



# Planning Commission Agenda

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 the public testimony may be limited by the Chair.

## November 14, 2023 REGULAR MEETING AGENDA

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

II. **ANNOUNCEMENTS**

III. **CONSENT AGENDA**

1. **Approval of Minutes**

a. October 10, 2023 Regular Meeting

IV. **PUBLIC FORUM**

Note: To speak to an agenda item in person you must fill out a speaker request form at the meeting and will then be recognized by the Chair to provide your public testimony. Written testimony can be submitted in advance or in person at the meeting. If you wish to discuss an agenda item electronically, please contact [PC-publictestimony@ashland.or.us](mailto:PC-publictestimony@ashland.or.us) by November 14, 2023 to register to participate via Zoom. If you are interested in watching the meeting via Zoom, please utilize the following link: <https://zoom.us/j/96078825015>

V. **TYPE II PUBLIC HEARING**

A. **PLANNING ACTION:** PA-T2-2023-00043

**SUBJECT PROPERTY:** 192 North Mountain Avenue

**OWNER / APPLICANT:** KDA Homes, LLC

**DESCRIPTION:** A request for a modification of the previously approved Outline Plan (PA-T3-2021-00003), and revised Final plan for the third phase of the Beach Creek Subdivision. The proposal revises the subdivision plan to include a private alley and to add one additional lot. The project is currently under construction with Phases I and II recorded and houses under construction. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-5; **ASSESSOR'S MAP:** 39 1E 10; **TAX LOT #'s:** 800

VI. **TYPE III PUBLIC HEARING**

A. **TO CONSIDER AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDINANCE TO REMOVE AUTOMOBILE PARKING MANDATES AND AMEND PARKING STANDARDS SET FORTH IN ASHLAND MUNICIPAL CODE SECTIONS 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5, AND 18.5.6.**





# Planning Commission Agenda

**VII. UNFINISHED BUSINESS**

**A.** Approval of Findings for PA-APPEAL-2023-00018, 321 Clay Street.

**VIII. OPEN DISCUSSION**

**IX. ADJOURNMENT**

**Next Scheduled Meeting Date:** November 28, 2023 Study Session





# Planning Commission Minutes

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 the public testimony may be limited by the Chair.

**October 10, 2023**

**REGULAR MEETING**

***DRAFT* Minutes**

## **I. CALL TO ORDER:**

Chair Verner called the meeting to order at 7:00 p.m. at the Civic Center Council Chambers, 1175 E. Main Street.

### **Commissioners Present:**

Lisa Verner  
Doug Knauer  
Eric Herron  
Russell Phillips  
Susan MacCracken Jain  
Kerry KenCairn  
Gregory Perkinson

### **Staff Present:**

Brandon Goldman, Community Development Director  
Derek Severson, Planning Manager  
Jennifer Chenoweth, Associate Planner  
Michael Sullivan, Executive Assistant

### **Absent Members:**

### **Council Liaison:**

Paula Hyatt

## **II. ANNOUNCEMENTS**

Community Development Director Brandon Goldman made the following announcements:

- The application for PA-T3-2022-00004, 1511 Highway 99 North was withdrawn by the applicant after it was remanded to the City by the Land Use Board of Appeals (LUBA). Staff anticipates that the applicant will submit a similar application in light of new state laws. PA-T3-2022-00004 is now concluded.
- The City Council will review a draft ordinance to eliminate City parking mandates at its October 17, 2023 Regular Meeting. These changes are part of the Climate Friendly and Equitable Communities (CFEC) state guidelines, and will be reviewed by the Commission in November before going back to the Council for final review and adoption on December 5 and December 19, 2023.
- The Bear Creek Restoration Summit will be held on November 2, 2023 at the Talent Community Center. It will focus on the rehabilitation of the Bear Creek corridor as a path for pedestrians and cyclists, while also making it a fire adaptive space.

Commissioner KenCairn asked if the Brea Creek summit would be a multi-community meeting. Mr. Goldman responded that it would, and that representatives of Ashland, Central Point, Phoenix, Talent, and Jackson County had been invited to attend.





# Planning Commission Minutes

Chair Verner requested that staff send the sign up forms for the summit to the Commission.

### III. **CONSENT AGENDA**

1. **Approval of Minutes**
  - a. September 12, Regular Meeting

**Commissioners Perkinson/KenCairn m/s to approve the consent agenda as presented. Voice Vote: All AYES. Motion passed 7-0.**

### IV. **PUBLIC FORUM** – None

### V. **TYPE I PUBLIC HEARING**

- A. PLANNING ACTION:** PA-APPEAL-2023-00018  
**SUBJECT PROPERTY:** 321 Clay Street  
**OWNER / APPLICANT:** Table Rock Tree for Jenny Osborne  
**APPELLANT:** Albert Pepe  
**DESCRIPTION:** This is an appeal for the removal of the weeping willow tree located at space #19. The original request, PA-TREE-2023-00210, was for approval to remove four (4) trees near residences at the Wingspread Mobile Home Park; located near spaces 19, F, 92, and 94. The trees are as follows: weeping willow, 47 inch diameter at breast height (DBH) at space 19; cottonwood, 12 inch DBH at space F; two silver maples 11 inch DBH and 9 inch DBH located between spaces 92 and 94. The application has been prepared by a certified arborist and states that trees are in a state of decline; causing damage to property; severely leaning, and have evidence of decay, respectively. As the trees continue to decline, they present a hazard to nearby properties. In summary, PA-APPEAL-2023-00018 is an appeal of PA-TREE-2023-00210 which was approved for removal of all four trees. The Notice of Land Use Appeal was submitted for only the removal of the weeping willow tree at space #19.  
**COMPREHENSIVE PLAN DESIGNATION:** Multi Family Residential; **ZONING:** R-2; **MAP:** 39 1E 11C; **TAX LOT:** 3000

#### **Ex Parte Contact**

No ex parte contact was reported. Chair Verner conducted a site visit, while Commissioner Knauer reviewed the site via Google. No other Commissioners reported site visits.





# Planning Commission Minutes

## **Staff Presentation**

Mr. Severson informed the Commission that the original application requested the removal of four trees, though the appeal seeks only to halt the removal of the weeping willow. An arborist contracted by the applicant submitted a report stating that all four trees could prove hazardous to nearby properties. Mr. Severson described the current and potential damage that the trees pose to nearby homes, and stated that the weeping willow has dead limbs weighing from 100–400 pounds that could cause significant damage if not removed. He noted that some branch failures had already resulted in damaged property and caused damage to the tree itself. Mr. Severson noted that continued pruning would likely increase the chance of the tree decaying.

Mr. Severson showed the weeping willow's current rate of decay using aerial photographs, and pointed out that some of the decaying limbs were hanging over adjacent property lines (see attachment #1).

Mr. Severson displayed public comments that staff received showing support for the tree's removal, citing its potential danger to nearby property. One public comment stated that the seeds from the tree made it impossible for the resident to maintain a garden and resulted in up to 35 sprouts in her yard per year. Albert Pepe, who is a tenant at 321 Clay Street and the appellant of this planning action, also submitted public comments opposing the tree's removal, stating that he was appreciative of the shade and view it provided. He proposed that he would maintain the tree at his own expense, including hiring an arborist to prune the tree when necessary. Based on the comments received from nearby residents, the recommendation of the applicant's arborist, and the approval of the Tree Management Advisory Committee (TMAC), staff approved the application to remove all four trees.

Mr. Severson stated that there is nothing in the Ashland Municipal Code (AMC) that would allow staff to deny the submitted application. Therefore, based on the public comments received, and the recommendation of the arborist, staff advised that the appeal be denied and the original approval be upheld.

## **Questions of Staff**

Commissioner Knauer inquired if the applicant of the original application is the property owner. Mr. Severson responded in the affirmative, adding the applicant's arborist would be speaking on the owner's behalf.

## **Applicant Presentation**

Arborist Tate Dunn spoke on behalf of the property owner, and provided the arborist report in the original applicant. Mr. Dunn noted that he had not spoken with the property owner personally, and that he communicated solely with Jenny Osborne of CPM Real Estate Services, who manages the property.





## Planning Commission Minutes

Mr. Dunn informed the Commission that he had been contracted to assess the trees three months prior to this meeting. During his visual review he noted severe cuts in the tree that had resulted in dead limbs and decay. Mr. Dunn explained that pruning the would not mitigate these hazards, and would only result in a reduced canopy and a reduction in the tree's ability to photosynthesize. Mr. Dunn concluded that he could not say definitely when the tree would uproot or experience a major branch failure, but that it would likely occur.

### **Questions of the Applicant**

Commissioner KenCairn requested that Mr. Dunn elaborate on the disease afflicting the tree in question. Mr. Dunn responded that the tree is suffering from epicormic growth, which is a growth that occurs when the tree suffers a significant wound. The tree experiences accelerated growth to heal the wound and regrow the canopy as quickly as possible, but the resulting branches are weaker and prone to failures when they become overgrown.

### **Appellant Presentation**

Appellant Albert Pepe began by clarifying that he lives at unit #21 on 321 Clay Street, and that some of the dead branches hang over his home and shed, as well as unit #19. Mr. Pepe stated that the resident of #19 appeared willing to allow him to prune the tree, something he had done during the Alameda Fire to remove some epicormic growth. Mr. Pepe reiterated that the property is an owner-occupied mobile home park, and that he attempted unsuccessfully to contact the property owner directly to request that the tree be preserved. Mr. Pepe refuted the arborist for the applicant's claim that the diameter of the tree measured 47 inches, stating that his own measurements showed it to be significantly larger.

Mr. Pepe stated that the tree is located in a riparian zone and has not been properly maintained by the owner. He presented a video taken of the site that emphasized his commitment maintaining the tree himself, as well as his personal connection to it (see here). Mr. Pepe stated that his father showed a great appreciation for nature. He requested that the City support him in his efforts to save the tree.

### **Questions of the Appellant**

Commissioner MacCracken Jain asked if Mr. Pepe is a trained arborist for the basis of his opinion that pruning would be a viable alternative to removal. Mr. Pepe responded that he is not a trained arborist, though he did hire an arborist who stated that the tree could be maintained through pruning. He added that he had assured the owner that they wouldn't be held liable for any damages caused by the tree to his property.

Chair Verner inquired if the appellant had been able to communicate with any of the property owners. Mr. Pepe responded that he spoke briefly with one, but that this person was not interested in



## Planning Commission Minutes

communicating. He stated that the primary property owner lives in southern California, but has twice denied Mr. Pepe's request to speak through CPM Real Estate Services. Chair Verner asked if the Mr. Pepe had submitted any formal proposal to enter into a maintenance agreement with the property owner, to which Mr. Pepe responded that all of his proposals had been verbal. Chair Verner recommended that Mr. Pepe submit a formal written request.

Commissioner KenCairn stated that weeping willows commonly have life expectancies of 75-100 years in her experience, and that one such specimen on her property had to be removed after pruning was unable to remove the decay afflicting the tree's core. Mr. Pepe acknowledged that the property owner's main concern is the liability issues the tree poses, and that he did not expect this appeal to succeed.

The Commission expressed admiration for the appellant's dedication to preserving the tree.

### **Applicant's Rebuttal**

Mr. Dunn echoed the Commission's admiration for Mr. Pepe, stating that he respected his resolve and testimony. Mr. Dunn stressed that this admiration does not change his professional opinion that the tree will likely have further issues and cause more damage in the future. He added that Mr. Pepe's method for calculating the tree's diameter was incorrect.

### **Deliberation and Decision**

Commissioner MacCracken Jain pointed out that insurance companies are becoming increasingly reluctant to grant insurance policies to tenants with trees above their homes.

The Commission voiced general appreciation for the appellant's case, but stated that they do not have the jurisdictional authority to deny the application.

**Commissioners Perkinson/Herron m/s to deny the appeal, to accept staff's and the arborist's recommendation, and all conditions within the staff report. Roll Call Vote: All AYES. Motion passed 7-0.**

## **VI. OPEN DISCUSSION**

Mr. Goldman announced that the Interim Parks and Recreation Director would be presenting an update of their master plan at the Commission's October 14, 2023 Study Session.

Commissioner MacCracken Jain asked which organization within the City has jurisdiction over the replacement of removed trees. Mr. Goldman responded that the AMC requires a one-to-one





## Planning Commission Minutes

replacement of any trees removed, and the applicant is proposing a two-to-one replacement program. He noted that the applicant will be submitting an irrigation and tree plan in the future, as well as proposing trees more suitable for an urban environment.

Commissioner Knauer inquired if the Commission's approval of the tree removal permit, including staff's conditions, constitute a binding agreement. Mr. Goldman responded that all proposals by the applicant are conditions of approval, and so the applicant is legally committed to replace the trees at the two-to-one rate proposed.

### **VII. ADJOURNMENT**

*Meeting adjourned at 7:50 p.m.*

*Submitted by,  
Michael Sullivan, Executive Assistant*





# PA-APPEAL-2023-00018 Appeal of PA-T1-2023-00210

Ashland Planning Commission  
October 10, 2023

PA-APPEAL-2023-00018 Appeal of PA-T1-2023-00210

## Wingspread Tree Removal Appeal

An appeal of staff's approval of a Tree Removal Permit to remove four trees near residences at the Wingspread Mobile Home Park located at 321 Clay Street. The trees are as follows: a 47-inch diameter weeping willow at space 19; a 12-inch diameter cottonwood at space F; and two silver maples (11-inch & 9-inch) located between spaces 92 and 94.

The application has been prepared by a certified arborist who states that the trees are in a state of decline; causing damage to property; severely leaning, and having evidence of decay, respectively. As the trees continue to decline, they pose hazards to nearby properties. The appeal is specific to the removal of the weeping willow, and asserts that:

1. *There is another option to complete removal by pruning upper dead branches and removing some of the weight to make it not a hazard tree.*
2. *Once upper pruning is complete it is not clear that the tree is likely to fall and injure persons or property.*
3. *Once upper pruning is complete, the appellant has offered to continue to maintain the tree at his cost every 2-3 years.*





APPLICANT

## Original Application

### Removal of Two Silver Maples (9-inch & 11-inch) Behind Spaces #92 & #94

Per certified Arborist: Several concerns with both trees relating to their safety and functionality in the future. Species is brittle and does a poor job preventing the spread of decay from wounds in the main stem, and have a mature height and crown spread of 80- to 100-feet. Smaller maple has included main stem unions that are beginning to cause cracking and separation at the base of the tree which will only get worse over time and is impossible to correct at this stage. Larger maple has a severely phototropic lean that is concerning and is also too developed to properly correct. Also has a large wound at the base that has developed a significant amount of decay further compromising the strength of the tree. It is my professional recommendation that both trees be removed.





APPLICANT

## Original Application

### Removal of 12-inch Cottonwood in backyard of Space "F"

*Per certified Arborist: Tree is sending out roots that are sprouting and growing into separate trees nearby. The tree is likely a sprout from another nearby tree; this is very common with Cottonwood trees. Aggressive surface roots are beginning to grow into underground plumbing and breaking water lines. Tree will ultimately outgrow the space and needs to be removed at some point. It will only become larger and more costly to remove when this happens. These trees are fast growing with a relatively short life span. As they begin to decline, they will shed large branches that can no longer be supported and will become very hazardous for the people and structures nearby. It is my professional recommendation that this tree be removed sooner, rather than later, to prevent potential damage in the future.*





APPLICANT

## Original Application

### Removal of 47-inch Weeping Willow behind Space #19.

*Per certified Arborist: End of lifespan. Declining health & vigor. Dieback in upper canopy due to declining root system. Most of the main lead branches have died with little live tissue back to main stem. Dead leads are from 6- to 12-inches and weigh 100 to 400 pounds, and many are likely to fall in the next several years. Some large failures have caused minor property damage. Branch failures have torn main stem causing large wounds; decay not properly compartmentalized. Prior pruning with severe heading cuts caused a large amount of epicormic growth directly over a nearby dwelling. These issues and the rapid decline in upper canopy makes this tree very hazardous to the people living nearby. Unfortunately, pruning and removing hazardous branches would leave very little canopy with a high probability of more epicormic sprouts that would become very hazardous over time. The only practical approach to eliminating this hazard is to completely remove this tree. It is arborist's professional recommendation that the tree be removed.*





Figure 1. Nearmap aerial photo taken on August 31, 2018

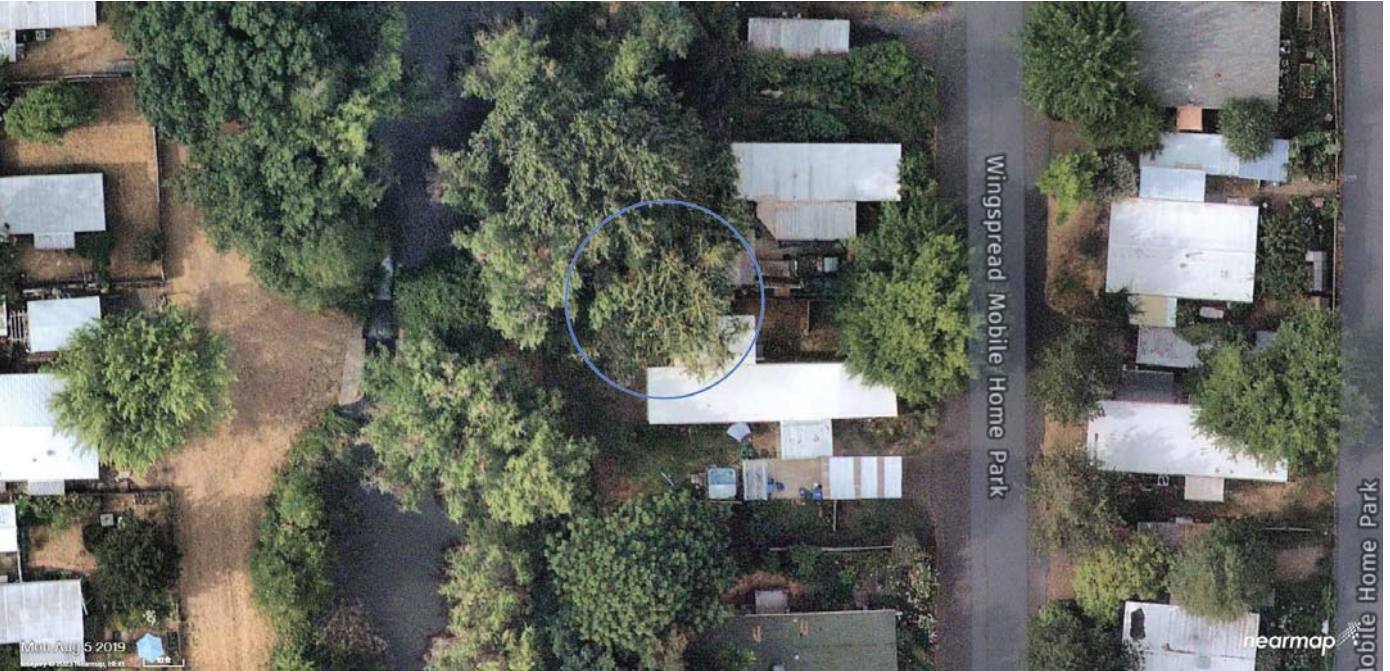
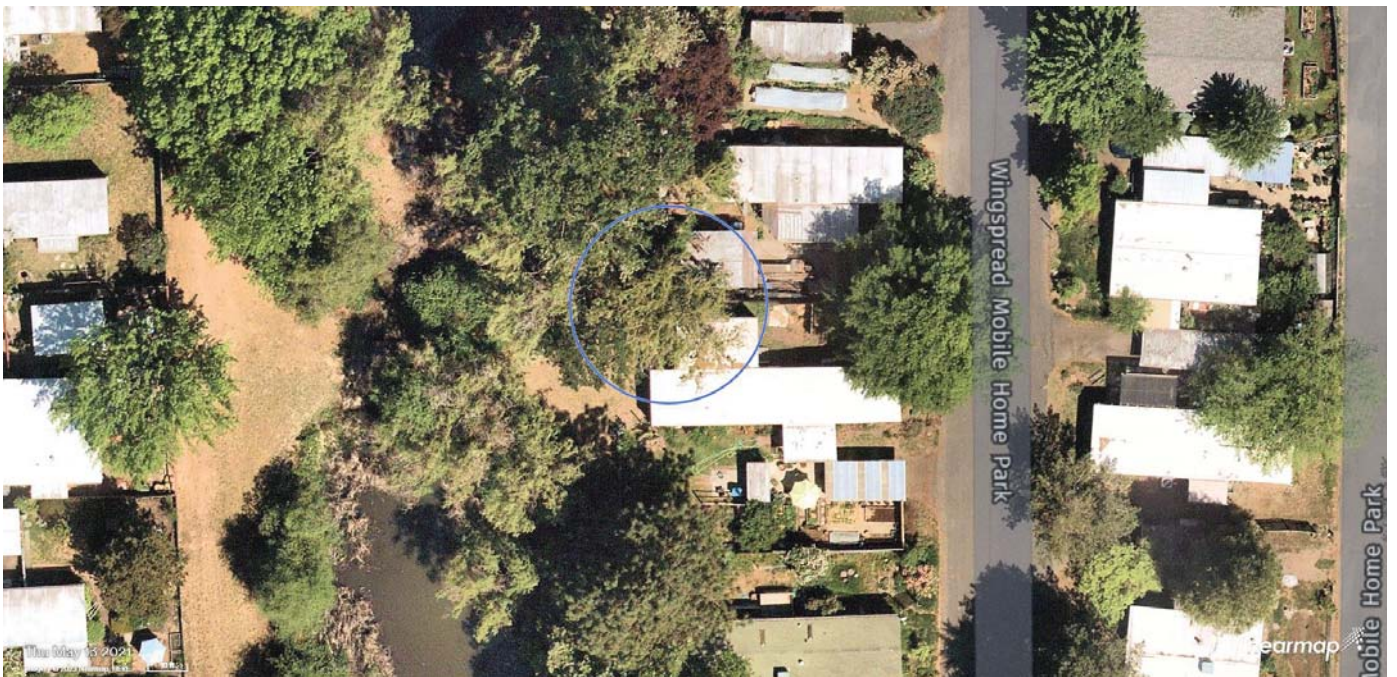


Figure 2. Nearmap aerial photo taken on August 5, 2019



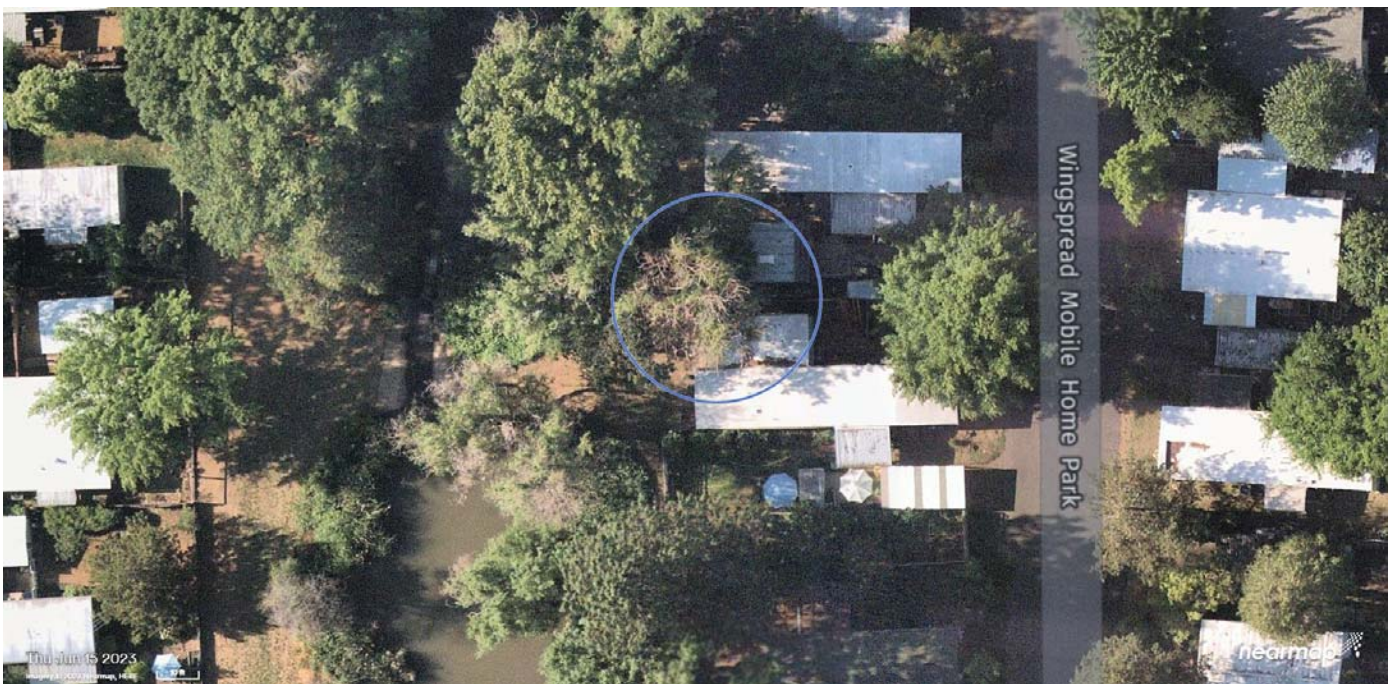
*Figure 3. Nearmap aerial photo taken on August 20, 2020*



*Figure 4. Nearmap aerial photo taken on May 13, 2021*



*Figure 5. Nearmap aerial photo take on June 21, 2022*



*Figure 6. Nearmap aerial photo take on June 15, 2023*



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## Public Comments Received/1<sup>st</sup> Comment Period

### Dubonnet

Consider pruning & maintaining *trees* for their value to people, wildlife and the creek.

### Pepe (Appellant)

Grateful for Willow’s presence, shade & habitat. Would like to see Willow pruned & maintained. Will prune at his own expense once upper branches are pruned. Trees are sacred and old trees deserve to be held in such a place.

### Sarhanis

Cottonwood will be a monster is 5-10 years. 35 sprouts in her yard prevent gardening, grow up to 8-feet in a year. Shades garden. Would like to ensure roots/stump are removed to prevent sucker growth.



PA-TI-2023-00210

## Based on the Arborist’s Report

*Staff approved the four requested tree removals & mailed a ‘Notice of Decision’ to all parties.*

## An Appeal was Timely Filed

*By Wingspread Resident Albert Pepe*

**Complete Application**

*July 11, 2023*

**Comment Period**

*July 18–August 1, 2023*

**Decision**

*August 11, 2023*

**Appealed**

*August 23, 2023*



## Appellant's Standing

Resident of Wingspread

Provided written comments during comment period opposing removal of the Weeping Willow.

Appeared at Tree Management Advisory Committee (TMAC) to oppose removal of the Weeping Willow.

Timely filed appeal of the removal of the Weeping Willow.



## Points of Appeal re: Weeping Willow

Pruning of the hazardous upper dead branches is an alternative to removal.

It is unclear that tree is likely to fall and injure persons or damage property once pruned.

Tree needs major pruning not removal. Appellant would maintain at his expense following initial pruning.



## Public Comments Received/Post Appeal

### Woodman (Space #95)

Silver Maples are so large they pose a hazard to nearby homes. Branch drop in high winds creates a mess. Two units previously damaged by falling trees, and mobile homes are not designed to handle falling trees.

### Lynde (Space #19)

The Willow tree is behind her home and appears to be dying from the top down. Believes it is a hazard - It hangs over her home and she doesn't want it to fall. It has also gotten very messy, dropping branches on her porch and yard. Emphasized that she believes the tree is a hazard and she supports the arborist's recommendation to remove the tree.



PA-APPEAL-2023-00018 Appeal of PA-TI-2023-00210

### Staff Recommendation

- Arborist indicates large limbs are likely to fall in the next several years.
- Decay in stem from large wounds has not compartmentalized, and prior pruning has caused epicormic growth over nearby dwelling.
- These issues and rapid decline in upper canopy makes tree very hazardous to those living nearby.
- Pruning would leave very little canopy with a high probability of more epicormic growth that become very hazard over time. *The only practical approach is to completely remove the willow.*



## Staff Recommendation

- Tree Management Advisory Committee (TMAC) was sensitive to appellant's concerns, but ultimately supported the professional arborist's recommendations.
- Based on the arborist recommendations, supported by the Tree Management Advisory Committee, staff believe the proposal satisfies the criteria for a hazard tree removal.
- Staff do not believe the criteria provide a basis to require that the tree be retained subject to a third-party agreement to maintain.
- Staff recommends that the appeal be denied and the original approval upheld.



ANY QUESTIONS?



# **TYPE II PUBLIC HEARING**

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**PA-T2-2023-00043**  
**192 North Mountain Avenue**



**NOTICE OF APPLICATION**

**PLANNING ACTION:** PA-T2-2023-00043  
**SUBJECT PROPERTY:** 192 North Mountain Avenue  
**OWNER/ APPLICANT:** KDA Homes, LLC  
**DESCRIPTION:** A request for a modification of the previously approved Outline Plan (PA-T3-2021-00003), and revised Final plan for the third phase of the Beach Creek Subdivision. The proposal revises the subdivision plan to include a private alley and to add one additional lot. The project is currently under construction with Phases I and II recorded and houses under construction. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-5; **ASSESSOR'S MAP:** 39 1E 10; **TAX LOT #'s:** 800

**NOTICE OF COMPLETE APPLICATION:** October 25, 2023  
**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** November 8, 2023

**ASHLAND PLANNING COMMISSION MEETING:** *Tuesday November 14, 2023 at 7:00 PM*



**COMMUNITY DEVELOPMENT DEPARTMENT**

51 Winburn Way  
 Ashland, Oregon 97520  
[ashland.or.us](http://ashland.or.us)

Tel: 541.488.5305  
 Fax: 541.552.2050  
 TTY: 800.735.2900

The Ashland Planning Division Staff has received a complete application for the property noted on Page 1 of this notice.

A copy of the application, including all documents, evidence and applicable criteria are available online at “What’s Happening in my City” at <https://gis.ashland.or.us/developmentproposals/>. Copies of application materials will be provided at reasonable cost, if requested. Application materials may be requested to be reviewed in-person at the Ashland Community Development & Engineering Services Building, 51 Winburn Way, via a pre-arranged appointment by calling (541) 488-5305 or emailing [planning@ashland.or.us](mailto:planning@ashland.or.us).

Any affected property owner or resident has a right to submit written comments within the 14-day comment period to [planning@ashland.or.us](mailto:planning@ashland.or.us) or to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown on Page 1.

Ashland Planning Division Staff determine if a land use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting the application. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff’s decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

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

If you have questions or comments concerning this request, please feel free to contact Aaron Anderson at 541-552-2052 or [aaron.anderson@ashland.or.us](mailto:aaron.anderson@ashland.or.us)

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator’s office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. (28 CFR 35.102.-35.104 ADA Title I).

## **MINOR MODIFICATIONS**

### **18.5.6.040**

- C. Minor Modification Approval Criteria. A Minor Modification shall be approved only upon the approval authority finding that all of the following criteria are met.
1. Minor Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request. For example, a request to modify a commercial development’s parking lot shall require Site Design Review only for the proposed parking lot and any changes to associated access, circulation, etc. Notice shall be provided in accordance with chapter 18.5.1.
  2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be deemed a Major Modification and/or may be subject to other ordinance requirements.
  3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings; except that conditions of approval do not apply, and findings are not required, where the original approval was approved through a Ministerial review.

## **OUTLINE PLAN SUBDIVISION APPROVAL**

### **18.3.9.040.A.3**

Approval Criteria for Outline Plan. The Planning Commission shall approve the outline plan when it finds all of the following criteria have been met.

## **COMMUNITY DEVELOPMENT DEPARTMENT**

51 Winburn Way  
Ashland, Oregon 97520  
[ashland.or.us](http://ashland.or.us)

Tel: 541.488.5305  
Fax: 541.552.2050  
TTY: 800.735.2900





- a. The development meets all applicable ordinance requirements of the City.
- b. Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.
- c. The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.
- d. The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.
- e. There are adequate provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- f. The proposed density meets the base and bonus density standards established under this chapter.
- g. The development complies with the Street Standards.
- h. The proposed development meets the common open space standards established under section [18.4.4.070](#). Common open space requirements may be satisfied by public open space in accordance with section [18.4.4.070](#) if approved by the City of Ashland.

**APPROVAL CRITERIA FOR FINAL PLAN**  
**18.3.9.040.B.5**

Final Plan approval shall be granted upon finding of substantial conformance with the Outline Plan. This substantial conformance provision is intended solely to facilitate the minor modifications from one planning step to another. Substantial conformance shall exist when comparison of the outline plan with the final plan meets all of the following criteria.

- a. The number of dwelling units vary no more than ten percent of those shown on the approved outline plan, but in no case shall the number of units exceed those permitted in the outline plan.
- b. The yard depths and distances between main buildings vary no more than ten percent of those shown on the approved outline plan, but in no case shall these distances be reduced below the minimum established within this Ordinance.
- c. The open spaces vary no more than ten percent of that provided on the outline plan.
- d. The building size does not exceed the building size shown on the outline plan by more than ten percent.
- e. The building elevations and exterior materials are in conformance with the purpose and intent of this ordinance and the approved outline plan.
- f. That the additional standards which resulted in the awarding of bonus points in the outline plan approval have been included in the final plan with substantial detail to ensure that the performance level committed to in the outline plan will be achieved.
- g. The development complies with the Street Standards.
- h. Nothing in this section shall limit reduction in the number of dwelling units or increased open space provided that, if this is done for one phase, the number of dwelling units shall not be transferred to another phase, nor the open space reduced below that permitted in the outline plan.

**COMMUNITY DEVELOPMENT DEPARTMENT**

51 Winburn Way  
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Tel: 541.488.5305  
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# **Staff Report**



# Beach Creek Minor Modification

## PA-T2-2023-00043 modifying PA-T3-2021-00003

REQUEST: A request for a modification of the previously approved Outline Plan PA-T3-2021-00003 and revised Final plan for the third phase of the Beach Creek Subdivision. The proposal revises the subdivision plan to include a private alley and to add one additional lot. The project is currently under construction with Phases I and II recorded and houses under construction.

### Proposal Details

The applicants will be requesting a Minor Modification to revise the approved subdivision plan to include a private alley and to add one additional lot within the Phase III area of the development.

### Project History

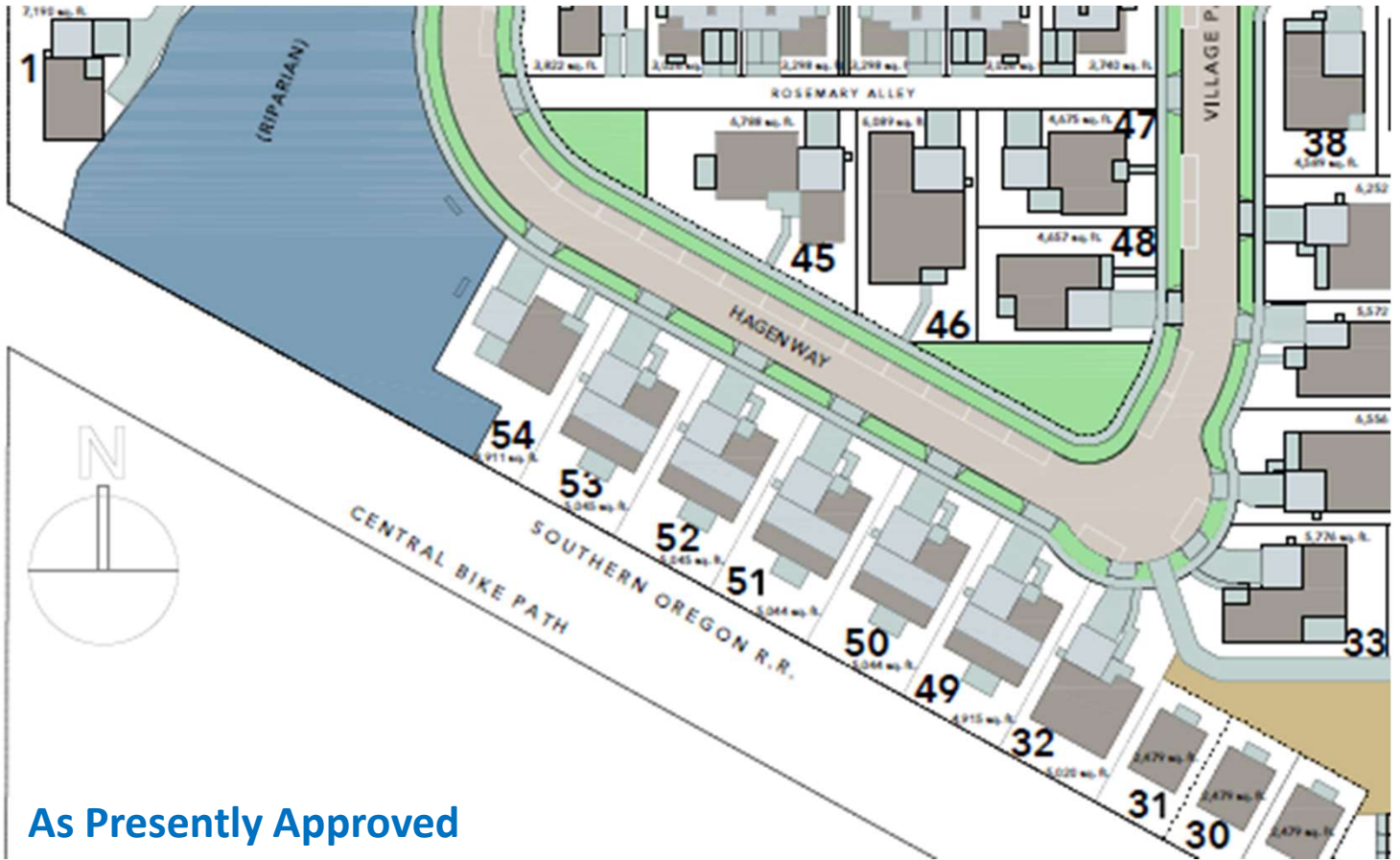
The Planning Commission and eventually the City Council approved the property's annexation into the City in November of 2021, (PA-T3-2021-00003). The Final Plan and Site Review was approved in March of 2022 (PA-T1-2021-00173). The project is currently under construction with Phases I and II recorded and houses under construction. The historic farmhouse has been completely restored and is now occupied.

The proposal is for a modification of the original subdivision plan to include an alley and add one additional lot.

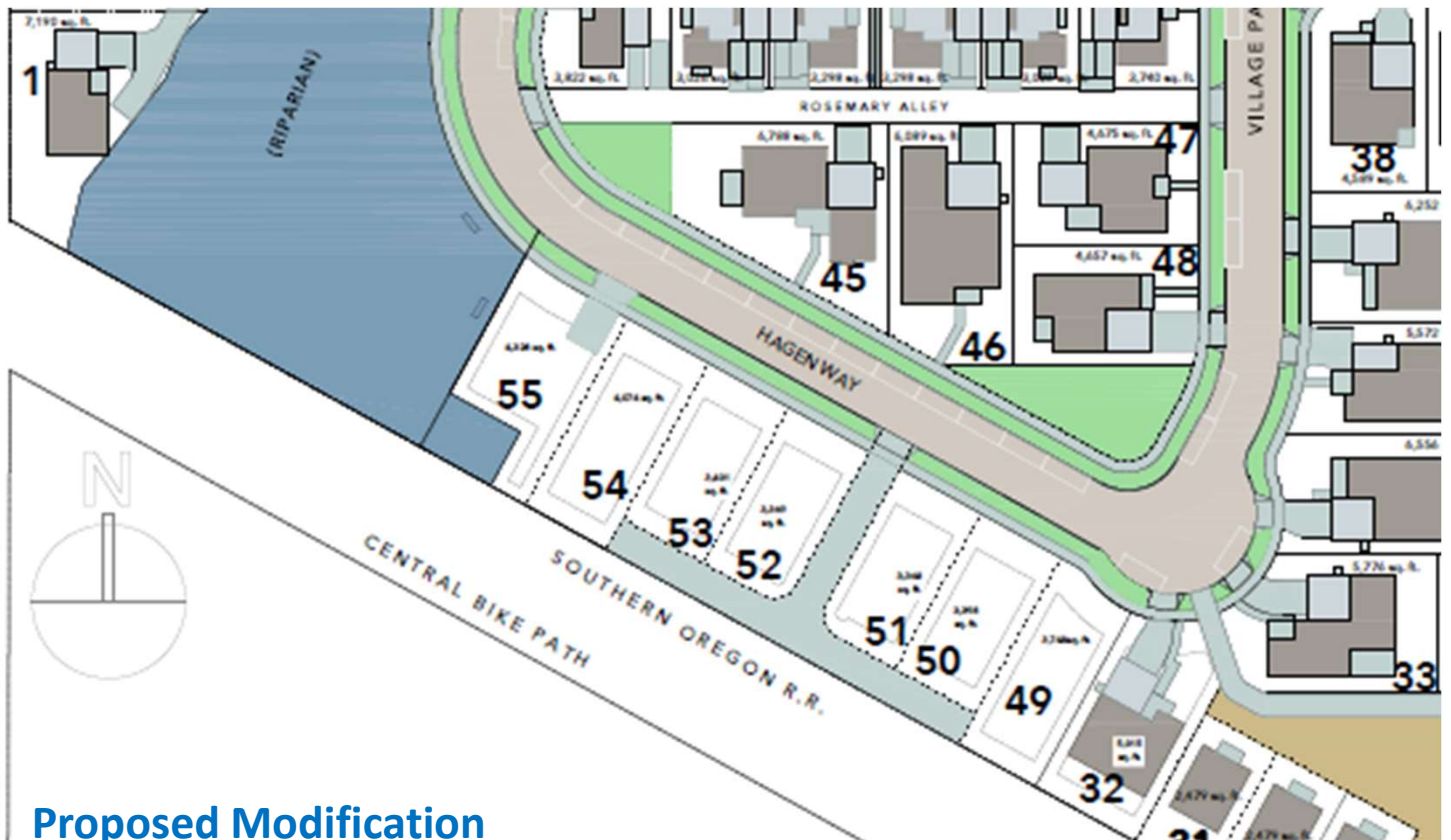
### Alley Addition

The applicants have re-evaluated the original neighborhood plan, house designs and pedestrian amenities and have concluded the lots along the railroad tracks lacked livability due to their adjacency to the railroad tracks as well as the subdivision itself, most of which has been designed with alleys or the central promenade to focus on pedestrian mobility and human scale architecture. The applicants now contend livability along the railroad tracks would be improved if the units' "living orientation" faced the street and not the railroad tracks - thus the idea of an alley.

# Beach Creek Minor Modification



As Presently Approved



Proposed Modification

**ASHLAND PLANNING DEPARTMENT  
STAFF REPORT**

November 14, 2023

**PLANNING ACTION:** PA-T2-2023-00043 modifying PA-T3-2021-00003

**OWNER/APPLICANT:** KDA Homes

**LOCATION:** 192 N Mountain  
391E10 Tax Lot 800

**ZONE DESIGNATION:** R-1-5 (partly within the “-P” Performance Standards Overlay)

**COMP. PLAN DESIGNATION:** Single Family Residential

**ORDINANCE REFERENCES:** 18.2.4 General Regulations for Base Zones  
18.2.5 Standards for Residential Zones  
18.5.1 General Review Procedures  
18.5.3 Land Divisions and Property Line Adjustments  
18.6.1 Definitions

**APPLICATION DATE:** October 12, 2023

**PUBLIC NOTICE:** October 25, 2023

**MEETING DATE:** November 14, 2023

**120-DAY DEADLINE:** February 22, 2024

**REQUEST:** A request for a modification of the previously approved Outline Plan (PA-T3-2021-00003), and revised Final plan for the third phase of the Beach Creek Subdivision. The proposal revises the subdivision plan to include a private alley and to add one additional lot. The project is currently under construction with Phases I and II recorded and houses under construction.

**I. Relevant Facts**

The applicant provides the following history: “The Planning Commission and eventually the City Council approved the property’s annexation into the City in November of 2021, (PA-T3-2021-0003). The Final Plan and Site Review was approved in March of 2022 (PA-T1-2021-00173). The project is currently under construction with Phases I and II recorded and houses under construction. The historic farmhouse has been completely restored and is now occupied.”

**Site Description**

In the initial approval for annexation the property was described as follows: “Tax lot #800 of Map 39 1E 10 is located at 192 North Mountain Avenue, on the east side of North Mountain Avenue between the railroad tracks and Clear Creek Drive. The subject property is ten acres in area, with approximately 2.1 acres within the current city limits

and zoned R-1-5-P (Single Family Residential) and the remaining 7.9 acres within the city's Urban Growth Boundary (UGB) in Jackson County and zoned County RR-5 (Rural Residential). With the current request, the 7.9 acres outside the city limits would be annexed into the city with R-1-5-P zoning and developed.”

### **Current Proposal**

As mentioned above the applicants are requesting a Minor Modification to revise the approved subdivision plan to include a private alley and to add one additional parcel within the Phase III area of the development.

### **Minor Modification**

The approval criteria for a Minor Modification are in Ashland Municipal Code (AMC) 18.5.6.040.

#### 18.5.6.040.C. Minor Modification Approval Criteria.

1. Minor Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request.

The application provided the following response: The Beach Creek Subdivision was originally approved under AMC 18.3.9.040 A.3., Outline Plan Approval Criteria, which has been included below followed by the applicant's Findings of Fact as to how the proposed minor modification request continues to comply with the same Outline Plan Criteria as originally approved under.

2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be deemed a Major Modification

The application provided the following response: The subject minor modification request does not seek a new or alter an existing Conditional Use Permit or seek a Variance, Administrative Variance, or Exception request.

3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings;

The Planning Commission will adopt findings satisfying this approval criteria.

### **Outline Plan**

With regard to Outline Plan the only item that needs analysis with regard to the proposed modification is criterion “F” as it deals with density standards.

- f. The proposed density meets the base and bonus density standards

The application materials provide the following response: The subject parent property is 10 acres in size and zoned R-1-5 with a base density of 4.5 units per acre or 45 total units. The applicants were approved for a total of 52 units with a 16% Density Bonus under



Chapter 18.3.9.050 Performance Standards for Residential Developments with the inclusion of eight affordable housing units (at a 2:1 ratio or 8 bonus units) as well as conservation housing certifications with all the new housing which allows for an additional four bonus units for a total of 12 additional units above the base 45 units (57). With this application, the total number of units, not including accessory residential units, would be 53 units, or 4 less than permissible.

### **Final Plan**

With regard to Final Plan, the two approval criteria that needs analysis with regard to the proposed modification are items A&B below.

- a. The number of dwelling units ... in no case shall the number of units exceed those permitted in the outline plan.
- b. The yard depths and distances between main buildings vary no more than ten percent of those shown on the approved outline plan.

The Final Plan for phase three is identical to the Outline Plan as modified above, as such both of these approval criteria are met.

### **Public Input**

Notice of the Type-II hearing was mailed to all properties within 200 feet of the subject property as well as a physical notice posted along the frontage of the property. The notice included a staff contact name and number. Subsequent to the mailing of a Notice of Application written comments about the request were received, as well as several media inquiries. These were all primarily concerned if there were to be any changes in the affordable housing requirements.

At present, two units' worth of land (i.e. Lots 12 & 13) have been transferred to address the current subdivision phase. In the next phase (or simultaneously with it), KDA will need to transfer additional land to an affordable housing provider to accommodate six more affordable units, or they have the option to construct these units themselves. All affordable units will have deed restrictions imposed by the city, ensuring that they remain affordable for at least 30 years.

Additionally, there has been email correspondence with members of the adjacent subdivision to the north (AVHOA). Staff met with them and heard their concerns with regards to the termination of a drainage line that terminates at Beach Creek and runs along the northern edge of the subdivision. Staff are working with Public Works to determine if this work was done consistent with the original subdivision approval and built to the required standards of the engineer of record for the project.

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

**18.5.6.040.C. Minor Modification Approval Criteria.** A Minor Modification shall be approved only upon the approval authority finding that all of the following criteria are met.

1. Minor Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request. For example, a request to modify a commercial development's parking lot shall require Site Design Review only for the proposed parking lot and any changes to associated access, circulation, etc. Notice shall be provided in accordance with chapter [18.5.1](#).
2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be deemed a Major Modification and/or may be subject to other ordinance requirements.
3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings; except that conditions of approval do not apply, and findings are not required, where the original approval was approved through a Ministerial review.

18.3.9.040.A.3. Approval Criteria for Outline Plan. The Planning Commission shall approve the outline plan when it finds all of the following criteria have been met:

- a. The development meets all applicable ordinance requirements of the City.
- b. Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.
- c. The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.
- d. The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.
- e. There are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- f. The proposed density meets the base and bonus density standards established under this chapter.
- g. The development complies with the street standards.
- h. The proposed development meets the common open space standards established under section [18.4.4.070](#). Common open space requirements may be satisfied by public open space in accordance with section [18.4.4.070](#) if approved by the City of Ashland.

18.3.9.040.B.5. Approval Criteria for Final Plan. Final plan approval shall be granted upon finding of substantial conformance with the outline plan. This substantial conformance provision is intended solely to facilitate the minor modifications from one planning step to another. Substantial conformance shall exist when comparison of the outline plan with the final plan meets all of the following criteria:

- a. The number of dwelling units vary no more than ten percent of those shown on the approved outline plan, but in no case shall the number of units exceed those permitted in the outline plan.

- b. The yard depths and distances between main buildings vary no more than ten percent of those shown on the approved outline plan, but in no case shall these distances be reduced below the minimum established within this ordinance.
- c. The common open spaces vary no more than ten percent of that provided on the outline plan.
- d. The building size does not exceed the building size shown on the outline plan by more than ten percent.
- e. The building elevations and exterior materials are in conformance with the purpose and intent of this ordinance and the approved outline plan.
- f. That the additional standards which resulted in the awarding of bonus points in the outline plan approval have been included in the final plan with substantial detail to ensure that the performance level committed to in the outline plan will be achieved.
- g. The development complies with the street standards.
- h. Nothing in this section shall limit reduction in the number of dwelling units or increased open space; provided, that if this is done for one phase, the number of dwelling units shall not be transferred to another phase, nor the common open space reduced below that permitted in the outline plan.

## **VI. Conclusions and Recommendations**

The applicants have submitted materials to the Planning Department to demonstrate compliance with the applicable approval standards for the proposed subdivision modification and by this reference they are incorporated here as if set out in full. In staff's assessment the application, with the conditions recommended below, satisfies the applicable approval criteria.

Staff recommends that the Planning Commission approve the application. Should the Commission concur, staff would recommend that the following conditions be attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
- 2) That all conditions of the original approvals (PA-T3-2021-0003 and PA-T1-2021-00173) shall remain in effect except as specifically modified herein.
- 3) That a final survey plat shall be submitted for review and approval within 18 months of the final decision date of this approval.
- 4) That prior to the submittal of the final survey plat for the review, approval and signature of the Ashland Planning Division:
  - a) All easements for public and private utilities, fire apparatus access, and reciprocal utility, maintenance, and access shall be indicated on the final survey plat as required by the Ashland Engineering Division.



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# **Public Comments**



**Fw: Public Comment, PA-T2-2023-00043**

Derek Severson <derek.severson@ashland.or.us>

Mon 2023-10-30 11:54 AM

To: Mark Knox <knox@mind.net>; 'Laz Ayala' <laz@kda-homes.com>

Cc: Aaron Anderson <aaron.anderson@ashland.or.us>; Brandon Goldman <brandon.goldman@ashland.or.us>

Mark & Laz,

FYI The comments below were received from James Jarrard. We'll add these to the record and address in the staff report, and I wanted to make you aware.

Thanks,

**Derek Severson, Planning Manager**

[Pronouns](#) He/him/his



**City of Ashland**

**Community Development**

51 Winburn Way, Ashland, Oregon 97520

541.552.2040 | TTY 800.735.2900

[derek.severson@ashland.or.us](mailto:derek.severson@ashland.or.us)

Online [ashland.or.us](http://ashland.or.us); social media (Facebook @CityOfAshlandOregon | Twitter @CityofAshland)

*This email transmission is official business of the City of Ashland, and it is subject to Oregon Public Records Law for disclosure and retention. If you have received this message in error, please contact me at 541.552.2040.*

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**From:** James Jarrard <jjarrard51@gmail.com>

**Sent:** Monday, October 30, 2023 11:47 AM

**To:** planning <planning@ashland.or.us>

**Cc:** James Jarrard <jjarrard51@gmail.com>; Designated Agent <designated.agent.256@gmail.com>

**Subject:** Public Comment, PA-T2-2023-00043

[EXTERNAL SENDER]

October 30, 2023

TO: City of Ashland  
Community Development Department

RE: PA-T2-2023-00043, October 25, 2023

I am writing to express concern about proposed changes to the Beach Creek subdivision plan before the builder fulfills its original affordable housing obligations. The proposed changes are distributed to nearby city residents as Planning Action: PA-T2-2023-00043 dated October 25, 2023.

As I understand, the initial agreement required the builder to provide 8 lots to nonprofit organizations for affordable housing, with no infrastructure costs. However, the builder later asked the nonprofits to pay \$70,000 per lot for infrastructure. This caused the initial partner, Habitat for Humanity, to withdraw. Subsequently, the builder agreed to fulfill its obligations for 25% of its obligations (2 of 8 lots)

While the builder has since provided 2 affordable lots, they still need to find nonprofit partners for the remaining 6 before any modifications should be approved. The builder made a commitment to this community to provide 8 affordable lots, and it is imperative that the full obligation is met. While I understand the builder's desire for flexibility, it is imperative that the city holds firm on the initial affordable housing obligations. Ashland is facing a severe shortage of affordable workforce housing. This obligation may also be codified in Ashland Municipal Code (AMC).

I urge the Commission to reject any proposed subdivision changes until the builder secures partners for the remaining 6 affordable lots. The City of Ashland has a severe shortage of affordable workforce housing. Reducing guaranteed affordable units from 8 to 2 would represent a major setback in addressing this critical need. In the absence of effective leadership in Ashland, responsibility of upholding community standards falls to the Planning Commission on this issue. The wealth and community heft of the builder (KDA Homes, Incorporated) should hold no sway with the Planning Commission.

Please stand firm and require the builder to fulfill the original affordable housing commitment of 8 lots before approving any modifications. Doing so will demonstrate Ashland's dedication to equitable development and serving the housing needs of all its residents.

Thank you for your strong leadership on this issue. I am confident the Commission will make the fair decision and hold the builder accountable to their promises.

--signed--

Sincerely,  
James P. Jarrard

Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520



October 30, 2023

City of Ashland

ATTN: Kerry KenCairn, Commissioner Position 3  
City Planning Commission

51 Winburn Way

Ashland, Oregon 97520

RE: PA-T2-2023-00043, October 25, 2023

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Sincerely,  
James P. Jarrard

Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520



October 30, 2023

City of Ashland  
ATTN: Lisa Verner, Commission Chairperson  
City Planning Commission  
51 Winburn Way  
Ashland, Oregon 97520

RE: PA-T2-2023-00043, October 25, 2023

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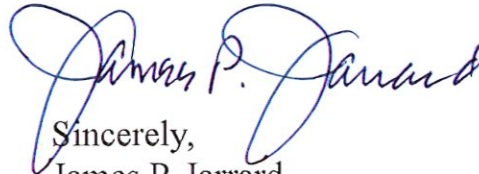
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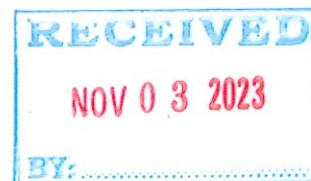


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Sincerely,  
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Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520



October 30, 2023

City of Ashland

ATTN: Gregory Perkinson, Commissioner Position 6  
City Planning Commission

51 Winburn Way

Ashland, Oregon 97520

RE: PA-T2-2023-00043, October 25, 2023

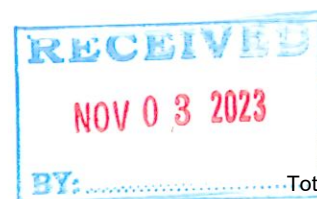
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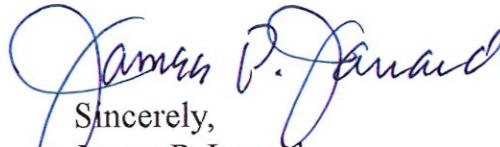
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Sincerely,  
James P. Jarrard

Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520



October 30, 2023

City of Ashland  
ATTN: Russell Phillips, Commissioner Position 2  
City Planning Commission  
51 Winburn Way  
Ashland, Oregon 97520

RE: PA-T2-2023-00043, October 25, 2023

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Sincerely,  
James P. Jarrard

Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520

RECEIVED  
NOV 03 2023  
BY: .....



October 30, 2023

City of Ashland  
ATTN: Paula Hyatt, City Council Liaison  
City Planning Commission  
51 Winburn Way  
Ashland, Oregon 97520

RE: PA-T2-2023-00043, October 25, 2023

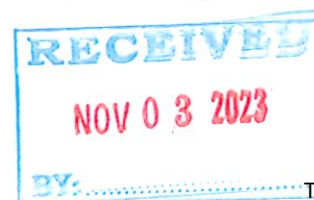
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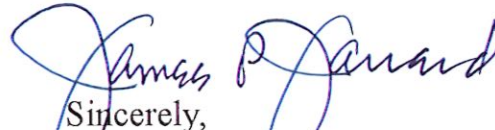
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Sincerely,  
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Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520



October 30, 2023

City of Ashland  
ATTN: Susan MacCracken Jain, Commissioner Position 1  
City Planning Commission  
51 Winburn Way  
Ashland, Oregon 97520

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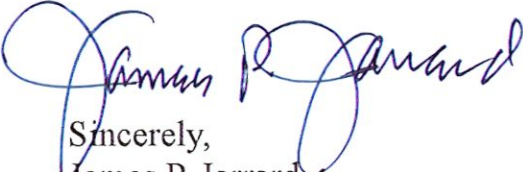
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Please stand firm and require the builder to fulfill the original affordable housing commitment of 8 lots before approving any modifications. Doing so will



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Thank you for your strong leadership on this issue. I am confident the Commission will make the fair decision and hold the builder accountable to their promises.



Sincerely,  
James P. Jarrard

Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520

RECEIVED  
NOV 03 2023  
BY: .....

October 30, 2023

City of Ashland  
ATTN: Brandon Goldman, Staff Liaison  
City Planning Commission  
51 Winburn Way  
Ashland, Oregon 97520

RE: PA-T2-2023-00043, October 25, 2023

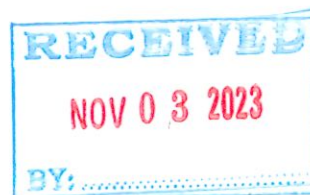
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While the builder has since provided 2 affordable lots, they still need to find nonprofit partners for the remaining 6 before any modifications should be approved. The builder made a commitment to this community to provide 8 affordable lots, and it is imperative that the full obligation is met. While I understand the builder's desire for flexibility, it is imperative that the city holds firm on the initial affordable housing obligations. Ashland is facing a severe shortage of affordable workforce housing. This obligation may also be codified in Ashland Municipal Code (AMC).

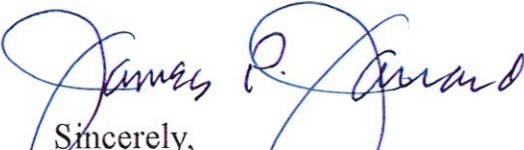
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James P. Jarrard

Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520



October 30, 2023

City of Ashland

ATTN: Doug Knauer, Commission Vice-Chairperson  
City Planning Commission

51 Winburn Way

Ashland, Oregon 97520

RE: PA-T2-2023-00043, October 25, 2023

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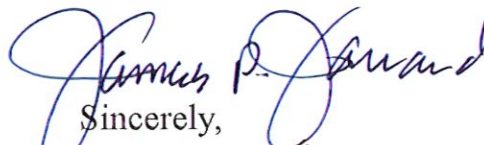
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James P. Jarrard

Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520





October 30, 2023

City of Ashland  
ATTN: Eric Herron, Commissioner Position 5  
City Planning Commission  
51 Winburn Way  
Ashland, Oregon 97520

RE: PA-T2-2023-00043, October 25, 2023

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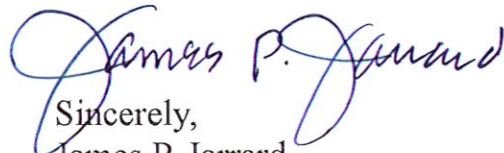
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Ashland Resident  
1072 Clear Creek Drive  
Ashland, Oregon 97520



**From:** [Brandon Goldman](#)  
**To:** [Doug McGeary](#)  
**Cc:** [Carmel Zahran](#); [Michael Sullivan](#); [Lisa Verner](#); [Derek Severson](#); [Paula Hyatt](#)  
**Subject:** Jerrard Public Comment PA-T2-2023-0043  
**Date:** Friday, November 03, 2023 3:14:40 PM  
**Attachments:** [image001.png](#)  
[2023-10-25 Public Comment Jarrard - Goldman.pdf](#)  
[image002.png](#)

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City Attorney McGeary,

I am writing to address a matter of significant concern related to the public comments submitted by Mr. Jerrard on a proposed amendment to the Beach Creek Subdivision recently submitted by KDA Homes. Both the City Planning Department and individual Planning Commissioners have received correspondence from Mr. Jerrard urging the Commission not to approve the aforementioned amendment which was publicly noticed and will be presented to the Planning Commission in the coming month. These public comment letters submitted by Mr. Jerrard were received within the stipulated timeframe and will be included in the upcoming Planning Commission packets relating to the planning action.

I am not reaching out to discuss Mr. Jerrard's position on the planning application proposed but to address a specific allegation made in his letters.

Mr. Jerrard asserts that the developer, KDA Homes, requested a payment of \$70,000 be made by Habitat for Humanity, to me directly in connection with their affordable housing partnership. I want to clarify unequivocally that this claim is entirely false. There appears to be a critical error in his letters, as it has come to my attention that the same accusation was made against various recipients including Staff, Planning Commissioners, and the Council Liaison to the Planning Commission, with the insertion of their individual names into the text concerning the alleged payment. A snippet of the letter is below with the relevant sentence highlighted.

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The erroneous assertion by Mr. Jerrard that City Staff, Planning Commission members, or the Council Liaison were to be paid direct payments in relation to this subdivision is not only baseless but also damaging. There is no truth to this allegation, and I am concerned that such misinformation now part of the public record, even if made in error, could be misconstrued as fact. To address this potential, a copy of this response clarification letter will also be included in the planning record.

Given that the receipt of these letters could raise questions during the upcoming deliberations on the planning application, I felt it necessary to inform you of this issue promptly. It is important that both the integrity of our processes and the reputations of the individuals and entities involved are not wrongfully tarnished by such allegations.

Attached please find a copy of Mr. Jerrard's letter which was addressed to me directly and received by mail today. Should you require any further clarification on this matter or if any questions arise, please do not hesitate to reach out to me.

Thank you for your attention to this important issue.

**Brandon Goldman, AICP**

**Director of Community Development**

Pronouns: he, him, his



*Better Together*

**City of Ashland**

**Community Development**

51 Winburn Way, Ashland, Oregon 97520

541-552-2076 | TTY 800.735.2900

Brandon.goldman@ashland.or.us

Online [ashland.or.us](http://ashland.or.us); social media (Facebook @CityOfAshlandOregon | Twitter @CityofAshland)

*This email transmission is official business of the City of Ashland, and it is subject to Oregon Public Records Law for disclosure and retention. If you have received this message in error, please contact me at 541-552-2076.*

cc. Carmel Zahan  
Lisa Verner  
Michael Sullivan  
Derek Severson  
Paula Hyatt

**From:** [Doug McGeary](#)  
**To:** [Brandon Goldman](#)  
**Cc:** [Carmel Zahran](#); [Michael Sullivan](#); [Lisa Verner](#); [Derek Severson](#); [Paula Hyatt](#)  
**Subject:** RE: Jerrard Public Comment PA-T2-2023-0043  
**Date:** Monday, November 06, 2023 12:50:06 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Dear Brandon,

I appreciate our phone conversation last Friday regarding Mr. Jarrard's letter. It served as a reminder that our office had advised staff not to engage with Mr. Jarrard's repeated and confrontational comments. However, this time, his accusations have crossed a line and become part of the public record in the land use matter, necessitating a response.

In his letter, Mr. Jarrard alleges that you received money from the land use applicant through one of the involved parties. While Mr. Jarrard's statement could be seen as an accusation of wrongdoing against you and others, such a significant claim should, in theory, be evident to everyone and easily refuted due to the lack of evidence or explanation. Additionally, you noted that essentially identical letters, with only the names changed, have been sent to other official parties involved in this matter. We both observed that there is an absence of spacing between your name and the dollar sign in the alleged monetary figure. This suggests a likely systemic error in inserting names in the word processing process. Such errors make the preposterousness of his claims even more evident.

Considering Mr. Jarrard's history and the identical letters sent to others, it's clear that these accusations lack credibility. Rather than seeking a retraction from Mr. Jarrard, which I doubt he would provide, your response letter effectively addresses the issue and documents our stance. If you believe it would be beneficial, I'm willing to include this response in the official record for a more comprehensive review.

Thank you for your attention to this matter.

Douglas M McGeary  
Acting City Attorney  
City of Ashland  
20 E. Main Street  
Ashland, Oregon 97520  
(541) 552-2091

This electronic transmission contains **PRIVILEGED AND CONFIDENTIAL** information and is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, use, distribution or copying of this communication is strictly prohibited.

---

**From:** Brandon Goldman <[brandon.goldman@ashland.or.us](mailto:brandon.goldman@ashland.or.us)>

**Sent:** Friday, November 3, 2023 3:15 PM

**To:** Doug McGeary <doug.mcgeary@ashland.or.us>

**Cc:** Carmel Zahran <carmel.zahran@ashland.or.us>; Michael Sullivan <michael.sullivan@ashland.or.us>; Lisa Verner <lisaverner815@icloud.com>; Derek Severson <derek.severson@ashland.or.us>; Paula Hyatt <Paula.Hyatt@council.ashland.or.us>

**Subject:** Jerrard Public Comment PA-T2-2023-0043

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cc. Carmel Zahan  
Lisa Verner  
Michael Sullivan  
Derek Severson  
Paula Hyatt

**From:** [Kay Sandberg](#)  
**To:** [planning](#)  
**Cc:** [Aaron Anderson](#)  
**Subject:** questions for 11/14/23 meeting  
**Date:** Monday, November 06, 2023 3:18:21 PM

---

[EXTERNAL SENDER]

Hello,

I have a few questions for the 11/14 meeting regarding the Beach Creek development that I ask to be included in the meeting that evening...

1. What are the specific plans for affordable housing--all/only cottages? locations? all to be completed by Habitat for Humanity and if so, when (please update)?
2. What is the timeframe for phase 3; is this the parcel of field nearest the tracks?
3. Who may we contact at KDA Homes with further questions or concerns who will be responsive to our inquiries and answer in a timely manner?
4. When will the Orchid Street entrance no longer be used for trucks and other construction vehicles (approximate date)?
5. Will the public be permitted to ask questions and make comments at the meeting?

Thank you. kind regards,  
Kay Sandberg



---

# **Applicant Submittal**





Planning Division  
 51 Winburn Way, Ashland OR 97520  
 Phone: 541-488-5305 Fax: 541-488-6006  
 Email: Planning@ashland.or.us

# ZONING PERMIT APPLICATION

FILE # \_\_\_\_\_

**DESCRIPTION OF PROJECT**

*Modification of Subdivision*

**DESCRIPTION OF PROPERTY**

Pursuing LEED® Certification?  YES  NO

Street Address *VACANT PROPERTY*

Assessor's Map No. 39 1E \_\_\_\_\_ Tax Lot(s) \_\_\_\_\_

Zoning *R-1-S* Comp Plan Designation *SFR*

**APPLICANT**

Name *KDA HOMES, LLC* Phone *541-821-3752* E-Mail *KNOX@MIND-NET*

Address *604 FAIR OAKS COURT* City *Ashland* Zip *97520*

**PROPERTY OWNER**

Name *KDA HOMES, LLC* Phone *"* E-Mail *"*

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

**SURVEYOR, ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OTHER**

*SFR Attached*

Title \_\_\_\_\_ Name \_\_\_\_\_ Phone \_\_\_\_\_ E-Mail \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Title \_\_\_\_\_ Name \_\_\_\_\_ Phone \_\_\_\_\_ E-Mail \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location found to be incorrect, the owner assumes full responsibility. I further understand that if this request is subsequently contested, the burden will be on me to establish:

- 1) that I produced sufficient factual evidence at the hearing to support this request;
- 2) that the findings of fact furnished justifies the granting of the request;
- 3) that the findings of fact furnished by me are adequate; and further
- 4) that all structures or improvements are properly located on the ground.

Failure in this regard will result most likely in not only the request being set aside, but also possibly in my structures being built in reliance thereon being required to be removed at my expense. If I have any doubts, I am advised to seek competent professional advice and assistance.

**Applicant's Signature**

Date

*10-12-23*

As owner of the property involved in this request, I have read and understood the complete application and its consequences to me as a property owner.

**Property Owner's Signature (required)**

Date

*10-12-23*

(To be completed by City Staff)

Date Received \_\_\_\_\_ Zoning Permit Type \_\_\_\_\_ Filing Fee \$ \_\_\_\_\_

OVER >>

***“BEACH CREEK SUBDIVISION”***

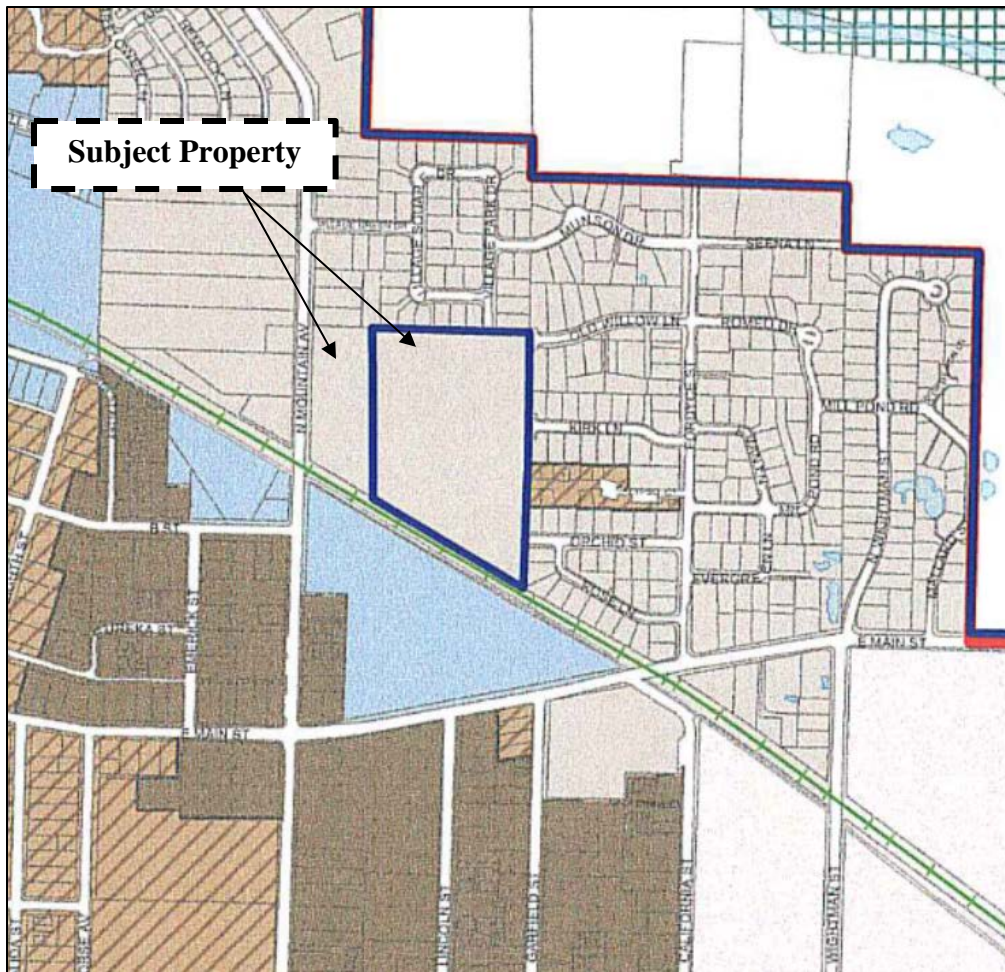
**APPLICATION**

**FOR A**

**MINOR MODIFICATION TO THE APPROVED BEACH CREEK  
SUBDIVISION TO REVISE THE SUBDIVISION PLAN TO INCLUDE  
A PRIVATE ALLEY AND TO ADD ONE ADDITIONAL LOT.**

**SUBMITTED TO  
CITY OF ASHLAND**

**FOR  
KDA HOMES  
604 FAIR OAKS COURT  
ASHLAND, OR 97520**



*Comprehensive Plan Map*

**OCTOBER 10<sup>TH</sup>, 2023**

**I. PROJECT INFORMATION:**

**PROJECT NAME:** “Beach Creek Subdivision”

**LEGAL DESCRIPTION:** 391E 10 Tax Lot 800 (Phase III - remainder area)

<b>APPLICANT:</b> KDA Homes, LLC 604 Fair Oaks Court Ashland, OR 97520 Tel: 541.821.3752	<b>DESIGNER:</b> Lindemann Design 550 W. Nevada Street Ashland, OR 97520 Tel: 503.866.4742	<b>ENGINEERS:</b> Construction Engineering Consultants P.O. Box 1724 Medford, Oregon 97501 Tel: 541.779.5268
<b>SURVEYOR:</b> Polaris Land Surveying, LLC 151 Clear Creek Dr #101, Ashland, OR 9752 Tel: 541-482-5009	<b>BIOLOGIST:</b> Schott & Associates 21018 NE Hwy 99E Aurora, OR 97002 Tel: 503.678.6007	<b>LANDSCAPE DESIGN / ARBORIST:</b> Madara Design, Inc. 2994 Wells Fargo Road Central Point, OR 97502 Tel: 541.944.4287

**PROJECT ZONING:** R-1-5.

**PROJECT COMPREHENSIVE PLAN:** Single Family Residential.

**PROJECT PROPOSAL:** The applicants will be requesting a Minor Modification to revise the approved subdivision plan to include a private alley and to add one additional parcel within the Phase III area of the development.

**PROJECT HISTORY & SITE DESCRIPTION:** The Planning Commission and eventually the City Council approved the property’s annexation in to the City in November of 2021, (PA-T3-2021-0003). The Final Plan and Site Review was approved in March of 2022 (PA-T1-2021-00173). The project is currently under construction with Phases I and II recorded and houses under construction. The historic farm house has been completely restored and is now occupied.

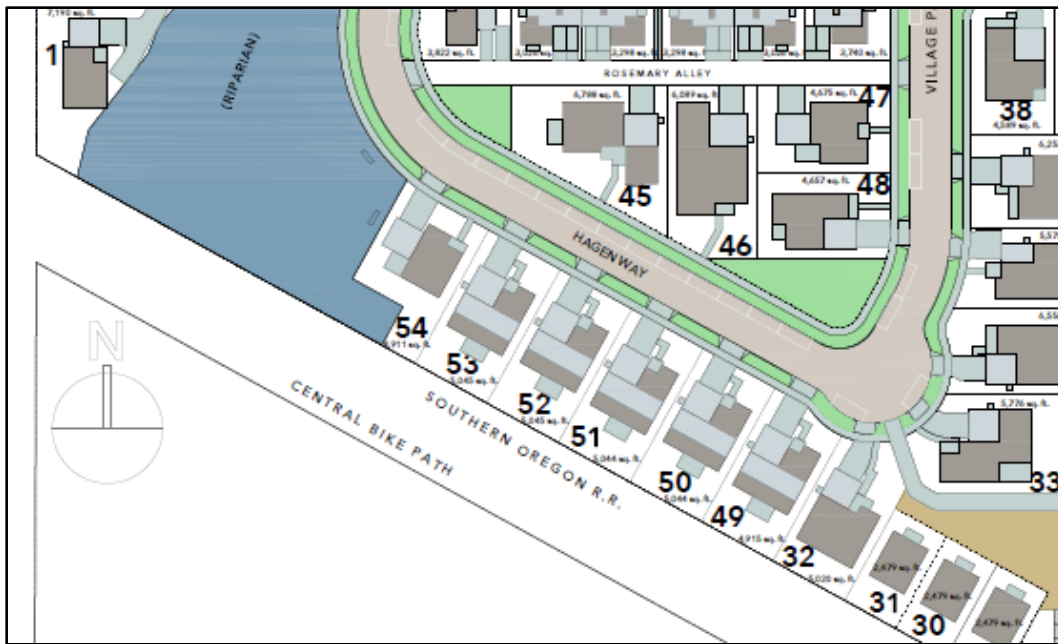
The property lays within the center of the City of Ashland with North Mountain Avenue to the west, the Central Oregon Pacific Railroad (to the south), the Ashland Village Subdivision (c1997) to the north and various subdivisions to the east (Ashland Willows (c1998), Sunnyview (c1993), Bear Grass Village (c2007) and Ashland Parkview (c 1995).

Beach Creek traverses through the property, day lighting at its southern end adjacent to the railroad tracks and extending northerly to and through the adjacent subdivision to the north. A number of large trees exist, but primarily within the vicinity of the house and a few along Beach Creek. An extensive amount of invasive Blackberry plants within the riparian corridor have been removed and new native plants and trees planted since construction. The property is relatively unobstructed with a gradual south to north slope of roughly 3%. \*Note: The large mound of dirt recently piled along the railroad tracks is to be removed.

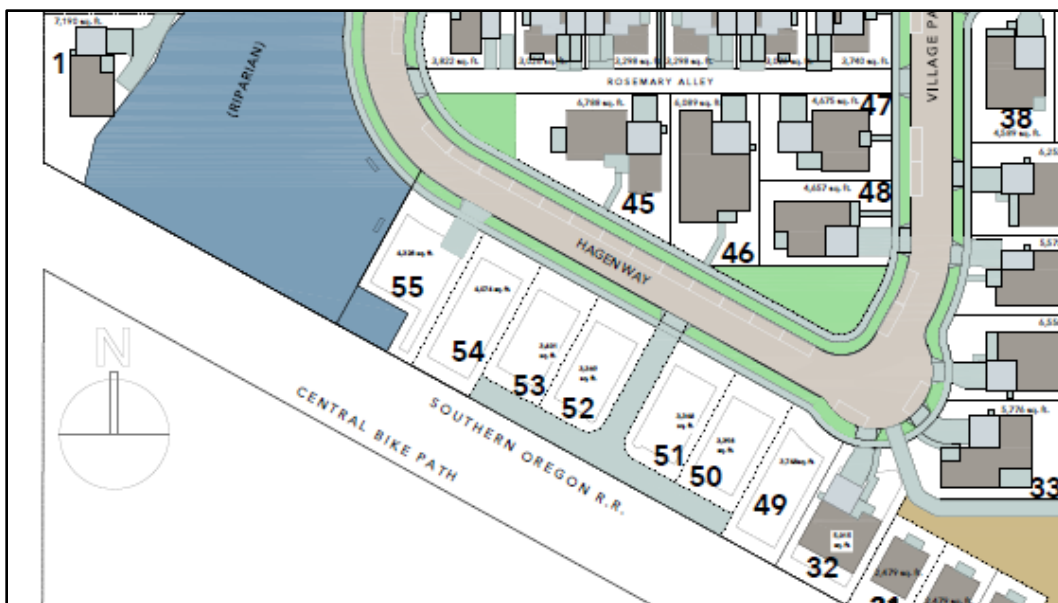
## II. PROPOSAL:

The proposal is for a modification of the original subdivision plan to include an alley and add one additional lot.

Alley Addition: The applicants have re-evaluated the original neighborhood plan, house designs and pedestrian amenities and have concluded the lots along the railroad tracks lacked livability due to their adjacency to the railroad tracks as well as the subdivision itself, most of which has been designed with alleys or the central promenade to focus on pedestrian mobility and human scale architecture. The applicants now contend livability along the railroad tracks would be improved if the units' "living orientation" faced the street and not the railroad tracks - thus the idea of an alley. See inserts below.



*Currently Approved Subdivision Layout*



*Proposed Subdivision Layout*

The proposed rear alley is intended to be a private alley and allows for vehicles to enter and exit from the alley helping to buffer the homes from the railroad right-of-way. The existence of the alley also allows each homes front yards to not only be more attractive with landscaping and entry features, but also the ability for the tenants to activate the streetscape.

Added Lot: With the addition of the alley, the applicants have the ability to add a single family detached lot as alley loaded lots are often narrower than standard lots, thus providing the opportunity to gain a single lot and retain the applicant's original intent to create a positive streetscape whenever possible. That said, Lots #32 and #55 were excluded from having alley access due to the encumbrance of a vehicle's turnaround needs on small lots and/or encumbrance of the adjacent creek.

*\*\* NOTE: It should be understood the lot number sequencing has changed since the subdivision's original approval due to State of Oregon Surveying requirements when subdivision phasing occurs. In short, the State of Oregon now requires the subdivision's lot number sequencing to "skip" a lot number between each phase. In this case, the proposal is for 53 lots total to be subdivided in three phases therefore the lot numbering extends to 55, but only 53 lots are proposed.*

### **III. PROJECT FINDINGS OF FACT:**

The following information has been provided by the applicants to help the Planning Staff, Planning Commission and neighbors better understand the proposed project. In addition, the required *findings of fact* have been provided to ensure the proposed project meets the requirements and procedures outlined in the Ashland Municipal Code (AMC) pertaining to Performance Standards Options Subdivision requirements in Chapter 18.3.9 and Minor Modifications in Chapter 18.5.6.040.

*For clarity reasons, the following documentation has been formatted in "outline" form with the City's approval criteria noted in **BOLD** font and the applicant's response in regular font.*

#### **18.5.6.040 C. Minor Modification Approval Criteria**

***C. Minor Modification Approval Criteria. A Minor Modification shall be approved only upon the approval authority finding that all of the following criteria are met.***

***1. Minor Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request. For example, a request to modify a commercial development's parking lot shall require Site Design Review only for the proposed parking lot and any changes to associated access, circulation, etc. Notice shall be provided in accordance with chapter 18.5.1.***

The Beach Creek Subdivision was originally approved under AMC 18.3.9.040 A.3., Outline Plan Approval Criteria, which has been included below followed by the applicant's Findings of Fact as to how the proposed minor modification request continues to comply with the same Outline Plan Criteria as originally approved under.

***2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be deemed a Major Modification and/or may be subject to other ordinance requirements.***

The subject minor modification request does not seek a new or alter an existing Conditional Use Permit or seek a Variance, Administrative Variance, or Exception request.

***3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings; except that conditions of approval do not apply, and findings are not required, where the original approval was approved through a Ministerial review.***

Not applicable as the application's original approval was by the Ashland Planning Commission.

**AMC 18.3.9.040 A.3. Outline Plan Approval Criteria (Subdivision)**

***a. The development meets all applicable ordinance requirements of the City.***

Unless otherwise noted herein, the applicants contend the proposed alley addition and added lot meets all applicable ordinance requirements of the City of Ashland.

That said, the Purpose Statement of the Performance Standards Option Subdivision (AMC 18.3.9.010) “*is to allow an option for more flexible design than is permissible under the conventional zoning codes. The design should stress energy efficiency, architectural creativity, and innovation; use the natural features of the landscape to their greatest advantage; provide a quality of life equal to or greater than that provided in developments built under the standard zoning codes; be aesthetically pleasing; provide for more efficient land use; and reduce the impact of development on the natural environment and neighborhood*”.

As such, through the use of flexible design, the applicants contend the minor modification not only is consistent with the subdivision's design and innovations as outlined previously where Earth Advantage homes are to be constructed with an architectural style that provides for a variety of housing types consistent with the volume and mass of housing in the adjoining subdivisions.

***b. Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.***

All of the site's needed utilities extend to the subject property from the various public utility easements and street rights-of way surrounding site. Based on discussions with the various service providers, there is adequate capacity to serve the proposed lot.

***c. The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.***

The site's natural features have been identified and included in the open space, common areas, and unbuildable areas of the development. The subject area as it relates to the minor modification, the area along



the railroad right-of-way, is void of any significant natural features. However, it should be noted the large mound of dirt that was recently placed in this area, paralleling the railroad right-of-way, will be removed within weeks of writing these findings.

***d. The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.***

The minor modification will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.

**e. There are adequate provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.**

The proposed alley will be private and be considered “common area” and maintained by the Beach Creek Home Owners Association. The subdivision’s Home Owner’s Association (HOA) include Conditions, Covenants and Restrictions (CC&Rs) outlining the HOA’s budget and maintenance responsibilities for such common areas.

**f. The proposed density meets the base and bonus density standards established under this chapter.**

The subject parent property is 10 acres in size and zoned R-1-5 with a base density of 4.5 units per acre or 45 total units. The applicants were approved for a total of 52 units with a 16% Density Bonus under Chapter 18.3.9.050 Performance Standards for Residential Developments with the inclusion of eight affordable housing units (at a 2:1 ratio or 8 bonus units) as well as conservation housing certifications with all the new housing which allows for an additional four bonus units for a total of 12 additional units above the base 45 units (57). With this application, the total number of units, not including accessory residential units, would be 53 units, or 4 less than permissible.

**g. The development complies with the Street Standards.**

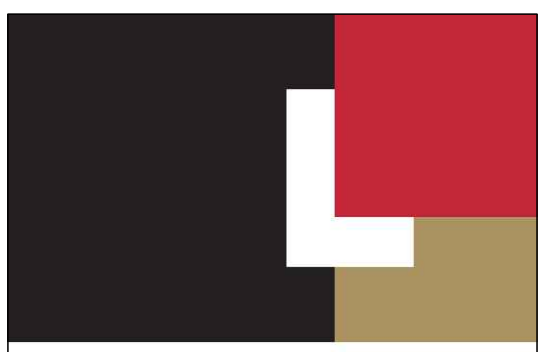
The proposal complies with the City’s Street Standards.





Beach Creek Subdivision  
Updated: 10/04/2023

1	1	158 N Mountain Ave.	7,190.00
2	2	166 N. Mountain Ave.	7,398.00
3	3	192 N. Mountain Ave.	10,035.00
4	4	196 N. Mountain Ave.	7,729.00
5			
6	5	1251 Hagen Way	4,733.00
7	6	1259 Hagen Way	4,781.00
8	7	1267 Hagen Way	4,805.00
9	8	1283 Hagen Way	4,450.00
10	9	1291 Hagen Way	4,439.00
11	10	1299 Hagen Way	4,465.00
12	11	194 Village Park Drive	4,650.00
13	12	188 Village Park Drive	4,694.00
14	13	180 Village Park Drive	6,314.00
15	14	1290 Hagen Way	3,520.00
16	15	1298 Hagen Way	3,477.00
17	16	1282 Hagen Way	3,477.00
18	17	1266 Hagen Way	3,477.00
19	18	1258 Hagen Way	2,855.00
20	19	1240 Hagen Way	5,118.00
21	20	1232 Hagen Way	3,978.00
22	21	1224 Hagen Way	3,298.00
23	22	1216 Hagen Way	3,026.00
24	23	1208 Hagen Way	3,740.00
25	24	1217 Kirk Lane	4,633.00
26	25	1221 Kirk Lane	4,658.00
27		Phase 3 Area	
28	41	1205 Orchid Street	3,024.00
29	43	1204 Orchid Street	2,479.00
30	44	1202 Orchid Street	2,479.00
31	45	1200 Orchid Street	2,479.00
32	46	1101 Hagen Way	5,015.00
33	42	120 Village Park Drive	5,776.00
34	40	128 Village Park Drive	6,556.00
35	39	136 Village Park Drive	5,572.00
36	27	142 Village Park Drive	6,252.00
37	26	1222 Kirk Lane	4,658.00
38	28	1218 Kirk Lane	4,589.00
39	29	1199 Hagen Way	3,740.00
40	30	1191 Hagen Way	3,026.00
41	31	1183 Hagen Way	3,298.00
42	32	1175 Hagen Way	3,298.00
43	33	1167 Hagen Way	3,026.00
44	34	1159 Hagen Way	3,822.00
45	35	1138 Hagen Way	6,788.00
46	36	1120 Hagen Way	6,089.00
47	37	145 Village Park Drive	4,675.00
48	38	139 Village Park Drive	4,657.00
49	47	1109 Hagen Way	3,748.00
50	48	1117 Hagen Way	3,398.00
51	49	1125 Hagen Way	3,368.00
52	50	1133 Hagen Way	3,369.00
53	51	1141 Hagen Way	3,401.00
54	52	1149 Hagen Way	4,074.00
55			4,328.00



LINDEMANN DESIGN LLC

ASSOCIATE DESIGNERS:



Adam L. Miller Design



VERSIONS

NO.	DATE	EVENT / NOTE
A	03/28/23	Updated Site Plan by Address
B	04/04/23	Updated Lot Numbers
C	06/08/23	Updated Lot Plans
D	10/05/23	Updated Lot Plans

Beach Creek Subdivision

ASHLAND, OR 97520

© LINDEMANN DESIGN LLC

OWNER:



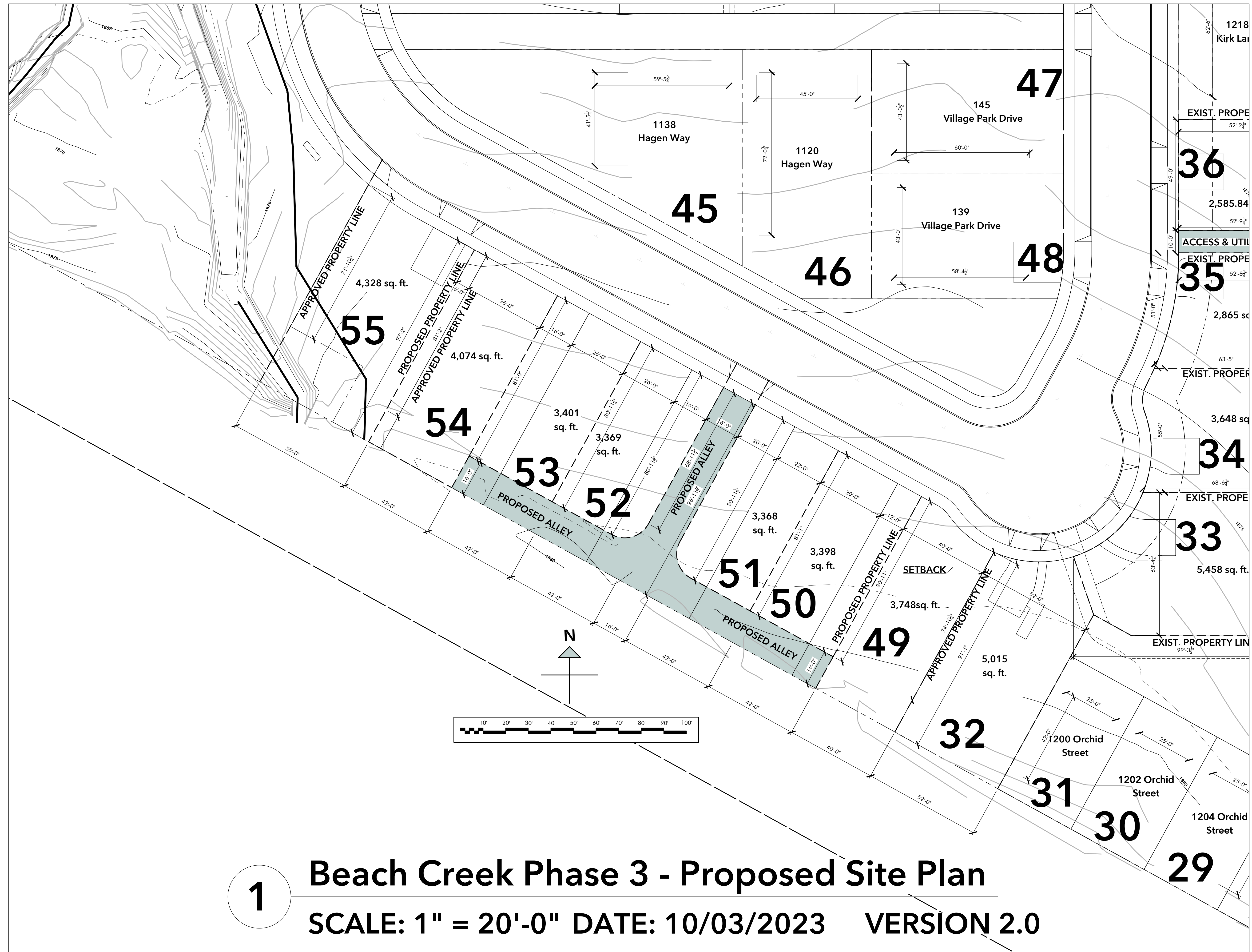
541-944-1921 Dave Decarlow  
541-821-3752 Mark Knox  
604 Fair Oaks Court, Ashland, Oregon 97520  
kda-homes.com

DRAWING TITLE:

Site Plan

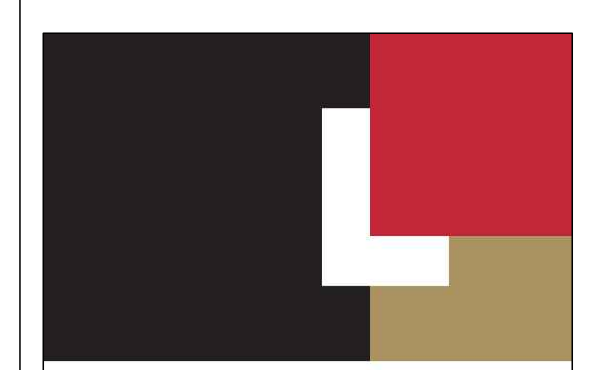
DRAWN BY:

Adam Miller | 541.513.8957  
Richard Anderson | 541.301.1497  
Cassandra del Nero | 541.905.5134



1

**Beach Creek Phase 3 - Proposed Site Plan**  
**SCALE: 1" = 20'-0" DATE: 10/03/2023 VERSION 2.0**



**LINDEMANN DESIGN LLC**

ASSOCIATE DESIGNERS:  
**ALM DESIGN** Adam L. Miller Design

**RLA Design LLC**

**DEL NERO DESIGNS LLC**

**VERSIONS**

NO.	DATE	EVENT / NOTE
A	03/28/23	Updated Site Plan by Address
B	04/04/23	Updated Lot Numbers
C	06/01/23	Updated Site Plan
D	06/29/23	Stripped Down Site Plan
E	09/20/23	Phase 3 - Railroad Lots Edit
F	09/28/23	Phase 3 - Village Park Lots Edit
G	10/03/23	Phase 3 - Submission to Planning Dept.

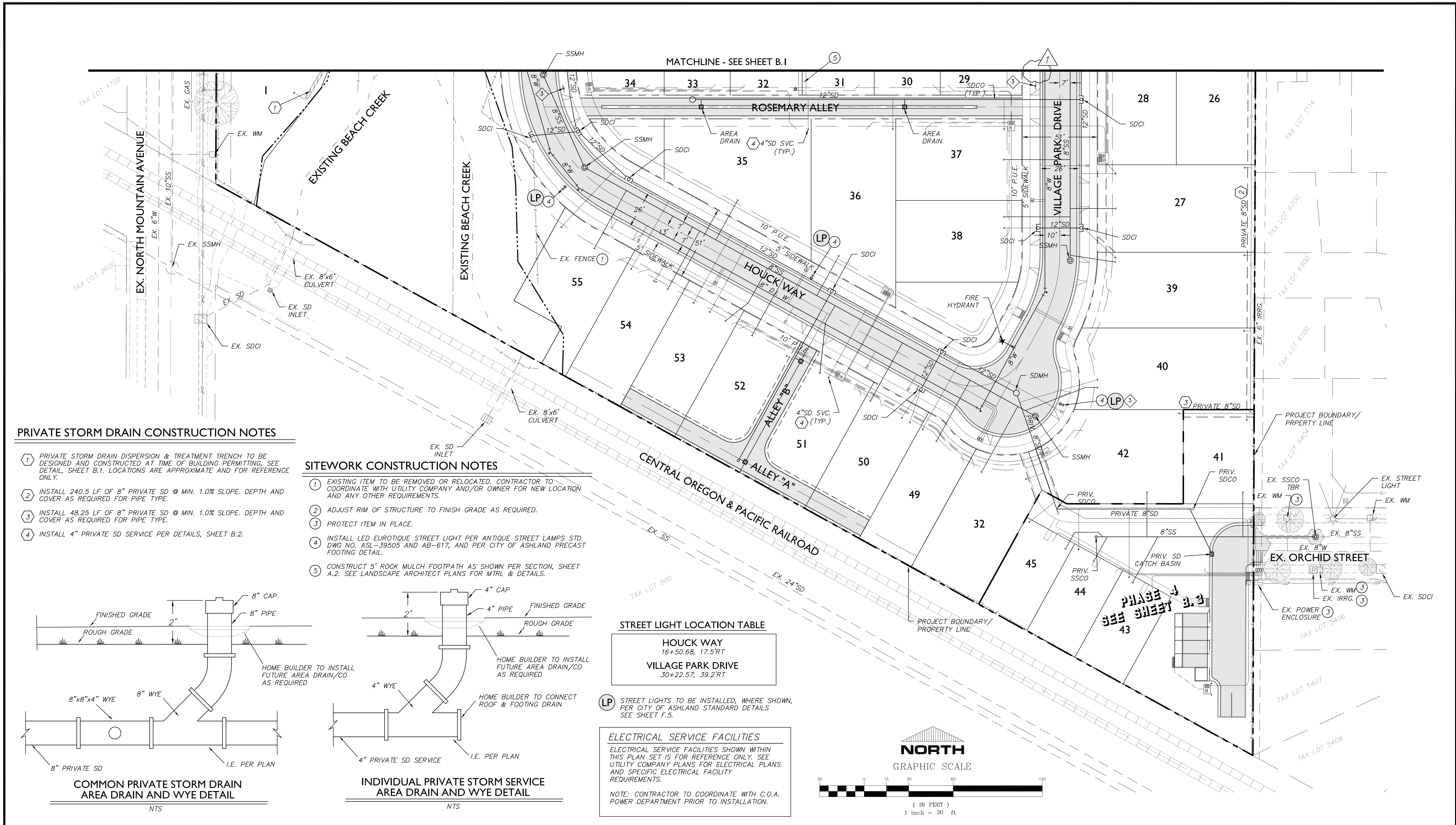
**Beach Creek Subdivision**

ASHLAND, OR 97520  
 © LINDEMANN DESIGN LLC

OWNER:  
**KDAHomes**  
 plan, develop, build  
 541-944-1921 Dave Decarlow  
 541-821-3752 Mark Knox  
 604 Fair Oaks Court, Ashland, Oregon 97520  
 kda-homes.com 03 #0380

DRAWING TITLE:  
**PHASE 3 ALT.**  
**10/03/2023**

DRAWN BY:  
 Adam Miller | 541.513.8957  
 Richard Anderson | 541.301.1497  
 Cassandra del Nero | 541.905.5134

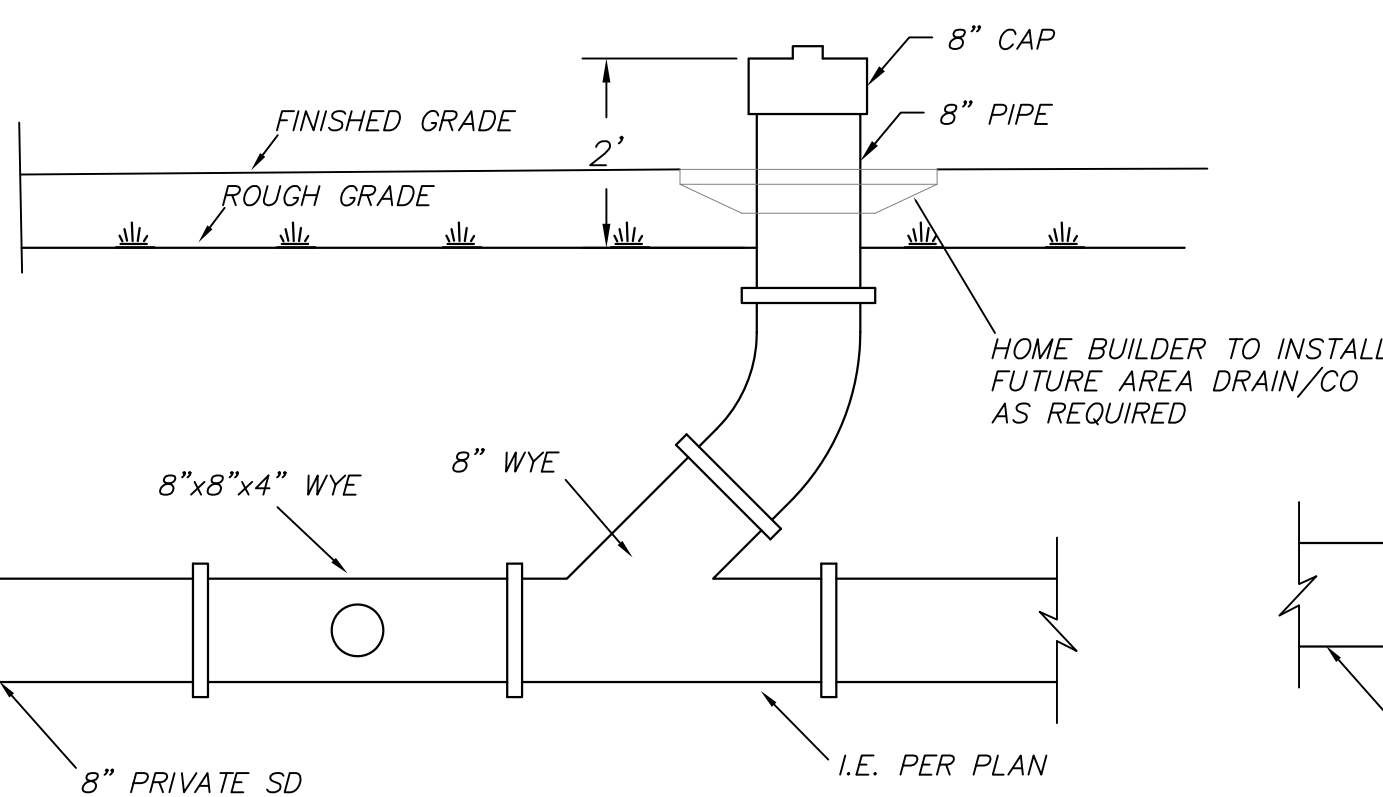


**PRIVATE STORM DRAIN CONSTRUCTION NOTES**

- ① PRIVATE STORM DRAIN DISPERSION & TREATMENT TRENCH TO BE DESIGNED AND CONSTRUCTED AT TIME OF BUILDING PERMITTING. SEE DETAIL, SHEET B.1. LOCATIONS ARE APPROXIMATE AND FOR REFERENCE ONLY.
- ② INSTALL 240.5 LF OF 8" PRIVATE SD @ MIN. 1.0% SLOPE. DEPTH AND COVER AS REQUIRED FOR PIPE TYPE.
- ③ INSTALL 48.25 LF OF 8" PRIVATE SD @ MIN. 1.0% SLOPE. DEPTH AND COVER AS REQUIRED FOR PIPE TYPE.
- ④ INSTALL 4" PRIVATE SD SERVICE PER DETAILS, SHEET B.2.

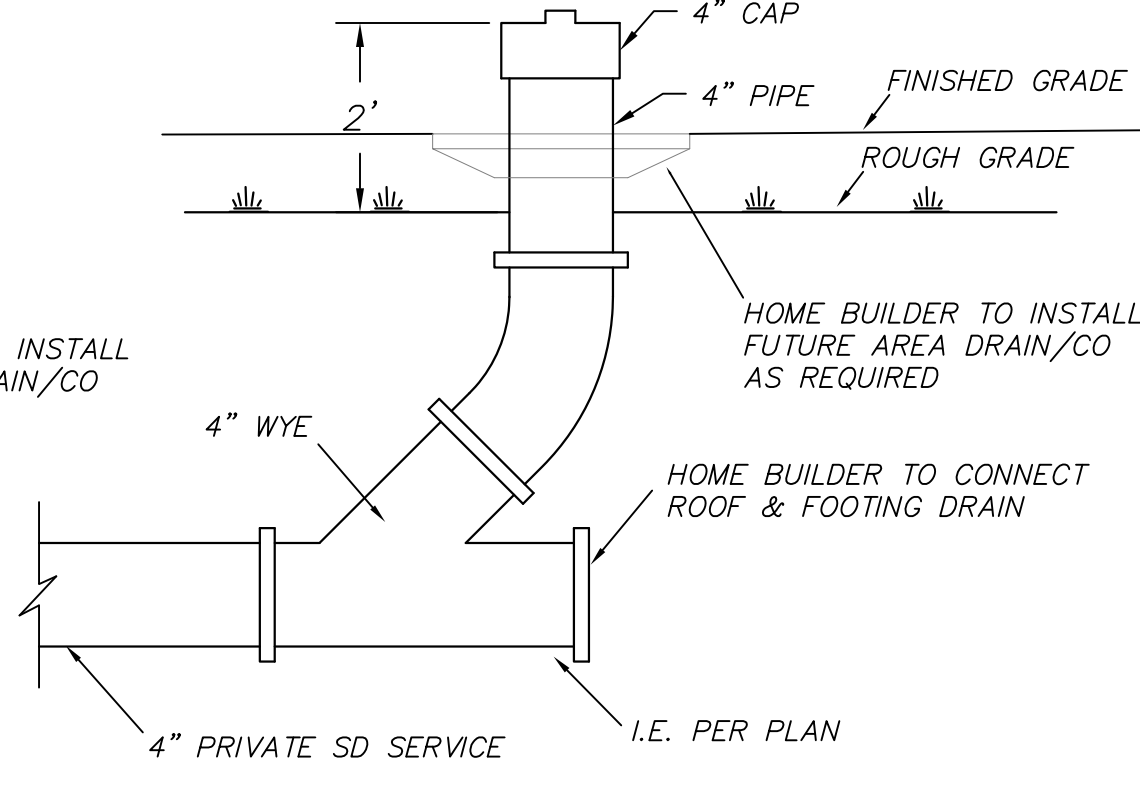
**SITework CONSTRUCTION NOTES**

- ① EXISTING ITEM TO BE REMOVED OR RELOCATED. CONTRACTOR TO COORDINATE WITH UTILITY COMPANY AND/OR OWNER FOR NEW LOCATION AND ANY OTHER REQUIREMENTS.
- ② ADJUST RIM OF STRUCTURE TO FINISH GRADE AS REQUIRED.
- ③ PROTECT ITEM IN PLACE.
- ④ INSTALL LED EUROTIQUE STREET LIGHT PER ANTIQUE STREET LAMPS STD. DWG NO. ASL-39505 AND AB-617, AND PER CITY OF ASHLAND PRECAST FOOTING DETAIL.
- ⑤ CONSTRUCT 5' ROCK MULCH FOOTPATH AS SHOWN PER SECTION, SHEET A.2. SEE LANDSCAPE ARCHITECT PLANS FOR MTRL & DETAILS.



**COMMON PRIVATE STORM DRAIN AREA DRAIN AND WYE DETAIL**

NTS



**INDIVIDUAL PRIVATE STORM SERVICE AREA DRAIN AND WYE DETAIL**

NTS

**STREET LIGHT LOCATION TABLE**

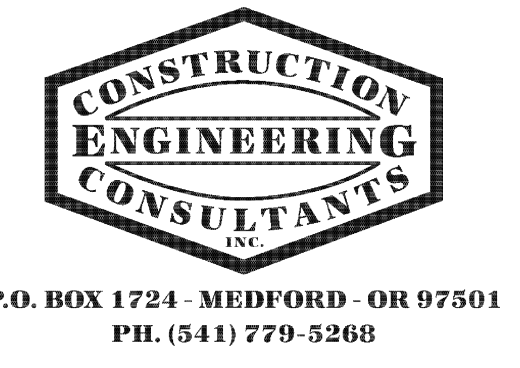
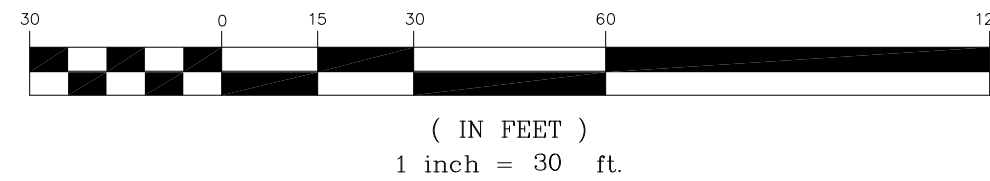
<b>HOUCK WAY</b> 16+50.68, 17.5'RT
<b>VILLAGE PARK DRIVE</b> 30+22.57, 39.2'RT

LP STREET LIGHTS TO BE INSTALLED, WHERE SHOWN, PER CITY OF ASHLAND STANDARD DETAILS SEE SHEET F.5.

**ELECTRICAL SERVICE FACILITIES**

ELECTRICAL SERVICE FACILITIES SHOWN WITHIN THIS PLAN SET IS FOR REFERENCE ONLY. SEE UTILITY COMPANY PLANS FOR ELECTRICAL PLANS AND SPECIFIC ELECTRICAL FACILITY REQUIREMENTS.

NOTE: CONTRACTOR TO COORDINATE WITH C.O.A. POWER DEPARTMENT PRIOR TO INSTALLATION.

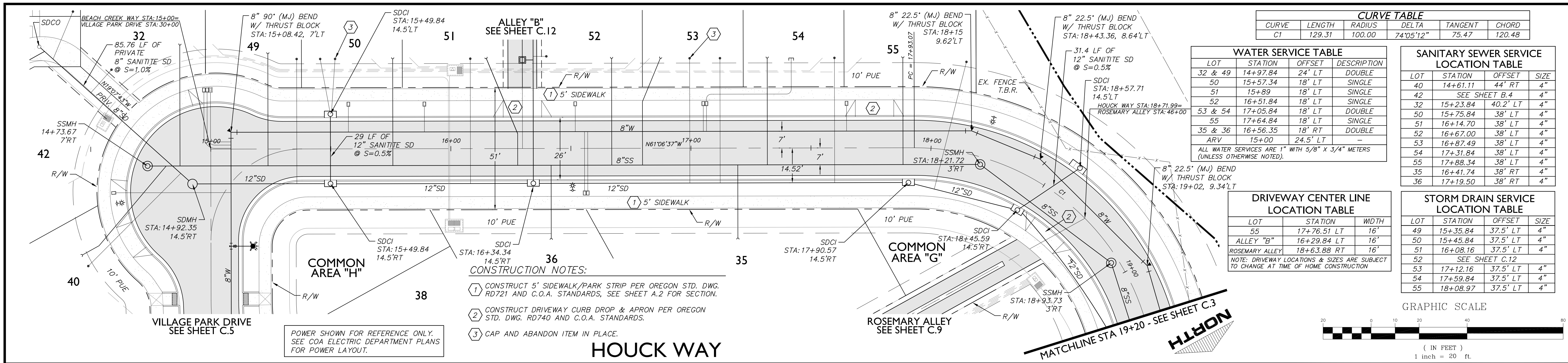


DRAWN BY: BRO	DATE: 09/21
CHECKED BY: MWK/AMB	DATE: 09/21
AGENCY REVIEW:	DATE:
AGENCY REVIEW:	DATE:
APPROVAL:	DATE:
APPROVAL:	DATE:

NO.	REVISION	DATE	BY
1	MOVED IRRIGATION METER NORTH	11/29/22	BRO



<b>CITY OF ASHLAND</b>	
<b>BEACH CREEK SUBDIVISION CIVIL IMPROVEMENTS</b>	
<b>UTILITY &amp; SIGNING PLAN</b>	
PROJECT NO.	-
DRAWING NO.	B.2



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD
CT	129.31	100.00	74°05'12"	75.47	120.48

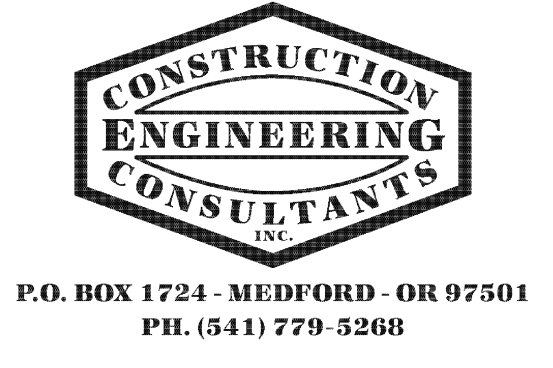
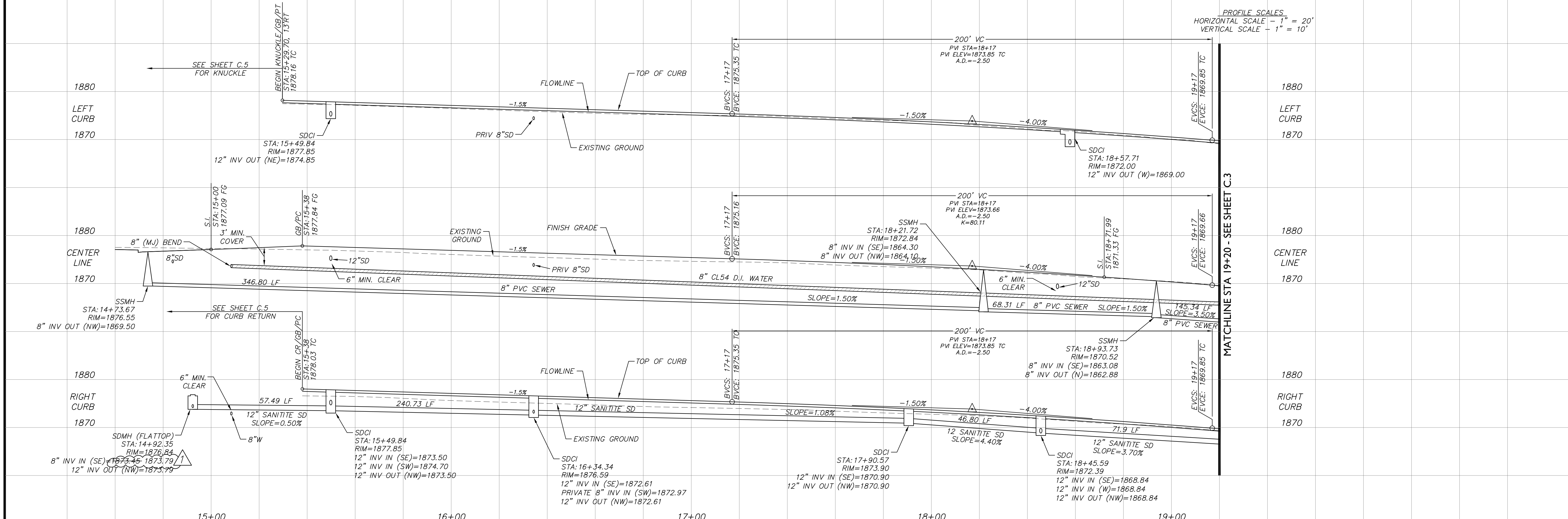
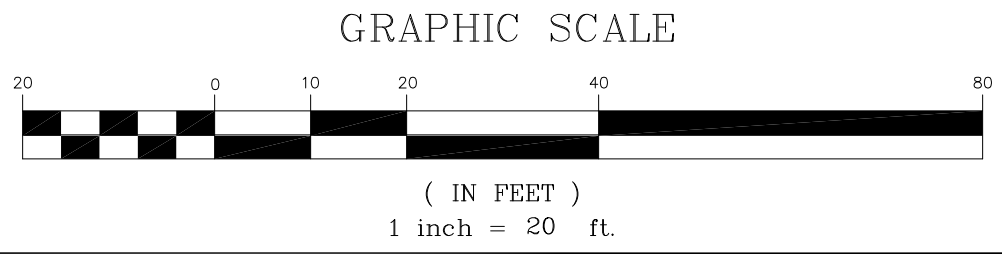
WATER SERVICE TABLE				
LOT	STATION	OFFSET	DESCRIPTION	
32 & 49	14+97.84	24' LT	DOUBLE	
50	15+57.34	18' LT	SINGLE	
51	15+89	18' LT	SINGLE	
52	16+51.84	18' LT	SINGLE	
53 & 54	17+05.84	18' LT	DOUBLE	
55	17+64.84	18' LT	SINGLE	
35 & 36	16+56.35	18' RT	DOUBLE	
ARV	15+00	24.5' LT	-	

SANITARY SEWER SERVICE LOCATION TABLE				
LOT	STATION	OFFSET	SIZE	
40	14+61.11	44' RT	4"	
42	SEE SHEET B.4			
32	15+23.84	40.2' LT	4"	
50	15+75.84	38' LT	4"	
51	16+14.70	38' LT	4"	
52	16+67.00	38' LT	4"	
53	16+87.49	38' LT	4"	
54	17+31.84	38' LT	4"	
55	17+88.34	38' LT	4"	
35	16+41.74	38' RT	4"	
36	17+19.50	38' RT	4"	

DRIVEWAY CENTER LINE LOCATION TABLE			
LOT	STATION	WIDTH	
55	17+76.51 LT	16'	
ALLEY "B"	16+29.84 LT	16'	
ROSEMARY ALLEY	18+63.88 RT	16'	

STORM DRAIN SERVICE LOCATION TABLE				
LOT	STATION	OFFSET	SIZE	
49	15+35.84	37.5' LT	4"	
50	15+45.84	37.5' LT	4"	
51	16+08.16	37.5' LT	4"	
52	SEE SHEET C.12			
53	17+12.16	37.5' LT	4"	
54	17+59.84	37.5' LT	4"	
55	18+08.97	37.5' LT	4"	

- CONSTRUCTION NOTES:**
- (1) CONSTRUCT 5' SIDEWALK/PARK STRIP PER OREGON STD. DWG. RD721 AND C.O.A. STANDARDS. SEE SHEET A.2 FOR SECTION.
  - (2) CONSTRUCT DRIVEWAY CURB DROP & APRON PER OREGON STD. DWG. RD740 AND C.O.A. STANDARDS.
  - (3) CAP AND ABANDON ITEM IN PLACE.



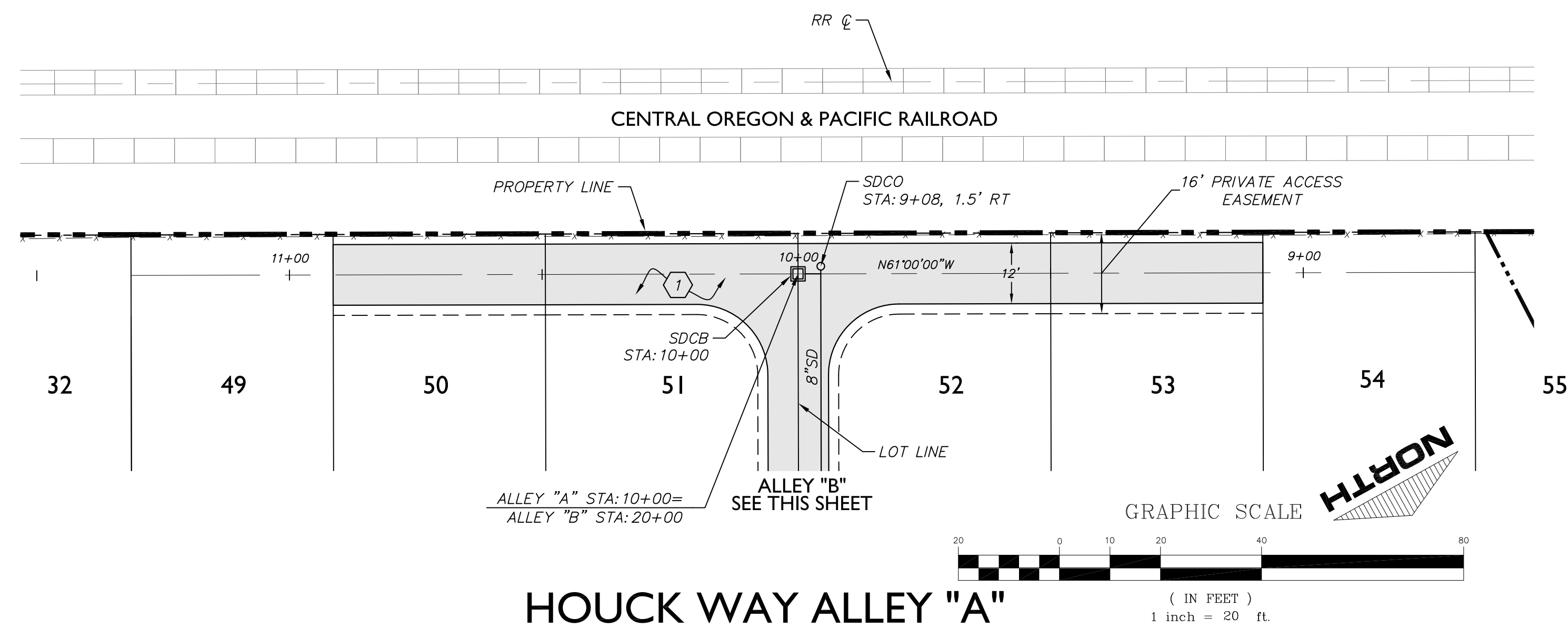
DRAWN BY: BRO	DATE: 09/21
CHECKED BY: MWK/AMB	DATE: 09/21
AGENCY REVIEW:	DATE:
AGENCY REVIEW:	DATE:
APPROVAL:	DATE:
APPROVAL:	DATE:

NO.	REVISION	DATE	BY
1	REVISED PRIVATE SD INVERT	8/10/23	BRO



CITY OF ASHLAND  
 BEACH CREEK SUBDIVISION CIVIL IMPROVEMENTS  
 HOUCK WAY  
 STA: 14+60 TO STA: 19+20

PROJECT NO. -  
 DRAWING NO. C.2



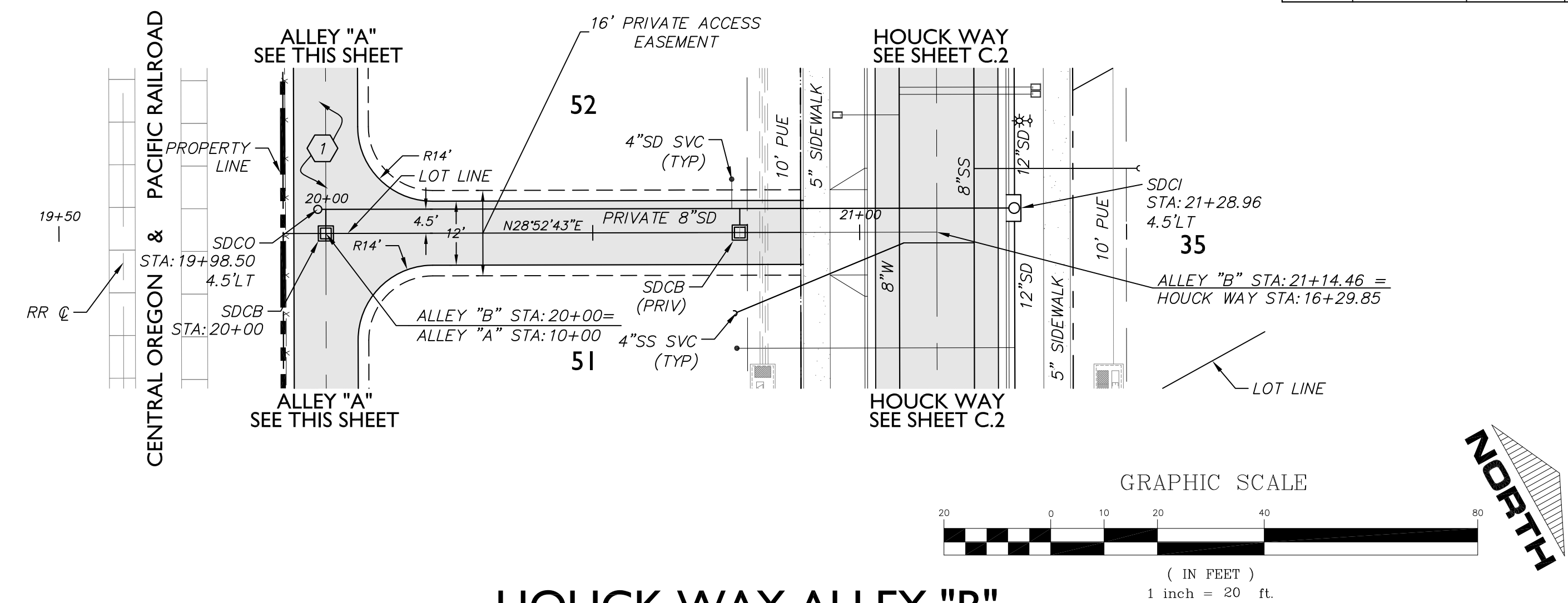
HOUCK WAY ALLEY "A"

CONSTRUCTION NOTES:

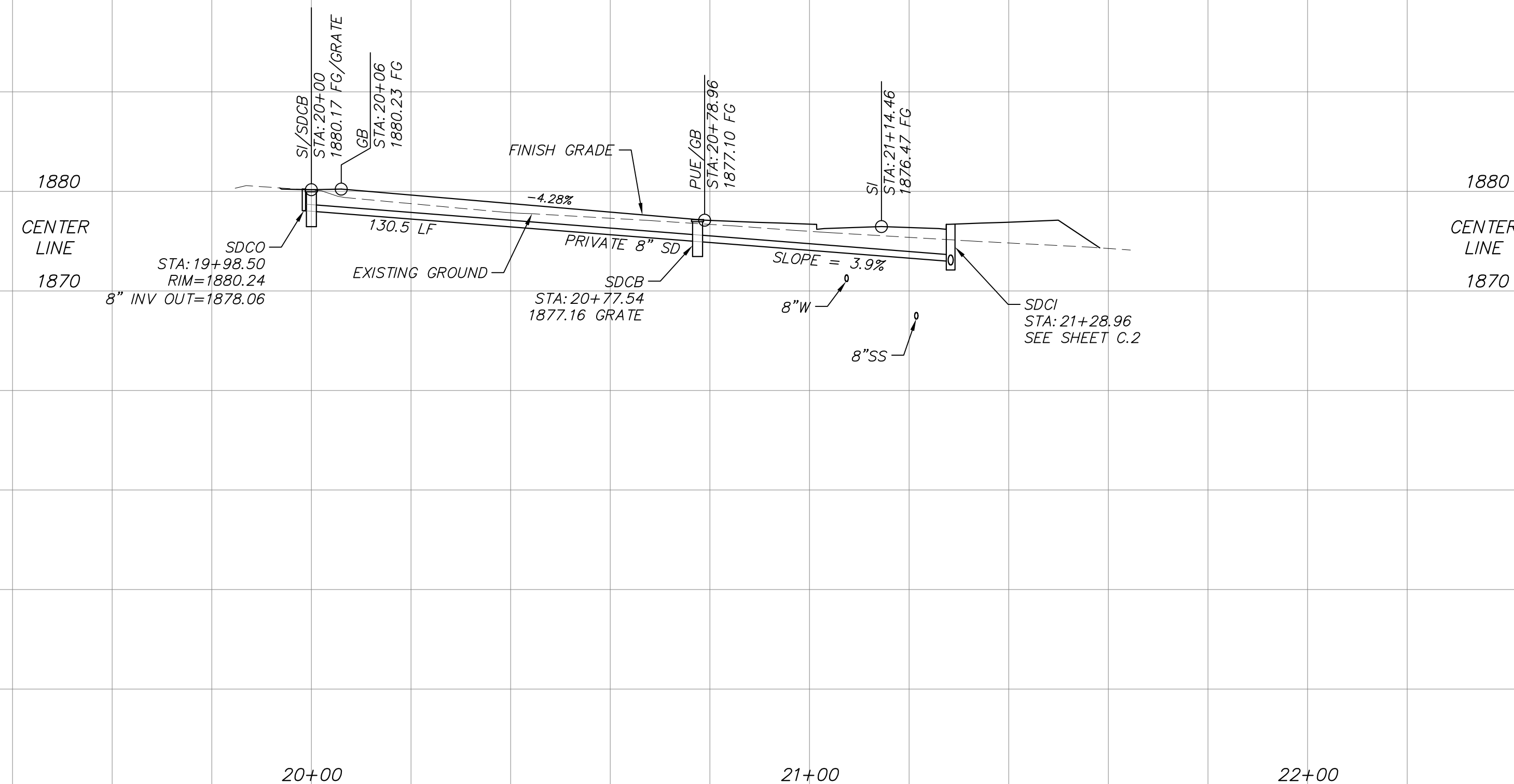
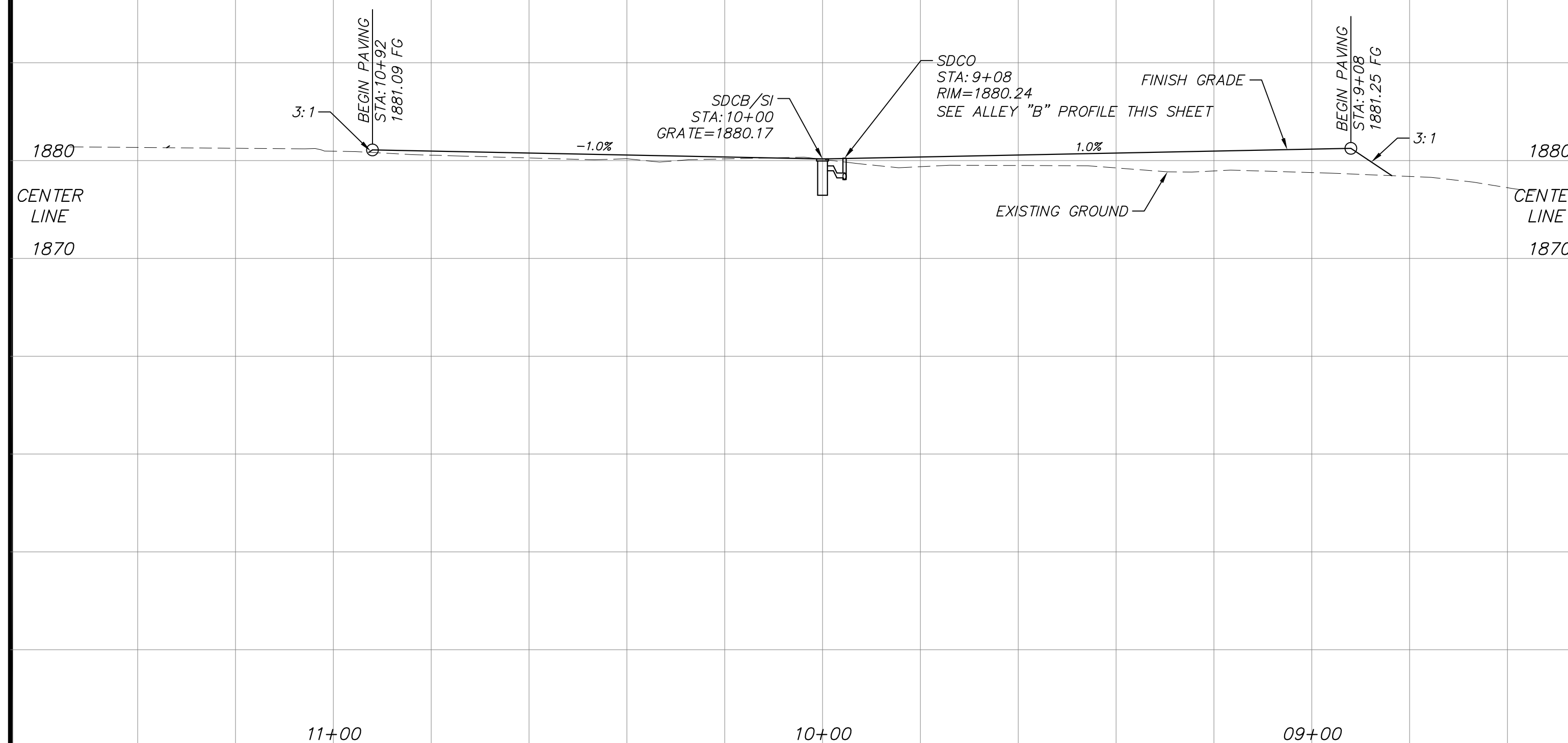
1 CONSTRUCT PRIVATE ALLEY SIMILAR TO SECTION, SHEET A.2

ALLEY "A" STORM DRAIN SERVICE LOCATION TABLE

LOT	STATION	OFFSET	SIZE
52	20+76.0	10.0 LT	4"



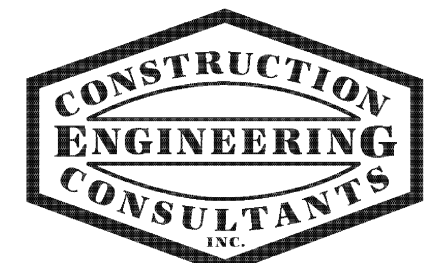
HOUCK WAY ALLEY "B"



PROFILE SCALES

HORIZONTAL SCALE - 1" = 20'

VERTICAL SCALE - 1" = 10'



P.O. BOX 1724 - MEDFORD - OR 97501  
PH. (541) 779-5268

DRAWN BY: BRO DATE: 09/21

CHECKED BY: MWK/AMB DATE: 09/21

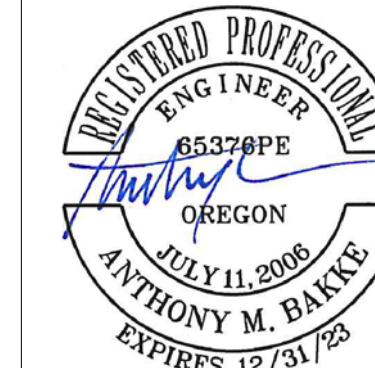
AGENCY REVIEW: DATE:

AGENCY REVIEW: DATE:

APPROVAL: DATE:

APPROVAL: DATE:

NO.	REVISION	DATE	BY



CITY OF ASHLAND

BEACH CREEK SUBDIVISION CIVIL IMPROVEMENTS

HOUCK WAY ALLEYS "A" & "B"

PROJECT NO. -

DRAWING NO. C.12





# **TYPE III PUBLIC HEARING**

---

## **Climate-Friendly and Equitable Communities Draft Ordinance**



# ASHLAND PLANNING DIVISION

## STAFF REPORT

November 14, 2023

**PLANNING ACTION:** PA-T3-2023-00006

**APPLICANT:** City of Ashland

### ORDINANCE REFERENCES:

AMC 18.2.2	Base Zones and Allowed Uses
AMC 18.2.3	Special Use Standards
AMC 18.3.14	Transit Triangle Overlay
AMC 18.3.2	Croman Mill District
AMC 18.3.4	Normal Neighborhood District
AMC 18.3.5	North Mountain Neighborhood District
AMC 18.3.9	Performance Standards Option and PSO Overlay
AMC 18.4.2	Building Placement, Orientation, and Design
AMC 18.4.3	Parking, Access, and Circulation
AMC 18.4.4	Landscaping, Lighting, and Screening
AMC 18.4.6	Public Facilities
AMC 18.5.2	Site Design Review
AMC 18.5.3	Land Divisions and Property Line Adjustments
AMC 18.5.4	Conditional Use Permits
AMC 18.5.5	Variances
AMC 18.5.6	Modifications to Approved Planning Applications

**REQUEST:** The proposal involves amendments to the Ashland Land Use Ordinance to remove automobile parking mandates and amend parking standards set forth in the Ashland Municipal Code (AMC) in order to implement the requirements of the State of Oregon's Climate-Friendly & Equitable Communities (CFEC) rules. The proposal includes amendments to AMC 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3 " 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5, AND 18.5.6.

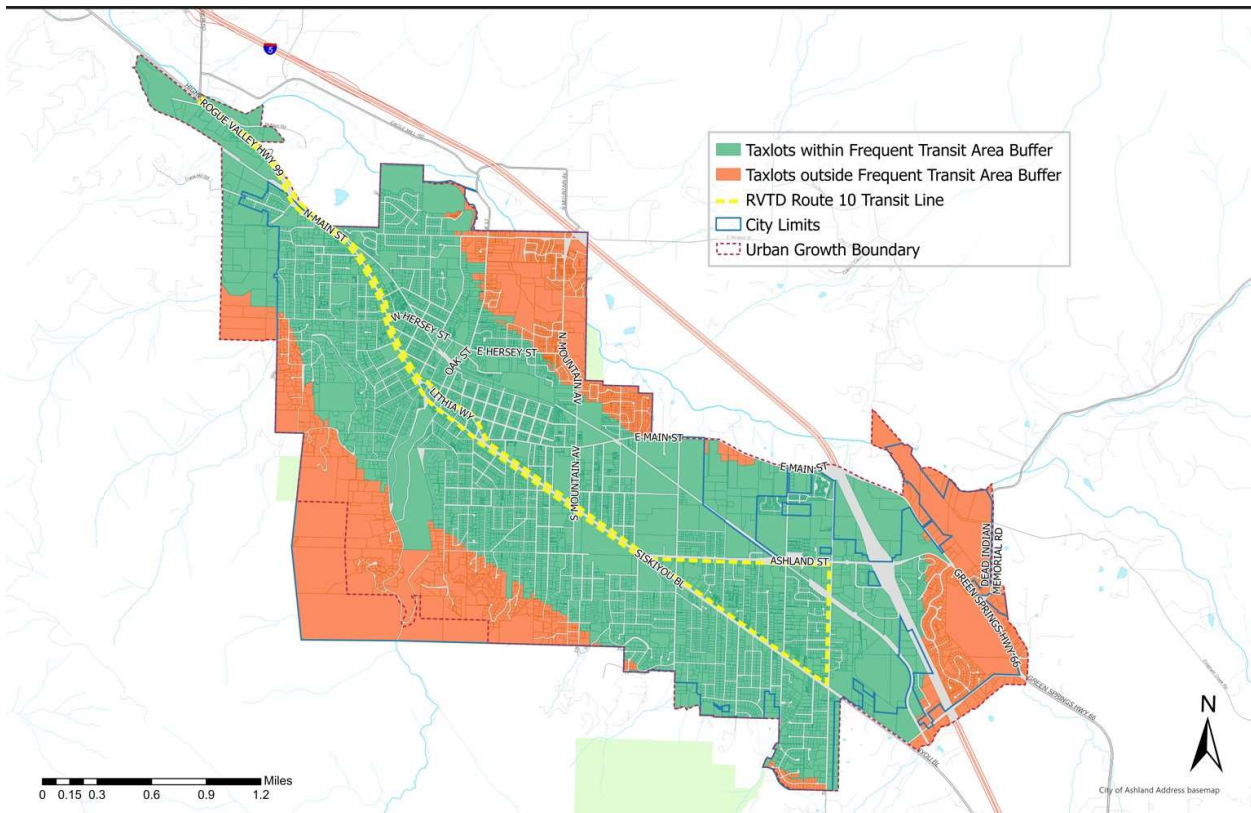
## I. Ordinance Amendments

### A. Project Background

The Climate-Friendly and Equitable Communities (CFEC) rules, adopted by the Land Conservation and Development Commission (LCDC) in July of 2022, included substantial changes to the ways that cities can regulate parking. With the first tier of these new rules,

which took effect January 1<sup>st</sup>, cities are no longer allowed to mandate off-street parking within ½-mile of frequent transit. In addition, cities can no longer mandate parking (on- or off-street) for small units (< 750 s.f.), affordable housing, single room occupancy housing, shelters, childcare facilities, or facilities for people with disabilities. Additionally, cities can no longer require more than one parking space per dwelling unit for residential developments with more than one dwelling unit. Assuming there would not be time between these new rules being adopted and taking effect on January 1, 2023, cities were directed to implement this first tier of new requirements directly from the states rules (*i.e. to ignore locally-adopted regulations which can no longer be applied under the new state rules*).

The map below illustrates the areas within ½-mile of frequent transit in Ashland in green where parking mandates were no longer allowed as of January 1, 2023. The yellow line is the Rogue Valley Transportation District’s Route 10 which follows North Main/East Main to Siskiyou Boulevard to Ashland Street to Tolman Creek Road and back to Siskiyou Boulevard. Route 10 stops at Ashland locations at roughly 20-minute intervals between 5:30 a.m. and 8:30 p.m.



Under this first tier of CFEC parking rules, 79.4 percent of tax lots within the city’s Urban Growth Boundary (UGB) and 69 percent of the land within the UGB are no longer subject to parking mandates. Much of the remaining land outside the ½-mile buffer is constrained from further development by existing development including the airport and golf course and by hillside lands, water resource protection zones and floodplain corridors.

A second tier of new rules requires that cities either eliminate all minimum parking requirements citywide (“**Option 1**”) or select from a menu of additional requirements. This

second tier of new rules was to have taken effect on June 30, 2023, however Ashland requested and received an extension from the state. As extended, Ashland must select one of the three options in the chart below and adopt the necessary code amendments by December 31, 2023.

**Parking Mandate Reform**

Effective date June 30, 2023 per OAR 660-012-0012(4)(f)

Option 1 OAR 660-012-0420	Options 2 and 3 OAR 660-012-0425 through 0450	
Repeal all parking mandates within the jurisdiction	Reduce parking burdens – adopt eight land use regulations related to reduced mandates based on factors such as shared parking, solar panels, parking space accessibility, on-street parking; unbundling of parking from rent for multifamily units near transit (OAR 660-012-0425)	
	Cities with populations 100,000+ adopt on-street parking prices equivalent to at least 50¢/day per spot for 5%/10% of total on-street parking supply by September 30, 2023/2025 (OAR 660-012-0450; effective dates per OAR 660-012-0012(4)(g))	
	<p><b>Parking Reform Approaches</b> Choose ONE of the following (option 2 -or- option 3)</p> <p><i>Policies to take effect no later than June 30, 2023 (effective date per OAR 660-012-0012(4)(f))</i></p>	
no additional action needed	<p><b>Option 2</b> OAR 660-012-0445(1)(a) - Adopt at least 3 of 5 policies below</p>	<p><b>Option 3</b> OAR 660-012-0445(1)(b) - Adopt regulations minimizing or exempting required parking for 15 development types (summarized below)</p>
	<ol style="list-style-type: none"> <li>1. Unbundle parking for residential units</li> <li>2. Unbundle leased commercial parking</li> <li>3. Flexible commute benefit for businesses with more than 50 employees</li> <li>4. Tax on parking lot revenue</li> <li>5. No more than ½ space/unit mandated for multifamily development</li> </ol>	<p>No mandates for a variety of specific uses, small sites, vacant buildings, studio/one bedrooms, historic properties, LEED or Oregon Reach Code developments, etc.</p> <p>No additional parking for redevelopments/additions.</p> <p>Adopt parking maximums.</p> <p>No parking mandates within ½ mile walking distance of Climate-Friendly Areas.</p> <p>Designate district to manage on-street residential parking.</p>

**Option 1** eliminates all parking mandates citywide. This is by far the simplest option and requires no additional action on the part of the city after the initial code amendments. A number of other cities have already selected Option 1 including Portland, Salem, Corvallis, Tigard, Bend, Albany and Central Point. Option 1 does not eliminate parking; it simply allows the number of parking spaces associated with any development to be market-driven rather than a mandate imposed and enforced by the city. Although under this option the City cannot mandate minimum parking requirements, a city can maintain or establish parking design standards and limits on the maximum number of parking spaces where parking is voluntarily provided.

**Option 2** requires that, if the city opts to retain parking mandates in the roughly 30 percent of the city that is more than ½-mile from frequent transit, parking mandates be further reduced by adopting new land use regulations based on factors such as shared parking, solar panels, parking space accessibility and on street parking; that parking be unbundled from rent for multi-family units near transit; and that 3 of the 5 policies below be adopted as well:

1. Unbundle parking for all residential units.
2. Unbundle leased commercial parking.
3. Provide a flexible commute benefit for businesses with more than 50 employees.
4. Impose a tax on parking lot revenues.
5. Mandate no more than ½-space/unit for multi-family development.

**Option 3** requires that, if the city opts to retain parking mandates in the roughly 30 percent of the city that is more than ½-mile from frequent transit, those mandates must be further reduced by adopting new land use regulations based on factors such as shared parking, solar panels, parking space accessibility and on street parking; that parking be unbundled from rent for multi-family units near transit; and that regulations be adopted to minimize or exempt parking requirements for 15 development types including no mandates for a variety of specific uses, small sites, vacant buildings, studio/one bedrooms, historic properties, LEED or Oregon Reach Code developments, etc.; no additional parking for redevelopments/additions; no parking mandates within ½-mile walking distance of Climate-Friendly Areas (CFAs); adopting parking maximums and designating a district to manage on-street residential parking.

## **B. Summary of Proposed Amendments**

The code amendments provided are largely consistent with those reviewed by the Planning Commission at the September study session and the City Council in October, and are based on the city pursuing “Option 1”, eliminating all mandated parking city-wide.

Following the September 12<sup>th</sup> Planning Commission study session, and Council’s discussion on October 17<sup>th</sup>, staff has incorporated the requisite CFEC amendments in ordinance format and drafted additional amendments to the parking standards as follows:

- Added draft code language in AMC 18.4.2.010 to encourage redevelopment of existing off-street parking areas.
- Amended code language for on-street parking associated with Performance Standards Options subdivisions in AMC 18.3.9.060.
- Added draft code language that requires at least one ADA-accessible parking space be provided in those instances when no other parking is proposed (18.4.3.050). Where parking is proposed the State Building Code stipulates the requisite number of accessible spaces required.
- Added draft code language allowing an applicant to newly obtain a Conditional Use Permit to exceed the maximum number of parking space provided in the Parking Spaces by Use Table (18.4.3.030.B.2)

- Added new code language, and revised bicycle parking graphics, relating to cargo-bike dimensions and bike parking layouts (18.4.3.070.C.6)
- Incorporated requisite CFEC tree canopy coverage and maintenance requirements for parking lot trees (18.4.3.080.B.6)
- Removed code language which stipulated a 50’ separation between driveways on neighborhood streets for lots serving three or more units. Retains the requisite 24’ separation between driveways (18.4.3.080.C.3.c.i).
- Amended existing code language addressing width requirements for two-way vehicular circulation, and one-way vehicular circulation based on consistency with a prior variance approval (18.4.3.080.D.3).
- Amended existing code language relating to the maximum grade of flag drives to allow multiple sections, to exceed 15% grade, up to a maximum of 18%, to clarify intent based on consistency with a prior variance approval (18.5.3.060.F)

## **II. Procedural**

Applications for Type III (i.e. Legislative) Plan Amendments and Zone Changes are described in the Ashland Land Use Ordinance section 18.5.9.020 as follows:

**B. Type III.** It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.

1. Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.
2. Comprehensive Plan changes, including text and map changes or changes to other official maps.
3. Land Use Ordinance amendments.
4. Urban Growth Boundary amendments.

In this instance, the State of Oregon’s adoption of Climate-Friendly & Equitable Communities (CFEC) rules require cities to amend their parking codes, which can be found to be a change in circumstances necessitating the amendments. The City has been implementing the State’s CFEC parking rules directly since January 1, 2023.

The CFEC rules required that cities adopt mandated changes no later than June 30, 2023 however the City of Ashland received an extension and must adopt the required code amendments no later than December 31, 2023.

### **III. Conclusions and Recommendations**

Staff recommends that Option 1 be selected, and the draft ordinance attached proceeds on that basis. If the Planning Commission recommends approval of the attached ordinance, staff will prepare written findings for adoption at the November 28, 2023 meeting. The Planning Commission's recommendations will be forwarded to the City Council for consideration at a public hearing and First Reading of the draft Ordinance scheduled on December 5, 2023.

### **Attachments**

- Draft Ordinance: *11142023 Parking ORD3229\_Hearing\_Draft*
- Public Comments Received



1 **DRAFT**

2 **ORDINANCE NO. 3229**

3  
4  
5 **AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDINANCE TO REMOVE**  
6 **AUTOMOBILE PARKING MANDATES AND AMEND PARKING STANDARDS SET**  
7 **FORTH IN ASHLAND MUNICIPAL CODE SECTIONS 18.2.2, 18.2.3, 18.3.14, 18.3.2,**  
8 **18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5, AND 18.5.6.**

9  
10 Annotated to show **deletions** and **additions** to the code sections being modified. Deletions  
11 are **bold lined through** and additions are in **bold underline**.

12  
13 **WHEREAS**, Article 2. Section 1 of the Ashland City Charter provides:

14 Powers of the City The City shall have all powers which the constitutions, statutes, and common  
15 law of the United States and of this State expressly or impliedly grant or allow municipalities, as  
16 fully as though this Charter specifically enumerated each of those powers, as well as all powers  
17 not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter  
18 specifically granted. All the authority thereof shall have perpetual succession.

19  
20 **WHEREAS**, the above referenced grant of power has been interpreted as affording all  
21 legislative powers home rule constitutional provisions reserved to Oregon Cities. City of  
22 Beaverton v. International Ass’n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293;  
23 531 P 2d 730, 734 (1975); and

24  
25 **WHEREAS**, the amendments are in compliance with OAR 660-012-0400, relating to  
26 implementation of the parking mandate reform requirements from the Climate Friendly and  
27 Equitable Communities (CFEC) rules adopted by the Land Conservation and Development  
28 Commission on July 21, 2022; and

29  
30 **WHEREAS**, the CFEC rules require require cities with populations over 10,000 to reform  
parking standards, plan for mixed use “climate-friendly” areas where residents, workers, and

1 visitors can meet most of their daily needs by walking, bicycling or riding transit, and create  
2 more equitable and accessible communities, especially for those traditionally underserved and  
3 who experience discrimination; and  
4

5 **WHEREAS**, the City of Ashland Planning Commission considered the above-referenced  
6 recommended amendments to the Ashland Land Use Ordinance at a duly advertised public  
7 hearings on **November 14, 2023**, and following deliberations, recommended [redacted] of the  
8 amendments by a vote of [redacted]; and  
9

10 **WHEREAS**, the City Council of the City of Ashland conducted duly advertised public hearings  
11 on the above-referenced amendments **on December 5, 2023**.; and  
12

13 **WHEREAS**, the City Council of the City of Ashland, following the close of the public hearing  
14 and record, deliberated and conducted first and second readings approving adoption of the  
15 Ordinance in accordance with Article 10 of the Ashland City Charter.; and  
16

17 **WHEREAS**, the City Council of the City of Ashland has determined that in order to protect and  
18 benefit the health, safety and welfare of existing and future residents of the City, it is necessary  
19 to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an  
20 adequate factual base exists for the amendments, the amendments are consistent with the  
21 comprehensive plan and that such amendments are fully supported by the record of this  
22 proceeding.  
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1 THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

2  
3 **SECTION 1.** Ashland Municipal Code Title 18.4.2 Land Use is hereby amended as follows.

4  
5 **18.4.2.010 Purpose**

6 **F. Encourage the redevelopment of any portion of existing off-street parking areas for**  
7 **bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and**  
8 **pullouts, bus shelters, park and ride stations, transit-supportive plazas and similar**  
9 **facilities, or the infill of buildings in existing parking areas adjacent to public sidewalks.**

10  
11 **18.4.2.040.C Detailed Site Review Standards**

12 ~~**I.e. Infill or buildings, adjacent to public sidewalks, in existing parking lots is encouraged**~~  
13 ~~**and desirable.**~~

14  
15 **SECTION 2.** Ashland Municipal Code Title 18.4.3 Land Use is hereby amended as follows.

16 **18.4.3.010 Purpose**

17 **Where automobile parking is voluntarily provided, it must meet the requirements of**  
18 Chapter 18.4.3 **which also** contains requirements for ~~automobile and~~ bicycle parking, ~~and~~  
19 vehicular and pedestrian access, circulation, and connectivity. The purpose **of this chapter** is to  
20 provide safe and effective access and circulation for pedestrians, bicyclists, and vehicles. For  
21 transportation improvement requirements, refer to chapter 18.4.6 Public Facilities. **While off-**  
22 **street parking is not required, access for emergency vehicles must be retained, and**  
23 **adequate accessible parking spaces, loading areas, delivery areas, pick-up/drop-off areas**  
24 **should be considered.**

25  
26 **18.4.3.020 Applicability**

27 A. The requirements of this chapter apply to parking, access, and circulation facilities in all  
28 zones, except those specifically exempted, whenever any building is erected or enlarged,  
29 parking, access or circulation is expanded or reconfigured, or the use is changed.

1 ~~B. The City may require a study prepared by a qualified professional to determine offsets~~  
2 ~~in parking demand, access, circulation, and other transportation impacts, pursuant to this~~  
3 ~~section.~~

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

9 **BD. Exceptions and Variances.** Requests to depart from the requirements of this chapter are  
10 subject to chapter 18.5.5 Variances, except that deviations from the standards in subsections  
11 18.4.3.080.B.4 ~~and 5~~ , **18.4.3.080.B.5, 18.4.3.080.B.6,** and section 18.4.3.090 Pedestrian  
12 Access and Circulation are subject to 18.5.2.050.E Exception to the Site Development and  
13 Design Standards.

14 ~~E. Variance to Parking Standard for Commercial Buildings in the Historic District. In~~  
15 ~~order to preserve existing structures within the Historic District overlay while permitting~~  
16 ~~the redevelopment of property to its highest commercial use, the Staff Advisor, through a~~  
17 ~~Type I procedure and pursuant to section 18.5.1.050, may grant a Variance to the parking~~  
18 ~~standards of section 18.4.3.040 by up to 50 percent for commercial uses within the Historic~~  
19 ~~District overlay. The intent of this provision is to provide as much off-street parking as~~  
20 ~~practical while preserving existing structures and allowing them to develop to their full~~  
21 ~~commercial potential. The City, through this ordinance provision, finds that reuse of the~~  
22 ~~building stock within the Historic District overlay is an exceptional circumstance and an~~  
23 ~~unusual hardship for the purposes of granting a variance.~~

24  
25 **18.4.3.030 General Automobile Parking Requirements and Exceptions**

26 ~~A. Minimum Number of Off-Street Automobile Parking Spaces. Off-street parking shall~~  
27 ~~be provided pursuant to one of the following three methods and shall include required~~  
28 ~~Disabled Person Parking.~~

29 ~~1. Standard Ratios for Automobile Parking. The standards in Table 18.4.3.040.~~  
30

1 ~~2. Unspecified Use. Where automobile parking requirements for any use are not~~  
2 ~~specifically listed in Table 18.4.3.040, such requirements shall be determined by the~~  
3 ~~Staff Advisor based upon the most comparable use specified in this section, and other~~  
4 ~~available data.~~

5 ~~3. Parking Demand Analysis. The approval authority through a discretionary review~~  
6 ~~may approve a parking standard that is different than the standards under subsections~~  
7 ~~18.4.3.030.A.1 and 18.4.3.030.A.2, above, as follows:~~  
8

9 ~~a. The applicant submits a parking demand analysis with supporting data~~  
10 ~~prepared by a professional engineer, planner, architect, landscape architect, or~~  
11 ~~other qualified professional;~~

12 ~~b. The parking analysis, at a minimum, shall assess the average parking demand~~  
13 ~~and available supply for existing and proposed uses on the subject site;~~  
14 ~~opportunities for shared parking with other uses in the vicinity; existing public~~  
15 ~~parking in the vicinity; transportation options existing or planned near the site,~~  
16 ~~such as frequent bus service, carpools, or private shuttles; and other relevant~~  
17 ~~factors. The parking demand analysis option may be used in conjunction with, or~~  
18 ~~independent of, the options provided under section 18.4.3.060, Parking~~  
19 ~~Management Strategies.~~

20 ~~c. The review procedure shall be the same as for the main project application.~~

21  
22 B. Maximum Number of Off-Street Automobile Parking Spaces. ~~The number of spaces~~  
23 ~~provided by any particular use in ground surface lots shall not exceed the number of spaces~~  
24 ~~required by this chapter by more than ten percent. Voluntarily provided off-street~~  
25 ~~automobile parking spaces shall not exceed the maximum number of spaces listed in Table~~  
26 ~~18.4.3.040 'Parking Spaces by Use'.~~  
27

28 ~~1. Automobile S~~spaces provided on-street, or within the ~~building~~ footprint of structures,  
29 such as in rooftop parking or under-structure parking, or in multi-level parking above or  
30 below surface lots, shall not apply towards the maximum number of allowable spaces.

**2. Construction of additional off-street parking spaces, in excess of the maximum parking spaces established by use, as specified in Table 18.4.3.040 ,requires approval of a Conditional Use Permit under chapter 18.5.4.**

~~C. Commercial Downtown Zone. All uses within the C-1-D zone, except for hotel, motel, and hostel uses, are exempt from the off-street parking requirements of this section.~~

~~D. North Mountain Plan District. Within the Neighborhood Central zone of the North Mountain (NM) Neighborhood Plan district, all uses are exempt from the off-street parking requirements of this section, except that residential uses are required to provide a minimum of one parking space per residential unit. (Ord. 3167 § 11, amended, 12/18/2018)~~

**18.4.3.040 Parking Ratios Vehicle and Bicycle Quantity Standards**

Except as provided by section 18.4.3.030, the standard ratios required for ~~automobile~~ parking are as follows, **as are the maximum allowances for voluntarily provided off-street automobile spaces.** Fractional spaces shall be rounded up to the next whole number. See also accessible parking space requirements in section 18.4.3.050.

**Table 18.4.3.040. ~~Parking Spaces by Use~~**

<b>Use Categories</b>	<b>Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)</b>
<b>Residential Categories</b>	<del>See definition of dwelling types in section 18.6.1.030.</del>
<b>Single Family Dwellings</b>	<del>2 spaces for detached dwelling units and the following for attached dwelling units: a. Studio units or 1-bedroom units less than 500 sq. ft.— 1 space/unit. b. 1-bedroom units 500 sq. ft. or larger— 1.50 spaces/unit. c. 2-bedroom units— 1.75 spaces/unit.</del>

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Use Categories	Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)
	<del>d. 3-bedroom or greater units — 2.00 spaces/unit.</del>
Accessory Residential Unit	<del>No additional parking spaces required. See definition of accessory residential unit in section <u>18.6.1.030</u>.</del>
Duplex	<del>a. 2 spaces per duplex meeting the standards in section <u>18.2.3.110</u>. See definition of duplex in section <u>18.6.1.030</u>.</del> <del>b. Use multifamily dwelling parking ratio for duplex not meeting the standards of section <u>18.2.3.110</u>. See definition of duplex in section <u>18.6.1.030</u>.</del>
Multifamily Dwellings	<del>a. Studio units or 1-bedroom units less than 500 sq. ft. — 1 space/unit.</del> <del>b. 1-bedroom units 500 sq. ft. or larger — 1.50 spaces/unit.</del> <del>c. 2-bedroom units — 1.75 spaces/unit.</del> <del>d. 3-bedroom or greater units — 2.00 spaces/unit.</del> <del>e. Retirement complexes for seniors 55 years or greater — 1 space per unit.</del> <del>f. Transit Triangle (TT) overlay option developments, see chapter <u>18.3.14</u>.</del>

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Use Categories	Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)
<b>Cottage Housing</b>	<p>a. Units less than 800 sq. ft.— 1 space/unit.</p> <p>b. Units greater than 800 sq. ft. and less than 1,000 sq. ft.— 1.5 spaces/unit.</p> <p>c. Units greater than 1,000 sq. ft.— 2.00 spaces/unit.</p> <p>d. Retirement complexes for seniors 55 years or greater— 1 space per unit.</p>
<b>Manufactured Housing</b>	<p>Parking for a manufactured home on a single-family lot is same as a single-family dwelling; for manufactured housing developments, see sections <u>18.2.3.170</u> and <u>18.2.3.180</u>.</p>
<b>Performance Standards Developments</b>	<p>See chapter <u>18.3.9</u>.</p>
<b>Commercial Categories</b>	
<b>Auto, boat or trailer sales, retail nurseries and other outdoor retail uses</b>	<p>1 space per 1,000 sq. ft. of the first 10,000 sq. ft. of gross land area; plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area; and 1 space per 2 employees.</p>
<b>Bowling Alleys</b>	<p>3 spaces per alley, plus 1 space for auxiliary activities set forth in this section.</p>
<b>Chapels and Mortuaries</b>	<p>1 space per 4 fixed seats in the main chapel.</p>
<b>Hotels</b>	<p>1 space per guest room, plus 1 space for the owner or manager; see also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.</p>



Use Categories	Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)
<b>Offices</b>	General Office: 1 space per 500 sq. ft. floor area.
	Medical/Dental Office: 1 space per 350 sq. ft. floor area.
<b>Restaurants, Bars, Ice Cream Parlors, Similar Uses</b>	1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is less.
<b>Retail Sales and Services</b>	General: 1 space per 350 sq. ft. floor area.
	Furniture and Appliances: 1 space per 750 sq. ft. floor area.
<b>Skating Rinks</b>	1 space per 350 sq. ft. of gross floor area.
<b>Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses</b>	1 space per 4 seats.
<b>Travelers' Accommodations</b>	1 space per guest room, plus 2 spaces for the owner or manager.
<b>Industrial Categories</b>	
<b>Industrial, Manufacturing and Production, Warehousing and Freight</b>	1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees, whichever is less, plus 1 space per company vehicle.
<b>Institutional and Public Categories</b>	
<b>Aircraft Hangar — Ashland Municipal Airport</b>	1 space per hangar or 1 space per 4 aircraft occupying a hangar, whichever is greater. Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master

Use Categories	Minimum Number of Parking Spaces per Land Use (Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)
	<del>Plan.</del>
<del>Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories</del>	<del>2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.</del>
<del>Daycare</del>	<del>1 space per 2 employees; a minimum of 2 spaces is required.</del>
<del>Golf Courses</del>	<del>Regular: 8 spaces per hole, plus additional spaces for auxiliary uses.</del>
	<del>Miniature: 4 spaces per hole.</del>
<del>Hospital</del>	<del>2 spaces per patient bed.</del>
<del>Nursing and Convalescent Homes</del>	<del>1 space per 3 patient beds.</del>
<del>Public Assembly</del>	<del>1 space per 4 seats.</del>
<del>Religious Institutions and Houses of Worship</del>	<del>1 space per 4 seats.</del>
<del>Rest Homes, Homes for the Aged, or Assisted Living</del>	<del>1 space per 2 patient beds or 1 space per apartment unit.</del>
<del>Schools</del>	<del>Elementary and Junior High: 1.5 spaces per classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater.</del>
	<del>High Schools: 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater.</del>

<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>Use Categories</p>	<p>Minimum Number of Parking Spaces per Land Use</p> <p>(Based on Gross Floor Area; fractional spaces are rounded up to next whole number.)</p>
	<p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>Colleges, Universities and Trade Schools: 1.5 spaces per classroom, plus 1 space per 5 students the school is designed to accommodate, plus requirements for on-campus student housing.</p>
<p>10</p> <p>Other Categories</p>	
<p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>Temporary Uses</p>	<p>Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and design standards for temporary uses.</p>

17 **Table 18.4.3.040. Automobile and Bike Parking Spaces by Use**

<p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p><u>Use Categories</u></p>	<p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p><u>Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces</u></p> <p>(fractional spaces shall be rounded up to next whole number)</p>	<p>29</p> <p>30</p> <p><u>Minimum Number of Bike Parking Spaces per Land Use</u></p> <p>(fractional spaces shall be rounded up to next whole number)</p>
<p>Residential Categories</p>	<p>See definition of dwelling types in section <a href="#">18.6.1.030</a>.</p>	
<p><u>Single-Family Dwellings, Accessory Residential Units and Duplexes</u></p>	<p><u>No maximum.</u></p>	<p><u>No bike parking requirements.</u></p>
<p><u>Multifamily Dwellings</u></p>	<p><u>A maximum of 2 spaces per multifamily dwelling unit.</u></p>	<p><u>a. Dwellings with an individual garage are not required to provide bike</u></p>

<u>Use Categories</u>	<u>Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces</u> (fractional spaces shall be rounded up to next whole number)	<u>Minimum Number of Bike Parking Spaces per Land Use</u> (fractional spaces shall be rounded up to next whole number)
		<p><u>parking.</u></p> <p><u>b. 1 sheltered space per studio/1 bedroom</u></p> <p><u>c. 1.5 sheltered spaces per 2 bedrooms</u></p> <p><u>d. 2 sheltered spaces per 3 bedrooms</u></p> <p><u>e. Senior housing. 1 sheltered space per 8 dwelling units</u></p>
<u>Cottage Housing</u>	<u>A maximum of 1.5 spaces per cottage.</u>	<u>1 sheltered space per cottage.</u>
<u>Manufactured Housing</u>	<u>A maximum of 2 spaces.</u>	<u>2 sheltered spaces per manufactured dwelling without a garage.</u>
<u>Performance Standards Developments</u>	<u>See chapter <a href="#">18.3.9.</a></u>	
<u>Commercial Categories</u>		
<u>Auto, boat or trailer sales, retail nurseries and other outdoor retail uses</u>	<u>A maximum of 1 space per 1,000 sq. ft. of the first 10,000 sq. ft. of gross land area; plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area; and a</u>	<u>1 per 5,000 sq. ft. of sales area</u>

<u>Use Categories</u>	<u>Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces</u> (fractional spaces shall be rounded up to next whole number)	<u>Minimum Number of Bike Parking Spaces per Land Use</u> (fractional spaces shall be rounded up to next whole number)
	<u>maximum of 1 space per 2 employees.</u>	
<u>Bowling Alleys</u>	<u>A maximum of 3 spaces per alley, plus additional spaces for auxiliary uses.</u>	<u>1 per 2 per alleys</u>
<u>Chapels and Mortuaries</u>	<u>A maximum of 1 space per 4 fixed seats in the main chapel.</u>	<u>1 per 20 seats</u>
<u>Hotels</u>	<u>A maximum of 1 space per guest room, plus 1 space for the owner or manager; see also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.</u>	<u>1 per 5 guest rooms</u>
<u>Offices</u>	<u>General Office: A maximum of 1 space per 500 sq. ft. floor area.</u>	<u>1 per 2,500 sq. ft. office</u>
	<u>Medical/Dental Office: A maximum of 1 space per 350 sq. ft. floor area.</u>	<u>1 per 1,750 sq. ft. office</u>
<u>Restaurants, Bars, Ice Cream Parlors, Similar Uses</u>	<u>A maximum of 1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is more</u>	<u>1 per 20 seats or 1 per 500 sq. ft. of gross floor area, whichever is less.</u>

<u>Use Categories</u>	<u>Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces</u> <u>(fractional spaces shall be rounded up to next whole number)</u>	<u>Minimum Number of Bike Parking Spaces per Land Use</u> <u>(fractional spaces shall be rounded up to next whole number)</u>
<u>Retail Sales and Services</u>	<u>General: A maximum of 1 space per 350 sq. ft. floor area.</u>	<u>1 per 1,000 sq. ft. floor area</u>
	<u>Furniture and Appliances: A maximum of 1 space per 750 sq. ft. floor area.</u>	<u>1 per 2,500 sq. ft. floor area</u>
<u>Skating Rinks</u>	<u>A maximum of 1 space per 350 sq. ft. of gross floor area.</u>	<u>1 per 1,000 sq. ft. floor area</u>
<u>Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses</u>	<u>A maximum of 1 space per 4 seats.</u>	<u>1 per 10 seats</u>
<u>Travelers' Accommodations</u>	<u>A maximum of 1 space per guest room, plus 2 spaces for the owner or manager.</u>	<u>1 per 10 guest rooms</u>
<u>Industrial Categories</u>		
<u>Industrial, Manufacturing and Production, Warehousing and Freight</u>	<u>A maximum of 1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees, whichever is more, plus 1 space per company vehicle.</u>	<u>1 per 5,000 sq. ft. floor area</u>
<u>Institutional and Public Categories</u>		
<u>Aircraft Hangar – Ashland Municipal Airport</u>	<u>Parking spaces shall be provided within the hangar or within designated vehicle</u>	<u>Parking spaces shall be provided within the hangar or within designated vehicle</u>

<u>Use Categories</u>	<u>Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces</u> (fractional spaces shall be rounded up to next whole number)	<u>Minimum Number of Bike Parking Spaces per Land Use</u> (fractional spaces shall be rounded up to next whole number)
	<u>parking areas identified in the adopted Ashland Municipal Airport Master Plan.</u>	<u>parking areas identified in the adopted Ashland Municipal Airport Master Plan.</u>
<u>Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories</u>	<u>A maximum of 2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.</u>	<u>1 per 5 guest rooms</u>
<u>Child Care Facilities</u>	<u>A maximum of 1 space per 2 employees, plus 1 space per 10 children the facility is designed to accommodate.</u>	<u>Home: None</u> <u>Commercial: 1 per classroom</u>
<u>Golf Courses</u>	<u>Regular: A maximum of 8 spaces per hole, plus additional spaces for auxiliary uses.</u>	<u>0.5 per hole</u>
	<u>Miniature: A maximum of 4 spaces per hole.</u>	<u>1 per hole</u>
<u>Hospital</u>	<u>A maximum of 2 spaces per patient bed.</u>	<u>1 per 2,000 sq. ft.</u>
<u>Nursing and Convalescent Homes</u>	<u>A maximum of 1 space per 3 patient beds.</u>	<u>1 per 5 employees</u>
<u>Public Assembly</u>	<u>A maximum of 1 space per 4 seats.</u>	<u>1 per 20 seats</u>
<u>Religious Institutions and</u>	<u>A maximum of 1 space per 4</u>	<u>1 per 20 seats in main</u>

<u>Use Categories</u>	<u>Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces</u> (fractional spaces shall be rounded up to next whole number)	<u>Minimum Number of Bike Parking Spaces per Land Use</u> (fractional spaces shall be rounded up to next whole number)
<u>Houses of Worship</u>	<u>seats.</u>	<u>assembly area</u>
<u>Rest Homes, Homes for the Aged, or Assisted Living</u>	<u>A maximum of 1 space per 2 patient beds or 1 space per apartment unit.</u>	<u>1 per 5 employees</u>
<u>Schools</u>	<u>Elementary and Junior High: A maximum of 1.5 spaces per classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater.</u>	<u>Preschool: 1 per classroom</u> <u>Elementary and Junior High: 6 per classroom</u>
	<u>High Schools: A maximum of 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater.</u>	<u>High school: 6 per classroom</u>
	<u>Colleges, Universities and Trade Schools: A maximum of 1.5 spaces per classroom, plus 1 space per 5 students the school is designed to accommodate, plus requirements for on-campus student housing.</u>	<u>1 per 3 students/staff</u>



<u>Use Categories</u>	<u>Maximum Number of Voluntarily-Provided Off-Street Automobile Parking Spaces</u> (fractional spaces shall be rounded up to next whole number)	<u>Minimum Number of Bike Parking Spaces per Land Use</u> (fractional spaces shall be rounded up to next whole number)
<u>Other Categories</u>		
<u>Temporary Uses</u>	<u>Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and design standards for temporary uses.</u>	<u>Bike parking standards will be determined the same as primary uses, except that the City decision-making body may reduce or waive certain development and design standards for temporary uses.</u>
<u>Transit Station</u>	<u>Automobile parking maximums are determined through the discretion of the City decision-making body.</u>	<u>4 per 10 automobile parking spaces</u>
<u>Park and Ride</u>	<u>Automobile parking maximums are determined through the discretion of the City decision-making body.</u>	<u>4 per 10 automobile parking spaces</u>

(Ord 3229, amended 12/19/2023; Ord. 3199 § 21, amended, 06/15/2021; Ord. 3191 § 23, amended, 11/17/2020; Ord. 3167 § 12, amended, 12/18/2018; Ord. 3155 § 9, amended, 07/17/2018; Ord. 3147 § 7, amended, 11/21/2017)

**18.4.3.050 Accessible Parking Spaces**

Where off-street vehicle parking is voluntarily provided, it must include the required number of accessible vehicle parking spaces as specified by the state building code and federal standards. Such parking spaces must be sized, signed, and marked as required by

1 **these regulations and in compliance with ORS 447. In cases where no parking spaces are**  
2 **voluntarily proposed for commercial, industrial, public use, mixed-use, and multifamily**  
3 **developments with three or more units, it is mandatory to provide at least one accessible**  
4 **parking space.** Accessible parking shall be provided consistent with the requirements of the  
5 building code, including but not limited to the minimum number of spaces for automobiles, van-  
6 accessible spaces, location of spaces relative to building entrances, accessible routes between  
7 parking areas and building entrances, identification signs, lighting, and other design and  
8 construction requirements. Accessible parking shall be included and identified on the planning  
9 application submittals.

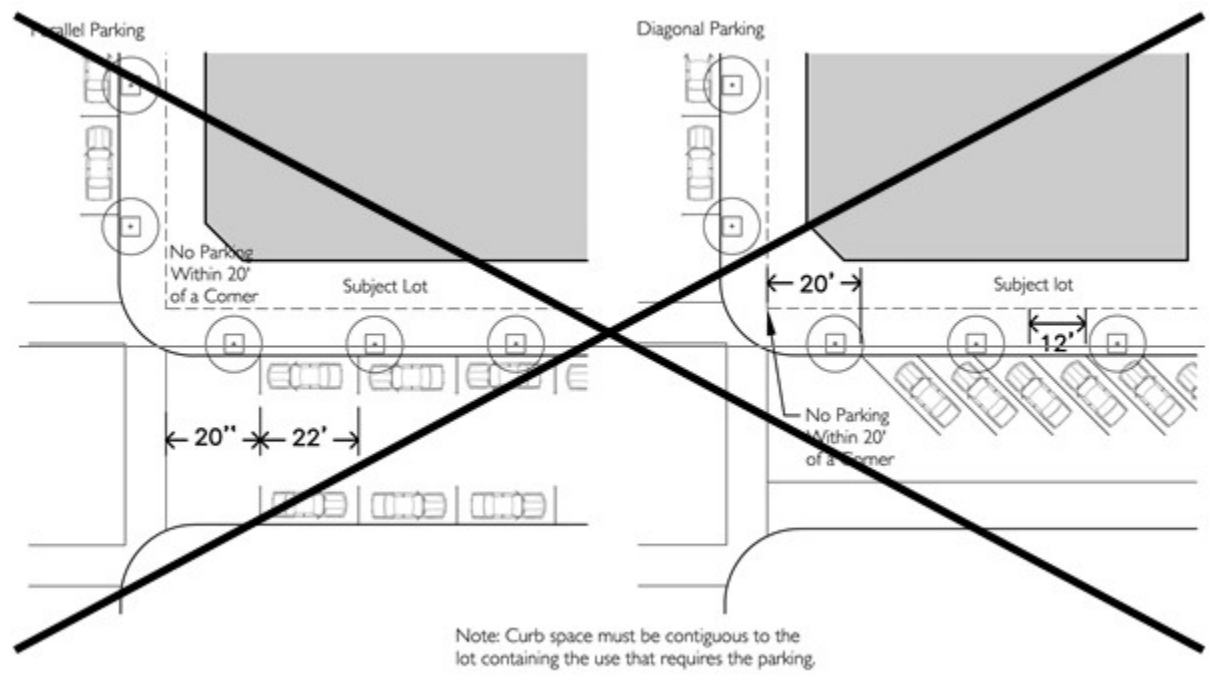
10 ~~18.4.3.060~~ ——— ~~Parking Management Strategies~~

11 ~~Except for detached single family dwellings and duplexes, the off-street parking spaces~~  
12 ~~may be reduced through the application of the following credits. The total maximum~~  
13 ~~reduction in off-street parking spaces is 50 percent, except as allowed for off-site shared~~  
14 ~~parking credits in subsection 18.4.3.060.E, below. The approval authority shall have the~~  
15 ~~discretion to adjust the proposed off-street parking reduction based upon site specific~~  
16 ~~evidence and testimony, and may require a parking analysis prepared by a qualified~~  
17 ~~professional. See subsection 18.4.3.030.A.3 for parking analysis requirements.~~

19 ~~A. On-Street Parking Credit. Credit for on-street parking spaces may reduce the required~~  
20 ~~off-street parking spaces up to 50 percent, as follows.~~

- 21 ~~1. Credit. One off-street parking space credit for one on-street parking space meeting~~  
22 ~~the standards of subsections 2-4, below. See Figure 18.4.3.060.A.1.~~

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**Figure 18.4.3.060.A.1. On-Street Parking Credit**

**2. Dimensions. On-street parking shall follow the established configuration of existing on-street parking, except that 45-degree diagonal parking may be allowed with the approval of the Public Works Director, taking into account traffic flows and street design, with the parking spaces designed in accord with the standards on file with the Public Works Department.**

- a. Parallel parking, each 22 feet of uninterrupted curb.**
- b. 45-degree diagonal, each 12 feet of uninterrupted curb.**

**3. Location.**

- a. Curb space must be contiguous to the lot containing the use that requires the parking.**
- b. Parking spaces may not be counted that are within 20 feet measured along the curb of any corner or intersection of an alley or street, nor any other parking configuration that violates any law or standard of the City or State.**

1 ~~e. Parking spaces located on arterials and collectors may only receive credit if the~~  
2 ~~arterial or collector is greater in width than the minimums established by the street~~  
3 ~~standards in section 18.4.6.040.~~

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

6  
7 ~~e. Parking spaces may not be counted that are required as on-street parking in~~  
8 ~~accordance with section 18.3.9.060 in a development under the Performance~~  
9 ~~Standards Option.~~

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

13  
14 ~~B. Alternative Vehicle Parking. Alternative vehicle parking facilities may reduce the~~  
15 ~~required off-street parking spaces up to 25 percent, as follows:~~

16 ~~1. Motorecycle or scooter parking. One off-street parking space credit for four~~  
17 ~~motorecycle or scooter parking spaces.~~

18  
19 ~~2. Bicycle parking. One off-street parking space credit for five additional, non-~~  
20 ~~required bicycle parking spaces.~~

21  
22 ~~3. Microcar parking. One off-street parking space credit for two microcar parking~~  
23 ~~spaces. Microcar spaces shall be designed so that one full-size automobile can use two~~  
24 ~~microcar spaces, and the microcar spaces shall not be limited in use by hours or type of~~  
25 ~~vehicle through signage or other legal instrument.~~

26 ~~C. Mixed Uses. In the event that several users occupy a single structure or parcel of land,~~  
27 ~~the total requirements for off-street automobile parking shall be the sum of the~~  
28 ~~requirements for the several uses computed separately unless it can be shown that the peak~~  
29 ~~parking demands are offset, in which case the mixed-use credit may reduce the off-street~~  
30 ~~parking requirement by a percentage equal to the reduced parking demand. A mixed-use~~  
~~parking credit may reduce the required off-street parking spaces up to 50 percent.~~

1 ~~D. Joint Use of Facilities. Required parking facilities of two or more uses, structures, or~~  
2 ~~parcels of land may be satisfied by the same parking facilities used jointly, to the extent~~  
3 ~~that it can be shown by the owners or operators that the need for the facilities does not~~  
4 ~~materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided~~  
5 ~~that such right of joint use is evidenced by a deed, lease, contract, or similar written~~  
6 ~~instrument establishing such joint use. Jointly used parking facilities may reduce the~~  
7 ~~required off-street parking spaces up to 50 percent.~~

8 ~~E. Off-Site Shared Parking. One off-street parking space credit for every one parking~~  
9 ~~space constructed in designated off-site shared parking areas, or through payment of in-~~  
10 ~~lieu-of parking fees for a common parking. Off-site shared parking facilities may reduce~~  
11 ~~the required off-street parking spaces up to 100 percent.~~

12 ~~F. TDM Plan Credit. Through implementation of an individual Transportation Demand~~  
13 ~~Management (TDM) plan that demonstrates a reduction of long-term parking demand by a~~  
14 ~~percentage equal to the credit requested. A TDM plan may reduce the required off-street~~  
15 ~~parking spaces up to 50 percent.~~

16 ~~G. Transit Facilities Credit. Sites where at least 20 spaces are required and where at least~~  
17 ~~one lot line abuts a street with transit service may substitute transit-supportive plazas as~~  
18 ~~follows. A Transit Facilities Credit may reduce the required off-street parking spaces up to~~  
19 ~~50 percent.~~

20 ~~1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of~~  
21 ~~the required parking spaces on site.~~

22 ~~2. A street with transit service shall have a minimum of 30-minute peak period transit~~  
23 ~~service frequency.~~

24 ~~3. Existing parking areas may be converted to take advantage of these provisions.~~

25 ~~4. The plaza must be adjacent to and visible from the transit street. If there is a bus~~  
26 ~~stop along the site's frontage, the plaza must be adjacent to the bus stop.~~

1 ~~5. The plaza must be at least 300 square feet in area and be shaped so that a ten-foot~~  
2 ~~by ten-foot (10 feet X 10 feet) square will fit entirely in the plaza.~~

3  
4 ~~6. The plaza must include all of the following elements:~~

5 ~~a. A plaza that is open to the public. The owner must record a public access~~  
6 ~~easement that allows public access to the plaza.~~

7  
8 ~~b. A bench or other sitting area with at least five linear feet of seating.~~

9 ~~c. A shelter or other weather protection. The shelter must cover at least 20 square~~  
10 ~~feet and the plaza must be landscaped. This landscaping is in addition to any other~~  
11 ~~landscaping or screening required for parking areas by this ordinance. (Ord. 3199~~  
12 ~~§ 22, amended, 06/15/2021; Ord. 3167 § 13, amended, 12/18/2018; Ord. 3155 § 10,~~  
13 ~~amended, 07/17/2018)~~

14 **18.4.3.070 Bicycle Parking Standards**

15 **A. Applicability and Minimum Requirement.** All uses, with the exception of ~~residential~~  
16 ~~units single family residences, accessory residential units and duplexes with a garage~~ and  
17 uses in the C-1-D zone, are required to provide a ~~the~~ **minimum of two sheltered** bike parking  
18 spaces **required in Table 18.4.3.030.** ~~pursuant to this section.~~ The required bicycle parking  
19 shall be constructed when an existing residential building or dwelling is altered or enlarged by  
20 the addition or creation of dwelling units, or when a non-residential use is intensified by the  
21 addition of floor space, seating capacity, or change in use.

22  
23 **B. Calculation.** ~~Fractional spaces shall be rounded up to the next whole space.~~

24 **C. Bicycle Parking for Residential Uses.** ~~Every residential use of two or more dwelling~~  
25 ~~units per structure and not containing a garage for each dwelling shall provide bicycle~~  
26 ~~parking spaces as follows.~~

27  
28 ~~1. Multi-Family Residential. One sheltered space per studio unit or one-bedroom unit;~~  
29 ~~1.5 sheltered spaces per two-bedroom unit; and two sheltered spaces per three-~~  
30 ~~bedroom unit.~~

1           2. ~~Senior Housing. One sheltered space per eight dwelling units where 80 percent of~~  
2           ~~the occupants are 55 or older.~~

3           ~~D. Bicycle Parking for Non-Residential Uses. Uses required to provide off street parking,~~  
4           ~~except as specifically noted, shall provide two spaces per primary use, or one bicycle~~  
5           ~~parking space for every five required automobile parking spaces, whichever is greater.~~  
6           ~~Fifty percent of the bicycle parking spaces required shall be sheltered from the weather.~~  
7           ~~All spaces shall be located in proximity to the uses they are intended to serve.~~

8  
9           ~~E. Bicycle Parking for Parking Lots and Structures. All public parking lots and structures~~  
10           ~~shall provide two spaces per primary use, or one bicycle parking space for every five~~  
11           ~~automobile parking spaces, of which 50 percent shall be sheltered.~~

12           ~~F. Primary and Secondary Schools. Elementary, Junior High, Middle, and High Schools~~  
13           ~~shall provide one sheltered bicycle parking space for every five students.~~

14  
15           ~~G. Colleges, Universities, and Trade Schools. Colleges, universities, and trade schools shall~~  
16           ~~provide one bicycle parking space for every five required automobile parking spaces, of~~  
17           ~~which 50 percent shall be sheltered.~~

18           ~~H. No Fee for Use. No bicycle parking spaces required by this standard shall be rented or~~  
19           ~~leased, however, a refundable deposit fee may be charged. This does not preclude a bike~~  
20           ~~parking rental business.~~

21  
22           **I.C. Bicycle Parking Design Standards.**

23           1. Bicycle parking shall be located so that it is visible to and conveniently accessed by  
24           cyclists, and promotes security from theft and damage.

25  
26           2. Bicycle parking requirements, pursuant to this section, can be met in any of the  
27           following ways.

28           a. Providing bicycle racks or lockers outside the main building, underneath an  
29           awning or marquee, or in an accessory parking structure.

30           b. Providing a bicycle storage room, bicycle lockers, or racks inside the building.

1 c. Providing bicycle racks on the public right of way, subject to review and approval  
2 by the Staff Advisor.

3 3. All required exterior bicycle parking shall be located on-site and within 50 feet of a  
4 regularly used building entrance and not farther from the entrance than the closest motor  
5 vehicle parking space. Bicycle parking shall have direct access to both the public right-of-  
6 way and to the main entrance of the principal use. For facilities with multiple buildings,  
7 building entrances or parking lots (such as a college), exterior bicycle parking shall be  
8 located in areas of greatest use and convenience for bicyclists.

9 4. Required bicycle parking spaces located out of doors shall be visible enough to provide  
10 security. Lighting shall be provided in a bicycle parking area so that all facilities are  
11 thoroughly illuminated, well-lit, and visible from adjacent walkways or motor vehicle  
12 parking lots during all hours of use. ~~Bicycle parking shall be at least as well lit as~~  
13 ~~automobile parking.~~

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

18 6. Bicycle parking located outside the building shall provide and maintain an aisle for  
19 bicycle maneuvering between each row of bicycle parking. Bicycle parking including rack  
20 installations shall conform to the minimum clearance standards as illustrated in Figure  
21 ~~18.4.3.070.I.6.~~ 18.4.3.070.C.6

22 a. Bicycle parking must be installed in a manner to allow space for the bicycle to be  
23 maneuvered to a position where it may be secured without conflicts from other  
24 parked bicycles, walls, or other obstructions.

25 b. Bicycle parking should include sufficient bicycle parking spaces to accommodate  
26 large bicycles, including family and cargo bicycles.

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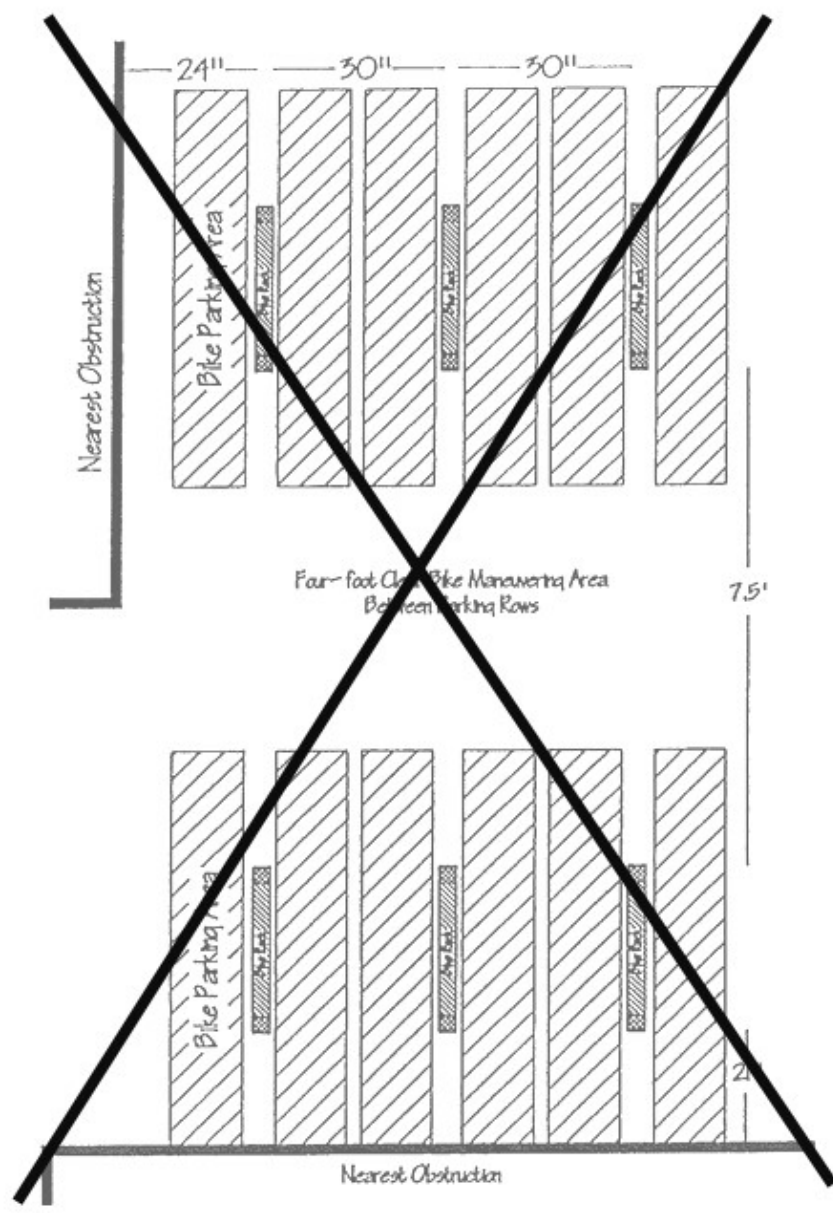
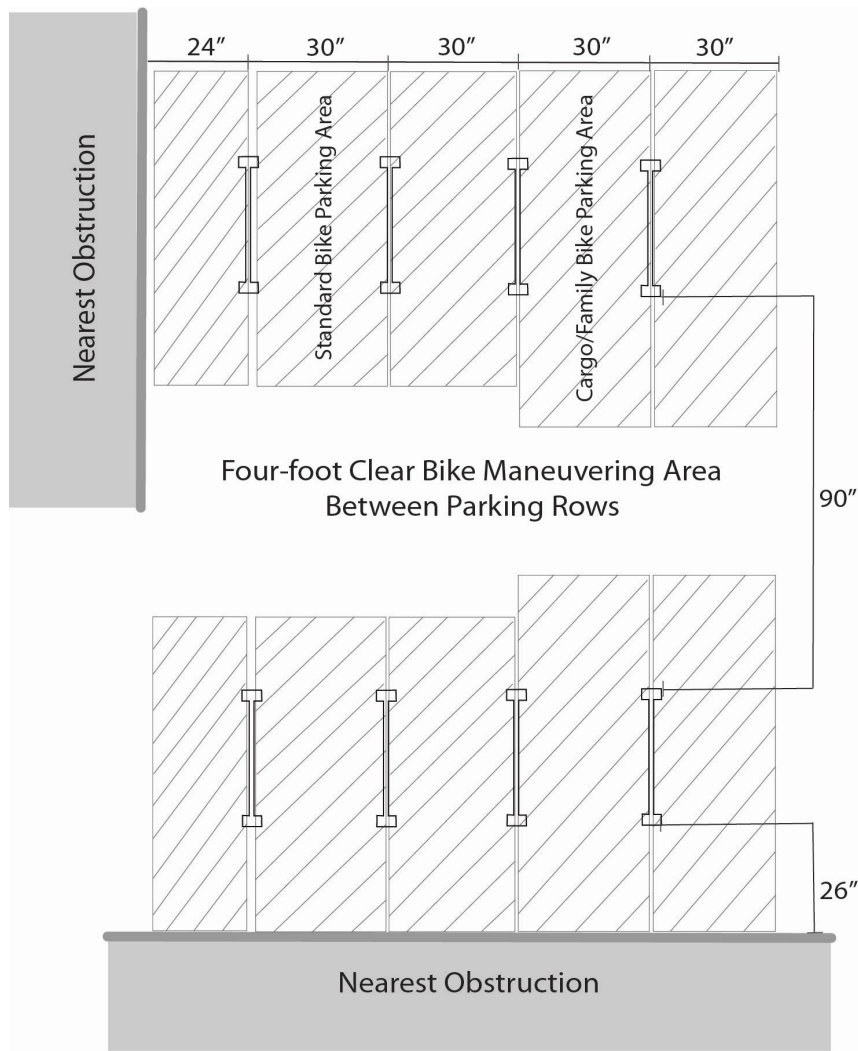


Figure 18.4.3.070.I.6.

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**Figure 18.4.3.070.C.6 Bike Parking Layout**

7. A bicycle parking space located inside of a building for employee bike parking shall be a minimum of six feet long by three feet wide by four feet high.
8. Each required bicycle parking space shall be accessible without moving another bicycle.
9. Areas set aside for required bicycle parking shall be clearly marked and reserved for bicycle parking only.
10. Sheltered parking shall mean protected from all precipitation and must include the minimum protection coverages as illustrated in Figure ~~18.4.3.070.I.10~~ **18.4.3.070.C.10.a**

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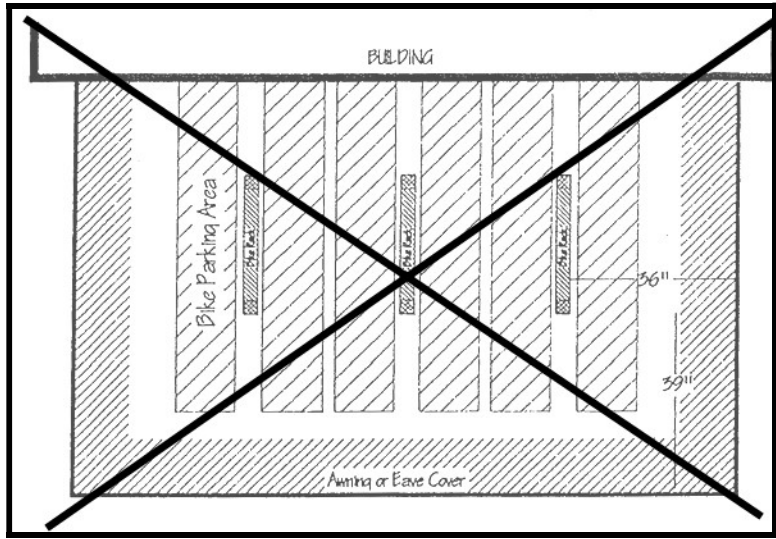
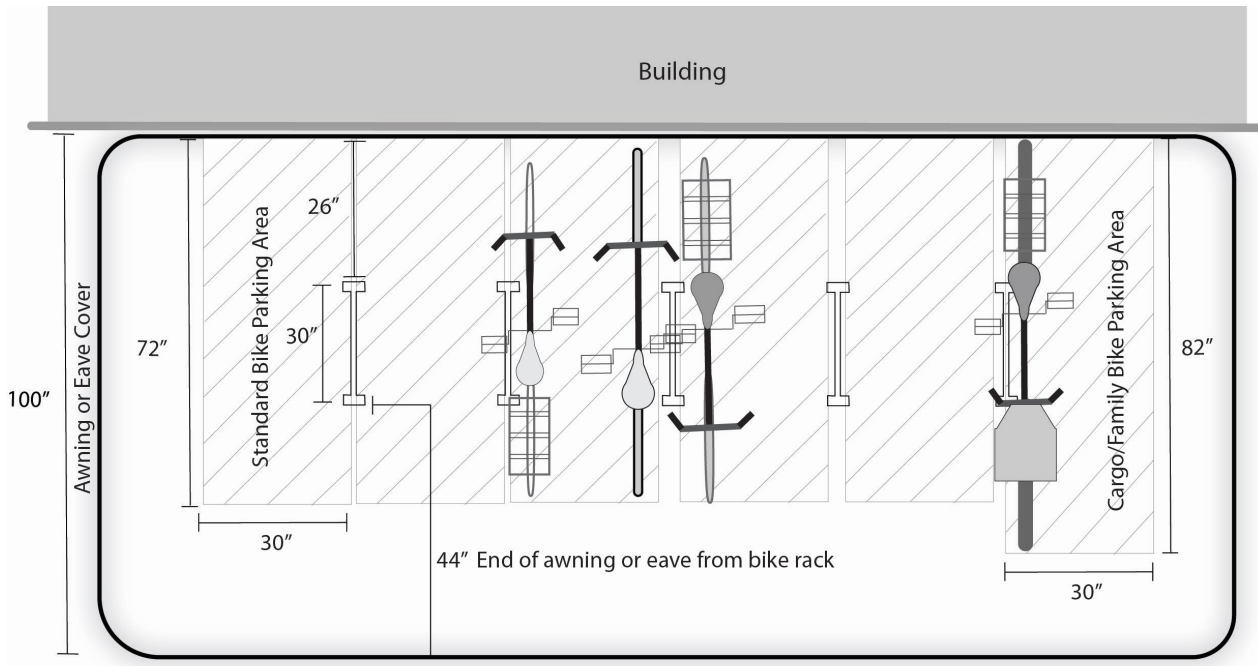


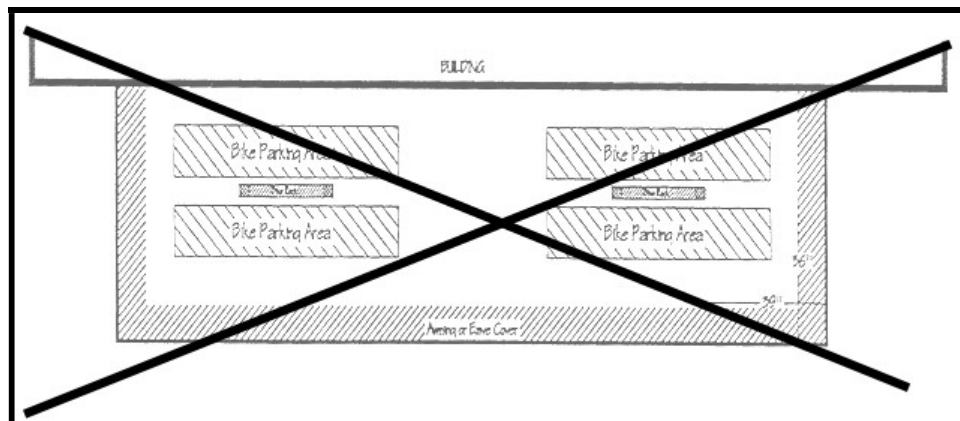
Figure 18.4.3.070.I.10.a.



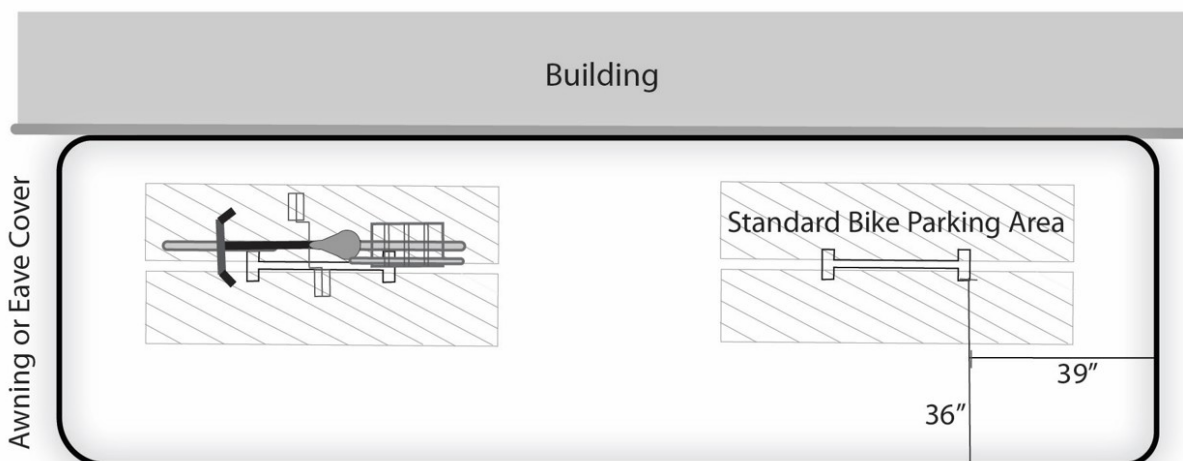
Awning or Eave Covered Bicycle Parking Layout

**18.4.3.070.C.10.a. Covered Bike Parking Layout**

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**Figure 18.4.3.070.I.10.b Covered Bike Parking Layout**



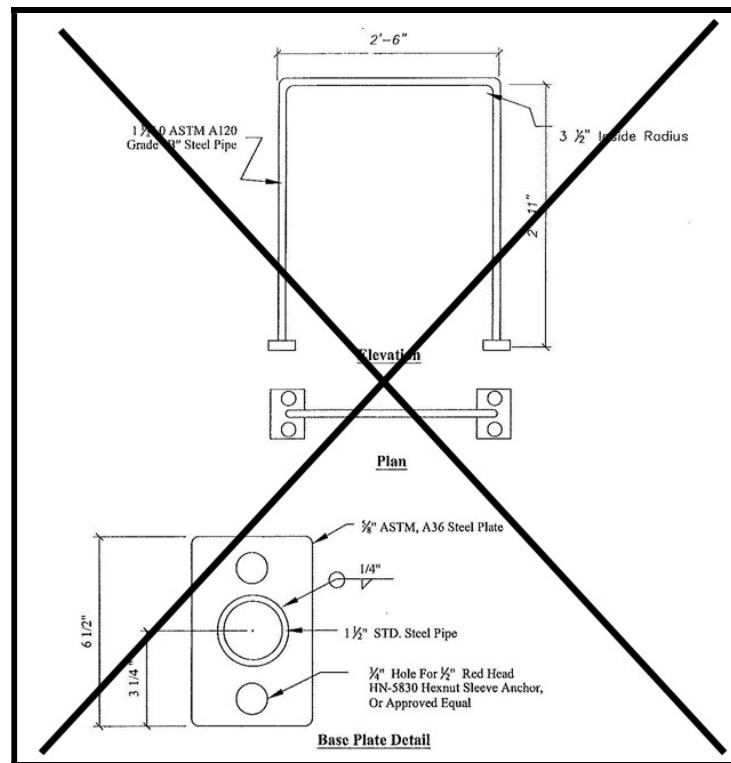
**Figure 18.4.3.070.C.10.b. Covered Bike Parking Layout**

11. Bicycle parking shall be located to minimize the possibility of accidental damage to either bicycles or racks. Where needed, barriers shall be installed.

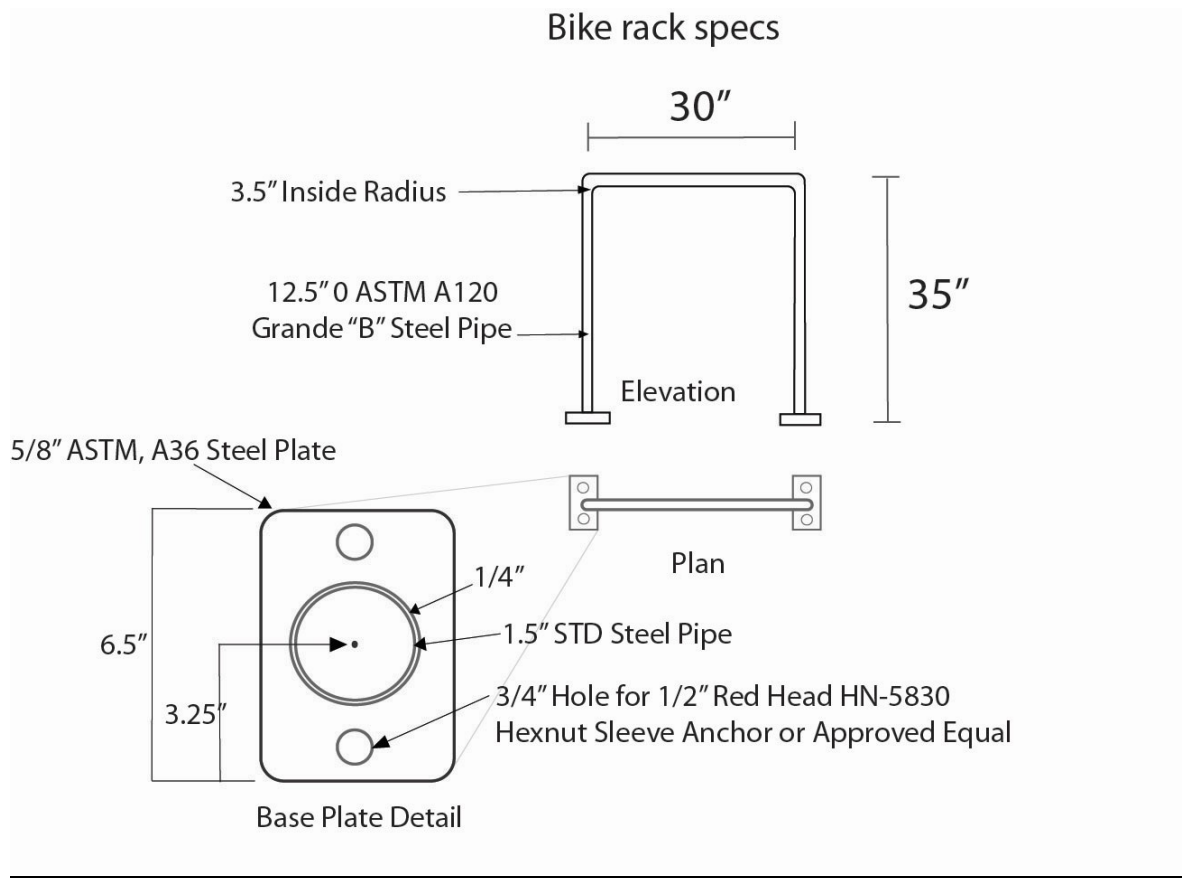
12. Bicycle parking shall not impede or create a hazard to pedestrians. They shall not be located so as to violate the vision clearance standards of section 18.2.4.050. Bicycle parking facilities should be harmonious with their environment both in color and design. Facilities should be incorporated whenever possible into building design or street furniture.

1 **J.D. Bicycle Parking Rack Standards.** The intent of the following standards is to ensure that  
2 required bicycle racks are designed so that bicycles may be securely locked to them without  
3 undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

4  
5 1. Bicycle parking racks shall consist of staple-design or inverted-u steel racks meeting the  
6 individual rack specifications as illustrated in Figure ~~18.4.3.070.J.1~~ **18.4.3.070.D.1**. The  
7 Staff Advisor, **in consultation with the Public Works Director,** ~~following review by the~~  
8 ~~Transportation Commission,~~ may approve alternatives to the above standards. Alternatives  
9 shall conform to all other applicable standards of this section **including accommodating**  
10 **large bicycles, family bicycles, or cargo bicycles so they may be secured by at least two**  
11 **points, and providing adequate shelter and lighting.**



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27 **Figure 18.4.3.070.J.1. Bicycle Parking Rack**



**Figure 18.4.3.070.D.1. Bicycle Parking Rack**

2. Commercial bike lockers are acceptable according to manufacturer's specifications.
3. Bicycle parking racks or lockers shall be anchored securely.
4. Bicycle racks shall hold bicycles securely by means of the frame. The frame shall be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels. Bicycle racks shall accommodate all of the following.
  - a. Locking the frame and both wheels to the rack with a high-security U-shaped shackle lock, if the bicyclist removes the front wheel.
  - b. Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, if the bicyclist leaves both wheels on the bicycle.
  - c. Locking the frame and both wheels to the rack with a chain or cable not longer than six feet without removal of the front wheel.

1 **18.4.3.080 Vehicle Area Design**

2 **A. Parking Location.**

3  
4 ~~1. Except for single family dwellings and duplexes, required automobile parking~~  
5 ~~facilities may be located on another parcel of land, provided said parcel is within 200~~  
6 ~~feet of the use it is intended to serve. The distance from the parking lot to the use shall~~  
7 ~~be measured in walking distance from the nearest parking space to an access to the~~  
8 ~~building housing the use, along a sidewalk or other pedestrian path separated from~~  
9 ~~street traffic. Such right to use the off-site parking must be evidenced by a deed, lease,~~  
10 ~~easement, or similar written instrument establishing such use, for the duration of the~~  
11 ~~use.~~

12 2.1. Except as allowed in the subsection below, automobile parking shall not be located in a  
13 required front and side yard setback area abutting a public street, except alleys.

14  
15 ~~3.~~2. In all residential zones, off-street parking in a front yard for all vehicles, including  
16 trailers and recreational vehicles, is limited to a contiguous area no more than 25 percent of  
17 the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard,  
18 whichever is greater. Since parking in violation of this section is occasional in nature, and is  
19 incidental to the primary use of the site, no vested rights are deemed to exist and violations  
20 of this section are not subject to the protection of the nonconforming use sections of this  
21 code.

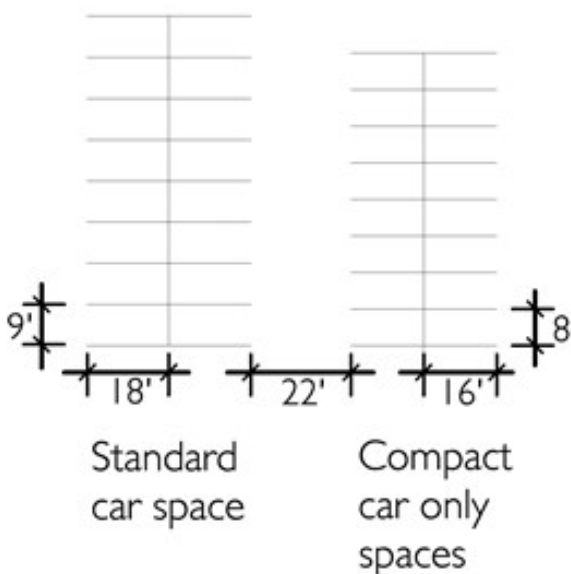
22 **B. Parking Area Design.** ~~Required~~ Voluntarily provided parking areas and parking spaces  
23 shall be designed in accordance with the following standards and dimensions as illustrated in  
24 Figure 18.4.3.080.B. See also accessible parking space requirements in section 18.4.3.050 and  
25 parking lot and screening standards in subsection 18.4.4.030.F.

26  
27 1. Parking spaces shall be a minimum of 9 feet by 18 feet.

28  
29 2. ~~Up to 50 percent of the total automobile parking spaces in a parking lot~~ Parking  
30 spaces may be designated for compact cars. Minimum dimensions for compact spaces shall  
be 8 feet by 16 feet. Such spaces shall be signed or the space painted with the words  
"Compact Car Only."

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3. Parking spaces shall have a back-up maneuvering space not less than 22 feet, except where parking is angled, and which does not necessitate moving of other vehicles.

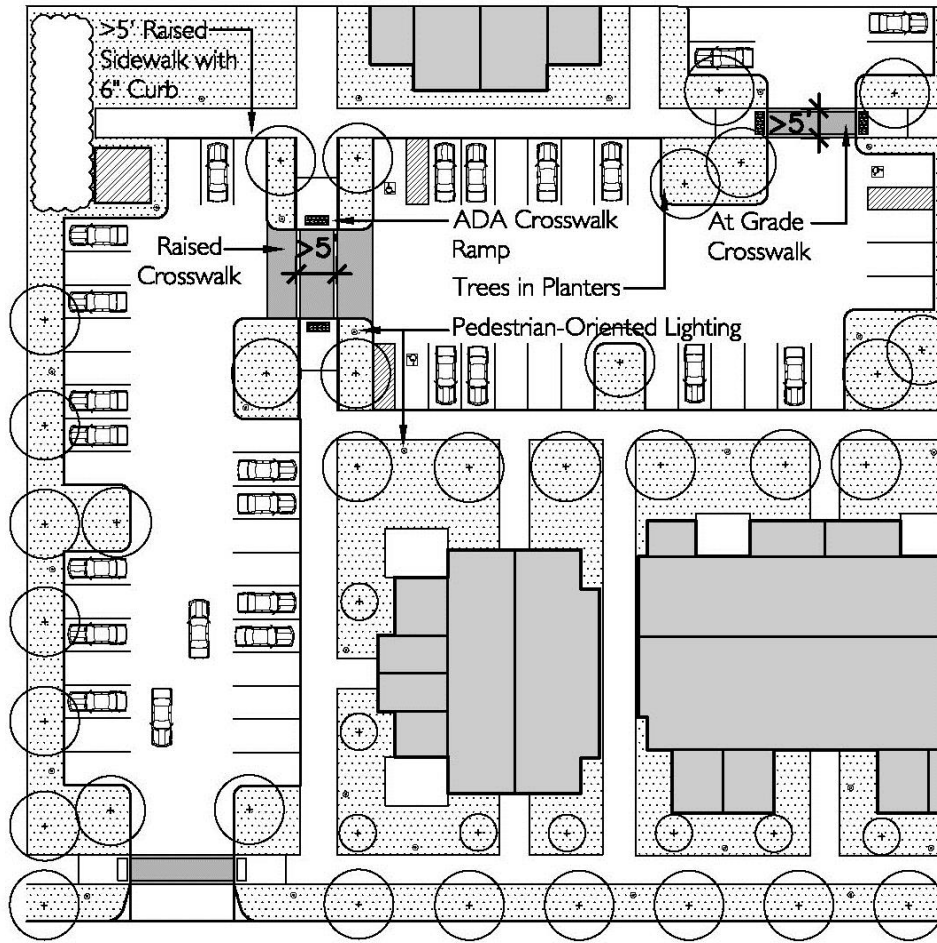


**Note: Up to 50% of the total of all parking spaces in a parking lot may be designed for compact cars.**

**Figure 18.4.3.080.B. Parking Area Dimensions**

4. Parking lots with 50 or more parking spaces, and parking lots where pedestrians must traverse more than 150 feet of parking area, as measured as an average width or depth, shall be divided into separate areas by one or more of the following means: a building or group of buildings; plaza landscape areas with walkways at least five feet in width; streets; or driveways with street-like features as illustrated in Figure 18.4.3.080.B.4. "Street-like features," for the purpose of this section, means a raised sidewalk of at least five feet in width, with six-inch curb, accessible curb ramps, street trees in planters or tree wells and pedestrian-oriented lighting (i.e., not exceeding 14 feet typical height).





**Figure 18.4.3.080.B.4. Dividing Parking Lots into Separate Areas**

5. Parking areas shall be designed to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection as illustrated in Figure 18.4.3.080.B.5. Parking areas of more than seven parking spaces shall meet the following standards:

- a. Use one or more of the following strategies for the surface parking area, or put 50 percent of parking underground. For parking lots with 50 or more spaces the approval authority may approve a combination of strategies.
  - i. Use light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) of at least 29) to reduce heat absorption for a minimum of 50 percent of the parking area surface.

- ii. Provide porous solid surfacing or an open grid pavement system that is at least 50 percent pervious for a minimum of 50 percent of the parking area surface.
- iii. Provide at least 50 percent shade from tree canopy over the parking area surface within five years of project occupancy.
- iv. Provide at least 50 percent shade from solar energy generating carports, canopies or trellis structures over the parking area surface.

b. Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales.

**c. Parking lot areas include all parking spaces, driveways and circulation and maneuvering areas.**

**6. Parking lot designs shall incorporate the strategies identified in 18.4.3.080.B.5.a and 18.4.3.080.B.5.b above, and further incorporate the following:**

**a. New or redeveloped parking lots for commercial, industrial, public use, mixed-use, and multifamily developments with three or more units, of less than one-half acre in area, shall include tree canopy covering at least 30 percent of the parking lot area at maturity, but no more than 15 years after planting.**

**b. New or redeveloped parking areas greater than one-half acre in area, shall provide one of the following:**

- i. **Tree canopy covering at least 40 percent of the new parking lot area at maturity, but no more than 15 years after planting.**
- ii. **The installation of solar panels with a generation capacity of at least one-half kilowatt per new parking space. These panels may be located anywhere on the property. In lieu of installing solar panels on site, the developer may pay an in-lieu-of fee of \$1,500 per new parking space to a city-established fund dedicated to equitable solar and/or wind energy development.**

1                   iii. For public buildings, demonstration of compliance with OAR 330-135-  
2                   0010, which requires that projects involving public buildings spend at  
3                   least 1.5 percent on green energy.

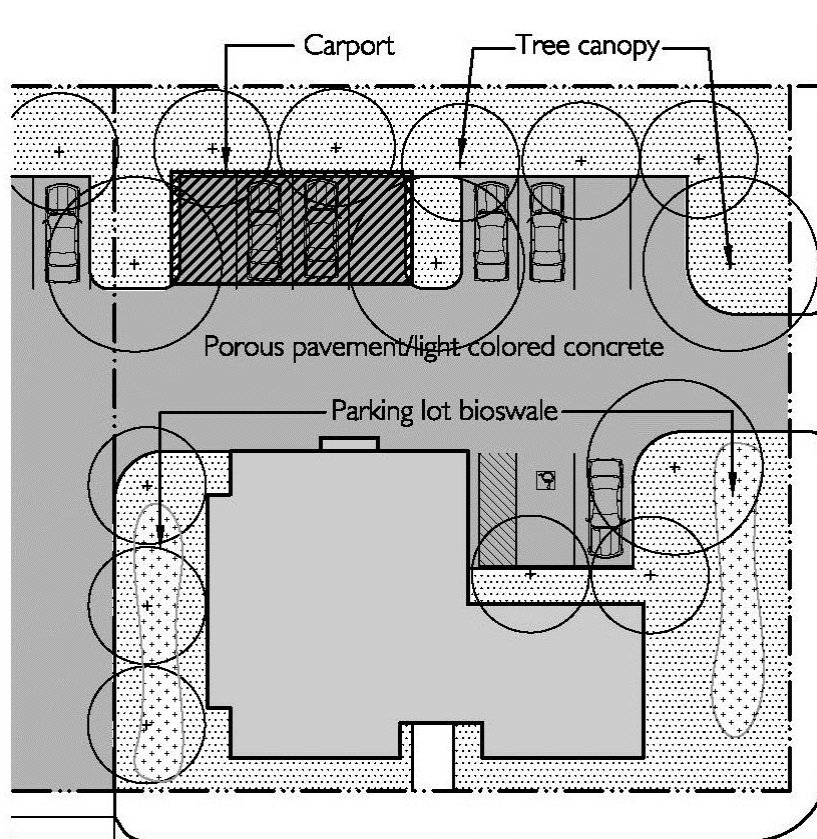
4                   c. Parking Lot Trees Planting Standards. Parking lot trees shall be selected from  
5                   the ‘Parking Lot Trees’ list found in the City of Ashland Recommended Street  
6                   Trees Guide. Alternative tree selections may be approved by the Staff advisor in  
7                   consultation with utility providers, and the Tree Advisory Committee.

8                   i. Parking lot trees shall be planted and maintained to maximize their  
9                   root health and chances for survival, and maintained to 2021 American  
10                  National Standards Institute (ANSI) A300 standards including having  
11                  ample high-quality soil, space for root growth, and reliable irrigation  
12                  according to the needs of the species, or as amended by ANSI.

13                  ii. A parking lot tree canopy plan for parking lots shall be prepared by a  
14                  licensed landscape architect or International Society of Arboriculture  
15                  (ISA) certified arborist and include certification that the plan is  
16                  consistent with ANSI A300 standards and was prepared in coordination  
17                  with the local electrical utility. Prior to final inspection or occupancy  
18                  approval, written certification from a licensed landscape architect or  
19                  ISA-certified arborist that the planting was completed according to the  
20                  approved plans shall be provided.

21                  iii. Canopy coverage is measured from a plan view based on expected  
22                  canopy diameter 15 years after planting. Existing mature trees to be  
23                  preserved may be counted at their existing diameter. Paved areas not  
24                  for use by passenger vehicles, such as loading areas or outdoor storage  
25                  of goods or materials, may be exempted from the canopy coverage  
26                  calculation.

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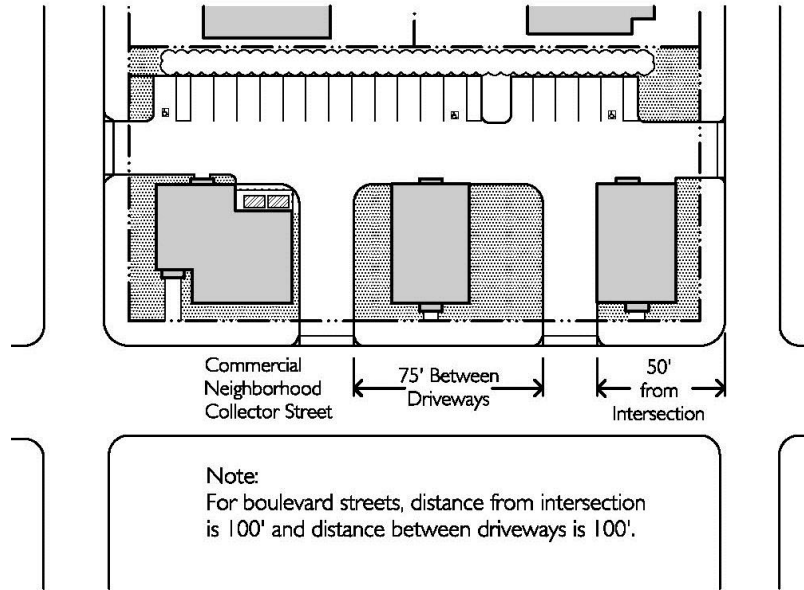
**Figure 18.4.3.080.B.5. Parking Design to Reduce Environmental Impacts**

**C. Vehicular Access and Circulation.** The intent of this subsection is to manage access to land uses and on-site circulation and maintain transportation system safety and operations. For transportation improvement requirements, refer to chapter 18.4.6, Public Facilities.

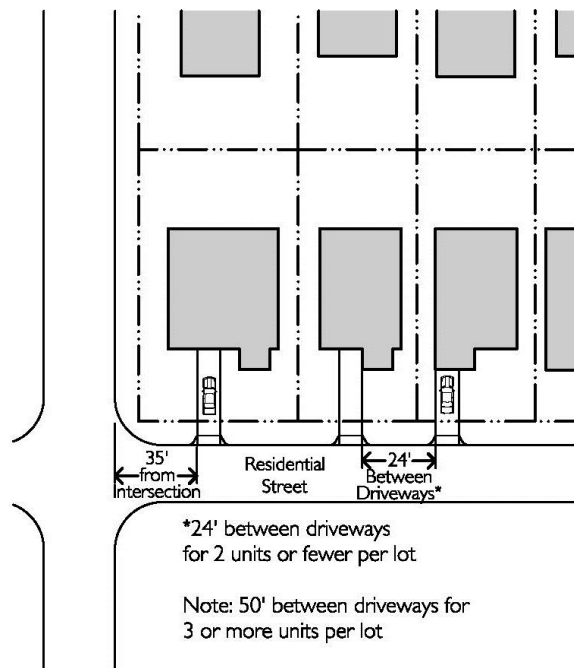
1. Applicability. This section applies to all public streets within the City and to all properties that abut these streets. The standards apply when developments are subject to a planning action (e.g., site design review, conditional use permit, land partition, performance standards subdivision).

2. Site Circulation. New development shall be required to provide a circulation system that accommodates expected traffic on the site. All on-site circulation systems shall incorporate street-like features as described in 18.4.3.080.B.4. Pedestrian connections on the site, including connections through large sites, and connections between sites and adjacent sidewalks must conform to the provisions of section 18.4.3.090.

3. Intersection and Driveway Separation. The distance from a street intersection to a driveway, or from a driveway to another driveway shall meet the minimum spacing requirements for the street's classification in the Ashland Transportation System Plan (TSP) as illustrated in Figures 18.4.3.080.C.3.a and 18.4.3.080.C.3.b.



**Figure 18.4.3.080.C.3.a. Driveway Separation for Boulevards, Avenues, and Collectors**



1 **Figure 18.4.3.080.C.3.b. Driveway Separation for Neighborhoods Streets**

2  
3 a. In no case shall driveways be closer than 24 feet as measured from the bottom of the  
4 existing or proposed apron wings of the driveway approach.

5  
6 b. Partitions and subdivisions of property located in an R-2, R-3, C-1, E-1, CM, or M-1  
7 zone shall meet the controlled access standards set forth below. If applicable, cross  
8 access easements shall be required so that access to all properties created by the land  
9 division can be made from one or more points.

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

12 i. Distance between driveways.

13

14	on boulevard	100 feet
15	streets:	
16	on collector	75 feet
17	streets:	
18	on neighborhood	24 feet for 2 units or
19	streets:	fewer per lot;
20		<b>50 feet for three or</b>
		<b>more units per lot</b>

21 ii. Distance from intersections.

22

23	on boulevard	100 feet
	streets:	
24	on collector	50 feet
25	streets:	
26	on neighborhood	35 feet
27	streets:	

28 d. Access Requirements for Multifamily Developments. All multifamily developments  
29 which will have automobile trip generation in excess of 250 vehicle trips per day shall  
30 provide at least two driveway access points to the development. Trip generation shall be  
determined by the methods established by the Institute of Transportation Engineers.

1 4. Shared Use of Driveways and Curb Cuts.

2 a. Plans submitted for developments subject to a planning action shall indicate how  
3 driveway intersections with streets have been minimized through the use of shared  
4 driveways and all necessary access easements. Where necessary from traffic safety and  
5 access management purposes, the City may require joint access and/or shared driveways  
6 in the following situations.

7 i. For shared parking areas.

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

9 iii. For multifamily developments, and developments on multiple lots.

10  
11 b. Developments subject to a planning action shall remove all curb cuts and driveway  
12 approaches not shown to be necessary for existing improvements or the proposed  
13 development. Curb cuts and approaches shall be replaced with standard curb, gutter,  
14 sidewalk, and planter/furnishings strip as appropriate.

15  
16 c. If the site is served by a shared access or alley, access for motor vehicles must be  
17 from the shared access or alley and not from the street frontage.

18 5. Alley Access. Where a property has alley access, vehicle access shall be taken from the  
19 alley and driveway approaches and curb cuts onto adjacent streets are not permitted.

20  
21 D. Driveways and Turn-Around Design. Driveways and turn-arounds providing access to  
22 parking areas shall conform to the following provisions.

23 1. A driveway for a single-family dwelling or a duplex shall be a minimum of nine feet in  
24 width except that driveways over 50 feet in length or serving a flag lot shall meet the width  
25 and design requirements of section 18.5.3.060. Accessory residential units are exempt from  
26 the requirements of this subsection.

27  
28 2. Parking areas of seven or fewer spaces shall be served by a driveway 12 feet in width,  
29 except for those driveways subject to subsection 18.4.3.080.D.1, above. Accessory  
30 residential units are exempt from the requirements of this subsection.

1 3. Parking areas of more than seven parking spaces shall be served by a driveway **20 feet in**  
2 **width and** constructed to: facilitate the flow of traffic on or off the site, with due regard to  
3 pedestrian and vehicle safety; be clearly and permanently marked and defined; **and** provide  
4 adequate aisles or turn-around areas so that all vehicles may enter the street in a forward  
5 manner; **and a driveway width as follows:**

6 **a. A driveway accommodating two-way vehicular circulation on-site shall be 20 feet**  
7 **in width.**

8 **b. A driveway configured for one-way vehicular circulation on-site, which provides**  
9 **seperated ingress and egress access onto the public street, may be reduced to 15 feet**  
10 **in width upon demonstration that adequate fire apparatus access is provided.**

11  
12 4. The width of driveways and curb cuts in the parkrow and sidewalk area shall be  
13 minimized.

14  
15 5. For single-family lots and multifamily developments, the number of driveway  
16 approaches and curb cuts shall not exceed one approach/curb cut per street frontage. For  
17 large multifamily developments and other uses, the number of approaches and curb cuts  
18 shall be minimized where feasible to address traffic safety or operations concerns.

19  
20 6. Vertical Clearances. Driveways, aisles, turn-around areas and ramps shall have a  
21 minimum vertical clearance of 13.5 feet for their entire length and width. Parking structures  
22 are exempt from this requirement.

23 7. Vision Clearance. No obstructions may be placed in the vision clearance area except as  
24 set forth in section 18.2.040.

25  
26 8. Grades for new driveways in all zones shall not exceed 20 percent for any portion of the  
27 driveway. If required by the City, the developer or owner shall provide certification of  
28 driveway grade by a licensed land surveyor.

29 9. All driveways shall be installed pursuant to City standards prior to issuance of a  
30 certificate of occupancy for new construction.



1 10. Driveways for lots created or modified through a land division or property line  
2 adjustment, including those for flag lots, shall conform to the requirements of chapter 18.5.3,  
3 Land Divisions and Property Line Adjustments.

4 **E. Parking and Access Construction.** The development and maintenance as provided below  
5 shall apply in all cases, except single-family dwellings, accessory residential units, and duplexes.  
6

7 1. Paving. All ~~required~~ parking areas, aisles, turn-arounds, and driveways shall be paved  
8 with concrete, asphaltic, porous solid surface, or comparable surfacing, constructed to  
9 standards on file in the office of the City Engineer.

10 2. Drainage. All ~~required~~ parking areas, aisles, and turn-arounds shall have provisions  
11 made for the on-site collection of drainage waters to eliminate sheet flow of such waters  
12 onto sidewalks, public rights-of-way, and abutting private property.  
13

14 3. Driveway Approaches. Approaches shall be paved with concrete surfacing constructed to  
15 standards on file in the office of the City Engineer.

16 4. Marking. Parking lots of more than seven spaces shall have all spaces permanently and  
17 clearly marked.  
18

19 5. Wheel stops. Wheel stops shall be a minimum of four inches in height and width and six  
20 feet in length. They shall be firmly attached to the ground and so constructed as to withstand  
21 normal wear. Wheel stops shall be provided where appropriate for all spaces abutting  
22 property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.  
23

24 6. Walls and Hedges.

25 a. Where a parking facility is adjacent to a street, a decorative masonry wall or fire-  
26 resistant broadleaf evergreen sight-obscuring hedge screen between 30 and 42 inches in  
27 height and a minimum of 12 inches in width shall be established parallel to and not  
28 nearer than two feet from the right-of-way line, pursuant to the following requirements:

29 i. The area between the wall or hedge and street line shall be landscaped.

30 ii. Screen planting shall be of such size and number to provide the required  
screening within 12 months of installation.

1           iii. All vegetation shall be adequately maintained by a permanent irrigation  
2 system, and said wall or hedge shall be maintained in good condition.

3           iv. Notwithstanding the above standards, the required wall or screening shall be  
4 designed to allow access to the site and sidewalk by pedestrians and shall meet the  
5 vision clearance area requirements in section 18.2.4.040, and shall not obstruct fire  
6 apparatus access, fire hydrants, or other fire appliances.

7  
8           b. In all zones, except single-family zones, where a parking facility or driveway is  
9 adjacent to a residential or agricultural zone, school yard, or like institution, a sight-  
10 obscuring fence, wall, or fire-resistant broadleaf evergreen sight-obscuring hedge shall  
11 be provided, pursuant to the following requirements:

12           i. The fence, wall or hedge shall be placed on the property line and shall be  
13 between five feet and six feet in height as measured from the high grade side of the  
14 property line, except that the height shall be reduced to 30 inches within a required  
15 setback area and within ten feet of a street property line.

16           ii. Screen plantings shall be of such size and number to provide the required  
17 screening within 12 months of installation.

18           iii. Adequate provisions shall be made to protect walls, fences, or plant materials  
19 from being damaged by vehicles using said parking area.

20           iv. Notwithstanding the above standards, the required wall or screening shall be  
21 designed to meet the vision clearance area requirements in section 18.2.4.040.

22           v. The fence, wall, or hedge shall be maintained in good condition.

23  
24           7. Landscaping. In all zones, all parking facilities shall include landscaping to cover not  
25 less than seven percent of the area devoted to outdoor parking facilities, including the  
26 landscaping required in subsection 18.4.3.080.E.6, above. Said landscaping shall be  
27 uniformly distributed throughout the parking area, and provided with irrigation facilities and  
28 protective curbs or raised wood headers. It may consist of trees, plus shrubs, ground cover,  
29 or related material. A minimum of one tree per seven parking spaces is required **and in**  
30 **compliance with the parking lot tree canopy standards set forth in 18.4.3.080.B.6.**

1 **8. Electric Vehicle Charging. Mixed-use or multifamily residential developments with**  
2 **five or more dwelling units shall provide electrical service capacity by extending**  
3 **conduit to support future electric vehicle charging infrastructure to at least 40 percent**  
4 **of the off-street parking spaces provided.**

5 **9. Where new designated employee parking areas are voluntarily provided in new**  
6 **developments, preferential parking for carpools and vanpools shall be included.**

7  
8 **§10. Lighting.** Lighting of parking areas within 100 feet of property in residential zones shall  
9 be directed into or on the site and away from property lines such that the light element shall  
10 not be directly visible from abutting residential property. Lighting shall comply with section  
11 18.4.4.050. (Ord. 3199 § 23, amended, 06/15/2021; Ord. 3158 § 5, amended, 09/18/2018;  
12 Ord. 3155 § 11, amended, 07/17/2018)

13  
14 **18.4.3.090 Pedestrian Access and Circulation**

15  
16 **A. Purpose.** The purpose of this section is to provide for safe, direct, and convenient pedestrian  
17 access and circulation.

18  
19 **B. Standards.** Development subject to this chapter, except single-family dwellings on  
20 individual lots, accessory residential units, duplexes, and associated accessory structures, shall  
21 conform to the following standards for pedestrian access and circulation:

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

27  
28 2. **Safe, Direct, and Convenient.** Provide safe, reasonably direct, and convenient walkway  
29 connections between primary building entrances and all adjacent streets. For the purposes of  
30 this section, the following definitions apply:

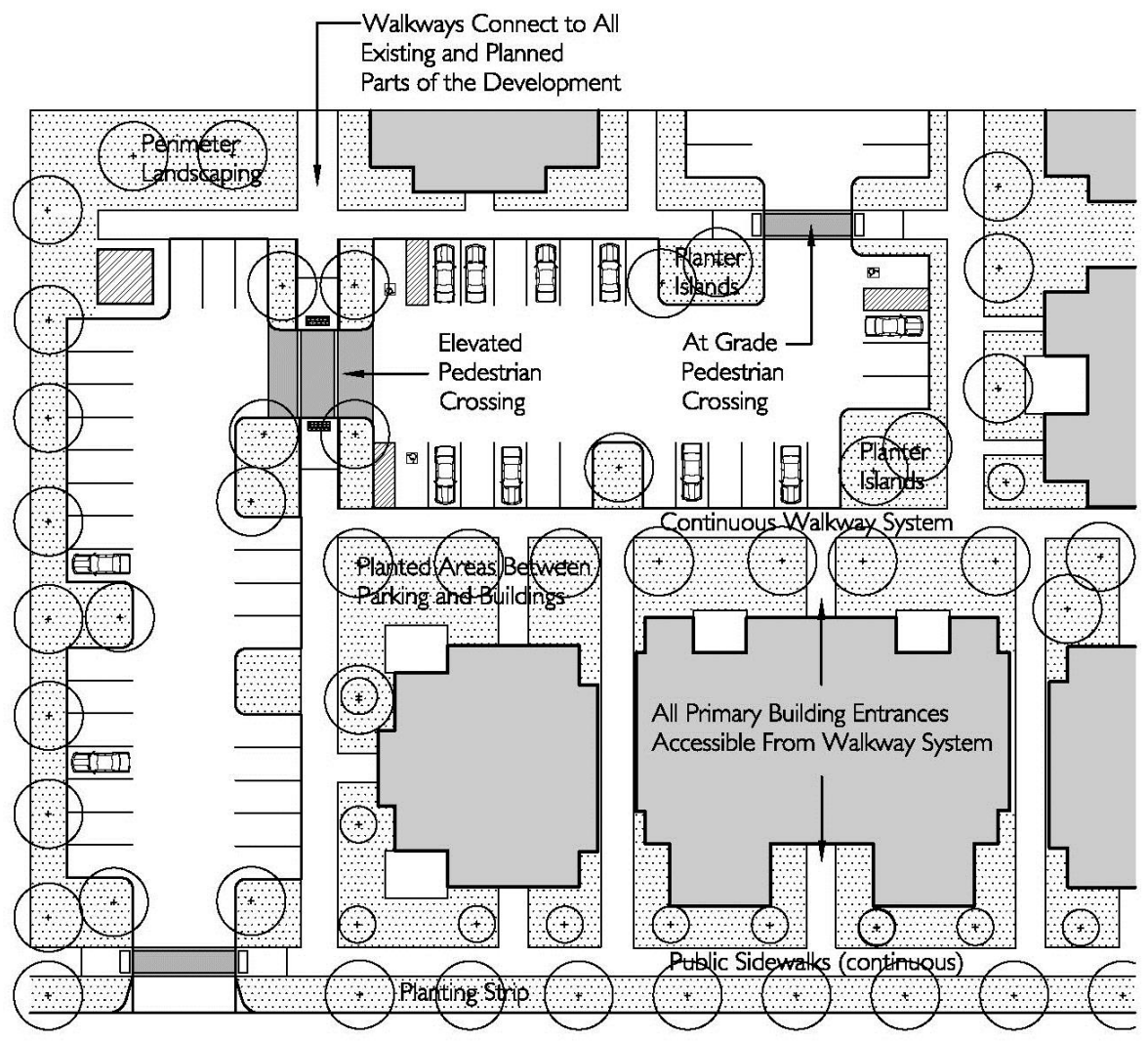
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- a. Reasonably Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
- b. Safe and Convenient. Reasonably free from hazards and provides a reasonably direct means of walking between destinations.
- c. Primary Entrance. For a non-residential building, the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
- d. Primary Entrance. For a residential building, the front door (i.e., facing the street). For multifamily buildings and mixed-use buildings where not all dwelling units have an individual exterior entrance, the “primary entrance” may be a lobby, courtyard, or breezeway serving as a common entrance for more than one dwelling.

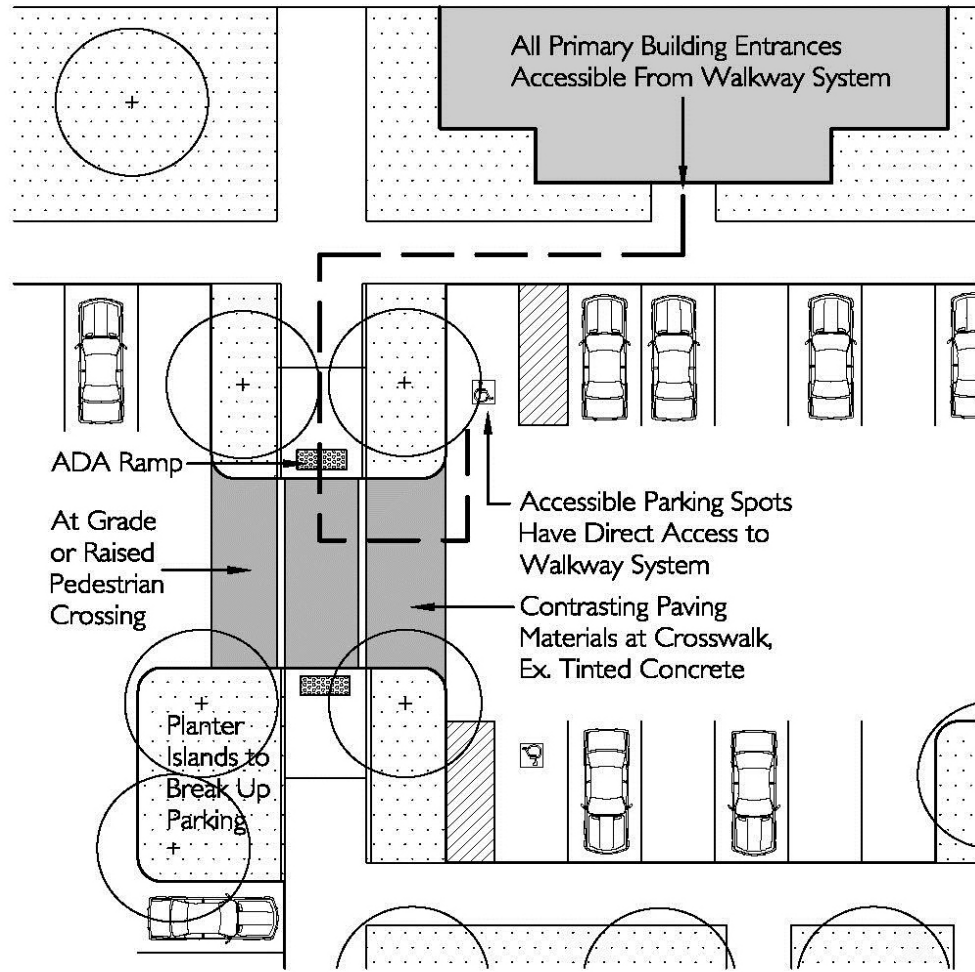
3. Connections within Development. Walkways within developments shall provide connections meeting all of the following requirements as illustrated in Figures [18.4.3.090.B.3.a](#) and [18.4.3.090.B.3.b](#):

- a. Connect all building entrances to one another to the extent practicable.
- b. Connect on-site parking areas, common and public open spaces, and common areas, and connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections.
- c. Install a protected raised walkway through parking areas of 50 or more spaces, and where pedestrians must traverse more than 150 feet of parking area, as measured as an average width or depth.

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**Figure 18.4.3.090.B.3.a. Pedestrian Access and Circulation**



**Figure 18.4.3.090.B.3.b. Pedestrian Access and Circulation Detail**

4. Walkway Design and Construction. Walkways shall conform to all of the following standards as illustrated in Figures 18.4.3.090.B.3.a and 18.4.3.090.B.b. For transportation improvement requirements, refer to chapter 18.4.6, Public Facilities.

a. Vehicle/Walkway Separation. Except for crosswalks, where a walkway abuts a driveway or street, it shall be raised six inches and curbed along the edge of the driveway. Alternatively, the approval authority may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is distinguished from vehicle-maneuvering areas. Examples of alternative treatments are mountable curbs, surface treatments such as stamped concrete or reflector bumps, and using a row of decorative metal or concrete bollards to separate a walkway from a driveway.

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

6 c. Walkway Surface and Width. Walkway surfaces shall be concrete, asphalt,  
7 brick/masonry pavers, or other durable surface, and at least five feet wide. Multi-use  
8 paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, and at least ten feet  
9 wide, in accordance with section [18.4.6.040](#), Street Design Standards.

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

15 e. Lighting. Lighting shall comply with section [18.4.4.050](#). (Ord. 3199 § 24, amended,  
16 06/15/2021; Ord. 3191 § 24, amended, 11/17/2020)

17  
18  
19  
20 **18.4.3.100 Construction**

21 ~~The required p~~Parking, access, and circulations facilities, shall be installed **as approved** prior  
22 to a release of a certificate of use and occupancy or a release of utilities, and shall be  
23 permanently maintained as a condition of use. However, the Building Official may, unless  
24 otherwise directed by the Planning Commission or Staff Advisor, release a temporary certificate  
25 of use and occupancy and a temporary release of utilities before the installation of said facilities  
26 provided: (1) there is proof that the owner has entered into a contract with a qualified, bonded,  
27 and insured contractor for the completion of the parking, including walkways, landscaping, and  
28 other elements required by this chapter, with a specified time, and no other conditions of  
29 approval are outstanding; or (2) the owner has posted a satisfactory performance bond to ensure  
30 the installation of said parking facilities within a specified time.

1 **18.4.3.110 Availability of Facilities**

2 ~~Required~~ **P**arking, access, and circulation shall be available for use by residents, customers,  
 3 and employees only, and shall not be used for the storage or display of vehicles or materials.  
 4

5 **SECTION 3.** Section 18.2.2, Base Zones and Allowed Uses, Table 18.2.2.030 is hereby  
 6 amended to allow Public Parking Facilities a permitted use in all zones as follows:  
 7

8 **Table 18.2.2.030. Uses Allowed by Zone**

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
<b>D. Public and Institutional Uses</b>										
Public Parking Facility	<b>N-P</b>	<b>N-P</b>	<b>N-P</b>	<b>N-P</b>	<b>N-P</b>	<b>N-P</b>	P	P	P	

11  
12  
13  
14  
15 **1 KEY:** P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

16  
17 **SECTION 4.** Section 18.2.3, Special Use Standards, is hereby amended as follows:

18 ~~18.2.3.040.E. Accessory Residential Units Off-street parking spaces are not required for~~  
 19 ~~accessory residential units as specified in the parking ratio requirements in section~~  
 20 ~~18.4.3.040.~~

21  
22 ~~18.2.3.090.C.3.i Cottage Housing. Parking shall meet the minimum parking ratios per~~  
 23 ~~section 18.4.3.040.~~

24  
25 **18.2.3.100.B.2 Drive-Thru's.** All facilities providing drive-up service shall provide ~~at least two~~  
 26 ~~designated parking spaces~~ a waiting area to accommodate at least two customer vehicles  
 27 outside of the queue immediately beyond the service window or provide other satisfactory  
 28 methods to allow customers requiring excessive waiting time to receive service. ~~while parked.~~

29  
30 **18.2.3.110.F. Duplexes.** ~~The property shall have two off-street parking spaces in~~  
~~conformance with the parking ratio requirements in section~~ 18.4.3.040. Parking spaces shall



1 meet the vehicle area design requirements of section 18.4.3.080, except that parking spaces, turn-  
2 arounds, and driveways are exempt from the requirements in subsections  
3 18.4.3.080.D.1 and 2 and paving requirements in subsection 18.4.3.080.E.1. (Ord. 3199 § 6,  
4 amended, 06/15/2021)

5  
6 ~~18.2.3.130.B.4 4. Dwelling in Non-Residential Zone. Off-street parking is not required for~~  
7 ~~residential uses in the C-1-D zone. (Ord. 3167 § 5, amended, 12/18/2018)~~

8  
9 **18.2.3.180. Manufactured Housing Developments.**

10 **A. Purpose.** The purpose of this section is to encourage the most appropriate use of land for  
11 manufactured housing development purposes, to encourage design standards which will create  
12 pleasing appearances, to provide sufficient open space for light, air, and recreation, to provide  
13 adequate access to ~~and parking for~~ manufactured housing sites, and to refer minimum utility  
14 service facilities to appropriate City codes.

15  
16 ~~18.2.3.180.D.8. Off-Street Parking Standards. Each manufactured housing unit shall be~~  
17 ~~provided with one off-street parking space on each manufactured housing site, set back 20~~  
18 ~~feet from the street. In addition, guest parking facilities of one parking space for each~~  
19 ~~manufactured housing site shall also be provided on the project site, within 200 feet of the~~  
20 ~~units they are intended to serve, either adjacent to the road or in an off-street parking lot.~~  
21 ~~Parking space construction, size, landscaping, and design requirements shall be according~~  
22 ~~to chapters 18.4.3 and 18.4.4.~~

23  
24 ~~18.2.3.180.E.8 . Each manufactured housing unit shall have a one parking space located on~~  
25 ~~or adjacent to the unit space. The parking space shall be set back at least 20 feet from the~~  
26 ~~street.~~

27  
28 **18.2.3.200 Multi-Family Rental Unit Conversion to For Purchase Housing**

29 **C.1** Existing multiple-family dwelling structures may be converted from rental units to  
30 for-purchase housing, where all or only a portion of the structure is converted, as set forth  
in Table 18.2.3.200.C.1, provided the existing structure meets the following regulations

1 of the applicable zone: permitted density, yard requirements, maximum height, maximum  
2 lot coverage, open space, maximum permitted floor area, waste enclosures, **parking**, and  
3 bike storage.

4  
5 **C.2.a.** Conversion of existing multiple-family structures to for-purchase housing shall  
6 comply with the following general regulations and the site development and design  
7 standards in part 18.4: number of bike ~~and automobile~~ parking spaces, trash, and  
8 recycling enclosures.

9  
10 **18.2.3.210 Retail Uses Allowed in the Railroad Historic District.** Uses are limited to those  
11 designed to serve primarily pedestrian traffic. ~~No additional off-street parking is required,~~  
12 ~~except for accessible parking as required by the building code.~~

13  
14 ~~AMC 18.2.3.220.B.5 Travelers Accommodations. Each accommodation must have one off-~~  
15 ~~street parking space and the business owner's unit must have two parking spaces. All~~  
16 ~~parking spaces shall be in conformance with chapter 18.4.3.~~

17  
18 **18.2.3.220.C.4 Accessory Travelers Accommodations.** ~~The property must have two off-~~  
19 ~~street parking spaces.~~ The total number of guest vehicles associated with the accessory  
20 travelers' accommodation must not exceed one.

21  
22 **SECTION 5.** Section 18.3.2, Croman Mill District, is hereby amended as follows:

23 **18.3.2.060.A.11 On-Street Parking.** On-street parallel parking may be required along the  
24 central boulevard and local streets as illustrated in Figure 18.3.2.060.A.10. ~~If on-street parking~~  
25 ~~is required on streets identified on the On-Street Parking map, angled parking and loading~~  
26 ~~zones are prohibited on these streets.~~ Options addressing the street configuration will be  
27 evaluated with the final design of the streets identified on the On-Street Parking map.

28 **18.3.2.060.B.4. Parking Areas and On-Site Circulation.** Except as otherwise required by this  
29 chapter, automobile parking, loading, and circulation areas shall comply with the requirements of  
30 part 18.4, Site Development and Design Standards, and the following standards:

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a. Primary parking areas shall be located behind buildings with limited parking on one side of the building, except that parking shall be located behind buildings only where development is adjacent to an active edge street or is within a NC, MU or OE zone.

b. Parking areas shall be shaded by deciduous trees, buffered from adjacent non-residential uses and screened from non-residential uses.

~~c. **Maximum On-Site Surface Parking.** After a parking management strategy for the Croman Mill District is in place, a maximum of 50 percent of the required off-street parking can be constructed as surface parking on any development site. The remaining parking requirement can be met through one or a combination of the credits for automobile parking in chapter 18.4.3, Parking, Access, and Circulation.~~

**18.3.2.060.C.13 b. Structured Parking Bonus.** A building may be increased by up to one story in height when ~~the corresponding required~~ voluntarily provided automobile parking is accommodated underground or within a private structured parking facility, subject to building height limitations for the zoning district.

**SECTION 6.** Section 18.3.4, Normal Neighborhood District, is hereby amended as follows:

**18.3.4.060.A.4 Required On-Street Parking.** On-street parking is a key strategy to traffic calming and ~~is~~ may be required along the neighborhood collector and local streets.

**18.3.4.060.B.5 Off-Street Parking.** Where provided, ~~a~~Automobile parking, loading and circulation areas must comply with the requirements of chapter 18.4.3, Parking, Access, and Circulation, and as follows:

a. Neighborhood serving commercial uses within the NN-1-3.5-C zone must have parking primarily accommodated by the provision of public parking areas and on-street parking spaces, ~~and are not required to provide private off-street parking or loading areas, except for residential uses where one space shall be provided per residential unit.~~

**SECTION 7.** Section 18.3.5, North Mountain Neighborhood District, Table 18.5.050 is hereby amended to allow public parking lots as a permitted use as follows:

**Table 18.3.5.050. North Mountain Neighborhood Uses Allowed by Zone<sup>1</sup>**

	North Mountain Neighborhood Zones <sup>2</sup>				
	NM-R-1-7.5	NM-R-1-5	NM-MF	NM-C	NM-Civic
<b>B. Public and Institutional Uses</b>					
Public Parking Lots	<b>N P</b>	<b>N P</b>	<b>N P</b>	<b>CU P</b>	<b>N P</b>

<sup>1</sup> Key: P = Permitted Uses; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

**SECTION 8.** Section 18.3.9, Performance Standars Option & PSO Overlay, is hereby amended as follows:

**18.3.9.060 Parking Standards**

All development under this chapter shall conform to the following parking standards, which are in addition to the requirements of chapter 18.4.3, Parking, Access, and Circulation.

**A. On-Street Parking Required.** ~~At least one on-street parking space per dwelling unit shall be provided, in addition to the off-street parking requirements for all developments in an R-1 zone, with the exception of cottage housing developments, and for all developments in R-2 and R-3 zones that create or improve public streets.~~ For all Performance Standards Subdivisions in R-1 zones, and for all Performance Standards Subdivisions in R-2 or R-3 zones which create or improve city streets, at least one on-street parking space per proposed lot shall be provided with the following exceptions.

- 1. Where on-street parking is provided on newly created or improved streets, the total number of on-street spaces required should not surpass the available street frontage, with each parking space being considered equivalent to 22 feet in length without interruption and exclusive of designated no-parking areas.

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2. Streets outside the City of Ashland's jurisdiction, such as those overseen by the State of Oregon Department of Transportation (ODOT) or Jackson County, which are improved by a development, are not required to provide on-street parking as outlined in this requirement if prohibited or exempted by the governing jurisdiction.

3. Lots containing cottage housing developments, housing units smaller than 750 square feet, or affordable housing are not subject to the requirement of providing on-street parking in Performance Standards Subdivisions.

**B. On-Street Parking Standards.** On-street parking spaces shall be immediately adjacent to the public right-of-way on publicly or association-owned land and be directly accessible from public right-of-way streets. On-street parking spaces shall be located within 200 feet of the **dwelling lot** that it is intended to serve. In addition, on-street public parking may be provided pursuant to minimum criteria established under subsection 18.4.3.060.A.

**C. Signing of Streets.** The installation of “No Parking” signs regulating parking in the public right-of-way and any other signs related to the regulation of on-street parking shall be consistent with the Street Standards in 18.4.6.030, and shall be consistent with the respective City planning approval.

**SECTION 9.** Section 18.3.14 Transit Triangel Overlay, is hereby amended as follows:

**C. Parking Ratios.** Properties developed under the TT overlay option are subject to the standard requirements of chapter 18.4.3 , Parking, Access, and Circulation, ~~except as provided by subsection 18.4.3.030.C.~~

~~1. Multi-Family Dwellings. The minimum number of off-street automobile parking spaces required for multi-family dwelling units for development under the TT overlay option are as follows:~~

~~a. Units less than 800 square feet—1 space/unit.~~

~~b. Units greater than 800 square feet and less than 1,000 square feet—1.5 spaces/unit.~~

~~c. Units greater than 1,000 square feet—2.00 spaces/unit.~~

1 ~~2. Retail Sales and Services, Offices, and Restaurants. The required off-street~~  
2 ~~parking spaces may be reduced up to three parking spaces for retail sales and~~  
3 ~~services, general office, or restaurant uses. The maximum reduction under this~~  
4 ~~subsection is three parking spaces per building.~~

5 ~~D. Availability of Parking Facilities. For properties developed under the TT overlay~~  
6 ~~option, required off-street automobile parking spaces shall be available for use by~~  
7 ~~residents, customers, and employees, and shall not be limited in use by hours or type of~~  
8 ~~user through signage or other legal instrument. Required off-street automobile parking~~  
9 ~~shall not be used for the storage or display of vehicles or materials. (Ord. 3166 § 2 (part),~~  
10 ~~added, 12/18/2018)~~

11  
12 **SECTION 10.** Section 18.5.2, Site Design Review, is hereby amended as follows:

13 **18.5.2.020.A.7** Any change of occupancy from a less intense to a more intensive occupancy, as  
14 defined in the building code, ~~or a change in use that requires a greater number of parking~~  
15 ~~spaces.~~

16  
17 ~~18.5.2.020.B.5. Any change in use that requires a greater number of parking spaces.~~

18  
19 **SECTION 11.** Section 18.5.3, Land Divisions and Property Line Adjustments, is hereby  
20 amended as follows:

21 **18.5.3.060.F** Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may  
22 be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent ~~for~~  
23 ~~not more than~~ provided that the cumulative length of such variances across multiple  
24 sections of the flag drive does not exceed 200 feet. Such variances shall be required to meet all  
25 of the criteria for approval in chapter 18.5.5 Variances.

26  
27 ~~18.5.3.060.K Each flag lot has at least three parking spaces~~ Where off-street parking is  
28 voluntarily provided on a flag lot, it shall be situated to eliminate the necessity for vehicles  
29 backing out.

30  
**SECTION 12.** Section 18.5.4, Conditional Use Permits, is hereby amended as follows:

1 **18.5.4.050.B.7** Designating the size, number, location, ~~and/or~~ design, **and screening** of vehicle  
2 and pedestrian access points, ~~or~~ **and applicant proposed** parking and loading areas.

3  
4 **SECTION 13.** Section 18.5.5, Variances, is hereby amended as follows:

5 ~~18.5.5.030.A.5. Up to ten percent reduction in the number of required parking spaces.~~

6 ~~18.5.5.030.A.6. Up to 50 percent reduction for parking requirements in the Historic~~  
7 ~~District.~~

8  
9 **SECTION 14.** Section 18.5.6, Modifications to Approved Planning Actions , is hereby

10 **18.5.6.030.A Authorization of Major Modifications.** The approval authority and review  
11 procedure for Major Modification applications is the same as for the original project or plan  
12 approval. Any one of the following changes constitutes a Major Modification.

- 13 1. A change in land use, from a less intensive use to a more intensive use, as evidenced  
14 by ~~parking, paved area,~~ **an** estimated ~~an~~ increase in automobile or truck trips (peak  
15 and/or average daily trips), an increase in hours of operation, ~~an increased demand for~~  
16 **parking**, additional paved area, or similar factors, where the increase is 20 percent or  
17 more, provided the standards of parts 18.2, 18.3, and 18.4 are met.

18  
19 **SECTION 15. Codification.** In preparing this ordinance for publication and distribution, the  
20 City Recorder shall not alter the sense, meaning, effect, or substance of the ordinance, but within  
21 such limitations, may:

- 22 (a) Renumber sections and parts of sections of the ordinance;  
23 (b) Rearrange sections;  
24 (c) Change reference numbers to agree with renumbered chapters, sections or other parts;  
25 (d) Delete references to repealed sections;  
26 (e) Substitute the proper subsection, section, or chapter numbers;  
27 (f) Change capitalization and spelling for the purpose of uniformity;  
28 (g) Add headings for purposes of grouping like sections together for ease of reference; and  
29 (h) Correct manifest clerical, grammatical, or typographical errors.  
30

1 **SECTION 16. Severability.** Each section of this ordinance, and any part thereof, is severable,  
2 and if any part of this ordinance is held invalid by a court of competent jurisdiction, the  
3 remainder of this ordinance shall remain in full force and effect.  
4

5 The foregoing ordinance was first read by title only in accordance with Article X, Section  
6 2(C) of the City Charter on the \_\_\_\_ day of \_\_\_\_\_, 2023, and duly PASSED and  
7 ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023.  
8

9 ATTEST:  
10  
11  
12  
13 \_\_\_\_\_

14 Alissa Kolodzinski, City Recorder

15 SIGNED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.  
16  
17

18 \_\_\_\_\_  
19 Tonya Graham, Mayor

20 Reviewed as to form:  
21  
22  
23 \_\_\_\_\_

24 Carmel Zahran, City Attorney  
25  
26  
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28  
29  
30



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# **Public Comments**



## Eliminating Parking Minimums

Ray Chirgwin <rayc@kswarchitects.com>

Fri 2022-10-14 10:18 AM

To: Derek Severson <derek.severson@ashland.or.us>

[EXTERNAL SENDER]

Derek – Please forward this to Ashland Planning Commission and Staff. Thank you!

Dear Members of the Ashland Planning Staff and Commission –

On behalf of KSW Architecture and Planning, we have compiled important resources on eliminating mandatory parking minimums.

Please take sufficient time to study these as you consider parking reform as a part of the “Climate-Friendly and Equitable Communities” rulemaking.

Videos:

<https://www.strongtowns.org/journal/2017/7/24/parking-has-shaped-our-cities>

<https://www.youtube.com/watch?v=lgA4FIWjlj8>

<https://www.youtube.com/watch?v=H6wBSRj3NWg>

<https://www.youtube.com/watch?v=3g-z-PEzTas>

Articles/ Reports/ Resources:

[https://www.oregon.gov/lcd/CL/Documents/StPaulMN\\_ParkingSlides.pdf](https://www.oregon.gov/lcd/CL/Documents/StPaulMN_ParkingSlides.pdf)

[https://www.mba.org/docs/default-source/research---riha-reports/18806-research-riha-parking-report.pdf?sfvrsn=d59a2d33\\_0](https://www.mba.org/docs/default-source/research---riha-reports/18806-research-riha-parking-report.pdf?sfvrsn=d59a2d33_0)

<https://www.strongtowns.org/parking>

<https://www.eesi.org/articles/view/how-eliminating-parking-actually-makes-cities-better>

We hope that you find this informative.

KSW fully supports the removal of mandatory parking minimums. The benefits include:

- Promotes infill development
- Increases tax value of properties
- Reduces pressure on surrounding rural land
- Reduces pressure on existing road capacity and maintenance
- Increases places for humans to enjoy (green space, pedestrian space, etc)
- Promotes healthier lifestyles (physical and social)
- Reduces stormwater pollution and heat island effect
- Promotes healthier forms of transportation (bike, walk, transit)
- Community resiliency in the wake of Amazon, work-from-home, ride-share & autonomous vehicles, cyber-Monday
- Reduces single occupancy vehicle trips counts and distances
- Reduces noise pollution
- Promotes better building design and landscape design

Remember that removing parking minimums will not drastically change our city overnight. Any change will be very slow.

Developers and designers can continue to build parking. It just gives us more opportunities to build slightly better places for our community.

Please don't hesitate to call and discuss parking with us more. We would appreciate the opportunity!

Kindest regards,

**Ray Chirgwin** R.A., LEED AP

**KSW** Architects

66 Water Street Suite 101

Ashland, OR 97520

m. 541.601.9478 (primary)

o. 541.488.8200 x.19

[rayc@kswarchitects.com](mailto:rayc@kswarchitects.com)

# **FINDINGS**

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**PA-APPEAL-2023-00018**  
**321 Clay Street**



**BEFORE THE PLANNING COMMISSION**

November 14, 2023

Attached are draft findings for Planning Commission's discussion and consideration. These have been prepared to reflect the prior staff approval and incorporate the approval criteria from the staff report that is also in your packet.

The Planning Commission can modify and alter these in any manner consistent with their deliberations and decision.

**BEFORE THE PLANNING COMMISSION**

November 14, 2023

IN THE MATTER OF PLANNING ACTION #PA-APPEAL-2023-00018, )  
AN APPEAL OF THE ADMINISTRATIVE APPROVAL OF PLANNING )  
ACTION #PA-TREE-2023-00210, FOR A HAZARD TREE REMOVAL. )  
STAFF INITIALLY APPROVED THE APPLICATION. SUBSEQUENT TO )  
THE MAILING OF A NOTICE OF DECISION AN APPEAL REQUEST WAS )  
TIMELY FILED. )

**FINDINGS,  
CONCLUSIONS,  
AND ORDERS.**

**OWNER/APPLICANT:** JENNY OSBURNE )  
**APPELLANT:** ALBERT PEPE )

**RECITALS:**

- 1) Tax lot #3000 of Assessor’s Map 39-1E-11-C is located at 321 Clay Street is in the R-2 zoning district and is 20.37 acres in size.
- 2) The application proposed removal of four trees in various locations at the Wingspread Mobile Home Park. The weeping willow tree at space #19 is the one tree being appealed under this proposal.
- 3) On July 18, 2023, the application was deemed complete, and in accordance with AMC 18.5.1.050.B.4 a Notice of Complete (NOC) application was posted at the subject property in clear view from the public right-of-way and mailed to all property owners of record within 200 feet of the parcel.
- 4) The Staff Advisor approved the application on August 11, 2023, subject to conditions of approval and a Notice of Decision (NOD) was mailed on the same date with a deadline to appeal of August 23, 2023.
- 5) On August 23, 2023, a Notice of Land Use Appeal was timely filed by Albert Pepe who resides at 321 Clay Street #21. Mr. Pepe has standing to appeal as he was both entitled to written notice, and by having submitted written comments on the application during the initial comment period.
- 6) The Planning Commission, following proper public notice, held a public hearing on October 10, 2023. Public testimony was received, and exhibits were presented.
- 7) After the close of the public hearing the Planning Commission deliberated and determined that staff had not erred in approving the hazard tree removal. A motion was made to deny the appeal and approve the application subject to conditions listed in the staff report.



- 8) The criteria of approval for tree removal are described in Ashland Municipal Code (AMC) 18.5.7.040 which state that the approval authority shall be granted if the application meets all of the following criteria, or can be made to conform through imposition of conditions.

**The approval criteria for hazard tree are detailed in AMC 18.5.7.040 as follows:**

- A. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.a.
- B. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

**The approval criteria for trees that are not a hazard are detailed in AMC 18.5.7.040 as follows:**

- A. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.
- B. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
- C. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
- D. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
- E. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

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"

## SECTION 2. CONCLUSORY FINDINGS

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

2.2 The Planning Commission finds that the proposal for tree removal meets all applicable criteria described in section 18.5.7.040 for hazard tree removal approval. The Planning Commission notes the tree has been determined to be a hazard tree with potential to fall and cause harm to persons or property.

2.3 The Planning Commission finds that the application was deemed complete on July 18, 2023, and notice was both posted at the frontage of the subject property and mailed to all property owners within 200-feet of the subject property. The Planning Commission further finds that the application was approved by the Staff Advisor on August 11, 2023, and a Notice of Decision (NOD) was mailed on the same date.

2.4 The Planning Commission finds that on August 23, 2023, Albert Pepe timely filed a Notice of Land Use Appeal. Mr. Pepe resides on the adjacent parcel and submitted written comments during the public comment period and thus had standing to appeal. The Planning Commission finds that the appellant has standing to appeal.

2.6 The Planning Commission finds that the subject property is located within the R-2 zoning district and that tree removals are governed by AMC 18.5.7.

2.7 The Planning Commission finds that AMC Title 18 Land Use Ordinance regulates tree removals because of the importance of trees to the character and beauty of Ashland and for the safety, public health, and welfare of the community. When considering the decision to approve or deny an application for tree removal, the Staff Advisor considers the application materials against the relevant approval criteria in the AMC.

2.8 The approval criteria for tree removal are in Ashland Municipal Code (AMC) 18.5.7.040. The Planning Commission finds that there is substantial evidence in the record to make findings that each of the criteria have been met, as was explained in detail in the August 11, 2023, staff report and by its reference is incorporated herein as if set out in full.

2.9 The Planning Commission notes the notice of appeal included the standard Land Use Appeal form which has spaces for up to three specific grounds for appeal and a citation for the relevant applicable criteria that it relates to. The form included from the appellant the following:

1. *There is another option to complete removal by pruning upper dead branches and removing some of the weight to make it not a hazard tree.*
2. *Once upper pruning is complete it [is] not clear that the tree is likely to fall and injure persons or property.*
3. *Once upper pruning is complete, Mr. Pepe offered to continue to maintain the tree at*

*his cost every 2–3 years.*

The Planning Commission heard the applicants request to retain and maintain the tree at their own costs. However, the Commission finds that the authority to keep the tree is ultimately a decision of the landowner. Further, the City only has authority to approve or deny the tree removal application based on the criteria of AMC 18.5.7.040.B.

Staff and the applicant understand that the specific appeal issue raised is pursuant to AMC 18.5.7.040.B – Tree Removal Permit for hazard tree (specifically the weeping willow tree in space #19).

2.10 The Planning Commission finds that with the original conditions below and the addition of condition number three, which is to provide a tree planting site plan with an irrigation and maintenance plan for the eight mitigation trees prior to plant installation for staff approval, that the proposal satisfies the applicable approval criteria and that none of the appeal issues provide a basis to reverse the initial approval decision of the Staff Advisor.

### **SECTION 3. DECISION**

3.1 Based on the record of the Public Hearings on this matter, the Planning Commission concludes that the request for the partition approval to divide the property is supported by evidence contained within the whole record.

3.2 The Planning Commission denies the appeal and reaffirms the Staff Advisor’s original approval of the partition. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then the Planning Action 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 specifically modified herein.
- 2) That two trees are planted for every one tree removed. The new proposed trees shall be planted within one year of tree removal and shall be of appropriate species and locations considering tree maturity and location to residences. Newly planted trees shall be maintained and regularly irrigated, especially during the driest months for at least the first three to five growing seasons.
- 3) That a tree planting site plan and irrigation plan be submitted and approved to the Planning Department prior to installation of the mitigation trees. The site plan should show the location, species, size at time of planting and size expected at maturity of the proposed trees with a plan for irrigation and maintenance of the eight mitigation trees.

---

Planning Commission Approval

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Date