

# Council Communication

## December 15, 2015, Business Meeting

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### **Second Reading of three separate ordinances amending the City of Ashland Comprehensive Plan, Comprehensive Plan Maps, Transportation System Plan, and Land Use Ordinance (Chapter 18) to adopt the Normal Neighborhood Plan**

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**FROM:**

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**SUMMARY**

The three ordinances presented for second reading amend the Comprehensive Plan, Transportation System Plan, and Municipal Code Chapter 18 (Land Use Ordinance) to implement the Normal Neighborhood Plan.

The first ordinance amends the Comprehensive Plan to add Normal Neighborhood Plan designation to Chapter 2 [Introductions and Definitions], Add the Normal Neighborhood Land Categories to Chapter IV [Housing Element], Change the Comprehensive Plan Map to establish the boundaries of the Normal Neighborhood Plan area and amend the boundaries of Conservation Areas within the neighborhood . This ordinance also adopts the supporting documents (i.e. Normal Neighborhood Plan Framework dated May 2014 as amended), as a support document to the Comprehensive Plan.

The second ordinance amends the Transportation System Plan (TSP) to incorporate the Normal Neighborhood Plan's Street and Bikeway Networks into the TSP, and to establish standards for the new Shared Street designation within the Street Design Standards section of the municipal code (Chapter 18.4.6).

The third ordinance amends the Ashland Municipal Code creating a new chapter 18.3.4 Normal Neighborhood District, amends chapter 18.2.020 to add a Normal Neighborhood zoning classification, and amends chapter 18.2.1.040 to add a Normal Neighborhood Special District designation.

Properties within the Normal Neighborhood Plan area are not rezoned by adoption of this ordinance; rather the zoning designations and district development standards are to be applicable to future developments upon annexation and zone change requests.

**BACKGROUND**

A Public Hearing was held at the Planning Commission on July 28, 2015, to review the final ordinances, which was continued to August 11, 2015. A public hearing for first reading of the final ordinances was held at the City Council on September 1, 2015, continued to September 15, 2015, October 6, 2015, and November 17, 2015.

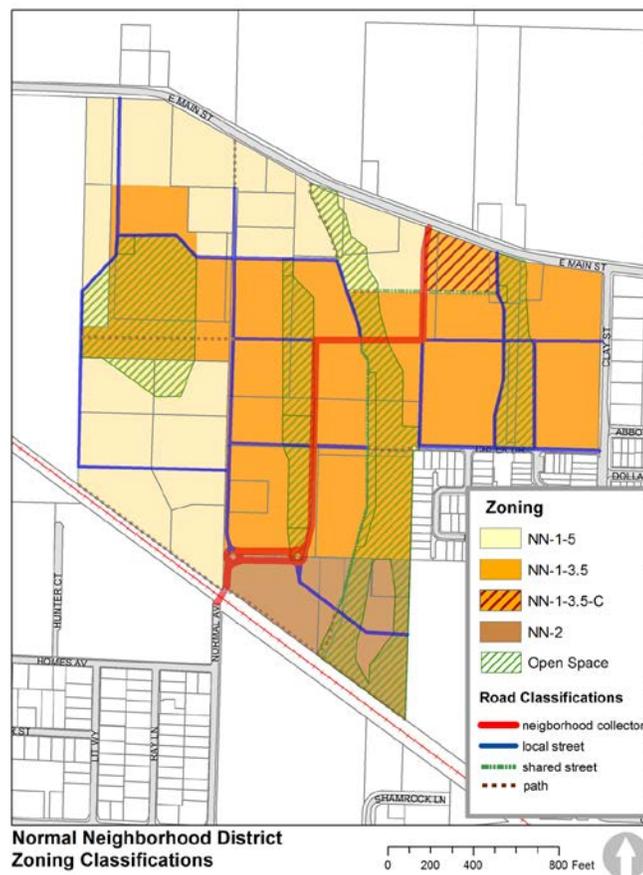


The City Council directed a number of amendments be made to each of the three ordinances presented at first reading. At the conclusion of first reading of the ordinances, as amended, Council clarified that public testimony presented at second reading shall be limited to comments exclusively addressing the changes to each the ordinances that were approved by Council at first reading.

The amendment made to each ordinance between first and second reading are as follows:

## **Ordinance 1 (Comprehensive Plan and Normal Neighborhood Framework Document)**

The Land Use Map in the Normal Neighborhood Plan Framework, pg 5, was modified to change the southernmost block of property zoned as NN-1-3.5-C to NN-1-3-5, retaining the commercial overlay zoning for only the northern block.



The newly modified image/map above incorporates the reduced area of NN-1-3.5-C as amended. This amended map is additionally included within the Normal Neighborhood District Land Use Ordinance (Ordinance #3)

- The Normal Neighborhood Plan Framework description of an alley, pg 28, was amended to eliminate the sentence:
  - *“The narrow street section of rear lanes reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health.”*

- The Normal Neighborhood Plan Framework Advance Financing and Phasing of Public Improvements section, pg 30, was amended to clarify the improvements that are to be made to East Main Street, from Walker to Clay Street. Although the original motion only stated that the phased improvements related in general to East Main Street, it was clarified that the motion should have stated improvements be made to East Main Street “from Walker Avenue to Clay Street”. The amendment below presented for second reading incorporates this clarification:
  - *During the first phase of development within the plan area, prior to, or simultaneously with any construction or development that borders East Main Street, improvements shall be made to East Main Street, from Walker Avenue to Clay Street, so that at a minimum:*
    - *Travel lanes and turn lane improvements are fully installed a minimum of 250’ on either side of any newly constructed intersection with East Main Street. Full street improvements shall be completed from Walker Ave. to Clay Street upon installation of any second new public street intersection with East Main Street.*
    - *Pedestrian and Bicycle improvements shall be installed from Walker Ave. to Clay Street with the initial phase of any annexation and development that borders East Main Street, and shall be completed prior to completion of the proposed development.*
  - The following previously existing language in the Framework has been removed from the Normal Neighborhood Plan Framework as it was superseded by the above clarification:
    - *Consideration of a phased improvement plan for new intersections along East Main Street will include an evaluation of adequate pedestrian and bicycle connectivity from Walker Avenue to Clay Street. A full sidewalk along the south side of East Main Street, or an alternative bicycle and pedestrian path system within the project area connecting a proposed development to the middle school should be provided in the initial phase of development.*
- The Normal Neighborhood Plan Framework was amended to add a new section, Plan Monitoring and Updates, pg 33, to stipulate the neighborhood plan is subject to review as follows:
  - Plan Monitoring and Updates  
*Neighborhood plans, by their nature, are subject to periodic review and changes to reflect changing local conditions, demographic shifts, and other factors. To monitor the plan’s implementation the City Council will evaluate the Normal Neighborhood Plan either ten years following the plan’s adoption, or upon the cumulative land use approval of 150 dwelling units or more, whichever occurs earlier. The purpose of this review is to ensure the neighborhood’s development is consistent with the objectives of the Normal Neighborhood Plan.*

*The City Council may initiate revisions to the Normal Neighborhood Plan at their discretion at any time should the any of the following conditions warrant plan adjustments:*

- *The Neighborhood Plan no longer reflects the community’s current goals and objectives;*



- *The Neighborhood Plan is in conflict with current city or state policies;*
- *Conditions have materially changed so that projected trends in land use, population, housing needs, economic conditions, local services, natural resources, or other elements are no longer accurate;*
- *Experience with the Neighborhood Plan and the goals and policies, regulations and other measures employed to implement the Neighborhood Plan suggests the need to improve the clarity and effectiveness of the Neighborhood Plan.*

*The City Council may determine upon review that modifications to the plan are unnecessary. In the event the City Council determines major changes to the plan, or legislative changes to the Land Use Ordinance, are necessary to respond to current conditions, revisions to the plan will be subject to a approval process consistent with Chapter 18.3.4 and Chapter 18.5.9 of the Land Use Code and will be reviewed in consideration of public input from the neighborhood.*

### **Ordinance 2 (Transportation System Plan and Shared Street Standards)**

The Transportation System Plan and Shared Street Standards amendments were approved by Council at first reading with the direction to modify the Shared Street description to allow this new street type to be applied in areas other than those that are physically constrained as follows:

- *Provides access to residential uses in an area in which right-of-way is constrained by natural features, topography or historically significant structures. The Shared streets may additionally be used in circumstances where a slower speed street, collectively shared by pedestrians, bicycles, and autos, is a functional and preferred design alternative. The design of the street should emphasize a slower speed environment and provide clear physical and visual indications the space is shared across modes.*

### **Ordinance 3 (Land Use Ordinance)**

The amendments to the Land Use Ordinance were approved by Council at first reading have been incorporated into the ordinance presented at second reading as follows::

- **18.3.4.030 C.1.b.iii**  
*A change in the Plan layout that changes the boundaries or location of an open space conservation area to correspond with a delineated wetland and water resource protection zone, or relocation of a designated open space area.*
- **18.3.4.030 C.3. Minor Amendment**  
**Type I Procedure.** *A Minor amendments to the Normal Neighborhood Development Plan as identified in 18.3.4.030.C.1.b.i and 18.3.4.030.C.1.b.ii are subject to an administrative decision under the Type I Procedure.*

**Type II Procedure.** *A minor amendment to the Normal Neighborhood Development Plan as identified in 18.3.4.030.C.1.b.iii is subject to a public hearing and decision under a Type II Procedure.*

*Minor amendments are subject to the Exception to the Site Design and Use Development Standards of chapter 18.5.2.050.E.*



- **18.3.4.060.B 7 Conformance with Open Space Network Plan:**

*New developments must provide open space consistent with the design concepts within the Greenway and Open Space chapter of the Normal Neighborhood Plan Framework and in conformance with the Normal Neighborhood Plan Open Space Network Map. The open space network will be designed to support the neighborhood's distinctive character and provide passive recreational opportunities where people can connect with nature, where water resources are protected, and where riparian corridors and wetlands are preserved and enhanced.*

- a) The application demonstrates that equal or better protection for identified resources will be ensured through restoration, enhancement, and mitigation measures.*
- b) The application demonstrates that connections between open spaces are created and maintained providing for an interlinked system of greenways.*
- c) The application demonstrates that open spaces function to provide habitat for wildlife, promote environmental quality by absorbing, storing, and releasing storm water, and protect future development from flood hazards.*
- d) The application demonstrates that scenic views considered important to the community are protected, and community character and quality of life are preserved by buffering areas of development from one another.*

### **Options for Review and Plan Updates**

During the Council discussion on November 17, 2015, members of the City Council requested staff present options for consideration regarding plan review thresholds addressing the ability to evaluate plan changes in the future.

Option #1 as presented below is included in the Normal Neighborhood Plan Framework (pg 33) presented for second reading this evening. Staff recommends Option #1 as it identifies examples of the types of changing conditions might be additional factors, beyond the year and dwelling unit number thresholds, which may be considered by future City Council's in electing to make modifications to the plan or land use ordinance.

### **Plan Review Option #1:**

*Neighborhood plans, by their nature, are subject to periodic review and changes to reflect changing local conditions, demographic shifts, and other factors. To monitor the plan's implementation the City Council will evaluate the Normal Neighborhood Plan either ten years following the plan's adoption, or upon the cumulative land use approval of 150 units or more, whichever occurs earlier, to ensure the neighborhood's development is consistent with the objectives of the Normal Neighborhood Plan.*

*The City Council may initiate revisions to the Normal Neighborhood Plan at their discretion at any time should the any of the following conditions warrant plan adjustments:*

- *The Neighborhood Plan no longer reflects the community's current goals and objectives;*
- *The Neighborhood Plan is in conflict with current city or state policies;*
- *Conditions have materially changed so that projected trends in land use, population, housing needs, economic conditions, local services, natural resources, or other elements are no longer accurate;*



- *Experience with the Neighborhood Plan and the goals and policies, regulations and other measures employed to implement the Neighborhood Plan suggests the need to improve the clarity and effectiveness of the Neighborhood Plan.*

*The City Council may determine upon review that modifications to the plan are unnecessary. In the event the City Council determines major changes to the plan, or legislative changes to the Land Use Ordinance, are necessary to respond to current conditions, revisions to the plan will be subject to a approval process consistent with Chapter 18.3.4 and Chapter 18.5.9 of the Land Use Code and will be reviewed in consideration of public input from the neighborhood.*

### **Plan Review Option #2:**

*It is anticipated that the conditions within Normal Neighborhood District could change over time and alter the premise for the various elements of the plan, therefore it is important to periodically review the plan. It is anticipated that the plan elements will be regularly examined through review of annexation and development proposals. To monitor the plan's implementation the City Council will evaluate the Normal Neighborhood Plan upon construction of 150 dwelling units within the plan area, or ten years following the plan's approval, whichever occurs first.*

*The City Council's review will consider the effectiveness of the plan in meeting the project objectives and neighborhood module concepts, including the preservation of open space, protection of natural resources, provision of a variety of housing types, and the adequacy of the transportation system. In order to determine if an application to amend the adopted neighborhood plan is warranted the City Council may additionally consider development activity that has occurred within the plan area while subject to county development standards.*

*The City Council may determine upon review that modifications to the plan are unnecessary. In the event the City Council determines major changes to the plan, or legislative changes to the Land Use Ordinance, are necessary to respond to current conditions, revisions to the plan will be subject to a approval process consistent with Chapter 18.3.4 and Chapter 18.5.9 of the Land Use Code and will be reviewed in consideration of public input from the neighborhood.*

### **Plan Review Option #3**

Should the City Council elect to revise the automatic triggers put forth above, the Council could insert a different period of years, or different unit count in either Option 1, or Option 2:

*...either \_\_\_ years following the plan's adoption, or upon the cumulative land use approval of \_\_\_ units or more, whichever occurs earlier,...*

*...either \_\_\_ years following the plan's adoption, or upon construction of \_\_\_ units, whichever occurs earlier,...*

### **Plan Review Option #4**

Should the City Council elect to remove the automatic review triggers (10 year or 150 units), but decide to retain a section on plan review within the Normal Neighborhood Plan framework document, the Council could select option #1 above and direct the removal of the following sentence:



*“To monitor the plan’s implementation the City Council will evaluate the Normal Neighborhood Plan either ten years following the plan’s adoption, or upon the cumulative land use approval of 150 units or more, whichever occurs earlier, to ensure the neighborhood’s development is consistent with the objectives of the Normal Neighborhood Plan.”*

**NEXT STEPS**

Upon approval of second reading of the Normal Neighborhood Plan’s implementing ordinances, Findings of Fact and Conclusions of Law regarding the Normal Neighborhood Plan ordinances will be drafted and presented at the Council’s regular business meeting, January 5, 2016, for review and approval.

**COUNCIL GOALS SUPPORTED:**

Goal 7. Keep Ashland a family friendly community:

7.3 Support land-use plans and policies that encourage family-friendly neighborhoods.

Goal 13. Develop and support land use and transportation policies to achieve sustainable development.

13.1 Create incentives and ordinances for energy-efficient buildings.

13.2 Develop infill and compact urban form policies.

13.3 Support alternative transportation choices.

Goal 14. Encourage and/or develop public spaces that build community and promote interaction.

**FISCAL IMPLICATIONS:**

N/A.

**COMMISSION RECOMMENDATIONS**

The recommendations of the Planning and Transportation Commissions is provided in the Planning Action (PL-2013-01858) [Staff Report dated July 28, 2015](#), and [Staff Report Addendum dated August 11, 2015](#), provided to the City Council at first reading.

**STAFF RECOMMENDATION AND REQUESTED ACTION:**

Staff recommends approval of second reading of each of the three ordinances.

**SUGGESTED MOTION(S):**

Separate motions are required to address each of the three proposed ordinances:

**Ordinance 1 – Comprehensive Plan Amendments**

I move to approve the Second Reading by title only, including the amendments to the ordinance which have been read in full this evening, of an ordinance titled:

“AN ORDINANCE AMENDING THE CITY OF ASHLAND COMPREHENSIVE PLAN TO ADD A NORMAL NEIGHBORHOOD PLAN DESIGNATION TO CHAPTER II [INTRODUCTION AND DEFINITIONS], ADD THE NORMAL NEIGHBORHOOD LAND CATEGORIES TO CHAPTER IV [HOUSING ELEMENT], CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION FOR APPROXIMATELY 94 ACRES OF LAND WITHIN THE CITY OF ASHLAND URBAN GROWTH BOUNDARY FROM SINGLE FAMILY RESIDENTIAL AND SUBURBAN RESIDENTIAL TO THE NORMAL NEIGHBORHOOD PLAN DESIGNATION, AND ADOPT THE NORMAL NEIGHBORHOOD PLAN FRAMEWORK AS A SUPPORT DOCUMENT TO THE CITY OF ASHLAND COMPREHENSIVE PLAN,”



**Ordinance 2 – Transportation System Plan Amendments**

I move to approve the Second Reading by title only, including the amendments to the ordinance which have been read in full this evening, of an ordinance titled:

“AN ORDINANCE AMENDING THE STREET DEDICATION MAP, PLANNED INTERSECTION AND ROADWAY IMPROVEMENT MAP, AND PLANNED BIKEWAY NETWORK MAP OF THE ASHLAND TRANSPORTATION SYSTEM PLAN FOR THE NORMAL NEIGHBORHOOD PLAN AREA, AND AMENDING STREET DESIGN STANDARDS WITHIN THE ASHLAND MUNICIPAL CODE CHAPTER 18.4.6 TO ADD A NEW SHARED STREET CLASSIFICATION”,

**Ordinance 3 – Land Use Ordinance Amendments**

I move to approve the Second Reading by title only, including the amendments to the ordinance which have been read in full this evening, of an ordinance titled:

“AN ORDINANCE AMENDING THE ASHLAND MUNICIPAL CODE CREATING A NEW CHAPTER 18.3.4 NORMAL NEIGHBORHOOD DISTRICT, AMENDING CHAPTER 18.2.1.020 TO ADD A NORMAL NEIGHBORHOOD ZONING CLASSIFICATION, AND AMENDING CHAPTER 18.2.1.040 TO ADD A NORMAL NEIGHBORHOOD SPECIAL DISTRICT. ”,

**ATTACHMENTS:**

Ordinance 1 – Comprehensive Plan Amendments

Ordinance 1 Exhibit A (Appendix amendment)

Ordinance 1 Exhibit B (Normal Neighborhood Framework)

Ordinance 1 Exhibit C (Map)

Ordinance 2 – Transportation System Plan Amendments

Ordinance 2 Exhibit A (Street Network Map)

Ordinance 2 Exhibit B (Pedestrian and Bike Network Map)

Ordinance 3 – Land Use Ordinance Amendments

Ordinance 3 Exhibit A (Ch 18.3.4)



## Letters

Public letters submitted relating to Planning Action PL-2013-01858 , including prior iterations of the draft plan (pre-July 2015), have been presented to the City Council at prior hearings. These letters remain available online at [www.ashland.or.us/normalplan](http://www.ashland.or.us/normalplan), which includes the following electronically linked letters:

### 2015

- [Vidmar letter \(7/13/2015\)](#)
- [Vidmar letter \(3/31/2015\)](#)
- [Miller letter \(3/23/2015\)](#)
- [Alvarez letter 8/20/2015](#)
- [Hoffman letter 8/11/2015](#)
- [Lutz letter 7/28/2015](#)
- [Anderson letter 7/28/2015](#)
- [Hoffman letter 7/27/2015](#)
- [DeMarinis letter 8/25/2015](#)
- [Teague letter 8/29/2015](#)
- [Palmieri 8/29/2015](#)
- [Rhudy letter 8/30/2015](#)
- [Barnes letter 1 8/30/2015](#)
- [Barnes letter 2 8/30/2015](#)
- [Force letter 8/30/2015](#)
- [Ragosine letter 8/30/2015](#)
- [Parker letter 8/29/2015](#)
- [Parker -paper 8/29/2015](#)
- [Colwell - Gracepoint letter 9/01/2015](#)
- [Various letters submitted at 9/01/2015 hearing](#)
- [Chetron letter 8/31/2015](#)
- [McKirgan letter 8/31/2015](#)
- [Hoffner letter 8/31/2015](#)
- [Lander letter 8/31/2015](#)
- [Koch letter 8/31/2015](#)
- [Woods letter 8/31/2015](#)
- [Oring letter 8/31/2015](#)
- [Pagani letter 8/31/2015](#)
- [Vos letter 9/1/2015](#)
- [Ourshalimian letter 9/01/2015](#)
- [Agee letter 9/01/2015](#)
- [Cleland Sipfle letter 9/01/2015](#)
- [Zonnenschein letter 9/01/2015](#)
- [Mattson letter 9/01/2015](#)
- [Shanafelt letter 9/01/2015](#)
- [Lutz letter 9/01/2015](#)
- [Wells letter 9/2&9/3/2015](#)
- [Hoffman Coye letter 9/08/2015](#)
- [Parker BLI letter 9/10/2015](#)
- [Parker letter 9/10/2015](#)
- [Smith letter 9/10/2015](#)
- [Matthews letter 9/15/2015](#)
- [Anderson letter 9/15/2015](#)
- [Anderson letter 9/30/2015](#)
- [DeMarinis letter 10/06/2015](#)

### 2014

#### [All 2014 letters combined - PDF](#)

- [Jones/MaharHomes letter \(11/20/2014\)](#)
- [Vidmar letter \(11/15/2014\)](#)
- [ACCESS Inc. letter \(11/12/2014\)](#)
- [Vidmar letter \(10/27/2014\)](#)
- [Miller letter \(9/29/2014\)](#)
- [Mahar Homes Concept Plan \(9/18/2014\)](#)
- [Lutz letter \(9/17/2014\)](#)
- [Miller letter \(9/12/2014\)](#)
- [Miller letter \(9/03/2014\)](#)
- [Boyer letter \(8/20/2014\)](#)
- [DeMarinis letter \(8/06/2014\)](#)
- [Boyer Letter \(8/06/2014\)](#)
- [Vidmar letter \(7/30/2014\)](#)
- [Breon letter \(7/22/2014\)](#)
- [DeMarinis letter \(7/22/2014\)](#)
- [Vidmar letter \(7/21/2014\)](#)
- [DeMarinis letter \(7/15/2014\)](#)
- [DeMarinis letter \(5/19/2014\)](#)
- [Anderson letter \(4/08/2014\)](#)
- [Grace Point letter \(5/06/2014\)](#)
- [Livni letter \(4/29/2014\)](#)
- [Mandell letter \(5/05/2014\)](#)
- [Marshall Letter \(04/30/2014\)](#)
- [Miller Letter \(4/30/2014\)](#)
- [Neher letter \(5/02/2014\)](#)
- [Quiett letter \(5/1/2014\)](#)
- [Wallace letter \(5/01/2014\)](#)
- [Seidler letter \(4/30/2014\)](#)
- [Sharp letter \(4/29/2014\)](#)
- [Jacobson letter \(4/27/2014\)](#)
- [Arsac letter \(4/29/2014\)](#)
- [Brannan letter \(5/04/2014\)](#)
- [Gerschler letter \(5/04/2014\)](#)
- [Open City Hall public comments \(3/5/14\)](#)
- [GracePoint letter \(3/11/2014\)](#)
- [Anderson Letter \(3/11/2014\)](#)
- [Skuratowicz letter \(3/11/2014\)](#)
- [Hunter letter \( 2/25/14\)](#)

### 2013

#### [All 2013 letters combined - PDF](#)

- [DeMarinis letter and exhibits \(10/31/2013\)](#)
- [DeMarinis letter and exhibits \(10/8/2013\)](#)
- [Meadowbrook Home Owners \(Anderson\) letter and exhibits \(10/8/2013\)](#)
- [Ashland Meadows \(Skuratowicz\) letter \(10/8/2013\)](#)
- [Koopman letter and exhibits \(10/8/2013\)](#)
- [Lutz letter \(9/26/2013\)](#)
- [Vidmar letter \(7/29/2013\)](#)
- [Carse letter \(6/27/2013\)](#)
- [Gracepoint letter \(6/12/2013\)](#)
- [Vidmar letter \(4/26/2013\)](#)
- [Shore letter \(4/10/2013\)](#)
- [Marshall letter \(4/10/2013\)](#)
- [Horn letter \(3/05/2013\)](#)
- [Filson letter \(2/25/2013\)](#)
- [Vidmar letter \(2/25/2013\)](#)

