

**BEFORE THE CITY COUNCIL
CITY OF ASHLAND, JACKSON COUNTY, OREGON**

August 17, 2021

In the Matter of Planning Action PA-L-2021-00011)	FINIDNGS OF
Relating to Amendments to the Ashland Comprehensive)	FACTAND
Plan to Adopt the 2021-2041 Housing Capacity Analysis)	CONCLUSIONS OF
as a Technical Supporting Document to Chapter VI)	LAW
[Housing Element].)	
)	
)	

PURPOSE:

The adoption of the 2021 Housing Capacity Analysis replaces the previously approved 2012 Housing Needs Analysis which contains data and projections relating to housing needs which are longer representative of existing conditions within the city. e to better reflect current conditions. The 2021 Housing Capacity Analysis presents current information which better reflects current conditions including land supply, household characteristics and demographics, housing market data, population growth rates, and needed housing types.

PUBLIC HEARINGS:

An extensive public involvement process was undertaken to understand the existing housing and demographic conditions within the community, and to develop the 2021 Housing Capacity Analysis. In total there have been seven public meetings, a virtual public open house and community survey, four meetings of an ad-hoc advisory committee, where the viewpoints of a variety of participants including the general public, housing providers, appointed Commissioners, and the City Council have informed the development of the Housing Capacity Analysis.

A Public Hearing was held at The Housing and Human Services Commission on June 24, 2021. A Public Hearing was held at the Planning Commission on July 13, 2021. The City Council held a public hearing on August 3, 2021 and held a study session on May 19, 2021.

Newspaper notices were published in accordance with AMC 18.5.1.070.D.3 in the Ashland Tidings on June 18, 2021 prior to the July 13, 2021 Planning Commission public hearing and in advance of the August 3, 2021 City Council public hearing and first reading of the ordinance. Notice of a proposed change to a Comprehensive Plan was sent to the Oregon Department of Land Conservation and Development on June 1, 2021.

REVIEW CRITERIA

The decision of the City Council together with the recommendation by the Planning Commission was based on consideration and findings of consistency with the following factors.

- A. Consistency with City of Ashland Requirements for Legislative Amendments in AMC 18.5.9.020.B
- B. Consistency with City of Ashland Comprehensive Plan and other applicable City of Ashland Goals and Policies
- C. Consistency with Oregon land use laws, regulations including Oregon House Bill 2003.

EVALUATION AND COUNCIL FINDINGS:

The City Council considered the public testimony and written comments provided at the public hearing, as well as comments received online through the community survey relating to the Housing Capacity Analysis.

The City Council finds the proposed amendments to the Comprehensive Plan Housing Element to include the 2021-2041 Housing Capacity Analysis as a technical support document is supported by the minutes from the Housing and Human Services Commission and Planning Commission public hearings as included in the record, the Planning Staff Report for Planning Action PA-L-2021-00011, the 2019 Buildable Lands Inventory, and the 2018-2068 Jackson County coordinated population forecast (Population Research Center PSU).

A. *Consistency with City of Ashland Requirements for Legislative Amendments in AMC 18.5.9.020.B.*

- B. Type III. It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.
 - 1. Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.
 - 2. Comprehensive Plan changes, including text and map changes or changes to other official maps.
 - 3. Land Use Ordinance amendments.
 - 4. Urban Growth Boundary amendments.

AMC 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The Council finds that the original 2012 Housing Needs Analysis, which was Findings of Fact and Conclusions of Law PA-L-2021-00011

adopted on September 3, 2013 (OPRD#3085), contains language and data that was limited to specific time periods and conditions which are no longer representative of existing conditions within the city.

The City Council finds and determines that the amendment to Comprehensive Plan Housing Element to include the 2021 Housing Capacity Analysis as a technical support document is consistent with the requirements for Legislative Amendments in AMC 18.5.9.020.B.

B. Consistency with the Ashland Comprehensive Plan and other applicable City of Ashland Goals and Policies

The City's Comprehensive Plan was acknowledged by the State of Oregon. The City follows the post-acknowledgement plan amendment (PAPA) process to update the Plan with new state and regional regulations as necessary and relies in part upon these prior state review processes to demonstrate compliance with all necessary requirements.

The ordinance amendments of PA-L-2021-00011 are consistent with the Ashland Comprehensive Plan. The Housing Element of the Ashland Comprehensive Plan was amended and acknowledged in 2019 and includes the following goals which are applicable to the ordinance amendments:

Goal 1: Ensure a range of different dwelling types that provide living opportunities for the total cross section of Ashland's population.

The Council finds that the data provided in the 2021-2041 Housing Capacity Analysis will better inform policies and land use ordinances to be considered to provide for a mix of housing types that are attractive and to a diversity of ages, incomes, household sizes, and household types.

Goal 2 : Support the creation and preservation of housing that is affordable to low and moderate income households and that is commensurate with the incomes of Ashland's workforce.

The Council finds that the data provided in the 2021-2041 Housing Capacity Analysis will better inform policies and land use ordinances to be considered relating to the need for, and provision of, low- and moderate-income housing units in Ashland.

Goal 3: Encourage the development of housing in ways that protect the natural environment and encourage development patterns that reduce the effects of climate change.

The Council finds the data provided in the 2021-2041 Housing Capacity Analysis relating to available land supply follows the concept that density should decrease on physically and environmentally constrained lands. The Buildable Land Inventory excluded significantly constrained lands from the inventory to ensure such lands are not relied upon for future housing supply including floodplain lands, severe constraints hillside lands, wetlands, and

water resource protection areas. This approach is consistent with the City of Ashland's adopted *2017 Climate Energy Action Plan* which clarified that preservation of natural areas supports community resilience to climate change impacts and is thus considered beneficial to the community. The ability to transfer a site's allowable density from unbuildable or protected areas onto developable portions of a property was considered in the assessment of housing capacity which further maximizes the dwelling unit capacity of existing land resources, while conserving habitat and environmentally sensitive areas.

Goal 4: Forecast and plan for changing housing needs over time in relation to land supply and housing production.

The Council finds that the 2021-2041 Housing Capacity Analysis quantifies the city's existing and projected needed housing under statewide planning goals and rules related to housing by type, mix, affordability and density range. The analysis further determines the number of units and amount of land needed for each needed housing type for the next 20 years.

The Council finds that the City has Ashland has sufficient land to accommodate its housing forecast between 2021 and 2041 and can accommodate growth (858 dwelling units) over the next 20-years with a surplus of capacity.

The Council finds that Ashland has unmet housing needs for households with extremely-low and very-low-income households, as well as households with low- and middle-income. The forecast shows 273 of Ashland's new households by the year 2041 will have incomes of \$32,600 (in 2019 dollars) or less, and about 127 of Ashland's new households will have incomes between \$32,600 and \$52,000. To accommodate future households, Ashland will need more diverse housing types to meet these housing needs for lower income households and address demographic changes. The Housing Capacity Analysis report outlines needed housing types over the planning period including rental and ownership opportunities such as: small single-family detached housing, accessory dwelling units, cottage housing, townhouses, duplexes, tri- and quad-plexes, and apartments. Ashland will need to develop a Housing Production Strategy to include specific implementation strategies to address Ashland's unmet housing needs.

C. Consistency with Oregon land use laws.

Statewide Planning Goal 1 -"Citizen Participation": *"To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."*

The actions taken by this ordinance do not amend or affect Ashland's state acknowledged citizen involvement program. Therefore, Statewide Planning Goal 1 does not directly apply to these City actions. The City's citizen involvement program was adopted into the Ashland Land Use Ordinance (Chapter 18.5.9) which includes a formal land use review procedure with public notification, meetings and hearings. The public engagement actions for the land use regulation changes were completed consistently with the acknowledged citizen

involvement program to ensure that citizens had opportunities to be involved in the process. Based on the information contained within the record, and facts and findings in support of the proposed land use ordinance amendments, the City has conducted the planning process in compliance with Ashland's adopted review procedures and in compliance with statewide planning Goal 1. Therefore, the adoption of the HCA is consistent with Goal 1.

Statewide Planning Goal 2: "Land Use Planning": This goal is to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to insure an adequate factual basis for such decisions and actions. The City of Ashland Comprehensive Plan and its implementation measure, the Ashland Land Use Ordinance, were adopted by the Ashland City Council after public hearings and have been acknowledged by the Department of Land Conservation and Development. Opportunities for review and comment by citizens and affected governmental units were provided during preparation, review, and revision of the plan and implementing ordinances. The 2021-2041 Housing Capacity Analysis (HCA) identifies housing capacity and land supply in order to provide an adequate factual basis for future land use ordinance amendments or policy decisions and actions. The HCA does not propose any specific land use ordinance amendments. Therefore, the adoption of the HCA is consistent with Goal 2.

Statewide Planning Goal 3: "Agricultural Lands": The areas addressed in the 2021-2041 Housing Capacity Analysis are entirely located within the City's Urban Growth Boundary. The area is currently designated for urban development and will remain as such. No agricultural lands will be affected by the adoption of the HCA. Therefore, Goal 3 is not applicable.

Statewide Planning Goal 4: "Forest Lands": The areas addressed in the 2021-2041 Housing Capacity Analysis are located within the City's Urban Growth Boundary. The area is designated for urban development. Moreover, the affected areas do not contain any designated forest lands. Therefore, Goal 4 is not applicable.

Statewide Planning Goal 5: "Open Spaces, Scenic and Historic Areas and Natural Resources": The 2021-2041 Housing Capacity Analysis does not propose any land use amendments or authorize any development which would have any impact on such open space, scenic, or historic resources. The HCA provides data to inform future development of housing strategies intended to address Ashland's housing needs. No changes to existing standards are currently proposed. Any future land use ordinance amendments would be subject to a legislative review and would need to address potential impacts upon open space, scenic and historic resources. Therefore, the adoption of the HCA is consistent with Goal 5.

Statewide Planning Goal 6: "Air, Water and Land Resources Quality": Because the 2021-2041 Housing Capacity Analysis is a technical document, without any change to existing goals, policies, or land use requirements, the adoption of the analysis will not serve to increase the waste already anticipated within the City's Urban Growth Boundary. The findings concerning the City of Ashland's Comprehensive Plan Environmental Element are

incorporated herein by this reference. Therefore, the adoption of the HCA is consistent with Goal 6.

Statewide Planning Goal 7: “Areas Subject to Natural Disasters and Hazards”: The City has acknowledged ordinance standards relating to development in Natural Hazard areas including steep slopes, floodplains, wildfire areas, and other physically constrained lands. The 2021-2041 Housing Capacity Analysis does reference the land supply put forth in the adopted 2019 Buildable Lands Inventory (BLI). The BLI classifies the development potential of lands within Natural Hazard areas based on existing standards. The HCA does not authorize, or exempt, any development inconsistent with these natural hazard standards. The findings concerning the Natural Hazard Element are incorporated herein by this reference. Therefore the adoption of the HCA is consistent with Goal 7.

Statewide Planning Goal 8: “Recreational Needs” The adoption of the Housing Capacity Analysis does not authorize any development inconsistent with the recreational needs of the community, region, or state. Therefore, the adoption of the HCA is are consistent with Goal 8.

Statewide Planning Goal 9: “Economic Development” The adoption of the Housing Capacity Analysis does not affect the availability of land suitable for industrial and commercial development. The findings concerning the Economic Element are incorporated herein by this reference. Therefore, Therefore, the adoption of the HCA is consistent with Goal 9.

Statewide Planning Goal 10: “Housing -To provide for the housing needs of citizens of the state.”: The City’s acknowledged Comprehensive Plan is required to be consistent with the State of Oregon’s Goal 10, which specifies that each city must plan for all needed housing types (OAR 660-015-0000(10)). The statewide housing goal further specifies that each city must plan for and accommodate needed housing types:

“...plans 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.”

The State requires each city to inventory its buildable residential lands, project future housing needs, and provide the appropriate types and amounts of land within the urban growth boundary necessary to meet those needs. The City of Ashland has an acknowledged Buildable Lands Inventory (2019) and in combination with the 2021-241 Housing Capacity Analysis report, these technical documents provide a factual basis for determining and quantifying needed housing types and available land supply. The City already has acknowledged zoning ordinance standards relating to residential development including provisions for housing density, setbacks, parking requirements, lot coverage, types, and development in environmentally of physically constrained areas.

The adoption of the 2021-2041 Housing Capacity Analysis does not implement any land use ordinance amendments relating to these general residential development standards or

authorize development inconsistent with these established requirements. The 2021-2041 HCA report demonstrates Ashland’s Urban Growth Boundary contains a surplus of buildable land which is appropriately zoned to accommodate the variety of housing types necessary to house the City’s projected population over the next 20 years.

The City Council finds that the adoption of the 2021-2041 Housing Capacity Analysis supported by the adopted Housing Element of the City of Ashland Comprehensive Plan (2019) which sets forth local goals and policies that are consistent with Goal 10.

Statewide Planning Goal 11: “Public Facilities and Services”: Existing City water and sewer infrastructure and treatment facilities will not be affected by the adoption of the Housing Capacity Analysis, nor will their ability to serve surrounding properties be affected, because the analysis does not authorize any uses not already allowed by the zoning ordinance. The findings concerning the Public Services and Utilities Element are incorporated herein by this reference. Therefore, the adoption of the HCA is consistent with Goal 11.

Statewide Planning Goal 12: “Transportation”: The adoption of the Housing Capacity Analysis (HCA) is consistent with the City’s Comprehensive Plan and Transportation System Plan because the HCA does not authorize any development inconsistent with existing standards and would therefore not adversely affect any transportation facility. The findings concerning the Transportation Element are incorporated herein by this reference, therefore, the adoption of the HCA is consistent with Goal 12.

Statewide Planning Goal 13: “Energy Conservation”: The adoption of the Housing Capacity Analysis does alter the development potential already allowed through existing standards, and therefore will not have any effect on Energy Conservation. The findings concerning the Energy Element are incorporated herein by this reference. Therefore, the adoption of the HCA is consistent with Goal 13.

Statewide Planning Goal 14: “Urbanization”: The adoption of the Housing Capacity Analysis does decrease or increase the density of housing to be developed within the Urban Growth Boundary. The HCA demonstrates that the City has an adequate supply of land within the existing Urban Growth Boundary to accommodate Ashland’s Housing needs through 2041. Land Use ordinance amendments that may be considered in the future intended to address increases in housing capacity for specific housing types will be addressed through a separate legislative process as the Housing Capacity Analysis report does not set policy or implement any land use ordinance amendments. The findings concerning the Comprehensive Plan Land Use Element, Housing Element and Urbanization Element are incorporated herein by this reference. Therefore, the amendments are consistent with Goal 14.

Statewide Planning Goal 15: “Willamette River Greenway” The affected areas are not located within or adjacent to the Willamette River Greenway. Therefore, Goal 15 is not applicable.

Statewide Planning Goal 16: ‘Estuarine Resources’ The affected areas are not located within the or adjacent to a designated estuarine resource. Therefore, Goal 16 is not applicable.

Statewide Planning Goal 17: “Coastal Shorelands” There are no coastal shorelands within the vicinity of Ashland, therefore, Goal 17 is not applicable.

Statewide Planning Goal 18: “Beaches & Dunes” There are no designated beaches or dunes within the vicinity of Ashland, therefore, Goal 18 is not applicable.

Statewide Planning Goal 19: “Ocean Resources” There are no designated ocean resources within the vicinity of Ashland, therefore, Goal 19 is not applicable.

OVERALL COUNCIL CONCLUSIONS

The City Council finds and determines the approval criteria for this decision have been fully met, based on the detailed findings set forth herein and analysis of the Planning Commission, together with all staff reports, addenda and supporting materials in the whole record. Specifically, the Council finds that the amendments to the Comprehensive Plan Housing Element to adopt the 2021-2041 Housing Capacity Analysis are consistent with City of Ashland requirements for Legislative Amendments in AMC 18.5.9.020.B.

The Council finds that the adoption of the 2021-2041 Housing Capacity Analysis is consistent with applicable *Ashland Comprehensive Plan Goals and Policies* and other City of Ashland Goals and Policies, and is consistent Oregon land use laws and regulations.

Accordingly, based on the above Findings of Fact and Conclusions of Law, and based upon the evidence in the whole record, the City Council hereby APPROVES Planning Action PA-L-2021-00011 relating to the ADOPTION of the amendments to the Ashland Comprehensive Plan, as reflected in Ordinance No. 3200.

Ashland City Council Approval:

Julie Akins, Mayor

Date

Signature authorized and approved by the full Council this ___th day of _____, 2021.

Attest:

Melissa Huhtala, City Recorder

Date

Reviewed as to form:

Katrina L. Brown, Interim City Attorney