

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
MARCH 11, 2014
AGENDA**

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

- II. **ANNOUNCEMENTS**

- III. **CONSENT AGENDA**
 - A. **Approval of Minutes**
 - 1. February 11, 2014 Regular Meeting.

- IV. **PUBLIC FORUM**

- V. **UNFINISHED BUSINESS**
 - A. **Approval of Findings for PA-2013-01421, 270 North First Street.**

- VI. **LEGISLATIVE PUBLIC HEARING**
 - A. **PLANNING ACTION #: PL-2013-01858**
DESCRIPTION: A proposal to amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, and Ashland Land Use Ordinance and to implement the Normal Neighborhood Plan.

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

 - B. **Medical Marijuana Dispensaries.**

- VIII. **ADJOURNMENT**

**CITY OF
ASHLAND**



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

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

CALL TO ORDER

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

Commissioners Present:

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

Staff Present:

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

Absent Members:

None

Council Liaison:

Mike Morris, absent

ANNOUNCEMENTS

Commissioner Kaplan provided an update on the Downtown Parking and Multi-Modal Circulation meeting; Commissioner Mindlin welcomed Lynn Thompson to the Planning Commission; and Community Development Director Bill Molnar announced upcoming meeting agenda items will include the Unified Land Use Ordinance, Normal Neighborhood Final Plan, and Short-Term Home Rentals in R-1 Districts.

CONSENT AGENDA

A. Approval of Minutes.

1. January 14, 2014 Regular Meeting.
2. January 28, 2014 Joint Study Session.
3. January 28, 2014 Regular Study Session.

The following corrections were made to the minutes:

- 1) January 14, 2014 Regular Meeting minutes, page 3: First sentence under Short Term Rentals item should read, "Commissioner Mindlin left the meeting due to a potential public perception of conflict of interest."
- 2) January 28, 2014 Joint Study Session minutes: Replace all instances of "Railroad District Master Plan" with "Railroad Property Master Plan".

Commissioners Dawkins/Peddicord m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed 6-0. *[Commissioner Thompson abstained]*

PUBLIC FORUM

No one came forward to speak.

TYPE I APPEAL PUBLIC HEARING

A. PLANNING ACTION #: 2013-01421

SUBJECT PROPERTY: 270 N First Street

APPLICANT: RNN Properties LLC

DESCRIPTION: A request for a Conditional Use Permit (CUP) approval to exceed maximum permitted floor area (MPFA) in the Railroad Historic District and variances to the required side-yard setbacks for the construction of a new residence on the property at 270 N First Street. The request includes the removal of the existing residence. COMPREHENSIVE PLAN DESIGNATION: Low Density Multi-Family Residential; ZONING: R-2; ASSESSOR'S MAP: 39 1E 09BA TAX LOT: 1300.

Commissioner Mindlin read aloud the public hearing procedures for land use hearings.

Ex Parte Contact

Commissioners Dawkins, Miller, Kaplan, Brown and Peddicord declared site visits. Commissioner Dawkins shared an observation from his site visit and stated the green colored house on the south alley does not conform to the diagrams in the Historic District Design Standards and it seems very out of place.

Staff Report

Assistant Planner Amy Gunter reviewed the approval criteria for a single family home in the R-2 District. She explained this is an outright permitted use; however this application requires a conditional use permit because it exceeds the maximum permitted floor area by 252 square foot and also requires a variance to the side yard setbacks. Ms. Gunter explained the site is located in the Railroad Historic District and the lot is legal/non-conforming, it is smaller than the minimum required lot size. She stated there is an existing residence on the site, however it is in very poor condition and the applicants have already received a demolition permit approval. She stated the applicant's propose to construct a new two-story home in nearly the same footprint as the existing residence, and noted the proposal would widen the side yard setback on the north side from 0 feet to 3 feet.

Ms. Gunter brought attention to the Historic Commission's review of this proposal and stated they recommended approval of this application with the addition of the following minor conditions: 1) that there be more space between the double hung windows, 2) removal of the transom window over the second story doors, and 3) for the second story doors to be French doors instead of sliders. Ms. Gunter explained this application was administratively approved November 20, 2013 and following staff's approval a reconsideration request was filed. The reconsideration request was denied by the Community Development Director on November 27, 2013 and the appellant then filed their formal appeal, which is why this action is now before the Planning Commission. In her appeal, the appellant has raised issue with the size of the home, the choice of materials, not being cohesive with the other homes in the Historic District, the front yard setback, trees, parking, and open space requirements.

Ms. Gunter provided an overview of the applicant's proposal and site plan and outlined the related criteria. She commented on the trees on the site and the arborists report, and clarified the parking as proposed is outright permitted and is consistent with City standards. Ms. Gunter commented on the maximum permitted floor area and clarified the ordinance allows applicants to exceed this limitation by up to 25% if they obtain a conditional use permit. She added this is a discretionary approval intended to provide a higher level of review for proposed structures in the context of the conditional use permit criteria as well as the Historic District Development Standards. In regards to the variance request for the side yard setback, Ms. Gunter explained the applicant's proposal identifies the unusual circumstance as a narrow lot width and stated this proposal would keep the south setback the same and increase the north setback to 3 feet. Ms. Gunter also commented on the building's design elements and clarified the Historic District Development Standards advocate for design features for new construction that are more contemporary in design in historic neighborhoods.

Ms. Gunter concluded her presentation and stated staff believes this application meets the criteria for approval of a conditional use permit as well as the criteria for the setback variance.

Questions of Staff

Comment was made questioning the use of stucco. Ms. Gunter stated the applicant could address the material selections during their testimony.

Staff was asked to clarify the lot coverage. Ms. Gunter clarified the R-2 zone allows up to 65% lot coverage and the applicant's are proposing 55%, which includes the parking.

Comment was made questioning if there are other residential structures in the vicinity with metal roofs. Ms. Gunter stated there is an outbuilding at 270 Second Street that has a metal roof and there are two or three more structures with metal roofs off the alley to the east across Second Street. She added most of the commercial buildings in the neighborhood have metal roofs as well.

Applicant's Presentation

Mark Knox, Nisha Jackson, and John Turman addressed the Commission. Ms. Jackson explained they purchased this home 9 months ago and while they knew it was in bad condition they had hoped they would be able to remodel it. However after the inspection was completed it was deemed unsafe. She stated some of the challenges they have faced with designing a new home are the 25 ft. wide parcel and the existing trees. Ms. Jacksons stated they have worked hard to put together a compact footprint that would allow for a second floor and a second bedroom. She clarified a metal roof was selected because they would like this home to be LEED certified and a metal roof would allow for rain collection. She noted the design has gone through several revisions to accommodate the suggestions of the Historic Commission, and highlighted their decision to increase the setback to 3 ft. off the alley. Ms. Jackson stated they have followed all of the recommendations and have met the codes, and hopes the Planning Commission will approve this application, just as the Historic Commission and staff did.

Mr. Knox commented that the lot's depth is much less than that of a standard historic district lot, and stated the current house has no sense of entry and is in very poor condition. He noted the appellant's house is adjacent to the applicant's, and they themselves recently went through a major remodel and addition. He stated the appellant's parking is located in the right-of-way and is a commercial use with ramps out front, and has changed the character of the streetscape. Mr. Knox stated the applicant's proposal is for a residence and the design is very compatible, just as the Historic Commission and staff has found. He added if the Commission has concerns with the metal roof, it may still be possible to do a LEED structure with another option, but hopes the Commission will not ask for this.

Ms. Jackson clarified for the Commission that they intend to save the boxwood tree on the site. She stated the arborist recommended its removal, but that was before he knew they would be doing a slab foundation. She also clarified the collector for the rain water would be placed in the backyard. When asked about the stucco material selection, John Thurman (building designer) explained varying materials were selected to break up the massing. He added in order to obtain LEED certification the slab needs to be wrapped with foam, and stucco siding works well for this. Mr. Thurman commented on the overall design of the structure and stated the proposed home is located in a transitional area and is much more appealing than the existing structure. He added the design combines elements of the more modern commercial structures while keeping some of the elements of the traditional historic homes.

Comment was made expressing concern with the two-story design and whether this is compatible with the streetscape and the Historic District Design Standards. Mr. Knox noted the adjacent home has two-stories, but the volume is setback, and commented on the importance of having a varying streetscape with undulation. He added there are other houses along this stretch that have two stories as well.

Appellant's Presentation

Patricia Way/260 N First Street /Stated she owns the property next door and shared her concerns regarding bulk, scale, coverage, and architectural compatibility. Ms. Way stated the proposed home would not contribute to the character of the Railroad Historic District and would chip away at the integrity of the neighborhood. She commented on tourism and the draw historic homes and neighborhoods have, and recommended the Commission preserve the Railroad District character because it promotes tourism. Ms. Way stated the second story of the proposed home should be stepped back in order to not dwarf the other homes in the neighborhood, and expressed her concern

regarding the contemporary design of the home. She stated it is not architecturally compatible with the impact area and cited the Historic District Design Standards. She commented that the stucco siding, metal roof, sliding glass doors, and steal cable balcony do not match the historic neighborhood, and claimed the applicant's misinformed and misrepresented the basis for their conditional use permit. She elaborated that the applicant's materials included pictures of homes they stated were within 200 ft. of their property and this is outright false information that the Historic Commission used to base their opinion and recommendations on. She added the properties to the north, east and south of this lot are all residential homes, and not commercial businesses as indicated in the applicant's materials. Ms. Way submitted a petition signed 77 people who are against this proposal and asked the Commission to deny the applicant's conditional use permit.

Comment was made questioning how the petition signatures were obtained and whether any of the individuals reside on First Street. Ms. Way clarified the petition was placed at Ashland Street Printing for signatures and did not know if any of the signees live on First Street.

Public Testimony

Colin Swales/143 Eight Street/Stated this is a unique street and noted the curbside sidewalk that was recently installed. Mr. Swales thanked the applicant for complying with the parking standards and stated all of the other structures on First Street have placed their parking in the front yards. He stated contemporary houses can look very complimentary to other designs and thinks the applicant's have done a magnificent job and encouraged the Planning Commission's approval.

Bryan Mikota/147 N Laurel/Stated he loves to walk around Ashland and check out the historical buildings as well as the new construction. He stated a lot of thought is being put into these new structures and they are improving the liveliness of the area. Mr. Mikota stated a few of the building near the Co-Op need some work, and this is one of them. He stated this will be a beautiful addition to the neighborhood and stated he would have the same opinion if he were a visitor.

Questions of Staff

Staff was asked to comment on the appellant's statement that misleading information was given to the Historic Commission. Ms. Gunter stated that the applicant had said there was an addition with a metal roof; it is not metal but since the structure will be demolished, that information didn't influence the Historic Commission's decision. Ms. Gunter also clarified the applicant's materials included photographs and it was indicated they were on the same block. She stated there are different ways to define a block and does not believe this influenced the Historic Commission's decision.

Staff was asked why two Historic commissioners voted to deny approval. Ms. Gunter stated one of the commissioners felt the proposal did not meet the compatibility standards, and the other commissioner did not vocalize her objections during the public hearing.

Applicant's Rebuttal

Mark Knox/Referenced the Historic District Standards and stated that design can be very subjective, but this is why there is a seven member Historic Commission made up of architects and designers. Mr. Knox stated they have followed the design standards and have followed the input from the Historic Commission.

Commissioner Mindlin closed the record and the hearing at 8:30 pm.

Deliberations & Decision

Commissioner Miller gave her opinion that the home should conform more to the historic residential character. Commissioner Kaplan commented on the transitional character of this neighborhood and voiced his support for this proposal. He added it is not his desire to redesign this structure and will leave that to the Historic Commission. Commissioner Peddicord agreed with Kaplan. She stated a metal roof is needed for rainwater catchment and ignoring the applicant's desire for LEED certification would be negligent on their part. She added a stepped back second story would be detrimental, and stated the applicant has addressed criteria and issues. Commissioner

Thompson stated the criteria for the conditional use permit and the variance request have been met, and believes this is a reasonable request. Commissioner Brown commented on standards for new construction versus reconstruction and gave his opinion that this design misses the boat in terms of scale and massing. He agreed that this is a transitional block but feels a stepped back second story would better fit the streetscape. Commissioner Dawkins disagreed and stated the home does fit the streetscape, as well as all of the criteria. Commissioner Mindlin stated she is comfortable with many of the elements, but voiced her agreement with Commissioner Brown in term of mass and scaling. She added ultimately though, the Historic Commission is the appropriate body to address the design and does not believe this is the time or place to take this up.

Commissioner Dawkins/Peddicord m/s to approve PA-2013-01421 with the conditions proposed by staff. Roll Call Vote: Commissioners Dawkins, Kaplan, Miller, Peddicord and Mindlin, YES. Commissioners Brown and Miller, NO. Motion passed 5-2.

TYPE III PUBLIC HEARING

A. PLANNING ACTION #: 2014-00052

SUBJECT PROPERTY: 87 W. Nevada St. and 811 Helman Street

APPLICANT: Wilma LLC

DESCRIPTION: A request to modify the Development Agreement for the Verde Village Subdivision for the properties located at 87 W. Nevada Street and 811 Helman Street. The proposed modifications include: clarifications of the project phasing to make clear which improvements are required with each phase and to allow either phase to occur first; changes to the energy efficiency requirements of the development so that all units will be constructed to at least Earth Advantage Gold standards and will be "Photovoltaic Ready"; and changes to the landscaping and maintenance requirements associated with construction of the multi-use path. COMPREHENSIVE PLAN DESIGNATION: Suburban Residential and Single-Family Residential; ZONING: R-1-3.5, R-1-5, R-1-7.5; ASSESSOR'S MAP: 39 1E 04B TAX LOTS: 1100, 1400-1418.

Ex Parte Contact

Commissioners Dawkins, Miller, Brown and Peddicord declared site visits; No ex parte contact was reported.

Staff Report

Associate Planner Derek Severson reviewed the site and provided an overview of the original land use application. He explained the approved application was memorialized in a development agreement that was adopted by ordinance by the City Council in December 2007, and encompassed the following elements:

- Annexation, Land Exchange with the City, and Comprehensive Plan and Zoning Map changes.
- Outline Plan approval to develop the property as a 68-unit residential development.
- Site Review approval for multi-family development.
- Physical and Environmental Constraints Review Permit to locate a multi-use path in the Ashland Creek Riparian Preservation Area.
- Exceptions to the Street Standards to install a curbside sidewalk on one side of a proposed street, to not locate a street adjacent to natural features, and to not connect two of the proposed streets.
- Variances to reduce the on-street parking requirement to 38 spaces, to reduce the rear yard setback, and to reduce the required distance between buildings for cottages.
- Administrative Variance to have the primary orientation of the buildings to the south in order to maximize use of solar energy.

Mr. Severson explained the affordable housing development Rice Park was part of the first phase and has already been completed, and the remainder of the first phase includes the development of a cottage community with a private drive. The second phase of this development includes single family homes, completion of the Bear Creek Greenway connection to Nevada Street, and sidewalk installation along Nevada to Oak Street. Mr. Severson explained the applicant's are here tonight requesting three modifications to their original development agreement:

- **Project Phasing:** The applicants propose to make the project a true two phase project that would split the infrastructure of the development in phases rather than front loading the majority of the infrastructure into the first phase. Mr. Severson stated either phase could be built first, or they could be built simultaneously. He noted the applicants have agreed to provide permanent facilities to serve Rice Park and the connection to the dog park in Phase I; and the greenway connection and sidewalk on Nevada would be tied to the Sanders Way improvements in Phase II.
- **Energy Efficiency:** The applicants are requesting to change the energy efficiency requirements to be more compatible with technological changes and easier to administer by going with an established program with third party verification. Mr. Severson stated the units would have to obtain a minimum of Earth Advantage Gold/Photovoltaic Ready certification, and these would be 15% more energy efficient than the current code requirements and 20%-30% better than the codes that were in place when the subdivision was approved.
- **Multi-Use Path:** The riparian corridor mitigation plantings would be reduced to install 10-foot buffer plantings on the subdivision side plus the 10-foot path, 4 ft. of landscaping on either side of the path, and re-vegetation of any additional areas of disturbance associated with the path installation. Mr. Severson reviewed the cross-section illustrations for the riparian landscaping plan and clarified the applicants will be responsible for maintaining the improvements they install for a three year period.

Mr. Severson concluded his presentation and stated staff supports a favorable recommendation to the City Council with the recommendations outlined in the staff report.

Questions of Staff

Staff was asked about strengthening the language in the development agreement regarding the multi-use path landscaping and riparian corridor restoration to make the expectation about working with the Parks Department clearer.

Staff was asked if Sander Way would be installed if Phase II never happens. Mr. Severson clarified Sander Way would only serve the units built along that road, so if Phase II never occurs and those homes are not built, the installation of Sander Way would not be vital.

Staff was asked to clarify the distinction between "Phase 1" and "Phase 2" (uppercase) and "phase one" and "phase two" (lowercase). Mr. Severson recommended the applicants speak to this during their presentation.

Comment was made that the timetable does not reflect all of the elements identified in the development agreement and it was questioned if this should be a concern.

Staff was asked whether there is any financial surety for this development and Mr. Severson clarified the City has trust deeds on several of the single family lots.

Commissioners Kaplan/Miller m/s to extend meeting. Voice Vote: All AYES. Motion passed 7-0.

Applicant's Presentation

Valri Williams and Greg Williams/Explained when the original development agreement was prepared they were very new to development and the concept of a development agreement was new to the City of Ashland. Ms. Williams stated six years have passed since the development agreement was prepared and they have realized there are some issues that need to be addressed. Ms. Williams explained the detailed plan for the multi-use path and riparian area is already in place, and they intend on using this plan but whiting out the areas beyond the four foot buffer. She stated the Parks Department does not want trees installed in the middle of the blackberry bushes and are concerned about the maintenance cost, and noted there are trees growing there now that weren't there at the time of the development agreement. Ms. Williams stated their request is to evaluate the vegetation when they get ready to do the multi-use path. Regarding the project phasing, Ms. Williams explained the use of "Phase" was used to identify the physical location on the development, and "phase" was added to identify the first phase that is actually constructed. She commented on the energy efficiency requirements and explained they realized during the construction of Rice Park that the elements outlined in K-3 were very onerous. As an alternative, they would like to move to the Earth

Advantage program and require all homes to be a minimum of Earth Advantage Gold. It was noted that this is still going to be one of the most energy efficient neighborhoods in the state.

Comment was made questioning if the applicants would be placing solar panels on some of the units. Mr. Williams explained the units will be solar ready but they personally will not be building the homes, but rather will be selling the lots and it will be the new owner's decision as to whether to install the PV panel. He added all of the homes will be passively solar heated, which is a huge benefit in itself.

Ms. Williams spoke to the timeline and explained this document was intended to be a guideline as to when key things should be done, but does not list every action. She added the timeline is not all inclusive and the development agreement sets the precedent.

Comment was made recommending the City's legal department take a close look at the development agreement and make sure the document fully reflects the applicant's commitments.

Comment was made questioning if the applicants have placed money in escrow for the riparian corridor improvements. Ms. Williams clarified there is a bond with the City for the riparian area and they are not allowed any vertical construction until the path is installed, which provides a strong incentive to make sure this gets done.

Public Testimony

Colin Swales/143 Eighth Street/Stated this was a hugely ambitious project when it was approved and what they saw is not ultimately what they will get. Mr. Swales stated the value of the land was greatly increased by the prior approval, and yet there is no indication that this project will ever happen. He questioned what might happen if this was not completed and asked if the area would be de-annexed and the land swap reversed. Mr. Swales stated the City is in a bind but voiced his disagreement with extending the completion timeframe for this proposal. He recommended the Commission look out for the City's best interest and asked that the development agreement be looked at in detail. He added it is the developer's job to comply with the terms they originally agreed to.

Commissioners Dawkins/Kaplan m/s to extend the meeting to 10:30 pm. Voice Vote: All AYES. Motion passed 7-0.

Questions of Staff

Staff was asked to clarify what will be provided to the City Council. Mr. Severson answered the package of materials will include a council communication, a revised ordinance, and the exhibits associated with the changes (which will include the Planning Commission's recommendation.)

Staff was asked if they are comfortable with the proposed modification to the riparian area. Mr. Severson suggested the Commission could consider strengthening this language by changing it to read, "planting of additional trees both inside and outside the pathway corridor to be selected and placed ~~after consultation~~ based on recommendations from the Parks Department staff."

Applicant's Rebuttal

Mr. Williams stated this property has been in his family for 100 years and it is beautiful land. He added the University of Oregon deemed it as was one of the best places in Ashland's to have solar homes.

Deliberations and Decision

Comment was made that serious floods can occur every 10 years and it could be a waste to install a lot of plantings along the creek. Statement was made expressing support for the applicants to work with the Parks Department and enhancing the area to maintain a more natural look. Comment was made that their recommendation should be clear that the applicants must conform to what the Parks Department says.

Mr. Severson recommended the following wording: "That the revised plan (replacing Sheet R-1 from December 1, 2008) to be provided prior to pathway installation shall illustrate the proposed pathway installation and the redefined limits of the slope stabilization and associated revegetation and shall include the planting of additional trees both

inside and outside the pathway corridor to be selected and placed based on the recommendations of Parking Department staff as to the number, type, and placement." The Planning Commission voiced support for this revision.

Commissioner Mindlin asked if the group had any concerns with the modification to the phasing and no issues were raised.

Commissioner Mindlin asked if the group had any concerns with the modification to the energy efficiency standards and no issues were raised.

Commissioners Miller/Thompson m/s to recommend Council's approval of the project with the conditions recommended by staff including the modified language to Condition #31, and recommend the documents be reviewed by the Legal Department to ensure the applicants commitments are properly reflected. Roll Call Vote: Commissioners Kaplan, Brown, Dawkins, Thompson, Miller, Peddicord, and Mindlin, YES. Motion passed 7-0.

ADJOURNMENT

Meeting adjourned at 10:00 p.m.

UNFINISHED BUSINESS

FINDINGS

PA-2013-01421, 270 N First St

BEFORE THE PLANNING COMMISSION
March 11, 2013

IN THE MATTER OF AN APPEAL OF PLANNING ACTION #2013-01421, A)
REQUEST FOR CONDITIONAL USE PERMIT APPROVAL TO EXCEED)
MAXIMUM PERMITTED FLOOR AREA (MPFA) IN THE RAILROAD HISTORIC)
DISTRICT AND VARIANCES TO THE REQUIRED SIDE-YARD SETBACKS) **FINDINGS,**
FOR THE CONSTRUCTION OF A NEW RESIDENCE ON THE PROPERTY AT) **CONCLUSIONS,**
270 FIRST STREET. THE REQUEST INCLUDES THE REMOVAL OF THE) **& ORDERS**
EXISTING RESIDENCE.)
)
)

APPLICANTS: RNN PROPERTIES LLC)
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This matter came before the Planning Commission as an appeal of an Administrative Decision pursuant to the Ashland Municipal Code, Land Use Ordinance, AMC 18.108.070. The application was administratively approved on November 20, 2013. A re-consideration request was filed on November 26, 2013, and the request was denied by the Community Development Department Director on November 27, 2013. An appeal request was timely received on December 2, 2013 from Patricia Way, an adjacent property owner, and Patrick Harvard, a citizen.

RECITALS:

- 1) Tax lot #1300 of Map 39 1E 09 BA is located at 270 First Street, within the Ashland Railroad Addition historic district, and is zoned Low Density Multi-Family Residential (R-2). The property is rectangular with an area of 2,300 square feet. The property was created prior to current zoning regulations and is smaller than the minimum lot size of 5,000 square feet. The property is considered a legal, non-conforming lot.
- 2) The application involves demolishing the existing 524 square foot residence and outbuilding and constructing a new, two-story 1,300 square foot residence. The proposed home requires a Conditional Use Permit (CUP) to exceed the Maximum Permitted Floor Area (MPFA) within a Historic District by 24 percent or 252 square feet. The application includes a request to reduce the standard six-foot side yard setbacks to three-feet on both the north and south sides. The proposal, including the design for the new residence, is outlined on the plans on file at the Department of Community Development.
- 3) The criteria for a Conditional Use Permit are described in Chapter 18.104.050 as follows:
 - A. *That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.*
 - B. *That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.*
 - C. *That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When*

evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:

1. *Similarity in scale, bulk, and coverage.*
 2. *Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*
 3. *Architectural compatibility with the impact area.*
 4. *Air quality, including the generation of dust, odors, or other environmental pollutants.*
 5. *Generation of noise, light, and glare.*
 6. *The development of adjacent properties as envisioned in the Comprehensive Plan.*
 7. *Other factors found to be relevant by the Hearing Authority for review of the proposed use.*
- 4) The criteria for a Variance are described in Chapter 18.100.020 as follows:
- A. *That there are unique or unusual circumstances which apply to this site which do not typically apply elsewhere.*
 - B. *That the proposal's benefits will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.*
 - C. *That the circumstances or conditions have not been willfully or purposely self-imposed.*
- 5) The Planning Commission, following proper public notice, held a public hearing on February 11, 2014 at which time testimony was received and exhibits were presented. The Planning Commission approved the application for Conditional Use Permit to exceed Maximum Permitted Floor Area in the Historic District and Variances to the required side yard setbacks.

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 Commission finds that the applicant has not proposed to remove any trees which are regulated under the Ashland Municipal Code, AMC 18.61. The removal of trees six-inches in diameter at breast height or less in a residential zone is outright permitted and does not require approval or permits by the city.

2.3 The Commission finds that the proposed development of a single family home in the R-2 zoning district complies with all applicable city ordinances, with the exception of the variance to the required side yard setbacks. The Commission finds that the proposed residence is in conformance with relevant Comprehensive Plan policies.

The Commission finds that sufficient public utilities are in place to service the proposed residential use, and exist on the site and within the adjacent public right-of-ways. The property is served by a four-inch water main, a six-inch sanitary sewer main, and a twelve-inch storm drain located in the First Street right-of-way. The Public Works/Engineering Department has indicated that these facilities, which already serve the existing home, are adequate to serve the new residence. The existing electrical service is a 200-amp overhead service dropped from a nearby pole; the Electric Department has indicated that this service is adequate to serve a new residence.

The Commission finds that First Street is classified as a residential neighborhood street. The Commission finds that the First Street right-of-way between A and B Streets is 70 feet in width, and that the current improvements in place including sidewalks, curb, gutters and paving along the subject property's frontage. The alley to the north of the subject parcel is also paved. The Commission finds that the generation of traffic from the proposed home is consistent with that of the target use of the property.

The Commission finds that proposed single family residential unit will not create any adverse environmental impacts such as dust, odors, air quality; or any additional generation of noise, light or glare.

The Commission finds the target use of the property is one residential unit. The Commission finds that proposed residence will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. The Commission finds generation of traffic from the proposed home is consistent with that of the target use of the zone, and less than that generated by the adjacent business uses.

The Commission finds that the proposed building is similar in scale, bulk and coverage when compared to the target use of the zone. The proposed site development will cover approximately 55 percent of the lot area, less than the allowed 65 percent coverage.

The Commission finds that the proposed residence is architectural compatibility with the impact

area; more specifically the Commission finds that the proposed residence complies with the Historic District Development Standards in the following manner. The height of 22-feet is similar to buildings in the vicinity and is less than the allowed height of 30-feet. The Commission finds that the scale (i.e. height, width and massing) is consistent with the relatively tall, narrow residences found in the immediate vicinity and throughout the Railroad Historic District. The Commission finds that the proposed single gable roof, smaller gable roof over the front porch and shed roof over a small bay on the north side adjacent to the alley varies the massing. The second story will be setback from the front façade by three feet with a proposed a roof top deck. The Commission finds that second story setback and the smaller gables provide variation in the façade, and address the Historic District Design Standards in regards to varying the massing of the building. The Commission finds that the proposed front yard setback is consistent with the existing setback of the adjacent buildings and in conformance with AMC 18.68.110 where the front yard for the lot need not exceed the average yard of the abutting structures. The Commission finds that the proposed gable, 6/12 pitch roof, is similar to the existing residence and consistent with other residences in the immediate vicinity. The Commission finds that the metal roof is consistent with adjacent buildings in the immediate vicinity. The Commission finds that the proposed double hung windows are consistent with the primary window pattern in the neighborhood. The Commission finds that the proposed base with a half-inch reveal provides a well defined base which is consistent with the standards. The Commission finds that the proposed building form which is tall and narrow with a gabled roof is consistent with the form of the adjacent historic buildings and those found throughout the Railroad District. The Commission further finds that the covered front porch enhances the façade and provides definition to the location of the front door. The Commission finds that the proposed building design is contemporary but has connection through the roof form, materials, rhythm of openings, massing and overall design. The Commission finds that the proposed design complies with the Historic District Development standard seeking architectural features that represent our own time yet enhance the nature and character of the Historic District, and that the proposed exterior material choices are found throughout the historic districts.

2.4 The Planning Commission finds that Variance request to reduce the required six-foot setbacks to three-feet complies with the Ashland Municipal Code. The Commission finds that the 25-foot wide lot is unique and unusual. Within 200-feet of the subject property there is only one other 25-foot wide parcel and it is directly adjacent to the south. The Commission finds that the existing structure does not comply with setbacks and the proposed residence will be providing an increase in setbacks on the north side and maintaining the setbacks on the south side reducing the non-conforming setback on the north. The Commission finds that the lot's 25-foot width represents unique of unusual circumstances which have not been self-imposed. The Commission finds the benefits of the variance provide a setback from the alley where none exists and permits the construction of a modest sized single family residence.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Conditional Use Permit to exceed the Maximum Permitted Floor Area and Variances to the required side yard setbacks 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 #2013-01421. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2013-01421 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 building permit submittals shall include:
 - a) 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 Conditional Use Permit approval shall be submitted and approved prior to issuance of a building permit.
 - b) That all recommendations of the Historic Commission from their November 6th, 2013 meeting, where consistent with applicable standards and with final approval by the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
 - c) That the transom window proposed over the second story French door facing First Street shall be removed from the plans.
 - d) Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard B in the formula $[(\text{Height} - 16) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and their height(s) from the identified natural grade.
 - e) Lot coverage calculations including all building footprints, driveways, parking, and circulation areas shall be submitted with the building permit. The lot coverage shall be limited to no more than the 65 percent allowed in the R-2 zoning district.
 - f) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties. Light fixture type and placement shall be clearly identified in the building plan submittals.
- 3) That hinged patio doors shall installed on the patios, not sliding doors.
- 4) That if the 13-inch DBH Box Elder tree perishes within 36-months of the issuance of the Certificate of Occupancy a mitigation tree of similar size and stature at maturity shall be replanted on site as mitigation.

Planning Commission approval by
Melanie Midlin, *Chair*

Date

PUBLIC HEARING

NORMAL NEIGHBORHOOD PLAN

ASHLAND PLANNING DIVISION
STAFF REPORT
March 11, 2014

PLANNING ACTION: PL-2013-01858

APPLICANT: City of Ashland

LOCATION: Normal Neighborhood District Boundary

ZONE DESIGNATION: Jackson County RR-5 (Rural Residential 5 acres)

COMPREHENSIVE PLAN DESIGNATION: City of Ashland Single-Family and Suburban
Residential
Jackson County Rural Residential Lands

ORDINANCE REFERENCE: Chapter 18-3.13 Normal Neighborhood District

STATEWIDE PLANNING GOALS: Goal 2 Land Use Planning
Goal 14 Urbanization

OREGON REVISED STATUTES (ORS): Chapter 197 – Comprehensive Land Use Planning
Coordination

REQUEST: To amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, and Ashland Land Use Ordinance to implement the Normal Neighborhood Plan.

I. Relevant Facts

A. Background - History of Application

Oregon Statewide Planning Goal 2, Land Use Planning, as well as Chapter 197 of the Oregon Revised Statutes requires a land use planning process and policy framework as a basis for all decision and actions related to use of land. Specifically, plans and implementation measures such as ordinances controlling the use and construction are permitted as measures for carrying out Comprehensive Plans.

Oregon Statewide Planning Goal 14, Urbanization, directs communities to plan for the orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The existing Comprehensive Plan designation for the Normal Neighborhood Plan area was

established in 1981. The area's development as low density residential, changes in the City's population demographics, land availability, housing supply and type, and water resource protection standards over the decades warrant a re-evaluation of the area's Comprehensive Plan designations in consideration of these changed conditions.

In March of 2011 the City Council directed the Community Development Department to apply for a Transportation and Growth Management (TGM) grant to prepare a master plan for the 94 acre Normal Neighborhood area, and the City's project was selected for award in June 2011. The TGM program is a joint program of the Oregon Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT).

The City of Ashland received the TGM grant for consultant services in May 2012 to undertake the neighborhood planning process. A number of urban design, planning, engineering, environmental services and architecture firms were selected to prepare the draft plan. Consultants included Parametrix Inc, UrbsWorks Urban Design, Joseph Readdy Architect, Qamar Architecture and Town Planning, Leland Consulting Group housing market analysts, and Nevue Ngan Landscape Architects. The submission of preliminary draft plan materials and a revised final draft plan concluded the TGM funded portion of the project in September 2013.

The neighborhood planning process has involved considerable public involvement including a resident survey, two neighborhood meetings, three public open houses, two Planning Commission site visits, individual stakeholder meetings with property owners and nearby residents, and numerous Planning Commission, Transportation Commission, Housing Commission and City Council study sessions. The design phase of the planning process was initiated in October 2012 with a three day public design charrette, or workshop. The charrette allowed for the identification of issues and concerns, development of goals and objectives for the master plan, and creation of a conceptual neighborhood design. Following the October 2012 charrette, plan options were developed and presented at study sessions and public open houses to obtain public input to assist the design team, city staff, and the Planning Commission to further refine the plan concept. The final Normal Neighborhood Plan, and draft implementing ordinances, were completed in February 2014 and initially presented to the Planning Commission at a study session on February 25th, 2014.

The issues and opportunities identified during the first public workshop and key participants meetings were used to create the project goals and objectives as listed below:

- Maximize land use efficiency by concentrating housing in a strategically located area within the City Urban Growth Boundary.

- Create a development pattern of blocks and streets that supports a balanced, multi-modal transportation system that offers a full range of choices to its occupants and that supports active transportation opportunities like walking, bicycling or using transit in those areas planned for transit service;
- Provide a range of housing choices and a variety of open space, public space, and green infrastructure improvements, in a way that preserves and enhances the area's creeks and wetlands;
- Design a local street grid for the Project Area including connections to existing and planned street, pedestrian, and bicycle facilities beyond the project area that overcome the challenges to connectivity and better integrate the area into the Ashland transportation system;
- Provide for pedestrian and bicycle routes and facility improvements within the plan area that will provide safe access to local schools, activities, neighborhoods, and destinations;
- Apply those principles of low impact development to minimize the extent and initial cost of new infrastructure and to promote the benefits of stormwater management;
- Provide developable alternatives at planned densities that will eliminate the need for expansion of the urban growth boundary; and
- Reduce greenhouse gas emissions by implementing transportation and land use plans that encourage reductions in vehicle miles traveled.

Background Studies

To inform the neighborhood planning process a number of studies were completed and previously presented to the Planning Commission in support of this project including:

- A [Buildable Lands Inventory](#) (approved November 15, 2011- ordinance #3055) provided a basis for evaluation of the amount of available land within the City Limits and Urban Growth Boundary.
- A [Housing Needs Analysis](#) (approved September 3, 2013 - ordinance #3085), summarized the types of housing that have been developed throughout the City in the recent decades, as well as the projected needed housing based on income and population demographics.
- An [Executive Summary of Existing Conditions](#) to provide background information for the Normal plan area including the [results of a resident survey](#) conducted in June-July 2012.
- An analysis of five components of the neighborhood design including infrastructure, mobility, sustainability, open space and greenways, and housing and land use.
 - [Infrastructure Framework](#)

- [Sustainability Framework](#)
- [Mobility Framework](#)
- [Greenway and Open space Framework](#)
- [Housing and Land Use Framework](#)
- The traffic engineering firm SCJ Alliance completed an [Existing Traffic Conditions technical memorandum](#) (dated September 12, 2012) , and a [Future Traffic Analysis](#) (dated November 19, 2013) to investigate current and future traffic conditions in the Normal Neighborhood Plan study area.

B. Detailed Description of the Site and Proposal

The Normal Neighborhood Plan District is situated between East Main Street to the north and the railroad tracks to the south, Clay Street to the east and the Ashland Middle School to the west. Currently, the 94 acre area has a mix of Comprehensive Plan designations including single family residential and suburban residential, and is presently outside the City of Ashland (City) city limits but within the City Urban Growth Boundary (UGB).

This area constitutes the largest remaining area of residentially designated land that is suitable for medium- to high-density development which remains largely vacant or redevelopable. The plan area contains 35 properties ranging in size between 0.38 acres up to 9.96 acres. There are 26 property owners within the plan area with a number owning multiple parcels. Residential development in the plan area has historically been low density large lot single family homes consistent with Jackson County's rural residential zoning standards.

The Normal Neighborhood Plan District includes significant natural features including Cemetery Creek, Clay Creek, and three designated wetlands (W9, W12, W4) that are included on the City of Ashland 2007 Local Wetland Inventory (LWI). The local wetland inventory was approved by the Department of State Lands (DSL) which means the LWI is part of the Statewide Wetland Inventory. The mapped wetland boundaries are estimated boundaries, they have not been surveyed, and there are inherent limitations in mapping accuracy as hydrology conditions change over time. The City of Ashland will require applicants for annexation with potential wetlands on their property to obtain a wetland delineation by a qualified consultant and submit it to DSL and the City prior to development.

The *Normal Neighborhood Plan* is comprised of Normal Neighborhood Plan Framework document, official Normal Neighborhood Plan maps, and the proposed Normal Neighborhood District land use ordinance amendments (Ch. 18-3.13). Collectively these documents provide the underlying conceptual and regulatory structure for area's future development. Development of this area is expected to

occur in an incremental way, as individual parcels propose annexation for specific housing developments. An adopted neighborhood plan allows individual development proposals to better coordinate the provision of streets, pedestrian connections, utilities, storm water management, and open space. Such an approach can ultimately help reduce development costs through appropriate sizing of needed facilities, provision of easements, and secured street access. Additionally a significant benefit of an adopted plan is a clear expectation and understanding regarding the level of development anticipated by both developers and neighboring residents. In this way the development and annexation process for all properties with the plan area is streamlined while ensuring the City can accommodate its future growth in a systematic and efficient manner.

The proposal involves Comprehensive Plan Map amendments, Transportation System Plan amendments, as well as amendments to the proposed Ashland Unified Land Use Ordinance (ULUO). The proposed implementation plan includes:

- Adopting the Normal Neighborhood Plan Framework document as a supporting document to the City's Comprehensive Plan.
- Adoption of official Normal Neighborhood Plan maps:
 - Land Use Designations Map (NN-01, NN-02, NN-03, NN-03C)
 - Street Network
 - Pedestrian and Bicycle Network
 - Street network: Green Streets
 - Open Space Network
- Amending the Ashland Comprehensive Plan Map to create a designation for the Normal Neighborhood Plan District, and revised boundaries for the Conservation Areas within the plan area.
- Amending the Transportation System Plan (TSP) as follows:
 - Amend the Street Dedication Map (TSP Figure 10-1) to incorporate the plan area's proposed Street Network, and reclassification of Normal "Avenue" to be a Neighborhood Collector.
 - Amend the Planned Intersection and Roadway Improvement Map (TSP Figure 10-3) to include East Main Street as a Planned Roadway Project.
 - Amend the Planned Bikeway Network Map to incorporate the planned multiuse trails within the Normal Neighborhood Plan.
- Amend the Street Standards to incorporate Shared Streets.
- The draft Unified Land Use Ordinance will be revised through a separate legislative planning action to include a new Chapter 18-3.13 Normal Neighborhood District, to guide and direct both public and private improvements. Additionally, multiple section of Chapter 18 will be amended to provide reference to, and consistency with, the proposed Chapter 18-3.13 Normal Neighborhood District.

II. Project Impact

A. Approval Process and Noticing

The proposal involves Comprehensive Plan and Transportation System Plan amendments, as well as additions and revisions to the Ashland Unified Land Use Ordinance (ULUO) necessary to implement the Normal Neighborhood Plan. The Planning Commission makes a recommendation on the package of amendments, and the City Council makes the final decision.

Approximately 200 written notices (postcards) were mailed to property owners in and surrounding the Normal Neighborhood District boundary regarding the Planning Commission public hearing (March 11th, 2014) and City Council public hearing (May 6th, 2014). A notice was published in the newspaper and a meeting announcement was emailed to residents and workshop/open house participants that provided their email addresses to the City. Meeting announcements and plan materials are posted on the project web page www.ashland.or.us/normalplan

B. Proposal Impact

The Planned Housing Types and Land Use Designations

The proposed Normal Neighborhood District will contain four residential zones, NN-01, NN-2, NN-03, and NN-O3-C. The use regulations and development standards set forth in the proposed land use ordinance (Ch. 18-3.13) for these zones are intended to provide a significant degree of flexibility as to the form and character of individual developments. Affordable housing with the plan area would be provided by future development as a condition of annexation consistent with current requirements. The Normal Neighborhood Land Use Zones map establishes the proposed designations for the properties within the district.

NN-01:

The Land Use designation NN-01 is intended to provide single family dwellings, accessory residential units, and cottage housing with a base density of 5 units per acre. The “cottage” housing type is to be consistent with the standards proposed in the Unified Land Use Ordinance as proposed under a separate legislative planning action.

NN-02

The NN-02 designation provides housing opportunities for individual households through development of a mix of single-dwelling housing, duplexes, townhomes, accessory residential units, and pedestrian oriented clustered housing with a base density of 10 units per acre. Clustered housing, commonly referred to as “pocket neighborhoods”, are a new housing type envisioned for the plan area where multiple compact detached or attached dwellings are grouped around common

open space. Through the consolidation of common open space and or parking cluster housing developments can often achieve a housing density comparable to attached row houses or low-rise apartments, yet with a lower profile retaining the appearance of traditional single-family homes.

NN-03

The NN-03 land use designation is intended to address Ashland's housing needs through development of multi-dwelling housing with a base density of 15 units per acre.

NN-03-C

The NN-03-C zone is a residential designation consistent with NN-03, however it would additionally allow for limited neighborhood serving commercial uses such as a coffee shop on the ground floor.

Greenway and Open Space

The Plan's approach to the greenway and open space framework is establish "Conservation Areas" through a proposed amendment to the Comprehensive Plan Map. As proposed these areas are to include FEMA's 100 year floodplain, Ashland's designated floodplain boundaries, wetlands identified in the 2007 Local Wetland Inventory, and wetland and riparian buffer areas identified in the Water Resource Protection Zone ordinance. Precluding development in these areas will reduce or prevent the detrimental effects of flood waters, support native vegetation, provide habitat and a travel corridors for wildlife, and promote environmental quality by absorbing, storing, and releasing storm water. The Open Space Network Map shows the areas intended to be preserved as natural areas or open space within the district which absent of any environmental constraints would additionally provide recreational amenities to the districts residents.

Streams and wetlands will be maintained as amenities with access to area residents due to the carefully considered transportation network that ensures that these areas are not hidden in back yards. Accommodation of the pedestrian, bicycle, and automobile circulation along the edges of the riparian zones and designated wetlands provides visual and physical access and increases the buffer zones between pockets of development enhancing the character of openness within the plan area.

Transportation

The Normal Neighborhood Plan includes a transportation framework that would be implemented by the proposed amendments to the Transportation System Plan (TSP) and Normal Neighborhood District Standards as . The transportation framework includes a street network, a pedestrian and bicycle framework, and a green street framework. The general location of future roads and paths is addressed by the Normal Neighborhood Plan Street Network Map, although design and engineering at

the time of the actual development will determine their precise locations. The proposed Street Network additionally includes designations for streets within the plan area that are to be developed as “green streets” designed to capture and treat storm water in conformance with the City of Ashland Storm Water Master Plan. The proposed street network would amend to the TSP’s Street Dedication Map in the Normal Neighborhood District area.

The Pedestrian and Bicycle Network map includes facilities incorporated into the streets, as well as off-road multi-use paths including the establishment of two paths crossings Cemetery Creek, paths or shared streets along the west side of Cemetery Creek, a path connecting the terminus of the existing Normal Avenue to East main Street, and a connection from the plan area to the eastern boundary of the Ashland Middle School property. The proposed multi-use paths would amend to the TSP’s Planned Bikeway Network Map in the Normal Neighborhood District area.

The Normal Avenue neighborhood’s internal street network has largely been designed to keep travel speeds in the range of 20 mph by introducing elements such as a planted median, small traffic circles, and subtle changes in direction at block intersections. The backbone of the street network is a re-routed neighborhood collector that extends from the southern intersection at a future improved Rail Road Crossing, to East Main Street between Clay Creek and Cemetery Creek. Given the anticipated traffic volumes on this new road being approximately 1000 average daily trips it is not necessary that it be classified as an “Avenue” but rather a “Neighborhood Collector” designation would suffice. Neighborhood Collectors are expected to accommodate 1500 to 5000 vehicle trips per day and as such this lesser classification would adequately accommodate expected use.

The Normal Neighborhood plan also introduces a street type that was recently included in the Transportation System Plan: the “shared street”. A shared street is a very low speed street where all of the functions of the transportation system coexist in the same space. There are no individual sidewalks separated from the street surface by curbs and planted medians. There are no bicycle lanes separated from the street by painted lines. The low volumes, low-speeds, narrow cross-section, and traffic calming design elements make it possible for all users safely occupy the street surface by yielding to the slowest and most vulnerable present at a given moment.

The use of rear lane alleys helps to reduce the extent of paved areas, and will support a complete grid of finely-grained urban blocks. These alleys will provide the primary access to garages and backyards. The specific alley locations within the designated blocks is left to future development site design considerations, subject to the maximum block length and parking access standards. As such those potential alley locations most subject to adjustment are not included in the Street Network map but it

is expected that future development will provide alleys to meet access management and connectivity standards.

The Future Traffic Analysis report by SCJ Alliance found that all existing intersections in vicinity of the project are expected to continue to function within operational standards in the year 2038 at full build out of the neighborhood plan area. The report recommended that East Main Street should be improved to comply with existing City standards at which point that the improved Avenue could accommodate vehicular, pedestrian and bike traffic, and that each of the proposed street intersections with East Main Street would function within applicable operational standards.

Plan Amendments

A minor and major amendment process is included in the proposed Chapter 18-3.13 Normal Neighborhood District, which will be the land use ordinance chapter governing the future development of properties within the plan area. The proposed amendment process provides flexibility to address unforeseen changes in conditions such as shifts in demand for types of uses, and physical or natural constraint challenges in individual developments.

- Major amendments provide for a change in a land use overlay, modification of the street layout plan or other transportation facility, reduction or elimination of designated Conservation Areas, a change in the applicable standards, and any other changes not listed.
- Minor amendments include shifting the location of streets, alleys or paths more than 50 feet, adjustments to the boundaries of designated Conservation Areas, and changes in dimensional standard requirements not including building height and residential density.

C. Discussion Items

The attached Normal Neighborhood Plan maps, Framework Document, and draft land use ordinance (18-3.13), have been revised to include items the Planning Commission has discussed over the past several months. A summary of the highlights of the latest revisions as follows.

- Designation of open space lands as protected conservation areas.
- Provisions allowing the transfer of housing density out of the water resource protection zones.
- Establishment of a minor amendment process to allow final open space locations to be moved to correlate with natural features (future wetland locations and boundaries), and a major amendment process if a proposal would reduce the contiguous acreage of conservation area/open space as represented in the plan.

- Flexibility to allow shared streets to alternatively be developed as alleys or multiuse paths where appropriate adjacent to water protection zones.
- Inclusion of mandatory standards relating to storm water management.
- Alignment of streets and zoning to correlate with existing property lines.
- A change in the street designation of the previously proposed alley in the North west portion of the plan area (Wetland 12) to be a shared Street, thereby allowing the potential to be alternatively developed as a multiuse path if necessary to preserve wetlands or open space.
- Clarification to the description of Pedestrian Oriented Cluster Housing within the Normal Neighborhood Plan Framework document.

III. Procedural – Required Burden of Proof

18.108.060 Standards for Type III Planning Actions:

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

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

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

The planning process which resulted in the Normal neighborhood Plan involved a wide variety of participants including the general public, property owners and neighboring residents. Staff believes the revisions that have been made in the development of the implementation package over the last 15 months have refined and improved the neighborhood plan, and are largely consistent with the original plan goals and objectives.

Staff recommends approval of the Comprehensive Plan Map amendments, adoption of the official Normal Neighborhood Plan Maps, and adoption of the Normal Neighborhood Plan Framework as a technical supporting document of the Comprehensive Plan.

Staff recommends the Transportation System Plan be amended to incorporate the Normal Neighborhood Street network as proposed. The Transportation Commission recommended that the proposed Neighborhood Collector be the sole vehicular connection to East Main Street, thereby recommending elimination of two of the three intersections as proposed in the draft plan.

The proposed Normal Neighborhood District Land Use ordinance will be reviewed as part of the broader Unified Land Use Ordinance amendment process. However, given

the interrelated nature of the Normal Neighborhood Plan elements, the Planning Commission is asked to provide recommendations on this ordinance as part of tonight's hearing. Staff recommends approval of the Normal Neighborhood District Land Use ordinance.

Attachments

- Normal Neighborhood Plan Framework Document (March 2014)
- Normal Neighborhood Plan maps:
 - Comprehensive Plan Map amendment
 - Land Use Zones
 - Street Network
 - Pedestrian and Bicycle Network
 - Street network: Green Streets
 - Open Space Network
- Normal Neighborhood District Chapter 18 Code Amendments (draft dated 3/11/14)
- Letters:
 - Open City Hall public comments as of 3/5/14
 - Hunter letter dated 2/25/14
 - Public letters submitted relating to prior iterations of the draft plan are not physically attached to this Staff Report, however they remain available online at www.ashland.or.us/normalplan including the following electronically linked letters:
 - [DeMarinis letter and exhibit \(10/31/2013\)](#)
 - [DeMarinis letter and exhibits \(10/8/13\)](#)
 - [Meadowbrook Home Owners \(Anderson\) letter and exhibits \(10/8/13\)](#)
 - [Ashland Meadows \(Skuratowicz\) letter \(10/8/13\)](#)
 - [Koopman letter and exhibits \(10/8/13\)](#)
 - [Lutz letter \(9/26/2013\)](#)
 - [Vidmar letter \(7/29/13\)](#)
 - [Carse letter \(6/27/13\)](#)
 - [Gracepoint letter \(6/12/13\)](#)
 - [Vidmar letter \(4/26/13\)](#)
 - [Shore letter \(4/10/13\)](#)
 - [Marshall letter \(4/10/13\)](#)
 - [Horn letter \(3/05/13\)](#)
 - [Filson letter \(2/25/13\)](#)
 - [Vidmar letter \(2/25/203\)](#)



Normal Neighborhood Plan

Framework Document

March 2014

Project Team

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Transportation and Growth Management

This project is funded by the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Land Conservation and Development and the Oregon Department of Transportation. This project is funded in part, by federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (), local government, and State of Oregon funds.

The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

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INTRODUCTION

Thanks to the active participation of the community and significant support from City staff, this Plan will guide future development for the Normal Neighborhood . The plan emphasizes compact urban form to better accommodate an extensive range of housing types for families of all sizes and incomes. Compact urban form also makes it possible to build upon the abundance of natural features –streams, wetlands, and trees– that support the character of this unique place. By creating a system of greenways and protecting and enhancing existing natural features the plan anticipates a place that welcomes nature in. Despite the challenges to connectivity posed by existing conditions like the Central Oregon & Pacific Railroad tracks, the plan enhances access and mobility while reducing dependence on the automobile: walking and biking will be the attractive first choice for residents of all ages.

[1



Project Objectives

The following project objectives were developed by the City and project partners and have been used to guide the development of this plan.

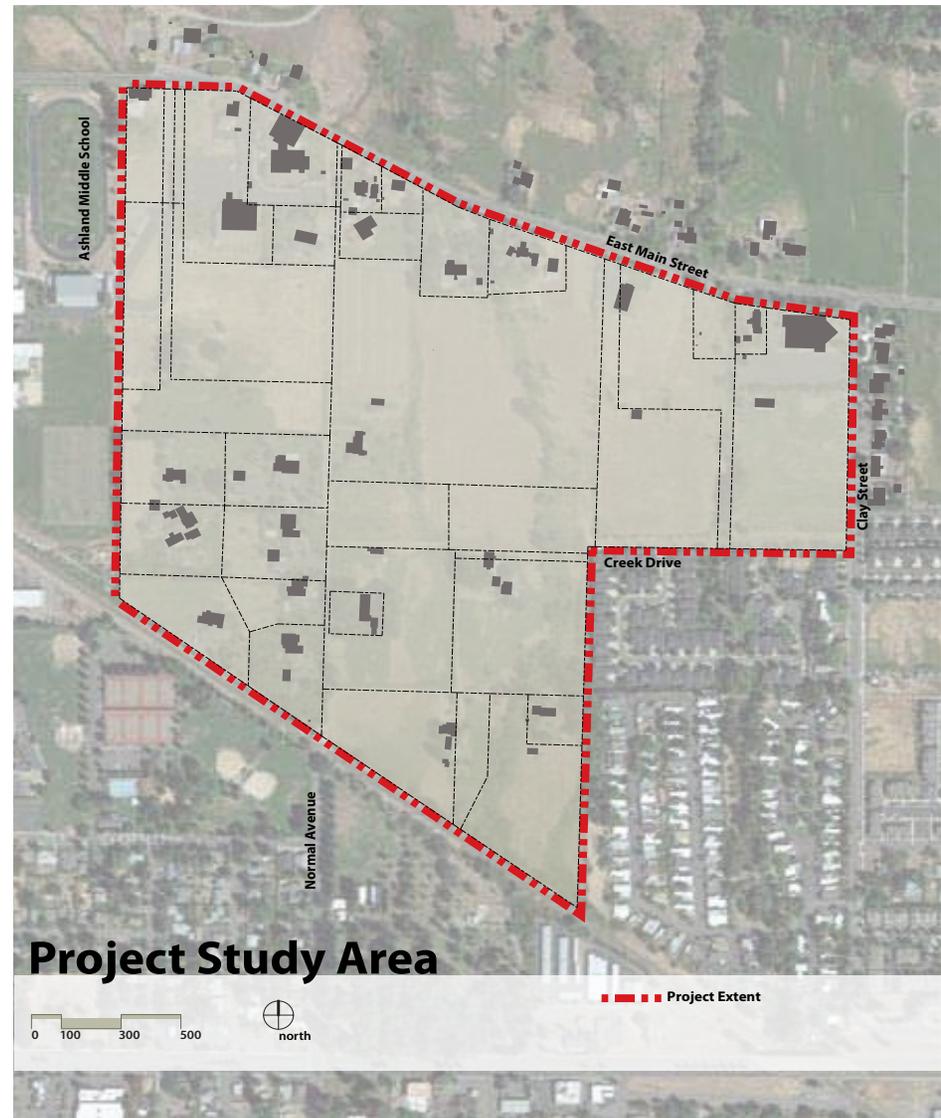
- Maximize land use efficiency by concentrating housing in a strategically located area within the City Urban Growth Boundary.
- Create a development pattern of blocks and streets that supports a balanced, multi-modal transportation system that offers a full range of choices to its occupants and that supports active transportation opportunities like walking, bicycling or using transit in those areas planned for transit service;
- Provide a range of housing choices and a variety of open space, public space, and green infrastructure improvements, in a way that preserves and enhances the area’s creeks and wetlands;
- Design a local street grid for the Project Area including connections to existing and planned street, pedestrian, and bicycle facilities beyond the project area that overcome the challenges to connectivity and better integrate the area into the Ashland transportation system;
- Provide for pedestrian and bicycle routes and facility improvements within the plan area that will provide safe access to local schools, activities, neighborhoods, and destinations;
- Apply those principles of low impact development to minimize the extent and initial cost of new infrastructure and to promote the benefits of stormwater management;
- Provide developable alternatives at planned densities that will eliminate the need for expansion of the urban growth boundary; and
- Reduce greenhouse gas emissions by implementing transportation and land use plans that encourage reductions in vehicle miles traveled.

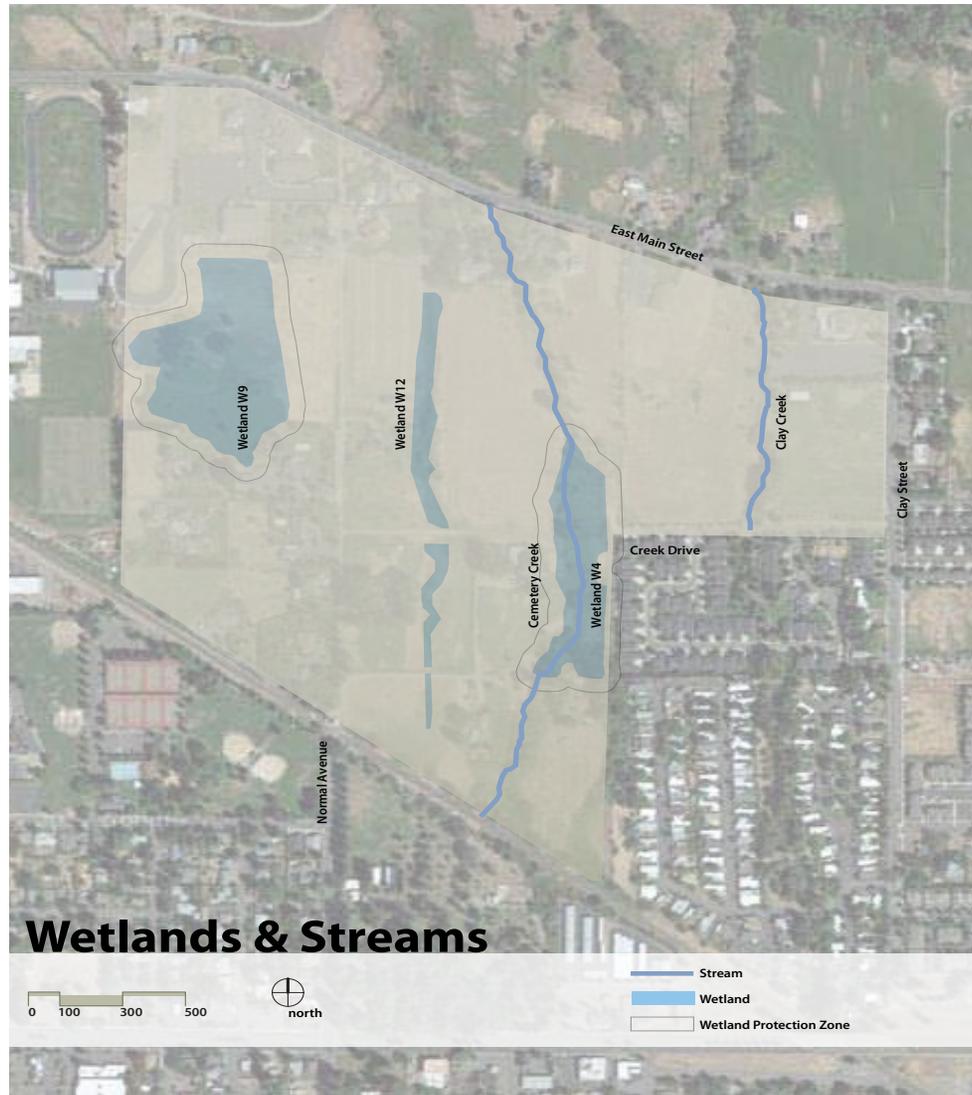
Existing Conditions

2] Located within the urban growth boundary, but not within the city limits, the site is characterized by its relative isolation from the rest of the City of Ashland. The north boundary of the project study area is East Main Street and there is currently no street within the project study area that connects to East Main Street. The west boundary of the project study area is Ashland Middle School. Informal paths that cut through private property provide connection for pedestrians from the study area to the middle school, the ScienceWorks Museum, and other neighborhoods. The south boundary of the project is clearly delineated by the Siskiyou rail line operated by the Central Oregon & Pacific Railroad. An unprotected rail crossing connects Normal Avenue south to to an established residential neighborhood. The character of the Normal Avenue changes dramatically from a neighborhood street to a narrow lane with slow speeds that is shared by pedestrians, bicyclists, and cars. The east boundary of the project study area abuts the Wingspread Mobile Home Park, Creek Drive, and Clay Street.

The neighborhood's relative isolation is widely considered an asset by most residents – most of the time. The inaccessibility provides a high degree of quiet privacy, but emergency responders have had to be occasionally inventive when trains occupy the rail line and access to Normal Avenue is interrupted: residents described an incident where emergency responders had to drive their vehicle over the informal, unpaved trail from Ashland Middle School to Normal Avenue in order to reach a resident in need. The Normal Neighborhood has a mix of Comprehensive Plan designations including single-family residential and suburban residential, but is currently outside the City of Ashland city limits. Development in the plan area has historically been low density, single-dwelling rural residences on large lots – consistent with Jackson County zoning standards.

The Normal Neighborhood currently represents a modest level of development with a diverse range of uses from agriculture to single-dwelling residential on large lots to religious institutions. The plan area contains 35 properties with sizes





between 0.38 acres up to 9.96 acres. There are currently two existing land comprehensive plan designations that overlay the 93.3 acre site: Single-Family Low Density and Suburban Residential. The base density of Single-Family Low Density is 4.5 units per acre; the base density of Suburban Residential is 7.2 units per acre. The gross potential for the entire neighborhood under the current comprehensive plan is 560 dwellings.

[3

The plan area includes two creeks and three significant wetland areas. Over time, each of the streams and all of the wetlands have been subject to negative impact from development. None represents a pristine natural condition, but each are considered significant and, once restored or enhanced, capable of making a unique and significant contribution to the quality of the place. The wetlands and riparian areas were investigated in detail and have informed the design of the new Normal Neighborhood Plan, especially the greenway and open space framework.

The project area constitutes the largest remaining readily-developable area of residentially designated land that is suitable for medium- to high-density development.

Concept Plan Background and Charrette

A central part of the development of the Normal Neighborhood Plan was a multi-day community design charrette that took place in Ashland in October 2012. Prior to the design charrette, however, the project team developed an initial Concept Plan grounded in data provided by the City of Ashland, surveys, and initial interviews with stakeholders. Researching and developing the concept plan gave the project team the opportunity critically consider the existing conditions of the site within the existing context of the city. In preparation for the Charrette, the project team investigated patterns for possible development and market conditions necessary to support development. This initial concept plan was not intended to be the preferred pattern for development but, as just one of many possible development schemes, it was used as the starting place

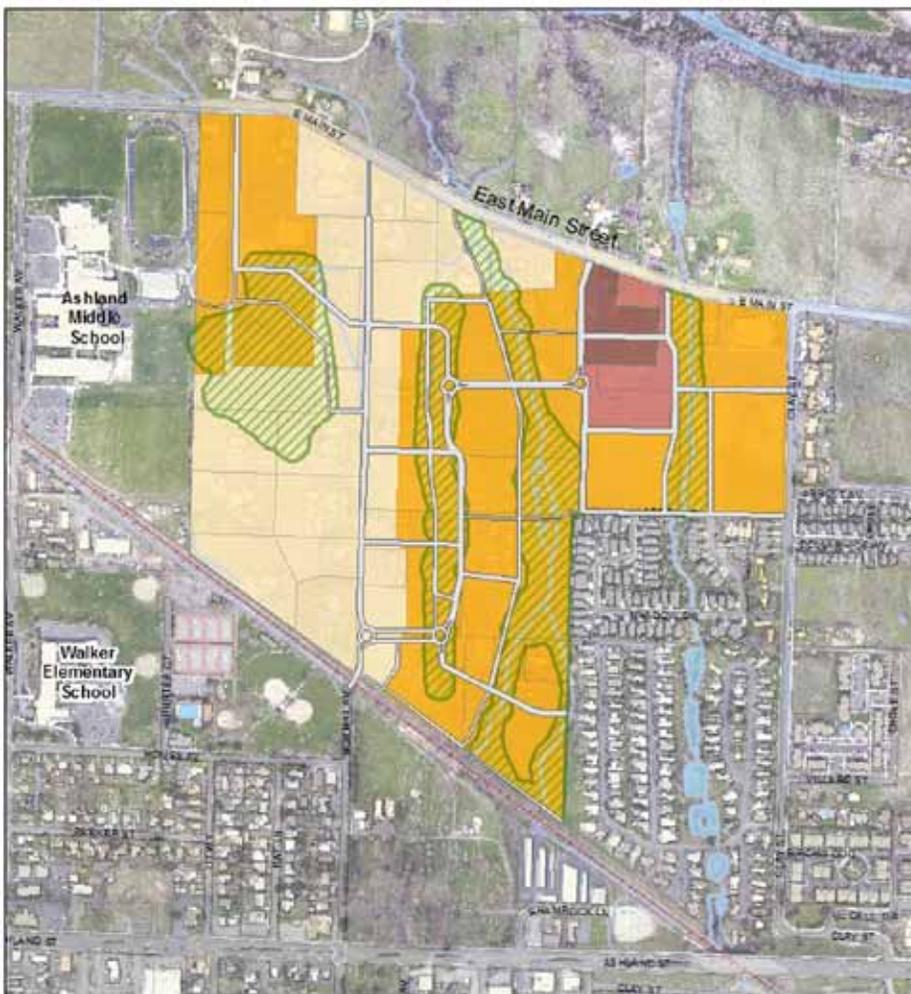
for community discussion at an intensive multi-day planning process in Ashland. During the four-day design charrette the design team collaborated with City staff, local property owners, their designers, and nearby residents. The Charrette concluded with a public presentation of a new draft illustrative plan for future refinement, discussion, development, and implementation. While the initial draft concept plan informed the ultimate Normal Neighborhood Plan, community input significantly guided the charrette draft plan which incorporated numerous new and specific elements to better address many local issues.

Both the initial discussion plan and this final draft plan were organized by five separate conceptual frameworks intended to guide analysis and investigation of existing conditions, support research and best practices, offer City staff and the public a concrete path for engaging with the plan, and guide the development of the plan.

Five Frameworks

- Housing and Land Use
- Greenway and Open Space
- Mobility
- Infrastructure
- Sustainability





**Normal Neighborhood Plan
Land Use Designation Overlay Zones**

- NN-01
- NN-02
- NN-03
- NN-03-C
- OpenSpace/Conservation Areas



HOUSING AND LAND USE

The district is designed to provide an environment suitable for traditional neighborhood living, working, and recreation. The Normal Neighborhood Plan is a blueprint for promoting a variety of housing types while preserving open spaces, stream corridors, wetlands, and other significant natural features. The neighborhood will be characterized by a connected network of streets and lanes, paths and trails, with nodes of access and connection to the natural areas, wetlands, and streams that characterize this place. This network will also connect to the larger network of regional trails, paths, and streets beyond the boundaries of the neighborhood.

[5

Land Uses

Housing Housing makes sense for the Normal Neighborhood because both the population and the number of households in the city are expected to continue to grow in the decades ahead. Ashland remains a very popular choice for families and retirees. The project area is connected to other residential neighborhoods with schools, retail and commercial enterprises, and parks and recreation areas. The site is close to all of Ashland’s centers of employment including downtown. Housing is supported by the site’s comprehensive plan designations and base zoning. While housing as a land use makes sense from both policy and market perspectives, it should be planned for and developed with an intent to create community. There is a market demand for a wide range of housing including single-family, attached housing such as townhomes, multi-dwelling residential, apartments, pedestrian-oriented cluster housing, senior, student, and affordable housing.

Creek Drive

6]

Commercial | Retail A market analysis of the plan area shows that it is a weak location for retail. Traffic volumes in the area are currently low and the projections based upon the plan indicate that traffic volumes will continue to be low – even when the neighborhood is fully developed. The plan shows the potential for approximately 500 dwelling units and around one-thousand residents, so small scale retail and commercial space, such as a coffee shop, café, restaurant, or corner store, is possible. Such neighborhood serving businesses would be located within the limited commercial overlay area.

Office Office space is an unlikely choice for the Normal Neighborhood . Demand for new office space is low in Ashland and that demand is more likely to be met in more central locations and near existing employment hubs such as the downtown, Southern Oregon University, and the Croman Mill District.

Housing Types

There are three distinct zones within the Normal Neighborhood Plan: NN-01, NN-02, and NN-03. The development standards for the Normal Neighborhood Development Plan will preserve neighborhood character by providing three different zones with different residential densities and development standards. The NN-01 and NN-02 zones are intended to preserve land and open space and provide housing opportunities for individual households through development of single-dwelling housing. The use regulations and development standards are intended to create, maintain and promote single-dwelling neighborhood character. They allow for limited non-household living uses that do not sacrifice the overall image and character of the single-dwelling neighborhood. Zone NN-03 is intended to preserve land and open space and provide housing opportunities for individual households through development of multi-dwelling housing. The use regulations and development standards are intended to create and maintain higher density residential neighborhoods. The designated openspace and conservation areas are intended to protect environmentally sensitive water resource lands and provide open space recreational opportunities for individual households throughout the Normal Neighborhood Development Plan area.



Illustration by Tom Giordano

East Main Street



Illustration by Tom Giordano

The Normal Neighborhood District Plan includes a new building type, Pedestrian-Oriented Clustered Residential Units where multiple compact dwellings are grouped around common open space and are separated from one another by side yards to provide privacy and single family home-type scale and character. Building types in the Normal Neighborhood will include:

[7

Single Dwelling Residential Units A Single Dwelling Residential Unit is a detached residential building that contains a single dwelling with self-contained living facilities on one lot. It is separated from adjacent dwellings by private open space in the form of side yards and backyards, and set back from the public street or common green by a front yard. Auto parking is provided in either a garage or on surface area on the same lot, accessible from the lane. The garage may be detached or attached to the dwelling structure. Single Dwelling Residential Units will be permitted in the NN-01 or NN-02 zoning districts.

Double Dwelling Residential Units A Double Dwelling Residential Unit is a residential building that contains two dwellings, each with self-contained living facilities. In appearance, height, massing and lot placement the Double Dwelling Residential Unit is similar or identical to a Single Dwelling Residential Unit. The Double Dwelling Residential Unit is subject to all of the same setbacks, height and parking requirements as single dwellings in the surrounding base zone. Residential units may be arranged side-by-side, like rowhouses, each with its own entrance, or stacked flats with one or more shared entrances. Dwelling units may be sold as condominiums or rented as apartments. Double Dwelling Residential Units will be permitted in the NN-01, NN-02 and NN-03 zoning districts.

Accessory Residential Units An Accessory Residential Unit is a small living unit located on the same lot as a single dwelling residential unit. The Accessory Residential Units may be located within the single-family residential structure or in a separate structure. Accessory Residential Units will be permitted in the NN-01, NN-02 and NN-03 zoning districts.

8]

Pedestrian-Oriented Clustered Residential Units Pedestrian-Oriented Residential Clusters are multiple dwellings grouped around common open space that promote a scale and character that is very compatible with single-family homes. Clustered Residential Units may be separated from one another by side yards that provide private open space or be attached to one or more units with shared walls. Dwelling units may be sold as condominiums, sold as dwellings on individual lots, or rented as apartments. Auto parking is typically provided in a shared surface lot, or lots, and is accessible from an alley or common driveway. Pedestrian-Oriented Residential Clusters will be permitted in the NN-02 or NN-03 zoning districts.

Attached Residential Units Attached Residential Units, or rowhouses, are single dwellings with self-contained living facilities on one lot, attached along one or both sidewalls to an adjacent dwelling unit. Private open space may take the form of front yards, backyards, or upper level terraces. The dwelling unit may be set back from the public street or common green by a front yard. Auto parking may be provided in a garage on the same lot, either detached or attached to the dwelling structure, and accessible from an alley. Attached Residential Units will be permitted in the NN-02 in selected locations or NN-03 zoning districts.

Multiple Dwelling Residential Units Multiple Dwelling Residential Units are multiple dwellings that occupy a single building or multiple buildings on a single lot. Dwellings may take the form of attached residential units (like rowhouses) or stacked flats (like apartments) or a combination of attached and stacked units. Dwelling units may be sold as condominiums or rented as apartments. Auto parking is provided in a shared surface area or areas internal to the lot. Multiple Dwelling Residential Units will be permitted in the NN-02 and NN-03 zoning districts.

Development Standards

The development standards will promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility with the City's various neighborhoods. In



Cluster housing around a center green.

Illustration by Tom Giordano

addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The development standards are generally written for houses on flat, regularly shaped lots. Other situations are addressed through special regulations or exceptions.

Affordability

Housing in Ashland is not affordable to many of its residents. This plan and code maintain the City's existing density bonuses and annexation requirements for the provision of affordable housing units. In addition, the land will be zoned to encourage more diversity in housing and increased intensity of development in those areas where the context and capacity for density is most appropriate. The result should be increases in housing supply, housing options, and housing affordability. The plan creates a complete neighborhood, accessible to a full range of ages and abilities. There will be units for sale or rent; small, and large; and attached and detached units.

[9

Certain elements of affordability are better addressed later in the development process. The City could later use the Community Development Block Grant (CDBG) and Housing Trust Fund programs to incentivize affordable housing development in the study area. These funds can help build sidewalks, trails, and other features. Developers and the City can also partner with local affordable homebuilders and Community Development Corporations (CDCs) to build affordable housing. These organizations should be very knowledgeable about developing and managing affordable housing that takes advantage of public and private funding sources such as CDBG, HOME Investment Partnership, Low Income Housing Tax Credits (LIHTC), funding from state agencies such as the Department of Human Services (DHS), HUD sources, and others.



Uses Allowed in NN-01

BASE DENSITY: 5 DWELLING UNITS PER ACRE



Uses Allowed in NN-02

BASE DENSITY: 10 DWELLING UNITS PER ACRE



Uses Allowed in NN-03

BASE DENSITY: 15 DWELLING UNITS PER ACRE



10]

Use Table

For detailed use table see Land Use Code (Chapter 18-3.13)

Permitted ■

Zone	Single Dwelling Residential Unit	Cottage Housing	Accessory Residential Unit	Double Dwelling Residential Unit	Attached Residential Unit	Multiple Dwelling Residential Units	Neighborhood Businesses and Services
NN-01							
NN-02							
NN-03							
NN-03-C							

GREENWAY AND OPEN SPACE

12]

Streams, wetlands, and other environmentally sensitive features contribute significantly to the existing character of the Normal Neighborhood . The quality of the place is enhanced by these features and the wildlife that they attract. In addition to protection of these existing natural resource areas, the Plan provides usable, connected open space for neighbors and residents of Ashland. In the context of the greenway and open space system, streams and wetlands are maintained as amenities for all area residents. The open space network will support the neighborhood’s distinctive character, promotes environmental quality, and provides opportunities for many forms of recreation including bird-watching, hiking, biking, and exploring. Protected and restored, these riparian corridors and wetlands will support native vegetation, provide habitat for wildlife, and promote environmental quality by absorbing, storing, and releasing stormwater.

In order to offer all residents and visitors an opportunity to engage directly with nature, pedestrian, bicycle, and automobile circulation are accommodated beyond the edges of the stream beds and wetlands to provide visual and physical access and to increase the buffer zones between pockets of development.

Natural Areas

Water Resource Protection Areas (WRPA) are established by the City’s Land Use Ordinance. For locally significant wetlands, WRPAs include the wetland plus a 50 foot buffer, and for locally significant streams includes all lands 40’ from centerline of stream. Four areas on the site have significant natural resources including three wetlands, and two creeks. These WRPAs are:

- Wetland W9, the large wetland east of Ashland Middle School;
- Wetland W12, an isolated, linear wetland;
- Cemetery Creek and its associated wetland W4, and
- Clay Creek

The Middle School wetland (W9) is 5.38 acres in size and is the largest wetland in Ashland urban growth boundary. It is an isolated wetland with no surface water connection to other water bodies. Wetland W9, the



Open Space Diagram Produced at Charrette



wetland, is significant to neighborhood development due to its size and proximity to the school. It provides an opportunity for a large open space area, and potential for outdoor education associated with the school and science learning center west of Walker Ave. It also provides an opportunity to create a distinct destination open space that will anchor the neighborhood at its west end.

Wetland (W4) is 3.86 acres in size and is bisected by Cemetery Creek. Cemetery Creek and this associated wetland will serve as one part of the environmental north-south framework used to guide the pattern of development in the neighborhood. This stream corridor will provide valuable habitat and habitat connectivity as well as a framework for bike and pedestrian connections within the site and beyond the neighborhood.

Although the extent of Clay Creek within the project area is less than that of Cemetery Creek, it still holds the potential to be an amenity for the plan area and the city by providing connectivity. Opportunities for restoration along Clay Creek in the plan area will provide habitat, support habitat connectivity to the north and south, provide recreation opportunities and connect pedestrians and bicyclists to the regional trail system.

The W12 wetland is 1.68 acres in size and is not associated with streams or ponds and may have been created—or intensively modified—by human activity.

Based upon community input and guidance from City staff, the project emphasizes protection of streams and wetlands first and mitigation with restoration for those degraded areas within the WRPA protection zones to improve their utility for managing stormwater, maximize their value as habitat, and enhance their purpose as a recreational amenity for the community.

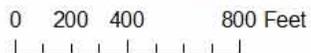
Stormwater management is critical to maintaining the health and function of the existing streams and wetlands. When stormwater is not managed it flows into streams too quickly and too hot – degrading the stream as habitat for native species and causing erosion. When stormwater is slowed and cooled by re-infiltration, stream health is restored. While streams and wetlands can function to absorb stormwater, every effort should be made to ensure that stormwater runoff is filtered and slowed before discharging into streams and wetlands. The most effective way to treat stormwater is by managing it as close to its source as possible with small, shallow facilities. Impervious surfaces should be minimized; and green streets, swales and residential surface stormwater management should be maximized. The plan proposes that the required landscape strips between sidewalk and street are designed and managed as stormwater facilities wherever practicable and curb-less street sections be encouraged for those streets that abut a wetland, stream, or natural area. In addition, the Normal Neighborhood Plan proposes that permeable paving be installed in the parking zones.

14]



**Normal Neighborhood Plan
Open Space Network**

- natural area
- pocket park
- green streets
- multi-use path



Street crossings of wetlands and streams in the east-west direction have been minimized to the extent possible. Where stream crossings are necessary for street network connectivity, we recommend that the bridging of each stream bed be as “light” and narrow as practicable.

In addition to the greenways associated with water resource protection, the plan includes other open space features. A number of pocket parks may be proposed which help to frame scenic vistas and provide small gateways into different portions of the plan area. These small parks may include public art or small-scale active recreational opportunities for all ages. The Normal Neighborhood Plan design for open space orients new improvements in the open space framework east-west for the purpose of creating new connections across the site that support the natural north-south grain of the existing open space. The goal is to provide habitat connectivity between all wetlands and stream corridors.



MOBILITY

Street Network

The site has been considered as an integrated system where each framework element is intended to support every other. The placement of streets was very directly influenced by the natural function of wetlands and creeks and was designed to support the full range of intended housing choices.

[15

The vehicular circulation system proposed by the plan for the Normal Neighborhood will connect to the existing street network. The existing street network includes two functionally-classified city boulevards – Ashland Street and East Main Street. Ashland Street provides two travel lanes in each direction with signals and left turn lanes at key intersections. The Ashland Street cross-section appears to be fully built-out in most locations. East Main Street provides a single through lane in each direction and exhibits a rural character with limited access and curbless shoulders. The eastbound lane of East Main Street should be improved as the adjacent properties along its south side increase in land use intensity. The westbound side of this street is the current Urban Growth Boundary, so no development is anticipated until such time as the lands to the north are incorporated into the UGB.

The Normal Neighborhood street network was designed with the following principles in mind:

- Street connectivity through the Normal Neighborhood Plan area will reduce travel demand on the adjacent east-west boulevards: East Main Street and Ashland Street. Connections from the Normal Neighborhood will extend to the east to Clay Street by way of Creek Drive and other future street connections.
- Walkability is supported by small blocks. The City’s street standards recommend that, where possible, block lengths be a maximum of 300 to 400 feet with a maximum perimeter of 1,200 to 1,600 feet to provide good connectivity for all modes of travel. The fabric of blocks in the Normal Neighborhood Plan were designed to these standards. Although walkability is a major focus of the plan, some variations from these standards may ultimately be required in order to fully protect natural resources.

All streets have been designed to keep travel speeds in the range of 20 mph by introducing elements such as planted medians, traffic circles, and subtle changes in direction at block intersections. Slow speeds and meandering street alignments will contribute to safety for everyone. The Normal Neighborhood Plan introduces a new street type into the range of Ashland streets: the “Shared Street.” A Shared Street is a very low speed street where all modes of transportation coexist in the same space. There are no individual sidewalks separated from the street surface by curbs and planted medians. There are no bicycle lanes separated from the street by painted lines. The low traffic volumes, low-speeds, and narrow cross-section make it possible for all to safely occupy the street surface by yielding to the slowest and most vulnerable present at a given moment.

16]

The use of rear lanes helps to reduce the extent of paved areas, and will support a complete grid of finely-grained urban blocks. These alleys will provide access to garages and backyards. Where cottage clusters occur, rear lanes are critically important to their function. Elsewhere, as in those areas zoned NN-03, specific locations for the street network within the designated blocks is left to future development for definition, subject to the maximum block length and access management standards.

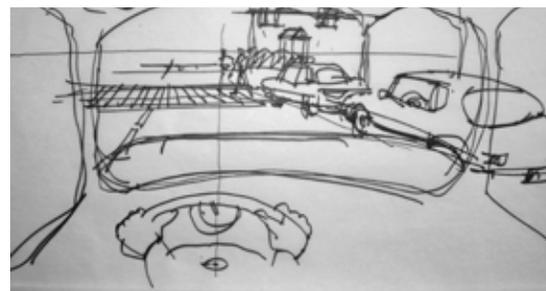
There is a synergy between the design of the street network, the stormwater management system, and the design of parks and open space. Holistic thinking and a multi-disciplinary approach to street network, stormwater, infrastructure, and parks and open space will support a more attractive and desirable neighborhood, reduce infrastructure costs, and maximize land development potential.

Active Transportation

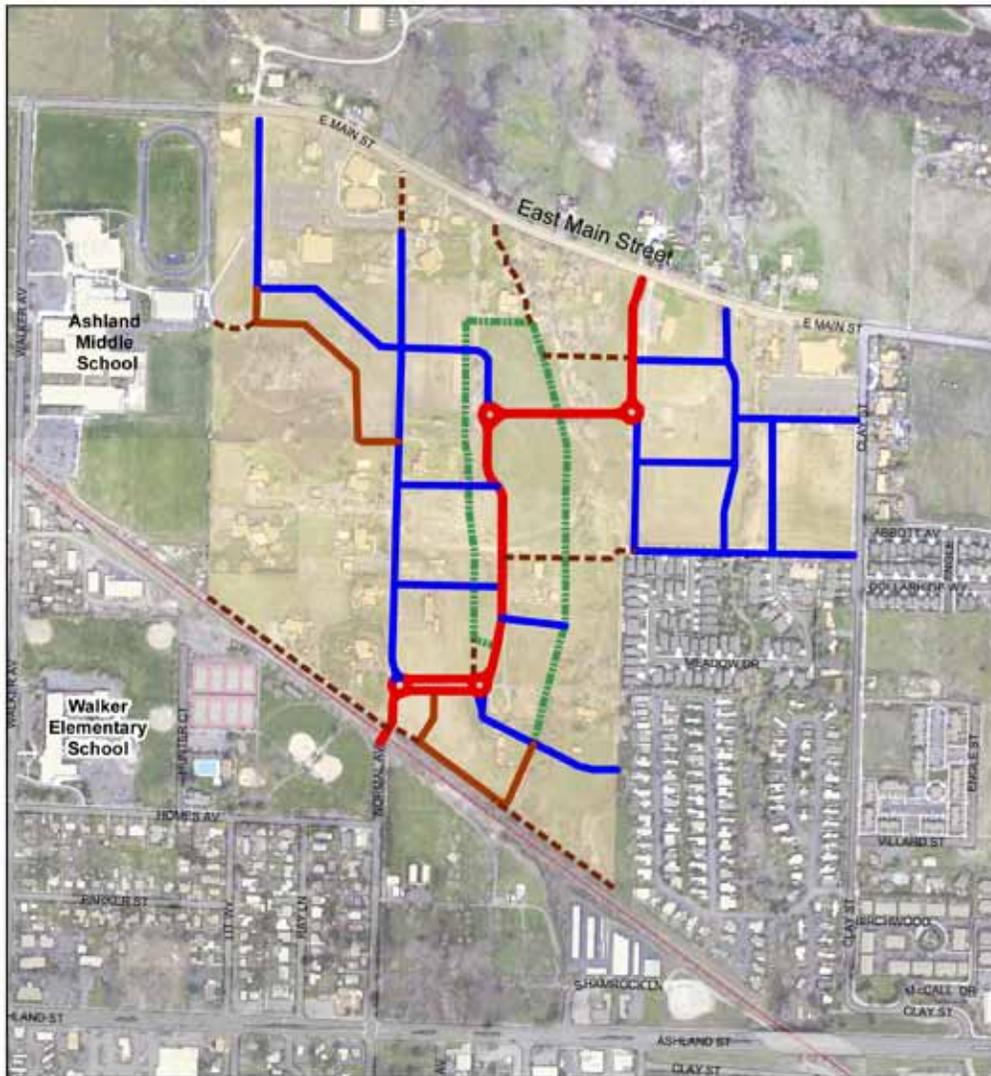
Active transportation is fundamental to the Normal Neighborhood urban design plan. Active transportation means using human-powered transportation as a convenient choice for many of the activities of daily living. It can also define the critical infrastructure, bike lanes and sidewalks, that communities need to promote safe connections to work, school, businesses, playgrounds and green spaces. The natural act of walking and the urban form that results from making the human scale the fundamental of design are keys to the planning and development pattern. Despite the inherent boundary conditions that limit connectivity, such as Ashland Middle School and the Central Oregon & Pacific rail line, building the transportation network on a foundation of walkability makes all modes of travel more efficient, effective, and safe.

The bicycle and pedestrian circulation systems for the Normal Neighborhood will build upon the existing network consistent with adopted City plans and code. Existing facilities in the study area include:

- Sidewalks exist along the extent of Ashland Street and Tolman Creek Road, and along portions of Walker Avenue and Clay Street. East Main Street has shoulders which place pedestrians at risk as speeds are posted as 40 mph. East Main Street cannot be considered part of the pedestrian circulation network until improvements to this street include the sidewalks normally associated with urban development.
- Bicycle facilities exist along all of Ashland Street, Tolman Creek Road and Walker Avenue. The shoulders along East Main Street place bicyclists at risk as speeds are posted as 40 mph. East Main Street cannot be considered part of the bicycle circulation network until improvements to the street include the lower speeds and bicycle lanes normally associated with urban development.
- Existing multi-use trails in the vicinity include the Central Bike Path along the railroad corridor that runs



Mobility sketches produced at charrette



Normal Neighborhood Plan Street Network Map

- Neighborhood Collector
- Neighborhood Street
- - - Shared Street
- Alley
- - - Multi-Use Path

immediately south of the study area. The Bear Creek Greenway runs between Ashland and Central Point, currently terminating at the Ashland Dog Park near the Helman Street/Nevada Street intersection. Trail development and improvements are proposed for the Clay Creek corridor along the eastern boundary of the Normal Neighborhood Plan area, and the Hamilton Creek Corridor paralleling Tolman Creek Road. Both of these proposed corridors would connect to a future proposed extension of the Bear Creek Greenway that would be located north of the Normal Neighborhood Plan area.

[17

Street Alignment Opportunities to Maximize Solar Exposure

The street alignment maximizes solar orientation and shading opportunities for buildings, consistent with the City’s Land Use Code. In particular, the code speaks to incorporating both passive and active solar strategies in the design and orientation of buildings and public spaces. Where the site configuration and locational constraints permit, buildings should be oriented to maximize the solar heat gain in the winter on the south side and, with the combined use of shading, minimizing solar heat gain in the summer.

East Main and Clay Street Access Points

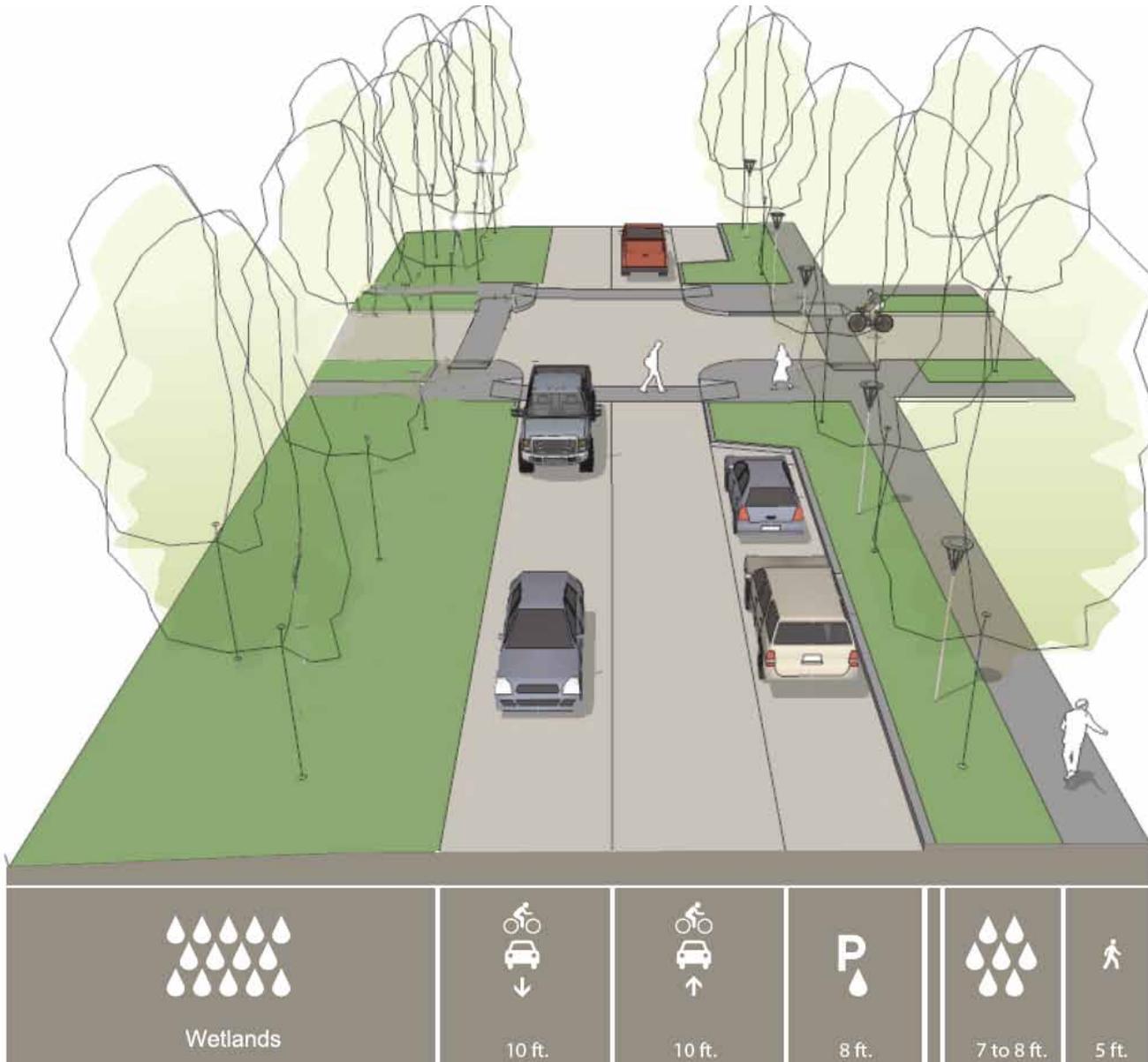
The Normal Neighborhood urban design plan identifies three vehicular points of access to East Main Street. One of these occurs at the existing street connection serving Ashland Middle School and Ashland Gracepoint Nazarene. The two other new connections to East Main Street occur between Cemetery Creek and Clay Creek. The western-most of these is the neighborhood collector extending from the railroad crossing at Normal Avenue to East Main Street. The plan additionally provides for two dedicated multi-use path connections to East Main Street to

further biking and walking connectivity. As East Main Street is a designated city boulevard, its access spacing for streets and driveways is 300 feet. Access spacing along Clay Street is 100 feet. However it's appropriate that block length and perimeter standards provide the necessary guidance to the spacing of additional connections to Clay Street.

18]

Transit Service and Transit Stops

Transit service is currently provided along Tolman Creek Road to the east of the Normal Neighborhood Plan area, and along Ashland Street to the south. In both instances, the walking distance between the site and existing transit route alignment is greater than the reasonable transit access walking distance of $\frac{1}{4}$ mile to a bus stop. At some point in the future, if there is sufficient density along East Main Street and/or in the general vicinity of the Normal Neighborhood Plan area, the City should engage the Rogue Valley Transit District (RVTD) in conversations about providing additional transit service. Potentially, this service could be oriented toward development of the Southern Oregon University campus and other school facilities along Walker Avenue and include more intensely developed portions of East Main Street. At a minimum bus stops, in the area should be spaced no more than 1,000 feet apart. Shelters, seating, trash receptacles and waiting areas should conform to City and RVTD standards. Vehicular circulation through the Normal Neighborhood Plan area should not preclude the provision of direct transit service.



Normal Neighborhood Collector with One-Sided Parking at Wetland

Normal Neighborhood Collector is the spine of the neighborhood and connects from the south edge of the project area north to East Main Street. It is designed to discourage cut-through traffic and encourage slow speeds that will enhance safety for all modes: cars, bikes, and pedestrians. Speeds will be slow and bicycles will share the travel lanes with cars.

[19

Intersections may be necked-down with bulb-outs to improve safety for pedestrians.

The design of the street network was also influenced by the natural functions of the wetlands and streams. In the center of the plan, the neighborhood collector street skirts Wetland W12. The street edge abutting this restored wetland may have street edge alternatives to allow stormwater flow to recharge this wetland.

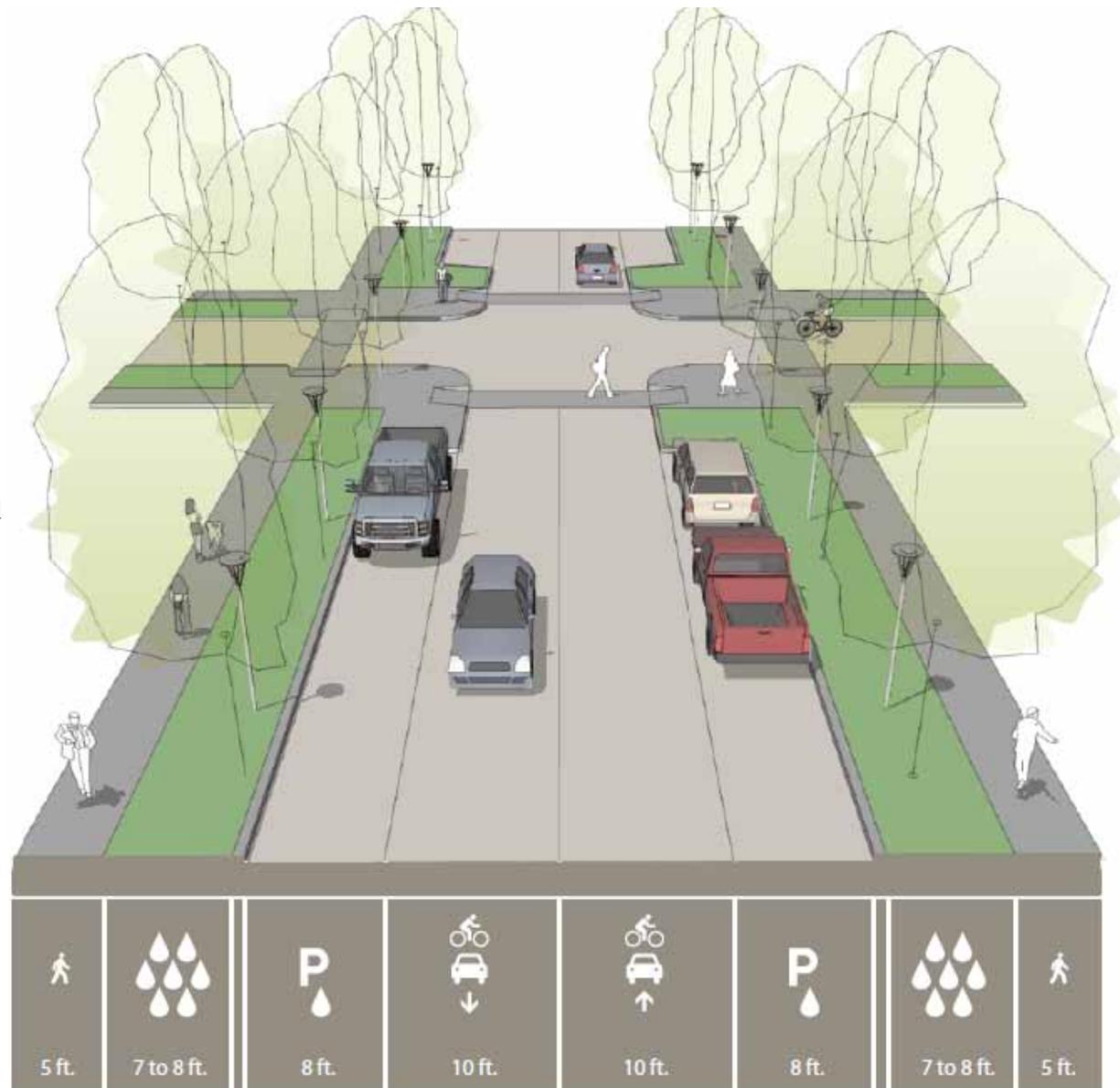
Permeable paving in the parking lanes and flow-through planters in the parkrows reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health.

Normal Neighborhood Collector with Two-Sided Parking

20] In some areas of the plan, Normal Neighborhood Collector will have parking on two-sides of the street. Speeds will be slow and bicycles will share the travel lanes with cars.

Intersections may be necked-down with bulb-outs to improve safety for pedestrians.

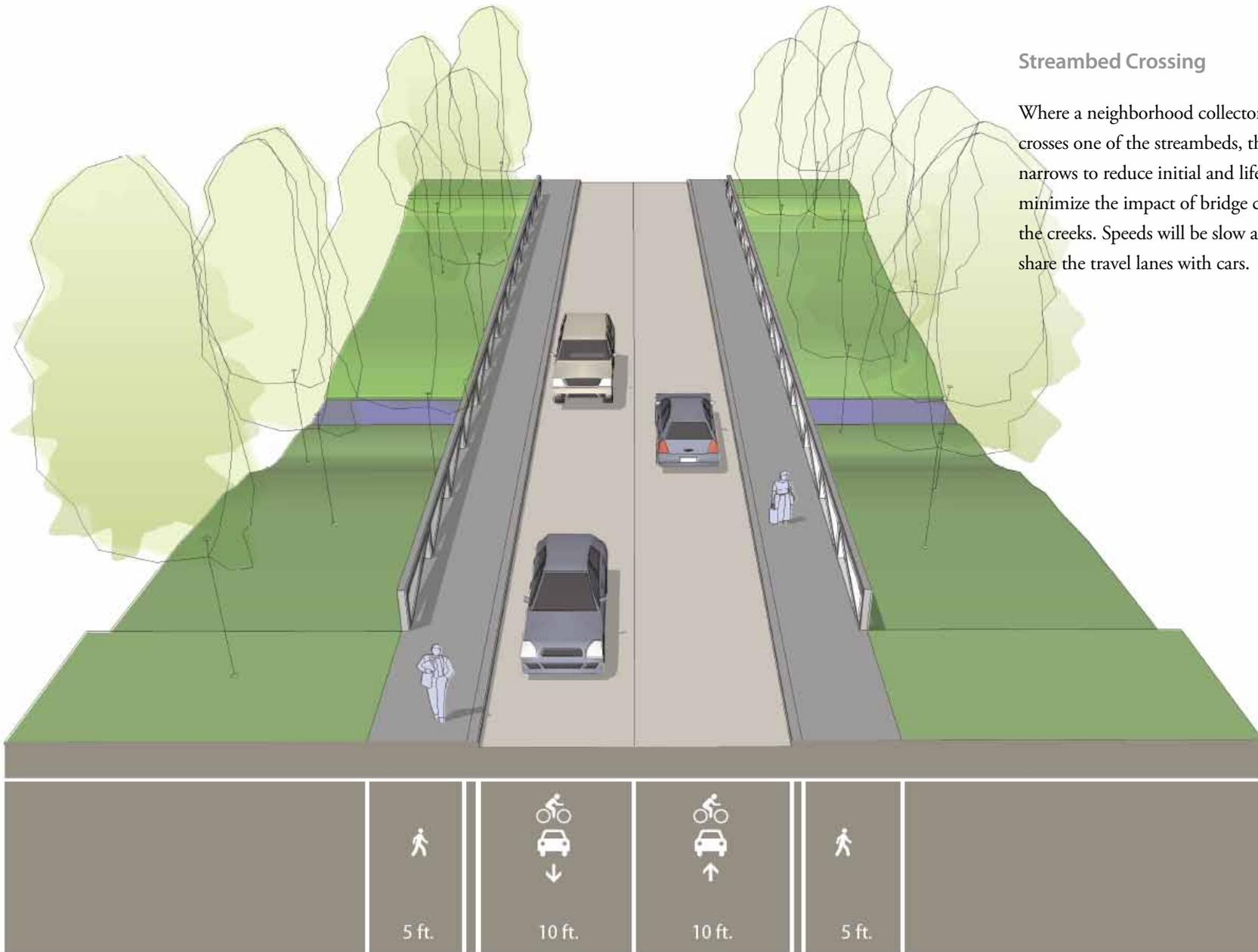
Permeable paving in the parking lanes and flow-through planters in the parkrows reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health.



Streambed Crossing

Where a neighborhood collector or street crosses one of the streambeds, the street section narrows to reduce initial and life-cycle costs and minimize the impact of bridge construction on the creeks. Speeds will be slow and bicycles will share the travel lanes with cars.

[21]



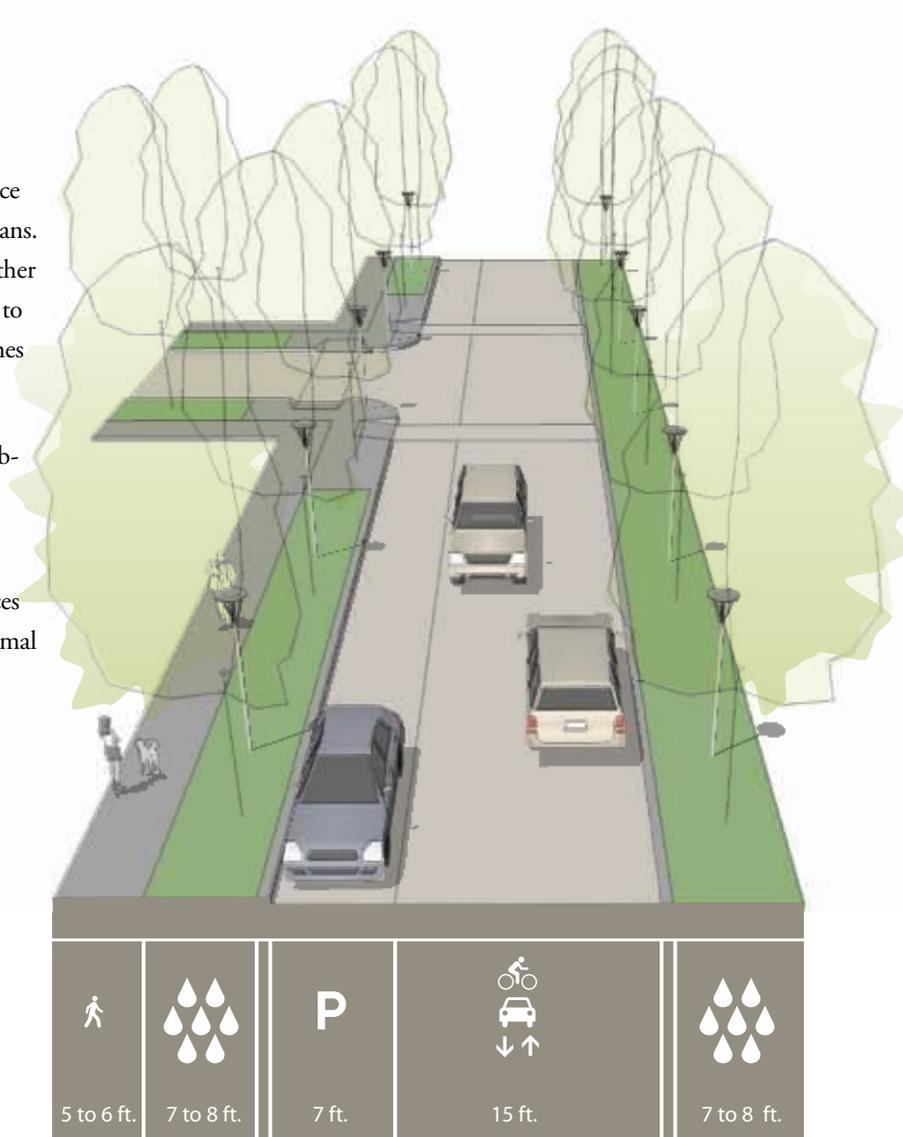
Neighborhood Street with Diagonal Parking

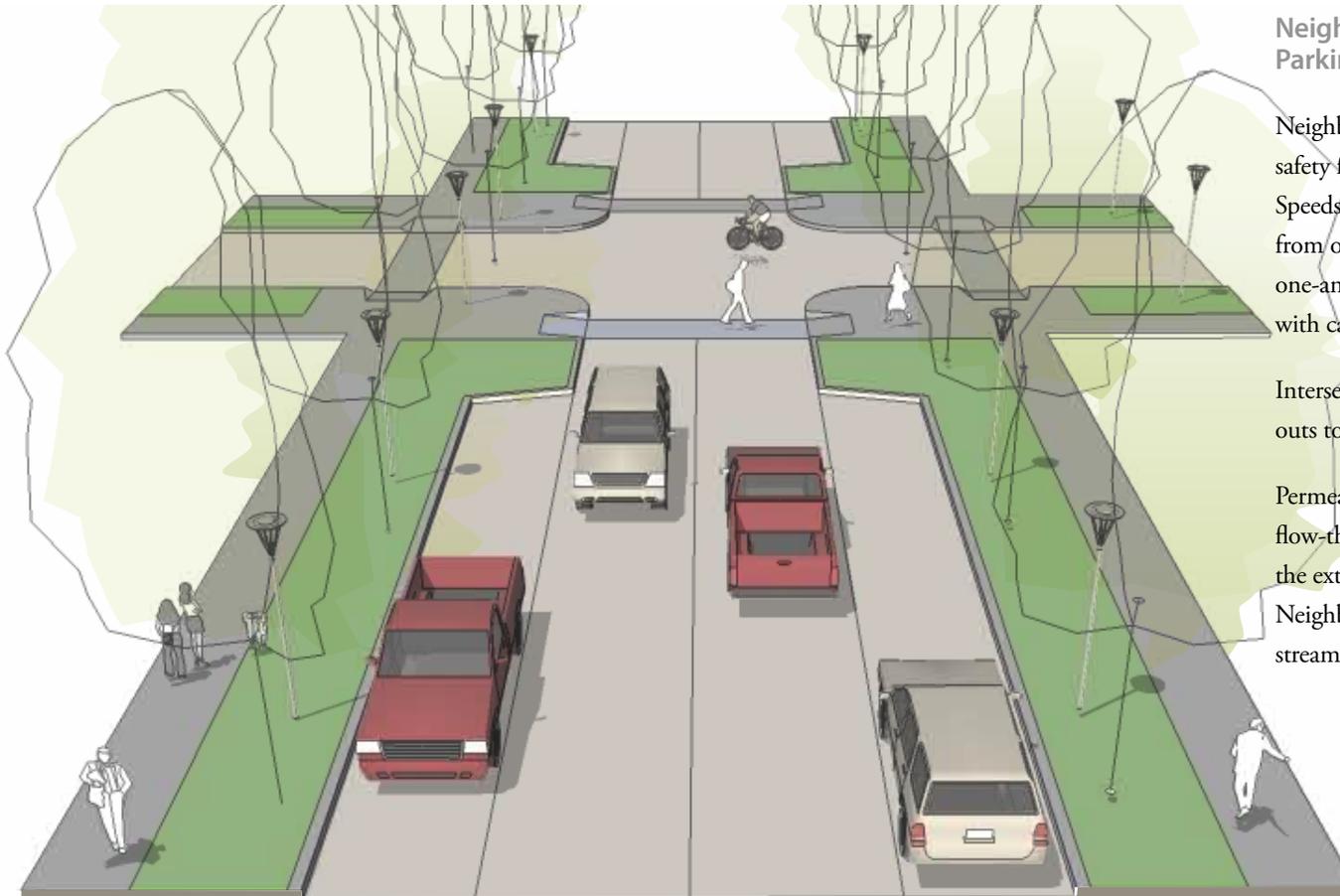
Neighborhood Queuing Street with One Sided Parking

22] Neighborhood streets are designed to enhance safety for all modes: cars, bikes, and pedestrians. Speeds will be slow and cars meeting each other from opposite directions will slow and yield to one another. Bicycles will share the travel lanes with cars.

Intersections may be necked-down with bulb-outs to improve safety for pedestrians.

Permeable paving in the parking lanes and flow-through planters in the parkrows reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health.





Neighborhood Street with Two-Sided Parking

Neighborhood streets are designed to enhance safety for all modes: cars, bikes, and pedestrians. Speeds will be slow and cars meeting each other from opposite directions will slow and yield to one-another. Bicycles will share the travel lanes with cars.

Intersections may be necked-down with bulb-outs to improve safety for pedestrians.

Permeable paving in the parking lanes and flow-through planters in the parkrows reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health.

[23



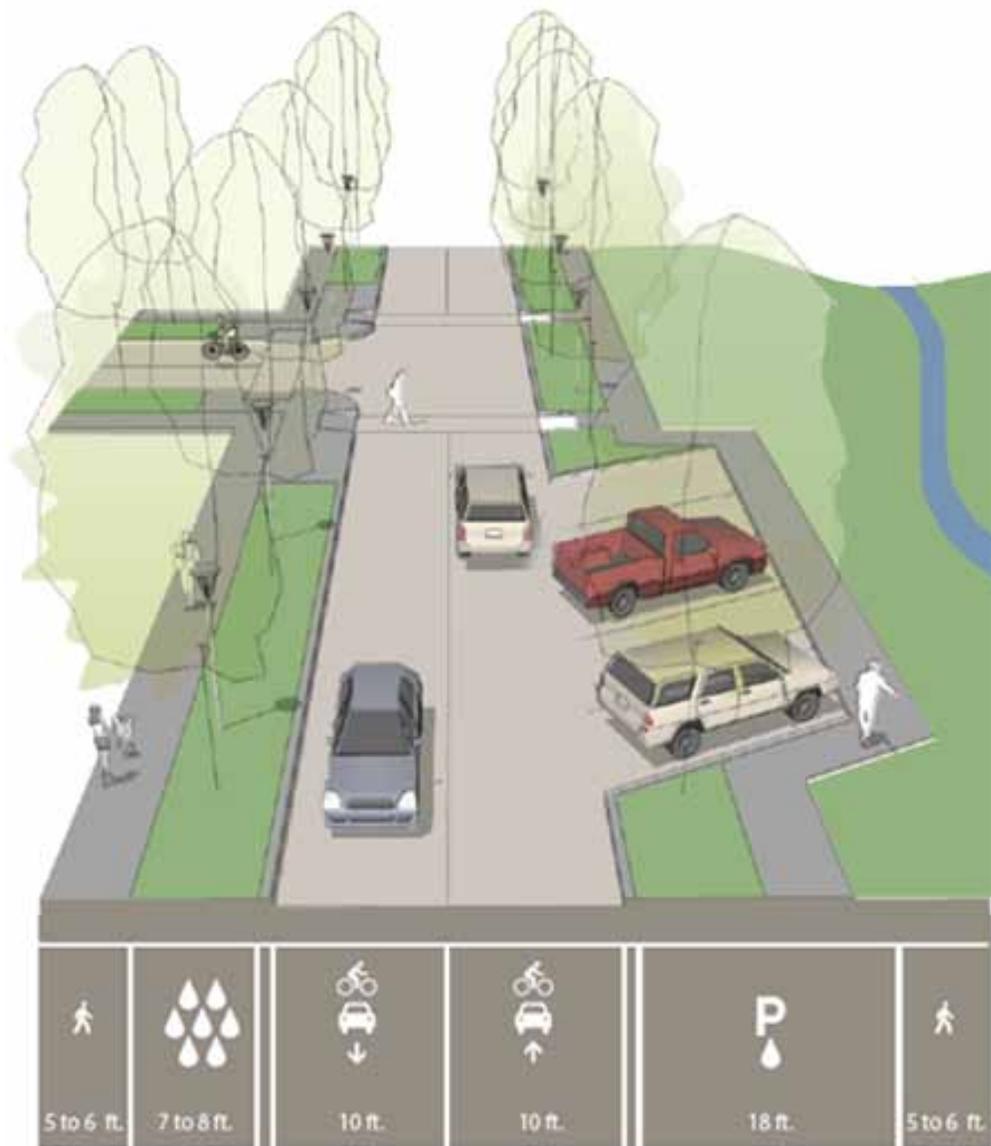
Neighborhood Street with Diagonal Parking

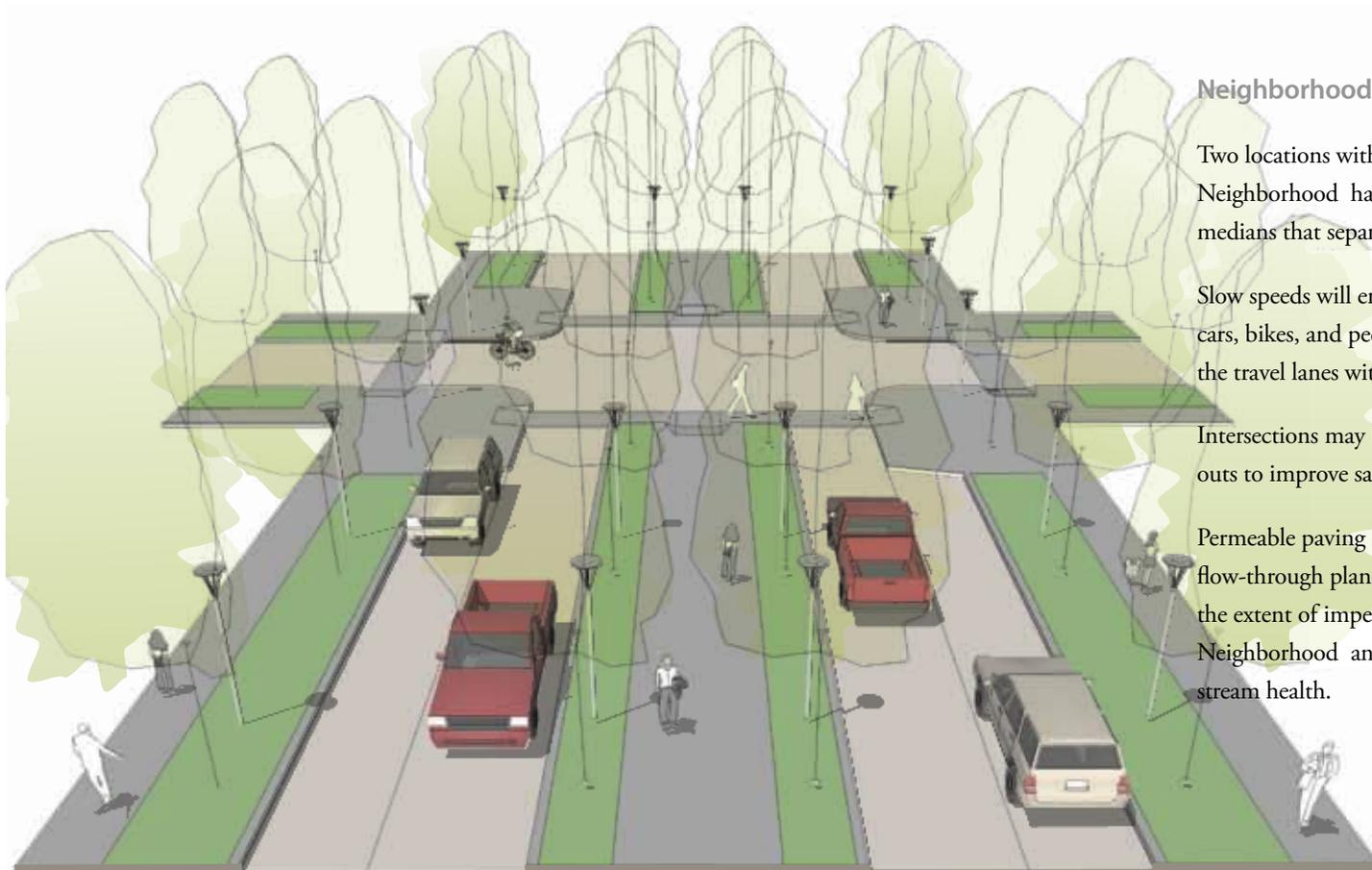
24]

Streets that abut Clay Creek may be locations for an alternative to the typical Neighborhood Street where diagonal parking is accommodated and encourages residents and citizens to park nearby and visit these natural areas. Traffic volumes will be low and slow speeds will enhance safety for all modes: cars, bikes, and pedestrians. Bicycles will share the travel lanes with cars.

Intersections may be necked-down with bulb-outs to improve safety for pedestrians.

Permeable paving in the parking lanes and flow-through planters in the parkrows reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health.





Neighborhood Street with Median

Two locations within the Normal Neighborhood have been designed with central medians that separate the travel lanes.

[25

Slow speeds will enhance safety for all modes: cars, bikes, and pedestrians. Bicycles will share the travel lanes with cars.

Intersections may be necked-down with bulb-outs to improve safety for pedestrians.

Permeable paving in the parking lanes and flow-through planters in the parkrows reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health.

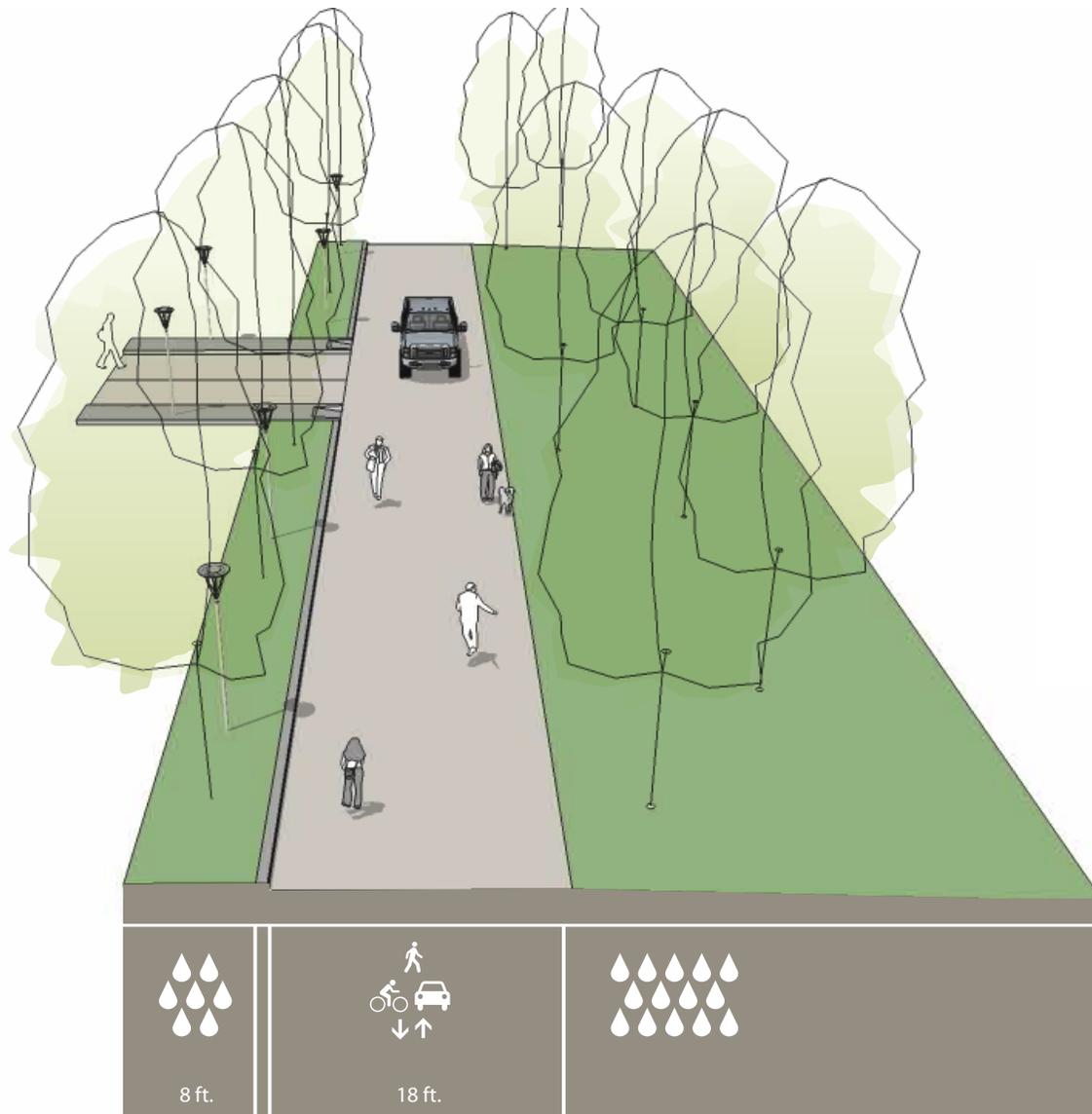
										
5 to 6 ft.	7 to 8 ft.	7 ft.	10 ft.	dimension of median varies		10 ft.	7 ft.	7 to 8 ft.	5 to 6 ft.	

Shared Street

26]

Shared Streets are designed to support a park-like atmosphere where all modes of traffic share a narrow paved surface. Shared Streets are places for people and the automobile is a guest in this street where space is shared among all modes. The pace of walking dictates the speed of all traffic in a shared street.

The narrow street section reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health. All of the proposed locations for Shared Streets in the Normal Neighborhood are adjacent to wetlands and stream corridors. Street edge alternatives may permit stormwater flow to re-infiltrate into the ground.

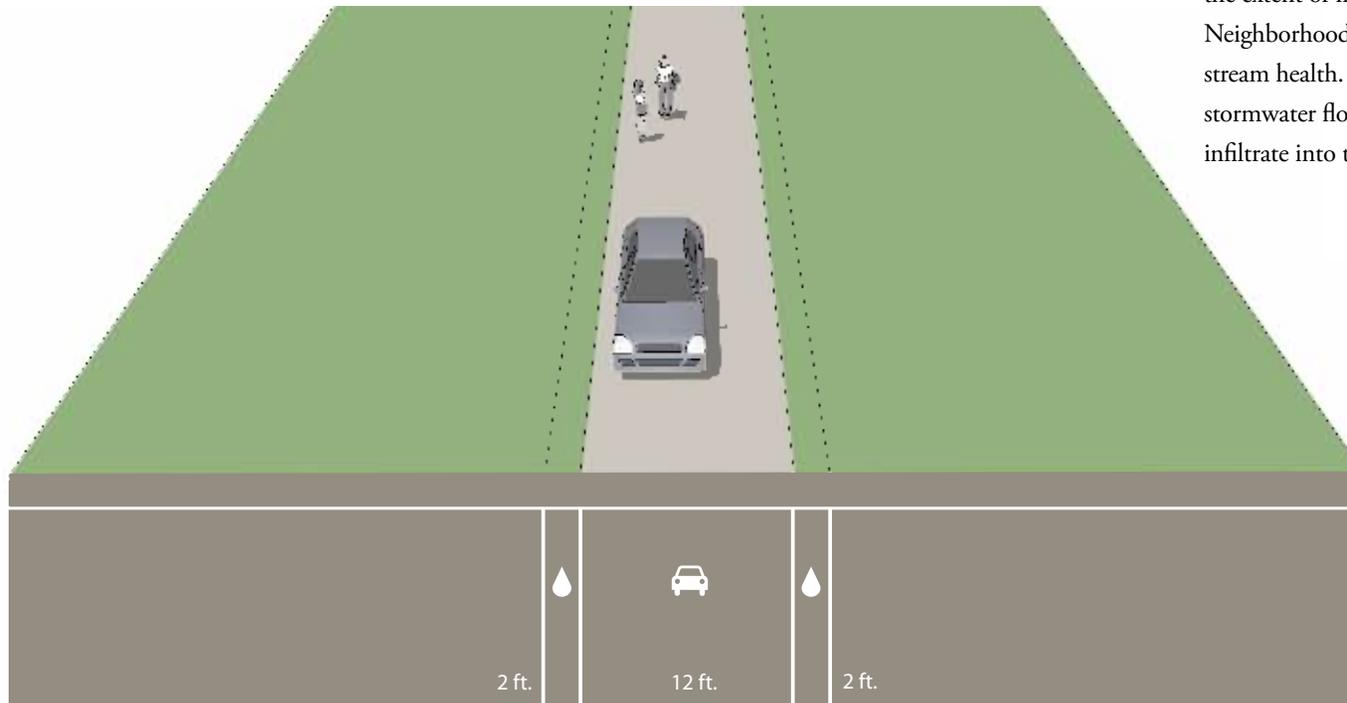


Alleys

Alleys provide off-street access to homes, parking pads, and garages. Alleys, also known as rear lanes, are very narrow and the street section is 12-foot wide with a 2-foot green edge on either side. Speeds are very low.

[27]

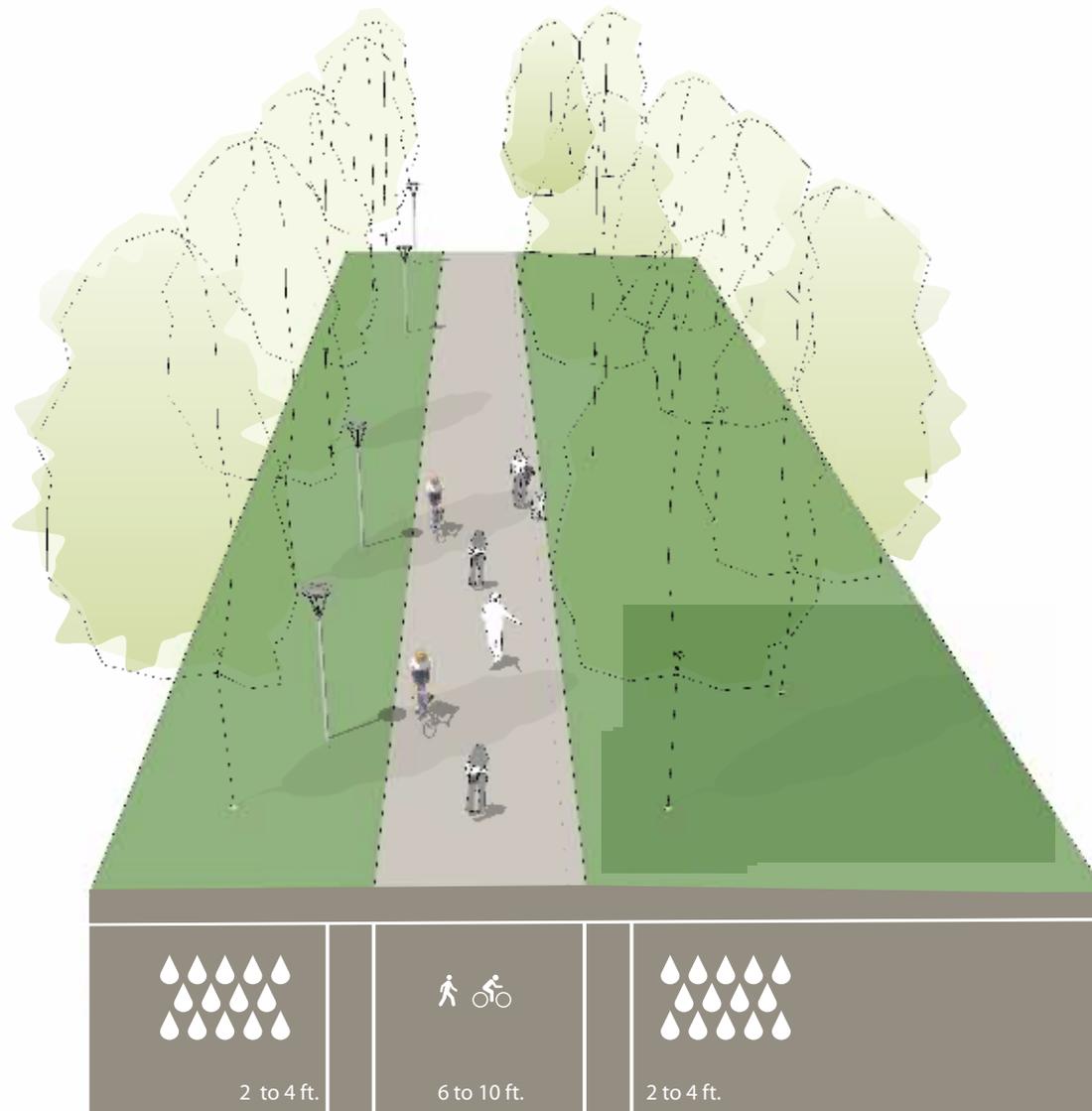
The narrow street section of rear lanes reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health. Alleys are curbless and permit stormwater flow from paved areas to re-infiltrate into the ground.



Multi-Use Path

28]

Multi-use Paths are car-free and support connectivity for pedestrians and bicycles across the Normal Neighborhood . Street sections are narrow and may vary to accommodate unique demands of local conditions.





Infrastructure/ Stormwater Diagram
Produced at Charrette

INFRASTRUCTURE

Water

No City of Ashland water services extend to the project area and all existing homes in the project study area get their potable and domestic water from wells. The closest municipal water sources are the Lithia main that runs in the East Main Street alignment and an 8-inch main that runs along the full extent of Creek Drive and part of Clay Street.

[29

Sanitary Sewer

No City of Ashland sanitary sewers extend to the project area; all existing homes in the project study rely on septic systems for disposing of their waste. A single 8-inch service stub connects the Temple Emek Shalom at 1800 East Main Street to the 12-inch sanitary sewer that runs in the Bear Creek Alignment. Other proximate sewer lines include 8-inch sewer lines that run in the Walker Street, Creek Drive, and Clay Street alignments.

Stormwater

Implementation of stormwater management in the Normal Neighborhood should emphasize low-impact development (LID) techniques focused on controlling stormwater at its source rather than moving stormwater offsite though expensive, engineered conveyance systems. The goals of low-impact development are to lower initial construction and reduce life-cycle costs while maintaining natural ecosystem functions: stormwater retention, infiltration, and release that supports stream health and ecological function. Some of the approaches that should be considered for implementation in the Normal Neighborhood Plan area include:

- Bio-swales alongside streets slow stormwater runoff, filter it, and allow it to soak into the ground. Swales improve water quality and reduce in-stream erosion by slowing the velocity of stormwater runoff before it enters the stream. They also cost less to install than curbs, storm drain inlets, and piping systems.
- Bio-retention cells, commonly known as rain gardens, are relatively small-scale, landscaped depressions with a soil mixture that absorbs and filters runoff. Bio-retention cells work well in places like the project area with poorly draining soils.
- Stormwater planters, more engineered than rain gardens, stormwater planters are designed to accept stormwater from adjacent surfaces, and infiltrate stormwater through the ground to a pipe connected to a storm sewer or, where practicable, to natural features such as the wetlands, Clay Creek or Cemetery Creek.
- Flow-through planters, within developments with higher floor area ratios, flow-through planters are a sound

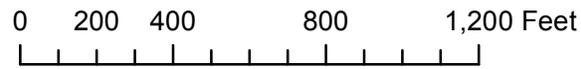
solution. Flow-through planters do not infiltrate into the ground; they are filled with an engineered mixture of gravel and soil and planted. Flow-through planters store stormwater runoff temporarily, filter sediment and pollutants, and slow the flow of rainfall to storm sewers which can be smaller in size and less costly to engineer and build.

- 30]
- Cisterns and rain barrels collect rainwater from roofs. They can provide water for garden or lawn irrigation, reducing water bills and conserving municipal water supplies. The City currently provides a rain barrel guide for homeowners and contractors.
 - Green roofs are partially or completely covered with plants. Green roofs help mitigate the tendency for urban areas to have higher summer temperatures, and reduce peak stormwater flows. The vegetated cover also protects and insulates the roof, extending its life and reducing energy costs.

Understanding infiltration capacity and rates for stormwater re-infiltration in the study area will be critically important to the design and engineering of future stormwater systems –conventional and low-impact alike. Preliminary data from the USDA Natural Resources Conservation Service and a Custom Soil Resource Report for Jackson County show that the soils in the area generally drain very poorly. A detailed assessment of soils must be a part of pre-development geotechnical investigations.

SUSTAINABILITY

Sustainability is not a discrete element, independent of the preceding framework elements. The most successful strategies for sustainability will be to build them into each framework element of the plan. The wide range of housing types and the mix of permitted land uses is fundamentally sustainable because compact urban form encourages active transportation as a convenient first choice; a range of housing choices means that there is a home in the neighborhood for every stage of life; and protection of wetlands and restoration of the creek habitat brings nature in while it also provides lower impact –and less costly– solutions to infrastructure. The City of Ashland is committed to the development of a vibrant livable community. The design of the Normal Neighborhood Plan is consistent with the framework of the US Green Building Council LEED Neighborhood Development and the Sustainable Sites Initiative (SITES). Both the LEED ND rating system established USGBC and SITES establish sets of performance standards for certifying the planning and development of neighborhoods. Their intent is to promote healthful, durable, affordable, and environmentally sound practices in building design and construction. Because no rating system for sustainable design and construction will be a prerequisite for development, it is all the more essential that the elements of sustainability are built into each of the frameworks for the Normal Neighborhood : Housing and Land Use; Greenway and Open Space; Mobility; and Infrastructure.

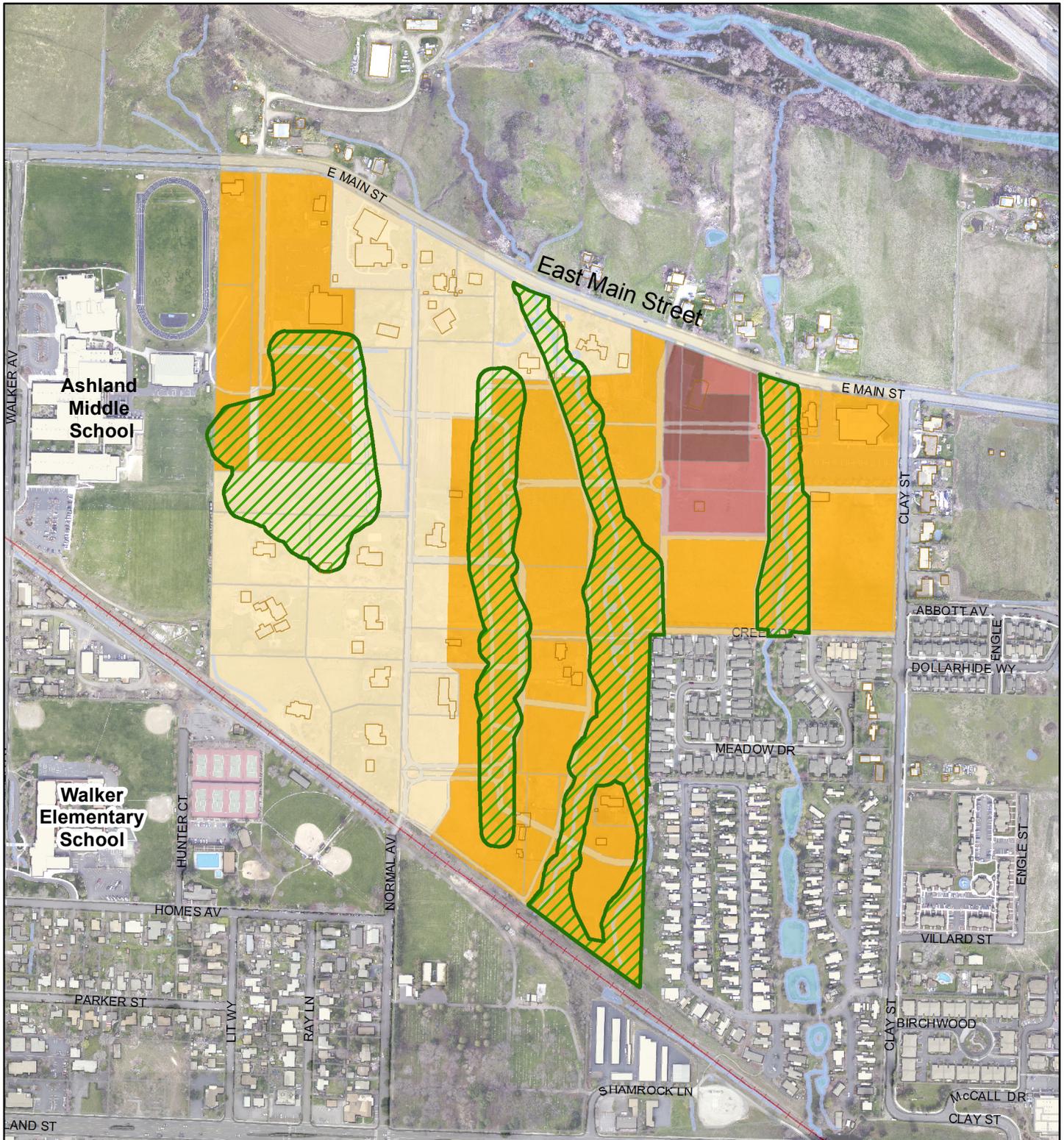


Normal Neighborhood Plan Comprehensive Plan Map Amendment

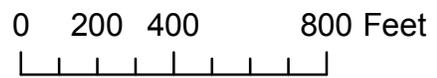
 Normal Neighborhood Plan

 Conservation Area



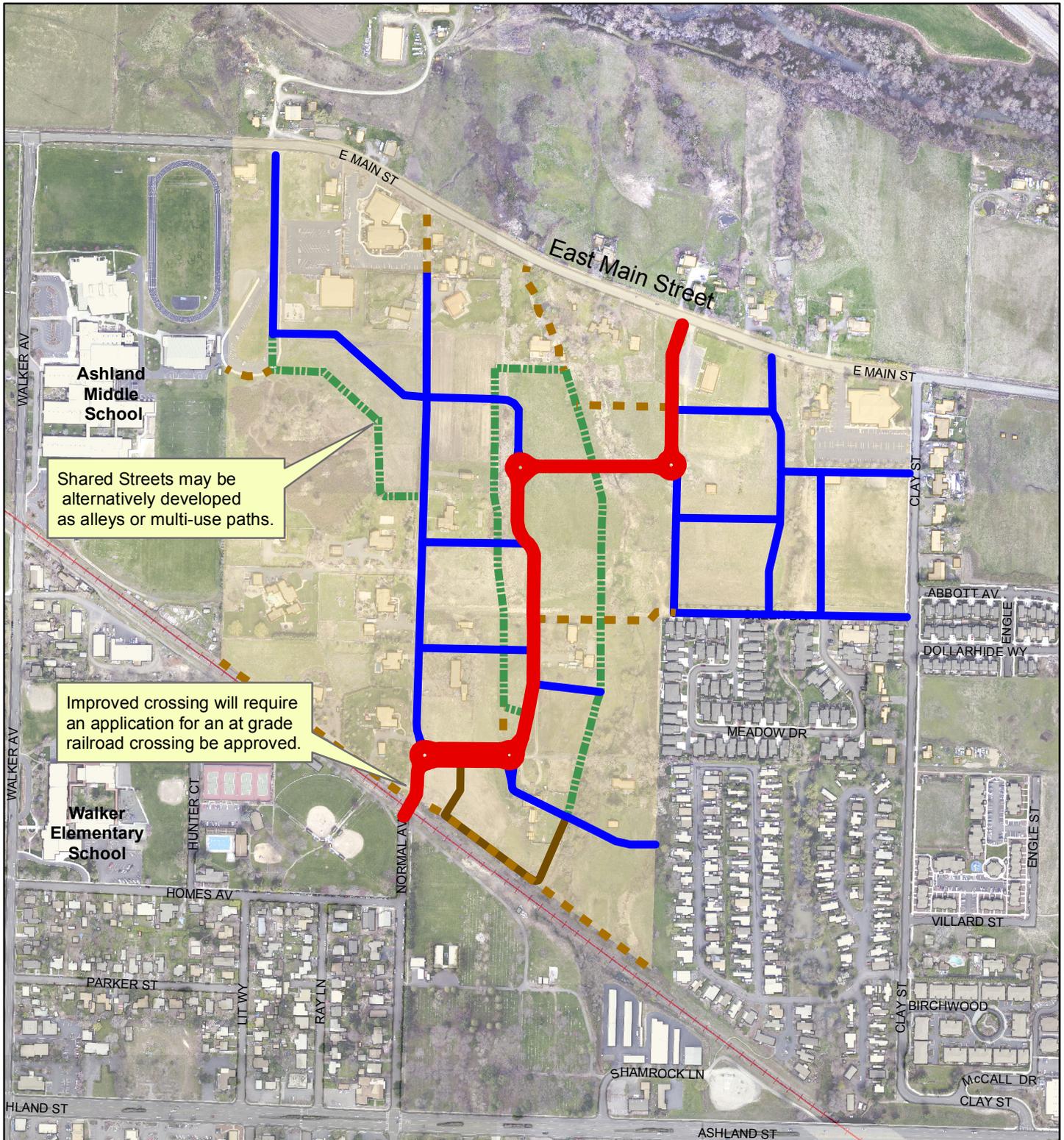


Normal Neighborhood Plan Land Use Designation Overlay Zones

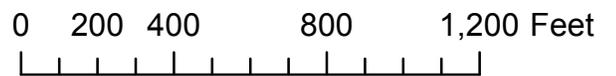


- | | | | |
|--|-------|---|--------------------|
|  | NN-01 |  | NN-03-C |
|  | NN-02 |  | Conservation Areas |
|  | NN-03 | | |





Normal Neighborhood Plan Street Network

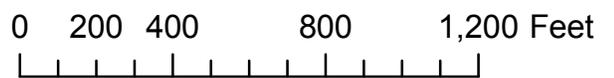


- Neighborhood Collector
- Neighborhood Street
- Shared Street
- Alley
- Multi-Use Path





Normal Neighborhood Plan Pedestrian and Bicycle Network



----- alley

———— streets with sidewalks

———— avenue with sidewalks & bikelanes

———— shared street

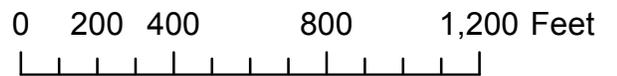
..... multi-use path

..... central bike path





Normal Neighborhood Plan Street Network - Green Streets



-  green streets
-  conservation areas





Normal Neighborhood Plan Open Space Network



- natural area/open space
- pocket park
- green streets
- multi-use path



Normal Neighborhood District

Draft
March 11, 2014

Chapter 18 Code Amendments

- 18-3.13.010 Purpose
- 18-3.13.020 Applicability
- 18-3.13.030 General Requirements
- 18-3.13.040 Use Regulations
- 18-3.13.050 Dimensional Regulations
- 18-3.13.060 Site Development and Design Standards
- 18-3.13.070 Conservation Area overlay
- 18-3.13.080 Review and Approval Procedure

18-3.13.010 Purpose

The neighborhood is designed to provide an environment for traditional neighborhood living. The Normal Neighborhood Plan is a blueprint for promoting a variety of housing types while preserving open spaces, stream corridors, wetlands, and other significant natural features. The neighborhood commercial area is designated to promote neighborhood serving businesses with building designs that reflect the character of the neighborhood and where parking is managed through efficient on-street and off-street parking resources. The neighborhood will be characterized by a connected network of streets and alleys, paths and trails, with connection to the natural areas, wetlands, and streams. This network will also connect to the larger network of regional trails, paths, and streets beyond the boundaries of the neighborhood. The development of the neighborhood will apply principles of low impact development to minimize the extent and initial cost of new infrastructure and to promote the benefits of storm water management.

18-3.13.020 Applicability

This chapter applies to properties designated as Normal Neighborhood District on the Ashland Zoning Map, and pursuant to the Normal Neighborhood Plan adopted by Ordinance [#number (date)]. Development located within the Normal Neighborhood District is required to meet all applicable sections of this ordinance, except as otherwise provided in this chapter; where the provisions of this chapter conflict with comparable standards described in any other ordinance, resolution or regulation, the provisions of the Normal Neighborhood District shall govern.

18-3.13.030 General Regulations

A. Conformance with the Normal Neighborhood Plan. Land uses and development, including construction of buildings, streets, multi-use paths, and conservation shall be located in accordance with those shown on the Normal Neighborhood Plan maps adopted by Ordinance [#number (date)].

B. Performance Standards Overlay. All applications involving the creation of three or more lots shall be processed under chapter 18-3.8 Performance Standards Option.

C. Amendments. Major and minor amendments to the Normal Neighborhood Plan shall comply with the following procedures:

1. Major and Minor Amendments

a. Major amendments are those that result in any of the following:

- i. A change in the land use overlay designation.
- ii. A change in the maximum building height dimensional standards in section 18-3.13.050
- iii. A change in the allowable base density, dwelling units per acre, in section 18-3.13.050.
- iv. A change in the Plan layout that eliminates a street, access way, multi-use path or other transportation facility.
- v. A change in the Plan layout that eliminates or reduces an area designated as a conservation or open space area.
- vi. A change not specifically listed under the major and minor amendment definitions.

b. Minor amendments are those that result in any of the following:

- i. A change in the Plan layout that requires a street, access way, multi-use path or other transportation facility to be shifted fifty (50) feet or more in any direction as long as the change maintains the connectivity established by Normal Avenue Neighborhood Plan.
- ii. A change in a dimensional standard requirement in section 18-3.13.050, but not including height and residential density.
- iii. A change in the Plan layout that changes the boundaries or location of a conservation or open space area to correspond with a delineated wetland and water resource protection zone provided there is no reduction in the contiguous area preserved.

2. Major Amendment – Type II Procedure. A major amendment to the Normal Neighborhood Plan is subject to a public hearing and decision under a Type II Procedure. A major amendment may be approved upon finding that the proposed modification will not adversely affect the purpose of the Normal Neighborhood Plan. In addition to complying with the standards of this section for a major amendment shall demonstrate that:

- a. The proposed amendment maintains the transportation connectivity established by the Normal Neighborhood Plan;
- b. The proposed amendment furthers the street design and access management concepts of the Normal Neighborhood Plan.
- c. The proposed amendment furthers the protection and enhancement of the natural systems and features of the Normal Neighborhood Plan, including wetlands, stream beds, and water resource protection zones by improving the quality and function of existing natural resources.
- d. The proposed amendment will not reduce the concentration or variety of housing types permitted in the Normal Neighborhood Plan.

e. The proposed amendment is a necessary to accommodate physical constraints evident on the property, or to protect significant natural features such as trees, rock outcroppings, streams, wetlands, water resource protection zones, or similar natural features, or to adjust to existing property lines between project boundaries.

3. Minor Amendment – Type 1 Procedure. A minor amendment to the Normal Neighborhood Development Plan is subject to an administrative decision under the Type I Procedure. Minor amendments are subject to the Exception to the Site Design and Use Development Standards of chapter 18-5.2.050(E).

18-3.13.040 Use Regulations

A. Plan overlay zones. There are four Land Use Designation Overlays zones within the Normal Neighborhood Plan are intended to accommodate a variety of housing opportunities, preserve natural areas and provide open space.

1. Plan NN-01 zone The use regulations and development standards are intended to create, maintain and promote single-dwelling neighborhood character. A variety of housing types are allowed, in addition to the detached single dwelling. Development standards that are largely the same as those for single dwellings ensure that the overall image and character of the single-dwelling neighborhood is maintained.

2. Plan NN-02 zone. The use regulations and development standards are intended to create, maintain and promote single-dwelling neighborhood character. A variety of housing types are allowed including multiple compact attached and/or detached dwellings. Dwellings may be grouped around common open space and be separated from one another by side yards to provide privacy and single family home-type scale and character. Development standards that are largely the same as those for single dwellings ensure that the overall image and character of the single-dwelling neighborhood is maintained.

3. Plan NN-03 zone. The use regulations and development standards are intended to create and maintain a range of housing choices, including multi-family housing within the context of the residential character of the Normal Avenue Neighborhood Plan.

4. Plan NN-03C zone. The use regulations and development standards are intended is to provide housing opportunities for individual households through development of multi-dwelling housing with the added allowance for neighborhood-serving commercial mixed- uses so that many of the activities of daily living may be met within the Normal Neighborhood. The public streets within the vicinity of the NN-03-C overlay are to provide sufficient on-street parking to accommodate ground floor neighborhood business uses.

B. Normal Neighborhood Plan Residential Building Types. The development standards for the Normal Neighborhood Plan will preserve neighborhood character by incorporating four distinct land use overlay areas with different concentrations of varying housing types.

1. Single Dwelling Residential Unit.

A Single Dwelling Residential Unit is a detached residential building that contains a single dwelling with self-contained living facilities on one lot. It is separated from adjacent dwellings by private open space in the form of side yards and backyards, and set back from the public street or common green by a front yard. Auto parking is generally on the same lot in a garage, carport, or uncovered area. The garage may be detached or attached to the dwelling structure.

2. Accessory Residential Unit.

An Accessory Residential Unit is a secondary dwelling unit on a lot where the primary use is a single-family dwelling, either attached to the single-family dwelling or in a detached building located on the same lot with a single-family dwelling, and having an independent means of access.

3. Double Dwelling Residential Unit (Duplex).

A Double Dwelling Residential Unit is a residential building that contains two dwellings located on a single lot, each with self-contained living facilities. Double Dwelling Residential Units must share a common wall or a common floor/ ceiling and are similar to a Single Dwelling Unit in appearance, height, massing and lot placement.

4. Attached Residential Unit. An Attached Residential Unit is single dwelling located on an individual lot which is attached along one or both sidewalls to an adjacent dwelling unit. Private open space may take the form of front yards, backyards, or upper level terraces. The dwelling unit may be set back from the public street or common green by a front yard.

5. Clustered Residential Units - Pedestrian-Oriented. Pedestrian-Oriented Clustered Residential Units are compact dwellings that are grouped around common open space and generally separated from one another by side yards to provide privacy and single family home-type scale and character. Units are typically arranged around a central common green under communal ownership. Auto parking is generally grouped in a shared surface area or areas.

6. Multiple Dwelling Residential Unit. Multiple Dwelling Residential Units are multiple dwellings that occupy a single building or multiple buildings on a single lot. Dwellings may take the form of condominiums or apartments. Auto parking is generally provided in a shared parking area or structured parking facility..

C. General Use Regulations. Uses and their accessory uses are permitted, special permitted or conditional uses in the Normal Neighborhood Plan area as listed in the Land Use Table.

Table 18-3.13.040 Land Use Descriptions	NN-01 Single family Residential	NN-02 Multi-family low density Residential	NN-03 Multi-family High Density Residential	NN-03-C Multi-family High Density Residential with Commercial
Residential Uses				
Single Dwelling Residential Unit (Single-Family Dwelling)	P	P	N	N
Accessory Residential Unit	P	P	P	P
Double Dwelling Residential Unit (Duplex Dwelling)	N	P	P	P
Cottage Housing	P	N	N	N
Clustered Residential Units	N	P	P	P
Attached Residential Unit	N	P	P	P
Multiple Dwelling Residential Unit (Multi family Dwelling)	N	P	P	P
Manufactured Home on Individual Lot	P	P	P	P
Manufactured Housing Development	N	P	P	P
Neighborhood Business and Service Uses				
Home Occupation	P	P	P	P
Retail Sales and Services, with each building limited to 3,500 square feet of gross floor area	N	N	N	P
Professional and Medical Offices, with each building limited to 3,500 square feet of gross floor area	N	N	N	P
Light manufacturing or assembly of items occupying six hundred (600) square feet or less, and contiguous to the permitted retail use.	N	N	N	P
Restaurants	N	N	N	P
Day Care Center	N	N	N	P
Assisted Living Facilities	N	C	C	C
Public and Institutional Uses				
Religious Institutions and Houses of Worship	C	C	C	C
Public Buildings	P	P	P	P
Community Gardens	P	P	P	P
Openspace and Recreational Facilities	P	P	P	P

P = Permitted Use; CU = Conditional Use Permit Required; N = Not Allowed

1. Permitted Uses. Uses listed as “Permitted (P)” are allowed. All uses are subject to the development standards of zone in which they are located, any applicable overlay zone(s), and the review procedures of Part 18-5. See section 18-5.1.020 Determination of Review Procedure.

2.Conditional Uses. Uses listed as “Conditional Use Permit Required (C)” are allowed subject to the requirements of chapter 18-5.4 Conditional Use Permits.

3.Prohibited Uses. Uses not listed in the Land Use Table, and not found to be similar to an allowed use following the procedures of section 18-1.5.040 Similar Uses, are prohibited.

18-3.13.050 Dimensional Regulations

A. The lot and building dimensions shall conform to the standards in Table 1 8-3.13.050 below.

Table 18-3.13.050 Dimensional Standards	NN-01	NN-02	NN-03 NN-03-C
Base density, dwelling units per acre	5	10	15
Minimum Lot Area ¹ , square feet (applies to lots created by partitions only)	5,000	3500	3000
Minimum Lot Depth ¹ , feet (applies to lots created by partitions only)	80	80	80
Minimum Lot Width ¹ , feet (applies to lots created by partitions only)	50	35	25
Setbacks and yards (feet)			
Minimum Front Yard abutting a street	15	15	15
Minimum Front Yard to a garage facing a public street, feet	20	20	20
Minimum Front Yard to unenclosed front porch, feet	X ²	X ²	X ²
	Currently under discussion as part of the ULUO update – to be consistent		
Minimum Side Yard	6	6 0 ³	6 0 ³
Minimum Side Yard abutting a public street	10	10	10
Minimum Rear Yard	10 ft per Bldg Story, 5 feet per Half Story		
Solar Access	Setback and yard requirements shall conform to the Solar Access standards of chapter 18-4.10.		
Maximum Building Height, feet / stories	35 / 2.5	35 / 2.5	35 / 2.5
Maximum Lot Coverage, percentage of lot	50%	65%	75%
Minimum Required Landscaping, percentage of lot	50%	35%	25%
Parking	See section 18-4.3.080 Vehicle Area Design Requirements		
Minimum Outdoor Recreation Space, percentage of lot	na	8%	8%

1 Minimum Lot Area , Depth, and Width requirements do not apply in performance standards subdivisions.

2 Minimum Front Yard to an unenclosed front porch (Feet), or width of a public easement whichever is greater.

3 Minimum Side Yard for Attached Residential Units (Feet)

B. Density Standards Development density in the Normal Neighborhood shall not exceed the densities established by Table 18-3.13.050, except where granted a density bonus under chapter 18-3.8 Performance Standards Options and consistent with the following:

1 General Density Provisions.

- a. The density in NN-01, NN-02, NN-03 and NN-03-C zones shall be computed by dividing the total number of dwelling units by the acreage of the project, including land dedicated to the public.
- b. Conservation Areas including wetlands, floodplain corridor lands, and water resource protection zones may be excluded from the acreage of the project for the purposes of calculating minimum density for residential annexations as described in section 18-5.7.050F.
- c. Units less than 500 square feet of gross habitable area shall count as 0.75 units for the purposes of density calculations.
- d. Accessory residential units consistent with standards described in section 18-2.3.040 are not required to meet density or minimum lot area requirements.

2. Residential Density Bonuses.

- a. The maximum bonus permitted shall be 40 percent.
- b. Cottage Housing. In the NN-01 zone, developments meeting the standards of section 18-2.3.090 Cottage Housing shall receive a density bonus of two cottage housing units for each single-family home allowed by the base density of the district and is exempt from the 40 percent maximum bonus.

18-3.13.060 Site Development and Design Standards. The Normal Neighborhood District Design Standards provide specific requirements for the physical orientation, uses and arrangement of buildings; the management of parking; and access to development parcels. Development located in the Normal Neighborhood District shall be designed and constructed consistent with the Site Design and Use Standards chapter 18-5.2 and the following:

A. Street Design and Access Standards. The design and construction of streets and public improvements shall be in accordance with the Ashland Street Standards. A change in the design of a street in a manner inconsistent with the Normal Neighborhood Plan requires a minor amendment in accordance with section 18-3.13.030.B.

1. Conformance with Street Network Plan: New developments shall provide avenues, streets, alleys, multi-use paths, and pedestrian and bicycle improvements consistent with the design concepts within the mobility chapter of the Normal Neighborhood Plan Framework and in conformance with the Normal Neighborhood Plan Street Network Map.

- a. Streets designated as Shared Streets on the Normal Neighborhood Plan Street Network Map may be alternatively developed as alleys, or multiuse paths provided the following:
 - i. Impacts to the water protection zones are minimized to the greatest extent feasible.

- ii. Pedestrian and bicyclist connectivity, as indicated on the Normal Avenue Neighborhood Plan Pedestrian and Bicycle Network Map, is maintained or enhanced.

2 Storm water management. The Normal Neighborhood Plan uses street trees, green streets, and other green infrastructure to manage storm water, protect water quality and improve watershed health. Discharge of storm water runoff shall be directed into a designated green street and neighborhood storm water treatment facilities.

a.. Design Green Streets. Streets designated as Green Streets within the Street Network, and as approved by the Public Works Department, shall conform to the following standards:

- i. New streets shall be developed to capture and treat storm water in conformance with the City of Ashland Storm Water Master Plan.

3. Access Management Standards: To manage access to land uses and on-site circulation, and maintain transportation safety and operations, vehicular access shall conform to the standards set forth in section 18-4.3, and as follows:

- a. Automobile access to development is intended to be primarily provided by alleys.
- b. Curb cuts along a Neighborhood Collector or shared street shall be limited to one per block, or one per 200 feet where established block lengths exceed 400 feet.

4. Required On-Street Parking: On-street parking is a key strategy to traffic calming and is required along the Neighborhood Collector and Neighborhood Streets.

B. Site and Building Design Standards.

1. Lot and Building Orientation:

- a. Lot Frontage Requirements: Lots in the Normal Neighborhood are required to have their Front Lot Line on a street or a Common Green.
- b. Common Green. The Common Green provides access for pedestrians and bicycles to abutting properties. Common greens are also intended to serve as a common open space amenity for residents. The following approval criteria and standards apply to common greens:
 - i. Common Greens must include at least 400 square feet of grassy area, play area, or dedicated gardening space, which must be at least 15 feet wide at its narrowest dimension.

2. Cottage Housing .: Cottage housing developments are allowed within the Normal Neighborhood subject to the applicable standards of chapter 18-2.3.090 Cottage Housing and as follows:

- a. Cottage housing developments are allowed within the NN-01 zone subject to the applicable provisions of the underlying zone and review through Chapter 18-3.8 Performance Standards Option.

- i. In the NN-01 zones, two cottage house units developed consistent with the requirements of chapter 18-2.3.090 shall be allowed in place of each single-family home allowed by the base density of the district where a density bonus is approved under section 18-3.8.050.B.5.

3. Conservation of Natural Areas. Development plans shall preserve water quality, natural hydrology and habitat, and preserve biodiversity through protection of streams and wetlands. In addition to the requirements of 18-3.10 Water Resources, conserving natural water systems shall be considered in the site design through the application of the following guidelines:

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

4. Storm Water Management. Natural water systems regulate water supply, provide biological habitat, and provide recreational opportunities. Development shall reduce infrastructure costs and adverse environmental effects of storm water run-off by managing run-off from building roofs, driveways, parking areas, sidewalks and other hard surfaces through implementation of appropriate storm water management practices as follows

- a. When required by the City Engineer, the applicant shall submit hydrology and hydraulic calculations, and drainage area maps to the City, to determine the quantity of predevelopment, and estimated post-development, storm water runoff and evaluate the effectiveness of storm water management strategies. Computations shall be site specific and shall account for conditions such as soil type, vegetative cover, impervious areas, existing drainage patterns, flood plain areas and wetlands.
- b. Future Peak Storm water flows and volumes shall not exceed the pre-development peak flow. The default value for pre-development peak flow shall be .25 CFS per acre.
- c. Detention volume shall be sized for the 25 year, 24 hour peak flow and volume.
- d. Development shall incorporate one or more of following guidelines.
 - i. Implement storm water management techniques that endeavor to treat the water as close as possible to the spot where it hits the ground through infiltration, evapotranspiration or through capture and reuse techniques.
 - ii. Use on-site landscape-based water treatment methods to treat rainwater runoff from all surfaces, including parking lots, roofs, and sidewalks.
 - iii. Use of pervious or semi-pervious surfaces that allow water to infiltrate soil.
 - iv. Design grading and site plans that create a system that slows the stormwater, maximizing time for cleansing and infiltration.
 - v. Maximizing the length of overland flow of storm water through bioswales and rain gardens,
 - vi. Use structural soils in those environments that support pavements and trees yet are free draining.
 - vii. Plant deep rooted native plants.

viii, Replace metabolically active minerals, trace elements and microorganism rich compost in all soils disturbed through construction activities.

- 5. Off-Street Parking.** Automobile parking, loading and circulation areas shall comply with the requirements of chapter 18-4.3 Parking, Access, and Circulation Standards, and as follows:
- a. Neighborhood serving commercial uses within the NN-O3-C zone shall have parking primarily accommodated by the provision of on-street parking spaces, and are not required to provide off-street parking or loading areas, except for residential uses where one space shall be provided per residential unit.

18-3.13.65 Exception to the Site Development and Design Standards

An exception to the requirements Site Development and Design Standards shall follow the procedures and approval criteria adopted under section 18-4-1.030, unless authorized under the procedures for a major amendment to plan.

1 8-3.13.070 Conservation Area Overlay

All projects containing land identified as Conservation Areas on the Normal Neighborhood Plan Land Use Zone Map shall dedicate those areas as: common areas, public open space, or private open space protected by restrictive covenant. It is recognized that the master planning of the properties as part of the Normal Neighborhood Plan imparted significant value to the land, and the reservation of lands for conservation purposes is proportional to the value bestowed upon the property through the change in zoning designation and future annexation.

18.3.13.080. Review and Approval Procedure. All land use applications shall be reviewed and processed in accordance with the applicable procedures of Part 18-5.

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

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

All On Forum Statements sorted chronologically

As of March 5, 2014, 10:13 AM



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

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

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

Introduction

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

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

Please review the draft Normal Neighborhood Plan

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

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

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

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

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

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

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

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

As of March 5, 2014, 10:13 AM, this forum had:

Attendees:	193
On Forum Statements:	12
All Statements:	17
Minutes of Public Comment:	51

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

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

jonathan seidler inside Ashland

March 5, 2014, 9:17 AM

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

Angelina McClean inside Ashland

March 3, 2014, 10:07 PM

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

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

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

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

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

Normal Neighborhood Plan

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

The article is at: www.austinchronicle.com

The plans for the food forest are at:

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

Margaret Garrington inside Ashland

March 3, 2014, 4:16 PM

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

Jan Vidmar inside Ashland

March 3, 2014, 10:31 AM

Jan Vidmar inside Ashland

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

My second concern is the flow of Cemetery Creek. Although the creek is not always visible, walking through the wetland area is a soggy affair. A wetland does not always present itself with lakes, stream flow and ducks. Cemetery Creek should be considered a pathway for drainage. At times, after a hard rain, the creek flows and the water has a way to proceed from the hills to the valley floor. Any development that blocks that flow potentially puts home owners in flood peril. The current Normal Plan has homes and roads that would potentially impede this water flow.

Michael Shore outside Ashland

February 28, 2014, 2:19 PM

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

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

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

Normal Neighborhood Plan

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

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

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

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

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

During the discussions some important points were raised and important questions went unanswered. Streets, safety,sewage, water, cost of fire protection, actual connectivity to public transit, cost of maintaining the proposed "natural" areas, these were all costs and conditions left hanging.

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

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

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

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

Barry Vitcov inside Ashland

February 28, 2014, 11:58 AM

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

Barbara Comnes inside Ashland

February 28, 2014, 10:13 AM

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

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

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

Priscilla Hunter inside Ashland

February 28, 2014, 7:04 AM

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

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

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

I hope you find this helpful information.

Brian Kolodzinski inside Ashland

February 27, 2014, 9:44 PM

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

Steve Read inside Ashland

February 27, 2014, 7:26 PM

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

Normal Neighborhood Plan

Please review the draft Normal Neighborhood Plan:

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

changes?

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

Jim Curty outside Ashland

February 27, 2014, 5:15 PM

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

Donald Stone inside Ashland

February 27, 2014, 4:00 PM

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

Don Stone

395 Kearney St

2105 E. Main St.
Ashland, OR 97520
February 25, 2014

Re: Normal Street Development Plan

Please read this document at your planning meeting so it will be entered into the records of the Ashland Planning Commission

We have some serious concerns with the Normal Street Development Plan; we feel that, if implemented, a multi-story development on the Baptist Church property on East Main Street would adversely affect the quality of life for the property owners on the north side of the street.

In prior testimony and letters, no mention has been made of the impact on those properties, since they are in the county and not in the urban growth boundary. We have lived here and farmed this land since 1986. Just because the properties on our side of the street are not under the jurisdiction of the City of Ashland doesn't mean that we should be ignored during the planning process.

Our concerns are in three areas: water, traffic, and future expense.

We depend on a combination of TID water and Clay Creek to irrigate our fields, which we are required to farm under an EFU (Exclusive Farm Use) designation. This past summer (2013) was one of the most difficult irrigation seasons we've experienced since 1986; the water just wasn't flowing enough to irrigate our fields. And this year's drought conditions may cause an even more difficult summer watering season.

Twice in the past 15 years we have also experienced problems with the drinking water from our well. Both times our well dried up during the hot summer days, and we were forced to dig a deeper well, at great expense. This happened soon after new development on both sides of lower Clay Street and after the Mormon Church sunk a new well for irrigating their ball fields. Our property is at the end of the "water chain," adjacent to Bear Creek, so we are at the mercy of those using the water above us - or buildings and concrete limiting the flow of water. We can only imagine what a new high-density development across the street from us would do to exacerbate the water flow issue.

Looking at current traffic problems, we would definitely not support an increased number of cars speeding by our property if new feeder streets pour traffic into East Main. At some times of the day it's already a 5-minute wait to safely walk across the street or leave the driveway in a car. If the proposed plan for the area on the south side of East Main Street were to be implemented, there would be a significant increase in vehicle trips along our street.

From what I gathered at the October meeting, some think the traffic solution is to widen East Main Street, adding sidewalks and gutters. Since we have a long street frontage, I am concerned that we would be forced to incur a massive expense to "improve" East Main, which we would rather not see turned into a city street.

We all know that EFU and high density residential are incompatible uses near each other; property on the edge of town is usually kept at a very low density to make the transition to agricultural use logical and seamless. If the parcel of land in question were planned for mostly single family homes instead of higher density housing – with strong protective measures for dealing with water problems – then fewer houses would be built, the street would not need to be redone, there would not be additional concerns about water, and the retention of a rural atmosphere would prevail.

Thank you for listening to our concerns and considering them in your planning process.

Yours truly,

Jim and Marcia Hunter

DISCUSSION ITEM

SHORT TERM HOME RENTALS

Memo

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

SUMMARY

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

BACKGROUND:

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

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

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



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

POTENTIAL PROPOSAL:

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

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

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

NEXT STEP:

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

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

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



Attachments:

Discussion Draft - Possible R-1 Code Changes



Discussion Draft
March 11, 2014

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

A. Potential Use-Related Regulations:

1. Management

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

2. Location

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

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

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

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

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

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

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

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

B. Potential Site Design Regulations

1. Parking

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

2. Signs

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

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

C. Procedure for Approval

1. Land Use Application Type

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

2. Application Fee

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

PUBLIC INPUT

RECEIVED

MAR 11 2014

Ashland Planning Commission,

March 10, 2014

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

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

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

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

Thank you for your consideration.

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

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

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

March 11, 2014

To: Members of the Planning Commission

RECEIVED

Re: Short Term Rentals in R-1

MAR 11 2014

Good evening Commissioners,

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

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

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

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

SEE ATTACHED LETTERS

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

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

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

Thank you for your careful consideration of this pressing issue!

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

Savana Rose

Subject: FW: Airbnb issue

RECEIVED

MAR 11 2014

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

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

To: Savana Rose

Subject: Re: Airbnb issue

Dear City Council,

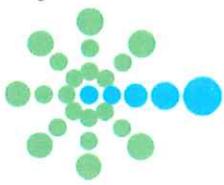
My name is Marilyn Borkin, and I live at 485 Park Ridge Place in Ashland, next door to Savana Rose. This morning, while walking our dogs, I met Savana, who told me she had become an AirBnB host to help supplement her income in these hard times. She also told me that the city had shut her down.

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

Please consider allowing Savana host visitors in her home.

Thank you,

Marilyn Borkin



Master Strategy

Grow Profitably.

RECEIVED

MAR 11 2014

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

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

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

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

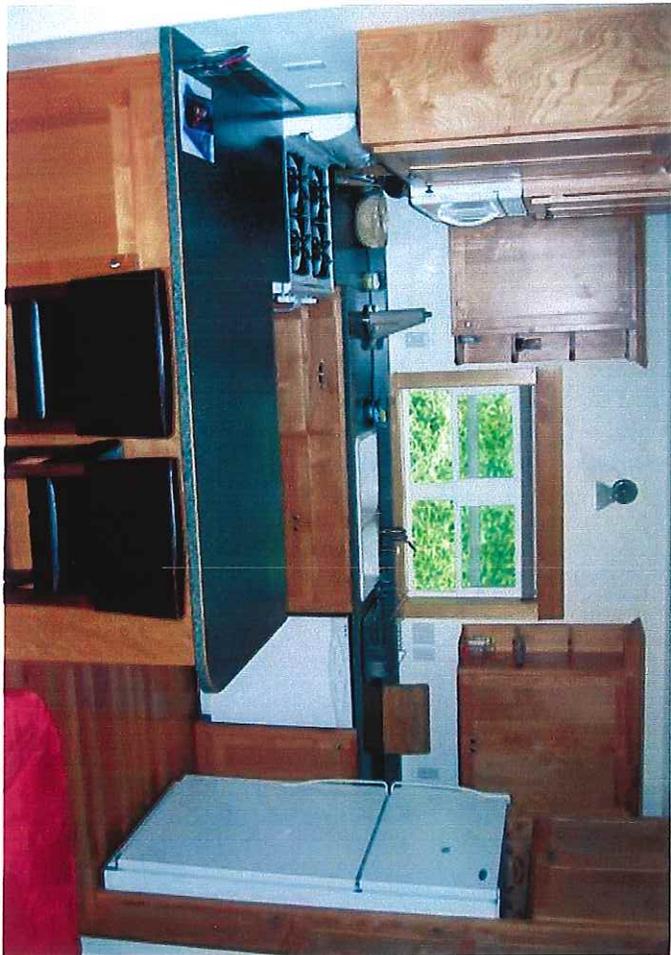
From my perspective, a person's home is typically their most valuable asset, both financially and personally. I feel strongly that individuals should have the right to leverage this asset – as long as doing so does not disturb or infringe on others.

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

Thank you for your consideration of these thoughts.

Respectfully,

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



RECEIVED

MAR 11 2017

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

How long have you resided at this address? two winters

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

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

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

In this location, there is relatively light traffic

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

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

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

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

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

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

RECEIVED

MAR 11 2014

Name (Optional) Susan Hansen Address 235 Hellcrest St.

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

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

No

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

No

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

No

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

No impact

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

yes.

RECEIVED

MAR 11 2014

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

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

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

Not until 2 days ago when asked to complete this.

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

No

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

No

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

Not that we're aware of.

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

Yes

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MAR 11 2014

Name (Optional) JIM HATTON Address 280 TERRACE ST.

How long have you resided at this address? 17 YEARS

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

YES

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

NO

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

NO

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

THE OWNERS KEEP THE PROPERTY WELL-MAINTAINED AND ATTRACTIVE.

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

YES

RECEIVED

MAR 11 2014

Name (Optional) Liz & Jim Finnegan Address 262 Terrace

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

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

yes

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

no

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

no

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

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

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

yes
}

RECEIVED

MAR 11 2014

Name (Optional) _____ Address 246 Ridge Rd

How long have you resided at this address? 3½ years

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

Yes

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

No

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

No

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

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

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

Yes, definitely.

RECEIVED

MAR 11 2014

Ashland Planning Commission Meeting

April 11, 2014

Subject: Short-term stays for R-1 Zoning

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

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

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

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

Dale Swire 233 Clay St. Ashand

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MAR 11 2014

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

Larry Chase
1271 Munson Dr

Number, Size and Type of Accommodations per Property

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

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

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

Procedure for Approval

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

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

Free vs. Paid Travelers Accommodations

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

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

March 11, 2014

Ashland Planning Commission
Ashland, OR

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MAR 11 2014

Planning Commission;

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

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

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

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

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

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

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

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

Sincerely,


Jeff Jones

79 Pine Street

Ashland, OR 97520

541-488-0178

March 11, 2014

City of Ashland Planning Commission,

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MAR 11 2014

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

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

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

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

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

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

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

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

Thank you.

Melody Jones

Abby Hogge 1700 Parker

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MAR 11 2014

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

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

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

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

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

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

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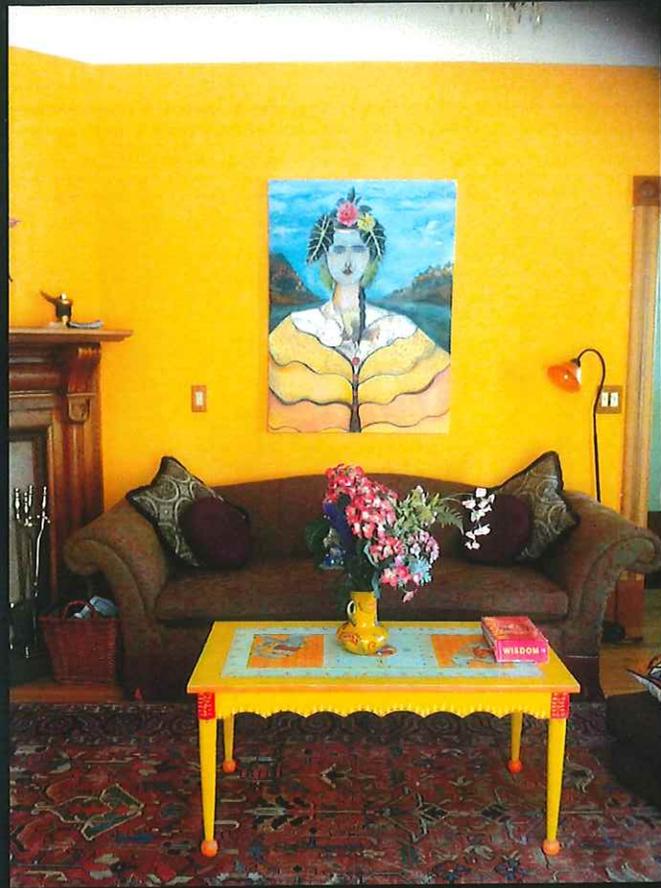
MAR 11 2014

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

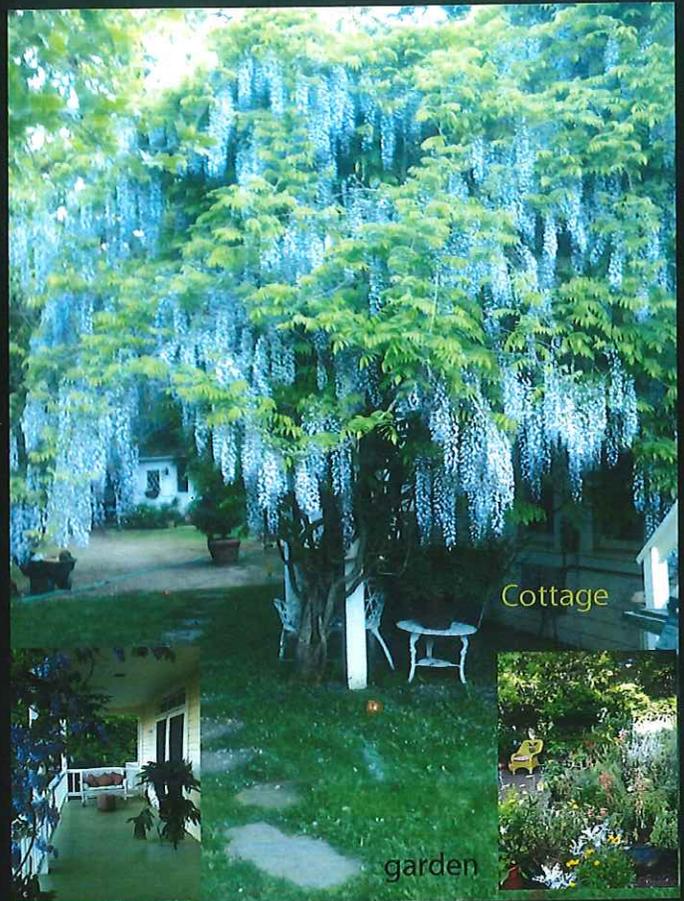
Those of us who have followed the rules while operating our businesses in the properly zoned districts are being placed at a disadvantage because the codes are already unfairly enforced and the proposed changes will make that situation worse. The city's codes clearly define where business can be conducted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

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

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



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This is the home I loved at first sight. Though it was a bit runned down. We bought it in 1991. I put all my creativity into it with lots of TLC. We fully remodeled the house. My daughter grew up in this house. Our dogs have come and gone. It has a lot of history for us. My partner and I split. I began to rent ut to foreign students then to local individuals wonderful people that became extended family. However TIME passes and things do change regardless of our wishes for things to remain the same. Neighbors sold their properties, new renters , dogs barking , screaming children early in the morning. I did not continue to rent rent rooms in my house after my lovely house mates moved to Portland. I didn't have such great luck with renters after that. So I've decided to try VRBO with skepticism. And it worked out wonderfully. I was able to paint the house, pay the mortgage and not having to worry every month. I continued with my caring for the elderly and teaching & selling art , working from my home. The garden 's been a passion of mine & the house itself , built in 1890 - is a gem all on it's own ,down to the hinges. Hosting these lovely people who leave the house impecable, & appreciate what I have created here makes it well worth it. 99% of guest return with the exception of a wonderful couple who loved the property and the cottage,

but the neighbor's dog woke them up barking at 3 a.m several mornings. All I can say is that I "ve not had ONE single unreliable guest. My neighbors across the street have commented on t how nice , and friendly and respectful these folks are that come every year. (!)

RECEIVED

MAR 11 2014

Jussara Luz Padilha
660 Pracht street
Ashland or 97520
541.840.7110

Questionnaire

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

YES

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

NO

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

None

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

Positive is New Paint Job on House

Date +
print name Jussara Luz Padilha

sign 

address: 660 PRACHT

Thank you

Jussara Luz Padilha
660 Pracht street
Ashland Or, 97520

March 11th, 2014

RECEIVED

MAR 11 2014

Questionnaire

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

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

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

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

Thank you

RECEIVED

MAR 11 2014

From: Donald Hunsaker <hunsakerd@sou.edu>

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

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

Subject: Comment on VRBO in R-1

Dear Planning Commission Members:

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

Don Hunsaker

448 Clinton Street

Ashland, OR 97520

April Lucas

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

RECEIVED

MAR 10 2014

April,

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

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

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

MAR 10 2014

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

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

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

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

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

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

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

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

Ashland Lodging Association
Board of Directors

ashlandlodgingassociation@gmail.com

www.AshlandLodgingAssociation.com

Cell: 408-420-6691

RECEIVED

MAR 10 2014

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

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

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

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

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

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

MAR 10 2014

April Lucas

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

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

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

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

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

2. Housing Issues

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

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

3. Robust economy and nurturing neighborhoods

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

4. There is NO unmet lodging demand

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

Furthermore it has been argued that there is not the right mix of lodging options. Again the lodging industry in Ashland has been positively responsive to the changing trends of lodging demand. There 3 times as many licensed vacation rentals as there are B&Bs in Ashland. Over 50% of the city's total licensed lodging establishments are Short-Term Vacation Rentals. **The current city ordinances ensure a fair playing field for all business owners. The city should not also be in the business of managing the market place - - that should be left for the business owners. And the licensed lodging business owners are more than meeting the lodging demand.**

Ashland Lodging Association
Board of Directors

ashlandlodgingassociation@gmail.com
www.AshlandLodgingAssociation.com

April Lucas

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

RECEIVED

MAR 10 2014

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

Crissy Barnett
406 Briscoe Place
Ashland Oregon

Sent from my iPad
Crissy Barnett

April Lucas

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

RECEIVED

MAR 10 2014

Hello,

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

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

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

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

Thanks much,
Debby Bird
Owner Abram's Cottage.

April Lucas

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

RECEIVED

MAR 10 2014

Dear Planning Commisioners,

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

Sincerely,
Catherine Moore

Caterinamoore@gmail.com
541 261 4100

Bill Molnar
Community Development Director

RECEIVED
FEB 25 2014

Dear Bill,

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

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

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

Thank you for taking this request under sincere consideration.

Cynthia Ceteras
130 4th St
Ashland

RECEIVED

FEB 24 2014

Planning Commissioners:

Regarding the study session on short term vacation rental:

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

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

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

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

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

RECEIVED
FEB 11 2014

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

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

Thank you for considering my viewpoint.

Mr. Robin M. Thompson

April Lucas

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

RECEIVED
FEB 11 2014

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

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

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

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

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

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

RECEIVED

FEB 10 2014

RIVERWALK

Homeowners Association

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

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

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

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

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

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

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

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



RECEIVED

JAN 30 2014

To the Ashland City Council,

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

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

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

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

RECEIVED

JAN 30 2014

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

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

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

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

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

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

RECEIVED

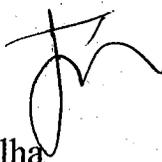
JAN 30 2014

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

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

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

Sincerely,



Jussara Padilha

RECEIVED

JAN 30 2014

As we have reviewed:

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

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

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

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

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

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

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

Harmony is its own reward.

Take care,
Randy

Sent ever so slowly.

RECEIVED

January 27, 2014

JAN 27 2014

To the members of the Planning Commission

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

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

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

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

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

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

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

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

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

Thank you,

Sincerely,
Anita and Steve Isser
84 Garfield Street
Ashland

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

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

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

Subject: Planning Commission Short Term Vacation Rentals

RECEIVED

JAN 20 2014

Hello Commissioners,

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

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

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

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

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

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

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

Sincerely,

Jeff Jones
541.488.0178
jrjones@opendoor.com

DISCUSSION ITEM

MEDICAL MARIJUANA DISPENSARIES

Memo

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

SUMMARY

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

BACKGROUND:

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

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

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

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

POTENTIAL CODE PROVISIONS:

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

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

NEXT STEP:

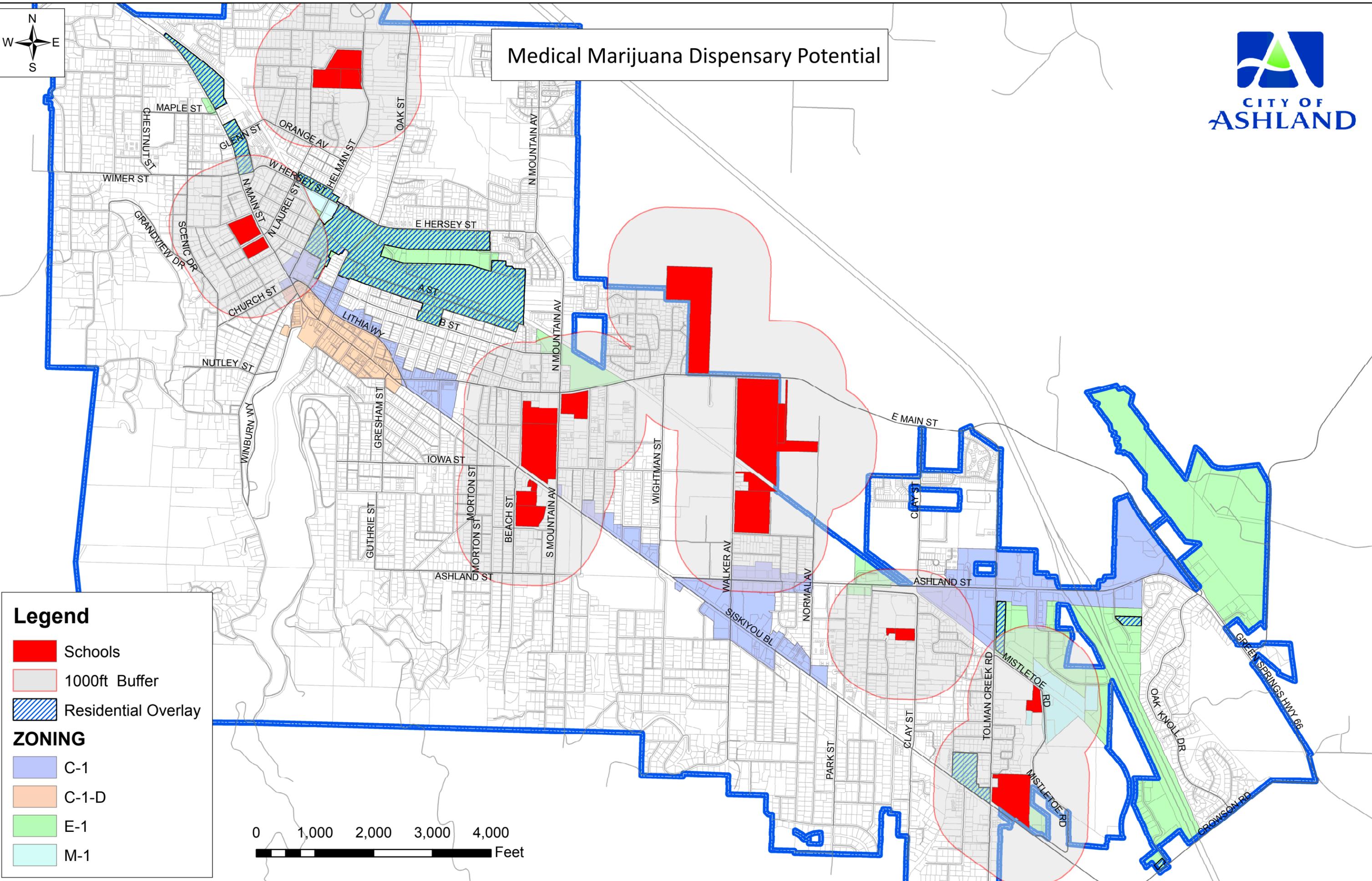
The next step would be for staff to compile Planning Commission recommendations for changes to Chapter 18 – Land Use Ordinance, which potentially would set standards for and place limitations on the placement of marijuana dispensaries within commercial, employment, industrial and mixed-use zoning districts.

Attachments:

- Map of Potential Dispensary Locations



Medical Marijuana Dispensary Potential



Legend

- Schools
- 1000ft Buffer
- Residential Overlay

ZONING

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

