

**ASHLAND CITY COUNCIL  
BUSINESS MEETING  
DRAFT MINUTES  
Tuesday, January 17, 2023  
Council Chambers, 1175 E. Main Street**

**I. CALL TO ORDER**

Council Chair Tonya Graham called the meeting to order at 6:00 p.m.

1. Land Acknowledgement\*\*

Councilor Hansen read the land acknowledgement.

**2. PLEDGE OF ALLEGIANCE**

Councilor Hyatt led the pledge of allegiance.

**3. ROLL CALL**

Councilor Hyatt, Graham, Kaplan, DuQuenne, Hansen were present. Mayor Akins and Councilor Moran were absent.

**4. MAYOR'S ANNOUNCEMENTS**

1. Special Called Townhall Meeting Update
  - o Date change to Monday, Jan. 30, 2022, 5:30 PM-8:30 PM, Ashland Armory
  - o Mayor's State of the City Address
2. City Council Liaison Appointments

**V. APPROVAL OF MINUTES \*\*\***

1. Minutes of the December 6, 2022, Business Meeting

**Councilor Hyatt/DuQuenne moved to approve the Minutes of December 6, 2022, with a correction on page 2 of 8, regarding the Winter Shelter, changing \$100,00, to \$100,000.00. Voice Vote: ALL AYES. Motion passed unanimously.**

**VI. SPECIAL PRESENTATIONS**

1. Severe Weather Emergency Shelter Next Steps

City Manager gave a Staff Report.

**Councilor Hyatt/DuQuenne moved to direct Staff to review the shelter strategy based on Housing and Human Services Commission recommendation ensuring the solution meets the needs for winter, summer, and smoke shelter goals across the continuum of guests both low barrier families and children with a plan for long-term care for facilities and programs.**

**Discussion:** Hyatt spoke in support of the motion stressing the need to have a plan. DuQuenne spoke wanting integrated living and not have a red line situation where everything was located in

one area in Ashland. **Roll Call Vote: Hyatt, DuQuenne, Kaplan, Hansen, and Graham, YES. Motion passed unanimously.**

#### **7. CITY MANAGER REPORT**

City Manager Joe Lessard provided the manager's report.

**Council moved the Chair of the City Council Election, City Council Liaison Roles and Appointments, and the Citizens Budget Committee Appointments to the February 7, 2023 meeting. They also moved the Climate-Friendly Equitable Communities presentation from February 7, 2023, to a special meeting for a study session on Wednesday, February 22, 2023.**

#### **8. PUBLIC FORUM** (15 minutes)

**Miriam Reed-Ashland-Spoke** against wireless cell towers, and the use of cobalt being mined by slaves in The Congo.

**Paul Mozina-Ashland-Spoke** against the cell tower going in on Highway 99.

**Jeff Sharpe-Ashland-Spoke** on the packet he sent Council earlier.

#### **CONSENT AGENDA**

1. Approval of a Liquor License from Mas Southern Oregon LLC

**Hyatt/DuQuenne moved to approve the consent agenda. Roll Call Vote: Hyatt, Graham, Councilor Kaplan, DuQuenne and Hansen, YES. Motion passed unanimously.**

#### **9. PUBLIC HEARINGS**

1. Public Hearing and First Reading of Ordinance 3217 - Middle Housing Land Division Ordinance

Interim Community Development Director Brandon Goldman and Senior Planner Derek Severson provided background and gave a presentation (*see attached*). Items discussed were:

- House Bill 2001
- House Bill #2001 Code Changes
- Senate Bill 458
- Legislative Timeline
- SB 458 Middle housing Land Divisions (MHLD)
- Expedited Land Divisions
- Included in the Ordinance
- Street Frontage Improvements
- Any Questions

Council discussed options. Goldman explained the approval process.

Council discussed the fiscal impacts.

**Graham opened the Public Hearing at 7:43 PM**

**Public Testimony** - None

**Graham closed the public hearing at 7:43 PM**

**Hyatt/Hansen moved to approve of first reading of Ordinance 3217 and schedule second reading and adoption of written findings for February 7, 2023.**

**DISCUSSION:** Hyatt spoke explaining HB 458, she spoke that we need in terms of this body to strike a balance between rental and middle housing availability. She explained that SB 458 allows that and explained how it protects rental units. She spoke in support of the motion. Lessard explained that this item for 2<sup>nd</sup> Reading is scheduled for February 21, 2023.

**Hyatt/Hansen amended the motion to bring second reading and adoption of written findings to the February 21, 2023, meeting. Discussion:** Kaplan spoke in favor of the motion. **Roll Call Vote: Hansen, Graham, Hyatt, DuQuenne, and Kaplan, YES. Motion passed unanimously.**

**Roll Call Vote on original motion: Kaplan, DuQuenne, Hyatt, Graham, and Hansen, YES. Motion passed unanimously.**

## **2. Public Hearing and First Reading of Ordinance 3205 - Housing in Employment Lands Code Amendments**

Interim Community Development Director Brandon Goldman provided background on the matter and included the following presentation:

- Ordinance Development Timeline
- Project Goal and Objectives
- Ordinance Applicability
- Ordinance Provisions
- Ordinance Applicability – maps and charts
- Council Hearing – Direction
- Considerations
- New Code Provisions
- Planning Commission Recommendation

Council discussed options and how to move forward.

**Chair Graham opened the Public Hearing at 8:25 PM**

**Public Testimony**

**Eric Navickas-Ashland-** Spoke that he thought the ten acres could be subdivided in the Railroad district. He explained why the Fregonese study was not conclusive. He explained the reasons

why. He spoke that we want to avoid a culture of people living in one community and working in another.

**Chair Graham closed the public hearing at 8:34 PM.**

**DuQuenne/Hyatt moved to approve first reading of Ordinance 3205 which is titled Chapters 18.2.3, 18.2.6, 18.3.13, and 18.61 of the Ashland Land Use Ordinance regarding allowances for residential uses in mixed-use buildings and developments in the commercial and employment zones, and schedule second reading for February 21, 2023.**

**DISCUSSION:**

DuQuenne spoke in support of the motion and thanked Staff for their work on this.

Hyatt spoke the Economic Opportunity Analysis is a must. She would like to direct Staff in EOA in this motion. She spoke that she would not support the motion as written.

Hansen spoke in agreement with Hyatt.

Kaplan spoke in agreement with Hyatt and Hansen.

**Councilor DuQuenne withdrew her motion.**

**Hyatt/Kaplan moved to include this ordinance as an option on the Housing Production Strategy list coming back in March for Council consideration. Discussion: None. Roll Call Vote: DuQuenne, Kaplan, Hyatt, Hansen, and Graham, YES. Motion passed unanimously.**

**Hyatt/Kaplan moved to request Planning Staff pursue an Economic Opportunity Analysis specifically with the help and support of the DLCD such that we do not overtax our own Planning Department. DISCUSSION:** Hyatt spoke that the EOA is long overdue and spoke in support of the motion. Council discussed the timeline and cost. Graham spoke to the importance of the study.

**Roll Call Vote: Graham, Hansen, Hyatt, Kaplan and DuQuenne, YES. Motion passed unimously.**

**11. UNFINISHED BUSINESS**

1. Professional Services Contract with RH2 Engineering for the design of Talent-Ashland-Phoenix (TAP) Intertie System Improvements

Public Works Director Scott Fleury gave a Staff Report.

Council discussed cost.

**Hansen/Hyatt moved to approve a legal department approved professional services contract with RH2 Engineering for TAP system improvements in the amount \$295,172.**

**DISCUSSION:** Hansen thought critical infrastructure work. Hyatt spoke in support of the motion. **Roll Call Vote: Hyatt, Kaplan, Graham, DuQuenne, and Hansen, YES. Motion passed unanimously.**

**12. NEW BUSINESS**

1. Chair of the City Council Election

**Item was postponed to next meeting.**

2. City Council Liaison Roles and Appointments

Council discussed the current list of Standing Advisory Committees.

**Hansen/Kaplan moved that the City of Ashland requests a liaison, not a committee, just a liaison with OSF, SOU, Rogue Valley Mountain Bike Association, and Parks and Recreation. Discussion:** Hansen spoke that he is proposing that the liaison roll has a regular meeting that keeps an open relationship with the City. He spoke to the importance of having a formal relationship of partnership.

**Hyatt/Kaplan moved to extend the meeting 15 minutes. Voice Vote: All Ayes. Motion passed unanimously.**

**DISCUSSION ON THE MOTION RESUMED:** Council spoke that they wanted more information on this topic and that this is on a future Look Ahead.

**Councilor Hansen withdrew his motion.**

3. Citizens Budget Committee Appointments

**Hyatt/Kaplan moved to postpone the election of the Citizen's Budget Committee members to a date certain, February 7, 2023. Roll Call Vote: Hyatt, Graham, Kaplan, DuQuenne, and Hansen, YES. Discussion:** None. **Motion passed unanimously.**

4. 2023-2025 Biennial Budget Calendar & Protocols

5. City Communication Planning Status and Next Steps

6. City Council Compensation

City Manager Joe Lessard gave a Staff Report.

Council discussed options, process, cost and next steps.

**13. ORDINANCES, RESOLUTIONS AND CONTRACTS**

**XIV. OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS**

**XV. ADJOURNMENT OF BUSINESS MEETING**

DuQuenne and Hyatt moved to adjourn the Council Business Meeting.

The Business Meeting was adjourned at 9:36 PM

Respectfully Submitted by:

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City Recorder Melissa Huhtala

Attest:

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Chair Graham

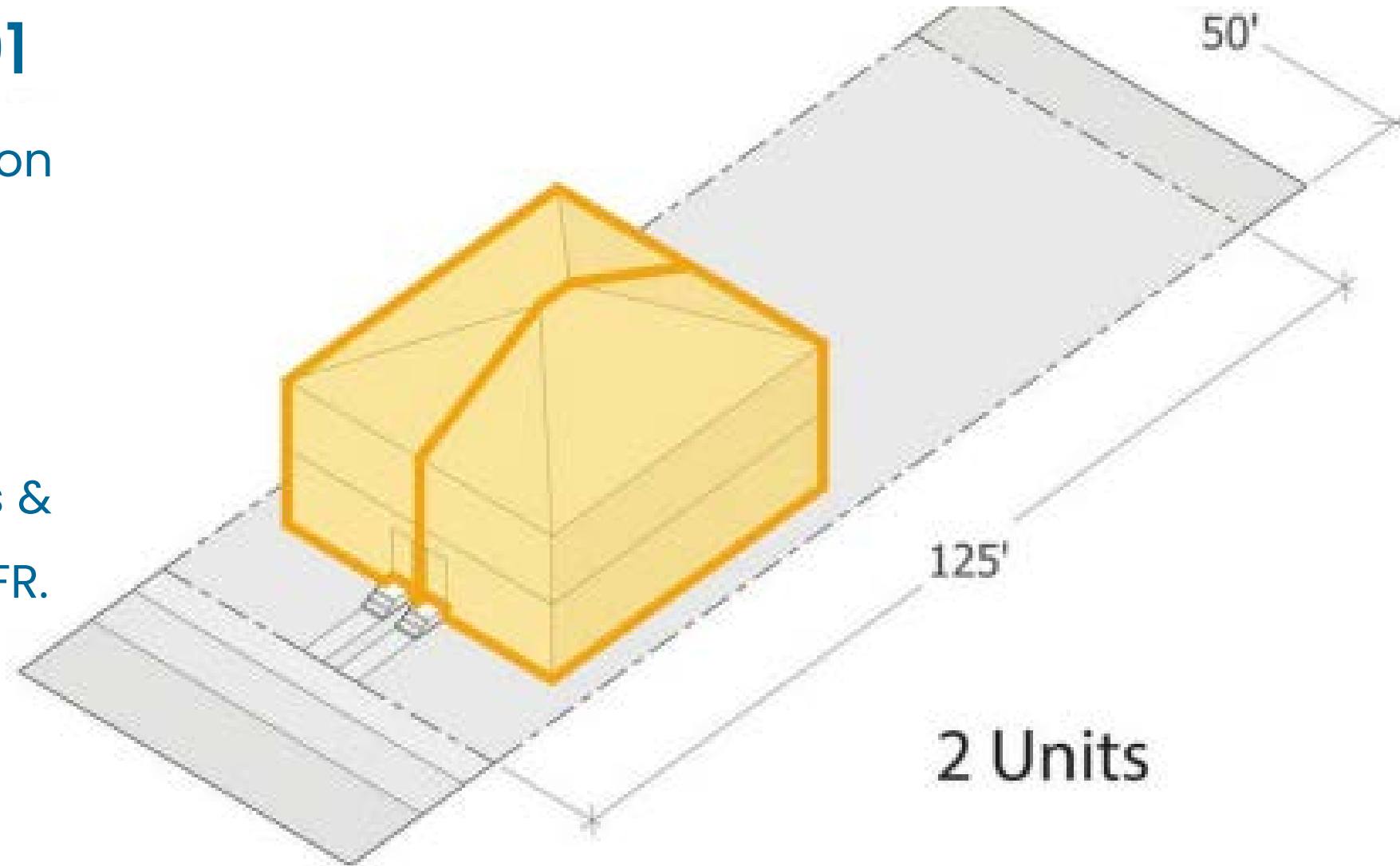


# Middle Housing Land Divisions

January 17, 2023  
Ashland City Council Hearing/First Reading

# House Bill 2001

Allowed Two Units on any residential lot where a detached SFR was allowed, with same process & standards as an SFR.





# House Bill #2001

*Code Changes.*

## Middle Housing

*Permitted with building permit review, no planning action required.*

### Duplex

*2 units on 1 lot, attached or detached.*

*2 on-site parking spaces required. No credits.*

### Accessory Residential Unit (ARU)

*Not defined as 'Middle Housing'\*.*

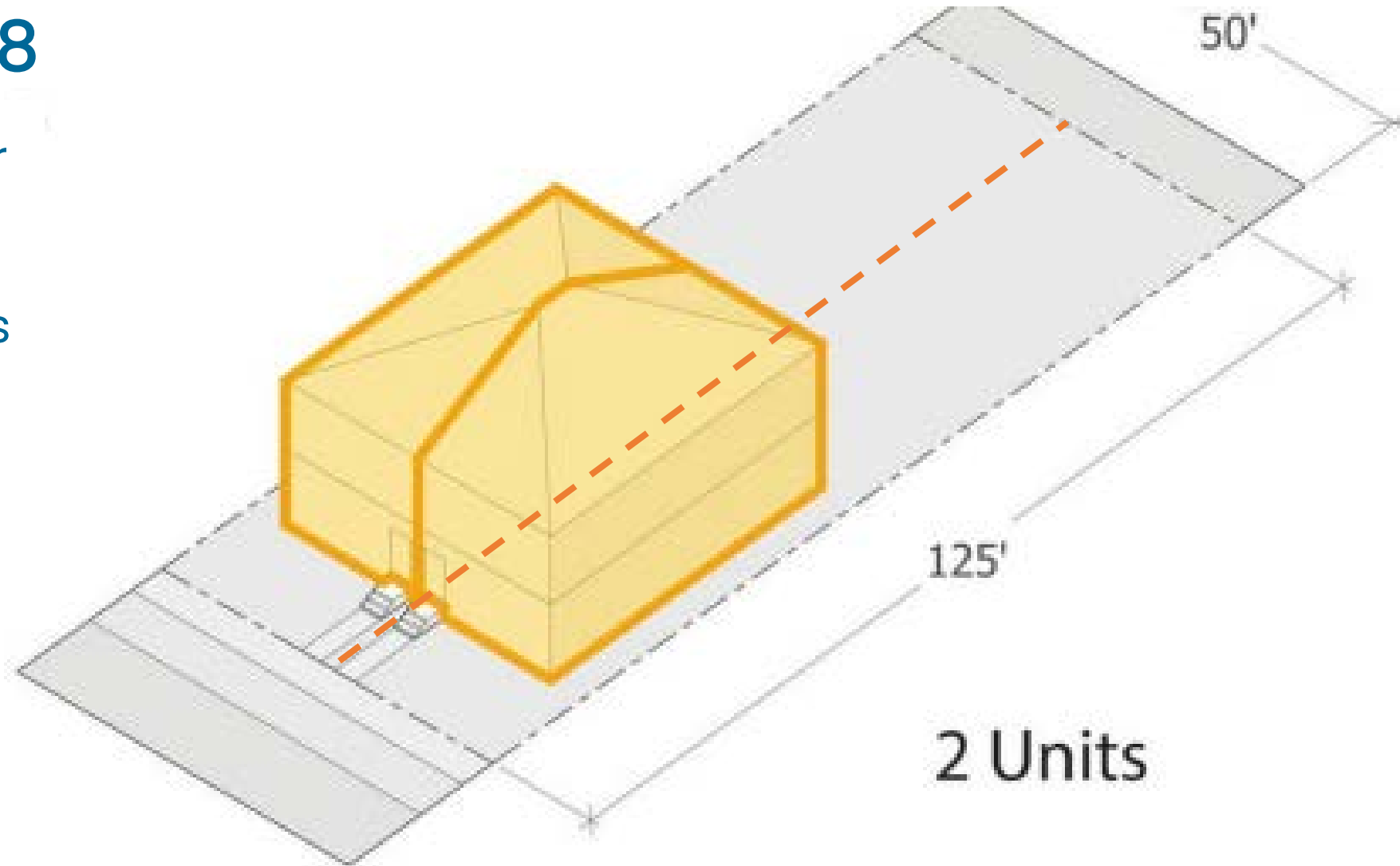
*Size Limits.*

*No on-site parking required.*



# Senate Bill 458

Allows lot division for duplexes created under HB 2001. ARU's not eligible.



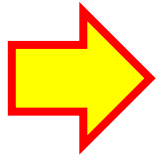
## Legislative Timeline

### **HOUSE BILL 2001** “*Middle Housing*”

In effect August 8, 2019

### **SENATE BILL 458** “*Middle Housing Land Divisions*”

In effect January 1, 2022



### **CITIES REQUIRED TO AMEND LOCAL CODES**

By June 30, 2022 or Implement directly from Senate Bill 458

# SB 458 Middle Housing Land Divisions (MHL D)

## Cities may require...

Submittal of Tentative & Final Plats for Approval

Review for Oregon Residential Specialty Code Compliance

Right-of-Way Dedication and City-Standard Street Frontage Improvements

## Cities may not...

Apply *any* approval criteria other than the approval criteria specified in SB 458 to applications for an MHL D — the **only allowable criteria** include the City's standards for middle housing development, separate utilities, easements, one dwelling per lot, and building code compliance.



## Expedited Land Divisions

Cities are required to apply the Expedited Land Division (ELD) process from ORS 197.360 to 197.380 to Middle Housing Land Divisions (MHLDs) to streamline review.

The ELD process is not considered a land use decision, and would not be heard by the Planning Commission. Any appeals would go to a referee/hearings officer.



## Included in the Ordinance

A new **Section 18.5.1.075 Middle Housing Land Divisions (MHL D)** addressing the procedural handling for MHL Ds under the required Expedited Land Divisions procedure – rather than as a land use action. Includes the process for appeal to a referee/hearings officer.

A new **Section 18.5.3.140 Middle Housing Land Divisions (MHL D)** which speaks to the general requirements and approval criteria for preliminary and final plat approval for MHL Ds.

Definitions of “**Duplex**” and “**Middle Housing Unit**”



# Street Frontage Improvements

Right-of-way dedications and street frontage improvements **MAY NOT** be required of duplexes or accessory units **provided as rental housing**.

The state has indicated that the ability to require right-of-way dedications and street frontage improvements with a Middle Housing Land Division (i.e. where losing a rental unit in favor of a for purchase housing unit) provides “***a compelling incentive to better address the street frontage deficiencies that persist today in older single-family neighborhoods.***” In exchange for the ability to convert **needed rental housing** to a for purchase lot, applicants may be required to address deficiencies in the street system in established neighborhoods just as is required for land partitions or subdivisions. If the property will not accommodate street frontage improvements, it would not be eligible for a Middle Housing Land Division and would instead remain as needed rental housing.

Were Middle Housing Land Divisions simply allowed without the requirement for street frontage improvements, staff believe that this could result in the conversion of a significant number of existing rental units being lost through conversions to for purchase housing.



**ANY QUESTIONS?**

