

Bryce Bishop

From: Eunice Kim
Sent: Tuesday, May 25, 2021 9:40 PM
To: Bryce Bishop
Subject: Fwd: Middle housing question

Eunice Kim, AICP, LEED GA
Long Range Planning Manager
City of Salem | Community Development Department
555 Liberty St SE, Suite 305, Salem, OR 97301
ekim@cityofsalem.net | 503-540-2308

From: Bob Elliott <robert.eugene.elliott@gmail.com>
Sent: Tuesday, May 25, 2021 8:17:12 PM
To: Eunice Kim <EKim@cityofsalem.net>
Subject: Middle housing question

Are there any facts about property values going down on homes when a duplex is built between two standard homes on the sides, across the street and behind the duplex? I would think "a rental duplex" would be built at a lower cost than normal custom homes. So with home values at \$500,000 all around a duplex (open lot for building) being built an investor would spend the least amount of funds to build it right in the middle. To me this would lower values near in a normal neighborhood street. It could be the only duplex within blocks. Please provide me what info you have. Thank you. Bob Elliott West Salem

Sent from my iPhone

Bryce Bishop

From: Kathleen Dewoina <outlook_7BDA5DDD651F574A@outlook.com>
Sent: Wednesday, May 26, 2021 6:20 AM
To: Bryce Bishop; Eunice Kim
Subject: Middle housing?

Pedestrian access – Pedestrian path must connect the entrance of each dwelling unit to the common courtyard, shared parking area, community building (if provided), and abutting streets.

This statement of pedestrian access begs easing. If you recognize only one entrance, you force excessive paths around buildings. For apartments with 2nd story entries, you force exterior stairs.

Pedestrian paths connect buildings to commons, shared parking areas, community buildings, if applicable, and abutting streets.

Sent from [Mail](#) for Windows 10

Bryce Bishop

From: E Easterly <emeasterly@comcast.net>
Sent: Friday, May 28, 2021 10:02 AM
To: Bryce Bishop; Shelby Guizar
Subject: Testimony regarding Salem UDC update

Ms. Guizar;

Please provide me with access to testify before the June 1 Planning Commission Zoom meeting.

Below is an initial version of the material I wish to cover during that hearing.

Testimony

According to first section of the proposed updates to the Salem UDC in response to HB 2001 at page 3 we are told:

“ New 100-foot riparian setback required by State established abutting waterways. Setback applies to new townhouses, two family uses, three family uses, four family uses, and cottage clusters. **The setback does not apply to single family uses.** Existing buildings located within the required setback can be rebuilt in same location within the same building footprint.”

The above claim appears to contradict the following UDC definition:

“ Riparian corridor means the area adjacent to a **waterway**, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem. The riparian corridor boundary is measured

50 feet horizontally from the top of bank on each side of a waterway with less than 1,000 cubic feet per second average annual stream flow; and

75 feet horizontally from the top of bank on each side of a waterway with 1,000 or more cubic feet per second average annual stream flow (Willamette River).”

More significantly, the exceptions offered for single family residential dwellings in the RA or RS zoned areas appear to contradict SRC 808.020.

Accordingly, I ask that all visions relating to **set backs** abutting **waterways** provisions of the draft UDC be revised. The proposed language states:

Buildings	Single family	None	Applicable to all other single family. All other setbacks required abutting streets and interior front, side, and rear property lines still apply.
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The above declaration is repeated throughout the different tables that reference Single family development. I request that the provision referencing single family buildings be replaced with language linked to the requirements of SRC 808.020.

E.M. Easterly

Bryce Bishop

From: E Easterly <emeasterly@comcast.net>
Sent: Friday, May 28, 2021 1:35 PM
To: Bryce Bishop
Subject: RE: Testimony regarding Salem UDC update

Thanks, Bryce, for the additional information.

I agree and accept you fulsome explanation.

However, by your own words the 50 or 75 foot setbacks do apply to single family dwellings when trees or native vegetation are present along a Salem waterway.

So for the UDC waterway setback charts to declare that single family dwellings are exempt from any setback feels arbitrary, even capricious. Some reference within the tables that links to Sec 808.020 for those who will read the code long after either of us are around would be greatly appreciated.

E.M.

On 05/28/2021 11:43 AM Bryce Bishop <bbishop@cityofsalem.net> wrote:

Good Morning E.M.

Thanks for the comments on the proposed amendments. I just wanted to provide a couple of clarifications regarding the proposed 100-foot setback abutting waterways included in the proposed amendments implementing HB2001.

In regard to the 50-foot and 75-foot riparian corridor distances established under SRC 808, those are not technically setbacks, but rather areas abutting waterways where trees and native vegetation are required to be protected within the designated riparian corridor area. If there are no trees or native vegetation on the portion of a property that's located within a riparian corridor, development may occur in the 50-foot or 75-foot riparian corridor area subject to the applicable setbacks of the zone.

The new 100-foot waterway setback on the other hand is an actual setback and applies regardless of whether there are any trees or native vegetation present in the area. Because the 100-foot setback applies to middle housing, single family is exempted but single family must still maintain conformance with the otherwise applicable 50-foot and 75-foot riparian corridor tree and native vegetation preservation requirements of 808.

The tree preservation requirements of SRC 808 will continue to apply to all properties as they currently do now. I hope this information helps. If you have any questions, please let me know.

Thanks,

Bryce

Bryce Bishop

Planner III

From: E Easterly <emeasterly@comcast.net>
Sent: Friday, May 28, 2021 10:02 AM
To: Bryce Bishop <BBishop@cityofsalem.net>; Shelby Guizar <SGuizar@cityofsalem.net>
Subject: Testimony regarding Salem UDC update

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E.M. Easterly

Bryce Bishop

From: E Easterly <emeasterly@comcast.net>
Sent: Monday, May 31, 2021 12:23 PM
To: Bryce Bishop
Subject: UDC Middle Housing SRC Planning Commission Recommendation

Mr. Bishop,

I have no idea what you will be recommending to the Planning Commission regarding stream side setbacks as part of the single family UDC middle housing chart. Based upon the language cited in SRC Chapter 802 there is a defined setback for single family dwellings. See below. Once again I encourage you to modify the proposed language in the UDC middle housing updates to the Salem RS zone and the Salem Revised Code.

I also believe as part of the UDC update that the City consider whether it needs to make the distinction between a watercourse and a waterway. With the exception of claiming that the Willamette River is NOT a watercourse, I see little justification for maintaining both definitions.

E.M.

CHAPTER 802. - PUBLIC IMPROVEMENTS

Sec. 802.005. - Definitions.

Watercourse means the route, up to and including the top of bank, formed by natural processes or constructed by humans, generally consisting of a channel with a bed, banks, or sides, in which water flows. By way of illustration, but not of limitation, as used in this chapter, *watercourse* includes perennial and intermittent streams and creeks, swales, drainage ditches, and culverts. As used in this chapter, *watercourse* does not include the Willamette River.

10 citations in SRC

A 15 foot center-line or 10 foot top-of-bank minimum setback is required at SRC 802.030.

CHAPTER 808. - PRESERVATION OF TREES AND VEGETATION

Sec. 808.005. - Definitions.

Waterway means any river, perennial stream, or creek within the City as designated by the Director.

33 citations in SRC