

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please rise and, after you have been recognized by the Chair, give your name and complete address for the record. You will then be allowed to speak. Please note that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

**ASHLAND PLANNING COMMISSION  
STUDY SESSION  
November 28, 2017  
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street.
- II. **ANNOUNCEMENTS**
- III. **PUBLIC FORUM**
- IV. **DISCUSSION ITEMS**
  - A. **Accessory Residential Unit Development Standards**
- V. **UPDATES**
  - A. **Community Development Department Housing Program**
- VI. **ADJOURNMENT**

**CITY OF  
ASHLAND**



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

# Memo

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DATE: November 28, 2017

TO: Ashland Planning Commission

FROM: Maria Harris, Planning Manager

RE: Accessory Residential Unit Draft Code Revisions

The Planning Commission discussed providing more flexibility for accessory residential units (ARU) in the single-family zones at the August 22, 2017 and October 24, 2017 study sessions. Specifically, the Commission discussed issues such as the supply of single-family residential housing stock, need for studio and one-bedroom units and advantages to converting existing square footage in homes as families or households change over time. Staff developed the attached draft revisions of the ARU standards based on the study session discussions.

The draft revisions include four changes for ARUs located in the single-family (R-1 and RR) zones.

1. **Small Units Attached or Within a Primary Residence:**
  - ARUs less than 500 square feet in size and attached to the primary residence or within an existing primary residence would not require additional parking spaces and could be approved through a ministerial process. The change in the application process would allow ARUs of this type to take place with a building permit and would eliminate the planning application fee and time necessary for the Type I planning process.
  - ARUs located in a detached structure or that are 500 square feet and larger and attached to or within a primary residence would continue to require additional off-street parking spaces and a planning application for Site Design Review.
2. **Conversion of Floor Area Within a Portion of an Existing Single-Family Home.**
  - The maximum size of an ARU within an existing single-family residence could be 75 percent of the size of the primary residence rather than the 50 percent that is currently allowed. A home would have to be in place a minimum of five years to be eligible for the increased ARU size.
3. **Multifamily Design Standards.**
  - ARUs would be exempt from the streetscape, landscaping and open space standards for multi-family residential development.



- New design standards addressing the placement of the ARU door and second-story windows, entrances and outdoor spaces are included.

#### **4. Parking and Access Standards**

- Units less than 800 square feet would be required one parking space and units 800 to 1,000 square feet would require two parking spaces. The exception would be that the exempt ARUs (i.e., less than 500 square feet in size and attached to the primary residence or within an existing primary residence) would not require additional parking spaces.
- The design requirements for drives over 50 feet in length would not be applicable to ARUs.



# City of Ashland

## Accessory Residential Unit Revisions

Draft Ordinance Amendments -11/28/17

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
<b>B. Residential Uses<sup>1</sup></b>										
Single-Family Dwelling	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. 18.2.5.090  Sec. 18.2.3.130 for C-1 zone and E-1 zone  Dwellings and additions in Historic District Overlay, see Sec. 18.2.3.120 and 18.2.5.070
Accessory Residential Unit	<u>P</u> or S	<u>P</u> or S	S	S	<u>P</u> or S	N	N	N	N	Sec. 18.2.3.040 <b>and</b> <b>Sec. 18.5.2.020.C.2</b>
Duplex Dwelling	S	P	P	P	N	N	S	S	N	Sec. 18.2.3.110 Duplex Dwelling
Manufactured Home on Individual Lot	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180
Multifamily Dwelling	N	P	P	P	N	N	S	S	N	Sec. 18.2.3.130 for C-1 zone and E-1 zone  Dwellings and additions in Historic District Overlay, see Sec. 18.2.3.120 and 18.2.5.070
Cottage Housing	S	N	N	N	N	N	N	N	N	Sec. 18.2.3.090 Cottage Housing
Rental Dwelling Unit Conversion to For-Purchase Housing	N	N	S	S	N	N	N	N	N	Sec. 18.2.3.200
Home Occupation	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.150

<sup>1</sup> KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

### 18.2.3.040 Accessory Residential Unit

Where accessory residential units are allowed, they are subject to Site Design Review under chapter 18.5.2, **except as exempted in section 18.5.2.020.C.2**, and shall meet all of the following requirements.

**A. R-1 Zone.** Accessory residential units in the R-1 zone shall meet the following requirements.

1. One accessory residential unit is allowed per lot, and the maximum number of dwelling units shall not exceed two per lot.
2. Accessory residential units are not subject to the density or minimum lot area requirements of the zone, except that accessory residential units shall be counted in the density of developments created under the Performance Standards Option in chapter 18.3.9.
3. **Size**
  - a. The maximum gross habitable floor area (GHFA) of the accessory residential unit shall not exceed 50 percent of the GHFA of the primary residence on the lot and shall not exceed 1,000 square feet GHFA.

**b. For conversion of gross floor area within a portion of the primary residence, the maximum GHFA of the accessory residential unit shall not exceed 75 percent of the GHFA of the primary residence on the lot and shall not exceed 1,000 square feet GHFA. The primary residence must have been constructed at least five years prior to submittal of a planning application for an accessory residential unit, except for accessory residential units exempted from Site Design Review in subsection 18.5.2.020.C.2.**

4. The proposal shall conform to the overall maximum lot coverage and setback requirements of the underlying zone.
5. Additional parking shall be provided in conformance with the off-street parking provisions for single-family dwellings in section 18.4.3.080, except that parking spaces, turn-arounds, and driveways are exempt from the **requirements in subsections 1 and 2 of 18.4.3.080.D and** paving requirements in subsection 18.4.3.080.E.1.

**B. RR Zone.** In addition to the standards in subsection 18.2.3.040.A, accessory residential units in the RR zone shall meet the following requirements.

1. If the accessory residential unit is not part of the primary dwelling, all construction and land disturbance associated with the accessory residential unit shall occur on lands with less than 25 percent slope.
2. The lot on which the accessory residential unit is located shall have access to an improved city street, paved to a minimum of 20 feet in width, with curbs, gutters, and sidewalks.
3. No on-street parking credits shall be allowed for accessory residential units.
4. If located in the Wildfire zone, the accessory residential unit shall have a residential sprinkler system installed.

C. **R-2 and R-3 Zones.** Accessory residential units in the R-2 and R-3 zones shall meet the standards in subsection 18.2.3.040.A, except as modified below. ~~that the maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 500 square feet GHFA.~~

1. One accessory residential unit is allowed per lot, and the maximum number of dwelling units shall not exceed two per lot. Lots meeting the density standards in section 18.2.5.080 for two or more units are not eligible for an accessory residential unit.
  2. The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 500 square feet GHFA.
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#### 18.4.2.030 Residential Development

A. Purpose and Intent. For new multi-family residential developments, careful design considerations must be made to assure that the development is compatible with the surrounding neighborhood. For example, the use of earth tone colors and wood siding will blend a development into an area rather than causing contrast through the use of overwhelming colors and concrete block walls.

1. Crime Prevention and Defensible Space.

- ~~a. Parking Layout. Parking for residents should be located so that distances to dwellings are minimized. However, avoid designs where parking areas are immediately abutting dwelling units because there is little or no transition from public to private areas. Parking areas should be easily visible from adjacent areas and windows.~~
- ~~b. Orientation of Windows. Windows should be located so that vulnerable areas can be easily surveyed by residents.~~
- ~~c. Service and Laundry Areas. Service and laundry areas should be located so that they can be easily observed by others. Windows and lighting should be incorporated to assure surveillance opportunities. Mail boxes should not be located in dark alcoves out of sight. Barriers to police surveillance such as tall shrubs and fences should be avoided.~~
- ~~d. Hardware. Reliance solely upon security hardware in lieu of other alternatives is discouraged.~~
- ~~e. Lighting. Site development should utilize lighting prudently. More lighting does not necessarily mean better security. Lighting should be oriented so that areas vulnerable to crime are accented.~~
- ~~f. Landscaping. Plant materials such as high shrubs should be placed so that surveillance of semi-public and semi-private areas is not blocked. Thorny shrubs will discourage crime activity. Low shrubs and canopy trees will allow~~

~~surveillance, hence, reduce the potential for crime.~~

- B. Applicability. Except as otherwise required by an overlay zone or plan district, the following standards apply to residential development pursuant to section 18.5.2.020. See conceptual site plan of multi-family development in Figure 18.4.2.030.
1. **Accessory Residential Units. The following standards from Chapter 18.4.2 apply to accessory residential units, except for accessory residential units exempted from Site Design Review in 18.5.2.020.C.2.: building orientation requirements in 18.4.2.080.C, garage requirements in 18.4.2.080.D, building materials in 18.4.2.080.E, and accessory residential unit design standards in 18.4.2.080.J. If an accessory residential unit is located in the Historic District overlay, the standards in 18.4.2.050 also apply.**
- C. Building Orientation. Residential buildings that are subject to the provisions of this chapter shall conform to all of the following standards. See also, solar orientation standards in section 18.4.8.050.
1. Building Orientation to Street. Dwelling units shall have their primary orientation toward a street. Where residential buildings are located within 20 feet of a street, they shall have a primary entrance opening toward the street and connected to the right-of-way via an approved walkway.
  2. Limitation on Parking Between Primary Entrance and Street. Automobile circulation or off-street parking is not allowed between the building and the street. Parking areas shall be located behind buildings, or on one or both sides.
  3. Build-to Line. Where a new building is proposed in a zone that requires a build-to line or maximum front setback yard, except as otherwise required for clear vision at intersections, the building shall comply with the build-to line standard.
- D. Garages. The following standards apply to garages, carports, canopies, and other permanent and temporary structures used for parking or storing vehicles, including those parking and vehicle storage structures accessory to detached single-family dwellings. The standards are intended to balance residents' desire for a convenient, safe, and private vehicle access to their homes with the public interest in maintaining safe and aesthetically pleasing streetscapes. The standards therefore promote pedestrian safety and visibility of public ways, while addressing aesthetic concerns associated with street-facing garages. For the purpose of this subsection, a garage opening is considered to be facing a street where the opening is parallel to or within 45 degrees of the street right-of-way line.
1. Alleys and Shared Drives. Where a lot abuts a rear or side alley, or a shared driveway, including flag drives, the garage or carport opening(s) for that dwelling shall orient to the alley or shared drive, as applicable, and not a street.
  2. Setback for Garage Opening Facing Street. The minimum setback for a garage (or carport) opening facing a street is 20 feet. This provision does not apply to alleys.
- E. Building Materials. Building materials and paint colors should be compatible with the surrounding area. Very bright primary or neon-type paint colors, which attract attention to the building or use, are unacceptable.

- F. Streetscape. One street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street pursuant to subsection 18.4.4.030.E.
- G. Landscaping and Recycle/Refuse Disposal Areas. Landscaping and recycle/refuse disposal areas shall be provided pursuant to chapter 18.4.4.
- H. Open Space. Residential developments that are subject to the provisions of this chapter shall conform to all of the following standards.
  - 1. Recreation Area. An area equal to at least eight percent of the lot area shall be dedicated to open space for recreational use by the tenants of the development.
  - 2. Surfacing. Areas covered by shrubs, bark mulch, and other ground covers that do not provide suitable surface for human use may not be counted towards this requirement.
  - 3. Decks and Patios. Decks, patios, and similar areas are eligible for open space.
  - 4. Play Areas. Play areas for children are required for projects of greater than 20 units that are designed to include families. Play areas are eligible for open space.

**I. Crime Prevention and Defensible Space.**

- 1. Parking Layout. Parking for residents should be located so that distances to dwellings are minimized. However, avoid designs where parking areas are immediately abutting dwelling units because there is little or no transition from public to private areas. Parking areas should be easily visible from adjacent areas and windows.**
- 2. Orientation of Windows. Windows should be located so that vulnerable areas can be easily surveyed by residents.**
- 3. Service and Laundry Areas. Service and laundry areas should be located so that they can be easily observed by others. Windows and lighting should be incorporated to assure surveillance opportunities. Mail boxes should not be located in dark alcoves out of sight. Barriers to police surveillance such as tall shrubs and fences should be avoided.**
- 4. Hardware. Reliance solely upon security hardware in lieu of other alternatives is discouraged.**
- 5. Lighting. Site development should utilize lighting prudently. More lighting does not necessarily mean better security. Lighting should be oriented so that areas vulnerable to crime are accented.**
- 6. Landscaping. Plant materials such as high shrubs should be placed so that surveillance of semi-public and semi-private areas is not blocked. Thorny shrubs will discourage crime activity. Low shrubs and canopy trees will allow surveillance, hence, reduce the potential for crime.**

**J. Accessory Residential Unit Design Standards.**

- 1. The entrance or door to the accessory residential unit shall be subordinate to the entrance or door to the primary residence by being recessed or stepped back from the entrance or door to the primary residence or located on a different**

**building façade than the entrance or door to the primary residence.**

**2. New exterior doors, windows, and outdoor living areas (e.g., balconies or decks) on the second story shall be oriented towards the interior of the property.**

**18.4.3.040 Parking Ratios**

Except as provided by section 18.4.3.030, the standard ratios required for automobile parking are as follows. See also, accessible parking space requirements in section 18.4.3.050.

<b>Table 18.4.3.040 – Automobile Parking Spaces by Use</b>	
<b>Use Categories</b>	<b>Minimum Parking per Land Use</b> (Based on Gross Floor Area; fractions are rounded to whole number.)
<b>Residential Categories</b>	
<b>Single Family Dwellings <u>and</u> <u>Accessory Residential Units</u></b>	<p>2 spaces for the primary dwelling unit and the following for accessory residential units.</p> <ul style="list-style-type: none"> <li>a. <del>Studio units or 1-bedroom u</del>Units less than 500 sq. ft. <b><u>that are exempted from Site Design Review per subsection 18.5.2.020.C.2 – 0.4</u></b> spaces/unit.</li> <li>b. <b><u>Units less than 800 sq. ft. 1-bedroom units 500 sq. ft. or larger – 1.50</u></b> spaces/unit.</li> <li>c. <b><u>Units greater than 800 sq. ft. and up to 1,000 sq. ft. 2-bedroom units – 2.00-1.75</u></b> spaces/unit.</li> <li>d. <del>3-bedroom or greater units -- 2.00</del> spaces/unit.</li> </ul>
<b>Multifamily <u>Dwellings</u></b>	<ul style="list-style-type: none"> <li>a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit.</li> <li>b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit.</li> <li>c. 2-bedroom units -- 1.75 spaces/unit.</li> <li>d. 3-bedroom or greater units -- 2.00 spaces/unit.</li> <li>e. Retirement complexes for seniors 55-years or greater -- One space per unit.</li> </ul>
<b>Cottage Housing</b>	<ul style="list-style-type: none"> <li>a. Units less than 800 sq. ft. -- 1 space/unit.</li> <li>b. Units greater than 800 <del>square feet</del><b><u>sq. ft.</u></b> and less than 1000 <del>square feet</del><b><u>sq. ft.</u></b> -- 1.5 spaces/unit.</li> <li>c. Units greater than 1000 <del>square feet</del><b><u>sq. ft.</u></b> -- 2.00 spaces/unit.</li> <li>d. Retirement complexes for seniors 55-years or greater -- One space per unit.</li> </ul>
<b>Manufactured Housing</b>	Parking for Manufactured Home on Single-Family Lot is same as Single Family Dwelling; for Manufactured Housing Developments, see sections 18.2.3.170 and 18.2.3.180.
<b>Performance Standards Developments</b>	See chapter <u>18.3.9</u> .

<b>Table 18.4.3.040 – Automobile Parking Spaces by Use</b>	
<b>Use Categories</b>	<b>Minimum Parking per Land Use</b> (Based on Gross Floor Area; fractions are rounded to whole number.)
<b>Commercial Categories</b>	
Auto, boat or trailer sales, retail nurseries and other open-space uses	1 space per 1,000 <b>square feetsq. ft.</b> of the first 10,000 <b>square feetsq. ft.</b> of gross land area; plus 1 space per 5,000 <b>square feetsq. ft.</b> for the excess over 10,000 <b>square feetsq. ft.</b> of gross land area; and 1 space per 2 employees.
Bowling Alleys	3 spaces per alley, plus 1 space for auxiliary activities set forth in this section.
Chapels and Mortuaries	1 space per 4 fixed seats in the main chapel.
Hotels	1 space per guest room, plus 1 space for the owner or manager; see also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.
Offices	General Office: 1 space per 500 sq. ft. floor area. Medical/Dental Office: 1 space per 350 sq. ft. floor area.
Restaurants, Bars, Ice Cream Parlors, Similar Uses	1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is less.
Retail Sales and Services	General: 1 space per 350 sq. ft. floor area. Furniture and Appliances: 1 space per 750 sq. ft. floor area.
Skating Rinks	1 space per 350 sq. ft. of gross floor area.
Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses	1 space per 4 seats.
Travelers' Accommodations	1 space per guest room, plus 2 spaces for the owner or manager.
<b>Industrial Categories</b>	
Industrial, Manufacturing and Production, Warehousing and Freight	1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees whichever is less, plus 1 space per company vehicle.
<b>Institutional and Public Categories</b>	
Aircraft Hangar - Ashland Municipal Airport	One space per hangar or one space per four aircraft occupying a hangar, whichever is greater. Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master Plan.
Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories	2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.
Daycare	1 space per two employees; a minimum of 2 spaces is required.
Golf Courses	Regular: 8 spaces per hole, plus additional spaces for auxiliary uses. Miniature: 4 spaces per hole.
Hospital	2 space per patient bed.
Nursing and Convalescent Homes	1 space per 3 patient beds.
Public Assembly	1 space per 4 seats
Religious Institutions and Houses of Worship	1 space per 4 seats.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Rest Homes, Homes for the Aged, or Assisted Living	1 space per 2 patient beds or 1 space per apartment unit.
Schools	Elementary and Junior High: 1.5 spaces per classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater
	High Schools: 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater
	Colleges, Universities and Trade Schools: 1.5 spaces per classroom, plus 1 space per five students the school is designed to accommodate, plus requirements for on-campus student housing.
Other Categories	
Temporary Uses	Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and designs standards for temporary uses.

**18.4.3.080 Vehicle Area Design**

**D. Driveways and Turn-Around Design.** Driveways and turn-arounds providing access to parking areas shall conform to the following provisions.

1. A driveway for a single dwelling shall be minimum of nine feet in width, and a shared driveway serving two units shall be a minimum of 12 feet in width, except that driveways over 50 feet in length or serve a flag lot shall meet the width and design requirements of section 18.5.3.060. **Accessory residential units are exempt from the requirements of this subsection.**
2. Parking areas of seven or fewer spaces shall be served by a driveway 12 feet in width. **Accessory residential units are exempt from the requirements of this subsection.**
3. Parking areas of more than seven parking spaces shall be served by a driveway 20 feet in width and constructed to: facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety; be clearly and permanently marked and defined; and provide adequate aisles or turn-around areas so that all vehicles may enter the street in a forward manner.
4. The width of driveways and curb cuts in the parkrow and sidewalk area shall be minimized.
5. For single-family lots and multi-family developments, the number of driveway approaches and curb cuts shall not exceed one approach/curb cut per street frontage. For large multi-family developments and other uses, the number of approaches and curb cuts shall be minimized where feasible to address traffic safety or operations concerns.
6. Vertical Clearances. Driveways, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13.5 feet for their entire length and width. Parking structures are exempt from this requirement.

7. Vision Clearance. No obstructions may be placed in the vision clearance area except as set forth in section 18.2.4.040.
8. Grades for new driveways in all zones shall not exceed 20 percent for any portion of the driveway. If required by the City, the developer or owner shall provide certification of driveway grade by a licensed land surveyor.
9. All driveways shall be installed pursuant to City standards prior to issuance of a certificate of occupancy for new construction.
10. Driveways for lots created or modified through a land division or property line adjustment, including those for flag lots, shall conform to the requirements of chapter 18.5.3 Land Divisions and Property Line Adjustments.

**E. Parking and Access Construction.** The development and maintenance as provided below, shall apply in all cases, except single-family dwellings **and accessory residential units**.

1. Paving. All required parking areas, aisles, turn-arounds, and driveways shall be paved with concrete, asphaltic, porous solid surface, or comparable surfacing, constructed to standards on file in the office of the City Engineer.
2. Drainage. All required parking areas, aisles, and turn-arounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.
3. Driveway Approaches. Approaches shall be paved with concrete surfacing constructed to standards on file in the office of the City Engineer.
4. Marking. Parking lots of more than seven spaces shall have all spaces permanently and clearly marked.
5. Wheel stops. Wheel stops shall be a minimum of four inches in height and width and six feet in length. They shall be firmly attached to the ground and so constructed as to withstand normal wear. Wheel stops shall be provided where appropriate for all spaces abutting property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.
6. Walls and Hedges
  - a. Where a parking facility is adjacent to a street, a decorative masonry wall or evergreen hedge screen between 30 and 42 inches in height and a minimum of 12 inches in width shall be established parallel to and not nearer than two feet from the right-of-way line, pursuant to the following requirements.
    - i. The area between the wall or hedge and street line shall be landscaped.
    - ii. Screen planting shall be of such size and number to provide the required screening within 12 months of installation.
    - iii. All vegetation shall be adequately maintained by a permanent irrigation system, and said wall or hedge shall be maintained in good condition.
    - iv. Notwithstanding the above standards, the required wall or screening shall be designed to allow access to the site and sidewalk by pedestrians and shall meet the vision clearance area requirements in section 18.2.4.040.

- b. In all zones, except single-family zones, where a parking facility or driveway is adjacent to a residential or agricultural zone, school yard, or like institution, a sight-obscuring fence, wall, or evergreen hedge shall be provided, pursuant to the following requirements.
    - i. The fence, wall or hedge shall be placed on the property line and shall be between five feet and six feet in height as measured from the high grade side of the property line, except that the height shall be reduced to 30 inches within a required setback area and within ten feet of a street property line.
    - ii. Screen plantings shall be of such size and number to provide the required screening within 12 months of installation.
    - iii. Adequate provisions shall be made to protect walls, fences, or plant materials from being damaged by vehicles using said parking area.
    - iv. Notwithstanding the above standards, the required wall or screening shall be designed to meet the vision clearance area requirements in section 18.2.4.040.
    - v. The fence, wall, or hedge shall be maintained in good condition.
  7. Landscaping. In all zones, all parking facilities shall include landscaping to cover not less than seven percent of the area devoted to outdoor parking facilities, including the landscaping required in subsection 18.4.3.080.E.6, above. Said landscaping shall be uniformly distributed throughout the parking area, and provided with irrigation facilities and protective curbs or raised wood headers. It may consist of trees, plus shrubs, ground cover, or related material. A minimum of one tree per seven parking spaces is required.
  8. Lighting. Lighting of parking areas within 100 feet of property in residential zones shall be directed into or on the site and away from property lines such that the light element shall not be directly visible from abutting residential property. Lighting shall comply with section 18.4.4.050.
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#### **18.5.2.020 Applicability**

Site Design Review is required for the following types of project proposals.

- A. **Commercial, Industrial, Non-Residential, and Mixed Uses**. Site Design Review applies to the following types of non-residential uses and project proposals, including proposals for commercial, industrial, and mixed-use projects, pursuant to section 18.5.2.030 Review Procedures.
  1. New structures, additions, or expansions in C-1, E-1, HC, CM, and M-1 zones.
  2. New non-residential structures or additions in any zone, including public buildings, schools, churches, and similar public and quasi-public uses in residential zones.
  3. Mixed-use buildings and developments containing commercial and residential uses in a residential zoning district within the Pedestrian Place Overlay.
  4. Any exterior change, including installation of Public Art, to a structure which is listed on the National Register of Historic Places or to a contributing property within an Historic District on the National Register of Historic Places that requires a building permit.

5. Expansion of impervious surface area in excess of ten percent of the area of the site, or 1,000 square feet, whichever is less.
6. Expansion of any parking lot, relocation of parking spaces on a site, or any other change that alters or affects circulation onto an adjacent property or public right-of-way.
7. Any change of occupancy from a less intense to a more intensive occupancy, as defined in the building code, or an change in use that requires a greater number of parking spaces.
8. Any change in use of a lot from one general use category to another general use category, e.g., from residential to commercial, as defined in the zoning regulations of this ordinance.
9. Installation of mechanical equipment not fully enclosed in a structure and not otherwise exempt from Site Design Review per section 18.5.2.020.C.
10. Installation of wireless communication facilities in accordance with section 18.4.10.

**B. Residential Uses.** Site Design Review applies to the following types of residential uses and project proposals, pursuant to section 18.5.2.030 Review Procedures.

1. Two or more dwelling units, including the addition of an accessory residential unit, on a lot in any zoning district **and not otherwise exempt from Site Design Review per subsection 18.5.2.020.C**
2. Construction of attached (common wall) single-family dwellings (e.g., townhomes, condominiums, rowhouses) in any zoning district.
3. Any exterior change, including installation of Public Art, to a structure individually listed on the National Register of Historic Places that requires a building permit.
4. Any change to off-street parking or landscaping in a residential development where such parking or landscaping is provided in common area (e.g., shared parking) and is approved pursuant to chapter 18.3.9 Performance Standards Option.
5. Any change in use that requires a greater number of parking spaces.
6. Installation of mechanical equipment not fully enclosed in a structure and not otherwise exempt from Site Design Review per section 18.5.2.020.C.
7. Installation of wireless communication facilities (e.g., accessory to a residential use), in accordance with section 18.4.10.

**C. Exempt From Site Design Review.** The following types of uses and projects are exempt from Site Design Review, ~~but are required to comply with the applicable provisions of part 18.4 Site Development and Design Standards.~~

1. Detached single-family dwellings and associated accessory structures and uses, ~~except that accessory residential units require Site Design Review pursuant to section 18.2.3.040.~~
- 2. Accessory residential units that are less than 500 GHFA and attached to the primary residence or within an existing primary residence in the R-1, R-1-3.5, and RR zones.**
- 32.** Land divisions and property line adjustments, which are subject to review under chapter 18.5.3.
- 43.** The following mechanical equipment.

- a. Private, non-commercial radio and television antennas not exceeding a height of 70 feet above grade or 30 feet above an existing structure, whichever height is greater, and provided no part of such antenna shall be within the setback yards required by this ordinance. A building permit shall be required for any antenna mast or tower over 50 feet above grade or 30 feet above an existing structure when the same is constructed on the roof of the structure.
- b. Not more than three parabolic disc antennas, each under one meter in diameter, on any one lot or dwelling unit.
- c. Roof-mounted solar collection devices in all zones, with the exception of E-1 and C-1 zoned properties located within designated historic districts. The devices shall comply with solar setback standards described in chapter 18.4.8 and the height standards of the respective zoning district.
- d. Roof-mounted solar collection devices on E-1 and C-1 zoned properties located within designated historic districts if the footprint of the structure is not increased, the plane of the system is parallel to the slope of the roof and does not extend above the peak height of the roof or existing parapets, or is otherwise not visible from a public right-of-way. The devices shall comply with solar setback standards described in chapter 18.4.8 and height requirements of the respective zoning district.
- e. Installation of mechanical equipment other than those exempted in 18.5.2.020.C.3, subsections a – d, above, and which is not visible from a public right-of-way, except alleys, or adjacent residentially zoned property and consistent with other provisions of this ordinance, including solar access in chapter 18.4.8, and noise and setback requirements of subsection 18.2.4.020.B. See also, screening standards for mechanical equipment in subsection 18.4.4.030.G.4.
- f. Routine maintenance and replacement of existing mechanical equipment in all zones.

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### **18.6.1.030 Definitions**

The following definitions are organized alphabetically.

#### **D**

Days. Calendar days, unless specifically states as working days. Working days included Monday through Friday, excluding Federal holidays. See also, section 18.5.1.090.C Time Periods.

Dead Tree. A tree that is lifeless. Such evidence of lifelessness may include unseasonable lack of foliage, brittle dry branches, or lack of any growth during the growing season.

Decorative. Treatment applied to the surface of a building or structure to enhance its beauty.

Deer Fence. An open fence used to prevent entry by deer or other wildlife for the purpose of protecting gardens, vegetation, and yards.

Density(ies). A measurement of the number of dwelling units in relationship to a specified amount of land. A common standard is dwelling units per acre.

**Designer.** A person not registered as an architect or engineer, approved to plan and design single family homes and other buildings that area defined as exempt by the building code.

**Develop.** To construct or alter a structure or to make a physical change to the land including excavation, clearing, dredging, fill, or paving.

**Development.** All improvements on a site, including alterations to land and new or remodeled structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities.

**Diameter at Breast Height (DBH).** The diameter of the trunk at its maximum cross section, measured 54 inches (4 ½ feet) above ground level at the base of the trunk. On sloped lands, the measurement is taken on the uphill side of tree.

**Disc Antenna.** A device incorporating a reflective surface that is solid, open mesh, or bar configured and is the shape of a shallow dish, cone, horn, or cornucopia. Such devices may be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include, but is not limited to, what are commonly referred as satellite earth stations, TVROS, and microwave antennas.

**Discontinued Use.** A use that physically left the land it was on, a permitted use that ceased, or a use terminated at the end of a lease or contract. See also, chapter [18.1.4 Nonconforming Situations](#).

**District.** A part, zone, or geographic area in the City within which certain zoning or development regulations apply. See also, chapter [18.2.1 Zoning Regulations and General Provisions](#).

**Drainage Ditch or Channel.** Roadside ditches that carry only storm water runoff from the adjacent road and the immediate surrounding area. (Drainage ditches do not include historically altered streams or channels that convey surface water flows. These features are still classified as streams for the purpose of this ordinance.); or a constructed channel designed as part of the storm water infrastructure that drain directly from storm water facilities or storm pipe systems.

**Dripline.** An imaginary vertical line extending downward from the outermost tips of a tree's branches to the ground.

**Drive-Up Uses.** Drive-up uses are defined as any establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods other than automobile fuel, or be entertained while remaining in their motor vehicles. The components of a drive-up use are regulated as part of such facility and include kiosks, canopies, or other structures; windows; stalls; and queuing lanes and associated driveways.

**Driveway.** The area that provides vehicular access to a site from a street or the area that provides vehicular circulation on a site.

- **Drive, Flag.** A driveway that serves a single lot or parcel and is greater than 50 feet in length, or provides vehicular access to a flag lot(s). See also, section [18.5.3.060 Additional Preliminary Flag Lot Partition Plat Criteria](#).
- **Driveway, Shared.** A driveway used to access two or more lots or parcels.

**Driveway Apron.** The edge of a driveway where it meets a public right-of-way.

Driveway Approach. A driveway connection to a public street or highway where it meets a public right-of-way.

Driving Surface. A paved access capable of supporting up to 44,000 lbs. gross vehicle weight.

Dwelling. A structure conforming to the definition of a dwelling under applicable building codes and providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units or accessory dwelling units, as applicable, unless the additional cooking facilities are clearly accessory to the primary use, such as an outdoor grill or wet bar. For the purposes of this ordinance, the following types of dwelling units are defined:

- Accessory Residential Unit. A secondary dwelling unit on a lot where the primary use is a single-family dwelling, either attached to a single-family dwelling, **within a portion of an existing single-family dwelling (i.e. conversion of gross floor area within the primary residence)**, or in a detached building located on the same lot, and having an independent means of access (i.e., door).
- Duplex Dwelling. A structure that contains two dwelling units located on one lot. The units must share a common wall or common floor/ceiling.
- Manufactured Home. A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.
- Mobile Home. A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
- Multifamily Dwelling. A dwelling in a structure or grouping of structures containing two or more dwelling units located on one lot.
- Senior Housing. Housing designated and/or managed for persons over a specified age. Specific age restrictions vary, and uses may include assisted living facilities, retirement homes, convalescent or nursing homes, and similar uses not otherwise classified as Residential Homes or Residential Facilities.
- Single-Family Dwelling. A detached or attached structure containing one dwelling unit located on its own lot.

**From:** Colin  
**To:** [Maria Harris](#); [Brandon Goldman](#)  
**Subject:** ARUs - changes ?  
**Date:** Thursday, October 26, 2017 11:15:32 AM

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Maria and Brandon,

I read with interest about the proposed changes to the ARU ordinance prepared for [the last PC study session](#).

Subsequent to the preliminary discussion 8/22 it seems that now the changes are only being suggested in the **R-1 zones**.

A lot of existing **single-family homes** are on close-in R-2 and R-3 zoned lots..often quite large.

Whereas R-1 are limited to 50% (75% suggested) of the main unit and 1,000 SF, the R2/3 lots are still to be limited to a mere 500SF.

While R2/3 zoning necessarily allows additional unit/s, there are perhaps tax reasons for a single homeowner's lot to remain as such and not become "multi-family" - but rather for a single additional unit to remain "*accessory*" to the main use.

Has there been any past discussion of extending the proposed benefits suggested for R-1 to other zones and also has there been any consideration of the tax implications or perhaps tax disincentives for ARUs to the single-family homeowner?

thanks for your help.

Colin

# Council Business Meeting

November 7, 2017

**Title:** Community Development Department Housing Program – Update of Current Actions

**From:** Bill Molnar  
Community Development Director  
[bill.molnar@ashland.or.us](mailto:bill.molnar@ashland.or.us)

## **Summary:**

The Community Development Director was requested to provide a brief overview of current department actions focused on increasing opportunities to make available a broad range of housing within Ashland. Present and projected activities being undertaken by the Community Development Department housing program aim to address the goal statement included in the Housing Element of Ashland’s Comprehensive Plan:

*Goal: Ensure a variety of dwelling types and provide housing opportunities for the total cross-section of Ashland’s population, consistent with preserving the character and appearance of the City.*

Staff and other financial resources are directed toward actions that further this goal. These actions generally fall into the categories of land use/zoning; grants/fee waivers/other financial incentives; and public outreach/education.

## **Actions, Options, or Potential Motions:**

This item is for informational purposes only and Council action is not being requested.

## **Staff Recommendation:**

N/A

## **Resource Requirements:**

N/A

## **Policies, Plans and Goals Supported:**

Council Goals:

- 2.2 Engage boards and commissions in supporting the strategic plan
- 5.2 Support and promote, through policy, programs that make the City affordable to live in.
  - 5.2.a. Pursue affordable housing opportunities, especially workforce housing. Identify specific incentives for developers to build more affordable housing.
    - Adjust infill strategies in order to promote housing development along major transportation corridors.
- 7.2 Support land-use plans and policies that encourage family-friendly neighborhoods

### **Background and Additional Information:**

Addressing a community's housing needs is an integral function of most City planning departments. Depending upon the community's values and priorities, however, there can be wide variations in the approaches used by local municipalities to perform this function.

In the late 1980's, Ashland starting experiencing higher than average annual increases in property value assessments. In 1990, the Community Development Department compiled a report entitled – Affordable Housing in Ashland. The report made several recommendations and identified actions to be considered under three specific affordable housing program areas. In 1994, a new position was created within the Community Development Department to focus on housing related issues, and the Ashland Housing Commission was established shortly thereafter in 1995. Some of the strategic actions highlighted in the 1990 report included:

### **Affordable Housing in Ashland – May 1990 Report**

1. Regulatory Programs
  - Accessory Residential Units (ARUs)
  - Increase in Residential Density for Affordable Housing (i.e. density bonus)
  - Affordable Housing Required for Annexation
  - Increased Flexibility for Manufactured Homes
  - Review of Infrastructure Requirements
2. Funded Programs
  - City Partnerships with Housing Providers
  - Rental Assistance Fund
3. Administrative Programs
  - City-based Housing Officer
  - Evaluate Outside Funding
  - Encourage Establishment of Non-Profit Organizations

After almost three decades, the City continues to take a comprehensive approach to addressing housing needs. Resources continue to be directed to each of the major areas identified in the 1990 report (regulatory, funded and administrative programs). Additionally, the Housing and Human Services Commission works with staff to create opportunities for apprising the community about the benefits derived from creating a diverse housing stock. This routinely involves sponsoring a variety of actions aimed at increasing awareness and understanding of housing issues, including housing forums, fair housing legislation, landlord/property manager workshops and mobile tours of local affordable housing success stories.

Highlighted below is a partial list of activities that the Community Development Department is currently addressing over the current biennium:

## **Housing Program Strategies (FY17/19) - Community Development Department**

### **Immediate**

- Cottage Housing Ordinance
- Infill Strategies – Ashland Transit Triangle
- Comprehensive Plan – Housing Element update
- Accessory Residential Units (ARUs) – Update code and approval procedure
- Development of Regional Housing Strategy – Participant

### **Mid-Term**

- Housing Trust Fund – Develop Request for Proposals (RFP) for Council approval
- Clay Street Affordable Housing – Phase II – Housing Authority of Jackson County
- Croman Mill Plan – Potential changes for Council consideration
- Railroad Plan – Potential plan adjustments in response to future clean-up
- Fair Housing for Tenants – Training on tenant rights

### **Extended-Term**

- Analysis of trends in housing types for projects within multi-family zones
- Architectural Plans and Informational Handout for ARUs
- Affordable Housing Land Acquisition Revolving Loan Program (HB 2912) – Low interest loan (1%) for land purchase

### **Attachments:**

None