PLANNING COMMISSION MINUTES
March 10, 2011
7 p.m. Regular Meeting
Newberg Public Safety Building
401 E. Third Street

TO BE APPROVED AT THE APRIL 14, 2011 PLANNING COMMISSION MEETING

I. ROLL CALL:

Present:	Philip Smith, Chair	Thomas Barnes, Vice Chair
	Lon Wall	Cathy Stuhr
	Art Smith	Allyn Edwards
	Kale Rogers, Student PC	
Absent:	Gary Bliss (excused)	
Staff Present:	Barton Brierley, Planning & Building Director	
	Steve Olson, Associate Planner	
	Bob Andrews, Mayor	

II. OPEN MEETING:

Chair Smith opened the meeting at 7:00 p.m. and asked for roll call.

III. CONSENT CALENDAR:

Chair Smith entertained a motion to accept the minutes of the February 10, 2011 meeting.

MOTION #1: Smith/Stuhr approve the minutes from the Planning Commission Meeting of February 10, 2011. (6Yes/ 0 No/ 1 Absent [Bliss]) Motion carried.

IV. COMMUNICATIONS FROM THE FLOOR:

Chair Smith offered an opportunity for non-agenda items. None were brought forth.

V. WORKSHOPS:

Manufactured Homes Workshop:

Barton Brierley reviewed the development code amendments as follows:

The purpose of the amendments is to encourage creation of new areas for manufactured housing and to clean up existing rules regarding manufactured housing to match state laws and current practices.

Ten percent of the housing in Newberg is manufactured housing, which is a popular housing type for seniors, young couples, and those in need of more affordable housing. Also, note that with the bypass there are a number of areas of manufactured housing that will be lost. It is an important issue.

Barton reviewed the definitions of different types of manufactured homes and structures, and the differences between them. They included: Recreational Vehicle, Residential Trailer, Mobile Home, Manufactured Home, Modular Home, Recreational Structure, Manufactured Dwelling, Manufactured Structure, Mobile Home Park, Manufactured Dwelling Park, Manufactured Home Subdivision, and Recreational Vehicle Park.

The proposed R-4 Manufactured Housing District is a new zone that allows:

- Manufactured homes on individual lots (single- or double-wide)
- Mobile home parks
- Manufactured dwelling parks
- Manufactured dwelling subdivisions

Proposed Updates to Existing Codes:

- Current codes mix recreational vehicles and mobile home rules
- Code reorganized
- Conflicts removed (Mobile home park Type I vs. Type II)

Policy Issues:

- Manufactured home subdivisions: remove the owner occupied requirement?
- Modular homes: not clear if allowed in R-3 or other zones
- Mobile home "license" requirement: remove?
- Recreational vehicle parking in the front yard setback: leave restrictions in place or modify?

Comments & Questions:

Commissioner Edwards asked why the City has not been enforcing the front yard RV parking code and he wants it noted that it needs to be taken seriously and would help clean up the neighborhoods. Staff explained that it is enforced on a complaint-driven basis, and that there are literally hundreds of violations in the city.

Commissioner Smith does not agree that it should be enforced aggressively. He can count at least three RVs in his immediate neighborhood where people are living. If complaints are received about someone living in an RV then it should be dealt with.

Chair Smith asked what about parking an RV in the driveway or street. Barton Brierley replied parking on the street is limited to no longer than 72 hours and then subject to ticketing. Parking in the front yard setback is not allowed for more than 48 hours, and living in it only allowed for 14 days, anything longer is a violation.

Commissioner Stuhr asked for clarification regarding mobile home parks and whether the same rules apply for R1, R-2, and R-3. Mr. Brierley replied, yes.

Commissioner Art Smith is more concerned with the newer large RVs and where they are parked on the streets.

Commissioner Barnes lives in a manufactured home park and RVs are not allowed other than when loading and unloading. RVs on City streets are the problem.

Commissioner Edwards stated that if a rule is on the books then it needs to be adhered to, and enforced.

Commissioner Wall finds it difficult in a time when the economy is so bad to push people out of their RVs when they have nowhere else to live.

Commissioner Stuhr stated another possibility is to add to the code a size requirement for public street parking. Asking the City to enforce this strictly to the code would be practically impossible. We need to pick our battles.

Commissioner Wall does not want to micromanage a person's life based on his aesthetic values.

Chair Smith stated when he was a part of the Affordable Housing Taskforce he was quite excited about R-4. There is a need for more land for manufactured homes since some are in danger due to the bypass. Also, the land they sit on is often too valuable to keep it that way when the zone is R-2. With a limited amount of area inside of cities, there is a constant pressure to redevelop the manufactured dwelling parks. That being said, why would anyone want their land to be zoned R-4 if it limits the landowners to a smaller set of uses? Once land is zoned R-4, what would the requirements be for it to be rezoned at a later time? What is the "carrot" that induces a landowner to adopt the zoning and what are the rules in changing zoning? Barton Brierley replied that if you want to rezone it would go through a public hearing process and would have to prove a need for the change in zoning. The change must comply with the comprehensive plan.

Commissioner Stuhr does not see an incentive for someone to choose R-4 zoning.

Steve Olson noted that lower property taxes could provide some incentive. If R-2 land is worth more than R-4 land then an R-4 manufactured home park would be assessed lower than one in R-2, which would provide some incentive to keep the land R-4.

Barton Brierley spoke to the retention of manufactured home parks. The Affordable Housing Committee did look at a number of possible "carrots" and one tool was urban renewal districts around a park. The tax increments would help repair the road, replace the sewer system, fix up the park, etc. Further research will be done regarding this and it will be presented to the Planning Commission at a later date.

Commissioner Edwards suggested reducing the minimum lot size in manufactured home subdivisions. Barton will report back to the Planning Commission at the next meeting with further information regarding that suggestion.

Chair Smith called for a four minute break at 7:59 p.m.

Annexation Standards Workshop:

Purpose of Amendments:

Action4.2.E. **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.

Annexation Costs:
- Time: 7-19 months, depending on election schedule
- Fees: $2,000 -$20,000, depending on size and whether there are election costs

Application:
- Concept development plan needs to be prepared
- Criteria response reporting on public services to the development
- Traffic studies, utility studies
- Legal description, title report
- Notices sent out to neighbors and to the local newspaper

Proposed Changes:
- "Batch" Annexation process
- "Legislative" Annexation process

Batch Annexations:
- Allow several smaller annexation proposals to be combined into one measure. Still have to be voted on.

Eligibility:
- Each territory must have < 3 buildable acres
- Property owner consent
- Proposed zoning matches comprehensive plan

Batch annexation costs:
- Time: 6 months +
- Fees: $500
- Simpler application
- Much less staff processing costs
- "Group" uncertainty

Legislative Annexations:
- For City Council initiated annexations
- For example –health hazards, islands, street right-of-ways
- Could include R-4, LIDs
- "Application" requirements not imposed

Next Steps:
Comments/Questions
Hearing sometime in the future

Mayor Bob Andrews stated there is State legislature activity currently taking place regarding rules for island annexations. It would require a majority vote of the citizens of the city, and a majority vote of those within the annexed area.

VI. ITEMS FROM STAFF:

Update on Council items:

Barton Brierley informed Commissioners they will be receiving a letter by mail in the near future from the State of Oregon regarding Ethics and Economic Interests. He encouraged the Planning Commissioners to return the form on time to avoid late penalty fees.

Mayor Andrews has invited the Planning Commissioners to dessert and a training session on ethics on Tuesday, March 29, 2011 from 6 – 9 p.m.

The census information for Oregon, Yamhill County, and Newberg came out last week and there are 4,000 more in Yamhill County than thought, but 1,500 fewer in Newberg. The information can be found on the City website and at Census.gov.

Council Items:
Barton Brierley reported the City Council adopted a revision to the development code, which reorganized it and changed all the code numbers to a different numbering system. The final version is not available as of yet, but the PC will receive that when finalized.

The City Council did vote to approve the Meridian Zone change as well as the amendments relating to the bypass. On March 21, 2011 they will hear the Street and Access Standards proposal, and on April 4, 2011 a report from the Affordable Housing Committee.

The next Planning Commission Meeting is scheduled on Thursday, April 14, 2011.

VII. ITEMS FROM COMMISSIONERS:

Commissioner Stuhr stated in regard to the bypass discussion at the last meeting there were some comments from Planning Commissioners that she believes were inappropriate with respect to whether the bypass is good in the big picture. She thought the comments were out of line, and not related to the scope of what was actually on the table in front of the PC. Personal opinions need to be carefully stated when in the middle of a public meeting.

VIII. ADJOURN:

Chair Smith adjourned the meeting at 8:40 p.m.

Approved by the Planning Commission on this 14th day of April, 2011.

AYES: 7 **NO:** 0 **ABSENT:** 0 **ABSTAIN:** 0

Dawn Karen Bevill
Planning Recording Secretary

Philip D Smith
Planning Commission Chair