

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please rise and, after you have been recognized by the Chair, give your name and complete address for the record. You will then be allowed to speak. Please note that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

**ASHLAND PLANNING COMMISSION
REGULAR MEETING
APRIL 8, 2014
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street

- II. **ANNOUNCEMENTS**

- III. **CONSENT AGENDA**
 - A. **Approval of Minutes**
 - 1. February 25, 2014 Study Session.
 - 2. March 11, 2014 Regular Meeting.
 - 3. March 25, 2014 Study Session.

- IV. **PUBLIC FORUM**

- V. **LEGISLATIVE PUBLIC HEARING**
 - A. **PLANNING ACTION #: PL-2013-01858**
DESCRIPTION: A proposal to amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, and Ashland Land Use Ordinance and to implement the Normal Neighborhood Plan.
Continued from March 11, 2014 meeting - Public Hearing is Closed.

- VI. **DISCUSSION ITEMS**
 - A. **Short Term Rentals on Owner Occupied Properties in Single Family Zoning Districts.**

 - B. **Medical Marijuana Dispensaries.**

- VII. **ADJOURNMENT**

**CITY OF
ASHLAND**



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 PLANNING COMMISSION
STUDY SESSION
MINUTES
February 25, 2014

CALL TO ORDER

Chair Melanie Mindlin called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Melanie Mindlin
Troy J. Brown, Jr.
Michael Dawkins
Richard Kaplan
Debbie Miller
Tracy Peddicord
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
Brandon Goldman, Senior Planner
April Lucas, Administrative Supervisor

Absent Members:

None

Council Liaison:

Mike Morris

ANNOUNCEMENTS

Commissioner Brown noted his participation on the Building Appeals Board meeting. Community Development Director Bill Molnar announced the third meeting of the Downtown Parking Management and Circulation Ad Hoc Advisory Committee is Wednesday, March 5.

PUBLIC FORUM

No one came forward to speak.

DISCUSSION ITEMS

A. Normal Neighborhood Final Plan.

Community Development Director Bill Molnar explained the goal of the Normal Neighborhood plan is to provide guidance for future development in this area, and stated the plan focuses on transportation, identifying and integrating natural areas (wetlands/creeks), and accommodating future housing needs for the City. He noted the Planning Commission is charged with making a recommendation to the City Council, and the Council will make the final decision on the plan. He added this is a fairly detailed conceptual plan and noted the importance of including some flexibility for potential future amendments. Mr. Molnar clarified this area is not yet within the city limits and all the properties will need to be annexed. He noted the question has come up about how quickly this area will develop, and stated the short answer is we don't know. However, historically properties in Ashland do not annex or get developed quickly, and in the last 26 years only six residential annexations have occurred.

Senior Planner Brandon Goldman provided a presentation on the Normal Neighborhood Plan that outlined the four key components:

- A Comprehensive Plan Map change.
- The creation of four new land use zones: NN-01 Single Family Residential (5 units per acre), NN-02 Mixed Housing Types (10 units per acre), NN-03 Multiple Dwelling Residential (15 units per acre), and NN-03C Multiple Dwellings/Neighborhood Serving Commercial.

- A planned street network that identifies neighborhood collector streets, neighborhood streets, shared streets, alleys and multi-use paths.

Mr. Goldman commented on the existing Transportation System Plan (TSP) and explained this is a general guidance document that looks at north, south, east and west connections in a general sense and does not account for typography of the site. He stated the Normal Plan lays out a local network of streets and explained there are several TSP amendments that will be needed, including: relocate and reclassify Normal Avenue as a neighborhood collector, add East Main Street to the Planning Roadway Projects, add the Normal Plan Street Network to the City's Street Dedication Map, add the multi-use paths to the Planned Bikeway Network Map, and adopt the Shared Streets standards.

Public Works Director Mike Faught addressed the Commission and explained the Transportation Commission reviewed the proposed plan and voted to recommend a singular access point onto East Main, however he does not support this recommendation. He stated a single access would force too much traffic onto a single entry point and the neighborhood collector would need to be classified as a higher designation street. Mr. Faught stated in general, street systems are designed to provide as many access points as possible, as long as they are not closer than 300 feet. Because of this, Mr. Faught clarified his recommendation is for three access points onto East Main.

Mr. Faught was asked who will be responsible for paying for the East Main improvements. Mr. Faught responded that it could be a combination of both city funding and private development. He elaborated that this project will be added to the City's Systems Development Charges Plan, and noted the possibility of creating an advanced financing district (AFD). He provided an explanation of AFD's and stated they are similar to local improvement districts; the City would fund the project up front, and then as lots are annexed and developed they would be charged their fair portion.

Mr. Faught was asked to comment on the status of the Normal railroad crossing. Mr. Faught explained ODOT Rail has indicated it will not be a problem to switch the private railroad crossing to a public crossing. He added this will be development driven and based on the number of vehicle trips.

Comment was made questioning when property owners will find out what their portion of the costs are. Mr. Faught explained the City would need to go through a public hearing process to form an AFD; and Mr. Molnar clarified only properties that have annexed into the City limits can be assessed.

Mr. Molnar provided an overview of the annexation requirements. He clarified properties have to be contiguous to the city limits to be eligible for annexation and they must establish that there is less than a 5 year supply of vacant and redevelopable land in the proposed land use classification. He noted these requirements moderate how much and how quickly land comes into the City. Staff was asked if there are any land use types that are in immediate need and Mr. Molnar stated multi-family housing is most in need, and the lowest need is detached single family homes.

- Adoption of code amendments to Chapter 18.

Mr. Goldman explained the code amendments implement the Normal Neighborhood Plan and establish the zoning types, allowable uses, site development and design standards, and provides for the preservation of water quality, site hydrology, and natural areas. He also described the major and minor amendment process.

Public Input

Jonathan Seidler/357 Meadow/Stated the property at the end of Creek Drive is blocking the storm drain from entering Cemetery Creek and creating the potential for Creek Drive to flood. Mr. Seidler stated the Normal plan shows a road going through this location and asked how the City will address owners doing construction prior to annexation.

Sue DeMarinis/145 Normal/Voiced appreciation for the work staff has done and stated it looks like the majority of development will occur where there is currently nothing. Ms. DeMarinis stated Normal Avenue still appears to be straight road and asked whether traffic calming measures will be used to slow speeds. She also questioned if people will travel at higher speeds on the

shared streets. She voiced her opposition for paved alleyways and streets going through the wetlands and questioned if owners will be able to mitigate their wetlands and increase the density on their lots.

Gil Livni/240 Normal/Stated there is an 18 inch storm drain dumping directly onto his property and he blocked it to protect his property. Mr. Livni stated the developer of the adjacent development improperly directed the drain onto his property. He added Creek Drive also slopes onto his property which is four feet lower and he is protecting his property by directing the runoff to the side of his property and in the proper direction. He added he has been working with the City's Public Works Department on remedying these issues.

Randy Jones/815 Alder Creek, Medford/Stated he represents six property owners (30 acres) and their area encompasses all of the new Normal Street. Mr. Jones stated they want to be a part of this process and for this area to be annexed. He noted they are in the process of delineating the wetland and stated the bulk of Wetland 12 is caused by irrigation. He explained they stopped the irrigation flow years ago and this area is now drying up because it is not a natural wetland. Mr. Jones stated the proposed plan includes some positive items, however there are others that are non-starters for them. He added they won't be part of this plan if the property owners have to bear the full cost of the improvements and stated he is pleased to hear about the potential for an advanced financing district.

Julie Matthews/2090 Creek/Hopes the wetland delineations take into account that this is a draught year.

Commission Discussion

Staff was asked to explain the basis for the wetlands as they are currently shown. Mr. Goldman explained in 2007 a local wetlands inventory was completed for the entire City, and that inventory was recognized and adopted into the state wetland inventory with the recognition that the boundaries were not surveyed and future development in these areas would require a wetland delineation. He stated the wetlands are then expanded by 50 ft. around their perimeter pursuant to the water resources ordinance. The Commission discussed the wetland locations and conservation area. Comment was made that the key issue isn't whether it is or isn't a natural wetland, but preserving the riparian corridor and the existing character of the neighborhood. Additional comments were made about preserving the contiguous nature of the open area and wetlands.

Mr. Goldman provided clarification of the density transfer language and noted a property owner could take advantage of this provision to offset the conservation area requirement and increase their density by 50%.

Mr. Goldman clarified the open space land would likely be developed privately and would not become public park land unless the Parks Department purchased it from the property owner.

Comment was made that it is important to express to the Council that the transportation network was designed in such a fashion that these streets will not be desirable for people to use as a cut through.

Opinion was given that the East Main Street improvements should be completed before the City allows any development to occur, and suggesting it would be irresponsible for them to promote development of this area without a public railroad crossing. It was noted that the Public Works Department has assured them that the private to public conversion will not be problem, but they have not received any legally binding guarantees from ODOT Rail that this crossing can be opened without closing another one somewhere else in town.

Comment was made expressing concern about the use of alleys and questioning whether they want to include the two alleys on the street network map.

Suggestion was made to reduce the base densities, however the Commission did not support this idea.

Mr. Goldman clarified one quarter of the project area is open space and this was largely determined by looking at the existing natural constraints. He stated throughout the process there has been contention that the wetland areas should be bigger or smaller, but the City started with the state wetlands inventory and used that as the framework. Mr. Goldman clarified there is one property that is 80% covered in open space; this property is owned by the school district and they are aware this land is largely undevelopable. He added this area has been identified as a possible acquisition by the Parks Department.

Comment was made that they are not using the term wetland, and instead are calling these conservation areas and open space, and the locations of these are based on where the original wetland delineations were located. If the wetland area is found to be smaller than the state delineation, they still want to keep this area as open space to further the character of the neighborhood.

B. Unified Land Use Ordinance: Part Three of Section 18-4, Site Development and Design Standards.

Planning Manager Maria Harris explained this is the last piece of Section 18-4, which is the longest section of the ordinance because it includes all of the design standards. She noted the bulk of the work has been reformatting and removing repetitive language, and stated the only substantive amendment is to the solar orientation standards.

Ms. Harris provided an overview of the proposed amendments to this section of the Unified Land Use Code:

- Street Lights: Street lights must be installed in a location where they will not obstruct public walkways or driveways and maintain an unobstructed through zone per the Americans with Disabilities Act requirements.
- On-Street Parking on Boulevards and Avenues: On-street parking may be provided in bays or on a continuous on-street lane.
- Alleys: Alleys can provide access to the rear or side of properties.
- Nonconformities Created by Street Dedications: A sentence was added that clarifies this provision shall not apply to situations where the property owner is compensated for the land to be used for right-of-way.
- Sanitary Sewer and Water Facilities: Language was added clarifying that new development may be required to size water and sewer lines to accommodate future development as outlined in facility master plans.
- Sign Code Enforcement: This section has been deleted from the sign code section and moved to Part 1 – Enforcement.
- Solar Setback Exception Approval Criteria: New language distinguishes between exceptions and variances. The proposed language also clarifies that passive and active solar energy implications are evaluated on neighboring properties.
- Solar Orientation Standards: This language applies to land divisions in residential zones and states new streets shall be laid out so that lots have south facing sides for maximum solar access, buildings are oriented so that the long sides face north and south, design habitable structures so the primary living space is located on the south sides of the building, and have at least 30% of the roof area facing within 15 degrees of south in order to provide surface area for solar collection.

Comment was made questioning why the City would adopt solar orientation standards and asking what if the property owner is not interested in solar. Several commissioners commented on the City's goal to develop more green standards and this was one that was agreed upon. It was noted that while technology may change over time, the sun will always shine in the same direction.

ADJOURNMENT

Meeting adjourned at 10:00 p.m.

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
MINUTES
March 11, 2014

CALL TO ORDER

Chair Melanie Mindlin called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Richard Kaplan
Debbie Miller
Melanie Mindlin
Tracy Peddicord
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Brandon Goldman, Senior Planner
April Lucas, Administrative Supervisor

Absent Members:

None

Council Liaison:

Mike Morris

ANNOUNCEMENTS

Commissioner Kaplan provided a brief summary of the recent Downtown Parking Management and Circulation Committee meeting. Commissioner Dawkins provided a recap of the Downtown Beautification Improvement Committee meeting. Dawkins also noted the City Council passed first reading of an ordinance amending the Uniform Policies and Procedures for City Advisory Boards and Commissions. Commissioner Brown noted his participation on the Systems Development Charge Review Committee. Commissioner Miller announced she will be absent from the March Study Session and both April meetings.

CONSENT AGENDA

A. Approval of Minutes.

1. February 11, 2014 Regular Meeting.

Two corrections were made to the February 11 meeting minutes: 1) Roll call vote on the motion to approve PA-2013-01421 (page 5) should read "*Dawkins, Kaplan, Thompson, Peddicord and Mindlin, YES. Brown and Miller, NO*" and the sentence at the top of page 10 should read "*... and placed on the recommendation of Parks Department staff as to the number, type, and placement.*"

Commissioners Dawkins/Thompson m/s to approve the February 11, 2014 minutes as corrected. Voice Vote: All AYES. Motion passed 7-0.

PUBLIC FORUM

No one came forward to speak.

UNFINISHED BUSINESS

A. Approval of Findings for PA-2013-01421, 270 N First Street.

Ex Parte Contact

No ex parte contact was reported.

Commissioners Thompson/Peddicord m/s to approve the Findings for PA-2013-01421. Voice Vote: all AYES.
Motion passed 7-0.

LEGISLATIVE PUBLIC HEARING

A. PLANNING ACTION #: PL-2013-01858

DESCRIPTION: A proposal to amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, and Ashland Land Use Ordinance and to implement the Normal Neighborhood Plan.

Commissioner Miller recused herself from the public hearing.

Staff Report

Senior Planner Brandon Goldman presented a brief report on the Normal Neighborhood Plan. He noted there have been a number of meetings on this plan over the last two years and most everyone is very familiar with the plan at this point. He clarified the plan's components include a Comprehensive Plan map change, land use zoning, Transportation System Plan amendments, and code amendments. He explained this neighborhood will not develop all at once and individual proposals will come forward one by one over time. He added all the properties are subject to the City's annexation requirements and requests for annexation go before both the Planning Commission and the City Council, and all are subject to the affordable housing requirements. Mr. Goldman explained the Normal Neighborhood Plan establishes a general guide for future zoning, neighborhood street layout, conservation areas, and housing concentrations, and provided a handout of suggested staff recommendations to ensure consistency within the framework document.

Public Input

Howard Miller/160 Normal/Stated there are too many unknowns and loose ends with this plan and questioned why the City was doing a plan at this time. He commented on the 2011 buildable lands inventory and stated the need for annexation is not there. Mr. Miller commented on the open space and wetlands and stated aggressive actions are being carried out on several parcels to intentionally destroy or drain designated wetlands, and asked the Planning Commission to be concerned for the current residents who reside here.

Dale Swire/133 Clay/Read aloud his written statement. [See Exhibit 2014-01, attached]

Bryce Anderson/2092 Creek/Stated he represents the Meadowbrook Park Homeowners Association and stated the property most likely to develop first is right across from Creek Drive and has the ability to be developed as high density and neighborhood serving commercial. Mr. Anderson requested the zoning for this area to be changed from NA-03 to NA-02 and stated the lack of curbs, gutters, sidewalks and bikepaths on both sides of East Main will leave the residents of this area with a traffic mess for years to come.

Jonathan Seidler/327 Meadow/Stated Creek Drive flooded recently due to the actions of one of the property owners in the plan area and commented that Creek Drive will bear the brunt of whatever develops on the other side. Mr. Seidler asked the City to pay attention to what is happening out there.

Ray Eddington/1760 East Main/Stated he represents Grace Point Church and read his written statement aloud. [See Exhibit 2014-02, attached]

John Coldwell/501 Carter/Also represents Grace Point Church and continued reading Exhibit 2014-02. Mr. Coldwell commented on the wetland on their property and stated they believe it is smaller than current estimates and expressed concern that they will have to pay the price for an open space that is wider than it needs to be. He stated

the conservation designation takes away usable land and recommended the open space be based on the wetland delineations.

Sue DeMarinis/145 Normal/Questioned what the NA-02 zone underneath the open space designation means, and also asked whether the City has to compensate property owners for designating portions of their land as conservation areas. Ms. DeMarinis expressed concerns about the City establishing a local improvement district to pay for the necessary improvements. She stated she was a part of the Strawberry LID that was formed when a development above her went in, and stated she and her neighbors were taxed \$4,100 and that was just for paving, and is very concerned about what the costs for this will be. Ms. DeMarinis also questioned how the plan will be impacted if owners develop under County standards or if changes to the properties occur prior to annexation.

Stuart Reid/2045 East Main/Stated he lives across from the Baptist church property and is an aquatic conservation biologist. Mr. Reid stated he thinks in terms of water and is happy to hear about the expansion of the open space around the creeks. He commented that when you look at historical photos you can see a whole series of riparian areas going across Ashland and warned once these areas are paved over you can never get those creeks back. Mr. Reid stated there is a substantial jog in Clay Creek at East Main that will need to be addressed and noted there are properties across the street that are dependent on wells and shallow surface water, and there are wetlands on the north side of East Main that are dependent on the subsurface flows.

Carol Block/355 Normal/Commented on Wetland 9 and stated one of the property owners is making an attempt to dry up this wetland. She stated someone is making trenches to divert the water away and there is no doubt this is being done to minimize the wetland to allow for higher density development. Ms. Block stated we should be nurturing these wetlands, not destroying them to build homes, and hopes the landowners will be held accountable. She added 20% of the Normal plan area is inhabited by people who have no intention of annexing or developing their land.

Alma Rosa Alvarez/491 Normal/Expressed concern about the NA-03 designation and stated this is an enormous amount of density for this small section of land. Ms. Alvarez voiced concern with traffic, noting most people have two cars and drive to their destinations, and also voiced concern with the wetlands and flooding.

Lynn Ransford/1183 Village Square/Stated she lives in the Mill Pond area and traffic is already an issue on East Main at certain times of the day. Ms. Ransford questioned the safety for children and families going to the nearby schools and stated street improvements are necessary. She recommended a minimum of two new signals and widening East Main for left turn lanes. She also voiced concern that the residents will be responsible for paying for the improvements and asked the Commission to make sure the developers assume the costs.

Gail Patton/822 Michelle/Stated she works at Hunter Park and the park is very active. Ms. Patton stated she can't imagine the extra congestion and noted this is a narrow area as it is. Ms. Patton commented that the water in the plan area will need to be properly diverted and believes the rural feel of this area should be honored.

Albert Pepe/321 Clay #21/Stated he lives in the Wingspread complex and really enjoys having a wetland in his backyard. Mr. Pepe voiced concern with development and the shrinkage of the wetlands and recommended this be looked at from an ecological perspective. He recommended any development be required to provide passive solar, rain catchment systems, and be properly oriented.

Tanya Way/293 Meadow/Stated she has two small children and there are a lot of other families in the neighborhood. Ms. Way expressed concern with there being no public parks in the area, and is concerned with increasing the density in this part of town.

Julie Matthews/2090 Creek/Commented on the hydrology and wildlife in the plan area. She also noted one of the property owners put a cap on one of the storm drains and now flooding and erosion is occurring.

Commission Discussion

Staff was asked to address some of the issues that came up during public testimony.

Mr. Goldman commented on the distinction between open space and wetlands. He stated the zone underlays the conservation areas and density can be transferred out of the conservation area onto the developable portion of the property. He added conservation areas cannot be developed, however there is an amendment process outlined in the code changes that would allow a property owner to reduce their conservation area to reflect a wetland that isn't there. He stated the conservation areas in the plan include all know wetlands, floodplains, and buffers; and even if it is determined the wetlands don't extend as far as we think, these would continue to be protected areas and noted this was one of the major policy decisions made by the Planning Commission. Staff was asked if there are elements in the plan that are not modifiable by a major or minor amendment process. Mr. Molnar stated there is very little that is so set in stone that it could not be changed in the future, however it would be very difficult for someone to reduce the concentration of housing; although the Council would always have the prerogative to change the projected densities.

Staff was asked to comment on the East Main Street improvements and how these would be handled. Mr. Goldman explained the most recent traffic impact analysis for this area shows that East Main will need bike paths, sidewalks and a center turn lane, and stated these will need to be done in concert with the development of this area. He stated the developer could either pay for these improvements themselves, or the City's SDC committee could determine that a portion will be paid by the City. Another option is the advanced financing district, in which case the improvements would be done up front by the City and those who benefited from the improvements would be charged when they develop their property. Mr. Goldman added advanced financing districts normally span 10 years, but can be extended to 20 years with direction from the City Council. He stated establishing one of these districts should be done immediately preceding development of the area; If people do not annex during that 10 or 20 year period they would not be charged for improvements, and properties on the opposite side of East Main would also not be charged since they are outside the city limits. Mr. Molnar clarified the requirements for annexation and stated the area needs to be adjacent to city limits, the proposal must be consistent with the zoning and other aspects of the plan, it must meet the minimum requirements for public facility improvement, and must establish that there is less than a 5 year supply of vacant and redevelopable land in the proposed land use classification. He added annexation requests go before the Planning Commission and the City Council for approval, and the Council has a lot of discretion as whether to approve.

Staff clarified property owners can continue to develop their land under County standards and not annex if they choose.

Mr. Goldman clarified there are no on-street parking requirements for shared streets. He also clarified that in order to construct an accessory residential unit property owners must apply for a conditional use permit and noted only 200 of the City's 8,000 lots have taken advantage of this provision.

Staff was asked what would happen if they decide not to proceed. Mr. Molnar stated it is not an option to not forward this to the City Council, however the Council could decide to table the plan. He stated if the plan is not adopted this area would defer back to the current Comprehensive Plan designation and annexations would be evaluated on a case by case basis. A wetland delineation would be required, however if the wetland is smaller than currently shown the property owner would be allowed to reduce the size of the natural area based on the delineation. It was pointed out that Normal Avenue is currently shown as a major avenue running from north to south, and the ability to secure wetland/openspace connectivity would be lost. Comment was made that there is the possibility for development whether or not the plan is adopted.

Commissioner Mindlin stated she would like to discuss several elements of the plan, but noted there are a number of people here tonight to speak to the next agenda item and stated she would be willing to table her questions until the next meeting.

Commissioner Mindlin closed the public hearing at 9:13 pm and clarified the Commission will not be taking public testimony when this item comes back for deliberations.

DISCUSSION ITEMS

A. Short Term Rentals on Owner Occupied Properties in Single Family Zoning Districts.

Commissioner Mindlin recused herself from the discussion.

Commissioner Dawkins recommended the Commission deliberate on this topic before they take public input and stated the key questions are:

- 1) Should vacation rentals be allowed in the R-1 zone?
- 2) Should there be strong language that CC&R's are honored and override City code?
- 3) Does the structure need to be a primary residence and do the owners need to live on site?
- 4) Are renters allowed to sublet the property?
- 5) What types of accommodations will they allow?
- 6) Do they want to set a limit of the maximum number of rooms or square footage could be rented?
- 7) Is a conditional use permit appropriate?
- 8) Should eligible properties be limited to those that are within 200 ft of an arterial or major street?

Mr. Molnar clarified in November 2013 the City Council voted to allow short-term vacation rentals in the R-2 and R-3 zones with certain stipulations. At that time they asked the Planning Commission to discuss the issue of rentals in the R-1 zone and if they determine this is reasonable, what types of restrictions would they place on this type of use.

Commissioner Kaplan suggested they remove the 200 ft boundary requirement in the R-2 and R-3 zones and not allow this use in the R-1 zone until they have had some time to see how this is working out. Commissioner Miller agreed with removing the 200 ft. boundary and stated in reviewing the materials she is not inclined to allow this use in the R-1 zone at this point. She noted if people need additional income there is still the opportunity for long term rentals. Commissioner Thompson stated she is interested in hearing the debate and stated she is inclined to at least evaluate this and craft some rules that would minimize the adverse impacts in the R-1 zones. Commissioner Peddicord voiced support for leaving the integrity of the R-1 zone as it is, but noted they allow home based businesses in the single family zone and questioned if it is within their purview to say what types of businesses are appropriate. Mr. Molnar stated if the majority of the Commission thinks this should not be allowed in the R-1 zone, the Council will want to know why the Commission feels this would have an increased adverse impact on the neighborhood when compared to the other uses that are already allowed.

The Commission reviewed the discussion questions. Support was given to limiting this use to property owners and not allowing renters to do this, and for the homes to be owner occupied. The Commission discussed the accommodation types and support was voiced to consider one or two bedroom suites located within the residence that are accessed from the main entrance; however there was no clear direction on whether to include suites within the footprint of the residence that are accessed from a separate exterior entrance, or separate detached structures located on the property. In terms of the approval procedures, support was voiced for using the conditional use permit process.

Public Input

James Orr/207 Clinton/Voiced his support for the letter included in the packet materials from the Riverwalk Homeowners Association. Mr. Orr stated their CC&Rs rely on the City zoning and if the City's zoning regulations change they will move to update their CC&Rs but does not feel this should be necessary. He voiced concern about including vacation rentals as a home occupation and stated the rules regarding parking would need to be changed.

James Hawes/431 Courtney/Stated he operated a short term rental before he knew this was not permitted and stated all the concerns being discussed are contrary to his experiences. Mr. Hawes stated he is now renting for only 30 day periods but this has virtually eliminated his business. He noted most people want an independent living area including a bedroom, bathroom, and kitchen, and can't foresee owners renting just a single bedroom in their home.

Savana Rose/497 Park Ridge/Stated times are changing and travelers have difference preferences now. Ms. Rose stated she lives in a three level home and has an extra bedroom that she rents out to typically a couple or single woman with one vehicle. She stated her guests are vetted very well and she feels comfortable with them in her home with her and her son. She stated the neighbors were completely unaware that this was happening and stated many other home based businesses have many more visitors and vehicle trips. She stated she is willing to pay for a business license and the lodging tax and stated allowing this use would benefit the City and serve a niche that is not being fulfilling by current accommodations.

Corrine Lombardi/1685 Old Hwy 99/Stated she owns travelers accommodations in the E-1 zone and stated there are unintended consequences to changing the uses in zones, and this should not be done without understanding what the long term effects will be. Ms. Lombardi stated accessory residential units were built for low income rentals and this change would impact the number of rentals available. She stated there is a trust the City has established with its citizens and business owners and requested they maintain the current zoning that has been carefully thought out.

Tom Howard/2190 Siskiyou/Stated he is the owner of Oak Hill Bed & Breakfast and they have annual inspections conducted, pay the lodging taxes, and have a business license. Mr. Howard stated those of them who have followed the rules and opened businesses in the appropriate zones are being placed at a disadvantage to the people who are operating illegally, and stated R-1 is not a zone where businesses should be operating. He noted this could impact the availability of long term rentals and stated there is no shortage of a variety of lodging types for our tourists and stated he is not in favor of travel accommodations in the R-1 zone.

Val Bachmayer/172 Skidmore/Stated she did a lot of research and purchased her property because it was in an R-3 zone and did so because she wants to start a business. She noted the conditional use permit includes a \$1,000 fee and requires the fire marshal's approval, and questioned allowing this in other zones where you can't walk to downtown. She voiced concern with changing the playing field and stated people rely on the zoning to protect them.

Dolly Travers/426 Clinton/Stated the purpose of the R-1 zone is to stabilize, protect, promote, and encourage a suitable environmental for family life. Ms. Travers questioned the impact of unintended consequences and stated this proposal is not in line with Ashland's values, standards, or land use policies. She added changing the R-1 zone is not the right direction to keep Ashland sustainable in the future.

Jordan Parker/137 N Main/Stated the affordable housing plans in 1990 and 2002 emphasized the permitting of accessory residential units in single family zones as one of the main strategies to promote affordable housing. Mr. Parker stated over the last 20 years a large number of these units have been constructed and to allow these units to be short term rentals undermines the original intent of these dwellings. He stated more than 2/3 of the rentals listed on airbnb.com and vrbo.com are cottages, studios, homes and apartments and are exactly the types of dwellings that should stay in the long term housing stock. Mr. Parker stated if accessory residential units are allowed to become short term rentals in the R-1 zone there will be too many conversions of long term to short term rentals, some accessory residential units will be constructed solely for short term occupations, and reducing the availability of long term rentals will drive up the costs of rent for Ashland residents.

Catherine Moore/473 Maple/Stated she has owned property in Ashland before, but currently rents and stated since the rise of VRBO and AirBnB the number of rentals has greatly diminished and she has found it difficult to find affordable housing. Ms. Moore commented on several occasions she has been told a rental is available for only a portion of the year and that she would need to move out either during the summer months or during the winter holiday.

Barbara Hetland/985 E Main/Stated she is a realtor in Ashland and has heard Ms. Moore's story many times. Ms. Hetland stated when she sold houses in the R-1 zone people had certain expectations and to take that away for the benefit of a few individuals is wrong. She stated this should go to a public vote and stated to compare this to home occupations is ridiculous.

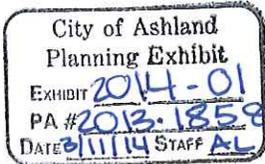
Commissioner Dawkins announced the meeting has come to an end and those who did not get the opportunity to speak will have another opportunity to do so when this issue comes back before them. It was noted the several commissioners will be absent from the March Study Session and Dawkins announced this item will come back at either the regular meeting or study session in April, and speakers will be given two minutes to testify.

B. Medical Marijuana Dispensaries.

Postponed to future agenda.

ADJOURNMENT

Meeting adjourned at 10:30 p.m.



RECEIVED
MAR 11 2014

Ashland Planning Commission Meeting

April 11, 2014

Subject : Normal Housing Project

Thank you for your civic and professional time and services on this ambitious project. I realize it is an important plan in Ashland's housing future. While there have been some helpful zoning, location and other changes made as the planning process has moved on, even a good plan might be improved or provide more guidance for future implementation by decision makers and contractors. Some concerns like about water and waste- water hook-ups, East Main Street modifications, and financing plans are still to come. It would seem that any initial development would almost require that those elements would be resolved before there could be any occupancy.

1. My earlier concerns about planning for accessability for seniors and ADA for disabled have been allayed by planning staff.

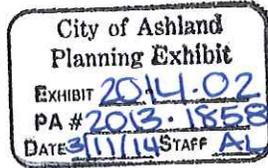
2. Accessory Residential Units (p. 7) will be permitted in nearly all zones, no information was provided. Does this potentially authorize a doubling of living units to this plan? If so, does that violate the zone density standards. I understand that not many in Ashland have used that infilling strategy as a long-term rental option. If this particular development might attract more people to live in small detached units, it would be a big consideration for the design plan.

3. Affordable housing and less-expensive housing (p. 9). Design for less lawns and maintenance which helps on home-owner association fees. Vest pocket parks (p.14). are labor intensive and not very functional, particularly for any recreational use. A larger central park with picnic facilities and informal play space would be easier to maintain. and allows for more recreation than just walking or biking.

5. Shared streets (p.15) by biker, walkers and autos can be hazardous, particularly if any parking is allowed on them. All on-street parking should be restricted to bays or parking pads.

6. Street mobility (p. 15) + walk-ability look okay within the plan, but anticipate a significant increase of traffic on the east-west corridors, particularly on East Main because that is where the high density housing will be. The improvement of East Main will need turn lanes and the retention of bike lanes at the minimum. Hopefully sidewalks on lower East Main, too. Walking and biking are healthy and encouraged but the long linear layout of Ashland at the base of the Siskiyou has its commercial locations, entertainment, and most dining facilities at its north-west mid-section and south-east ending section located several miles apart. Realistically, not many residents of this plan will be walking or biking to shop for food and basic supplies, or for dining and entertainment. Hopefully this plan will be sure that there is adequate off-street parking to accomodate the influx of senior retirees and others who will rely on their vehicles. Thanks for your consideration of these points.

Dale Swire 233 Clay St. Ashland



RECEIVED

MAR 11 2014

From Grace Point Church

Submitted by email 3/11/2014

Planning Commission,

We are concerned about the restriction the current Normal Avenue plan will place on future uses of the lot behind Grace Point Church.

First, the plan designates the W-9 wetland, as adopted by local and state agencies, based on an estimate of this region rather than an actual delineation by species and groundwater survey of the property. The actual wetland area may be larger or, as we see it after 7 years of mowing and maintaining, is significantly smaller than current estimates.

In the case of the wetland being larger than current estimates, the area available for development will be smaller and our use will be limited. However, in the event that the required delineation results in a smaller area of wetland, there seems no remedy in the current plan for a reduction of the Open Space designation to allow us to use the space available for development. In speaking with the Ashland Community Development Department it was confirmed the W-9 open space size would not change even if a wetland delineation survey showed it to be smaller.

It seems that there is some attempted amelioration of this by density transfer from open space to the rest of our property, this allowing a maximum of 64 dwelling units on the entire property. This is a tradeoff but is only usable to us if we make unacceptable changes to the property by placing residential dwellings on our front field and in our parking lot. It does not allow us to make up for that loss to the South of the church in our field. From a 5 to 10 year timeline we have a property that really cannot be used. From a longer term planning viewpoint this may be a reasonable planning concept except I must remind this commission that this Nazarene Church was started in Ashland in 1905 (109 years ago) so we do plan with a long term viewpoint.

A combination of 2 possible solutions exists. The first is allowing the decrease or increase in the conservation area based on an accurate delineation. Secondly, increasing the density allocation from NN-02 (10 units per acre) to NN-03 (15 units per acre) on the only usable space to the South of the church. This would leave the current NN-02 designation for the rest of the church's property. We request you adopt both.

Shifting the focus now to the matter of 2 transportation corridors traversing this area. I am told by staff that an alley or multi use path is required by code adjacent to open spaces. This means that in addition to a 50 foot swath through this property for the road another 25 feet will be taken by the proposed alley. This is in addition to the required 50 foot buffer zone around wetlands. That raises the public taking for transportation corridors to about 75 feet and 125 feet if you consider the buffer zone. This seems exorbitant from our viewpoint.

Our request as a solution is to move the current road as far to the south as allowable, within 50 feet of the W-9 open space. This would eliminate the coded need for another transportation corridor.

Where in this code and planning action is there a use for this property? There is a public straightjacket to most reasonable uses of this property. We might just have to lease to a farmer who wants fence for livestock to raise cows, sheep, goats and pigs and not ever annex.

Finally, there have been comments made in the public forum pertaining to ditching we have done on the property. Some well meaning folks seem to think that this is their property to police. Prior to any ditch cleaning we contacted the Oregon Department of State Lands and were told that there were existing ditches on this parcel and that maintaining these ditches was allowable. We did as they recommended, cleaning these drainages to their previous depth and removing brush from these ditches. We were able to find the previous depth because there were existing culvert pipes in at least 3 locations to set our cleanout depth.

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
STUDY SESSION
MINUTES
March 25, 2014

CALL TO ORDER

Chair Melanie Mindlin called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Melanie Mindlin
Michael Dawkins
Tracy Peddicord
Lynn Thompson

Staff Present:

Maria Harris, Planning Manager
April Lucas, Administrative Supervisor

Absent Members:

Troy J. Brown, Jr.
Richard Kaplan
Debbie Miller

Council Liaison:

Mike Morris

ANNOUNCEMENTS

Commissioner Dawkins announced the Downtown Beautification Improvement Committee held its second meeting, and also noted he was in attendance for the Council discussion on medical marijuana dispensaries.

PUBLIC FORUM

No one came forward to speak.

DISCUSSION ITEMS

A. Zoning Issues for Medical Marijuana Dispensaries.

Planning Manager Maria Harris explained the commission ran out of time to discuss this item at their last meeting and since then the Council has provided further clarification and have directed staff to draft an ordinance amendment that prohibits marijuana dispensaries in the downtown overlay district, makes state licensed marijuana dispensaries a conditional use in the E-1 zone, and makes state licensed marijuana dispensaries a permitted use in the C-1 and M-1 zones. She stated the Council would like this moved forward in a timely manner and stated a public hearing for the proposed amendments is scheduled for the May 13, 2014 meeting. Ms. Harris noted the city's administration department is hosting an informational meeting at The Grove tomorrow evening to have an open conversation and hear neighborhood concerns regarding a specific proposed dispensary located on Williamson Way.

Ms. Harris reviewed the state requirements for dispensaries. She clarified sites must be 1,000 ft. from primary or secondary schools, 1,000 ft. from any other licensed dispensary, and must be located in an area that is zoned commercial, industrial, mixed use, or agricultural. Additionally, they must be registered as a business with the Secretary of State's office and they must have a security system installed, including a video surveillance system, alarm system, and safe.

Public Testimony

William Clary/460 Williamson Way/Requested the Commission consider placing buffer zones, especially around residential neighborhoods. Mr. Clary requested a minimum of 100 ft, but preferably 400 ft, from residential neighborhoods, and 1,000 ft from locations where there are high concentrations of children, such as North Mountain Park.

Commission Discussion

Commissioner Dawkins recommended this type of use be placed in areas that have higher traffic, instead of tucked back in more hidden areas. Additionally, he stated parking in front of the business is preferred to parking in the rear. He also suggested these be operated similar to liquor stores, with set hours and security requirements. Ms. Harris clarified restrictions on days and hours of operation is something that could be included in the code language.

Comment was made that the conditional use process seems out of place in the E-1 zone and it would be preferable to establish specific restrictions. Ms. Harris clarified the City could use the conditional use permit process for dispensaries located within a certain distant of a residential zone, and a special permit for the other locations. She stated special use permits are primarily used in commercial and employment zones and are in between a permitted use and a conditional use and have very specific requirements.

Commissioner Mindlin asked if there is any interest in establishing buffers for residential neighborhoods and parks/libraries. Commission Dawkins stated he does not like singling out one type of business. He also commented that if this becomes too restrictive there will not be any places left for these to operate. Comment was made questioning why the Council did not want this use in the downtown overlay district. It was clarified that the City Administrator has expressed that this is a tourist town and dispensaries on main street could be considered offensive.

Suggestion was made for staff to look at the licenses issued in California and determine what has worked and what types of problems they have encountered.

Additional Public Testimony

Julie Matthews/2090 Creek/Questioned if the City is obligated to allow this and expressed her concerns with people using marijuana.

William Clary/460 Williamson Way/Spoke to liquor stores and clarified OLCC determines where these businesses can be located.

Chris Luz/121 Samuel Lane, Phoenix/Stated medical marijuana patients need safe access to their medicine and feels it is appropriate for the City to identify where they want these to go and to restrict them from downtown. He supported allowing dispensaries in high volume commercial areas, such as shopping centers, and stated the people who need these stores will find them.

Commission Discussion

Commissioner Mindlin asked what direction staff needs in order to draft an ordinance for public hearing. Ms. Harris stated staff will prepare an ordinance as proposed by the Council and clarified the Planning Commission will have the ability to make further recommendations and those can be added as a memo or report for the Council's consideration. She added the Commission does not need to have their recommendations prepared in advance of the hearing, but if they require additional information that should be identified now.

Commissioner Mindlin summarized the discussion and stated the commission is interested in establishing hours of operation, requiring surveillance, requiring a special use permit rather than a conditional use permit or potentially combining this with a conditional use permit in some parts of the E-1 zone, and a potential 100 ft. to 200 ft. buffer for residential, parks, and libraries. Mindlin also requested staff provide suggested language that would clarify the criteria for conditional use permits.

B. Unified Land Use Ordinance: Part 18-6 Definitions.

Planning Manager Maria Harris explained this section combines all the definitions that were listed in the code into one section. She stated most of the edits were removing duplicates and editing the language for clarity, however there is one substantive change. Ms. Harris went on to explain the proposed amendment to the definitions of hotel and motel would allow more flexibility for property owners to apply for a conditional use permit to use individual residential units for transient lodging in commercial and employment zones.

Ms. Harris provided a short overview of the proposed amendments to Dwelling, Home Oriented Commercial Activity, Lot Line, Open Space, and Subdivision.

The Commission issued the following comments and suggestions regarding the Definitions section:

- Suggestion was made for staff to look into how row housing and cluster housing will be addressed.
- Comment was made questioning the language "other than an alley" in the Front Lot Line definition.
- A correction was noted to the Open Space definition; the text following "...left with a natural vegetation cover" should be removed.
- Recommendation was made for staff to re-phrase the Person definition to make it easier to understand.

ADJOURNMENT

Meeting adjourned at 8:30 p.m.

LEGISLATIVE HEARING

Normal Neighborhood Plan

Memo

DATE: April 8, 2014

TO: Ashland Planning Commission

FROM: Brandon Goldman, Senior Planner

RE: Continuation of the March 11, 2014 Planning Commission Meeting regarding the Normal Neighborhood Plan.

At the March 11th Planning Commission meeting, the Commission held a public hearing on proposed amendments to the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, and Ashland Land Use Ordinance to implement the Normal Neighborhood Plan. The Commission deferred action to the Commission's April 8th meeting in order to continue deliberations and forward recommendations to the City Council. The Council is scheduled to hold a public hearing on May 6th, 2014.

Please refer to the March 11, 2014 packet materials and Staff Report for the project background, description of site and proposal, and discussion of project impact. There have been no changes to the Normal Neighborhood Plan following the March 11th meeting. Materials which were distributed to the Commission during the March 11th hearing, and public comments posted on the Open City Hall forum are attached to this memo.

At the prior meeting Staff presented the Commission with the following recommended changes to the draft Land Use Ordinance amendments and Normal Neighborhood Plan Framework document which are intended to clarify terminology and provide inter-document consistency:

- Amend the framework document (page 7) under Double Dwellings to strike NN-01 as a zone where they are permitted.
- Amend the Framework Document to alter references to Pedestrian Oriented Cluster Housing (e.g top of page 7 [43]) to be consistent with the description of the Housing Type as written on page 8.
- Amend the Framework Document to eliminate statements that stipulate that rear alleys “help to eliminate pavement” as although true in some site configurations it is not universally true in all circumstances (pg 16 [51]).
- Amend the Framework Document's “Use Table” on page 10 to include Pedestrian Oriented Cluster Housing as permitted in NN-02 and NN-03 consistent with the draft Land Use Ordinance.

- Amend the draft Land Use Code 18-3.13.040 as follows:
 - B5: Pedestrian Oriented Cluster residential Units are multiple dwellings grouped around common open space that promote a scale and character compatible with single family homes. Units are typically arranged around a central common green under communal ownership. Auto Parking is generally grouped in a shared surface area or areas
 - B7: Add a place holder for a Cottage Housing description consistent with the Unified Land Use Ordinance.

- Amend the draft Land Use Code 18-3.13.050 to read as follows:
 - B1(d) : Accessory residential units consistent with standards described in section 18-2.3.040 are not required to meet density or minimum area requirements.
 - NEW B1(e). Accessory residential units shall be included for the purposes of meeting minimum density calculation requirements for residential annexations as described in 18-5.7.050F.
 - B2(b): Cottage Housing. In the NN-01 zone, developments meeting the standards of section 18-2.3.090 Cottage housing shall receive a density bonus consistent with 18-XX....*(to be put forth in the ULUO)*

- Amend the draft Land Use Code 18-3-13.060 to read as follows:

A3(a): Automobile Access to development is intended to be provided by alleys where possible consistent with the street connectivity approval standards.

With Commission direction Staff will incorporate the clarifications noted above, and other recommended editing changes, into the final documents to be presented to the City Council on May 6th.

Planning Commission recommendations relating to the neighborhood plan's proposed land use designations, conservation and open space designations, street network, and draft land use ordinance will be incorporated into a Planning Commission report to be presented to the Planning Commission for review on April 22nd, and subsequently forwarded to the City Council on May 6th, 2014.

Attachments

- Shared Street Standards and Cross Section
- Letters (submitted on 3/11/2014):
- Comments provided on Open City Hall (as of 4/02/2014)



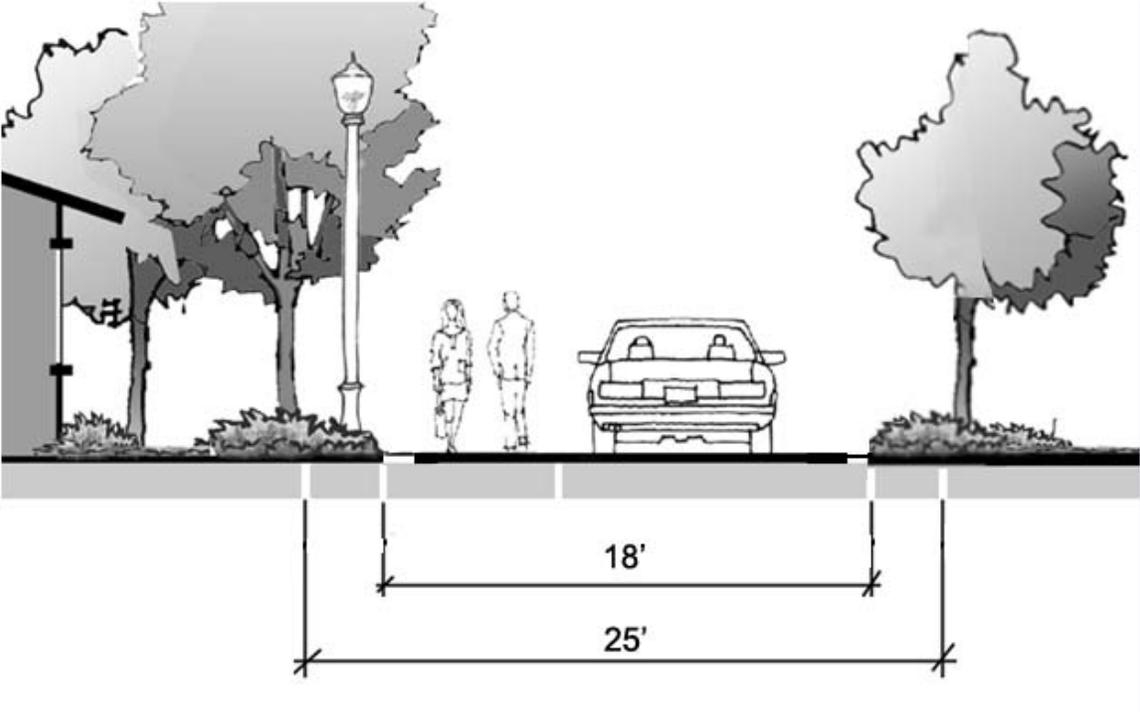
DRAFT FOR STREET STANDARDS HANDBOOK

Shared Street

Provides access to residential in an area in which right-of-way is constrained by natural features, topography or historically significant structures. The constrained right-of-way prevents typical bicycle and pedestrian facilities such as sidewalks and bicycle lanes. Therefore, the entire width of the street is collectively shared by pedestrians, bicycles, and autos. The design of the street should emphasize a slower speed environment and provide clear physical and visual indications the space is shared across modes.

Street Function:	Provide vehicular, pedestrian, and bicycle neighborhood circulation and access to individual residential and commercial properties designed to encourage socializing with neighbors, outdoor play for children, and creating comfortable spaces for walking and biking.
Connectivity:	Connects to all types of streets.
Average Daily Traffic:	1,500 or less motor vehicle trips per day
Managed Speed:	Motor vehicle travel speeds should be below 15 mph
Right-of-Way Width:	25'
Pavement width:	18' minimum, maintaining full fire truck access and minimum turning paths at all changes in alignment and intersections.
Motor Vehicle Travel Lanes:	Minimum 12' clear width.
Bike Lanes:	Not applicable, bicyclists can share the travel lane and easily negotiate these low use areas
Parking:	Parking and loading areas may be provided within the right of way with careful consideration to ensure parked vehicles do not obstruct pedestrian, bicycles, or emergency vehicle access.
Parkrow:	Not applicable
Sidewalks:	Not applicable, pedestrians can share the travel lane and easily negotiate these low use areas. Refuge areas are to be provided within the right of way to allow pedestrians to step out of the travel lane when necessary.

Shared Street Cross Section



Bryce C. Anderson
2092 Creek Drive
Ashland, OR 97520

March 11, 2014

Troy Brown, Jr.
Michael Dawkins
Richard Kaplan
Deborah Miller
Melanie Mindlin
Tracy Peddicord
Lynn Thompson
City of Ashland Planning Commission
51 Winburn Way
Ashland, Oregon

Re: Normal Neighborhood Final Plan

Dear Commissioners,

The undersigned is chair of an ad hoc committee representing the homeowners' associations of Meadowbrook Park Estates, Ashland Meadows and Chautauqua Trace regarding the Normal Neighborhood Final Plan. This letter addresses the concerns we have regarding that portion of the plan area that lies between Clay Street on the east, Cemetery Creek on the west, Creek Drive on the south and East Main Street on the north, and known informally as the "Baptist Church property."

A reasonable development of this property would be welcome, as the portion of the site behind the existing community church is both an eyesore and a fire hazard. There are some problems with the current plan, however, which should have been addressed in more depth. Because this property is very likely to be the first to be developed, and because these concerns should have been addressed more fully in the existing plan, the above associations would ask that the current plan be modified to eliminate the NN-03 and NN-03-C areas from the plan until these problems are solved.

1. Traffic on East Main: Currently, this narrow two-lane road has no curbs or sidewalks east of Walker Avenue other than the portion of East Main fronting the Mormon Church, no left turn lanes, and narrow shoulders which serve as both pedestrian and bicycle lanes adjacent to large drainage ditches that pose hazards to both pedestrians and bicyclists. Moreover, only the southern side of East Main is in the plan boundaries because the northern side is not within the City of Ashland Urban Growth Boundary.

To: Ashland Planning Commission
Re: Normal Neighborhood Final Plan

March 11, 2014
Page 2

As is indicated on page 15 of the plan, entitled "Mobility," no improvement is planned for the northern side of East Main, and any improvement on the southern side must await development of all or nearly all of the properties along the entire frontage of East Main. In the meantime, the inclusion of high density residential and commercial uses on this property will immediately cause traffic hazards as drivers coming east and west on East Main in a 40-mph speed zone attempt to navigate around other drivers turning left or right on the streets leading into this proposed development. Although these hazards cannot be eliminated without improving East Main, they can be significantly lessened by eliminating the commercial and high density residential uses from this property. As tacitly noted at page 6 of the plan introduction, the possibilities for commercial uses in this area are dubious at best, and need for such services highly questionable. High density residential uses are also questionable due to the absence of rapid transit facilities (see page 18), the limited parking which would be available in this zone, and the above traffic problems.

2. Sewer and Water Infrastructure: As indicated at page 29 of the plan, the existing sewer and water lines on East Main and Clay Street are barely adequate, and occasionally inadequate, to serve the existing neighborhoods. The plan, however, has no provision for expanding these lines even though the development of the 10-acre Baptist Church property alone under the current plan would add more than 100 dwelling units, more than exist in Meadowbrook Park Estates and Ashland Meadows combined, in addition to the allowable commercial development. Even a medium density residential development will severely strain existing infrastructure; any higher density will overload it with no planned solution for decades.

For all of the above reasons, the three homeowners' associations ask this commission to amend the plan to eliminate the NA-03 and NA-03-C zones from the plan.

Very truly yours,

Bryce C. Anderson

From Grace Point Church

Submitted by email 3/11/2014

Planning Commission,

We are concerned about the restriction the current Normal Avenue plan will place on future uses of the lot behind Grace Point Church.

First, the plan designates the W-9 wetland, as adopted by local and state agencies, based on an estimate of this region rather than an actual delineation by species and groundwater survey of the property. The actual wetland area may be larger or, as we see it after 7 years of mowing and maintaining, is significantly smaller than current estimates.

In the case of the wetland being larger than current estimates, the area available for development will be smaller and our use will be limited. However, in the event that the required delineation results in a smaller area of wetland, there seems no remedy in the current plan for a reduction of the Open Space designation to allow us to use the space available for development. In speaking with the Ashland Community Development Department it was confirmed the W-9 open space size would not change even if a wetland delineation survey showed it to be smaller.

It seems that there is some attempted amelioration of this by density transfer from open space to the rest of our property, this allowing a maximum of 64 dwelling units on the entire property. This is a tradeoff but is only usable to us if we make unacceptable changes to the property by placing residential dwellings on our front field and in our parking lot. It does not allow us to make up for that loss to the South of the church in our field. From a 5 to 10 year timeline we have a property that really cannot be used. From a longer term planning viewpoint this may be a reasonable planning concept except I must remind this commission that this Nazarene Church was started in Ashland in 1905 (109 years ago) so we do plan with a long term viewpoint.

A combination of 2 possible solutions exists. The first is allowing the decrease or increase in the conservation area based on an accurate delineation. Secondly, increasing the density allocation from NN-02 (10 units per acre) to NN-03 (15 units per acre) on the only usable space to the South of the church. This would leave the current NN-02 designation for the rest of the church's property. We request you adopt both.

Shifting the focus now to the matter of 2 transportation corridors traversing this area. I am told by staff that an alley or multi use path is required by code adjacent to open spaces. This means that in addition to a 50 foot swath through this property for the road another 25 feet will be taken by the proposed alley. This is in addition to the required 50 foot buffer zone around wetlands. That raises the public taking for transportation corridors to about 75 feet and 125 feet if you consider the buffer zone. This seems exorbitant from our viewpoint.

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Where in this code and planning action is there a use for this property? There is a public straightjacket to most reasonable uses of this property. We might just have to lease to a farmer who wants fence for livestock to raise cows, sheep, goats and pigs and not ever annex.

Finally, there have been comments made in the public forum pertaining to ditching we have done on the property. Some well meaning folks seem to think that this is their property to police. Prior to any ditch cleaning we contacted the Oregon Department of State Lands and were told that there were existing ditches on this parcel and that maintaining these ditches was allowable. We did as they recommended, cleaning these drainages to their previous depth and removing brush from these ditches. We were able to find the previous depth because there were existing culvert pipes in at least 3 locations to set our cleanout depth.

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

- 1) Tell us which elements of the plan you disagree with and which elements of the plan you support and*
- 2) What is your overall impression of the plan?*

All On Forum Statements sorted chronologically

As of April 2, 2014, 9:45 AM



As with any public comment process, participation in Open City Hall is voluntary. The statements in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

- 1) Tell us which elements of the plan you disagree with and which elements of the plan you support and*
- 2) What is your overall impression of the plan?*

Introduction

The City of Ashland is in the final stages of developing a plan for the future neighborhood at the north end of Normal Avenue and is seeking additional citizen input. The proposed Normal Neighborhood Plan reflects nearly two years of public participation and neighborhood involvement.

Neighborhood planning is the opportunity to think ahead and determine a vision for the future of the neighborhood. Having an adopted plan in place will ultimately provide for the coordination of streets, pedestrian connections, utilities, storm water management and open space. The final plan is intended to provide a clear expectation and understanding for both developers and neighboring residents regarding future development.

Please review the draft Normal Neighborhood Plan

http://www.ashland.or.us/SIB/files/NormalPlanDocument_20140225.pdf :

- 1) Tell us which elements of the plan you disagree with and which elements of the plan you support and
- 2) What is your overall impression of the plan?

City officials will read the statements made on Open City Hall and consider them in their decision making process. The Planning Commission will hold a public hearing at 7:00 p.m. on March 11th, 2014 in the City Council Chambers at 1175 East Main Street.

If you have questions please contact Brandon Goldman at (541)552-2076 or brandon.goldman@ashland.or.us.

Written comments may also be submitted via email or mailed to:

City of Ashland
Community Development Department
20 East Main Street
Ashland, OR 97520

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

- 1) Tell us which elements of the plan you disagree with and which elements of the plan you support and*
- 2) What is your overall impression of the plan?*

As of April 2, 2014, 9:45 AM, this forum had:

Attendees:	276
On Forum Statements:	23
All Statements:	34
Hours of Public Comment:	1.7

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

1) Tell us which elements of the plan you disagree with and which elements of the plan you support and

Victor Chang inside Ashland

March 13, 2014, 11:55 PM

Overall the planning looks solid and I appreciate the emphasis on these things: affordable housing, multi-density housing, green spaces, multi-use paths, minimizing drive-thru traffic, etc. Concerns: I'm curious as to the efficacy of shared streets. It may be cool for pedestrians but I'd had to live on one and have to drive around people every day. Also, I'm not sure what the plan for water and wastewater is- it cites wells and septic tanks, but surely that would not continue to be the plan. Would have liked to see planning and cost estimates for that. Lastly, though its very eco-chic to emphasize walkability but besides maybe walking to Walker ES, Ashland MS, Scienceworks, Hunter Park... people will be driving. I would like to see the traffic impact study of that many more residents and drivers on the traffic flows on Ashland St, Walker, E. Main, Tolman, etc.

Thanks for considering these comments.

Tanya Way inside Ashland

March 12, 2014, 1:06 AM

The increase in population for this area warrants an immediate plan and installation of a public park similar to the size of Garfield Park in Ashland. The affordable housing being proposed would undoubtedly increase the number of families with children who would benefit immensely from a large park at this end of town. If quality-of-life measures such as park size and placement cannot be maintained for residents along the eastern border of the development, the south end of Ashland will likely see a large drop in property value, recreational activity for families, and overall satisfaction of residents in this area. Beyond this, building homes on a 100-year flood plain will put these homes at high risk for irreparable or expensive damages over time, and the natural beauty of this area would be long gone. This is truly not going to add anything positive to Ashland. This plan needs to be tabled and re-visited after more research and public works planning is completed.

Marni Koopman inside Ashland

March 11, 2014, 5:06 PM

I attended the Charrette and some of the planning meetings. During the Charrette, every group but one communicated that they did not want to see this new development have serious negative impacts to the surrounding existing neighborhoods. They asked that it be designed to avoid creating new stressors such as traffic and safety issues for neighborhoods along Normal Ave., Homes Ave., and Clay Street. These issues were ignored and the development plan in its current state creates a large volume of traffic, congestion, and safety issues along Normal Ave., Homes St., Clay St., and East Main St. These will be costly to rectify later, and the tax payers and home owners on those streets will be the ones to pay the price. Because the corner of Homes and Normal already has very high traffic from the proximity to ball fields, tennis courts, and schools, this area will quickly be overwhelmed by traffic if 450 units are built with 2 cars per unit and multiple trips to and from schools and downtown. I think that the planning for traffic has been inadequate and that the considerations of the surrounding neighborhoods, their quality of life, safety, and housing values have not been adequately addressed with this plan. I was also disappointed that the input from the Charrette participants was ignored.

My other comment is completely unrelated to the first one. I have been working for the City of Fort Collins to help them plan for climate change, and they are currently working with private businesses and residences to

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

1) Tell us which elements of the plan you disagree with and which elements of the plan you support and

move their infrastructure OUT of the 100-year and 500-year flood plain due to increasing severity of storms with climate change. This is expensive (the Woodward technology company, for instance, is moving its entire campus out of the 500-year flood zone), yet the city is taking an active role in protecting its residents and making businesses secure in their investments.

Severe storms have already increased across the West and are expected to continue to increase. It is irresponsible to put new development in 50-year and 100-year flood plains (not to mention 500-year) at this time. Either those developments will need to be moved in the future, at great cost to the owners and tax payers, or they will be damaged and peoples' livelihoods impacted by severe storms. While I support infill and the avoidance of sprawl, there is no need to put peoples' investments and their safety at risk. Climate change is here, it is affecting communities now, and we know better than to continue to do things that put people in danger from natural disasters.

There is very high agreement among climate models that precipitation is expected to increase in the Pacific Northwest, with more severe storms in the winter and dryer, hotter summers. This increases the likelihood of flooding and water shortage. FEMA flood maps do not yet reflect the increasing risk over time, but they are working to update their information using forward-looking projections rather than historical averages. I am attaching a short overview of climate trends for the PNW that was produced by the US Global Change Research Program. A link is provided in that summary for the full report, which provides in depth information on current and future climate trends for this area. One sentence to note says "An increase in annual mean precipitation is simulated for the majority of the Northwest U.S., for all future time periods and both emissions scenarios. The CMIP3 models are mostly in agreement that precipitation will increase."

There is no excuse for excluding climate change considerations from any current planning efforts, as the science is clear and accessible. Doing so puts people and infrastructure at risk and creates costs for families, businesses, and local government decades from now. We are in a time of transition where our zoning ordinances and development standards reflect historical conditions, but we fully understand that future conditions will be quite different.

At one of the planning meetings, it was obvious that wetlands are not a valued feature and that they are destroyed without much concern. I happen to value wetlands for their wildlife and aesthetic values, but can understand that not everyone shares these values. However, I do want to point out that wetlands do provide very important services to people, including water filtration, flood protection, and nature for kids to enjoy. Because these wetlands are so close to the schools, they could be an important outdoor classroom for school children. In fact, kids that spend time outdoors have been shown to do better in school and have fewer behavioral problems, such as ADHD.

The wetlands also hold water during floods, releasing it slowly and protecting neighboring infrastructure. By lining streams and channeling flows, we reduce the capacity of this "sponge" to function properly and protect us during severe storms. This reduces community resilience.

Finally, I want to note that many communities in California, Montana, Colorado, Washington, Oregon, Vermont, Maryland, and many other states are taking proactive steps to protect their communities from climate change and increase their resilience in the face of natural disasters and other stressors such as water shortage, dam failure, heat waves, new diseases and disease vectors, etc. Ashland needs to become a leader in community

Normal Neighborhood Plan

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resilience rather than continue to plan and develop in the same ways as we have in the past. Ashland is a progressive community, yet this development plan does not reflect our progressive roots and societal values.

Thank you for your consideration. Please feel free to contact me for more information.

Marni Koopman, Ashland Resident

1 Attachment

https://pd-oth.s3.amazonaws.com/production/uploads/attachments/1255sq3yxjkw.3k4/NCA-NW_Regional_Scenario_Summary_20130517_banner.pdf (1.18 MB)

Alma Alvarez inside Ashland

March 10, 2014, 9:06 PM

Like many others that have posted comments, I have also participated in some of the planning sessions. While I understand that the city of Ashland would like to keep its growth within the boundary of the city, I was surprised to see that the plan, after all of the residents' discussions still listed the possibility of up to 560 dwellings. Most of the residents at the planning sessions attempted to "bargain down" the number to 450 units. While the plan is made with an eye towards encouraging walking and biking as alternative modes of transportation, I am concerned about the amount of traffic we will experience in the neighborhood if we were to have up to 560 units. The reality of modern living is that most households have at least two vehicles. The amount of traffic in such a densely populated area would mean a lot of cars.

Like other Normal neighbors, I am concerned with maintaining the natural character of the area. I hope that our city takes good care of preserving the wetlands and the natural life connected with it.

While I am not in support of the plan in terms of the proposed number of units, I do hope that our city makes a commitment to having some of the units marked as affordable housing units.

Peter Halt outside Ashland

March 10, 2014, 12:43 PM

I own one of the parcels on normal Avenue directly abutting the wetlands currently slated for development. I currently have non-developable wetlands in my back yard. There are several things concerned about this plan.

1. When I went to the planning commission meeting last week, it was apparent that the developers have no real interest in preserving the rural feel of this neighborhood. While they are careful to talk about preserving the wetlands, it is fairly clear that they are skeptical that wetlands exist or should exist on their property. Currently the plan states that the adjoining property with designated wetlands on it will be zoned NN-02, allowing for 10 units per acre. There is a provision in this plan that allows them to increase the density of housing by 1.5 if any portion of that lot is designated wetlands. That means that what is currently open space and in my backyard will have housing at the density of 15 units per acre, where there is none right now. Is there a housing shortage so grave that we need to put high density row houses into what is now unspoiled open land and wetlands? Is this the only alternative, or are we bowing to pressure from monied developers? I haven't seen this density of housing anywhere in Ashland. It makes no sense to drop it into the middle of farmland. Where are the studies

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- demonstrating a need for this type of housing? Even if all the property in question was zoned at NN-01, at 5 units per acre, this is an enormous number of small homes to add to the real estate market in Ashland.
2. I have heard concerns about the capacity of Ashland City water and sewer and that there have been problems with the Clay street development. Has the city thoroughly explored it's capacity to support this huge acreage filled with homes?
3. Currently the plan states that Normal Avenue will open to East Main. There was some talk at the planning commission meeting that this was a bad idea and will change to prevent Normal Ave from becoming a thoroughfare. I would agree with that and hope that this wisdom prevails. That straight road opened up to East main would be the most destructive feature of this plan if there is any true desire to preserve the "feel" of this neighborhood.
4. Do those of us that don't want to be annexed, that moved here for the rural feel, get to keep our TID irrigation, our horse and farm friendly zoning?
-

Carol Block / Nicole Lee outside Ashland

March 10, 2014, 6:56 AM

I would like to draw the Planning Commission and citizens of Ashland's attention to a comment made by one of the other posters who noticed that several trenches have appeared in the southern section of designated Wetlands9 [Roxanne Jones post of March 7, 2014]. In walking that area the last two days, that person is absolutely correct in their observation! These trenches serve only one purpose: to draw rainwater away from the wetlands into a storm drain at the upper section of the Ashland Middle School turnaround. It's an obvious, blatant attempt to dry up the Wetlands of course. Some of these trenches are new (within the last year based on the lack of vegetation I suspect). You can even see the tractor marks! Why and who did this I wonder?

There is no doubt that this work was done to minimize and reshape Wetlands9 in order to allow for higher density zoning allowance on the property. If the wetlands dried up, the property owners would have a larger footprint to build upon. If they have to mitigate wetlands, a smaller parcel would have to be identified (and not the 5.38 acres this wetland encompasses).

I do believe that a permit is required to do any soil disruption on designated wetlands and includes a significant financial penalty. I wonder whether a permit was obtained?

The Normal Neighborhood Plan is clearly the driver to having these trenches pull water away from the area and the citizens of Ashland should be up in arms over this. We should be nurturing these wetlands, not destroying them to make room for homes, retirement facilities, etc.

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This is the second time a pro-development speculative landowner has tried to minimize the designated wetlands on property they own. The first report was when someone cut down several Poplars and leveled out a section of their property. Does the City/County care that this kind of behind the screen destruction of naturescape is happening? I am sure the Department of State Land does. And in the earlier case, the developer was red tagged by DSL.

For those who live and love this area of Ashland, this is an egregious act and I hope the Planning Commission is as concerned with this deliberate act and understands the motivation behind it. I hope these land owners are held accountable and are required to restore that which they are trying to destroy. These people should be ashamed of themselves.

https://fbcdn-sphotos-c-a.akamaihd.net/hphotos-ak-ash3/t1/p261x260/1488648_664526177532_654660052_n.jpg

5 Attachments

<https://pd-oth.s3.amazonaws.com/production/uploads/attachments/1252ykfd80fk.4ro/photo.JPG> (247 KB)
<https://pd-oth.s3.amazonaws.com/production/uploads/attachments/1252ykpnu74.3hn/photo2.JPG> (337 KB)
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<https://pd-oth.s3.amazonaws.com/production/uploads/attachments/1252yldh6qds.4n7/photo4.JPG> (347 KB)
<https://pd-oth.s3.amazonaws.com/production/uploads/attachments/1252y46zls.6l1/photo8.JPG> (324 KB)

Karen Horn outside Ashland

March 9, 2014, 9:53 PM

I live across Clay Street from the Normal Neighborhood area. We were not brought into the planning process when it started because, we were told by a city representative, we do not live within the area itself. Since then, we have gone to many meetings about this plan, made statements at Planning Commission meetings, and strategized with our neighbors on how to best make our opinions heard.

First, I commend the Planning Commission for even attempting to create a written plan for development rather than allowing it to happen in the traditional way of waiting for developers to come forward with their own plans and then saying yea or nay.

That said, I do not feel the finished plan reflects the opinions that I heard voiced in the meetings. Instead, a group of consultants from out of town seems to have been let loose to do what they thought best, even though they were missing some key pieces of information about public transportation on E. Main, the extent of the wetlands on the property, and the latest urban planning ideas about how to create housing without wasted space for front lawns. Unfortunately there is nothing innovative or interesting about this plan. It does not reflect

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the best of what Ashland has to offer. I am not even sure that the people who wrote this pretty plan walked the property even one time.

We recently spent many thousands of dollars to mitigate water damage in the crawl space of our house. All three of the housing developments along Clay Street south of us are plagued by water damage and the constant remediation that is required because they were built over ancient creeks. The Normal Neighborhood is not development-friendly; anyone who builds there would be wise to make a sale and get out before the next wet year. Are those the kind of developers we want to encourage?

Another seemingly insurmountable problem with this Plan is that E. Main will never have a bus route. Public transportation is necessary for a development of the size described in the Plan, and everyone involved repeats that mantra. However, the county won't put a bus route on E. Main because right now there is not enough demand for it and because there is no room for a bus to stop without holding up all traffic behind it. Forces could be aligned to overcome these obstacles IF all parties agreed it was a vital goal to do so, but we are far from that today.

The best use for the land in the Normal Neighborhood is agricultural. To grow plants, the overabundance of ground water suddenly becomes a positive thing.

I have heard repeatedly through this planning process that using the land for community gardens is unrealistic because we need more development here in Ashland. There is no shortage I see of housing for the wealthy, but it is true that there is not enough low-income housing. The vision of protecting land outside the urban growth boundary depends on urban infill. But why not do infill on the vacant lots on Ashland Street, just a few blocks south? There is already a bus route there and lots of stores and restaurants to walk to.

I think protecting farmland by keeping sprawl inside the urban growth boundary is a good idea. But for those who will live within the urban area, in condos on small lots without garden space, let's set aside parts within the urban growth area as a place where they can grow food on small allotments, similar to the British system.

Let's face it: the challenge facing us in the future will not be to provide more and more newcomers with housing. It will be to make our town more self-sufficient for the people who are living here now, in growing our own food, reducing the miles that our food travels, and strengthening the community bonds that hold us together as we are drawn forward into an increasingly uncertain future.

John Colwell outside Ashland

March 7, 2014, 9:17 PM

Our committee has had opportunity to review Ashland Planning Commission's final draft of the Normal Street project. This review has been disappointing and we feel that our requests and input were, if not ignored, minimized and substituted with the planners own ideas of what they would like to see on our property. We were continually advised to give input and we did.

We asked to have a zoning that would allow for a retirement facility to be included, we asked for the open area to be based on a real wetland survey rather than an out of date best guess of the extent of the wetland size, we asked for the required road to be moved and not be a straight through thoroughfare. Of these requests only the last one was adopted and even with this there was another road, surreptitiously called an "alley", also placed on

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our land. If this wasn't adding insult to injury we don't know what is. Our current opinion is that we will not support this plan and will do anything we can to fight its adoption. We will be at the Ashland City Council meeting when this is up for a vote and plan to discuss the leading way we were drawn into this process only to have nothing we said be adopted despite the fact that we are a major land owner within the boundaries of this project. At issue first, is planning staff indicating that the wetland designation and the open spaces were to be compensated by increased density zoning elsewhere in the plan. We were led to believe this meant on our land, giving us a 15 unit per acre NN-03 zoning which would allow for density close to retirement facility requirements. Secondly there was no indication of a second transportation corridor on any plans we saw until the final one. Now the planning staff think it is their prerogative to pull an alley out of our land also. We are disappointed in our planning process and the lack of consideration given to property owner's concerns and also with the promise to participate in a process that seems predetermined from its outset. Sincerely: John Colwell and Ray Eddington for Gracepoint Church

Roxanne Jones outside Ashland

March 7, 2014, 7:06 PM

When a change is instituted within a city it is not always a bad thing, provided the change is being done for the right reasons. Many people have asked, who is it that is wanting the Normal Plan? The vast majority of the property owners who live on Normal Avenue, and the surrounding neighborhoods, do not want any drastic changes to the beautiful natural environment that currently exists. It was stated at a city council meeting that Ashland currently has a surplus of housing and will not be needing any additional housing in the next twenty years. So, once again I ask, who is the plan for if it is not for betterment of the neighborhood or the city. Additionally, what's the rush? Let's do things once, and do it right. It seems that the only people who are intent on pushing this plan forward are speculators looking to make a fast return on their investment. To do this, they will attempt to convince us that high-density, high-impact housing that replaces the natural beauty of one of the last undeveloped parcels of county land adjacent to Ashland is required. Some of those individuals don't even live in Ashland, and they will very likely take their profit and leave without doing anything to enhance or contribute to our local economy. Instead, Ashland residents will be left paying for "improvements" to East Main Street and other areas within the project site for years to come. I am in favor of developing a plan that accommodates the city's future needs, but I ask you to stand with me against a plan that irreparably damages the pristine acreage of lower Normal Avenue, robbing our community of a great resource. A successful plan will blend seamlessly with the existing environment.

Ashland is an exceptional town filled with a diverse cross-section of

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residents who have chosen to live, work, shop, donate their time and resources, and educate their children in this uniquely progressive and open-minded town. Those of us who have lived here for many years have a high benchmark for what constitutes an improvement. Standards exist that make it seem straightforward for a city to pave roads, install utilities, and designate dwellings here and there. However, Ashland is not Anytown, U.S.A. We hold ourselves to high standards, and as such we expect more of ourselves and our neighbors. To that end, our city council does works tirelessly to protect our interests for our community today as well as for future generations. There has been a tremendous amount of work and dialogue invested into the Normal Plan, but we are still waiting for a version which we can stand behind. Before that can happen, we will need to address the following questions:

1. Why is the City of Ashland not more concerned about destroying the rural nature of the land?
2. Why have we not chosen to celebrate and preserve the excellent soil in the Normal Plan area and set aside an extensive amount of acreage to be used as a community garden by the neighborhood that could also be conveniently accessed by the middle school to provide learning opportunities?
3. Why must many of the streets be so massively wide, some in excess of 50 feet, that they will end up looking like Anywhere U.S.A.?
4. What would the cost savings to the project be if the streets had a smaller footprint?
5. What will happen to the thousands of birds and other wildlife who currently call this area home?

We are already seeing a lack of respect for nature in the Normal Plan area. It has been stated by others at city council meetings that one developer indiscriminately cut down trees and made an attempt to diminish a creek bed, another developer has blocked the flow of runoff water so that it now poses a threat to an existing neighborhood, and it also appears that the largest wetland in Ashland, Wetland 9, has been extensively altered this past year. Someone used a tractor to dig a series of lengthy trenches to direct the wetland water away from the ecosystem it supports and into a storm drain, and then they cleared a massive area of the wetland of all vegetation. These acts of environmental destruction are deliberate, on-going, and being carried out furtively on multiple properties with the end-goal of diminishing

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the wetland area. Smaller wetland, more room to build. This is only the first taste of the environmental degradation, motivated by financial gain, that will completely destroy the ecosystem of Wetland 9 and the area surrounding lower Normal Avenue if the current plan is approved.

The Normal Plan represents the largest area that could possibly be incorporated into the city, so let's continue working on this plan until a vision that maintains the current beauty and rural feel can be effectively meshed with the potential for additional housing some twenty years down the line when the housing is actually needed.

Sue DeMarinis outside Ashland

March 6, 2014, 3:20 PM

I have reviewed and participated in every public meeting regarding the Normal Neighborhood Plan (NNP) since the first Charette in 2012. Every iteration and discussion of the Plan slightly changes the look of the potential zoning, roads and open spaces.

I agree that there should be open spaces preserved/protected within this area. I commend the planners in their vision to do so. However, in the latest zoning map (Feb.25, 2014), there appeared an overlay of NN-02 zoning under the open space designations. Is the plan able to double zone lands within the NNP just in case a private land owner is able to mitigate their designated natural/wetland area off their land? What happens then to the overall "green space" as envisioned for the whole NNP? What compensation would be given, and by whom, to land owners if they must have their land zoned for public use as a green space/park or road? What if a land owner wanted to preserve their private farming rights where a public park or road is delineated?

The transportation network is currently designed for connections between E. Main and Ashland Street, but the egresses onto E. Main should follow the density zoned for the eastern half of the NNP. To add another exit on the western half creates three real concerns regarding safety for the children at the AMS school bus turnaround, crossing through a State designated wetland, and exiting onto a blind curve of E. Main St. If that cut-through street doesn't exist, then the new meandering road network within the NNP will truly be for the new residents. Otherwise, I see this western egress becoming a problem as a regularly used alternative vehicle route between the major boulevards in order to avoid the congestion and school speed zones on Walker Ave. A pervious surface (not paved), multi-use path toward AMS would serve the NNP community better, preserve our wetland resource, and encourage a green lifestyle and safe access for pedestrians and bicyclists. Also, the transportation map shows paved neighborhood streets, shared streets, and alleyways all going through planned conservation areas and current State Designated Wetlands. Shouldn't impact studies and delineations be mandatory with this plan before locating roads through sensitive areas and established wildlife corridors, as well as for the effect these roads would have on storm water drainage, aquifer recharge and soil compaction?

My overall impression of the NNP is that it is being driven by consideration for development and not much concern given to the impact on the existing neighborhood/environment. System development charges are said will be included in developer's permits, but there will be hidden costs to all the citizens of Ashland for overall improvements to its sewer, water treatment, roads and RR crossings. And, no one has specifically stated what the mandatory "local improvements, or neighborhood LID" will cost the current residents already in the Normal Neighborhood who may not want these "improvements".

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Thank you for listening,
Sue DeMarinis
Ashland, OR 97520

Jean Taylor inside Ashland

March 5, 2014, 2:41 PM

I oppose this development. As with all recent housing developments, Ashland has been attempting to infill as much as possible, which leads to the most houses possible crammed into a little area. I think this policy causes unattractive homes with very little space between neighbors.

The proposed "green space" is not enough.

And, as others have mentioned, has anyone asked for this development or is it just a way to spend grant money?

jonathan seidler inside Ashland

March 5, 2014, 9:17 AM

I have attended all the study groups and have come away with a couple of disturbing facts that none here have alluded to. First is the total size of the proposed annexation. 90+ acres creates a guaranteed scenario of piecemeal development. This has been addressed as fact during comment time from developers at the study groups. It is a fact not disputed and over how many years the plan becomes realized is anyones guess. Real estate being very cyclical and risky in itself provides the scenario of abandoned efforts and a checkerboard effect of muddy half developed blocks amongst finished efforts. It has been put forth at the meetings that it is likely development would migrate in a southern direction from E. Main as primary services would begin there as it is the most cost effective starting point and the lure of the most profitable sales. The next point that has been made numerous times is the whereabouts of, if any, of wetlands. The developers have made numerous assertions that there are NO wetlands and that the "creeks" are presently irrigation flows during season and that their flows can be manipulated as so to make their presence as minimum and as invisible as possible. I would hope the council will address the fact of how large this annexation is and how little experience it has with one this size. I hope the council will only annex proposals ready to proceed with a guarantee that incidentals are in place to incorporate and promote to connecting properties for their future development. I hope the council does NOT back down on promoting wet land creation and preservation. If a developer then feels that he/she is losing their economic viability then they can raise their prices accordingly and see if the risk pans out in the market they've entered. People here need to understand that annexation does not mean that Ashland owns the land. Creating market gardens, sporting ovals, stomping grounds, etc, are all at the expense of the developers so it is likely the proposals will attract minimum expense when costs are considered.

Angelina McClean inside Ashland

March 3, 2014, 10:07 PM

I appreciate the effort that has been made so far to try to accommodate so many different interests in the

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community.

Personally, I would like to see this area as undeveloped as possible. I don't know how realistic that is, but I am interested to know if considerations and studies have been or will be made concerning the environmental impacts that more development will have on this area.

Specifically, I am concerned about the wetlands and if the proposed buffer zones are adequate. How did this area fare after the heavy rains we had recently, and how would that differ once it is developed?

I am also curious about wildlife impact studies. I have heard there are owls, foxes, and other sensitive wildlife in the area. Is their habitat and mobility being taken into consideration? Do any species, like birds or waterfowl rely on this area for migration or overwintering?

However this project plays out, I would like to add my support to the few who have already suggested a community garden. Natural, open spaces, parks, and community gardens are all things that will increase the value of our community far into the future. Lately I have seen articles about food forest plans that are cropping up in places like Seattle and Austin. I tried to paste a photo of the plans for the Austin food forest, but am only able to link to the webpage. It's worth considering.

The article is at: www.austinchronicle.com

The plans for the food forest are at:

<http://festivalbeachfoodforest.weebly.com/food-forest-plans.html>

Margaret Garrington inside Ashland

March 3, 2014, 4:16 PM

Provide multi use path connectivity for bicyclists and pedestrians separate from streets. Link East Main bike path via a multi use path through the Normal neighborhood to the existing bike path to the south, and also create a western path link to the middle school. Shared streets are inconsistent with safety concerns when you have the opportunity to create separate transportation byways. Also designate place holders for public art and require developers to set aside a certain percent of development costs for multi use paths, parks, and public art.

Jan Vidmar inside Ashland

March 3, 2014, 10:31 AM

Jan Vidmar inside Ashland

I support the Normal Plan with two caveats. The proposed development of land adjacent to Cemetery Creek, just close to the railroad tracks, is currently designated NN-02. It makes more sense to have single family homes, similar to the homes currently built along Normal. In other words, like facing like and designated NN-01. Ashland has very few "below the boulevard" neighborhoods with large yards.

My second concern is the flow of Cemetery Creek. Although the creek is not always visible, walking through the wetland area is a soggy affair. A wetland does not always present itself with lakes, stream flow and ducks.

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Cemetery Creek should be considered a pathway for drainage. At times, after a hard rain, the creek flows and the water has a way to proceed from the hills to the valley floor. Any development that blocks that flow potentially puts home owners in flood peril. The current Normal Plan has homes and roads that would potentially impede this water flow.

Michael Shore outside Ashland

February 28, 2014, 2:19 PM

The process that arrived at this plan was fueled in part by a grant of money from the state. Part of the motive for this plan was described as finding a way to comply with rules laid out by the state pertaining to sprawl.

Any plan like this would bump into the freedom of use that property owners would like to assume as rights vs the ability of either the state or the town to exert some controls on that use.

This is a perfect set up for a turf battle. In an effort to find a middle ground some interested parties were invited to the "table", some were not.

Certain developers made it clear that they would move forward to get the most value out of the land. I presume that value would be measured in dollars extracted.

Some factions thought that with the "right amount" of preservation and beautification, controlled density would be abided..... so long as the density was not in proximity to them.

What ever you believe about the power of special interests in determining policy, in this plan you can find evidence of owners and developers and government entities striving to get what they want.

I think it is good for citizens to work hard to arrive at compromise. However some citizens represented ideas without the so called authority of ownership. Are mere residents and neighbors people who have legitimate claims to voice in the outcome? Are land owners the only legitimate voices in this decision?

During the discussions some important points were raised and important questions went unanswered.

Streets, safety, sewage, water, cost of fire protection, actual connectivity to public transit, cost of maintaining the proposed "natural" areas, these were all costs and conditions left hanging.

Meanwhile some suggestions regarding the loss of beauty, habitat and ground water recharging area were received as charming but crank notions un related to the pragmatic business of real estate investment or satisfaction of State mandates.

The plan arises from a need to control a blight called sprawl. The proponents say that at least there needs to be a plan because without a plan chaotic growth will be worse.

I believe Ashland should annex the land and create a demonstration farm providing organic food for the local institutions, training and employment for the local interested citizens and yes some low income housing for those who choose to work and learn full time in the created facility.

I believe over time we will look back on a plan that decreased Ashland's dependence on imported food, increased Ashland's influence on food quality with a civic pride in non GMO local seeds and maintained the beautiful view and free space of the Normal area acres with the pleasure that comes from seeing a secured and precious conservation plan in action. The Ashland Organic project would be one more reason for tourists, eco tourists, to visit and be enriched by our embrace of sustainable culture.

Barry Vitcov inside Ashland

February 28, 2014, 11:58 AM

All On Forum Statements sorted chronologically

As of April 2, 2014, 9:45 AM

<http://peakdemocracy.com/1738>

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I'm happy to see how the latest version of the Normal Neighborhood Plan has changed the area immediately north of Creek Drive to NN-02. This makes sense as it better blends the Meadowbrook Park Estates community to whatever might be developed in that area. I'm also pleased with the amount of open space in the plan. However, the NN-02 designated areas to the land west of Meadowbrook Park Estates and the adjacent open space does not seem appropriate. I believe that entire area, with the possible exception of the NN-02 designation that abuts North Main Street, ought to be designated NN-01. It doesn't make sense to me to have a swathe of higher density housing cut through what is now larger single-family parcels. There are increasingly fewer opportunities for families to purchase homes with significant yard space in Ashland, and I think it would be a good idea to reserve some potential for that type of property.

Barbara Comnes inside Ashland

February 28, 2014, 10:13 AM

The plan does not directly address possible changes in railroad crossings. I live north of the Railroad District across the tracks and am very interested in seeing the 4th Street rail crossing be developed at least for pedestrians, if not for cars. I am concerned that the Normal Neighborhood Plan could remove the possibility of developing the 4th Street crossing. The distance between safe rail crossings with sidewalks and access to people with mobility issues in this part of town is one mile, which seems unacceptable for this most central location that blends housing with commercial activity, promoting a green lifestyle.

Priscilla Hunter inside Ashland

February 28, 2014, 7:04 AM

There are a couple of confusing items in your plan that I thought you'd like to know about.

1. In your list of housing types, your second category is a Double Dwelling Residence Unit, which I believe one would also call a duplex. You describe it as a pair of self-contained living facilities existing in either a side-by-side or a stacked configuration. I point out first that this housing type also exists in an "L" configuration. (This category appears to be a form of the Attached Residential Unit, your category 5, which seems to refer to the triplex or, as suggested by one of your photos, even the quatriplex structure, without reaching the housing capacity of the Multiple Dwelling Residential Unit, your category 6).

2. The third residential unit type listed in your plan is an Accessory Residential Unit (you describe it as a small living unit sharing a lot with a Single Dwelling Residential Unit). It is apparently a structure one would call a cottage, and, although you don't mention that word in your description of it, it does seem to be the same thing as what you call Cottage later in your report. It is clearly not the same thing as your second category in this list of housing forms, a Double Dwelling Residential Unit or your fifth category, an Attached Residential Unit. You have apparently listed the Accessory RU (cottage) as zoned for NN-01, NN-02, and NN-03. Later in your chart showing target housing density in each zoning district, the Cottage is the second category you have listed. However it does not appear to be included as a permitted structure in zones 02 and 03, which seems to contradict what you have said about the Accessory RU in the earlier part of your plan.

I hope you find this helpful information.

Brian Kolodzinski inside Ashland

February 27, 2014, 9:44 PM

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

1) Tell us which elements of the plan you disagree with and which elements of the plan you support and

I support the project overall but was surprised when I got to the end and read there was no city water or sewer service. Is this true for all developments in that part of town? I also hope there would not be too many roadways over streambeds. The natural layout of the area should be incorporated into the design of the neighborhoods as much as permissible. In addition to the open spaces, it would be nice to see some community gardens for residents that are residing in the higher density dwellings.

Steve Read inside Ashland

February 27, 2014, 7:26 PM

First a question: Who or what is driving this project, ie. what needs does it fulfill. Did the neighborhood request changes?

Second: The story about the trains blocking emergency vehicles must be a really old one as there have been almost no trains for 10 years or so. Inserting that scare tactic into the discussion destroys the credibility of the entire project. If you will use scare tactics to sell your project then I will never support it. Your credibility has been damaged.

Jim Curty outside Ashland

February 27, 2014, 5:15 PM

I stand in opposition to the plan. Roadways have been planned without listening to the owners. The size of wetland W9 is grossly overstated. As a representative of land that will be procured for roads... we feel that use of our land is being decided without our future plans being taken into consideration. (Two roads across the land!) We do not want to stand in the way of progress, but the plan means our land will no longer be able to be developed in any way that would enhance our mission.

Donald Stone inside Ashland

February 27, 2014, 4:00 PM

I have no objection to the plan. However, my concern would be whether or not the residents of the Normal Neighborhood have been active in wanting and requesting these changes. If not, and they are simply "victims" of another City Administration pie in the sky "improvement plan" similar to the Plaza renovation, then I would favor the City just butting out and considering that it likely ain't broke so don't try to fix it.

Don Stone
395 Kearney St

DISCUSSION ITEM

Short Term Rentals in R-1 Zone

Ashland Unified Land Use Ordinance (ULUO) Amendments necessary to permit limited travelers accommodation uses within Single Family properties

Table 18-2.2.030 Allowed Uses by Zone

Add Travelers Accommodations in designated Residential Zones to the use table to be a CU+S (Conditional Use Permit with Special Use Standards) or S (Special Permitted Use)
Applicability: Allow in all Residential Zones; or can be limited to R-1 and R-1-3.5 only?

Chapter 18-2.3 – Special Use Standards

Add a new section

18-2.3.220 Traveler’s Accommodations in R-1, R-1-3.5, RR and WR Zones

Where traveler’s accommodations are allowed, they require a Conditional Permit under chapter 18-5.4, and shall meet all of the following requirements:

A. The property on which the traveler’s accommodation is operated is located within 200 feet of a boulevard, avenue, or neighborhood collector as identified on the Street Dedication Map in the Ashland Comprehensive Plan. Distances to the property from a boulevard, avenue or neighborhood collector shall be measured via a public street or public alley to a lot line.

Note: Council requested the Commission discuss the existing 200-foot standard and forward any recommended changes. There are currently 5,305 parcels in R-1 zones. If we assume that the number of traveler’s accommodations that would be offered, if legal, would be equal to the number of illegal units investigated by City code compliance since May of 2012, then that would represent approximately 80 properties, or 1.5% of the parcels in R-1. There are currently 2,710 parcels in R-1 zones located within 200 feet of an arterial or major street. If the same percentage offers traveler’s accommodations, that would be 40 units. The number, however, could be smaller if a CUP is required.

B. During operation of a traveler’s accommodation, the property on which the traveler’s accommodation is sited must be the primary residence of the family or individual operating the traveler’s accommodation.

Note, "Primary Residence" is defined in the draft ULUO as:

The property that the taxpayer uses a majority of the time during the year ordinarily will be considered the taxpayer's principal residence. In addition to the taxpayer's use of the property, relevant factors in determining a taxpayer's principle residence may include, but are not limited to:

- 1. The taxpayer's place of employment;*
- 2. The principal place of abode of the taxpayer's family members;*
- 3. The address listed on the taxpayer's federal and state tax returns, driver's license, automobile registration, and voter registration card;*
- 4. The taxpayer's mailing address for bills and correspondence;*
- 5. The location of the taxpayer's banks; and*
- 6. The location of religious organizations and recreational clubs with which the*

C. A minimum of two off-street parking spaces shall be provided on the property. All parking spaces shall be in conformance with chapter 18-4.4 Parking and Loading.

E. Signage is limited to in conformance with chapter 18-4-7

***Signs prohibited** - Similar to Home Occupations, signs would not be permitted, however, except as allowed under the "Exempt" section of ALUO 18.96, which would limit the operation to two, small incidental signs provided signs do not exceed two square feet in area per sign.

***Sign Allowance** - In line with standards for traveler's accommodations approved through the CUP process in multi-family zones, the Commission could consider allowing one ground or wall sign.

Existing code for TAs in 18-4.7.60B:

3. *Retail and Traveler's Accommodation Uses.* *Retail commercial uses allowed as a conditional use in the Railroad District and traveler's accommodations in residential zones shall be allowed one wall sign or one ground sign that meets the following standards:*
 - a. *The total size of the sign is limited to six square feet.*
 - b. *The maximum height of any ground sign is to be three feet above grade.*
 - c. *The sign must be constructed of wood and cannot be internally illuminated.*

F. The total number of travelers accommodation units on a property shall be limited to one. The single traveler accommodation unit can consist of one of the following accommodation types:

1. a one bedroom or two bedroom suite located within the residence that uses the main entrance of the residence to access the accommodation;
2. a one bedroom or two bedroom suite within the foot print of an existing residence but accessed through an exterior entrance separate from main entrance; or
3. a separate structure located on the property and detached from the primary residence of the property.

G. The travelers accommodation can consist of one or two-bedrooms, not exceeding a combined area of [*a specified size*].

For example, the accommodation could be restricted to 500 square feet or 25% of the gross habitable floor area, whichever is less.

H. Traveler's accommodations must meet all applicable building, fire and related safety codes at all times and must be inspected by the fire department before occupancy following approval of a Conditional Use Permit and periodically thereafter pursuant to AMC 15.28.

I. An annual inspection by the Jackson County Health Department shall be conducted as required by the laws of Jackson County or the State of Oregon.

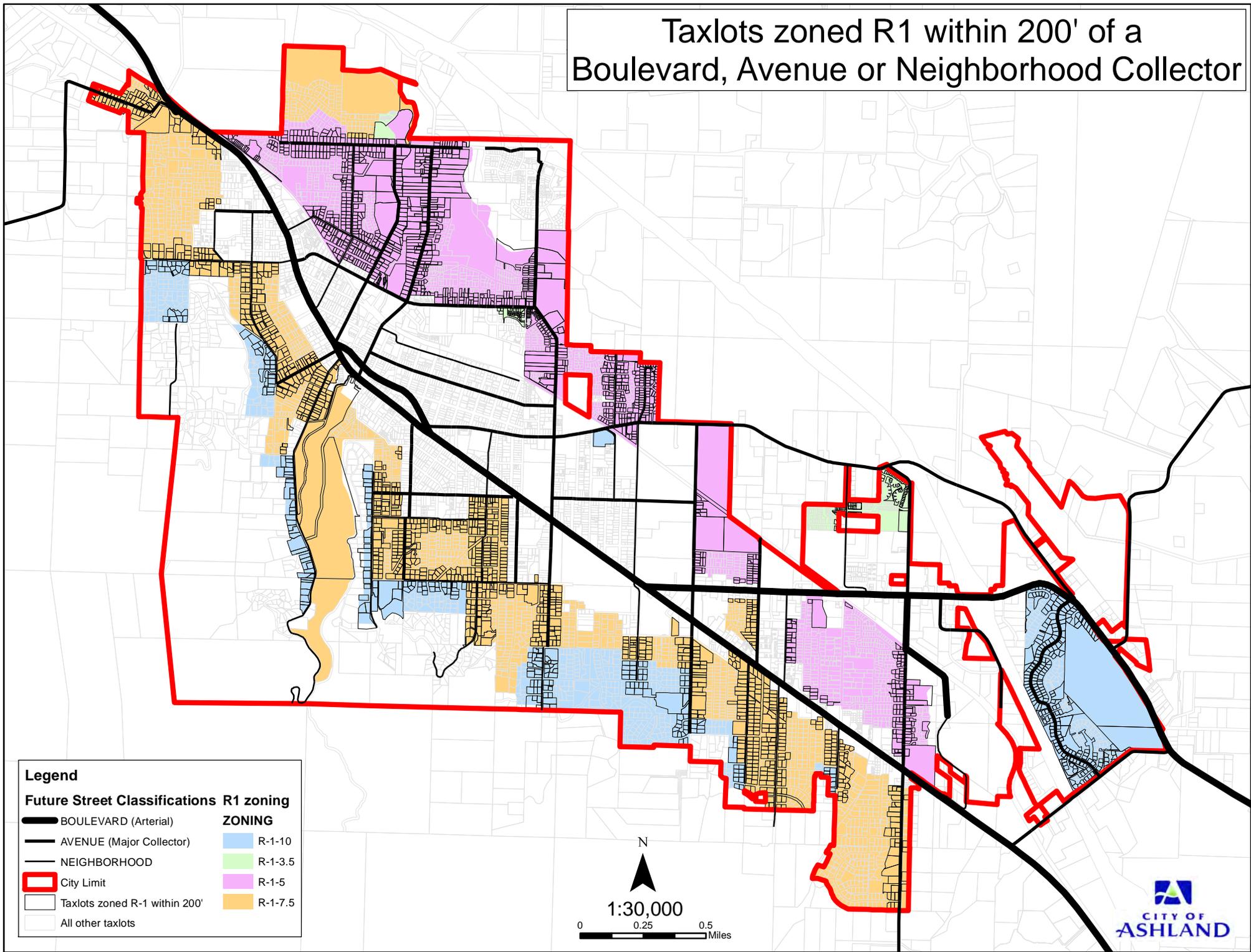
J. The business-owner must maintain a city business license and pay all transient occupancy tax in accordance with AMC 4.24 and AMC 6.04 as required.

K. Advertising for any traveler's accommodation must include the City of Ashland planning action number assigned to the land use approval.

L. Offering the availability of residential property for uses as a traveler's accommodation without a valid Conditional use Permit approval, current business license and Transient Occupancy Tax registration is prohibited and shall be subject to enforcement procedures.

M. All previous approvals, conditions and requirements remain in effect upon change of business-ownership.

Taxlots zoned R1 within 200' of a Boulevard, Avenue or Neighborhood Collector



Legend

 BOULEVARD (Arterial)	ZONING
 AVENUE (Major Collector)	 R-1-10
 NEIGHBORHOOD	 R-1-3.5
 City Limit	 R-1-5
 Taxlots zoned R-1 within 200'	 R-1-7.5
 All other taxlots	

N

1:30,000

0 0.25 0.5 Miles



Memo

TO: Planning Commission
FROM: Bill Molnar, Community Development Director
DATE: March 11, 2014
RE: Hosted short-term traveler's accommodations in single family zoning districts

SUMMARY

On November 4, 2013, the City Council discussed the issue of potentially permitting short term rentals on owner-occupied properties in single-family zoning districts, and requested that the Commission forward recommendations for Council consideration. Staff is soliciting Planning Commission feedback on potential code amendments that would allow a hosted or owner-occupied property within a single-family zoning district to operate a single, short term traveler's accommodation unit. As part of considering this type of use, which currently is not permitted in single family zoning districts, a number of code amendments should be evaluated that would regulate size of accommodation, location, type (i.e. attached or detached), management, parking and the approval process. Additional standards as well could be generated by the Commission and through the public hearing process. Lastly, in addition to neighborhood impacts, the potential effects on the supply of long term housing rentals should be considered as different standards are evaluated.

BACKGROUND:

The City has had an ongoing problem with illegal lodging facilities in all of its residential zones. These facilities, which operate without conditional use permits or business licenses and without paying transient occupancy tax, will often advertise on web sites such as VRBO.com or AirBnB.com, making them relatively easy to find for code enforcement purposes. Since May of 2012, when the City began more vigorous code enforcement efforts with regard to illegal lodging facilities, about 60% to 70% of the code enforcement actions have been targeted at facilities in R-1 zones.

In January 2014, the Planning Commission initiated a new discussion of potentially permitting short term accommodations in single family zoning districts. This meeting presents an opportunity to continue the discussion, specifically focusing on aspects of a potential code amendment that would allow for limited operations comprised of a single accommodation on a "hosted" property. Additionally, the Commission has been asked to evaluate the existing code standard that limits approval of traveler's accommodations to only those properties located within 200-feet of a boulevard, avenue or neighborhood collector.

In a prior Council communication, staff noted that there are currently 5,305 parcels in R-1 zones. If we assume that the number of traveler's accommodations that would be offered on a short



term basis, if legal, would be equal to the number of illegal units investigated by City code compliance since May of 2012, then that would be approximately 80 units or approximately 1.5% of the parcels in R-1. There are currently 2,710 parcels in R-1 zones located within 200 feet of an arterial or major street. If the same percentage offers traveler's accommodations, that would be approximately 40 units. The number, however, could be smaller if a CUP is required.

POTENTIAL PROPOSAL:

Given recent code changes related to traveler's accommodations in Ashland's multiple family zoning districts, R-2 and R-3, staff and the Commission should assume that any allowance for short term rentals in the single family zoning district, R-1, would be limited to owner or host-occupied properties that represent the "primary residence" of the owner or host.

Some Ashland residents have put forth a proposal that would permit "host" occupied short term rentals in single family (R-1) neighborhoods. According to their literature, the Ashland Host Occupied Short Term (HOST) Rental Advocacy is a community group comprised of Ashland residents who feel that their proposal fills a niche for a portion of travelers interested in visiting Ashland. While staff is not at the point of advocating for the proposal, it does represent a legitimate item for discussion as it restricts the use to "hosted" sites with a limit of one accommodation per property. Ashland HOSTS suggest that their proposal is similar to the operation of a home occupation use, with the exception that hours of operation for a home occupation limits customers between the hours of 7 a.m. to 7 p.m. Home occupations are a permitted use in all single family zones.

Due to a dramatic increase in the number of houses, apartments and bedrooms being rented informally on a short-term basis, the City of Portland as well is considering a similar proposal. Their amendments would allow renting one to two bedrooms in the house, apartment or condominium where the operator lives as their primary residence.

NEXT STEP:

Staff would like the Planning Commission to focus a good part of their discussion on elements that could be included in a package of code amendments. These issues would be considered essential should the Council entertain adoption of code amendments that would result in greater flexibility for the operation of short term accommodations in single family neighborhoods. A list of key items for consideration has been prepared by staff and is included in the packet. To focus Commissioner discussion and direct public testimony, these are divided into three subsections:

- Use-Related Regulations
- Site Design Regulations; and
- Procedure for Approval

Just to remind the Commission, the Council forwarded this issue to the Planning Commission to solicit a recommendation. The Council was clear to add that the act of forwarding the issue should not be construed to imply that the Council currently endorses, at this time, encouraging short term rentals in single family districts.



Attachments:

Discussion Draft - Possible R-1 Code Changes



Discussion Draft
March 11, 2014

Single unit, one or two-bedroom traveler's accommodations in residential zones, with consideration of the following:

A. Potential Use-Related Regulations:

1. Management

*Hosted Site - The family or individual operating the traveler's accommodation (TA) must reside on the property, which is also their "primary residence."

2. Location

*Residential Zones - Allow in all Residential Zones; or can be limited to R-1 and R-1-3.5 only

*Distance from a major street - The hosted accommodation could be required to be within 200 feet of a major city street, boulevard, avenue, or neighborhood collector, to be consistent with standards currently applied to traveler's accommodations in R2 and R3 neighborhoods

Note: Council requested the Commission discuss the existing 200-foot standard and forward any recommended changes. There are currently 5,305 parcels in R-1 zones. If we assume that the number of traveler's accommodations that would be offered, if legal, would be equal to the number of illegal units investigated by City code compliance since May of 2012, then that would represent approximately 80 properties, or 1.5% of the parcels in R-1. There are currently 2,710 parcels in R-1 zones located within 200 feet of an arterial or major street. If the same percentage offers traveler's accommodations, that would be 40 units. The number, however, could be smaller if a CUP is required.

3. Number, Size and Type of Accommodations per Property -

*Number of Accommodations - One traveler accommodation unit per property.

***Maximum Size** - Accommodation can consist of one or two-bedrooms, not exceeding a specified size in order to limit number of persons. For example, the accommodation could be restricted to 500 square feet or 25% of the gross habitable floor area, whichever is less.

***Accommodation Type** - The single traveler accommodation can consist of one of the following accommodation types:

- a one bedroom or two bedroom suite located within the residence that uses the main entrance of the residence to access the accommodation;
- a one bedroom or two bedroom suite within the foot print of an existing residence but accessed through an exterior entrance separate from main entrance; or
- a separate structure located on the property and detached from the primary residence of the property.

B. Potential Site Design Regulations

1. Parking

***Off-street Parking** - No additional off-street parking requirement. However, the property shall have two off-street parking spaces available.

2. Signs

***Signs prohibited** - Similar to Home Occupations, signs would not be permitted, however, except as allowed under the "Exempt" section of 18.96, which would limit the operation to two, small incidental signs provided signs do not exceed two square feet in area per sign.

***Sign Allowance** - In line with standards for traveler's accommodations approved through the CUP process in multi-family zones, the Commission could consider allowing one ground or wall sign, constructed of a non-plastic material, non-interior illuminated of 6 sq. ft. maximum size is allowed.

C. Procedure for Approval

1. Land Use Application Type

*Conditional Use Permit (Type I Procedure) - This entails filing a land use application including a site plan and addressing the applicable criteria for approval. Once found to be complete, the Community Development Department would send out a "notice of application" to property owners within 200-feet informing them of the request and soliciting comment. A final decision would be made, again with notice to surrounding property owners. This decision could be appealed to the Planning Commission.

2. Application Fee

* Administrative Approval - A reduced fee could be considered based upon the scale of the proposed use (i.e. single accommodation) being smaller than standard traveler's accommodation operations.

PUBLIC INPUT

April Lucas

From: Deborah Delaunay [deborah.delaunay@gmail.com]
Sent: Tuesday, March 11, 2014 10:56 PM
To: lucasa@ashland.or.us
Subject: Neighborhood integrity

RECEIVED

MAR 12 2014

>

>> Dear City Members,

>>>

>> I purchased commercial real estate to carve out livelihood. Even if zoned commercial it was at the time a real neighborhood in which I could raise my own daughter. This neighborhood had an old woman next door, a few couples across the street couples, and a family kitty-corner from us. We all knew one another and watched out for each other. The gal next door was visiting her mother and said she was going to come back to retire here. During her last visit told me 4 years ago, she would not move in because the neighborhood had changed. It had a lot and no longer has that appealing neighborhood feel it once had. She had point of reference most of us will never have: she grew up here and her mother's house was her family home. I was part of the change on her eyes, a good neighbor at first, our kids played together picking apples and climbed trees -- we were close.

When she was out of town, it I who had the honor being with her father, holding his hand, when he passed away. We had a bond.

>>

>> Neighbors are priceless. The citizens of Ashland should not sell out our neighborhoods.

>>

>> No matter how subtle we think the impact of changing zoning may seem on the surface, changes run deep and affect the future in profound ways. That's precisely what it is happening right now: we are only seeing the surface and minimizing its impact. It is being justified by saying it's not that bad and its not in the right location.

>>

>> I grew up in a middle class neighborhood. We kids played on the sidewalks and lawns, we knew every single neighbor on both sides of our block. We knew their habits, when they came and went; there was a strong sense of safety because of this. It was part of our strong foundation.

>> This neighborly effect is a much harder quality to create these days. A sense of safety, with which you do worry if you leave your house in a hurry unlocked or your car in the driveway with the windows down. People in neighborhoods are watchful. Ever hear of 'Neighborhood Watch'?

>>

>> Neighbors are people who are concerned for each other, they care where they live, they are watchful and yes even a little nosey.

>> The consistency and continuity of shared lives is helpful for all. Subtle changes are noticed. I know in a day or two when the neighbor lady misses her daily walks -- I know something is amiss. I know the cars that come and go, I know the kids and the people who have parties and the man who works on his cars.

>>

>> Zones were established for a reason. Laws have good intentions.

>>

>> Now the neighbor feels as if a 160-room hotel was silently built: without a license, abiding by no city codes. Do you think if someone built anything without permits or license it would be allowed? But in this case, for years the city failed to enforce its code. No fines or fuss, as if they are the ones that are involved and helping guide the illegals to success to changing the laws to break down our neighborhoods for the almighty dollar.

>>

>> Are we not trying to be in more community, to facilitate community, and strengthen our communities?

>> Changing single-family zones to allow traveler's accommodations is not a step in the right direction, rather

another subtle step in the wrong direction. Not only does it fray at the fabric of strong neighborhoods, but it also does not support the businesses that are set up in the correct zones. These businesses went to great lengths to be professional licensed and law abiding.

>> So what does this say to those business owners? And how should they react?

>> Some have already sold or closed their doors. The boutique hospitality charm is leaving and shifting into the neighborhoods. Is this how we want to represent Ashland? Sell out slots in the neighborhoods for transient traffic. Vacationers out for a good time.

>> I see first hand how vacationers celebrate with the leavings of the wine bottles, liquor bottles and beer bottles. They're on vacation, people!

>> They're here to celebrate and have a good time. They don't know the subtleties of the neighborhood and if something is amiss. They don't create a familiar daily, weekly, monthly yearly presence.

>>

>> Less watchful eyes, less sense of safety and stability for children.

>>

>> Remember good neighbors are priceless: good neighborhoods are golden.

>>

>> I say to the people that want to be in the lodging business: lease a place in the zones that allow it, else rent the space they have on a monthly basis to good people that can add to the creation of community, and add to the safety and stability for children and old people.

>>

>> I say to the city to uphold these zones, as they have made for these purposes and not let them be compromised any further. So we all have a quiet place to raise our kids and retire. A place in town that is protected from business and is strictly about neighbors and community.

>>

>> I also say to the city, shame on you for not protecting the fabric of our neighborhoods, and wavering on such a topic. It makes us wonder how many of you have a vacation rental in the wrong zone.

>>

>> I can't phantom any other reason as to why this has become a battle to this degree.

>>

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> Deborah DeLaunay

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RECEIVED

MAR 11 2014

Ashland Planning Commission,

March 10, 2014

We are asking that you to include Host Occupied Short Term Rentals as a Home Occupation for the R-1 zone. This could have a license fee and a requirement to charge a room tax to the guest with payment to the city; as do the Bed and Breakfast homes. As we recall there was considerable discussion when B and B's were first proposed and that program has been a benefit to the city.

Perhaps it would be necessary to add a definition of Vacation Homes. As we understand that most short term rentals in Ashland are not "Rental Units", but rather the homes of permanent residents who wish to have their homes occupied during some of the summer months for safety and security reasons while they are away. These homes are their primary residence and would only be temporary rentals.

Many cities throughout the country have created ways for Vacation Home Rentals to make a large contribution to existing Tourist Accommodations in a totally unique way. The typical Vacation Home guests tend to stay and shop in the location which they choose to visit. They are usually older and quieter during their stay. Therefore would not be burdensome to the neighborhoods any more than the normal residents of the home.

These homes tend to be kept in very good condition as to be inviting to the guests they are asking to stay in Ashland. Therefore they are very good additions to the neighborhoods. They are often tended by landscape professionals and cleaning services.

Thank you for your consideration.

Pete and Karen Hawes
431 Courtney Street
Ashland, Oregon 97520
(541) 482-4634

Darryl and Pat Meierhoff
425 Jennifer Street
Ashland, Oregon 97520
(541) 482-9309

P.S. We are all residents of forty plus years in Ashland.

March 11, 2014

To: Members of the Planning Commission

RECEIVED

Re: Short Term Rentals in R-1

MAR 11 2014

Good evening Commissioners,

My name is Savana Rose and I live with my teenage son at 497 Park Ridge Pl near the corner of Mountain and Hersey. We have a beautiful 2500 sqft home with 3 bedrooms, 3 baths and a den that my son uses as a bedroom. Last year, I lost my job and after a 6 month stint of having a roommate in one of my 2 spare bedrooms to help make ends meet, I decided it might be more fun and even more help with my own expenses to try short term guest rentals during the summer season. I had previously used a well known website to rent 2 bedrooms in a lovely house in Santa Barbara for 12 nights over Christmas in 2012, and rented 2 bedrooms for 5 nights in a house in San Francisco last summer to attend a conference.

Since both experiences were very positive, I decided to move forward and in August of last year, I made my house as beautiful as possible, inside and out, and put up my ad. I had my first guests, a nice young couple from Portland for 3 nights, the very next day! I was able to vet them and all of my guests carefully through the site, making sure I would feel comfortable with these strangers sleeping in the room next to me! From then until mid-December, I was booked about 80% of the time with a nice mix of mostly older and younger couples, single women of all ages and one single male, the director of a theater company in Portland. I never once felt uncomfortable with any of them! All were quiet and respectful, inside and outside of my home.

I was able to afford to stay in my house which is walking distance to AHS, where my son goes to school and to SOU where he will go in the fall. My guests enjoyed walking to town, going to plays, eating at restaurants and attending workshops or outdoor activities. It was tremendously enjoyable for us all.

However, what you are most interested in tonight, is what impact this home based business has been on my neighbors. When I asked my closest neighbors, next door and across the street, they had absolutely no idea I was doing it and were completely unaffected. I have 2 letters from them I'd like to read now, and have included them in my packet to you.

SEE ATTACHED LETTERS

In closing, in order to continue this business, I would be happy to obtain a business permit and pay lodging taxes. I do feel that a CUP would likely be cost prohibitive and unnecessary considering the low overall effect on my neighborhood.

Also, most of my neighbors have 2 cars while I only have one. So adding one more car traffic and parking in one of the available guest parking spots, is very low impact. It would be the same if I had a roommate which is allowed by law. This is a modern, popular, desirable way of traveling safely and inexpensive for all types of people who want an alternative to sterile hotels, expensive B&B's or motel rooms that do not cater to their needs.

I hope you are able to send a speedy recommendation to the City Council, so they may act on this so I can continue to supplement my income and enjoy travelers while my neighbors remain blissfully unaffected.

Thank you for your careful consideration of this pressing issue!

Savana Rose
497 Park Ridge Pl
Ashland
541-601-4201

Savana Rose

Subject: FW: Airbnb issue

RECEIVED

MAR 11 2014

From: Marilyn Borkin [<mailto:marilynborbin@gmail.com>]

Sent: Wednesday, January 29, 2014 1:51 PM

To: Savana Rose

Subject: Re: Airbnb issue

Dear City Council,

My name is Marilyn Borkin, and I live at 485 Park Ridge Place in Ashland, next door to Savana Rose. This morning, while walking our dogs, I met Savana, who told me she had become an AirBnB host to help supplement her income in these hard times.

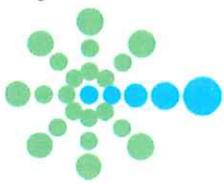
She also told me that the city had shut her down.

I had no idea there had ever been extra guests at her home. There has been no impact on the neighborhood in general, or me in particular. We still have plenty of parking on our little street, there has been no noise at all, and certainly no "suspicious types" lurking about. I would be happy to recommend that Savanna continue her AirBnB hosting. For years, she has been a concerned, great neighbor, always looking out for others. She even created and hosted a safety lecture for us all. I'm sure the rest of our owners would agree with me.

Please consider allowing Savana host visitors in her home.

Thank you,

Marilyn Borkin



Master Strategy

Grow Profitably.

RECEIVED

MAR 11 2014

Date: February 10, 2014
To: Ashland City Council
From: Susan Unger
RE: Input on Home Rental Services Issue

It has recently come to my attention that the Ashland City Council is in the process of developing fair and reasonable guidelines and policies with regard to online home rental services such as airbnb and flipkey. As a home and business owner in Ashland, I would like to respectfully offer you my input on this issue:

I personally have not used these online home rental services – as a provider or as a guest – and have not considered doing so. However, I recently learned that my across-the-street neighbor, Savana Rose, has been using airbnb to occasionally book short-term house guests as a means of earning extra income. She shared with me that this extra income has, in fact, helped her to hold onto her home during recent rough economic times.

Until my neighbor shared with me that she had been utilizing this service, I was completely unaware that she had been. I have experienced zero problems with regard to noise, parking, traffic, crime, or any other issue.

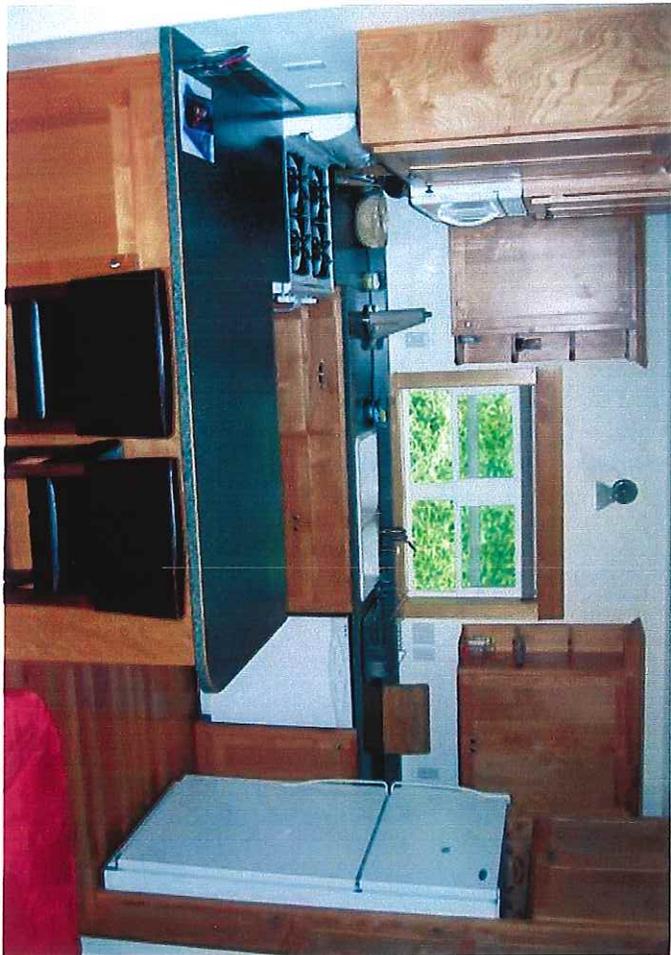
From my perspective, a person's home is typically their most valuable asset, both financially and personally. I feel strongly that individuals should have the right to leverage this asset – as long as doing so does not disturb or infringe on others.

As a management/marketing consultant, I personally use one of the rooms in my home as an office – and I pay the City of Ashland an annual business license fee in order to do so. Similarly, I think that homeowners wishing to house short-term guests as a source of income should be allowed to do so – and that the City of Ashland could generate a new and ongoing income stream by levying a reasonable fee or tax for this. By contrast, outlawing the practice outright seems extreme, less than fair, and likely difficult to enforce – while taking away the City's ability to effectively monitor, manage and levy tax on this activity.

Thank you for your consideration of these thoughts.

Respectfully,

Susan Unger
490 Park Ridge Place
Ashland, OR 97520
541-702-6262



RECEIVED

MAR 11 2017

Name (Optional) Lee M. VanNostrand Address 300 Iowa St

How long have you resided at this address? two winters

Are you aware that there has been a **host occupied** short term rental in your neighborhood?

Yes, I am a leasee during the winter and much appreciate the quality of this housing

Have you noticed an increase in traffic or noise beyond normal use because of guests at the short term rental?

In this location, there is relatively light traffic

Have you noticed any difficulty in parking because of guests at this short term rental?

There is ample parking in this area. Iowa Street is a 24% grade so the majority of housing includes garage or driveway parking

Please describe any impact (positive or negative) on the neighborhood due to the use of this home as a **host occupied** short term rental?

The beauty of the building and the well tended yard of this property adds value to this neighborhood

Under proper regulation and enforcement, would you support the City's decision to allow **host occupied** short term rentals in your neighborhood?

A short term host occupied rental in this neighborhood is a positive asset to the City of Ashland. I would encourage support for a positive decision by the city

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Name (Optional) Susan Hansen Address 235 Hellcrest St.

How long have you resided at this address? 14 years.

Are you aware that there has been a **host occupied** short term rental in your neighborhood?

No

Have you noticed an increase in traffic or noise beyond normal use because of guests at the short term rental?

No

Have you noticed any difficulty in parking because of guests at this short term rental?

No

Please describe any impact (positive or negative) on the neighborhood due to the use of this home as a **host occupied** short term rental?

No impact

Under proper regulation and enforcement, would you support the City's decision to allow **host occupied** short term rentals in your neighborhood?

yes.

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MAR 11 2014

Name (Optional) Tricia Hahn Address 301 Hillcrest St. Ashland, OR

How long have you resided at this address? since June 2013

Are you aware that there has been a **host occupied** short term rental in your neighborhood?

Not until 2 days ago when asked to complete this.

Have you noticed an increase in traffic or noise beyond normal use because of guests at the short term rental?

No

Have you noticed any difficulty in parking because of guests at this short term rental?

No

Please describe any impact (positive or negative) on the neighborhood due to the use of this home as a **host occupied** short term rental?

Not that we're aware of.

Under proper regulation and enforcement, would you support the City's decision to allow **host occupied** short term rentals in your neighborhood?

Yes

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MAR 11 2014

Name (Optional) JIM HATTON Address 280 TERRACE ST.

How long have you resided at this address? 17 YEARS

Are you aware that there has been a **host occupied** short term rental in your neighborhood?

YES

Have you noticed an increase in traffic or noise beyond normal use because of guests at the short term rental?

NO

Have you noticed any difficulty in parking because of guests at this short term rental?

NO

Please describe any impact (positive or negative) on the neighborhood due to the use of this home as a **host occupied** short term rental?

THE OWNERS KEEP THE PROPERTY WELL-MAINTAINED AND ATTRACTIVE.

Under proper regulation and enforcement, would you support the City's decision to allow **host occupied** short term rentals in your neighborhood?

YES

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MAR 11 2014

Name (Optional) Liz & Jim Finnegan Address 262 Terrace

How long have you resided at this address? 25 yrs.

Are you aware that there has been a **host occupied** short term rental in your neighborhood?

yes

Have you noticed an increase in traffic or noise beyond normal use because of guests at the short term rental?

no

Have you noticed any difficulty in parking because of guests at this short term rental?

no

Please describe any impact (positive or negative) on the neighborhood due to the use of this home as a **host occupied** short term rental?

We have met some nice, interesting people visiting our city for culture and recreation.

Under proper regulation and enforcement, would you support the City's decision to allow **host occupied** short term rentals in your neighborhood?

yes
}

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MAR 11 2014

Name (Optional) _____ Address 246 Ridge Rd

How long have you resided at this address? 3½ years

Are you aware that there has been a **host occupied** short term rental in your neighborhood?

Yes

Have you noticed an increase in traffic or noise beyond normal use because of guests at the short term rental?

No

Have you noticed any difficulty in parking because of guests at this short term rental?

No

Please describe any impact (positive or negative) on the neighborhood due to the use of this home as a **host occupied** short term rental?

I prefer to see homes occupied rather than empty so I feel it's better to have people around and using the neighborhood homes.

Under proper regulation and enforcement, would you support the City's decision to allow **host occupied** short term rentals in your neighborhood?

Yes, definitely.

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MAR 11 2014

Ashland Planning Commission Meeting

April 11, 2014

Subject: Short-term stays for R-1 Zoning

I think that this housing proposal will have a negative effect on Ashland's residential neighborhoods and the existing tourist housing industry. It is unfair to all those folks who have purchased R-1 housing for its quiet and more private neighborhood family environments and the desirable future resale value. Most people who live there would prefer not to have so much tourist traffic and so many unknown visitors on their streets and in their neighborhoods.

I have friends who have had to cope with short-term non-family visitors staying at illegal and unlicensed homes here who have lost any chance of parking in front of their own house. One who's home is on a narrow, almost one-way residential street, at times, couldn't use his front entry because it would be blocked. Another woman who complained about being afraid to use her back patio or spa because of a flow of strangers who would ogle her from their little back yard add-on unit next door.

It's also not fair to those who are in the established tourist housing areas. I'm familiar with B & B owners and other innkeepers who have either purchased the business within a legal area at a high cost or spent a considerable amount to make modifications, pave alleys and provide off-street parking, plus all the costs and grief of starting up a legitimate business there. For most of them, it is a full time job for 12 months and the economic challenge is for them to fill their units so they can make it through the year without going bust. Ashland is not a pure tourist town, it's a college and retirement town. Shakespeare drives the tourism for 8 months and without it, all innkeepers would have look for other work. Now because of the B & B growth here, Ashland, per capita, has more B & Bs than any comparable-sized community in the United States. But Shakespeare's theatre seats haven't grown that much. The Ashand short-term visitor industry already has more room space available than Shakespeare has seats. That's why the theatres have nearly a 93% occupancy rate and the industry is lucky to have 80% for the theater season.

That works great for Shakespeare but that creates an extremely competitive market place for B & Bs and others to get a livable market share.. Ashland doesn't need more vacation rentals; why cream off some income needs of existing businesses. Ashland needs other businesses and services, plus retirement and affordable housing. Ashland needs long-term rentals, not more short term ones which can be very invasive to our residential-only neighborhoods; let's keep them that way. Thank you.

Dale Swire 233 Clay St. Ashand

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MAR 11 2014

Testimony in Support of Host-Occupied Short-Term Traveler's Accommodations in Ashland Residential Zones

Larry Chase
1271 Munson Dr

Number, Size and Type of Accommodations per Property

In the discussion draft the one traveler accommodation unit per property is agreeable with a host-occupied short-term rental as a home occupation business. This size keeps in line with issues that staff believes would create minimal to no impact on neighborhoods (refer to Mr. Kanner's comments in the memo to City Council found in the City Council Study Session packet for Nov 4, 2013.)

The maximum size of the accommodation suggested in the discussion draft is quite reasonable (one or two bedrooms restricted to 500 square feet or 25% of the gross habitable floor area, whichever is less).

The accommodation type should include all varieties of property that exist in all Ashland residential zones. The 3 kinds in the discussion draft should certainly be included. Please note that regardless of whether the accommodation is located within the residence or a separate structure located on the property, because of the host-occupied requirement Mr. Kanner and staff believe that the loss of long-term rental housing is largely moot.

Procedure for Approval

The Land Use Application for a host-occupied short-term rental can easily fit within the Home Occupation permit, business license, and transient occupancy tax structure.

Both the procedure for approval and the application fee should be consistent with the scale of proposed use. The proposed use of host-occupied short-term rental is on the same or even smaller scale than a Home Occupation business. Mr. Kanner has indicated that staff believes the scale and impact of a host occupied traveler's accommodation of the kind being discussed would have less impact than other types of uses that already might be allowed in residential zones. This small scale is in line with methods and fees that the city already has in place.

Free vs. Paid Travelers Accommodations

When the city council considered a revised ordinance to expand non-host occupied short-term home rentals in mid-2013 a key component was that "It would exempt home exchanges where money was not involved . . ." (Ashland City Council Minutes, July 16, 2013). Let's hear that again: money not involved. As you consider the neighborhood impact of short-term rentals keep in mind that both the city and residents are quite okay with the free short-term stays that occur in all Ashland residential neighborhoods through websites like CouchSurfing.org which currently has 100+ listings in Ashland. Currently the city allows travelers to stay for free in all residential zones with no requirements of the host to limit the number of travelers, provide parking, be within an arbitrary distance of a major street, or set a maximum size and number of bedrooms.

I have offered the spare bedroom in my house via both routes: free and paid. As it relates to neighborhood impact why is one allowed and one is illegal? You will rightly conclude that the minimal neighborhood impact of these host-occupied accommodations is not the issue. Money is the real issue. When money is exchanged all government entities and competing businesses take an interest in regulating the exchange. Since it is completely okay to offer free short-term accommodations in Ashland that have minimal impact, I encourage you to move forward with appropriate regulations to allow host-occupied short-term rentals where the only difference is an exchange of money.

March 11, 2014

Ashland Planning Commission
Ashland, OR

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MAR 11 2014

Planning Commission;

My name is Jeff Jones and I live at 79 Pine Street.

First, I would like thank Bill Molnar and the Planning Commission for taking up this issue and creating reasonable recommendations to the City Council regarding host occupied short term rentals in R-1 zones.

I love my neighborhood and would never do anything to jeopardize its character or quality. In our little cottage on our property we have hosted retired professors, teachers, activists, musicians, artists, realtors, healers, and the grandson of R. Buckminster Fuller. Many of these guests have become dear friends, 4 have purchased property in Ashland as a result of their stays, all have been amazing guests and neighbors.

We know all our neighbors and they know we have a vacation rental. They have always enjoyed the variety of guests from around the world that have stayed with us, just as we have.

Our cottage is too small to live in full-time. But for a few months, or better yet, because of it's proximity to downtown and the festival, it's perfect for a week to 10 days during the summer.

I ask you recommend host-occupied short term rentals in R-1 zones using the current home-based business ordinances that are designed to preserve the character, look and feel of neighborhoods. Current home-based business ordinances allow for 8 visits per day - way more than the one or two visits by guests in our cottage per day. Home-based businesses do not require a CUP and given the low impact on neighborhoods, neither should host-occupied short-term rentals. The only change needed would be to allow businesses to operate 7p.m. to 7a.m. in addition to the current laws.

If you'd like to know what effect this change will have on neighborhoods, just look at the period prior to the strict enforcement of current city codes regarding R-1 Short-term rentals. According to City assessments, between 70 to 100 short-term rentals operated. These had no adverse effect on neighborhoods, but they created a benefit to the property owners and visitors to Ashland.

Not everyone wants to make beds, vacuum and do laundry for a living. But for those who are willing to offer their homes to guests - they don't take it lightly. It's a big responsibility to make guests happy, because if you don't, you won't be doing it long.

Sincerely,


Jeff Jones

79 Pine Street

Ashland, OR 97520

541-488-0178

March 11, 2014

City of Ashland Planning Commission,

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MAR 11 2014

My name is Melody Jones. I live at 79 Pine Street.

I want to address the sanctity and sacred trust in question if you allow short term rentals in R-1 zones. I've lived in my house since 1978, it's a short street with only about 22 houses and the Police Chief lives at one end.

We have a mother-in-law cottage next to our house that my mother still hasn't moved in to....she's 97 and prefers to live alone. It's only 375 square feet, too small for someone to live in long-term for very long.

All the neighbors have each other's e-mail addresses and phone numbers. We had a block party last August, a long dinner table was placed in the middle of the street and we all stayed until late evening getting to know each other better. We have a bi-monthly potluck at different homes, we share produce, gardening ideas and watch out for each other.

This is not a self-serving occupation. The money is nice, allowing us to pay the high taxes and costs of living in this town, but it's a ton of work to provide a beautiful space when we welcome guests and are HOSPITABLE to Ashland's tourists.

My home is that much more kept up and beautiful because I have 'guests' coming. Host Occupied owners would NEVER jeopardize the sanctity or trust of our neighbors-we watch over each other much more so than any hotel or B&B could ever claim.

Right now there is one short-term vacation rental listed on Craig's list and I've turned down four people this month who really have no where else to go, they write me even though my ad says one month minimum. Since when are we so inhospitable to our tourists?

The sanctity and beautification of our Ashland neighborhoods is ONLY enhanced by people who care enough to invite our tourists into them.

Thank you.

Melody Jones

Abby Hogge 1700 Parker

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MAR 11 2014

According to the 2010 US census, 48% of our homes in Ashland are rentals. The state of Oregon averages at only 36%. Ashland's long term rental stock exceeds that of the State average. There are over 4500 rental units in this town and removing a minimal number of bedrooms or a few ADUs will not throw our housing tenure upside down. The impact of this proposal will make no significant change to our already large pool of homes available for renters. Because of the host-occupied requirement Mr. Kanner and staff believe that "the loss of long-term rental housing is largely moot."

In regards to traffic impact: Visitors make less vehicle trips than residents. Visitors do not come and go during the day, nor do they run errands around town. They are out exploring the very city they came to see, spending their money in local establishments. In fact, the impact on traffic is quite the opposite. Long term renters are coming and going all day long. They run errands. They have guests over. They go to the grocery store. They forget something and go the grocery store again. AND on top of that, the space is occupied 100% of the time all year long. As a short term rental it more likely that these spaces are occupied around 60% over the year which again means far less vehicle trips.

This is why we propose 1-2 accommodations, which equals 1-2 vehicles. Therefore, the arbitrary 200ft requirement to an arterial street is moot. Home based businesses in Ashland are allowed in all residential zones without any constraint to location from an arterial street and HOST occupied accommodation should be also be allowed without this restriction.

As stated from City Staff to the Council in a study session pre packet, "Will the proposed use generate more or less traffic than other types of uses that might be allow in the zone such as a home occupation? In this case, we believe the answer is... LESS."

Again City Staff states that, "by and large agrees with the arguments that the impact on neighborhood character of a visitor to an owner occupied traveler's accommodation is no grater than that created by a visitor to a home occupation business that is a permitted use in an R-1 zone."

Thank you for commissioners, Bill Molnar and staff for considering host occupied short term rentals in all residential zones.

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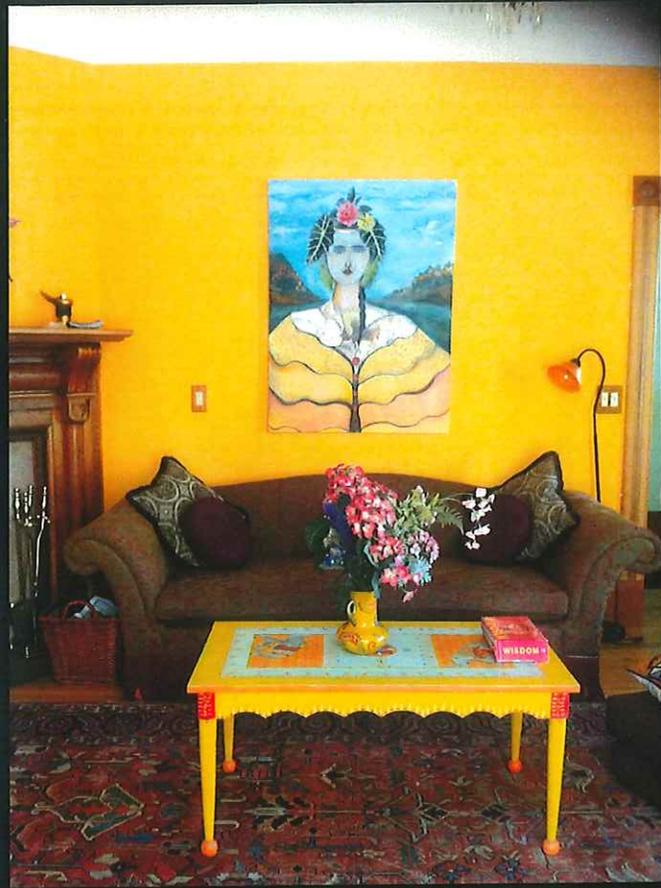
MAR 11 2014

My name is Tom Howard. My wife Pat and I have operated the Oak Hill Bed&Breakfast in Ashland for fifteen years. We obtained a Conditional Use Permit and operate with an Ashland business license, and annual inspections and food license from Jackson County. We live live on site as required by code, and we have collected and paid lodging tax every quarter for 15 years.

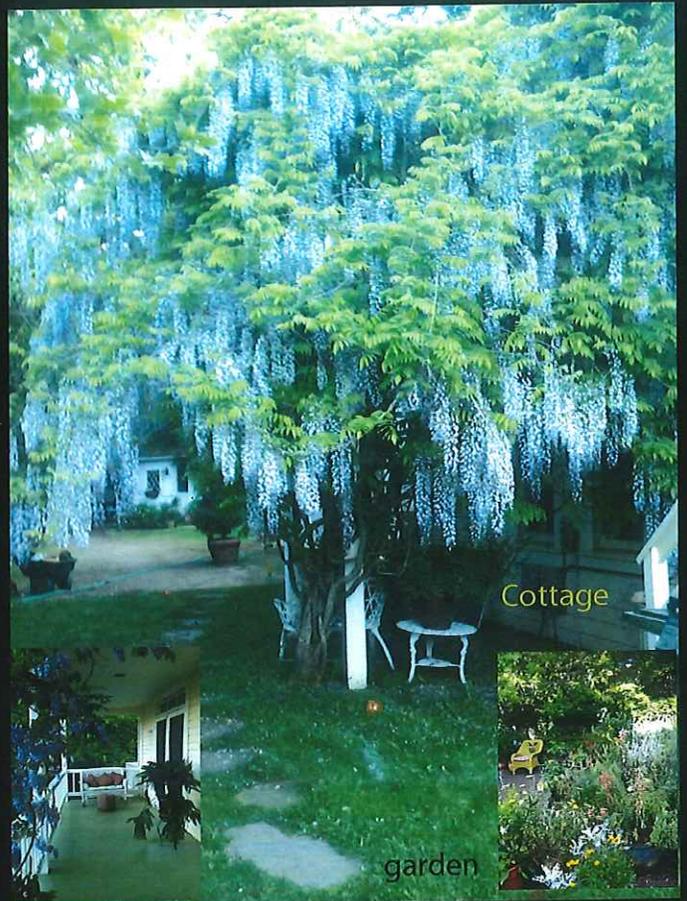
Those of us who have followed the rules while operating our businesses in the properly zoned districts are being placed at a disadvantage because the codes are already unfairly enforced and the proposed changes will make that situation worse. The city's codes clearly define where business can be conducted and R-1 zone is definitely NOT one of the zones. We only ask that businesses in Ashland all play on a level field!

Vacation rental owners operating illegally in the R1 zone are asking the commission for minor code changes that would allow them to operate as Home Occupation. The resulting decrease in long term rentals would go against Ashland's stated policy to provide lower income housing so families can live and work in Ashland. Changes in the meaning of R1 zone would also violate an implied contract with existing R1 property owners.

Current zoning laws have successfully married Ashland's tourist economy with a high functioning, normal town that draws new residents for reasons other than it's tourist offerings. At the same time there is no shortage of a variety of lodging alternatives for our tourists. To upset this balance would be regrettable. For these reasons we are not in favor of allowing travelers accommodations in R1, single family, residential zones.



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This is the home I loved at first sight. Though it was a bit runned down. We bought it in 1991. I put all my creativity into it with lots of TLC. We fully remodeled the house. My daughter grew up in this house. Our dogs have come and gone. It has a lot of history for us. My partner and I split. I began to rent ut to foreign students then to local individuals wonderful people that became extended family.

However TIME passes and things do change regardless of our wishes for things to remain the same. Neighbors sold their properties, new renters , dogs barking , screaming children early in the morning. I did not continue to rent rent rooms in my house after my lovely house mates moved to Portland. I didn't have such great luck with renters after that. So I've decided to try VRBO with skepticism. And it worked out wonderfully. I was able to paint the house, pay the mortgage and not having to worry every month. I continued with my caring for the elderly and teaching & selling art , working from my home. The garden 's been a passion of mine & the house itself , built in 1890 - is a gem all on it's own ,down to the hinges. Hosting these lovely people who leave the house impecable, & appreciate what I have created here makes it well worth it. 99% of guest return with the exception of a wonderful couple who loved the property and the cottage,

but the neighbor's dog woke them up barking at 3 a.m several mornings.

All I can say is that I "ve not had ONE single unreliable guest. My neighbors across the street have commented on t how nice , and friendly and respectful these folks are that come every year. (!)

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MAR 11 2014

Jussara Luz Padilha
660 Pracht street
Ashland or 97520
541.840.7110

Questionnaire

1. Are you aware that there has been a host occupied short term rental in our neighborhood?

YES

2. have you noticed an increase traffic noise beyond normal use because of guests at the short term rental?

NO

3. Please describe any difficulties in parking because of guests at this short term rental?

None

4. Please describe any impact (positive or negative) on our neighborhood due to the use of this home as a host occupied short term rental.

Positive is New Paint Job on House

Date +
print name Jussara Luz Padilha

sign 

address: 660 PRACHT

Thank you

Jussara Luz Padilha
660 Pracht street
Ashland Or, 97520

March 11th, 2014

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MAR 11 2014

Questionnaire

1. Are you aware that there' has been a host occupied short term rental in our neighborhood?
2. have you noticed an increase traffic noise beyond normal use because of guests at the short term rental ?
3. Please describe any difficulties in parking because of guests at this short term rental?
4. Please describe any impact (positive or negative) on our neighborhood due to the use of this home as a host occupied short term rental.

Elizabeth York is out of town but she has communicated to me that she is aware that I've had VRBO vacation rentals. She has also communicated that it is fine with her. There 's been no problem at all.

Elizabeth lives next door to me at ___640 Pracht street, ashland ,Oregon

Ms York will gladly answer the above questions when she returns from her trip.

Thank you

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MAR 11 2014

From: Donald Hunsaker <hunsakerd@sou.edu>

To: tbrownpc@gmail.com, rpkaplan46@gmail.com, hmillier@jeffnet.org, sassetta@mind.net,
molnarb@ashland.or.us, mike@council.ashland.or.us, tmpeddicord@gmail.com,
lkthompson@hotmail.com

Sent: Mon, 10 Mar 2014 14:48:27 -0700 (PDT)

Subject: Comment on VRBO in R-1

Dear Planning Commission Members:

I am writing in opposition to the proposal of allowing hosted short-term travelers' accommodations in single-family zoning districts. The idea is bad for neighbors, bad for neighborhoods and bad for Ashland. My neighborhood has already been adversely affected by illegal vacation rental by owner (VRBO) arrangements; these include on-street parking, noise, and general disregard for the covenants, codes and restrictions that define our neighborhood character. Those who engage in illegal VRBO activities are only interested in short-term profits that take from communities and give little back in return (the whole rationale emphasizes "the traveler" and says nothing about those who live here and build lives, careers and communities). And the requirement to have a host on the property is difficult to enforce (will the City be doing "residence checks" to make sure the owner is present every time a guest is there?) and is no guarantee that the VRBO activity will be compatible with existing neighborhoods. Also, nothing in the Discussion Draft addresses conflicts of this proposal with existing homeowner association rules and regulations. Please keep the vacation renters out of R-1 areas--it's where we live, not where we work!

Don Hunsaker

448 Clinton Street

Ashland, OR 97520

April Lucas

From: shrewhouse [shrews@mind.net]
Sent: Monday, March 10, 2014 3:02 PM
To: lucasa@ashland.or.us
Subject: Planning Commission Objections to Traveler's Accomodations in R-1

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MAR 10 2014

April,

Two points. One Does Ashland really want the possibility of filling its R-1 neighborhoods to be impacted by casual out-of-town visitors? Residents who purchased homes in R-1 zones did so because they did not want to live in a business zone. Why have zones at all?

Two. A careful look at availability statistics of current legitimate travelers accommodation in Ashland will show that there are always rooms available. There is no need to open R-1 neighborhoods to short term rentals.

Corren & Ronna Hileman c/o Shrews House B & B

MAR 10 2014

From: Ashland Lodging Assoc. [ashlandlodgingassociation@gmail.com]
Sent: Monday, March 10, 2014 3:05 PM
To: April Lucas
Cc: Abi Maghamfar; Annie Dunn; Barbara Hetland; Corrine Lombardi; Crissy Barnett; Ellen Campbell; Lois Van Aken
Subject: Planning Commission Meeting 3/11/14 - Item VII-A

Home Occupation Ordinance Model is inadequate for conducting Traveler's Accommodations business in the City of Ashland.

According to the City Administration, of the 2450 business licenses issued in the city of Ashland, approximately 15% are Home Occupations. To better understand what Home Occupations are; and to see if it is appropriate to use a Home Occupation in lieu of a Conditional Use Permit (CUP), or even as a justification for allowing lodging businesses in R-1 zones, the Ashland Lodging Association in coordination with the staff at the Community Development Department did some data collection. Below are summary of our findings.

We analysed all the Home Occupation permit applications issued from 2010-2014. Of the 325 applications, we discovered that:

- Home Occupations are not just in R-1 zones, they are spread throughout all residential zones (R1, R2, R3), Employment, and commercial zones.
 - Home Occupation businesses have little to no customer visits and daily commercial deliveries. On average there are 0.56 customer visits per day;
 - On average, there are 0.12 commercial deliveries per day, per location
- Therapist and teacher/tutors have the highest number of visiting clients, but make up only 15% of the Home Occupation permits with an average of 2.22 clients per day.
- The three top business categories are by business type:
 - 43% are primarily internet-based (e.g., consultants or e-stores)
 - 30% conduct business away from their home (care-givers, pet sitting, landscaping, house cleaning)
 - 12% are therapists who have clients come to their home (massage, life coaching, counseling, etc.). The average number of clients in this category is 2.34/day.

In other words, a vast majority of the Home Occupation businesses have NO customer and delivery traffic at all. Whereas with lodging businesses, they ALWAYS have customer traffic -- and that customer traffic is at all hours of the day and night. Because all travelers' accommodations in residential zones are 'host-occupied' visitor's traffic is in addition to the hosts' own coming and goings. Furthermore, our members positively attest that guests in Traveler's Accommodations more than 5 blocks from the theaters and downtown will drive and use parking space in town -- at least once, but usually 2-3 times a day.

Ashland HOST uses the fact that 15% of businesses are Home Occupations to rationalize their position. They state there already is commercial activity in R-1 zones, and that Home Occupations are allowed during the hours 7am-7pm for up to 8 visiting customers/day; and 3 commercial deliveries/day. So they conclude that their proposed 'host-occupied' lodging businesses are not significantly different from the existing Home Occupations, and that the R-1 zones already supports traffic and parking due to many Home Occupations.

Our analysis of the available data of home-based businesses from the City files provided above proves that existing home-based businesses are in NO way similar to lodging businesses. Home Occupations Ordinance should not be used as a model to create a new class of traveler accommodations in R-1 zones.

Ashland Lodging Association
Board of Directors

ashlandlodgingassociation@gmail.com

www.AshlandLodgingAssociation.com

Cell: 408-420-6691

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MAR 10 2014

**Affordable Housing Problem Made Worse
by Converting Long-term to Short-term rentals**

Ashland currently has a systemic and very real problem with inadequate supply of affordable housing for the work-force population. Converting studios, apartments and cottages to short-term rentals in R-1 zones will only serve to exacerbate these issues.

In December 2013 a review of all STR advertisements in airbnb and vrbo showed that most were home-occupied and more than 60% offer dwelling units e.g., cottages, apartments, and homes. These are exactly the kind of dwellings that need be preserved for long-term rentals.

Ashland HOST wants you to believe there cannot be problem with available rentals because 48% of the dwellings in Ashland are rentals. Thus they conclude that there are more than enough rentals for Ashland residents. Further analysis reveals a very different conclusion. According to the most recent City of Ashland Housing Needs Analysis, the current estimated need for housing affordable for those earning 30%-50% of the Area Median Income is 1,052 units; leaving a deficit of approximately 769 units. The proportion of households represented by this income group is fairly evenly dispersed though all age groups and represents 11.3% of all households. The surplus of rental properties is only in the high-end, these units are totally out reach for the workforce population. Please see page 31 and chart 3.3 in the City of Ashland Housing Needs Analysis. (http://www.ashland.or.us/SIB/files/Adopted_2012-2040_HNA.pdf)

The abundance of dwellings that convert every year to short-term during the OSF season is problematic for people who should be able to live and work in Ashland. Point in fact, OSF housing director cannot find long-term housing in Ashland for their actors/designers: they must go to Talent. Employees in the service industry (the largest job sector in Ashland) have difficulty finding adequate places to live. For companies who want to relocate or start up a business in Ashland are prohibited by the lack of affordable housing.

While not the complete solution to affordable housing, the city should not pour oil over this fire by allowing more long-term rental stock to become places for tourists. There are already ample legal vacation rentals in Ashland. The City should respect the stated purpose of residential zones. R-1 zones are not places to promote lodging businesses, even if the property is to be "host-occupied". Neighborhoods should be just that, neighborhoods.

MAR 10 2014

April Lucas

From: Ashland Lodging Assoc. [ashlandlodgingassociation@gmail.com]
Sent: Monday, March 10, 2014 2:28 PM
To: April Lucas
Cc: Abi Maghamfar; Annie Dunn; Barbara Hetland; Corrine Lombardi; Crissy Barnett; Ellen Campbell; Lois Van Aken
Subject: Planning Commission Meeting 3/11/14

ALA Position Statement regarding Traveler's Accommodations (Short-Term Vacation Rentals) in R-1 Zone

Ashland Lodging Association is **not** in favor of establishing any kind of traveler's accommodations (TAs) in R-1 single family residential zones for these reasons:

1. The City of Ashland should stay true to the purpose of the R-1 single family zone

Community family life is created by long-term residents, not by transient tourists. Ashland residents purchased homes in R1 zones for a reason -- they do not want to live in business zones. Changing the ordinances to allow lodging within neighborhoods breaks the faith between the city and a resident. The city needs to preserve the zoning ordinance and protect property values of current residents.

2. Housing Issues

Making R-1 zoned long-term rentals into short-term rentals drives up rent for ALL residents. Landlords who know that their tenants sub-let to tourists, will charge more for rent, which in turn ratchets up rent for all Ashland renters. There is a deficit of affordable rentals for single-person householders over the age of 55 with incomes less than \$20,000 a year income. This is Ashland's single largest demographic that is negatively affected by Ashland housing issues. Changes to ordinances that make ADUs into tourists accommodations, deepens the deficit of affordable housing. For those who need to supplement income to "stay in their homes" may

legally do so by renting their homes, cottages or rooms for over 30 days.

3. Robust economy and nurturing neighborhoods

The city's single largest responsibility is to manage and administer the city's infrastructure. To do so, the city delineates space where people conduct and develop businesses, and space where people live and raise families. Over the many decades, this delineation has allowed Ashland residents to build a robust economy based on tourism **and** to foster a real town for its residents. Ashland is arguably unique, not many tourist-based towns across the country have been able to accomplish and sustain this balance. The principal reason for this success is the current zoning laws.

4. There is NO unmet lodging demand

Arguments have been put forth that there is an unmet lodging demand. This is completely incorrect. Lodging demand is more than met by the existing lawfully licensed TAs and hotels, with a 50% annual occupancy rate, (source: "2011 Lodging Industry in Ashland" Rebecca Reid) not at a 75% occupancy rate as purported by the Ashland HOST Rentals group.

Furthermore it has been argued that there is not the right mix of lodging options. Again the lodging industry in Ashland has been positively responsive to the changing trends of lodging demand.

There 3 times as many licensed vacation rentals as there are B&Bs in Ashland. Over 50% of the city's total licensed lodging establishments are Short-Term Vacation Rentals. **The current city ordinances ensure a fair playing field for all business owners. The city should not also be in the business of managing the market place - - that should be left for the business owners. And the licensed lodging business owners are more than meeting the lodging demand.**

Ashland Lodging Association
Board of Directors

ashlandlodgingassociation@gmail.com
www.AshlandLodgingAssociation.com

April Lucas

From: Crissy Barnett [crissy@peerlesshotel.com]
Sent: Monday, March 10, 2014 2:32 PM
To: lucasa@ashland.or.us
Subject: Changes to R1 zoning

RECEIVED

MAR 10 2014

Please note for the record my opposition to ANY changes to our current R1 zoning.

Crissy Barnett
406 Briscoe Place
Ashland Oregon

Sent from my iPad
Crissy Barnett

April Lucas

From: Debby Bird [birds@sonic.net]
Sent: Monday, March 10, 2014 2:35 PM
To: lucasa@ashland.or.us
Subject: R-1 traveler's accommodation objection

RECEIVED

MAR 10 2014

Hello,

I am writing to voice my opinion on the matter of allowing traveler's accommodation in R-1 zones. I feel very strongly that it would be detrimental to most of the city's residents and businesses to change the current rules on short term accommodations.

As a resident in an R-1 zone in Napa, CA I feel strongly about my neighbors NOT having short term tenants. We purchased a house where we did so we could be in a neighborhood with long term residents, not businesses.

As the owner of a commercially zoned vacation rental in Ashland, my husband and I only considered buying properties which met the city's requirements for vacation rentals and paid a higher cost as a result.

We are not always full and I do not feel it is appropriate to allow regular housing to be converted for this use.

Thanks much,
Debby Bird
Owner Abram's Cottage.

April Lucas

From: Lois Van Aken [vanaken@sou.edu]
Sent: Monday, March 10, 2014 2:38 PM
To: april.lucas@ashland.or.us
Subject: Forwarded letter from Catherine Moore for planning commisioners

RECEIVED

MAR 10 2014

Dear Planning Commisioners,

I understand that vacation rentals in our R1 zones are to be discussed at your meeting Tuesday night the 13th. As a long time resident of Ashland, I have rented several houses over the years. Since my income as a caregiver is modest and I am single, I look for small houses or cottages to rent. Of course, Ashland has over the years become a more challenging place to find a decent affordable rental but in the past few years, the prices have jumped considerably and the availability dramatically decreased. The rental I lived in for years was sold last winter so I was recently in the position to find another home and noticed this. What also soon came to my attention as I sought housing was that not only were the rents unusually high but many were only available for rent until the spring or would request that I move out for certain weeks during the summer.. When I started asking questions of the owners, it turns out that many of the potential cottages I could rent convert to vacation cottages for the tourist season. It is difficult as a working person in Ashland to find a place to live and I think that any changes that allow for more of the small houses and cottages that people like me need to live in converting to tourist lodging is wrong.

Sincerely,
Catherine Moore

Caterinamoore@gmail.com
541 261 4100

Bill Molnar
Community Development Director

RECEIVED
FEB 25 2014

Dear Bill,

i am writing to encourage your department to extend the distance requirement from a Traveler's accommodation to an arterial or collector road. The distance requirement is currently 200 feet. I ask that it be extended to 500 feet.

I became aware of the 200 foot limitation when I submitted my Pre-App for a conditional use permit to rent one bedroom in my home as a Traveller's accommodation. It seems I am 240 feet from the nearest arterial. This does not make sense to me. I understand that I could apply for a standard conditional use permit for a home business that would allow up to eight automobile visits per day. A Traveler's accommodation of one bedroom brings only one car a day into the neighborhood.

Extending the distance requirement to 500 feet would allow more Ashland residences to find alternative and creative ways to finding supplemental income which does not destroy the neighborhood, but in fact gives every reason to maintain a beautiful home on the outside and in.

Thank you for taking this request under sincere consideration.

Cynthia Ceteras
130 4th St
Ashland

RECEIVED

FEB 24 2014

Planning Commissioners:

Regarding the study session on short term vacation rental:

I urge you not to recommend a change the R-1 zoning to allow short term vacation rental.

The R-1 zoning designation for my neighborhood was the very bedrock of my decision to buy in Ashland. As stated in the Ashland Municipal Code, Land Use 18.20.019: "The purpose of the R-1 district is to stabilize and protect the suburban characteristics of the district and to promote and encourage a suitable environment for family life." This is the type of neighborhood that I want to live in.

If you recommend that R-1 be change to allow short term vacation rental, you will betray my faith in the decision making abilities of the City of Ashland's Planning Committee. The word "planning" charges you will throughly researching the impact of such a recommendation and projecting all the unintended consequences of this change. What is more important than stabilizing and protecting the suburban characteristics of the R-1 areas and promote and encourage a suitable environment for family life? We must nurture and grow our children to ensure that Ashland has a sustainable future with active and committed citizens that will continue to make Ashland strong and healthy. I believe that can best be done in an R-1 zone with the current stated purpose.

I feel that this issue is one of the most important recommendation you will ever make as a Planning Commissioners. Do you research and make the best decision for our families and the future of Ashland.

I am counting on you,
Dolly Travers
426 Clinton Street R-1
Ashland, OR 97520

RECEIVED
FEB 11 2014

From: Robin M. Thompson, 2688 Clay Creek Way, Ashland, OR 97520

As a resident of Ashland I am opposed to allowing traveler accommodations in R-1 single-family zones. My wife and I like knowing who our neighbors are, and we enjoy living in a neighborhood with long-term residents. Also, in our particular neighborhood, the streets are narrow and parking is allowed on only one side of the street. Allowing overnight traveler accommodations in this neighborhood would cause traffic congestion and a lack of parking spaces for the full-time residents. Ashland needs to uphold the existing R-1 zoning laws that promote and encourage a suitable and stable environment for family life.

Thank you for considering my viewpoint.

Mr. Robin M. Thompson

April Lucas

From: Ross & Pat Leonard [leonard.rosspat@gmail.com]
Sent: Monday, February 10, 2014 8:17 PM
To: molnarb@ashland.or.us; lucasa@ashland.or.us
Subject: Short Term rental in R-1 zone

RECEIVED
FEB 11 2014

We understand that Ashland is considering some changes to zoning restrictions in relation to renting R-1 properties. We own a townhouse zoned R-1-3.5 and would like to voice our support of owners in these zones being able to provide short term rentals.

As **property owners** it would create several advantages for us. We love Ashland but are not able to live there permanently at this time. We visit at least once a month for several days and would like to be able to use our property for that visit. Since it is not our full time home, we need to be able to rent the property when we are not there in order to pay expenses. Being restricted to a minimum of 30 day rental either prevents us from renting our home or prevents us from using it. It essentially becomes a full time rental. With a full time renter in our home, we are restricted to day trips through Ashland. We also like short term renters because we are able to make sure upkeep on the property is up to our standards. This is also an advantage to our neighbors in this high density neighborhood.

As traveling **renters** ourselves, it is just this type of place we look for if we are planning an extended stay or are planning on traveling with others. Without this as a possibility, it would limit our length of visit due to expense. It is wonderful to stay in a fully equipped home so you can focus on the reason for your visit, whether it is the being with others in your party or enjoying the community you have come to visit. It does not take away from hotel rental because the hotels still get the truly short stay visits. Since vacation home rentals almost always have a cleaning fee on top of the nightly rate, they become too expensive for nightly rentals. In fact, many vacation homes limit rentals to at least a 2 night minimum.

For the **community** it is a win, win situation. It increases the options tourists have for visiting, which can only increase the number of tourists. Businesses from restaurants to grocery stores to event centers reap the benefits. Other communities have recognized these advantages and made the appropriate changes. Vacation rentals in townhouse neighborhoods can be found nearly anywhere one wishes to travel.

For the **neighborhood** short term rental allows owners to keep the property in good condition. The owner wants to be selective about renters so repairs are kept to a minimum. The owner also wants to make sure renters are quiet and respectful of the neighborhood so that relationships are kept positive.

Thank you for your attention to this matter. - Ross & Pat Leonard

RECEIVED

FEB 10 2014

RIVERWALK

Homeowners Association

665 A Street
Ashland, OR 97520
www.riverwalkofashland.org

To: Members of the Ashland City Planning Commission
Regarding: Short Term Vacation Rentals in Zone R-1
Date: February 8, 2014

Riverwalk is a class one planned community of 62 homes located in Ashland just off of North Mountain Avenue across from the North Mountain Nature Center and just south of Bear Creek. Our community is zoned R-1 for single family residences, and our Homeowners Association is opposed to any amendment to existing R-1 zoning restrictions that would permit the operation of short-term or vacation rentals in our neighborhood.

Our development was designed and constructed with the idea that residents would be part of a distinct community. To quote from our website: "An important element of our homes is the front porches that allow us to interact and socialize with our neighbors, give us a feeling of belonging, and promote a small-town feeling of neighborliness that is so Ashland." In furtherance of that concept, our association has a designated representative who calls upon new arrivals and welcomes newcomers to our neighborhood.

Many, if not all, of our residents purchased homes in Riverwalk because it was a community that was zoned for single families. The City's Municipal Code expressly states that "[t]he purpose of the R-1 district is to stabilize and protect the suburban characteristics of the district and to promote and encourage a suitable environment for family life." To now authorize vacation rentals in R-1 districts breaks faith with homeowners who have purchased homes in the expectation they would be living in a residential community. Allowing a property owner in an R-1 zoned district to rent the home to brief, temporary visitors would essentially destroy the concept of single family neighborhoods and eviscerate the meaning of R-1 districts. There would be no place in Ashland for a Riverwalk as it currently exists or any other neighborhood where someone seeking to move here could be assured they would be purchasing a home in a stable, family-oriented community.

We would ask the Commission, is the demand so great for vacation rentals in Ashland that the current supply of licensed facilities is unable to meet that demand? Even if that level of demand exists, surely the City can license more facilities in other zoning districts, other than R-1, where currently authorized uses are more compatible with short term rentals. It would seem that if that greater demand exists, property owners in the zoning districts that already permit vacation rentals would be applying for more licenses to operate such facilities. Shouldn't that be the appropriate response to such a demand rather than scrapping the concept of stable single family residential communities in Ashland?

Our association urges the Commission to pay no heed to calls to alter the restrictions on permissible uses in R-1 districts. Most of these calls are emanating from a small number of property owners who have been illegally operating short term rentals in R-1 districts. Whether stemming from ignorance of the restrictions when they bought their homes or from a more calculated deliberation, their attempt to profit at the expense of the much larger number of homeowners who specifically purchased their homes to be in single family neighborhoods should be rejected.

Sincerely,
James L. McAnally
President of the Board of Directors
Riverwalk Homeowners Association



RECEIVED

JAN 30 2014

To the Ashland City Council,

I have lived a quarter of a century here in Ashland, since 1989. I have paid the high property taxes for over two decades and have not questioned why my parents who live on a lovely 2 acres in Talent pay less than one third of what I pay in property tax. I pay \$6,700 a year. Our house is a historic Victorian house built in 1890 and was designed by a famous architect of the time; he did a marvelous job. The house has spacious rooms, high ceilings, and gorgeous views from both the eastern and southern windows of the house. There is no other home like this in Ashland as it is truly unique in its history and architecture. My partner and I separated after our child was 3 and a half. I loved this house and have refused to sell it even when the market hit the top. It's our home. My daughter loves the house as well as she recently came back from her travels to live with family and go to school at S.O.U.

In my earlier days I had Japanese students living with my daughter and I, which was my first attempt to share the house with other than family. After three years of this venture, I began to rent to locals. I found lovely, young creative people to live with us and they quickly became extended family and loved the house almost as much as we do. Unfortunately as a single mother, keeping our home without renting rooms out to others was/is nearly impossible. Though beautiful and historic, this house is a big up-keep and expensive; a labor of love. I borrowed money to keep things up and running and now have quite a hefty loan. Leaving me unable to travel abroad, only within the area if I'm lucky. I really don't mind as I love Ashland, my home, and my family and friends.

My interest and affiliation with VRBO all began when my daughter first left when she was 18 years old. I couldn't find the right housemates and ended up living with a couple really strange people, so my friend mentioned VRBO and Airbnb actually. The more she spoke of it and how helpful it was to keeping her house and family afloat, the more I thought it would be a wonderful fit for my financial/familial situation. For a while more I continued to try and share the house with not the best housemates and it was not going well at all.

Soon enough I began my new venture renting the entire house to Vrbo guest. It was difficult with the first one and I had my doubts, but from then on it was a great experience.

RECEIVED

JAN 30 2014

People loved the house, the decor, and the feeling and privacy. They loved walking downtown, shopping, the theater then back here to the quiet sanctuary we have created here. I've had a couple of successful well known writers, as well as several families that get together that come every year.

All of my guests have been gracious and always thank me for sharing the house with them. All of my renters come with either their entire family (rather large groups) or with many friends, all have said to prefer "home away from home" over a B&B environment, as it is more economical and much cozier. This is very important to understand - you can't fight this movement! It's all over the globe. There are so many favorable and wonderful articles written about this way of traveling.

Vrbo and airbnb have risen to the top of this market in a short three years span. You are fighting something that is not going away. It's a win-win for home owners, having the opportunity to have extra income and pay the high mortgage and at the same time, have quality people rent their homes. VRBO folks are responsible, respectful and grateful to be staying in a lovely environment. I have never had a guest that did not make the effort to leave the house clean and tidy. Sad to say that all the articles so far written in the daily tidings have taken a very biased account views from the angry hotel owners and B&B establishments. Clearly this is an issue of B&B's feeling the pressure of this new rising popularity of VRBO and Airbnb travel, though I truly think that it's a different client base between both forms of tourism. Large families tend to use VRBO and Airbnb, whereas smaller families and couples desire that B&B or hotel environment. They are not substituting one another. B&B's and hotels have to understand and accept that different people want to travel in a non conventional way. They want privacy, to enjoy their family, and cook together in a home setting.

One important thing is our house has enough parking for my guests without robbing other neighbors of their parking spaces. My guests are also quiet. I recall these being the two most important factors in zoning speculation: parking and noise. Also, my neighbors are fine with Vrbo guests. I've always had people sharing the house even before renting with VRBO, so traffic is not an issue.

I will certainly let the guests know what I'm going through... They need to know what is happening in Ashland and maybe they can write to the paper; they can tell their story to a bigger newspaper or small town trying to prevent visitors from renting directly from home owners and manipulating and creating fear where there is none.

The most fearful thing in my neighborhood is that a sweet local woman

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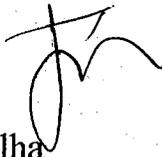
JAN 30 2014

in her late 80's is currently renting out rooms to very strange people for \$ 50 a month. There is one particular man who lives there that I know is not a good character.

I'm very dissappointed in the manner in which City of ashland is approaching this issue. It is not taking the larger perspective of the benefits that come with VRBO rentals. It is a feature that enhances the cities appeal and invites a larger variety of turists to come and enjoy a our beautiful little town in the way that they choose, where it be one of our lovely B&Bs or a beautiful local home. As my guests havae articulated, "we love to travel and were worn out by the poor selection of homes availalbe in ashland for larger groups and families until we found You through VRBO". It's a pitty that the city does not support all of the unique homes built in the early 1900 and 1890's that give character to ashland . Visitors enjoy that immensely. People come and they marvel the exquisite details in such homes, as so much detail and craftsmanship was put into the construction of such homes here in Ashland.

I would ask you to please reconsider your council conclusions about VRBO rentals here in Ashland, as it is a helpful source of income and has many public and personal benifits as statede above.

Sincerely,



Jussara Padilha

RECEIVED

JAN 30 2014

As we have reviewed:

Your home is part of the history of the city in that its owners contributed land and even its building was a source of employment for local craftspersons. Perhaps the city can acknowledge these contributions by allowing your continued operation now.

You are not a corporation but a permanent resident who has elected to be a part of the community just like the original owners.

Your home adds beauty to the city and your neighborhood which is obvious from its well tended appearance.

You offer what cannot be found in a B&B: privacy and a quiet environment without the noise and traffic of a commercial area.

Your home rents to those who may not wish to stay at a B&B but has no adverse effect for travelers who do want the B&B experience. The two lodging formats can complement each other; tourists will have the opportunity to choose for themselves.

And, the New Yorker article we discussed is from the January 27 issue on page 20 [Dept. of Hospitality Staycation]. I apologize I cannot cut & paste it here owing to its very recent publication date.

I have my fingers crossed for your meeting tomorrow. Just be focused and be yourself! Remember, Ashland needs you as much as you need them.

Harmony is its own reward.

Take care,
Randy

Sent ever so slowly.

RECEIVED

January 27, 2014

JAN 27 2014

To the members of the Planning Commission

We have presented our case to the City Council and the Planning Commission before. We'd like to recap our situation so that, hopefully, the 200 foot rule might be reconsidered.

We have lived in our house on Garfield St. for over 35 years. The upstairs has a separate entrance, kitchen, and bath. For many years we rented the upstairs apartment full time. But we no longer rent it year round, because we want the space for our visiting adult children and extended family and friends. What we would like to do is operate a conventional apartment rental during the winter months and a vacation rental the rest of the year.

We meet all current city requirements for a vacation rental. We live on site, there is adequate off-street parking, and we live in a multi-family residential zone (R-3). We're more than willing to meet any health and safety requirements, obtain a business license and collect the hotel-motel tax. The only requirement we don't meet is that our property is more than 200 feet from a collector street (we are 500 feet, with Garfield Park between our house and E. Main St).

We respectfully ask the Planning Commission to thoroughly examine this 200 foot regulation as it is the only contentious regulation in an otherwise rational ordinance.

The City's responsibility is to protect the values, health and safety of the community without limiting initiative and new ideas. Ashland has an aging population and, consequently, there are many people who have extra space in their homes, and/or have empty apartments and cottages on their property. Given limited retirement incomes and the tourist influx, it's only natural for people to consider utilizing their extra space in different ways.

The concerns that led to the City Council's keeping the 200 foot requirement as we understand it are: maintaining an adequate number of conventional rentals in the R-2 and R-3 areas and limiting excess traffic and potential neighborhood disturbances.

Every situation in the R-2 and R-3 zones is different. Some vacation rental applicants do not have enough off-street parking. Some have unsuitable living spaces. Some may be located in very dense residential areas where traffic congestion and noise may be a concern. Isn't it more equitable to examine each CUP applicant on its own merits than to apply this broad brush 200 foot rule which ignores the specific residence and neighborhood identities? Additionally, why not let the marketplace do some of the selecting?

We could be running a lovely vacation rental that would benefit the city, tourists, and ourselves. The city would receive lodging tax revenue, tourists would have another good option for their visit, and we would be supplementing our income as we approach our retirement with limited funds. In our neighborhood a vacation rental would have no impact on either traffic or noise.

Please consider a new approach. The 200 foot regulation has been on the books since the 90's. It may not be appropriate or relevant any longer. Many things have changed since then, and there are different needs within the community. It would serve the community better by examining each situation on its own merits.

Thank you,

Sincerely,
Anita and Steve Isser
84 Garfield Street
Ashland

From: "Jeff Jones" <JRJones@opendoor.com>

To: tbrownpc@gmail.com, rpkaplan46@gmail.com, hmiller@jeffnet.org, sassetta@mind.net, molnarb@ashland.or.us, tmpeddicord@gmail.com, mike@council.ashland.or.us

Sent: Monday, January 20, 2014 1:29:04 PM

Subject: Planning Commission Short Tern Vacation Rentals

RECEIVED

JAN 20 2014

Hello Commissioners,

I watched with interest the recent Planning Commission meeting that was dealing with the goal of making a recommendation to the City Council about how to handle Short Term Vacation rentals in R-1 zones. I want to thank you all for your willingness to look at all sides of this issue and come up with the best possible recommendation to the Council. One thing that struck me was that nearly all of you Commissioners would like to have had more research about current short term vacation rentals - ie: who stays in them, how often, and their impact on neighborhoods.

As and owner of a once short term vacation rental (we now only rent it by the month) I would like to offer my help to create a survey of people like myself that may help answer some of your questions about this type of rental. In doing so, I would like to know exactly what information you may need to help you make a more informed recommendation to the City Council?

In listening to your concerns, may I suggest these possible survey questions:

1. How many days per year is/was your short term vacation rental occupied?
2. Information about your occupants - age, economic status, reason for staying, how much money did they spend per day on average, if this rental was not available, would you have stayed in Ashland?
3. Did neighbors of your short term vacation rental have any issues with your occupants? - ie: cars parking on lawns, kids and teens running amuck, loud parties, or disruptions of any kind, etc...

These are a few questions that I have come up with, but I would like to know if you have others.

I know many of the short term vacation rental owners in R-1 zones in Ashland that would be willing to participate in this survey. Plus, I work with an independent research company that would be willing to compile data that has been collected and submit it to the Planning Commission at no charge, hopefully prior to your next meeting.

Please let me know what you think of this idea and if you have suggestions to create the research questions that will help answer your concerns about Short Term Vacation Rentals in R-1 zone in Ashland.

Sincerely,

Jeff Jones
541.488.0178
jrjones@opendoor.com

DISCUSSION ITEM

Medical Marijuana Dispensaries

Medical Marijuana Dispensaries Discussion Map

zoning

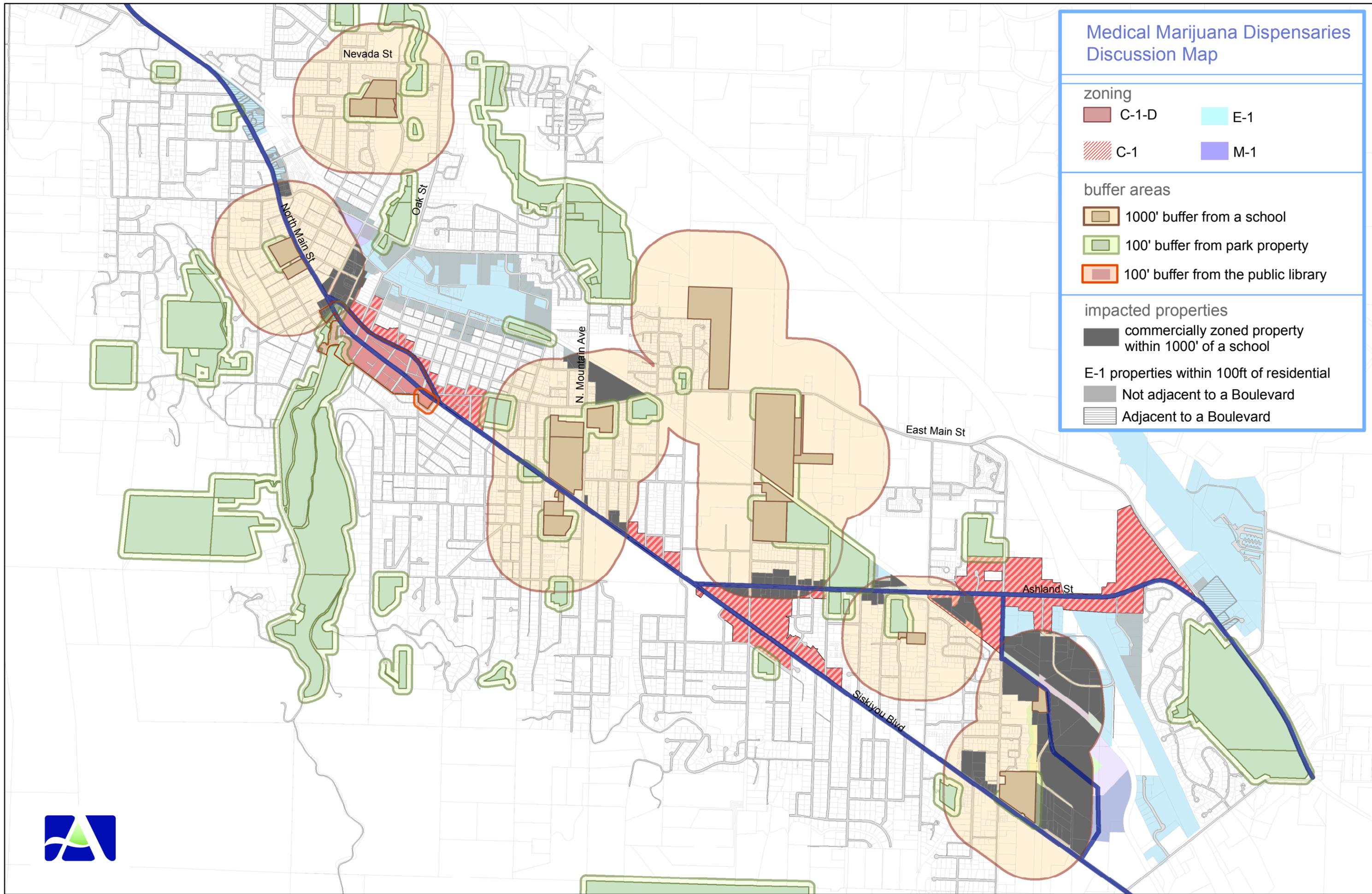
- C-1-D
- E-1
- C-1
- M-1

buffer areas

- 1000' buffer from a school
- 100' buffer from park property
- 100' buffer from the public library

impacted properties

- commercially zoned property within 1000' of a school
- E-1 properties within 100ft of residential
- Not adjacent to a Boulevard
- Adjacent to a Boulevard



Memo

TO: Planning Commission
FROM: Bill Molnar, Community Development Director+
DATE: March 25, 2014
RE: Zoning Issues Related to Medical Marijuana Dispensaries

At its March 18, 2014 meeting, the Council directed staff to draft ordinance amendments for the Planning Commission's consideration that would address the local review process for evaluating the location of medical marijuana dispensaries in the City of Ashland. The Council requested that the Commission consider these amendments as soon as possible. Any locally adopted amendments would be in addition to the current requirements under State Law that already prohibit establishing dispensaries within 1000 feet of a secondary or primary school, as well as not permitting a dispensary within 1000 feet of another dispensary.

At the January 21 and March 18 Council meetings, there was discussion about the possibility of restricting dispensaries in the downtown area, as well as requiring a more discretionary review process in the case of a proposal to establish a dispensary immediately adjacent to or across the street from a residential zoning district.

It is anticipated that a public hearing on the proposed code amendments will be held at the Planning Commission's regular meeting on May 13, 2014. In preparation toward working on specific code language, staff has prepared some examples of code provisions intended to address the issues identified at the aforementioned council meetings. This is intended to supplement the information provided to the Commission by staff at the March 12, 2014 meeting.

The following language could be added under allowed Conditional Uses in C-1; E-1 and M-1 zoning districts, establishing dispensaries as a conditional use if located within 100 feet of a residential district.

Conditional Uses

J. Medical marijuana dispensaries, if such uses are located on a parcel of land less than or equal to 100' from the nearest residential zoning district.



Additionally, the following restriction could apply within the downtown area. This was suggested as a possibility by the City Administrator due to the fact that the downtown attracted a variety of visitors from around the country, and these travelers may not be informed or as understanding of Oregon's position with medical marijuana dispensaries.

Within the Downtown Design Standards Zone Overlay (See Map), medical marijuana dispensaries are prohibited.

Attachments:

- City of Ashland Zoning Map
- Downtown Design Standards Zone Map



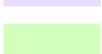
Zoning Map

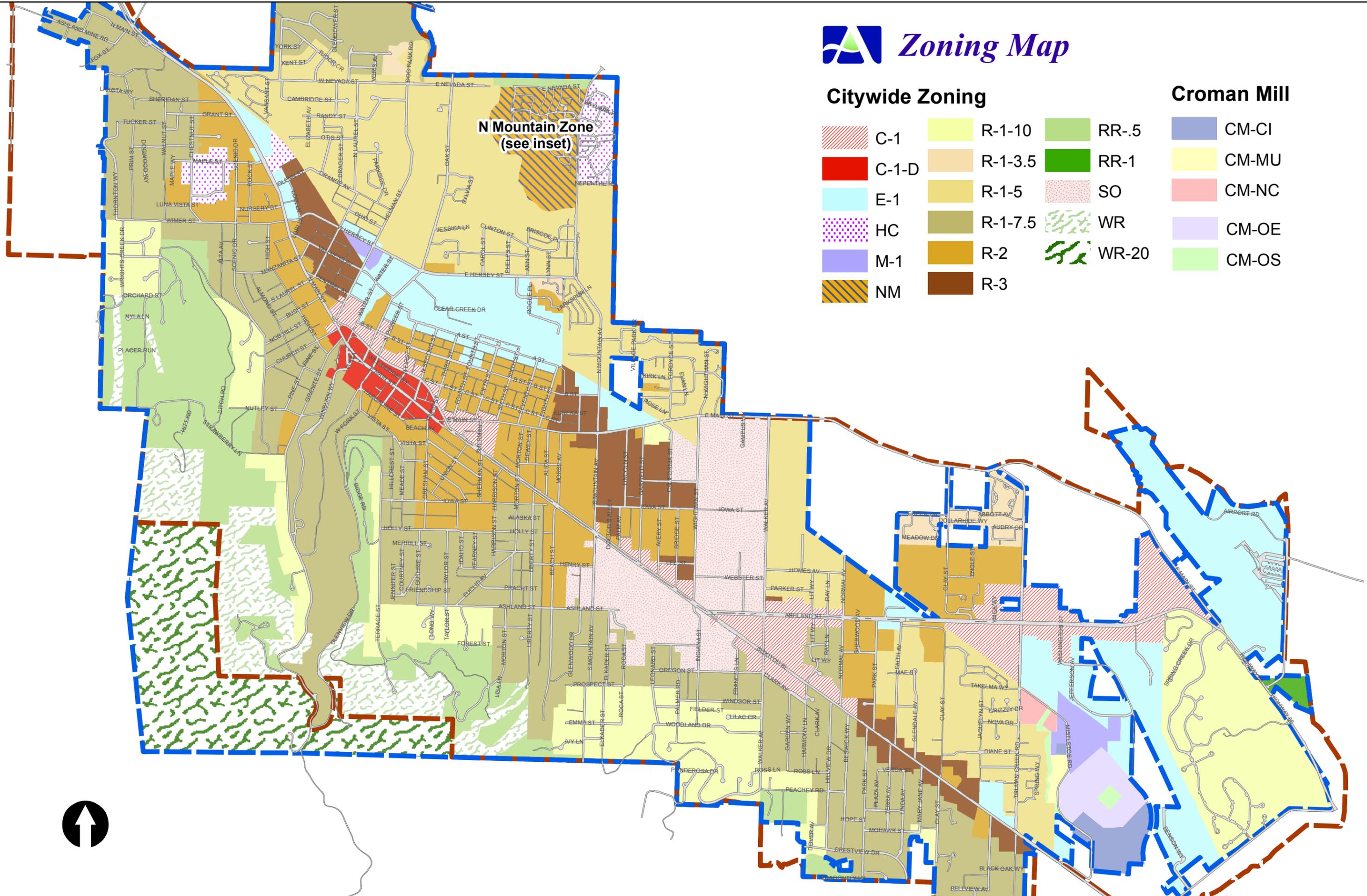
**N Mountain Zone
(see inset)**

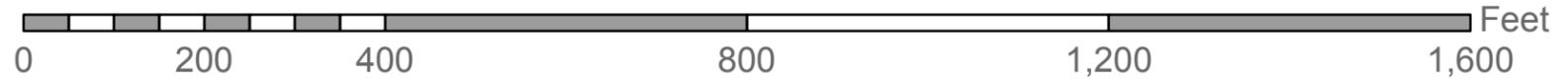
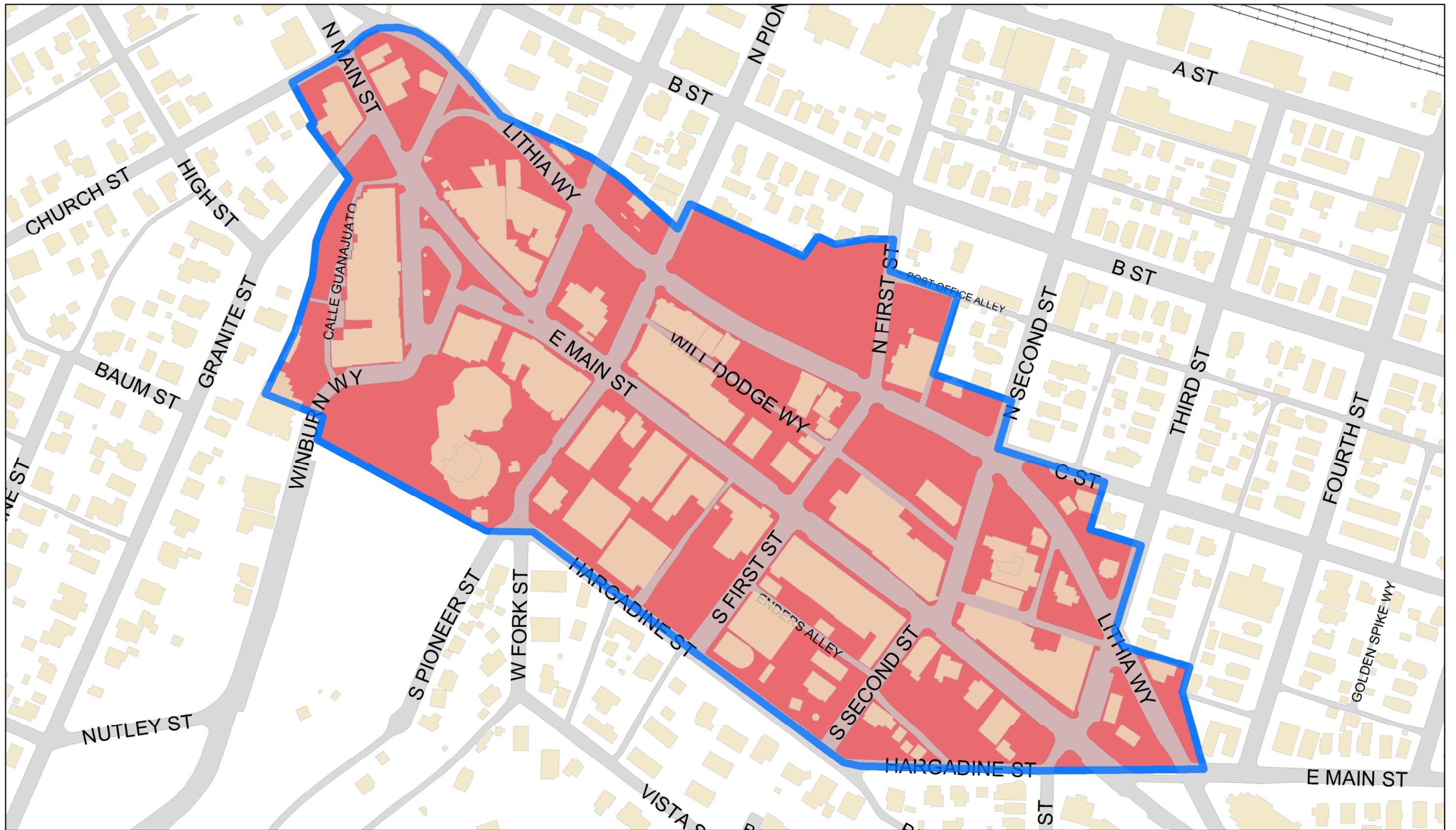
Citywide Zoning

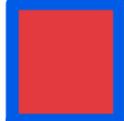
	C-1		R-1-10		RR-5
	C-1-D		R-1-3.5		RR-1
	E-1		R-1-5		SO
	HC		R-1-7.5		WR
	M-1		R-2		WR-20
	NM		R-3		

Croman Mill

	CM-CI
	CM-MU
	CM-NC
	CM-OE
	CM-OS





 Downtown Design Standards Zone

Memo

TO: Planning Commission
FROM: Bill Molnar, Community Development Director
DATE: March 11, 2014
RE: **Discussion of zoning issues related to the location of potential medical marijuana dispensaries**

SUMMARY

The Oregon Legislature in 2013 passed HB 3460, which makes medical marijuana dispensaries explicitly legal and establishes certain conditions related to location under which they must operate. Such dispensaries are an “unlawful activity” under federal law. On January 21, the City Council referred the issue of Medical Marijuana Dispensaries in Ashland to the Planning Commission for review and recommendations in regards to the Land Use Code.

BACKGROUND:

This issue comes to the forefront at this time because of the recent change in Oregon’s medical marijuana law. Oregon has allowed physicians to prescribe marijuana for medicinal purposes since 1999. This has resulted in the establishment of medical marijuana dispensaries throughout the state that are not subject to any regulatory regimen, except that they must conform to the provisions of Oregon’s medical marijuana law (ORS 475.300 et seq.). The 2013 Oregon Legislature passed HB 3460, sponsored by Rep. Peter Buckley, D.- Ashland, to provide this regulatory regimen. Under this new law, the Oregon Health Authority must create a registration system for medical marijuana dispensaries to ensure that the operators of such facilities are residents of the State of Oregon and have been subject to criminal background checks. The law further requires that licensed medical marijuana dispensaries must (among other things):

- Be located at least 1,000 feet from any public or private primary or secondary school;
- Be located at least 1,000 feet from any other licensed dispensary;
- Be located in an area that is zoned for commercial, industrial, mixed use or agricultural land;
- Be registered as a business with the Secretary of State’s Office; and
- Install a minimum security system, including a video surveillance system, alarm system and safe.

The bill further gives the Oregon Health Authority the authority to establish administrative rules for the registration system, and those rules are expected to be published in March. Though illegal under federal law, the U.S. Department of Justice has taken the position that it will not interfere

with marijuana businesses in compliance with state law as long as their activities do not result in distribution of marijuana to minors; serve as a cover for the trafficking of other illegal drugs; generate revenue used for criminal enterprises; or lead to five other prescribed outcomes described in an August 29, 2013. Here in Ashland, the Police Department reports there were no problems generated by or complaints about the medical marijuana dispensary that operated here in 2012.

POTENTIAL CODE PROVISIONS:

HB 3460 requires that a dispensary be no closer than 1000 feet from any public or private primary or secondary school. Additionally, a licensed dispensary shall be at least 1000 feet from any other licensed dispensary. Council requested the Planning Commission consider other zoning standards that may be appropriate to guide the establishment of medical marijuana dispensaries. Given concern over the proximity of dispensaries to places where minors tend to congregate, the following requirements should be evaluated:

- Should dispensaries be located a minimum distance from residential zoning districts, such as 400-feet which is approximately the length of a city block? (note: City of Central Point recently included a standard requiring dispensaries to be at least 500-feet from a residential zone)
- Should dispensaries be located a minimum distance from other public properties, such as public parks or the library?
- Should limits be placed upon the hours of operation

NEXT STEP:

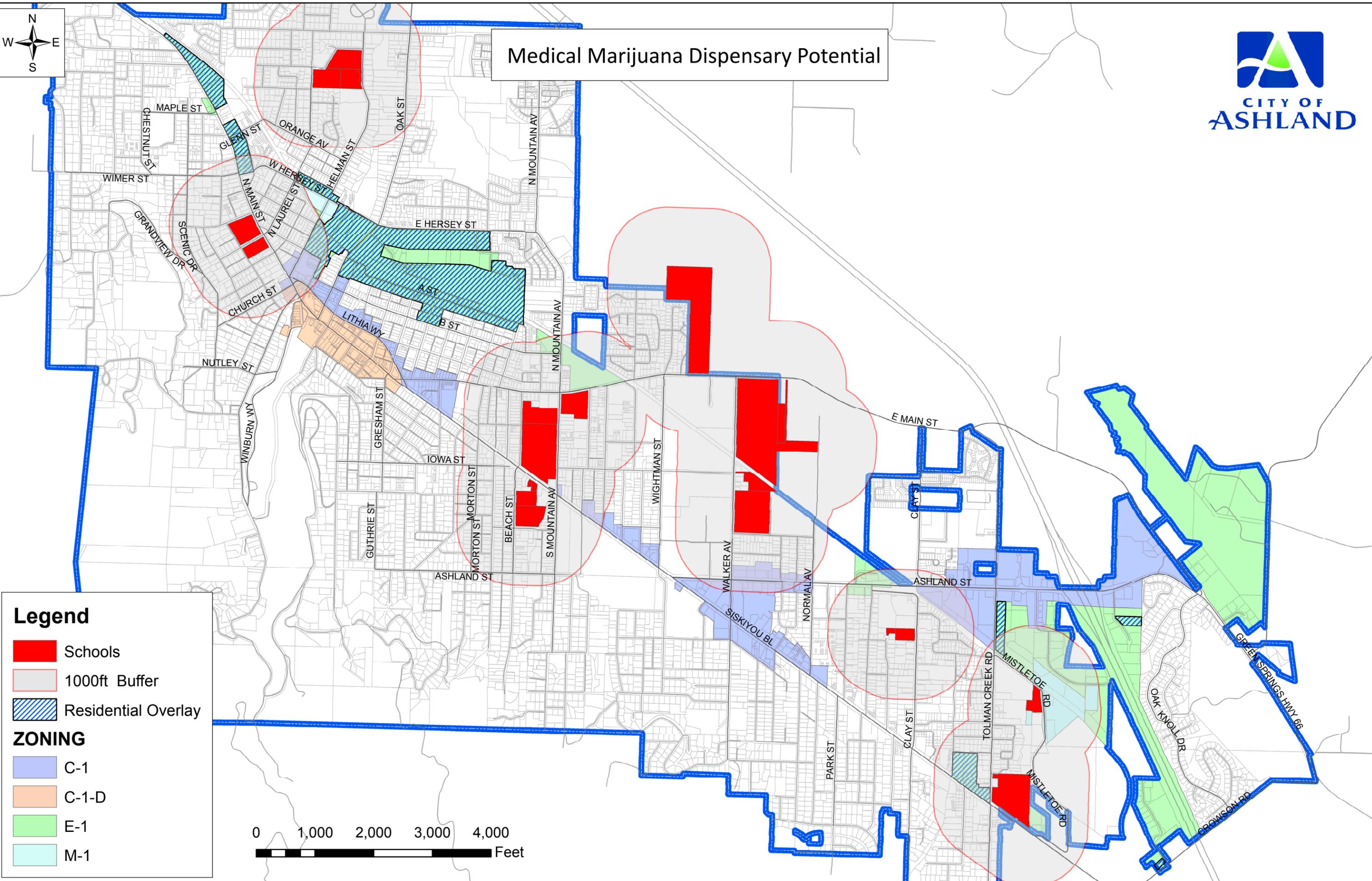
The next step would be for staff to compile Planning Commission recommendations for changes to Chapter 18 – Land Use Ordinance, which potentially would set standards for and place limitations on the placement of marijuana dispensaries within commercial, employment, industrial and mixed-use zoning districts.

Attachments:

- Map of Potential Dispensary Locations



Medical Marijuana Dispensary Potential



Legend

- Schools
- 1000ft Buffer
- Residential Overlay

ZONING

- C-1
- C-1-D
- E-1
- M-1



PUBLIC INPUT

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MAR 27 2014

From: Bill Clary <BClary@dadco.com>
Date: March 27, 2014, 11:40:36 AM PDT
To: "rpkaplan46@gmail.com" <rpkaplan46@gmail.com>
Subject: Medical Marijuana Dispensaries

Dear Commissioner Kaplan,

Having attended the recent Planning Commission study session and an informational meeting with the City Administrator, a recurrent theme has emerged that compares a Medical Marijuana Dispensary to a state run liquor store. With this theme in mind, it would make sense to apply similar OLCC guidelines for the location of liquor stores to the location of Medical Marijuana dispensaries. The OLCC has determined at this time, that there is a need for only one liquor store in Ashland. I believe a topic for discussion should be how many Medical Marijuana dispensaries are necessary. If the OLCC is any guide, only one dispensary is needed at this time. Please take this into consideration along with the need for a proper residential buffer zone and special use permits for residential overlays in E-1 zones. Proper planning and forethought at this time could greatly reduce future controversies, especially if the use of marijuana is eventually fully legalized by the state. Thank you for your time and consideration on this issue.

Sincerely,

William Clary, 460 Williamson Way, Ashland

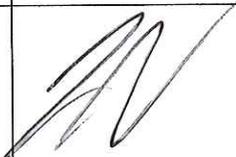
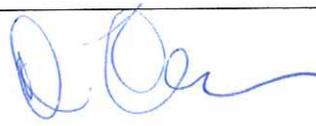
William E. Clary, CFP®
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wclary@dadco.com
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We, the undersigned, are neighbors of a proposed dispensary at 400 Williamson Way. We urge the City of Ashland to implement a temporary moratorium on medical marijuana dispensaries on April 1st, 2014. This will give our city Planning Commission needed time to carefully consider the following factors: buffer zones between residential areas and dispensaries (preferably of 500 feet or so) to adequately separate neighborhoods and these businesses, hours of operation, appropriate screening, and other issues in connection with this new presence in our community.

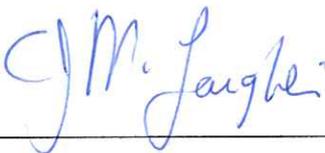
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MAR 24 2014

	Name (Printed)	Signature	Address	Date
1.	Linda Stickle		492 Rogue Pl. Ashland, OR 97520	3/22/14
2.	Ed Colson		442 Rogue Pl. ASHLAND, OR 97520	3/22/14
3.	Jennifer Huffman		442 Rogue Pl. ASHLAND, OR 97520	3/22/14
4.	ALEX LURACS		457 WILLIAMSON WAY ASHLAND, OREGON 97520	3/22/14
5.	Fross Barker		459 Williamson Way Ashland, OR 97520	3/22/14
6.	Martha Stadelman		463 Williamson Ashland Way 97520 etc.	3/22/14
7.	GARY DODDS		464 WILLIAMSON ASHLAND	3/22/14
8.	PATRICIA MICHELS		466 Williamson Way Ashland, OR 97520	3/22/14
9.	Dave Helmich		468 Williamson Way Ashland 97520	3/22/14

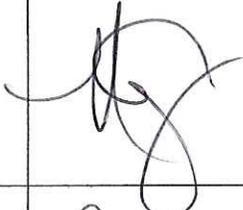
RECEIVED

MAR 24 2014

	Name (Printed)	Signature	Address	Date
10.	Surya Bolon		470 Williamson Ave	3/22/14
11.	CJ McLaughlin		471 Williamson Way	3/22/14
12.	JOHN A. KLUG		471 Williamson Way	3/22/14
13.	Troy FERGUSON		475 WILLIAMSON WAY	3/22/14
14.	Allyn Stone	Allyn Stone	474 Williamson	3/22/14
15.	Arden Gregorio	Arden Gregorio	474 Williamson	3/22/14
16.	June Holmes	June Holmes	357 Starflower Ln	3/22/14
17.	Carol Kim	Carol Kim	422 Rogue Pl. Ashland, OR 97520	3/22/14
19.	Andrew Kim		422 Rogue Place Ashland	3/22/2014

RECEIVED

MAR 24 2014

	Name (Printed)	Signature	Address	Date
20.	Edward HUNGERFORD	Edward Hungerford	456 Williamson Way	3/23/14
21.	Sheila Hungerford	Sheila Hungerford	456 Williamson Way	3-23-14
22.	Mary Canfield	MARY CANFIELD	465 Williamson Way	3/23/14
23.	Alan Ives	ALAN IVES	465 Williamson Way	3/23/14
24.	Michelle Clary		460 Williamson Way	3/23/14
25.	Craig Jesmer		422 Williamson Way	3/23/14
26.	Mary T Martin	Mary T Martin	469 Williamson Way	3-24-14
27.	William Clary		460 Williamson Way	3-24-14

From: Surya Bolom <sbolom@ccountry.net>

To: tbrownpc@gmail.com, rpkaplan46@gmail.com, hmiller@jeffnet.org, sassetta@mind.net,
molnarb@ashland.or.us, tmeddicord@gmail.com, lktompson@hotmail.com

Cc: mike@council.ashland.or.us

Sent: Sun, 23 Mar 2014 17:47:23 -0700 (PDT)

Subject: Medical Marijuana Disensaries

RECEIVED

MAR 24 2014

Dear Planning Commission:

RE: Request for a moratorium on Medical Marijuana Dispensaries until a more through evaluation is done and new rules are put in place.

I am in favor of full legalization of both medical and recreational marijuana. This is a very complicated issue and finally the health benefit and legitimacy of marijuana is coming to light.

However:

We are all walking on a new ground concerning this issue. Most of the surrounding towns are more cautious, which in this case I think is wise. With more forethought, we can make this change a positive and welcome one. I appreciate the more progressive ideals of Ashland yet hesitate to let ideals release too much freedom in an area that is still an unknown.

My Concerns:

- 1) How many dispensaries are suitable for Ashland..shouldn't there be a limit? Do we want to become the only place around...what will this do to our town, without going more slowly and observing the effects of this valuable change?
- 2) Where would these dispensaries best serve the customers and not cause a disruption for the surrounding area? I am near a proposed dispensary that seems to be already advertising itself on Williamson Way. Although it is E-1 usage really it is 40-50 feet from our homes. I am opposed to this location. I was informed that the Council didn't want one downtown, so why is it okay in our very quiet low trafficked residential area?
- 3) I can see these businesses in well used sites where numerous businesses are open 6-7 days a week and operate am-pm, ie Albertsons, Market of Choice, Printfast. Here there are lots of folks, lots of parking.
- 4) Friends might meet here and hang out some, another whole change in a residential area, where in populated businesses area this wouldn't be a problem.
- 5) The place on Williamson Way has been quietly hiding this from us, the neighbors for sometime. So it is apparent that any of our concerns have not been considered. This causes even further suspicion that any of our concerns would not be heeded if this place gets the green light.
- 6) I favor taking time to evaluate where these places are best suited, how many, and what conditions would be positive for the customers and community rather than rushing into a potentially disruptive and antagonistic change.

Please consider more throughly how to handle these dispensaries.

Thank you

Surya Bolom
470 Williamson Way

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MAR 21 2014

From: "Alan Ives" <loonmates@lithiawater.com>

Date: March 21, 2014, 10:26:18 AM PDT

To: rpkaplan46@gmail.com

Subject: Hearing re: marijuana dispensaries

Richard

I am a resident at 465 Williamson Way and aware of the planned location of a marijuana dispensary at 400 Williamson Way. I realize this location is at the fringe of a commercial zone with adjacent medical practices located there.

What I would like the Commission to be aware of is that there is no buffer between the 400 street building and a residential area. But more importantly to me is that although there is no school within 1000 feet of the building it is approximately 1300 feet to North Mountain Park where elementary and high school sports teams practice and play regularly scheduled games with schools in the area. In addition North Mountain Park conducts many children's programs and is intended for their use and education.

I think this is just too close and convenient with all of the parking at the park to think that the handling of drugs obtained at 400 Williamson Way would not find their way to the park. I would appreciate you sharing this information with the other commissioners.

Alan H. Ives
465 Williamson Way
541-482-7124

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Dear Planning Commission,

March 20, 2014

MAR 20 2014

My name is Carol Kim. I live at 422 Rogue Place, approximately 40-50 feet from the proposed medical marijuana dispensary at 400 Williamson Way. I cannot be at the meeting on 3/25/14.

I want to urge you to recommend that the council impose a moratorium on medical marijuana dispensaries in this city at its April 1st meeting. All of the other cities around us, as well as the county have done this. **It is the only possible way to give you enough time to thoroughly investigate this new issue and make wise recommendations that the city can impose.** I know that you are bound by a legal process of public hearings, notifications, etc. and that this is a study session only. **If businesses are allowed to open before you can enact regulations or impose any conditional use standards, I do not know if they could be applied retroactively, unless the council does enact a moratorium April 1st.**

I am very encouraged to see that you are considering options, such as:

- A 500 foot buffer zone between residential areas and dispensaries (similar to what Central Point has just enacted)
- Limitations on hours of operation
- Locations of dispensaries by other public areas

In our case, 400 Williamson Way is at the very edge of an E-1 area and is quite literally, within the neighborhood, rather than out of it. It is separated from our home by a narrow street (not standard size) and a hedge. Though on paper, according to current state and city rules, it probably looks good, if you could see the site, you might question the appropriateness of the location. We have two children in our home, as do others in the neighborhood.

You also may not be aware that 437 Williamson Way lodges students of middle and high school age. They come in school groups to attend the OSF. They can often be seen excitedly chatting away as they walk on Williamson Way. As a parent, I would not allow my child to go off on a school trip and stay in lodgings so close to a medical marijuana dispensary. Many of you are parents yourselves and you know how hard it is to let them go on those first trips away from home.

I am also very concerned that **this business is already misrepresenting itself.** Living so close, I can assure you that it is not yet open. They are working on the building. **Yet you can go on-line to www.weedmaps.com and type in Top Shelf Meds and they list operating hours of 10-6 Monday-Saturday, ask for reviews, and list a phone number.** When you call, there is a message making it sound as if they are helping customers and will get back to you. **Some of the city council actually believes this is an operating business, and this is incorrect. They want to appear to be in business so they will not be limited by any city guidelines, should they be enacted.**

Thank you so much for looking into this new issue. I anxiously wait to see to see what you will recommend!

Sincerely,

Carol Kim

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MAR 17 2014

From: Carol Kim [<mailto:horacekim@hotmail.com>]
Sent: Saturday, March 15, 2014 5:28 PM
To: council@ashland.or.us
Subject: Council Contact Form - Carol Kim - 3/15/2014

Name: Carol Kim
Email: horacekim@hotmail.com
Subject: Medical marijuana dispensary 400 Williamson Way

Message: Dear Mayor and Councilors,

We have just learned, as of a newspaper article published 3/13/14, that a medical marijuana dispensary is going in at 400 Williamson Way. I live at 422 Rogue Pl. My daughter's bedroom looks right at this. It is about a driveway's length away. We are a dead end with a very narrow street. Yes, that building is commercial but really it is right next to family housing. I am protesting this and asking you to consider taking a look at that particular property and also at additional restrictions for location of these dispensaries. I worry for my children's safety (they will be fine at school but can come home to marijuana smoke in their bedrooms?) and for the reality that housing values will plummet. We have lived here for 13 years. The city says we can call the police if consumption occurs outside. Reassuring. They say no one can drive under the influence. Let's be realistic. There is also a hostel nearby - Ashland Commons- where students come from out of town to attend the OSF. I am sure they will lose business should this dispensary be established. A family practice doctor is right next door. She has many pregnant women and young children as patients. This is new territory for all. Please reexamine this issue of letting the state ok a business license and then not denying it unless it is by a school or doesn't have enough parking. Someone needs to ensure the locations are appropriate and well-regulated. Who is doing this? Would you like your children living across the street? Would you like to buy my house because I will be glad to sell it to you if you don't mind a dispensary in your front yard? My oldest daughter is so distraught that she plans to write the paper. We would like to appear before you to address this issue, along with any others concerned in our neighborhood. Please give us this opportunity. Thank you very much. We were given no prior notification of this and apparently it isn't required unless major changes are being made to the building. That needs to be changed. People deserve warning of such big changes, especially as this issue is very controversial at this time. Medford is not allowing these dispensaries, nor is Grants Pass, or Jacksonville. Medford is happy to send everyone to Ashland, as mentioned in the Mail Tribune. This may be good business for some but what does it say about our city and what about the safety issues that will undoubtedly occur?

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MAR 17 2014

From: Char & Michale Hersh [<mailto:hummingbird@jeffnet.org>]
Sent: Monday, March 17, 2014 2:05 PM
To: council@ashland.or.us
Subject: Council Contact Form - Char & Michale Hersh - 3/17/2014

Name: Char & Michale Hersh
Email: hummingbird@jeffnet.org
Subject: Medical Marijuana dispensary

Message: WE are apposed to a medical marijuana dispensary on Williamson in Ashland. The area does currently have a few professional establishmenst but marijuana dispensing is not the same as having a dentist or doctor located adjacent to a large residential area. There are children of all ages very near this location and North Mount ain is on ly and short distance away.
WE are not opposed to a dispensary in Ashland but strongly feel it should be in a non-residential area

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MAR 14 2014

From: Betty J. Drake [<mailto:pelly7@msn.com>]
Sent: Friday, March 14, 2014 4:26 PM
To: council@ashland.or.us
Subject: Council Contact Form - Betty J. Drake - 3/14/2014

Name: Betty J. Drake

Email: pelly7@msn.com

Subject: Medical Marijuana Dispensary, 400 Williamson Way, Ashland

Message: I have just learned that a medical marijuana dispensary is planned for property at 400 Williamson Way, Ashland. I am very concerned about this for this property is located right by a residential neighborhood and is a mere driveway's distance from my teenage granddaughters home. There is only a tree hedge separating the properties, plus a parking bay right by their house would likely be used by customers of the dispensary. In the other direction - perhaps 100 yards - is the location of a youth hostel which provides housing for high school students visiting Ashland to see OSF plays.

I think this is a very bad move and I urgently ask you to bring it before your council for attention and action to stop it. Thank you very much!!