

Eunice Kim

From: E Easterly <emeasterly@comcast.net>
Sent: Thursday, June 6, 2024 9:35 AM
To: Bryce Bishop
Cc: Eunice Kim
Subject: UDC update

Mr. Bishop,

Thank you for responding to my email query regarding the pending updates to the Salem UDC. Our telephone conversation was most helpful. My basic question remains: Does the revised UDC SRCs comply with both ORS 197.195 and ORS 197,307(4)?

More specifically, does the modified language of SRC 205.010(d) meet the clear and objective standards for land division and development?

To insure that the proposed UDC revisions do, indeed, meet State of Oregon development standards I request that proposed SRC 205.010(d)(C) [page 19 of 204] be explained as well as expanded.

“(C) Any special development standards, including, but not limited to special setbacks, vision clearance, preservation of trees and vegetation, floodplain development and geological and geotechnical analysis.”

What is the definition of “special development standards?”

What is the definition of “special setbacks?”

How is “vision clearance” a special standard?

How is “preservation of trees and vegetation” a special development standard?

How is “floodplain development” a special development standard?

What are the standards associated with “geological and geotechnical analysis” that are special development standards?

The phrase “not limited to” implies there may be more unlisted development standards, but unless those standards and development criteria are included the proposed updates to the Salem UDC fails to comply with ORS development standards.

In addition to the clarifying questions raised above I invite you to include the following topics or explain why they do not belong in this list:

1. Street classification elevations as a special development standard;
2. Compliance with the Americans with Disabilities Act as a special development standard.

Respectfully,

E.M. Easterly
503-363-6221

Jennifer Biberston

From: Roz Shirack <rozshirack7@gmail.com>
Sent: Friday, June 7, 2024 11:48 AM
To: Lisa Anderson-Ogilvie; Kimberli Fitzgerald; Eunice Kim; Jennifer Biberston; CityRecorder
Cc: SCAN Board
Subject: SCAN Land Use Comments on CA24-01 for Public Hearing 6/11/24

To: Members of Salem Planning Commission and Historic Landmarks Commission

From: Land Use Committee of South Central Association of Neighbors (SCAN)

The SCAN Land Use Committee generally supports the proposed UDC amendments, CA24-01, except those amending the role of the Historic Landmarks Commission (HLC) in historic design review applications under Chapter 230. We support the existing historic design review process. The reviews benefit from the expertise of the HLC and they do not overly burden the HLC's agendas.

The SCAN Land Use Committee requests two amendments be added to this UDC package:

1. Prohibit short-term rentals (unhosted) in all residential zones, including mixed-use zones. This does not apply to accessory short-term rentals of a resident family's dwelling or part of the dwelling. This amendment keeps Salem's housing stock available to Salem residents. It would help implement City Council's goal to increase affordable housing and total housing inventory for Salem residents.

2. Delete the minimum building height standard of 20 ft in the MU-I zone. A recent development at Commercial St and Bush St SE requested an adjustment to reduce the building height to 14 ft. for a one-story management office in the MU-I zone. The applicant did not want the higher cost of a higher building, felt it would be more compatible with the adjacent single family residential uses, and would reduce the required setback based on building height.

SCAN supported that adjustment as more compatible with the existing residential uses. Staff approved that adjustment. A minimum building height standard is not needed and is not consistent with the pedestrian oriented standards in the MU-I zone.

3. Delete the minimum ground floor height standard of 14 ft in the MU-I zone and 10 ft in the MU-II zone. A recent development in SCAN (Hunsaker Dental Office at Commercial St and Kearny) requested an adjustment to reduce the ground floor height to 9 ft for a three-story medical/office building in the MU-I zone. The applicant did not want the added cost of heating the greater space; felt it was not needed or appropriate for a dental office; wanted to reduce the required setback based on building height; and noted that very few recently constructed buildings in the downtown area have ground floor ceiling heights of 14 feet; and most commercial buildings in the City do not exceed 10 ft.

SCAN supported that adjustment because it allowed the building to be lower and more compatible with the adjacent one and two-story residential uses. Staff approved the adjustment based on the finding that "the nine-foot floor-to-ceiling height of the ground floor of the proposed building equally meets the underlying purpose of this standard. This is because the proposed nine-foot height is consistent with the ground floor building height of other retail and office buildings within the City as indicated by the applicant; and the nine-foot floor-to-ceiling height still allows for a variety of non-residential uses on the ground floor of the building consistent with the underlying intent of the standard."

If a 9-foot ceiling equally meets the purpose of the minimum 14-foot standard, then a minimum ground floor height standard is not needed and is not consistent with the pedestrian oriented standards in the MU zones.

Thank you for your consideration to:

- Not change the Chapter 230 historic design review role of the HLC
- Add an amendment to prohibit short-term rentals in residential zones
- Delete the minimum building height standard in the MU-I zone
- Delete the minimum ground floor height standard in the MU-I and MU-II zones.

Roz Shirack, Chair
SCAN Land Use Committee