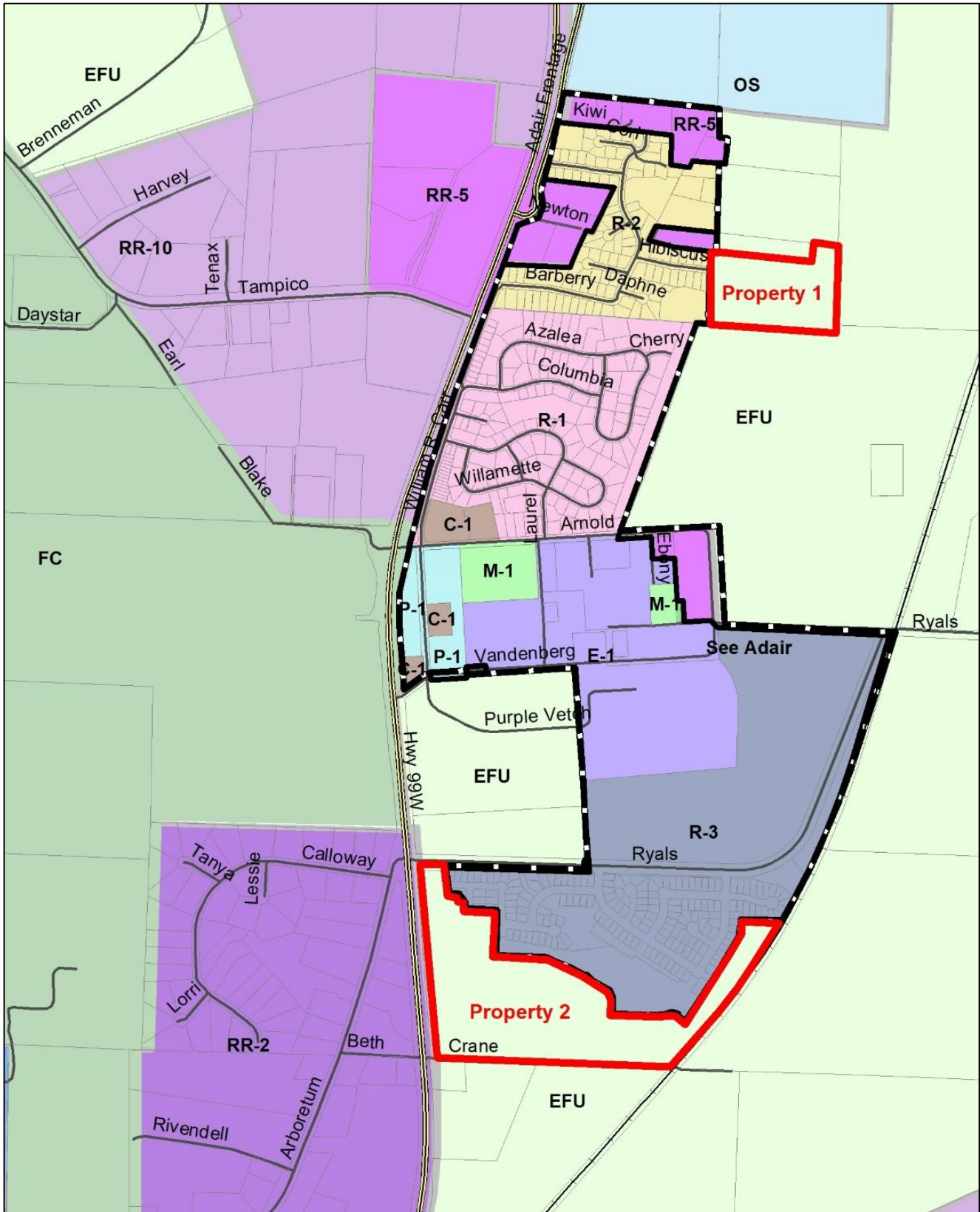


STAFF REPORT TO THE PLANNING COMMISSION

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 the County, this legislative amendment is being coordinated and 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 will deliberate individually and reach individual decisions (in the form of recommendations to their respective governing bodies). The Adair City Council and the Benton County Board of Commissioners will then hold public hearings and reach final decisions.

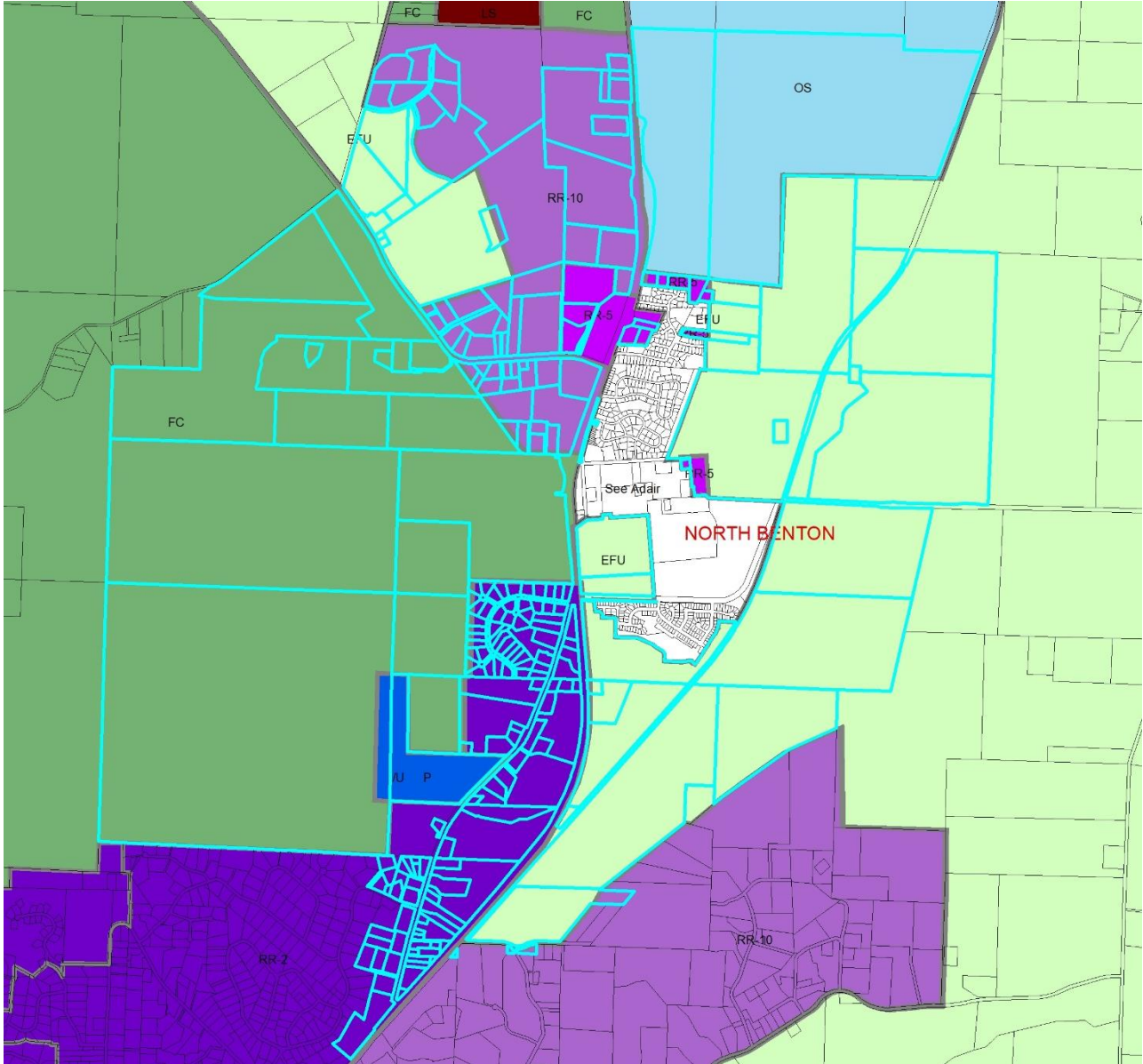
As a legislative matter, the County's review is not constrained by the schedule necessary to meet the 150-day time limit that applies to decision-making on application-driven (quasi-judicial) proposals. The initial public hearing is scheduled for September 20, 2022. Staff has set a second hearing date for October 11 and encourages the Planning Commission to continue the hearing to that date if there is additional public input or discussion that would assist you in coming to a recommendation.

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 whether and how the City sees itself growing. 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 County Planning Commission's role 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.

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 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.



Properties mailed notification are outlined in blue.

II. WRITTEN TESTIMONY

The following table summarizes topics contained in written testimony received prior to finalizing the staff report. Please see Attachment A for full text of these comments. Additional testimony received prior to the hearing will be forwarded to the Planning Commission separately.

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.

In general, those comments raise topics and concerns that will need to be addressed prior to annexation and/or subsequent development applications are approved. Staff does not anticipate issues that would relate to the approval criteria for the current proposed UGB amendment or zoning map amendment. The written comments from Public Works will be forwarded to the Planning Commission prior to the hearing.

III. 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 Planning Commission 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.

1. Housing and “Complete Communities”

Housing availability and affordability are a concern to residents and local governments across the region, and especially in the vicinity of Corvallis. 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.). The City of Adair Village has a number of amenities but at the same time lacks significant employment opportunities or commercial businesses, meaning that most people who live there 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.) 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 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. 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.¹ 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.

3. Acreage Needed to Correct Deficiency

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

¹ 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.

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.² 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 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.³

² For full discussion, see Pages 19-20 in the Justification & Findings document.

³ 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**.



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.
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,⁴ totalling 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 from the objectively determined acreage that resulted from DOWL's BLI; however, staff have not been able to obtain a clear indication from the Department of Land Conservation and Development on this point. Staff suggests the Planning Commission explore this topic through the public hearing and staff will continue to research the question; after further discussion and input, staff will offer a recommendation.

IV. FINDINGS APPLYING DEVELOPMENT CODE CRITERIA and COMPREHENSIVE PLAN POLICIES

These findings are contained in Section 6 of the attached "Justifications & Findings" document. In summary:

1. Dependent on the final determination by staff and the Planning Commission regarding the appropriate acreage to be added to the UGB and the finalizing of written findings to memorialize that determination, the Comprehensive Plan criteria for amending the Comprehensive Plan Map (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.

V. RECOMMENDED ACTION

Staff recommends that the Planning Commission:

- A. Discuss and consider all relevant factors, and in particular the acreage appropriate to bring into the UGB.
- B. Continue the public hearing if appropriate to receive additional public testimony and staff input and to enable further discussion.
- C. Recommend to the Board of Commissioners approval of the UGB amendment for the appropriate acreage and the zone change for that land.

⁴ County Planning Staff note that the following Map ID numbers are effectively barred from development: 6, 7, 11. Total of 4.58 acres.

VI. MOTIONS

Option A:

- A. I move that the Planning Commission recommend to the Board of County Commissioners **APPROVAL** of the Comprehensive Plan Map 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 Planning Commission recommend to the Board of County Commissioners **DENIAL** of the Comprehensive Plan Map amendment and Zoning Map amendment proposed in legislative File No. LU-22-038, based on the following findings: [*identify*].

VII. ATTACHMENTS

- A *Public Comments*
- B *Justification and Findings Document*