in this location has serious negative consequences that override these aspects. Preservation of the industrial land next to ADEC is an important long-term job creation resource for the City. Using this property for recreational use, and moving industrial property to the edges of the community through an Urban Growth Boundary expansion is not consistent with the goals and policies of the community to keep industrial property in one general area, while also allowing for a mixed-use of housing in and around the area. Additionally, this would displace scarce residential land, which will result in an ultimate UGB expansion beyond the existing URAs. Moreover, as the City has already planned and zoned this area for uses other than a golf course, such a shifting of land uses from inside the UGB to outside contradicts the City's adopted land use plans and would require land use action, that outcome of which is uncertain.

In addition, the siting of the golf course in this location is problematic to CPRD in terms of costs. The price of urban residential, commercial, and industrial land is simply beyond the reach of a land-intensive municipal golf course. The estimated greens fee of \$175 is exorbitant for the general public and is well beyond the means of those with limited finances. Such a price structure would violate a fundamental goal of the golf course, in addition to Goal 8 Planning Guidelines (b) and (c), and the City of Newberg's own recreation policies in this matter.

Therefore, the disadvantages to the City in terms of displaced residential lands, and the ultimate cost to the public because of land acquisition expenses, the siting of the golf course demonstrates that, when all criteria are weighed, this site cannot reasonably accommodate the golf course.

(b) **Alternative 2. Springbrook Oaks site.**

This site consists of 242 acres of undeveloped land on the east side of Newberg, to the south of Highway 99W and directly east of Springbrook Road and north of Fernwood Road. The site is part of the Springbrook Oaks Specific Plan adopted by the City of Newberg in August 1999.

- **Compatibility or conflict with adopted goals, plans, policies, and ordinances.**

000259

The Springbrook Oaks site suffers many of the same detriments as the Austin property. All of the findings associated with the Austin property, that are not locational in nature, are incorporated herein by this reference. The plan for Springbrook Oaks Specific Plan was adopted in 1999. The adoption of the plan involved a 13-member volunteer steering committee. It involved significant public hearings and public input. To, 4 years later, eviscerate that plan, would clearly violate Goal 1. The plan called for significant mixed-use because of its proximity to commercial resources. The plan includes light industrial property, residential property, residential professional property, and high-density residential property. The property is within walking distance of a Fred Meyer store and a new medical center. The community made significant policy choices in adopting the mixed-use component of the facility.

The Springbrook Oaks Specific Plan allows a golf course as a permitted use on the Limited Industrial (M-1) zoned portion of the site, which consists of 85 acres of the total specific plan area. The Specific Plan anticipated that, if developed, the golf course would be located on both sides of the stream corridor of the eastern fork of Springbrook Creek. Additionally, the Specific Plan identifies other zoning districts in the Springbrook Oaks area in which a golf course is permitted: Low-Density Residential (R-1), Medium Density Residential (R-2), and High Density Residential (R-3).

Two scenarios illustrate the impact of using 175 acres within the Springbrook Oaks area for the golf course. One scenario is to limit the amount of housing opportunity lost, by maximizing the amount of non-residential land used for the golf course. The other scenario would retain as much light-manufacturing land as possible to maximize job creation, while reducing more residentially-zoned land to a greater degree.

#### Scenario 1: Limit loss of residential land.

This scenario could be achieved through the combination of using the 85 acres of M-1 zoned area in combination with 87 acres of R-1 zoned area. This would provide a total of 172 acres, which, although less than the minimum amount required for the golf course, provides a conservative estimate of the golf course's impacts under this scenario.

M-1: 85 acres of land zoned for manufacturing, assembly of electronic equipment, storage facilities, wholesale businesses, and professional offices. The calculation of 24 jobs per acre is derived from the guidelines set forth in "Planning for Residential Growth: A workbook for Oregon's Urban Areas" and Metro's 1997 Urban Growth Report Update. It comes from an average of 24.2 jobs/acre for tek/flex industrial and 23.8 jobs/acre for light

industrial. Furthermore, because the M-1 zone allows offices that can achieve 50 jobs/acre according to these sources, the 24 jobs/acre figure used in the study is actually conservative. A standard measurement of jobs for this land use category is 24 jobs per acre.

R-1: 87 acres at 3.3 units/acre = 287 dwelling units

Total lost opportunities if Golf Course developed under Scenario 1:  
Potential Jobs Lost = 85 acres x 24 jobs/acre = 2,040  
Potential Dwelling Units Lost = 287

Scenario 2: Limit loss of industrial land.

This scenario would retain a larger amount of the acreage for Limited Industrial (M-1) indicated in the Springbrook Oaks plan to limit the loss of potential jobs. Within the Springbrook Oaks Plan, the R-1, R-2, and R-3 zones permit golf courses. Because these areas do not provide the 175 acres required for the golf course, some of the land designated for Limited Industrial (M-1) and all of the remaining uncommitted Residential-Professional (R-P) would need to be added for golf course use. However, the R-P zone does not permit golf courses, so it would require either a text amendment to allow golf courses as an allowed use or be rezoned to an appropriate zone in which golf courses are allowed. In either case, this would involve a Type III review process. Additionally, this change in the amount of R-P zoning would require a Type III amendment to the Springbrook Oaks Specific Plan.

R-1: 87 acres at 3.3 units/acre = 287 dwelling units

R-3: 13 acres x 13.1 units/acre = 170 dwelling units

R-P: 15.3 acres @ 21.8 units/acre = 333 dwelling units  
34.7 acres of land zoned for professional offices. A standard measurement for this land use category is 1024 jobs per acre.

M-1: 25 acres of land zoned for manufacturing, assembly of electronic equipment, storage facilities, wholesale businesses, and professional offices. A standard measurement of jobs for this land use category is 524 jobs per acre.

Total lost opportunities if Golf Course developed under Scenario 2:  
Potential Jobs Lost = 1,432.8  
Potential Dwelling Units Lost = 790

As discussed in the analysis of Alternative Site 1, in the Crater

Lane Urban Growth Boundary Amendment findings (Planning File UGB 2-01), the City has an identified projected shortage of residential land. Specifically, the City projects a shortage of 169 acres of Low Density Residential land and a 92 acres of Medium Density Residential land, for a total of 261 acres in these two categories alone by the year 2010. If located in this site, the golf course would displace up to 175 acres of residential land with the potential to provide up to 790 housing units, greatly increasing the present deficit.

Therefore, siting the proposed 18 hole golf course inside the UGB would exacerbate an existing residential shortfall, the direct consequence of which would be a more immediate need to expand the UGB nonetheless. Moreover, this circuitous approach to the siting of the golf course and shifting of residential land supply from inside the UGB to outside provides no greater compliance with the urbanization hierarchy.

Not only would the siting of the golf course in this location conflict with the City's Comprehensive Plan and identified residential land shortage, it would further conflict with the Springbrook Oaks Specific Plan itself. This plan, adopted in August 1999, was the result of a public planning process with a 13-member steering committee that worked with City of Newberg staff, the property owners, and consultants to develop a vision for the site.

A key principle of the Springbrook Oaks Specific Plan would be violated by a change to the allocations of land uses in the area. The plan states "Land uses should be mixed to encourage a balanced development". Although a 9-hole golf course was tentatively planned for the area, clearly, using 175 of the remaining land supply within the Springbrook Oaks Specific Plan for use as an 18-hole golf course does not meet the intent of the Plan. This kind of modification to the plan would also negate the extensive public and private effort that occurred to develop the Springbrook Oaks Specific Plan, and would undo the recent work that was initiated and adopted by the Newberg City Council.

- **Cost and feasibility of acquiring the land as a function of number of parcels, number of owners, and any other site-specific acquisition complexities.**

The site consists of two parcels owned by two property owners. According to the Yamhill County Assessor's records, the site's market value is \$6.4 million, which, when added to the development cost would result in greens fees of approximately \$100 per round. However, this is a conservative estimate as a 30-40 acre portion of the overall site was recently purchased which would require additional compensation for recent real estate and settlement fees beyond its sales price.

Although not as exorbitant as Alternative Site 1, this conflicts with Goal 8, which provides Planning Guidelines as follows:

Priorities should be given to areas, facilities, and uses that:

- a) Meet recreational needs requirements for high density population centers;
- b) Meet recreational needs of persons of limited mobility and finance;
- c) Meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area, and in the recreational use itself;
- d) Minimizing environmental deterioration;
- e) Are available to the public at nominal cost; and
- f) Meet the needs of visitors to the State.

this nonetheless is incongruent with Goal 8 Planning Guidelines (c) and (e) which seek to provide recreational facilities for those with limited finances and at a nominal cost to the general public. Additionally, this fails to meet one of the Recreation Policies of Goal G *“Open Space, Scenic, Natural Historic and Recreational Resources”* in the Newberg Comprehensive Plan. Recreation Policy 4.d. states: *“High priority shall be given to recreational facilities and services designed to . . . provide recreational opportunities for persons of limited mobility and finances”*.

- **Proximity and accessibility to a majority of users.**

Because Newberg is the population hub of the CPRD, any potential site located here has an advantage over others in the district when evaluated against this factor of proximity and accessibility to a majority of users by definition. The resulting benefits of a location close to the population base are reduced vehicle miles traveled which in turn reduces emissions and traffic volume through outlying areas. The Springbrook Oaks site is well placed for both the CPRD population and golf course users because of its location on the east side of Newberg with easy access to Highway 99W via Springbrook Road.

This location meets Goal 8 planning guidelines (a) *meet recreational needs requirements for high-density population centers;* (c) *meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or areas, and in the recreational use itself;* and (d) *minimize environmental deterioration.*

- **Availability of water.**

The site is fully served by City sewer and water and has access to a non-potable water source for irrigation that will decrease the impacts on the City water resources. This municipal source provides a reliable source of water that provides the long-term assurances CPRD needs to ensure that irrigation needs can be met. Additionally, the availability of a non-potable water source helps to conserve potable water for those uses that require it.

(c) **Springbrook Oaks/CPRD Combination Site.**

It is the Park District's obligation to provide 36 holes of golf by the year 2010. Splitting the course with 9 holes inside the UGB and 9 holes outside the UGB causes significant financial logistical and safety concerns. Safety is an obvious issue when crossing any public road. The splitting of the course would also hinder or eliminate the ability to provide a trail system around the perimeter of the course. A single crossing of the road system would also have hikers, joggers and bikers interacting too closely with golfers. The only way to avoid that would be with either multiple crossings, which would add to the cost, or a significant buffer, which is more land consumptive.

This alternative will still result in non-industrial use of the M1 zoned land and the loss of 2,040 potential jobs. The Urban Growth Boundary already has a shortage of 480 acres of industrial land by the year 2010. Further, removing approximately 80 acres would only exacerbate that problem. The purchase of approximately 80 acres of M1 zoned land, is beyond what the CPRD could reasonably pay for the site. The result would be greens fees of approximately \$100.00 that would make the facility no longer accessible to the general public for whom it is intended to serve.

**Conclusion:** Although this site is well suited for both the CPRD users, projected golf course users and has the necessary utilities available, the loss of residential land that would result from the golf course is too detrimental to the City's residential land use supply. This would have the direct result of hastening the City's need to expand the UGB to bring in more land. This provides no greater public benefit. Further, siting the golf course here would undo a considerable amount of planning adopted by the City in 1999 in the Springbrook Oaks Specific Plan, which would face opposition by those who participated in the process and undermine the City's credibility in future planning projects.

Finally, the cost to purchase the necessary 175 acres is beyond a reasonable amount that CPRD could pay for the site. The result being, if the district were able to purchase it, greens fees of \$100 that would make the facility no longer accessible to the general public for whom it is intended to serve.

Therefore, although the golf course could be physically sited at this location, the overriding negative consequences of a loss to the City's residential inventory, ultimate cost to the public to use the facility, and the fact that

siting the golf course here will result in expansion of the UGB nonetheless, this site is not a reasonable alternative.

**Finding:** The analysis of the potential sites within the UGBs demonstrates that there are none in which the golf course can be reasonably accommodated. As this higher priority category has been evaluated and all options exhausted, the Alternatives Analysis may consider the next lower priority, Urban Reserve Areas.

(2) **Land within Urban Reserve Areas.**

**Overview of Search Results.** In 1993, the City of Newberg and Yamhill County adopted the Urban Reserve Area Project that identified six URAs. Generally, these URAs were identified as future expansion areas to accommodate the growing population of Newberg, the greatest need being residential land. However, this alone does not preclude the potential use of these areas for needs other than those previously identified. Therefore, each area was evaluated for its potential to meet the siting requirements of the golf course. (See Attachment 6, Figure 3).

The analysis failed to yield a suitable parcel or group of parcels in any URA that met the minimum size or slope requirements. Further, these areas provided no suitable alternative when analyzed in conjunction with surrounding lands. Each of the URAs and findings are detailed below:

URA A: Although this URA contains 260 acres, it is dominated by slopes greater than 12%. There is no contiguous area of 175 acres within the site upon which the golf course could be sited and surrounding property is too steep to pair with the limited portion that is flat enough. Therefore, because the minimum site size cannot be met, the golf course cannot be reasonably accommodated in URA A and is eliminated from further analysis. URA A. and URA B. are contiguous. There is insufficient land (less than 100 contiguous acres) of suitably sloped property between URA A. and URA B.

URA B: This 182-acre site exhibits slopes in excess of 12% for approximately one-third of the site area, which leaves less than the minimum required 175 acres for the golf course. Surrounding areas are characterized by steep slopes and heavy parcelization which do not provide potential expansion to meet the minimum size. Therefore, because the minimum site size cannot be met, the golf course cannot be reasonably accommodated in URA B and is eliminated from further analysis. URA A. and URA B. are contiguous. There is insufficient land (less than 100 contiguous acres) of suitably sloped property between URA A. and URA B.

URA C: This URA is divided by Highway 99W into two smaller sites, neither of which offers the required amount of acreage. On the south side of Highway 99W, roughly half of the URA has been brought into the UGB and the remaining portion is heavily parcelized. All surrounding land is resource land and therefore,

does not provide for a potential aggregation with URA C on this side of the highway. To the north of Highway 99W, the remaining URA is also too small on its own to site the golf course. This portion of URA C is constrained in its ability to assemble a larger non-resource site as it is hemmed in by committed urban and rural residential uses to the west and north and resource land to the east. Because the minimum site size cannot be reasonably accommodated in URA C, this is eliminated from further analysis.

URA D: Consisting of 86 total acres, this site is too small for the proposed use. The ability to assemble a larger site consisting of other non-resource land in conjunction with this URA is limited. The site cannot be increased to the north and south because of Fernwood and Wilsonville Roads, respectively. URA D is further limited in its ability to add land to the east, as this area is resource farmland. Lastly, the site is constrained to the west, where land inside the UGB along the western edge of URA D does not provide the required 89 acres needed to bring the size to its minimum 175 acres. Therefore, URA D is removed from further evaluation, as the golf course cannot be reasonably accommodated on this small site.

URA E: As the smallest URA at 81 acres, of which only 22 acres were vacant in 1997, this site is too small for consideration. The ability to assemble a site large enough to site the golf course is not possible as Wynooski Street forms a barrier to the north, Highway 219 to the east, and committed rural residential uses lie to the southwest and resource land lies to the southeast. Therefore, URA E is removed from further evaluation, as the golf course cannot be reasonably accommodated on this small site.

URA F: This site is located on the western side of the Newberg UGB, to the north, and consists of three separate areas, none of which meet the minimum size requirement. It is most heavily parcelized of the URAs, which greatly complicates the ability to assemble a large enough area, even if there were adequate acreage. Surrounding lands provide no opportunity to assemble a suitable site, as there are resource lands with high-value soils to the north and west, highly parcelized residential uses to the south, and a new subdivision for residential use to the east inside the UGB. Therefore, URA F is removed from further evaluation, as the golf course cannot be reasonably accommodated on this small site.

**Finding:** The analysis of the URAs demonstrates that there are none in which the golf course can be reasonably accommodated. As this higher priority category has been evaluated and all options exhausted, the alternatives analysis may consider the next lower priority, exception lands.

- (3) **Exception area or non-resource land adjacent to an urban growth boundary. This may include resource land that is completely surrounded by exception**

areas unless such resource land is high-value farmland. Additionally, because CPRD was directed to look within the entire district boundary for alternative sites, the analysis included outlying exception areas.

Upon concluding that there are no URAs in which the golf course can be reasonably accommodated, the search for potential sites was directed to exception lands within the CPRD boundary. (See Attachment 6, Figure 4). In addition to size and slope, two additional criteria were applied to exception lands before applying site-specific criteria.

Elimination of exception lands in groundwater limited area. Approximately half of the exception lands in the District are characterized by groundwater limitations. When coupled with restrictions in new in-stream water rights, these areas are unable to be served by water and therefore cannot support a golf course. Although sites adjacent to the Newberg UGB could annex and receive City water, these were ruled out independent of groundwater limitations, as they are either too steep or too small to assemble the necessary 175 acres.

Elimination of areas zoned VLDR-1 and VLDR-2.5. Although this alternatives analysis did not set a maximum number of parcels that could be considered to assemble for a golf course, some measure of maximum parcelization is a reasonable assumption in site selection. Therefore, given the unlikely ability to assemble enough one and two and a half-acre lots as found in the VLDR-1 and VLDR 2.5, these areas were eliminated from further evaluation.

Overall, there was only one alternative site identified adjacent to the Dundee UGB and one outlying alternative. Most exception area sites either exceeded the acceptable slope, were located in heavily-parcelized VLDR-1 and -2.5 zoned areas, or were in groundwater limited areas. But for the two alternative sites, the remaining exception areas were found to be deficient because of size, either alone or in aggregate.

### **Alternative 3: "Red Hills Road Site"**

The aggregated site contains approximately 164 acres of flat exception land located on the west side of the District, to the south of Highway 240. It is located on either side of Red Hills Road at its intersections with Williamson and Sunnycrest Roads. Although it is less than the minimum 175 acres, it has been included in the alternative analysis because it so nearly meets the minimum size requirement.

- **Compatibility or conflict with adopted goals, plans, policies, and ordinances.**

These parcels are zoned AF-10, in which public parks and open space are permitted by right. However, golf courses are not permitted, either by right or conditionally. Therefore, a zone change or text amendment to the AF-10 District would be required.

Additionally, in order to assemble a large enough site for the golf course, surrounding land would have to be added. However, there is no land that

can be added to increase the site. To the south lie slopes in excess of 12%, and to the north and east lies high value farm land upon which golf courses are prohibited. In order to allow the farmland to be used for the golf course, an exception to Goal 3 would be required which faces land use hurdles in its own right. Therefore, there is no certainty of the ability to assemble the required site size.

- **Cost and feasibility of acquiring the land as a function of number of parcels, number of owners, and any other site-specific acquisition complexities.**

The site consists of 28 tax lots held by 26 owners. Of these lots, 13 parcels are less than 5 acres in size, 12 are between 5 and 10 acres, and 2 are between 10 and 15 acres. This poses much difficulty to acquire the necessary amount of acreage when having to negotiate with multiple owners, all of who must agree to sell their property in order for CPRD to assemble the necessary site size. Additionally, only seven of the 28 properties are vacant, making acquisition more difficult. The total acquisition cost, based upon Yamhill County Assessor Data for the market value of all parcels would be \$6.4 million. When added to the development cost of \$3.5 million dollars, the resultant greens fees can be expected to be approximately \$100. This exceeds the standard municipal golf course greens fee of \$30-\$40 which is the range which CPRD plans to charge.

Such greens fees for a municipal golf course are incongruent with Goal 8 Planning Guidelines (c) and (e) which seek to provide recreational facilities for those with limited finances and at a nominal cost to the general public.

- **Proximity and accessibility to a majority of users.**

This site is the farthest removed of potential exception area sites from both the population hub and majority of the market area. Additionally, users would have to travel on gravel roads for a portion of the trip. The projected 644 trips per day along this extra distance will generate more emissions and increase traffic volume in this rural part of the District. Therefore, the site does not satisfy this condition for either the users of the facility or residents who would be subject to increased traffic resulting from it.

Because of the distance from the City of Newberg and the population base of CPRD and especially the PMA which extends to the east of Newberg, this site does not meet Goal 8 planning guidelines *(a) meet recreational needs requirements for high-density population centers; (c) meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or areas, and in the recreational use itself; and (d) minimize environmental deterioration.*

- **Availability of water.**

Because of its distance from any city, this site does not have access to a municipal water source. Similarly, restrictions on new water rights in tributaries to the Willamette River, or the Willamette River itself, leave only wells as a potential water source. According to the Watermaster for this district, Bill Ferber, to meet the water usage need of 450,000 gallons a day, this would require that a single well with a volume of 700 gallons per minute (gpm) pump half of the day. Likewise, this water quantity could be met with seven wells with a volume of 100 gpm pumping for half the day. Well logs for this immediate area indicate that there are three wells that exceed 100 gpm, the largest of which is 160 gpm. This indicates that the site could expect to require from 5-7 wells to serve the irrigation needs of the golf course.

However, the greater issue for water availability is its sustainability. The ability to maintain this volume for six months out of the year over time is unknown. This is exacerbated by the fact that no other water source is available as there are no new in-stream water rights to tributaries to the Willamette River, and because the Willamette River itself, from which water may be temporarily drawn, is too far removed from the site. Given the public investment in the golf course, this potential risk and lack of alternative water sources, municipal or otherwise, is a factor in eliminating this site.

**Conclusion.** Although the acreage is close to the minimum 175 acres required of the 18-hole golf course it falls short of this standard. The ability to include adjacent lands is tenuous given that those with the appropriate slope are resource lands with high value soils upon which golf courses are prohibited. A zone change or text amendment would be required to permit the golf course, which has no guarantee of success.

Long-term water provision is also a factor to eliminate this site. As noted in the analysis, the site is dependent upon wells as its only source of water. Given the public investment in this facility, the risk posed by the lack of a secure water source or alternative justifies elimination.

In terms of its proximity to the population base of the CPRD and larger PMA, this site requires a circuitous route to reach, and causes the majority of users who will originate from Newberg and further east to travel longer distances than is necessary. These longer trips increase emissions and unnecessarily pull the bulk of the golf course traffic through the City of Newberg and into the rural area. This location also provides little incentive for alternative modes of travel, as it is not near the population it would serve. This location neither meets the needs of high-density population centers, namely Newberg and the PMA, nor maximizes the conservation of energy in the transportation of persons to the golf course, nor minimizes environmental degradation.

Another fatal flaw of this site is the cost and complexity of acquisition. As noted in the discussion the market value of the parcels in addition to development costs would result in greens fees of approximately \$100. Because this so greatly exceeds the standard municipal golf course greens fees, this site will not meet the needs of the

public, especially those of limited financial resources. This violates a fundamental characteristic of a municipal golf course from both the CPRD perspective and State Goal 8, Recreation Needs. Furthermore, because 75% of the tax lots are improved with residential uses, the costs to buy these properties or obtain them through condemnation, something that CPRD has no wish to do, would likely drive the price of acquisition higher.

This site cannot be considered a reasonable alternative for addition to the Newberg Urban Growth Boundary, or any other Urban Growth Boundary, because it is a considerable distance from any existing Urban Growth Boundary. It was included in the analysis perhaps in an excess of caution because it was within the District boundaries.

For these reasons, this site is not a reasonable alternative site for the golf course and is eliminated from the alternatives analysis.

#### **Alternative 4: "Southwest of Dundee"**

This site is located to the southwest of Dundee adjacent to the City. This 161-acre site is also smaller than the minimum size of 175 acres, but has been included in the alternative analysis because it so nearly meets the minimum size requirements.

- **Compatibility or conflict with local goals, plans, policies, and ordinances.**

These parcels are zoned AF-10, in which public parks and open space are permitted by right. However, golf courses are not permitted, either by right or conditionally. Therefore, a zone change or text amendment to the AF-10 District would be required.

This site, which also does not meet the minimum site size requirement, has no reasonable options for assembling a larger site to meet the 175-acre need. Two major boundaries create barriers for expansion to the south and southeast. The CPRD boundary is the southern border of this alternative site, beyond which the park district cannot purchase land. Even so, such lands are Resource zones with Class I and II High Value Farmland. Expansion cannot occur to the southeast due to Highway 99W, a major transportation facility. Expansion to the northeast is not possible due to a heavily parcelized residential area of Dundee. To the northwest are steep slopes, and to the west and southwest are Resource zones with a predominance of Class I and II High Value Farmland and/or slopes in excess of 12%.

- **Cost and feasibility of acquiring the land as a function of number of parcels, number of owners, and any other site-specific acquisition complexities.**

The site also consists of 28 tax lots held by 26 owners. Of these lots, 13 parcels are less than 5 acres in size, 10 are between 5 and 10 acres, and 5 are larger than 10 acres, the largest of which is 16 acres. This poses much

difficulty to acquire the necessary amount of acreage when having to negotiate with multiple owners who must all agree to sell their property in order for CPRD to assemble the necessary site size. Additionally, only 11 of the 28 properties are vacant or underdeveloped, making acquisition more difficult. The total acquisition cost, based upon Yamhill County Assessor Data for market value would be \$6.3 million. When added to the development cost of \$3.5 million dollars, the resultant greens fees can be expected to be approximately \$100. This exceeds the standard municipal golf course greens fee of \$30-\$40 which is the range which CPRD plans to charge. Such greens fees for a municipal golf course are incongruent with Goal 8 Planning Guidelines (c) and (e) which seek to provide recreational facilities for those with limited finances and at a nominal cost to the general public.

- **Proximity and accessibility to a majority of users.**

This site has good access from Highway 99W and does not require travel via gravel roads. However, it faces the same disadvantage as the Red Hills site in that it is located farther from the population base and market for the golf course. This entails longer trips and travel time for the majority of users than those sites in better proximity to the user base, which also increases emissions.

This would also require most of the users to travel through Dundee. Highway 99W in Dundee has historically been an overused transportation facility. Some of the potential users include the high school golf course teams from Newberg High School. Their transportation time would be in the late afternoon after school has been discharged. This is the busiest time on Highway 99W. Because of the lack of funding, students must provide their own transportation for high school golf. The location on the west side of Dundee for the golf course, or west of Dundee, creates safety concerns for students traveling to and from practice and competition.

Because of the distance from and location to the southwest of the City of Newberg and the population base of the CPRD, this site does not meet Goal 8 planning guidelines *(a) meet recreational needs requirements for high-density population centers; (c) meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or areas, and in the recreational use itself; and (d) minimize environmental deterioration.*

- **Availability of water.**

Although this site is adjacent the City of Dundee, the City has stated that it cannot provide this quantity of water to the golf course. As it is also subject to restrictions on new water rights in tributaries to the Willamette River, the primary water source for this site is wells. According to the Watermaster for this district, Bill Ferber, to meet the water usage need of 450,000 gallons a day, a well with a volume of 700 gallons per minute (gpm) pumping half of the day would be required. Likewise, this water quantity could be met

with seven wells with a volume of 100 gpm pumping for half the day. Well logs for this immediate area indicate that there are four wells that exceed 100 gpm, the largest of which is the City of Dundee's with 195 gpm. This indicates that the site could expect to require from 4-7 wells to serve the irrigation needs of the golf course. However, because the City has their wells in this location, it would be difficult to obtain a water right.

Although no new water rights are available in tributaries to the Willamette River, nor the river itself, water may be drawn from the river itself temporally. Because the site is in the general proximity of the river, this provides a temporary alternative water source should the sustainability of the water from wells become a problem. Although not adjacent to the river, water could be piped through an underground line. According to Larry Anderson, PE, PLS of Anderson Engineering, the approximate cost of running such a pipe is \$50 per linear foot. Given that the pipe would need to reach the river via public rights-of-way, this would entail a distance of roughly 7000 feet. The cost to provide water in this manner would be \$350,000. Given the uncertainty of the ability to serve the site over time with on-site well water alone, the potential cost of temporarily obtaining water from the Willamette River should be taken into consideration for development costs. However, public investment is unwise when it relies on a resource that is uncertain or temporary.

**Conclusion.** This site faces similar problems as the other exception area alternative in that, while coming close to meeting the minimum 175-acre size; the ability to increase the area to the minimum size is unlikely. Resource lands with high-value soils lie to the south and west; to the north are slopes in excess of 12%, and Highway 99W forms a barrier to the east.

Access to the site on Highway 99W is good, however, it is approximately 3.5 miles to the west of the City of Newberg and the CPRD population base and farther yet from the remainder of the PMA from which most out-of-district users will originate. This does not fully meet the planning guidelines of Goal 8 that address meeting the needs of high-density population centers, maximizing conservation of energy in transportation, and minimizing environmental degradation.

Another major disadvantage of this site is the cost and complexity of acquisition. As noted in the discussion the market value of the parcels in addition to development costs would result in greens fees of approximately \$100. Because this so greatly exceeds the standard municipal golf course greens fees, this site will not meet the needs of the public, especially those of limited financial resources. This violates a fundamental characteristic of a municipal golf course from both the CPRD perspective and State Goal 8, Recreation Needs. Furthermore, because 61% of the tax lots are improved with residential uses, the costs to buy these properties or obtain them through condemnation, something that CPRD has no wish to do, would likely drive the price of acquisition higher.

An additional cost consideration is the possibility of having to pump water from the Willamette River temporarily should well water prove unreliable. A potential cost

of \$350,000 should be taken into account as a contingency for which CPRD would plan with this site.

Overall, the inability to assemble a large enough site, the costs associated with land acquisition and the potential construction of a water line, coupled with the site's location farther west of the population base render it unreasonable for the siting of the golf course. For this reason, this alternative is eliminated from the analysis.

**Finding:** The analysis of sites in exception area lands demonstrates that there are none in which the golf course can be reasonably accommodated. Since this higher priority category has been evaluated and all options exhausted, the Alternatives Analysis may consider the next lower priority, resource lands.

**(4) Land Designated as Marginal Land Pursuant to ORS 197.247.**

There are no such designated lands in the CPRD boundary from which to evaluate alternative sites.

**Finding:** Does not apply.

**(5) Resource Lands**

Because all higher-priority urbanization options were evaluated and eliminated, the remaining category of resource lands (agricultural and forest) were analyzed for inclusion into the UGB of a community within the CPRD. ORS 197.298 requires that resource areas with low-value soils be evaluated before considering resource areas with high-value soils. USDA Natural Resources Conservation Service maps for Yamhill County were consulted to identify where such soils occur in the CPRD. (See Attachment 6, Figure 5).

**Resource Areas with Low-Value Soils.** Because the vast majority of low-value soils in resource lands are found in areas with slopes over 12% or in outlying areas with groundwater restrictions where no water is available for the golf course use, there are virtually no sites of adequate size for the golf course. Only one resource area with low-value soils of at least 175 acres was identified in preliminary analysis. This large area is located on the western side of the CPRD, between North Valley Road and Highway 240 (Yamhill Highway).

However, two major reasons contributed to its dismissal as a legitimate alternative in need of further study. First, much of the area is within the flood way of Chehalem Creek which traverses the site. The site is subject to an annual flooding event, which decreases the days of operation and would typically result in damage to the golf course which would make the project financially unfeasible. Additionally, the flooding events would cause damage, which would further erode the financial feasibility. The second major reason for its removal from consideration is its location at the far reaches of the CPRD boundary. This area is the farthest removed from the densest part of the CPRD, in Newberg, at 5 ½ miles to the west. Those traveling from the center of the PMA, which lies farther east, would require a trip of approximately 12 miles for users from Sherwood or 16 miles from Wilsonville. Such unnecessarily longer travel distances to the facility deviates from Goal 8

Planning Guidelines (a) meet recreational needs requirements for high-density population centers; (c) meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or areas, and in the recreational use itself; and (d) minimize environmental deterioration. Therefore, these negative consequences outweigh any benefit provided by siting the golf course on low-value soils to a degree that makes this site an unreasonable location for the golf course.

**Resource Areas with High-Value Soils.** The last category of lands in the urbanization hierarchy are farm and forest resource areas with high value soils. The subject site is located on such lands. As demonstrated in the previous analysis and findings, all higher-priority sites in the CPRD have been sufficiently evaluated and eliminated. Therefore, this remaining category of lands may be considered for inclusion in the UGB. Because the urbanization hierarchy ORS 197.298 requires no further prioritization within this category, no additional analysis is required to demonstrate that the subject site has met the test of OAR 660 004-0010(1)(c)(B)(ii), "Areas which do not require a new exception cannot reasonably accommodate the use." Therefore, the selection of this site for the development of the golf course subject site is appropriate from the perspective of the urbanization hierarchy.

In addition, another OAR affects the siting of a golf course within this land use category. Per OAR 660 Division 33, Rule 120 and its associated table, golf courses are not permitted on high value farmland outside of urban areas. Because of this restriction, land characterized by high value soils must first be urbanized and appropriately planned and zoned in order for a golf course to be permitted. This subsequently limits potential sites to those that are adjacent to an existing UGB. Within the CPRD boundary, only those sites adjacent the Newberg UGB are feasible as Dundee is unable to provide the needed water to the golf course. The proposed golf course location, therefore, meets this additional siting criterion. Further site evaluation and demonstration of compliance with other applicable UGB requirements, such as the EESE analysis (OAR 660 004-0010(1)(c)(B)(iii)), are addressed in other applicable sections of the UGB amendment application.

**Other Sites Identified by Opponents.** Three resource sites with high value soils have been identified by opponents to the application. Those sites include a site of 195 acres in the vicinity of the Willamette River, which is inside the District boundary, a North Valley Road site, and a site referred to as the Riverwood Golf Course, outside the District boundary. The Willamette River location was eliminated as a legitimate alternative based upon several fatal characteristics. The parcel is not contiguous with the City of Newberg's City Limits, and is therefore, not capable of being annexed nor is it capable of being served by the City's Water System. A portion of this site is also a component of a recent Yamhill County/City of Newberg planning process called the Newberg River Front Master Plan. Large portions are designated Willamette Greenway Trail and Pedestrian River Front Connection. Location at this site would essentially thwart the decisions made in that public process. More significantly, this site is the location of the Newberg/Dundee Bypass. The location chosen would cut this area, essentially, in half. The City and County have acknowledged the significant importance that the bypass facility has for the City, County and region. The bypass facility cannot be placed on park property. Planning for this parcel to be a park would effectively eliminate the chosen route for

the bypass and set the communities back 5, if not 10, years in their planning process for the facility.

The North Valley Road site has numerous deficiencies. It is not contiguous to the City and, therefore, cannot be annexed nor can City utility services be provided. It is served by a dangerous intersection of Chehalem Drive and North Valley Road. North Valley Road has a hill just west of the intersection which caused site distance problems for those trying to enter or cross North Valley Road. The site is in a ground water limited area, so wells are not a viable resource. There are no other available water resources.

The Chehalem Park and Recreation District is a quasi-governmental agency. It can only engage in activities within the District boundaries. The Riverwood Golf Course is outside of its boundary. The District has no ability to pay fees for anything associated outside the boundary, nor to operate any activity outside the boundary. Even if the Riverwood Golf Course somehow were able to expand its operation from its current 9-holes, it still would not accommodate the need for an additional course in the District boundaries. The CPRD's park Plan calls for 36 holes of golf by 2010. As of 2002, there was 160-hole deficient in municipal holes according to the Oregon Statewide Comprehensive Outdoor Recreation Plan. By 2007, there will be a 259-hole deficit.

**Finding:** The CPRD has undergone a systematic evaluation of alternative sites in compliance with the urbanization hierarchy of ORS 197.298. When all alternatives within a higher-priority category were evaluated and eliminated, the next lower category of land was evaluated and so forth until all land use categories were exhausted. It is the conclusion of this Alternatives Analysis that there are no sites within the CPRD that do not require an exception, nor are there any sites on low-value farm land upon which the golf course can be reasonably located.

As all higher-priority land use categories were exhausted for the golf course, the remaining category of high-value resource lands is justified for expansion of the UGB to accommodate the golf course. The proposed golf course, located in this land use category, is therefore in compliance with the urbanization hierarchy of ORS 197.298 and meets the requirement of OAR 660 004-0010(1)(c)(B)(ii).

**(iii)** *The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site.*

**Finding:** The consequences are not significantly more adverse than the consequences which also apply to other goal exception properties. The use of this subject property as proposed will preserve the stream corridor and wetlands area, reduce the amount of adverse environmental impacts that are currently being imposed on the property, and provide an economic and social benefit to the community. The long-term environmental, economic, social and energy consequences of utilizing this site as the subject property are fully addressed under Section II, Newberg Urban Area Management Agreement Urban Growth Boundary Amendment Criteria, criterion e.

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

**Finding:** The proposed use is a golf course, with certain accessory uses such as a club house and walking trail. Adjacent uses include farms, large lot rural residential uses, and urban residential development. The site is located on the edge of the Urban Growth Boundary. The proposed use is ideally suited as a buffer use between urban development within the UGB, and surrounding rural uses. Rural agricultural uses are sometimes associated with dust from plowing, odors from farm animals, smoke from debris burns, and other effects. Adjacent residential uses and urban uses are sometimes disturbed by the impacts of these farm uses. A golf course is associated with many practices that can be similar to agricultural practices, such as mowing, spraying, and fertilizing. Therefore, golf course users will be more apt to respect adjacent agricultural practices. On the other side, residential and urban development is often attracted to be near golf courses, because of their scenic, open space and recreational qualities. Measures to reduce adverse impacts, such as water quality protections and protection from stray golf balls, can be built into the site design. Thus, the proposed uses are compatible with other adjacent uses.

- D. Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources.** The proposed UGB amendment is consistent with and promotes this goal. The goal states that local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. This goal encompasses 12 different resource types, including 1) riparian corridors, 2) wetlands, 3) wildlife habitats, 4) federal wild and scenic rivers, 5) state scenic waterways, 6) groundwater resources, 7) approved Oregon recreational trails, 8) natural areas, 9) wilderness areas, 10) mineral and aggregate resources, 11) energy sources and 12) cultural areas. Goal 5 requires inventories of resources to be conducted and policies to be adopted whereby the local jurisdiction can manage these resources. This site include four of these resources: riparian corridors, wetlands, wildlife habitats, and natural areas. It has the potential of being part of an approved Oregon recreational trail.

A portion of Springbrook Creek, a tributary of the Willamette River, traverses the subject property. This area will be designated P/SC (Park/Stream Corridor) on the Comprehensive Plan Map (See Exhibit C). To protect this resource and to preserve open space and wildlife habitat, a stream corridor buffer will be provided that will not be developed. This corridor will contain pedestrian access to scenic nature trails and provide recreational opportunities for the public. This trail system is intended to be part of a regional trail system from the Newberg riverfront to the Portland metropolitan area.

A site-specific study addressing these areas including soils, hydrology, vegetation, potential jurisdictional wetlands, and wildlife habitats is attached [Applicant's Appendix 3].

According to the City's Inventory of Natural and Cultural Resources, drainage ways in the area provide important natural open spaces and habitat for fish and wildlife. Soils in these drainage ways are typically fairly steep and have limited stability. The inventory report indicates that drainage ways in the Newberg area create natural buffers between conflicting land uses, such as urban and agricultural, and are capable of supporting simple trails and bikeways, as well as parks in some of the wider corridors. The Inventory also states that no known archeological sites exist in the Newberg area, although a detailed survey has not

been completed.

Incorporation of the property into the UGB and its eventual development as a golf course will meet Goal 5. The riparian areas and wetland areas are proposed to have a stream corridor overlay. This overlay is designed to protect the riparian areas and wetlands within them. This will also protect the wildlife habitat and natural areas within the stream corridor. Bringing the property into the UGB also will provide an opportunity to develop the property with a portion of a potential Oregon recreational trail.

- E. Goal 6, Air, Water and Land Resources Quality.** This proposed UGB amendment is consistent with and promotes this goal. This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters of air, water, and land resources quality. The Newberg Comprehensive Plan contains several policies intended to ensure conformance with state and federal regulations governing air, water, and land resources quality. The proposed UGB amendment would be consistent with and promotes the City's Plan policies to protect water quality in tributary streams of the Willamette River system by preserving the stream corridor on the site. Preservation of natural vegetation in the stream corridor would conserve soil resources by preventing losses through erosion, and would enhance air quality as well.

In addition to these requirements, the applicant has proposed that the golf course and nature trail system will be constructed through the Audubon Cooperative Sanctuary Program (ACSP) methodology which states: "By their very nature, golf courses provide significant open spaces and opportunities to provide needed wildlife habitat in increasingly urbanized communities across North America. At the same time, golf courses are called to address environmental concerns related to the potential and actual impacts of water consumption and chemical use on local water sources, wildlife species, and native habitats.

The ACSP for Golf Courses seeks to address golf's environmental concerns while maximizing golf course opportunities to provide open space benefits. This highly-regarded education and assistance program promotes participation in comprehensive environmental management, enhancement and protection of existing wildlife habitats, and recognition for those who are engaged in environmentally-responsible projects.

Audubon International provides information to help golf courses with:

- Environmental Planning
- Wildlife and Habitat Management
- Chemical use Reduction and Safety
- Water Conservation
- Water Quality Management
- Outreach and Education

By completing projects in each of these components of the program, the golf course member receives national recognition as a Certified Audubon Cooperative Sanctuary."

Utilizing this type of environmental stewardship on the proposed site will have a positive effect on the environment. Relative to its existing agricultural use, the amount of chemicals, fertilizers, and insecticides used on the property will be significantly reduced.

- F. Goal 7, Areas Subject to Natural Disasters and Hazards** The streams on the property include flood hazard areas. The stream corridor on the site would be preserved as

permanent open space and would maintain a natural storm water system, while continuing to provide wildlife and fish habitat and limited recreational opportunities via pedestrian and nature trails. Care will be taken to avoid erosion from runoff into the stream by dissipating flows, providing additional vegetation, and/or an additional outfall as needed.

- G. Goal 8, Recreation Needs.** The proposed UGB amendment is consistent with and promotes this goal. The goal requires that each community evaluate its facilities for recreation and develop plans to deal with projected demands. Goal 8 provides guidelines for planning, 1) which require an inventory of needs, 2) an inventory of opportunity, 3) coordination among different stake holders, and 4) that planning for lands and resources capable of accommodating multiple uses, include provisions for appropriate recreational opportunities. The guidelines also indicate that the State Comprehensive Outdoor Recreation Plan can be used as a guide when planning, acquiring and developing recreational resources areas and facilities.

The planning Guidelines also provide that priority should be given to areas, facilities and uses that: a) meet recreational needs requirements for high-density population centers; b) meet recreational needs of persons of limited mobility and finances; c) meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area, and in the recreational use itself; d) minimize environmental deterioration; e) are available to the public at nominal cost; and f) meet the needs of visitors to the State.

The location of the golf course at this site follows the priority laid out above. Newberg is the high-density population center of the east portion of Yamhill County. The facility will meet the recreational needs of persons of limited mobility and income levels. The facility will include hiking trails, community garden, and interpretive areas that will be publically accessible at no charge. Accommodating these multiple uses on the same site is encouraged by Goal 8(4). This location will maximize conservation of energy, as the population base in this region currently has to travel significant distance to use an 18 hole public golf course. The closest such course is in the Portland Metro area. In fact, this will be the only public 18 hole golf course in the County. The placement of the course at this location will actually maximize environmental protection. Currently the site is subject to farming in the areas that will be protected by a stream corridor overlay. The stream corridor protection will mean that there will not be tilling, which would create air pollution, and would put sediment in the streams, nor will there be application of fertilizer or pesticides at the level that currently exists for common farm practices.

The location of the golf course at this site, as compared with the purchase of a parcel inside the Urban Growth Boundary, or a parcel on significant grade, such as the Parrett or Chehalem Mountains, will allow the public to access the facility at nominal cost. If the Park District were forced to purchase 180 acres of residentially zoned property already inside the City, or was forced to design and place a golf course on the significant grades of either Parrett Mountain or Chehalem Mountain, the cost would be excessive and it would preclude a large segment of the public from being able to utilize the facility.

The facility will also provide for the needs of visitors to our state. In recent years there has been an influx of out-of-state visitors to this region as a result of the wine industry. As stated, in Yamhill County there are no public 18 hole golf courses for that traveling public to enjoy.

The Park District has been engaged in an extensive evaluation of the needs of the community. They have drawn on the resources of many stakeholders including, following the guidelines of the State Comprehensive Outdoor Recreation Plan, and Yamhill County's 1974 Comprehensive Plan map. The Park District has involved input from people recently, but has done that in a fashion that is following plans that have been in existence for decades and have been restudied on a macro-level by the State. It is an analysis that has spanned the time from the early 70s to the current, and spanned the levels from individuals on a local basis, to the State's overarching Outdoor Recreation Plan.

The SCORP is the State's 2003 to 2007 Comprehensive Recreation Plan. Yamhill County is included in State Planning Region 2, of the Statewide Comprehensive Outdoor Recreation Plan (SCORP). The Oregon Parks and Recreation Department's 2003-2007 Oregon SCORP (Draft) [Applicant's Appendix 10] identifies golf as the number one recreational need for Regions 1 and 2. In Region 2, hiking is listed as the fourth most needed recreational activity. The golf shortage is significant in both regions. In 2002, there is a shortage of 160 holes in Region 2. By 2007, that deficit will climb to 259 holes. In analyzing the need, the SCORP report stated as follows: A Relative Needs Priority Index was determined for each activity where current peak use exceeded supply. This allows comparison of relative needs across regions and activities. The activities ranking highest on the relative needs priority index are golf in Region 1 (including Clatsop, Tillamook, Lincoln and coastal Lane counties) and Region 2 (including Columbia, Washington, Multnomah, Hood River, Yamhill, Clackamas, Polk, and Marion counties), followed by swimming in an outdoor pool in Region 1. As can be seen, golf ranked as the greatest need in the whole State; compared to all other recreational activities in Region 2, which Yamhill County is a part of. And, it ranked the second highest amongst all activities in all regions in Region 1, which just borders Yamhill County.

Table ES.5. Relative Needs Priority Index (Top 15 Activities)

Activity	Region	Relative Needs Priority Index*
1. Golf	2	1,582.83
2. Golf	1	995.92
3. Swimming in an outdoor pool	1	982.22
4. Hiking on local community or backcountry trails (all surfaces)	1	923.85
5. Hiking on unsurfaced local community or backcountry trails	1	776.67
6. Swimming in an outdoor pool	3	689.99
7. Swimming in an outdoor pool	2	651.47
8. Non-motorized boat ramp use (canoeing, white water kayaking, white water rafting, sea kayaking and windsurfing)	7	556.91
9. Backpacking	2	440.43
10. Fishing/crabbing from a dock or pier	1	331.87

11. Swimming in an outdoor pool	5	247.39
12. Swimming in an outdoor pool	7	224.85
13. Running/walking for exercise on local community or backcountry trails (all surfaces)	11	220.27
14. Swimming in an outdoor pool	4	175.70
15. Running/walking for exercise on surfaced local community or backcountry trails	11	140.88

\*Relative needs priority index shows each activity's need relative to the total statewide needs for all activities.

Elsewhere in the SCORP, it identifies that the analysis considered all of the parks currently in existence. This is both considering local, regional, and State and Federal parks. The fact that Champoeg State Park is in this general region, does not satisfy the need for a more specific park, such as a golf course.

The City's Comprehensive Plan includes policies designed to ensure recreational facilities and services are expanded to meet growing recreational demands of the community. The Plan's recreational policies state that the City and the Chehalem Park and Recreation District shall cooperate to periodically assess the community's recreation facilities and programs and revise them as needed. The plan also indicates that the City currently provides less park and public/quasi-public lands than are projected as needed.

A market study has been performed for the purposes of this project. This market study reflects upon the recreational needs of the community and indicates that golf is a major priority for recreational needs. The market study establishes a primary market area based upon USGA guidelines. That market area stretches from McMinnville, east to the southwest suburbs of Portland.

The City has adopted a Comprehensive Plan Policy establishing as "desirable guidelines to be achieved wherever possible" Park Area Standards which indicate a need for a regional park, with a minimum of 200 acres, within the service area of the CPRD. According to the Newberg Comprehensive Plan Table IV-9 (Land Use Requirements), there were 118 acres of parks in the Newberg UGB as of April, 2003, but a need for 478 acres of park by 2010. Thus there is a need for at least 360 additional acres of parks within the UGB.

Yamhill County is included in State Planning Region 2, of the Statewide Comprehensive Outdoor Recreation Plan (SCORP). The Oregon Parks and Recreation Department's 2003-2007 Oregon SCORP (Draft) [Applicant's Appendix 10] identifies golf as the number one recreational need for Region's 1 and 2.

The site is proposed to contain a public golf course, together with scenic nature trails, and a portion of a regional trail system from the Willamette River waterfront to Champoeg State Park. The trail could be connected to the adjoining residential areas with a pedestrian/recreation path as well as provide access for the neighboring communities. The interconnecting trail system will allow people to utilize walking, bicycles, and other alternative modes of transportation to move from residences, to businesses, to employer, to their recreating all on the east side of Newberg.

H. **Goal 9: Economic Development.** Goal 9 of the statewide planning goals and guidelines requires

the provision of adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon citizens. The goal requires that Comprehensive Plans contain economic development opportunities for the community, and also provide, at least, an adequate supply of sites of suitable size, type, location, and service levels for a variety of industrial and commercial uses consistent with their plan. It also directs that uses on or near sites zoned for specific industrial and commercial uses shall be limited, such that they are compatible with the industrial/commercial uses. This requires the City to protect its industrial and commercial land supply from degradation. As a result, the Goal eliminates potential sites within the UGB that are currently zoned industrial/commercial, and those in the URA (URA E) that are planned for future industrial use.

The goal goes further than merely protecting industrial and commercial property. It speaks to creating a healthy economy by making certain that key public facilities, educational programs, and market forces be considered in developing an economic development plan. It is legitimate for the City to consider the value this project provides in attracting other businesses that will create jobs for people to live and work in Newberg. To be competitive in attracting family wage jobs, community amenities are important. These amenities include adequate schools, police/fire protection, and park facilities. A full compliment of park facilities, including a golf course, will advance the City's objective of strengthening their economic development plan. Oregonians want to be able to do their work, shopping, and recreation all within one community as people are very environmentally conscious of the economic and environmental cost of transportation between regions. This also explains why the statewide Comprehensive Outdoor Recreational Plan regionalizes the recreational needs.

The proposed golf course in Newberg will attract golfers from a market area that stretches from SW Portland and Beaverton to Oregon City and McMinnville. Most courses in this area are poor quality, 9-hole regulation courses or short, par-3 courses. Thus, the proposed 18-hole golf course will be among the nicest courses in the region. The course is projected to reach 45,000 annual rounds within 3 years of operation. If the course is managed similarly to those being operated by the City of Portland, it is projected that golf revenue could be as much as \$1.5 million by the third year of operation. The largest sources of non-golf income will be the pro shop, driving range, food and beverage sales, and cart rentals. In addition to providing new local jobs for the community, customers of the course are likely to contribute additional spin-off dollars into the local economy through shopping and tourism related activities.

- I. **Goal 10: Housing.** Goal 10 requires cities to inventory and encourage the availability of adequate numbers of needed housing units at price ranges and rent levels commiserate with Oregon households. The guidelines provide significant detail about how cities are to analyze and maintain appropriate vacancy rates at varying rent ranges, provide density analysis, and identify rehabilitation opportunities. Essentially, the goal provides a framework by which the City should maintain or assure themselves of an adequate supply of housing opportunities across income levels. Because the proposed UGB Amendment will neither add to nor subtract from the inventory of housing units, or buildable land for housing, within the Newberg UGB, Goal 10 has no direct applicability to this decision.

However, both Goals 9 and 10 do have relevancy to your consideration of this application with regard to consideration under Statutory UGB Amendment priorities and goal exception requirements regarding the use of alternative sites already within the Urban Growth Boundary or City limits for the proposed use. Essentially, Goal 9 restricts utilizing industrial and commercial property for other uses once you have planned for the industrial/commercial use. Likewise, Goal 10 restricts the use of

residential property for other uses by requiring the City to maintain a certain reasonable inventory. Even if there were properties available within the City, the utilization of 180 acres of either industrial or residential property would disrupt the equilibrium and require a goal exception to either Goals 9 or 10. Additionally, it would require an Urban Growth Boundary expansion of equal size elsewhere.

If the Park District were to purchase property zoned for residential use or industrial/commercial use, the cost of such land would be significant. The resulting costs would mean that they could not meet their obligations under Goal 8, to provide recreational facilities at nominal cost. As the City considers balancing these different goals, it has determined that under all the circumstances and in consideration of all the goals, that it is better to take an exception from Goal 3 instead of pursuing a course of action that requires an exception to Goals 9 or 10, while at the same time violating Goal's 8 requirement that recreational facilities be maintained at a reasonable cost for the users. This is especially so when you consider that even placing the facility inside the City limits would later require a future urban growth boundary amendment.

As noted above under Section I., Goal 3, according to the Urban Reserve Area Study, the supply of residential land within Newberg's existing UGB are not sufficient to accommodate a 2020 population of 33,200. If residentially designated parcels are rezoned to accommodate the proposed golf course, the City's deficit of residential land would increase. Furthermore, the UGB would have to be expanded to make up this deficit, requiring the city to extend municipal services to more remotely located lands at a higher cost.

- J. Goal 11: Public Facilities and Services.** The proposed UGB amendment is consistent with this goal. This goal calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The primary objective of this goal is to encourage planning of public services to meet the community's needs and capacities rather than being forced into the situation of responding to development as it occurs.

The City's Comprehensive Plan includes the goal to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development. Potable water, irrigation water, sanitary sewer and storm water management facilities have been evaluated as part of this application. That study determined that these services can be provided to the subject site. A detailed Public Utilities Availability Report [Applicant's Appendix 6] for the proposed Newberg Golf Course, concludes that the property (and proposed conceptual plan) can be efficiently served by existing utilities located within Fernwood Road and that irrigation water is available through alternative sources. This report indicates that water and sanitary facilities are adequate to meet the demands of the proposed development, and that storm water runoff poses no significant impact and will potentially be beneficial to the environment relative to the existing uses.

- K. Goal 12, Transportation.** The City's Comprehensive Plan contains several goals and policies designed to guide the planning and provision of a safe, convenient and economic transportation system in cooperation with state, county and neighboring communities in the region.

A Traffic Impact Study has been prepared in conjunction with this application. It describes the existing transportation system that would be affected by the proposed development, the existing operating conditions of that system, and the project's possible impacts based on traffic generated by the proposed development [Applicant's Appendix 5].

The site is expected to generate 40 trips during the morning weekday peak hour, with 32 entering and 8 exiting. During the evening peak hour 49 trips are expected with 22 entering and 28 exiting. A

daily total of 644 trips is expected with half entering and half exiting the site.

The intersection of Highway 219 and Wilsonville Road is currently operating above the maximum allowable v/c ratio. ODOT has plans to add turn lanes on Highway 219 to improve safety, but no definite plans to improve capacity. The treatment of this intersection has been specifically identified for examination in the update to the City of Newberg Transportation System Plan (TSP) that has recently begun. Temporary improvements at the intersection including the turn lanes planned by ODOT and a traffic signal will improve the v/c ratio to acceptable levels. These improvements are intended to improve intersection operation until a major realignment project and/or the Southern Bypass is completed.

The intersection of Fernwood Road and Springbrook Street is currently operating at acceptable levels of service. By 2007, drivers on the minor-street approaches will experience delays during the evening peak hour, although there will be adequate capacity available and signal warrants will not be satisfied. By 2022 a traffic signal will be warranted, as confirmed by the City of Newberg TSP. With the TSP identified improvements in place, the intersection will operate acceptably in 2022. The intersection appears to be a potential candidate for a modern roundabout, which could be constructed in lieu of a traffic signal and left-turn lanes.

The intersection of Highway 99W and Springbrook Road is currently operating acceptably following the recent intersection improvement project. It is expected that by 2007 the intersection will be operating above ODOT's minimum standard. To meet ODOT's standard would require three through lanes in each direction on the highway. This improvement would be very expensive and would involve acquiring a significant amount of right-of-way and reconstructing an intersection that was improved as part of a project that was only recently completed. Either with or without the proposed golf course, the intersection will operate at level of service D during the evening peak hour in 2022.

The intersection of Highway 99W and Brutscher Street is currently operating acceptably during both peak hours. By 2007 the intersection will operate slightly above ODOT minimum standards, although the operation will improve with completion of the bypass and will continue to operate acceptably through 2022.

Thus, the proposed amendment does not significantly affect any transportation facilities.

- L. **Goal 13: Energy Conservation.** The primary objective of this goal is to ensure land uses developed shall be managed and controlled so as to maximize the conservation of all forms of energy based upon sound economic principles. A regulation 18-hole golf course in this community would alleviate the need to travel outside of the local area for this type of recreation and would thereby reduce energy consumption. There are currently no 18-hole public golf courses in Yamhill County. Local pedestrian and nature trails would also encourage alternative types of transportation within the community.
- M. **Goal 14, Urbanization.** This proposed UGB amendment is consistent with this goal. The objective of this goal is to provide for an orderly and efficient transition from rural to urban land use. This goal requires all cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" to "identify and separate urbanizable land from rural land." According to Section IV. B, Urban Growth Boundary, of the City's Comprehensive Plan, the UGB for Newberg was established to separate urban and urbanizable areas from lands which are to remain in rural uses through the year 2010. Based on the

City of Newberg Land Inventory database, as of April 2, 2003, the UGB contains approximately 3,556 acres (not including rights-of-way). Approximately 1,327 acres in the UGB are identified as vacant and buildable. Development needs are expected to exceed availability before 2010.

Goal 14 states that change of an urban growth boundary must be based on seven identified factors. These factors are virtually identical to the seven Newberg Urban Area Management Agreement -Urban Growth Boundary Amendment criteria. They are addressed in Section II below.

- N. Goal 15, Willamette River Greenway.** This goal indicates the need to protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway. This UGB amendment is consistent with this requirement by extending the stream corridor protection to the tributaries through this property and into CPRD's conservation easement to the north.

Although not directly in the Willamette River Greenway, this drainage shed does have an impact on the Willamette River Greenway. The preservation of the riparian and natural habitat, the provision of nature and scenic pedestrian trails, the intended recreational use of the golf course, and the Audubon Cooperative Sanctuary Program (ACSP) golf course methodology of construction and maintenance all contribute to positive impacts on the Willamette River Greenway.

**Conclusion:** The proposed urban growth boundary amendment is consistent with the Statewide LCDC Goals as stated above.

- II. Newberg Urban Area Management Agreement -Urban Growth Boundary Amendment Criteria: Amendment of the Urban Growth Boundary shall be treated as a map amendment to both City and County Comprehensive Plan maps. Change of the boundary shall be based upon consideration of the following factors:**

- (a) *Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.***

**Finding:** This proposed UGB amendment is consistent with this factor. It will provide recreational, open space, and natural resource preservation consistent with the intent of LCDC goals. Each of the LCDC goals are addressed in Section I. Specifically, there is a need for the type of facility that is proposed on the site, based on Goal 8 requirements.

\*

There is a need to include additional land in the Urban Growth Boundary to meet the requirements of Goal 8, Recreation. This goal requires a local government to provide for the recreational needs of its citizens and visitors. This means a local government must evaluate its existing recreation areas and facilities and develop plans to provide for the projected demand for such facilities. These findings show that there is a need for approximately 175 additional acres of land in the Newberg Urban Growth Boundary to accommodate a public 18-hole golf course/regional park. See also findings in Section I.G. Goal 8, Recreational Needs.

There is no public golf course within or adjacent to the existing Newberg UGB. There is no public 18-hole golf course anywhere in Yamhill County. The City has adopted a comprehensive plan policy recognizing "the need for a golf course to serve the recreational needs of the community." Industry standards require roughly 170 to 200 acres for an 18-hole golf course.

The City has adopted a comprehensive plan policy establishing as "desirable guidelines to be achieved

wherever possible” Park Area Standards, which indicate a need for a Regional Park with a minimum of 200 acres within the service area of the Chehalem Park & Recreation District. According to Table IV-9 (Land Use Requirements) of the Newberg Comprehensive Plan, there were 118 acres of Parks in the Newberg UGB as of April, 2003, but a need for 478 acres of Parks by 2010. Thus, there is a need for at least 360 additional acres of parks within the UGB.

It makes good sense to combine the needs of the community for a public golf course and a regional park into one park facility. The proposed park will also satisfy additional community recreational needs by providing hiking trails and a community garden.

Newberg Comprehensive Plan Section IV. H. Provision for Future Needs, 1. Land Needs, states that there currently are insufficient lands available in all categories of land use, but especially in residential and industrial uses. Comprehensive Plan Table IV-9 indicates that the amount of residential land currently within the UGB is 715 acres less than what will be needed by 2010, the amount of industrial land is 480 acres less than what will be needed in 2010, and the amount of commercial land is approximately 50 acres less than what will be needed in 2010. The plan text also states:

“The Comprehensive Plan provides less park and public/quasi-public lands than are projected as needed. The acreage provided for public/quasi-public uses largely consists of areas already in these uses. Additional lands are intended to be transferred from residential areas as the need for specific sites becomes apparent.”

The text suggests that we may take from the already depleted supply of residential land for the use of parks and recreational activities. However, taking 200 acres for a regional park would seriously diminish an already deficient supply of residential land. Even if the area needed for a golf course were course/regional park could be taken out of the supply of park land (assuming a site of sufficient size exists, which it does not) then there would be no land for other types of parks uses, such as neighborhood parks and ball fields.

Although the above reasons are sufficient to demonstrate the need for approximately 200 acres of additional land within the Newberg UGB to accommodate long-range urban population growth requirements for a public golf course/regional park, the following considerations provide additional support for such a need:

- (1) Yamhill County is included in State Planning Region 2, of the Statewide Comprehensive Outdoor Recreation Plan (SCORP). The Oregon Parks and Recreation Department’s 2003-2007 Oregon SCORP [Applicant’s Appendix 10] identifies golf as the number one recreational need for Region 2.—
  - (2) This proposed park site is also in the general location for a golf course as identified on the County’s original Comprehensive Plan Map [Applicant’s Appendix 9].
  - (3) A golf course would significantly contribute to the economic well-being of Newberg, as indicated in Section I, Goal 9.
- (b) *Need for housing, employment opportunities, and livability.*

**Finding:** This proposed UGB amendment is consistent with this factor.

Housing. There currently is a deficit of residential land in the City. If property inside the UGB were used for the creation of a new golf course, instead of the proposed property that is currently outside the UGB, it would exacerbate the residential land shortage in the UGB. Addition of the proposed land to the UGB would help maintain the residential land within the current UGB for housing needs.

Employment Opportunities. The proposed golf course facility, pro-shop and dining facility will provide local employment opportunities. See also Section I. Goal 9 Economic Development response above.

Livability. The proposed park land area will provide for the recreational needs of increased housing, provide employment opportunities within the City, and create a more livable environment through the addition of a golf course, pedestrian trails, a community garden, and interpretive areas along the riparian buffer. See also Section I, Goal 5 (Open Space) and Goal 8 (Recreation).

*(c) Orderly and economic provision for public facilities and services.*

**Finding:** This proposed UGB amendment is consistent with this factor. A Public Utilities Availability Report has been prepared as part of this application [Applicant's Appendix 6]. According to this report, the proposed site can readily be served by utilities currently located in Fernwood Road and irrigation needs can be accommodated by several alternatives. These facilities, including potable water and sanitary sewer have adequate capacities to accommodate the demands of the proposed use.

*(d) Maximum efficiency of land uses within and on the fringe of the existing urban area.*

**Finding:** This proposed UGB amendment is consistent with this factor. A buffer or transitional area from an urban area to rural area will be provided where none currently exists. The stream corridor will provide a sanctuary for pedestrian travel and nature paths connecting the residential areas to rural areas. At the same time, it will preserve an important resource that will help to reduce soil erosion, maintain water quality in the Willamette River system, and conserve wildlife and fish habitat.

Services are available or can be readily extended, thereby avoiding leap-frog development or other land consumptive practices. This proposed site accommodates this intent.

A golf course is an ideal land use on the fringe of an urban area. If the golf course were located in the middle of the urban area, it would create a barrier to travel, creating a need for long travel around it. If it were located in a rural area, it would create a need for trips outside the urban area to the property. On the edge, it suffers from neither of these problems.

*(e) Environmental, energy, economic and social consequences.*

**Finding:** This proposed UGB amendment is consistent with this goal.

Environmental: Environmental effects are more fully discussed in Section I: Goals 5 and 6. Overall, the proposed urban growth boundary amendment will have a positive environmental effect. The site is currently zoned for agricultural uses. Portions of the site are currently in agricultural use, with its attendant environmental impacts. There is no designated riparian area or stream corridor on the property. This urban growth boundary will include a stream corridor designation. After annexation, this designation will protect the streams, riparian areas, and wetlands areas on the property; protections that are not currently in place. This in turn will help protect water quality, wooded areas,

and wildlife habitats on the property. The site as a whole will be utilized as open space for recreational and scenic use, thus providing positive environmental consequences.

**Energy:** Energy effects are more fully discussed in Section I: Goal 13. Bringing this property into the UGB for golf course development will have positive impacts in relation to other potential locations for such a use. A regulation 18-hole golf course in this community would alleviate the need to travel outside of the local area for this type of recreation and would therefore reduce energy consumption. The golf course's location on the edge of the urban area will allow close and convenient travel to the golf course, but the course itself will not provide a major impediment to vehicular travel within the community. Again, this will help conserve energy resources. Local pedestrian and nature trails would also encourage alternative types of transportation within the community

**Economic:** Economic effects are more fully discussed in Section I: Goal 9. Bringing the property into the UGB for development as a golf course will have many positive economic impacts. The addition of this golf park will create jobs on the site itself, benefitting the local economy. Many business make their location decisions based on quality of life. Providing a regulation size golf course will attract business to Newberg and create an economic inflow into the community. It will also provide a definite destination for tourists to the area. This draw will improve tourist-based services within the community, such as restaurants, theaters, and shopping areas.

**Social Consequences:** The golf course will create a positive recreational area for all ages. This will enhance the long-term social benefits to the community. The provision of this additional open space/parkland will also contribute to the well-being of community residents as a whole by providing an opportunity for outdoor exercise, recreation and interaction with nature.

In summary, the project balances the ESEE factors, by minimizing environmental impacts while improving the City's economic and social environment and minimizing energy consumption. The proposed project complies with this factor.

*(f) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class IV the lowest priority.*

**Finding:** These findings identify a need for land for the proposed golf course use. The findings under Section I, Goal 3, and the Hobson Ferrarini Associates alternatives analysis show that this application is compatible with this factor. The first choice would be to locate the needed golf course on land within the urban growth boundary that is, by definition, not agricultural. Those findings identify two potential sites for a golf course in the UGB: the Springbrook Oaks property and the Austin property. Aside from economic factors, using either of these sites (which, incidentally, are both currently in agricultural use), would deplete the UGB of needed residential or industrial land. This in turn would cause a need for expansion of the UGB. The study found that none of the existing urban reserve areas or exception areas near the UGB are suitable for the proposed use. The proposed site is approximately 82 percent prime farmland. Other agricultural lands were considered, but none with lower priority agricultural land was identified that could serve the proposed use. Thus, the proposed inclusion of this parcel into the UGB, is compatible with the factor of retaining agricultural land.

*(g) Compatibility of the proposed urban uses with other adjacent uses*

**Finding:** Adjacent uses include farms, large lot rural residential uses, and urban residential development. The site is located on the edge of the Urban Growth Boundary. The proposed use is

ideally suited as a buffer use between urban development within the UGB, and surrounding rural uses. Rural agricultural uses are sometimes associated with dust from plowing, odors from farm animals, smoke from debris burns, and other effects. Adjacent residential uses and urban uses are sometimes disturbed by the impacts of these farm uses. A golf course is associated with many practices that can be similar to agricultural practices, such as mowing, spraying, and fertilizing. Therefore, golf course users will be more apt to respect adjacent agricultural practices. On the other side, residential and urban development is often attracted to be near golf courses, because of their scenic, open space and recreational qualities. Measures to reduce adverse impacts, such as water quality protections and protection from stray golf balls, can be built into the site design. Thus, the proposed uses are compatible with other adjacent uses.

**Conclusion:** The proposed urban growth boundary amendment is consistent with the NUAMC Urban Growth Boundary Amendment Criteria and the Goal 14 factors.

**III. Newberg Comprehensive Plan Amendment Criteria - Newberg Development Code, Section 151.122: The applicant must demonstrate compliance with the following criteria:**

- (a) *The proposed change is consistent with and promotes the goals and policies of the Newberg Comprehensive Plan and this Code.*

The following Goals and Policies of the Newberg Comprehensive Plan are relevant to this application:

***CITIZEN INVOLVEMENT***

***Goal: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.***

**Finding:** This proposed UGB amendment is consistent with this goal. By its very nature the public hearing process regarding this matter gives residents of the community an opportunity to become involved. The applicant has met with the City of Newberg staff, Yamhill County staff, Newberg Fire and Police Department representatives, and Yamhill County Farm Bureau. Public notice has been provided to all properties within 750 feet of the site and the proposed site use has been posted. Public notice has been provided to the state per state regulations. Public hearings are being conducted by NUMAC, City Council and the Board of County Commissioners regarding the proposed amendment, which will provide opportunities for public involvement and comments. Ultimately, an annexation application will be filed. The processing of that application will require two additional public hearings and a vote of the Newberg citizens.

***LAND USE PLANNING***

***Policy 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.***

**Finding:** This application is consistent with this policy. The application requests a review of the current Comprehensive Plan map and provides a basis for the Comprehensive Plan amendment and UGB amendment.

**AGRICULTURAL LANDS**

**Goal:** *To provide for the orderly and efficient transition from rural to urban land uses.*

**Policy 1:** *The conversion of land from agricultural to urban land uses shall be orderly and efficient.*

**Finding:** The proposed UGB amendment is consistent with this policy. The proposed addition of the project site into the UGB would provide needed area for open space and recreational facilities in the City. This site would provide a buffer or transitional area from urban areas to rural areas, where services are available or can be readily extended, thereby avoiding leap-frog development or other land consumptive practices.

**Policy 2:** *Inclusion of lands in agricultural use within the Urban Growth Boundary is recognition of a commitment of future urbanization, as such lands are necessary to meet long-range population and economic needs, based on criteria outlined in the statewide Urbanization Goal.*

**Finding:** The proposed UGB amendment meets the requirements of the Statewide Urbanization Goal as demonstrated below in Section I of this document under Goal14: Urbanization.

**WOODED AREAS**

**Goal:** *To retain and protect wooded areas.*

**Policy 1:** *Existing wooded areas shall be encouraged to remain as open areas for wildlife habitat and limited recreational uses.*

**Finding:** The wooded area within the riparian corridor on the site will be retained and preserved as permanent open space. The protection of this resource will help to provide continued maintenance of wildlife and fish habitat associated with the stream corridor, as well as provide a pedestrian and nature corridor for use by the public. To the greatest degree possible, all trees on this site will be preserved to enhance the golf course and the scenic and nature trails.

**Policy 2:** *Development in drainage ways shall be limited in order to prevent erosion and protect water quality. Trees provide needed protection from erosion and should be maintained.*

**Finding:** The stream corridor on the site will be set aside as permanent open space and park land. No development will occur in this area. Trees within the riparian corridor will be preserved to provide continued protection against erosion and to help maintain water quality by providing shade.

**AIR, WATER, AND LAND RESOURCE QUALITY**

**Goal:** *To maintain and where feasible, enhance air, water and land resource qualities within the community.*

***Policy 1: Development shall not exceed the carrying capacity of the air, water, or land resource base.***

**Finding:** The proposed UGB amendment will not exceed the carrying capacity of the air, water, or land resource base.

**Air Resources:** The proposed use of the site is recreational including a golf course, scenic pathways, interpretive areas, and a community garden. There will be minimal impacts on air quality. The proposed use has a positive impact on the air quality versus its current farm use because there will be no seasonal tilling, thus reducing dust particles. Pesticide use will be greatly reduced as compared to farm husbandry as indicated in the Golf Course Environmental Stewardship from Oregon State University [Applicant's Appendix 8].

**Water Resources:** The proposed use of potable water on the site is minimal which will have no detrimental effects on the water capacity. The irrigation for the proposed golf course can be obtained from one of many sources. Those sources include Otis Springs (currently not being utilized) or wastewater from the treatment plant, see the Public Utilities Availability Report [Applicant's Appendix 6]. Either of the named sources in the report will not exceed the carrying capacity of the water resource. The applicant will work with the City to determine the best source.

**Land Resource:** The addition of the proposed UGB amendment will add land to the City's resource base. The recreational use of the land as a golf course will not exceed the lands carrying capacity.

***Policy 2: Water quality in the Willamette River and tributary streams shall be protected.***

**Finding:** The riparian corridor along the tributary crossing the site that feeds into the Willamette River will be set aside and preserved as open space. No development will occur within this riparian corridor area. The quality of these riparian areas will actually improve with the proposed golf course use. Golf courses provide opportunities for environmental enhancement. Habitat enhancement designed to recruit and sustain wildlife is a desirable feature on golf courses for aesthetic and educational value added to the golfing experience.

***Policy 3: As public sanitary sewer becomes available, all development shall connect to the public system.***

**Finding:** Sanitary sewer is currently available in Fernwood Road adjacent to the site. This site will utilize the City sewer system: see the Public Utilities Availability Report [Applicant's Appendix 6].

### ***OPEN SPACE, SCENIC, NATURAL HISTORIC AND RECREATIONAL RESOURCES***

***Goal 1: To ensure that adequate land shall be retained in permanent open space use and that natural, scenic and historic resources are protected.***

**Finding:** The stream and riparian corridor on the site will be preserved as a riparian buffer thereby protecting natural water, land, vegetation, wildlife and fish habitat resources. The site as a whole will be preserved as open space. This will be the largest open space area in the community. The trail system will provide the public with an opportunity to enjoy the scenic and natural resources.

**Goal 2: To provide adequate recreational resources and opportunities for the citizens of the community and visitors.**

**Finding:** In May of 2001, Ordinance No. 2001-2550 was adopted to the City of Newberg's Development Code. This ordinance established a Community Facilities (CF) zoning district designation. This district is intended to be consistent with the Parks (P) and Public-Quasi Public (PQ) designations of the Comprehensive Plan. The purpose of this code amendment is to "ensure appropriate development of properties owned by public agencies such as the Chehalem Parks and Recreation District and intended to be used for community facilities, while encouraging the preservation of natural resources and open space inventoried under the requirements of the statewide planning goals." There is currently a deficit of land with this zoning and Comprehensive Plan designation within the City of Newberg. The subject site would bring some of the needed land into this designation.

The golf course will provide recreational needs for all ages of the community and the nature and scenic trails will provide opportunities for the public as part of the regional trail system.

The needs for this type of recreation is clearly identified by the Oregon Parks and Recreation Departments 2003-2007 Oregon Statewide Comprehensive Outdoor Recreation Plan(Draft) [Applicant's Appendix 10] which constitutes Oregon's basic five-year plan for outdoor recreation. It establishes the framework for statewide comprehensive outdoor recreation planning and the implementation process. The plan indicates that golf is the number one need in Region 1 (generally the Willamette Valley to the coast) and Region 2 (generally Portland Metro) in Oregon with walking and hiking being the number four need in our region.

**Goal 3: To protect, conserve, enhance and maintain the Willamette River Greenway.**

**Finding:** Although not directly in the Willamette River Greenway, this drainage shed does have an impact on the Willamette River Greenway. This goal indicates the need to protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway. This UGB amendment is consistent with this requirement by extending the greenway protection to the tributaries through this property and into CPRD's conservation easement to the north.

The preservation of the riparian and natural habitat, the provision of nature and scenic pedestrian trails, the intended recreational use of the golf course, and the Audubon Cooperative Sanctuary Program (ACSP) golf course methodology of construction and maintenance, as noted below under Goal 6: Air, Water and Land Resources Quality all contribute to positive impacts on the Willamette River Greenway.

**Policy 1(a). While the Land Use Inventory has shown that an ample amount of open space currently exists within the Urban Growth Boundary, the City shall insure that,**

*as development continues, adequate land shall be retained in permanent open space use.*

**Finding:** This policy is from a 1990 Comprehensive Plan statement. It does not accurately reflect the current deficit or future need of the City. The proposed park facility will dedicate nearly nine acres as riparian buffer in the Stream Corridor (SC) zone. The site as a whole will constitute the largest open space area in the community.

The following analysis has been conducted to provide a tool for estimating minimal park area needs. The standards for estimating park area are shown in Newberg Comprehensive Plan, Section II Goals and Policies, G. Open Space, Scenic Natural Historic and Recreational Resources, 4. Recreational Polices, policy g.

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.	200 acre minimum	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.

The following tables identify minimal park area needs based on population projections for Newberg and the surrounding Chehalem Parks and Recreation district service area and the revised "Park Area Standards".

<b>Minimal Park Area Needs</b>			
<b>*Parks Area Needs - City Service Area</b>			
Use	2003	2010	2020
Neighborhood Parks	46	68	83
Community Parks	93	135	165
City Parks	50	75	100
Regional parks	200	200	200
<b>TOTAL</b>	<b>389</b>	<b>478</b>	<b>548</b>
<b>*Parks Area Needs - CPRD Service Area</b>			
Use	2003	2010	2020
Neighborhood Parks	78	96	117
Community Parks	155	191	234
City Parks	50	75	100
Regional parks	200	200	200
<b>TOTAL</b>	<b>483</b>	<b>562</b>	<b>651</b>
<b>Population Projections</b>			
Area	2003	2010	2020
City UGB	18,500	27,000	33,200
CPRD Service Area	31,000	38,230	46,730

\* - This information is based upon the Park Area Standards and the Population Projections noted below.

This revised information necessitates the following revision to Newberg Comprehensive Plan Table IV-9, Land Use Requirements, 1990-2010”.

**TABLE IV-9  
TOTAL ACRES NEEDED BY USE  
1990 - 2010**

Use	1990	2000	2010	In UGB as of April, 2003*
Residential	1,580	2,090	2,765	2,055
Commercial	250	309	381	338
Industrial	490	730	1,087	606
Public	223	299	375	180
Parks	44	100	478	118
Unbuildable	462	462	462	269
<b>TOTAL</b>	<b>3,049</b>	<b>3,990</b>	<b>5,548</b>	<b>3,547</b>

\* Rights-of-way are not included

In summary, this needs analysis recognizes that the City currently has 360 acres less park land than it needs by 2010.

***Policy 1(b). In selecting areas to be maintained as open space, parcels shall be of adequate size and possess desirable qualities. Cost and ease of acquisition shall also be important considerations.***

**Finding:** The subject site is currently owned by the Chehalem Parks and Recreation District. The site is of sufficient size for a regulation golf course and is able to provide nearly nine acres of Stream Corridor (SC). The stream corridor is a desirable quality as is the location of the course in which a natural transition zone exists that will separate the rural areas from the urban areas. With the addition of the walking and hiking trails and interpretive areas throughout the entire 180-acre site, this will be the largest open space area in the City.

***Policy 1(e). The flood plains and natural drainage way areas in Newberg should be preserved with a largely open character to provide a basic open space framework for the community. The capacities of these areas shall be maintained to provide a natural storm water and natural system, as well as to continue to provide a natural habitat for local fish and wildlife. Natural drainage ways should be kept in open space uses. Bicycle and pedestrian pathways might be included in these areas. Care should be taken to minimize disturbances in these often erosive and steep areas. All uses should be compatible with the specific sites.***

**Finding:** The stream corridor on the site would be preserved as permanent open space and would maintain a natural storm water system, while continuing to provide wildlife and fish habitat and limited recreational opportunities via pedestrian and nature trails. Care will be taken to avoid erosion from runoff into the stream by dissipating flows, providing additional vegetation, and/or an additional outfall as needed. This preservation of open space will help to maintain the overall open space framework in the community. The site itself will provide a natural buffer between urban and rural areas and a cultural interface.

***Policy 2(a). The City shall take steps to improve the visual quality of the City.***

**Finding:** The proposed use of this site as a golf course will be a scenic amenity to the community and surrounding area. The pedestrian and nature pathways along the stream corridor that are part of the regional trail system are an improvement to the visual quality of the City.

**Policy 4(a).** *Recreational facilities and services shall expand to meet the growing recreational demands. In cooperation with Chehalem Parks and Recreation District, these demands shall periodically be assessed and plans for programs and facilities shall be revised accordingly.*

**Finding:** The CPRD has been studying the recreational needs of the community. They have determined that both the City and region need a golf course to fill the recreational needs as indicated in the Oregon Parks and Recreation Departments 2003-2007 Oregon SCORP (Draft) [Applicant's Appendix 10], which indicates that golf is the number one need in Regions 1 and 2 in Oregon. The CPRD is not satisfied however with just providing golf. The CPRD wants a facility that can be enjoyed by all at no cost. As a result they have designed a facility that will encourage bicycling, walking, hiking, and interpretive nature observation.

Allowance for creation of this golf park will assist in meeting the growing demands for the community. The current Newberg Comprehensive Plan states:

“Newberg’s vacant land will be marginally sufficient to the year 2000; projections for the following 10 years demonstrate that Newberg will be deficient in all categories, but especially so for residential and industrial uses.

The Comprehensive Plan provides less park and public/quasi-public lands than are projected as needed. The acreage provided for public/quasi public uses largely consists of areas already in these uses. Additional lands are intended to be transferred from residential areas as the need for specific sites becomes apparent.”

The process of this application provides for the periodic assessment of the recreational needs. The recreational opportunities and available land for recreation are at a deficit. The current Comprehensive Plan also suggest that residential land within the current UGB be transferred to recreational use, while at the same time acknowledging that a deficit of residential land is at a deficit. A golf park at the subject site would not require taking land from the current UGB residential land inventory, which would reduce the amount of residential inventory even more. With the subject site amended into the UGB, the growing recreational demands of the City will be addressed while leaving current UGB residential land untouched. Even if it made sense to take residential land for this use, there are currently no sites available within the UGB that can accommodate this facility as indicated in the Alternative Site Analysis [Attachment 6].

**Policy 4(b).** *To ensure 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.*

**Finding:** The Comprehensive Plan currently indicates a current and future deficit of available park land. The site is not only suitable but also ideal for the open space and proposed recreational use. The natural stream corridor and park like setting along with the

proximity to local residences makes it an ideal location. This is also the general location for a golf course as identified on the County's original Comprehensive Plan Map [Applicant's Appendix 9].

***Policy 4(c) The City shall encourage the establishment of a comprehensive program for sequential park and recreation land developed by the Chehalem Parks and Recreation District. Such a program would include planning in coordination with the state, county, and other affected agencies.***

**Finding:** This application is consistent with this policy. We are working in coordination with the State of Oregon by providing a recreational resource that has been identified by the Oregon Parks and Recreation Departments 2003-2007 Oregon Statewide Comprehensive Outdoor Recreation Plan(Draft) [Applicant's Appendix 10]. This plan indicates that golf is the number one need in Regions 1 and 2 in Oregon. In addition, Yamhill County, has suggested that a golf course be located in this very area. We are also working in coordination with Oregon Department of Transportation, with regard to bypass options that would enhance the location of the bypass. We further request that the City, County, and State continue to assist us in bringing this recreational land into the City and available to the public.

***Policy 4(d). High priority shall be given to recreational facilities and services designed to :***

- ***Meet recreational needs requirements for higher density areas.***
- ***Provide recreational opportunities for persons of limited mobility and finances.***
- ***Minimize the adverse impact on the environment.***
- ***Meet recreational needs of the area's citizens and visitors.***

**Finding:** This UGB amendment complies with the requirements of "High Priority" by providing a golf park with scenic and nature trail systems to meet the needs of higher density areas. It provides an economical way for golfers to participate close to home. It provides for minimal impact on the environment by the preservation of the riparian and natural habitat, the provision of nature and scenic pedestrian trails, and the use of Audubon Cooperative Sanctuary Program (ACSP) golf course methodology of construction and maintenance, all of which contribute to positive impacts on the Willamette River Greenway. The recreational needs of the local community and visitors will be greatly enhanced by providing a common recreational need for all ages including walking and hiking trails at no cost to the public.

***Policy 4(e). Recreational facilities shall be located throughout the planning area in order to minimize distances between residential areas and recreational opportunities.***

**Finding:** One of the factors in the selection of the proposed golf park is the size of available parcels. As indicated in the Alternative Site Analysis [Applicant's Appendix 4] the selected site is better than any alternative of the same approximate size. The stream corridors, location of the public facilities, and availability of public utilities all contribute to this being the ideal location.

A public golf course in Newberg will provide the only regulation 18-hole public golf course in the County. It will minimize travel time for local and Yamhill County golfers. It will also provide residents with close proximity to scenic and nature trails.

***Policy 4(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.***

**Finding:** This golf park has multiple uses and recreational opportunities. The golf course itself will provide for a recreational opportunity for all ages, the nature and scenic trails will provide for family level recreation, these same trails may serve as interpretive wildlife habitat and wetland areas, and a community garden is planned for local residents to utilize.

***Policy 4(h). Public and private recreational development will be encouraged on sites suitable for the proposed purpose.***

**Finding:** The site is not only suitable but also ideal for the open space and proposed recreational use. The natural stream corridor and park like setting along with the proximity to local residences makes it an ideal location.

***Policy 4(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.***

**Finding:** CPRD has studied the need for a golf course and has determined through its expertise and that of others that this is a recreational need in the community. This application is an example of cooperation with Yamhill County by providing a golf course in the area designated for one on the County's Comprehensive Plan Map. The City's approval of this application will continue the cooperation among the City, County and CPRD.

***Policy 4(k). The City will cooperate with the Chehalem Parks 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.***

**Finding:** The proposed location of the subject site is easily accessible from Fernwood Road within the City's UGB and is just two blocks of Highway 99W (Portland Road). The golf course, the scenic and nature trail system, the interpretive areas, and the community garden all represent recreational opportunities for all ages and interest groups.

***Policy 5(a). Newberg will encourage the protection, conservation, enhancement and maintenance of the Willamette River Greenway.***

**Finding:** Although not directly in the Willamette River Greenway, this site and drainage shed does have an impact on the Willamette River Greenway. The preservation of the riparian and natural habitat, the provision of nature and scenic pedestrian trails, the intended recreational use of the golf course, and the adherence to the Audubon Cooperative Sanctuary System golf course methodology of construction and maintenance, as noted above, all contribute to positive impacts on the Willamette River Greenway.

### ***The Economy***

***Goal: To develop a diverse and stable economic base.***

**Policy 1(a):** *In order to lessen the percentage of persons who live in Newberg but must work elsewhere, the City should encourage a diverse and stable economic base through tax incentive programs, land use controls, preferential assessments and capitol improvement programs. The formation of a community development corporation should also be considered.*

**Finding:** Providing a regulation size golf course will attract business to Newberg and create a financially self-reliant park facility within Newberg as indicated in the Market and Financial Analysis for Development for a Public Golf Course [Applicant's Appendix 7]. Amending the UGB to allow for this facility will encourage the economic base through land use controls.

**Policy 1(b):** *The City shall encourage economic expansion consistent with local needs.*

**Finding:** Providing a regulation size golf course will attract business to Newberg and create an economic inflow into the community. It will also provide for tourist-based services and will compliment the region's wine industry.

**Policy 1(c):** *The City will encourage the creation of a diversified employment base, the strengthening of trade centers, and the attraction of both capital and labor intensive enterprises.*

**Finding:** Providing a regulation size golf course will attract business to Newberg, create employment opportunities in the tourist trade industry, as well as providing employment within the golf course itself.

**Policy 1(d):** *Newberg will encourage the development of industries which represent the most efficient use of existing resources including land, air, water or land resource quality of the planning area.*

**Finding:** The proposed UGB amendment will provide recreational facilities that efficiently use the site for recreation, provides scenic nature trails, and provides a protected riparian corridor and transitional or buffer zone between urban and rural areas. The City could potentially provide existing non-potable water that it has available to the golf course for use as irrigation water.

**Policy 1(e):** *Economic expansion shall not exceed the carrying capacity of the air, water or land resource of the planning area.*

**Finding:** See response above under AIR, WATER, AND LAND RESOURCE QUALITY, Policy (1).

**Policy 1(g):** *The City shall encourage businesses and industry to locate within the Newberg City limits.*

**Finding:** The creation of a regulation size golf course will attract business to Newberg, and create employment opportunities. This UGB amendment will allow for the golf course itself to be within the City thus encouraging business.

***Policy 1(i): The City shall encourage tourist-related activities and services such as motor inns, restaurants, parks and recreation facilities, a visitor center, conference and seminar activities.***

***Policy 1(k): The City shall promote Newberg as a tourist destination location.***

**Finding:** Providing a regulation size golf course will assist in creating a tourist-related destination and promote similar tourist-related facilities. A golf course use is a high tourist-related activity that can stimulate additional tourist-related business. It will also compliment the wine industry in our region.

**TRANSPORTATION**

***Goal 2: Establish consistent policies which require concurrent consideration of transportation/land use system impacts.***

***Policy: Transportation improvements shall be used to guide urban development and shall be designed to serve anticipated future needs.***

**Finding:** The Traffic Impact Study prepared by Lancaster Engineering for this application [Applicant's Appendix 5] includes an analysis of potentially affected roadways and intersections and recommends roadway improvements and participation in off-site traffic safety improvements to provide for adequate circulation and access for the proposed project. Improvements to adjacent public streets will conform to standards in the City's Transportation System Plan (TSP) and Development Code. Half-street frontage improvements on Fernwood Road to comply with City standards are considered to be part of the requirements of this application. The Traffic Impact Study concludes that, outside of the frontage improvements, no impacts or improvements to the surrounding roadways are necessary due to increased traffic volume from this project, beyond those already planned for by the City of Newberg in their TSP. The proposed use of this site has minimal impact to "peak hour" trips.

***Goal 7: Minimize the capital improvement and community costs to implement the transportation plan.***

***Policy (i): New development and existing development undergoing expansion or modification shall be designed to accommodate planned long-term transportation improvement projects which are adjacent to the development.***

**Finding:** As discussed above, the Traffic Impact Study concludes that, outside of the frontage improvements, no impacts or improvements to the surrounding roadways are necessary due to increased traffic volume from this project beyond those already planned for by the City of Newberg in their TSP.

***Goal 8: Maintain and enhance the City's image, character and quality of life.***

***Policy c(1): New development and new transportation facilities shall be designed to meet the street classification and design and access standards identified in the Transportation System Plan.***

**Finding:** The transportation improvements required for this project will comply with all street classification and design standards as specified in the Newberg Development Code.

***PUBLIC FACILITIES AND SERVICES***

***Goal:*** To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

***Policy 1(a):*** The provision of public facilities and services shall be used as tools to implement the land use plan and encourage an orderly and efficient development pattern.

**Finding:** Public utilities can be efficiently extended to connect to existing services in adjoining public rights-of-way or public easements as described in the Public Utilities Availability Report [Applicant's Appendix 6]. This proposed site will have little impact on the public facilities.

***Sewer and Water Policies***

***Policy 2(b).*** Water systems within the planning area will be designed to provide an adequate peak flow for fire protection.

**Finding:** The proposed water system will be designed and tested to comply with the City's peak flow fire protection standards. The City has planned for growth of the city by providing a water reservoir. The proposed use of this site generates little impact for domestic water usage. The City of Newberg has indicated that this area is within their fire district and they can serve this project. See Service Provider Letters [Applicant's Appendix 2].

***Policy 2(c).*** Developments with urban densities should be encouraged to locate within the area, which can be served by Newberg's present sanitary sewer system.

**Finding:** The Public Utilities Availability Report [Applicant's Appendix 6] indicates that the City's sanitary sewer system has capacity to serve the proposed development. The proposed site will generate little impact on the sanitary sewer system.

***Parks Facilities Policies***

***Policy 7(a).*** In conjunction with Chehalem Park and Recreation District, park facilities shall be provided consistent with recreational needs.

**Finding:** The proposed UGB amendment is consistent with this requirement and promotes the recreational needs of the community. A market study has been performed for the purposes of this project. This market study analyzed the recreational needs of the community and indicates that golf is a major priority for recreational needs. The State of Oregon's Park and Recreation Department recognizes that golf is the number one recreational need for Region's 1 (including Clatsop, Tillamook, Lincoln, and Coastal-Lane Counties) and 2 (including Columbia, Washington, Multnomah, Hood River, Yamhill, Clackamas, Polk, and Marion Counties).

**URBANIZATION**

**Goal 1.** *To provide for the orderly and efficient transition from rural to urban land uses.*

**Finding:** The proposed addition of the project site into the UGB would provide needed area for open space and recreational facilities adjacent to the City. This would provide a buffer or transitional area from urban areas to rural areas, where services are available or can be readily extended, thereby avoiding leap-frog development or other land consumptive practices.

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

**Finding:** The proposed UGB amendment would modify the existing boundary to coincide with the lot lines of Tax Lots 4200, 3500, and 3400 as shown on the Map in Exhibit C. The City is adjacent to the site on the north and the west. Wilsonville Road constitutes the southern boundary of the site.

**(b)** *Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.*

**Finding:** Public facilities and services are available as stated above in Section I., Goal 11: Public Facilities and Services, and further described in the Public Utilities Availability Report [Applicant's Appendix 6], and Service Provider Letters [Applicant's Appendix 2].

**IV. Yamhill County Comprehensive Plan**

**Section I. Urban Growth and Change and Economic Development**

**A. Urban Area Development**

**Goal 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.*

**Response:** This proposed UGB Amendment is consistent with this Goal by providing a buffer or transitional area from an urban area to rural area where none currently exists. Services are available or can be readily extended, thereby avoiding leap-frog development or other land consumptive practices. This proposed site accommodates this intent.

The stream corridor will provide a sanctuary for pedestrian travel and nature paths connecting the residential areas to rural areas while at the same time preserving an important resource that will help to reduce soil erosion, maintain water quality in the Willamette River system, and conserve wildlife and fish habitat.

**Goal 3:** *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.*

**Response:** This application is consistent with this Goal. The proposed site is located such that it can be served by public facilities and provides an open space and recreational use that is close to neighborhoods. It will utilize the existing stream corridor and provide a buffer to that riparian area. It will provide a variety of recreational uses including golf, hiking, running, walking, interpretive areas, and a community garden.

***F. Economic Development***

***Goal 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.*

**Response:** The addition of this facility into the City will provide for local employment, entice businesses of all types into the vicinity and encourage a diversified economic base. This UGB Amendment will be a step toward balancing real property tax base by providing a balance in recreational amenities with the McMinnville Golf Course and the Newberg Golf Course.

***Policy 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.*

**Response:** Providing a regulation size golf course will attract business to Newberg and create an economic benefit to CPRD. It will also provide for tourist-based services and will compliment the region's wine industry.

***Policy B:*** *Yamhill County will encourage economic development projects which do not conflict with the predominant timber and agricultural character of the county.*

**Response:** The proposed use of the site does not conflict with the current use. It does utilize the existing natural stream corridor and associated woodlands by preserving them in a Stream Corridor (SC) designation. It is the intent of this golf course, to the greatest degree possible, to preserve trees to enhance the golf course and the scenic and nature trail experience.

***SECTION II. The Land and Water***

***A. Agricultural Lands***

***Goal 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.*

**Response:** This application requests that this farmland zoned property be converted to park land. This is an appropriate conversion because of the need for parkland, the location of the property, and the availability of public facilities.

**Goal 2:** *To conserve Yamhill County's soil resources in a manner reflecting their suitability for forestry, agriculture and urban development and their sustained use for the purposes designated on the county plan map.*

**Response:** This application request a Comprehensive Plan Amendment to convert this site to park land from farmland. This would promote the retention of the soils resource and natural resources.

**Policy A:** *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.*

**Response:** This application requests an exception to this policy based on the above findings.

### **B. Forest Lands**

**Goal 1:** *To conserve and to manage efficiently the county's forest and range resources, thereby ensuring a sustained yield of forest products, adequate grazing areas for domestic livestock, habitat for fish and wildlife, protection of forest soils and watershed, and preservation of recreational opportunities.*

**Response:** This application sets aside almost nine acres of Stream Corridor (SC) riparian buffer area for the protection of wildlife and fish habitat, and the preservation of woodlands around the stream. The entire site provides open space and recreational opportunities.

**Policy A:** *Yamhill County will cooperate with federal and State agencies, large private timber owners and small woodland owners to manage forest and grazing lands for the highest aggregate economic, recreational and ecological benefits which these lands can sustain, including timber production, livestock range, fish and wildlife habitat, watershed protection, erosion control and recreational use.*

**Response:** This application provides an opportunity for Yamhill County to cooperate in providing a substantial amount of open space, and preservation of stream corridors and riparian areas, while encouraging recreational activities.

### **C. Water Resources**

**Goal 1:** *To conserve and to manage efficiently our water resources in order to sustain and enhance the quantity and quality of flows for all consumptive and non-consumptive uses and to abate flood, erosion and sedimentation problems.*

**Response:** This application provides for the preservation of the stream corridor and riparian buffer that will protect the water quality, protect the area from erosion, and reduce the potential for sediment problems. The proposed use of the land is a non-consumptive use of the land resource.

**Policy J:** *It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review*

*land use applications for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizontally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (Natural Resource Conservation Plan, Yamhill County, Oregon, May 1979 -U.S.D.A. - Soil Conservation Services), that are not regulated under the Forest Practices Act.*

**Response:** See response directly above under *Water Resources Goal 1*.

### **E. Open Space**

**Goal 1:** *To insure the continuance of the open space character that has always existed in Yamhill County.*

**Response:** This UGB Amendment would secure the largest open space in the community and maintain the character that exists in Yamhill County by preserving the stream corridors and retaining the entire site as open space.

**Policy A:** *Yamhill County will cooperate with all governmental and recreation agencies within the region to identify open space and scenic resources, to determine resident and non-resident recreation needs, and to formulate and implement measures for open space preservation and use.*

**Response:** This application provides an opportunity for Yamhill County to cooperate with the Chehalem Parks and Recreation District, the City of Newberg, and the State of Oregon. This opportunity will provide scenic resources and recreational needs that have been identified in the *Market and Financial Analysis for Development for a Public Golf Course (Appendix 7)* and as identified by the Oregon Parks and Recreation Department's *2003-2007 Oregon Statewide Comprehensive Outdoor Recreation Plan(Draft) (Appendix 10)* which indicates that golf is the number one need in Regions 1 and 2 in Oregon.

**Policy B:** *The inventory will include, but not be limited to the location, quantity and quality of the following resources: fish and wildlife habitats; ecologically and scientifically significant natural areas; outstanding scenic view and sites; water areas, wetlands, watersheds, and groundwater resources; wilderness areas; historic areas, sites, structures and objects; cultural areas; potential and approved Oregon recreation trails; potential parks and recreation sites.*

**Response:** This proposed UGB Amendment provides an ideal location for the site as indicated in the *Alternative Sites Analysis (Appendix 4)*. The site provides a quality riparian buffer and wildlife area, scenic and nature trails, and a significant area for scenic recreation opportunities.

**Policy C:** *Where conflicting uses are identified concerning an open space, natural or scenic resource proposal, the economic, social, environmental and energy consequences of the conflicting uses will be determined and programs developed to achieve the goal.*

**Response:** None of the surrounding uses cause a conflict to this open space.

**Goal 2:** *To preserve and improve potential recreational and other open spaces in both urban and rural environments for all to enjoy.*

**Response:** This application not only preserves a significant area for open space but also creates and improves the space at a location that will provide a much needed buffer between urban and rural areas. The site provides scenic and recreational opportunities for all ages.

**SECTION III. Transportation, Communications and Public Utilities**

**A. Transportation**

**Goal 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.*

**Response:** The traffic impact from the creation of the proposed open space and recreation area is minimal as indicated above in: *Section III., City of Newberg Comprehensive Plan Amendment – Section 10.20.030, K. TRANSPORTATION, Goal 2, page 20.*

**Policy R:** *The County will continue to work with the State, the City of Newberg, and the City of Dundee on alternatives for routing Highway 99W traffic through or around Newberg and Dundee.*

**Response:** The applicant is working with the bypass committee on providing improved alternatives for the bypass around this particular property.

**SECTION IV. Public Land, Facilities, and Services**

**B. Parks and Recreation**

**Goal 1:** *To provide adequate recreational opportunities in both the rural and urban environments to meet existing and projected needs.*

**Response:** This proposed UGB Amendment provides much needed recreational area and open space. The current inventory for park land is inadequate.

**Policy A:** *Yamhill County will cooperate with all governments and recreation agencies within the region to identify recreation, open space, and scenic resources; determine resident and nonresident needs and formulate and implement measures for providing recreation services.*

**Response:** This application provides a needs assessment through the *Market and Financial Analysis for Development for a Public Golf Course (Appendix 7)*, input from the Chehalem Parks and Recreation District, and the Oregon Parks and Recreation Department. The current inventory of park land is inadequate as identified in *Section II., Newberg Comprehensive Plan - Park Land Area Needs Adjustment.*

**Policy D:** *Yamhill County will encourage the location of urban parks in scenic areas which are easily accessible to much of the urban population and which can be developed to provide recreation opportunities for a variety of age and interest groups.*

**Response:** This application provides an urban park that is easily accessible for the community, in a location that is Yamhill County's second largest urban area. It provides a buffer from that urban area to rural areas, provides nature trails and scenic views, and a variety of recreational opportunities for all ages.

**Policy F:** *Yamhill County will encourage an appropriate amount of park and recreation development designed to meet the needs of the transient and regional population.*

**Response:** This application provides a recreational opportunity for the local, regional, and transient population as shown in the attached *Market and Financial Analysis for Development for a Public Golf Course (Appendix 7)*.

**Policy G:** *Yamhill County will promote the development of an integrated bicycle and pedestrian trail system to provide recreational opportunities and to link open space, Yamhill County communities, and park areas.*

**Response:** A portion of Spring Brook, a tributary of the Willamette River, traverses the subject property. To protect this resource and to preserve open space and wildlife habitat, a stream corridor buffer will be provided that will not be developed. This corridor will contain pedestrian access to scenic nature trails and provide recreational opportunities for the public. This trail system is intended to be part of a regional trail system from the riverfront to the rural areas.

**Policy I:** *Yamhill County will encourage cooperation among government agencies to increase recreation opportunities, programs and facilities for county residents, and will explore the possibilities of providing recreation programs for the small towns and rural areas of the county.*

**Response:** This application provides an opportunity for Yamhill County to assist in providing the City of Newberg with recreational opportunities and scenic open space for the community as well as the regional and transient population.

### **C. Willamette Greenway**

**Goal 1:** *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River.*

**Response:** See response below under: *Section VI., Statewide LCDC Goals, Goal 15, Willamette River Greenway, page 36.*

## **SECTION V. Environmental Quality**

### **A. Air, Water and Land Resources Quality**

**Goal 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.*

**Response:** This application provides the largest open space and recreational area in the community. It will enhance the beauty and tranquility of the area and protect the natural riparian areas for all to enjoy.

*Goal 2: To preserve and enhance the charm and amenity values of the county, while accommodating change, through ensuring harmony between urban development and the natural environment, at the same time cultivating more attractive urban environments in which to live, work and play.*

**Response:** This UGB Amendment will provide open space and recreational facilities that will enhance the area by providing a transitional buffer between the urban areas and the rural areas of the community. This will create a harmonious recreational area while utilizing the natural scenic attributes of the site.

*Policy B: Yamhill County will work to maintain a healthy natural balance among the many life forms existing together within the region.*

**Response:** The open space that this application provides will assist in maintaining a healthy balance for the wildlife habitat and riparian area and provide scenic and recreational amenities for the residents of the area.

## V. Yamhill County Transportation System Plan

### 5.2.2 Access Management/Functional Classification/ Roadway

*Goal 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.*

**Response:** See response above in Section III., *City of Newberg Comprehensive Plan Amendment – Section 10.20.030, II GOALS AND POLICIES, K. TRANSPORTATION*, page 20.

*Goal 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.*

**Response:** See response above in Section III., *City of Newberg Comprehensive Plan Amendment – Section 10.20.030, II GOALS AND POLICIES, K. TRANSPORTATION*, page 20.

**Goal 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.*

**Response:** The City of Newberg is in the process of a UGB Amendment to include Fernwood Road in the UGB and annex the road into the City. At the time of development the CPRD will provide street frontage improvements on Fernwood Road. For a more lengthy discussion see response above in *Section III., City of Newberg Comprehensive Plan Amendment – Section 10.20.030, II GOALS AND POLICIES, K. TRANSPORTATION*, page 20.

**V. Court of Appeals Decision DLCD vs. Yamhill County, 183 Or App 556(2002):**

**A question was raised whether DLCD vs. Yamhill County raises a roadblock to the current applications.**

**Finding:** This Court of Appeals decision establishes that a local government cannot take an exception to a Statewide planning goal to provide for a proposed use that can occur without an exception. However, this opinion does not control the current decision. The application seeks to bring property into the Newberg Urban Growth Boundary to site a golf course. *DLCD v. Yamhill County* did not involve a UGB Amendment. Goal 14 and OAR 660-004-0010(1)(c)(B) specifically provide that all UGB Amendments require a goal exception. In addition, under OAR 660-033-0120 and 660-033-0130(18), there are no circumstances in which a golf course could be located on the subject property without an exception to Goal 3. Therefore, even if *DLCD v. Yamhill County* did apply, it would not bar adoption of this UGB Amendment.

**VI. ORS Standards:**

**ORS 197.298 (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:*

An alternatives analysis was undertaken by The Bookin Group on behalf of CPRD. This study provides findings addressing each criterion in detail. These factors are also addressed under Section I, Goal 3. The responses are summarized below:

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

**Finding:** The analysis looked at all designated urban reserve land for inclusion in the urban growth boundary. The study found that none of the proposed sites within the URA was of sufficient size, even with a reasonable consolidation of properties, to accommodate the proposed golf course use. Thus, no existing urban reserve land could be included to meet the identified need for the golf course “park” land.

- (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.*

**Finding:** The alternatives analysis also looked at the exception areas and nonresource lands. The study found that none of these sites were adequate to accommodate the amount of land needed to meet the identified need for the golf course.

*(c) If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247 (1991 Edition).*

**Finding:** No designated marginal land is located in the area.

*(d) If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the amount of land needed, fourth priority is land designated in an acknowledged comprehensive plan for agriculture, or forestry, or both.*

**Finding:** The proposed site is designated for agriculture. Because none of the above land is adequate to accommodate the amount of land needed for the golf course, this fourth priority land may be included in the Urban Growth Boundary.

**ORS 197.298 (3) states:**

*(3) Land of lower priority under subsection (1) of this section may be included in an urban growth boundary if land of higher priority is found to be inadequate to accommodate the amount of land estimated in subsection (1) of this section for one or more of the following reasons:*

*(a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;*

**Finding:** These findings identify a need for an approximately 175 acre golf course within the Newberg UGB. The alternatives analysis shows that this specific type of identified land need cannot be reasonably accommodated on higher priority lands. The study found that no parcels of land in the URA or exception areas contain a sufficient amount of land for an 18-hole golf course, even if adjacent parcels were to be consolidated to a reasonable extent.

*(b) Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or*

*(c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands. [1995 c.547 §5; 1999 c.59 §56]*

**Finding:** Maximum efficiency of land use would ideally call for a golf course to be located on the fringe of an urban area. If the golf course were located in the middle of the urban area, it would create a barrier to travel, creating a need for long travel around it. If it were located in a rural area, it would create a need for trips outside the urban area to the property. On the edge, it suffers from neither of these problems.

In addition, a fringe golf course site is ideal for utility extensions. If a golf course is in the middle of an urban area, then it is very expensive to extend sewer lines, water lines, and other utilities all around the site. If it is located in a rural area, then it too would be expensive to extend services. At the edge, utilities can be extended to the golf course, but a great extra expense is not needed to extend them around it.

The alternatives analysis showed no other higher priority sites in the fringe area that could accommodate the need. Thus, maximum efficiency of land uses requires this lower priority land to be brought into the UGB.

**VII. OAR Standards:**

**OAR 660-Division 4.** OAR 660-Division 4 exceptions standards interpret the Goal 2 Exception Process as it applies to statewide Goals 3 to 19. OAR 660-004-0010(1)(c)(B) states:

*When a local government changes an established urban growth boundary, it shall follow the procedures and requirements set forth in Goal 2 "Land Use Planning," Part II, Exceptions. An established urban growth boundary is one which has been acknowledged by the Commission under ORS 197.251. Revised findings and reasons in support of an amendment to an established urban growth boundary shall demonstrate compliance with the seven factors of Goal 14 and demonstrate that the following standards are met:*

- (i) Reasons justify why the state policy embodied in the applicable goals should not apply (This factor can be satisfied by compliance with the seven factors of Goal 14.)*
- (ii) Areas which do not require a new exception cannot reasonably accommodate the use.*
- (iii) The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site.*
- (iv) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.*

**Finding:** Findings indicating compliance with these exception criteria are included in Section I, Goal 3.

**OAR 660-012-0060.** Plan and Land Use Regulation Amendments. *Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either: (a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility; (b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division; (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or (d) Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multi-modal travel choices are provided.*

**Finding:** Newberg's TSP contains several anticipated improvement projects in this area in the future. A traffic study prepared by Lancaster Engineering reviewed the existing transportation system, as well as proposed modifications to the system anticipated in the future. The traffic study did not identify any improvements needed to the existing system other than those already identified through Newberg's Transportation System Plan.

Further findings regarding Goal 12 can be found in Section I K.

**OAR 660-021-0060** - This OAR establishes the urban growth boundary expansion priorities and states:

*All lands within urban reserve areas established pursuant to this division shall be included within an urban growth boundary before inclusion of other lands, except where an identified need for a particular type of land cannot be met by lands within an established urban reserve area.*

**Finding:** This rule is addressed under the findings in Section IV., ORS 198. These findings show that there is an identified need for a particular type of land: land suitable for a golf course. These findings also show that this identified need cannot be met by lands within the Newberg Urban Reserve Area. Therefore, this property outside the Urban Reserve may be brought into the UGB to meet the identified need.

#### VIII. Goal 14 Factors:

- a) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.
- (b) Need for housing, employment opportunities, and livability;
- (c) Orderly and economic provision for public facilities and services;
- (d) Maximum efficiency of land uses within and on the fringe of the existing urban area.
- (e) Environmental, energy, economic and social consequences;
- (f) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and
- (g) Compatibility of the proposed urban uses with nearby agricultural activities.

**Finding:** This requirement has been satisfied as demonstrated by compliance the Newberg Urban Area Management Agreement Urban Growth Boundary criteria. See Section II.

#### IX. Conclusion:

Based on all of the above mentioned findings, the application meets the criteria for an Urban Growth Boundary amendment. The applicant has demonstrated that Newberg needs approximately 175 acres for a golf course. There is not sufficient land within the Urban Growth Boundary to accommodate this need.

There are no other sites available that would have less impact on agricultural lands. Environmental impacts would be minimal; impacts would be mitigated through the stream corridor overlay and through implementation of the Audubon Program for golf course development. The transportation and utility plans provides sufficient facilities for this use. The applicable criteria are met, and the application is approved.