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June 21, 2017

Mayor and City Council
Salem City Hall
555 Liberty Street SE
Salem, OR 97301

COMMUNITY DEVELOPMENT

RE: Accessory Dwelling Units, Public Hearing June 26, 2017

Dear Mayor and Council:

The proposal before you is to enable ADU's [Accessory Dwelling Units] in the Residential Single Family Zone. My recommendation to you quite simple:

As stated in its title, maintain the purpose of Single Family Residential Zone as a location for **SINGLE FAMILY** use, and reject the ADU proposal in this zone.

The ADU proposal would allow two complete dwelling units on each lot. Clearly, two units on a lot is equivalent to allowing a duplex.

Having lived in Salem for 40 years, and served the City as an urban planner, I recognize conditions and values evolve. In land use, coincident with a community's own values is the attendant focus of DLCD forge changes based on State Land Use Goals and Guidelines.

My home is located in a subdivision platted many years before the advent of Senate Bill 100. When I purchased my home, the intended use of the property was clear. In addition to the underlying RS zone, the developer established CC&R's that prohibit a second dwelling unit on a platted lot.

Since that time I have seen the pallet of rules governing development, but not primary use, in the RS zone change with the times. Perhaps the greatest move was reducing the minimum lot size from 6,000 sq ft to 4,000. Later on, State law enabled the siting of manufactured dwelling units.

While development standards have been modified, for the most part the primary use within the RS zone is recognized as a single family residence. Yes, duplexes are allowed on corner lots of 7,000 sq ft, or more. And of course, there are provisions for "two-family shared housing." That was the outcome of a previous attempt some years ago to allow ADU's. An attempt that failed.

While the proposal at hand is interesting, development standards do not the mask change and increase in activity enabled by allowing two dwellings on a single lot. That includes traffic generation. There seems to be a total disconnect relative to the City's interest in recent years regarding on-site parking in RS. There has been a recent change to require a double garage for every dwelling unit. No on-site parking

accommodation at all is proposed for an ADU, whereas a traditional duplex would be bound to on-site parking requirements.

As for accommodating more housing and housing density, I suggest Salem look at the history of Boulder, CO in this regard. Boulder, a university city of over 100,000 population, has accommodated ADU's for more than 30 years. As of 2012, the city had 186 ADU's. To me, it is worth pondering whether 6 or so additional DU's [dwelling units] per year is of real consequence particularly when the potential disruptive impacts on established residential patterns is seriously considered.

Should the ADU proposal proceed, it would be appropriate to have measurable objectives to evaluate over time. Based on the outcomes, revaluation would provide the basis for refinement or repeal. I recall the "innovative provisions" of the IRD, Increased Residential Density subdivision of the 1980's, with narrow streets and reduced parking. Upon evaluating actual results, the provisions were repealed.

Yes, conditions change. When I bought my home in Salem, I was within 300 feet of the Cherriot stop I used to get to work. Today, I am in the same house, 1.4 miles from the nearest Cherriot, with a 400 foot total difference in vertical elevation. It's apparent to me that multiple factors are necessary to support denser development, and my particular neighborhood is not a good fit for the ADU approach.

Sincerely yours,



Roger J. Budke

3290 Sumac Drive S
Salem, OR 97302

cc: ✓ Lisa Anderson-Ogilvie, AICP
Eunice Kim, Project Manager

Testimony by Laura Buhl, resident of NEN, residing at 695 16th Street NE
Salem City Council Public Hearing, June 12, 2017 - Continued to June 26, 2017

Re: Proposed Amendments to Salem Revised Code to create standards for and allow Accessory Dwelling Units in certain zones

I am a resident of the Northeast Neighbors (NEN) neighborhood and also a board member of NEN, although in these comments I am representing myself. I would like to commend City of Salem planning staff for their hard work in preparing the amendments to allow Accessory Dwelling Units (ADUs) in Salem. There has long been a need for Salem to allow a variety of housing types to meet the different needs of its citizens. These amendments are an important step in meeting that need. **I urge the City Council to approve the code amendments before you, as revised in the Planning Commission's recommendation.** The Planning Commission recommended approving the amendments as proposed, except that they voted to increase the maximum height to 25 feet and remove the parking requirement.

Both revisions make a lot of sense. A greater height limit will more easily permit ADUs over garages and will also allow a greater variety of architectural styles and rooflines, which will be welcome to homeowners who want the ADU to match the style of their existing house. Removing the parking requirement is vital to achieving the City objectives stated in the staff report to Planning Commission for the proposed ADU code amendments: "expand housing choices in Salem by encouraging the development of ADUs while also establishing standards to promote neighborhood compatibility."

Some codes have so many standards for ADUs that, although ADUs are nominally legal, they are never built. The standard that creates the biggest barrier is the requirement to provide off-street parking. Alan Durning, executive director of Sightline Institute and noted sustainability and affordable housing expert, wrote that "one way a city can legalize ADUs but pinch their number is to require a complete, additional, off-street parking space for every [ADU]. At many houses, especially those in dense, in-city districts where the demand for housing is strongest, installing another off-street parking space is expensive if not physically impossible." Excessive off-street parking requirements prevent property owners from providing the amount of parking that they need, decrease housing flexibility and life-style options, and make housing less affordable by increasing the costs of development. If Salem truly wants a code that will, as the staff report says, "encourage the development of ADUs," it will not require off-street parking for ADUs.

While it is abundantly clear that additional development requirements will not help encourage the development of ADUs, perhaps more debatable is whether requiring off-street parking would "promote neighborhood compatibility," another goal of the amendments, as stated in the staff report. I posit that requiring an off-street parking space for ADUs would in fact be detrimental to neighborhood compatibility and, therefore, strongly encourage the Council to uphold the Planning Commission's recommendation.

By adopting the Planning Commission's recommendation, creation of unneeded off-street parking can be avoided. Off-street parking leads to the removal of trees and vegetation, which is replaced by hard surfaces. This increases stormwater runoff, makes our neighborhoods

hotter through the urban heat island effect, and removes the natural beauty that makes our city livable and walkable.

If off-street parking were to be required for a ADUs, it would result in needing to make a **new curb cut** for many properties. This is problematic for a number of reasons:

- **Danger!** Every time a car crosses a sidewalk there is an additional opportunity for vehicle/pedestrian conflicts. We know that this is a very real danger. Tragically, people walking on sidewalks right here in Salem have been killed this way. The only way to decrease the risk is to reduce the potential for conflicts.
- In my neighborhood, a new curb cut would require the removal of our planting strips' greenery, shrubs, or even **street trees**, which would make my neighborhood less walkable by taking away shade and natural beauty.
- **Ironically, when a curb cut is made, it removes a space of on-street parking! So, all the expense and negative neighborhood impacts of adding a curb cut don't even yield a net increase in parking spaces. It's a lose-lose situation all the way around.**

Salem's on-street parking resources, which is land that is already paved and maintained, is sorely underutilized. On-street parking is not a problem in my neighborhood, but cars that drive too fast are. If there were more cars parked on the street, cars would drive more slowly and I would have something to buffer me from moving traffic as I walk down the sidewalk. Creating more off-street parking would not provide this benefit.

I have listed many of the negative impacts of requiring off-street parking for ADUs. Another compelling reason for adopting the Planning Commission's recommendation is that there is no objective evidence that there is an on-street parking shortage, that ADUs will cause an on-street parking shortage, or that off-street parking is the best solution for dealing with any future on-street parking shortage.

Some people will say, "you have to require off-street parking for ADUs because there's nowhere to park on my street." I am familiar with some of the locations I've heard people say this about, and their perception is simply not reflecting reality. Well-known parking expert, Donald Shoup (professor emeritus at UCLA), has established that a block face is considered fully parked at 85% (The 85% Rule). That means that a block face with ten spaces can have eight spaces occupied, and look quite full, but not be fully parked. Also, when I have seen a stretch of curbside in residential areas that looks rather full, invariably, just around the corner or down on the next block, it's nearly empty. I have lived in cities with tight parking, and Salem doesn't come close to having tight parking. **How should this difference in perception be resolved? Data!**

The City of Salem has no neighborhood-by-neighborhood parking inventory and has no data on the occupancy of existing on-street parking in the neighborhoods. Requiring ADUs to provide off-street parking would be based on fear about how ADUs could impact parking supply, not on actual on-street parking availability. It would be a tragedy to require development standards that would lead to the negative outcomes I describe above, when they're not based on data. Data can also help implement residential parking permit programs in areas where on-street parking truly is a limited resource.

Last, the Planning Commission recommendation will help my neighborhood meet the goals, policies, and actions stated in the NEN/SESNA Neighborhood Plan, which was approved by NEN and endorsed by the City Council:

- Goal 2, Housing Types, is to “promote a diversity of housing types, designs and affordability levels while encouraging the efficient use of residential land.” Action item 2.3 states that “the City should amend City codes to reduce parking requirements for infill development to encourage more efficient use of land and to promote affordable housing options.” (This is labeled as a citywide action item.)
- Goal 5, Mixed-Use Development, seeks to “promote mixed-use development that encourages walking and bicycling . . . and . . . reduces reliance on automobile trips.” One of the best ways to reduce reliance on automobiles and create walkable urban areas is to not require as much (or any) parking. Accordingly, the plan lists as Action Item 5.3, “The City should amend City codes to reduce parking requirements for mixed-use developments with housing to encourage the efficient use of land and promote access by alternative transportation modes.” (A citywide action item.)

Goal 2 and Goal 5 both call for the City to require less off-street parking, so the Planning Commission recommendation will help the NEN/SESNA Neighborhood Plan be implemented. Please help us implement our neighborhood plan by voting to support the Planning Commission recommendation for ADUs.

Thank you.

Amy Johnson

From: Joan Lloyd <jello879@gmail.com>
Sent: Monday, June 26, 2017 1:47 PM
To: citycouncil
Subject: NEN's comments about ADU's

City Councilors,

After discussion and votes at the February 21 meeting NEN had the following comments about Accessory Dwelling Units:

- Allow only one ADU per lot
- Allow ADU's to be up to 900 sf or 75% of the main building
- Allow ADU's in rear yards
- The maximum height of a detached ADU should not exceed that of the primary dwelling
- Minimum setback for a detached ADU should be 5 ft
- Maximum lot coverage should be 60%
- Minimum parking should be one off-street parking space for an ADU
- Occupancy: the owner should be required to live in the primary dwelling
- ADU's should meet design standards as expressed in the NEN-SESNA Neighborhood Plan

NEN would appreciate your consideration of our input.

Joan Lloyd, NEN Chair