

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

FILM 74 PAGE 150

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Approval of an Urban Growth)
 Boundary Amendment to Annex Approximately 29.2)
 Acres into the City of Newberg, Changing the)
 Comprehensive Plan Designation from the County's)
 Very Low Density Residential to the City's Public/)
 Quasi-Public and Change to Zoning from Very Low) ORDINANCE 717
 Density Residential 2.5 and Exclusive Farm Use 40)
 to Institutional (I) to Develop a Hospital, Applicant)
 Providence Health Systems, Docket PA-04-01;)
 Tax Lots 3216DA-2000 and 3216-1903; and)
 Declaring an Emergency)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in formal session on September 12, 2002, Commissioners Robert Johnstone, Leslie Lewis, and Thomas E.E. Bunn being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

- A. Applicant Providence Health Systems applied for an urban growth boundary amendment to annex approximately 29.2 acres into the city of Newberg. This action would change the plan designation from the County's Very Low Density Residential to the city's Public/Quasi-Public and change the zoning from VLDR 2.5 and EF-40 to Institutional (I). The purpose of the request is to develop a regional medical center to replace Providence Newberg Hospital.
- B. A public hearing was held by the Newberg Urban Area Management Commission on January 23, 2002. After taking testimony, closing the hearing, and deliberating the issues, the Newberg Urban Area Management Commission was unable to reach a majority decision on the request. The Commission unanimously approved a motion to forward the matter to the City Council and Yamhill County Board of Commissioners without a recommendation.
- C. A duly noticed public hearing was held March 4, 2002 by the Newberg City Council. After hearing from concerned parties and duly deliberating, the Council voted to approve the application.
- D. A duly noticed public hearing was held April 25, 2002 by the Yamhill County Board of Commissioners. The applicant was represented by attorney John Bridges. Opponents from the Department of Land Conservation and Development requested a continuance and this was granted by the Board. After the open record period had passed the Board re-opened the hearing, duly deliberated, and voted

B.O. #02-646

unanimously to approve the application with the adoption of findings, and these were adopted on May 16, 2002.

E. 1000 Friends of Oregon timely appealed the Board's decision to LUBA. After negotiations between the City of Newberg, Yamhill County, Providence Hospital, and 1000 Friends, it was agreed the County would revise its decision and adopt additional findings justifying the acreage requested.

F. A duly noticed public hearing was held August 8, 2002, continued until September 5, 2002, at the request of the applicant's attorney, Mr. John Bridges. The Board heard testimony from interested parties, duly deliberated, and continued the hearing until September 12 for decision. NOW THEREFORE:

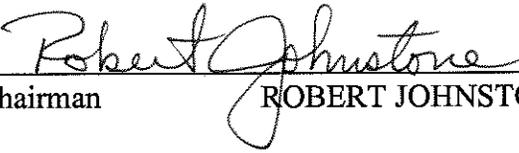
IT IS HEREBY ORDAINED BY THE BOARD that application PA-04-01 is re-approved for the reasons stated in the Findings for Approval and attached and incorporated into this ordinance as Exhibit "A". The zoning on Tax Lots 3216DA-2000 and 3216-1903 is hereby changed from VLDR 2.5 and EF-40 to city Industrial (I). A map showing the property in question is attached and incorporated into this ordinance as "Figure 8A". This ordinance, being necessary for the health, safety and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, is effective upon passage.

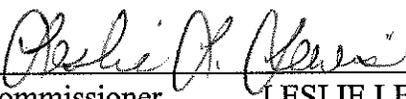
DONE at McMinnville, Oregon this 12th day of September, 2002.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STEIN
County Clerk
By: 
Deputy KELLY SPENTERS


Chairman ROBERT JOHNSTONE


Commissioner LESLIE LEWIS

FORM APPROVED BY:


RICK SANAI
Assistant County Counsel


Commissioner THOMAS E. E. BUNN

FINDINGS for APPROVAL Ordinance 717
Exhibit "A"
Providence Hospital UGB/Annexation

As a result of discussions between Friends of Yamhill County, Providence, Yamhill County, and the City of Newberg, Providence has developed the attached Figure 8A showing the revised areas inside and outside the UGB, along with this text and attached Table 7A, explaining why this particular site requires 37.7 gross acres for the proposed regional medical center, as opposed to the 21-acre minimum figure that was described in Providence's original application, at Tables 6 and 7. The gross area estimates that were developed in Tables 6 and 7 were minimum numbers prepared for use in the required Goal 2 needs analysis. The estimate was not developed to serve as a basis for determining how big any particular site might need to be. The county's decision involves only 29.2 acres. On this particular site there are a number of adjustments that need to be made to this needed area estimate, given the relationship of the property to the surrounding area, including such things as its relationship to Highway 99, the property to the south, and Klimek Lane. The resulting configuration of streets and other infrastructure on site, along with existing constraints like the historic mound, create additional development limitations that constrain the site. In the text and table that follows, these adjustment factors are discussed and acreage estimates have been assigned to each factor. Once these site-specific adjustments are made to the "21-acre minimum" estimate used in the applicant's needs analysis, it becomes clear why Providence needs an area of 37.7 acres on this particular site, to properly locate the proposed regional medical center.

The following adjustments justify why the original 21-acre "needed area" estimate justifies a 37.7-acre area on this particular site:

1. Mound Area (+ 2 acres). Within the 8.5-acre portion of the site already in the UGB, an area of roughly 2 acres is constrained by the slopes of a mound that has local historical significance. Providence's conceptual site plan has planned its structures, parking, and roadways to avoid this area. This area was not contemplated in the original needs analysis.
2. Gateway Triangle (+ 2 acres). The configuration of Highway 99, relative to the site, requires that the internal street grid be located at right angles to Highway 99, and that the entry roads be located at specific locations relative to other planned and existing streets in the area. The resulting on-site street configuration creates a narrow triangle in the northeast corner of the property. This area was not contemplated in the original needs analysis. We would anticipate using this area to visually help define the entry to the city and the medical center.
3. Klimek Lane Connection (+1.5 acres). It is anticipated that at some point, direct access to Highway 99 from Klimek Lane may be restricted. Providence has anticipated the need to extend Klimek Lane in a southwest direction to accommodate future public access to this street if needed in the future. The area needed to accommodate this extension was not contemplated in our original needs analysis.

4. Southern Property Access (+2.2 acres). It is anticipated that as some point, a street will need to be located along the southern boundary of the site to facilitate cross circulation in this area when it develops. The size and location of this street and the setbacks from it were not contemplated in our original needs analysis.

5. Highway 99 Buffer (+ 3.5 acres). Highway 99 is and will continue to be a major arterial street carrying high volumes of trucks and other vehicles. The noise and other disruptions from this arterial street will need to be buffered from the hospital in order to provide the type of healing environment desired by the community, the hospital, and its patients. This buffer will also help create a more pleasing gateway to the city and the medical center itself. The need for this buffer along Highway 99 was not contemplated in our original needs analysis but is necessary and appropriate for this site.

6. Water Quality Corner (+ 3 acres). While it was anticipated that some area would be needed for a water quality facility, given the layout of this site and its relationship to the creek where stormwater will eventually drain to, the far southeast corner of the site contains a relatively large area that is the natural location for a stormwater facility. Again, this open space will provide a logical buffer on the southeastern edge of the site, as the area transitions to rural uses beyond. The size and location of this area was not contemplated in our original needs analysis.

7. Conference Center Open Space (+ 2 acres). Because of the location of the mound and the nearby street grid, a relatively large area south of the mound is anticipated to be used as open space associated with the conference center. This area does not lend itself to development as it might have if the mound was not a constraint and the street grid could be laid out differently. This additional area was not contemplated in our original needs analysis.

8. Helipad Area (+ .5 acres). During the course of site planning, Providence needed to locate a helipad somewhere within the medical center, near the hospital. Because the helipad needs space around it to buffer it from adjacent buildings, parking, and pedestrian areas, locating the helipad on this particular site required additional area that was not contemplated in our original needs analysis.

These site specific adjustments increase the total land area needed for the proposed regional medical center by approximately 16.7 acres, beyond the original 21 acres identified in the applicant's generalized needs analysis. This site specific adjustment brings the total area needed within the UGB to 37.7 acres. From this 37.7 acres, 8.5 acres is already located within the UGB and should be subtracted, leaving an area of 29.2 additional acres to be added to the UGB to accommodate the medical center's needs on this particular site. These 29.2 acres are the subject of this ordinance. It should be noted that the original proposal requested that 37.5 acres be added to the UGB. The revised proposal requests that 29.2 acres be added to the UGB, resulting in an 8.3-acre reduction in this UGB request. In terms of locating the UGB on site, the proposed sanitary sewer easement will be used to define this line. The proposed sanitary sewer easement will be located where a natural change in topography occurs, as shown in figure 8A. This easement will encompass Providence's Phase IV site

plan area and the Klimek connection, thereby creating a logical boundary between the urban and rural portions of the site.

FIGURE 8A
July 1, 2002

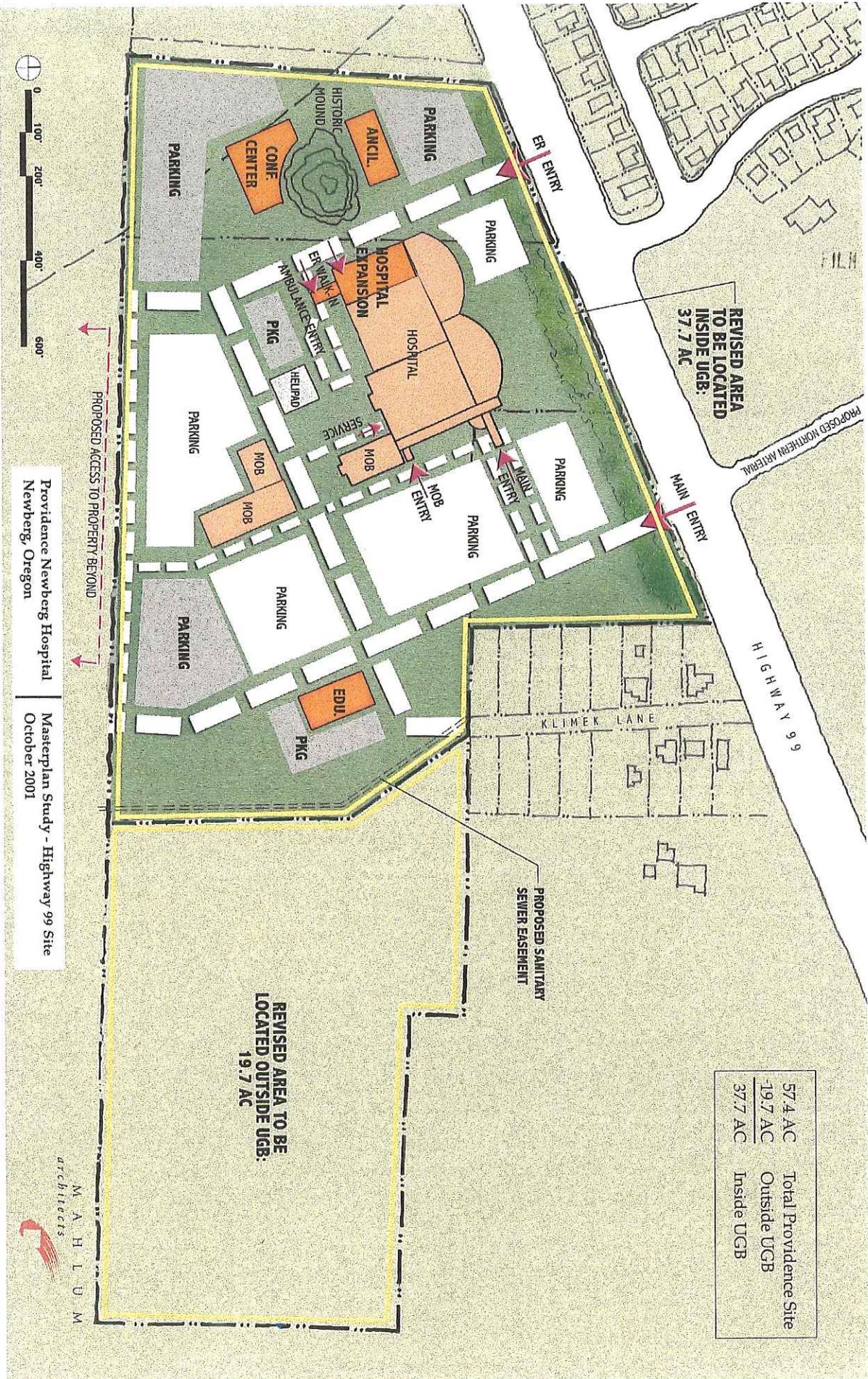


TABLE 7A
SITE SPECIFIC AREA ADJUSTMENTS
PROVIDENCE NEWBERG REGIONAL MEDICAL CENTER

| <i>AREA</i> | <i>AREA SIZE</i> | <i>REMAINING TOTAL SIZE</i> |
|------------------------------|------------------|-----------------------------|
| Total Providence Site | 57.4 AC | |
| Outside UGB (revised area) | 19.7 AC | 37.7 AC |
| Inside UGB | | 37.7 AC |
| Mound Area | 2 AC | 35.7 AC |
| Gateway Triangle | 2 AC | 33.7 AC |
| Klimek Lane Connection | 1.5 AC | 32.2 AC |
| Southern Property access | 2.2 AC | 30.0 AC |
| Highway 99 Buffer | 3.5 AC | 26.5 AC |
| Water Quality Corner | 3 AC | 23.5 AC |
| Conference Center Open Space | 2 AC | 21.5 AC |
| Helipad Area | .5 AC | 21.0 AC |
| Adjusted Site Area | | 21.0 AC |

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| Adjusted Site Area | | 21.0 AC |