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To Whom It May Concern:

I would like to file two objections to the park land projection included in the filing by the City of McMinnville of its Housing Needs Analysis and Economic Opportunities Analysis as part of its sequential Urban Growth Boundary process. I provided both written and oral testimony during the hearing process (Record, pages 1653, 2126-2225; Record Addendum #1, page 1).

**Objection 1: Buildable Land Need Overstated by 168 acres**

The justification for the land added for parks rests solely on the City's interpretation of the Parks, Recreation and Open Space (PROS) Master Plan adopted in 1999 (Record, pages 2129-2220). The plan was written to cover a 20-year time frame (Record, page 2139), but the Plan itself actually refers to the proposed projects being completed by 2017 (Record, page 2149).

The 1999 PROS Plan called for the city to "Acquire and develop 103.5 acres of community parks and at least 76 acres of neighborhood parks" (Record, page 2136). The record shows that in fact during the last 25 years the City has developed approximately 50 acres of parks (Record, page 2221).

The PROS Plan said a budget of \$50.4 million (1999 dollars) would be required to accomplish the proposed development (Record, page 2201). That included \$13 million in General Obligation Bonds and \$10 million in System Developments Charges (SDCs) and the rest of the money coming from grants, donations and other tax revenues (Record, pages 2201-2203).

In reality, the General Obligation Bond was \$9.5 million, the SDCs were never raised to the level suggested in the PROS Plan and other funds were either not received or never sought. The City essentially spent about \$10 million over the past 25 years to develop the 50 acres of park (Record, page 2221).

The city's plan amendments assume a need for 392 acres of park land through 2041 (Record, page 334). The assumption is for all 392 acres of park land to be buildable land. Historically, over the past 25 years and before that parks in McMinnville have been located on both buildable and unbuildable land, so not all of the 50 acres of parks developed since 1999 were on buildable land (Record, page 2127).

Land set aside for Urban Growth Boundary expansions for parks has an important factual difference from land reserved for housing or job growth—namely that the City is responsible for not only identifying the land need but also raising the funding and constructing the parks. If housing, business or industry do not choose to develop land made available for their use, the City can hardly be blamed. With land available for parks it is the City's own fault that the parks have not been developed. Adding more lands to the UGB for parks when you cannot afford to acquire and develop them on the land already in the boundary does not make sense.

Further, pointing to the need for an updated PROS Plan before undertaking park construction avoids the City's real issue—lack of funding to construct the parks. The City is solely responsible for the fact that the PROS Plan has not been updated in a timely manner. After being awarded 254 buildable acres of land for park development in a UGB amendment the City approved in 2020, the City has neither started building parks under the old PROS Plan nor adopted the new PROS Plan to start developing under. Yet, here they are asking for more buildable land for parks, and even claiming that the 1999 PROS Plan can be used to justify park land need through the year 2067 for an Urban Reserve Area (Record, page 189).

The city claims that it needs 392 acres of buildable residential land for parks through 2041, including 254 acres on land recently added to the UG and another 138 acres beyond the current boundary. Can any reasonable person look at the performance of the City of McMinnville over the past 25 years (approximately 50 acres of parks developed), look at the buildable land in the current boundary that the city says will be parks and conclude that another 138 acres of buildable land beyond the current UGB is needed by 2041?

Even if you accept the absurd notion that 392 acres will be turned into parks in the next 17 years (more than doubling the City's total park acreage), that calculation of park land need is based on what the EOA claims is the Parks Master Plan standard of 14/acres per thousand residents (Record, page 337). In fact, if you read the 1999 PROS Plan standard it recommends in Table 2 creating 2 acres/thousand for Neighborhood Parks, 6 acres/thousand of Community Parks and 6 acres/thousand of Greenspace/Greenways/Natural Areas (Record, page 2149). The 8 acres/thousand standard for Neighborhood and Community Parks was embedded in Comprehensive Plan Policy 163.05, identifying their location as being outside the floodplain, but not necessarily on buildable land. That same plan policy also states that unbuildable floodplain is appropriate for some of the park types that make up the 392 acres the city claims to need.

*163.05 The City of McMinnville shall locate future community and neighborhood parks above the boundary of the 100-year floodplain. **Linear parks, greenways, open space, trails, and special use parks are appropriate recreational uses***

*of floodplain land to connect community and other park types to each other, to neighborhoods, and services, provided that the design and location of such uses can occur with minimum impacts on such environmentally sensitive lands.*  
(Emphasis added)

In addition, the land need for Greenspace/Greenways/Natural Areas was not called out for buildable land in the Comprehensive Plan and the PROS Plan itself identifies that land as “an area of natural quality that protects valuable natural resources and provides wildlife habitat.” (Record, page 2145) By definition most if not all of this land will not be buildable. This is the land that developers eagerly donate to the City for parks because they do not want legal responsibility for maintaining it. As I pointed out in my local testimony, about 200 acres of this sort of unbuildable land was added to the UGB in 2020 and even more will be added during this process (Record, page 2127). There is plenty of available unbuildable land to meet the 6 acres/thousand standard.

When this point was raised during the Planning Commission hearing, City staff indicated that buildable land for greenspace and greenways could later be removed as an “efficiency measure”. (Record Addendum #1, page 17) It is not an efficiency measure to fix something that is not legally justified in the first place. In this case an efficiency measure would be to acknowledge that Neighborhood and Community parks are enhanced by including water features like creeks (i.e., unbuildable land) and thereby reduce the buildable acreage required for these park types. Incorporating creeks into these park types is exactly what the city has previously done in City Park and Wortman Park (Record, page 2222).

The 6 acres/thousand for greenspace and greenways does not require buildable land per the PROS Plan or per the Comprehensive Plan. I would ask that DLCDC require the City to reduce its request for buildable land by 168 acres<sup>1</sup> of buildable land to correct this deficiency.

## **Objection 2: The 2041 Need for Park Land is Overstated by 76 Acres**

The City’s assertion that it needs 392 acres of parkland to meet its need in the year 2041 is incorrect. The record clearly states that the City currently has 349 acres of park land—273 acres developed and 76 acres undeveloped. The City did not include the 76 acres of undeveloped land as available for future parks (Record, page 337). The purpose of undeveloped park land is to eventually develop it into new parks; otherwise, it would be included in the buildable lands inventory as being available for other land uses.

Thus, the need for park land in 2041 is **not** 392 acres (665 acres minus 273 acres); rather, it is 316 acres (665 acres minus 349 acres). The difference is the 76 acres of undeveloped park

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<sup>1</sup> The calculation of 392 needed park acres is based on 14 acres/thousand population. Acknowledging that 6 acres that could be on unbuildable land means 6/14 of the request should be removed. 6 divided by 14 times 392 equals 168 acres (6/14\*392=168).

land. I would ask that DLCD require the City to reduce its request for buildable land by 76 acres to correct this calculation error.

I would also note that by making this correction first, the amount of my proposed reduction in buildable land in Objection 1 would be reduced to 135 acres<sup>2</sup>.

Thank you for considering my statements on this matter.

Sincerely,

*Mark Davis*

Mark Davis

CC: *sent via email*

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<sup>2</sup> If the needed park land is 316 acres, 6/14 of 314 acres would be 135 acres (6/14\*316=135).