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# **Adair Village & Benton County Comprehensive Plan and UGB Amendment**

## **Justifications and Findings**

September 2022

Draft Report

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# 1. Introduction

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## Background

Adair Village last completed a periodic review in 2006. Adair Village has grown considerably since then, from 870 people in 2006 to 1,416 people in 2022. This is an addition of 546 people or 63% growth. Between 2006 and 2022, 186 units have received certificate of occupancy in Adair Village, 90% of which were single-family detached housing and the remaining 10% were duplexes. This growth has been accommodated within Adair Village's existing urban growth boundary (UGB), which has not been amended since 2011.

For the past few years, the City of Adair Village has been the focal point of new residential development. The development of over 200 homes in the last three years has substantially depleted the city's 20-year supply of buildable land. In 2018, when two residential subdivisions were approved through the planned development process, the city started to monitor its residential buildable land inventory (BLI). Statewide Planning Goal 10 (Housing) requires, at a local level, that cities inventory their "buildable lands"-- this refers to land inside an urban growth boundary that is suitable and available for residential use. Furthermore, Goal 10 states:

- If a city has a deficit of housing supply for the next 20-years, the city must either expand its urban growth boundary (UGB), increase the amount of allowed housing development on lands already within the UGB, or combine these two alternatives.

In June 2021, Portland State University's Population Research Center (PRC)<sup>1</sup> released its latest twenty (20) year population forecast. After the city went through some reconciliation with PRC's current population numbers, the city's population was forecasted to grow to 2,541 or a 1,125-person increase.

Through monitoring the progress of two active housing projects building within the city's boundaries the city decided to re-examine its buildable residential land. As required by the State of Oregon, the City performed a Buildable Lands Inventory (BLI) where the conclusions confirmed the deficiency and compelled the City to find solutions for meeting the requirement. To meet this requirement cities usually annex land from within their urban growth boundaries (UGB); the Adair Village UGB, however, does not contain enough land to meet its housing need and the City has chosen to explore expanding its UGB.

To accomplish a UGB expansion, the City and the County have been meeting regularly with our State of Oregon Department of Land Conservation and Development (DLCD) representative to formulate a coordinated legislative UGB amendment. With the assistance of two property owners interested in bringing their property into the City's UGB, the city brought in a planning consultant (DOWL) to determine the extent of the deficiency. In addition to DOWL's analysis of buildable land within the City, they have assisted in the analysis of the proposed UGB expansion required by

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<sup>1</sup> State of Oregon's population research official.

state rules, as necessary to accommodate the remaining unmet need.

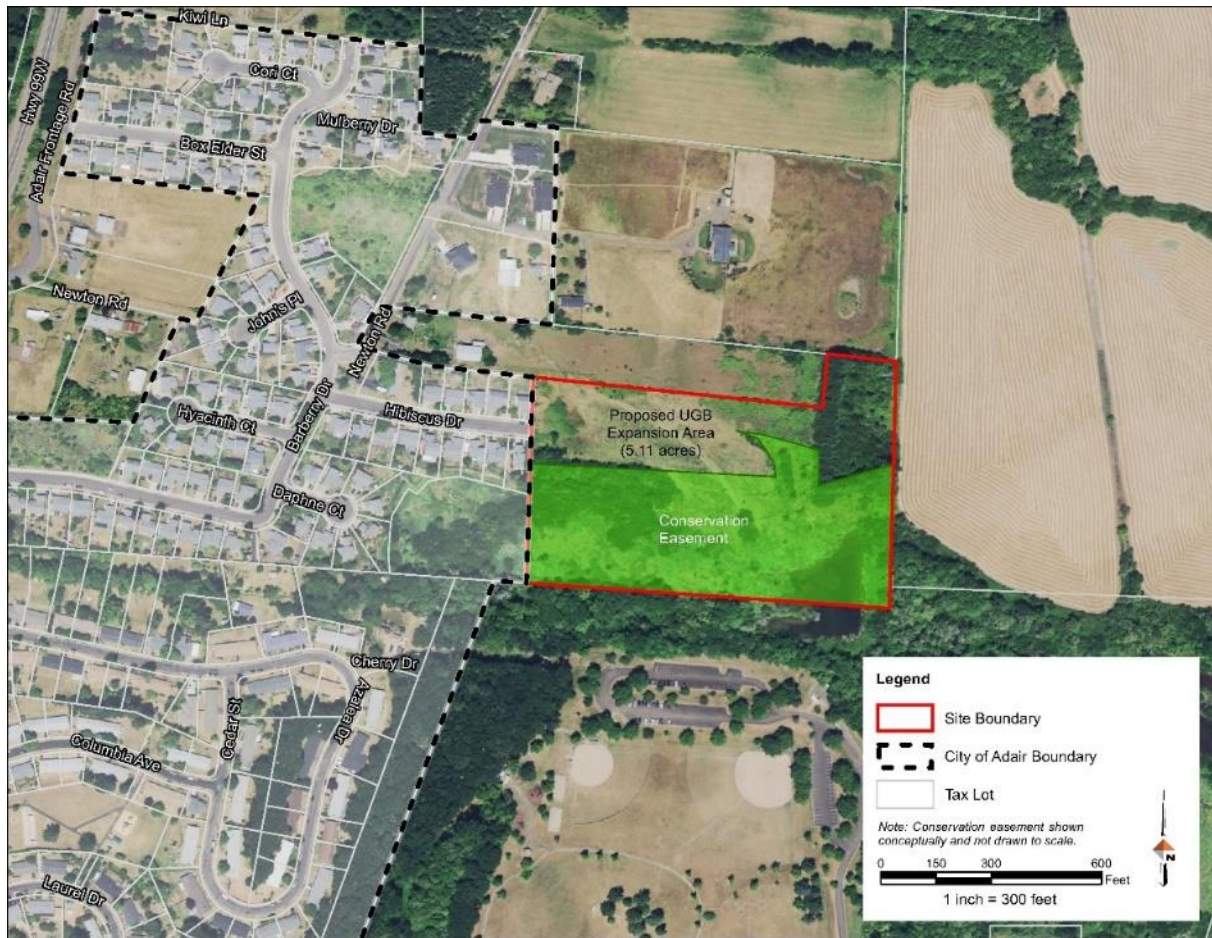
The following is a summary of the two properties being considered for inclusion in the City's UGB.

The proposed UGB expansion will include the Cornelius property located adjacent to the City at the eastern stub of Northeast Hibiscus Drive and the Weigel property located adjacent to the City bordering OR 99W to its west and Northwest Ryals Avenue to the north. It is expected that after comprehensive plan amendments adopted by the County and City, the owners of these properties will request annexation into the city to allow residential development.

#### Property 1 – Cornelius Property

The Cornelius property is 12.97 acres total all of which is the subject of this legislative comprehensive plan amendment. The northern portion of the parcel (5.12 acres) is planned for future urban development whereas the southern portion of the parcel (7.85 acres) is encumbered by a conservation easement due to wetlands and is therefore not available for urban development. Tim Cornelius, the owner of the property, has had discussions with the Benton County Parks Department regarding transferring ownership of the conservation easement to the County and remains interested in partnering with the County to allow either a trail or other passive public use of that portion of the site. The Cornelius property is currently in Benton County's jurisdiction and is zoned Exclusive Farm Use (EFU). Properties surrounding the Cornelius property are a mix of City and County zoning and uses; see Table 1 below for details. See Figure 1 for site location and Figure 3 for the proposed UGB expansion area.

**Figure 1: Property 1 -- Cornelius Property**



**Table 1: Cornelius Property Surrounding Uses**

<u>Area</u>	<u>Zoning</u>	<u>Land Uses</u>
North	EFU - Benton County	One single-family home
East	EFU - Benton County	Undeveloped farmland
South	EFU - Benton County	Adair County Park
West	R-2 – Adair Village	Single-family homes

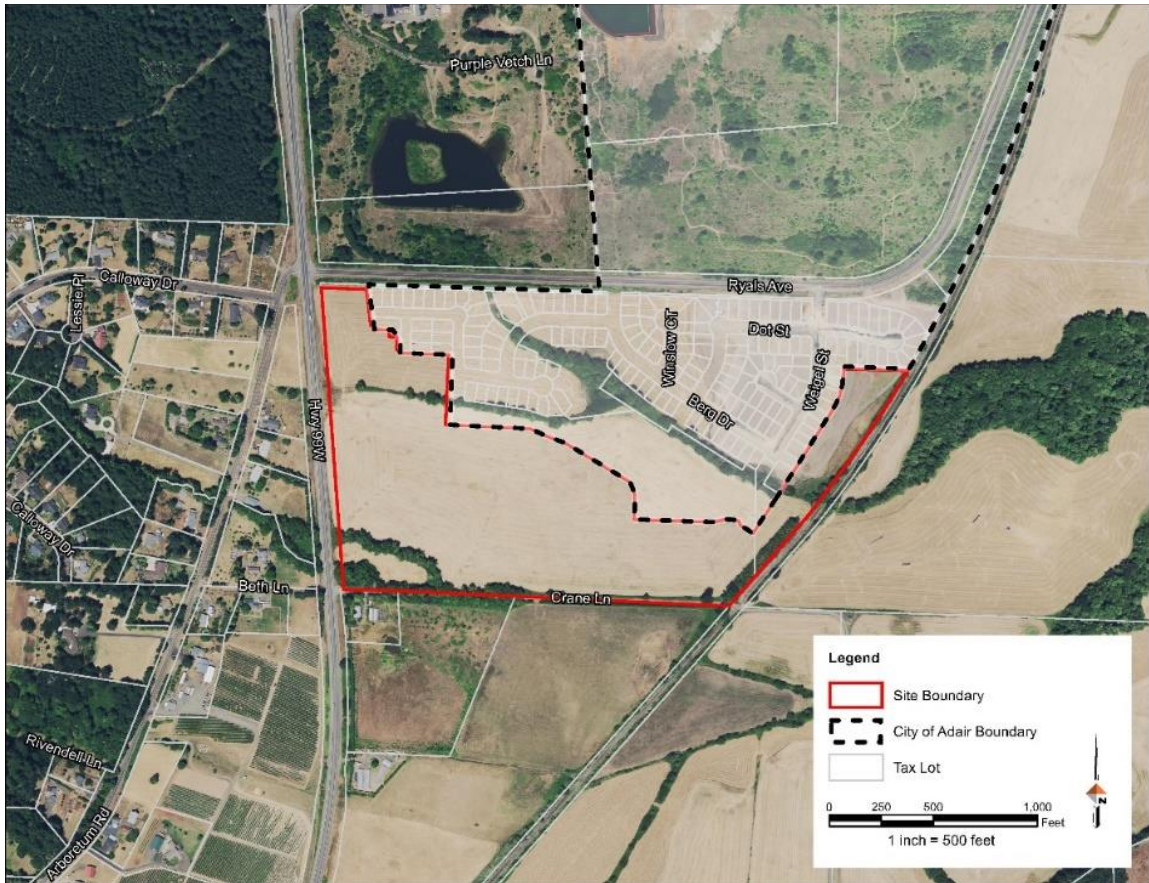
Property 2 – Wiegel Property

The owner of the Weigel property anticipates future residential development to meet all the standards of both the Adair Village comprehensive plan and the Benton County comprehensive plan but has not presented a specific site development plan. The development would connect to available public infrastructure immediately adjacent to the site including public utilities and roads.

The Weigel property is approximately 42.4-acres and is surrounded by a mix of land uses and

zoning designations as noted in Table 2 below. See Figure 2 for site location and Figure 3 for the proposed UGB expansion area.

**Figure 2: Weigel Property**



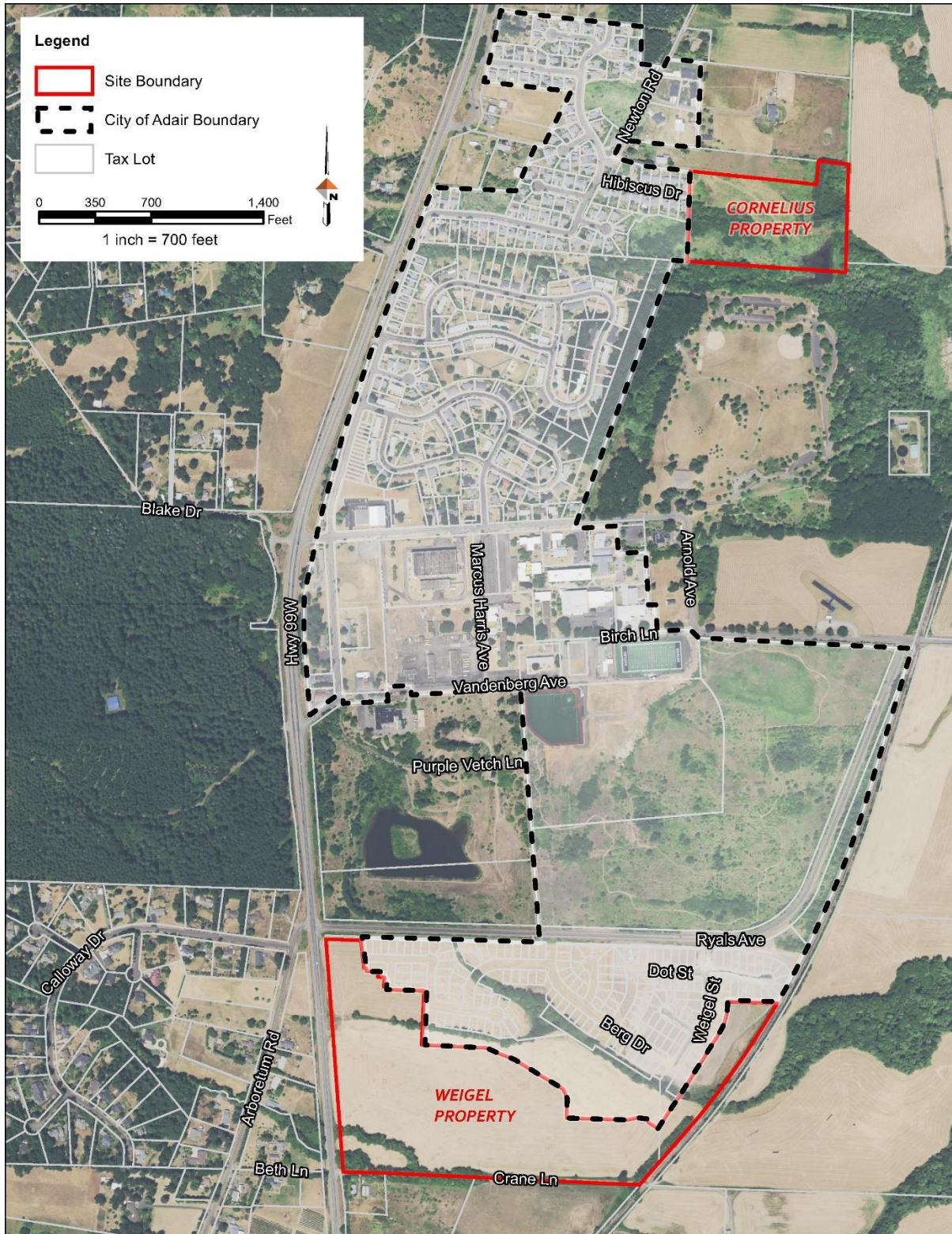
**Table 2: Weigel Property Surrounding Uses**

<u>Area</u>	<u>Zoning</u>	<u>Land Uses</u>
North	R-3 – Adair Village	Single-family homes
East	EFU - Benton County	Undeveloped farmland
South	EFU - Benton County	Undeveloped farmland
West	RR-2 – Benton County	Single-family homes



**Figure 3. UGB Expansion Area Map, 2022**

### Proposed Expansion Areas



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## **Organization of this Document**

This document is organized as follows:

- **Chapter 2. Land Need** presents the land need from the technical analysis that supported the UGB expansion proposal.
- **Chapter 3. Alternatives Analysis for Establishment of the UGB Expansion Study Area** presents the process of establishing the study area and findings about inclusion of land in the final study area.
- **Chapter 4. Goal 14 Locational Factors** includes the evaluation and findings of each study subarea for the Goal 14 locational factors.
- **Chapter 5. City Requirements for UGB Amendment** presents findings for compliance with City of Adair Village’s requirements for UGB expansion.
- **Chapter 6. County Requirements for UGB Amendment** presents findings for compliance with Benton County’s requirements for UGB expansion.
- **Chapter 7. Statewide Goal Consistency Analysis** presents findings that demonstrate that the proposed UGB concept complies with applicable state planning requirements.

## 2. Land Need

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This section summarizes the residential land needs for Adair Village, based on the results of the *2022 Buildable Lands Inventory (BLI)*, contained in Appendix 1. This section addresses Goal 14 need factors 1 and 2 for residential lands.

### **Need Factor 1: Population Growth**

Goal 14 Need Factor 1 requires cities to demonstrate need to accommodate population growth:

*Factor 1: Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments, or for cities applying the simplified process under ORS chapter 197A, a 14-year forecast.*

Goal 14, Factor 1 addresses the need for population growth and housing. Housing needs are a direct function of population growth, which are based on the official state population forecast from Portland State University (PSU) per OAR 660-032:

#### ***660-032-0020 Population Forecasts for Land Use Planning***

*(1) A local government with land use jurisdiction over land that is outside the Metro boundary shall apply the most recent final forecast issued by the PRC under OAR 577-050-0030 through 577-050-0060, when changing a comprehensive plan or land use regulation that concerns such land, when the change is based on or requires the use of a population forecast, except that a local government may apply an interim forecast as provided in 660-032-0040.*

In 2021, Portland State University (PSU) released updated population forecasts for Adair Village, which includes Benton County and the cities in Benton County.<sup>2</sup> PSU shows the 20-year population forecast for Adair Village over the 2020 to 2040 period. The city extrapolated the PSU forecast to be from 2022 to 2042 based on the method of extrapolation consistent with the following requirements:

#### ***660-032-0020 Population Forecasts for Land Use Planning***

*(4) When applying a PRC forecast for a particular planning period, the local government shall use the annual increments provided in the applicable forecast, and shall not adjust the forecast for the start-year or for other years of the planning period except as provided in PRC's interpolation template described in OAR 577-050-0040.*

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<sup>2</sup> *Oregon Population Forecast Program, Portland State University, Population Research Center, June 2021.*

Exhibit 3 shows that Adair Village is expected to grow from 1,416 residents in 2022 to 2,541 residents in 2042, an increase of 1,125 new residents over the 20-year period.

### Exhibit 3. Forecast of Population Growth, Adair Village UGB, 2022 to 2042

Source: Oregon Population Forecast Program, Portland State University, Population Research Center, June 2018.

1,416	2,541	1,125	80% increase
Residents in 2022	Residents in 2042	New residents 2022 to 2042	4.0% AAGR

### Need Factor 1 Findings

**The City finds that Adair Village will grow by 1,125 new residents between 2022 and 2042 based on PSU’s Population Research Center coordinated population forecast for Adair Village, consistent with the requirements in OAR 660-032-0020 (1), OAR 660-032-0020 (4), OAR 660-032-0020 (5), and OAR 660-024-0040(2)(a).**

### Need Factor 2: Land Need

Goal 14 Need Factor 2 requires that cities demonstrate need for lands proposed for inclusion in a UGB:

*Factor 2: Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2). In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need. Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.*

This section documents land need for housing to be included in the Adair Village UGB expansion proposal. It begins with a discussion of land supply in Adair Village’s UGB based on the Buildable Land Inventory report.

### Adair Village Land Supply

The report presents an inventory of the buildable lands within the existing Urban Growth Boundary (UGB) of the City of Adair Village as shown in Figure 4. The purpose of a Buildable Lands Inventory (BLI) is to document and determine the supply of land available as it relates to the long-term growth needs of the community. The inventory addresses residential land needs within the UGB. As referenced throughout this report, “UGB” refers to land within the city growth boundary, including land outside of the current City limits.

The BLI analysis structure is based on the State of Oregon Department of Land Conservation and Development (DLCD) HB 2709 workbook entitled, *Planning for Residential Growth: A Workbook for Oregon's Urban Areas*. Task 1 of the workbook is the basis for this analysis as it lays out the steps to prepare a BLI:

1. Calculate the gross vacant acres by plan designation, including fully vacant and partially vacant parcels.
2. Calculate gross buildable vacant acres by plan designation by subtracting unbuildable acres from total vacant acres.
3. Calculate net buildable vacant acres by plan designation by subtracting land for future facilities from gross buildable vacant acres.
4. Calculate total net buildable acres by plan designation by adding redevelopable acres to net buildable vacant acres.<sup>3</sup>

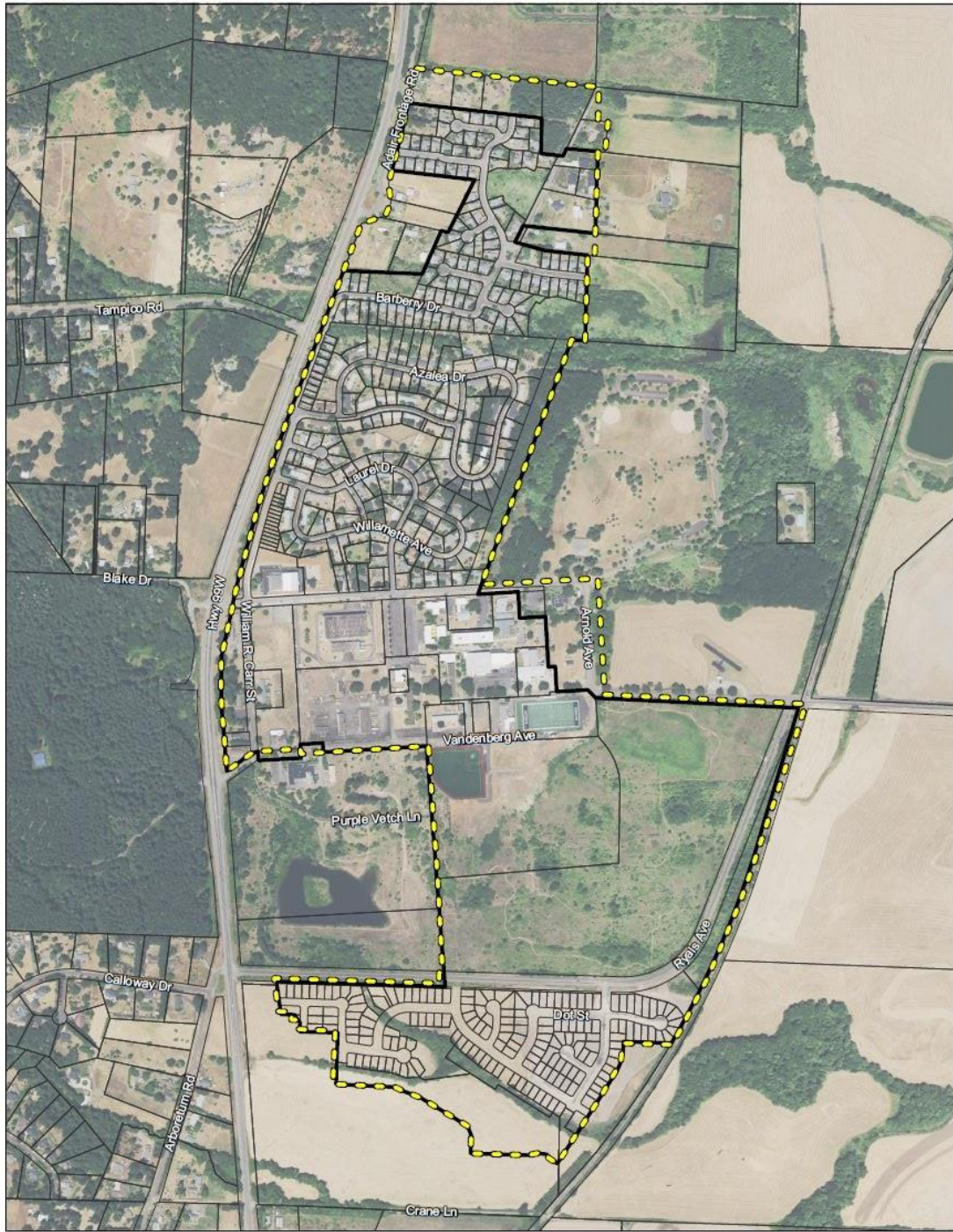
DOWL's analysis of buildable land included all residentially designated land in the Adair Village Comprehensive Plan within the City Urban Growth Boundary. DOWL used the most up to date Benton County tax lot data for the BLI. The analysis builds off of the tax lot data, identifying all land within tax lots that fall within the UGB to estimate the amount of buildable land by residential plan designation.




This report contains two separate analyses. First, is a Buildable Lands Inventory of all parcels within the City's current UGB to determine available buildable acreage. Second, is an analysis of the most recent population forecasts from Portland State University Population Research Center (PRC). DOWL has used the population forecast to estimate the City's residential land need.

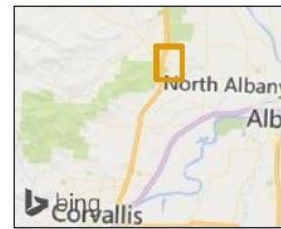
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<sup>3</sup> State of Oregon DLCD, *Planning for Residential Growth: A Workbook for Oregon's Urban Areas*. DLCD Urban Planning Documents, June 1997. [https://www.oregon.gov/lcd/UP/Documents/planning\\_for\\_residential\\_growth.pdf](https://www.oregon.gov/lcd/UP/Documents/planning_for_residential_growth.pdf)

**Figure 4. Adair Village Urban Growth Boundary**



- Legend**
-  Urban Growth Boundary (UGB)
  -  City of Adair Boundary
  -  Tax Lot



**Adair Village Buildable Lands**

Benton County, OR

8/4/2022

## **BLI Methodology**

The Simplified Urban Growth Boundary Methodology is identified in Oregon Administrative Rule (OAR) 660-038-0060 – Buildable Lands Inventory (BLI) for Residential Land within the UGB (see Figure 5 – Zoning Map). The rules list the following requirements:

- Classification of residential districts into low-density (8 dwelling units per acre or less); medium density (between 8 and 16 dwelling units per acre); and high density (greater than 16 dwelling units per acre). (660-038-0060(1)(B))
- For residential district parcels:
  - o Identify vacant land as any parcel at least 3,000 square feet in size with an improvement value of less than \$10,000. (660-038-0060(2))
  - o For lots at least one-half acre in size that contain a single-family residence, subtract one-quarter acre for the residence and count the rest of the lot as vacant land. For lots that contain more than one single family residence, or other uses, use aerial photography or other method to identify vacant land. These lots are classified as “partially vacant.” (660-038-0060(3))
  - o The following lots are excluded: dedicated open space, private streets, common areas, utility areas, conservation easements, schools and other public facilities, rights of way, and other institutions. (660-038-0060(3))
- Determine the amount and location of vacant and partially vacant land at all density levels. (660-038-0060(4))

The City of Adair Village sets forth density allowances for residential low-density (R-1), residential medium density (R-2), and residential high density (R-3). The R-1 Zone allows dwelling units on a 10,000 square foot minimum lot size which equates to approximately 4.4 dwelling units per acre. The R-2 Zone allows dwelling units on an 8,000 square foot minimum lot size which equates to approximately 5.4 housing units per acre. Finally, the R-3 Zone allows dwelling units on a 6,500 square foot minimum lot size which equates to approximately 6.7 dwelling units per acre. Additionally, OAR 660-038-0070 describes reductions of buildable land for natural resources.

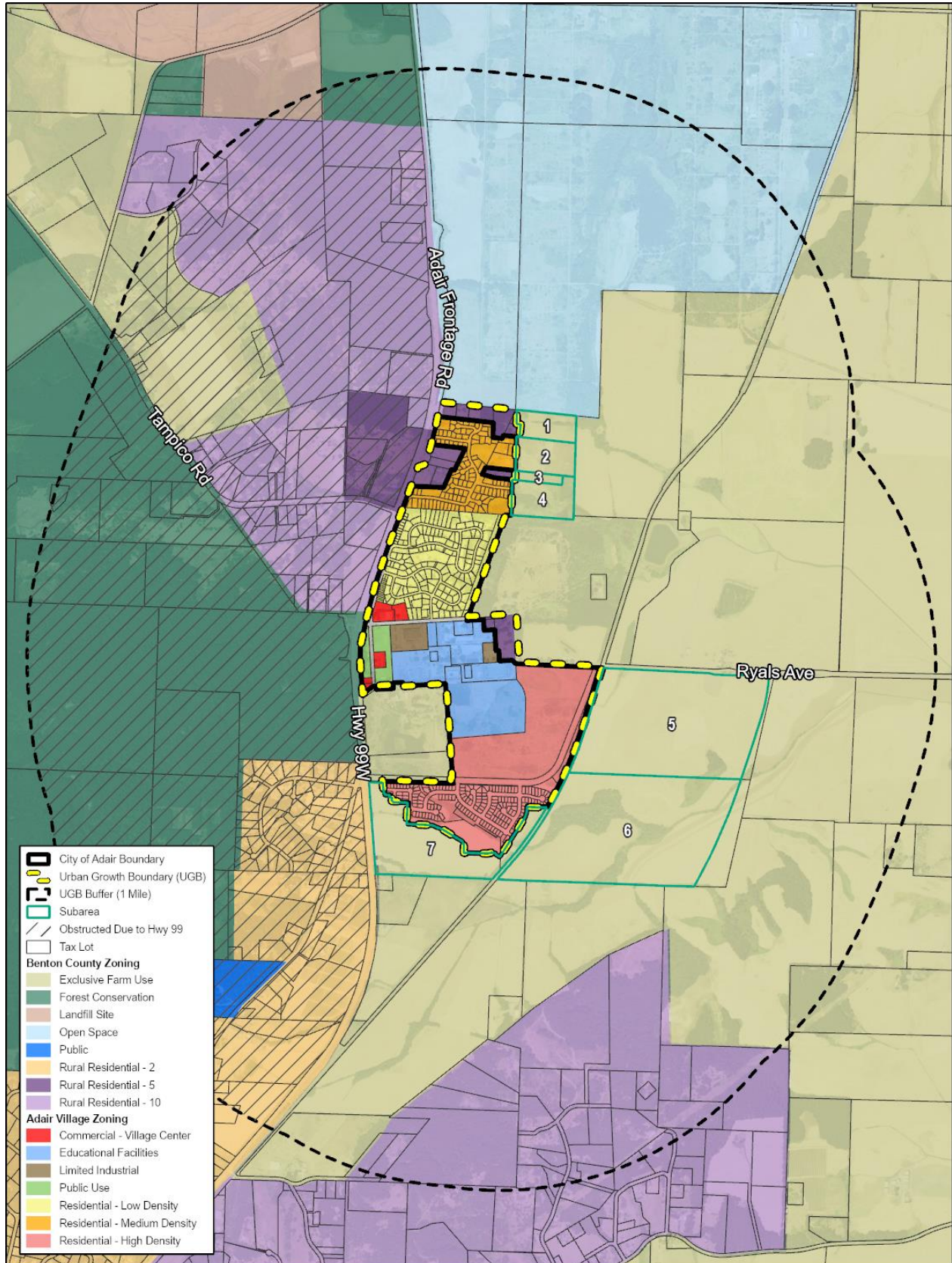
## **Identify Residential Land**

Residential land must meet one of the following criteria for the BLI analysis:

- Land with a comprehensive plan designation of “Residential” within city limits.
- Land with a county residential zoning designation within the City’s UGB.

Other land (Commercial, Limited Industrial, Public Use, Educational Facilities) is generally excluded as it is not intended for residential purposes. The City’s code (Section 4.121) allows for second story residences above commercial in the C-1 Commercial – Village Center zone. However, all properties designated C-1 are developed. Therefore, for purposes of this analysis, DOWL omitted all C-1 zoned properties.

**Figure 5. Adair Village and Benton County Zoning Map**





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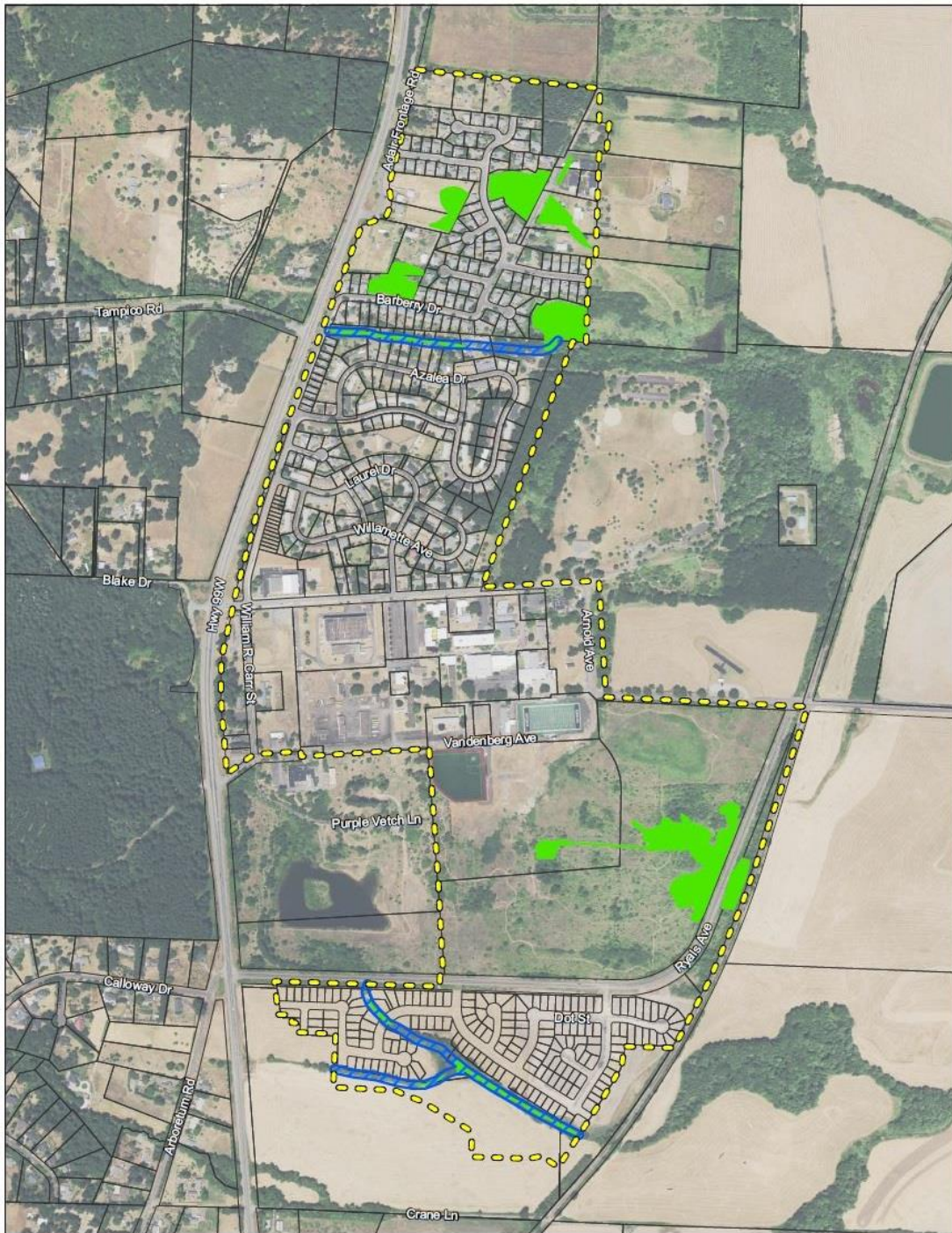
## **Identify Environmental Constraints and Natural Hazards**

DOWL conducted an analysis of Benton County GIS data in order to remove lands where development is constrained due to environmental resources, hazards, or topography. The constraints listed below have been included in the BLI and are shown below in Figure 6:

- LWI Wetlands
- LWI Stream Buffer (25')
- Floodplain: Areas within the 100-year FEMA floodplain

The environmentally constrained areas, identified on the following page, were deducted from the total area of the parcel to estimate the total buildable potential of each parcel of land.

**Figure 6. Adair Village Environmental Constraints**



**Legend**

Urban Growth Boundary (UGB)

Tax Lot

**Constraints within UGB**

LWI Wetland\*

LWI Stream Buffer (25')\*

\*Local Wetland Inventory; Oregon Department of State Lands



**Adair Village Buildable Lands**

**Benton County, OR**

04/2/22

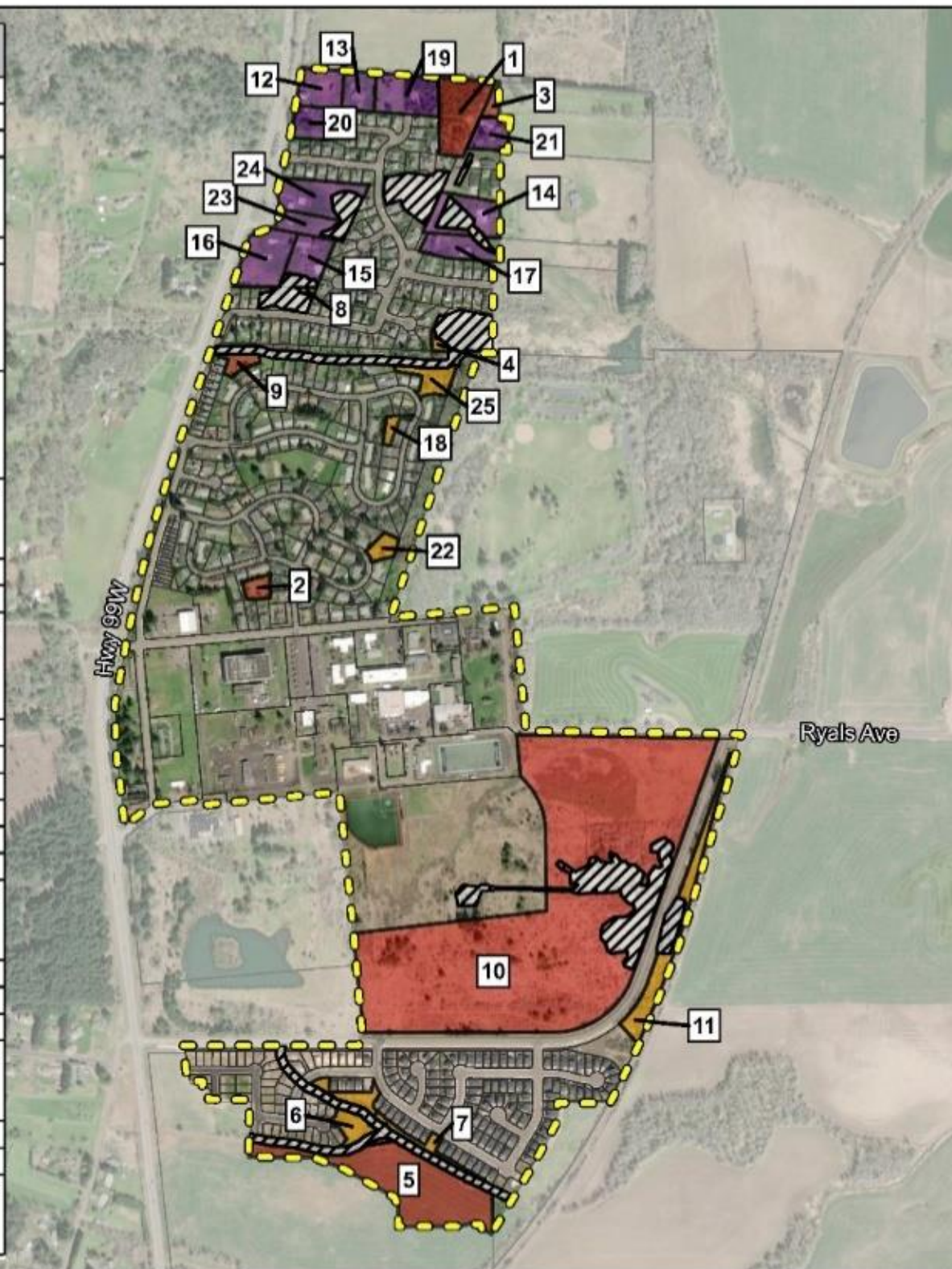
## Classify Parcels by Development Status and Estimate Housing Unit Capacity

Parcel classification is used to separate parcels into developable and non-developable categories. Each parcel in the City of Adair Village and its adjacent UGB was classified based on its potential for accommodating new residential development. The classification is based on potentially buildable area on the parcel and the valuation of improvements. The GIS analysis and figures in this report are limited to residential zones only. Improvement values are sourced from Benton County Tax Assessment data. All relevant parcels were classified into four categories. These categories are:

- **Developed:** Improvement value of more than \$10,000, but do not meet Partially Vacant or Constrained criteria.
- **Constrained:** Parcels with less than 3,000 square of unconstrained land. Constrained assumes that the area of the lot is too small to be developable.
- **Partially Vacant:** Parcels that meet the definition of partially vacant under OAR provision 660-038-0060(3). These parcels have an existing dwelling, an improvement value greater than \$10,000, and are at least a half-acre in size. As determined in state provisions, a quarter-acre was removed from the unconstrained area of these parcels.
- **Vacant:** Parcels that are vacant with sufficient area for development and a minimum of 3,000 square feet of unconstrained land. They must also have an improvement value of less than \$10,000 or tax assessor code that identifies the parcel as residentially zoned and vacant.

Aerial imagery was used in some cases to determine development status. Land classification was reviewed by City of Adair Village staff. After consultation with City staff and the City engineering consultant, multiple parcels were removed from consideration in this analysis (See Appendix 1). To estimate housing unit capacity, each parcel's capacity was estimated based on the City's zoning designation. For each zone, a projected density was calculated based on the minimum lot size standards of the zone. Then, that projected density was applied to the buildable acres on each parcel to estimate housing capacity measured in units. The housing unit capacity was rounded to the nearest whole number to reflect the actual maximum amount of permitted units.

Map ID	Taxlot	OWNER	Buildable Acres	Notes
1	4000	AMANDI ANTONIO & ELIZABETH C, TR	2.72	
2	201	DEMERS DENNIS L,AG	0.48	
3	600	AMANDI ANTONIO & ELIZABETH C, TR	0.34	
4	2000	CREEKSIDE AT ADAIR HOMEOWNERS	0.18	Property eliminated due to stream and wetland limitations
5	205	WEIGEL RONALD C	7.22	
6	6300	CALLOWAY CREEK HOMEOWNERS ASSOCIATION	1.59	Property eliminated as dedicated open space within Calloway Creek Subdivision
7	11300	CALLOWAY CREEK HOMEOWNERS ASSOCIATION	0.62	Property eliminated as dedicated open space within Calloway Creek Subdivision
8	1900	CREEKSIDE AT ADAIR HOMEOWNERS	0.10	Property eliminated due to stream and wetland limitations
9	1000	WRIGHT MARY LEE	0.48	
10	400	SANTIAM CHRISTIAN SCHOOLS INC	44.58	
11	400	SANTIAM CHRISTIAN SCHOOLS INC	2.37	Property eliminated due to not enough room for alternate access off of arterial
12	3700	YANEZ ERIC & BETHANY J	1.22	
13	3800	LOPEZ OMAR GENARO	0.84	
14	1500	SWARBRICK DAVID & MEGAN	1.35	
15	1800	NEVILLE STUART E & CORLISS J, TR	1.10	
16	1700	JONES ALMON O III,TR	2.02	
17	1000	WRIGHT THOMAS E & CAROLINE C	1.04	
18	800	HUBELE CURTIS J & DEANNA R	0.31	Property eliminated due to stream and wetland limitations
19	3900	AMANDI ANTONIO & ELIZABETH C, TR	1.90	
20	3600	DICKSON CALEB P & MARIANNE	0.75	
21	4100	AMANDI ANTONIO & ELIZABETH C, TR	0.75	
22	3500	BULLARD SOPHIE J	0.26	Property eliminated due to stream and wetland limitations
23	1600	LOWDEN IRONA S	0.76	
24	4200	LOWDEN IRONA S	1.67	
25	1600	THAYER ROBERT F & RENA K, TR	0.66	Property eliminated due to stream and wetland limitations



**Legend**

- Buildable Lands (Vacant)
- Buildable Lands (Partially Vacant)
- Property Removed from BLI
- Urban Growth Boundary (UGB)
- Taxlot within UGB
- Constraints within UGB

**DOWL**

0 400 800 1,600

Figure 7: Vacant and Partially Vacant Property

## Key Findings and Results

- As noted in Tables 1 and 2 below, a total of 71.98 gross acres of vacant and partially vacant, residentially zoned, land exist within the City’s UGB. After applying the required one-quarter acre deduction of land area from each partially vacant lot pursuant to OAR 660-038-0060(3) and a further deduction of 25 percent for required infrastructure per Adair Village Comprehensive Plan Section 9.800 Growth Management, DOWL determined that the total net buildable land area in the City’s UGB is 51.92 acres.
- The majority of Adair Village’s current developable residential land is located within the approximately 44.58-acre Santiam Christian Schools, Inc. parcel in the southern part of the City. This parcel is currently zoned R-3 (Residential – High Density). DOWL is aware that this site contains a large wetland complex, identified in the March 22, 2012, Department of State Lands Local Wetlands Inventory as an Emergent Seasonally Flooded (PEMC) wetland. DOWL is aware that there is a preliminary development proposal on the property that includes a more current delineation that does not conform to the DSL LWI mapped wetland. It should be noted that if development plans for the Santiam Christian Schools site reveal that the wetland is greater than mapped and/or preserves a larger area due to protected buffers and/or updated mapping, additional residential land may be needed to satisfy the City’s 20-year land need.
- Many parcels identified as vacant through GIS research and review of aerial photography were determined to be undevelopable due to stream and wetland limitations, commitments to open space, and access limitations.
- The approximately 7.22-acre parcel of land along the south boundary of the City, owned by Calloway Creek LLC, was included as it is still undeveloped but there are currently plans to develop. Once developed, this will lead to a reduction in the amount of developable residential land.

*Table 1: Development Status*

Parcel Status	Vacant Acres (Gross)
Partially Vacant*	16.15
Vacant	55.83
<b>Total</b>	<b>71.98</b>

Source: Calculations using Benton County GIS Data

\*For Partially Vacant, 0.25 acres is removed from each parcel as part of the gross-to-net calculation in Table 2.

Table 2: Potentially Buildable Acres by Zoning Designation

Zoning Designation	Gross Vacant Acres			Net Vacant Acres <sup>4</sup>
	Partially Vacant	Vacant	Total	
R-1	13.55	4.03	17.58	11.49
R-2	2.60	0	2.60	1.57
R-3	0	51.80	51.80	38.85
<b>Subtotal</b>	<b>16.15</b>	<b>55.83</b>	<b>71.98</b>	<b>51.92</b>
<i>Net Buildable Acres</i>	<i>10.05</i>	<i>41.87</i>	<i>51.92</i>	--

Source: Calculations using Benton County GIS Data

### Forecast for Housing Growth

Per ORS 195.033(3) and OAR 660-032-0020, the City of Adair Village is required to use the official population forecast issued by PRC for comprehensive urban growth planning. DOWL used PRC’s 2022 forecast to estimate the Residential Land Need for the 20-year forecast window.<sup>5</sup>

Table 3: City of Adair Village Population Growth 2022-2042

PSU Population Forecast		Change 2022-2042 (number)	Change 2022-2042 (percent)	Average Annual Growth Rate (AAGR)
2022	2042			
1,416	2,541	1,125	79.4	4.0%

Source: Population Research Center, Portland State University, June 30, 2021, DOWL calculations

DOWL then calculated the projected housing unit capacity for the City of Adair Village based on current density (units per acre) permitted in the residential zoning designation of the respective parcels.

<sup>4</sup>After subtracting 25% of acreage to account for public infrastructure .25 acres for each partially vacant lot

<sup>5</sup>PRC’s population estimate for Adair Village, provided in 2021, estimated a population of 2,279 city residents in 2040. PRC’s population interpolation template which applies an average annualized growth rate to estimate population in future years, estimates that the 2042 city population will be 2,541 residents.

Table 4: Housing Unit Capacity by Zone

Zoning Designation	Estimated Housing Unit Capacity		
	Net Buildable Acres	Projected DU/Net Acre	Projected Housing Capacity
R-1	11.49	4.4	50
R-2	1.57	5.4	8
R-3	38.85	6.7	260
<b>Total</b>	<b>51.92</b>	--	<b>318</b>

Source: Calculations using Benton County GIS Data

### Summary

As noted in Table 5 below, this study finds that the City of Adair Village has buildable residential acreage within its UGB to accommodate 318 units, leaving a deficit of residential land to accommodate the additional 73 units needed to meet the 2042 population forecast.

Following an initial screen for vacant and partially vacant properties using GIS, DOWL conducted a site-by-site assessment of the GIS-generated list of vacant and partially vacant properties to determine if any of these sites should be eliminated from the buildable land assessment by applying the buildable criteria found in OAR 660-038-0060(3)(c). Specifically, OAR 660-038-0060(3)(c) states that the City *shall* exclude the following lots and parcels from the BLI:

*(A) Lots and parcels, or portions of a lot or parcel, that are designated on a recorded final plat as open space, common area, utility area, conservation easement, private street, or other similar designation without any additional residential capacity.*

*(B) Lots and parcels, or portions of a lot or parcel, that are in use as a school, utility, or other public facility, or are dedicated as public right of way.*

*(C) Lots and parcels, or portions of a lot or parcel, which are in use as a non-public institution or facility, including but not limited to private schools and religious institutions. The excluded lots and parcels or portions of lots and parcels may not include vacant or unimproved lands that are owned by the non-public institution or facility.*

Based on applying the above criteria, approximately eight parcels of residential land totaling 6.10-acres were eliminated from the BLI.

As discussed above, the City’s engineering consultant, Civil West, provided DOWL with a memorandum, dated March 15, 2022, that details the various reasons why particular vacant and partially vacant properties should be considered unbuildable (See Appendix A: Buildable Lands Inventory & Assessment Memorandum). While many of these reasons directly address criteria in OAR 660-038-0060(3)(c) other reasons included practical impediments to development such as high cost of utility and roadway improvements, necessary demolition, reluctance of ownership to annex and access limitations. While DOWL is in agreement that, as a practical matter, these constraints inhibit the development of these parcels, DOWL determined that these limitations do not expressly require their elimination per 660-038-0060(3)(c). At their discretion, the City could seek to pursue a more nuanced review of these additional parcels and, through discussions with Benton County and the state, to determine if these properties could be eliminated from consideration as buildable.

Additionally, should further permitting on the Santiam Christian Schools site reveal a lesser capacity than the assumed 260 housing units, a near-term need for more buildable residential land could be required.

In summary, DOWL’s technical review of lands within the City’s UGB has revealed a deficit of housing capacity within the City’s UGB and that lands are needed to accommodate 73 additional units.

*Table 5: Residential Land Need*

Combined Projected Housing Capacity <sup>6</sup>	Projected Housing Need <sup>7</sup>	Housing Deficit
318 units	391 units	73 units

Source: Calculations using Benton County GIS Data, PSU Population Research Center Data, and 2020 Census Data

**FINDING:**

To calculate the number of deficient acreages in the city’s residential inventory, the housing deficit (73 dwelling units) was divided by the average of all three residential zones dwelling units per acre (5.5 units). The result is that the city will need to add approximately 13.25 acres to accommodate 20-years of residential growth.

<sup>6</sup> Projected Housing Capacity calculated by zone from Table 4.

<sup>7</sup> Projected Housing Need calculated from PSU Population forecasted growth of 1,125 at 2.87 people per household per the 2020 Census data.



## REVISED NEED BASED ON LAND USE EFFICIENCY MEASURES

As determined in Table 5, Adair Village does not have sufficient development capacity within its UGB to accommodate 20-years of residential growth. OAR 660-024-0050 requires Adair Village to consider land use efficiency measures prior to expanding the UGB.

### ***660-024-0050 Land Inventory and Response to Deficiency***

*(4) If the inventory demonstrates that the development capacity of land inside the UGB is inadequate to accommodate the estimated 20-year needs determined under OAR 660-024-0040, the local government must amend the plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the city or by expanding the UGB, or both, and in accordance with ORS 197.296 where applicable. Prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB. If the local government determines there is a need to expand the UGB, changes to the UGB must be determined by evaluating alternative boundary locations consistent with Goal 14 and applicable rules at OAR 660-024-0060 or 660-024-0065 and 660-024-0067.*

The City has implemented several policies to increase development capacity of land already inside the UGB.

### **DOWNTOWN CORE**

The city has been exploring efficiency measures long before this UGB amendment was needed. The city has envisioned designing and developing a walkable downtown core, a key part of developing a sustainable small city in north Benton County. To successfully accomplish this vision, it will require a critical mass of residences to support any form of a vibrant downtown.

For over 10 years the city has worked towards making this vision a reality. The city held multiple charettes and downtown planning workshops put on by professionals where citizens and stakeholders participated. The city adopted the results of these planning sessions as their downtown master plan. Out of these sessions came specific measures consisting of new growth management policies, a new commercial zoning district and development codes to implement the vision. The city has also been in negotiation with Oregon Department of Fish & Wildlife (ODFW) for years to create connections between its southern neighborhoods and the future downtown core.

In 2018, the city purchased a 5-acre piece of property directly in the center of town from the county to become its downtown. The city spent four years working with the Department of Interior to remove a parks in perpetuity classification left over from when the property was a

former military base. After that, the city purchased a one-acre piece of property directly in the middle of where the downtown core is to be established. Today the city has clear title and owns all six acres of property between Arnold and Vandenberg Avenues that fronts along William R. Carr Street for its downtown.

During this time the city approved and adopted a new mixed use commercial zone to begin the transformation. Across the street the city moved two old historic barracks buildings for public use and a museum and built a veteran's memorial plaza to solidify their intentions. The city is now in a position to be a full-service compact city. Their efforts will continue to bring in development that supports mixed-use principles which includes commercial services, higher density residential, live work design all of which support walkable neighborhoods and a climate friendly environment.

### **PLANNED UNIT DEVELOPMENT (PUD) CODE**

For further efficiency measures the City of Adair Village adopted a Planned Development Section to Article 7, Special Area Standards, in their 2015 development code (ORD 2010-005 (Amended ORD 2013-03)).

The Planned Unit Development (PUD) is intended as a development option to provide a degree of flexibility in the regulation of land development and the arrangement of uses. Through this option, more creative approaches to development can be utilized which take better advantage of the special characteristics of the land than would be possible through the strict enforcement of this ordinance. The specific objectives of this article are to:

- (a) Encourage innovation in land use and variety in design, layout and type of structures constructed
- (b) Achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities.
- (c) Permit flexibility in the placement, lot area and building type regulations, and combination of uses while assuring the application of sound site planning standards.
- (d) Encourage the provision of useful open space and more extensive landscaping.

In review of the two most recent residential developments, Calloway Creek and the William R. Carr Subdivision, the city agreed to allow an increase in density for both projects using the PUD approach. Calloway Creek is in an R-3 zoning district that allows for a 6.7 unit per acre density which was allowed to increase to just over 9 units per acre. This development is entirely built out.

William R. Carr Subdivision, which was a one-acre infill project, is in a R-1 zoning district that allows for 4.4 units per acre. The city allowed the developer to increase the density to 16

units per acre per the PUD code. This development is entirely built out.

### **NEW R-4 RESIDENTIAL DISTRICT**

On September 7, 2021, the city adopted an ordinance creating the R-4 district that allows for 4,000 square foot minimum lot sizes. The R-4 district can provide for middle housing developments in areas zoned for residential use that allow for the development of detached single-family dwellings, du-plexes, row housing and cottage clusters and to provide areas suitable and desirable for higher density single-family residential use at a density of sixteen (16) dwelling units per net residential acre. As higher densities may be provided under the provisions of a Planned Development that can include a mixture of housing types and densities, the city also updated its multiple family standards and adopted a new section that outlines cottage cluster use standards based on the state's middle housing model code.

### **FINDINGS**

The City of Adair Village growth management policies demonstrate their commitment to higher density projects by the implementation of their Downtown Village Plan, their PUD section of their development code and the recently adopted R-4 residential district. This approach coincides with the provisions in **197.296 (9), factors to establish a sufficiency of buildable lands within urban growth boundary.**

*(9) In establishing that actions and measures adopted under subsections (6) and (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section, is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period. Actions or measures, or both, may include but are not limited to:*

- (a) Increases in the permitted density on existing residential land;*
- (b) Financial incentives for higher density housing;*
- (c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;*
- (d) Removal or easing of approval standards or procedures;*
- (e) Minimum density ranges;*
- (f) Redevelopment and infill strategies;*
- (g) Authorization of housing types not previously allowed by the plan or regulations;*
- (h) Adoption of an average residential density standard; and*
- (i) Rezoning or redesignation of nonresidential land.*

## **GOAL 14 – LAND NEED**

***Land Need Establishment and change of urban growth boundaries shall be based on the following:***

*1. Demonstrated need to accommodate long range urban population, consistent with a 20 year population forecast coordinated with affected local governments, or for cities applying the simplified process under ORS chapter 197A, a 14-year forecast; and*

*2. Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection 2. In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need. Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.*

**Under land need paragraph 2, the city is required to address schools and parks.**

### **SCHOOLS**

In June 2022, the city invited the Corvallis School District to participate in a round table discussion with a number of other agencies such as ODOT, ODFW, Oregon Forestry Department and Oregon State University. At this meeting we made them aware of our application to expand the city's UGB for the purposes of new housing to address the city's deficit of the required 20-year residential land supply.

Topics that came up were that Mountain View Elementary School, that services Adair Village, would be close to capacity if the estimated 105 new students from the proposed housing being proposed in the expansion area were to be built. However, they stated, to reach a critical mass where a new school would be warranted in this area the district would need to see an increase of 450 new students on top of the 105 new students that may possibly be added.

Their intentions are to always keep elementary kids at a neighborhood school that is within walking distance. They believe the need to set aside land for a future school would be one that is centrally located within the Adair community and not on the outskirts of town.

They also informed us that they were going to embark on a master plan assessment of the region next year for their entire district. Subsequently, to the school district meeting we understand that the district officials reached out to the DLCD to continue to look at their options for citing a school in the future.

## **FINDINGS**

Even though the current proposed UGB expansion will not trigger the need for a new school, identifying now that a school will likely be needed at some time in the future is valuable for effective long-term planning. Adding land for a new school fits in with the city being a full-service city with the perspective of having walkable neighborhoods and safe routes to school based on climate friendly rule making. The city values compactness and agrees a school should be close to a majority of its students and not on the other side of 99W.

We understand that any expansion due to housing needs contributes to a capacity issue the school district must deal with and that this area will need a school and Adair Village is the perfect place to put one. However, it would be pre-mature at this point to set aside land right now based on informal discussions where further studies have not been completed or derived. Within this analysis we understand that the next time the city considers a UGB amendment we are probably going to have to set aside land for a new school.

## **PARKS**

Adair Village is one of few cities in Oregon that has an abundance of recreational land right outside its boundary. Directly adjacent to its west boundary is over 1,000 acres of pristine forest owned by the Oregon State University and managed in conjunction with the Oregon Department of Forestry. ODFW owns 43 acres directly in the middle of the city with a stocked lake and hiking trails. There is a 113-acre Benton County Park just to the east of town that has baseball fields, disc golf, and aerodrome and multiple picnicking shelters. To the north, the Department of State Lands owns over 1,000 acres of recreation and hunting land.

The city and the Corvallis Area Metropolitan Planning Organization (CAMPO) have been collaborating to develop a city-wide trails plan. The Adair Village Trails Plan serves as a blueprint for creating an accessible, all-ages and abilities network of paved multiuse paths, walking trails, and separated bike lanes throughout the Adair Village community. This document provides details on future trail improvements as a means to help prioritize local investment in Adair Village's multi-modal network of trails.

## **FINDINGS**

In general, the city has fairly good access to all of these parks despite certain restrictions such as 99W. Recently the city vacated Cherry Drive and retained an easement to upgrade the trail from Azalea Drive to Adair Park. Realistically, the city doesn't have a need for any other areas of open space or recreation land except for pocket parks in their newer neighborhoods. One exception is the northern neighborhood from NE Barberry Drive north that has the longest

distance to travel to reach Adair Park. By adding the Cornelius property to the city's UGB, the northern neighborhood will have an opportunity to create a connection through the conservation easement to Adair Park via a well-designed environmentally friendly trail.

## **HOUSING**

In 2019, the State passed new law called the Regional Housing Production Strategy. The State and the Department of Land Conservation and Development (DLCD) are still developing the rules to implement to law. Adair Village and all cities are going to have to report to the DLCD on doing their fair share of providing housing for the full spectrum of income and disabilities. Every city will have to show that they have the policies and ability in place to build an array of housing types including small units.

### **Section 2, chapter 640, Oregon Laws 2019, provide:**

(2) (b) How a regional housing needs analysis and housing shortage analysis may compare to existing assessments of housing need and capacity conducted by local governments under **ORS 197.296 (Factors to establish sufficiency of buildable lands within urban growth boundary)** in terms of:

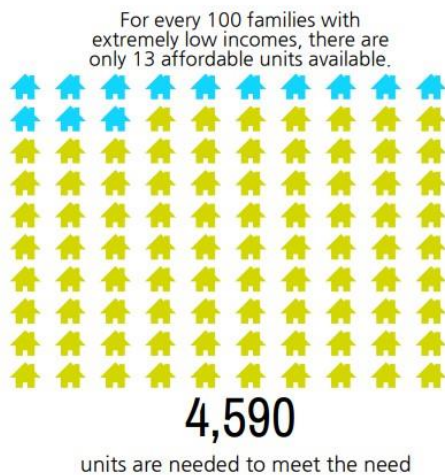
- (A) Cost and cost effectiveness.
  - **Adair Village has built 200 dwelling units in the past three years that were well below the region's average price point.**
- (B) Reliability and accuracy.
  - **All 200 dwelling have been sold and occupied and there is a waiting list for any new home as they become built.**
- (C) Repeatability; and
  - **The city plans to support the developers of Calloway Creek to duplicate the success of the first three phases of their project.**
- (D) Predictability.
  - **The city recognizes the need for new housing and hopes that after the UGB amendment is approved that the additional population will drive new mixed-use development in their downtown core.**

Benton County and Adair Village look forward to being a strong partner with the state as it moves forward on its regional production strategies. Adair Village has and will continue to promote higher density development using their PUD approach that supports duplexes, four-plexes and cottage cluster projects. This UGB amendment reflects Adair Village's commitment to the region's housing needs to provide livable opportunities to all Oregonians.

# A Place to Call Home: Benton County

Homes give people an opportunity to build better lives and communities. But how do Benton County residents fare?

## We have a serious shortage of affordable housing



2 out of 5



renters are paying more than 50% of their income in rent

5 out of 6



renters with extremely low incomes are paying more than 50% of their income in rent

Source: Oregon Housing Alliance (2020)

## GOAL 14 - GUIDELINES

### A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area;(2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.

2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.

3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

4. *Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.*

## **B. IMPLEMENTATION**

1. *The type, location and phasing of public facilities and services are factors which should be utilized to direct urban expansion.*

4. *Local land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services in a manner to accommodate increased public demands as urbanizable lands become more urbanized.*

## **CONTINUATION OF NEED FACTOR USING GUIDELINES**

The following analysis addresses barriers to urbanization for certain parcels included in the BLI for various impediments such as cost of receiving utilities, under sized infrastructure to deliver services, age of the system to deliver utilities or encumbrances to access a parcel.

When exploring the development potential outlined in Appendix 1, Buildable Lands Assessment Memorandum, the following parcels show development is not feasible due to cost prohibitive improvements and should be considered for removal from the net buildable acres. These properties remained as net buildable land after the Simplified Urban Growth Boundary Methodology was applied per the Oregon Administrative Rule (OAR) 660-038-0060.

The following parcels are identified in Figure 7: Vacant and partially vacant property, on Page 18. The analysis has been done by Civil West Engineering Services Inc. which has been the city's engineer for over 20 years and knows the capacities and limitations of the city's current infrastructure.

### **Map ID #s 1, 3 & 21 (2.72, 0.34, and 0.75 acres respectively):**

These properties are outside of the City Limits but within the UGB. Considerations for the development of this parcel includes access, water service and sewer service. Access to the property would be via Newton Road, which is an undeveloped private road. Roadway improvements, including ROW dedication, water and sewer service would all need to be extended up Newton Road at a cost of approximately \$600,000. For the development of a total of 3 acres, this is not feasible.

### **Map ID #2 (0.48 acres):**

This property is landlocked (no public access) and is therefore undevelopable. Residential buildings surround the property making future access impossible without the demolition of existing residences. Development of this property is not feasible.



**Map ID #s 4, 18, 22, & 25 (0.18, 0.31, 0.26, and 0.66 acres respectively):**

These properties are part of larger properties and are limited by water (streams & wetlands). The cost to develop these small properties would necessarily include the demolition of the residences currently on the lots. Development of these properties is not feasible.

**Map ID #s 6, &7 (1.59 & 0.62 acres respectively):**

These properties are dedicated open space within the Calloway Creek Subdivision and are owned and maintained by the home-owner association. Development of these properties is not feasible.

**Map ID #8 (0.10 acres):**

This property is surrounded by wetlands and dense residential. It is landlocked and is too small to effectively develop. Development of this property is not feasible.

**Map ID #9 (0.48 acres):**

Although this property technically has frontage onto a public street, the frontage is all encumbered by drainage facilities effectively land-locking this parcel. Development of this property is not feasible.

**Map ID #11 (2.37 acres):**

This property is wedged in between Ryals Avenue and the Railroad. Because Ryals Avenue is an arterial roadway, fronting development onto the road is not allowed. There is not enough room for alternate access. This parcel is not developable.

**Map ID #s 12, 13, 19, & 20 (1.22, 0.84, 1.90 & 0.75 acres respectively):**

These properties lie on the north side of the City. These properties all have residences on the property with values at or over \$500,000. Development of these properties would require the demolition of the existing structures and would be prohibitively expensive. There is also limited sewer and water service to these properties without extensive off-site extensions. These parcels are not developable.

**Map ID #s 14 & 17 (1.35 and 1.04 acres respectively):**

These properties are on the northeast side of the City and would front off of Newton Road, which is an undeveloped private road. Sewer and Water service would need to be extended up Newton Road. Cost estimates for offsite work, including ROW acquisition is \$250,000. In addition to offsite work, these properties slope to the east, requiring a sewer lift station to provide sewer service. These parcels are not developable.

**FINDINGS**

Although the BLI already shows that the city has a deficit of land inside the UGB, additional analysis shows further deficit when applying Statewide Planning Goal 14 due to barriers to urbanization for numerous impediments such as cost of receiving utilities, under sized

infrastructure to deliver services, age of the system to deliver utilities or encumbrances to access a parcel.

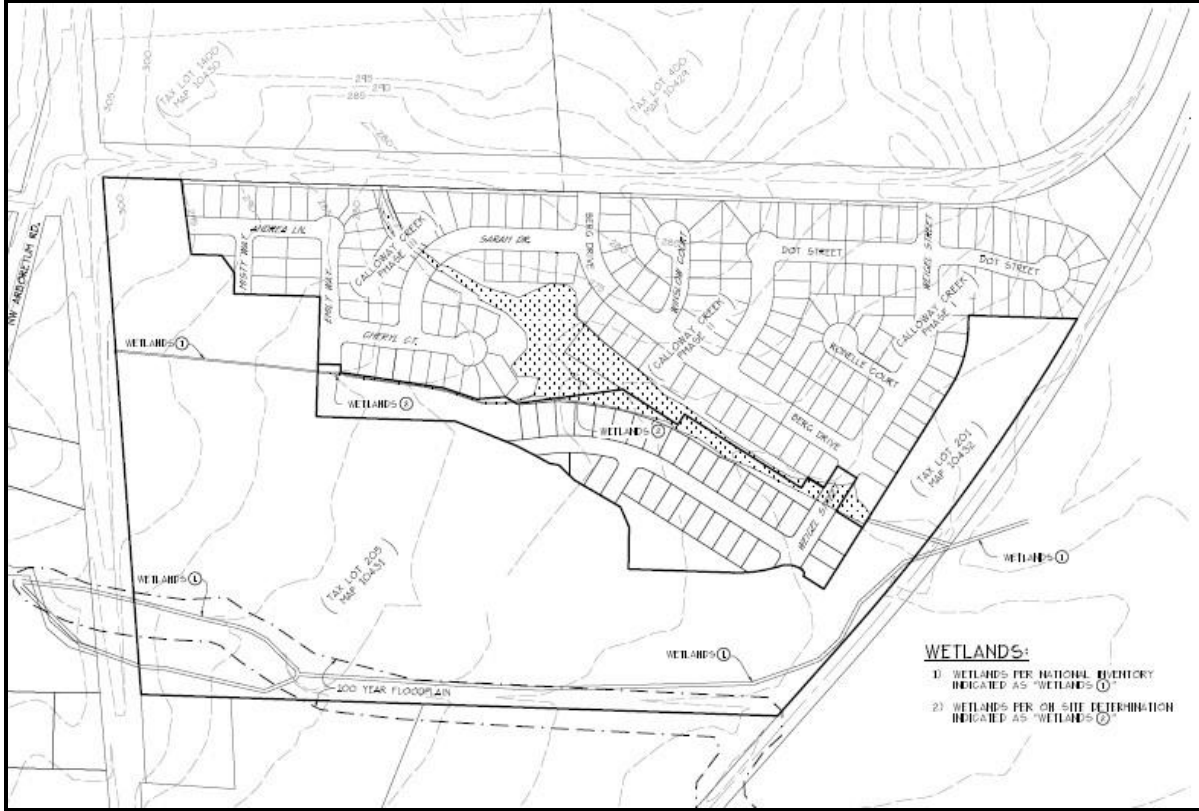
Looking to residentially zoned lands on the fringe of the current UGB that are very difficult to develop at urban densities is not consistent with the City's vision of compact, livable, walkable neighborhoods, particularly when other lands, currently zoned EFU, are well-suited to support that community vision.

The proposed UGB expansion areas are contiguous to the current city limits. Existing and adjacent infrastructure (roads, utilities, etc.) has been sized and installed anticipating and accounting for future growth in these areas. Installing new, or upgrading existing, infrastructure in semi-developed areas is inherently less efficient (roadways torn up for new utilities, procuring ROW or easements from multiple property owners, etc.) than development in open area on a single property.

Based on applying Goal 14 guidelines the city is proposing that the above properties be subtracted from the net buildable acres. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources. The total acreage of the above listed properties proposed for removal from the net buildable acres is **17.96 acres**.

### **Calloway Creek**

Calloway Creek was approved in 2018 as a four (4) phase subdivision development. Three of those phases have been completed and entirely sold out. Phase 4, although already approved was delayed by the department of state land (DSL) for a wetland permit. The developer submitted for a .2 acre wetland mitigation (a minor application) to install a culvert that allows passage over the creek leading from phase 3 to phase 4 of the project. The permit was approved earlier this year. Phase 4 is planned with one street from the finished development stubbed to continue into Phase 4 and future phases. Phase 4 consists of 7.22 acres and has a preliminary layout for 29 new home sites that are identified in an Urban Conversion Plan filed with the County as a condition of a partition approval (Land Use File LU-21-050).



Urban Conversion Plan – Calloway Creek Phase IV - Weigel; Derby; Partition

**FINDINGS**

Goal 14 states that the urbanization of land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels. The size of the parcel is only relevant as urbanizable land in conjunction with the existing phases and the probability of development is based on the UGB expansion approval.

The 7.22 acres is identified as Map ID 5 in figure 7 on page 18. Although Calloway Creek Phase IV has preliminary PUD approval and its DSL permit to build over the stream bed it remains in the BLI net buildable acres.

**CONCLUSION: Need Factor 2 Findings**

The city identified land use deficiencies consistent with the requirements of OAR 660-024-0050. These measures allowed a wider range of housing constraints in residential districts. By expanding the BLI methodology based on ORS 197.296 and Goal 14, the city found that it has an additional 17.96 acres of land that can be removed from the gross buildable acres. Staying consistent with the BLI methodology, a 25 percent deduction for required infrastructure per Adair Village Comprehensive Plan Section 9.800 Growth Management is removed. The remaining amount of land that can be deducted from the net buildable acres is 13.47 acres.

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By adding the 13.47 acres to the 13.25 acres initially found as the deficient acreage in the city's residential inventory, these measures increased Adair Village's residential deficit of land to 26.72 acres.

### 3. Alternatives Analysis for Establishment of the UGB Expansion Study Area

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Chapter 2 concluded that Adair Village has insufficient land to accommodate projected growth for residential land. This chapter presents the alternatives analysis required by OAR 660-024-0060 as well as findings related to the prioritization described in ORS 197A.320.

#### **Establishment of Study Area for UGB Expansion**

##### **Preliminary Study Area**

ORS 197A.320 presents a priority list of lands to be included within an urban growth boundary for evaluating alternative boundary locations.

##### ***197A.320 Priority of land to be included within urban growth boundaries outside Metro; rules.***

- (1) Notwithstanding the priority in ORS 197.298 for inclusion of land within an urban growth boundary, a city outside of Metro shall comply with this section when determining which lands to include within the urban growth boundary of the city pursuant to ORS 197.286 to 197.314, 197A.310 or 197A.312.*
- (2) The Land Conservation and Development Commission shall provide, by rule, that:
  - (a) When evaluating lands for inclusion within the urban growth boundary, the city shall establish a study area that includes all land that is contiguous to the urban growth boundary and within a distance specified by commission.*
  - (b) The city shall evaluate all land in the study area for inclusion in the urban growth boundary as provided in subsection (4) of this section, except for land excluded from the study area because:
    - (A) It is impracticable, as provided in subsection (3) of this section, to provide necessary public facilities or services to the land.*
    - (B) The land is subject to significant development hazards, including a risk of landslides, a risk of flooding because the land is within the 100-year floodplain or is subject to inundation during storm surges or tsunamis, and other risks determined by the commission.*
    - (C) The long-term preservation of significant scenic, natural, cultural or recreational resources requires limiting or prohibiting urban development of the land that contains the resources.*
    - (D) The land is owned by the federal government and managed primarily for rural uses.***

*(c) When evaluating the priority of land for inclusion under paragraph(b) of this subsection:*

*(A) The city shall evaluate the land within the study area that is designated as an urban reserve under ORS 195.145 in an acknowledged comprehensive plan, land that is subject to an acknowledged exception under ORS 197.732 or land that is non-resource land and select as much of the land as necessary to satisfy the need for land using criteria established by the commission and criteria in an acknowledged comprehensive plan and land use regulations.*

*(B) If the amount of land appropriate for selection under subparagraph(A) of this paragraph is not sufficient to satisfy the need for land, the city shall evaluate the land within the study area that is designated as marginal land under ORS 197.247(1991 Edition) in the acknowledged comprehensive plan and select as much of the land as necessary to satisfy the need for land using criteria established by the commission and criteria in an acknowledged comprehensive plan and land use regulations.*

*(C) If the amount of land appropriate for selection under subparagraphs(A) and(B) of this paragraph is not sufficient to satisfy the amount of land needed, the city shall evaluate land within the study area that is designated for agriculture or forest uses in the acknowledged comprehensive plan that is not predominantly high-value farmland, as defined in ORS 195.300, or does not consist predominantly of prime or unique soils, as determined by the United States Department of Agriculture Natural Resources Conservation Service, and select as much of that land as necessary to satisfy the need for land:*

*(i) Using criteria established by the commission and criteria in an acknowledged comprehensive plan and land use regulations; and*

*(ii) Using the predominant capability classification system or the predominant cubic site class, as appropriate for the acknowledged comprehensive plan designation, to select lower capability or cubic site class lands first.*

*(D) If the amount of land appropriate for selection under subparagraphs(A) to(C) of this paragraph is not sufficient to satisfy the need for land, the city shall evaluate land within the study area that is designated as agricultural land in an acknowledged comprehensive plan and is predominantly high value farmland and select as much of that land as necessary to satisfy the need for land. A local government may not select land that is predominantly made up*

*of prime or unique farm soils, as defined by the United States Department of Agriculture Natural Resources Conservation Service, unless there is an insufficient amount of other land to satisfy its land need.*

*(3) For purposes of subsection (2)(b)(A) of this section, the commission shall determine impracticability by rule, considering the likely amount of development that could occur on the lands within the planning period, the likely cost of facilities and services, physical, topographical or other impediments to service provision and whether urban development has occurred on similarly situated lands such that it is likely that the lands will be developed at an urban level during the planning period. When impracticability is primarily a result of existing development patterns, the rules of the commission shall require that the lands be included within the study area, but may allow the development capacity forecast for the lands to be specified at a lower level over the planning period. The rules of the commission must be based on an evaluation of how similarly situated lands have, or have not, developed over time.*

*(4) For purposes of subsection (2)(b)(C) of this section, the commission by rule shall determine the circumstances in which and the resources to which this exclusion will apply.*

*(5) Notwithstanding subsection(2)(c)(D) of this section, the rules must allow land that would otherwise be excluded from an urban growth boundary to be included if:*

*(a) The land contains a small amount of resource land that is not important to the commercial agricultural enterprise in the area and the land must be included to connect a nearby and significantly larger area of land of higher priority for inclusion within the urban growth boundary; or*

*(b) The land contains a small amount of resource land that is not predominantly high-value farmland or predominantly made up of prime or unique farm soils and the land is completely surrounded by land of higher priority for inclusion into the urban growth boundary.*

*(6) When the primary purpose for expansion of the urban growth boundary is to accommodate a particular industry use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics and the site characteristics may be found in only a small number of locations, the city may limit the study area to land that has, or could be improved to provide, the required site characteristics. Lands included within an urban growth boundary for a particular industrial use, or a particular public facility, must remain planned and zoned for the intended use:*

*(a) Except as allowed by rule of the commission that is based on a*

*significant change in circumstance or the passage of time; or*

*(b) Unless the city removes the land from within the urban growth boundary.*

*(7) Notwithstanding any other provision of this section, the commission may adopt rules that specify circumstances under which a city may exchange land within the urban growth boundary of the city for land that is outside of the urban growth boundary and that is designed to avoid adverse effects of an exchange on agricultural or forest operations in the surrounding area.*

Consistent with ORS 197A.320 (2), OAR 660-024 provides direction on establishing the UGB study area, which includes all land within one-half mile of the Adair Village UGB and all exceptions area within one mile of the Adair Village UGB.

***RULE 660-024-0065 ESTABLISHMENT OF STUDY AREA TO EVALUATE LAND FOR INCLUSION IN THE UGB***

*(1) When considering a UGB amendment to accommodate a need deficit identified in OAR 660-024-0050(4), a city outside of Metro must determine which land to add to the UGB by evaluating alternative locations within a “study area” established pursuant to this rule. To establish the study area, the city must first identify a “preliminary study area” which shall not include land within a different UGB or the corporate limits of a city within a different UGB. The preliminary study area shall include:*

*(a) All lands in the city’s acknowledged urban reserve, if any;*

*(b) All lands that are within the following distance from the acknowledged UGB:*

*(A) For cities with a UGB population less than 10,000: one-half mile;*

*(c) All exception areas contiguous to an exception area that includes land within the distance specified in subsection (b) and that are within the following distance from the acknowledged UGB:*

*(A) For cities with a UGB population less than 10,000: one mile;*

**Response:**

The City of Adair Village is outside of Metro and has a UGB population of less than 10,000. Benton County has not adopted urban reserve areas, therefore no urban reserve areas are available for UGB expansion. However, there are identified exception areas contiguous to exception areas within the one-half mile radius. Therefore, in accordance with OAR 660-024-0065(1)(c)(A), a study area radius of one mile has been considered.



While exception lands west of Highway 99 could be considered for UGB expansion, the City of Adair Village and the Oregon Department of Transportation (ODOT) have, as a matter of policy, determined that the City should not expand west of Highway 99 in order to maintain a cohesive form, provide efficient public infrastructure, minimize access conflicts on Highway 99 and avoid UGB expansions along non-freeway highways consistent with the Oregon Highway Plan (1999). Specifically, Action 1B.8 of ODOT's Oregon Highway Plan addresses UGB expansion and states: "Avoid the expansion of urban growth boundaries along Interstate and Statewide Highways and around interchanges unless ODOT and the appropriate local governments agree to an interchange management plan to protect interchange operation or an access management plan along non-freeway highways." In this case, no such access management plan exists and the governing agencies of Adair Village, Benton County and ODOT are in agreement that an access management plan to enable UGB expansion to the west is neither practical nor consistent with agency policies.

Given the fact that Highway 99 has been determined to be the westward limit of urban growth for the city, exception lands adjacent to the existing City UGB available for expansion are deemed ineligible due to this barrier of urban expansion.

*(4) The city may exclude land from the preliminary study area if it determines that:*

*(a) Based on the standards in section (7) of this rule, it is impracticable to provide necessary public facilities or services to the land;*

**Response:** The ability to provide necessary public facilities or services was not used as a determination to exclude land from the preliminary study area. Therefore, this subsection is not applicable.

*(b) The land is subject to significant development hazards, due to a risk of:*

*(A) Landslides: The land consists of a landslide deposit or scarp flank that is described and mapped on the Statewide Landslide Information Database for Oregon (SLIDO) Release 3.2 Geodatabase published by the Oregon Department of Geology and Mineral Industries (DOGAMI) December 2014, provided that the deposit or scarp flank in the data source is mapped at a scale of 1:40,000 or finer. If the owner of a lot or parcel provides the city with a site-specific analysis by a certified engineering geologist demonstrating that development of the property*

would not be subject to significant landslide risk, the city may not exclude the lot or parcel under this paragraph;

**Response:** A reduction in study area is not proposed due to identified landslide areas as there are no identified landslide areas within the potential study area.

*(B) Flooding, including inundation during storm surges: the land is within the Special Flood Hazard Area (SFHA) identified on the applicable Flood Insurance Rate Map (FIRM);*

**Response:** A reduction in study area is not proposed due to Special Flood Hazard Areas.

*(C) Tsunamis: the land is within a tsunami inundation zone established pursuant to ORS 455.446;*

**Response:** A reduction in study area is not proposed due to tsunami inundation zones as there are no identified tsunami inundation zones within the potential study area.

*(c) The land consists of a significant scenic, natural, cultural or recreational resource described in this subsection:*

*(A) Land that is designated in an acknowledged comprehensive plan prior to initiation of the UGB amendment, or that is mapped on a published state or federal inventory at a scale sufficient to determine its location for purposes of this rule, as:*

*(i) Critical or essential habitat for a species listed by a state or federal agency as threatened or endangered;*

**Response:** A reduction in study area is not proposed for threatened or endangered species habitat as there is no identified threatened or endangered species habitat within the potential study area.

*(ii) Core habitat for Greater Sage Grouse; or*

**Response:** A reduction in study area is not proposed for Great Sage Grouse core habitat as there is no identified Great Sage Grouse core habitat within the potential study area.

*(iii) Big game migration corridors or winter range, except where located on lands designated as urban reserves or exception areas;*

**Response:** A reduction in study area is not proposed for big game migration corridors or winter range as there are no identified big game migration corridors or winter range within the potential study area.

*(B) Federal Wild and Scenic Rivers and State Scenic Waterways, including Related Adjacent Lands described by ORS 390.805, as mapped by the applicable state or federal agency responsible for the scenic program;*

**Response:** A reduction in study area is not proposed for mapped Federal Wild and Scenic Rivers and State Scenic Waterways as there are no Wild and Scenic Rivers or State Scenic Waterways within the potential study area.

*(C) Designated Natural Areas on the Oregon State Register of Natural Heritage Resources;*

**Response:** A reduction in study area is not proposed for Oregon State Register-designated Natural Areas as there are no designated Natural Areas within the potential study area.

*(D) Wellhead protection areas described under OAR 660-023-0140 and delineated on a local comprehensive plan;*

**Response:** A reduction in study area is not proposed for wellhead protection areas as there are no designated wellhead protection areas within the potential study area.

*(E) Aquatic areas subject to Statewide Planning Goal 16 that are in a Natural or Conservation management unit designated in an acknowledged comprehensive plan;*

**Response:** A reduction in study area is not proposed for aquatic areas in a Natural or Conservation management unit as there are no estuaries within the potential study area.

*(F) Lands subject to acknowledged comprehensive plan or land use regulations that implement Statewide Planning Goal 17, Coastal Shoreland, Use Requirement 1;*

**Response:** A reduction in study area is not proposed for lands subject to Statewide Planning Goal 17, Use Requirement 1 as coastal shorelands do not exist in the potential study area.

*(G) Lands subject to acknowledged comprehensive plan or land use regulations that implement Statewide Planning Goal 18, Implementation Requirement 2;*

**Response:** A reduction in study area is not proposed for lands subject to Statewide Planning Goal 18, Implementation Requirement 2, which relates to beaches and dunes which do not exist in the potential study area.

*(d) The land is owned by the federal government and managed primarily for rural uses.*

**Response:** A reduction in study area is not proposed for lands owned by the federal government and managed primarily for rural uses as there are no federally owned lands within the potential study area.

*(7) For purposes of subsection (4)(a), the city may consider it impracticable to provide necessary public facilities or services to the following lands:*

*(a) Contiguous areas of at least five acres where 75 percent or more of the land has a slope of 25 percent or greater, provided that contiguous areas 20 acres or more that are less than 25 percent slope may not be excluded under this subsection. Slope shall be measured as the increase in elevation divided by the horizontal distance at maximum ten-foot contour intervals;*

**Response:** The preliminary study area does not contain any areas of land where 75 percent or more of the land has a slope of 25 percent or greater. Therefore, this section is not applicable.

*(b) Land that is isolated from existing service networks by physical, topographic, or other impediments to service provision such that it is impracticable to provide necessary facilities or services to the land within the planning period. The city's determination shall be based on an evaluation of:*

*(A) The likely amount of development that could occur on the land within the planning period;*

**Response:** A designation of the amount of development likely to occur on the land was not used as part of the determination of the preliminary study area. Therefore, this subsection is not applicable.

*(B) The likely cost of facilities and services; and,*

**Response:** The preliminary study area did not factor in the likely cost of facilities and services as part of the determination of a preliminary study area. Therefore, this subsection is not applicable.

*(C) Any substantial evidence collected by or presented to the city regarding how similarly situated land in the region has, or has not, developed over time.*

**Response:** No lands were considered unserviceable due to the development of other lands over time. Therefore, this subsection is not applicable.

*(c) As used in this section, “impediments to service provision” may include but are not limited to:*

*(A) Major rivers or other water bodies that would require new bridge crossings to serve planned urban development;*

**Response:** No lands have been eliminated from the study area due to the presence of major rivers or other water bodies that could be an impediment to service provision. Therefore, this subsection is not applicable.

*(B) Topographic features such as canyons or ridges with slopes exceeding 40 percent and vertical relief of greater than 80 feet;*

**Response:** No lands have been eliminated from the study area due to slopes exceeding 40 percent and/or vertical relief of greater than 80 feet. Therefore, this subsection is not applicable.

*(C) Freeways, rail lines, or other restricted access corridors that would require new grade separated crossings to serve planned urban development;*

**Response:** Based on the aforementioned policies stated in the Benton County Comprehensive Plan and the Oregon Highway Plan, Highway 99, a restricted access corridor, was deemed an impediment to service provisions. Furthermore, it was determined that it was not in the best interest of Adair Village to expand to the west of Highway 99. The City of Adair Village Comprehensive Plan (2015), in Section 9.890 – Growth Management Goals and Policies, calls for a local street network “without relying on Hwy 99W for intra-city trips.” This policy is consistent with ODOT desires to minimize access points along Highway 99 and ensure that the facility is used for regional trips and not for local travel. Thus, expansion to the west would inherently isolate these properties from the

rest of the City, creating an impediment to utility and public services and a cohesive urban form.

*(D) Significant scenic, natural, cultural or recreational resources on an acknowledged plan inventory and subject to protection measures under the plan or implementing regulations, or on a published state or federal inventory, that would prohibit or substantially impede the placement or construction of necessary public facilities and services.*

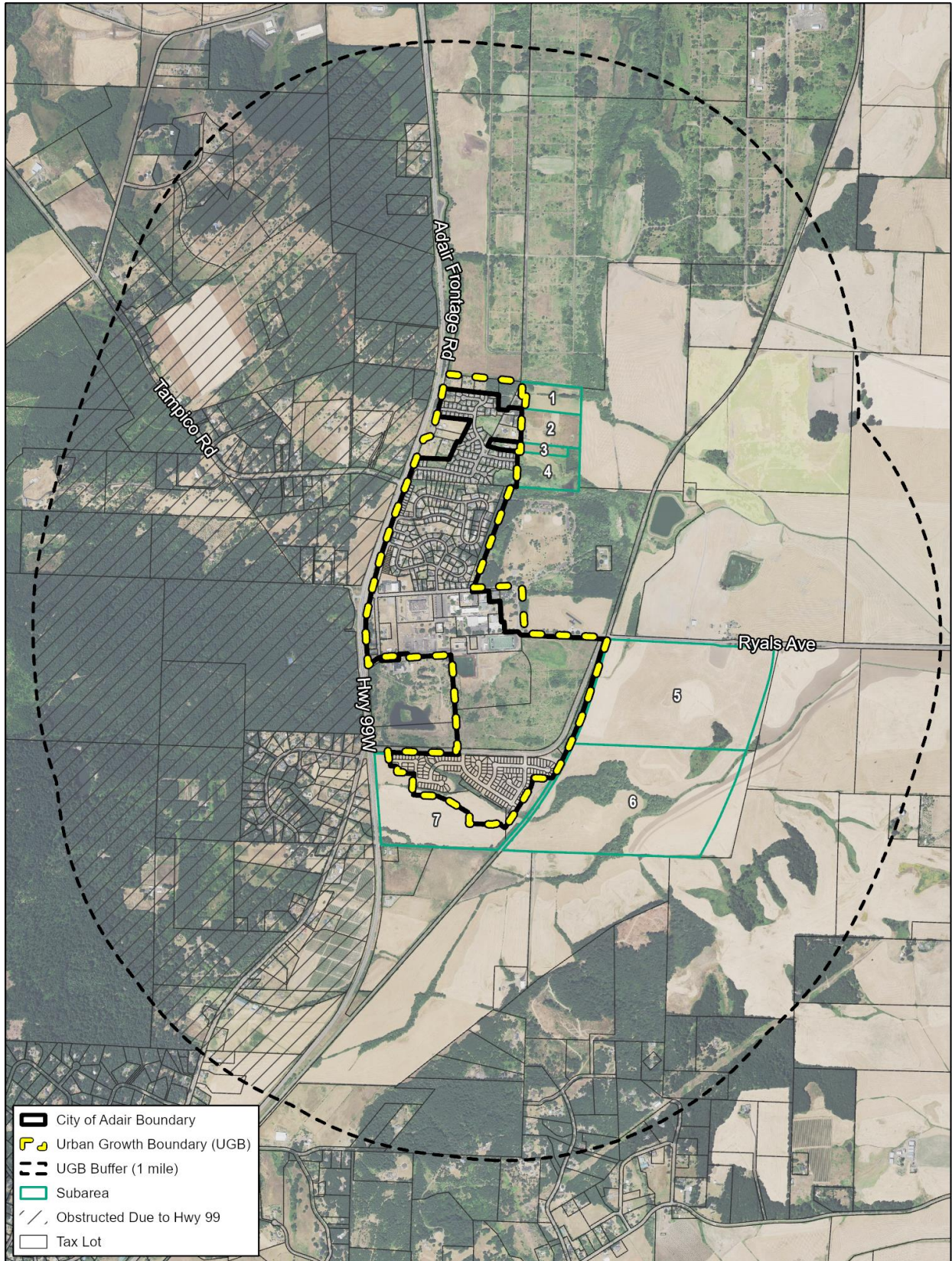
**Response:** Significant scenic, natural, cultural, or recreational resources were not used as a justification of an impediment to service provisions in the preliminary study area. Therefore, this subsection is not applicable.

*(8) Land may not be excluded from the preliminary study area based on a finding of impracticability that is primarily a result of existing development patterns. However, a city may forecast development capacity for such land as provided in OAR 660-024-0067(1)(d).*

**Response:** The identified preliminary study area, as shown in the Comparative Analysis, dated July 20, 2022, did not exclude any land based on existing development patterns.

Based on these requirements, the city evaluated all lands adjacent to the Adair Village UGB for suitability for residential uses. For purposes of the Alternatives Analysis, the city reviewed land in the preliminary study area within the one-mile buffer of the Adair Village UGB, as shown in Figure 8.

Figure 8: Comparative Analysis Study Area Map



## Study Area

Per OAR 660-24-0065(a)(A), cities within a UGB population of less than 10,000 people, such as Adair Village, shall use a one-half mile radius to establish a study area for the comparative analysis. The selection of potential comparison sites is discussed in more detail in Appendix A at the end of this memo and in Chapter 4, pages 52-62. As shown on the attached Comparative Analysis Study Area map (Figure 8), properties within one-half mile were grouped into specific subareas based on common zoning, ownership, and physical site characteristics. For purposes of this analysis, subareas are groups of contiguous properties, adjacent to the UGB and zoned Exclusive Farm Use (EFU) by Benton County. EFU zones are considered resource zones and apply to lands classified by the U.S. Soil Conservation Service as predominantly Class I-IV soils, per Benton County Development Code 55.015. The following seven subareas are included in the study area:

- Subarea 1 - 8.7 acres
- Subarea 2 - 11.6 acres
- Subarea 3 - 2.51 acres
- Subarea 4 - 12.9 acres
- Subarea 5 - 103.2 acres
- Subarea 6 - 115.1 acres
- Subarea 7 - 41.7 acres

## ORS 197.298 Prioritization

The provisions in ORS 197.298(1) require that land to be included within a UGB be prioritized using the following general hierarchy:

First	Land designated as urban reserve
Second	Land adjacent to the UGB and designated as exception or non-resource
Third	Land designated as marginal land
Fourth	Land designated as agriculture or forest land

As shown in Figure 8 and Figure 10, none of the subareas are designated as urban reserves; therefore, there are no “first priority” lands within the study area.

Second priority is given to land that is adjacent to a UGB and designated as exception or non-resource land. With the study area, there are no properties adjacent to the UGB and designated as exception or non-resource land. Second priority may also include resource lands that are completely surrounded by exception lands; however, none of the EFU subareas meet that threshold. Therefore, the study area does not include any second priority lands.

Third priority is given to lands that are defined as marginal pursuant to ORS 197.247 (1991 Edition). Benton County has not adopted marginal lands provisions and, therefore, the third



level of prioritization does not apply here.

If lands identified as high priority under the first, second, and third tiers of prioritization are inadequate to accommodate the amount of land needed, then fourth priority can be given to lands designated for agriculture or farm use (resource lands). Since there are no identified first, second or third priority lands inside the study area, the seven EFU subareas can be included as fourth priority lands per this rule.

Under ORS 197.298(2), the lands that can be considered for UGB expansion per the prioritization evaluation in subsection (1) must be further evaluated and prioritized based on capability of the land. Capability is measured by soil classification ranging from Class I to Class XIII; Class I soils have the most capability for agricultural use and are therefore considered lowest priority for UGB inclusion. Class XIII soils have very limited capability for agricultural use and would be given highest priority. As shown on the soil classification map in Figure 9, each subarea was ranked based on the relative proportion of high soil capability. Per the soil map, the subareas have the following soil classifications:

- Subarea 1: approximately 90% Class II soils
- Subarea 2: approximately 100% Class II soils
- Subarea 3: approximately 100% Class II soils
- Subarea 4: approximately 54% Class II soils
- Subarea 5: approximately 77% Class II soils
- Subarea 6: approximately 48% Class II soils
- Subarea 7: approximately 67% Class II soils

Subareas 4, 6, and 7 were given higher priority due to the higher levels of Class III and IV soils. Other subareas in the analysis had greater proportions of Class I and II soils, which are more productive and therefore, a lower priority.

Finally, ORS 197.298(3) states that land of lower priority under subsection (1) of the rule can be included in a UGB if land of higher priority is found to be inadequate based on one or more of several factors. However, those factors do not apply here because all lands identified are fourth priority lands; land of higher priority was not identified within the study area.

To summarize the prioritization analysis under ORS 197.298, there are no lands of first, second or third priority within the study area. Therefore, the EFU subareas 1-7 can be included as fourth priority lands. Under ORS 197.298(2), subareas 4, 6, and 7 are considered higher priority due to the higher levels of less productive soils.

Figure 9: Soil Classification Map

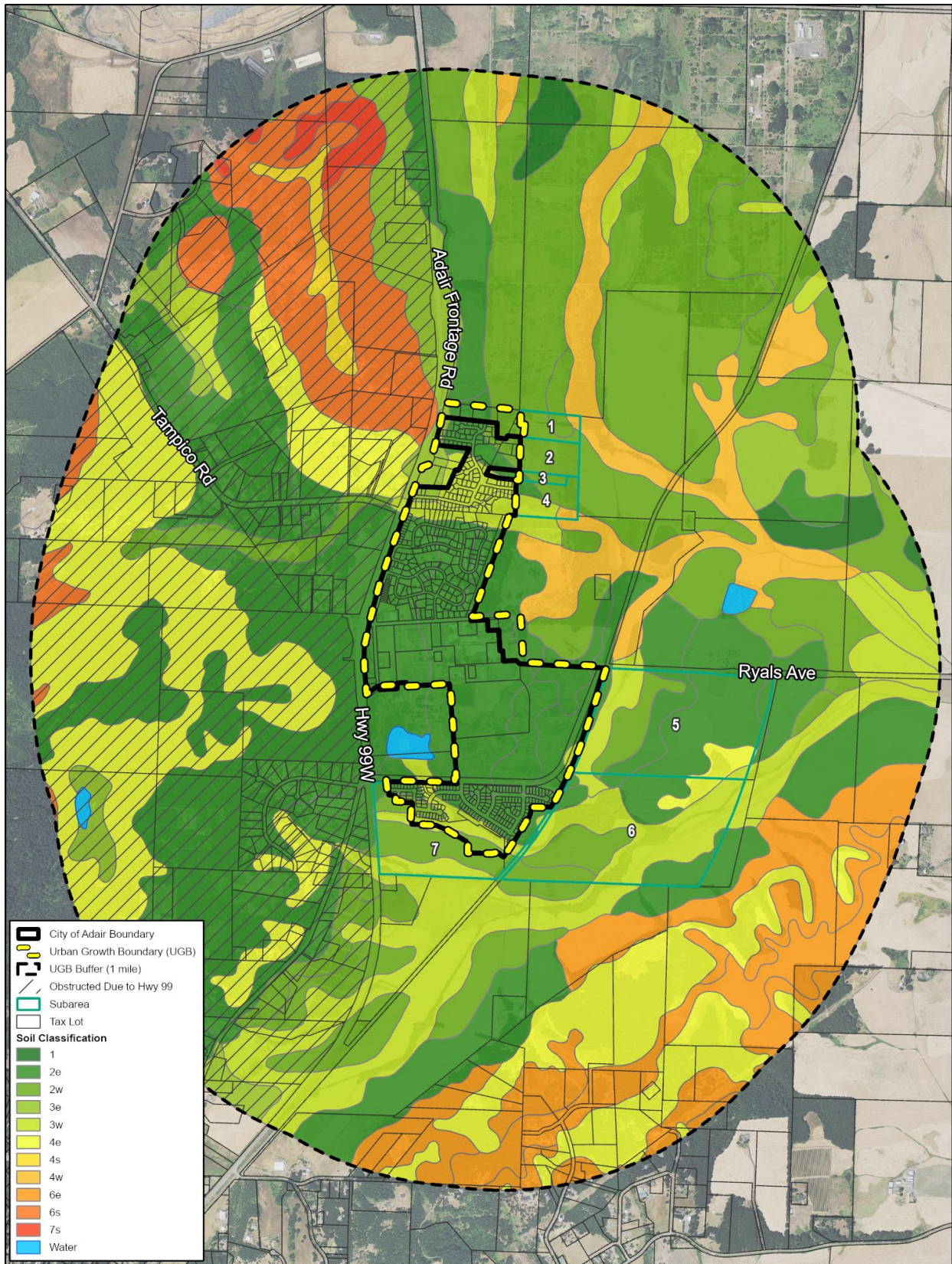
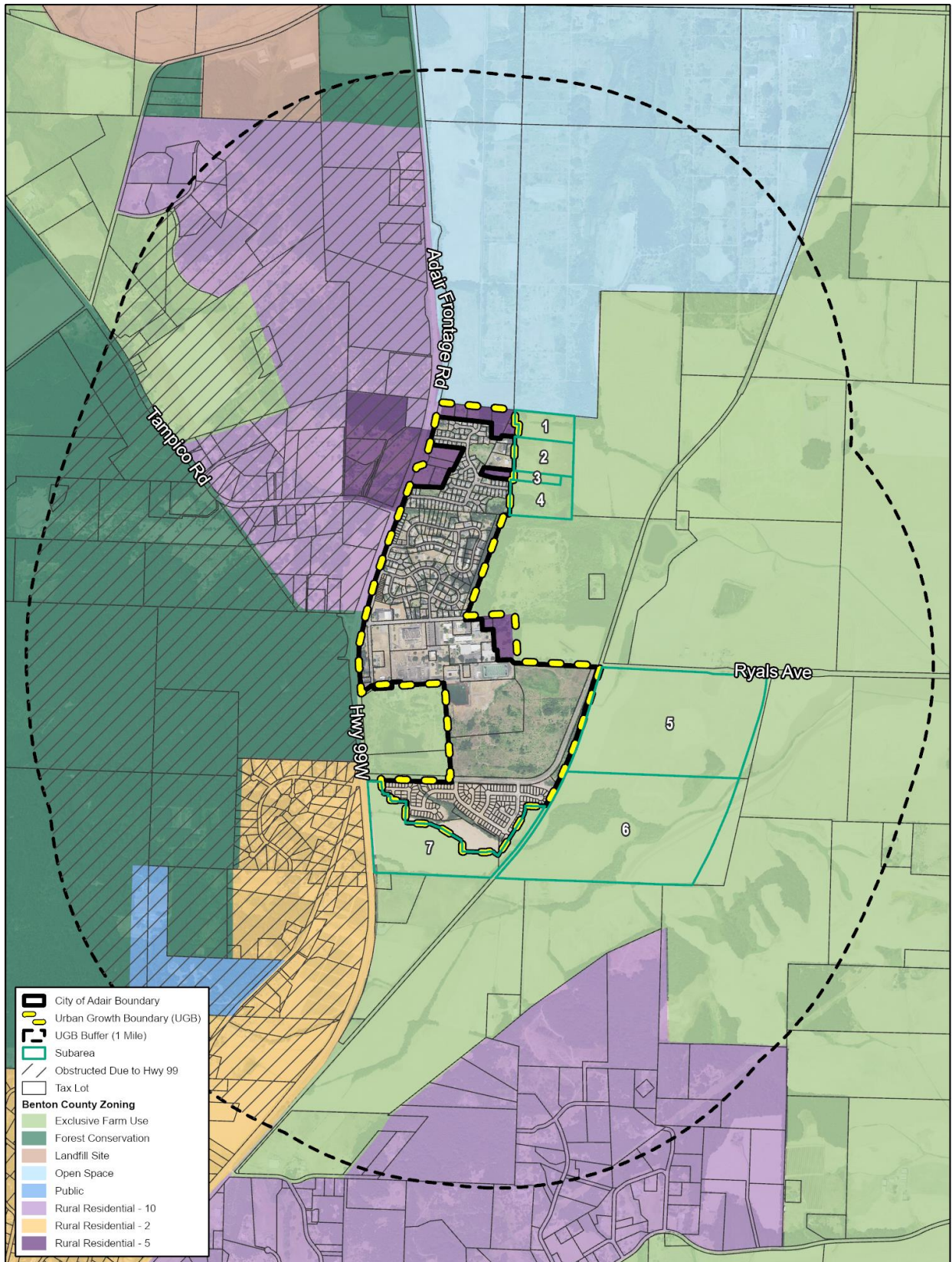


Figure 10: Comparative Analysis Zoning Map



## 4. Goal 14 Locational Factors

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The findings and analysis in Chapters 2 and 3 of these findings demonstrate that insufficient land exists in the UGB to meet identified residential land needs.

Chapter 4 includes additional findings demonstrating compliance Goal 14 locational factors.

Goal 14 establishes four boundary location factors that must be considered when reviewing alternative boundaries:

*The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197A.320 and with consideration of the following factors:*

- a. Efficient accommodation of identified land needs;*
- b. Orderly and economic provision of public facilities and services;*
- c. Comparative environmental, energy, economic and social consequences; and*
- d. Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.*

### **Findings demonstrating consistency with Goal 14 Location Factors 1–4**

The four Goal 14 location factors are: (1) Efficient accommodation of identified land needs; (2) Orderly and economic provision of public facilities and services; (3) Comparative environmental, energy, economic and social consequences; and (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

The following sections provide findings showing consideration of the Goal 14 locational factors.

#### **Goal 14 Comparison**

Based on the above analysis of the ORS 197.298 prioritization requirements, EFU subareas within the study area can be considered for inclusion within the UGB. Upon making this conclusion, the county must then consider which sites are most eligible for expansion based on Statewide Planning Goal 14 urbanization factors. These factors are listed below along with a discussion of how the seven EFU subareas compare within each factor.

#### **1. *Efficient accommodation of identified land needs.***

The June 14, 2022 DOWL BLI analysis identifies the need for land to accommodate additional housing units in the City to accommodate 20-year population growth in the City. Section 9.440 of the comprehensive plan states also recognizes this shortage and states that, “The only other area capable of supporting future urban expansion is the area immediately east of the existing City UGB that contains portions of some of the same tax lots already in the UGB. This area contains 36 acres that is zoned EFU in the County and is the only other contiguous property available to the City.” The parcels referenced in that statement are subareas 1-4 in the study area. Section 9.840 of the comprehensive plan further notes that these lands represent the only remaining lands east of Highway 99 West that can be urbanized without encroaching on the larger parcels of agricultural land northeast, east and south of the city. As such, these parcels “should be given early consideration for inclusion within the City’s UGB...”.

Subarea 7 is likely the subarea that is most able to efficiently accommodate the land need because it is about 42 acres under one ownership. This property (called the Weigel property in the comprehensive plan) was considered for a previous UGB expansion and roughly half of the property is already in the UGB.

Subareas 5 and 6 are relatively large parcels, each under single ownership, and could accommodate the identified land need. However, development of those subareas would represent a more significant encroachment into agricultural lands. Those subareas are not identified for long-range urban expansion per the comprehensive plan.

Subareas 1-4 are smaller parcels and could not individually accommodate the identified land need.

- 2. *Orderly and economic provision of public facilities and services.*** Public facilities and services include public utilities such as water and sewer, along with transportation facilities, parks, and schools. Currently, none of the EFU subareas have public services or facilities. The southern-most EFU subareas (subareas 5-7) are located away from existing public services (water and sewer) and have limited transportation facilities. Subareas 5 and 6 have proximity to NW Ryals Avenue but are separated from the roadway by the Southern Pacific Railroad line that runs north-south through that area. Subarea 7 does not have frontage on NW Ryals Avenue but could connect to the roadway through the northern portion of the Weigel property that is already inside the UGB. The northern portion of the Weigel property has now developed. For these southern EFU subareas, extension of public services and facilities to serve subareas 5 and 6 would be a significant effort. However, with the development of the northern portion of the Weigel property, subarea 7 is now in close proximity to existing services.

The northern EFU subareas (1 through 4) have greater proximity to existing public services and facilities. The Cornelius property (subarea 4) provides the most efficiency for extension of services because NE Hibiscus Drive stubs to the property and was intended to ultimately extend into subarea 4. Water and sewer connections are available in NE Hibiscus Drive. Subareas 1-3 are north of subarea 4 and do not currently have stubs at their property lines. Infrastructure extensions into the Cornelius site could

easily occur from NE Hibiscus Drive. As such, subarea 4 provides the most orderly and economic extension of public facilities and services relative to the other EFU subareas. **(See additional analysis starting on page 53)**

3. **Comparative environmental, energy, economic and social consequences.** Including subareas 1-4 in the UGB would have fewer environmental consequences when compared with subareas 5-7. Subareas 1-4 are smaller lots and, per the comprehensive plan, could be developed without encroaching on larger and more productive EFU lands. In addition, subareas 6 and 7 are encumbered by waterways (Calloway Creek) and associated riparian areas. Development on those subareas could have impacts to the natural areas. There are no identified waterways on subareas 1-4. Subareas 1-4 also have energy and economic advantages over the other EFU subareas because they are in closer proximity to existing development and provide more efficient extension of public services and facilities. Subarea 4 also has a lower proportion of productive soils, which makes it a higher priority for UGB inclusion and minimizes environmental impacts of development in that location.
4. **Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.** Similar to the discussion under (3) above, the comprehensive plan notes that subareas 1-4 are some of the only remaining lands east of the highway that could be urbanized without encroaching on major agricultural parcels northeast, east and south of the city. These are relatively small parcels in terms of agricultural operations and some of the parcels in these subareas are already inside the UGB (portions of subareas 1 and 3 are inside the UGB). They are close to existing development and could serve as a buffer between the larger agricultural uses to the east and more dense development to the west. Subarea 7 could also serve in a similar capacity; it is naturally separated from other agricultural lands by Calloway Creek to the south and the railroad to the east. By comparison, subareas 5 and 6 are large parcels of EFU land with the potential to support larger, more productive agricultural operations. Fragmenting those large parcels for urbanization would likely reduce their productivity. The comprehensive plan does not identify these subareas for future inclusion into the UGB.

The table below summarizes the evaluation under Goal 14.

EFU Subarea	Ranking under Goal 14 Factors*				
	Factor 1	Factor 2	Factor 3	Factor 4	Total
1	0	0	1	1	2
2	0	0	1	1	2
3	0	0	1	1	2
4	0	1	1	1	3
5	1	0	0	0	1
6	1	0	0	0	1
7	1	1	0	1	3

\*A score of 1 means the subarea generally fulfills the urbanization factors described above.

## CONCLUSION

As indicated in the above summary, subarea 4 (Cornelius property) and subarea 7 (Weigel property) best meet the criteria for urban growth expansion when compared with other subareas relative to the four urbanization factors. While subarea 7 is identified in the comprehensive plan as a logical location for UGB expansion, efficient provision of public facilities to subarea 7 relies heavily on development directly to the north (the portion of the Weigel property already inside the UGB) which has now taken place. Subarea 4 is directly adjacent to existing development and road and utility stubs are in place on Hibiscus Drive to serve the Cornelius property.

For the selection of sites used in the comparative analysis for the Adair Village UGB amendment, a study area of one-half mile around the existing UGB was used.

While within one-half mile of the UGB, the following properties were excluded from this analysis:

- *Properties non-contiguous with the UGB*

It is unlikely that land not adjacent to the UGB would receive priority for expansion, given the inefficiencies in public service provision. Tax lots excluded for this reason are:

- 10431C000200
- 104310000700
- 104310000600
- 104310000500
- 104320000300
- 104310000502
- 104320000100
- 104290000700
- 104200000400

- *Properties under public ownership*

Sites that are owned by a public agency such as Benton County, the City of Adair Village, or the Oregon State Game Commission are excluded from this analysis.

- 104190000100
- 104200000300
- 104290000301
- 104290000300
- 104290000800
- 10430D000400

– 10430D001500

- *Properties located west of Oregon Route 99W*  
Expanding west across Highway 99W is impractical due to steep slopes, issues related to serviceability, and transportation safety. Properties west of Highway 99W are excluded from this analysis.

## **ADDITIONAL ANALYSIS: Civil West Subarea Infrastructure Cost Estimates**

**FACTOR 2:** Orderly and economic provision of public facilities and services.

### **Infrastructure Methodology**

This analysis presents construction cost estimates for public infrastructure necessary to access and serve the subject areas. These infrastructure projects do not include any on-site costs, except those necessary for any development of the area. Cost estimates rely on recent construction costs in the area when applicable, and existing facility and master plans where more recent work is not available.

**Sewer Methodology:** The City of Adair Village completed a Wastewater Facilities Plan update in 2019. Based on ENR index increases since 2019, unit costs have been increased 6% from those determined in the report. Sewer work for the subareas included in this analysis primarily include lift stations, gravity main, force mains, and railroad crossings when necessary. Costs associated with work which is not included in the WWFP (railroad crossing), are estimated based on recent similar work in the region.

**Water Methodology:** Water needs associated with each subarea include extending service to the boundary of the property. Costs used for water cost estimates are based on recent water infrastructure improvements in, and around, the City of Adair Village.

**Transportation Methodology:** Many of the subareas evaluated herein do not have legal public access to the properties. Cost for transportation infrastructure include the procurement of right-of-way, development of a public street to current City standards, and when necessary, railroad crossings. Costs used for roadway work are estimated using recent roadway costs for development in the City of Adair Village and include dry utility conduit.

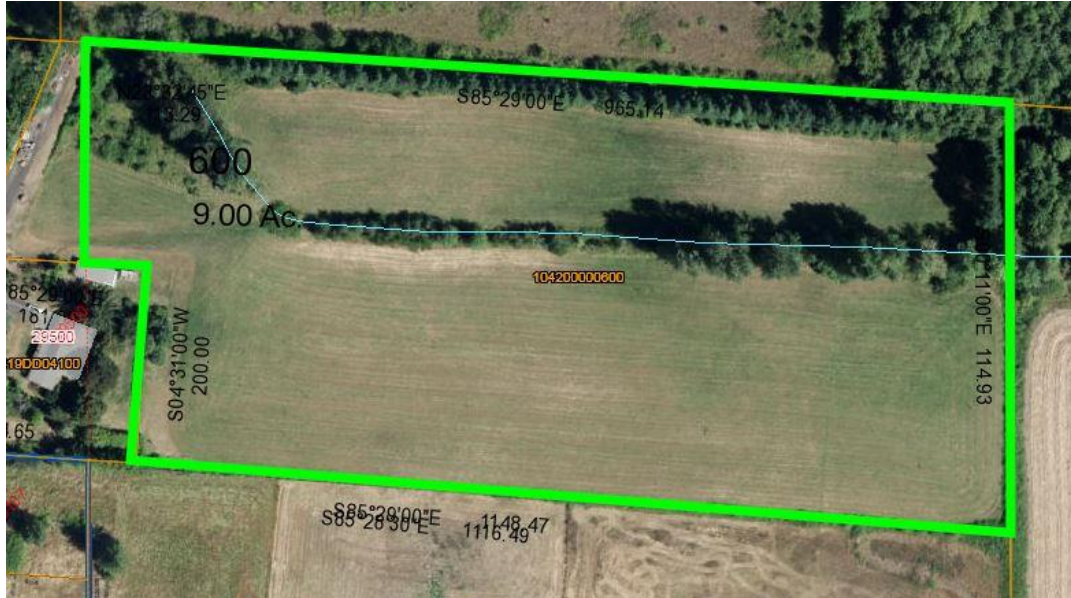
**Stormwater Methodology:** Most of the subareas evaluated do not need offsite stormwater infrastructure. Only one requires offsite work. The estimated costs for that infrastructure are determined using recent development cost in the City of Adair Village.

### **Subarea 1**

Subarea consists of 8.66 acres of agriculturally zoned (EFU) land. The owners, Antonio &



Elizabeth Amandi, own 6.09 acres of rural residential land already inside the UGB, directly adjacent to their holdings within subarea 1. While subarea 1 does not directly abut the UGB, the subarea is included in this analysis due to contiguous ownership.



Source: Benton County GIS

**Subarea 1**

Taxlot	Ownership	Acreage
10420000600	ANTONIO & ELIZABETH AMANDI REVOCABLE LIV	8.66

**Infrastructure analysis:**

Transportation: Access to Subarea 1 is only available by way of Newton Road. Newton Rd is an unimproved PRIVATE road across 5 different properties. Development of Subarea 1 will require 1000 lf of ROW dedication and roadway improvements. **Cost to develop: \$450,000**

Sewer: The closest sewer available is at the south end of Newton Road, approximately 1000 feet away from the west side of the property. However, the property topography slopes from west to east, so the low point of the property is approximately 20’ below the grade of the nearest sewer, meaning a wastewater lift station would be required to serve this property. Wastewater would be pumped to the west side of the property and then south along Newton Road to a point approximately 200’ north of the end of Newton Road where it would transition to a gravity sewer for the remaining 200’. Costs include upgrade of existing lift station in Adair County Park. **Cost to develop: \$760,000**

Water: Public water extends approximately 500 north from the intersection of Newton Road, however the waterline is only a 6” main. In order to serve a multi-unit development, the entire

watermain (1000 lf) would have to be increased in size to an 8” or 10” pipe. **Cost to develop: \$120,000**

Stormwater: There are no stormwater facilities near the property. Stormwater would be required to be captured, detained, and treated on-site prior to discharge along the east property boundary. No offsite stormwater facilities would be required. **Cost to develop: \$0**

**TOTAL COST TO EXTEND INFRASTRUCTURE TO SUBAREA 1: \$1,330,000 (\$153,580/acre)**

**Subarea 2**

Subarea 2 consists of a single 11.59-acre property. There is an existing residential structure on the site, which is accessible to Newton Road to the west via a private driveway. The site is surrounded by residential areas to the west, agricultural lands to the east, subarea 1 to the north, and subarea 3 to the south.



Source: Benton County GIS

**Subarea 2**

Taxlot	Ownership	Acreage
104290001200	CHAD MORSE	11.59

**Infrastructure analysis:**

Transportation: Access to Subarea 2 is only available by way of Newton Road. Newton Rd is an unimproved PRIVATE road across 3 different properties. In addition to Newton Road, access would also have to cross on additional property adjacent to Subarea 2 on the west side. Development of Subarea 2 will require 1000 lf of ROW dedication and roadway improvements. Cost to develop: \$450,000

Sewer: The closest sewer available is at the south end of Newton Road, approximately 1000 feet away from the west side of the property. However, the property topography slopes from west to east, so the low point of the property is approximately 20’ below the grade of the nearest sewer, meaning a wastewater lift station would be required to serve this property. Costs include upgrade of existing lift station in Adair County Park. **Cost to develop: \$730,000**

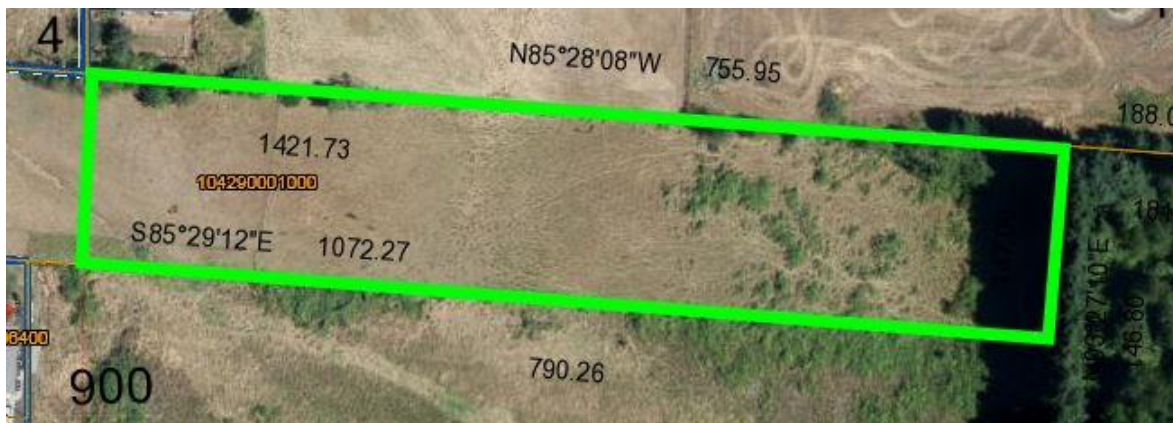
Water: Public water extends approximately 500 north from the intersection of Newton Road, however the waterline is only a 6” main. In order to serve a multi-unit development, the entire watermain (850 lf) would have to be increased in size to an 8” or 10” pipe. **Cost to develop: \$475,000**

Stormwater: There are no stormwater facilities near the property. Stormwater would be required to be captured, detained, and treated on-site prior to discharge along the east property boundary. No offsite stormwater facilities would be required. **Cost to develop: \$0**

**TOTAL COST TO EXTEND INFRASTRUCTURE TO SUBAREA 2: \$1,282,000 (\$110,610/acre)**

**Subarea 3**

Subarea 3 is the agriculturally zoned, western portion of tax lot 1000. The 2.51-acre subarea is located immediately north of the Cornelius property.



Source: Benton County GIS

**Subarea 3**

Taxlot	Ownership	Acreage
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**Infrastructure analysis:**

Transportation: Access to Subarea 3 is only available by way of Newton Road and through the western portion of the tax lot. Newton Rd is public up to the western portion of the property. Development of this parcel would include the portion currently within the UGB. The only transportation improvements would be along the 150' frontage of the property along Newton Road. **Cost to develop: \$67,500**

Sewer: The closest sewer available is at the south end of Newton Road, adjacent to the west side of the property. However, the property topography slopes from west to east, so the low point of the property is approximately 15' below the grade of the nearest sewer, meaning a wastewater lift station would be required to serve this property, or a gravity line may be able to run south, directly into the County Park and the City's lift station in the park. Costs include upgrade of existing lift station in Adair County Park. **Cost to develop: \$475,000**

Water: Public water extends approximately 500 north from the intersection of Newton Road, however the waterline is only a 6" main. In order to serve a multi-unit development, the entire watermain (150 lf) would have to be increased in size to an 8" or 10" pipe. **Cost to develop: \$18,000**

Stormwater: There are no stormwater facilities near the property. Stormwater would be required to be captured, detained, and treated on-site prior to discharge along the east property boundary. No offsite stormwater facilities would be required. **Cost to develop: \$0**

**TOTAL COST TO EXTEND INFRASTRUCTURE TO SUBAREA 3: \$560,500 (\$223,310/acre)**

**Subarea 4**

Subarea 4, the Cornelius property, consists of 12.97 acres. The eastern 5.12 acres of the property are unencumbered by wetlands. The site is accessible from the west via NE Hibiscus Drive and would be proposed for residential development subject to UGB expansion and annexation into Adair Village. Adair County Park abuts the property to the south.



Source: Benton County GIS

**Subarea 4**

Taxlot	Ownership	Acreage
104290000900	CORNELIUS TIMOTHY W	12.97

**Infrastructure analysis:**

Transportation: Access to Subarea 4 is available by way of NE Hibiscus Dr which is a publicly owned street within the City of Adair Village. No additional roadway improvements will be necessary to develop Subarea 4. **Cost to develop: \$0**

Sewer: Public Sewer currently extends down Hibiscus Drive and turns and runs south at the end of the existing street to the Benton County Park. Because the land slopes from west to east, future development in Subarea 4 will likely require a new connection to the collection system in the park to the south. Costs include upgrade of existing lift station in Adair County Park. **Cost to develop: \$197,500**

Water: An 8" public watermain extends down Hibiscus Drive. This is likely adequate to serve development of this parcel **Cost to develop: \$0**

Stormwater: Stormwater facilities currently run west to east down Hibiscus Drive and discharge stormwater into Subarea 4. Development of Subarea 4 will need to account for drainage of upstream existing development. **Cost to develop: \$150,000 .**

**TOTAL COST TO EXTEND INFRASTRUCTURE TO SUBAREA 4: \$347,500 (\$26,310/acre)**

**Subarea 5**

Subarea 5 consists of 103.21 acres and abuts the eastern edge of the UGB. The property is adjacent to Adair County Park, separated by the Southern Pacific Railroad.



Source: Benton County GIS

**Subarea 5**

Taxlot	Ownership	Acreage
104290000500	METGE CHARLES W	103.21

**Infrastructure analysis:**

Transportation: Access to Subarea 5 would only be available by way of Ryals Avenue. Ryals Avenue is a two-lane Benton County Road. Access from Ryals is assumed to require half street improvements to meet City requirements (Curb, bike path, sidewalk). This would also include adding pedestrian and bicycle improvements to the railroad crossing. **Cost to develop: \$805,000**

Sewer: No existing Public Sewer collection system exists near this development. The closest system is currently in the Calloway Creek subdivision which is approximately 700 feet southwest. This sewer system is higher than Subarea 5 however, so a lift station would be required. Since a lift station is required, it would be best to pump sewage directly to the

treatment plant approximately 1500 feet away, including a railroad crossing. **Cost to develop: \$800,000**

Water: A 10” public watermain runs through the property (from Voss Hill Reservoir to the City center). In order for this property to be developed, that watermain (approximately 2700 lf) would have to be replaced so that the property could be graded and the waterline alignment could line up with proposed streets/easements. **Cost to develop: \$324,000**

Stormwater: There are no stormwater facilities near the property. Stormwater would be required to be captured, detained, and treated on-site prior to discharge along the northwest and southeast property boundaries. No offsite stormwater facilities would be required. **Cost to develop: \$0**

**TOTAL COST TO EXTEND INFRASTRUCTURE TO SUBAREA 5: \$1,929,000 (\$18,690/acre)**

**Subarea 6**

Subarea 6 is adjacent to the UGB and Adair County Park along its northwest portion, separated by the Southern Pacific Railroad. The subarea is large, consisting of 115.12 acres.



Source: Benton County GIS

**Subarea 6**

Taxlot	Ownership	Acreage
104320000200	GRAHAM ROBERT E	115.12

**Infrastructure analysis:**

Transportation: Access to Subarea 6 would only be available by way of Crane Lane. Crane Lane is an undedicated and unimproved road in Benton County. An easement is assumed across the south portion of Subarea 7, but the grantor and grantee have been in legal battles to determine ownership. This analysis assumes that the easement would be acquired and made into public

right-of-way and improved from Hwy 99W. This access would also require a railroad crossing at the east end of crane lane/southwest corner of the subject property. **Cost to develop: \$1,700,000**

Sewer: No existing Public Sewer collection system exists near this development. The closest system is currently in the Calloway Creek subdivision which is across the railroad tracks to the west. This sewer system is higher than Subarea 6 however, so a lift station would be required. The forcemain would have to go under the railroad tracks. **Cost to develop: \$700,000**

Water: A 10" public watermain actually runs very close to the northeast corner of the property (from Voss Hill Reservoir to the City center). Connecting to this existing line would be relatively low cost. **Cost to develop: \$30,000**

Stormwater: There are no stormwater facilities near the property. Stormwater would be required to be captured, detained, and treated on-site prior to discharge along the northeast property boundaries. No offsite stormwater facilities would be required. **Cost to develop: \$0**

**TOTAL COST TO EXTEND INFRASTRUCTURE TO SUBAREA 6: \$2,430,000 (\$21,110/acre)**

**Subarea 7**

Subarea 7, also referred to as the Weigel property, consists of two properties under common ownership that abut the UGB. The parcel is accessible via Highway 99W to the west and NE Crane Lane to the south. The smaller parcel is narrow property along the Southern Pacific Railroad.



Source: Benton County GIS

Subarea 7		
Taxlot	Ownership	Acreage
104310000205	RST WEIGEL LLC	36.5



**Infrastructure analysis:**

Transportation: Access to Subarea 7 would only be available by way of Ryals Avenue, through the Calloway Creek Subdivision and by Crane Lane. Crane Lane is an undedicated and unimproved road in Benton County. An easement is assumed across the south portion of Subarea 7, but the grantor and grantee have been in legal battles to determine ownership. This analysis assumes that property acquisition would not be required, but that 1000 lf of roadway improvements to Crane Ln would be required. **Cost to develop: \$300,000**

Sewer: Public Sewer is in the Calloway Creek subdivision which is the abutting property to the north. A lift station in Calloway Creek was constructed which has excess capacity and will be able to accommodate this additional flow with no additional improvements. No offsite sewer improvements are necessary. **Cost to develop: \$0**

Water: A 10" public watermain exists within the Calloway Creek development. Connection to the existing watermain in a minimum of two locations would be required. **Cost to develop: \$42,000**

Stormwater: There are no stormwater facilities near the property. Stormwater would be required to be captured, detained, and treated on-site prior to discharge along the east property boundary. No offsite stormwater facilities would be required **Cost to develop: \$0**

**TOTAL COST TO EXTEND INFRASTRUCTURE TO SUBAREA 7: \$342,000 (\$8,200/acre)**

**SUMMARY**

The table below provides a summary of the different subareas with the acreage, cost, and cost per acre of each area.

	Acres	Cost	Cost/acre
Subarea 1	8.66	\$1,330,000	\$153,580
Subarea 2	11.59	\$1,282,000	\$110,610
Subarea 3	2.51	\$560,500	\$223,310
Subarea 4	12.97	\$347,500	\$26,790
Subarea 5	103.21	\$1,929,000	\$18,690
Subarea 6	115.12	\$2,430,000	\$21,110
Subarea 7	41.72	\$342,000	\$8,200

Subareas 4 and 7 have lowest overall costs to develop, followed by Subarea 3. Other than the lowest three, costs for offsite development of the others are all in excess of \$1 million, with

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subareas 5 and 6 being near or above \$2 million. Subarea 7 also has the lowest cost/acre to develop at \$8,200/acre, with the next two being subareas 5 and 6 near \$20,000/acre. Subarea 4 has a cost/acre of \$26,790. Subareas 1-3 are all above \$100,000 per acre.

Based on this analysis, Subareas 4 and 7 provide the lowest cost and are the easiest sites to develop. These two subareas would provide an additional 54+ acres of buildable acreage for the city.

# 5. City Requirements for UGB Expansion

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## I. Compliance with City of Adair Village Land Use Development Code

Section VI of this narrative contains sections of the Adair Village Development Code along with responses to demonstrate how the proposed project meets the applicable standards and criteria for a comprehensive plan amendment and zone change. Sections of the code that are not applicable are generally not included here unless necessary for context.

### ARTICLE 2 APPLICATION PROCEDURES

#### SECTION 2.700 AMENDMENTS

*It is recognized that this Code or the Comprehensive Plan, may require amendments to adjust to changing circumstances. Amendments may be a Text change or addition or a Map change or addition. A Zone Change is an example of a Map Amendment. An amendment shall require a Legislative Decision as defined in Section 3.200 (2) if it applies to the Code or Plan in general, or a Quasi-judicial Decision as defined in Section 3.200 (3) if it applies to a specific property or use.*

*(1) Amendment Application. An Amendment may be initiated by the City Administrator, the City Council, the City Planning Commission or by an Applicant. A request by an Applicant for an amendment shall be accomplished by filing an application with the City using forms prescribed in Section 2.130.*

**Response:** The proposed amendment is being initiated by the City Administrator and is being processed as a legislative comprehensive plan amendment.

*(2) Decision Criteria. All requests for an amendment to the text or to the Zoning/ Comprehensive Plan Map of this Code may be permitted upon authorization by City Council in accordance with the following findings:*

*(a) The proposed amendment is consistent with the intent of the Comprehensive Plan.*

**Response:** Applicable Comprehensive Plan goals and policies are addressed in Section II of this narrative.

*(b) There is a need for the proposed amendment to comply with changing conditions or new laws.*

**Response:** The proposed amendment will facilitate annexation of the sites into the city for future residential development. The BLI, identifies a need for an additional 26 acres of buildable residential land in the city to accommodate projected housing demand over the next 20 years. As the population of Adair Village continues to

grow, the city will need additional residential land to accommodate new homes. The 2022 PRC population forecast data estimated the population of Adair Village to be 1,416 people. The proposed UGB expansion would add 50 new acres of residential land to the city to help ensure the city is able to accommodate additional growth and provide ample housing opportunities for its residents.

*(c) The amendment will not have an undue adverse impact on adjacent areas or the land use plan of the city.*

**Response:** Areas adjacent to the sites include residential developments, Adair County Park, and undeveloped county farmland to the north, south, and east. The proposed amendment will expand the UGB to include an additional approximately 50 acres of R-3 and R-4 zoned land. The Cornelius and Weigel properties are adjacent to existing roads and developed subdivisions and therefore will not impinge on or threaten any nearby agricultural uses or any incompatible uses. Further, the proposed amendment will not result in any fragmentation of land that could interfere with access of any existing uses.

The Cornelius property will be accessed from an extension of Hibiscus Drive that will be built as part of future development. The Weigel property will be accessed from an extension of current residential streets that connect to Ryals Avenue. The land use plan for the city anticipates the need to bring more residential land into the UGB to accommodate future housing demand (Comprehensive Plan Sections 9.400 and 9.800) and the proposed comprehensive plan amendment is consistent with that plan.

*(d) The amendment will not have an undue adverse environmental impact.*

**Response:** Wetlands have been identified on the Cornelius property. These wetlands have been evaluated per the criteria of OAR 141-086-0350 and have been determined not to be significant wetlands. The owner of the property has prepared a preliminary site plan for the site that illustrates an intent to minimize potential wetland impacts through the use of a cottage cluster design concept. Furthermore, approximately 7.85-acres of the Cornelius property would be retained in a conservation easement when brought inside the UGB and preserved in perpetuity.

Both the Cornelius and Weigel properties are immediately accessible from existing access roads, which will minimize the potential for environmental impacts to occur from road and infrastructure extensions into the sites. The Weigel property includes an approximately 5.4 acre area containing a FEMA-mapped floodplain associated with Calloway Creek which runs through the very southern portion of the property. While impacts to the floodplain are not anticipated, if future development were to propose any fill in this area, the applicant would be required to apply for the necessary permits and demonstrate

that the proposed development would not result in a net rise of the 100-year base flood elevation.

*(e) The amendment will not have an undue adverse impact on public facilities.*

**Response:** Road and utility stubs are readily available to both the Cornelius and Weigel properties making extension of public infrastructure very easy to the properties without an undue adverse impact on the local system.

Public parks will also not be adversely impacted by development on the annexation site. Adair County Park, directly north and south of the sites, is a large regional park and can accommodate additional use by residents of the future development. In addition, the applicants envision open space integrated into final development plans for both the Cornelius property and the Weigel property.

The impact on local schools will also be minimal. Per the U.S. Census Bureau Fact Finder data<sup>8</sup>, approximately 32 percent of the Adair Village population is between the ages of 5 and 17 years. Extrapolating that data to the future residents of the annexation sites (approximately 640 residents), approximately 205 residents will be of school age. If those students are evenly distributed among the elementary, middle and high schools, it would result in about 68 or 69 new students per school. This increase would occur over time as the projects build out, thereby providing time for the school district to plan for the incremental increase in students. Section 9.620 of the City's Comprehensive Plan (updated 2015) indicates that local schools have adequate capacity to serve the population and can currently accommodate additional demand.

*(f) The amendment will not have an undue adverse impact on transportation.*

**Response:** The proposed comprehensive plan amendment would change the zoning to FD-50, a large lot holding designation that is intended to limit future development until such time as a site is incorporated into a city and up-zoned to allow for residential development. As a consequence, no direct impacts to transportation would result from this request. It is anticipated that with the future annexation and zone changes of the sites, a complete Transportation Planning Rule-compliant traffic impact assessment will be conducted to determine specific mitigation measures required with future development.

The existing segment of Hibiscus Drive that extends to the Cornelius site is built to the Local Street standard with a 50-foot right-of-way, two travel lanes and sidewalks on both sides. Future extension of the street will match the existing cross section. The existing segment of Ryals Avenue that connects to the

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<sup>8</sup>[https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_17\\_5YR\\_DP05&prodType=table](https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_DP05&prodType=table)

Calloway Creek subdivision serves as a Minor Collector and is expected to provide ample capacity for future development of the Weigel property to the south of Calloway Creek subdivision.

*(g) The amendment will not have an undue adverse impact on the economy of the area.*

**Response:** The proposed comprehensive plan amendment will allow for new residential areas that can be developed with minimal new public infrastructure and will generate new tax revenues to augment the existing tax base. The new residents will also have additional retail needs and bring additional market demand to support planned City efforts to develop a downtown core. As a result, it is expected that the proposed comprehensive plan amendment will have a positive effect on the economy of the area.

*(h) The amendment is consistent with the intent of the applicable Statewide Planning Goals.*

**Response:** Applicable Statewide Planning Goals are addressed in Chapter 6 of this document.

*(3) Decision Process.*

*(a) Text amendments or map amendments that affect a group or class of properties within the City requires a "Legislative Decision" by the City Council with recommendation by the Planning Commission in conformance with the Legislative Public Hearing procedures of Section 3.520.*

**Response:** The proposed comprehensive plan amendment affects multiple properties in the City and is being processed as a legislative update.

*(b) Map amendments initiated by an Applicant for a specific property within the City requires a "Quasi-judicial Decision" by the City Council with recommendation by the Planning Commission in conformance with the Quasi-judicial Public Hearing procedures of Section 3.510.*

**Response:** As noted above, the proposed comprehensive plan amendment involves multiple properties and is being processed as a legislative update.

*(c) The City Council upon recommendation of the Planning Commission may approve, deny or approve with conditions to attain compliance with the intent of this Code or with the applicable standards of the zoning district.*

*(d) The City is not required to justify denial of a proposed legislative change.*

*(e) A written record of the findings and action of the Planning Commission and City Council shall be maintained by the City in a Record File of the Application as*

*specified in Section 2.150. Notice of Decision shall be given the Applicant together with any conditions of approval for the proposed Amendment as specified in Section 3.600.*

**Response:** All decisions will follow the above process and a permanent record will be kept.

## **II. Compliance with City of Adair Village Comprehensive Plan**

### **SECTION 9.290 ENVIRONMENTAL GOALS & POLICIES**

#### *GOALS & OBJECTIVES*

- 1. To recognize the opportunities and constraints posed by the natural environment.*
- 2. To protect the unique resources of the Adair Village area.*
- 3. To ensure that future development will complement the City's natural resource base.*

**Response:** The proposed amendment will allow approximately 50 acres of land to be brought into the city and used for residential development. As described in detail in the Site Selection Analysis included with Exhibit C, the subject areas are proposed for UGB inclusion because of their relatively minimal extent of productive soils and their enhanced access to public infrastructure. Non-significant wetlands have been identified on the Cornelius property. However, the owner has prepared a preliminary site plan for the site that illustrates that the property can be developed in a cottage-cluster style development (See Exhibit B) that would minimize impacts to wetlands and provide for 19 residences.

Further, the portion of the Cornelius property that is not proposed for UGB inclusion is in a conservation easement that was established for wetland mitigation as part of a previous development approval. That portion of the property and its associated natural resources will remain outside of the UGB, preserved in a conservation easement and will not be impacted by future development. Additionally, the Weigel property contains a FEMA-mapped floodplain on Calloway Creek which runs through the very southern portion of the property. It is expected that this portion of the property will remain largely undeveloped and will likely be incorporated into open space within the future residential neighborhood on the site.

#### *POLICIES & RECOMMENDATIONS*

##### *General*

- 1. Any expansion of the Adair Village Urban Growth Boundary shall identify and classify existing natural features including wetland and riparian areas that may require preservation, protection or restoration.*

**Response:** Wetlands have been identified and delineated on the Cornelius property and

have been determined to be non-significant pursuant to the criteria of OAR 141-086-0350. The owner of the property has prepared a preliminary site plan for the property that would leave large areas of the site undeveloped and retained in open space.

Similarly, the Weigel property contains a FEMA-mapped 100-year floodplain along Calloway Creek which runs through the very southern portion of the property. It is expected that this portion of the property will remain largely undeveloped and will likely be incorporated into open space within the future residential neighborhood on the site.

### *Geology & Soils*

- 1. As additional land is needed to accommodate the City's growth needs the Urban Growth Boundary may be expanded. Preservation of the most productive agricultural soils shall be a factor in determining the Urban Growth Boundary expansion area*

**Response:** Under ORS 197.298(2), lands that can be considered for UGB expansion must be evaluated and prioritized based on the soil capability to support agriculture. Capability is measured by soil classification ranging from Class I to Class XIII; Class I soils have the most capability for agricultural use and are therefore considered lowest priority for UGB inclusion. Class XIII soils have very limited capability for agricultural use and would be given highest priority. Per the analysis provided in the DOWL July 20, 2022 memorandum, the subject sites were found to rank higher for UGB inclusion than other EFU lands due to the fact that other sites on the UGB fringe generally had a higher percentage of Class II soils throughout the site.

## **SECTION 9.490 HOUSING GOALS & POLICIES**

### *GOALS & OBJECTIVES*

- 1. To provide a housing policy plan that seeks to increase opportunities for all citizens to enjoy affordable, safe, energy efficient housing.*
- 2. The city recognizes the need for an adequate supply of housing that includes a variety of types and designs that are responsive to community needs.*

**Response:** Consistent with these goals and objectives, this proposal supports the city's housing goals and policies by removing barriers to allow new residential development in the City. Consistent with Policy 2 above, it is expected that various housing types will be developed on the properties, including a higher density development on the Cornelius property.



## SECTION 9.590 LAND USE GOALS & POLICIES

### POLICIES & RECOMMENDATIONS

#### *Residential Land Use*

1. *The City shall maintain an adequate availability of residential buildable lands that provides locational choices for each housing type.*

**Response:** This proposal supports this policy by increasing the amount of buildable residential land within the city.

## SECTION 9.890 GROWTH MANAGEMENT GOALS & POLICIES

### GOALS & OBJECTIVES

1. *To provide for an orderly and efficient transition from rural to urban land use.*
2. *To provide conservation and development policies for the orderly and efficient development of the community.*
3. *To ensure that the overall plan, policies and recommendations help conserve energy.*

**Response:** The subject sites are adjacent to existing residential development and public utilities are available to serve the site without significant infrastructure improvements. Hibiscus Drive was stubbed at the western boundary of the Cornelius property in anticipation of future residential development. Development on the site will provide an incremental transition from rural to urban uses while conserving the larger and more productive agricultural lands to the north and east of the site. The Calloway Creek subdivision, currently in development, provides an incremental transition from rural to urban uses on the Weigel property to the south. The development to the south conserves more productive agricultural lands to the east of the Weigel property.

### POLICIES & RECOMMENDATIONS

#### *Urban Growth*

3. *The Exclusive Farm Use parcels abutting the easterly Urban Growth Boundary shall be maintained until urban development occurs within the existing Urban Growth Area.*

**Response:** All EFU parcels abutting the existing UGB will be maintained, with the exception of the Cornelius and Weigel properties. Urban development is occurring in Adair Village; the Calloway Creek development is currently underway and will ultimately cover 41 acres south of Ryals Avenue (with approximately 198 homes). As demonstrated in the Site Selection Analysis included in Exhibit C, the Cornelius and Weigel properties are appropriate for UGB expansion and will help the city meet its goals of providing adequate housing opportunities and appropriate amounts of buildable land within the city.

6. *An urbanized development or annexation request outside the Urban Growth Boundary shall be considered a request for an amendment to the boundary and shall follow the procedures and requirements of the statewide Goals #2 and #14.*

**Response:** As demonstrated in the responses to the Statewide Planning Goals in Section 6 of this narrative, and the UGB expansion analysis provided in this request for UGB expansion and annexation is consistent with Goals 2 and 14.

### **III. Conclusion**

As established in the above responses and in the attached Buildable Land Inventory and Site Selection Analysis, the proposed Comprehensive Plan amendment is consistent with City goals and policies and applicable Statewide Planning Goals to warrant the expansion of the Adair Village UGB and the proposed rezoning of the sites from EFU to UR-50.

## 6. County Requirements for UGB Amendment

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### Benton County Comprehensive Plan (BCCP)

Criteria for Amending the Comprehensive Plan. (Section 17(3), BCCP)

#### **Criteria for Amendments:**

##### **Text Amendments:**

*Amendment to the text may be considered to correct an error, improve the accuracy of information, expand the data contained in the Plan, bring the Plan into compliance or more into compliance with statewide land use planning goals, or to reflect a public need in compliance with the State goals.*

##### **Map Amendments:**

*Amendments to the Plan map may be approved when compliance with all elements of the Comprehensive Plan and with statewide land use planning goals can be shown. Map amendments requiring goal exceptions shall comply with procedure and standards of OAR 660 Division 4 and State goals.*

#### **Findings:**

The amendment under consideration is to the Comprehensive Plan Map. Compliance with all elements of the Comprehensive Plan is analyzed below. Compliance with statewide planning goals is evaluated in Section 7. Pursuant to OAR 660-024-0020(1)(a), the amendment of a UGB does not require a goal exception.

### Consistency with the Benton County Comprehensive Plan

#### Comprehensive Plan Policies

##### **Goal 2 – Land Use Planning**

**2.1.5** *Benton County shall consider coordinated future population projections when undertaking long range planning efforts.*

**Findings:** This legislative amendment is based on the population projections coordinated by Portland State University's Population Research Center, as prescribed by state law.

##### **Goal 3 – Agricultural Lands**

**3.1.1** *Agricultural lands as defined by Statewide Planning Goal 3, which are not developed or committed to non-farm uses, shall be protected with appropriate resource designations on the Comprehensive Plan and Zoning Maps. Comprehensive Plan Map amendments from "Agriculture" to a non-resource designation shall require an exception to Goal 3.*

**Findings:** The comprehensive plan amendment under consideration would change the designation of the subject properties from Agriculture to a non-resource designation (residential). However, a goal exceptions process is not applicable to a UGB amendment "unless the local jurisdiction chooses to take an exception to a particular goal requirement

....”<sup>9</sup> Staff’s assessment of the goal exception process is that it will not add meaningfully to the analysis and consideration of this UGB amendment and would require significant additional work; therefore, staff recommends that the County not elect to take an exception to Goal 3.

**3.1.4** *Benton County shall minimize conflicts between residential development and agricultural lands by requiring setbacks for residences adjacent to agricultural lands.*

**Findings:** The Development Code provisions implementing this policy do not apply to lands inside UGBs.

**3.1.10** *For agricultural lands, soil capability shall be a prime factor used by Benton County in making land use decisions.*

**Findings:** The soil classification system runs from Class I (best agricultural soils) to Class XIII; however, most soils in the Willamette Valley are Class I through Class IV. Class I and Class II soils, along with some Class III and Class IV soils, are defined as “high-value agricultural soils” for land use planning purposes. Property 1 is mapped as approximately 54% Class II agricultural soils with the remainder being high-value Class III and Class IV soils. (Note that the Class III and IV soils correspond approximately with the conservation easement on this property.) Property 2 is mapped as approximately 67% Class II agricultural soils with the remainder being non-high-value Class III soils. As identified in Section 3 of this report, most of the other potentially available properties for UGB expansion contain higher percentages of Class II soils than the subject properties contain.

#### **Goal 4 – Forest Lands**

**4.1.5** *Benton County shall ensure that conflicts between residential development and forest lands are minimized by requiring setbacks for residences adjacent to resource lands.*

**Findings:** As with Policy 3.1.4, the Development Code provisions implementing this policy do not apply to lands inside UGBs.

#### **Goal 5 – Natural Resources**

**5.3.3** *Benton County shall recognize the scenic and natural values of greenspace surrounding rural and urban communities, and encourage, with community input, protection of these important community assets.*

**Findings:** Adair Village is bordered by E.E. Wilson Wildlife Refuge to the north, McDonald Forest to the west, Adair County Park and farmland to the east.

**5.6.3** *Benton County shall require land development and transportation projects to be designed to minimize incursions and other impacts to floodplains, wetlands, and riparian areas. When no reasonable option exists, roads, bridges, and access ways may be allowed, provided fish passage is assured, channel capacity is maintained, and removal of riparian*

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<sup>9</sup> OAR 660-024-0020(1)(a).

*vegetation is minimized.*

**Findings:** Property 1 contains wetlands which will be protected through a conservation easement. Property 2 includes two stream corridors with associated riparian vegetation (which are also considered wetlands) and the southerly corridor has a regulatory floodplain identified. The UGB amendment is not a development project and so the County is not in a position to potential impacts and mitigations at this time; however, the presence of these natural resources has been noted and will be a consideration in subsequent review of development projects.

*5.7.1 Benton County shall protect wetlands that have been identified as significant pursuant to the Goal 5 process, utilizing federal and state inventories and other available information.*

**Findings:** No wetlands on the subject properties have been designated “significant” by Benton County through the Goal 5 process.

*5.7.2 Benton County shall utilize federal, state, and local inventories and other available information to determine if a proposed development is located in a wetland. The Division of State Lands will be notified when development is proposed in wetland areas.*

**Findings:** No development is proposed at this time; nonetheless, the Department of State Lands has been notified of this UGB amendment.

*5.9.4 In making land use decisions, Benton County shall protect identified sensitive wildlife habitat types and wildlife corridors from adverse impacts.*

**Findings:** The sensitive habitat that Benton County is aware of on Property 1 is the wetland area, which is protected by conservation easement. On Property 2, the riparian corridor of Calloway Creek near the southern property line is a sensitive riparian habitat and may serve as a wildlife corridor. There is no development proposed at this time. The riparian corridor potentially could be adversely impacted if it is added into the UGB and zoned for development; likewise, the riparian corridor could be adversely impacted by agricultural use if the land is not added to the UGB. The regulations regarding protection of riparian corridors are more clearly defined for residentially zoned lands inside the City of Adair Village than they are for agricultural lands; therefore, it may be that the riparian corridor is better protected if brought into the UGB than if left outside.

## **Goal 7 – Natural Hazards**

*7.2.4 Benton County shall strive to maximize open and undeveloped land in the 100-year floodplain to achieve flood mitigation, fish and wildlife habitat, and water quality objectives.*

**Findings:** The only floodplain in the proposed UGB expansion area is the narrow corridor along Calloway Creek. This corridor is likely to be avoided by subsequent development due to regulations and risk. However, that is a determination that would be made during review of a specific development proposal after annexation.

## **Goal 10 -- Housing**

**Benton County Goal:** *To work with the cities within Benton County and other entities to meet the housing needs of County residents.*

**Findings:** The Benton County Comprehensive Plan section for Goal 10 (Housing) has no policies relevant to the proposed UGB amendment. However, the overall goal of the County stated above is relevant to the UGB amendment. Adding residential development capacity in the City of Adair Village will help address a shortage in available housing in the area.

## **Goal 11 – Public Facilities**

**11.8.1** *Benton County and the school districts shall collaborate as part of any land use decision that impacts the districts.*

**11.8.3** *Benton County shall encourage schools serving primarily urban areas to be located within urban growth boundaries.*

**11.8.4** *Benton County shall encourage the utilization of schools, especially in rural areas, as community centers for activities such as public meetings, continuing education, recreation, and cultural events.*

**Findings:** Staff have engaged with Corvallis School District staff regarding the proposed UGB expansion. The school district has determined that the proposed expansion will not lead to a need for public school facilities within Adair Village. However, through these conversations the district stated that a campus for an elementary school would be needed at some time in the future within Adair Village. It will be valuable to identify a potential location in the near term so that the future school can be factored in to additional land use planning and development. The school district foresees this facility as serving several community functions in addition to educating children. A central location would be best, for school children and for the facility to serve the broader community.

The school district will begin long-range facilities planning in 2023, and would like to explore potential future sites in Adair Village as part of that process. District staff were not concerned that the current proposed UGB expansion would conflict with identification of and planning for a future school site.

**11.8.2** *Benton County and colleges and universities shall collaborate as part of any land use activities that impact these institutions.*

**Findings:** Oregon State University owns land, managed by OSU Research Forests, located directly to the west from Property 2, across Highway 99W. OSU Research Forests staff was invited to participate in the meeting staff held for interested agencies in June and they were notified of the Planning Commission hearing. To date, the County has received no comments from OSU.

## **Goal 12 -- Transportation**

**12.1.15** *Land use actions affecting state highways shall be consistent with the Oregon Highway Plan.*

**Findings:** The proposed UGB amendment affects land adjacent to a state highway. OAR 660-024-0020(1)(d) states that the state transportation planning rule requirements need not be applied to a UGB amendment if the land added to the UGB will be zoned in such a way that, prior to annexation, the land could not be developed in a manner that would generate more vehicle trips than would be allowed by the zoning prior to inclusion within the UGB. Currently, the subject properties are zoned EFU and could generate the vehicle trips associated with farm use including a primary farm dwelling and accessory farm-related dwellings. The proposed zoning for the subject properties, UR-50, which would allow establishment of a single dwelling on the property. The inclusion of the properties within the UGB will not allow development that would generate vehicle trips beyond what is allowed by the current zoning.

**12.3.5** *Comprehensive Plan amendments affecting land use designations, densities and design standards shall be consistent with capacities and levels of service of facilities identified in the Benton County TSP.*

**Findings:** As discussed above, the comprehensive plan amendment will not enable development that would generate increased vehicle trips; therefore, it will not affect capacities and levels of service in the area. Specific development proposals subsequent to annexation will be reviewed for impacts on the transportation system.

## **Goal 13 – Energy Conservation**

**13.1.6** *When developing long-range plans, Benton County shall consider the energy consequences of the resulting land development patterns.*

**Findings:** Most people who live in Adair Village commute to other cities to work or to shop. Additional residential development by itself will increase the number of people commuting from Adair Village to other locations. However, the question of whether the proposed UGB amendment will lead to increased energy consumption is not a simple one to answer. It is not possible to know where the additional population would live if the UGB is not expanded, nor what their commuting patterns would be. Also, a critical mass of population is needed in order to support additional development of commercial or jobs-producing land uses, and so in theory at some point of population there will be less need for residents of Adair Village to commute. There are many variables that contribute to each of these considerations; without extensive data and modeling it is not possible to know with any certainty the effect on energy consumption or greenhouse gas emissions of this UGB amendment.

Because the state population projections combined with state administrative rules regarding UGBs *require* an expansion of the Adair Village UGB, staff recommends focusing on the potential energy implications of the proposed locations for the UGB expansion (the “where” rather than the “whether”). In this regard, the proposed locations do not seem inconsistent with energy conservation. Property 1 could result in a pedestrian and bike connection between northern Adair Village and Adair County Park where the current lack of connection

requires many people to drive to Adair County Park. Property 2 is located near Ryals Road and Highway 99W, facilitating access to those major roads to Corvallis, Albany and Salem.

**Goal 14 -- Urbanization**

**14.1.1** *Benton County shall coordinate planning efforts with the cities to ensure that lands within urban growth boundaries (UGB) are efficiently and effectively developed so that urban densities will ultimately result. Urban fringe management agreements will be developed and maintained to clarify implementation roles and responsibilities.*

**Findings:** This joint legislative process is an example of coordinated planning between the County and a city. The current analysis of the need for and options to accommodate an expansion of the Adair Village UGB is toward the purpose of ensuring efficient and effective development of urban lands.

**14.1.2** *Benton County shall periodically allocate county-wide population forecasts to all of its cities and unincorporated areas, in coordination with the cities. Such allocated forecasts shall be adopted in accordance with the applicable State statutes and administrative rules.*

**Findings:** Population forecasts are now allocated by the Population Research Center at Portland State University.

**14.1.3** *Benton County shall require all new lands added to an urban growth boundary to be designated with a minimum lot size of at least 10 acres in order to preserve the land for future urbanization.*

**Findings:** Property 1 and Property 2 would be re-zoned to UR-50: Urban Residential zoning with a 50-acre minimum parcel size, which will prevent further division of the parcels prior to annexation.

**14.1.4** *Benton County shall work with municipalities to contain future urban development within the geographical limits of a mutually adopted urban growth boundary.*

**Findings:** The current joint legislative process will ensure that the UGB is mutually adopted.

**14.1.5** *Benton County shall base establishment and change of urban growth boundaries on the following factors:*

*Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and*

*Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of these categories.*

**Findings:** These factors are addressed in prior sections of this report.

**14.1.6** *Benton County shall require local governments to demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary, prior to*



*expanding an urban growth boundary.*

**Findings:** As discussed in Section 2, development of vacant lands and redevelopment of partially vacant lands within the existing UGB can accommodate only a portion of the projected population increase.

**14.1.7** *Benton County shall evaluate changes to urban growth boundaries by considering alternative boundary locations, consistent with ORS 197.298, and with consideration of the following factors:*

- *Efficient accommodation of identified land needs;*
- *Orderly and economic provision of public facilities and services;*
- *Comparative environmental, energy, economic and social consequences; and*
- *Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.*
- *Protection of productive resource lands.*

**Findings:** The factors listed here derive from Statewide Planning Goal 14 and are addressed in Sections 3 and 4 of this report, with the exception of the last factor which was added to this policy by Benton County. With regard to protection of productive resource lands, Property 1 contains only seven acres outside of the conservation easement and does not appear to be actively farmed.

Property 2 is currently farmed and as noted earlier is composed of Class II and III agricultural soils. Farming of the property is constrained by the awkward shape of the property and by the riparian corridors that cross the property. The property is separated from other farmland by the railroad and Crane Lane.

Properties 1 and 2 are not highly productive resource lands. This conclusion, along with the results of the alternatives analysis in Sections 3 and 4, lead to the overall conclusion that of the potential sites for UGB expansion, the proposed properties are the best suited.

**Conclusion:** The analysis of Benton County Comprehensive Plan policies raises several relevant considerations relative to the proposed UGB amendment and, overall, staff concludes that the amendment is consistent with these policies.

## **Benton County Development Code (BCC)**

### **ZONE CHANGE**

*53.505 Zone Change Criteria. The Official Zoning Map may be amended if:*

*(1) The proposed zoning for the property is more appropriate than the current zoning, when considering existing uses, changes in circumstances since the current zoning was applied, or information that indicates that the current zoning was not properly applied;*

**Findings:** If the Comprehensive Plan amendment is approved, bringing the subject properties into the Adair Village UGB, then that would be a change in circumstance since the current EFU zoning was applied. At that point, with the lands located inside the UGB, Urban Residential zoning would be more appropriate than EFU zoning.

*(2) The impact on adjacent properties will be minimal;*

**Findings:** The change in zoning from EFU to Urban Residential with a 50-acre minimum parcel size would allow a single dwelling to be established on each subject property, along with the accessory uses or other land use that are allowed in the UR zone. As both properties are adjacent to urban density development and are buffered from adjacent resource uses it staff's conclusion that the zone change would result in minimal impact on adjacent properties. Subsequent annexation and residential development has the potential for much greater impact on adjacent properties.

*(3) Any significant increase in the level of public services which would be demanded as a result of the proposed zone change can be made available to the area; and*

**Findings:** Similar to the findings regarding the prior criterion, the minimal level of development allowable under the proposed UR-50 zoning would not require a significant increase in the level of public services.

*(4) The proposed zone change is consistent with the policies of the Comprehensive Plan.*

**Findings:** This criterion is addressed in preceding section.

**Conclusion:** The proposed zone change to UR-50 meets the criteria from the Development Code, provided the UGB amendment is approved to add the subject properties to the UGB.

## 7. Statewide Goal Consistency Analysis

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Each chapter of the Adair Village Comprehensive Plan corresponds with a Statewide Planning Goal. Therefore, the responses in this section are intended to demonstrate compliance with both the Comprehensive Plan goals and policies and the corresponding Statewide Planning Goal.

**Goal 1 - Citizen Involvement.** *To ensure opportunities for citizens to be involved in the development of public policies and all phases of the planning process.*

**Response:** The procedure for a Comprehensive Plan map amendment includes a public notice and review period as well as two public hearings (one before the Planning Commission and one before the Board of Commissioners). The public was provided the opportunity to be involved in the decision-making process regarding the expansion of the UGB through public meetings (in-person and by video conference), including: (1) two open house presentations for the citizens of Adair Village at city hall, (2) two work sessions with the planning commissions of both the city and the county about the UGB process and analysis, and (3) the public hearings with both planning commissions, the City Council and the Board of Commissioners. Goal 1 has been properly addressed.

**Goal 2 - Land Use Planning.** *To maintain a transparent land use planning process in which decisions are based on factual information.*

**Response:** Goal 2 outlines the basic procedures of Oregon's statewide planning program, stating that land use decisions must be made in accordance with comprehensive plans and that effective implementation ordinances must be adopted. The procedure for a Comprehensive Plan map amendment requires the demonstration of consistency with City's goals and policies and the Statewide Planning Goals so that the Planning Commission and Board of Commissioners may make their decisions based on findings of fact.

In the process of developing buildable land inventory, the city inventoried existing residential land uses, projected suitable land needs, and compared these needs with potentially suitable land within and outside the Adair Village urban growth area. The resolution of land need and supply is found in the buildable land inventory and Chapter 2 of this document.

The process includes public notice and review in addition to at least two public hearings and opportunity for appeal, all of which help to ensure transparency in

the decision-making process. Consistent with Goal 2, the proposed legislative comprehensive plan amendment addresses the Goal 14 rules, as demonstrated under the Goal 14 section of this narrative.

Goal 2 also requires the consideration of alternatives. The City Council considered a range of alternatives for accommodating growth, both within the existing UGB and through expansion of the UGB. Goal 2 has been properly addressed.

***Goal 3 - Agricultural Lands.*** *To preserve and maintain agricultural lands and to support agriculture for production and conservation.*

**Response:** The subject sites are currently zoned EFU and are protected under Goal 3. The purpose of the proposed comprehensive plan amendment is to ensure a sufficient 20-year supply of residential land and to allow for the Weigel and Cornelius sites to ultimately be annexed into the City of Adair Village for residential development.

As stated in 660-024-0020(1)(b), Goals 3 and 4 are not applicable when establishing or amending an urban growth boundary. No further analysis is required.

***Goal 4 - Forest Lands.*** *To preserve and maintain forest lands for growing and harvesting trees and other forest products, watershed functions, conservation, recreation, and agriculture.*

**Response:** The proposed amendment does not impact forest lands. No further analysis is required.

***Goal 5 - Natural Resources, Scenic & Historic Areas, Open Spaces.*** *Goal 5 requires local governments to inventory and protect natural resources.*

**Response:** The proposed Comprehensive Plan amendment will facilitate the Adair Village UGB expansion and bring approximately 50 acres of land into the city to be used for residential development. The Cornelius property does not contain any FEMA-mapped floodplain or identified historic or scenic resources. Wetlands have been identified on the site. If it is determined that future site development will conflict with any wetlands, the project applicant will be required to apply for the necessary state and federal permits and mitigate any wetland impacts. The owner of the Cornelius property also had a certified wetland biologist evaluate the wetlands on the site per the criteria of OAR 141-086-0350 and determined that no significant wetlands exist on the site.

The portion of the Cornelius property that is being proposed for UGB inclusion is in a conservation easement that was established for wetland mitigation as part of a previous development approval. That portion of the property and its

associated natural resources will be preserved through the conservation easement and will not be impacted by future development on the annexed portion.

The Weigel property contains FEMA-mapped floodplain areas. Preliminary development plans call for development up to but to the north of the FEMA-mapped floodplain area. If it is determined that future site development will encroach on FEMA-mapped floodplain, the applicant will be required to apply for the necessary permits and mitigate any impacts that could create a net rise in the 100-year base flood elevation. No significant wetlands are known to exist on the property.

***Goal 6 - Air, Water & Land Resource Quality.*** *To maintain and improve the quality of air, land, and water resources in a manner that will meet current needs and preserve resources for future generations.*

**Response:** Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations. By complying with applicable air, water and land resource quality policies in the Adair Village Comprehensive Plan, Goal 6 will be properly addressed.

The subject sites do not contain high-value farmland. As noted in the Site Selection Analysis, the Cornelius and Weigel properties were of the lowest ranked properties within potential UGB expansion sites based on the relative lack of Class II soils on the site properties.

Wetlands have been identified on the Cornelius property and the southern edge of the Weigel property contains FEMA-mapped floodplain areas. The owner of the Cornelius property has prepared a preliminary site plan that indicates that slightly over 5 acres can be developed after preserving a wetland area tract on the site. If it is determined that future site development will conflict with any wetlands, the applicant will apply for the necessary state and federal permits and mitigate any wetland impacts as required. The remaining portion of the Cornelius property that is proposed for UGB inclusion is in a conservation easement that was established for wetland mitigation as part of a previous development approval. That portion of the property and its associated natural resources will be preserved through the conservation easement and will not be impacted by future development on the annexed portion.

As noted, approximately 5.4 acres of the 42.40-acre Weigel property proposed for inclusion in the UGB includes FEMA-mapped 100-year floodplain areas. Preliminary development plans have not been presented by the owner of the Weigel property at this time. However, it is expected that, if any future development is proposed within the site's 100-year floodplain, that the

owner/developer will apply for all required local, state and federal approvals for such actions.

**Goal 7 – Natural Hazards.** *To protect Benton County citizens, critical public facilities and infrastructure, private property, and the environment from natural hazards, and to guide the county toward building a safer, more sustainable community.*

**Response:** Goal 7 requires that jurisdictions apply appropriate safeguards when planning development in areas that are subject to natural hazards such as steep slopes or flood hazards.

There are no natural hazards (steep slopes or floodplain) identified on the Cornelius property. The Weigel property contains approximately 5.4-acres of FEMA-mapped 100-year floodplain area along Calloway Creek near the southern edge of the site. Any future development in that area, if proposed, would be required to obtain all necessary local, state and federal approvals prior to development. Lands included within the UGB expansion proposal have minimal areas within these constraints. Thus, Goal 7 has been properly addressed.

**Goal 8 – Recreational Needs.** *To maintain a park and open space system that represents the heritage and natural and scenic qualities of Benton County and provides outdoor recreation opportunities that contribute to healthy individuals, children, and families.*

**Response:** Adair County Park, a regional park with more than 114 acres of recreational land; is located immediately south of the Cornelius property. Any future development on the Cornelius property will be buffered from the park area by the existing conservation easement-protected wetlands. that will remain in the County and outside the City UGB. The owner of the property has expressed an interest in conveying these wetland areas to County parks to allow pier-supported trails or other low impact passive recreation use of this area to augment existing open space at the park. For this reason, it is not expected that the requested plan amendment will impact the Adair County Park or the greater park and open space system in Benton County.

The Weigel property is approximately 0.7-miles northeast of the Adair County Park and just south of a 32-acre ODF & W natural preserve. The ODFW property will be separated from any new development by Ryals Avenue and is not likely to directly impact the preserve.

The city currently is working on a “Trails Plan” with the Corvallis Area Metropolitan Planning Organization. The Adair Village Trails Plan will serve as a blueprint for creating an accessible, all-ages and abilities network of paved multiuse paths, walking trails, and separated bike lanes throughout the Adair Village community. The document will also provide details on future trail improvements as a means to help prioritize local investment in Adair Village’s

multi-modal network of trails. Goal 8 has been properly addressed.

**Goal 9 - Economic Development.** *To support a stable and sustainable local economy, vital to the health, welfare, and prosperity of County residents.*

**Response:** Provision of housing to ensure a 20-year housing supply is critical to establishing a stable and sustainable local economy and ensuring that workers in the county can find housing that is affordable and convenient to their place of employment. Without addressing the lack of a proportional commercial district, Goal 9 requires jurisdictions to plan for an adequate supply of land for employment uses to further goals for economic development. Adair Village is not seeking a UGB expansion for employment land, thus Goal 9 is not applicable.

**Goal 10 - Housing.** *To work with the cities within Benton County and other entities to meet the housing needs of County residents.*

**Response:** The proposed amendment will facilitate annexation of the sites into the city for future residential development. The BLI, identifies a need for additional lands to accommodate projected housing demand over the next 20 years. Consistent with the intent of Goal 10, the proposed comprehensive plan amendment is critical to ensure that the City of Adair Village establishes a 20-year supply of available residential land for housing to serve projected population growth. Goal 10 has been properly addressed.

**Goal 11 - Public Facilities & Services.** *To plan, develop, and maintain public facilities and services that serve the needs of Benton County in an orderly and efficient manner.*

**Response:** Both the Weigel and Cornelius sites are immediately adjacent to existing urban development with public roads and utilities available for extension to serve these sites. As such, the proposed Comprehensive Plan Amendment represents an orderly and efficient expansion of public facilities and services consistent with Goal 11.

**Goal 12 - Transportation.** *The County seeks to preserve, protect, and promote the county's livability, sustainability, and vitality by:*

- *Providing choices of alternative travel modes,*
- *Maximizing the efficiency of existing facilities,*
- *Intertwining quality of life, land use, and transportation decision-making, and*
- *Providing equitably funded, safe, efficient, cost-effective mobility and accessibility to all county residents, businesses, and emergency services within and across county boundaries.*

**Response:** An expansion of the City's UGB is not anticipated to create impacts to the

mobility and accessibility of residents within the community. Future development on the Cornelius property will take access from an extension of Hibiscus Drive, a local street. Future development on the Weigel property will take access from local streets within the Calloway Creek subdivision that connect to Ryals Avenue, an Adair Village minor collector. Because both of these properties are readily accessible to existing transportation facilities, they can be efficiently developed and offer immediate connectivity to the existing City and County Road network for all modes of transportation.

For the purposes of the proposed amendments, the Transportation Planning Rule (TPR) requires additional analysis if the proposed amendments would significantly affect an existing or planned transportation facility, as defined in OAR 660-001-0060(1). A TPR analysis of transportation facility impacts caused by urban growth boundary expansions may be deferred by administrative rule. OAR 660-024-0020(d), specifically states:

*“the transportation planning rule requirements under OAR 660-012-0060 need not be applied to an urban growth boundary amendment if the land added to the urban growth area is zoned as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the area or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary.”*

The city chooses to apply this deferral option for land that is proposed to be added to the UGB and has informed ODOT of its choice. The 55 acres of land proposed to be added to the UGB is not proposed for annexation into the City of Adair Village. As such, the existing Exclusive Farm Use (EFU) zoning will be retained. Benton County expects to re-zone the expansion area from EFU to the Urban Residential zone (UR-50).

Goal 12 has been met for the 55 acres of land proposed to be added to the Adair Village UGB.

***Goal 13 - Energy Conservation.*** *To conserve energy through sound planning and pursuit of sustainability.*

**Response:** The proposed Comprehensive Plan amendment will expand the UGB in areas that are readily accessible by public roads and utilities, thereby avoiding leap-frog development and the inefficiencies associated with it. Both the Weigel and the Cornelius properties are adjacent to public roads and utilities that will allow



for the sites to develop with maximum efficiency. The sites' adjacency to existing development also ensures that safe routes of travel via other modes of transportation such as bicycle and pedestrian routes are available, minimizing dependency on vehicular transportation. In addition, the Cornelius property will retain a large conservation easement protecting the wetland complex as part of the UGB expansion. As such, the proposed comprehensive plan amendment will provide opportunities for the conservation of energy through sound planning and for the pursuit of sustainability. Goal 13 has been adequately addressed.

**Goal 14 - Urbanization.** *To provide for an orderly and efficient transition from rural to urban land use; to accommodate urban populations and employment inside urban growth boundaries, to preserve rural character outside urban growth boundaries, and to preserve small town character.*

## **SECTION 9.890 GROWTH MANAGEMENT GOALS & POLICIES**

### **Urban Growth Management**

1. The City and County shall utilize the Urban Growth Management Agreement for administration of land development within the Urban Growth Area and the Planning Area.
2. The City shall ensure an orderly and efficient transition from rural to urban land use within the Urban Growth Area.

**Response:** Goal 14 has been complied with as demonstrated in Chapters 2 through 4 of this report, which includes an analysis of properties on the periphery of the existing Adair Village UGB and evaluates and ranks potential UGB expansion sites according to the Goal 14 prioritization factors found in ORS 197.298. A summary of the analysis is provided below.

- The study area for the comparative analysis was established consistent with OAR 660-24-0065(a)(A), which requires that a one-half mile radius be used. Therefore, the area within a one-half mile radius of the subject site was used in the evaluation, with the exception of those lands that are not contiguous with the current UGB, are under public ownership, or are west of Highway 99W.
- The evaluation under ORS 197.298 requires that land considered for inclusion in a UGB be prioritized using a four-tiered hierarchy based on land designations and capability. Generally, land zoned EFU is a low priority for UGB inclusion. However, the analysis concluded that the Cornelius property and the Weigel property, although zoned EFU, can be considered for UGB inclusion because higher priority lands are not available within the study area. In addition, the agricultural capability of the subject sites (expressed by

soil classification) is low relative to other lands in the study area. Lands with lower agricultural capability are a higher priority for urbanization.

- The evaluation under the Goal 14 factors (as listed above) concluded that the subject sites generally rank higher, or equally as high, when compared with the other EFU lands in the study area. The sites are directly adjacent to existing development; road and utility stubs are in place on Hibiscus Drive and the Calloway Creek subdivision to serve future development in these locations.

Based on the analysis provided in Chapters 2-4, the requested UGB amendment is consistent with the City and County policies and the Goal 14 rules for

***Goal 15-19 Willamette River Greenway and Coastal Resources.*** *To protect, conserve, restore, enhance and maintain the ecological, natural, scenic, historical, agricultural, economic, and recreational qualities and resources along the Willamette River.*

**Response:** Goals 15 through 19 are related to the Willamette Greenway and coastal resources. As such, these goals do not apply to the subject sites and therefore, these sections are not applicable.