



**City of McMinnville**  
**Planning Department**  
 231 NE Fifth Street  
 McMinnville, OR 97128  
 (503) 434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**AGENDA**  
**McMinnville Affordable Housing Task Force**  
**ZOOM Online Meeting**  
**Wednesday, July 29, 2020, 10:00 AM-11:30 AM**

*Please note that this meeting will be conducted  
 Via ZOOM meeting software due to the COVID-19 event.*

**ZOOM Meeting: You may join online via the following link:**

<https://mcminnvilleoregon.zoom.us/j/99576062040?pwd=U3N6eGc4RUFOMDMzY2J4aXBpZ2xRZz09>

**Zoom ID: 995 7606 2040**  
**Zoom Password: 638828**

**Or you can call in and listen via zoom: 1-669-900-9128**  
**ID: 995 7606 2040**

Task Force Members	Time	Agenda Items
Remy Drabkin, Chair	10:00 AM	<b>1. Call to Order / Introductions</b>
Kellie Menke, Vice-Chair	10:05 AM	<b>2. Minutes:</b>
Marcus Straw, Business		<ul style="list-style-type: none"> <li>• December 11, 2019, <b>Exhibit 1</b></li> </ul>
Jon Johnson, Business	10:10 AM	<b>3. Action / Discussion Items:</b>
Alan Ruden, Developer	10:45 AM	<ul style="list-style-type: none"> <li>• HB 4212, Sections 9-17 (Emergency Shelter), <b>Exhibit 2</b></li> <li>• Update: Homelessness Programs (YCAP)</li> <li>• Update: Equity &amp; Inclusion Discussion</li> </ul>
Howard Aster, Developer	10:55 AM	<ul style="list-style-type: none"> <li>• Update: Action Plan - Evaluation of parking code as a barrier to affordable housing (<i>additional information to be distributed</i>)</li> </ul>
Alexandra Hendgen, Nonprofit/Housing	11:05 AM	
Mary Stern, Nonprofit/Housing	11:20 AM	<b>4. Citizen Comments</b>
Mark Davis, Citizen at Large	11:23 AM	<b>5. Task Force Member Comments/Updates</b>
Ethan MacKay, Youth	11:28 AM	<b>6. Staff Comments/Updates</b>
Lindsey Manfrin County Ex-Officio	11:30 AM	<b>7. Adjournment</b>

Please note that these documents are also available on the City's website [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov); click on Government, click on Boards and Commissions, click on McMinnville Affordable Housing Task Force. You may also request a copy from the Planning Department at the Community Development Center, 231 NE 5<sup>th</sup> Street, 503-434-7311.



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# MINUTES

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**December 11, 2019**  
**McMinnville Affordable Housing Task Force**  
**Regular Meeting**

**8:00 am**  
**Community Development Center**  
**McMinnville, Oregon**

**Members Present:** Chair Kellie Menke, Remy Drabkin (via phone), Mark Davis, Ethan MacKay, Mary Stern, and Alan Ruden

**Members Absent:** Howard Aster, Shannon Carefoot, and Jon Johnson

**Staff Present:** Heather Richards – Planning Director and Tom Schauer – Senior Planner

**Others Present** Denny Elmer, Alexandra Hendgen, Liz Marlia-Stein, Marcie Rosenzweig, Pam Vernon, and Vickie Ybarguen

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## 1. Call to Order

Chair Menke called the meeting to order at 8:00 a.m.

## 2. Minutes

- June 26, 2019
- July 24, 2019

Task Force Member Stern moved to approve the June 26 and July 24, 2019 minutes. The motion was seconded by Task Force Member MacKay and passed unanimously.

## 3. Action / Discussion Items:

- a. Debrief from floating zone listening session

Senior Planner Schauer gave a background on the Floating Zone concept and the opposition to it at the Planning Commission hearings. Revisions were made and expanding the eligibility for the zone was discussed. There was still confusion and misinformation in the community and an Open House was held to share information with the public about the Floating Zone before it went to Council.

Planning Director Richards said they wanted to come back to the Task Force to get direction on whether or not to take the Planning Commission recommendation to Council at this time.

They had not gotten much response from the industrial stakeholders. Mr. Elmer had a project that might be a good match.

Task Force Member Drabkin thought all of the written notices and news articles should be included with the recommendation to show the public discussion that had taken place.

Information sharing: Denny Elmer explained his project. He owned long term RV parks as affordable housing. Currently there was no land for an RV park in McMinnville. When he heard about the Floating Zone, he looked into the option. He did not get support to do the project from the surrounding industrial property owners. He approached McMinnville Water & Light who had property on the fringe, but that would be a slow process. He had hit a wall on finding property that would work. He would be willing to put aside a portion of the RV lot for tiny homes. He thought he could get 30-35 tiny homes, something proportionate to the cost of the project.

There was discussion regarding how this might be more acceptable to the industrial owners because a tiny home element in an RV park would have less permanent infrastructure than a single family development.

Task Force Member Davis was not sure if it would meet the intent of the Floating Zone as it would be temporary instead of a long term investment.

Planning Director Richards said the question would be if the investment was too much infrastructure in the ground that eventually the property would not be re-developable for industrial development.

Mr. Elmer thought the Floating Zone would only be advantageous for someone who already owned the property due to the timing.

Chair Menke liked the idea because it had less infrastructure and was a good opportunity. It could be workforce housing in the industrial zone.

Task Force Member Davis asked about opening up the Floating Zone to all industrial land.

Planning Director Richards said it would need to go back to the Planning Commission if they opened it up to all industrial land. It would only bring in two parcels south of Highway 18. She was not sure if it was worth it to go back through the process.

Task Force Member Davis did not think the program was realistic, but he was willing to have the discussion.

Planning Director Richards said they had been working with legal counsel on the legal piece in light of Portland's emergency shelter ordinance. They could also ask legal counsel if they could open up the Floating Zone to all industrial land.

Task Force Member Davis moved to direct staff to bring the Floating Zone concept to the City Council with as broad an outline as would allow it to meet legal requirements and move forward. If necessary it would include commercial and industrial land. The motion was seconded by Task Force Member Ruden and passed unanimously.

- b. Consider recommendation to discontinue separate Housing for Homeless Subcommittee/Work Group meetings

Planning Director Richards said the Housing for Homeless Subcommittee had been set up by the Task Force to help bring partners to the table to tackle barriers to housing for the homeless. The subcommittee had been meeting for about two years and some regulatory barriers had been removed as well as programs created. It had not been effective lately and the role of the subcommittee had run its course. Partners were not coming to the table and they were struggling with what to move forward with. The Task Force had the authority to create and disband subcommittees. The issues would still be worked on at the Task Force level. They would also continue to connect volunteers to the efforts that were occurring through other organizations. There were other groups that had formed since the subcommittee formed who were working on the same issues and moving forward with their effective work.

Marcie Rosenzweig, McMinnville resident, had been following the subcommittee for six months and of the six meetings, three were canceled. It showed a lack of commitment to the issue. These were publicly noticed meetings and YCAP was not. The public did not know what was going on with YCAP, and she thought they should keep these issues in the public sphere. She said that Bill Web, who was a long-time resident, had died of exposure on Monday because there were no effective homeless shelters in the City. She did not think the subcommittee should be disbanded.

Planning Director Richards said the reason the meetings were cancelled was because they were not getting attendance and the work was happening through other avenues. The subcommittee was not effective anymore.

Ms. Rosenzweig thought the work should be pulled together and public input allowed. If it was all in private agencies, there was nothing in their bylaws that said they had to have public input.

Senior Planner Schauer clarified the Task Force was still charged with working on homelessness.

Chair Menke said they were working towards a Housing Coordinator position that could draw the threads together and provide the information to the public.

Planning Director Richards said the question was if it was effective for this Task Force and the City to have the separate subcommittee to move efforts forward because it wasn't effective currently.

Task Force Member MacKay agreed that affordable housing and homelessness were different discussions and contexts. There should be some distinction.

Planning Director Richards said the City's role was regulatory and all of that work had been done. They were now trying to get partners to participate and it was not happening because they were already doing the work and it took them away from that work to come to the meetings and not everyone was coming. They had limited time and resources and nothing was being achieved.

There was discussion regarding the groups that were working on homelessness and how the subcommittee was adding steps and slowing down the process.

Task Force Member Davis said if they disbanded the subcommittee, he would like to have regular updates at the Task Force meetings to show progress was being made. If there was no progress, the Task Force could take action and possibly create another subcommittee.

Task Force Member Ruden moved to disband the Housing for Homeless Subcommittee and direct staff to provide regular updates on the progress on homelessness to the Task Force for a period of six months at which point the Task Force would consider whether or not to reestablish the Subcommittee. The motion was seconded by Task Force Member Davis and passed unanimously.

c. Follow-up on “homework” from last meeting. Please be prepared to share information.

Task Force Member MacKay had been talking to people about the idea of using downtown parking lots for housing. People were concerned about the parking going away and he explained the parking could be retained by building housing on upper levels and keeping the parking underneath the housing.

Planning Director Richards said they had a City Center Housing Strategy underway which was looking at bringing housing downtown. They were looking into the idea that he mentioned and what it would mean in terms of overall parking inventory and the costs. It might not make sense financially and they needed to make sure there was enough parking for commercial and residential. She would direct him to the next meeting on the Strategy.

Task Force Member Stern discussed the Habitat Aspire program. The Board had declined to move forward because any amendments to add units would need to go through a land use process which would create a negative reaction from the neighbors.

Planning Director Richards said she and Senior Planner Schauer met with the Yamhill County Water and Soil Conservation District. They had a three acre parcel that was currently not serving their mission. That was as far as the conversation went. There was an open door for further conversation.

Senior Planner Schauer reached out to the owner of the lot near Lowe's that had environmental issues. He was still trying to get the documentation to see what the barriers were. One of the key issues was the cost of the improvements.

Vickie Ybarguen, Housing Authority, said she and Task Force Member Drabkin had met with Linfield about ideas for housing on Linfield property. She invited them to some of the Housing Authority's properties to see what could be developed.

Task Force Member Stern said Habitat was hoping to partner with Linfield for a new commercial building on 99W. It was the only commercial property available in the City and Linfield needed the profits.

Task Force Member MacKay gave an update on the St. James property. Regrettably they were not looking to do anything with that land right now. He still planned to attend their

Peace and Justice Committee to discuss the issue further. Regarding School District properties, he needed to have further meetings to discuss the Cook School property as an opportunity for affordable housing.

d. AHTF Action Plan.

Planning Director Richards explained the items in the Action Plan came from the dot exercise that was done at the last meeting. It had short, mid-term, and long term actions and some were identified as ongoing. Some of the projects were already underway, but not concluded. She then reviewed the items in the Action Plan. The Plan would come back to the Task Force in January for approval.

There was discussion regarding affordable housing in the UGB expansion, homelessness, and inclusionary zoning.

#### **4. Citizens Comments**

Ms. Rosenzweig suggested someone on the Task Force should specifically speak to homelessness.

#### **5. Task Force Member Comments**

None

#### **6. Staff Comments**

a. Information from Sylla McClellan re: McCulloch Foundation and Sharewell

Planning Director Richards discussed a University of Oregon project regarding diversity and inclusion.

Senior Planner Schauer discussed the information from Ms. McClellan regarding the Sharewell program. There was consensus to have a representative come to the Task Force in March to share more about the program.

Planning Director Richards shared that the Car Camping program was working.

#### **7. Adjournment**

Chair Menke adjourned the meeting at 9:50 a.m.

**Enrolled  
House Bill 4212**

Sponsored by Representative KOTEK; Representatives KENY-GUYER, LEIF, NERON, NOSSE, PRUSAK, REARDON, SCHOUTEN, SOLLMAN, WILLIAMS (at the request of Joint Committee on the First Special Session of 2020)

CHAPTER .....

AN ACT

Relating to strategies to protect Oregonians from the effects of the COVID-19 pandemic; creating new provisions; amending ORS 18.784, 93.810, 194.225, 194.290, 194.305, 194.400 and 458.685; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**LOCAL GOVERNMENT AND SPECIAL GOVERNMENT BODY  
PUBLIC MEETINGS AND OPERATIONS**

**SECTION 1.** (1) Notwithstanding ORS 192.610 to 192.690, the governing body of a public body may hold all meetings by telephone or video conferencing technology or through some other electronic or virtual means. When a governing body meets using telephone or video conferencing technology, or through other electronic or virtual means, the public body shall make available a method by which the public can listen to or observe the meeting. If a governing body meets using telephone or video conferencing technology, or through other electronic or virtual means:

(a) The public body does not have to provide a physical space for the public to attend the meeting; and

(b) If the telephone or video conferencing technology allows the public body to do so, the public body shall record the meeting and make the recording available to the public. This paragraph does not apply to executive sessions.

(2) If the governing body of the public body elects not to use telephone or video conferencing technology or other electronic or virtual means to conduct meetings, all persons attending meetings held in person must maintain social distancing, including maintaining intervals of six feet or more between individuals, wherever possible.

(3) For any executive session at which the media are permitted to attend, whether conducted in person or using electronic or virtual means, the governing body shall provide a means for media to attend the executive session through telephone or other electronic or virtual means.

(4) Notwithstanding ORS 192.610 to 192.690 or any other applicable law or policy, any public testimony or comment taken during a meeting need not be taken in person if the public body provides an opportunity to submit testimony or comment by telephone or video conferencing technology, or through other electronic or virtual means, or provides a means

## **EMERGENCY SHELTER**

**SECTION 9.** ORS 446.265 and sections 10 and 11 of this 2020 special session Act are added to and made a part of ORS chapter 197.

**SECTION 10.** (1) As used in this section and section 11 of this 2020 special session Act, “emergency shelter” means a building that provides shelter on a temporary basis for individuals and families who lack permanent housing.

(2) A building used as an emergency shelter under an approval granted under section 11 of this 2020 special session Act:

(a) May resume its use as an emergency shelter after an interruption or abandonment of that use for two years or less, notwithstanding ORS 215.130 (7).

(b) May not be used for any purpose other than as an emergency shelter except upon application for a permit demonstrating that the construction of the building and its use could be approved under current land use laws and local land use regulations.

**SECTION 11.** (1) A local government shall approve an application for the development or use of land for an emergency shelter on any property, notwithstanding ORS chapter 195, 197, 215 or 227 or ORS 197A.300 to 197A.325, 197A.405 to 197A.409 or 197A.500 to 197A.521 or any statewide land use planning goal, rule of the Land Conservation and Development Commission, local land use regulation, zoning ordinance, regional framework plan, functional plan or comprehensive plan, if the emergency shelter:

(a) Includes sleeping and restroom facilities for clients;

(b) Will comply with applicable building codes;

(c) Is located inside an urban growth boundary or in an area zoned for rural residential use as defined in ORS 215.501;

(d) Will not result in the development of a new building that is sited within an area designated under a statewide land use planning goal relating to natural disasters and hazards, including floodplains or mapped environmental health hazards, unless the development complies with regulations directly related to the hazard;

(e) Has adequate transportation access to commercial and medical services; and

(f) Will not pose any unreasonable risk to public health or safety.

(2) An emergency shelter allowed under this section must be operated by:

(a) A local government as defined in ORS 174.116;

(b) An organization with at least two years’ experience operating an emergency shelter using best practices that is:

(A) A local housing authority as defined in ORS 456.375;

(B) A religious corporation as defined in ORS 65.001; or

(C) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals and that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2017; or

(c) A nonprofit corporation partnering with any other entity described in this subsection.

(3) An emergency shelter approved under this section:

(a) May provide on-site for its clients and at no cost to the clients:

(A) Showering or bathing;

(B) Storage for personal property;

(C) Laundry facilities;

(D) Service of food prepared on-site or off-site;

(E) Recreation areas for children and pets;

(F) Case management services for housing, financial, vocational, educational or physical or behavioral health care services; or

(G) Any other services incidental to shelter.

(b) May include youth shelters, veterans’ shelters, winter or warming shelters, day shelters and family violence shelter homes as defined in ORS 409.290.

(4) An emergency shelter approved under this section may also provide additional services not described in subsection (3) of this section to individuals who are transitioning from

unsheltered homeless status. An organization providing services under this subsection may charge a fee of no more than \$300 per month per client and only to clients who are financially able to pay the fee and who request the services.

(5) The approval of an emergency shelter under this section is not a land use decision and is subject to review only under ORS 34.010 to 34.100.

**SECTION 12.** Sections 10 and 11 of this 2020 special session Act are repealed 90 days after the effective date of this 2020 special session Act.

**SECTION 12a.** The repeal of sections 10 and 11 of this 2020 special session Act by section 12 of this 2020 special session Act does not affect an application for the development of land for an emergency shelter that was completed and submitted before the date of the repeal.

**SECTION 13.** (1) Notwithstanding ORS 203.082 (2), a political subdivision may allow any person to offer any number of overnight camping spaces on the person's property to homeless individuals who are living in vehicles, without regard to whether the motor vehicle was designed for use as temporary living quarters. A religious institution offering camping space under this section shall also provide campers with access to sanitary facilities, including toilet, handwashing and trash disposal facilities.

(2) A local government may regulate vehicle camping spaces under this section as transitional housing accommodations under ORS 446.265.

**SECTION 14.** Section 13 of this 2020 special session Act is repealed 90 days after the effective date of this 2020 special session Act.

**SECTION 15.** Section 16 of this 2020 special session Act is added to and made a part of ORS 458.600 to 458.665.

**SECTION 16.** (1) As used in this section:

(a) "Low-barrier emergency shelter" means an emergency shelter, as defined in section 10 of this 2020 special session Act, that follows established best practices to deliver shelter services that minimize barriers and increase access to individuals and families experiencing homelessness.

(b) "Navigation center" means a low-barrier emergency shelter that is open seven days per week and connects individuals and families with health services, permanent housing and public benefits.

(2) The Oregon Department of Administrative Services may award grants to local governments to:

- (a) Plan the location, development or operations of a navigation center;
- (b) Construct, purchase or lease a building for use as a navigation center;
- (c) Operate a navigation center that has been constructed, purchased or leased under paragraph (b) of this subsection; or
- (d) Contract for the performance of activities described in this subsection.

**SECTION 17.** Section 16 of this 2020 special session Act is repealed on January 2, 2022.

**NOTE:** Section 18 was deleted by amendment. Subsequent sections were not renumbered.

## NOTARIAL ACTS

**SECTION 19.** Section 20 of this 2020 special session Act is added to and made a part of ORS chapter 194.

**SECTION 20.** (1) As used in this section:

- (a) "Communication technology" means an electronic device or process that:
  - (A) Allows a notary public and a remotely located individual to communicate with each other simultaneously by sight and sound; and
  - (B) When necessary and consistent with other applicable law, facilitates communication with a remotely located individual who has a visual, hearing or speech impairment.
- (b) "Foreign state" means a jurisdiction other than the United States, a state or a federally recognized Indian tribe.