



PUBLIC MEETING AGENDA

Joint Public Hearing: Adair Village Urban Growth Boundary Amendment

City of Adair Village Planning Commission

Benton County Planning Commission

October 11, 2022, 6:00 pm

7220 NE Arnold Ave, Adair Village, OR 97330 (Map Room)

To attend virtually, register at this internet address:

<https://meet.goto.com/291863437>

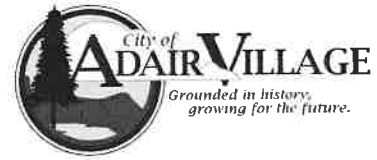
- I. **CALL TO ORDER AND ROLL CALL** -- Chair of Adair Village Planning Commission
- II. **APPROVAL OF MINUTES** – July 19, 2022 Work Session, August 16, 2022 Work Session, September 20, 2022 Public Hearing
- III. **PRIORITY ITEMS FROM THE PLANNING COMMISSION**
- IV. **PUBLIC HEARING -- DELIBERATIONS: FILE NUMBER: PC22-01 (Adair Village) and LU-22-038 (Benton County). NATURE OF REQUEST: Legislative Amendment to the Urban Growth Boundary (UGB) of the City of Adair Village.**

Public testimony has concluded. The Planning Commissions will meet to discuss and deliberate on making recommendations to the Adair Village City Council and the Benton County Board of Commissioners on this proposal. No public testimony will be taken at this meeting; however, the City Council and Board of Commissioners will hold a subsequent hearing and encourage the public to testify, orally or in writing, for that hearing.

City of Adair Village is reviewing an amendment to the Comprehensive Plan to change the Urban Growth Boundary. Review criteria: Land Use Development Code Section 2.700; Comprehensive Plan Sections 9.290, 9.490, 9.590, 9.890.

Benton County is reviewing an amendment to the Comprehensive Plan to change the Urban Growth Boundary, and an amendment to the Zoning Map to change the zoning of the subject properties from Exclusive Farm Use to Urban Residential – 50-acre Minimum Parcel Size. Review criteria: Comprehensive Plan Section 17.3; Development Code Section 53.505.

- V. **ADJOURN**



PLANNING COMMISSION PUBLIC MEETING MINUTES
Adair Village Urban Growth Boundary (UGB) Amendment (Work Session)

City of Adair Village Planning Commission and
 Benton County Planning Commission

July 19, 2022, 6:00 pm

Adair City Hall, 6030 NE William R. Carr Avenue

To attend virtually, register at this internet address:

<https://attendee.gotowebinar.com/register/6521495259299856907>

Public members were welcome to attend and listen however, no public testimony was taken at this meeting; the public is encouraged to provide input at the following meetings:

Agenda Item	Action
<p>1. Roll Call: Adair Planning Commission Members present: Lower, Vogt and Harris were present. Benton County Planning Commission Members present: Fowler, Gervais, Irish, Lee, Scorvo, Whitcomb, White. Deputy Director, Greg Verret and Director of Community Development, Darren Nichols from Benton County were present. Associate City Planner Pat Depa and CA Hare were present.</p>	<p>The meeting was called to order at 6:11 PM.</p>
<p>2. Protocol for Joint Meeting</p>	<p>Chairs agreed that Matt Vogt would lead the meeting. Formal actions considered by either Planning Commission will be overseen by that Commission's respective Chair.</p>
<p>3. Work Session</p>	<p>Power Point presentation about the basic foundations of a UGB expansion by Greg Verret and Pat Depa. Pat Hare shared the background regarding the City's needs and desire to expand the UGB.</p>

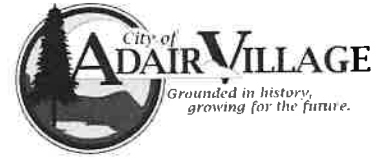
	<p>Darren Nichols added some additional background information from the County and how they will be involved.</p> <p>Planning Commissioners followed up with questions and a request for more information to be posted on the UGB website information page.</p> <p>Pat Hare affirmed the plan to have more information shared with the public on the website.</p>
<p>4. Upcoming Agenda Items</p>	<p>Open house at City Hall on August 9th Next Joint work session on August 16th, 6:00 p.m.</p>
<p>5. Adjournment:</p>	<p>Commissioner Vogt adjourned the meeting at 7:15 p.m.</p>

Adair Village Chair's Approval

Date

Benton County Chair's Approval

Date



PLANNING COMMISSION PUBLIC MEETING MINUTES
Adair Village Urban Growth Boundary (UGB) Amendment (Work Session)

City of Adair Village Planning Commission and
 Benton County Planning Commission

August 16, 2022, 6:00 pm

Adair City Hall, 6030 NE William R. Carr Avenue

To attend virtually, register at this internet address:

<https://attendee.gotowebinar.com/register/6521495259299856907>

Public members were welcome to attend and listen however, no public testimony was taken at this meeting; the public is encouraged to provide input at the following meetings:

Agenda Item	Action
<p>1. Roll Call: City Planning Commission Members present: Lower, Vogt and Harris were present. Associate City Planner Pat Depa and CA Hare were present. County Planning Commissioner Members present: Christina White, Elizabeth Irish, Evelyn Lee, Jennifer Gervais, Nancy Whitcombe, Nicholas Fowler, Sean Scorvo were present. Deputy Director, Greg Verret and Director of Community Development, Darren Nichols from Benton County were present.</p>	<p>The meeting was called to order at 6:08 pm</p>
<p>2. Work Session</p>	<p>A historical overview of the process involved in the UGB Expansion was presented by Greg Verret. Pat Depa shared an update on the public input received so far. Pat Depa continued on by reviewing topics of consideration including a general outline of the upcoming staff report that will be sent out prior to the September 20th staff report. Items that govern the review are the Oregon Revised Statutes, the Oregon Administrative Rules and the Statewide Planning Goals.</p>

<p>3. Questions or comments from Planning Commissioners</p>	<ul style="list-style-type: none"> • Commissioner Fowler – does OAR or OARs describe the role the current property owner has in the process. Pat Hare responded that since it is a Legislative hearing the property owners will not have a role in the process. • Commissioner Scorvo asked how much land is needed to accommodate population growth (how much acreage is the city short). Pat Hare responded stating that they need to look at the land available and decide how much acreage to bring in to the UGB. They plan to ask for 55 acres total to allow for growth and reduce the need to amend the UGB again in the coming years. Thirteen of those acres will be set aside for conservation. • Commissioner Scorvo asked as the land is brought in to UGB, he assumes the property owners' assessment will go up and he was curious if they are granted a "holiday" so to not take on an undue tax burden. Pat Hare explained that property owners' land does not automatically come in to the city, but there is an annexation process done by the city.
<p>4. Preparation for the September 20th public hearing</p>	<p>Public Hearing notice will go out weeks prior to the hearing to community members of Adair Village and will posted in The Gazette-Times. The public will have ample time to send in written comments and sign up to give a public testimony at the September hearing.</p>
<p>5. Adjournment:</p>	<p>Commissioner Vogt adjourned the meeting at 7:10 p.m.</p>

Adair Village Chair's Approval

Date

Benton County Chair's Approval

Date

DRAFT



Adair Village Planning Commission and Benton County Planning Commission Public Hearing on Adair Village's UGB Expansion

Santiam Christian School

September 20, 2022 - Minutes (DRAFT)

Chair Vogt called the Joint Public Hearing between the Benton County Planning Commission and the Adair Village Planning Commission meeting to order at 6:04 p.m. and called roll: Benton County Commissioners Fowler, Gervais, Irish, Scorvo, Whitcombe, Lee, and were present. Commissioner White was absent.

Adair Village Commissioners Vogt, Harris, Lower were present. Pat Hare, City Administrator; Pat Depa, Associate City Planner; and Greg Verret, Deputy Director for Policy & Program Development, were also present.

After roll call, Chair Vogt prefaced the meeting by stating that no decisions would be made at this hearing. The public record will be kept open at the end of the meeting for additional written public testimony. The Joint Planning Commissioners will reconvene on October 11, 2022 for deliberations and each jurisdiction will make a decision. Each jurisdiction will submit their formal recommendations to the Adair City Council and the Benton County Board of Commissioners.

Chair Vogt opened the Public Hearing at 6:07 pm. Rules for the public hearing were announced and details about code criteria were reviewed. No conflicts of interest were expressed by Commissioners.

A PowerPoint presentation was shared by Pat Depa and Greg Verret. Mr. Hare put the UGB expansion in context of the long-term City goals of downtown development.

Chair Fowler asked if accessory dwelling units were considered in the density assumption. Pat Hare explained that because Adair Village is below 5,000 population, that no ADU dwellings are allowed in Adair.

The summary of the PowerPoint presentation was that the Staff Report, justification, and findings document support amendment (noting that they should decide if full acreage is justified). State DLCD supports the amendment.

There was open discussion regarding the staff report. Mr. Hare answered a question about the Trails Plan. He said the City is working on the Trails plan and a map can be posted online.

Patrick Wingard, OR Dept of Land Conservation and Development, said that the Department supports the proposal. Adair Village's average growth rate is 4%. Mr. Wingard stated that the City has done well at working toward efficiently using the buildable lands within the UGB, such as its incorporation of a

cottage cluster zone. Mr. Wingard recommended to the City and County regarding Goal 5 - that the Weigel property include a condition of approval stating that that before any development occurs, this specific property would undergo wetlands inventory and assessment.

Commissioner Gervais inquired about the necessity for a wetlands inventory and assessment if this assessment would be part of the development. Mr. Wingard explained that it is a requirement with expansion. Pat Hare said that this property has already been included and assessed in the local wetlands inventory of the City.

Commissioner Scorvo asked how the quality of the farmland in question is determined to be of lesser quality than others. Planner Depa explained that three out of the four factors for considering land for addition to a UGB did not apply; the fourth factor is based on soil and level of ability for it to be used for agriculture, which is derived from the published soil survey for the Benton County area.

Public Testimonies:

- John Steeves, 3995 SE Weigel St, Adair Village, expressed his primary concerns regarding safety and traffic. He also questioned the DOWL conclusion of a housing deficit because of the assumption of development of buildable lands within the current UGB being zoned R2 instead of R3.
- Caroline Wright, 29424 Newton Road, said her main concern was that there would be only one way in and out of the Northern property.
- Rebecca Flitcroft, 8345 Hibiscus Dr, was unable to attend and her neighbor Matthew Allard read her testimony to the commissioners. She expressed concerns about the rationale for the expansion, potential harm to endangered species, ongoing issues with water supply, fire protection, and other city services.
- Matthew Allard, 8344 Hibiscus Drive, shared his own concerns about lack of access points with additional development in the Northern expansion property. He shared anecdotal evidence regarding safety issues that will worsen with further development.
- Trisha Allard, 8344 Hibiscus Drive, does not support the expansion primarily because of traffic concerns.
- Faye Abraham, 3122 NE Willamette Ave., referenced an ODOT study some time ago that indicated the traffic issues in Adair Village were problematic and this was done well before the Calloway Creek development. She requested that the commissioners consider a traffic light at Ryals Drive as part of the conditions of approval.
- Joel Geier, 30566 Hwy 99W, stated that he is neutral on the UGB. However, he is concerned regarding earthquake risks, traffic congestion on Hwy 99W, and general sustainability issues with the Weigel property.
- Steve Pilkerton, 5960 NW Primrose. He is neutral at this time but shared similar issues about traffic and safety, including parking at the McDonald Forest gate across the highway from Adair. He is concerned about sprawl and wanted to know if there is a priority of developing with the current UGB over the new proposed areas.

Matt Vogt closed the public hearing at 7:52 p.m.

Discussion/Questions from the Commissioners:

Commissioner Gervais asked staff to make sure that all the meeting minutes and documents from previous meetings be posted so the public can access them in a timely manner. Gervais also stated that the seismic and traffic issues, while not directly part of the planning commissions' decision at this time, are important considerations for the development that is anticipated to follow.

Commissioner Whitcomb expressed concern about wildfire and she wanted to know if there have been any discussions about putting a traffic light on Hwy 99W. She urged the City to develop live/work units in the City.

Commissioner Lee had several questions from the packet:

- Page 4 – is it possible that Adair Village has reached critical mass already and how does the city know that they have grown enough to justify a UGB. Mr. Hare responded that most studies show that a population of 3,000 community members will help sustain local businesses, if the community is more than 5 miles from another city.
- Page 52 – why was the expansion forecast done for 2022-2042 instead of 2020-2040. Staff explained that the forecasting is 20 years from the date of considering the UGB expansion. Portland State University produces the population projections on a three-year cycle, so it was necessary to extrapolate from 2020 to 2022.
- Page 67 – Planned Unit Development Code allows variability in density, referring to the Calloway Creek Development and the Carr Subdivision. How the density used in the buildable land inventory was determined is unclear.
- Page 71 (2a) – Request for more information on the region and price points used to come to this conclusion.
- Page 128 – goal 10 “housing”. She would like to hear more information from the City of Adair Village on the need for more affordable housing in Benton County and how they plan to address the issue. Will expanding the UGB increase affordable housing?

Chair Vogt asked staff to clarify the density ranges used in the buildable lands inventory relative to actual densities seen in Adair Village.

The next joint Planning Commission meeting will take place at Santiam Christian School (map room) again on October 11th at 6:00 pm.

Community members were encouraged to submit additional written testimonies.

Chair Vogt adjourned the meeting at 8:10 p.m.

ADDENDUM TO THE 9.20.22 STAFF REPORT

ADDENDUM TO THE 9.20.22 STAFF REPORT:

Below are responses to questions and comments raised at the September 20, 2022, UGB Expansion public hearing

Each response is reflective of direction given to the city by the DLCD or by the Planning Commission's need for further clarification. The responses are in no particular order.

1. Documents on the City and County Website.

Q. Can the city put the "Preliminary Adair Village Trails Map" up on their website?

A. The Trail Map has been added to the website along with the recommendation letters from the Department of Land Conservation and Development (DLCD) and Oregon Depart of Transportation (ODOT) in response to the UGB expansion legislative action.

2. Clarification on Transportation:

Q. Commissioner Whitcomb expressed concerns about wildfire and wanted to know if there have been any discussions about putting a traffic light on Hwy 99W.

A. The city will work with ODOT and forward any development proposal submitted or upon annexation for review and comment before the development is approved. A majority of times this will require a traffic study. Through most of the conversions we had with ODOT, they do not see a need for a traffic signal or have plans to do a traffic study at this time. (See ODOT letter).

The County's Transportation System Plan (TSP) identifies, for both the Arnold Avenue and the Ryals Avenue intersections with Hwy 99W: "Intersection improvement; project may install traffic signal or roundabout, if feasible, when warranted, this project should be coordinated with the OR 99W Streetscape Study, [TSP Project Number] CC-179, project is subject to ODOT approval." The TSP also identifies Project No. CC-179 on Hwy 99W between Ryals and Tampico Roads: "Streetscape Study; study to investigate potential to reduce traffic speeds and improve the environment for residents and businesses along the OR 99W corridor, project is subject to ODOT approval." The current UGB amendment does not trigger these improvements.

3. New Urbanism:

Q. Commissioner Whitcomb urged the city to develop live/work units in the city and consider new urbanism principles even before Adair develops additional areas in the works.

A. The city has been looking at creative development designs for a live, work, play community. The new cluster zone and the mixed-use downtown are good examples of creative development to achieve that goal.

ADDENDUM TO THE 9.20.22 STAFF REPORT:

4. Housing

Q. Explain price points/affordable housing?

A. Adair Village is providing necessary housing in an area of the state that is in the most need. The type of housing that has been provided helps relieve strain on every level of housing. This happens as people take the next step in home ownership opening up lower-level homes and reducing the cost for everyone.

We have reached out to a housing specialist that hopefully will provide some data prior to the October 11th meeting.

5. Critical Mass or a Population to support a central business district

Q. Commissioner Lee is asked it possible that Adair Village has reached critical mass already and how does the city know that they have grown enough to justify a UGB.

A. Mr. Hare responded that most studies show that a population of 3,000 community members will help sustain local businesses, if the community is more than 5 miles from another city.

Each city is unique due to particularities of size, demographics, existing businesses and other land uses, transportation options and relationship to other cities. Therefore, it is not possible to draw absolutes about the point at which a given city reaches the critical mass needed to support an active and sustainable commercial district.

6. Buildable Land Inventory

Q. There was a request for clarification about how the density ranges in the BLI were determined, in comparison to the actual densities seen in developed portions of Adair Village.

A. **The densities described in the BLI are based on the minimum lot sizes for each residential zone established in 2013 when the city updated and adopted a new development code.**

The City of Adair Village set 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. This includes 25% of all land be developed for infrastructure improvements.

ADDENDUM TO THE 9.20.22 STAFF REPORT:

The actual densities seen in developed portions of Adair Village were not part of the BLI and other than the Calloway Creek subdivision and the William R. Carr duplexes, pre-existed the adoption of the 2013 development code. Creekside at Adair Village Phase I & II are zoned R-2 (Medium Density Residential) and were approved and built in 2000-02. The subdivision plat is approximately 27 acres with 106 dwelling units (DU). Some of the land was set aside for storm detention or wetland preservation. The approximate density of both phases is 3.9 DU/acre.

The Adair Meadows subdivision, zoned R-1 (Low Density Residential), is left over from when the city was a military base and were built in the 1950s. It has an even lower density than Creekside at Adair Village.

Calloway Creek and William R. Carr Subdivisions were approved through the Planned Unit Development (PUD) process. This is a discretionary review process, requested by the applicants in those cases; therefore, the resulting densities indicate what is theoretically possible through a PUD process but they are not reflective of zoning and should not be the basis of BLI-related estimates. Calloway Creek subdivision is zoned R-3 (High Density Residential) and William R. Carr is zoned R-1. Calloway Creek Phases I, II & III have a total of 174 lots on 34.5 acres or approximately 4.8 DU/acre. William R Carr Sub has 16 units on one acre or 16 DU/acre.

7. Population Numbers

- Q. Commissioner Lee asked why the expansion forecast was done for 2022-2042 instead of 2020-2040.
- A. The city is required to show a 20-year supply of available residential land and to do so we needed to use the City's most current up to date population and then an extrapolated population projection (see below). Both numbers were derived by using the interpolation template found on the Portland Research Center's website.

8. Annexation Process

- Q. Is annexation in Oregon any longer a public process? Basically, can the residents of Adair vote on an annexation request? Is the City Council decision a public process, presumably? So people get the opportunity to testify?
- A. Cities in Oregon are precluded from requiring voter approval of annexations. This is a result of a change in state law a few years ago. The process to annex property into the city boundary is a legislative one. A change in the UGB requires an Amendment to the Adair Village Comprehensive Plan in conformance with Statewide Planning Goal 14 and an Amendment to the Urban Growth Boundary and Policy Agreement between the City of Adair Village and Benton County.

A proposal for annexation may be initiated by the City Council or by a petition to the City Council by owners of real property located in the territory to be annexed. Both are considered the applicant. The City shall request a staff review together with

ADDENDUM TO THE 9.20.22 STAFF REPORT:

other public or private agencies which may be affected by the proposed annexation. Upon receipt of the application, plans and accompanying narrative, staff shall conduct an evaluation listing their findings based on the criteria and comprehensive plan policies. The applicant shall be advised of any recommended changes or conditions for approval. The City shall incorporate all staff comments into a report to the Planning Commission and City Council. The report shall include an analysis of the impacts of the proposed annexation, a review of applicable City and State policies and standards, and a recommendation as to the appropriateness of the proposed development and the annexation itself. There is a separate public hearing before both the Planning Commission and City Council. Both hearings are published and posted and public comments shall be received at both meetings.

9. Safety Concerns

- Q. Commissioner Gervais expressed concerns about the safety factors raised by the public. What role do potential natural or other hazards play in the recommendation for rezoning of land into the UGB?
- A. Referring to the Benton County Development Code criteria for re-zoning, the proposed zoning must be “more appropriate than the current zoning.” If natural hazards were such that residential development was inappropriate, then the current zoning (EFU, in this case) might be the more appropriate zoning. The criteria also require that “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.” If the new zoning resulted in development that could not be adequately served by streets or by emergency response vehicles, then this criterion would not be met.

In the current case, the concerns raised about natural hazards, particularly the Corvallis Fault, are, in staff’s view, important to consider but difficult to evaluate. Past evaluations of the Corvallis Fault, including a fairly thorough examination of all natural hazards as part of the Corvallis Natural Features Project in the early to mid 2000s, determined that the risk of seismic activity associated with the fault was not certain enough to warrant development limitations. For example, the City of Corvallis chose not to adopt development restrictions or requirements for further investigation prior to development of property in the vicinity of the fault. Legacy development (such as Crescent Valley High School) as well as more recent development (such as portions of the Timberhill Subdivision) have been constructed over the Corvallis Fault. Past practice is not proof of good practice, but it is an indication of how relative risks and costs have been evaluated in the past. Staff’s recommendation is that the level of risk known about the Corvallis Fault does not warrant exclusion of these areas from the UGB, but that seismic issues should be considered in subsequent, increasingly specific, land use decisions; namely, annexation, re-zoning for development, and subdivision review.

Regarding transportation safety and emergency services, in staff’s assessment, the areas proposed for addition to the UGB do not on their face present insurmountable challenges for safety. They can be developed safely. The determinations about the

ADDENDUM TO THE 9.20.22 STAFF REPORT:

specifics of what it takes to develop these areas safely requires a level of detailed analysis that is not possible (nor appropriate) at this stage.

10. Acreage Calculations

A slide in the staff presentation at the 9/20/22 hearing contained a calculation error (Greg owns it; appreciation to John Steeves for pointing it out).¹ Below are the corrected calculations.

Category	Acres	Acres (low end)
Partially Vacant Acres (gross)	16.15	
Vacant Acres (gross)	55.83	
Net Vacant Acres: a) Subtract 0.25 ac from each “partially vacant” parcel b) Add to gross vacant acres c) Subtract 25% for infrastructure Result is Net Vacant Acres	51.92	
Constrained Acres (high end) Up to this amount can be removed from Net Vacant Acres based on access, infrastructure, ownership and other constraints on development.	13.47	
Constrained acres (low end) Counting only the parcels that are fully prevented from being residentially developed.		4.58
Available acres for residential development Net Vacant Acres minus Constrained Acres	38.45	47.34
Acres Needed To meet 20-year demand	65.17	65.17
Deficit Available Acres minus Acres Needed	-26.72	-17.83
Net Acres in Property 1 and Property 2 Gross acreage of the two properties minus conservation easement and riparian corridor, minus 25% for infrastructure.	31.6	31.6
Difference between Proposed UGB additions and quantified Deficit	4.88	13.77

¹ The error in the “low end” column had resulted in a “difference” (bottom line of the table) of 9.46 acres when it should have been 13.77 acres. This error demonstrates the risk of using a Word table instead of an Excel worksheet.

ADDENDUM TO THE 9.20.22 STAFF REPORT:

The following three items are amendments to the “Justification and Findings” document.

1. **DIRECTION:** Patrick Wingard (DLCD) asked the city to explain how DOWL arrived at the current population number of 1,416 for 2022.

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.²

The current population estimate of 1,416 residents was derived using PRC’s population interpolation template found on their website. Because the PRC forecasts are only published every three years and the last report was in 2021, Adair Village’s population had to be estimated using the PRC’s five-year interval numbers.

DOWL inserted the forecasted 2025 and 2030 population estimates into the interpolation template to arrive at an estimated population number for 2026. Then DOWL used the same template, inserting the 2021 and 2026 population estimates to obtain the 2022 population estimate (1,416) used in this report.

Table 1: 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

2. **DIRECTION:** Kevin Young (DLCD) identified that the city citations to statute ORS 197.298 need to be changed to 197A.320.

Chapter 3 presents the alternatives analysis required by OAR 660-024-0060 as well as findings related to the prioritization described in **ORS 197A.320**.

²PRC’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.

ADDENDUM TO THE 9.20.22 STAFF REPORT:

For cities outside Metro, ORS 197A.320 replaces ORS 197.298; however, our analysis references ORS 197.298 in a few locations in the report. It’s confusing, because the context of ORS 197A.320 is in relation to the “simplified UGB process,” but this particular section (.320) applies to all UGB expansions under OAR 660-024 (“regular” UGB) and OAR 660-038 (“simplified” UGB). Nevertheless, when you look at the fundamentals, the prioritization scheme is the same.

After cross referencing and discussing the issue with DLCD, our analysis is consistent with those rules, but DLCD recommended we change any citations to statute from ORS 197.298 to 197A.320 which has been done.

ACTION: All references to ORS 197.298 have been changed to ORS 197A.320.

3. DIRECTION: Fair Housing Council of Oregon Letter to the City

Hello Pat,

I am the coordinator for a collaborative project between Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO) which reviews housing-related PAPAs. We were appreciative of the extensive information on the City’s 20-year housing and land needs found on pages 17-20. However, we believe that the summary data should also be included in the Goal 10 findings on page 83. Citing the number of needed acres and units, as well as the potential acres and units resulting from the proposed change, would easily and transparently establish compliance with Goal 10. We request that the findings are amended before the City Council hearing.

Thank you.

Samuel Goldberg
Education & Outreach Specialist
Fair Housing Council of Oregon
1221 SW Yamhill St. #305
Portland, Oregon 97205
(503) 223-8197 ext. 104
Preferred Pronouns: He/Him/His



ACTION: The Goal 10 findings in Chapter 7. Statewide Goal Consistency Analysis of the “Justification and Findings” document has been updated to reflect the City’s 20-year housing and land needs as request by the Fair Housing Council.

PUBLIC TESTIMONY

RE: Amendment to Adair Village UGB

Date: 9/21/22

AV File #PC22-01

Benton County File #LU-22-038

This is a summary of the oral testimony I was allowed to present at last night's meeting in Adair – thank you for the opportunity to add to the discussion, and as I noted, I'm very appreciative of the work and enormous amount of time you all have put into this matter so far.

DOWL Report (June 2022): Buildable Lands Inventory

One of the key takeaways from my study of the information presented for this meeting is that the DOWL report comes to the conclusion that Adair Village (AV) will have a shortfall of 73 housing units by 2042. But is that really the case?

Within the existing city limits of AV – and designated now as “development of the lot is feasible” – there are two parcels zoned R-3, or residential high density. This would be Property 5 (Phase 4 of Calloway Creek) and Property 10 (east of Santiam Christian and generally north of Ryals Avenue).

The allowance for dwelling units/acre for R-3 properties is 15-24/acre. DOWL is using an expected density of 6.7 DU/acre, and projects 260 units would be built on those two properties.

However, if the expected density could be assumed to be even as little as 10 DU/acre – which is the low end of R-2 (medium density 10-15 DU/acre) zoning – then there could be approx. 388 units on the 38.85 acres of buildable property at these sites.

This adjustment by itself results in a surplus of 55 units, not a shortfall.

AV wants a walkable core, a downtown, and soon an elementary school

All of these things will require a rethinking of how a small town is constructed.

If you want walkability, you've got to have increased housing density. It sounds odd to think in terms of “sprawl” with such a (currently) small city, but sprawl is not the answer. Sprawl will only lead to more vehicle traffic.

Higher density housing also addresses the desire – and stated aims of both planning commissions – for more-affordable housing, or at least presents the opportunity for such. More \$500,000 single-family residences does not equal affordable housing.

I'm asking members of the commissions to re-examine the density assumptions, and seek out opportunities to utilize what's already within the city limits. If there's a way to make better use of the R-3 zoning that's already in place, this would go far towards meeting several of the goals presented in the reports.

The monster on the west edge of town – Highway 99W

Continued development of AV can only result in more traffic impact, especially at Ryals/99W – even more so in light of the addition of 260 to nearly 400 more dwellings that would be accessed primarily off of Ryals. And again, those are from properties *already in the city limits and where development is feasible*.

Development across Highway 99W is ruled out in future growth plans for AV, because the city and county recognize the issues that simply crossing the highway present.

This process of increasing the UGB is very odd, in that the expansion presumes that changing land use zoning from EFU (exclusive farm use) to UR-50 (urban residential with a 50 acre minimum parcel size) will not have any impact on traffic. That's true, because neither of the properties in question today exceeds 50 acres. Part of the county's report on this says that development of a "primary farm dwelling and accessory farm-related dwellings" would be allowed.

It's only when annexation to the city happens, and the property is again re-zoned, that impacts to transportation begin to be examined. I suggest that we're better off to consider these impacts well ahead of time and strive to be able to at least recognize what's coming.

Just looking at the Weigel property, the county estimates there are 27.75 net buildable acres. If annexed, the county is estimating 5.5 DU/acre will be built. That's 152 more homes just within the proposed UGB expansion. This is a far cry from a single farm dwelling.

Calloway Creek currently has 178 homes. Twenty-nine more are proposed for Phase 4 – already within the city limits and ready to be developed. The property within the proposed UGB expansion is expected to add another 152 homes – but it likely will be zoned R-3 (high density) as is the rest of Calloway Creek, which could allow for 15-24 dwelling units/acre. *The possibility exists, then, for well in excess of 400 dwelling units just within this UGB expansion.*

This last suggestion stems from the nearly thirty years I worked as a 9-1-1 dispatcher here in Benton County. The time to think about the impact to traffic on Highway 99W is now, not when we've had enough serious, or even fatal, crashes at 99W and Ryals that ODOT begins to realize that there is a problem.

John Steeves
3995 SE Weigel St
Adair Village
541-521-2387

Hello Greg and Patrick,

Thanks for this additional opportunity to comment on the proposed UGB expansion for Adair Village.

At this point -- ahead of tomorrow's deadline for comments to make it into the packet for the county and city planning commissions -- I'm keeping my comments focused on the main issue where I feel a professional responsibility to comment, as a geologist.

Ahead of the final October 7th deadline, I may send additional comments from a more personal perspective as a neighborhood resident.

A key question that I still hope to address, if I can find time, is "Who benefits financially from this UGB expansion, and why?" As I recall, the previous UGB expansion in 2008 was not really a "clean deal," as it clearly favored financial interests that were aligned with members of the City Council at the time (even if one Council member recused himself from the final vote, due to an obvious conflict of interest -- still, the rest of his buddies on the City Council voted).

This UGB proposal strikes me as extending further financial benefits to the same select interest group that benefited from favorable consideration, under the previous UGB expansion. This is not really an issue within the remit of the County and City planning commissions, but it's troubling. I've lived in this area for 27 years, so I'm well familiar with the small-town corruption scandals that have plagued Adair Village city government -- water bills, petty cash fund, etc.

I'm also unsettled to learn that all residents of the recent Calloway Creek development are constrained from commenting on this expansion, under terms of neighborhood covenants that they signed -- perhaps without reading the fine print -- when they purchased their houses. I'm guessing that none of these new residents were ever informed of the earthquake risks, though glad to see that the Federal Emergency Management Authority (FEMA) will soon be conducting surveys aimed at assessing flood risks in that development.

Thanks,
Joel

--

Joel Geier, Ph.D.
Hydrogeologist
38566 Hwy 99W
Corvallis, Oregon 97330-9320

Oct. 4 2022

LU-22-038 PC22-01

Dear Planning Commissions,

I am in opposition to this legislative amendment LU22-038 and PC22-01. For Goal 5 Natural Resources the DLCDC Sept. 20, 2022 letter page 3 shared Parcel 1 is developable on only 3.84 acres and Parcel 2 on 27.75 acres. The Calloaway Creek mainstem name in Parcel 2 is never mentioned in the planning map. Goal 5 is being undermined by lack of clear and objective details provided to decision makers for Calloaway Creek and all wetland and flood plain acres on both Parcel 1 and Parcel 2.

Calloaway Creek and its tributary here are under increasing pressure from urbanization and the use of Adair Village Land use code twenty foot riparian buffers, which may not be wide enough to allow for Global Warming and the need to protect all water bodies from damage due to human use and development.

The loss of EFU zone to Benton County is extensive counting all the EFU land that was lost with Calloaway Creek Subdivision and this UGB expansion proposal along with Santiam Christian developable, once Army base, turned wildlife area acres to be developed in the future.

Parcel 1 has been noted and is being documented to be very wet. Parcel 2 is flood plain for Main stem Calloaway Creek and may be field tilled so it historically did flood, over larger areas. Removing field tiles here would lead to area flooding, so area may need to have extensively filled to come up above the historic normal flood plain delta from the mainstem Calloaway Creek on the south side of Crane Lane.

Goal 1 may be violated when the Calloaway Creek Subdivision land and home owners are not allowed to comment to anyone about the next urbanization project that this developer will be building.

If x number of people in the existing phases of Calloaway Creek subdivision are not happy with this UGB expansion request and have been legally being blocked from offering their thoughts on this to planners, and the State of Oregon, will this lack of home owner involvement continue into the next annexation development and on into the next annexation development after parcel 2 by this Developer?

Is Goal One being undermined by this developer in pursuing this next expansion area with AV and Benton County Planning as a joint update to AV Land use code and Comprehensive Plan to support this UGB expansion? Adair Village Planning held an open house and listening session, did anyone from Calloaway Creek Subdivision contribute to this meeting?

DLCDC Sept 20, 2022 letter agreeing with this UGB expansion noted Sub Area 7 property value at 8200 dollars per acre. When was this value figured and is this undervalued due to being out of date? Talking to the Parcel 2 owner they may share the value of this AG EFU was very high for decades, as this soil may be rated high value for Annual Rye Grass or any seasonal Ag crop use.

The current Calloaway Creek Subdivision has the same soil type as Parcel 2 and many not have been noted then, three years ago, as having poorly rated value soils at annexation.

The value per acre as Residential zone may be high enough for the Parcel 2 landowner to want to sell to this developer, who in turn will make significant profit from this specific UGB expansion agreement, and they continue to build their model homes here as an extension of Calloaway Creek Subdivision they owned and sold to home buyers.

City of AV will gain this many more tax payers to their City.

DLCD letter page 3 26.77 acre deficit in buildable land inside the current UGB. Is this supposed to be usable acres for residential land use?

With annexation 3 years ago of the Calloaway Creek subdivision, was this to be a 20 year supply of land at that time? What amount of openspace and park land have been created for the City of AV in this prior annexation? Every person who works in the Calloaway Creek subdivision drives to work or was forced to work from home in the pandemic. This is not economical planning under Goal 14. With the addition of 27.75 acres in Parcel 2 equates to x home numbers and x numbers of cars on the road. Goal 14 is not efficiently considering Global Warming and damage this UGB expansion will contribute to our environment from people driving to do daily living tasks.

Housing Needs Analysis infill into City of AV 6 downtown acres they own could use higher density zoning to allow for 500-1000 residences of some type to be constructed here noted Planner Depa.

Does the Housing Needs Analysis take into consideration, the current 6 acre area which could be developed to not have to annex 37.72 buildable acres?

How is the developer of this Parcel 2 contributing toward the downtown development of the City Center?

Is this developer contributing nothing to the City of AV except system development charges(SDC) which may be used to extend the sewer, water and road system into each new annexation area, and the City of Adair is left with 6 acre downtown core which may never be developed for commercial usage, due to a larger and large percentage of the population here living further and further away as each new EFU zone is converted to Urban Residential Zone?

Should the Parcel 2 developer be required to build parks and open space areas into these very far off subdivisions, to give people some chance of getting outdoors and enjoying their surroundings instead of getting into the car and driving to get to a park or an openspace? There are only riparian corridors with a wall of fencing and drainage detention pond flood plain as openspace in the current Calloaway Creek Subdivision.

How deficient is the City of AV currently for parks and openspace acres per the increase in population from Calloaway Creek Subdivision and pending development of Parcel 1 and 2 population increases?

Calloaway Creek tributary here on the north side of Parcel 2 is under pressure from this residential development and will be impacted by more development by this developer in the final phase Calloaway Creek Subdivision with only 20 foot riparian buffers. The City of AV land development code is from 2013 and may not reflect anything about Global Warming and the need to conserve and protect water bodies, lakes and floodplains.

What does Corvallis Area Municipal Planning Organization (CAMPO) say about this urbanization request? Should they weigh in currently on this amendment decision?

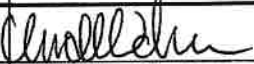

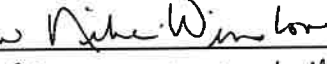


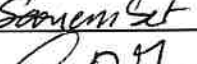
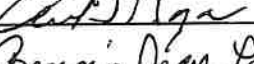



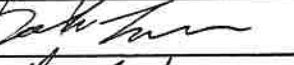

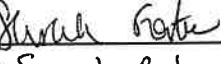
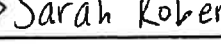
Where are the letter's of agreement to City of AV from '1000 Friends' and 'Fair Housing Council'? Hopefully these documents can be shared with other decision makers you will recommend to, and the public in future, if both Planning Commissions got to see these documents in their joint work sessions about this UGB expansion.

Thanks, Rana Foster 980 SE Mason Pl Corvallis, OR

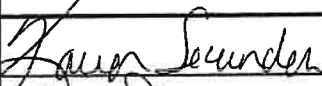

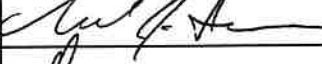




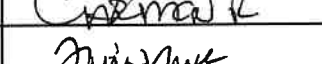
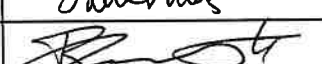
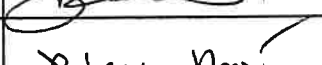


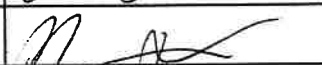
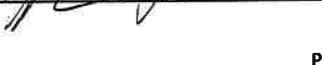
This petition is for residents of Adair Village and the directly adjacent land who are against the expansion of the Urban Growth Boundary to include the property at the **East** end of Hibiscus Drive, Adair Village, OR 97330 as of 9/28/2022.

Printed Name	Signature	Home Address
Matthew P. Allard	<i>Matthew P. Allard</i>	8344 Hibiscus Dr. Adair Village, OR 97330
Patricia J. Allard	<i>Patricia J. Allard</i>	8344 Hibiscus Dr. Adair Village OR 97330
Hunter Rogers	<i>Hunter Rogers</i>	5335 NE Hibiscus Dr Adair Village OR 97330
<i>JM White</i>	<i>Tim White</i>	29416 Newton Rd Adair Village 97330
Carrie Wright	<i>Carrie Wright</i>	29434 Newton Rd Corvallis OR 97330
Ryan Moss	<i>Ryan Moss</i>	8301 Hibiscus Dr. Adair Village, OR 97330
Janelle Moss	<i>Janelle Moss</i>	8301 Hibiscus Dr., Adair Village, OR, 97330
Natalie Vidrio	<i>Natalie Vidrio</i>	8305 Hibiscus Dr. Adair Village OR 97330
Edgar Vidrio	<i>Edgar Vidrio</i>	8305 Hibiscus Dr. Adair OR 97330
Stacy Rogers	<i>Stacy Rogers</i>	8335 Hibiscus Dr. Adair Village, OR 97330
Chris Rogers	<i>Chris Rogers</i>	8335 Hibiscus Dr Adair Village OR 97330
Lauren Rose	<i>Lauren Rose</i>	6301 NE William R. Carr St Village, OR 97330
Chris Connor	<i>Chris Connor</i>	6305 NW William R Carr St. Adair Village OR 97330
Josh Walsh	<i>Josh Walsh</i>	6313 NW William R Carr St Adair Village OR 97330




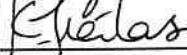



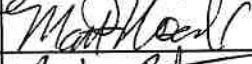

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Printed Name	Signature	Home Address
Nichelle Volker		6245 NE William R Carr St Adair Village OR 97330
RONALD O. CARTER		8007 NE BARBERRY DR ADAIR VILLAGE 97330
NIKI B WINSLOW		8006 NE BARBERRY DR Adair Village 97330
Sharon Sielschott		8025 NE Barberrry Dr " " "
Rick Brown		8025 NE Barberrry Dr. " " "
SARIEM SET		8031 NE-Barberrry, DR
Anna Garza		8037 NE Barberrry Dr.
BONNIE LAING		8043 NE BARBERRY DR. " " " "
MONICA TRAP		8049 NE Barberrry Dr Adair Village, OR
Jennifer Lommers		8055 NE Barberrry DR. Adair Village, OR
Heather Kenyon		8058 NE Barberrry DR. Adair Village, OR
Joe Leykam		8058 NE Barberrry Dr Adair Village OR
Kevin Foster		8468 NE Barberrry Pr. Adair Village, OR
Sarah Foster		8468 NE Barberrry Dr. Adair Village, OR
Sarah	← Sarah Robertson	8963 NE Barberrry Dr. Adair Village OR

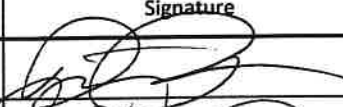

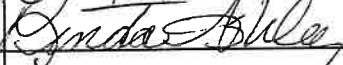

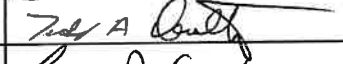
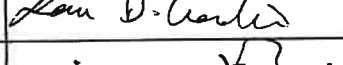



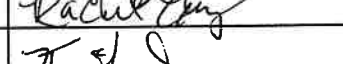

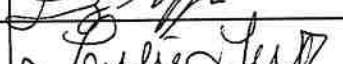
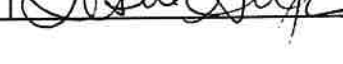
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Printed Name	Signature	Home Address
Karen Saunders		29416 Newton Rd Corvallis 97330
Nancy Sommer		8322 NE Hibiscus Dr Adair 97330
MICHAEL SOMMER		8322 NE HIBISCUS DR ADAIR 97330
Ralph Freilinger		8311 NE Hibiscus Dr Adair Village 97330
Michael Packard		8076 NE Barberrry Dr. Adair Village, OR. 97330
Andrea Packard		8076 NE Barberrry Dr. Adair Village OR 97330
Kendon Shirley		8404 NE Barberrry Dr Adair Village
Carmen Ramirez		8755 NE BOX ELDER St 97330
Faith Vanter		8773 Box Elder St Adair Village 97330
BLAKE VANTER		8773 Box Elder St ADAIR Village 97330
Rebecca NORRIS		8797 Box Elder St Adair Village 97330
Jeff Rhoads		8681 NE Barberrry Dr. Adair Village 97330
Ange Lawrence		8891 NE Barberrry Dr Adair Village 97330
Nathan Reigs		8893 NE Mulberry Dr. Adair Village 97330



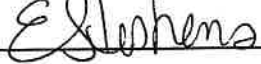

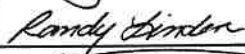

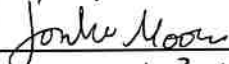

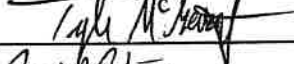
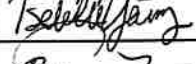


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Printed Name	Signature	Home Address
Wendy McLaren	Wendy McLaren	8895 NE Mulberry Dr. Adair Village OR 97330
ROBERT E. McLAREN		"
Shawn Stoupe		8743 Box Elder St.
Cathy Sullivan		8598 Johns Pl. Adair Village 97330
Kayla Freitas		8759 Box Elder St.
Sally Hockema	Sally Hockema	8477 NE Barberrry DR-
Laura Howard	Laura Howard	8959 NE Barberrry Dr.
Kristi Dunn		8802 NE Cori Ct
Misty Ventu		8897 NE Mulberry
Paty Nosack		8818 NE Cori Court Adair Village
Mat ^{Matt} Nosack		8818 NE Cori Ct Adair Village OR 97330
Andrew Patching		8841 NE Cori Ct. Adair Village, OR 97330
Rebecca Patching	Rebecca Patching	8841 Cori Ct Adair Village OR 97330



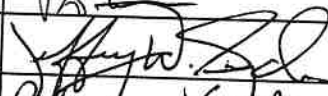
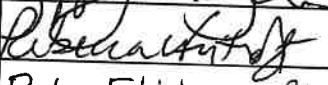
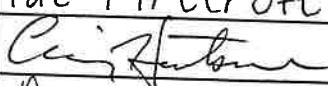
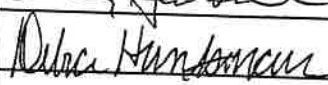
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Printed Name	Signature	Home Address
Daniel Paulding		8633 NE Barbary Dr. OR 97330
Pandee Hamilton		8633 NE Barbary Dr. OR 97330
LINDA Ashley		8633 NE Barbary Dr OR 97330
Leah Dorothy		8556 John's Pl. OR 97330
TOOD A DOROTHY		8576 John's Pl. OR 97330
Laura D Gradine		8599 John's Pl, OR 97330
Marion Rossi		8591 John's Pl. OR 97330
Spencer		8585 John's Pl OR 97330
TIM EBT		8002 NE BARBERRY DR, ADAIR VILLAGE
Rachel Eby		8002 NE Barbary Dr. OR 97330
Kristen Gore		8313 NE Barbary Dr
Danny Griffith		8101 Papine Ct Adair Village OR 97330
Leslie Griffin		8101 Papine Ct. Adair Village OR 97330

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Printed Name	Signature	Home Address
CHUCK MCHEIL		8077 NE BARBERRY DR
Fred Hockema		8477 Barberrry DR
Elisa Stephens		8756 Box Elder St.
Caryn Matteson		8776 Box Elder ST
Mark Dickson	MARK DICKSON	8796 NE BARBERRY DR
Bobby Samson	Bobby Samson	8802 Coni Ct
Randy Linden		8071 Barberrry Drive
Marc N. Smith		8107 NE Daphne Ct.
Jordan Moore		8110 Daphne Ct
Erin Keller		8106 Daphne Ct.
Tyler McGarrity		8106 Daphne Ct.
Isabella Yañez		38189 Adair Frontage rd
Bethany Yañez		38189 Adair Frontage Rd
Jared Minter		38189 Adair Frontage Rd

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Printed Name	Signature	Home Address
Eric Yanez		38189 Adair Frontage Rd. Corvallis, OR 97330
Isaiah E. Yanez	E. Isaiah Yanez	38189 Adair Frontage Rd.
Mari Chavez	M. Chavez	38189 Adair Frontage Rd
Ryan Thorson		8821 Cori Ct 97330
Jeff Snyder		8345 Hibiscus 97330
Rebecca Flitcroft		8345 Hibiscus Dr. 97330
Pat Flitcroft	Pat Flitcroft	8338 Hibiscus Dr. 97330
Gray Huntsman		8337 Hibiscus Dr. 97330
Debra Huntsman		8339 Hibiscus Dr 97330

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Printed Name	Signature	Home Address
If I had more time, I could have gathered many more signatures, but since you need this by Oct. 3rd, I ran out of time.		
		Matthew P. Allen