

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

**ASHLAND PLANNING COMMISSION  
REGULAR MEETING  
JUNE 12, 2012  
AGENDA**

**I. CALL TO ORDER**

**II. ANNOUNCEMENTS**

**III. CONSENT AGENDA**

**A. Approval of Minutes**

1. April 24, 2012 Study Session
2. May 8, 2012 Regular Meeting
3. May 22, 2012 Study Session

**IV. PUBLIC FORUM**

**V. UNFINISHED BUSINESS**

- A. Approval of Findings for PA-2012-00018, 2220 Ashland Street.**

**VI. NEW BUSINESS**

- A. Election of Officers.**

**VII. PUBLIC HEARINGS**

**A. PLANNING ACTION: #2012-00265**

**APPLICANT: Ashland Food Cooperative**

**LOCATION(S): C-1- & C-1-D-zoned portions of Ashland's "Historic Interest Area"**

**REQUEST: A proposal to amend the Ashland Municipal Code (AMC 18.32.035.E) as it relates to drive-up uses in Commercial districts. Drive-up uses are currently a special permitted use in the C-1 zoning district, but only in the area east of a line drawn perpendicular to Ashland Street at the intersection of Ashland Street and Siskiyou Boulevard. Drive-up uses are currently explicitly prohibited in the Historic Interest Area as defined in the Comprehensive Plan. The proposed legislative amendment is to provide exception language which would apply only to existing drive-up uses within the Historic Interest Area and would allow them to relocate to a new site elsewhere within the Historic Interest Area provided that they are located predominantly underground or otherwise screened from view from the public right-of-way.**

***[Continued from May 8, 2012 meeting]***

**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).

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**B. PLANNING ACTION: #2012-00575**

**SUBJECT PROPERTY: 1155 East Main Street**

**APPLICANT: City of Ashland/Ashland Police Department**

**DESCRIPTION: A request for Site Review approval to construct a 3,016 square foot addition and associated site improvements for the Ashland Police Department located at 1155 East Main Street. This addition is the first phase of a multi-phase project over the next five years; subsequent phases will include a 1,975 square foot addition, additional parking, and site improvements to bring the site more in line with current standards. COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: E-1; ASSESSOR'S MAP #: 39 1E 10; TAX LOT #: 900.**

**C. PLANNING ACTION: #2012-00573**

**APPLICANT: City of Ashland**

**LOCATION: Not property-specific**

**ORDINANCE REFERENCE: 18.108.170 Legislative Amendments**

**REQUEST: A Legislative Amendment is proposed to adopt a new "Chapter XV - Regional Plan" element to the City of Ashland Comprehensive Plan to incorporate applicable portions of the Greater Bear Creek Valley Regional Problem Solving Plan ("the RPS Plan") and to acknowledge revised population allocations for the City of Ashland. Jackson County recently adopted the RPS Plan which identifies urban reserve areas to accommodate a doubling of the region's population, but before the RPS Plan can take effect, each of the six participating cities in the region (Ashland, Talent, Phoenix, Medford, Central Point and Eagle Point) must adopt the applicable portions of the plan into their comprehensive plans and implementing ordinances. (Ashland is the only participating city which has not identified urban reserves as the city's existing urban growth boundary was determined to be sufficient to accommodate anticipated growth. Adoption of the new element incorporates those portions of the Regional Plan applicable to Ashland as a signatory participant with no identified urban reserves.)**

**VIII. ADJOURNMENT**

**CITY OF  
ASHLAND**



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**CITY OF  
ASHLAND**  
ASHLAND PLANNING COMMISSION  
STUDY SESSION  
MINUTES  
April 24, 2012

**CALL TO ORDER**

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

**Commissioners Present:**

Michael Dawkins  
Eric Heesacker  
Richard Kaplan  
Pam Marsh  
Melanie Mindlin

**Staff Present:**

Bill Molnar, Community Development Director  
Maria Harris, Planning Manager  
April Lucas, Administrative Supervisor

**Absent Members:**

Debbie Miller, absent

**Council Liaison:**

Dennis Slattery

**PUBLIC FORUM**

No one came forward to speak.

**DISCUSSION ITEMS**

**A. Unified Land Use Code Kick-Off**

Planning Manager Maria Harris provided an introduction to the Unified Land Use Code project.

***Why are we doing this project?***

Ms. Harris explained the Ashland Land Use Ordinance (ALUO) was originally adopted in 1964 and has been amended many times throughout the years; with each amendment prepared and adopted independently. In addition, the City has several documents containing approval standards that are not contained in the land use ordinance. The end result is a fairly old document that has inconsistencies, is repetitive, is formatted differently, and does not contain all of the approval standards.

In 2006, a review of the ALUO was conducted by Siegel Planning Services and a phased work plan was presented. In 2008 the Planning Commission completed the first phase, which consisted of general housekeeping amendments. During the last Council goal setting process, the City Council adopted a goal to increase the clarity, responsiveness, and certainty in the development process, and to develop an action plan that responds to the recommendations in Siegel report.

***Project Approach***

Ms. Harris stated the goal is to take the existing standards and codes and put them into one document that is clear, consistent, concise, and user friendly. To do this, staff is presenting a four-step approach:

- Step #1– Evaluate and Review. Take the ALUO and separate documents and reorganize them, make the formatting consistent, add graphics, and reword it to make it easier to read.
- Step #2 – Review and Revise. Address inconsistencies. Substantive changes to code content will be flagged for discussion.
- Step #3 – Evaluate Planning Application Process and Green Development Measures. Review and prepare amendment options addressing concerns regarding timing and predictability of the development process and facilitating the use of green development measures.
- Step #4 – Adoption Process. Conduct the formal public hearings before the Planning Commission and City Council.

Ms. Harris stated staff is anticipating a 12 month timeline, beginning now and ending March 2013. She stated the Planning Commission will oversee this project and it will come back in pieces at each Study Session.

### ***Public Involvement***

Ms. Harris explained staff has put together an approach that has multiple opportunities and includes different ways for people to participate in the process, including:

- Open Houses. Two to three open houses will be held to introduce the project to the public and offer opportunities for questions and comments.
- Planning Commission Study Sessions.
- Advisory Commission Updates. Staff will be attending City advisory commission meetings to explain the project and bring forward potential changes that may affect their areas of specialty.
- Local newspaper notices, project bulletin by subscription, project webpage, and online Open City Hall forum.
- One-on-one staff assistance.

### ***Two types of work***

Ms. Harris explained there are two types of work being done. One is reorganizing the code, reformatting, and making the graphics consistent. The other is amending the code to address any problem areas that are discovered, and drafting options to improve the timing and predictability of the development process and facilitate the use of green development measures.

### **Commission Feedback for Staff**

The commissioners issued the following comments to staff:

- Suggestion was made for the Commission to have a stronger role in the open houses.
- Comment was made that the general public is not going to be interested in this project and staff should do a concerted mailing that targets the members of the professional community and those who have recently gone through the land use process.
- Comment was made that this is a constrained, technical project and staff's resources would be best spent trying to engage those in the professional community who use and are familiar with the ALUO.
- Comment was made questioning if the Commission will have backlash from the public if their input is not solicited early in the process. Commissioner Marsh stated they need to keep in mind that they don't anticipate changing a lot of things; they may find places where the existing language is in conflict, but this project is about taking a document and organizing the material to make it more user friendly, and they do not want the intent of this project to be misperceived.
- Concern was expressed with not taking public input until the first public hearing in November; since by that point the Commission will have already spent several months working on the project.
- Comment was made that the Siegel Report outlined four phases and it appears they are jumping from phase one to phase four, with phases two and three being the downtown plan and a policy on infill. Mr. Molnar clarified this project is based on the current Council goal and the Council would need to issue specific direction to the Commission before they can take on the downtown plan and infill issue. Staff added the Council has been talking about the downtown plan and infill issue as potential future goals.
- Comment was made that if they wrap too many controversial items into this it could cause the whole project to implode, and support was voiced for the project scope as put forward by staff.
- Council Liaison Slattery voiced his support for targeting people who have gone through the land use process.
- Commissioner Mindlin voiced concern with not being able to address some of the larger issues, and explained one change in particular she would like to see is changing our standards for passive and active solar orientation. Mr. Molnar clarified solar orientation is one of the areas identified by staff for potential changes since it relates to the green development component.
- Comment was made that as issues arise they should group them together and do targeted publicity to make sure the public is aware of what is being discussed.
- Concern was expressed with the project timeline and whether it will be difficult to get people to participate during the holiday season.

Commissioner Marsh noted the importance of undertaking this project. Staff thanked the Commission for their feedback and clarified they will bring forward an outline for discussion at the next study session.

## **B. TSP Follow up – Sidewalks / Fourth Street Crossing / Downtown Plan**

### ***Sidewalks***

Commissioner Dawkins explained the street standards mandate the installation of sidewalks, but in certain areas he believes they are unnecessary and a waste of resources. He stated he is bringing this issue forward for discussion and hopes they can move to a more common sense approach.

Commissioner Dawkins presented a slide show of sidewalks in the north-west hills of Ashland and listed the issues he has observed, including:

- On steep roads, there is more traction when walking on the road than walking on the sidewalk.
- Unused sidewalks in steep areas can accumulate dirt and gravel, and exacerbate the safety issue.
- Sidewalks vary in width, with some sections being very narrow.
- Some sections of sidewalks have obstacles placed in the center, including mailboxes and fire hydrants.
- Sidewalks are not contiguous in certain areas, while others lead to nowhere.

Commissioner Dawkins suggested rather than requiring a sidewalk they consider creating a fund that could be used to install sidewalks where they are most needed.

### **Commission Discussion**

Commissioner Marsh asked whether the commission wanted to maintain the current standards, which require a sidewalk and parkrow on both sides of the street, or whether the standards should be modified so that in certain areas of town sidewalks are either not required or required on one side of the street only. She added the next question they should address is whether there is a way to use requirements or funding more efficiently, and prioritize sidewalks in specific areas.

Ms. Harris stated there is a bit of misinformation that has been occurring in the TSP discussion and clarified the basic standard is for sidewalks to be installed on both sides of the street, however there are exceptions for areas that have physical constraints (hillside areas or steep slopes) or for projects that involve retrofitting a street (rather than building a new street). She also clarified that sometimes individual property owners are responsible for the patchwork of unconnected sidewalks. She stated in her experience the most common reasons are the owner wanting a place to unload or if someone is in a wheelchair.

Commissioner Dawkins acknowledged the exceptions mentioned by staff, but stated he believes these are still too rigid. He commented on the decomposed granite soils in Ashland and believes this is a suitable alternative to sidewalks in some locations. Staff requested clarification on whether Dawkins would recommend some kind of spacing requirement so that pedestrians could step off the roadway when vehicles approach. Commissioner Dawkins answered Yes, and stated he thinks the City should support a land-banked area rather than a specific requirement for sidewalk installation.

Commissioner Marsh gave her opinion that every street in town needs a sidewalk on at least one side in order to make it safe for children. She stated in order to obtain continuous sidewalks throughout town they should start talking about how to plan this ahead of time so that they are not relying on scattered development for installation. Commissioner Dawkins voiced his disagreement with Marsh's statement and believes not having a sidewalk is appropriate in certain locations.

Councilor Slattery was asked to comment on whether the downtown plan and infill issues were on the Council's list of goals. Slattery clarified these are not current goals, and the Council will undertake their next goal setting session in January 2013.

It was noted that the TSP Update project is evaluating sidewalks and recommendations have been made for where sidewalks on one side only is acceptable. Regarding the question about setting priorities for where sidewalks are most needed, support was voiced for having this discussion. Commissioner Dawkins clarified he is not anti-sidewalks, but still believes there is no need for them in some of the hillside areas. No other comments were issued regarding this topic.

### ***Fourth Street Crossing***

Commissioner Marsh stated she will be bringing this topic forward at the next joint Planning and Transportation Commission meeting, and explained she has given more thought to whether there should be a car crossing at Fourth Street and the railroad tracks. She stated the more she thought about it and considered the way a true commuter railroad works, she realized and now strongly believes this should be a pedestrian and bicycle crossing only. She stated if they plan to put a transit station at this location than this is not the place you want cars to be crossing. She voiced her desire for vehicle access to be taken off the work plan and for a pedestrian/bicycle crossing to be installed instead. She added she believes this is necessary whether or not the transit station goes in.

Mr. Molnar provided a short slideshow of the at-grade pedestrian crossing in Lake Oswego. He commented on how well it functions and believes this is a good example for Ashland to consider.

### ***Downtown Plan***

Mr. Molnar announced the City Council is interested in undertaking some interim improvements to spruce up the downtown; and stated the Council will be discussing this at their upcoming Study Session.

## **OTHER BUSINESS**

### **A. Planning Commission Retreat Topics**

The commission briefly discussed the upcoming retreat and the following topics and site visit locations were suggested:

Agenda Topics:

- Plaza Development
- What is a small town and small town character?
- Rolling curbs vs. 90° curbs
- How to get the word out on Planning Commission discussions and decisions
- Look Ahead/Work Plan for the next year

Field Trip Suggestions:

- LEED Building on A Street
- Clear Creek Development Area
- Fourth Street/Railroad area
- Fordyce Co-Housing Development

## **ADJOURNMENT**

Meeting adjourned at 8:30 p.m.

*Respectfully submitted,  
April Lucas, Administrative Supervisor*

**CITY OF  
ASHLAND**  
ASHLAND PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
May 8, 2012

**CALL TO ORDER**

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

**Commissioners Present:**

Troy J. Brown, Jr.  
Michael Dawkins  
Eric Heesacker  
Richard Kaplan  
Pam Marsh  
Melanie Mindlin

**Staff Present:**

Bill Molnar, Community Development Director  
Derek Severson, Associate Planner  
Amy Gunter, Assistant Planner  
April Lucas, Administrative Supervisor

**Absent Members:**

**Council Liaison:**

Dennis Slattery, absent

**ANNOUNCEMENTS**

Commissioner Marsh welcomed Troy Brown Jr. to the Commission and noted his background in architecture and redevelopment. She also explained the absence of Commissioner Miller and noted Miller has applied to be reappointed.

**CONSENT AGENDA**

- A. Approval of Minutes.  
1. April 10, 2012 Regular Meeting.

Commissioners Dawkins/Kaplan m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed 4-0.  
*[Commissioner Brown abstained]*

**PUBLIC FORUM**

Colin Swales/143 Eighth Street/Stated he is disappointed to hear that Commissioner Miller has been removed from the commission and stated he suffered the same fate and had to go through the reappointment process for his position on the Transportation Commission. Mr. Swales stated there seems to be a new definition of what qualifies as an excused absence that hasn't applied before. He stated he hopes the City Attorney will look at the rules and sort this out so that this does not happen again.

Commissioner Marsh stated Miller's removal from the Commission was a surprise to all of them, and stated in the past notifying the Commission chair ahead of time was all that was needed to constitute an excused absence.

**PUBLIC HEARINGS**

- A. PLANNING ACTION: #2012-00018  
SUBJECT PROPERTY: 2220 Ashland Street  
APPLICANT: Summit Investments  
DESCRIPTION: A request for Site Review approval to construct a new 4,125 square foot, single story, retail building and associated site improvements for the property located at 2220 Ashland Street. The former Pizza Hut building is currently located on the site. COMPREHENSIVE PLAN DESIGNATION: Commercial; ZONING: C-1; ASSESSOR'S MAP: 39 1E 14BA; TAX LOT: 1700. *[Continued from April 10, 2012 meeting. Public Hearing is closed.]*

Commissioner Marsh noted the public hearing is closed and the Commission will not be taking further public input.

### Ex Parte Contact

No ex parte contact was reported.

### Staff Report

Assistant Planner Amy Gunter explained the packet materials include new information, including a revised site plan from the applicant, a staff memo that addresses the issues raised at the last meeting, the applicant's written response, and a staff report addendum.

Ms. Gunter commented on the applicant's revised site plan. She noted at the last meeting staff raised concern with the proposed median extension and how it would impact site circulation, and explained the applicant's are now proposing to not extend the median as far and instead will add striping to the pavement. She added they are also proposing a rolled curb divider and directional signage. Ms. Gunter stated another issue from the last meeting was the pedestrian plaza area, and explained the revised site plan includes low seating walls, benches, colored and scored concrete, and a food vendor area. Lastly, Ms. Gunter stated the Floor Area Ratio (FAR) was identified by the Commission as a significant concern, as well as whether the applicants meet the exception criteria. She noted the staff report addresses this issue in further detail, but summarized the proposed FAR is 0.35 and the functional FAR is 0.40. She stated the applicants have also provided a shadow plan, even though this is not technically allowed. She explained they have proposed a building that will accommodate a 2,000 sq.ft. second floor addition, and with that future addition the functional FAR would be 0.53. Ms. Gunter noted the applicants findings address the demonstrable difficulty criteria and stated the multiple driveway locations and existing businesses could be seen as a case for the exception. She added the findings also show the applicants have made significant efforts to meet the purpose of the Site Design & Use Standards.

Ms. Gunter stated the proposed development would not negatively impact the surrounding sites, and would actually improve them and could be a springboard for a master plan and improvements to the shopping center as a whole. She reviewed the conditions of approval suggested by staff, and noted Condition #8 which states as the site develops over time, the applicants must work towards meeting the overall FAR.

### Questions of Staff

Ms. Gunter clarified the criteria for granting an exception to the Site Design & Use Standards is as follows:

- A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design and Use Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Design and Use Standards; and the exception requested is the minimum which would alleviate the difficulty; OR
- B. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Design and Use Standards.

She added it would be helpful for the findings if the Commission could specify whether they believe one is more applicable than the other.

Commissioner Marsh suggested better clarifying the phrase "under control of the applicant" in Condition #8. Staff agreed and indicated this condition could reference the map and tax lot numbers.

Ms. Gunter clarified there are 20 excess parking spaces on the larger shopping center property, and this site could develop further and still be able to accommodate the parking requirement. She added if a residential use was proposed for the second story addition the parking requirement would not increase.

Comment was made questioning if staff had included the public sidewalk in the calculation for plaza area. Ms. Gunter clarified the public sidewalk along the Ashland Street frontage is not included, however the sidewalk along the driveway, which is not required, is included in that calculation since they are going above and beyond what is required.

## Deliberations and Decision

Commissioner Mindlin stated she does not want to turn down the application, but is not confident that the applicants have met the exception criteria. Commissioner Dawkins stated this development will be a step in the right direction in the overall development of the shopping center, however he encouraged the property owners to provide a way for nearby residential patrons to cross over to this property. He added the subject lot size is only 3/10 of an acre short of qualifying for the shadow plan option and does not want to halt the redevelopment of this area. Commissioner Mindlin stated she could be supportive of this application if: 1) references to the shadow plan are removed from the findings and instead they acknowledge that they are granting the applicants a lower FAR; and, 2) they modify Condition #8 to state: "That future land use applications shall address the Floor Area Ratio standard and circulation plan...". Support was voiced for the modifications proposed by Mindlin. Commissioner Marsh commented that this application illustrates the importance to dealing with this area in a comprehensive manner and noted her desire to work and collaborate with the property owners. She also voiced her opinion that exception criteria 'B' applies to this project and stated this is the first step towards a larger redevelopment project that will move this shopping center towards the desired FAR.

Staff requested clarification about the circulation plan component. Commissioner Mindlin stated she does not feel compelled to make this more specific and believes the applicants understand what the Planning Commission is looking for. Ms. Gunter indicated Condition #8 would be revised as indicated and would also specify the map and tax lot numbers as previously discussed.

Commissioners Dawkins/Mindlin m/s to approve PA-2012-00018 with conditions as stated during discussion.

**DISCUSSION:** Ms. Gunter clarified the condition modifications include the revision to Condition #8 as discussed and the addition of Condition #10 regarding the landscaping and irrigation plan. **Roll Call Vote:** Commissioners Mindlin, Dawkins, Heesacker, Kaplan, Brown and Marsh, YES. Motion passed 6-0.

### **B. PLANNING ACTION: #2012-00265**

**APPLICANT:** Ashland Food Cooperative

**LOCATION(S):** C-1- & C-1-D-zoned portions of Ashland's "Historic Interest Area"

**REQUEST:** A proposal to amend the Ashland Municipal Code (AMC 18.32.035.E) as it relates to drive-up uses in Commercial districts. Drive-up uses are currently a special permitted use in the C-1 zoning district, but only in the area east of a line drawn perpendicular to Ashland Street at the intersection of Ashland Street and Siskiyou Boulevard. Drive-up uses are currently explicitly prohibited in the Historic Interest Area as defined in the Comprehensive Plan. The proposed legislative amendment is to provide exception language which would apply only to existing drive-up uses within the Historic Interest Area and would allow them to relocate to a new site elsewhere within the Historic Interest Area provided that they are located predominantly underground or otherwise screened from view from the public right-of-way.

## Staff Report

Associate Planner Derek Severson explained the request before the Commission is a proposal to modify the regulations in the C-1 and C-1-D districts relative to drive-up uses in the Historic Interest Area. Mr. Severson reviewed the existing regulations and stated drive-up uses are currently prohibited in the Historic Interest Area. He explained this proposal would modify Section 18.32.025.E to read:

*"Drive-up uses are prohibited in Ashland's Historic Interest Area as defined in the Comprehensive Plan; **except that drive-up uses already existing and located within Ashland's Historic Interest Area may be relocated to another property or site within Ashland's Historic Interest Area subject to the following additional requirement.***

***a. Existing drive-up uses within Ashland's Historic Interest Area seeking to relocated to another site or property within Ashland Historic Interest Area must be either underground drive-up uses or drive-up uses that are predominately screened, as defined in Section 18.08.805.***

Mr. Severson stated the applicants are also proposing to define underground drive-up uses as: *"Underground Drive-up Uses are located within the underground portion of a building where a majority of the drive-up facilities, such as the teller window or ATM*

*kiosk, are either located underground or are predominately screened and have limited visibility from the adjacent public right-of-way. Underground drive-Up Uses within the Ashland Historic Interest Area shall be subject to Type II review."*

Mr. Severson explained the Ashland Historic Interest Area consists of the four historic districts in town (Skidmore Academy, Downtown, Railroad, Siskiyou/Hargadine), and the four drive-up uses that would be impacted by this proposal are Umpqua Bank (250 N Pioneer), Wells Fargo Bank (67 E Main), U.S. Bank (30 N Second), and Chase Bank (243 E Main). Mr. Severson reviewed the policies and standards that have been adopted that discourage drive-up use and asked whether the Planning Commission would support a change in policy as a means to encourage relocation and redevelopment of these four uses; and if so, does the Commission support the request as submitted or wish to impose additional performance standards as outlined in the staff report and supported by the Historic Commission.

### Questions of Staff

The following comments and questions were issued to staff:

- Comment was made questioning why they would want to force the drive-ups underground, since underground entries can be more disruptive than a driveway leading to a window.
- Umpqua Bank currently has three drive-up stalls, if they were to relocate would the city limit the number of stalls? Mr. Severson clarified at the time of transfer the new location would be only be granted one stall.
- What is the difference between a conditional use permit and the process for obtaining a special permitted use? Mr. Severson clarified the conditional use process provides more discretion and allows the Commission to compare the propose use with the target use of the zone.
- What is the difference between a Type II and Type III Planning Action? Mr. Severson clarified the City Council makes the final decision on Type III actions.
- Comment was made expressing concern with limiting the number of drive-up uses in town; with the recent talk of the gentrification of Ashland's residents, there may be a need for drive-up pharmacies in the downtown.

### Applicant's Presentation

**Mark Knox, Applicant's Representative** and **Richard Katz, General Manager of Ashland Food Cooperative** addressed the Commission. Mr. Knox stated they have been working on this proposal for over a year and have had lots of dialogue with City staff. He stated this is a straightforward, good idea and the two main objectives are to encourage redevelopment of the existing drive-up sites in the Historic Interest Area and allow some flexibility to relocate a drive-up use. He added they are not suggesting an increase in the number of allowed drive-up uses, but rather the ability to improve the sites that are already there. Mr. Knox stated this amendment would be a tune-up of an ordinance that has been working well, but has created a lockdown on these four sites. He spoke against the conditional use permit process and stated this process is too subjective and as a result the owners of these properties are not willing to attempt it. He commented on the City's desire to be pedestrian friendly and believes this proposal will allow these four sites to be improved.

Mr. Katz stated the Ashland Food Cooperative has been in Ashland for 40 years, they employ 160 people, sold \$27 million in products this year, and are one of the larger employers in Ashland. He added half of the citizens of Ashland are not only shoppers, but are owners of the Co-op. He explained most everyone agrees there is a parking issue at the store, and overall congestion in the railroad area. He stated there is almost a constant gridlock of cars idling for parking spaces and it is not a good situation. Mr. Katz stated they have looked at many alternatives, and they believe if Umpqua Bank had the ability to relocate in the downtown, this would free up some needed space for the Co-op. He stated the bank has expressed interest in this idea, but they do not want to relocate outside of the downtown area. He stated this is an awkward position for the Co-op, but this is the only step they can take. He added the bank properties downtown are eyesores, and there is currently no initiative for them to do something different. He voiced his support for this proposal and believes this is a win-win situation.

Ms. Knox noted the Q&A in the packet materials explain the intent and what they think will happen. He stated they believe they are on the right track with this amendment and would like the approval process to be less subjective and contain more tangible criteria.

### Public Testimony

**Colin Swales/143 Eighth Street**/Stated he has never seen a legislative amendment from a private party and it appears a private party is trying to change our planning laws for their benefit. Mr. Swales clarified he is a member of the Transportation

Commission but is speaking on his own behalf. Mr. Swales stated the Transportation Commission is required to comment on Type III Actions at the pre-application level, and he was looking forward to this application coming forward at a regular meeting. However when it did come before them, it was under Public Forum and not as a discussion item. Mr. Swales requested the Planning Commission postpone this action until the Transportation Commission has had a chance to review this application. He questioned the need for bank drive-up lanes and stated the laws were adopted to cut down on auto-centric uses in the downtown core. He stated even if the Co-op was able to acquire the bank's parking, they are not allowed to exceed the required parking by more than 10%, and he is not sure how this amendment would help their situation.

### **Rebuttal by the Applicant**

**Mark Knox**/Clarified citizens are permitted to request legislative changes and he believes this proposal will help solve the non-confirming issues of the downtown drive-up sites. He stated the current regulations have locked these banks in and it is short-sighted to think these sites will improve on their own. Mr. Knox voiced his support for additional public input, however does not want to delay this action from moving forward. He suggested the Planning Commission move forward with their deliberations and for the Transportation Commission to review this action before it is presented to the City Council.

### **Questions of Staff**

Mr. Molnar confirmed there is a code provision that allows an applicant to exceed the parking requirement by 10%; however, the property could apply for a parking variance. He added most people would agree that parking is in high demand in that area.

Commissioner Brown commented that underground and above grade parking has the tendency to create skateboard ramps, and there may be a need for a barrier at the sidewalk level when the bank is closed. He added he would not support underground drive-ups for a community this small and with such an established walking relationship.

Mr. Molnar commented there is a clear history of policies that discourage drive-up uses, and it boils down to redevelopment vs. relocation. He stated redevelopment is possible, however the applicants must obtain a condition use permit. He stated if the Commission believes this process is too onerous, they could choose a process like the applicants have recommended. He stated with the issue of relocation, right now that is prohibited. He added if the Commission believes that should be changed, what would be the appropriate approval process – Conditional Use Permit or Site Review?

Commissioner Dawkins stated he is reluctant to send this on to Council and wishes this had been vetted more thoroughly through the Transportation Commission before it came before them. He stated an action of this magnitude warrants more public input and he does not support moving it on to Council as this point. Commissioner Brown questioned why the Transportation Commission would have a major impact on this issue, since the concerns are regarding the site itself and not the traffic. Commissioner Heesacker stated if nothing else, sending this back to the Transportation Commission will allow the public more time to review this and provide comment. Commissioner Marsh stated there appears to be general agreement that they want input from the Transportation Commission, but added they can still hold general discussion on this action and bring it back at their next meeting.

Commissioner Mindlin stated the applicants have a goal for their store, and there is nothing wrong with that, and it would benefit the community to keep the Co-op downtown. She stated this proposal raises some important issues regarding the potential to redevelop those sites and create a better environment. Commissioner Kaplan stated anything they could do to foster redevelopment of those businesses would be a positive, and noted they would be keeping the same number of drive-ups. Commissioner Dawkins commented that they are not getting enough public input about what the negatives might be. He agreed that the redevelopment opportunities are good, but would like to hear more from the public.

The Commission continued their general discussion of this action. Support was voiced for limiting relocated drive-ups to a single lane, and the question was raised regarding whether this proposal should be limited to financial institutions. Commissioner Heesacker stated his opinion that it should not be limited to banks; and suggestion was made to exclude food uses. The Commission also discussed and agreed these actions should require a public hearing before the Planning Commission.

Mr. Molnar clarified staff would take this issue before the Transportation Commission and it would come back for deliberations and decision at the Commission's June meeting.

Commissioners Brown/Dawkins m/s to continue the public hearing to June 12, 2012. Voice Vote: all AYES. Motion passed 6-0.

**OTHER BUSINESS**

Commissioner Dawkins recommended they hold all future annual retreats on the first Saturday in May, and stated he would bring this up at the next meeting when they select their officers.

**ADJOURNMENT**

Meeting adjourned at 9:30 p.m.

*Respectfully submitted, April Lucas, Administrative Supervisor*

**CITY OF  
ASHLAND**  
ASHLAND PLANNING COMMISSION  
STUDY SESSION  
MINUTES  
May 22, 2012

**CALL TO ORDER**

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

**Commissioners Present:**

Michael Dawkins  
Eric Heesacker  
Richard Kaplan  
Pam Marsh  
Melanie Mindlin

**Staff Present:**

Maria Harris, Planning Manager  
Brandon Goldman, Senior Planner  
April Lucas, Administrative Supervisor

**Absent Members:**

Troy J. Brown, Jr.

**Council Liaison:**

Dennis Slattery, absent

**ANNOUNCEMENTS**

Senior Planner Brandon Goldman stated Professor Pat Acklin has been working on two projects with her SOU students. The first is a homeless strategy and the second is an evaluation of housing options for working families. Both will be presented to the Housing Commission at their meeting tomorrow night, and the Planning Commissioners are welcome to attend. Mr. Goldman stated the students were asked to present their materials to the Planning Commission but the scheduling did not work out. He added the final report will can be forwarded once staff receives it. Commissioners Kaplan and Dawkins indicated they would attend the meeting and report back to the full commission.

Commissioner Marsh reviewed the group's upcoming meeting schedule.

**PUBLIC FORUM**

No one came forward to speak.

**DISCUSSION ITEMS**

**A. Normal Avenue Neighborhood Plan.**

Senior Planner Brandon Goldman explained the master planning effort for the Normal Avenue Neighborhood Plan is soon to begin. He stated a neighborhood meeting was held and was very well attended, and the project is scheduled to start June 1.

Mr. Goldman provided an overview of the project area and displayed several photos of the area. He explained while there are buildings and houses in this area, it is largely undeveloped. He also commented on the wetlands and floodplains, and private railroad crossing. Mr. Goldman reviewed the 15-month project timeline and stated staff will try to maintain constant communication with the neighbors and those who are interested in the project. He stated the City will utilize the online Open City Hall forum and will also have a dedicated project website so that citizens can stay informed and up to date.

**Commission Discussion**

Mr. Goldman clarified at the conclusion of this project, this property will not be annexed into the city limits; that decision rests with the individual property owners and they will still have to go through the land use annexation process. He noted the Housing Needs Analysis and Housing Framework will be done in the beginning stages of this project, and stated a Housing Market Analysis will also be completed as part of this process. Mr. Goldman further clarified that in order to annex into the city limits, the applicant must demonstrate there is less than a 5-year housing supply.

Staff was asked whether property owners can still develop under the county standards. Mr. Goldman clarified the owners can still develop their property under the current county standards and they will not be required to annex into the city limits.

Request was made for the Commission to do a site visit, and staff indicated this could be arranged. Support was voiced for this and Commission Marsh suggested the field trip be scheduled prior to a regular commission meeting.

Mr. Goldman commented on the neighborhood meeting and stated some of the larger issues that came up were the railroad crossing, concern of increased traffic along Normal generated by new development, and future connections through the area.

Commissioner Dawkins questioned how the City will address the railroad crossing and stated he is still unclear about whether an existing crossing will need to be closed for a new one to open. Mr. Goldman stated the Normal crossing is a legal crossing for the private residences, but it is not legal in terms of a public access road. He stated if its designation were to change that would trigger the requirement to close another crossing. Commission Marsh stated Public Works Director Mike Faught told them this was not the case at a recent TSP meeting and asked staff to follow up with him and get clarification about this.

Commissioner Marsh noted that their three big projects (TSP, Unified Land Use Ordinance, and Normal Avenue Plan) all have December conclusions, and is concerned this will be a problem. Planning Manager Maria Harris stated staff is aware of this and is keeping an eye on it. She stated the timelines may be too optimistic and it is likely there will be some shifting.

## **B. Unified Land Use Ordinance.**

Planning Manager Maria Harris stated staff would like feedback on three issues tonight: 1) Outline, 2) Simplifying the Lists of land uses, and 3) Policy issues and recommendations from the 2006 Siegel land use ordinance review.

### ***Outline***

Ms. Harris explained the proposed outline takes similar code functions and groups them together. The sections would be grouped as follows: 18-1 General Provisions, 18-2 Zoning and Plan Districts, 18-3 Site Development and Design Standards, 18-4 Administrative Procedures, and 18-5 Definitions. Ms. Harris stated grouping the sections in this manner is more intuitive and understandable for applicants and anyone else using the code.

Ms. Harris clarified the standards contained in the Street Tree Guide and Site Design and Use Standards will be included in this document, however there is additional background information contained in both those documents and they will need to determine how to handle that.

Support was voiced for the proposed outline as well as the table format for the standards. Ms. Harris commented that it may be cleaner to leave the Croman and North Mountain overlay standards separate from the general zoning information. Suggestion was made that people should be able to find all the necessary information all in one place, and Ms. Harris clarified how the language could be organized.

Commissioner Mindlin asked if it will be possible to propose changes to the site standards in this process. Ms. Harris stated it was her understanding that the Commission had agreed to stick with minor changes and the focus would be on reorganizing the code and making it easier to understand. She stated there will be some small to intermediate policy changes and this includes the Siegel recommended changes, but if large policy issues arise staff will need to review these with the Council and get direction.

Commissioner Marsh stated if minor issues come up they should incorporate them into this project, but items that will generate lots of interest and comment might need to be handled separately. Commissioner Mindlin stated her desire to address solar orientation in this process. She stated she does not think these would be complicated changes, however it would be adding new language. Concern was expressed that this change could generate quite a bit of public interest and Commissioner Marsh clarified they will establish a white board where they highlight items they want to see addressed, and they will have to wait and see if these can be folded into this process.

### ***Simplifying the Lists of Land Uses***

Ms. Harris explained there are currently 12 base zones and there is a lot of repetition in the code. She stated the idea is to consolidate the information and this approach would simplify the land uses into general categories. She added this is considered a contemporary approach and would focus on the physical characteristics of the site rather than uses.

Comment was made that dictating the use has been more of a political issue and people may think that you are opening the door to more uses if you have fewer delineations. Ms. Harris stated she does not believe this will open the floodgates to unusual uses and clarified our land use ordinance has language about unspecific uses and the unified code will include that same language. Commissioner Dawkins stated removing the use would put the emphasis back on the building's design. He stated on one hand it is nice to know what the building will be used for, but in the end it does not matter much since the use is often temporary and the space is changed into something else. Ms. Harris stated if the use changes, they will still need to comply with the parking requirements for that use, and clarified all business license applications are routed through the Planning Division to ensure compliance with the zone and staff checks the parking demand for the new use at that time.

General support was voiced for the simplification of the uses. Comment was made that there are safeguards already in place to ensure the uses stay consistent with the zone.

### ***Policy Issues and Recommendations from 2006 Land Use Ordinance Review***

Ms. Harris stated the Siegel report included recommended policy changes and staff is looking for direction from the Commission on which items they want to include in this project. Commissioner Marsh recommended they go through the list one by one.

1. Lot Coverage and Porous Paving. Ms. Harris stated the intent is to encourage more pervious areas. Commissioner Mindlin commented that pervious surfaces can become less effective over time if they are not properly maintained. Comment was made that porous materials will get better over time and if they believe porous is a good idea than they should give some incentive for people to use it. General support was voiced for included this change in the unified land use code project. Commissioner Mindlin voiced her concern that people might use this to increase the surface area on their lots. She added she would support this change as long as applicants don't get to increase the size of their house by using pervious paving.
2. Slopes. General support was voiced for restricting development to slopes of 35% or less.
3. R-1 Corner Lots. General support was voiced with reducing the minimum for corner lots to 5,000 square feet.
4. R-1 Lot Depth. Ms. Harris stated staff would like to take a closer look at this item. Comment was made questioning if they would be opening the door to flag lots by doing this, and whether there are other applications that would be controversial if they change this. Commissioner Marsh stated this change is worth looking at and the Commission agreed.
5. R-1 Front Porch. Support was voiced for changing the porch setbacks to 10 feet to be consistent with the R-2 and R-3 zones.
6. R-1-3.5 Housing Types. Support was voiced with clarifying desired multifamily housing types and encouraging innovative housing.
7. Distance Between Buildings in R-1-3.5, R-2, and R-3. Support was voiced for including this change in the unified land use code project.
8. Affordable Housing Density Bonus in R-2 and R-3. Support was voiced for this change.
9. North Mountain Core Overlay – MultiFamily. Ms. Harris stated she is not sure this change is worth pursuing since so much of the North Mountain area is already built out. The Commission agreed and indicated they do not want to pursue this change.
10. C-1 Residential Uses. Commissioner Marsh questioned if this is a language clean-up or a change to the actual numbers. Ms. Harris clarified the intent is a language clean up and some minor language changes could clarify this provision. Support was voiced for pursuing this change. Ms. Harris clarified staff will perform additional research to make sure they are keeping with the intent of the ordinance.
11. Solar Access Setback in C-1. Commissioner Mindlin stated the solar setback requirements make it difficult to obtain the desired density levels for commercial developments, however the solar access requirements should be maintained for commercial properties that abut residential zones. General support was voiced for pursuing this change.
12. C-1 Building Height. Commissioner Dawkins voiced his interest in taller, denser buildings in the C-1 zone, and in particular would like to see higher density housing on the Copeland lumber site. The Commission agreed to pursue this change.
13. HC Lot Depth and Yards. Ms. Harris stated this is another recommended change that may not be worth pursuing. The Commission agreed and indicated they do not want to pursue this change.
14. Non-Conforming Uses. Commissioner Marsh questioned why we would want to give someone more time. Opposing comment was made that given the current economic climate, allowing longer might be a good idea. Ms. Harris stated this issue does not come up that often and staff does not have a strong opinion about this. Mr. Goldman noted the Commission could consider clarifying when the 6-month clock starts.

15. Parking for Small MultiFamily Units, Assisted Living, Etc. Support was voiced for this change.
16. Parking for Medical Offices. Ms. Harris clarified when development was more active parking for medical offices was enough of a problem that several offices received approval for standalone parking lots because they did not have enough space to accommodate their clients. She added this was six years ago and had a lot to do with the location of those offices. Commissioner Marsh suggested allowing medical offices to go 20% above the required parking amount and support was voiced for this change.
17. Accessory Residential Units. Ms. Harris recommended removing the CUP requirement and having these go through site review only. Support was voiced for this change.
18. Railroad District Conditional Uses. Ms. Harris stated this is probably one of the bigger hot button issues and applies to all of the historic districts, not just the railroad district. Commissioner Marsh commented on the value of having residential stability in these neighborhoods and that too many professional offices or commercial uses can have a cumulative effect on the neighborhood. Commission Dawkins stated he likes the mix of uses, but does not want to see the district overcome with professional uses. General support was voiced for looking into this change.

#### **ADJOURNMENT**

Meeting adjourned at 9:30p.m.

*Respectfully submitted,  
April Lucas, Administrative Supervisor*

**BEFORE THE PLANNING COMMISSION**  
**June 12, 2012**

IN THE MATTER OF PLANNING ACTION #2012-00018, A REQUEST FOR )  
SITE REVIEW APPROVAL TO CONSTRUCT A NEW 4,125 SQUARE FOOT ) **FINDINGS,**  
SINGLE-STORY RETAIL BUILDING AND ASSOCIATED SITE ) **CONCLUSIONS**  
IMPROVEMENTS FOR THE PROPERTY LOCATED AT 2220 ASHLAND ) **AND ORDERS**  
STREET. THE FORMER PIZZA HUT BUILDING IS CURRENTLY LOCATED )  
ON THE SITE. THE PROPERTY IS SUBJECT TO THE DETAIL SITE REVIEW )  
REQUIREMENTS AND THE PEDESTRAIN PLACES REQUIREMENTS. )  
)  
)  
**APPLICANT: SUMMIT INVESTMENTS** )

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**RECITALS:**

- 1) Tax lot #1700 of Map 39 1E 14 BA is located at 2220 Ashland Street and is zoned C-1, Commercial.
- 2) The applicants are requesting Site Review approval to construct a new 4,125 square foot, single story, retail building and associated site improvements for the property located at 2220 Ashland Street. The former Pizza Hut building is currently located on the site. Site improvements are outlined on the plans on file at the Department of Community Development.
- 3) The application also involves the proposed demolition of the existing 2,135 square foot structure to accommodate the proposed development. The demolition and relocation of structures is not regulated through Ashland's Land Use Ordinance (AMC Chapter 18) or subject to land use approval, and must instead be reviewed and approved separately pursuant to AMC 15.04.210-.218 which regulate the demolition and relocation of buildings within the city. The approval of Demolition/Relocation Review Permits is subject to review by the Building Official and/or the Demolition Review Committee.
- 4) **The criteria for Site Review approval are described in AMC 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.*

**In addition, the criteria for an Exception to the Site Design and Use Standards are described in 18.72.090 as follows:**

- A. *There is a demonstrable difficulty in meeting the specific requirements of the Site Design and Use Standards due to a unique or unusual aspect of an existing structure or the*

*proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Design and Use Standards; and the exception requested is the minimum which would alleviate the difficulty; or*

- B. *There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Design and Use Standards.*  
(Ord 3054, amended 12/16/2011)

**Lastly, the criteria for a Tree Removal Permit are described in Chapter 18.61.080 as follows:**

B. *Tree that is Not a Hazard: The City shall issue a tree removal permit for a tree that is not a hazard if the applicant demonstrates all of the following:*

1. *The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards, including but not limited to applicable Site Design and Use Standards and Physical and Environmental Constraints. The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and*
2. *Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; and*
3. *Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.*

*The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. Nothing in this section shall require that the residential density be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Ashland Land Use Ordinance.*

4. *The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.*

5) The Planning Commission, following proper public notice, held a public hearing on April 10, 2012 at which time testimony was received and exhibits were presented. This hearing was closed and the record was left open. The action was continued to the next regular meeting of the Planning Commission on May 8, 2012 at which time new information and exhibits were presented. Subsequent to the closing of the hearing, the Planning Commission approved the application subject to conditions pertaining to the appropriate development of the site.

Now, therefore, the Planning Commission of the City of Ashland finds, concludes and recommends as follows:

## SECTION 1. EXHIBITS

For the purposes of reference to these Findings, the attached index of exhibits, data, and testimony will be used.

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, Miscellaneous Exhibits lettered with an "M"

## SECTION 2. CONCLUSORY FINDINGS

2.1 The Planning Commission finds that it has received all information necessary to make a decision based on the Staff Report, public hearing testimony and the exhibits received.

2.2 The Planning Commission finds that the project complies with the Site Review standards for commercial developments within the Detail Site Review Zone, including the request for an Exception to the Site Design and Use Standards required Floor Area Ratio (FAR) and a Tree Removal permit. The application proposes to construct a 4,125 square foot single story, retail building at the front of the property adjacent to Ashland Street. Off-street parking is located to the rear of the building with automobile access provided from Ashland Street via the common drive way which serves the larger shopping center properties to the south and east. The site plan incorporate direct pedestrian access from Ashland Street to the main building entrance. In addition, outdoor pedestrian plaza spaces will be developed at the front and east side of the building, providing a shaded, sheltered environment for patrons as well as employees and public transit commuters.

2.3 The Planning Commission finds that proposal complies with the first criterion to be considered for Site Review approval that, *"All applicable City ordinances have been met or will be met by the proposed development."* The Planning Commission further finds that development within the Commercial (C-1) zoning district is guided by the site design standards found in Ashland Site Design Review Chapter (AMC 18.72) and the city's Site Design and Use Standards, Sign Regulations, Off-Street Parking and Tree Preservation & Protection chapters.

The Planning Commission finds that adequate parking is provided to meet the demands of the proposed use as a 4,125 square foot retail establishment, particularly a paint store with half of the floor area utilized for storage and mixing areas, off limits to customers. Nine parking spaces are to be provided at the rear of the building accessed via a sidewalk along the rear of the structure and three parking spaces are provided on the adjacent property to the southeast under the same ownership as the subject property. The Planning Commission finds that the parking provided on the larger shopping center property is in excess of that required by ordinance, which allows for providing a parking easement to the subject property. Additionally, the Planning Commission finds that the proposed parking lot design complies with AMC 18.92.080.B and has been designed to minimize the adverse environmental impacts of the surface parking area.

The Planning Commission further finds that the proposed bicycle parking complies with AMC 18.92.040. The site plan provided illustrates four proposed covered bicycle parking racks near the rear entry of the proposed building. The Commission finds that the proposed bicycle parking provisions are consistent with the placement standards of the land use ordinance.

The Planning Commission finds that the application includes a tree inventory identifying six trees on the subject property, one of which is more than six-inches in diameter at breast height (DBH) or greater. Trees greater than six-inches in DBH necessitates Tree Removal Permits within the subject property's C-1 zoning district in accordance with AMC 18.61. The five trees less than six-inches in diameter are exempt from the land use requirements.

2.4 The Planning Commission finds that the proposal complies with the second criterion for the approval of a Site Review permit that, "*All requirements of the Site Review Chapter have been met or will be met.*" Within the Site Review chapter, commercial developments requiring Site Review approval are required to provide an "opportunity-to-recycle" site for use of the project occupants. The "opportunity-to-recycle" site must be of a size equal or greater than the solid waste receptacle, and both the waste and recycling facilities must be screened from view by adjacent properties and public rights-of-way. The plans provided identify a recycling area on the west side of the building behind a wall and landscape area screening it from Ashland Street and the adjacent business to the west.

2.5 The Planning Commission finds that the proposal complies with the third criterion for Site Review approval criterion that, "*The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*" The Site Design & Use Standards handbook includes specific design standards for commercial developments. The Commission finds that the proposed building, are to be reviewed under the basic and detail site review standards for commercial projects.

The Planning Commission finds that the Site Design & Use Standards generally seek to improve each project's appearance while creating a positive, human scale relationship between proposed buildings and the streetscape to encourage bicycle and pedestrian travel, lessen the visual and climatic impacts of parking, and screen adjacent uses from any adverse impacts of development. To these ends, the standards require that buildings have their primary orientation to the street rather than to parking areas, with visible, functional and attractive entrances oriented to the street, placed within five feet of the street unless the area is utilized as a pedestrian plaza area, and accessed directly from the public sidewalk. Sidewalks and street trees are to be provided along subject properties' frontages, with automobile parking and circulation areas not to be placed between buildings and the street.

In considering the initially proposed building designs in light of the Site Design & Use Standards and Planning Division staff identified concerns with the sense of entry and orientation to the street of the building. Planning staff noted that in initial design submittals, the Ashland Street entry was not strongly articulated enough to establish a clear sense of entry and relationship to the pedestrian corridor to meet the city's design standards. Staff had recommended that the building's sense of entry be better articulated and emphasized by modifying the windows on the front of the building and modifying the pedestrian plaza area between the building and the street. The Planning Commission found that the building was oriented towards Ashland Street and not the parking lot, that there is a clear sense of entry provided with the stairs, awning, windows and doors to emphasize the primary entrance of the building.

In response to the discussion at the March 13<sup>th</sup> hearing, the applicants presented revised site plans to address both the pedestrian plaza area amenities and whether the proposed plaza area will function as such and the larger site circulation issues raised during the Planning Commission hearing.

According to the applicant's site plans, significant modifications to enhance the Ashland Street pedestrian corridor along the buildings frontage are proposed. These include standard five-foot width commercial tree grates, street trees, eight foot sidewalks, and widened pedestrian circulation routes and landscape treatments. The Planning Commission finds that, when taken in sum, these revisions greatly improve the building's sense of entry and relationship to the adjacent streetscape, while also more effectively addressing the buildings setback of more than five feet. The Commission finds that with these revisions, the building and pedestrian plaza areas comply with the Site Design and Use Standards.

2.6 The Planning Commission finds that the final criterion to be considered for the approval of a Site Review permit is, *"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."* Each of these facilities is discussed individually below.

**Water:** Public Works and Engineering staff has noted that there is an eight-inch water main available to serve the project within Ashland Street, as well as a six-inch water main available in Webster Street.

**Sewer:** Public Works and Engineering staff has noted that an eight-inch sanitary sewer main is available in Ashland Street; with the proposed development no modifications are necessary.

**Paved Access:** Ashland Street along the property's north boundary is classified as a boulevards or arterial streets under the Transportation System Plan (TSP). Ashland Street is fully improved with paving, curbs, gutters, and a five foot wide curbside sidewalk along the subject property's frontage.

The applicant's proposal includes plans to reconstruct Ashland Street to full city street standards for an arterial street. The Planning Commission finds that applicant's proposed street improvements comply with Ashland's Street Standards including a five-foot wide hardscape park row and eight feet of sidewalk. A landscaped parkrow may be substituted for the five-foot tree grates in some commercial areas where on-street parking is not in place.

The Planning Commission finds that the proposed site circulation modifications will begin to address some of the large site circulation issues and with the proposed directional signage and pavement markings site circulation will be better addressed and that adequate transportation facilities can and will be provided with the implementation of the improvements described below. Located partially on the subject property is a wide common driveway which provides a north-south connection from Ashland Street to the shopping center properties to the south and to the west. This driveway provides circulation primarily to existing surface parking in place behind the existing buildings fronting Ashland Street and between the Bi-Mart and Shop 'N Kart buildings and the street. The applicant has proposed to modify the existing driveway with a landscaped center median dividing the two travel lanes. The median is comprised of the existing

eastern parking lot buffer and the existing north / south driveway, the driveway will be divided into a distinct south entrance to property and north exiting. The commission finds that the revised, extended median is being expanded in part to protect the existing fire hydrant and irrigation boxes. The commission finds that the proposed will also prevent north bound traffic from making left turns into the subject site and Oil Stop adjacent once past the east / west connection. The proposed median extension of 10-feet will offset the existing east / west connection and a vehicle will have to make a slight diagonal driving movement to cross the 63-foot wide driveway to enter the subject site or patronize the Oil Stop. The applicant's site plan also provides painted directional arrows, curbing and traffic warning signs to provide more clear direction to motorist and cyclists traversing the properties.

**Storm Sewer:** Public Works and Engineering staff has noted that a 15-inch storm sewer line is available in Ashland Street. The application materials further indicate that stormwater drainage in the parking lot within the project area is to be collected and pre-treated in a landscape bio-swale within the parking areas Engineering staff has indicated that the storm drain system improvements proposed to be installed by the applicants as detailed in the application will be adequate to serve the needs of the proposal, subject to final review and approval of civil drawings.

**Electric:** Electrical facilities are available from all of the Ashland Street right-of-way, and city Electric Department staff has indicated that these facilities have adequate source and capacity to serve the project. The main transmission line for the area is along Ashland Street on the same side of the street as the proposed development. There is a pole and electric cabinet at the front of the property, the electric department indicated that the cabinet needs to be rotated so that it opens away from the structure so to have adequate clearances for their equipment. A condition to this effect has been included.

2.7 The Planning Commission finds that the proposal complies with the applicable criteria for approval for an Exception to the Site Design and Use Standards requiring a minimum Floor Area Ratio of .50 for the parcel due to the proposed building and pedestrian plaza area a total of 5,910 square feet and an FAR of .32.

One of the primary reasons that the Floor Area Ratio requirements along Ashland Street were adopted were to more effectively engage and complement the streetscape and to create more density along the arterial streets in close proximity to shopping, public transit and other amenities. The applicants explained that in the current market, a mixed use building with commercial rental space is not feasible, and suggested that the development of the current proposal could help to create a market for such a building in the future by bringing a significant redevelopment of a large vacant site. Additionally, the application states that a future second story may be added to the building which would in the future increase the FAR along Ashland Street. The Planning Commission finds that the exception will result in a design that better achieves the stated purpose of the Site Design and Use Standards as the pedestrian corridor is being brought up to current City Standards through the installation of sidewalks and that pedestrian amenities and refuge is being proposed. The Planning Commission finds that the reservation of a future second story building addition along Ashland Street for development in the future does not constitute a shadow plan but does show how in the future the properties under the ownership of Summit Investments / Peaks Ranch Development etc. are moving towards compliance with the Floor Area Ratio requirements of properties in the shopping center complex.

The Commission finds that the building's proposed placement is appropriate, and that the building itself is of a character and design that is appropriate to the Ashland Street streetscape. With the changes to the Ashland Street pedestrian corridor and the plaza area proposed by the applicants to accommodate and encourage a variety of uses, efforts were made in site planning to retain a strong relationship with the Ashland Street by creating a human scale pedestrian corridor between the street and the proposed building. The Commission further finds that the building design and associated site planning provide a sense of entry that will engage the pedestrian streetscape along Ashland Street. The Planning Commission finds that the revised pedestrian plaza area, including the provision of a food vendor location, trees, benches as envisioned in the Site Design and Use Standards is supported by evidence in the record and results in an overall design that better achieves the stated purpose of the Site Design and Use Standards.

2.8 The Commission finds that the approval of a Tree Removal Permit requires the applicants to demonstrate that: the tree proposed for removal are in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards; the removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. In addition, as a condition of approval for Tree Removal Permits, applicants are required to mitigate for the removal of each tree granted approval pursuant to the requirements of AMC 18.61.084. The Commission finds that the tree proposed for removal is within the proposed building footprint and would not survive the proposed development. The Commission further finds that with the required mitigation, the proposed removals will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The Commission finds that the removed tree will be adequately mitigated with the proposed landscaping.

### SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Site Review approval to construct a new 4,125 square foot, single-story retail building associated site improvements including a tree removal permit to remove one 13-inch in diameter at breast height tree is supported by evidence contained within the whole record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve Planning Action #2012-00018. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2012-00018 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified here.
- 2) That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify this Site Review approval shall be submitted and approved prior to issuance of a building permit.

- 3) That the areas previously paved and now proposed for planting shall have all base material and sterile soil removed to a minim of 24-inches and disposed of off-site in accordance with the proposed landscape plan. Additionally, structural soil and / or mycorrhizae fungi could be added to the tree well areas to aid and encourage the long term growth and survivability of the trees.
- 4) That all recommendations of the Ashland Tree Commission from their April 5<sup>th</sup>, 2012 meeting, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
- 4) That a sign permit shall be obtained prior to installation of any new signage. Signage shall meet the requirements of Chapter 18.96.
- 5) That prior to the submittal of a building permit:
  - a) That a stormwater drainage plan, including details of on-site bioswale for storm water and necessary water quality mitigation, shall be submitted for the review and approval of the Planning, Building, and Engineering Divisions. Post development peak flows shall be demonstrated to be less than or equal to pre-development levels.
  - c) A final utility plan for the project shall be submitted for the review and approval by the Planning, Engineering and Building Divisions prior to issuance of a building permit. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Utility installations, including any necessary fire protection vault, shall be placed outside of the pedestrian corridor, and necessary public utility easements on the property shall be shown on the building permit submittals.
  - d) The applicant shall submit an electric distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan shall be reviewed and approved by the Planning, Engineering and Electric Departments prior to building permit submittal. Transformers and cabinets shall be located outside of the pedestrian corridor, in those areas least visible from the right-of-way while considering the access needs of the Electric Department.
  - e) The building permit plan submittals shall include lot coverage calculations including all building footprints, driveways, parking, and circulation areas. These plans shall demonstrate that at least 15 percent of the site is surfaced in landscaping, and that at least seven percent of the parking lot area is provided in required parking lot landscaping, as required in the Site Design & Use Standards.
  - f) The approval of a Demolition/Relocation Review and associated permits and inspections shall be obtained from the Building Division prior to demolition of existing structures.
  - g) That a revised Landscaping and Irrigation plan demonstrating compliance with the Site Design and Use Standards shall be submitted for review and approval by the Staff Advisor prior to the issuance of the building permit.

- 6) That prior to the issuance of a building permit:
  - a) That the proposed structure shall be engineered and constructed to withstand the structural load, wind loading, snow load, etc. as adopted per State of Oregon Building Codes for a two story structure.
  - b) That prior to the issuance of a building permit, the applicants shall submit civil design drawings for the implementation of public right-of-way improvements provided for the review and approval of the Public Works, Engineering and Planning Departments. These civil plans are to be reviewed and approved prior to the issuance of building permits, and required improvements are to be completed according to the approved plan, inspected and approved prior to the issuance of a final occupancy permit. That a Public Pedestrian Access Easement or Right-of-Way Dedication shall be provided for the sidewalk improvements that are on the subject property.
  - c) The applicant shall provide the approved Landscape/Irrigation Plan which addresses the Water Conserving Landscaping Guidelines and Policies of the Site Design and Use Standards, including irrigation controller requirements to allow multiple/flexible calendar programming with the building permit submittals.
  - d) All exterior lighting shall be appropriately shrouded so as not to permit direct illumination of any adjacent land. Lighting details, including a scaled plan and specifications detailing shrouding, shall be submitted to the Staff Advisor for review and approval with the building permit submittals.
  - e) That the bike rack and shelter details shall be submitted for review and approval by the Staff Advisor. The building permit submittals shall verify that the bicycle parking design, spacing, and coverage requirements are met in accordance with 18.92.040.I.
  - f) Mechanical equipment shall be screened from view from Ashland Street. The locations of mechanical equipment and any associated screening shall be shown on the site plan and elevations in the building permit submittals
  - g) The requirements of the Ashland Fire Department shall be satisfied, including that all addressing shall be approved prior to being installed; that fire apparatus access be provided and necessary fire apparatus easements identified and recorded; that adequate fire flow be provided and maintained.
- 7) That prior to the issuance of a Certificate of Occupancy:
  - a) That the screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards.
  - b) All required parking areas shall be paved and striped.
  - c) All landscaping and the irrigation systems shall be installed in accordance with the approved plan, inspected and approved by the Staff Advisor prior to the issuance of a certificate of occupancy. That at the time of planting and prior to the issuance of a final

certificate of occupancy, not less than two inches of mulch shall be added in all non-turf landscaped areas in the developed area after the installation of living plant materials.

- d) All public and private street improvements including but not limited to the installation of sidewalks, parkrows with street trees and standard street lighting on Ashland Street shall be installed to City of Ashland standards under permit from the Public Works Department in accordance with the approved plan, inspected and approved by the Staff Advisor.
  - e) That a minimum six-inch curb be provided along the southern most edge of the asphalt east / west driveway access to the subject site and the Oil Stop site to prevent siltation across driveway and trackout.
  - e) That a bench or benches similar in style to the existing bench at Taco Bell along Ashland Street shall be provided as a pedestrian amenity.
  - f) That required bicycle parking spaces according to the approved plan and in accordance with design and rack standards in 18.92.040.I and J, inspected, and approved by the Staff Advisor prior to issuance of a certificate of occupancy. Inverted u-racks shall be used for the bicycle parking.
- 8) That future land use applications for the properties located at 391E 14BA, tax lots, 1200, 1300, 1500, 1800 and 1700 shall address the Floor Area Ratio (FAR) standard. The applications shall demonstrate how future development may be intensified over time to meet the required Floor Area Ratio requirements.
- 9) That a site circulation plan demonstrating vehicular and pedestrian safety shall be provided with all future applications.
- 10) That the selected street tree shall be a columnar type, high-branching species which complies with minimum height requirements (13-foot clearance) over Ashland Street.

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Planning Commission Approval

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Date

**LEGISLATIVE AMENDMENT  
PUBLIC HEARING**

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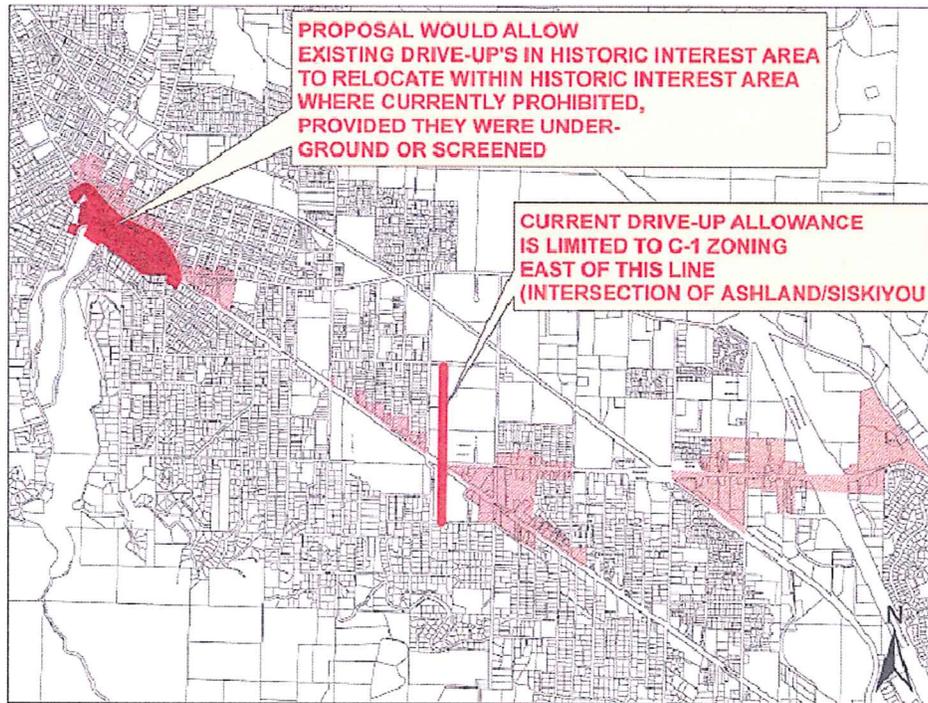
**#2012-00265**



**PLANNING ACTION:** PL-2012-00265  
**SUBJECT PROPERTY:** C-1 & C-1-D Portions of the Historic Interest Area (*See map below*)  
**OWNER/APPLICANT:** Ashland Food Co-op

**DESCRIPTION:** The Planning Commission will conduct a public hearing to consider a proposed Legislative Amendment to amend the Ashland Municipal Code (AMC 18.32.035.E) as it relates to drive-up uses in Commercial districts; this is a continuance of the public hearing which began on May 8<sup>th</sup>. Drive-up uses are currently allowed only as “special permitted uses” in the C-1 zoning district, but only in the area east of a line drawn perpendicular to Ashland Street at the intersection of Ashland Street and Siskiyou Boulevard. Drive-up uses are currently explicitly prohibited in the Historic Interest Area as defined in the Comprehensive Plan, and the four existing drive-up uses in place in the Historic Interest Area are considered to be legal non-conforming uses. The proposal is to provide exception language which would apply only to the four existing drive-up uses within the Historic Interest Area and allow them to relocate to new sites elsewhere within the Historic Interest Area provided that their drive-up windows be located predominantly underground (in a basement) or otherwise screened from view from the public right-of-way.

**ASHLAND PLANNING COMMISSION MEETING:** *June 12<sup>th</sup>, 2012 at 7:00 PM, Ashland Civic Center (1175 E. Main St.)*



Notice is hereby given that a PUBLIC HEARING on the following request with respect to the ASHLAND LAND USE ORDINANCE will be held before the ASHLAND PLANNING COMMISSION on meeting date shown above. The meeting will be at the ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, either in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

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, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. 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.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 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 I).

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division, 541-488-5305.

## AMC 18.108.170 Procedure for 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.*

## CURRENT DRIVE-UP REGULATIONS

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### AMC 18.32.035.E Drive-up uses as defined and regulated as follows

1. Drive-up uses may be approved in the C-1 District only, and only in the area east of a line drawn perpendicular to Ashland Street at the intersection of Ashland Street and Siskiyou Boulevard.
2. Drive-up uses are prohibited in Ashland's Historic Interest Area as defined in the Comprehensive Plan.
3. Drive-up uses are subject to the following criteria:
  - a. The average waiting time in line for each vehicle shall not exceed five minutes. Failure to maintain this average waiting time may be grounds for revocation of the approval.
  - b. All facilities providing drive-up service shall provide at least two designated parking spaces immediately beyond the service window or provide other satisfactory methods to allow customers requiring excessive waiting time to receive service while parked.
  - c. A means of egress for vehicular customers who wish to leave the waiting line shall be provided.
  - d. The grade of the stacking area to the drive-up shall either be flat or downhill to eliminate excessive fuel consumption and exhaust during the wait in line.
  - e. The drive-up shall be designed to provide as much natural ventilation as possible to eliminate the buildup of exhaust gases.
  - f. Sufficient stacking area shall be provided to ensure that public rights-of-way are not obstructed.
  - g. The sound level of communications systems shall not exceed 55 decibels at the property line and shall otherwise comply with the Ashland Municipal Code regarding sound levels.
  - h. The number of drive-up uses shall not exceed the 12 in existence on July 1, 1984. Drive-up uses may be transferred to another location in accord with all requirements of this section. The number of drive-up window stalls shall not exceed 1 per location, even if the transferred use had greater than one stall.

**ASHLAND PLANNING DIVISION  
STAFF REPORT ADDENDUM #1  
June 12<sup>th</sup>, 2012**

**PLANNING ACTION:** PL #2012-0265

**APPLICANT:** Ashland Food Cooperative

**LOCATION:** C-1- & C-1-D-zoned portions  
of the Historic Interest Area  
(See Attached Exhibit S-1)

**ORDINANCE REFERENCE:**

18.08	Definitions
18.32	Commercial (C-1)
18.72	Site Design Review
18.104	Conditional Uses
18.108.170	Legislative Amendments

**REQUEST:** A proposal to amend the Ashland Municipal Code as it relates to drive-up uses in Commercial districts. Drive-up uses are currently allowed only as “special permitted uses” in C-1 zoning districts, but only in the area east of a line drawn perpendicular to Ashland Street at the intersection of Ashland Street and Siskiyou Boulevard. Drive-up uses are explicitly prohibited in the Historic Interest Area defined in the Comprehensive Plan. The proposal would provide exception language allowing existing drive-up uses in the Historic Interest Area to redevelop on their existing sites or relocate to new sites elsewhere within the Historic Interest Area, provided that the relocated drive-up use would be located predominantly underground or otherwise screened from view from the public right-of-way.

**I. Relevant Facts**

**A. Background - History of the Application**

At the Planning Commission’s May 8<sup>th</sup>, 2012 regular meeting, the public hearing on this matter was opened. The proposed legislative amendment would change the existing regulations for drive-up uses to allow existing uses in the commercially-zoned portions of the city’s “Historic Interest Area” to relocate, or remodel on their current sites, without requiring Conditional Use Permits. Currently, drive-up uses are prohibited in the Historic Interest Area and the four existing drive-up uses are considered to be non-conforming, so any substantive modification requires a Conditional Use Permit which provides for a degree of discretionary review while requiring the Planning Commission to evaluate impacts in comparison to the target use of the zoning district. As proposed in the amendment, these uses would be able to relocate or remodel on site with only a Site Review permit provided that the components of the drive-up use were predominantly underground or otherwise screened from view.

The proposed amendment is being initiated by the Ashland Food Co-op, which has expressed an interest in acquiring the adjacent property at 250 North Street currently owned and occupied by Umpqua Bank. Their hope is that acquisition of the property and relocation of the existing bank use would allow them to pursue options for expansion while better addressing parking issues in the area. However, under the current regulations Umpqua Bank could not readily relocate in the downtown area if they wanted to retain their existing drive-up window. With this in mind, the Co-op has initiated the proposed legislative amendment, suggesting that the proposed amendment would let them begin discussions with Umpqua Bank, and that on a broader level it might encourage some of the three other banks with drive-up windows in the "Historic Interest Area" (Wells Fargo, Chase & U.S. Bank) to consider redeveloping their sites. It should be noted that the current request is limited to the legislative amendment which the Co-op hopes would enable further discussion with their neighbors; there is no proposal for modifications to the existing sites or uses of the Co-op or Umpqua Bank at this time and any such request would require a separate land use action.

At the hearing, planning staff recommended that if the Commission were supportive of the amendment, that they include additional design standards and requirements to minimize potential impacts to the Historic Interest Area.

Following public testimony, Commissioners discussed whether relocation or redevelopment should be limited to the four existing financial institutions, if more leeway should be allowed to permit pharmacy drive-up windows, or if there should simply be a restriction that the amendment would not apply for food-related uses. The Commission also discussed whether these applications should automatically trigger a public hearing. The Planning Commission ultimately continued the matter to their June 12<sup>th</sup> meeting in order to allow for review and comment on the proposal by the Transportation Commission at its May 24<sup>th</sup> meeting.

## **II. Project Impact**

### **A. Transportation Commission Review**

The Transportation Commission considered the request at its May 24<sup>th</sup> meeting. Following testimony and Commissioner discussion, the Commission polled its members as to whether they were positive, negative or neutral with regard to the proposed legislative amendment. Two of those present were "*neutral to negative*", two were "*neutral to positive*", and one abstained from the vote. There were no specific concerns expressed through a motion and no specific recommendations with regard to potential impacts to the transportation system. Draft minutes of this meeting will be provided at the Planning Commission meeting.

### **B. Matrix**

Staff has prepared a matrix to make clear the current and proposed regulations, and has attached it as **Staff Exhibit S-5**.

### III. Procedural - Required Burden of Proof

#### 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.*

### IV. Conclusions and Recommendations

Based on last month's Commission discussion, staff has slightly revised the previous recommendations to incorporate the issues raised in terms of requiring a public hearing for each of these applications and considering limitations on food-related uses. Should the Commission ultimately wish to forward a favorable recommendation to the Council for the proposed amendment, Staff would recommend that the following items be incorporated into any ordinance amendment:

- That relocation of the four existing uses or redevelopment of their existing sites in the Historic Interest Area (HIA) be allowed as a Special Permitted Use within the C-1 and C-1-D zoned portions of the HIA subject to **"Type II"** Site Review approval.
- **That regardless of the number of drive-up windows/lanes in use in the current location, with a relocation or remodel under this amendment the number of windows/lanes would be required to be reduced to one.**
- That existing approved drive-up uses not currently in use in the HIA would be unable to be transferred into the HIA. **Relocation of existing uses or redevelopment of existing sites in the HIA would not be permitted for food- or beverage-related uses, which would remain subject to existing regulations within the HIA.** (May also simply wish to consider simply limiting to financial institutions).

- That with relocation or redevelopment, drive-up uses only be placed in a basement or on a **non-street facing (other than an alley)** secondary building elevation, only accessed from an alley or driveway, and no components of the relocated/redeveloped drive-up (i.e. structure, kiosk, window or queuing lane - but not the driveway component) may be visible from adjacent streets other than an alley.
- That driveways serving relocated drive-up uses may not enter from or exit to a higher order street frontage or through a primary elevation of the building, and that there is to be no placement of driveways or queuing lanes between a building and the right-of-way other than an alley.
- That no demolition of or exterior change to buildings considered to be historic resources be allowed to accommodate the relocation of a drive-up use or redevelopment of its site through this amendment.
- That all components of a drive-up use shall be removed within 60 days of discontinuation of the use through transfer, relocation or redevelopment.
- That a ministerial permit be required for the transfer of any drive-up use when such transfer is not associated with a Site Review application. Uses which are discontinued without a properly permitted transfer shall be deemed to have expired after being unused for 12 months.

STAFF EX. S-5 DRIVE-UP USES IN HIA	Redevelop on site (C-1/C-1-D) within HIA	Redevelop on site (E-1/Umpqua <sup>1</sup> ) within HIA	Relocate in HIA (C-1/C-1-D)	Relocate Outside of HIA
<b>Current Ordinance</b>	<b>Type I Conditional Use Permit</b> if altering how non-conforming use or site related to standards. No review would be required if there were no alterations. <i>(Any type of drive-up use could transfer to site.)</i>	<b>Type I Conditional Use Permit</b> if altering how non-conforming use or site related to standards. No review would be required if there were no alterations. <i>(Any type of drive-up use could transfer to site.)</i>	Would not be allowed without obtaining a Variance <sup>2</sup> .	<b>C-1:</b> Subject to Site Review provided location was east of the intersection of Siskiyou and Ashland. <b>E-1:</b> Would not be allowed.
<b>Proposed Amendment as Recommended</b>	<b>Type II Site Review as a "Special Permitted Use"</b> if altering how non-conforming use or site relate to standards, non-food uses would be subject to recommended standards. <i>(Food &amp; Beverage-related uses would remain subject to a Conditonal Use Permit.)</i>	<b>Type I Conditional Use Permit</b> if altering how non-conforming use or site related to standards. No review would be required if there were no alterations. <i>(Any type of drive-up use could transfer to site.)</i>	If altering how non-conforming use or site related to standards, non-food uses would require <b>Type II Site Review as a Special Permitted Use</b> subject to recommended standards. <i>(Food-related uses would not be allowed to relocate without obtaining a Variance<sup>2</sup>. )</i>	No change is proposed to current regulations. <b>C-1:</b> Subject to Site Review provided location was east of the intersection of Siskiyou and Ashland. <b>E-1:</b> Would not be allowed.

**Notes:**

1 - Umpqua Bank is unique among the four financial institutions in the HIA because it is on a split-zoned (E-1/R-2) site. Neither zoning designation allows drive-up uses, and it is thus non-conforming both for its location in the HIA and its zoning. The proposed amendment would allow it to relocate elsewhere in the HIA, but only in C-1 or C-1-D zoned areas where drive-up uses are allowed.

2 - In staff's view it would be exceedingly difficult to obtain a Variance for these purposes, as the applicants would need to not only demonstrate a site-specific circumstance necessitating the Variance, that it would have benefits outweighing any negative impacts, that it would further the purposes of the ordinances and comprehensive plan which generally discourage auto-centric uses downtown, and that it was not self-imposed by the applicants' business model, but would also need to address limitations on Variances which generally prevent their use to "to allow a use that is not in conformity with the uses specified by this Title for the district in which the land is located. "



# Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

Region 3

3500 NW Stewart Parkway

Roseburg, OR 97470

Phone: (541) 957-3692/Fax: (541) 957-3547

Thomas.Guevara@odot.state.or.us

June 1, 2012

Derek Severson, Associate Planner  
City of Ashland Planning  
51 Winburn Way  
Ashland, OR 97520

Re: Ashland Food Co-Op Legislative Amendment to C-1 & C-1-D Portions of Historic Interest Area

Mr. Severson:

Thank you for sending public notice on the proposed Legislative Amendment to Ashland Municipal Code Section 18.32.035.E as it relates to drive-up uses in Commercial Districts to allow four existing drive-up uses within the Historic Interest Area to relocate to new sites elsewhere within the Historic Interest Area. We reviewed the proposed project and determined it does not significantly affect state transportation facilities under Oregon's Transportation Planning Rule or Access Management Rule. We have no further comments at this time.

You may contact me at 541-957-3692 if you have questions or require additional information.

Sincerely,

  
THOMAS GUEVARA JR.  
Development Review Planner

# Environment

## Co-op seeks loosening of drive-thru rules

### Store hopes to buy neighboring land, but under 1984 city law, bank's drive-thru access could be lost if it moves elsewhere in the downtown

By Vickie Aldous  
Ashland Daily Tidings  
June 01, 2012 2:00 AM

An Ashland law that limits drive-thru windows in town has a new and unexpected opponent — the Ashland Food Co-op.

Adopted in 1984 in an effort to curb vehicle pollution and auto-centric development, the law allows only 12 drive-thru windows in Ashland. Drive-thru windows were banned in Ashland's historic downtown area, except for four that already existed and were grandfathered in.

The idea was that those four drive-thru windows might someday disappear as the properties changed uses.

The co-op, which is located in the historic downtown area, doesn't want a drive-thru window for itself.

But the busy grocery store — which often has a jam-packed parking lot — is interested in purchasing the property next door that houses Umpqua Bank. The co-op could then expand its parking area, according to city planning documents.

A deal between the co-op and bank is unlikely unless Umpqua can get city approval for a drive-thru window within the historic downtown area.

The co-op has proposed a change in the law to allow relocating the four grandfathered drive-thru windows in the historic downtown. To minimize visual impacts, the drive-thru facility would have to be located mainly underground or be screened from view from public streets.

Under the proposal, the four downtown sites that have drive-thru windows could also be remodeled without going through an onerous and risky planning process, as would be required now.

The other eight drive-thru windows in Ashland already can be transferred between users and locations, as long as they remain southeast of the intersection of Siskiyou Boulevard and Ashland Street, clustered mainly in the business area around Exit 14.

Co-op General Manager Richard Katz emphasized that the store has no deal in place with Umpqua Bank, but an easing of the city's restrictions on downtown drive-thru windows could open the door for productive negotiations.

The co-op moved to its current site at 237 N. First St. in 1993, before the area saw a flurry of

development, Katz said.

"We felt we had found a neighborhood that would accommodate us," he said.

As time went on, the neighborhood got more crowded as businesses sprouted along nearby A Street and downtown workers in Main Street and Lithia Way businesses began using the neighborhood for parking, Katz said.

The co-op's business also boomed, to the point where it now serves more than 3,000 customers per day, he said.

"We didn't know how successful we would be. The response to our store has been fantastic," Katz said. "We probably have one of the most popular and well-used parking lots in town."

In customer surveys, parking is listed as their biggest concern, he said.

The co-op has looked at relocating or using valet or remote parking, but those ideas aren't very feasible, he said.

The co-op began discussions with Umpqua Bank six years ago, but bank officials have been concerned about losing their drive-thru window if they moved the branch to a different downtown location, Katz said.

Katz said allowing the relocation of downtown drive-thru windows and easing the remodeling process for the four bank properties with windows could ultimately improve Ashland's appearance.

U.S. Bank is an example of modern International Style and contributes to Ashland's historical heritage, but Wells Fargo, Umpqua and Chase are not historically compatible with the downtown, according to planning documents.

In fact, the historic Ashland Hotel, a grand turreted structure that dominated a full block downtown, was razed in 1961 to make way for the plain, flat-roofed Wells Fargo building, according to planning documents.

Katz said the bank buildings are prime candidates for renovations that could make them more attractive and historically compatible with the downtown area.

The proposal to loosen city rules on the downtown drive-thru windows has recently gone before the Planning Commission and Transportation Commission, and is due back before the Planning Commission in June.

Some commissioners have voiced support for elements of the proposal, such as easing the banks' ability to remodel their properties, but have raised concerns about other aspects, including the increased chance that the drive-thru windows would stay in operation indefinitely in the downtown area, rather than fading away over time.

Planning staff members have recommended rules to minimize impact. The rules would include that the facilities be located primarily underground, be accessible only from a driveway or alley and not be visible from any adjacent streets.

The Planning Commission will take up the issue again at 7 p.m. June 12 in the Ashland Civic Center Council Chambers, 1175 E. Main St. The issue could go before the Ashland City Council for a final decision in mid-July, according to city staff.

Staff reporter Vickie Aldous can be reached at 541-479-8199 or [vlaldous@yahoo.com](mailto:vlaldous@yahoo.com).

**TYPE II  
PUBLIC HEARING**

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**#2012-00575**



**PLANNING ACTION: 2012-00575**

**SUBJECT PROPERTY: 1155 East Main Street**

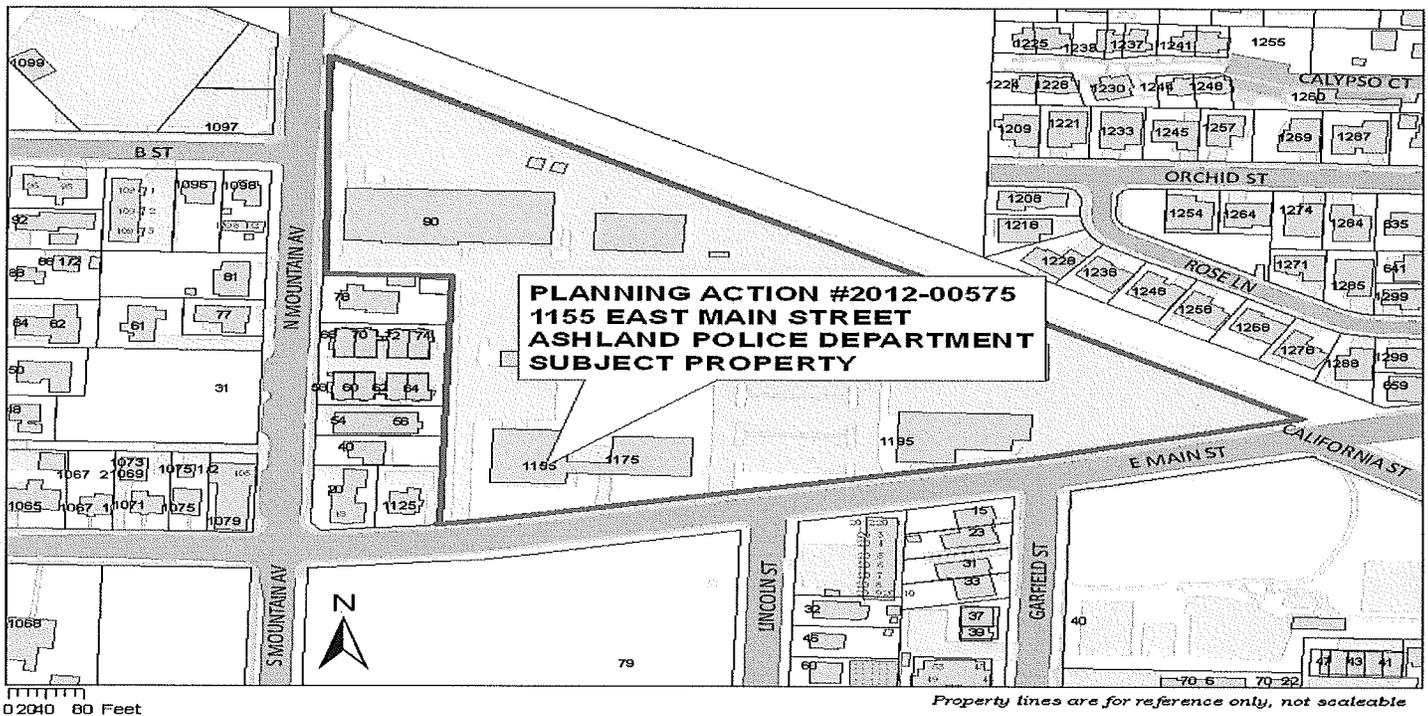
**OWNER/APPLICANT: City of Ashland/Ashland Police Department**

**DESCRIPTION:** A request for Site Review approval to construct a 3,016 square foot addition and associated site improvements for the Ashland Police Department located at 1155 East Main Street. This addition is the first phase of a multi-phase project over the next five years; subsequent phases will include a 1,975 square foot addition, additional parking, and site improvements to bring the site more in line with current standards.

**COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP #:** 39 1E 10; **TAX LOT #:** 900

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **June 7, 2012 at 6:00 p.m.** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

**ASHLAND PLANNING COMMISSION MEETING: June 12, 2012 at 7:00 PM, Ashland Civic Center**



Notice is hereby given that a PUBLIC HEARING on the following request with respect to the ASHLAND LAND USE ORDINANCE will be held before the ASHLAND PLANNING COMMISSION on meeting date shown above. The meeting will be at the ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, either in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

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, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. 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.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 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 I).

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division, 541-488-5305.

## **SITE DESIGN AND USE STANDARDS**

### **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.
- 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.

## **TREE REMOVAL**

### **18.61.080 Criteria for Issuance of Tree Removal - Staff Permit**

An applicant for a Tree Removal Permit shall demonstrate that the following criteria are satisfied. The Staff Advisor may require an arborist's report to substantiate the criteria for a permit.

- A. Hazard Tree: The Staff Advisor shall issue a tree removal permit for a hazard tree if the applicant demonstrates that a tree is a hazard and warrants removal.
  1. A hazard tree is a tree that is physically damaged to the degree that it is clear that it is likely to fall and injure persons or property. A hazard tree may also include a tree that is located within public rights of way and is causing damage to existing public or private facilities or services and such facilities or services cannot be relocated or the damage alleviated. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard or a foreseeable danger of property damage to an existing structure and such hazard or danger cannot reasonably be alleviated by treatment or pruning.
  2. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.
- B. Tree that is Not a Hazard: The City shall issue a tree removal permit for a tree that is not a hazard if the applicant demonstrates all of the following:
  1. The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards, including but not limited to applicable Site Design and Use Standards and Physical and Environmental Constraints. The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and
  2. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; and
  3. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. Nothing in this section shall require that the residential density be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Ashland Land Use Ordinance.
  4. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.  
(ORD 2951, 2008; ORD 2883, 2002)

**ASHLAND PLANNING DIVISION  
STAFF REPORT  
June 12, 2012**

**PLANNING ACTION:** PA-2012-00575

**APPLICANT:** City of Ashland  
Ashland Police Department

**LOCATION:** 1155 East Main Street  
Map 39 1E 10, Tax Lot #900

**COMPREHENSIVE PLAN DESIGNATION:** Employment (E-1)

**APPLICATION DEEMED COMPLETE:** June 3, 2012

**120-DAY TIME LIMIT:** October 1, 2012

**ORDINANCE REFERENCE:**

18.40	E-1 Employment District
18.61	Tree Preservation and Protection
18.72	Site Design Review
18.92	Parking, Access & Circulation

**REQUEST:** A request for Site Review approval to construct a 3,016 square foot addition and associated site improvements to bring the site more into compliance with current standards including additional parking, landscaping and hardscaping improvements for the Ashland Police Department located at 1155 East Main Street. This addition is the first phase of a multi-phase project, with a subsequent phase to include another 1,975 square foot addition and associated site improvements within two to five years.

**I. Relevant Facts**

**A. Background - History of Applications**

In March of 2009, a Site Review permit (**Planning Action #2009-00216**) was administratively approved to allow the construction of a 40-foot by 48-foot carport behind the existing Ashland Police Department building at 1155 East Main Street.

In February of 2008, a Site Review permit (**Planning Action #2008-00164**) was administratively approved to allow the expansion of the employee parking lot behind the existing Ashland Police Department building at 1155 East Main Street.

In July of 1998, a Site Review permit (**Planning Action #1998-00054**) was administratively approved to allow the construction of an 8,000 square foot mixed-use service building for the Ashland Community Youth and Family Resource Center now designated as "The Grove" and addressed as 1195 East Main Street. This proposal was identical to Planning Action #1997-00040 which had expired without being constructed.

In November of 1997, a request was made for Site Review permit approval (**Planning Action #1997-00100**) to allow the construction of a 7,800 square foot city office building which would have housed the Community Development and Public Works departments at 1175 East Main Street. This request was approved by the Planning Commission in April of 1998, but prior to moving ahead with the proposal, the Council created a citizen commission to look at the issue. It was ultimately determined that these city offices and the services they provided should be retained as a vital part of the downtown core. With this in mind, the city ultimately acquired the former Hillah Temple building which now houses the Community Development and Engineering Services Building at 51 Winburn Way.

In May of 1997, a Site Review permit (**Planning Action #1997-00040**) was administratively approved to allow the construction of an 8,000 square foot mixed-use service building for the Ashland Community Youth and Family Resource Center for the site now addressed as 1195 East Main Street. This approval expired without the building ever being constructed.

In October, 1993, the Planning Commission approved a Site Review permit (**Planning Action #1993-00127**) for the construction of a 10,100 square foot city office building to be located to the rear of the City Council Chambers. The findings were adopted in October of 1993, but were subsequently appealed by the City Council. In November of 1993, the Council upheld the Planning Commission's approval, however the findings for that Council decision were never adopted and in December of 1993 the Council voted to withdraw the application.

In November of 1982, the Planning Commission approved a Site Review permit (**Planning Action #1982-00075**) to allow the construction of a new public warehouse facility now addressed as 90 North Mountain Avenue.

In October of 1980, the Planning Commission approved Site Review and Conditional Use permits (**Planning Action #1980-00078**) to allow the construction of the Justice Center/Council Chambers now addressed as 1175 East Main Street.

There are no other planning actions of record for this site.

## **B. Detailed Description of the Site and Proposal**

The subject property is an irregularly-shaped, roughly triangular 8.48 acre parcel located just east of the intersection of East Main Street and North Mountain Avenue. The property is bounded on its north side by the railroad tracks, on its south side by East Main Street, and on its west side by North Mountain Avenue. The property currently contains a Public Works warehouse and associated offices for several of the city's utility departments at 90 North Mountain Avenue, the Ashland Police Department at 1155 East Main Street, the Ashland City Council Chambers and Municipal Court building at 1175 East Main Street, and The Grove, a community center building at 1195 East Main Street. The remainder of the site includes outdoor parking areas and associated site landscaping, and indoor and outdoor

material storage areas for the various city departments housed on site, including electric, water, wastewater, fiber network, streets, fleet, facilities, purchasing and warehousing. The site is located in the Employment (E-1) zoning district, and is designated for “Public Schools & Facilities” in the Comprehensive Plan. It was purchased in the 1970's for the purpose of relocating city facilities from other locations around the city into a consolidated location as well as to provide sufficient area for the storage for materials.

The site is largely flat and paved to accommodate the parking and circulation associated with the various city functions occurring on the site, and is generally devoid of significant natural features. Vegetation on the site is limited to landscaping at the perimeter and in the parking areas, with the only substantial green space in the form of lawn area along the frontages of the Police Department and City Council Chambers buildings and directly behind the City Council Chambers. The attached exhibits include aerial photos which illustrate the site in its current condition.

Tree inventory and tree preservation plans have been provided identifying 51 trees on the area of the subject property proposed to be disturbed. Of these, eight trees greater than six-inches in diameter-at-breast-height (d.b.h.) are proposed to be removed over the two phases of the project. As a city-owned property, only the removal of trees defined as “significant” by having a diameter greater than 18-inches d.b.h. triggers Tree Removal Permit requirements, and in this instance none of the trees to be removed are large enough to be considered significant or require permit review.

The Ashland Police Department building, located at the southwestern corner of the subject property along East Main Street, is currently an approximately 6,400 square foot, single-story building constructed in the 1980's and set back approximately 50 feet back from East Main Street. Access to the subject property is via a driveway from East Main that runs along the southwestern boundary of the property, at the west side of the existing Police Department building. This driveway provides gated access for employees to a parking area which presently contains approximately 33 surface spaces behind the building, including ten covered spaces under a carport. Additional public parking is shared with the Grove, Council Chambers and Municipal Court facilities and is located in a surface lot containing approximately 75 spaces between the Council Chambers and the Grove, with two driveway entrances off of East Main Street. East Main Street is classified as a Boulevard or Arterial within the current Transportation System Plan, and is currently paved with bike lanes, curbs, gutters, storm drains, and curbside sidewalks in place. Street trees are planted and well-established behind the sidewalks along the full frontage of the parent parcel.

## **II. Project Impact**

The proposal involves a request for Site Review approval to construct a 3,016 square foot single-story addition at the rear of the existing Ashland Police Department building. A subsequent phase to occur within five years would include a second 1,975 square foot addition beside the first. Associated improvements to the parking, circulation and landscaped areas of the Police Department's portion of the subject property would be completed in conjunction with the project, largely as part of the first phase as funding allows.

The basis for the project's proposed phasing is directly related to the funding source. The project is being funded with federal money from drug forfeitures, and there are limits on the

amount of money available in a given fiscal year, necessitating the proposed incremental development. The first phase would consist of the larger addition proposed herein, with the front entry plaza and landscaping improvements to be completed within two years of the completion of the addition. The proposed reconfiguration and addition of parking areas is to be completed prior to the commencement of the second phase which would begin no later than five years after completion of the first addition. The second phase addition would be subject to a separate land use approval prior to its commencement.

In this zoning district, only additions up to a 20 percent increase in floor area may be approved administratively. Because the proposed Phase One addition amounts to an approximately 48 percent addition to the existing building, AMC 18.108.040.A.1.c requires that the application be reviewed by the Planning Commission through a Type II public hearing process.

### **A. Site Review**

In considering a request for Site Review approval, the first criterion is that, “All applicable City ordinances have been met or will be met by the proposed development.”

The Employment (E-1) zoning district is intended “to provide for a variety of uses such as office, retail, or manufacturing in an aesthetic environment and having a minimal impact on surrounding uses.” Outright permitted uses include “public and quasi-public utility and service buildings and yards, structures, and public parking lots... excluding electrical substations.” The existing and proposed uses are consistent with these allowances, and the site is specifically identified in the Comprehensive Plan as accommodating public facilities. There is no minimum lot size or width requirement within the E-1 district, and the only yard requirements are that when abutting a residential district a side or rear yard of ten feet per story must be provided. As proposed, the property abuts residentially zoned property to the west and with a setback of 48 feet, substantially more than the required ten-foot per story side setback is provided for both the existing building and proposed addition.

The height limitation in E-1 is 40 feet, and the proposed building addition is only approximately 25 feet in height at the ridge peak. Solar Access requirements apply within the E-1 under Standard B which limits any shadow cast by a building on the property to no more than would be cast by a 16-foot fence on the subject property’s north property line. As defined in the Solar Ordinance the north property line would be on the opposite side of the railroad right-of-way at the north of the parent parcel, approximately 600 feet north of the proposed addition and providing ample separation to allow compliance.

Neither the Ashland Municipal Code’s Off-Street Parking Chapter (18.92) nor the Institute of Transportation Engineer’s Parking Generation manual identify a specific parking requirement associated with police facilities. With regard to “unspecified uses”, AMC 18.92 provides that where automobile parking requirements for any use are not specifically defined, such requirements are to be determined by the Staff Advisor based upon the most comparable use specified in this section and other available data. In discussions with the applicants, they have noted that the parking requirement is somewhat unique in that staff, officer and police vehicle parking must all be maintained separately from public parking, and in addition there

is often the need to accommodate both impounded vehicles and vehicles which may be being held as evidence in active cases. The applicants have provided the following breakdown of their identified parking demand based on these operational requirements.

<b>Specified Police Use</b>	<b>Spaces Required (with expansion)</b>
Staff Parking (1/employee on largest shift)	18
Parking for Marked Police Vehicles	8
Detective Vehicles	4
Deputy Chief Vehicle	1
Traffic Patrol Vehicle	1
Volunteer Vehicles	2
Community Service Officer Vehicle	1
Impounded Vehicles	5
<b>TOTAL SPACES REQUIRED</b>	<b>40</b>

Public parking for the Police Department, Municipal Court and the Grove Community Center is already in place on the subject property, and no increase in demand is anticipated in conjunction with the current request. Based on the operational requirements of the department, staff believes that the parking proposed is an appropriate amount.

With 40 parking spaces to be provided, a minimum of eight bicycle parking spaces must also be made available. One half of these spaces must be covered; all bicycle parking must be designed according to the rack, dimension, and coverage standards of AMC 18.92.040; and bicycle parking must be located as close to the primary public entrance as the nearest automobile parking spaces. As proposed, the applicants have identified six new bicycle parking spaces to be installed, and these appear to be in addition to the four spaces now on site, complying with the requirement. A condition has been recommended below to require that the final building permit submittals demonstrate compliance with the requirements of AMC 18.92.040 in terms of the number of bicycle parking spaces and their placement, and coverage.

In staff's assessment, with the conditions recommended, the project meets all applicable ordinance requirements of the City of Ashland.

The second approval criterion for Site Review approval is that, "*All requirements of the Site Review Chapter have been met or will be met.*"

Developments within the E-1 zoning district must provide at least 15 percent of the subject property in landscaped area, and at least seven percent of parking areas must be provided in landscaping. As proposed, the application retains approximately 31.4 percent of the Phase One site area in landscaping, and the calculation provided note that approximately 18 percent of the proposed parking area will be provided in landscaping where only seven percent is required.

Trash and recycling facilities are already in place elsewhere on site to serve the various city functions already established, and are not to be altered with the current request.

A condition of approval has been recommended below to require that all new lighting fixtures be identified in the building permit submittals, and that details of any necessary shrouding and screening be provided as well, to insure that the Site Review chapter's prohibitions on direct illumination of adjacent properties will be satisfied.

The third criterion for Site Review approval is that, *"The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*

The Site Design and Use Standards do not have specific requirements for the development of public buildings, and as such the proposed addition is subject to Basic Site Review Standards for Commercial Development, as has been the case with recently-approved School District, University and Fire Department projects. The Basic Site Review Standards place a strong focus on addressing a building's sense of entry and relationship to the adjacent pedestrian streetscape, and with few exceptions call for the placement of buildings no more than 20 feet from the street. In this case, the existing building is at approximately 50 feet from the street, and the placement of the proposed addition at the rear of the building does little to improve compliance with these standards. The application materials suggest that the topography necessitated the building's original placement, and that placement of the proposed addition at the street now would prove difficult due to the topographic constraints, the need to relate to the existing building's interior spaces, and the project budget. In lieu of placing the addition to bring the existing building and site more into compliance with these standards, the applicants have proposed to modify the hardscape and landscape treatments in the entry area between the two buildings to enhance the two buildings' sense of entry by creating a more inviting, people-friendly space near the two entrances that better relates to the pedestrian streetscape. The applicants are also considering replacing the existing turf areas at the front of the site, which are generally discouraged in the Site Design and Use Standards "Water Conserving Landscaping Guidelines and Policies" with lower water use plantings. Preliminary plans for these improvements have been provided, and a condition has been included to require that size- and species-specific landscaping and irrigation plans be provided for the review and approval of the Staff Advisor with the building permit submittals.

Parking lot landscaping and screening standards require that seven percent of the parking lot area be provided in landscaping, that one parking lot tree be provided per each seven parking spaces, that the landscaping be distributed throughout the parking area, and that a minimum five-foot width landscape buffer is provided at property lines/boundaries to buffer adjacent properties or uses. Subsequent to the initial public notice for the hearing, a neighbor residing in residentially zoned property to the west of the addition raised concern that the existing landscape buffer on the west side of the drive be maintained. The application notes that this buffer, which is approximately 12 feet in width where only five feet is required, is to be maintained and enhanced with new landscaping to ensure adequate screening of the addition from the adjacent residences.

The application materials provided include a request for Exceptions to the Site Design and Use Standards to address existing non-conformities with the current site's development, including: 1) the existing building's sense of entry and relationship to the Main Street streetscape is not consistent with basic site review standards; 2) that the existing site

landscaping is not consistent with the landscaping standards; and 3) that the existing parking lot is not consistent with the parking lot design, landscaping and screening requirements. These items are discussed in the application submittals as Exceptions, and site improvements to address each of the non-conformities are proposed as part of the overall phasing timeline. The Site Design and Use Standards in Section II-C-1g actually allow for existing non-conformities to be addressed incrementally to a degree proportional to the percentage of the addition proposed; because the application is identifying the existing non-conformities and seeking to address them through II-C-1g, staff does not believe they constitute Exceptions.

Recognizing the value of the proposed addition in improving the functionality of the existing public facility and the vagaries of the funding source, staff has accordingly recommended conditions below which seek to ensure that these non-conformities are proportionally addressed through the project's phasing. These include requirements that:

- *Phase One building permit submittals shall include revised landscape and irrigation plans which address the low water use landscaping proposed along the frontage of the Police Station and Municipal Court buildings, and the hardscape and landscape improvements to create an enhanced entry plaza for the review and approval of the staff advisor. These improvements shall be completed according to approved plan no more than two years following completion of the first phase addition, inspected and approved by the Staff Advisor.*
- *Phase One building permit submittals shall include revised parking lot design drawings reflecting the requirements to include drainage swales within the landscape medians as required in the parking design standards. The improvements associated with the parking lot expansion shall be completed according to approved plan prior to submittal of a land use application for Phase Two, inspected and approved by the Staff Advisor.*

The final criterion considered in reviewing a Site Review permit request is, "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." The application submittals indicate that city facilities for water, sewer, paved access to and through the development, electricity and urban storm drainage are already in place serving the existing building and are adequately sized to continue to serve the proposed expansion.

In discussing the existing facilities with the Building Official to confirm this assessment, it was noted that there are in fact potentially significant issues with the existing electrical services for the Ashland Police and Municipal Court buildings. Both buildings are currently served by a common transformer and a propane-fueled back-up generator, and as such, changes to the Police Department impact both buildings. The existing generator is rated to carry 347 Amps; the Electric Department recently recorded maximum currents of 269 Amps and 210 Amps for the Police and Courts buildings, respectively. Therefore the existing generator is not rated to carry the combined loads of both existing buildings in their present configuration, before the proposed addition. In addition, the existing 400 Amp transfer switch serving as the service entrance to both buildings is not listed or proper for this function, and a main service disconnect is not installed. As with the generator, the switch is also undersized for the electrical loads of the existing buildings, without taking the added

load of an addition into consideration. Finally, the feeder from the generator in the Police building is not rated to carry the anticipated load of the new addition. The anticipated total load is 475 Amps for the existing buildings and two additions proposed. The feeder has been verified by the Electric Department as consisting of two parallel feeds of #300 aluminum which is rated for only 460 Amps. The feeder from the generator to the Courts building is similarly at its maximum capacity, with a measured load of 210 Amps being carried on a single set of #300 aluminum rated for 230 Amps.

The Building Official has met on site with the applicant's project team including engineers from local firm Marquess & Associates, Inc. and the following approach to resolving these issues has been identified:

- *The existing transformer will need to be replaced.*
- *A new electrical service will need to be provided for the Police Department building.*
- *The old Police Department main panel is to serve as a distribution panel, and a 100-Amp panel will need to be connected to this distribution panel to serve select loads.*
- *The existing generator will continue in service, but will need to be modified to provide service disconnect and overcurrent protection.*
- *Emergency power is to be provided to designated emergency egress lighting by retrofitting battery back-up ballasts which will enable the transfer of power from the normal source to the battery back-up at the fixtures in both buildings.*

As this report is being prepared, the Building Official has indicated that this proposal could provide an acceptable means to resolve the identified issues subject to approval of a final design, however an electrical service plan reflecting the changes necessary has not yet been provided. A condition has accordingly been recommended below to require that a final electrical service plan which addresses these issues be provided prior to the building permit submittal for the review of the Building, Planning, Public Works and Electrical Departments. During the Public Works Division's review of the proposal, Engineering staff has also indicated that while the proposed first phase does not involve an increase in impervious surfaces because the proposed addition is to be constructed over an already-paved area, with the second phase more than 5,000 square feet of new impervious surface could be created with the removal of a lawn area and construction of additional parking areas. The City's Engineering Department will ultimately need to review and approve a final, engineered storm drainage plan and determine that the post-development peak flows are less than or equal to the pre-development peak flow for the site as a whole, and that storm water quality mitigation is addressed through the final design.

This new parking area is also subject to current design standards which include specific requirements to address parking lot drainage while minimizing environmental and microclimatic impacts. AMC 18.92.080.B. requires that parking areas meet specific standards including that:

- *Parking areas shall be designed to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection. Parking areas of more than seven parking spaces shall meet at least one of the following standards or put 50 percent of the parking underground:*

- ✓ *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 percent of the parking area surface.*
- ✓ *Provide porous solid surfacing or an open grid pavement system that is at least 50 percent pervious for a minimum of 50 percent of the parking area surface.*
- ✓ *Provide at least 50 percent shade from tree canopy over the parking area surface within five years of project occupancy.*
- ✓ *Provide at least 50 percent shade from solar energy generating carports, canopies or trellis structures over the parking area surface.*
- *Design parking areas of more than seven spaces and other hard surface areas in a way that captures and treats run-off on site in landscaped medians and swales.*
- *Parking lots with 50 spaces or more are to be divided into separate areas by the placement of buildings or the installation of landscape areas with walkways at least 10 feet in width, plazas, streets, or driveways with street-like features including raised sidewalks of at least five feet in width, six-inch curbs, accessible curb ramps, street trees in planters or tree wells and pedestrian-oriented lighting.*

The application materials provided indicate that the new parking area is to be installed entirely in permeable material, and with this type of installation the Engineering Division will not likely require on-site detention. In considering this proposal, staff notes that all parking areas in excess of seven spaces are to be designed to capture run-off in landscaped medians and swales, and given that the new parking area proposed includes more than seven spaces it is required to provide landscaped medians and swales. A condition has been recommended below to require that the site plans be modified to include required swales in the new parking area to comply with current standards prior to the submittal of a building permit.

East Main Street is a city street and is classified as a Boulevard or Arterial within the current Transportation System Plan. East Main Street is currently fully improved, with two paved travel lanes, bike lanes, curbs, gutters, storm drains, curbside sidewalks and street trees in place, and no further improvements are recommended or proposed.

In staff's opinion, with the conditions recommended below the application can be found to satisfy the requirements for Basic Site Review approval.

## **B. Tree Removal**

Tree inventory and tree preservation plans have been provided identifying 51 trees on the area of the subject property proposed to be disturbed. Of these, eight trees greater than six-inches in diameter at breast height (d.b.h.) are proposed to be removed over the two phases of the project. As a city-owned property, only the removal of trees defined as "significant" by having a diameter greater than 18-inches d.b.h. triggers Tree Removal Permit requirements, and in this instance none of the trees to be removed are large enough to be considered significant or require permit review.

As this staff report is being prepared, the Tree Commission has not yet reviewed the request and as such, a condition of approval has been recommended below to incorporate their recommendations as conditions of approval.

### **III. Procedural - Required Burden of Proof**

**The applicable criteria for Site Review approval are described in AMC 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.*

### **IV. Conclusions and Recommendations**

The building as it exists is setback more than would allowed under the current Site Design and Use Standards and does not present a strong public entrance to East Main Street. The placement of the addition behind the existing building is noted by the applicants as being necessitated by topography and the need to respond to programming of the existing building space within available funds, but does little to improve the building's relationship to the street. As such, the applicants have proposed to modify the landscaping and hardscaping treatment between the Ashland Police Department and the Municipal Court to enhance the building's sense of entry and relationship to the street through the creation of a more inviting, people-friendly space near both entrances. In staff's view, enhancement of this space would be a substantial benefit and greatly improve the sense of entry and functionality of both buildings.

Staff believes that with the conditions recommended below, the application can be found to satisfy the applicable Site Review approval criteria to construct the addition proposed. Should the Planning Commission choose to concur with this recommendation, we recommend that the following conditions be attached:

- 1) That all proposals of the applicant be conditions of approval unless otherwise modified herein, including that new parking areas shall be installed and maintained in permeable materials.
- 2) That a sign permit shall be obtained prior to the installation of any new signage, and all signage shall meet the requirements of Chapter 18.96, including any applicable requirements to provide adequate vision clearance areas.
- 3) That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify the Site Design Review approval shall be submitted and approved prior to issuance of a building permit.
- 4) All conditions of the Tree Commission as detailed in their recommendations of June 7<sup>th</sup>, 2012 shall be conditions of approval where consistent with applicable ordinances and standards and with final approval of the Staff Advisor, and shall be incorporated

into revised Landscaping and Irrigation Plans to be provided with the building permit submittals.

- 5) That, if deemed necessary by the Building Official, a Demolition/Relocation Permit approval shall be obtained from the Building Division prior to issuance of a demolition permit or commencement of demolition work for the existing carport on site.
- 6) That the building permit submittal materials shall include:
  - a) Identification of all easements, including but not limited to public and private utility easements.
  - b) Phase One building permit submittals shall include revised landscape and irrigation plans which address the low water use landscaping proposed along the frontage of the Police Station and Municipal Court buildings to satisfy the requirements of the Site Design and Use Standards' Water Conserving Landscaping Guidelines and Policies, and the hardscape and landscape improvements to create an enhanced entry plaza for the review and approval of the staff advisor. These improvements shall be completed according to approved plan within two years of completion of the first phase building addition, inspected and approved by the Staff Advisor.
  - c) Phase One building permit submittals shall include revised parking lot design drawings reflecting the requirements to include drainage swales within the landscape medians as required in the parking design standards. The improvements associated with the parking lot expansion shall be completed according to approved plan prior to submittal of a land use application for Phase Two, inspected and approved by the Staff Advisor.
  - d) A final electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Planning, Building, Engineering and Electric Departments prior to the issuance of a building permit. Electrical services shall be installed underground, and any transformers or cabinets shall be located in areas least visible from streets, while considering the access needs of the Electric Department.
  - e) That exterior building materials and paint colors shall be compatible with the existing structure and surrounding area, and sample exterior building colors shall be provided with the building permit submittals for review and approval of the Staff Advisor.
  - f) That the location and final engineering for required storm drainage improvements associated with the project, shall be submitted for review and approval by the Departments of Public Works, Planning and Building Divisions. The storm drainage plan shall demonstrate that post-development peak flows are less than or equal to the pre-development peak flow for the site, and that storm water quality mitigation, if deemed necessary by the Engineering Division, has been addressed through the final design.
  - g) That a final utility plan shall be submitted for review and approval by the Engineering, Building and Planning Divisions. The utility plan shall include the location of connections to all public facilities in and adjacent to the

development, including the locations of water lines and meter sizes, fire hydrants, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins, and locations of all primary and secondary electric services including line locations, transformers (to scale), cabinets, meters and all other necessary equipment. Transformers and cabinets shall be located in areas least visible from streets, while considering the access needs of the Electric Department.

- 7) That a Tree Verification Permit shall be applied for and approved by the Staff Advisor prior to site work including building demolition, storage of materials, or permit issuance. The Verification Permit is to inspect the identification of the trees to be removed and the installation of tree protection fencing for the other trees that are to be retained on the subject property. The tree protection shall consist of chain link fencing six feet tall and installed in accordance with AMC 18.61.200.B and the approved Tree Protection Plan, and shall be inspected and approved by the Staff Advisor prior to site work including demolition, storage of materials or permit issuance.
- 8) That prior to the issuance of a certificate of occupancy:
  - a) In addition to the two existing “inverted U” racks already in place, six bicycle parking spaces shall be installed in accordance with the approved plan and the design and rack standards in 18.92.040.I and J prior to the issuance of the certificate of occupancy. Inverted u-racks shall be used for the bicycle parking, and the building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met in accordance with 18.92.040.I.
  - b) That any improvements to the sidewalk or adjacent public right-of-way, including but not limited to the new walkway from the sidewalk providing connection the enhanced plaza space, shall be installed to City of Ashland standards under permit from the Public Works Department and in accordance with the approved plan prior to the issuance of a certificate of occupancy.
  - c) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
  - d) That all hardscape improvements, landscaping, and irrigation shall be installed according to the approved plan, inspected, and approved by the Staff Advisor prior to the issuance of a certificate of occupancy.
- 9) That prior to the commencement of Phase Two:
  - a) That the proposed Phase One parking expansion shall be completed according to the approval plans, inspected and approved by the Staff Advisor.
  - b) That the applicants shall obtain Site Review and building permit approval for Phase Two.

May 03, 2012

ASHLAND POLICE FACILITY EXPANSION **PLANNING CRITERIA FOR APPROVAL**

**Chapter 18.72.070 Criteria for Approval**

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

The following findings address the conditions and comments stated in the Pre-Application Conference Report as prepared by Derek Severson, Associate Planner, City of Ashland and to the best of my knowledge address the applicable City Ordinances requirements.

**B. All requirements of the Site Design Review Chapter (18.72) have been met or will be met.**

1. **Approval Process per Chapter (18.72.040)**

a. **Applicability**

*All new structures, additions or expansions in E-1 zone*

b. **Plans Required**

Drawing List

G1 Index Sheet

A1.1 Existing Site Plan (For Reference Only)

A1.2 Site Demolition Plan

A1.3 Phase 1 Site Plan (Base Bid)

A1.4 Phase 2 Site Plan & Alternates

A1.5 Phase 1 Enlarged Site Plan & Details

A3.1 Phase 1 Floor Plans

A6.1 Phase Exterior Building Elevations

L1 Landscape Site Plan

L2 Tree Protection Plan

L3 Irrigation Plan

L4 Planting Plan

(See attached)

c. **Method and type of energy to be used for conditioning and lighting and annual amount use and methods to make approximation.**

Variable Refrigerant Flow (VRF), electricity. 110,000kWh per year, based on bin data and published energy efficiency and coefficient of performance values for the new heat pump equipment.

2. **Applications, per Chapter (18.108.017)**

A. **Complete Application**

a. **All of the required information for the specific action requested.**

a) Type II planning action

b) Priority planning action NOT requested

b. **Written findings of fact.**

**18.72.090 ADMINISTRATIVE VARIANCE FROM SITE DESIGN AND USE STANDARDS:**

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 the site;**

1. **Site Topography and Access**

The original site topography slopes approximately 11' from the high point at the East Main Street frontage to the low point at the north assumed property line.

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The original building, designed in 1980, was based on a two function building housing the Police and the Municipal Court. The complex was located on average about 50' back from the East Main Street frontage to allow for slope conditions. Even with a 50' setback the site cut created a 4'+/- high embankment between the Police building finished floor and the street frontage level. The original documents indicate no access from East Main Street, only from the east public parking lot, because of the topography conditions and parking location. The current sloped walk from East Main Street to the facility entry plaza was added at an unknown latter date. In order to comply with the 20' frontage setback significant excavation and retaining wall installation with ramping would be required in the 20' setback at significant cost to the Police expansion project with no improvement for facility access over what now exists. Aesthetically the building, if located at a 20' setback, would appear to be down in a hole with only the upper half exposed. The gradual slope to the existing plaza is a significantly better solution both aesthetically and functionally. The open landscaped sensation and building architecture is very appealing for this particular facility.

## 2. Building Function

Police facility function is critical for best performance of police activities. The patrol department is located between parking and muster; evidence adjacent to patrol; investigation between patrol and administration; administration between investigations/patrol and the public meeting space directly off the public lobby. Locating the police facility addition to the north (back) of the existing building provided a functional arrangement consistent with the above relationships at least cost to the project. There is not sufficient space between the building and street frontage to allow for the required Phase I and Phase II building expansions. If space were added at the building front additional space would be needed at the rear, requiring significant exterior and interior remodeling, relocation of the existing solar array, increased construction costs and no improvement in the police function.

## 3. Hardscape/Landscape

The current landscape and majority of hardscape was installed during the original facility construction completed in 1981. The landscape has since matured and is well maintained by the City. To increase a sense of street entry, design improvements are proposed at the street frontage and walk connection at the existing entry-walk/plaza. These alterations will increase the awareness of entry place and allow citizens to gather and discuss in larger groups. Landscaping will be added at the existing parking lot to comply as best possible with the current Site Design Standards. The City Facilities and Police Departments will be collaborating on a remodel of the frontage landscaping along East Main Street to achieve better compliance with the low water usage and drought resistant plant materials. The improved entry walk/plaza, front landscape remodel and the parking lot landscape improvements will be completed as part of Phase II.

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

No change is proposed that would alter the existing character or relationship of the Police Facility to the surrounding land uses. Approval of the requested variance will not negatively impact adjacent properties.

*C. Approval of the variance (exception) is consistent with the stated purpose of the Site Design and Use Chapter; ["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."][“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 project is outside a ‘Detail Site Review Zone’, and as such needs to comply with Basic Site Review Standards only.”]*

**The Basic Site Review Standards are:**

*1a.1) Orientation and Scale, “Buildings shall have their primary orientation toward the street.” The Police/Courts building has its primary orientation to the street.*

*1a.2) Building entrances shall be located within 20 feet of the public right-of-way. The Police/Courts building is setback greater than 20 feet and will require a variance for the stated discussion in A.1 above.*

*1a.3) NA*

*1b) Streetscape, This is a mature landscaped site (since 1981) and street trees are in place.*

*1c.1) Landscape to cover 50% in one year.... The landscape is mature.*

*1c.2) Landscaping design shall utilize a variety of low water use, deciduous and evergreen trees, shrubs and flowering plant species. The existing mature landscape incorporates all of the above except for turf which is under consideration by the Facilities and Police Departments for replacement as part of Phase II that will meet the low water use criteria.*

*1c.3) Buildings adjacent to streets shall be buffered by landscaped areas at least 10' in width ..... The existing mature landscape meets this requirement.*

*1c.4) Irrigation systems shall be installed ..... There is an installed irrigation system.*

*1c.5) Efforts shall be made to save as many existing healthy trees and shrubs on the site as possible. Two trees will be removed for Phase I work and two to four removed for Phase II work.*

*1d.1) Parking areas shall be located behind buildings or on one or both sides. The parking is located behind the building.*

*1d.2) Parking area shall be shaded by deciduous trees, buffered from adjacent non-residential uses and screened from non-residential uses. Screening is in place between this project and adjacent residential uses. Parking lot shading and landscaping will be provided as part of Phase II construction.*

*1e) Designated Creek Protection..... NA*

*1f) Special attention to glare and noise shall be considered .... The proposed addition to the Police Facility will not change the existing glare or noise conditions.*

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1g) For sites which do not conform to the above requirements (1a through 1f), an equal percentage of the site must be made to comply with the above standards as the percentage of building expansion.... The building expansion is a 48% increase of the existing building. Of the three above items that do not meet the Basic Site Review Standards the following is proposed: For 1a.2) a new site entry Plaza is proposed to enhance the perception and connection of the main building entry to the streetscape. This new entry Plaza will be provided as part of Phase II work. 1c.2) A revised front landscape plan will be provided as part of Phase II work. 1d.2) Parking lot tree shading and planting will be provided as part of Phase II work.

D. *The variance (exception) requested is the minimum variance which would alleviate the difficulty;*

The variance requested will satisfy the Basic Site Review Standards with the least jeopardy to the existing conditions.

E. *Or where no demonstrable difficulty is found to exist, granting the exception (variance) will result in a design that equally or better achieves the stated purpose of the Site Design and Use Standards.* The existing completed Police/Courts project is in fundamental compliance with the City's current Site Design and Use Standards with the exception of building setback, low water plants and parking lot shading. Building setback is the only item that can be changed and granting this exception will result in maintaining the existing building appearance and site setting, both of which are aesthetically pleasing and appropriate for the location in the City.

c. *Complete and signed application form (Zoning Permit Application)*

See attached completed application form.

B. *Pre-Application Conference*, completed on February 13, 2012 with Derek Severson.

C. *Priority Planning Action*. Not Requested.

D. *Types of Procedures (18.108.020)*

1. *Ministerial Actions* – NA

2. *Planning actions* – Yes

c) Type II Procedure (18.108.050)

d) Zone E-1

- 1) Addition of 3,050sf to existing Police Facility, a 48% increase, exceeds 20% building increase for a Type I Procedure and project must be reviewed as a Type II Procedure requiring a Public Hearing.
- 2) NA
- 3) Impervious surface will not increase greater than 10%
- 4) Parking spaces will be reorganized within the existing paved area
- 5) No change of occupancy

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- 6) No change in use of lot
- 7) NA
- 3. Legislative amendments – NA

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

1. a. **Landscaping Requirements**

Zone E-1, 15% minimum

b. **Multi-Family Residential Development**

NA

c. **Commercial Employment and Industrial Development**

*II-C-1 Basic Site Review Standards:*

This project is for the addition, in two Phases, of a 5,000 square foot addition to the existing City of Ashland Police Facility originally constructed in 1981. The original Site Design for the Police and Courts/Council buildings was approved and developed in 1980. Some of the conditions of the Site Design and Use Standards may not be possible given existing conditions.

*II-C-1a) Orientation and Scale*

1. The buildings orientation addresses East Main Street and is accessible from the public sidewalk.
2. The entrance setback to the Police/Courts/Council buildings is 60 feet from the public right-of-way and will not be changed to meet the current 20 foot setback. No automobile circulation or parking is between the building and the right-of-way. The current entrance is clearly visible, functional, and open to the public during all business hours.
3. NA

*II-C-1b) Streetscape*

Street trees exists at about 30 foot spacing at the frontage.

*II-C-1c) Landscaping*

1. The landscaping is mature at present. Minor new landscaping will comply with the percentage coverage requirements.
2. The existing landscaping is mature (planted in 1981) and is well maintained. The Police and City Facilities Department are considering alterations to the existing frontage landscaping which will, when implemented, address the "low water use" condition of this section. This alteration work will not occur as part of the Police Facility addition construction.
3. The frontage buffer averages about 50 feet and a mature 12 foot wide buffer is on the west side screening the residential property.
4. There is installed a landscape irrigation system.
5. Two trees (Betula sp) will be removed to allow for Phase One construction and an additional four trees (three Pinus c. and one Picea pungens) may be removed depending on selection of Alternate Bid Items for Phase One work.

*II-C-1d) Parking*

1. The parking now exists behind the building and will be reconfigured in the same area. Four new compact parking spaces will be added next to the building on the West side.
2. Parking area shading will be provided as required in the reconfigured parking area. Landscape screening of residential is in place between the existing and proposed building addition on the west side.

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*II-C-1e) Designated Creek Protection*

NA

*II-C-1f) Noise and Glare*

No changes in the project use are considered that will change the existing Noise and Glare conditions as presently used or installed.

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

This site does not conform to the current Site Design and Use Standards. The planned Phase One Addition to the Police Facility is 3,050 square feet an expansion of 48% over the existing 6,400sf..

The defined Police Facility site is 45,900sf (Landscape required at 15% = 6,885sf)

	Existing	Area to Comply
Building Area	9,450	(Includes Phase One expansion)
Parking/Drives	17,430 x .48%	= <b>8,366</b> (1)
Hardscape	5,000 x .48%	= <b>2,400</b> (2)
Landscape	14,020 x .48%	= <b>6,730</b> (3)

Item (1) Parking and Drives: The entire Parking area will be reconfigured and include the required internal landscaping.

Item (2) Hardscape: The entire front approach walk from the street sidewalk to the building entry will be redesigned creating a front plaza.

Item (3) Landscape: Landscaping will be added to the parking lot. The frontage landscape will be improved as a joint project by the Police and Facilities Departments at future date as funds are made available.

*II-C-2 Detail Site Review*

Not Applicable

*II-C-3 Additional Standards for Large Scale Projects*

Not Applicable

**d. Parking Lot Landscaping and Screening Standards**

*II-D-1 Screening at Required Yards*

1. Not Applicable

*II-D-2 Screening Abutting Property Lines*

There is an existing 12 foot wide landscape buffer in-place on the west property line screening the parking from abutting residential uses.

*II-D-3 Landscape Standards*

1. The parking lot landscaping at 586 square has been provided at the north, east and west parking areas, plus one tree per seven spaces, see drawings.
2. Trees are selected from the tree list and will be planted per the standard.
3. The 2' planting standard will be maintained.
4. The landscaped area will be planted with shrubs and/or ground cover will achieve the required coverage rates.
5. Landscape is distributed as best that will allow for even distribution.

*II-D-4 Residential Screening*

A 12' wide screen is in place and mature.

*II-D-5 Hedge Screening*

Hedge screening is not required.

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*II-D-6 Other Screening*

1. Refuse Container Screen: Refuse is part of the City Maintenance Facility.
2. Service Corridor Screen: Screening of the residential use along the west service drive is in place.
3. Light and Glare Screen: No change is proposed from the existing.

**e. Street Tree Standards**

*II-E-1 Location for Street Trees*

Street trees are in place along the street frontage and are irrigated.

*II-E-2 Spacing, Placement, and Pruning of Street Trees*

Street trees are in place along the street frontage at intervals of about 30'.

*II-E-3 Replacement of Street Trees*

No street trees will be replaced

*II-E-4 Recommended Street Trees*

The existing street trees, 'Purnus s', are about 16' in height, and selected and maintained by the City Facilities Dept.

**D. That adequate capacity of City facilities:**

- 1) 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. The existing Police/Courts Facility has in place all of the above items consistent with City requirements.
- 2) All improvements in the street right-of-way shall comply with the Street Standards in Chapter 188.88, Performance Standards Options. (Ord. 2655, 1991; Ord. 2836 S6, 1999)  
No changes will occur in the street right-of-way for this current project.

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## **Addenda to findings for the**

### **Ashland Police Station Renovations**

#### **1155 East Main Street**

There are eight trees proposed for removal on this project, all eight trees are under 18" dbh, and are on lands under the control of the City of Ashland. Due to these criteria, the removals are not subject to the tree removal ordinance. A tree protection and removal plan has been submitted as part of the application. The trees are proposed for removal for the following reasons: they are in the way of required parking, they are in the footprint of building expansion, or in the case of tree #31 block visual access to the gathering area in front of the municipal court blocking the perceived and physical entry to the building.

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June 1, 2012  
Ashland Police Addition and Remodel

JUN 01 2012

City of Ashland  
Field Office County

**RESPONSE TO PLANNING DEPARTMENT CONCERNS:**

**“Clarification of the Phasing”**

1. On May 30, 2012 Police Chief Terry Holderness directed that the site work, with the exception of the work associated with the Phase II building project, be completed as part of the Phase I work. To this end attached is a revised site plan to accomplish this request, (See attached drawings PLN 1 & PLN 2). The Phase II work is projected to be completed in not less than two nor more than five years. For the E. Main Street frontage no specific direction has been given by the City as to what planting materials will be used to reduce existing turf other than the recommendation to reduce the amount of turf and install low water use planting. Further discussion and perhaps a deferred time frame may be needed for this work to allow the City to comprehensively address the landscaping and drainage issues relative to the entire street frontage.

**“Elevations of the new addition including the completion of Phase II”**

2. For building elevations that represent the entire structure including Phase II, (see attached drawing A6.2). In that all work of the project including site work, except minor site work coupled with Phase II and possible landscape frontage at E. Main St., will be completed as part of Phase I work this current planning review will address only the Phase I work.

**“Parking Requirements”**

3. At the conclusion of Phase II the parking requirement, established by the Police Department, will be as follows:

• Staff Parking	18
(One space for each employee at max shift)	
• Marked Police vehicles	8
• Detectives	4
• Deputy Chief	1
• PT	1
• Volunteers	2
• CSO	1
• Impound	5
TOTAL	40 (accounts for expansion)

The Ashland Municipal Code does not specify a parking requirement for a Police Facility – “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.” The above parking schedule is the recommended requirement established by the Police Department. The parking plan is based on the recommendation of the IACP to have two exits from a Police Facility Secure Parking area.

**“Parking Lot Design Standards”**

4. (4) Total parking provided for this project through Phase II is 40 spaces. No division of the parking lot is required.

(5) "Parking areas of more than seven spaces shall meet the following standards"

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

i. 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. NA

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

The new parking surface will be constructed using pervious paving per phone conversation with Engineer Pieter Smeenk.

iii. Provide at least 50% shade from tree canopy over the parking area surface within five years. NA

iv. Provide at least 50% shade from solar energy generating carports, canopies or trellis structures over the parking area surface. NA

b. Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales. The new parking surface will be constructed using pervious paving. Existing parking lot area will not be changed. Run-off capture and detention at the new parking area is not required per phone conversation with Engineer Pieter Smeenk.

#### "Storm Drainage"

5. Per a discussion with Engineer Pieter Smeenk with the Public Works Department the recommendation was made to use pervious paving for the new parking surface area. By using pervious paving run off captured in a drainage swale will not be required. No additional alterations to the existing parking surface or drainage will be required.

#### "Electrical System Capacity"

6. Agreement has been reached with Michael Grubbs, Building Official for the electrical service to the Police Facility (see attached e-mail communication). The Police Facility will be provided with a new building electrical service and a new transformer will replace the existing. The existing generator will continue in service with several modifications to the present installation for service disconnect and overcurrent protection.

#### Attached drawing Information

7. The attached Drawings PLN-1 & PLN-2 represents change directives issued to the A&E time on June 30, 2012 to "include all site work, except those issues directly associated with Phase II work", in the Phase I work package. The information concerning planting and irrigation contained in the submitted Landscape drawings L-1 thru L-4 will be adjusted to be consistent with revised parking plan shown on PLN-1 and PLN-2. Changes in planting materials are not considered but a relocation of some planting items will be required. These adjustments will be completed on the final drawings submitted for permitting.

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JUN 01 2012

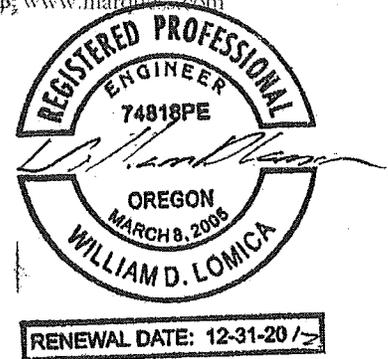


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MEMORANDUM

Date: April 5, 2012  
To: Michael Grubbs, Building Official, City of Ashland  
From: William D. Lomica, P.E.  
Project: Ashland Police Department  
MAI Job #: 11-1082.1  
Subject: Electrical Service and Generator Distribution.



This memorandum explains several problems with the incoming electrical service to both the Ashland Police Department Building and the Ashland Municipal Court Building; and presents a path to solve these problems. Since both buildings are served from a common transformer and a common propane-fueled generator; electrical changes to the Police Department Building affects both buildings.

Problem #1A: The existing generator is rated to carry 347 amps. Mike Cook of Ashland Electric Department recorded maximum currents of 269 amps and 210 amps for the Police and Courts Buildings, respectively. Therefore, the existing electrical system is not rated to carry the combined loads of both buildings as it is now configured.

Problem #1B: The existing 400A transfer switch is serving as the service entrance to both buildings, but is not listed or proper for this function. A main service disconnect is not installed. As in Problem #1A, this is also undersized for the existing and expansion load.

Problem #2: The Police Department has loads which should be classified as "Emergency" loads, specifically the emergency egress lighting specified by section 1006.2 of the Oregon Structural Specialty Code. Other generator-backed loads that are not dedicated maintaining the safety of occupants are present (these must be classified by the Authority Having Jurisdiction as Legally Required or as Optional Standby loads). Article 700.5(D) of the Oregon Electrical Specialty Code states that transfer equipment [for emergency loads] shall supply only emergency loads. Presently, the emergency loads are not segregated from the other loads which is against Code.

Problem #3: The feeder from the generator to the Police Building is not rated to carry the anticipated load of the new addition. The anticipated total load is 475 Amps (this allows for a second, future expansion). The feeder has been verified by Ashland Electric Department to be two parallel feeds of #300 Aluminum (rated for 460 Amps).

Additionally, the feeder from the generator to the Courts Building is at maximum rated ampacity. The measured load of 210 Amps is being carried by a single set of #300 Aluminum (rated for 230 Amps).

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**Proposed Solution:**

Solution to Problem #1: Replace the generator and service entrance gear to carry the load and be a compliant service entrance.

Solution to Problem #2: Provide Emergency power to the designated emergency egress light fixtures by retrofitting them with unit equipment (battery backup ballasts). The transfer of power for the emergency light fixtures from its "normal" source to its "emergency source (battery) is accomplished at the fixture. This allows the loads of both buildings to be classified as either Legally Required or Optional Standby; and because Code allows these two load classifications to share transfer switches, additional transfer switches are not required. It is assumed that some fixtures in both buildings will need to be retrofitted.

Solution to Problem #3: In conjunction with solving Problem #1, the underground feeders must be replaced.

**Anticipated Cost:**

I anticipate the costs of correcting these problems to be approximately \$160,000 including electrical engineering design fees. I anticipate electrical engineering design fees to be \$7,500.

Attachment: Ashland PD/Courts – April 5, 2012

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**David Straus**

---

**From:** Bill Lomica [blomica@marquess.com]  
**Sent:** Friday, June 01, 2012 10:12 AM  
**To:** David Straus  
**Cc:** Ogun Arslan; Oscar J. Zuniga  
**Subject:** FW: Ashland Police Department - Proposed new service to Police Department Building

Dave,

Here is Mike Grubbs conditional approval.

I am trying to contact Warren. His Voice mail says he is in office, but away from phone.

Bill

---

**From:** Michael Grubbs [mailto:grubbsm@ashland.or.us]  
**Sent:** Wednesday, May 23, 2012 4:05 PM  
**To:** Bill Lomica  
**Subject:** RE: Ashland Police Department - Proposed new service to Police Department Building

Hi Bill,

I have considered your proposal and agree with the following condition: provide a service disconnecting means and overcurrent protection for existing feeders and transfer switch. I look forward to seeing your design.

I will be out of the office until Tuesday, the 29<sup>th</sup>. Let's talk a little more then.

Have a good Memorial Day weekend!

Regards,

Michael Grubbs, Building Official  
City of Ashland, Community Development Department  
51 Winburn Way, Ashland, OR 97520  
Phone: (541) 552-2073, TTY (800) 735-2900  
Email: [michael.grubbs@ashland.or.us](mailto:michael.grubbs@ashland.or.us)

*This email transmission is official business of the City of Ashland and it is subject to Oregon Public Records Law for disclosure and retention. If you have received this message in error, please contact me at (541) 552-2073. Thank you.*

---

**From:** Bill Lomica [mailto:blomica@marquess.com]  
**Sent:** Tuesday, May 22, 2012 8:59 AM  
**To:** [grubbsm@ashland.or.us](mailto:grubbsm@ashland.or.us)  
**Cc:** [DStraus@ssarchllp.com](mailto:DStraus@ssarchllp.com); [OArslan@ssarchllp.com](mailto:OArslan@ssarchllp.com); Oscar J. Zuniga  
**Subject:** Ashland Police Department - Proposed new service to Police Department Building

Mike,

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JUN 01 2012

City of Ashland  
Field Office County

Thanks you for taking the time to meet with me on this. Below, I will review the proposed solution to the problems of the existing utility/generator service at the Police Department and Courts buildings. I also have added an outline of your concerns with the proposal. Please add comments, corrections, and clarifications in your reply.

Our present proposed solution to the issues I outlined in the April 5, 2012 memo (attached for reference) is as follows: Reduce the present load of the Police Department building from the existing generator/ATS to less than the generator's rated 347 Amps by shedding the load of the existing Police Department from the generator. This shedding would be accomplished by establishing a "normal" power service entrance for the Police Department on the west side of the Police Department Building with OESC 230.2 (E) compliant identification. The generator/ATS service would be considered a OESC 230.2 (A)(3) compliant additional service in this configuration.

The old police department main panel would then serve as the distribution panel for the Legally Required and optional standby loads. A 100-amp panel would be connected to this distribution panel to serve selected loads. The selected loads desired are selected power receptacles within the work spaces, lighting throughout, and some HVAC within the limits of the generator's rated capabilities. The limitation of the generator is found by applying OESC 220.87(2); the sum of the new load and 125% of maximum demand cannot exceed the rating of the service (generator). Maximum demand is 210A (this is the recorded max demand provided by Mike Cook). 125% of max demand is 262.5A. 347A minus 262.5A is 84.5A. 84.5A is our limit for new police department load Legaly Required/optional standby loads.

The emergency lighting loads within each building would be carried by newly installed unit equipment as previously described in my April 5 memo (Solution to Problem #2).

I am contacting Ashland Power to determine if the existing transformer physically can accommodate a new normal power service feeder.

Your Concerns:

You told me you would need to look at OESC 230.2 to be sure that the proposed second service to the police department is Code compliant.

You reminded me that the ATS has from its installation never been in code compliance for the service entrance function it is serving. There is no service disconnect at the ATS and there is no overcurrent protection on either of the individual feeders to the two buildings served. This service entrance will need to be brought to compliance in order for our proposal to be in compliance.

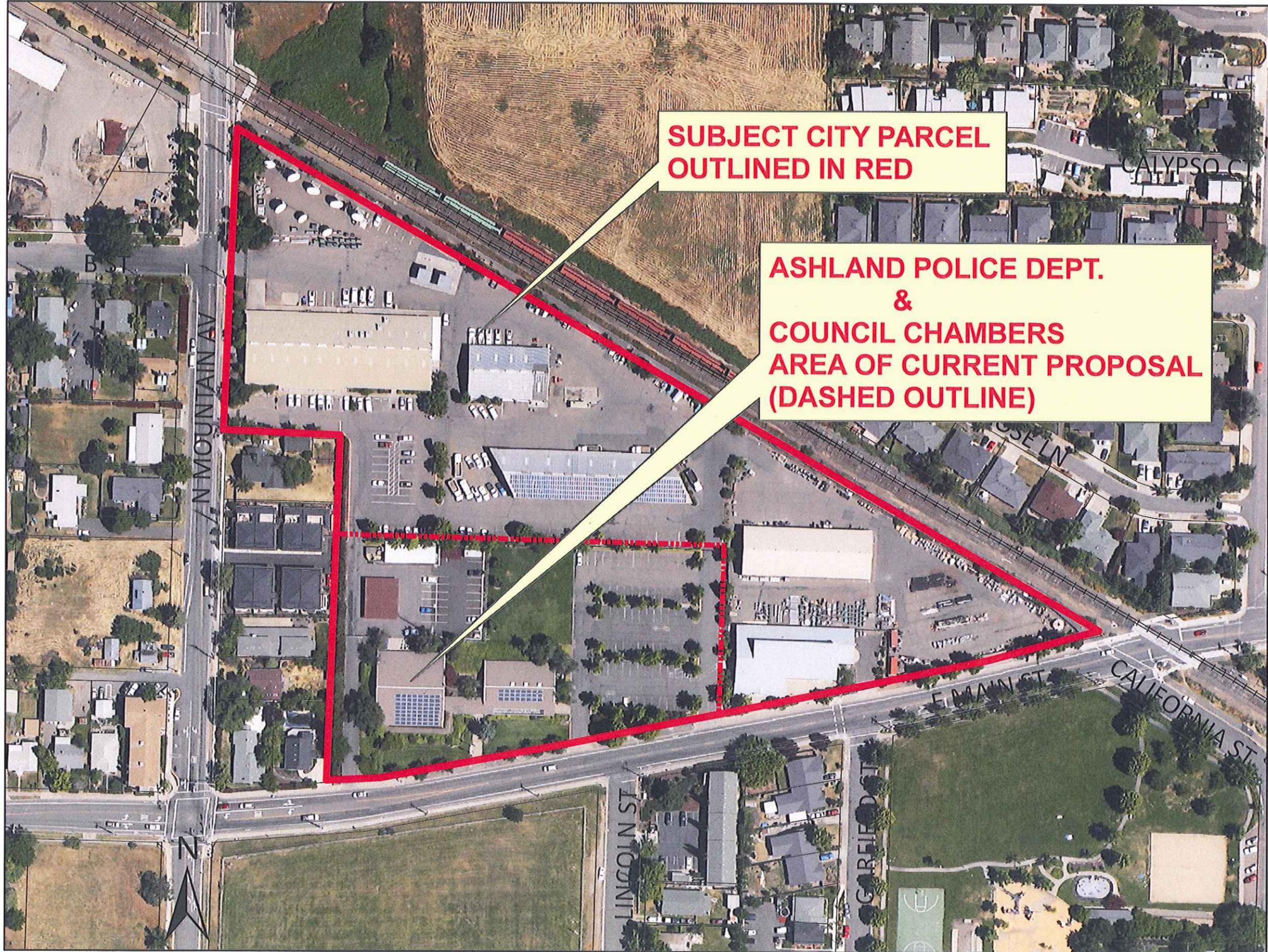
Bill Lomica, P.E.  
Marquess & Associates  
1120 East Jackson  
Medford, OR 97504  
T: 541.772.7115  
F: 541.779.4079

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**STAFF EXHIBIT S-1. SITE PLAN WITH CURRENT CONDITIONS**



**SUBJECT CITY PARCEL  
OUTLINED IN RED**

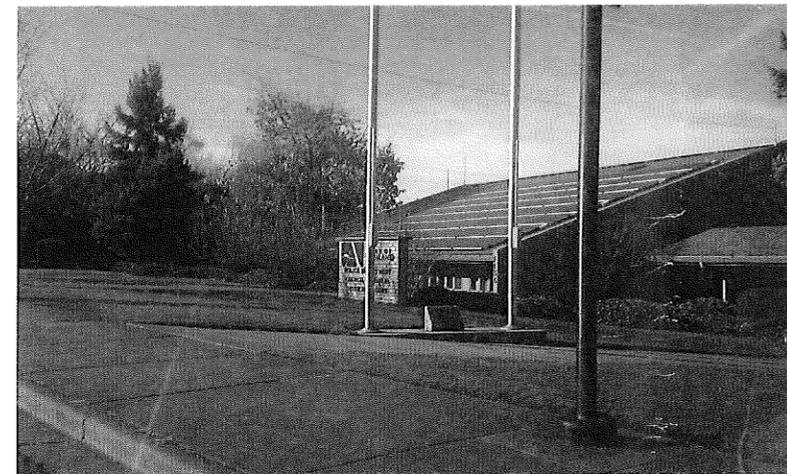
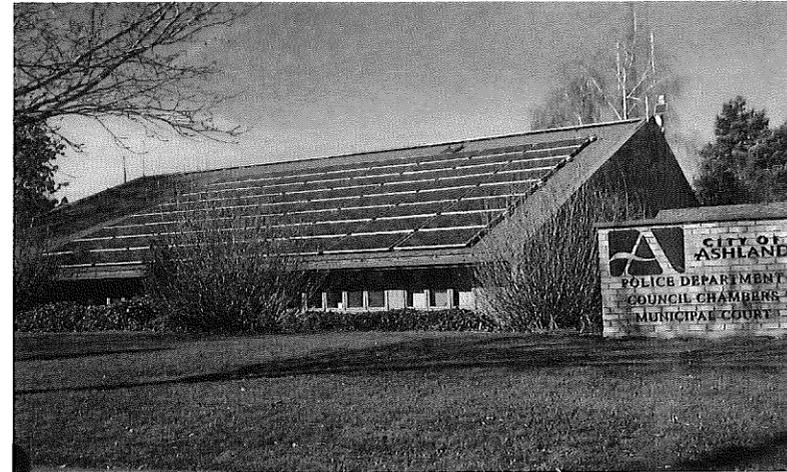
**ASHLAND POLICE DEPT.  
&  
COUNCIL CHAMBERS  
AREA OF CURRENT PROPOSAL  
(DASHED OUTLINE)**

0 37.5 75 150 Feet

*Property lines are for reference only, not scaleable*

# ASHLAND POLICE DEPARTMENT ADDITIONS & RENOVATIONS

## ARCHITECTURAL SYMBOLS LEGEND



## VICINITY MAP



## BUILDING DESIGN CRITERIA

PROJECT:	ASHLAND POLICE DEPARTMENT
OWNER:	CITY OF ASHLAND
PROJECT ADDRESS:	1155 E. MAIN STREET ASHLAND, OR 97520
ZONE:	E-1 (ASHLAND- EMPLOYMENT DISTRICT)
MAP NUMBER:	391E10 900A1
TYPE OF CONSTRUCTION:	V-B
BUILDING AREA:	9,462 SF (ALLOWABLE AREA: 13,500 SF)
SPRINKLER SYSTEM:	NO
OCCUPANCY:	B
ALLOWABLE HEIGHT:	2 STORIES
OCCUPANT LOAD:	9,416 SF/ 100 SF PER PERSON = 95

## DRAWINGS INDEX

### ARCHITECTURAL

G1	INDEX
G2	LIFE SAFETY
A1.1	EXISTING SITE PLAN
A1.2	SITE DEMOLITION PLAN
A1.3	PROPOSED SITE PLAN PHASE 1
A1.4	PROPOSED SITE PLAN PHASE 2
A1.5	SITE DETAILS (PHASE 1)
A2.1	FIRST FLOOR DEMOLITION PLANS
A3.1	CALLOUT FLOOR PLANS
A3.2	ENLARGED DEPARTMENT FLOOR PLANS AND INTERIOR ELEVATIONS
A3.3	ENLARGED DEPARTMENT FLOOR PLANS AND INTERIOR ELEVATIONS

### ARCHITECTURAL

A3.4	ENLARGED DEPARTMENT FLOOR PLANS AND INTERIOR ELEVATIONS
A3.5	ENLARGED DEPARTMENT FLOOR PLANS AND INTERIOR ELEVATIONS REFLECTED CEILING PLANS
A4.1	REFLECTED CEILING PLANS
A5.1	ROOF PLAN & DETAILS
A6.1	BUILDING ELEVATIONS
A7.1	BUILDING SECTIONS
A8.1	WALL SECTIONS & DETAILS
A9.1	FLOOR FINISH PLAN, ROOM FINISH SCHEDULE
A9.2	DOOR SCHEDULE & WINDOW SCHEDULE

### STRUCTURAL

S3.1	FOUNDATION PLAN
S5.1	ROOF FRAMING PLAN

### ELECTRICAL

E1.1	SITE PLAN ELECTRICAL
E3.1	FLOOR PLANS LIGHTING
E4.1	FLOOR PLANS POWER

### MECHANICAL

M1.1	MECHANICAL LEGEND
M2.1	MECHANICAL DEMOLITION PLAN
M3.1	MECHANICAL PLANS - SOUTH
M3.2	MECHANICAL MEZZANINE PLAN - SOUTH
M3.3	MECHANICAL PLANS-NORTH

### PLUMBING

P1.1	PLUMBING LEGEND
P2.1	PLUMBING DEMOLITION PARTIAL PLAN
P3.1	PLUMBING PLAN - SOUTH
P3.2	PLUMBING PLAN - NORTH

### LANDSCAPE

L1	LANDSCAPE SITE PLAN
L2	TREE PROTECTION PLAN
L3	IRRIGATION PLAN
L4	PLANTING PLAN

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MAY 04 2012

City of Ashland



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ARCHITECTS LLP

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MEDFORD, OR 97504  
541 779 4363  
we're@ssarchllp.com

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ASHLAND POLICE DEPARTMENT**  
1155 E. Main Street Ashland OR 97520

**Planning Submission**

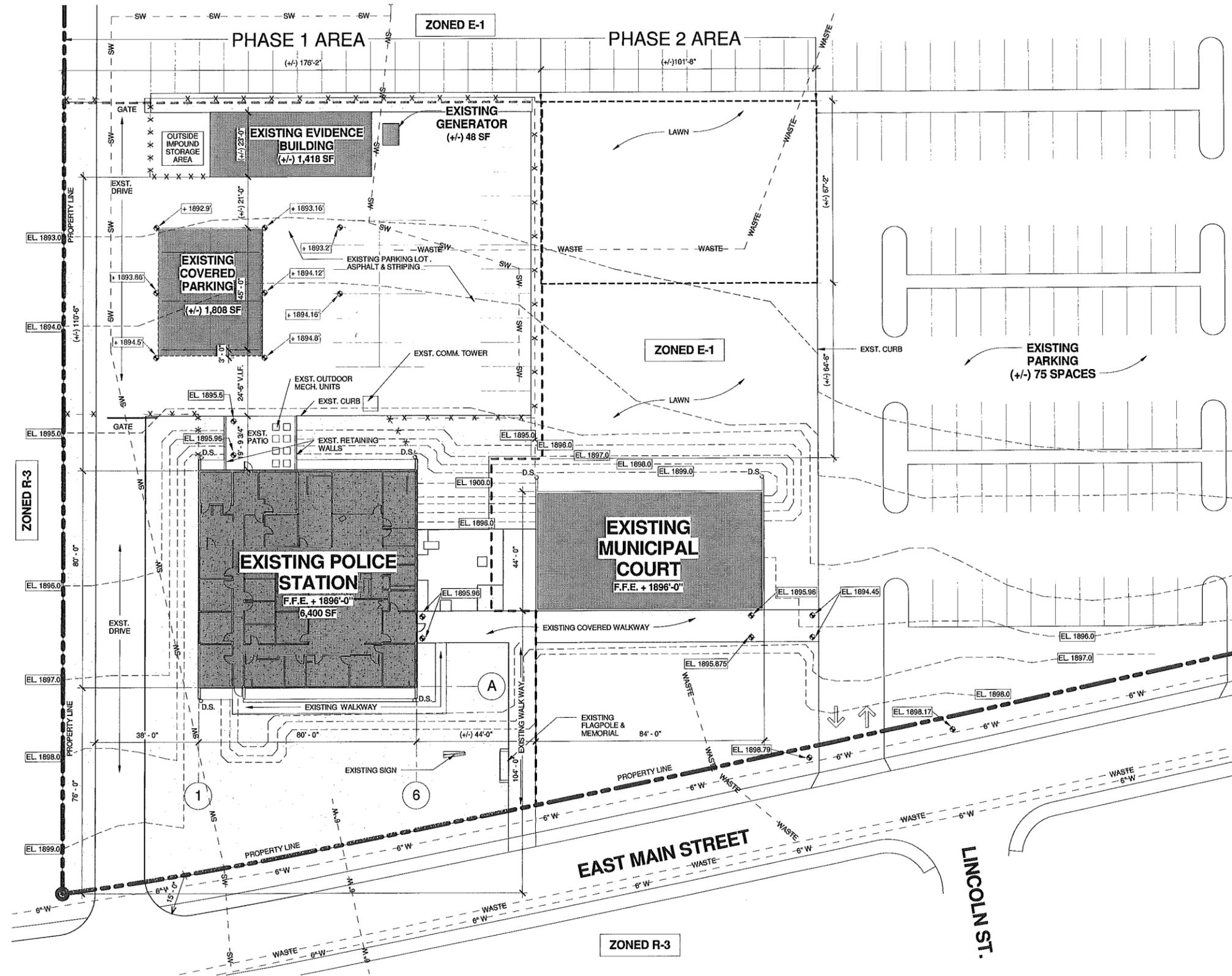
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5/3/2012 5:43  
01/26/2012

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JOB NO 0354.00  
GENERAL INFORMATION

**G 1**

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5/3/2012 5:43



1 Existing Site Plan  
1" = 20'-0"

**LEGEND:**

- EXISTING BUILDINGS /STRUCTURES
- FENCES
- STORM DRAINS LINES
- 
- WASTE LINES

**GENERAL NOTES:**

**SHEET NOTES:** #

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541 779 4363  
we@strausllp.com

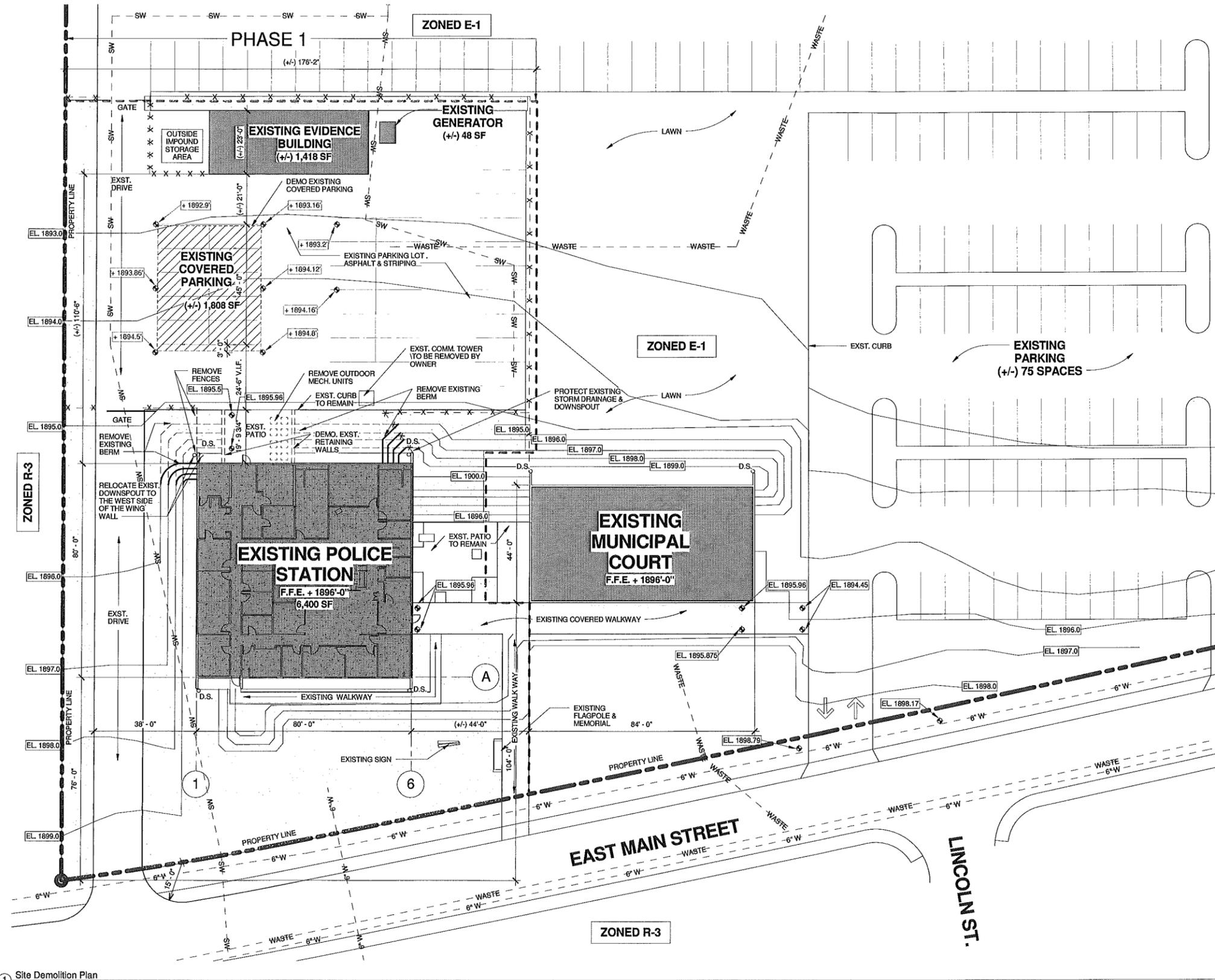
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EXISTING SITE PLAN		
REFERENCE ONLY		

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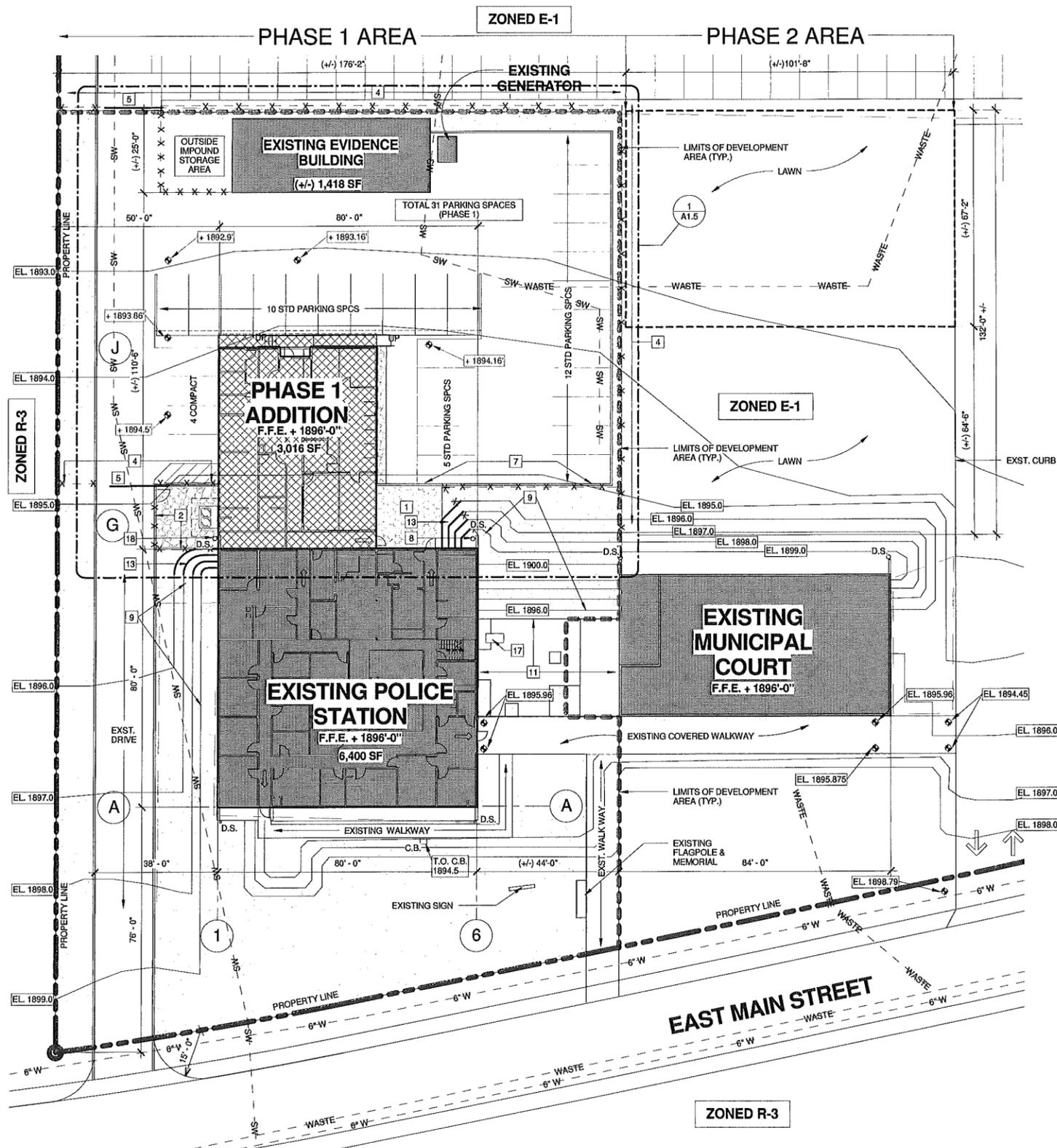
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 REVIEWED Checker  
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 SITE DEMOLITION PLAN

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City of Ashland

A1.2



1 SITE PLAN  
1" = 20'-0"

PRE-APPLICATION CHECKLIST		YES	NO	N/A
1	PROJECT NAME			
2	OWNER NAME			
3	SITE ADDRESS AND MAP & TAX LOT NUMBER			
4	VICINITY MAP W/ STREET NAMES AND LOCATIONS			
5	SCALE & NORTH ARROW			
6	LOT LAYOUT WITH APPROXIMATE DIMENSIONS FOR ALL LOT LINES			
7	ZONING DESIGNATIONS IN PROPOSED AND SURROUNDING PROPERTIES			
8	LOCATION & USE OF ALL PROPOSED AND EXISTING BUILDING, FENCES AND STRUCTURES			
9	INDICATE WHICH BUILDINGS TO REMAIN WHICH ARE TO BE REMOVED			
10	LOCATION OF LANDSCAPE AREAS, INDICATE EXISTING TREES, SIZE, SPECIES AND APPROXIMATE DRIP LINE. IDENTIFY TREES TO BE REMOVED.			
11	LOCATION AND SIZE OF ALL PUBLIC UTILITIES IN AND ADJACENT TO THE PROPOSED DEVELOPMENT INCLUDING WATER LINE AND METER SIZE, SEWER & STORM DRAIN LINES, NEAREST FIRE HYDRANT			
12	LOCATIONS OF DRAINAGE WAYS OR PUBLIC UTILITY EASEMENTS IN AND ADJACENT TO PROPOSED DEVELOPMENT			
13	LOCATION, SIZE AND USE OF ALL CONTEMPLATED AND EXISTING PUBLIC AREAS			
14	APPROXIMATE TOPOGRAPHY OF THE SITE			
15	LOCATIONS OF ALL PARKING AREAS AND INDIVIDUAL AND HANDICAP PARKING SPACES, INGRESS AND EGRESS ON THE SITE AND ON-SITE CIRCULATION			
16	USE DESIGNATION FOR THE AREAS NOT COVERED BY THE BUILDINGS			
17	ELEVATIONS OF THE BUILDINGS			
18	CONSTRUCTION MATERIALS (IF PROJECT IS IN A HISTORIC DISTRICT PROVIDE PICTURES OF EXISTING STRUCTURES AND INDICATE PROPOSED EXTERIOR MATERIALS FOR SIDING, WINDOWS, TRIM AND ROOFING)			

**LEGEND:**

	EXISTING BUILDINGS / STRUCTURES TO REMAIN
	NEW ADDITIONS (PHASE 2)
	ALTERNATES TO PHASE 1 BASE BID
	NEW CONCRETE WALKWAYS (PHASE 2)
- X - X - X -	FENCES
- SW - - SW - - SW -	STORM DRAINS LINES
6" W - 6" W - 6" W	WATER LINES
WASTE - WASTE - WASTE	WASTE LINES

**GENERAL NOTES:**

- SHEET NOTES:**
- NEW PAVERS (16"x18" PERMEABLE PAVERS)
  - NEW FENCES
  - NEW DOOR
  - EXISTING FENCES TO REMAIN
  - EXISTING GATE
  - EXISTING CURB EDGE
  - 
  - EXISTING CONTOUR LINES
  - NEW WALKWAY
  - EXISTING PATIO
  - EXISTING WALKWAY
  - NEW CONTOUR LINES
  - EXISTING BERM TO REMAIN
  - MECHANICAL EQUIPMENT PADS. TYP 3'-0"x3'-0" W/ 3'-0" SPACE BETWEEN
  - COVERED PARKING. RECONFIGURE & REUSE EXISTING COVERED PARKING CANOPY (ALTERNATE 1)
  - EXISTING ELECTRICAL VAULT TO REMAIN
  - RELOCATED DOWNSPOUT (SEE SITE DEMO PLAN SHEET A1.2)

**ADDITIONAL INFORMATION:**

- DEVELOPMENT AREA  
PHASE 1: 1.06 AC  
PHASE 2: 0.16 AC  
TOTAL: 1.22 AC
- GROSS SQUARE FOOTAGE OF ALL STRUCTURES  
EXISTING POLICE STATION: 6,400 SF  
EXIST. COVERED PARKING CANOPY: 1,908 SF  
EXISTING EVIDENCE STORAGE BLDG.: 1,418 SF  
GENERATOR: 48 SF  
PHASE 1 ADDITION: 3,016 SF  
PHASE 2 ADDITION: 1,976 SF
- NUMBER OF STORIES (ALL STRUCTURES)  
ONE STORY + MECHANICAL ATTIC
- SQUARE FOOTAGES:  
A. DWELLING UNITS: NOT APPLICABLE  
B. OFFICE SPACES: 9,462 SF  
C. RETAIL UNITS: NOT APPLICABLE  
D. OTHER SPACES: NOT APPLICABLE
- PERCENTAGE OF LOT COVERAGE BY:  
(BASED ON PHASE 1 AREA: 1.06 AC)  
A. STRUCTURES:  
EXISTING POLICE STATION: 13.8%  
EXISTING COVERED PARKING CANOPY: 3.9%  
EXISTING EVIDENCE STORAGE BLDG.: 3.1%  
GENERATOR: 0.1%  
PHASE 1 ADDITION: 6.8%  
PHASE 2 ADDITION: 4.1%  
B. STREET & ROADS:  
EXISTING MAIN DRIVEWAY: 11.8%  
C. PARKING AREAS & DRIVEWAYS: 25.4%  
D. RECREATION AREAS: N.A.  
E. LANDSCAPING: 31.4%  
F. NUMBER OF PARKING SPACES:  
PHASE 1: 31 SPACES (POLICE IMPOUND)  
27 STANDARD, 4 COMPACT  
PHASE 2: 50 SPACES (POLICE IMPOUND)  
25 STANDARD, 25 COMPACT  
G. TOTAL (SF) OF LANDSCAPE AREAS: 14,519 SF  
H. OTHER INFO:  
SITE HAS ADDITIONAL 75 PUBLIC PARKING SPACES THAT SERVE POLICE STATION, MUNICIPAL COURT AND GROOVE BLDG

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**ADDITIONS AND RENOVATIONS FOR:  
ASHLAND POLICE DEPARTMENT**  
1155 E. Main Street Ashland OR 97520

**Planning Submission**

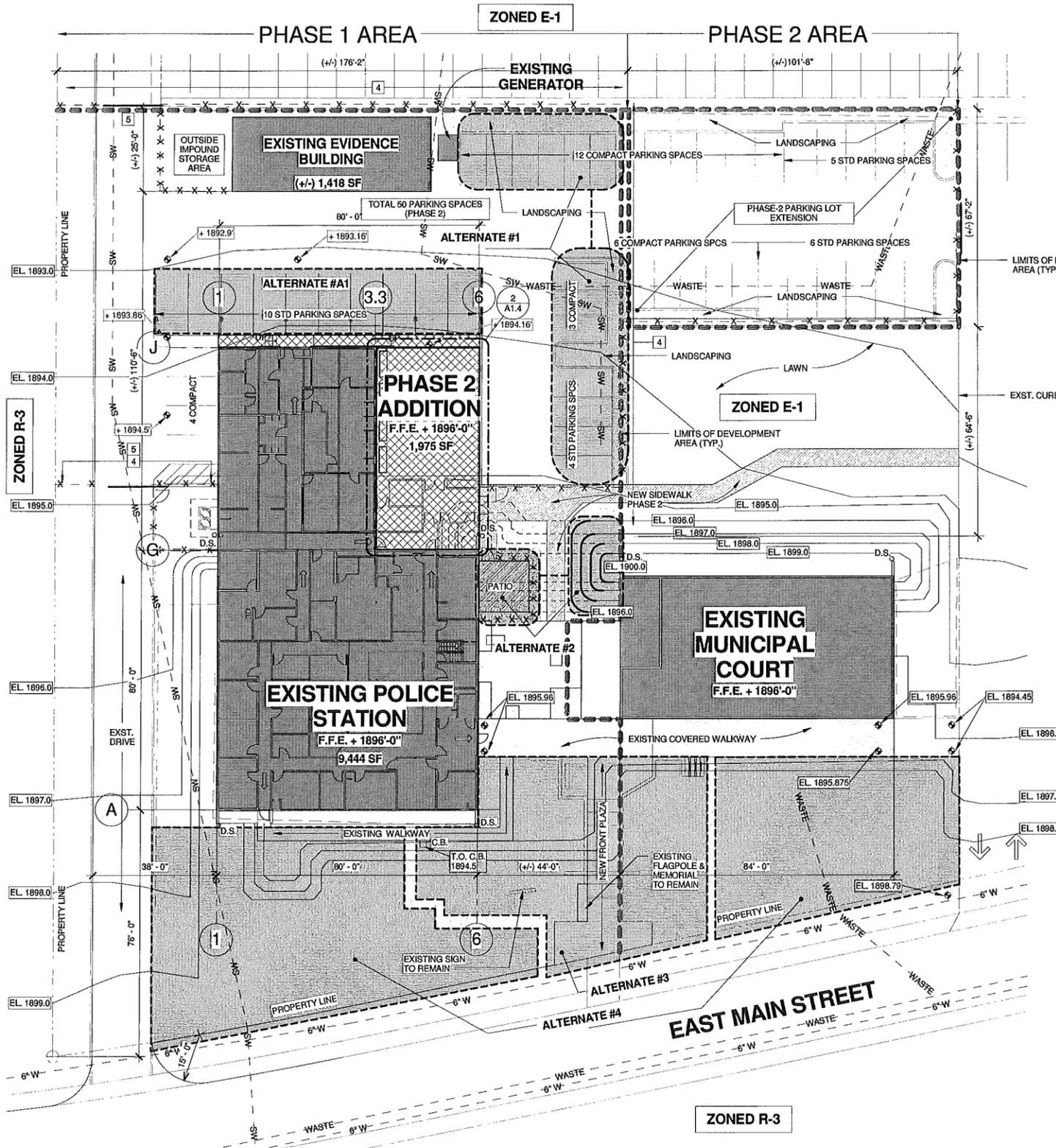
DATE	PLOT	5/3/2012 5:43
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JOB NO 0354.00  
PHASE 1 SITE PLAN  
BASE BID

**A1.3**

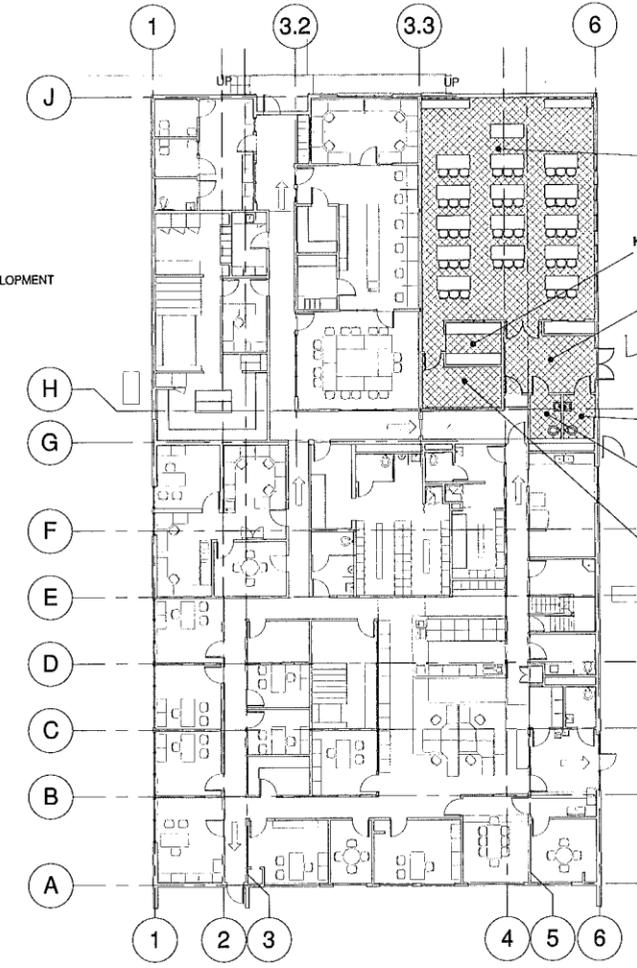
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1 SITE PLAN-PHASE 2  
1" = 20'-0"

**ALTERNATES: (ALTERNATES TO PHASE-1 BASE BID)**  
 ALTERNATE #A1: RECONFIGURE AND REUSE EXISTING PARKING CANOPY (MAY NOT BE PURSUED IF BIDS ARE HIGH AND RENDER THIS ALTERNATE UNFEASIBLE)  
 ALTERNATE #1: REMOVE EXISTING BERM & ADD NEW PATIO w/ FENCING & VISUAL SCREENING AROUND (SHALL BE COMPLETED BY THE END OF EITHER PHASE1 OR PHASE 2) SEE LANDSCAPE DWGS  
 ALTERNATE #2: PARKING STRIPING AND LANDSCAPING IN THE EXISTING BACK PARKING AREA (SHALL BE COMPLETED BY THE END OF EITHER PHASE1 OR PHASE 2) SEE LANDSCAPE DWGS  
 ALTERNATE #3: FRONT PLAZA IMPROVEMENTS (SHALL BE COMPLETED BY THE END OF EITHER PHASE1 OR PHASE 2) SEE LANDSCAPE DWGS  
 ALTERNATE #4: EXISTING FRONTAGE LANDSCAPING TO ADDRESS "LOW WATER USE" CONDITION (SHALL BE COMPLETED BY THE END OF EITHER PHASE1 OR PHASE 2)



2 Phase 2 Addition First Floor Plan  
1/16" = 1'-0"

**LEGEND:**

- [Hatched Box] EXISTING BUILDINGS / STRUCTURES TO REMAIN
- [Cross-hatched Box] NEW ADDITIONS (PHASE 2)
- [Dotted Box] ALTERNATES TO PHASE 1 BASE BID
- [Stippled Box] NEW CONCRETE WALKWAYS (PHASE 2)
- X - X - X - FENCES
- SW - SW - SW - STORM DRAINS LINES
- 6" W - 6" W - 6" W - WATER LINES
- WASTE - WASTE - WASTE - WASTE LINES

**GENERAL NOTES:**  
 ALL BIDDERS: DO NOT INCLUDE WORK DESCRIBED ON THIS SHEET EXCEPT THE ALTERNATES

**SHEET NOTES:** #

**ADDITIONAL INFORMATION:**

- DEVELOPMENT AREA  
 PHASE 1: 1.06 AC  
 PHASE 2: 0.16 AC  
 TOTAL: 1.22 AC
- GROSS SQUARE FOOTAGE OF ALL STRUCTURES  
 EXISTING POLICE STATION: 6,400 SF  
 EXIST. COVERED PARKING CANOPY: 1,808 SF  
 EXISTING EVIDENCE STORAGE BLDG.: 1,418 SF  
 GENERATOR: 48 SF  
 PHASE 1 ADDITION: 3,016 SF  
 PHASE 2 ADDITION: 1,975 SF
- NUMBER OF STORIES (ALL STRUCTURES)  
 ONE STORY + MECHANICAL ATTIC
- SQUARE FOOTAGES:  
 A. DWELLING UNITS: NOT APPLICABLE  
 B. OFFICE SPACES: 9,482 SF  
 C. RETAIL UNITS: NOT APPLICABLE  
 D. OTHER SPACES: NOT APPLICABLE
- PERCENTAGE OF LOT COVERAGE BY:  
 (BASED ON PHASE 1 AREA : 1.06 AC)  
 A. STRUCTURES:  
 EXISTING POLICE STATION: 13.8 %  
 EXISTING COVERED PARKING CANOPY: 3.9 %  
 EXISTING EVIDENCE STORAGE BLDG.: 3.1 %  
 GENERATOR: 0.1 %  
 PHASE 1 ADDITION: 6.6 %  
 PHASE 2 ADDITION: 4.1 %  
 B. STREET & ROADS:  
 EXISTING MAIN DRIVEWAY: 11.6 %  
 C. PARKING AREAS & DRIVEWAYS: 25.4 %  
 D. RECREATION AREAS: N.A.  
 E. LANDSCAPING: 31.4 %  
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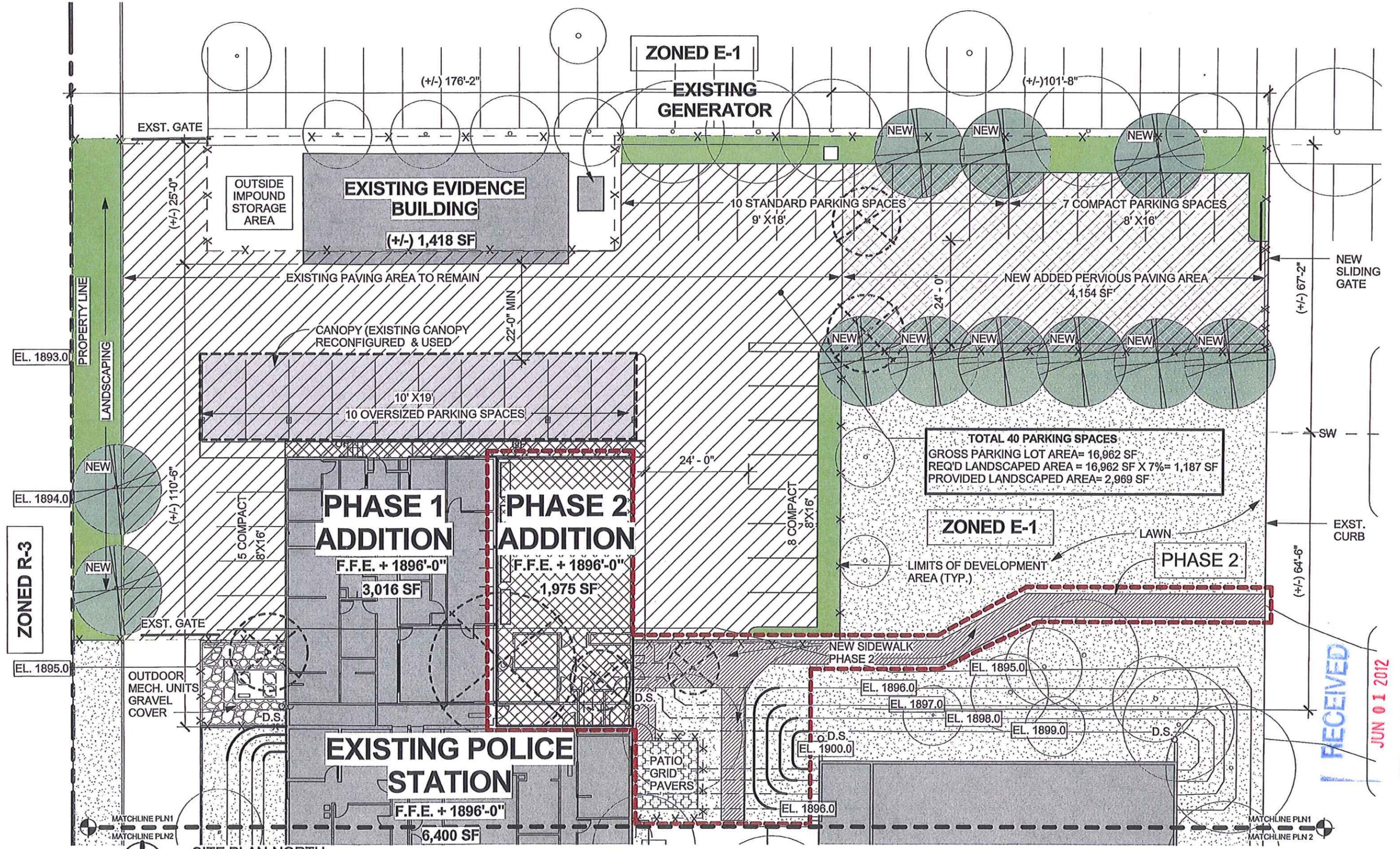
**ADDITIONS AND RENOVATIONS FOR:  
 ASHLAND POLICE DEPARTMENT  
 1155 E. Main Street Ashland OR 97520**

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PHASE 2 SITE PLAN AND ALTERNATES	

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**A1.4**



1 SITE PLAN-NORTH  
 1" = 20'-0"

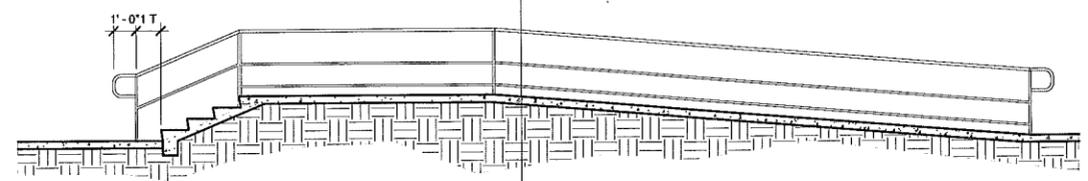
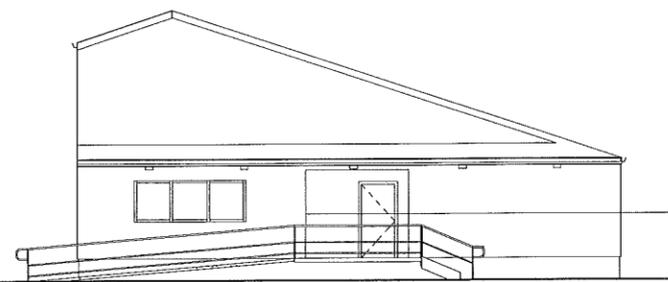
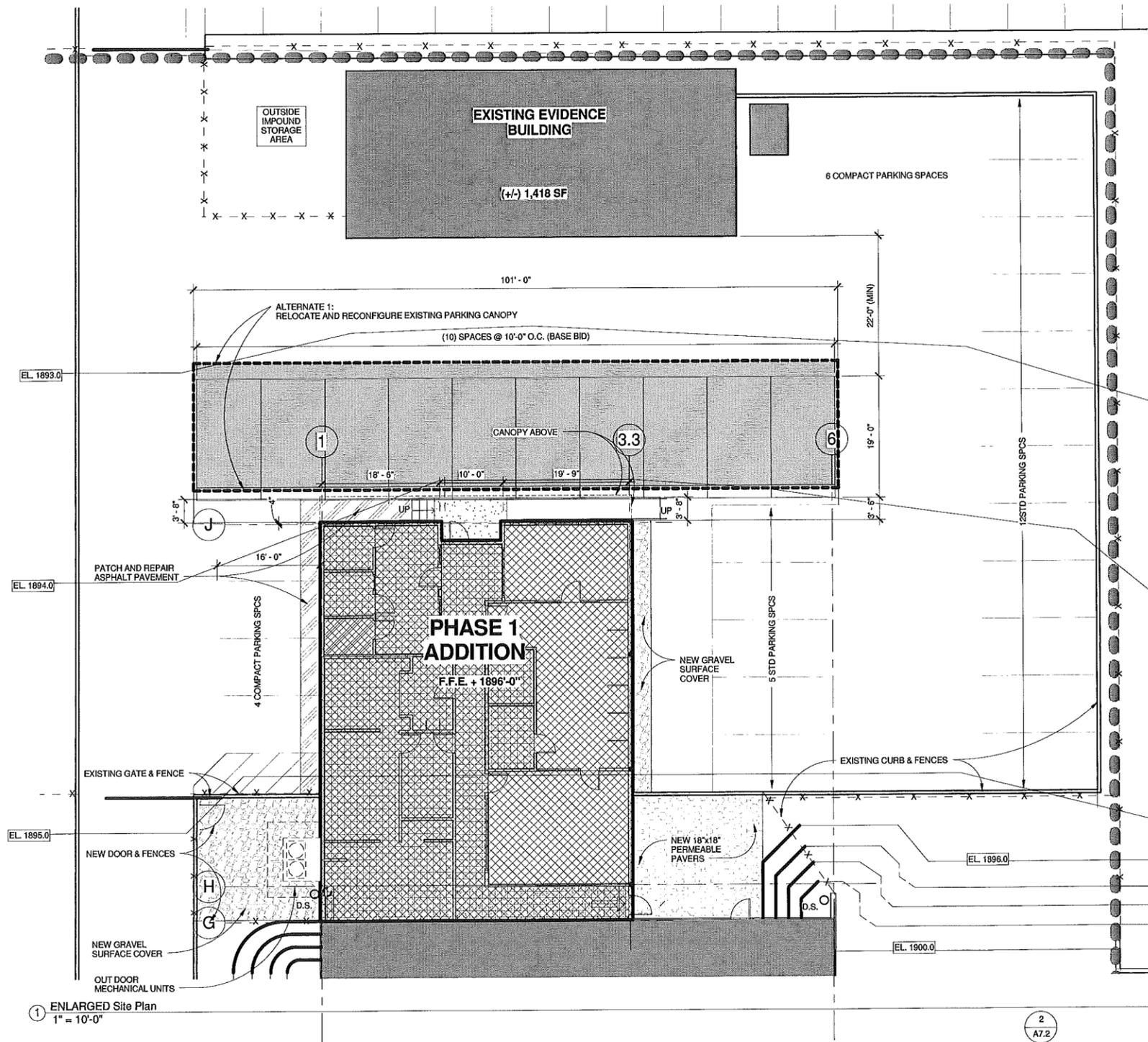
NOTE: SEE SHEET PLN2 FOR INVERT ELEVATIONS: S1, S2, S3, S4 & S5

05/31/2012 11:10



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LEGEND:

GENERAL NOTES:

SHEET NOTES: [2]

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1155 E. Main Street Ashland OR 97520

Planning  
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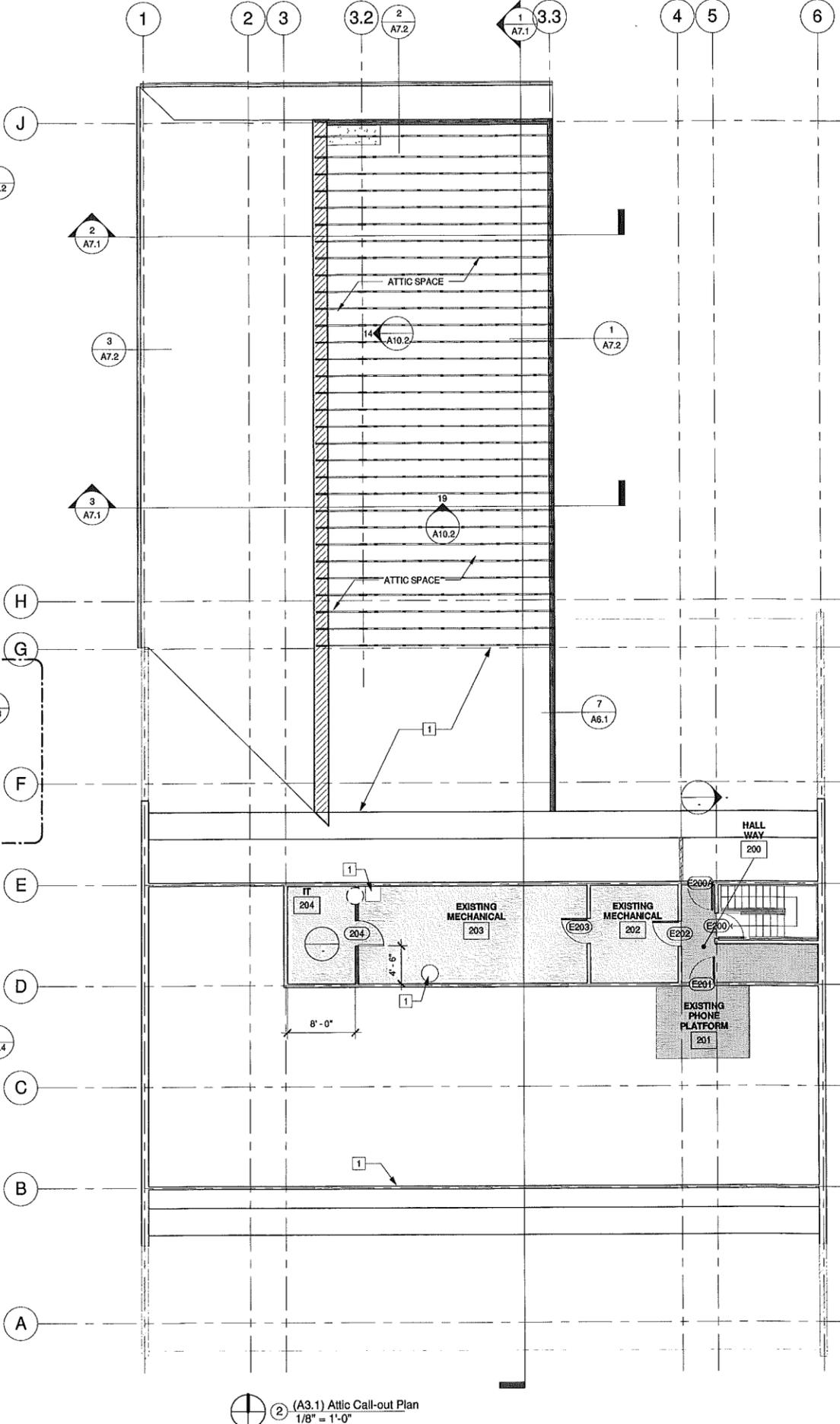
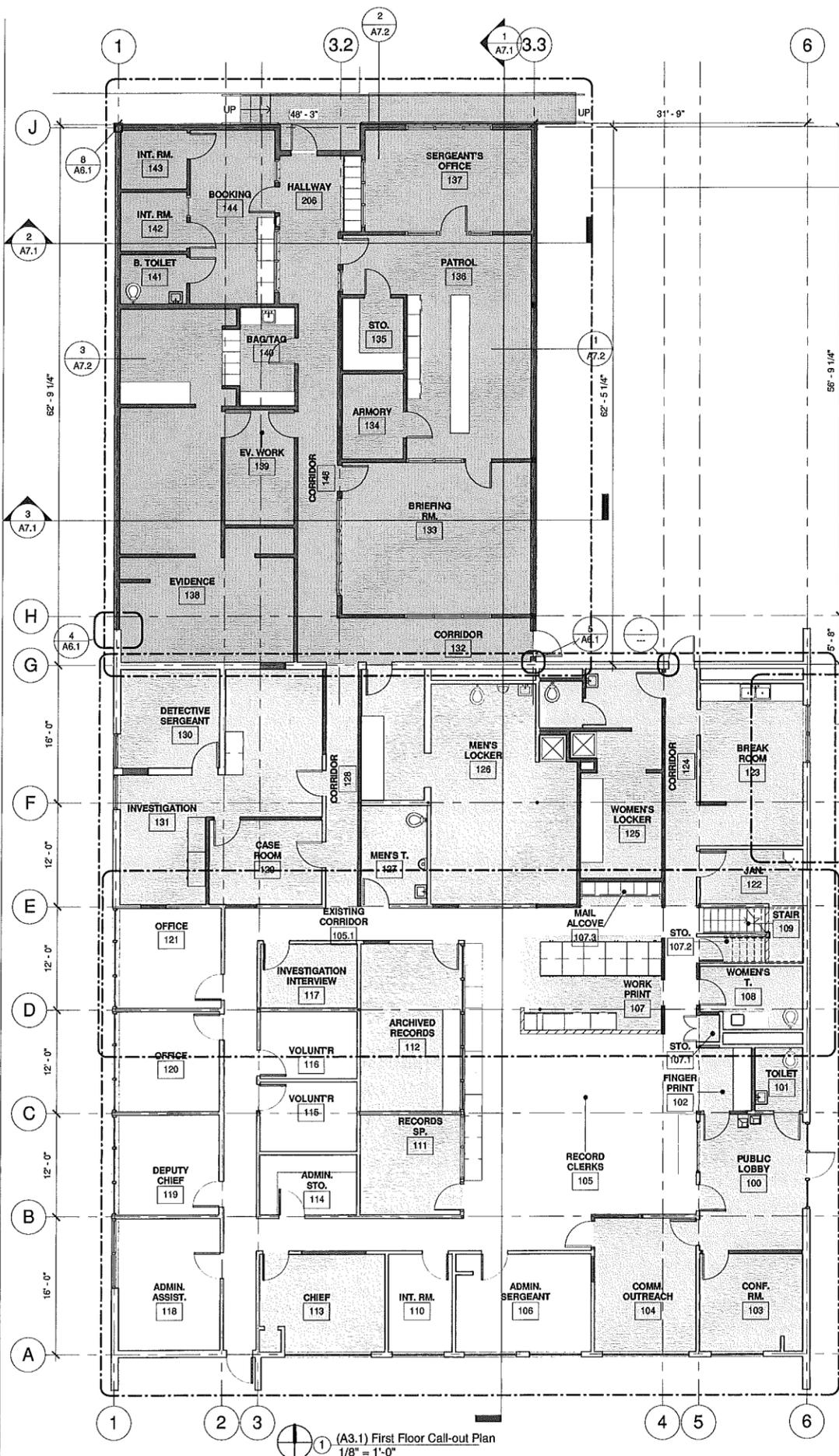
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SITE DETAILS

A1.5

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**LEGEND:**

	EXISTING WALLS		NEW CONSTRUCTION
	NEW WALLS		RENOVATION
	HALF WALLS		NO CHANGE

**GENERAL NOTES:**

1. ALL EXTERIOR WALL TYPES TO BE W1-B UNLESS NOTED OTHERWISE. ALL INTERIOR WALL TYPES TO BE W3-B UNLESS NOTED OTHERWISE. SEE DETAIL # 1-A8 FOR WALL TYPES.
- 2.

**SHEET NOTES:**

- 1

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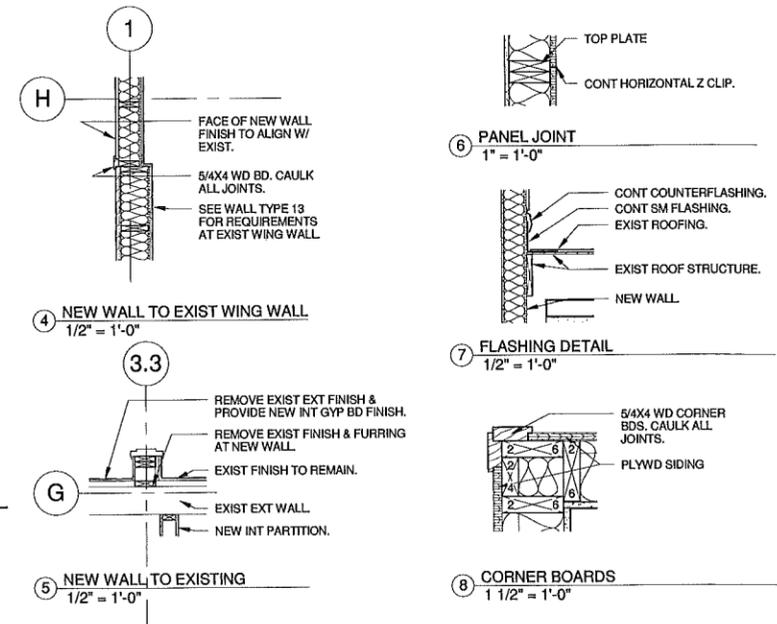
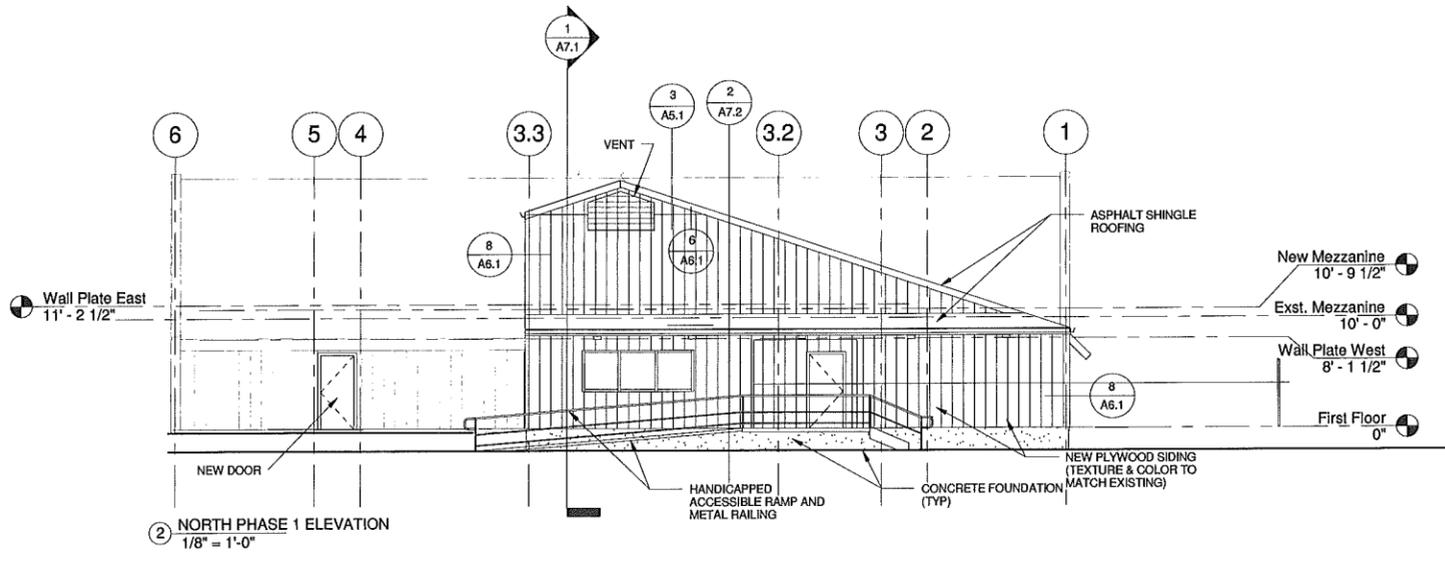
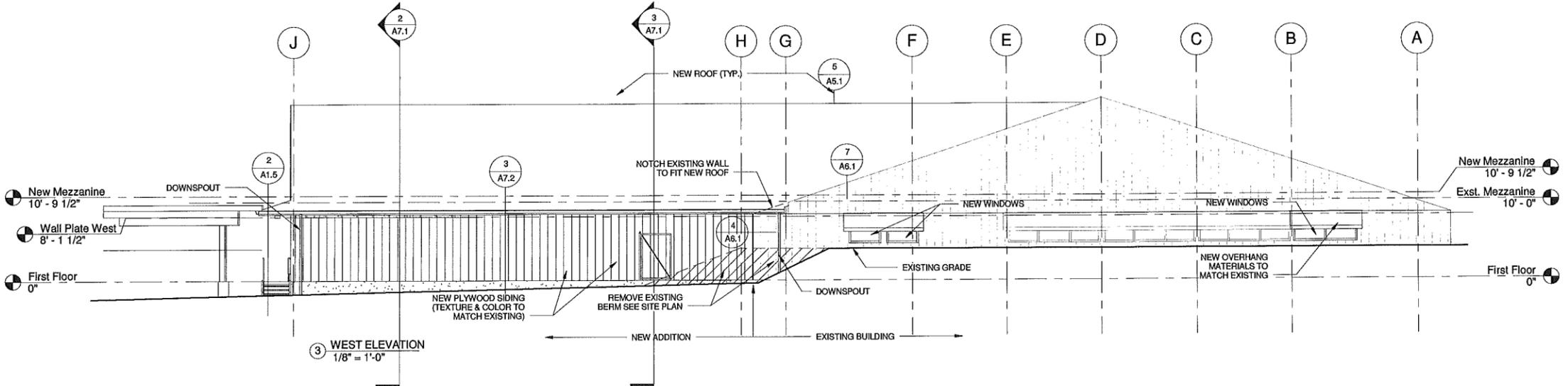
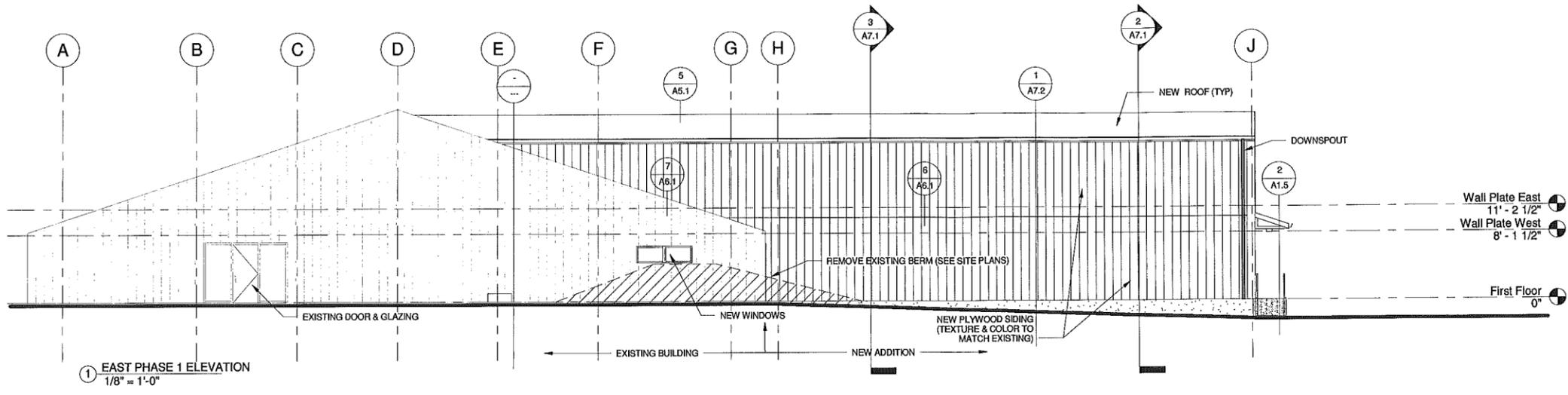
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FIRST FLOOR PLAN  
MEZZANINE FLOOR PLAN

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**A3.1**

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LEGEND:

GENERAL NOTES:

SHEET NOTES: #

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ARCHITECTS LLP

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MEDFORD, OR 97504  
541 779 4363  
we're@sarchllp.com

**ADDITIONS AND RENOVATIONS FOR:  
ASHLAND POLICE DEPARTMENT**  
1155 E. Main Street Ashland OR 97520

Planning Submission

DATE PLOT 5/3/2012 5:43  
ISSUE 01/26/2012

REVISION/A

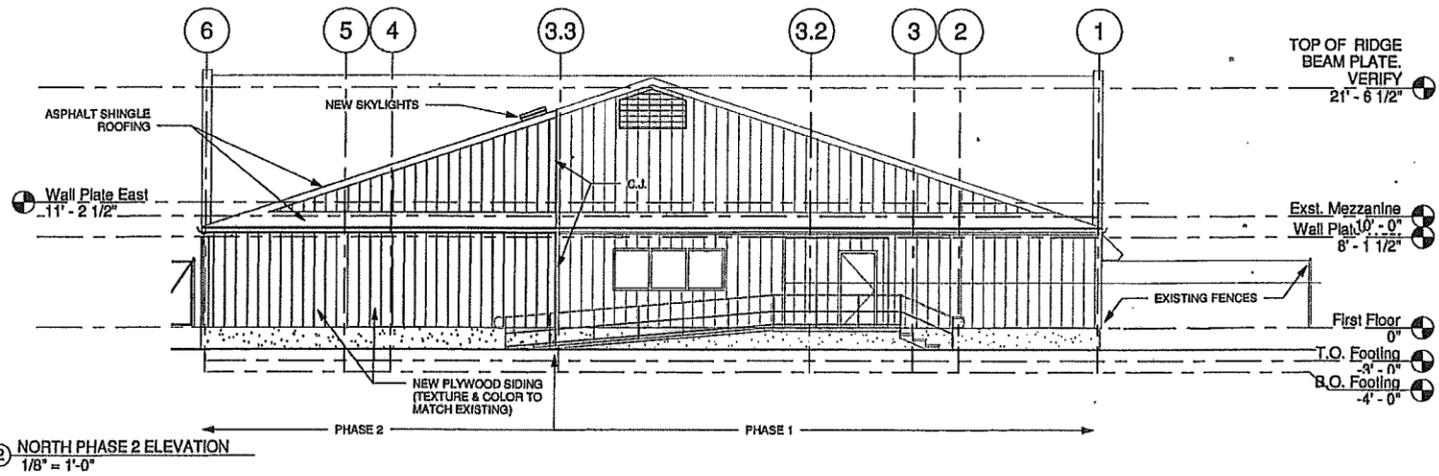
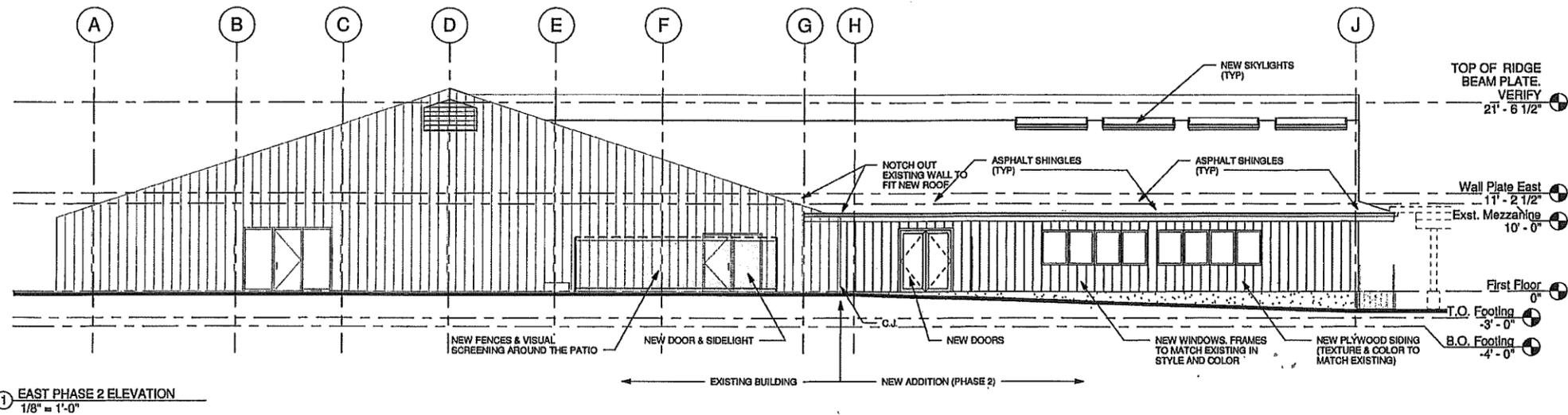
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JOB NO 0354.00  
EXTERIOR ELEVATIONS

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MAY 04 2012

City of Ashland

A6.1



LEGEND:

GENERAL NOTES:

1. EAST ELEVATION AND SOUTH ELEVATION IN PHASE 1 REMAIN UNCHANGED DURING PHASE-2

SHEET NOTES: #

**STRAUS & SEIBERT**

ARCHITECTS LLP

1173 E MAIN ST, SUITE 2E  
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541 779-4363  
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**ADDITIONS AND RENOVATIONS FOR:  
ASHLAND POLICE DEPARTMENT**

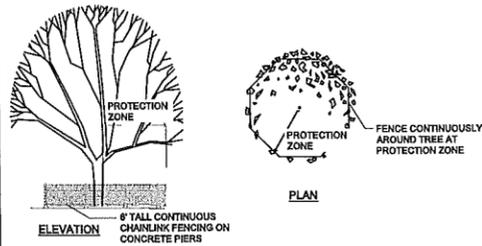
1155 E. Main Street Ashland OR 97520

Planning Submission

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JUN 01 2012  
City of Ashland

DATE	PLOT	5/31/2012 5:51
REVISION	ISSUE	05/31/2012
DRAWN	Author	
REVIEWED	Checker	
JOB NO	0354.00	
EXTERIOR ELEVATIONS PHASE-2		

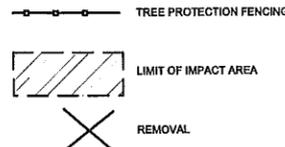




**TREE PROTECTION DETAILS**

**SPECIFICATIONS FOR TREE PRESERVATION DURING CONSTRUCTION:**

- Before beginning work, the contractor is required to meet with the landscape architect at the site to review all work procedures, access routes, storage areas, and tree protection measures.
- Fences must be erected to protect trees to be preserved as shown in diagram. Fencing shall be 6' tall temporary chain link panels installed with metal connections to all panels area integrated, these fences shall be installed so that it does not allow passage of pedestrians and/or vehicles through it. Fences define a specific protection zone for each tree or group of trees. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without the written permission of the landscape architect.
- Construction trailers and traffic and storage areas must remain outside fenced areas at all times.
- All underground utilities and drain or irrigation lines shall be routed outside the tree protection zone. If lines must transverse the protection area, they shall be tunneled or bored under the tree roots.
- No materials, equipment, spoil, or waste or washout water may be deposited, stored, or parked within the tree protection zone (breed area).
- Additional tree staking required for the clearance during construction must be performed by a qualified arborist and not by construction personnel.
- Any herbicides placed under paving materials must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
- If injury should occur to any tree during construction, the tree consultant should evaluate it as soon as possible so that appropriate treatments can be applied. All damage caused by construction to existing trees shall be compensated for, before the project will be considered complete.
- The consulting arborist must monitor any grading, construction, demolition, or other work that is expected to encounter tree roots.
- All trees shall be irrigated on a schedule to be determined by the landscape architect. Irrigation shall wet the soil within the tree protection zone to a depth of 30 inches.
- Erosion control devices such as silt fencing, debris basins, and water diversion structures shall be installed to prevent siltation and/or erosion within the tree protection zone.
- Before grading, pad preparation, or excavation for the foundations, footings, walls, or trenching, any trees within the specific construction zone shall be root pruned 1 foot outside the tree protection zone by cutting all roots clearly at a 90 degree angle to a depth of 24 inches. Roots shall be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root-pruning equipment.
- Any roots damaged during grading or construction shall be exposed to sound tissue and cut cleanly at a 90 degree angle to the root with a saw. Place dump soil around all cut roots to a depth equalling the existing finish grade within 4 hours of cuts being made.
- If temporary haul or access roads must pass over the root area of trees to be retained, a road bed of 6 inches of mulch or gravel shall be created to protect the soil. The road bed material shall be replenished as necessary to maintain a 6 inch depth.
- Spill from trenches, basements, or other excavations shall not be placed within the tree protection zone, either temporarily or permanently.
- No burn piles or debris piles shall be placed within the tree protection zone. No ashes, debris, or garbage may be dumped or buried within the tree protection zone.
- Maintain fire-safe areas around fenced areas. Also, no heat sources, flames, ignition sources, or smoking is allowed near mulch or trees.
- Do not raise the soil level within the drip line to achieve positive drainage, except to match grades with sidewalks and curbs, and in those areas, feather the added topsoil back to existing grade at approximately 3:1 slope.
- Exceptions to the tree protection specifications may only be granted in extraordinary circumstances with written approval from the landscape architect.



#	Species	DBH	Crown R.	Height	Health	Notes
1	Prunus s.	10"	11'	18'	Fair	Needs pruning, leaning
2	Prunus s.	9"	9'	16'	Fair	Trunk wound, leaning
3	Prunus s.	7"	10'	16'	Poor	Fungus, large trunk wound
4	Prunus s.	10"	9'	16'	Poor	Needs pruning or removal
5	Prunus s.	10"	9'	16'	Fair-Poor	Trunk wounds
6	Prunus s.	10"	13'	16'	Poor	Trunk wound
7	Quercus sp.	13"	15'	25'	Good	Mistletoe
8	Pinus c.	9"	10'	18'	Fair	Producing lots of sap
9	Pseudotsuga m.	18"	12'	40'	Good	
10	Calocedrus d.	14"	10'	35'	Good	
11	Acer sp.	9"	8'	30'	Good	
12	Acer sp.	7"	8'	28'	Good	Wound @ base of trunk
13	Liquidambar s.	9"	8'	31'	Good	
14	Liquidambar s.	11"	9'	35'	Good	
15	Acer sp.	10"	8'	32'	Fair	Trunk wound
16	Acer sp.	14"	13'	35'	Fair/Good	Multiple leaders
17	Acer sp.	10"	12'	33'	Good	
18	Liquidambar s.	12"	12'	35'	Good	
19	Liquidambar s.	12"	12'	28'	Fair	Surface roots
20	Acer sp.	13"	10'	28'	Good	
21	Acer sp.	11"	13'	26'	Fair	Surface roots, suckering
22	Liquidambar s.	9"	9'	27'	Fair	Wound @ base of trunk, surface roots
23	Acer sp.	15"	15'	28'	Good	
24	Betula sp.	9"	9'	30'	Good	TO BE REMOVED
25	Betula sp.	13"	17'	50'	Good	TO BE REMOVED
26	Pinus c.	10"	7'	20'	Fair	TO BE REMOVED
27	Pinus c.	9"	6'	20'	Good	TO BE REMOVED
28	Pinus c.	11"	14'	17'	Good	TO BE REMOVED
29	Acer palmatum	n/a	12'	18'	Good	
30	Betula sp.	9"	15'	22'	Good	
31	Picea pungens	17"	12'	35'	Good	TO BE REMOVED
32	Pinus c.	10"	8'	16'	Fair	Leaning, producing sap
33	Pinus c.	7"	8'	8'	Fair/Good	Leaning
34	Quercus sp.	20"	20"	35'	Good	
35	Betula sp.	8"	16'	25'	Good	3-Trunk multi, mistletoe
36	Quercus sp.	9"	10'	17'	Good	
37	Quercus sp.	7"	10'	20'	Good	
38	Betula sp.	10"	11'	30'	Good	
39	Betula sp.	11"	13'	30'	Good	
40	Pinus c.	10"	15'	33'	Good	DBL Trunk/ producing sap
41	Betula sp.	11"	13'	37'	Good	Leans
42	Pinus c.	12"	10'	35'	Good	
43	Quercus sp.	12"	13'	40'	Fair	Needs pruning
44	Betula sp.	9"	9'	40'	Good	
45	Betula sp.	12"	9'	40'	Good	
46	Pinus c.	10"	7'	30'	Good	DBL Trunk, producing sap
47	Betula sp.	7"	7'	40'	Good	
48	Acer sp.	11"	6'	18'	Good	
49	Acer sp.	11"	7'	20'	Fair	Not well pruned
50	Acer sp.	10"	9'	22'	Fair/Poor	TO BE REMOVED
51	Acer sp.	10"	8'	24'	Good	TO BE REMOVED

\*NOTE: TREE PROTECTION IS ACCOMPLISHED BY FENCING OFF NO IMPACT AREAS

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City of Ashland



TREE PROTECTION PLAN

**ASHLAND POLICE STATION**  
1155 E. MAIN STREET  
ASHLAND, OREGON 97520

MAY 3, 2012

L-2

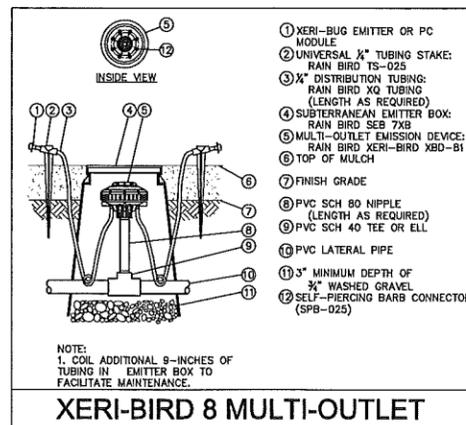
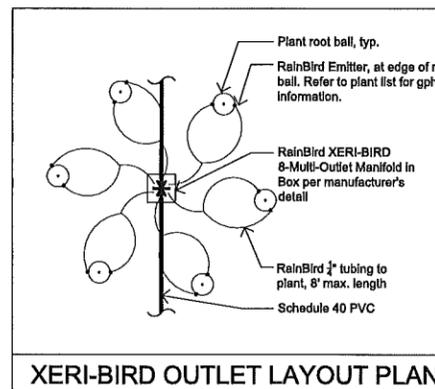
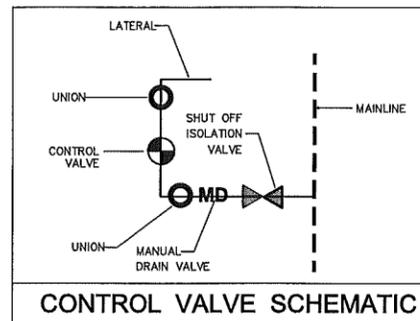
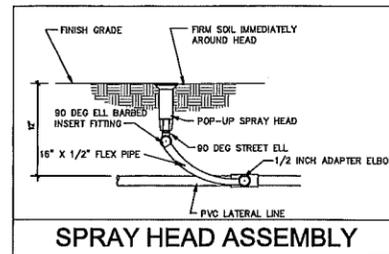
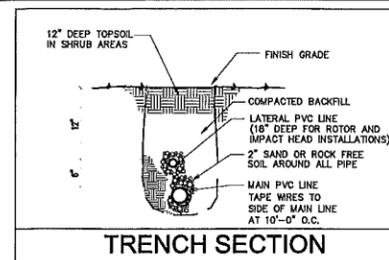
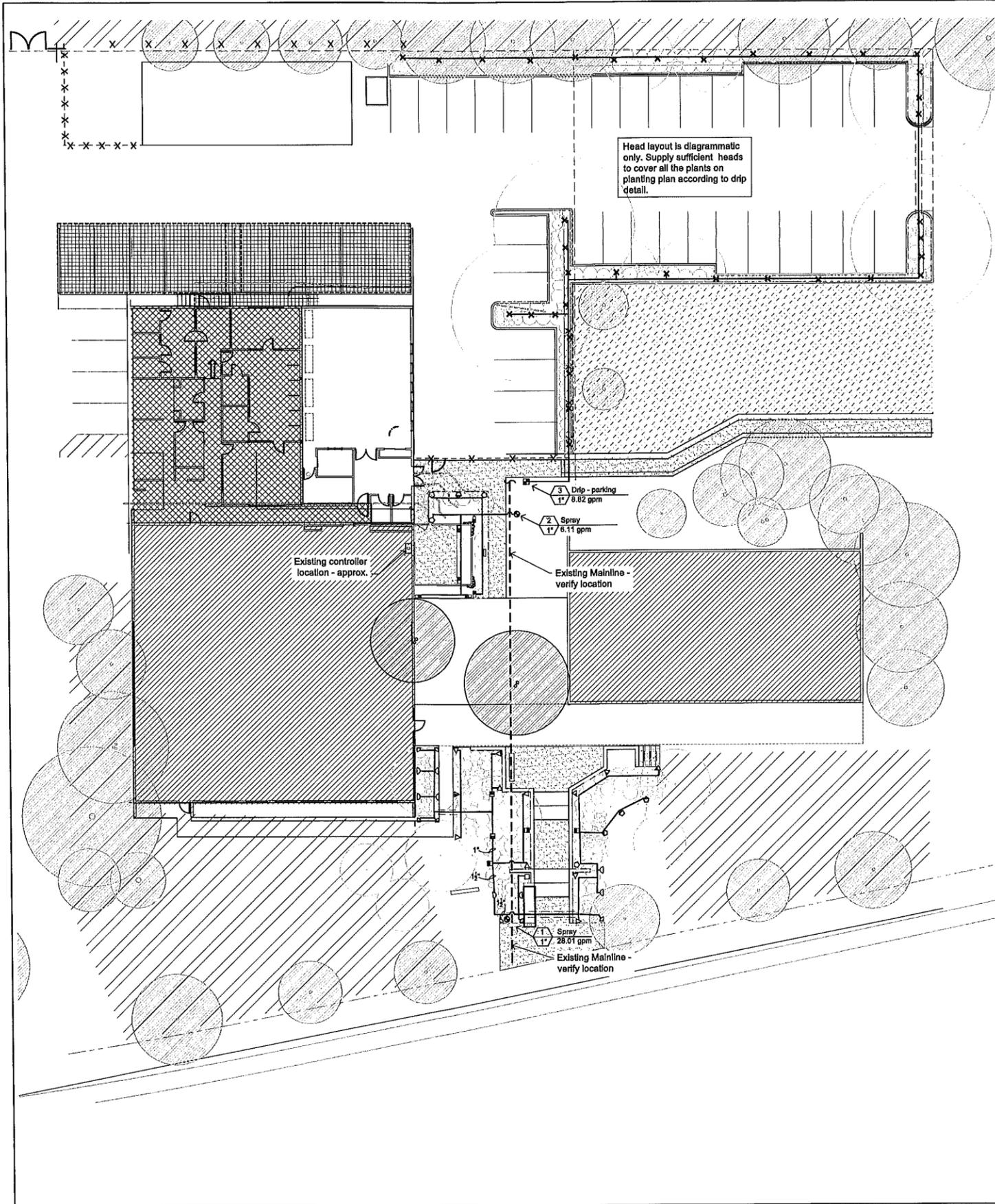


Revision Date:

Drawn By: TMP

Scale 1" = 20'-0"

**KenCairn**  
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**IRRIGATION LEGEND**

- Mainline - existing 2" Schedule 40 PVC
- Lateral line - 1" Schedule 40 PVC, except as noted
- [C] Controller - module as specified by Central Control
- [R] RainBird Control Zone Kit Model XCZ-100-PRB-COM
- [V] RainBird Control Valve - PESS
- [X] RainBird XERI-BIRD 8 Multi-Outlet
- [1"/1"] Controller-Zone Number/Use Type Valve size / GPM / Pressure (PSI)
- Sleeve - 4" #3034 Sewer Pipe

**IRRIGATION KEY**

RAINBIRD MPR Series	(1)	(2)	(3)	(4)
MPR 5"	● 0.41	▲ 0.20	▲ 0.13	▼ 0.10
MPR 8"	○ 1.05	△ 0.52	◇ 0.35	▽ 0.26
MPR 10"	◆ 1.58	◇ 0.79	◇ 0.53	◇ 0.39
MPR 12"	◆ 2.80	◇ 1.30	◇ 0.87	◇ 0.65
MPR 15"	▼ 3.70	▼ 1.85	▼ 1.23	▼ 0.82
16 Slip Series	■ 1.21	■ 0.49		
1612 Heads used on Valve #1				
1808 Heads used on Valve #2				

**NOTES:**

**GENERAL:**  
This project is using existing irrigation mainline, backflow, and controller. New control valves and spray or drip zones will be installed for this new work. Systems for the existing site plantings to remain will remain as well, except where needed. Disconnect existing lines and cap where now covered by the new zones. Prior to construction, verify all existing irrigation equipment is performing correctly. Report to landscape architect this has been done and equipment is performing appropriately before commencing construction.

Verify pressure at P.O.C. before installation. Maximum flow per zone - 50 GPM.

Connect to existing 2" mainline. Confirm controller size needed to replace site controller with additional zones. Install new drip valves and new spray zone valve.

Locations of mainline, laterals, and valves are diagrammatic only. Locate these in planting areas where feasible. Do not locate valve boxes under dripline of trees where feasible.

Use SAM heads where needed to prevent low head drainage.

**TREES:**  
Contractor shall implement Tree Protection Details/Specifications prior to starting any irrigation work on this project.

When trenching for irrigation, hand trench under the dripline of all existing trees. See specifications before start of work - Consult with Owner's Certified Arborist before disturbing any roots over 2". Trench radially if necessary.

**SLEEVING:**  
Contractor shall verify sleeving locations and coordinate with general contractor. Sleeves shall be installed under all landscape areas for irrigation.

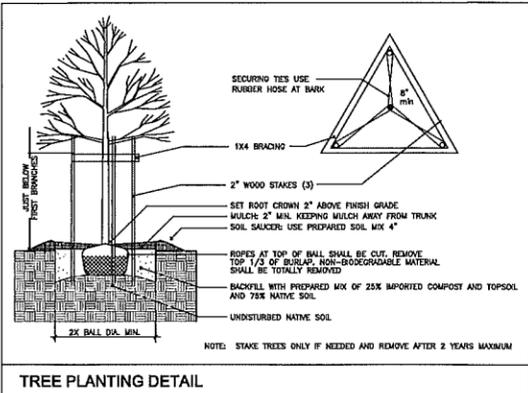
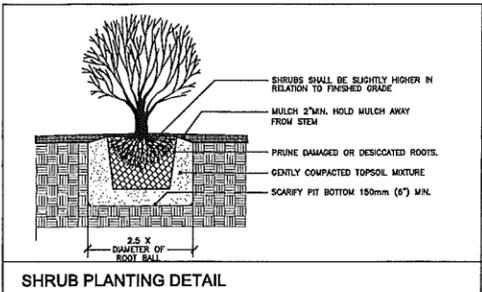
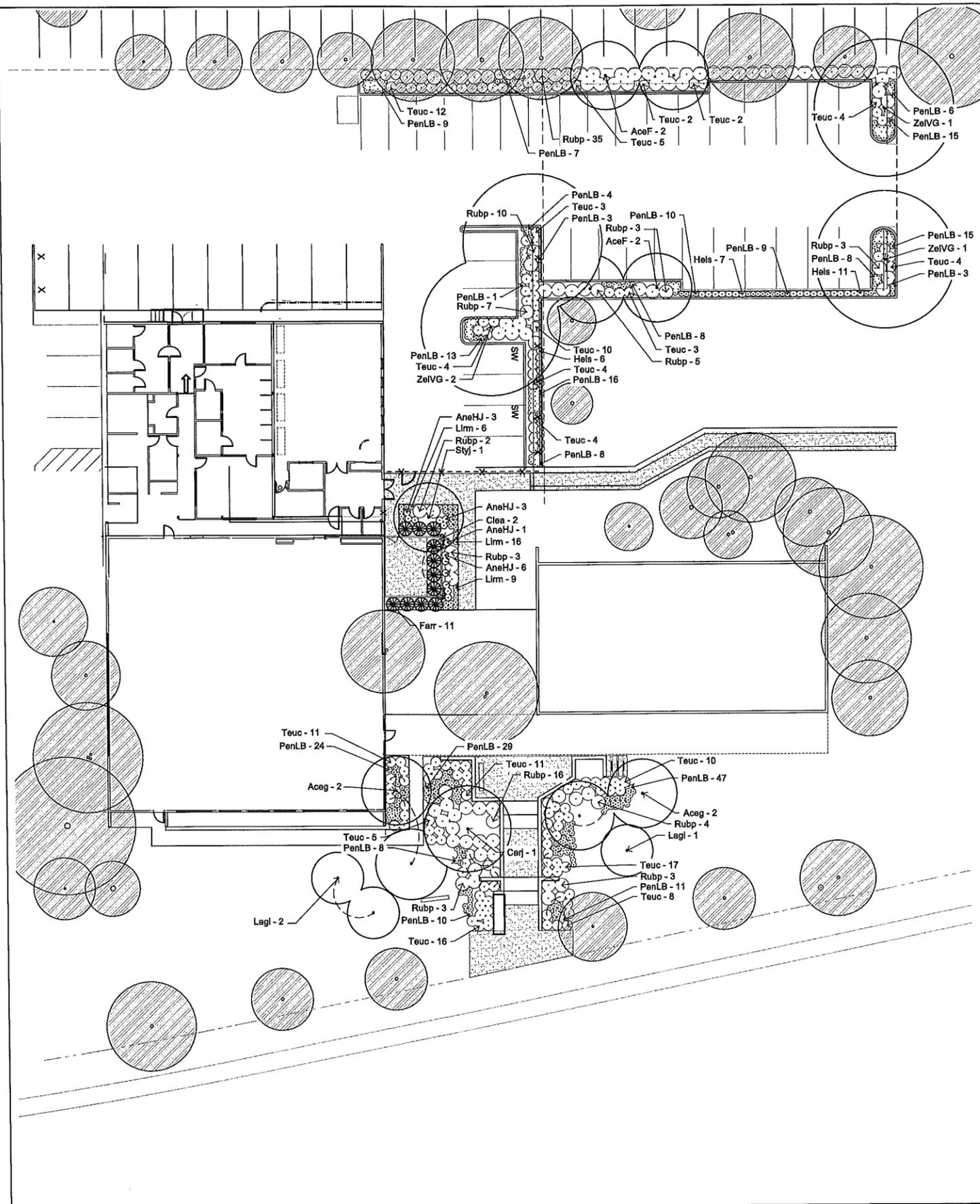
- IRRIGATION NOTES:**
- Maintain at job site one (1) copy of Drawings, Specifications, Addenda, and approved Shop Drawings, change orders, and other project documents.
  - Record actual location of all concealed components, piping system, conduit and sleeve locations. Keep this document current. Do not permanently conceal any work until required information has been recorded. Furnish two (2) copies of record drawings to the Owner. Reduce one copy of record drawing to fit inside controller lid. Laminate reduced copy.
  - All work shall be installed by competent workmen experienced in trade in a neat and orderly manner acceptable to the landscape architect.
  - Conform to all pertinent codes and regulations. Comply with the latest rules of the National Electrical Code and the American Master Plumbers code.
  - Verify field measurements are as indicated on drawings.
  - Notify landscape architect 48 hours in advance of all site observation visits required by the landscape architect. The contractor shall be present at each site observation visit. Required visits include: pressure test after mainline laid, after non-pressurized lines prior to backfill, and final operation of all irrigation stations including head to head coverage.
  - Irrigation pipe, heads, valves, backflow device as noted on legend.
  - Verify location of existing utilities including mainline, backflow and controller.
  - Piping layout is diagrammatic only. Route piping to avoid plants, ground cover, and structures. Layout shall follow as closely as practical the schematic design on the Drawings. Make no substantial changes without prior approval.
  - Coordinate all irrigation equipment locations with other contractors.
  - Layout sprinkler heads and make any minor adjustments required due to differences between site and drawings. Any such deviations in layout shall be within the intent of the original drawings, and without additional cost to the owner. Layout shall be approved by the landscape architect.
  - All sprinkler heads along sidewalks shall be one to two inches from sidewalks.
  - Pipe depth - lateral lines - 12 inch minimum; mainline - 18 inch minimum. Sleeve depths to match the depth of the pipe to go through them.
  - Bottom of trenches and backfill material shall be free of rocks, clods, and other sharp objects. Snake pipe from side to side at trench bottom to allow expansion.
  - Do not install heads until lines have been thoroughly tested and flushed clean.
  - All existing irrigation components to remain shall be protected during construction. Test prior to construction for observation of any irrigation components not performing as needed to complete job.
  - Upon completion of all systems, the contractor shall perform a coverage test to determine that water is being applied correctly and adequately to all plantings. Change any heads, nozzles, or orifices as may be required to provide coverage as indicated on the Drawings. Promptly adjust heads to keep water off buildings and structures with minimal splash on paved surfaces.



Scale 1" = 16'-0"  
Revision Date:  
Drawn By: BB

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**KenCaim**  
Landscape Architecture



KEY	BOTANICAL NAME	COMMON NAME	SIZE	GPH*
<b>TREES:</b>				
AceF	Acer glabrala 'Flame'	Flame Amur Maple	1 1/2" cal.	20 gph
Aceg	Acer griseum	Paperbark Maple	8-10' multi-stem	25 gph
Cerj	Carpinus japonicus	Japanese Hornbeam	2" cal.	35 gph
Lagi	Lagerstroemia indica 'Whit II'	Dynamite Crape Myrtle	1 1/2" cal.	20 gph
Styj	Styrax japonica	Japanese Snowbell	1 1/2" cal.	NA
ZelVG	Zelkova 'Village Green'	Village Green Zelkova	2"	40 gph
<b>SHRUBS &amp; PERENNIALS:</b>				
AneHJ	Anemone x h. 'Honorine Jobert'	Honorine Jobert Japanese Anemone	1 gal.	NA
Farr	Fargesia robusta	Bamboo	5 gal.	NA
<b>GROUND COVERS &amp; VINES:</b>				
Clea	Clematis armandii	Evergreen Clematis	3 gal.	1 gph
Hels	Helictotrichon sempervirens	Blue Oat Grass	1 gal.	1 gph
Lirm	Liriope muscari 'Big Blue'	Big Blue Lilyturf	1 gal.	NA
PenLB	Pennisetum a. 'Little Bunny'	Little Bunny Dwarf. Ftn. Grass	1 gal.	1 gph
Rubp	Rubus pentalobus	Creeping Bramble	1 gal.	1 gph
Teuc	Teucrium chamaedrys	Germander	1 gal.	1 gph

\* NOTE: GPH is noted as a total gallonage per plant. Tree gallonage is for future expansion of emitters as tree grows. Use half the gallons specified for the trees for this installation. All plants to have a minimum of two emitters per plant. Trees to have minimum of five emitters per tree.

**GENERAL NOTES:**

1. Refer to Tree Protection Plan for work around existing trees to remain and those to be removed.

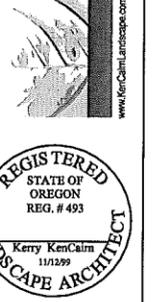
**SOIL PREPARATION**

1. Submit soil samples and analysis from a licensed soils laboratory to the landscape architect for approval prior to delivery or use of any imported material on the project site. Soil test shall determine the following: mechanical analysis; magnesium, potassium, and phosphorus levels; soluble salt level; pH; and organic matter. Test results shall include specific recommendations for soil conditioners, amendments and fertilizers to adjust the soil to meet appropriate growing conditions for the plants on this plan.
2. Imported soil shall be 60% top soil and 40% compost mix. The topsoil shall be of fertile, loose, friable sandy loam texture capable of sustaining vigorous plant growth, free draining, clean and free from noxious weeds, weed seeds, roots, and rocks larger than 1 1/2 inch in any dimension. Sample of compost shall be submitted for approval by landscape architect prior to site delivery.
3. Protect existing landscape and other features remaining as final Work.
4. Scarify surface to a depth of 6 inches where topsoil is scheduled.
5. Place soil mix during dry weather.
7. Tamp placed soil mix.
8. Remove surplus subsoil and topsoil from site and dispose of legally.
9. Topsoil elevation relative to walk, curb or cap of wall after product settling is 4 inches below or as instructed by landscape architect.
10. Slope grade away from building as required by governing standards and engineering specification.

**PLANTING**

1. Protect and maintain plant material until planted.
2. Install plant material after and coordinate with installation of underground irrigation system piping, valves and heads.
3. Guarantee furnished plant material to live and remain in healthy and in vigorous condition for a period of one year from final landscape installation acceptance by landscape architect.
4. Notify landscape architect forty-eight (48) hours in advance of all site observation visit requests.
5. Site observation visits required by the landscape architect during plant installation include: review and approval of specified plant material on site, location approval of all proposed plant material as shown in drawings, prior to planting, after planting and mulching is completed.
6. If inspections are scheduled, and the owner's representative arrives at the scheduled time and the contractor or contractor's representative is not on site or at the pre-arranged location as agreed, or if the work to be inspected is not ready for inspection, and a repeat inspection is necessary, the owner's representative may provide the contractor with a written notice of failure to comply with inspections. If scheduled inspections are not completed, after a written notice of failure to comply with inspections has been received by the contractor, due to the above contractor outlined action or inaction, the owner's representative may bill the contractor for the repeat inspection at the owner's representative's customary pay schedule.
7. No changes agreed to at the inspections that deviate from the plans and specifications shall be allowed without written approval from the owner's representative.
8. Plant material shall be sound, healthy, vigorous, free from plant disease, insect pests or their eggs, noxious weeds and weed seeds, and have healthy, normal root systems. Container stock shall be well established and free of excessive root-bound conditions.
9. Do not prune plants or top trees prior to delivery.
10. Planting backfill mix shall be composed of two parts approved topsoil, one part native soil, one part organic amendment - as approved by landscape architect.
11. Chemical soil amendment shall be approved by landscape architect.
12. Planting tablets shall be slow-release 21 gram tablets by Agriform or approved equal.
13. Bark top dressing mulch shall be dark multi-bark mulch, available at Hilton Fuel, or equal.
14. Before proceeding with work, check and verify dimensions and quantities.
15. Locate trees and shrubs and secure acceptance from landscape architect before planting.
16. Deeply roughen sides of plant pits to eliminate glazing and encourage root growth into native soils.
17. Add planting tablets in plant pit: 1 gal. - 1 tab, 5 gal. - 3 tabs, trees - 5 tabs
18. Settle by firming and watering to bring rootball crown down to proper level, two inches higher than surrounding soil. Raise any plants that settle below correct level.
19. Apply pre-emergent herbicide to planting areas after completion of planting.
20. Mulch planting areas with a 2 inch deep layer of top dressing mulch. Hold mulch away from stems of plant material at least 3 inches.

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Revision Date:  
Drawn By: BB  
Scale 1" = 16'-0"

**ASHLAND POLICE STATION**  
1155 E. MAIN STREET  
ASHLAND, OREGON 97520

RECEIVED  
MAY 04 2012

City of Ashland  
PLANTING PLAN

MAY 3, 2012  
L-4

**LEGISLATIVE AMENDMENT  
PUBLIC HEARING**

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**#2012-00573**

**ASHLAND PLANNING DIVISION  
STAFF REPORT  
JUNE 12<sup>th</sup>, 2012**

**PLANNING ACTION:** PL #2012-00573

**APPLICANT:** City of Ashland

**LOCATION:** Not property-specific

**ORDINANCE REFERENCE:** 18.108.170 Legislative Amendments  
*(See also the Jackson County-adopted RRPS Plan with supporting appendices and the complete record of the County adoption process to date on-line at:  
[www.jacksoncounty.org/rps](http://www.jacksoncounty.org/rps).)*

**REQUEST:** A Legislative Amendment is proposed to adopt a new "Chapter XIV - Regional Plan" element to the City of Ashland Comprehensive Plan to incorporate applicable portions of the Greater Bear Creek Valley Regional Problem Solving Plan ("*the RPS Plan*") and to acknowledge revised population allocations for the City of Ashland. Jackson County recently adopted the RPS Plan which identifies urban reserve areas to accommodate a doubling of the region's population, but before the RPS Plan can take effect, each of the six participating cities in the region (Ashland, Talent, Phoenix, Medford, Central Point and Eagle Point) must adopt the applicable portions of the plan into their comprehensive plans and implementing ordinances.

Adoption of the new comprehensive plan element incorporates those portions of the Regional Plan applicable to Ashland as a signatory participant with no identified urban reserves. Ashland is unique among the six participating cities as the only jurisdiction not to identify urban reserves, and the proposed new element is similarly unique in that where other cities are adopting new regulations and maps, Ashland is in effect acknowledging its participation through adoption of policies that in large part will not come into play until urban reserves are identified for the city. The new element thus serves primarily as a placeholder to acknowledge the city's signatory participation in the plan and to provide a framework should the city choose to pursue the creation of urban reserves in the future.

**I. Relevant Facts**

**A. Background – History of Ashland's Involvement in Regional Problem Solving**

The Oregon Revised Statutes (ORS) allow for the establishment of regional problem solving programs in counties and regions throughout the state to provide a framework directed toward resolving land use problems in a region. The City of Ashland entered into a "*Collaborative Regional Problem Solving*" process in 2000 with Jackson County and several other municipalities in the greater Bear Creek Valley. This Regional Problem Solving (RPS) process is now into its twelfth year, and has brought together the cities of Ashland, Central Point, Eagle Point, Medford, Phoenix and Talent, as well as Jackson County and a number of

local, state and regional agencies to create a plan identifying lands suitable for long-term urban growth sufficient to accommodate a doubling of the region's population.

Lands that have been selected to accommodate future urban growth within the region are designated in the RPS Plan as urban reserve areas (URA's). Ashland is the only city participating in the RPS process that has not identified URA's, as the City Council previously determined that with more efficient land use strategies, the lands already within Ashland's city limits and urban growth boundary could accommodate the city's anticipated growth during the plan period without expansion.

In September of 2008, the City Council acknowledged general agreement with the RPS process and adopted Resolution #2008-032 supporting the RPS planning process and the general sequencing envisioned through the Jackson County comprehensive plan amendment process. Ashland signed the formal Participants Agreement in December of 2009.

The Planning Commission last considered RPS in April of 2010 and made a recommendation to Council that there be a strong statement that Ashland's land use values be incorporated into the RPS process. After considering a draft of the Plan in light of this recommendation, the City Council crafted Resolution #2010-021 which identified six primary issues with the RPS Plan which the Council wished to see further addressed during the adoption process. These six issues are detailed and addressed in Section II.B below. This resolution was provided to the Jackson County Planning Commission during its review of the draft RPS Plan, and these issues were reiterated to the Board of Commissioners as they began their review with Council Resolution #2011-028.

After more than a year and a half of intensive review of the draft RPS Plan through public hearings before the Jackson County Planning Commission, the Jackson County Board of Commissioners adopted the RPS Plan in November 2011. The adopted RRPS Plan, appendices and the complete record of the County hearings process to date can be viewed online at [www.jacksoncounty.org/rps](http://www.jacksoncounty.org/rps).

Subsequent to the RPS Plan's adoption by the County, the plan was submitted to the Department of Land Conservation and Development (DLCD), the state agency which supports the Land Conservation and Development Commission (LCDC) in its review of local planning efforts for consistency with Oregon's land use laws. While the RPS Plan will not formally take effect until each of the participating cities adopts the plan as well and it has been reviewed and acknowledged by the state, LCDC nonetheless met in Newport in March to take public comment on the plan and provide initial, informal feedback to the County and participant cities. LCDC's informal comments on the Plan, none of which had a direct or immediate bearing on Ashland, are detailed and discussed in Section II.C below. The County has initiated a limited re-opening of the adopted RPS Plan to address the issues raised, and at this point, the final step in this now-more-than-a-decade-long regional planning process is for each of the participating cities to consider incorporating relevant portions of the County-adopted plan into their respective comprehensive plans and land use ordinances. The final County-adopted plan and the six cities' adopted comprehensive plan and code amendments will then be forwarded to LCDC for acknowledgement as a single action.

## **B. Background – Proposed New Regional Plan Element**

The current proposal involves a Legislative Amendment to adopt a new element (Chapter XIV Regional Plan) into the City of Ashland's Comprehensive Plan in order to incorporate applicable portions of the RPS Plan as well as to acknowledge corrected population allocations for the City of Ashland. The attached draft Regional Plan Element was created in collaboration with staff members from Jackson County, the Rogue Valley Council of Governments, and the six participating cities in an effort to have as much consistency in implementing the plan across the six jurisdictions as possible.

Ashland is unique among the six participating cities in that it is the only jurisdiction not to identify urban reserves, and the proposed new comprehensive plan element is similarly unique in that where other cities are adopting new regulations and maps, Ashland is in effect acknowledging its participation through adoption of policies that in large part will not come into play until urban reserves are identified for the city. The new element thus serves primarily as a placeholder to acknowledge the city's signatory participation in the plan and to provide a framework should the city ultimately choose to pursue the creation of urban reserves.

## **II. Project Impact**

### **A. Commission Review of Legislative Amendments**

Procedurally speaking, for city-proposed legislative amendments AMC 18.108.170 calls for the Planning Commission to hold a public hearing and, following public testimony, to make a report of its recommendations to the City Council. After receipt of the Planning Commission recommendations, the Council holds a public hearing in conjunction with the first reading of the ordinance associated with the proposed amendment. A Council hearing date is *tentatively* set for July 17, 2012.

### **B. Issues Previously Raised in Resolutions #2010-021 & #2011-028**

In its most recent review of the draft RPS Plan, the Council identified six issues with the plan which they wished to see addressed during the adoption process, including:

- 1) **Population:** Through the RPS process, some population which should have been allocated to Ashland was shifted to other cities based on the assumption that since Ashland was not identifying growth areas there was no need to plan for its growth. In fact, Ashland was proposing to accommodate anticipated growth but to do so on existing lands through more careful planning, and the Council thus asked that the population allocations in the RPS Plan be corrected to reflect projected growth rates consistent with Ashland's historic development patterns to enable accurate planning on issues such as utility and transportation infrastructure.

- **Subsequent to the Resolution, Jackson County reopened its Population Element in conjunction with the RPS Plan's adoption and**

made the requested adjustments to the population allocations. The County chose to re-allocate population from unincorporated areas of the County itself, rather than taking population from other cities in the region, thereby avoiding making changes in other cities' population allocations or land needs which might have posed substantial risk to the RPS Plan. This re-allocation provides a 1.06 percent annual growth rate through 2026 and a 0.91 percent annual growth rate through 2040, providing Ashland with a 2060 population of 31, 633 which is consistent with Comprehensive Plan projections. In staff's view, Ashland's population allocation concerns have been satisfactorily addressed with the County's amendment of its Population Element.

- 2) **Efficient Land Use & Transportation:** The Planning Commission and City Council emphasized the importance of planning development in the region to support a successful regional transit system with implementation of the RPS Plan, and recommended that the plan incorporate commitments by participating cities to Transit Oriented Developments (TODs) and/or higher densities. The Council also asked that the plan include measures to verify compliance with these commitments through any proposed urban growth boundary expansion by requiring preparation of a conceptual development plan specifying anticipated target residential and/or employment densities.

- **Chapter 2, Figure 2.10 and Chapter 5, Section 2.5 of the County-adopted plan include increased density commitments from all participating cities which were arrived at address density concerns and comply with the state's current safe harbor requirements. For the first 25 years of the planning horizon, these density commitments involve densities of 6.5 to 6.9 dwelling units per acre both in existing Urban Growth Boundaries and in proposed Urban Reserve Areas, including a commitment by Ashland to a 6.6 units per acre density within its existing Urban Growth Boundary. Density commitments for the Urban Reserves would be increased by the participating cities for the remainder of the planning period to from 7.5 to 7.9 dwelling units per acre. In LCDC's comments on the plan, it was recommended that the City of Medford increase its first half density commitments from 6.5 to 6.6 units/acre and over the second period that it increase its density from 7.5 to 7.6 units per acre, and that it "*strive to increase its efficiency of development to the extent possible.*" (For purposes of comparison, staff would note that review of land use actions in Ashland for the past five years suggests that new developments have been approved at an average density of approximately 7.46 dwelling units per acre.)**

**Chapter 5, Section 2.6 of the adopted plan also includes commitments by all participating cities including Ashland to meet the benchmarks in the 2009 Regional Transportation Plan (RTP), which is administered through the Metropolitan Planning Organization (MPO), for the**

percentage of new dwelling units and new employment created in mixed-use, pedestrian friendly areas or transit-oriented developments (TODs). These percentages are listed under Alternative Measures #5 and #6 in the RTP, and would require that 49 percent of new dwelling units and 44 percent of new employment be located in mixed-use, pedestrian friendly areas or TODs by 2020. The objective of these measures is to demonstrate progress towards creating mixed use, pedestrian friendly developments in the region, and as such the requirement is considered to be met if the city or the region overall is achieving the targets or minimum qualifications, whichever is greater. The plan revisions also provide that the requirements can be offset by increasing the percentage of dwelling units and/or employment within the city limits which would allow the transfer of some increased density into a city's core rather than concentrating increased density in urban reserves at the perimeter of a city. Ashland has already committed to the Regional Transportation Plan standards through our participation in the MPO.

Chapter 5, Sections 2.7 and 2.8 call for the development of conceptual transportation plans for urban reserve areas in order to identify and protect regionally significant transportation corridors to provide for a multi-modal regional transportation network with connections both within and between cities, and for conceptual land use plans which consider targeted densities, land use distribution, necessary transportation infrastructure and efforts to concentrate development in mixed-use, pedestrian friendly areas.

Staff believes that the commitments to increased density and mixed-use, pedestrian friendly development over the long-term are consistent with the Council's previous resolution.

- 3) **Urban Fringe:** Existing State and County regulations impose a minimum ten-acre lot size on those areas located in the County but within a mile of Ashland's existing Urban Growth Boundary (i.e. Ashland's "urban fringe") to prevent more urban levels of development from occurring without the associated consideration of its impacts to the city and its infrastructure. The Council asked that these limitations remain in place until Ashland identifies urban reserve areas and an urban reserve management agreement (URMA) is signed between Ashland and Jackson County.

- **The adopted RPS Plan retains the requested limitations on development with Ashland's urban fringe in Chapter 5, Section 2.15.**

- 4) **Jurisdictional Transfer:** In conjunction with the County Planning Commission hearings, the County initially proposed requiring jurisdictional transfer of County roads within existing city limits through the adoption of the plan, which would have placed the financial burden of upgrading these streets to current standards and maintaining them entirely on the cities. The Council and the other participating cities asked jurisdictional

transfers not be tied directly to the adoption and acknowledgement process for the RPS Plan, but rather negotiated between the County and individual cities in conjunction with Urban Growth Boundary and Urban Reserve Area management agreements.

- **The County ultimately opted to address these through the joint management agreements rather than as a requirement of plan adoption.**
- 5) **High Value Farm Land:** The Council requested that identified high value farm lands be removed from proposed Urban Reserve Areas. Absent meaningful reductions in the farm land included in the URA's, the Council indicated they would be supportive of addressing this issue with a Farmland Conservation Program as proposed by local land use advocacy group Rogue Advocates and a coalition of local farmers, farming advocates and citizens concerned with the loss of farmland and the on-going viability of agriculture in the region. This program would have required that when high value farm lands were developed, a commensurate area of high value farm land within the region be protected through easements providing permanent protection from development.
- **Chapter 5, Section 2.20 of the County-adopted plan includes the creation of an Agricultural Task Force to develop a program for assessing the impacts of development on the agricultural economy of Jackson County arising from the loss of agricultural lands and/or the ability to irrigate agricultural land which may result from Urban Growth Boundary amendments. The Agricultural Task Force is to identify potential mitigation measures to offset those impacts. The plan notes that appropriate mitigation measures shall be applied to Urban Growth Boundary amendment proposals. Land use advocacy group Rogue Advocates expressed concern during LCDC's review of the Plan, asking that appointment of the Task Force be tied to approval of the RPS Plan, that the Task Force should develop mitigation measures as part of its duty rather than simply identifying them, and that objective criteria should be used to determine mitigation measures. LCDC's recommendations, now under consideration by the County, included that the Agricultural Task Force be appointed within six-months of acknowledgement of the plan and that the Task Force be empowered to develop and recommend mitigation measures.**
- 6) **Regional Housing Strategy** – Recognizing that diverse and affordable housing options close to work, school and shopping are essential to managing growth, supporting economic development, providing schools and public services, and reducing the environmental and social impacts of growth, the Council asked that the Plan identify a timeline for the creation of regional housing strategies which would encourage a range of housing types across the region.

- **Chapter 5, Section 2.12 requires that the participating jurisdictions create regional housing strategies that strongly encourage a range of housing types throughout the region within five years of adoption of the RPS Plan.**

### C. Impacts – DLCD Recommendations

The Land Conservation and Development Commission reviewed the County-adopted Regional Plan in March, commending the regional partners for their perseverance and expressing overall support for the plan. They made eight specific recommendations for revisions to the County’s adopted plan, including:

1. Eliminate Phoenix’s PH-2 as an urban reserve.
2. Amend Chapter 5, Section 2.20 relative to the timing of the County’s creation of an Agricultural Task Force.
3. Amend Chapter 5, Section 2.5 to increase the committed residential density for Medford.
4. Amend Chapter 5, Section 2.9.8 to limit the portion of Phoenix’s PH-5 urban reserve designated as employment land to industrial zoning.
5. Amend Chapter 5, Section 2.9 to require that prior to Phoenix’s expansion into urban reserves to accommodate employment land needs, the region agree on a mechanism to assist Phoenix in justifying the regional need for its urban reserve PH-5.
6. Amend Chapter 5, Section 2 relative to the amount, type and methodology for needed park lands in urban growth boundary amendments.
7. Amend Chapter 5, Section 2 relative to defining buildable lands in urban growth boundary amendments.
8. Re-evaluate agricultural buffering standards in Volume 2, Appendix III to determine if there are conflicts with state law, and address any conflicts without reducing the effectiveness of the buffers.

Jackson County has initiated a new round of hearings to consider and address these items. None of these eight items has a direct or immediate bearing on Ashland, and as such all eight are not discussed in detail within this report. However, a brief explanation for each of the five items (#2, #5, #6, #7 and #8) which could potentially affect Ashland are detailed below.

**#2 – Amend Chapter 5, Section 2.20 relative to the timing of the County’s creation of an Agricultural Task Force.** In Resolution #2011-028, Ashland urged the County to minimize the amount of high value farm land included in Urban Reserve Areas through more efficient use of lands within existing boundaries, and asked that high value farm land be the last option considered for accommodating development. However, recognizing that this approach might not be palatable to the participating jurisdictions, it was suggested that in the absence of meaningful reductions in the amount of high value farm land included in the urban reserves, Ashland would support a Farmland Conservation Program such as the one recommended through the County’s RPS hearings by local land use advocacy group Rogue Advocates and a coalition of farmers, farm advocates and citizens concerned with the loss of farmland

and the on-going viability of agriculture within our region. Such a program would have created a system to require easements to preserve high value farm land in conjunction with development. The County's response to this request was to appoint an Agriculture Task Force to look further at the issues "prior to approval of any Urban Growth Boundary Amendment." LCDC has recommended that this timing be adjusted so that the Task Force is formed within six months of acknowledgement of the plan rather than allowing the creation to potentially be delayed until after applications are already in process, and has suggested that the Task Force be empowered not only to identify potential mitigation measures but to develop them and make recommendations toward their adoption and implementation. The mitigation measures ultimately developed could include the Farmland Conservation Program previously supported by Council, and whatever measures are ultimately adopted could come into play for Ashland if the identification of urban reserves is pursued.

**#5 – Amend Chapter 5, Section 2.9 to require that prior to Phoenix's expansion into urban reserves to accommodate employment land needs, the region agree on a mechanism to assist Phoenix in justifying the regional need for its urban reserve PH-5, the "South Valley Employment Center."** Through the regional planning process, Phoenix was allocated additional employment lands as part of the South Valley Employment Center which includes growth areas for both Medford and Phoenix and would serve as a regional employment generator that could accommodate larger campus type light industrial development. Because more employment land was allocated to Phoenix than would be necessary to accommodate anticipated employment growth based solely on Phoenix's population, DLCD asked that the Plan recognize that regional agreement on a mechanism to justify this employment land for Phoenix would be needed before Phoenix could expand into this area. As a participating city, Ashland would be involved in reaching whatever agreement was required to enable the eventual development of this regional employment generator, which might for example entail developing a regional economic opportunities analysis.

**#6 – Amend Chapter 5, Section 2 relative to the amount, type and methodology for needed park lands in urban growth boundary amendments.** Land use advocates 1,000 Friends and Rogue Advocates both expressed concern with the treatment and amount of park land designated in urban reserves in the adopted plan in comments to LCDC, suggesting that the amount of park lands proposed exceeded that provided for in the Oregon Administrative Rules (OAR 660-024-0040(10)). LCDC noted that these OAR's do not come into play for the identification of urban reserves through the RPS process, but recommended that the plan make clear that at the time of an Urban Growth Boundary amendment, the amount of parkland included would be reviewed in accordance with applicable state law and the park land needs identified in already acknowledged plans. This would not apply to Ashland until urban reserves were identified and an Urban Growth Boundary expansion proposed.

**#7 – Amend Chapter 5, Section 2 relative to defining building lands in urban growth boundary amendments.** Land use advocates 1,000 Friends expressed concern with the definition of buildable lands within the RPS Plan in comments to LCDC, noting that the plan sets a threshold level for land with slopes of 23 percent or greater as being unbuildable while Oregon Administrative Rules (OAR 660-008-0005(2) requires a 25 percent slope threshold for buildability. 1,000 Friends asked for clarification that Urban Growth Boundary expansions would not be approved if they were not consistent with the applicable OAR's and other local and state requirements in identifying buildable lands. LCDC concurred and made such a recommendation to the County. This would not apply to Ashland until urban reserves were identified and an Urban Growth Boundary expansion proposed.

**#8 - Re-evaluate agricultural buffering standards in Volume 2, Appendix III to determine if there are conflicts with state law, and address any conflicts without reducing the effectiveness of the buffers.** The agricultural buffering standards proposed within the plan are intended to head-off potential conflicts between new residential development at city edges and adjacent, productive agricultural lands through spatial and vegetative buffering requirements and generally place the burden on developers to provide required buffers up front in the development process. The issue raised was that the standards imposed could not impose more restrictive requirements on buffering noise than already contained in state law. The county will consider this issue to address any conflicts with state law while maintaining the effectiveness of the buffers to protect productive agricultural lands, however because the adoption of agricultural buffering standards into city land use regulations is only required for those cities that are identifying urban reserves this item would not yet apply to Ashland.

#### **D. Proposed Element & Plan Participation**

As noted above, Ashland is unique among the six participating cities in that it is the only jurisdiction not identifying urban reserves, and the proposed new comprehensive plan element is similarly unique in that where other cities are adopting new regulations and maps, Ashland is in effect acknowledging its continued participation through adoption of policies that in large part will not come into play until urban reserves are identified for the city. The new element thus serves primarily as a placeholder to acknowledge the city's signatory participation in the plan and to provide a framework should the city ultimately choose to pursue the creation of urban reserves.

### **III. Procedural - Required Burden of Proof**

#### **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.*

#### **IV. Conclusions and Recommendations**

While staff recognizes that there may still be some concern with the Plan's focus which is largely on the identification of growth areas, including some identified high value farm lands, in staff's view there are a number of benefits which arise from Ashland's participation in the Plan. These include first and foremost the ability to look at growth from a regional perspective which enables Ashland to take less population growth than might otherwise have been required were growth not being considered through a coordinated regional process, and thus preserve the existing compact urban form over the planning horizon. Perhaps equally important, the city's participation insures a continued seat at the table for on-going discussions of coordinated regional planning for growth, and that participation has already helped steer discussions to more deeply consider integrated land use and transportation planning, densities necessary to support a thriving regional transit system, regional housing strategies, and further consideration of farm land conservation. Finally, in staff's view, another significant benefit of the regional planning process to date has been the development of on-going working relationships between the staff members and policy makers of the various participating jurisdictions. The importance of these working relationships was recently recognized by the Governor's office in creating a regional working group made up largely of the participants in the regional planning process and representatives of the Governor's Regional Solutions Team to meet monthly and look at ways to improve state and local planning efforts through better regional coordination.

As is frequently the case with long term planning, adoption of the Regional Plan is for staff less about the completion of a process that has lasted more than a decade than about the creation of an initial framework for continued regional planning efforts over the next five decades, with Ashland as a full participant. With this in mind, staff would recommend that the Planning Commission forward a favorable recommendation to Council in support of adoption of the proposed new Regional Plan Element of the Comprehensive Plan.

City of Ashland, Oregon

# REGIONAL PLAN ELEMENT

June 12, 2012 DRAFT - FOR PLANNING COMMISSION REVIEW



*The hills outside of Ashland in the Greater Bear Creek Valley*

## INTRODUCTION

The *Greater Bear Creek Valley Regional Plan* is the product of a comprehensive regional land-use planning effort undertaken by the cities of Ashland, Central Point, Eagle Point, Medford, Phoenix, Talent, and Jackson County to address long-term urbanization needs of the region, including the establishment of goals and policies.

The most significant product of the *Regional Plan* is the establishment of requirements which affect the form and function of future urban-level development and the creation of an *Urban Reserve (UR)* for each of the cities, the purpose of which is to set aside a 50-year supply of land for future urban-level development to accommodate the anticipated doubling of the region's population. The method of establishing an urban reserve is defined in state law (see ORS 195.137-145).

### Adoption milestones:

- On March 18<sup>th</sup>, 2009 by Ordinance No. 2980, the City of Ashland signed the *Greater Bear Creek Valley Regional Problem Solving Participants' Agreement*, acknowledging and supporting the continued efforts in completing and adopting a long-term regional plan for the continued urbanization of the Greater Bear Creek Valley.
- On November 23<sup>rd</sup>, 2011 the Jackson County Board of Commissioners adopted Ordinance No. 2011-14 approving the *Greater Bear Creek Valley Regional Plan (Regional Plan)*.
- The Regional Plan was considered by the Oregon Land Conservation and Development Commission (LCDC) on March 15<sup>th</sup>, 2012 at which time it identified a number of issues that needed to be further addressed prior to acknowledgement of the Regional Plan.
- On May 24, 2012 Jackson County initiated a limited re-opening of the adopted Regional Plan to address the issues initially identified by LCDC. Following hearings before the Jackson County Planning Commission and the Jackson County Board of Commissioners in May, June, July and August of 2012, the Board adopted a revised Regional Plan **on August ##, 2012.**
- Concurrently with Jackson County's adoption of the revised Regional Plan, each of the six participating cities conducted hearings to adopt new Regional Plan Elements into their respective Comprehensive Plans to incorporate the applicable portions of the County-adopted Regional Plan. The City of Ashland conducted hearings before its Planning Commission and City Council in June and July of 2012, and ultimately adopted this new Regional Plan Element as **Ordinance ##### on August ##, 2012.**

The City of Ashland is the only participating city to not identify urban reserves as it was determined that existing lands within the city limits and urban growth boundary were sufficient to accommodate anticipated growth over the planning period. Ashland however remains a full signatory participant in the Regional Plan and any future identification of urban reserves for Ashland will be subject to the Regional Plan's requirements. The purpose of this Comprehensive Plan element is to acknowledge by reference the entire *Greater Bear Greek Valley Regional Plan (Regional Plan)*<sup>1</sup>, and to incorporate those sections of the Regional Plan that are applicable to the City of Ashland or that will become applicable when the City identifies urban reserves, and in so doing commence implementation of the Regional Plan.

## 1. REGIONAL PLAN GOALS AND POLICIES

The *Regional Plan* contains three goals and guiding policies<sup>2</sup> that form the basis of the Regional Plan. These goals and policies are made a part of this Regional Plan Element.

## 2. URBAN RESERVE

The following describes the context in which the City made the decision not to identify urban reserve areas. Appendix A of this Element has been reserved for maps to be adopted when Urban Reserve Areas are identified for Ashland. Appendix B has been reserved for a detailed description of the selection process for future Urban Reserve Areas, and Appendix C has been reserved for a future Urban Reserve Management Agreement to be mutually agreed upon by Jackson County and the City of Ashland when Urban Reserves are identified for Ashland.

### 2.1. CITY DESCRIPTION

Ashland is a unique community in Oregon, well known for its downtown, its network of parks and trails including Lithia Park, the Oregon Shakespeare Festival, and Southern Oregon University. Ashland functions as a regional specialty area for shopping and entertainment, with many fine restaurants and boutiques. The community has garnered accolades over the years as one of the top communities in the nation for the arts, outdoor recreation, and as a place to retire. It also serves as a regional center for higher education.

The geographical realities of the City's location limit the ultimate growth of the community, as Ashland has chosen not to jump over the I-5 freeway to accommodate additional growth on the foothills of the Cascades, nor keep lengthening an already linear community. The community has taken strong steps to preserve its livable character, from adopting an Open Space Program funded by a local meals tax, to

<sup>1</sup> The entirety of the Regional Plan can be found in the Jackson County Comprehensive Plan.

<sup>2</sup> Greater Bear Creek Valley Regional Plan, Chapter 1, Section 5.3.2

restricting “big box” retail development, to enacting strong design standards for all developments. Ashland also has taken the direction of strong controlled growth, carefully annexing new properties into the community based on need and public good, and encouraging affordable housing whenever possible in new residential developments.

## **2.2. CITY GROWTH GUIDELINES AND POLICIES**

The City of Ashland’s decision in 2003 not to request any urban reserve areas was the culmination of a process of studies by the City Council and Planning Commission, and with the cooperation and involvement of interested parties and the general public. The Ashland Planning Commission held a series of open public meetings to explore options for growth areas and to develop a vision of the City’s future identity. These events drew in partner districts and agencies to share their needs and the needs of their constituencies for such things as housing, economic opportunities, recreation, and other quality of life issues. Extensive public input on potential growth areas was gathered at Planning Commission meetings on April 22<sup>nd</sup>, August 26<sup>th</sup> and October 28<sup>th</sup>, 2003. This input culminated in a series of Planning Commission meetings in late 2003, with final adoption on December 2<sup>nd</sup>, 2003 of the decision to request no urban reserve areas for the City as part of the regional planning process.

## **2.3. URBAN RESERVE AREAS AND LAND USES**

The City of Ashland has not identified any Urban Reserve Areas (URAs) through the regional planning process. Any future proposal to establish a URA or expand Ashland’s existing Urban Growth Boundary (UGB) by not more than 50 acres will require a minor amendment of the Regional Plan as detailed more fully in Section 4.4 below.

# **3. REGIONAL OBLIGATIONS**

The City agrees to comply with all applicable requirements of the *Regional Plan, Chapter 5*, which follow below. The City may not unilaterally amend these requirements.

## **3.1. PERFORMANCE INDICATORS**

ORS 197.656(2)(B)(C)

To effectuate the Regional Plan, Jackson County shall adopt the Regional Plan in its entirety into the County Comprehensive Plan. The Participating cities then shall incorporate the portions of the Regional Plan that are applicable to each individual city into that city’s comprehensive plan and implementing ordinances, and shall reference the Plan as an adopted element of Jackson County’s Comprehensive Plan. After the County and all participating cities have completed the adoptions, the amendments must be submitted to the State of Oregon Department of Land Conservation and Development for acknowledgement by the Land Conservation and Development Commission. Only after this acknowledgement does the Regional Plan become effective.

Progress following the acknowledgement of the Greater Bear Creek Valley Regional Plan by the State of Oregon will be measured against a number of performance indicators to determine the level of compliance by participating jurisdictions with the Plan or the need to refine or amend it. The measurable performance indicators listed below are those identified as necessary for the acknowledgement of the Plan and as appropriate for monitoring compliance with the Plan.

**County Adoption.** Jackson County shall adopt the Regional Plan in its entirety into the County Comprehensive Plan and implementing ordinance.

**City Adoption.** All participating jurisdictions shall incorporate the portions of the Regional Plan that are applicable to each individual city into that city's comprehensive plan and implementing ordinances, and will reference the Plan as an adopted element of Jackson County's Comprehensive Plan.

**Urban Reserve Management Agreement.** Participating jurisdictions designating an Urban Reserve Area (URA) shall adopt an Urban Reserve Management Agreement (URMA) between the individual city and Jackson County per Oregon Administrative Rule 660-021-0050. Adoption shall occur prior to or simultaneously with adoption of the URAs.

**Urban Growth Boundary Management Agreement.** If there is an inconsistency between the Regional Plan and an adopted Urban Growth Boundary Management Agreement (UGBMA), the city and Jackson County shall adopt a revised UGBMA. When an inconsistency arises, provisions in the Regional Plan and associated URMA shall override the provisions in the UGBMA, until the UGBMA is updated.

**Committed Residential Density.** Land within a URA and land currently within an Urban Growth Boundary (UGB) but outside of the existing City Limit shall be built, at a minimum, to the following residential densities. This requirement can be offset by increasing the residential density in the City Limit.

City	Dwelling units per gross acre	
	2010–2035	2036–2060
Ashland ( <i>UGB only</i> )	6.6	<i>n/a</i>
Central Point	6.9	7.9
Eagle Point	6.5	7.5
<i>Medford</i>	6.6	7.6
Phoenix	6.6	7.6
Talent	6.6	7.6

Prior to annexation, each city shall establish (or, if they exist already, shall adjust) minimum densities in each of its residential zones such that if all areas build out to the minimum allowed the committed densities shall be met. This shall be made a condition of approval of a UGB amendment.

**Mixed-Use/Pedestrian-Friendly Areas.** For land within a URA and for land currently within a UGB but outside of the existing City Limit, each city shall achieve the 2020 benchmark targets for the number of dwelling units (Alternative Measure no. 5) and employment (Alternative Measure no. 6) in mixed-use/pedestrian-friendly areas as established in the 2009 Regional Transportation Plan (RTP) or most recently adopted RTP. Beyond the year 2020, cities shall continue to achieve the 2020 benchmark targets, or if additional benchmark years are established, cities shall achieve the targets corresponding with the applicable benchmarks. Measurement and definition of qualified development shall be in accordance with adopted RTP methodology. The requirement is considered met if the city or the region overall is achieving the targets or minimum qualifications, whichever is greater. This requirement can be offset by increasing the percentage of dwelling units and/or employment in the City Limit. This requirement is applicable to all participating cities.

**Conceptual Transportation Plans.** Conceptual Transportation Plans shall be prepared early enough in the planning and development cycle that the identified regionally significant transportation corridors within each of the URAs can be protected as cost-effectively as possible by available strategies and funding. A Conceptual Transportation Plan for a URA or appropriate portion of a URA shall be prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies, and shall be adopted by Jackson County and the respective city prior to or in conjunction with a UGB amendment within that URA.

**Transportation Infrastructure.** The Conceptual Transportation Plan shall identify a general network of regionally significant arterials under local jurisdiction, transit corridors, bike and pedestrian paths, and associated projects to provide mobility throughout the Region (including intracity and intercity, if applicable).

**Conceptual Land Use Plans.** A proposal for a UGB Amendment into a designated URA shall include a Conceptual Land Use Plan prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies

for the area proposed to be added to the UGB as follows:

**Target Residential Density.** The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the residential densities of Section 4.1.5 above will be met at full build-out of the area added through the UGB amendment.

**Land Use Distribution.** The Conceptual Land Use Plan shall indicate how the proposal is consistent with the general distribution of land uses in the Regional Plan, especially where a specific set of land uses were part of the rationale for designating land which was determined by the Resource Lands Review Committee to be commercial agricultural land as part of a URA, which applies to the following URAs: CP-1B, CP-1C, CP-4D, CP-6A, CP-2B, MD-4, MD-6, MD-7mid, MD-7n, PH-2, TA-2, TA-4.

**Transportation Infrastructure.** The Conceptual Land Use Plan shall include the transportation infrastructure required in Section 4.1.7 above.

**Mixed Use/Pedestrian Friendly Areas.** The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the commitments of Section 4.1.6 above will be met at full build-out of the area added through the UGB amendment.

**Agricultural Buffering.** Participating jurisdictions designating Urban Reserve Areas shall adopt the Regional Agricultural Buffering program in Volume 2, Appendix III into their Comprehensive Plans as part of the adoption of the Regional Plan. The agricultural buffering standards in Volume 2, Appendix III shall be adopted into their land development codes prior to a UGB amendment.

**Regional Land Preservation Strategies.** Participating jurisdictions have the option of implementing the Community Buffer preservation strategies listed in Volume 2, Appendix V of the Regional Plan or other land preservation strategies as they develop.

**Housing Strategies.** Participating jurisdictions shall create regional housing strategies that strongly encourage a range of housing types throughout the region within five years of acknowledgement of the Regional Plan.

**Urban Growth Boundary Amendment.** Pursuant to ORS 197.298 and Oregon Administrative Rule 660-021-0060, URAs designated in the Regional Plan are the first priority lands used for a UGB amendment by participating cities.

Land outside of a city's URA shall not be added to a UGB unless the general use intended for that land cannot be accommodated on any of the city's URA land or UGB land.

**Land Division Restrictions.** In addition to the provisions of Oregon Administrative Rule 660-021-0040, the following apply to lots or parcels which are located within a URA until they are annexed into a city:

The minimum lot size shall be ten acres;

Development on newly created residentially zoned lots or parcels shall be clustered to ensure efficient future urban development and public facilities, and this shall be a condition of any land division;

Land divisions shall be required to include the pre-platting of future lots or parcels based on recommendations made by the city government to which the urban reserve belongs;

Land divisions within a URA shall not be in conflict with the transportation infrastructure identified in an adopted Conceptual Transportation Plan; and

As a condition of land division approval, a deed declaration shall be signed and recorded that recognizes public facilities and services will be limited as appropriate to a rural area and transitioned to urban providers in accordance with the adopted URMA.

**Rural Residential Rule.** Until the City of Ashland adopts an Urban Reserve Area, the minimum lot size for properties within one mile of the Urban Growth Boundary of Ashland shall continue to be ten acres, as outlined in Oregon Administrative Rule 660-004-0040(8)(c).

**Population Allocation.** The County's Population Element, as recently amended to be more consistent with Ashland's actual population growth and projections in Ashland's Comprehensive Plan, shall be updated per statute to be consistent with the gradual implementation of the adopted Plan. If changes occur during an update of the County's Population Element that result in substantially different population allocations for the participating jurisdictions of this Regional Plan, then the Plan shall be amended according to Section 5 of this Chapter of the Plan.

**Greater Coordination with the RVMPO.** The participating jurisdictions shall collaborate with the Rogue Valley Metropolitan Organization (RVMPO) to:

Prepare the Conceptual Transportation Plans identified in Section 4.1.7.

Designate and protect the transportation infrastructure required in the Conceptual Transportation Plans identified in Section 4.1.7 to ensure adequate transportation connectivity, multimodal use, and minimize right of way costs.

Plan and coordinate the regionally significant transportation strategies critical to the success of the adopted Regional Plan including the development of mechanisms to preserve rights-of-way for the transportation infrastructure identified in the Conceptual Transportation Plans; and

Establish a means of providing supplemental transportation funding to mitigate impacts arising from future growth.

**Future Coordination with the RVCOG.** The participating jurisdictions shall collaborate with the Rogue Valley Council of Governments on future regional planning that assists the participating jurisdictions in complying with the Regional Plan performance indicators. This includes cooperation in a region-wide conceptual planning process if funding is secured.

**Expo.** During the first Coordinated Periodic Review process for the Regional Plan, Jackson County shall consider including the land occupied by the Jackson County Expo to the City of Central Point's Urban Reserve Area.

**Agricultural Task Force.** Within six months of acknowledgement of the Regional Plan by the Land Conservation and Development Commission (LCDC), Jackson County shall appoint an Agricultural Task Force made up of persons with expertise in appropriate fields, including but not limited to farmers, ranchers, foresters and soils scientists, representatives of the State Department of Agriculture, the State Forestry Department, the State Department of Land Conservation and Development, Jackson County, and one of the cities participating in the regional planning process.

The Agricultural Task Force shall develop a program to assess the impacts on the agricultural economy of Jackson County arising from the loss of agricultural land and/or the ability to irrigate agricultural land, which may result from Urban Growth Boundary Amendments. The Agricultural Task Force shall also identify, develop and recommend potential mitigation measures to offset those impacts. Appropriate mitigation measures shall be applied to Urban Growth Boundary Amendment proposals.

### 3.2. INCENTIVES AND DISINCENTIVES

ORS 197.656(2)(B)(D)

The state requires that participants in an RPS process delineate the factors, mechanisms, or outcomes that constitute the most compelling reasons for participants to comply with the Regional Plan over the identified planning horizon. Accordingly, the Participants have agreed to the following:

#### **INCENTIVES**

Continued regional cooperation through the five-year review process and ten-year coordinated periodic review may improve the region's ability to respond to challenges and opportunities more effectively than it does presently.

Adherence to the adopted Regional Plan may provide the region with a competitive advantage, increase the attractiveness of the region to long-term investment, and improve southern Oregon's profile in the state.

Adherence to the adopted Regional Plan may produce significant reductions in transportation infrastructure costs by minimizing future right-of-way acquisition costs, encouraging mixed-use/pedestrian-friendly development, and improving the overall long-range coordination of transportation and land use planning.

Adherence to the adopted Regional Plan will provide participating jurisdictions with population allocations that are predictable, transparent, and based on the relative strengths of the different participating jurisdictions.

The adopted Regional Plan offers compelling regional justifications and state agency support for the Tolo Area of Central Point and the South Valley Employment Center of Medford and Phoenix that may not have been available to an individual city proposal.

Adherence to the adopted Regional Plan will permit jurisdictions to implement the flexibility provided by the concept of the "Regional Community", in which cities, in the role of "regional neighborhoods", enjoy wide latitude in their particular mix, concentration, and intensity of land uses, as long as the sum of the regional parts contributes to a viable balance of land uses that is functional and attractive to residents and employers and in compliance with statewide goals.

#### **DISINCENTIVES**

The region's failure to adhere to the adopted Regional Plan may damage its competitive advantage, the attractiveness of the region to long-term invest-

ment, and southern Oregon's profile in the state.

Adherence to the Regional plan may be a rating factor for MPO Transportation Funding. Transportation projects of jurisdictions not adhering to the adopted Regional Plan may be assigned a lower priority by the MPO when considered for funding.

Jackson County may reconsider the population allocations of jurisdictions signatory to the Agreement not adhering to the adopted Regional Plan.

Participating jurisdictions not adhering to the adopted Regional Plan will need to provide corrective measures in order to have a UGB amendment approved by the County.

The failure of a participating jurisdiction to adhere to the adopted Regional Plan will compromise its ability to implement the concept of the "Regional Community", and will not provide the participating cities with as wide a latitude in their desired individual mix, concentration, and intensity of land uses.

### 3.3. MONITORING

ORS197.656(2)(B)(E)

**Monitoring.** Participating jurisdictions shall maintain a monitoring system to ensure compliance with the Regional Plan and future amendments. Specific indicators against which performance will be judged are listed in Section 4.2. Monitoring to ensure compliance with the adopted Regional Plan will be a shared responsibility.

**Regional Plan Progress Report.** On a regular basis, beginning in 2017 and every five years thereafter, all participating jurisdictions shall participate in a regular Regional Plan review process. Jackson County shall initiate the Regional Plan review process by providing notice of the Regional Plan review to each participant and requiring that each participant submit a self-evaluation monitoring report addressing compliance with the performance indicators, set out in Section 4.2, to the County within 60 days after the date of the notice.

A standardized format for the review and report shall be developed by Jackson County and agreed upon by the jurisdictions. The reports shall include descriptions of their jurisdiction's activities pertinent to the Regional Plan for the preceding five-year period, analysis as to whether and how well those activities meet each of the performance indicators, and a projection of activities for the next five-year period. Jackson County will distribute these

monitoring reports to all participants and make them available to the public.

**Coordinated Periodic Review.** On a regular basis, beginning in 2022 and every ten years thereafter the participating jurisdictions in the Regional Plan may, at their discretion, participate in a process of coordinated Periodic Review. This process may be initiated by any of the participating jurisdictions but requires agreement between all participants to proceed.

### 3.4. **CORRECTIVE MEASURES AND PLAN ADJUSTMENTS** ORS197.656(2)(B)(F)

#### **Corrective Measures.**

If a Regional Plan Progress Report (see 4.3.2.) indicates that a particular city is not meeting the performance measures, the city shall propose corrective measures as an addendum to the Regional Plan Progress Report. The corrective measures shall be approved by the Policy Committee.

Cities that choose to expand their UGBs into land not designated as a URA will be required to go through the Regional Plan minor or major amendment process prior to or concurrent with any other process.

If land outside of a URA is included in a UGB while URA land remains available to that city, an equivalent amount of land shall be removed from the remaining URA land. Land removed shall be of equal or higher priority in relation to the land included. Additionally, if land determined part of the region's commercial agricultural base by the RLRC is included, the land removed shall also be land with that designation (if available).

A proposal for an UGB amendment will be required to demonstrate how the Regional Plan performance indicators have been met. A UGB amendment will not be approved by the County unless the Regional Plan performance indicators have been met or corrective measures are proposed which demonstrate how the performance indicators will be met.

Approval of a UGB amendment shall be subject to the condition that it be zoned and developed in a manner consistent with the Conceptual Land Use Plan submitted in the UGB amendment proposal. After the UGB Amendment has been approved, all subsequent Comprehensive Plan Amendments by a city to amend land uses which will result in an inconsistency with the Conceptual Land Use Plan shall be reviewed, modified as appropriate, and approved by the county prior to development. The amendment shall be processed as a Type 4 permit.

A UGB amendment to add land not designated as a URA shall only be considered through a quasi-judicial application when the land to be added is industrial.

### **Regional Plan Amendments.**

Regional Plan Amendment Responsibility. Processing amendments to the adopted Regional Plan shall be the responsibility of Jackson County, and shall only be proposed by the governing authority of a participating jurisdiction. In acknowledgement of the collaborative process by which the adopted Regional Plan was created, Jackson County shall have available the assistance of the participating jurisdictions through a Technical Advisory Committee and Policy Committee. Both committees serve on an as-needed basis, and both serve in an advisory capacity to Jackson County as follows:

Technical Advisory Committee. The TAC shall be comprised of planners and senior-level staff from signatory jurisdictions and agencies, and each signatory shall have one vote, irrespective of the number of participating representatives. Recommendations to the Policy Committee or directly to Jackson County shall be made by at least a supermajority vote (simple majority plus one) of a quorum of signatory jurisdictions and agencies.

Policy Committee. The Policy Committee shall be comprised of elected officials or executive staff from signatory jurisdictions and agencies. Each signatory jurisdiction shall designate a voting and alternate voting member, and each signatory jurisdiction will have one vote. Recommendations to Jackson County shall be made by at least a supermajority vote (simple majority plus one) of a quorum of jurisdictions. State agencies, the MPO, and Rogue Valley Sewer Services, while Signatories, shall not be voting members of the Policy Committee.

**Regional Plan Amendment Type.** When an amendment to the adopted Regional Plan is proposed, Jackson County shall make a preliminary determination regarding whether the proposed amendment is a Minor Amendment or Major Amendment, as defined below, shall notify signatory jurisdictions and affected agencies of the County's preliminary determination, and shall solicit input. Based on its preliminary determination and input received, Jackson County shall review the proposed amendment according to the procedures for Minor Amendments or Major Amendments set out below. Proposed amendments to the adopted Regional Plan shall adhere to the following provisions:

Minor Amendment. A minor amendment is defined as any request for an amendment to the adopted Regional Plan that does not conflict with the performance indicators and does not propose an addition of more than 50 acres to a city's URA established in the adopted Regional Plan or more than a 50-acre expansion of the UGB into non-URA land.

In the case of Ashland, which did not establish a URA during the development of the Regional Plan process, a proposal to establish a URA or expand its UGB of not more than 50 acres shall be considered a minor amendment.

Should a city exceed its limit of 50 acres for adding to its URAs during the Planning Horizon for the Regional Plan, it may not use the minor amendment process for further additions to its URA. Should a city exceed its limit of 50 acres for expanding its UGB into non-URA land during the planning horizon, it may not use the minor amendment process for further expansions of its UGB into non-URA land.

Any participant jurisdiction may initiate a minor amendment to the adopted Regional Plan. The proposing jurisdiction must clearly identify the nature of the minor amendment, and specify whether the minor amendment would require any other signatory jurisdiction to amend its comprehensive plan. Should any signatory jurisdiction other than the proposing jurisdiction and Jackson County be required to amend their comprehensive plans as a result of the proposed minor amendment, the affected signatory jurisdiction shall be a party to the minor amendment proceeding.

Jackson County's process and the proposing jurisdiction's process for a minor amendment to the Regional Plan shall be equivalent to the state and local processes required for a comprehensive plan amendment.

Signatories and agencies shall be provided with notice of the County's and proposing jurisdiction's final decision on each minor amendment within five working days of the adoption of the final decision.

Major Amendment. A major amendment is defined as any requested amendment to the adopted Regional Plan that does not meet the definition of a Minor Amendment.

If multiple signatory jurisdictions are involved in a single request for a major amendment, a lead jurisdiction shall be selected by the affected jurisdictions.

Notice containing a detailed description of the proposed change shall be forwarded by Jackson County to all signatories and affected agencies.

Staff from signatory jurisdictions and agencies shall meet as a Technical Advisory Committee and generate a recommendation to the Policy Committee by vote of at least a supermajority of a quorum (simple majority plus one).

Decision-makers from signatory jurisdictions and agencies shall meet as a Policy Committee and consider the proposal and the Technical Advisory Committee recommendation. The Policy Committee shall generate a recommendation to Jackson County by vote of at least a supermajority of a quorum (simple majority plus one).

Should an existing city or a newly incorporated city desire to become a participating jurisdiction, increased population shall be added to the regional projected population adequate to accommodate the projected population growth of the newly incorporated city for the remainder of the Planning Horizon for the Regional Plan. The addition of a newly incorporated city to the Regional Plan, the establishment of Urban Reserve Areas and other such actions shall be accomplished through the major amendment process.

Jackson County's process, and the proposing jurisdiction's process, for a minor or major amendment to the Regional Plan shall be equivalent to the state and local required process for a comprehensive plan amendment, in addition to the Regional Plan-specific provisions. Signatories and affected agencies shall be provided with notice of the final decision on each major or minor amendment within five working days of the adoption of the final decision. Jurisdictions or agencies shall be noticed according to Table 4.4.3-1.

**Table 4.4.3-1** Jurisdictions and Agencies to Receive Notification of Proposed Amendments to the Adopted Regional Plan

Jurisdiction or Agency	Routine	As Needed
City of Eagle Point	X	
City of Central Point	X	
City of Medford	X	
City of Phoenix	X	
City of Talent	X	
City of Ashland	X	
Oregon Department of Transportation	X	
Oregon Department of Land Conservation and Development	X	

Oregon Department of Environmental Quality	X	
Oregon Economic and Community Development Department	X	
Oregon Department of Agriculture	X	
Oregon Housing and Community Development Department	X	
Rogue Valley Metropolitan Planning Organization	X	
Rogue Valley Sewer Services	X	
Medford Water Commission	X	
Rogue Valley Council of Governments	X	
Rogue Valley Transit District	X	
Oregon Department of Fish and Wildlife		X
Division of State Lands		X
Ashland School District #5		X
Central Point School District #6		X
Jackson County School District #9		X
Medford School District 549C		X
Phoenix-Talent School District #4		X
Eagle Point Irrigation District		X
Medford Irrigation District		X
Rogue Valley Irrigation District		X
Talent Irrigation District		X
Jackson Soil and Water Conservation District		X

#### 4. URBAN RESERVE MANAGEMENT AGREEMENT

Should the City of Ashland at some point in the future opt to identify urban reserves through a minor amendment process, the adoption of an Urban Reserve Management Agreement (URMA) between the City and Jackson County will be required. All development within any future Urban Reserve Areas identified for the City of Ashland would be regulated in accordance with the URMA, and Appendix C of this element is reserved for the approved URMA for Ashland's future Urban Reserve Areas when they are identified.

## **APPENDIX A**

*[Reserved for future Urban Reserve map to be included when Urban Reserves are identified for Ashland.]*

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## **APPENDIX B**

*[Reserved for future details of Urban Reserve selection process to be included when Urban Reserves are identified for Ashland.]*

## **APPENDIX C**

*[Reserved for future Urban Reserve Management Agreement (URMA) to be agreed to jointly by Jackson County and the City of Ashland at the time Urban Reserves are identified for Ashland. ]*