

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
August 22, 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 units within existing homes**

 - B. **Continuation of open space discussion**

- V. **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

DATE: August 22, 2017

TO: Ashland Planning Commission

FROM: Maria Harris, Planning Manager

RE: Accessory Residential Units and Open Space Discussion

Accessory Residential Units within Existing Homes

The Planning Commission began a discussion of potentially providing more flexibility for homeowners that are interested in locating an accessory residential unit (ARU) within an existing home at the annual retreat. In particular, the size of the ARU and parking were mentioned. Another idea that was submitted by Brent Thompson is allowing owners to do two small ARU's instead of one larger ARU.

The current ordinance limits the size of an ARU to half the size of the main home and no greater than 1,000 feet in size in the R-1 and RR zones and 500 square feet in the R-2 and R-3 zones (see Ashland Municipal Code excerpt below).

The following questions are provided to assist with the Planning Commission's discussion.

- Is the Commission interested in adjustments to the ARU standards to provide flexibility when an ARU will be located within an existing home?
- Currently, ARU's are limited to half the square footage of the primary residence? Should adjustments to this standard be considered?
- Should adjustments to the 1,000 square footage and 500 square footage maximums for ARU be considered?
- Currently, ARU's are subject to the parking requirements for a single-family dwelling (i.e., one off-street parking space for a unit less than 500 square feet, two off-street parking spaces for units over 500 square feet). Should adjustments to the parking standard be considered?
- Is the Commission interested in allowing two small ARU's instead of one larger ARU?

In the past, there have been ARU's approved within existing homes and seems to be continued interest by property owners. For example, converting a daylight basement to an ARU or using sections of larger homes for an ARU are some of the more common proposals.

In the daylight basement scenario, the limitation on the size of the ARU is sometimes a challenge. If the basement is as large or close to the square footage of the floor above the basement, then the ARU may be the same size as the primary residence (the floor above) thereby not meeting the "half the size of the primary residence" requirement. In addition, the square footage of a daylight basement sometimes exceeds 1,000 square feet, again if it is large as the floor above the basement.



The other limiting factor can be if there is adequate space on the property to provide additional parking for the ARU. ARU's are subject to the parking requirements for a single-family dwelling. As a result, ARU's less than 500 square feet require one off-street parking space and units larger than 500 square feet require two off-street spaces.

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](#), 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. 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 [18.4.3.040](#), except that parking spaces, turn-arounds, and driveways are exempt from the 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 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.

Open Space

The Planning Commission began a discussion of the open space requirements and the functionality of the spaces at the annual retreat. More recently, the issue of common open space and private decks and patios as open space was a topic of discussion at a Planning Commission meeting.

Staff is aware that there are inconsistencies in the use of open space in the code that need to be addressed and updated. In particular, the code refers to open space as areas owned in common as well as areas or yards located on privately owned lots that are outside of the building envelope. Additionally, for projects in multi-family zones (R-2, R-3 and R-1-3.5), eight percent of the lot area is required as “recreation area” (18.4.2.030 H.) Historically, recreation space has comprised both commonly and privately-owned land within a project (i.e. common areas, private patios and decks). Before preparing an amendment package to address these issues, it would be helpful for the Commission to have some discussion regarding any suggestions or concerns with the open space requirements.

The following questions are provided to assist with the Planning Commission’s discussion.

- What works or doesn’t work with the open spaces in Ashland? Having seen projects go through the planning approval process and then built out, are there particular size, location or design features that make an outdoor space more or less functional?
- Are open spaces containing unique natural features, such as wetlands, riparian corridors, groupings of significant trees, distinctive view corridors, etc., afforded better protection when under common ownership, rather than when located on privately-owned parcels?
- Should the open space in single-family zones be treated or designed differently than in the multi-family zones?
- Should open space be configured differently for different housing types (e.g., detached single-family residential, attached townhomes, three or four-plex, apartment building)?
- The multi-family conceptual site plan shown in figure 18.4.2.030 identifies “private outdoor space”. The Land Use Ordinance does not include a specific standard designating a minimum area for private outdoor space. Currently considered cottage housing standards suggest 200 square feet of private outdoor area for each cottage. Should such a standard be considered as part of the open space/recreation area discussion?



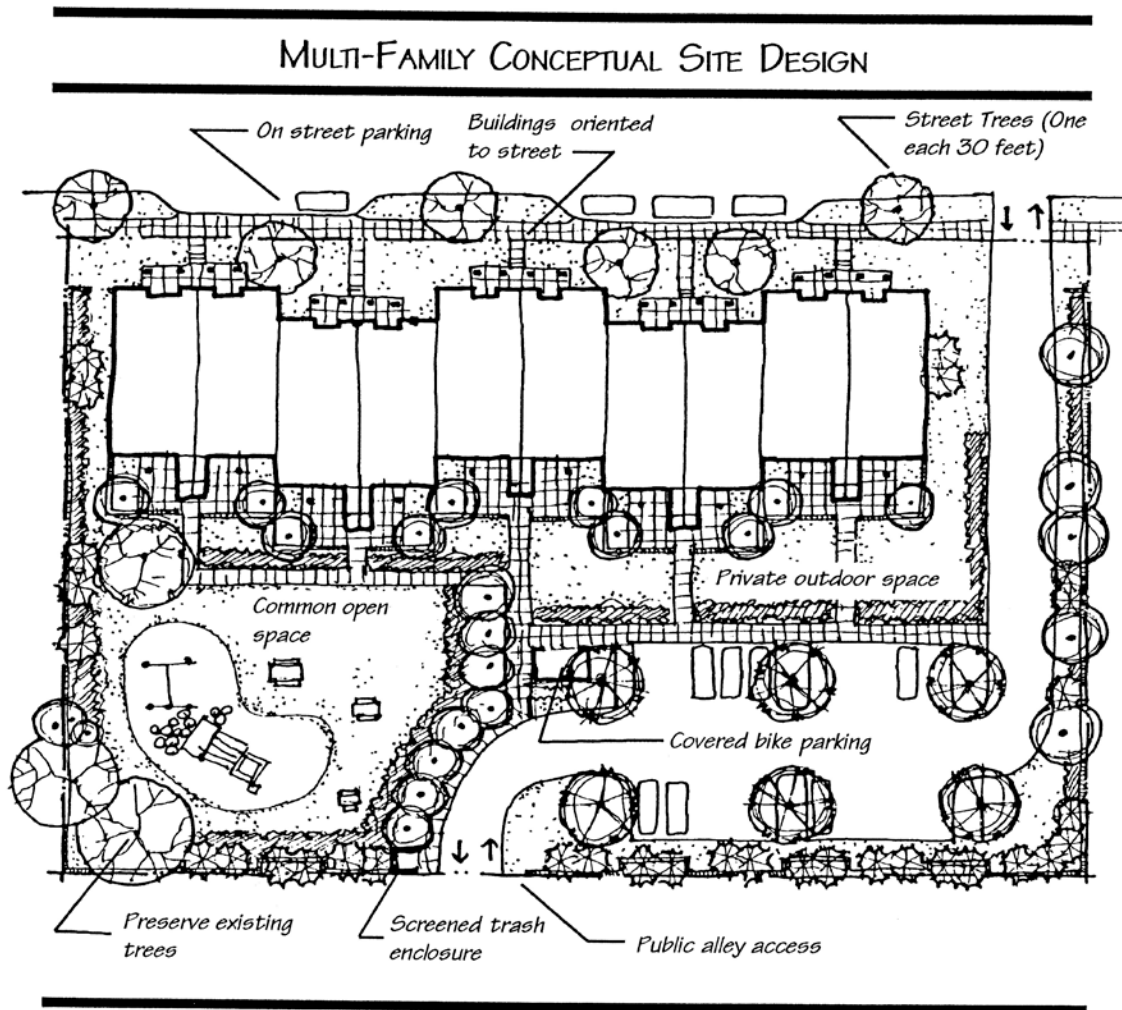


Figure 18.4.2.030



'Granny Pods' Help Keep Portland Affordable

August 15, 2017 4:52 AM ET
Heard on [Morning Edition](#)

by Amelia Templeton

Michelle Labra and her daughter, Daphne, live in an accessory dwelling unit (ADU) in their landlord's backyard. Portland has among the most permissive rules for ADUs in the country. Last year, the city issued building permits for about one a day.

Earlier this year, Michelle Labra got a notice that the rent on her family's two-bedroom apartment was doubling, from around \$620 a month to more than \$1,300.

She worried she was being priced out of Portland and would have to move to the suburbs.

But Labra, her husband and their two children didn't get pushed out of Cully, their North Portland neighborhood. They were able to stay by moving into a little house, 800 square feet, built in a neighbor's backyard. It's a type of housing city planners refer to as an accessory dwelling unit, or ADU, often called a granny flat or granny pod.

"When I first came in and I saw this beautiful house, I was amazed," Labra says. "We've never had a place that's new like this. My kids loved it, and they were already wanting to get their stuff together and saying, Mom, when can we move in?"

With a lot of cities looking for solutions to rising housing prices, the idea of making it easier for homeowners to add small second units in their backyards and garages is gaining traction.

Portland has among the fastest rising rents in the country, and it has embraced the ADU as a low cost way to create more housing in desirable neighborhoods.

Before they moved into their backyard cottage, the Labras lived in the Normandy, an aging complex of two-story, yellow buildings with siding coming loose in places. About 20 families, most of them Hispanic, lived there.

A new investor bought the Normandy last year, raised the rent, and began fixing it up.

Talking about the sudden rent increase brings Labra to tears. She was close to the other families in the apartment complex, and so were her children, Jose, 8, and Daphne, 5.

"My son, he said, 'I really don't want to leave this area. My friends are here, my school is here.' I realized it was destabilizing to him," Labra said.

The apartment, with its many families with children, became a symbol locally of Portland's rapidly rising rents and the gentrification that was pushing people of color out of the city.

The Normandy was on the main street in Cully, a neighborhood on the northern edge of Portland with mobile home parks, ranch houses and small apartments built in the 1960s and 1970s.

It's also, according to 2010 census data, one of the most diverse neighborhoods in Oregon. Close to half of the people who live there are people of color.

The residents of the Normandy started working with a community group called Living Cully and staged a protest against the rent increase. Hundreds of people marched in the streets back in February.

"No more landlord greed. Housing for human need," they chanted.

The owner of the Normandy declined to comment for this story.

Labra and the other tenants did win a small concession: The rent increase was delayed by several months, but they still had to move out eventually.

In an effort to arrest the gentrification of the neighborhood, Living Cully helped about half the families relocate to new homes in Cully. Some of them qualified for affordable housing in a government-subsidized apartment complex nearby.

The Labras found their ADU thanks to a message Living Cully posted on the Nextdoor app.

"An accessory dwelling unit is a fully legal, independent structure that has its own front door, its own address and its own kitchen," explains Eli Spevak, a developer with the company Orange Splot, which builds smaller homes including ADUs.

Spevak lives and works in Cully. In true Portland style, a flock of chickens lives right outside his office.

Spevak says Cully used to be a place to find cheap rent or cheap land. Then, its big lots at the edge of the city started attracting urban farmer types.

Now, he points out, expensive new homes are going up.

"This is the house that was built as a spec development and it sold for \$720,000," he said. "And that was an eye-opening change for this Cully neighborhood, where we realized many new people who want to live here might be able to afford to outbid anybody who lives here already."

Spevak says Portland's zoning code is contributing to its housing problems.

On much of the city's land, the code limits how many units you can build on a lot, so developers build the biggest house possible, to turn the most profit. There is an exception for ADUs as long as they meet certain criteria.

ADUs, Spevak says, are a way to relax those zoning rules a little and sprinkle some smaller, lower-rent housing into single-family neighborhoods.

"The good thing about it from my perspective is they allow a neighborhood to have people with a wide range of incomes living with each other," he said.

Portland has some of the most permissive zoning for ADUs in the country.

Almost any homeowner is allowed to add one, and the city has encouraged property owners to build them by exempting them from certain fees and parking requirements.

That has led to a backyard construction boom in Portland. Last year, the city issued building permits for about one ADU a day.

"And the numbers seem to be climbing still," Spevak said.

Seattle, Austin, Washington, D.C., and San Francisco also recently made it easier to add a second unit or granny flat.

And last year, California passed a state law that makes it easier for people to legalize ADUs they've built illegally in the past, and that requires cities to allow some types of ADUs, like garage apartments.

Back with the Labra family, the kids are settling in to their ADU.

Five-year-old Daphne likes showing visitors around. She and her brother share a small room in the ADU's loft. Downstairs, there's a queen bed that Jose likes to jump on.

"I'm going to do it now," Jose announces, launching himself into the air.

"A front flip," Daphne explains.

The rent here is still a stretch — \$900 a month, more than half what the family earns.

But Michelle Labra says it's worth it, because her kids get to stay right here in Cully, and they didn't have to leave their school.