



# Oregon

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Shane Witham  
Planning Director  
City of Keizer



## RE: DLCD Comments on the City of Keizer's Climate-Friendly Area Study

Dear Mr. Witham,

Thank you for submitting your climate-friendly area (CFA) study in compliance with Oregon Administrative Rule (OAR) 660-012-0315(4) and (5). The department published the study on our website for public comment on January 29, 2024; however, no comments were received from the public. This comment letter from DLCD should be considered in the next step in the CFA process, which is to determine which climate-friendly area or areas the city will designate and to adopt zoning and development standards, as needed, to implement the CFA requirements.

OAR 660-012-0315(4) lists the required elements of a CFA study, which include the following:

- a) Maps showing the location and size of all potential climate-friendly areas.
- b) Preliminary calculations of zoned residential building capacity.
- c) A community engagement plan for the designation of climate-friendly areas.
- d) Analysis of how each potential climate-friendly area complies, or may be brought into compliance, with the requirements of OAR 660-012-0310(2).
- e) A preliminary evaluation of existing development standards within potential climate-friendly areas and changes to the standards necessary to comply with CFA requirements.
- f) Plans for achieving fair and equitable housing outcomes in climate-friendly areas, including analysis of whether zone changes for CFAs might displace residents who are members of state and federal protected classes.

Your submitted materials meet the requirements in OAR 660-012-0315(4). We appreciate the work you have done thus far and your timely submittal!

The following comments are intended to inform your community's next step, which is to designate sufficient climate-friendly areas with a zoned residential capacity to accommodate at least 30 percent of the community's total housing needs. As part of that process, we are happy to provide support to the City of Keizer for urban design and climate-friendly area code amendments, as well as a transportation gap summary and support for scenario planning.

Here is some of the preliminary data we have gleaned from your study and other sources:

<b>2023 Population Estimate (PSU):</b>	39,169	<b>Total Housing Need:</b>	17,329
<b>Methodology:</b>	Prescriptive (0320(8))	<b>30% of Housing =</b>	5,199 dwelling units
<b>Primary CFA Requirements:</b>	20 DU/acre 60 foot allowed bldg. height		

Preliminary Candidate CFAs:

- a. Lockhaven Subdistrict, 101.3 acres, estimated capacity: 4,404 dwelling units
- b. Chemawa Subdistrict, 63.5 acres, estimated capacity: 2,808 dwelling units
- c. Cherry Subdistrict, 105.3 acres, estimated capacity: 4,982 dwelling units

Total of all capacity estimates= 12,194 dwelling units

We are pleased to see that there is a high degree of synergy between the community’s work on the River Cherry Overlay District (RCOD) and the requirements for climate-friendly areas. Your three candidate areas within the RCOD provide more than enough capacity to accommodate 30% of the community’s total housing needs, along with additional services and employment opportunities. We think there is great potential to grow employment and housing opportunities in this area, enabling more Keizer residents and workers to meet more of their daily needs with fewer vehicle trips, which is beneficial both to health and climate outcomes.

As you begin the community process of determining the appropriate scale and location for walkable mixed-use areas in Keizer, we would like you to know that recent amendments to Rule 0320 now allow cities to designate CFAs at a much lower scale than allowed building heights under the “prescriptive path.” Specifically, OAR 660-012-0320(9) now allows an alternative approach for cities with a population of 25,001 to 50,000 to designate a CFA with either a minimum residential density of 15 units per acre or a minimum floor area ratio of 1.0, if the development code allows for a zoned building capacity of at least 90,000 square feet per net acre. Depending upon setbacks and other requirements in your existing development code, it may be possible to meet these standards with allowed building heights of three stories. Less intensive standards are also allowed for “non-primary” CFAs if there is a need for additional mixed-use locations. Demonstrating that an existing zone provides adequate zoned capacity per the amended rule can be as simple as providing examples of recent development under the current zoning standards that have met or surpassed the 90,000 square feet per net acre threshold. You may wish to consider utilizing the outcome-oriented option, given that none of the existing zones within your three potential CFA areas allow building heights over 50 feet.

The following table illustrates the “prescriptive” and “outcome-oriented” options for climate-friendly areas:

Options for Land Use Requirements in Climate Friendly Areas:		Prescriptive Standards		Outcome-Oriented Standards*
Cities and Urbanized County Areas (by population)	Sizing of CFA Areas	Minimum Residential Density Requirement	Maximum Building Height No Less Than	Development Standards Must Allow:
5,001 – 10,000	At least 25 acres	15 dwelling units/net acre	50 feet	At least 60,000 sq. ft. construction/net acre
10,001 – 25,000	At least 30% of housing need	15 dwelling units/net acre	50 feet	At least 60,000 sq. ft. construction/net acre
25,001 – 50,000	At least 30% of housing need	20 dwelling units/net acre	60 feet	At least 90,000 sq. ft. construction/net acre
➤ 50,000	At least 30% of housing need	25 dwelling units/net acre	85 feet for one, 60 feet for any others	At least 120,000 sq. ft. construction/net acre

\*Local governments utilizing the Outcome-Oriented Standards approach shall either apply a minimum residential density of 15 dwelling units/net acre for 100% residential development or shall apply a minimum floor area ratio requirement of 1.0 for development within the CFA.

In relation to your housing capacity calculations, a few clarifications are necessary. Keizer’s submitted study evaluates housing capacity based on permitted building heights (50 feet or less) within existing zones within the three study areas. If the community determines that the “prescriptive approach” (OAR 660-012-0320(8)) to CFA capacity is the appropriate approach, development standards for at least one “primary CFA” of at least 25 acres in size would need to allow building heights of at least 60 feet. Thus, calculations for this area would assume a five-story height limit. Conversely, some of the calculations for capacity within existing zones have over-estimated capacity by assuming more stories than is allowed by building height standards, per OAR 660-012-0315(2)(b). Specifically, the capacity analyses for the RM and RL zones assume buildings of four and three stories respectively. Those calculations should assume three stories for the RM zone and two stories for the RL zone. Regardless of these issues, we are confident that there is sufficient area within the three studied areas combined to meet CFA requirements, presuming you adopt not just one of them. Lastly, as you consider areas for CFA designation, we wish to clarify that only a “primary CFA” must be 25-acres or more in size. Non-primary CFAs have no minimum size requirement, but must meet the 750-foot dimensional minimum (OAR 660-012-0310(2)(f)). This may allow you some additional flexibility to designate smaller CFAs, if desired.

We note that portions of the potential Cherry Center CFA fall within the “Affordable and Vulnerable” category, using the methodology provided on the DLCD Anti-Displacement Map. This suggests that some current residents of the area could be vulnerable to displacement. The extent to which displacement may actually occur is dependent upon many factors and should be

carefully considered by decision-makers as you select and amend development standards for your CFAs. As part of that work, the rules require identification of all "ongoing and newly-added" measures to mitigate against displacement, if there is good reason to expect that displacement would otherwise occur (OAR 660-012-0315(6)(d)(B)).

Lastly, we commend Planning Director Witham for his personal outreach efforts to engage the community in the process of climate-friendly area designation. Given the small number of planning staff in the city, it is commendable that Mr. Witham personally presented information on the CFA work to date and solicited input not just from the city's planning commission, but also from the Community Diversity Engagement Committee and from attendees of the Southeast Keizer Community Dinner. This type of personal engagement, although time-consuming, helps to build connections and trust between city staff and members of the community, which will help facilitate understanding and engagement with the CFA designation process yet to come.

Thanks again for your submitted study. We appreciate the good work you have done and look forward to supporting the CFA designation process. Please feel free to contact me, at (503) 602-0238, or at [kevin.young@dlcd.oregon.gov](mailto:kevin.young@dlcd.oregon.gov) if you have any questions or need further assistance.

Sincerely,

*Kevin Young*

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