

Normal Neighborhood Working Group

October 9, 2014

2:30-4:15

**Community Development Building
Siskiyou Room
51 Winburn Way**

**Bring packet materials from prior meetings
(draft maps, plan framework, etc) for continued discussion**

I. CALL TO ORDER:

- 230 Community Development Building, 51 Winburn Way

II. CONSENT AGENDA

- Approval of Minutes
 - Sept 18, 2014 Meeting.

III. DISCUSSION

- Working Group general discussion

IV. PUBLIC FORUM

- 10 minutes

V. NEXT MEETING

- Next Date/Time (tentative Oct 23)
 - Quorum Check

VI. ADJOURNMENT

MINUTES FOR THE NORMAL NEIGHBORHOOD WORKING GROUP
Thursday, September 18, 2014
Siskiyou Room, 51 Winburn Way

Chair Pam Marsh called the meeting to order at 4:33 p.m. in the Siskiyou Room, 51 Winburn Way.

Mayor Stromberg, Michael Dawkins, Rich Kaplan, Mike Morris, and Brandon Goldman were present. Community panel members present included: Sue DeMarinis, Bryce Anderson, Tom Giardino, Randy Jones, and Alan Harper.

Marsh gave a recap of meetings to date and explained the purpose of the panel which has been convened today. She also explained that each panelist will have 10 minutes to talk, then the working group will ask questions, and we will have a 10 minute public forum at the end of the meeting.

1. Panel Members

Sue DeMarinis

She explained whom she is representing, and gave an overview of the things they like in the plan and the things they don't like. (Please see attachment for full comments.)

Things they like about the plan(s) or which have been discussed by the working group:

- Open spaces
- Density gradation (though question the need for higher densities)
- Transportation connections including not having Normal Avenue be a straight shot to E. Main Street
- Alteration of zoning labels to more closely reflect nearby neighborhood zoning labels

Things they don't like about the plan(s) or which have been discussed by the working group:

- Any straight north-south streets connecting to E. Main Street
- Multiple east-west paved connectors
- Density bonuses allowed adjacent to open spaces
- Infrastructure costs being born by anyone outside of the plan limits

Bryce Anderson

He explained whom he is representing. The things his group are like or are concerned with include:

- They like the idea that the Baptist church property might be developed as it's currently a fire hazard
- Like that overall density has been reduced. The end result should be a plan no more dense than Meadowbrook
- Like the connector path to Creek Drive and believe the shared street is important especially as it's currently very difficult to connect to the bike path from that neighborhood.
- They are concerned that there is no clear idea in the plan for dealing with increased traffic on E. Main

- Want 4-way stops on E. Main to get in and out of neighborhood
- Want a center turn lane on E. Main
- Concerned about density bonuses
- Want to have cluster or cottage housing, and fear this could not occur with density bonuses as they would require higher density rates.
- Is concerned that there never will be any public transportation in the area
- Concerned that the public improvements will either be cost prohibitive to developers or the costs will have to be born too heavily by residents
- Not in favor of any commercial development as there is too much traffic as-is.

Randy Jones

Showed a map of the properties they believe are interested in development. It totals about 40 acres. He left out properties currently occupied. He agrees that there should be no commercial development. Also agrees there should be no density bonuses allowed in the plan.

Jones gave numbers including, what the improvements might cost, how many homes could be built, etc. His group believes it could be built and homes sold at reasonable prices. Unfortunately, he thinks the affordable housing requirements would be cost prohibitive, especially with the higher densities near the railroad, which would eliminate them from lots of Federal Funding possibilities.

Tom Giardino

Gave an overview of his background with planning and community projects. He is very against urban sprawl, there are lots of negatives when development goes outside of a city's UGB. Normal Avenue Plan area is very large and may be the last area of this size left to be planned in Ashland. His role today was to look at the community in general and he believes that the staff and the consultants did a good job in coming up with this plan. He believes, unlike some of the other commenters, that there should actually be an increase in density in the plan, not a decrease. Large lots or areas with low density won't bring diversity into this community and that has always seemed to be a high community goal. He reminded the group that previous action from the planning department and Council to allow for 2nd units really helped increase development and hopes that we'll use that higher density approach here.

Giordano stated he's glad the plan recognizes the wetlands and open space. It is important details like this in a plan which make them successful. He recognizes that transportation issues will need to be worked through. Believes that East Main needs to be improved now, regardless of the plan.

Giordano believes that we need to think about the general health of the community and that involves a diversity of housing types and densities. Likes the concept of commercial activities being allowed in the plan, but doesn't know for sure if it fits in with the current view. It might, however, fit in sometime in the future so we shouldn't lose that possibility.

Alan Harper

Gave overview of his background as an attorney, and his work with Land Use Codes. Stated every community struggles with the exact same balances this group is struggling with. Reminded the group this is an opportunity for setting a vision for the community. People don't always

recognize what's been planned years ago and that the vision of Ashland 50 years ago is very different than it is now. We need to plan for the future and not just the present. He encouraged the group to err on the side of flexibility and willingness to innovate. It's far better if they give staff, developers, and future Councils the tools and ability to do something great.

While the commercial option available in N. Mountain area hasn't worked yet, that doesn't mean it couldn't – the time just isn't right yet. He reminded the group about the fight over keeping the current Rogue Valley Roasters on E. Main Street. At the end of the day, that community gathering space is important to the neighborhood and the community at-large. It's better to find a way to leave open the option for that style of commercial building. If you zone it entirely residential those opportunities will never be available.

Harper believes family-friendly communities can be created even with higher density. Part of what people love about traveling to other parts of the world is the higher density – lots of communities do it well with lots of parks and increased opportunities for livability outside of the home.

Ultimately, the best this group can do is make clear rules. Without clear rules, lawyers get to highlight all the negatives. The clearer the plan the easier it will be for developers and community to get the vision.

2. Working Group Questions

Group discussed affordable housing requirements. Goldman reminded the group that the mix of affordable housing styles must be consistent with surrounding homes. CDBG funds put lots of money into building affordable housing so long as the location of those homes are not in a “negative” area. Noise from the railroad being so close could be considered a big enough negative to make the area ineligible for CDBG funds. Jones stated without Federal assistance the 25% affordable housing requirement would be a non-starter for any development. Goldman and Jones will sit down together to do better informed calculations to bring back to the group at an upcoming meeting.

Group discussed if there were higher density, if that would make development more possible. Jones noted this would be the case only if assistance for funding the affordable housing units were available.

Group discussed the challenges of the required improvements and some of the funding options. Also discussed PUDs and that they may allow for a more creative way to maximize flexibility. Goldman reminded the group that PUDs are allowed under the original plan.

Group talked about having a plan without the streets framework but determined that without a solid framework development likely would lack the connections needed.

3. Public Forum

Julie Mathews: had always understood that PUDs mean higher densities. The group has been talking about density for three years – why is this discussion just occurring. Wondered if there was a current need for development in this economy.

Debbie Miller: Is upset that the discussions have gone from “if” to “when” in regards development. People in the area haven’t been able to talk until today when Sue was part of the panel. Feels like discussions of higher densities is a real compromise. People in this community do care and want the group to consider that any increase in services to this community will require more money be spent in the community as a whole. We’ve never talked about whether Ashland is a “town” or a “city with high density and multi-story units”.

4. Next Meeting

The next meeting will be held on October 9th at 2:30 p.m.

Meeting adjourned at 6:30 p.m.

Respectfully submitted,
Diana Shiplet
Executive Secretary

Memo

DATE: 10/09/2014

TO: Normal Neighborhood Plan Working Group

FROM: Brandon Goldman, Senior Planner

RE: Affordable Housing Requirements and Annexation

The City of Ashland Comprehensive Plan, including the Housing Element, establishes the goal of ensuring that a variety of dwelling types and housing opportunities are available for the total cross-section of Ashland's population, consistent with preserving the character and appearance of the City. Further, under Goal 10 of Oregon's Statewide Planning Goals & Guidelines (OAR 660-015-0000(10)) jurisdictions shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

In consideration of these goals the City Council has previously determined that neither the private market, nor the public sector, has yet provided the levels of housing affordability necessary to maintain a balanced community, therefore the City has taken an active lead to ensure an adequate supply of housing for residents and working people of all income levels.

The City has developed specific land use policies to foster the development of affordable housing. Since preparing its original Affordable Housing Plan (1990), the City has implemented and refined a number of regulatory strategies to promote affordable housing including:

- Requiring that annexations, and zone changes, include affordable housing units.
- Allowing for the development of accessory residential units as a conditional use in single-family residential zones, and as a permitted use in Multi-family zones. *(note the Unified Land Use Ordinance amendments currently under review include proposed amendments to reduce the regulatory barrier to providing accessory residential units by eliminating the requirement for conditional use permits in single family zones).*
- Establishing a density bonus for development of affordable housing units. A one- percent bonus is allowed for each percentage of affordable units developed *(note the Unified Land Use Ordinance amendments currently under review include proposed amendments to this provision to increase incentives for to providing affordable housing).*
- Allowing for mixed use developments (housing over commercial uses) in commercial zones.
- Requiring a percentage of units to remain affordable when apartment complexes are converted into condominiums.



The terms “affordable” and “low-income” housing are often used interchangeably. In reference to the City’s Affordable Housing Program *affordable housing* simply refers to households’ ability to find housing within their financial means. Households that spend more than 30% of their income on housing and certain utilities are considered to experience *cost burden*. As such, any household that pays more than 30% experiences cost burden and does not have *affordable* housing. Thus, affordable housing applies to all households in the community. Specifically Ashland’s Affordable Housing Program can qualify units as affordable when targeted to households earning up to 120% the area median income, or approximately \$74,000 annual income.

Low-income housing refers to housing for “low-income” households. HUD considers a household low-income if it earns 80% or less of median family income. Ashland’s affordable Housing Program identifies low-income housing as those dwellings affordable to households that earn 80% or less of area median income (AMI) for ownership, and 60% AMI or less of area median income for ownership for rental housing. A “low income” household earning 80% the area median income earns less than \$50,000 annually depending on household size.

Annexation and Zone Change Ordinance

Land use practices that require affordable housing units to be built along with market rate housing, typically in new developments, is commonly referred to as “inclusionary zoning”. Although the State of Oregon began prohibiting municipalities from enacting mandatory inclusionary zoning policies in 1999, annexations and zone changes are voluntary actions in which property owners request an increase in residential development potential. In exchange for the increased development potential the requisite affordable housing is provided.

The City’s Annexation and Zone Change Ordinance establishes an “equivalency value” for affordable housing units as a means of providing greater flexibility in the mix of income levels targeted by a development. Prior to the annexation ordinance amendments adopted in 2008, a project requiring affordability would have to target all of the designated affordable housing units to a specific income level. The introduction of “*equivalency values*” allowed developers to cater their products to households of various incomes.

Section 18.106.030 G(1)

The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25% of the base density as calculated using the unit equivalency values set forth herein:

- a. Ownership units restricted to households earning at or below 120% the area median income shall have an equivalency value of 0.75 unit*
- b. Ownership units restricted to households earning at or below 100% the area median income shall have an equivalency value of 1.0 unit.*
- c. Ownership units restricted to households earning at or below 80% the area median income shall have an equivalency value of 1.25 unit.*
- d. Ownership or rental units restricted to households earning at or below 60% the area median income shall have an equivalency value of 1.5 unit,*

To satisfy the affordable housing requirements for annexation an applicant could simply provide all the required affordable housing units at a one of the individual income levels as illustrated in the table below (next page).



100 unit annexation example with all of the required affordable units are targeted to only a specific income level (not mixed)	
120% AMI = 0.75 unit (ownership only)	34 total units (34 x .75 = 25.5 unit equivalency value)
100% AMI = 1 unit (ownership only)	25 total units (25 x 1.0 = 25 unit equivalency value)
80% AMI= .1.25 units (ownership only)	20 total units (20 x 1.25 = 25 unit equivalency value)
60% AMI= 1.5 units (ownership or rental)	17 total units (17 x 1.5 = 25.5 unit equivalency value)

Alternatively an application for annexation could propose to provide a distribution of units within each of the designated income levels (*very low-income (60% AMI), low-income income (80%AMI); median income (100% AMI); and up to 120% Area AMI*). This method enables the development of a mixed income project and greater variation in housing types while meeting the requirements of the current ordinance based on each affordable unit’s *equivalency value*.

100 unit annexation example showing how 20 actual units, with a distribution of the units across various income ranges, would satisfy the 25 unit “ <i>equivalency value</i> ” required to be affordable.	
120% AMI = 0.75 unit (ownership only)	2 units (2 x .75 =1.5 equivalency units)
100% AMI = 1 unit (ownership only)	2 units (2x 1 =2 equivalency units)
80% AMI= .1.25 units (ownership only)	10 units (10 x 1.25 =12.5 equivalency units)
60% AMI= 1.5 units.	6 units (6 x 1.5 = 9 equivalency units)
Combined total	20 units (25 equivalency units)

Land transfer option

According to the land Use ordinance if a developer does not wish to build the affordable units they have the option of transferring adequate land to a qualified non-profit affordable housing developer.

18.106.030(G)(2)

As alternative to providing affordable units per section 18.106.030(G)(1) the applicant may provide Title to a sufficient amount of buildable land for development through transfer to a non-profit (IRC 501(3)(c)) affordable housing developer or public corporation created under ORS 456.055 to 456.235 for the purpose of complying with subsection 18.106.030(G)(1)(b).

- a. The land to be transferred shall be located within the project meeting the standards set forth in 18.106.030(G)4, 18.106.030(G)5 and 18.106.030(G)6*
- b. All needed public facilities shall be extended to the area or areas proposed for transfer.*
- c. Prior to commencement of the project, Title to the land shall be transferred to the City, an affordable housing developer which must either be a unit of government, a non –profit 501(C)(3) organization, or public corporation created under ORS 456.055 to 456.235,*
- d. The land to be transferred shall be deed restricted to comply with Ashland’s affordable housing program requirements.*



System Development Charges

The City of Ashland's currently assesses System Development Charges (SDCs) for water, sewer, storm sewer, parks and transportation facilities, as well as a separate utility connection fee. Fees vary by size of residential unit. For single-family housing units, they average approximately \$10,000 with a range of between \$6,500 for a 1,000 square foot home and \$13,000 for a 3,000 square foot home, not including permit, community development and engineering fees.

The City currently waives SDCs for qualified affordable housing projects when units are sold or rented to low-income persons. A resale Restriction Agreement is recorded on the property receiving the SDC waiver thereby securing that the covered unit will remain affordable for a minimum of 30 years (60 years for an annexation). During this period the City regulates the covered units to ensure they are only sold or rented only to qualified household. The City Housing Program maintains a table of maximum rent levels and sale amounts and updates this table annually to reflect changes in median income over time. The table below shows the current (2014) qualifying incomes, and maximum sale and rental prices based on area median incomes:

Qualified Affordable Housing Units (May 2014)

60% AMI	studio	1bdr	2bdr	3bdr	4bdr
Rental*	\$512	\$548	\$658	\$760	\$848
Purchase*	\$70,750	\$82,300	\$105,500	\$124,250	\$133,400
Incomes	\$22,200	\$25,400	\$31,700	\$36,800	\$39,400

80% AMI	studio	1bdr	2bdr	3bdr	4bdr
Purchase*	\$100,100	\$115,900	\$147,800	\$173,350	\$186,150
Incomes	\$29,650	\$33,850	\$42,300	\$49,100	\$52,500

100% AMI	studio	1bdr	2bdr	3bdr	4bdr
Purchase	\$130,250	\$150,400	\$190,500	\$222,900	\$239,000
Incomes	\$37,100	\$42,400	\$52,900	\$61,400	\$65,600

120% AMI	studio	1bdr	2bdr	3bdr	4bdr
Purchase	\$186,300	\$214,900	\$270,900	\$316,400	\$339,500
Incomes	\$44,400	\$50,800	\$63,400	\$73,600	\$78,800

* Affordable units qualified at the 60%AMI level for rent and sale, and at the 80%AMI level for sale also qualify for deferral of System Development Charges



Community Development and Engineering fees waivers

In addition to the waiver of SCDs for qualifying ownership or rental units required through annexations, or other land use approval, the City will also waive Community Development and Engineering Fees for qualifying ownership or rental units voluntarily provided as affordable to low income households.

Community Development and Engineering Fees are based on the value of the project and can therefore vary, but are approximately \$3000 per single family home. Units that are required to be affordable (to meet the annexation criteria, are not eligible for the automatic waiver of Community Development and Engineering Fees but must request such a waiver from the City Council on a case by case basis.



Memo

DATE: 10/09/2014

TO: Normal Neighborhood Plan Working Group

FROM: Brandon Goldman, Senior Planner

RE: Wetlands and Open space

Wetland Delineations:

In 2007 the City of Ashland completed and adopted a Local Wetland Inventory (LWI). The LWI includes all lands within the Urban Growth Boundary and was prepared to meet the Department of State Lands (DSL) Local Wetlands Inventory Standards and Guidelines (OAR 141-086-0180 through 141-086-0240). The LWI was submitted and approved by the Oregon Department of State Lands (DSL) and the Department of Land Conservation and Development (DLCD). The LWI and Ashland's Water Resource Protection Zone ordinance satisfy the statewide land use planning Natural Resources Goal (Goal 5) to provide protections for "significant" wetlands.

A Local Wetland Inventory is a systematic survey of an area to locate, map and describe the wetlands. The inventory was prepared using information sources such as aerial photos and soils maps and by conducting field observations. The wetland scientists that prepared Ashland's LWI (Fishman Environmental Services, a Division of SWC Environmental Consultants) collected data on the vegetation and soils to confirm that an area was or was not a wetland.

The primary purposes of the LWI are to provide information for long-range planning by the city, and to alert landowners to the probable wetlands on their property. Because the LWI maps the approximate wetland boundary, and may miss small wetlands, much more detailed field work is needed prior to site development.

Property owners in the plan area, Mahar Homes and Gil Livni, have presented to the Normal Neighborhood Plan Working Group preliminary wetland delineation maps that indicate wetland areas are smaller than those identified in the 2007 LWI. Although such preliminary delineations would require formal review and concurrence by DSL, the more general question posed is whether the proposed Open Space Area boundaries in the Draft Normal Plan should be subject to change to respond to formal wetland delineations as part of future development proposals. Simply put, a number of property owners have contended that if it is found a wetland area is smaller than currently shown in the LWI, than the corresponding Open Space Area should shrink to match the newly delineated area.

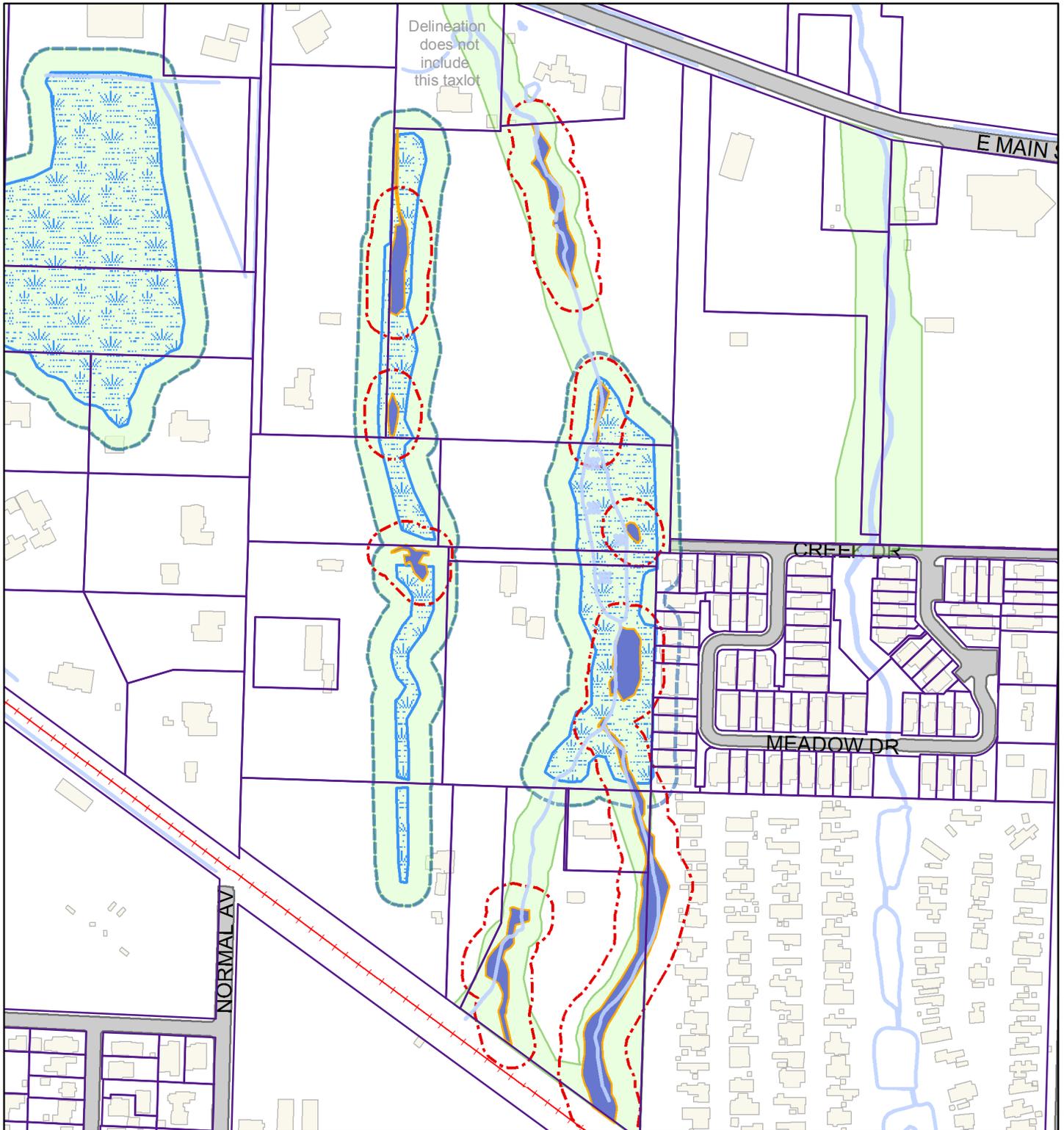


The Normal Neighborhood Plan's approach to the greenway and open space framework is establishing "Conservation/Openspace Areas" through a proposed amendment to the Comprehensive Plan Map. As proposed and as recommended by the Planning Commission these areas are intended to be preserved as natural areas or open space within the district which absent of any environmental constraints would provide recreational and view amenities to the districts residents. As such a reduction in the size of a Water Resource Protection Zone Area, even in cases where formal wetland delineation shows a smaller wetland area, would require a major plan amendment.

The 2014 Delineations provided by Mahar Homes, and Mr. Livni have been mapped to illustrate the differences between the Open Space Areas proposed in the Normal Neighborhood Plan, and the amended wetland boundaries shown in the two recent delineations. Three individual maps are attached:

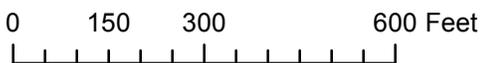
- Map 1 shows the differences in Wetland areas between the 2007 Local Wetland Inventory and the 2014 Mahar/Livni Delineation
- Map 2 shows which lands are within Ashland's adopted Floodplain or are within designated riparian areas (40' from centerline of Cemetery Cr. Or Clay Cr.)
- Map 3 shows land areas previously identified as Conservation/Opensapce Areas in the Draft Normal Neighborhood Plan that would not be within a designated Water Resource Protection Zones per the Mahar/Livni Delineations.
 - Note these exclusion areas only include properties recently surveyed for wetlands. The large wetland on the GracePoint Church and Ashland School District property (W9) has not been recently delineated, however the property owners have indicated it too is smaller than what is represented on the 2007 LWI.
 - Acreage provided on this map shows the land area (per taxlot) that would presumably be developable were the Conservation/Open Space designations only apply to regulated water resource protection zone areas.

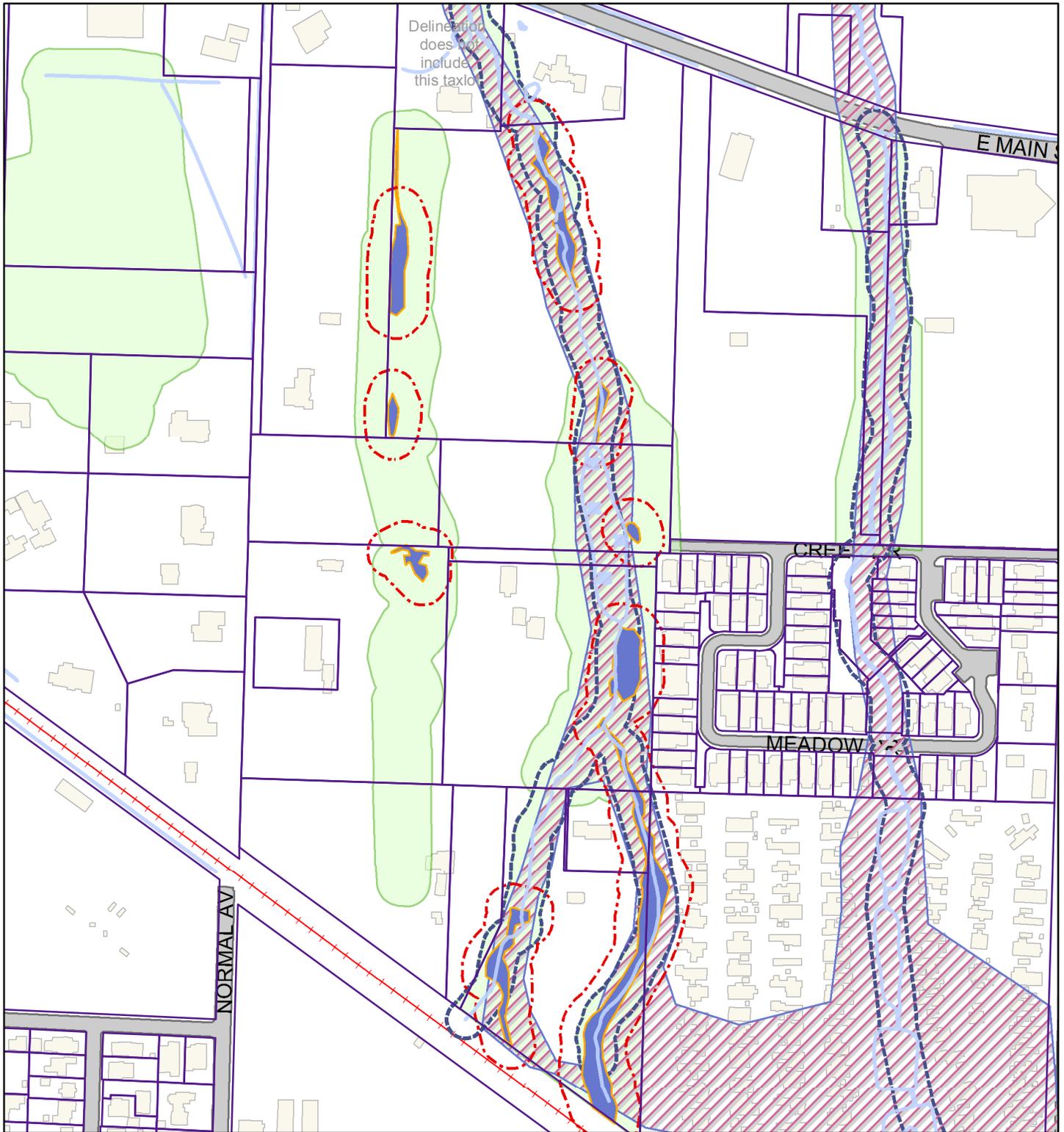




Normal Neighborhood Plan Area Water Resources (Wetlands)

-  Significant Wetlands 2007 LWI
-  Wetland Buffer 2007 LWI (50ft)
-  Normal Plan Open Space Area
-  Wetland Delineation Mahar/Livni (2014)
-  Wetland Buffer Mahar/Livni (50ft)

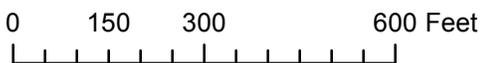


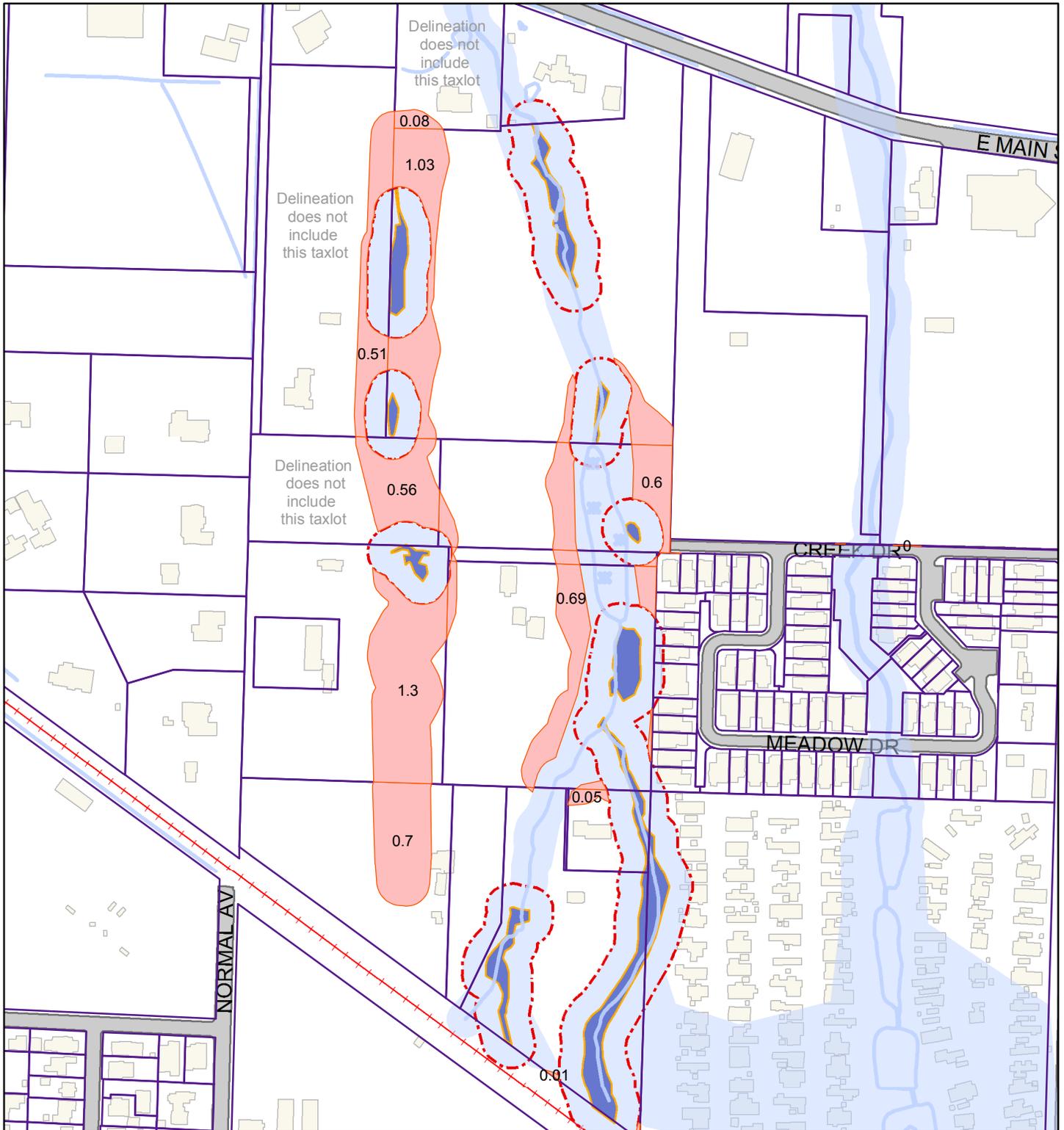


Normal Neighborhood Plan Area Water Resources (Riparian/Floodplains)

-  Riparian Buffer (40ft from centerline)
-  Ashland Floodplains (Adopted)
-  Normal Plan Open Space Area

-  Wetland Delineation Mahar/Livni (2014)
-  Wetland Buffer Mahar/Livni (50ft)





Normal Neighborhood Plan Area Water Resources Exclusion Areas

- Excluded Water Resources per Mahar/Livni Delineation
(acreage of excluded areas provided for each taxlot)

Remaining Water Resources per Mahar/Livni Delineation
(Includes Adopted Floodplain, 40' Riparian Buffer, and 50' Wetland Buffer)
- Wetland Delineation Mahar/Livni (2014)

Wetland Buffer Mahar/Livni (50ft)

