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
STUDY SESSION
AUGUST 23, 2011
AGENDA

I. CALL TO ORDER: 7:05 PM, Council Chambers, 1175 E. Main Street.

II. DISCUSSION ITEMS

A. Pedestrian Places – Proposed Code Amendments

B. Buildable Lands Inventory Update

III. OTHER BUSINESS

A. North Normal Avenue Neighborhood Grant

IV. 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

Memo

DATE: August 17, 2011

TO: Ashland Planning Commission

FROM: Maria Harris, Planning Manager

RE: Pedestrian Places Overlay Zone and Ordinance Revisions
Chapter 18.72 Development Standards for Wireless Communication Facilities Revisions

Questions:

1. Does the Planning Commission have questions or comments on the Pedestrian Places Overlay Zone and ordinance revisions?

2. Does the Planning Commission have questions or comments on the revised Development Standards for Wireless Communication Facilities in Chapter 18.72?

Background:

The final Pedestrian Places report included a review of the Ashland Land Use Ordinance (ALUO), and determined the zoning and design standards to be largely supportive of creating pedestrian places in terms of transit-supportive densities and pedestrian-oriented design standards (consultant's report attached). The consultant team did recommend creating an overlay zone for pedestrian places, and fine-tuning the Ashland Land Use Ordinance (ALUO) for this overlay zone to further support the development of small walkable nodes that provide concentrations of housing and businesses grouped in a way to encourage more walking, cycling and transit use. The report and recommendations were presented to the Planning Commission on March 29, 2011, and the Planning Commission indicated agreement with working toward implementation of the recommended revisions. The attached packet includes revisions to a variety of chapters of the ALUO addressing the recommended ordinance revisions.

Pedestrian Places Overlay Zone

The attached map delineates a Pedestrian Places Overlay Zone corresponding to the three study areas, and the packet includes a draft Chapter 18.56 Overlay Zones. The recommendations included developing an overlay as a tool to implement standards that supplement the base zoning district and encourage development of small walkable nodes. For example, the draft Pedestrian Places Overlay Zone ordinance allows neighborhood-scale commercial uses in residential zones. The current regulations do not allow small commercial uses in residential zones such as in the N. Mountain Ave./E. Main St. study area. The overlay boundaries are based on areas within a five-minute walk which are designated as Detail Site Review Zone in the Walker Ave./Ashland St. and Tolman Creek Rd./Ashland St. study areas, and a core area around the intersection for the N. Mountain Ave./E. Main St. study area.

Pedestrian Places Code Revisions

The recommendations included revisions to five key areas: 1) increased allowable floor area ratio (FAR), 2) maximum building setbacks, 3) minimum building height, 4) revised landscaped area requirements and 5) reduced parking standards. Additionally, staff identified pedestrian and vehicular circulation through sites, particularly parking areas, as an area that needs improvement.

In addition to the new Overlay Zones chapter, the packet includes amendments to implement the Pedestrian Places Project recommendations to six sections of the ALUO including Chapter 18.72 Site Design Review, the Site Design and Use Standards, Ashland Street Standards, Chapter 18.92 Off-Street Parking, Chapter 18.68 General Regulations, and Chapter 18.108 Procedures. Additionally, there are some housekeeping items included in the attached revisions that are not related to the Pedestrian Places Project. A summary of the draft revisions follows.

Note: Revisions to the ordinance chapters are designated as follows. ~~Deleted copy is shown in strikeout, and n~~ew language and text moved from other chapters is shown in underline text. Text moved within the same chapter is shown in ~~double strikeout~~ and double underline text.

It would be most beneficial to staff to receive feedback from the Planning Commission regarding the substance of the proposed revisions, rather than on small edits. Items like cross references, numbering and wording will be revised and reviewed prior to the public hearing.

Chapter 18.72 Site Design Review

- The addition of mixed-use buildings in residential zoning districts within the Pedestrian Places Overlay as a development that requires Site Design Review.
- Administrative Variance from Site Design and Use Standards section revised according to recommendations in 2006 Siegel Land Use Ordinance Review.
- Development Standards for Wireless Communication Facilities – see discussion below.

Site Design and Use Standards

- Floor Area Ratio (FAR) minimum increased from .35 to .50, and maximum FAR deleted. Additionally, language added allowing a shadow plan that shows how the site will eventually reach the required minimum FAR.

  FAR is the gross floor area of all buildings on a lot divided by the total lot area, and is a measure of the intensity of the site being developed. This proposed change requires a higher threshold for minimum building size in the interest of efficient land use and providing a greater concentration of uses in the overlay to support walking, bicycling and transit use.

  It is helpful to look at the FAR in the context of some existing buildings in Ashland. At the lower end of the spectrum, the buildings in Washington Street Professional Plaza (medical and professional offices) on Washington St. just south of Ashland Street are for the most part developed at approximately .35 FAR. In the middle range, the buildings at the dead end of Clear Creek Drive are approximately .65 FAR, and the two-story mixed use buildings on the north side of A St. are approximately .80 to .90 FAR. The buildings with the highest floor area ratio are in the downtown, and this reflects a historic development patter of covering the entire land area of the parcel with building footprint and not using the lot area for surface parking spaces. For example, the FAR for some of the new buildings downtown are 1.36 FAR for 11 First St., 1.8 FAR for 180 Lithia Way and 2.3 FAR for 150 Lithia Way. Except in the downtown where off-street parking is provide on shared lots rather than on individual parcels, the FAR of individual developments will not exceed a FAR of 1.0 because of the height limitations that are in place in Ashland's zoning districts and the requirements to use some land area to provide off-street parking areas.
- Reducing the allowed maximum setback from the public sidewalk from 20 feet to five feet, unless the area is for plazas or eating areas.
- Green Surface Parking – The requirements for designing green surface parking originally included in the Croman Mill District area moved to the Parking Lot Landscaping and Screening Standards section, so that all developments subject to Site Review are required to install green surface parking.

Ashland Street Standards

- Footnote 1 of Table 1 expanded to include existing language regarding the use of landscaped parkrows in commercial areas without on-street parking or when the over design concept (e.g. bioswales).

Chapter 18.92 Off-Street Parking

Note: *Two copies of this chapter provided – one copy showing the edits, and another clean copy with the edits incorporated. Both versions are identical, but the clean copy is provided because it is more readable.*

- Parking Management Strategies – the former "Credit for On-Street Automobile Parking" section on credits expanded to include a variety of credits for automobile parking, some of which were included in the Croman Mill District and some which were recommended by the consultant. By moving it to Chapter 18.92, the credits would be available for all types of new development.
- Housekeeping – sections moved within chapter to make the flow of the chapter more logical. For example, the number of Disabled Person Parking Places is moved up to after the general requirements for number of spaces required, and the previous Compact Car Parking section is moved to the Parking Lot Design section.
- Pedestrian Access and Circulation – Existing standards on pedestrian access and circulation from Detail Site Review Zone and Croman Mill District reworked and moved to a new section of the Off-Street Parking chapter.

Chapter 18.68 General Regulations

- Arterial Street Setback Requirements – The arterial setback requirement is deleted from the ordinance. The Pedestrian Places Project report identified the requirements of 18.68.050 as "are not supportive of the desired qualities of this or any other pedestrian place."

Chapter 18.108 Procedures

- The addition of mixed-use buildings in residential zoning districts within the Pedestrian Places Overlay is added to the list of Type I procedures subject to the Site Design Review Standards of Chapter 18.72.
- Housekeeping - The same Type I Procedure section is revised to be consistent with Chapter 18.72 for development that requires Site Review. For example, in the 2007/2008 ALUO revisions, installation of mechanical equipment was included as something that needed Site Review approval in Chapter 18.72, but it was inadvertently left out of the Chapter 18.108 in the list of items subject to the Site Design and Use Standards.

Development Standards for Wireless Communication Facilities

Proposed revisions to the Development Standards for Wireless Communication Facilities in Chapter 18.72 are included based on the November 2, 2010 decision of City Council on the appeal of the application for Site Review and Conditional Use Permit approval to install rooftop wireless communication facilities at 1644 Ashland Street by Goodman Networks, Inc. for AT& T Wireless, LLC (PA 2009-01244). The findings are attached for reference.

In terms of the existing development standards, the Council found the Preferred Designs section in 18.72.180.C.2 to be ambiguous, and interpreted the section to be intended to be a stepped hierarchy in which an application must demonstrate the first collocation standard is not feasible before moving on to the next design option. The Council went on to define feasible, and said that a demonstration of feasibility requires a substantial showing that a design option is not feasible, rather than an applicant simply saying it would be difficult to make use of an alternative. Finally, the Council found that a collocation study must demonstrate the applicant made a reasonable

effort to locate other potential collocation sites that meet the applicant's service objections and clearly identify why those sites are also not feasible.

Based on the Council's interpretation of the Development Standards for Wireless Communication, the Section 18.72.180.D.2 is revised to clarify the requirement of a stepped hierarchy for the list of preferred designs. Also, a definition of feasibility is added to this section, and the requirements of a collocation study are revised to be more specific.

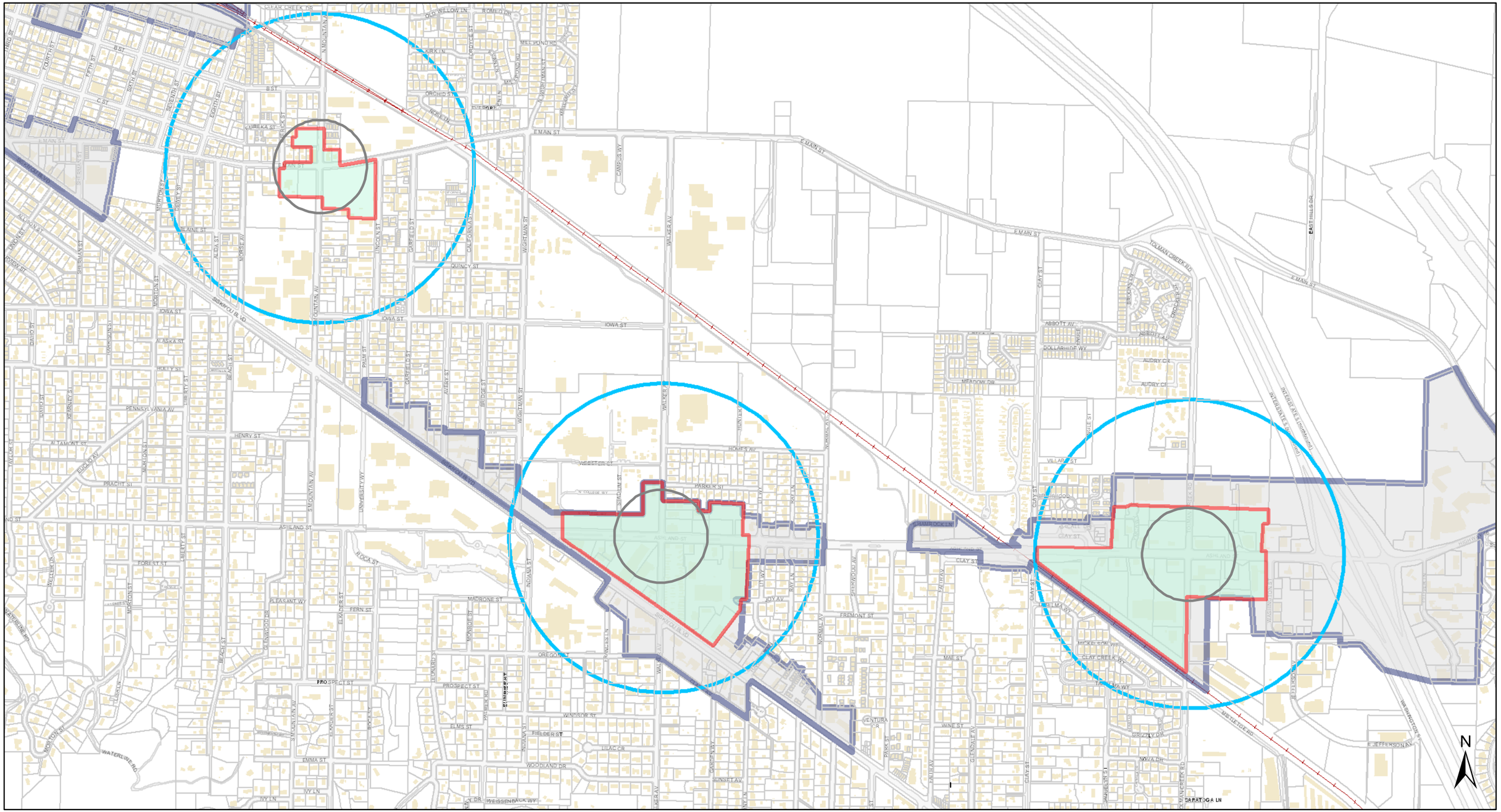
The appellants of the AT& T application have requested that code revisions also include a fee increase for applications for wireless communication facilities so that a portion of the fee can be used by the City for expert review of an application. This would allow the City to use the deposit to acquire expert review by professionals specializing in telecommunications facilities or law. The approach was developed since most cities lack the technical expertise on wireless communication facility technology. Staff is in the process of researching this item.

Next Steps:

The public hearings for the draft overlay zone and ordinance revisions are tentatively scheduled for the October 11, 2011 Planning Commission meeting, and November 1, 2011 City Council meeting.

Attachments:

Draft Pedestrian Place Overlay Zone Map
Chapter 18.56 Overlay Zones
Chapter 18.72 Site Design Review
Site Design and Use Standards
Street Standards
Chapter 18.92 Parking, Access and Circulation - 2 versions one showing edits, one clean copy)
Chapter 18.68 General Regulations
Chapter 18.108 Procedures
OTAK March 21, 2011 memo, Zoning and Land Use Ordinance Review and Recommendations
City Council Findings, 1644 Ashland St., PA 2009-01244, November 2, 2010



0 400 800 1,600 2,400 3,200 4,000 Feet

CITY OF ASHLAND

Draft Pedestrian Place Overlay Areas
Planning Commission Study Session 8/23/11

Key

- Pedestrian Place Overlay
- Detail Site Review zone
- quarter mile radius (5 min walk)
- Core area
- Building
- railroad

Property lines are for reference only, not scaleable

CHAPTER 18.56

Overlay Zones

SECTIONS:

18.56.010 Purpose.
18.56.020 Applicability of Other Sections of the Land Use Ordinance.
18.56.030 A-1 Airport Overlay.
18.56.040 Pedestrian Place Overlay.
18.56.050 Residential Overlay.

SECTION 18.56.010 Purpose.

Overlay zones are intended to provide special regulations and standards that supplement the base zoning district and standards.

SECTION 18.56.020 Applicability of Other Sections of the Land Use Ordinance.

Development located within an overlay zone are required to meet all other applicable sections of the Land Use Ordinance, except as otherwise provided in this Chapter.

SECTION 18.56.030 A-1 Airport Overlay Zone.

A. **Purpose**. This overlay zone is intended to be applied to properties which lie within close proximity to the Ashland Airport where aircraft are likely to be flying at relatively low elevations. Further, the zone is intended to prevent the establishment of airspace obstructions in such areas through height restrictions and other land use controls. Application of the zone does not alter the requirements of the parent zone except as specifically provided herein. The overlay zone is shown on the Zoning Map.

B. **A-1 Overlay Zone**.

1. Permitted uses shall not include residential uses unless approved under the procedure outlined for conditional uses.
2. Maximum height of structures, trees or other airspace obstructions shall be twenty (20) feet.
3. All planning actions will require, as a condition or approval, that the applicant sign an agreement with the City agreeing that airport noise is likely to increase in the future and that they waive all rights to complain about airport noise.

C. **General Provisions**.

1. The City may top any tree which is in excess of those maximum heights listed in Section 18.60.020, or locate appropriate lights or markers on those trees as a warning to the operators of aircraft.
2. No use shall be made of land or water within any of this zone in such a manner as to create electrical interference with navigational signals or radio communication between airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, or otherwise create a hazard which may in any way endanger the landing, takeoff, or maneuvering of aircraft using the airport.

Comment [h1]: Ch. 18.60 deleted and moved to this chapter. Wording is unchanged.

SECTION 18.56.040 PP Pedestrian Place Overlay Zone.

A. **Purpose of Pedestrian Place Overlay Zone**. The Pedestrian Place Overlay Zone is intended to direct and encourage development of small walkable nodes that provide concentrations of gathering places, housing, businesses and pedestrian amenities situated and designed in a way to encourage more walking, bicycling and transit use.

B. **Applicability**.
   1. Location. The Pedestrian Place Overlay Zone applies to all property where PP is indicated on the Ashland Zoning Map.
   2. Planning Actions. The Pedestrian Place Overlay Zone requirements apply to proposed development located in the Pedestrian Place Overlay Zone that requires a planning application approval, and involves development of new structures or additions other than single-family homes or accessory uses on individual lots.
   3. Other Sections of the Land Use Ordinance. The provisions of the Pedestrian Place Overlay Zone supplement those of the applicable base zoning district and applicable Chapter 18 requirements. Where the provisions of this Chapter conflict with comparable standards described in any other ordinance or regulation, the provisions of the Pedestrian Place Overlay shall apply.

C. **Conformance with Pedestrian Place Plan**. Circulation including streets and pedestrian/bicycle access ways, and future street improvements must be consistent with the Pedestrian Place Plans adopted by Ordinance No. ###. Concept plans (i.e. site plan and development summary) and building illustrations are for the purpose of providing an example of development that conforms to the standards, and do not constitute independent approval criteria.

Comment [h2]: adopt this when Circulation Plans are adopted with TSP

D. **Special Permitted Uses in Residential Zoning Districts within Pedestrian Place Overlay.** In addition to the permitted uses in the base residential zoning district, the following uses and their accessory uses are permitted outright subject to the requirements of this section and the requirement of Chapter 18.72, Site Design and Use Standards.
   1. Special Permitted Uses.
      a. Professional, financial, business and medical offices, and personal service establishments.
      b. Stores, shops and offices supplying commodities or performing services.
      c. Restaurants.
   2. Limitations.
      a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
      b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50% of the total gross floor area of a building or of multiple buildings shall be designated for housing.
      c. The development shall meet the minimum housing density requirements of the base zoning district.

E. **Development Standards**. In addition to the requirements of the base zoning district, the following standards shall apply.
   1. **Building Setbacks**.
      a. The maximum yard abutting a street is five feet, except to allow for areas occupied by outdoor restaurant seating area or a plaza.
      b. The arterial street setback requirements in Section 18.68.050 do not apply in the Pedestrian Place Overlay Zone.

Comment [h3]: another option is to repeal the arterial setback from Ch. 18.68

c. The solar access setback in Chapter 18.70 Solar Access applies only to those lots abutting a residential zone to the north.

2. **Mixed-Use Buildings in Residential Zones**. Mixed-use buildings in a residential base zoning district require Site Review approval in accordance with Chapter 18.72, and are subject to the standards in Chapter 18.72, the Basic Site Review Standards for Commercial Development (section II-C-1), Parking Lot Landscaping and Screening Standards (section D) and Street Tree Standards (section E).
3. **Floor Area Ratio.** Developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR.
4. **Compact Development**. The site layout shall be compact, and enable future intensification of development and changes to land use over time. The development shall: 1) achieve the required minimum Floor Area Ratio (FAR), or provide a shadow plan that demonstrates how development may be intensified over time to meet the required minimum FAR; and 2) utilize opportunities for shared parking.
5. **Plazas and Landscaping Ratio**. Outdoor seating areas, plazas and other useable paved surfaces may be applied toward meeting the landscaping area requirements in Section18.72.110, but shall not constitute more than 50% of the required area.

SECTION 18.40.050 R Residential Overlay.

The Residential Overlay Zone applies to all property where R is indicated on the Ashland Zoning Map. The Residential Overlay Zone requirements are as follows.

A. At least 65% of the total gross floor area of the ground floor, or at least 50% of the total lot area if there are multiple buildings shall be designated for permitted or special permitted uses, excluding residential.
B. Residential densities shall not exceed 30 dwelling units per acre in the C-1 District, 60 dwelling units per acre in the C-1-D District, and 15 dwelling units per acre in the E-1 District. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
C. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying C-1, C-1-D or E-1 District.
D. Off-street parking shall not be required for residential uses in the C-1-D District.
E. If the number of residential units exceeds 10, then at least 10% of the residential units shall be affordable for moderate income persons in accord with the standards established by resolution of the Ashland City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.

Comment [h4]: Deleted from Ch. 18.32 C-1 and Ch. 18.40 E-1 and moved to this chapter. Wording unchanged.

CHAPTER 18.72

SITE DESIGN REVIEW

SECTIONS:

18.72.010 Purpose and Intent.
18.72.020 Definitions.
18.72.030 Applicability.
18.72.040 Approval Process.
18.72.050 Detail Site Review Zone.
18.72.055 Downtown Design Standards Zone.
18.72.060 Plans Required.
18.72.070 Criteria for Approval.
18.72.080 Site Design Standards.
18.72.090 Administrative Variance from Site Design and Use Standards.
18.72.100 Power to Amend Plans.
18.72.105 Expiration of Site Design Review Approval.
18.72.110 Landscaping Standards.
18.72.115 Recycling Requirements.
18.72.120 Controlled Access.
18.72.140 Light and Glare Performance Standards.
18.72.150 Review by Conservation Coordinator.
18.72.160 Landscaping Maintenance.
18.72.170 Development Standards for Disc Antennas.
18.72.180 Development Standards for Wireless Communication Facilities.

SECTION 18.72.010 Purpose and Intent.

The purpose and intent of this Chapter is to regulate the manner in which land in the City is used and developed, to reduce adverse effects on surrounding property owners and the general public, to create a business environment that is safe and comfortable, to further energy conservation efforts within the City, to enhance the environment for walking, cycling, and mass transit use, and ensure that high quality development is maintained throughout the City.

SECTION 18.72.020 Definitions.

The following terms are hereby defined as they apply to this chapter:

A. **Accessory Equipment** - All appurtenances defined in wireless communication facilities, with the exception of the support structure and antennas.

B. **Antenna** - The device used to capture an incoming or to transmit an outgoing radio-frequency signal from wireless communication systems. Antennas include the following types:
   1. Omni-direction (whip) antenna - receives and transmits signals in a 360 degree pattern
   2. Directional or Parabolic (panel or disk) Antenna - receives and transmits signals in a directional pattern. They are typically rectangular in shape.
   3. Microwave antennas - receives and transmits to link two telecommunication facilities together by line of sight. They are typically circular or parabolic in shape and can be a

grid or solid material.

C. **Collocation** - The use of a single wireless communication facility by more than one wireless communications provider.

D. **Floor-Area Ratio (FAR) -** The gross floor area of all buildings on a lot divided by the lot area.

E. **Infill -** The development of more intensive land uses upon vacant or under-utilized sites.

F. **Pre-existing structures** - Structures in existence prior to an application for a wireless communication facility installation.

G. **Primary Orientation -** Direction of the front of the building with the main entrance to the public.

H. **Wireless Communication Facilities** - The site, structures, equipment and appurtenances used to transmit, receive, distribute, provide or offer wireless telecommunications services. This includes, but is not limited to antennas, poles, towers, cables, wires, conduits, ducts, pedestals, vaults, buildings, electronics and switching equipment.

I. **Wireless Communications Systems** - The sending and receiving of radio frequency transmissions and the connection or relaying of these signals to land lines and other sending and receiving stations, and including, but not limited to cellular radiotelephone, personal communications services (PCS), enhanced/specialized mobile radio, and commercial paging services, and any other technology which provides similar services.

J. **Wireless Communications Support Structure** - A structure used to support wireless communications antennas and connecting appurtenances. The purpose of such structures is to elevate an antenna above the surrounding terrain or structures and may be attached to an existing building or other permanent structures or as a free-standing structure which may include, but are not limited to monopole support structures and lattice support structures, and may have supporting guyed wires and ground anchors.
   1. Monopole - A support structure which consists of a single pole sunk into the ground or attached to a foundation.
   2. Lattice Tower - A support structure which consists of a network of cross braces that forms a tower. These types of structures are primarily used for taller towers and require a larger base than that of a monopole.
   3. Alternative Structure - Man-made structures that, by design, camouflage or conceal the presence of wireless communication facilities, such as clock towers, bell towers, church steeples, water towers, light poles and similar alternative-design mounting structures. (Ord 2802, S1 1997)

SECTION 18.72.030 Applicability.

Site design standards shall apply to all zones of the city as outlined below.

A. **Applicability.** The following development is subject to Site Design Review:
   1. Commercial, Industrial, Non-Residential and Mixed uses:
      a. All new structures, additions or expansions in C-1, E-1, HC, CM and M-1 zones.
      b. All new non-residential structures or additions (e.g. public buildings, schools,

churches, etc.).

~~b.~~c. Mixed-use buildings containing commercial and residential uses in residential zoning districts within the Pedestrian Place Overlay Zone.

~~c.~~d. Expansion of impervious surface area in excess of 10% of the area of the site or 1,000 square feet, whichever is less.

~~d.~~e. Expansion of parking lots, relocation of parking spaces on a site, or other changes which ~~affect~~ alters or affects circulation on adjacent property or a public right-of-way.

~~e.~~f. Any change of occupancy from a less intensive to a more intensive occupancy, as defined in the City building code, or any change in use which requires a greater number of parking spaces.

~~f.~~g. Any change in use of a lot from one general use category to another general use category, e.g., from residential to commercial, as defined b the zoning regulations of this Code.

h. Any exterior change to a structure which requires a building permit, or includes the installation of Public Art, ~~which~~ and is listed on the National Register of Historic Places or to a contributing property within an Historic District on the National Register of Historic Places ~~that requires a building permit, or includes the installation of Public Art~~.

~~h.~~i. Mechanical equipment not otherwise exempt from site design review per Section 18.72.030(B).

j. Installation of wireless communication facilities in accordance with Section 18.72.180.B.

2. Residential uses:
   a. Two or more residential units on a single lot.
   b. Construction of attached single-family housing (e.g. town homes, condominiums, row houses, etc.) in all zoning districts.
   c. Residential development when off-street parking or landscaping, in conjunction with an approved Performance Standards Subdivision required by ordinance and not located within the boundaries of the individual unit parcel (e.g. shared parking).
   d. Any exterior change to a structure which requires a building permit or includes the installation of Public Art, and is individually listed on the National Register of Historic Places ~~that requires a building permit, or includes the installation of Public Art~~.
   e. Mechanical equipment not otherwise exempt from site design review per Section 18.72.030(B).
   ~~e.~~f. Installation of wireless communication facilities in accordance with Section 18.72.180.B.

B. **Exemptions.** The following development is exempt from Site Design Review application and procedure requirements provided that the development complies with applicable standards as set forth by this Chapter.
   1. Detached single family dwellings and associated accessory structures and uses.
   2. Land divisions regulated by the following chapters: Partitioning (18.76), Subdivisions (18.80), Manufactured Housing (18.84) and Performance Standards (18.88).
   3. The following mechanical equipment:
      a. Private, non-commercial radio and television antennas not exceeding a height of seventy (70) feet above grade or thirty (30) feet above an existing structure, whichever height is greater and provided no part of such antenna shall be within the yards required by this Title. A building permit shall be required for any antenna mast, or tower over fifty (50) feet above grade or thirty (30) feet above an existing structure when the same is constructed on the roof of the structure.

Comment [h1]: Housekeeping edits for consistency with 18.108.040

Comment [h2]: Wireless Communication Facilities ordinance update

Comment [h3]: Housekeeping edits for consistency with 18.108.040

Comment [h4]: Wireless Communication Facilities ordinance update

b. Not more than three (3) parabolic disc antennas, each under one (1) meter in diameter, on any one lot or dwelling unit.
c. Roof-mounted solar collection devices in all zoning districts, with the exception of Employment and Commercial zoned properties located within designated historic districts. The devices shall comply with solar setback standards described in 18.70 and height requirements of the respective zoning district.
d. Installation of mechanical equipment not exempted by (a, b, c) above or (e) below, and which is not visible from a public right-of-way or adjacent residentially zoned property and consistent with other provisions of this Title, including solar access, noise, and setback requirements of Section 18.68.140(c).
e. Routine maintenance and replacement of existing mechanical equipment in all zones. (Ord 2951, amended, 07/01/2008)

SECTION 18.72.040 Approval Process.

Development subject to site design review shall be reviewed in accordance with the procedures set forth in Chapter 18.108. (Ord 2951, amended, 07/01/2008)

SECTION 18.72.050 Detail Site Review Zone.

A. The Detail Site Review Zone is that area defined in the Site Design Standards adopted pursuant to Section 18.72.080.

B. Any development in the Detail Site Review Zone as defined in the Site Review Standards adopted pursuant to this ~~chapter~~Chapter, which exceeds 10,000 square feet or is longer than 100 feet in length or width, shall be reviewed according to the Type 2 procedure.

C. Outside the Downtown Design Standards Zone, new buildings or expansions of existing buildings in the Detail Site Review Zone shall conform to the following standards:
   1. Buildings sharing a common wall or having walls touching at or above grade shall be considered as one building.
   2. Buildings shall not exceed a building footprint area of 45,000 square feet as measured outside the exterior walls and including all interior courtyards. For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.
   3. Buildings shall not exceed a gross floor area of 45,000 square feet, including all interior floor space, roof top parking, and outdoor retail and storage areas, with the following exception:
      Automobile parking areas located within the building footprint and in the basement shall not count toward the total gross floor area.
   4. Buildings shall not exceed a combined contiguous building length of 300 feet.
      Inside the Downtown Design Standards Zone, new buildings or expansions of existing buildings shall not exceed a building footprint area of 45,000 sq. ft. or a gross floor area of 45,000 sq. ft., including roof top parking, with the following exception:
      Automobile parking areas located within the building footprint and in the basement shall not count toward the total gross floor area. (Ord 2951, amended, 07/01/2008; Ord 2900, amended, 09/16/2003)

SECTION 18.72.055 Downtown Design Standards Zone.

A. The Downtown Design Standards Zone is that area defined in the Site Design and Use

Standards Section VI, adopted pursuant to Section 18.72.080.

B. Development in the Downtown Design Standards Zone shall be subject to the Downtown Design Standards. (Ord 2825 S2, 1998)

SECTION 18.72.060 Plans Required.

The following submittals shall be required in order to determine the project's compliance with this ~~Chapter~~chapter:

A site plan containing the following:

A. Project name.
B. Vicinity map.
C. Scale (the scale shall be at least one (1) inch equals fifty (50) feet or larger.) The Staff Advisor may authorize different scales and plan sheet sizes for projects, provided the plans provide sufficient information to clearly identify and evaluate the application request.
D. North arrow.
E. Date.
F. Street names and locations of all existing and proposed streets within or on the boundary of the proposed development.
G. Lot layout with dimensions for all lot lines.
H. Zoning designations of the proposed development.
I. Zoning designations adjacent to the proposed development.
J. Location and use of all proposed and existing buildings, fences and structures within the proposed development. Indicate which buildings are to remain and which are to be removed.
K. Location and size of all public utilities in and adjacent to the proposed development with the locations shown of:
   1. Water lines and meter sizes.
   2. Sewers, manholes and cleanouts.
   3. Storm drainage and catch basins.
   4. Opportunity-to-recycle site and solid waste receptacle, including proposed screening.
L. The proposed location of:
   1. Connection to the City water system.
   2. Connection to the City sewer system.
   3. Connection to the City electric utility system.
   4. The proposed method of drainage of the site.
M. Location of drainage ways or public utility easements in and adjacent to the proposed development.
N. Location, size and use of all contemplated and existing public areas within the proposed development.
O. All fire hydrants proposed to be located near the site and all fire hydrants proposed to be located within the site.
P. A topographic map of the site at a contour interval of at least five (5) feet.
Q. Location of all parking areas and all parking spaces, ingress and egress on the site, and on-site circulation.
R. Use designations for all areas not covered by building.
S. Locations of all existing natural features including, but not limited to, any existing trees of a caliber greater than six inches diameter at breast height, except in forested areas, and any

natural drainage ways or creeks existing on the site, and any outcroppings of rocks, boulders, etc. Indicate any contemplated modifications to a natural feature.

T. A landscape plan showing the location, type and variety, size and any other pertinent features of the proposed landscaping and plantings. At time of installation, such plans shall include a layout of irrigation facilities and ensure the plantings will continue to grow.

U. The elevations and locations of all proposed signs for the development.

V. For non-residential developments proposed on properties located in a Historic District, an exterior wall section, window section and drawings of architectural details (e.g. column width, cornice and base detail, relief and projection, etc.) drawn to a scale of three-fourths (3/4) of an inch equals one (1) foot or larger.

W. Exterior elevations of all buildings to be proposed on the site. Such plans shall indicate the material, color, texture, shape and other design features of the building, including all mechanical devices. Elevations shall be submitted drawn to scale of one inch equals ten feet or greater.

X. A written summary showing the following:
   1. For commercial and industrial developments:
      a. The square footage contained in the area proposed to be developed.
      b. The percentage of the lot covered by structures.
      c. The percentage of the lot covered by other impervious surfaces.
      d. The total number of parking spaces.
      e. The total square footage of all landscaped areas.
   2. For residential developments:
      a. The total square footage in the development.
      b. The number of dwelling units in the development (include the units by the number of bedrooms in each unit, e.g., ten one-bedroom, 25 two-bedroom, etc).
      c. Percentage of lot coverage by:
         i. Structures.
         ii. Streets and roads.
         iii. Recreation areas.
         iv. Landscaping.
         v. Parking areas.
   3. For all developments, the following shall also be required: The method and type of energy proposed to be used for heating, cooling and lighting of the building, and the approximate annual amount of energy used per each source and the methods used to make the approximation. (Ord 2951, amended, 07/01/2008)

SECTION 18.72.070 Criteria for Approval.

The following criteria shall be used to approve or deny an application:

A. All applicable City ordinances have been met or will be met by the proposed development.

B. All requirements of the Site Review Chapter have been met or will be met.

C. The development complies with the Site Design Standards adopted by the City Council for implementation of this ~~Chapter~~chapter.

D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options. (Ord. 2655, 1991; Ord 2836 S6, 1999)

SECTION 18.72.080 Site Design Standards.

A. The Council may adopt standards by ordinance for site design and use. These standards may contain:
   1. Additional approval criteria for developments affected by this ~~Chapter~~chapter.
   2. Information and recommendations regarding project and unit design and layout, landscaping, energy use and conservation, and other considerations regarding the site design.
   3. Interpretations of the intent and purpose of this ~~Chapter~~ chapter applied to specific examples.
   4. Other information or educational materials the Council deems advisable.

B. Before the Council may adopt or amend the guidelines, a public hearing must be held by the Planning Commission and a recommendation and summary of the hearing forwarded to the Council for its consideration.

C. The Site Design and Use Standards adopted by Ordinance No's. 2690, 2800, 2825, 2900 and 3031, shall be applied as follows:
   1. The Multi-family Residential Development Standards in Section II.B shall be applied to the construction of attached single-family housing (e.g. town homes, condominiums, row houses, etc.).
   2. The Commercial, Employment, and Industrial Development standards in Section II.C. shall be applied to non-residential development (e.g. public buildings, schools, etc.)

(Ord 2951, amended, 07/01/2008)

SECTION 18.72.090 Administrative Variance from Site Design and Use Standards.

An administrative variance to the requirements of this chapter may be granted with respect to the requirements of the Site Design Standards adopted under ~~section~~ Section 18.72.080 if, on the basis of the application, investigation and evidence submitted, all of the following circumstances are found to exist:

A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design Standards due to a unique or unusual aspect of the proposed use of a site; ~~B. A~~approval of the variance will not substantially negatively impact adjacent properties; and ~~C. A~~approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and ~~D. T~~the variance requested is the minimum variance which would alleviate the difficulty; or

~~B. Approval of the variance will not substantially negatively impact adjacent properties;~~

~~C. Approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and~~

~~D. The variance requested is the minimum variance which would alleviate the difficulty.~~

B. There is no demonstrable difficulty in meeting the specific requirements, but granting the administrative variance will result in a design that equally or better achieves the stated purpose(s) of the Site Design and Use Standards.

SECTION 18.72.100 Power to Amend Plans.

When approving an application the Planning Commission or the Staff Advisor may include any or all of the following conditions if they find it necessary to meet the intent and purpose and the criteria for approval:

A. Require the value of the landscaping to be above two percent, but not greater than five percent of the total project costs as determined from the building permit valuation.

B. Require such modifications in the landscaping plan as will ensure proper screening and aesthetic appearance.

C. Require plantings and ground cover to be predominant, not accessory, to other inorganic or dead organic ground cover.

D. Require the retention of existing trees, rocks, water ponds or courses and other natural features.

E. Require the retention and restoration of existing historically significant structures on the project site.

F. Require the City Engineer's approval of a grading plan or drainage plan for a collection and transmission of drainage.

G. Require the modification or revision of the design or remodeling of structures, signs, accessory buildings, etc., to be consistent with the Site Design Standards.

H. Require the modification of the placement of any new structures, new accessory uses, parking and landscaping on the project site to buffer adjacent uses from the possible detrimental effects of the propose development.

I. Restrict heights of new buildings or additions over 35 feet and increase setbacks up to 20 feet.

J. Require on-site fire hydrants with protective barricades.

K. Require the type and placement or shielding of lights for outdoor circulation and parking.

L. Require new developments to provide limited controlled access onto a major street by means of traffic signals, traffic controls and turning islands, landscaping, or any other means necessary to insure the viability, safety and integrity of the major street as a through corridor.

M. Require pedestrian access, separate pedestrian paths, sidewalks and protection from weather in new developments.

N. Require developments to provide access to improved City streets and, where possible, provide access to the lower order street rather than a major collector or arterial street. (Ord 2425 S2, 1987)

SECTION 18.72.105 Expiration of Site Design Review Approval.

Site design review approval granted under this ~~Chapter~~ chapter shall expire if no building permit or public improvement plan for the project has been approved by the City within twelve (12) months of site design review approval. (Ord 2951, added, 07/01/2008)

SECTION 18.72.110 Landscaping Standards.

A. **Area Required**. The following areas shall be required to be landscaped in the following zones:

R-1	-	45% of total developed lot area
R-2	-	35% of total developed lot area
R-3	-	25% of total developed lot area
C-1	-	15% of total developed lot area
C-1-D	-	None, except parking areas and service stations shall meet the landscaping and screening standards in Section II.D. of the Site Design and Use Standards.
E-1	-	15% of total developed lot area
M-1	-	10% of total developed lot area
CM-NC	-	15% of total developed lot area
CM-OE	-	15% of total developed lot area
CM-CI	-	10% of total developed lot area
CM-MU	-	15% of total developed lot area

(Ord 2825 S3, 1998; Ord 3036, amended, 08/17/2010)

B. **Location.** Landscaping shall be located so that it is visible from public right-of-way or provide buffering from adjacent uses. Landscaping shall be distributed in those areas where it provides for visual and acoustical buffering, open space uses, shading and wind buffering, and aesthetic qualities.

C. **Irrigation.** All landscaping plans shall either be irrigated or shall be certified that they can be maintained and survive without artificial irrigation. If the plantings fail to survive, the property owner shall replace them.

D. **Parking Lots.** Seven percent of all the parking lot area shall be landscaped. Such landscaping shall consist of the proper mixture of deciduous trees and shrubs so that all of the landscaped areas shall be covered within five years by a spreading evergreen ground cover or by shrubs and shaded by the trees.

E. One street tree per 30 feet of frontage shall be required on all projects.

SECTION 18.72.115 Recycling Requirements.

All commercial and multi-family developments, requiring a site review as indicated in Section 18.72.040, shall provide an opportunity-to-recycle site for use of the project occupants.

A. **Commercial.** Commercial developments having a solid waste receptacle shall provide a

site of equal or greater size adjacent to or with access comparable to the solid waste receptacle to accommodate materials collected by the local solid waste franchisee under its on-route collection program for purposes of recycling. Both the opportunity-to-recycle site and the common solid waste receptacle shall be screened by fencing or landscaping such as to limit the view from adjacent properties or public rights-of-way.

B. **Multi-Family Residential.** All newly constructed multi-family units, either as part of an existing development or as a new development, shall provide an opportunity-to-recycle site in accord with the following standards:
   1. Multi-family developments **NOT** sharing a common solid waste receptacle shall provide an individual curbside recycling container for each dwelling unit in the development.
   2. Multi-family developments sharing a common solid waste receptacle shall provide a site of equal or greater size adjacent to or with access comparable to the common solid waste receptacle to accommodate materials collected by the local solid waste franchisee under its residential on-route collection program for purposes of recycling. Both the opportunity-to-recycle site and the common solid waste receptacle shall be screened by fencing or landscaping such as to limit the view from adjacent properties or public rights-of-way.

~~**SECTION 18.72.120 Controlled access.**~~

~~A. Any partitioning or subdivision of property located in an R-2, R-3, C-1, E-1, CM or M-1 zone shall meet the controlled access standards set forth below. If applicable, cross access easements shall be required so that access to all properties created by the land division can be made from one or more points.~~

~~B. Street and driveway access points in an R-2, R-3, C-1, E-1 or M-1 zone shall be limited to the following:~~
   ~~1. Distance between driveways.~~
      ~~On arterial streets - 100 feet;~~
      ~~on collector streets - 75 feet;~~
      ~~on residential streets - 50 feet.~~
   ~~2. Distance from intersections.~~
      ~~On arterial streets - 100 feet;~~
      ~~on collector streets - 50 feet;~~
      ~~on residential streets - 35 feet.~~

~~C. Street and driveway access points in the CM zone are subject to the requirements of the Croman Mill District Standards. (Ord 3036, added, 08/17/2010)~~

~~D. Access Requirements for Multi-family Developments.~~
   ~~1. All multi-family developments which will have automobile trip generation in excess of 250 vehicle trips per day shall provide at least two driveway access points to the development. Trip generation shall be determined by the methods established by the Institute of Transportation Engineers.~~
   ~~2. Creating an obstructed street, as defined in 18.88.020.G, is prohibited. (Ord 2951, amended, 07/01/2008)~~

SECTION 18.72.140 Light and Glare Performance Standards.

There shall be no direct illumination of any residential zone from a lighting standard in any other residential lot, C-1, E-1 or M-1, SO, CM or HC lot. (Ord 3034, amended, 08/17/10)

SECTION 18.72.150 Review by Conservation Coordinator.

A. Upon receiving an application for a Site Review, the Staff Advisor shall refer the application to the Conservation Coordinator for comment.
B. Prior to final approval of a site plan, the Conservation Coordinator shall file an oral or written report to be entered into the record of the proceedings consisting of:
   1. An assessment of the energy use estimates by the applicant.
   2. An assessment of the applicant's energy use strategies.
   3. Recommendations to the applicant of cost-effective methods to further reduce energy consumption, if any exist. (Ord 2689, 1992)

SECTION 18.72.160 Landscaping Maintenance.

A. All landscaped areas must be maintained in a weed-free condition.

B. All landscaped areas required by this ~~Chapter~~ chapter must be maintained according to the approved landscaping plans. (Ord. 2228, 1982)

SECTION 18.72.170 Development Standards for Disc Antennas.

A. **Building Permit Required.** All disc antennas shall be subject to review and approval of the building official where required by the Building Code.

B. **Development Standards.** All disc antennas shall be located, designed, constructed, treated and maintained in accordance with the following standards:
   1. Antennas shall be installed and maintained in compliance with the requirements of the Building Code.
   2. Disc antennas exceeding one (1) meter in diameter shall not be permitted on the roof, except where there is no other location on the lot which provides access to receiving or transmitting signals. In no case shall any part of any antenna be located more than ten feet above the apex of the roof surface. Antennas mounted on the roof shall be located in the least visible location as viewed from adjacent right-of-ways, and residential structures in residential zones.
   3. No more than one disc antenna shall be permitted on each tract of land.
   4. Ground mounted disc antennas shall be erected or maintained to the rear of the main building, except in those instances when the subject property is cul-de-sac or corner lot where the side yard is larger than the rear yard, in which case the antenna may be located in the side yard. Antennas shall not be located in any required setback area. No portion of an antenna array shall extend beyond the property lines or into any front yard area. Guy wires shall not be anchored within any front yard area but may be attached to the building.
   5. Antennas may be ground-mounted, free standing, or supported by guy wires, buildings, or other structures in compliance with the manufacturer's structural specifications. Ground-mounted antennas shall be any antenna with its base mounted directly in the ground, even if such antenna is supported or attached to the wall of a building.
   6. The antenna, including guy wires, supporting structures and accessory equipment, shall be located and designed so as to minimize the visual impact on surrounding properties

and from public streets. Antennas shall be screened through the addition of architectural features and/or landscaping that harmonize with the elements and characteristics of the property. The materials used in constructing the antenna shall not be unnecessarily bright, shiny, garish, or reflective. Whenever possible, disc antennas shall be constructed out of mesh material and painted a color that will blend with the background.

7. Antennas shall meet all manufacturer's specifications. The mast or tower shall be non-combustible. Corrosive hardware, such as brackets, turnbuckles, clips and similar type equipment if used, shall be protected by plating or otherwise to guard against corrosion.
8. Every antenna must be adequately grounded, for protection against a direct strike of lightning, with an adequate ground wire. Ground wires shall be of the type approved by the latest edition of the Electrical Code for grounding masts and lightning arrestors and shall be installed in a mechanical manner, with as few bends as possible, maintaining a clearance of at least two inches from combustible materials. Lightning arrestors shall be used that are approved as safe by the Underwriters' Laboratories, Inc., and both sides of the line must be adequately protected with proper arrestors to remove static charges accumulated on the line. When lead-in conductors of polyethylene ribbon-type are used, lightning arrestors must be installed in each conductor. When coaxial cable or shielded twin lead is used for lead-in, suitable protection may be provided without lightning arrestors by grounding the exterior metal sheath.
9. Antennas may contain no sign or graphic design as defined in the Ashland Sign Code, even if the sign is permitted on the property. (Ord 2951, amended, 07/01/2008)

SECTION 18.72.180 Development Standards for Wireless Communication Facilities.

A. **Purpose and Intent.** ~~-~~The purpose of this section is to establish standards that regulate the placement, appearance and impact of wireless communication facilities, while providing residents with the ability to access and adequately utilize the services that these facilities support.

Because of the physical characteristics of wireless communication facilities, the impact imposed by these facilities affect not only the neighboring residents, but the community as a whole.

The standards are intended to ensure that the visual and aesthetic impacts of wireless communication facilities are mitigated to the greatest extent possible, especially in or near residential areas.

~~D~~B. **Applicability.**

1. All installation of wireless communication systems shall be subject to the requirements of this section in addition to all applicable Site Design and Use Standards, and are subject to the following approval process:

Zoning Designations	Attached to Existing Structures	Alternative Structures	Freestanding Support Structures

Residential Zones~~(1)~~	CUP[1] & SR[2]	Prohibited	Prohibited
C-1	CUP & SR	CUP & SR	Prohibited
C-1-D (Downtown)~~(2)~~	CUP & SR	Prohibited	Prohibited
C-1 - Freeway overlay	~~Site Review~~SR	~~Site Review~~SR	CUP & SR
E-1	~~Site Review~~SR	~~Site Review~~SR	CUP & SR
M-1	~~Site Review~~SR	~~Site Review~~SR	CUP &SR
SOU	~~Site Review~~SR	CUP &SR	CUP &SR
NM (North Mountain)	Prohibited	Prohibited	Prohibited
Historic District~~(2)~~	CUP & SR	Prohibited	Prohibited
A-1 (Airport Overlay)	CUP &SR	CUP & SR	CUP & SR
HC (Health Care)	CUP &SR	Prohibited	Prohibited
CM-NC	CUP &SR	CUP &SR	CUP &SR
CM-OE	~~Site Review~~SR	~~Site Review~~SR	CUP & SR
CM-CI	~~Site Review~~SR	~~Site Review~~SR	CUP & SR
CM-MU	CUP &SR	CUP &SR	CUP &SR
CM-OS	Prohibited	Prohibited	Prohibited

[1] CUP = Conditional Use Permit
[2] SR = Site Review

2. Exemptions. Replacement of previously approved wireless communication facility components are permitted outright with an approved building permit, and are allowed without a Site Review or Conditional Use Permit as specified in the preceding subsection, provided that these actions:.
   a. Do not create an increase in the height of the facility more than ten feet; and
   b. Conforms with the conditions of the previously approved planning action; and
   b. Do not cause the facility to go out of conformance with the standards of Section 18.72.180.E.1.

~~B~~C. **Submittals.** ~~-~~In addition to the submittals required in ~~section~~ Section 18.72.060, the following items shall be provided as part of the application for a wireless communication facility.

1. A photo of each of the major components of a similar installation, including a photo montage of the overall facility as proposed.
2. Exterior elevations of the proposed wireless communication facility (min 1"=10').
3. A set of manufacturers specifications of the support structure, antennas, and accessory buildings with a listing of materials being proposed including colors of the exterior materials.
4. A site plan indicating all structures, land uses and zoning designation within 150 feet of the site boundaries, or 300 feet if the height of the structure is greater than 80 feet.
5. A map showing existing wireless communication facility sites operated by the applicant within a 5 mile radius of the proposed site.
6. A collocation feasibility study ~~that adequately indicates collocation efforts were made and states the reasons collocation can or cannot occur~~addressing the requirements of Section 18.72.180.D.2.a.
7. A copy of the lease agreement for the proposed site showing that the agreement does not preclude collocation.
8. Documentation detailing the general capacity of the tower in terms of the number and type of antennas it is designed to accommodate.
9. Any other documentation the applicant feels is relevant to comply with the applicable design standards.
10. Documentation that the applicant has held a local community meeting to inform members of the surrounding area of the proposed wireless communication facility. Documentation to include:
    a. a copy of the mailing list to properties within 300' of the proposed facility.
    b. a copy of the notice of community meeting, mailed one week prior to the meeting.
    c. a copy of the newspaper ad placed in a local paper one week prior to the meeting.
    d. a summary of issues raised during the meeting.

~~C~~D. **Design Standards.** ~~-~~All wireless communication facilities shall be located, designed, constructed, treated and maintained in accordance with the following standards:

1. General Provisions
   a. All facilities shall be installed and maintained in compliance with the requirements of the Building Code. At the time of building permit application, written statements from the Federal Aviation Administration (FAA), the Aeronautics Section of the Oregon Department of Transportation, and the Federal Communication Commission that the proposed wireless communication facility complies with regulations administered by that agency, or that the facility is exempt from regulation.
   b. All associated transmittal equipment must be housed in a building, above or below ground level, which must be designed and landscaped to achieve minimal visual impact with the surrounding environment.

c. Wireless communication facilities shall be exempted from height limitations imposed in each zoning district.

d. ~~WCF~~ Wireless communication facilities shall be installed at the minimum height and mass necessary for its intended use. A submittal verifying the proposed height and mass shall be prepared by a licensed engineer.

e. In residential zoning districts, wireless communication facilities are only allowed on existing structures greater than 45 feet in height. For the purposes of this section, existing structures shall include the replacement of existing pole, mast or tower structures (such as stadium light towers) for the combined purposes of their previous use and wireless communication facilities.

f. In the Downtown Commercial zoning district (C-1-D), wireless communication facilities permitted on existing structures with a height greater than 50 feet.

g. With the exception of the C-1-D zoning district as described above, wireless communication facilities are prohibited in the Historic Districts, as defined in the Comprehensive Plan.

h. ~~e.~~ Lattice towers are prohibited as freestanding wireless communication support structures.

~~e~~i. Signage for wireless communication facilities shall consist of a maximum of two non-illuminated signs, with a maximum of two square feet each stating the name of the facility operator and a contact phone number.

~~f~~k. Applicant is required to remove all equipment and structures from the site and return the site to its original condition, or condition as approved by the Staff Advisor, if the facility is abandoned for a period greater than six months. Removal and restoration must occur within 90 days of the end of the six month period.

2. Preferred Designs. The following preferred designs are a stepped hierarchy, and the standards shall be applied in succession from subsection a to e, with the previous standard exhausted before moving to the following design alternative. For the purposes of this section, feasible is defined as capable of being done, executed or effected, and a demonstration of feasibility requires a substantial showing that a preferred design can or cannot be accomplished.

a. ~~Where possible, the use of existing WCF sites for new installations shall be encouraged. Collocation of new facilities on existing facilities shall be the preferred option.~~ **Collocation.** Where technically feasible, collocate new facilities on existing structures with wireless communication facilities in place or on existing towers to minimize the total number of towers throughout the city.

The collocation feasibility study shall: 1) document that alternative sites within a radius of ### feet have been considered and are technologically unfeasible or unavailable; 2) demonstrate that a reasonable effort was made to locate collocation sites that meet the applicant's service coverage area needs; and 3) the reasons collocation can or cannot occur.

The study must demonstrate that collocation is not feasible by showing that one or more of the following conditions exists before proceeding with the next available design option in Section 18.72.180.D.2.b.

i. a significant service gap in coverage area
ii. sufficient height cannot be achieved by modifying existing structures or towers
iii. structural support limitations
iv. lack of available space
v. collocation would result in electronic, electromagnetic, obstruction or other radio frequency interference.

Comment [h5]: This language was a footnote to the original table in 18.72.180.B that appears to have been unintentionally deleted in the 2007.

b. **Attached to Existing Structure.** If (a) above is not feasible, ~~WCF~~ wireless communication facilities shall be attached to ~~pre~~ existing structures, when feasible.
c. **Alternative Structure.** If (a) or (b) above are not feasible, alternative structures shall be used with design features that conceal, camouflage or mitigate the visual impacts created by the proposed ~~WCF~~wireless communication facilities.
d. **Freestanding Support Structure.** If (a), (b), or (c) listed above are not feasible, a monopole design shall be used with the attached antennas positioned in a vertical manner to lessens the visual impact compared to the antennas in a platform design. Platform designs shall be used only if it is shown that the use of an alternate attached antenna design is not feasible.
~~e. Lattice towers are prohibited as freestanding wireless communication support structures.~~

3. Landscaping. The following standards apply to all ~~WCF~~ wireless communication facilities with any primary or accessory equipment located on the ground and visible from a residential use or the public right-of-way.
   a. Vegetation and materials shall be selected and sited to produce a drought resistant landscaped area.
   b. The perimeter of the ~~WCF~~ wirelesss communication facilities shall be enclosed with a security fence or wall. Such barriers shall be landscaped in a manner that provides a natural sight obscuring screen around the barrier to a minimum height of six feet.
   c. The outer perimeter of the ~~WCF~~ wireless communication facilities shall have a 10 foot landscaped buffer zone.
   d. The landscaped area shall be irrigated and maintained to provide for proper growth and health of the vegetation.
   e. One tree shall be required per 20 feet of the landscape buffer zone to provide a continuous canopy around the perimeter of the ~~WCF~~wireless communication facilities. Each tree shall have a caliper of 2 inches, measured at breast height, at the time of planting.
4. Visual Impacts
   a. Antennas, if attached to a pre-existing or alternative structure shall be integrated into the existing building architecturally and, to the greatest extent possible, shall not exceed the height of the pre-existing or alternative structure.
   b. Wireless communication facilities shall be located in the area of minimal visual impact within the site which will allow the facility to function consistent with its purpose.
   c. Antennas, if attached to a pre-existing or alternative structure shall have a non-reflective finish and color that blends with the color and design of the structure to which it is attached.
   d. WCF, in any zone, must be set back from any residential zone a distance equal to twice its overall height. The setback requirement may be reduced if, as determined by the Hearing Authority, it can be demonstrated through findings of fact that increased mitigation of visual impact can be achieved within of the setback area. Underground accessory equipment is not subject to the setback requirement.
   e. Exterior lighting for a ~~WCF~~ wireless communication facility is permitted only when required by a federal or state authority.
   f. All wireless communication support structures must have a non-reflective finish and color that will mitigate visual impact, unless otherwise required by other government agencies.
   g. Should it be deemed necessary by the Hearing Authority for the mitigation of visual impact of the ~~WCF~~wireless communication facility, additional design measures may be required. These may include, but are not limited to: additional camouflage

materials and designs, facades, specific colors and materials, masking, shielding techniques.

5. ~~Collocation standards~~
   a. ~~Each addition of an antenna to an existing WCF requires a building permit, unless the additional antenna increases the height of the facility more than ten feet.~~
   b. ~~Addition of antennas to an existing WCF that increases the overall height of the facility more than ten feet is subject to a site review.~~ ~~(Ord 2802, S3 1997)~~

~~D. All installation of wireless communication systems shall be subject to the requirements of this section in addition to all applicable Site Design and Use Standards and are subject to the following approval process:~~

~~**Zoning Designations**~~	~~**Attached to Existing Structures**~~	~~**Alternative Structures**~~	~~**Freestanding Support Structures**~~
~~Residential Zones~~[1]	~~CUP~~	~~Prohibited~~	~~Prohibited~~
~~C-1~~	~~CUP~~	~~CUP~~	~~Prohibited~~
~~C-1-D (Downtown)~~[2]	~~CUP~~	~~Prohibited~~	~~Prohibited~~
~~C-1 - Freeway overlay~~	~~Site Review~~	~~Site Review~~	~~CUP~~
~~E-1~~	~~Site Review~~	~~Site Review~~	~~CUP~~
~~M-1~~	~~Site Review~~	~~Site Review~~	~~CUP~~
~~SOU~~	~~Site Review~~	~~CUP~~	~~CUP~~
~~NM (North Mountain)~~	~~Prohibited~~	~~Prohibited~~	~~Prohibited~~
~~Historic District~~[2]	~~CUP~~	~~Prohibited~~	~~Prohibited~~
~~A-1 (Airport Overlay)~~	~~CUP~~	~~CUP~~	~~CUP~~
~~HC (Health Care)~~	~~CUP~~	~~Prohibited~~	~~Prohibited~~
~~CM-NC~~	~~CUP~~	~~CUP~~	~~CUP~~
~~CM-OE~~	~~Site Review~~	~~Site Review~~	~~CUP~~
~~CM-CI~~	~~Site Review~~	~~Site Review~~	~~CUP~~
~~CM-MU~~	~~CUP~~	~~CUP~~	~~CUP~~
~~CM-OS~~	~~Prohibited~~	~~Prohibited~~	~~Prohibited~~

(Ord 2951, amended, 07/01/2008; Ord 3036, amended, 08/17/10)

CITY OF ASHLAND

SITE DESIGN AND USE STANDARDS

- Pages containing proposed edits -

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C. Commercial, Employment, and Industrial Development

Commercial and employment developments should have a positive impact upon the streetscape. For example, buildings made of unadorned concrete block or painted with bright primary colors used to attract attention can create an undesirable effect upon the streetscape.

Landscaping and site design for commercial and employment zones is somewhat different from that required for residential zones. The requirement for outdoor spaces is, of course, much less. The primary function is to improve the project's appearance, enhance the City's streetscape, lessen the visual and climatic impact of parking areas, and to screen adjacent residential uses from the adverse impacts which commercial uses may cause.

One area in which Ashland's commercial differs from that seen in many other cities is the relationship between the street, buildings, parking areas, and landscaping. The most common form of modern commercial development is the placement of a small buffer of landscaping between the street and the parking area, with the building behind the parking area at the rear of the parcel with loading areas behind the building. This my be desirable for the commercial use because it gives the appearance of ample parking for customers, however, the effect on the streetscape is less than desirable because the result is a hast hot, open, parking area which is not only unsightly but results in a development form which the City discourages.

The alternative desired in Ashland is to design the site so that it makes a positive contribution to the streetscape and enhances pedestrian and bicycle traffic. This is accomplished through the following three level review process.

The following development standards apply to manufacturing and commercial zones. Their application depends on what area of the City the property is located. Generally speaking, areas that are visible from highly traveled arterial streets, and that are in the Historic District, are held to a higher development standard than projects that are in industrial parks. This difference is detailed by the maps, which delineate a Detail site Review Zone. Properties outside the zone only have to comply with Basic Site Review Standards, while projects in the Zone have to comply with both Basic and Detail Site Review Standards.

II-C-1 Basic Site Review Standards

APPROVAL STANDARDS

Development in all commercial and employment zones shall conform to the following development standards:

II-C-1a) Orientation and Scale

1. Buildings shall have their primary orientation toward the street rather than the parking area. Building entrances shall be oriented toward the street and shall be accessed from a public sidewalk. Where buildings are located on a corner lot, the entrance shall be oriented toward the higher order street or to

the lot corner at the intersection of the streets. Public sidewalks shall be provided adjacent to a public street along the street frontage. Buildings shall be located as close to the intersection corner as practicable. (Amended September 23, 2003 Ordinance # 2900)

2. Building entrances shall be located within 20 feet of the public right of way to which they are required to be oriented. Exceptions may be granted for topographic constraints, lot configuration, designs where a greater setback results in an improved access or for sites with multiple buildings, such as shopping centers, where this standard is met by other buildings. Automobile circulation or parking shall not be allowed between the building and the right-of-way. The entrance shall be designed to be clearly visible, functional, and shall be open to the public during all business hours. (Amended September 23, 2003 Ordinance # 2900)
3. These requirements may be waived if the building is not accessed by pedestrians, such as warehouses and industrial buildings without attached offices, and automotive service stations. (Amended September 23, 2003 Ordinance # 2900)

II-C-1b) Streetscape

One street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street.

II-C-1c) Landscaping

1. Landscaping shall be designed so that 50% coverage occurs after one year and 90% coverage occurs after 5 years.
2. Landscaping design shall utilize a variety of low water use and deciduous and evergreen trees and shrubs and flowering plant species.
3. Buildings adjacent to streets shall be buffered by landscaped areas at least 10 feet in width, except in the Ashland Historic District and Detail Site Review Zone. Outdoor storage areas shall be screened from view from adjacent public rights-of-way, except in M-1 zones. Loading facilities shall be screened and buffered when adjacent to residentially zoned land.
4. Irrigation systems shall be installed to assure landscaping success.
5. Efforts shall be made to save as many existing healthy trees and shrubs on the site as possible.

II-C-1d) Parking

1. Parking areas shall be located behind buildings or on one or both sides.
2. Parking areas shall be shaded by deciduous trees, buffered from adjacent non-residential uses and screened from non-residential uses.

II-C-1e) Designated Creek Protection

1. Designated creek protection areas shall be considered positive design elements and incorporated in the overall design of a given project.
2. Native riparian plan materials shall be planted in and adjacent to the creek to enhance the creek habitat.

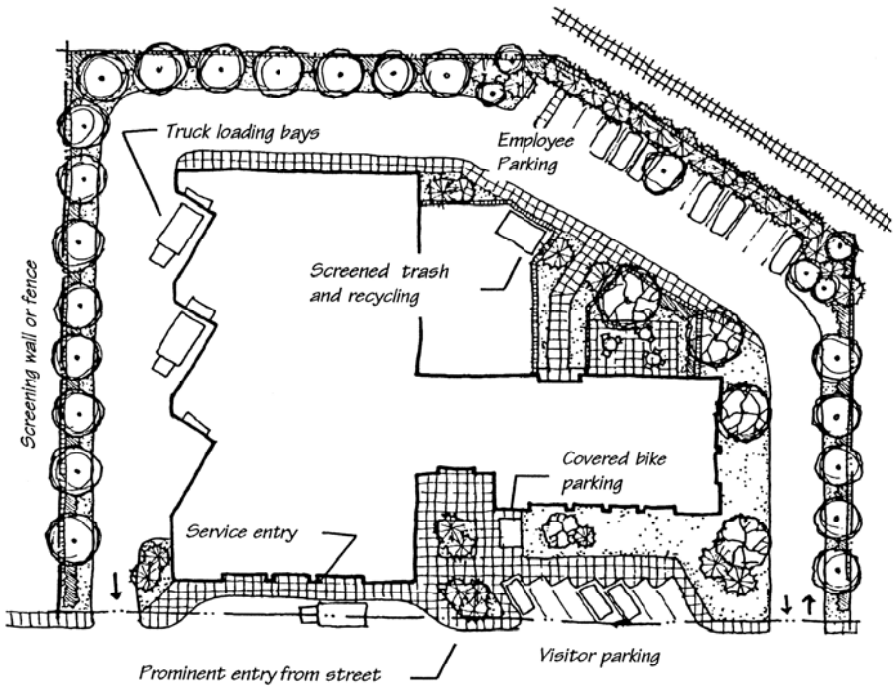
II-C-1f) Noise and Glare

Special attention to glare (AMC 18.72.110) and noise (AMC 9.08.170(c) & AMC 9.08.175) shall be considered in the project design to insure compliance with these standards.

II-C-1g) Expansions of Existing Sites and Buildings

For sites which do not conform to these requirements, an equal percentage of the site must be made to comply with these standards as the percentage of building expansion, e.g., if a building area is expanded by 25%, then 25% of the site must be brought up to the standards required by this document.

BASIC SITE REVIEW CONCEPTUAL SITE PLAN



II-C-2 Detail Site Review

APPROVAL STANDARDS

Developments that are within the Detail Site Review Zone shall, in addition to complying with the standards for Basic Site Review, conform to the following standards:

II-C-2a) Orientation and Scale

1. Developments shall have a minimum Floor Area Ratio (FAR) of .50 ~~.35 and shall not exceed a maximum Floor Area Ratio of .5 for all areas outside the Historic District~~. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum ~~Floor Area Ratio~~FAR. The development shall achieve the required minimum FAR, or provide a shadow plan that demonstrates how development may be intensified over time to meet the required minimum FAR.
2. Building frontages greater than 100 feet in length shall have offsets, jogs, or have other distinctive changes in the building façade.
3. Any wall which is within 30 feet of the street, plaza or other public open space shall contain at least 20% of the wall area facing the street in display areas, windows, or doorways. Windows must allow view into working areas or lobbies, pedestrian entrances or displays areas. Blank walls within 30 feet of the street are prohibited. Up to 40% of the length of the building perimeter can be exempted for this standard if oriented toward loading or service areas.
4. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to entrances.
5. Infill or buildings, adjacent to public sidewalks, in existing parking lots is encouraged and desirable.
6. Buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings that protect pedestrians from the rain and sun.

II-C-2b) Streetscape

1. Hardscape (paving material) shall be utilized to designate "people" areas. Sample materials could be unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
2. A building shall be setback not more than 5 ~~20~~ feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas. This standard shall apply to both street frontages on corner lots. If more than one structure is proposed for a site, at least 65% of the aggregate building frontage shall be within 5 ~~20~~ feet of the sidewalk. (Amended September 23, 2003 Ordinance # 2900)

~~**II-C-2c) Parking and On-site Circulation**~~

~~Protected raised walkways shall be installed through parking areas of 50 or more spaces or more than 100 feet in average width or depth.~~

~~1. Parking lots with 50 spaces or more shall be divided into separate areas and divided by landscaped areas or walkways at least 10 feet in width, or by a building or group of buildings.~~

~~3. Developments of one acre or more must provide a pedestrian and bicycle circulation plan for the site. One site pedestrian walkways must be lighted to a level where the system can be used at night by employees, residents and customers. Pedestrian walkways shall be directly linked to entrances and to the internal circulation of the building.~~

Comment [h1]: moved to Pedestrian Circulation section of Ch. 18.92

II-C-~~2d~~2c) Buffering and Screening

1. Landscape buffers and screening shall be located between incompatible uses on an adjacent lot. Those buffers can consist or either plant material or building materials and must be compatible with proposed buildings.
2. Parking lots shall be buffered from the main street, cross streets and screened from residentially zoned land.

~~**II-C-2e) Lighting**~~

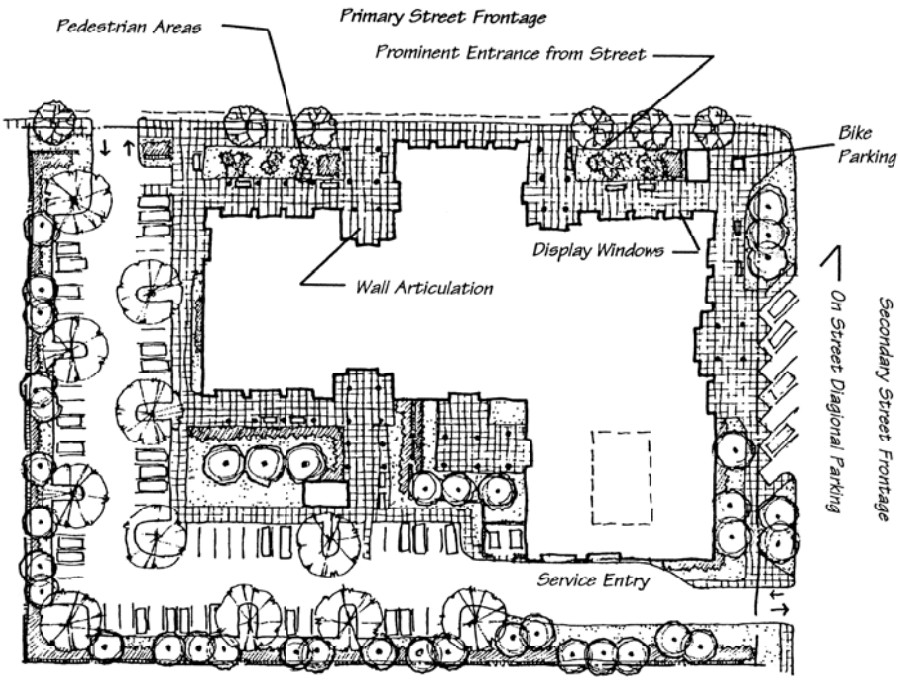
~~Lighting shall include adequate lights that are scaled for pedestrians by including light standards or placements of no greater than 14 feet in height along pedestrian pathways.~~

Comment [h2]: moved to Pedestrian Circulation section of Ch. 18.92

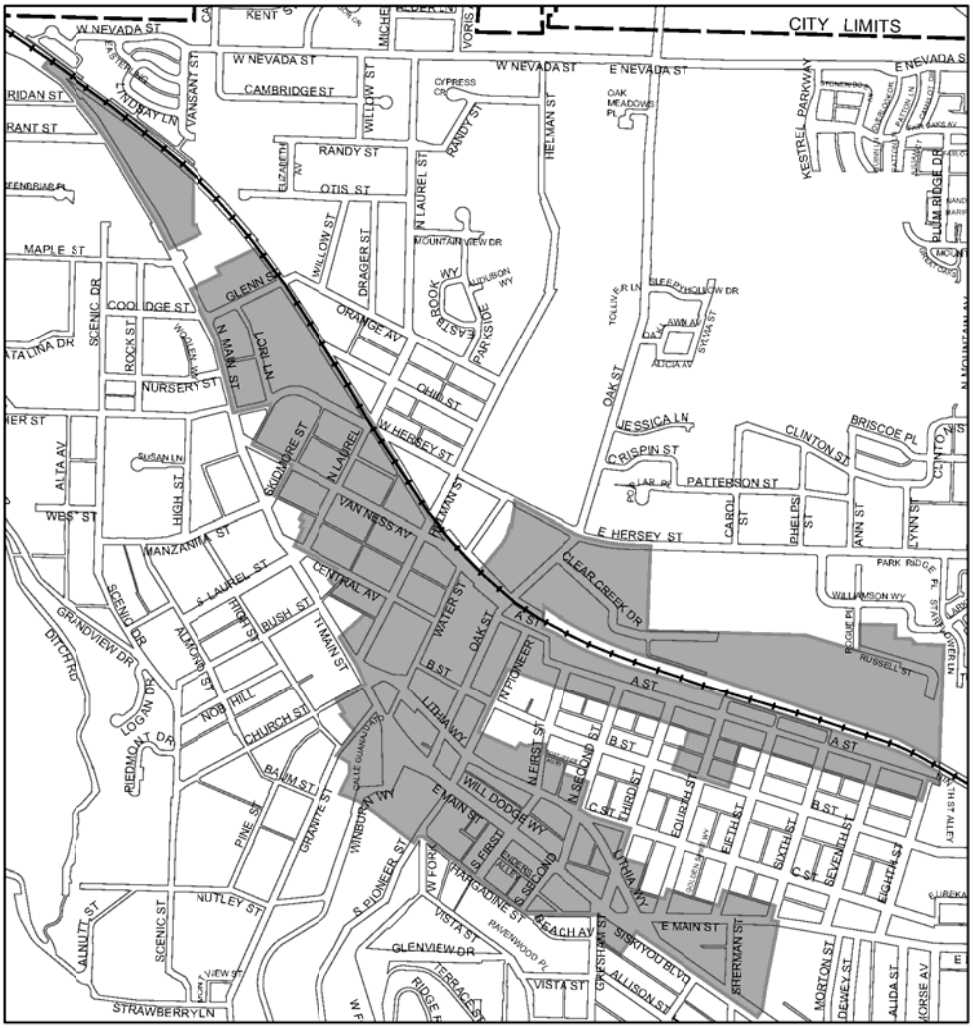
II-C-~~2f~~2d) Building Materials

1. Buildings shall include changes in relief such as cornices, bases, fenestration, fluted masonry, for at least 15% of the exterior wall area.
2. Bright or neon paint colors used extensively to attract attention to the building or use are prohibited. Buildings may not incorporate glass as a majority of the building skin.

DETAIL SITE REVIEW CONCEPTUAL SITE PLAN

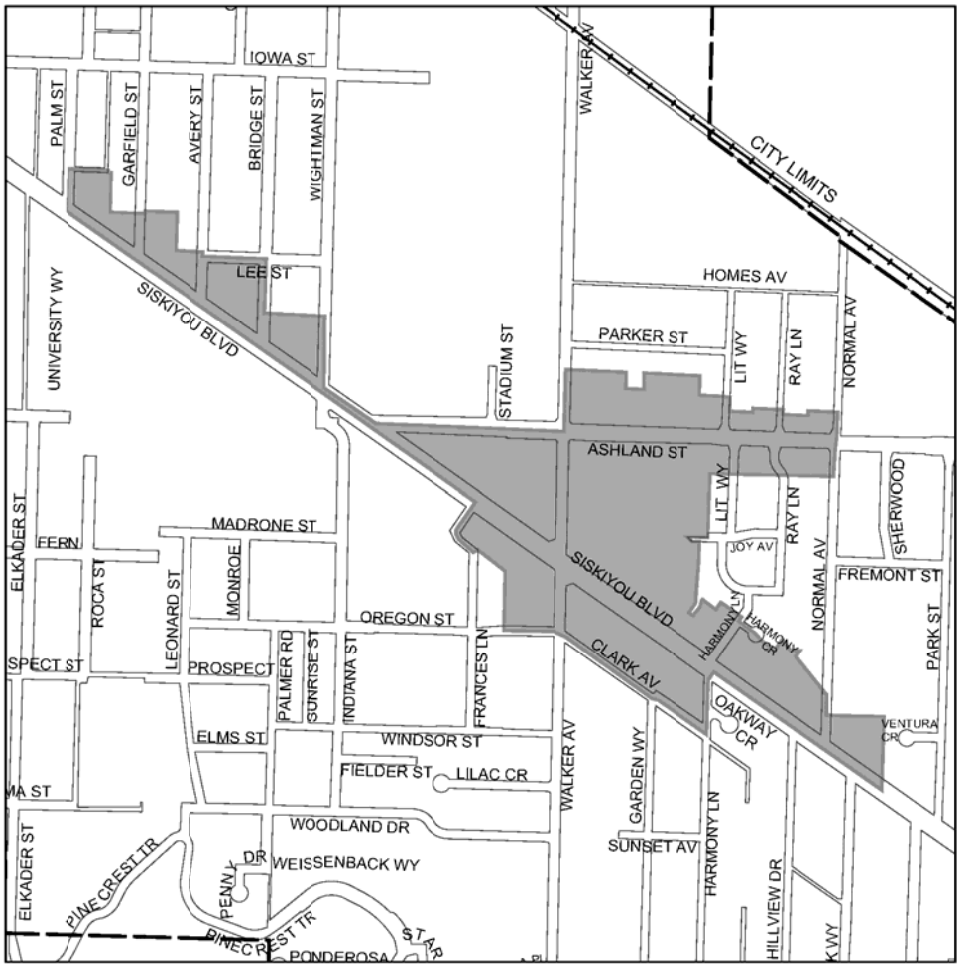


Detail Site Review Zone
North Main, Historic District and Oak Street



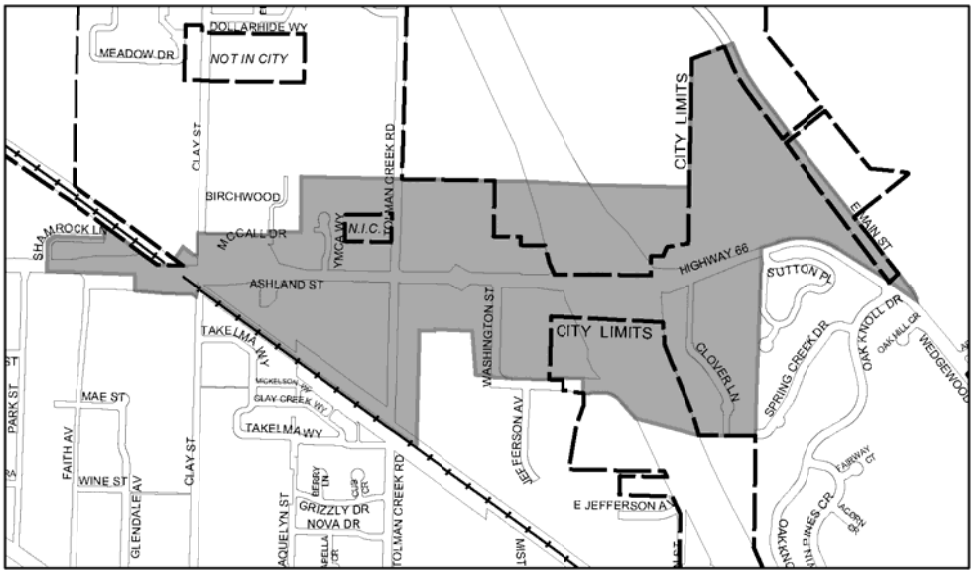
Detail Site Review Zone

Siskiyou Boulevard, Ashland Street and Walker Avenue



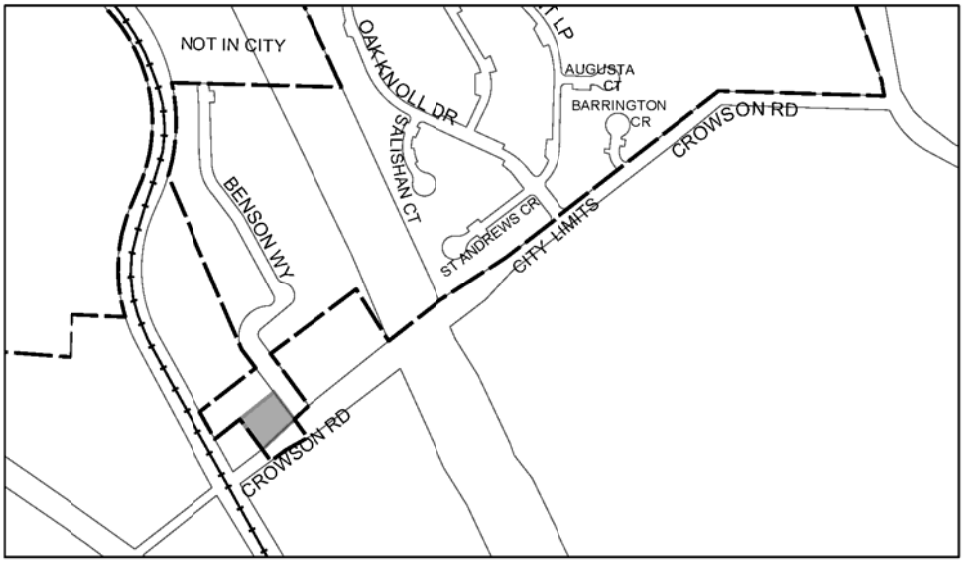
Detail Site Review Zone

Ashland Street and Tolman Creek Road



Detail Site Review Zone

Crowson Road



II-C-3 Additional Standards for Large Scale Projects

APPROVAL STANDARDS

Developments (1) Involving a gross floor area in excess of 10,000 sq. ft. or a building frontage in excess of 100 feet in length , (2) located within the Detail Site Review Zone, shall, in addition to complying to the standards for Basic and Detail Site review, shall conform to the following standards:

II-C-3a) Orientation and Scale

1. Developments shall divide large building masses into heights and sizes that relate to human scale by incorporating changes in building masses or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
2. Outside of the Downtown Design Standards Zone, new buildings or expansions of existing buildings in the Detail Site Review Zone shall conform to the following standards: (Amended September 23, 2003 Ordinance # 2900)
    a. Buildings sharing a common wall or having walls touching at or above grade shall be considered as one building.
    b. Buildings shall not exceed a building footprint area of 45,000 square feet as measured outside of the exterior walls and including all interior courtyards. For the purpose of this section an

interior courtyard means a space bounded on three or more sides by walls but not a roof.

c. Buildings shall not exceed a gross floor area of 45,000 square feet, including all interior floor space, roof top parking, and outdoor retail and storage areas, with the following exception:

   Automobile parking areas located within the building footprint and in the basement shall not count toward the total gross floor area. For the purpose of this section, basement means any floor level below the first story in a building. First story shall have the same meaning as provided in the building code.

d. Buildings shall not exceed a combined contiguous building length of 300 feet.

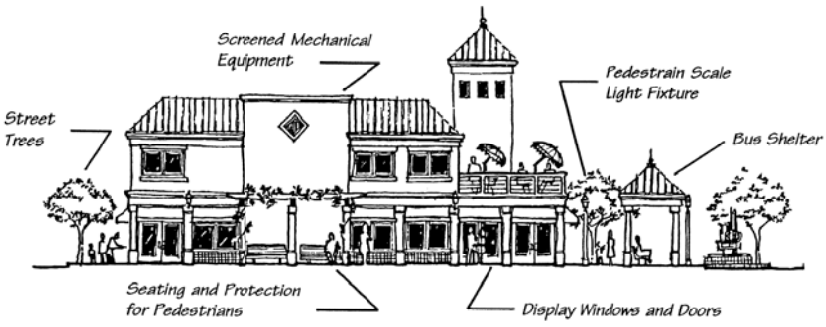
Inside the Downtown Design Standards Zone, new buildings or expansions of existing buildings shall not exceed a building footprint area of 45,000 square feet or a gross floor area of 45,000 square feet, including roof top parking, with the following exception:

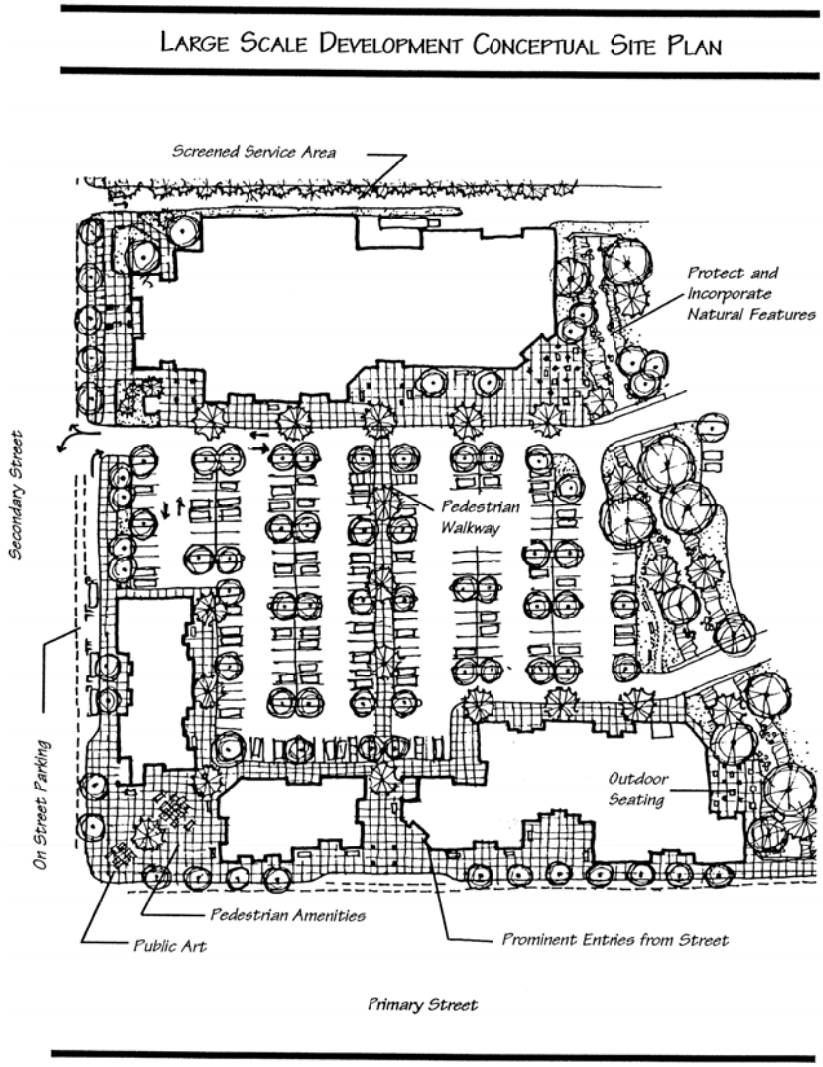
Automobile parking areas locate within the building foot print and in the basement shall not count toward the total gross floor area. For the purpose of this section, basement means any floor level below the first story in a building. First story shall have the same meaning as provided in the building code.

3. Buildings not connected by a common wall shall be separated by a distance equal to the height of the tallest building. If buildings are more than 240 feet in length, the separation shall be 60 feet.
4. ~~All on-site circulation systems shall incorporate streetscape which includes curbs, sidewalks, pedestrian scale light standards and street trees.~~

Comment [h3]: moved to Vehicular Circulation section of Ch. 18.92

LARGE SCALE DEVELOPMENT CONCEPTUAL ELEVATION





II-C-3b) Public Spaces

1. One square foot of plaza or public space shall be required for every 10 square feet of gross floor area.
2. A plaza or public spaces shall incorporate at least 4 of the 6 following elements:
    a. 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.
    b. A mixture of areas that provide both sunlight & shade.
    c. Protection from wind by screens and buildings.

d. Trees – provided in proportion to the space at a minimum of 1 tree per 500 square feet, at least 2 inches in diameter at breast height.
e. Water features or public art.
f. Outdoor eating areas or food vendors.

II-C-3c) Transit Amenities

Transit amenities, bus shelters, pullouts, and designated bike lanes shall be required in accordance with the City's Transportation Plan and guidelines established by the Rogue Valley Transportation District.

II-C-3d) Recycling

Recycling areas shall be provided at all developments.

D. Parking Lot Landscaping and Screening Standards

APPROVAL STANDARDS

All parking lots, which for purposes of this section include areas of vehicle maneuvering, parking, and loading, shall be landscaped and screened as follows:

II-D-1 Design Green Surface Parking

Parking areas shall be designed to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection. All parking areas of more than seven parking spaces shall meet the following standards, and comply with the with the Off-Street Parking Chapter 18.92.

1. Use at least one of the following strategies for the surface parking area, or put 50% of parking underground.
   a. Use light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) of at least 29) to reduce heat absorption for a minimum of 50% of the parking area surface.
   b. Provide porous solid surfacing or an open grid pavement system that is at least 50% pervious for a minimum of 50% of the parking area surface.
   c. Provide at least 50% shade from tree canopy over the surface lot within five years of project occupancy.
2. Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales.

Comment [h4]: moved from Croman Mill District Green Development Standards

II-D-2 Landscape Standards

1. Parking lot landscaping shall consist of a minimum of 7% of the total parking area plus a ratio of 1 tree for each 7 parking spaces to create a canopy effect.
2. The tree species shall be an appropriate large canopied shade tree and shall be selected from the street tree list to avoid root damage to pavement and utilities, and damage from droppings to parked cars and pedestrians.
3. The tree shall be planted in a landscaped area such that the tree bole is at least 2 feet from any curb or paved area.
4. The landscaped area shall be planted with shrubs and/or living ground cover to assure 50% coverage within 1 year and 90% within 5 years.
5. The landscaped area shall be distributed throughout the parking area and parking perimeter at the required ratio.
6. That portion of a required landscaped yard, buffer strip or screening strip abutting parking stalls may be counted toward required parking lot landscaping but only for those stalls abutting landscaping as long as the tree species, living plant material coverage and placement distribution criteria are also met. Front or exterior yard landscaping may not be substituted for the interior landscaping required for interior parking stalls.

Comment [h5]: moved up from below, wording is unchanged

II-D-~~1~~ 3 Screening at Required Yards

1. Parking abutting a required landscaped front yard or exterior yard shall incorporate a sight obstructing hedge screen into the required landscaped yard.
2. The screen shall grow to be at least 36 inches higher than the finished grade of the parking area, except for required vision clearance areas.
3. The screen height may be achieved by a combination of earth mounding and plant materials.
4. Elevated parking lots shall screen both the parking and the retaining walls.

II-D-~~2~~ 4 Screening Abutting Property Lines

Parking abutting a property line shall be screened by a 5 foot landscaped strip. Where a buffer between zones is required, the screening shall be incorporated into the required buffer strip, and will not be an additional requirement.

~~**II-D-3 Landscape Standards**~~

~~1. Parking lot landscaping shall consist of a minimum of 7% of the total parking area plus a ratio of 1 tree for each 7 parking spaces to create a canopy effect.~~
~~2. The tree species shall be an appropriate large canopied shade tree and shall be selected from the street tree list to avoid root damage to pavement and utilities, and damage from droppings to parked cars and pedestrians.~~
~~3. The tree shall be planted in a landscaped area such that the tree bole is at least 2 feet from any curb or paved area.~~
~~4. The landscaped area shall be planted with shrubs and/or living ground cover to assure 50% coverage within 1 year and 90% within 5 years.~~
~~5. The landscaped area shall be distributed throughout the parking area and parking perimeter at the required ratio.~~
~~6. That portion of a required landscaped yard, buffer strip or screening strip abutting parking stalls may be counted toward required parking lot landscaping but only for those stalls abutting landscaping as long as the tree species, living plant material coverage and placement distribution criteria are also met. Front or exterior yard landscaping may not be substituted for the interior landscaping required for interior parking stalls.~~

II-D-~~4~~ 5 Residential Screening

Parking areas adjacent to residential dwellings shall be setback at least 8 feet from the building, and shall provide a continuous hedge screen.

II-D-~~5~~ 6 Hedge Screening

The required hedge screen shall be installed as follows:

1. Evergreen shrubs shall be planted so that 50% of the desired screening is achieved within 2 years and 100% within 4 years.
2. Living groundcover in the screen strip shall be planted such that 100% coverage is achieved within 2 years.

II-D-~~6~~ 7 Other Screening

Other Screening and buffering shall be provided as follows:

Refuse Container Screen: Refuse containers or disposal areas shall be screened from view by placement of a solid wood fence or masonry wall fro five to eight feet in height. All refuse materials shall be contained within the refuse area.

Service Corridor Screen: When adjacent to residential uses, commercial and industrial service corridors shall be screened. Siting and design of such service areas shall reduce the adverse effects of noise, odor and visual clutter upon adjacent residential uses.

Light and Glare Screen: Artificial lighting shall be so arranged and constructed as to not produce direct glare on adjacent residential properties or streets.

B. Design Standards

The Croman Mill District Design Standards provide specific requirements for the physical orientation, uses and arrangement of buildings; the management of parking; and access to development parcels. Development located in the Croman Mill District shall be designed and constructed consistent with the following Design Standards. Additional design standards apply and are specified for developments located adjacent to an Active Edge Street, or that are located within the NC, MU and OE overlay zones. A site layout, landscaping or building design in a manner inconsistent with the Croman Mill District Design Standards requires a minor amendment in accordance with Section 18.53.020.B.

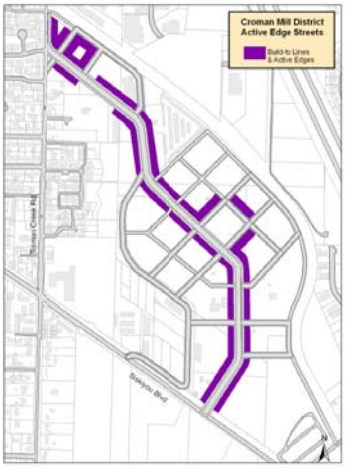
VIII-B-1 Orientation and Scale

1. Buildings shall have their primary orientation toward the street rather than the parking area. Building entrances shall be oriented toward the street and shall be accessed from a public sidewalk. All front doors must face streets and walkways. Where buildings are located on a corner lot, the entrance shall be oriented toward the higher order street or to the lot corner at the intersection of the streets. Buildings shall be located as close to the intersection corner as practicable. Public sidewalks shall be provided adjacent to a public street along the street frontage.
2. Building entrances shall be located within ten feet of the public right of way to which they are required to be oriented. Exceptions may be granted for topographic constraints, lot configuration, designs where a greater setback results in an improved access or for sites with multiple buildings where this standard is met by other buildings. The entrance shall be designed to be clearly visible, functional and shall be open to the public during all business hours.
3. Automobile circulation or parking shall not be allowed between the building and the right-of-way.
4. These requirements may be waived if the building is not along an Active Edge Street and is not accessed by pedestrians, such as warehouses and industrial buildings without attached offices.
5. Buildings shall incorporate lighting and changes in mass, surface or finish giving emphasis to entrances.

Additional Orientation and Scale Standards for Developments Adjacent to Active Edge Streets, or Within NC, MU and OE Overlays:

6. Building frontages greater than 100 feet in length shall have offsets, jogs or have other distinctive changes in the building façade.
7. Buildings shall incorporate arcades, roofs, alcoves, porticoes and awnings that protect pedestrians from the rain and sun.
8. Buildings shall incorporate display areas, windows and doorways as follows. Windows must allow view into working areas or lobbies, pedestrian entrances or displays areas. Blank walls within 30 feet of the street are prohibited.
    a. **For Buildings Within the NC, MU and OE Overlays and Not Adjacent to an Active Edge Stree**t. Any wall which is within 30 feet of the street, plaza or other public open space shall contain at least 20% of the wall area facing the street in display areas, windows, or doorways. Up to 40% of the length of the building perimeter can be exempted for this standard if oriented toward loading or service areas.

b. **For Buildings Adjacent to Active Edge Streets.** At least 50% of the first-floor façade is comprised of transparent openings (clear glass) between three and eight feet above grade.



VIII-B-2 Parking Areas and On-site Circulation

1. Primary parking areas shall be located behind buildings with limited parking on one side of the building.
2. Parking areas shall be shaded by deciduous trees, buffered from adjacent non-residential uses and screened from non-residential uses.
3. Parking areas shall meet the Parking Lot Landscaping and Screening Standards of Section II-D of the Site Design and Use Standards.

Additional Parking Area ~~and On-site Circulation Standards~~ for Developments Adjacent to Active Edge Streets, or Within NC, MU and OE Overlays:

4. Parking areas shall be located behind buildings.
5. ~~Protected raised walkways shall be installed through parking areas of 50 or more spaces or more than 100 feet in average width or depth.~~
6. ~~Parking lots with 50 spaces or more shall be divided into separate areas and divided by landscaped areas or walkways at least ten feet in width, or by a building or group of buildings.~~
7. ~~Developments of one acre or more must provide a pedestrian and bicycle circulation plan for the site. On-site pedestrian walkways must be lighted to a level where the system can be used at night by employees, residents and customers. Pedestrian walkways shall be directly linked to entrances and to the internal circulation of the building.~~

Comment [h6]: moved to Pedestrian Circulation section of Ch. 18.92

VIII-B-3 Automobile Parking

With the exception of the standards described below, automobile parking shall be provided in accordance with the Off-Street Parking chapter 18.92, Section VIII-C Croman Mill District Green Development Standards, and Section II–D Parking Lot Landscaping and Screening Standards of the Site Design and Use Standards.

1. ~~**Credit for Automobile Parking.** The amount of required off-street parking shall be reduced by not more than 50%, through application of the following credits.~~
   a. ~~On-Street Credit: One off-street parking space credit for every on-street space.~~
   b. ~~TDM Plan Credit: Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long term parking demand by a percentage equal to the credit requested.~~
   c. ~~Mixed Use Credit: Through a mixed-use parking arrangement that demonstrates the peak parking demands are offset. The credit shall reduce the off-street parking requirement by a percentage equal to the offset in parking demand.~~
   d. ~~Shared Parking Credit: One off-street parking space credit for every space constructed in designated off-site shared parking areas, or through payment of in-~~

~~lieu of parking fees for a common parking structure(s) upon establishment of a parking management strategy for the Croman Mill District.~~

~~2.~~1. **Maximum On-Site Surface Parking**. After a parking management strategy for the Croman Mill District is in place, a maximum of 50% of the required off-street parking can be constructed as surface parking on any development site. The remaining parking requirement can be met through one or a combination of the credits for automobile parking in ~~VIII-B-3(1).~~18.92.025.

Comment [h7]: moved to Parking Management Strategies section of Ch. 18.92

VIII-B-4 Streetscape

1. One street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street. Street trees shall meet the Street Tree Standards in Section II-E of the Site Design and Use Standards.

Additional Streetscape Standards for Developments Adjacent to Active Edge Streets, or Within NC, MU and OE Overlays:

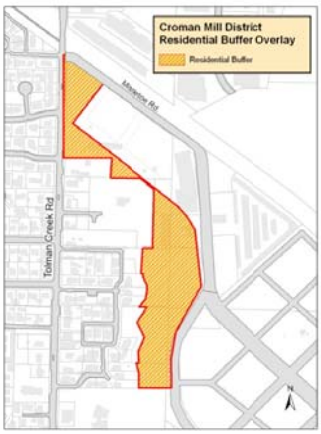
2. Hardscape (paving material) shall be utilized to designate "people" areas. Sample materials could be unit masonry, scored and colored concrete, pavers or combinations of the above.
3. A building shall be setback not more than ten feet from a public sidewalk unless the area is used for pedestrian entries such as alcoves, or for pedestrian activities such as plazas or outside eating areas. This standard shall apply to both street frontages on corner lots. If more than one structure is proposed for a site, at least 65% of the aggregate building frontage shall be within ten feet of the sidewalk.

VIII-B-5 Building Materials

Bright or neon paint colors used extensively to attract attention to the building or use are prohibited. Buildings may not incorporate glass as a majority of the building skin.

VIII-B-6 Building Height Requirements

All buildings shall have a minimum height as indicated in the Building Height Requirements Map and Dimensional Standards Table, and shall not exceed the maximum height except as provided for a performance standard bonus.



1. **Street Wall Height:** Maximum street wall façade height for the Croman Mill district for all structures located outside the Residential Buffer Zone is 50 feet.
2. **Upper-floor Setback:** Buildings taller than 50 feet must step back upper stories, beginning with the fourth story, by at least six feet measured from the façade of the street wall facing the street, alleyway, public park or open space.
3. **Residential Buffer Zone:** All buildings in the Croman Mill District within the Residential Buffer Zone shall meet the following height standards:
   a. Maximum Height: The maximum height allowance without a performance standards bonus for all structures within the Residential Buffer Zone is 35

feet in the NC overlay and 40 feet in the MU, and the maximum height with a bonus is 40 feet in accordance with VIII-C-13 Performance Standard Bonus.

b. Upper Floor Setback Requirements: Buildings taller than two stories must step back the third story by at least six feet measured from the façade facing the street, alleyway, public park or open space.

4. **Architectural Standards for Large Scale Buildings Located Adjacent to Active Edge Streets, or Within NC, MU and OE Overlays:** The following architectural standards will apply to all buildings with a gross floor area greater than 10,000 square feet, a façade length in excess of 100 feet or a height taller than 45 feet.
   a. On upper floors use windows and/or architectural features that provide interest on all four sides of the building.
   b. Use recesses and projections to visually divide building surfaces into smaller scale elements.
   c. Use color or materials to visually reduce the size, bulk and scale of the building.
   d. Divide large building masses into heights and sizes that relate to human scale by incorporating changes in building masses or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees and small scale lighting.
   e. On-site circulation systems shall incorporate a streetscape which includes curbs, sidewalks, pedestrian scale light standards and street trees.

VIII-B-7 <u>Landscaping</u>

1. Efforts shall be made to save as many existing healthy trees and shrubs on the site as possible.
2. Landscaping design shall utilize a variety of low water use deciduous and evergreen trees and shrubs and flowering plant species as described in the mandatory policies in Section III – Water Conserving Landscaping Guidelines and Policies.
3. For developments in the CI Overlay and not adjacent to an Active Edge Street, buildings adjacent to streets shall be buffered by landscaped areas at least ten feet in width, unless the area is used for entry features such as alcoves or as hardscape areas for pedestrian activities such as plazas or outside eating areas.
4. Loading facilities shall be screened and buffered when adjacent to residentially zoned land.
5. Landscaping shall be designed so that 50% coverage occurs after one year and 90% coverage occurs after five years.
6. Irrigation systems shall be installed to assure landscaping success.

VIII-B-8 <u>Lighting</u>

Lighting shall include adequate lights that are scaled for pedestrians by including light standards or placements of no greater than 14 feet in height along pedestrian pathways.

VIII-B-9 <u>Screening Mechanical Equipment</u>

1. Screen rooftop mechanical equipment from public rights-of-way or adjacent residentially zoned property through extended parapets or other roof forms that are integrated into the overall composition of the building. Screen ground floor mechanical equipment from public rights-of-way or adjacent residentially zoned property.
2. Parapets may be erected up to five feet above the calculated building height, and shall be no greater than five feet above the height limit specified in the district in accordance with the Dimensional Standards Table in Section 18.53.050.

3. Solar energy systems are exempt from this standard. Additionally, rooftop solar energy systems may be erected up to five feet above the calculated building height, and shall be no greater than five feet above the height limit specified in the district in accordance with the Dimensional Standards Table in Section 18.53.050.
4. Installation of mechanical equipment requires Site Review approval unless otherwise exempted per Section 18.72.030.B.3.

VIII-B-10 <u>Transit Facilities Standards</u>

The location of planned transit routes within the Croman Mill District shall be defined according to the Croman Mill District Transit Framework map in collaboration with the local transit authority. Transit service facilities such as planned bus rapid transit facilities, shelters and pullouts shall be integrated into the development application consistent with the following standards.

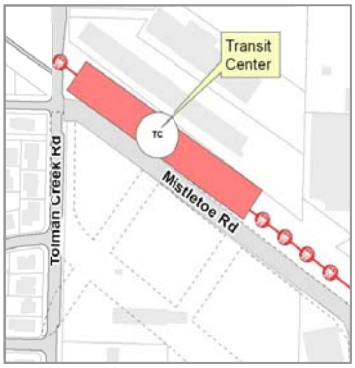
1. All Large Scale development located on an existing or planned transit route shall accommodate a transit stop and other associated transit facilities unless the Director of Community Development determines that adequate transit facilities already exist to serve the needs of the development; or
2. Provide the City with a bond or other suitable collateral ensuring satisfactory completion of the transit facilities at the time transit service is provided to the development. Suitable collateral may be in the form of security interest, letters of credit, certificates of deposit, cash bonds, bonds or other suitable collateral as determined by the City Administrator.

VIII-B-11 <u>Freight Rail Spur Easement – Compatible Industrial (CI)</u>

1. A Rail Spur easement a minimum of 500 feet in length by 25 feet in width shall be set aside at the approximate location presented on the Croman Mill District Transit Framework Map.
2. No buildings or permanent structures can be established within the spur easement so not to preclude installation of a rail spur for freight loading and unloading.
3. Buildings adjacent to the reserve strip shall be designed and configured to permit loading and unloading.

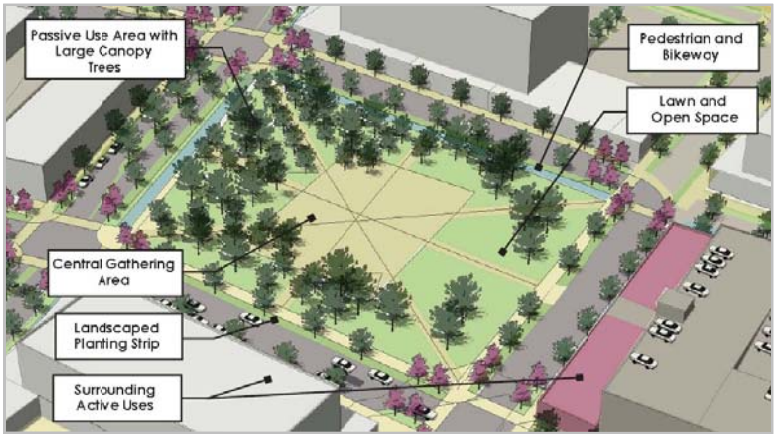
VIII-B-12 Commuter Rail Platform Easement – Neighborhood Commercial (NC)

1. A Commuter Rail Platform easement or designated rail road right-of-way a minimum of 400 feet in length and 25 feet in width shall be set aside at the approximate location presented on the Croman Mill District Transit Plan Map.
2. No buildings or permanent structures can be established within the platform easement so as not to preclude installation of a commuter rail platform or planned bus rapid transit facility for loading and unloading.
3. Buildings adjacent to the reserve strip shall be designed and configured to permit loading and unloading.



VIII-B-13 Open Spaces

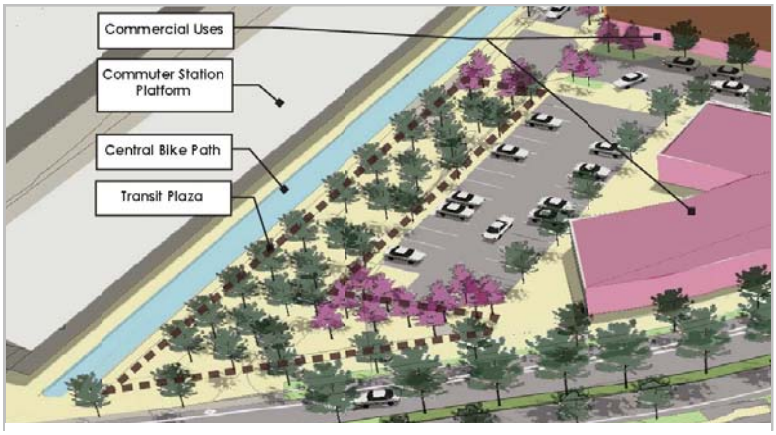
1. **Central Park.** The purpose of the Central Park is to serve as a public amenity and accommodate the daily needs of employees (e.g. breaks, lunch time) as well as for special events that will attract residents citywide. The Central Park design shall provide a minimum of the following elements.
   a. Circulation through and around the park.
   b. A centrally located hardscape area to accommodate large gatherings, and of no more than 50% of the total park area.
   c. Street furniture, including lighting, benches, low walls and trash receptacles along walkways and the park perimeter.
   d. Simple and durable materials.
   e. Trees and landscaping that provide visual interest with a diversity of plant materials.
   f. Irregular placement of large-canopy trees within passive areas adjacent to the Central Boulevard.
   g. Eight-foot minimum sidewalk width and seven-foot minimum parkrow width.
   h. Landscaped swales to capture and treat runoff.
   i. Porous solid surfacing for at least 50% of the hardscape area, and paving materials that reduce heat absorption (Solar Reflective Index (SRI) of at least 29).



Central Park

2. **Transit Plaza.** A location for the transit plaza shall be reserved between the commuter rail platform and commercial uses along the Central Boulevard. The design of the plaza shall include the following elements.

   a. A passenger waiting, loading and unloading area.
   b. Outdoor gathering space adjacent to commercial uses.
   c. Accommodate the central bike path.
   d. Conveniently located and secure bike parking.



VIII-B-14 <u>Compact Development</u>

The site layout is compact, and enables future intensification of development and changes to land use over time. The following measures shall be used to demonstrate compliance with this standard.

1. The development achieves the required minimum floor area ratio (FAR) and minimum number of stories, or shall provide a shadow plan that demonstrates how development may be intensified over time for more efficient use of land and to meet the required (FAR) and minimum number of stories; and
2. Opportunities for shared parking are utilized.

C. Green Development Standards

The Croman Mill District Green Development Standards provide specific requirements for the management of stormwater run-off, use and collection of recycled materials, solar orientation and building shading, and conserving natural areas. Development located in the Croman Mill District shall be designed and constructed consistent with the following Green Development Standards. A site layout, landscaping or building design in a manner inconsistent with the Croman Mill District Green Development Standards requires a minor amendment in accordance with Section 18.53.020.B.

VIII-C-1 Conserve Natural Areas

Preserve water quality, natural hydrology and habitat, and preserve biodiversity through protection of streams and wetlands. In addition to the requirements of Chapter 18.63 Water Resources, conserving natural water systems shall be considered in the site design through application of the following standards.

1. Designated stream and wetland protection areas shall be considered positive design elements and incorporated in the overall design of a given project.
2. Native riparian plant materials shall be planted in and adjacent to the creek to enhance habitat.
3. Create a long-term management plan for on-site wetlands, streams, associated habitats and their buffers.

VIII-C-2 Create Diverse Neighborhoods

Use the following measures to encourage diversity in the district by providing a balanced range of housing types that compliment a variety of land uses and employment opportunities.

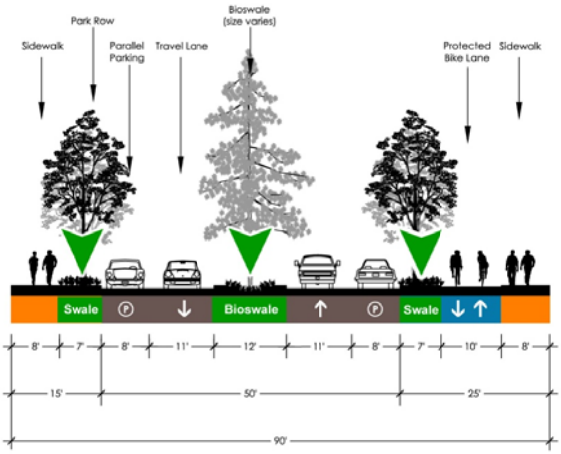
1. Differentiate units by size and number of bedrooms.
2. For developments including more than four dwelling units, at least 25% of the total units shall be designated as rental units.
3. Affordable purchase housing provided in accordance with the standards established by Resolution 2006-13 for households earning at or below 80% of the area median income shall apply toward the required percentage of rental housing per VIII-C-2(2).
4. Units designated as market rate or affordable rental units shall be retained as one condominium tract under one ownership.

VIII-C-3 Design Green Streets

Green Streets are public streets that have been built or retrofitted to include landscape areas that increase stormwater infiltration, reduce and slow the rate of runoff, and use bio-filtration to remove pollutants.

1. New streets shall be developed to capture and treat stormwater in a manner consistent with the Croman Mill District Stormwater Management Plan Map, the City of Ashland Stormwater Master Plan and Ashland Green Streets Standards.
2. All development served by planned Green Streets as designated on the Croman Mill District Green Street Map shall accommodate said facilities by including the same in the development plan; and/or

3. Provide the City with a bond or other suitable collateral ensuring satisfactory completion of the Green Street(s) at the time full street network improvements are provided to serve the development. Suitable collateral may be in the form of security interest, letters of credit, certificates of deposit, cash bonds, bonds or other suitable collateral as determined by the City Administrator.



VIII-C-4 Design Green Surface Parking

A maximum of 25% of the project area shall be used for surface parking ~~Parking areas shall be designed~~ to minimize the adverse environmental and microclimatic impacts of surface parking ~~through design and material selection~~. All parking areas ~~shall meet the following standards, and~~ shall comply with the with the Off-Street Parking chapter 18.92, with Section VIII-B Croman Mill Design Standards, and Section II–D Parking Lot Landscaping and Screening Standards of the Site Design and Use Standards.

~~1. Use a maximum of 25% of the project area for surface parking.~~

~~2. Use at least one of the following strategies for the surface parking area, or put 50% of parking underground.~~

~~a. Use light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) of at least 29) to reduce heat absorption for a minimum of 50% of the parking area surface.~~

~~b. Provide porous solid surfacing or an open grid pavement system that is at least 50% pervious for a minimum of 50% of the parking area surface.~~

~~c. Provide at least 50% shade from tree canopy over the surface lot within five years of project occupancy.~~

Comment [h8]: moved to Parking Lot Landscaping and Screening Standards on page 29

VIII-C-5 Manage and Reuse of Stormwater Run-Off

Reduce the public infrastructure costs and adverse environmental effects of stormwater run-off by managing run-off from building roofs, driveways, parking areas, sidewalks and other hard surfaces through implementation of the following standards.

1. Design grading and site plans to capture and slow runoff.
2. ~~Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales.~~
3. Use pervious or semi-pervious surfaces that allow water to infiltrate the soil.
4. Direct discharge storm water runoff into a designated green street and neighborhood storm water treatment facilities.
5. Retain rainfall on-site through infiltration, evapotranspiration or through capture and reuse techniques.

Comment [h9]: moved to Parking Lot Landscaping and Screening Standards on page 29

VIII-C-6 Recycling Areas

All developments in the Croman Mill District shall provide an opportunity-to-recycle site for use of the project occupants.

1. Commercial. Commercial developments having a solid waste receptacle shall provide a site of equal or greater size adjacent to or with access comparable to the solid waste receptacle to accommodate materials collected by the local solid waste franchisee under its on-route collection program for purposes of recycling. Both the opportunity-to-recycle site and the common solid waste receptacle shall be screened by fencing or landscaping such as to limit the view from adjacent properties or public rights-of-way.
2. Residential. All newly constructed residential units, either as part of an existing development or as a new development, shall provide an opportunity-to-recycle site in accord with the following standards.
   a. Residential developments not sharing a common solid waste receptacle shall provide an individual curbside recycling container for each dwelling unit in the development.
   b. Residential developments sharing a common solid waste receptacle shall provide a site of equal or greater size adjacent to or with access comparable to the common solid waste receptacle to accommodate materials collected by the local solid waste franchisee under its residential on-route collection program for purposes of recycling. Both the opportunity-to-recycle site and the common solid waste receptacle shall be screened by fencing or landscaping such as to limit the view from adjacent properties or public rights-of-way.
3. Screening refuse and recycle areas. Refuse and recycle areas shall be screened from view by placement of a solid wood, metal, or masonry wall from five to eight feet in height. All refuse and recycle materials shall be contained within the refuse area.

VIII-C-7 Minimize Construction Impacts

Minimize pollution and waste generation resulting from construction activity through the following measures.

1. Construction Activity Pollution Prevention. Develop and implement an erosion and sediment control plan to reduce pollution from construction activities by controlling soil erosion, waterway sedimentation and airborne dust generation in accordance with Ashland Public Works Standards. The erosion and sediment control plan shall be submitted with the final engineering for public improvements and building permits.

2. Construction Waste Management. Recycle and/or salvage non-hazardous construction and demolition debris in accordance with the Building Demolition Debris Diversion requirements in 15.04.216.C.

VIII-C-8 Potable Water Reduction for Irrigation

Provide water efficient landscape irrigation design that reduces by 50% the use of potable water after the initial period for plant installation and establishment. Calculations for the reduction shall be based on the water budget, and the water budget shall be developed for landscape irrigation that conforms to the mandatory policies in Section III – Water Conserving Landscaping Guidelines and Policies. Methods used to accomplish the requirements of this section may include, but are not limited to, the following.

1. Plant species.
2. Irrigation efficiency.
3. Use of captured rainwater.
4. Use of recycled water.
5. Use of graywater.
6. Use of water treated for irrigation purposed and conveyed by a water district or public entity.

VIII-C-9 Solar Orientation

Incorporate passive and active solar strategies in the design and orientation of buildings and public spaces. When site and location permit, orient the building with the long sides facing north and south.

VIII-C-10 Building Shading

Shade the building through the following measures.

1. Provide horizontal exterior shading devices for south-facing windows to control solar gain during the peak cooling season.
2. Provide vertical exterior shading devices for east- and west-facing windows to control solar gain and glare due to low sun angles during the peak cooling season.
3. A combination of horizontal and vertical exterior shading devices may be necessary to control solar gain on southwest- and southeast-facing windows.

VIII-C-11 Recycled Content in Infrastructure

For new streets, driveways, parking lots, sidewalks and curbs, the aggregate materials shall be at least 50% by volume recycled aggregate materials such as crushed Portland cement concrete and asphalt concrete. Above-ground structured parking and underground parking are exempt from this requirement.

VIII-C-12 Outdoor Lighting

Minimize light pollution from the project to improve nighttime visibility, increase night sky access and to reduce development impact on nocturnal environments by using down-shielded light fixtures that do not allow light to emit above the 90 degree plane of the fixture.

Lighting fixtures provided to implement Federal Aviation Administration mitigation measures to enhance safe air navigation are exempt from this standard.

VIII-C-13 <u>Performance Standard Bonuses</u>

The permitted building height or base residential density, whichever is applicable, shall be increased by the number of stories or percentage residential density as outlined below. In no case shall the building height or residential density exceed the height and density bonus maximums in the Dimensional Standards Table in Section 18.53.050.

1. **Green Building Bonus**

   Projects that achieve a high performance green building standard and significantly improve energy performance beyond the current minimum Oregon requirements are eligible for a building height bonus as follows.

   a. In the event that a building or structure is determined to be meet the standard for LEED® Certified building, the building height may exceed the maximum height specified for the CM overlay districts within the Dimensional Standards Table in Section 18.53.060, through application of a height bonus as follows.

      i. A building obtaining LEED® Certification as meeting the LEED® Silver Standard may be increased in height by up to one story.

      ii. A building obtaining LEED® Certification as meeting the LEED® Gold Standard may be increased in height by up to two stories.

      iii. A building in the Residential Buffer overlay obtaining LEED® Certification as meeting the LEED® Silver or Gold Standard may be increased in height by ½ story up to a maximum height of 40 feet.

      iv. Applications to increase the building height in excess of the maximum permitted height through the application of a height bonus shall address any conditional determination by the Federal Aviation Administration regarding mitigation measures requested to enhance safe air navigation.

   b. **Demonstration of Achieving LEED® Certification.**

      Projects awarded a height bonus pursuant to this section, shall provide the City with satisfactory evidence of having completed the following steps in the process toward demonstrating achievement of LEED® certification.

      i. Hiring and retaining a LEED® Accredited Professional as part of the project team throughout design and construction of the project.

      ii. Developments seeking a height bonus shall provide documentation with the planning application, and prior to issuance of a building permit, that the proposed development as designed and constructed will meet or exceed the equivalent LEED® standard relating to the height bonus awarded.

      iii. A final report shall be prepared by the LEED® Accredited Professional and presented to the City upon completion of the project verifying that the project has met, or exceeded, the LEED® standard relating to the height bonus awarded.

      iv. The report shall produce a LEED® compliant energy model following the methodology outlined in the LEED® rating system. The energy analysis done for the building performance rating method shall include all energy costs associated with the building project.

2. **Structured Parking Bonus**.

   A building may be increased by up to one story in height when the corresponding required parking is accommodated underground or within a private structured parking facility, subject to building height limitations for the zoning district.

3. **Affordable Housing Bonus**.
   a. For every percent of units that are affordable, an equivalent percentage of density bonus shall be allowed up to a maximum bonus of 100%.
   b. Affordable housing bonus shall be for residential units that are affordable for moderate income persons in accordance with the standards established by resolution of the City Council and guaranteed affordable through procedures contained in said resolution.

VIII-C-14 <u>Employment Density</u>

To promote transit supportive development, efficient use of employment zoned lands and local economic vitality, it is recommended that developments within the Croman Mill District are planned to accommodate employment densities as follows.

a. 60 employees per acre in the Office Employment (OE) Overlay.
b. 25 employees per acre in the Compatible Industrial (CI) Overlay.
c. 25 employees per acre in the Mixed Use (MU) Overlay.
d. 20 employees per acre in the Neighborhood Center (NC) Overlay.

CITY OF ASHLAND

STREET STANDARDS

- Pages containing proposed edits -

Table 1: City of Ashland Street Design Standards

TYPE OF STREET	ADT	R.O.W. WIDTH	CURB-TO-CURB PAVEMENT WIDTH	WITHIN CURB-TO-CURB AREA				CURB	PARK-ROW	SIDE-WALKS
				MOTOR VEHICLE TRAVEL LANES	MEDIAN AND/OR CENTER TURN LANE	BIKE LANES on both sides	PARK-ING	on both sides	on both sides	on both sides
2-Lane Boulevard	8,000 to	61'-87'	34'	11'	none	2 at 6' each	in 8' bays	6"	5'-8' [1]	6'-10' [2]
3-Lane Boulevard	30,000	73'-99'	46'	11'	12'	2 at 6' each	in 8' bays	6"	5'-8' [1]	6'-10' [2]
5-Lane Boulevard	ADT	95'-121'	68'	11'	12'	2 at 6' each	in 8' bays	6"	5'-8' [1]	6'-10' [2]
2-Lane Avenue	3,000 to	59'-86'	32'-33'	10'-10.5'	none	2 at 6' each	in 8' bays	6"	5'-8' [1]	6'-10' [2]
3-Lane Avenue	10,000 ADT	70.5'-97.5'	43.5'-44.5'	10'-10.5'	11.5'	2 at 6' each	in 8' bays	6"	5'-8' [1]	6'-10' [2]
Neighborhood Collector, Residential	1,500 to				NA	NA [3]				
No Parking	5,000	49'-51'	22'	11'			none	6"	8'	5'-6'
Parking One Side	ADT	50'-56'	25'-27'	9'-10'			one 7' lane	6"	7'-8'	5'-6'
Parking Both Sides		57'-63'	32'-34'	9'-10'			two 7' lanes	6"	7'-8'	5'-6'
Neighborhood Collector, Commercial										
Parallel Parking One Side		55'-65'	28'	10'			one 8' lane	6"	5'-8' [1]	6'-10' [2]
Parallel Parking Both Sides		63'-73'	36'	10'			two 8' lanes	6"	5'-8' [1]	6'-10' [2]
Diagonal Parking One Side		65'-74'	37'	10'			one 17' lane	6"	5'-8' [1]	6'-10' [2]
Diagonal Parking Both Sides		81'-91'	54'	10'			two 17' lanes	6"	5'-8' [1]	6'-10' [2]
Neighborhood Street, Residential	less than				NA	NA [3]				
Parking One Side	1,500	47'-51'	22'	15' Queuing			one 7' lane	6"	7'-8'	5'-6'
Parking Both Sides	ADT	50'-57'	25'-28'	11'-14' Queuing			two 7' lanes	6"	7'-8'	5'-6'
Alley	NA	16'	12' paved width, 2' strips on both sides	NA	NA	NA	none	none	none	none
Multi-Use Path	NA	10'-18'	6'-10' paved width, 2'-4' strips on both sides	NA	NA	NA	none	none	none	none

[1] 7' – 8' landscape parkrow shall be installed in residential areas, a 5' hardscape parkrow with tree wells shall be installed in commercial areas. Landscape parkrows may be appropriate in some commercial areas without on-street parking, or where the overall design concept for the street corridor includes a landscape parkrow. The minimum width of a landscape parkrow in commercial areas shall be 7'.

[2] 6' sidewalk shall be installed in residential areas, 8'-10' sidewalk shall be installed in commercial areas. A 10' sidewalk shall be required on Boulevards (arterial) streets in the Downtown Design Standards Zone.

[3] Bike lanes are generally not needed on low volume (less than 3,000 ADT) and/or low travel speed (Less than 25mph) streets

Comment [h1]: language added to table footnotes for consistency with existing language regarding parkrow requirements detailed in following pages for a Boulevard, Avenue and Commercial Neighborhood Collector.

[4] *All dimensions and ranges in the City of Ashland Street Design Standards represent minimum standards or ranges for the improvements shown. The approval authority may require a dimension within a specific range based upon intensity of land use, existing and projected traffic and pedestrian volumes or when supported through other applicable standards. The approval authority may approve dimensions and ranges greater than those shown when volunteered by the applicant.*

Street Design Standards

A description of street design standards for each street classification follows. For an abbreviated presentation of the street right-of-way standards, see Table 1. All elements listed are required unless specifically noted. All dimensions and ranges in the City of Ashland Street Design Standards represent minimum standard or ranges for the improvements shown. The approval authority may require a dimension within a specified range based upon intensity of land use, existing and projected traffic and pedestrian volumes or when supported through other applicable approval standards. The approval authority may approve dimensions and ranges greater than those shown when volunteered by the applicant.

Approval Standards: New and reconstructed streets shall conform to the following design standards.

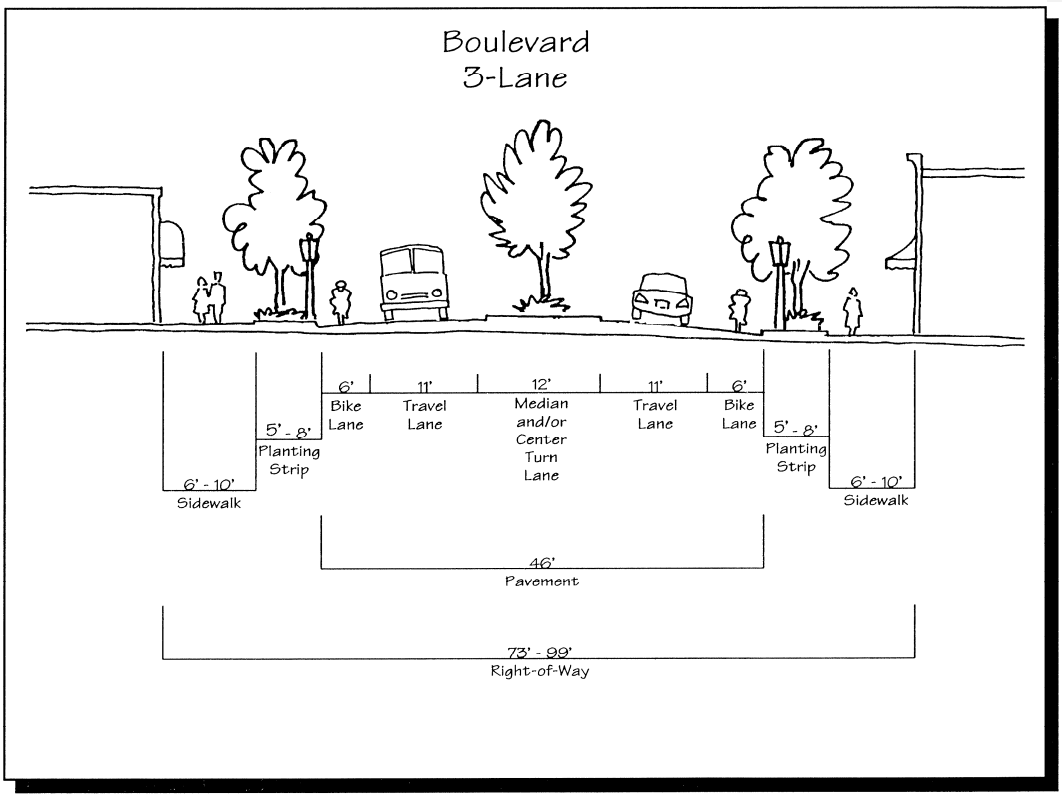
Boulevard

Boulevards are major thoroughfares filled with both human and vehicular activity. Design should provide an environment where walking, bicycling, using transit and driving are equally convenient and should facilitate the boulevard's use as a public space. Design should start with the assumption that the busy nature of a boulevard is a positive factor and incorporate it to enhance the street scape and setting. A 2-lane, 3-lane, or 5-lane configuration can be used depending on the number of trips generated by surrounding existing and future land uses.

Street Function:	Provide access to major urban activity centers and provide connections to regional traffic ways such as Interstate 5. Traffic without a destination in Ashland should be encouraged to use regional traffic ways and discouraged from using boulevards.
Connectivity:	Connects neighborhoods to urban activity centers and to regional traffic ways such as Interstate 5.
Average Daily Traffic:	8,000 - 30,000 motor vehicle trips per day
Managed Speed:	25 mph - 35 mph
Right-of-Way Width:	• 61' - 87' for 2-Lane • 73' - 99' for 3-Lane • 95' - 121' for 5-Lane
Curb-to-Curb Width:	• 34' for 2-Lane • 46' for 3-Lane • 68' for 5-Lane

Motor Vehicle Travel Lanes:	• Two 11' travel lanes for 2-Lane • Two 11' travel lanes, one 12' median/center turn lane for 3-Lane • Four 11' travel lanes, one 12' median/center turn lane for 5-Lane
Bike Lanes:	Two 6' bike lanes, one on each side of the street moving in the same direction as motor vehicle traffic
Parking:	In 8' - 9' bays
Curb and Gutter:	Yes 6" vertical/barrier curb
Parkrow:	• 7' - 8' landscape parkrow shall be installed in residential areas. Street trees shall be planted in the parkrow in accordance with the Street Tree Standards in the Site Design and Use Standards. • 5' hardscape parkrow shall be used in commercial areas with on-street parking and where the street corridor has or will have a hardscape parkrow in place. Landscape parkrows may be appropriate in some commercial areas without on-street parking, or where the overall design concept for the street corridor includes a landscape parkrow. The minimum width of a landscape parkrow in commercial areas shall be 7'. Street trees shall be planted in the parkrow in accordance with the Street Tree Standards in the Site Design and Use Standards.
Sidewalks:	• 6' on both sides in residential areas. • 8' – 10' on both sides in commercial areas. A 10' sidewalk shall be required on Boulevards in the Downtown Design Standards Zone.

Comment [h2]: existing language added to Table 1



Avenue

Avenues provide concentrated pedestrian, bicycle, transit and motor vehicle access from neighborhoods to neighborhood activity centers and boulevards. Avenues are similar to boulevards, but are designed on a smaller scale. Design should provide an environment where walking, bicycling, using transit and driving are equally convenient and should facilitate the avenue's use as a public space. A 2-lane, or 3-lane configuration can be used depending on the number of trips generated by surrounding existing and future land uses.

Street Function: Provide access from neighborhoods to neighborhood activity centers and boulevards.

Connectivity: Connects neighborhoods to neighborhood activity centers and boulevards.

Average Daily Traffic:	3,000 - 10,000 motor vehicle trips per day
Managed Speed:	20 mph - 25 mph
Right-of-Way Width:	• 59' - 86' for 2-Lane • 70.5' - 97.5' for 3-Lane
Curb-to-Curb Width:	• 32' - 33' for 2-Lane • 43.5' - 44.5' for 3-Lane
Motor Vehicle Travel Lanes:	• Two 10' - 10.5' travel lanes for 2-Lane • Two 10' - 10.5' travel lanes, one 11.5' median/center turn lane for 3-Lane
Bike Lanes:	Two 6' bike lanes, one on each side of the street moving in the same direction as motor vehicle traffic
Parking:	In 8' - 9' bays
Curb and Gutter:	Yes, 6" vertical/barrier curb
Parkrow:	• 7' – 8' landscape parkrow shall be installed in residential areas. Street trees shall be planted in the parkrow in accordance with the Street Tree Standards in the Site Design and Use Standards. • 5' hardscape parkrows shall be used in commercial areas with on-street parking and where the street corridor has or will have a hardscape parkrow in place. Landscape parkrows may be appropriate in some commercial areas without on-street parking, or where the overall design concept for the street corridor includes a landscape parkrow. The minimum width of a landscaped parkrow in commercial areas shall be 7'. Street trees shall be planted in the parkrow in accordance with the Street Tree Standards in the Site Design and Use Standards.
Sidewalks:	• 6' on both sides in residential areas. • 8' – 10' on both sides in commercial areas.

Comment [h3]: existing language added to Table 1

CHAPTER 18.92

~~OFF-STREET~~ PARKING, ACCESS and CIRCULATION

SECTIONS:

18.92.010 ~~Generally~~Purpose.
18.92.020 Applicability.
18.92.~~020~~030 Automobile Parking Spaces Required.
18.92.~~030~~040 Disabled Person Parking Places~~.~~
18.92.~~025~~050 ~~Credit for On-street Automobile Parking~~Parking Management Strategies.
~~18.92.030 Disabled Person Parking Places.~~
~~18.92.040 Bicycle Parking.~~
~~18.92.050 Compact Car Parking.~~
18.92.~~055~~060 Variances for Commercial Buildings in the Historic District.
~~18.92.060 Limitations, Location, Use of Facilities.~~
18.92.~~070~~070 ~~Automobile Parking Design Requirements~~Parking, Access and Circulation Design Requirements
~~18.92.080 Construction.~~
~~18.92.090 Alterations and Enlargements.~~18.92.~~040~~080 Bicycle Parking.
18.92.090 Pedestrian Access and Circulation
18.92.100 Construction.
18.92.110 Alterations and Enlargements.
18.92.120 Availability of Facilities.

SECTION 18.92.010 ~~Generally~~Purpose.

~~In all districts, except those specifically exempted, whenever any building is erected, enlarged, or the use is changed, off-street parking shall be provided as set forth in this Chapter~~ The purpose of this chapter is to provide standards for development of vehicle and bicycle parking, and to ensure developments provide safe and effective access and circulation for pedestrians, bicyclists and vehicles.

SECTION 18.92.020 Applicability.

In all districts, except those specifically exempted, whenever any building is erected, enlarged, or the use is changed, parking, access and circulation shall be provided as set forth in this chapter.

SECTION 18.92.~~020~~030 Automobile Parking Spaces Required.

Uses and standards are as follows:

A. **Residential Uses**. For residential uses the following automobile parking spaces are required.
   1. Single family dwellings. Two spaces for the primary dwelling unit and the following for accessory residential units:
      a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit.
      b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit.
      c. 2-bedroom units --1.75 spaces/unit.

d. 3-bedroom or greater units -- 2.00 spaces/unit.

2. Multi-family dwellings.
   a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit.
   b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit.
   c. 2-bedroom units -- 1.75 spaces/unit.
   d. 3-bedroom or greater units -- 2.00 spaces/unit.
   e. Retirement complexes for seniors 55-years or greater -- One space per unit.
3. Clubs, fraternity and sorority houses, rooming and boarding houses, dormitories. Two spaces for each three guest rooms; in dormitories, 100 square feet shall be equivalent to a guest room.
4. Hotels and motels.
   One space for each guest room, plus one space for the owner or manager.
5. Manufactured housing developments.
   Parking requirements are as established in Chapter 18.84.

6. Performance Standards Developments.
   Parking requirements are as established in Chapter 18.88.

B. **Commercial Uses.** For commercial uses the following automobile parking spaces are required.
1. Auto, boat or trailer sales, retail nurseries and other open-space uses.
   One space per 1,000 square feet of the first 10,000 square feet of gross land area; plus one space per 5,000 square feet for the excess over 10,000 square feet of gross land area; and one per two employees.
2. Bowling Alleys.
   Three spaces per alley, plus additional spaces for auxiliary activities set forth in this section.
3. Business, general retail, person services.
   General - one space for 350 square feet of gross floor area. Furniture and appliances - one space per 750 square feet of gross floor area.
4. Chapels and mortuaries.
   One space per four fixed seats in the main chapel.
5. Offices.
   Medical and dental - one space per 350 square feet of gross floor area. General - one space per 500 square feet of gross floor area. (Ord 3034, amended, 08/17/10)
6. Restaurants, bars, ice cream parlors and similar uses.
   One space per four seats or one space per 100 sq. ft. of gross leasable floor area, whichever is less.
7. Skating rinks.
   One space per 350 sq. ft. of gross building area.
8. Theaters, auditoriums, stadiums, gymnasiums and similar uses.
   One space per four seats.

C. **Industrial Uses.** For industrial uses the following automobile parking spaces are required.
1. Industrial and Warehousing uses.
   One space per 1,000 square feet of gross floor area or for each two employees, whichever is less, plus one space per company vehicle.
2. Public utilities (gas, water, telephone, etc.), not including business offices.
   One space per two employees on the largest shift, plus one space per company vehicle; a minimum of two spaces is required. (Ord 3034, amended, 08/17/10)

D. **Institutional and Public Uses.** For institutional and public uses the following automobile parking spaces are required.

1. Child care centers having 13 or more children.
   One space per two employees; a minimum of two spaces is required.
2. Churches.
   One space per four seats.
3. Golf courses, except miniature.
   Eight spaces per hole, plus additional spaces for auxiliary uses set forth in this section. Miniature golf courses -four spaces per hole.
4. Hospitals.
   Two spaces per patient bed.
5. Nursing and convalescent homes.
   One space per three patient beds.
6. Rest homes, homes for the aged, or assisted living.
   One space per two patient beds or one space per apartment unit.
7. Schools, elementary and junior high.
   One and one-half space per classroom, or the requirements for public assembly areas as set forth herein, whichever is greater.
8. High schools.
   One and one-half spaces per classroom, plus one space per 10 students the school is designed to accommodate, or the requirements for public assembly as set forth herein, whichever is greater.
9. Colleges, universities and trade schools.
   One and one-half spaces per classroom, plus one space per five students the school is designed to accommodate, plus requirements for on-campus student housing.

E. **Unspecified Uses.** Where automobile parking requirements for any use are not specifically defined in this section, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.

F. **Maximum Allowable Number of Automobile Parking Spaces.** The number of spaces provided by any particular use in ground surface lots shall not exceed the required number of spaces provided by this ordinance by more than 10%. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.

SECTION 18.92.~~030~~040 Disabled Person Parking Places.

The total number of disabled person parking spaces shall comply with the following:

Total in Parking Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7

301 to 400	8
401 to 500	9

One in every eight accessible spaces, but not less than one, must be van accessible. A van accessible parking space is required to be at least nine feet wide and have an adjacent access aisle that is at least eight feet wide. Required Disabled Person Parking spaces shall be designed in accord with all requirements of the State of Oregon, including minimum widths, adjacent aisles, and permanent markings. Disabled Person Parking space designs are included at the end of this chapter.

Comment [h1]: Formatting move.

SECTION 18.92.~~025~~050 ~~Credit for On-street Automobile Parking~~Parking Management Strategies.

The amount of required off-street parking may be reduced up to 50% through the application of the following credits.

A. **On-Street Parking Credit.** The amount of off-street parking required shall be reduced by the following credit provided for on-street parking: one off-street parking space credit for ~~every two~~one on-street ~~spaces up to four credits, thereafter one space credit for each on-street~~ parking space.

~~B.~~ 1. Dimensions. On-street parking shall follow the established configuration of existing on-street parking, except that 45 and 90 degree diagonal parking may be allowed with the approval of the Public Works Director, taking into account traffic flows and street design, with the parking spaces designed in accord with the standards on file with the Public Works Department. The following shall constitute an on-street parking space:

~~1~~a. Parallel parking, each ~~24~~ 22 feet of uninterrupted curb.

~~2~~b. 45 degree diagonal, each ~~13~~ 12 feet of uninterrupted curb.

c. 90 degree (perpendicular) parking, each 12 feet of uninterrupted curb.

~~C~~2. Location.

a. Curb space must be contiguous to the lot which contains the use which requires the parking~~.~~

~~D.~~b. Parking spaces may not be counted that are within 20 feet measured along the curb of any corner or intersection of an alley or street, nor any other parking configuration that violates any law or standard of the City or State.

~~E.~~c Parking spaces located on arterials and collectors may only receive credit if the arterial or collector is greater in width than the minimums established by the Street Standards in Chapter 18.88, Performance Standards Options. (Ord 2836 S14, 1999)

~~F~~d. Parking spaces may not be counted that are within 200 feet of a C-1-D or SO zone.

3.. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.

B. **Alternative Vehicle Parking.** Alternative vehicle parking facilities may be substituted for up to 25 percent of the required parking space on site.

1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.
2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.

C. **Mixed Uses.** In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset. In such case, ~~the Staff Advisor may reduce the total requirements~~the mixed-use credit shall reduce the off-street parking requirement by a percentage equal to the reduced parking demand ~~accordingly, but not by more than 35%.~~

D. **Joint Use of Facilities.** Required parking facilities of 2 or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use.

Comment [h2]: Moved from previous 18.92.060.D – Limitations, Location and Facilities

E. **Shared Parking.** One off-street parking space credit for every space constructed in designated off-site shared parking areas, or through payment of in-lieu-of-parking fees for a common parking.

F. **TDM Plan Credit.** Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long term parking demand by a percentage equal to the credit requested.

Comment [h3]: Moved from Croman Mill District Design Standards

G. **Transit Facilities Credit.** Sites where at least 20 spaces are required, and where at least one lot line abuts a street with transit service may substitute transit-supportive plazas for required parking as follows.
   1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of the required parking spaces on site.
   2. A street with transit service shall have a minimum of 30-minute peak period transit service frequency.
   3. Existing parking areas may be converted to take advantage of these provisions.
   4. The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.
   5. The plaza must be at least 300 square feet in area and be shaped so that a ten foot by ten foot square will fit entirely in the plaza.
   6. The plaza must include all of the following elements:
      a. A plaza that is open to the public. The owner must record a public access easement that allows public access to the plaza;
      b. A bench or other sitting area with at least five linear feet of seating;
      c. A shelter or other weather protection. The shelter must cover at least 20 square feet and the plaza must be landscaped. This landscaping is in addition to any other landscaping or screening required for parking areas by the Code.

~~**SECTION 18.92.030 – Disabled Person Parking Places.**~~

~~The total number of disabled-person parking spaces shall comply with the following:~~

~~**Total in Parking Lot**~~	~~**Required Minimum Number of Accessible Spaces**~~
~~1 to 25~~	~~1~~
~~26 to 50~~	~~2~~

~~51 to 75~~	~~3~~
~~76 to 100~~	~~4~~
~~101 to 150~~	~~5~~
~~151 to 200~~	~~6~~
~~201 to 300~~	~~7~~
~~301 to 400~~	~~8~~
~~401 to 500~~	~~9~~

~~Required Disabled Person Parking spaces shall be designed in accord with all requirements of the State of Oregon, including minimum widths, adjacent aisles, and permanent markings. Disabled Person Parking space designs are included at the end of this chapter.~~

~~**SECTION 18.92.040 – Bicycle Parking.**~~

Comment [h4]: Formatting move to after motor vehicle requirements – wording not changed.

~~A. All uses, with the exception of detached single family residences and uses in the C-1-D zone, shall provide a minimum of two sheltered bike parking spaces.~~

~~B. Every residential use of two units or more per structure, and not containing a garage, shall provide bicycle parking spaces as follows:~~

~~Multi-Family Residential: One sheltered space per studio and 1 bedroom unit~~
~~1.5 sheltered spaces per 2 bedroom unit~~
~~2.0 sheltered spaces per 3 bedroom unit~~
~~Senior Housing: One sheltered space per 8 units *(80% of the occupants are 55 or older)*~~

~~C. In addition, all uses which require off-street parking, except as specifically noted, shall provide one bicycle parking space for every 5 required auto parking spaces. Fractional spaces shall be rounded up to the next whole space. Fifty percent of the bicycle parking spaces required shall be sheltered from the weather. All spaces shall be located in proximity to the uses they are intended to serve. (Ord. 2697 § 1, 1993)~~

~~D. All public and commercial parking lots and parking structures shall provide a minimum of one bicycle parking space for every five auto parking spaces.~~

~~E. Elementary, Junior High, Middle and High Schools shall provide one sheltered bicycle parking space for every five students.~~

~~F. Colleges, universities, and trade schools shall provide one bicycle parking space for every five required auto parking spaces, of which one half is to be sheltered.~~

~~G. No bicycle parking spaces required by this standard shall be rented or leased, however, a refundable deposit fee may be charged. This does not preclude a bike parking rental business.~~

~~H. The required bicycle parking facilities shall be constructed when an existing residential building or dwelling is altered or enlarged by the addition or creation of dwelling units, or when a non-residential use is intensified by the addition of floor space, seating capacity, or change in use.~~

~~I. Bicycle Parking Design Standards~~

1. ~~The salient concern is that bicycle parking be visible and convenient to cyclists and that it provides sufficient security from theft and damage.~~
2. ~~Bicycle parking requirements can be met in any of the following ways:~~
   a. ~~Providing a bicycle storage room, bicycle lockers, or racks inside the building.~~
   b. ~~Providing bicycle lockers or racks in an accessory parking structure, underneath an awning or marquee, or outside the main building.~~
   c. ~~Providing bicycle racks on the public right of way. This must be approved by City of Ashland Public Works Department.~~
   d. ~~Providing secure storage space inside the building.~~
3. ~~All required exterior bicycle parking shall be located on site within 50 feet of well used entrances and not farther from the entrance than the closest motor vehicle parking space. Bicycle parking shall have direct access to both the public right of way and to the main entrance of the principal use. For facilities with multiple buildings, building entrances or parking lots (such as a college), exterior bicycle parking shall be located in areas of greatest use and convenience for bicyclists.~~
4. ~~Required bicycle parking spaces located out of doors shall be visible enough to provide security. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent walkways or motor vehicle parking lots during all hours of use. Bicycle parking shall be at least as well lit as automobile parking.~~
5. ~~An aisle for bicycle maneuvering shall be provided and maintained between each row of bicycle parking. Bicycle parking shall be designed in accord with the illustrations used for the implementation of this chapter.~~
6. ~~Each required bicycle parking space shall be accessible without moving another bicycle.~~
7. ~~Areas set aside for required bicycle parking shall be clearly marked and reserved for bicycle parking only.~~
8. ~~Parking spaces configured as indicated in the figure at the end of this chapter meet all requirements of this chapter and is the preferred design. Commercial bike lockers are acceptable according to manufacturer's specifications. A bicycle parking space located inside of a building for employee bike parking shall be a minimum of six feet long by 3 feet wide by 4 feet high, unless adequate room is provided to allow configuration as indicated in the figure at the end of this chapter.~~
9. ~~Sheltered parking shall mean protected from all precipitation and must include the minimum protection coverages shown in the figure at the end of this chapter.~~
10. ~~Bicycle parking shall be located to minimize the possibility of accidental damage to either bicycles or racks. Where needed, barriers shall be installed.~~
11. ~~Bicycle parking shall not impede or create a hazard to pedestrians. They shall not be located so as to violate vision clearance standards. Bicycle parking facilities should be harmonious with their environment both in color and design. Facilities should be incorporated whenever possible into building design or street furniture.~~

~~J. Bicycle Parking Rack Standards.~~

1. ~~All required bicycle parking racks installed shall meet the individual rack specifications shown in the figure at the end of this chapter. Single and multiple rack installations shall conform with the minimum clearance standards shown in the figures at the end of this chapter. Alternatives to the above standard may be approved after review by the Bicycle Commission and approval by the Staff Advisor. Alternatives shall conform with all other applicable standards of this section. Bicycle parking racks or lockers shall be anchored securely.~~
2. ~~The intent of this Subsection is to ensure that required bicycle racks are designed so that bicycles may be securely locked to them without undue inconvenience and will be~~

~~reasonably safeguarded from intentional or accidental damage.~~

~~a. Bicycle racks shall hold bicycles securely by means of the frame. The frame shall be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels.~~

~~b. Bicycle racks shall accommodate:~~

~~i. Locking the frame and both wheels to the rack with a high security U-shaped shackle lock, if the bicyclists removes the front wheel; and~~

~~ii. Locking the frame and one wheel to the rack with a high security U-shaped shackle lock, if the bicyclists leaves both wheels on the bicycle; and~~

~~iii. Locking the frame and both wheels to the rack with a chain or cable not longer than 6 feet without removal of the front wheel.~~

~~c. Paving and Surfacing. Outdoor bicycle parking facilities shall be surfaced in the same manner as the automobile parking area or with a minimum of two inch thickness of hard surfacing (i.e., asphalt, concrete, pavers, or similar material) and shall be relatively level. This surface will be maintained in a smooth, durable, and well drained condition.~~

~~SECTION 18.92.050 Compact Car Parking.~~

~~Up to 50% of the total automobile parking spaces in a parking lot may be designated for compact cars. Minimum dimensions for compact spaces shall be 8 x 16 feet. Such spaces shall be signed or the space painted with the words "Compact Car Only."~~

SECTION 18.92.~~055~~060 Variances for Commercial Buildings in the Historic District.

In order to preserve existing structures within the Ashland Historic District, while permitting the redevelopment of property to its highest commercial use, a variance of up to 50% of the required automobile parking may be granted to commercial uses within the Ashland Historic District as a Type I Variance. It is the intent of this clause to provide as much off-street parking as practical while preserving existing structures and allowing them to develop to their full commercial potential. Additionally, to identify redevelopment of existing commercial and residential buildings for commercial use within the Ashland Historic District as an exceptional circumstance and unusual hardship for the purposes of granting a variance.

~~SECTION 18.92.060 Limitations, Location, Use of Facilities.~~

~~A. **Location.** Except for single and two-family dwellings, required automobile parking facilities may be located on another parcel of land, provided said parcel is within 200 feet of the use it is intended to serve. The distance from the parking lot to the use shall be measured in walking distance from the nearest parking space to an access to the building housing the use, along a sidewalk or other pedestrian path separated from street traffic. Such right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.~~

~~B. Except as allowed in 18.92.060.F and except in the M Industrial District, required automobile parking shall not be located in a required front and side yard setback area abutting a public street, except alleys.~~

Comment [h5]: Moved to Parking Location in 18.92.070.A.

~~C. **Mixed Uses.** In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for~~

~~the several uses computed separately unless it can be shown that the peak parking demands are offset. In such case the Staff Advisor may reduce the total requirements accordingly, but not by more than 35%.~~

~~D. **Joint Use of Facilities.** Required parking facilities of 2 or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime v. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use.~~

~~E. **Availability of Facilities.** All automobile and bicycle parking shall be available for parking of residents, customers and employees only, and shall not be used for the storage or display of vehicles or materials.~~

~~F. In all residential zones, all off-street parking of automobiles, trucks, trailers and recreational vehicles in the front yard shall be limited to a contiguous area which is no more than 25% of the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard, whichever is greater. Since parking in violation of this section is occasional in nature, and is incidental to the primary use of the site, no vested rights are deemed to exist and violations of this section are not subject to the protection of the nonconforming use sections of this ordinance. However, a 24-hour warning notice of violation shall be provided prior to the issuance of a citation to appear in Municipal Court, and it shall be rebuttably presumed that the vehicle was parked with permission of the person in control of the property. Subsequent violations shall not require a warning notice.~~

Comment [h6]: Moved to Parking Location in 18.92.070.A.

SECTION 18.92.~~070~~070 ~~Automobile~~ Parking, Access and Circulation Design Requirements.

A. **Parking Location.**

1. Except for single and two-family dwellings, required automobile parking facilities may be located on another parcel of land, provided said parcel is within 200 feet of the use it is intended to serve. The distance from the parking lot to the use shall be measured in walking distance from the nearest parking space to an access to the building housing the use, along a sidewalk or other pedestrian path separated from street traffic. Such right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.

~~B~~2. Except as allowed in Section 18.92.~~060.~~F070.A.3 ~~and except in the M-Industrial District, required~~ automobile parking shall not be located in a required front and side yard setback area abutting a public street, except alleys.

3. In all residential zones, all off-street parking of automobiles, trucks, trailers and recreational vehicles in the front yard shall be limited to a contiguous area which is no more than 25% of the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard, whichever is greater. Since parking in violation of this section is occasional in nature, and is incidental to the primary use of the site, no vested rights are deemed to exist and violations of this section are not subject to the protection of the nonconforming use sections of this ordinance. However, a 24-hour warning notice of violation shall be provided prior to the issuance of a citation to appear in Municipal Court, and it shall be rebuttably presumed that the vehicle was parked with permission of the person in control of the property. Subsequent violations shall not require a warning

notice.

AB.**Size Parking Lotand AccessDesign.** All rRequired parking areas shall be designed in accordance with the parking layout chart at the end of this Chapterfollowing standards and dimensions.

1. Parking spaces shall be a minimum of 9 x 18 feet, except that 50% of the spaces may be compact spaces in accord with 18.92.050.
2. Up to 50% of the total automobile parking spaces in a parking lot may be designated for compact cars. Minimum dimensions for compact spaces shall be 8 x 16 feet. Such spaces shall be signed or the space painted with the words "Compact Car Only."
3. Parking spaces shall have a back-up maneuvering space no less than twenty-two (22) feet, except where parking is angled, and which does not necessitate moving of other vehicles.

C. **Vehicular Access and Circulation.** The intent of this section is to manage access to land uses and on-site circulation, and to preserve the transportation system in terms of safety, capacity and function.

1. Applicability. This section applies to all public streets within the City of Ashland and to all properties that abut these streets. The standards apply when developments are subject to a planning action (e.g. Site Review, Conditional Use Permit, Land Partition, Performance Standards Subdivision).
2. Traffic Study Requirements. The City may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation impacts.
3. Site Circulation. New development shall be required to provide a circulation system that accommodates expected traffic on the site. All on-site circulation systems shall incorporate street-like features as described in Section 18.92.090.A.3.c. Pedestrian connections on the site, including connections through large sites, and connections between sites and adjacent sidewalks must conform to the provisions of Section 18.92.090.
4. Intersection and Driveway Separation. The distance from a street intersection to a driveway, or from a driveway to another driveway shall meet the minimum spacing requirements for the street's classification in the Ashland Transportation System Plan (TSP).
   a. In no case shall driveways be closer than 24 feet as measured from the bottom of the existing or proposed apron wings of the driveway approach.
   b. Any partitioning or subdivision of property located in an R-2, R-3, C-1, E-1, CM or M-1 zone shall meet the controlled access standards set forth below. If applicable, cross access easements shall be required so that access to all properties created by the land division can be made from one or more points.
   c. Street and driveway access points in an R-2, R-3, C-1, E-1 or M-1 zone shall be limited to the following:

      1. Distance between driveways.
      On arterial streets - 100 feet;
      on collector streets - 75 feet;
      on residential streets - 50 feet.

      2. Distance from intersections.
      On arterial streets - 100 feet;
      on collector streets - 50 feet;
      on residential streets - 35 feet.

Comment [h7]: Moved from section 4.a below.

d. Street and driveway access points in the CM zone are subject to the requirements of the Croman Mill District Standards. (Ord 3036, added, 08/17/2010)

e. Access Requirements for Multi-family Developments.

i. All multi-family developments which will have automobile trip generation in excess of 250 vehicle trips per day shall provide at least two driveway access points to the development. Trip generation shall be determined by the methods established by the Institute of Transportation Engineers.

ii. Creating an obstructed street as defined in Section 18.88.020.G is prohibited.

Comment [h8]: b-e are existing standards that were moved from 18.72.120

4. Shared Use of Driveways and Curb Cuts.

a. Developments ~~subject to a planning action or divisions of property, either by minor land partition or subdivision,~~ shall minimize the number of driveway intersections with streets by the use of shared driveways with adjoining lots where feasible. ~~In no case shall driveways be closer than 24 feet as measured from the bottom of the existing or proposed apron wings of the driveway approach.~~ Where necessary from traffic safety and access management purposes, the City may require joint access and/or shared driveways in the following situations.

i. For shared parking areas;

ii. For adjacent developments, where access onto an arterial is limited; and

iii For multi-family developments, and developments on multiple lots.

b. Plans ~~for property being partitioned or subdivided or for multi-family developments~~submitted for developments subject to a planning action shall indicate how driveway intersections with streets have been minimized through the use of shared driveways and shall indicate all necessary access easements.

c. Developments subject to a planning action shall remove all curb cuts and driveway approaches not shown to be necessary for existing improvements or the proposed development. Cuts and approaches shall be replaced with standard curb, gutter or sidewalk as appropriate. All replacement shall be done under permit of the Engineering Division.

d. If the site is served by a shared access or alley, access for motor vehicles must be from the shared access or alley and not from the street frontage.

Comment [h9]: From Croman Mill District standards.

~~B~~D. **Driveways and Turn-~~Arounds~~Around Design.** ~~Driveways~~ Required driveways and turn-arounds providing access to parking areas shall conform to the following provisions:

1. A driveway for a single dwelling shall have a minimum width of nine feet, and a shared driveway serving two units shall have a width of 12 feet.
2. Parking areas of more than seven parking spaces per lot shall be provided with adequate aisles or turn-around areas so that all vehicles may enter the street in a forward manner.
3. Parking areas of more than seven parking spaces shall be served by a driveway 20 feet in width and constructed to facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety, and shall be clearly and permanently marked and defined. Parking areas of seven spaces or less shall be served by a driveway 12 feet in width.

~~4. Shared Use of Driveways and Curb Cuts.~~

~~a. Developments subject to a planning action or divisions of property, either by minor land partition or subdivision, shall minimize the number of driveway intersections with streets by the use of shared driveways with adjoining lots where feasible. In no case shall driveways be closer than 24 feet as measured from the bottom of the existing or proposed apron wings of the driveway approach.~~

~~b. Plans for property being partitioned or subdivided or for multi-family developments shall indicate how driveway intersections with streets have been minimized through the use of shared driveways and shall indicate all necessary access easements.~~

~~c. Developments subject to a planning action shall remove all curb cuts and driveway approaches not shown to be necessary for existing improvements or the proposed development. Cuts and approaches shall be replaced with standard curb, gutter or sidewalk as appropriate. All replacement shall be done under permit of the Engineering Division.~~

Comment [h10]: Moved up to previous section.

~~C~~4. Vertical Clearances. Driveways, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13'6" for their entire length and width.

~~D~~5. Vision Clearance. No obstructions may be placed in the vision clearance area except as set forth in Section 18.68.020.

E. **Parking and Access ~~Development~~ Construction and Maintenance.** The ~~development~~ construction and maintenance as provided below, shall apply in all cases, except single-family dwellings.

1. Paving. All required parking areas, aisles, turn-arounds and driveways shall be paved with concrete, asphaltic or comparable surfacing including pervious paving, constructed to standards on file in the office of the City Engineer.
2. Drainage. All required parking areas, aisles and turn-arounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.
3. Driveway approaches. Approaches shall be paved with concrete surfacing constructed to standards on file in the office of the City Engineer.
4. Marking. Parking lots of more than seven spaces shall have all spaces permanently and clearly marked.
5. Wheel stops. Wheel stops shall be a minimum of four inches in height and width and six feet in length. They shall be firmly attached to the ground and so constructed as to withstand normal wear. Wheel stops shall be provided where appropriate for all spaces abutting property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.
6. Walls and Hedges.
   a. Where parking abuts upon a street, a decorative masonry wall or evergreen hedge screen of 30-42 inches in height and a minimum of 12" in width shall be established parallel to and not nearer than two feet from the right-of-way line. Screen planting shall be of such size and number to provide the required screening within 12 months after installation. The area between the wall or hedge and street line shall be landscaped. All vegetation shall be adequately maintained by a permanent irrigation system, and said wall or hedge shall be maintained in good condition. The required wall or screening shall be designed to allow for free access to the site and sidewalk by pedestrians.
   b. In all zones, except single-family zones, where parking facilities or driveways are located adjacent to residential or agricultural zones, school yards, or like institutions, a sight-obscuring fence, wall, or evergreen hedge not less than five feet, nor more than six feet high shall be provided on the property line as measured from the high grade side. Said wall, fence or hedge shall be reduced to 30 inches within required setback area, or within 10 feet of street property lines, and shall be maintained in good condition. Screen plantings shall be of such size and number to provide the required screening within 12 months after installation. Adequate provisions shall be made to protect walls, fences or plant materials from being damaged by vehicles using said parking areas.

7. Landscaping. In all zones, all parking facilities shall include landscaping to cover not less than 7% of the area devoted to outdoor parking facilities, including the landscaping required in subdivision 6(a) above. Said landscaping shall be uniformly distributed throughout the parking area, be provided with irrigation facilities and protective curbs or raised wood headers. It may consist of trees, plus shrubs, ground cover or related material. A minimum of one tree per seven parking spaces is required.
8. Lighting. Lighting of parking areas within 100 feet of property in residential zones shall be directed into or on the site and away from property lines such that the light element shall not be directly visible from abutting residential property.

~~SECTION 18.92.080 Construction.~~

~~The required parking facilities, including design standards, shall be installed prior to a release of a certificate of use and occupancy or a release of utilities, and shall be permanently maintained as a condition of use. However, the Building Official may, unless otherwise directed by the Planning Commission or Staff Advisor, release a temporary certificate of use and occupancy and a temporary release of utilities before the installation of said facilities provided: (1) there is proof that the owner has entered into a contract with a reputable installer for the completion of the parking, including design standards, with a specified time, and that there remains nothing for the owner to do prior to installation; or (2) the owner has posted a satisfactory performance bond to ensure the installation of said parking facilities within a specified time.~~

~~SECTION 18.92.090 Alterations and Enlargements.~~

~~The required parking facilities shall be constructed when an existing building or dwelling is altered or enlarged by the addition or creation of guest rooms or dwelling units, or when a use is intensified by the addition of floor space, seating capacity, or change in use.~~(Ord 2659, 1991; Ord 2777, 1996)

SECTION 18.92.~~040~~080 Bicycle Parking.

A. All uses, with the exception of detached single-family residences and uses in the C-1-D zone, shall provide a minimum of two sheltered bike parking spaces.

B. Every residential use of two units or more per structure, and not containing a garage, shall provide bicycle parking spaces as follows:

Multi-Family Residential:	One sheltered space per studio and 1-bedroom unit
	1.5 sheltered spaces per 2-bedroom unit
	2.0 sheltered spaces per 3-bedroom unit
Senior Housing:	One sheltered space per 8 units *(80% of the occupants are 55 or older)*

C. In addition, all uses which require off street parking, except as specifically noted, shall provide one bicycle parking space for every 5 required auto parking spaces. Fractional spaces shall be rounded up to the next whole space. Fifty percent of the bicycle parking spaces required shall be sheltered from the weather. All spaces shall be located in proximity to the uses they are intended to serve. (Ord 2697 S1, 1993)

D. All public and commercial parking lots and parking structures shall provide a minimum of one bicycle parking space for every five auto parking spaces.

E. Elementary, Junior High, Middle and High Schools shall provide one sheltered bicycle

parking space for every five students.

F. Colleges, universities, and trade schools shall provide one bicycle parking space for every five required auto parking spaces, of which one half is to be sheltered.

G. No bicycle parking spaces required by this standard shall be rented or leased, however, a refundable deposit fee may be charged. This does not preclude a bike parking rental business.

H. The required bicycle parking facilities shall be constructed when an existing residential building or dwelling is altered or enlarged by the addition or creation of dwelling units, or when a non-residential use is intensified by the addition of floor space, seating capacity, or change in use.

I. Bicycle Parking Design Standards
   1. The salient concern is that bicycle parking be visible and convenient to cyclists and that it provides sufficient security from theft and damage.
   2. Bicycle parking requirements can be met in any of the following ways:
      a. Providing a bicycle storage room, bicycle lockers, or racks inside the building.
      b. Providing bicycle lockers or racks in an accessory parking structure, underneath an awning or marquee, or outside the main building.
      c. Providing bicycle racks on the public right of way. This must be approved by City of Ashland Public Works Department.
      d. Providing secure storage space inside the building.
   3. All required exterior bicycle parking shall be located on site within 50 feet of well-used entrances and not farther from the entrance than the closest motor vehicle parking space. Bicycle parking shall have direct access to both the public right-of-way and to the main entrance of the principal use. For facilities with multiple buildings, building entrances or parking lots (such as a college), exterior bicycle parking shall be located in areas of greatest use and convenience for bicyclists.
   4. Required bicycle parking spaces located out of doors shall be visible enough to provide security. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent walkways or motor vehicle parking lots during all hours of use. Bicycle parking shall be at least as well lit as automobile parking.
   5. An aisle for bicycle maneuvering shall be provided and maintained between each row of bicycle parking. Bicycle parking shall be designed in accord with the illustrations used for the implementation of this chapter.
   6. Each required bicycle parking space shall be accessible without moving another bicycle.
   7. Areas set aside for required bicycle parking shall be clearly marked and reserved for bicycle parking only.
   8. Parking spaces configured as indicated in the figure at the end of this chapter meet all requirements of this chapter and is the preferred design. Commercial bike lockers are acceptable according to manufacturer's specifications. A bicycle parking space located inside of a building for employee bike parking shall be a minimum of six feet long by 3 feet wide by 4 feet high, unless adequate room is provided to allow configuration as indicated in the figure at the end of this chapter.
   9. Sheltered parking shall mean protected from all precipitation and must include the minimum protection coverages shown in the figure at the end of this chapter.
   10. Bicycle parking shall be located to minimize the possibility of accidental damage to either bicycles or racks. Where needed, barriers shall be installed.
   11. Bicycle parking shall not impede or create a hazard to pedestrians. They shall not be

located so as to violate vision clearance standards. Bicycle parking facilities should be harmonious with their environment both in color and design. Facilities should be incorporated whenever possible into building design or street furniture.

J. Bicycle Parking Rack Standards.

1. All required bicycle parking racks installed shall meet the individual rack specifications shown in the figure at the end of this chapter. Single and multiple rack installations shall conform with the minimum clearance standards shown in the figures at the end of this chapter. Alternatives to the above standard may be approved after review by the Bicycle Commission and approval by the Staff Advisor. Alternatives shall conform with all other applicable standards of this section. Bicycle parking racks or lockers shall be anchored securely.
2. The intent of this sSubsection is to ensure that required bicycle racks are designed so that bicycles may be securely locked to them without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.
   a. Bicycle racks shall hold bicycles securely by means of the frame. The frame shall be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels.
   b. Bicycle racks shall accommodate:
      i. Locking the frame and both wheels to the rack with a high-security U-shaped shackle lock, if the bicyclists removes the front wheel; and
      ii. Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, if the bicyclists leaves both wheels on the bicycle; and
      iii. Locking the frame and both wheels to the rack with a chain or cable not longer than 6 feet without removal of the front wheel.
   c. Paving and Surfacing. Outdoor bicycle parking facilities shall be surfaced in the same manner as the automobile parking area or with a minimum of two inch thickness of hard surfacing (i.e., asphalt, concrete, pavers, or similar material) and shall be relatively level. This surface will be maintained in a smooth, durable, and well-drained condition.

SECTION 18.92.090 Pedestrian Access and Circulation.

A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family dwellings (i.e. detached housing on individual lots) and accessory uses, shall provide a continuous walkway system. The walkway system shall be based on the standards in subsections 1-4, below:

1. Continuous Walkway System. Extend the walkway system throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent sidewalks, trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property for this purpose.

2. Safe, Direct, and Convenient. Provide safe, reasonably direct, and convenient walkway connections between primary building entrances and all adjacent streets, based on the following definitions:

   a. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

b. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

c. "Primary entrance" for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

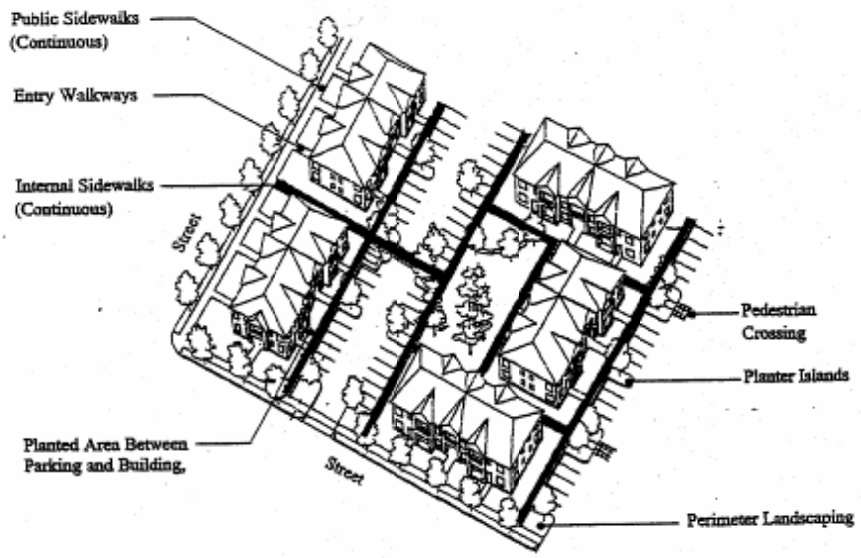
d. "Primary entrance" for residential buildings is the front door (i.e. facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.

3. Connections within Development. Walkways within developments shall be provide connections as required in subsections a-c, below:

a. Connect all building entrances to one another to the extent practicable, as generally shown in Figure 1;

b. Connect all on-site parking areas, storage areas, recreational facilities, trash and recycle areas and common areas, and connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 1; and

Figure 1 Pedestrian Pathway System (Typical)



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c. Divide parking areas with 50 spaces or more into separate areas so that no contiguous parking area exceeds one third of an acre. Parking areas may be broken up by a building or group of buildings, plazas, large landscape areas with pedestrian access ways (*i.e.,* at least 20 feet total width), streets, or driveways with street-like features, Street-like features, for the purpose of this section, means a raised sidewalk of at least five feet in width, six-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.

B. Walkway Design and Construction. Walkways shall conform to all of the standards in subsections 1-4, as generally illustrated in Figure 2:

1. Vehicle/Walkway Separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised six inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

2. Crosswalks. Where walkways cross a parking area or driveway, clearly mark crosswalks with contrasting paving materials (*e.g.,* light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

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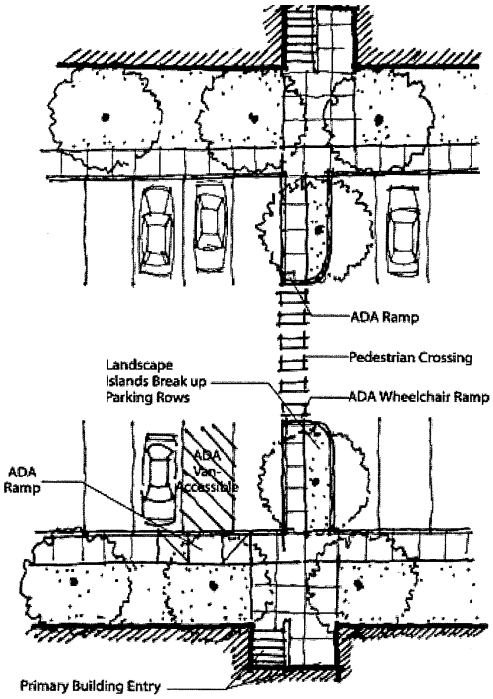
3. Walkway Surface and Width. Walkway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, at least five feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide in accordance with the Ashland Street Standards in Section 18.88.020.K.

4. Accessible routes. Walkways shall comply with applicable Americans with Disabilities Act (ADA) and State of Oregon requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.



5. Provide pedestrian scale lighting in conformance with City standards along pedestrian facilities.

SECTION 18.92.~~080~~100 Construction.

The required parking, access and circulation facilities, including design standards, shall be installed prior to a release of a certificate of use and occupancy or a release of utilities, and shall be permanently maintained as a condition of use. However, the Building Official may, unless otherwise directed by the Planning Commission or Staff Advisor, release a temporary certificate of use and occupancy and a temporary release of utilities before the installation of said facilities provided: (1) there is proof that the owner has entered into a contract with a reputable installer for the completion of the parking, including design standards, with a specified time, and that there remains nothing for the owner to do prior to installation; or (2) the owner has posted a satisfactory performance bond to ensure the installation of said parking facilities within a specified time.

SECTION 18.92.~~090~~110 Alterations and Enlargements.

The required parking, access and circulation facilities shall be constructed when an existing building or dwelling is altered or enlarged by the addition or creation of guest rooms or dwelling units, or when a use is intensified by the addition of floor space, seating capacity, or change in use.

SECTION 18.92.120 Availability of Facilities.

~~E. **Availability of Facilities.** All automobile and bicycle~~required parking, access and circulation shall be available for ~~parking of~~use by residents, customers and employees only, and shall not be used for the storage or display of vehicles or materials.

CHAPTER 18.92

PARKING, ACCESS and CIRCULATION

SECTIONS:

18.92.010 Purpose.
18.92.020 Applicability.
18.92.030 Automobile Parking Spaces Required.
18.92.040 Disabled Person Parking Places
18.92.050 Parking Management Strategies.
18.92.060 Variances for Commercial Buildings in the Historic District.
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18.92.100 Construction.
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18.92.120 Availability of Facilities.

SECTION 18.92.010 Purpose.

The purpose of this chapter is to provide standards for development of vehicle and bicycle parking, and to ensure developments provide safe and effective access and circulation for pedestrians, bicyclists and vehicles.

SECTION 18.92.020 Applicability.

In all districts, except those specifically exempted, whenever any building is erected, enlarged, or the use is changed, parking, access and circulation shall be provided as set forth in this chapter.

SECTION 18.92.030 Automobile Parking Spaces Required.

Uses and standards are as follows:

A. **Residential Uses**. For residential uses the following automobile parking spaces are required.
   1. Single family dwellings. Two spaces for the primary dwelling unit and the following for accessory residential units:
      a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit.
      b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit.
      c. 2-bedroom units --1.75 spaces/unit.
      d. 3-bedroom or greater units -- 2.00 spaces/unit.
   2. Multi-family dwellings.
      a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit.
      b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit.
      c. 2-bedroom units -- 1.75 spaces/unit.
      d. 3-bedroom or greater units -- 2.00 spaces/unit.
      e. Retirement complexes for seniors 55-years or greater -- One space per unit.
   3. Clubs, fraternity and sorority houses, rooming and boarding houses, dormitories. Two

spaces for each three guest rooms; in dormitories, 100 square feet shall be equivalent to a guest room.

4. Hotels and motels.
   One space for each guest room, plus one space for the owner or manager.
5. Manufactured housing developments.
   Parking requirements are as established in Chapter 18.84.

6. Performance Standards Developments.
   Parking requirements are as established in Chapter 18.88.

B. **Commercial Uses.** For commercial uses the following automobile parking spaces are required.
   1. Auto, boat or trailer sales, retail nurseries and other open-space uses.
      One space per 1,000 square feet of the first 10,000 square feet of gross land area; plus one space per 5,000 square feet for the excess over 10,000 square feet of gross land area; and one per two employees.
   2. Bowling Alleys.
      Three spaces per alley, plus additional spaces for auxiliary activities set forth in this section.
   3. Business, general retail, person services.
      General - one space for 350 square feet of gross floor area. Furniture and appliances - one space per 750 square feet of gross floor area.
   4. Chapels and mortuaries.
      One space per four fixed seats in the main chapel.
   5. Offices.
      Medical and dental - one space per 350 square feet of gross floor area. General - one space per 500 square feet of gross floor area. (Ord 3034, amended, 08/17/10)
   6. Restaurants, bars, ice cream parlors and similar uses.
      One space per four seats or one space per 100 sq. ft. of gross leasable floor area, whichever is less.
   7. Skating rinks.
      One space per 350 sq. ft. of gross building area.
   8. Theaters, auditoriums, stadiums, gymnasiums and similar uses.
      One space per four seats.

C. **Industrial Uses.** For industrial uses the following automobile parking spaces are required.
   1. Industrial and Warehousing uses.
      One space per 1,000 square feet of gross floor area or for each two employees, whichever is less, plus one space per company vehicle.
   2. Public utilities (gas, water, telephone, etc.), not including business offices.
      One space per two employees on the largest shift, plus one space per company vehicle; a minimum of two spaces is required. (Ord 3034, amended, 08/17/10)

D. **Institutional and Public Uses.** For institutional and public uses the following automobile parking spaces are required.
   1. Child care centers having 13 or more children.
      One space per two employees; a minimum of two spaces is required.
   2. Churches.
      One space per four seats.
   3. Golf courses, except miniature.
      Eight spaces per hole, plus additional spaces for auxiliary uses set forth in this section.

Miniature golf courses -four spaces per hole.

4. Hospitals.
   Two spaces per patient bed.
5. Nursing and convalescent homes.
   One space per three patient beds.
6. Rest homes, homes for the aged, or assisted living.
   One space per two patient beds or one space per apartment unit.
7. Schools, elementary and junior high.
   One and one-half space per classroom, or the requirements for public assembly areas as set forth herein, whichever is greater.
8. High schools.
   One and one-half spaces per classroom, plus one space per 10 students the school is designed to accommodate, or the requirements for public assembly as set forth herein, whichever is greater.
9. Colleges, universities and trade schools.
   One and one-half spaces per classroom, plus one space per five students the school is designed to accommodate, plus requirements for on-campus student housing.

E. **Unspecified Uses.** Where automobile parking requirements for any use are not specifically defined in this section, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.

F. **Maximum Allowable Number of Automobile Parking Spaces.** The number of spaces provided by any particular use in ground surface lots shall not exceed the required number of spaces provided by this ordinance by more than 10%. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.

SECTION 18.92.040 Disabled Person Parking Places.

The total number of disabled person parking spaces shall comply with the following:

Total in Parking Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9

One in every eight accessible spaces, but not less than one, must be van accessible. A van accessible parking space is required to be at least nine feet wide and have an adjacent access aisle that is at least eight feet wide. Required Disabled Person Parking spaces shall be designed in accord with all requirements of the State of Oregon, including minimum widths, adjacent aisles, and permanent markings. Disabled Person Parking space designs are included

at the end of this chapter.

SECTION 18.92.050 Parking Management Strategies.
The amount of required off-street parking may be reduced up to 50% through the application of the following credits.

A. **On-Street Parking Credit.** The amount of off-street parking required shall be reduced by the following credit provided for on-street parking: one off-street parking space credit for one on-street parking space.

1. Dimensions. On-street parking shall follow the established configuration of existing on-street parking, except that 45 and 90 degree diagonal parking may be allowed with the approval of the Public Works Director, taking into account traffic flows and street design, with the parking spaces designed in accord with the standards on file with the Public Works Department. The following shall constitute an on-street parking space:
   a. Parallel parking, each 22 feet of uninterrupted curb.
   b. 45 degree diagonal, each 12 feet of uninterrupted curb.
   c. 90 degree (perpendicular) parking, each 12 feet of uninterrupted curb.

2. Location.
   a. Curb space must be contiguous to the lot which contains the use which requires the parking
   b. Parking spaces may not be counted that are within 20 feet measured along the curb of any corner or intersection of an alley or street, nor any other parking configuration that violates any law or standard of the City or State.
   c Parking spaces located on arterials and collectors may only receive credit if the arterial or collector is greater in width than the minimums established by the Street Standards in Chapter 18.88, Performance Standards Options. (Ord 2836 S14, 1999)
   d. Parking spaces may not be counted that are within 200 feet of a C-1-D or SO zone.

3.. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.

B. **Alternative Vehicle Parking.** Alternative vehicle parking facilities may be substituted for up to 25 percent of the required parking space on site.
   1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.
   2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.

C. **Mixed Uses.** In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset. In such case, the mixed-use credit shall reduce the off-street parking requirement by a percentage equal to the reduced parking demand.

D. **Joint Use of Facilities.** Required parking facilities of 2 or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right

of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use.

E. **Shared Parking.** One off-street parking space credit for every space constructed in designated off-site shared parking areas, or through payment of in-lieu-of-parking fees for a common parking.

F. **TDM Plan Credit.** Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long term parking demand by a percentage equal to the credit requested.

G. **Transit Facilities Credit.** Sites where at least 20 spaces are required, and where at least one lot line abuts a street with transit service may substitute transit-supportive plazas for required parking as follows.
   1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of the required parking spaces on site.
   2. A street with transit service shall have a minimum of 30-minute peak period transit service frequency.
   3. Existing parking areas may be converted to take advantage of these provisions.
   4. The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.
   5. The plaza must be at least 300 square feet in area and be shaped so that a ten foot by ten foot square will fit entirely in the plaza.
   6. The plaza must include all of the following elements:
      a. A plaza that is open to the public. The owner must record a public access easement that allows public access to the plaza;
      b. A bench or other sitting area with at least five linear feet of seating;
      c. A shelter or other weather protection. The shelter must cover at least 20 square feet and the plaza must be landscaped. This landscaping is in addition to any other landscaping or screening required for parking areas by the Code.

SECTION 18.92.060 Variances for Commercial Buildings in the Historic District.

In order to preserve existing structures within the Ashland Historic District, while permitting the redevelopment of property to its highest commercial use, a variance of up to 50% of the required automobile parking may be granted to commercial uses within the Ashland Historic District as a Type I Variance. It is the intent of this clause to provide as much off-street parking as practical while preserving existing structures and allowing them to develop to their full commercial potential. Additionally, to identify redevelopment of existing commercial and residential buildings for commercial use within the Ashland Historic District as an exceptional circumstance and unusual hardship for the purposes of granting a variance.

SECTION 18.92.070 Parking, Access and Circulation Design Requirements.

A. **Parking Location.**
   1. Except for single and two-family dwellings, required automobile parking facilities may be located on another parcel of land, provided said parcel is within 200 feet of the use it is intended to serve. The distance from the parking lot to the use shall be measured in walking distance from the nearest parking space to an access to the building housing the use, along a sidewalk or other pedestrian path separated from street traffic. Such right to

use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.

2. Except as allowed in Section 18.92.070.A.3, automobile parking shall not be located in a required front and side yard setback area abutting a public street, except alleys.
3. In all residential zones, all off-street parking of automobiles, trucks, trailers and recreational vehicles in the front yard shall be limited to a contiguous area which is no more than 25% of the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard, whichever is greater. Since parking in violation of this section is occasional in nature, and is incidental to the primary use of the site, no vested rights are deemed to exist and violations of this section are not subject to the protection of the nonconforming use sections of this ordinance. However, a 24-hour warning notice of violation shall be provided prior to the issuance of a citation to appear in Municipal Court, and it shall be rebuttably presumed that the vehicle was parked with permission of the person in control of the property. Subsequent violations shall not require a warning notice.

B. **Parking Lot Design.** Required parking areas shall be designed in accordance with the following standards and dimensions.
   1. Parking spaces shall be a minimum of 9 x 18 feet.
   2. Up to 50% of the total automobile parking spaces in a parking lot may be designated for compact cars. Minimum dimensions for compact spaces shall be 8 x 16 feet. Such spaces shall be signed or the space painted with the words "Compact Car Only."3. Parking spaces shall have a back-up maneuvering space no less than twenty-two (22) feet, except where parking is angled, and which does not necessitate moving of other vehicles.

C. **Vehicular Access and Circulation.** The intent of this section is to manage access to land uses and on-site circulation, and to preserve the transportation system in terms of safety, capacity and function.
   1. Applicability. This section applies to all public streets within the City of Ashland and to all properties that abut these streets. The standards apply when developments are subject to a planning action (e.g. Site Review, Conditional Use Permit, Land Partition, Performance Standards Subdivision).
   2. Traffic Study Requirements. The City may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation impacts.
   3. Site Circulation. New development shall be required to provide a circulation system that accommodates expected traffic on the site. All on-site circulation systems shall incorporate street-like features as described in Section 18.92.090.A.3.c. Pedestrian connections on the site, including connections through large sites, and connections between sites and adjacent sidewalks must conform to the provisions of Section 18.92.090.
   4. Intersection and Driveway Separation. The distance from a street intersection to a driveway, or from a driveway to another driveway shall meet the minimum spacing requirements for the street's classification in the Ashland Transportation System Plan (TSP).
      a. In no case shall driveways be closer than 24 feet as measured from the bottom of the existing or proposed apron wings of the driveway approach.
      b. Any partitioning or subdivision of property located in an R-2, R-3, C-1, E-1, CM or M-1 zone shall meet the controlled access standards set forth below. If applicable, cross access easements shall be required so that access to all properties created by the land division can be made from one or more points.

c. Street and driveway access points in an R-2, R-3, C-1, E-1 or M-1 zone shall be limited to the following:

1. Distance between driveways.
On arterial streets - 100 feet;
on collector streets - 75 feet;
on residential streets - 50 feet.

2. Distance from intersections.
On arterial streets - 100 feet;
on collector streets - 50 feet;
on residential streets - 35 feet.

d. Street and driveway access points in the CM zone are subject to the requirements of the Croman Mill District Standards. (Ord 3036, added, 08/17/2010)

e. Access Requirements for Multi-family Developments.
   i. All multi-family developments which will have automobile trip generation in excess of 250 vehicle trips per day shall provide at least two driveway access points to the development. Trip generation shall be determined by the methods established by the Institute of Transportation Engineers.
   ii. Creating an obstructed street as defined in Section 18.88.020.G is prohibited.

4. Shared Use of Driveways and Curb Cuts.
   a. Developments shall minimize the number of driveway intersections with streets by the use of shared driveways with adjoining lots where feasible. Where necessary from traffic safety and access management purposes, the City may require joint access and/or shared driveways in the following situations.
      i. For shared parking areas;
      ii. For adjacent developments, where access onto an arterial is limited; and
      iii For multi-family developments, and developments on multiple lots.
   b. Plans submitted for developments subject to a planning action shall indicate how driveway intersections with streets have been minimized through the use of shared driveways and shall indicate all necessary access easements.
   c. Developments subject to a planning action shall remove all curb cuts and driveway approaches not shown to be necessary for existing improvements or the proposed development. Cuts and approaches shall be replaced with standard curb, gutter or sidewalk as appropriate. All replacement shall be done under permit of the Engineering Division.
   d. If the site is served by a shared access or alley, access for motor vehicles must be from the shared access or alley and not from the street frontage.

D. **Driveways and Turn-Around Design.** Required driveways and turn-arounds providing access to parking areas shall conform to the following provisions:
   1. A driveway for a single dwelling shall have a minimum width of nine feet, and a shared driveway serving two units shall have a width of 12 feet.
   2. Parking areas of more than seven parking spaces per lot shall be provided with adequate aisles or turn-around areas so that all vehicles may enter the street in a forward manner.
   3. Parking areas of more than seven parking spaces shall be served by a driveway 20 feet in width and constructed to facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety, and shall be clearly and permanently marked and

defined. Parking areas of seven spaces or less shall be served by a driveway 12 feet in width.

4. Vertical Clearances. Driveways, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13'6" for their entire length and width.
5. Vision Clearance. No obstructions may be placed in the vision clearance area except as set forth in Section 18.68.020.

E. **Parking and Access Construction and Maintenance.** The construction and maintenance as provided below, shall apply in all cases, except single-family dwellings.

1. Paving. All required parking areas, aisles, turn-arounds and driveways shall be paved with concrete, asphaltic or comparable surfacing including pervious paving, constructed to standards on file in the office of the City Engineer.
2. Drainage. All required parking areas, aisles and turn-arounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.
3. Driveway approaches. Approaches shall be paved with concrete surfacing constructed to standards on file in the office of the City Engineer.
4. Marking. Parking lots of more than seven spaces shall have all spaces permanently and clearly marked.
5. Wheel stops. Wheel stops shall be a minimum of four inches in height and width and six feet in length. They shall be firmly attached to the ground and so constructed as to withstand normal wear. Wheel stops shall be provided where appropriate for all spaces abutting property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.
6. Walls and Hedges.
   a. Where parking abuts upon a street, a decorative masonry wall or evergreen hedge screen of 30-42 inches in height and a minimum of 12" in width shall be established parallel to and not nearer than two feet from the right-of-way line. Screen planting shall be of such size and number to provide the required screening within 12 months after installation. The area between the wall or hedge and street line shall be landscaped. All vegetation shall be adequately maintained by a permanent irrigation system, and said wall or hedge shall be maintained in good condition. The required wall or screening shall be designed to allow for free access to the site and sidewalk by pedestrians.
   b. In all zones, except single-family zones, where parking facilities or driveways are located adjacent to residential or agricultural zones, school yards, or like institutions, a sight-obscuring fence, wall, or evergreen hedge not less than five feet, nor more than six feet high shall be provided on the property line as measured from the high grade side. Said wall, fence or hedge shall be reduced to 30 inches within required setback area, or within 10 feet of street property lines, and shall be maintained in good condition. Screen plantings shall be of such size and number to provide the required screening within 12 months after installation. Adequate provisions shall be made to protect walls, fences or plant materials from being damaged by vehicles using said parking areas.
7. Landscaping. In all zones, all parking facilities shall include landscaping to cover not less than 7% of the area devoted to outdoor parking facilities, including the landscaping required in subdivision 6(a) above. Said landscaping shall be uniformly distributed throughout the parking area, be provided with irrigation facilities and protective curbs or raised wood headers. It may consist of trees, plus shrubs, ground cover or related material. A minimum of one tree per seven parking spaces is required.

8. Lighting. Lighting of parking areas within 100 feet of property in residential zones shall be directed into or on the site and away from property lines such that the light element shall not be directly visible from abutting residential property.

SECTION 18.92.080 Bicycle Parking.

A. All uses, with the exception of detached single-family residences and uses in the C-1-D zone, shall provide a minimum of two sheltered bike parking spaces.

B. Every residential use of two units or more per structure, and not containing a garage, shall provide bicycle parking spaces as follows:

Multi-Family Residential:	One sheltered space per studio and 1-bedroom unit
	1.5 sheltered spaces per 2-bedroom unit
	2.0 sheltered spaces per 3-bedroom unit
Senior Housing:	One sheltered space per 8 units *(80% of the occupants are 55 or older)*

C. In addition, all uses which require off street parking, except as specifically noted, shall provide one bicycle parking space for every 5 required auto parking spaces. Fractional spaces shall be rounded up to the next whole space. Fifty percent of the bicycle parking spaces required shall be sheltered from the weather. All spaces shall be located in proximity to the uses they are intended to serve. (Ord 2697 S1, 1993)

D. All public and commercial parking lots and parking structures shall provide a minimum of one bicycle parking space for every five auto parking spaces.

E. Elementary, Junior High, Middle and High Schools shall provide one sheltered bicycle parking space for every five students.

F. Colleges, universities, and trade schools shall provide one bicycle parking space for every five required auto parking spaces, of which one half is to be sheltered.

G. No bicycle parking spaces required by this standard shall be rented or leased, however, a refundable deposit fee may be charged. This does not preclude a bike parking rental business.

H. The required bicycle parking facilities shall be constructed when an existing residential building or dwelling is altered or enlarged by the addition or creation of dwelling units, or when a non-residential use is intensified by the addition of floor space, seating capacity, or change in use.

I. Bicycle Parking Design Standards
   1. The salient concern is that bicycle parking be visible and convenient to cyclists and that it provides sufficient security from theft and damage.
   2. Bicycle parking requirements can be met in any of the following ways:
      a. Providing a bicycle storage room, bicycle lockers, or racks inside the building.
      b. Providing bicycle lockers or racks in an accessory parking structure, underneath an awning or marquee, or outside the main building.
      c. Providing bicycle racks on the public right of way. This must be approved by City of Ashland Public Works Department.

d. Providing secure storage space inside the building.

3. All required exterior bicycle parking shall be located on site within 50 feet of well-used entrances and not farther from the entrance than the closest motor vehicle parking space. Bicycle parking shall have direct access to both the public right-of-way and to the main entrance of the principal use. For facilities with multiple buildings, building entrances or parking lots (such as a college), exterior bicycle parking shall be located in areas of greatest use and convenience for bicyclists.
4. Required bicycle parking spaces located out of doors shall be visible enough to provide security. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent walkways or motor vehicle parking lots during all hours of use. Bicycle parking shall be at least as well lit as automobile parking.
5. An aisle for bicycle maneuvering shall be provided and maintained between each row of bicycle parking. Bicycle parking shall be designed in accord with the illustrations used for the implementation of this chapter.
6. Each required bicycle parking space shall be accessible without moving another bicycle.
7. Areas set aside for required bicycle parking shall be clearly marked and reserved for bicycle parking only.
8. Parking spaces configured as indicated in the figure at the end of this chapter meet all requirements of this chapter and is the preferred design. Commercial bike lockers are acceptable according to manufacturer's specifications. A bicycle parking space located inside of a building for employee bike parking shall be a minimum of six feet long by 3 feet wide by 4 feet high, unless adequate room is provided to allow configuration as indicated in the figure at the end of this chapter.
9. Sheltered parking shall mean protected from all precipitation and must include the minimum protection coverages shown in the figure at the end of this chapter.
10. Bicycle parking shall be located to minimize the possibility of accidental damage to either bicycles or racks. Where needed, barriers shall be installed.
11. Bicycle parking shall not impede or create a hazard to pedestrians. They shall not be located so as to violate vision clearance standards. Bicycle parking facilities should be harmonious with their environment both in color and design. Facilities should be incorporated whenever possible into building design or street furniture.

J. Bicycle Parking Rack Standards.

1. All required bicycle parking racks installed shall meet the individual rack specifications shown in the figure at the end of this chapter. Single and multiple rack installations shall conform with the minimum clearance standards shown in the figures at the end of this chapter. Alternatives to the above standard may be approved after review by the Bicycle Commission and approval by the Staff Advisor. Alternatives shall conform with all other applicable standards of this section. Bicycle parking racks or lockers shall be anchored securely.
2. The intent of this subsection is to ensure that required bicycle racks are designed so that bicycles may be securely locked to them without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.
   a. Bicycle racks shall hold bicycles securely by means of the frame. The frame shall be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels.
   b. Bicycle racks shall accommodate:
      i. Locking the frame and both wheels to the rack with a high-security U-shaped shackle lock, if the bicyclists removes the front wheel; and
      ii. Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, if the bicyclists leaves both wheels on the bicycle; and

iii. Locking the frame and both wheels to the rack with a chain or cable not longer than 6 feet without removal of the front wheel.

c. Paving and Surfacing. Outdoor bicycle parking facilities shall be surfaced in the same manner as the automobile parking area or with a minimum of two inch thickness of hard surfacing (i.e., asphalt, concrete, pavers, or similar material) and shall be relatively level. This surface will be maintained in a smooth, durable, and well-drained condition.

SECTION 18.92.090 Pedestrian Access and Circulation.

A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family dwellings (i.e. detached housing on individual lots) and accessory uses, shall provide a continuous walkway system. The walkway system shall be based on the standards in subsections 1-4, below:

1. Continuous Walkway System. Extend the walkway system throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent sidewalks, trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property for this purpose.

2. Safe, Direct, and Convenient. Provide safe, reasonably direct, and convenient walkway connections between primary building entrances and all adjacent streets, based on the following definitions:

a. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

b. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

c. "Primary entrance" for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

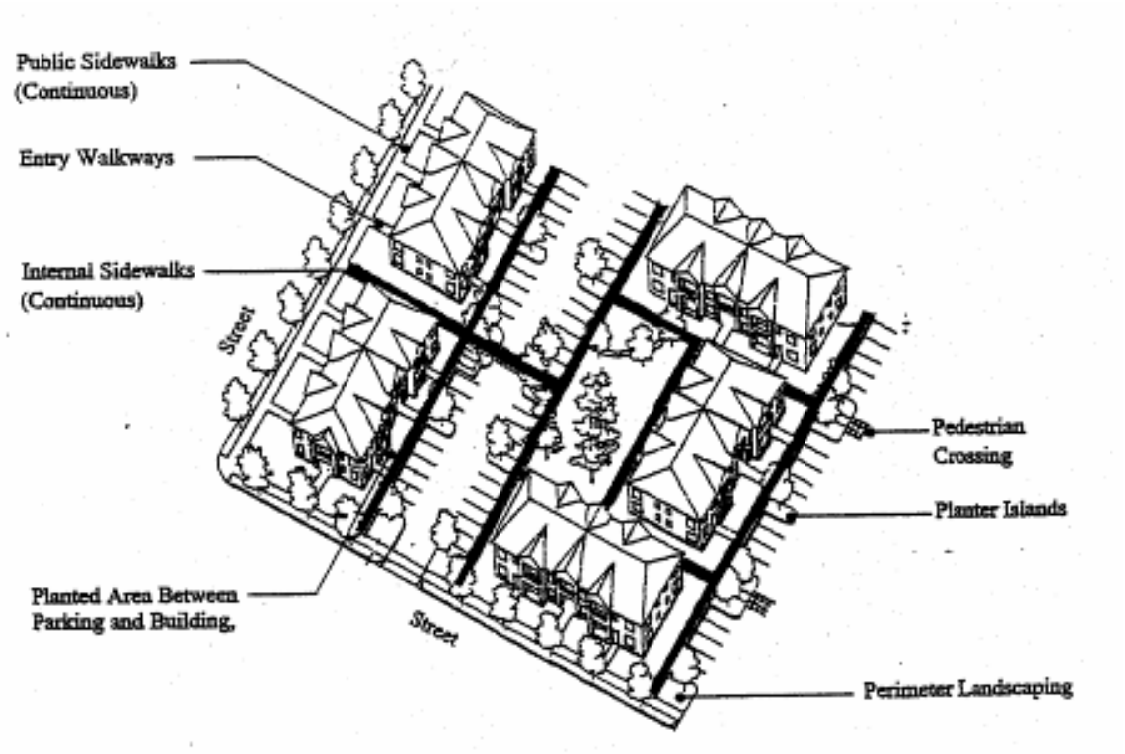
d. "Primary entrance" for residential buildings is the front door (i.e. facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the “primary entrance” may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.

3. Connections within Development. Walkways within developments shall be provide connections as required in subsections a-c, below:

a. Connect all building entrances to one another to the extent practicable, as generally shown in Figure 1;

b. Connect all on-site parking areas, storage areas, recreational facilities, trash and recycle areas and common areas, and connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 1; and

Figure 1 Pedestrian Pathway System (Typical)



c. Divide parking areas with 50 spaces or more into separate areas so that no contiguous parking area exceeds one third of an acre. Parking areas may be broken up by a building or group of buildings, plazas, large landscape areas with pedestrian access ways (*i.e.,* at least 20 feet total width), streets, or driveways with street-like features, Street-like features, for the purpose of this section, means a raised sidewalk of at least five feet in width, six-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.

B. Walkway Design and Construction. Walkways shall conform to all of the standards in subsections 1-4, as generally illustrated in Figure 2:

1. Vehicle/Walkway Separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised six inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

2. Crosswalks. Where walkways cross a parking area or driveway, clearly mark crosswalks with contrasting paving materials (*e.g.,* light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

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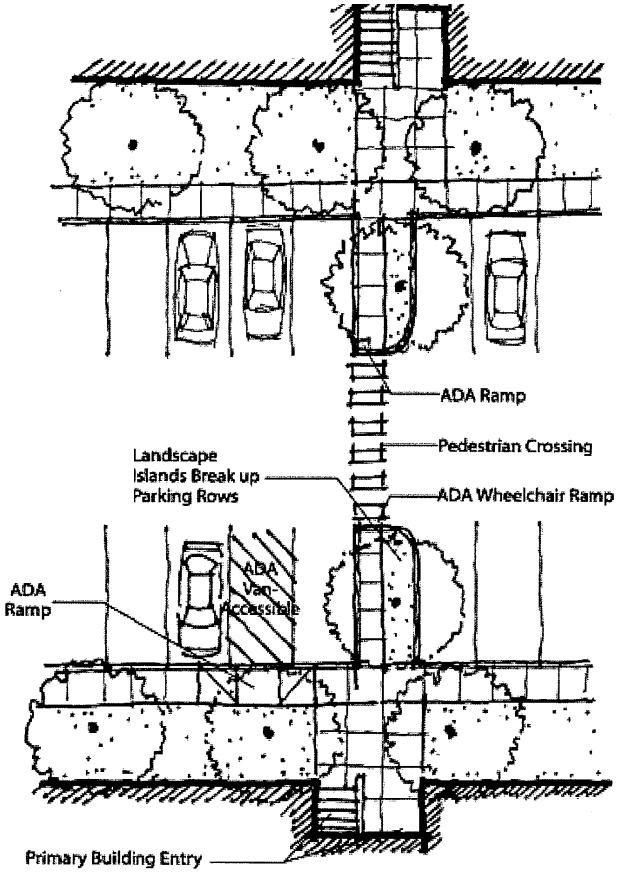
3. Walkway Surface and Width. Walkway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, at least five feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide in accordance with the Ashland Street Standards in Section 18.88.020.K.

4. Accessible routes. Walkways shall comply with applicable Americans with Disabilities Act (ADA) and State of Oregon requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

5. Provide pedestrian scale lighting in conformance with City standards along pedestrian facilities.



SECTION 18.92.100 Construction.

The required parking, access and circulation facilities, including design standards, shall be installed prior to a release of a certificate of use and occupancy or a release of utilities, and shall be permanently maintained as a condition of use. However, the Building Official may, unless otherwise directed by the Planning Commission or Staff Advisor, release a temporary certificate of use and occupancy and a temporary release of utilities before the installation of said facilities provided: (1) there is proof that the owner has entered into a contract with a reputable installer for the completion of the parking, including design standards, with a specified time, and that there remains nothing for the owner to do prior to installation; or (2) the owner has posted a satisfactory performance bond to ensure the installation of said parking facilities within a specified time.

SECTION 18.92.110 Alterations and Enlargements.

The required parking, access and circulation facilities shall be constructed when an existing building or dwelling is altered or enlarged by the addition or creation of guest rooms or dwelling

units, or when a use is intensified by the addition of floor space, seating capacity, or change in use.

SECTION 18.92.120 Availability of Facilities.

All required parking, access and circulation shall be available for use by residents, customers and employees only, and shall not be used for the storage or display of vehicles or materials.

CHAPTER 18.68

GENERAL REGULATIONS

SECTIONS:

18.68.010 Fences.
18.68.020 Vision Clearance Area.
18.68.030 Access.
18.68.040 Yard Requirements.
18.68.050 Special Setback Requirements.
18.68.070 Land Surveys.
18.68.080 Commercial Excavation--Removal of Earth Products.
18.68.090 Nonconforming Uses and Structures.
18.68.100 Slope; Hillside Protection. Repealed in its entirety, Ord 2528, 7/5/89.
18.68.110 Front Yard— General Exception.
18.68.120 Utilities.
18.68.130 Lot Size Requirements--General Exception.
18.68.140 Accessory Buildings, Structures and Mechanical Equipment.
18.68.150 Waiver of Right to Remonstrate and Consent to Participate in Costs of Improvements.
18.68.160 Driveway Grades.

SECTION 18.68.010 Fences.

Fences, walls, hedges and screen planting shall be subject to the following standards:

A. In any required front yard, provided they do not exceed three and one-half (3 ½) feet in height.

B. In any rear or side yard, provided they do not exceed six and one-half (6 ½) feet in height.

C. The height of fences or walls in rear or sideyard setback areas abutting a public street shall be forty-eight (48) inches or less if said fences or walls are within ten (10) feet of any public street except an alley.

D. The framework for newly constructed fences and walls shall face toward the builder's property, except where fences are jointly constructed.

E. Fences shall lean at an angle from the vertical plane no greater than five (5%) percent. In cases where this limitation is exceeded and a written complaint is received by the Planning Department, the property owner shall be notified, in writing, of the problem. The Planning Department shall take action only on the basis of a written complaint, or on its own action.

SECTION 18.68.020 Vision Clearance Area.

Vision clearance areas shall be provided with the following distances establishing the size of the vision clearance area:

A. In any R district, the minimum distance shall be twenty-five (25) feet or, at intersections

including an alley, ten (10) feet.

B. In all other districts except the C-1, E-1, and CM districts, the minimum distance shall be fifteen (15) feet or, at intersections, including an alley, ten (10) feet. When the angle of intersection between streets, other than an alley, is less than thirty (30) degrees, the distance shall be twenty-five (25) feet.

C. The vision clearance area shall contain no plantings, fences, walls, structures, or temporary or permanent obstructions exceeding two and one-half (2 ½) feet in height, measured from the top of the curb, except that street trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight (8) feet above the grade.

D. The vision clearance standards established by this section are not subject to the Variance section of this title. (Ord 2605, S1, 1990; Ord 3036, amended, 08/17/2010)

SECTION 18.68.030 Access.

Each lot shall abut a minimum width of forty (40) feet upon a public street (other than an alley). This requirement may be decreased to twenty-five (25) feet on a cul-de-sac vehicle turn-around area. Except with an approved flag partition, no lot shall abut upon a street for a width of less than twenty-five (25) feet.

SECTION 18.68.040 Yard Requirements.

All yard measurements to and between buildings or structures or for the purpose of computing coverage or similar requirements shall be made to the building or nearest projection. Architectural projections may intrude eighteen (18) inches into required yards. (Ord 2951, 07/01/2008)

~~**SECTION 18.68.050 Arterial Street Setback Requirements.**~~

~~To permit or afford better light, air and vision on more heavily traveled streets and on streets of substandard width, to protect arterial streets, and to permit the eventual widening of hereinafter named streets, every yard abutting a street, or portion thereof, shall be measured from the special base line setbacks listed below instead of the lot line separating the lot from the street.~~

~~Street~~	~~Setback~~
~~East Main Street, between City limits and Lithia Way~~	~~35 feet~~
~~Ashland Street (Highway 66) between City limits and Siskiyou Boulevard~~	~~65 feet~~

~~Also, front yards for properties abutting all arterial streets shall be no less than twenty (20) feet, with the exception of the CM and C-1-D districts and properties abutting Lithia Way in the C-1 district.(Ord 2959, 8/1/2008; Ord 3036, amended, 08/17/2010)~~

SECTION 18.68.070 Land Surveys.

Before any action is taken pursuant to this Title which would cause adjustments or realignment of property lines, required yard areas, or setbacks, the exact lot lines shall be validated by

location of official survey pins or by a survey performed by a licensed surveyor.

SECTION 18.68.080 Commercial Excavation--Removal of Earth Products.

A. Before a Conditional Use Permit for the commercial excavation and removal of earth products can be granted, plans and specifications showing the location of premises, grading plan, existing and proposed drainage, proposed truck access, and details of regrading and revegetation of the site shall be submitted to, and approved by, the Planning Commission.

B. Any deviation from the plans as approved will serve as grounds to revoke the Conditional Use Permit.

C. In reviewing the application, the Planning Commission may consider the most appropriate use of the land, distances from property lines, the protection of pedestrians and vehicles, the prevention of the collection and stagnation of water at all stages of the operation, and the rehabilitation of the land upon termination of operation.

D. A bond may be required to ensure performance.

E. Any expansion of a nonconforming commercial excavation shall require a Conditional Use Permit. An expansion is defined as removal of additional undisturbed topsoil or vegetation or otherwise enlarging the area which had been mined, commonly referred to as the quarry face or active quarry area. (Ord 2290 S2, 1984)

SECTION 18.68.090 Nonconforming Uses and Structures.

A. A non-conforming use or structure may not be enlarged, extended, reconstructed, substituted, or structurally altered, except as follows:
   1. When authorized in accordance with the same procedure as provided in Conditional Use Chapter 18.104 and the criteria of Section 18.104.050(B and C), a nonconforming use may be changed to one of the same or a more restricted nature, except that a Conditional Use Permit need not be obtained when the use is changed to a permitted use within the zoning district.
   2. When authorized in accordance with the same procedure as provided in Conditional Use Chapter 18.104 and the criteria of Section 18.104.050(B and C), nonconforming structure may be enlarged, extended, reconstructed or the footprint modified, except that a Conditional Use Permit need not be obtained when the addition or extension meets all requirements of this Title.
   3. A non-conforming structure may be restored or rehabilitated_if is not changed in size or shape, provided that the use of the structure is not changed except if in conformance with the procedures of Section 18.68.090.A.1 above.
   4. Nothing in this section shall be deemed to prevent the normal maintenance and repair of a non-conforming structure or its restoration to a safe condition when declared to be unsafe by any official charged with protecting public safety.
   5. A legal nonconforming structure or nonconforming use that is damaged to an extent of 50% or more of its replacement cost may be restored only if the damage was not intentionally caused by the property owner and the nonconformity is not increased. Any residential structure(s), including multiple-family, in a residential zone damaged beyond 50% of its replacement cost by a catastrophe, such as fire that is not intentionally

caused by the owner, may be reconstructed at the original density provided the reconstruction is commenced within 2 years after the catastrophe.

B. Discontinuance. If the nonconforming use of a building structure, or premises ceases for a period of six (6) months or more, said use shall be considered abandoned; and said building, structure, or premises shall thereafter be used only for uses permitted in the district in which it is located. Discontinuance shall not include a period of active reconstruction following a fire or other result of natural hazard; and the Planning Commission may extend the discontinuance period in the event of special unique unforeseen circumstances.

C. Reactivation. A non-conforming use, which has been abandoned for a period of more than six (6) months may be reactivated to an equivalent or more restricted use through the Conditional Use and Site Review process. In evaluating whether or not to permit the reactivation of a non-conforming use, the Planning Commission, in addition to using the criteria required for a Conditional Use Permit and Site Review, shall also use the following additional criteria:
   1. That any improvements for the reactivation of the non-conforming use on the site shall be less than fifty (50%) percent of the value of the structure. The value of the structure shall be determined by an independent real estate appraiser licensed in the State of Oregon. The value of the improvement shall be determined based upon copies of the contractor's bid for said improvements, which shall be required with the Conditional Use permit application. Personal property necessary for the operation of the business or site improvements not included in the structure shall not be counted as improvements under this criterion.
   2. An assessment that the traffic generated by the proposed use would not be greater than permitted uses on the site. In assessing the traffic generated by the proposed use, the Planning Commission shall consider the number of vehicle trips per day, the hours of operation, and the types of traffic generated; i.e., truck or passenger vehicle. The Planning Commission shall modify the Conditional Use Permit so that the operation of the non-conforming use is limited to the same traffic impact as permitted uses in the same zone.
   3. That the noise generated by the proposal will be mitigated so that it complies with the Ashland Noise Ordinance, Chapter 9.08.170, and also that it does not exceed the average ambient noise level already existing in the area, as measured by this standard.
   4. That there will be no lighting of the property which would have direct illumination on adjacent uses and that there would be no reflected light from the property greater than the amount of reflected light from any permitted use in that same zone.
   5. In a residential zone the findings must further address that such reactivation will further implement Goal VI, Policy 2, Housing Chapter of the Ashland Comprehensive Plan.
   6. Nothing herein shall apply to non-conforming signs, which are governed by the provisions of Section 18.96.150 of this Code.

D. Building or structure: Nothing contained in this Title shall require any change in the plans, construction, alteration, or designated use of a structure for which a building permit has been issued and construction has commenced prior to the adoption of the ordinance codified herein and subsequent amendments thereto, except that if the designated use will be nonconforming, it shall, for the purpose of subsection (B) of this Section, be a discontinued use if not in operation within two (2) years of the date of issuance of the building permit. (Ord 2951, amended, 07/01/2008)

SECTION 18.68.100 Slope; Hillside Protection. Repealed in its entirety, Ord. 2528, 7/5/89.

SECTION 18.68.110 Front Yard - General Exception.

A. If there are dwellings or accessory buildings on both abutting lots (even if separated by an alley or private way) with front or side yards abutting a public street with less than the required setback for the district, the front yard for the lot need not exceed the average yard of the abutting structures.

B. If there is a dwelling or accessory building on one (1) abutting lot with a front yard of less than the required depth for the district, the front yard need not exceed a depth one-half (½) way between the depth of the abutting lot and the required front yard depth.

C. The front yard may be reduced to ten (10) feet on hillside lots where the terrain has an average steepness equal to, or exceeding a one (1) foot rise or fall in four (4) feet of horizontal distance within the entire required yard, said vertical rise or fall to be measured from the natural ground level at the property line. (Ord 2951, amended, 07/01/2008)

SECTION 18.68.120 Utilities.

Except as provided in Chapter 18.72 for wireless communication systems, the erection, construction, alteration, or maintenance by public utility or municipal or other government agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police equipment and accessories in connection therewith, but not including buildings or satellite disc antennas, shall be permitted in any district, subject to the normal permit process. Utility transmission and distribution lines, poles and towers may exceed the height limits otherwise provided for in this Title, except in the Airport Overlay District. (Ord 2457 S1, 1988; Ord 3802 S3, 1997)

SECTION 18.68.130 Lot Size Requirements - General Exception.

If a lot or the aggregate of contiguous lots or land parcels held in single ownership and recorded in the office of the County Clerk at the time of passage of the ordinance codified herein, has an area or dimension which does not meet the lot size requirements of the district in which the property is located, the lot or aggregate holdings may be occupied by a use permitted outright in the district subject to all other requirements, provided it complied with all ordinances when it was recorded.

SECTION 18.68.140 Accessory Buildings, Structures and Mechanical Equipment.

Accessory buildings and structures shall comply with all requirements for the principal use except where specifically modified by this Title and shall comply with the following limitations:

A. A greenhouse or hothouse may be maintained accessory to a dwelling in an R district.

B. A guest house may be maintained accessory to a single-family dwelling provided there are no kitchen cooking facilities in the guest house.

C. Mechanical equipment shall not be located between the main structure on the site and any street adjacent to a front or side yard, and every attempt shall be made to place such equipment so that it is not visible from adjacent public streets. Mechanical equipment and associated enclosures, no taller than allowed fence heights, may be located within required side or rear yards, provided such installation and operation is consistent with other provisions of this Title or the Ashland Municipal Code, including but not limited to noise attenuation. Any installation of mechanical equipment shall require a building permit.

D. Regardless of the side and rear yard requirements of the district, in a residential district, a side or rear yard may be reduced to three (3) feet for an accessory structure erected more than fifty (50) feet from any street, other than alleys, provided the structure is detached and separated from other buildings and structures by ten (10) feet or more, and is no more than fifteen (15) feet in height. Any conversion of such accessory structure to an accessory residential unit shall conform to other requirements of this Title for accessory residential units, including any required planning action and/or site review. (Ord 2951, amended, 07/01/2008)

SECTION 18.68.150 Waiver of Right to Remonstrate and Consent to Participate in Costs of Improvements.

Whenever a request is made for a building permit which involves new construction of a new residential unit and/or any request involving a planning action which would increase traffic flow on any street not fully improved, the applicant is required to legally agree to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the costs of full street improvements and to not remonstrate to the formation of a local improvement district, to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks, and the undergrounding of utilities. This requirement is a condition precedent to the issuance of a building permit or the granting of approval of a planning action and if the owner declines to so agree, then the building permit and/or planning action shall be denied. This shall not require paving of alleys, and shall not be construed as waiving property owners rights to present their views during a public hearing held by the City Council. (Ord 2589, 1990)

SECTION 18.68.160 Driveway Grades.

Grades for new driveways in all zones shall not exceed a grade of 20% for any portion of the driveway. All driveways shall be designed in accord with City of Ashland standards and installed prior to issuance of a certificate of occupancy for new construction. If required by the City, the developer or owner shall provide certification of driveway grade by a licensed land surveyor. All vision clearance standards associated with driveway entrances onto public streets shall not be subject to the Variance section of this title. (Ord 2951, amended, 07/01/2008)

CHAPTER 18.108

PROCEDURES

SECTIONS:

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SECTION 18.108.010 Purpose.

The purpose of this chapter is to establish procedures to initiate and make final decisions regarding planning actions.

SECTION 18.108.015 Pre-Application Conference.

An applicant shall request a pre-application conference prior to submitting an application for a Type I, II or III planning action or an Expedited Land Division. The purpose of the conference shall be to acquaint the applicant with the substantive and procedural requirements of the Land Use Ordinance, provide for an exchange of information regarding applicable elements of the comprehensive plan and development requirements and to identify policies and regulations that create opportunities or pose significant constraints for the proposed development. The Staff advisor is authorized to waive pre-application conference requirements and to create procedures which allow for electronic or other alternative forms of conferences.
(Ord 2951, amended, 07/01/2008)

SECTION 18.108.017 Applications.

A. In order to initiate a planning action, a complete application shall be submitted to the Planning Department as set forth below.
   1. Complete applications shall include:
      a. All of the required information for the specific action requested,
      b. Written findings of fact,

c. Complete and signed application form. The application must be signed by one or more property owners of the property for which the planning action is requested, or their authorized agents. The application shall not be considered complete unless it is accompanied by the appropriate application fee.

2. Incomplete applications are subject to delay in accordance with ORS 227.178. The City will inform the applicant of deficiencies within 30 days of application. The applicant then has 31 days in which to provide a complete application. The City will begin the appropriate application procedure when the application is deemed complete, or at the end of the 31 day period.
3. The Staff Advisor is authorized to set standards and procedures for application submittal requirements, including the number and type of applications required (e.g. hard and/or electronic copies), size and format of applications (e.g. paper size and electronic format), and dates when applications can be received. The Staff Advisor shall make the requirements for application submittals readily available to the public to review.

B. All applicants for Types I, II and III planning actions shall have completed a pre-application conference for the project within a 6-month time period preceding the filing of the application. This requirement may be waived by the Staff Advisor if in the Staff Advisor's opinion the information to be gathered in a pre-application conference already exists in the final application. (Ord 2951, amended, 07/01/2008)

C. Priority planning action processing for LEED® certified buildings.
1. New buildings and existing buildings whose repair, alteration or rehabilitation costs exceed fifty percent of their replacement costs, that will be pursuing certification under the Leadership in Energy and Environmental Design Green Building Rating System (LEED®) of the United States Green Building Council shall receive top priority in the processing of planning actions.
2. Applicants wishing to receive priority planning action processing shall provide the following documentation with the application demonstrating the completion of the following steps in working towards LEED® certification.
   a. Hiring and retaining a LEED® Accredited Professional as part of the project team throughout the design and construction process.
   b. The LEED® checklist indicating the credits that will be pursued. (Ord 3036, added, 08/17/10)

SECTION 18.108.020 Types of Procedures.

There are three general types of procedures: 1) ministerial actions; 2) planning actions, and 3) legislative amendments. When a project proposal involves more than one application and more than one type of procedure, the applications shall be reviewed together by the same decision body and follow the highest level procedure applying to any one of the applications.

A. **Ministerial Actions**. The Staff Advisor shall have the authority to review and approve or deny the following matters which shall be ministerial actions:
1. Final subdivision plat approval. (18.80.050)
2. Final partition map approval. (18.76.120)
4. Minor amendments to subdivisions and partitions.
5. Boundary line adjustments. (18.76.140)
6. Zoning permits. (18.112.010)
7. Sign permits. (18.96.050)
8. Home occupation permits. (18.94.130)
9. Extension of time limits for approved planning actions (18.112.030).

10. Mechanical equipment exempt from Site Review.
11. Conversion of existing multi-family dwelling units into for-purchase housing.

B. **Planning Actions.** All planning actions shall be subject to processing by one of the four following procedures:
   1 Type I Procedure
   2. Type II Procedure
   3. Type III Procedure
   4. Expedited Land Divisions

C. **Legislative Amendments.** Legislative amendments shall be subject to the procedures established in Section 18.108.170. (Ord 2951, Amended, 7/01/2008)

SECTION 18.108.022 Ministerial Action Time Limits.

A. Within 21 days after accepting an application for a ministerial action the Staff Advisor shall deny or approve the application unless such time limitation is extended with the consent of the applicant. The Staff Advisor shall not accept applications which cannot be acted upon initially in a rational manner within seven days of receipt unless the applicant consents to a longer period for action.

B. Within such 21 day period the Staff Advisor shall issue the permit or approval or advise the applicant that the application has been denied.

SECTION 18.108.025 Consolidated Review Procedures.

An applicant may apply at one time for all permits or zone changes needed for a development project. The consolidated procedure shall be subject to the time limitations set out in ORS 227.178. The consolidated procedure shall follow the most restrictive procedure in the development project. (Ord 2951, added, 7/01/2008)

SECTION 18.108.030 Expedited Land Divisions.

A. **Applicability.**
   1. An expedited land division is an action that:
      a. Includes land that is zoned for residential uses.
      b. Is solely for the purposes of residential use, including recreational or open space uses accessory to residential use.
      c. Does not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated for full or partial protection of natural features that protect open spaces, physical and environmental constraints per Chapter 18.62, riparian corridors, wetlands, designated historic districts or structures.
      d. Meets minimum standards in the Street Standards Handbook and Section 18.88.050.
      e. Creates enough lots or parcels to allow building residential units at 80 percent (80%) or more of the maximum net density permitted by the zoning designation of the site.
   2. A land division that creates three or fewer parcels under ORS 92.010 and ALUO 18.76.
   3. An expedited land division as described in this section is not a land use decision or a limited land use decision under ORS 197.015 or a permit under ORS 227.160.
   4. All requirements outlined in Chapter 18.76 apply to expedited land divisions except for those provisions modified within this section.

B. **Procedure and Notice Requirements.**

1. Application Completeness.
   a. If the application for expedited land division is incomplete, the Staff Advisor shall notify the applicant of exactly what information is missing within 21 days of receipt of the application and allow the applicant to submit the missing information. For purposes of computation of time under this section, the application shall be deemed complete on the date the applicant submits the requested information or refuses in writing to submit it.
   b. If the application was complete when first submitted or the applicant submits the requested additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.
2. The city shall provide written notice of the receipt of the completed application for an expedited land division to any state agency, local government or special district responsible for providing public facilities or services to the development and to owners of property within 100 feet of the entire contiguous site for which the application is made. The notification list shall be compiled from the most recent property tax assessment roll. For purposes of appeal to the referee under ORS 197.375, this requirement shall be deemed met when the local government can provide an affidavit or other certification that such notice was given. Notice shall also be provided to any neighborhood or community planning organization recognized by the governing body and whose boundaries include the site.
3. The notice required under subsection (2) of this section shall:
   a. State:
      i. The deadline for submitting written comments;
      ii. That issues that may provide the basis for an appeal to the referee must be raised in writing prior to the expiration of the comment period; and
      iii. That issues must be raised with sufficient specificity to enable the local government to respond to the issue.
   b. Set forth, by commonly used citation, the applicable criteria for the decision.
   c. Set forth the street address or other easily understood geographical reference to the subject property.
   d. State the place, date and time that comments are due.
   e. State a time and place where copies of all evidence submitted by the applicant will be available for review.
   f. Include the name and telephone number of a local government contact person.
   g. Briefly summarize the local decision-making process for the expedited land division decision being made.
4. After notice under subsections (2) and (3) of this section, the city shall:
   a. Provide a 14-day period for submission of written comments prior to the decision.
   b. Make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the substantive requirements of the local government' s land use regulations. An approval may include conditions to ensure that the application meets the applicable land use regulations. For applications subject to this section, the city:
      i. Shall not hold a hearing on the application; and
      ii. Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination. The summary statement may be in any form reasonably intended to communicate the local government's basis for the determination.

c. Provide notice of the decision to the applicant and to those who received notice under subsection (2) of this section within 63 days of the date of a completed application. The notice of decision shall include:
   i. The summary statement described in paragraph (b)(ii) of this subsection; and
   ii. An explanation of appeal rights under ORS 197.375

C. **Appeals**
1. An appeal of a decision made under ORS 197.360 and 197.365 shall be made as follows:
   a. An appeal must be filed with the local government within 14 days of mailing of the notice of the decision under ORS 197.365 (4), and shall be accompanied by a $300 deposit for costs.
   b. A decision may be appealed by:
      i. The applicant; or
      ii. Any person or organization who files written comments in the time period established under ORS 197.365.
   c. An appeal shall be based solely on allegations:
      i. Of violation of the substantive provisions of the applicable land use regulations;
      ii. Of unconstitutionality of the decision;
      iii. That the application is not eligible for review under ORS 197.360 to 197.380 and should be reviewed as a land use decision or limited land use decision; or
      iv. That the parties' substantive rights have been substantially prejudiced by an error in procedure by the local government.
2. The city shall appoint a referee to decide the appeal of a decision made under ORS 197.360 and 197.365. The referee shall not be an employee or official of the local government. The City Administrator is authorized to hire, under contract on an as needed basis, a referee to decide such appeals. If the city has designated a hearings officer under ORS 227.165, the City Administrator may designate the hearings officer as the referee for appeals of a decision made under ORS 197.360 and 197.365.
3. Within seven days of being appointed to decide the appeal, the referee shall notify the applicant, the local government, the appellant if other than the applicant, any person or organization entitled to notice under ORS 197.365(2) that provided written comments to the local government and all providers of public facilities and services entitled to notice under ORS 197.365(2) and advise them of the manner in which they may participate in the appeal. A person or organization that provided written comments to the local government but did not file an appeal under subsection (1) of this section may participate only with respect to the issues raised in the written comments submitted by that person or organization. The referee may use any procedure for decision-making consistent with the interests of the parties to ensure a fair opportunity to present information and argument. The referee shall provide the local government an opportunity to explain its decision, but is not limited to reviewing the local government decision and may consider information not presented to the local government.
4. Referee Decision.
   a. The referee shall apply the substantive requirements of the local government's land use regulations and ORS 197.360. If the referee determines that the application does not qualify as an expedited land division as described in ORS 197.360, the referee shall remand the application for consideration as a land use decision or limited land use decision. In all other cases, the referee shall seek to identify means by which the application can satisfy the applicable requirements.
   b. The referee may not reduce the density of the land division application. The referee shall make a written decision approving or denying the application or approving it

with conditions designed to ensure that the application satisfies the land use regulations, within 42 days of the filing of an appeal. The referee may not remand the application to the local government for any reason other than as set forth in this subsection.

5 Unless the governing body of the local government finds exigent circumstances, a referee who fails to issue a written decision within 42 days of the filing of an appeal shall receive no compensation for service as referee in the appeal.

6. Notwithstanding any other provision of law, the referee shall order the city to refund the deposit for costs to an appellant who materially improves his or her position from the decision of the local government. The referee shall assess the cost of the appeal in excess of the deposit for costs, up to a maximum of $500, including the deposit paid under subsection (1) of this section, against an appellant who does not materially improve his or her position from the decision of the local government. The local government shall pay the portion of the costs of the appeal not assessed against the appellant. The costs of the appeal include the compensation paid the referee and costs incurred by the local government, but not the costs of other parties.

D. **Effective Date of Decision.** Unless appealed within 14 days of mailing a notice of decision, the Staff Advisor decision becomes final on the 15th day. Appeals shall be considered as set forth in ALUO 18.108.030(C) and ORS 197.375. (Ord 2951, amended, 7/01/2008; Ord 2942, amended, 10/02/2007)

SECTION 18.108.040 Type I Procedure.

A. **Actions Included.** The following planning actions shall be subject to the Type I Procedure:

1. Site Design Review. The following developments that are subject to the Site Design Review Standards outlined in Chapter 18.72 shall follow the Type I permit procedures.
   a. Downtown Design Standards Zone. Any development which is less than 2,500 square feet or ten percent of the building's square footage, whichever is less.
   b. Detail Site Review. Any development in the Detail Site Review Zone, as defined in the Site Review Standards adopted pursuant Chapter 18.72, which is less than 10,000 square feet in gross floor area.
   c. Commercial, Industrial and Non-residential Uses.
      i. All new structures, additions or expansions in C-1, E-1, HC and M-1 zones, not within the Downtown Design Standards zone, that do not require new building area in excess of 20% of an existing building' s square footage or 10,000 square feet of gross floor area, whichever is less.
      ii. All new structures or additions less than 15,000 square feet of gross floor area in the CM zoning district. (Ord 3036, added, 08/17/10)
      iii Mixed-use buildings containing commercial and residential uses in residential zoning districts within the Pedestrian Place Overlay Zone.
      ~~iii~~iv. Expansion of impervious surface area in excess of 10% of the area of the site or 1,000 square feet, whichever is less
      ~~iv~~v. Expansion of parking lots, relocation of parking spaces on a site, or other changes which alter~~s~~ or affects circulation ~~affecting~~ on adjacent property or a public right-of-way.
      vi. Any change of occupancy from a less intensive to a more intensive occupancy, as defined in the City building code, or any change in use which requires a greater number of parking spaces.

vii. Any change in use of a lot from one general use category to another general use category, e.g., from residential to commercial, as defined by the zoning regulations of this Code.

viii. Any exterior change to a structure which requires a building permit or includes the installation of Public Art, and is listed on the National Register of Historic Places or to a contributing property within an Historic District on the National Register of Historic Places.

ix. Mechanical equipment not otherwise exempt from site design review per Section 18.72.030(B).

x. Installation of wireless communication facilities in accordance with Section 18.72.180.B.

d. Residential.

i. Two or more residential units on a single lot.

ii. All new structures or additions less than 10,000 square feet of gross floor area, other than single-family homes or accessory uses on individual lots

iii. Construction of attached single-family housing (e.g. town homes, condominiums, row houses, etc.) in all zoning districts.

iv. Off-street parking or landscaping, in conjunction with an approved Performance Standards Subdivision required by ordinance and not located within the boundaries of the individual unit parcel (e.g. shared parking).

v. Any exterior change to a structure which requires a building permit or includes the installation of Public Art, and is individually listed on the National Register of Historic Places.

vi. Mechanical equipment not otherwise exempt from site design review per Section 18.72.030(B).

x. Installation of wireless communication facilities in accordance with Section 18.72.180.B.

2. Miscellaneous Actions.

a. Amendments or modification to conditions of approval for Type I planning actions.

b. Amendment or modification to conditions of approval for Type II actions where the modification involves only changes to tree removal and/or building envelopes. planning actions.

c. Physical and Environmental Constraints Review permits as allowed in Chapter 18.62.

d. Tree removal permits as required by Section 18.61.042(D).

e. Limited Activities and Use permits as allowed in Chapter 18.63.

f. Water Resource Protection Zone Reductions of up to 25% as allowed in Chapter 18.63.

3. Conditional Use Permits. The following conditional use permits are subject to Type I review procedures:

a. Conditional use permits involving existing structures or additions to existing structures, and not involving more than three (3) residential dwelling units.

b. Installation of wireless communication facilities in accordance with Section 18.72.180.B.

bc. Temporary uses.

cd. Enlargement, expansion, etc. of nonconforming structures in accordance with Section18.68.090(2).

de. Government signs per Section 18.96.150.

ef. The following uses in Residential zones:

i. Accessory residential units

ii. Daycare centers.

Comment [h1]: Housekeeping edits

Comment [h2]: Wireless Communication Facilities ordinance update

Comment [h3]: Housekeeping edit

Comment [h4]: Wireless Communication Facilities ordinance update

Comment [h5]: Housekeeping edit.

Comment [h6]: Wireless Communication Facilities ordinance update

iii. Public and public utility buildings, structures and uses less than 2,500 square feet in building footprint and disturbs less than 7,500 square feet of land.
iv. Structures in excess of 35 feet in R-3 zone.
v. All new structures, additions or expansions that exceed MPFA in historic district up to 25%, but the addition is no larger than 300 s.f. or 10% of the existing floor area, whichever is less.
vi. Hostels.
vii. Public Parking Lots in the NM-C zone.
viii. Community Services in the NM-R15 zone.

f. The following uses in Commercial or Industrial zones:
   i. Electrical substations
   ii. Outdoor storage of commodities.

g. The following uses in the Health Care Services Zone:
   i. Limited personal service providers in the home, such as beauticians and masseurs.
   ii. Professional offices for an accountant, architect, attorney, designer, engineer, insurance agent or adjuster, investment or management counselor or surveyor.
   iii. Any medically-related use, located on City-owned property that is not specifically allowed by the Ashland Community Hospital Master Facility Plan.

h. Conditional uses in the Southern Oregon University District.

4. Variances for:
   a. Sign placement.
   b. Non-conforming signs, when bringing them into conformance as described in Section 18.96.130.D.
   c. Up to 50% reduction of standard yard requirements.
   d. Parking in setback areas.
   e. Up to 10% reduction in the number of required parking spaces.
   f. Up to 10% reduction in the required minimum lot area.
   g. Up to 10% increase in the maximum lot coverage percentage.
   h. Up to 20% reduction in lot width or lot depth requirements.
   i. Up to 50% reduction for parking requirements in Ashland's Historic District as described in Section 18.92.055.
   j. Up to 10% variance on height, width, depth, length or other dimension not otherwise listed in this section.
   k. Site Design and Use Standards as provided in Section 18.72.090.
5. Partitions and Land Divisions.
   a. Partitions which require no variances or only variances subject to Type I procedures.
   b. Creation of a private way, as allowed in Section 18.80.030.B.
   c. Final Plan Approval for Performance Standards Subdivisions.
6. Any other planning action designated as subject to the Type I Procedure.
7. Prior to the Staff Advisor providing notice of application and making a decision, applicants or the Staff Advisor may request planning actions subject to a Type I procedure be heard by the Commission or Hearings Board. In such case, the Staff Advisor shall not make a decision and shall schedule a hearing before the Commission or Hearings Board to be heard as provided in Section 18.108.050.

B. **Notice of Application.**
1. Within 10 days of the city' s determination that an application is complete, but no less than 20 days before the Staff Advisor makes a decision, written notice of the application shall be mailed to all of the following:
   a. Applicant.

b. Owners of the subject property.
c. Owners of properties located within 200 feet of the perimeter of the subject property.
d. Neighborhood group or community organization officially recognized by the city council that includes the area of the subject property.
e. For final partitions, final subdivisions, and final Outline Plans, to interested parties of record from the tentative decision.
f. For modification applications, to persons who requested notice of the original application that is being modified.

2. The written notice shall include all of the following:
   a. The street address or other easily understood geographical reference to the subject property.
   b. The applicable criteria for the decision, listed by commonly used citation.
   c. The place, date, and time that comments are due.
   d. A statement that copies of all evidence relied upon by the applicant are available for review, and can be obtained at cost.
   e. A statement that issues that may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing and with sufficient specificity to enable the decision maker to respond to the issue.
   f. The name and phone number of a city contact person.
   g. A brief summary of the local decision making process for the decision being made.
3. Posted Notice. A notice shall be posted on the subject property in such a manner as to be clearly visible from a public right-of-way. Posting shall occur no later than the date of mailing notice of application.
4. Notices shall allow a 14-day period for the submission of written comments, starting from the date of mailing. All comments must be received by the city within that 14-day period.

C. **Decision.** Within 45 days of the city' s determination that an application is complete, unless the applicant agrees to a longer time period, the Staff Advisor shall approve, conditionally approve, or deny a Type I application.

D. **Notice of Decision.**
1. Within 5 days after the Staff Advisor renders a decision, the city shall mail notice of the decision to the following:
   a. Applicant.
   b. Owner and occupants of the subject property.
   c. Neighborhood group or community organization officially recognized by the city that includes the area of the subject property.
   d. Any group or individual who submitted written comments during the comment period.
   e. Those groups or individuals who requested notice of the decision.
   f. Property owners and occupants of property located within 200 feet of the perimeter of the subject property.
2. The notice shall include all of the following:
   a. A description of the nature of the decision of the Staff Advisor.
   b. An explanation of the nature of the application and the proposed use or uses which could be authorized.
   c. The street address or other easily understood geographical reference to the subject property.
   d. The name of a city representative to contact and the telephone number where additional information may be obtained.

e. A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.
f. A statement that any person who was mailed a written notice of the Staff Advisor's decision may request reconsideration or appeal as provided in ALUO 18.108.070(B)(2).
g. A statement that the Staff Advisor' s decision will not become final until the period for filing a local appeal has expired.
h. An explanation that a person who is mailed written notice of the Staff Advisor's decision cannot appeal directly to LUBA.

3. Unless the decision is reconsidered or appealed according to the procedures in ALUO 18.108.070(B)(2), the Staff Advisor' s decision is effective on the 13th day after notice of the decision is mailed. (Ord 2951, Amended, 07/01/2008)

SECTION 18.108.050 Type II Procedure.

A. **Actions Included.** The following planning actions shall be subject to the Type II Procedure:
1. All Conditional Use Permits not subject to a Type I procedure.
2. All variances not subject to the Type I procedure.
3. Outline Plan for subdivisions under the Performance Standard Options (AMC Chapter 18.88).
4. Preliminary Plat for subdivisions under the standard subdivision code (AMC Chapter 18.80).
5. Final Plan approval for all subdivision requests under the Performance Standard Options not requiring Outline Plan approval.
6. Water Resource Protection Zone Reductions greater than 25% and up to 50% as allowed in Chapter 18.63.
7. Hardship Variances as allowed in Chapter 18.63.
8. Any appeal of a Staff Advisor decision, including a Type I Planning Action or Interpretation of the Ashland Land Use Code.
9. Any other planning action not designated as subject to the Type I or Type III Procedure.

B. **Time Limits, Notice and Hearing Requirements.** Applications subject to the Type II Procedure shall be processed as follows:
1. The Staff Advisor, acting under the authority of ORS 227.165, may hold an initial evidentiary hearing on Type II applications once they are deemed complete. The Staff Advisor shall transmit copies of the record developed at the hearing to the Commission for additional public hearing, deliberation and decision. The Staff Advisor is not authorized to make decisions on Type II applications.
2. Complete applications shall be heard at a_regularly scheduled Commission meeting which is held at least 30 days after the submission of the complete application.
3. Notice of the hearing mailed as provided in Section 18.108.080.
4. Public hearing(s) shall be held before the Commission and/or Staff Advisor in accord with the requirements of Section 18.108.100. (Ord 2951, amended, 7/01/2008)

SECTION 18.108.060 Type III Procedures.

A. T**he following planning actions shall be subject to the Type III Procedure:**
1. Zone Changes or Amendments to the Zoning Map or other official maps, except for legislative amendments.

2. Comprehensive Plan Map Changes or changes to other official maps, except for legislative amendments.
3. Annexations.
4. Urban Growth Boundary Amendments

B. **Standards for Type III Planning Actions.**

1. Zone changes, zoning map amendments and comprehensive plan map changes subject to the Type III procedure as described in subsection A of this section may be approved if in compliance with the comprehensive plan and the application demonstrates that one or more of the following:
   a. The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan; or
   b. A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances; or
   c. Circumstances relating to the general public welfare exist that require such an action; or
   d. Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25% of the proposed base density as affordable housing consistent with the approval standards set forth in Section 18.106.030(G); or
   e. Increases in residential zoning density of four units or greater on commercial, employment or industrial zoned lands (i.e. Residential Overlay), will not negatively impact the City of Ashland's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25% of the proposed base density as affordable housing consistent with the approval standards set forth in Section 18.106.030(G).

   The total number of affordable units described in sections D or E shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. Sections D and E do not apply to council initiated actions.

C. **Type III Procedure.**

1. Applications subject to the Type III Procedure shall be process as follows:
   a. Complete applications shall be heard at the first regularly scheduled Commission meeting which is held at least 45 days after the submission of the application.
   b. Notice of the hearing shall be mailed as provided in Section 18.108.080.
   c. A public hearing shall be held before the Commission as provided in Section 18.108.100.
2. For planning actions described in ~~section~~ Section 18.108.060.A.1 and 2, the Commission shall have the authority to take such action as is necessary to make the amendments to maps and zones as a result of the decision without further action from the Council unless the decision is appealed. The decision of the Commission may be appealed to the Council as provided in Section 18.108.110.
3. For planning actions described in Section 18.108.060.A.3 and ~~2~~4, the Commission shall make a report of its findings and recommendations on the proposed action. Such report shall be forwarded to the City Council within 45 days of the public hearing.
   a. Upon receipt of the report, or within 60 days of the Commission hearing, the Council

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shall hold a public hearing as provided in Section 18.108.100. Public notice of such hearing shall be sent as provided in Section 18.108.080.

b. The Council may approve, approve with conditions, or deny the application.

(Ord 2974, 11/04/2008; Ord 2951, amended, 7/01/2008; Ord 2895, amended, 04/15/2003)

SECTION 18.108.070 Effective Date of Decision and Appeals.

A. Ministerial actions are effective on the date of the decision of the Staff Advisor and are not subject to appeal.

B. Actions subject to appeal:

1. **Expedited Land Divisions.** Unless appealed within 14 days of mailing a notice of decision, the Staff Advisor decision becomes final on the 15th day. Appeals shall be considered as set forth in ALUO 18.108.030(C) and ORS 197.375.
2. **Type I Planning Actions.**
   a. Effective Date of Decision. The final decision of the City for planning actions resulting from the Type I Planning Procedure shall be the Staff Advisor decision, effective on the 13th day after notice of the decision is mailed unless reconsideration of the action is approved by the Staff Advisor or appealed to the Commission as provided in ~~section~~ Section 18.108.070(B)(2)(c).
   b. Reconsideration. The Staff Advisor may reconsider Type I planning actions as set forth below.
      i. Any party entitled to notice of the planning action, or any City Agency may request reconsideration of the action after the decision has been made by providing evidence to the Staff Advisor that a factual error occurred through no fault of the party asking for reconsideration, which in the opinion of the staff advisor, might affect the decision. Reconsideration requests are limited to factual errors and not the failure of an issue to be raised by letter or evidence during the opportunity to provide public input on the application sufficient to afford the Staff Advisor an opportunity to respond to the issue prior to making a decision.
      ii. Reconsideration requests shall be received within five (5) days of mailing. The Staff Advisor shall decide within three (3) days whether to reconsider the matter.
      iii. If the Planning Staff Advisor is satisfied that an error occurred crucial to the decision, the Staff Advisor shall withdraw the decision for purposes of reconsideration. The Staff Advisor shall decide within ten (10) days to affirm, modify, or reverse the original decision. The Staff Advisor shall send notice of the reconsideration decision to affirm, modify, or reverse to any party entitled to notice of the planning action.
      iv. If the Staff Advisor is not satisfied that an error occurred crucial to the decision, the Staff Advisor shall deny the reconsideration request. Notice of denial shall be sent to those parties that requested reconsideration.
   c. Appeal.
      i. Within twelve (12) days of the date of the mailing of the Staff Advisor's final decision, including any approved reconsideration request, the decision may be appealed to the Planning Commission by any party entitled to receive notice of the planning action. The appeal shall be submitted to the Planning Commission Secretary on a form approved by the City Administrator, be accompanied by a fee established pursuant to City Council action, and be received by the city no later than 4:30 p.m. on the 12th day after the notice of decision is mailed.

ii. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded. The fee required in this section shall not apply to appeals made by neighborhood or community organizations recognized by the city and whose boundaries include the site.

iii. The appeal shall be considered at the next regular Planning Commission or Hearings Board meeting. The appeal shall be a de novo hearing and shall be considered the initial evidentiary hearing required under ALUO 18.108.050 and ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. The Planning Commission or Hearings Board decision on appeal shall be effective 13 days after the findings adopted by the Commission or Board are signed by the Chair of the Commission or Board and mailed to the parties.

iv. The appeal requirements of this section must be fully met or the appeal will be considered by the city as a jurisdictional defect and will not be heard or considered.

d. Final Decision of City. The decision of the Commission shall be the final decision of the City on appeals heard by the Commission on Type I Planning actions, effective the day the findings adopted by the Commission are signed by the Chair and mailed to the parties.

3. **Type II Planning Actions.**

a. Effective Date of Decision. The decision of the Commission is the final decision of the City resulting from the Type II Planning Procedure, effective 13 days after the findings adopted by the Commission are signed by the Chair of the Commission and mailed to the parties, unless reconsideration of the action is authorized as provided in Section (b) below or appealed to the Council as provided in ~~section~~ Section 18.108.110.A.

b. Reconsideration.

i. The Staff Advisor on his/her own motion, or any party entitled to notice of the planning action may request reconsideration of the action after the Planning Commission final decision has been made by providing evidence to the Staff Advisor addressing one or more of the following: (1) new evidence material to the decision exists which was unavailable, through no fault of the requesting party, when the record of the proceeding was open; (2) a factual error occurred through no fault of the requesting party which is relevant to an approval criterion and material to the decision; (3) a procedural error occurred, through no fault of the requesting party, that prejudiced the requesting party's substantial rights and remanding the matter will correct the error. Reconsideration requests are limited to errors identified above and not the failure of an issue to be raised by letter or evidence during the opportunity to provide public input on the application sufficient to afford the Staff Advisor an opportunity to respond to the issue prior to making a decision.

ii. Reconsideration requests shall be received within seven (7) days of mailing. The Staff Advisor shall promptly decide whether to reconsider the matter.

iii. If the Staff Advisor is satisfied that an error occurred as identified above and is crucial to the decision, the Staff Advisor shall schedule reconsideration with notice to participants of the matter before the Planning Commission. Reconsideration shall be scheduled before the Planning Commission at the next regularly scheduled meeting. Reconsideration shall be limited to the portion of the decision affected by the alleged errors identified in paragraph 3.b.i above.

iv. The Planning Commission shall decide to affirm, modify, or reverse the original decision. The Planning Commission Secretary shall send notice of the reconsideration decision to any party entitled to notice of the planning action.

c. Final Decision of City. Unless the decision is remanded to the Planning Commission, the decision of the City Council shall be the final decision of the City on appeals heard by the Council, on Type II Planning actions, effective the day the findings adopted by the Council are signed by the Mayor and mailed to the parties.

4. Type III Planning Actions. For planning actions described in ~~section~~ Section 18.108.060.A.1 thru 4, the decision of the Council shall be the final decision of the City, effective the day the findings adopted by the Council are signed by the Mayor and mailed to the parties.
5. Council Call Up. The City Council may call up any planning action for a decision upon motion and majority vote, provided such vote takes place in the required appeal period. Unless the planning action is appealed and a public hearing is required, the City Council review of the Planning Action is limited to the record and public testimony is not allowed. The City Council may affirm, modify or reverse the decision of the Planning Commission, or may remand the decision to the Planning Commission for additional consideration if sufficient time is permitted for making a final decision of the city. The City Council shall make findings and conclusions and cause copies of a final order to be sent to all parties of the planning action.

C. No building or zoning permit shall be issued for any action under this Title until the decision is final, as defined in this section.

D. Notwithstanding any other provision of this Chapter, in the event a LUBA appeal or a Circuit Court proceeding is filed concerning a final land use decision of the City, the timetable of development is deemed tolled or suspended from the date of the final decision of the City until final resolution of all appeals or final action on remand, whichever is later, not to exceed 24 months. After resolution of all such appeals or remands, timetables shall be adjusted in writing by the Staff Advisor to reflect this automatic tolling, regardless of the approval authority. (Ord 3005, amended, 03/02/2010; Ord 2951, amended, 07/01/2008)

SECTION 18.108.080 Public Hearing Notice.

Public notice for hearings before the Staff Advisor, Hearings Board or Commission for planning actions shall be given as follows:

A. Notices shall be mailed at least 10 days prior to the hearing to:
   1. The applicant or authorized agent,
   2. The subject property owner, and
   3. All owners of record of property on the most recent property tax assessment roll within 200 feet of the subject property.

B. Mailed notices shall contain the following information, provided, however, that notices for hearings before the Council shall not contain the statements specified in paragraphs 8 and 9:
   1. Explanation of the nature of the application and the proposed use or uses which could be authorized.
   2. List of the applicable criteria from the ordinance and the plan that apply to the application at issue.
   3. The street address or other easily understood geographical reference to the subject property.

4. The name of a local government representative to contact and the telephone number where additional information may be obtained.
5. A statement that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.
6. The date, time and location of the hearing or of the meeting, if no hearing is involved.
7. A statement that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.
8. A statement that if additional documents or evidence is provided in support of the application, any party shall be entitled to a continuance of the hearing.
9. A statement that unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

C. Posted Notice. A notice, as described in this subsection, shall be posted on the subject property by the city in such a manner as to be clearly visible from a public right-of-way at least 10 days prior to the date of the hearing. Failure by the city to post a notice, or post in clear view from a public right-of-way shall be considered an incomplete application. The city shall certify, for the record of the hearing, that the posting was accomplished. The failure of the posted notice to remain on the property shall not invalidate the proceedings. The posted notice shall only contain the following information: planning action number, brief description of the proposal, phone number and address for contact at Ashland Planning Department.

Comment [h8]: Housekeeping edit.

D. Additional Requirements for Type II and III Public Notice. In addition to the notice specified in ~~section~~ Section 18.108.080.A, B and C, notice for Type II and III procedures shall be published in a newspaper of general circulation in the City at least 10 days prior to the date of the hearing before the Commission.

E. The failure of a property owner to receive notice as provided in this section shall not invalidate such proceedings if the City can demonstrate by affidavit that such notice was mailed. The failure to receive notice shall not invalidate the decision after the action is final if a good faith attempt was made to notify all persons entitled to receive notice.

F. Whenever it is demonstrated to the Staff Advisor that:
1. The city did not mail the notice required in §18.108;
2. Such error adversely affected and prejudiced a person's substantial rights; and
3. Such person notified the Staff Advisor within 21 days of when the person knew of should have known of the decision, the Staff Advisor shall schedule a hearing for the next regular Commission or Hearings Board meeting allowing adequate time to comply with the notice requirements of Section 18.108.080. The public hearing shall be conducted as provided in §18.108.100.

   If a hearing is conducted under this section, the decision of the Commission or Hearings Board shall supersede the previous decision.

G. Whenever it is demonstrated to the Staff Advisor that:
1. The city did not comply with the notice requirements in §18.108.080.A through E;
2. Such error adversely affected and prejudiced a person's substantial rights; and

3. Such person notified the Staff Advisor within 21 days of when the person knew or should have known of the decision, the Staff Advisor shall schedule a hearing before the Board, Commission or Council that heard or would have heard the matter involving the defective notice.
   a. The Staff Advisor shall notify by mail all persons who previously appeared in the matter and all persons who were entitled to mailed notice but were not mailed such notice.
   b. The hearing shall be conducted as provided in §18.108.100 if it is a hearing before the Board or Commission, except that the record of the previous hearing shall be reviewed and considered by the Board or Commission. If it is an appeal before the Council, the Council may hear such matters as are permitted in §18.108.110.

      A decision made after the hearing shall supersede the previous decision.

H. Notwithstanding the period specified in subsections F.3 and G.3 of this section, the period for a hearing or appeal shall not exceed three years after the date of the initial decision.
(Ord 2951, amended, 7/01/2008)

SECTION 18.108.100 Public Hearings Procedure.

A. At the commencement of a public hearing a statement shall be made to those in attendance that:
   1. Lists the applicable substantive criteria.
   2. States that testimony and evidence must be directed toward the listed applicable substantive criteria, or other criteria in the comprehensive plan or Land Use Ordinance which the person believes to apply to the decision.
   3. States that failure to raise an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to LUBA based on that issue.
   4. States that failure to participate in the public hearing, either orally or in writing, precludes appeal to LUBA.
   5. States the presentation and rebuttal time limits for the applicant, proponents, and opponents.
   6. Other general rules of conduct for the public hearing as deemed necessary by the Board or Commission.

B. After the statement required by ~~section~~ Section 18.108.100.A is made, the Commission or Council members shall declare any actual or potential conflicts of interest and any ex parte contacts including the substance of those contacts and any conclusions the member reached because of those contacts.
   1. No member shall serve on any proceeding in which such member has an actual conflict of interest; in which the member, or those persons or businesses described in ORS 227.035, has a direct or substantial financial interest; or in which the member is biased. If a member refuses to disqualify him or herself, the Board, for hearings before the Board; the Commission, for hearings before the Commission, or the Council for hearings before the Council, shall have the power to remove such member for that proceeding.
   2. All parties shall be advised that they have the right to rebut the substance of any ex parte communications.

C. At such public hearing, after receipt of public testimony, the Board or Commission may approve, approve with conditions or deny the request. The Board or Commission may also

continue the public hearing to the next meeting to allow for the submittal of additional information for consideration in the decision. At the public hearing, the date, time, and location for the continuance of the public hearing shall be stated. After such statement, no additional public notice shall be required.

D. A majority of those members present at the public hearing must vote affirmatively in order to adopt findings.

SECTION 18.108.110 Appeal to Council.

A. Appeals of Type II decisions shall be initiated by a notice of appeal filed with the City Administrator. The standard Appeal Fee shall be required as part of the notice. All the appeal requirements of Section 18.108.110, including the appeal fee, must be fully met or the appeal will be considered by the city as jurisdictionally defective and will not be heard or considered.
   1. The appeal shall be filed prior to the effective date of the decision of the Commission.
   2. The notice shall include the appellant's name, address, a reference to the decision sought to be reviewed, a statement as to how the appellant qualifies as a party, the date of the decision being appealed, and a clear and distinct identification of the specific grounds for which the decision should be reversed or modified, based on identified applicable criteria or procedural irregularity.
   3. The notice of appeal, together with notice of the date, time and place to consider the appeal by the Council shall be mailed to the parties at least 20 days prior to the meeting.
   4. A. Except upon the election to re-open the record as set forth in subparagraph 4.B. below, the review of a decision of the Planning Commission by the City Council shall be confined to the record of the proceeding before the Planning Commission. The record shall consist of the application and all materials submitted with it; documentary evidence, exhibits and materials submitted during the hearing or at other times when the record before the Planning Commission was open; recorded testimony; (including DVDs when available), the executed decision of the Planning Commission, including the findings and conclusions. In addition, for purposes of City Council review, the notice of appeal and the written arguments submitted by the parties to the appeal, and the oral arguments, if any, shall become part of the record of the appeal proceeding.
      B. The Council may reopen the record and consider new evidence on a limited basis, if such a request to reopen the record is made to the City Administrator together with the filing of the notice of appeal and the City Administrator determines prior to the City Council appeal hearing that the requesting party has demonstrated:
         a. That the Planning Commission committed a procedural error, through no fault of the requesting party, that prejudiced the requesting party's substantial rights and that reopening the record before the Council is the only means of correcting the error; or
         b. That a factual error occurred before the Planning Commission through no fault of the requesting party which is relevant to an approval criterion and material to the decision; or
         c. That new evidence material to the decision on appeal exists which was unavailable, through no fault of the requesting party, when the record of the proceeding was open, and during the period when the requesting party could have requested reconsideration. A requesting party may only qualify for this exception if he or she demonstrates that the new evidence is relevant to an

approval criterion and material to the decision. This exception shall be strictly construed by the Council in order to ensure that only relevant evidence and testimony is submitted to the hearing body. Re-opening the record for purposes of this section means the submission of additional written testimony and evidence, not oral testimony or presentation of evidence before the City Council.

C. Oral argument on the appeal shall be permitted before the Council. Oral argument shall be limited to ten (10) minutes for the applicant, ten (10) for the appellant, if different, and three (3) minutes for any other Party who participated below. A party shall not be permitted oral argument if written arguments have not been timely submitted. Written arguments shall be submitted no less than ten (10) days prior to the Council consideration of the appeal. Written and oral arguments on the appeal shall be limited to those issues clearly and distinctly set forth in the Notice of Appeal; similarly, oral argument shall be confined to the substance of the written argument.
D. Upon review, and except when limited reopening of the record is allowed, the City Council shall not re-examine issues of fact and shall limit its review to determining whether there is substantial evidence to support the findings of the Planning Commission, or to determining if errors in law were committed by the Commission. Review shall in any event be limited to those issues clearly and distinctly set forth in the notice of appeal. No issue may be raised on appeal to the Council that was not raised before the Planning Commission with sufficient specificity to enable the Commission and the parties to respond.
E. The Council may affirm, reverse, modify or remand the decision and may approve or deny the request, or grant approval with conditions. The Council shall make findings and conclusions, and make a decision based on the record before it as justification for its action. The Council shall cause copies of a final order to be sent to all parties participating in the appeal. Upon recommendation of the Administrator, the Council may elect to summarily remand the matter to the Planning Commission. If the City Council elects to remand a decision to the Planning Commission, either summarily or otherwise, the Planning Commission decision shall be the final decision of the City, unless the Council calls the matter up pursuant to Section 18.108.070.B.5.
F. Appeals may only be filed by parties to the planning action. "Parties" shall be defined as the following:
    1. The applicant.
    2. Persons who participated in the public hearing, either orally or in writing. Failure to participate in the public hearing, either orally or in writing, precludes the right of appeal to the Council.
    3. Persons who were entitled to receive notice of the action but did not receive notice due to error. (Ord 2951, amended, 7/01/2008)

SECTION 18.108.140 Fees.

Fees for applications under this Title shall be set by resolution of the Council.

SECTION 18.108.150 Council or Commission May Initiate Procedures.

The Commission or Council may initiate any Staff Permit, Type I, Type II, or Type III planning action by motion duly adopted by the respective body designating the appropriate city department to complete and file the application.

SECTION 18.108.160 Ordinance Interpretations.

A. When in the administration of the Land Use Ordinance there is doubt regarding its intent, the suitability of uses not specified or the meaning of a word or phrase, the Staff Advisor may interpret the provision in writing or refer the provision to the Commission for interpretation. The Commission shall issue an interpretation in writing to resolve the doubt. Neither the Staff Advisor's interpretation nor the Commission's shall have the effect of amending the provisions of the Land Use Ordinance. Any interpretation of the Land Use Ordinance shall be based on the following considerations:

1. The comprehensive plan;
2. The purpose and intent of the Land Use Ordinance as applied to the particular section in question; and
3. The opinion of the City Attorney.

B. The interpretation of the Staff Advisor shall be forwarded to the Commission who shall have the authority to modify the interpretation. The interpretation of the Commission shall be forwarded to the Council who shall have the authority to modify the interpretation. Whenever such an interpretation is of general public interest, copies of such interpretation shall be made available for public distribution.

SECTION 18.108.170 Legislative Amendments.

A. It may be necessary from time to time to amend the text of the Land Use Ordinance or make other legislative amendments in order to conform with the comprehensive plan or to meet other changes in circumstances and conditions. A legislative amendment is a legislative act solely within the authority of the Council.

B. A legislative amendment may be initiated by the Council, by the Commission, or by application of a property owner or resident of the City. The Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after it is submitted, and within thirty days after the hearing, recommend to the Council, approval, disapproval, or modification of the proposed amendment.

C. An application for amendment by a property owner or resident shall be filed with the Planning Department thirty days prior to the Commission meeting at which the proposal is to be first considered. The application shall be accompanied by the required fee.

D. Before taking final action on a proposed amendment, the Commission shall hold a public hearing. After receipt of the report on the amendment from the Commission, the Council shall hold a public hearing on the amendment. Notice of time and place of the public hearings and a brief description of the proposed amendment shall be given notice in a newspaper of general circulation in the City not less than ten days prior to the date of hearing.

E. No application of a property owner or resident for a legislative amendment shall be considered by the Commission within the twelve month period immediately following a previous denial of such request, except the Commission may permit a new application if, in the opinion of the Commission, new evidence or a change of circumstances warrant it.

SECTION 18.108.180 Resubmittal of Applications.

In case an application is denied by the Commission, or denied by the Council on appeal, unless that denial is specifically stated to be without prejudice, it shall not be eligible for resubmittal for one year from the date of the denial, unless evidence is submitted that conditions, the application, or the project design have changed to an extent that further consideration is warranted. (Ord 2299, 1984; Ord 2583, 1990; Ord 2775, 1996)

Pedestrian Place Concepts

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To: Maria Harris and Brandon Goldman, City of Ashland

From: Tom Litster and Jerry Offer, Otak

Copies: Jim Olson, City of Ashland

Date: March 21, 2011

Subject: Zoning Review and Recommendations

Project : City of Ashland Transportation System Plan Update/Otak Project No. 15702

Zoning and Land Use Ordinance Review and Recommendations

Ashland's existing zoning and City of Ashland Land Use Ordinance provisions were review with regard to support or hindrance of the opportunity sites and design concepts for pedestrian places. The opportunities and redevelopment concepts are illustrated in the design for each of the three major intersection locations studied: North Mountain Avenue and East Main Street, Ashland Street and Tolman Creek Road, and Ashland Street and Walker Avenue. Suggested amendments to the Ashland Land Use Ordinance follow our analysis of each area and of development standards common to all districts in the city. In completing our analysis, we kept in mind best practices observed for areas which are transit-supportive and/or pedestrian oriented, as well as, the 'building blocks' for pedestrian places identified through community workshops associated with this project.

Our review resulted in four general conclusions:

- Transit-supportive densities for frequent bus service can be achieved under current zoning for the five-minute walk areas for each place. Commercial development opportunities are also allowed in order to achieve mixed use. Mixed use meets the objective of creating a place where people live and people work. We recommend no changes to the underlying zoning within the five-minute walk areas for the pedestrian places.
- Some modifications to the development standards applicable to the pedestrian places and their five-minute walk areas should be considered.
- An overlay zone is probably the best implementation measure for achieving desired changes and development character. Key features of that overlay zone has been outlined.

- Ashland's Site Design and Use Standards Manual contain excellent standards for promoting pedestrian-friendly development and transit-supportive uses, especially the standards for the Croman Mill district. These standards can be adopted for use in an overlay zone.

Our recommendations for amendments is based on our understanding of a number of current best development code practices for supporting pedestrian and transit-supportive development, including but not limited to, transit-supportive and pedestrian oriented parking reduction standards from the City of Portland's Zoning Code. The recommendations are summarized below, followed by a review of zoning applicable to each of the Pedestrian Place areas and a more detailed explanation of the recommendations.

Create a Pedestrian Place Overlay Zone

We recommend creation of a Pedestrian Place overlay zone as described below. Key elements of that overlay are outlined below.

Uses

All uses of the underlying zoning districts should be allowed, except that the Pedestrian Place overlay zone should exclude permitted uses, special permitted uses, and conditional uses allowed by the underlying zoning district if those uses are deemed counter to the desired types of uses. Our recommendation is that the overlay zone should prohibit the following uses, which are generally not supportive of the pedestrian place concept:

- All uses, other than grocery stores, with over 10,000 square feet on any one floor.
- All drive-up uses.
- Crematoriums and mausoleums.
- Commercial laundry, cleaning, and dyeing establishments.
- Bowling alleys, auditoriums, skating rinks, and miniature golf courses.
- Automobile fuel sales, and automobile and truck repair facilities.
- Kennel and veterinary clinics where animals are housed outside.
- Electrical substations.
- New and used car sales, boat, trailer, and recreational vehicles sales and storage areas.
- Outdoor storage of commodities associated with a permitted, special permitted or conditional use.
- Building material sales yards.
- Freestanding wireless communication facilities (co-located facilities would be permitted).
- Electrical, furniture, plumbing shop, printing, publishing, lithography, or upholstery.

- Light manufacturing, assembly, fabricating, or packaging of products from previously prepared materials, such as cloth, plastic, wood (not including saw, planing, or lumber mills or molding plants), paper, cotton, or precious or semi-precious metals or stone.
- Manufacture of electric, electronic, or optical instruments and devices.
- Bakeries without retail sales.
- Public and quasi-public utility and service buildings and yards, structures.
- Manufacture of pharmaceutical and similar items.
- All special-permitted uses and conditional uses in the E-1 district.
- Hospitals, rest, nursing, or convalescent homes.
- Public, parochial, and private schools, including nursery schools, kindergartens, dancing, trade, technical, or similar schools.
- Recreational uses and facilities, including country clubs, golf courses, outdoor swimming clubs, tennis clubs, driving range, race track, or amusement park, but not including intensive commercial recreational uses as fully enclosed health and fitness clubs.
- Public and quasi-public halls, lodges, and clubs.
- Freestanding disc antenna for commercial use.

A Pedestrian Place overlay zone for the North Mountain Avenue and East Main Street area would be applied to areas of R-3 zoned properties. The overlay should specify that the following uses are permitted within a mixture of commercial and residential uses within one building, subject to a maximum size limit of 2,500 square feet per business:

- Professional, financial, business and medical offices, and personal service establishments such as beauty and barber shops, launderette, and clothes and laundry pick-up stations.
- Stores, shops, and offices supplying commodities or performing services.
- Restaurants.

Require Mixed-Uses. Allow mixing of uses without being prescriptive with regard to uses required.

Excluding Uses. Exclude permitted uses, special permitted uses, and conditional uses allowed by the underlying zone which would be counter-productive to the objectives of Pedestrian Place development. Prohibit drive-up use permits from being transferred onto sites within designated Pedestrian Places.

Development Standards

Setbacks. Allow a front building setback of five feet or greater only where that setback area is occupied by a sidewalk café or plaza, or where the site has more than one street frontage and the standard maximum building setback is met along the other street. Alternatively, the City should determine if there are specific properties which should be mapped to have specific build-to lines in

order to cause buildings on those lots to be near the street. A specific building line map should be incorporated in the Land Use Ordinance in the Pedestrian Place overlay district. This map should not be separate from the Ordinance.

Floor Area Ratio (FAR). Increase the maximum FAR to 1.0 or greater.

Building Heights. Set a minimum building height of two stories.

Landscaping. The overlay should not supersede the minimum landscaping coverage requirements of underlying zones except in R and E zones where landscape area requirements are at 25 percent or greater. In those zones, the requirement should be useable open space, which may be comprised of outdoor seating areas, plazas, and other useable paved surfaces as well as landscaping.

Parking. Getting the parking right is a critical aspect of pedestrian places. Reduced parking increases the amount of land available for buildings and will help meet the recommended FAR target. More buildings means increased residential units and leasable amounts of employment and retail space. For instance, at three parking spaces per thousand square feet you begin to use more land for parking than for useable building space. For residential uses, each added parking space significantly impacts the number of dwelling units that can be provided. At the most affordable levels of housing, one parking space and the circulation space required (approximately 300 to 330 square feet) could instead be an efficiency apartment.

Our recommendation is that the Land Use Ordinance or Site Design and Use Standards Manual incorporate additional parking provisions modeled on the Croman Mill parking standards of the Site Design Standards for designated pedestrian places and potentially elsewhere in the city, or alternatively, that such provisions be included within the Pedestrian Place overlay zone standards. These parking reduction provisions should allow a reduction in off-street parking standards for a particular use or development by not more than 50 percent through allowing a development to obtain parking space credits for:

- Providing on street parking.
- Implementing a Transportation Demand Management Plan.
- Utilizing a mixed-use parking agreement credit.
- Allowing parking space credits for every parking space a developer constructs in a designated off-site shared parking area.
- Although such a program is not currently in existence, the City could consider a program which allows developers to pay a fee-in-lieu-of-parking with such fees to be used for constructing shared parking areas. This would require the City to develop plans for such parking structures, or more likely, shared parking lots. After plans for a shared parking structure or parking lot are

completed, a development might only be allowed to build up to 50 percent of their required parking on their own site with the remainder of the parking to be provided for in the shared structure or lot. The City could also allow no parking in these areas once shared parking lots are established and require the fee-in-lieu-of-parking instead of making participation optional.

These parking provisions listed above, most which are already used in Ashland, could be supplemented by additional parking space reduction factors utilized by cities elsewhere in Oregon:

- The availability of transit with a stop within 500 feet of the site, if the transit is provided with a specific frequency (Portland requires 20-minute peak period transit service frequency for a total elimination of required parking).
- Providing transit improvements like a bus stop or bus shelter. (Tigard allows up to a 20 percent reduction in minimum parking requirements, if a development provides a transit shelter, bus pull-out, or bus stop).
- Providing alternative transportation facilities, such as additional non-required bicycle parking (or non-required covered bicycle parking) or motorcycle and scooter parking. (Portland allows five bicycle parking spaces to substitute for one auto parking spaces, with a maximum reduction of required auto spaces of 25 percent. Gresham allows two bicycle parking spaces to substitute for one auto space. Portland allows four motorcycle parking spaces to substitute for one required auto space with a maximum reduction of five required auto parking spaces, or five percent of required parking—whichever is less. Portland considers scooters as motorcycles).
- Providing plaza improvements or pedestrian or transit amenities in lieu of providing some or all of the required parking. Portland's Zoning Code provides for the following:

  Sites where at least 20 parking spaces are required, and where at least one street lot line abuts a transit street may substitute transit-supportive plazas for required parking, as follows. Existing parking areas may also be converted to take advantage of these provisions:

  a) Pedestrian and transit-supportive plazas may be substituted for up to 10 percent of the required parking spaces on the site;
  b) The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop;
  c) The plaza must be at least 300 square feet in area and be shaped so that a 10'x10' square will fit entirely in the plaza; and
  d) The plaza must include all of the following elements:

    i. A plaza that is open to the public. The owner must record a public access easement that allows public access to the plaza;
    ii. A bench or other sitting area with at least 5 linear feet of seating;

iii. *A shelter or other weather protection. The shelter must cover at least 20 square feet and the plaza must be landscaped. This landscaping is in addition to any other landscaping or screening required for parking areas by the Code.*

Our suggestion is that the City discusses which of these options they are comfortable with, and whether they want to make them available to all developments, or to put limits on parking reductions. For example, the City may want developments which normally would require four or fewer parking spaces to be able to be fully absolved of providing onsite parking spaces or paying a fee-in-lieu-of-parking. In other development scenarios, the City may not want to allow larger parking demand uses to reduce their onsite parking beyond a certain percentage unless offsite parking is provided on-street or is provided in a shared parking lot.

Parking Lot Design. While the City is extending parking reduction standards to the pedestrian places (and potentially other locations within the city), it is recommended that the City also adopt regulations similar to the parking area design standards of Section VIII-B-2 of the Croman Mill Design Standard and the Green Development Section VII-C of the same standards, especially the green parking area and green street provisions. The standards based upon these Croman Mill standards should either be adopted city-wide through Chapter 18.92 or for just pedestrian places through incorporation in the Pedestrian Place overlay zone. It is noted that the Performance Standard Bonuses of Section VIII-C-13 need not be adopted for the pedestrian place areas because these bonuses should be unnecessary with regard to additional density or building heights.

Apply the Pedestrian Place Overlay Zoning District

Option 1. Apply the overlay district only to opportunity areas shown on Otak plans. However, applying the overlay zone only to the selected opportunity sites may fall short of achieving the type of development desired if owners of these limited properties are not interested in redevelopment within a reasonable time.

Option 2. Apply the overlay district to the entire five-minute walk zones shown for the three pedestrian places. We believe this approach would be way too broad. There would be little gained by applying the overlay zone to areas which are currently zoned for primarily low density or medium density residential uses or institutional uses.

Option 3 – Our Recommendation. Apply the overlay to areas within those five-minute walk areas which are already designated Detailed Site Review Zones as designated on the City's Site Design Zones map. For the North Mountain Avenue/East Main Street pedestrian place, the overlay should be applied to areas which are already zoned R-3. In all three pedestrian place areas, the City has already made determinations by the application of the Detailed Site Review Zone or the R-3 district that those properties are anticipated to have a fairly intensive level of development.

Zoning Review for Walker Avenue and Ashland Street Pedestrian Place

C-1 Zone

All of the identified opportunity sites around this intersection are zoned C-1.

Uses

Currently Allowed Uses. The C-1 zone allows all desired uses for a pedestrian place, including mixed use development with residential. Considerations for changing the uses in this district include requiring that uses on each site or particular site be mixed, or excluding certain uses that are allowed by the C-1 district which may not be supportive of pedestrian place objectives.

Require Mixed-Uses. Based on other cities' experiences, requiring mixed uses on a site or within a particular area can be politically difficult to implement. A given development may find too little market demand for a required use, but ample demand for the other use(s) in the district. Forcing a financially troubling decision upon a prospective developer to take on an undesirable use (at least at that time) will not help stimulate redevelopment.

> **Recommendation**: Allow mixing of uses without being prescriptive towards uses to be required. Strictly requiring mixed use on a parcel-by-parcel basis may be difficult to administer in a way that encourages redevelopment and achieves the goal of mixed use at a neighborhood or district scale. On any given parcel, there may be unique site characteristics or current market conditions overwhelmingly favorable to one use over another. Setting clear mixed use goals and using a variety of incentives may be better tools for getting a balance of places to live, work, and shop within the overlay areas.

Exclude Certain Uses. An overlay zone could specifically exclude some of the permitted uses, special permitted uses, and conditional uses allowed by the C-1 underlying zone, which would be counter-productive to the objectives of Pedestrian Place development.

> **Recommendation**: Prohibit larger-sized boxes and uses which usually are located in large buildings and/or have large parking lots or surface storage areas, such as car sales, building material sales, etc. The City's Land Use Ordinance currently prohibits uses over 45,000 square feet. An overlay zone may want to be more restrictive than the prohibition within the five-minute walk area surrounding the designated pedestrian places.

The City limits total drive-up uses within the city to twelve separate businesses, based upon the number of drive-up uses at the time the ordinance was adopted. The drive-up use allowance is transferable to another site, including onto sites which are zoned C-1 and currently onto sites which are being planned as pedestrian places.

Recommendation: An overlay zone could specifically prohibit drive-up use permits from being transferred onto sites within designated pedestrian places or within the surrounding five-minute walk areas.

Dimensional Standards

Building Heights. The primary dimensional standard in the C-1 zone is a 40-foot maximum building height, except where a property abuts a residential district where lesser heights are allowed. These standards are not a problem for the Pedestrian Place concepts. Additional building height beyond 40 feet is problematic since the uses accommodated by that additional height may make it difficult to provide adequate parking without surface parking areas much larger than those envisioned in the concept plans. Alternative parking strategies to surface parking could be tuck-under parking spaces or a parking area under a building podium. These options raise construction costs for the desired buildings and, therefore, work against other goals, such as providing affordable housing.

Recommendation: No change.

Development Standards

Landscaping Coverage. An overlay district could supersede the current minimum 15 percent landscaping coverage requirement of the C-1 zone if the City wants each site to include more landscaping. However, increasing the landscaped areas of a new development may be counter to the higher intensity of development and mix of uses desired characterized by closely spaced buildings, useable outdoor gathering spaces, and setbacks with storefront activities.

Recommendation: No change.

Other Zones within the 5-Minute Walking Area

Most of the rest of the five-minute walk area surrounding the Walker Avenue and Ashland Street pedestrian place is zoned with the R-1 districts or is part of the Southern Oregon University (SOU) campus. Uses, densities, dimensional, and development standards related to these districts are summarized below.

R-1-7.5 Zone. Much of the five-minute walk area south of Siskiyou Boulevard is zoned R-1-7.5, along with some area within the eastern portion of the five-minute walk area. The target density for this district is 3.6 units per acre, which is at the low end of the typical density range supportive of local bus service. Detached single-family residences and multi-family residences are among the permitted uses. Dimensional standards are typical of this density. Since this zone is applied on the opposite side of Siskiyou Boulevard and includes the SOU overlay zone, it is not ripe for major redevelopment.

R-1-5 Zone. Much of the five-minute walk area north of Ashland Street is zoned R-1-5. The target density for this district is 4.5 units per acre, which is at the low end of the typical density range supportive of local bus service. Detached single-family residences and multi-family residences are among the permitted uses. Dimensional standards are typical of this density. Since this area is fully developed and within the outer portion of the five-mute walk area, it is not ripe for major redevelopment.

> Recommendation: Since the target densities for both the R-1-7.5 and R-1-5 districts are at the low end of the transit-supportive density scale, it is recommended that the City consider seeking increased densities in these areas through allowing Accessory Residential Uses as permitted uses within the five-minute walk areas surrounding pedestrian places.

Zoning Review for Tolman Creek Road/Ashland Street Pedestrian Place

C-1 Zones

All of the opportunity sites within the Tolman Creek Road/Ashland Street pedestrian area are zoned C-1, except for the western-most portion of opportunity site C along Tolman Creek Road and a small area of portion of opportunity site F just to the north. This area is zoned E-1 with a residential overlay. Similar comments apply as above regarding how the C1 district supports or conflicts with the pedestrian place objectives.

E-1 Zone, with Residential Overlay

The E-1 zoning district is a mixed commercial and employment district. This zone allows a great variety of office, commercial, and manufacturing uses. Some of the allowed commercial and industrial uses may be fairly land extensive or low in development intensity. Lower intensity uses such as these may be counter productive to the pedestrian place objectives, if not modified by the recommended pedestrian place overlay. Residential development can occur as part of a mixed use development in the E-1 district only if the property is designated with the residential overlay, as is the case for the E-1 zoned properties along Tolman Creek Road. The residential overlay allows residential uses as a special use in the E-1 district at a maximum density of 15 units per acre, with special additional density provisions for small units. Residential uses are allowed only if at least 65% of the total gross floor area of a building's ground floor, or at least 50% of the total lot area if there are multiple buildings, are occupied by permitted or other special permitted uses, excluding residential.

> Recommendation: The Pedestrian Place overlay district could also be applied to the E-1 zoned area within the five-minute walk area in order to implement use/size restrictions to prohibit non-supportive uses, and to add design and potential parking reduction measures which are supportive of pedestrian places.

Other Zones Within the 5-minute Walk Area

The YMCA site, and areas to the north and west, are zoned R-2, with most of them also including the Performance Standards overlay, which has flexibility with regard to development standards. Development standards for a particular development site are determined through the site plan review process, similar to a planned development.

R-2 Zone. The uses, maximum and bonus densities, are consistent with transit-supportive goals. The maximum density is 13.5 d.u./acre. R-2 Bonus Points for density allow up to 40 percent additional density to approximately 19 d.u./acre. The bulk regulations would not appear to discourage development at higher densities.

E-1 Zone, without the Residential Overlay

The 5-minute walk area includes other properties to the south and east of opportunity site C, which are also zoned E-1, but without the residential overlay. As noted above, the E-1 zoning district allows a great variety of office, commercial, and manufacturing uses. Maintaining application of this zone in this area appears reasonable given the employment value of the uses which are already established here.

> Recommendation: Maintain the existing underlying zoning within the five-minute walking area with no additional changes.

Parking

Since much of the development which is within this area is relatively large buildings with large parking lots and other portions of this area are undeveloped, it is additionally important that limiting the amount of parking be planned for and that parking areas be well designed. Recommendations for parking standards for all pedestrian places are addressed separately, beginning on page 7.

Zoning Review for North Mountain Avenue and East Main Street Pedestrian Place

R-3 Zone

The densities are supportive of pedestrian-friendly and transit-oriented development. Most of the North Mountain Avenue and East Main Street pedestrian place area, including opportunity sites A through E, is zoned R-3. The R-3 district is a high density residential district with a target density of

20 dwelling units per acre, with bonus density provisions to allow an additional 40 percent or a maximum of 28 dwelling units per acre. Permitted uses in the R-3 district are all manner of residential uses, as well as public schools. Limited commercial uses are allowed as conditional uses, including professional offices or clinics for an accountant, architect, attorney, dentist, designer, doctor or other practitioner of the healing arts, engineer, insurance agent or adjuster, investment or management counselor, or surveyor; limited personal service establishments in the home, such as beauticians, and masseurs; travelers accommodations which are also occupied by the owner of the business; and hostels.

> Recommendation: In order to provide for mixed-use development within these R-3 zoned areas, the R-3 zoning district permitted or conditional uses will need to be amended to include additional desired commercial uses. Alternatively, the City could apply the recommended Pedestrian Place overlay zone discussed below to the R-3 district zoned properties within the five-minute walk area and structure the overlay zone to allow certain commercial uses in places where the underlying zone does not permit those uses.

Other Zones

Opportunity sites F and G are zoned E-1, which is a mixed commercial and employment district. As noted above, this zone allows a great variety of office, commercial, and manufacturing uses. Zoning is not recommended to be changed in any of these areas.

> Recommendation: The City may wish to add the recommended Pedestrian Place overlay zone to these and other similarly zoned areas within the five-minute walk area.

Review of Development Standards Common to All Districts

Special Setbacks

Section 18.68.050 requires large setbacks along arterial streets which are not supportive of the desired qualities of this or any other pedestrian place. A minimum setback of 65 feet from the road's centerline is required along Ashland Street, a minimum 35-foot setback from centerline is required on East Main Street, and minimum 20-foot setbacks from right-of-way boundaries are required along all other arterials. The overlay district should supersede these requirements by specifying maximum building setbacks from right-of-way boundaries or special build-to lines in order to cause buildings to be located near the street. Our recommendation is building setbacks of five feet or greater from a street property line be permitted only where the building setback area is occupied by a customer-serving area like a sidewalk café or by a plaza, or where the site has more than one street frontage and the standard maximum setback is met along the other street.

Other Standards/Floor Area Ratio (FAR)

The Basic and Detailed Site Review Standards of the Site Design and Use Standards Manual were reviewed. Most seem to be supportive of, or at least not detrimental to, Pedestrian Place objectives. One potential exception is the maximum floor area ratio (FAR) standard. The maximum FAR standard for buildings outside of the Historic District is 0.50:1 (Standard II-C-2a). The Detailed Site Design Standards currently require a minimum FAR of 0.35:1. This is a low FAR for the type of redevelopment illustrated in the Pedestrian Place concept plans which have FARs ranging from .60:1 to .70:1. The existing conditions at the Ashland Street/Walker Avenue location (the only one of the selected sites that is currently built-out) appears to barely reach the 0.35:1 minimum and has a higher parking ratio than is being recommended.

> Recommendation: Increase the maximum allowable FAR to at least 1.0 in order to encourage more intensive use of individual parcels through reduced onsite parking and decreased setbacks from the street. This reduces the unproductive footprint of parking lots and large setbacks in favorable of buildings and useable pedestrian space.
>
> Complementary Recommendation: Some zoning codes specify higher minimum FARs, minimum building heights, or a minimum lot coverage standard in order to promote intensify development in transit or pedestrian areas. Of those types of practices, we recommend setting a minimum building height of two stories. Choosing to implement higher minimum FAR and minimum lot coverage standards may discourage innovative building and site designs which otherwise could also result in desirable gathering spaces supportive of pedestrian-oriented development. High minimum FAR and lot coverage standards are also often difficult to satisfy on unusually shaped parcels but two- or three-story buildings can still meet the objective of more intensive use of the site.

Parking Standards

The concept plans included in the accompanying graphics package illustrate parking that is significantly lower than the current minimum for off-street parking space standards of Section 18.92.20. The current minimums for detached and multi-family residential uses (based upon number of bedrooms), general retail (1 space per 350 square feet), and for eating and drinking establishments (1 space per 100 square feet or 1 space per 4 seats) do not appear to be supportive of the key aspects for pedestrian place development, such as increased FAR, reduced building setbacks from the street and achieving transit-supportive densities. The Ashland Land Use Ordinance already provides options to reduce minimum parking space requirements. Some options can currently be utilized within the proposed overlay zone areas. Other options provided by the Land Use Ordinance are currently only allowed elsewhere in the city.

Recommendation: Extend all of the options addressed below to pedestrian places. Continue the maximum allowed number of parking spaces at 110 percent of the minimum required.

On-Street Parking. Land Use Ordinance Section 18.92.025 applies city-wide. This section allows a reduction of required off-street parking based upon credits for on-street parking provided by the development. A credit of one required off-street parking space for every two on-street general use parking spaces is provided. A development can obtain up to four credits at that ratio. After four credits are earned, a development can receive a one off-street parking space credit for each additional on-street space provided. (Note: the Croman Mill area provisions of the Site Design and Use Standards Manual allows a one on-street parking space for one on-site space ratio without the initial one for two qualifier) This is a progressive tool for reducing onsite parking lot areas and increasing FAR and density.

Bicycle Parking. Section 18.92.040 requirements are clear, appropriate, and generally supportive of pedestrian place objectives. However, there currently is no provision for reducing auto parking requirements if additional bike parking or bicyclist serving amenities are provided. There is no scooter parking requirement. Adding this requirement should be considered.

Mixed Use Parking Credits. The Land Use Ordinance allows a credit for a reduction of up to 35 percent of required off-street parking for the total minimum parking required for multiple uses on the same site when it can be demonstrated that the uses have different peak parking demand periods.

Croman Mill Parking Standards of the Site Design and Use Standards Manual

The Croman Mill parking standards of the Site Design and Use Standards Manual provides for the amount of required auto parking to be reduced by not more than 50 percent through application of credits for:

- Providing on-street parking (actually, a one on-street for one onsite parking space substitution), as described above;
- Implementation of a Transportation Demand Management Plan;
- A mixed use credit, as described above; and
- A shared parking space credit for every space a developer constructs in a designated offsite shared parking area, or for payment of a fee-in-lieu-of parking with such fees to be used for constructing a shared parking area. Further, after plans for a shared parking structure are completed, a development will only be allowed to build up to 50 percent of their required parking on their own site with the remainder of the parking to be provided for in the shared structure through use of one or more of the bulleted items above.

Recommendation: Consider extending similar standards and credits to pedestrian places.

Downtown Overlay Zone Parking

The Downtown overlay zone does not require off-street parking for all uses other than hotels, motels, and hostels. This overlay zone applies only within the downtown area and, thus, does not apply to any of the Pedestrian Places currently under study.

Recommendation: It is not recommended that this same approach be taken in the Pedestrian Place areas. We recommended the reduced parking standards. The possibility of waiving the requirements and allowing a development with no off-street residential parking could be considered but several factors seem to work against that. First, these Pedestrian Places are on collector and arterial streets which do not currently allow on-street parking. That is not favorable for retail uses. Second, the local development community may not feel the market will support them in offering residential units without some parking. Lastly, a high density development without parking may not be acceptable to the surrounding neighborhood because of concerns about over-utilization of the neighborhood supply of on-street parking by residents of the new development.

Street Standards/Parking Area Design Standards

At present, typical City of Ashland street improvement standards would apply within the Pedestrian Place.

Recommendation: In the interest of promoting green street style street improvements, the City could designate certain streets within a pedestrian district as green streets and require streets to meet certain special design standards; much like the Site Design and Use Standards Manual does for streets within the Croman Mill District (Section VIII-C-3). The same could be done for green parking lots (like Section VIII-C-4 of the Site Design Manual) and green streets.

BEFORE THE CITY COUNCIL OF THE CITY OF ASHLAND
November 2nd, 2010

IN THE MATTER OF AN APPEAL ON THE RECORD OF THE PLANNING COMMISSION'S APPROVAL OF PLANNING ACTION #2009-01244, A REQUEST FOR SITE REVIEW APPROVAL AND CONDITIONAL USE PERMIT AND ADMINISTRATIVE VARIANCE TO ALLOW THE INSTALLATION OF ROOFTOP WIRELESS COMMUNICATIONS FACILITIES ON THE EXISTING ASHLAND STREET CINEMA BUILDING LOCATED AT 1644 ASHLAND STREET AND AN ASSOCIATED GROUND-MOUNTED ACCESSORY EQUIPMENT STRUCTURE.	)	**FINAL DECISION**
APPLICANTS: Goodman Networks, Inc. for AT&T Wireless, LLC	)	

This matter came before the City Council as an appeal on the record pursuant to Ashland Land Use Ordinance (ALUO, or AMC, Ashland Municipal Code) 18.108.110. The Planning Commission approved a request for Site Review, Conditional Use Permit, and Administrative Variance to the Site Design & Use Standards to allow the installation of rooftop wireless communication facilities on the existing Ashland Street Cinema building on July 13, 2010. An appeal request was timely received on July 28, 2010 from Christian E. Hearn, attorney for the appellant Roderick J. Newton.

SCOPE OF THE APPEAL: ALUO 18.108.110.A.2 requires that each appeal set forth "a clear and distinct identification of the specific grounds for which the decision should be reversed or modified, based on identified applicable criteria or procedural irregularity." The four clearly and distinctly identified grounds for appeal in this case were: 1) Failure to provide a collocation study and meet the design standards criteria showing how collocation cannot occur (ALUO 18.72.180.B, and 18.72.180.C.2); 2) Failure to demonstrate that the application meets a Conditional Use Permit Criterion pertaining to adverse material effects on livability within the impact area when compared to the target use (ALUO 18.104.050.C); 3) Failure to provide a lease with the application (ALUO 18.72.180.B); and 4) Failure to meet the criteria for Administrative Variance to the required landscape buffer for the ground mounted WCF equipment structure (ALUO 18.72.090).

The appellant also proposed to incorporate several other unspecified additional issues detailed in 28 pages of the nine sub-exhibits provided with the appeal. The Council finds that this attempt to incorporate additional appeal issues by reference to other documents is not a sufficiently clear and distinct identification of the grounds for which the decision should be reversed or modified based on identified applicable criteria or procedural irregularity as required in the code, and as such any additional issues from these sub-exhibits were not included as identified grounds for appeal. The Council finds that consideration of this appeal is therefore limited to the four appeal issues which were clearly and distinctly identified in the appeal request.

A. OVERVIEW OF APPLICATION, RELEVANT APPROVAL CRITERIA and COUNCIL PROCEEDINGS:

1) The subject property is identified as Tax lot #6800 of Map 39 1E 15 AB, located at 1644 Ashland Street and is zoned Commercial Retail (C-1).

2) The applicants requested Site Review and Conditional Use Permit approval to install rooftop wireless communications facilities (WCF) on the existing Ashland Street Cinema building located at 1644 Ashland Street, and to construct an associated ground-mounted accessory equipment structure. The proposed installation consists of 12 architecturally-integrated panel antennas. The application includes a request for an Administrative Variance from the Site Design and Use Standards' required landscape buffer for the ground-mounted accessory equipment structure. The subject property is located within the Detail Site Review Zone and the Ashland Boulevard Corridor, and the existing building is also subject to Additional Standards for Large Scale Projects. Site improvements are outlined on the plans on file at the Department of Community Development.

3) The criteria for Site Review approval are described in Chapter 18.72.070 as follows:

   A. *All applicable City ordinances have been met or will be met by the proposed development.*
   B. *All requirements of the Site Review Chapter have been met or will be met.*
   C. *The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*
   D. *That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options. (Ord. 2655, 1991; Ord 2836 S6, 1999)*

4) The criteria for a Conditional Use Permit are described in 18.104.050 as follows:

   A. *That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.*
   B. *That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.*
   C. *That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the*

target use of the zone:

1. *Similarity in scale, bulk, and coverage.*
2. *Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*
3. *Architectural compatibility with the impact area.*
4. *Air quality, including the generation of dust, odors, or other environmental pollutants.*
5. *Generation of noise, light, and glare.*
6. *The development of adjacent properties as envisioned in the Comprehensive Plan.*
7. *Other factors found to be relevant by the Hearing Authority for review of the proposed use.*

5) The Development Standards for Wireless Communications Facilities are described in AMC 18.72.180.C as follows:

1. <u>*General Provisions*</u>
   a. *All facilities shall be installed and maintained in compliance with the requirements of the Building Code. At the time of building permit application, written statements from the Federal Aviation Administration (FAA), the Aeronautics Section of the Oregon Department of Transportation, and the Federal Communication Commission that the proposed wireless communication facility complies with regulations administered by that agency, or that the facility is exempt from regulation.*
   b. *All associated transmittal equipment must be housed in a building, above or below ground level, which must be designed and landscaped to achieve minimal visual impact with the surrounding environment.*
   c. *Wireless communication facilities shall be exempted from height limitations imposed in each zoning district.*
   d. *WCF shall be installed at the minimum height and mass necessary for its intended use. A submittal verifying the proposed height and mass shall be prepared by a licensed engineer.*
   e. *Signage for wireless communication facilities shall consist of a maximum of two non-illuminated signs, with a maximum of two square feet each stating the name of the facility operator and a contact phone number.*
   f. *Applicant is required to remove all equipment and structures from the site and return the site to its original condition, or condition as approved by the Staff Advisor, if the facility is abandoned for a period greater than six months. Removal and restoration must occur within 90 days of the end of the six month period.*

2. *Preferred Designs*

   a. *Where possible, the use of existing WCF sites for new installations shall be encouraged. Collocation of new facilities on existing facilities shall be the preferred option.*

   b. *If (a) above is not feasible, WCF shall be attached to pre-existing structures, when feasible.*

   c. *If (a) or (b) above are not feasible, alternative structures shall be used with design features that conceal, camouflage or mitigate the visual impacts created by the proposed WCF.*

   d. *If (a), (b), or (c) listed above are not feasible, a monopole design shall be used with the attached antennas positioned in a vertical manner to lessens the visual impact compared to the antennas in a platform design. Platform designs shall be used only if it is shown that the use of an alternate attached antenna design is not feasible.*

   e. *Lattice towers are prohibited as freestanding wireless communication support structures.*

3. *Landscaping. The following standards apply to all WCF with any primary or accessory equipment located on the ground and visible from a residential use or the public right-of-way*

   a. *Vegetation and materials shall be selected and sited to produce a drought resistant landscaped area.*

   b. *The perimeter of the WCF shall be enclosed with a security fence or wall. Such barriers shall be landscaped in a manner that provides a natural sight obscuring screen around the barrier to a minimum height of six feet.*

   c. *The outer perimeter of the WCF shall have a 10 foot landscaped buffer zone.*

   d. *The landscaped area shall be irrigated and maintained to provide for proper growth and health of the vegetation.*

   e. *One tree shall be required per 20 feet of the landscape buffer zone to provide a continuous canopy around the perimeter of the WCF. Each tree shall have a caliper of 2 inches, measured at breast height, at the time of planting.*

4. *Visual Impacts*

   a. *Antennas, if attached to a pre-existing or alternative structure shall be integrated into the existing building architecturally and, to the greatest extent possible, shall not exceed the height of the pre-existing or alternative structure.*

   b. *Wireless communication facilities shall be located in the area of minimal visual impact within the site which will allow the facility to function consistent with its purpose.*

   c. *Antennas, if attached to a pre-existing or alternative structure shall have a non-reflective finish and color that blends with the color and design of the structure to which it is attached.*

d. *WCF, in any zone, must be set back from any residential zone a distance equal to twice its overall height. The setback requirement may be reduced if, as determined by the Hearing Authority, it can be demonstrated through findings of fact that increased mitigation of visual impact can be achieved within of the setback area. Underground accessory equipment is not subject to the setback requirement.*

e. *Exterior lighting for a WCF is permitted only when required by a federal or state authority.*

f. *All wireless communication support structures must have a non-reflective finish and color that will mitigate visual impact, unless otherwise required by other government agencies.*

g. *Should it be deemed necessary by the Hearing Authority for the mitigation of visual impact of the WCF, additional design measures may be required. These may include, but are not limited to: additional camouflage materials and designs, facades, specific colors and materials, masking, shielding techniques.*

5. *Collocation standards*

a. *Each addition of an antenna to an existing WCF requires a building permit, unless the additional antenna increases the height of the facility more than ten feet.*

b. *Addition of antennas to an existing WCF that increases the overall height of the facility more than ten feet is subject to a site review." (ORD 2802, S3 1997)*

6) The criteria for an Administrative Variance to the Site Design and Use Standards are described in AMC 18.72.090 as follows:

A. *There is a demonstrable difficulty in meeting the specific requirements of the Site Design Standards due to a unique or unusual aspect of the proposed use of a site;*

B. *Approval of the variance will not substantially negatively impact adjacent properties;*

C. *Approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and*

D. *The variance requested is the minimum variance which would alleviate the difficulty.*

7) The City Council, following proper public notice, held a public hearing on October 5th, 2010 to consider the appeal, at which time testimony was received and exhibits were presented. Deliberations for the action were continued until the next regular meeting of the Council on October 19th, 2010.

At its regular meeting on October 19th, 2010 the City Council upheld the appeal on one of the four identified appeal grounds. Council overturned the Planning Commission's approval, and denied the application for Site Review, Conditional Use Permit and Administrative Variance to install rooftop wireless communications facilities and an associated ground-mounted equipment structure.

As detailed more fully below, the City Council finds that the Planning Commission erred in its interpretation of the Development Standards for Wireless Communications Facilities in AMC 18.72.180.C.2.a, that the standards were substantially more rigorous than they had been interpreted to be in the Planning Commission's decision, and that the applicants failed to meet their burden of proof as to the design standards criteria with respect to collocation.

References to the Planning Commission Record will be described herein by page number, preceded by the abbreviation "PCRec".

B. COUNCIL FINDINGS ON APPEAL

1. Procedural matters.

a. Timeliness of applicant's submittal in response to appeal. The Council finds that written arguments were to have been submitted not less than ten days prior to the October 5th hearing, which in this case would have been no later than Monday, September 27th, 2010 when calculated according to the methodology of ORS 174.210. For reasons that are not entirely clear, the applicant's representative has asserted that, despite timely mailing of notices by the City, they did not receive a copy of the appeal notice until Friday, September 24th, 2010. As a result, the applicant was not able to submit written arguments until Wednesday, September 29th, 2010. In light of the applicant's substantial interest in the proceedings and the fact that the applicant did not receive the mailed notice until very near the submittal deadline, the Council finds that it would result in fundamental unfairness to exclude these written arguments on a mere technical violation and that acceptance of these written arguments does not prejudice the substantive rights of other parties. The Council therefore accepts the applicant's September 29th argument submittals.

b. Asserted bias of Council members. During the Council hearing, a citizen asserted that Council members could be biased based on whether they were customers of the applicant AT&T for their cellular telephone service, and on whether as a result they perceived that in fact there were problems with poor cell phone coverage in the area subject to this application. During Council deliberations, each Council member stated for the record that their individual cell phone service would not be a basis for their decision, and that they were capable of and in fact would decide this application on its merits and were free from any asserted bias.

2. Telecommunications Law Standards.

In addition to the specific standards in the AMC, Council notes the application of two standards of federal law with respect to applications to site WCF. First, the Council recognizes that the Telecommunications Act of 1996 expressly preempts local government regulation of the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply

with the FCC's regulations concerning such emissions [47 U.S.C. §332(c)(7)(B)(iv)]. The Council finds that perceived health impacts are included within this prohibition. The Council therefore concludes that testimony and evidence in this case concerning the environmental effects of radio frequency emissions are not a basis upon which Council can make a decision; as such, Council specifically declines to consider all such evidence in evaluating this application.

Second, the City Council further finds that the application as detailed in the whole record is intended to supplement or enhance the applicant's own service network, which provides services already within the City of Ashland. Nothing within the record indicates that the applicants are seeking to address a significant service gap; in fact, the applicants explicitly acknowledged in the appeal hearing that they do not have a significant service gap in the area.

3. Findings with respect to AMC criteria.

   a. Collocation standards.

As noted above, there are four specific grounds for appeal in this case. The first appeal ground asserts both that the applicant failed to provide a sufficient application in the first instance, violating AMC 18.72.180.B.6, and that to the extent the applicant's later submissions attempted to cure this defect, they were insufficient to meet the applicant's burden of proof under this criterion.

The Council notes at the outset that the purpose of the application submittal requirement is to ensure that the application is sufficient in substance in order to allow for the evaluation of the application against the substantive criteria. AMC 18.72.180.B's application submittal requirements are not stated as jurisdictional requirements. As such, the Council may not use these requirements as independent approval criteria against which the application must be measured. The applicant's initial submittal in this case was found to be insufficient by City staff, and was supplemented during the course of staff's review of the application. (PCRec 511, 769 and 1299, and pages immediately following each of these page numbers). Taken together, while as shown below the Council determines that the submittals are insufficient to meet the applicant's burden of proof on the applicable approval criteria, the submittals are sufficient to allow for review of the application against those standards.

The substantive standards relevant to this appeal ground are found at AMC 18.72.180.C.2, "Preferred Designs". As articulated more fully below, Council finds that this standard is ambiguous on its face, and that it must therefore be interpreted by the Council using its text, context and apparent purpose.

The City Council finds that with regard to the primary ground for appeal, "Failure to provide collocation study and to meet the design standards criteria for collocation," the Planning Commission erred in its interpretation and application of the Development Standards for Wireless Communication Facilities contained in ALUO 18.72.180.C. More specifically, the City

Council finds that the "Preferred Designs" are intended to provide a significantly more rigorous standard of review than was applied by the Planning Commission. The Council finds that the Preferred Designs standards of ALUO 18.72.180.C are intended to be viewed within a broader context as a ladder or stepped hierarchy, and that these standards are to be more rigorously applied to regulate the placement, appearance and impact of wireless communication facilities in a manner which minimizes visual and aesthetic impacts to the greatest extent possible in keeping with their declared purpose and intent described in ALUO 18.72.180.A, while providing residents with the ability to access and adequately utilize the services that these facilities support.

The Council finds that the application of these standards proceeds on a determination of feasibility, and that "feasible" is not explicitly defined within Ashland's Land Use Ordinance. The Council therefore finds that "feasible" shall be defined as "capable of being done, executed or effected; possible of realization." The Council further finds that a demonstration of feasibility requires a substantial showing, and that an applicant cannot deem an alternative, such as a collocation site, to be not feasible simply because it would be difficult for the applicant to make use of that alternative.

As such, an application must first provide a collocation feasibility study as required in ALUO 18.72.180.B.6 which "*adequately indicates collocation efforts were made and states the reasons collocation can or cannot occur.*" When considered within the hierarchy of preferred designs in ALUO 18.72.180.C this study and other materials within the record must demonstrate not merely that the preferred option of collocation in ALUO 18.72.180.C.2.a is not ideal in meeting the applicants' objectives, but that collocation at the site is not feasible – as defined above - before the applicant may proceed to the next available option of placement on a pre-existing structure. The study also must demonstrate that the applicant made a reasonable effort to locate other potential collocation sites that would meet the applicant's service objections and clearly identify why those sites also are not feasible.

The City Council finds that when viewed in light of this more rigorous application of the standards, the application as contained in the whole record fails to meet the burden of proof in demonstrating that collocation is not feasible. The Council finds that while the applicants attempted to better address the feasibility of collocation with incremental submittals through the application review and hearing process, the application materials provided are on the whole weak and contradictory; fail to clearly identify a consistent service objective and provide clear analysis of the feasibility of collocation proceeding from that objective; and flatly put are simply inadequate to demonstrate that collocation is not feasible.

Early submittals by the applicants note that the Holiday Inn collocation site is "*a reasonable location according to the search map. It is also possible to add false architectural elements to screen an installation at the Holiday Inn*" (PCRec 1299) but remove it from consideration as the, "*slight increase in ground elevation would make the projected signal coverage area of the Cinema installation larger and more efficient, potentially serving more customers. Further, when evaluating locations for radio equipment at the Holiday in, we discovered that the length of the coax run from the radio to the antennas would be much greater than the run designed for the*

Cinema. This additional length would result in an additional loss of signal, adding to the inefficiency of a possible Holiday Inn installation" (PCRec 1300). Later submittals state that "*The collocation on the Holiday Inn Express could work purely from an RF perspective.*" (PCRec 769) but go on to indicate the site was rejected due to access difficulties likely to be encountered with the anticipated placement of the accessory equipment cabinet. The applicants final submittal notes that the Cinema installation "*will provide a stronger RF signal that will cover more area.... will offload more traffic than a site at the hotel.... [*and*] is predicted to provide in-building coverage*" to both the Southern Oregon University campus and the I-5 corridor, noting that the "*cinema location meets these goals significantly better than the hotel location*" (PCRec 515).

The Council finds that while the applicants have demonstrated a number of justifications for their preference for the Cinema site, they have failed to adequately demonstrate that collocation on the existing Holiday Inn Express wireless communication facility installation on Clover Lane is not feasible, and have in fact indicated that this location is reasonable according to their search map and could work from a radio frequency standpoint. The Council finds that collocation is the preferred option under ALUO 18.72.180.C.2.a, that the hierarchy in preference of design options stated in the standards is essential in minimizing to the greatest extent possible the visual and aesthetic impacts of wireless communication facility installations in Ashland, and that without an adequate demonstration that collocation is not feasible as required in ALUO 18.72.180.C.2.b., this installation on a pre-existing structure cannot be approved.

As a result of the findings above as to the first asserted ground for appeal, the Council therefore concludes that the appeal should be granted on this ground, resulting in reversal of the approval and denial of the application.

b. Conditional Use Permit Criterion: Adverse Material Effects

The second ground for appeal asserted by the appellant was that the application failed to meet AMC 18.104.050.C, requiring that the proposed use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. The Planning Commission found that this was a "comparison standard" that requires the City to contrast specific impacts resulting from the proposed use to the impacts if the site were developed to the target use for its C-1 zoning, which is retail use built to a floor area ratio of 0.35. The appellant does not disagree with this interpretation of the code, but rather argues that there is not substantial evidence in the record to support the Commission's findings that the proposed use will not have a greater impact than if the site is developed for the target use. The Council finds that the Commission's findings extensively analyze each of the criteria listed in the code section and evaluate the impact of the proposed wireless communication facility as compared with development of the site for commercial retail use. (PCRec 467-472). The Council finds that there is substantial evidence contained within the whole record to support the findings of the Planning Commission, and hereby adopts the identified Planning Commission findings in their entirety. Those findings are appended to this Final Decision as Appendix A.

The Council concludes that the Planning Commission's decision with regard to this ground should be upheld, and this ground for appeal should be denied. [PJB1]

c. Application submittal requirements

The City Council finds that with regard to the third ground for appeal, "Failure to Provide a Lease with Application," the appellant argues that the applicant included neither a lease nor a collocation study which are required under ALUO 18.72.180.B. The Council finds that to the extent that the Commission findings address this issue, they conclude that the identified documents are submittal requirements rather than approval criteria. Therefore, whether or not they were provided with the original application, submittals cannot serve as grounds for a denial of the application. The Council finds that the code requires applicants to provide this information in order for the City to make a determination whether the application meets applicable approval criteria; however, the submittal requirements are not approval criteria in and of themselves. The Council further finds that the applicants did ultimately provide a copy of a lease that did not explicitly preclude collocation, although it placed a number of preconditions on collocation which the Commission found questionable (PCRec 463-64). Similarly, the Council finds that the applicant provided materials to address collocation which the Commission initially found inadequate, and which the applicant subsequently supplemented during the hearing process (PCRec 462-63). The Council finds that by the time the Commission reached its decision, the study, as supplemented, provided the Commission with adequate information to determine compliance with the criteria. The Council therefore finds that there is substantial evidence contained within the whole record to support a finding that the required items were submitted. As a result, the Council concludes that the Planning Commission's decision with regard to this appeal ground should be upheld, and this ground for appeal should be denied.

d. Administrative Variance: landscape buffering standards.

The City Council finds that with regard to the final ground for appeal, "Failure to meet criteria for Administrative Variance to the landscape buffering standards for ground-mounted accessory equipment," the appellant argues that there is not substantial evidence contained within the whole record to support the findings of the Planning Commission. The Council finds that the Commission's findings include a detailed discussion of the accessory equipment structure and why it meets the criteria for an Administrative Variance to the landscape buffering standards (PC Rec 474-76). In particular, the Commission found that the ten-foot landscape buffer required by the standards "*would extend into the required clear width of the alley, impeding vehicular circulation, fire access and service corridor access for loading [and] unloading*." The Council hereby adopts the findings of the Planning Commission as to this appeal ground, which findings are appended to this Final Decision as Appendix B. The Council finds that there is substantial evidence contained within the whole record to support the findings of the Planning Commission on this matter. Accordingly, the Council concludes that the Planning Commission's decision with regard to this ground should be upheld, and this ground for appeal should be denied. [PJB2]

C. DECISION

Based on the record of the Public Hearing on this matter, and on the findings set forth above, the City Council concludes that the Planning Commission erred in its interpretation and application of the Development Standards for Wireless Communications Facilities in ALUO 18.72.180.C.2.a, that these standards are substantially more rigorous than they were applied in the Planning Commission's decision, and that the applicants have failed to meet their burden of proof in providing an adequate collocation study to satisfy the design standards criteria for collocation in ALUO 18.72.180.C. The City Council therefore grants the appeal as to the first appeal ground, denies the appeal as to the remaining three appeal grounds, and overturns the Planning Commission's approval for Site Review, Conditional Use Permit and Administrative Variance to install a rooftop wireless communications facilities. The application is denied.

John Stromberg

John Stromberg, *Mayor*
City of Ashland

November 2, 2010
Date

APPENDIX A

Planning Commission Findings Regarding Conditional Use Permit Criteria
Concerning "*No Greater Adverse Effect on Livability*" (PCRec 467-72)

9) AMC 18.104 C [No Greater Adverse Effect on Livability]:

C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:

1. **Similarity in scale, bulk, and coverage.**
2. **Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.**
3. **Architectural compatibility with the impact area.**
4. **Air quality, including the generation of dust, odors, or other environmental pollutants.**
5. **Generation of noise, light, and glare.**
6. **The development of adjacent properties as envisioned in the Comprehensive Plan.**
7. **Other factors found to be relevant by the Hearing Authority for review of the proposed use.**

Under the Ashland Municipal Code a Wireless Communications Facility is a conditional use; the existing development of the Ashland Shopping Center, some of which was accomplished before current regulations is primarily developed with permitted uses (e.g. the existing theater is a permitted use. AMC 18.32.020 D.). Only the addition of the WCF is currently before the Commission. This criterion [AMC 18.104 C] requires the proposed conditional <u>use</u> to have no greater adverse material effect on the livability of the impact area than [as compared to] development of the subject property with the target <u>use</u> of the zone. The impact area is considered to be the adjacent properties and the notice area. [See description under III above]. The target use of the zone is commercial. Specifically, in C-1 target use is defined in AMC 18.104.020.B.4 as:

B. "Target Use" - The basic permitted use in the zone, as defined below.

* * *

4. C-1. The general retail commercial uses listed in 18.32.020 B., developed at an intensity of .35 gross floor to area ratio, complying with all ordinance requirements.

AMC 18.32.020 B. provides:

18.32.020 Permitted Uses

The following uses and their accessory uses are permitted outright:

***

B. Stores, shops and offices supplying commodities or performing services, such as a department store, antique shop, artists supply store, and including a regional shopping center or element of such center, such as a major department store.

Note: Impacts of other permitted uses such as nightclubs and bars, AMC 18.32.020 K., mortuaries and crematoriums, AMC 18.32.020 F. are *not* used for the comparison. The livability criterion is simply a comparison of the impact s of the proposed use (wireless communications facility) relative to the impacts of the target use (retail commercial sales and services).

The Commission, consistent with prior City Council decisions, expressly finds and determines that this criterion is not a "no adverse impact" standard. That is, contrary to assertions by opponents, the standard is not a standard requiring the reduction, minimization or mitigation of all adverse impacts on adjacent properties. Compare, the above target use comparison standard of "no greater adverse material effect on the livability of the impact area" to the standard for an administrative variance, i.e. "Approval of the variance will not substantially negatively impact adjacent properties." The Commission expressly rejects assertions of a no adverse impact standard. The target use of the zone will [and does] have adverse impacts on livability to properties in the impact area, including architectural compatibility, noise, odor, light, glare, obstruction of views, dust, traffic, and other impacts typically associated with commercial use; the conditional use, which is also commercial and consists of a WCF installation [12 architecturally-integrated panel antennas] may have no greater adverse material effect than the target use.

Accordingly, AMC 18.104.C. is a comparison standard. The proposed use is the addition of 12 architecturally integrated panel antennas into the *Ashland Street Cinema* structure in a penthouse element over the entry. The penthouse element raises the height of the roof peak at its highest point by approximately ten feet while complying with the forty-foot height requirements of the C-1 Zoning District. A small enclosure in the rear of the theater on the alley will house WCF equipment. Placement of architecturally integrated wireless communications facilities on the existing building and construction of an associated ground mounted accessory equipment structure at the rear of the building will have little or no adverse material effect on factors of livability as discussed below. Accordingly, the Commission finds and determines that the proposed conditional use will have no greater adverse material effect on the livability of the impact area than would development to the target commercial use of the zone. This criterion is met. Factors of livability are enumerated and compliance with the criterion is analyzed below:

1. Scale, Bulk, and Coverage.

The proposed use is the addition of 12 architecturally integrated panel antennas into the *Ashland Street Cinema* structure in a penthouse element over the entry. The penthouse element raises the height of the roof peak at its

highest point by approximately ten feet while complying with the forty-foot height requirements of the C-1. A small enclosure in the rear of the theater on the alley will house WCF equipment. The proposed architectural element is in compliance with setbacks and the maximum height permitted in the C-1 Zone. In terms of the target use, the proposed height, bulk, scale and coverage of the improvement is *no greater* than would be allowed for the target commercial retail use of the zone. Any obstruction of views is the same whether or not antennas are contained within the architectural feature. The proposal, as modified by Condition 13, is appropriate for the target use and is architecturally compatible with the bulk, scale, coverage and general commercial development patterns generally found in the target use. The findings of compliance under General Provision 1.b. and 1.d. above are incorporated herein by this reference. Opponents argue the project (which increases the height of the existing building) is not similar in bulk and scale and must be denied. However, the criterion is not "the project must be similar in bulk and scale" the criterion involves a comparison of the bulk and scale of the proposed use in relation with the target use of the zone. The target use, also commercial, allows buildings 40 feet in height in accordance with the same setbacks as proposed here. Accordingly the proposed use and the target use have equal impacts on the impact area. The Planning Commission finds and determines that this criterion is met; the proposed use will have no greater adverse material effect on the livability of the impact area than the development of the subject property with the target use of the zone.

2. Generation of Traffic and Effects on Surrounding Streets

The proposed use is the addition of 12 architecturally integrated panel antennas into the Ashland Street Cinema structure in a penthouse element over the entry. A small enclosure in the rear of the theater on the alley will house WCF equipment. The WCF use does not require daily traffic trips by employees or customers and therefore will have negligible traffic impact on the surrounding transportation system as compared to the target commercial retail use of the zone. The Planning Commission finds that wireless communications facilities and their associated accessory equipment will have essentially no traffic impact, including no associated parking demand, and no parking spaces are lost with the proposed installation. A condition has been added to require that adequate fire apparatus access be maintained in a manner consistent with city alley standards, and with condition 10, the Commission finds that the proposed installation will have no associated traffic impacts to surrounding streets. The Planning Commission finds and determines that this criterion is met; the proposed use will have no greater adverse material effect on the livability of the impact area than the development of the subject property with the target use of the zone.

3. Architectural compatibility with the impact area.

The findings set forth under Bulk, Scale, and Coverage above are incorporated herein by this reference as they relate to architectural compatibility. The Planning Commission finds and determines that this criterion is met; the proposed use will have no greater adverse material effect on the livability of the impact area than the development of the subject property with the target use of the zone.

4. Air quality, including the generation of dust, odors, or other environmental pollution.

The proposed use is the addition of 12 architecturally integrated panel antennas into the Ashland Street Cinema structure in a penthouse element over the entry. A small enclosure in the rear of the theater on the alley will house

WCF equipment. The proposed use will have virtually no generation of dust, odors or impact on air quality but certainly will have less environmental impact than the target commercial retail use of the zone (e.g. compare proposed use with impacts from parking lot traffic, air quality and odors from delivery vehicles, customer vehicles and employee traffic typically generated in commercial retail uses). The Planning Commission finds and determines that this criterion is met; the proposed use will have no greater adverse material effect on the livability of the impact area than the development of the subject property with the target use of the zone.

Finally, to the extent radio frequency emissions are considered by numerous opponents as "other environmental pollution" to be considered in the impact on livability comparison to the impacts from the target use of the zone, the Planning Commission expressly rejects consideration of RF emissions as part of this decision. The Planning Commission finds that the Telecommunications Act of 1996 expressly preempts local government regulation of the placement, construction, and modification of personal wireless service facilities on the basis of alleged environmental effects of radio frequency emissions. The City may only ensure that such facilities comply with the FCC's regulations concerning such emissions [47 U.S.C. §332(c)(7)(B)(iv)]. Accordingly, the Commission has imposed a condition that the applicants demonstrate compliance with FCC regulations at the time a building permit application is submitted, as required in AMC 18.72.180.C.1.a. The Planning Commission will not, as urged by some opponents, knowingly disregard limitations on local government authority contained in the Telecommunications Act of 1996.

5. Generation of noise, light, and glare.

The proposed use is the addition of 12 architecturally integrated panel antennas into the Ashland Street Cinema structure in a penthouse element over the entry. A small enclosure in the rear of the theater on the alley will house WCF equipment. The proposed use is architecturally compatible with the existing building and condition 5 requires that the proposed penthouse element and accessory equipment structure be painted and textured in a non-reflective finish and color. The proposed use will have virtually no generation of noise, light or glare and certainly will have less than the target commercial retail use of the zone (e.g. compare proposed use with impacts from parking lot lights, headlights and noise from delivery vehicles, customer vehicles and employee traffic typically generated in commercial retail uses). The Planning Commission finds and determines that this criterion is met; the proposed use will have no greater adverse material effect on the livability of the impact area than the development of the subject property with the target use of the zone.

6. The development of adjacent properties as envisioned in the Comprehensive Plan.

The proposed use is the addition of 12 architecturally integrated panel antennas into the Ashland Street Cinema structure in a penthouse element over the entry. A small enclosure in the rear of the theater on the alley will house WCF equipment. The proposed use will have virtually no impact on the commercial development of adjacent properties as envisioned in the Comprehensive Plan. The proposed use does not physically preclude or obstruct future development of permitted uses in the C-1 zoning district which fully implement the comprehensive plan. See list of permitted uses in AMC 18.32.020. The proposed use would appear to have much less impact on development of adjacent properties (less access and traffic generation conflicts), than development of the target use. (e.g. compare proposed use with impacts typically generated in commercial retail uses). To the extent opponents allege the impacts of the proposed use adversely impact the existing Holistic

wellness uses in the impact area, the findings under 7 below (other factors) are incorporated herein by this reference.

The Commission finds this conditional use will have no greater adverse affect on the livability of the impact area in terms of development of the adjacent properties than would full development of the site to its target commercial use.

7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

The proposed use is the addition of 12 architecturally integrated panel antennas into the Ashland Street Cinema structure in a penthouse element over the entry. A small enclosure in the rear of the theater on the alley will house WCF equipment. Opponents urge adverse economic impact to adjacent properties as a factor under this approval criterion. The argument is that the proposed WCF use will have greater adverse material effect on the livability (economic losses to existing businesses in the impact area) when compared to the development of the subject lot with the target C-1 use of the zone. An example of this kind of adverse economic impact would be a conditional use which competed with impact area uses to a greater extent than target C-1 uses would compete with impact area uses. However, as noted earlier, the standard is *not* - no adverse impact (economic or otherwise) on adjacent properties.

The Commission recognizes that there is a specific cluster of existing land uses in place in the impact area which relate to holistic wellness. The Commission further finds that a significant, if not overwhelming, amount of the testimony provided by patrons, owners and employees of these businesses expressed opposition to the proposed conditional use based on perceived health impacts and environmental effects of radio frequency (RF) emissions from wireless communications facilities. The patrons, owners and employees also expressed opposition to the proposed use because the natural consequence of the health and environmental concerns expressed over RF emissions is a loss of patronage of the holistic wellness businesses. The Commission considered the arguments by Opponents and finds and determines that the concern over economic impacts on the adjacent businesses is, in fact, inseparable from the concerns expressed over the health and environmental effects of Radio Frequency emissions. Stated another way, the adverse economic impact argument does not exist separate and apart from the prohibited consideration of impacts of RF emissions. As such, the argument cannot be considered due to the limitations imposed under the Federal Telecommunications Act of 1996, (discussed above) and the Commission is compelled to decline to consider the economic impact argument under this criterion.

In sum, the Planning Commission expressly finds and determines that the proposed WCF use will not have any greater adverse material effect on the livability of the impact area than the development of the property with the target commercial use of the zone. Based on the detailed findings set forth herein, the detailed findings of the Applicant, the findings and responses in the Staff reports specifically incorporated herein by this reference, as well as by competent substantial evidence in the whole record, the Planning Commission finds and determines that this criterion is met, or can be met with the imposition of conditions.

APPENDIX B

Planning Commission Findings Regarding Administrative Variance Criteria (PCRec 474-76)

11) The criteria for an Administrative Variance to the Site Design and Use Standards are described in AMC 18.72.090 as follows:

A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design Standards due to a unique or unusual aspect of the proposed use of a site;

B. Approval of the variance will not substantially negatively impact adjacent properties;

C. Approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and

D. The variance requested is the minimum variance which would alleviate the difficulty.

The Planning Commission finds and determines that the above referenced approval criterion for an Administrative Variance to Site Design and Use Standards, specifically for landscaping required in AMC 18.72.180C.3. are met in that the proposed use causes demonstrable difficulty in meeting the requirement, the variance will not substantially negatively impact adjacent properties, the variance is consistent with the purposes of the Chapter and the variance is the minimum variance necessary to alleviate the demonstrable difficulty. The above finding is based on the detailed findings set forth herein, the detailed findings and responses in the Staff reports and those findings and responses in support provided by the Applicant, specifically incorporated herein by this reference, as well as by competent substantial evidence in the whole record.

The Planning Commission finds and determines that there is demonstrable difficulty in meeting the Site Design and Use Standards landscaping requirements due to the unique and unusual aspect of the proposed use of the site. The proposed use requires ground mounted WCF equipment to support the WCF use which under AMC 18.72.180 C.3 above must be landscaped. The Commission finds that there is demonstrable difficulty in placement of such required ground mounted WCF facilities and landscaping on a site adequate area for additional landscape buffering. The proposed use on the south side of the *Ashland Street Cinema* building off of a driveway that functions as an alley service corridor rather than as a primary circulation route for shopping center users is the area most suited for the essential ground placement of the equipment. There are similar structures already in place along this corridor, no parking spaces are lost with the proposed placement, and the location is better situated to mitigate any visual impacts to residents of the adjacent nonconforming Pines Trailer Park. (see below). The Commission further finds that the placement off of this alley precludes landscape buffering for the proposed accessory equipment structure because the required ten-foot width landscaping buffer would extend into the required clear width of the alley, impeding vehicular circulation, fire access and service corridor access for loading, unloading.. The Commission finds and determines that there is demonstrable difficulty in meeting the landscaping requirement due to the proposed use. This criterion is met.

The Commission finds and determines that approval of the variance will not substantially negatively impact adjacent properties. The findings in the paragraph above, as well as General Provisions 1b, are incorporated herein by this reference. The proposed structure mimics similar storage structures already in place on the south

side of the building while maintaining the functionality of alley access, and that approval of the requested Administrative Variance would not substantially negatively impact adjacent properties due to the existing substantial landscaping in the form of large mature trees and shrubs located on the sloped area immediately south of the alley, which already effectively buffer views of the backside of the *Ashland Street Cinema* building. The Commission further finds that the view from the public right-of-way appears to be entirely screened by the existing buildings and landscaping in place to the south of the alley, and while the proposed accessory structure would potentially be visible from the residential units in the adjacent Pines Trailer Court, the spatial buffer provided, fencing in place between the properties, and design, color, materials and placement to match the existing storage structures all effectively mitigate visual impacts and amount to architectural integration of the accessory equipment structure into the existing building in a manner in keeping with the purpose and intent of the standards. This criterion is met.

The purposes of the Site Design and Use Chapter include reducing adverse effects on surrounding property owners and the general public, creation of a safe and comfortable business environment, energy conservation, enhancement of the environment for walking, cycling, and mass transit use, and ensuring high quality development throughout the City. [See AMC 18.72.010]. This criterion is met based on the specific findings of compliance with conditional use criteria set forth above, as well as the design standards and general standards set forth above and incorporated herein by this reference.

Finally, the requested variance is the minimum necessary to alleviate the hardship. The landscaping is unnecessary in this location and the applicant has requested no more relief than is necessary to effectuate construction of the proposed use. The above finding is based on the detailed findings set forth herein, the detailed findings and responses in the Staff reports and those findings and responses in support provided by the Applicant, specifically incorporated herein by this reference, as well as by competent substantial evidence in the whole record.

CITY OF ASHLAND

Memo

DATE: 8/23/2011

TO: Planning Commission

FROM: Brandon Goldman, Senior Planner

RE: Buildable Lands Inventory Update 2011

Purpose

This memorandum presents a summary of the methodology used to update of the City's Buildable Lands Inventory (BLI).

Upon adoption, the updated BLI becomes a technical supporting document to the Ashland Comprehensive Plan and will provide a basis for future legislative and quasi-judicial land-use decisions relating to available land supply. The City is presently working on a separate Housing Needs Analysis to determine the projected demand for needed housing types in the future. In combination an up to date Buildable Lands Inventory and a Housing Needs Assessment can be useful tools in evaluating the appropriate distribution of units by housing type while factoring in income and age information. With this information policy decisions necessary to adequately plan for the housing needs of current and future populations are possible.

Background

In 1999, the City of Ashland prepared a Buildable Lands Inventory which provided a complete inventory of vacant and redevelopable residential lands in the City's existing UGB. In January 2005, the BLI was updated to account for changes that had taken place on residential lands subsequent to 1999, and to further assess vacant and partially vacant employment and commercial lands. In 2007 the City began an evaluation of its economic land needs as the basis for the 2007 Economic Opportunities Analysis (EOA), which was adopted by the City Council in 2010. The EOA provided information regarding future commercial and employment land needs based on projected economic conditions. In 2007 a Rental Needs Analysis was completed to assess the needed rental housing types based on demographic information about Ashland households including size, age, and incomes. This Rental Needs Analysis supplemented information in a Housing Needs Analysis which was completed for the City in 2002. All of these studies attempt to project future land needs relative to the existing supply of land suitable for development. .

Methodology

The 2011 BLI, attached to this memo, provides a detailed inventory of Ashland's supply of residential, commercial and employment lands. This technical document quantifies the currently available lands within the City's Urban Growth Boundary to provide the factual basis to primarily answer the questions of *"how much commercial and employment land is presently available?*", and "*how many residential dwelling units can be accommodated on Ashland's remaining developable lands?"*

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The BLI update was completed using the City's geographic information system (GIS). A taxlot-level database containing all tax-lot records within Ashland's Urban Growth Boundary was assembled by using Jackson County GIS and Assessor data, City of Ashland Building Permit data, and the GIS data from the 1999 and 2005 Buildable Lands Inventories completed by the City. Each record included such data as property size, ownership, zoning, Comprehensive Plan designation, real market value, and development type.

The data was then supplemented by examining Jackson County's June 2010 aerial photograph and City of Ashland building permit data to ensure that current development activity was captured in the inventory. Based on the type and extent of development on each taxlot a current development status was assigned to each parcel (e.g. vacant, partially vacant or redevelopable). Staff was then able to refine this assessment further by evaluating site specific constraints to future development including the presence of floodplains, steep slopes, and any preexisting development on site, to determine the percentage of each site that currently retains development potential. By determining the amount of net developable land on a given lot Staff was able to estimate the number of dwelling units that could be accommodated on each developable property. For the purposes of estimating dwelling unit potential Staff assumed that all buildable lands would develop according to the densities specified for the existing underlying zone (within the City limits), or comprehensive plan designation (outside the City Limits yet within the UGB).

Through these methods the BLI database quantifies the amount of vacant residential and commercial lands available. Additionally, the potential number of dwelling units that could be provided on available lands is quantified for all tax lots within the existing UGB by zoning and Comprehensive Plan designation.

Results

The Buildable Lands Inventory is attached. Taxlots are summarized by Comprehensive Plan designation and by their development status, the definitions of which are included in the footnotes. Information has been presented to show buildable lands both within the existing City Limits, and within the UGB by zoning and Comprehensive Plan designation.

The 2011 BLI provides a moment in time snapshot of Ashland's available land inventory current as of April 1, 2011. The GIS based database created to conduct the inventory can be updated on a regular basis to update the inventory to reflect consumption of land through development, zone or comprehensive plan changes, or annexations.

The August 23rd Planning Commission study session is an opportunity to familiarize the Commission with the BLI update. An ordinance amending the Comprehensive Plan to include the BLI as a technical supporting document will be presented to the Commission at a public hearing for review and recommendation on September 13th, 2011. The City Council is scheduled to hold a hearing for first reading of the proposed ordinance adopting the BLI on October 4th, 2011.

Attached:
2011 Buildable Lands Inventory Update

Buildable Lands Inventory

2011

Prepared by the City of Ashland
Department of Community Development

Updated July, 2011

CITY OF ASHLAND

2011 Buildable Lands Inventory Update

The purpose of conducting an update of the "Buildable Lands Inventory" (BLI) is to quantify the amount vacant and underdeveloped land available within the political boundaries of the City of Ashland (City Limits, Urban Growth Boundary, and specific zones). In combination with a Housing Needs Analysis, and an Economic Opportunities Analysis, a BLI allows a community to determine whether or not there exists an adequate supply of buildable land to accommodate future housing and business development. If it is determined that future population growth or economic development will require more buildable land than is available, the community's governing bodies can make informed decisions, and implement appropriate measures to provide for the unmet housing and commercial land needs.

In correlating the land availability component of a Buildable Lands Inventory to expected population growth, and economic development forecasts, the community can determine if the UGB contains enough land to satisfy demand for a minimum of 20 years. In order to complete a detailed assessment of whether the supply of available residential land is sufficient to accommodate each needed housing types through the planning period, a *Housing Needs Analysis* is necessary to determine precisely what mix of housing types will be needed. The City did not complete a Housing Needs Analysis as part of this BLI, but will complete such an analysis within the year. The City adopted an Economic Opportunities Analysis in 2010 which provides an estimate of demand for commercial and employment lands through the year 2057.

In completing this 2011 Buildable Lands Inventory update the City has now established methods which will enable efficient updates of the BLI. On regular basis the City can now map and calculate available lands in consideration of recent building permit activity.

Land Availability

In order to determine the actual amount of land available within Ashland's UGB, the 2005 Buildable Lands Inventory Geographic Information Systems (GIS) database and map was used as a primary reference. Aerial photos (taken in June of 2010), the City of Ashland Geographic Information System, and Jackson County Assessor's data (SmartMap.org) were each used to closely examine properties designated as available to identify physical constraints to development and future development potential. Building Permit data, current as of March 31, 2011, was evaluated to map all residential development that had occurred since January 1, 2005, and all commercial development that had occurred since Jan 1, 2001. The purpose for joining the building permit data with the Assessor's data and the City's GIS was to ensure an accurate accounting of lands represented as "vacant" in the Assessor's records, but for which building permits had already been issued. Properties that had received Planning approval for development, but have yet to obtain building permit approval are counted as buildable in this assessment of availability.

A parcel specific examination of property considered vacant, partially vacant, or redevelopable, yielded a percentage of each lot that would be suitable for further development. This percentage, multiplied by the parcels gross acreage, was used to determine the 'net' buildable acres on each parcel. To verify the accuracy of the draft BLI map, staff conducted site visits to numerous areas throughout the City that had experienced significant development since 2001. The 'ground truthing', and examination of an aerial photograph taken in June of 2010, allowed for refinement of the BLI to appropriately represent the consumption of property within the City.

The following definitions were used in evaluating land availability:

"Buildable Land" means residentially designated *vacant, partially vacant*, and, at the option of the local jurisdiction, *re-developable* land within the urban growth boundary that is not severely constrained by natural hazards (Statewide Planning Goal 7) or subject to natural resource protection measures (Statewide Planning Goals 5 and 15). Publicly owned land is generally not considered available for residential use. Land with slopes of 35 percent or greater and land within the 100-year flood plain also were not considered buildable in conducting this BLI. For the purposes of the updating the Buildable Lands Inventory "redevelopable lands" were not included as net buildable area. This is consistent with the methodology used in the 1999 and 2005 Buildable Lands Inventories as in most circumstances "redevelopment" functions to merely replace one structure with a new one satisfying the same use and as such does not represent new development capacity. Properties considered "redevelopable" under the definition provided below that otherwise had further development potential were included instead in the "partially vacant" category in order to capture that net buildable land area.

Vacant:

Vacant lots were those parcels that were free of improvements (structures) and were available for future residential development. Alternative designations were assigned to those parcels that, although physically vacant, were not considered suitable for residential

development.

Vacant/Undevelopable = Unbuildable acres include vacant areas:

1) with slopes in excess of 35%
2) within the flood way
3) within the 100 year flood plain
4) in resource protection areas

Vacant/Airport = land reserved for Ashland Municipal Airport expansion

Vacant/Open Space-Parks = land reserved as parks and open space

Vacant/Parking = Paved parking lots

Partially Vacant:

Partially vacant lots were determined to have buildable acreage if the lot size was equal to, or greater than, the minimum lot size requirements set for residential density [in each zone]. In Commercially zoned lands those parcels with additional undeveloped land area yet containing a building on a portion of the property were likewise considered partially vacant. Collectively these partially vacant parcels account for a considerable amount of Ashland's future land supply. For example a five-acre parcel occupied by only one home is considered partially vacant, however the percentage of land that is available may be 80% due to the location of the existing home. Thus in this hypothetical example, the partially vacant property would yield four acres of net buildable land.

Redevelopable

Redevelopable property is defined as one in which the property's improvements (structures on the property) are worth less than 30% of the combined value of the improvements and the land.

For example, were a building valued at $100,000 located on a property with a land value of $300,000 this property would be mathematically defined as redevelopable:

$100,000/($100,000+$300,000) = 25%

Within Ashland, the high land cost relative to the building valuations makes this calculation less of an indicator of supply of land for future housing and commercial land needs, however in mapping such properties utilizing the Jackson County Assessors Department's Real Market Values (RMV) for Land Value (LV) and Improvement Value (IV) the City was better able to identify those properties that were underdeveloped and more appropriately defined as Partially Vacant.

Residential Density

Density of potential residential development was determined by referencing the City's Comprehensive plan. The number of dwelling units allowed per acre, for each zone, includes accommodations for public facilities. The density allowance coefficient (ie. "13.5" du per acre in R-2) was initially determined to include accommodations for needed public facilities land, thus a "gross buildable acres"- to- "net buildable acres" reduction, for public facilities, has been omitted.

Table 1. Residential density assumptions:

Zone	Assumed Density	Type
R-1-3.5	7.2 units per acre	Suburban Residential (SR), Townhouses, Manufactured Home
R-1-5 & R-1-5-P	4.5 units per acre	Single-Family Residential (SFR)
R-1-7.5 & R-1-7.5-P	3.6 units per acre	Single-Family Residential (SFR)
R-1-10 & R-1-10-P	2.4 units per acre	Single-Family Residential (SFR)
R-2	13.5 units per acre	Multi-Family Residential (MFR)
R-3	20 units per acre	High Density Residential (HDR)
RR-.5 & RR-.5-P	1.2 units per acre	Rural Residential, Low-Density (LDR)
HC	13.5 (as R2)	Health Care / Senior housing
WR	Slope contingent	Woodland Reserve, Environmental Constraints
RR-1	0.6 units per acre	Rural Residential, Low-Density (LDR)

Buildable Acres

Within the following tables the amount of 'net' buildable acres are provided for both the City Comprehensive Plan Designations, as well as the City zoning types.

In aggregate there are approximately 620 net total acres of land within Ashland's UGB that is considered buildable. Within the City Limits alone there is approximately 371 net buildable acres that is considered developable.

Table 2 Total Buildable Acreage in each BLI Category

2. 1 *Within Ashland's City Limits:*

BLI_STATUS	# of Parcels	Gross Acreage	Net Buildable Acres
Vacant	504	327.1	242.9
Partially Vacant	208	245.2	127.6
Vacant/Airport	8	71.2	Per Airport Plan
Vacant/UnDevelopable	69	295.7	0.00 (not buildable)
Vacant /Open Space or Park	219	473	0.00 (not buildable)
Vacant /Parking	57	14.8	0.00 (not buildable)

2. 2 *Outside of Ashland's City Limits but within the UGB:*

BLI_STATUS	# of Parcels	Gross Acreage	Net Buildable Acres
Vacant	52	145.4	98.2
Partially Vacant	72	300.4	154
Vacant/Airport	1	12.7	Per Airport Plan
Vacant/UnDevelopable	10	12.6	0.00 (not buildable)
Vacant /Open Space or Park	1	1.5	0.00 (not buildable)
Vacant /Parking	3	5.5	0.00 (not buildable)

2. 3 *All lots (UGB and City combined)*

BLI_STATUS	# of Parcels	Gross Acreage	Net Buildable Acres
Vacant	556	472.5	338.1
Partially Vacant	280	545.6	281.6
Vacant/Airport	9	83.9	Per Airport Plan
Vacant/UnDevelopable	79	308.3	0.00 (not buildable)
Vacant /Open Space or Park	220	474.5	0.00 (not buildable)
Vacant /Parking	60	20.3	0.00 (not buildable)

Table 3.1 Buildable Acres within Ashland City Limits only

Comprehensive Plan	# of Parcels	Net Buildable Acres
Airport	8	Per Airport Master Plan
Commercial	47	14.4
Croman Mill	23	50.6
Downtown	17	2
Employment	88	51.9
HC	9	1
HDR	47	8.8
Industrial	3	4.7
LDR	83	38.1
MFR	84	10.6
NM	77	17.72
SFR	500	144.3
SFRR	3	2.1
SOU	19	19.5
Suburban R	27	0.7
Woodland	30	4.3

Table 3.2 Buildable Acres outside of Ashland's City Limits but within the UGB:

Comprehensive Plan	# of Parcels	Net Buildable Acres
Airport	1	Per Airport Master Plan
Commercial	5	1.4
Croman Mill	8	12.2
Downtown	0	0
Employment	26	53.2
HC	0	0
HDR	0	0
Industrial	3	7.4
LDR	0	0
MFR	6	17.6
NM	0	0
SFR	52	69.7
SFRR	24	45.9
SOU	0	0
Suburban R	23	41.6
Woodland	0	0

Table 3.3 Buildable Acres: UGB and City Limits combined

Comprehensive Plan	# of Parcels	Net Buildable Acres
Airport	9	Per Airport Master Plan
Commercial	52	15.8
Croman Mill	31	62.8
Downtown	17	2
Employment	114	105.1
HC	9	1
HDR	47	8.8
Industrial	6	12.1
LDR	83	38.1
MFR	90	28.2
NM	77	17.7
SFR	552	214
SFRR	27	48
SOU	19	19.5
Suburban R	50	42.3
Woodland	30	4.3

Table 4: Buildable Acres by Zone within Ashland's City Limits only

ZONE	# of Parcels	Net Buildable Acres (Vacant and Partially Vacant)
C-1	47	14.4
C-1-D	17	2
CM	21	48.9
E-1	96	51.9
HC	9	1
M-1	5	6.5
NM	77	17.7
R-1-10	120	22.9
R-1-3.5	27	0.7
R-1-5	229	83.3
R-1-7.5	151	38.1
R-2	84	10.6
R-3	47	8.8
RR-.5	83	38.1
RR-1	3	2.1
SO	19	19.5
WR	30	4.3

Future Land Needs

Future Population

The primary indicator of future residential land needs is the projected population growth. In combination with changes in the number of people per household, and the assumed vacancy rates for housing units, these factors can predict the number of total housing units needed. Jackson County's projection of very slow population growth for Ashland has been questioned in the *2007 Economic Opportunities Analysis* and by the City's planning staff. According to the County's 2006 population forecasts, Ashland would grow at an annual rate of only 0.32%. This rate is far less than historic growth rates, less than the County and State averages, and is less than the growth rate anticipated in the City's Comprehensive Plan. The City's Comprehensive Plan projects an approximate population growth rate of 0.75% annually, equating to approximately 187 new residents per year. Jackson County is currently in the process of revising its coordinated population estimates in part to adjust Ashland's growth rate to better reflect historic trends and expected growth.

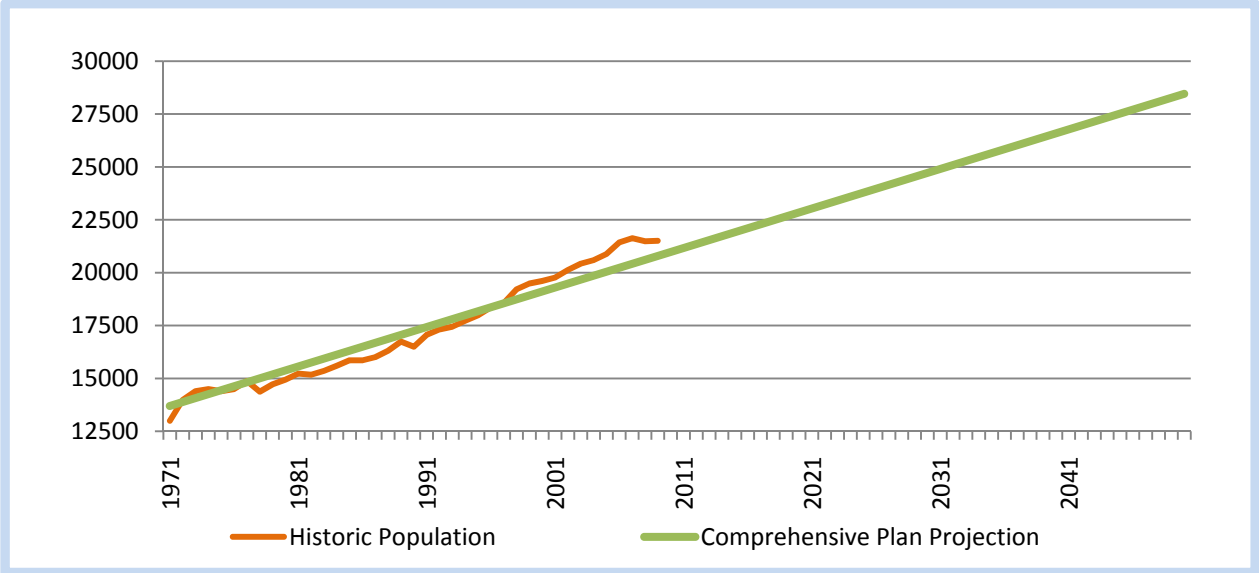
Table 5. Population Growth Projections

	2010	2015	2020	2025	2030	Total Change	Avg. %/Yr
Oregon	3,831,074	4,095,708	4,359,258	4,626,015	4,891,225	1,060,151	1.22%
Jackson County	203,206	223,464	238,865	253,881	268,385	65,179	1.40%
Ashland	21460*	21915	22846	23781	24716	3256	0.75%

*Sources: US Bureau of Census; Jackson County; City of Ashland; Urban Land Economics, 2010 PSU Population Estimate for City of Ashland **

Population forecasts for the State of Oregon, Jackson County and Ashland are shown above in Table 5. Based on historic growth rates, as well as actual population increases since 2005, the City's forecast appear sto be more reasonable than the County's original 0.32% allocated growth rate, and will thus be used in the analysis.

Figure 1: Population Projection – City Comprehensive Plan



Economic Opportunity Analysis

The City of Ashland Economic Opportunities Analysis (EOA) was completed in April 2007 and adopted by the City Council in August 2010. The EOA includes an analysis of land availability and capacity for employment uses in Ashland. Section 'V' of the EOA presents an analysis of potential growth industries and the overall employment forecast for Ashland. The EOA provides a comparison of land supply and need in terms of sites and acres.

The EOA provided an estimated demand for employment land within Ashland's UGB by land use type, in both the 2007–2027 and 2007-2057 time frames as reflected in the Table below excerpted from the report.

Table 6. Estimated demand for employment land in the Ashland UGB

Land Use Type	Total New Emp.	Emp. On Refill Land	Emp. on New Land	Emp. Per Net Acre	Land Need (Net Acres)	Land Need (Gross Acres)
2007-2027						
Retail and Services	890	178	712	17	41.9	55.8
Industrial	780	156	624	12	52.0	69.3
Government	443	89	354	12	29.5	39.4
Total	**2,113**	**423**	**1,690**		**123.4**	**164.6**
2007-2057						
Retail and Services	2,067	413	1,654	17	97.3	129.7
Industrial	1,032	206	826	12	68.8	91.7
Government	695	139	556	12	46.3	61.8
Total	**3,794**	**379**	**3,415**		**212.4**	**283.2**

Source: ECONorthwest (Ashland EOA, *Table 11*)

Employment growth in Ashland is expected in the each of the categories defined by type of land use: Retail and Services, Industrial, and Government. There are a wide variety of firms within each of these categories, and the required site and building characteristics for these firms range widely. As such, a variety of parcel sizes, building types, and land use designations in Ashland are required to accommodate expected growth. The 2011 Buildable Lands Inventory shows that within the City Limits alone there is a net availability of nearly 125 buildable acres of land with a commercial designation (C-1, C-1-D, E-1, M-1, and CM). In examining all land within the UGB and City Limits with a comprehensive plan designation suitable for commercial development, the amount of employment lands available increases to approximately 199 net acres (exclusive of SOU and Airport lands). The current supply of developable commercial lands is greater than the EOA projected land need of 123.4 net acres by the year 2027.

Subsequent to the completion of the EOA, the City completed a substantial rezone and code amendments related to the future development of the Croman Mill District. A component of the Croman Mill Masterplan was an emphasis on increasing development intensity to accommodate a greater number of employees per acre than the prior industrial (M-1) classification would have provided. Central to the EOA's estimated non-residential land need shown in Table 8 above are assumptions regarding the expected number of employees per acre (EPA). This variable is

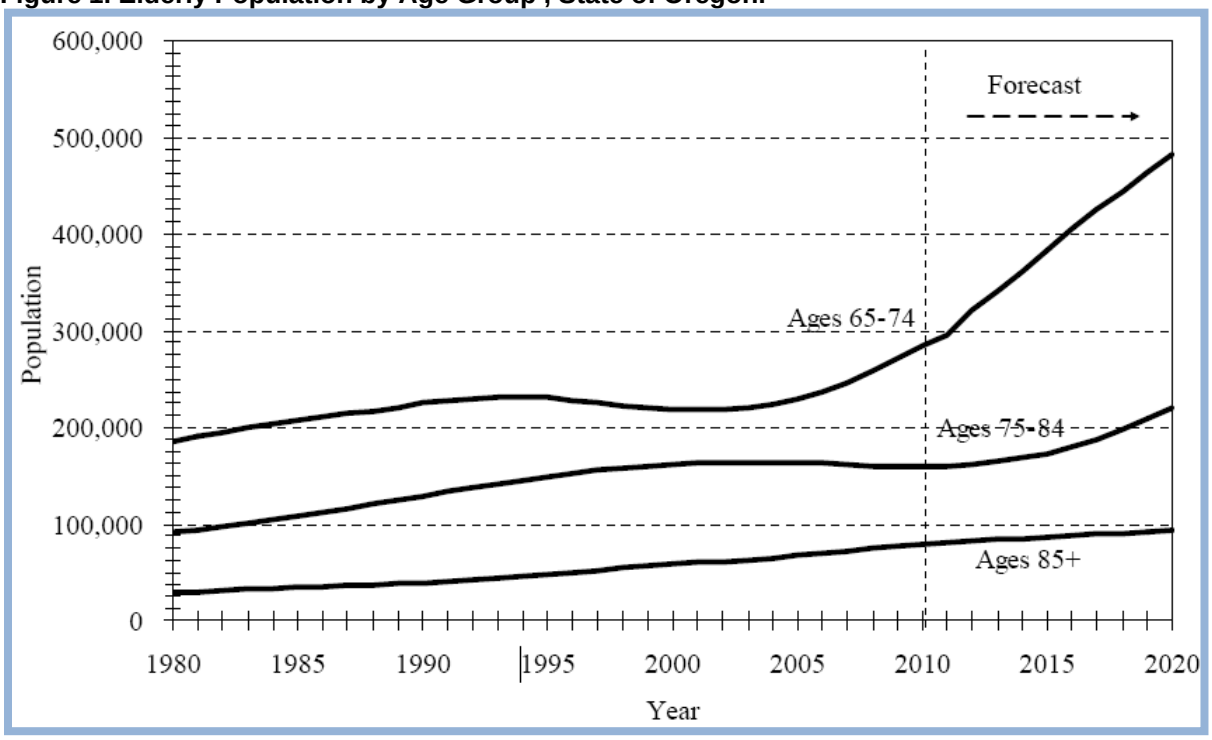
defined as the number of employees per acre on non-residential land that is developed to accommodate employment growth. According to the EOA "There are few empirical studies of the number of employees per acre, and these studies report a wide range of results. The employees/acre assumptions provided in the EOA reflect a judgment about average densities and typically reflect a desire for increased density of development."

If the City's Master Planning efforts are successful at accommodating a higher number of employees per acre as is envisioned in the Croman Mill District Plan, the corresponding number of net buildable acres needed to accommodate future commercial development will be reduced proportionally. Additionally, increases in employment in many cases does not require consumption of vacant land. The EOA assumed that 20% of new employees would be located in residential areas as well as employment that locates on land that is already classified as developed.

People per Household.

The average household size is approximately 2.47 people per household (pph) for the State of Oregon as a whole. Ashland however has an average household size of only 2.03 according to preliminary 2010 Census data. This difference in pph can be attributed to the large number of single person households within Ashland (37.7%). Roughly a third of these single occupant households are individuals 65 and over. A large senior and student population understandably increases the number of small households given these populations typically do not have children present in their homes.

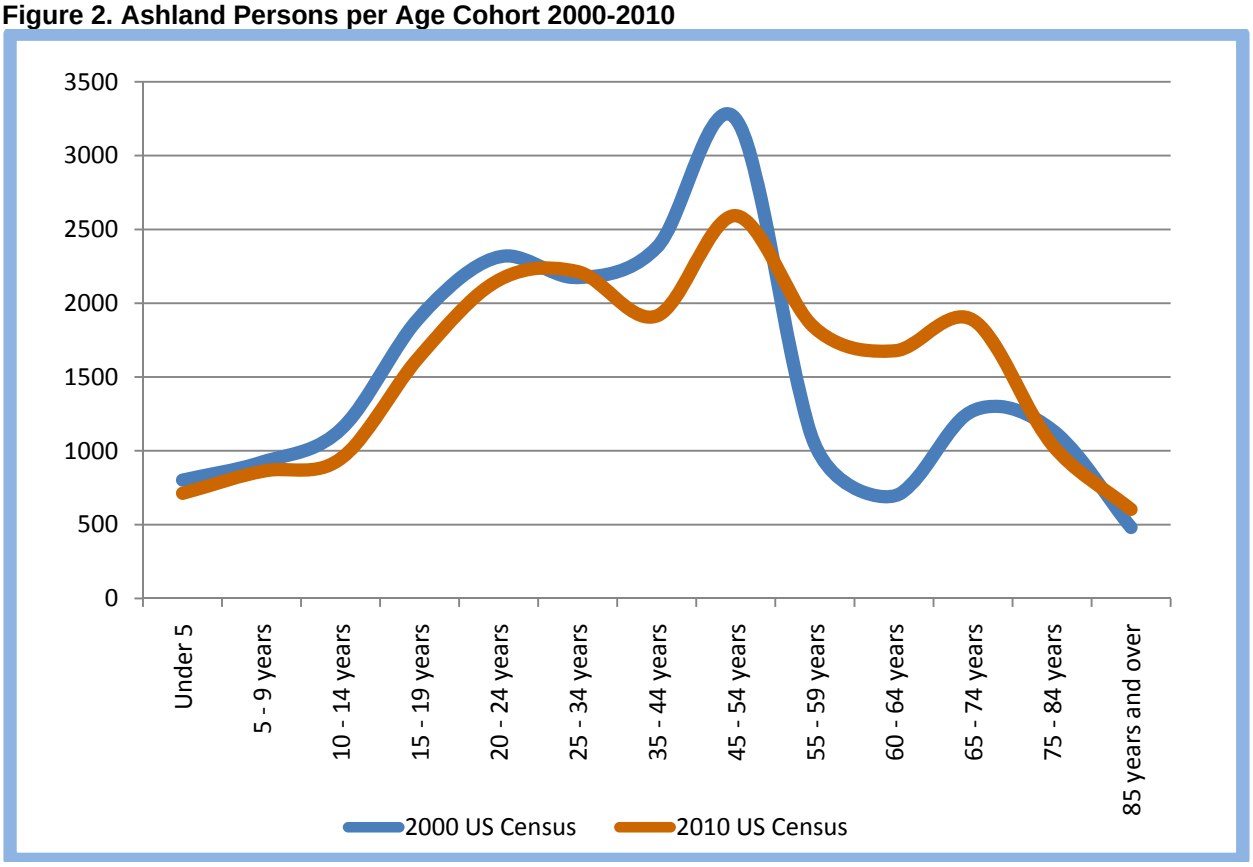
Figure 1. Elderly Population by Age Group , State of Oregon.



Source: OREGON'S DEMOGRAPHIC TRENDS February 2010, State Office of Economic Analysis

This trend toward an aging population, and resulting smaller household sizes, is likely to continue into the foreseeable future. According to the State of Oregon's Office of Economic Analysis, rapid growth in elderly age cohorts is expected statewide. Ashland has experienced a significant aging of our population over the last decade in comparing the age demographics from the 2000 and 2010 Census reports (Figure 2).This reflects a national trend due in large part due to the increasing number of baby-boomers reaching retirement age.

Figure 2. Ashland Persons per Age Cohort 2000-2010



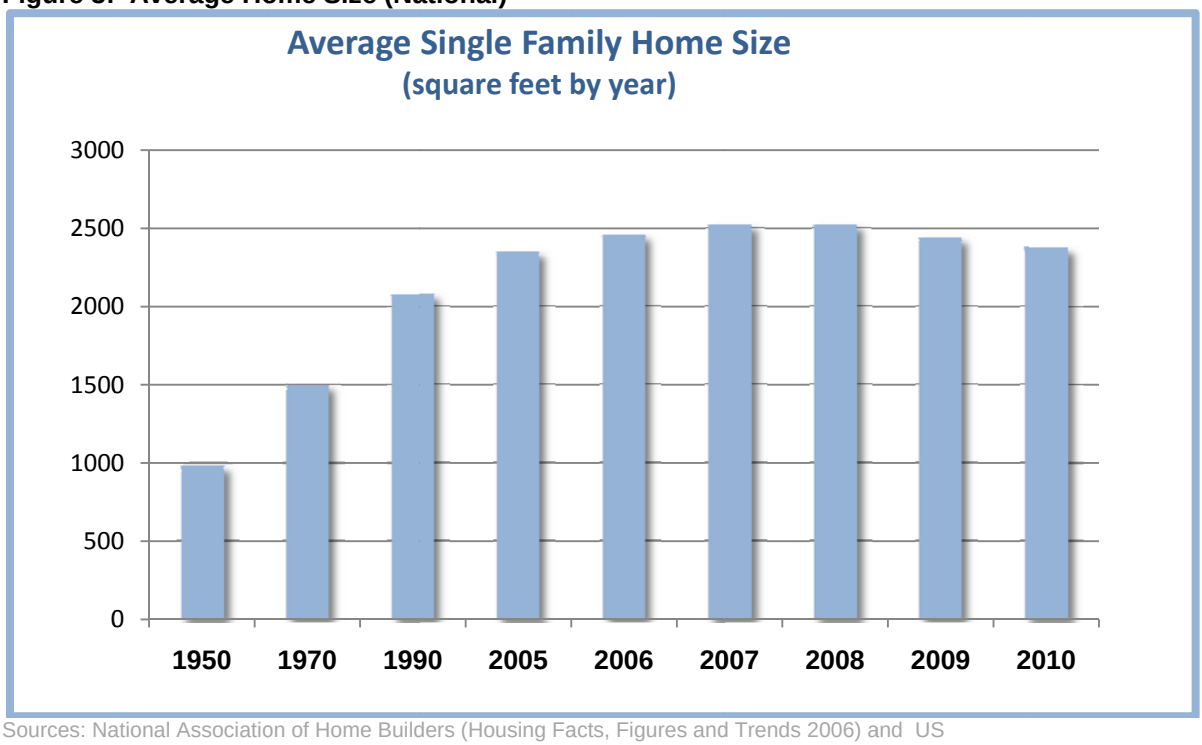
Overall the forecast for Oregon anticipates there will be 53% more elderly in 2020 than in 2010. Given Ashland's desirability as retirement destination such trending indicates Ashland will likely see a continuation of small household sizes (2.03 pph) over the next decade.

As the number of "persons per household" has decreased over time, the average square footage of floor area had increased. This inverse relationship of large housing units, occupied by smaller households, results in an increase in the consumption of total acreage relative to the number of people housed. Further the depletion of available land increasing land prices and more square feet of housing per occupant increases housing prices. However, following the recent economic recession national building trends have shown a slight reversal of this decades long pattern of increasing unit size.

According to the National Association of Home Builders the average size of new single-family homes completed declined in both 2009 and 2010. This decline followed home sizes increasing

continually for nearly three decades from only 1400sq.ft in 1970. The average size of single-family homes completed in the United States peaked at 2,521 square feet in 2007, it was essentially flat in 2008, then dropped in 2009 to 2,438, and to 2,380 in 2010. As a result new single-family homes were almost 141 square feet smaller in 2010 than in 2007.

Figure 3: Average Home Size (National)



Sources: National Association of Home Builders (Housing Facts, Figures and Trends 2006) and US Census(http://www.census.gov/const/C25Ann/sftotalmedavgsqft.pdf)

The current decline in home size can be attributed to various factors including the desire to keep energy costs down, reductions in equity in existing homes available to be rolled over into new ones, tighter credit standards, less interest in buying a home as an investment and a growing presence of first-time buyers seeking smaller units. The chairman of the National Association of Home Builders expects this downward trend to continue, "A new housing market is emerging, and even with the recession in the rear view mirror we expect the popularity of smaller homes to persist," said Bob Jones, "Builders are responding to a new mindset among home buyers that has been shaped not just by a weak economy, and it is transforming the product they deliver."

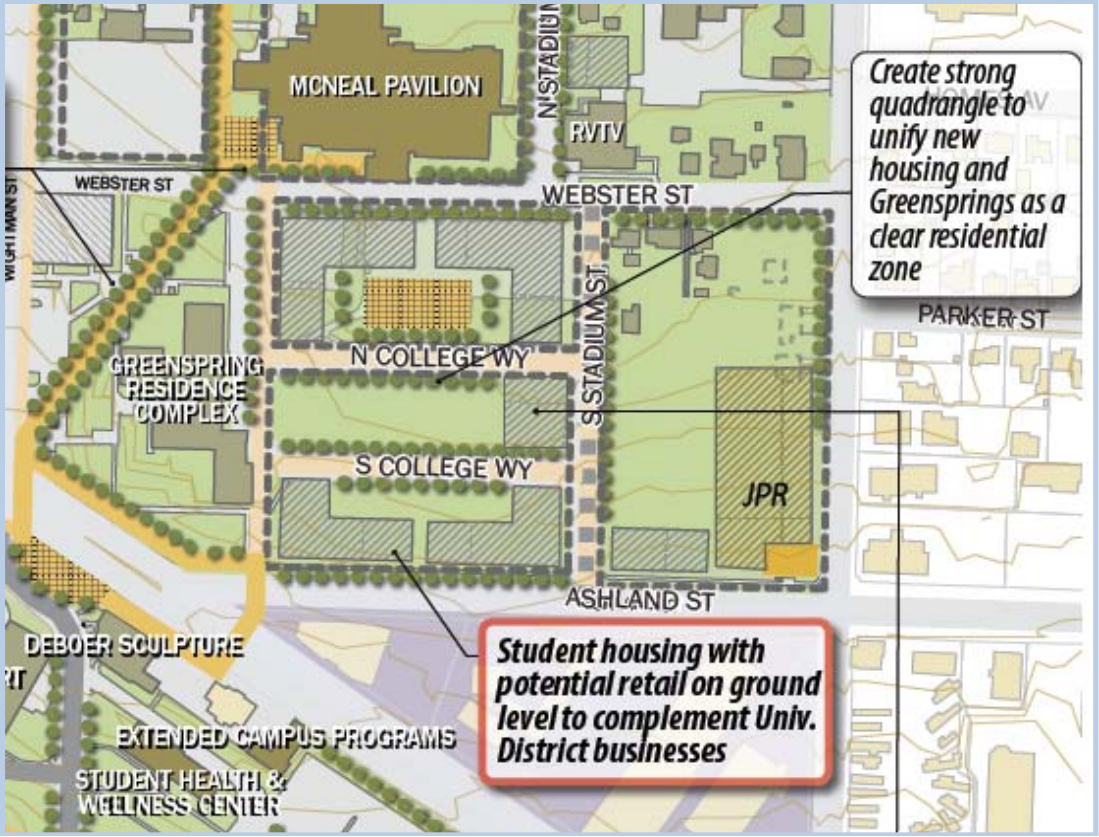
Student Housing

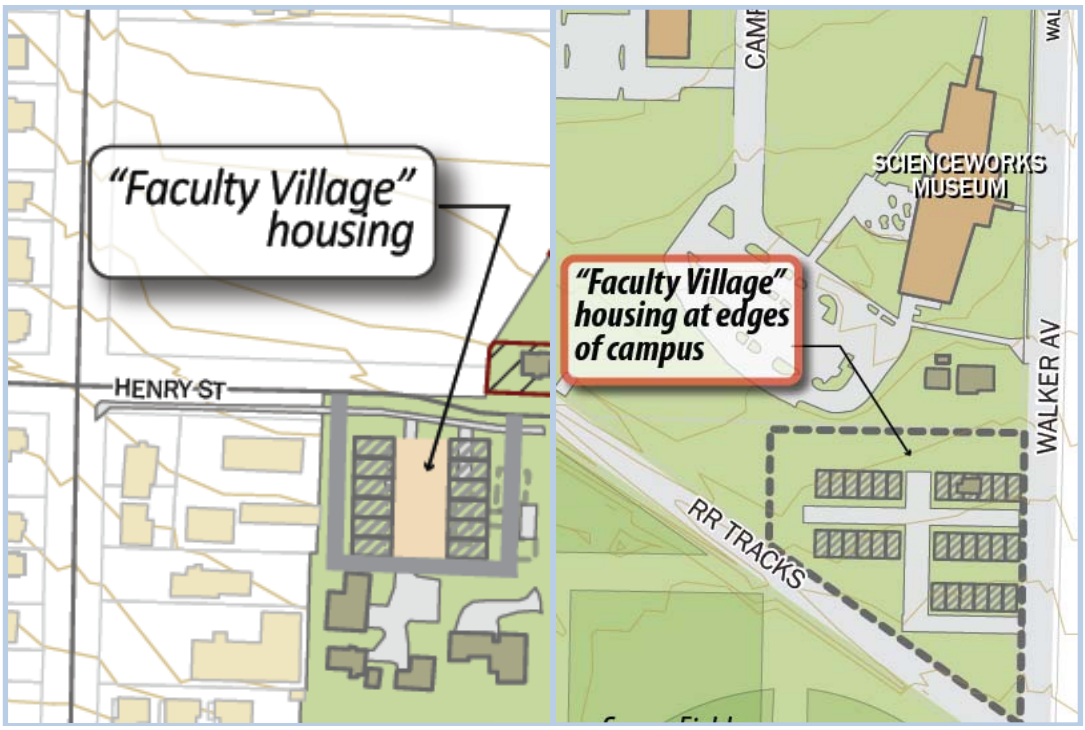
The Master Plan for Southern Oregon University for the period 2010-2020 was predicated on projections of enrollment growth to approximately 6,000 students, from a current student enrollment of 5,082. This increase of 918 students would not be comprised entirely of Ashland residents as a number of students travel from nearby communities to attend classes. However the University will utilize its available land to provide new housing and anticipates approximately 25% of all students can be housed on campus.

According to the 2010-2020 Plan:

> *The University will pursue construction of new housing to current standards to serve three goals:*
> - *replace older housing structures that are near the end of their useful life;*
> - *expand the percentage of students housed on campus in order to increase the number of upper division students who live in campus housing and to help improve student retention;*
> - *maintain a compact campus with housing within a 5-minute walk of the campus core.*
>
> *New student housing will be constructed on the north campus, but within a walkable distance from the heart of campus. The intent is to create a cluster of housing that will support a more pronounced student life zone on campus, and still contribute to a walkable scale.*

SOU maintains 1272 existing group housing beds, and 198 family housing units. The SOU Plan states that a reasonable near term goal would be to develop 670 beds of new housing to serve the existing student body. This figure includes an estimated 400 beds to accommodate students that currently commute to campus and 270 to address on campus demand from current students of residence halls. In large part the development of these new housing on the SOU campus is intended to replace older buildings, not necessarily add capacity. The Plan identifies 800 beds of new student housing, but also identifies 692 beds in the Cascade Complex that need to be replaced and 108 beds in the Susanne Homes Complex to be converted to academic use. The SOU Plan identifies that of the 1272 group housing units are available only 980 currently function to provide housing thus there remains approximate capacity to accommodate approximately 292 students in the event this space is again utilized for residential purposes. Lastly the SOU Plan identifies alternative locations for creation of a Faculty Village (pictured next page) to provide housing opportunities (12-48 potential units) for professor's and staff .





Images excerpted from the 2010-2020 SOU Plan

Dwelling Unit Assessment

The number of potential dwelling units as shown in Table 5 indicates that a total of 1555 new dwelling units could be accommodated upon lands within the existing City Limits using existing zoning and density assumptions. This estimate does not include future Southern Oregon University group housing developed on campus which is discussed in the preceding section. The estimated number of dwelling units assumes that upon remaining buildable lands within the City's commercially zoned properties, with mixed use potential (E-1 with a residential overlay, C-1, and C-1-D), that such commercial properties will provide only 50% of the residential units that are otherwise permitted at the base densities. Ashland has experienced a history of mixed use development on commercial lands given the strong market for housing. However to provide conservative estimates of future housing on commercial lands the 50% reduction from permitted densities is intended to recognize that a number of commercial developments may not elect to incorporate housing into their developments. Efforts taken by the City to promote inclusion of residential development within commercially zoned lands along transit routes can function to accommodate more housing on such lands than is presently projected in this BLI.

The City's Comprehensive Plan population projection anticipates approximately 3,256 new residents by the year 2030. Historically the City's linear growth rate projection has proven to be largely consistent with actual population growth.

As the number of occupants per dwelling decreases there are more housing units needed to accommodate that population increase.

Table 7. Needed Housing Units by year

Impact of People Per Household on needed Housing Units by Year								
Year	**2015**		**2020**		**2025**		**2030**	
New residents expected	455		1386		2321		3256	
People per Household (pph)	2.14	2.03	2.14	2.03	2.14	2.03	2.14	2.03
Needed Housing Units	213	224	648	683	1085	1143	1521	1604

Population increase per City of Ashland Comprehensive Plan Projection (see Table 7). 2000 US Census for Ashalnd = 2.14pph ; 2010 Census = 2.03 pph

As stated previously the buildable lands within the City Limits could accommodate approximately 1,555 units. The table above indicates that with a average household size of 2.03 people 1604 units would be needed over the next 20 years. Further it is very unlikely that all buildable lands within the City Limits would be developed during the next 20 years and thus land within the City Limits alone could not satisfy the projected housing need. However, substantial developable land exists within the Urban Growth Boundary that is presently outside of the City Limits. In consideration of these future urbanizable lands and calculating dwelling unit potential for all lands within the UGB, Table 6 identifies a total potential of 2,821 new units based on the current Comprehensive Plan designations. Therefore outside of the existing City Limits, yet within the current UGB approximately 1,266 additional units could be accommodated. Using the assumed 2.03 pph figure, the net buildable lands within the UGB could accommodate up to 5,727 new residents.

According to the City Comprehensive Plan population projection an increase in population of

5700 people is not expected to be reached for approximately 32 years. Modification to base zoning densities, density bonuses, zoning or overlay changes, area master plans, or comprehensive plan changes intended to intensify development within the UGB, could further extend the supply of buildable lands by effectively accommodating more dwelling units upon less land area. To more accurately project the number and type of needed housing a Housing Needs Assessment should be completed. By carefully examining income and age demographics, household sizes, and local housing costs, a Housing Needs Assessment would help quantify the expected proportions of rental to ownership, household sizes and needed units (Housing type by bedroom number).

Table 8. Potential Dwelling Units by Comprehensive Plan Designation (UGB and City Limits

Comprehensive Plan	Calculated Dwelling Units	Adjusted Dwelling Units
Airport	0	0
Commercial	849	252
Croman Mill	458	340
Downtown	319	53
Employment	723	221
HC	70	11
HDR	391	160
Industrial	0	0
LDR	140	70
MFR	1262	297
NM	na	118
SFR	2276	875
SFRR	260	103
SOU	na	Per SOU Master Plan (see pg 15)
Suburban R	448	311
Woodland	na	10

Table 9. Potential Dwelling Units by Zoning Designation (City Limits)

ZONE	Permitted Density units per acre	Calculated Dwelling Units (Gross acres x Density)	Adjusted Dwelling Units
C-1	30	822	251
C-1-D	60	318	53
CM	Master Plan (CM-NC, CM-MU)	215	173
E-1	15	723	221
HC	13.5	70	11
M-1	na	0	0
NM	Master Plan	na	118
R-1-10	2.4	332	71
R-1-3.5	7.2	49	10
R-1-5	4.5	859	365
R-1-7.5	3.6	806	161
R-2	13.5	824	120
R-3	20	391	160
RR-.5	1.2	140	79
RR-1	1	9	3
SO	Master Plan	na	Per SOU Master Plan (see pg 15)
WR	Slope contingent	na	10

Housing Needs Analysis

The City completed a Housing Needs Analysis in 2002 and a Rental Needs Analysis in 2007. A Housing Needs Analysis allows a community to define the supply and demand characteristics for various types of housing, including sales housing, rental needs housing and special needs housing. A comparison of projected housing demand to the existing land availability provides the necessary information to inform decisions, as well as to identify where refinements to land use designations may be necessary to accommodate needed housing types. Ideally, Ashland will have a mix of housing that supports current and future residents as their housing needs and conditions change. Further, having a balance of housing that is affordable and suitable for various income levels plays a supportive role in economic development.

The City will complete an update to the Housing Needs Analysis in the coming year to quantify the projected housing needs in consideration of changing market conditions and the demographic profile of the City. The full 2010 Census data will be available in June-Aug of 2011. A limited set of 2010 Census Data has already been released including information regarding population age, gender, race, and general household make up (people per household, vacancy rates). Subsequent data releases will provide detailed information regarding Ashland's housing inventory, rent amounts, and household wages. This data, used in conjunction with the Oregon Housing and Community Services Housing Needs Model, will be valuable in projecting future housing needs.

In completing the 2011 BLI, the City reviewed building permit data to summarize land consumption rates by year as shown for residential lands in Table 10 below.

Table 10. Historic Land Consumption

Residential Land Consumption, Acres by Zone
2005-2010

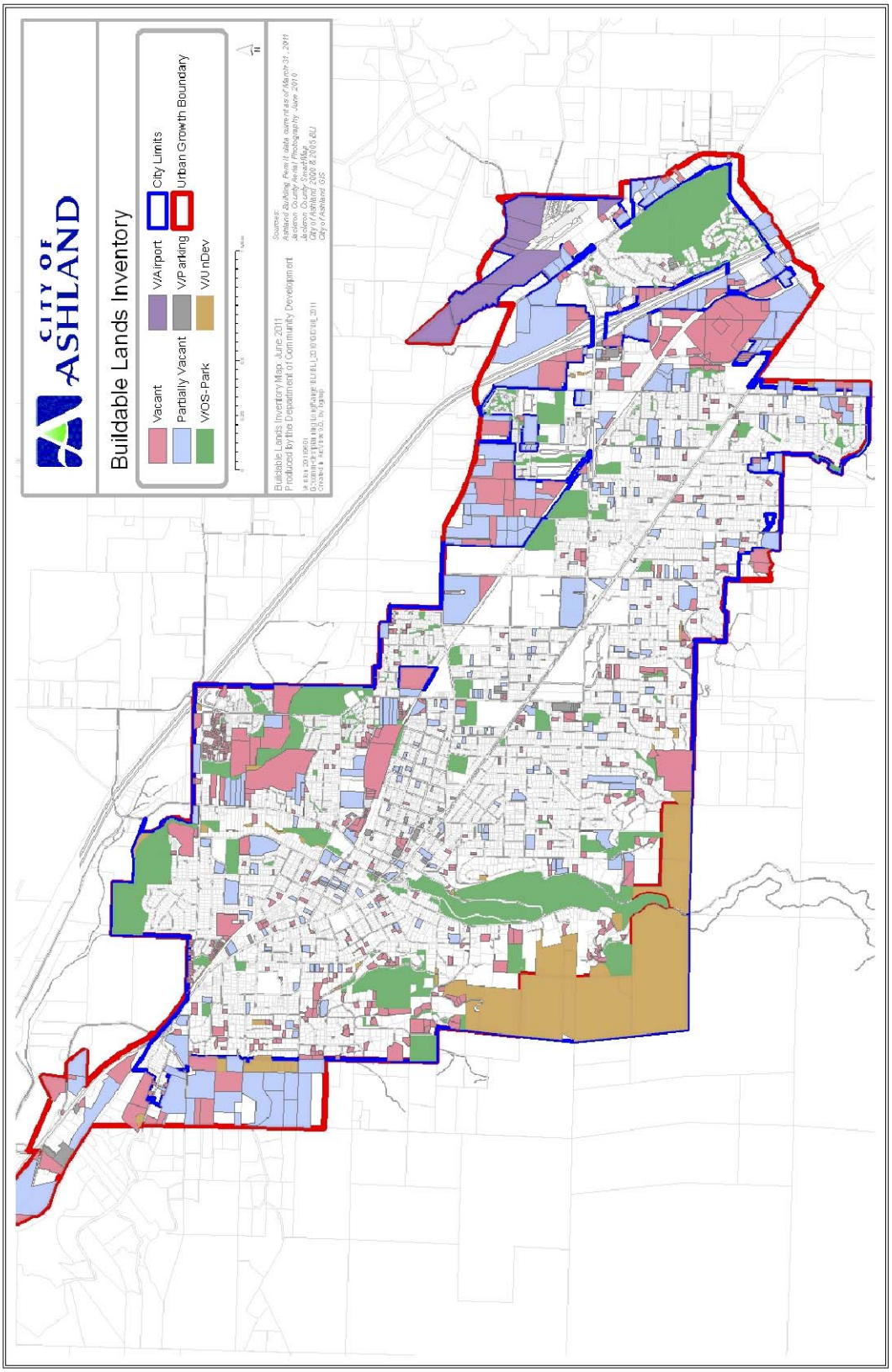
	2005	2006	2007	2008	2009	2010	2005-2010 Total
NM	0.32	0	1.42	0.16	0.12	0.3	2.32
R-1-10	0.85	0.45	0.46	0.23	1.2	0.74	3.93
R1-3.5	0.98	0.33	0	0	0	0	1.31
R-1-5	6.98	0.89	1.32	1.25	1.38	1.48	13.3
R-1-7.5	3.6	2.82	2.27	1.62	0.95	0.99	12.25
R-2	2.33	0.55	0.31	0.71	0.16	3.94	8
R-3	0.37	0	0.24	0	0.44	0.33	1.38
RR.5	4.05	1.57	3.08	0.79	0.93	5.42	15.84
WR	5.01	0	0	0	0	0	5.01
All Zones	**24.49**	**6.61**	**9.1**	**4.76**	**5.18**	**13.2**	**63.34**

Source: City of Ashland EDEN permit data, City of Ashland GIS
Note: Acreage is "gross acreage" of developed parcels and includes Infill on partially vacant lots such as Accessory Residential Units. The gross acreage associated with permits issued for the replacement of dwellings following the Oak Knoll fire is not included in this table.

A housing needs projection exclusively based on projecting past development trends would function to perpetuate any unmet housing needs into the future. For this reason, and in the face of a changing housing market, determining the yearly consumption average and then multiplying that by 20 to determine a twenty year demand for various housing types would not adequately estimate future housing need. Further changes in the community demographics,

including number of “people per household” will have a substantial impact upon the needed land area independent of past consumption rates. The relationship between lot size and square feet of living space is also key in determining how efficiently land will be consumed by future development. In combination an up to date Buildable Lands Inventory and a Housing Needs Assessment can be useful tools in evaluating the appropriate distribution of units by housing type while factoring in income and age information. With this information policy decisions necessary to adequately plan for the housing needs of current and future populations are possible.

Figure 4: Buildable Lands Inventory Map
(Detailed Map available online at www.ashland.or.us/mapcenter)



Definitions

(Source: Oregon Administrative Rules, 1998 Compilation , LCDC)

(1) A "Net Buildable Acre" consists of 43,560 square feet of residentially designated buildable land, after excluding present and future rights-of-way, restricted hazard areas, public open spaces and restricted resource protection areas.

(2) "Attached Single Family Housing" means common-wall dwellings or rowhouses where each dwelling unit occupies a separate lot.

(3) "Buildable Land" means residentially designated vacant and, at the option of the local jurisdiction, redevelopable land within the urban growth boundary that is not severely constrained by natural hazards (Statewide Planning Goal 7) or subject to natural resource protection measures (Statewide Planning Goals 5 and 15). Publicly owned land is generally not considered available for residential use. Land with slopes of 25 percent or greater unless otherwise provided for at the time of acknowledgment, and land within the 100-year flood plain is generally considered unbuildable for purposes of density calculations.

(4) "Detached Single Family Housing" means a housing unit that is free standing and separate from other housing units.

(5) "Government Assisted Housing" means housing that is financed in whole or part by either a federal or state housing agency or a local housing authority as defined in ORS 456.005 to 456.720, or housing that is occupied by a tenant or tenants who benefit from rent supplements or housing vouchers provided by either a federal or state housing agency or a local housing authority.

(6) "Housing Needs Projection" refers to a local determination, justified in the plan, as to the housing types and densities that will be:

(a) Commensurate with the financial capabilities of present and future area residents of all income levels during the planning period;
(b) Consistent with OAR 660-007-0010 through 660-007-0037 and any other adopted regional housing standards; and
(c) Consistent with Goal 14 requirements for the efficient provision of public facilities and services, and efficiency of land use.

(7) "Manufactured Dwelling" means:

(a) Residential trailer, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962;
(b) Mobile home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction;
(c) Manufactured home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction;
(d) Does not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.

(8) "Manufactured Dwelling Park" means any place where four or more manufactured dwellings as defined in ORS 446.003 are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190.

(9) "Manufactured Homes" means structures with a Department of Housing and Urban Development (HUD) label certifying that the structure is constructed in accordance with National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U. S. C. Sections 5401 et seq.), as amended on August 22, 1981.

(10) "Mobile Home Park" means any place where four or more manufactured dwellings as defined in ORS 446.003 are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Mobile home park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190.

(11) "Multiple Family Housing" means attached housing where each dwelling unit is not located on a separate lot.

(12) "Needed Housing" defined. Until the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing" means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing" also means:

(a) Housing that includes, but is not limited to, attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
(b) Government assisted housing;
(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;
(d) Manufactured home on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions.

(13) "Redevelopable Land" means land zoned for residential use on which development has already occurred but on which, due to present or expected market forces, there exists the likelihood that existing development will be converted to more intensive residential uses during the planning period.

Types of Housing Defined

TYPE	Definition For the purposes of this Housing Development Trend analysis, the definitions in OAR 660-007-0005, ORS 197.015 and l97.295 shall apply. In addition, the following definitions apply:
MFR	"Multiple Family Housing" means attached housing where each dwelling unit is not located on a separate lot.
MFR-D	"Multiple Family Housing Detached" means detached housing where two (2) or more dwelling units are located on a single lot.
MH	"Manufactured Dwelling" means: (a) Residential trailer, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962; (b) Mobile home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction; (c) Manufactured home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction; (d) Does not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.
MHP	"Manufactured Dwelling" *(defined above [MH])* located in a "Manufactured Dwelling Park" "Manufactured Dwelling Park" means any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190.
MU	"Mixed Use Housing" means a housing unit that is attached to a commercial development within a commercial zone
SFR	"Detached Single Family Housing" means a housing unit that is free standing and separate from other housing units.
SFR-A	"Attached Single Family Housing" means common-wall dwellings or rowhouses where each dwelling unit occupies a separate lot.
GA	"Government Assisted Housing" means housing that is financed in whole or part by either a federal or state housing agency or a local housing authority as defined in ORS 456.005 to 456.720, or housing that is occupied by a tenant or tenants who benefit from rent supplements or housing vouchers provided by either a federal or state housing agency or a local housing authority.

CITY OF ASHLAND

Council Communication

Grant Update regarding the North Normal Neighborhood Plan

Meeting Date:	August 16, 2011	Primary Staff Contact:	Bill Molnar
Department:	Community Development	E-Mail:	molnarb@ashland.or.us
Secondary Dept.:	None	Secondary Contact:	Brandon Goldman
Approval:	Martha Bennett	Estimated Time:	Consent

Question:
Will the Council direct staff to continue work with the Transportation & Growth Management Program to develop a project statement of work, select a consultant team, and draft an Intergovernmental Agreement to undertake master planning the North Normal Avenue Neighborhood?

Staff Recommendation:
Staff recommends approval of moving forward with Transportation & Growth Management Program grant award process.

Background:
On March 1, 2011 the City Council voted to direct Staff to submit a grant application for the 2011 grant cycle of the Transportation and Growth Management (TGM) Program to obtain funding to master plan the North Normal Avenue Neighborhood. The City received notification of selection on June 23, 2011. Having been selected to move forward, the City is now to work with the TGM grant manager to develop a detailed Statement of Work by October 31, 2011, and subsequently present an Intergovernmental Agreement (IGA) to the City Council for approval. The award of funds, and formal acceptance of the grant, is completed upon execution of an IGA between the Oregon Department of Transportation and the City of Ashland.

Upon approval of an IGA, the TGM Program will provide the City with approximately $72,000 toward the development of a neighborhood plan for the North Normal Avenue area. Initial estimates identify a total project cost for the development of the draft neighborhood plan of $99,900. The local costs for development of the draft plan (est. $27,900) will primarily be Planning Division staff time for project management coordination of data needs, mapping and analysis, review of deliverables, meeting preparation and contract management (.25 FTE from January 2012 – December 2012). The second step of taking the plan through the local adoption process would result in the use of staff resources totaling approximately .40 FTE (from January 2013 – June 2013).

The state administers the development of the statement of work, contracts, and works with the City to select the consultant team that best fit the specific planning services needed. The program uses pre-qualified teams of consultants under contract with the TGM Program. ODOT administers the contract using ODOT policies and procedures that meet the federal funding requirements.

The northern Normal Avenue area is the approximately 90 acres in size, and is the last sizeable tract of largely undeveloped land designated for residential purposes in the Ashland Urban Growth Boundary (UGB). Site opportunities include proximity to elementary and middle schools, proximity to shopping and services, proximity to the Central Ashland Bike Path, and the presence of two creeks and three

wetlands. The area plan would look at opportunities to concentrate housing to support transit use, incorporating green infrastructure, links to the existing multi-modal transportation system and incorporating the creeks and wetlands as amenities.

Related City Policies:

None

Council Options:

Move to direct staff to develop a Statement of Work and Intergovernmental Agreement to undertake Master Planning of the North Normal Avenue Neighborhood.

Attachments:

June 23, 2011 TGM Award letter
Local Grantee Responsibilities, TGM document.