

PLANNING COMMISSION MINUTES
July 14, 2011
7 p.m. Regular Meeting
Newberg Public Safety Building
401 E. Third Street

TO BE APPROVED AT THE AUGUST 11, 2011 PLANNING COMMISSION MEETING

I. ROLL CALL:

Present: Philip Smith, Chair Thomas Barnes, Vice Chair
Lon Wall Allyn Edwards
Art Smith
Kale Rogers, Student PC (arrived 7:08 p.m.)

Absent: Gary Bliss (excused) Cathy Stuhr (excused)

Staff Present: Barton Brierley, Building & Planning Director
Steve Olson, Associate Planner
DawnKaren Bevill, Minutes Recorder

II. OPEN MEETING:

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

III. CONSENT CALENDAR:

Vice Chair Smith entertained a motion to accept the minutes of the June 9, 2011 meeting.

<p>MOTION #1: Art Smith/Edwards approve the minutes from the Planning Commission Meeting of June 9, 2011. (5 Yes/ 0 No/ 2 Absent [Bliss, Stuhr]) Motion carried.</p>

IV. COMMUNICATIONS FROM THE FLOOR:

None.

V. LEGISLATIVE PUBLIC HEARINGS:

APPLICANT: City of Newberg
REQUEST: Amend the Newberg Development Code definitions and requirements for manufactured dwellings, and create a new manufactured dwelling district.
FILE NO. DCA-11-001 **RESOLUTION NO.:** 2011-293
CRITERIA: 15.302.030(C)

Opening of the Hearing:

Chair Smith opened the hearing and asked for the staff report.

Barton Brierley gave the staff report and the Manufactured Housing PowerPoint presentation.

What the Amendments Do:

Create a manufactured dwelling district where only manufactured housing is allowed (does not apply to anywhere on the map at this point)

Adopt state definitions for manufactured housing.

Update, reorganize, and resolve inconsistencies

Purpose of Amendments:

Encourage creation of new areas for manufactured housing

Clean up existing rules regarding manufactured housing to match state law and current practices

New R-4 Manufactured Housing District

New zone that allows:

Manufactured homes on individual lots (single or double wide)

Mobile home parks

Manufactured dwelling parks

Manufactured dwelling subdivisions

Not tied to any specific site at this time

Updates to Meet State Laws:

RVs allowed in manufactured dwelling or mobile home park indefinitely.

Clear and objective standards applied to manufactured housing.

Other Updates:

Current codes mix recreational vehicles and mobile home rules. Changes clearly separate them.

Mobile Home Park "license" no longer required.

Manufactured homes in manufactured dwelling subdivision need not be owner occupied

Conflicts removed (Mobile home park Type I vs. Type II)

Rules updated allowing temporary placement of an RV or manufactured dwelling during home construction.

Staff Recommendation:

Staff recommends adoption of Resolution 2011-293, recommending that the City Council adopt the proposed amendments.

Questions:

Commissioner Wall asked if the City has an actual RV definition. Barton Brierley referred to the definition on page 15 of the meeting packet; "*The unit shall be identified as a recreational vehicle by the manufacturer and meet applicable federal standards for construction.*" Commissioner Wall is concerned with that definition, as it is broad and does not factor in condition.

Chair Smith asked staff if recreational vehicles must be allowed as dwellings that take up a space in a park. Mr. Brierley replied that a manufactured dwelling space can be occupied by a manufactured home, mobile home, or recreational vehicle. State law does not allow the local government to prohibit RVs in manufactured dwelling spaces. You cannot require a certain age for mobile homes in a mobile home park but he is unsure about recreational vehicles.

Commissioner Barnes stated an RV would not be allowed to take up a space in most manufactured home parks because it is private property, and the park management would not allow it. Mr. Brierley stated the

park can set rules to not allow RVs but the City code cannot prohibit the RVs. Commissioner Barnes asked if the existing manufactured home parks in the City could apply for a zone change to the R-4 zone. Mr. Brierley replied, yes the park owner could apply.

Chair Smith asked why the word “district” is used instead of R-4 zone. Mr. Brierley explained that all the zones in the code are referred to as a district.

Kale Rogers asked what percentage of lot coverage the R-4 zone falls under. Mr. Brierley explained that the R-4 zone would not have a coverage limit as currently proposed. Commissioner Barnes stated there is 60% coverage (structures and parking) in existing mobile home parks.

Chair Smith opened public testimony.

Undecided:

Rene Garoutte lives in Springbrook Estates. She asked why a park would want to change to an R-4 zone and, if the zone change was approved, would that increase or decrease the property taxes. Commissioner Smith replied that the reason the city is considering creating an R-4 zone is because the Taskforce on Affordable Housing recognized manufactured housing as an important source of affordable housing in the City which should be encouraged. They thought having a zone specifically designed to encourage manufactured housing would help to increase and maintain this kind of housing in the City. Mr. Brierley stated that if the park wanted to be zoned R-4 they would need to apply and go through the normal zone change process. Only the County Tax Assessor could answer the property tax question, but he does not believe their taxes will be affected. Commissioner Barnes stated the taxes are on the home and not on the land. Mr. Brierley explained it could facilitate long-term maintenance of the park, which would provide some stability to the area.

Chair Smith closed public testimony.

Deliberation:

Commissioner Edwards stated the age of an RV is not the concern but instead the safety and functionality of the vehicle or the unit.

Chair Smith does not think specifying lot coverage for manufactured home parks is needed due to the density and design of the typical park. On the matter of dilapidated housing or recreational vehicles, he believes it would be difficult to write a rule and suggested passing this resolution as currently written and see if difficulties arise in the future.

Commissioner Edwards agreed that concerns about vehicle condition and lot coverage could be addressed if needed in the future. He is in favor of the resolution.

MOTION #2: Barnes/Wall moved to approve Planning Commission Resolution No. 2011-293. (5 Yes/ 0 No/ 2 Absent [Bliss, Stuhr]) Motion carried.

APPLICANT: City of Newberg
REQUEST: Amend the Newberg Development Code lot coverage limit in the R-1 zone from 30% to 40% for one story homes, and modify lot coverage requirements.

FILE NO: DCA-11-001 **RESOLUTION NO.:** 2011-294

CRITERIA: 15.302.030(C)

Opening of the hearing:

Chair Smith opened the hearing and asked for the staff report.
Barton Brierley gave the staff report and PowerPoint presentation.

Proposal:

Add definitions and purpose statements for lot coverage.
Exclude small accessory buildings from lot coverage calculations.
Allow additional parking coverage if permeable paving materials are used.
Increase the lot coverage in R-1 from 30% to 40% for single story residences.
Exclude non-residential uses from needing to meet lot coverage standards.

Purpose for Lot Coverage Standards:

Control Storm Drainage
Provide for Outdoor Living Area on a Lot
Limit Development Density to that Appropriate for the Zone

The purpose for lot coverage standards is:

Control Storm Drainage (combined lot/parking coverage left at 60%)
Provide for Outdoor Living Area on a Lot
Limit Development Density

Application to Non-residential uses:

No longer applies to non-residential uses

Staff Recommendation:

Staff recommends the adoption of Resolution 2011-294, recommending that the City Council adopt the proposed amendments.

Questions:

Commissioner Wall asked if there is a mechanism to apply for a variance for greater lot coverage. Mr. Brierley replied yes, there are two basic processes. An adjustment is an administrative process and limits the increase to 2%; this is fairly inexpensive. A variance procedure is for increases of more than 2%. Up to 100% can be increased in a variance if justified.

Commissioner Edwards pointed out a grammar correction on page 45, Discussion of proposal (b); *"The proposal would "exclude" buildings..."* Commissioner Edwards asked for clarification regarding frame-covered nonhabitable accessory buildings. Mr. Brierley explained that refers to a building that is covered by a tarp, and the definition comes directly from the building code. No building permit is needed if the structure is not more than 500 square feet.

Chair Smith stated this is the first time the Planning Commission will vote on a resolution to change the City Code based on the initiative of a citizen. He thanked Mr. Doug Lanz, Managing Partner for the Terrace Heights Subdivision and Northwest Classic Custom Homes, for bringing his concerns to the City.

MOTION #3: Art Smith/Barnes moved to approve Planning Commission Resolution No. 2011-294. (5 Yes/ 0 No/ 2 Absent [Bliss, Stuhr]) Motion carried.

VI. ITEMS FROM STAFF:

Correspondence:

Barton Brierley stated that a letter from Mr. Leonard Rydell was submitted to the City Council in response to the appeal of the Planning Commission's decision to approve the Habitat for Humanity partition on Ninth Street. The City Council could not view the letter, since it was new evidence and the appeal hearing was a record hearing. Mr. Rydell understood the letter could not be given to the City Council but asked if it could be given to the Planning Commission to read and take into account when making future decisions.

Update on Council items:

The City Council upheld the Planning Commission decision on the Habitat for Humanity appeal. On July 18, 2011 the City Council will be hearing the Civic Corridor Sign Standards, the Annexation standard changes, and the South Industrial UGB Amendment (at the point of deliberation).

The next Planning Commission Meeting is scheduled on Thursday, August 11, 2011.

VII. ITEMS FROM COMMISSIONERS:

Commissioner Barnes invited the Planning Commission to attend the opening of the Chehalem Kayak Launch on July 23, 2011 from 2:00 – 4:00 p.m.

VIII. ADJOURN:

Chair Smith adjourned the meeting at 8:20 p.m.

Approved by the Planning Commission on this 11th day of August, 2011.

AYES: 6 **NO:** 0 **ABSENT:** 1 (Stehr) **ABSTAIN:** 0



Planning Recording Secretary



Planning Commission Chair