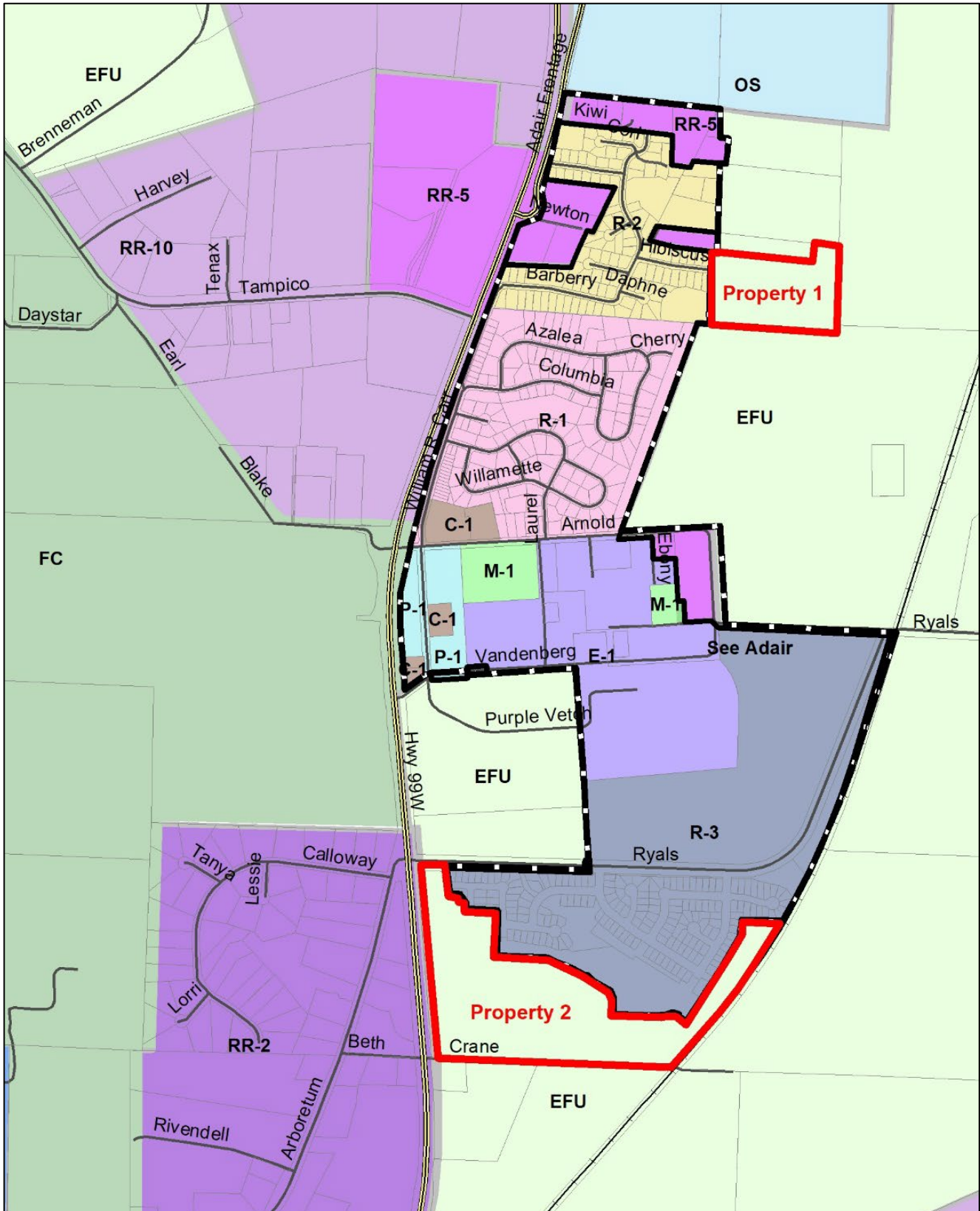


STAFF REPORT TO THE BOARD OF COMMISSIONERS

AFFECTED PROPERTY:	<p>Two properties are being considered for addition to the Adair Village UGB. Both are zoned Exclusive Farm Use. See map on Page 2.</p> <p><u>Property 1:</u> Assessment Map & Tax Lot No. 104290000900. 12.97 acres located on the northeast side of Adair Village. 5.12 acres proposed for residential development; 7.85 acres is in a conservation easement.</p> <p><u>Property 2:</u> Assessment Map & Tax Lot No. 104310003400. 42.4 acres located on the south edge of Adair Village. 37 acres proposed for residential development; 5.4 acres proposed to remain in natural state.</p>		
PROPOSED ACTION:	<p>Legislative Amendment to the Urban Growth Boundary (UGB) of the City of Adair Village.</p> <p><u>City of Adair Village</u> 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. <u>Benton County</u> 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.</p>		
STAFF CONTACTS:	<p>Adair Village: Pat Depa Patrick.Depa@co.benton.or.us 541-760-2993</p> <p>Benton County: Greg Verret Greg.Verret@co.benton.or.us 541-766-6819</p>		
APPLICANT:	None (Legislative)		
PROPERTY OWNERS:	<p>Property 1: Timothy W. Cornelius</p> <p>Property 2: RST Weigel LLC</p>		
ZONING:	Exclusive Farm Use	COMPREHENSIVE PLAN DESIGNATION:	Agriculture
CAC PLANNING AREA:	North Benton (not active)		
ADAIR VILLAGE FILE NUMBER:	PC22-01	BENTON COUNTY FILE NUMBER:	LU-22-038



Properties Proposed for Addition to Adair Village UGB

I. NATURE OF THE PROCEEDINGS

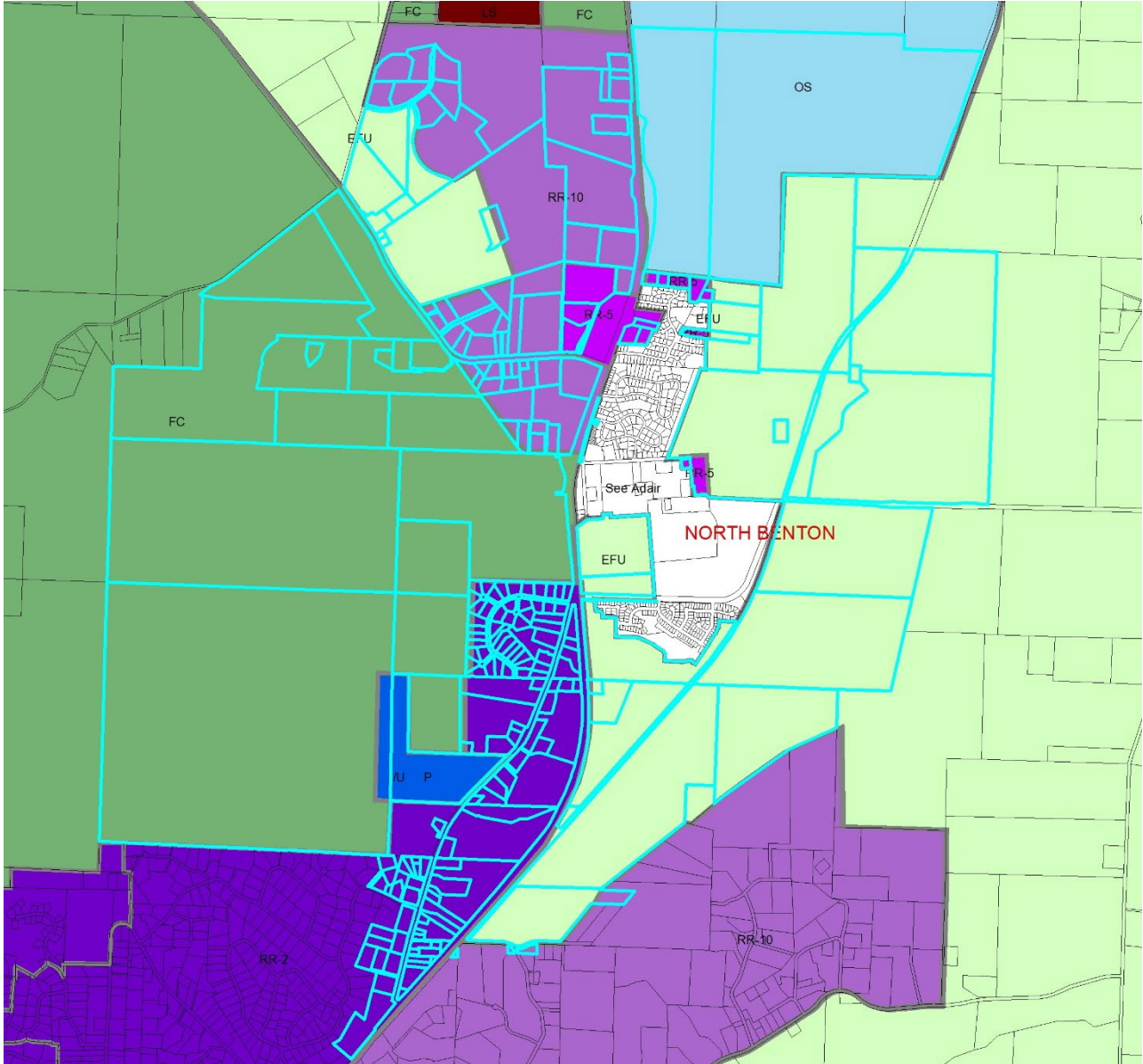
The Board of County Commissioners formally initiated a legislative process on September 21, 2021, to consider amending the Adair Village Urban Growth Boundary. The City of Adair Village separately initiated the legislative process. Pursuant to the Urban Growth Management Agreement between the City and the County, this legislative amendment is being coordinated and was heard jointly by the two planning commissions of the City and County. At the conclusion of the joint public hearing, the City and County Planning Commissions deliberated separately and voted to recommend approval to their respective governing bodies. The Adair City Council and the Benton County Board of Commissioners will now hold public hearings and reach final decisions.

As a legislative matter, the County's review is not constrained by the schedule necessary to meet the 150-day time limit that applies to decision-making on application-driven (quasi-judicial) proposals.

Notification of the proposed UGB amendment was submitted to the Oregon Department of Land Conservation and Development was provided 35 days prior to the Planning Commission hearing as required by state rules.

A legal advertisement was published in the *Corvallis Gazette-Times*, pursuant to BCC 51.610(3).

The County mailed notification of the Planning Commissions hearing to owners of property outside city limits located within 2,000 feet of the current UGB (farther in neighborhoods—see map below for notification area) and was mailed/emailed to agencies and other interested parties on September 1, 2022. Mailed notifications: 201; emailed notifications: 88. For the Board of Commissioners and City Council meeting, the County mailed notification to the same surrounding property owners as well as to all people who testified (orally or in writing) before the Planning Commission.



Properties mailed notification are outlined in blue.

II. PLANNING COMMISSION RECOMMENDATION

The Benton County Planning Commission, by a vote of 5-1, recommended that, based on the analysis stated in the staff report, the Board of Commissioners approve the amendment to expand the Adair Village Urban Growth Boundary in accord with the proposal and joint staff submissions including the findings and conclusions document. This vote came after extensive deliberations which are captured in the approved minutes and copied verbatim below.

Benton County Planning Commission Deliberations

Chair Fowler began the deliberations by asking each Planning Commissioner to share their feedback before a vote would be taken.

- Chair Fowler believes that the proposal can accommodate the 20-year growth prediction. He noted the feedback from the community members with concerns about the development and transportation issues and stated that those issues will largely be addressed at future stages of development review, but that it is important to start thinking about solutions now. He encouraged city and county staff to have a broad vision on preservation of resource lands within the current boundary or proposed boundary for non-residential applications. This expansion will consume most of the available expansion land; future expansions will be more difficult. He supports the recommendation of both properties. His determination is that the translation of needed housing units to needed acreage is intended to be flexible, as actual development may differ from assumptions. Chair Fowler stated that more than the absolute minimum is proposed, but that buffer is appropriate, and the flexibility is allowable under state rules. He concluded that the model meets the need for potential accommodate of at least (if not more) of the housing needs in the future.
- Commissioner Gervais has serious concerns about the future development project but noted that those concerns are to be addressed at the time of development. She noted that the Planning Commission's decision is on the land use criteria and therefore, she supports the UGB expansion.
- Commissioner Irish noted the community members' concerns around traffic and safety with the expansion and that those will need addressed in the future. She supports the proposal.
- Commissioner Lee stated that she opposes the proposal for the following reasons:
 - Rezoning Exclusive Farm Use (EFU) land for residential development permanently destroys high value soils for agricultural use and should be undertaken as a last resort. She cited ORS 197.832, which directs the preservation of agricultural land to the greatest extent, and also the Benton County Comprehensive Plan which states that a Goal Exception is required to change land from EFU zoning. She feels a goal exception should be required in this case.
 - Adair Village has not demonstrated the need for the UGB expansion, or the need to expand by 50+ acres. She cited Comprehensive Plan Policy 14.1.6, which requires a

city to demonstrate that needs cannot be met on land within the UGB prior to expanding. She felt there was a discrepancy between the City’s commitment to higher housing density, yet assuming lower density when calculating the available buildable land.

- Two of the identified needs are for affordable housing and for additional commercial development, but it has not demonstrated that the proposed UGB expansion would address either of these objectives.
- The proposed amendment fails to consider impacts to transportation within the city, surrounding areas, and Highway 99W by invoking “UGB not annexation” although annexation is expected to follow quickly.

Commissioner Lee presented a visual example on the white board that captured the following calculations:

Zone	Net buildable acres in current UGB	AV units/acre policy	UGB capacity	Units/acre realistic for future development	UGB capacity	State density Units/acre	UGB capacity
R1	11.49	4.4	50		50	8	92
R2	1.57	5.4	8		8	8-16 (12)	19
R3	38.85	6.7	260	9	350	16	622
R4	0	16					
Total	52		318		408		733

Commissioner Lee mentioned four specific concerns to resolve prior to a vote:

1. R-4 zoning needs to be reflected on the city’s zoning maps.
2. An explanation on why Adair Village has not revised its housing density requirements and used those revised figures when calculating the existing UGB capacity or the need to expand the UGB.
3. More detailed information on the impacts of Adair Village development to transportation within Adair Village, on Highway 99, and between Adair Village and nearby neighborhoods.

4. Detailed information for Benton County Goal 3 (to preserve and maintain agricultural lands).
- Commissioner Scorvo addressed three concerns that he has worked through about the proposal: the density calculations, transportation planning, and land conservation.
 - He expressed that greater density is desirable but will be a matter for the city of Adair Village to address. The proposed plans in his opinion will enhance livability and the density calculations are adequate to justify the expansion.
 - In regard to transportation, he stated that concerns need to be addressed when plans for development are reviewed.
 - He acknowledged that conserving land is important but addressing the influx of population is important as well. His decision to support the proposal has also been encouraged by the response of support noted by the Department of Land Conservation and Development.
 - Commissioner Whitcombe noted the input from emergency services, that annexation would lead to the ability to establish a proper turnaround at the end of Hibiscus; therefore, including the north parcel in the expansion was important. The south parcel she felt was committed to eventual annexation by the previous UGB expansion decision. She encouraged the City of Adair to increase livability with density of housing and different types of housing if the proposal is approved. She would also like to see less housing on farmland. Commissioner Whitcombe supports the proposed expansion.

There was general discussion regarding density and whether it was appropriate to allow the City flexibility on the issue of housing density or whether greater density within the existing UGB should be required before the UGB is expanded.

Commissioner Scorvo **MOVED** to recommend that the Benton County Board of Commissioners approve the amendment to expand the Adair Village Urban Growth Boundary in accord with the proposal and joint staff submissions by and with the findings and conclusions document

Commissioner Gervais offered an amendment to the motion to include the language “based on the analysis stated in the staff report”. Commissioner Scorvo **AMENDED the MOTION** as suggested.

Benton County Planning Commission vote on the proposal to amend the UGB expansion:

- Commissioner Fowler – Yes
- Commissioner Gervais – Yes
- Commissioner Scorvo – Yes
- Commissioner Whitcombe – Yes
- Commissioner Irish – Yes
- Commissioner Lee – No

The MOTION PASSED 5-1.

III. WRITTEN TESTIMONY

Written testimony received prior to finalizing the staff report is attached. Any additional testimony received prior to the hearing will be forwarded to the Board separately. Oral testimony that was presented before the Planning Commission is summarized in the minutes. The Board will be receiving oral testimony directly at the public hearing.

The following table summarizes written testimony for topic areas but should not be considered a substitute for the actual written testimony.

Testimony From	Topics
Connie Zane	Access problems; floodplain problems; water issues; environmental impact
Gwendolyn Sholl	Traffic issues @ Hwy 99W and Ryals
Oregon Dept of Transportation	Highway access; traffic impact analysis; Crane Lane
Caroline Wright	Additional ingress/egress to Property 1.
Matthew Allard	Regarding Property 1: Traffic; insufficient emergency access; wetlands; wildlife; need for services; consider only Property 2.
Rebecca Flitcroft and Jeff Snyder	Need for expansion?; impacts to wildlife; insufficient services; benefit to residents?
Joel Geier	Seismic risk; conversion of farmland; traffic.
Rana Foster	A number of questions and concerns on various topics, including: insufficient information; endless expansion; climate change; stream corridors; seismic risk.
Mike & Nancy Sommer	Traffic on Hibiscus Drive.
Pam Dickson	Need for a traffic light at Hwy 99W and Ryals Road.
Benton County Public Works	Highway access; traffic impact analysis; Crane Lane; stormwater impacts to Calloway Creek/Bowers Slough.
Erin Bradley	Traffic concerns, safety at Hwy 99W intersections.
Patrick Wingard, DLCD	Population <2,500 means Adair Village need not conduct a Housing Needs Assessment or Economic Opportunities Analysis. City has enacted land efficiency measures. Calculated deficiency of 26.72 acres compared to proposed 31.59 acres (net buildable) yields an excess of 4.87 acres, which is acceptable. The two proposed parcels have lower agricultural potential the best overall suitability for adding to the UGB. Goal 5 wetlands analysis should be performed on the parcels prior to or as part of annexation.

Rana Foster	Loss of farmland; impacts to wetlands, streams, wildlife; concern about inadequate public involvement; traffic, especially safety at Hwy 99W intersections; need higher density development and better within-community connections.
John Steeves	Higher density assumption for undeveloped property north of Ryals would result in no projected housing deficit in 2040. Need to develop walkable core, downtown, rather than sprawl. Traffic safety on Hwy 99W; address now.
Joel Geier	Who benefits financially? Property owners in Calloway Creek subdivision prevented from testifying.
Rana Foster	Impacts to creek, riparian area and floodplain. Density, infrastructure, walkability. Property owners in Calloway Creek Subdivision are prevented from testifying. CAMPO input?
99 Residents of Adair Village	Petition opposing adding Property 1 (east end of Hibiscus Drive) to the UGB.
Joel Geier	1990 study of Corvallis Fault; risk for both properties; ground breaks more likely than intense shaking.

IV. KEY TOPICS FOR CONSIDERATION

In addition to the directly applicable criteria (summarized in Section V of this report and detailed in the Justification & Findings document), and any other topics that the Board feels are relevant and important to consider in regard to the proposed UGB amendment, County Planning Staff offer the following as relevant considerations during the legislative process.

The County and the City are approaching this UGB amendment collaboratively; nonetheless, there are distinctions between how each jurisdiction will be considering the amendment. In addition to distinct sets of criteria—the County Comprehensive Plan policies and the criteria for a zone change differ from the policies and criteria that the City applies—the two jurisdictions come at the question from necessarily different perspectives. For the City, the UGB amendment is primarily a question of how the City sees itself evolving. For the County, the perspective is more regional. The County government is the entity that coordinates among the various jurisdictions within a county region and so the role of the County Planning Commission and the Board of Commissioners is to consider not only what is in the interests of the people of Adair Village and the people of the rural county but also how the UGB amendment will affect the other communities in the area—most directly, the cities of Albany and Corvallis, but other cities as well—and the networks and resources that connect them: transportation, water, agricultural and forest lands, open space.

1. Housing and “Complete Communities”

Housing in the mid-Willamette Valley and in Benton County is in limited supply, especially housing that is attainable to workers in this region. Oregon’s DLCD estimates that the housing supply in Benton County is approximately 5,000 units short of the need; statewide, that need is estimated at

more than 100,000 units.¹ Corvallis and the mid-Willamette Valley are desirable locations, with access to 2 tier-one universities, a full-service airport, and outdoor amenities. The shortfall of needed housing could reach 45,000 in the Willamette Valley (outside Portland Metro) by 2040.²

In March 2021, DLCD found that “the current system [of planning for housing in Oregon] chronically underestimates housing need, especially for lower-income households, does not enforce responsibilities of local governments to comprehensively address housing need, and perpetuates geographic patterns of racial and economic segregation, exclusion, and inequity.”³

As a result, housing in the Corvallis area is among the most expensive in the state. Housing availability and affordability are a concern to residents and local governments across the region. The need for housing will continue to present a County-wide challenge. Adair Village’s UGB amendment will add housing but will not solve the issue by itself.

The City of Adair Village has seen a recently approved subdivision of 178 lots build out and sell out over the past three years. There is significant demand for housing in the area of Adair Village.

Residential development in smaller communities such as Adair Village can result in “bedroom communities” or communities where people reside but find it necessary to travel for many other aspects of daily life. This phenomenon occurs through the trading off of an obvious large cost (housing purchase or rent costs) for smaller, often hidden costs (transportation costs, time loss to commuting, etc.).

Adair Village has a population of approximately 1,400.

The city has a number of amenities but at the same time community residents have expressed a desire for additional commercial opportunities (retail and services), job opportunities, parks and recreation facilities, transportation connections (varied modes), and other elements of a “complete community.” Most people who live in Adair Village drive to Corvallis or Albany for work, shopping and dining out. In the short term, adding more housing to a community like Adair Village will result in more vehicles on the roads with the associated societal costs: increased greenhouse gas emissions, increased wear on infrastructure, increased risk of crashes, increased congestion. The solution for small communities is develop as much of a “complete community” as possible, meaning having commercial and employment opportunities. Commercial development in particular will only site where there is a critical mass of potential clientele to make a business profitable. Additionally, there must be land available in conducive locations and adequately served by infrastructure. Designating and planning for the land uses and transportation connections that will enable these elements to establish is crucial.

The City of Adair Village has put considerable effort into making available appropriately zoned land in the area they intend to be the downtown core of the city, adjacent to City Hall. The combination of available commercial land and an increased population would increase the likelihood of commercial development and of Adair Village becoming a community where

¹ Oregon Department of Land Conservation and Development.

² Report prepared for Oregon Housing and Community Services by ECONorthwest, <https://www.oregon.gov/ohcs/about-us/Documents/RHNA/2020-RHNA-Technical-Report-Final.pdf>. August 2020.

³ Oregon Department of Land Conservation and Development, https://www.oregon.gov/lcd/UP/Documents/20210301_DLCD_RHNA_Assessment_Report.pdf. March 2021.

residents can have an increasing portion of their needs met. The population level needed in order to generate such commercial development is a matter of significant uncertainty, and population alone will not necessarily lead to the desired commercial development. Employment land uses (typically industrial land, but there are other types of employment generation as well) can be a key driver of commercial development and, more generally, of “complete communities.” Also, in examining the opportunities to support a more complete community in Adair Village, the long-term use of the ODFW property (located between Vandenberg and Ryals and currently zoned EFU) is an important consideration. This land, subject to a “parks in perpetuity” deed restriction could potentially be put to land uses both supportive of a complete community and consistent with the deed restriction—for example, management as a park by Benton County.

2. Transportation

As discussed above, and as mentioned in public comments, additional housing can impact the transportation system and the traveling public. Residents raised particular concern regarding one specific local street that would provide access to new UGB land, as well as broader concerns about increasing traffic levels in general and on Highway 99W. However, the decision to add land to an urban growth boundary is not review of a specific development proposal; it lacks details that would lead to specific assessment of the impact on traffic and infrastructure and, unlike a subdivision or conditional use permit, there is not an opportunity to attach conditions of approval to a UGB amendment. Furthermore, adding land to a UGB is not the land use action that makes the land eligible for urban-density development; it is the subsequent re-zoning of land that enables development at an intensity that could affect the transportation system.⁴ That said, ideas or concerns can be entered into the record at this stage that can be revisited in further detail at the time of specific land development proposals. And there are general considerations that can be brought into the decision-making regarding the UGB amendment. The comments from ODOT and Benton County Public Works reflect this level of a) consideration of issues at a general level during the review of the UGB amendment and b) establishing topics that need deeper review in light of a specific development proposal. ODOT’s and Benton County Public Works comments do not raise concerns about expansion of the Adair Village UGB in general and at the scale being proposed, but they do have concerns about how subsequent development will interact with existing transportation infrastructure—particularly Hwy 99W. These concerns are being flagged now and will be appropriately addressed during annexation and/or subdivision review following annexation. The County’s Transportation System Plan identifies improvements in the area of Adair Village; the UGB amendment does not trigger these improvements but subsequent development could. That said, this legislative process is an opportunity to consider the effect of a UGB expansion on the area transportation system and identify potential topics for further investigation and planning.

⁴ For that reason, the Transportation Planning Rule, which requires transportation analysis when plan or zone amendments would significantly affect a transportation facility, “*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.*” (OAR 660-024-0020(d)) The proposed zoning of UR-50 will meet the latter of these conditions.

3. Development Density and the Acreage Needed to Correct the Identified Deficiency of Buildable Land

In October 2008, Benton County and the City of Adair Village gave final approval to a 127-acre expansion of the Adair Village UGB. The portion south of Ryals Road has since been developed into single-family residences with the exception of an 8-acre portion that is in preparation for development. The portion north of Ryals Road has been partially developed for school-related sports fields but the majority, intended for residential subdivision, remains undeveloped. Even with the undeveloped 44.58-acre property north of Ryals, the Adair Village UGB has a deficiency of residentially zoned land to meet the requirement of a 20-year supply.

The buildable lands inventory (BLI) has clearly demonstrated that the City needs 73 additional housing units to meet the population forecast for year 2042, and state rules clearly require that this deficiency be corrected. As discussed in Section 2 of the Findings document, approximately 13.25 acres is needed to accommodate 73 units. However, additional land may be needed due to factors that compromise the ability of the land currently within the UGB to provide the number of housing units projected in the BLI.

- a. A key property for development within the current UGB is the 44.58-acre property slated for residential development and owned by Santiam Christian Schools, Inc. As DOWL point out in the BLI, the property contains wetlands that appear to be more extensive than originally mapped. If, for this or other reasons, the property gets developed at less than the assumed 260-unit capacity of the property, then there will be an additional deficit in the 20-year housing supply.
- b. Some of the existing residentially-designated land within the UGB may be needed for purposes other than housing. A key instance is that a public elementary school will likely be needed in Adair Village sometime in the future, according to conversations between staff and the Corvallis School District. Their initial estimates are a 10-15-acre campus would be needed. It is unknown at this time where such a campus would be located, but the strong preference would be for a central location that would enable children to walk or bicycle from home to school; there is a good chance that such a location would be on land that would otherwise be developed for housing.
- c. Certain lands within the UGB may not get developed or redeveloped, due to access constraints, infrastructure costs, property owner desires, and other factors. The consultant DOWL's analysis applying the objective parameters specified in the OAR determined that the existing UGB could support development of 678 dwelling units, 73 units short of the 20-year need. In arriving at this, DOWL removed from the buildable lands inventory properties that the OAR stipulates must be removed—for example, platted open-space tracts, utilities, schools, public right-of-way.⁵ DOWL went on to state that the City could pursue a more nuanced review of whether certain *additional* parcels, identified in the memo from Civil West (the City's engineering consultant), are so constrained as to warrant elimination from the inventory of buildable lands. Such a nuanced review of these properties is presented in Section 2 of the attached Findings document. On the basis of

⁵ For full discussion, see Pages 19-20 in the Justification & Findings document.

this review of additional properties, up to an additional 13.47 acres may be needed in order to supply the 20-year need for housing units.

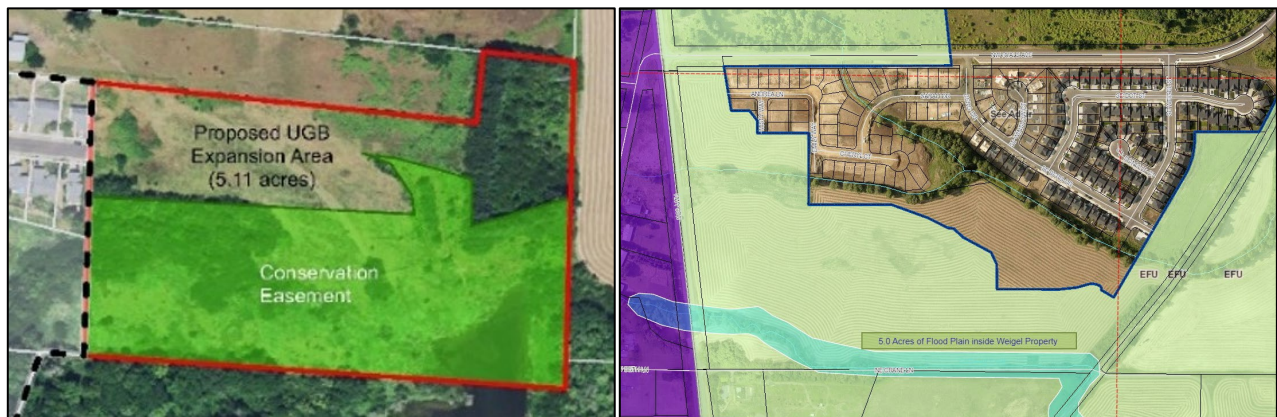
The amount of acreage to be added to the UGB is a key decision point in this UGB amendment process. Findings demonstrate that 13.25 acres have objectively been shown to be needed, pursuant to the relevant OARs. An additional 13.47 acres can potentially be justified based on the analysis of constrained parcels. Other subjective factors could potentially be argued to justify adding the full acreage of Properties 1 and 2 to the UGB. The total net buildable acreage of Properties 1 and 2 is approximately 31.6 acres.⁶ County staff concludes that the difference between the BLI-justified need and the land proposed to be added to the UGB is between 4.9 and 13.8 acres. Adair Village’s existing urban growth boundary contains approximately 284 acres.

State administrative rules do not require an exact match, and the letter from DLCD supports the inclusion of all of Properties 1 and 2. One point of discussion at the Planning Commission was whether the difference provides reasonable flexibility as the city develops; the majority determined that is was reasonable.

Potential Findings Supporting Adding the Proposed 55.4 Acres (31.6 Net Buildable Acres) to the Adair Village UGB

1. The statement in OAR 660-024-0067(1)(a) that guides the local government to “select for inclusion in the UGB as much of the land as necessary to satisfy the need” [as determined by the housing need deficiency analysis prescribed in OAR 660-024-0050] can be read to allow local government to roughly—as opposed to precisely—match the number of acres to be added to the UGB with the number of acres it takes to construct the deficient number of housing units. This is because the rule does not state how precisely the two acreage numbers must match.

⁶ Determined as follows. Property 1: 12.97 acres of which 7.85 acres is in a conservation easement, leaving 5.12 acres for residential development. Using Adair Village’s adopted policy, a 25% deduction is made for infrastructure, leaving **3.84 net buildable acres**. Property 2: 42.4 acres of which 5.4 acres proposed to remain in natural state, leaving 37 acres for residential development; 25% deduction for infrastructure leaves **27.75 net buildable acres**.



2. The 73-unit deficit in housing equates to approximately 13.25 acres of land need. However, as identified in the Civil West memo, constraints on developing several properties within the current UGB effectively increase the housing unit deficit and result in the need to bring an additional 13.47 acres into the UGB.
3. The likely need for a future school and the potential that such a site would fall within existing residentially designated lands further reduces the available land for residential development.
4. There is significant potential that the Santiam Christian property slated for residential development will not be able to support the assumed number of units due to wetlands, which would further reduce the number of residential units the existing UGB can support.
5. Factors 2 and 3, while not quantifiable, indicate that a degree of buffer would be prudent rather than holding strictly to the quantified acreage determination.
6. Reduction of acreage included from either Property 1 or Property 2 would have detrimental effect on the ability of these properties to be developed in an efficient way to make the best use of land resources. Additionally, exclusion of Property 1 could preclude a highly valuable pedestrian connection between northern Adair Village and Adair County Park.

Potential Findings Supporting Adding Less than the Proposed 55.4 Acres (31.6 Net Buildable Acres) to the Adair Village UGB

1. The statement in OAR 660-024-0067(1)(a) that guides the local government to “select for inclusion in the UGB as much of the land as necessary to satisfy the need” [as determined by the housing need deficiency analysis prescribed in OAR 660-024-0050] can be read as allowing the local government very little wiggle room when it comes to matching up the acres to be added to the UGB with the acres necessary for construction of the deficient number of housing units. This is because the rule does not state “approximately” or offer parameters for a buffer around the acreage needed.
2. The 73-unit deficit in housing equates to approximately 13.25 acres of land need.
3. Certain of the properties within the current UGB identified in the Civil West memo are subject to barriers that fully prevent residential development,⁷ totaling 4.58 acres; others identified in the memo face challenges to being developed but are not objectively unbuildable.
4. Factors relating to potential future determinations about development capability, such as regarding a future school site or a reduced number of units that can be developed on the Santiam Christian property are not quantifiable at this time and may be better addressed at such time as their impacts on housing units can be quantified.

Staff Conclusion: Based on information available at this time, either approach could be viable. County Planning Staff’s sense is that the state administrative rules intend fairly limited deviation

⁷ County Planning Staff note that the following Map ID numbers are effectively barred from development: 6, 7, 11. Total of 4.58 acres.

from the objectively determined acreage that resulted from DOWL's BLI. The letter from the Department of Land Conservation and Development states that the proposed inclusion of Properties 1 and 2 in their entirety is acceptable. The Planning Commission recommendation is to add the entire proposed acreage (all of Properties 1 and 2) to the UGB.

V. FINDINGS APPLYING DEVELOPMENT CODE CRITERIA and COMPREHENSIVE PLAN POLICIES

The findings relative to the Benton County Development Code and Comprehensive Plan are contained in Section 6 of the attached "Justifications & Findings" document. Additional findings, in response to specific questions and comments raised at the Planning Commissions hearing, are contained in the "Addendum to UGB Staff Report," jointly produced by City and County staff.

In summary, the County findings are that:

1. Dependent upon what the Board determines is the appropriate acreage to be added to the UGB as discussed in Section IV above, the Comprehensive Plan criteria for amending the Comprehensive Plan (to amend the UGB) have been met; and
2. If the UGB amendment is approved adding the subject properties to the UGB, then, as shown in Section 6 of the Findings document, the Development Code criteria for amending the Zoning Map (to apply UR-50 zoning) have been met.

During the Planning Commission's deliberations there was substantial discussion as to whether the proposal complies with two particular Comprehensive Plan policies.

Policy 14.1.6 states that "*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.*" The minority position was that this policy has not been met. The Commission discussed the fact that average actual densities, zoning-prescribed densities, and planned and assumed future densities vary across the city and may differ from one another. Depending on which assumptions are followed and which numbers used, it can be argued that this policy has been met or has not been met. The Planning Commission majority determined that the policy has been met or can be met by future City actions.

Policy 3.1.1 states:

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.

The minority position was that a Goal Exception should be required in this case.

Staff's findings are: 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”⁸ 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.

The Planning Commission majority found that the proposed UGB amendment does comply with this policy.

VI. RECOMMENDED ACTION

The Planning Commission voted to recommend that, based on the analysis stated in the staff report, the Board of Commissioners approve the amendment to expand the Adair Village Urban Growth Boundary in accord with the proposal and joint staff submissions including the findings and conclusions document.

VII. MOTIONS

Option A:

- A. I move that the Board of County Commissioners direct staff to prepare an ordinance **APPROVING** the Comprehensive Plan amendment and Zoning Map amendment proposed in legislative File No. LU-22-038, with the following specifications: [*identify; for example: inclusion of X acres*].

Option B:

- B. I move that the Board of County Commissioners direct staff to prepare an ordinance **REJECTING** the Comprehensive Plan amendment and Zoning Map amendment proposed in legislative File No. LU-22-038, based on the following findings: [*identify*].

VIII. ATTACHMENTS

- A *Public Testimony*
- B *Planning Commission Minutes*
- C *Adair Village Staff Report*
- D *Addendum to UGB Staff Reports*
- E *Justification and Findings Document*
- F *Buildable Lands Inventory*

⁸ OAR 660-024-0020(1)(a).

Written Testimony Received as of 11/22/2022

Connie Zane

TO: Patrick Depa, Adair Village and Greg Verret, Benton County

RE: Adair Village File Number PC22-01, Benton County File Number LU-22-038

Notice of Planning Commission Public Hearing concerning Amendment to Adair Village Urban Growth Boundary

Dear Sirs:

There are a number of problems with the development known as "Property 1" (Cornelius Property, east of Hibiscus Drive, Adair Village).

1. Access Problems

Adair Village residential streets do NOT accommodate both two-way traffic and parked cars. Most households have several cars and the streets are filled with parked cars on both sides of the street, making two-way traffic hazardous. The addition of substantially more vehicles to the already crowded streets would affect all residents, especially along William R. Carr, Barberry, and Hibiscus Drives. When service or emergency vehicles /equipment are needed, it causes real traffic problems. If a retirement community is planned for the area, the frequency of ambulance vehicles will likely increase, thus the inevitable access problems could be critical.

2. Flood Plain Problems

According to Figure 4: Environmental Constraints, (pg. 9) of the City of Adair Village Residential Building Lands Inventory Report, the area adjacent to houses on the south side of Hibiscus is designated as wetlands area. (In green). This map fails to designate that the wetlands also extend into the proposed Property 1 development area where, in fact, the wetlands also exist according to other topographic maps and a walking tour of the site would prove. Also, the Building-Lands-Inventory Report (pg. 8) states:

"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 3.

**. Floodplain Areas within the 100-year FEMA floodplain.*

The environmentlly constrained areas, identified in Figure 4 on the following page were deducted from the total area of the parcel to estimate the total buildable potential of each parcel of land ."

The maps mentioned above (Figure 3 and Figure 4) are inconsistent. One shows residential zoning and one shows Floodplain wetlands for the same area adjacent to the south side lots of Hibiscus. This same floodplain/wetlands area clearly extends into the Property 1 area designated for development. Where does the developer plan for this water to go? Simply damming the flow at the new development would cause flooding imperiling not only current residents of Hibiscus and Daphne but also Cherry and portions of Adair County Park.

3. Water issues

How will the City of Adair Village provide for the water needs of additional residents? Current homeowners will likely have to bear the brunt of increased rates to fund an expanded infrastructure to support more households on top of already exorbitant water/sewage rates.

4. Environmental impact

At a time when natural vegetation and wetland preservation are a key issues in climate change, losing wetland areas negatively affects plant, animal AND human life.

Developing the Property 2 (Weigel property) would be a viable alternative with more land to develop, easy access and no floodplain/wetland problems to contend with.

And, there would be negligible impact on existing residents. Surely this is a more practical and fairer solution.

Adair Village Residents received this Hearing notice by mail on Thursday, September 8, 2022 and were given just 3 days to respond with a written testimony. The Planning Commission deadline for testimony receipt cuts off at 8:00 AM, Monday, September 12, 2022. A mailed testimony will undoubtedly not be delivered by Monday at 8AM and the likelihood that Mr. Depa or Mr. Verret will read their emails prior to 8AM Monday is highly unlikely. Thus, this attempt to make it as difficult as possible for homeowners to respond (over the weekend) demonstrates a disregard for the legitimate concerns and well-being of residents.

Connie Zane, homeowner

8329 Hibiscus Drive,

Adair Village, OR 97330

Gwendolyn J. Sholl

Hello,

I wish to include input in regards to the Adair Village urban growth boundary proposal. I don't have any opposition to the housing proposals, but I do have input in regards to the traffic problems that the original expansion has caused and the expected increase in these problems with this new proposal.

I have lived on Beth Ln for more than 30 years. My route of choice (fastest and shortest) to Albany is Arboretum Rd to Ryals Ave and then out to Hwy 22. I have had less than 5 incidences trying to cross Hwy 99 in all that time. Since the housing development has gone in, the intersection in question has become very dangerous. I have personally had more than 10 dangerous encounters trying to cross Hwy 99 and have witnessed at least that many involving other vehicles. This intersection is dangerous and a deadly accident is inevitable. Most of the problems arise when cars want to cross the Hwy and the vehicle on the opposite side wants to make a left turn. A lot of cars do not use their turn signal (or realize that the opposite car has the right of way) and then dart across in front of you leaving you stopped across the traffic lanes. Some cars try to not impede traffic by pulling outside the fog lane if turning right. This compounds the aforementioned situation. I can't hardly even imagine what it will be like with more houses going in. If indeed it is approved I would imagine that the whole intersection would need to be re-vamped. There should be turn lanes on both Ryals and Arboretum Rd. There should also be turn lanes to make a left turn off of 99w (both N & S). A simple yellow flashing light by itself would be a waste of money and not make the dangers any less. I would also suggest that traffic studies be done in advance of any changes. The line of cars wanting to turn left from Ryals to 99w in the morning can be as many as 20 or more cars long. I make it a habit to try and get eye contact with the opposite car when I try to cross 99, but that is not always successful, and I just pray that they know I have the right of way no matter how long they have sat waiting to turn. I live close enough to the intersection that I have heard screeching tires on more than one occasion.

THIS INTERSECTION HAS BECOME VERY DANGEROUS AND WILL ONLY GET WORSE WITH MORE HOUSING.

Please include this opinion when considering the expansion.

Gwendolyn J. Sholl

Oregon Department of Transportation – James Feldman

Our Planning & Development Review staff have a few comments on the proposed UGB amendment in Adair Village:

Property #1: no comment

Property #2 (abuts 99W) if approved for UGB addition:

- We recommend new local streets provide access to OR 99W via NW Ryals Avenue and not directly to OR99W. This is anticipated to improve safety/mobility by avoiding new conflict points.
- We recommend that at the time of an annexation that a traffic impact analysis be completed to determine if channelization or other treatments are warranted at the OR99W / NW Ryals Ave intersection.
- Further review be given to OR 99W access via Crane Lane, which appears to be private with potential access control.

Thank you,

jf

James Feldmann AICP | Sr Transportation Planner

ODOT Region 2 Area 4 | Lincoln Benton Linn County

Corvallis Office | 541-257-7669

Caroline Wright

Good day,

In regard to the purposed amendment of the Adair Village Urban Growth Boundary to include Tax lot # 104290000900.

Before annexing this property is important to establish more than one entry/ exit that could be used in case of emergency for the safety of the people who would live there.

Regards,

Caroline Wright

29424 Newton Road

Corvallis, Oregon 97330

Matthew P. Allard

Adair Village File Number is: PC22-01 Benton County File Number is: LU-22-038

I am writing to give you my written testimony about your proposed expansion of the Urban Growth Boundary at the East end of Hibiscus Drive in Adair Village, OR. I have several concerns about your proposed inclusion of "Property 1" as shown on your map that was sent via mail to the community.

1. The expansion of Hibiscus Drive and the addition of 18-30 new homes on that expansion will result in a very long straight road with only 1 access point. This poses a danger of traffic driving fast through our neighborhood. There are several children that play along this area and it puts them at risk.
2. The long road with only one access point also causes issues with emergency vehicles. I can personally attest to how difficult it is for an ambulance to turn around in this area. My Daughter coded at home in 2017, and once the paramedics got her loaded up in the ambulance, it took several minutes and attempts for them to get turned around and out of the area. Those minutes may have cost her her life. She did not survive, and as we all know, every minute is critical when someone is in cardiac arrest. This occurred with the road in its current configuration: a straight road with cars parked along the sides of the road. I live right next to the emergency vehicle turn around, and it was not sufficient for the ambulance to quickly exit the area. As this road is made longer with no additional outlet, this problem will be worse.
3. The area that is proposed to be brought into the UGB is a swamp during the winter. I have video and photographic evidence of the stream that runs right through that area during the rainy season. It would be a disservice to build and sell homes to residents in this area, as they will be fighting standing water problems consistently.
4. The wildlife of the area will be affected negatively by the building of homes in the proposed area. I have had a pond turtle in my backyard. I also have photographic evidence of this. This animal is on the sensitive species list.
5. Adair Village has no services to offer the current residents. No gas station, no grocery store, no sustainable restaurants, not even a post office. The addition of more homes in an area with no services doesn't make sense.
6. Why does Adair Village need to bring in 2 areas for expansion? The Property 2 which is also proposed for development is a much larger area, and not in a wetland.

Please take each of these points into careful consideration before approving the addition of "property 1" in the UGB expansion. Thank you for your time. I plan to be at the meeting on September 20th to speak to these concerns and also at the October 11th meeting as well.

Matthew and Patricia Allard
8344 Hibiscus Drive
Adair Village, OR 97330

Written testimony submission regarding: Amendment to Adair Village Urban Growth Boundary

9/8/2022

Submitted by:

Rebecca Flitcroft and Jeff Snyder
8345 Hibiscus Drive, Adair Village
becfishcroft@gmail.com

Dear Adair Village Planning Commission and Benton County,

We are writing with our concerns about the proposed development action to Properties 1 and 2 as described in the letter mailed to us associated with County Planning File LU-22-038/ City Planning File PC22-01. We have four key concerns we would like to share:

1) The letter does not describe or explain why it is necessary to expand the Adair Village Urban Growth Boundary to add additional homes to our town. As a community, we have only recently finished extensive new development in the South at Calloway Creek. There are limited businesses and even more limited city-related services to attract new families to live here, therefore there is no obvious need for additional homes. It has not been made clear why UGB expansion to allow for additional development at either property is necessary.

2) Property 1 pushes the UGB for the city of Adair to the east in the upper portion of the city, essentially intersecting with existing connected farmland, protected wetlands, and parkland. The importance of connected lands to provide habitat for a wide variety of native species is well understood. Connected habitats, as well as ponds and wetlands, are becoming rare in the Willamette Valley as a result of ongoing development. As neighbors of Property 1 for 20 years, we have kept lists of the many species of birds, amphibians, reptiles, and mammals that have moved through our backyard (see list following page). Without documentation describing the plans for the proposed development, it is unclear how the city will approach protections particularly of wetlands, ponds, and connected habitats that support the wide diversity of species that currently use these important habitats, and are found in Property 1.

3) The letter proposing UGB expansion does not articulate how additional homes and associated families will be supported by the city. There are ongoing issues with the water supply, and we continue to have a volunteer fire department and volunteer first responding paramedics. It does not seem responsible for the city to add additional homes, associated with Properties 1 and 2, without clear communication to existing families in Adair Village regarding how the city will provide sufficient services to support the current residents, as well as more families.

4) The letter proposing UGB expansion has not made clear how the existing families living in Adair Village will benefit from the proposed addition of lands for residential development. Other than additional congestion, additional strain on services (including our very marginal cell-phone service), there does not appear to be a benefit to attracting new families to our small community. There does not appear to be sufficient need for housing for people already living here, rather, this housing development would likely build homes that will be predominantly bought by people moving in to Adair.

Thank you for this opportunity to provide written testimony. Based on the information currently available to us, we **DO NOT** support expansion of the Adair Village UGB at either property 1 or property 2. More thought and communication regarding community needs for housing, how the city will support additional families and services, and why the planning commission continues to focus only on residential development, and not on other forms of development in our community would be welcome.

Sincerely,





Rebecca Flitcroft and Jeff Snyder

Backyard Wildlife (and photos) – at the end of Hibiscus Drive, Adair Village

Birds	Mammals	Interesting insects	Interesting amphibians	Reptiles
Acorn woodpecker	Brush rabbit	Dragonfly (various)	Rough-skinned newt	Northwestern garter snake
American crow	Columbian black-tailed deer	Pine beetle	Pacific treefrogs	Rubber boa
American goldfinch	Coyote	Praying mantis	Bullfrogs	Gopher snake
American Robin	Deer mice	Tiger swallowtail butterfly	Long-toed salamander	Common garter snake
Anna's hummingbird	Grey-tailed vole	Butterflies (various)		Western pond turtle
Bald eagle	house mice			
Barn owl	Little brown bats			
Barn swallow	Northern pocket gopher			
Barred owl	Nutria			
Black-capped chickadee	Racoon			
Black-headed grosbeak	Striped skunk			
Brewers blackbird	Townsend's chipmunk			
Brown creeper	Western grey squirrel			
Brown-headed cowbird				
Bushtit				
California quail				
Canada Goose				
Cedar waxwing				
Cinnamon teal				
Common yellowthroat				
Coopers hawk				
Dark-eyed junco				
Eurasian collared-dove				
European starling				
Evening grosbeak				
Golden-crowned kinglet				
Golden-crowned sparrow				
Great blue heron				
Great horned owl				
Hairy woodpecker				
House finch				
House sparrow				
Hutton's vireo				
Lesser goldfinch				
Mallard duck				
Meadow lark				
Mourning dove				
Northern flicker				
Northern harrier				
Red-breasted nuthatch				
Red-tailed hawk				
Red-winged blackbird				
Ruby-crowned kinglet				
Rufous hummingbird				
Scrub jay				
Stellars Jay				
Song sparrow				
Spotted towhee				
Townsend's warbler				
Turkey vulture				
Vaux's swift				
violet-green swallow				
Virginia Rail				
Western screech owl				
White-crowned sparrow				
Wilson's warbler				
Yellow-rumped warbler				



The Corvallis Fault

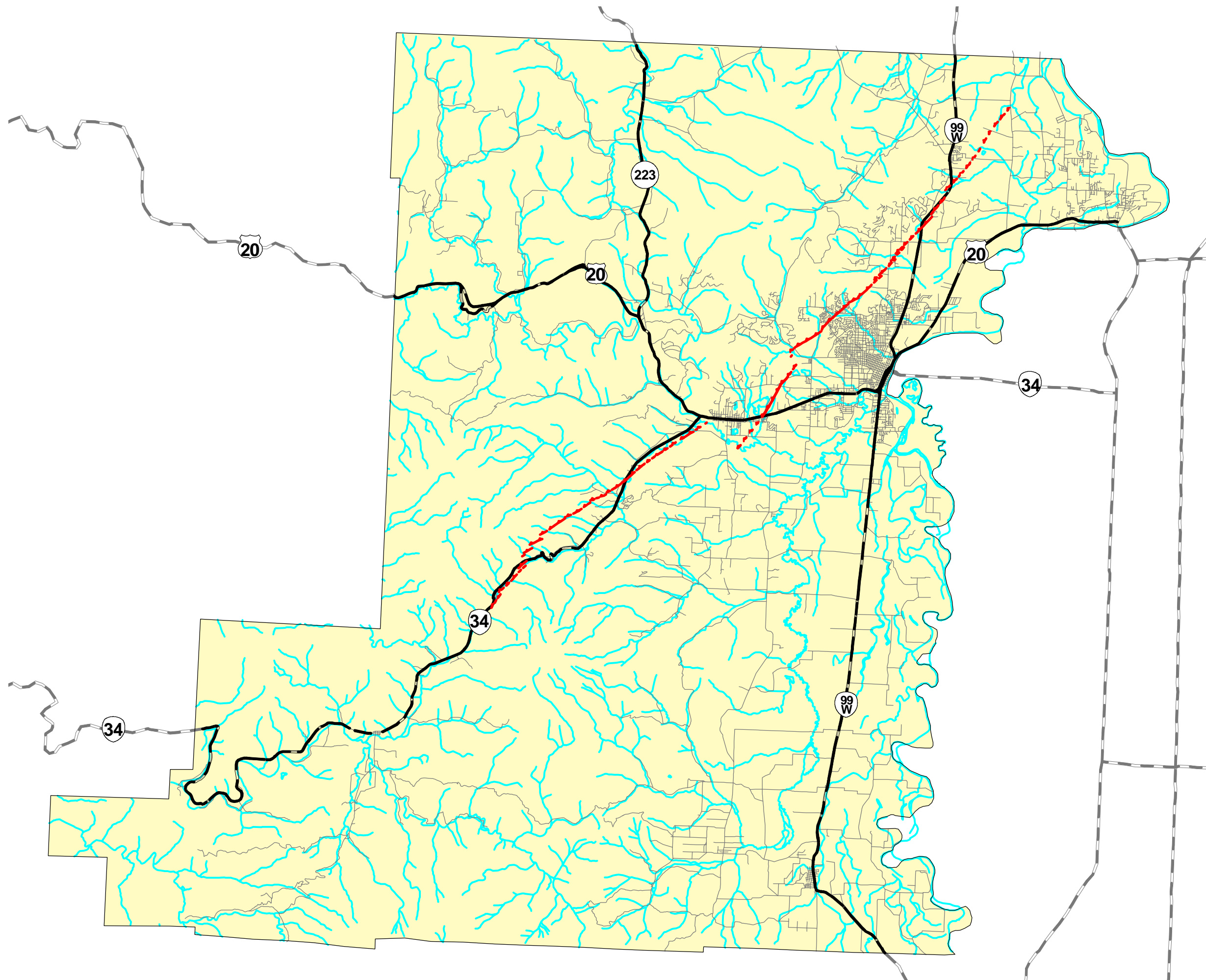
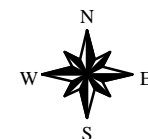
-  Approximate Fault
-  Concealed Fault
-  Contact Fault
-  Direction of Thrust

It has not been determined whether the Corvallis Fault is active or not, but it is considered a zone of weakness that could be the source of a future earthquake.*

This map should not be regarded as site-specific in planning or proposing development relative to the fault location. Site specific work should be completed by a consulting engineering geologist using the map for planning purposes only.

The source of this information is Chris Goldfinger, for the degree of Master of Science in Geology, presented on May 31, 1990, "Evolution of the Corvallis Fault and Implications for the Oregon Coast Range," Oregon State University.

** "Active" in geological terms is having evidence of Holocene period deformation.*



Joel Geier
38566 Hwy 99W
Corvallis, Oregon 97330-9320
(541) 745-5821
joel.geier@peak.org

Benton County Planning Commissioners
c/o Planning Division
360 SW Avery Avenue
Corvallis, Oregon 97333-1139
Phone: 541-766-6819
FAX: 541-766-6891

September 12, 2022

RE: LU-22-038 Coffin Butte Conditional Use Permit

Dear Members of the Benton County Planning Commission:

Thank you for this opportunity to comment on the proposed legislative amendment to the Urban Growth Boundary (UGB) of the City of Adair Village. Our household only received notice of this hearing by mail over the Labor Day weekend, and there are still no supporting documents on the county website referred to in the notice. So at this point I'll restrict my comments to three main issues:

- (1) Seismic risk
- (2) Conversion of Exclusive Farm Use land to residential zoning
- (3) Traffic concerns

Taking these in order:

(1) Seismic risk

The tract listed as Property 2 is right on top of the mapped trace of the **Corvallis Fault**. This geological hazard seems to have been overlooked both in the previous Calloway Creek UGB expansion, and in recent permitting of the Blueberry Meadows development.

I've appended a column that was written in 2017 by Robert S. (Bob) Yeats, urging the City of Corvallis to take into account the risks to human health and safety posed by the Corvallis Fault. Bob taught earthquake geology at Oregon State University and was recognized as a world expert in the field, traveling to Haiti, Japan, New Zealand and elsewhere to assess damage from major earthquakes of recent decades.

As a member of my own doctoral committee, Bob stressed the importance of speaking up about geological hazards, for those of us with education in the field. So here I'm urging you to consider the risks associated with this fault, before you take action that could result in more homes being built in harm's way.

Beyond this particular proposal for an UGB expansion, I also urge you to develop a **earthquake fault overlay** for this feature, analogous to flood-zone overlays, to ensure that future members of the Planning Commission do not overlook the risk.



(2) Conversion of Exclusive Farm Use land to residential zoning

This appears to be another conversion of EFU land to residential zoning, even when Adair Village has large tracts within the existing UGB that are standing vacant.

County staff have informed me that this is in response to a state requirement to maintain a 20-year supply of "buildable" land within the UGB. That 20-year supply of land is going to be pretty hard to maintain, for a town that has been expanding at an almost exponential rate in recent years, adding 80 or 90 new homes to a community that had only 840 residents at the time of the 2010 census.

I urge you to consider how the City's own permitting decisions for new development are taken into account in that formula.

(3) Traffic concerns

By anecdotal accounts, traffic congestion around Adair Village has been increasing. Has there been any assessment of the prediction of "no significant impact" on traffic from the 2008 UGB extension that led to the Calloway Creek development?

Thank you for considering these comments. I will likely be sending in more thorough comments on each of these issues, and perhaps others, ahead of the hearing.

Yours sincerely,
Joel Geier, P.h.D

Addendum 1:

Please see this link for a map of the Corvallis Fault:

https://www.co.benton.or.us/sites/default/files/fileattachments/sheriff039s_office/page/2708/corvallis_faultmap.pdf

The following column by Bob Yeats was published in the Corvallis Gazette Times:

https://www.gazettetimes.com/as-i-see-it-corvallis-fault-poses-development-risk/article_18f397ca-183a-5908-8105-b673eab6002c.html

As I See It: Corvallis Fault poses development risk Bob Yeats, Feb 2, 2017 (Updated Feb 5, 2017)

The Corvallis City Council's Feb. 6 hearing on the Kings Boulevard extension must include testimony about the Corvallis Fault, one of the largest faults in western Oregon, which crosses the proposed extension in at least two places.

The fault is well located and has been mapped in detail by OSU Professor Chris Goldfinger. It underlies one of the buildings of Crescent Valley High School, continues through Chip Ross Park and a residential neighborhood west of Chip Ross and north of Walnut Boulevard, then through Philomath and into the Coast Range south of Highway 34. Maps prepared by Peg Peirson locating the fault on a street-map base are on file at the Benton County Sheriff's Office; check with Kevin Higgins. The fault is exposed in a rock quarry northeast of Philomath.

The Corvallis Fault has been pointed out in public meetings, most recently the City Club of Corvallis, and appears on geologic maps prepared at OSU. On the attached map, the Kings Valley extension is shown in red and the fault is shown in a thin dashed yellow line. Despite this, the Gazette-Times has not publicized this fault and has not taken a position on its significance to the Kings Boulevard extension. None of the publicity about the Feb. 6 meeting mentions the fault at all.

The problem is that it has not been proven that the fault is active and subject to destructive earthquakes. Standard professional practice based on public safety calls for mapping the fault where it is in contact with post-glacial sediments. If the city and potential developer can show that young sediments overlie the fault without being offset, then it would be safe for development to proceed.

Ignoring the fault in development plans would endanger the lives of hundreds of citizens living in north Corvallis, especially those in the development planned for the Kings Valley extension. If engineers and planners with the city are uninformed about fault hazards affecting building permits, then we are willing to assist in setting up a program to evaluate the danger of earthquakes on the Corvallis Fault.

Bob Yeats of Corvallis is an Oregon State University professor emeritus in geology.

Exerpts from Bob Yeats' obituary:

Robert Sheppard Yeats, PhD

March 30, 1931 - December 5, 2021

Bob was a founder of plate tectonics-driven earthquake geology research, and a leading expert on earthquake risk in Southern California, Cascadia, the Himalaya, Japan, and New Zealand. His textbook "The Geology of Earthquakes" is considered the definitive text in the field; he followed it up with "Active Faults of the World," written in retirement. Over his 60-year career he authored hundreds of technical papers with students and fellow collaborators.

Bob was perhaps most impactful as a champion of outreach, writing "survivor" books for the public and policy makers to help them understand the risk and take practical steps to prepare their communities. These include "Living with Earthquakes in the Pacific NW," "Living with Earthquakes in California," and most recently "Earthquake Time Bombs." His nickname was "Dr. Doom," and his legacy will be lives saved through awareness.

Bob was well known and respected in the geological science community. He was a Geological Society of America Fellow and received the prestigious Halbouty Award from the American Association of Petroleum Geologists. In 2006, the Department of Geosciences at Oregon State University established the R.S. Yeats Professorship in Earthquake and Active Tectonics.

LU-22-038 PC-22-01

Sept 12 2022 Comment to the record for Sept. 20 2022 Land use hearing

Dear BCPC and AVPC,

In looking for information collected recently and on July 19 2022, as outreach to alert and test the public on UGB expansion, I found no information from the UGB meeting held on Aug 16, 22 Joint Work Session with BCPC and AVPC agenda only, posted on BCPC website, with a referenced attached Staff Report outline, not present, and there are no meeting minutes posted for the Aug 16, 22 joint BPC and AVPC - UGB meeting as of Sept. 12. 22.

Additionally the Aug 9, 22 Adair Village Listening Session and Public Open house City of Adair Village meeting the AV Planning staff has provided no information from this meetings outcome and results as of Sept. 11, 2022.

What are the residents of Calloway Creek Subdivision saying about 37 acre annexation and, X many more cars coming through their subdivision on two or more access roads that will cross Calloway Creek to gain access to Ryals Avenue?

Is this land use action currently signed to alert landowners or will it be signed a week before Sept. 20th 2022 hearing date?

Are the two parcels designed conservation easement acreages, actually AV Comp Plan's 20 foot Riparian Buffers?

We do not have any information on these sites, only a basic property line map from Gazette Times notice, in which we were not given a date to comment by to get our comments into the Staff Report for Benton County Planning Dept, and there is no staff report, as of Sept. 11, 2022, available to the public.

The Adair Village Transportation Plan does not rate Ryals Avenue and Highway 99 for level of service ranking(LOS) in the Transportation Plan. Crane Lane is not involved in the 2019 Adair Village Transportation Plan but is noted in the Adair Village UGB expansion 'Tour document' page 18 of 18 that this easement is currently being legally contested.

AV Buildable Land Inventory Analysis for AV Subarea7 (parcel 2 Weigel) will cost 342, 000.00 to develop at 8,200.00 dollars per acre without counting the cost for access issues, or building cost for multiple road way and bike and sidewalk bridges over Calloway Creek or for the cost to bury, water and sewer lines under Calloway Creek. Calloway Creek and the possible seasonally flowing arm of Bowers Slough in parcel 1 are not even disclosed on the single map the public has in the GT for this Annexation amendment of the UGB. Who will fund the stop light or new merge and turn lanes from Ryals Avenue onto 99 with this annexation and future Santiam Christian High Density Development to the north?

Sub area 4 parcel 1 Cornelius will cost 347,500.00 to develop at 26,310.00 dollars per acre. Can the city of Adair Village afford to pay this cost per acre or does the developer foot this bill? Perhaps the high cost to hook to water and sewer, is one fact, for why this parcel was not originally annexed in to the north part of AV.

AV BLI shared there are 51.92 acres of unbuilt land inside the current AV UGB. What is triggering the need to add more acres? Rapid home sales of small single family unaffordable homes? Will the next annexation area have higher priced homes built into it to be unaffordable to working class families?

Can the City of Adair Village and BCPC seek to have some of the annexation zone subdivision housing types, legislated or required to be affordable for working families and first time homeowners?

Can the City of Adair keep on OKing annexation requests every two years with more and more EFU and Forest Zone becoming Residential Sprawl? What will stop AV from continuously needing to keep annexation more EFU and other Zones for housing and where are the boundaries for expansion stopping? When this on paper only annexation UGB amendment process continues bi yearly, to finally dead end at Lewisburg?

What happened to the future need for an Industrial land zone corridor along 99 south toward Lewisburg from Adair?

Why was parcel 1 not annexed into this North AV RS-2 originally? What were the original constraints for this parcel at that time?

Is there a drainage way in the middle of Parcel 1 (an Bowers Slough arm/tributary) which floods seasonally, so this parcel may be bisected by seasonal intermittent flood plain and all year round wetlands?

If the AV Comprehensive Plan is from 2015 is it outdated? Benton County Comp Plan is from 2007. Are land use decisions such as this UGB expansion amendment using outdated guidance documents which do not reflect global climate change and the global environmental disaster we are currently in?

How will annexing more Farm Land with the loss of Exclusive Farm Use(EFU) acres contribute positively toward reduction in fossil fuel use when 37.04 more acres of High Density commercial repeating same style homes, for 2000+ more people driving cars to work from this one annexation area be environmentally forward thinking?

What will this annexation do to the health and function of Calloway Creek with multiple street crossings, 40 feet wide fenced riparian buffer and no floodplain or wetlands retained which allows this creek to move and flood?

The 20 foot riparian area may be used also to bury power, sewer and water lines, build asphalt road bed walking and bike trails and have installed within this 20 foot buffer, LED lights and utility poles. Fencing along both sides of Calloway Creek will close this creek down to a fenced corridor upon annexation.

Calloway Creek possibly floods or had wetland areas which were filled and mitigated off-site because of the current phases in the northern Calloway Creek Subdivision. This UGB expansion to the south side of Calloway Creek may also have existing wetlands and flooded areas which have been drained and field tiles but which could flood. Calloway Creek will be impacted by light damage, noise and pollution outfall from lawn care products, noise from lawn care and backyard dogs barking, roadway and roof drainage into it, as a low point, storm water drainage way.

AV Comp Plan 9.280- *“Planning Opportunities and Constraints There are no major hazards and few constraints for development in the planning area.”* page 45. The parcel 2 area may flood, Parcel 2 has the Corvallis Fault running through it, parcel 2 may have extensive wetland soils which have been drained. Additionally this site may have ongoing unsolvable problems with high level noise pollution coming from the Rail line use and management, and Highway 99 both, and could have long term, unsolvable air and soil contamination pollution problems from Rail line diesel engine smoke, rail line creosote legacy pollution, and ongoing bi yearly herbicide spray use and from air pollution from car exhaust, flowing downslope into this area and along Calloway Creek from Highway 99.

AV Comp Plan Section 9.290- ‘Geology’ Calloway Creek is located next to The Corvallis Fault which runs across parcel 2 and into the current phase 1, 2 and 3 of Calloway Creek Subdivision.

A Deed Restriction or covenant clause for the Corvallis Fault and loss of homes will need to be part of the discussion for Annexation of Parcel 2. Earth Quake Insurance rates for homes in this area of Parcel 2 may be higher due to the Corvallis Fault location under them. The City of Corvallis has begun to ignore the Corvallis Fault in their land use planning processes. Will the City of Adair Village also not note the Corvallis Fault as a none disclosure of a present Geologic hazard and threat to physical safety and home values? Will homes on top of this fault need to be built differently to withstand movement on this Corvallis fault if homes in the north part of Caldwell Subdivision had not been constructed to withstand an earthquake?

Benton County Comp Plan Section 17.3 is not present on the BC website currently. The public notice for land use references this section specifically, and we can not find

it on the Benton County Comp Plan on the BC Website, as of Sept. 11, 2022 to be able to comment by 8 a.m Sept 12 2022 to the PC's, for the Sept. 20 2022 Land use hearing amendment to the UBG for Adair Village LU22-38 and PC22-01.

Additionally, the Public notice for this land use hearing failed to share the deadline for public comment to get any comments into the Staff Report.

Since there are no data on the AV or BC websites that I could see, for what the public so far was thinking about this UGB and the Aug 16, 22 Joint AV and BC Planning Commission Work Session on UGB expansion and Aug 9 22 City of AV openhouse and listening session meeting results are not provided as of Sept. 11, 2022 to the public, how is the public supposed to be informed on what we are wanting to see occur for this land use action? How are the two PC informed if the public is not informed it appears at this time. More time is needed to share this missing information with the public, since this is a public process in which the public is underinformed currently.

The City of Adair Village had newer transportation and Tour analysis done, in their favor to prepare the way for this UGB expansion to occur.

The public has important feedback to share and we do not see what the public has shared or said to the record here currently, as of Sept. 11, 2022 with no access currently to the referenced in Aug 16, 2022 joint PC work session staff report from Benton County Planning and, only a list of support documents on the AV website, we have to draw our own conclusions from, about this UBG amendment for annexation and UGB expansion.

I disagree with annexation more land as this UBG expansion amendment, and loss of EFU land into City of AV.

We just annexed all of Calloway Subdivision and all of Santiam Christian tax lot to the north two or three years ago.

Development could occur inside the remaining AV UGB on the 51.92 acres as per the BLI analysis stated.

Calloway Creek needs wider buffering to offset the current impacts from Calloway Creek Subdivision developing 20 feet from the center of this creek. Calloway Creek is not a drainage ditch but a living creek which needs more area to meander and flood then the City of Adair will issue it when this Annexation occurs. Calloway Creek will be hemmed in by subdivision for an extensive distance. Both sides of Calloway Creek will be fenced in and have multiple creek crossings of city roadways, multiple buried sewer, water, gas, power, cable and other utilities will need to go under or along side Calloway Creek further damaging its environmental values and functions as a natural creek system.

The developer nor the City of Adair Village will manage Calloway Creek and it will decline and degrade. This is Not a good thing to occur with global environmental degradation speeding up and ongoing loss of remaining natural

wetlands in the Willamette Valley only increasing over time, to have zero natural wetlands left in the WV.

City of AV has treated these riparian corridor poorly as a drainage outfall area for storm water, and it may be currently be used as a unregulated dumping grounds for weeds and yard waste and with a zero care plan from City of AV Planning Dept. in place from Calloway Creek, the current Calloway Creek Subdivision, Calloway Creek is currently embattled and will continue to degrade environmentally.

Fish passage into OSU Macdonald forest may be important to maintain if this is a fish barring stream system.

City of AV needs to upgrade their riparian corridor buffer land use code and Comprehensive plan requirements, to create a wider riparian buffer area, and to install easement areas where City or the landowner /homeowner association can care for these damaged and degrading riparian corridors. Degrading because of annexation and development pressures to these riparian, floodplain areas of Calloway Creek and Bowers Slough.

What does the FEMA flood plain map show for the two parcels? How did these sites flood in the past? How much wetland flood plain has been lost in these two annexation areas from field tiling? Flooding can still occur for both creeks in both parcels to be annexed. Thanks for you careful consideration. R.Foster 980 SE Mason PL Corvallis, OR.

Hi this is Mike and Nancy Sommer, we live on Hibiscus DR. We are not able to attend the meeting on 9/20/22. We like our street the way it has been for 20 years, we feel it will turn into a free for all. We have cats and kids that play on the street. We want the city and county to listen to all the residents and a keep our neighborhood a pleasent and safe envirement. We also feel that by adding more homes to a one outlet street will cause congestion and dangerous conditions!
Thanks, Mike and Nancy

Pat,

Hi! I wanted to check to see if there will be a discussion at the meeting on September 20th on the Amendment for the expansion of the Urban Growth Boundary of a stop light being added to the corner of Ryals and 99W. I am hoping that a stop light will be included in any approval of the expansion of the UGB since there will be so many more cars that will be going to stop at this intersection.

Recently, there was an accident at this intersection so I am really concerned that there will be more accidents and people hurt if there is not a stop light added at that location.

Any update that you can provide would be appreciated.

Take care,

Pam Dickson
4014 SE Misty Way
Adair Village, OR



Engineering & Survey Division
Office: (541) 766-6821
Fax: (541) 766-6891
360 SW Avery Avenue.
Corvallis, OR 97333
co.benton.or.us

DATE: September 12, 2022
TO: Greg Verret
Deputy Community Development Director
Benton County Community Development
FROM: Gordon Kurtz
Associate Engineer
Benton County Public Works
RE: City of Adair Village – Urban Growth Boundary Expansion
City of Adair Village Planning File: PC22-01
Benton County Planning File: LU-22-038

Benton County Public Works staff have reviewed the applications and support materials for the planning actions noted above and have the following comments.

For Property #1 the County will have no comments.

For Property #2 the County comments generally follow those offered by the Oregon Department of Transportation with a few additions.

- 1) When annexation occurs and new development is proposed, the County recommends new local streets provide access to OR 99W via NW Ryals Avenue and not directly to OR99W. The City should make efforts to minimize access points to the highway and thus reduce conflict points for turning and acceleration movements.
- 2) When annexation occurs and new development is proposed, the County recommends that a traffic impact analysis be conducted to determine if channelization or other traffic control treatments are warranted at the OR99W / NW Ryals Ave intersection.
- 3) Further review and analysis must be performed if access to OR 99W from Crane Lane is proposed. Crane Lane is currently a private facility.
- 4) Calloway Creek is an historic fish bearing stream fed by springs and natural drainage from the McDonald-Dunn Forest. Calloway Creek feeds Bowers Slough, a tributary of the Willamette River and identified as habitat for endangered aquatic species. Drainage from any future urban development within the proposed UGB expansion will further degrade the health of Calloway Creek and Bowers Slough aquatic habitat. Therefore, the City should consider requiring water quality treatment for any new lands within this drainage basin that are annexed into the City.

cc: Gary Stockhoff
Laurel Byer Benton County

At your service,
every day.

Joel Geier
38566 Hwy 99W
Corvallis, Oregon 97330-9320
(541) 745-5821
joel.geier@peak.org

Benton County Planning Commissioners
c/o Planning Division
360 SW Avery Avenue
Corvallis, Oregon 97333-1139
Phone: 541-766-6819
FAX: 541-766-6891

October 3, 2022

RE: LU-22-038 Coffin Butte Conditional Use Permit

Dear Members of the Benton County Planning Commission (and also Members of the City Adair Village Planning Commission):

Thank you for this second opportunity to comment on the proposed legislative amendment to the Urban Growth Boundary (UGB) of the City of Adair Village.

This is a follow-up to my previous comments, specifically on the topic of seismic risk. Since the date of my previous comment, I've found a little more time to skim through the most relevant document on the **Corvallis Fault**.

This is a 1990 M.Sc. thesis, "Evolution of the Corvallis fault and implications for the Oregon coast range" by Dr. Chris Goldfinger, which was supervised by the late Robert S. (Bob) Yeats who I mentioned in my previous testimony. Dr. Goldfinger is currently a professor in the College of Earth, Ocean and Atmospheric Sciences at Oregon State University, so he might be available for further expert comment.

Although there is no conclusive geological evidence of significant movement on this fault since the late Pleistocene (more than 12,000 years ago), Dr. Goldfinger shared anecdotal accounts of strong shaking events along the general trend of the Corvallis Fault during the mid-1900s, including one event in the 1940s (date uncertain) that produced shaking phenomena consistent with level V on the Mercalli Scale.

Level V on the Mercalli Scale is described as, "*Felt by nearly everyone; many awakened. Some dishes, windows, etc., broken; a few instances of cracked plaster; unstable objects overturned. Disturbance of trees, poles, and other tall objects sometimes noticed. Pendulum clocks may stop.*"

Rupture of the ground surface also reportedly occurred during this event, somewhere between Lewisburg and then Camp Adair (so south of the current UGB of Adair Village, but possibly within the area being considered for UGB expansion). I've included an excerpt from p. 91 of Dr. Goldfinger's thesis, below.

Despite these negative indicators for neotectonic activity, there are also indications that the Corvallis fault may have been active at least in a minor way since the late Pleistocene. Three earthquakes have been felt along the general trend of the fault since the 1940's, located approximately in Alsea in 1957, intensity III, in Albany in 1961, intensity III-IV, and the largest, an intensity V shock (modified Mercalli scale) reportedly felt strongly in Corvallis on May 12, 1942 (Berg and Baker, 1963). No instruments were available to precisely locate these shocks, thus no instrument magnitudes or focal plane solutions are possible. (The date of this shock is incorrectly reported as May 12, 1942 in both U.S. Dept. of Commerce *United States Earthquakes, 1942*, and Berg and Baker, 1963. The correct date is unknown, but was probably in 1946 or 1947). Local resident Ray Ellis, an amateur geologist, recalls that at the time of the Corvallis earthquake, a ground break occurred where highway 99W crosses the Corvallis fault between Lewisburg and Camp Adair, a now abandoned military base. The location described is on flat to gently sloping ground in a shallow northeast trending valley occupied by the Corvallis fault. The break is reported to have been visible for about a year. The location of the break makes it unlikely that the scarp was a slump feature triggered by the seismic event, and its location on the trace of the fault suggests minor motion on the Corvallis fault.

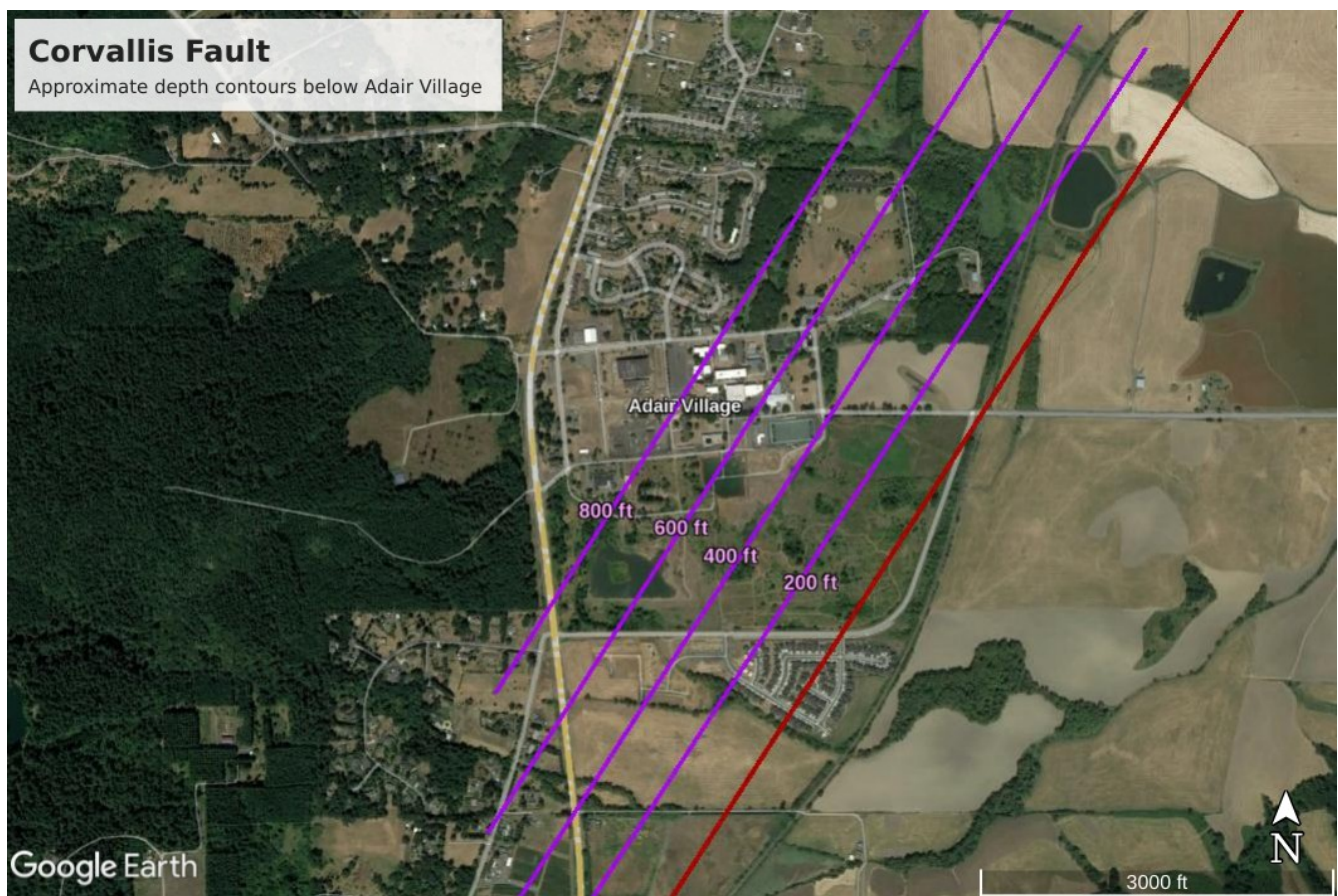
One other thing that prompts my follow-up comments here is learning that the Corvallis Fault is associated with a regional feature known as the Corvallis Thrust, which is interpreted as a "gently inclined" discontinuity that dips at an angle of 20 degrees toward the northwest, and may extend for much longer distances, from offshore of the south Oregon Coast at least to the Waldo Hills east of Salem.

Longer faults have the potential to generate larger earthquakes and stronger local shaking. The approximately 30 mile mapped trace of the Corvallis Fault (from southwest of Philomath to the Willamette Bluffs south of Buena Vista) could likely produce no worse than a magnitude 5 to 6 earthquake, based on empirical "rules of thumb" that relate fault length to maximum earthquake magnitude. But a longer fault could produce larger quakes, either if it slips on its own or is triggered as

an aftershock of a megaquake on the Cascadia Subduction Zone (which is now estimated to be capable of producing up to a M 9.5 earthquake).

"Gently inclined" thrust faults are also problematic, because they have relatively large areas that can move at relatively shallow depths below the surface, and can produce severe shaking over large areas, even for relatively small-magnitude quakes. The classic example is the 1994 Northridge (California) earthquake, in which a M 6.7 quake occurred on a previously unknown, gently inclined thrust fault now known as the Northridge (or Pico) Blind Thrust. That quake resulted in a loss of 60 human lives and is still the most costly quake in U.S. history, in terms of economic damage.

In the graphic below, I've shown depth contours to illustrate the problem posed by gently-inclined thrust faults. For most of the proposed Calloway Creek development area (Property 2), the fault is just 0 to 800 feet below the ground surface. For most of Property 1, the fault is near the top end of that depth range (around 800 feet).



The good news is that earthquake faults are usually not "seismogenic" (earthquake-producing) at such shallow depths. Most likely the epicenter would be some distance to the northwest, perhaps below the Soap Creek Valley or even Kings Valley, so the areas of most severe shaking would be in that direction.

The bad news is that the zone of weakness in the earth's crust extends right up into the areas proposed for UGB expansion. The expected local impact might be mainly in the form of surface rupture (such as the surface rupture anecdotally noted in the 1940s). Rather than widespread severe structural damage due to intense shaking, the main damage might be in the form of cracked foundations and ruptures in

sewer, water, or natural gas lines, for a subset of homes. This damage would not necessarily occur right along the fault line. During earthquake events along a gently inclined fault, surface ruptures could occur at considerable distance.

Again, beyond this particular proposal for an UGB expansion, I urge for you to develop a **earthquake fault overlay** for this feature, analogous to flood-zone overlays, to ensure that future members of the Planning Commission do not overlook the risk.

I may yet have further comments on other issues related to the proposed UGB expansion, ahead of the October 7th deadline. As some of you know, I've been busy on other local issues. But this was the top issue on which I felt a real professional responsibility to comment, and I wanted to make sure it shows up in your packet. On the other issues, my comments will be more as a regular resident.

Thank you for considering these comments.

Yours sincerely,
Joel Geier, P.h.D.

To Whom it may concern,

I oppose these current proposals for the the following reason.

There has already been an increase in traffic accidents and close calls with the current addition of Calloway Creek. I live within 5 miles of the proposed and have already seen the impact first hand. I've had 2 close calls and being a near miss from traffic pulling onto Highway 99w from the 3 intersections in Adair. Two of the times I was hauling my therapy horses. Most little cars don't realize I can't stop quickly with 10,000 lbs behind me.

We need a traffic light put in before any more additions are added. We do not need Highway 99w to rival Highway 20 for the number of accidents. It will be gross negligence if this is allowed without first putting in a traffic control system.

Erin Bradley
38578 Hwy 99w Corvallis OR 97330



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD

September 20, 2022

Pat Hare, City Administrator
City of Adair Village
6030 NE William R Carr Ave.
Adair Village, OR 97330

Greg Verret, Community Development Department
Benton County
4500 SW Research Way
Corvallis, OR 97333



RE: Proposed Urban Growth Boundary Amendment; City File No.: PC 22-01; County File No.: LU-22-038; DLCDC PAPA File No.: 001-22

Dear Pat and Greg,

Thank you for providing timely notice to the department on this proposed urban growth boundary (UGB) amendment.

It has been a pleasure working with you and your staff over the past three plus years leading up to these land use proceedings. Beginning as a prospective five-acre quasi-judicial UGB amendment, this land use application has blossomed into a well-devised 55.37-acre legislative proposal for the city and county.

The application bodes well for future urbanization and conservation initiatives in the city and region. The department supports the proposal.

Population Projections

Understanding the need to use Portland State University's population projections in its urbanization (aka, UGB) studies, city officials worked closely with PSU staff to ensure the city's latest (2022) population forecast reflects residential development that has occurred in the city in the past couple of years. Adair Village is a fast-growing city with an average annual growth rate of 4.0%.

Urban Growth Boundary Amendment Fundamentals

To amend the UGB, the city and county must demonstrate need, justify a locational analysis, and reveal land use efficiency measures that have been taken to increase residential development capacity within the current (unadjusted) urban growth boundary.

Because the city of Adair Village has a permanent population of less than 2500 people, it is not held to the same standard as larger cities when it comes to UGB amendments. For example, the city is not obliged to adopt and apply a Housing Needs Assessment and/or Economic Opportunities Analysis for this application. Rather, the city and county assess the application against the requirements of Statewide Planning Goal 14 (i.e., Buildable Lands Inventory (BLI), Property Locational Analysis, BLI Reconciliation) and applicable city/county comprehensive plan policies and zoning code requirements.

Efficiency Measures

Prior to expanding the UGB, the city and county must determine that the estimated housing need cannot be accommodated inside the current boundary. Cities intent on expanding their UGB must, first, adopt efficiency measures to increase the development capacity on land inside the current boundary.

The department recognizes the following land use efficiency measures adopted by the city of Adair Village in advance of this UGB application:

- Borrowing an idea from House Bill 2001 (the “Middle Housing” bill), the city adopted a cottage cluster (R-4) code in 2021. The Cornelius property intends to develop 19 dwelling units on its property under this clear and objective middle housing zoning scheme.
- Determined to become a full-service city, Adair Village purchased two contiguous parcels in the center of town (2018). The city adopted mixed-use zoning to apply to this area. The Adair Village City Council adopted a master plan to guide the future design and development of a new central business district in the city.

Need

With bona fide plans to develop a mixed-use Adair Village downtown district, the city and county focus this UGB amendment application solely on residential need.

Land need analyses and findings begin on page 52 of the September 2022 City/County Planning Commission packet. DOWL consulting firm worked closely with city, county, and department staff to determine the 20-year residential land need for the city.

Supply

Placing high value on retaining the compact walkable nature of the community, city leadership engaged its engineer of record, Civil West, to assess the cost of providing urban services to vacant and partially-vacant parcels inside the UGB. In undertaking this work, city officials expressed concern regarding ‘phantom capacity’ on parcels that, on paper, appear buildable, but according to city engineering staff, are difficult, cost-prohibitive, and/or impossible to urbanize to their full theoretical potential in the next 20 years.

Civil West's development potential findings on 19 vacant and partially vacant parcels located inside the Adair Village UGB conclude that these parcels contain 17.96 gross acres that are impractical for residential development in the next 20 years.

17.96 gross acres translates to 13.47 net buildable acres. The city and county propose adding this 13.47 acres to the 13.25 acres of net buildable land derived by DOWL consulting firm through a standard BLI compilation and reconciliation for this application.

The resultant finding is 26.72 net deficit acres in the city's current supply of residential lands.

Need vs Supply

To meet the city's demonstrated 20-year residential land need, the city/county propose adding 55.37 total acres to the Adair Village UGB. Of the 55.37 acres, 42.12 acres are considered buildable for residential purposes. The remaining lands are constrained by significant wetlands and/or floodplains and are proposed for conservation, wildlife habitat, and/or open space purposes. 42.12 gross acres equals 31.59 net acres.

Findings in the staff report conclude the city has a 26.72 net deficit supply of residential land inside the current UGB. The city proposes to add 31.59 net buildable acres to the UGB by expanding the boundary to encompass the entirety of the Cornelius (3.84 net buildable acres) and Wiegel (27.75 net buildable acres) properties.

Reconciliation of these need and supply figures result in an apparent gap (excess) of 4.87 net buildable acres proposed for inclusion in the expanded UGB.

City staff offer potential findings on pages 18-19 of the planning commission packet to address this apparent gap. City staff speak to the likelihood of an elementary school needing to be sited on residential-zoned lands in Adair Village in the next 20 years. City staff also call out development constraints on the Santiam Christian school site which will reduce the number of residential units that could be built on this residential-zoned parcel.

Similarly, city staff speak to diminished livability and economic opportunities for city residents and stakeholders if part or all of the Cornelius or Wiegel properties were removed from the UGB amendment.

Additionally, the department notes that OAR 660-024-0040(1) states, in part, "the 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision." The department would assert that the difference of 4.87 acres in this particular factual situation is acceptable for compliance with Goal 14 and implementing rules in OAR 660-024.

Department staff recognize the importance to the city to gain efficiencies and economies of scale by bringing entire parcels into the UGB as opposed to portions of parcels. Department staff look forward to participating in next week’s joint hearing and subsequent public hearings on this case. We appreciate having the opportunity to continuing to collaborate with city and county officials on this essential land use action.

Locational Analysis

Working toward the vision of becoming a full-service city, the city seeks the UGB expansion to add a range of residential units and densities to its urbanizable land base. While the city’s initial analysis of land suitability based upon ORS 197.298 has some methodological errors (the analysis should have been conducted under ORS 197A.320, which replaced ORS 197.298 for cities outside of the Portland Metro area in 2016), the results would be the same, prioritizing Subareas 4 and 7 for UGB expansion because those subareas contain lower quality agricultural land than the other subareas.

To retain and advance the compact walkable nature of Adair Village, the city/county provide additional findings to augment the contractor’s (DOWL) Goal 14 Locational Analysis findings. The conclusionary findings are summarized below:

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 or 1 means the subarea generally satisfies the applicable Goal 14 locational factor. The city/county conclude Subarea 4 (Cornelius property) and Subarea 7 (Wiegel property) best meet the Goal 14 urbanization criteria for urban growth boundary expansion.

To advance its vision of becoming a full-service municipality, city leadership directed its engineer of record (Civil West) to augment the city’s findings under Goal 14 Locational Factor #2: Orderly and economic provision of public facilities and services. The city engineer provides total and per-acre preliminary cost estimates on delivery of water,

sewer, storm sewer, and transportation to potential urbanizable parcels (subareas). The engineering economics findings are summarized in the table below:

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

Subarea 4 is the Cornelius property. Subarea 7 is the Wiegel property. Subareas 4 and 7 represent the lowest overall infrastructure costs for development.

Goal 5 (Wetlands and Riparian Corridors) Considerations

To strengthen the application, we recommend additional analyses and findings regarding wetlands and riparian corridors. Specifically, OAR 660-023-0250(3) reads:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

For the Cornelius property, the city details a wetland biologist's visit to the subject property to inventory and assess wetlands. The staff report and attachments pronounce the property owner's decision to set aside eight acres of very wet lands for conservation purposes.

For the Weigel property, details on how wetlands will be inventoried and assessed prior to development are not explained. The application materials provide a statement regarding significant wetlands not being anticipated on the property.

The department recommends that as a condition of this land use action, the city and county require the application of Goal 5 (per the OAR above) before any development occurs. Basically, the property owner will need to hire a wetland biologist to conduct a wetland inventory and assess wetlands for significance/non-significance prior to (or as a function of) annexation.

Please enter this letter into the official record of proceedings. If you have questions or would like to further discuss anything referenced in this letter, please contact me anytime at patrick.wingard@dlcd.oregon.gov or 541-393-7675.

Best regards,

Patrick Wingard

Patrick Wingard
Southern Willamette Valley Regional Representative

Copy. Gordon Howard, Community Services Division Manager

PC22-01

LU22-038 Amendment to the UGB for City of Adair Village to change EFU to Residential zone.

Sept. 20 2022

Dear Planning Commissions of Adair Village and Benton County, Oregon,

I am in opposed of LU22-038, PC22-01 amending the Adair Village UGB to expand RS zone and change EFU and conservation openspace/riparian corridor zones. Not enough time and information has been provided or shared with the public about the need for annexation by amendment to the UGB map and boundary of Adair Village. The use and employment by AV Planning and BC Planning of the amendment process is not well understood by the public.

An Annexation hearing process with draft development applications hopefully will take place for both parcels?

The notice for public access to this hearing, Sept. 20 at 6 P.M. over zoom by land line and computer does not provide the meeting ID number. Is this a problem for public participation in this land use hearing to make an amendment to the UGB and recommendation to BOC and AVBOC over zoom?

Lack of public information Goal 1- None of the two joint PC work session meeting minutes are available. The open house and listening session held for the public in Adair Village has no meeting findings or public input recorded. Two farmers market tabling by Adair Village Planning Dept. produced no feedback to the City of Adair records so it is as if these meetings never took place.

City of AV newsletter for August 2022 noted the need to bring 55 acres into UGB and provided no maps or further discussion offered in the newsletter. Outreach by City of Adair Planning and Benton County Planning to Adair Village Residents for comment to the Staff Report gave citizens three days to work on commenting, and this was over the weekend so they could not find information to comment to the staff report in a timely manor.

The staff report was completed later in the process, and has given people as is noted, reduced number of days to have time to review it. The Benton County Planning offices moved during this Sept. 2022, making contact and response with Benton County Planning slowed. Adair Village Planning Commission joint meeting minutes are not available in their AV Planning Commission digital record archives.

'County Citizen Involvement Program' related to citizen participation in land use, and Goal 1 are not being well supported, in the process of receiving and documenting two joint PC meetings, and for the collecting of feedback from the public, regarding this amendment for land use under UGB Residential zone, for annexation and detailing the complete loss of more EFU zone from Benton County AG production lands.

Calculation of the acres under consideration for this amendment, comes to 49.97 acres, using the two parcels to bring the total to the required 50 acre minimum for CP17.3 DCS53.505. Individual parcels are used to create a total of less than 50 acres for this hearing recommendation to BC and AV Planning Commissioners. Is this valid under Oregon Revised Statutes for annexation requirements, to use two completely disjunct parcels to create 50 acres. The decision makers are less able to make fully informed decisions from regarding Amendments to the UGB using this parcel to get to (49.97) or rounded up to 50 acre total, which is actually not fifty acres on the ground, and with missing environmental condition data about the parcels under consideration.

Parcel One is encumbered by wetlands of 12.97 acres 7.85 acres are wetland and are stated to become conservation easement. This area may have one or more spring drainages, or a seasonally flowing creek running through it. AV area resident comment to the record noted the entire parcel floods, or turns to wetland in the winter. This resident also noted Parcel 1 is mapped differently on various resource maps, which are not included in the Staff Report.

Access to Parcel 1 is one way in, and limited in width to have no room to turn around in the event of an emergency, as sadly experienced already by an AV resident who commented to the record.

The Staff report is missing the transportation document for fire and emergency services evaluation for services to these parcels.

Goal 12 Transportation- Parcel 2 is EFU with one house allowed. Pending zoning is UR-50 with one house. "The inclusion of the property within UGB will not allow development that would generate vehicle trips beyond what is allowed by the current zoning." page 60 Staff Report.

The level of service(LOS) for Ryals Avenue and 99 is not presented from prior annexation of Calloaway Creek Subdivision 3 years ago. This information is important to look at at this time, to see how it has changed over time, with the build out of phased developments in Calloaway Creek Subdivision. This information is missing in the Staff Report since the last annexation hearing and Staff Report was created for Santiam Christian and this housing developers annexation parcels.

Crane Lane may need to become an access to Highway 99. One or more bridges or filled roadbeds with a culverts may will need to be built from the north in Parcel 2 to cross over floodplain of unnamed creek to access Crane Lane fill. Access to Parcel 2 may be also through Calloaway Subdivision to Ryals Avenue one or more exits and entrances across Calloaway Creek into Parcel 2. What will the level of service be for Ryals and 99 if Crane Lane is not connected to 99 from Parcel 2?

Who will pay for a traffic control device if one is needed at Ryals Avenue? The City of AV can afford this if the housing developer for parcel 2, as they have already shown, are not liable for any traffic control changes to Ryals Avenue and 99 for any phase of this massive subdivision, and the housing developer corporation is again, with this annexation, not be liable to build traffic controls at Ryals and 99 for their continuation of this subdivision to the south?

Development cost to develop parcel 1:

Parcel One at 5.12 acres will cost 347,500.00 for installation of sewer and Storm water system or 26,310.00 per acre at 13.207 acres Estimated cost in the 2022 Tour, Adair Village document. It is unclear why the AV Tour Analysis evaluated the entire 13.27 acres, if 7.85 acres is supposedly never going to be developed due to spring, wetland or flood plain?

Will 7.85 acres conservation easement acres be filled and built on in Parcel 1 for 13.207 acres of development after annexation by amendment of the UGB for City of Adair Village?

Riparian Buffers

Parcel 2 appears to have an unnamed stream or creek to the south end and which abuts Crane Lane. Parcel 2 will have at some location only a 5.4 acres of conservation buffering for a riparian zone. (flood plain) and no conservation easement, because the 5.4 acre is the riparian corridor. With such a large parcel, where is the green space, park or open spaces? The current Calloaway Creek Subdivision has no park or open space, or green space except the fenced in Calloaway Creek 20 foot buffer on left and right side of Calloaway Creek.

This unnamed creek in Parcel 2 may have endangered species which would need possibly wider buffering. No ODFW analysis has been provided about the resources on both parcels to be amended into the UGB.

The map in the staff report for Parcel 2 shows a dim coloration for flood plain in the south end of Parcel 2. A FEMA map is not present in the Staff Report so we do not understand how this area in Parcel 2 floods. This area's unnamed creek could flood the entire Parcel 2, and flooding is not documented in the Staff Report.

Benton County LUCode 5.9.4 protect sensitive wildlife and habitat types. Goal 5 Natural Resources and 5.3.3 Benton County shall recognize scenic and natural value of green space...

Riparian buffering was evaluated in the BLInventory by DOWL used LWI Stream width of 25 feet. City of Adair Village uses 20 feet Riparian buffer. The use of two different Riparian buffer width is questionable for calculating the BLI by DOWL.

Calloaway Creek Development places continuous and ongoing environmental and hydrologic pressure on Calloaway Creek and will continue to do so by fencing it in at 20 feet left and right bank, for x distance of this floodplain area of Calloaway Creek.

The City of Adair Village Comprehensive Plan may be outdated and not address Climate Change. AV land use code uses 20 foot Riparian buffer and this buffer should be wider to protect this sensitive area as the climate dries and fire danger increases.

Calloaway Creek is being impounded by fencing to twenty feet out on all sides, if the AVillage and Benton County planning documents are outdated, these planning staff could work to upgrade their land use code, to offer increased riparian buffer distance of more than 25 feet as noted in the LWI used by DOWL to calculate the BLI.

The narrow riparian buffer and continuous fence line adds development pressure on Calloaway creek and the unnamed Creek to the south, and possibly will impact the spring in Parcel 1 and add to damaging these wetland and riparian resources because there is a lack of updated planning document direction to provide modern Global Warming driven, wider riparian buffers.

A wall of fencing along Calloaway Creek is what is greeting wildlife currently and this will continue in Phase IV and onward into the annexed EFU zone.

Flooding and meandering of Calloaway Creek may be stopped due to fill and development pressure and downward erosion of the bed and banks of this creek is occurring due to its disconnection from the area floodplain.

There are no parks in the current Calloaway Creek subdivision? There may be no parks required in Parcel 2? Families have no places for their kids to play except for in the road ways and in pocket yards in the existing phases of Calloaway Creek subdivision.

Goal 12 Transportation- Parcel 2 is EFU with one house allowed. Pending zoning is UR-50 with one house. "The inclusion of the property within UGB will not allow development that would generate vehicle trips beyond what is allowed by the current zoning." page 60 Staff Report.

The level of service for Ryals Avenue and 99 is not presented from prior annexation of Caldwell Subdivision 3 years ago. Crane Lane may need to become an access to 99. A bridge or filled roadbed with a culvert will need to be built from the north in Parcel 2 over floodplain of unnamed creek to Crane Lane fill. Access to Parcel 2 may be through Caldwell Subdivision to Ryals Avenue. What will the level of service be for Ryals and 99 if Crane Lane is not connected to 99 from Parcel 2? Who will pay for a traffic control device if one is needed at Ryals Avenue, the City of AV afford this if the housing developer is not liable for this traffic control changes to Ryals Avenue and 99?

Will the City of Adair Village have enough emergency services to provide to this annexation for Police and Fire service and will these services have to come from Corvallis which are x minutes away, this is not addressed in the Staff Report so lives may be lost because of the distances involved in accessing Parcel 2 and lack of room to turn around in Parcel 1 by emergency service vehicles such as an ambulance.

Is there enough water and sewer capacity to service this many additional acres of homes?

If Caldwell Creek subdivision is so far from Adair Village, do people actually feel connected to the City of AV while living in this subdivision? The City of AVillage has no large commercial grocery, gas station, or businesses and has one high school a half mile away. There is a physical distance disconnect for Calloaway Subidivision and Parcel 2 to the City Center, and all people do in this area is drive to reach and access city services, take their students to area schools and to go to work. Traffic congestion only can worsen and travel times will increase to Albany, Monmouth and Corvallis with this amendment of the UGB and pending auto use from both amendment and annexation parcels.

The BLInventory 2022 shared there are 71.98 acres vacant or partly vacant residential zone exists inside the UGB. Page 13 of 20. With reduction for infrastructure this comes to 51.92 acres RS-3 38.85, RS-2 1.51 RS-1 11.49. The analysis of the Development Commercial City Center shows a lack of Development over time, upon each new analysis of the City Centers activities and use, little change has taken place for local business ownership and operations in the City Center. The need factor is very high to change commercial zone into housing to gain more capacity to actually provide housing for 73 units into 2042. One multi store apartment complex in the city center could provide 73 units in one building project.

RS-4 District

The lack of RS-4 zone is apparent in BLI as a RS-4 District has been created (page 34 of 76 Staff Report) in Adair Village. The use of Commercial zone city Center to only allow two story buildings is limiting how AV develops and is creating the need to keep development moving into newly zoned RS- 3 zones,(EFU annexation every three years). Lack of RS-4 may be creating ongoing practice of land sales to housing developers and continued loss of EFU and Conservation Easement and Forest Zones using annexations to convert land to Residential for AG.

The process of zone change by annexation into the UGB for City of Adiar Village appears to have no end.

The lack of RS-4 zone hinders the development and commercialization of Adair Village, and allowing AV to expand out away from designated and planned for over decades, City Center. Expansion of residential zone away from City Center alienates area residents and causes land use pressure on declining inventory of EFU zone in Benton County. DOWL did not calculated the numbers of vacant residences being maintained or estimate the ages of homes in AV in their BLI. The stock of homes in AV may be of an age that they are less safe to live in and many homes may be vacant to save owner money, to maintain older homes. Older homes may be losing value due to not being maintained being built in 1970s or earlier, and ongoing need for single

family affordable housing, these older homes never go vacant and are aging and harder to maintain.

The Calloaway Creek Subdivision had currently done what for AV downtown core?

Will the next five or more phases in Parcel 2 for this same commercial housing developer also do nothing for AV downtown Core to promote businesses under Section 2 Chapter 640 Oregon Law 2019 (D) - Predictability?

(page 36 of 76 Sept. 2022 PC22-01 and LU-22-038 Staff Report)

Living this far out from City Center does not promote walk-ability or community cohesion for the City of AV and may be increasingly contributing to global environmental pollution and local and regional road congestion, residents leave this Calloaway Creek Subdivision multiple times a day and from Parcel 1 and 2 pending development with x numbers of homes and x numbers of more cars.

Thanks, Rana Foster Corvallis, Oregon

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 DLCD 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 it's 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?

DLCD 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?



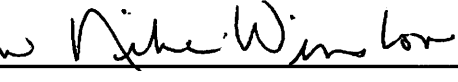
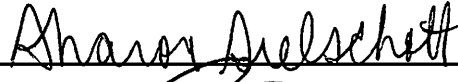


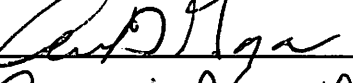
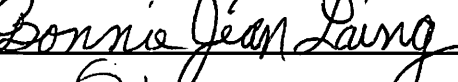
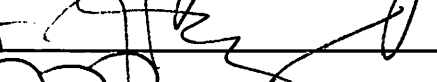



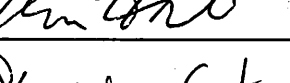
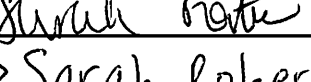

Where are the letter's of agreement to City of AV from '1000 Friends' and 'Fair Housing Council'? Hopefully these documents can be shared with other decision makers you will recommend to, and the public in future, if both Planning Commissions got to see these documents in their joint work sessions about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

Thanks, Rana Foster 980 SE Mason Pl Corvallis, OR








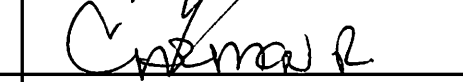
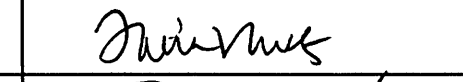
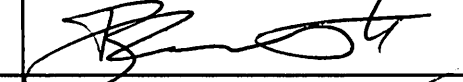
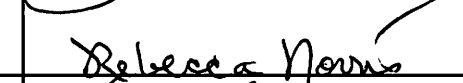

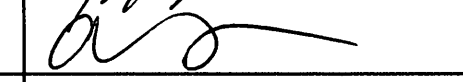
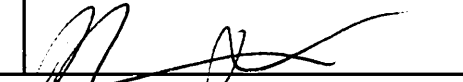
This petition is for residents of Adair Village and the directly adjacent land who are against the expansion of the Urban Growth Boundary to include the property at the **East** end of Hibiscus Drive, Adair Village, OR 97330 as of 9/28/2022.

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>	8335 NE Hibiscus Dr Adair Village OR 97330
<i>Tim White</i>	<i>Tim White</i>	29416 Newton Rd Adair Village 97330
Carrie Wright	<i>Carrie Wright</i>	29424 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
Natali Vidrio	<i>Natali Vidrio</i>	8305 Hibiscus Dr, Adair Village OR 97330
Edgar Vidrio	<i>Edgar V.P.</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
Laura Rose	<i>Laura 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		6345 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 Leyham		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 Robertson	8963 NE Barberrry Dr. Adair Village OR

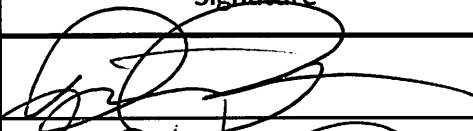
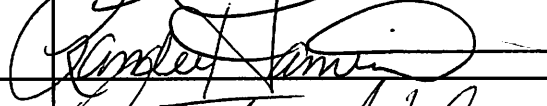
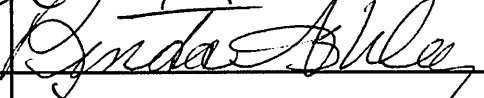
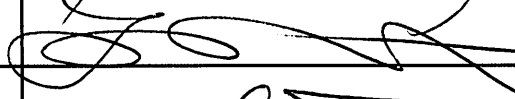
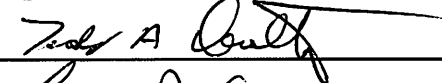
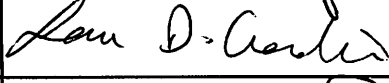



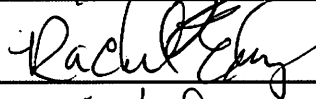


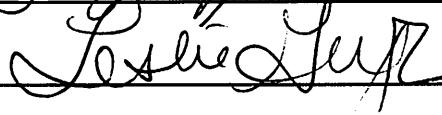
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Printed Name	Signature	Home Address
Karen Saunders		29416 Newton Rd Corvallis 97330
Nancy Sommer		8322 NE Hibiscus Dr Adair 97330
MICHAEL SOMMER		8322 NE HIBISCUS DR ADAIR 97330
Ralph Freilinger		8311 NE Hibiscus Dr Adair Village 97330
Michael Packard		8076 NE Barberry Dr. Adair Village, OR. 97330
Andrea Packard		8076 NE Barberry Dr. Adair Village OR 97330
Kendon Shirtey		8404 NE Barberry Dr Adair Village
Carmon Ramirez		8755 NE BOX ELDER ST 97330
Fawn Vawter		8773 BOX ELDER ST Adair Village 97330
BLAKE VAWTER		8773 BOX ELDER ST ADAIR VILLAGE 97330
Rebecca NORRIS		8797 Box Elder St Adair Village 97330
Jeff Rhoads		8681 NE Barberry Dr. Adair Village 97330
Angie Lawrence		8891 NE Bomberg Dr Adair Village 97330
Nathan Neigs		8893 NE Mulberry Dr. Adair Village 97330



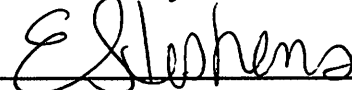

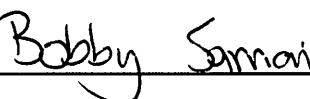
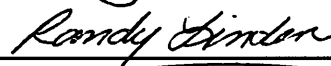

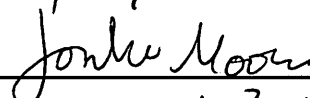
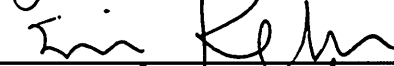
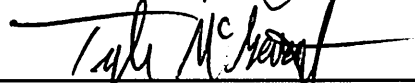
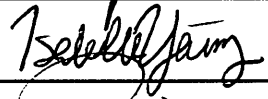


This petition is for residents of Adair Village and the directly adjacent land who are against the expansion of the Urban Growth Boundary to include the property at the East end of Hibiscus Drive, Adair Village, OR 97330 as of 9/28/2022.

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



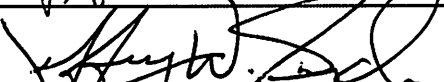
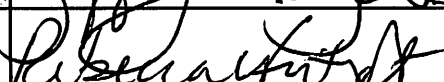
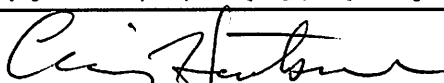
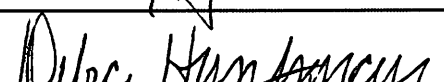
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Printed Name	Signature	Home Address
Daniel Paulding		8633 NE Barbary Dr. OR 97330
Randee Hamilton		8633 NE Barbary Dr, OR 97330
LINDA Ashley		8833 NE Barbary Dr OR 97330
Leah Dorothy		8556 John's Pl, OR 97330
TODD A DOROTHY		8556 John's Pl. OR 97330
Laura D Gradine		8599 John's PL, OR 97330
Marion Rossi		8591 Johns Pl. OR 97330
Sam		8505 Johns Pl OR 97330
TIM EBY		8002 NE BARBERRY DR, ADAIR VILLAGE
Rachel Eby		8002 NE Barbary Dr. OR 97330
Kristen Gore		8013 NE Barbary Dr
Danny Griffin		8101 Papine Ct Adair Village OR 97330
Leslie Griffin		8101 Papine Ct Adair Village OR 97330

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.

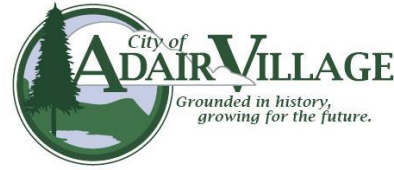
Printed Name	Signature	Home Address
CHUCK MCHEIL		8077 NE BARBERRY DR
Fred Hockema		8477 Barberrry DR
Elisa Stephens		8756 Box Elder St.
Corynn Matteson		8776 Box Elder St
Mark Dickson	MARK DICKSON	8796 NE BARBERRY DR
Bobby Samra		8802 Cori Ct
Randy Linden		8071 Barberrry Drive
Marc N. Smith		8107 NE 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

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
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
Cory Huntsman		8339 Hibiscus Dr. 97330
Debra Huntsman		8339 Hibiscus Dr 97330

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
	<p>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.</p>	
		<p>Matthew P. Allen</p>



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

Santiam Christian School

September 20, 2022 - Minutes

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:

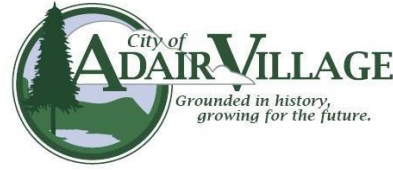
- Page 4 – is it possible that Adair Village has reached critical mass already and how does the city know that they have grown enough to justify a UGB. Mr. Hare responded that most studies show that a population of 3,000 community members will help sustain local businesses, if the community is more than 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.



**Adair Village Planning Commission and Benton County Planning Commission
Public Hearing on Adair Village's Urban Growth Boundary Expansion
Meeting Location: Santiam Christian School
October 11, 2022 - Minutes**

Chair Vogt called the Joint Public Hearing between the Benton County Planning Commission and the Adair Village Planning Commission meeting to order at 6:06 p.m. and called roll: Benton County Commissioners Fowler, Gervais, Irish, Scorvo, Whitcombe, and Lee were present. Commissioner White was absent and excused.

Adair Village Commissioners Vogt, Harris, and Lower were present.

City of Adair Village Staff Present: Pat Hare, City Administrator; Pat Depa, Benton County Associate Planner for Small Cities.

Benton County Community Development Staff Present: Greg Verret, Deputy Director; Linda Ray, Administrative Assistant; and Darren Nichols, Director.

After roll call, Chair Vogt opened the meeting by asking for comments or a motion to approve the July 19, August 18, and September 20, 2022, minutes. Commissioner Lower **MOVED** to accept the minutes and the motion was **SECONDED** by Commissioner Harris; the joint **MOTION PASSED 9-0**.

There were no priority items from either Planning Commission.

Chair Vogt asked for any additional questions for staff regarding a proposal to amend the Adair Village urban growth boundary (UGB).

Benton County Planning Commissioner Lee asked about the number "678" referring to analysis that determined that the existing UGB could support this figure. City Administrator Hare explained that some land inside the UGB stated as buildable in the plan would not be feasible to build on due to infrastructure, etc. Chair Vogt also pointed out a footnote that explained the figures and conclusion.

Chair Vogt recessed the joint meeting and moved into separate deliberations, starting with the Adair Village Planning Commission.

Adair Village Planning Commission Deliberations

The Planning Commissioners commended the time and effort put in by the City of Adair staff and Benton County staff.

Chair Vogt also noted the response from the Department of Land Conservation and Development (DLCD) and their support in this expansion. Noting that the proposed expansion was supported by the

state, Chair Vogt felt more encouraged in approving the proposal. He mentioned the concerns that have been brought up by the citizens of City of Adair and importance in addressing those issues in the future if the UGB expansion is approved by the BOC and City Council. He stated that the issue of the turnaround at the end of Hibiscus Street can only be resolved by bringing the land into the UGB.

Commissioner Harris **MOVED** to adopt the findings of the city's decision consistent with Oregon Administrative rules and Statewide Planning Goal 14 and the staff report and to recommend approval of the proposed UGB expansion to the city council. Commissioner Lower **SECONDED** the motion; the **MOTION PASSED 3-0**.

Benton County Planning Commission Deliberations

Chair Fowler began the deliberations by asking each Planning Commissioner to share their feedback before a vote would be taken.

- Chair Fowler believes that the proposal can accommodate the 20-year growth prediction. He noted the feedback from the community members with concerns about the development and transportation issues and stated that those issues will largely be addressed at future stages of development review, but that it is important to start thinking about solutions now. He encouraged city and county staff to have a broad vision on preservation of resource lands within the current boundary or proposed boundary for non-residential applications. This expansion will consume most of the available expansion land; future expansions will be more difficult. He supports the recommendation of both properties. His determination is that the translation of needed housing units to needed acreage is intended to be flexible, as actual development may differ from assumptions. Chair Fowler stated that more than the absolute minimum is proposed, but that buffer is appropriate, and the flexibility is allowable under state rules. He concluded that the model meets the need for potential accommodate of at least (if not more) of the housing needs in the future.
- Commissioner Gervais has serious concerns about the future development project but noted that those concerns are to be addressed at the time of development. She noted that the Planning Commission's decision is on the land use criteria and therefore, she supports the UGB expansion.
- Commissioner Irish noted the community members' concerns around traffic and safety with the expansion and that those will need addressed in the future. She supports the proposal.
- Commissioner Lee stated that she opposes the proposal for the following reasons:
 - Rezoning Exclusive Farm Use (EFU) land for residential development permanently destroys high value soils for agricultural use and should be undertaken as a last resort. She cited ORS 197.832, which directs the preservation of agricultural land to the greatest extent, and also the Benton County Comprehensive Plan which states that a Goal Exception is required to change land from EFU zoning. She feels a goal exception should be required in this case.
 - Adair Village has not demonstrated the need for the UGB expansion, or the need to expand by 50+ acres. She cited Comprehensive Plan Policy 14.1.6, which requires a city to demonstrate that needs cannot be met on land within the UGB prior to expanding. She felt there was a discrepancy between the City's commitment to higher housing density, yet assuming lower density when calculating the available buildable land.

- Two of the identified needs are for affordable housing and for additional commercial development, but it has not demonstrated that the proposed UGB expansion would address either of these objectives.
- The proposed amendment fails to consider impacts to transportation within the city, surrounding areas, and Highway 99W by invoking “UGB not annexation” although annexation is expected to follow quickly.

Commissioner Lee presented a visual example on the white board that captured the following calculations:

Zone	Net buildable acres in current UGB	AV units/acre policy	UGB capacity	Units/acre realistic for future development	UGB capacity	State density Units/acre	UGB capacity
R1	11.49	4.4	50		50	8	92
R2	1.57	5.4	8		8	8-16 (12)	19
R3	38.85	6.7	260	9	350	16	622
R4	0	16					
Total	52		318		408		733

Commissioner Lee mentioned four specific concerns to resolve prior to a vote:

1. R-4 zoning needs to be reflected on the city’s zoning maps.
 2. An explanation on why Adair Village has not revised its housing density requirements and used those revised figures when calculating the existing UGB capacity or the need to expand the UGB.
 3. More detailed information on the impacts of Adair Village development to transportation within Adair Village, on Highway 99, and between Adair Village and nearby neighborhoods.
 4. Detailed information for Benton County Goal 3 (to preserve and maintain agricultural lands).
- Commissioner Scorvo addressed three concerns that he has worked through about the proposal: the density calculations, transportation planning, and land conservation.
 - He expressed that greater density is desirable but will be a matter for the city of Adair Village to address. The proposed plans in his opinion will enhance livability and the density calculations are adequate to justify the expansion.
 - In regard to transportation, he stated that concerns need to be addressed when plans for development are reviewed.
 - He acknowledged that conserving land is important but addressing the influx of population is important as well. His decision to support the proposal has also been encouraged by the response of support noted by the Department of Land Conservation and Development.
 - Commissioner Whitcombe noted the input from emergency services, that annexation would lead to the ability to establish a proper turnaround at the end of Hibiscus; therefore, including the north parcel in the expansion was important. The south parcel she felt was committed to eventual annexation by the previous UGB expansion decision. She encouraged the City of Adair to increase livability with density of housing and different types of housing if the proposal is approved. She would also like to see less housing on farmland. Commissioner Whitcombe supports the proposed expansion.

There was general discussion regarding density and whether it was appropriate to allow the City flexibility on the issue of housing density or whether greater density within the existing UGB should be required before the UGB is expanded.

Commissioner Scorvo **MOVED** to recommend that the Benton County Board of Commissioners approve the amendment to expand the Adair Village Urban Growth Boundary in accord with the proposal and joint staff submissions by and with the findings and conclusions document

Commissioner Gervais offered an amendment to the motion to include the language “based on the analysis stated in the staff report”. Commissioner Scorvo **AMENDED the MOTION** as suggested.

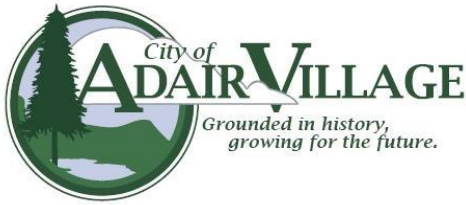
Benton County Planning Commission vote on the proposal to amend the UGB expansion:

- Commissioner Fowler – Yes
- Commissioner Gervais – Yes
- Commissioner Scorvo – Yes
- Commissioner Whitcombe – Yes
- Commissioner Irish – Yes
- Commissioner Lee – No

The MOTION PASSED 5-1.

Chair Fowler closed the Benton County Planning Commission deliberations.

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



STAFF REPORT

Date:	November 22, 2022
Applicant:	City of Adair Village
Nature of Application(s):	Comprehensive Plan/Map Amendment – Urban Growth Boundary Expansion
Property Location:	City Wide
Applicable Criteria:	Development Code Sections 2.700, 3.200(2) & 3.520. Comprehensive Plan Sections 9.300, 9.400, 9.500 & 9.800 ORS 197.296 & 297, OAR 660-024 & 038 Statewide Planning Goals
Case #:	PC22-01
Staff Contact	Patrick Depa, Associate Planner

BACKGROUND

Portland State University's Population Research Center (PRC)¹ provides their population projection research every four years and the state, the counties and the cities all adopt those number into their comprehensive plan documents. In June 2021, PRC released its latest twenty (20) year population forecast. After the city went through some reconciliation with PRC's current population numbers (1,416), the city's population was forecasted to grow to 2,541 or a 1,125 increase. Having updated population data and population forecast numbers is significant to comply with ORS 197 and OAR 660-024-0040 (4) that requires that every city maintains a 20-year buildable residential land supply to accommodate growth.

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. Today Adair Village continues to develop extremely quickly and the interest for further development is eminent. The city continues to have developers interested in more residential and mixed-use projects than the city has available land. The city has been anticipating that they may need to expand their urban growth boundary (UGB) based on the continued interest in residential development but, had paused any efforts to expand the UGB until the 2021 population projections became available.

Through monitoring the progress of two active housing projects building within the city's boundary, the city decided to re-examine its buildable residential land. As required by the State of Oregon, the city performed a Buildable Land Inventory (BLI) where the

¹ State of Oregon's population research official.

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 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. Working with two property owners whose properties are directly adjacent to the city's boundary and want to be annexed into the UGB, the city performed the required analysis using OAR Chapter 660, Division 24 and 38 procedures as well as the Goal 14 requirements.

The City and Benton County compiled an expanded staff report titled “**Adair Village & Benton County Comprehensive Plan and UGB Amendment – Justifications and Findings**” that accompanies this report. This mentioned report, thoroughly addresses all the analysis required to establish findings that adhere to the Oregon Administrative Rules (OAR) that qualify a UGB expansion.

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 park 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. To successfully accomplish this vision, it will require a critical mass of residences to support any form of a vibrant downtown.

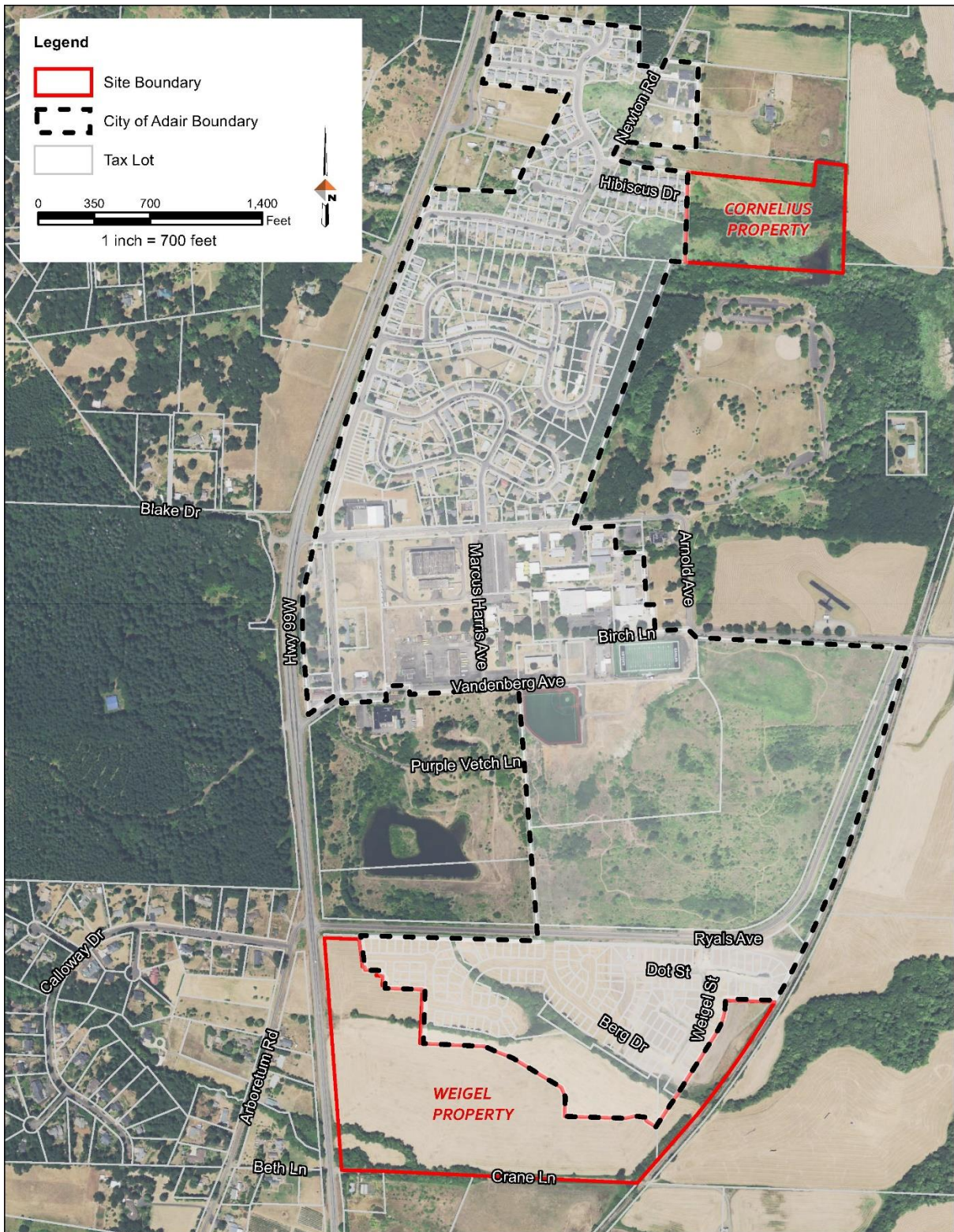
In the past four years, in preparation of a possible UGB expansion, the city has initiated multiple comprehensive plan amendments, adopted a Transportation Systems Plan (TSP), and continues to upgrade the city's infrastructure to prepare for the anticipated growth. A broader list is compiled below.

- Comprehensive Plan Amendments:
 - a. [Growth Management Chapter](#)
 - b. [Housing Chapter](#)
 - c. [Transportation Chapter](#)
 - d. [Land Use Chapter](#)

- Adopted a Transportation Systems Plan (TSP) 2019
- Working on a Trails Plan (Adair Village area) 2023
- Created a new zoning district (R-4) for higher density housing projects 2021
- Ongoing upgrades the water treatment plant since 2009
- Currently under construction is a new sewer treatment plant 2022.

Proposed UGB Expansion Areas

Figure 1.

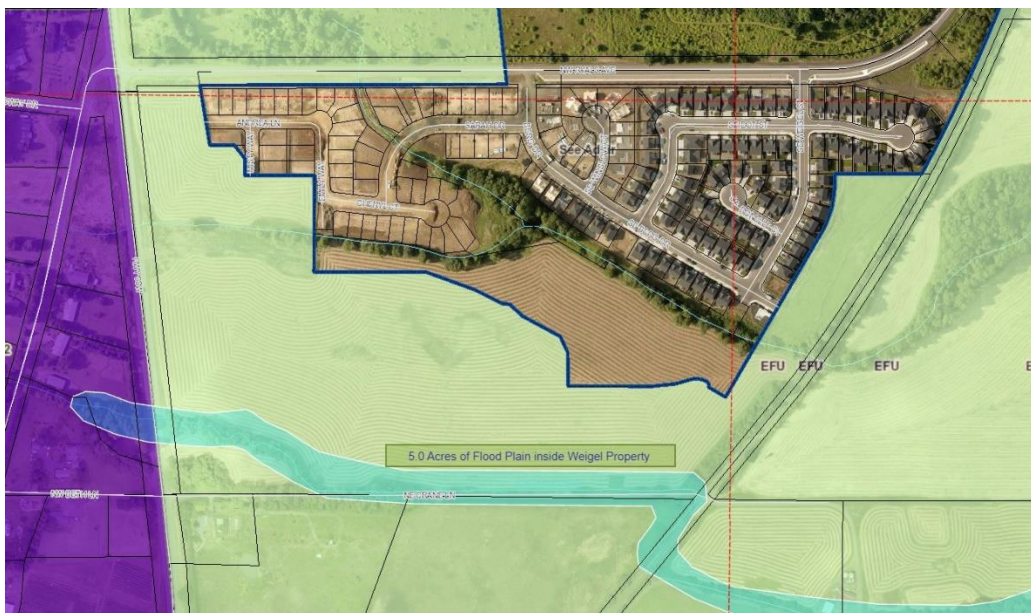


The two properties that are being considered in *Figure 1* for addition to the Adair Village UGB are both zoned Exclusive Farm Use (EFU). The two properties together consist of approximately 55 acres. A basic analysis of each property is as follows.

Property 1: Assessment Map & Tax Lot No. 104290000900. 12.97 acres located on the northeast side of Adair Village. 5.11 acres proposed for residential development; 7.85 acres is in a conservation easement.



Property 2: Assessment Map & Tax Lot No. 104310003400. 42.4 acres located on the south edge of Adair Village. 37 acres proposed for residential development; 5.4 acres proposed to remain in natural state.



DECISION CRITERIA

The City and Benton County put together an expanded staff report titled “**Adair Village & Benton County Comprehensive Plan and UGB Amendment – Justifications and Findings**” that accompanies this report. The Buildable Land Inventory (BLI) is part of that report and is attached as Appendix A.

Compliance with the City of Adair Village’s Land Use Development Code and Comprehensive Plan Goals and Objectives are addressed in **Chapter 5 – City Requirements for UGB Expansion in the “Justifications and Findings” document**. Because this legislative action often comes with opposition the city and county went above and beyond to petition citizen involvement over 100 days before this hearing.

Statewide Planning Goal 1: Citizens Involvement

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program that addresses:

1. Opportunities for widespread public involvement
2. Effective two-way communication with the public
3. The ability for the public to be involved in all phases of the planning process
4. Making technical information easy to understand
5. Feedback mechanisms for policymakers to respond to public input

FINDINGS

The city and the county initiated this legislative process at open meetings both at Adair Village City Councils meetings and a County Commissioner meeting. The city and county reached out to and met with the Corvallis School District, Oregon Department of Transportation (ODOT), Oregon State University, City Managers in other incorporated cities and state agencies such as ODF & W and the Department of Forestry.

There was an informational kiosk set up at the Corvallis Saturday Market in June. The city and county held two open houses for discussion of the UGB on July 12th and August 9th. There were two joint planning commission meetings that were advertised on the city and county websites. The State of Oregon Dept. of Land Conservation and Development (DLDC) was given notice is 35 days before this first evidentiary hearing.

Notice of this meeting was posted in three public places, sent out to residents in a 250’ radius of these properties, published in the Gazette Times, the Albany Democrat Herald, posted on the City’s website, and promoted in the monthly City Newsletter.

SUMMARY OF FINDINGS

Following OAR Chapter 660 Division 24 & 38, the two items to justify a UGB expansion come down to the need factors. Need factor one is based on Portland State University’s Population Research Center (PRC) projected population growth in a 20-year period. The PRC found the City of Adair Village will have an increase of 1,125 residents. Need factor

two addresses the land needed to accommodate the increase in population based on BLI methodology of existing land inside of the current UGB.

The BLI looked at the Adair Village land supply based on vacant and partially vacant land and the environmental constraints to its buildable capacity. The study then classified parcels by development status and estimated their housing unit capacity. The net buildable acres were established by removing the allowed deductions provided in the OAR 660-024 and 038.

The deductions consisted of removing $\frac{1}{4}$ acre from all properties that were considered partially vacant and a deduction of 25% of the gross buildable acres for infrastructure needs. The net buildable acres were then divided by the number of people per household (2.87²) which, provides the number of dwellings that amount of residential land can accommodate. The projected population increase (1,125) was then divided by the 2.87 people per household to arrive at the number of dwellings needed. The difference between those two numbers provided the deficit of land needed to address the required 20-year residential land supply. This number concluded that the City of Adair Village had a deficit of **13.25 acres** to reach that need.

This finding was revised using the Goal 14 guidelines and implementation and applying the four Goal 14 location factors: (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.

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**.

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**.

As described on page 4, the total amount of land requested to be brought into the UGB is 55 acres. However, after subtracting the conservation easement on the property 1 and the flood plain on property 2, the acreage is decreased to 42.12 acres. A further 25% deduction can be made for infrastructure as allowed by the city's 9.800 Growth Management chapter, making the total amount of buildable land proposed to be brought into the city at **31.6 acres**.

Additionally, the DLCD notes that OAR 660-024-0040(1) states, in part, "the 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision." The DLCD

² 2020 US Census number for estimated people per household.

asserts that the difference of 4.87 acres in this particular factual situation is acceptable for compliance with Goal 14 and implementing rules in OAR 660-024.

CONCLUSIONS

Based on the facts and findings presented by the city and county within this detailed written narrative, the city believes we have satisfied the burden of proof and demonstrated how the proposed Comprehensive Plan amendment and zone change request not only satisfies all applicable criteria but would also be a benefit to the community by providing a needed housing within Adair Village's Urban Growth Boundary.

As established in the responses and findings in the “Justification and Findings” document, the analysis performed in the Buildable Land Inventory (Appendix A) and the Site Selection Analysis, the proposed Comprehensive Plan amendment is consistent with County and City goals and policies and applicable Statewide Planning Goals to warrant the expansion of the Adair Village UGB as proposed and the proposed rezoning of the sites from EFU to UR-50.

The city will still have to update the multiple sections in the city’s comprehensive plan if the Urban Growth Boundary (UGB) amendment receives approval.

RECOMMENDED ACTION

The Planning Commission voted to recommend that, based on the analysis stated in the staff report, the City Council approve the amendment to expand the Adair Village Urban Growth Boundary in accord with the proposal and joint staff submissions including the findings and conclusions document.

RECOMMENDED MOTION

“I move that the findings under the city’s decision criteria, the Oregon Administrative Rules and Goal 14 in the staff report be adopted as presented and the City Council direct staff to prepare an ordinance APPROVING the Comprehensive Plan amendment and Zoning Map amendment proposed in legislative File NO. PC22-01 for the proposed Urban Growth Boundary Expansion”

ADDENDUM TO THE STAFF REPORT TO THE PLANNING COMMISSIONS:

Below are responses to questions and comments raised at the September 20, 2022, UGB Expansion public hearing and the October 11, 2022, deliberation/decision meeting.

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 Department 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.

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.

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 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 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.

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.

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.

Below is a summary table of written testimony:

Testimony From	Topics
Connie Zane	Access problems; floodplain problems; water issues; environmental impact
Gwendolyn Sholl	Traffic issues @ Hwy 99W and Ryals
Oregon Dept of Transportation	Highway access; traffic impact analysis; Crane Lane
Caroline Wright	Additional ingress/egress to Property 1.
Matthew Allard	Regarding Property 1: Traffic; insufficient emergency access; wetlands; wildlife; need for services; consider only Property 2.
Rebecca Flitcroft and Jeff Snyder	Need for expansion?; impacts to wildlife; insufficient services; benefit to residents?
Joel Geier	Seismic risk; conversion of farmland; traffic.
Rana Foster	A number of questions and concerns on various topics, including: insufficient information; endless expansion; climate change; stream corridors; seismic risk.
Mike & Nancy Sommer	Traffic on Hibiscus Drive.
Pam Dickson	Need for a traffic light at Hwy 99W and Ryals Road.
Benton County Public Works	Highway access; traffic impact analysis; Crane Lane; stormwater impacts to Calloway Creek/Bowers Slough.
Erin Bradley	Traffic concerns, safety at Hwy 99W intersections.
Patrick Wingard, DLCD	Population <2,500 means Adair Village need not conduct a Housing Needs Assessment or Economic Opportunities Analysis. City has enacted land efficiency measures. Calculated deficiency of 26.72 acres compared to proposed 31.59 acres (net buildable) yields an excess of 4.87 acres, which is acceptable. The two proposed parcels have lower agricultural potential the best overall suitability for adding to the UGB. Goal 5 wetlands analysis should be performed on the parcels prior to or as part of annexation.
Rana Foster	Loss of farmland; impacts to wetlands, streams, wildlife; concern about inadequate public involvement; traffic, especially safety at Hwy 99W intersections; need higher density development and better within-community connections.
John Steeves	Higher density assumption for undeveloped property north of Ryals would result in no projected housing deficit in 2040. Need to develop walkable core, downtown, rather than sprawl. Traffic safety on Hwy 99W; address now.

Joel Geier	Who benefits financially? Property owners in Calloway Creek subdivision prevented from testifying.
Rana Foster	Impacts to creek, riparian area and floodplain. Density, infrastructure, walkability. Property owners in Calloway Creek Subdivision are prevented from testifying. CAMPO input?
99 Residents of Adair Village	Petition opposing adding Property 1 (east end of Hibiscus Drive) to the UGB.
Joel Geier	1990 study of Corvallis Fault; risk for both properties; ground breaks more likely than intense shaking.

Adair Village & Benton County Comprehensive Plan and UGB Amendment

Justifications and Findings

September 2022

Draft Report

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1. Introduction

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)¹ 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

¹ 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

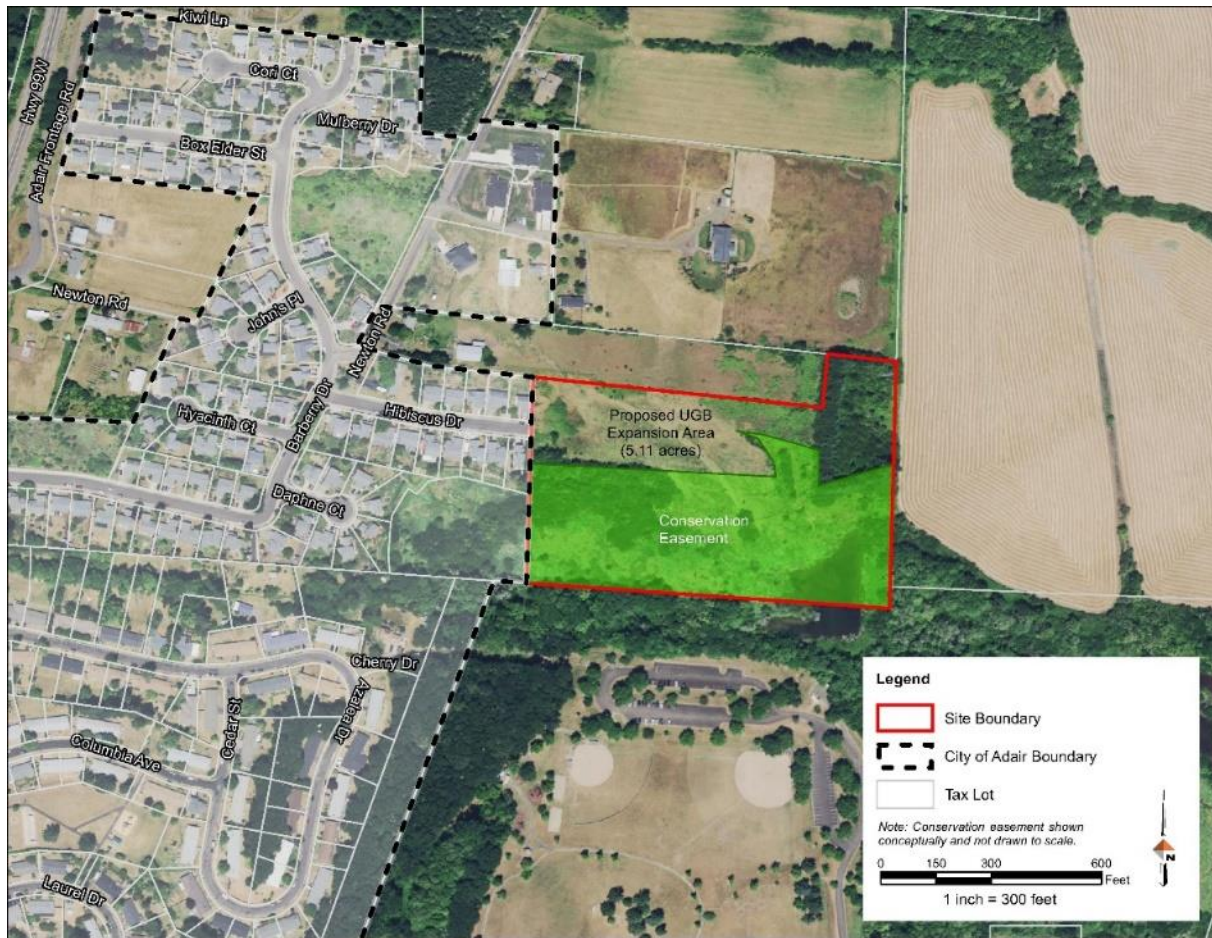


Table 1: Cornelius Property Surrounding Uses

<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

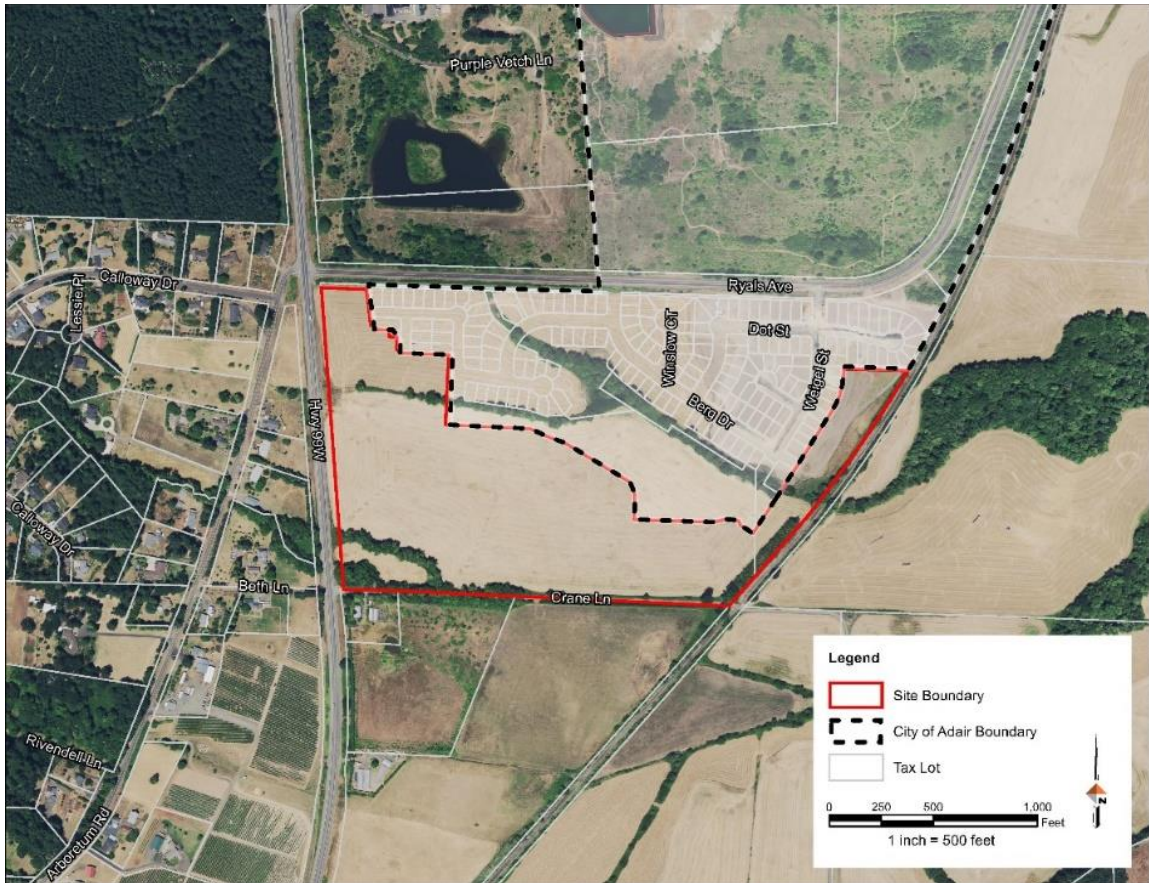
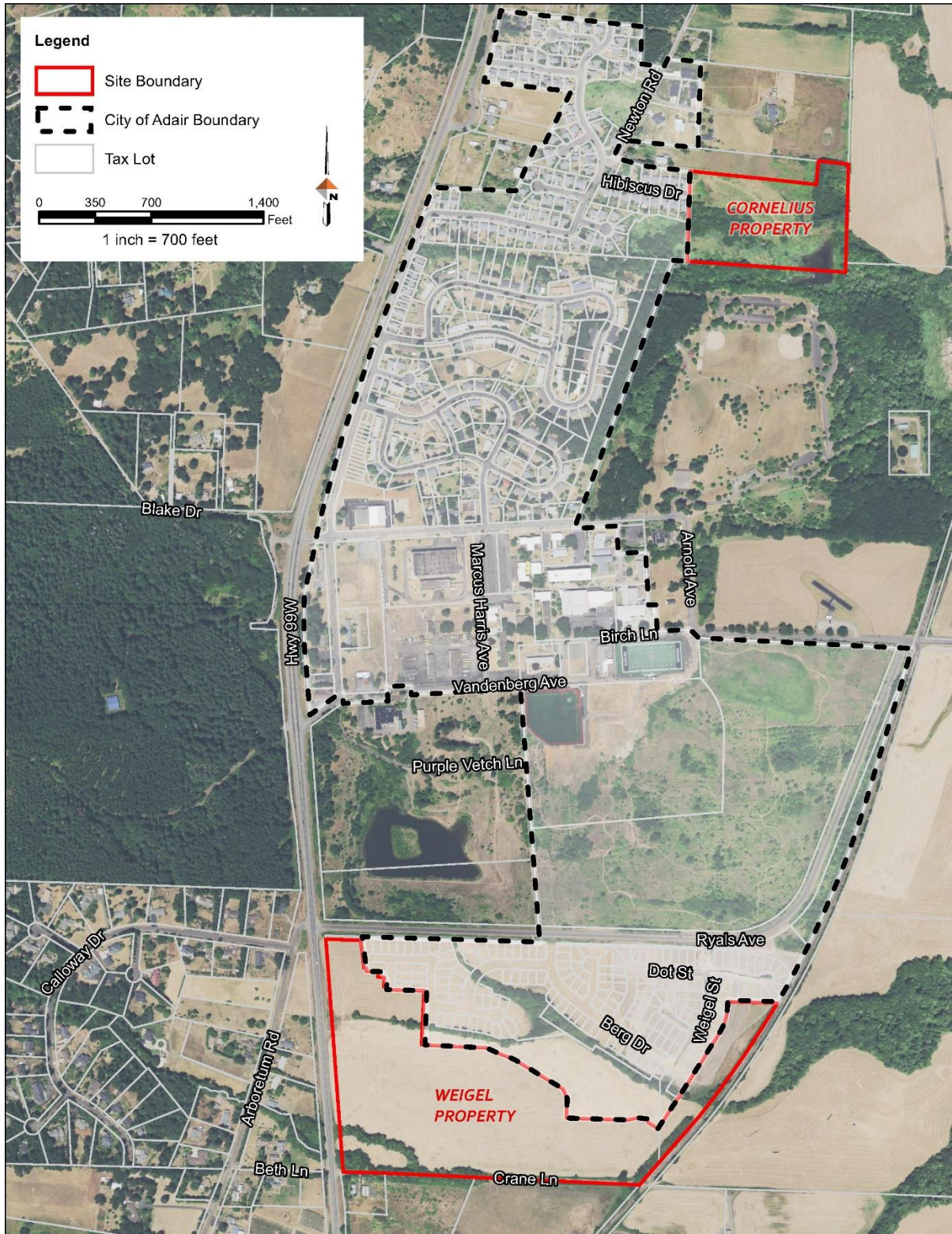


Table 2: Weigel Property Surrounding Uses

<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



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

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.² 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.

² *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.

For the 2042 population, we used the PRC’s population forecast interpolation template (for forecasting single-year time intervals). It is linked on their website. The most up to date PRC data for Adair Village forecasts the 2040 population at 2,472 and the 2045 population at 2,649. We entered those two numbers into the population interpolation template and were able to come up with a 2042 population of 2,541.

The same tool was used to formulate the current residents

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:

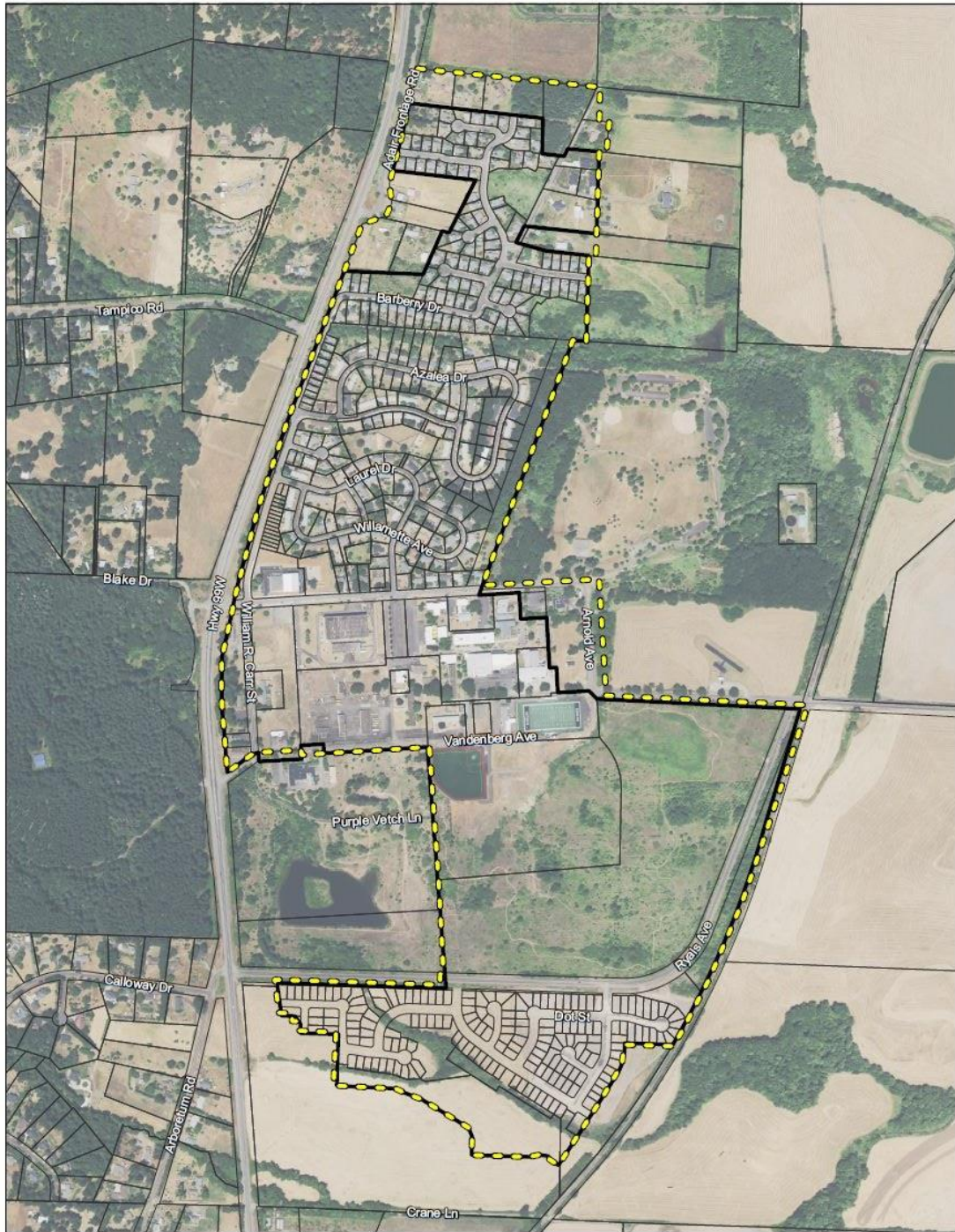
1. Calculate the gross vacant acres by plan designation, including fully vacant and partially vacant parcels.
2. Calculate gross buildable vacant acres by plan designation by subtracting unbuildable acres from total vacant acres.
3. Calculate net buildable vacant acres by plan designation by subtracting 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.³




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.

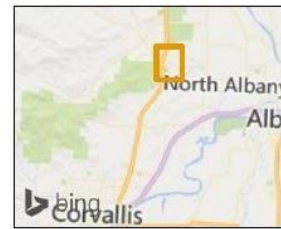
This report contains two separate analyses. First, is a Buildable Lands Inventory of all parcels within the City’s current UGB to determine available buildable acreage. Second, is an analysis of the most recent population forecasts from Portland State University Population Research Center (PRC). DOWL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

³ 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

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.

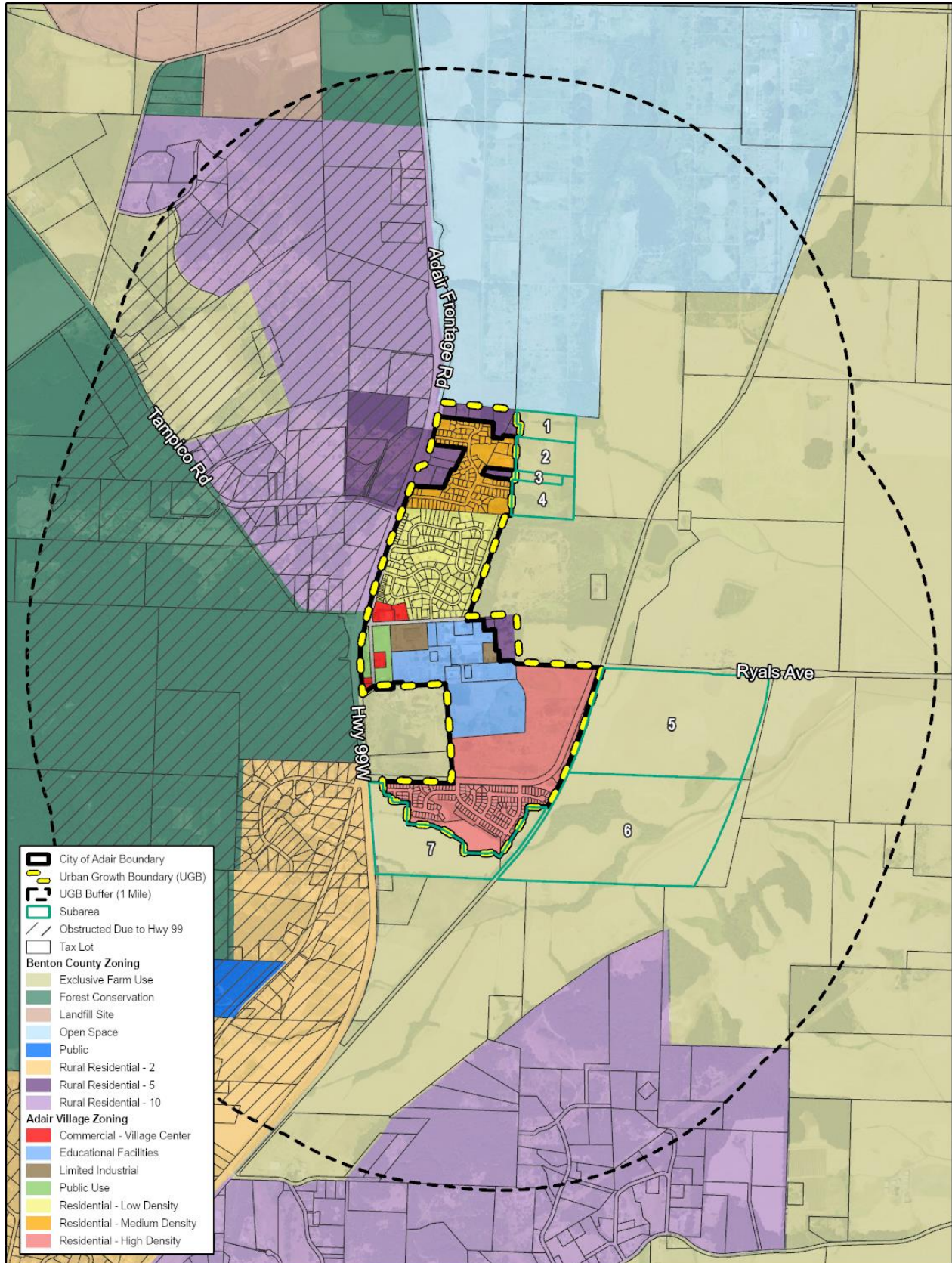
Identify Residential Land

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



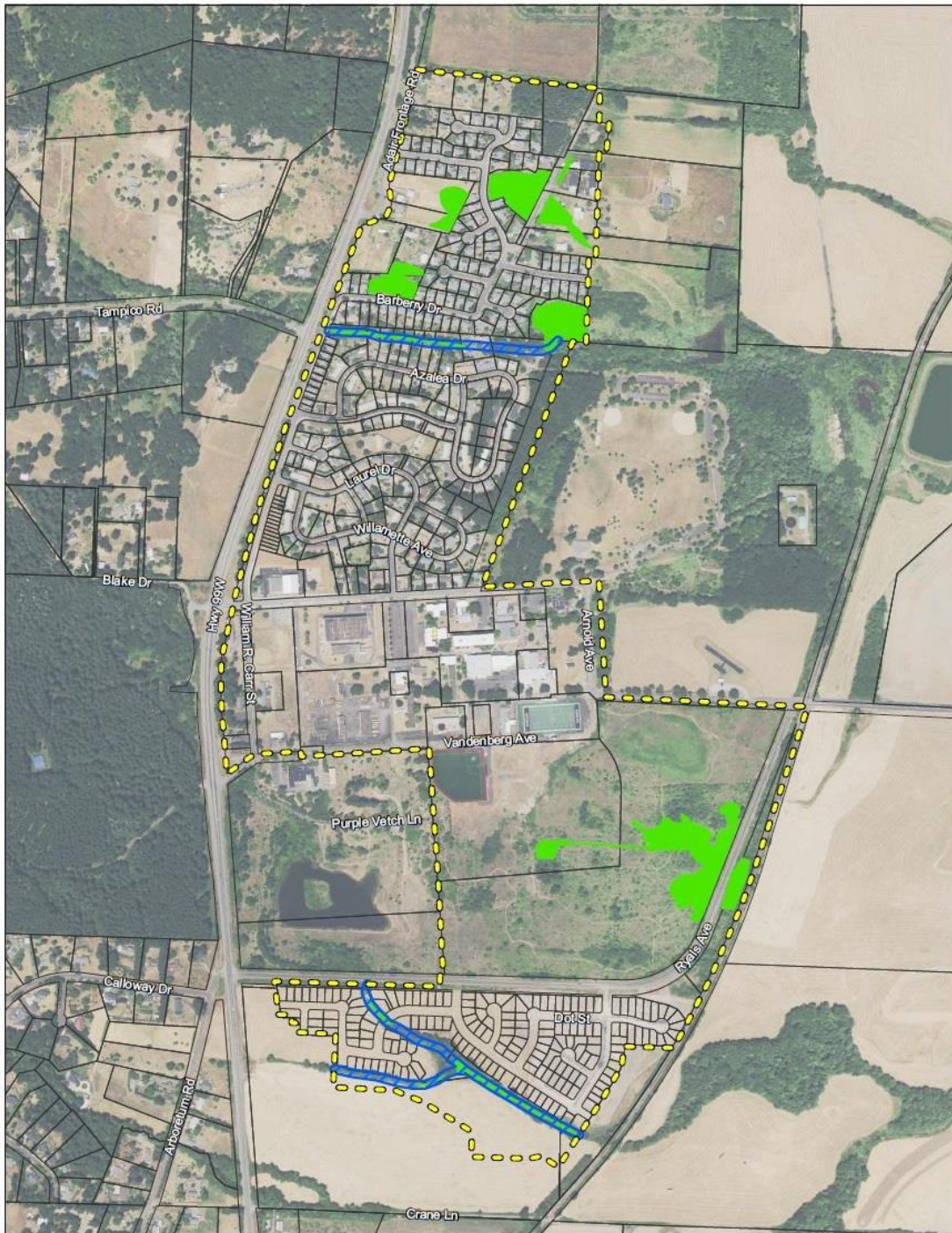
Identify Environmental Constraints and Natural Hazards

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

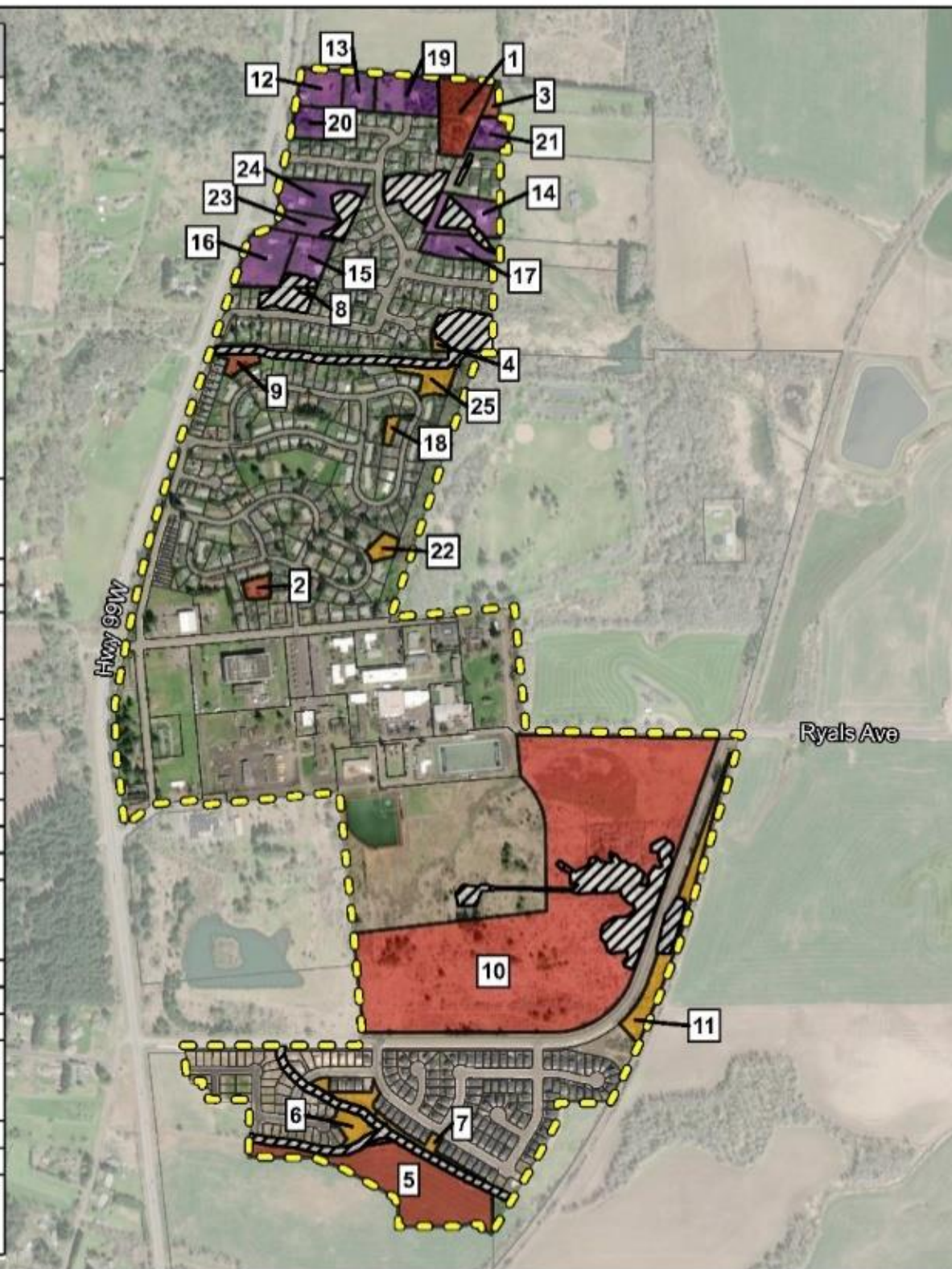
Classify Parcels by Development Status and Estimate Housing Unit Capacity

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



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
Total	71.98

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 ⁴
	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
Subtotal	16.15	55.83	71.98	51.92
<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.⁵

The current population estimate of 1,416 residents was derived from 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 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

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

⁵PRC’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.

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.

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
Total	51.92	--	318

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 ⁶	Projected Housing Need ⁷	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.

⁶ Projected Housing Capacity calculated by zone from Table 4.

⁷ 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:

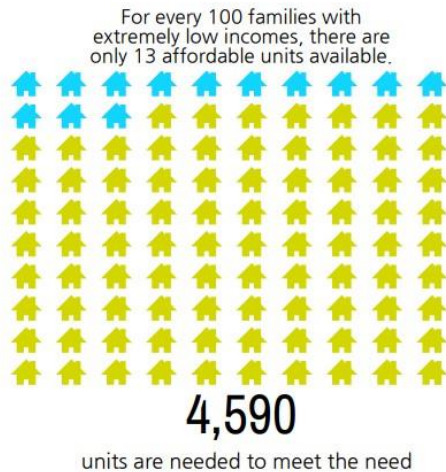
- (A) Cost and cost effectiveness.
 - **Adair Village has built 200 dwelling units in the past three years that were well below the region's average price point.**
- (B) Reliability and accuracy.
 - **All 200 dwelling have been sold and occupied and there is a waiting list for any new home as they become 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.

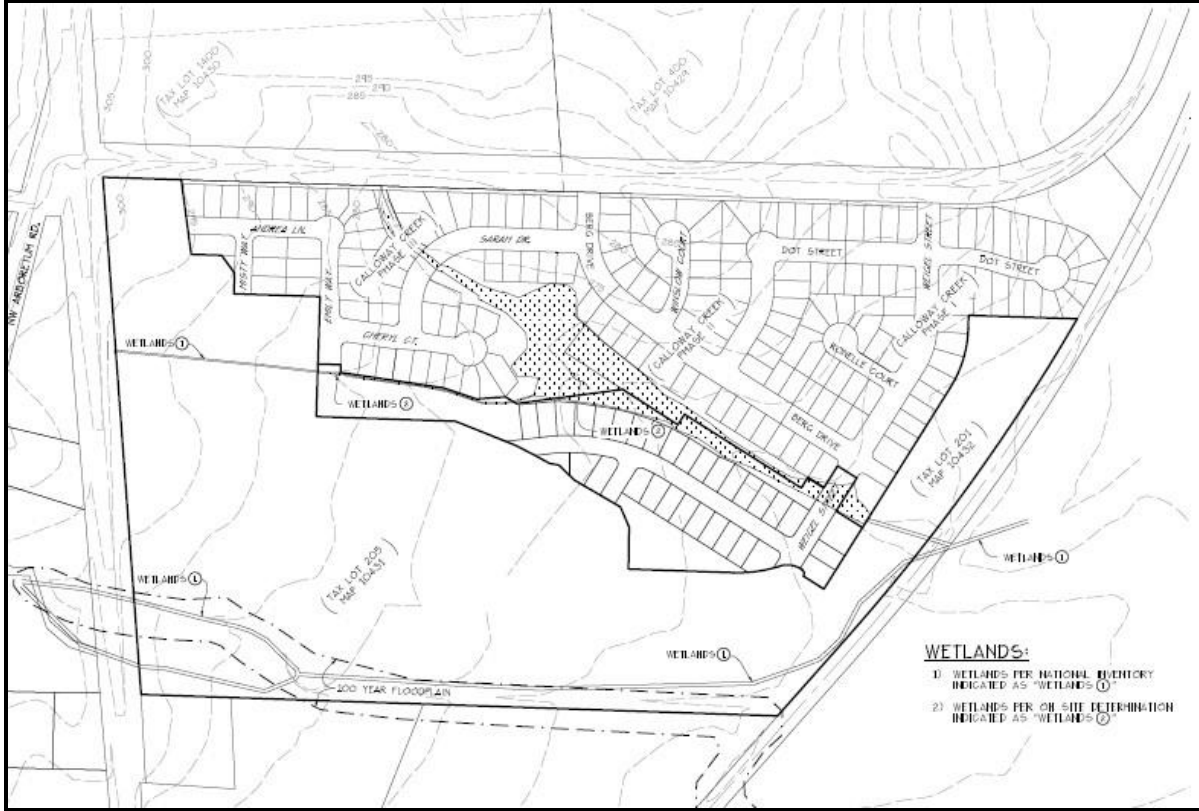
Looking to residentially zoned lands on the fringe of the current UGB that are very difficult to develop at urban densities is not consistent with the City's vision of compact, livable, walkable neighborhoods, particularly when other lands, currently zoned EFU, are well-suited to support that community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

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

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.

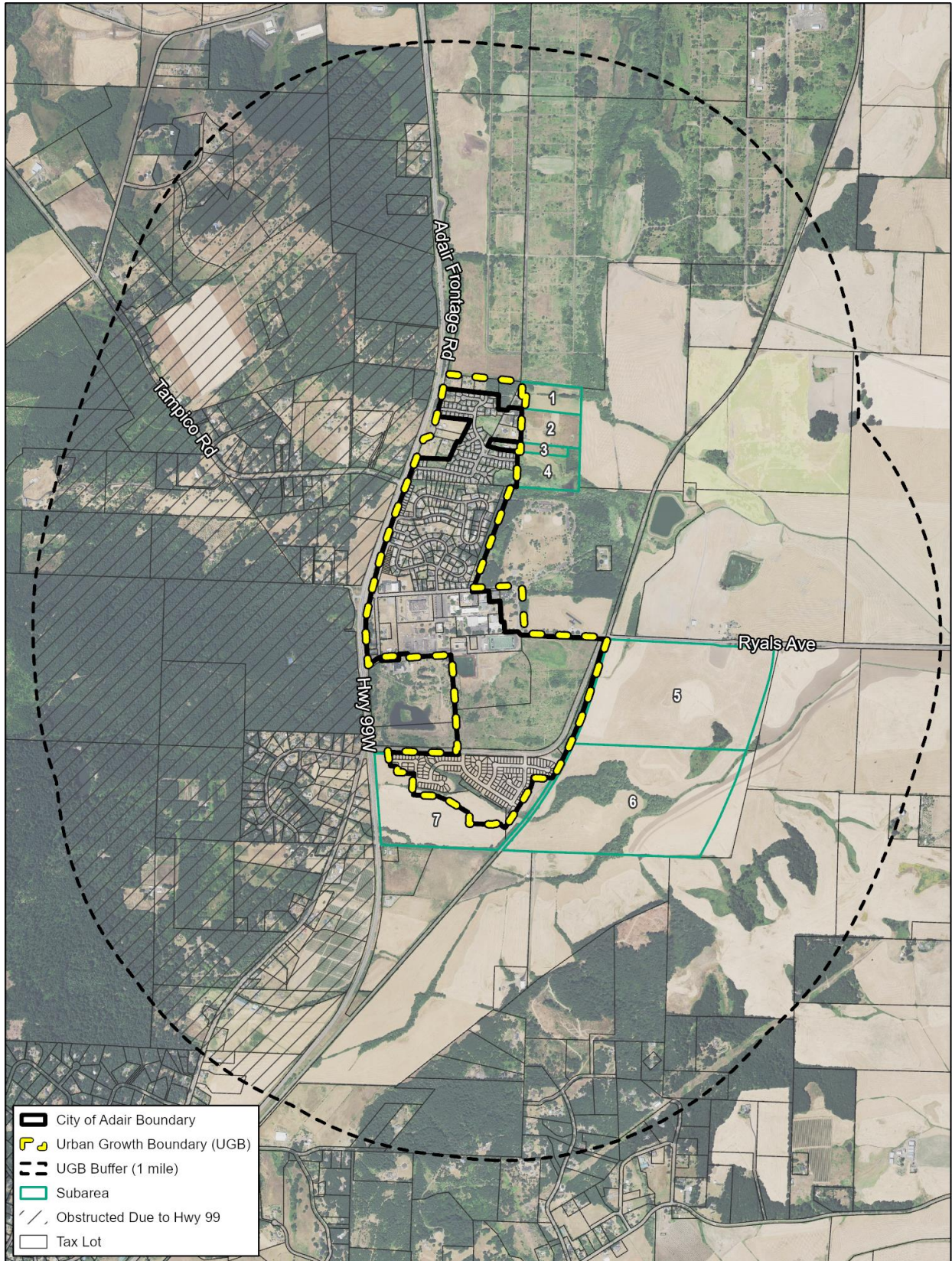
Response: Significant scenic, natural, cultural, or recreational resources were not used as a justification of an impediment to service provisions in the preliminary study area. Therefore, this subsection is not applicable.

(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 197A.320 Prioritization

The provisions in ORS 197A.320 (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 197A.320 (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 197A.320 (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 197A.320, 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 197A.320 (2), subareas 4, 6, and 7 are considered higher priority due to the higher levels of less productive soils.

Figure 9: Soil Classification Map

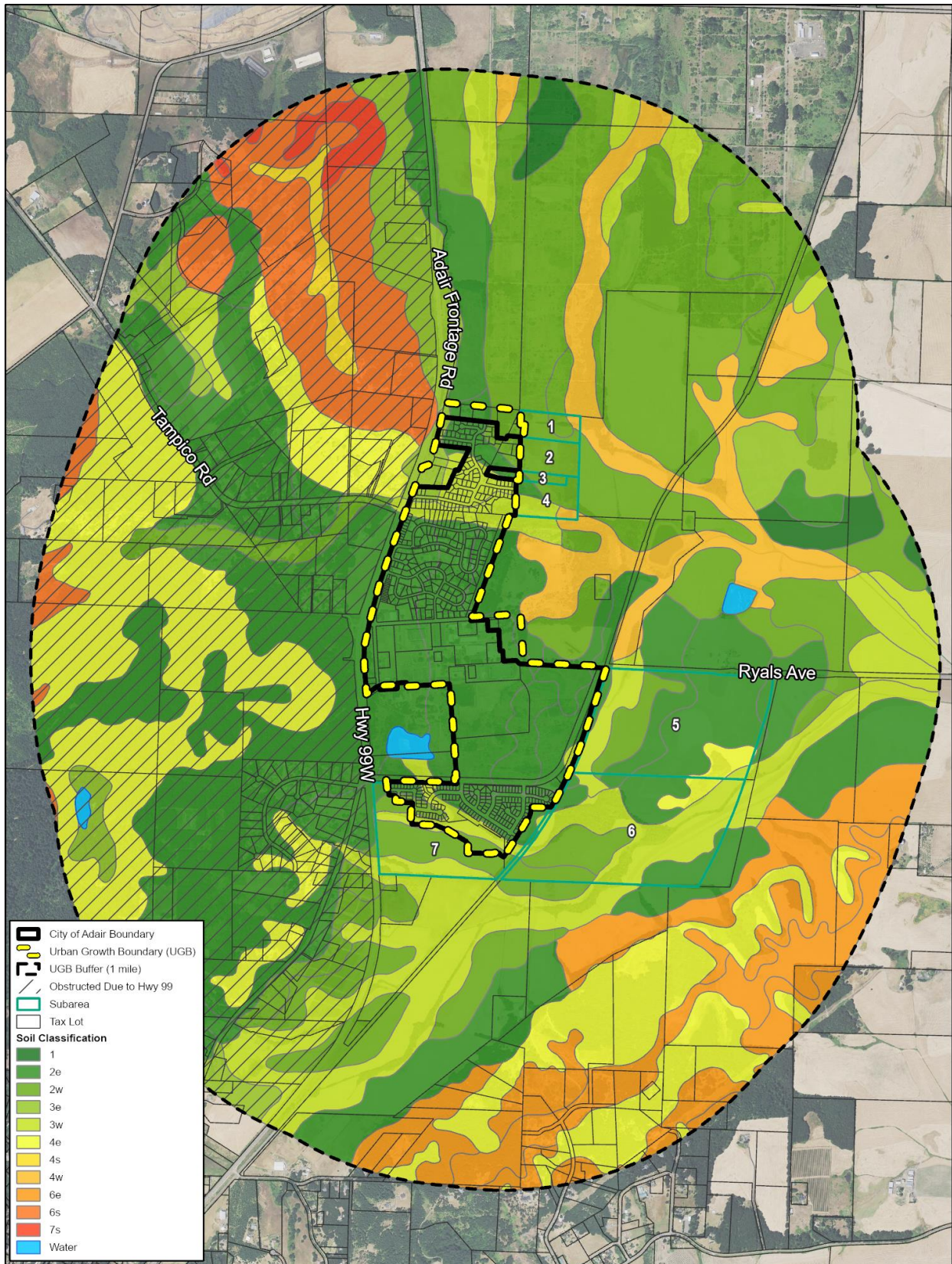
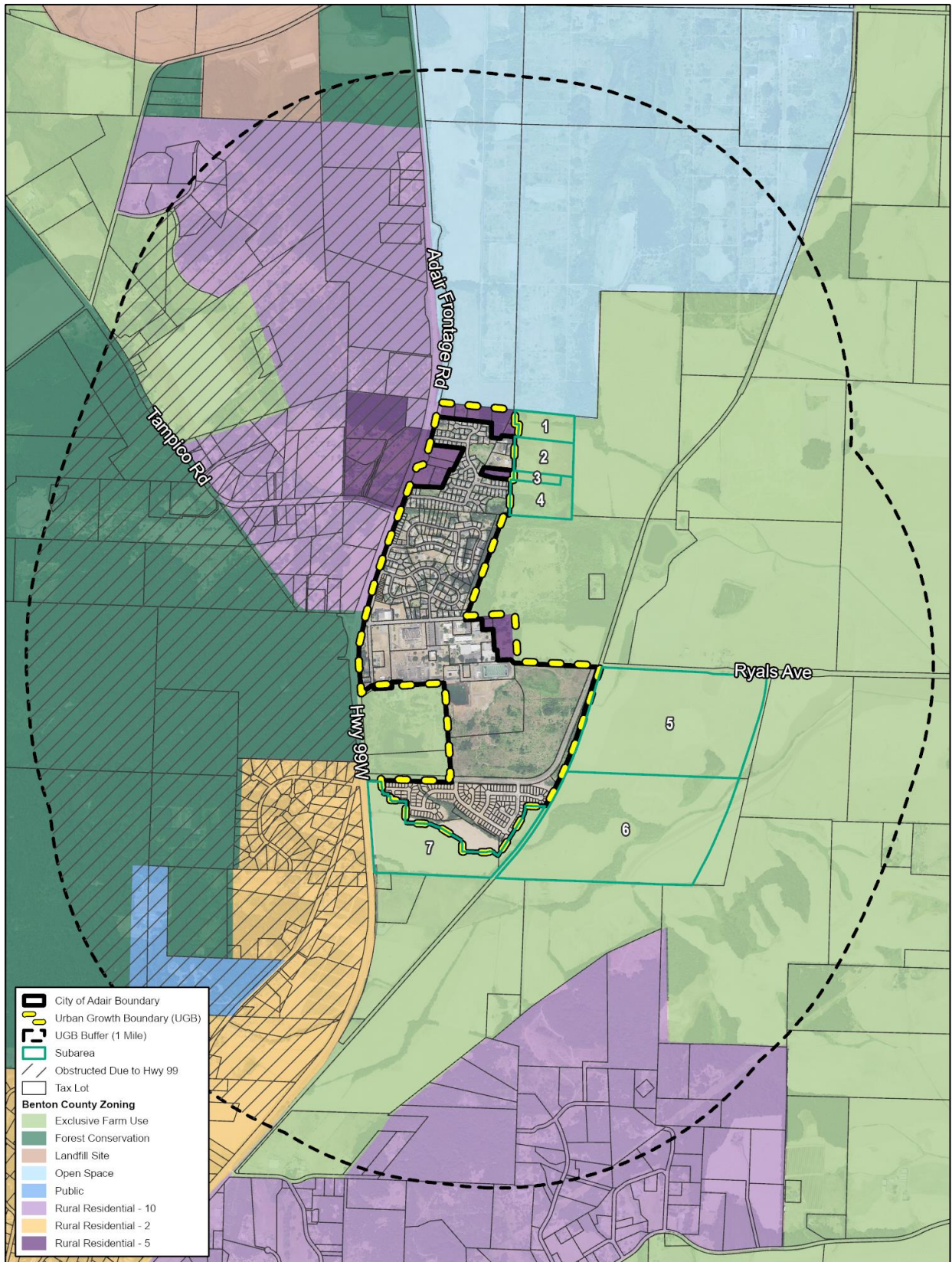


Figure 10: Comparative Analysis Zoning Map



4. Goal 14 Locational Factors

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 197A.320 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.

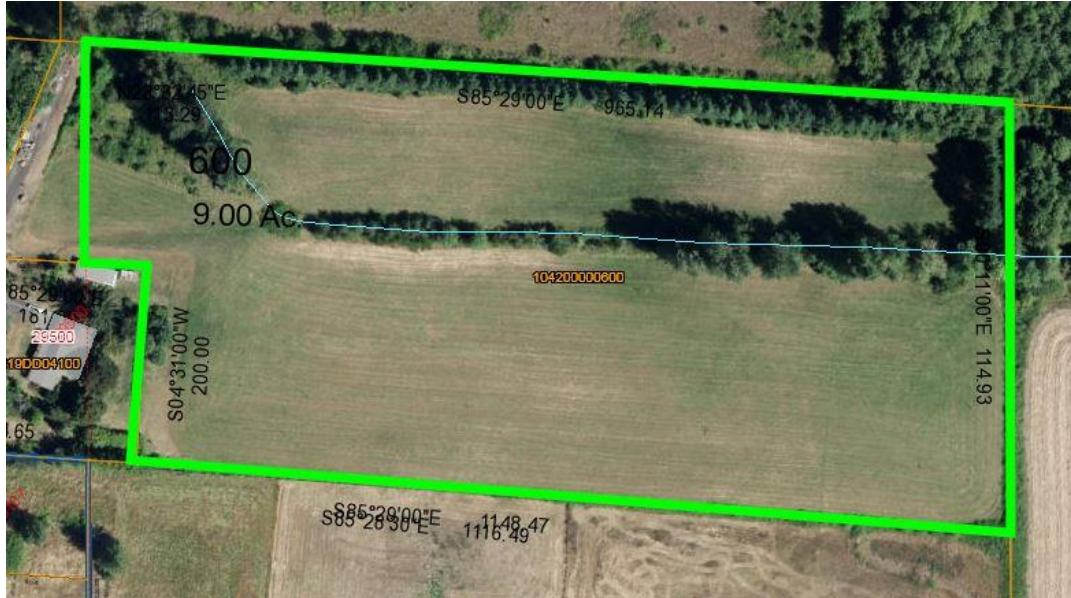
Transportation Methodology: Many of the subareas evaluated herein do not have legal public access to the properties. Cost for transportation infrastructure include the procurement of right-of-way, development of a public street to current City standards, and when necessary, railroad crossings. Costs 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**

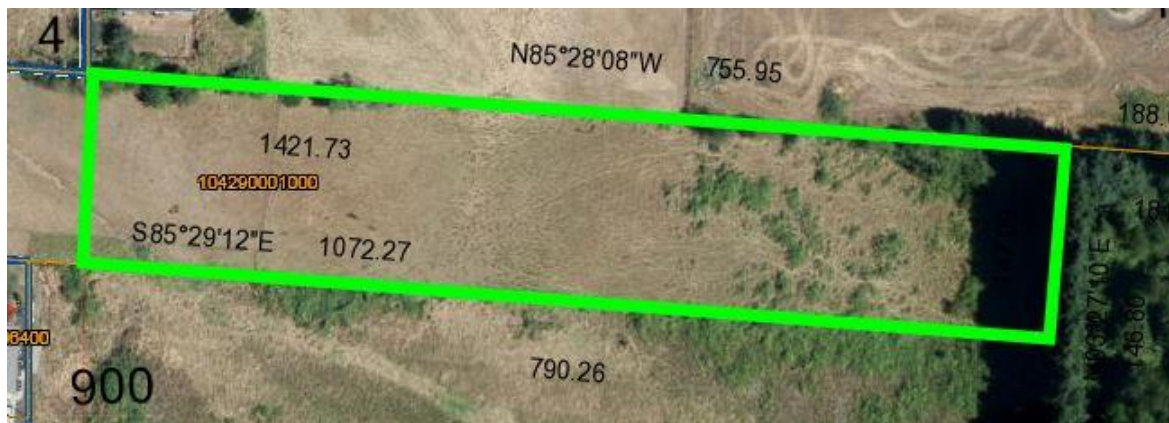
Water: Public water extends approximately 500 north from the intersection of Newton Road, however the waterline is only a 6” main. In order to serve a multi-unit development, the entire watermain (850 lf) would have to be increased in size to an 8” or 10” pipe. **Cost to develop: \$475,000**

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
10429000900	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

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

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 data⁸, 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

⁸https://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 197A.320 (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

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

....”⁹ 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*

⁹ 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 197A.320, 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

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.

The BLI 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.

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 197A.320. 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 197A.320 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.

CITY OF ADAIR VILLAGE RESIDENTIAL BUILDABLE LANDS INVENTORY

Adair Village UGB Expansion

2332.14811.01

June 2022

Prepared for:

City of Adair Village
6030 NE William R Carr Avenue
Adair Village, OR 97330

Prepared by:



720 SW Washington Street,
Suite 750
Portland, OR 97205

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APPENDICES

Appendix 1: Buildable Lands Assessment Memorandum

EXECUTIVE SUMMARY

- DOWL's inventory of buildable land within the City of Adair Village concludes that the City's existing Urban Growth Boundary contains insufficient residential buildable lands to accommodate forecasted population growth through the year 2042.
- As determined in the Buildable Lands Inventory (BLI), the City's existing Urban Growth Boundary consists of approximately 69 acres of vacant or partially vacant residential land. To determine the actual capacity of these lands to provide housing units, DOWL subtracted 25 percent of the buildable land area for future public infrastructure and rights-of-way as referenced in section 9.800 of the 2015 City of Adair Village Comprehensive Plan, leaving approximately 52 acres of net buildable residential land.
- DOWL calculated the housing potential of the 52 acres of net buildable residential land based on the current zoning designations and found that the land could accommodate an estimated 319 potential housing units.
- Using the 2021 Portland State University Population Research Center (PRC) 20-year population forecast for Adair Village and PRC's population interpolation template, DOWL has projected a population of 2,541 for Adair Village in the year 2042.
- Based on an average housing cohort size of 2.8 persons per unit per the 2020 US Census and allowed densities within the vacant residential zoned areas in the City, DOWL found that 392 units of housing are needed by the year 2042 and that 319 of these units can be accommodated on vacant residential lands within the Urban Growth Boundary.

1.0 INTRODUCTION

This 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 1 below. 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.¹

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.

¹ 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

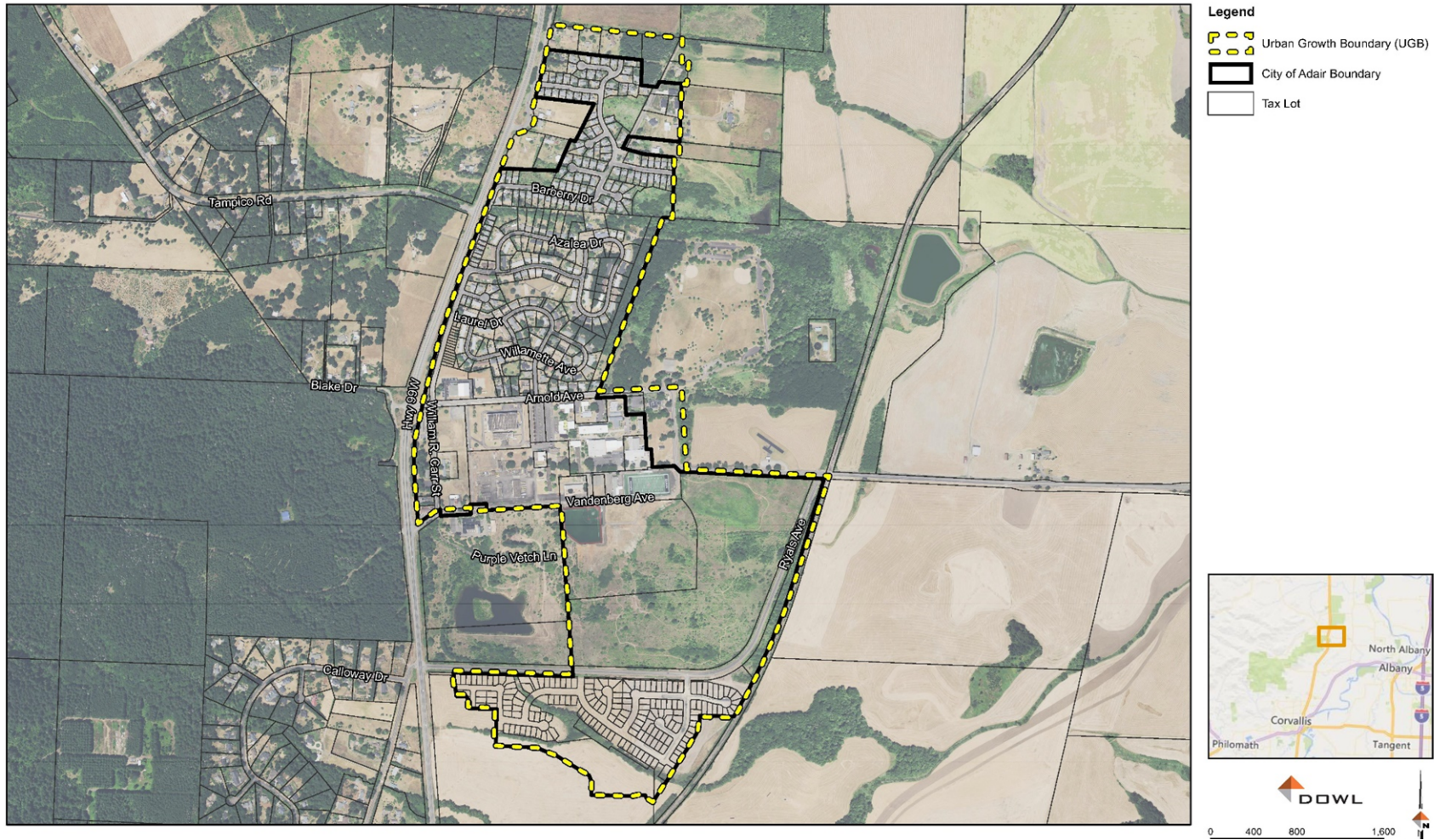


Figure 1: Buildable Lands Inventory: Overview Map of City of Adair Village

2.0 RESIDENTIAL BUILDABLE LAND INVENTORY

2.1 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. 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))

Figure 2 below shows the densities assumed for low, medium, and high-density residential districts. These assumed densities are consistent with allowed densities set forth by the City of Adair Village Land Use Development Code. 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.

Table 2: Land Need

Table 2 OAR 660-038-0050(1): To determine the net land needed for each category of residential development over the 14-year period, the city must divide the number of needed units determined in OAR 660-038-0040 by the number of dwelling units per acre from the ranges in Table 2.

	Low	Medium	High
Eastern Oregon*			
Population Less than 2,500	5 to 6.5 du/ac.	10-15 du/ac.	
Population 2,500-10,000	5 to 6.5 du/ac.	10-12 du/ac.	15-24 du/ac.
Population 10,000-25,000	5 to 6.5 du/ac.	10-12 du/ac.	15-24 du/ac.
Population 25,000 or greater	5 to 6.5 du/ac.	10-14 du/ac.	15-33 du/ac.
Outside of Eastern Oregon			
Population Less than 2,500	5 to 6 du/ac.	10-15 du/ac.	
Population 2,500-10,000	5 to 6 du/ac.	10-12 du/ac.	15-24 du/ac.
Population 10,000-25,000	6 to 7 du/ac.	10-12 du/ac.	15-24 du/ac.
Population 25,000 or greater	6 to 7 du/ac.	12-15 du/ac.	20-33 du/ac.

*Eastern Oregon consists of the following counties: Baker, Gilliam, Grant, Harney, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, and Wheeler.

Figure 2: OAR 660-038-050(1) Table

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.

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 3:

- Floodplain: Areas within the 100-year FEMA floodplain

The environmentally constrained areas, identified in Figure 4 on the following page, were deducted from the total area of the parcel to estimate the total buildable potential of each parcel of land.

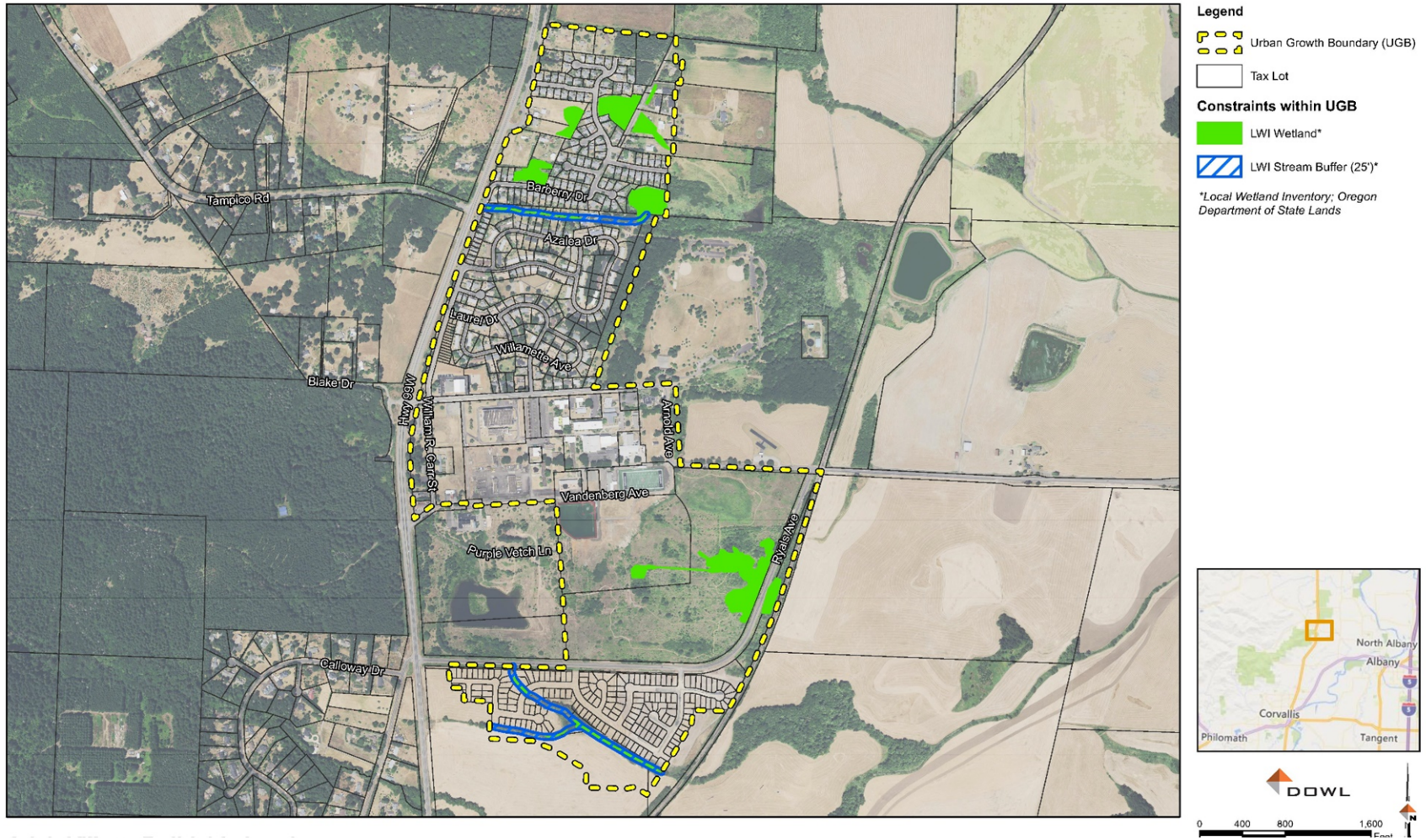


Figure 4: Environmental Constraints

Classify Parcels by Development Status and Estimate Housing Unit Capacity

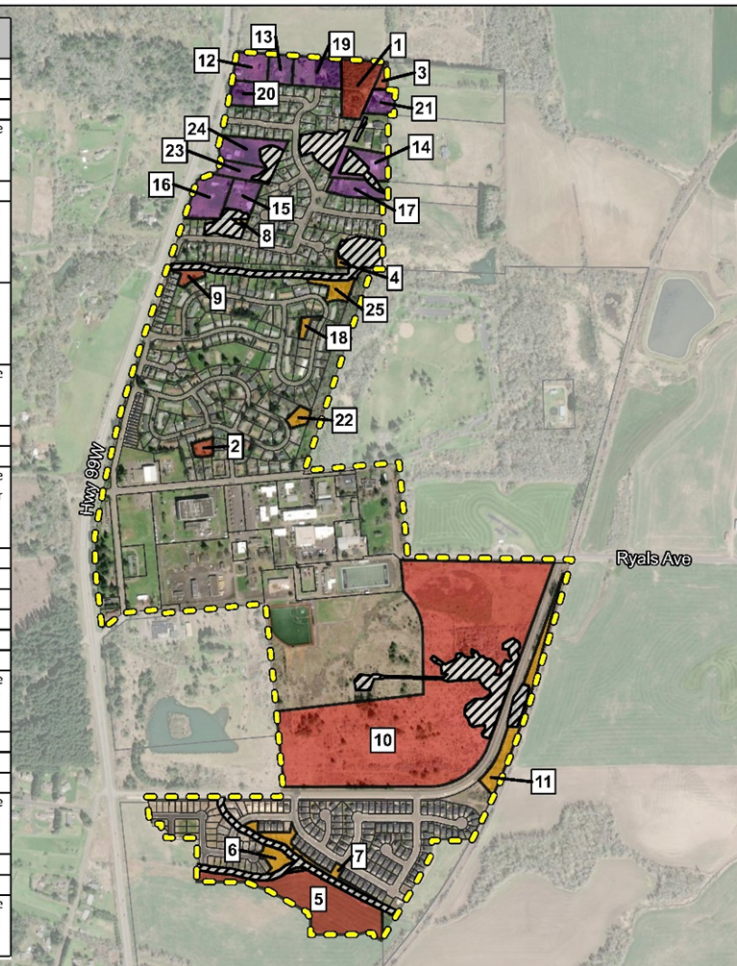
Parcel classification is used to separate parcels into developable and non-developable categories. Each parcel in the City of Adair Village and its adjacent UGB was classified based on its potential for accommodating new residential development. The classification is based on potentially buildable area 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

Figure 5: Development Status

2.2 Key Findings and Results

- As noted in Tables 1 and 2 below, a total of 71.98 gross acres of vacant and partially vacant acres of 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 8.07-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
Total	71.98

Source: DOWL 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 ²
	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
Subtotal	16.15	55.83	71.98	51.92
Net Buildable Acres	10.05	41.87	51.92	--

Source: DOWL calculations using Benton County GIS Data

3.0 RESIDENTIAL LAND NEED

3.1 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.³

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.

²After subtracting 25% of acreage to account for public infrastructure .25 acres for each partially vacant lot

³PRC'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
Total	51.92	--	318

Source: DOWL calculations using Benton County GIS Data

3.2 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 319 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 6.85-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 1). 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 ⁴	Projected Housing Need ⁵	Housing Deficit
678 units	743 units	73 units

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

⁴ Projected Housing Capacity calculated by adding together current City of Adair Village housing units (2020 Census Data) and the Projected Housing Capacity from Table 4.

⁵ Projected Housing Need calculated from PSU Population forecasted growth at 2.87 people per household per the 2020 Census data.

APPENDIX 1: BUILDABLE LANDS ASSESSMENT MEMORANDUM



South Coast Office
486 E Street
Coos Bay, OR 97420

Willamette Valley Office
200 Ferry Street SW
Albany, OR 97321

Rogue Valley Office
830 O'Hare Parkway, Suite 102
Medford, OR 97504

North Coast Office
609 SW Hurbert Street
Newport, OR 97365

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▪ **MEMORANDUM** ▪

TO City of Adair Village 6080 William R Carr Ave. Adair Village, OR	DATE 3/15/2022	JOB NO 1001-001.01
	ATTN Pat Hare	
	RE Buildable Lands Assessment	

This memorandum summarizes the development potential of properties located within the City of Adair Village Urban Growth Boundary (UGB) which are currently undeveloped or only partially developed.

These properties are identified in the buildable lands map shown on the following page.

There are a number of lots within the City that are currently within the UGB. Some are within the City limits, some are not. These lots are considered "partially developed" based on the parcel size and allowed density within the current zoning.

Although many of these parcels are large enough that they could be divided into multiple properties, in most cases, there are obstacles which prevent that division from occurring. This memorandum summarizes the analysis of each property to determine the impediments to further development of the properties.

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 #5 (7.22 acres)



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This property is currently being developed as phase 4 of Calloway Creek. Development of this lot IS 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 #10 (44.58 acres):

This property IS developable.

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.

Map ID #s 15, 16, 23, and 24 (1.10, 2.02, 0.76, and 1.67 acres respectively):

These parcels are outside of the City Limits but within the UGB. Access to these properties is off of Adair Frontage Road (ODOT controlled). The owners of these properties have not opted to be annexed into the City and have indicated their desire to remain "rural". These properties are not developable.

Civil West

Engineering Services, Inc.



South Coast Office
486 E Street
Coos Bay, OR 97420

Rogue Valley Office
830 O'Hare Parkway, Suite 102
Medford, OR 97504

Willamette Valley Office
200 Ferry Street SW
Albany, OR 97321

North Coast Office
609 SW Hurbert Street
Newport, OR 97365

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