

Meeting Notes – 6/10/13 Unified Land Use Code

Code Organization:

- How will staff address references relating to old code? There could be instances where references to old code will make it difficult to determine without administrative overview which will pertain to a project. Make sure wording is in place to address the instances where this will occur.
- Suggested that staff include a matrix for existing codes compared to the rewrites.
- *The code adoption will supersede any predecessor when adopted by Council. Code in place when application is received will be the governing code throughout process of application as per State law.*
- Other codes that are referenced in the Unified Code will need to be updated also. Could hotlinks be provided in the digital formats to make cross-referencing more efficient within the document?

Land Use and Zoning Regulations:

- *A table consolidating all 10 zones has been created for ease of use.* Supported for ease of use and cross-referencing.

Non-conforming garage and shed replacement

- *This permit will be a building permit.* Unanimous support for this update. Costs of this permit are expensive in comparison to the actual construction.

Accessory Residential Units as Permitted Use

- *ARU will now be a permitted use that will require a site review process*
- Comments that making a permanent structure a conditional use was an awkward fit. The term conditional did not seem right for this type of permanent use. An ARU will exist forever and it won't be removed if the conditional use permit is revoked.
- Suggest changing the terminology to Conditional Permit instead of CUP.
- It was suggested to change the term to something less discretionary and it will be a cleaner approval.

Increase Building Height in C1 Zone

- *In the Commercial zones if a building is a 100' from a residential zone, the building height can be 55' (height limit is 40' now).* This was agreeable.
- Does solar still apply to this change? *Proposed amendment to solar setback for the C-1 zone is limit solar setback requirement to buildings abutting a residential zone, and is based on the recommendation from 2006 land use ordinance review.*
- There was a concern over competing interests for open space requirements on smaller lots such as downtown plaza areas. This will make buildings conform to T-shape designs. This will affect quality versus quantity of space. For building to go up something has to give at the streetscape level to achieve the 10% public improvement requirement This becomes a conflicting balancing act.



Revise C-1 and E-1 Adjacent Residential Setbacks

- *Amendment is for a 5' setback per story for side and rear of building in both zones. Fire code is believed to be 3'. Six-foot setback is better to accommodate balconies and other adjacent structures. Six feet seems to work better in most designs.*
- Make sure this is in line with porch setbacks of 8 feet.

Revise Distance Between Buildings in R-2 and R-3

- *The distance between buildings requirement will be reviewed and changes suggested in the next draft. Setback requirements could be a constraint for cottage housing.*

Revise Affordable Housing Density Bonus:

- *What staff has heard over time is that the current affordable housing density bonus, an equal percentage increase in density for an affordable unit, is not an incentive. Revision is a two market rate units for each affordable unit. Agree that this is a better incentive as a 1 to 1 doesn't cover costs.*

Exempt Percentage of Pervious Pavement from Lot Coverage

- There were questions regarding large lots with long driveways being able to meet the new criteria. Could this be not applicable to driveways as the pavers seem to be breaking down in high traffic areas.
- Does this associate with paths and patios?
- Use a credit on permits for SDCs as an incentive.
- Separate residential and commercial. Or do not apply to commercial.

Site Development and Design Standards:

Exempt C-1 from Solar Setback

- *Unless the building abuts residential zone. General support.*

Garage Width/Step Back Design Standard

- *Facing street and cannot exceed 50% of parent building unless set back 6' from street. Be sure to clarify if street includes alleys.*
- Define lot width challenges if the lot is less than a certain width.

Parking Ratio Adjustments

- Concern was voiced over the degree of detail needed in a parking demand analysis. Does this require a transportation study? This could be a large financial burden for the developer of smaller lots and for co-housing applicants for parking standards. *Instances will be discretionary and addressed by the Planning Commission in unique situations.*

Minimum Tree and Shrub Sizes

- *Adding size requirements of 2-5 gallon shrubs and 1-2" caliber trees. Would like to have input from landscape designer. None were present at the meeting.*



- Concern was voiced over survival rates of larger size shrubs compared to smaller size shrubs, also cost of larger shrubs is considerably more expensive.

Require Soil Amendment

- *Add 3 cu/yds per 1,000 sq ft of area.* There is a huge variation in the types of soil all over Ashland, will this require a geotech for submission? Again concern over upfront costs to smaller developers could become overwhelming.

Administrative Procedures:

Ordinance Interpretation Procedure

- No comments.

Site Review Application Submittals

- *Add bike and walking paths, bus stop locations, location and height of street lights, and location of mailboxes.* These additions will drive up costs for civil involvement. Agreement that the involvement of more professionals will bring up costs. The cumulative impression of process like this gets overwhelming.
- This will begin to affect the outcome by limiting designs options.
- Does this factor in additional staff time to review these additions?
- It is appropriate to show the location without doing fixture types on smaller projects?

Time Line for Final Plat and for Land Divisions

- *All timelines for approval is 18 months.* General support for this change.

Amend Variance Approval Criteria

- Are variances still subjective to unique or unusual physical conditions of the site?

Effective Date of Type II Decision

- *Adjusted to be 10 days instead of 13.* Supported.

Timeline for Planning Approval Expiration

- *Adjusted from 12 months to 18 or 24.* Supported.

Timeline for Planning Approval Extension

- *Adjusted from 18 months 24.* Support unanimous for the 24 months on extension and expiration. This allows more time to work with professionals and identify contractors and to receive building approvals.

Priority Planning Application Processing

- *Adds a processing benefit for economic development projects as in place currently for LEED certified projects. Looking at ways to introduce incentives for employment generators.*

Site Threshold for Type II (Public Hearing)



- *For basic site review zones recommendation is to change threshold for a public hearing from 10,000 sq ft or 20% of existing building square forage to 15,000 square feet or a 50% addition.*

Neighborhood Contact

- *Not in code yet, staff is wanting feedback on this topic. It would require applicant to initiate and hold public meetings with the neighbors prior to submitting application. Planning Commission suggests making this voluntary. If the meetings are required then feels that neighbors are more defensive then if it is voluntary.*
- *Some support meetings being mandatory. Concern that if it is a requirement and some part of the procedure is missed, then it could become something that is appealable. Staff will look into procedure to see if it would be appealable.*
- *Could this be an incentive for Type II applications?*
- *Typically traffic and scale will determine if public hearing is required.*
- *Will it be mandatory for a staff member to attend to avoid appeals?*
- *There will need to be strict criteria for noticing and recording.*

Green Development Evaluation:

Cottage Housing – Planning commission recommended introducing cottage housing.

- *Density bonus would apply; 2 for 1 criteria. One single-family for two cottages. This would apply to the R-1 zones with a minimum of 4 cottages. Orientation to streets and alleys would need to be clear.*
- *Need to analyze the true affordability of a cottage house. General idea is infilling more of the UGB then the idea of affordability to meet housing needs. Some designs are elaborate to make them more marketable.*
- *Parking could be a contentious item for the cottages. Cluster parking may not be welcome in established neighborhoods.*

Solar Orientation and Design Standards

- *The phrase "where site and location permit" is essential to success of the solar standard.*
- *The 30% of roof having solar access might be a design constraint. Design standards become a limiting factor in the design of the projects. There will not be leeway for any individuality or unique design. The market will drive good design.*

Next steps:

An Open House meeting is scheduled for June 20th at the Community Center from 4 – 6 p.m. After the meetings, the final draft will be prepared during the summer with the definitions being completed and graphics added. The formal adoption process is targeted for September/October 2013.

Suggestions were made for another meeting with design professionals. Contact Maria if interested.



Keep the review as a living document. There is a matrix online that shows the changes and it is easy to follow the revisions as they happen. Interest was expressed in the seeing the graphics.

