

City of Kenmore



City of Kenmore - 18120 68th Avenue NE - P.O. Box 82607 - Kenmore, WA 98028
Phone: 425-398-8900 - Fax: 425-481-3236 - E-mail: cityhall@kenmorewa.gov

City of Kenmore Planning Commission Meeting Agenda

Tuesday, January 2, 2018 @ 7:00 p.m.

Kenmore City Hall

18120 68th Ave. NE, Kenmore, WA 98028

If you have any questions or to confirm agenda items prior to the meeting, or if you require special accommodations, please call Bridgit Baker at 425-398-8900. You may also stop by City Hall at 18120 68th Avenue NE, Kenmore. Planning Commission agendas are also available on our website at www.kenmorewa.gov.

- 1. CALL TO ORDER**
- 2. CITIZEN COMMENTS**
- 3. APPROVAL OF MINUTES**
- 4. ELECTION OF OFFICERS**
- 5. AGENDA ITEMS**

[December 5, 2017 Planning Commission Meeting Minutes](#)

[Housing Strategy Plan Memo: Preserving Existing Affordable Housing](#)
[Attachment 1 - Table](#)
[Attachment 2 - Maehren Letter](#)
[Attachment 3 - LeFlam email](#)

- 6. ADJOURNMENT**
- 7. UPCOMING MEETINGS:**
January 23, 2018 (tentative)
January 30, 2018 (tentative)
February 6, 2018, 7:00 p.m.

**City of Kenmore
Planning Commission Meeting
December 5, 2017 @ 7:00 p.m.**

Planning Commission Members – In Attendance

Douglas Nugent, Chair
Mark Ohrenschall, Vice Chair
Carol Baker
Scott McDonald
Mike Mulcare
Dennis Olson
Mike Vanderlinde

Consultants & Staff

Debbie Bent, Community Development Director
Lauri Anderson, Senior Planner
Bridgit Baker, Administrative Assistant
Mike Stanger, ARCH

1. CALL TO ORDER

The meeting was called to order by Chair Nugent at 7:00 p.m.

2. CITIZEN COMMENTS

Gerald Hammond, 7301 NE 175th St #215, Kenmore, WA 98028. Mr. Hammond asked the Planning Commission to clarify where all 6 mobile home parks are in Kenmore. He also wanted to know how the city calculates density and what the densities are at each mobile home community.

3. APPROVAL OF MINUTES

Commissioner Vanderlinde motioned to approve the November 21, 2017 minutes which was seconded by Commissioner McDonald. The motion passed 6-0 with no abstentions. Commissioner Mulcare arrived after the vote was taken.

4. AGENDA ITEMS:

Lauri Anderson presented 6 scenarios that may result in a balance between preserving affordability and protecting new density. The Planning Commission's task was to identify those they would like to pursue further. She also requested that the Planning Commission make suggestions of other scenarios they would be interested in.

The first scenario was to amend the zoning code to make Mobile Home Communities (MHC) a permitted use in the relevant zones and allow for further

redevelopment. This would be done community by community. Commissioner McDonald wanted to know what the environmental restrictions there were on each of the properties. After further discussion by the Planning Commission it was determined that they would *not* like to pursue this scenario.

The second scenario would control redevelopment of the MHC as in Scenario 1, and allow for a transfer of development rights (TDR) from the park properties to another location. Commissioner Vanderlinde asked Lauri to follow up with answers regarding TDR calculation capacity and opportunities to use TDRs. The Planning Commission unanimously agreed to pursue this scenario further.

The third scenario would allow rezoning for greater density and require inclusion of affordable housing. This would essentially preserve density but not necessarily the existing MHCs. Commissioner Nugent suggested some brief ideas that might help balance the transition with this scenario such as to offer the mobile home tenants a right of first opportunity to rent and/or a relocation program with relocation assistance. The entire Planning Commission agreed to further investigate this scenario.

The fourth scenario would expand mobile home park zoning in the City to create a new mobile home park(s) for those existing homeowners whose properties may be redeveloped. Discussion ensued and it was decided by a 1-6 vote *not* to pursue this scenario.

The fifth scenario presented was also discussed and decided 7-0 *not* to pursue. This scenario would have allowed for a partial redevelopment on the existing MHC property. The MHC owner would have been able to redevelop/increase density on one part of the property while keeping the park on another part of the property.

Finally, the sixth scenario would provide direct financial assistance to purchase the MHC, similarly to the ROC discussed in the November 21, 2017 meeting. The Planning Commission discussed ideas relating to this scenario and felt that they would like to pursue this option as well with a 7-0 vote.

Commissioner McDonald motioned to cancel the December 19, 2017 Planning Commission meeting which was seconded by Commissioner Baker. The motion to cancel the meeting passed 7-0 with no abstentions.

5. ADJOURNMENT

Chair Nugent adjourned the meeting at 8:41 p.m.

Planning Commission

Approved by Planning Commission on: _____



18120 68TH AVENUE NE PO Box 82607
KENMORE, WASHINGTON 98028

MEMO

TO: Planning Commission

FROM: Debbie Bent, Community Development Director
Lauri Anderson, Senior Planner *WPK*
Arthur Sullivan, ARCH Program Manager
Mike Stanger, ARCH Planner

DATE: December 22, 2017

SUBJECT: Housing Strategy Plan: Preserving existing affordable housing

At your last meeting, you asked that staff focus on two land use-related scenarios to address "preserving existing affordable housing" in the manufactured housing communities (MHCs). Following are the two scenarios, background information, and policy questions needing direction from the Planning Commission. Attachment 1 provides additional consolidated data on the MHCs that the Commission may find useful in this discussion.

The two scenarios (and others that may be identified) would be the subject of a public outreach and involvement effort in January. Staff recommends the following:

Tuesday, January 23. Roundtable discussion with manufactured/mobile home park (MHP) owners. Several of the owners have been attending meetings and providing feedback, but this would be a more informal opportunity to discuss concerns and alternatives. Staff recommends that if homeowners attend this meeting, they be asked to refrain from sharing their perspectives until the January 30 meeting (see below).

Tuesday, January 30. Meeting with homeowners. Residents of the six parks would be invited to attend this meeting, hear about possible scenarios, and provide feedback. Staff recommends that the MHP owners (if they attend) refrain from sharing their perspectives and instead allow the homeowners to discuss their concerns and alternative approaches.

Scenario 1. (1) Control redevelopment of the MHP properties by making MHPs a permitted use in the relevant zone and limiting other permitted land uses. (2) Allow for a transfer of development rights (TDR) from a park property to another location in exchange for preserving the existing housing in the MHPs. In this scenario, the property owner could sell the "lost" density to someone wishing to build a project at a higher density on a different site. Complications of this approach include the need to identify receiving sites, determine how the credits would be issued, determine the value of the credits, and decide whether a formal system

to connect “sellers” and “buyers” should be established. MHP owners have spoken in favor of TDR before the Planning Commission.

Background information: The Growth Management Act encourages the use of innovative land use management techniques, including TDR (RCW36.70A.090). The Puget Sound Regional Council (PSRC) specifically calls out TDR for affordable housing as a “HIP” (Housing Innovations Program) tool. In both 2009 and 2010, a bill was introduced in the State legislature to add TDR for manufactured housing communities to the regional TDR program that addresses farming, and open space conservation. (The bill did not pass.)

Seattle and Arlington, Virginia are the only communities identified so far that have used TDR for preservation of affordable housing. Many more jurisdictions have used this approach to protect farmland, critical areas and/or open space. Seattle’s TDR program, created in 1985, is estimated to have saved hundreds of units of existing affordable housing. Density is transferred through floor area, rather than through units. A unique standard requires rehabilitation of housing to the extent required to provide decent, sanitary and habitable conditions, in compliance with applicable codes, so as to have the estimated minimum useful life for the term of the protective affordable housing covenant.

Arlington’s program was designed primarily to preserve portions of two historically important garden apartments, totaling approximately 1,500 dwelling units. The transfer of density occurs in exchange for commitments to preserve the existing buildings, renovate units and preserve affordability for no less than 30 years. Additional density beyond a one-to-one ratio was used in Arlington to increase value to ensure that the TDR tool was attractive.

Louisville, Colorado (between Denver and Boulder) has discussed using TDR to preserve existing mobile home communities. In April 2017, the issue came before their City Council and the Planning Director expects that TDR may be a 2018 work item.

The following chart shows the relationship between the number of existing units and the potentially allowable units under existing base zoning.

MHC Location	Size of property	Zoning	Current units (% of possible units under base zoning)	Estimate of possible units under base zoning	Difference between existing units and possible units
7031 NE 175 th Street	5.43 acres	R12	57 (88%)	65	8 units
7301 NE 175 th Street	7.76 acres	R12	78 (84%)	93	15 units
7000 NE 181 st Street	1.05 acres	DC	11 (22%)	51	40 units
7021 NE 181 st Street	1.40 acres	DC	20 (30%)	67	47 units
7614 NE Bothell Way	3.00 acres	R24	27 (38%)	72	45 units*
6837 NE 182 nd Street	3.29 acres	DR	63 (40%)	158	95 units
TOTAL			256	506	250 units

*If developed under the TOD, estimate of units would be 450 units—a 423 unit difference.

Policy questions:

- Where should the receiving sites be located? In other words, where should the city accept density beyond the present limits?
- Should the density transfer also satisfy affordable housing requirements on the receiving site?
- Should the preservation covenant require property maintenance and/or rehabilitation?

Scenario 2. Rezone for greater density and require new development to include affordable housing to replace the units lost in the existing mobile home park. Although this approach preserves affordability generally, it would not save the existing unsubsidized affordable housing in the parks and would not save this uniquely affordable single-family housing type. As with Scenario 1, this option, too, has challenges. Without significant increases to the zoned density, this scenario may not be economically feasible given that the existing units are likely affordable at lower income levels and are of larger size (some 2 bedroom). Too, several of the parks contain many housing units (50-80 units each) that would have to be replaced. Also, the city has no formal authority to ensure that the new housing will be owner-occupancy housing. Lastly, homeowners would be displaced prior to new construction and it is unclear how they could be transitioned out of the park and back into the new affordable units. The MHC homeowners' representative did not support this scenario, citing concerns about the loss of both homeownership and the sense of community.

This approach of granting additional density in exchange for providing affordable housing is somewhat similar to the City's TOD overlay density zoning, various forms of zoning with affordable housing provisions used in Kirkland, Redmond, and other cities, and more recently Seattle's "grand bargain" in the HALA (Housing Affordability and Livability Agenda) recommendations.

Background information:

MHC Location	Existing Homes	A. Unit Estimate (Existing Zoning)	Moderate Income		Low Income	
			B. Estimate of Bonus Units *	Total Units (A + B) (Density)	C. Estimate of Bonus Units *	Total Units (A + C) (Density)
7031 NE 175 th St	57	65	171	236 (44)	285	350 (65)
7301 NE 175 th St	78	93	234	327 (42)	390	483 (62)
7000 NE 181 st St	11	51	33	84 (79)	55	106 (100)
7021 NE 181 st St	20	67	60	127 (91)	100	167 (120)
7614 NE Bothell Way	27	72	81	153 (51)	135	207 (69)
6837 NE 182 nd Street	63	158	189	347 (105)	315	473 (144)

* Number of bonus units needed to provide a number of affordable units equal to existing homes

Policy questions:

- Is multifamily rental housing an adequate response to eliminating affordable housing of existing homeowners?
- What is the appropriate ratio between affordable units and market rate units in a new development?
- If it is legal to give a “first right to rent” to displaced manufactured-home owners, should the city require it?
- Should there be requirements for the type of unit to be provided?
- In addition to providing affordability, should relocation assistance be considered?

Direct assistance scenario (for discussion by the City Council). This scenario could work in tandem with the land use tools and would provide direct financial assistance to purchase a mobile home park or development rights, allowing the owner to receive economic value for the property. The Planning Commission specifically discussed purchase by the MHC residents, although public or non-profit purchase also would be a possibility. Relocation assistance also was mentioned as a form of direct assistance.

Background information: Assessed valuation of the 6 MHC properties ranges from 1.4 to nearly 5 million dollars or between \$60,000 and \$100,000 per existing unit. The property value at the time of sale likely would be higher than the assessed value.

According to the American Community Survey (2014, part of the census project), 52% of the households living in Kenmore in mobile homes have incomes of less than 50% AMI. This translates to a maximum annual income of \$48,000 (2017). Thirty percent of this (recommended percent of income dedicated to housing) would be \$14,400 annually. Nearly 30% of the mobile home community householders are 65 years of age or older, presumably on a fixed income.

Response to Earlier Questions

At the last meeting, staff was asked to respond to the following questions:

1. Status of Tumwater MHCs and overlay zoning. At the time of the court case determining that mobile home park zoning placed over existing mobile home parks was constitutional (*Laurel Park Community, LLC v. City of Tumwater*, 2012), there were 10 MHCs in Tumwater. The Manufactured Home Park zone was placed over six of the 10 communities. Three of the excluded parks were small, unnamed parks where the owner appeared to own all of the dwellings. The seventh park was excluded because it was zoned General Commercial, was surrounded by commercial zoning, and it abutted intensive commercial development. According to a Tumwater planner, no changes have been made to the MHCs covered by the Manufactured Home Park zone.
2. State funding in the relocation pool. There currently is funding in the Mobile and Manufactured Home Relocation Assistance Program for reimbursing mobile/manufactured-home owners to relocate their homes, pay for demolitions,

purchase replacement mobile/manufactured homes, and pay related moving costs. The program can't reimburse for other relocation costs, such as rental deposits, first-and-last months' rent, etc., although Washington State Department of Commerce (Commerce) and the Manufactured Housing Communities of Washington, Inc. (MHCW) are working on legislation to address this next year.

Reimbursements are limited to \$7,500 for a "single-section" (i.e., single-wide) home and \$12,000 for a multi-section home or a single with additions. The homeowners must have incomes less than 80% AMI. And because it's a reimbursement program, the homeowner must be able to pay the expenses up-front; so, what some property owners and developers will do (with Commerce's encouragement) is to front the expenses and then take reimbursement from Commerce.

3. Response to David Maehren's letter (see Attachment 2). According to Bryan Hampson, Building Official and Director of Development Services, the concerns raised in Mr. Maehren's letter would be true for any older home. The codes have changed repeatedly over the years and older structures are not built to contemporary standards and are not required to be brought up to current code unless modified. According to Mr. Hampson, mobile homes are no more hazardous than any other older building.

Jeff LaFlam with the Northshore Fire Department had a similar response (see Attachment 3).

Attachments

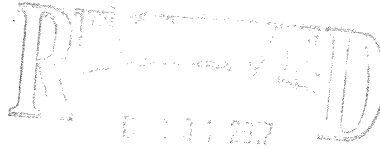
Attachment 1: Consolidated background information on MHCs

Attachment 2: Letter from David Maehren

Attachment 3: Email from Jeff LaFlam, Northshore Fire Department

MHC name and location	Property owner/ other name	Size of property (acres)	Assessed land value	Zoning	Units	Land use	Age-Restricted?	Own or rent homes?	Estimated population	# of single-wides	# of double-wides	# built post-1976	Critical areas on-site
Lakewood Villa 7031 NE 175 th St.	Olsen	5.43	\$2,839,800	R12	57	permitted	yes, 55+	own	110	19 (33%)	38 (67%)	25 (42%)	Wetlands, river, floodplain, seismic hazard
Inglewood East 7301 NE 175 th St.	Millard	7.76	\$4,054,200	R12	78	permitted	yes, 55+	own	115	41 (53%)	37 (47%)	14 (18%)	Wetlands, river, floodplain, seismic hazard
Lake Terrace 7000 NE 181 st St.	Perkins	1.05	\$1,078,400	DC (48)	11	non-conforming	no			11 (100%)	0 (0%)	3 (27%)	None known
Unnamed 7021 NE 181 st St.	Perkins	1.40	\$1,433,500	DC (48)	20	non-conforming	no			19 (95%)	1 (5%)	13 (65%)	None known
Kenmore Village 7614 NE Bothell Wy.	Groupo Raices	3.00	\$1,568,100	R24	27	permitted				21 (78%)	6 (22%)	12 (44%)	Wetlands, floodplain, seismic hazard
Lakewood 6837 NE 182 nd St.	Stoner	3.29	\$3,219,900	DR (48)	63	non-conforming	no		125-150	58 (92%)	5 (8%)	40 (69%)	None known

Blank cells = information has not yet been provided by the owner



Attachment 2

November 29th, 2017

City of Kenmore Planning Commission

RECEIVED
CITY OF KENMORE

I noticed that you are reviewing the issue of mobile home parks in Kenmore. One option was to retain the parks because they provided the most affordable housing in the city. While I agree that affordability is critical to our community there are some important quality and safety issues that should be considered.

Most of the single wide mobile homes in the downtown mobile home parks were constructed in the 1960's or before. These structures are substandard by today's standards and cannot be economically upgraded. The building code for mobile homes changed significantly after the U.S. Department of Housing and Urban Development began regulating these structures in 1974.

The structures do not meet current energy conservation codes. The 1 ½" exterior walls, 2" x 3" ceiling and floor construction, single pane windows etc. are very inefficient.

These older structures are fire hazards because of the materials used in the construction, the egress restrictions and old electrical wiring systems. Additional hazard factors include the use of electrical baseboard and space heaters and old propane cooking and heating fixtures. Fires in older mobile homes burn hotter, spread faster and create more toxic gases than a standard home. Fatalities in mobile older mobile home fires are 3 to 5 times higher than post 1977 mobile homes or stick built homes¹. Fighting fires in mobile homes is especially dangerous² this is compounded by the close proximity of the structures and narrow access for fire apparatus.

Additionally, livability and safety hazards have been created by the deterioration of these structures over time. Illegal and improper modifications have been made, water damage, rot, mold and other structural and mechanical damage has occurred. As these structures age they will only deteriorate further.

I believe there are strategies that can increase the housing density for the existing mobile park properties, which is a goal of the downtown plan, while creating safe dwellings that are affordable even for our lower income families. I believe that retaining substandard housing simply because it is cheap seems short sighted.

I encourage you to speak with the Northshore Fire Department's Fire Marshall Jeff LaFlam. He is very familiar with this topic and the specifics of the mobile home parks in our city.

Thank you for working to make Kenmore a better community.

Sincerely,

David Maehren
6316 NE 196th Street
Kenmore, WA
425 481-7199

References.

* MOBILE HOME FIRE STUDIES: SUMMARY AND RECOMMENDATIONS; Edward K. Budnick and David P. Klein Center for Fire Research National Engineering Laboratory U.S. Department of Commerce National Bureau of Standards Washington, D.C. 20234 March 1979

"A key area identified as a potential problem in mobile homes was fire safety. Various statistical sources indicated that while the incidence rate was approximately the same, the injury and life hazard and the extent of property damage per incident were three to five times greater than for conventional residences."

<http://fire.nist.gov/bfrlpubs/fire79/PDF/f79011.pdf>

**THE DANGERS OF MOBILE HOME FIRES. Fire Engineering.com - 05/01/2002 BY JAY LOWRY

<http://www.fireengineering.com/articles/print/volume-155/issue-5/features/the-dangers-of-mobile-home-fires.html>

Attachment 3

Lauri Anderson

From: Jeff LaFlam <jlaflam@northshorefire.com>
Sent: Monday, December 18, 2017 11:37 AM
To: Lauri Anderson
Cc: Jim Torpin
Subject: Mobile Home safety

Lauri,

As Fire Marshal and designated "Fire Code Official" my role is to provide the city with expertise and advice regarding the interpretation and application of the fire code within the City of Kenmore. The City of Kenmore is ultimately responsible for the enforcement and implementation of the provisions of the Fire Code.

I do agree with Bryan Hampson that changes to the building and fire codes over time has improved the level of safety through safety related restrictions that have improved construction practices used for contemporary structures. However, except for in a few limited cases, the fire code does not require older structures to be brought up to current standards. Therefore, I would agree with the premise that replacing or retrofitting an older structure with a newer one based on current codes would improve safety. The feasibility of such is for the Planning Department to decide.

If the Planning Department has specific questions regarding the fire code as it pertains to mobile homes, I would be more than happy to provide an opinion to assist them in developing their long term vision for the city.

Sincerely,

Jeff LaFlam
Fire Marshal
Northshore Fire Department
jlaflam@northshorefire.com
425-354-1741