

The following Written Testimony relates to File No. 17-285, Accessory Dwelling Units:

Testimony by Laura Buhl, resident of NEN, residing at 695 16th Street NE  
Salem City Council Public Hearing, June 12, 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.