## Ashland Housing and Human Services Commission

## ASHLAND

Regular Meeting Agenda

January 26: 4:30 – 6:30pm

Siskiyou Room, Community Development Building

51 Winburn Way

- **1.** (4:30) **Approval of Minutes** (5 min) November 17, 2016
- 2. (4:35) Public Forum (5 min)
- 3. (4:40) Cottage Housing Standards Update (25 min)

Brandon Goldman, Senior Planner

- 4. (5:05) Affordable Housing Trust Fund Ordinance and RFP Process Overview (25 min)
- 5. (5:30) Porta-Potty Memo Review (15 min)
- 6. (5:45) Council Liaison Introduction (10 min)
- 7. (5:55) Strategic Goal Priority Review and Next Steps (15 min)
- 8. (6:10) Liaison Reports (15 min)

### Liaison Reports

Council (Dennis Slattery) SOU Liaison (Megan Mercier) Staff (Linda Reid) General Announcements

9. (6:25) February 23, 2017 Meeting Agenda Items (5 min)

Commissioner items suggested

Quorum Check – Commissioners not available to attend upcoming regular meetings should declare their expected absence.

**10.** (6:30) **Adjournment** 

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).



## CITY OF ASHLAND

### Ashland Housing and Human Services Commission **Draft Minutes November 17, 2016**

**CALL TO ORDER** 

Chair Boettiger called the meeting to order at 4:30 pm in the Siskiyou Room at the Community Development and Engineering Offices located at 51 Winburn Way, Ashland OR 97520.

Commissioners Present:	Council Liaison
Sue Crader	Pam Marsh, absent
Rich Rohde	
Joshua Boettiger	SOU Liaison
Tom Gunderson	Megan Mercier, absent
Sharon Harris	
Tom Buechele	Staff Present:
Heidi Parker	Linda Reid, Housing Specialist
Michelle Linley, arrived at 4:50	Carolyn Schwendener, Clerk
Commissionrs Absent:	
Gina DuQuenne	

### APPROVAL OF MINUTES

Rohde/Parker m/s to approve the minutes of the October 27, 2016 Housing and Human Services Commission meeting with one correction. Voice Vote: All Ayes, minutes were approved as amended.

Parker made a correction to the September 22, 2016 Housing and Human Services Commission regular meeting minutes. Harris/Crader m/s to approve the correction to the September 22, 2016 Housing and Human Services Commission regular meeting. Voice Vote: All Ayes, minutes were approved as amended.

#### **PUBLIC FORUM**

John Wieczorek, Board Chair for Options for Homeless Residences of Ashland, and Montye Male spoke on the possibility of this Commission issuing a Request for Proposal (RFP) for the Housing Trust Fund monies. Both Mr. Wieczorek and Ms. Male encouraged the Commission to work with the City Council in order to issue an Request For Proposal to access the affordable housing Trust Fund. This would allow organizations to apply for grants in order to address the affordable housing problem in Ashland. Even if it were just for rental assistance this would help keep people in their houses and go a long way stated Ms. Male.

It was recommended to put this topic on the next month's agenda which will be the H &HS Commission retreat. Reid explained that the affordable housing trust fund was designed to run in conjunction with the Community Development Block Grant RFP.

## DEBRIEF ON JOINT PLANNING/HOUSING AND HUMAN SERVICES MEETING

The Commissioners who attended the joint meeting gave an overview of what they took away from that meeting. Commissioner Buechele remarked the meeting was very helpful acknowledging he especially like reviewing the report from Guy Tauer, the Regional Economist from the Employment Department. Linley also said how much she learned from that report. She appreciated the breakdown of the demographics in the Rogue Valley including the income levels in Ashland. Rohde said the best thing the meeting accomplished was a good working relationship with the Planning Commission. The Planning Commission seemed very positive about the issues addressed by this Commission, i.e.; Tiny houses and Accessory Residential Units.

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### SOCIAL SERVICE GRANT APPLICATION DISCUSSION

Reid gave an overview of the process for the Social Service Grants. Reid reminded the Commission that after the last grant process this group made some suggested changes to that process. Reid has met with Jan Sanderson-Taylor from the United Way. Generally the Social Service Grant application is a joint application with United Way and the City of Medford. In prior years that application has been the same for all three organizations. This Commission determined it was not necessary any longer to include all the information on the application and suggested omitting the logic model and the request for financial information. If we need financial information from the applicant we can request it but it would not be on the application suggested Reid. The Commission would like to continue to coordinate with United Way which is beneficial for the applicant but make the process simpler.

Reid explained that these grant monies are only for social service activities and they are tied to a strategic plan that this Commission drafted that includes four areas of priorities. The applicant must address one of those four areas of priorities or we cannot consider funding their application, stated Reid. The Commissioners will discuss this process further at their December retreat.

### JOHN TYLER PRESENTATION

John Tyler explained that a group of men in the community would like to begin a food service at the Pioneer Hall located at 73 Winburn Way. Tentatively they are thinking Thursday might be the best day to offer the service but are open to suggestions. The plan is for two men to arrive at the center at 9:30 am and open at 10:00 am to anyone who might need help also providing coffee and snacks. At 11:30 two more men would arrive and overlap until 12:00 at which time serve some sort of hot meal, soup, chili, stews etc. with bread. They plan to close at 2:00 and leave by 2:30. They are considering offering this service on a seasonal basis from December to March. Mr. Tyler inquired what the process would be for this group of men to make this plan happen.

The Commissioners explained that ultimately this is a Parks Department decision but a recommendation from this Commission would go a long way to establish a relationship. It was suggested to Mr. Tyler to check availability with the Parks Department. Currently evening meals are offered in the community on Tuesdays, Thursdays and Fridays but a noon time meal is needed any day of the week. The Commissioners agreed this is a great idea and much needed service.

Buechele/Harris m/s that the Housing and Human Services Commission is in support of the men's group to provide a meal and warming shelter in the middle of the day one day a week. Voice Vote: all ayes, motion passed.

### LIAISON REPORTS DISCUSSION

Porta Potty Sub-committee update – Harris reported that she has not yet heard back from Parks Director Michael Black. She did meet with Michael Morrison from Public Works and came up with three possibilities of where to place a porta potty;

- 1. The intersection of the bike path and Tolman Creek Rd by the Goodwill
- 2. Mountain View Cemetery
- 3. Downtown area by the railroad park

Mr. Morrison informed Harris that the Porta Potty that is currently located in the parking lot at the Community Development Building at 51 Winburn Way has turned out to cost the City far more money that was put in the budget. It gets very heavily used not just by homeless and transients but also by visitors and theater people. The Commission inquired about the possibility of the public restroom in that same parking lot being left unlocked twenty-four hours a day and removing the porta potty. Parker explained that in the past they were informed of the dangers of public restrooms being left unattended. They can be one of the biggest risks for people to be assaulted in which could open the city up to liability if left unattended [at night]. The parks superintendent also spoke of the damages that can occur in the parks bathrooms and the expensive it creates to replace and fix fixtures.

Reid will put together a memo for the City Council outlining the porta potty proposal and bring it back to this commission for review.

Council - Marsh was not present at this evening's meeting. In January a new list of Council liaisons for each Commission will be announced.

**Staff** – Reid reported that the subcommittee to work on the Point in Time count is meeting next week. The Count will take place during the week of the 23<sup>rd</sup>. The subcommittee that is working on the forum event for the county wide homeless task force is meeting tomorrow November 18<sup>th</sup> at the Disabilities Service office in Medford.

**Housing Trust Fund Sub-Committee Update** — Commissioner Rhode gave a subcommittee report. The committee came up with a concept on how to put together funding levels and outcomes for the Affordable Housing Trust Fund. The concept consists of four funding levels and a correlative sample set of activities/projects related to each of the funding levels. The four funding levels of recommendation are between \$50,000 and \$300,000. Activity levels range from down payment assistance to a multi-family affordable rental project development. See Exhibit A at the end of the minutes.

### GENERAL ANNOUNCEMENTS JANUARY 26, 2017 METTING AGENDA ITEMS

Quorum Check - Everyone should be present

Parker announced this is the first week of the winter shelter. The first night was at the Presbyterian Church with about seventeen or eighteen people in attendance. Second night was Pioneer Hall with thirty-five in attendance. Everyone was calm and quiet. We are in desperate need of male volunteers because City Council would like to have both a man and woman present at the shelters each night, stated Parker.

#### **UPCOMING EVENTS AND MEETINGS**

Housing and Human Services Retreat – 9:30-12:30 PM; December 11, 2016 in the Siskiyou Room at the Community Development & Engineering Department located at 51 Winburn Way.

Next Housing and Human Services Regular Commission Meeting – 4:30-6:30 PM; January 26, 2017 in the Siskiyou Room at the Community Development & Engineering Department located at 51 Winburn Way.

### **ADJOURNMENT**

The meeting was adjourned at 6:20 p.m.
Respectfully submitted by Carolyn Schwendener

## Exhibit A

## CITY OF ASHLAND

# Memo

DATE:

11/17/2016

TO:

Housing and Human Services Commission

FROM:

Linda Reid, Housing Program Specialist

RE:

Housing Trust Fund Menu Concept

The three member subcommittee has met three times since the last regular meeting and has come up with a concept to put forward for presentation and discussion with the full commission a menu of options regarding funding levels and outcomes for the Affordable Housing Trust Fund.

The concept consists of four funding levels and a correlative sample set of activities/projects related to each funding level. These levels and activities/projects could be provided to the council on a one page info-graphic format with resource references and more detailed information provided as a supplementary document.

<b>Funding Level</b>	Fun	ding	Level
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## Potential Activities/Projects

50K

Down Payment Assistance to 2-5 Households

Homeless prevention (rent assistance, foreclosure prevention,

emergency housing vouchers) 1-50 Households

Transitional Housing/Tiny Homes 1-2 tiny homes (construction

only)

Housing Rehab/Emergency Repairs/ADA-Aging in Place 2-5

households.

100K

200K

Land banking (with leverage and existing funds or multiyear allocation could provide Single lot or small lot for multi-

family development 1-3 unit potential, land costs only.

Workforce Housing, Small Cottages (600-1200

Sq. ft., 150K-200K in construction cost per unit only. 1 unit

300K

Multi-family affordable Rental project development, with an estimated 10X leverage in other state, federal, foundation funds,

could provide between 12-15 units of affordable rental housing.



Exhibit A

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## Memo

DATE:

January 26, 2017

TO:

Ashland Housing and Human Services Commission

FROM:

Brandon Goldman, Senior Planner

RE:

Cottage Housing Standards Update

### **SUMMARY**

At a study session on August 25, 2016 the Housing and Human Services Commission reviewed a prior draft of an ordinance addressing the potential of allowing cottage housing developments within single family residential zones throughout Ashland. Given cottage housing developments would represent a new housing type within Ashland's residential zones, feedback on the ordinance from the Housing and Human Services Commission is being sought prior to preparing the final draft of the ordinance.

### **BACKGROUND**

The attached draft includes amendments made to the cottage housing ordinance that was previously presented to the Housing and Human Services Commission on August 25, 2016 as follows:

- In review of the available buildable lands it was discussed that limited opportunity for cottage housing developments existed in R-1-10 (10,000sq.ft. minimum lot size) zones, and such zones included neighborhoods with an established pattern of larger lots and lower lot coverage. As such the proposed cottage housing development standards would only apply within the R-1-5 (5,000 sq.ft. lots), R-1-7.5 (7,500 sq.ft. lot size) and Normal Neighborhood single family zones.
- The Planning Commission discussed the potential of using a Floor Area Ratio maximum as part of the requirements to ensure smaller units are developed. Floor area ratio (FAR) is defined as the relationship between the total amount of usable floor area that a building has and the total area of the lot on which the building stands (building floor area/total lot size) Staff analyzed the FAR of standard housing developments built out with average home sizes (2028sq.ft. home + 400sq.ft. garage). In conducting this analysis it was determined that typical single family homes built on standard lots have a floor area ratio of approximately .40 to .50. Therefore establishing a cottage housing development FAR standard of 0.35 would ensure cottage housing developments did not exceed the floor area of such typical single family home developments, and would encourage smaller unit sizes. For example, a 10.000sq.ft. lot developed with 4 individual cottages would allow a total of 3500 square feet of buildings, thus providing for an average unit size of of 875 sq.ft.

The working draft ordinance now presented simplifies the prior cottage housing development density table (18.2.3.090.C.1) to allow one cottage per 2500 sq.ft. of lot area in the R-1-5 and NN-1-5 zones,



and one cottage per 3,750 sq.ft. in the R-1-7.5 zone, provided the combined gross floor area of all dwellings in the cottage housing development do not exceed an FAR of 0.35.

The table below shows how a 0.35 FAR requirement would affect average cottage unit sizes on select parcel sizes:

Lot Size (sf)	FAR	Floor area maximum	Maximum Number of Cottage Units (1 per 2,500sf)	Floor Area average per Cottage Unit (using Max FAR)
10000	0.35	3500	4	875
15000	0.35	5250	6	875
20000	0.35	7000	8	875
25000	0.35	8750	10	875
32000	0.35	11200	12	933

- The prior draft stipulated that at least 75% of the cottage units be less than 800sq.ft., but would have allowed larger units provided the total average unit size of all units on the property not exceed 1000 square feet. This provision was modified to eliminate the "average unit size" standard and instead simply state that cottage housing units shall not exceed 1000sq.ft.
- In consideration of questions relating to the optimum number of units within a cottage housing development further research indicates that although cottage housing developments up to 16 are considered an upper threshold for such small-scale pocket neighborhoods, a range of 4 to 12 may be preferable. According to Ross Chapin in the book Pocket Neighborhoods the right size for a pocket neighborhood is described as follows:

"A neighborhood might contain several hundred households, but when it comes to pocket neighborhoods, I believe the upper limit is in the range of 12-16 households. If a cluster has fewer than 4 households it loses the sense of being a cluster, or a group. It lacks the clear sense of identity, diversity, or activity of a larger group. On the other hand, when the number of households grows beyond a dozen or so, it becomes difficult for people to know their neighbors in any depth, or to live close enough to call on them in an emergency."

The current draft of the ordinance has been amended to reduce the upper range of units within a development from a maximum of 16 to 12. The four unit minimum presented in the initial draft is reflected in the current working draft. The Planning Commission met to discuss the draft ordinance on January 10, 2017 and recommended that allowing for more infill on smaller lots was advisable and thus have suggested that cottage housing developments could be as small as 3 units to allow them on smaller parcels.

• At their study session the Planning Commission noted that having building and construction industry professionals review the draft ordinance would be of benefit to help ensure cottage housing developments, developed consistent with a final ordinance, are viable and could actually be built.



Staff has provided the draft ordinance to three local development professions that are interested in cottage housing developments, and each has agreed to review the draft ordinance.

### **Policy Objectives**

To provide alternative types of housing for small households; provide high quality infill development which maintains traditional cottage amenities and proportions and contribute to neighborhood character; efficiently use residential land supply; and meet regional plan commitment to accommodate future population growth within the City's existing boundaries.

The City Council adopted new goals since the adoption of the reformatted and amended land use ordinance in December 2014. The following items are goals and objectives from the Council's most recent effort, "Ashland 2020," that potentially relate to cottage housing.

- Support and promote, through policy, programs that make the City affordable to live in. Pursue affordable housing opportunities, especially workforce housing. Identify specific incentives for developers to build more affordable housing. (high priority for 2015-2017)
- Support land-use plans and policies that encourage family-friendly neighborhoods. Draft pocket neighborhood code that allows for the construction of small scale, cottage housing projects.

The City adopted a new chapter in the Ashland Comprehensive Plan in 2012 to incorporate the applicable portions of the adopted the Greater Bear Creek Valley Regional Plan. As a part of the regional planning process, six of the seven communities identified areas outside their respective urban growth boundaries (UGB) for future growth. However, the City of Ashland did not identify UGB expansion areas and committed to evaluating innovative land use strategies to accommodate future residential and employment growth within the City's existing boundaries. The Ashland Comprehensive Plan includes the following performance indicators in the Regional Plan Element.

- Reach density of 6.6 dwelling units per acre for land in the UGB that is annexed or offset by increasing the residential density in the city limits.
- Achieve targets for dwelling units and employment in mixed-use/pedestrian-friendly areas.
- Participate in a regional housing strategy that strongly encourages a range of housing types.

Other related goals and policies in the Ashland Comprehensive Plan include the following.

- 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. (Housing Element)
- Encourage the development of private common open space area in new residential developments to offset the demand for additional public parks. (Parks, Open Space, and Aesthetics Element)
- Maintain and improve Ashland's compact urban form to allow maximum pedestrian and bicycle travel. (Transportation Element)

### **Next Steps**

The Planning Commission discussed the draft cottage housing standards at their meeting on January 10<sup>th</sup>, 2017. At this meeting further refinements to the code were suggested relating to such issues as allowable lot coverage (how much of the property can be covered by building footprints, sidewalks,



driveways, paved parking etc), parking space requirements, building setbacks, and site design requirements. Comments from the Housing and Human Services Commission, development professional reviews, and additional modifications to the ordinance are to be and presented to the Planning Commission on February 28<sup>th</sup> for their review. Following the Planning Commission Study Session on February 28<sup>th</sup> a final draft ordinance will be prepared and presented for adoption at formal public hearings before the Planning Commission and City Council.

### **ATTACHMENTS**

Cottage housing ordinance, January 2017 draft



Working Draft Ordinance Amendments Jan. 2017

#### Cottage Housing in R-1 and NN-1 Zones 18.2.3.090

### A. Purpose and Intent.

- 1. Support the local and regional growth management goal of more efficient use of city residential land. Cottage housing may allow higher residential density than is normally allowed in the underlying zone. This increased density is possible with smaller than average home sizes, clustered parking, and site design standards that promote compatible infill development.
- 2. Support the Comprehensive Plan goal of affordability, innovation, and variety in housing design and site development; and a variety of housing choices to meet the needs of a population diverse in age, income, household composition, and individual needs.
- 3. Provide opportunities for an alternative type of housing for small households.
- 4. Provide opportunities for high quality infill development which maintains traditional cottage amenities and proportions and contribute to the overall community character.
- 5. The cottage housing development design standards contained in this section are intended to create a small community of cottages oriented around open space that is pedestrian-oriented and minimizes the visibility of off-street parking.

## B. Applicability and General Requirements

- 1. R-1 Zones. In the R-1-5 and R-1-7.5 zones cottage housing developments are subject to review through chapter 18.3.9 Performance Standards, and shall meet the requirements of subsection 18.2.3.090.C, below.
- 2. R-1-3.5, R-2 and, R-3 Zones. In the R-1-3.5, R-2 and R-3 zones, cottage housing developments are subject to review through chapter 18.5.2 Site Design Review, and are exempt from the development standards in subsection 18.2.3.090.C, below.
- 3. NN -1 Zones. In the NN-1-5 zone cottage housing developments are subject to review through chapter 18.3.9 Performance Standards and chapter 18.3.4 Normal Neighborhood Plan, and shall meet the requirements of subsection 18.2.3.090.C, below.
- 4. NN -1-3.5 and NN-2 Zones. In the NN -1-3.5 and NN-2 zones cottage housing developments are subject to review through chapter 18.5.2 Site Design Review and chapter 18.3.4 Normal Neighborhood Plan, and are exempt from the development standards in subsection 18.2.3.090.C, below.

### C. Development Standards

Cottage housing developments in the R-1 and NN-1 zones shall meet all of the following requirements.

1. Cottage Housing Density. In cottage housing developments, the permitted number of units and minimum lot areas shall be as follows.

<b>Table 18.2</b>	.3.090.C.1 Cottage H	ousing Developm	ent Density		
Zones	Maximum Cottage Density	Minimum number of cottages per cottage housing development	Maximum number of cottages per cottage housing development	Minimum lot size (accommodates minimum number of cottages)	Maximum Floor Area Ratio (FAR)
R-1-5, NN-1-5	1 cottage dwelling unit per 2,500 square feet of lot area	4	12	10,000 sq.ft.	0.35
R-1-7.5	1 cottage dwelling unit per 3,750 square feet of lot area	4	12	15,000 sq.ft.	0.35

### 2. Building and Site Design.

- a. *Maximum Floor Area Ratio*: The combined gross floor area of all dwellings and structures within a cottage housing development shall not exceed a maximum 0.35 floor area ratio (FAR).
- b. Maximum Floor Area. The maximum gross floor area for at least 75 percent of the cottages shall not exceed 800 square feet, and gross floor area for any individual cottage unit shall not exceed 1000 square feet. For the purpose of this section, gross floor area excludes any space where the floor to ceiling height is less than seven feet.
- c. *Height.* Structures in cottage housing developments shall be designed to be single story, one and one-half story, or single story plus a loft. Building height of all structures shall not exceed 18 feet. The highest point of a pitched roof may extend up to 25 feet at the ridge of the roof.
- d. Setbacks. Setbacks along the perimeter of the development shall have the same setbacks as required in the zones. See Table 18.2.5.030.A.
- e. Lot Coverage. Lot coverage shall meet the requirements of the underlying zone. See Table 18.2.5.030.A.
- f. Building Separation. Up to two cottages may be attached. All buildings containing residential units within a cottage housing development shall maintain a minimum separation of ten feet measured from the nearest point of the exterior walls. Accessory buildings (e.g., carport, garage, shed, multipurpose room) shall comply with building code requirements for separation from non-residential structures.
- g. Street Facing Facades.
  - i. The main entries of cottages visible from the adjacent streets shall provide a Cottage housing ordinance, January 2017 draft

- visual pedestrian connection with the surrounding neighborhood.
- ii. All cottages adjacent to the street shall have their primary orientation to the street and street facing facades that avoid blank walls. Cottages adjacent to the street shall include the following:
  - (A). Changes in exterior siding material and paint color.
  - (B). Windows which may include bay windows.
- 3. <u>Access, Circulation, and Off-Street Parking Requirements.</u> Notwithstanding the provisions of chapter 18.4.3 Parking, Access, and Circulation, cottage housing developments shall conform to the following requirements.
  - a. Pedestrian access shall be provided to all cottages from the street and sidewalk, and shall meet the pedestrian access and circulation standards of 18.4.3.090.
  - b. Except for those street connections identified on the Street Dedication Map, the Commission may reduce or waive the requirement to dedicate and construct a public street in chapter 18.5.3 where a cottage housing development meets the connectivity and block length standards in section 18.4.6.040 by providing public access for pedestrians and bicyclists with an alley, shared street, or multi-use path connecting the public street to adjoining properties.
  - c. Driveways and parking areas shall meet the vehicle area design standards of section 18.4.3.080.
  - d. Parking shall be consolidated to minimize the number of parking areas, and shall be located on the cottage housing development property.
  - e. Parking areas shall not be located between the buildings and the street, and shall be located and designed to be less visible from frontage streets than the cottages themselves.
  - f. Parking areas shall be landscaped to screen parking from adjacent properties and street rights of way and shall meet applicable landscape standards of chapter 18.4.4.
  - g. Parking Ratios:

Cottage Floor Area of 500 square feet or less: 1 parking spaces per unit.

Cottage Floor Area of greater than 500 square feet and less than 800 square feet: 1.25 parking spaces per unit.

Cottage Floor Area greater than 800 square feet and less than 1000 square feet: 1.5 parking spaces per unit.

- h. Off-street parking may be located within an accessory structure such as a multi-auto carport or garage, but such structures shall not be attached to individual cottages. Uncovered parking is also permitted provided that off street parking is screened from direct street view.
- i. Cottage housing developments are exempt from the on-street parking requirements of section 18.3.9.060.
- j. Exterior lighting. Exterior lighting shall meet the requirements of 18.4.4.050 Outdoor

Lighting.

- k. Fences. Notwithstanding the provisions of section 18.4.4.060, fence height is limited to three feet adjacent to the common open space and to four feet in other interior areas within the development, except as allowed for deer fencing in subsection 18.4.4.060.B.6. Fences in the front and side yards abutting a public street, and on the perimeter of the development shall meet the fence standards of section 18.4.4.060. Chain link fences are prohibited.
- 4. <u>Common Open Space.</u> Open space that is commonly owned by all members of a cottage housing development shall meet all of the following standards.
  - a. For the purpose of cottage housing, common open space shall be the central space that may be used by all occupants of the cottage complex surrounded by grouped cottages.
  - b. Common open space shall be for recreational use by residents of the development, and provide a suitable surface for human use. Physically constrained areas such as wetlands or steep slopes cannot be counted towards the common open space requirement.
  - c. A minimum of 20 percent of the total lot area is required as common open space. Common open space shall have no dimension that is less than 20 feet.
  - d. At least 50 percent of the cottage units shall abut a common open space.
  - e. The common open space shall not be across a street or parking area.
  - f. Common open space shall be a contiguous area located in front or behind the cottages.
  - g. The common open space shall have cottages abutting at least two sides grouped around the common open space.
  - h. The common open space shall be distinguished from the private yard areas with a walkway, fencing, landscaping, berm, or similar method to provide a visual boundary around the perimeter of the common area.
  - i. Parking areas, yard setbacks, spaces between buildings, areas under power lines, and private yards and driveways do not qualify as common open space.

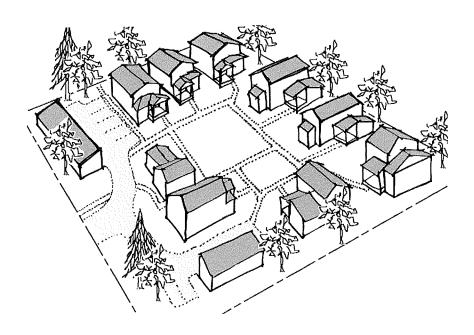


Figure 18.2.3.090 Cottage Housing Conceptual Site Plan

- 5. <u>Private Yards.</u> Each residential unit in a cottage housing development shall have a private yard area. The private yard shall be separate from the common open space to create a sense of privacy. The private open space shall be separated from the common open space with a small hedge, picket fence, or other similar visual separation to create a sense of separate ownership.
  - a. Each cottage unit shall be provided with a minimum of 200 square feet of usable private yard area.
  - b. No dimension of the private yard area shall be less than 10 feet.
- 6. Common Buildings, Existing Nonconforming Structures and Accessory Residential Units.
  - a. Common Buildings. Up to 25 percent of the required common open space, but no greater than 1,500 square feet, may be utilized for a community building for the sole use of the cottage housing residents. Common buildings shall not be attached to individual cottages or other structures. Consolidated carports or garage structures are not subject to the area limitations of this section.
  - b. Nonconforming Dwelling Units. On a lot to be used for a cottage housing development, an existing single-family residential structure, which may be nonconforming with respect to the standards of this chapter, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.
  - c. Accessory Residential Units. New accessory residential units (ARUs) are not permitted in cottage housing developments, except that an existing attached or detached ARU that is accessory to an existing nonconforming single-family structure

may be counted as a cottage unit if the property is developed subject to the provisions of this chapter.

## 7. Storm Water and Low-Impact Development.

- a. Cottage housing developments shall be designed to take advantage of open space and landscaped features to utilize storm water low impact development techniques including natural filtration and on-site infiltration of storm water.
- b. Low impact development techniques for storm water management shall be used wherever possible. Such techniques may include the use of porous solid surfaces in parking areas and walkways, directing roof drains and parking lot runoff to landscape beds, green or living roofs, and rain barrels.
- c. Cottages shall be located to maximize natural storm water functions. In this zone, cottages shall be grouped and parking areas shall be located to preserve as much contiguous, permanently undeveloped open space and native vegetation as possible.

### 8. Restrictions.

a. The size of a cottage dwelling may not be increased beyond the maximum floor area in subsection 18.2.3.090.B.a. A deed restriction shall be placed on the property notifying future property owners of the size restriction.

### 18.3.9.050 Performance Standards for Residential Developments

- A. Base Densities. The density of the development shall not exceed the density established by this section. The density shall be computed by dividing the total number of dwelling units by the acreage of the project, including land dedicated to the public. Fractional portions of the final answer, after bonus point calculations, shall not apply towards the total density.
  - 1. The base density, for purposes of determining density bonuses allowed under this section, is as provided in Table 18.3.9.050.

Zone	Allowable Density
	(dwelling units per acre)
WR-2	0.30 du/acre
WR-2.5	0.24 du/acre
WR-5	0.12 du/acre
WR-10	0.06 du/acre
WR-20	0.03 du/acre
RR-1	0.60 du/acre
RR5	1.2 du/acre
R-1-10	2.40 du/acre
R-1-7.5	3.60 du/acre
R-1-5	4.50 du/acre
R-1-3.5	7.2 du/acre
R-2	13.5 du/acre
R-3	20 du/acre

2. The base density for cottage housing developments, for purposes of determining density bonuses, allowed under this section is as provided in Table 18.3.9.050.A.2

Zones	Maximum Cottage Density	Minimum number of cottages per cottage housing development	Maximum number of cottages per cottage housing development	Minimum lot size (accommodates minimum number of cottages)	Maximum Floor Area Ratio (FAR)
R-1-5, NN-1-5	1 cottage dwelling unit per 2,500 square feet of lot area	4	12	10,000 sq.ft.	0.35
R-1-7.5	1 cottage dwelling unit per 3,750 square feet of lot area	4	12	15,000 sq.ft.	0.35

- 3. Open Space Required. All developments with a base density of ten units or greater shall be required to provide a minimum of five percent of the total lot area in Open Space; that area is not subject to bonus point calculations, however, density bonuses shall be awarded to open space areas in excess of the five percent required by this subsection.
- B. Density Bonus Point Calculations. The permitted base density shall be increased by the

percentage gained through bonus points. In no case shall the density exceed that allowed under the Comprehensive Plan. The maximum density bonus permitted shall be 60 percent (base density x 1.6), pursuant to the following criteria.

- 1. <u>Conservation Housing.</u> A maximum 15 percent bonus is allowed. One-hundred percent of the homes or residential units approved for development, after bonus point calculations, shall meet the minimum requirements for certification as a Earth Advantage home, as approved by the Ashland Conservation Division under the City's Earth Advantage program as adopted by resolution 2006-06.
- 2. <u>Provision of Common Open Space.</u> A maximum ten percent bonus is allowed, pursuant to the following.
  - a. *Purpose*. Common open spaces may be provided in the form of natural areas, wetlands, playgrounds, active or passive recreational areas, and similar areas in common ownership. All areas set aside for common open space may be counted for base density, unless otherwise excluded by subsection 18.3.9.050.A.2. However, for the purposes of awarding density bonus points, the Planning Commission shall consider whether or not the common open space is a significant amenity to project residents, and whether project residents will realistically interact with the open space on a day-to-day basis. The purpose of the density bonus for common open space is to permit areas, which could otherwise be developed, or sold as individual lots, to be retained in their natural state or to be developed as a recreational amenity. It is not the purpose of this provision to permit density bonuses for incidental open spaces that have no realistic use by project residents on a day-to-day basis.
  - b. Standard. Developments with fewer than ten units that provide more than two percent of the project area for common open space, or for developments of ten units or greater that provide more than five percent open space, a one percent bonus shall be awarded for each one percent of the total project area in common open space.
- 3. <u>Provision of Major Recreational Facilities.</u> A maximum ten percent bonus is allowed, pursuant to the following.
  - a. *Purpose*. Points may be awarded for the provision of major recreational facilities such as tennis courts, swimming pools, playgrounds, or similar facilities.
  - b. Standard. For each percent of total project cost devoted to recreational facilities, a six percent density bonus may be awarded up to a maximum of ten percent bonus. Total project cost shall be defined as the estimated sale price or value of each residential unit times the total number of units in the project. Estimated value shall include the total market value for the structure and land. A qualified architect or engineer shall prepare the cost of the recreational facility using current costs of recreational facilities.
- 4. <u>Affordable Housing.</u> A maximum bonus of 35 percent is allowed. Developments shall receive a density bonus of two units for each affordable housing unit provided. Affordable housing bonus shall be for residential units that are guaranteed affordable in accordance with the standards of section 18.2.5.050 Affordable Housing Standards.
- 5. Cottage Housing. Cottage housing developments of 7 units or greater, meeting

the standards of section 18.2.3.090 Cottage Housing, are eligible for conservation housing density bonuses per the requirements of 18.3.9.050.B.1, and the affordable housing density bonuses per the requirements of 18.3.9.050.B.4, but are not eligible for additional density for the provision of common open space or the provision of major recreational facilities.



# Memo

DATE:

1/20/2017

TO:

Housing and Human Services Commission

FROM:

Linda Reid, Housing Program Specialist

RE:

Affordable Housing Trust Fund Ordinances Overview

Questions have been circulating regarding the use and administration of the Affordable Housing Trust Fund. To be responsive to those questions staff is proposing that the Housing and Human Services Commission review the language contained in the adopted ordinances (attached). The overview below is primarily taken from the Council Communication from the first reading of the AHTF ordinances held on September 16, 2008.

Background:

The development of the Affordable Housing Trust Fund (AHTF) Ordinance, and the Resolution establishing the policies and procedures for administering the AHTF, was initiated with the approval of the Affordable Housing Action Plan in May of 2003. The 2003 Affordable Housing Action Plan called for the establishment of a Housing Trust Fund as a key strategy (Sections 1B, and 1C attached) for the City to undertake to support the development of affordable housing.

In recognizing that the private market has yet to provide the full range of needed housing types, the AHTF can provide support to the development or retention of housing that is affordable to households earning less than 120% the Area Median Income.

The proposed Ordinance simply establishes the Affordable Housing Trust Fund. In addition to this Ordinance two additional Resolutions are proposed. The first Resolution outlines the policies and procedures guiding the use of any Housing Trust Fund revenue, and a second proposed Resolution would direct approximately \$99,000 in future loan repayments made to the City as part of a 1985 Rehabilitation Program into the Affordable Housing Trust Fund.

#### Affordable Housing Trust Fund Ordinance

This Ordinance enables receipt of donations, grants, sale of surplus property, and other funding source(s) approved by the City Council, to be directed into the Affordable Housing Trust Fund for housing projects or programs that address the housing needs of Ashland residents. The Ordinance establishing the AHTF is a means of securing a dedicated location within the City General Fund for funding that is earmarked or dedicated explicitly as affordable housing funds. Lastly the proposed



Ordinance references the Resolution Establishing Policies and Procedures for Administration of the AHTF as described below.

#### **Resolution Establishing Policies and Procedures**

The Resolution Establishing Policies and Procedures is referred to as the "platform" of the Affordable Housing Trust Fund (AHTF). This proposed Resolution outlines the purpose of the AHTF, describes eligible applicants and appropriate uses, and describes the fund administration and award process.

#### **Purpose: Section 1**

The purpose of the resolution outlining the policies and procedures of the Affordable Housing Trust Fund is to establish the methods by which funds will be administered, who is eligible apply for funds, and what uses these funds can support.

The primary purpose of the AHTF would be the rehabilitation, preservation and production of quality, well designed rental and homeownership housing for households earning less than 120% the Area Median Income. It is expected that the local contributions made through Ashland's Affordable Housing Trust Fund will assist in maximizing the leveraging of state and federal funds, as well as encourage private sector investment in affordable housing.

The underlying premise behind many of the proposed policies is that the AHTF should remain flexible to changing conditions and thus a broad range of eligible applicants and uses has been incorporated into the platform (policies and procedures).

#### Eligible Applicants: Section 2

The Ashland Affordable Housing Trust Fund platform (*Policies and Procedures Resolution*) allows many different types of organizations to be eligible to receive financing, provided they are meeting the underlying purpose of the AHTF and their proposal is an eligible use of funds. Eligible applicants may include governmental subdivisions, community development corporations, local housing authorities, community action agencies, community-based or neighborhood-based non-profit housing organizations, other non-profit organizations, for-profit entities, and private employers.

#### Eligible Uses and Activities: Section 3

The determination of how trust funds would be used is essential to ensure that the mission of the AHTF is being carried out. To ensure some measure of flexibility in the trust fund it has been discussed that providing a broad list of eligible activities is preferable to a narrow scope. However each of the items identified is clearly related to the provision, or retention of affordable housing, or in support of programs that assist residents in obtaining affordable housing. Such uses are fully listed in Section 3.5 of the proposed resolution and include:

- Acquisition and Construction of new affordable housing
- Conservation of energy in affordable housing through the use of "green" technologies
- Land Banking
- Predevelopment activities undertaken by a community development organizations
- Bridge loans
- Capacity Building for non-profit affordable housing providers
- Rehabilitation and Emergency Repairs as part of an established program
- Direct benefits to low-moderate income households through an established program



 Transitional and Emergency Housing for homeless individuals and families through an established program

The listing of Eligible Uses and Activities contains the stipulation that all funds dedicated to a project must benefit households earning less than 120% the Area Median Income, and that any units developed with AHTF assistance shall comply with City affordability standards per resolution 2006-13. The existing Resolution 2006-13 correlates housing costs to not exceed 30% the income of the various income levels (60, 80, 100 and 120% Area Median Income) by establishing maximum rents and sets forth the method to calculate purchase price (to include Principle, Interest, Taxes, Insurance, and Homeowner Dues).

It is understood that the AHTF would not be in a position to fund every activity in any given year, thus it did not seem reasonable to exclude potential uses under the expectation that we would consistently receive applications for the most preferred uses. The Request for Proposals (RFP) competitive award process would allow for a more targeted solicitation, for specific project types, upon issuance of the RFP. Flexibility in the listing of eligible uses is further provided for under Section 3.5.j in allowing the City Council to establish 'Other Uses' provided the use supports the development or preservation of affordable housing within the City of Ashland.

#### **Preferences: Section 4**

To provide further direction to potential applicants, guidance in the form of Preferences was incorporated into the Affordable Housing Trust Fund's policies and procedures. The Housing Commission, in developing the AHTF policies and procedures, did express a clear position that the creation of new affordable housing was seen as a preferred use of funds, over uses that retained or rehabilitated existing affordable housing. The survey results received and comments at the public forum held on October 30, 2007 also noted a preference for directing any AHTF funds to benefit households at 80% of the Area Median Income (AMI) or less, as opposed to targeting benefits to households at the 120% AMI level. Ultimately such preferences would be reflected in the weighted numeric ranking of the selection criteria in the issuance of a RFP. The general criteria for an RFP are more fully described in Section 7 of the proposed resolution.

#### Fund Administration: Section 5

In this section of the proposed resolution it stipulates that funds dedicated to the Ashland Housing Trust Fund shall be exclusively reserved to support the eligible uses identified within the AHTF and shall not be used for the general operation of the City.

The Affordable Housing Trust Fund (AHTF) is to be structured so that applications for funds are reviewed by the Housing Commission and Staff, and recommendations are provided to the City Council for final awards

The annual award process is intended to run concurrent with our annual issuance of Community Development Block Grant Request for Proposals (RFP) to streamline the process for applicants and the City. The resolution as proposed provides for the issuance of an annual RFP (Section 5.5) as well as the option to issue a Notice of Funding Availability (NOFA) (Section 5.4) for up to 10% of the AHTF revenue. This NOFA option would enable the City to fund continuing housing programs exclusive of the annual RFP process if so desired, as well as to remain responsive to immediate opportunities that may arise.



#### Match Requirements: Section 6

The Ashland Housing Trust Fund is intended to support the development of needed housing, but is not intended to provide the sole source of funding for any development project or housing program. To this end the proposed Resolution establishes that the AHTF contribution shall not exceed more than 50% of the total project, or program, cost.

#### Allocation of Funds: Section 7

This section of the proposed Resolution outlines an annual Request for Proposals process and allows for a Notice of Funding Availability process to distribute AHTF funding on an annual basis. The competitive award process is established to run concurrently with Community Development Block Grant RFP to streamline the application process for prospective applicants, and to gain review efficiency for the City.

The Notice of Funding Availability section (7.2) was incorporated into the platform after discussions with affordable housing providers regarding the need to retain some measure of flexibility in recognition that the nature of affordable housing development is often opportunity dependent. Specifically in acquisition of property the ability to wait for an annual RFP process is not always possible in a competitive real estate market. The NOFA process would allow the City to be responsive to such midyear requests from qualified applicants. The Housing Commission believed that competition through the annual RFP process would be advantageous in identifying the best proposals, therefore stipulated their belief that funds awarded through a NOFA process should be limited to no more than 10% of the annual AHTF revenue in a given program year. This limitation would ensure the vast majority of funds (90%) were subject to the competitive process outlined in section 7.1.

#### AHTF Grant or Loan Award Threshold and Selection Criteria: Section 8

The selection criteria provided in Section 8 were developed to assist in the issuance of the annual Request for Proposals. The early draft of these selection criteria included weighted numerical values associated with each item, however upon final review by the Housing Commission it was decided that such numeric values could better be added at issuance of the annual RFP to reflect changing priorities in future years. By incorporating them in the Resolution itself it would not allow them to fluctuate without amending the Resolution. The criteria listed are largely consistent with the criteria utilized in the annual Community Development Block Grant RFP and will thus be useful in simultaneous review of applications. Further criteria 8.17 allows flexibility in an annual RFP issuance to establish new criteria to reflect specific priorities that may arise in future years:

Additional selection criteria may be developed and included in the annual RFP to best direct AHTF resources toward an identified priority need.

## Resolution Dedicating CDBG Rehabilitation loan Repayments to the Affordable Housing Trust Fund

The value of a local Affordable Housing Trust Fund will ultimately be in the establishment of a sustainable funding stream available to support affordable housing activates. To obtain this sustainable funding source the City will need to evaluate potential revenue sources. By establishing the AHTF Platform at this time, it will assist in articulating how any future funding directed into the AHTF would



be applied, and therefore help clarify funding needs. The Housing Commission is continuing its work in examining potential revenue sources to present to the Council for consideration in the coming year.

In advance of identifying this sustainable funding stream, the attached Resolution dedicating repayments of rehabilitation loans to the City that were granted in 1985 is presently being proposed. These 1985 loans are paid back over time and if the Resolution is approved they would provide an initial small stream of income into the newly created AHTF.

As of the beginning of this fiscal year there remained 21 outstanding CDBG rehabilitation loans totaling \$99,843. Given these are 0% interest loans, and repayments are only triggered when a property sells, is refinanced, or is transferred (inherited), the repayments are intermittent and limited to a few loan repayments annually. In 2004-2005 due to the increase in refinancing many of the original loans were paid off at that time. Due to the unpredictable nature of repayments these funds are currently directed to capital improvements when received in a given year. Upon approval of this proposed Resolution these funds would instead be redirected to the AHTF to support affordable housing. Specifically the proposed Resolution would direct any loan repayments made after July 1 2008 (the beginning of this fiscal year) into the AHTF. This date is relevant as in July of this year the City did receive a repayment for 4 of these 1985 CDBG Rehabilitation loans totaling \$19,652.00. If approved, this Resolution would re-direct those funds to be the first contributions into the AHTF. The remaining \$80,191 in outstanding loans would be contributed to the AHTF over the coming decades as they are repaid without interest per the terms of the original loans.



#### ORDINANCE NO. 2966

# AN ORDINANCE AMENDING THE ASHLAND MUNICIPAL CODE, ADDING A NEW CHAPTER 4.36, PROVIDING FOR THE ESTABLISHMENT OF AN AFFORDABLE HOUSING TRUST FUND

Annotated to show deletions and additions to the code sections being modified. Deletions are lined through and additions are in bold.

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293,531 P 2d 730, 734 (1975); and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect the health, safety and welfare of existing and future residents of Ashland who are adversely impacted by the lack of housing available to all income types, specifically very low, low, and moderate income households, it is necessary to establish a fund to support the development, preservation, and rehabilitation, of needed housing types within the City; and

WHEREAS the City of Ashland City Council recognizes that for a healthy community the provision of a range of affordable housing opportunities and funding mechanisms for affordable development is a top priority for the City of Ashland; and

WHEREAS, the City Council of the City of Ashland has determined that neither the private market, nor the public sector, has yet provided the levels of housing affordability necessary to maintain a balanced community, local government must take an active lead to ensure an adequate supply of housing for residents and working people of all income levels;

#### THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

**SECTION 1.** A new Chapter 4.36 [AFFORDABLE HOUSING TRUST FUND] is hereby added to the Ashland Municipal Code to read as follows:

#### Chapter 4.36 AFFORDABLE HOUSING TRUST FUND

Section 4.36.010 Purpose
Section 4.36.020 Definitions
Section 4.36.030 Dedication of Revenue

#### Section 4.36.040 Establishment of Policies and Procedures

#### 4.36.010 Purpose

- A. The purpose of the Affordable Housing Trust Fund [AHTF] is to support the creation or preservation of housing that is affordable to people with incomes that do not exceed 120% of the area median income, as defined by the Department of Housing and Urban Development for the Medford-Ashland Metropolitan Service Area.
- B. AHTF funds will support activities that create, preserve or acquire housing within the Ashland Urban Growth Boundary. AHTF funds may also be used for permanent or transitional housing for homeless families and individuals, and for the modernization, rehabilitation and repair of public housing.
- C. The AHTF is not intended to be the sole source of funding for affordable housing and any activity or project eligible for support from the AHTF is expected to develop additional sources of funds.

#### 4.36.20 **Definitions**.

The following words and phrases whenever used in this chapter shall be construed as defined in this section unless from the context a different meaning is intended.

- A. Affordable Housing Trust Fund (AHTF) means a separate account created by the City Finance Department established by this ordinance and used exclusively for AHTF purposes as set forth in this Ordinance and implementing Resolutions of the Council.
- B. Administrative Procedures mean the procedures for administration of the AHTF established by Resolution of the City Council, including but not limited to procedures which outline application, evaluation, and all other associated procedures for administration of the AHTF.
- C. Affordable Housing means residential housing primarily for households or persons earning less than 120% the area median income where housing costs including principal, interest, taxes, insurance, and homeowners association dues, or rent, do not constitute more than 30% the household income, and as more fully defined per Council Resolution 2006-13.
- D. Eligible uses and Activities mean those uses for the AHTF which are set forth an implementing Resolution of the City Council, such uses including but not limited to uses and activities which facilitate the production and preservation of affordable housing within Ashland's Urban Growth Boundary.
- E. Affordable Housing Priorities means priorities established from time to time by the City Council by Motion, Order or Resolution, to guide the allocation of funds from the AHTF.

### 4.36.030 Establishment of Affordable Housing Trust Fund / Use of Funds

- A. There is hereby established and created an Affordable Housing Trust Fund, [AHTF], a separate account established by the City of Ashland Finance

  Department for purposes consistent with this ordinance and to provide a discrete account for earmarked affordable housing funds and dedicated affordable housing funds.
- B. The AHTF allows for dedicated funds to be used in support of Affordable Housing Priorities through receipt of donations and dedicated revenue streams, including but not limited to donations, grants, sale of surplus City Property, or any other revenue sources approved by the Ashland City Council or the People of Ashland.
- C. Distribution of funds shall be in accordance with the policies and procedures per Resolution 2008-

#### 4.36.040 Establishment of Policies and Procedures

The Administrative Procedures associated with the AHTF, including fund administration, determination of eligible applicants, eligible uses and activities, award preferences, eligibility criteria, award process, and selection criteria are initially approved by the City Council per establishment of Resolution 2008-

<u>SECTION 2.</u> Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**SECTION 3.** Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 2-3) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the \_/6\_ day of \_Section\_\_\_\_\_, 2008, and day PASSED and ADOPTED this \_\_\_\_\_\_\_, day of \_October\_\_\_\_\_\_\_, 2008.

Barbara M. Christensen, City Recorder

SIGNED and APPROVED this 8 day of Offsber, 2008

John W. Morrison, Mayor

Richard Appicello City Attorney

#### RESOLUTION NO. 2008-34

## A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR ADMINISTRATION OF THE AFFORDABLE HOUSING TRUST FUND

#### **RECITALS:**

- A. WHEREAS, the City of Ashland City Council approved the establishment of the Affordable Housing Trust Fund (Ordinance (2966)), to keep our community diverse by facilitating the production and preservation of affordable housing throughout Ashland; and
- B WHEREAS, The policies and procedures for administration of the Affordable Housing Trust Fund establish eligible uses, eligible applicants, the method by which funds are awarded, and selection criteria; and
- C. WHEREAS, the City Council understands the changing nature of the housing market and corresponding housing needs, and therefore has established the policies and procedures for administering the Ashland Housing Trust Fund (AHTF) to remain flexible to respond to changing market conditions and opportunities; now therefore

#### THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

#### **SECTION 1. Purpose**

- 1.1 The purpose of the City of Ashland's Affordable Housing Trust Fund (AHTF) is to establish a dedicated source of revenue to provide ongoing funding for housing projects or programs that address the housing needs of Ashland residents. To this end the AHTF is established to address the primary purpose of encouraging the creation of housing for homeownership or rent, at a cost that will enable low and moderate income families to afford quality housing while paying no more than thirty per cent of gross household income on housing.
- 1.2 To promote the rehabilitation, preservation and production of quality, well designed rental and ownership housing the AHTF will award funds to community development partners that are furthering the AHTF mission. It is expecting that the local contributions made through Ashland's Affordable Housing Trust Fund will assist in maximizing the leveraging of State and Federal funds, as well as encourage private sector investment in affordable housing.

- 1.3 Understanding the high cost of housing regionally, it is evident that low and moderate income households are not being served by the housing market. To address the disparity between the cost of housing and the means of resident households to afford housing, the Affordable Housing Trust Fund aims to provide direct financial support to projects that retain or increase the supply of needed housing for households earning less than 120% the Area Median Income as defined by HUD.
- 1.4 The Administrative Procedures associated with the Affordable Housing Trust Fund, including fund administration, determination of eligible applicants, eligible uses and activities, award preferences, eligibility criteria, award process, and selection criteria are hereby established.

#### Section 2. Eligible Applicants

- 2.1 The Affordable Housing Trust Fund is structured to ensure that many different types of organizations are eligible to receive financing.
- 2.2 Eligible applicants include governmental subdivisions, community development corporations, local housing authorities, community action agencies, community-based or neighborhood-based non-profit housing organizations, other non-profit organizations, for-profit entities, and private employers.

#### Section 3. Eligible Uses and Activities

- 3.1 Affordable Housing Trust Funds shall support the creation or preservation of housing that is affordable to households with incomes that do not exceed 120% of the area median income, as defined by HUD for the Medford-Ashland metropolitan service area.
- 3.2 Affordable Housing Trust Funds will be focused on those activities that create, preserve or acquire housing within the Ashland Urban Growth Boundary.
- 3.3 Housing developments financed by the Affordable Housing Trust Fund (AHTF) which receive subsidy, financing, tax credits or other assistance under a State or Federal housing program, may contain market rate units insofar as permissible under those programs and/or to the extent that they are necessary to support the creation of and/or on-going sustainability for the affordable housing units in the development. However, Affordable Housing Trust Funds may not be used to support such market rate units.

- Affordable housing units developed utilizing subsidy from the Affordable Housing Trust Fund shall comply with the income, rent and purchase housing cost limits established by Resolution 2006-13, as amended, and as restricted by a covenant prepared by the City of Ashland.
- 3.5 The Affordable Housing Trust Funds can be provided as either a grant or a loan depending on the project or program receiving funding. To retain a significant degree of flexibility the eligible uses have a broad application including the following:
  - **3.5.a** Acquisition and Construction of new affordable housing. Eligible acquisition and construction costs include reasonable costs associated with building or land purchase, including but not limited to:
    - Purchase price
    - Option costs
    - Financing fees
    - Appraisal costs
    - Closing costs
    - Interest
    - Inspection fees
    - Title insurance
    - Relocation costs
    - Architectural/engineering fees
    - Construction costs
  - **3.5.b** Conservation of energy through the use of "green" technologies provided that the benefits of the energy savings is passed on in the form of reduced costs to the qualified occupants of the affordable housing.
  - **3.5.c** Land Banking: the purchase of land to be dedicated toward the development of affordable housing in the near or long term.
  - 3.5.d Predevelopment activities undertaken by a community development organization in support of the development of affordable housing including planning, architectural services, engineering services, landscape design, legal services, surveys, appraisals, site clearance and demolition, environmental clearance, permit application fees and system development charges.

- 3.5.e Bridge loans to assist in development of low-income housing (for rental or owner occupancy). Bridge loans are intended to provide funding to permit housing projects to proceed in advance of the availability of permanent project funding. Bridge loan funding is available for acquisition or construction activities.
- 3.5f Capacity Building for non-profit affordable housing providers in the form of direct grant awards to fund administration of an affordable housing project or program.
- 3.5.g Rehabilitation and Emergency Repairs as part of an established program to secure units as affordable or to provide direct benefits to existing low-moderate income households. Eligible rehabilitation and emergency repair costs include but are not limited to:
  - · Architectural/engineering fees
  - Construction costs
  - Relocation costs
  - Hazardous materials abatement including lead based paint noticing consistent with The Federal Lead Safe Housing Regulations HUD requirements at 24 CFR §35
- 3.5.h Direct benefits to low-moderate income households through an established program including down payment assistance, rental assistance, mortgage foreclosure prevention, emergency housing vouchers, homeownership training, renter education, or other programs intended to increase housing opportunities for Ashland's low-moderate income residents.
- **3.5.i** Transitional and Emergency Housing for homeless individuals and families through an established program to move people toward self-sufficiency.
- **3.5.j** Other uses as deemed appropriate by the Ashland City Council as supporting the development or preservation of affordable housing within the City of Ashland.

#### Section 4. Preferences

4.1 The general criteria of selection are found in Section 8 and may be modified through the annual Request for Proposals, however the following preferences are provided as general guidance for future applicants for Affordable Housing Trust Funds.

- 4.1.a Developments that produce "new" affordable housing units. New affordable housing units shall include housing units constructed where none had existed previously, abandoned or fire-damaged residential units to be returned to residential use, and non-residential or non-residentially-zoned property converted to residential use. Any designated new affordable housing units shall be secured as affordable through recorded Resale Restriction Covenants.
- 4.1.b Developments that provide new affordability. New affordability refers to existing housing where a new level of affordability is provided that does not currently exist. This could occur in rental or ownership housing where the number of affordable units is increased; where a portion of existing units will be made affordable to households at income levels substantially lower than the units previously served; or where the term of affordability on the units will be extended for a period beyond thirty (30) years.
- **4.1.c** Developments of housing utilizing the Land Trust model to secure property and perpetual affordability.
- **4.1.d** Developments that include joint ventures between multiple non-profit developers and or for-profit developers, working in partnership, to complete an affordable housing project
- **4.1.e** Developments that include a joint venture between service providers and non-profit affordable housing developers to create projects that contain additional benefits to low income individuals in the development of the project, or additional services for the residents upon completion.
- 4.1.f Developments that incorporate the use of "green" building materials, use of energy-efficient appliances, low-water use landscaping, and incorporation of building design and operational factors that minimize energy use and resource consumption as well as avoid indoor health impacts to achieve Earth Advantage Certification.
- **4.1.g** Developments that include affordable units for the disabled and the homeless.
- 4.1.h Projects that propose long term affordability.
- **4.1.i** Projects that are sponsored by non-profit organizations.

**4.1.j** Projects that use private funding sources and State funding sources to leverage the least amount of Ashland's Affordable Housing Trust Funds.

#### Section 5. Fund Administration

The Affordable Housing Trust Fund (AHTF) originated through the direction of the Ashland City Council and Ashland Housing Commission.

- 5.1 The City of Ashland acts as fiduciary agent and administrator of the funds.
- 5.2 Funds dedicated to the Ashland Housing Trust Fund shall be exclusively reserved to support the eligible uses activities identified in Section 3, and shall not be used for the general operation of the City.
- 5.3 The City of Ashland shall issue a request for proposals (RFP) to announce the availability of funds. The Affordable Housing Trust Fund RFP issuance shall be timed to run concurrent with the Community Development Block Grant Program award process.
- 5.4 The City may issue a Notice of Funding Availability (NOFA) to specifically target up to 10% in available Affordable Housing Trust Funds to undertake eligible uses and activities identified in Section 3.
- 5.5 The City of Ashland Housing Commission, and City Staff as designated by the Director of Community Development, shall review applications for Affordable Housing Trust Funds to determine project eligibility and evaluate the applications based on the selection criteria provided in the issued Request for Proposals. The Housing Commission, and City Staff, shall provide recommendations to the City Council who shall make final award decisions.
- The City aims to administer the Affordable Housing Trust Fund in a manner consistent with other affordable housing programs such as the Ashland Community Development Block Grant Program. The implementation of a comparable application, application evaluation, and approval process will provide housing developers with a consistent and coherent method for securing housing funds from the City. Coordination of the grant allocation process with other local and state funding application timelines, will help ensure that AHTF funds are best applied to leverage additional resources in support of the housing projects.

5.7 Affordable Housing Trust Funds will be allocated in a manner consistent with the threshold criteria provided Section 8, and consistent with State and Local Public Contracting law.

#### Section 6. Match Requirements

- 6.1 The Ashland Housing Trust Fund is intended to support the development of needed housing, but is not intended to provide the sole source of funding for any development project or housing program. To ensure that affordable housing providers, and organizations that assist individuals and families in obtaining needed housing, do not rely exclusively on AHTF to support their activities, it has been determined that;
- 6.2 The Affordable Housing Trust Fund contribution shall not exceed more than 50% of the total project, or program, cost. Required Match can be met utilizing Community Development Block Grants, State or Federal Funding, direct contribution from the applicant, private donations, and the contribution of land, materials or labor to the project.
  - 6.2.a In the case that land previously owned by the applicant is considered as required match, the value of the land shall be determined by a City approved certified appraisal completed by the applicant, unless otherwise directed in Oregon Revised Statute or City Municipal Code.
  - **6.2.b** The valuation of land, and available equity to be considered as matching funds, shall be verified by the City prior to the disbursement of an AHTF grant when its value is considered as required matching funds.
  - 6.2.c Donated materials and labor which are proposed as required match through the development of a project shall have their value estimated at the time of application. The actual value of these contributions is subject to verification by the City at completion of the project.
  - **6.2.d** Award recipients shall provide verifiable accounting for donated labor and materials, when such was necessary to satisfy the AHTF match requirements.
- 6.3 A recipient of an AHTF grant that fails to verify the match requirements have been satisfied at the conclusion of a project

would be considered cause for the City to require full or partial repayment of any AHTF grants awarded to a project.

#### <u>Section 7</u> – Allocation of Funds

The Affordable Housing Trust Fund is structured to allow the flexibility for the City, and housing providers, to be responsive to opportunities that arise that require an immediate expenditure of a relatively small amount of funds to secure property, or financing, as well as to ensure the majority of Affordable Housing Trust Funds are allocated through a annual competitive award process.

Establishment of two distinct and separate award processes is intended to provide for both consistency and flexibility. The issuance of a Request for Proposals (RFP) which will allocate 90% of the available allocation of Affordable Housing Trust Funds will be coordinated with other local and State funding cycles to allow applicants to best structure their project financing. Additionally a Notice of Funding Availability (NOFA) may be announced, as funds permit, to allocate up to 10% of the annual funding available. A NOFA is primarily intended to be responsive to immediate needs for a limited grant or loan if needed for predevelopment activities which will further the mission of the AHTF.

The distribution of any and all AHTF funds through Competitive or Non-Competitive awards as described in Sections 7.1 and 7.2, will be in accordance with State and Local Public Contracting laws.

#### 7.1. Competitive Awards - Request for Proposals (RFP)

The City of Ashland has a limited amount of Affordable Housing Trust Funds to use each year in comparison to the scope of the housing needs within the community. As a result, it is essential that the funds are used to meet the City's priorities in an efficient and cost-effective manner. To this end a competitive award process has been established and a set of award criteria shall be developed to evaluate proposals received through a Request for Proposals (RFP) process in terms of how they address the specific priorities outlined in the annual RFP.

The steps for making the competitive grant awards or loans is outlined below.

7.1 a. The City of Ashland may issue a Request for Proposals on an annual or intermittent basis depending on availability of funds, providing applicants with a minimum of 45 days to respond to the request.

- **7.1 b** City Staff shall assess the project proposals to determine if the eligibility criteria are met and shall develop a recommendation to provide to the Ashland Housing Commission and the City Council.
- **7.1 c** The Ashland Housing Commission will provide applicants the opportunity to make a presentation on their project proposal and provide community members the opportunity to comment by holding a public meeting.
- 7.1 d The Ashland Housing Commission will develop a grant award recommendation to the City Council using the AHTF criteria to determine which projects best meet the City's spending priorities. Each application will be rated on a numeric scale as established in the annual RFP for each criterion of selection (Section 8).
- **7.1 e** The Ashland City Council shall make a final decision on the award of Affordable Housing Trust Funds.
- 7.1 f The City of Ashland shall prepare an agreement between the City and the award recipient. The Agreement shall outline the conditions of award and shall be executed prior to the disbursement of any Affordable Housing Trust Funds.

#### 7.2. Notice of Funding Availability (NOFA)

Upon electing to initiate a Notice of Funding Availability (NOFA) the City shall issue a notice of funding availability through publication in the Ashland Daily Tidings and on the City's Website providing 30 days for eligible applicants to submit qualifications for funding. The City shall review all applications received to determine if the applications meet the City's threshold criteria. If the criteria are met then the funds are awarded to, or reserved for, the applicant. Funds available through the NOFA process are awarded on a first come, first served basis, until reaching the annual funding cap. A reserve award granted to an applicant may be rescinded by the City if the applicant does not undertake the activities identified in response to the NOFA in advance of the City's issuance of another RFP or NOFA.

- **7.2.a** On an annual basis the City shall determine the amount of funds available to be distributed through a NOFA procedure
- **7.2.b** In no case shall the amount disbursed through the non-competitive process exceed 10% of the annual AHTF revenue in a given program year.

- 7.2.c The City of Ashland recognizes that the nature of affordable housing development acquisition of property is often opportunity dependant. Further many nonprofit housing developers lack the resources to undertake feasibility studies, due diligence inspections, preliminary drawings and other activities required to evaluate potential projects as well as apply for project financing.
- 7.2.d To enable non-profit organizations, community development organizations, the Housing Authority of Jackson County, and the City of Ashland, to be responsive to opportunities outside of the annual Request for Proposals timeline, the City may reserve a portion of Affordable Housing Trust Funds to support predevelopment activities.
  - 7.2.d.1 Predevelopment activities undertaken by a community development organization in support of the development of affordable housing including planning, architectural services, engineering services, landscape design, legal services, surveys, appraisals, site clearance and demolition, environmental clearance, and payment of permit application fees may be supported through a non-competitive award of a predevelopment grant that may be required to convert to a loan if the project receives full funding.
  - 7.2.d.2 For-profit developers are not eligible to apply for Ashland's Affordable Housing Trust Funds to assist with predevelopment costs.
- **7.2.e** The City of Ashland is eligible to utilize the funds reserved for the NOFA process to conduct eligible activities as described in Section 3.
- 7.2.f The City may fund through a NOFA process an ongoing down-payment assistance program, rental assistance program, education program, rehabilitation program, or other programs intended to increase housing opportunities for Ashland's low-moderate income residents which are administered by a non-profit or governmental organization.

#### Section 8 AHTF Grant or Loan Award Threshold and Selection Criteria

8.01 The project is considered an eligible use or activity under Section 3, and benefits households earning less than 120% the Area Median Income.

(threshold verification)

- 8.02 If the project is related to the provision of technical assistance to affordable housing providers, the use of Ashland Housing Trust Funds functions to increase the capacity of the organization to specifically address the mission of the AHTF. (threshold verification).
- 8.03 Affordable Housing Trust funds shall be limited to the minimum amount necessary to complete the project. The lower the percentage of AHTF funds requested, relative to the full project costs, the higher ranking the project shall be given.
- 8.04 The project addresses the unmet housing needs as identified in the Ashland Housing Needs analysis or Consolidated Plan.
- 8.05 The lower the income level that is targeted for the benefiting households, the higher the ranking the project shall be given.
- 8.06 The project provides new affordable housing, or new affordability, through retention or rehabilitation of existing housing, within the City. The greater the number of units provided, the higher the ranking the project shall be given.
- 8.07 The project retains the affordable housing units as affordable. The longer period of time the units remain affordable, the higher ranking the project shall be given.
- 8.08 The project addresses energy conservation through the integration of green building technologies in new construction, or achieves greater energy efficiency through rehabilitation of existing housing.
- 8.09 The project maximizes partnerships in the community (volunteers, in-kind contributions, cash contributions, multiple organizations involved, etc.).
- 8.10 The project utilizes already existing resources in effective and innovative ways. The project shall not duplicate service provided by another organization.
- **8.11** The agency submitting the proposal has the capacity to carry out the project and has had demonstrated successes completing projects of similar scope.
- **8.12** The budget and time line are thorough and realistic.
- **8.13** The project is ready for implementation.

- 8.14 If the project includes the acquisition of property, the identified property is currently available for acquisition and the applicant has secured either a purchase option or letter of interest from the seller. If the applicant is also applying for federal funding (Community Development Block Grants or HOME) they should carefully review procurement requirements and limitations before obtaining a purchase option.
- 8.15 That relocation of existing residents will be minimized, and when necessary the applicant has included accurate relocation assistance costs as part of the project pro forma.
- **8.16** The proposal demonstrates that Ashland Housing Trust Funds are the most appropriate funding source, and necessary, for the project.
- 8.17 Additional selection criteria may be developed and included in the annual RFP to best direct Affordable Housing Trust Funds toward an identified priority need. Numeric Rankings for each of the selection criteria shall be incorporated into the annual RFP.

SECTION 9. This resolution was duly PASSED and ADOPTED this	
day of sestember, 2008, and takes effect upon signing by the Mayor.	
Burhara Christensen	

Barbara Christensen, City Recorder

SIGNED and APPROVED this 23 day of September, 2008.

David Chapman, Council Chair

Reviewed as to forma

Richard Appicelle, City Attorney

#### RESOLUTION NO. 2008-23

# A RESOLUTION DEDICATING LOAN REPAYMENTS FROM THE ASHLAND REHABILITATION PROGRAM DEFERRED PAYMENT LOANS TO THE AFFORDABLE HOUSING TRUST FUND

#### **RECITALS:**

- A. WHEREAS, in 1985 the City of Ashland utilized a one-time Community Development Block Grant in the original amount of \$478,968 to provide rehabilitation loans to homeowners for needed repairs to homes throughout the City; and
- B. WHEREAS, twenty-one (21) individual outstanding loans remain, averaging \$4754 each, for a cumulative total of \$99,843 remaining to be repaid to the City; and
- C. WHEREAS, the Ashland Rehabilitation Program Deferred Loan funds originating from the 1984 -1985 State of Oregon Community Development Block program are defederalized upon repayment of the loans, and can be applied to uses as the City of Ashland deems appropriate; and
- D. WHEREAS, the City of Ashland is re-paid the entire loan amounts, without interest, upon sale, transfer, or refinancing of homes that originally received assistance per the agreements executed at the time of the loans; and
- E. WHEREAS, the City desires that repayments of the loans outstanding as of July 1, 2008 continue to address the Ashland's housing needs through their dedication to the Affordable Housing Trust Fund established by Ordinance 2966; now therefore

#### THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. Loan Repayments received by the City as payoffs for outstanding 1985 loans provided through the Ashland Rehabilitation Program, and originally funded with Community Development Block Grant funds, shall be dedicated to the Ashland Affordable Housing Trust Fund.

SECTION 2. All repayments of 1985 Ashland Rehabilitation Program loans that are received by the City after July 1, 2008 are subject to this resolution.

Barbara Christensen, City Recorder

SECTION 3. EFFECTIVE DATE. This Resolution

SIGNED and APPROVED this 23 day of September, 2008

Reviewed as to forma

Richard Appice(Id) City Attorney

David Chapman, Council Chair

# City of Ashland Preliminary Results of Operations As of 11502016 (70.59% of bennium)

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# Memo

DATE:

1/20/2017

TO:

Housing and Human Services Commission

FROM:

Linda Reid, Housing Program Specialist

RE:

Draft Porta-Potty Memo

This draft memo regarding the request for additional porta-potties in other areas of town is for the Housing and Human Services Commission to review. This memo is intended as a starting point to discuss what information and language the Commission would like to have included in a draft that is intended to eventually go to the council.

At the annual goal setting retreat held by the Housing and Human Services Commission in December of 2015, the Commission identified the addition of one or more porta-potties outside of the downtown to be a strategic priority. To this end a subcommittee of the Commission has been communicating with local business owners, service providers and city staff regarding the needs, costs, location, and feasibility of adding one or more porta-potties in identified problem areas outside of the downtown. Through this process the Commission in coordination with the Public Facilities staff, and Parks Department staff have identified three potential locations for the siting of one or more porta-potties.

#### These locations are:

- 1. The intersection of the bike path and Tolman Creek Rd by the Goodwill
- 2. Mountain View Cemetery
- 3. Downtown area by the railroad park

Estimated costs for one additional porta-potty is between \$1000 and \$3,600 annually.



## ASHLAND

## Memo

DATE:

1/20/2017

TO:

Housing and Human Services Commission

FROM:

Linda Reid, Housing Program Specialist

RE:

Housing and Human Services Commission goals 2017

The Housing and Human Services Commission held their annual goal setting retreat on December 11th. At their retreat the commissioners identified two broad categories and several meta-categories;

#### Introductory Statement:

Diversity/Affordable Housing:

Housing Trust Fund

Subcommittee Volunteers: Tom B., Sharon, Rich (2), Tom G.

Integration of Affordable Housing throughout the City/ARU Program/Micro-loan Program Subcommittee Volunteers: Sue Crader

Renter's Rights Issues/90 day notice

Subcommittee Volunteers: Gina, Michelle

Tenant's Rights Organization

Subcommittee Volunteers: Michelle, Rich (2) Tom G.,

Encourage the Development of Workforce Housing

Subcommittee Volunteers: Joshua, Tom G., Sue Crader

Vertical Housing Tax Credit Program

Subcommittee Volunteers: Joshua, Sharon

Ask the Council to Recognize HTF funding and an expenditure

#### Homelessness:

Jobs Program to pay homeless individuals to run the shelter Subcommittee Volunteers: Gina, Sharon, Heidi, Rich (2)



Encourage the Funding of a one site solution Subcommittee Volunteers: Sharon, Heidi, Tom B. Sue

Getting Mental Health Services in Ashland Subcommittee Volunteers: Michelle, Sharon, Tom G., Rich

Porta-Potties Subcommittee Volunteers: Gina, Sharon, Tom G. Housing First Model HTF

