

Memo

DATE: October 13, 2020

TO: Ashland Planning Commission

FROM: Maria Harris, Planning Manager

RE: Potential changes to standards for accessory residential units (ARUs)

Summary

This is a discussion item for the Planning Commission regarding potentially amending the standards for ARUs. Staff suggests the Planning Commission consider amending the standards to allow more ARUs to be permitted outright and approved with a building permit.

The attached draft expands the exempted ARUs that are less than 500 square feet in size to include detached units and units in the multi-family zones (R-2 and R-3). The draft also allows ARUs less than 500 square feet in size and that are located in the Historic Districts with a building permit if the property is not listed on the National Register of Historic Places or if it is not identified as historic contributing.

Finally, the draft eliminates the off-street parking requirements for ARUs. As discussed in the staff memo on middle housing, the Oregon State Legislature passed House Bill (HB) 2001 in the 2019 legislative session which prohibits jurisdictions from requiring off-street parking for ARUs.

Background

In July 2018, the ARU standards were amended to create a streamlined approval process for small ARUs. Specifically, the 2018 ordinance amendments exempted ARUs from the planning application process that are less than 500 square feet in size and located within or attached to a single-family home. This allowed a property owner to obtain a building permit to convert existing floor area or construct an ARU that is less than 500 square feet in size and attached to a home.

Similar to the 2018 ARU amendments, the objective of further amendments to the ARU standards would be to increase the rental housing supply and the supply of smaller housing units for Ashland's significant share of single-person and small households. ARUs continue to be a popular housing unit type that seem to fit in well with existing neighborhoods. In addition, expanding the types of ARUs that can be built by obtaining a building permit may assist in providing housing units for households displaced by the Almeda fire.

Since Ashland began allowing ARUs in 1991, 232 units have been approved. In 2018 and 2019, ARUs represented 17 to 18 percent of the new housing units that were issued building permits in the same year. As a proportion of new housing units in single-family zones, ARUs represented 20 to 30 percent of the new housing units.



Prior to the 2018 amendments, a planning approval was required for all ARUs. Ashland began allowing ARUs almost three decades ago when the land use ordinance was amended in 1991 to allow ARUs in the Single-Family Residential (R-1) zones. In 2002, the allowance for ARUs was extended to the Rural Residential (RR) zone and in 2008 was extended to the Multi-Family (R-2 and R-3) zones. In 2015, the planning approval process for ARUs was changed from a conditional use to a permitted use. As a result, the planning application process was shifted to Site Design Review from the more discretionary Conditional Use Permit process.



18.2.3.040 Accessory Residential Unit

Accessory residential units are subject to Site Design Review under chapter 18.5.2, except as exempted in subsection 18.2.3.040.A, below.

A. Exemptions. Accessory residential units are permitted outright with an approved building permit, and are allowed without a Site Design Review under chapter 18.5.2 provided that the accessory residential unit meets all of the following requirements.

1. The accessory residential unit is located in the R-1, R-1-3.5, R-2, R-3, RR, NN and NM zones. ~~Accessory residential units in the R-2 and R-3 zones require Site Design Review under chapter 18.5.2 and are not permitted outright under this subsection.~~
2. The accessory residential unit meets all of the requirements of the applicable zone in subsections 18.2.3.040.B, C, E and F, below, except as otherwise exempted in subsection 18.2.3.040.A.
3. The size of the accessory residential unit is less than 500 square feet of gross habitable floor area (GHFA).
4. The accessory residential unit ~~is may be~~ attached to the primary residence or ~~within an existing detached from the~~ primary residence ~~in a separate structure~~. ~~Accessory residential units located in the Historic District overlay and including exterior building changes that require a building permit, and accessory residential units located in detached structures (i.e., not attached to the primary residence) require Site Design Review under chapter 18.5.2 and are not permitted outright under this subsection.~~
5. The ~~property~~primary residence must have two off-street parking spaces, 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.
6. Additional off-street parking is not required for the accessory residential unit ~~if on-street parking is permitted within 200 feet of the property. Alternatively, one off-street parking space may be provided on the property in conformance with the off-street parking provisions for accessory residential units in section 18.4.3.080.~~
7. **Accessory residential units including exterior building changes that require a building permit and that are attached to a structure listed on the National Register of Historic Places or located on a contributing property within an Historic District require Site Design Review under chapter 18.5.2 and are not permitted outright under this subsection.**

B. 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.
3. 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.

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.~~
- C. **RR Zone.** In addition to the standards in subsection 18.2.3.040.B, accessory residential units in the RR zone shall meet the following requirements.
1. ~~No on-street parking credits shall be allowed for accessory residential units.~~
 21. If located in the Wildfire zone, the accessory residential unit shall have a residential sprinkler system installed.
- D. **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.B, except 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.
- E. **NN Zones.** Accessory residential units in the Normal Neighborhood District under chapter 18.3.4 shall meet the standards in subsection 18.2.3.040.B.
- F. **NM Zones.** Accessory residential units in the North Mountain Neighborhood NM zones under chapter 18.3.5 shall meet the standards in subsection 18.2.3.040.B, except that the maximum gross habitable floor area (GHFA) of the accessory residential unit must not exceed 750 square feet GHFA and that second story accessory residential units constructed above a detached accessory building must not exceed 500 square feet GHFA.