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FOR IMMEDIATE RELEASE

### **State Land Use Program Responds to Court Decision on McMinnville Growth Boundary**

**Salem, Oregon.** State officials today expressed concern over a recent Oregon Court of Appeals decision overturning McMinnville's urban growth boundary (UGB) amendment. On July 13, the Court of Appeals reversed the Land Conservation and Development Commission's (LCDC) 2008 approval of a nearly 1,200 acre UGB expansion for needed residential and employment land to the year 2023. The court held that LCDC incorrectly applied state statute and its own rules in determining that the city had complied with state law in deciding how much and what land to include in the UGB.

"We believe the commission followed its own rules faithfully and acted reasonably in upholding McMinnville's UGB amendment. We are committed to helping McMinnville officials address the court's decision and to move forward in an efficient manner," said Department of Land Conservation and Development (DLCD) Acting Director Jim Rue. "However, it should concern anyone involved in Oregon planning that a process consuming several years and still reaching an uncertain conclusion is not good for the state land use planning program."

1000 Friends of Oregon and Friends of Yamhill County appealed a 2006 McMinnville decision to LCDC and subsequently challenged LCDC's approval in the Court of Appeals. Key issues in the dispute are whether McMinnville included too much land in its UGB and improperly designated agricultural land for conversion to urban use.

Richard Whitman, former DLCD director and Natural Resources Policy Director for Governor Kitzhaber, noted that the court's opinion will require careful analysis by many people. "The implications, while initially troubling, are not fully understood by many planners or lawyers. It will take some time to understand and resolve the issues raised in this decision. I expect to engage Acting Director Rue and stakeholders from around the state to craft a workable solution."

McMinnville began work on its UGB in 2000 as part of a state required review of its comprehensive plan. Several years of analysis and public outreach resulted in the plan adopted by the McMinnville city council, reviewed by LCDC and appealed to the court.

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