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MARION COUNTY PUBLIC WORKS

MEMORANDUM

TO: Marion County Board of Commissioners

FROM: Marion County Public Works/Planning – Austin Barnes

SUBJECT: Amendment to the Marion County Comprehensive Plan –City of Aumsville Urban Growth Boundary Amendment (Legislative Amendment 23-003)

DATE: January 31, 2024

BACKGROUND

This matter comes before the Marion County Board of Commissioners at the request of the City of Aumsville for concurrence in and adoption of an amendment to the Aumsville Urban Growth Boundary. The city has held public hearings on the amendments and has adopted an ordinance amending the city's urban growth boundary. Because the city's comprehensive plan is a component of the county's comprehensive plan, and Oregon Revised Statutes 197.025(1) gives the county responsibility to coordinate all planning activities with the county, the county must consider whether to concur in the city's amendment. In addition, Goal 14—Urbanization, states:

Establishment and change of urban growth boundaries shall be a cooperative process among cities, counties and, where applicable, regional governments. An urban growth boundary and amendments to the boundary shall be adopted by all cities within the boundary and by the county or counties within which the boundary is located, consistent with intergovernmental agreements [...].

The Marion County Board of Commissioners adopted the Aumsville Urban Growth Boundary and Comprehensive Plan for the area outside the city but within the county on May 2, 1979 (Ordinance No. 535). Marion County and the City of Aumsville entered into an Urban Growth Boundary and Policy Agreement (UGBPA) on May 12, 1986. The UGBPA establishes procedures for coordinating land use matters of mutual concern. The UGBPA provides for the county to concur in the city's comprehensive plan and to adopt those provisions for application within the urban growth area (the area within the urban growth boundary outside the city limits). Such provisions include urbanization policy changes, plan map amendments affecting properties in the urban growth area, and urban growth boundary changes.

During the city's public hearings process on the current amendments to its plan, county planning staff communicated with the city's planning consultant. County staff had no concerns that needed to be addressed by the city's planning consultant.

On December 10, 2023, the Board of Commissioners approved Resolution 24R-1 initiating the review process to amend the Marion County Comprehensive Plan by adopting an amendment to the City of Aumsville Urban Growth Boundary and setting a public hearing date of February 21, 2024 to receive testimony on the proposed amendments.

CITY OF AUMSVILLE URBAN GROWTH BOUNDARY AMENDMENT

The City of Aumsville is proposing to expand its urban growth boundary (UGB) by 22.57 acres to create a new city park on the eastern side of the city. An analysis was conducted by the city's consultant that found the park was needed for the city as identified in the city's adopted 2023 update to the Aumsville Parks Masterplan (PMP).

The city identified a variety of types of parks the city needs and a variety of means to provide more park land within the city. The analysis found that a 20-acre park on the east side of the city was first identified in the 1996 Aumsville PMP and subsequent 2017 and 2023 update. This was in part due to the fact that the east side of Aumsville has only one park of 3.02 acres in size. This analysis was supported by extensive public outreach the city did when updating its PMP.

One of the means the city identified to achieve more park land was to acquire land outside the urban growth boundary and annex the land into the city. The city went through the process in state statute and Goal 14. Additionally the city worked with property owners bordering on the existing city limits, to identify additional potential land that could be brought into the city to meet its park land need. All of the land within the city's study area, and all of the land adjacent to the existing City limits, consist of high value soils. The statute gives them the same priority for being considered to be added to the city's urban growth boundary. Goal 14 requires cities to establish a maintain Urban Growth Boundaries to separate urban land from rural lands. UGB's must have a 20-year land supply to meet identified employment, housing and public facility needs. The UGB rule includes detailed requirements for UGB amendments and allows cities to expand UGB's where necessary to accommodate public facilities – such as parks – that require site specific characteristics. In this case, the Eastside Community requires a site with at least 20 acres located on the east side of Aumsville with Class II, II and IV soils.

The city applied the Goal 14 locational factors to the land proposed to be added to the urban growth boundary. The city determined that the land would efficiently accommodate the needed park land. In addition the proposed expansion would allow for the orderly and economic provision of public facilities and services. Comparatively, the site would possibly have a more favorable impact on any environmental, energy, economic and social consequences than other properties, with positive social consequences anticipated when the land is a community park for the city. Lastly, the city determined that the low-intensity use of the property as a park would not conflict with adjacent farm operations.

The city's findings support: the boundary expansion, the priority of land to be included within the urban growth boundary, and address the Goal 14 factors and the statutory provisions for an amendment of an urban growth boundary to include sufficient park lands within the boundary.

The Urban Growth policies contained in the Urbanization section of the Marion County Comprehensive Plan must also be reviewed against the proposal. The city has addressed each policy in their analysis and staff has found their findings to be adequate for the proposal.

REDESIGNATION OF PROPERTIES ADDED TO THE URBAN GROWTH BOUNDARY

The city determined that the appropriate designation for the properties in its comprehensive plan is the Public (P) zone. The city proposes to apply a P zone once the land is annexed into the city limits. After

they have been included in the UGB and their designation in the Aumsville Comprehensive Plan changed to P, but until the land is annexed, the county must apply an urban zone to the properties consistent with the city plan designation.

Chapter 16.13 of the Marion County Code, the Urban Transition zone states:

“The UT (urban transition) zone is intended to retain and protect for future urban use properties which are undeveloped or underdeveloped and do not have available urban facilities such as sanitary sewer, water, drainage and streets. The zone allows the continuation of legally established uses and establishment of uses compatible with the plan designation. In areas planned for development relying on urban services, transitional uses may be allowed which will not interfere with the efficient, later use of the land for planned urban uses.”

Since the properties are currently undeveloped and are not served by City of Aumsville utilities, applying the UT-20 zone to the properties is consistent with the purpose of the zone and does not allow the parcel to be divided and built upon before the park can be annexed and established.

The city has addressed all applicable state planning goals, statutes and rules in addition to their comprehensive plan policies and Marion County’s comprehensive plan’s urbanization policies. Staff has found their proposal to be compliant with these standards. The city has proposed to zone the land Public (P) and annex the 22.57 acres of land being added to the UGB concurrent with the UGB expansion.

RECOMMENDATION

Staff recommends that the Board concur in the City of Aumsville’s Comprehensive Plan amendment to its Urban Growth Boundary by approving amendments to the Marion County Comprehensive Plan for the City of Aumsville Urban Growth Boundary by adding 22.57 acres for a public park and re-zoning the land added to the urban growth boundary UT-20 (Urban Transition, 20-acre density standard).