

**Comments re "THE VILLAGE AT MANZANITA" Application
City of Manzanita Planning Commission**

Tom Bender * 7 June 2017

- THIS IS A HUGE PROPOSAL, WITH MAJOR IMPACT ON THE COMMUNITY, AND REQUIRES CAREFUL AND SERIOUS EVALUATION.

The number of proposed homes (280-320) equals or exceeds the total of ALL the 315 currently resident-occupied homes in the City of Manzanita. Again, that's more homes than occupied by ALL of Manzanita's current residents. (The city currently has a total of 1263 housing units and a population of 599.)

If 100% short-term rentals are permitted, this project would house up to 1300 people, TWICE THE ENTIRE POPULATION OF MANZANITA.

- THE CITY'S COMPREHENSIVE PLAN states that:
 - "Land use determines the kind of city Manzanita is and will be and is a matter of civic concern."
 - "The uses must fulfill the needs of *residents*"
 - ". . . foster housing and living environments to meet the *needs of families of different size, income, age, taste and life style.*"
 - "The City of Manzanita supports the Statewide Housing goal by its intention to provide opportunities for development of a wide variety of housing types and *price ranges* within the Urban Growth Area and the City of Manzanita."
 - The City should regularly maintain and update the City's inventory of buildable land and use it to both identify housing development opportunities and *assess the ability to meet future housing needs.*"
- AFFORDABLE HOUSING IS A MAJOR ISSUE HERE. It is THE prime need of Manzanita residents. The city has ignored any responsibility for ensuring of land/housing for ALL income levels. In 2008, the City Council amended the Comp Plan to adopt findings of the 2007 Buildable Lands study. Two items from that study were recommended to be included by both DLCD and the Planning Commission, but refused by City Council:
 - Acknowledging that the study found *a massive shortage of land for housing affordable to over 70% of the residents.*
 - Including a goal that the city supports cultural and economic diversity and *considers housing affordable to all income levels a priority; and to*

include a policy that *the city explore a variety of strategies to help meet a full range of housing needs for community residents.*

Discussion of these issues was postponed until "some time later this year". *Nine* years have now passed. It's time to take action on housing for residents.

- We clearly need more housing, and affordable housing for residents and employees. There is no evidence that this project will provide ANY housing for residents, or improve this situation.
- The RMV of the two parcels of this proposal adds up to only \$10,000 per 420 permitted residences. That clearly allows room for a wide range of affordable full-time resident housing.

For a variety of important reasons, it's time to review what we are, what we're becoming, what we really wish to get from and to give to this place, and how our actions can destroy or enrich what we leave to the future.

- **OUTDATED CITY ORDINANCES:** Review of a project of this magnitude should not even occur until the City has brought their ordinances up to date and into compliance with state requirements. Otherwise, serious legal challenges are inevitable:

- The City's Comp Plan does not even acknowledge tsunami, earthquake, or global warming issues. More than 40% of the city and UGB is potentially inundated by EITHER tsunami or global warming.

These issues are huge, as noted in the County Natural Hazards Mitigation discussions. It is imperative that City policies respond to their magnitude. Global warming impacts are real, already affect us; and because of their impacts here, we need to take leadership for serious action to reverse.

- Oregon's Resiliency Plan, and the Tillamook County Natural Hazards Mitigation Plan make it clear that we will have no roads, power, water, sewer, etc. for many, many months after the Subduction Earthquake we are overdue to have. There are many actions it would be wise for the city to take.
- The City does not acknowledge the huge income gap shown by the recently completed Tillamook County Housing Study. Should we at least require a \$15 minimum wage?
- The City's Transportation Plan is obsolete and non-implemented. Potential addition of "housing" for up to 1300 people demands its updating and implementation.

- The city has only 2 EW thru streets - both blocked on 4th of July. A Merton/Dorcas link could be a huge benefit, and location for needed downtown parking.
 - The city has NO thru NS streets - small actions at Classic, 3rd, and Carmel can create viable connections.
 - Transportation connectivity with the UGB/Nehalem has been ignored.
 - A community walking/biking trail network, and connection of The Oregon Coast Trail to the Salmonberry Trail are needed.
 - Coordination with County Roads, NBSP, the developer of this site, and City are needed for Necarney City Rd. improvements.
 - Current elimination of downtown parking requirements needs to be reversed and land obtained for parking.
 - City has failed to follow thru ensuring ODOT provide pedestrian/bike access through Manzanita Junction upgrade.
 - Development of housing in this project acreage would place a large parking demand on nearby ocean-access streets. Golf-cart parking paid by developer?
- Should we become an "honest city" (true prices, etc.)
- Would we be better adding a resort or housing? The Comp Plan requires that land uses must fulfill the needs of *residents*".
- How should we REALLY plan before/after tsunami?
- What other shifts would improve our community?
- REVERSING GLOBAL WARMING: Projected global warming sea level rise would totally drown Manzanita, period. We need to evaluate how quickly we can achieve the goal of 100% renewable energy, as many other cities already have, to reverse global warming. Should we commit to becoming 100% renewable energy? The City's Comp Plan states that "conservation of energy can be a consideration in many City policies" and that "The City should encourage the use of alternative energy forms, such as solar . . ."
- Require net-zero energy on all new construction, including this project. Great Britain and France began requiring this *country-wide*, nine years ago, and other nations, states, and cities have been following. More than 256 U.S. cities have just made commitment to achieve this within their jurisdictions.
- Require energy and seismic retrofitting when homes are sold.
- Regarding this project specifically, the orientation of the majority of lots appears to restrict ability of homes to gain rooftop solar energy.

- TSUNAMI INUNDATION: We need to consider construction moratoriums in all tsunami inundation zones, and making additional land available for housing *outside* those areas. This project does not show what areas of it are in that zone, but has major potential for additional *resident* housing outside the inundation zone.
- STORM WATER: This project's design is based on Manzanita's 50-year "design storm" for storm water drainage. That basis is inadequate. We have experienced three 500-year storms, and additional 100-year storms in the last 20 years (*four* 100-year storms in the 1998-99 winter alone). One 157 mph gust of wind in the 2007 winter storm blew down 15,000 acres of forests.

Additionally regarding this project, *external* off-site stormwater impacts are not addressed. Where does water go? The city has allowed illegal filling of wetlands across Necarney City Road. What impact will occur on homes further south???

- PLANNED DEVELOPMENT: A Planned Development designation (as proposed) is a *subset* of existing zoning and *does not* allow increase in Short Term Rentals. If the applicant is requesting creating a "new" PD-STR zone, then that would allow EVERY PROPERTY OWNER in the city to rezone their property to become a STR.

Planned Developments allow the city to impose CONDITIONS on the development other than standard zoning, and what conditions are appropriate to achieve the kind of community the community wants needs to be considered. [*"... the Planning Commission may attach conditions it finds are necessary to carry out the purposes of this Ordinance."*] Again, the Comp Plan requires that *the needs of residents* be core.

- SHORT TERM RENTALS are a core issue with this development.
 - The proposal asserts there are parking, noise, and other "issues" with existing STRs in the city, and that *their* "closed" operation would avoid them. The county requires site inspection for their STR permits, including number of on-site parking spaces, and restricts occupancy to what such parking supports. The city can easily require all STR parking to be on-site, and use a small portion of their TLT income to deal with noise, parking and other complaints, with potential loss of permit for continuing violations.
 - The short-term-rental market is a limited one. I've seen as many homes leave the market as enter it, and the usage figures quoted in this proposal show that there is already an excess of facilities. The county does not limit STR permits outside of the city and UGB, and even such an "unlimited" opportunity creates only a few successful STRs without close ocean access.

- If this proposed STR-based project would be successful, it would severely financially impact other permitted STRs in the city and UGB.
- The city's core need is for homes for residents, not vacation rentals. It feels to me that for the community's real needs, a condition on this planned development should be that NO vacation rentals be approved in it, and that provision be made that housing in it *permanently* meets a broad range of needed housing costs.
- This proposal asks that 100% of its residences WOULD BE PERMITTED TO BE STRs, and that 55% of them will likely be used as such. There is NO language in the Manzanita zoning ordinance permitting ANY short term rentals beyond the percentage already permitted in the community. Any new home construction would increase STR permits within the 17.5% limit, but any STR permit requests from such construction would be at the end of the wait-list after others already wishing such permits. Housing constructed in this project would raise the cap so that 56 new vacation rentals could be licensed *in other areas of the city before this project*.
- How many NEW vacation rentals should/will be permitted? There is a 17.5% restriction on vacation rentals in R-2, R-3 *and SR-R zones*, with a total of 250 rentals permitted. Approval for the proposed 320 homes would be *28% more - just for this project - than ALL the vacation rentals currently licensed in the city*. Why should additional STRs be permitted here rather than city-wide?
- Profitability of STRs is being used as a vehicle for getting individuals to fund the overall project through investment/purchase of individual homes which would be marketed as STRs by the developer.
- The developer's studies show the project would not meet their financial profit goals if a residential project, only as a STR "hotel". This raises serious questions. "Potential buyer customer base" shrinks when they learn they can't rent as STR? Really!!!!
- Calling the project a "hotel" rather than STRs has been suggested as a workaround to avoid the STR issue, but the existence of individually-owned residences being rented falls under STRs, and a "hotel" label is inapplicable, particularly after this initial proposal.
- City staff acknowledged in the PC presentation that city zoning and STR ordinances DO apply outside the city limits but within the city's UGB. The county has not been enforcing them and the city has done nothing to take over enforcement and gain the TLT income, or work it out that the county DOES enforce the STR ordinance and share/receive the TLT

income. This needs to be addressed regardless of this project.

- GOLF COURSE: Significant portions of the proposal, presentation, and comments regarded the existing golf course. That is not part of this project. It benefits only a small portion of the community. Its usage has decreased radically, and the Proposal's Appendix acknowledges that golfing is seriously declining as an interest and activity nationwide.
 - With the urgency of other land use needs, the City has no responsibility for operation, or development to support the existing golf course. Existing contractual relationships between "golf course residents" and the golf course is their own issue.

RESORT: This is not a housing project, it is not even a hotel. The developers compare it to a "boutique hotel". Hotels are legal in the "SR-R" zone, but this is really not a hotel. *It can house 1200-1300 people, more than TWICE all the residents of Manzanita.* With all its additional facilities, it is not a hotel, IT IS A RESORT. This does not appear to be a legal land use in the SR-R zone. There is no language in the Zoning Ordinance permitting a resort project such as this whose facilities extend far beyond that of a "hotel".

- PREFERENTIAL TREATMENT: Why has the city continually given preferential zoning treatment (SR/R) to this one single property owner? Allowing narrowing of existing city streets to profit that owner? Allowing illegal wetland fill to that owner? Allowing *industrial* use in a SR-R zone? Allowed owner to "give" Classic St. r.o.w. to the city so that *the city* pays for its development rather than the owner of a required street through their development? Allowing 70 acres of hotels? Allowing counter-sloping of Classic Street r.o.w. abutting the Pocket Neighborhood?
- ANNEXATION: City zoning regulations apply to the UGB as well as inside the city limits. The project proposal includes annexation of the eastern portion of the property, zoned R-2 and located inside the UGB, into the city. *Annexation permits mandating inclusionary zoning* (for affordable housing). Upzoning also permits value capture for supporting affordability.
 - If project is approved, inclusionary zoning should be required as a condition of annexation of eastern half into the city.
- ACCESSORY DWELLING UNIT zoning issues are not addressed.
- POCKET NEIGHBORHOODS: The project does not have "Pocket Neighborhoods". It is not a "village". Homes are squeezed together on 35' wide lots; are "Cram-Rods", and together create a "CramRod Hilton" for Manzanita.

- Most non-residential facilities appear not to be available to the public, so this is a non-gated gated-HOA community based on STR.
- The legal adequacy of internal road access during the proposed phasing of the project is questionable.
- PARKING: Parking appears inadequate - difficult-to-access single-car garages, which usually turn into storage spaces - or as proposed with a loft or carriage house (a sub-rental?) option, and a single outside parking space per "residence". Access in many areas is ONLY via alleys where cars cannot pass each other. Parking in alleys and streets with such narrow lot widths and driveway locations appears questionable. A three- or four-bedroom house-rental often has more visitor cars than it appears this plan will accommodate.
- NBSP CONNECTION: The proposed non-residential facilities are oriented to NBSP park users, which is good, but if so, the project needs to provide adequate on-site parking for RVs, etc. , *plus pedestrian and bike access from NBSP*. The current listed owner of the proposed project's property also owns the property across Necarney City Road which could provide land to widen the road to provide pedestrian/bicycle access along it to the park.

The project is "exploring development of pedestrian/bike lanes to NBSP, and talks of the city creating one on Classic up to Laneda. This is important. Are THEY willing to develop/pay for these accesses? Particularly as Classic was "donated" to City?

- INTERCONNECTION with OTHER parts of city are inadequate. *Connection is essential* for community.
 - What is to the east? Shouldn't access from project NE to Hwy 101 be required?
 - Street/pedestrians/bikes. The City's Transportation Plan strongly needs updating and implementing. With population growth, "minor-collector" back-roads such as Necarney City Road are now arterials, and lack proper lane width, pedestrian and bicycle lanes. This proposed project would have only two street outlets, onto *one* road, serving the potential population of +1300 people, TWICE the entire number of current residents of Manzanita. *That* road, Necarney City Road, has only ONE connection with other streets within the city before leaving the city limits. This does not make this project part of the community.

Elimination of parking requirements downtown is already negatively impacting the community which would be worsened by this amount of additional tourism.

- OFF-SITE FACILITY IMPROVEMENTS:
 - Widen driving lanes, and add bike/pedestrian lanes on Necarney City Rd.
 - Bike/pedestrian lanes on Classic St. from downtown (Laneda) to park (NBSP)
 - Pedestrian/car link from 3rd St south through existing subdivision (Upland Dr).
 - Left-turn lanes on Necarney City Rd?
 - Link to 101 from NE corner, and/or Clipper Ct.?

- IN CONCLUSION, I REQUEST:
 - That this project not be approved. It is asking for many things in violation of city ordinances, is a land use not needed, does not support needs of *residents*, and would negatively change the nature of the community.
 - That the City proceed immediately with community discussion of what the city should become; and updating its Comprehensive Plan, Zoning Ordinances, Transportation Plan, and Stormwater Management regulations before reviewing any projects of this magnitude.