



CITY OF WHITE SALMON
Planning Commission Meeting - Wednesday, March 11, 2020
Joint Public Hearing with City Council

DRAFT

COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT

Commission Members:

Ross Henry, Chairman
Michael Morneault
Greg Hohensee
Seth Gilchrist (Arrived 5:31)
Tom Stevenson

Staff Present:

Erika Castro Guzman, City Associate Planner
Patrick Munyan, City Administrator
Jan Brending, City Clerk-Treasurer
Ken Woodrich, City Attorney

Council Members:

Marla Keethler, Mayor
Jason Hartmann
David Lindley
Amy Martin
Ashley Post
Joe Turkiewicz

CALL TO ORDER/ ROLL CALL

Ross Henry, Chairman called the meeting to order at 5:30 PM. There were approximately 30 people in the audience. All planning commissioner members were present. All White Salmon City Council members were also in attendance.

APPROVAL OF MINUTES

Minutes of February 26, 2020.

Moved by Michael Morneault. Seconded by Greg Hohensee.

Discussion: Commissioner Stevenson requested clarification of his 30% comment in relation to affordable housing threshold (in second paragraph). No further issues.

Motion to approve minutes of February 26, 2020. CARRIED 5-0.

Public Hearing of Draft Ordinance Repealing and Replacing WSMC 17.36 MHR Mobile Home Residential District.

Jan Brending, Clerk-Treasurer, reviewing the proposed changes to WSMC 17.36 MHR Mobile Home Residential District. She noted that the documents were also translated into Spanish.

Ross Henry, Chairman opened the public hearing at 5:35 PM.

Clerk-Treasurer Brending read written comment from **Brookside Development LLC, owner of Washington Street Trailer Court, White Salmon**, that addressed the following specific comments:

“Even though we are one of the property owners most affected by the proposed repeal, we fully support the goals of the City. As we are sure the City knows, the proposed ordinance will eliminate many development options and will therefore significantly decrease the

general development value of our properties. Please accept the following as our specific written comments:

17.36.050 Off-street parking. There shall be two off-public-street parking spaces for each mobile/manufactured home space. Comment: This we decrease affordability and should be reconsidered.

17.36.080 Eviction notices for change of use or closure of a mobile/manufactured home park; 17.36.090 Relocation report and plan; 17.36.100 Certificate of completion of the relocation report and plan; 17.36.110 Notice of provisions; 17.36.120 Administration. Comment: We reserve formal comment on these provisions as the current closure process of the Washington Street Trailer Park, which is located on one of our MHZ parcels, is currently under the jurisdiction of, and being regulated by, the Washington Attorney General. We have worked closely with the Attorney General for the past 9 months since the filing of the required Closure notice. Although the proposed MHRP ordinance is not applicable to our closure process, we are more than willing to provide informal thoughts on the provisions of these proposed sections based on our experience over the past year.

17.36.160 Additional Requirements. C. No manufactured or mobile home, or any addition or accessory building thereto, may be placed upon a lot in any MHRP District without first obtaining a building permit and sewer and water connection permits, and authorization, from the building inspector. Any required fees shall be in accordance with the current City Fee Schedule. Comment: This requirement will dramatically decrease affordability which is the City's stated goal. On one hand, the ordinance is saying site built homes are not allowed in the zone. On the other, the ordinance says that each dwelling will be taxed by for city services the same way site built homes are taxed. This is not consistent with existing zoning or affordability policy. In its place, the City should consider a single reduced impact rate for the entire development on a proposed on any MHRP parcel.

F. All water, sewer and storm-water shall comply with the most current State laws and City standards and regulations. Connections shall be made to the City utility system, if available and applicable. The sewer connection shall be provided with suitable fittings so that a watertight connection shall be so constructed that it can be closed and locked, when not linked to a dwelling, and shall be capped so as to prevent any escape of odors. Comment: Same affordability rationale as for subparagraph C comment above should be considered.

17.36.170 Building permit required. Comment: Same affordability rationale as for subparagraph C comment above should be considered."

Sara Medina, Washington Street Trailer Court, White Salmon stated that she has lived in Washington Street Trailer park for 10 years and her motive for attending is her worry for her children and all others who live in their trailer court. She stated that her children do not want to leave their school, in particularly her high schooler who is at risk of losing his college scholarships if her family moves to Oregon. Medina said she is unable find rent because either rent is expensive or have many requirements. (Interpreted by Carlos Ibarra)

Gabrielle Gilbert, White Salmon Urban Exempt Area, Klickitat County stated that this is about the city doing the right thing and keeping the community together. She asked the council and planning commission to remember the last trailer park was removed with little resistance. She said that it destroyed families who had to rebuild. Gilbert requested the city to establish model policies because if you have an income below \$60,000 a year, families are living hand to mouth, and anything less

would be working into the food budget. Gilbert said she supports ADUs as they offers an additional income.

Soila Loeza, White Salmon Urban Exempt Area, Klickitat County stated she works with Mid-Columbia Children’s Council Headstart and works directly with low income families. She said that most families affected by the Washington Street Trailer Court evictions have gone through the headstart program and that she sees them very upset trying to find housing. Loeza said families have invested a lot of money on their trailers and it would be nice for them to stay living in this community. She said she has seen the stress it places on the family, including kids.

Ubaldo Hernandez, Inside City Limits, White Salmon stated he has lived in the community for 25-years and acknowledged the hardworking people of the Washington Street Trailer Court that work in the service industry that may want to speak up but do not have the skills to do so. He stated that as a community, people are aware of protecting their investments and think it is valid, but they would also like to acknowledge that the salary for the rent is part of an investment too. Hernandez stated that if these families leave because rents are too high, they will no longer be investing money into the community.

Edith Flores, Formerly Residing in White Salmon stated that she moved to The Dalles, OR five months ago from White Salmon because she could not find any affordable housing. She stated that it is very complicated because her children still attend school in White Salmon and she commutes to work in Bingen, WA. Flores thanked the council members and commissioners for listening to their needs. (Interpreted by Carlos Ibarra)

Kalama Reuter, Inside City Limits, White Salmon stated that she supports diversity and is a strong advocate of affordable housing. She said she agrees with Brookside Development LLC’s comments that the new code has some issues about affordability. Reuter stated she appreciates the hard choices that have to be made but to please consider the people.

Manuel Villa, Washington Street Trailer Court, White Salmon stated that he is a resident of the Washington Street Trailer Court and has been living in the community for over 30 years. He said he has five grown children that have moved out and now he and his wife live alone. Villa said he understands the city can’t give freely, but desires the opportunity to stay within the community. He stated he believes rents are too high and would appreciate it if the city could help relocate him and the affected families. He said he feels the pressure as there are four months left to move although he continues to work in local service jobs. Villa said he would not like to move because this area is all he knows since he has been in this country. (Interpreted by Ubaldo Hernandez)

Joel Madsen, Inside City Limits, White Salmon Executive Director of Mid-Columbia Housing Authority, stated that he does not have specific comments on the ordinance itself but appreciates and wanted to show support for preserving the zone for the City of White Salmon. He stated that he appreciates the thoughtfulness in the discussion around contemplating relocation and providing adequate notice. Madsen encouraged the city council to pass the ordinance as is and to favor the residents of the mobile home park.

Mariol Ramirez, Washington Street Trailer Court, White Salmon stated that she has resided in White Salmon for 27-years, living in Washington Street Trailer Court since 2004. She stated that she is upset and affected because her family is being dislocated which in turn affects the community because the cost of living is too high. (Interpreted by Carlos Ibarra)

Tao Berman, Inside City Limits, White Salmon states that he previously owned a mobile home park and knows how difficult it is to make the math work, but feels for the families that are having to move on. He said he would like to bring focus to the basic economics and asked the code to maintain some level of affordability while not having the park go into disrepair. He stated he supports trying to keep manufactured homes in the community, but with all the hookup fees a project is dead upon arrival, and believes the fees must be waived for a developer to make such improvements while charging an affordable rent price. Berman says he thinks the ordinance still needs work if the objective is to put a code in place that investors can actually invest into achieving the stated comprehensive plan goals that he supports.

Chairman Henry thanked Carlos Ibarra and Ubaldo Hernandez for interpreting for the Spanish speaking community.

Carlos Ibarra, Unknown Location stated that livable conditions, affordability and money has different meaning for everyone, but at the end of the day the community wants families to be together. He reflected on how expensive it is to build and buy materials.

Chairman Henry closed the Public Hearing at 6:11 PM.

At 6:12 PM, Chairman Henry dismissed the City Council and took a 10-minute break and resumed the meeting at 6:22 PM.

Commissioners discussed that the State already has an eviction process in place, but the City should work to keep mobile home parks in their current zoning to prevent what is happening with the Washington Street Trailer Park.

Commissioner Hohensee stated the proposed ordinance will make it more expensive to have a functionable mobile home park that is currently tied to two lots in town and that it will in turn make it hard to maintain the rents at an affordable rate. He stated that planning commissioners and the city council should be mindful that the developer needs to be profitable.

Staff discussed the economics of the water and sewer utilities (regardless of a publicly owned or privately owned system). The commission agreed that the 2012 Comprehensive Plan provides protection of the working class people, and a that a big step towards that is to remove the possibility of stick built home within the MHR Zone to preserve manufactured and mobile homes in the zone. Further discussion entailed the review of the current residential zoning moratorium timeline in correlation with the new 2020 Comprehensive Plan update.

Staff and commissioners discussed the failing infrastructure as it relates to the trailer parks. Staff stated that infrastructure is failing on all levels. Commissioner Hohensee stated that the failing infrastructure is overlooked because of the emotional content that is fueled by financial necessity when maintaining trailers that are not meant to last 35+ years.

Staff stated that manufactured homes must be allowed in all zoning by state law.

Commissioner Hohensee stated that the goal of this piece of legislation shall provide better protection to the residents, specifically that mobile homes must meet current building codes and provide for safety. He said he believes the draft provides a profitable avenue for the landowners, emphasizing that there are only two current landowners, and also provides affordability in the sense of rental protection.

Attorney Woodrich discussed a Ninth Circuit case that deals with mobile home park zones, specifically citing the City of Tumwater, that stated if an economically viable use of a property is not attainable, the owner shall have the ability to resolve it. He stated that the structure of the ordinance must give a reasonable calculation that shall the mobile home park can be operated profitably. He said that if it cannot be operated profitably, it shall be permitted to rezone regardless of the circumstance. Attorney Woodrich stated that it is critical and he recommended trying to pencil it out referencing WSMC 17.36.140.

Commissioner Hohensee stated that he understands the proposed code to does the following:

- Provides better protection to the residents.
- The need to be safe/ meet current building codes.
- Profitability: Presents a profitable avenue for the landowners.
- Affordability: Affordable for the renters. Hohensee added he thinks it is up to the people renting and developing to consider what is profitable and affordable.)

Commissioner Stevenson stated that the cost of rent is important to consider so the affordable housing threshold is viable for the development. Commissioner Henry questioned the cost of development and offering rent at an affordable rate. He said he does not believe it works economically with the utility costs.

WSMC 17.36.010

- Regarding the definition and square footage of a Manufactured Home and Tiny House: Chairman Henry states that he believes 720 is too large of a minimum, but staff clarified that the square footage is state law. No proposed change.
- Regarding space for occupancy: Commissioner Stevenson stated that he thinks two manufactured homes is too few to propose a rezone into MHRP zone. Staff clarified that this number gives the option for a small parcel to rezone to MHRP, specifically removing a minimum acreage of land. No proposed change.

WSMC 17.36.020

- The difference between mobile and manufacture homes was discussed. Staff stated that mobile homes were built prior to 1976, manufactured homes thereafter secondary to building code changes. No proposed changes.
- Additional discussion to move recreational vehicle park to a permitted use. Staff stated that travel trailers are seen as short term (30-days or less) stay, therefore it should be a conditional use and not an outright use. No proposed changes.

WSMC 17. 36.030

- Commissioner Morneault requested clarification of 17.36.030(E) regarding the multi-housing dwelling conditional use permit. Staff clarified that if a developer wanted to construct duplexes/apartments, to make a development profitable, they could do so with at least 55% of the units meeting the affordable housing threshold.
- Commissioner Stevenson recommended expanding the language to place size restriction for the apartment units; he stated he believes smaller units are rented for less. **Commissioner Hohensee believes the city should not constrain landowners with excessive laws, but the laws that are placed, should provide clear boundaries.**
- Commissioner Gilchrist recommended the percentage be removed and state that if multi-family dwelling units are replacing mobile/manufactured homes; a one to one unit/one home replacement ratio is required.

- Commissioners Hohensee and Morneault recommended leaving language as is to restrict the park to primarily mobile/manufacture homes.
- Commissioner Stevenson said he believes more research is needed prior to proposing language changes in 17.36.030(E).
- Chairman Henry said he believes the current MHR zones are great locations for multi-housing if the developer wishes to apply for a conditional use permit.
- Commissioners discussed how the affordability housing threshold plays a role in the requirement that a minimum 55% of the multi-family housing units meet the threshold via conditional use.
- Chairman Henry said he would like further clarification as it relates to conditional uses; believes language should be expanded to make the option as attractive as possible while maintaining an affordability component.
- The commission requested staff revise 17.36.030(E) with the intent is to maintain the quantity of housing on the lot if new construction is proposed and adding a section addressing if displacement occurs.
- The Planning Commission message to the City Council: We see conditional uses as an important focus because mobile home parks are specific to density and affordability.

WSMC 17.36.040

- Regarding the proposed road width. Staff clarified the road width is secondary to fire code and public response.
- Commissioner Gilchrist and Stevenson argued the setback, road width, and spacing between trailers may be too large and limit wanted density.
- Staff acknowledged that wider roads may cause drivers to drive faster, but may be remedied by placing speed bumps for safety. Staff advocated for wide lanes because of wider traffic, for example placing manufacture homes/moving RVs.
- Staff will develop a diagram of setbacks.
- Some commissioners questioned if storage should be required, as it may increase developer cost, but understands it helps provide a space to organize miscellaneous items.
- Chairman Henry pointed out that stick built homes were removed. Requests the city to look at tools to help developers be profitable.
- Staff explained that the residential zone side setback is less because different design/material standards are used for a stick built home versus a mobile/ manufacture house. Additionally the larger side setback for the mobile/manufacture home park is to provide off-street parking spaces, plus doorway access, which is typically by porch. Staff stated that 17.36.040(A-D) provides for safety and quality of life.
- Proposed changes tabled for further discussion after receiving a diagram of setback layout.

WSMC 17.36.050

- Commissioners discussed the likelihood of the residents commuting to work. Therefore, two parking spaces is reasonable. No proposed change.
- Commissioner Stevenson speculated that if on-street parking was provided, there could be some flexibility in providing one off-street parking space. Chairman Henry suggested not specifying where parking needs to occur. Staff stated that it is up to the developer and their proposed design.

WSMC 17.36.060

- No proposed changes.

WSMC 17.36.070

- Staff confirmed current mobile parks are grandfathered in and may expand a percentage of the existing area without complying with the new ordinance. No proposed changes.

WSMC 17.36.080

- Staff stated that this section comes from state statutes. Primarily in place to let the city know of an eviction.
- Attorney Woodrich strongly suggested that administrative staff should have a meeting with the landowner(s) to make the ordinance viable.
- Commissioner Morneault stated that he thinks the code contradicts itself. Attorney Woodrich clarified that this gives the city a little discretion; as long as a proposal meets the substance of the code, it meets what is intended. No proposed change.

WSMC 17.36.090

- Discussed potential civil issues with relocation with a partial planning county. Staff clarified who may be potential designee. No proposed change.

WSMC 17.36.100

- The general penalty clause was discussed. No proposed change.

WSMC 17.36.110

- Notices of new tenants during eviction in-process was discussed. No proposed change.

WSMC 17.36.120

- Staff clarified who may be a potential designee based on the level of violation and issue. No proposed change.

WSMC 17.36.130

- Process discussed if appealed. No proposed changes.

WSMC 17.36.140

- Language from the City of Tumwater ordinance with modification to fit the City of White Salmon, court cited language.
- May be deemed unconstitutional without this language. Exclusively reviewed by Attorney Woodrich and administrative staff.

WSMC 17.36.150

- In the case the City condemns or requests mandatory upgrades for a mobile/manufactured home park, this code ensures the City must follow the same rules. Typical boiler plate language. No proposed changes.

WSMC 17.36.160

- Administration corrected that “building” permit should be a “placement” permit.
- Staff clarified what it means for city utilities systems to be “available” and “applicable.”
- Commissioner Gilchrist proposed WSMC 17.36.160(G) reference WSMC 17.36.180 regarding tiedowns.

WSMC 17.36.170

- Administration corrected that “building” permit should be a “placement” permit. No proposed changes.

WSMC 17.36.180

- Commissioner Stevenson proposed tiny homes and RVs have defined placement requirements that differ from manufactured/mobile homes.

In general, the Planning Commission agreed to look at the code from a developer's standpoint and how to make it viable for landowners, or provide an avenue to making up the money elsewhere. Further developer utility options were discussed. The Commission deferred the review of the City's fee schedule to be determined by the city council as it is the Planning Commission's recommendation that it needs revised in conjunction with the proposed ordinance.

Planning Commissioners reviewed the upcoming schedule per Mayor's recommendation.

The meeting was adjourned at 8:53 p.m.

Ross Henry, Chairman

Erika Castro Guzman, Associate Planner