

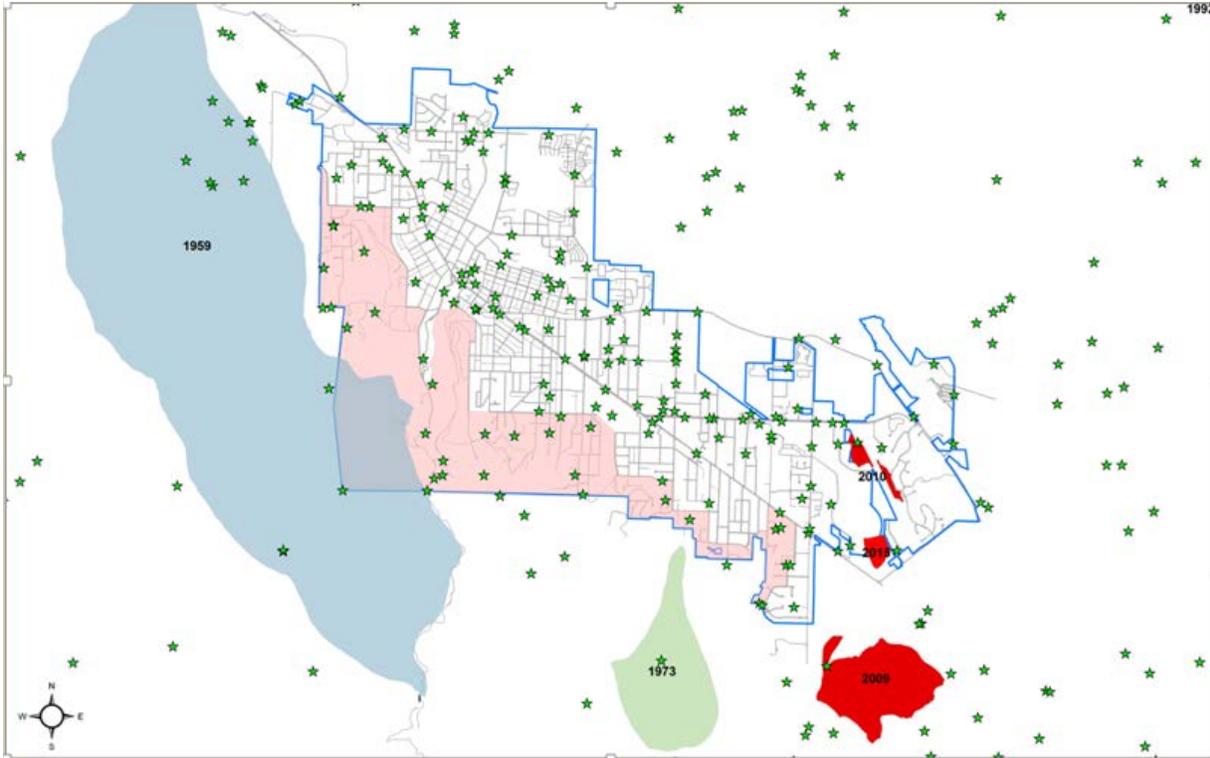
Planning Commission Report

DATE: July 10, 2018
TO: Ashland City Council
FROM: Ashland Planning Commission
RE: Planning Commission Recommendation
Ordinance Amendments for Wildfire Development Standards Ordinance
(PA-L-2018-00003)

Summary

The Planning Commission unanimously recommends approval of Planning Action PA-L-2018-00003. This legislative action includes proposed amendments to the Physical and Environmental Constraints Map to expand the boundary of Ashland's designated Wildfire Lands to incorporate the entire City; amendments to the Ashland Land Use Ordinance to implement new standards for fire prevention and control plans and fuels reduction associated with development; amendments to the Tree Removal permit requirements; and a Resolution to establish a Prohibited Flammable Plant list and a Municipal Code amendment to designate that such plants are a fire hazard.

The Commission found that wildfire poses a risk to persons and property throughout the entire community and therefore determined that the designated wildfire lands boundary, and the development standards for wildfire lands, should be applied city wide to mitigate for the potential adverse effects of wildfire. The commission found that the Wildfire Hazard Zone Evaluation in 2014 demonstrated that the existing Wildfire Lands overlay boundary does not incorporate all areas within the City that meet the criteria to be considered a Wildfire Hazard Zone as set forth by OAR Chapter 629, Division 044, and the frequency, spread, acceleration, intensity, and size of fires that have occurred outside the existing wildfire lands overlay demonstrates that the expansion of the wildfire lands overlay boundary is warranted. Ashland Fire and Rescue presented a map to the Commission that identified where individual fire ignition points and larger wildfires have occurred since 1959. This map showed that the risk of wildfire has not been isolated to the existing wildfire lands overlay area.



Ashland wildfires and ignitions:

Pink polygon = Existing wildfire lands designation

Green stars = ignitions

Blue, green, and red polygons = wildfires occurring in 1959, 1973, 2008, 2010

In review of the existing development standards for Wildfire Lands, the Planning Commission identified a number of potential changes to the existing code to be considered as part of the legislative amendment process. Draft code revisions were presented at numerous study sessions throughout 2017 and 2018, and were discussed by the Planning Commission, Tree Commission, Wildfire Mitigation Commission, and an ad-hoc wildfire hazard committee convened by the Mayor (comprised of City staff, representatives from the Tree, Planning, and Wildfire Mitigation Commissions). Through these study sessions the Commissions aimed to clarify the submittal requirements for a Fire Prevention and Control Plan, as well as revise or establish requirements for the implementation of required General Fuel Modification Areas not presently codified within the currently adopted Land Use Ordinance.

The Planning Commission found that if approved the proposed ordinance amendments, and expansion of the Wildfire Lands boundary, would address Statewide Planning Goal 7 as a local effort to “*implement measures to reduce risk to people and property from natural hazards including wildfire*”. Further the Commission found that the 2017 Climate and Energy Action Plan (CEAP) identified that regulation of new development within the Wildfire Fire Overlay was considered necessary to be more resilient to climate change impacts, and that adoption of the proposed ordinances would address this CEAP goal. The Commission further acknowledges that the City Council had an established an explicit goal to “*Complete the expansion of the city’s*



wildfire hazard zone to accurately reflect risk. Update the Wildfire Hazard Zone ordinance to allow for Citywide application and schedule for Council consideration". This Council goal is directly addressed through the ordinances and a resolution being forwarded for Council's consideration.

The Commission held a public hearing and deliberations on the proposed amendments on June 26th, 2018. Prior to the public hearing, the Planning Commission held study sessions to discuss Wildfire Lands ordinance amendments on [June 24, 2014](#), [February 24, 2015](#), [November 24, 2015](#), [February 23, 2016](#), and [February 27, 2018](#).

Recommendation

AMC 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. As discussed earlier, the Planning Commission finds the proposed amendments to the land use ordinance relating to wildfire development standards and the wildfire lands overlay map are necessary and are supported by the [Planning Staff Report dated June 26, 2017](#), the [2014 City of Ashland Wildfire Hazard Zone Evaluation](#), the [Community Planning Assistance for Wildfire \(CPAW\) Ashland Ordinance Review](#) (dated January 10, 2017), the [CPAW report titled Best Practices Compilation for Ashland](#) (dated April 2017), and the minutes from the prior study sessions as included in the record.

The Planning Commission reviewed the recommendations of the City of Ashland Tree and Wildfire Mitigation Commissions as included in the Planning Staff Report dated June 26, 2018, and considered the public testimony and written comments provided at the public hearing.

After careful thought and consideration, the Commission voted to recommend the City Council approve first reading of the ordinances and resolution as follows:

- Approval of the proposed map amendment to the Physical and Environmental Constraints Wildfire Lands Map to designate the entire Urban Growth Boundary and City Limits as Wildfire Lands.
- Approval of the proposed ordinance amending Chapter 18 of the Ashland Land Use Ordinance to amend the development standards for wildfire lands, and the applicability of tree removal permits.
- Approval of the proposed ordinance amending Chapter 9 of the Ashland Municipal Code to declare Prohibited Flammable Plants a nuisance.
- Approval of the resolution establishing the proposed General Fuel Modification Area Prohibited Flammable Plant List for application in Ashland's designated Wildfire Lands.

