

CITY OF TURNER

Comp Plan Map & Comp Plan and LUDC Text Amendment Review

City Council Review on
October 28, 2021

**File No. 21-02 & 21-03
Housing Needs Analysis and UGB Expansion**

REQUESTED ACTION: File 21-02 reviews the Housing Needs Assessment for the City of Turner, which will then become Appendix 2 in the updated Comprehensive Plan. The Comprehensive Plan Map and Text Amendment package presented as Legislative Land Use File #21-03 represents the recommendation of the City Council to the City of Turner for public hearing. The proposed amendment includes a UGB expansion totaling 49 acres of residential land and 2.3 acres of public facility land which the City of Salem is in the process of purchasing as it abuts Franzen Reservoir. Land Use Development Code updates consistent with HNA recommendations and proposed Comprehensive Plan changes are included in this application.

APPLICABLE CRITERIA:

Turner Land Use Development Code, Article 2, Section 2.700 – Amendments; Turner Comprehensive Plan; Statewide Planning Goals 1, 2, 10, and 14. The proposal requires a legislative public hearing process in conformance with LUDC **Section 3.520**.

APPLICATION SUMMARY:

Historical Background

The City's corporate limit and urban growth boundary are contiguous. In 2006, the City pursued the first review looking at an expansion but did not move forward. In 2008, the City worked in partnership with a private consultant to do the first high-level buildable lands analysis. That work indicated there remained too much vacant land in the City limits to be able to pursue any expansion. By 2016, new development had changed that inventory. An intern was acquired through the Council of Governments to pursue a more detailed buildable lands inventory. That analysis resulted in the conclusion that until the developments surrounding the current lake were substantially permitted, an expansion was still premature. In addition, that analysis provided a first run with DLCD and County representatives through the land selection alternatives analysis process.

Current background

By late 2019, the developments surrounding the former gravel mine now called Turner Lake were fully approved and in the process of being built out. In addition, another 50-lot subdivision had been approved and was under construction adjacent to the Salem reservoir. Turner was growing at one of the highest annual percentage rates in the state, and available residential land had essentially disappeared. These projects represented truly the last large parcel for residential development that was possible in Turner outside of the 100-year floodplain. City staff then brought a recommendation to the City Council to hire a consultant and begin the long process of analyzing the data in order to consider an urban growth boundary expansion, if it was warranted by the data.

As with many communities, Turner has had growth cycles and no growth cycles. Its association with the large metropolitan area of Salem, however, tends to smooth these extremes towards a generally higher rate of growth. Recent building trends gave a sense that Turner had been found as a rural, high quality-of-life community, but only seven minutes from the state capital. The City needed to provide complete and accurate analysis of both land inventories and housing availabilities to ensure that the 20-year population growth needs could be adequately provided for.

Buildable lands inventory and housing needs analysis

The first task was to create an accurate inventory of current lands. This is done by using a combination of tax assessor and field data, and categorizing land as vacant, not vacant or partially vacant based on state rules. Of note, the City had a number of parcels located partially within the hundred year floodplain and areas with steep slopes, which were considered unbuildable due to these constraints. The City Council meetings on June 25, 2020, and September 24, 2020, discussed Turner's Buildable Land Inventory (BLI).

The housing needs analysis (HNA) included a detailed assessment of the actual housing stock in the City was performed. This was then analyzed relative to both state land-use goals as well as the market and policy goals guiding the type of housing needed over the next 20 years.

When comparing the supply of buildable land with the estimate of land needed to accommodate growth of population and housing over the 2021-2041 period, the analysis revealed that based on current zoning conditions, the current land inside the City limits had a deficit of 73 acres. Phrased differently, based on population projections the current City limits and current zoning conditions could only service 33% of the anticipated population need over 20 years.

Through this work, the conclusion was that the City could provide a number of policy changes mainly in housing types, such as including town homes, cottage housing and accessory dwelling

units in their allowed uses thus lowering minimum lot sizes to enhance densities. The policy choices that are detailed in Appendix 2 HNA, result in a 33% reduction in buildable land need, but with a total of 49 acres still needed to provide for the twenty year residential land supply.

Both the buildable lands inventory and housing needs analysis were brought to work sessions with the City Council on September 24, 2020, and January 21, 2021.

Urban growth boundary alternatives analysis

With this calculated land deficit (49 acres), attention then turned to the process of where an urban growth boundary (UGB) expansion could occur. As part of this process, the City of Salem determined that, if the UGB expansion was adjacent to the Franzen Reservoir, the City would need to establish a small buffer between newly urbanizing land and the Reservoir. Salem determined they needed a buffer of about 2.3 acres around Franzen Reservoir, to ensure continued high water quality in the Reservoir and protect it from negative impacts of new development.

State law is both explicit and complex when it comes to this analysis. It involves a variety of state defined land-use opportunities and constraints, such as exception lands, constrained lands, serviceability and soil types. In particular, Statewide Planning Goal 14 lays out a framework of analysis which must be followed in order to appropriately determine an urban growth boundary location. Of note in this work, because of the 100-year floodplain, a number of expansion alternatives around the Mill Creek channel and associated tributaries are eliminated from consideration. All of this analysis is provided in Exhibit C: Turner Comprehensive Plan and UGB Amendment Justification and Findings. This analysis was brought to the City Council in a workshop session on August 26, 2021.

Proposed UGB expansion area

Exhibit A is a map showing the UGB expansion proposal based on the above analysis. Significant attributes of this site which are supported by the analysis include:

- less costly and more efficient utility development
- provides for harmonious urban form, and effective transportation network
- provides for inclusion and protection for the City of Salem public reservoir
- new development will be highly compatible with surrounding City uses

The comprehensive plan designations for land are shown on Exhibit B, the draft updated Zoning and Comp Plan Map. These have been laid out to harmonize with existing zoning patterns. The high-density lands have been placed closer to a major arterial to assist with transportation flow.

PUBLIC & AGENCY COMMENTS:

- 1) Notifications of the application were sent to property owners in the proposed UGB expansion area as well as property owners within 250 feet of the proposed expansion area. It was also included in the City's October newsletter which was mailed out with the October utility bills, ran in the Stayton Mail on October 6, 2021, on the City's website www.cityofturner.org and on the City's Facebook page.
- 2) Notifications were also sent to potentially affected agencies on October 8, 2021, including ODFW, ODOT and other local agencies.

STAFF REVIEW

City of Turner staff have reviewed the proposed Housing Needs Analysis (HNA), proposed Land Use Development Code (LUDC) Amendments, proposed Comprehensive Plan text amendments, and the proposed UGB amendment, as well as supporting documentation included in the application package.

Each element of the proposed amendment package has been professionally prepared and shown to be consistent with applicable state and local regulations.

Through the public hearings process, staff expects to receive additional testimony from local and statewide interests; all relevant testimony will be acknowledged and addressed. Staff will then prepare final Council findings consistent with the Council decision on the application package.

CRITERIA REVIEW AND FINDINGS:

The application package will be reviewed at both a local (City and County) and statewide level. Amendments to the Comprehensive Plan include:

- Text changes to multiple chapters consistent with the HNA (Exhibit E);
- Adoption of the HNA as Appendix 2 to the Comprehensive Plan (Exhibit D); and
- The proposed UGB amendment (Exhibit A).

The proposed Turner LUDC changes (Exhibit F) implement the proposed Comprehensive Plan changes related to Section 9.400 Housing and 9.500 Land Use, which implement the HNA.

Comprehensive Plan changes must be found to comply with Statewide Planning Goals, as implemented by State Statutes and Administrative Rules, and applicable Comprehensive Plan Policies. UGB changes must be jointly approved by Turner and Marion County, and then acknowledged by DLCD.

LUDC changes must meet the requirements of LUDC Article 2, Section 2.700 – Amendments. Section 2.700 addresses potential impacts and requires consistency with both the Comprehensive Plan and Statewide Planning Goals.

Comprehensive Plan and UGB Amendment Findings

Exhibit C: Turner Comprehensive Plan and UGB Amendment Justification and Findings provides findings indicating compliance with the Statewide Planning Goals, Statute, and Administrative Rules, and applicable Turner Comprehensive Plan policies.

Turner Land Use Development Code Amendment Findings

Exhibit F details LUDC changes. Findings for compliance with LUDC Article 2, Section 2.700 are included below.

(2) *Decision Criteria. All requests for an amendment to the text or zoning map of this Code may be permitted upon authorization by the City Council in accordance with following findings:*

(a) *The proposed amendment is consistent with the intent of the Comprehensive Plan.*

Staff Finding: The proposed code amendments implement efficiency measures identified by Exhibit D: 2021-2041 Turner Housing Needs Analysis (HNA). The HNA is directly referenced in proposed Comprehensive Plan amendments relating to Section 9.400 Housing and Section 9.500 Land Use and is proposed to be adopted as Appendix 2 of the Comprehensive Plan. Therefore, the proposed changes are consistent with the explicit intent of the Comprehensive Plan.

(b) *There is a public need for the proposed amendment to comply with changing conditions or new laws.*

Staff Finding: The LUDC implements the Comprehensive Plan and is required to be consistent with the Comprehensive Plan. As explained above, the HNA and proposed changes to the Comprehensive Plan related to Section 9.400 Housing and Section 9.500 Land Use require LUDC amendments. Therefore, there is a public need and legal requirement for the proposed LUDC amendments.

(c) *The amendment will not adversely impact adjacent areas or the land use plan of the city.*

Staff Finding: The proposed LUDC amendments do not change the land use plan of the city (i.e., zoning or comprehensive plan boundaries). Proposed LUDC amendments allow for additional residential development types and increased densities within the residential zones consistent with proposed Comprehensive Plan amendments. The proposed LUDC amendments are purely residential and do not allow potential conflicting uses such as Commercial or Industrial in residential zones. The LUDC also contains development standards to ensure compatibility with adjacent areas. Therefore, the proposed amendment will not adversely impact adjacent areas or the land use plan.

(d) *The amendment will not have an adverse environmental impact.*

Staff Finding: Proposed LUDC changes do not modify or impact environmental protections or zone boundaries. Additional residential development types will allow more flexibility to adjust to existing environmental constraints on residential land. Therefore, the proposed development code changes represent no adverse environmental impacts.

(e) *The amendment will not have an adverse impact on public facilities.*

Staff Finding: Proposed changes to the LUDC contain efficiency measures that may increase housing capacity within the Turner UGB. Exhibit C provides public facility capacity analysis in Section 6, under Goal 11 and Goal 14 discussions. The proposed LUDC changes are incorporated into and consistent with planned public facility capacity and will therefore not have an adverse impact on public facilities.

(f) *The amendment will not have an adverse impact on transportation.*

Staff Finding: The proposed LUDC changes include allowing potential increased density; per Exhibit C, these changes are expected to increase capacity by approximately 53 dwelling units over the next 20 years (less than 3 units/year on average) over the entire UGB. All arterial and collector streets have surplus capacity to deal with very minor additional traffic related to this diffused change. Motor vehicle incident records do not indicate any street locations potentially impacted by these changes where street safety could be negatively impacted. The LUDC transportation standards continue to apply and regulate transportation impacts. Therefore, proposed LUDC changes are not expected to create any impact on the transportation system.

(g) *The amendment will not have an adverse impact on economy of the area.*

Staff Finding: The proposed development code amendments allow for greater flexibility and density potential, allowing for greater value in residential land development. Providing capacity for additional population is also supportive of local commercial and industrial development by providing housing for employees and consumers of goods. Therefore, the proposed amendment is expected to have a positive impact on the economy of the area.

(h) *The amendment is consistent with the intent of Statewide Planning Goals.*

Staff Finding: The proposed plan amendments are consistent with and required by Statewide Planning Goal 2 (Land Use Planning) to implement proposed Comprehensive Plan amendments that directly address Statewide Planning Goals 10 (Housing) and 14 (Urbanization). Exhibit C provides additional findings showing the overall plan amendment package is consistent with every applicable Statewide Planning Goal.

RECOMMENDATION:

Recommended Motion to Approve

Move to approve the proposed HNA, Comp Plan Map & Comp Plan and LUDC Text Amendment Review.

EXHIBITS:

Exhibit A: Draft Proposed Expansion Area

Exhibit B: Draft Comp Plan and Zone Map

Exhibit C: Turner Comprehensive Plan and UGB Amendment Justification and Findings

Exhibit D: 2021-2041 Turner Housing Needs Analysis

Exhibit E: Comprehensive Plan Text Amendments and Memorandum

Exhibit F: LUDC Text Amendments and Memorandum

Exhibit G: Public Testimony Received