

**NEWBERG AFFORDABLE HOUSING
AD HOC COMMITTEE
Thursday, March 19, 2009
7 p.m. to 9 p.m.
Newberg City Hall
Permit Center Conference Room
414 E. First Street, Newberg, OR**

I. OPEN MEETING: Chair Philip Smith opened the meeting at 7:00 p.m.

II. ROLL CALL:

Present:	Philip Smith	Denise Bacon	Joel Perez
	Mike Willcuts	Charles Harris	Mike Gougler

Absent:	Dennis Russell	Rick Rogers
	Bob Ficker	Kevin Winbush

Staff Present: David Beam, Economic Development Coordinator/Planner
Barton Brierley, Planning Director
Dawn Karen Bevill, Recording Secretary

Others Present Ian McLeod

III. MEETING MINUTES:

No minutes to approve at this time.

IV. ACCESSORY DWELLING UNITS:

Chair Smith asked Charles Harris to review his email to Mr. Beam dated March 09, 2009 regarding his proposed ADU changes (P11 in the meeting packet). Mr. Harris stated there was a suggestion at the last meeting to allow accessory dwelling units in any residential zone as an outright use. This change could help with rental housing.

Mike Gougler stated accessory dwelling units are more effective at housing those in more desperate need of housing than apartment projects, which are much more selective and restrictive.

Charles Harris continued by stating he would like to change §151.678.2(A) allows ADUs as an outright use in any residential zone, per discussion at the last Ad-Hoc meeting. The proposed change to §151.678.2(B)(1) would allow ADUs to be created as part of an “attached” SFDs as well a “detatched” SFDs. He agreed with the proposal to now allow ADU above garages or

other accessory buildings. Also, he agrees with this strategy (eliminate restriction on 2-story accessory buildings), although he doesn't see the 2-story restriction in the ADU ordinance. Mr. Harris' proposal is to allow ADU to be in conjunction with other accessory buildings whether detached or attached. In §151.678(B)(2), Mr. Harris would like to see an increase in the allowable square footage of ADUs. Finally, in §151.678.2(B)(4), he would like to remove the requirement that either primary or secondary unit be owner-occupied.

As to the last proposal, Mike Gougler stated philosophically that he favored the idea. However, in practice, it has an unsuccessful history.

Charles Harris pointed out that Portland made this change many years ago and hasn't had a problem with it.

Chair Smith summarized by stating first of all, the proposals allow ADUs as an outright use in all R-1 zones (Barton Brierley noted the proposal was having an outright use in new subdivisions, not in existing development). Secondly, we should allow ADUs with any single family dwelling such as in a row house. Thirdly, the size restriction on ADUs ought to be modified. Lastly, removing the requirement that either the primary or secondary unit be owner-occupied.

Chair Smith asked if there is an owner-occupied requirement in the PUD behind Fred Meyer.

Barton Brierley replied he didn't believe so.

Chair Smith asked if a separate outside entrance to the ADU is an important feature.

Charles Harris believes it would be good to have a separate entryway, particularly if the residents are unrelated.

Chair Smith stated, given the economy, 2 families living together is happening frequently. Often, the ADU is essentially inside the house without a second entrance. Should the City worry about that?

David Beam suggested leaving it up to the homeowner as whether or not to have a second entrance.

Mike Willcuts asked if it's considered an accessory dwelling unit with only 1 entrance.

Mike Gougler replied it isn't; you need 2 entrances.

Chair Smith stated if it's not a separate dwelling, there can be 5 non-related people living in a home, but if there are 6, it's in violation without an ADU.

Mike Gougler asked if you need to have an owner-occupied person plus 5 unrelated or can you have 2 non owner-occupied families at 5 each.

Barton Brierley replied once you have over 5 unrelated in a house, you're in violation, but that is difficult to regulate.

Chair Smith stressed the importance of an ADU, making it legal for 2 families to share residence.

Mike Willcuts thinks many older houses in the area could accommodate an ADU.

Mike Gougler stated the new buildings will need to be built to code and isn't sure what problems that will create with the Planning Staff.

Chair Smith stated this should be an outright use in any R-1 zone, but wasn't sure about the second proposal allowing ADUs with any SFD throughout the City whether detached, attached or above the garage.

Barton Brierley's opinion is if there are 4 town homes on a lot with 4 accessory dwelling units, its like an 8-plex.

Chair Smith asked if the proposal could be to recommend to have the Planning Commission hold a hearing to explore this issue. He isn't sure about allowing ADUs on any SFD. He likes the idea of building onto a garage, and adding a second door to a home for access, but still feels quite cautious on the matter.

Charles Harris replied if Chair Smith wants to be cautious, it should be on the attached/detached SFD matter.

Chair Smith asked if it was a yes vote on allowing ADUs on any SFD? Should the allowable square footage of ADUs be increased? The current code states the ADU cannot exceed 50% of the primary unit, up to 800 sf.

Barton Brierley stated when this code was developed, ADUs were envisioned as a small unit, not a duplex.

Chair Smith presumes as the size goes up so does the cost; therefore the rental fees will also go up. Keeping it smaller will keep it more affordable.

Mike Willcuts stated if the size goes, up it becomes a duplex.

Chair Smith stated if this becomes an outright use in the R-1 zone, there will be many more homes with rental occupancy. Mr. Gougler has voiced his concerns regarding renters not keeping up with the properties the way an owner would. Mr. Harris believes it's not a concern. Chair Smith asked Mr. Willcuts his opinion.

Mike Willcuts agrees with both Mr. Harris and Mr. Gougler in some respects. He is concerned with the units being well kept.

Chair Smith asked Mr. Willcuts if he felt it was important to have a owner on-site or not?

Mike Willcuts replied it depends on the renters.

Joel Perez stated he lived in a community where he's seen both good and bad renters.

Mike Gougler isn't opposed to 2 renters in a single house. However, if this is allowed, the rule or ordinance should not supersede or change local homeowner association laws. Homeowners associations can have specific rules to control the neighborhood. The problem is with absentee landlords who leave properties unkempt.

Chair Smith asked if the City can do anything in the case of an absentee landlord who collects rents but isn't interested in keeping up the property?

Barton Brierley stated there are things that can be done, but there are limits. There is a code enforcement officer who can deal with trash issues, noise, high grass, abandoned vehicles, etc..

Chair Smith believes the discussion thus far has led him to believe that the recommended changes to ADUs include the following: (1) should be allowed outright with any SFD; (2) height restriction should be removed as proposed originally by Mr. Brierley; (3) no change in the allowed size of ADUs; and, (4) the requirement of owner-occupancy should be removed. Chair Smith asked the committee if that was sounded correct.

David Beam asked, in reference to the last stated recommended change, if the language needs to be added subject to HOA regulations.

Barton Brierley replied language can be added.

Charles Harris suggested, if there is a housing trust fund at some point, taking some money and putting it into code enforcement.

Denise Bacon arrived at 7:40 p.m.

MOTION#1: Gougler/Harris moved to recommend adoption of Charles Harris' recommendations, except for changes to ADU size allowance. (Motion approved 5 Yes/0 No/1 Abstention {Denise Bacon})

V. STREET STANDARDS:

Barton Brierley referred to the memorandum beginning on page 14 and explained the importance of looking at this issue on a factual basis, since this is a topic that can be somewhat emotional. The exhibit attached to the memo titled "Neighborhood Street Design Guidelines" was created through a consensus process by many different interest groups, such as fire/emergency response, service providers, developers, transportation engineers, public works, non-profit groups, cities and counties. The guide lays out a process for looking at street standards. Mr. Brierley outlined

the steps for local government to create and adopt neighborhood street standards for your particular community (P.16). Mr. Brierley's recommendation is not to propose a specific amount for street widths at this time, but rather recommend that some city committee follow the guides process to develop a set of street standards that works for Newberg.

Chair Smith referred to Mr. Brierley's recommended action item language (P.17). Chair Smith stressed the importance of hearing from all the stakeholders before making a specific recommendation on street standards.

Mike Gougler stated his agreement with the memo and the guidelines.

Charles Harris stated that he understands the minimum street width is 32 feet at this time. Mr. Harris doesn't mind having the process recommended by Mr. Brierley, but pointed out that many years ago he was on a committee that reviewed street standards, storm drainage systems, etc. He asked what happened to that process? He pointed out the report by Scott Segal which came out in 2007, where there is a statement regarding the understanding that Newberg street standards were currently under review.

Barton Brierley replied that particular effort hasn't moved forward.

Charles Harris stated while looking at the Oregon Community Street Widths table (P. 47), there is only one community with a street footage over 28 feet. Mr. Harris would like to recommend that the street widths be reduced to 28 feet and use the stakeholder process proposed in the guide only if there is a desire to explore street widths under 28 feet. There have been many other studies concerning this. The 2007 Oregon Fire Code requires a minimum unobstructed width of only 20 feet.

Mike Gougler referred to Scenario 1 (P.40). Having the sidewalk next to the curb with trees on the inside of the sidewalk gives more flexibility on what can be placed on the lot.

Chair Smith stated if the street is narrower, putting the sidewalks next to the road should not be a hazard, since a more narrow street should slow down vehicles. Nonetheless, he thought that the placement of the sidewalk issue is separate from the street width issue.

Mike Willcuts stated if the street is narrowed to 28 feet wide, the right-of-way needs to be smaller as well.

Chair Smith believes that both of should be considered by a group of stakeholders. He's not convinced that 28 feet is the ideal street width.

Mike Gougler believes the code can be written for to allow a 24 foot street, if the builder/developer can make the case for a specific application. The purpose of narrowing the streets should be so it function well in a specific situation, given the development plan and community goals. The goal shouldn't be just to provide more density. Mr. Gougler doesn't want to see a one size fits all approach.

Chair Smith clarified Mr. Gougler's request as follows: the City should have a policy that allows for varying street widths, depending on different project situations. The City needs to hear from all stakeholders about this idea before adoption.

There are 3 different parts of an emerging motion. First, the City should explore narrower streets where emergency access and adequate parking can be maintained. Second, as a step toward this, adopt a 28 foot street standard. Third, the City should explore the possibility of empowering the staff to approve yet narrower widths, depending on the needs of a particular development.

Mike Willcuts stated he would like to look at narrowing the right-of-way and doing away with planters strips.

Charles Harris referred to page 17 and suggested changing the wording to read, "allow 28 foot width and explore narrower street widths where emergency access and adequate parking and other factors, such as density and the right-of-way would allow."

Barton Brierley stated the need for a broad-based support if this effort is to be successful.

Mike Gougler would like the motion to include having the sidewalk next to the curb. The objective is density which can provide more affordable housing in a neighborhood.

MOTION #2: Smith/Gougler moved to recommend that the City Council: (1) allow 28 foot street widths; and, (2) explore the possibility of even narrower streets and narrower right-of-ways, so long as emergency access and adequate parking can be maintained. In determining these street widths and right-of-ways, the City should follow the process as outlined in the Neighborhood Street Design Guidelines. Motion approved unanimously.

VI. PRIORITIZATION OF PLAN ACTIONS:

David Beam explained that in one of the handouts, all the recommended actions of the plan are listed. The action items highlighted in yellow are the action items that staff believes will require the most significant work by city staff. Mr. Beam would like to have those highlighted items prioritized by the committee

Charles Harris asked if the committee could take this handout and prioritize the items for the next meeting.

David Beam replied he can email the committee the list of plan actions to be prioritized. Staff will analyze the Committee member responses and bring a summary to the next meeting.

Mike Willcuts asked if these will be implemented in stages or at one time.

David Beam replied that they would be implemented in stages.

Mike Willcuts asked if the committee had come up with a dollar amount for an affordable house.

Chair Smith replied that in his speeches to various groups he stressed that affordability means different things and a wide range of affordable housing is needed. For some people it's emergency housing that requires a voucher for a hotel. For others, it may be a Section 8 subsidy, market rate rentals, manufactured homes, new housing, accessory dwelling units, etc.

David Beam stated that the general standard, whether buying or renting a home, is spending no more than 30% of a person's income on housing costs.

Mike Willcuts asked if a fee schedule will be spelled out for the developer.

Barton Brierley replied the numbers will need to be recalculated.

Mike Willcuts believes over 50% of first time home buyers in his development will keep the home as a rental when they move out. This will put more rental homes on the market.

VII. MINIMUM LOT SIZES:

Barton Brierley explained the handout he prepared regarding this issue. At the last meeting, the question arose as to what was what effect reducing the minimum lot sizes would have on the proposed "flexible development standards". The short answer is, under the proposed formula, it doesn't change at all.

Charles Harris asked if the target density can be changed.

Barton Brierley replied target density is what you want to achieve. It used to be the target density number and the maximum density number were the same. That has since changed; maximum density, in most cases, is now higher than the targeted density.

VIII. ANNEXATIONS:

Barton Brierley stated that the recent email exchange started by Charles Harris would likely be considered ex-parte contact for any City official.

Charles Harris is bothered by the McClure Annexation. First, he thought that Committee members were notified about any proposed annexations. He's also bothered about the proposed rezone from R-2 to RP on Main Street. Neither the staff report on this item nor the discussion by the Planning Commission included the need for R-2 land. Mr. Harris asked if these items will be appealed.

Barton Brierley explained it's the Planning Commissions recommendations that will now go to the City Council on April 6, 2009.

(NOTE: Councilor Denise Bacon left the room at this time.)

Mr. Brierley explained that the existing R-2 piece of property has an existing church and church office building. It wasn't being used as a residence and never occurred to staff that multi-family use would ever take place on the property.

Chair Smith stated that the church is an historical landmark. Mr. Smith stated he did bring up density and affordable housing concerning the McClure property item, but it never occurred to him on R-2 rezone item because the primary building can't be made into housing.

Mike Gougler stated this committee's mission is affordable housing. He believes that the McClure transaction was exactly what this committee was asking be allowed. It was precedent setting land-use action. The McClure's voluntarily are asking for an annexation into the city and subjecting themselves to the City codes. By so doing, they are increasing the density of that project by including a facility that will house 250 more people then was originally anticipated under the M37 arrangements. The point isn't that they created 1 acre lots, but that, on the whole, the project will include higher density.

Denise Bacon rejoined the meeting at this time.

IX. MINIMUM DENSITIES:

This topic will be open for discussion at the next Ad-Hoc meeting.

X. HOUSING FAIR PREPARATIONS:

Ian McLeod has no significant information to add at this time.

The Housing Fair will take place on Saturday May 16, 2009 at the George Fox University Gym.

XI. OTHER BUSINESS: The next meeting is scheduled for April 2, 2009,

XII. ADJOURN: Chair Smith adjourned the meeting at 9:00 p.m.

Approved by the Ad Hoc Committee this 2nd day April 2009.

AYES:

8

NO:

2

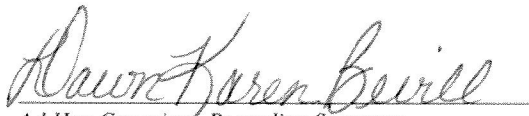
ABSTAIN:

2

(list names)

ABSENT:

2/Russell
Willcuts


Ad Hoc Committee Recording Secretary


Ad Hoc Committee Chair Date 4/2/09