

CITY OF SALEM

Written Testimony

City Council

555 Liberty St SE
Salem, OR 97301

Monday, June 12, 2017

6:00 PM

Council Chambers

4.b. [17-292](#) Public hearing on the FY 2017-18 City of Salem budget.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation: Hold a public hearing on the FY 2017-18 Budget Committee recommended City of Salem budget; approve a budget amendment to increase appropriation authority in the Utility Fund budget by \$1,197,300 to provide for increased debt service payments; and direct staff to return on June 26, 2017 with a resolution to adopt the FY 2017-18 City of Salem budget.

Attachments: [City of Salem Final Additions, Deletions, and Changes Recommended by the Budget C](#)
[City of Salem Recommended Budget](#)
[Written Testimony 1](#)
[Written Testimony 2](#)
[Written Testimony Packet 1](#)
[Written Testimony Packet 2](#)

Add - Add Written Testimony.

4.d. [17-285](#) Accessory dwelling units in all residential zones, most commercial and industrial zones, and the neighborhood center mixed-use zone.
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation: Advance Ordinance Bill No. 10-17, which amends the Salem Revised Code to allow and establish standards for accessory dwelling units in all residential zones, most commercial and industrial zones, and the Neighborhood Center Mixed-Use Zone, to second reading for enactment.

Attachments: [Attachment 1 Ordinance Bill 10-17](#)
[Attachment 2 Planning Commission Recommendation to Council](#)
[Attachment 3 Public Comments](#)
[Written Testimony -SCAN](#)
[Written Testimony Packet 1](#)
[Written Testimony Packet 2](#)

Add - Add Written Testimony.

The following Written Testimony relates to File No. 17-292, Proposed FY 2017-2018 City of Salem Budget:

Amy Johnson

From: Jeanette Scott <jeanette711@gmail.com>
Sent: Monday, June 12, 2017 4:34 PM
To: citycouncil
Subject: I support amending the budget

My name is Jeanette Scott and I live in West Salem at Salemtowne. We HAVE been impacted by frequent traffic delays on Wallace Road this year. I was prepared to support building a third bridge until a friend showed me the infeasibility of our geographic situation.

I do support amending next year's city budget to use the \$3.6 million to buy the right-of-way between fifth Avenue and Harriet drive so that all the streets east of Wallace Road can be connected.

Thank you,
Jeanette Scott

Amy Johnson

From: Kathi Seipp <kathi47@outlook.com>
Sent: Monday, June 12, 2017 2:03 PM
To: citycouncil
Subject: Marine Drive

I live in the Pioneer Apartment complex of 150 units. This is HOME for seniors and/or people with disabilities. Neighbors who care about and for each other with rides to emergency room, food when sick, flowers to share. I live right in the war zone on the street being considered. I have a large fenced yard that I have put several years of labor into and have a landscaped flower garden. Putting up a sound wall 20 feet from my door will keep me from being outdoors to enjoy. Putting a major road through this area makes no sense. Why cant you go into your city owned ball field? Thank you.

Kathi Seipp
273 Calico St NW
5035817294

Amy Johnson

From: Mark <mark_wigg@hotmail.com>
Sent: Monday, June 12, 2017 4:55 PM
To: citycouncil
Subject: Marine Drive

Dear Mayor and Councilors,

The wording for the 2008 Bond Measure was:

Right-of-Way Purchases for New River Bridge and/or Marine Drive NW \$3,658,000

This should allow the city to use the money to buy Right-of-way for Marine Drive. The entire right of way from Cameo to Brush College Road could be purchased for this amount. The alignment for Marine Drive is included in one or more of the alternatives in the SRC DEIS and so has been analyzed. The STIP calls for a multi-use path along Marine Drive. Purchasing the right of way does not conflict with the SRC preferred alternative.

A goal exception for buying the right of way for Marine Drive is not needed. The TPR allows recreation trails and bikeways on rural lands (i.e. outside UGBs). See 660--012-0065(3)(h):

(3) The following transportation improvements are consistent with Goals 3, 4, 11, and 14 subject to the requirements of this rule:

(g) New access roads and collectors within a built or committed exception area, or in other areas where the function of the road is to reduce local access to or local traffic on a state highway. These roads shall be limited to two travel lanes. Private access and intersections shall be limited to rural needs or to provide adequate emergency access.

(h) Bikeways, footpaths and recreation trails not otherwise allowed as a modification or part of an existing road;

Also, I think it may be possible to acquire right of way for Marine Drive outside of the UGB without a goal exception based on subsection (g). There are a couple of factual question to be addressed:

- *Would Marine Drive reduce local access to or local traffic on a state highway?* I think "yes": a key function of Marine Drive is to reduce and divert local trips (i.e. trips made within West Salem) from Wallace Road.

- *Would Marine Drive be a collector street and limited to two travel lanes?* This should be clear one way or the other from the Salem TSP.

- *Would access and intersections on rural lands be limited to rural needs or rural uses?* I don't know, but this should be fairly easy to determine based on the proposed alignment and proposed street intersections.

Note that roads allowed by (3)(g) are subject to additional standards in 0065(5):

(5) For transportation uses or improvements listed in subsections (3)(d) to (g) and (o) of this rule within an exclusive farm use (EFU) or forest zone, a jurisdiction shall, in addition to demonstrating compliance with the requirements of ORS 215.296:

(a) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;

(b) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and

(c) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.

Please direct the city to buy the Marine Drive right of way. Once the right of way is purchased the city and its citizens will find a way to create a trail on the right of way that will be very popular with West Salem residents.

Thank you for your service to our community.

Respectfully,

Mark Wigg
p 503 588-2524
c 971 600-6607
POBox 831
Salem OR 97308

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.