

**NEWBERG AFFORDABLE HOUSING
LEGISLATION SUBCOMMITTEE**

Wednesday, August 25, 2010

4 p.m. to 6 p.m.

Newberg City Hall

Permit Center Conference Room

414 E. First Street, Newberg, OR

- I. Open meeting**
- II. Roll call**
- III. Minutes**
July 28, 2010
- IV. Manufactured Homes Follow up**
Follow up on discussion of 5-acre minimum
- V. Discussion on Lodging Houses**
- VI. Annexation**
- VII. Other business**
- VI. Next meetings:**
Full committee: September 22, 2010, 7:00 p.m.
Subcommittee: October 13, 2010, 4:00 p.m.
- VII. Adjourn**

Attachments:

July 28, 2010 minutes

Memo

**NEWBERG AFFORDABLE HOUSING ACTION COMMITTEE
LEGISLATION SUBCOMMITTEE MINUTES**

Wednesday, July 28, 2010

4 p.m. to 6 p.m.

Newberg City Hall

Permit Center Conference Room

414 E. First Street, Newberg, OR

I. Open meeting: The meeting opened at 4:05 p.m.

II. Roll call:

Present:	Denise Bacon, Doug Bartlett,
Absent:	Mike Gougler
Staff Present:	Steve Olson, Associate Planner
Others Present:	Pat Fauley, Azalea Mobile Home Park; Jim Keller, Chehalem Mobile Park

III. Manufactured Home Park Retention:

Staff noted that Newberg has approximately 600 spaces in existing manufactured home parks, so this is a significant part of Newberg's affordable housing. The recession has weakened the conversion threat, but that will not last forever. In previous meetings the committee had discussed using a "carrot" approach to help encourage the retention of manufactured home parks. One possible option was creating an escrow account that park residents could contribute a small amount to every month. This money could be used, if necessary, to either help buy the park or for moving expenses. Staff asked the park managers what the City could do to help keep the parks viable in the long run.

Jim Keller is the owner and manager of Chehalem Mobile Park (217 Old Highway 99W), and has lived there 30 years. Pat Fauley has lived at Ridgeview Village park (on Columbia Drive) for 15 years, and managed the park for the first 11 years. She currently manages Azalea Gardens Mobil Manor (1103 N. Springbrook Rd, near Bi-Mart).

Jim noted that some of his tenants are very low income, and would not be interested in the escrow account idea. He thought it might work for some parks. One project he plans to do is add individual private water meters for the units, so he can charge them individually for water. When he does that he expects water use will go down, as people start to use water more carefully. If the city could help pay for these private water meters (\$800-1,000 apiece) then it would help conserve water.

Jim said that Chehalem Mobile Park was laid out for single-wide trailers, which are hardly made anymore. When the existing single-wides get too old and are scrapped he has trouble finding new tenants, which has led him to allow more RVs in the park. Jim does not believe his tenants are worried about the possibility of the park converting to some other use, and he has no plans to change the park. Some future owner may have different plans, however, so he would not want

the R-4 zoning placed on his park and limiting his options. At some point he will either have to redo all of the utilities in the park or look at other options.

Pat noted that one potential problem for park residents that buy their own park is that they then have to govern it themselves. This can lead to conflicts, so it is sometimes easier just to have a single park manager. Pat believed that state law now requires park owners that close parks to pay residents \$5,000 or \$10,000 toward moving costs. Pat was not opposed to the escrow fund idea but did not know if residents would be in favor of it. The people who own her park are from California, but are committed to owning and operating manufactured home parks. She is not especially worried about the park being closed.

Pat noted that YCAP has done a lot of weatherization work in manufactured home parks, and thought the program was great. She encouraged the city to support YCAP's weatherization work as one way to help parks.

Jim said that he knew of one recent case where someone tried to create a new manufactured home park near Newberg but the land costs were just too high.

One issue that really affects livability in parks is how much parking they have per unit. Ridgeview's internal drives are wide enough that you can park on the "street." Most parks have two or more parking spaces per unit.

Summary:

- YCAP's weatherization program really helps park residents, so the City should support this program.
- Not all parks are the same; some may be able to benefit from the escrow account approach.
- These two approaches could work together: if the weatherization program lowers the monthly cost of utilities then that may free up some money for an escrow savings program.
- The committee thought it would be useful to hear from CASA about their experience helping residents buy a park in McMinnville.

The committee members and staff thanked Pat and Jim for their input, and Pat and Jim left the meeting.

IV. Manufactured Home R-4 zone:

The committee briefly reviewed where the R-4 zone might be used, and discussed the pros and cons of the 5 acre minimum size for a mobile home park in the development code. The larger parks in town are some of the nicer parks, as they are large enough to have a professional manager. The smaller parks may have more management issues.

Follow-up items:

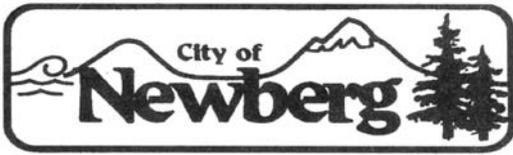
- The committee would like to know the size of the existing parks in town before making a recommendation on whether or not to change the 5 acre minimum for mobile home parks.
- The committee would like to talk to either tenants or people representing tenants (they feel they heard the owner's perspective today). Is there a woman living at the Nut Tree park who was involved at the state level representing tenants?

V. Other business: No other business.

VI. Adjourn: The meeting adjourned at 5:35 p.m.

Approved by the Affordable Housing Action Committee – Legislative Subcommittee this 25th day of August, 2010.

Legislative Subcommittee Secretary



MEMORANDUM

Date: August 23, 2010
To: Legislation Subcommittee
Affordable Housing Action Committee
From: Barton Brierley, AICP
Planning and Building Director
RE: Work Plan

Manufactured Dwelling Park Minimum Size

Newberg's current minimum lot size for a manufactured home park is 5 acres. ORS 197.314 (5) states, "Within any residential zone inside an urban growth boundary where a manufactured dwelling park is otherwise allowed, a city or county shall not adopt, by charter or ordinance, a minimum lot size for a manufactured dwelling park that is larger than one acre." The committee asked for information on the current size of manufactured home parks. Below is the list.

Manufactured Home Parks in Newberg August, 2010

Address	Size (Acres)	# Units
1000 SPRINGBROOK RD S	17.6	124
1103 SPRINGBROOK RD N	8.5	51
1500 SANDOZ RD S	5.1	34
217 OLD HWY 99W	4.1	35
2901 SECOND E	17.8	144
2902 SECOND E	16.1	113
300 EVEREST RD S	6.6	50
301 COLUMBIA DR E	9.8	79
501 ILLINOIS E	2.7	26
Grand Total	88.2	656
Average	9.8	73
Minimum	2.7	26

Lodging Houses

The committee wanted to discuss whether rules should be expanded to allow greater sharing of dwellings. This could go under several names: room rentals, boarding houses, lodging houses, co-housing, congregate living facilities, or dormitories.

The following is information on current codes.

Development Code Rules

DWELLING, SINGLE FAMILY. A detached building designed or used exclusively for the occupancy of one family and having housekeeping facilities for only one family.

DWELLING UNIT. A single unit of one or more habitable rooms providing complete independent facilities for occupants, including permanent provisions for living, sleeping, eating, cooking and sanitation.

DORMITORY. A living organization housing six or more unrelated people who share a common kitchen either on the site or elsewhere.

FAMILY. An individual, or two or more persons related by blood or marriage, or a group of not more than five persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit. *FAMILY* may include two or more people with disabilities as defined in the Fair Housing Amendments Act of 1988 living as a single housekeeping unit.

Thus, if more than five unrelated persons occupy a dwelling, it would fall under the definition of “dormitory” rather the “single family dwelling.” The table below shows where dormitories are allowed.

Use	R-1	R-2	R-3	R-P
Single-family dwelling	Permitted	Permitted	Permitted on existing lots only	Permitted
Dormitory	Not permitted	Conditional Use	Permitted	Permitted

Building Code Rules

The Building Codes have the following definitions:

BOARDING HOUSE. A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

CONGREGATE LIVING FACILITIES. A building or part thereof that contains sleeping units where residents share bathroom and/or kitchen facilities.

DORMITORY. A space in a building where group sleeping accommodations are provided in none

room, or in a series of closely associate rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses.

FAMILY: An individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit.

LODGING HOUSE. Any building or portion thereof containing not more than five guest rooms where rent is paid in money goods, labor or otherwise. The total number of guests shall not exceed 16.

Building codes do not regulate where such uses may occur, only the standards for how they are built. According to building codes some of the types of residences may be built or occupied using the same standards as single family homes. Others must follow more stringent building codes that may require improvements such as fire sprinkler systems, special exiting, ADA access, and so forth. Below is a very general table of requirements

Use	Building Code Classification
Boarding House	Must follow more stringent codes.
Congregate living facilities	Detached facilities with 10 or fewer persons follow rules for single family homes. Others follow more stringent codes.
Dormitory	Must follow more stringent codes.
Lodging House	Same as for single family homes. Limit to 5 guest rooms and 16 persons.

The effect is that a detached single family home in most cases could be occupied by up to 16 persons in no more than 5 guest rooms with little or no building code implications.

Annexation Standards

The recommended action is as follows

Action 4.2E: Create an expedited annexation process for affordable housing projects.

One barrier to affordable housing projects is the time, expense, process, and uncertainty of the City's annexation process. The City could streamline this process, such as by allowing annexation of specified affordable housing projects without being subjected to a public vote under certain conditions. In these cases, the provision of affordable housing would need to be guaranteed through a development agreement or other method. Modifications to the public vote requirement would require an amendment to the Newberg Charter.

The ultimate process for considering changes thus depends on which level of law the committee would recommend changing. At the next meeting, we will look at current annexation laws and processes, look at the realm of possibilities, and decide which should undergo further consideration.

Some possibilities are:

1. No change to existing process. All annexations are reviewed by the Planning Commission and City Council, and are subject to public vote.
2. Only require Planning Commission review of annexations that require a comprehensive plan amendment or meet other thresholds.
3. Define some type of "minor annexation" that would qualify for an expedited annexation process. For example, a minor annexation could be under a certain size (2 acres?), only be in residential zones, and have consent of the owner.
4. Allow minor annexations without a public vote. This would require a charter amendment, which itself would be subject to a public vote.
5. Have the city initiate annexation for affordable housing projects, or for properties that could provide affordable housing.
6. Create an annexation plan. Have the annexation plan voted on. Any annexations subject to the plan then would have met the public vote requirement.
7. Simplify the application process, especially relating to concept development plans.

The committee may have other ideas.