



March 12, 2019

To the Mayor and City Council  
20 E. Main Street  
City of Ashland, Oregon 97520  
cc: Kelly Madding, City Administrator

**Re: Ashland City Hall Proposal vs Ashland Land Use Ordinance**

Dear Mayor and City Council,

Ordinances have consequences. And, bad ordinances have negative consequences.

Currently, there is a downtown planning ordinance that is so onerous, even the city won't abide by it.

City Municipal Code 18.4.2.040 D 2 a (attached) requires "One square foot of plaza space shall be required for every ten square feet of gross floor area," which is 10% of the total square footage of the first three floors of a downtown building to be dedicated to public open space. For a three-story building, that would be 30% of the first-floor footprint of buildings on Main Street to be left in public open space.

The proposed downtown city hall plan provides an excellent opportunity to reconsider this grievous ordinance, as it is evident that the city has to violate its own ordinance to make any sense of a new city hall building.

This ordinance, which essentially is a forced taking of private land for public purpose without compensation, is totally inappropriate. Further, and more important, I believe this ordinance does the exact opposite of the city's intention for the character of downtown. What we want to encourage is a continuous downtown streetscape. The creation of more plazas (like the one in front of the Black Swan) or side alleyways (like the one between Starbucks and Earthly Goods) break the streetscape and replicate the biggest problem areas that we have downtown with regard to safety and gathering places for transients.

Even worse, I believe this ordinance makes it financially unfeasible to develop or re-develop any buildings in the downtown area. I know for a fact it has been a deterrent that has discouraged developers from developing in the downtown. I believe it has been substantially responsible for the lack of any development downtown beyond one condo building during the past unprecedented ten-year growth in the economy.

The city hall plan demonstrates the inappropriateness of this ordinance. As clarification I have attached ORW's proposed site plan for a new city hall building downtown, and in red I have shown the actual building footprint that would be allowed under this ordinance. It would reduce the proposed 4-story building square footage from 15,500 sf to under 11,700 sf, with a building footprint of approximately 3,000 sf, far smaller than the proposed at 4,000 sf or the existing 3,967 sf.

They say the best way to get rid of a bad ordinance is to enforce it. I for one, will insist that the city follow their ordinance. However, it would be far better to eliminate it completely, which is my strong recommendation and my request.

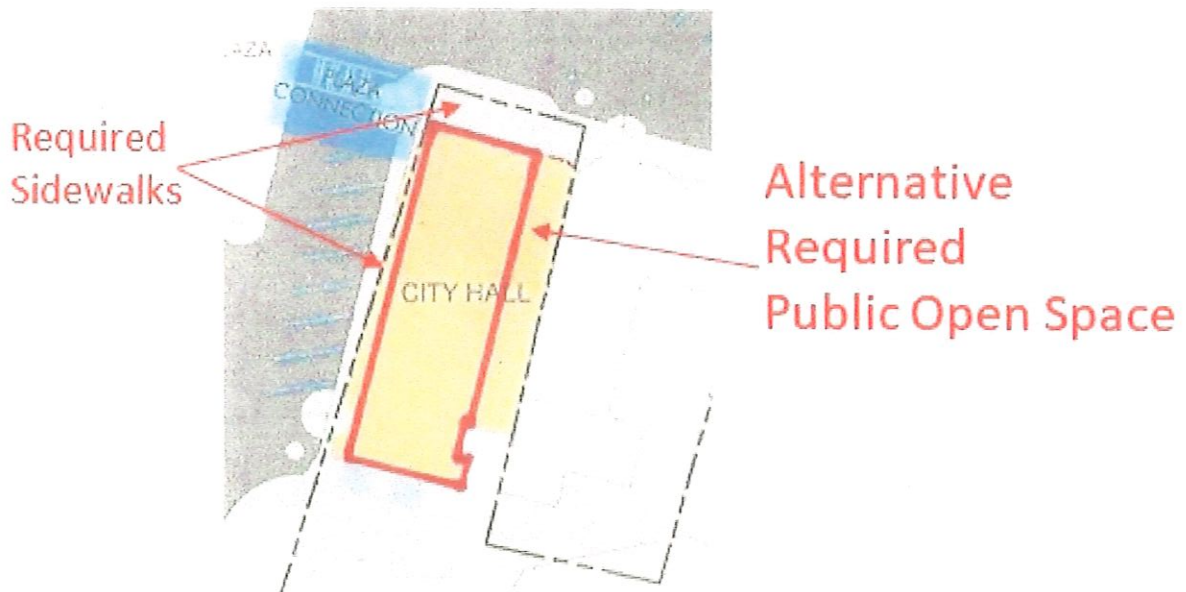
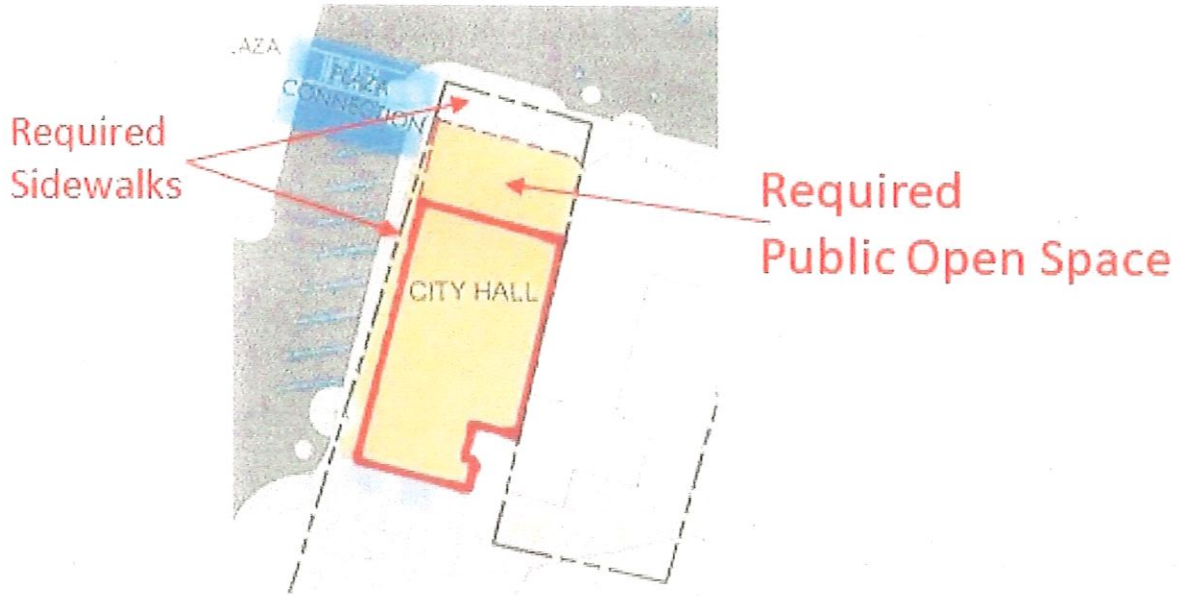
Sincerely,

A handwritten signature in blue ink, appearing to read 'Barry Thalden', is written over a horizontal line. The signature is fluid and cursive.

Barry Thalden, AIA, FASLA

550 Ashland Loop Road Ashland, Oregon 97520  
(702) 860-5000 bthalden@thalden.com

# City Hall Site Plan Alternatives per Land Use Ordinances



## Chapter 18.4.2 BUILDING PLACEMENT, ORIENTATION, AND DESIGN

### 18.4.2.040 Non-Residential Development

**D. Additional Standards for Large Scale Projects.** In the Detail Site Review overlay, developments that are greater than 10,000 square feet in gross floor area or contain more than 100 feet of building frontage shall, in addition to complying with the standards for Basic (18.4.2.040.B) and Detail (18.4.2.040.C) Site Review, above, conform to the following standards. See conceptual elevation of large scale development in Figure 18.4.2.040.D.1 and conceptual site plan of large scale development in Figure 18.4.2.040.D.2.

1. Orientation and Scale.

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2. Public Spaces.

a. One square foot of plaza or public space shall be required for every ten square feet of gross floor area, except for the fourth gross floor area.

b. A plaza or public spaces shall incorporate at least four of the following elements.

i. Sitting Space – at least one sitting space for each 500 square feet shall be included in the plaza. Seating shall be a minimum of 16 inches in height and 30 inches in width. Ledge benches shall have a minimum depth of 30 inches.

ii. A mixture of areas that provide both sunlight and shade.

iii. Protection from wind by screens and buildings.

iv. Trees – provided in proportion to the space at a minimum of one tree per 500 square feet, at least two inches in diameter at breast height.

v. Water features or public art.

vi. Outdoor eating areas or food vendors.

## What is the vision for Downtown Ashland?



A continuous Retail / Restaurant Streetscape

Or .....



A series of Public Alleyways and Transient Gathering Areas