

Shelby Guizar

From: tworegongirl <tworegongirl@gmail.com>
Sent: Tuesday, March 15, 2022 12:06 PM
To: Eunice Kim
Subject: Proposed changes on College dr & Stoneway dr nw

We own property at 422 College dr nw, to change it to multiple family, it would greatly impact the traffic on these streets, that have no sidewalks, are steep and narrow plus College dr nw & Stoneway dr nw has alot of accidents from people getting on & off of highway 22 now, by changing these 2 properties to multiple family units would GREATLY increase the traffic on & off of highway 22, which means MORE accidents.. we feel that our neighborhood needs to stay as single family units..Thank you .

Wesley & Tamara Wiggins

422 College dr nw

Sent from my Verizon, Samsung Galaxy tablet

Shelby Guizar

From: Liz Backer <lizmail217@gmail.com>
Sent: Tuesday, March 15, 2022 1:22 PM
To: Eunice Kim
Subject: Testimony for Case CA21-04
Attachments: Code Amendment Case CA21-04 - Backer - Public Testimony - 3.15.22.docx

Hello Eunice,

I am deeply sorry for submitting this testimony so late in the game. Will you please add this letter to the record for this case?

Thank you,
Liz Backer

Hello Commissioners,

Thank you for reviewing testimony from the public on this issue.

City Staff have gone to great lengths to work with the public through a years-long process with the intention of updating the plans, maps, and codes in this proposal. That effort should be called out and applauded specifically for its proactivity.

I appreciate the city taking such careful time to amend the comprehensive plan, regulations and maps associated with the plan, and for the most part, I agree with the recommendations to approve the amendments. **I do however, find these amendments do not fully meet the approval criteria, as described in this letter.**

Additional Procedural Findings

The statewide land use planning goals apply independently to a local government's comprehensive plan, land use regulation, zoning and zoning map amendments, where the approval criteria specifies that those changes must comply with applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development. *Doob v. Josephine County, 32 Or LUBA 364 (1997)*

During a Major Post-Acknowledgement Plan Amendment, when the changes potentially affect the plan's compliance with a statewide planning goal, the local government is required to find and explain why (1) the proposed action does not implicate the goal, (2), the proposed action complies with the goal, or (3) the land subject to the proposed action meets the standards for a goal exception. *Doty v. Jackson County, 34 Or LUBA 287 (1998)*.

OAR 660-023-0250 Applicability

(3) “Local governments are not required to apply Goal 5 in consideration of a PAPA **unless** the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5.”

OAR 660-023-0000 Purposes and Intent

“This division establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources. **This division explains how local governments apply Goal 5** when conducting periodic review and **when amending acknowledged comprehensive plans and land use regulations.**”

OAR 660-023-0020 Standard and Specific Rules and Safe Harbors

- (1) The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, consists of procedures and requirements to guide local planning for all Goal 5 resources categories. This division also provides specific rules for each of the fifteen Goal 5 resource categories (see OAR 660-023-0090 through 660-023-0230). In some cases this division indicates that both the standard and the specific rules apply to Goal 5 decisions. In other cases, this division indicates that the specific rules supersede parts or all of the standard process rules (i.e., local governments must follow the specific rules rather than the standard Goal 5 process.) In case of conflict, the resource-specific rules set forth in OAR 660-023-0090 through 660-023-0230 shall supersede the standard provisions in OAR 660-023-0030 through 660-023-0050.
- (2) A “safe harbor” consists of an optional course of action that satisfies certain requirements under the standard process. Local governments may follow safe harbor requirements rather than addressing certain requirements in the standard Goal 5 process. For example, a jurisdiction may choose to identify “significant” riparian corridors using the safe harbor criteria under OAR 660-023-0090(5) rather than follow the general requirements for determining “significance” in the standard Goal 5 process under OAR 660-023-0030(4). Similarly, a jurisdiction may choose to adopt a wetlands ordinance that meets the requirements of OAR 660-023-0100(4)(b) in lieu of following the ESEE decision process in OAR 660-023-0040.

Update the Salem Area Comprehensive Plan

The proposed update does not comply with the approval criteria: SRC 64.020(f)(1)(B) The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

As stated above, when an amendment to a comprehensive plan affects, or potentially affects, the plan's compliance with the statewide planning goals, and approval criteria require the amendment to comply with the statewide planning goals, those statewide planning goals apply directly to the amendment.

In Attachment 14, the proposed amendments to the comprehensive plan “covers a broad range of topics, including...natural resources and the environment”, and “For each topic, there are proposed goals, which are [broad] in nature and support the community’s Vision Statement: *Salem is a livable, equitable, carbon neutral city where everyone has access to affordable housing and safe mobility choices, families and local businesses are thriving, diversity and culture is celebrated, and open spaces and the environment are valued and protected*. For example, the goals highlight the community’s desire to strengthen Salem economy, promote housing affordability, provide interconnected recreational opportunities, protect natural resources, and provide an integrated multimodal transportation network.”

“The proposed amendment also includes an appendix that lays out implementation steps that the City plans to undertake after the Our Salem project is complete and the updated Comprehensive Plan is adopted. Those steps include:.... Conduct a Goal 5 inventory”.

The proposed comprehensive plan proposes the following goals and policies to satisfy the topic of wildlife habitat:

(p 75) “**N 1.1 Natural Resource Protection:** The quality and function of natural resources in the Salem Urban Area shall be protected, including wetlands, waterways, floodplains, and critical habitat”;

(p 76) “**N 1.11 Habitat Protection:** Habitat areas for native and non-invasive naturalized plants and wildlife that live and move through Salem should be protected”; and

(p 76) “**N 1.12 Habitat Connectivity:** The City should identify and enhance critical connections between greenspaces and areas of natural habitat.”

The requirement to comply with the specific Goal 5 process for Wildlife Habitats typically is applied when the city goes through periodic review (OAR 660-023-0250(5)). However, because the proposed PAPA appears to amend the portion of Salem’s acknowledged plan that addresses specific requirements of the Goal 5 resource: Wildlife Habitats, **the requirement to follow the specific Goal 5 process for wildlife habitat applies directly to this amendment** (OAR 660-023-0250(3)). *Doob v. Josephine County, 32 Or LUBA 364 (1997)*

(Also note: the requirements of OAR 660-023-0250(5) were adopted by DLCD in September, 1996, and effective September, 1997. The city of Salem has gone through periodic review since the rule was implemented but has yet to begin to conduct the required inventory process.)

OAR 660-023-0110 Wildlife Habitat

- (1) For purposes of this rule, the following definitions apply:
 - (a) “Documented” means that an area is shown on a map published or issued by a state or federal agency or by a professional with demonstrated expertise in habitat identification.
 - (b) “Wildlife habitat” is an area upon which wildlife depend in order to meet their requirements for food, water, shelter, and reproduction. Examples include wildlife migration corridors, big game winter range, and nesting and roosting sites.
- (2) Local governments shall conduct the inventory process and determine significant wildlife habitat as set forth in OAR 660-023-0250(5) [in this case, OAR 660-023-0250(3)(a)] by following either the safe harbor methodology described in section (4) of this rule or the standard inventory process described in OAR 660-023-0030.
- (3) When gathering information regarding wildlife habitat under the standard inventory process in OAR 660-023-0030(2), local governments shall obtain current habitat inventory information from the Oregon Department of Fish and Wildlife (ODFW), and other state and federal agencies. These inventories shall include at least the following:
 - (a) Threatened, endangered, and sensitive wildlife species habitat information;
 - (b) Sensitive bird site inventories; and
 - (c) Wildlife species of concern and/or habitats of concern identified and mapped by ODFW (e.g., big game winter range and migration corridors, golden eagle and prairie falcon nest sites, and pigeon springs).
- (4) Local governments may determine wildlife habitat significance under OAR 660-023-0040 or apply the safe harbor criteria in this section. Under the safe harbor, local governments may determine that “wildlife” does not include fish, and that significant wildlife habitat is only those sites where one or more of the following conditions exist:
 - (a) The habitat has been documented to perform a life support function for a wildlife species listed by the federal government as a threatened or endangered species or by the state of Oregon as a threatened, endangered, or sensitive species;
 - (b) The habitat has documented occurrences of more than incidental use by a species described in subsection (a) of this section;
 - (c) The habitat has been documented as a sensitive bird nesting, roosting, or watering resource site for osprey or great blue herons pursuant to ORS 527.710 and OAR 629-024-0770;
 - (d) The habitat has been documented to be essential to achieving policies or population objectives specified in a wildlife species management plan adopted by the Oregon Fish and Wildlife Commission pursuant to ORS Chapter 496; or
 - (e) The area is identified and mapped by ODFW as habitat for a wildlife species of concern and/or as a habitat of concern (e.g.: big game winter range and migration corridors, golden eagle and prairie falcon nest sites, or pigeon springs).
- (5) For certain threatened or endangered species sites, publication of location information may increase the threat of habitat or species loss. Pursuant to ORS 192.501(13), local governments may limit publication, display, and availability of location information for such sites. Local governments may adopt inventory maps of these areas, with procedures to allow limited availability to property owners or other specified parties.
- (6) As set out in OAR 660-023-0250(5) [in this case, OAR 660-023-0250(3)(a)], local governments shall develop programs to protect wildlife habitat following the standard procedures and requirements of OAR 660-023-0040 and 660-023-0050. Local governments shall coordinate with appropriate state and federal agencies when adopting programs intended to protect threatened, endangered, or sensitive species habitat areas.

In addition, Attachment 13 provides findings and an explanation as to why the City believes this PAPA complies with all Goal 5 requirements as follows:

“Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces”;

“The proposed Comprehensive Plan contains goals and policies related to natural and scenic resources and open space, which help to conserve these assets as growth and development occur. Goal N1 Environmental Protection is aimed at protecting and enhancing natural resources, ecosystems, and the environment in Salem, and policy N 1.1 Natural Resources Protection specifically promotes protections for wetlands, waterways, floodplains and critical habitat”;

“Furthermore, the proposed Comprehensive Plan calls out the specific implementation step of conducting a Goal 5 inventory of natural resources. This implementation project is expected to bring the City’s regulations in line with changes to Goal 5 that have occurred after the existing Comprehensive Plan was acknowledged by the Land Conservation and Development Commission”; and

“For the reasons described above, the proposed Comprehensive Plan conforms with this goal.”

Summary

- **The proposed Comprehensive Plan addresses specific requirements of Goal 5, and amends portions of the acknowledged comprehensive plan regarding Wildlife Habitats.**
- **The specific procedures and criteria within OAR 660-023-0010 apply to the proposed Comprehensive Plan.**
- **The proposal claims to fully comply with Goal 5 requirements regarding wildlife habitats.**
- **There is no inventory of the required information regarding wildlife habitats in this, nor any other version of Salem’s Comprehensive Plans.**
- **The proposed Comprehensive Plan does not comply with the required procedures and criteria within OAR 660-023-0010.**

The proposed Comprehensive Plan does not comply with SRC 64.020(f)(1)(B).

Amendments to the UDC

The proposed amendments do not comply with the approval criteria:

- **SRC 110-085(b)(2)** The amendment conforms with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.

Conformance to the Salem Area Comprehensive Plan

ORS 197.175(2) "Pursuant to ORS chapters 195, 196, and 197, each city and county in this state shall:

- (a) Prepare, adopt, and amend and revise comprehensive plans in compliance with goals approved by the commission;
- (b) Enact land use regulations to implement their comprehensive plans"

Proposed changes to the Comprehensive Plan include the following changes and implementations of the goals and policies related to natural resources:

- (p 75) "**N 1.1 Natural Resource Protection:** The quality and function of natural resources in the Salem Urban Area shall be protected, including wetlands, waterways, floodplains, and critical habitat";
- (p 76) "**N 1.11 Habitat Protection:** Habitat areas for native and non-invasive naturalized plants and wildlife that live and move through Salem should be protected"; and
- (p 76) "**N 1.12 Habitat Connectivity:** The City should identify and enhance critical connections between greenspaces and areas of natural habitat."

The proposed amendments to the UDC create three new zones and propose additional changes to existing zones that would potentially implement new allowed uses within those zones, **however there are no proposed, nor existing, land use regulations that enact Comprehensive Plan goals and policies that would comply with the requirements of Goal 5:**

- **N 1.1:** There are no resource or site-specific lists of wildlife habitat, nor the evaluation of wildlife habitat to determine whether they are critical or significant. Subsequently, there are no policies or regulations to protect any type of wildlife habitat in the current or proposed UDC.
- **N 1.11:** There are no resource or site-specific lists of wildlife habitat, nor the evaluation of wildlife habitat to determine whether they are native, nor what wildlife live and move through Salem. Subsequently, there are no policies or regulations to protect any type of wildlife habitat in the current or proposed UDC.
- **N 1.12:** There are no resource or site-specific lists of wildlife habitat, nor the evaluation of wildlife habitat to determine whether they are natural. Subsequently, there are no policies or regulations to protect any type of wildlife habitat in the current or proposed UDC.

Conformance to Applicable Statewide Planning Goals, and Applicable Administrative Rules adopted by the Department of Land Conservation and Development

ORS 197.646(1) A local government shall amend its acknowledged comprehensive plan...and land use regulations by a self-initiated post-acknowledgement process under ORS 197.610 to 197.625 to comply with a new requirement in land use statutes, statewide land use planning goals or rules implementing the statutes or the goals.

ORS 197.250 Except as otherwise provided in ORS 197.245, comprehensive plan and land use regulations adopted by a local government to carry out those comprehensive plans... shall be in compliance with the goals within one year after those goals are approved by the Land Conservation and Development Commission.

OAR 660, Division 23, was adopted by the Department of Land Conservation and Development on September 17, 1996

Similar to the requirements for a local government's findings for their amendments to a comprehensive plan, **when proposed changes to a local government's land use regulations affect, or potentially affect, the regulations' compliance with the statewide planning goals, and when approval criteria require the regulations to comply with the statewide planning goals, those statewide planning goals apply directly to the regulations.**

In Attachment 14, the proposed new and amended zones report "The proposed code amendment includes corresponding changes to various other parts of the UDC to reference and incorporate the new proposed changes and the repeal of several overlay zones."

Regarding conformance with the requirements of Goal 5 the proposed amendments to the UDC to not mention or enact land use regulations to implement the changes to the Comprehensive Plan that address wildlife habitat.

Summary

Changes to policies and goals within the Salem Comprehensive Plan cannot be implemented if there are no corresponding land use regulations enacted to implement them. For this reason, while each of the individual additions and amendments to the UDC may meet criteria specifically applicable to each change, **the changes that specifically address conformance with the requirements of applicable statewide planning Goal 5, and applicable administrative rules adopted by the Department of Land Conservation and Development that require regulations to comply with the comprehensive plan and Goal 5, are not met.**

Update the Comprehensive Plan Map, the Zoning Map, and Generalized Land Use Map in 10 Neighborhood Plans

The proposed updates do not comply with the approval criteria:

- **SRC 265.010(d)(2) Legislative Zone Changes.** The zone change complies with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.
- **SRC 64.025(e)(1)(B) Plan map amendments.** The amendment conforms to the applicable statewide planning goals and applicable administrative rules adopted by the Department of Land Conservation and Development.

The proposed changes to the maps listed above report “The proposed map changes reflect the community’s vision for the future growth, advancing goals and policies in the proposed updated Comprehensive Plan. Proposed changes include zoning and redesignating land to allow a mix of uses along frequent transit routes, increase the amount of multifamily land across the city to meet Salem’s housing needs, encourage small-scale businesses in single-family areas, and allow commercial uses more broadly across the city. Other proposed map changes resolve existing conflicts between properties’ current Comprehensive Plan Map designations and zoning.”

Additionally, the addendum overview for this project states “The proposed changes to the Comprehensive Plan Map, zoning map, and the generalize land use maps in [10 neighborhood plans] aim to advance the goals and policies in the Comprehensive Plan”; and

“The proposed map changes reflect four big ideas about where the community wants to see different types of land uses and development in the future. These big ideas are incorporated into several policies in the Comprehensive Plan.”

Part of the standard Goal 5 process for wildlife habitats includes the requirement to conduct an analysis of the consequences that could result from a decision to allow, limit, or prohibit a conflicting use with a significant resource site. **However, without completing the first step of taking the initial inventory, it would be impossible to adequately complete any of the subsequent steps.**

Gonzales v. Lane County, 24 Or LUBA 251, 265-67 (1992)

The proposed to the zoning and land use maps both amend allowed uses, and create new zones with new land uses. If the city were in compliance with Goal 5, these proposed changes would be required to comply with any programs the City had established to determine whether or not these new or amended uses conflicted with identified significant wildlife habitats (if those habitats were located within the zones.) **Because the proposed Comprehensive Plan does not include even the first step in the Goal 5 process, it is reasonable to conclude that there are no methods to determine whether or not the proposed or amended zones and their uses conflict with possible significant wildlife habitats within them.**

Summary

For this, and for the reasons stated in above sections, **the proposed zone change amendments to not comply with the requirements of SRC 265-010(d)(2), and the proposed map plan amendments to con comply with the requirements of SRC 64.025(e)(1)(B).**

The amount of outreach conducted by staff for the Our Salem Project is exceptional, and has resulted in a tremendous amount of valuable information that clearly demonstrates the city's desire to ensure members of the community are involved in this process, and that their voices are heard. I do not take any of that for granted.

While I have personally been vaguely aware of the project, only recently have I taken the time to better understand the process. In doing so, I realized how terribly out of compliance Salem has been with respect to protecting the wildlife habitats within the UGB. Please know that it pains me to submit this information for review at such a late step in this process, however, I fear that if the city does not commit *now* to finally bring itself into compliance, we will continue to allow these precious resources to be lost forever.

Wildlife cannot speak for itself. There are a variety of goals which Salem must consider when planning land use. Salem has gone far too long without protecting that which cannot protect itself, and the time to stop that is now.

As I mentioned, I am also late to the game on this topic. As such, I have done my best to whip this letter up in 5 hours. I do also have a significant amount of research to submit that could help satisfy many of the initial requirements of wildlife protection rules. I am not including that data here though, as I am hours away from the deadline to submit this letter at all.

I would be grateful if I were able to submit that information at a later time. I don't feel it is immediately needed to consider the decision that is before the commission today, and it would not need to be considered for this record unless you feel otherwise.

Thank you for your time and consideration,

Liz Backer

Shelby Guizar

From: Leslie Polson <jjsy69@aol.com>
Sent: Tuesday, March 15, 2022 2:05 PM
To: Eunice Kim; Lisa Anderson-Ogilvie
Subject: Leslie Polson Letter urging NEN-SESNA NP be used as part of Our Salem
Attachments: Save the Plan3.2022.docx

Greetings:

Thank you for the incredible work that you do in provide planning for the city of Salem. I am attaching a letter with some thoughts to be submitted for the hearing. I will cut and paste the letter into the body of the email as well as attach it.

Yours in ardent vision for the city of Salem,
Leslie Polson
930 Garnet St. NE
Salem, OR 97301

**930 Garnet St NE,
Salem, OR 97301
March 15, 2022**

Dear Lisa Anderson-Ogilvie, AICP Deputy Community Development Director

Our Salem is an important project that deserves approval. NEN-SESNA Neighborhood Plan represents the wishes of our community in regards to how it should look and feel. We examined zoning very intensely because of the mismatch of zones and street capacity. I live on Garnet St in an area that is zone RM. This allows for apartment complexes and rooming houses. Yet there is only parking on one side of the street. Any residence who has a party or gathering will take up all the available parking on the street. Sadly many of the houses do not have garages.

NorthEast Salem is full of many Garnet Street stories – Catterlin, Thompson, 14th, Breys, 18th St. This story is one that the neighbors discussed. There is pressure to make more housing, close in. Vacant lots are prime real estate because they are places for homes, many homes in one, apartments. Garnet is close to the railroad tracks. When Scott McKinney of Boulder Ridge Construction bought the diagonal railroad lot in between Market and Nebraska on 12th St, he built a triple story apartment complex very close to the railroad track, increasing the possibility of danger for residents if a train derails. This was allowed after a woman was swept under the tracks by a train wind waiting for the train to go by. This story should serve as a cautionary tale for city planners. The NEN-SESNA plan was developed by residents who are familiar with the geography of their area. Its Zoning Guidelines should be incorporated in Our Salem. Areas that are noted as cautionary should be respected.

Yours in the vision for what is best for Salem,

Leslie Polson

Shelby Guizar

From: ELIZABETH VEYSEY <e.veysey@comcast.net>
Sent: Tuesday, March 15, 2022 2:24 PM
To: Planning Comments; Virginia Stapleton; Trevor Phillips; Tom Andersen; Vanessa Nordyke; Chris Hoy; Jose Gonzalez; Jackie Leung; Chuck Bennett
Subject: Brown Road Hub and Salem Zoning maps

Mayor Bennett and City Councilors

555 Liberty St SE, Room 220

Salem OR 97301

RE: Salem Zoning Maps

Please accept this letter as written testimony in request of amending the zoning map without the Neighborhood Hub next to Brown Road Park on Brown Road. I support new Urbanism concepts including neighborhood Hubs. They can improve the quality of life in neighborhoods especially those that cannot provide certain aspects like access to businesses such as groceries, pharmacies and transportation. Hubs can be constructed and included in new developments with relative ease. Many times in established neighborhoods they are not easy to create and to accomplish what you envision a Hub should be. The Brown Road location precisely falls under this category. There are still some ongoing safety issues and the commercial access goals a Hub would address and actually not much of an issue.

The neighbors near the proposed Brown Road Neighborhood Hub do not suffer from a deficit of commercial opportunities. Below is a list of nearby and easily reached commercial opportunities. Brown Road is along Cherriot's bus route 2 - Market/Brown which expands commercial opportunities for its residents. Pedestrian safety on Brown Road has been a documented risk. The Bike & Walk Salem, Final Memorandum #9 – Safe Routes to School Solutions presented to Salem Bike/Ped Plan Stakeholder Advisory Committee by the CH2M Hill Salem Bike/Ped Plan Project Team on October 11, 2012 stated the following in regard to Scott Elementary School, "The highest priority project was the sign project, while the second highest priority project was the Brown Road sidewalk project. Sidewalk infill projects on nearby City-owned streets (e.g., Brown Road south of Carolina Avenue) will also assist students walking to school." Brown Road was designated as a "High Priority" in the Salem Transportation System Plan updated and amended January 13, 2020 (3-38-Street System Element). These projects were completed but there still remains some of the same risk issues. The improvements added some safety for our residents and value to our properties.

The street improvements were not perfectly aligned with existing properties. Across the street from Brown Road Park, the intersection with Maria Avenue remains hazardous.

One major goal of Neighborhood Hubs is to increase pedestrian-oriented development. Which includes shops and businesses to increase walkable access and to reduce the need for driving. But, it is well documented that it also increases vehicular traffic as well for these businesses. Please be sensitive to the unique context of the Brown Road neighborhood and help us maintain the safety we have gained by removing the Brown Road Hub from the City planning goals. Everyone in this neighborhood has easy access to services and businesses, either by walking or taking public transit.

These are some of the many businesses readily available. I have personally walked to many of these. This is actually a small listing of what is available.

Middle Grove Market
Momiji Sushi Restaurant
Morrow & Sons Produce
Plaid Pantry
Shooter's Cafe & Saloon
Magic Hands Therapeutic Massage
Hollywood Tavern
Fred Meyer
Grocery Outlet
Safeway
Mirandas Brothers Bakery
Starbucks
Auto Zone Auto Parts
Batteries Plus Bulbs
North Salem Liquor Store
Planet Fitness
Big Lots
Bi-Mart
Laura & Daisy's Bakery
El Torito Meat Market
Walgreens
Les Schwab Tire Center
Bottle Drop Redemption Center
Verizon
Dollar Tree
Ross Dress for Less
5 Guys
Bentley's Coffee

Thank-you for your time and consideration.

E.Veysey

Shelby Guizar

From: Laurie Dougherty <lauriedougherty@gmail.com>
Sent: Tuesday, March 15, 2022 2:37 PM
To: Eunice Kim; Lisa Anderson-Ogilvie; Shelby Guizar
Subject: Comment to Planning Commission March 15, 2022 meeting

Comment to Planning Commission:
March 15, 2022

From: Laurie Dougherty for 350 Salem OR
Re: Need for Low Income Housing

350 Salem OR supports Latinos Unidos Siempre regarding the need for low income housing in Salem. For the sake of equity, low income housing should be widely available, situated throughout the city instead of being concentrated in one area. Justice and fairness require that all areas of Salem, including South and West Salem, welcome housing that is affordable to everyone.

For the sake of climate justice, new housing developments, including low income housing, should be energy efficient and situated in compact mixed use neighborhoods where people can safely walk, bike, and use mobility aids, and easily access public transit for work, school, errands and recreation. As well as reducing climate changing emissions, this enables healthy active lives and reduces the transportation costs that come with using a car.

Development on the auto-dependent outer fringes of the city increases household transportation costs and does not serve Salem's climate goals. Locations suitable for new housing in well-serviced neighborhoods can and should include low income housing. Unused commercial and industrial sites are resources for residential development, including low income housing.

As with many cities, Salem is faced with two emergencies. One is the lack of affordable housing, leading to increased homelessness and household financial insecurity. The other is climate change, bringing excessive heat, extreme storms, and poor air quality, especially when smoke from wildfires reaches the area. These harms fall hardest on people least economically able to afford protective measures. Quality low income housing in vibrant mixed use neighborhoods can create security and resilience in the face of these crises.

Shelby Guizar

From: Zachary Sielicky <zachary@SalemChamber.org>
Sent: Tuesday, March 15, 2022 2:38 PM
To: Shelby Guizar
Subject: Salem Chamber of Commerce Public Testimony - Salem Planning Commission on Our Salem Project
Attachments: Our Salem Testimony to Planning Commission 03-13-22.pdf

Hello Shelby,

I would like to provide written testimony on behalf of the Salem Chamber of Commerce for this evening's Planning Commission. Please see the attached testimony in this email.

Thank you.

My Best,

Zachary S.

Zachary S. Sielicky

Director of Business Advocacy
Salem Area Chamber of Commerce | 1110 Commercial St NE
503-581-1466 ext.310

zachary@salemchamber.org | www.salemchamber.org

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 Salem Chamber



03/13/22

Dear Planning Commission President Griggs & Planning Commissioners-

At the Salem Chamber, we believe in helping businesses prosper so our entire community may thrive. As an organization, committed to a prosperous community, we wish to submit our feedback regarding two components of the *Our Salem Project*. A major component to our mission is ensuring that our community is built on a strong foundation, so as to facilitate well-thought out and equitable community growth strategies, long into the future.

We encourage the Planning Commission to closely examine the implications of a particular provision of the *Our Salem* proposal, as it relates to properties which will instantaneously transfer from an outright permitted use to a continuing, nonconforming use at the completion of this process. Historically, the code has been inconsistent and conflicting in regards to continuing, nonconforming uses. We wish to ensure that property owners have an unfettered right to restore their property to its prior condition following damage or devastation, without overreaching costly requirements to conform to a new development standard proposed by the new code changes. The proposed language has, in some cases, significant alteration/addition requirements which are difficult to interpret and will ultimately be costly to implement. One example of this is in the West Salem Central Business District zone, which has six unique definitions to interpret to a rebuild following damage or destruction. We are concerned that such properties will sit vacant, in disrepair, or become eyesores and attractors for crime. Many small property owners in our community have not had the resources to undertake conforming to an updated standard, as insurance proceeds most often only cover restoration to a prior condition.

This could serve as a dark cloud on a property with a non-conforming, continuing use and also affects future value of said property – the new owner inherits the risk which comes with complying with the new standards, should the property be damaged or totaled. We encourage the Planning Commission leadership to request City staff more deeply examine this provision in each section of the code and recommend a simplification to prevent unduly burdening property owners with compliance to requirements for events that are completely outside of their control.

We appreciate your review and consideration. On behalf of the Salem Chamber's Board of Directors,

-Tom Hoffert
Chief Executive Officer
Salem Area Chamber of Commerce

**Salem Area Chamber
of Commerce**

President

Laura Dorn • President
Berkshire Hathaway HomeServices

Executive Committee

Jonathan Castro Monroy • VP of Events & Programming
Castro Monroy Group
Kathy Gordon • Past President
Aldrich CPAs + Advisors
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SAIF
Tom Yang
T-Mobile

Chief Executive Officer

Tom Hoffert
Salem Area Chamber of Commerce

Shelby Guizar

From: noreply@cityofsalem.net on behalf of ismailme222@yahoo.com
Sent: Tuesday, March 15, 2022 2:53 PM
To: Shelby Guizar
Subject: testimony for tonight's meeting
Attachments: ATT00001.bin

Your Name	Brian Clothier
Your Email	ishmailme222@yahoo.com
Message	<p>To our elected officials, planners, managers, and all who work to benefit our city, Like many citizens of West Salem, we are concerned that the current plans do not make sense for our community. We are not opposed to multi-family housing, and we are not opposed to development near our home. Large multi-family housing units deep in West Salem do not fit our existing street system. We understand that multifamily units are disproportionately low in West Salem. However, our streets are not designed for nor sized to hold the additional traffic. We have no major thoroughfares other than Wallace Rd. which is already overcrowded. No further multi-family units should be constructed until additional lanes are added or new roads constructed to handle additional traffic. The updated Salem comprehensive plan illogically rezones existing single family homes as multifamily residences. Recent multifamily structures in West Salem do not contain enough parking for those who live there, causing vehicles to spill onto already narrow streets creating hazards for cyclists and pedestrians. Consider Gellar road as an example. Any further multifamily structures must contain enough parking to accommodate 2 vehicles per unit. Creating insufficient parking is not an effective way to encourage people to use mass transit. The major employers in Salem are Salem Hospital and the State. While telecommuting is an option in some office-based jobs, hospital employees need to be there in person. Hoping that people will no longer commute to work is not a viable answer to our transit challenges. Hospital workers also work all shifts, when public transit is not currently available. While excellent walking/biking paths are available through the parks, a safe commuting path for cyclists through most of West Salem and up to the pedestrian bridge over the Willamette do not exist. While there are disproportionately few multifamily housing units in West Salem, we also have disproportionately few streets that can handle significant traffic. Moving slowly through heavy traffic increases greenhouse gas emissions. Building homes without adding the infrastructure of streets and bike lanes will lead to increased traffic over the existing bridge. Placing corner shops on narrow streets will not obviate the need for people to buy groceries in bulk (at lower prices) at Safeway, Roth's, Walmart, and Costco. These small shops will not reduce the need to commute to Wallace, Edgewater, and over the bridge. They will not provide enough jobs to prevent the need to physically commute to jobs over the bridge with the State, Salem Hospital, and the Portland area where many of our citizens work. We plead with the council and planning to help create neighborhoods where our children are safe to play. Overloading our streets does not accomplish that objective. Thank you for not only listening but hearing us. Brian and Karen Clothier West Salem</p>

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Shelby Guizar

From: Matt Wade <mw3649@gmail.com>
Sent: Tuesday, March 15, 2022 3:01 PM
To: Planning Comments; Shelby Guizar
Subject: Public Hearing on the Our Salem Project

Salem Planning Commission,

I request to provide testimony at the virtual public hearing and am submitting the following comments for the planning commission to consider:

Our residence is at 380 College Dr. This is across the street from the upper area on College Dr. that is proposed to be re-zoned to multi-family living.

I oppose re-zoning this to multi-family. This is a narrow country like road that is not set up to handle the added congestion that would come with re-zoning to multi-family. The surrounding area on this upper hill on College Dr. are all single family housing. This area does not seem like a good spot to greatly increase the traffic demand and parking that this would bring.

Storm water run off is also of concern as this would increase greatly with this kind of added construction.

I am in favor if the College Dr. property is re-zoned, to be changed to single family. This would be in keeping with the rest of the area, and not pose a dramatic increase in traffic.

Thank you,

Matt and Loan Wade