

Note: Anyone wishing to speak at any Transportation Advisory Committee 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 City for the record. You will then be allowed to speak. Please note the public testimony may be limited by the Chair.

TRANSPORTATION ADVISORY COMMITTEE

January 18, 2024

AGENDA

- I. **CALL TO ORDER:** 6:00 PM, Meeting held virtually via Zoom
Link: <https://zoom.us/j/96073919566>
- II. **ANNOUNCEMENTS**
- III. **CONSENT AGENDA**
 - A. Approval of December 21, 2023 Minutes
- IV. **PUBLIC FORUM** (6:05–6:20)
- V. **REPORTS FROM OTHER CITY COMMITTEES** (6:20–6:30)
- VI. **NEW BUSINESS**
 - A. Encroachment Ordinance and Guidelines (6:30–7:00, action required, discuss potential work plan addition of review and recommending updates to encroachment ordinance and guidelines)
 - B. Head In Only Parking Requirement (7:00–7:15, action required, discuss potential work plan addition of review and recommendation to Head In Only Parking requirements for surface lots)
- VII. **UNFINISHED BUSINESS**
 - A. Vision Zero and 20 is Plenty Programs (7:15–7:45, action required, discuss next step Vision Zero and 20 is Plenty Programs)
 - B. Bike Parking (7:45–7:55, action required, discuss next steps for bike parking inventory and improvement plan)
 - C. Bird Scooter (7:55–8:00, action required, recommend removing from workplan)
- VIII. **INFORMATIONAL ITEMS**
 - A. B Street Corridor Safety Analysis
 - B. Crash and Near Miss Review (February 2024)
- IX. **AGENDA BUILDING – Future Meetings**
- X. **ADJOURNMENT: 8:00 PM**

Next Meeting Date: February 15, 2024

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please email scott.fleury@ashland.or.us. 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).

ASHLAND TRANSPORTATION ADVISORY COMMITTEE

MINUTES

December 21, 2023

CALL TO ORDER: 6:00pm

Members Present: Mark Brouillard, Corinne Vièville, Linda Peterson-Adams, Holly Christiansen, Dave Richards, Nick David, Julia Sommer, Joe Graf, Dylan Dahle

Staff Present: Scott Fleury, Elizabeth Beckerich

Liaison Present: None

Guests Present: Carmel Zahran, Edem Gomez

ANNOUNCEMENTS

Volunteers are needed to staff the Inclement Weather Shelter at 2200 Ashland Street. Contact Avram Sacks at avramsacks@gmail.com or (541) 220-7307.

Dorinda Cottle will be putting the Near Miss App in the January monthly newsletter.

The Bike Inventory Survey is on the city website until the end of January.

Local scout troop 112's annual Christmas Tree Recycling Program will be held Saturday January 6th, 2024. Trees should be at the curb by the night of January 5th. More details can be found at troop112.com.

CONSENT AGENDA

Sommer inquired why the FHWA has only given interim approval of the use of green paint, and if the Transportation Planning Analysis Unit is ODOT. Fleury responded that TPAU is ODOT. Brouillard responded that the Federal Highway Administration does not recognize green paint as an approved material, and an exemption or exception must be filed by ODOT for it to be used on an interim basis. Fleury added that the new MUTCD just came out, and he is unsure if the interim approval has been granted permanent status.

Peterson-Adams stated that a correction needed to be made on the second to last paragraph of page 2 of the minutes from last month – the committee/commission Chairs meeting is not a subcommittee, it's a conversation group, so it isn't subject to Public Meeting Laws or a quorum.

PUBLIC FORUM

Peterson-Adams thanked David Kahn for the email submission regarding bike lanes downtown and stated that the TAC will continue to work toward making passage through town safe for everyone.

REPORTS FROM OTHER CITY COMMITTEES

Councilor Bloom sent Peterson-Adams an update on City Council items. Per the update, Council approved a second reading of the parking rules that the TAC reviewed with the Climate Friendly and Equitable Communities rule making. The city's Planning Manager confirmed that little houses may be built in existing parking lots as long as city processes are followed. The Prohibitive Camping ordinance passed and will go into effect in 30 days. Within the 30 days, a map will be developed of where people are allowed to camp. Alcohol in parks is now allowed with a permit. The restriction to park hours passed its first reading. Housing and Human Services Advisory Committee has formed a subcommittee to develop a homelessness/unhoused Master Plan. The subcommittee is slowly being filled but others are encouraged to apply. Potential applicants can contact Chairperson Echo Fields for more information. A Town Hall is scheduled for Wednesday January 24th from 5:30-7:30 PM in the Rogue River Room of the Stevenson Union at SOU. Interested parties may sign up through the city website, or just show up.

Brouillard stated that the Planning Commission spoke about the parking rules. They also talked about a minor change to the Planning Action of the Beach Creek Subdivision to put in additional parking.

Dahle stated he was unable to attend the Human Services Committee meeting as it was a closed-door meeting/holiday party.

ASHLAND TRANSPORTATION ADVISORY COMMITTEE

MINUTES

December 21, 2023

Gary Shaff sent an update on the Climate and Environmental Policy Advisory Committee. CEPAC dedicated its December meeting to their 2024 work plan, and it will be carried forward to the January meeting. Nothing was decided and the work plan is still in the discussion phase. The draft ordinance banning the use of natural gas in new residential construction is to be discussed at the January meeting. Shaff also included that it was asked that the bike path extension be included in the Parks Open Space and Trails Map as a priority. This was also listed in the 2012 TSP.

Richards stated that there hasn't been a Trails Committee meeting in a while. However, an Alice in Wonderland Trail re-route has been completed as of November 18th. It removed 3/10th of a mile of trail that was on private property, and bike and hiker trails have been separated. Last weekend there was a trail workday on Felony Trail and much was accomplished.

Sommer reported on the Parks and Recreation Commission meeting. The interim Parks Director, Leslie Eldridge, spoke at the meeting reporting that they are on target with spending, and that they were able to afford repairs from vandalism due to having extra money from having unfilled positions. New hires Parks Superintendent Kevin Caldwell and Executive Assistant Nancy Mero attended the meeting and reported on the PVC liner at the Meyer Pool. The trail work Richards spoke of was also mentioned, as well as alcohol being allowed in parks with a permit in the Bandshell, the Japanese Garden, N Mountain Park, Oak Knoll Golf Course, and other locations on a case-by-case basis. The previous goal of having a park within a quarter mile of all Ashland residences has been achieved with the exception of the Mistletoe/Crowson area. Parks is focusing on buying smaller portions of land for riparian protection, recreation, and trail connectivity, and will seek easements for trail connectivity when possible. Over \$560,000 has been raised for the restoration of the Butler Perozzi Fountain, and \$16,000 was donated by the Ashland Parks Foundation for a public art piece. Lastly, the pickleball community has started a small fund with the foundation to contribute to the maintenance of pickleball courts.

Christiansen reported on the Social Equity and Racial Justice Advisory Committee, stating that they talked about an upcoming speaker series launching on February 12th at Carpenter Hall, and also discussed starting listening sessions. Also, a bill was passed in Oregon a few years ago that law enforcement is now to refer victims and witnesses of hate or bias incidents to the Hate and Bias Incident hotline, which is available on the city website and also the Oregon Department of Justice website. The hotline connects people to trauma-informed operators that are victim focused. The number is 1-844-924-BIAS or 1-844-924-2427.

NEW BUSINESS

Committee Roles and Responsibilities

City Attorney Carmel Zahran did a presentation for the group about Oregon public meetings, public records, and ethics laws, which are governed by ORS Chapter 192. Guidance can be found in the Attorney General's Public Meetings and Open Records Manual. These laws must be followed by the City's governing body (City Council) and any committee or sub-group tasked with making decisions or deliberating toward a decision on any matter. ORS 192.620 states "The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly" and "A quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690". Zahran explained that quorum would be the majority of an established group, so for the TAC group of 9, 5 committee members would be a quorum. Fleury added that if a committee member wants to send something out to the whole group that they should send it to him or Liz Beckerich to be distributed. Zahran explained that a meeting would be a standard meeting where a quorum is present,

ASHLAND TRANSPORTATION ADVISORY COMMITTEE

MINUTES

December 21, 2023

electronic meetings like emails, IMs, texts, etc., or serial discussions, but not social gatherings. If there is a social gathering with multiple group members, it's good practice to publish an agenda noting the social nature of the event.

The procedural requirements for public meetings are a Public Notice at least 36 hours in advance for commission meetings, a meeting location within the geographic boundaries of the City that is accessible to all of the public, decisions must be voted on and recorded, and the meeting must be recorded by either a digital recording or minutes. Practical tips are to avoid replying to emails when City business information is shared and to request more information to send the request directly to City staff, avoid conversations (in person or via email) between members where the views of the fellow members are shared, and to avoid sharing opinions on items that the Commission would need to vote on. If possible, if there's questions about information provided, ask Staff prior to the meeting as this allows staff to address thoughts in advance, and relay information to all Councilors/Committee members at the meeting.

Public records are any document that contains public business information that is prepared, owned, used, or retained by a public body regardless of physical form or characteristics, such as emails, formal letters, handwritten napkin drawings, texts on your personal phone, etc. These records must be available to the public and records used for decision deliberating must be permanently retained.

Oregon Government Ethics Law can be found in ORS Chapter 244. It covers the rules for public officials, prohibited use of office, gifts, conflicts of interest, violations, and sanctions. A public official refers to "Any person who, when an alleged violation of this chapter occurs, is serving the State of Oregon or any of its political subdivisions or any other public body as defined in ORS 174.109 as an elected official, appointed official, employee, or agent, irrespective of whether the person is compensated for their services" (ORS 244.020(14)). This includes members of boards, committees, and volunteers. A prohibited use of office (ORS 244.040(1)) means that a public official may not use or attempt to use official position or office for personal gain, financial gain, or avoidance of financial detriment. This applies to public officials as well as the family members or household members of the public official. A question a public official can ask themselves to gauge if something is ethical is "Would I have this opportunity if I was not a public official?" and if the answer is no then it does not follow the ethics guidelines. However, this does not apply to compensation or reimbursement, unsolicited awards, gifts, or honoraria within limits. A gift as outlined in ORS 244.020(7)(a) refers to something of economic value given to a public official, candidate, relative, or member of the household of the public official or candidate. This includes something that is not a trade, or which is not extended to others on the same terms or conditions. Gifts are limited to \$50 per year per giver.

The two types of potential conflicts of interest are actual conflicts which would result in financial benefit or detriment, and potential conflicts which could result in financial benefit or detriment. When there is an actual or potential conflict, one should state the nature of their conflict on the record before voting or discussing the matter at each meeting that the issue is discussed. If it's an actual conflict of interest, the party involved should not talk or vote, and should ideally leave the room during the agenda item.

Peterson-Adams explained that this presentation was requested due to a situation that happened on social media in which Peterson-Adams posted about the N Mountain Ave project, and a citizen demanded that their comments be submitted as part of the public comment. The City Attorney advised Peterson-Adams of the rules surrounding social media usage as a public official, and Peterson-Adams requested that all city public officials be informed of said rules, as it has been an ongoing problem. Brouillard added that as a volunteer for the City of Medford, him and other volunteers were told to not put anything on social media that has anything to do with what the group they belong to is doing. Peterson-Adams went on to explain that she would like consistency for all of the committees/commissions/councils as she has personally witnessed those rules not being followed by some city

ASHLAND TRANSPORTATION ADVISORY COMMITTEE

MINUTES

December 21, 2023

public officials. Fleury suggested that Zahran, the Deputy City Manager, and other leadership should discuss revising or creating a resolution or update the code to make it clearer what the expectation and structure should be. Peterson-Adams and David also expressed concerns about their First Amendment Rights being violated. Zahran explained that a governing body can not regulate the content of what a public official is saying, but can regulate the conduct, so they aren't trying to stop a public official from saying what they want to say, just the arena and process in which they share that opinion as regulated by the public meeting laws.

UNFINISHED BUSINESS

Bike Parking

Fleury stated that a story was broadcast on the local news about bike parking and request for public input. The city will continue to gather responses until the end of January. TAC members were told to send their input to Fleury. He also stated that there is potentially a couple dozen bike racks in storage that could be used. David inquired about parking for motorcycles and electric/motorized bikes and scooters. Fleury responded that he would see if GIS has that type of parking mapped. Peterson-Adams suggested that the topic be discussed more at length during the January or February meeting. Fleury also stated the importance of having the knowledge of how to lock up a bike properly and suggested that something be put on the city website.

INFORMATIONAL ITEMS

B Street Corridor Safety Analysis

Peterson-Adams informed the group that the B Street Corridor Safety Analysis has been being talked about on social media. Fleury explained that he developed the RFP for it and released it in late October/early November but there were no responses. He re-released the RFP statewide and has talked to a couple consultant firms to try garner some interest. He expects a couple responses by mid-late January. Once responses are in, it will take another 3-4 weeks to establish the scope of the project and negotiate. Fleury hopes that the city will have a new Project Manager starting next month so that more staff time can be dedicated to the various locations that applied or traffic calming.

Crash and Near Miss Review

A notice about the Near Miss Survey will be going out in the January City Newsletter. The TAC meeting about it will be postponed until February.

Bicycle Facility Improvements

DKS advised Fleury that green solar paint through the bike lanes will be done, but adding bike boxes will require engineering analysis and judgement, based partially on right-hand turns and if they're signalized as per the MUTCD. DKS intends to do traffic counting at possible bike box intersections.

Every Mile Counts – Funding Opportunities

Peterson-Adams suggested sending the information to Ashland School District, as there were multiple funding opportunities concerning school buses. Fleury stated that depending on if the city can obtain grant funding, protected bike lanes on Hersey Street may be possible. Peterson-Adams added that the city already has some plans for potential grant funding.

ADJOURNMENT: @ 7:57

Respectfully submitted,
Elizabeth Beckerich, Administrative Assistant
****Full Video Available by Request****



Bicycle Parking Infrastructure

The city of Ashland faces many challenges and, among them, is creating an adequate supply and properly designed/placed bicycle racks and lockers. Below Streets for Everyone has summarized issues related to both.

All vehicle travel relies upon parking at the start and end of the journey, parking policy has a significant influence on how people choose to travel.

Design/Placement

For bicycling to become a practical mode of transportation it must be safe, convenient, and efficient. Convenient parking is an essential component of bicycle infrastructure that is frequently overlooked or poorly executed. Bike parking reform will require attention to detail to get it right.

The key to developing bike racks that residents will use is building them to be **functional, accessible, and secure**. If these components are not met, people may simply choose to drive an automobile instead. Ashland, like most communities, has made parking very functional, accessible, and secure. The same must now be done for bicycles.

It is recommended that the City of Ashland follow the design guide, *Essentials of Bike Parking: Selecting and installing bicycle parking that works*, (Association of Pedestrian and Bicycle Professionals [APBP], 2015).

Bicycles are continuing to come in all different shapes, sizes, weights and with various attachments, such as trailers. Functional bike parking needs to accommodate all bikes. Racks need to be far enough apart so that handlebars don't get tangled and bike frames scratched. Cargo bike parking needs to be a priority if families are to be supported in their transition away from cars to cycling for their transportation needs. Cargo bikes, and other electric bikes, are heavy. Lifting a bike up onto a curb to park is a burden, and dangerous when carrying children on the back of the bike.

Additionally, the placement of many of the current bike racks in town does not allow for the length or width of cargo bikes. This makes it insecure to lock a bike, or impossible to park, or causes sidewalk obstruction. Some examples of non-functional bike parking are at Lithia Park's

playground on Winburn Way, Ashland Parks and Recreation building on S. Pioneer Street in Lithia Park, S. Pioneer Street in front of the Shakespeare Theater, and further down Pioneer in front of Vida Baking Co. It is recommended that the city utilize bike corrals as a solution (APBP, 2015, p. 2). Covered bike parking, such as the parking provided on the Plaza will encourage people to bike during the rainy season.



Example of bike parking not being adequate in volume or functional for cargo bikes.

Accessible bike parking means that there should be parking within 50 feet of a rider's destination (APBP, 2015, p. 2). It should be easy to get to. In our downtown, there are several bike racks on the sidewalk on the north side of East Main. However, to get to these, a person on a bike must cross multiple lanes of traffic, and lift or ride their bike up onto the sidewalk (again, particularly difficult with an awkward cargo bike). Inaccessible parking encourages people on bikes to take unnecessary risks and break traffic rules. Bike corrals are also encouraged to solve this problem.



Example of inaccessible bike parking- 3 bikes and 1 scooter locked to trees.

The City of Ashland also lacks *any* bike parking at most trailheads around town. Examples are Lower Wonder Trail, Bandersnatch, Alice in Wonderland. With electric bikes more

commonplace, these trails are now accessible to hikers wanting to bike to these trails. Many of the main destinations in Lithia Park, where car parking exists, lack bike parking. There should be bike parking everywhere that there is car parking. People who utilize transit need to walk or bike to bus stops. There needs to be bike parking at every bus stop. City ordinances should reflect the need for long-term bike parking (secure and covered) in apartment complexes, and places of employment (APBP, 2015, p. 3). There are several cities that have established ordinances for bicycle minimums (Burlington, VT, 2017; Los Angeles, CA, 2018, Madison, WI, 2016). It is recommended that the City of Ashland follow these examples when deciding on the amount of bike parking for different establishments and locations. The links for these ordinances are listed in the reference list.



Example of inaccessible and insecure bike parking at Lower Wonder Trailhead.

Secure bike parking means providing bike racks that are functional enough to lock the frame and at least one tire of a bike, with a U-lock. This means considering bikes of different sizes and shapes when choosing rack design. Bike parking should have adequate lighting at night so that riders can easily find bike parking and so that they feel safe when securing and retrieving their bikes. Riders usually prefer to leave their bikes in high visibility areas to deter bike theft (APBP, 2015, p. 2).

In areas where there is a high concentration of employment and in publicly owned parking spots, we recommend that new bicycle parking be in lockers rather than by racks. Security is a big concern and while auto theft is not a concern, bicycle theft is a fear people who use bicycles experience, especially when parked for extended periods of time. Security is also a concern for people who are using cargo bikes and have items stored on their parked bikes while they run errands.

Please also note the requirements of the Oregon Transportation Planning Rule (OAR [660-12-0630](#)).

Supply/Availability

The city's development code requires new developments to include bicycle parking. The recent update of the city's parking code explicitly addressed bicycle parking and incorporates many of the design requirements specified in the previous section. The challenge, in order to make bicycling a functional mode of transportation, is to substantially increase bicycle parking in existing developed areas and modernize its design.

SFE's goal is to grow walking, bicycling and rolling by 15 percent per decade through 2050 (estimated 3% in 2024/25, 18% by 2035, and 43% by 2045). Making this goal into reality will be challenging. To do so, the transportation system must be transformed to make bicycling and walking equally (or more) safe, convenient, and efficient than driving a car. Most of the increase in active transportation mode share will arise from people choosing to bicycle instead of driving a car.

The Transportation Advisory Committee/Council's actions to add buffered bike lanes on Ashland Street and North Mountain Avenue and add sidewalks to make them continuous on North Mountain are illustrative of the changes that are needed throughout the surface transportation system. Thank you for your leadership and vision of the city's future.

As the share of people getting around by bicycles grows, the need for bicycle parking will grow as well. In fact, without a substantial expansion of bicycle parking, there won't be anywhere for them to park and, consequently, people will not choose to bicycle and your vision won't be realized.

We recommend that the Transportation Advisory Committee set as a goal the doubling of the supply of bicycle parking between now and 2030 and doubling it again by 2040 in the downtown and everywhere else in the city (excluding low density residential developments).

Summary

- 1) Utilize *Essentials of Bike Parking: Selecting and installing bicycle parking that works*
- 2) Double the supply of bicycle parking by 2030 and again by 2040
- 3) Utilize bicycle lockers in public parking lots and in areas of high employment density.

Thank you for the opportunity to contribute to this critical undertaking.

Ariel Daniel and Gary Shaff
Co-Chairs, Streets for Everyone

References

Association of Pedestrian and Bicycle Professionals. (2015). *Essentials of Bike Parking: Selecting and installing bicycle parking that works*. [EssentialsofBikeParking_FINA.pdf \(apbp.org\)](#)

Burlington, VT. (2017). *Parking Requirements, Burlington Comprehensive Development Ordinance* § 8.25. <https://perma.cc/BXE4-8SDA>

Los Angeles, CA. (2018). *Ordinance No. 185480*. <https://perma.cc/EM78-HL3E>

Madison, WI. (2016). *Code of Ordinances* § 8.2.5. <https://perma.cc/EP7X-36YW>

Memo

CITY OF
ASHLAND

Date: January 10, 2024
From: Scott A. Fleury
To: Transportation Advisory Committee
RE: Encroachment Ordinance and Guidelines

BACKGROUND:

Before the Transportation Advisory Committee is a copy of the current encroachment ordinance and associated design guidelines for placement of objects within the public right of way. The ordinance and guidelines were approved by Council in 2009.

There has been some recent discussion about the encroachment ordinance and guidelines, specifically involving what businesses can and can't do in the right of way. Public Works staff has indicated to City Council and Administration the ordinance and guidelines should be reviewed and updated. Public Works primary concern is the safety of the traveling public in the right of way and meeting Americans with Disabilities (ADA) requirements.

CONCLUSION:

Action required, does the TAC wish to add this to the workplan and develop recommendations for Council to consider on code and design guideline updates?

RESOLUTION NO. 2009- 29

A RESOLUTION ADOPTING RIGHT-OF-WAY ENCROACHMENT GUIDELINES, STANDARD FORMS, MINIMUM STANDARDS FOR FUNCTIONAL ITEMS, AND THE DOWNTOWN SIDEWALK USAGE MAP.

WHEREAS, On July 21, 2009, the Ashland City Council adopted Ordinance #2989 "An Ordinance Amending AMC Chapter 13 To Establish Standard Forms For Right-of-Way Regulation and Providing For Donation or Loan of Functional Items", and

WHEREAS, On July 21, 2009 the Ashland City Council adopted Ordinance #2990 "An Ordinance Amending AMC Chapter 13 Adding Uniform Sidewalk Regulations and Repealing AMC 6.44", and

WHEREAS, In order to allow time to adopt standard forms and implementing documents the ordinance becomes effective November 1, 2009, and

WHEREAS, the Ordinance requires that standard forms, identifying and establishing Minimum Standards for Functional Items, and a Downtown Sidewalk Usage Map (DSUM) be established by Resolution,

THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. The Right-of-Way Encroachment Guidelines, which includes standard forms and identifies and establishes Minimum Standards for Functional items and the DSUM, marked "Exhibit A" and attached to this Resolution, is adopted.

SECTION 2. Pursuant to AMC Chapter 13.03, the City Council ratifies the City Administrator's Order concerning the timing of submission of publication box applications, specifically: Publication box applications under interim regulations in AMC 13.03 may be submitted to the City between October 21, 2009 and December 1, 2009. All applications must be received and deemed complete by December 1, 2009. Between December 1, 2009 and December 15, ~~2010~~ ²⁰⁰⁹, the City will, by lottery in accordance with AMC 13.03, assign spaces on the Downtown Sidewalk Usage Map. All boxes shall be moved into assigned spaces or to the Publication (NO FEE) zone by January 1, 2010. Fees for occupancy of spaces will commence on January 1, 2010.

to type correction s/b 2009"

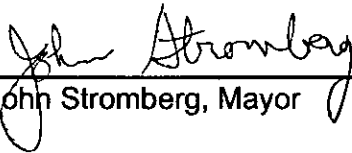
SECTION 3. This Resolution shall be effective November 3, 2009.

SECTION 6. This resolution was duly PASSED and ADOPTED this 20 day of October, 2009, and takes effect upon signing by the Mayor.



Barbara Christensen, City Recorder

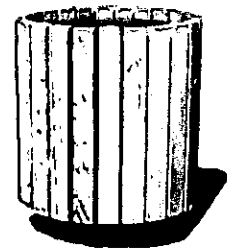
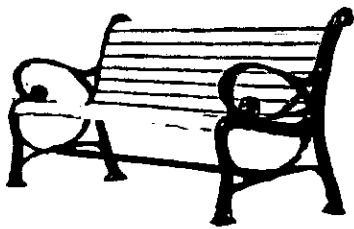
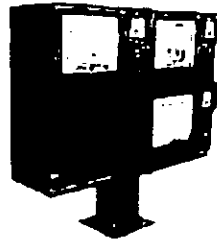
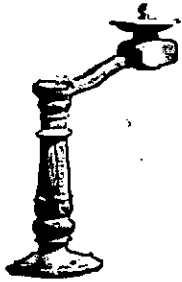
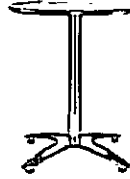
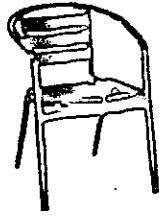
SIGNED and APPROVED this 21 day of October, 2009.



John Stromberg, Mayor

Reviewed as to form:

Richard Appicello, Assistant City Attorney



Right-of-Way Encroachment Guidelines

Right-of-Way Encroachment Guidelines

Table of Contents

- I. Introduction and Purpose
- II. Process Flowchart
- III. Abbreviations and Definitions
- IV. General Guidelines for all Encroachments
 - A. Design Guidelines for all Encroachments
 - B. Placement, Clearance, and Spacing Standards
 - C. Materials and Construction Standards
 - D. Maintenance and Safety Standards
 - E. Procedures for Abatement / Removal
 - F. Penalties
- V. Functional Item-Specific Guidelines
 - A. Sidewalk Cafés
 - B. Bicycle Racks
 - C. Receptacles
 - D. Planters
 - E. Benches
 - F. Publication Racks
 - G. Bollards
 - H. Bus Shelters
- VI. Appendices
 - A. Standard Specifications & Details
 - B. Permit Application Pack
 - C. Ordinances 2989 and 2990
 - D. Downtown Sidewalk Useage Map (DSUM)

I. Introduction

In 2008 the Ashland Downtown Task Force made several important recommendations to the City Council concerning the use of City sidewalks for commercial and other purposes. As a result Ashland Municipal Code (AMC) 13.06 was repealed and Chapter 13.03: Sidewalk Café, Special Event and Publication Box Regulation (Effective 11/1/09) was adopted.

This ordinance protects and promotes a safe environment on public sidewalks (public right-of-way) within the C-1-D, C-1 and E-1 Zoning Districts. Placement of objects on sidewalks is considered an encroachment in the public right of way and, as such, requires adequate regulation to guarantee uninhibited pedestrian access on sidewalk, sufficient access for passengers entering and exiting parked vehicles, maintenance of utilities, and emergency service access.

Standard form templates and fees (application, square feet or gross sales rates) including insurance and maintenance/hold harmless/indemnity agreements as well as the "Downtown Sidewalk Usage Map" (DSUM) were adopted by City Council Resolution on October 20th, 2009.

Purpose

The purpose of this document is to prescribe the place and manner for requirements for the placement of encroachments upon any public right-of-way within the City of Ashland. These requirements are set forth to protect and promote the public health, safety, and welfare of citizens of the City. This is accomplished by eliminating potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights-of-way. Property values are safeguarded and enhanced by consistent application of design standards.

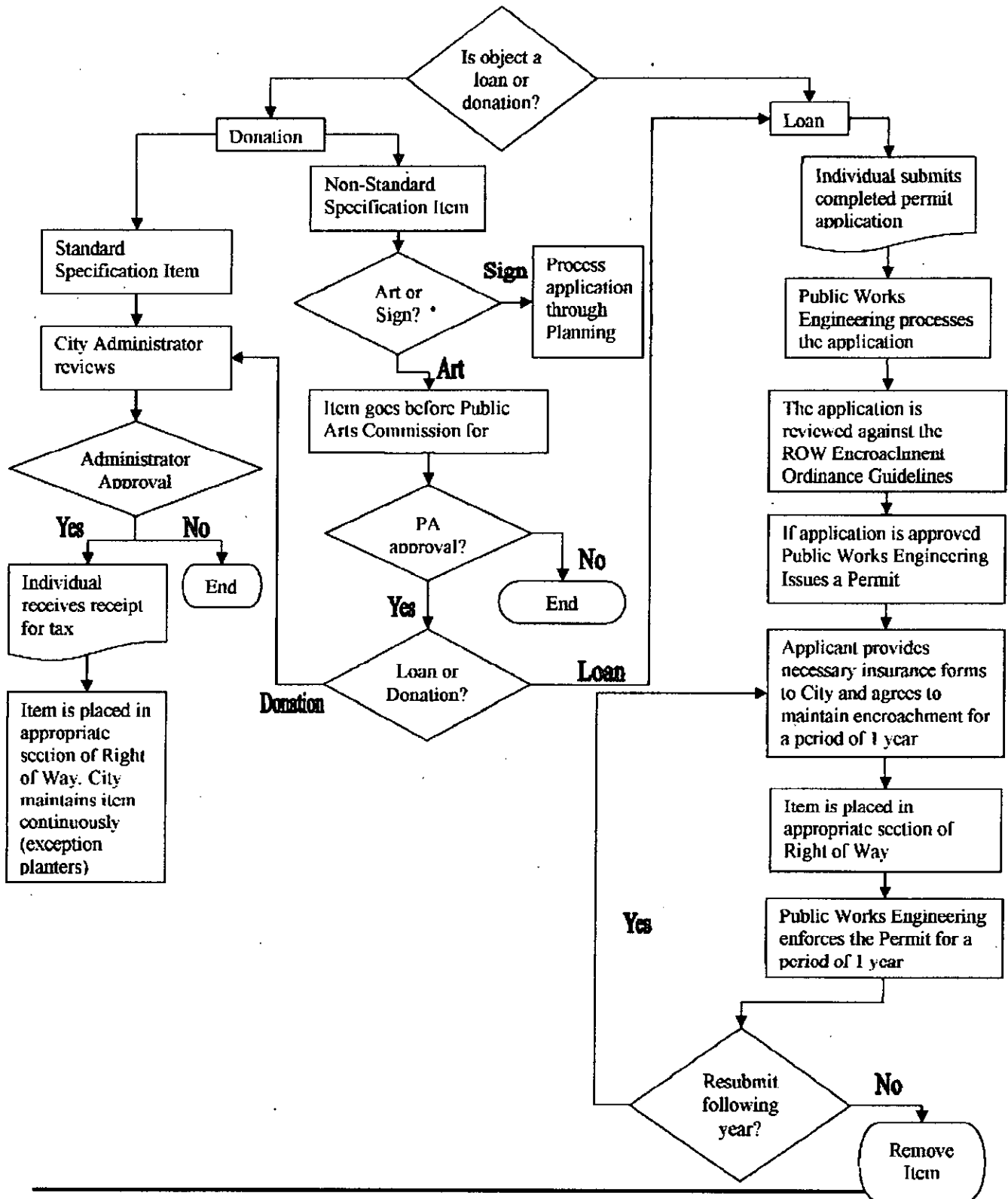
Goals and Objectives of an Encroachment Policy

- To ensure the public continues to have aesthetically pleasing views and safe areas to walk and drive.
- To protect and preserve the sidewalks, streets and open space.
- To increase community awareness regarding encroachments and open space use.
- To promote a consistent policy of reducing and minimizing encroachments into the public right-of-way.
- To establish a uniform application process and solution for all encroachment in the public right-of-way.

All of the items listed in this document, (e.g. benches, newspaper racks, sidewalk cafés, planters, way-finding features/facilities, etc.) that are not owned or donated to the City, require a permit that can be obtained from the City of Ashland Public Works Department (PW). For information regarding the permit process, please contact the PW staff, (541)488-5347. The basic permit process is shown in the flow chart that follows:

II. Process Flowchart for Functional Items

Individual contact City to determine steps needed to place object in ROW @ 541-488-5347



III. Abbreviations and Definitions

Abutting Property Owner: Any owner or occupant of property which abuts the subject adjacent sidewalk permit area.

Adjacent sidewalk area: That portion of the public sidewalk between the curb line and the property line demarcated by extending the side building lines of the premises until they intersect the curb.

Bench: A bench is an object placed to provide opportunity for sitting. A bench has a seat and may have an armrest and a back.

Chair: A chair is a movable piece of furniture consisting of a seat, legs, back, and sometimes armrests, for use by one person. Plastic Chairs are not permitted as encroachments in the Right of Way.

City owned functional items: Functional items identified by Resolution of the City Council to be allowed to encroach in the Public Right of way. The purpose of this guideline is to identify specific functional items and establish minimum standards for such items. *City-owned items do not require a permit.* See below for definition of "Functional Items".

Donated or Loaned Functional Items: An abutting property owner together with the occupant may donate or loan to the City of Ashland a City standard functional item for use in an adjacent sidewalk permit area. Other persons or entities may also donate or loan functional items for use in non adjacent public areas. Items accepted on loan require insurance and a maintenance/hold harmless/indemnity agreement in the standard approved form. Donated items do not require insurance or a maintenance agreement, but the donations must be accepted by the City to be eligible for placement. Sidewalk café tables and chairs do not qualify for this program.

The City Administrator is the delegated authority to accept or reject donations and loans for Public Art purposes. After demonstrated compliance with this section, the City Public Works Director may authorize in writing the placement of a donated or loaned city standard functional item in locations meeting the a minimum the six foot or eight foot clearance requirement of AMC 10.64.010 or in approved locations shown on an adopted Downtown Sidewalk Usage Map. Items not strictly complying with minimum standards for such City functional items, (e.g. a decorative art bench or commercially integrated sign/bench) may be permitted through the public art process in AMC Chapter 2.17 or AMC Chapter 18.96 (Sign Regulations). An accepted donated item can be placed without a permit and without required insurance.

Downtown Sidewalk Usage Map: (DSUM) A detailed map of the Ashland Downtown District adopted by Resolution of the Ashland City Council. The DSUM graphically demonstrates the sidewalk areas available for occupancy or encroachment under Ordinance 2989 and 2990.

Temporary Encroachment: An encroachment is any structure, building, fixture, sign, or other object belonging to any person which has been constructed, installed, or placed on any public street, public sidewalk, or public right-of-way, other than encroachments which will remain in

Right-of-Way Encroachment Guidelines

place for a temporary period of time not in excess of thirty (30) days that have been approved by the City in connection with an event for which the City has issued a permit.

Functional items: Outdoor furnishings that include, but are not limited to, benches, water fountains, planter boxes, garbage receptacles, ash cans, bike racks, bollards, publication boxes, way-finding features/facilities, and other miscellaneous outdoor items identified by the City. They are often called "Site Furnishings" in standard specifications.

Historically Significant Item: (e.g. Haskins Pump on 4th St) Construction in the Right of Way that has been in its current location for more than 40 years and/or is identified in the City's Historic Inventory. Historically Significant Items may not be modified or altered without review and approval by the Ashland Historic Commission and Public Works Department.

Multiple unit news racks (MUNR): A multiple unit news rack is a structure designed to hold newspapers and publications and to facilitate the sale or distribution of for fee or free publications.

Sidewalk Cafe. An outdoor extension of an existing premise licensed as a restaurant used for serving food or beverages from a restaurant to patrons seated at tables located within the adjacent sidewalk area, including, in the case of a Permittee in possession of a valid license for the sale of alcohol beverages covering such sidewalk, the service of such beverages, or providing seating for patrons in the adjacent sidewalk area

Sidewalk Permit Area: That area of a City public sidewalk being lawfully utilized by a person or entity pursuant to a permit or agreement with the City of Ashland for the limited purposes set forth in these Guidelines. Lawful use for purposes of this Guideline means compliance with all applicable Federal State and local laws and regulations including but not limited to full payment of fees, rates, and charges, if any.

Temporary: As used here, temporary defines an object that can be placed in the right-of-way that is not a permanent fixture and can be removed at any time.

Temporary sidewalk planter: An object suitable for growing plant material that can be placed in the right-of-way that is not a permanent fixture and can be removed at any time. Permit holders are responsible for maintenance of plantings.

Sidewalk café: An outdoor extension of an existing premise licensed as a restaurant.

Litter receptacle: A container placed in the public right-of-way for trash collection or Recycling.

Historic structure: As used in regulations pursuant to the Tax Reform Act of 1986, a historic structure is any building listed individually in the National Register of Historic Places, or a building located in a registered historic district and certified by the Secretary of the Interior as being of historic significance to the district.

IV. General Guidelines for all Encroachments

A. Design Guidelines

The following information has been assembled to aid in locating and choosing Functional Items in the public and private-public areas that lie between the street curb and either the front face of buildings or the front property line of abutting parcels, whichever is closer to the curb.

The Ashland Street Standards and the Site Design and Use Standards publications provide guidance in laying out whole streets, blocks, corridors, and districts. Specific information about street trees and street lighting is provided. Functional Items should be considered secondary to street lights, utility poles, street trees, and tree grating. Street tree and lighting placement define the major rhythm of design elements along the street, and functional items should be placed in relation to the trees and lighting, after the best locations for these objects have been located. Additional guidance for furnishing layout at transit stops is available from RVTD.

All functional items must be accessible per ADA guidelines and City regulations, including the 2002 Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG), as well as 2005 revised access Board Draft Guidelines, and in general the following:

1. Functional items must maintain the minimum 4 foot ADA required clear accessible route, and should leave the minimum through widths described in *Section 4 of the ADAAG*.
2. Objects mounted on walls or posts with leading edges above the standard sweep of canes (27 inches) and below the standard head room clearance (80 inches) should be limited to a 4 inch maximum protrusion. (e.g. hanging planters)
3. No sidewalk element may interfere with pedestrian access to the entrance of any building; this includes the path of travel and disabled access requirements of ADA and *Title 24*. This includes all paths of travel or exiting. No functional items may be located below a fire escape or over a utility valve or utility box.
4. Wherever possible, functional items should be of a contrasting color to the sidewalk so as to aid pedestrians with visual impairments.
5. Functional items should leave a minimum 8' of clearance adjacent to disabled parking and passenger loading zones.

B. Placement, Clearance, and Spacing Standards

1. The minimum clearance between permit area boundary and fixture or structure is 8 feet where sidewalk is more than 11 feet wide or 6 feet where sidewalk is less than 11 feet wide. The Public Works Director may require more clearance if necessary for public safety and ADA Access.
2. Except as specified on the DSUM, no object shall be placed within :
 - a) Six feet (6') of outer edge of any roadway
 - b) Two feet (2') from face of curb for publication boxes
 - c) Ten feet (10') of any crosswalk
 - d) Fifteen feet (15') of an intersection (add to ORD. 2990)
 - e) Six feet (6') of any fire hydrant or other emergency facility

- f) Ten feet (10') of any driveway or alley entrance
- g) Three feet (3') from bike rack
- h) The designated footprint of a bus stop.

3. Placement of functional items should consider car overhangs and door swing. When placed near the curb, Functional Items should be located at the *edges of the delineated on-street parking stalls rather than at the center wherever possible.*

C. Materials and Construction Standards

Functional Items shall be constructed of durable, high quality materials that can resist the maximum physical forces (design loads) imposed on them without losing functionality or endangering the safety of the public. Evidence of adequate structural strength and conformance with other applicable requirements must be demonstrated before an encroachment permit can be issued. Manufacturers of site furnishings can normally provide specifications for their products that confirm their structural adequacy. Custom designs may require written confirmation by a licensed design professional, upon request by the Public Works Department.

Two Standard Colors (Black and Evergreen per Timberform's standard paint palette) are strongly encouraged for the metallic components, except where there is a specialized streetscape pattern or palette with a particular design scheme.

1. All temporary objects or shall be structures weatherproof and sturdy construction (i.e. solid wood, iron, non corrosive metal, cement, or similar material). In addition, the following applies:
 - a) No plastic.
 - b) No object shall be chained bolted to each other or to the surface
 - c) Objects must be movable by one person
 - d) All objects that fall under the category of signs in City Ord. 18.96.040 must meet the requirements of that chapter, regardless of their location (private property vs. public right of way).
 - e) Objects shall be labeled with name/address/phone number of the owner
 - f) Objects must be clean and in good repair
 - g) Objects must maintain a weather proof or weather resistant quality
 - h) Objects shall be self supporting under a wind load of at least 20 pounds/square foot and be structurally stable as defined for structures in the current structural building code. Evidence of the item's structural integrity may be required, and may consist of stamped calculations by an Architect or Engineer licensed in the state of Oregon or other verifiable evidence of the safety of the item's design and construction.
 - i) These requirements for Sidewalk Cafés, functional items and publications boxes apply to items placed in C-1-D, C-1, E-1 zoning designations only.
2. The Property Owner of the adjacent building must consent to placement. (See permit form.)
3. Submit a Signed Permit and comply with all required conditions of the permit.
4. Furnish and maintain personal injury, property damage and general liability insurance in the amount of \$1,000,000 (municipal tort liability under Oregon Tort Claims). List City as *additional insured*. Insurance cannot be canceled without 30 days written notice.
5. Submit the following information for issuance of a permit:

6. Pay appropriate fee based on square footage (50 sq ft minimum)
7. Submit diagram with dimensions and the locations and description of all structures, materials and activities shown as well as any pre-existing nearby obstructions (see example).

D. Maintenance and Safety Standards – See Appendix A for an Operation and Maintenance Plan example.

E. Procedures for Abatement / Removal

Permit Conditions

- Permit card must be prominently displayed
- ROW Encroachment Permits expire December 31st of year permit applied for
- Permits are not transferable
- Permit can be temporarily suspended for the good of the City upon 48 hour notice; the City assumes no responsibility for loss, but permit costs shall be prorated and refunded
- Permits are limited to the area shown on approved site plan
- Any functional items not used for 72 hours must be removed
- Food service and liquor licenses must be obtained prior to issuance of permit
- Permits must comply with City sign regulations
- No smoking is allowed in utilized sidewalk area
- All required supervision is the responsibility of the Permittee or employees

Revocation of Permit

Denial, Revocation or Suspension:

- Permit is null and void if not paid within 3 working days of due date
- Permittee has 30 days to appeal in writing; City Administrator renders final decision

Violations:

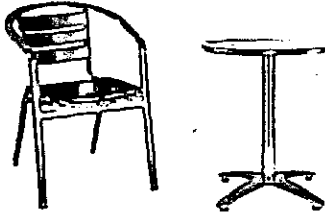
- If functional items or sidewalk café furniture is placed without a permit, violators are subject to a Class C Misdemeanor (AMC 1.08) and a one year penalty.
- Violations associated with not paying city fees (business license, food and beverage tax, transient occupancy tax, etc) is considered a Class A violation.
- If cited then permit is revoked and cannot be reinstated for two years.
- City can abate serious risks to persons or property. Owner/operator is responsible for any/all costs associated with an abatement.

F. Penalties

Any violation of this chapter shall be an infraction as defined by AMC 1.08.020 and punishable by a fine as set forth in that section. The City Administrator or designee is authorized to issue a citation to any person violating the provisions of this chapter. After two infractions, the sidewalk café permit shall be revoked for a period of at least one year.

II. Item-Specific Guidelines

Sidewalk Cafés



Purpose

The purpose of this chapter is to permit sidewalk dining that is compatible with other uses of the public sidewalk. The City finds that sidewalk cafes encourage a pedestrian-oriented environment, help to create a visually attractive atmosphere and streetscape, and promote overall commerce.

Background

A. Private commercial use of public sidewalks for the purpose of operating a sidewalk cafe in the City is prohibited unless a permit is obtained from the Public Works Department. The annual permit fees shall be established by resolution of the City Council and adjusted annually by the CPI for the previous calendar year. Permits expire December 31st.

B. There are no variances or exceptions allowed to this ordinance.

C. *The maximum occupancy of the outdoor licensed premises shall be determined by the Building Code and shall be posted per the Code. Generally speaking, the Code limits the occupancy to 1 occupant per 15 square feet. If, for example, the dimensions of an outdoor licensed premise is 30 feet wide and 15 feet deep, the maximum occupancy would be:*

$$30 \text{ feet} \times 15 \text{ feet} = 450 \text{ square feet}$$

$$450 \text{ square feet} / 15 \text{ square feet per occupant} = 30 \text{ occupants}$$

D. The Public Works Director shall forward all applications for review by the Fire Marshall, Building Official, Director of Community Development and the City Recorder (if alcohol will be serviced.) The Director shall determine the zoning of the request, and determine whether the proposed use is in conformance with the requirements of the Land Use Ordinance.

Requirements

In determining the proposed layout for your sidewalk café or functional item, consider all existing sidewalk obstructions such as sign and signal poles, bike racks (leave room for the bikes in your measurements), bus zones, fire hydrants, existing sidewalk furniture, street trees, tree wells, phone booths, mail boxes, newspaper racks, etc.

The Public Works will review the application for compliance with the following criteria:

1. Sidewalk Cafés can be placed in C-1-D, C-1, E-1 zoning designations only.
2. The Property Owner of the adjacent building must consent to the placement. (See permit form.)
3. The minimum clearance between permit area boundary and fixture or structure is 8 feet where sidewalk is more than 11 feet wide or 6 feet where sidewalk is less than 11 feet wide. Public Works Director may require more clearance if necessary for public safety.
4. Except as specified on the Downtown Sidewalk Usage Map (DSUM), no object shall be placed:
 - a. within 6' of outer edge of any roadway (24" for publication boxes)

- b. within 10' of any crosswalk
 - c. within 15' of an intersection
 - d. within 6' of any fire hydrant or other emergency facility
 - e. within 10' of any driveway or alley entrance
 - f. within 3' from bike rack
 - g. within footprint of bus stop
5. Sign the "Release, Hold Harmless and Indemnity Agreement".
 6. Furnish and maintain such public liability, food products liability, liquor liability and property damages insurance as will protect Permittee and City from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance shall provide coverage of not less than the amount of (\$1,000,000?) municipal tort liability under the Oregon Tort Claims Act. Such insurance shall be without prejudice to coverage otherwise existing, and shall name the City, its officers and employees, as additional insureds, and shall further provide that the policy shall not terminate or be canceled prior to the expiration of the permit without 30 days written notice to the City.
 7. Submit the following information for issuance of a permit:
 - Complete and sign application form (including sign hold harmless agreement)
 - Pay appropriate fee based on square footage (50 sq ft minimum)
 - Submit diagram with dimensions and the locations and description of all structures, materials and activities shown (see example).
 - Submit Certificate of Insurance and Endorsement Form

Permit Terms & Conditions (partial summary)

- Permit card must be prominently displayed.
- ROW Encroachment Permits terminate December 31st of year permit applied for. The Public Works Director may approve, approve with additional conditions, or deny the request for renewal. An annual permit fee based on the square footage is due at the time on renewal.
- The permit issued shall be personal to the Permittee only is not transferable in any way.
- Permit can be temporarily suspended for the good of the City (use of right-of-way for a public event, construction, repair, or any other purpose) upon 48 hour notice; the City assumes no responsibility for loss, but permit costs shall be prorated and refunded.
- Permits is specifically limited to the area approved or as modified by the Public Works Director. And will include a scaled diagram indicating the area approved for the sidewalk café and the location of the tables and materials permitted to be in the right of way.
- The sidewalk and all things placed there shall at all times be maintained in a clean and orderly condition. Only those things authorized by the permit and shown on the diagram may be stored in the public right- of-way when the sidewalk cafe is not in operation. Should the Permittee not utilize the sidewalk as authorized for a period of 48 hours or more, all the tables and materials shall be removed therefrom.
- The operation of a sidewalk café required that trash containers be provided on site.
- All required building modifications or parking improvements shall be completed prior to the commencement of the operation of the sidewalk café.

Right-of-Way Encroachment Guidelines

- No signs shall be attached to any furniture, umbrellas, awnings, or other structure related to the operation of the sidewalk café.
- Tables and chairs shall be weatherproof and sturdy construction (solid wood, iron, non-corrosive metal, cement or similar material – no plastic allowed)
- Any functional items not used for 72 hours must be removed
- Food service and liquor licenses must be obtained prior to issuance of permit
- Permits must comply with City sign regulations
- No smoking is allowed in utilized sidewalk area
- All required supervision of the sidewalk café is the responsibility of the Permittee or employees

M a i n t e n a n c e

1. Outdoor premises shall be kept broom clean at all times; planters must be kept clean of debris and dead plant life; painted improvements on public right-of-ways must be kept freshly painted and free from rust.
2. Materials for sidewalk cafés can be left out year round per the discretion of the business owner(s). Materials for the sidewalk café must be in compliance with the maintenance section requirements at all times.
3. The owner of the sidewalk café is responsible to maintain the property during all seasons, including the removal of snow and ice.
4. To promote security, staff recommends that tables and chairs be taken inside every evening to prevent theft and damage.
2. No object shall be chained bolted to each other or to the surface
3. Objects be movable by one person
4. Objects meet sign code
5. Objects shall be labeled with name/address/phone number of the owner
6. Objects must be clean and in good repair
7. Objects must maintain a weather proof or weather resistant quality
8. Objects shall be self supporting under a wind load of at least 20 pounds/square foot

Bicycle Racks



Purpose

Bicycle racks are an important element of the streetscape, both as an aesthetic aspect of the streetscape and as a functional element for those who travel by bike. Bicycle racks are also opportunities for distinctive design and public art objects. Where part of a special maintenance or public art program, uniquely designed, yet functional bicycle racks may be submitted for approval.

Requirements

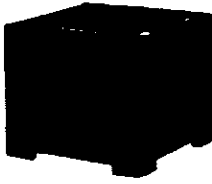
See standard detail CD173. See City Ord. 18.92 for placement of bike racks on private property.

Location

Bicycle racks should be located according to the following guidelines:

1. Placement and spacing of bicycle racks should consider dimensions when occupied
2. Bicycle rack placement should be frequent in active commercial districts.
3. Racks should be provided near major destinations such as schools, libraries, transit stops, major shopping and service destinations, and other locations with high pedestrian traffic
4. Racks should not be placed in accessibility (blue paint) zones.
5. A rack should not be located closer to the curb than (24") two feet. Three feet from the curb is ideal, although in certain circumstances, the distance may be greater.
6. Bicycle racks should not be located directly in front of a store/building entrance or exit or in a driveway.
7. There must be at least 3 feet of clearance between bicycles parked at racks and any other street furniture, with the exception of other bike racks, which should be placed a minimum of every 3 feet on center.
8. Street utility vaults must have a 12 inch clearance from a bicycle parked at a rack.
9. An aisle for bicycle maneuvering shall be provided and maintained between each row of bicycle parking. Bicycle parking shall be designed in accord with the illustrations used for the implementation of this chapter.
10. Each required bicycle parking space shall be accessible without moving another bicycle.
11. Areas set aside for required bicycle parking shall be clearly marked and reserved for bicycle parking only.
12. Bicycle parking shall be located to minimize the possibility of accidental damage to either bicycles or racks. Where needed, barriers shall be installed.
13. Bicycle parking shall not impede or create a hazard to pedestrians. They shall not be located so as to violate vision clearance standards. Bicycle parking facilities should be harmonious with their environment both in color and design. Facilities should be incorporated whenever possible into building design or street furniture.

Planters



Purpose

The purpose of this section is to provide for consistent application of design guidelines for planters in the public right-of-way. Planters are a desirable element as they can be decorative and can add an element of beauty and identity to individual shops and street corners. For the purpose of these guidelines, temporary planters are distinguished from permanent planters by the function of movability and structure.

Background

At the time these guidelines were created, temporary planters in the City did not have consistent requirements for structure, weight, or placement. Planters were considered a tripping hazard and were typically not well maintained.

Requirements

See standard Detail CD175.

Required height: Temporary planters will have a height of not less than eighteen inches and not more than 54 inches.

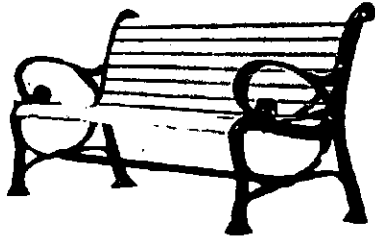
Required weight: Temporary planters will have a minimum gross weight of fifty (50) pounds, but once full of material, the weight will not be such that sidewalk damage will occur.

Required Placement: Temporary planters may be placed flush against a building. Structure and plant material must allow a six-foot clearance for pedestrians.

Required plant materials: Temporary planters should be well maintained.

Required structure: Temporary planters should be able to withstand gusting winds and attempts to kick them over.

Benches



Purpose

The purpose of this section is to provide for consistent application of design guidelines for benches in the public right-of-way. Benches are a desirable element, as they can be decorative, and they can be functional sculptural pieces. The provision of public seating is encouraged in appropriate locations in the public right-of-way. Public seating is an important element in furnishing outdoor rooms. Plazas, squares, and wide sidewalks are all intended for pedestrian use and should be furnished in a manner that promotes that use. Benches can combine with planters and other elements of street furniture. Coordinated street furniture is encouraged.

Requirements:

See standard detail CD177.

Bench structure: A bench should have a sitting area of about thirty six (36) inches and a backrest that extends at least twenty four (24) inches above the sitting area. A backrest is not a required feature. A bench should have an armrest, although an armrest is not a required feature. A bench, or a planned sitting area, should be about seventeen (17) inches off the ground.

Implementation: The City standard benches have been chosen by the Public Works Director. These bench styles are chosen to deter vandalism, such as abuse by skateboarders or roller bladers. The Public Works Department will coordinate with those seeking to place benches inside C-1-D Zone to locate the benches in suitable locations. Benches can be placed against the face of a building. Placement of benches must allow for both adequate legroom and pedestrian clearance.

Public seating requires particular attention to pedestrian traffic flow in order to design a comfortable, useable, and active public environment where people can rest, socialize, read, or simply watch.

Location

Seating arrangements should be located and configured according to the following guidelines:

1. Seating should be located under trees where possible to provide shade and comfort and to integrate multiple objects.
2. Informal seating (low walls, etc.) can also be incorporated into other objects in the right of way, such as at planter edges. Where space allows, benches can be built into planters.

3. Where seating is oriented parallel to the curb, it should face toward buildings when located in the Functional Items zone, or away from buildings when located in the frontage zone.
4. Seating should be provided on curb extensions in an organization that is grouped to create social spaces.
5. Seating incorporated into building form, such as seat-walls, is an alternative to free-standing benches, and should be encouraged as a strategy to activate the front of larger developments as part of the streetscape.

Given the visual character and amenities in Ashland and the areas around it, there are many scenic locations where varying from some of these guidelines may be appropriate in order to take full advantage of a street's setting.

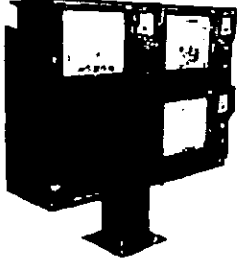
D e s i g n

Design of seating should complement and visually reinforce design of other streetscape objects. At least one public bench in a group must be ADA accessible. See Section 4.37 of the ADAAG.

Seating should be designed as an integrated part of other streetscape objects where possible, including:

- Integrated seat walls in pedestrian refuges
- Seat walls and benches around trees and landscaping
- Part of public art and gateway monuments

Publication Racks (Newspaper Stands)



Purpose

The purpose of this section is to provide guidelines for consistent application of newspaper stands. Newspaper stands are an element of street furniture that can change rapidly. There are currently more than twenty daily, weekly, and monthly publications in the City of Ashland. All need distribution space. Some are free and are distributed off of shop counters. Some publications are for sale and need a distribution source where money can be exchanged for the product. These guidelines provide codification for the design of structures to promote consistent standards for newspaper distribution structures in the public right-of-way.

Background

Private companies are prohibited from chaining, locking, or attaching in any way a newspaper box or stand in the public right-of-way in the Downtown area. To prevent theft of newspaper boxes and reduce clutter, it is desirable to assemble them in designated areas in coordinated MUNRs that can be bolted to the sidewalk by the City of Ashland. Reducing the amount of clutter in the public right-of-way works to promote public safety, clear passages, and simplify sidewalk maintenance.

Requirements

See standard detail number CD179 for the draft MUNR. Should a company desire to secure a newspaper rack, box, or stand in the public right-of-way in the areas within the Downtown, Public Works promotes the use of MUNR. The units must be expandable. The Public Works Director must approve the design. The design of MUNR should prevent abuse, damage, and attempt at vandalism. The Public Works Department is responsible for the installation of MUNR. The City will designate locations for MUNR in areas of good visibility and pedestrian traffic. Should a newspaper distributor elect to be part of a MUNR, the newspaper distributor will enter into a written agreement with the City to use the MUNR exclusively in all areas where the units are provided.

No MUNR shall be located in whole or in part on private property without the express written consent of the property owner or the owner's representative, and in no case shall a MUNR be located at any location so as to obstruct the vision clearance area at intersections or street and driveway intersections, or so as to otherwise interfere with the clear and unobstructed vision and cross view of motorists at street intersections, driveways, or alleys.

Interim Regulations for Publication Boxes

Right-of-Way Encroachment Guidelines

- Boxes will be placed in locations as shown on DSUM. (Boxes shall be placed in groupings no greater than 12 lineal feet and 200 feet from nearest grouping.)
- Shall not be placed closer than 24' from the curb face
- Shall not exceed 5' in height, 30" in width, 2' thick.
- Shall have a system in place to prevent spilling
- Shall be protected from weather
- Fronted with clear glass or plastic window

* Interim (privately-owned boxes will be phased out by 7/1/12)
Considered "City Functional items" therefore provided by the City of Ashland

Bollards



Bollards are primarily a safety element to separate pedestrians or streetscape objects from vehicles or hazards such as out-swinging doors. Attractively designed bollards add color and interest to streetscapes, help define pedestrian spaces, and provide a spot to lean on or rest at.

Requirements

See Detail CD181 for Downtown Area Rights of Way.

See Detail CD182 for Bike Paths and locations with heavy bicycle traffic.

See Details CD141 for locations that require periodic access by vehicles for maintenance, or where bollards are used for closing a street or parking space temporarily.

See Details CD140 for other locations.

Location

Bollards should be located according to the following guidelines:

1. Bollards should be used at sidewalk locations where vehicles attempting to park are damaging sidewalk structures, trees or plantings (e.g. property, especially on alleyways).
2. Bollards should be considered for installation on median islands, curb extensions (but not on the boarding side of transit loading islands or extensions), and midblock curb extensions, where there is a risk of danger to pedestrians due to proximity to travel lanes.
3. Bollards can also be used in special locations, including pedestrian-oriented spaces such as pedestrian pathways, to designate unique spaces.
4. Lighted bollards can create a special pedestrian environment, and may be particularly useful to provide additional pedestrian lighting in median refuges.
5. Removable bollards should be placed at entrances to streets that are closed to vehicles for pedestrian use, to alert drivers to the changed nature of the street. *Similarly, removable bollards can define the outside edge of flexible parking spaces (see Section 5.6) where the space has been converted to pedestrian use.*
6. *Bollards should be placed 18-inches (or 24"?) from the back of the curb.* If there is no parking in the bollard placement area, the bollard may be installed immediately adjacent to the back of the curb.

Standard bollard spacing is approximately 10 feet on center, but may need to be reduced where there is a need to block vehicular traffic. Spacing should vary to sync with the rhythm of lighting fixtures, trees and landscaping, or other objects in the streetscape.

Appendix A:
Standard Specifications
And Details

STANDARD SPECIFICATION SECTION 01095 – FUNCTIONAL ITEMS (“Site Furnishings”)

Description

01095.00 Scope - This work consists of constructing items such as listed below and other Functional Items as shown or directed.

Materials

01095.10 General: -Conform with following standard details in accordance with the most current version of the Ashland Engineering Design Standards for Public Improvements, as well as these Special Provisions for Functional Items:

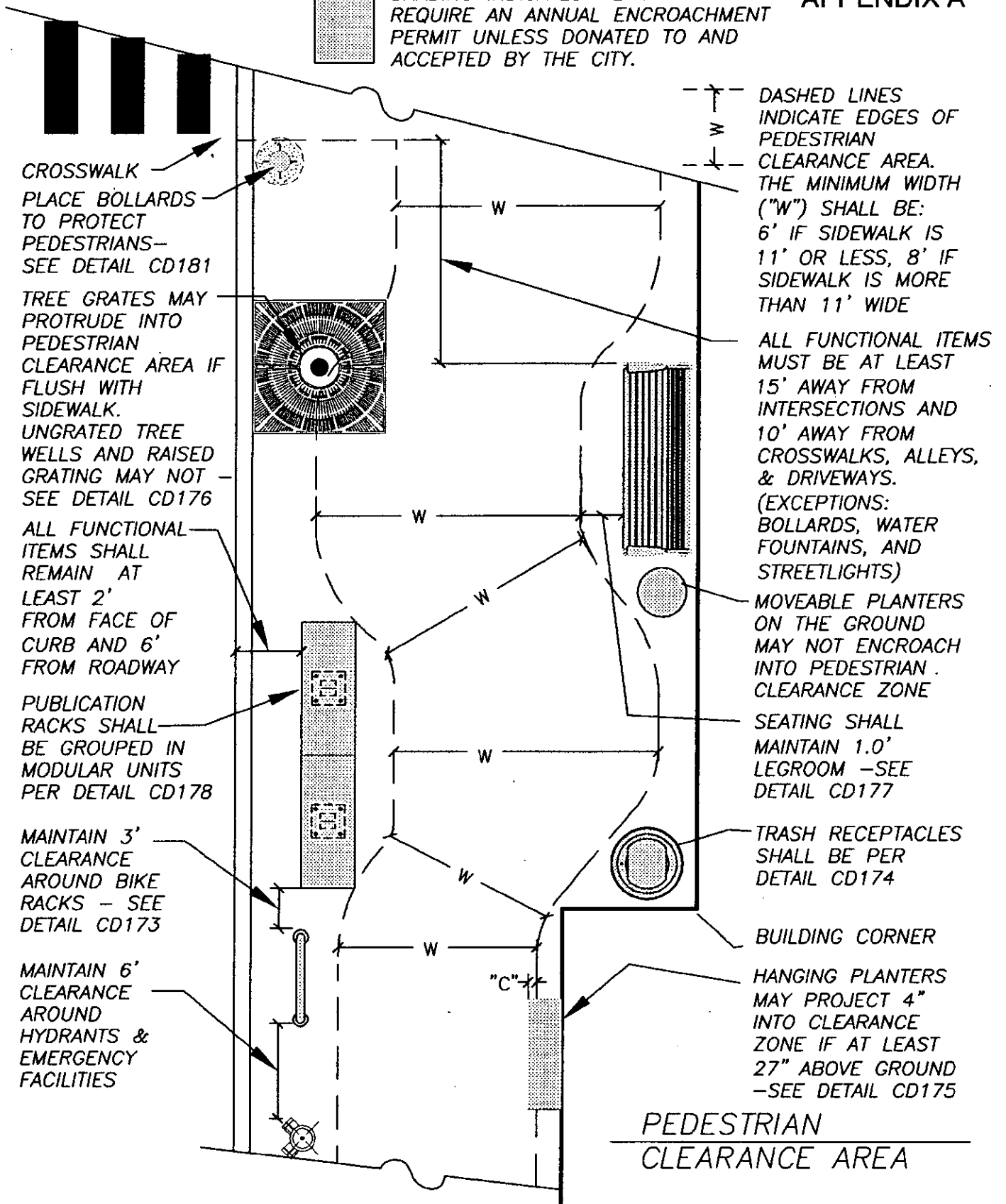
DETAIL	ITEM	Preferred	Alternate
CD171	Pedestrian Clearances	Maximize Pedestrian Area available while maintaining minimum clearances	See “Downtown Sidewalk Usage Map” for exceptions
CD172	Sidewalk Cafes	Annually permitted by Public Works Dept. In zones C-1, C-D-1, & E-1	Not permitted in other Zones.
CD173	Bicycle Racks	Hitching Post Bike Rack Purchase from City 541-552-2290	Submit on-street designs to Engineering for pre-approval
CD174	Trash Receptacles	Timberform “Plaza” Model # 2770-DT-P 800-547-1940	Victor Stanley “H-Series” Model # U-24 800-368-2573
CD175	Planters	Timberform “Craftsman” Model # 2669-06 800-547-1940	Eagle One “Catalina” Model # C505 1-800-448-3160
CD176	Tree Grates	Neenah Foundaries Model # R-8707390 800-558-5075	Poly-Grate II Model # TSB55 (800) 523-6899
CD177	Benches	Timberform “Restoration” Model # 2118-6 800-547-1940	Victor Stanley “Classic” Model # C-138 800-368-2573
CD178	Publication Racks	Shorack Modular Rack Model #49-16/100 800-527-1134	Shorack Broadsheet Model TK-80 800-527-1134
CD181	Bollards	Trystan “Park Avenue” www.trystanproducts.com 877-348-5845	CD182 at bike paths CD141 temporary closures CD140 elsewhere
CD183	Bus Shelters	Handi Hut “Yosemite” Model # 4-2H 800-603-6635	Engineered Structure to match structure at 132 Ashland St.
CD184	Water Fountains	Murdock “Old Style” Model # M-C76-1- AVAF 800-591-9880	Murdock Model # C-30 800-591-9880

Construction

01095.40 General - Install all functional items as indicated as follows and in full accordance with the manufacturers installation procedures, recommendations, and requirements.

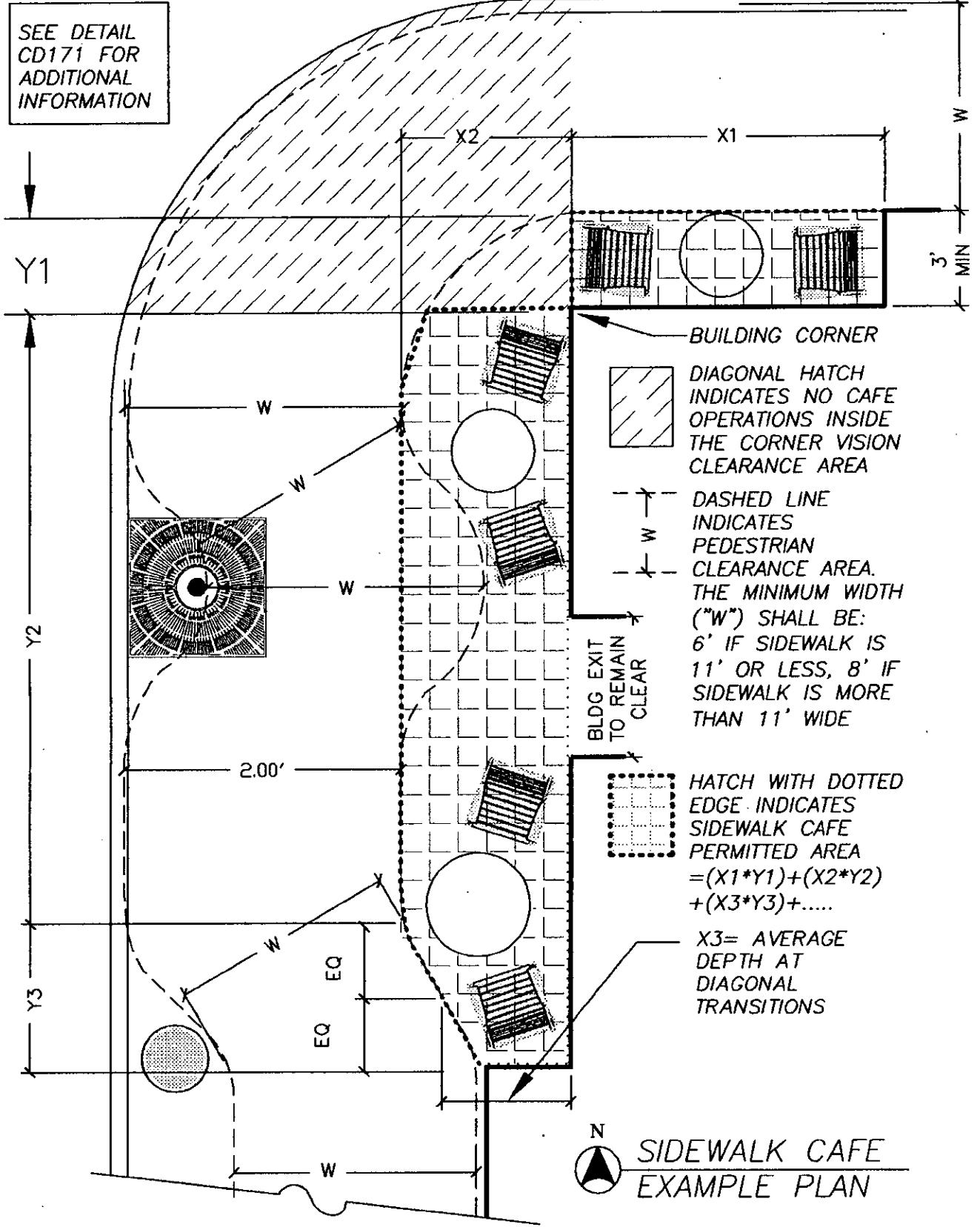
APPENDIX A

SHADING INDICATES ITEMS THAT REQUIRE AN ANNUAL ENCROACHMENT PERMIT UNLESS DONATED TO AND ACCEPTED BY THE CITY.



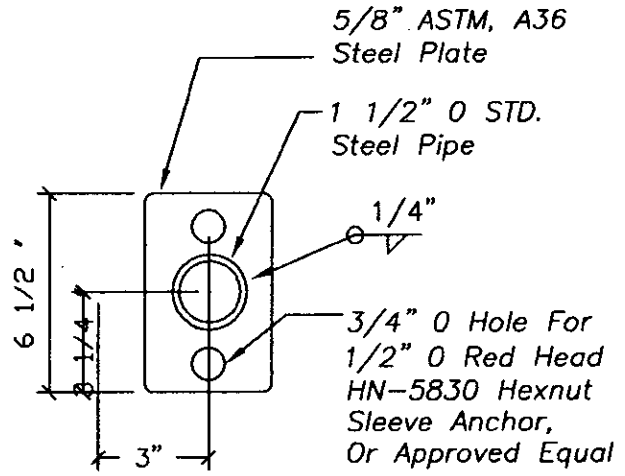
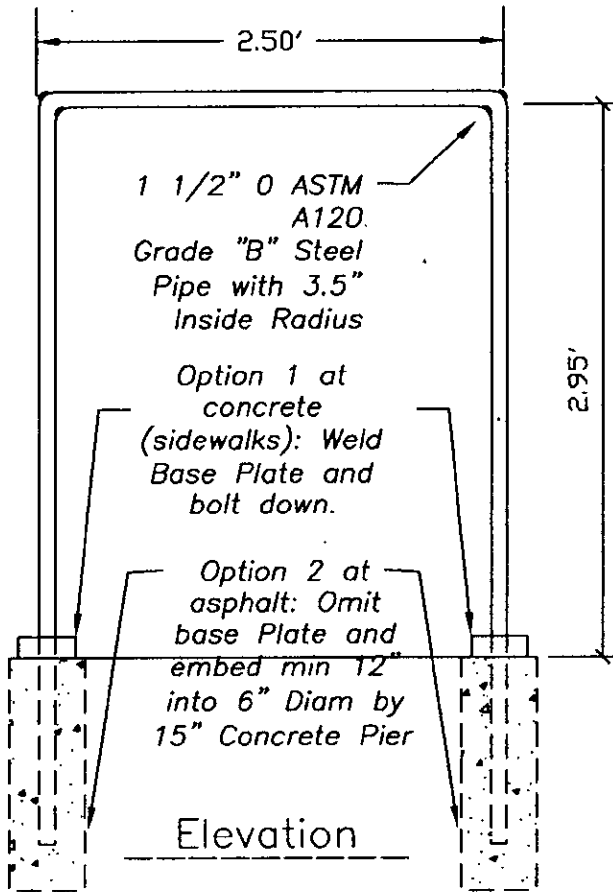
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SEE DETAIL
CD171 FOR
ADDITIONAL
INFORMATION

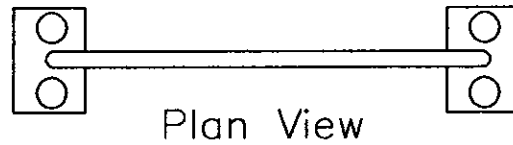


APPENDIX A

PRE-APPROVED MODELS : City of Ashland Hitching Post Type
 Finish: Sandblast to Bare Metal, Powder Coat Forest Green.

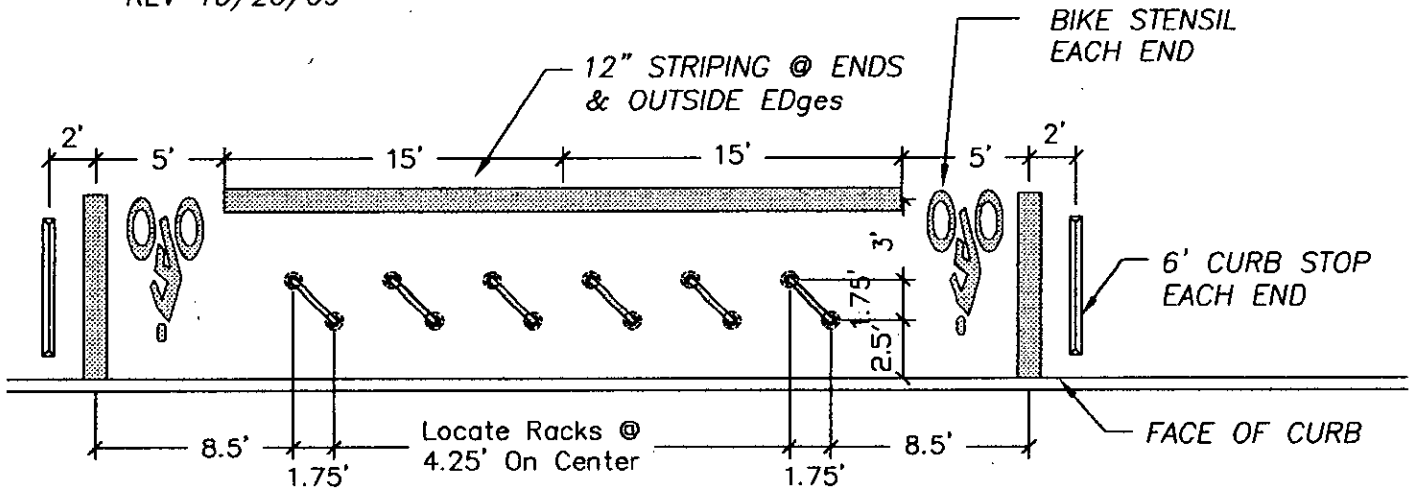


Base Plate Detail



BICYCLE RACK

REV 10/20/09



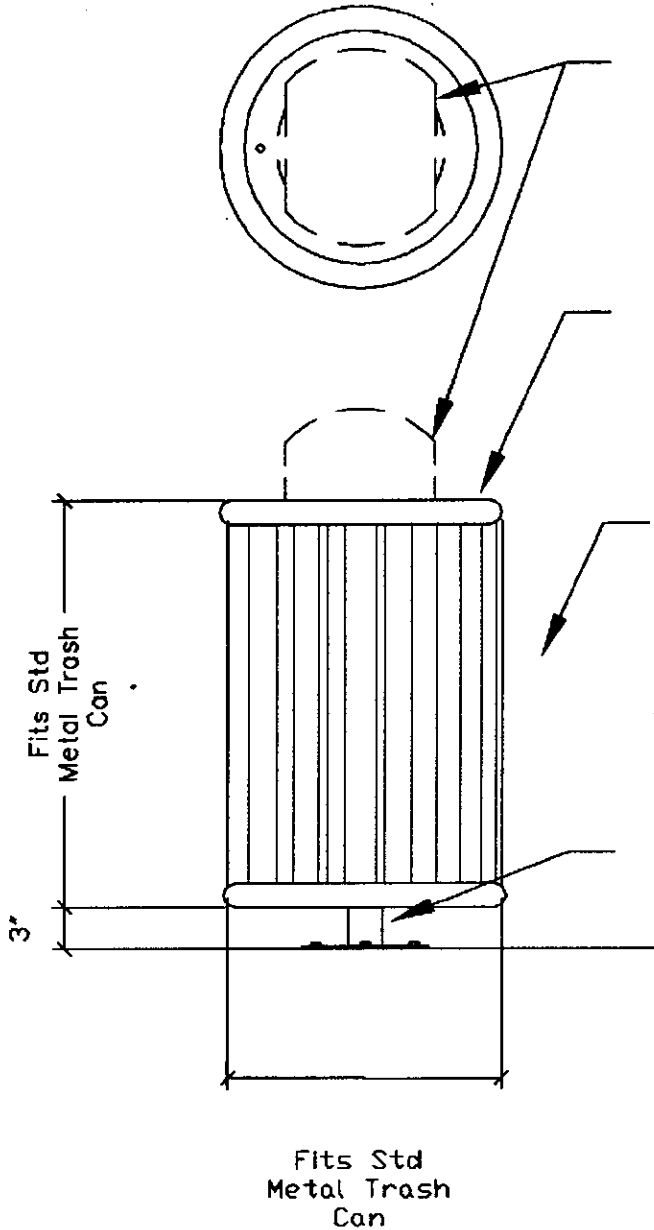
ON-STREET MULTIPLE PARKING

REV 10/20/09

	<p>PUBLIC WORKS ENGINEERING</p> <p>www.ashland.or.us 541-488-5587 fax 488-6006</p>	<p>DRAWING NO.</p>
		<p>CD173 OF</p>

APPENDIX A

PRE-APPROVED MODELS:
(Evergreen or Black)
Timberform Plaza 2770-DT-P
Pedestal mount by Timberform
or
BarcoProducts: RH-55
Pedestal mount by GC



Dome Lid (Powder-coat Evergreen colored): omit except at bus shelters

Steel Frame: Powder-coat Forrest Green

WOOD SLAT- Cedar or dark stained (walnut) recycled plastic slats

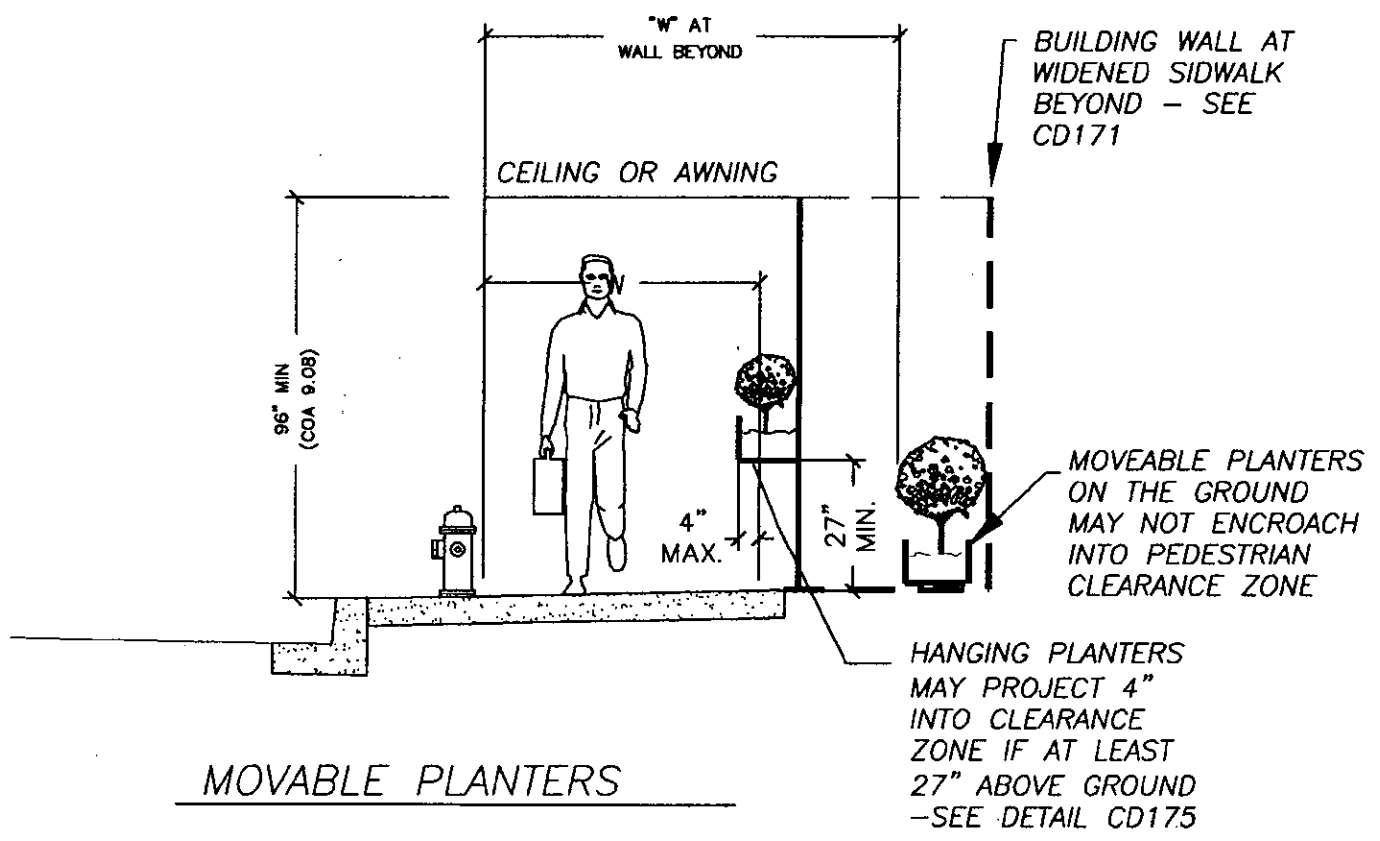
PEDESTAL MOUNT: (Downtown Only)

APPROVED MODELS:
Timberform Plaza 2770-DT-P
Pedestal mount by Timberform
or
BarcoProducts: RH-55
Pedestal mount by GC

LITTER RECEPTACLE

REV 04/02

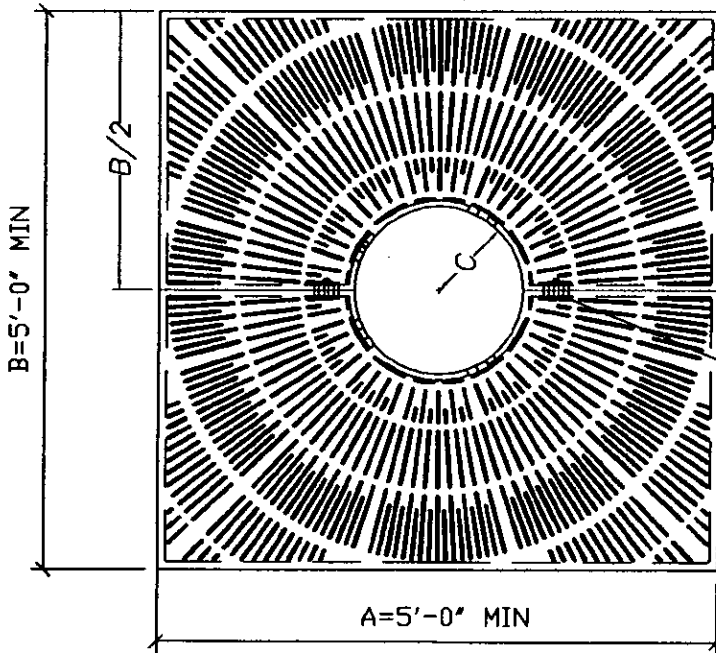
CITY OF ASHLAND		PUBLIC WORKS ENGINEERING www.ashland.or.us 541-488-5587 fax 488-6006	DRAWING NO. CD174 OF
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- NOTES:
- 1) CLEAR ZONE AND THE CIRCULATION PATH MAY BE COMBINED PROVIDING A 6 FOOT MINIMUM SIDEWALK WIDTH IS MAINTAINED.
 - 2) DEFLECT SIDEWALK AROUND AREA OF OBSTRUCTION WHEN OVERHANGS EXCEED ALLOWABLE LIMITS.
 - 3) WHEN OBSTRUCTIONS ARE LOCATED WITHIN THE SIDEWALK AREA THE DIMENSION APPLIES IN ALL DIRECTIONS.
 - 4) EXCEPTIONS TO THE REQUIREMENTS IN THIS DRAWING MUST BE APPROVED BY THE ENGINEER AND MUST COMPLY WITH 'AMERICANS WITH DISABILITY ACT.'

APPENDIX A

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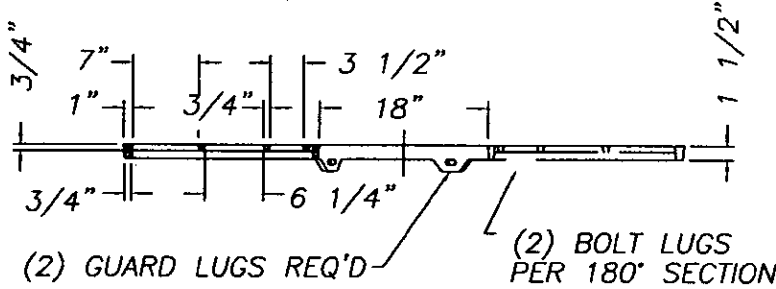
ALL SLOTS ARE 1/4" WIDE MAX.

DIMENSIONS A, B, AND C TO BE DETERMINED BY DESIGNER AND ARBORIST AND APPROVED BY AGENCY

TREE GRATE HALVES BOLTED TOGETHER w/ STNLS. STL. HEX. BOLT AND HEX NUT w/ WASHERS

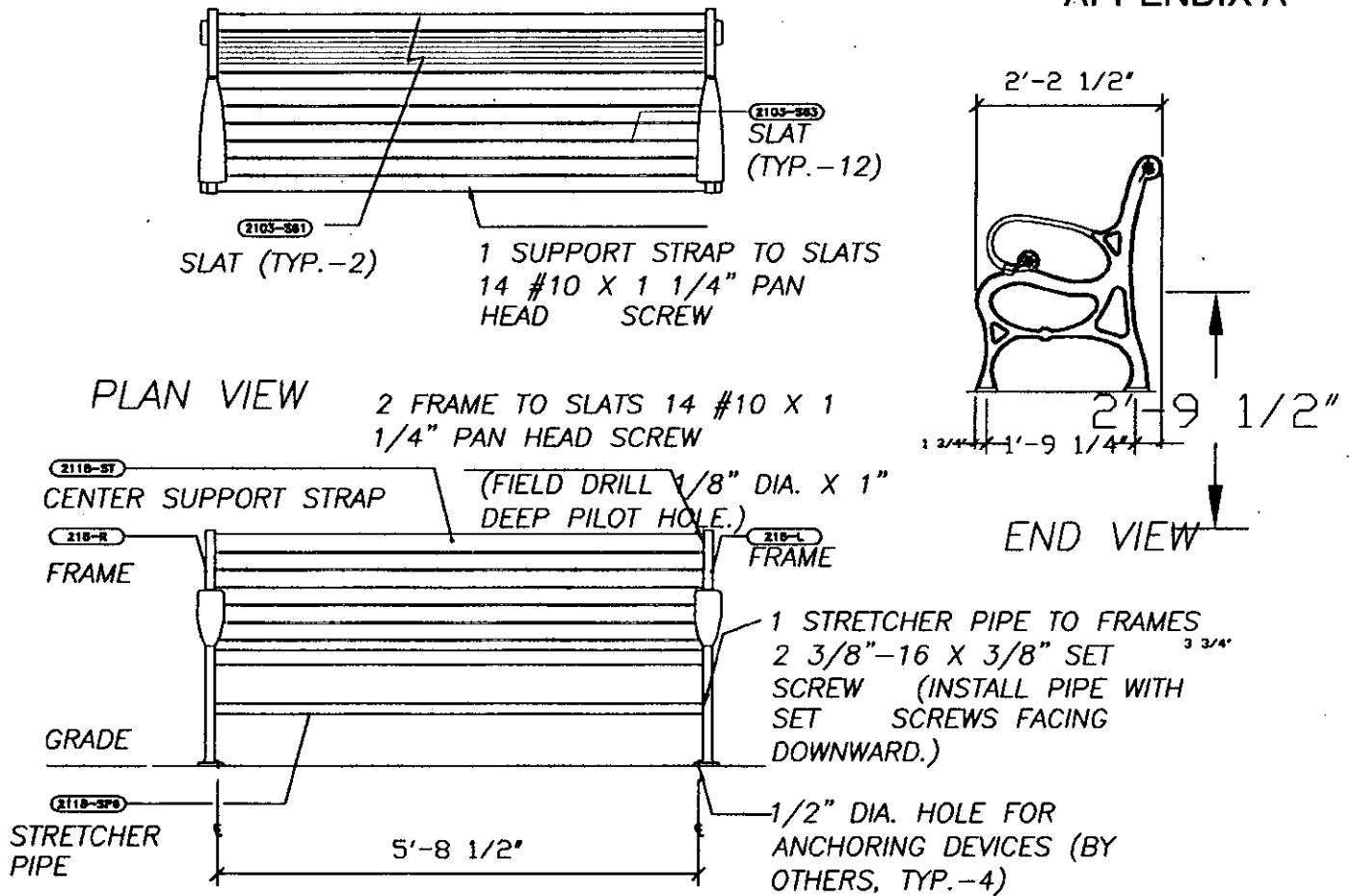
MATERIAL: CAST GRAY IRON
ASTM A-48, CLASS 35B
FINISH: NOT PAINTED

PRE-APPROVED MODELS :
Neenah R-8707390



TREE GRATE

APPENDIX A



Installation Notes:

1. Before anchoring, assemble cast iron frames, slats, and stretcher pipe per notes 2-5. Use assembled bench to locate anchors.
2. Install stretcher pipe so that the ends are flush with the frames.
3. Each slat should be positioned so that the best face is exposed when assembled. Note that the backrest has two (2) visible faces. Therefore, those slats having one blemished face should be installed on the seat portion of the bench with the best face visible.
4. Attach slats to end frames after drilling pilot holes.
5. After slats are fastened to end frames, align all slats for uniform spacing center support strap to back of slats. Remove shims after attaching strap. In center area. We recommend the use of temporary shims as necessary. Attach
6. PRE-APPROVED MODEL: Timberform 2118-6 (Evergreen or Black). Slats : Alaska Yellow Cedar. In the downtown area, all other models are subject to approval through the public art approval process or the sign regulation process in advance of approval by the public works director

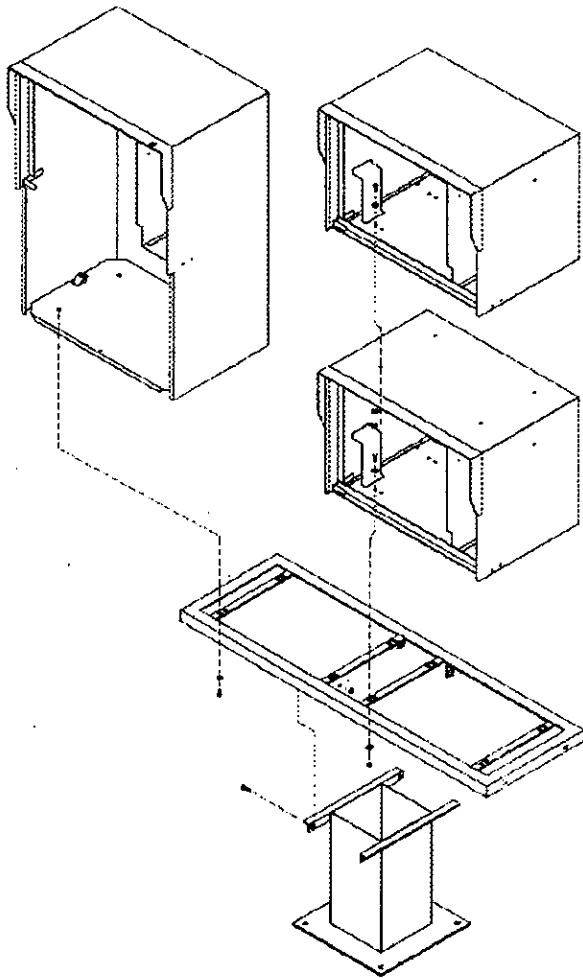
BENCH

REV 07/02

<p>CITY OF ASHLAND</p>		<p>PUBLIC WORKS ENGINEERING</p>	<p>DRAWING NO.</p>
<p>www.ashland.or.us 541-488-5587 fax 488-6006</p>		<p>OF CD177</p>	

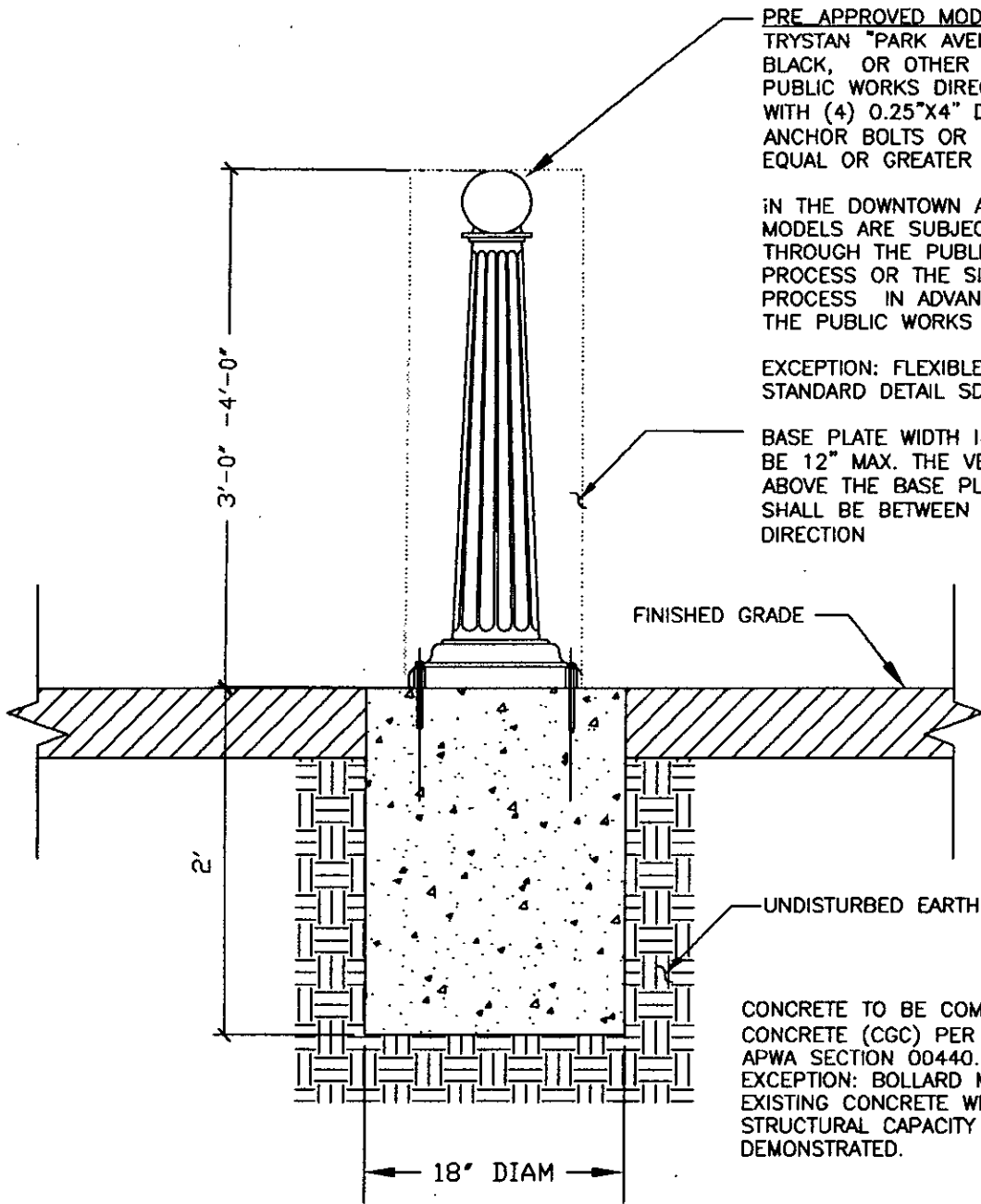
APPENDIX A

PRE-APPROVED MODEL : SHORACK
49-16/100 (Evergreen or Black)
No Decals or signage shall be
on the top or sides



MODULAR PUBLICATION RACK

REV 6/18/09



PRE-APPROVED MODEL:
 TRYSTAN "PARK AVENUE" DARK GREEN, BLACK, OR OTHER BOLLARD APPROVED BY PUBLIC WORKS DIRECTOR. BOLT DOWN WITH (4) 0.25"x4" DIAMETER PLUS HOOK ANCHOR BOLTS OR EXPANSION ANCHORS OF EQUAL OR GREATER PULLOUT CAPACITY.

IN THE DOWNTOWN AREA, ALL OTHER MODELS ARE SUBJECT TO APPROVAL THROUGH THE PUBLIC ART APPROVAL PROCESS OR THE SIGN REGULATION PROCESS IN ADVANCE OF APPROVAL BY THE PUBLIC WORKS DIRECTOR

EXCEPTION: FLEXIBLE TOP MODEL SHOWN IN STANDARD DETAIL SD182 FOR BIKE PATHS

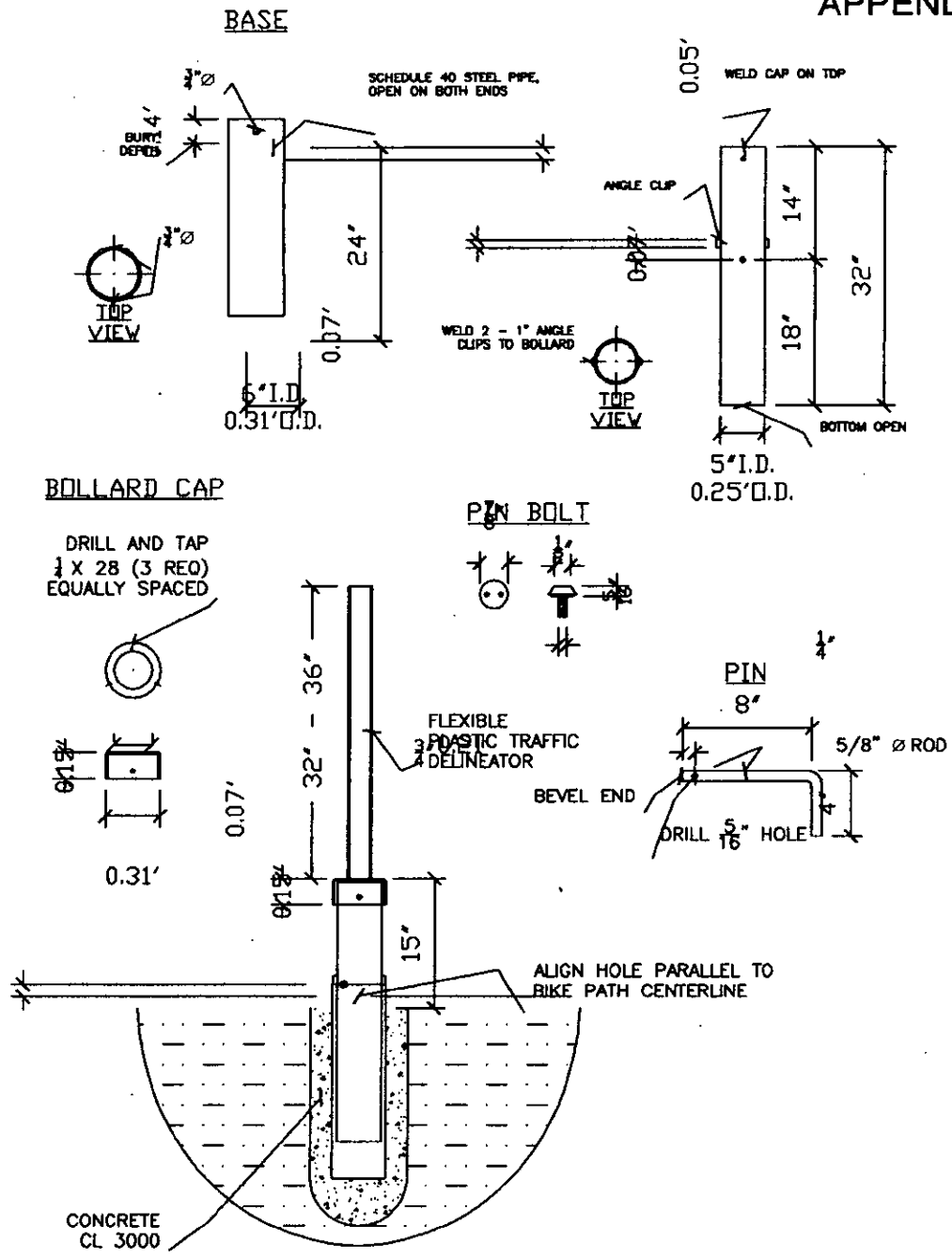
BASE PLATE WIDTH IN ANY DIRECTION SHALL BE 12" MAX. THE VERTICAL PROJECTION ABOVE THE BASE PLATE SHALL BE BETWEEN 4" & 12" IN ANY DIRECTION

CONCRETE TO BE COMMERCIAL GRADE CONCRETE (CGC) PER 2002 ODOT/OREGON APWA SECTION 00440.00
 EXCEPTION: BOLLARD MAY BE BOLTED TO EXISTING CONCRETE WHERE ADEQUATE STRUCTURAL CAPACITY CAN BE DEMONSTRATED.

DOWNTOWN BOLLARD DETAIL

<p>CITY OF ASHLAND</p>		<p>PUBLIC WORKS ENGINEERING www.ashland.or.us 541-488-5587 fax 488-6006</p>	<p>DRAWING NO. CD181 OF</p>
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APPENDIX A



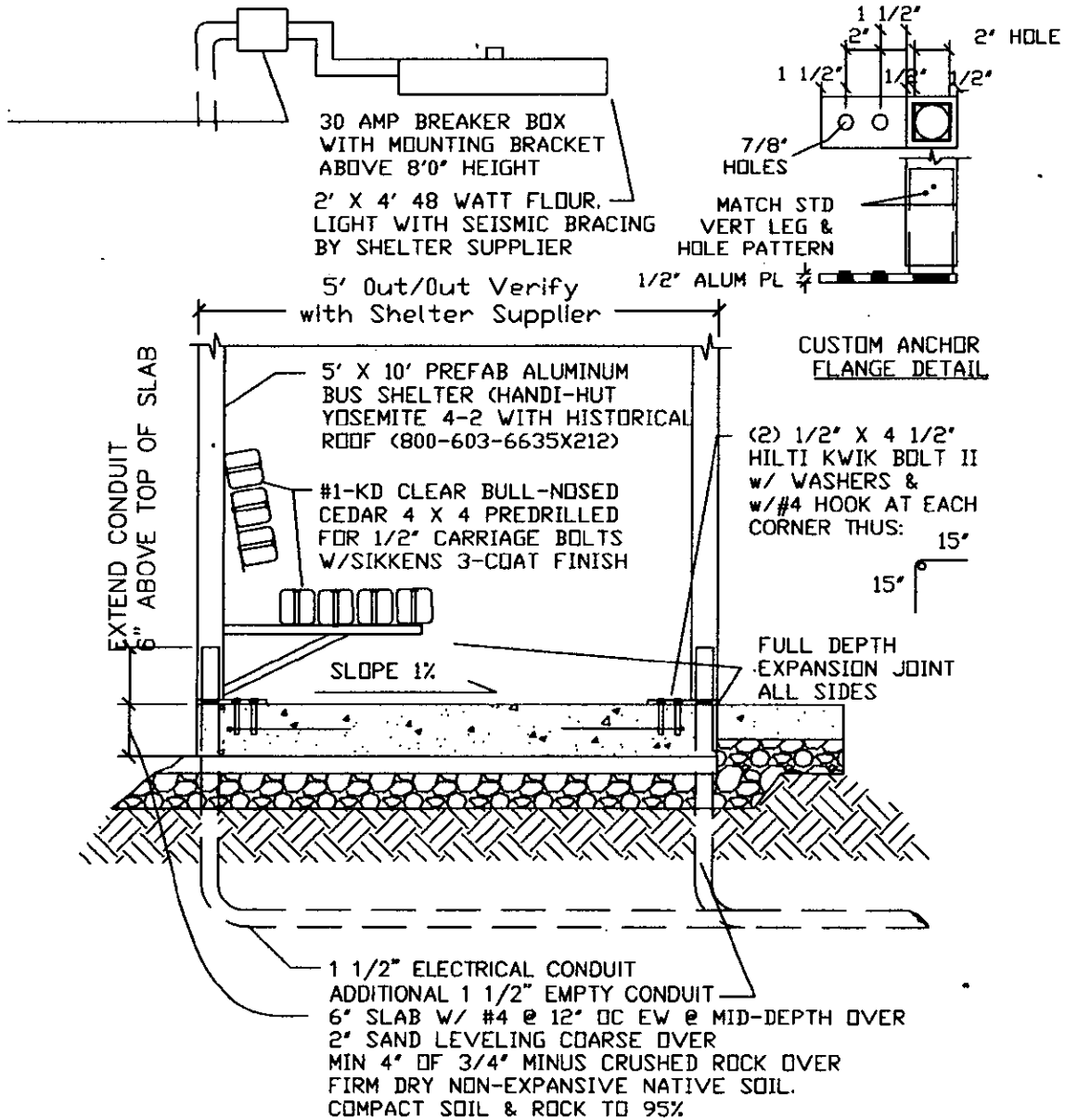
BIKE PATH FLEXIBLE BOLLARD

REV 04/02

<p>CITY OF ASHLAND</p>	<p>PUBLIC WORKS ENGINEERING www.ashland.or.us 541-488-5587 fax 488-6006</p>	<p>DRAWING NO. CD182 OF</p>
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APPENDIX A

PRE-APPROVED MODEL : HANDIHUT
 Historical Roof #4-2H (Black)



BUS STOP SHELTER FOOTING
 REV 6/02

Appendix B:
Encroachment Permit
Application Form Packet

COMMERCIAL ROW ENCROACHMENT Permit Application Form Packet



Table Of Contents

What Is A Downtown Right Of Way Encroachment?

Sidewalk Width Requirement

Things To Consider

Publication Boxes

General Requirements

Conditions Of Permit

Important Definitions

Revocation Of Permit

ROW Encroachment Permit Application

Terms, Conditions, & Hold Harmless

Site Plan Form and Example Plan

General Liability Insurance Requirements

General Liability Insurance Endorsement Form

WHAT IS A DOWNTOWN RIGHT OF WAY ENCROACHMENT?

In 2008 the Ashland Downtown Task Force made several important recommendations to the City Council concerning the use of City sidewalks for commercial and other purposes. As a result Ashland Municipal Code (AMC) 13.06 was repealed and Chapter 13.03 was adopted.

Chapter 13.03 Sidewalk Café, Special Event and Publication Box Regulation (Effective 11/1/09)

This ordinance protects and promotes a safe environment on public sidewalks (public right-of-way) within the C-1-D, C-1 and E-1 Zoning Districts. Placement of objects on sidewalks (an encroachment) require adequate regulation to guarantee uninhibited pedestrian access on sidewalk, sufficient access for passengers entering and exiting parked vehicles, maintenance of utilities, and emergency service access.

Goals and Objectives of an Encroachment Policy

- To ensure the public continues to have aesthetically pleasing views and safe areas to walk and drive.
- To protect and preserve the sidewalks, streets and open space.
- To increase community awareness regarding encroachments and open space use.
- To promote a consistent policy of reducing and minimizing encroachments on public right-of-way.
- To establish a uniform application process and solution for all encroachment on the public right-of-way.

Standard form templates and fees (application, square feet or gross sales rates) including insurance and maintenance/hold harmless/indemnity agreements as well as the "Downtown Sidewalk Usage Map" (DSUS) were adopted by City Council Resolution on October _____, 2009.

SIDEWALK WIDTH REQUIREMENT

Minimum Clearance between the permit area boundary and fixture or structure: 8 feet where sidewalk is more than 11 feet wide; 6 feet where sidewalk is less than 11 feet wide. The Public Works Director has the authority to require more clearance if necessary for public safety and ADA access.

THINGS TO CONSIDER

In determining the proposed layout for your sidewalk café or functional item, please consider all existing sidewalk obstructions such as sign and signal poles, bike racks (leave room for the bikes in your measurements), bus zones, fire hydrants, existing sidewalk furniture, street trees, tree wells, phone booths, mail boxes, newspaper racks, etc.

PUBLICATION BOXES (Newspaper stands)*

Publication boxes assigned by lottery
Any box empty for more than 30 days is deemed abandoned

Interim Regulations for Publication Boxes

- Boxes will be placed in locations as shown on DSUM. (Boxes shall be placed in groupings no greater than 12 lineal feet and 200 feet from nearest grouping.)
- Shall not be placed closer than 24' from the curb face
- Shall not exceed 5' in height, 30" in width, 2' thick.
- Shall have a system in place to prevent spilling
- Shall be protected from weather
- Fronted with clear glass or plastic window

* Interim Requirements will be phased out by 7/1/12

Considered "City Functional items" therefore provided by the City of Ashland

GENERAL REQUIREMENTS (No variances or exceptions allowed)

1. Sidewalk Cafés, functional items and publications boxes can be placed in C-1-D, C-1, E-1 zoning designations only.
2. The Property Owner of the adjacent building must consent to placement. (See permit form.)
3. The minimum clearance between permit area boundary and fixture or structure is 8 feet where sidewalk is more than 11 feet wide or 6 feet where sidewalk is less than 11 feet wide. Public Works Director may require more clearance if necessary for public safety.
4. Except as specified on the DSUM, no object shall be placed:
 - a. within 6' of outer edge of any roadway (24" for publication boxes)
 - b. within 10' of any crosswalk
 - c. within 15' of an intersection
 - d. within 6' of any fire hydrant or other emergency facility
 - e. within 10' of any driveway or alley entrance
 - f. within 3' from bike rack
 - g. within footprint of bus stop
5. Furnish a signed "Release, Hold Harmless and Indemnity Agreement" (See permit form).
6. Furnish and maintain personal injury, property damage and general liability insurance in the amount of \$1,000,000 (?) (municipal tort liability under Oregon Tort Claims). List City as *additional insured*. Insurance cannot be canceled without 30 days written notice.
8. Submit the following information for issuance of a permit:
 - Complete and sign application form (including sign hold harmless agreement)
 - Pay appropriate fee based on square footage (50 sq ft minimum)
 - Submit diagram with dimensions and the locations and description of all structures, materials and activities shown (see example).
 - Submit Certificate of Insurance and Endorsement Form
 -

9. Materials and Construction Standards (taken directly from Ordinance 2990)

All temporary structures weatherproof and sturdy construction (ie solid wood, iron, non corrosive metal, cement, or similar material).

- No plastic.
- No object shall be chained bolted to each other or to the surface
- Objects be movable by one person
- Objects meet sign code
- Objects shall be labeled with name/address/phone number of the owner
- Objects must be clean and in good repair
- Objects must maintain a weather proof or weather resistant quality
- Objects shall be self supporting under a wind load of at least 20 pounds/square foot

CONDITIONS OF PERMIT

- Permit card must be prominently displayed
- ROW Encroachment Permits expire December 31st of year permit applied for
- Permits are not transferable
- Permit can be temporarily suspended for the good of the City upon 48 hour notice; the City assumes no responsibility for loss, but permit costs shall be prorated and refunded
- Permits are limited to the area shown on approved site plan
- Any functional items not used for 72 hours must be removed
- Food service and liquor licenses must be obtained prior to issuance of permit
- Permits must comply with City sign regulations
- No smoking is allowed in utilized sidewalk area
- All required supervision is the responsibility of the Permittee or employees

IMPORTANT DEFINITIONS

"City functional items" include, but are not limited to, a City standard bench, water fountain, planter box, garbage receptacle, ash can, bike rack, bollard, publication box, or other functional items identified by Resolution of the City Council. The City Council Resolution shall identify functional items and establish minimum standards for such items. City-owned items are not required to obtain a permit.

"Donated or Loaned Functional Items" An abutting property owner together with the occupant may donate or loan to the City of Ashland a City standard functional item for use in an adjacent sidewalk permit area. Other persons or entities may also donate or loan functional items for use in non adjacent public areas. Items accepted on loan require insurance and a maintenance/hold harmless/indemnity agreement in the standard approved form. Donated items do not require insurance or a maintenance agreement, but the donations must be accepted by the City to be eligible for placement.

The City Administrator is the delegated authority to accept or reject donations and loans for purposes of this Chapter in the Administrator's sole discretion. After demonstrated compliance with this section the City Public Works Director may authorize in writing the placement of a donated or loaned city standard functional item in locations meeting at a minimum the six foot or eight foot clearance requirement of AMC 10.64.010 or in approved locations shown on an adopted Downtown Sidewalk Usage Map. Items not strictly complying with minimum standards for such City functional items, (e.g. a

decorative art bench) may be permitted through the public art process in AMC Chapter 2.17. An accepted donated item can be placed without a permit and without required insurance.

REVOCACTION OF PERMIT

Denial, Revocation or Suspension:

- Permit is null and void if not paid within 3 working days of due date
- Permittee has 30 days to appeal in writing; City Administrator renders final decision

Violations:

- If functional items or sidewalk café furniture is placed without a permit, violators are subject to a Class C Misdemeanor (AMC 1.08) and a one year penalty.
- Violations associated with not paying city fees (business license, food and beverage tax, transient occupancy tax, etc) is considered a Class A violation.
- If cited then permit is revoked and cannot be reinstated for two years.
- City can abate serious risks to persons or property. Owner/operator is responsible for any/all costs associated with the abatement.

Application For:

**12 Month Rental
Rate per Sq Ft \$4.00
(50 Sq Ft Minimum)**

ROW Encroachment Permit

Chapter 13.03 Sidewalk Café, Special Event and Publication Box Regulation (Effective 11/1/09) Protects and promote a safe environment within the public sidewalks in the C-1-D, C-1 and E-1 Districts. The applicant must submit this application along with a scale diagram of the sidewalk permit area, with dimensions and the location and description of all structures, materials and activities shown (see example). In addition a certificate of insurance and endorsement form must be provided. All permits expire December 31st of the year obtained.

For more information call 488-5347 or visit <http://www.ashland.or.us/Page.asp?NavID=4>.

Type of Permit: Sidewalk Café "Functional Item"
 Publication Box

Property Owner Information

Business Owner Information

Owner's Name _____

Name _____

Mailing Address _____

Mailing Address _____

Phone Number _____

Office / Cell Phone Number _____

I hereby consent to the place functional item in the right-of-way adjacent to my property: _____

Permit Holder consents to Terms and Conditions including RELEASE / HOLD HARMLESS attached:

Applicant Name _____ Applicant Signature _____ Date _____

Site Information

Based on demonstrated compliance with the applicable criteria in AMC Chapter 13.03, as reflected in the application materials and supporting documentation provided by the applicant and contained in the record maintained in the offices of the City of Ashland Public Works Department, the application for occupancy/use of the right-of-way is hereby approved, subject to compliance with all applicable terms, conditions and limitations specified herein, attached standard terms and conditions as well as all applicable requirements of the City of Ashland Municipal Code.

_____ Date _____
 Public Works Director or designee

Fire Marshall: _____ Date: _____ Bldg Official: _____ Date: _____

Comm Dev: _____ Date: _____ City Recorder: _____ Date: _____

Disclaimer: This Functional Item/ROW Encroachment Permit granted by the City shall not in any way be interpreted as a waiver, modification, or grant of any other city, state, county or federal agency permits or authorizations, including specifically applicable land use

DEPARTMENT OF
 PUBLIC WORKS
 20 East Main St
 Ashland, Oregon 97520
www.ashland.or.us

Fax: 541-488-6006
 TTY: 800-735-2900



**CITY OF ASHLAND ROW ENCROACHMENT STANDARD PERMIT/CONCESSION TERMS
AND CONDITIONS AND RELEASE/INDEMNITY AND HOLD HARMLESS AGREEMENT**

Proposals of Applicant: The permit holder/concessionaire agrees that occupancy/use shall be as proposed in the application and as finally approved, including supporting documentation as entered into the record. All proposals of the permit holder/concessionaire are conditions of approval for purposes of enforcement.

Term: The term of this Permit shall commence upon approval by City and shall terminate as provided on the face of the permit, unless terminated or revoked earlier as provided for herein. The City shall have no obligation to hereafter grant any future permit or license. Regardless of the end of the term or early termination, the obligations of the permit holder/concessionaire continue in full force and effect until full payment of all financial obligations to the City, removal of items from the permit area and the complete resolution and satisfaction of any claims.

Compliance with Law. Permit holder/concessionaire shall comply with all applicable federal, state and city and county [local] laws, rules, and regulations, including specifically but not limited to, as applicable, City business license laws, food and beverage license laws, County applicable public health regulations, OLCC regulations, and all such laws and regulations concerning non-discrimination in employment and provision of services, public health and safety regulations and the policies, ordinances, rules and regulations of the City of Ashland and /or Ashland Parks and Recreation Commission in effect on date of occupancy and use. Compliance with the Americans with Disabilities Act all applicable regulations and administrative rules established pursuant to those laws, in the construction, remodeling, maintenance and operation of any structures and facilities, as applicable, and in the conduct of all programs, services, training, educational or otherwise, shall be required.

Responsibility for Compliance. Permit holder/concessionaire shall obtain all federal, state and local permits, licenses and authorizations as necessary for the occupancy and use contemplated; Applicant shall be solely responsible for obtaining all such approvals, permits, licenses, insurance, and authorizations from the responsible Federal, State, County, and local authorities, or other entities, necessary to use the property in the manner contemplated, including all authorizations necessary to perform placement of personal property in the location and manner contemplated. All costs of compliance and permitting are to be borne by permit holder/concessionaire and not the City. Further, it is expressly agreed and understood that the City has no duty, responsibility or liability for requesting, obtaining, ensuring, or verifying permit holder/concessionaire's compliance with the applicable state, county and federal agency permit or approval requirements. Any permit or authorization granted by the City, shall not in any way be interpreted as a waiver, modification, or grant of any other city, state, county or federal agency permits or authorizations or permission to violate any city, state, county or federal law or regulation. Permit holder/concessionaire shall be held strictly liable and responsible, and shall hold the City, its officers, employees, and agents harmless for administrative, civil and criminal penalties for any violation of federal state, county and city statutes or regulations. Nothing herein shall be interpreted as restricting or limiting the City from bringing any criminal, civil or administrative enforcement action under the Ashland Municipal Code or Oregon State Statute.

Land Use Approvals and Permits. Permit holder / concessionaire shall strictly abide by existing land use laws, authorizations approvals and conditions as applicable. Permit holder/ concessionaire is not authorized by this permit to make application for any new land use approvals, including signage permits. Similarly, applications for building department permits or other applications concerning city property are not authorized by this Agreement. No banners, flags, signage and/or marking of any kind shall be placed on City property. This Permit grants no permit or authorization for signage or banners. Applications for signs on City Park property can only be submitted by the City Parks Director and shall only be for governmental purposes. Banners on City right-of-way must be applied for at City Administration.

Summary Abatement. When the City Public Works Director, or designee, believes upon inspection, that the maintenance provisions of this Permit or the Code re violated, or that some other unsanitary or public health and /or public safety condition exists which was caused by, permitted by or allowed to occur by

**CITY OF ASHLAND ROW ENCROACHMENT STANDARD PERMIT/CONCESSION TERMS
AND CONDITIONS AND RELEASE/INDEMNITY AND HOLD HARMLESS AGREEMENT**

Permit Holder/ Concessionaire, Director may immediately cause the violations and conditions to be summarily abated using City employees or City contractors. Permit holder/concessionaire shall be responsible to reimburse the City for the actual cost [including overtime costs] to remedy the violation or condition. Director or Director's designee will attempt to contact permit holder/concessionaire to demand permit holder/concessionaire remedy the violation but Director is not required to wait to perform summary abatement. Reimbursement shall be made to the City within five (5) working days after the performance of the abatement and delivery of the charges to Concessionaire.

Non-Interference with Retail Businesses, Residences, and other authorized Permits/ Concessions.

Permit holder / concessionaire shall use and occupy the right-of-way in a manner that does not damage, conflict with, or interfere with adjacent or abutting businesses or residences, and other approved concessions / permits, including permitted vehicular and pedestrian access ways and normal business / domestic functions.

Payment of Fees. Permit holder / concessionaire shall pay a fee as established by City Council by Resolution for the use and occupancy of the City right-of-way based either upon the square footage of the concession /permit area awarded or upon gross sales. The permit/ concession fee will not change once the permit is executed; however the fee will likely change every year, (only upward) at least by CPI, and Permit holder/Concessionaire has no right to challenge the amount or type of fee. All required payments must be made and verified by the City before any new permit / concession will be authorized with the Concessionaire. Failure to remit the amounts owed the City under this Agreement, or submission of falsified returns or other falsification of records, *shall* be submitted to the Jackson County District Attorney for consideration of criminal prosecution, in addition to other remedies available to the City identified in this Agreement.

Food and Beverage Taxes. If the use/occupancy of the right-of-way concerns food service, the concession shall be operated in accordance with applicable law, including payment of all local taxes, fees and charges. Permit holder/ concessionaire shall pay all food and beverage taxes associated with the business furthered by this concession/ permit. The records inspection provisions above apply fully to City verification of compliance with this requirement. No concession shall be granted to an individual or entity, if the person, entity, its owner or operator is in arrears, in collection, or in administrative or litigation concerning amounts owed to the City of Ashland under the Food and Beverage Tax provisions of AMC 4.34, regardless of whether the obligation concerns a business using a different name. Similarly, no individual or entity shall be awarded a permit or concession if the individual/ entity, its owners or operators have pending criminal prosecutions for theft of city food and beverage taxes or are otherwise involved in violation proceedings under AMC 1.08 for violation of provisions of the food and beverage tax ordinance. Failure to maintain current food and beverage payments, the existence of arrearages, collections, administrative, civil or criminal actions arising out of failure to strictly comply with the City food and beverage tax shall result in default and revocation of the license /permit to use the permit area and termination/ revocation of the permit/concession

Business License Taxes, Utilities and fees. Permit holder/ concessionaire shall pay all business license taxes associated with the business utilizing the right-of-way furthered by this permit/ concession. A Permit holder/Concessionaire shall obtain a City business license in accordance with AMC 6.04 and maintain as valid said license during the concession period. No application for a permit/concession shall be accepted from a business entity or individual owner or operator without a current business licenses and without full payment for any arrearages owed by said business entity or individual owner or operator regardless of whether the obligation concerns a business using a different name. In addition, violation of Chapter 6.04 is punishable by daily fines in accordance with AMC Chapter 1.08. Failure to maintain a valid a business license by payment of the business license tax, failure to pay all utilities fees and charges, shall result in default and revocation of the license to use the right-of-way and termination of the permit/concession.

**CITY OF ASHLAND ROW ENCROACHMENT STANDARD PERMIT/CONCESSION TERMS
AND CONDITIONS AND RELEASE/INDEMNITY AND HOLD HARMLESS AGREEMENT**

Insurance: Permit holder /concessionaire shall procure and maintain insurance in accordance with the requirements of the application in full force and effect throughout the term of this permit/ concession. Permit Holder/ concessionaire shall provide the City with copies of said insurance certificates and shall name the City of Ashland as an additional insured. Any request to modify or waive the insurance requirements stated herein must be approved in writing by the City Administrator.

RELEASE / INDEMNITY AND HOLD HARMLESS: Permit Holder/ Concessionaire, for itself, its officers, members, employees, and agents, does hereby release and forever discharge the City of Ashland, its Commissions, Boards and Committees, officers, employees, agents, contractors, successors and assigns, from any and all claims or causes of action which Permit Holder/ Concessionaire, its officers, members, employees, and agents, now have or which may hereinafter accrue against the City, Commissions, Boards and Committees, officers, employees, agents, contractors, successors and assigns, in connection with or arising out of the this permit / license/concession, including without limitation, personal injury or death, damages to property, by any cause, including trespass, conversion or other property loss, and including specifically damage or theft of personal property placed or located on city right-of-way.

Permit Holder / Concessionaire, for itself, its officers, members, employees, and agents, shall hold harmless, indemnify, and defend the City of Ashland, its Commissions, Boards and Committees, officers, employees, agents, contractors, successors and assigns, from any and all liability, actions, claims, costs, losses, damages or other costs including attorney's fees and witness costs (at both trial and appeal level, whether or not a trial or appeal ever takes place) that may be asserted by any person or entity, including permit holder, concessionaire, patrons, other permit holders/concessionaires or adjacent businesses, as well as other participants, arising from, during or in connection with the Permit holder/ Concessionaire's entry onto, occupancy and use of City property, and the operation of the permit area, except liability arising out of the sole negligence of the City, its officers or employees. The Permit holder/ Concessionaire specifically agrees to indemnify the City of Ashland, its Commissions, Boards and Committees, City officers, employees, contractors and agents against all loss injury or damage to concessionaire or permit holder/concessionaire's property sustained by reason of occupancy of the premises or any portion hereof. Such indemnification shall also cover claims brought against the City under state or federal workers compensation laws. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this indemnification.

In the event any action or claim is brought against the City of Ashland, its Commissions, Boards and Committees, officers, employees, agents, contractors, successors and assigns, the Permit holder/Concessionaire shall, if the City so elects, and upon tender by the City, defend the same at the Permit holder/Concessionaire's sole cost and expense, and Permit Holder/ Concessionaire shall promptly satisfy any judgment adverse to the City, and the Permit Holder/ Concessionaire, jointly, and reimburse the City of Ashland, its Commissions, Boards and Committees, officers, employees, agents, contractors, successors and assigns for any loss, cost damage or expense, including attorney fees, suffered or incurred. The Permit holder/ Concessionaire is not required to indemnify for damages caused solely by the negligence of the City

The obligation to indemnify is expressly understood to survive termination of the permit/ license/concession for any reason, and includes reasonable attorneys' fees, including attorneys' fees on appeal, and investigation costs and all other reasonable costs, expenses and liabilities incurred by City or its attorney from the first notice that any claim or demand is to be made or may be made.

Termination:

**CITY OF ASHLAND ROW ENCROACHMENT STANDARD PERMIT/CONCESSION TERMS
AND CONDITIONS AND RELEASE/INDEMNITY AND HOLD HARMLESS AGREEMENT**

Notwithstanding any other provision hereof to the contrary, this permit/ license/ concession may be terminated as follows:

- a. This permit/ concession may be terminated by mutual consent by both parties at any time, or by either party upon fifteen (15) days notice personally delivered or upon deposit in the United States mail, postage fully prepaid, certified, return receipt requested, addressed to the Party.
- b. The City shall have the right in its sole discretion, to immediately terminate this Permit/Concession at any time, with cause, by giving written notice to Permit holder/Concessionaire. "Cause" means any failure to perform any of the obligations or requirements of this permit/concession, including but not limited to compliance with the Code, any specified default provision or any other violation of the terms of this Permit by Permit holder/ concessionaire.
- c. Notwithstanding any other provision in this agreement, City may terminate this agreement immediately upon Permit holder/ Concessionaire's failure to have in full force and effect any insurance required by this Agreement. The City may provide the Concessionaire with an opportunity to secure replacement insurance, (not to exceed 48 hours) but the permit area shall not be used, occupied, operated or maintained for any reason whatsoever while Permit holder/ concessionaire's required insurance protection is not in full force and effect.
- d. Notwithstanding any other provision in this agreement, in the event of termination, City may at its option and sole discretion, direct Concessionaire to remove any or all improvements, equipment, and furnishings installed pursuant to this Agreement.

Default:

The Permit Holder/ Concessionaire may be declared in default by the City if:

- Permit holder/ concessionaire vacates, deserts or abandons the permit area for two or more consecutive weeks; or
- Permit holder / concessionaire violates any material provision of this permit/concession, including but not limited to, those provisions specifically identified as triggering default, violation, revocation, termination or breach.
- Permit holder/ concessionaire fails to keep the premises in a safe and sanitary condition or operates the concession in a manner which is hazardous or offensive to the public; or
- Permit holder/ concessionaire fails to comply with any of the statutes, ordinances, rules, orders, regulations or requirements of the federal, state, county, city government, including specifically city regulations, health department regulations, fire and building codes and planning laws and conditions; or
- Permit holder/ concessionaire becomes insolvent; or
- A voluntary or involuntary petition in bankruptcy is filed by or against the Permit holder/ concessionaire; or
- A receiver is appointed to take charge of the Permit holder/ concessionaire affairs, or
- Permit holder/ concessionaire fails to maintain compliance with requirements concerning payment of taxes, fees and charges, or Permit holder /concessionaire fails to provide access to adequate financial records. City will protect the confidentiality of the concessionaire's financial records to the extent allowed by law except where access to such records is material to pending litigation.

In such event of a default(s) as set forth above, if permit holder/ concessionaire has failed to remove its property from the permit/ concession area, whether or not the permit/concession is terminated or not, the Permit holder/ concessionaire agrees to surrender to the City the entire permit area immediately upon the

**CITY OF ASHLAND ROW ENCROACHMENT STANDARD PERMIT/CONCESSION TERMS
AND CONDITIONS AND RELEASE/INDEMNITY AND HOLD HARMLESS AGREEMENT**

completion of a 15 day notice of default /cure period and the City may order vacation of the premises or immediately thereafter remove the permit holder/ concessionaire or any other person who may be occupying the premises without resort to courts for an Order sanctioning such action. Removal includes complete removal of personal property using City forces, or pursuant to this Permit and permit holder/ concessionaire expressly consents to such removal. City is expressly authorized to remove all Permit holder/ Concessionaire property from the premises at the permit holder/ concessionaire's expense. The City is relieved and discharged from any and all loss, damage or claim occasioned by such removal, and shall not be responsible for safe-keeping of property so removed.

SURRENDER:

Upon the expiration of the original term, Permit holder / Concessionaire shall surrender to the City the premises in as good or better condition and order as was originally received, except as allowed for within the typical wear and tear. Surrender is considered complete only upon approval of site conditions as determined by the City. City will inspect site within 48 hours written notice by Permit holder/ Concessionaire of readiness for inspection. The 48 hour period does not apply to Saturday, Sunday, or any recognized City holiday.

Upon expiration, abandonment, termination, or cancellation of this Agreement for any cause, Permit holder/ concessionaire shall immediately quit the premises and shall remove its personal property not affixed to the land and leave the site in a clean and tidy condition acceptable to the City. Any personal property not removed within that time shall be deemed abandoned and shall become at once the property of the City. Any buildings, alterations, or other improvements affixed to the land, except for movable furniture and trade fixtures, shall become a part of the land and shall belong to the City upon the expiration or termination of this agreement for any cause. In the event of termination of this contract prior to its expiration for reasons other than breach, or default on the part of Permit holder/ Concessionaire or other than abandonment by Permit holder/ concessionaire or other than for cause, or other than wrongful termination or repudiation, City shall pay Permit holder/ concessionaire such sums as the parties agree represent the reasonable value of improvements made by Permit holder/ concessionaire on the property and existing at the time of termination of the agreement, provided such improvements were made with authorization. Permit holder/ concessionaire shall in such event accept said sum in complete and full satisfaction of any claim. If the parties cannot agree on the value, the matter shall be resolved by reference to a mediator.

Status of Concessionaire. Permit holder/ concessionaire is not to be considered an agent or employee of the City and is not entitled to participate in any pension plan, insurance, bonus, or similar benefits City provides its employees. Permit holder/ concessionaire will not be eligible for any federal social security, state worker's compensation, unemployment insurance, or Public Employees Retirement System benefits from this permit. Nothing in this Agreement shall be construed to render the City in any way or for any purpose a partner, joint venturer, or associate in any relationship with Permit holder/ Concessionaire other than that of Licensor and Licensee/Concessionaire, nor shall this Agreement be construed to authorize either party to act as agent for the other

Entry for Inspection. Permit holder/ concessionaire consents to and provides an irrevocable right of entry to permit inspection by City personnel, City contractors, City authorized representatives and other governmental authorities for purposes of regulatory compliance inspection and determination of compliance with this permit, federal, state and local laws as well as the general condition of premises, equipment and facilities. Entry by City personnel, City contractors, representatives and other governmental authorities on official business shall not be deemed a trespass. City also reserves to itself the unqualified and irrevocable right-of-entry for the inspection of the premises to determine compliance with this Agreement and for emergency purposes.

**CITY OF ASHLAND ROW ENCROACHMENT STANDARD PERMIT/CONCESSION TERMS
AND CONDITIONS AND RELEASE/INDEMNITY AND HOLD HARMLESS AGREEMENT**

Notice. Except as otherwise expressly provided by law, any and all notices or other communications required or permitted by this Permit or by law to be served on or given to a party of this Agreement shall be in writing and shall be deemed duly served and given when personally delivered to the party, any managing employee of the party, or, in lieu of personal service, when deposited in the United States mail, first class postage prepaid, addressed to the appropriate party as follows:

City: City of Ashland
Martha Bennett, City Administrator
20 East Main Street
Ashland, Oregon 97520
(Telephone 541-488-2100, Fax: 541-488-5311)

Copy to: Mike Faught, Public Works Director
20 East Main Street
Ashland, Oregon 97520
(Telephone: 541-552-2100;)

Permit holder: See address on face of permit

And when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills, and payments are to be given by giving notice pursuant to this paragraph.

Assignment/Delegation. Neither party shall assign, sublet, transfer any interest in, or delegate any duty under this Permit/concession without the written consent of the other, and no assignment or delegation shall be of any force or effect whatsoever unless and until the other party has so consented. Any attempt to assign, sublet, transfer any interest in, or delegate any duty under this Permit /concession without the written consent of the other, shall result in default and the license and concession authorized pursuant to this Agreement may then be immediately be revoked and terminated

Emergency. Nothing in this Agreement prohibits or restricts the power of the City of Ashland governing body, the Mayor, the City Administrator or other City Official from exercising regulatory power or other authority over City property pursuant to the City emergency operations ordinance, AMC Chapter 2.62.

No Waiver. Failure or delay of the City to require performance of any provision of this permit and contract shall not limit, waive or prejudice the right of the City to later enforce that or any other provision of this Agreement. The enforcement provisions of this permit are non-exclusive, and enforcement by the City may be by any means provided by law, including but not limited to criminal prosecution for violation of city ordinance pursuant to City or state law.

Governing Law. This Agreement, and all matters relating to this Agreement, shall be governed by the laws of the State of Oregon in force at the time any need for interpretation of this Agreement or any decision or holding concerning this Agreement arises. The parties to this Agreement do not intend to confer on any third party any rights under this Agreement.

Severability. If any provision of this Permit/ concession is held by a court of competent jurisdiction to be either invalid, void, or unenforceable, the remaining provisions of this Agreement shall remain in full force and effect unimpaired by the holding

CITY OF ASHLAND

PUBLIC RIGHT-OF-WAY ENCROACHMENT PERMIT

A. <u>Permittee Name:</u> <u>Address:</u> <u>Phone:</u>	B. <u>Premises:</u>
C. <u>Permit begins:</u>	D. <u>Payment</u> : \$58.00
E. <u>Purpose:</u>	
F. <u>Special Conditions:</u>	

1. **DESCRIPTION OF PREMISES:** City permits Permittee to use the property described in Box B above ("the premises") on the terms and conditions stated below.
2. **TERM:** This permit shall begin on the date specified in Box C above and continue until terminated as provided in paragraph 11.
3. **PAYMENT:** Permittee shall pay City the sum specified in Box D above.
4. **PURPOSE:** The premises shall not be used for any other purpose than stated in Box E above. Permittee shall not use or allow the premises to be used for any unlawful purpose whatsoever.
5. **SPECIAL CONDITIONS.** The special conditions set forth in Box F above are made a part of this agreement.
6. **INDEMNIFICATION.** Permittee shall defend, indemnify and save the City of Ashland, its officers, agents, and employees harmless from any losses, claims, expenses, judgments, or other damages resulting from injury to any event participant or other person or damage to property, of whatsoever nature, arising out of or incident to this permit.
7. **IMPROVEMENTS.** Except for the purposes described in Box E above, no improvements shall be placed in or on the premises, and no alterations shall be made on the premises without the prior written consent of City. All improvements shall be made at the sole expense of Permittee. All improvements made by Permittee on the premises shall be and remain the property of Permittee. Permittee shall secure all necessary permits and licenses required in connection with the premises and shall comply with all federal, state, and local statutes, ordinances, and regulations that may concern, in any way, Permittee's use of the premises.
8. **TAXES, UTILITIES, MAINTENANCE.** Permittee shall be responsible for all taxes and assessments, if any, on all real and personal property and improvements on the premises, including real property belonging to City. Permittee shall pay for all utility services furnished to the premises. Permittee shall, at its sole expense, keep and maintain the premises at all times in an orderly, clean, and safe condition.
9. **ASSIGNMENT.** The provisions of this permit and all of its obligations and rights shall bind any assignee or legal successor of Permittee, and any purchaser or transferee of any interest of Permittee's in the property described in box E above. Permittee shall execute and acknowledge a memorandum of this permit as it affects the property described in Box E above in a form suitable for recording, and City may record the memorandum.

10. RIGHT OF ENTRY. City specifically reserves the right to enter and occupy the right of way upon failure of Permittee to comply with any provision of this permit. City also reserves the right to enter the right of way for purposes of inspection and to determine whether Permittee is complying with the provisions of this agreement and to perform acts necessary or proper for the protection, preservation, maintenance, reconstruction, and operation of the public right-of-way.

11. TERMINATION. In the event of breach of any of these permit terms, City shall have the right to immediately terminate this permit, to re-enter and repossess the premises, and to hold the same as though this permit had never been made or issued. In addition, this permit may be terminated as to all or part of the premises when needed for public purposes, or when the City determines that it is in the public's best interest, upon giving of a 30-day written notice to Permittee of its intent to terminate same. In the event of such termination, Permittee waives its rights to make a claim for any losses or damages suffered thereby. In the event of termination, regardless of how effected, Permittee shall, by the date of the termination, peaceably and quietly leave, vacate completely and surrender the premises, removing those improvements and fixtures placed or made by Permittee. If any improvements or fixtures are not removed from the premises and the premises are not completely vacated by the termination date, City may proceed to remove the same, and Permittee shall pay City, upon demand, the reasonable cost to City of such removal.

12. WAIVER. Time is of the essence of every provision of this permit. Failure of City to object to the violation of any provision of this permit shall not be deemed a waiver by City of a subsequent similar breach or of City's right to demand strict performance by Permittee.

Date: _____

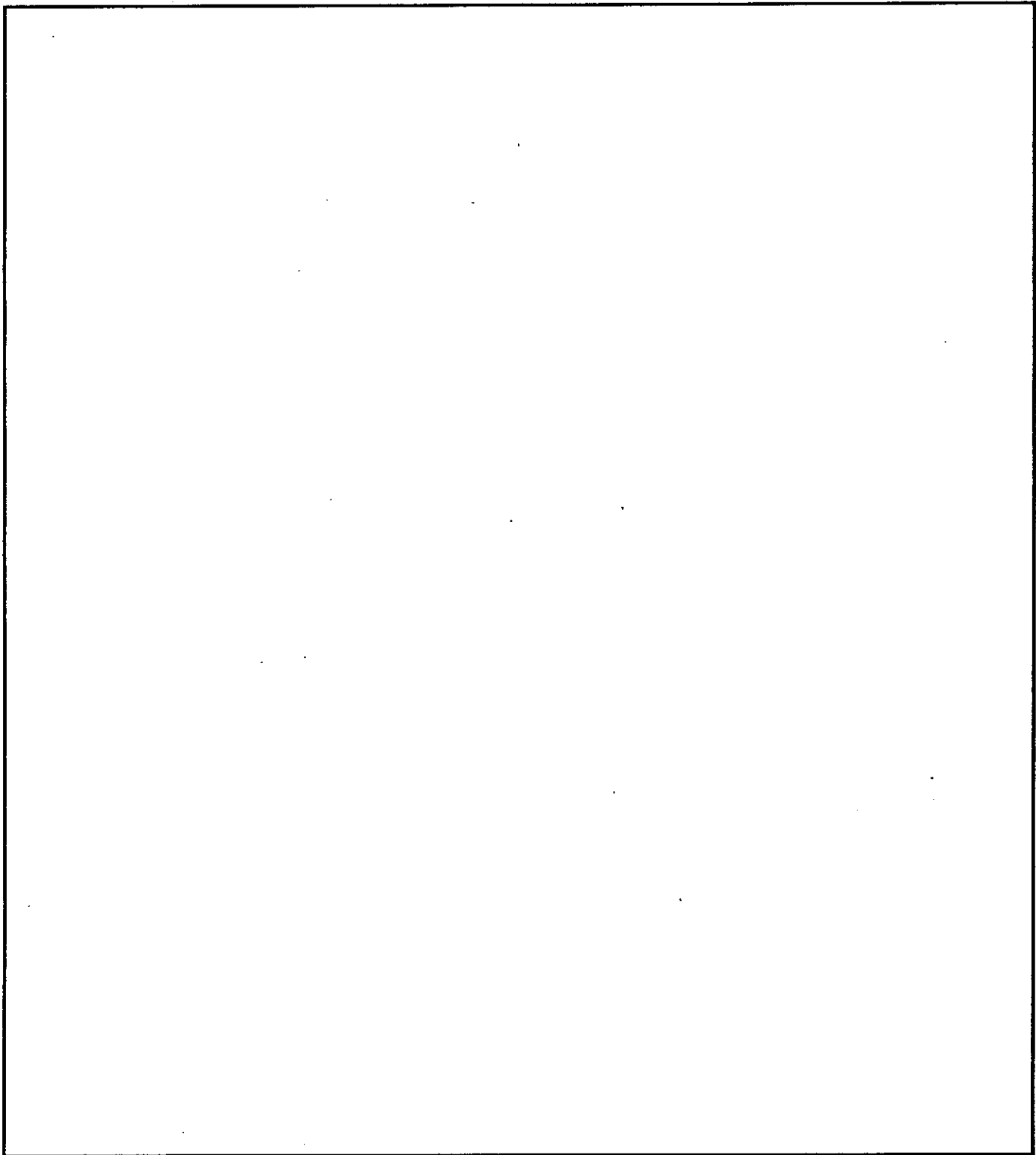
Date: _____

Signed: _____
Permittee,

Signed: _____
Permittee,

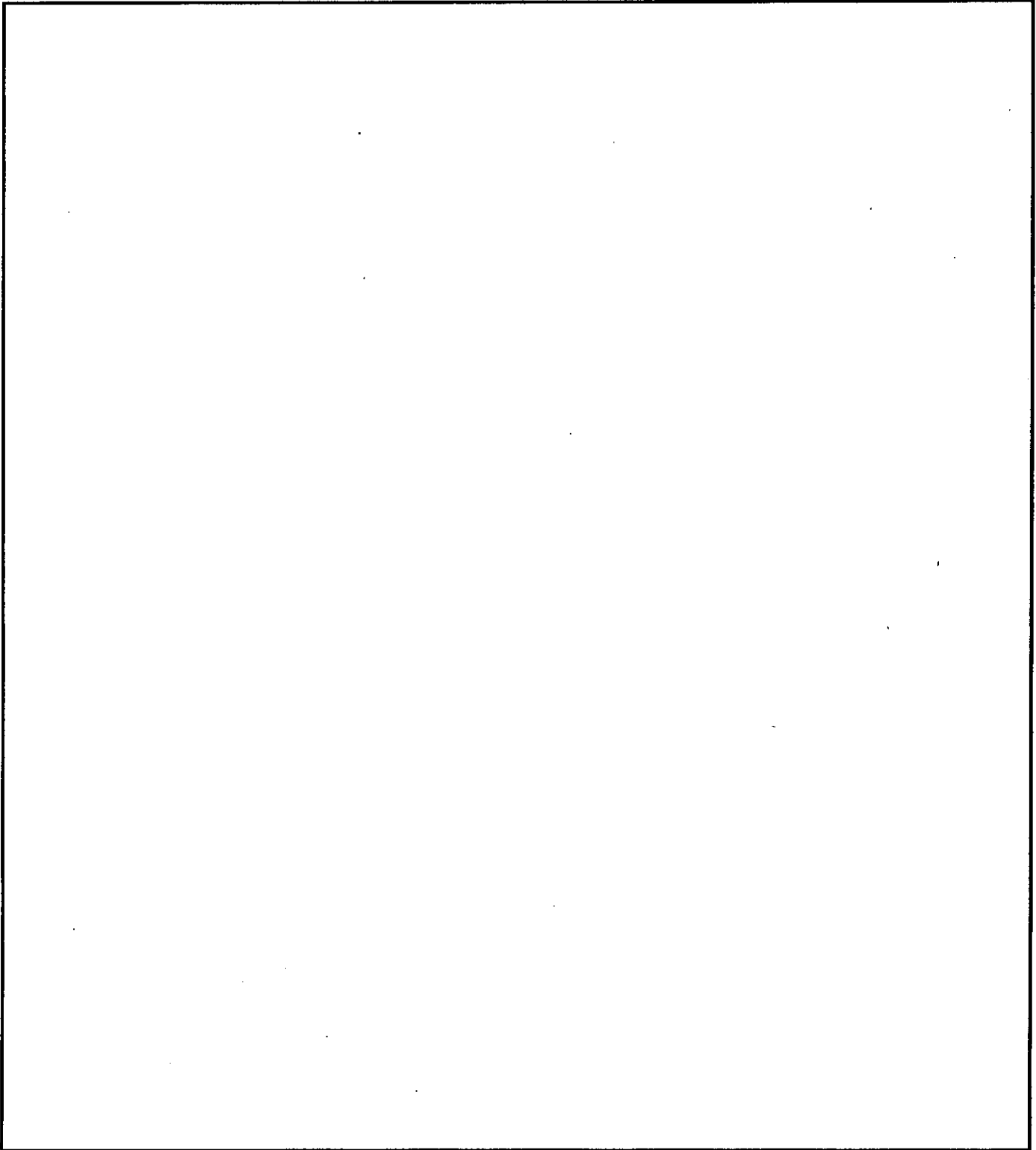
Permit granted this ____ day of _____, 2009, for the above named Permittee to use the premises on the terms specified above.

Title: City Surveyor



SITE PLAN AND OPERATION & MAINTENANCE PLAN

Issued.	PUBLIC WORKS ENGINEERING	
Revised	www.ashland.or.us 541-488-5587 Fax: 541-488-6006	



SITE PLAN AND OPERATION & MAINTENANCE PLAN

Issued:	PUBLIC WORKS ENGINEERING	
Revised:	www.ashland.or.us 541-488-5587 Fax: 541-488-6006	

<i>Inspection & Maintenance Checklist</i>			Planters	
<i>f</i>	CONDITIONS TO CHECK FOR	ACTION	NOTE	MAN-HR
M	1. Vegetation is overgrown or dominated by weeds.	Trim, prune, and weed to provide appealing aesthetics. Follow City vegetation management guidelines.	none	2-4 mh/100 sf
M	2. Weeds occupy more than 20% of the landscaped area.	Remove weeds to less than 5% of the landscaped area.	2	0.5-1 mh/100 sf
M	3. Invasive Species , Poison ivy, other poisonous vegetation, or insect nests present a safety hazard.	Remove poisonous vegetation or insect nests using best professional judgment of methods and safety precautions.	2, 5	1-2 mh/100 sf
S M	4. Unsightly accumulation of trash or debris	Remove and dispose of trash or debris.	2	0.5 mh/cf
M S	5. Noticeable erosion such as rills in landscaped areas	Identify cause of erosion. Slow down or spread out surface water flow. Fill, contour, and seed eroded areas.	4	1-2 mh/tree
A	6. Limbs or part of trees or shrubs are split or broken, affecting more than 25% of the total foliage of the plant.	Trim or prune trees or shrubs to restore shape. Do not top. Replace severely damaged trees or shrubs.	2	2-4 mh/tree
M	7. Trees or shrubs have been blown over or knocked down.	Inspect for injury to stem or roots; replant if possible. Replace if severely damaged.	none	1-2 mh/tree
A	8. Trees or shrubs are leaning over, exposing the roots.	Place stakes and rubber-coated ties around young trees or shrubs for support.	none	0.5-1 mh/tree

f = Inspection frequency *A* = Annually, *M* = monthly, *S* = after storms 0.8" per hour or more

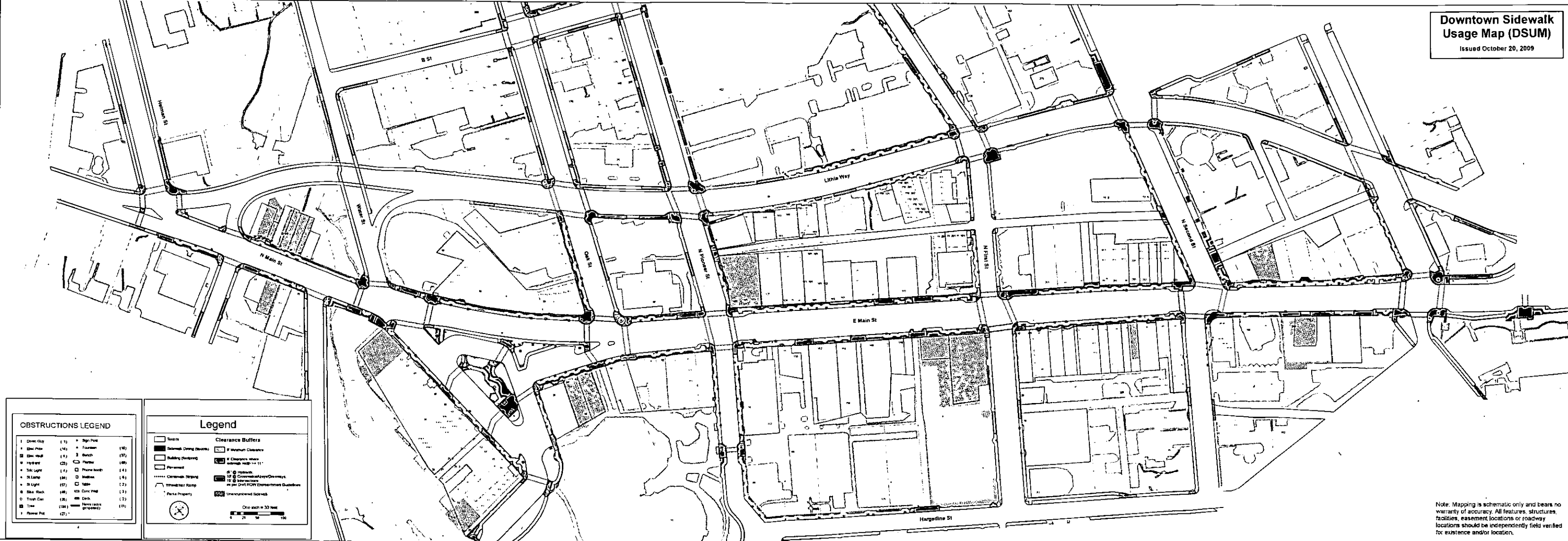
* See the discussions in this chapter on work in sensitive areas and on permits and regulations prior to performing work in streams or wetlands.

NOTES:

1. Procedures—Consult the City Engineer prior to performing work.
2. Waste management—Dispose per Oregon Department of Environmental Quality standards.
3. Sensitive area—Consult the appropriate section of this chapter prior to performing work.
4. Timing—Check for optimum seeding/planting time.
5. Safety—Follow all safety protocols.
6. Water quality—Perform during prolonged dry periods or install temporary erosion and sediment control (TESC) features prior to performing work.

Issued:	PUBLIC WORKS ENGINEERING www.ashland.or.us 541-488-5587 Fax: 541-488-6006	CD170b
Revised:		

Downtown Sidewalk Usage Map (DSUM)
 Issued October 20, 2009



OBSTRUCTIONS LEGEND		Legend	
1 Down City	13 Sign Pole	[Symbol] Sidewalk	Clearance Buffers
2 Gas Pole	14 Fountain	[Symbol] Sidewalk Curb (Double)	[Symbol] Minimum Clearance
3 Gas Valve	15 Bench	[Symbol] Building Footprint	[Symbol] Clearance when sidewalk width < 11'
4 Hydrant	16 Pole	[Symbol] Perimeter	[Symbol] Clearance when sidewalk width < 11'
5 St. Light	17 Phone Booth	[Symbol] Clearway Striping	[Symbol] 6" @ Hydrant
6 St. Lamp	18 Median	[Symbol] Wheelchair Ramp	[Symbol] 12" @ Crosswalk/Zip/Overlays
7 St. Light	19 Table	[Symbol] Public Property	[Symbol] 12" @ Intersections as per DOT ROW Encroachment Guidelines
8 Bike Rack	20 Concrete Pad		[Symbol] Unencumbered Sidewalk
9 Trash Can	21 Curb		
10 Tree	22 News racks (proprietor)		
11 Power Pole	23		
	24		
	25		
	26		
	27		

One inch = 30 feet

0 25 50 100

Note: Mapping is schematic only and bears no warranty of accuracy. All features, structures, facilities, easement locations or roadway locations should be independently field verified for existence and/or location.

Chapter 13.03

SIDEWALK CAFE, SPECIAL EVENT AND PUBLICATION BOX REGULATION

Sections:

- 13.03.010 Purpose**
- 13.03.020 Definitions**
- 13.03.025 Limited Applicability to Designated Zones**
- 13.03.030 Exempt Activities: City Seasonal Event Usage**
- 13.03.035 Interim Regulations for Publication Boxes (News-Racks and Publication Racks)**
- 13.03.040 Application, Permit Fees and Rates**
- 13.03.050 Permit Application**
- 13.03.060 Criteria**
- 13.03.070 Liability Release, Indemnity, Hold Harmless Agreement and Insurance**
- 13.03.080 Conditions of Permit**
- 13.03.090 Denial, Revocation, or Suspension of Permit**
- 13.03.095 Constitutionally Protected Activity**
- 13.03.100 Interim Special Regulations for Publication Boxes**
- 13.03.110 Sidewalk Café, Special Event and Publication Boxes**
- 13.03.115 Summary Abatement**

13.03.010 Purpose

The purpose and intent of this chapter is to protect and promote a safe environment within the public rights-of-way of the City of Ashland, specifically on City sidewalks. The purpose of this chapter is to recognize a special public need for sidewalk dining as it relates to economic development and tourism in Ashland. Similarly, this chapter recognizes the special public need for City sponsored special commercial sales events to promote tourism and economic development. Finally, this chapter recognizes the special public need for publication boxes to guarantee the free exchange of information. Notwithstanding this public need, the placement of objects on the public right-of-way requires adequate regulation to ensure its primary purposes, which include:

Uninhibited pedestrian access on sidewalks

Access entering and exiting vehicles parked in the right-of-way

Maintenance of utilities within the right-of-way

Emergency service access to persons both within the right-of-way

and on private property

It is also the intent of this chapter to recognize the importance of the aesthetic quality of the public rights-of-way by providing minimum standards to maintain a positive visual streetscape for the City of Ashland that promotes the enjoyable use of the right-of-way for all of its intended and legal purposes. This is achieved through the following:

- Materials and Construction Standards
- Maintenance and Safety Standards
- Placement, Clearance and Spacing Requirements
- Procedures for Abatement / Removal
- Penalties (Ord. 2990, added, 11/01/2009)

13.03.020 Definitions

- A. *Abutting property owners and occupants.* Any owner or occupant of property which abuts the subject adjacent sidewalk permit area.
- B. *Adjacent sidewalk area.* That portion of the public sidewalk between the curb line and the property line demarcated by extending the side building lines of the premises until they intersect the curb.
- C. *Downtown Sidewalk Usage Map (DSUM).* A detailed map of the Ashland Downtown District adopted by Resolution of the Ashland City Council. The DSUM graphically demonstrating the sidewalk areas available for occupancy or encroachment under this Ordinance.
- D. *Sidewalk Permit Area.* That area of a City public sidewalk being lawfully utilized by a person or entity pursuant to a permit or agreement with the City of Ashland for the limited purposes set forth in this ordinance. Lawful use for purposes of this Chapter means compliance with all applicable Federal, State, and local laws and regulations, including but not limited to full payment of fees, rates and charges, if any. (Ord. 2990, added, 11/01/2009)

13.03.025 Limited Applicability to Designated Zones

Permits and agreements for occupancy or encroachment of the sidewalk permit area are available only if the property is located in one of the following zoning districts: C-1-D (Commercial Downtown), C-1 (Commercial), or E-1 (Employment). Only lawful use is permitted. Lawful use means only the limited uses and activities identified herein (sidewalk dining and special event) and consistent with and in compliance with all other applicable laws, including City land use regulations and controls, and all other applicable Federal, State, County and City regulations. All other sidewalks outside the above designated zones are not available for sidewalk usage by permit or concession, other than exempt activities and uses, [functional items], or interim uses specifically provided for herein. (Ord. 2990, added, 11/01/2009)

13.03.030 Exempt Activities: City Seasonal Event Usage

Notwithstanding any provision to the contrary in this chapter, the City Council may, at its discretion and upon such conditions as it deems appropriate, grant permission to adjacent owners and occupants by special permit for free use of the sidewalk permit areas in the commercial zones of the City for designated seasonal events. Such seasonal events shall be designed and structured to fulfill a special public need to promote tourism and economic development. Such seasonal event permits shall be initially limited to three (3) days the week before the Memorial Day weekend and three (3) days the week after Labor Day weekend and shall require a sponsor to provide insurance. The City Manager is delegated authority to grant permits for the above-referenced three-day events. Additional seasonal event days may be established by resolution of the City Council. (Ord. 3192 § 92, amended, 11/17/2020; Ord. 2990, added, 11/01/2009)

13.03.035 Interim Regulations for Publication Boxes (News-Racks and Publication Racks)

The City intends to provide standard publication boxes as City functional items [See AMC [13.02.040.C](#) and [D](#)] for use by individuals and entities desiring to distribute written materials, regardless whether such publications are offered for free or for a charge. Said publication boxes to be provided by the City shall be located on sidewalks or other public areas in designated locations meeting placement, clearance and separation standards or as otherwise designated on the adopted Downtown Sidewalk Usage Map. City standard publication boxes will at first supplement and later replace privately owned boxes meeting minimum dimensional standards at approved public locations. Until City placement of such City standard publication boxes [anticipated to take a number of years] interim regulations and controls on existing publication boxes (inclusive of news-racks, boxes and other publication racks) shall apply. Unless extended by Council action, all publications must use City publication boxes or be located on private property or in designated areas or free publication zones by July 1, 2012. Unless compliance is exempted, Interim Regulations require compliance with all applicable provisions of AMC [13.03](#), all special regulations noted therein, and standard forms adopted pursuant to AMC [13.02](#). Modest fees and charges (sufficient to cover maintenance) may be assessed for use of City publication boxes. City boxes shall be assigned by lot. Privately owned publication boxes will continue to be permitted on private property, with the permission of the owner, and in designated areas and free publication zones, provided they do not interfere with ingress and egress pursuant to Building and Fire Codes. (Ord. 2990, added, 11/01/2009)

13.03.040 Application, Permit Fees and Rates

The form of the application for occupancy or encroachment on sidewalks shall be established by resolution of the Council. The application fees and square footage rates or gross sales rates, if any, shall also be established by resolution of the City Council. The resolution approving such fees and rates shall provide for the annual adjustment of fees and rates by the CPI for the previous calendar year, without the need to formally amend the resolution. Notwithstanding the above, the City Manager may establish separate applications for exempted or

limited activities or interim regulations or waive the application requirement for specified occupancies by written order. (Ord. 3192 § 93, amended, 11/17/2020; Ord. 2990, added, 11/01/2009)

13.03.050 Permit Application

A. Application for an annual permit or agreement to occupy or encroach on sidewalk for the limited purposes authorized herein shall be made at the Public Works Department on an approved application form together with the required fees and charges. The application for permit or agreement shall minimally contain:

1. A completed application form, signed by the abutting property owner and occupant; and,
2. A submittal in full of the rental rate equal to the annual (12 month) rental rate for the square footage of the adjacent sidewalk permit area requested; and,
3. A scale diagram of the sidewalk permit area, with dimensions and the location and description of all structures, materials and activities shown; and
4. An executed standard form release, hold harmless, and Indemnity agreement, as well as certificates of insurance and endorsement form.
5. Other information shall be provided as required by the Public Works Director to carry out the purpose of this chapter.

The Public Works Director shall forward all applications for review to the Fire Marshall, Building Official and the Director of the Community Development Department. Reviewing Departments shall provide input as to conflicts with City codes, including but not limited to Building, Fire and Land Use Codes. If the proposed use is not in compliance with zoning and land use regulations and approvals the use shall be denied. (Ord. 2990, added, 11/01/2009)

13.03.060 Criteria

A. The Director of Public Works or the Director's designee shall review the application for its strict compliance with the mandatory criteria listed below. There are no variances or exceptions to the criteria listed in this chapter.

1. *Location Within a Permitted Zone.* Permits and agreements for occupancy or use of the sidewalk permit area are available only if the property is located in one (1) of the following zoning districts: C-1-D (Commercial Downtown), C-1 (Commercial), or E-1 (Employment).
2. *Use of Building Occupant.* A sidewalk permit area may be approved only for use of the adjacent occupant, with the consent of the property owner, if different.
3. *Minimum Six-Foot Clearance.* Except as specified on the Downtown sidewalk usage map, when the sidewalk is eleven (11) feet or more in width, there shall be at least eight (8) feet clear and unobstructed

passageway between the sidewalk permit area boundary and any City-owned or controlled fixtures or structures; when the sidewalk is less than eleven (11) feet in width, there shall be at least six (6) feet clear and unobstructed passageway between the sidewalk permit area boundary and any City-owned or controlled fixtures or structures. Fixtures or structures include but are not limited to, fire hydrants, benches, barriers, street trees, bike racks, lampposts, signposts, or the curb edge, whichever is closest. The Public Works Director may require more clearance if necessary to accommodate pedestrian movement and ADA access.

4. *Other Placement Standards.* Except as specified on the Downtown sidewalk usage map, neither the sidewalk permit area itself, nor any object located therein shall be placed, installed, used or maintained:

- a. Within six (6) feet of the outer edge of any roadway;
- b. Within ten (10) feet of any crosswalk;
- c. Within six (6) feet of any fire hydrant or other emergency facility;
- d. Within ten (10) feet of any driveway or alley entrance/exit; or
- e. In the public right-of-way within any unauthorized zoning district, including all residential zoning districts;
- f. Within three (3) feet from either end of approved bicycle parking U-racks;
- g. Within the footprint of any bus stop areas;
- h. Within fifteen (15) feet of an intersection.

Notwithstanding the above, certain functional items (e.g., publication boxes) may be located within twenty-four (24) inches of the roadway edge/curb face.

5. *Materials and Construction Standards.* All temporary structures or objects (including furnishings such as tables and chairs), placed in the sidewalk permit area shall be of a weatherproof and sturdy construction (i.e., solid wood, iron, noncorrosive metal, cement, or similar material). Except when otherwise specified in a resolution of the City Council, plastic is prohibited as suitable material for structures and furnishings; similarly, materials which stain or damage the sidewalk are prohibited. Said items shall comply fully with all applicable regulations, including building codes, ordinances, and resolutions of the City. The City Council may adopt material and construction standards (including typicals), for public furnishings placed in the sidewalk permit area.

6. *Maintenance and Installation Standards.* Any item placed, installed or maintained within the sidewalk permit area shall be subject to the following maintenance standards:

- a. No object shall be chained, bolted, or otherwise attached to any fixture, tree or city functional item located in the public right-of-way, nor shall any object be attached to the surface of the right-of-way.
- b. Objects shall be designed and constructed to be movable by one (1) person and where practical, wheels shall be attached or attachable to allow for ease of movement.

- c. Objects placed in a sidewalk permit area shall not be used to violate any other applicable code, including provisions and limitations on signage.
 - d. Objects, such as furnishings, placed in the sidewalk permit area shall have information affixed to the exterior of the object including the name and address of the owner and the name of the establishment with which the object is associated including an emergency contact number.
 - e. Objects occupying the sidewalk permit area shall be maintained in a clean and orderly condition and in good repair at all times. This includes but is not limited to maintaining a condition which is reasonably free of dirt, rust and grease. The item is reasonably free of chipped, faded, peeling or cracked paint. All structural and/or moving parts are in working order and pose no safety hazard to the public. Any glass or plastic (such as display windows) are unbroken and reasonably free of cracks, dents, blemishes and discoloration.
 - f. Objects must maintain a weatherproof or weather-resistant quality.
 - g. Objects shall be designed to be stable and self-supporting under a wind load of at least twenty (20) pounds per square foot without attachment to the pavement or any other object.
7. *Illegal Structures or Usage.* No sidewalk permit area will be approved if the permit area or six (6) foot clearance area adjacent to the permit area contains structures, fixtures, obstructions or materials which have been illegally placed or affixed to or in the City right-of-way. For purposes of this section, "illegal structure or usage" includes not only items placed or activities conducted without a permit but also items or activities which were initially placed or conducted lawfully but for which the owner/operator has failed to maintain current payment to the City.
8. *Minimum Square Footage.* Except for functional objects, the sidewalk permit area is a minimum of fifty (50) square feet or as otherwise designated on the Downtown sidewalk usage map. This provision does not apply to interim regulations for publication boxes.
9. *Minimum Duration.* The minimum duration of the permit is yearly (twelve (12) months, whether or not the entire year is available for use). This provision does not apply to interim regulations for publication boxes.
10. *Arrearages to the City or Pending City Violations.* No sidewalk permit area will be approved for one (1) year after a person or entity applying for the permit has been found in violation or is currently subject to an active violation proceedings for violation of the City of Ashland Municipal Code concerning or relating to the activity to be conducted in the permit area. This includes but is not limited to actions for failure to maintain business license, arrearages of other delinquency in food and beverage tax receipts, transient lodging taxes or unpaid balances under the prior sidewalk dining ordinance.
11. *Alcoholic Beverages.* The Public Works Director shall forward all applications for review by the City Recorder for any proposed use which involves alcoholic beverages. Written approval of the designated City official in accordance with City ordinances is required for any such proposed use, in addition to State regulatory requirements.

12. *Liability Release, Indemnity, Hold Harmless, and Insurance.* No sidewalk permit area will be approved without an executed release agreement and insurance certificates as required by AMC [13.03.070](#). (Ord. 3201 § 4, amended, 08/20/2021; Ord. 2990, added, 11/01/2009)

13.03.070 Liability Release, Indemnity, Hold Harmless Agreement and Insurance

Prior to the issuance of permit, Permittee shall:

- A. Furnish a signed Release, Hold Harmless and Indemnity agreement, in the City standard form, that the Permittee shall release and hold the City of Ashland harmless, as well as defend, indemnify and hold harmless the City, its officers and employees, from any and all claims for damages to property or injury to persons which may occur in connection with an activity carried on under the terms of the permit. The agreement shall also release the City from any and all liability to the Permittee.
- B. Furnish and maintain such personal injury, property damage and general liability insurance as will protect Permittee and City from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance shall provide coverage of not less than the amount of municipal tort liability under the Oregon Tort Claims Act. Such insurance shall be without prejudice to coverage otherwise existing, and shall name the City, its officers and employees, as additional insured, and shall further provide that the policy shall not terminate or be canceled prior to the expiration of the permit without 30 days written notice to the City.
- C. For functional items and items subject to interim regulations, the standard agreement language may be incorporated into standard applications and/or permits forms and insurance requirements to add the City as additional insured shall be deemed waived. (Ord. 2990, added, 11/01/2009)

13.03.080 Conditions of Permit

- A. Requirements for all sidewalk permit areas:
 1. Each permit issued shall terminate December 31st of the year in which it is issued, or earlier as specified on the face of the permit. Requests for renewals shall be filed with the Public Works Department prior to the expiration of the original permit. Renewals filed prior to expiration require a deposit of only six (6) months rental rate, unless the applicant has previously been in arrears in which case the deposit shall be the full annual rental rate. The Public Works Director may approve, approve with additional conditions, or deny the request for renewal. Unless fees are waived for the type of request, no application shall be accepted for renewal without a renewal application fee, as specified on the City Council Fee resolution.
 2. The permit issued shall be personal to the Permittee only and is not transferable in any manner.

3. The permit may be temporarily suspended by the Public Works Director in the event of an emergency as provided in AMC [2.62](#) or upon approximately forty-eight hours advance notice if the public interest requires use of the right-of-way or sidewalk permit area for a public event, construction, repair, or any other purpose. The City will attempt to provide notice of said suspension as soon as practical. The City shall not be responsible for any loss or damage claimed by the Permittee for such closure, except that Permittee shall be entitled to a refund of the rental rate based on a pro rated calculation of rates based on days of closure.
4. The permit is specifically limited to the area approved or as modified by the Public Works Director, and will include a diagram indicating the area approved and the location of the materials permitted to be in the right-of-way.
5. Only those things authorized by the permit and shown on the diagram may be placed in the sidewalk permit area. Should the Permittee not utilize the sidewalk permit area as authorized for a period of seventy-two (72) hours or more, all the materials shall be removed.
6. All required federal, state, and local permits and authorizations for the proposed use, [e.g. food service OLCC] shall be obtained and complied with prior to the occupancy, including specifically any access modifications or parking improvements required to be completed prior to the commencement of the occupancy.
7. Issuance of this permit does not authorize violation of any federal, state or local law, including City sign regulations.
8. Smoking shall not be allowed in any sidewalk permit area.
9. Sidewalk permit areas must be supervised by Permittee or its employees, except for functional items or items subject to temporary regulations. [but see special regulations]
10. The permit authorizing use of the sidewalk permit area must be visibly displayed during occupancy of the permit area.
11. The City of Ashland has the right to repeal or amend this Chapter and thereby terminate or modify all private sidewalk usage or operations. No Permittee shall obtain any property right in the continued private use of the public sidewalk. (Ord. 2990, added, 11/01/2009)

13.03.090 Denial, Revocation, or Suspension of Permit

A. The Public Works Director may deny, revoke, or suspend the permit upon finding that any provision of this chapter or condition of approval has been violated. The permit or agreement shall be suspended if the rental rate is not fully paid within three working days of the due date or if the permittee fails to maintain required insurance. The permit or agreement shall be suspended if the permittee fails to strictly abide by the boundaries of the sidewalk permit area.

B. The Public Works Director shall give notice of denial, revocation, or suspension to the applicant or permittee in writing stating the action which has been taken and the reason therefor. The action shall be effective immediately for a denial and upon the expiration of the appeal period (ten days) for a suspension or revocation. Appeals shall be processed as provided in AMC Chapter [2.30](#). If an appeal of a suspension or revocation is properly filed, the suspension or revocation shall be stayed until resolution of the appeal. Upon hearing the matter, the Hearings Officer shall render a final written decision. This remedy is not exclusive; the City may also cite violations of this chapter into the Municipal Court (including daily fines) in addition to the remedy set forth above. (Ord. 3192 § 94, amended, 11/17/2020; Ord. 2990, added, 11/01/2009)

13.03.095 Constitutionally Protected Activity

Nothing in this ordinance prohibits or restricts constitutionally protected speech and expression which does not obstruct the free flow of pedestrian traffic on the sidewalk and right-of-way. (Ord. 2990, added, 11/01/2009)

13.03.100 Interim Special Regulations for Publication Boxes

In addition to all other applicable criteria, standards and requirements in AMC [13.02](#) and [13.03](#), the following special regulations for publication boxes are imposed.

- A. Unless otherwise designate on the Downtown Sidewalk Usage Map, any publication box placed in whole or partially within the right-of-way shall be located in groupings with a linear dimension of no greater than twelve feet. Publication boxes shall be placed immediately abutting other publication boxes within the approved grouping location. A publication box grouping shall be placed a minimum of 200 feet from the closest existing grouping on the same side of the street. All publication boxes shall be 24 inches off the curb face to minimize conflicts between vehicle doors opening into the sidewalk.
- B. Unless otherwise designated in the Resolution establishing standards for functional items, no individual publication box shall exceed five feet in height, thirty inches in width or two feet in thickness unless specifically approved by the Public Works Director for publication boxes that serve multiple publications/vendors/distributors.
- C. Publication boxes shall contain a system to prevent contents from spilling out of the container such as clasping door systems, spring loaded auto closing doors, etc.
- D. Each publication box shall be designed, installed and maintained to protect the contents from weather related hazards such as wind, rain, snow, etc
- E. Each publication box shall display only its contents in a clear glass or plastic window.
- F. In the event a publication box remains empty of its contents and unused by its owner for a period of more than 30 consecutive days, the publication box shall be deemed abandoned and is subject suspension or revocation or summary abatement as outlined herein. (Ord. 2990, added, 11/01/2009)

13.03.110 Sidewalk Café, Special Event and Publication Boxes

- A. No person shall occupy or encroach upon a public right-of-way without the permission of the City.
- B. *Penalties.* Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code.
1. Unless otherwise provided herein, violation of any section of this chapter AMC 11.03 is a Class I violation.
 2. A knowing violation of or failure to comply with [13.03.050](#) is punishable of not more than 30 days jail and/or \$500 fine. (Ord. 3028, amended, 08/03/2010; Ord. 2990, added, 11/01/2009; Ord. 3137, amended, 2017)

13.03.115 Summary Abatement

If the condition of any item in the City right-of-way, including any street or sidewalk is such that it creates a risk of serious injury to the persons or property, the Public Works Director is authorized to pursue summary abatement in accordance with Chapter [2.31](#) and to charge against the responsible owner/operator the full costs of such abatement. (Ord. 3028, amended, 08/03/2010; Ord. 3010, amended, 04/20/2010; Ord. 2990, added, 11/01/2009)

The Ashland Municipal Code is current through Ordinance 3223, passed July 18, 2023.

Disclaimer: The City Recorder's office has the official version of the Ashland Municipal Code. Users should contact the City Recorder's office for ordinances passed subsequent to the ordinance cited above.

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Memo

CITY OF
ASHLAND

Date: January 10, 2024
From: Scott A. Fleury
To: Transportation Advisory Committee
RE: Head In Parking Restriction

BACKGROUND:

The City of Ashland currently has multiple locations that have “head in parking” restrictions in place for vehicular parking. The issue of head in parking was raised to the City Council by a visitor who was cited for parking illegally in the Pioneer Parking lot.



It is often considered appropriate and safer to back into a parking space, especially in a parking lot as then you can leave head first and have a clear view of pedestrians in the area. A significant amount of crashes occur when backing out of parking spaces.

“AAA advises drivers to back into parking spots or pull-through, and not fully rely on rear-view or traffic alert technology in vehicles which have their limitations. AAA warns that reversing out a space is a risky behavior as you are putting pedestrians at risk”.

CONCLUSION:

Does the TAC want to add this item to its workplan for the biennium and make a recommendation to the City Council on potential changes to the parking requirement?

Chapter 11.26

PARKING REGULATIONS

Sections:

- 11.26.010 Application of State law**
- 11.26.020 Prohibitions**
- 11.26.030 Exceptions to Prohibitions**
- 11.26.040 Obstructing Enforcement**
- 11.26.050 Abandoned Vehicles**
- 11.26.060 Storing Vehicles**
- 11.26.070 Loading Zones**
- 11.26.080 Buses or Taxis**
- 11.26.090 Penalties**
- 11.26.100 Restricted Parking Areas, Hours and Limits**
- 11.26.110 Penalties, Immobilizers Installation, Towing, Warning Letter, Show Cause, and Warrants**

11.26.010 Application of State law

The requirements in this Chapter [11.26](#) are to be applied in conformance with ORS [221.275](#), ORS [221.277](#), ORS [221-285-287](#), and ORS [221.333](#), which are incorporated herein by reference.

11.26.020 Prohibitions

In addition to the parking prohibitions in the motor vehicle laws of Oregon, no person shall:

1. Except where the street is marked or where officially indicated otherwise, stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb or, if no curb, as close as possible to the edge of the shoulder;
2. Park on a street or in a City parking lot in a manner or at a time prohibited by official signs;
3. Park on a street or in a City parking facility longer than the time specified by applicable official parking signs:
 - a. The period of time so specified shall begin when the vehicle is parked in a particular limited time zone on a particular block face; and

- b. The period shall be terminated when the vehicle is moved and parked on a different block face, at which time a new period shall begin as stated in subsection 3.a of this section;
4. Park so as not to be entirely within the painted lines of a single parking space;
5. Park within an area marked off by traffic markers or by painted curb or pavement;
6. Park within 10 feet of a fire hydrant or within 30 feet of a fire station;
7. Park in a street intersection, including the area used for crosswalks, or upon a sidewalk, or upon a bicycle path;
8. Park upon a bridge, viaduct, or other elevated structure used as a street, or within a street tunnel, or upon any parkway, unless marked or indicated by official signage otherwise;
9. Park across or within the entrance to an alley or driveway;
10. Park in an alley, except to load and unload persons or materials for not longer than 20 consecutive minutes in any two-hour period;
11. Park in an unimproved portion of the front setback of any structure in any residential zoned district;
12. Park on any public right-of-way with expired vehicle registration;
13. Park on any public right-of-way with the principal purpose of:
 - a. Displaying the vehicle for sale;
 - b. Washing, greasing, or repairing the vehicle, except repairs necessitated by an emergency; or
 - c. Selling merchandise from the vehicle, except in an established marked place or when so authorized or licensed under the ordinances of this City;
14. Park, stand or stop a truck or bus on a public street or in a public parking area with its engine running, if such engine emits exhaust fumes into the air. Vehicle engines shall be turned off when loading and unloading passengers or merchandise. This subsection shall not apply to:
 - a. An engine running for less than five minutes;
 - b. A vehicle in the moving traffic lane waiting to move with the normal flow of traffic;
 - c. An engine needed to operate equipment used to load or unload merchandise; or
 - d. Emergency vehicles, utility company vehicles, or any construction and maintenance vehicles which have engines that must run to perform needed work; or

15. Use a parking lot owned by the City for purposes other than parking of a vehicle as defined in ORS [801.590](#) unless otherwise permitted by special use permit issued by the City Manager's Office. (Ord. 3192, amended, 11/17/2020; Ord. 3141, amended, 04/18/2017)

11.26.030 Exceptions to Prohibitions

Notwithstanding prohibitions stated in Section [11.26.020](#), parking prohibitions do not apply:

1. On days or in areas City Council has designated by resolution as exempt from posted parking time limits;
2. To official City, state or federal vehicles necessarily in use for construction or repair work, or to a vehicle with a Special Permit for Delivery, Maintenance or Construction or to federal or private vehicles primarily used for the collection, transportation, or delivery of mail and parcels;
3. To vehicles used in official public improvement projects in accordance with the terms of a public contract or official permit.

11.26.040 Obstructing Enforcement

1. No person shall erase, remove or otherwise conceal any mark made on a motor vehicle tire by a person acting within authorization by the City to enforce any provisions of Chapter [11.26](#).
2. No person shall discard, mutilate, or destroy any summons or complaint or citation formally issued for violation of any provisions of Chapter [11.26](#), if the matter complained of has not been finally resolved by the court having jurisdiction over the summons or complaint.

11.26.050 Abandoned Vehicles

1. It is unlawful to park, store, leave, or permit the parking or storing of an abandoned vehicle upon any public or private property within the City for a period of time in excess of 72 hours, unless the vehicle is (1) completely enclosed within a building; or (2) stored in connection with a lawful business enterprise allowed to store such vehicles outside.
2. If the owner of an abandoned vehicle or the private property owner or lessee responsible for placement, or allowing for or assisting in the placement of the subject vehicle in front of or contiguous to his or her real property fails to remove the vehicle after notice is provided as required in ORS [819.170](#), then the Chief of Police or the Chief's designee may tow the vehicle and dispose of it in accordance with ORS [819.110\(1\)\(a\)](#), [819.110\(2\)-\(5\)](#) and ORS [819.120](#) through ORS [819.280](#).

11.26.060 Storing Vehicles

1. Except as otherwise provided, no person owning or controlling an oversized vehicle shall cause or permit it to be parked within any public right-of-way for longer than 24 consecutive hours.

a. An Oversized vehicle may be legally parked on a public right-of-way in front of or contiguous to the vehicle owner's dwelling, provided it meets all of the following criteria:

- A. Is not parked for more than 72 hours;
- B. Does not constitute a hazard to traffic on public streets;
- C. Does not restrict vision of motorists on a public street;
- D. Does not obstruct view from any other property;
- E. Has a currently valid license or registration;
- F. Is operable, including adequate tires; and
- G. Is attached to a vehicle if required for movement of the oversized vehicle.

b. To comply with the 72 hour time restriction, an oversized vehicle must be moved more than 100 feet from the parked location at which the 72 hour time period has expired.

2. It is unlawful for any person to park or store any personal vehicle on any public right-of-way:

a. For more than 72 hours, and

- i. In a manner that results in the accumulation of debris around or under the vehicle or in a condition that prevents it from being driven, including flat tires; or
- ii. The personal vehicle is being used primarily as a container for the storage of personal items in or on the vehicle.

11.26.070 Loading Zones

1. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials, freight, or passengers in a place designated as a loading zone during the hours when the provisions applicable to loading zones are in effect. A stop for loading and unloading of passengers and personal baggage must not exceed 5 minutes. A stop for loading or unloading of materials must not exceed 15 minutes.

2. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious loading or unloading of passengers in a place designated as a passenger loading zone during the hours when the provisions applicable to passenger loading zones are in effect.

11.26.080 Buses or Taxis

The driver of a bus or taxicab shall not stand or park the vehicle upon a street in a business district at a place other than at a bus stand, except that this provision shall not prevent the driver of a taxicab from temporarily stopping for the purpose of and while actually engaged in the loading or unloading of passengers or from parking in compliance with sections [11.26.020](#) through [11.26.030](#) of this chapter.

11.26.090 Penalties

Violation of any provision within [11.26.010](#) to [11.26.090](#) is a Class II violation, punishable in accordance with AMC [1.08.020](#), and the vehicle is subject to the methods for impounding, appeal, and disposition as provided under ORS [819.110](#) – ORS [819.280](#), or as may otherwise be provided in this chapter.

11.26.100 Restricted Parking Areas, Hours and Limits

1. Parking areas, effective hours, and time limits shall be established by traffic regulations promulgated and published by the City Manager as authorized in section [11.12.010](#) to [11.12.050](#).
2. *City Parking Lot.* Parking in any parking lot owned by the City shall be restricted and controlled under the authority of the City Manager. (Ord. 3192, amended, 11/17/2020)

11.26.110 Penalties, Immobilizers Installation, Towing, Warning Letter, Show Cause, and Warrants

After the City posts a notice of violation on the vehicle parked in violation of this chapter, the owner or operator of a vehicle is subject to the fines and other penalties provided in this chapter, and such vehicle is subject to the methods for impounding, appeal, and disposition as provided under ORS [819.110](#) – ORS [819.280](#), or as may otherwise be provided in this chapter.

1. *Penalties for parking violations.*
 - a. *Fines.* Presumptive fines for each parking violation and enhanced penalties for multiple parking violations within any calendar year shall be established by resolution of the City Council.

1. A presumptive fine is the fine amount imposed against a person who pleads no contest to or is otherwise found guilty of a violation and is separate from and in addition to other penalties or charges provided herein, including any penalties for multiple parking violations.
 2. A presumptive fine for a parking violation under this section will be imposed unless the court finds reasonable grounds for either increasing or reducing the fine.
 3. Fines shall include the original ticketed amount and any enhanced penalties, if such penalties are established.
2. *Immobilizer (boot) Installation and /or Towing.*
- a. When a registered owner of a motor vehicle has either (1) five or more outstanding unpaid City of Ashland parking violations on any number of motor vehicles, or (2) a City of Ashland parking violation, or any number of such violations, with a total unpaid balance that exceeds \$150, regardless of the number of motor vehicles involved, then any City enforcement official is authorized, directed and empowered to immobilize such a motor vehicle or vehicles found upon a public street within the City or in a City off-street parking lot by installing on or attaching to the motor vehicle a device designed to restrict the normal movement of the vehicle. In the alternative, or in addition to immobilization, after 24 hours has elapsed, any City enforcement official authorized, directed and empowered to order such vehicle towed, by a licensed tow company under contract with the City or its designee, as applicable.
 - b. For purposes of this section, bail or fine shall be outstanding on a citation when the citation is issued and shall remain outstanding until the bail is posted or the fine is paid.
 - c. Ten days before immobilizing or towing a vehicle according to the provisions of this section, the City, or the City's contracted parking enforcement service provider shall post a notice on the vehicle or mail a notice by certified mail, return receipt requested, to the registered owner of such vehicle as shown by the records of any relevant state motor vehicles department notifying the owner that the motor vehicle or vehicles may be immobilized and/or towed if outstanding parking bail or fines have not been paid within ten days after posting or mailing of the notice.
 - d. If the vehicle is so immobilized, the person who installs or attaches the device shall conspicuously affix to the vehicle a written notice on a form approved by the City, advising the owner, driver, or person in charge of the vehicle that it has been immobilized pursuant to this section and that release of the vehicle may be obtained upon full payment of the outstanding balance owed to the contracted parking enforcement service provider. The notice shall also specify that the vehicle is subject to tow.
 - e. In the event the vehicle is towed, the person who orders the tow, shall send by certified mail, return receipt requested, a notice advising the registered owner of the vehicle that it has been towed pursuant to this section and that release of the vehicle may be obtained upon receipt by the towing company of full payment of the outstanding balance owed.
 - f. A vehicle towed and impounded pursuant to this section shall be held at the expense of the owner or person entitled to possession of the vehicle. Personnel, equipment and facilities of private tow companies

under contract with the City or the contracted parking enforcement service provider may be used for the removal and storage of the vehicle.

3. *Warning Letter, Show Cause, and Warrants.*

a. *Warning Letter.* The Ashland Municipal Court may choose to send a warning letter by first class mail informing defendants they have outstanding parking tickets and that their attendance is necessary at a preliminary hearing before issuing a show cause order and warrant.

b. *Show Cause.* The Ashland Municipal Court may issue an order that requires a defendant to appear and show cause why the defendant should not be held in contempt of court, including contempt for failure to appear as ordered or failure to comply. The show cause order shall be mailed to the defendant by certified mail, return receipt requested, no less than ten days prior to the appearance date; alternatively service may be made by any other recognized method, such as personal service according to the same timeframe.

c. *Warrant.* If the defendant is served and fails to appear at the time specified in the show cause order, the court may issue an arrest warrant for the defendant for the purpose of bringing the defendant before the court. (Ord. 3122, amended, 2016)

The Ashland Municipal Code is current through Ordinance 3223, passed July 18, 2023.

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Memo

CITY OF
ASHLAND

Date: January 10, 2024
From: Scott A. Fleury
To: Transportation Commission
RE: Vision Zero Action Plan Development

BACKGROUND:

The Transportation Commission and now Transportation Advisory Committee have had numerous discussions over the past few years regarding the Vision Zero and 20 is Plenty Initiatives.

A draft resolution was developed supporting the Vision Zero program and capital improvement program monies were budgeted for the 20 is Plenty program previously.

The resolution was not discussed and not approved by the Council and thus the action plan development process was not started by the TAC.

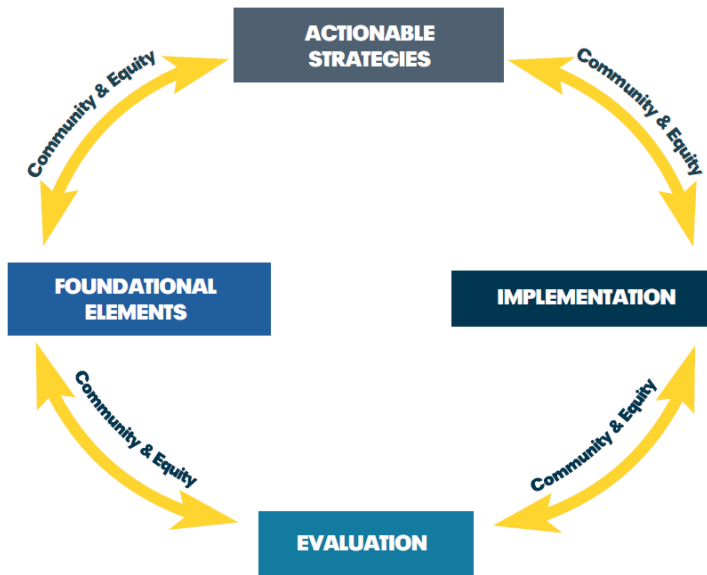
This is a continued discussion on both programs and development of next steps moving forward. Below is some background on the Vision Zero Action Plan and staff has also attached the previously started draft plan along with some other information.

The link below is for “Guidelines for an Effective Vision Zero Action Plan” to be used as a baseline reference for starting development of a comprehensive action plan.

[Moving from Vision to Action](#)

The Foundational Elements of a Vision Zero Action Plan include:

1. Robust Data Framework
2. Actionable Strategies
3. Implementation
4. Evaluation



Staff has also included a template format document with some basic information that can be utilized as the starting point for plan development.

Links below are for other jurisdictions developed and adopted action plans for reference purposes.

[Sacramento Vision Zero Action Plan](#)

[Eugene Vision Zero Action Plan](#)

[City of Alexandria Vision Zero Action Plan](#)

[Somerville Vision Zero Action Plan](#)

[Watsonville Vision Zero Action Plan](#)

As the Commission and Public Works staff move forward with the Transportation System Plan Update process, there will be a direct connection to development of strategies, goals, projects and timelines that can be utilized to construct the formal action plan.

Discussion Questions:

1. How does the Commission wish to address the framework of a Vision Zero Action Plan?
 - a. Vision Zero Task Force
 - i. Transportation Commission
 - ii. Others
 - b. Community Input (Engage Ashland)
 - i. Communities of Concern (equity)
 - c. Data Sources & Framework
 - i. ODOT
 - ii. City of Ashland

- iii. Census Information
 - iv. Planning/Zoning
 - d. Goals & Timelines
 - i. What does success look like
 - ii. Who is primarily responsible for achieving goals in associated timeframe?
 - iii. What are the conditions and limitations for success?
 - e. Strategies & Accountability
 - i. Fundable
 - f. Transparency
 - i. Website
 - ii. Continuous Feedback
 - iii. Regular Meetings
 - iv. Assessments
 - g. Project List development based on Community Input
- 2. How do we tie in the Transportation System Plan Update?
 - a. Community Input (Public Involvement Plan)
 - i. Communities of Concern
 - b. Project List development based on Community Input
 - i. Prioritization process
 - ii. Funding scenarios/options

CONCLUSION:

Action required: Committee should discuss next steps for a Vision Zero Action Plan.

City of Ashland Vision Zero Action Plan



Acknowledgements

City of Ashland Council

Mayor Tonya Graham

Dylan Bloom

Paula Hyatt

Gina DuQuenne

Eric Hansen

Jeff Dahle

Bob Kaplan

City of Ashland Transportation Commission

Linda Peterson-Adams

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Table of Contents

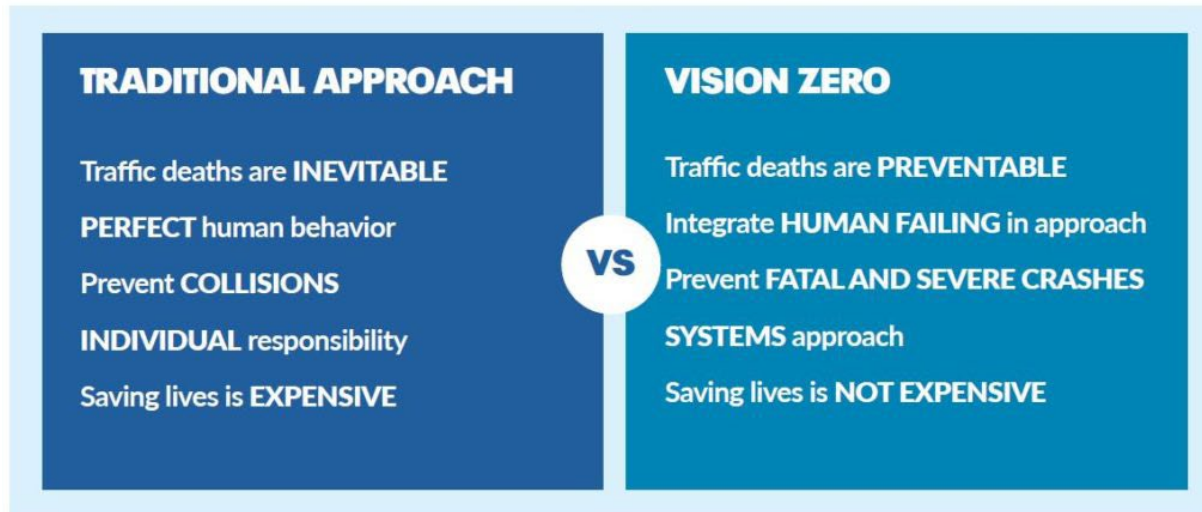
Section 1: Introduction.....	4
Section 1.1 Purpose.....	4
Section 1.2 Vision Zero Resolution	5
Section 2: Guiding Principles	5
Section 2.1: Equity	5
Section 2.2: Data Driven Decision Making	6
Section 2.3: Coordination and Accountability	6
3.0 Transportation in Ashland.....	6
3.1 High Crash Network.....	6
3.2 Communities of Concern	6

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Section 1: Introduction

Section 1.1 Purpose

“Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all”.



Vision Zero starts with the ethical belief that everyone has the right to move safely in their communities, and that system designers and policy makers share the responsibility to ensure safe systems for travel.

Vision Zero is a significant departure from the status quo in two major ways:

1. Vision Zero recognizes that people will sometimes make mistakes, so the road system and related policies should be designed to ensure those inevitable mistakes do not result in severe injuries or fatalities. This means that system designers and policymakers are expected to improve the roadway environment, policies (such as speed management), and other related systems to lessen the severity of crashes.
2. Vision Zero is a multidisciplinary approach, bringing together diverse and necessary stakeholders to address this complex problem. In the past, meaningful, cross-disciplinary collaboration among local traffic planners and engineers, policymakers, and public health professionals has not been the norm. Vision Zero acknowledges that many factors contribute to safe mobility -- including roadway design, speeds, behaviors, technology, and policies -- and sets clear goals to achieve the shared goal of zero fatalities and severe injuries.

The Vision Zero Program and Action Plan outline the City of Ashland’s commitment and long-term strategy for eliminating deaths and serious injuries from the transportation system with a focus on equity.

Section 1.2 Vision Zero Resolution

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON SETTING AS OFFICIAL POLICY THE VISION ZERO GOAL THAT NO LOSS OF LIFE OR SERIOUS INJURY ON OUR TRANSPORTATION SYSTEM IS ACCEPTABLE.

RECITALS:

- A. The life and health of the City of Ashland's residents are our utmost priority.
- B. No one should die or be seriously injured on our transportation system.
- C. Communities of Concern face a disproportionate risk of traffic injuries and fatalities.
- D. Vision Zero is an approach to transportation safety that accepts no loss of life or serious injuries on the transportation system.

THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. The Ashland City Council sets as official policy Vision Zero's goal of zero fatalities or serious injuries on our transportation system.

SECTION 2. The Ashland City Council supports efforts by the City of Ashland and our regional partners to eliminate deaths and serious injuries on our transportation system, with an emphasis on the most vulnerable users.

SECTION 3. The Ashland City Council supports efforts by the City of Ashland's Transportation, to develop a Vision Zero Action Plan that develops and prioritizes safety improvements for people walking, bicycling, using mobility devices and driving motorized vehicles.

SECTION 4. This Resolution takes effect upon signing by the Mayor. This resolution was duly PASSED and ADOPTED this _____ day of (Month) 2024.

Section 2: Guiding Principles

Section 2.1: Equity

The City's Vision Zero Action Plan shall be equitable and acknowledge the disproportionate burden of traffic crashes on people of color, low-income households, people with limited English proficiency, persons with disabilities or other mobility impairments, and other vulnerable groups. It will prioritize safety improvements for these populations.

The action plan will focus on filling gaps in transportation infrastructure where injuries and fatalities occur and where missing links limit transportation options, particularly for the underserved communities.

It will employ enforcement strategies that focus primarily on the most dangerous behaviors like speeding, impairment, and distraction. It will not result in racial profiling.

Section 2.2: Data Driven Decision Making

Crash, speed and volume data will be regularly gathered and updated to identify the locations, behaviors, and other conditions related to deaths and serious injuries on our streets.

Demographic data will be used to prioritize underserved communities.

The impacts and effectiveness of actions taken will be evaluated and publicly reported.

Section 2.3: Coordination and Accountability

Actions will have clearly defined roles, responsibilities and expectations among the departments working on implementation.

The City will work local and regional partners to maximize the impact of the Vision Zero Action Plan.

3.0 Transportation in Ashland

3.1 High Crash Network

3.2 Communities of Concern

DRAFT

RESOLUTION NO. 2024 - XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON SETTING AS OFFICIAL POLICY THE VISION ZERO GOAL THAT NO LOSS OF LIFE OR SERIOUS INJURY ON OUR TRANSPORTATION SYSTEM IS ACCEPTABLE.

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SECTION 4. This Resolution takes effect upon signing by the Mayor. This resolution was duly PASSED and ADOPTED this _____ day of **(Month)** 2024.

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of **(Month)** 2024.

Tonya Graham, Mayor

Reviewed as to form:

Douglas McGeary, City Attorney

Revised draft January 2024

Memo

CITY OF
ASHLAND

Date: January 10, 2024
From: Scott A. Fleury
To: Transportation Advisory Committee
RE: 20 Is Plenty

BACKGROUND:

Before the Commission is a continued discussion from 2021 on the “20 Is Plenty” program.

Previously a representative of the Climate Policy Commission provided the Transportation Commission with a presentation on the potential and associated requirements to reduce residential speed limits from 25mph to 20mph. A member of the Transportation Commission was requested to participate in the Climate Policy Commission subcommittee group to develop a report on a “20 Is Plenty” program for the City of Ashland. The report is meant to describe the benefits of a “20 Is Plenty” program for residential roadways and eventually be delivered to the City Council. Commissioner Brouillard is the participatory member of the subcommittee.

The subcommittees report and executive summary documents are attached for reference and were previously sent via email for review.

Recommendations from the report to the City Council include: directing Public Works to pursue reducing maximum speeds within the City to the maximum extent allowed by ORS 810.180 and requesting the Southern Oregon legislative delegation ensure that Ashland is included among the jurisdictions which would be empowered, as Portland currently is, to set speed limits on roadways under the City’s jurisdiction pursuant to a reintroduced HB4103.

Discussion Questions:

1. Next Steps
 - a. Include in TSP update as a comprehensive process?
 - b. Standalone process?
 - c. Public outreach/input process?
 - d. Pilot projects vs full scale implementation?
2. Enforcement capabilities?
 - a. Police outreach
3. Implementation and associated education?
 - a. Process and materials
4. Monitoring parameters?
 - a. Monitor or not
5. Enhancements/changes?

CONCLUSION:

Committee should discuss next steps/actions for the “20 is Plenty” program.

Evidence Demonstrating the Efficiency, Safety and Economic Benefits of Reduced Maximum Speed Limits - In Ashland, Oregon

Executive Summary

Oregon state government gives cities some flexibility in setting maximum speed limits (Oregon Revised Statutes 810.180). Ashland could take advantage of the law and, at the same time, make our community a better place to live and visit.

Reducing maximum speeds within Ashland will serve to:

- Reduce the incidence and severity of motor vehicle collisions
- Improve safety – especially for people walking and bicycling
- Increase mode share of bicycling and walking
- Reduce carbon emissions
- Reduce consumption of gasoline and expenditures on transportation by Ashland households
- Improve human health
- Reduce vehicle miles of travel
- Lower costs for road maintenance
- Improve social equity
- Increase the potential to attract remote workers (economic development)
- Reduce neighborhood noise

Only three of the above benefits can be monetized. But if Ashland were to make a commitment to lower maximum speed limits in a manner consistent with ORS 810.180 and enforce those speed limits adequately, it would stand to generate annual economic savings of more than \$1 million. The estimated implementation cost is approximately \$100,000.

Benefits Summary

Category / Source	Estimated Annual Benefits
Reduced incidence and severity of accidents	\$764,212
Fuel savings (arising from mode shift)	\$305,554
Carbon emissions reduction	\$133,758
TOTAL BENEFITS	\$1,203,524

The cost of changing speed limit signs, adding additional signage as required by Oregon law, and conducting related speed studies is estimated at \$100,000, a one-time expense. Clearly, lower speed limits will slow the rate of travel. But the additional time that a slower maximum speed adds to a person's travel time is measured in seconds. This is a small price to pay for saving lives, money, and the planet.

Reduced Incidence and Severity of Accidents

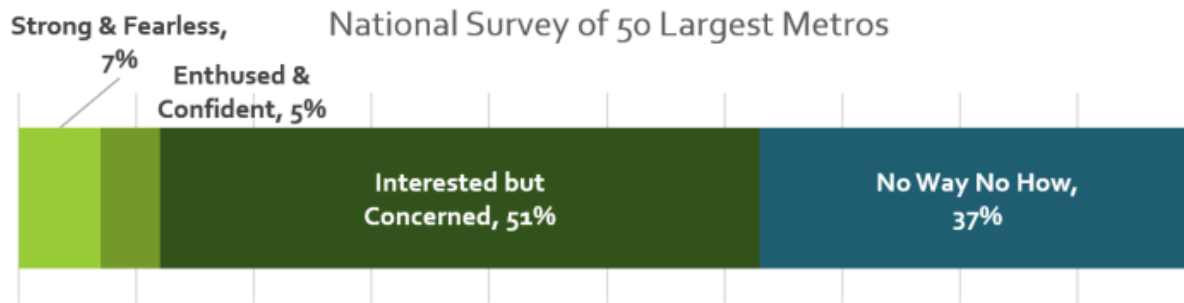
Slower speeds allow drivers more reaction time. Additionally, if a crash does happen at slower speeds, it is much less likely to result in serious injury or death. Traffic deaths do happen in Ashland. In fact, during the previous five years there have been two deaths. That is two too many. Ashland should ensure that there are zero deaths or serious injuries. Our community can achieve that outcome by lowering maximum speeds.

People walking and bicycling are vulnerable road users. If hit by an automobile, they often suffer serious injury. In fact, 14 percent of accidents in the City involved a pedestrian or person riding a bicycle. Lower speeds will, as noted above, reduce the number of collisions, and also the severity of injury. Children and seniors suffer more serious injuries when struck by an automobile (especially when hit by an SUV or pickup truck). In the hilly parts of town, above Siskiyou Boulevard and N. Main, most streets lack sidewalks. This means that people walking, bicycling and driving share the same space. If we want Ashland's transportation system to be safe for all ages and abilities (and all modes of travel), then lowering the speed limits will help achieve that outcome.

Ashland Households Can Save Money with Lower Speeds

Some members of our community either don't drive or don't own an automobile. Reducing speeds makes bicycling and walking more practical and safer. When people choose to walk or ride a bike rather than drive, they pocket the money that they would otherwise spend on gasoline and car maintenance. These savings add up. Reducing maximum speeds helps to make our community more equitable.

It is estimated, with slower maximum speeds, that about five percent of existing travel using automobiles would, in the future, be made by people walking or riding a bicycle. The actual shift in mode may be higher or lower than the forecast. But it is known, based upon surveys in other communities, that roughly half of Ashland residents are "interested in bicycling but are concerned" for their safety. They are afraid to share the roadway with motor vehicles traveling at current speeds. Below is a typical distribution of attitudes toward bicycling. Most people who currently bicycle are probably either "strong & fearless" or "enthused and confident."



More people will choose to walk or bicycle if the City's streets can be adjusted to make it safer for people to walk or bicycle.

Saving the Planet – Reduced Carbon Emissions

Did you know that every gallon of gasoline you consume produces 20 pounds of carbon dioxide? Incredible but true. Ashland could, with lower speeds, reduce its carbon dioxide emissions by 1,070 metric tons per year. These emissions reductions occur as a result of more people making the choice to bicycle or walk rather than drive, for some or all of their trips. That's right, we can reduce the impact on the planet by making it safer and more practical for people to choose to walk or bicycle. It's that simple.

These reductions are equivalent to:

- 836 or 12 percent of Ashland households, who heat water with natural gas, changing out their existing water heater to a heat pump water heater – at an approximate cost of \$2,507,958 or,
- 710 or 10 percent of Ashland households, who heat with natural gas, to convert their natural gas furnace to a heat pump – at an approximate cost of \$4,260,053


Conclusion

We recommend that the City Council:

- Direct the Public Works Department to pursue reducing maximum speeds within the City to the maximum extent allowed by [Oregon Revised Statute 810.180](#), and
- Request that the Southern Oregon legislative delegation ensure that Ashland is included among the jurisdictions which would be empowered, as Portland currently is, to set speed limits on roadways under the City's jurisdiction pursuant to a reintroduced HB 4103 (2020 legislative number).

To review the full report (45 pages) see:

<https://drive.google.com/file/d/1kmwcUB4CzoAceW4UMZZFu2JzkBVTYPEJ/view?usp=sharing>



EVIDENCE DEMONSTRATING THE EFFICIENCY, SAFETY & ECONOMIC BENEFITS OF LOWER MAXIMUM SPEED LIMITS IN ASHLAND, OREGON

Abstract

Lower maximum speeds will reduce deaths, injuries, and pollution and will lead to increased bicycling and walking with their associated health benefits. Ashland households, taken as a whole, that chose to shift from driving to walking or bicycling, will save more than \$1 million per year.

Original Authors:
Michele Porter and Steve Porter

Contributing:
Mark Brouillard, Ashland Transportation Commission
Bryan Sohl, Ashland Conservation and Climate Outreach Commission
Gary Shaff, Ashland Climate Policy Commission

***EVIDENCE DEMONSTRATING THE EFFICIENCY, SAFETY & ECONOMIC BENEFITS OF LOWER
MAXIMUM SPEED LIMITS***

We recommend that the City Council:

- i. Direct the Public Works Department to pursue reducing maximum speeds within the City to the maximum extent allowed by [Oregon Revised Statute 810.180](#), and
- ii. Request that the Southern Oregon legislative delegation ensure that Ashland is included among the jurisdictions which would be empowered, as Portland currently is, to set speed limits on roadways under the City's jurisdiction pursuant to a reintroduced HB 4103 (2020 legislative number).

Below, we outline empirical evidence showing a 5mph speed reduction promotes significant improvements not only in transportation system safety, but efficiency as well — including the counterintuitive result of reduced traffic congestion. We also show that such change would require minimal initial investment and generate substantial economic returns.

The contributors of this report are indebted to the original research and writing undertaken by Steve and Michelle Porter of Bend Economic Research. Their work is reproduced here with permission. The Ashland specific analysis has been added but the bulk of the report is credited to Steve and Michelle who we wish to publicly thank for their contribution to the safety, welfare, and health of all Oregonians and the planet earth.

This report denotes the original research by utilizing a vertical line adjacent to sections written by Steve and Michelle Porter (see first two paragraphs, above). Where the word “Ashland” has been substituted for the word “Bend” or numbers changed to reflect figures for Ashland instead of Bend but the balance of the section is otherwise consistent with the original text the vertical line is retained (as in the first paragraph).

SUMMARY

It is tempting to dismiss the difference between 25mph and 20mph speed limits as marginal and unimportant. However, volumes of data indicate the contrary, showing that dramatic social and economic gains follow from that 5mph reduction.

For one, **significant improvements in transportation system safety occur**. When 20mph speed limits are installed in urban and residential streets, citywide risks of serious injury and fatality among pedestrians and cyclists drop by 40% and 30%, respectively. These and similar effects elevate both actual and perceived safety levels for all transportation system users.

With those changes in safety levels, modal substitution rates increase. Data show that as speed limits approximate 20mph, a “tipping point” is reached where widespread adoption of non-vehicle transport occurs. This has a profound effect on vehicle miles traveled (VMT) in 20mph systems. A decrease in Ashland’s speed limits from 25 to 20mph would be expected to reduce VMTs by about 5%, or almost 3 million miles annually.

It is estimated that \$764,212 in annual savings would result from reduced traffic collisions in Ashland under a reduced maximum speed limit system. Other economic consequences include reduced fuel usage and pollution levels. Slower traffic speeds, lower VMTs, and increased rates of walking and cycling improve public health and generate economic gains. Reduced annual fuel consumption would be anticipated with saving to Ashland’s households of \$305,554 per year. Additionally, reduced climate inducing CO₂ emissions would fall by 1,070 metric tons.

It is clear that a reduced maximum speed limit system would quickly pay for itself since implementation costs are estimated at about \$100,000.

All told, if Ashland were to make a commitment to slower maximum speed limits in a manner consistent with Oregon Revised Statute 810.180 and enforce those speed limits adequately, it would stand to generate annual economic savings of more than \$1 million – for a one-time implementation cost of approximately \$100,000.

The following report details empirical research and calculations supporting each point in the above summary. Naturally, all findings are subject to certain data limitations and may be revised in the event additional information becomes available. This report accordingly may be best viewed as preliminary; nevertheless, reasonable professional care has been taken to ensure accuracy and, where applicable, conservatism in estimation.

INTRODUCTION

Over the last few decades, hundreds of municipalities, encompassing tens of millions of residents in North America and Europe, have adopted 20mph speed limits. Cities including Washington, D.C., New York City, Seattle, and, as of April 2018, Portland, Oregon,¹ are among them, as are smaller towns, with populations similar to Ashland's.²

These cities form natural laboratories for assessing the policy. Substantial quantitative research has taken place across them to evaluate traffic mortality rates, pollution levels, and transportation system throughput, among many other variables. There is accordingly a wealth of "real-world" empirical evidence drawn from locales that have made 20mph their system-wide default speed limits.³

"Reductions in vehicle travel speeds can be achieved through lowered speed limits, police enforcement of speed limits, and associated public information. More long-lasting speed reductions in neighborhoods where vehicles and pedestrians commonly share the roadway can be achieved through engineering approaches generally known as *traffic calming*. Countermeasures include road humps, roundabouts, other horizontal traffic deflections (e.g., chicanes), and increased use of stop signs. Comprehensive community-based speed reduction programs, combining public information and education, enforcement, and roadway engineering are recommended."⁴

The evidence shows that all participants in a transportation system are benefited by reduced speed limits, and, of equal importance, no participants are made materially worse off. Such findings demonstrate a high level of efficiency associated with implementation of 20mph default speed limits: the transportation system is made unambiguously better in a 20mph regime since no one must incur losses in order to confer benefits on others.

¹ New York City was the first U.S. city to adopt a 20mph program, which it did according to a zoning approach in which certain zones adhere to the 20mph standard while others do not. Under this approach, traffic deaths fell for three consecutive years, declining by approximately 23% in total. Portland's implementation of the 20mph program reduces speed limits on "non-arterial residential streets, which comprise about 70 percent of the city's street grid." New signs were posted citywide in April 2018.

Lazo, L., "As Traffic Deaths Soar, Cities Pursue Lower Speeds to Eliminate Fatalities," *The Washington Post* (February 25, 2017).

Nius, E., "Portland City Council Approves 20 mph Speed Limit on Residential Streets," *The Oregonian* (January 18, 2018).

Seattle Department of Transportation Website, "20 MPH Zones" (accessed May 2018).

² 20mph is the default speed limit in most European towns, as well as many towns in the UK, encompassing all population sizes.

³ In the context of Ashland, the terms "system-wide" and "default" are meant to refer to the majority of roads in Ashland currently designated with 25mph speed limits, in a manner consistent with Oregon Revised Statute 810.180: "A road authority may establish by ordinance a designated speed for a highway under the jurisdiction of the road authority that is five miles per hour lower than the statutory speed," subject to certain considerations and limitations. Roughly 184.7 lane-miles in Ashland are estimated to be immediately eligible for 20mph limits.

⁴ W.A. Leaf and D.F. Preusser, Literature Review on Vehicle Travel Speeds and Pedestrian Injuries Among Selected Racial/Ethnic Groups, October, 1999 <https://one.nhtsa.gov/people/injury/research/pub/hs809012.html>

Findings associated with 20mph speed limits will be thematically presented as follows: 1) Safety; 2) Traffic Congestion; 3) Fuel Consumption; 4) Carbon Emissions; 5) Road Capacity and Infrastructure Spending; and 6) Public Health. Where sufficient data are available, the economic implications of transition to 20mph speed limits will be evaluated within each of these areas. Finally, conclusions following from these analyses will be presented.⁵

DISCUSSION

1. Improved Safety for All Transportation System Participants

Improved safety outcomes extend from automobile drivers and their passengers to pedestrians, cyclists, and residents in 20mph systems, affecting essentially all those using the transportation system and living or working near it. These benefits derive from reduced traffic collisions, diminished severity of crashes, and decreases in non-traffic crime levels. Each element is addressed in turn, and a detailed evaluation of collision reduction is provided.

The most salient gauge of transportation system safety is found in the quantity of traffic collisions that occur. An ideal system would generate zero collisions and feature safeguards such that, if one were to transpire, it would be of the least serious type. A statistical relationship has been observed between traffic speed changes and corollary changes in the number of crashes. It shows that a decrease in average traffic speed from 25mph to 20mph (which represents a 20% reduction in speed) is associated with:

- a 45% decline in fatal collisions;
- a nearly 30% decrease in collisions resulting in serious injury; and
- a 20% reduction in collisions resulting in minor injury.⁶

⁵ In general, the analysis of social and economic effects relating to 20mph speed limits evaluated in this report can be thought of as reflecting an “average” level of implementation, including placement of 20mph signage along with some measures of public education, enforcement, and traffic calming. “Average” implementation reflects the typical level of signage and ancillary supportive policies adopted by localities moving to 20mph speed limits.

⁶ It can be noted, as a logical matter, that actual traffic speeds need not necessarily change just because posted speed limits change. While this is true, it has been empirically observed that 1) a proportion of traffic does adhere to posted limits; 2) a portion of traffic that does not adhere to posted limits tends to “anchor” its speeding against the posted limit (e.g., these speeders will exceed whatever the limit is by X mph); and 3) when posted traffic speed limits change, the average traffic speed changes along with it, in the range of nearly 100% of the change (i.e., if the speed limit declines 5mph, then so will the average traffic speed decline 5mph) to 25% of the change. Due to non-linearity and feedback effects, even 25% of a 5mph decline in average speeds (i.e., a 1.25mph reduction) that brings traffic closer to 20mph can have profound safety and efficiency consequences. When enforcement or traffic calming is added alongside speed limit reductions, compliance is further enhanced.

Elvik, R., “The Power Model of the Relationship Between Speed and Road Safety: Update and New Analyses,” Institute of Transport Economics, Norwegian Centre for Transport Research (2009).

“Vision Zero: How Safer Streets in New York City Can Save More Than 100 Lives a Year,” Drum Major Institute for Public Policy and Transportation Alternatives (June 2011).

Standalone empirical observations (detailed below) that relate to cities adopting 20mph speed limits corroborate these findings. A 20mph default speed limit brings transportation systems closer to a collision-free ideal.

In addition to reduced collision counts, the severity of any collisions that do occur also declines, with a disproportionately large decrease in the worst types of automobile accidents that result in death or serious injury.⁷ This favorable redistribution occurs because of the non-linear relationship between speed and crash severity.⁸ As speeds approximate 20mph, mortality and injury risks dramatically decrease in collisions, an effect that will be detailed below. In summary, at lower speeds, drivers have more time to react to events precipitating possible collisions, improving odds of avoiding accidents, and the harm of any crash that does happen is reduced.⁹

This section will focus on statistics showing the level of safety improvement in 20mph systems as reflected by crash counts and severity. These numbers are among the most reliably tallied and studied quantitative elements of transportation systems and therefore provide a useful starting point for understanding the safety implications of 20mph speed limits.¹⁰ They are not, however, comprehensive.

Notwithstanding the limitations of traffic collision and mortality statistics in reflecting safety gains associated with 20mph systems, representative statistics are outlined below showing traffic safety improvements that

⁷ Sammer, G. and F. Wernsperger, "Results of the Scientific Investigation Accompanying the Pilot Trial of 30 kph Limit in Side Streets and 50 kph Limit in Priority Streets," The 23rd European Transport Forum: Proceeding of Seminar G: Traffic Management and Road Safety (September 1995).

⁸ Grundy, C., et al., "Effect of 20mph Traffic Speed Zones on Road Injuries in London, 1986-2006: Controlled Interrupted Time Series Analysis," *British Medical Journal*, Vol. 339 (2009).

⁹ Two empirical studies observe a "spillover effect" where reduced speed limits on targeted roads lead to reductions in speeding on roads with unaltered speed limits. This implies broader life-saving implications for 20mph speed limit systems than those reflected in analyses solely addressing collisions on 20mph streets and, indeed, evidence shows that, once 20mph speed limits are established on a critical mass of streets, fatalities on non-20mph streets fall by an average of 8%, up to 11.5%. (Archer, J., et al., "The Impact of Lowered Speed Limits in Urban and Metropolitan Areas," Monash University Accident Research Centre (2008). Grundy, C., et al., "Effect of 20mph Traffic Speed Zones on Road Injuries in London, 1986-2006: Controlled Interrupted Time Series Analysis," *British Medical Journal*, Vol. 339 (2009).)

¹⁰ Statistics in this section derive from numerous studies that reflect findings from New York City and the UK, where the most empirical work has been done to evaluate 20mph speed limit safety. Importantly, these regions all reduced speed limits to 20mph from 30mph, rather than from 25mph as would be done in Ashland. This has the logical effect of causing reported statistics to likely overstate the level of collision and mortality reductions that would be observed in Ashland following 20mph implementation. These figures nevertheless provide important reference points relating to 20mph speed limit safety and, in all events, provide useful directional evidence showing the relationship between 20mph speed limits and road collisions, deaths and serious injuries.

have occurred upon adoption of 20mph speed limits. As applicable, discussions of specific factors underpinning these reductions and implications for Ashland are provided.¹¹

Pedestrians

Pedestrian involvement in killed-or-seriously-injured collisions (“KSI collisions”) has been shown to decrease by 39% to 50% in 20mph systems.

The fatality risks to pedestrians decline as speed limits fall toward the 20mph mark because of the non-linear relationship between pedestrian risk and vehicle speed in collisions. This speed-safety link is illustrated in Figure 1, originally published in the “Cities Safer by Design” manual of the World Resources Institute, based on OECD research. A clear inflection point can be found when vehicle speeds exceed 20mph, shown on the graphic at 30kph. (Since the graphic derives from research conducted in OECD countries, it uses the international standard kilometers per hour (“kph”) instead of mph; a speed of 30kph is approximately equal to 20mph, a speed of 40kph is approximately equal to 25mph, and a speed of 50kph is approximately equal to 30mph.)

The implications of non-linearity in pedestrian mortality risk vis-a-vis automotive speed are striking. It has been found that a pedestrian in contact with a vehicle traveling 30mph is *eight times more likely to die* than in a collision with a vehicle traveling 20mph.¹² Across speeds ranging from 25mph to 20mph, it is shown that each 1mph difference in vehicle speed reduces fatality risk by about 6%, such that a pedestrian’s fatality risk *doubles*

¹¹ The following studies are cited in this section:

Webster, D. and A. Mackie, “Review of 20mph Zones in London Boroughs,” Transport Research Laboratory (2003).

Sammer, G. and F. Wernsperger, “Results of the Scientific Investigation Accompanying the Pilot Trial of 30 kph Limit in Side Streets and 50 kph Limit in Priority Streets,” The 23rd European Transport Forum: Proceeding of Seminar G: Traffic Management and Road Safety (September 1995).

Department for Transport, “Interim Evaluation of the Implementation of 20mph Speed Limits in Portsmouth” (2010).

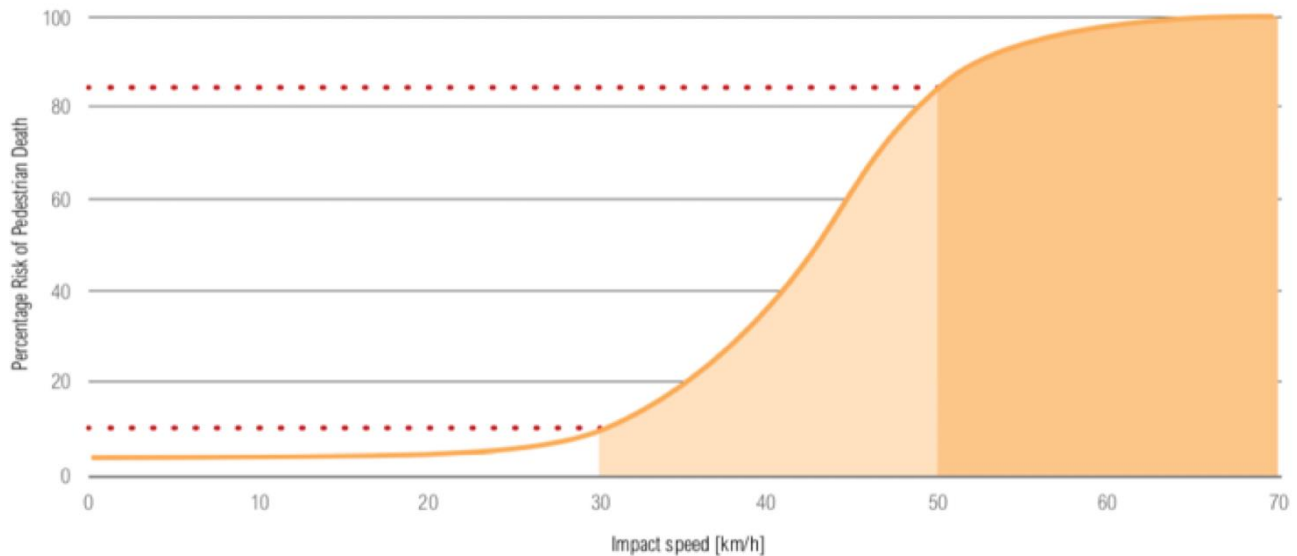
“Road Safety Factsheet: 20mph Zones and Speed Limits Factsheet,” Royal Society for the Prevention of Accidents (November 2017).

Department for Transport Traffic Advisory Leaflet 9/99 (June 1999), “20 mph Speed Limits and Zones.”

New York City Department of Transportation Website: “Motorists & Parking, Neighborhood Slow Zones” (accessed June 2018).

¹² “Vehicle Speed and Pedestrian Age Determine Crash Outcomes,” *Status Report* (Insurance Institute for Highway Safety/Highway Loss Data Institute), Vol. 35, No. 5 (May 2000).

Figure 1



Note: The above figure shows the relationship between pedestrian fatalities and vehicle impact speed published by the OECD (2006). Some recent studies show a similar relationship, but account for sample bias to find slightly lower risks in the 40 to 50 km/hr range. (Rosen & Sander 2009, Tefft 2011, Richards 2010, Hannawald and Kauer 2004) There are not, however, studies from low- and middle-income countries where things like vehicle type, emergency response time and other characteristics may influence this relationship. In any case, there is clear evidence to support policies and practices that lower vehicle speeds to 30 km/hr where pedestrians are commonly present, and no more than 50 km/hr on non-grade separated streets.

with an impact speed increase from 20mph to 25mph. Seemingly marginal reductions in traffic speeds within the crucial speed range of 20mph to 25mph have robust impacts on pedestrian mortality.¹³

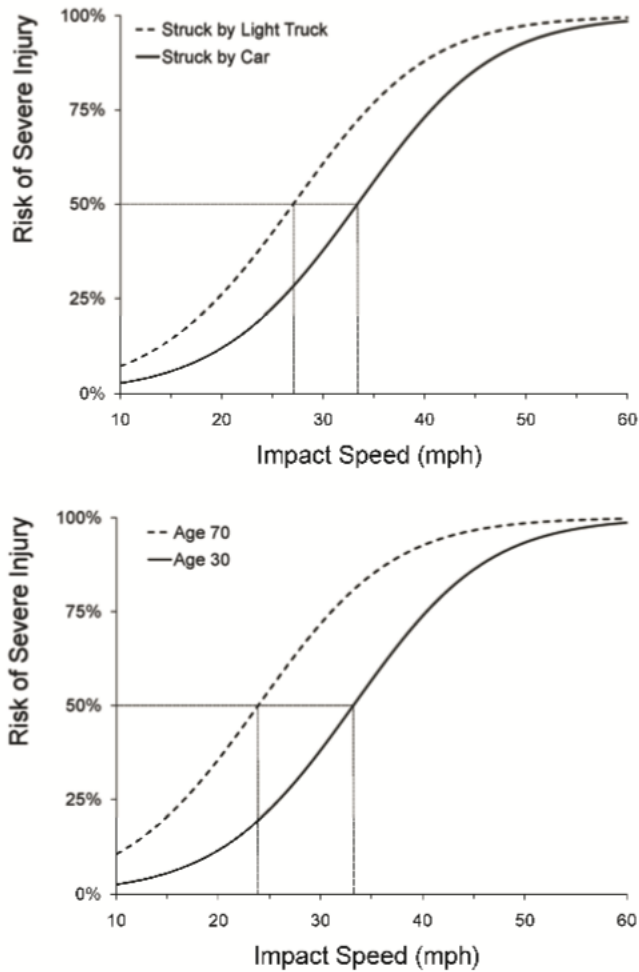
Beyond fatalities, severe injuries among pedestrians also are substantially mitigated with 20mph speed limits. And, as with fatality risk, a non-linear relationship between injury risk and automotive speed is observed, with a critical inflection point in the slope occurring around 20mph. Figure 2 shows two representations of empirical data, both of which illustrate pedestrians' risk of severe injury plotted against vehicle speed. The top graphic highlights the significance of vehicle type, showing that light trucks (including pickups and SUVs) are more inimical to pedestrians than passenger cars since trucks tend to knock down and then run over victims, while cars tend to roll victims over the windshield, the former being much more damaging to a human body. The second graphic highlights the significance of pedestrian age, showing that the elderly are particularly endangered in collisions.¹⁴

¹³ Barrios, L., "Killing Speed," *Injury Prevention*, Vol. 6 (2000).

Tefft, B., "Impact of Speed and a Pedestrian's Risk of Severe Injury or Death," *AAA Foundation for Traffic Safety* (September 2011).

¹⁴ Tefft, B., "Impact of Speed and a Pedestrian's Risk of Severe Injury or Death," *AAA Foundation for Traffic Safety* (September 2011).

Figure 2



These findings are emphasized here because both have critical importance for Ashland. In the first instance, Ashland traffic is heavily populated by light trucks and SUVs, consistent with broader trends in the U.S.¹⁵ In the second instance, Ashland’s elderly population is large and growing, owing to Ashland’s prominence as a retirement destination. Ashland’s senior citizen population increased 29.5% from 2010 to 2019,¹⁶ now comprising 22% of the populace. The over-65 population in Jackson County is forecast to grow to almost 30% of the population by 2035 and 37% by 2065 compared to 20.1% in 2015.¹⁷ This places special duty on Ashland’s transportation system to meet the safety needs of this cohort of users. For these reasons, emphasis should be placed on these vehicle-type and age-related findings, and additional consideration should be given to the severity of light truck collisions involving the elderly, mortality and injury statistics for which are not available.

The foregoing logic and empirical results are distilled into summarized findings of a review conducted by the U.S. Department of

Transportation into the nexus between traffic speed and pedestrian risk, regardless of vehicle type or pedestrian age. As illustrated in Figure 3, a critical threshold of traffic speed is found at 20mph, a speed above which is found a surge in pedestrian fatality and injury.¹⁸

Figure 3

¹⁵ Carey, N., “Trucks, SUVs Shine in Mixed January Sales, Cars Less So,” *Reuters* (February 1, 2018).

¹⁶ U.S. Census Quick-Facts (accessed 12/7/2020)

https://en.wikipedia.org/wiki/Ashland,_Oregon#Demographics

¹⁷ <https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1005&context=opfp> (accessed 11/25/2020)

¹⁸ “Literature Review on Vehicle Travel Speeds and Pedestrian Injuries,” U.S. Department of Transportation, National Highway Traffic Safety Administration (October 1999).

Vehicle travel speed and pedestrian injury severity.
(Florida, 1993-1996; pedestrians in single-vehicle crashes)

Injury Severity	Travel Speed (Officer Estimates)						Total
	1-20 mph	21-25 mph	26-30 mph	31-35 mph	36-45 mph	46+ mph	
Fatal (K) injury	1.1%	3.7%	6.1%	12.5%	22.4%	36.1%	6.5%
Incapacitating (A)	19.4%	32.0%	35.9%	39.3%	40.2%	33.7%	27.0%
Nonincapacitating (B)	43.8%	41.2%	36.8%	31.6%	24.7%	20.5%	38.8%
Possible inj (C) or none	35.6%	23.0%	21.2%	16.6%	12.7%	9.7%	27.7%
Total frequency	13,368	1,925	2,873	2,188	2,493	906	23,753

An acute relationship between pedestrian well-being and traffic speed is well established. At speeds above 20mph, collision incidence rates are higher and those collisions result in worse and more likely fatal injuries. Research conducted in connection with pedestrian risk of mortality and severe injury therefore emphasizes the importance of keeping pedestrian activity removed from high-speed traffic (i.e., traffic traveling much above 20mph), and the most straightforward way of separating pedestrians from high-speed traffic is by reducing traffic speeds to acceptably safe levels (i.e., approximately 20mph) on residential and urban roads.¹⁹

Children

Children are especially susceptible to roadway injury and death, in part because of their smaller stature and in part because of their undeveloped physiology. It has been demonstrated that children do not perceive approaching vehicles or process that information in the same manner as adults, so they tend to misjudge traffic and be struck by automobiles. Crucially, it has been found that children cannot reliably detect an automobile approaching at speeds over 25mph, with better perceptivity at lower speeds.²⁰

This fact, on its own, argues strongly in favor of system-wide 20mph speed limits, particularly in Ashland, where more than 3% of the population is under 5 years old, and 16.1% is under 18 years old.²¹

Consistent with these observations, empirical studies have found that 20mph speed limits are associated with dramatic reductions in child KSI collisions, with observed declines in the range of 45% to 67%.

Bicyclists

The rate of bicyclist involvement in KSI collisions decreases 29% to 50% with 20mph speed limits.

¹⁹ Tefft, B., "Impact of Speed and a Pedestrian's Risk of Severe Injury or Death," *AAA Foundation for Traffic Safety* (September 2011).

²⁰ Wann, J., et al., "Reduced Sensitivity to Visual Looming Inflates the Risk Posed by Speeding Vehicles When Children Try to Cross the Road," *Physiological Science*, Vol. 22, No. 4 (2011).

²¹ United States Census Bureau, "Ashland, Oregon QuickFacts" (accessed June 2018).

Drivers

Depending on the particulars of 20mph speed limit implementation, reductions in vehicular crashes of any type range from 15% to 50%. Additionally, collisions in which drivers are killed or seriously injured decrease in the range of 31% to 57%. Elderly driver injuries decline by approximately 50%.

Passengers

Passengers in automobiles are similarly benefited. A reduction in passenger deaths of 31% has been found in 20mph systems, and elderly passenger injuries have been shown to decline by 40%.

Motorcyclists

Motorcyclists experience 68% to 79% declines in casualties.

Economic Implications of Reduced Collisions

It is manifest that a human life defies economic valuation. Human health and well-being are similarly incalculable in worth. From a moral perspective, it may be stated that the loss of a single human life or the erosion of one person's well-being due to traffic accident outweighs any financial consideration; if a life can be saved through improved traffic management and planning, it should be done without resorting to amoral and base cost-benefit analysis of the type that assumes a human's death can somehow be compensated by fast enough traffic flows.

Notwithstanding these views, in the interest of completeness, it is appropriate to mention research that has estimated the economic costs associated with traffic collisions. Fatal crashes result in approximately \$1.4 million in economic costs each, and crashes involving serious injury cost roughly \$1.0 million per injured survivor. Medical costs and lost productivity comprise the majority of these financial losses, with additional contributions to cost coming from property damage and traffic congestion. Collisions in which only property damage occurs (i.e., those with no fatalities or injuries) carry an average cost of roughly \$3,900 each.²²

Applied to Ashland's traffic collision statistics, these economic values can be used to estimate costs that would be saved through implementation of 20mph speed limits. Over this approximate five-year span, the fatal collisions carried an imposed cost of \$3.3 million; major injury collisions cost approximately \$1 million. Conservatively, assuming zero medical or lost productivity costs for Level C injury collisions and property-damage collisions, costs of remaining traffic collisions equaled about \$10 million.²³ Total calculated costs are therefore approximately \$14.4 million, or about \$2.9 million per year.

²² Blincoe, L., et al., "The Economic and Societal Impact of Motor Vehicle Crashes," U.S. Department of Transportation, National Highway Traffic Safety Administration, DOT HS 812013 (May 2015 (Revised)).

²³ Level B and Level C injuries may well implicate medical attention and productivity losses. Level B injuries are "visible injuries" that include those "evident to observers at the scene of the crash" such as "a visible lump, abrasions, cuts, bruises, minor lacerations, etc."

Were Ashland to achieve average collision reductions via implementation of 20mph speed limits, it would be expected to experience total economic savings of approximately \$0.76 million annually.²⁴ The particulars of those savings are as follows.

First, Ashland would experience a reduction in fatal injuries of roughly 45% (from two every five years to one during a five-year period). This would save approximately one life every five years and reduce economic losses by about \$1.5 million during a five-year period (\$298,620 annually).

Second, collisions generating Level A injuries would be expected to decrease by about 30% (from 11 to 7.7 over five years), resulting in saved costs of \$317,460 (\$63,492 annually).

Third, remaining collisions would be anticipated to decline in incidence by about 20% (i.e., from (95+255+355) = 705 to 564), reducing economic losses by slightly more than \$2 million (\$402,000 annually).²⁵ These calculations are summarized in Table 1.²⁶

The City of Ashland's geographic information system (GIS) accident data shows 1,064 compared to the ODOT statistics, as used in Table 1, of 718. Importantly, the City's GIS data shows that 14% of all accidents involved a pedestrian or a person riding a bicycle.

Level C injuries "include momentary unconsciousness, complaint of pain, limping, nausea, etc." U.S. Department of Transportation, Federal Highway Administration, "KABCO Injury Classification Scale and Definitions" https://safety.fhwa.dot.gov/hsip/spm/conversion_tbl/pdfs/kabco_ctable_by_state.pdf (accessed November 25, 2020).

²⁴ Importantly, this analysis assumes that "but-for" collisions (i.e., collisions that will occur in the future if not for speed limit interventions) will not increase over time; any increase in but-for collision incidence would cause life and financial savings associated with 20mph speed limits to increase proportionately.

²⁵ Many of these collisions are subject to self-reporting and do not generate police involvement. It is likely the actual counts of such collisions exceed reported numbers, and it may be further speculated that a share of these unreported crashes is attributable to speed-related factors.

²⁶ Due to safety spillover effects from 20mph to non-20mph roads, safety-related network effects associated with modal substitution, and reduced VMTs, reductions in fatalities, injuries, and non-injury collisions would not occur solely on 20mph speed limit streets. On the basis of statistical evidence, it would be expected that essentially all KSI collisions on urban local roads would be eliminated, with smaller percentage reductions along collector and minor arterial streets.

Table 1.
Ashland Estimated Collision Savings with 20 MPH Speed Limits

	Baseline 1 (A) ²⁷	20 MPH Estimate (2) (B)	Reduction (C) (A - B)	\$ Loss per Collision (D)	Estimated Annual Savings (C) X (D) / 5
Fatal Injury Collisions	2	1.1	0.9	\$1,659,000	\$298,620
Class A Injury Collisions	11	7.7	3.5	\$96,000	\$63,492
Class B Injury Collisions	95	74.1	20.9	\$27,800	\$105,640
Minor Injury Collisions	255	204.0	51.0	\$22,800	\$232,560
Property Damage	355	284.0	71.0	\$4,500	\$63,900
TOTAL	718	570.9			\$764,212

Notes:

- (1) Baseline values reflect 5-year totals 2015 through 2019
- (2) Column (B) calculated as (Column (A) x (1 – 0.45)) for Fatal Injury Collisions; (Column (A) X (1 – 0.3) for level A injury Collisions; and (Column (A) X (1 – 0.2) for all other injury types

2. Reduced Traffic Congestion

When system-wide speed limits are reduced to 20mph, the speed reductions are associated with decreases in traffic congestion, rather than increases. This effect stems from two parallel mechanisms. The first relates to increased uptake of walking or cycling, which results in the removal of cars from roads. The second relates to the improved utilization of roadway resources when drivers operate at lower speeds. These two processes play a role in explaining how vehicle travel times in Ashland would be negligibly - if at all - changed with 20mph speed limits.

Increased Walking and Cycling Decrease Traffic Congestion

When additional people walk or cycle for transport, those people undertake a simple substitution – walk or cycle rather than drive – and thereby reduce vehicle miles traveled in the transportation system. Owing to this

²⁷ ODOT Crash Data Statistics, <https://zigzag.odot.state.or.us/uniquesig08615cf883bed667d26bcec3a7dc5c6b/uniquesig0/SecurezigzagPortalHomePage/> for “all roads in Ashland” (accessed 12/07/2020),

substitution effect, the removal of cars and VMT from the transportation system is directly reflected by increases in walking and biking, growth in which has been observed at rates up to 36% following implementation of 20mph speed limits.²⁸

Such large increases in non-automotive modalities, and attendant decreases in vehicular roadway demand, accumulate over time through a positive feedback loop. First, reduced automotive traffic speed limits induce more people to walk or cycle because lower speed limits improve the real and perceived levels of safety for non-automotive transportation. Since the propensity of residents to walk or cycle, rather than drive, is based upon factors of “safety, perceptions of safety, the condition of the surfaces and the overall appearance of the...environment,”²⁹ as actual and perceived safety increase – in lockstep with reductions in speed limits – more people forgo car travel, thus freeing up roadway resources and reducing congestion.³⁰

Second, as additional commuters take to sidewalks and bike lanes, safety levels for pedestrians and cyclists rise further. This is because, as pedestrian and cycling activity increase, drivers become more attuned to their presence, and danger levels fall. Empirical studies show the “likelihood that a given person walking or bicycling will be struck by a motorist varies inversely with the amount of walking or bicycling,” as shown in Figure 4.³¹

²⁸ Bristol City Council, “Monitoring Report: 20mph Speed Limit Pilot Areas” (2012).

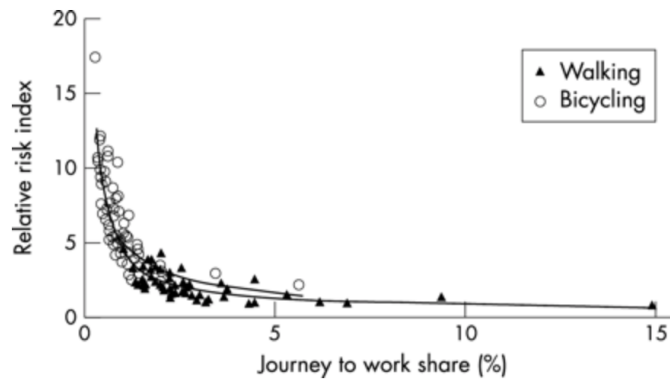
This increase in walking and cycling occurred in connection with implementation of 20mph speed limits and development of additional walking and cycling infrastructure like construction of additional sidewalks. Hence, it has not been determined to what extent the modal substitution can be attributed to speed limit changes. It will be discussed shortly, however, that such increase is consistent with the economics of network effects and empirical observations regarding pedestrian and cyclist safety.

²⁹ Tovar, M. and Kilbane-Dawe, “Effects of 20mph Zones on Cycling and Walking Behaviours in London,” Par Hill Research Ltd. (2013).

³⁰ From an economic perspective, in addition to a shift in relative safety levels, a 20mph regime also induces walking and cycling uptake because it alters the opportunity costs associated with driving relative to walking or cycling. This is because a lower speed limit network reduces the average speed differential between driving and non-driving modes.

³¹ Jacobsen, P., “Safety in Numbers: More Walkers and Bicyclists, Safer Walking and Bicycling,” *Injury Prevention*, Vol. 9 (2003).

Figure 4



That is, as more people walk and cycle, the safer it becomes for everyone to walk and cycle, exhibiting a phenomenon known as “network effects” (i.e., the value of walking or cycling increases for all pedestrians and cyclists as each incremental person substitutes from driving to a non-driving mode).³² This follow-on improvement in real and perceived safety for pedestrians and cyclists induces yet more uptake, which engenders additional network effect benefits, causing traffic levels and congestion to fall further.³³ Crucially, walking and cycling complement each other, with higher rates of either walking or cycling leading to reduced risk for both pedestrians and cyclists.³⁴

As summarized by researchers in the U.K.:

A 20 mph speed limit, properly enforced, would go a long way to removing the present deterrents to cycling. There would be gains both to the cyclists who now brave the present unsatisfactory conditions and to would-be cyclists, now frustrated, who would feel enabled to join them...[and] other road users would gain from reduced congestion.³⁵

Consistent with these modal substitution mechanisms, empirical evidence shows reductions in vehicle transport are substantial upon 20mph adoption. Following reduction of road speed limits to 20mph, system

³² Liebowtiz, S.J. and S. Margolis, “Network Externalities (Effects),”

³³ “Vision Zero: How Safer Streets in New York City Can Save More Than 100 Lives a Year,” Drum Major Institute for Public Policy and Transportation Alternatives (June 2011).

³⁴ “The statistics show that bike riders actually protect pedestrians by altering the behavior of drivers.” Sadik-Khan, J. *Streetfight*, Viking (2016).

³⁵ Plowden, S. and M. Hillman, *Speed Control and Transport Policy*, Policy Studies Institute (1996), Ch. 10.

traffic volumes were observed in one empirical study to decrease, on net, by an average of 15% across 250 measured locales.³⁶

A separate analysis of traffic volume responses to the implementation of 20mph speed limits found that net system traffic volumes decreased in the range of 5.3% to 13.4%, depending upon particulars of the implementation such as the extent of 20mph speed limit deployment (i.e., system-wide, resulting in greater traffic decreases, versus zoned), enforcement levels, and other contemporaneous traffic calming measures.³⁷ Importantly, for reasons including network effects associated with non-driving modes and other time-dependent feedback mechanisms, these traffic reduction levels may be best viewed as short-run consequences, with larger reductions likely over longer intervals when follow-on effects have fully matured.³⁸

Quantification of Expected VMT Reductions in Ashland with 20mph Speed Limits

These findings provide useful reference for understanding the directional relationship between speed limits and VMTs as well as the general magnitude of VMT responsiveness to implementation of 20mph speed limits. They can accordingly be used to estimate the effects a 20mph speed limits would have on traffic volume in Ashland. Care must be taken, however, in applying the empirical findings' results to Ashland because, in the 20mph speed limit areas subjected to empirical study of traffic volume change, all underwent speed limit reductions from 30mph to 20mph (i.e., a 10mph reduction) and therefore twice the reduction applicable to the instant analysis. Translating the findings to Ashland's circumstances requires consideration of several observations, each of which is discussed below.

First, it is significant that the speed limit reduction from 30mph to 20mph encompasses the speed limit reduction applicable to Ashland (i.e., 25mph to 20mph). The experience of these converted 30mph zones is relevant and enables an initial estimate to be made of VMT responsiveness in Ashland as follows. The

³⁶ This net reduction figure accounts for route displacement effects. The majority of traffic was found not to circumvent the lower speed limit zones; rather, the traffic simply disappeared, a concept that is sometimes referred to as "reduced demand." The levels of traffic volume reduction are highly variable region to region and appear to depend principally upon the level of commitment made to a 20mph regime: generally, the greater the adoption rate (i.e., closer to system-wide rather than on a zone-by-zone basis, more enforcement and greater implementation of other traffic calming measures, the greater the reduction in traffic volumes). This finding is entirely consistent with the economics of induced demand and the law of demand. (See: Department for Transport Traffic Advisory Leaflet 9/99 (June 1999), "20 mph Speed Limits and Zones.")

³⁷ Steer Davies Gleave, "Research into the Impacts of 20mph Speed Limits and Zones, (November 2014).

³⁸ Research relating to VMT responses to road infrastructure changes show that full demand responses tend to mature after approximately three years, while most traffic reduction research evaluates shorter-term responses, often of just one year.

Noland, Robert B. and Lewison L. Lem, "A Review of the Evidence for Induced Travel and Changes in Transportation and Environmental Policy in the US and the UK," *Transportation Research Part D*, 7 (2002).

Litman, Todd, "Generated Traffic and Induced Travel: Implications for Transport Planning," Victoria Transportation Policy Institute (April 17, 2017).

approximate midpoint of observed traffic volume reductions is 10% (i.e. 5.3% to 15%), implying an average 1% traffic volume reduction per 1mph of speed limit reduction within the 30mph to 20mph range. This suggests that a 5mph speed limit reduction would be met with approximately 5% of VMT decline; such level of response might well be expected in Ashland.

Second, it is pertinent to ask whether the relationship between speed reduction and VMT response within the 30mph to 20mph range is linear (i.e., 1% VMT reduction per 1mph speed reduction across the whole range) or whether there are reasons why VMT responsiveness might increase or decrease across the range in non-linear fashion. The mechanism underpinning VMT reduction is modal substitution, and modal substitution rates are modulated by actual safety and perceived safety. Therefore, it is appropriate to evaluate how safety levels vary across the speed ranges of 1) 30mph to 20mph; 2) 30mph to 25mph; and 3) 25mph to 20mph to ascertain whether there is evidence of any safety tipping point within these speed ranges that would serve to generate large modal substitution increases at a certain speed but not above it. If so, that would provide evidence that, above a certain speed limit range, modal substitution rates would be low and, below a certain speed limit range, substitution would be higher - i.e., it would indicate a non-linear relationship between speed reduction and VMT response. On this basis, the evidence would show whether a 1% VMT reduction per 1mph of speed limit decrease across the 25mph to 20mph range is likely accurate or too high or too low.

In this connection, several statistical observations are helpful in illustrating relative risk levels across the three speed limit intervals:

- 1) half of pedestrian deaths and 80% of pedestrian serious injuries occur at traffic speeds of 30mph or lower, indicating that speeds up to 30mph retain significant risk levels;
- 2) only rare instances of fatality or serious injury are observed at speeds 20mph or lower, with just five percent of pedestrian collisions at 20mph resulting in death, indicating that speeds at or below 20mph provide low risk levels and that it is within the range of 30mph to 20mph where a crucial speed/safety step-change occurs; and
- 3) as speeds decline from 25mph to 20mph, risk of pedestrian death in a collision falls by 50% and, as speeds approximate 20mph, pedestrian and cyclist mortality risks stabilize at a low level (i.e., large safety gains occur as speeds fall from 25mph to 20mph and additional large gains are not realized below 20mph), demonstrating significant risks remain in play at speeds 25mph and higher and those risks dramatically fall as 20mph speeds are approximated.³⁹

³⁹ Dorling, D., "20mph Speed Limits for Cars in Residential Areas, by Shops and Schools," *Nine Local Actions to Reduce Health Inequalities*, University of Oxford.

"Vehicle Speed and Pedestrian Age Determine Crash Outcomes," *Status Report* (Insurance Institute for Highway Safety/Highway Loss Data Institute), Vol. 35, No. 5 (May 2000).

Barrios, L., "Killing Speed," *Injury Prevention*, Vol. 6 (2000).

Accordingly, while it is true that every 1mph speed reduction in the 30mph to 20mph speed range is important for health and safety reasons, there is evidence of a tipping point in safety implications at speeds approximating 20mph. It is not until traffic speeds decline to 20mph that safety levels for pedestrians and cyclists stabilize at low levels. It is at this speed limit where perceived and actual safety become sufficient to provoke widespread modal substitution for transportation. In sum, the statistics imply a clustering of perceived and actual safety below 25mph and around the 20mph mark, which, given the importance of actual and perceived safety in motivating modal substitution, indicates responsiveness of VMT reduction to speed limit reduction would be greatest within the 25mph to 20mph speed range.⁴⁰ Speed declines from 30mph to 25mph would elicit smaller modal substitution effects since high risk levels remain in this range. This implies that a non-linear VMT reduction relationship with speed decrease exists and that above-average VMT responsiveness occurs within the 25mph to 20mph speed range. A 5% VMT reduction expectation in Ashland is conservative.

Third, it is shown that network effects apply to pedestrian and cyclist safety in transportation systems. Network effects generate pedestrian and cyclist safety value in increasing total quantities as more people switch from vehicles to non-vehicle modalities.⁴¹ The lowest risk levels for pedestrians and cyclists occur when large numbers of people walk or cycle rather than drive. This relationship implies a non-linear link between vehicle speed limits and the quantum of network effect benefits since speed limit reductions generate modal substitution. Modal substitution in turn triggers network effect benefits that further reduce pedestrian and cyclist risk to engender more modal substitution.⁴² Network effect benefits thus lag and compound other factors provoking modal substitution, so a concentration of VMT reduction as speed limits approach 20mph is consistent with the economics of network effects.⁴³ Modal substitution owing to network effects would exhibit non-linear growth as speed limits decrease, and VMT declines would accordingly accelerate as speed limits approach 20mph. Again, on this basis, a 5% VMT reduction expectation in Ashland is conservative.

Consistent with these considerations, it can be stated that, while a 5% VMT reduction in Ashland following adoption of 20mph speeds is a meaningful reference expectation, it may well be understated due to existence of modal substitution tipping point and accelerated network effects occurring around, but not much above,

Tefft, B., "Impact of Speed and a Pedestrian's Risk of Severe Injury or Death," *AAA Foundation for Traffic Safety* (September 2011).

Speck, J., *Walkable City*, North Point Press (2012).

⁴⁰ Tovar, M. and Kilbane-Dawe, "Effects of 20mph Zones on Cycling and Walking Behaviours in London," Par Hill Research Ltd. (2013).

⁴¹ Jacobsen, P., "Safety in Numbers: More Walkers and Bicyclists, Safer Walking and Bicycling," *Injury Prevention*, Vol. 9 (2003).

⁴² Vision Zero: How Safer Streets in New York City Can Save More Than 100 Lives a Year," Drum Major Institute for Public Policy and Transportation Alternatives (June 2011).

⁴³ Sadik-Khan, J. *Streetfight*, Viking (2016).

20mph speed limits. Ashland could experience VMT decreases in excess of 5% upon adoption and enforcement of 20mph speeds, and thus encounter corresponding reductions in congestion.⁴⁴

Data from Portland, Oregon provides an important insight into the community's response to slower maximum speeds. Bicycle volume increased by approximately 6.4 percent between 2010 and 2011 on Portland streets where speeds were reduced from 25 to 20 MPH. Within the same timeframe, 61 percent more bicycles were counted at 11 locations on newly developed neighborhood greenways.⁴⁵

Portland has demonstrated the efficacy of "all ages and abilities" networks. Their success is shown in Figure 5. Increased density of bicycle boulevards (shown in green) between 2000 and 2010 coincides with a more than 5 percent increase in bicycle mode share. Clearly, separated in roadway bicycle facilities also played a significant role in the growth of bicycle use. Consideration of those types of improvements in Ashland will occur as a part of the City's update of the Transportation System Plan (schedule to begin in 2021).

Improved Utilization of Roadway Resources Improves Traffic Flow

The second factor that causes reduced traffic congestion in a 20mph speed limit network relates to roadway utilization efficiency. Automobiles can make better use of road supply at lower speed limits in urban and residential areas due to reduced spacing, improved filtering, and decreased collisions.

Reduced Spacing

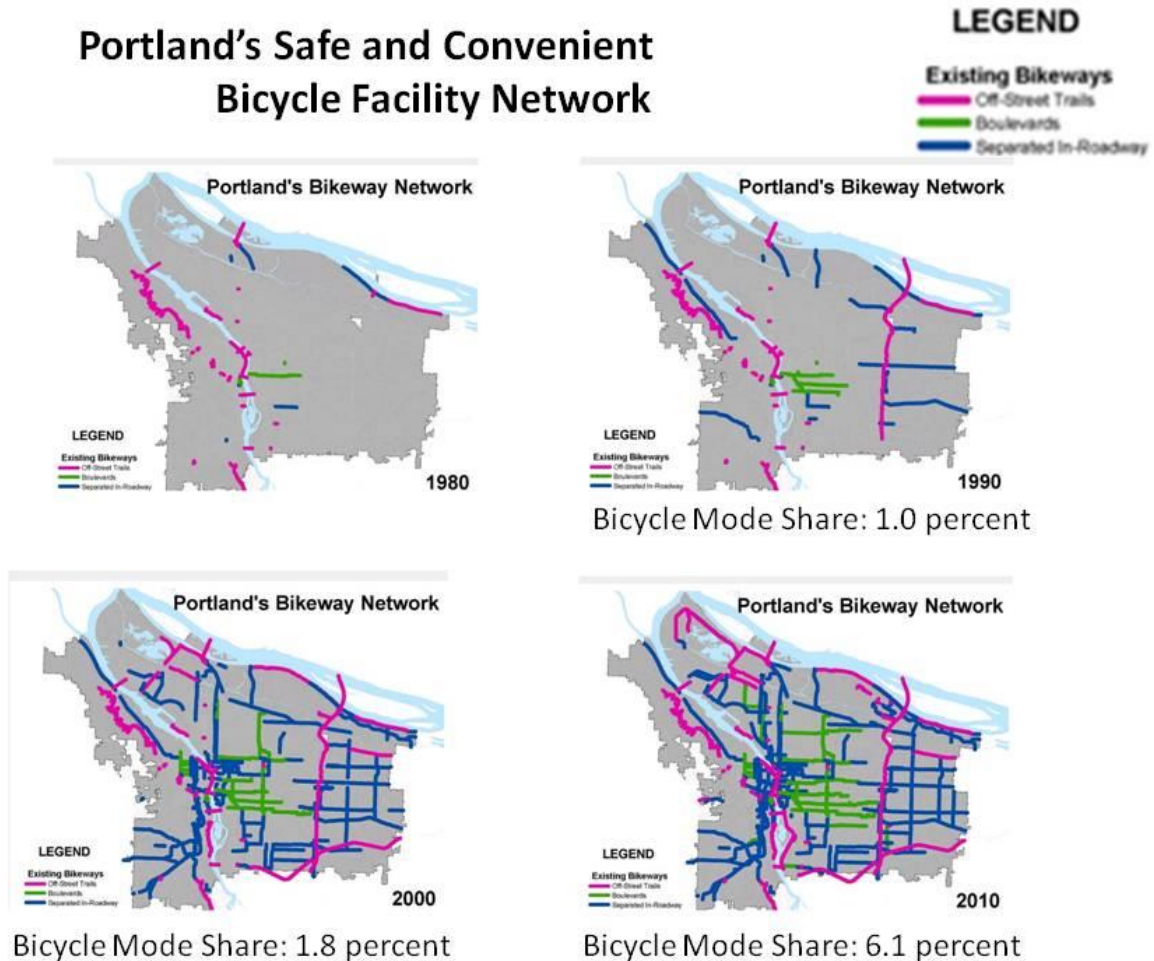
As speed limits decline, cars traveling in the same lane require less "shy-distance" between them. Also known as "reduced spacing," densification of cars safely occurs when braking distances needed by automobiles contract. Because cars require less distance to come to a stop at lower speeds, they can leave less empty space between them (i.e., they can follow one another more closely) without increased risk of collision.

⁴⁴ A 5% VMT reduction value may further be considered conservative when applied to prospective 20mph implementation in Ashland because the availability and affordability of e-bikes continue to grow as the technology diffuses along a typical path of adoption. For trip durations of up to several miles, particularly in urban and suburban settings, e-bikes are particularly good substitutes for automobiles, but their safety profile generally equates to that of traditional bicycles and so increased adoption would be influenced by safety factors modulating modal substitution from vehicles to cycles. Most empirical evidence relating to substitution effects and VMT responses to 20mph limits pre-dates the current level of e-bike availability. This new technology factor implies greater modal substitution and VMT reductions in present and future 20mph applications.

⁴⁵ Neighborhood Greenways, Portland Bureau of Transportation, Neighborhood Greenways 101, <https://www.portlandoregon.gov/transportation/article/554110>
Portland Bicycle Counts Report, 2011, Portland Bureau of Transportation, February 2012; <https://www.portlandoregon.gov/transportation/article/386265>
Neighborhood Greenways Assessment Report, Portland Bureau of Transportation, 2015; <https://www.portlandoregon.gov/transportation/article/735768>

Figure 5

Portland's Safe and Convenient Bicycle Facility Network



Portland's goal is to have 25 percent of commute trips made by bicycle in 2035.⁴⁶

Automotive braking distance requirements (and thus safe shy-distance intervals) follow an exponential expansion with respect to speed, so even a small reduction in traffic speeds can generate large roadway space savings.⁴⁷ As illustration, the distance required for a vehicle to stop when traveling 20mph is roughly 14 meters.

⁴⁶ Portland Transportation System Plan, Policy 9.49.f, page 27;
https://www.portland.gov/sites/default/files/2020-05/chapter2.tsp_03.06.2020.pdf

⁴⁷ Litman, T., "Whose Roads? Evaluating Bicyclists 'and Pedestrians 'Right to Use Public Roadways," Victoria Transport Policy Institute (December 2013).

At 25mph, the requirement is 26 meters, nearly double the lower speed's stopping distance, despite the seemingly marginal 5mph speed difference.⁴⁸

Reduced spacing leads to transportation system efficiency gains since it enables a safe increase of traffic density on the road (i.e., there is less “dead space” between each car in the system) during peak traffic times. This allows the system to accommodate more cars simultaneously. Significantly, this does not increase congestion; rather, cars are able to move at least as smoothly as at higher speeds, but simply with less empty space separating them. By eliminating unused lane miles, existing roadway resources are used more efficiently. On the basis of observing that braking distance and shy-distance intervals fall by nearly 50% in the 25mph to 20mph range, it can be generally stated that a speed limit reduction to 20mph significantly increases effective road capacity.⁴⁹

Improved Filtering

Filtering is the process by which cars exiting one road merge into the traffic flow on another. When long traffic queues form, that is symptomatic of poor filtering efficiency. Such inefficiency often can be linked to a large speed differential between the stopped/merging traffic and the higher-speed oncoming traffic. As the speed of oncoming traffic increases, the difficulty of merging grows because the required “buffer” distance for safe maneuvering becomes greater; merging traffic requires more room to achieve the target speed.⁵⁰

When speed limits are lower, the required buffer distance for safely merging into moving traffic falls. Long traffic queues are less likely to form and, if they do, are more quickly dissipated. This improves system-wide traffic flow and throughput, and reduces congestion, as road resources are more efficiently utilized. By way of demonstration, a reduction in traffic congestion of 10% was observed at systemically important (and typically congested) traffic interchanges in Sao Paulo, Brazil, in the first month following implementation of reduced speed limits.⁵¹

These insights are particularly pertinent along North Main.

⁴⁸ “Cities Safer by Design,” World Resources Institute, graphic entitled “Higher Vehicle Speeds Require Longer Stopping Times” (2015). Stopping distance totals reflect reaction distance and braking distance.

⁴⁹ Duany, A., et al., *Suburban Nation*, North Point Press (2000).

⁵⁰ Archer, J., et al., “The Impact of Lowered Speed Limits in Urban and Metropolitan Areas,” Monash University Accident Research Centre (2008).

⁵¹ “Numeros de Acidentes Cai 30% Apo Novos Limites na Marginais,” *O Estado de Sao Paulo* (August 29, 2015).

Decreased Collisions

Significant reductions in traffic collisions are associated with 20mph speed limits. As collisions and attendant roadway obstructions are reduced, traffic congestion falls and travel time reliability improves since fewer crashes cause less traffic backup.⁵²

Collisions that stop traffic have sweeping consequences for transportation system efficiency, with effects reverberating through the system.⁵³ Consider, for instance, the unused roadway just ahead of an accident that stops traffic and the blockages that occur on nearby roads as a traffic stall ripples outward. These are inefficiencies in transportation systems wrought by avoidable collisions. By reducing crashes, 20mph speed limits inoculate against an important cause of congestion.

Collectively, reduced spacing, improved filtering, and decreased collisions enhance road resource utilization and traffic flow, increase vehicle throughput, reduce traffic congestion, and benefit drive-time reliability.

Decreased Speed Limits Do Not Materially Affect Travel Times

Intuition may suggest that lower speed limits significantly increase travel times; however, both empirical evidence and computer simulation models disprove this, particularly as relates to a change from 25mph to 20mph speed limits in residential and urban areas, as will be discussed in detail.

As a prefatory matter, it is necessary to focus discussion only on those vehicle trips that would have any possibility of experiencing meaningful travel time increases - i.e., relatively short trips. Long vehicle trips would be logically unaffected by urban/residential speed limit changes. A 100-mile trip comprised of, say, 2 miles on residential roads and 98 miles on freeways would register no consequential travel time change under urban/residential 20mph speed limits; any time penalty incurred on residential roadway would represent a minuscule fraction of total travel time and thus be indiscernible against the whole.

Conversely, short trips predominantly traversing urban/residential 20mph candidate streets would potentially be subject to appreciable travel time increases. Generalized across a transportation system, it can be stated that, the shorter the trip, the greater the proportion of total travel on urban/residential areas. And, the greater the proportion of travel on urban/residential roads, the better the prospects for meaningfully longer travel

⁵² Blincoe, L., et al., "The Economic and Societal Impact of Motor Vehicle Crashes," U.S. Department of Transportation, National Highway Traffic Safety Administration, DOT HS 812013 (May 2015 (Revised)).

⁵³ Archer, J., et al., "The Impact of Lowered Speed Limits in Urban and Metropolitan Areas," Monash University Accident Research Centre (2008).

times. For this reason, analysis will be circumscribed to travel time changes on trips of 3 miles or fewer. Such circumscription is not overly restrictive, as trips 3 miles or less account for over 40% of all vehicular trips.⁵⁴

Focusing analysis on this short-trip genus of vehicle travel, it has been shown that, for trips within urban and residential areas, travel time delays do not derive from posted speed limits. Instead, the primary generators of “delay” are intersections, traffic queues, and unilateral braking for cornering and turns. While turning speeds are unaltered by traffic speed limits, both intersection efficiency and traffic queuing are beneficially affected by 20mph speed limits (owing to reduced spacing, improved filtering, and decreased collisions).

Additional studies quantifying changes in travel duration due to speed limit changes find that reducing speed limits by approximately 5mph has essentially no effect on travel times. An analysis conducted in Australia determined that a 10kph (i.e., 6.2mph) speed limit reduction was associated with travel time increases of 3 percent in the short-term, and, following behavioral adaptation, 0.6 percent in the long-term.⁵⁵ Confirming this conclusion, it has been separately found that speed limit reductions in the range of 5mph increase travel times by about 1 percent.⁵⁶

It is possible to estimate travel time impacts in Ashland using these findings. If an average speed of travel of 15mph (accounting for intersections, traffic, etc.) on vehicle trips occurring exclusively within urban/residential areas is achieved, then 1-mile, 2-mile, and 3-mile journeys would exhibit travel times of 4 minutes, 8 minutes, and 12 minutes, respectively.⁵⁷ Conservatively using the short-term travel time increase estimate of 3 percent, those travel times would increase by 7 seconds, 14 seconds, and 22 seconds, respectively, in a 20mph system. Since over 40% of vehicle trips cover 3 miles or fewer - and since it is shorter trips most likely to occur on urban/residential roads - a substantial share of all trips in targeted 20mph areas would experience travel time increases of well less than a minute.⁵⁸

Two other empirical studies’ findings corroborate these calculations. One shows that a 10kph (i.e., 6.2mph) speed limit reduction is associated with an increased average travel time of less than 26 seconds per trip (or

⁵⁴ Federal Highway Association 2009 National Household Travel Survey, “Vehicle Trips, Number of Vehicle Trips by Trip Distance Including Trips 2 Miles or Less.”

⁵⁵ SMEC Australia and R.J. Nairn and Partners, “Effects of Urban Speed Management on Travel Time: Simulation of the Effects of Maximum Cruise Speed Changes in Melbourne,” Federal Office of Road Safety (1999).

⁵⁶ Horeau, E. and S. Newstead, “An Evaluation of the Default 50km/h Speed Limit in Victoria,” MUARC Report No. 261, Monash University Accident Research Centre (2006).

⁵⁷ This 15mph average speed is obtained using the Google Maps “Directions” feature for automobile travel around residential and urban portions of Ashland. Across a variety of routes, Google Maps indicates average travel times of 4 minutes per mile (i.e., 15mph).

⁵⁸ Federal Highway Association 2009 National Household Travel Survey, “Vehicle Trips, Number of Vehicle Trips by Trip Distance Including Trips 2 Miles or Less.”

about 21 seconds, adjusted for a 5mph speed limit decrease) - roughly the calculated change for a 3-mile trip.⁵⁹ The second study finds that a 5kph (i.e., 3.1mph) speed limit reduction is associated with about 10 seconds longer travel time per mile (i.e., about 16 seconds per mile, adjusted for a 5mph speed limit decrease).⁶⁰ Both studies confirm that travel times in Ashland would change by well less than one minute per trip, or in the range of 3%, on vehicle travel occurring exclusively within urban/residential areas. And travel times would change by an even lower percentage on trip routes combining urban/residential and non-urban/residential streets. These calculations in all cases show maximum travel time increases since they do not account for VMT reductions generated by 20mph speed limits.⁶¹

Accordingly, there is reason to believe average vehicle travel times in Ashland would likely be materially unaffected, or at worst minimally and insignificantly increased, and perhaps even minimally reduced. To the extent there would be any travel time increases, they would be vanishingly small and measured in seconds.⁶²

⁵⁹ Haworth, N., et al., "Evaluation of a 50km/h Default Urban Speed Limit for Australia," National Road Transport Commission, Melbourne (2001).

⁶⁰ Robertson, S. and H. Ward, "Valuation of Non-Accident Impacts of Speed," MASTER Working Paper R 1.2.2, VTT Communities and Infrastructure (1998).

⁶¹ The difference between the short-term 3% and long-term 0.6% travel time increases reported by one study is explained by behavioral adaptation, which would include things such as modal substitution generating VMT reductions. Using the estimated 0.6% travel time increase generates expected travel time changes that do account for some measure of VMT response. For 1-mile, 2-mile, and 3-mile trips, a 0.6% travel time change translates to a 1.4 second, 2.9 second, and 4.3 second travel time increases, respectively.

⁶² It may be perceived that increased drive times displace working hours and diminish earnings, leading to economic loss. Statistics showing concurrent increases in commute times and working hours in the U.S. belie this view. Work is not a substitute of driving. Also, the average American conducts 3.61 hours of work or working-related activities each day, leaving 20.39 hours of non-working time into which commuting time increases measured in seconds could be easily absorbed with *de minimis* economic impact. (See: U.S. Department of Labor, Bureau of Labor Statistics "American Time Use Survey - 2016 Results." Saad, L., "The '40-Hour Workweek Is Actually Longer - by Seven Hours," *Gallup* (August 29, 2014). Ingraham, C., "The Astonishing Human Potential Wasted on Commutes," *Washington Post* (February 25, 2016).)

3. Decreased System-Wide Fuel Consumption

Two distinct lines of inquiry must be addressed to understand the implications of 20mph speed limits on system-wide fuel consumption. The first is the extent to which the speed limit reduces or increases driving overall; and the second is the extent to which fuel consumption among cars in the road system is increased or reduced with lower speed limits.

On net, it is found that, while the fuel consumption among cars in the road system is not materially impacted by lower speed limits, reduced traffic in the transportation system reduces system-wide fuel usage. Overall fuel usage declines in 20mph speed limit networks.

Reduced Traffic Levels Generate Lower Fuel Consumption

When system-wide 20mph speed limits are adopted, modal substitution draws people out of automotive transport and into walking, cycling, and mass transit alternatives. This reduces individual automobile usage and decreases system-wide fuel requirements.

The directional effect of reduced automobile usage and attendant reduced VMTs is unambiguous: under a 20mph speed limit regime, the substitution effect places downward pressure on system-wide fuel usage. In the broadest sense, reduced VMTs would be expected to shrink fuel consumption by an amount roughly proportionate to the VMT reduction.⁶³ This framework will be used later to quantify the economic implications of reduced fuel usage.

Remaining Traffic's Fuel Consumption Is Not Materially Altered

With respect to vehicles that do traverse a 20mph roadway system versus a 25mph system, two offsetting factors affect how much fuel those automobiles use. The first relates to the energy costs of acceleration, and the second pertains to the relative fuel efficiencies of different cruising speeds. In general, these factors offset, resulting in no material difference in fuel usage rates between automobiles in a 20mph transportation system versus a 25mph network.⁶⁴ Nonetheless, some empirical studies have found substantial gains in fuel efficiency among vehicles in 20mph speed limit networks as a by-product of reduced speed limits - i.e., improved driver behavior. Each point is addressed below.

At lower speed limits, automobiles use less energy to reach a road's cruising speed. This is because the energy required to achieve a given speed is proportional to the square of that speed. That is, a non-linear relationship

⁶³ Naturally, factors other than VMTs bear on fuel consumption reductions; fuel consumption could decrease by more or less than the decrease in VMTs because not all vehicle types consume fuel at similar rates, and there may be a systematic bias that favors modal substitution for certain types of vehicles. Driving style of modal switchers also bears on the analysis, as do the particulars of transportation system design.

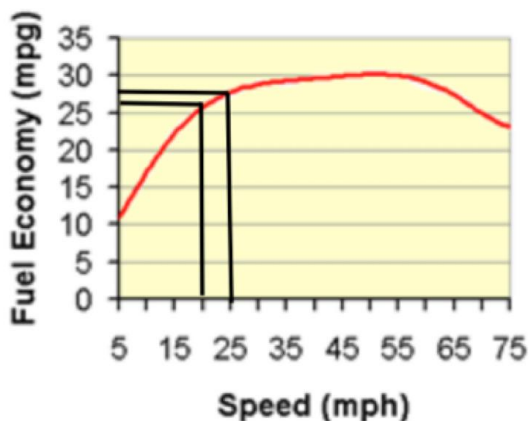
⁶⁴ "An Evaluation of the Estimated Impacts on Vehicle Emissions of a 20mph Speed Restriction in Central London," Transport and Environmental Analysis Group, Centre for Transport Studies, Imperial College London (April 2013).

between target speed and fuel consumption is realized during acceleration; as the target speed increases, fuel usage grows exponentially. As such, the energy required to attain 30mph or 25mph dwarfs that to achieve 20mph, and repeated acceleration to these higher speeds reduces fuel efficiency relative to a 20mph system.⁶⁵

On the other hand, most automobiles maximize their cruising fuel efficiency at speeds greater than 20mph. It is observed that fuel efficiency for most automobiles peaks at cruising speeds of approximately 55mph, with efficiency penalties associated with higher and lower cruising speeds. There is a cruising-speed fuel efficiency loss associated with a 20mph speed limits relative to 25mph limits. The efficiency difference between 20mph and 25mph cruising speeds is nevertheless small, having been calculated as a roughly 8% difference in fuel economy levels once cruising speed has been attained (that is, ignoring the effects of reaching the higher speeds).⁶⁶ Figure 5, from fueleconomy.gov, illustrates the relative insensitivity of fuel efficiency to cruising speed levels above 20mph, and the difference between fuel efficiency levels at 20mph versus 25mph (vertical and horizontal black lines have been added for clarity). The effect is relatively small and, importantly, only a

small share of any urban/residential trip occurs at cruising speed.⁶⁷

Figure 5



Since acceleration and cruising speed factors are directionally offsetting, and since myriad other particulars must be known to determine which factor dominates in a given setting,⁶⁸ the result of any generalized analysis is that, within a speed limit range of approximately 20mph to 25mph, there is no material difference in fuel economy among vehicles in a transportation system.

It is nonetheless worth noting that driving style has substantial bearing on fuel usage, and driving style has been shown to change in response to speed limits. Whether a driver operates a vehicle conservatively or aggressively has dramatic implications for fuel usage since aggressive driving tends to be marked by rapid speed

⁶⁵ "An Evaluation of the Estimated Impacts on Vehicle Emissions of a 20mph Speed Restriction in Central London," Transport and Environmental Analysis Group, Centre for Transport Studies, Imperial College London (April 2013).

⁶⁶ The Automobile Association calculates that the percentage difference in fuel economy between a cruising speed of 20mph and 30mph is about 8.5%. "20mph Roads and CO2 Emissions," The Automobile Association website (accessed May 2018).

⁶⁷ Archer, J., et al., "The Impact of Lowered Speed Limits in Urban and Metropolitan Areas," Monash University Accident Research Centre (2008).

⁶⁸ These include the types of automobiles used in the affected transportation system, prevailing driving styles, particulars of road and intersection design, the typical trip lengths of users of the road system, etc.

changes that demand higher fuel usage.⁶⁹ Fuel consumption among aggressive drivers has been shown to be as much as *four times* that of non-aggressive drivers.⁷⁰ In addition, a single aggressive driver can cause other drivers to operate their vehicles less efficiently by setting off ripple effects that reduce overall traffic smoothness. It has been shown that, with 20mph speed limits, reports of aggressive driving behaviors decline 40%,⁷¹ so it would be expected that reduced aggressiveness in 20mph systems would benefit overall fuel efficiency as a by-product of reduced speed limits.

Indeed, in at least two instances of empirical study, the foregoing logic manifested quantitatively in measured driver behaviors and fuel usage. Upon the introduction of 30kph (i.e., 20mph) speed limit zones in Germany, it was observed that gear change events (a proxy measure for acceleration and cruising speed values) and braking events declined by 12% and 14%, respectively. Since reductions in gear changes and braking collectively reflect smoother driving patterns, the behavioral changes resulted in a measured 12% reduction in fuel usage among drivers.⁷² In a second study of urban traffic, it was found that “reduced speeds and more even driving have resulted in 26% reduction in fuel consumption.”⁷³

These findings are echoed in a Department for Transport circular which states the following:

There may also be environmental benefits [associated with 20mph speed limits] as, generally, driving more slowly at a steady pace will save fuel and reduce pollution, unless an unnecessarily low gear is used.⁷⁴

⁶⁹ “An Evaluation of the Estimated Impacts on Vehicle Emissions of a 20mph Speed Restriction in Central London,” Transport and Environmental Analysis Group, Centre for Transport Studies, Imperial College London (April 2013).

⁷⁰ Archer, J., et al., “The Impact of Lowered Speed Limits in Urban and Metropolitan Areas,” Monash University Accident Research Centre (2008).

⁷¹ Department for Transport, “Interim Evaluation of the Implementation of 20mph Speed Limits in Portsmouth” (2010).

⁷² Hass-Klau, Carmen, *An Illustrated Guide to Traffic Calming* (1990).

⁷³ Mitchell, P., “Speed and Road Traffic Noise: The Role that Lower Speeds Could Play in Cutting Noise from Traffic,” A Report Commissioned by the UK Noise Association (December 2009).

Van Beek, W., et al., “The Effects of Speed Measures on Air Pollution and Traffic Safety,” Proceedings of the European Transport Conference (2007).

⁷⁴ Department for Transport, “Setting Local Speed Limits,” Department for Transport Circular (January 2013).

The U.S. Department of Transportation Federal Highway Administration concurs: “Slower moving vehicles make less noise and, generally, emit fewer pollutants...fuel consumption reductions of 10 to 12 percent have been reported.” See: Federal Highway Administration Course on Bicycle and Pedestrian Transportation, Lesson 11, “Traffic Calming.”

In sum, since there are reasons why a 20mph speed limit regime would not necessarily result in improved fuel economy per mile driven, the most conservative argument is that there would not be meaningful change in drivers' fuel usage in a 20mph regime. Nonetheless, at least two empirical studies showing enhanced fuel economy per mile driven in reduced-speed networks highlight the possibility of diminished fuel usage per vehicle mile in 20mph systems, particularly when driver behavior improves.⁷⁵

Economic Implications of Reduced Fuel Consumption

The absence of any substantive change in fuel economy per vehicle mile driven, accompanied by a reduction in system-wide VMTs due to modal substitution, implies a system-wide reduction in fuel utilization with 20mph speed limits. Considering the extent of traffic volume reductions observed in regions adopting 20mph speed limits, potential fuel savings can be sizable.⁷⁶

It is possible to define the approximate fuel savings and attendant financial savings this effect would generate in Ashland. The Oregon Department of Transportation estimates that citywide annual VMT in 2019 was 58,987,174 miles. Shifts in mode of travel with slower maximum speeds would reduce this total by 2,949,359 miles per year. Using the U.S. fleet fuel economy of 25 miles to the gallon allows for the calculation of the gallons of gasoline that would not be consumed with slower maximum speeds, 117,974 gallons per year. Multiplying the estimated fuel savings by the current cost of gasoline, \$2.59 yields a total annual economic saving of \$305,554.

These calculations are summarized in Table 2.

⁷⁵ It has also been shown that, in 20mph systems, traffic idling at intersections can be reduced as a result of improved filtering. Since idling for 10 seconds or longer is associated with fuel wasting, improved junction filtering would be expected to limit idling times and thus reduce fuel consumption.

Gaines, L., et al., "Which Is Greener: Idle, or Stop and Restart? Comparing Fuel Use and Emissions for Short Passenger Car Stops," U.S. Department of Energy, Argonne National Laboratory (2012).

⁷⁶ Department for Transport Traffic Advisory Leaflet 9/99 (June 1999), "20 mph Speed Limits and Zones."

Steer Davies Gleave, "Research into the Impacts of 20mph Speed Limits and Zones, (November 2014).

Table 2

Estimate of Annual Fuel Savings with Slower Maximum Speeds		
	Baseline (G)	Slower Maximum Speed Estimate (H)
A. VMT within City per year (2019) ⁷⁷	58,987,174	56,037,815
B. U.S. Fleet Fuel Economy (miles per gallon) ⁷⁸	25	25
C. Estimated Fuel Consumption by Residents (in town) (A/B)	2,359,487	2,241,513
D. Savings in gallons (w/ slower maximum speeds) (G - H)		117,974
E. Estimated Cost per gallon (regular gasoline) ⁷⁹		\$2.59
F. Savings from slower maximum speeds (D*E)		\$305,554

⁷⁷ VMT estimates for Ashland vary between roughly 59 and 76 million miles. The most conservative estimate, the one used in this analysis, is based upon the Oregon Department of Transportation's Regional Strategic Planning model (see <https://www.oregon.gov/ODOT/Planning/Documents/Oregon-Strategic-Assessment-RSPM-Users-Guide.pdf>). The highest VMT estimate for Ashland, at 76 million miles, is derived from statewide data and distributed to local jurisdictions based upon population. The third estimate utilizes vehicle telematics, which relies upon cell phone and GPS location data, to estimate VMT. This method provides a VMT estimate of 71 million miles. Information provided by Stu Green, City of Ashland, Climate and Energy Analyst.

⁷⁸ Highlights of the Automotive Trends Report, US EPA, <https://www.epa.gov/automotive-trends/highlights-automotive-trends-report#:~:text=Figure%20ES%2D1.&text=Fuel%20economy%20increased%20by%200.2,0.4%20mpg%20to%2025.5%20mpg> (accessed 11/25/2020)

⁷⁹ AAA; <https://gasprices.aaa.com/?state=OR> (accessed 12/26/2020)

4. Lowered Carbon Emissions

Significant decreases in carbon emissions are registered in areas with 20mph speed limits. Since fewer vehicle miles are traveled in 20mph systems, corresponding reductions in pollution are realized. Additionally, among residual VMTs, lower speeds tend to be associated with reduced noise pollution and particulate matter dispersion from vehicle tires, clutches, and brakes.

Lower Carbon Emissions from Fewer Vehicle Miles Traveled

“Modal substitution causes more users of the transportation system to walk or cycle when 20mph speed limits are enacted, thereby reducing VMTs. Fuel consumption commensurately declines and, in turn, pollution levels diminish, both with respect to carbon-dioxide (“CO₂”) and particulate matter.⁸⁰”

Carbon-Dioxide

One important measure of a transportation system’s air pollution is the quantity of CO₂ greenhouse gas it emits. Generally, CO₂ emissions decline linearly with VMT reductions. Thus, were Ashland’s VMTs to decline in a manner consistent with empirically studied 20mph networks, Ashland’s automobile fleet would be expected to emit about 5% fewer tons of CO₂.

A general estimate of potential tons of CO₂ reduction can be given through the following analysis. The Oregon Department of Transportation, in 2019, estimated that total vehicle miles of travel (VMT) within the City of Ashland totaled 58,987,174 miles. By lowering the maximum speeds in the City, VMT is expected to decline by 5% or by almost 3 million miles. Using the US fleet fuel economy of 25 miles per gallon allows the computation of the estimated savings, measured in gallons per year; 117,974 gallons/year. Each gallon of gasoline produces 20 pounds of carbon dioxide (CO₂)⁸¹ meaning the City’s residents, by choosing to walk or bicycle rather than drive, can reduce CO₂ emissions by 2,359,487 pounds or 1,070 metric tons per year.

These calculations are shown in Table 3.

Economic Implications of Reduced Carbon-Dioxide Emissions

According to research published in 2015, each metric ton of CO₂ generated by emissions carries an economic damages value (often referred to as “social cost”) of approximately \$220.⁸² The Environmental Protection

⁸⁰ In addition to this effect, reductions in aggressive driving reduce CO₂ emissions since aggressive drivers generate approximately four times the CO₂ output of non-aggressive drivers.

Archer, J., et al., “The Impact of Lowered Speed Limits in Urban and Metropolitan Areas,” Monash University Accident Research Centre (2008).

⁸¹https://www.fueleconomy.gov/feg/contentincludes/co2_inc.htm#:~:text=It%20seems%20impossible%20that%20a,the%20carbon%20and%20hydrogen%20separate

⁸² Moore, F. and D. Diaz, “Temperature Impacts on Economic Growth Warrant Stringent Mitigation Policy,” *Nature Climate Change*, Vol. 5 (2015).

Than, K., “Estimated Social Cost of Climate Change Not Accurate, Stanford Scientists Say,” *Stanford News* (January 12, 2015).

Agency, on the other hand, estimated the social cost of a metric ton of CO₂ in 2015 to be about \$36.⁸³ Other estimates peg costs in the middle of this range.⁸⁴ Without taking a position on the merits and limitations of any particular approach or set of assumptions used in valuing CO₂ social costs, for purposes of this analysis, an approximate midpoint of \$125 in estimated social costs per metric ton of CO₂ emissions will be used. A reduction in emissions of 1,070 metric tons would equate to \$133,750 of annual savings in implied damages. These calculations are shown in Table 3.

Table 3

Estimate of Annual CO ₂ emission reduction with 20MPH Speed Limits	
A. VMT in Ashland per year (2019) ⁸⁵	58,987,174
B. VMT with Reduced Maximum Speeds (A - (A * .05))	56,037,815
C. Difference in citywide VMT (A - B)	2,949,359
D. Average assumed fuel economy (miles per gallon) ⁸⁶	25.0
E. Savings measured in gallons of fuel by lowering the maximum speeds (C / D)	117,974
F. CO ₂ emissions in pounds per gallon of gasoline	20
G. CO ₂ emissions savings by lowering the maximum speeds (E * F)	2,259,487
H. CO ₂ Reductions (measured in metric tons) (G / 2205)	1,070
I. Estimated social cost of CO ₂ per metric ton	\$125
J. Estimated social benefit from reducing CO ₂ emissions (H * I)	\$133,758

Micro-plastics & Other Non-exhaust Traffic-related Particulate Matter

Another measure of environmental pollution can be found in plastics dispersed into the environment as a consequence of the mechanical abrasion (i.e., wearing down) associated with car tires. Plastics pollution increases as a function of VMTs, and research indicates that “wear and tear from tires significantly contributes to the flow of (micro-)plastics into the environment.”

⁸³ The EPA currently estimates the social cost of carbon to be around \$1. There appears to be zero economic merit to this figure and it is accordingly ignored here.

Archived Environmental Protection Agency Website, “The Social Cost of Carbon: Estimating the Benefits of Reducing Greenhouse Gas Emissions” https://19january2017snapshot.epa.gov/climatechange/social-cost-carbon_.html (accessed June 2018).

⁸⁴ Harvey, C., “Should the Social Cost of Carbon Be Higher?” *Scientific American* (November 2017).

⁸⁵ Oregon Department of Transportation, 2019 (per Stu Green)

⁸⁶ Highlights of the Automotive Trends Report, US EPA, <https://www.epa.gov/automotive-trends/highlights-automotive-trends-report#:~:text=Figure%20ES%2D1.&text=Fuel%20economy%20increased%20by%200.2,0.4%20mpg%20to%2025.5%20mpg> (accessed 11/25/2020)

The relative contribution of tire wear and tear to the total global amount of plastics ending up in our oceans is estimated to be 5-10%. In air, 3-7% of the particulate matter (PM2.5) is estimated to consist of tire wear and tear.⁸⁷

Aside from micro-plastics, other non-exhaust traffic-related particulate matter generation comprises an important component of traffic environmental impact. “Non-exhaust particles can be generated either from non-exhaust sources such as brake, tire, clutch and road surface wear or already exist in the form of deposited material at the roadside and become resuspended due to traffic-induced turbulence.” Within urban and suburban settings, higher VMTs correspond with higher non-exhaust particulate matter levels.⁸⁸

Thus, both micro-plastics generation and particulate matter pollution would be expected to decline as a result of lower VMTs brought on by 20mph speeds.

Lower Speeds and Smoother Traffic Generate Less Particulate Matter

As traffic speeds increase and as traffic patterns become more interrupted (i.e., marked by “stop-and-go” driving), the levels of particulate matter generated by non-exhaust traffic-induced factors, such as tires and brakes, increases. Accordingly, lower average traffic speeds and smoother traffic flows associated with a 20mph system would contribute to reductions in plastics pollution and particulate matter dispersion.

Since 20mph speed limit networks are associated with lower traffic speeds, reduced gear shifts, less braking events, and lower levels of aggressive driving behavior, reduced total particulate matter and lower tire wear levels would tend to be associated with 20mph systems.⁸⁹ Indeed, tire-related pollution depends upon speed and driving style (i.e., faster and more aggressive driving generate greater pollution),⁹⁰ while the direct generators of particulate matter pollution are braking events and gear shifts.⁹¹

⁸⁷ Kole, P., et al., “Wear and Tear of Tyres: A Stealthy Source of Microplastics in the Environment,” *International Journal of Environmental Research and Public Health*, Vol. 14, No. 10 (2017).

⁸⁸ Grigoratos, T. and G. Martini, “Brake Wear Particle Emissions: A Review,” *Environmental Science and Pollution Research International*, Vol. 22 (2015).

⁸⁹ Hass-Klau, Carmen, *An Illustrated Guide to Traffic Calming* (1990).

Department for Transport, “Interim Evaluation of the Implementation of 20mph Speed Limits in Portsmouth” (2010).

⁹⁰ Kole, P., et al., “Wear and Tear of Tyres: A Stealthy Source of Microplastics in the Environment,” *International Journal of Environmental Research and Public Health*, Vol. 14, No. 10 (2017).

⁹¹ Grigoratos, T. and G. Martini, “Brake Wear Particle Emissions: A Review,” *Environmental Science and Pollution Research International*, Vol. 22 (2015).

5. Decreased Road Capacity Requirements & Saved Infrastructure Expenses

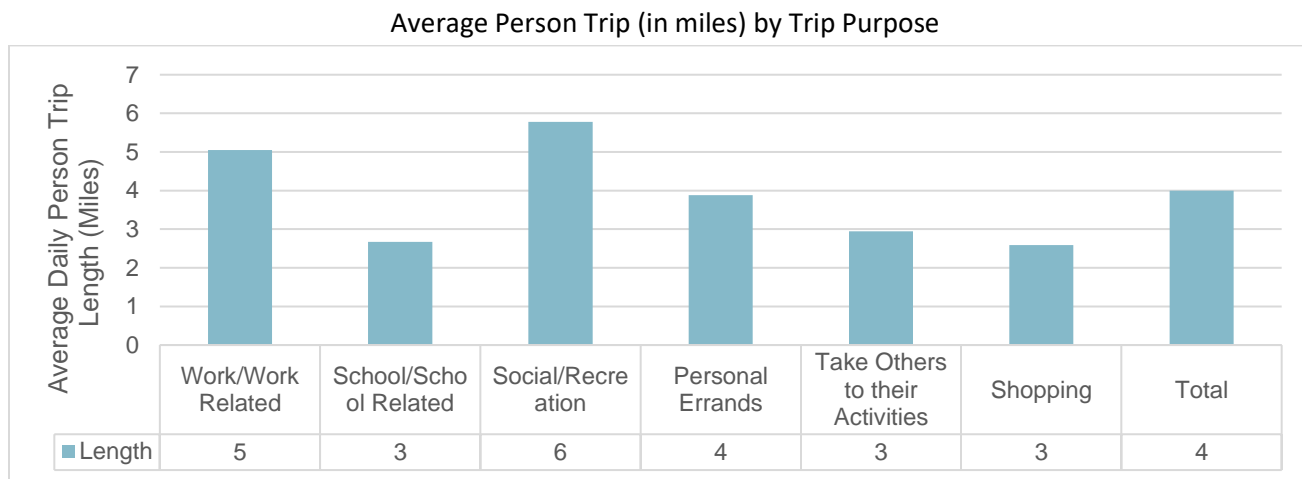
There are two means by which a 20mph speed limit system decreases vehicular roadway capacity demands. The first is reduced overall VMTs, and the second is enhanced efficiency of roadway space utilization, particularly during peak travel times. Both factors imply savings on infrastructure costs. Those savings far outweigh costs of implementing 20mph speed limits in Ashland.⁹²

20mph Speed Limits Reduce Road Capacity Needs

With lower VMTs, consumption of roadway capacity by vehicles declines, freeing roadway resources. This reduction in VMTs is not realized uniformly across a transportation system; rather, network “bottlenecks” tend to experience the greatest traffic reductions. This is due to the mechanics of how modal substitution occurs in a 20mph system.⁹³

To illustrate how bottlenecks recognize disproportionately large volume relief, it is instructive to consider typical vehicular trip distances. Nationally, 20% of all vehicular trips are not more than 1 mile in distance, while 32% of trips cover 2 miles or less, and 42% are capped at 3 miles.⁹⁴ Similarly, the Rogue Valley Metropolitan Organization’s (MPO) data shows that, regardless of trip purpose, trips within the MPO are short, as illustrated in Figure 6.

Figure 6



⁹² To the extent VMT reductions enable reduced or even slowed construction of new road lane-miles, future structural maintenance costs would be reduced, with potential implications for City budgeting.

⁹³ Cass, N. and J. Faulconbridge, “Commuting Practices: New Insights into Modal Shift from Theories of Social Practice,” *Transport Policy*, Vol. 45 (2016).

⁹⁴ Federal Highway Association 2009 National Household Travel Survey, “Vehicle Trips, Number of Vehicle Trips by Trip Distance Including Trips 2 Miles or Less.”

Thus, a substantial portion of traffic derives from “short-trip” travel. And, in centralized transportation system networks, short vehicle trips comprise a large share of bottleneck traffic (since centralized nodes are where vehicles become funneled and where bottlenecks subsequently occur). Substitution from driving to walking or cycling is most likely to occur when the total distance traveled is lowest, so it follows that shorter trips contributing 40% or more to bottleneck congestion experience the highest rates of modal substitution.⁹⁵ Modal substitution thus generates a disproportionately large relief of traffic demand at the points most typically identified as bottlenecks and candidates for roadway expansion.

Superior junction filtering and vehicle spacing in 20mph systems also reduce road supply needs during peak travel hours since vehicular traffic on the roads makes better use of the available space. This effect frees more roadway capacity, particularly at intersections beleaguered by long queues and wait times (i.e., bottlenecks). Traffic throughput efficiency with respect to road supply thereby increases, further reducing perceived needs for additional lane-miles.

Through these two complementary mechanisms, existing vehicular roadway infrastructure can accommodate population growth, a consideration of significance in Ashland given anticipated future population gains.⁹⁶ A corollary of this increased effective capacity is that construction of fewer additional lane-miles would be implicated, saving Ashland funds on roadway expansion and future maintenance costs.⁹⁷

Cost of Implementing 20mph Speed Limits Is Low

It is possible to estimate costs that would be incurred by the City of Ashland if 20mph speed limits are adopted by considering the experience of Portland, Oregon, in its rollout of 20mph speed limits, which took effect April 1, 2018.⁹⁸ Since both Ashland and Portland are cities in Oregon (and thereby have identical state-level traffic

⁹⁵ Around 74% of all bike trips in the U.S. and over 93% of walking trips cover 3 miles or less. At distances above 3 miles, trip shares for both cycling and walking fall precipitously, suggesting it is at around the 3-mile threshold that modal substitution effects would largely diminish. Longer trips would more likely use roadways outside a city’s urban/suburban transportation system, including freeways, and would thus contribute less to bottleneck congestion per VMT.

U.S. Department of Transportation, Federal Highway Administration, 2009 National Household Travel Survey (data extraction tool accessed June 2018).

⁹⁶ “Jackson County and Ashland Population Forecast, Planning Commission Presentation, https://www.ashland.or.us/SIB/files/2019-09_24_Population_Forecast_PRES.pdf (September 26, 2019).

⁹⁷ In addition to lower lane-mile requirements, reduced parking capacity would be implicated by VMT reductions, thus reducing space, cost and upkeep requirements for new vehicle parking spots. The cost of a new parking space in a structured parking garage is approximately \$15,000.

Flusche, D., et al., “The Bottom Line: How Bicycle and Pedestrian Projects Offer Economic Benefits to Communities,” Pedestrian and Bicycle Information Center Webinar Presentation (May 7, 2013).

⁹⁸ The City of Portland, Portland Bureau of Transportation Website “Residential Speed Limit Reduction” (accessed June 2018).

laws), and since both cities would utilize the same legislative path for adopting 20mph speed limits, it follows that Portland’s project costs can inform expectations of cost in Ashland.

Portland’s transportation system encompasses approximately 4,842 lane-miles,⁹⁹ of which roughly 3,000 lane-miles received 20mph speed limit designations.¹⁰⁰ Encompassed in the rollout was the installation of about 2,000 new speed limit signs around the city,¹⁰¹ an undertaking with costs pegged at \$300,000.¹⁰²

Scaling down the project cost to Ashland’s size entails consideration of Ashland’s lane-miles most likely to be subject to 20mph speed limits and then applying a pro-rata cost figure to those lane-miles. Ashland has approximately 218 lane-miles of roadway, with 185 that are posted at 25mph and have average daily traffic (ADT) volumes under 2,000 and could be immediate candidates for 20mph speed limits.¹⁰³ Accordingly, Ashland’s 20mph rollout would encompass about 6.2% of Portland’s affected lane-mileage (i.e., 185 / 3,000). Assuming Ashland would install new speed limit signs at the same rate and cost as Portland, then Ashland’s estimated cost of new signage would run to approximately \$18,500.

However, the particular state statute that applies to Ashland, ORS 810.180(10), requires not only that the street have fewer than 2,000 ADT but also that 85% of the motorists drive the particular roadway at less than 30mph.

ORS 810.189(10): “The highway is located in a residence district.

(b)The statutory speed may be overridden by a designated speed only if:

(A)The road authority determines that the highway has an average volume of fewer than 2,000 motor vehicles per day, more than 85 percent of which are traveling less than 30 miles per hour; and

(B)There is a traffic control device on the highway that indicates the presence of pedestrians or bicyclists.

(c)The road authority shall post a sign giving notice of the designated speed at each end of the portion of highway where the designated speed is imposed and at such other places on the highway as may be necessary to inform the public. The designated speed shall be effective when signs giving notice of the designated speed are posted.

⁹⁹ The City of Portland, Portland Bureau of Transportation Website “How Portland’s Streets Are Maintained and Repaired” (accessed June 2018).

¹⁰⁰ Friedman, G., “3,000 Miles of Portland Streets May Get Slower Speed Limits Under New Bill,” *The Oregonian* (April 24, 2017).

The City of Portland, Portland Bureau of Transportation Website “Residential Speed Limit Reduction” (accessed June 2018).

¹⁰¹ The City of Portland, Portland Bureau of Transportation Website “Residential Speed Limit Reduction” (accessed June 2018).

¹⁰² Njus, E., “Portland City Council Approves 20 mph Speed Limit on Residential Streets,” *The Oregonian* (January 18, 2018).

¹⁰³ GIS analysis using data provided by the Ashland Public Works Department, November, 2020

Consequently, Ashland may need to conduct speed studies and post additional signs than Portland. With that in mind, it is estimated that the City's cost to reduce maximum speeds could total as much as \$100,000.

6. Improved Public Health

The public health consequences of 20mph speed limits are far-reaching and implicate many facets of life. Since it is unlikely any review can comprehensively capture the benefits society realizes with slower traffic speeds and lower driving levels, this section is not intended to be categorical in coverage. Rather, it briefly surveys certain empirical findings relevant to Ashland’s potential adoption of 20mph speed limits, focusing on traffic collisions, pollution, and the obesity and diabetes health epidemics.¹⁰⁴

Notwithstanding the limited coverage of public health effects discussed in this report, the substantial breadth of public health impacts brought about with 20mph speed limits is notable. In summary of the widespread value of 20mph speed limits on public health, one University of Oxford researcher states:

...when asked what single policy I would suggest [to improve public health], I always reply ‘20mph’ or, if I’m being a little more verbose: ‘twenty’s plenty.’ This normally elicits some surprise. The person I am speaking to usually expects me to suggest reducing poverty by reducing unnecessary privileges for the rich, narrowing economic inequalities, raising social mobility, or improving health services or education; not simply slowing cars down. All those other things are very laudable, but if you want to do just one thing, then the thing you can actually do, the one thing that has now been done in over one hundred local authorities..., the thing that makes a difference that you can feel, see and measure straight away, is to stick a sign that says 20mph [on posts] where you live. And, fortunately, it is now (almost) as easy as that.¹⁰⁵

Fewer Collisions Improve Health and Make Health Outcomes More Equitable

Overwhelming empirical evidence, some of which is outlined earlier in this report, chronicles the power of 20mph speed limits to reduce both the quantity and severity of traffic collisions. Drivers, passengers, motorcyclists, pedestrians, cyclists, and children realize significant safety and health gains. A review of 20mph speed limit regimes published in the *Journal of Public Health* concludes that: “Twenty mile per hour zones and limits are effective means of improving public health via reduced accidents and injuries.”¹⁰⁶ More evidence will not be presented here to elaborate on this point, but volumes remain available to testify to the significance of 20mph speed limits in securing public well-being.

¹⁰⁴ Other areas of public health that are not addressed, but which have been found to benefit from reduced traffic speeds/levels or from increased non-automotive transport levels include social health, mental health, and depression. See, for instance: Leyden, K., “Social Capital and the Built Environment: The Importance of Walkable Neighborhoods,” *American Journal of Public Health*, Vol. 93, No. 9 (2003).

¹⁰⁵ Dorling, D., “20mph Speed Limits for Cars in Residential Areas, by Shops and Schools,” *Nine Local Actions to Reduce Health Inequalities*, University of Oxford.

¹⁰⁶ Cairns, J., et al., “Go Slow: An Umbrella Review of the Effects of 20mph Zones and Limits on Health and Health Inequalities,” *Journal of Public Health*, Vol. 37, No. 3 (2015).

A related point, and one that has not yet been addressed in this report, relates to questions of socioeconomic equity in the public health implications of 20mph speed limits. It has been found that traffic collisions are disproportionately damaging for those with lower incomes and less education. One's chances of being killed or seriously injured in traffic crashes rise as one's salary or education level falls, with low-income pedestrians *twice as likely to be killed* as higher-income pedestrians.¹⁰⁷ Traffic accidents accordingly represent a significant source of social inequality and, by extension, show that traffic speed limits above 20mph are a forceful promoter of inequity in a transportation system.¹⁰⁸

While the economics are complex and will only be mentioned in brief here, it is generally the case that the lower a person's income and education, the more likely that person is to lack health insurance. In the event emergency care is required, the individual will either accumulate paralyzing medical debt, or, owing to an inability to pay medical costs, effectively receive "charity care" funded by outside money.¹⁰⁹ Hence, the long-run personal economic implications of traffic collisions inequitably bear on those with lower incomes, and public funds are disproportionately funneled into the treatment of injuries generated by traffic collisions.¹¹⁰ In Ashland, this issue is acute, since it is estimated that almost 10% of the population under 65 years old lacks health insurance.¹¹¹ Speed limits of 20mph help pare this root of social inequality by cutting traffic collisions and injuries - especially among groups that simultaneously carry both the greatest injury risk and the lowest health insurance coverage - while also helping improve the financial efficiency of local health care provision.¹¹²

¹⁰⁷ Harper, S., "Trends in Socioeconomic Inequalities in Motor Vehicle Accident Deaths in the United States, 1995-2010," *American Journal of Epidemiology*, Vol. 182, No. 7 (2015).

Morency, P., "Neighborhood Social Inequalities in Road Traffic Injuries: The Influence of Traffic Volume and Road Design," *American Journal of Public Health*, Vol 106, No. 2 (2012).

Maciag, M., "America's Poor Neighborhoods Plagued by Pedestrian Deaths," Governing Research Report (August 2014).

¹⁰⁸ Dorling, D., "20mph Speed Limits for Cars in Residential Areas, by Shops and Schools," Nine Local Actions to Reduce Health Inequalities, University of Oxford.

¹⁰⁹ "Key Facts about the Uninsured," Henry J. Kaiser Family Foundation (September 19, 2017).

¹¹⁰ Lam, B., "Who Pays Hospital Bills When Patients Can't?" *The Atlantic* (October 13, 2015).

"A Floor-and-Trade Proposal to Improve the Delivery of Charity-Care Services by U.S. Nonprofit Hospitals," The Hamilton Project, The Brookings Institution, Policy Brief 2015-07 (2015).

¹¹¹ United States Census Bureau, "Ashland, Oregon QuickFacts" (accessed December 8, 2020).

¹¹² St. Charles Health System, Inc. is a not-for-profit Oregon corporation and provides a financial assistance program for those unable to pay for the cost of their care, a practice sometimes referred to as "charity care" in the U.S. healthcare system.

Oregon Health Authority, Division of Health Policy & Analytics, Office of Health Analytics "Oregon Acute Care Hospitals Financial and Utilization Trends, 4th Quarter 2016," (June 2017).

Lower Pollution Levels Enhance Public Health and Reduce Medical Costs

Earlier in this report the influence of traffic speed and traffic volume on various pollutants was described. Levels of CO₂, micro-plastics, particulates, and road noise decline in response to slower traffic and lower VMTs. The consequences of reduced pollution on future environmental remediation costs and on resident life quality were also mentioned. Unstated were the profound human health consequences of air and noise pollution and the salutary public health effects of reducing those pollutants.

Traffic-related air pollution has been shown as a statistically significant predictor of an array of health maladies, including childhood asthma,¹¹³ cardiovascular risk,¹¹⁴ as well as inflammation and cancer,¹¹⁵ and links to pregnancy disorders have also been suggested.¹¹⁶ Traffic noise, for its part, has been found to contribute to hypertension, heart attack risk, childhood cognitive impairment, and sleeping disorders.¹¹⁷

While quantifying the financial consequences of improving public health levels by reducing air and noise pollution will not be attempted, it is clear that the directional relationship between pollution and costs associated with disease and mortality is positive, and it is further apparent that the magnitude of pollution-related healthcare costs is quite high. Even modest pollution reductions would substantially improve public health outcomes and reduce overall medical costs borne by Ashland's residents and health care providers.

Increased Walking and Cycling Reduce Incidence of Obesity and Diabetes

¹¹³ Khreis, H. and MJ Nieuwenhuijsen, "Traffic-Related Air Pollution and Childhood Asthma: Recent Advances and Remaining Gaps in the Exposure Assessment Methods," *International Journal of Environmental Research and Public Health*, Vol. 14, No. 3 (2017).

¹¹⁴ Nawrot, T., "The Detrimental Health Effects of Traffic-Related Air Pollution," *American Journal of Respiratory and Critical Care Medicine*, Vol. 179, No. 7 (2009).

¹¹⁵ Krzyzanowski, M., B. Kuna-Dibbert and J. Schneider (Eds.), "Health Effects of Transport-Related Air Pollution," World Health Organization (2005).

¹¹⁶ Raz, R., et al., "Traffic-Related Air Pollution and Autism Spectrum Disorder: A Population-Based Nested Case-Control Study in Israel," *American Journal of Epidemiology*, Vol. 187, No. 4 (2018).

Krzyzanowski, M., B. Kuna-Dibbert and J. Schneider (Eds.), "Health Effects of Transport-Related Air Pollution," World Health Organization (2005).

¹¹⁷ Pignier, N., "The Impact of Traffic Noise on Economy and Environment: A Short Literature Study," KTH Royal Institute of Technology (2015).

Obesity and diabetes constitute two of the most significant health epidemics facing American society. They afflict tens of millions of people and generate hundreds of billions of dollars in medical expenses nationally.¹¹⁸

Within Jackson County, Oregon, approximately 25% of adults are obese.¹¹⁹

Obesity and diabetes are linked to sedentary lifestyle factors and can be prevented and managed with physical activity. An increase in activity reduces risk of onset and intensification.¹²⁰ Owing to the simple relationship between physical movement and affliction with obesity or diabetes, it follows that modal substitution from driving to walking or cycling would reduce the severity and affliction rates of obesity and diabetes in the community by replacing a sedentary activity, driving, with non-sedentary ones, walking and cycling, in people's routines.

As with the inequitable socioeconomic profile of traffic collisions, obesity and diabetes express a similarly steep relationship across the socioeconomic gradient. Both diseases show strong inverse relationships with income and education level. As income and education levels decline, obesity and diabetes rates increase.¹²¹ Transportation systems that discourage modal substitution into walking and cycling due to unsafe speed limits accordingly impart disproportionately large harms on those people at the lowest socioeconomic status levels. This is because those with less income and education tend to be simultaneously those most at risk for injury or fatality while walking (and thus most discouraged from it) and those whose statistical health profiles could most benefit from walking.¹²² Addressing equitability effects in a transportation system requires consideration of this factor.

Beyond 20mph speed limits' modal substitution effects, lower speed limits also can encourage incremental walking trips made solely for exercise or pleasure among those in the lowest income brackets. This effect would

¹¹⁸ "Adult Obesity Causes & Consequences," Centers for Disease Control and Prevention Website (accessed June 2018).

Petersen, M., "Economic Cost of Diabetes in the U.S. in 2012," *Diabetes Care*, Vol. 36 (2013).

¹¹⁹ "Open Data Network,
https://www.opendatanetwork.com/entity/0500000US41029/Jackson_County_OR/health.health_behaviors.adult_obesity_value?year=2015
(accessed December 8, 2020)

¹²⁰ "Obesity Prevention Source," Harvard T.H. Chan School of Public Health (accessed June 2018).

¹²¹ Ogden, C., et al., "Prevalence of Obesity Among Adults, by Household Income and Education - United States, 2011-2014," *MMWR Morbidity and Mortality Weekly Report (CDC)*, Vol. 66, No. 50 (2017).

Rabi, D., et al., "Association of Socio-Economic Status with Diabetes Prevalence and Utilization of Diabetes Care Services," *BMC Health Services Research*, Vol. 6 (2006).

¹²² Morency, P., "Neighborhood Social Inequalities in Road Traffic Injuries: The Influence of Traffic Volume and Road Design," *American Journal of Public Health*, Vol 106, No. 2 (2012).

generate advantageous health results. Institution of 20mph speed limits would reduce pedestrian risks and remove an impediment to increased physical activity for those most at risk for obesity and diabetes.

CONCLUSION

Before enumerating specific findings of this report, one foundational conclusion must be emphasized. Adoption of 20mph speed limits in a transportation system is an important, and perhaps necessary, step toward enhancing that system's safety, efficiency, reliability, and equitability. It is not, however, a standalone cure for all transportation system problems, and information outlined in this report should not be mistaken for suggesting 20mph speed limits are a panacea. Two points illustrate why.

First, the breadth of success in improving safety and generating economic gains associated with 20mph speed limits is modulated by the particulars of its implementation. The greater a commitment to public education, police enforcement of speeds, and installation of complementary traffic calming measures, the greater the traffic speed and traffic volume responses will be, and hence the greater the safety and economic gains will be. It is true that simply replacing speed limit signs has been shown to produce improvements, and those "sign-only" benefits are a good first step. Yet, the full array of social and economic returns will not be realized without supplemental initiatives like education, enforcement, and calming. Thus, any contemplation of adopting 20mph speed limits also implies adoption of some level of complementary policies to support that speed limit change. Indeed, this report reflects an "average" implementation of 20mph speed limits, involving more than changing signs but less than large-scale reconfiguration of roadways to calm traffic as some cities have done. Greater results than those calculated here could be obtained with an above-average commitment to implementation and complementary policies.

Second, even with a "full" implementation of 20mph limits and supportive ancillary measures, a transportation system will still be susceptible to traffic deaths and injuries, system bottlenecks, fuel and resource wasting, travel time variability, and inequitable distributions of the system's benefits and costs. Accordingly, while 20mph speed limits and complementary measures are crucial to improving a transportation system, additional policies to promote safety and social efficiency are required to fully address transportation system needs. The findings of this report should not be mistaken to suggest that 20mph speed limits are a cure-all; they are not. They are important, and they are socially and economically compelling, but they are not, on their own, sufficient.

Finally, Ashland's major roadways, even where there are bike lanes, are fundamentally dangerous except for those few people (the Brave and the Fearless) who have the knowledge and skills to "ride in traffic". Few citizens can or do ride in traffic. However, improvements to the transportation system that match bicycle facility design, as described by the National Association of City Transportation Officials¹²³, to the skill and knowledge level of "all ages and abilities" will allow everyone to ride everywhere in safety; just as motorists can now do. The required improvements are beyond the scope of this paper but should be identified, funded, designed and constructed as a part of the City's upcoming update of its Transportation System Plan.

¹²³ National Association of City Transportation Officials, *Designing for All Ages and Abilities*, December 2017, https://nacto.org/wp-content/uploads/2017/12/NACTO_Designing-for-All-Ages-Abilities.pdf

Stepped-up traffic enforcement, broader use of neighborhood traffic calming measures, and improvements/construction of bicycle and pedestrian facilities have a cost. These costs are not considered in the estimated \$100,000 price tag to lower maximum speeds consistent with the requirements of ORS 810.180.

Having addressed these critical points, we now outline effects that can be reasonably expected to result from Ashland's adoption of 20mph system-wide speed limits:

1. Dramatic reductions in traffic collisions of all types are associated with 20mph speed limit systems. Fatal and KSI collisions exhibit especially large decreases. In addition to saving lives from premature death and debilitating injury, 20mph speed limits in Ashland would be associated with economic savings in the range of \$0.76 million per year.
2. Traffic congestion levels would be expected to decrease in Ashland following adoption of 20mph speed limits as a consequence of modal substitution and improved utilization of roadway resources. Total annual VMT reductions in the range of 5% would be expected.
3. Vehicular travel times would be either slightly reduced or unaffected by implementation of 20mph speed limits.
4. Declines in VMT and increases in modal substitution result in system-wide fuel consumption decreases. The decline in motor fuel consumption would generate financial savings for Ashland residents of about \$305,554 per year.
5. Traffic-related pollution is a function of the volume and speed of motorized vehicles. Important environmental benefits, including reduced CO₂, particulate matter, and noise pollution result from slower speeds and reduced VMT. The estimated benefit of CO₂ reductions, 1,070 metric tons, are worth \$133,758.
6. Reductions in traffic speed and volume diminish road wear.
7. The cost of implementing 20mph speed limits in Ashland is low, estimated to be in the range of \$100,000.
8. Public health levels increase as VMTs decline and modal substitution occurs, which would benefit all residents of Ashland and enhance efficiency of local health care.
9. A 20mph speed limit system is more socially equitable than a 25mph system, and 20mph speed limits would improve social equitability in Ashland.

Thank you for your consideration of this important transportation policy change.



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ABOUT THE PRINCIPAL AUTHORS

Steve Porter

Steve is a recognized authority on economic analysis and valuation. He has provided expert testimony in high-stakes commercial litigation on topics including economics, valuation, statistics, econometrics, market definition, consumer choice, business strategy, and pricing, among others. He has consulted with Fortune 500 corporations on intellectual property licensing, asset transactions, and valuation issues, and he has conducted economic impact analyses, including work performed on behalf of the Los Angeles Superior Court. His articles have published in the *Journal of Legal Economics*, *les Nouvelles*, the *Patent, Trademark & Copyright Journal*, the *Journal of the Patent and Trademark Office Society*, and *Intellectual Asset Management*, among others. He also is co-author of *IP Strategy, Valuation, and Damages* (LexisNexis), a treatise on intellectual property economics. Steve has been an invited speaker before the Chicago Bar Association, the Attorney General's Office of the State of Arizona, and various law firms and corporations, where he has lectured on topics ranging from economic analysis and valuation to econometrics and game theory, and he has been quoted by and featured in the editorials section of the *Wall Street Journal*. Steve is a recipient of the William J. McKinstry Award in economics, the *Wall Street Journal* Scholar Award, the Micronomics Economic Research Award, and the IE Fund Leadership Scholar Award. He has served as a teaching assistant in economics at the Dolibois European Center in Luxembourg, an ad-hoc referee for the *Journal of Forensic Economics*, and as Co-Chair and an Executive Committee Member of Young Professionals Advisory Council at the Farmer School of Business. Steve graduated *summa cum laude* and with University Honors from Miami University in Oxford, Ohio, completing dual majors in economics and marketing. He was granted his MBA, with honors by the Dean and Board of Academic Affairs, from IE Business School in Madrid, Spain, graduating 5th in a class of more than 400. Steve holds the Series 65 securities license.

Michelle Porter

Michelle is an expert in valuation, economic analysis, and quantitative methods. She has been engaged by Fortune 500 companies, SMEs, U.S. and international government entities, and leading law firms to provide expertise in high-stakes commercial litigations, negotiations, and asset transactions. Her consulting work has encompassed advisory roles in industries including pharmaceuticals, medical devices, banking, telecommunications, consumer goods, software, and transportation technologies, among many others. Michelle is co-author of the book entitled *IP Strategy, Valuation, and Damages* (LexisNexis). Her articles have appeared in *les Nouvelles*, *Intellectual Asset Management*, *Intellectual Property Magazine*, *Smart Business*, *Los Angeles Daily Journal*, *The Recorder*, and *China Intellectual Property*, and she has been quoted by *Forbes*. Michelle has spoken before such groups as the Intellectual Property Law Committee of the Chicago Bar Association, Google, and Motorola Mobility. Her work has been recognized with the Accenture International Consulting Competition Top Honors Award, the IE Women Leaders Scholarship Award, the *les Nouvelles* Best Article Award, and the Micronomics Economic Research Award. In addition, Michelle has served as an advisor to the Forte Foundation's MBALaunch for Women, President of the IE Business School Southern California Alumni Association, Co-Chair and Executive Committee Member of Young Professionals Advisory Council at the

Farmer School of Business, and an instructor in microeconomics. Michelle graduated *cum laude* from Miami University in Oxford, Ohio, majoring in economics. She received her MBA from IE Business School in Madrid, Spain.

Memo

CITY OF
ASHLAND

Date: January 10, 2024
From: Scott A. Fleury
To: Transportation Advisory Committee
RE: Bird Scooter Removal from Workplan

BACKGROUND:

At the July 20, TAC meeting, TJ Birkel from Bird Scooters presented an overview of the program to the group. Numerous questions were asked and some follow up materials were requested. TJ provided the follow up materials to Chair Peterson-Adams.

Since the presentation and follow up discussion about work plan priorities Bird Scooter has filed for bankruptcy.

News story link:

<https://www.cnbc.com/2023/12/20/electric-scooter-company-bird-files-for-bankruptcy-.html>

CONCLUSION:

Since this item was part of the TACs workplan approved by the City Council staff recommends removing this item as part of the workplan and informing Council via a memo.

Memo

CITY OF
ASHLAND

Date: January 10, 2024
From: Scott A. Fleury
To: Transportation Advisory Committee
RE: Transportation Committee Workplan Outline 2023-2025 Biennium

BACKGROUND:

Workplan Draft Outline:

- 1) Transportation System Plan Update (Planned 2024)
 - a) Vision Zero Resolution and Action Plan
- 2) Capital Improvement Projects (Protected Bike Lanes/Multimodal Analysis)
 - a) Ashland Street Rehab (In-Progress)
 - b) North Mountain Rehab (In-Progress)
 - c) B Street Bike Boulevard (Planned fall 2023)
 - i) Safety Analysis
 - ii) Design
 - d) Oak Street Rehabilitation (Planned 2024 – Design)
- 3) Traffic Safety, Parking, Signage, Striping, etc. – Continuous
- 4) Public Education and Outreach Program (Continuous)
 - a) Collaboration with Council, CEPAC, Housing Committee and Planning Commission
 - b) Traffic Calming Program (Continuous)
 - c) Traffic Crash and Near Miss Review (twice annually)
 - d) Bike Parking Inventory (downtown) (In-Progress)
 - e) Transit Support as needed (RVTD) (Continuous)
- 5) Council Directed Projects for Review
 - a) Bird Scooter Program Review (In-Progress)
 - b) Parklet Program Review (In-Progress)
 - c) Downtown Revitalization Grants (Continuous)
 - d) ODOT Collaboration (Continuous)