

ORDINANCE NO. _____

**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.**

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

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 of Ashland is projected to grow by approximately 3,250 residents by 2030 and 2,000 employees by 2027, and the City Council reaffirmed the long-standing policy of accommodating growth within the Ashland Urban Growth Boundary rather than growing outward into surrounding farm and forest lands in the Greater Bear Creek Valley Regional Problem Solving (RPS) planning process; and

WHEREAS, the City of Ashland seeks to balance projected population and employment growth with the community goal of retaining a district boundary and preventing sprawling development, and to this end examines opportunities to use land more efficiently for housing and businesses; and

WHEREAS, the City of Ashland continues the community's tradition of integrating land use and transportation planning, and using sustainable development measures such as encouraging a mix and intensity of uses on main travel corridors to support transit service and use, integrating affordable housing opportunities, and reducing carbon emissions by providing a variety of transportation options; and

WHEREAS, the City conducted a planning process involving a series of public workshops, on-line forum, key participant meetings and study sessions from October 2011 through July 2015

involving a three-step process in which participants identified the qualities that make a successful neighborhood,, developed vision statements for the study area, and reviewed and revised plans illustrating an example of what development might look when the 94 acre is incorporated into the City of Ashland; and

WHEREAS, the final report for the Normal Neighborhood Plan included recommended amendments to the zoning map and land use ordinance which would support the development of the neighborhood as envisioned in the planning process being small walkable neighborhood modules that provide concentrations of housing grouped in a way to encourage more walking, cycling and transit use; and

WHEREAS, the City of Ashland Planning Commission considered the above-referenced recommended amendments to the Ashland Municipal Code and Land Use Ordinances at a duly advertised public hearing on July 28, 2015 and August 11, 2015, and following deliberations, recommended approval of the amendments by a vote of 5-0; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on September 1, 2015, September 15, 2015, and October 6, 2015; and following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

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

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. A new Chapter 18.3.4 of the Ashland Municipal Code creating a new overlay district [Normal Neighborhood District] set forth in full codified form on the attached Exhibit A and made a part hereof by this reference, is hereby added to the Ashland Municipal Code.

SECTION 3. Chapter 18.2.1.020, of the Zoning Regulations and General Provisions section of the Ashland Municipal Code, is hereby amended to read as follows:

18.2.1.020 Zoning Map and Classification of Zones

For the purpose of this ordinance, the City is divided into zones designated and depicted on the Zoning Map, pursuant to the Comprehensive Plan Map, and summarized in Table 18.2.1.020.

<i>Table 18.2.1.020</i>	
<i>Base Zones</i>	<i>Overlay Zones</i>
<i>Residential - Woodland (WR)</i>	<i>Airport Overlay</i>
<i>Residential - Rural (RR)</i>	<i>Detail Site Review Overlay</i>
<i>Residential - Single-Family (R-1-10, R-1-7.5, and R-1-5)</i>	<i>Downtown Design Standards Overlay</i>
<i>Residential - Suburban (R-1-3.5)</i> <i>Residential - Low Density Multiple Family (R-2)</i> <i>Residential - High Density Multiple Family (R-3)</i> <i>Commercial (C-1)</i>	<i>Freeway Sign Overlay</i> <i>Historic District Overlay</i> <i>Pedestrian Place Overlay</i> <i>Performance Standards Options Overlay</i>
<i>Commercial – Downtown (C-1-D)</i>	<i>Physical and Environmental Constraints Overlay</i>
<i>Employment (E-1)</i> <i>Industrial (M-1)</i>	<i>-Hillside Lands</i> <i>-Floodplain Corridor Lands</i> <i>-Severe Constraints Lands</i>
<i>Special Districts</i>	<i>-Water Resources</i> <i>-Wildfire Lands</i>
<i>Croman Mill District (CM)</i> <i>Health Care Services District (HC)</i> <i>Normal Neighborhood (NN)</i> <i>North Mountain Neighborhood District (NM)</i> <i>Southern Oregon University District (SOU)</i>	<i>Residential Overlay</i>

SECTION 4. Chapter 18.2.1.040, of the Zoning Regulations and General Provisions section of the Ashland Municipal Code, is hereby amended to read as follows:

18.2.1.040 Applicability of Zoning Regulations

Part 18.2 applies to properties with base zone, special district, and overlay zone designations, as follows:

<i>Table 18.2.1.040: Applicability of Standards to Zones, Plan Districts and Overlays</i>	
<i>Designation</i>	<i>Applicability</i>
<i>Base Zones</i>	
<i>Residential - Woodland (WR)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Residential - Rural (RR)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Residential - Single-family (R-1-10, R-1-7.5, R-1-5)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Residential - Suburban (R-1-3.5)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Residential - Low Density Multiple Family (R-2)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Residential - High Density Multiple Family (R-3)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Commercial (C-1)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Commercial - Downtown (C-1-D)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Employment (E-1)</i>	<i>Chapter 18.2 Applies Directly</i>
<i>Industrial (M-1)</i>	<i>Chapter 18.2 Applies Directly</i>

<i>Table 18.2.1.040: Applicability of Standards to Zones, Plan Districts and Overlays</i>	
<i>Designation</i>	<i>Applicability</i>
<u><i>Special Districts</i></u> <i>Croman Mill District Zone (CM)</i> <i>Health Care Services Zone (HC)</i> <i>Normal Neighborhood District (NN)</i> <i>North Mountain Neighborhood (NM)</i> <i>Southern Oregon University (SOU)</i>	<i>CM District Replaces chapter 18.2</i> <i>NN District Replaces chapter 18.2</i> <i>NM District Replaces chapter 18.2</i>
<u><i>Overlay Zones</i></u> <i>Airport</i> <i>Detail Site Review</i> <i>Downtown Design Standards</i> <i>Freeway Sign</i> <i>Historic</i> <i>Pedestrian Place</i> <i>Performance Standards Options</i> <i>Physical and Environmental Constraints</i> <i>Residential</i>	<i>Overlay Modifies chapter 18.2</i> <i>Overlay Modifies chapter 18.2</i>

SECTION 5. 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 6. 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, and text descriptions of amendments (i.e. Sections 1-2, 5-6) 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 ____ day of _____, 2015 and duly PASSED and ADOPTED this ____ day of _____, 2015.

 Barbara M. Christensen, City Recorder

SIGNED and APPROVED this ____ day of _____, 2015.

 John Stromberg, Mayor

Reviewed as to form:

 David Lohman, City Attorney