

DUNDEE URBAN AREA  
GROWTH MANAGEMENT AGREEMENT

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I. Introduction

The City of Dundee and Yamhill County recognize the need for coordination and cooperation in the management of growth in and around the Urban Area. ORS Chapter 197 and the Land Conservation and Development Commission (LCDC) Goal No. 14 on Urbanization require that an urban growth boundary be established around each incorporated city in the State of Oregon, and that the "establishment and change of the boundary and the comprehensive plan shall be a cooperative process between a city and the county or counties that surround it."

This agreement recognizes the Dundee Urban Growth Boundary and establishes a process for changing the boundary and comprehensive plan. Measures to ensure intergovernmental coordination in growth management are outlined in this agreement.

II. Definitions

City - The City of Dundee.

County - Yamhill County.

Urban Growth Boundary - A line jointly adopted by the City and County that encircles the city and separates rural and urbanizable land. The Dundee Urban Growth Boundary is identified in Attachment A. The Urban Growth Boundary and the City limit need not be identical.

Area of Influence - The area of land that extends one mile outside the City's Urban Growth Boundary. The Area of Influence is identified in Attachment B.

Watershed Area of Influence - The area of land comprising the City of Dundee's watershed that extends outside the City's Urban Growth Boundary. The Watershed Area of Influence is identified in Attachment C.

Recommendation - The jurisdiction, City or County, which has authority for making a decision as listed in Section VI, shall formally request the other jurisdiction to review the proposal and recommend action. The City and County need not agree for a decision to be binding. The right to object to any item referred for a recommendation shall be considered waived unless the referring jurisdiction is notified otherwise within thirty days. Each jurisdiction shall have standing to appeal the decision of the other governing body.

### III. General Provisions

- A. Plan Map. The Comprehensive Plan Land Use Map adopted by the City of Dundee shall be the plan map for the area within the Urban Growth Boundary. Lands outside the boundary shall be maintained in accordance with the Yamhill County Comprehensive Plan.
- B. Urban Growth Boundary. In accordance with the Comprehensive Plan of the City, the jointly adopted Urban Growth Boundary shall define the geographical limits of urban expansion to the year 2000. The City shall prepare for the orderly extension of public facilities and services within the boundary. The Urban Growth Boundary shall be reviewed periodically according to the review schedule in the City's Comprehensive Plan.
- C. Urbanization. The City and Yamhill County shall encourage urbanization within the boundary to occur in an orderly and efficient manner, resulting in a compact, balanced urban center meeting long-term economic and social needs of the residents of the area.
- D. Roads. The County and City shall cooperatively adhere to the implementation policy regarding streets and roads within the Urban Growth Boundary as provided below. These policies cannot be altered or waived without mutual consent of both the City and the County.
1. The conditions under which new public streets and roads will be developed within Dundees' Urban Growth Boundary shall meet the standards and specifications for streets and roads as adopted by the City of Dundee.
  2. Roads shall be compatible with City street alignments and extensions. Upon annexation of property, roads adjacent to (and which serve) such property shall also be annexed.
  3. A request for surrender of jurisdiction of County right-of-way, in writing, shall be filed by the City to the County for all areas proposed for annexation to the City that involve County Roads and rights-of-way. The following procedure shall be followed in requests for surrender of jurisdiction:
    - a. Request in writing to Board of Commissioners.
    - b. Referral to affected agencies.
    - c. Notice of Preliminary Hearing.
    - d. Post road of pending action and notice to surrounding property owners.
    - e. Public hearing, action and notification to affected parties.

E. Special Districts

1. The City through its departments shall cooperate with the County to coordinate City and County planning efforts and actions that affect land use with those of special districts.
2. The County shall not create any special districts for the provision of utilities, transportation, recreation or other public facilities or services within the Urban Growth Boundary unless such districts have been approved by the City.

- F. Coordination. The City and the County shall work to ensure that their respective comprehensive plans, subsequent plan amendments, and ordinances to implement the plans are consistent with each other.

IV. Amendment of Urban Growth Boundary

A. Application for Boundary Amendment.

1. Amendment of the Urban Growth Boundary may be initiated by the Yamhill County Board of Commissioners, the City Council, or by any property owner(s) who request(s) inclusion in or exclusion from the Urban Growth Boundary.
2. Amendment of the Urban Growth Boundary shall be treated as a map amendment to both City and County Comprehensive Plan maps. The application shall include a map, completed application form and fee. The fee shall be the sum of fees established from time to time by each governing body for Plan amendments.
3. Applications shall be filed with the City Recorder who shall collect the joint fee and forward the Yamhill County fee along with notice to the Yamhill County Department of Planning and Development.

B. Justification for Boundary Amendment.

To justify an Urban Growth Boundary change, the City and County shall follow the procedures and requirements for goal exceptions. Change of the boundary shall be based upon consideration of the following factors:

1. LCDC Criteria

- 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. The long-term environmental, energy, economic and social consequences to the locality, the region and the state as the result of allowing urbanization and not preserving and maintaining the land for agricultural or forest uses, whichever is applicable.
  - 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 other adjacent uses;
  - h. Demonstration that there are no alternative locations within the area which could better be used for the proposed use(s).
2. Dundee Comprehensive Land Use Plan.
  3. Yamhill County Comprehensive Land Use Plan.

Consideration of the above factors may be waived in the case of a health hazard annexation provided that the State Health Department has declared the area a health hazard. The residences of the area being annexed shall bear the costs for the extension of required urban services.

C. Decision on Boundary Amendment.

1. Applications shall be accumulated and referred semi-annually to the Dundee Planning Commission and Yamhill County Planning Commission for a Joint Public Hearing. At least ten days advance public notice of the hearing shall be given by publication in a newspaper of general circulation in the County. A special meeting may be held by mutual consent of the Dundee City Council and the Yamhill County Board of Commissioners.
2. Following the Public Hearing, each Planning Commission shall make and forward its findings and decision directly to the governing body of its jurisdiction. Each governing body shall then make a determination based upon the facts and record presented at the public hearing and shall not be required to hold a public hearing.
3. If the governing bodies do not concur in their final decision, a joint meeting shall be held to resolve differences. If concurrence cannot be reached by the governing bodies within sixty days of referral of the matter to them, the procedures for resolution of conflict provided within ORS 197.300 shall be invoked.

V. Annexation

Annexation shall occur in accordance with the City Comprehensive Plan. Land shall not be annexed prior to inclusion in the Urban Growth Boundary. Before final action by the City Council on an

annexation proposal, the proposal shall be forwarded to the Board of County Commissioners for its recommendation. In order to provide the Board with advance notice of reasoning for a proposed annexation, the findings adopted by the City Planning Commission shall be referred to the Board following the commission action.

VI. Coordination of Other Land Use Actions

A. Zoning of the Area Outside the Urban Growth Boundary but Inside the City Limits. The zoning classification of such areas shall remain unchanged unless the Urban Growth Boundary is amended to include the area which is proposed for rezoning. Any area which is included in the Urban Growth Boundary can be rezoned in accordance with the City's usual procedures.

B. Recommendation on Land Use Actions. The City and County recognize that each jurisdiction has authority to regulate land use actions within its boundaries. However, coordination of planning efforts can best be accomplished if the neighboring jurisdiction is offered an opportunity to comment on significant land use actions occurring within the Dundee Urban Area and Area of Influence.

1. The County shall request a recommendation from the City with regard to the following items under legal jurisdiction of the County.

- a. Comprehensive Plan amendments
- b. Zone changes
- c. Conditional use permits
- d. Planned unit developments
- e. Subdivisions and partitions
- f. Capital improvement programs
- g. Public improvement projects
- h. Recommendation for the designation of health hazard areas
- i. Major transportation improvements
- j. Other items having a substantial impact upon land use

VII. Amendment or Termination of Agreement

This agreement may be amended at any time by concurrence of both parties. This agreement may be terminated by so notifying the other party at least ninety days before the date of termination.

VIII. Approvals

Approved by the Yamhill County Board of Commissioners on this 17<sup>th</sup> day of June, 1981.

Board Order # 81-284

Colin Armstrong  
Colin Armstrong, Chairman  
Yamhill County Board of Commissioners

Approved by the City of Dundee City Council on this 1 day of June, 1981.

Ordinance # 226

Jack Crabtree  
Jack Crabtree  
Mayor of Dundee

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Attachment A

Sunnycrest

BM 316

Creek

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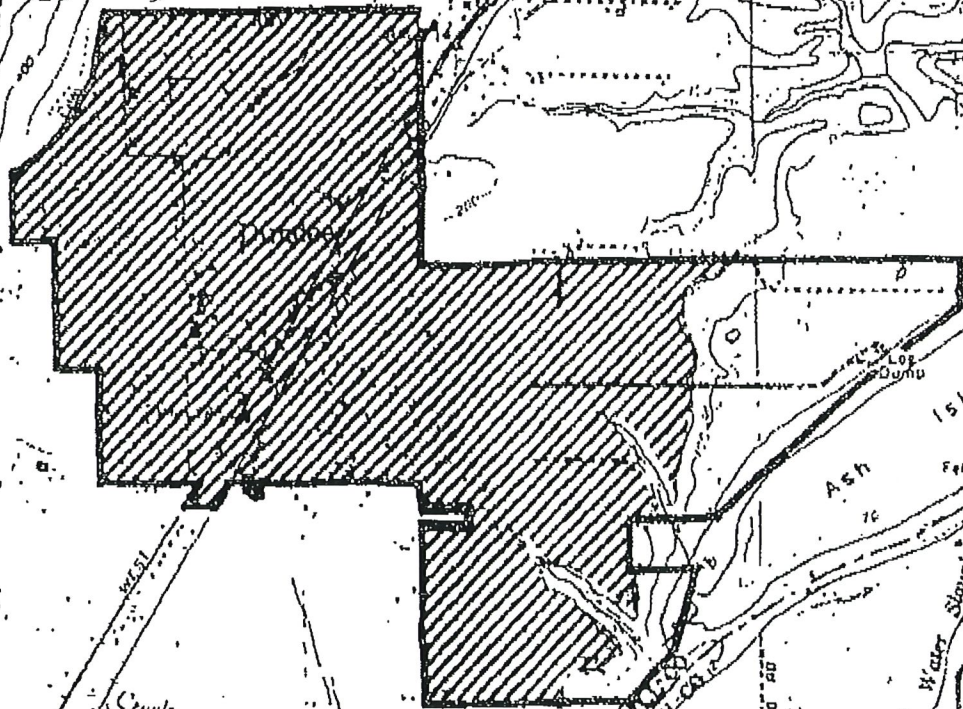
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Urban Growth Boundary 