SERSLEV Rachel

From: BELL Amber R
Sent: Monday, January 8, 2024 9:02 AM
To: SERSLEV Rachel
Subject: FW: Replacement Rights for Home Owners in the Mobile Life Community

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From: TRIEGER Laurie <Laurie.TRIEGER@lanecountyor.gov>
Sent: Friday, January 5, 2024 10:50 AM
To: BELL Amber R <amber.bell@lanecountyor.gov>
Cc: HURLEY Daniel M <dan.hurley@lanecountyor.gov>; BUCH Heather H <Heather.BUCH@lanecountyor.gov>
Subject: FW: Replacement Rights for Home Owners in the Mobile Life Community

Hi Amber
Has this person reached out to you for clarification or has there been other communications about this recently?
Including Commissioner Buch here as I believe this is in her district.

Laurie Trieger
Lane County Commissioner, District 3
Board Vice Chair
Pronouns: she/her
Desk Phone: 541-682-3721
Cell Phone: 541-556-0607

ENGAGE! Sign up for meeting notifications, review agendas, watch current and past commissioner meetings on line, or register to give public comment HERE: https://lanecounty.org/cms/one.aspx?pageId=4082662

From: Daniel O'Connell
Sent: Thursday, January 4, 2024 10:34 PM
To: FARR Pat M (LC) <pat.farr@lanecountyor.gov>; TRIEGER Laurie <Laurie.TRIEGER@lanecountyor.gov>; CENIGA Ryan A <Ryan.CENIGA@lanecountyor.gov>; BUCH Heather H <Heather.BUCH@lanecountyor.gov>; LOVEALL David B <David.LOVEALL@lanecountyor.gov>
Cc: Sherrlyn <sbjorkgren@yahoo.com>
Subject: Replacement Rights for Home Owners in the Mobile Life Community

[EXTERNAL ⚠]

Dear Lane County Commissioners,

I am writing today in support of my neighbors in the Mobile Life community where many good folks have a desperate need to replace their dilapidated and unsafe manufactured homes. Most of those old homes are over a half century old. Unfortunately for them, the Lane County Zoning department has placed a moratorium on any dwelling replacements in that neighborhood. That moratorium needs to be removed and the homeowners should be supported in replacing their older, unsafe, uninsurable and hazardous homes with affordable, modern and safe housing.

I hope that you will react to this crisis because safe housing is a basic human need that should not be denied to anyone. In addition to those individual and family needs, there are concerns that affect the greater surrounding community. We live amongst hay fields, grasslands and the associated threat of wildfires. Many of those older manufactured homes are wired with aluminum and other outdated, electrical practices that are no longer considered safe. It will only take one of those unsafe homes to ignite the whole area. Preventing fire is always better than fighting it once ignited.

This prohibition against home replacement will cause many of the good people of that small community to face a bleak choice; to abandon their homes and perhaps join those living rough, or to continue inhabiting their existing, cold, leaky, mold infested, and often unsafe dwellings. Allowing this to occur is setting a shameful precedent that can have far reaching effects on the continued deterioration and shrinking of affordable housing in Lane County.

On behalf of myself and that of my good neighbors, I thank you for considering this issue.

Respectfully,

Daniel O'Connell
34834 Seavey Loop Rd
Eugene OR 97405

From: Pisgah Vision
To: SERSLEV Rachel
Subject: Pisgah Clarification and Proposal for Home Size Regulations
Date: Thursday, January 11, 2024 12:25:45 PM

[EXTERNAL]

Rachel and staff,
I am writing to address certain aspects regarding the regulations on the size of manufactured homes within our community. The Planning Committee voted against increasing the size and I believe some clarity in the language used may help facilitate a more informed discussion.

The term "structure" appears to have caused unease among some committee members in that it is too broad. Given that we are discussing people's homes and families, I suggest using the term "dwellings" in the codes to eliminate any ambiguity. Is this possible?

The suggested 55% increase appears arbitrary, especially given the diverse range of homes in the neighborhood, ranging from 400 sq feet to larger sizes. I recommend implementing a maximum cap of 1500 sq feet for replacement homes that fall below this size (excluding pre-existing larger homes already in place).
.

Encouraging more extensive living spaces dissuades residents from parking RVs and motorhomes on county streets or in front of their houses, thereby mitigating various associated problems.
Placing a motorhome on the street for a family member to live in poses significantly greater environmental risks than permitting additional square footage. The likelihood of that RV ending up in someone's front room a mile away during a flood is much higher compared to a securely anchored, HUD-approved home even if it is slightly larger.

In the face of an earthquake, flood, or fire, the aged homes in this neighborhood pose a looming threat, likely to unleash a cascade of asbestos, formaldehyde, and other toxins.

The aftermath could lead to a prolonged and uncertain contamination of the air and rivers, underscoring the urgent need for building new homes that prioritize safety and environmental well-being. Ignoring this reality may leave our communities vulnerable to the detrimental consequences of such disasters.

Wise decision-making supports the replacement of these homes. Even with an increase in size for enhanced safety concerning both the natural environment and human well-being they will be safer for the environment and for humans.

As an ardent environmentalist and a past volunteer at Greenpeace, I advocate for this cautious progress. We should not shy away from the gradual advancement of human rights and careful land use but instead resist holding onto outdated environmental perspectives that are incompatible with a growing population and homelessness.

I believe in teamwork and this community will welcome environmental groups to join us in

restoring native plants, planting trees, and promoting awareness of the delicate balance of nature. We are actively planning to plant native clovers around our community pump house as part of our environmental initiatives.

Allowing slightly larger and HUD approved residences, we not only improve the overall safety of our community but also address environmental issues related to outdated dwellings.

I appreciate your time and consideration in reviewing these points.

Thank You, Sherrlyn Borkgren and Pisgah Neighbors
--
Mount Pisgah Neighbors

SERSLEV Rachel

From: JONES Diana L (CAO)
Sent: Friday, January 19, 2024 9:59 AM
To: SERSLEV Rachel
Subject: Fwd: Testimony on Floodplane Building Structure Footprint Size tB 1.16.2024.docx
Attachments: Testimony on Floodplane Building Structure Footprint Size tB 1.16.2024.docx

Sent from my iPhone

Begin forwarded message:

> **From:** Tom Bowerman <tbowerman001@gmail.com>
> **Date:** January 19, 2024 at 8:56:57 AM PST
> **To:** "JONES Diana L (CAO)" <Diana.JONES@lanecountyor.gov>
> **Subject: Testimony on Floodplane Building Structure Footprint Size tB 1.16.2024.docx**
>
> [EXTERNAL ⚠]
>
> Please see attached doc for LC 509-PA23-05424.
>
> --
> This email has been checked for viruses by Avast antivirus software.
> https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.avast.com%2F&data=05%7C02%7Cdiana.jones%40lanecountyor.gov%7C3c6ca8f5ed3c4eb283aa08dc190f8cfa%7C74df5a22826e49429a741d199974dedf%7C0%7C0%7C638412802171652613%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=DEGrPBK93X5GcA1x8sWYaNZQVK4%2FWspvPlGr%2BGcuRhY%3D&reserved=0

Testimony on Building Structure Footprint Size in River Floodways
LC file # 509-PA23-05424

To: Lane County Commission
From: Tom Bowerman, Rural Lane County Resident
Date of Hearing: January 23, 2024

Dear Lane County Commissioners

I. Footprint Definition & Configuration: The definition of Footprint in the staff report is consistent with standards of practice in the building & planning codes I have studied.

Floodways are high hazard areas for many reasons. While it is bad public policy to put residences in a river's floodway, it is fiscally impractical to buy-out existing properties already there. The reconfiguration of the footprint on an individual parcel in floodway classification can improve site flexibility and safety. However, for the sake of safety and other impacts within the floodplain, footprint expansions should not be permitted. Replacing a 12x60 (720SF) manufactured single-wide house with double wide 24x30 (720SF) potentially can reduce flood hydraulic force against a dwelling by 50%. Changing building orientation to reduce floodwater displacement can reduce risk as well as improve site utilization. Rulemaking on reconfiguration should specify that buildings do not encroach closer to the normal water channel. Reconfiguration also should not be permitted to remove existing healthy riparian vegetation, which typically reduces water velocity, flood debris and provides soil stabilization.

II. Footprint size: The Staff Memorandum on this topic seems curiously biased toward a 50% allowable increased floodway development. I strongly believe that increased footprint size should not be adopted for the following reasons:

1. Safety to the public and rescue services: The staff's recommendation functionally increases development in the floodway. Your deliberation on this proposal must consider that the floodway is defined as high risk, involving high volumes of fast moving waters capable of causing significant damage to life and property.

> FEMA states: Since floodways include the stream channel and the adjacent areas of the floodplain, they tend to include **the most hazardous areas of the floodplain with the greatest depths and velocities of floodwaters and amount of debris**.
>
> Other jurisdictions state language like this: The Floodway is the channel of the river or stream and the adjacent land that must remain free from obstruction so that the 100-year flood can be conveyed downstream.

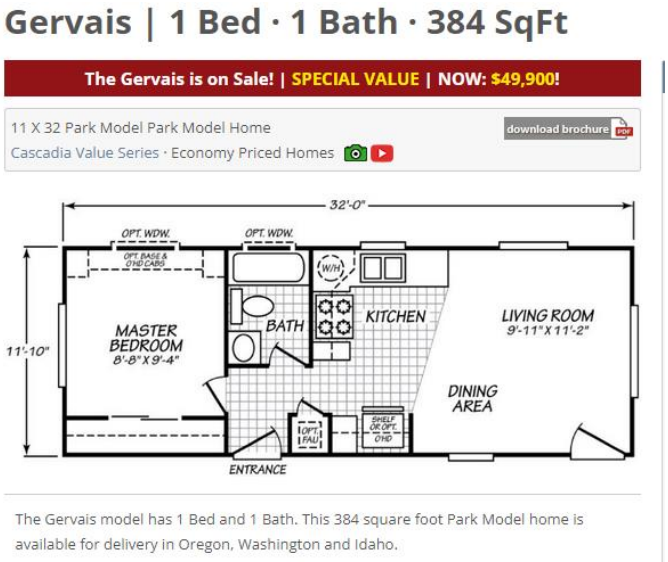
FEMA and the federal flood insurance program discourages development in the floodway, in part by incentives of lower flood insurance premiums for jurisdictions which limit or prohibit floodway development. Increasing catastrophic weather events are driving up insurance and/or resulting in outright policy cancelations. Some instances of outright buy-outs of properties in high risk zones would

be more common if not for costs. Consequently, the most practical solution is to prevent development in the floodway, which Lane County wisely adopted a few years ago. The staff Memorandum mentions this:

> Through the adoption of Ordinances 20-08 and 21-07, the Board elected to adopt higher regulatory standard for floodway development given the risk that this highly hazardous flood zone poses to life and property. Through these past code amendments, the Board elected to prohibit development from the floodway entirely. (Page 2, Staff Memorandum)

The current staff proposal to allow increased development in a floodway zone by 50% is inconsistent with these past ordinances, contemporary risk management, increasing catastrophic flooding and best public policy. The Planning Board's recommendations appear more cognizant of floodway risks.

2. Affordable housing: The staff report attempts to correlate the need for affordable housing with increasing the size of a structure footprint by 50%. However, in practice, replacing a smaller residence with a bigger residence almost always yields less affordable housing. Moreover, conversations with experts of housing affordability report that the data and waiting lists for affordable housing is most extreme for singles and couples seeking studio or one bedroom dwellings. In the 1950 the average new house was under 1000 SF while the current average size is over 2500 SF, Over the same period, the average occupancy per household has fallen by 50%, now averaging 2.5 per household. Therefore, houses are now about four times larger per occupant than in 1950, a prime cause of unaffordability for entry level or modest income people. The director of one of our low income housing providers told me two days ago that there is a six year waiting list for studio and one bedroom houses. St. Vincent De Paul housing programs have been acquiring mobile home parks to repair or replace dilapidated units with small modest types of units to retain affordable housing. In rural areas in particular, younger people and singles provide much of the affordable workforce, but they are simultaneously unable to find more modestly sized and priced housing. The Memorandum representation that 50% footprint increase will yield more affordable housing is unsupported by evidence while it is predictable that increase will worsen critically needed smaller unit sizes.



3. Available alternatives: The staff report appears to accept without question one of the three letters in the record arguing that they cannot replace their existing twelve foot home with a similar size. In a quick web search I was able to find single-wide manufactured dwellings in incremental widths of 8', 10', 12', 14', and 17', manufactured close by in Woodburn and Albany, and priced affordably. Affordable housing is a priority, is available in various sizes and options, irrespective of claims to the contrary.

3. River Ecology: The goals of good planning are to meld multiple community goals, needs, laws and solutions. One aspect for planners, consistently supported by the general public, is protection of

Oregon's spectacular natural heritage. FEMA and the flood insurance program does not mandate consideration of ecological functions per se but it incentivizes and encourages jurisdictions do so. Rivers are sometimes referred to the life blood of our ecosystem, corridors for connecting the clouds to the sea across the landscape with all manner of life forms involved. It is well established that humans have vastly degraded the vitality of our historic river systems. It is said that rivers are just loved to death, with overcrowding and impacts from lack of understanding and disrespect of the critical functions which rivers serve, a topic of thousands of books. The staff memorandum makes a single obligatory mention of this factor, yet quickly pivots with recommending increasing building footprints in the floodway by 50%. Almost unbelievable if not for an ongoing pattern. In this circumstance, the Lane County Planning Commission has the responsibility to look at the bigger picture instead of the narrow staff Memorandum recommendation.

4. Water quality & sewerage treatment implications: The staff memorandum seems to largely focus on a particular property [name specifically] in endorsing a recommended 50% increase in building footprint, however the eventual outcome will apply to all buildings and dwellings in floodways throughout Lane County. Since LC staff has used a particular group of parcels as exemplar, I observe that this subdivision in the statutory floodway amounts to a hundred lots each of approximately 1/10th acre each, approximately 40' x 100' in size, or about 4000 SF. A hypothetical 1300 square foot dwelling footprint, as one of the letters in this matter proposed, and a minimum 1600 SF for a drain field, would be 2900 SF on a 4000 SF lot. Most exemplar lots may actually fail redevelopment approval on other development standards than footprint size, but the critical component here is that the floodway is actually directly connected to a water course or river and sewage treatment is already a known problem. Because a code amendment of this type will impact all floodways through Lane County, the staff recommendation should not be adopted.

5. Structure & Dwelling are not clearly differentiated: The staff Memorandum logic discusses *dwelling* footprint although repeatedly uses the term "structure" in much of the discussion A dwelling is a structure, but many structures are not dwellings. Inevitably, rural dwellings often have outbuildings. Does staff intend to sweep all existing structures into a 50 percent increase in allowable footprint? Although I do **not** agree with staff's dwelling rationales, whatever the Board decides on dwelling size, the Board should direct the staff to be objectively clear between "structure" and "dwelling." The ambiguity would be resolved if there is no net increase in footprint size.

Recommendation 1: Allow reconfiguration of dwelling orientation if it lessens flood hydraulics on a dwelling based on qualified professional assessment, improves site utilization, and does not increase encroachment on the adjoining normal river channel or remove established riparian vegetation.

Recommendation 2: In keeping with the Lane County Board's passage of Ordinances 20-08 and 21-07, do not increase development (footprint) size of a building built in a Lane County floodway, for the reasons described above.

Thank you for your careful consideration.

[End]

SERSLEV Rachel

From: Rose Peterson <rose.p@comcast.net>
Sent: Sunday, January 21, 2024 6:23 PM
To: SERSLEV Rachel; Pisgah Vision
Subject: Land County hearing on Jan 34 re: Moblilife housing footprint

[EXTERNAL ⚠]

Hello Rachel,

I suppose the committee is aware that this area has just had Comcast services restored, and that sending in our contributions has been impossible until this date.

Both my husband and I have employment hours that prevent us from attending the meeting in person. This is the material we would present if we were there:

1. The committee has expressed concern that allowing single-wide homes to double their size would create an "overpopulation" in this area. To the committee: you must quote the sections in either the State Constitution or by-laws that gives a committee the right to limit population density.

2. The committee has expressed concern that if the flood plain were to become covered in flood water, that the flood would be contaminated with septic tank content, which has somehow become more vulnerable to cracks because more residents are using the septic system on their property. The committee must present evidence-based data from an authorized septic system authority to substantiate this notion.

This assumption completely ignores the fact that if a resident has an overfilled septic tank/system, the bath and toilet would not function. So there is no possibility that the resident would be unaware of an overfilled tank, and could ignore the pumping that is needed.

3. The safety of the water table: if in fact there is a real concern about the safety of the water table during a flood, why is the field behind Mobilife allowed to house a herd of cattle and their feed lot? Why is the same property not inspected for innumerable empty, or not empty chemical containers, rusting equipment, and piles of manure? In the summer, this property stinks to the point one cannot endure the smell in their own backyard. Should flood water ever cover this section of property, it would become a sea of manure, draining back into all the surrounding sloughs and the Middle Fork. Why are these visible, now-present facts, of no concern to the committee?

4. The committee has put forth the speculation that in a flood, the increased number of motor homes (due to the increased size of driveways) would be floating down the streets. Even in the 100 year flood of 1996, no motor homes or cars were floating down the streets. Where is the evidence-based proof that this is now a possibility, defying the laws of physics. This is not a joke.

5. Due to the preposterous claims made by the committee, without so much as one scrap of authentication, Lane County should revise the allowed footprint of residences, which of course will comply with easements.

Thank you for your time and attention,

Rose and Karmin Peterson
34123 Del Monte Ave.

From:	JONES Diana L (CAO)
To:	SERSLEV Rachel
Subject:	FW: Testimony on Ordinance No. 24-01; Amending the Term "Footprint" in Flood Hazard Ordinance
Date:	Tuesday, January 23, 2024 2:04:23 PM

FYI

Diana Jones
Board Supervisor | Board of County Commissioners
County Administration
Hours: M-Th, off on Friday
Ph: 541-682-3706
Diana.Jones@lanecountyor.gov
Web: www.lanecounty.org
Our Purpose: **To Improve Lives**
Our Core Behaviors: **Passion to Serve** | **Driven to Connect** | **Focused on Solutions**

From: Bill Kloos
Sent: Tuesday, January 23, 2024 2:02 PM
To: JONES Diana L (CAO) <Diana.JONES@lanecountyor.gov>
Cc: Bill Kloos <billkloos@landuseoregon.com>
Subject: Testimony on Ordinance No. 24-01; Amending the Term "Footprint" in Flood Hazard Ordinance

[EXTERNAL ⚠]

Commissioners –

Please accept this email related to this matter.

The staff report is candid in saying that the proposed amendment goes beyond what is required for the County to comply with federal law. It also explains that the County has a recent track record of adopting regulations that are more stringent than required by federal law.

Before adopting this latest restriction, I suggest the Board should address a basic question: As a matter of policy, should the county be adopting a flood hazard program that is the minimum required by federal law, or does it wish to be more stringent. If the policy is the latter, how much more stringent does the county wish to be. It is worth noting, of course, that if the county allows no development in the floodway, and the property has no remaining reasonable economic use (because it is all cobbles and riverwash), then the County will be required under current the law to pay for the property because the County would have "taken" it by inverse condemnation.

Thank you.

Bill Kloos
Law Office of Bill Kloos PC

375 W. 4th Ave., Suite 204
Eugene, OR 97401
Phone: 541-954-1260
Email: Bill Kloos@LandUseOregon.com
Web: www.LandUseOregon.com

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From: JONES Diana L (CAO)
To: mark@peakchoice.org
Subject: FW: PUBLIC COMMENT FOR MEETING DATE 2/6/2024
Date: Monday, February 5, 2024 8:28:15 AM

Hello,

Thank you for submitting your public comments for the February 6th, 2024 Board of Commissioners Meeting.

Your comments have been forwarded to the Board of Commissioners and are included as a link on our agenda. The material can be viewed by clicking the view material link below.

#PUBLIC COMMENTS *(view material)*

Diana Jones
Board Supervisor | Board of County Commissioners
County Administration
Hours: M-Th, off on Friday
Ph: 541-682-3706
Diana.Jones@lanecountyor.gov
Web: www.lanecounty.org
Our Purpose: **To Improve Lives**
Our Core Behaviors: **Passion to Serve** | **Driven to Connect** | **Focused on Solutions**

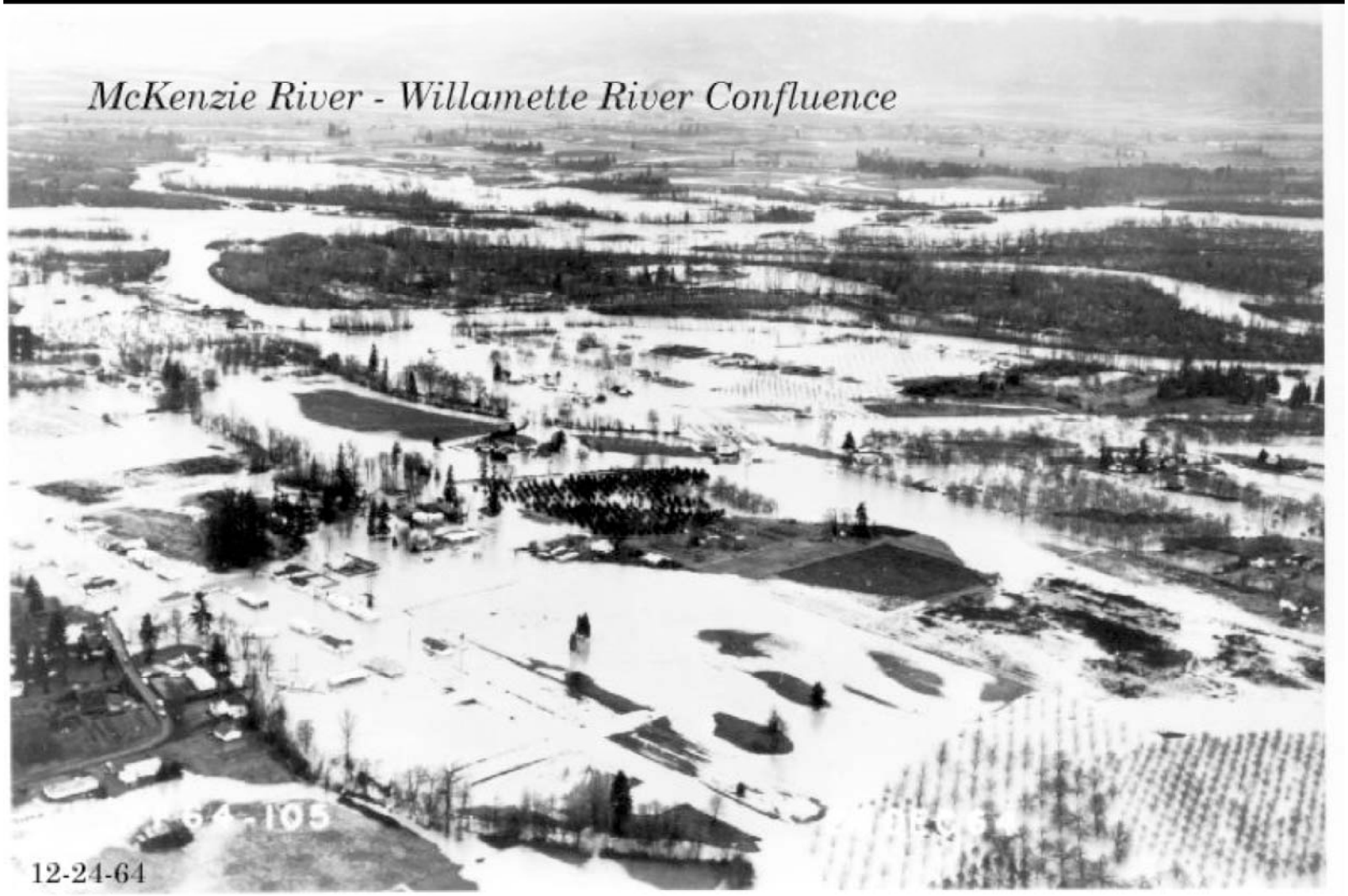
From: mark@peakchoice.org
Sent: Sunday, February 4, 2024 10:20 PM
To: JONES Diana L (CAO) <Diana.JONES@lanecountyor.gov>
Subject: PUBLIC COMMENT FOR MEETING DATE 2/6/2024

[EXTERNAL ⚠]

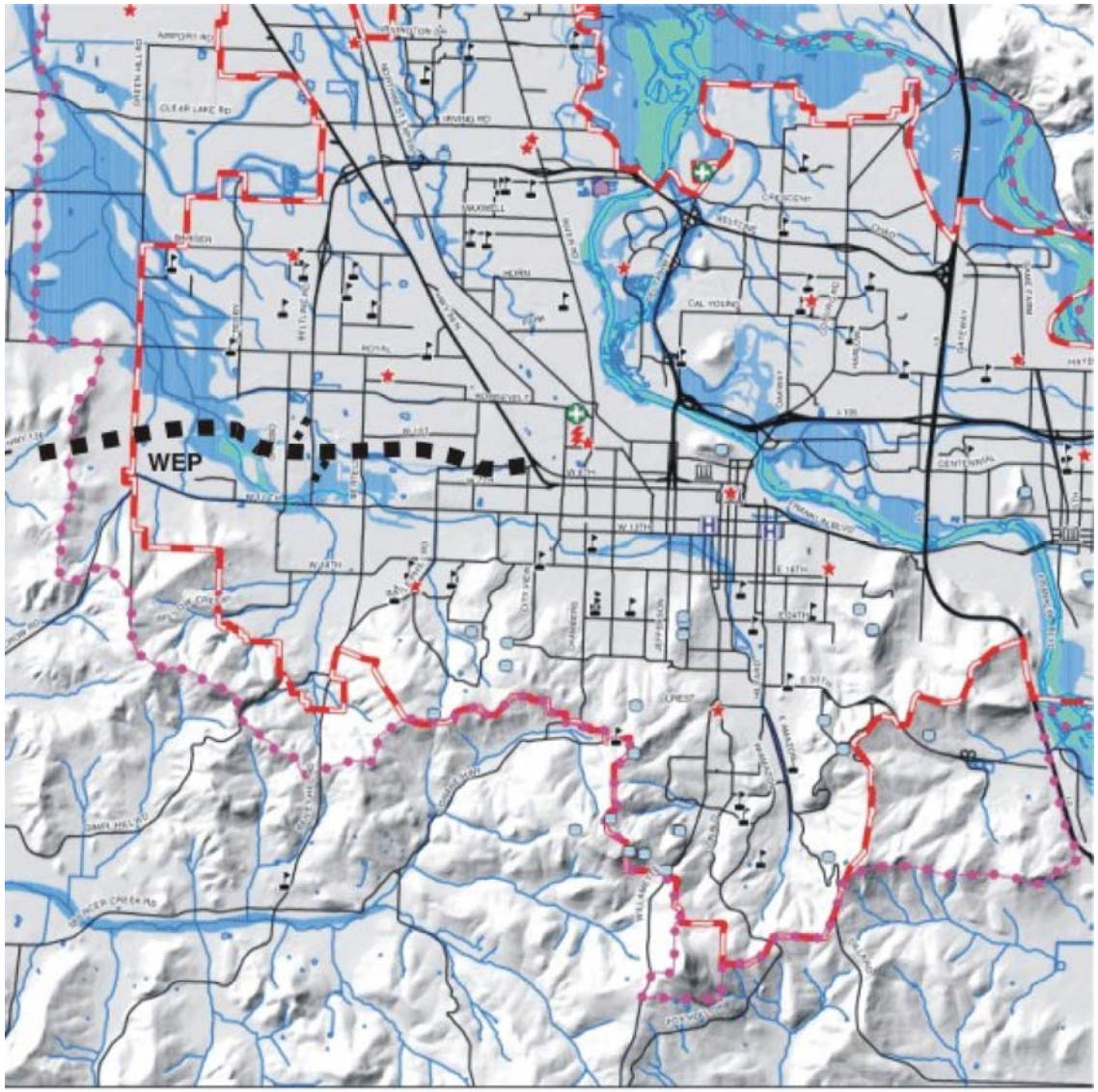
Dear Commissioners:

If you make it easier to build buildings and other stuff in floodways, I hope the County's legal eagles have considered the liabilities this would risk for the County when the next floods inundate these areas after the County gave the plans their blessings.

Mark Robinowitz


McKenzie River - Willamette River Confluence
12-24-64

McKENZIE RIVER
1945



Legend

- 911 Comm. Centers
- Hospitals and Urgent Care
- Schools
- Fire Stations
- Jails, Police Depts., City Halls
- Public Water Treatment/Storage
- Municipal Wastewater Facility
- Public Works Shops
- Urban Growth Boundaries
- Metro Plan Boundary
- Rivers and Streams

FLOOD HAZARD ZONES

- Floodway (where mapped)
- 100-Year Flood Zone

Source:
Flood Hazard Zones are from FEMA DFIRM data.

Flood Hazard Areas in Eugene

0 1 2 Miles

N

Maps produced for the City of Eugene, by Lane Council of Governments, under a grant from the Federal Emergency Management Agency.