

UGB Public Comments Compiled with Staff Responses

Comments related to the code updates:

1. *art 4.112(2) allows ADU on very small lots. I do not find this wise or beneficial to the community*

This change implements the HNA recommendation to allow an ADU on R-2 lots.

2. *art 4.112 (4) 6,000' lots are far too small*

This change implements the HNA recommendation to decrease minimum lot size for single-family detached dwellings in R-2 from 7,500 to 6,000 square feet.

3. *art 4.121(1) would allow 20 units /acre rather than the current 15. I find that too dense.*

This change implements the HNA recommendation to increase permitted density in the R-11 zone from 15 to 20 units/acre.

4. *art 6 Winterbrook suggests we follow Salem design standards. I don't care about Salem design standards. I haven't found anyone that wants to be like Salem or an adjunct of the same.*

The existing code violates ORS 197.307 and exposes Turner to lawsuits by not providing an objective review process and requiring all multi-family development to be reviewed under subjective standards.

The existing code Section 6.104(7) already requires multi-family development to meet Salem design standards: *"Development of Multiple-Family dwelling units of four or more units will comply with the design guidelines and standards of multiple-family dwellings contained in Section II of the City of Salem Development Design Handbook dated January, 1999, unless a waiver or modification is requested by the developer and approved by the Planning Commission as a part of a Site Plan Review."*

Providing objective standards for multi-family development reduces liability for the City and adds clarity for development in the zone. Since recent multi-family development in Turner is very similar to Salem multi-family housing, and the code already refers to Salem design standards, the proposed change replaces existing subjective standards and includes objective Salem design standards as review criteria.

5. *art 6.112(1)(2) would allow manufactured homes in excess of 10 years old to be moved onto a lot. I see no reason to allow some old, dilapidated manufactured home into the city. 10 years is a good number to retain.*

The current code standard violates ORS 197.307(8), which limits regulations on manufactured homes to a set of specific standards. Age is not an allowed standard in state law. The proposed

change still requires an inspection and certification process. Manufactured homes that do not meet requirements are not allowed.

6. art 6.104 allows 20 units/acre on R-11 zoning yet most of Crawford is zoned R-11. Was this a tax break for the developers or should Crawford be rezoned R-2?

Much of CC was zoned R-11. The entire area could have been apartments with that zoning designation, however, the code also allowed for single family homes at a higher density with shorter setbacks on smaller lot sizes. No rezoning is or was necessary. There weren't any tax incentives to developers, this was a choice that our code allowed them to make.

7. Art 6. 106 revises cottage housing by deleting two pages of code, leaving the door wide open for no standards at all. I believe that this needs to be looked at closely.

The Cottage Housing change implements the HNA recommendation to allow cottage housing. The current code does not include cottage housing standards, so no cottage housing code is proposed for deletion. The code changes include proposed new standards for cottage housing.

8. Removing the requirement to have residential garages built during new construction violates Turner Comprehensive Plan, Section 9.890 Goals and Objectives 2. To ensure a high quality of livability within the community.

Garages are desirable, so people who can afford higher prices are willing to pay for them and developers generally want to build them – unless they are trying to provide housing for people at median income ranges. As we know, Turner has become an increasingly desirable location for new, higher-end housing due to its location adjacent to Salem. Requiring (or not requiring) garages will not impact development of high end housing.

Garage development tends to increase minimum lot size and adds approximately 10-15% to development cost. This will conflict with efforts to build single-family housing for median income ranges, should a developer wish to do so. However, removal of the garage requirement is not required for consistency with the HNA. If Council values the livability provided by garages above affordability of the housing, the standard requiring garages can remain.

At the December 9, 2021 the City Council directed staff to add garages back into the code. The return of the requirement to include garages with R-1 and R-2 homes is included in the 2.2.22 LUDC redline drafts.

Requests to consider another subarea

The request was made to consider the northern part of subarea E, which has land up for sale.

The more recent Mill Creek Basin Study shows the northern part of Subarea E as in the floodplain, so it is constrained and not suitable to meet needs identified by the HNA. Floodplain areas are not viable to be brought into the City's UGB. Secondly, utilities such as water and sewer would need to be brought over Mill Creek and Wipper Bridge, with a cost of millions of

dollars as outlined in the letter included in the record from AKS engineering. The land would sit undeveloped because of the cost of bringing the utilities over for the very little land which might not be in the floodplain.

Comments the DLCD doesn't factor in at this point in the process

A number of people commented on the overcrowding in the local schools.

Turner's population forecast is provided by Portland State University and is the basis for planning required by Oregon. Turner's population is forecast to grow, which has implications for school capacity. Increasing school-age population will need to be addressed by the Cascade School District. They've been provided with the opportunity to comment on the proposed expansion and have been communicated with regarding growth in the City of Turner prior to it taking place.

Wait times for police services with the City of Turner police department understaffed.

The City is actively recruiting another police officer.

Increased traffic congestion and concerns about the Delaney & 3rd Street intersection.

The City has already received a grant to update its Transportation Growth Management Plan with a study which will also include the area that is brought into the City's UGB. Congestion in general will be mitigated with an outlet to Witzel Road so not all traffic will be going over the hill. Emergency vehicles will have access without the steep slope to the hill.

The Delaney intersection will need upgrades as it will receive additional traffic, and the City is already in the process of discussing how to move forward with redesigning that intersection with Marion County, as they are Marion County roads. Funding will be requested for the upgrades this winter.

Concerns about inadequate water pressure.

Water pressure is not affected by the number of households served.

The concern relating to water pressure in the Westwood area is due to pressure reducers installed due to high water pressure in the area; the proposed UGB expansion area has been evaluated by the City Engineer and can be adequately served by public utilities.

Inadequate information on Goal 10 Findings

Staff will put together a more robust version of Findings for the HNA and make them available to the public on the City website.

Staff has completed the more robust findings and they are in the updated staff report posted on the City's website with the other UGB documents.

Questions about greenways, parks, waterways and natural habitats.

The State has created rules which make this portion of the land use process very focused as to what land may be brought into the urban growth boundary – the proposed UGB expansion is based on housing needs. After the UGB expansion process is completed, there will be an annexation process as well as the land use process to approve a subdivision. It is during the subdivision approval process that parks and environmental review and protection takes place. That is what happened with Crawford Crossing, the new park was created with the subdivision, not when that land was brought into the UGB.

Comments concerning the proposed Expansion Area Maps

Lowder Family LLC, Belle Verbics and Barbara Copple all provided input on the proposed Expansion Area Maps. All have land within Study Subarea D.

All comments are being reviewed and considered.

After reviewing the permanent well easement for Belle Verbic's land from 1999, granted by Jerry and June Lowder, it was decided that the concerns about the water line expressed at the October 28, 2021 public hearing by Ms. Verbic were a valid concern, so the proposed expansion area was adjusted to include her property, which resulted in a reduction of land included from the large parcel owned by Lowder Family LLC. The Lowders expressed concerns about small remnant parcels remaining in the County; these concerns were also factored into arriving at the current map.