

Oregon Land Use Goal One Failure

Re: CA 2016-04

Date: October 12, 2016

To: Mayor Peterson, Council Members and Members of the participating Salem Area Comprehensive Plan decision making governments:

I urge you to go forward with the staff recommendation to expand the Salem Urban Growth Boundary to the eastern edge of the 2002 Council adopted Marine Drive right-of-way.

Ten years ago the Salem bureaucracy authorized a West Salem subdivision that required dedication of land identified as part of the Marine Drive right-of-way to the City of Salem.

The approved subdivision included the City acquiring the Marine Drive right-of-way as well as a series of bureaucratic non-decisions resulted in conditions that were never executed and procedures that contradicted the Salem Revised Code. One of those non-decisions resulted in the illegal platting of River Valley subdivisions lots outside the Salem city limits.

By expanding the Salem Urban Growth Boundary to the eastern boundary of the Marine Drive right-of-way along the River Valley subdivision Council will be correcting the flawed 2006 bureaucratic failure.

However, I also ask you to not support inclusion of parcels that expand the UGB beyond land east of the Council adopted Marine Drive right-of-way. The graphic I am distributing shows a progression of the earlier recommended 4D and then the adopted Preferred Alternative by Salem City Council. The third and fourth graphics present portions of the proposed land use modifications to the Salem UGB, Comprehensive Plan and Transportation System Plan that were offered for your consideration over the last few days/weeks. Contrary to Goal one requirements¹ there has been no opportunity for community members to review and consider the multiple reports and finding offered by the City prior to the initiation of the formal CA 2014-04 quasi-judicial process. Amending the Salem UGB and TSP, are the actual "land use decisions" to which Goal one policies apply

I make this request because no formal goal one outreach regarding the land use proposals before you was conducted after the preferred crossing alternative was adopted by the City Council in 2014. The vacuum of information and opportunity for citizens to review the proposed comp plan modifications being presented to you were never shared with the general public prior to the announcement of the formal hearing process. There has been no opportunity for the public to review the technical recommendations recently posted on the CA 2016-04 site in preparation for this proposed comp plan public hearing prior to the initiation of formal hearing process. The public release of the March 2016 Engineering Study on October 5th highlights the City's failure to engage citizens prior to the public land use hearing process. Ms. Warncke could have shared the details of the proposed UGB expansion with the WSNA but did not.

This rush to decision contrasts with the outreach effort conducted by Salem prior to the adoption of the preferred Willamette River crossing. This Goal 1 public engagement deficiency needs to be addressed before the CA2016-04 comp plan revisions are adopted.

Sincerely,

/s/

E.M. Easterly

Attachments: A. Preferred Willamette River Crossing Graphic Timeline;

1 GOAL 1: CITIZEN INVOLVEMENT OAR 660-015-0000(1) C. CITIZEN INFLUENCE
6. Revision -

The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans **prior to the public hearing process** to formally consider the proposed changes.

A. Timeline

Part of Figure 2.3- 49. Detail of Alternative 4D Salem River Crossing



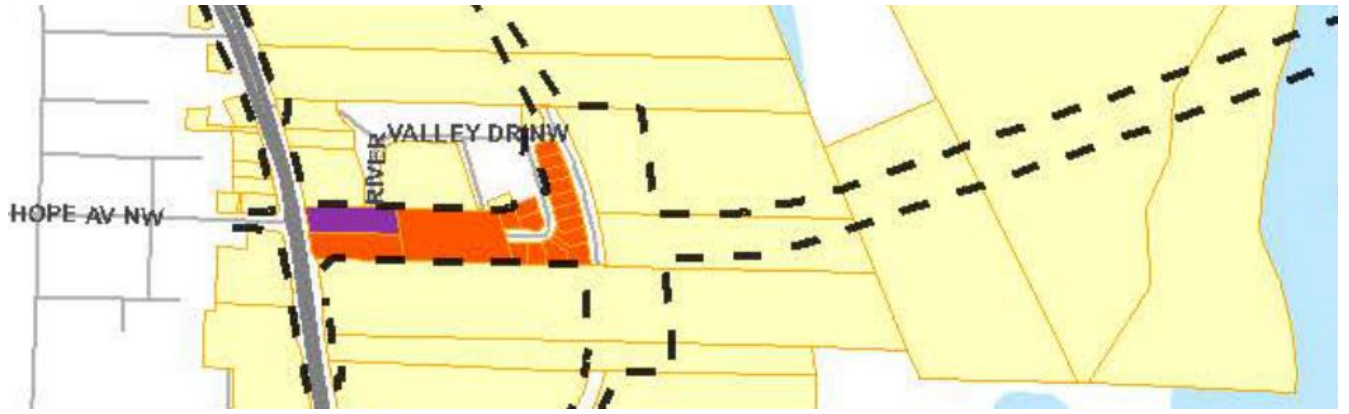
Part of The "Salem Alternative" Salem River Crossing
ENDORSED BY COUNCIL JUNE 24, 2013



Part of Figure 1.2-5: Preferred Alternative **Salem River Crossing Project**
Right-of-Way Technical Report Addendum August 2016



Part of Figure 4.2-1: Preferred Alternative Right-of-Way Impacts **Salem River**
Crossing Project Right-of-Way Technical Report Addendum August 2016



B. Glen Gross Letter



December 17, 2015

E.M. Easterly
775 Fir Gardens St NW
Salem, OR 97304

Mr. Easterly:

Thank you for your December 7, 2015 letter regarding the Valley River subdivision identifying the apparent discrepancy between the final platted boundary of the subdivision and the Urban Growth Boundary ("UGB"). We agree that a small portion of some of the lots within the platted subdivision cross over the UGB. None of the application materials submitted at the time the tentative plan or final plat were approved indicate the subject property crossed over the UGB, and staff was unaware of this issue until your brought it to our attention.

At this time there is no need to undertake any land use or enforcement action to address the issue. The final plat for the subdivision was approved and filed with Polk County in 2007 and homes have been built on the affected lots.

As the map you provided indicates, the subdivision abuts future Marine Drive to the east. The City will be undertaking a land use action to bring into the City those portions of Marine Drive that are outside the UGB. When that land use action is undertaken, this issue may be addressed and the UGB may be adjusted to include these properties.

Please contact me if you have any questions regarding this matter.

Sincerely,

Glenn W. Gross
Community Development Director
(503) 540-2306
Fax: (503) 315-2571
Email: ggross@cityofsalem.net
<http://www.cityofsalem.net/CommunityDevelopment>

COMMUNITY DEVELOPMENT

Planning Division • 555 Liberty St. SE / Room 305 • Salem, OR 97301-3513 • (503) 588-6173 FAX (503) 588-6005

