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AGENDA

KEIZER CITY COUNCIL

WORK SESSION

Monday, October 14, 2024

6:00 PM

**Robert L. Simon Council Chambers
930 Chemawa Road NE
Keizer, Oregon**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - a. Urban Growth Boundary**
- 4. ADJOURNMENT**

City of Keizer Mission Statement

Keep City Government Costs And Services To A Minimum By Providing City Services To The Community In A Coordinated, Efficient, And Least Cost Fashion

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



Urban Growth Boundary Work Session

October 14, 2024



Overview



- Requirements for UGB Amendments
- Impact of Population Estimates
- Relationship of Study's in Oregon Planning
- To Separate or Stay Together
- Cost of Growth
- Governor's One-Time Allowance
- What do We want to Accomplish
- Public Engagement



Goals of the Presentation

- Informational
- Factual
- Unbiased
- Understandable





Requirements for UGB Amendments

October 14, 2024

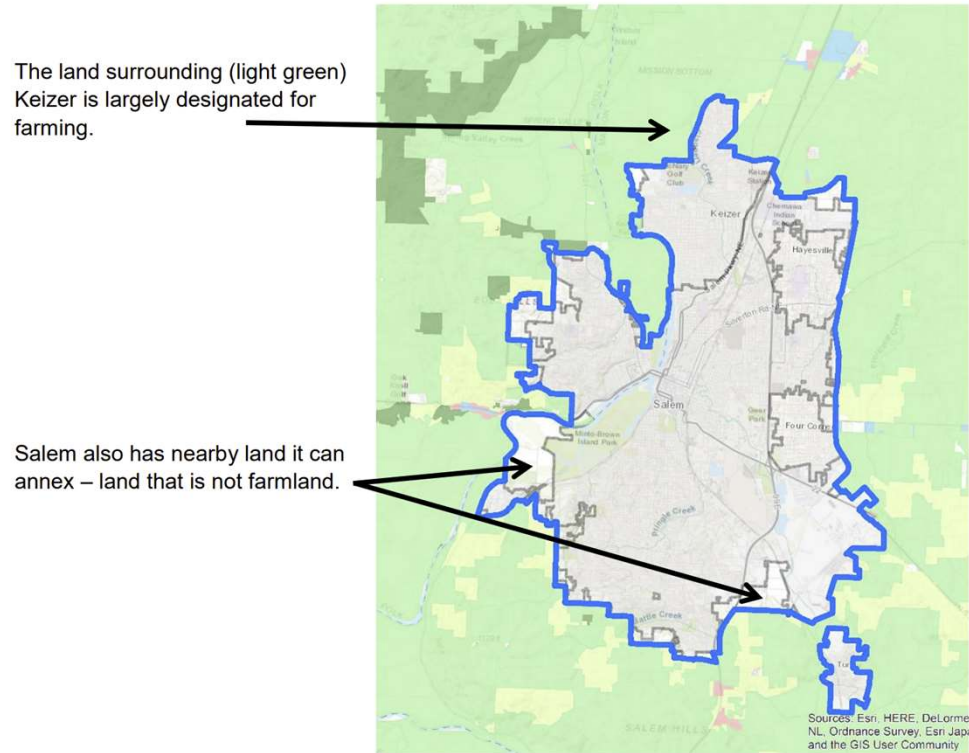


Why can't Keizer just expand however they want?

Right now our fate is tied to Salem
State rules govern how/where



The land surrounding (light green) Keizer is largely designated for farming.



Salem also has nearby land it can annex – land that is not farmland.



We share an Urban Growth Boundary (UGB)



Keizer's Comprehensive Land Use Plan supports a shared urban growth boundary through a coordinated regional effort with Salem and Marion and Polk Counties.



As long as we are tied to Salem the Salem Keizer Area Planning Advisory Committee (SKAPAC) must resolve decisions that result in a change in the regional urban growth boundary.



Surplus housing and other land type capacity is within Salem's urban growth area.

“The entire UGB must be found lacking in capacity prior to adding land.”

[2018 Cost of Growth Report, Page 8](#)



Housing Definitions



- **Market Rate Housing** – (Unsubsidized)
- **Affordable Housing** (Subsidized) – qualification based on income
- **Single Family/Middle Housing** – Single Family, Duplexes, Triplexes, Quadplexes, Cottage Clusters & Townhomes (Row Houses) (House Bill 2001 & SB458)
- **Workforce Housing** – Housing size to the level of the workforce you are serving

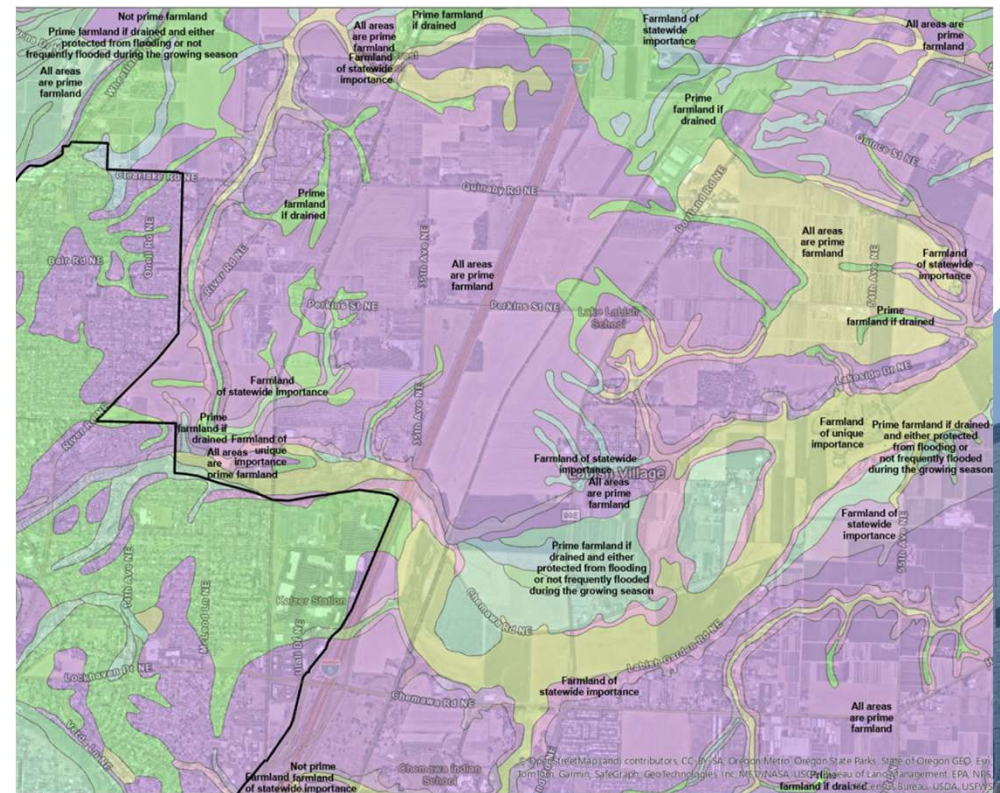


Ambiguity of How and Where



Farmland Consideration

Lower quality soils must be added first.



Ambiguity of How and Where

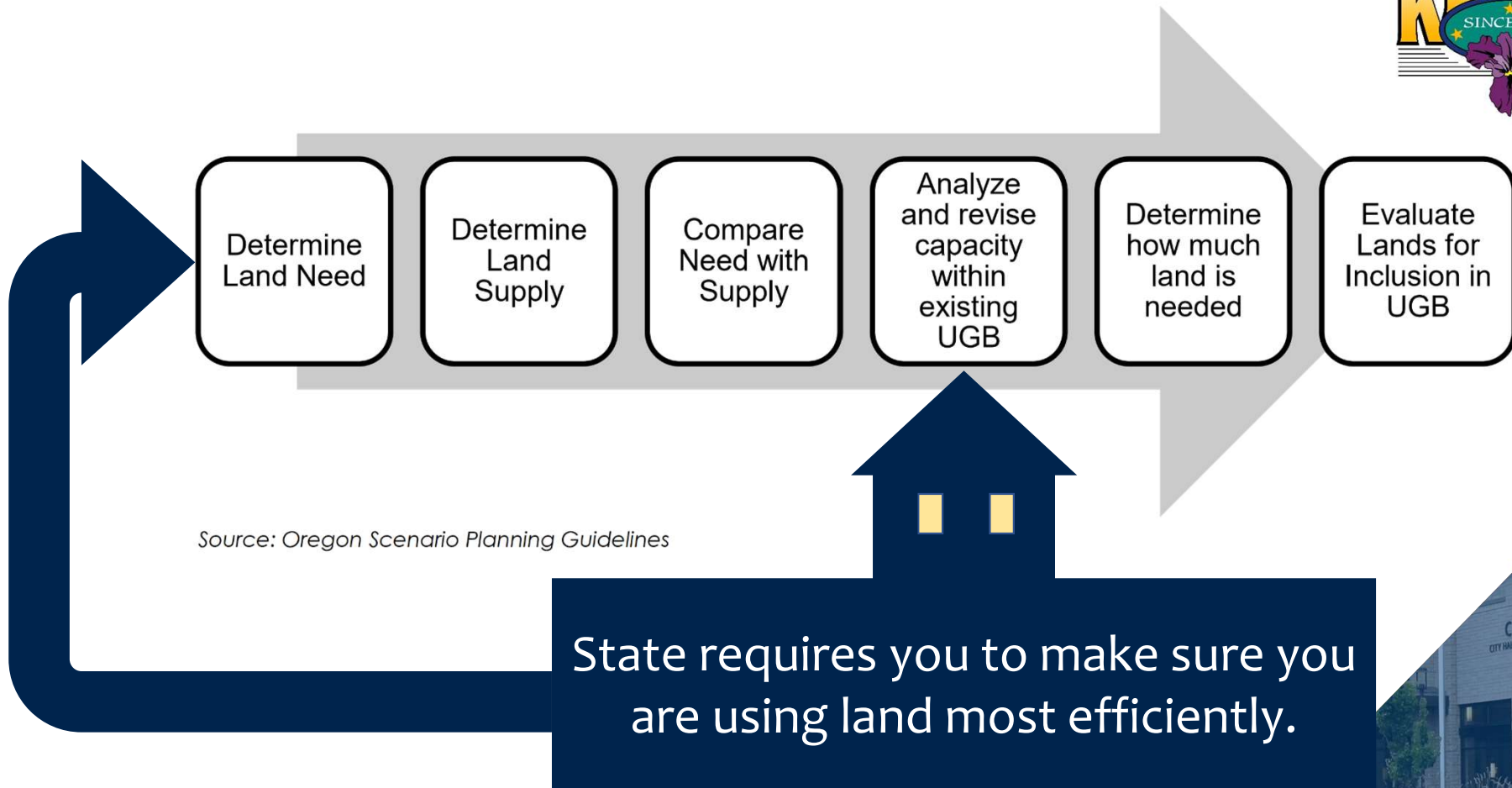


Efficiency measures

- Are you maximizing the use of what you already have?
- It could include consideration of re-zoning
 - Upzone



Figure 4— Summary of UGB expansion process



Source: Oregon Scenario Planning Guidelines

Ambiguity of How and Where



Availability and ability for expansion areas to receive public utilities and services.

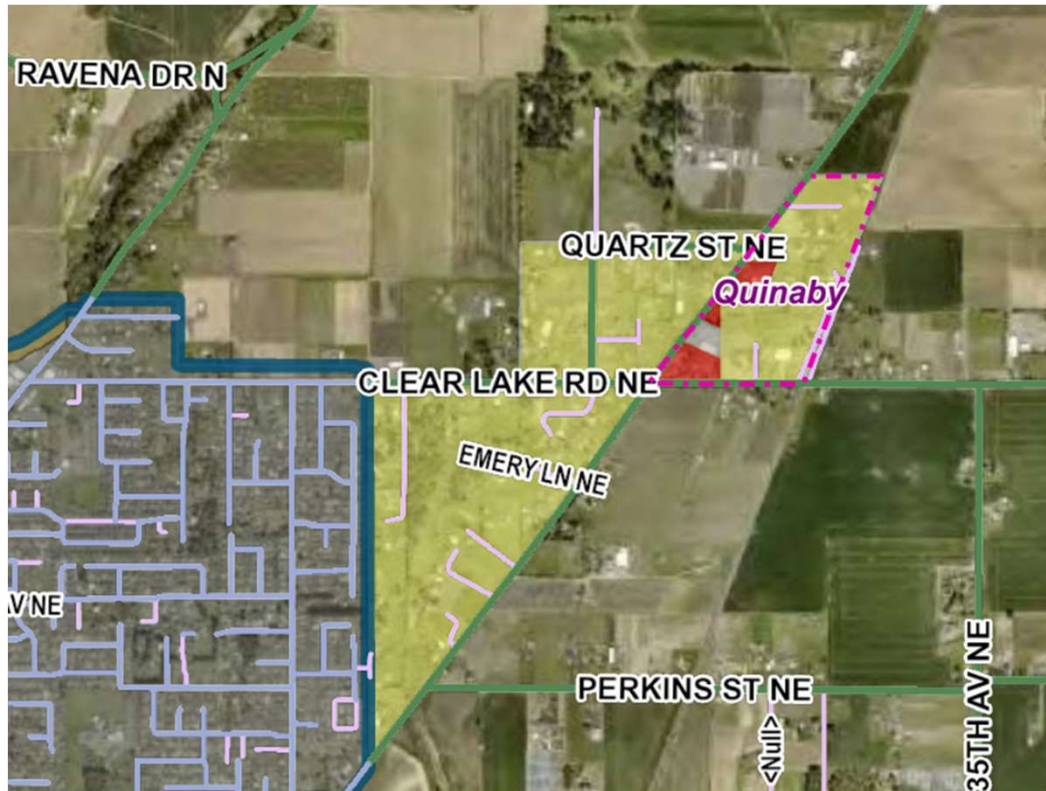


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Exception Lands



Keizer's Exception Lands in Yellow and Red.

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State Requirements for Establishing Housing Needs



- Population Projections
- Must be tied to data from
 - Buildable Lands Inventory
 - Housing Needs Analysis
 - Economic Opportunities Analysis
- Adhere to Goal 14 Policies prioritizing rural exception lands designated for Exclusive Farm (or Forest) Use



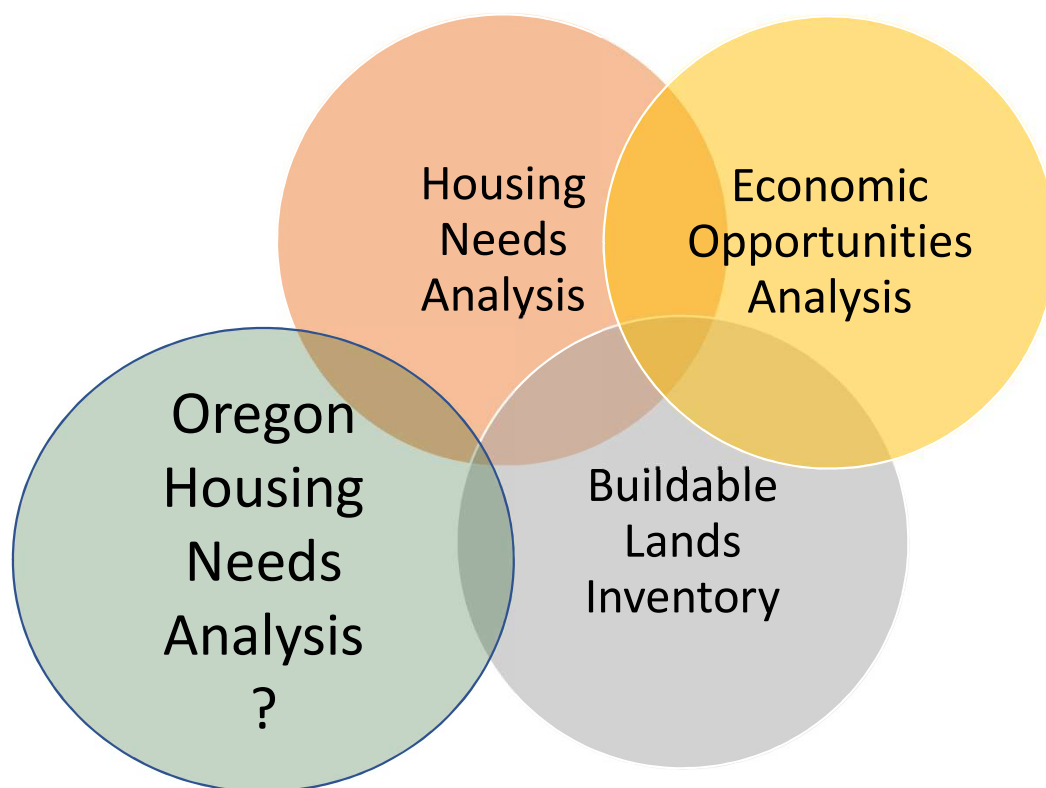
Impact of Population Estimates



- Population projections are foundational in determining projected land need. Population projections have gone down, compared to previous planning efforts, which has significantly reduced the City's projected need. (The HNA from 2013 indicated a need for an additional 267 acres of land for residential use – the 2021 update, which was not adopted, indicates a need of only 52 acres for residential use.)
- Factors such as birth rates, death rates, demographic and age profiles, migration (in and out) all play a factor in population. Previously, population projections were derived through a coordinated population projection for our region.



Relationship



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Separate or Stay Together



Separation is the most obvious way to demonstrate a need.

But,

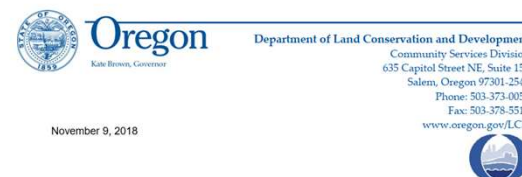
We lose some flexibility.



Path To Separation



“Elected officials could initiate an amendment of all four jurisdictions’ regional policies in their respective comprehensive plans to remove the shared UGB policies. An amendment requires concurrence, or at least acquiescence, from all four parties. This process allows the creation of a separate delineation of UGBs using the specified boundaries of each city’s urban area from its comprehensive plan.”



November 9, 2018

To: Lisa Anderson-Ogilvie, Deputy Community Development Director, Salem
Nate Brown, Community Development Director, Keizer

Cc: Austin McGuigan, Community Development Director, Polk County
Brandon Reich, Senior Planner, Marion County

From: Gordon Howard, Community Services Division Manager, DLCD
Angela Canahan, Mid-Willamette Valley Regional Representative, DLCD

Subject: Guidance on Potential Split from Salem-Keizer Shared UGB

This memo is a response to questions raised in April when the city of Keizer called a meeting with planning staff from the city of Salem, Marion County, Polk County and the Department of Land Conservation and Development (DLCD) to discuss the advantages and disadvantages of decoupling from the Salem-Keizer shared Urban Growth Boundary (UGB). At the meeting, Keizer staff stated that the city would like to assume its role as an equal player in the region in meeting its land needs and making decisions about their future, which could mean splitting the Salem-Keizer UGB. As a result of the discussions, city staff asked DLCD for guidance on meeting statewide planning requirements if the city were to separate from the shared UGB.

Specifically city staff asked DLCD representatives the following questions which we intend to answer through this document.

1. What is the process for Keizer to go through a UGB split?
2. What will DLCD look for substantially and procedurally to demonstrate compliance with the land use planning program if the city separates or splits from the shared UGB?

Process for a UGB Split

Under Oregon's land use planning framework and the Keizer Comprehensive Plan, it is the responsibility of the city of Keizer to work with partner jurisdictions to come to agreement on Keizer's land needs. As stated in each of the four jurisdictions comprehensive plans, this should be the first step before pursuing other means towards a UGB split. Policy #1 from each Comprehensive Plan's section on regional policies for the UGB states the following and gives Keizer authority to request a "review."

"The cities of Salem and Keizer and Counties of Marion and Polk have adopted by legal description the Salem/Keizer urban growth boundary for the Salem and Keizer urban areas and shall review the Salem/Keizer urban growth boundary on a periodic basis or upon the request of one of the jurisdictions to identify if changes are necessary."



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Legislative

The right legislative support could separate the Urban Growth Area between Salem and Keizer.

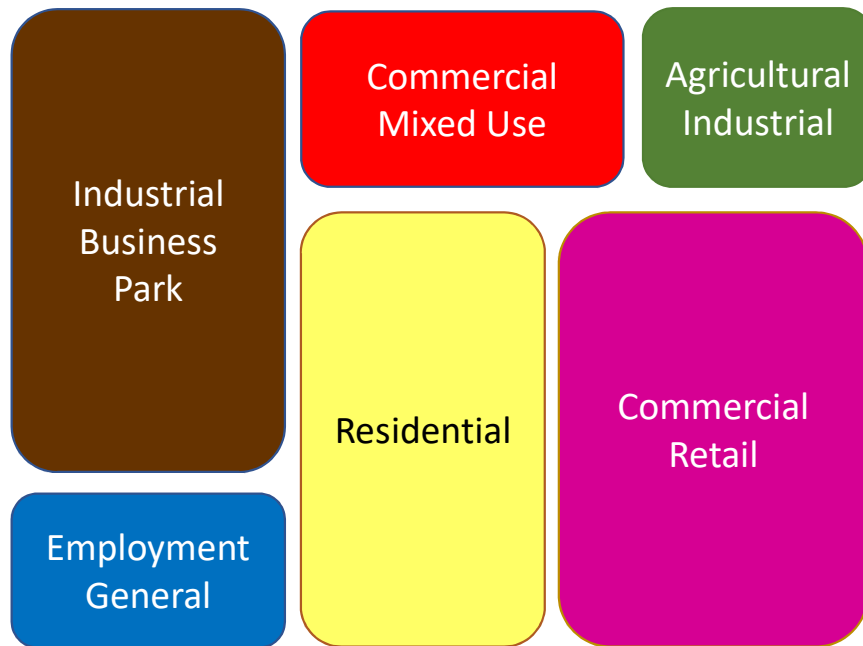
This would trigger the need for Keizer's own 20-year supply



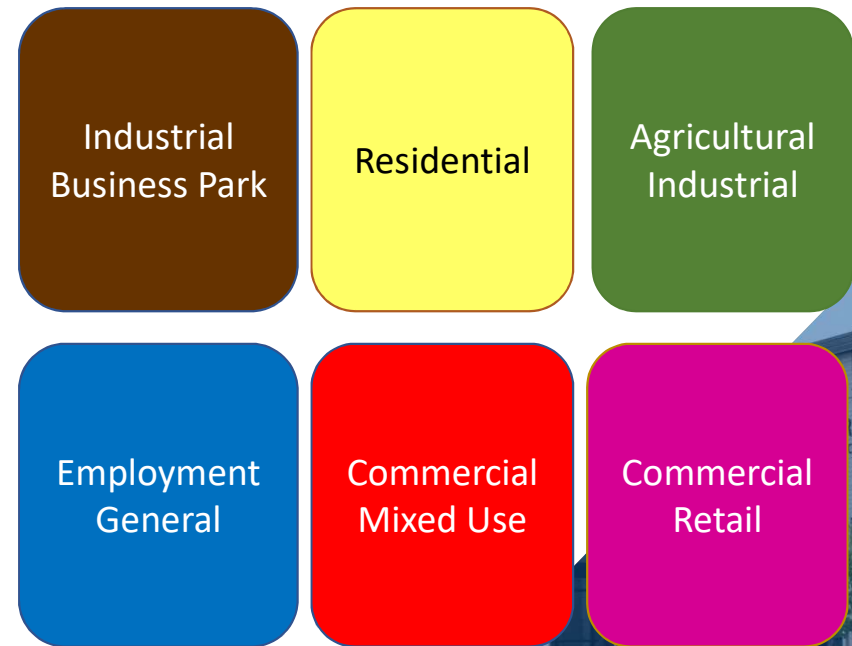
To Share or To Not Share (UGB)



Remain Tied Together



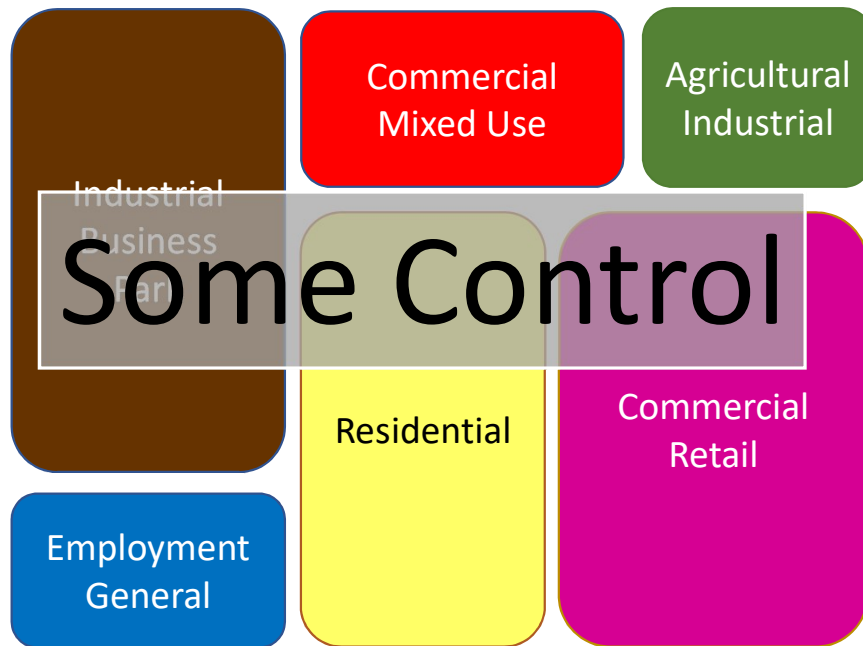
Split from Salem



To Share or To Not Share (UGB)



Remain Tied Together



Split from Salem



Cost of Growth - Fiscal



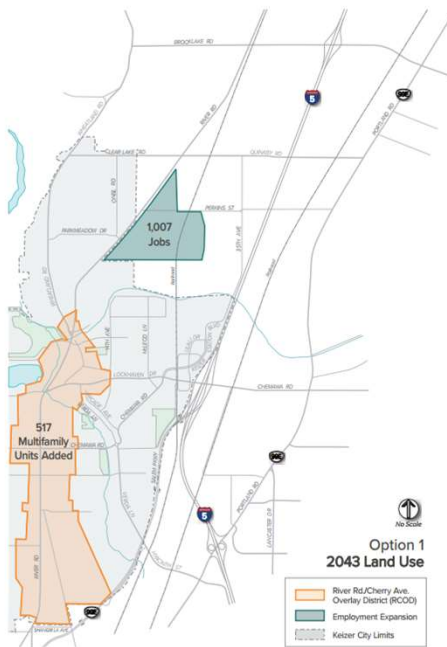
- Utilities
- Transportation
- Parks
- Public Safety
- Schools
- Other Service



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2020 – Two Options Explored Transportation Impact



LAND USE OPTION 1

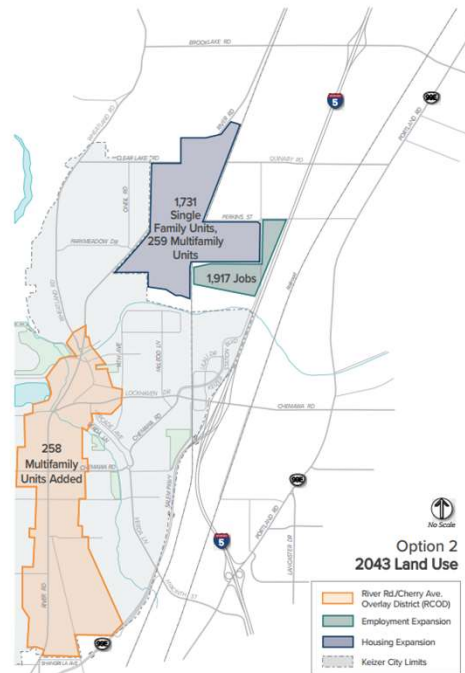
Option 1 includes an additional 517 multi-family housing units within the River Road/Cherry Avenue Overlay District (RCOD) and a small employment expansion outside of the Urban Growth Boundary (UGB) (Figure 2). The employment expansion is located outside the northeast corner of the UGB along River Road and covers about 63 acres, split into two thirds industrial and one third commercial land use. This employment growth in the expansion area results in an additional 350 PM peak hour trips added to the future roadway network. Note that the multi-family residential units in the RCOD are included in the baseline future scenario and thus don't add any further trips to the Option 1 expansion.

This development is assumed to be served mostly by existing roadways and new internal site roadways. The employment expansion area would have access to River Road via Perkins Street. The multi-family housing units would be dispersed across the RCOD, with accesses along River Road.

4 FIGURE 2. LAND USE OPTION 1

\$17 Million

KEIZER GROWTH TRANSPORTATION IMPACTS STUDY 5



LAND USE OPTION 2

Option 2 is a larger expansion of the UGB. This option would expand the UGB in the northeast corner to include both sides of River Road up past Quinaby Road, expanding to I-5 to the east (Figure 3). The housing growth includes 258 multi-family units within the RCOD, plus an additional 259 multi-family units and 1,731 single family units in the expansion area. The employment growth includes roughly 120 acres split between industrial (two-thirds) and commercial (one-third). This growth in the expansion area results in an additional 1,660 PM peak hour trips added to the future roadway network - almost five times more than Option 1. Note that the multi-family residential units in the RCOD are included in the baseline future scenario and thus don't add any further trips to Option 2.

The second option will require more transportation infrastructure including roadway connections in the form of new collectors and internal site roadways. This analysis assumes trips access River Road at two new accesses besides Quinaby Road and Perkins Street. One new north-south collector roadway is assumed parallel to River Road in addition to internal site circulation. Trips may also access the site via the east or south on Quinaby Road, Perkins Street, and 35th Avenue.

4 FIGURE 3. LAND USE OPTION 2

\$36 Million

KEIZER GROWTH TRANSPORTATION IMPACTS STUDY 6

Who pays for the cost of growth?



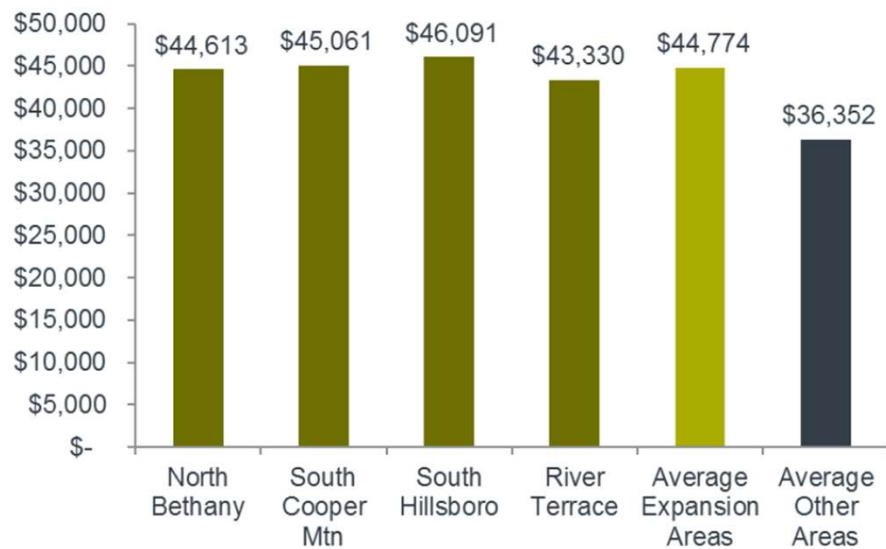
City Responsibility
County Responsibility
State Responsibility
Developer Responsible Improvement
System Development Charges (SDC's)
Residents (through fees for services and taxes
arguably)



Expanded Area SDC's



Figure 11—Average SDCs for Single-Family Homes, UGB Expansion Areas



Source: Washington County, City of Beaverton, City of Hillsboro, City of Tigard; Otak, Inc. Spring 2018



Why not SDC's?



2018 Study Said

Figure 12—SDCs by Category: Expansion Areas vs. Other Areas within Jurisdictions



Source: Washington County, City of Beaverton, City of Hillsboro, City of Tigard; Otak, Inc.

Cost of Growth – Non-Fiscal



- Small town feel tension with growth
- Changes to city neighborhood character
- Schools
- Traffic congestion and associated dangers
- Environmental Costs



Governor's One-Time Exception



Cities of more than 25,000 people may expand by a maximum of 100 net residential acres.



Governor's One-Time Exception



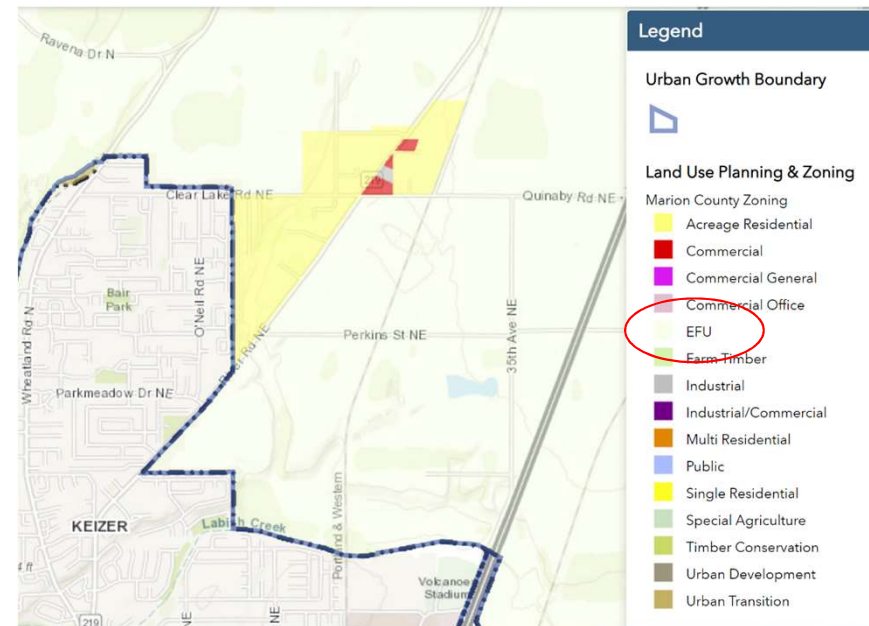
Criteria 3 – site is one of the following

- Designated urban reserve
- Non-resource land that does not meet the definition of agriculture or forest land in LCDC's Goal 3 & 4
- Subject to an exception of planning goals for farm and forestland, which are lands typically zoned rural residential, rural industrial, or rural commercial, and are not considered farmland or forestland

Goal 3 – Non-Resource Land



Goal 3 requires counties to identify farmland, designate it as such on the comprehensive plan map, and zone it exclusive farm use (EFU). An EFU zone places restrictions on developments that are unrelated to agriculture to minimize uses that conflict with farming.



Criteria 4



City has a demonstrated need for additional land under either

Option A: No UGB expansion as occurred in past 20 years, and there are no undeveloped, contiguous tracts of residentially zoned lands of 20 net residential acres or more already inside the UGB; or

Option B: 75% of UGB expansion areas approved in past 20 years are: already developed, or already have an acknowledged comprehensive plan with land use designations in preparation for annexation and have a public facilities plan and associated financing plan.

Criteria 5



City has demonstrated need for additional affordable housing under either:

Option A:

Having a higher percentage than average for Oregon of severely cost-burdened households based on HUD Comprehensive Housing Affordability Strategy data; or

Option B:

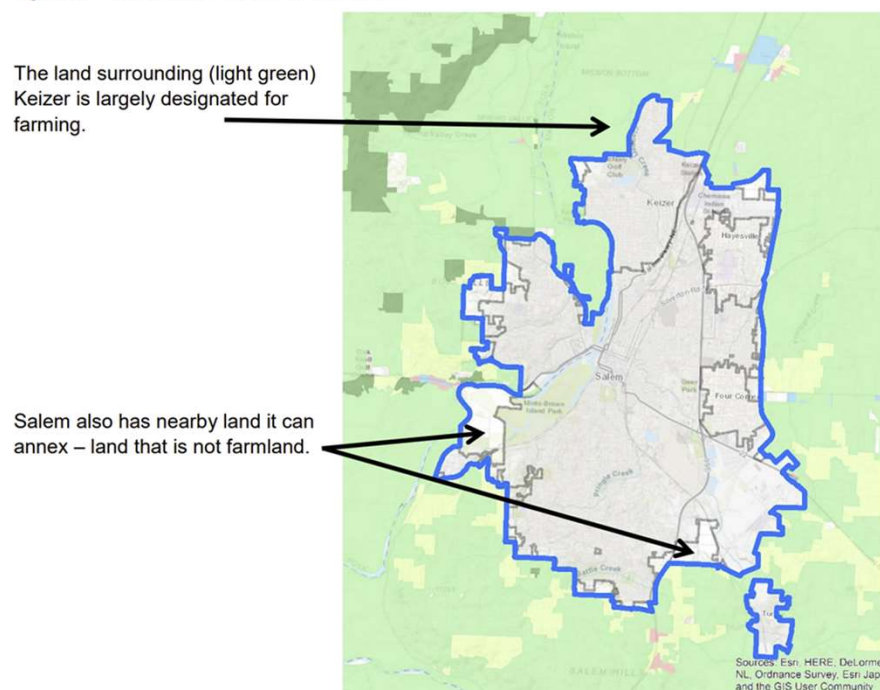
At least 25% of renter households are severely rent burdened as outlined in ORS 456.602 (defined as residential tenants who spend more than 50% of their household income on gross rent for housing)



UGB Exchange



Figure 5— The Salem-Keizer shared UGB



Source: Otak and Oregon Spatial Library

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Possibility

We would still face State Goal 3 – Protection of Farmland

Require Agreement of Four Governing Bodies



In considering UGB expansion or not, what is it that the city would like to accomplish?

- Housing?
- Affordable Housing?
- Jobs?
- Commercial Activity?
- Economic Stability?



Public Engagement



Do we want to know where our community is on the issue?

2009 Keizer Compass is now 15 years old

If Yes:

- Sufficient education for the public to make an informed decision on whether we should expand
- Address the small town feel versus growth conflict
- Identify what our community says is lacking?
- Would UGB expansion meet a community need?



If Public Engagement



Internal

- Unlikely to be statistically significant
- We don't have capacity

External

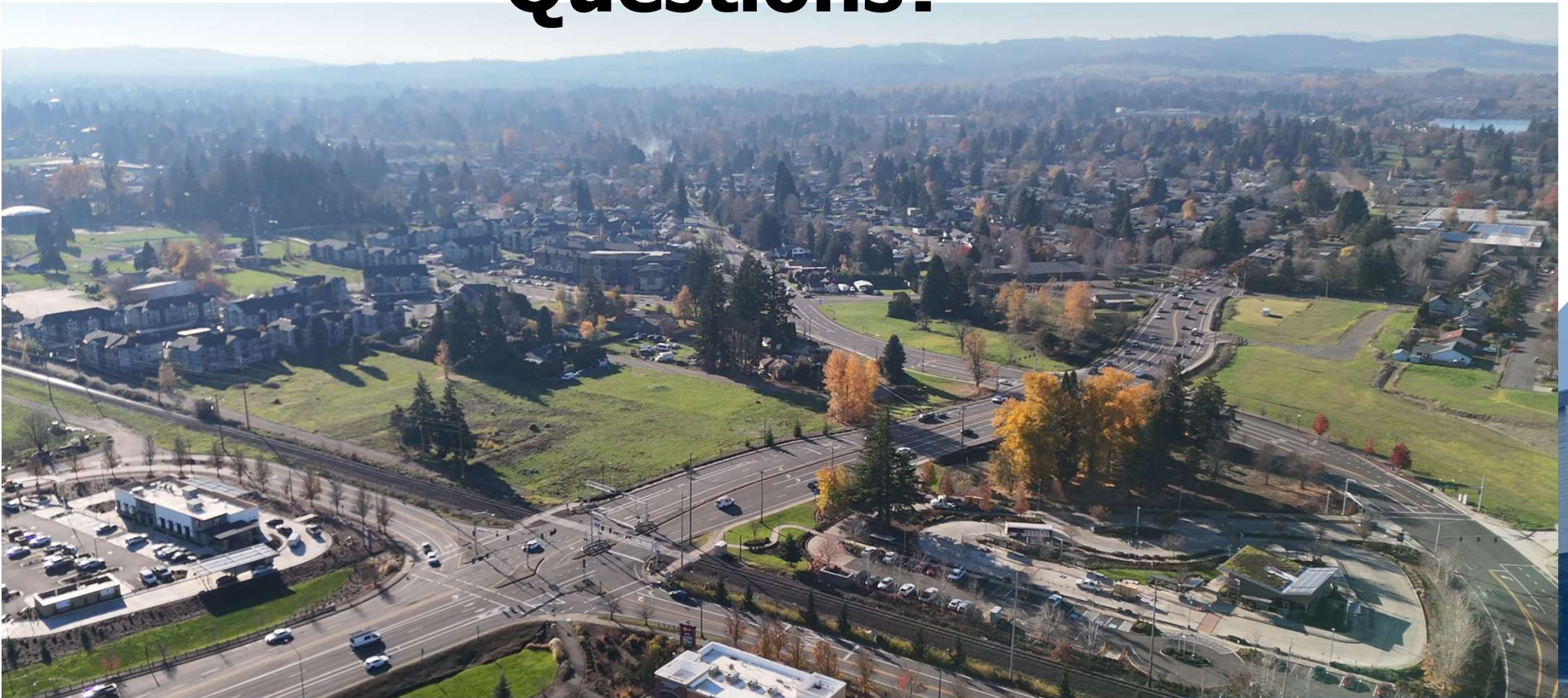
- More statistically significant
- Provides additional capacity
- Third party credibility

Recommendation – If the Council is inclined, we recommend using an outside firm to help us craft and carryout an engagement plan on the question of whether the city should expand.





Questions?



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Land use studies are available on the City's Website at: <https://www.keizer.org/adopted-plans-studies>

Studies and relevant documents for consideration in relation to the discussion on the Urban Growth Boundary:

1. **Keizer Compass** (Community Vision 2029) - June 2009: <https://evogov.s3.amazonaws.com/media/60/media/16607.pdf>
 - One of the key themes was "Responsible Growth and Development" (see page 2 of the Executive Summary for a brief description)
2. Keizer Growth Opportunities Workshop – **Costs of Growth Report** – December 2018: <https://www.keizer.org/media/Departments/Planning%20Department/Adopted%20Plans%20and%20Studies/FINAL%20costs%20of%20growth%20report%20December%2010%202018.pdf>
 - Looked at some different growth examples and overview of UGB expansion/infill, etc.
3. **Keizer Growth Transportation Impacts Study** – October 2020: <https://www.keizer.org/media/Departments/Planning%20Department/Adopted%20Plans%20and%20Studies/Keizer%20GrowthImpacts%20Oct%202020%20with%20Appendix.pdf>
 - Analyzed costs of growth related to the transportation system for 2 separate growth scenarios (based upon 2013 HNA/EOA data), ultimately indicating a range of 17-36.5 million dollars in costs for transportation improvements.
4. **Keizer Housing Needs Analysis Update(2021-2041)** – August 2021 (Not Adopted): <https://www.keizer.org/media/Departments/Planning%20Department/Adopted%20Plans%20and%20Studies/Keizer%202019%20to%202021%20HNA%20August%2027%202021%20final%20draft.pdf>
 - Identified a need of only 52 acres total for residential need in the planning horizon. (The previous 2013 study indicated a need of 267 acres for residential need)

5. **Keizer Housing Strategy Memo** – August 2021 (draft – not adopted): <https://www.keizer.org/media/Departments/Planning%20Department/Adopted%20Plans%20and%20Studies/2021%20Keizer%20Housing%20Strategy.pdf>
 - In part acknowledged concern with land supply. Project Advisory Committee recommended to use the established Salem-Keizer UGB to meet Keizer’s 20-year needs as opposed to pursuing a UGB amendment.
6. Guidance document from Department of Land Conservation and Development (DLCD) on SB 1537 (One-Time UGB expansion process – see pages 18-21): https://www.oregon.gov/lcd/Housing/Documents/20240612_DLCD_SB1537_FAQ.pdf
 - It doesn’t appear this option is viable for Keizer, but there is additional uncertainty.
7. Guidance memo from DLCD regarding separating the UGB – November 2018 – included with City Council packet
 - This memo was received from DLCD previously in discussions of what the process would look like if the City were to separate from Salem as a part of the shared UGB and establish our own.



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

Community Services Division
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540
Phone: 503-373-0050
Fax: 503-378-5518
www.oregon.gov/LCD

November 9, 2018



To: Lisa Anderson-Ogilvie, Deputy Community Development Director, Salem
Nate Brown, Community Development Director, Keizer

Cc: Austin McGuigan, Community Development Director, Polk County
Brandon Reich, Senior Planner, Marion County

From: Gordon Howard, Community Services Division Manager, DLCD
Angela Carnahan, Mid-Willamette Valley Regional Representative, DLCD

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Specifically city staff asked DLCD representatives the following questions which we intend to answer through this document.

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Process for a UGB Split

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Elected officials could initiate an amendment of all four jurisdictions' regional policies in their respective comprehensive plans to remove the shared UGB policies. An amendment requires concurrence, or at least acquiescence, from all four parties. This process allows the creation of a separate delineation of UGBs using the specified boundaries of each city's urban area from its comprehensive plan. If jurisdictions disagree with this regional planning action, the next step would be to try resolution through the Salem Keizer Area Plan Advisory Committee (SKAPAC) process. If that process fails, we recommend a structured mediated option before seeking a legislative or judicial UGB separation. Doing so would give each city an opportunity to discuss their long term goals and objectives and then make a concerted effort to identify how they can work together to accomplish their individual goals through a range of strategies.

Oregon Solutions, housed in the College of Urban and Public Affairs, Hatfield School of Government at Portland State University, helps develop sustainable solutions to community-based problems that support community objectives. They provide a neutral forum with highly respected conveners that have the ability to leverage additional resources and bring disparate resources together by finding common ground and building beneficial partnerships. We recommend the city try to find agreement through the Oregon Solutions mediation process before going to the legislature. If the parties are willing, DLCD would consider contributing to the cost of an Oregon Solutions mediator. If mediation fails, a legislative or judicial solution would be required in order to split the Salem-Keizer UGB.

Meeting Statewide Land Use Requirements if Keizer Splits from the Shared UGB

While the Eugene-Springfield UGB split occurred as a result of a legislative process rather than a local set of comprehensive plan amendments as may happen with Salem, Keizer, Marion County, and Polk County, DLCD staff believes that the process subsequent to the 2007 legislation (House Bill 3337, now codified as ORS 197.304) provides an appropriate template for a potential Salem-Keizer UGB split. The legislation required the cities to:

- Establish an urban growth boundary, consistent with the jurisdictional area of responsibility specified in the acknowledged comprehensive plan; and
- Demonstrate, as required by ORS 197.296, that its comprehensive plan provides sufficient buildable lands within an urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years.

Subsequently, Eugene and Springfield established their share of the prior combined UGB with a local plan amendment that was processed as a standard Post Acknowledgment Plan Amendment. Then, each city subsequently analyzed its plan for compliance with statewide planning goals. Both cities went beyond the statutory requirement, which was limited to analysis of 20-year housing needs, adding review of land for employment and other land needs, consistent with Goal 14. If Salem and Keizer each establish their own urban growth boundary each city will need to undergo a comprehensive review of its plan to determine compliance with statewide planning goals.

One of the tools DLCD has used for newly incorporated cities with new UGBs is the Periodic Review process. Keizer has completed such periodic review of its Comprehensive Plan in the last decade, and Salem has completed an economic opportunities analysis and has mostly

completed a housing needs analysis, so there is a good basis from which to work. Periodic review would be the most appropriate way for each city to update its comprehensive plan and implementing regulations to ensure compliance with the statewide planning goals if the current UGB is split. If both cities establish their own UGB, we stand ready to work with you on an appropriate customized periodic review work program.