

ORDINANCE NO. [2020-xxxx]

**AN ORDINANCE AMENDING THE SITE DESIGN AND
USE STANDARDS FOR LARGE SCALE PROJECTS TO ADDRESS
PLAZA SPACE REQUIREMENTS WITHIN THE C-1-D ZONE AND
DOWNTOWN DESIGN STANDARDS OVERLAY.**

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

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

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

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

WHEREAS, the City of Ashland Comprehensive Plan includes policy I-7 which states that, “The City shall develop and implement through law design guidelines for new development as well as for alteration of existing structures within the historic interest areas for structures and areas that are historically significant.”

WHEREAS, the downtown area is a historically significant commercial area with considerable pedestrian activity due to its concentration of commercial uses. Most existing historic buildings have frontage directly at the sidewalk edge. Opportunities for infill and redevelopment within this area should develop consistent with this established historic pattern to protect the historic character of the area and promote interaction between the activity in the building and the people on the street.

WHEREAS, requirements for commercial plaza space, as part of the design standards for new large scale development and alterations to existing large scale buildings within the downtown, can have the effect of disrupting the historic pattern of development and breaking the continuity of buildings having their front façades built to the sidewalk’s edge and to the side lot lines.

WHEREAS, public plaza spaces used to create a prominent civic component within the downtown area are best placed in identified central locations and highly visible focal points, to provide opportunities for relief and respite from the urban fabric.

WHEREAS, commercial plaza spaces developed within the downtown area on individual private properties, as part of meeting site design standard requirements, do not function to provide the general public with opportunities for relief and respite from the urban fabric.

WHEREAS, the City of Ashland Planning Commission considered appropriate amendments to the Ashland Municipal Code, Land Use Ordinances and Site Design and Use Standards at a duly advertised public hearing on February 11, 2020, and following deliberations recommended approval of the amendments;

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on March 17, 2020; and

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

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. The Additional Standards for Large Scale Projects within the Site Design and Use Standards [Building Placement, Orientation, and Design] section of the Ashland Land Use Ordinance is hereby amended as follows:

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

1. Orientation and Scale.

- a. Developments shall divide large building masses into heights and sizes that relate to human scale by incorporating changes in building masses or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.

- b. Outside of the Downtown Design Standards overlay, new buildings or expansions of existing buildings in the Detail Site Review overlay shall conform to the following standards.
 - i. Buildings sharing a common wall or having walls touching at or above grade shall be considered as one building.
 - ii. Buildings shall not exceed a building footprint area of 45,000 square feet as measured outside of the exterior walls and including all interior courtyards. For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.
 - iii. Buildings shall not exceed a gross floor area of 45,000 square feet, including all interior floor space, roof top parking, and outdoor retail and storage areas, with the following exception.
Automobile parking areas located within the building footprint and in the basement shall not count toward the total gross floor area. For the purpose of this section, basement means any floor level below the first story in a building. First story shall have the same meaning as provided in the building code.
 - iv. Buildings shall not exceed a combined contiguous building length of 300 feet.
- c. Inside the Downtown Design Standards overlay, new buildings or expansions of existing buildings shall not exceed a building footprint area of 45,000 square feet or a gross floor area of 45,000 square feet, including roof top parking, with the following exception.
Automobile parking areas locate within the building footprint and in the basement shall not count toward the total gross floor area. For the purpose of this section, basement means any floor level below the first story in a building. First story shall have the same meaning as provided in the building code.

2. **Public- Detail Site Review Plaza Spaces Standards**

- a. One square foot of plaza ~~or public~~ space shall be required for every ten square feet of gross floor area, except for the fourth gross floor area.
- b. **Within the, C-1-D zone or Downtown Design Standards Overlay, no plaza space shall be required.**
- ~~b.c.~~ **A plaza or public spaces** shall incorporate at least four of the following elements.
 - i. Sitting Space – at least one sitting space for each 500 square feet shall be included in the plaza. Seating shall be a minimum of 16 inches in height and 30 inches in width. Ledge benches shall have a minimum depth of 30 inches.
 - ii. A mixture of areas that provide both sunlight and shade.
 - iii. Protection from wind by screens and buildings.
 - iv. Trees – provided in proportion to the space at a minimum of one tree per 500 square feet, at least two inches in diameter at breast height.
 - v. Water features or public art.
 - vi. Outdoor eating areas or food vendors.

d. Exception to Plaza Space Standards. An exception to the plaza space standards may be granted pursuant to 18.5.2.050.E Exception to the Site Development and Design Standards.

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

SECTION 3 The Definitions Chapter of Ashland Land Use Ordinance is hereby amended as follows:

Definitions

18.6.1.P

Plaza. An open public space.

Detail Site Review Plaza Space: An open area under private ownership intended to meet the requirements of Large Scale Project standards within the Detail Site Review Overlay.

SECTION 4. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 6. Codification. Provisions of this Ordinance shall be incorporated in the City Comprehensive Plan and the word “ordinance” may be changed to “code”, “article”, “section”, or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 1, 5-6) need not be codified. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect, or substance of the ordinance, but within such limitations, may:

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

The foregoing ordinance was first read by title only in accordance with Ashland Municipal Code §2.04.090 on the ____ day of _____, 2020,

and duly PASSED and ADOPTED this ____ day of _____, 2020.

Melissa Huhtala, City Recorder

SIGNED and APPROVED this ____ day of _____, 2020.

John Stromberg, Mayor

Reviewed as to form:

David Lohman, City Attorney