



AGENDA

**Joint Planning Commission
Benton County and City of Corvallis**

December 3, 2024

6:00-8:00 P.M.

Kalapuya Building, 4500 SW Research Way, Corvallis

1st floor Meeting Room

<https://us06web.zoom.us/j/82408116441?pwd=a1Z6cVg4N2wvUTJIRU4wV250aEdYQT09>

Meeting ID: 824 0811 6441

Passcode: 668580

- I. **CALL TO ORDER | ROLL CALL** Chair Fowler

- II. **BENTON COUNTY MINUTES** Chair Fowler

November 19, 2024

- III. **Public Hearing | Zone Change and Comprehensive Plan Map Amendment**
5840 NW Highway 99W, Corvallis | Low Density Residential to Mixed
Use Commercial in Urban Growth Boundary Chair Fowler

- IV. **SOUTH CORVALLIS AREA PLAN PROJECT** Sarah Johnson, Senior Planner, Corvallis

- V. **BENTON COUNTY COMPREHENSIVE PLAN | DEVELOPMENT CODE UPDATE**
Shannon Bush, Program Coordinator, Benton County

- VI. **ADJOURN** Chair Fowler



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DRAFT MEETING MINUTES
Benton County Planning Commission
November 19, 2024

I. CALL TO ORDER

Benton County Planning Commission Chair Fowler called the meeting to order at 6:00 pm. The meeting was open to the public virtually via a published Zoom link.

COMMISSION MEMBERS PRESENT

Nicholas Fowler, Chair
Greg Hamann, Vice Chair
Evelyn Lee
Ed Fulford
Sara Cash (virtual)
John Wilson (virtual)

STAFF

Petra Schuetz, Interim Director and
Planning Official
Amanda Makepeace, Recorder

COMMISSION MEMBERS ABSENT

Catherine Biscoe
Andrew Struthers

II. MINUTES

Commissioner Lee **MOVED** to **APPROVE** the October 1, 2024 Minutes.

Commissioner Wilson: **SECONDED**.

Motion carried, 6-0.

III. COMPREHENSIVE PLAN & DEVELOPMENT CODE UPDATE

- **Shannon Bush's Absence:** Schuetz provided the update in Bush's place, with Fowler emphasizing the need to establish clear connection points for the Planning Commission (PC) regarding outreach.
- **Data & Outreach Discussion:** Schuetz presented visual data and emphasized high-level engagement goals. They discussed the need to include underrepresented communities and address barriers to access, particularly in rural areas.
- **Community Engagement:** Various PC members, including Lee and Cash, expressed concerns about ensuring effective outreach to both incorporated and unincorporated communities. They discussed potential issues with the maps and data used, as well as the importance of tailoring outreach to different groups.

- **Granularity of Outreach:** There was a discussion on the level of detail needed in community engagement. Schuetz highlighted the importance of using both broad and granular approaches to ensure effective outreach and data collection.
- **Budget & Constraints:** Schuetz mentioned that the outreach budget is limited to \$75,000, with support from interdepartmental staff, though there are budget constraints for outreach.
- **Feedback on Language & Stakeholders:** There were concerns about the terminology used, particularly the term "stakeholder." Some members suggested alternatives, like "priority populations," to avoid negative connotations and to ensure inclusivity.
- **Process & Timeline:** The discussion included ensuring transparency and clarity in the outreach process, with some PC members raising concerns about the public's understanding of how decisions are made.

Development Code Revisions and Legislative Updates

- **Recent Legislative Changes:** Schuetz shared a summary of relevant state legislation impacting the Development Code, including HB2727, which mandates childcare facility allowances in all zones. The county is working on addressing conflicts resulting from this legislation.
- **Urban Growth Boundary (UGB) Planning:** Updates were shared about a planning workshop related to the UGB and a joint session with the city on December 3, 2024, focusing on administrative matters and potentially controversial topics.

Budget & Next Steps

- **Engaging with Benton County Board of Commissioners (BOC) Budget Process:** There was a push to include the Comprehensive Plan and related efforts into the county's budget priorities for the upcoming period. Fulford was acknowledged for outreach efforts to engage with various stakeholders, including nonprofits and community groups.
- **PC Member Concerns:** Lee expressed a desire to better understand the outcomes of the project and how they would influence future land use decisions, particularly around affordable housing. There was a consensus that clarity is needed on how the Development Code will implement community values.

Community Feedback & Outreach Tools

- **Cash's Input on Outreach:** Emphasis was placed on giving rural communities time to prepare and provide feedback, particularly those who may not have easy access to governmental processes.
- **Engagement Strategies:** Schuetz discussed using "train the trainer" approaches and highlighted different methods for community outreach, including face-to-face interactions and digital tools.

Final Thoughts & Next Meeting

- Section III concluded with a review of the ongoing outreach process and the importance of continuing to engage a diverse set of voices. The next PC meeting is scheduled for December 3, 2024, with joint participation from the city of Corvallis and Benton County regarding the UGB expansion and related issues.

IV. PLANNING COMMISSIONER | STAFF UPDATES

Chair Update:

- Fowler shared that Wilson, who will be sworn in as the Corvallis City Councilor for Ward 4 in January 2025, plans to continue serving on the Planning Commission (PC). However, Wilson's attendance may be impacted by his new obligations.
- Regarding the Republic Services (RS) application, a 30-day review period for completeness is expected to end around December 3, 2024. If the application is deemed complete, the review process will proceed, and a more structured timeline will follow. The PC will not take action until February. Multiple public meetings may be scheduled to allow ample public comment, and there will be room for an appeal to the BOC.

Wilson's Question:

- Wilson asked about handling complex applications like Conditional Use Permits (CUP), particularly how to process and digest staff reports and how public hearings follow the recommendation process. Schuetz explained that it is the staff's professional responsibility to provide a recommendation.

Chair's Clarification:

- The Chair emphasized that staff reports will be provided at least one week in advance of public hearings. Commissioners will have time to discuss the report in detail without interruption. The process will involve multiple public meetings, and the public will be given ample opportunity to comment without rushing through the 150-day review period.

Record Keeping and Public Hearing Process:

- There was discussion about whether the record should remain open for public comment. The Chair confirmed that the record will be kept open for seven additional days after the public hearings for written comments. Applicants will have time to respond before the record is closed. Commissioners will then individually review the full record before deliberating.
- If new questions arise after the initial hearing, there will be opportunities for additional questions to be asked, either by the Planning Commission or the applicant.

Republic Services (RS) Application Timeline:

- The Chair explained that the RS application (LU-24-027) is expected to be deemed complete in early December 2024, at which point the 150-day review period will start. Professional staff and consultants will have 60 days to review the application.

Appeal Update:

- Schuetz reported that the Conditional Use Permit (CUP) decision for St. Martin's Orthodox Church in Corvallis (LU-23-051) has been appealed to the Land Use Board of Appeals (LUBA). There is a disagreement between legal counsel and development staff regarding what should be included in the legal record, and the appeal process could extend for months.

Chair Fowler **ADJOURNED** the meeting at 7:44 pm.



CASE	VP Comprehensive Plan Amendment (CPA-2023-02)
TOPIC	REVIEW OF A COMPREHENSIVE PLAN MAP AMENDMENT
OWNER	Vernon and Priscilla Esplin c/o VP Real Estate Investment Services, LLC 6635 Prather Road Independence, OR 97351
APPLICANTS	David Dodson Willamette Valley Planning, LLC 545 NW Elizabeth Dr Corvallis, OR 97330
REQUEST	The applicant seeks approval to change the Comprehensive Plan Designation from Low Density Residential to Mixed Use Commercial, for 2.78 acres of the 2.87 acre site.
SITE LOCATION	The site is located at 5840 NW Highway 99W, in the Corvallis Urban Fringe. The site is identified on Benton County Assessor’s Map 11-5-03 BD as Tax Lot 01200.
SITE AREA	2.87 acres
COMPREHENSIVE PLAN DESIGNATION	Residential – Low Density (Corvallis Comprehensive Plan)
ZONE DESIGNATION	Urban Residential (Benton County zoning)
PUBLIC COMMENT	A pre-notification of this hearing was sent to persons whose property boundaries include or border the subject property, and all neighborhood associations, concerned citizens, and groups on record on December 20, 2023. Public notices were mailed to property owners within 300 feet of the subject site on November 13, 2024, and the site was posted. As of November 24, no comments have been received.

ATTACHMENTS

- **Attachment PC-A** – Application, Narrative, and Illustrations

Supplementary materials associated with the proposal are available at the Planning Division and online at the following link: www.corvallisoregon.gov/cd/page/active-land-use-cases

- **Attachment PC-B** – Corvallis Urban Fringe Management Agreement (CUFMA)
- **Attachment PC-C** – Memo from Benton County, dated November 25, 2024

LEGAL FRAMEWORK

This application was submitted on December 15, 2023. All Land Development Code (“LDC”) references refer to the 2006 LDC as amended through September 12, 2023.

SITE AND VICINITY

The subject site is located within the Urban Growth Boundary, approximately 1.7 miles north of the current City Limits. It consists of a single lot that is currently addressed as 5840 NW Highway 99W. According to the application, the site contains an existing storage building along the highway, two well houses, vehicle storage, wood storage, and several piles of wood chips, which are all used by a tree service company.

To the north of the subject site is very low density residential development and a High Protection Riparian Corridor associated with Mountain View Creek. To the west is very low density residential development. To the south, at the northwest intersection of NW Lewisburg Ave. and Hwy 99W, is a gas station and convenience store (City Limits Country Store). The property is also within a Major Neighborhood Center on the Comprehensive Plan Map.

VP Comprehensive Plan Map Amendment
CPA-2023-02

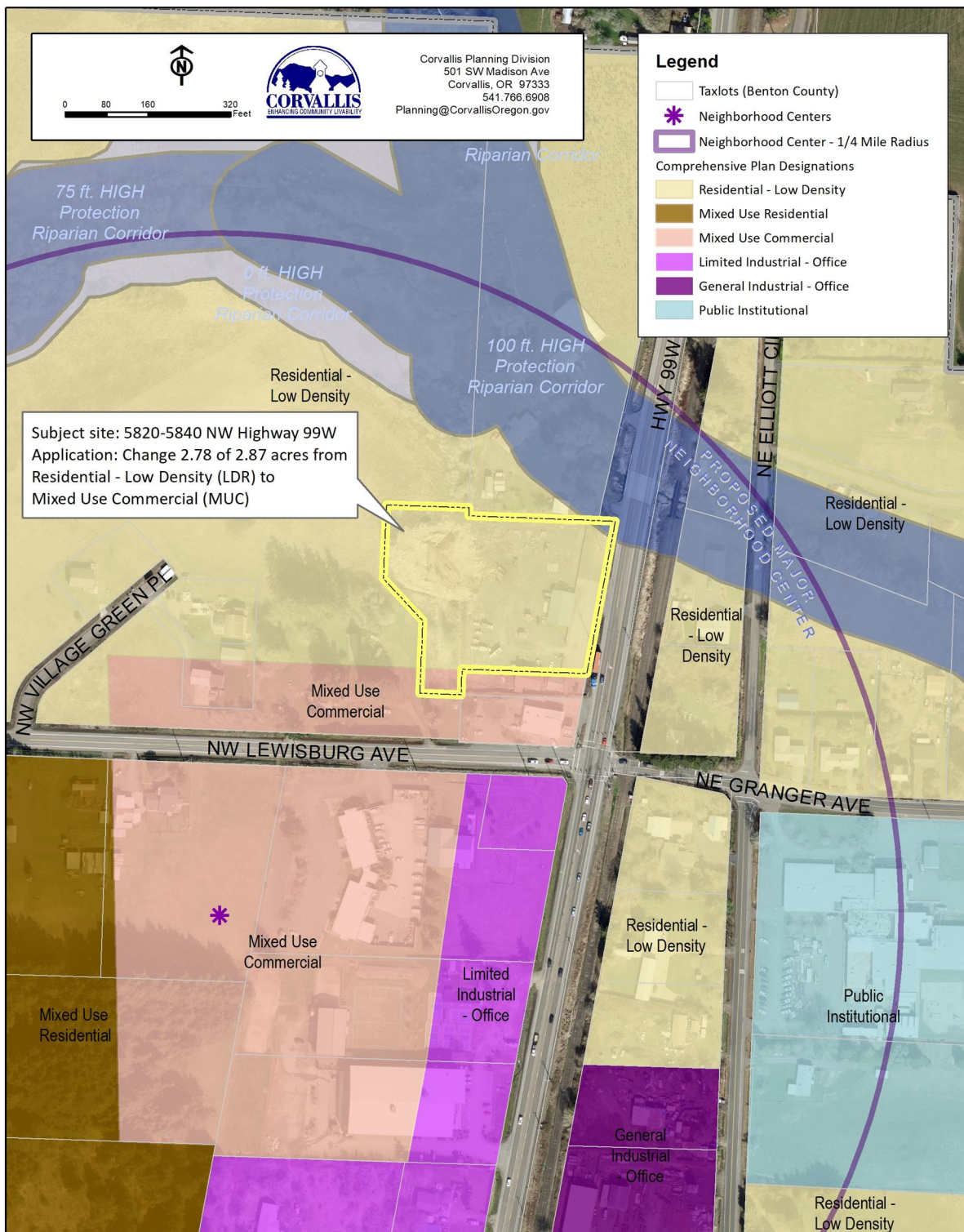


Figure 1 – Vicinity Map

APPLICANT'S PROPOSAL

The applicant seeks a Comprehensive Plan Amendment (CPA) to change the Comprehensive Plan map designation on 2.78 acres within the subject 2.87 acre property, from from Residential – Low Density (LD) to Mixed Use Commercial (MUC). A very small portion of the property near its southwest corner is already designated MUC. This request is to support a concurrent application with Benton County to change the County zoning designation from Urban Residential (UR-10) to Urban Commercial (UC).

DECISION PROCEDURE

Per **LDC 2.1.30.08**, the Planning Commission must conduct a public hearing concerning a proposed Comprehensive Plan Amendment and make a recommendation to the City Council. Per **LDC 2.1.30.09**, upon receipt of the Planning Commission's recommendation, the City Council will hold a public hearing and either deny the application or adopt an ordinance approving the proposed Comprehensive Plan Amendment or a modification thereof.

In this case, the subject site is in the Corvallis Urban Fringe, which means it is also required to follow the procedures outlined in Section 3 of the 1990 Corvallis Urban Fringe Management Agreement (CUFMA, **Attachment PC-B**). The CUFMA requires a joint public hearing between the City and County Planning Commissions, which will make recommendations to the Corvallis City Council and Benton County Board of Commissioners, respectively. Following these recommendations, the Corvallis City Council and Benton County Board of Commissioners will hold a joint public hearing. Per the CUFMA:

The City and County agree to the following process for amendment of the Corvallis Comprehensive Plan text, map, and Urban Growth Boundary as they pertain to the Urban Fringe. [...]

The City and County staffs will jointly set the public hearing schedule for the amendment application(s). A joint public hearing will be held before the Corvallis and Benton County Planning Commissions. Following the close of the public hearing, the Planning Commissions shall deliberate either jointly or separately and forward a separate recommendation to their respective governing body. [...]

A joint public hearing will be held before the Corvallis City Council and the Benton County Board of Commissioners. Within 30 days following the close of the public hearing each body shall reach a preliminary decision. Notice of the preliminary decision shall be forwarded to the other body. If the positions of the two jurisdictions are identical, then the preliminary decision shall become final by passage of an ordinance by each governing body. If the positions of the two jurisdictions differ, either party may accept the decision of the other. If either party does not accept the decision, a joint meeting of the City Council and the Board of Commissioners will be held within 30 days of the last preliminary decision to resolve the differences prior to final action by either jurisdiction.

COMPREHENSIVE PLAN AMENDMENT REVIEW CRITERIA

The applicable Land Development Code review criteria for Comprehensive Plan Amendment requests are established in **LDC § 2.1.30.06, and per Section 2 of the CUFMA, any applicable provisions of the Benton County Comprehensive Plan**. In addition, Comprehensive Plan Amendments must be reviewed for consistency with applicable Statewide Planning Goals. These are addressed first, followed by an analysis of LDC requirements.

CONSISTENCY WITH THE BENTON COUNTY COMPREHENSIVE PLAN

Findings of Fact:

The decision makers should note the following facts:

1. Regarding the Urban Fringe, the Benton County Comprehensive Plan references policies that “are contained in a separate volume located at the Benton County Community Development Department.” In conversation with Benton County staff, the referenced document is believed to be the “Benton County Comprehensive Plan for the Urban Fringe,” adopted by Benton County Ordinance No. 99-0148 and amended several times, most recently by Benton County Ordinance No. 2005-0211 (amendment effective November 25, 2005). That document notes: “The County will refer to policies in the Corvallis Comprehensive Plan, as appropriate, for advice, policy direction, and guidance when developing land use implementing regulations and when reviewing land use applications” (p. 5). It goes on to incorporate specific Corvallis Comprehensive Plan policies pertaining to the Corvallis Urban Fringe into the Benton County Comprehensive Plan.
2. Consistency with the policies of the Corvallis Comprehensive Plan is discussed below in relation to the Land Development Code (LDC) review criteria. In short, the application is found to be consistent with the policies of the Corvallis Comprehensive Plan.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the proposed Comprehensive Plan Amendment is consistent with applicable provisions of the Benton County Comprehensive Plan.

CONSISTENCY WITH STATEWIDE PLANNING GOALS

Goal 1: Citizen Involvement

Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.

Findings of Fact:

The decision makers should note the following facts:

3. The subject application was received on December 15, 2023, and electronic documents associated with the application were provided on the City's website immediately following submittal of the application. The application materials include documentation of an applicant-neighborhood meeting that occurred prior to submitting the application.
4. On December 15, 2023, a Post-Acknowledgement Plan Amendment (PAPA) notification was provided to the Department of Land Conservation and Development.
5. On December 20, 2023, a prenotification of the application and potential public hearing process was provided to owners and residents of property that abuts the site, and neighborhood associations, immediately following receipt of the application.
6. November 13, 2024, a public notice was mailed to owners and residents of property within 300 feet of the property, other interested parties, and neighborhood associations, 20 days prior to the Planning Commission public hearing.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the proposed Comprehensive Plan Amendment is consistent with Statewide Planning Goal 1.

Goal 2: Land Use Planning

This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.

Findings of Fact:

The decision makers should note the following facts:

7. The City has an established land use planning process and a policy framework as a basis for the decision on this request. The policy framework is found in the City's acknowledged Comprehensive Plan, which includes policies and goals relevant to the decision on this request. An analysis of how the requested Comprehensive Plan Map Amendment is consistent with Corvallis Comprehensive Plan Policies is provided below. Additionally, Corvallis and Benton County have agreed that the Corvallis Urban Fringe Management Agreement (CUFMA) provides additional criteria and procedures for consideration of Comprehensive Plan Map Amendments affecting properties in the Corvallis Urban Fringe. The CUFMA requires any application be consistent with Corvallis Comprehensive Plan Policies, as discussed in the findings below.

8. Amendments to the City's Comprehensive Plan Map become part of the policy framework that serves as the basis for decisions and actions related to the use of land.
9. The decision-making criteria for Comprehensive Plan Map Amendments are established in LDC 2.1.10 (Background) and 2.1.30.06. Findings of compliance with those criteria are listed below.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the proposed Comprehensive Plan Amendment is consistent with Statewide Planning Goal 2.

Goal 9: Economic Development

This goal is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state. Such plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability and cost; labor market factors; educational and technical training programs; availability of key public facilities; necessary support facilities; current market forces; location relative to markets; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Goal 9 is administered by OAR 660 Division 9.

Findings of Fact:

The decision makers should note the following facts:

10. The City's adopted Buildable Lands Inventory (2016 BLI – adopted in 2019) includes an Economic Opportunities Analysis (EOA) that complies with the requirements of OAR 660 Division 9. The 2016 BLI indicates that during the planning period (ending in the year 2036), the City has a need for 100 acres of Mixed Use Commercial (MUC) throughout the Urban Growth Boundary (UGB), and a total supply of 46 acres of MUC within the UGB. This results in a deficit of just 54 acres of MUC within the UGB.
11. Since the adoption of the 2016 BLI, no new MUC has been added to the Comprehensive Plan Map, meaning the projected deficit has not been addressed. The proposed amendment will contribute to satisfying the identified need for additional commercial lands within the UGB.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the proposed Comprehensive Plan Amendment is consistent with Statewide Planning Goal 2.

Goal 10: Housing

This goal addresses housing in Oregon and provides guidelines for local governments to follow in developing their local comprehensive land use plans and implementing policies. At a minimum, local housing policies must meet the requirements of Goal 10 (ORS 197.295 to 197.314, ORS 197.475 to 197.490, and OAR 600-008). Goal 10 requires incorporated cities to complete an inventory of buildable residential lands and to encourage the availability of adequate numbers of housing units in price and rent ranges commensurate with the financial capabilities of its households.

In addition, cities with a population of 25,000 or more (including Corvallis) are required to comply with ORS 197.296 and must conduct an analysis of housing need by housing type and density range to determine the number of needed dwelling units and amount of land needed for each needed housing type in the next 20 years (ORS 197.296(3)(b)).

Findings of Fact:

The decision makers should note the following facts:

12. The 2016 BLI includes a Housing Needs Analysis (HNA) that complies with the requirements of ORS 197-296 and Goal 10 rules. The 2016 BLI indicates that during the planning period (ending in the year 2036), the City has a need for an additional 904 units on land designated Residential – Low Density (LDR), and the City’s supply of vacant LDR lands have a capacity for 3,880 dwelling units, leading to a surplus of 2,976 units worth of LDR land throughout the UGB.
13. The BLI has adopted numbers for the expected dwelling units per acre for each residential comprehensive plan designation. Residential – Low Density lands are expected to yield an average of 4.1 dwelling units per acre.
14. Since the adoption of the 2016 BLI, the capacity of LDR has decreased based on three ordinances, Ordinance 2019-23, 2019-63, and 2024-20.
15. Ordinance 2019-23 (Carson Property) changed the designation of 6.09 acres in SW Corvallis from LDR to Residential – High Density, equating to a loss of approximately 25 LDR units. Ordinance 2019-63 (Alliance Storage) changed the designation of approximately 5.14 acres in NE Corvallis from LDR to General Industrial, equating to a loss of approximately 21 units. Ordinance 2024-20 (20th Street Townhomes) changed the designation of approximately 2.53 acres in NW Corvallis from LDR to Residential – Medium-High Density, equating to a loss of approximately 10 units. These changes leave a surplus of 2,920 units worth of LDR land throughout the UGB.
16. The subject property is 2.78 acres, of which 2.69 acres is proposed to change from LDR to MUC. Therefore, the proposed redesignation will result in a decreased capacity of approximately 11 dwelling units of Low Density. Even with the loss of these 11 units, Corvallis will still have a surplus of over 2,900 units worth of LDR land throughout the UGB.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the proposed Comprehensive Plan Amendment is consistent with Statewide Planning Goal 10.

LAND DEVELOPMENT CODE (LDC) REVIEW CRITERIA

2.1.30.06 - Review Criteria for the Majority of Comprehensive Plan Amendments

a. This Section addresses review criteria for the following:

1. Text Amendments to the Comprehensive Plan; and
2. Amendments to the Comprehensive Plan Map that do not involve a Map Amendment to Open Space-Conservation or Public Institutional, when such a Map Amendment is required as part of an Annexation request per Chapter 2.6 - Annexations.

Comprehensive Plan Amendments shall be reviewed to ensure consistency with the policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council.

Findings of Fact:

The decision makers should note the following facts:

17. The applicant’s proposal is an amendment to the Corvallis Comprehensive Plan Map that does not involve a Map Amendment to Open Space-Conservation or Public Institutional.

18. The proposed Comprehensive Plan Amendment is consistent with the following Corvallis Comprehensive Plan policies:

3.2.7 All special developments, lot development options, intensifications, changes or modifications of nonconforming uses, Comprehensive Plan changes, and district changes shall be reviewed to assure compatibility with less intensive uses and potential uses on surrounding lands. Impacts of the following factors shall be considered:

- A. Basic site design (i.e., the organization of uses on a site and its relationship to neighboring properties);
- B. Visual elements (i.e., scale, structural design and form, materials, etc.);
- C. Noise attenuation;
- D. Odors and emissions;
- E. Lighting;
- F. Signage;
- G. Landscaping for buffering and screening;
- H. Transportation facilities; and
- I. Traffic and off-site parking impacts.

8.2.1 The City and County shall support diversity in type, scale, and location of professional, industrial, and commercial activities to maintain a low unemployment rate and to promote diversification of the local economy.

8.2.3 The City shall support existing businesses and industries and the establishment of locally-owned, managed, or controlled small businesses.

8.10.1 The location, type, and amount of commercial activity within the Urban Growth Boundary shall be based on community needs.

8.10.2 Given the community's intention to prevent decline in existing commercial areas, the City shall explore opportunities to facilitate and assist in the redevelopment of existing commercial areas, in a manner that meets current standards.

9.2.5 Development shall reflect neighborhood characteristics appropriate to the site and area. New and existing residential, commercial, and employment areas may not have all of these neighborhood characteristics, but these characteristics shall be used to plan the development, redevelopment, or infill that may occur in these areas. These neighborhood characteristics are as follows:

- A. Comprehensive neighborhoods have a neighborhood center to provide services within walking distance of homes. Locations of comprehensive neighborhood centers are determined by proximity to major streets, transit corridors, and higher density housing. Comprehensive neighborhoods use topography, open space, or major streets to form their edges.
- B. Comprehensive neighborhoods support effective transit and neighborhood services and have a wide range of densities. Higher densities generally are located close to the focus of essential services and transit.
- C. Comprehensive neighborhoods have a variety of types and sizes of public parks and open spaces to give structure and form to the neighborhood and compensate for smaller lot sizes and increased densities.
- D. Neighborhood development provides for compatible building transitions in terms of scale, mass, and orientation.
- E. Neighborhoods have a mix of densities, lot sizes, and housing types.
- F. Neighborhoods have an interconnecting street network with small blocks to help disperse traffic and provide convenient and direct routes for pedestrians and cyclists. In neighborhoods where full street connections cannot be made, access and connectivity are provided with pedestrian and bicycle ways. These pedestrian and bicycle ways have the same considerations as public streets, including building orientation, security-enhancing design, enclosure, and street trees.
- G. Neighborhoods have a layout that makes it easy for people to understand where they are and how to get to where they want to go. Public, civic, and cultural buildings are prominently sited. The street pattern is roughly rectilinear. The use and enhancement of views and natural features reinforces the neighborhood connection to the immediate and larger landscape.
- H. Neighborhoods have buildings (residential, commercial, and institutional) that are close to the street, with their main entrances oriented to the public areas.
- I. Neighborhoods have public areas that are designed to encourage the attention and presence of people at all hours of the day and night. Security is enhanced with a mix of uses and building openings and windows that overlook public areas.
- J. Neighborhoods have automobile parking and storage that does not adversely affect the pedestrian environment. Domestic garages are behind houses or otherwise minimized (e.g., by setting them back from the front facade of the residential structure.) Parking lots and structures are located at the rear or side of buildings. On-street parking may be an appropriate location for a portion of commercial, institutional, and domestic capacity. Curb cuts for driveways are limited, and alleys are encouraged.
- K. Neighborhoods incorporate a narrow street standard for internal streets which slows and diffuses traffic.
- L. Neighborhood building and street proportions relate to one another in a way that provides a sense of enclosure.
- M. Neighborhoods have street trees in planting strips in the public right-of-way.

9.3.8 Corvallis shall maintain a 20-year supply of lands that will accommodate needed housing types and densities across all residential Comprehensive Plan Map designations.

19. Comprehensive Plan policy 3.2.7 addresses comprehensive plan changes and compatibility of land uses with surrounding lands. These compatibility factors are addressed below in relation to the compatibility criteria for a Comprehensive Plan Amendment application.

20. Comprehensive Plan policies 8.2.1 and 8.2.3 address the need to support a range of employment uses. The proposed change sanctions an existing commercial use, provides opportunities for additional employers to utilize the site going forward, and as noted in the discussion under Goal 9, decreases Corvallis' deficit of Mixed Use Commercial acreage.

21. Comprehensive Plan policy 8.10.1 addresses the need to evaluate the application in terms of community needs for commercial activities. In the context of a Comprehensive Plan Amendment, this evaluation is incorporated into the compatibility criteria related to the public need for the change; the proposal's advantages and disadvantages; and the changing being a desirable means of meeting the need (LDC 2.1.30.06.b). These criteria are discussed below.
22. Comprehensive Plan policy 8.10.2 addresses the preservation of existing commercial areas. Although not designated as such on the County's zoning map or the City's Comprehensive Plan Map, the subject site is functionally commercial. The proposed change will help prevent the decline of the commercial use of the site.
23. Comprehensive Plan policy 9.2.5 addresses neighborhood characteristics. With development, any proposal will be required to address development standards intended to comply with this policy. The zones implementing the MUC designation have provisions that require many elements of the neighborhood characteristics to be constructed with development. In particular, changing the designation of the subject property to MUC also specifically supports the sub-policy of providing services within walking distance of homes.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the proposed Comprehensive Plan Amendment is consistent with the policies of the Corvallis Comprehensive Plan outlined above, and any other applicable policies and standards adopted by the Corvallis City Council.

b. Amendments shall be approved only when the following findings are made:

- 1. There is a demonstrated public need for the change;**

Findings of Fact:

The decision makers should note the following facts:

24. The 2016 Buildable Land Inventory (BLI) identifies inventoried developable land and projects an estimate for the amount of each land use type that would be needed to accommodate the population and dwelling unit growth expected through 2036. The applicable determinations are as follows:
 - a. During the planning period, the City has a need for 100 acres of land designated Mixed Use Commercial (MUC), and a supply of 46 acres. As discussed above, the deficit of 54 acres has not been addressed since the adoption of the BLI.
 - b. During the planning period, the City has a need for an additional 904 units on land designated Residential – Low Density (LDR). As discussed above, accounting for amendments to the Comprehensive Plan Map that have occurred since the adoption of the BLI, Corvallis continues to have a surplus of over 2,900 units worth of LDR land throughout the UGB.

25. Based on the 2016 BLI findings above, it can be determined that there is an abundant supply of LDR land, and a deficit of MUC land.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that there is a demonstrated public need for the change.

2. The advantages to the community resulting from the change outweigh the disadvantages; and
3. The change proposed is a desirable means of meeting the public need.

Findings of Fact:

The decision makers should note the following facts:

26. The application addresses the deficit of MUC without threatening to cause a deficit of other land use categories.
27. As stated in the application, the subject site has a long history of being used for commercial activities.
28. The subject site has frontage only on Hwy 99W, an arterial highway.
29. The subject site directly abuts existing MUC land to the south (currently the location of a convenience store and gas station), extending to the major signalized intersection of Hwy 99W and Lewisburg Road.
30. The subject site is entirely within a Major Neighborhood Center circle on the Comprehensive Plan Map. A Major Neighborhood Center is defined in the Comprehensive Plan:

A mixed use commercial center designed with a pedestrian orientation which serves the general community and/or surrounding neighborhood. Typically located along major arterial roadways.
31. The subject site is within the scope of the 2002 North Corvallis Area Plan (NCAP), an area plan that was developed prior to adoption of the current BLI. The Major Neighborhood Center is described in the NCAP as the Lewisburg Neighborhood Center. Section 3.3.1 of the NCAP describes the Lewisburg Neighborhood Center, noting that “the center takes advantage of Highway 99W visibility but avoids strip development by restricting access to Highway 99W and having new development in the neighborhood center take access from Lewisburg Road and West Elliott Circle.” However, Corvallis Planning staff reiterates that the subject site has already been commercial for many years, and the requested amendment sanctions this existing condition. There are no specific NCAP policies suggests that the designation of this particular site should remain residential, and as noted in the more recent BLI, Corvallis has a deficit of MUC lands.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the advantages resulting from the change outweigh the disadvantages, and that the change proposed is a desirable means of meeting the public need.

- c. **Proposed amendments to the Comprehensive Plan Map shall demonstrate compatibility in the following areas, as applicable:**
 - 1. **Basic site design (e.g., the organization of Uses on a site and the Uses' relationships to neighboring properties);**
 - 2. **Visual elements (scale, structural design and form, materials, etc.);**
 - 3. **Noise attenuation;**
 - 4. **Odors and emissions;**
 - 5. **Lighting;**
 - 6. **Signage;**
 - 7. **Landscaping for buffering and screening;**

Findings of Fact:

The decision makers should note the following facts:

- 32. The proposed designation is consistent with that of the abutting property to the south.
- 33. The nearest existing residences to the subject site are one that is over 100 feet away to the north, one that is over 100 feet away to the west, and one that is over 150 feet away across Hwy 99W to the east. The next nearest residences are over 100 feet beyond those residences.
- 34. The subject site is currently more than a mile and a half from the nearest City limits. Given the slow historic pace of annexations in the north Corvallis urban fringe, and the particular topographical challenges of extending City utilities north from the current City limits, it is likely to be some time before the subject site will be annexed into the City and subject to a City zoning designation.
- 35. With the current LDR designation, the subject site would be zoned RS-6 if and when it is ever annexed into City limits. With the proposed MUC designation, the subject site would be zoned General Commercial (GC), Commercial Mixed Use 1 (CMU-1), or Commercial Mixed Use 2 (CMU-2), each Zone allowing for varying intensities of commercial and commercial-mixed-use development.
- 36. Of the three zones that implement the MUC designation, the GC Zone is the least intensive in terms of potential building mass and is relatively comparable to the RS-6 Zone. The RS-6 Zone has a minimum rear-yard setback of 15 feet, a minimum internal side yard setback of 5 feet, and a building height limit of 30 feet. The GC Zone has a minimum rear yard setback of 10 feet, a minimum internal side setback of 10 feet, and a building height limit of 45 feet. The largest difference between the zones is that while the RS-6 has a maximum lot coverage of 60 percent, there is no maximum lot coverage in the GC Zone. The CMU-1 and CMU-2 zones allow for a mixture of commercial and residential uses, with varying maximum building heights of 45-foot and 75-foot respectively.

37. Per the current LDC, if and when the property is annexed, public hearings would occur to determine the most appropriate City zoning designation.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommend the decision makers conclude that the proposed Comprehensive Plan Amendment meets the review criteria at LDC 2.1.30.06.c.1–7.

- 8. Transportation facilities;
- 9. Traffic and off-site parking impacts;
- 10. Utility infrastructure;

Findings of Fact:

- 38. The subject site has frontage along Hwy 99W, an arterial highway.
- 39. A Traffic Impact Study (TIS), dated November 22, 2023 and revised March 7, 2024, was included with the application.
- 40. A “reasonable worst case” trip generation estimate for possible development allowed by the application is provided in the table below (from page 10 of the TIS):

TABLE 3B – DEVELOPMENT TRIP GENERATION – POTENTIAL FUTURE CORVALLIS CMU-2 ZONING						
Reasonable Worst-Case Development Assumption	ITE Code	Size	Daily Trips	PM Peak Hour		
				Enter	Exit	Total
<i>(Potential Future) Corvallis RS-6 Zone Designation – Equivalent to Benton County UR-5 and UR-10</i>						
Single-Family Attached Housing ¹	215	66 DUs	452	21	15	36
<i>(Potential Future) Corvallis CMU-2 Zone Designation – Equivalent to Benton County C</i>						
Strip Retail Plaza (<40KSF) ²	822	30,275 SF	1,507	100	100	200
<i>Pass-By / Diverted-Linked Trips (15% Daily / 34% PM) ³</i>			(226)	(34)	(34)	(68)
Change in Trip Generation with Future Zone Change			829	45	51	96

¹ Trip generation estimated using the *Fitted Curve* per recommended practice in the ITE *Trip Generation Handbook*, 3rd Edition.
² Trip generation estimated using the *Average Rate* per recommended practice in the ITE *Trip Generation Handbook*, 3rd Edition.
³ Daily pass-by trips are estimated to be approximately 15%.

41. Site access is provided by ODOT via Hwy 99W. Traffic Impacts from the CPA would impact the adjacent ODOT facility. Currently the City does not have any transportation facilities in the proximity of the development site. Therefore, detailed analysis of current City transportation facilities and determination of significant effect to City streets is outside the scope of the TIS submitted by the applicant. With future development proposals, the applicant must provide mitigation as required by ODOT for Hwy 99W. If and when the subject site is annexed, the site’s owner will need to address capacity of City transportation infrastructure consistent with the most current Corvallis Transportation Systems Plan (LDC 2.6.20.08.d). Additionally with future development the City would require a traffic impact analysis consistent with LDC section

4.0.60.a. The applicant addressed Transportation Planning Rule considerations for Hwy 99W on page 13-14 of the TIS.

42. The subject site contains two wells and a septic system. City utility systems are over a mile away from the site and are not likely to be extended within the time frame of the current master plans. If and when the subject site is annexed, the site's owner will need to address extension of City services consistent with current master plans and demonstrate connections are feasible.

- 11. Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);
- 12. Consistency with the applicable development standards, including the applicable Pedestrian Oriented Design Standards;
- 13. Preservation and/or protection of significant natural features, consistent with Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards.

Findings of Fact:

The decision makers should note the following facts:

- 43. Development permitted in zones that implement the MUC designation is not typically associated with air quality impacts. The proposal has no impact on existing water quality or the requirement to provide water quality facilities with future site development.
- 44. The application does not include a development proposal. If and when the property is annexed, future development will need to be consistent with LDC Chapter 4.10 – Pedestrian Oriented Design Standards.
- 45. High protection riparian corridor and high protection flood zone occupy a portion of northeast corner of the site. The proposed land use amendment does not impact the preservation of these areas, whether the site is in the Urban Fringe or within City limits. If annexed, the site would be subject to the Corvallis LDC requirements related to Natural Hazards and Natural Resources.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the proposed Comprehensive Plan Amendment meets the review criteria at LDC 2.1.30.06.c.11–13.

- d. **Transportation Planning Rule Compliance:** Proposals to amend the Comprehensive Plan shall demonstrate the proposal is consistent with the adopted Transportation System Plan and the planned function, capacity and performance standards of the impacted facility or facilities. Proposals shall be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule - TPR). Where the City, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the City shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law.

Findings of Fact:

The decision makers should note the following facts:

46. The applicant addressed Transportation Planning Rule considerations for Hwy 99W on page 13-14 of the Traffic Impact Study (TIS), dated November 22, 2023 and revised March 7, 2024, that was included with the application. The TIS found that the daily increase in trips resulting from the change falls below the ODOT 1,000 average daily trip threshold requiring a TPR analysis. TPR compliance will be reevaluated with a future zone change application if and when the property is subject to an annexation application.

Conclusion:

Based on the facts noted above, Corvallis Planning staff recommends the decision makers conclude that the proposed Comprehensive Plan Amendment meets the review criteria.

OVERALL CONCLUSION ON THE COMPREHENSIVE PLAN AMENDMENT REQUEST

Corvallis Planning staff find that the re-designation of the subject site from Residential – Low Density to Mixed Use Commercial complies with applicable Corvallis Comprehensive Plan policies. Based on the 2016 BLI, there is an abundance of Residential – Low Density land and a shortage of Mixed Use Commercial land within the Urban Growth Boundary. Based on compatibility criteria, the subject site provides a suitable location for the types of development expected with a Mixed Use Commercial designation. The application is also consistent with Statewide Planning Goals and provisions of the Benton County Comprehensive Plan. Corvallis Planning staff therefore recommend that the Planning Commission forward the Comprehensive Plan Amendment request to the City Council, with a recommendation of approval.

Corvallis Planning staff notes that Benton County staff also supports approval of the Comprehensive Plan Amendment request, as well as the concurrent zone change request – see **Attachment PC-C**.

RECOMMENDED MOTION

NOTE: Per the CUFMA, the Corvallis and Benton County Planning Commissions may deliberate either jointly or separately, but they must forward separate recommendations to their respective governing bodies. In the motions provided below, options are provided in brackets so that both Planning Commissions may use the same motion templates.

Motion:

I move that the [City of Corvallis / Benton County] Planning Commission forward a recommendation to [Corvallis City Council / Benton County Board of Commissioners] to approve the requested Comprehensive Plan Amendment (CPA-2023-02). This request is described and discussed in Attachment PC-A of the staff report to both Planning Commissions. My motion is based upon the staff recommendations to the Planning Commissions, and reasons articulated by the [City of Corvallis / Benton County] Planning Commission in its deliberations.

ALTERNATIVE MOTION

Motion:

I move that the [City of Corvallis / Benton County] Planning Commission forward a recommendation to [Corvallis City Council / Benton County Board of Commissioners] to deny the requested Comprehensive Plan Amendment (CPA-2023-02). This motion is based on the findings determined by the [City of Corvallis / Benton County] Planning Commission.

VP Comp Plan Map Amendment 5840 NW Highway 99W

*An Application for a
Comprehensive Plan Map Amendment*

On Behalf of:

**Vernon & Priscilla Esplin
VP Real Estate Investment Services LLC
6635 Prather Road
Independence, OR 97351**

Prepared by:

K&D Engineering, Inc.



March 11, 2024

Application Narrative

APPLICANT'S REQUEST

Vernon and Priscilla Esplin, prior owners of Buena Vista Arbor Care, own the former Lewisburg Auction and General Store property at 5820 and 5840 NW Highway 99W, (Attachment B). Although the larger 2.87-acre property has a long history of being used for commercial activities, 2.78-acres of the site is designated Residential – Low Density and 0.09-acres in the southwest corner are designated Mixed Use Commercial on the City's Comprehensive Plan Map, (Attachments C). The Esplin's are interested in amending the residential designation on the City's Comprehensive Plan Map, so this property and the parcel they also own to the south with two other buildings are both designated Mixed Use Commercial, (Attachment D). A similar land use application has been submitted to Benton County requesting a zone change from UR-10 Urban Residential to Urban Commercial.

SITE AND VICINITY

The 2.87-acre site is at 5840 NW Highway 99W and can also be found on Assessor's Map 11-5-12BD, Tax Lot 1200, (Attachment A). The site has a mild slope to the north toward Mountain View Creek. The subject site contains an existing storage building along the highway and two well houses. The site is used by a tree service company and includes vehicle storage, wood storage and several piles of wood chips. There are several City of Corvallis mapped protected natural features within the project boundary, (Attachment F). The northeast corner of the property is within the High Protection 100-Year Floodplain. At the far northeast corner is also the edge of a 100-Foot Highly Protected Riparian Corridor. Along the northern boundary are several areas with slopes between 10-14.99% and a small area with a slope of 15-24.99%. It should be noted that these slopes are likely a result of wood chip piles that are stored on the property and are not considered a permanent slope hazard.

Properties surrounding the subject site are all in Benton County as the city limits are over a mile and a half to the south. The property immediately south, which contains two buildings, is also owned by Vernon and Priscilla Esplin. One serves as the office and staff meeting room for the tree service operations. The other is used for equipment maintenance and extends across the northern property line onto the subject site. The Esplin's hope to do a lot line adjustment to move this parcel boundary to the north once both parcels have the same zoning. Further to the south is a gas station and convenience store. To the west and north are several residential dwellings. To the east is Highway 99W.

ATTACHMENTS

- A - Vicinity Map
- B - Surrounding Uses
- C - Existing Comprehensive Plan Designations
- D - Proposed Comprehensive Plan Designations
- E - Existing Zoning Designations
- F - Significant Natural Features
- G - Existing Conditions Survey Map
- H - Legal Description

APPENDIX

Traffic Impact Study

COMPREHENSIVE PLAN MAP AMENDMENT

Applicable Comprehensive Plan Policies:

- 1.2.9 The applicable criteria in all land use decisions shall be derived from the Comprehensive Plan and other regulatory tools that implement the Plan.**

The following narrative responds to criteria from the Corvallis Comprehensive Plan and the Land Development Code (LDC) that are applicable to the subject land use request. As noted above, the proposal consists of a request to amend the Corvallis Comprehensive Plan map from Residential Low Density to Mixed Use Commercial. A separate request has been submitted to the County to amend the zoning designation from UR-10 Urban Residential to Urban Commercial.

Applicable Land Development Code Sections:

2.1.30.06 - Review Criteria for the Majority of Comprehensive Plan Amendments

- b. Amendments shall be approved only when the following findings are made:**
- 1. There is a demonstrated public need for the change;**
 - 2. The advantages to the community resulting from the change outweigh the disadvantages; and**
 - 3. The change proposed is a desirable means of meeting the public need.**
- c. Proposed amendments to the Comprehensive Plan Map shall demonstrate compatibility in the following areas, as applicable:**
- 1. Basic site design (e.g., the organization of Uses on a site and the Uses' relationships to neighboring properties);**
 - 2. Visual elements (scale, structural design and form, materials, etc.);**
 - 3. Noise attenuation;**
 - 4. Odors and emissions;**
 - 5. Lighting;**
 - 6. Signage;**
 - 7. Landscaping for buffering and screening;**
 - 8. Transportation facilities;**

9. Traffic and off-site parking impacts;
10. Utility infrastructure;
11. Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);
12. Consistency with the applicable development standards, including the applicable Pedestrian Oriented Design Standards;
13. Preservation and/or protection of significant natural features, consistent with Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards.

To approve the proposed Comprehensive Plan map amendment, it must be found that the request complies with the applicable Comprehensive Plan policies and relevant sections of the Land Development Code (LDC). The following discussion responds to these criteria through the four following sections.

- Public Need, Advantages and Disadvantages, and Desirability
- Land Use and Compatibility
- Natural Resources and Natural Hazards
- Circulation and Public Facilities and Services

A. Public Need, Advantages and Disadvantages, and Desirability

Applicable Comprehensive Plan Policies:

- 3.2.1 The desired land use pattern within the Corvallis Urban Growth Boundary will emphasize:
- A. Preservation of significant open space and natural features;
 - B. Efficient use of land;
 - C. Efficient use of energy and other resources;
 - D. Compact urban form;
 - E. Efficient provision of transportation and other public services; and
 - F. Neighborhoods with a mix of uses, diversity of housing types, pedestrian scale, a defined center, and shared public areas.

- 8.2.1 The City and County shall support diversity in type, scale, and location of professional, industrial, and commercial activities to maintain a low unemployment rate and to promote diversification of the local economy.
- 8.2.3 The City shall support existing businesses and industries and the establishment of locally-owned, managed, or controlled small businesses.
- 8.2.5 The City shall participate in coordinated land use planning and economic development efforts among Corvallis, Philomath, Benton County, and Linn County. This shall include strategies to address regional jobs / housing balance.
- 8.10.1 The location, type, and amount of commercial activity within the Urban Growth Boundary shall be based on community needs.
- 8.10.2 Given the community's intention to prevent decline in existing commercial areas, the City shall explore opportunities to facilitate and assist in the redevelopment of existing commercial areas, in a manner that meets current standards.
- 8.10.7 The City shall develop standards for a hierarchy of mixed use commercial districts, with minor neighborhood centers serving neighborhood shopping and office needs, major neighborhood centers serving community shopping and office needs, and the downtown commercial districts serving regional shopping and office needs. The Professional and Administrative Office district can serve both community and regional office needs. Major neighborhood centers shall be sited at transit nodes on arterial streets and shall incorporate pedestrian-scale features such as building orientation to the street and limiting the maximum block perimeter. As the Land Development Code is updated, districts shall be developed that address all of the community's desired commercial needs.
- 8.10.8 The City shall locate major and minor neighborhood centers near the junctions of arterials or collectors.

Public Need

To address the question of “need,” Comprehensive Plan Amendment applications submitted to the City of Corvallis may include an analysis of how the requested change will address the need for additional acreage of the subject designations. Simply put, is there a greater need for land that is zoned consistent with a given proposal versus the current zoning? The most recent data can be found in the 2016 Corvallis Urbanization Study that was effective July 1, 2019. The report answers the basic questions of how much land and what type does Corvallis have available within the Urban Growth Boundary (UGB) and are there surplus or deficits in any land use categories? There are two elements of the Urbanization Study that support the proposed map amendment. First is the Buildable Lands Inventory which presents an inventory of land within the Corvallis city limits and urban growth boundary. It identifies land with development capacity, excluding land that is already developed, public or exempt, and land with development constraints such as steep slopes or locally protected wetlands.

The 20-year population forecast in the Corvallis Urbanization Study shows that the Corvallis UGB will grow from 60,058 people in 2016 to 69,527 people in 2036, adding 9,469 people over the 20-year period.

The Oregon Office of Economic Analysis forecasts population growth by age group for each County. The forecast shows that the distribution of population by age group will remain largely the same in Benton County between 2010-2023. The age groups with the largest change will be people 20-39 years old (adding more than 4,400 people) and people 60 years and older (adding more than 3,900 people).

From 2015 to 2035, the population of people aged between 20-39 will grow the most, increasing by over 4,400 people.

Exhibit 46. Fastest-growing Age Groups, Benton County, 2015 - 2035

Source: Oregon Office of Economic Analysis, Long-term County Forecast, 2013 Release.

20-39 Year-Olds	60+ Year-Olds	Under 20 Year Olds
4,444 More People 14% Increase	3,926 More People 22% Increase	3,099 More People 15% Increase

Future Economic Growth – Factors that Affect Economic Development

The fundamental purpose of Goal 9 is to make sure that a local government plans for economic development. Planning literature provides many definitions of economic development, both broad and narrow. Broadly,

“Economic development is the process of improving a community’s well-being through job creation, business growth, and income growth (factors that are typical and reasonable focus of economic development policy), as well as through improvements to the wider social and natural environment that strengthen the economy.”

That definition acknowledges that a community’s well-being depends in part on narrower measures of economic well-being (e.g., jobs and income) and on other aspects of quality of life (e.g., the social and natural environment). In practice, cities and regions trying to prepare an economic development strategy typically use a narrower definition of economic development: they take it to mean business development, job growth, and job opportunity. The assumptions are that:

- Business and job growth are contributors to and consistent with economic development, increased income, and increased economic welfare. From the municipal point of view, investment and resulting increases in property tax are important outcomes of economic development.
- The evaluation of tradeoffs and balancing of policies to decide whether such growth is likely to lead to overall gains in well-being (on average and across all citizens and businesses in a jurisdiction, and all aspects of well-being) is something that decision makers do after an economic strategy has been presented to them for consideration.

That logic is consistent with the tenet of the Oregon land-use planning program: that all goals matter, no goal dominates, and the challenge is to find a balance of conservation and development that is acceptable to a local government and state. Goal 9 does not dominate, but it legitimizes and requires that a local government focus on the narrower view of economic development: the one that focuses on economic variables.

The average size for a private business in Benton County is 10.7 employees per business. Businesses with 100 or fewer employees account for roughly 49% of private employment in Benton County (businesses with 19 or fewer employees account for 27% of private employment).

The average size of privately owned businesses in Corvallis is 11.8 employees per business. Corvallis has more than 1,800 privately owned businesses with fewer than 100 employees, with an average size of 8 employees. Businesses with 100 or fewer employees account for roughly 67% of private employment in Corvallis (businesses with 19 or fewer employees account for 32% of private employment). Growth of small businesses presents opportunities for economic growth in Corvallis.

Corvallis has 55 acres of unconstrained and partially constrained commercial land in 56 lots. Corvallis has 39 commercial sites smaller than one acre, 7 sites in one-to-two acre lots, and 10 sites in two-to-five acre lots. Given the small size of retail, office, and service businesses and the types of potential growth industries in Corvallis, these businesses will generally need small sites, such as sites two acres or smaller. Corvallis, however, does not have enough land to accommodate commercial growth, as discussed in Chapter 5 of the Urbanization Study. The city will need to take steps to ensure that there are enough commercial sites to accommodate growth in the future.

Most commercial businesses will need small spaces, such as offices in existing buildings, with some businesses requiring individual small sites, such as new retail stores or a new office building.

Corvallis has a total of 1,642 acres of unconstrained vacant and partially vacant residential buildable land. About one-quarter of this land (426 acres) is within Corvallis' city limits and the remaining three-quarters (1,216 acres) is located within Corvallis' urban growth boundary but outside of the city limits.

About 12% (204 acres) of Corvallis' unconstrained vacant and partially vacant land is in areas with a Planned Development Overlay, which has specific development standards that are described in Corvallis' Land Development Code.

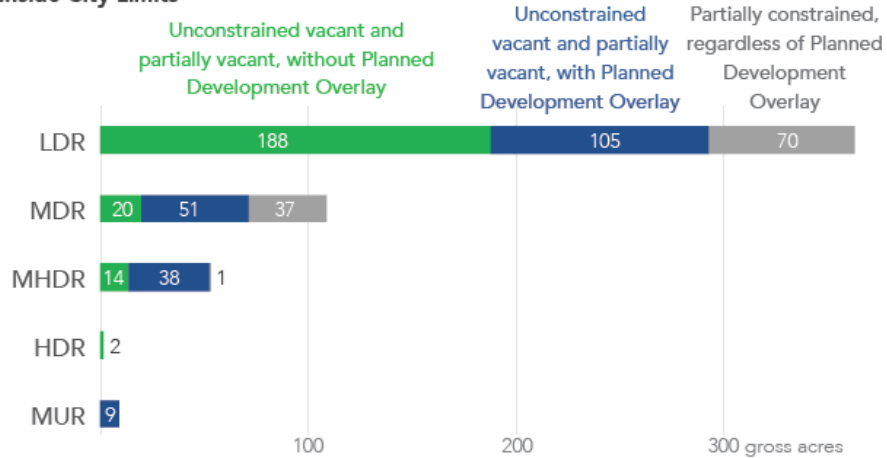
Corvallis has about 263 acres of partially constrained residential land. This is land with constraints that decrease development capacity but do not prohibit development.

Unless otherwise noted, all graphics and data provided herein and derived from the City of Corvallis Housing Needs Analysis and the Economic Opportunities Analysis, adopted June 3, 2019.

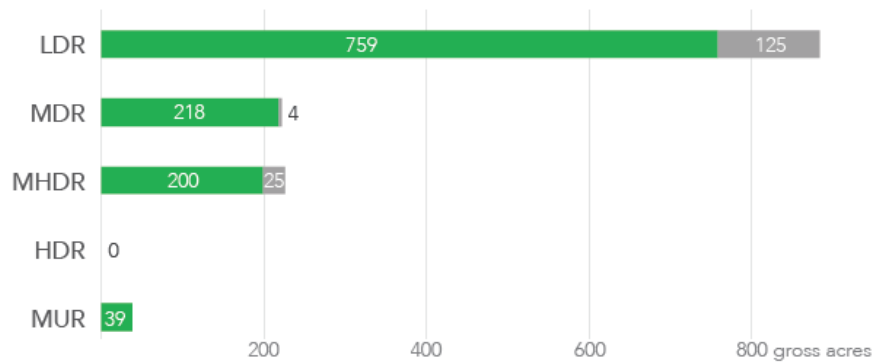
RESIDENTIAL BUILDABLE LAND BY PLAN DESIGNATION, GROSS ACRES, 2016

Source: ECONorthwest Analysis of Corvallis GIS data

Inside City Limits

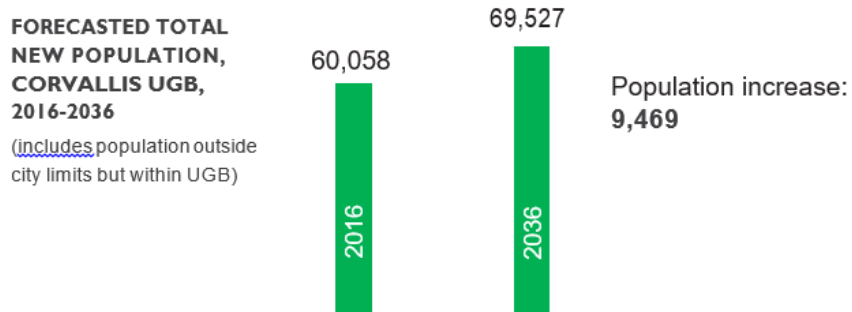


Outside City Limits, Inside UGB

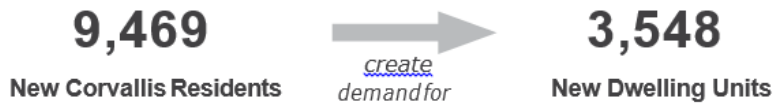


Demand for Residential Land, by Housing Type

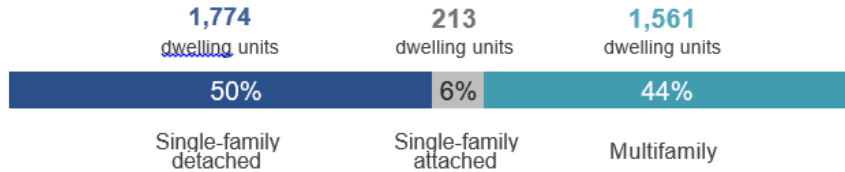
Corvallis’ population growth over the next 20 years will affect the number of new households created and the demand for residential land. Goal 10 requires that the forecast for new housing be based on an adopted coordinated population forecast. In September 2015, Corvallis’ City Council adopted a population forecast for the Corvallis urban growth boundary based on Portland State University’s forecast for 2014-2036. This forecast shows that Corvallis’ population is estimated to grow at a rate of 0.73% per year, adding 9,469 new people between 2016 and 2036.



FORECASTED DEMAND FOR NEW DWELLING UNITS, CORVALLIS UGB, 2016-2036



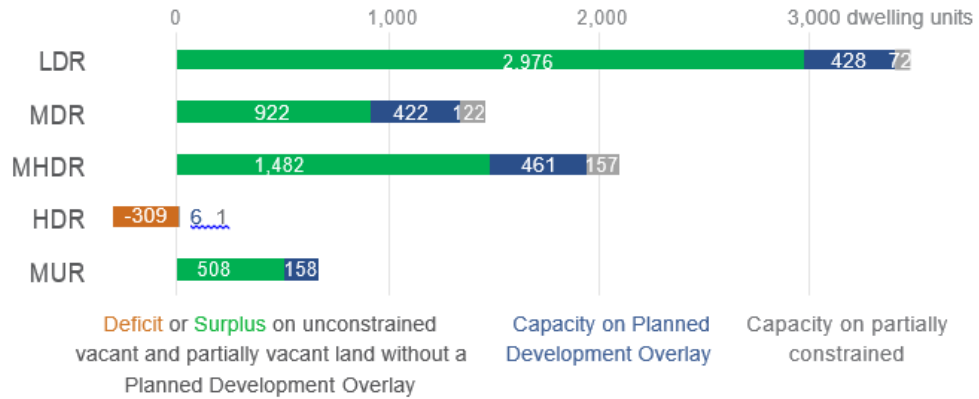
FORECAST OF NEEDED HOUSING BY HOUSING TYPE, CORVALLIS UGB, 2016-2036



Corvallis has a surplus of residential capacity of unconstrained vacant and partially vacant land without a Planned Development Overlay in nearly every Designation. The exception is High Density Residential (HDR) or RS-20 lands, where Corvallis has a deficit of land to accommodate 309 dwelling units. It is important to note that this deficit was addressed in 2019 when the City rezoned properties along Wake Robin Avenue, the McFadden property along Highway 20 and the Corvallis Industrial Park along Highway 99W.

Corvallis has additional residential capacity in all Designations (except HDR) on land with a Planned Development Overlay and on partially constrained land.

CAPACITY INCLUDING PARTIALLY CONSTRAINED VACANT LAND AND LAND WITH PLANNED DEVELOPMENT OVERLAY, CORVALLIS UGB, 2016-2036



Residential Land Sufficiency

Exhibit 119. Comparison of the Capacity of Unconstrained Vacant and Partially Vacant Land without a Planned Development Overlay with Housing Demand by Plan Designation, Corvallis UGB, 2016-2036

Plan Designation	Capacity (DU) Unconstrained Vacant and Partially Vacant Land with No Planned Development Overlay	Housing Demand (DU)	DU Surplus or (Deficit)
Low Density Residential (LDR)	3,880	904	2,976
Medium Density Residential (MDR)	1,951	1,029	922
Medium High Density Residential (MHDR)	2,564	1,082	1,482
High Density Residential (HDR)	46	355	-309
Mixed Use Residential (MUR)	686	178	508
Total	9,127	3,548	

Source: ECONorthwest

Exhibit 119 estimates residential land sufficiency within the Corvallis UGB starting with land without the Planned Development Overlay. It shows:

- Capacity in Dwelling Units (DU) for Unconstrained Vacant and Partially vacant Land with No Planned Development Overlay from Exhibit 89. Exhibit 119 shows that Corvallis has capacity for 9,127 dwelling units.
- Housing Demand in Dwelling Units (DU) from Exhibit 85. Exhibit 119 shows that Corvallis’ overall housing need is for 3,548 dwelling units over the 2016-2036 period.

Exhibit 119 shows that Corvallis has a surplus of land for housing in all Plan Designations except for High Density Residential, where the city has a deficit of 309 dwelling units. The conclusion from this analysis is that Corvallis can meet the need for housing within the UGB in all Plan Designations, except for High Density Residential.

Conclusions about Housing Need

- Residential land in Corvallis has enough housing capacity to accommodate growth in all residential plan designations except for High Density Residential. Corvallis has a surplus of capacity for residential development within the UGB in Low Density, Medium Density, and Medium High Density, and Mixed Use Residential designations. For land designated High Density Residential, Corvallis has a deficit of 309 dwelling units or about 12 gross acres. The City will need to address this deficit to meet the requirements of Goal 10 and ORS 197.296 to provide sufficient land to accommodate 20 years of growth.

It is important to note that in 2019, the city adopted revisions to the 2016 Urbanization Study through Ordinances that converted 91 acres of land along Wake Robin Avenue, South 3rd Street, and at the Corvallis Industrial Park to RS-20 High Density Residential. Although some of this land was encumbered by natural features, approximately 63 of these acres were considered developable. This satisfied the 20-year supply of needed housing within all residential land use designations as noted in the table below:

Exhibit 118. Comparison of the Capacity of Unconstrained Vacant and Partially Vacant Land without a Planned Development Overlay with Housing Demand by Plan Designation, Corvallis UGB, 2016–2036

Plan Designation	Capacity (DU) Unconstrained Vacant and Partially Vacant Land with No Planned Development Overlay		DU Surplus or (Deficit)
		Housing Demand (DU)	
Low Density Residential (LDR)	3,880	904	2,976
Medium Density Residential (MDR)	1,541 ¹	1,029	512
Medium High Density Residential (MHDR)	2,564	1,082	1,482
High Density Residential (HDR)	1,008 ²	355	653
Mixed Use Residential (MUR)	686	178	508
Total	9,127	3,548	

¹ Capacity of medium density residential decreased in 2019 by 50 acres (or 410 DU), based on Ordinance 2019-13 (“Corvallis Industrial Park LLC”).

² Capacity of high density residential increased in 2019 by 37 acres (or 962 DU), based on Ordinance 2019-11 (“Wake Robin Properties”) and Ordinance 2019-13 (“Corvallis Industrial Park LLC”).

It is important to note that this table which summarizes the land sufficiency from Chapter 5 of the BLI shows there is clearly an excess of Low Density Residentially zoned lands within the UGB through 2036. A surplus that would allow for 2,976 additional units. That does not include the increased density that might result from the state’s middle housing mandates, which in many cases will allow more than 6 units per acre. In summary, the availability of lands designated Low Density Residential (LDR) can easily accommodate 1,987 single-family attached and detached units that are needed through 2036. In fact, there is so much land designated LDR that there is a surplus of 2,976 dwelling units through the 20-year planning horizon.

Commercial and Industrial Land Sufficiency

Exhibit 122. Comparison of the Capacity of Unconstrained Vacant and Partially Vacant Land with Employment Land Demand by Plan Designation, Corvallis UGB, 2016–2036

Plan Designation	Vacant and Partially Vacant Unconstrained Land (Gross Acres)		Demand for Com. & Ind. Land (Gross Acres)	Land Surplus or Deficit on Unconstrained Land (Gross Acres)	
	Within City Limits	Total Within UGB		Within City Limits	Total Within UGB
Commercial Designations					-103
Central Business District (CBD)	0	0	39	-39	-39
Mixed Use Commercial (MUC)	24	46	100	-77	-54
Professional Office (PO)	8	8	18	-10	-10
Industrial Designations					719
Limited Industrial, Office (LIO)	41	107	5	36	102
Mixed Use Employment (MUE)	10	40	6	3	34
General Industrial (GI)	384	657	89	295	568
Intensive Industrial (II)	26	31	6	20	24
Mixed Use Transitional (MUT)	-	-	9	-9	-9
General Industrial, Office (GIO)	-	8	8	-8	1
Other Designations					-54
Public Institutional (PI)	1	2	56	-54	-54
Total	495	899	337		

Source: ECONorthwest

Note: Limited Industrial (LI) is not included in Exhibit 122 because there is less than one-tenth of acre of land vacant in that Designation.

Exhibit 122 shows that Corvallis has a deficit of 103 gross acres of land in Commercial Plan Designations, including in MUC (mixed-use commercial) and PO (professional office). Sixty percent of Corvallis’ commercial land is located within the city limits.

The implications of the analysis are:

- Corvallis will need to identify ways to accommodate commercial growth over the 20- year planning period. Corvallis has less than one-third of the commercial land needed to accommodate employment growth through 2036. Forty percent of the city’s commercial land is outside of the city limits. Some deficits cannot be addressed through adding more land to the city limits, such as the deficit of land in the Central Business District. This deficit will either be addressed through redevelopment in the CBD or employment locating in other plan designations, possibly near to Downtown.

- The city will need to identify strategies to address the commercial land deficit. They may include: encouraging redevelopment of commercial lands, re-designating industrial land for commercial uses, or assisting with annexation of commercial land as landowners are willing to develop it.

In conclusion, there is a total deficit of 103 acres of commercially zoned land within the UGB. Most of this deficit falls within the Mixed Use Commercial zone. Amending the City's Comprehensive Plan to increase the amount of Mixed Use Commercial land by 2.87-acres helps to address this deficit.

Conclusions about Commercial and Industrial Land Sufficiency

- Corvallis is forecast for growth in both commercial and industrial employment sectors. Corvallis is planning for growth of nearly 8,200 new jobs in the city over the 2016 to 2036 period. More than 6,000 of the jobs will be in office and commercial services, more than 1,000 in retail, and nearly 1,100 in industrial land uses. The growth of these jobs will result in demand for about 213 gross acres of land in commercial and institutional Plan Designations and 124 gross acres in industrial Plan Designations.
- Corvallis has a deficit of commercial land for development. This category of land includes growth of employment at privately owned businesses in commercial Plan Designations and in the Public Institutional Designations. The majority of this employment is in office or retail uses, such as office buildings, services (e.g., financial, or personal care services), or retail stores.

Corvallis has about 52 gross acres of unconstrained vacant or partially vacant land in commercial Plan Designations and two acres of public institutional land within the UGB. Corvallis' demand for this type of land (about 213 acres) exceeds the supply of this land, leaving a deficit of about 153 gross acres of land for commercial and public institutional uses.

Land Development Information Report

The most recent Land Development Information Report (LDIR) for 2022 validates much of what the Urbanization Study tells us. In Table 12 – Residential Land Supply Remaining at the End of 2022 - The 419 acres of vacant Low Density Residential lands identified on the Comprehensive Plan Map provide a 38-year supply, well in excess of the 20-years required by state law. This assumes an average development density of 4.1 units per acre, which is consistent with the recent past. However, the new state mandated middle housing provisions will likely result in densities in excess of this number, providing an even longer-term supply of Low Density Residential lands.

Advantages and Disadvantages

The Comprehensive Plan Map identifies a Major Neighborhood Center at the intersection of Lewisburg Avenue and Highway 99W, (Attachment C). The subject property is entirely within the Major Neighborhood Center which is defined in Article 50 as follows:

Neighborhood Centers:

Major - *A mixed use commercial center designed with a pedestrian orientation which serves the general community and/or surrounding neighborhood. Typically located along major arterial roadways.*

The Residential – Low Density designation on the subject property is not consistent with a Major Neighborhood Center, especially in such close proximity to the intersection of two major roadways. As noted in the charts above, there is an abundance of land within the UGB designated for low density residential development. Reducing several acres of this designation will have no effect on meeting the long-term housing needs of Corvallis. The proposed amendment to Mixed Use Commercial (MUC) will still allow for residential uses in conjunction with commercial uses. The MUC designation will eventually be either CMU-1 or CMU-2 once the property is annexed into the City. Residential use types are permitted in conjunction with a primary nonresidential use type in a mixed-use building. Although residential development is not required in the CMU zones, it is allowed if a developer is interested.

The sites adjacency to Highway 99W, a major arterial highway and Lewisburg Avenue, an arterial roadway, both of which carry significant daily traffic volumes, is a barrier to developing the site with detached single family homes. Thus, re-designating the site to Mixed Use Commercial would enable more efficient, cost-effective use of this urbanizable land, and possibly defer the need to annex and develop similarly designated acreage elsewhere within the Corvallis Urban Fringe.

Given the considerations presented above, converting Low Density Residential land, for which there is an excess, to Mixed Use Commercial, for which there is a deficit, is viewed as an advantage that outweighs any potential disadvantages.

Desirability

One of the goals of this request is to increase opportunities for commercial activities. Not only will the proposed amendment address a need for additional Mixed Use Commercial lands, but it also addresses an existing non-conforming use.

Low Density Residential development is not desirable along a major arterial highway, nor is it a desirable use within the core of a Major Neighborhood Center. As noted above, the core of the Center consists of a mix of commercial and retail uses, which transitions to mixed use or higher density residential uses before transitioning to lower density uses further beyond. The existing Low Density Residential designation near the core of the Major Neighborhood Center is not consistent with the objectives of a Major Neighborhood Center.

B. Land Use and Compatibility

Applicable Comprehensive Plan Policies:

3.2.1 The desired land use pattern within the Corvallis Urban Growth Boundary will emphasize:

- A. Preservation of significant open space and natural features;**
- B. Efficient use of land;**
- C. Efficient use of energy and other resources;**
- D. Compact urban form;**
- E. Efficient provision of transportation and other public services; and**
- F. Neighborhoods with a mix of uses, diversity of housing types, pedestrian scale, a defined center, and shared public areas.**

3.2.7 All special developments, lot development options, intensifications, changes or modifications of nonconforming uses, Comprehensive Plan changes, and district changes shall be reviewed to assure compatibility with less intensive uses and potential uses on surrounding lands. Impacts of the following factors shall be considered:

- A. Basic site design (i.e., the organization of uses on a site and its relationship to neighboring properties);**
- B. Visual elements (i.e., scale, structural design and form, materials, etc.);**
- C. Noise attenuation;**
- D. Odors and emissions;**
- E. Lighting;**
- F. Signage;**
- G. Landscaping for buffering and screening;**
- H. Transportation facilities; and**
- I. Traffic and off-site parking impacts.**

In terms of compatibility, the Mixed Use Commercial designation does not present any obvious conflicts with the Comprehensive Plan designations surrounding the site. The subject site is bordered by a major arterial highway to the east. A Mixed Use Commercial designation will likely be more compatible than a Low Density Residential designation, due to noise and traffic along Highway 99W. The land to the south is already designated Mixed Use Commercial. The lands to the west and north are zoned Low Density Residential. When this property is eventually annexed into the city limits, this request proposes it be zoned Commercial Mixed Use. This zone requires a height step down within 20-feet of an abutting residential zone. The height of structures must

not exceed the maximum height of the abutting zone, which in this case would be 30-feet. These development standards, along with additional side and rear yard setbacks when abutting residential zones, ensure a compatible transition between the abutting residential uses.

C. Natural Resources and Natural Hazards

Applicable Comprehensive Plan Policies:

- 4.2.2 Natural features and areas determined to be significant shall be preserved, or have their losses mitigated, and/or reclaimed. The City may use conditions placed upon development of such lands, private nonprofit efforts, and City, State, and Federal government programs to achieve this objective.**
- 4.6.2 Development on hillsides shall not endanger life and property nor land and aquatic resources determined to be environmentally significant.**

There are several City of Corvallis mapped protected natural features within the project boundary, (Attachment F). The northeast corner of the property is within the High Protection 100-Year Floodplain. At the far northeast corner is also the edge of a 100-Foot Highly Protected Riparian Corridor. Along the northern boundary are several areas with slopes between 10-14.99% and a small area with a slope of 15-24.99%. It should be noted that these slopes are likely a result of wood chip piles that are stored on the property and are not considered a permanent slope hazard.

Future site improvements will need to comply with either the County or City’s natural features protections at the time of development.

D. Circulation and Public Facilities and Services

Applicable Comprehensive Plan Policies:

- 11.2.1 The transportation system shall be planned and developed in a manner which contributes to community livability, recognizes and respects the characteristics of natural features, and minimizes the negative effects on abutting land uses.**
- 11.2.2 The transportation system shall be managed to reduce existing traffic congestion and facilitate the safe, efficient movement of people and commodities within the community.**
- 13.13.16 Upon adoption of the Corvallis Transit Master Plan and/or a regional transit plan, incorporate the transit routing and station concept (i.e., multi-modal station/park-and-ride facility near the Lewisburg and Elliott Circle neighborhood centers) established in the NCAP. Modify transit routing according to development of major and minor neighborhood centers over time.**

Standards contained with Chapter 4.0 of the LDC implement the Comprehensive Plan policies cited above. When new development occurs, these standards must be satisfied by extending the necessary public utilities (i.e., water, storm sewer, and sanitary lines) into and through the site; constructing the necessary public access (i.e., streets and sidewalks), and creating a block pattern bounded by streets that facilitates pedestrian oriented neighborhoods. This set of standards will continue to apply to the site

regardless of its zoning designation, so re-designating the site to Mixed Use Commercial would not be in conflict with the policies cited above.

Sanitary Sewer

The existing building contains a bathroom and sink, which are disposed of in a small drain field near the structure.

City sewer service is over a mile south of the site. When the property is eventually annexed into the city limits, these public facilities can be extended to the property. Until such a time, the existing drainfield is sufficient for the current uses on the property.

Water

The existing site contains two wells as shown on Attachment G. The northern well serves the existing building on site, along with the office and maintenance building on the abutting property to the south. The southern well is not in use currently.

Although there is an underground contamination plume to the south, it does not extend to this property. The on-site well has been tested and found to be potable.

The city water service is over a mile south of the site. The site is located within the First Level water service area. When the property is eventually annexed into the city limits, these public facilities can be extended to the property. Until such a time, the existing on-site well is sufficient for the current uses on the property.

Storm Drainage

The site is located within the Mountain View Creek Drainage Basin and has a mild slope to the north. Currently, surface runoff drains northeast, across the abutting property to the north or into the storm drainage ditch along Highway 99W. Water in the ditch drains north into Mountain View Creek.

When the property is eventually annexed into the city limits, storm water upgrades such as detention and water quality facilities may be required with future development. Until such a time, the existing surface drainage network appears sufficient for the current uses on the property.

Franchise Utilities

All necessary franchise utility facilities are located along the frontage of the site, along Highway 99W. These include overhead power, cable, and natural gas. Following annexation, any franchise utilities that are extended onto this site will be installed within a new 7-foot Public Utility Easement (PUE) adjacent to an existing right-of-way or within easements that extend to the individual structures.

Transportation

As with any Comprehensive Plan map amendment, there is the potential for traffic impacts resulting from additional vehicle trips. The applicant has retained a transportation engineer to prepare a Traffic Impact Analysis to determine the current and future reasonable worst-case development impacts associated with the zone change. The applicant has submitted a traffic impact study that analyzes the Transportation

Planning Rule criteria, Corvallis Land Development Code street requirements, and the City's July 2019 Traffic Impact Study Requirements, (see Appendix). For future development in the County within the Urban Commercial Zone, the reasonable worst-case development is assumed to be a 15,000 square foot general office building and a 10,000 square foot animal hospital/veterinary clinic. For future development when the property is ultimately annexed into the City, two options were considered, as there are two potential zoning designations. The first was if the property was zoned CMU-2. The reasonable worst-case development is assumed to be a 30,275 square foot shopping plaza. The second was if the property was zoned General Commercial. The reasonable worst-case development is assumed to be a 4,000 square foot convenience store with 12-vehicle fueling positions. Below are the conclusions and recommendations.

1. The subject property is located at 5840 NW Highway 99W (OR 99W), Corvallis, (Benton County) Oregon. The property is identified as tax lot 1200 on Benton County Assessor's map 11-5-12BD and is approximately 2.87 acres. The property has frontage on, and access to OR 99W to the east.
2. The subject property is located outside the Corvallis City Limits (in Benton County) but is inside the Urban Growth Boundary (UGB), in the area referred to as the Urban Fringe. As such, all proposed land use actions are subject to the Corvallis Urban Fringe Management Agreement policies.
3. Proposed land use actions include a Corvallis Comprehensive Plan amendment and a plan designation change from Residential – Low Density to Mixed Use Commercial and a corresponding Benton County zone change from Urban Residential (UR-5 and UR-10) to Urban Commercial (C) – noting the property will remain in the County following these land use actions.
4. For comparison purposes, this analysis also evaluates reasonable worst-case development scenario impacts in the (potential future) Corvallis RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations) and the (potential future) Corvallis Commercial Mixed-Use 2 (CMU-2) and General Commercial (GC) zone designations (which are equivalent to the proposed Benton County C zone designation).
5. The Corvallis TSP does not identify any specific transportation infrastructure deficiencies or funded projects in the project area for any mode: pedestrian, bicycle, or motor vehicle; however, based on the list of unfunded and high-priority projects, it is apparent the City anticipates growth in the area during the planning period, including the need the construct capacity improvements at the OR 99W / Lewisburg Road intersection that are proposed to be funded by ODOT and developers.
6. Study area intersection crash rates are less than the 1.0 crashes/mev threshold and the 90th percentile crash rate of the reference population. As such, the intersections are considered relatively safe, and further safety analysis is not warranted.
7. SPIS data for the OR 99W segment adjacent to the subject property finds SPIS scores ranging from 14.80 to 18.65 which are below the ODOT Region 2 top 15% SPIS score threshold of 37.79. As such, this roadway segment is considered relatively safe, and no further safety analysis is warranted.

8. Reasonable worst-case development in the current UR-5 and UR-10 zones is assumed to be 1 single-family residence and in the proposed C zone it is assumed to be a 15,000-square-foot general office building and a 10,000-square-foot animal hospital/veterinary clinic.
9. Reasonable worst-case development in the proposed C zone generates 369 daily and 74 PM additional trips over the current UR-5 and UR-10 zones.
10. Reasonable worst-case development in the (potential future) Corvallis CMU-2 and GC zone designations (which are equivalent to the proposed Benton County C zone designation) generates a maximum of 948 daily and 96 PM additional trips over the (potential future) current RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations). It is further noted that no internal capture trip reductions are assumed between the commercial and adjacent residential uses; however, if the area develops with a connected roadway system there will be internal trip capture.
11. City and OHP trip threshold criteria requiring a TIS or a TPR analysis are not met.
12. The proposed Comprehensive Plan amendment and zone change will not significantly affect an existing or planned transportation facility, and the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis. Further, because this land use action does not contemplate a specific development application, the OR 99W site access will be evaluated at the time of a future development application.
13. It is anticipated the (future) applicant will construct any necessary frontage improvements at the time of development (as part of a future, specific development land use application).
14. While not part of this land use action, it is recommended that all future access(es) be constructed consistent with requirements identified in Corvallis LDC Section 4.1.40 – Standards for Off-Street Parking and Access.

In summary, this analysis concludes that intersection operations meet agency mobility standards in both the current and proposed reasonable worst-case land use designation scenarios. As such, no improvements are specifically necessary to mitigate the proposed Comprehensive Plan map amendment and associated zone change. Future highway frontage improvements will be evaluated with future development proposals.

Public Facilities

Section 2.1.30.03.h of the LDC requires a statement addressing the availability, capacity, and status of existing water, sewer, storm drainage, transportation, park, and school facilities. Public utilities and transportation services have been addressed above.

Schools

K-12 public education is provided by the Corvallis 509J School District. The District currently offers public education for future school age children that will be part of this map amendment request. Based on information obtained from Corvallis School District

509J, students living at the site would likely attend Mountain View Elementary School, Cheldelin Middle School, or Crescent Valley High School.

Although the proposed amendment is to change the Low Density Residential Comprehensive Plan Designation to Mixed Use Commercial, the eventual zoning on the property would likely be Commercial Mixed Use, where residential uses are permitted in conjunction with a primary nonresidential use in a mixed-use building.

The Corvallis School District publishes a report "By The Numbers" which provides an overview of demographics and facility utilization. The most recent report published in 2016-17 found a steady enrollment decline from 1994-95 when there were 7,769 students to 2011-12 when there were only 6,278 students. Since 2011-12, the district's total student enrollment has increased slightly, with 6,593 students reported as of October 1, 2016. The breakdown by grade is 2,874 in elementary school (K-5), 1,456 in middle school (6-8), and 2,263 in high school (9-12). Mountain View elementary school is 76% utilized, with a planning capacity of 446 and an enrollment of 339, therefore the remaining capacity can accommodate 107 additional students. Cheldelin middle school is 67% utilized, with a planning capacity of 809 and enrollment of 543, therefore the remaining capacity can accommodate 266 additional students. Crescent Valley high school is 65% utilized, with a planning capacity of 1,547 and an enrollment of 1,010, therefore the remaining capacity can accommodate 537 additional students. In total, the three public schools serving the site have the capacity to accommodate up to 910 additional students.

The average household size in Corvallis is 2.14 people, with an average of 0.5 school-age children per household. Once annexed, the 2.87 acres slated for a map amendment could be developed in a mixed-use building with 20 units an acre or 57 units. Since this property is within a Major Neighborhood Center, once annexed, it will eventually be zoned CMU-2 where density will only be limited by the building envelope. However, at 20 units per acre it would equate to approximately 123 people who might live in dwellings developed on the site. An average increase of approximately 28 additional school aged children would be expected based on these assumptions. This increase falls within the existing capacity of the schools serving this area of town. Through long range planning and the District's ability to adjust attendance boundaries, it is anticipated the demand resulting from future development will be adequately accommodated.

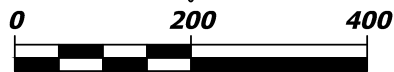
CONCLUSIONS ON COMPREHENSIVE PLAN AMENDMENT

The discussion presented above has provided responses to applicable criteria regarding public need, land use and compatibility, natural resources and natural hazards, and circulation and public facilities and services. In each case, it has been shown that the proposed Comprehensive Plan Amendment is consistent with relevant Comprehensive Plan Policies and LDC standards. There is a surplus of low density residential lands and a deficit of 103 acres of commercially zoned land within the UGB. Most of this deficit falls within the Mixed Use Commercial (MUC) designation. Amending the City's Comprehensive Plan to increase the amount of MUC land by 2.87-acres helps to address this deficit. Re-designating the site to MUC will not have any effect on the applicability of development standards requiring the provision of public facilities and services. The site's proximity to the core of a Major Neighborhood Center and adjacent to major transportation facilities makes it ideal for more efficient development patterns than would be possible through the Low Density Residential designation. These conclusions support approval of the proposed Comprehensive Plan Amendment.

VICINITY MAP



SUBJECT SITE



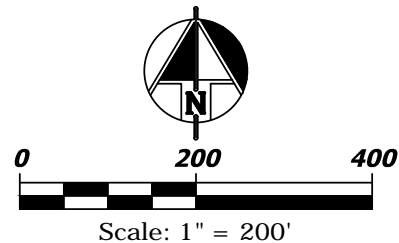
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ATTACHMENT A

SURROUNDING USES









 SUBJECT PROPERTY

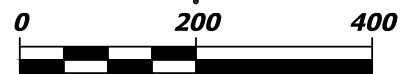


ATTACHMENT B

EXISTING COMPREHENSIVE PLAN DESIGNATIONS



-  RESIDENTIAL - LOW DENSITY
-  MIXED USE COMMERCIAL
-  LIMITED INDUSTRIAL - OFFICE
-  PUBLIC INSTITUTIONAL
-  MAJOR NEIGHBORHOOD CENTER BOUNDARY
-  SUBJECT SITE









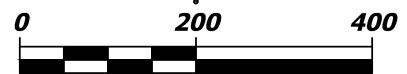
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ATTACHMENT C

PROPOSED COMPREHENSIVE PLAN DESIGNATIONS



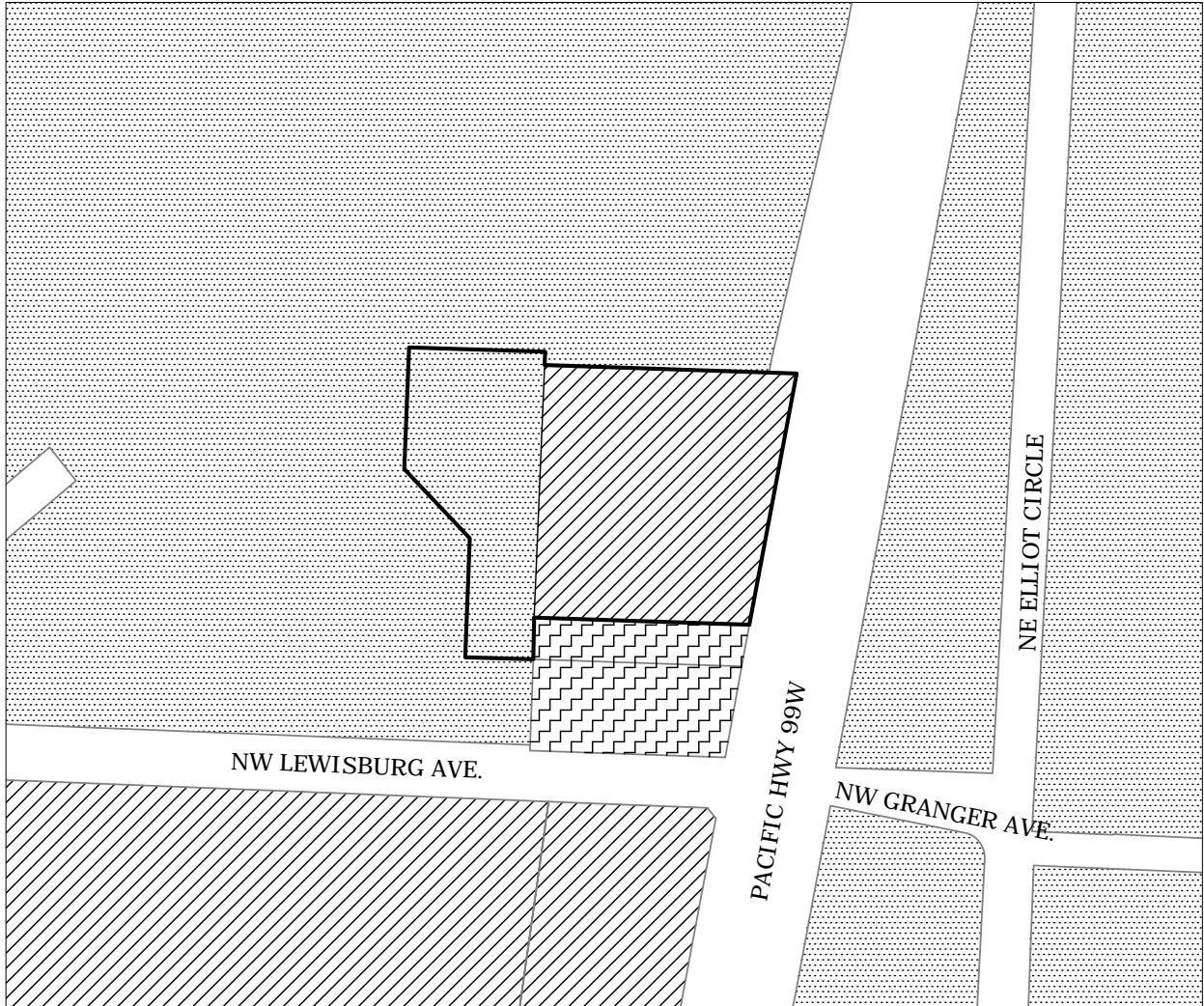
-  RESIDENTIAL - LOW DENSITY
-  MIXED USE COMMERCIAL
-  LIMITED INDUSTRIAL - OFFICE
-  PUBLIC INSTITUTIONAL
-  MAJOR NEIGHBORHOOD CENTER BOUNDARY
-  SUBJECT SITE







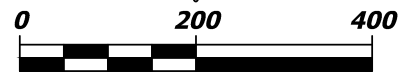
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ATTACHMENT D

EXISTING ZONING DESIGNATIONS



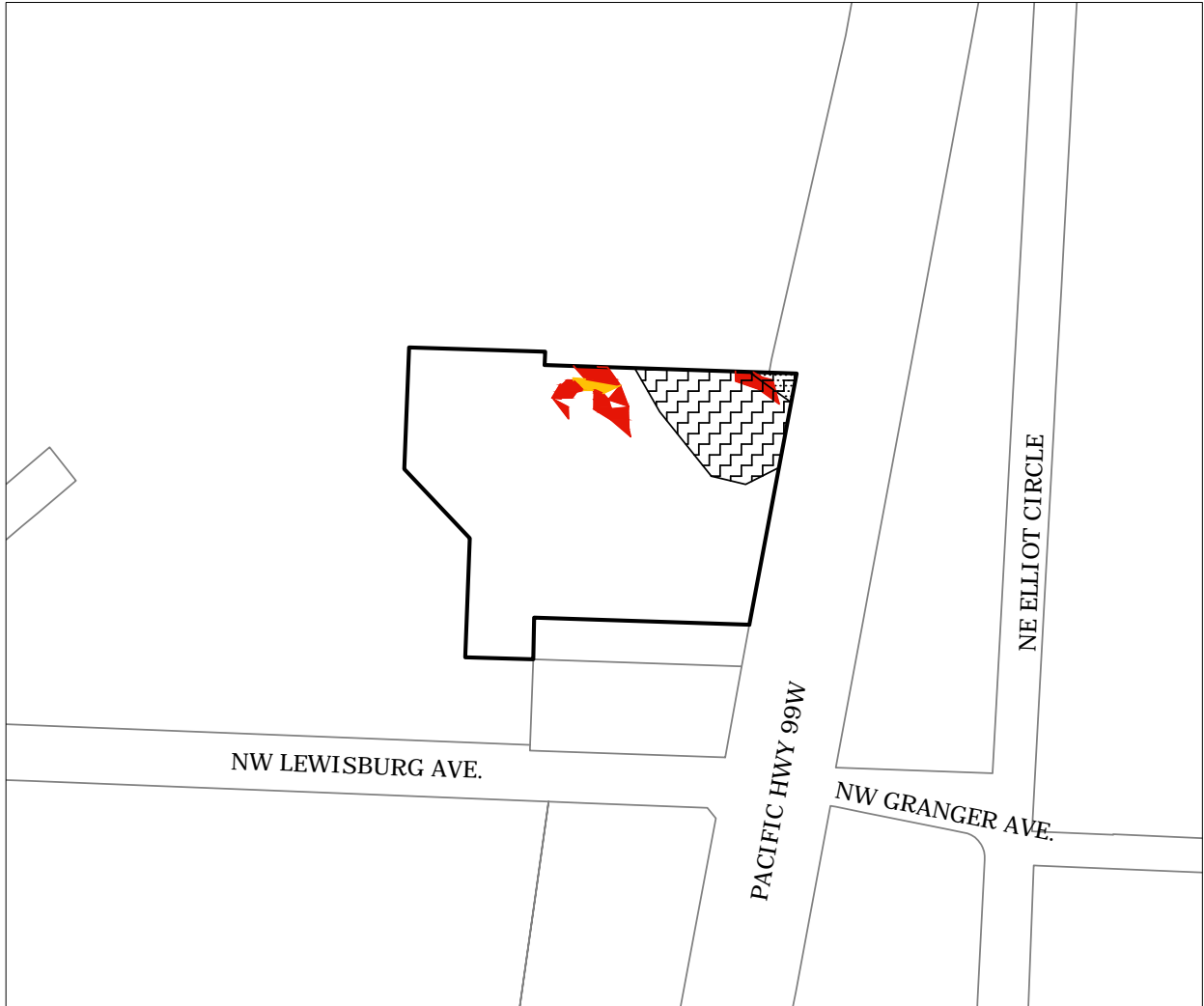
-  UR-5 URBAN RESIDENTIAL
-  UR-10 URBAN RESIDENTIAL
-  UC URBAN COMMERCIAL
-  SUBJECT SITE








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ATTACHMENT E

SIGNIFICANT NATURAL FEATURES

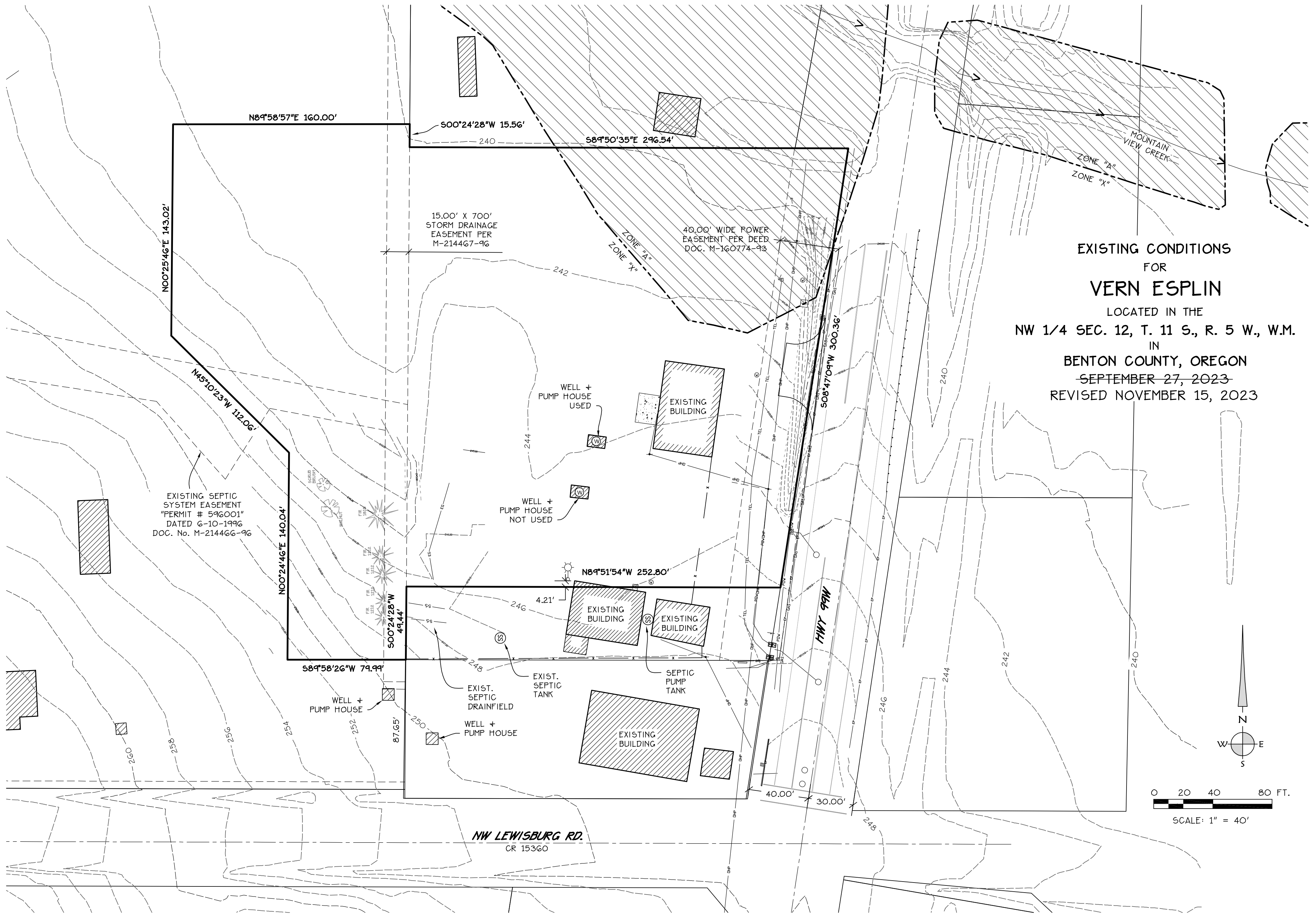


-  10-14.99% SLOPE
-  15-24.99% SLOPE
-  FLOODZONE A HIGH PROTECTION FRINGE
-  HIGHLY PROTECTED RIPARIAN CORRIDOR
-  SUBJECT SITE

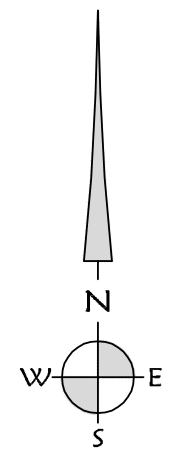


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ATTACHMENT F



EXISTING CONDITIONS
FOR
VERN ESPLIN
LOCATED IN THE
NW 1/4 SEC. 12, T. 11 S., R. 5 W., W.M.
IN
BENTON COUNTY, OREGON
~~SEPTEMBER 27, 2023~~
REVISED NOVEMBER 15, 2023



0 20 40 80 FT.
SCALE: 1" = 40'

ATTACHMENT G

Date: 11/15/2023 Time: 9:30
Scale: 1"=1(P5)
File: dwg\2015\15-188-B\15-188b-ex.dwg (George)

K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2583

Legal Description:

Parcel 1 of partition plat 2022-006, a partition recorded in Benton County, Oregon

Meets and Bounds:

Beginning at a 5/8" rod at the Southeast corner of Parcel 1 of partition plat 2022-006, a partition recorded in Benton County, Oregon, said corner being on the West right-of-way line of U.S. Highway 99W; thence North 89°51'54" West 252.80 feet to a 5/8" rod; thence South 00°24'28" West 49.44 feet to a 5/8" rod; thence South 89°58'26" West 79.99 feet to a 5/8" rod; thence North 00°24'46" East 140.04 feet to a 5/8" rod; thence North 45°10'23" West 112.06 feet to a 5/8" rod; thence North 00°25'46" East 143.02 feet to a 5/8" rod; thence North 89°58'57" East 160.00 feet to a 5/8" rod; thence South 00°24'28" West 15.56 feet to a 5/8" rod; thence South 89°50'35" East 296.54 feet to a 5/8" rod on the west right-of-way line of U.S. Highway 99W; thence South 08°47'09" West 300.36 feet to the point of beginning.

Containing 2.87 Acres more or less.

ATTACHMENT H

CORVALLIS URBAN FRINGE MANAGEMENT AGREEMENT

1. The City of Corvallis, Oregon and Benton County, Oregon hereby establish a joint management procedure pursuant to ORS 197.190 for the implementation of the Corvallis Urban Growth Boundary and plan for the Corvallis Urban Fringe; both of which form an integral part of the Corvallis Comprehensive Plan. The area situated inside the Corvallis Urban Growth Boundary and outside the Corvallis City limits shall be referred to as the Urban Fringe.

2. The City and County further agree to utilize the provisions of this agreement, the Corvallis Comprehensive Plan, as amended, the Benton County Comprehensive Plan, as amended, as the basis for review and action on Comprehensive Plan amendments, development proposals and implementing regulations which pertain to the Urban Fringe.

3. The City and County recognize that Oregon statutes and Statewide Planning Goals require a generalized, coordinated Comprehensive Plan map and policy statement for the Urban Fringe. The City and County agree to the following process for amendment of the Corvallis Comprehensive Plan text, map and Urban Growth Boundary as they pertain to the Urban Fringe.

A plan may only be amended semi-annually or after a determination by both City and County that there exists a significant community need to consider an amendment. If the determinations of the City and County differ, then the application for amendment will be considered at the next semi-annual review. The County will accept all applications for amendments and refer such applications to the City to allow for concurrent review.

The City and County staffs will jointly set the public hearing schedule for the amendment application(s). A joint public hearing will be held before the Corvallis and Benton County Planning Commissions. Following the close of the public hearing, the Planning Commissions shall deliberate either jointly or separately and forward a separate recommendation to their respective governing body.

If the Comprehensive Plan amendment is legislative in nature, the Benton Government Committee shall meet to discuss outstanding issues and recommend resolution of the matter to the City Council and County Commissioners.

A joint public hearing will be held before the Corvallis City Council and the Benton County Board of Commissioners. Within 30 days following the close of the public hearing each governing body shall reach a preliminary decision. Notice of the preliminary decision shall be forwarded to the other governing body. If the positions of the two jurisdictions are

identical, then the preliminary decision shall become final by passage of an ordinance by each governing body. If the positions of the two jurisdictions differ, either party may accept the decision of the other. If either party does not accept the decision, a joint meeting of the City Council and the Board of Commissioners will be held within 30 days of the last preliminary decision to resolve the differences prior to final action by either jurisdiction.

The procedures in this Section (No. 3) shall not apply to amendments of the Plan text, map, or Urban Growth Boundary that may be required by the Land Conservation and Development Commission.

4. The Benton county Board of Commissioners shall not initiate the creation of any special districts pertaining to the Urban Fringe for the provision of utilities, transportation, recreation, or other public facilities or services unless such districts:
 - a. Are approved by both parties; and
 - b. Recognize the City as the ultimate provider of urban services; and
 - c. Require improvements to full City standards; and
 - d. Lie within 1,000 feet of the City limits.

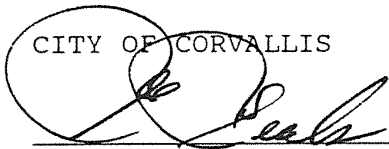
5. The Benton County Board of Commissioners shall not approve the creation of any special districts pertaining to the Urban Fringe for the provision of utilities, transportation, recreation, or other public facilities or services unless such districts:
 - a. Recognize the City as the ultimate provider of urban services; and
 - b. Require improvements to full City standards.

6. The City and County further agree to the following process for review and action on development proposals and implementing programs which pertain to the Urban Fringe:
 - a. The City shall make recommendations on development proposals, and implementing programs and projects which pertain to the Urban Fringe, for which the County has authority, including the following:
 - 1) Amendments to the zoning ordinance text and map;
 - 2) Planned unit developments;
 - 3) Conditional use permits;
 - 4) Land division;
 - 5) Public facility master plans;
 - 6) Public improvement projects;
 - 7) Utility extensions;
 - 8) Recommendations for the designation of health hazard areas;
 - 9) Capital Improvement Program;


- 10) Special district formation.
 - b. The County shall make recommendations on development proposals and implementing programs which pertain to the Urban Fringe, for which the City has authority, including the following:
 - 1) Public facility master plans;
 - 2) Requests for annexation;
 - 3) Capital Improvement Program.
 - c. The jurisdiction which has the authority for making a decision on one of the items in either 6a or 6b shall formally request the other jurisdiction to review the proposal and recommend action. This request for review and recommendation shall allow the reviewing jurisdiction a minimum of twenty-one (21) days to respond. If no response is received or no extension is requested, it will be assumed that the reviewing jurisdiction has no comment.
 - d. Nothing contained within this section is intended to alter the legal decision-making authority of either the City or the County.
7. The City shall be responsible for the preparation of a Public Facilities Plan for the Urban Growth Boundary as required by OAR 660-11-000 and ORS 197.712 (2)(e). The City shall consult with the County and consider incorporating into the Public Facilities Plan County recommendations and proposals for design standards, extensions, and improvements to County roads within the Urban Growth Boundary.
 8. Annexation applications to the City which are for areas outside the Urban Growth Boundary shall not be considered. Procedures for amending the Urban Growth Boundary prior to accepting such annexation applications are outlined in Section 3.
 9. The City and County shall establish a planning area which shall extend beyond the Urban Growth Boundary wherein the County will give the City the opportunity to review and make recommendations on County plans, ordinances, and development proposals prior to action by the County.
 10. The City and County agree to establish a significant service area boundary within two (2) years of the adoption date of this agreement.
 11. The City and County agree to conduct reviews of the allocation of industrial land within the Corvallis Urban Fringe. The reviews shall be conducted by the Benton County Planning Commission and by the Corvallis Planning Commission. The reviews shall result in reports for submission to the respective governing bodies within one (1) year.

- 12. This agreement may be amended at any time by mutual consent of both parties after referral to the City and County Planning Commissions for recommendation.
- 13. This agreement may be terminated by either party provided that the following procedure is used:
 - a. A public hearing shall be called by the party considering termination. That party shall give the other party notice of hearing at least 40 days prior to the scheduled hearing date. This 40-day period shall be used by both parties to seek resolution of any differences.
 - b. Public notice of the hearing shall be in accordance with applicable state and local statutes and goals.
 - c. An established date for termination of the agreement shall be at least 180 days after public hearing in order to provide ample time for resolution of differences, reconsideration of the decision and the adoption of a replacement Urban Fringe Management Agreement which complies with statewide goals, statutes, and administrative rules.
- 14. This agreement amends the agreements between the City of Corvallis and Benton County signed June 3, 1981 and October 18, 1982.

Dated this 20th day of December, 1990.

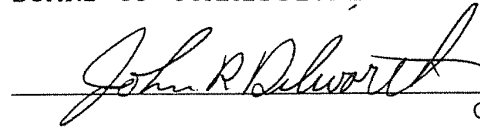
CITY OF CORVALLIS


 GERALD SEALS, CITY MANAGER

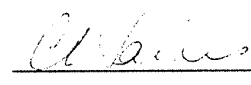
APPROVED AS TO FORM:


 City Attorney

Date: 12-20-90

BENTON COUNTY
 BOARD OF COMMISSIONERS


 CHAIR

APPROVED AS TO FORM:


 County Counsel

Date: 12-19-90



Community Development Department

Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333
co.benton.or.us/cd

MEMORANDUM

DATE: November 25, 2024

TO: Rian Amiton, Senior Planner | rian.amiton@corvallisoregon.gov
City of Corvallis | Planning Division

FROM: Toby Lewis, Senior Planner | toby.lewis@bentoncountyor.gov
Benton County | Community Development Department

SUBJECT: Corvallis Case No. CPA-2023-02 | Comprehensive Plan Map Change
5840 NW Highway 99W, Corvallis | Benton County Map & Tax Lot No. 11512BD01200

The property addressed at 5840 NW Highway 99W, Corvallis, is located within the Corvallis Urban Fringe and has a Benton County zone designation of Urban Residential. Applications requesting comprehensive plan map and zoning map changes were submitted to the City of Corvallis and Benton County.¹ Pursuant to the Corvallis Urban Fringe Management Agreement:

- City of Corvallis provided Benton County with a copy of the applicant’s request to change the city Comprehensive Plan Map designation from *Residential – Low Density* to *Mixed Use Commercial*.
- Benton County provided City of Corvallis with a copy of the applicant’s request to change the county Zoning Map designation from *Urban Residential (5- and 10-acre density)* to *Urban Commercial*.
- A joint public hearing before the City of Corvallis Planning Commission and the Benton County Planning Commission for concurrent review of the applications is scheduled for December 3, 2024.
- Upon issuance of recommendations from both planning commissions, a joint public hearing before the Corvallis City Council and Benton County Board of Commissioners will be scheduled to review applications based on the respective planning commissions’ recommendations.

Benton County staff reviewed the city application for a change of Comprehensive Plan Map designation and discussed the application with City of Corvallis staff. County staff understands that the city considers the requested *Mixed Use Commercial* designation to be consistent with existing uses on the property and with the policies of the Corvallis Comprehensive Plan.²

Benton County staff agrees that existing uses on the property are consistent with commercial uses rather than residential uses. The county therefore supports approval of city case no. CPA-

¹ City of Corvallis case no. CPA-2023-02 | Comprehensive Plan Map Change
Benton County planning file no. LU-24-006 | Zoning Map Change

² City of Corvallis Memorandum, Nov. 21, 2024, submitted for inclusion with county planning file no. LU-24-006

2023-02 and will also recommend that the county planning commission approve the zone change request for county planning file no. LU-24-006.

Full county findings and recommendations regarding the zone change request are included in the Benton County staff report and will be presented at the joint hearing scheduled for December 3, 2024.

Approval of both city case no. CPA-2023-02 and county planning file no. LU-24-006, as recommended by Corvallis and Benton County staff, will maintain consistency between existing uses on the property as well as the comprehensive plan designation and the zone designation for the property.

Should either file be denied, Benton County staff would recommend denial of both applications to maintain consistency between the comprehensive plan map and the zoning map designations for the property.



**Benton
County**

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Community Development Department

Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333

<https://cd.bentoncountyor.gov>

File No. LU-24-006

Staff Report to the Planning Commission

Proposed Action: **Zoning Map Change.** The application request considered by the Benton County Planning Commission is to change the zone designation for the property from *Urban Residential* to *Urban Commercial*.

Note: The Corvallis Planning Commission will concurrently consider a request to change the Comprehensive Plan Map designation from Residential – Low Density to Mixed Use Commercial.

Applicable Criteria: Benton County Code Sections 53.505 through 53.525

Property Location: 5840 NW Highway 99W, Corvallis. The property is located north of the City of Corvallis, north of Lewisburg Road, on the west side of Highway 99W.
(Tax Lot 1200 on Benton County Assessor’s Map 11-5-12BD)

Applicant: **David Dodson, Willamette Valley Planning LLC**

Property Owner: **VP Real Estate Investment Services LLC**

Zone Designation: Urban Residential, 5- & 10-acre density (UR-5 & UR-10)

Comprehensive Plan Designation: Residential – Low Density

Citizen Advisory Committee Planning Area: North Benton (not active)

Staff Contact: Toby Lewis, Senior Planner

I. Staff Conclusion & Recommendation

Based on review of the criteria and evidence submitted, staff concludes that the requested zone change is consistent with the applicable provisions of the Benton County Code and recommends approval of this application.

II. Attachments

Attachment A – Link to application materials submitted by applicant

Attachment B – Agenda and draft notes from February 16, 2024 pre-application meeting

Attachment C – City of Corvallis memorandum, dated November 21, 2024

III. Background

Pre-Application Conference

On December 18, 2023, Willamette Valley Planning LLC (applicant) submitted a request for a pre-application conference.¹ The Benton County Community Development Department (department) deemed the application complete on January 17, 2024.

On February 16, 2024, the department facilitated a pre-application meeting between the applicant, property owner, and partner agencies to discuss the proposed zone change.

The department emailed the applicant a link to the meeting recording on February 26, 2024.

Application Submittal

On March 11, 2024, the applicant submitted an application requesting a zone change to the department. On April 10, 2024, the department deemed the application incomplete and sent notice to the applicant.

On May 16, 2024, the applicant submitted additional application materials to address the missing information from the original application submittal, and on June 13, 2024, the department deemed the application complete.

The applicant is also requesting a change of the property's Comprehensive Plan Map designation. Because the property is located within the Corvallis urban fringe area, application for the Comprehensive Plan Map change was submitted to the City of Corvallis for review and issuance of a decision.²

Notifications

On October 29, 2024, the department provided notice of the application to the Oregon Department of Land Conservation and Development.

On November 13, 2024, and pursuant to Benton County Code (BCC) Sections 51.605 through 51.625 and 53.515, the department provided a combined notice of the public hearing to be held jointly by the City of Corvallis and Benton County on December 3, 2024, and notice of potential impact to permissible property uses.

On November 30, 2024, the department published a legal ad for the public hearing in the Corvallis Gazette-Times.

¹ Planning File LU-23-053

² City of Corvallis Case No. CPA-2023-02

Joint Hearings

Pursuant to the Corvallis Urban Fringe Management Agreement, the zone change request submitted to the county and the comprehensive plan map change request submitted to the city will be reviewed concurrently at a joint public hearing before the Corvallis and Benton County Planning Commissions.³

Upon recommendation of each planning commission, the applications will be forwarded to the Corvallis City Council and Benton County Board of Commissioners for a joint public hearing and issuance of final decisions.

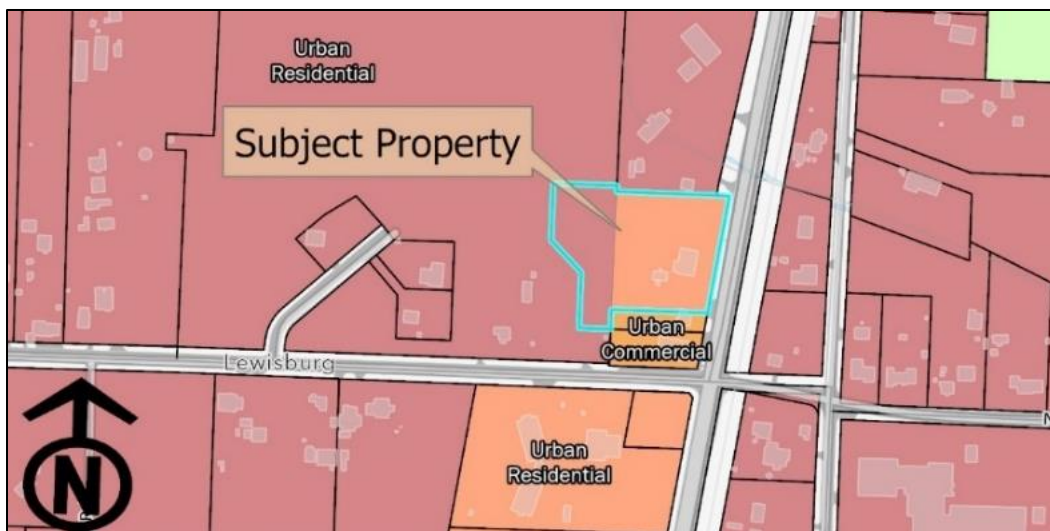
IV. Comments

November 21, 2024 – Rian Amiton, Senior Planner at the City of Corvallis submitted a memorandum in support of the requested zone change.

As of 5:00pm on November 22, 2024, Benton County has received no other comments regarding the zone change request.

V. General Findings

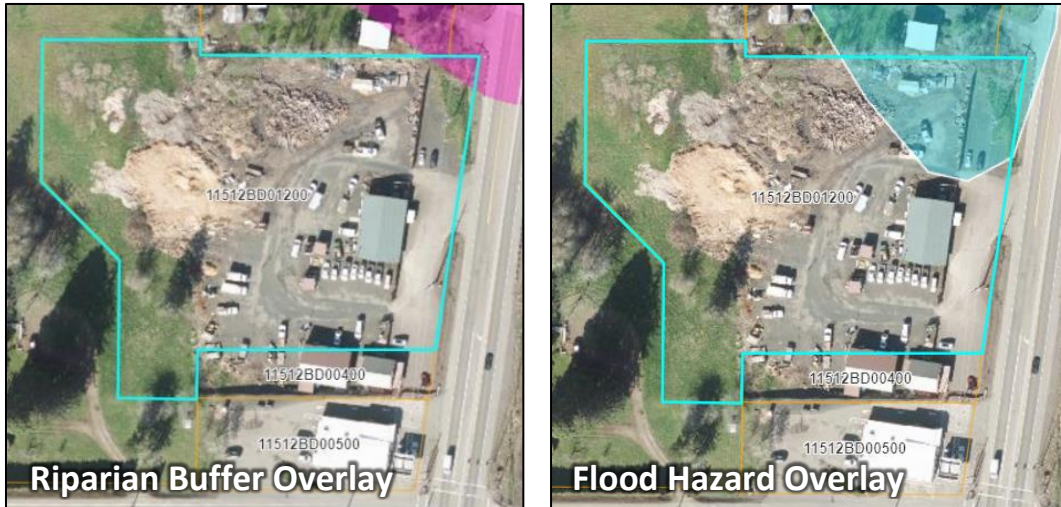
1. The subject property is 2.87 acres in size. The current property configuration was lawfully established through property line adjustment approval finalized in 2022.⁴
2. The property is north of the City Limits County Store (located on the northwest corner of the intersection of Lewisburg Road, Granger Road, and Highway 99W) and south of Mountain View Creek.
3. The property is currently zoned Urban Residential. The west approximately 1 acre of the property has a 5-acre density designation and the east approximately 1.8 acre has a 10-acre density designation.



³ Corvallis Urban Fringe Management Agreement, dated December 20, 1990

⁴ Benton County Planning File No. LU-20-069; Parcel 1, Partition Plat 2022-006

4. Land to the south of the subject property is zone Urban Commercial. All other surrounding properties are zoned Urban Residential.
5. The property is also located partially within two zoning overlays:
 - The northeast corner (0.02ac) of the property is located within a Natural Features Riparian Buffer overlay zone.⁵
 - The northwest 0.4 acre of the property is identified on the Benton County Flood Insurance Rate Maps as a Special Flood Hazard Area.⁶



VI. Findings Applying Development Code Criteria

BCC 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;*
- (2) *The impact on adjacent properties will be minimal;*
- (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*
- (4) *The proposed zone change is consistent with the policies of the Comprehensive Plan.*

Findings:

Appropriateness of proposed zoning

Zoning: The first zone designation applied to the subject property was Urban Residential and was established by the 1968 Benton County Zoning Map. The 1974 Benton County Zoning

⁵ 100-foot Riparian Buffer, Benton County Natural Features Overlay Map

⁶ Flood Zone A, Benton County Flood Insurance Rate Map, Panel 41003C 0100F, effective June 2, 2011

Map identified the zoning for the property as Community Commercial District (C-2). In 1979, a new Benton County Zoning Map was adopted and the zone designation for the property was changed back to Urban Residential. Although revised versions of the Benton County Zoning Map were adopted in 1982 and 2004, the zone designation for the subject property has remained Urban Residential.

Use: Although the property is zoned for residential use, it does not contain a dwelling. Benton County land use communications have documented a long history of commercial use of the property. Originally the commercial use of the property was deemed a non-conforming use, but the non-conforming status was lost several years ago.

Uses are deemed “non-conforming” when they begin before the establishment of a zone designation on a property. A non-conforming use is allowed to continue and can be granted authorization for alteration and/or expansion. However, if the use stops for more than one year, the non-conforming status is lost.⁷

The Lewisburg Auction was the last recognized non-conforming use to exist on the subject property. After the auction yard closed (circa 2001), there was a lapse of more than one year before a new commercial use was established on the property.



The next long-term business to occupy the property was Buena Vista Arbor Care (circa 2016), followed by the current occupant Bartlett Tree Experts. The current occupant is a tree service company and uses the property for associated storage of vehicles, wood, and wood chips.



Interpretation: A Planning Official interpretation of the Benton County Code issued in 2020 found that Buena Vista’s arbor care and landscaping business uses occurring on the subject property were inconsistent with the current Urban Residential zoning of the property but would be consist with uses allowed in the Urban Commercial zone.⁸

⁷ BCC 53.305 – BCC 53.335

⁸ Benton County Planning File LU-20-021

Request: The applicant's request is to bring the zone designation of the property into alignment with historic and existing use of the property by changing the zone to Urban Commercial. If approved, the current use of the property would be consistent with the permitted uses listed in the Urban Commercial zone.⁹

Impact on adjacent properties

Use of the subject property: Storage associated with the auction yard caused the property to be declared a junkyard. The quantity and types of items stored on the property when it was operated as an auction yard exceeded the limits of a junkyard. Fire and health hazard declarations were issued, and the property owner was required to clean up the site.



Upon purchasing the property in 2015, the current property owners finished the site cleanup and rehabilitated the property for use as an arbor care business. Although operation of an arbor care business is not consistent with the uses allowed in the Urban Residential zone, Benton County staff have not found any record of complaints associated with use of the property for this business.



Surrounding uses: There are two properties that occupy the land between the subject property and Lewisburg Road. Both properties are zoned Urban Commercial and each is used for commercial purposes. Additional commercial uses are located south of Lewisburg Road along the west side of Highway 99W.

⁹ BCC Chapter 68, and as established by Planning Official interpretation (Benton County Planning File LU-20-021)

Land to the north and west of the subject property is zoned Urban Residential and each property contains a house combined with agricultural use. Properties located east of the subject property (between Highway 99W and Elliott Circle) are also zoned Urban Residential and contain dwellings. Mountain View School is located farther southeast, at the southeast corner of the Granger Avenue and Elliott Circle intersection.



Impacts: Based on available data, commercial use of the subject property has existed for more than 30 years, and use of the property related to commercial tree care services has existed for approximately 10 years. Because the property is already used for commercial purposes that have been deemed consistent with the Urban Commercial zone and it is located at an intersection with a cluster of commercial uses, it is expected that any impacts to adjacent properties as a result of changing the zone designation from Urban Residential to Urban Commercial will be minimal.

Impact on public services

Public services: The subject property is bordered by Highway 99W which is maintained by the Oregon Department of Transportation (ODOT). City sewer and water services are not available to the property because it is located outside city limits. Emergency services are available from Benton County Sheriff’s Office and Corvallis Fire Department.

Based on feedback received from ODOT during the pre-application meeting, the applicant provided a revised traffic impact analysis to evaluate all potential commercial uses allowed in the Urban Commercial zone. ODOT had no further comments regarding the applicant's zone change request.

Impacts: The current commercial use of the property was previously deemed consistent with the uses allowed in the Urban Commercial zone. This use of the property has not caused a significant impact on public services and is not expected to change as the result of the requested zone change.

Comprehensive Plan consistency

The subject property is located in the Corvallis urban fringe area. The Benton County Comprehensive Plan includes the following statement regarding land within this area:

Corvallis Urban Fringe Comprehensive Plan Policies

Additional policies apply to the land in the Corvallis Urban Fringe – the area outside the city limits and inside the urban growth boundary. These policies are contained in a separate volume located at the Benton County Community Development Department.

The Urban Fringe policies were derived from the Corvallis Comprehensive Plan and were adopted by the Benton County Board of Commissioners in 1999 as elements of the Comprehensive Plan. The policies cover the fifteen applicable statewide planning goals.

Subsequent to their adoption in 1999, the Corvallis Urban Fringe policies have been amended through adoption of the Corvallis Stormwater Master Plan and the Corvallis Natural Features Program.

The policies referenced above are now contained in a document titled *Benton County Comprehensive Plan for the Corvallis Urban Fringe*; this document was last amended in 2005 as part of the Corvallis Natural Features Program adoption process.¹⁰ This document states, in part:

Benton County hereby adopts by reference all findings contained in the Corvallis Comprehensive Plan as adopted by the City in December 1998. These findings are adopted as part of the Benton County Comprehensive Plan. They form the factual basis upon which the Comprehensive Plan policies were developed.

According to the 2005 Benton County Comprehensive Plan for the Corvallis Urban Fringe, the Corvallis Urban Fringe Management Agreement “identifies the joint management process for planning and land use application review in the urban fringe” and the “portions of the Comprehensive Plan that apply to areas outside the City Limits shall be amended in accordance with procedures set forth in the ‘Corvallis Urban Fringe Management Agreement.’ ”

¹⁰ Benton County Ordinance Nos. 2005-0209, 2005-0210, & 2005-0211

The Corvallis Urban Fringe Management Agreement (CUFMA) provides the following statements regarding jurisdictional review of Comprehensive Plan Map amendments within the Corvallis urban fringe area:

2. *The City and County further agree to utilize the provisions of this agreement, the Corvallis Comprehensive Plan, as amended, the Benton County Comprehensive Plan, as amended, as the basis for review and action on Comprehensive Plan amendments, development proposals and implementing regulations which pertain to the Urban Fringe.*
3. *The city and County recognize that Oregon statutes and Statewide Planning Goals require a generalized, coordinated Comprehensive Plan map and policy statement for the Urban Fringe. The City and County agree to the following process for amendment of the Corvallis Comprehensive Plan text, map and Urban Growth Boundary as they pertain to the Urban Fringe. ...¹¹*

Section 6 of the CUFMA identifies types of development proposals, programs, and projects for which each jurisdiction has decision-making authority and recommendation opportunities. While this section identifies the county as the decision-maker for amendments to the zoning ordinance text and map (with recommendation from the city), it does not identify a decision-maker for amendments to the Comprehensive Plan text and map for land within the Corvallis urban fringe area.

Based on the statements in Sections 2 and 3 of the CUFMA, the Corvallis Urban Fringe Comprehensive Plan Policies section of the Benton County Comprehensive Plan, and the 2005 Benton County Comprehensive Plan for the Corvallis Urban Fringe document, both jurisdictions agree that the City of Corvallis is the appropriate jurisdiction for evaluation of consistency with the applicable Comprehensive Plan policies for land within the Corvallis urban fringe area.

The City of Corvallis is evaluating a concurrent Comprehensive Plan Map Amendment requesting to change the portion of the property designated as Residential – Low Density to Mixed Use Commercial. As stated in the memorandum submitted by the City of Corvallis, city staff supports approval of the proposed zone change (LU-24-006) and is recommending approval of the requested Comprehensive Plan Map change (CPA-2023-02).

The city's complete findings related to the policies of the Corvallis Comprehensive Plan will be addressed in that agency's staff report and presented to Corvallis Planning Commission during the joint public hearing on December 3, 2024.

Conclusion: The proposed Urban Commercial zoning for the subject property is consistent with the criteria identified in Benton County Code Section 53.505.

¹¹ The remainder of Section 3 (CUFMA) identifies requirements and format for joint hearings to review amendments to the Comprehensive Plan.

BCC 53.510 – Initiating a Zone Change

- (1) A landowner may initiate a zone change for land in his or her ownership by submitting an application for a zone change to the Planning Official. The application shall include maps, drawings, data and other relevant information supporting the zone change.*
- (2) The Board of Commissioners may initiate a zone change. The Board shall direct the Planning Official to prepare maps, drawings, data, and other information supporting the proposed zone change.*

Findings: The landowner initiated the zone change request by submitting an application to the Benton County Community Development Department. The department reviewed the application materials submitted by the applicant and, on April 10, 2024, deemed them compliant with the requirements of BCC 53.510(1).

Conclusion: The proposed zone change was properly initiated.

BCC 53.520 – Planning Commission Review

The Planning Commission shall conduct a public hearing to review a proposed zone change. Following the close of the public hearing, the Planning Commission shall make a recommendation to the Board of Commissioners to approve, deny or modify the proposed zone change. The Commission shall include findings in support of its recommendation.

Findings: The Benton County Planning Commission will conduct a hearing on December 3, 2024, and will forward a recommendation to the Board of Commissioners. Findings in support of the Planning Commission’s decision will be included in the recommendation to the Board of Commissioners.

Per the Corvallis Urban Fringe Management Agreement, this hearing will be held jointly with the City of Corvallis Planning Commission.

Conclusion: The scheduled hearing will comply with the procedure requirements of BCC 53.520.

BCC 53.525 – Board of Commissioners Review

The Board of Commissioners shall conduct a public hearing to review a proposed zone change. The Board may approve, modify, or deny the proposed zone change. The Board shall include findings in support of its decision. If the Board approves the zone change, the Board shall amend the Official Zoning Map by ordinance pursuant to the provisions of the Benton County Charter.

Findings: Upon issuance of the Planning Commission’s recommendation regarding the proposed zone change, a hearing will be scheduled for the Board of Commissioners to consider the zone change request and Planning Commission recommendation. Findings supporting the Board’s decision will be included in the Ordinance.

Per the Corvallis Urban Fringe Management Agreement, this hearing will be held jointly with the Corvallis City Council.

Conclusion: The scheduled hearing will comply with the procedure requirements of BCC 53.525.

VII. Conclusion and Recommendation

Staff finds that the requested zone designation is more appropriate than the current zone designation, the impact on adjacent properties as a result of the requested zone change will be minimal, and there will be no significant impact to public services.

Consistency with the applicable Comprehensive Plan policies is addressed by the City of Corvallis through concurrent review and evaluation of Corvallis case no. CPA-2023-02.

The requested zone change from Urban Residential to Urban Commercial for the subject property is consistent with the applicable provisions of the Benton County Code.

Staff recommends that the Planning Commission vote to: *Recommend that the Board of Commissioners approve the proposed zone change and amend the Benton County Zoning Map.*

VIII. Motions

I move to:

A. Recommend **approval** of the zoning map amendment requested in Benton County Planning File LU-24-006 based on the findings and conclusions contained in the staff report [or as modified at the public hearing].

or,

B. Recommend **denial** of the zoning map amendment requested in Benton County Planning File LU-24-006 based on the findings in opposition and conclusions developed at the hearing.



**Benton
County**

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Community Development Department

Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333

<https://cd.bentoncountyor.gov>

Attachment A
Staff Report to the Planning Commission

The application materials submitted by the applicant for Planning File Number LU-24-006 are available online at: <https://cd.bentoncountyor.gov/land-use-applications-in-review/>

- Initial Application Packet: 89 pages
- Revised Application Packet: 161 pages



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Attachment B

Staff Report to the Planning Commission

Pre-application meeting agenda and draft notes



Community Development Department

Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333
co.benton.or.us/cd

Pre-Application Conference | February 16, 2024 | Planning File LU-23-053

Agenda

Meeting Description:

Pre-application conference to discuss Zone Change requested by VP Investment Services

- *Property Location:* 5840 NW Highway 99W, Corvallis (11512BD01200)
- *Current Zone Designation:* Urban Residential (UR-10 & UR-5)
- *Desired Zone Designation:* Urban Commercial (UC)

Purpose:

- Discuss and identify considerations, issues of concern, and opportunities related to the desired zone change.
- Consider the feasibility of the request and identify any additional items to address if an application is submitted. (*Toby Lewis*)

Introductions:

Please provide your name, title, and the department or agency you work for. (*All*)

Description of Request:

Overview of the desired zone change and reasons for the request. (*Applicant*)

Zone Change Overview:

Land use review processes (*Toby Lewis*)

- Application – zone change & comprehensive plan change
- Review – Joint city/county process

Comment & Feedback on Request:

Roundtable identification of expected requirements / conditions / concerns / opportunities (*County, City, State, and Agency staff*)

- **Benton County Community Development Department**
 - Zoning overlays
 - Floodplain
 - Land use considerations
- **City of Corvallis**
 - Comprehensive plan considerations
 - Sewer and water future connection considerations
 - Current/upcoming considerations to be aware of
- **Department of Land Conservation & Development**
 - Applicable statewide planning goals
 - Current/upcoming considerations to be aware of

- **Oregon Department of Transportation**
 - Road approach, road improvements, traffic impact analysis
 - Current/upcoming considerations to be aware of
- **Benton County Public Works Department**
 - Stormwater management
 - Erosion and sediment control
 - Water quality
- **Benton County Environmental Health Division**
 - Septic history/considerations
- **Corvallis Fire Department**
 - Current/upcoming considerations to be aware of
- **Benton County Emergency Services Division**
 - Current/upcoming considerations to be aware of
- **Corvallis School District**
 - Current/upcoming considerations to be aware of
- **Utility Services**
 - Current/upcoming considerations to be aware of

Additional Coordination & Considerations *(All - Roundtable)*

- Opportunities for partnership?
- What else should we be thinking about?
- What have we missed?

Wrap-up

- What else do you want to make sure is on the table before we leave today? *(County, City, and Agency staff)*
- What else should we be asking? *(County, City, and Agency staff)*
- Final questions *(Applicant, then County, City, and Agency staff)*

VP Real Estate, Zone Change
Vernon & Priscilla Esplin, VP Real Estate Investments LLC – Owners
Dave Dodson, Willamette Valley Planning LLC – Applicant

Attendees:

Property Owners

Vernon Esplin
Priscilla Esplin

Applicant

Dave Dodson, Willamette Valley Planning

Oregon Department of Land Conservation & Development

Patrick Wingard
Kevin Young

Oregon Department of Transportation

Duane Liner
Arielle Childress
James Feldman

Benton County

Petra Schuetz, Community Development
Toby Lewis, Community Development
Webster Slater, Community Development
Gordon Kurtz, Public Works Department
Lars Gjovic, Environmental Health Division

City of Corvallis

Matt Grassel, Public Works
Jason Yaich, Community Development
Rian Amiton, Community Development

Corvallis Fire Department

Jonathan Jones

Meeting Notes:

Agenda and Process: Toby Lewis

Applicant's Request: Dave Dodson

Property acquired through foreclosure. Previous owners operated a business there. Lien on property reduced in exchange for arbor care services provided to county by current owner. Conversations with Greg Verret beginning around 2019 on potential reclassification of property to conform with ongoing use. Eventual septic evaluation and property line adjustment resulted.

Request is to reconcile current use on this property with County zoning. Upon approval of requested zone change, the owner's next request will be a property line adjustment to resolve a building encroachment for the property to the south.

Roundtable Discussion: All

Toby Lewis clarified: There was an interruption to the existing, non-conforming use, and this remains an issue as a commercial use is not an outright allowed in the Urban Residential zone. Additionally, a request for a zone change needs to evaluate *all* potential allowed uses in the requested zone (in this case, Urban Commercial), not only the current use on the property.

Rian Amiton: Submission for a Comprehensive Plan Update to the City of Corvallis will be considered incomplete until the corresponding request for a zone change has been submitted to Benton County.

The analysis from the city's Buildable Lands Inventory demonstrating a deficit of land zoned for mixed-use commercial and a surplus of land zoned for low-density residential is accurate, albeit any change request should be viewed with some site-specific considerations to determine appropriateness of commercial activity. Particularly, what the city zoning designations will be once annexed: General Commercial, Commercial Mixed-Use 1, 2.

Area is a Neighborhood Center and commercial activity is consistent with planned uses; this request is not "Spot Zoning."

The traffic impact study needs to incorporate city rather than county zoning designations.

Patrick Wingard: Biggest concerns appear to be implications for transportation infrastructure.

Nearby high school is served by utilities but current property may not connect to these services according to Corvallis.

Kevin Young: A change from residential to commercial land designation needs to make findings that the city's housing needs will still be met (Goal 10 criteria).

James Feldman: Recommends applicants determine whether any degradation of service on Highway 99 would occur and, if so, include proposed mitigation measures in this request – even if impact and mitigation would need to happen at a much later date/concurrent with future (re)development.

Arielle Childress: Traffic Impact Study needs to re-evaluate "reasonable worst-case" development impacts should project ~10-15 years in the future to determine possible impacts.

James Feldman reiterated his previous point.

Duane Liner: There could be potential issues in the future with the current approach and left-turn movements onto the property might not be an option.

Additionally, driveway spacing standards can remain non-compliant but changes would be triggered once "change of use criteria" are met. The scope could include "channelization" for left turns given a large-enough increase in intensity of use. Traffic Impact Study does not include any anticipated steps to remedy this potential.

Gordon Kurtz: Property is naturally “scrub vegetated,” with the existing commercial activities expanding over ~10 years. There’s a high chance a 1200-Z permit from Department of Environmental Quality is needed.

While Erosion & Sediment Control threshold don’t apply retroactively, applicants should expect to cross it if development continues at its historic pace.

Public Works would like a Condition of Approval to include site modifications to enhance/protect the water quality of Mountain View Creek.

Lars Gjovik: A Septic Evaluation was applied for in 2016 but there’s no record of an approval. The application noted potential fill. Septic Authorization is the main factor in the possibility of any future expansion of uses on the property (note: size limits on holding tanks). In addition to the number of employees using the site, flow data can also be used to determine adequate sizing.

Vernon Esplin clarified: The test holes for the septic approval area were primarily in the southwestern “stem” of the *Urban Residential: 5-Acre* portion of the property and remains demarcated and access restricted.

Jason Yaich: The Comprehensive Plan update for the property will not change the designation of the southwestern “stem” of the *Urban Residential: 5-Acre* portion of the property.

Toby Lewis clarified: Septic systems on land zoned for residential use may not serve a non-residential use in another zone or on another property.

Matt Grassel, Gordon Kurtz: On the potential for the County to apply a deed restriction in order to limit the number of trips: the closest Public Works has to this type of restriction is a “Right-In, Right-Out” agreement but is fairly limited in where it’s applied.



**Benton
County**

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Community Development Department

Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333

<https://cd.bentoncountyor.gov>

Attachment C
Staff Report to the Planning Commission

City of Corvallis memorandum, dated November 21, 2024



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Community Development Department
Planning Division
PO Box 1083
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11/21/2024

VIA EMAIL

TO: Toby Lewis, Senior Planner
Benton County
Toby.Lewis@bentoncountyor.gov

FROM: Rian Amiton, Senior Planner
City of Corvallis – Planning Division
Rian.Amiton@corvallisoregon.gov

Subject: LU-24-006 (Zoning Map Change – 5840 NW Highway 99W)

Following the procedures outlined in the Corvallis Urban Fringe Management Agreement (CUFMA), Corvallis Planning staff has reviewed Benton County case LU-24-006, a request to change the County zone on a property inside the Corvallis Urban Fringe from Urban Residential (5- and 10-acre density) to Urban Commercial.

In conversations with Benton County Planning staff, Corvallis understands that the requested Urban Commercial Zone most closely resembles the Corvallis zoning designations that implement the Mixed Use Commercial (MUC) designation on the Corvallis Comprehensive Plan Map. Corvallis Planning staff therefore supports approval of LU-24-006, contingent on approval of the concurrent Corvallis Comprehensive Plan Amendment (CPA) request to change the designation on the Corvallis Comprehensive Plan Map from Residential – Low Density (LDR) to MUC (Corvallis case CPA-2023-02).

Corvallis Planning staff's full findings and recommendations on the CPA request will be presented at the scheduled December 3 joint meeting of the Benton County and City of Corvallis Planning Commissions, at which LU-24-006 will also be considered. In short, staff recommends approval of CPA-2023-02. Staff finds that the CPA request is consistent with statewide planning goal and the policies of the Corvallis Comprehensive Plan; there is a demonstrated need for the change; the advantages to the community resulting from the change outweigh the disadvantages; and the proposed change is a desirable means of meeting the public need.

If CPA-2023-02 is approved, as recommended by Corvallis Planning staff, approval of LU-24-006 will maintain alignment between the County's Zoning Map and the Corvallis Comprehensive Plan Map. For the same reason, should CPA-2023-02 be denied, Corvallis Planning staff would also recommend denial of LU-24-006.

Please contact me with any questions at Rian.Amiton@corvallisoregon.gov or (541) 766-6573.



SUBJECT

South Corvallis Area Plan Project Update – Changes to land use designations and local transportation improvements in South Corvallis. Pertains to areas within City Limits and outside City Limits in the urban fringe.

ACTION REQUESTED

No formal action is requested. Staff will provide the Planning Commissions with an update on the project for discussion.

DISCUSSION

Over the past four years there have been two land use and transportation planning projects ongoing in South Corvallis. These projects affect areas inside the city limits, as well as the Urban Fringe areas of Benton County inside the Corvallis Urban Growth Boundary.

ODOT has completed its OR99W South Corvallis Facility Plan, with the Corvallis City Council acknowledging the Plan in September. [2024.09.03 CC Staff Report ODOT OR 99W Facility Plan](#)

That Plan is now moving through the adoption phase in the Oregon Highway Plan, as well as with amendments to the Corvallis Comprehensive Plan and Transportation System Plan. With the highway design plan project complete and awaiting formal adoption, the South Corvallis Area Plan is able to move forward with potential land use changes and local street, bicycle, and pedestrian connectivity options to bring about the vision of the South Corvallis community and broader City.

Throughout the outreach efforts in the past four years, which has included a variety of in-person open house events and multiple online mapping tools and questionnaires, the community has consistently expressed a desire for a “complete” neighborhood. Community members have expressed support for more robust commercial areas, greater variety of housing choices, more interconnectivity between neighborhoods and across Highway 99W, and a generally richer neighborhood environment with access to goods and services and a low-stress, convenient alternative transportation system.

Staff has worked with a South Corvallis Plan Advisory Workgroup, comprised of property owners, neighbors (both inside and outside City limits), City Councilors, and a City Planning

Commissioner to pour over community comments and develop a plan that could help stimulate the type of development desired.

On Thursday, November 21st, the City conducted a casual open house event at Lincoln Elementary School to show the community a “Land Use Scenario 1” concept from the Workgroup and some local transportation system options to begin the community discussion on potential changes in the land use plan for south Corvallis. Land Use Scenario 1 and the local transportation connections are concepts derived from the input received from the community, as well as the technical and advisory committees. The event was well attended, with neighbors and interested parties from all over South Corvallis, the City, and Benton County. Staff and elected officials heard from community members about what changes they welcomed, and also changes that they were not comfortable with.

For more information and background on the project, Commissioners can access the South Corvallis Area Plan Storymap and questionnaire here: www.corvallisoregon.gov/cd/page/south-corvallis-area-plan

Over the next few weeks staff will review the comments received at the open house and through the questionnaire to get a more detailed view of what the community would like to see moving forward. Future meetings of the Technical Advisory Committee and Department Advisory Workgroup will be held to refine the potential changes into a “Land Use Scenario 2” to present back out to the public as we continue to work on the development of the area plan.

At a high level, the proposed changes within the planning area:

- Change Comprehensive Plan Map designations in the northern segment to reduce the amount of Industrial and increase the amount of Commercial Mixed Use
- Intensify the Commercial land uses potential along the corridor
- Introduce higher density and Residential Mixed Use designations on the west side of Highway 99W
- Change the orientation of commercial and residential uses within the urban fringe on the east side of Highway 99W
- Adjust the uses in industrial and employment areas to better reflect contemporary needs and state law changes, and work to simplify Corvallis’ extensive list of industrial Zones
- Create local street connectivity and better access to controlled intersections and improve / expand alternative transportation options for bicyclists and pedestrians

Whenever the City or County decides to consider changes to land uses within the urban fringe, the two jurisdictions are required to follow the procedures outlined in the Corvallis Urban Fringe Management Agreement (CUFMA). This agreement calls for joint City/County Planning Commission, and City Council/County Commissioner review and decision on such changes. While the Planning Commissions are not being asked to make a decision on the proposed changes presented at this time, this update is intended to provide details on the area plan project and answer any questions the Commissions may have. Additionally, Benton County Planning Commissioners and residents are strongly encouraged to provide feedback using the online questionnaire and to view the Storymap. As the project progresses, staff will provide further updates in anticipation of eventual joint processes for review and action on the elements in the plan.