

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

**ASHLAND PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 10, 2013
AGENDA**

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

- II. **ANNOUNCEMENTS**

- III. **CONSENT AGENDA**
 - A. **Approval of Minutes**
 - 1. August 13, 2013 Regular Meeting

- IV. **PUBLIC FORUM**

- V. **DISCUSSION ITEMS**
 - A. **Long Range Project Update**

 - B. **Annual Report to City Council**

- VI. **ADJOURNMENT**

**CITY OF
ASHLAND**



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

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
MINUTES
August 13, 2013

CALL TO ORDER

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

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Debbie Miller
Melanie Mindlin
Tracy Peddicord

Staff Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
Derek Severson, Associate Planner
April Lucas, Administrative Supervisor

Absent Members:

Richard Kaplan

Council Liaison:

Mike Morris, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar issued the following announcements: 1) there is a Planning Commission Training Session that will be held in Portland in September; any members interested in attending should contact staff, 2) Commissioner Davis has resigned and there is now a vacancy on the Commission, and 3) the Commission needs to select two members to serve on the Downtown Multimodal Advisory Committee. Commissioners Dawkins, Miller and Kaplan were identified as potential members.

CONSENT AGENDA

A. Approval of Minutes.

1. July 9, 2013 Regular Meeting.
2. July 23, 2013 Study Session.

Commissioners Brown/Dawkins m/s to approve the July 9, 2013 Regular Meeting minutes. Voice Vote: all AYES.
Motion passed 5-0.

Commissioners Brown/Peddicord m/s to approve the July 23, 2013 Study Session minutes. Voice Vote: all AYES.
Motion passed 5-0.

PUBLIC FORUM

No one came forward to speak.

UNFINISHED BUSINESS

A. Approval of Findings for PA-2013-00806, Vacant Parcels at North Mountain & Fair Oaks.

Ex Parte Contact

No ex parte contact was reported. Commissioner Mindlin noted she was not present for this action and will not be participating in the vote.

Associate Planner Derek Severson reviewed the Staff Memo included in the packet and explained staff wants to make sure the Findings accurately reflect the Commission's decision. He highlighted Condition #7 which addresses the parking issue and how the parking on Plum Ridge Court is treated. He stated the Findings as currently written state: "*The Planning Commission supports consideration of the 23 Plum Ridge Court parking spaces to address the residential parking demand to accommodate*

the NM-C density envisioned in the North Mountain Plan, however the use of these parking spaces may not be restricted, assigned or otherwise treated as a private parking lot, as private parking lots are not a permitted use within the zone." He clarified this language provides substantial flexibility for the applicant to use Plum Ridge Court parking to address the parking demand for any proposed use. Mr. Severson stated if this was not the Commission's intent the condition will need to be modified and called attention to "Alternative Condition #7" contained in the Staff Memo.

The Commission discussed the public hearing and their deliberations and decision. Commissioner Dawkins stated his intent was for Plum Ridge Court to be used to meet the commercial parking demand and for the second and third story residential units to have dedicated parking on the site. Commissioner Miller thought they had decided that all of the residential units (including the ground floor temporary units) needed to have one off-street space per unit, and her understanding was that these spaces would be provided on the site itself. Commissioner Peddicord thought that only the upper floor residential units would have parking provided on the site. Mr. Molnar clarified while the applicants intend to put the bulk of the permanent residential parking demand on the individual lots, they would like some flexibility to utilize the parking spaces on Plum Ridge Court as well. Comment was made that if all of the residential parking were to be provided on the site than the applicants would have needed to bring forward a different site plan than the one that was voted on. Mr. Molnar clarified for the current building all of the parking for the second and third floors will be on the site. He added if the Commission approves Condition #7 as originally presented it would allow future buildings that have second and third floor residential to have the option of accommodating some of that parking on Plum Ridge Court. The Commission discussed this issue further and several members commented that they did not discuss the parking for future buildings during their deliberations. Mr. Molnar commented that his understanding was the Commission had agreed the ground floor parking could be accommodated on Plum Ridge Court. Commissioner Miller voiced concern with this and believes this will create parking issues for the people who live there. The remainder of the Commission was comfortable with this as long as the Findings are clear that future applications will need to be looked at separately since the Commission did not deliberate on the parking for the other lots.

Commissioners Brown/Peddicord m/s to approve the Findings for PA-2013-00806 with Condition #7 modified to clarify this applies only to this property. Roll Call Vote: Commissioners Brown, Dawkins and Peddicord, YES. Commissioner Miller, NO. Motion passed 3-1.

DISCUSSION ITEMS

A. Unified Land Use Ordinance – Discussion of Public Meeting Comments.

Planning Manager Maria Harris clarified at the last meeting the Planning Commission asked staff to compile a list of the public meeting comments so that the Commission could discuss them. She stated this summary is included in the packet and outlined several items staff believes are do-able within the established timeline if the Commission is interested:

- Providing links in the digital format for cross-references. Ms. Harris clarified staff was already planning on doing this.
- Increase building height in C-1 Zone. Issue was brought up that this conflicts with the plaza requirements, especially for buildings on smaller lots, and Ms. Harris clarified this is something that needs to be looked into and addressed in the next draft. Comment was made suggesting staff consider an in-lieu-of requirement that could create funds for public plaza spaces.
- Allow rear yard alleys to be less than the standard 10 ft. per story.
- Building separation for large scale developments. Ms. Harris stated staff believes the code needs to clarify how this standard applies to adjacent lots under different ownership.
- Reducing environmental impacts of surface parking. Ms. Harris suggested a mix and match approach be incorporated that allows applicants to select from a menu of strategies.
- Adjusting front lot line for flag lots. Ms. Harris explained an opinion was put in place by the city attorney which states the front lot line of the flag lot is the line that parallels the street. She added this has significantly impacted the ability to divide lots and staff believes this should be revisited. The Commission briefly discussed this and agreed this may be one of the more contentious issues that needs to be handled separately.
- Minimum tree and shrub sizes. Ms. Harris stated she has been working with the City's water conservation specialist on these standards, and will be taking this to the Tree Commission for their opinion and hold a focus group meeting that targets local landscape professionals. Suggestion was made for staff to consider using a mature height requirement for screening and buffering instead of a minimum container size.

The Commission received clarification from staff on their individual questions and shared their comments and suggestions. The Commission discussed creating some flexibility in the alley setback requirements and recommended staff look into this. Staff was also asked to provide the Public Meeting Comments and Matrix to the individuals who participated in the workshops.

B. Schedule tour of SOU Dorms and Dining Hall.

Staff informed the Commission they are considering scheduling a tour of the new Southern Oregon University dorms and dining hall the afternoon of the next study session date and stated an email will be sent out to verify commissioner availability.

UNFINISHED BUSINESS

Commissioner Mindlin read a statement aloud that explained why she did not participate in the discussion/vote regarding Short Term Vacation Rentals (see Exhibit A, attached).

ADJOURNMENT

Meeting adjourned at 9:10 p.m.

STATEMENT ON TENANTS SUBLETTING SHORT TERM LODGING

I own 2 rental homes next to each other on Seena Lane in Ashland. The rental agreement for one of the houses says the tenants can sublet, with the caveat that I need to meet and approve the subletter. I agreed to this because they sometimes go away for extended periods and said they were planning to leave for 2 months later in the year in which they first rented the home. Because I was unaware at the time of City restrictions on rentals of less than 30 days, I did not place any time limitations on their ability to sublet. I believe these tenants were also initially unaware of the City restrictions.

I do not know when the home was listed on Air B&B, as the tenants did not ask permission to do so or tell me that they had done this. When I found out about this issue through my work on the Planning Commission, as well as finding out that my home was listed on Air B & B, I asked my tenants to remove the listing, which they agreed to do. Subsequently these tenants contacted me to ask if they could seek occasional subletters and roommates on Air B&B if they had a minimum stay of at least of 30 days. I agreed to this and trusted them to do what they said. I have since learned they did not change their Air B&B ad at that time.

At some point, the tenants in my other rental saw their neighbor's home listed on Air B&B and decided this must mean that it was okay for them to list their home as well. They did not ask for permission or inform me that they had listed the home. I actually discovered that this had been done by meeting the vacation renters when I went by to do some yard maintenance during the week of July 21. I asked the tenants to remove the listing; they did this and cancelled their reservations as well. I checked Air B&B on Sunday July 28 and again on August 8, and did not see either of my homes listed.

The tenants were the only ones who stood to gain from subletting these rental homes for short term lodging. I did receive and will receive the same rent payments each month called for in the rental agreements whether or not the tenants are engaged in short-term subleasing arrangements.

Accordingly, I do not believe that I had or have an actual conflict of interest that precludes me from participating in Planning Commission discussions and recommendations concerning whether, where and under what conditions short term home rentals should be allowed. At most I had what could be seen as a potential conflict of interest. To avoid even the appearance of any such conflict, I decided to skip any further Planning Commission discussions and recommendations on short term home rentals.

I did not explain my reason for absenting myself from that discussion at the last Planning Commission meeting. It is my understanding that I was not bound by state law governing recusals because I did not have an actual conflict. That is, I chose not participate in order to avoid the appearance of a conflict - not to satisfy state requirements for handling either actual or potential conflicts. The recusal requirements simply did not apply to my voluntary absence.

It is also true that I did not realize at the time that a fairly detailed public explanation is required if one is declining to participate in consideration of agenda item in the event of a conflict of interest. But in my case, a recusal due to an actual conflict was not required at all because there was no actual conflict. Similarly, a recusal for reasons of a potential conflict was not required at all because I decided not to participate in the discussion in hopes of deterring unwarranted questioning of the outcome of the Planning Commission's work.

Memo

DATE: September 10, 2013
TO: Planning Commission
FROM: Bill Molnar, Community Development Director
RE: Long Range Project Update

Staff has prepared a list of long range projects with a brief description for your review. Two types of projects are included, those associated with and targeted to address a specific Council goal, but also a few other “potential projects” that have been identified based upon timeliness and community interest. The September 10th meeting provides an opportunity to familiarize the Commission with each project, discuss its purpose and answer questions. Feedback from each item will be considered during staff’s preparation of an individual project’s scope of work and timeline.

As you can see from the list, other city commissions, such as the Housing and Human Services Commission and Historic Commission, will have significant involvement and could likely play a lead role in one or more of these projects. Once staff has had an opportunity to identify and prepare descriptions for each of the specific tasks that make up a given project, a particular approach whereby we can inform the public on the topic, solicit feedback and make adjustments can be determined. It appears that in most cases the final product and implementation strategy will likely necessitate incorporation into the Comprehensive Plan, amendments to the Land Use Ordinance – Chapter 18, or both. Comprehensive Plan and land use code amendments will also entail public meetings, including study sessions and public hearings, as the Commission works together to develop its recommendations to the Council.

Attachments:

- Tentative Long Range Project List
- 2013-15 Council Goals
- January 2013 Memo – Various city commissions’ input on council goals



Tentative Long Range Project List

1. Downtown Parking Management and Multi-Modal Circulation Study (CG)

- Downtown Zoning Analysis
- Winburn Way Corridor Analysis –Options to Single Family Zoning (R-1)

(CG) Review the Downtown Plan including zoning of areas around downtown and create a roadmap for the future planning of downtown

The zoning analysis project entails review of existing zoning adjacent to the downtown area. This project will be undertaken at the same time as the Parking Management and Multi-Modal Circulation Study, an off shoot of the recently completed Transportation System Plan, and may identify potential changes in zoning, permitted land uses and code changes necessary to create and support mixed use development that complements the downtown area.

Ashland's Downtown and adjoining residential neighborhoods are largely defined by their historic and cultural characteristics. In consideration of this character, and the objective of preparing for future change in the vicinity of the City's established central business district, this project would be undertaken in consideration of the following objectives:

- Maintain a compact downtown that includes a mix of uses located within a distinct Downtown Core;
- Preserve the downtown's small-town character through traditional building design constructed at a pedestrian scale; and
- Evaluate and address potential impacts to the existing residential neighborhoods surrounding the downtown.

2. Historic Preservation 10-Year Plan – Next Phase of Implementation

(CG) Analyze the impacts of increased preservation of historic buildings in Ashland

Evaluate the impacts of establishing a process to review exterior changes to residential structures that are identified as historic contributing buildings within the National Register districts. Currently, an administrative review (Type I) is required for exterior changes requiring a building permit to commercial structures that are identified as historic contributing properties. A potential second phase of the project is developing ordinance language including approval criteria and a review process for exterior changes to historic contributing residential structures. The issue of acceptable design and building materials for exterior changes to residential historic buildings arises routinely. Typical examples of exterior modifications to buildings that can impact the integrity of historic structures and the surrounding district are changes to windows, doors, trim, roofing and siding. These changes don't typically require a building permit, but can have a dramatic

impact on a structure's historic integrity. As an active Certified Local Government (CLG), the City is required to have a program in place which ensures the protection of historic resources.

3. Infill Strategies Along Transit Corridors – East Siskiyou and Ashland Street

(CG) Investigate land-use and funding strategies that provide affordable and workforce housing units

Identify opportunities for and constraints to transit-oriented development in the East Siskiyou and Ashland Street area. The analysis would include an assessment of market conditions, mixed-use housing costs, financial feasibility of multi-story development, regulatory process, frequency and quality of transit service, and public infrastructure improvements needed to enhance an area's desirability for residential living. Develop a palette of options and strategies for addressing the opportunities and barriers. Additionally, identify incentives that could be provided to encourage affordable and workforce housing units conveniently located near existing and future transit routes. Projected employment and housing growth over the next 20 years is anticipated in the eastern portion of Ashland because the bulk of the inventory of vacant and redevelopable land is concentrated in this area.

4. Vertical Housing Development Zones – Evaluate and Establish (CG)

(CG) Investigate land-use and funding strategies that provide affordable and workforce housing units

The establishment of a Vertical Housing Development Zone (VHDZ) is an incentive based strategy intended to encourage mixed use commercial/residential developments through a partial property tax exemption. The purpose of the State authorized tax exemption program is to encourage investment in, and rehabilitation of, properties in targeted areas of the community through the promotion of the availability of housing. This program is administered through the Oregon Housing and Community Services Department (OHCS) which certifies projects within the areas designated by the community as eligible for a partial tax exemption for providing additional floors of housing above commercial development. The amount of the tax exemption varies in accordance with the number of residential floors on a project with a maximum property tax exemption of 80% over 10 years. This financial incentive in targeted areas can help promote the construction of needed housing in commercial areas well suited for higher concentrations of housing. Evaluation and establishment of a VHDZ entails identifying the appropriate areas throughout the City for such a designation, coordination with all local taxing districts, application through the State of Oregon, and approval by resolution of the City Council.

5. Code Incentives for Affordable Workforce Housing (CG)

→ Unified Land Use Ordinance – Density Bonus, Manufactured Housing, Pocket Neighborhoods, etc.

(CG) Investigate land-use and funding strategies that provide affordable and workforce housing units

The Planning Commission and City Council are in the process of considering a number of code amendments in the Unified Land Use Ordinance that are intended to provide greater opportunities for affordable and workforce housing. Increasing density bonuses for affordable housing, streamlining the application process for Accessory Residential Units, eliminating impediments to the location and design of manufactured housing, and the establishment of standards for pocket neighborhoods are some of the changes being considered at this time. The recently completed Housing Needs Analysis (HNA) identified those and other potential land use strategies to promote affordable and workforce housing. The Housing Commission is scheduled to review the potential strategies within the HNA at their meeting on September 25th in an effort to forward recommendations to the Council for consideration in their 2014 Goal setting efforts.

Other Potential Projects

→ Croman Mill Area – Analysis of Opportunities & Impediments

The City Council is exploring the use of tax increment financing to facilitate the development of the Croman Mill area. Other employment areas in Ashland such as Clear Creek Drive and Benson Way have lots ready for development with utilities and streets installed. This allows potential businesses to concentrate on the development of their specific building and site. In contrast, the Croman Mill isn't development ready because individual lots, utilities and streets are not in place. The site was previously a lumber mill which relied heavily on outdoor production and storage. As a result of the previous land-intensive use, the area lacks basic utilities and transportation facilities. Because of its location away from a main street and behind a developed neighborhood, the area lacks visibility and a welcoming entryway. Finally, a large amount of old equipment, debris, organic waste from log deck and a few buildings are located on the site, and need to be cleared before development can occur. The project includes identifying the opportunities and impediments to development of the Croman Mill area, and developing strategies for preparing the site to be development ready. This could entail a review of the zoning code, specifically the use table, to make certain a full range of businesses are allowed commensurate to the City's economic development strategy.

→ Housing Element Update

The City's Housing Element is an important part of the overall Comprehensive Plan, as housing makes up the vast majority of land use within the City. The general components of the Housing Element include a description of the characteristics of housing types, an analysis of community demographics and development trends, and establishment of goals and policies that ensure the housing needs of the community are accommodated over a twenty year horizon. The Housing Element was last revised in 1981. Consequently, some aspects of the City's Housing Element are outdated and do not reflect current conditions within the community. With more demographic and development information readily available given the recent completion of Housing Needs Analysis, Buildable Lands Inventory, and Jackson County coordinated population forecasting, an update of the

Housing Element is timely. The effort to update the Housing Element would aim to refine the general narrative, replace outdated information, and to review the existing policies and goals to ensure they remain effective at addressing the communities housing needs.

→ **Railroad Master Plan – Evaluate Benefits of Adoption**

Evaluate benefits of adopting the unimplemented portions of the draft Railroad Property Master Plan. The draft plan was completed in 2001. The master plan drawing of the site includes a district core, building and parking locations, a street network, public plaza areas and natural open spaces, as well as detailed illustrations of the master plan components. The plan also includes land use recommendations including additional plan and building design guidelines. The plan area was included in the Detail Site Review Zone and subject to pedestrian-oriented design standards. Lastly, the plan's recommended street network was adopted subsequent to the plan development and is included in the city's future street dedication map.

City Council Goals 2013

PUBLIC SAFETY GOAL

Public safety and other city agencies, along with the community, collaborate effectively to ensure security for all and improve overall livability.

Objectives:

- Increase safety and security downtown
- Review the Emergency Preparedness Plan to include food security and other shortages of necessities
- Mitigate fire hazards in the urban interface
- Reduce risks of fire in the city via weed abatement and Firewise landscaping and building practices
- Improve public communication and community partnerships re: public safety policies and best practices
- Provide modern, fully equipped facilities and equipment for city public safety functions

MUNICIPAL INFRASTRUCTURE GOAL

Collaborate with the community to ensure safe, cost-effective, and sustainable public services, facilities and utilities to meet the urgent, immediate and future needs of Ashland.

Objectives:

- Examine the anticipated impacts of climate change on city infrastructure
- Evaluate all city infrastructure regarding planning, management, and financial resources
- Implement the conservation plan for water and complete the 10-year plan for electric
- Promote conservation as a long-term strategy to protect the environment and public utility needs and implement a conservation program to reduce water and electricity usage by 5 to 10% over the next three years.
- Maintain existing infrastructure to meet regulatory requirements and minimize life-cycle costs
- Deliver timely life-cycle capital improvement projects
- Maintain and improve infrastructure that enhances the economic vitality of the community
- Develop a fee/rate structure that encourages conservation and pays the bills

COMMUNITY QUALITY OF LIFE GOAL

Anticipate and identify opportunities to provide for the physical, social, economic, and environmental health of the community.

Objectives:

- Minimize the incidence and impacts of homelessness
- Provide opportunities for those who are struggling to thrive and not just survive in Ashland
- Increase the number of internet-based businesses by 50% in two years
- Investigate land-use and funding strategies that provide affordable and workforce housing units

- Support and assist foundational relationships with community partners
- Establish a permanent jobs commission
- Implement Level I implementation strategies of the Economic Development Plan as approved by Council
- Review the Downtown Plan including zoning of areas around downtown and create a roadmap for the future planning of downtown
- Encourage private development of affordable housing options
- Analyze the impacts of increased preservation of historic buildings in Ashland

ORGANIZATION AND GOVERNANCE GOAL

Provide high quality and effective delivery of the full spectrum of city service and governance in a transparent, accessible and fiscally responsible manner.

Objectives:

- Examine and improve communication tools used to communicate with the public
- Improve budget and financial reports to be clear, realistic, and effective
- Review and evaluate current commissions for their mission and feasibility
- Improve communication between commissions and Council
- Ensure the efficient and effective use of technology to enhance customer satisfaction
- Ensure the availability of front-line personnel for customer contact during business hours

PARKS AND RECREATION GOAL

Maintain and expand park, recreational, and educational opportunities; provide high quality, efficient and safe services with positive experiences for guests and other participants while maintaining community participation in the decision-making processes and protecting the environment.

Objectives:

- Evaluate current conditions of facilities and identify deficiencies that need correction.
- Provide neighborhood park facilities within ¼-mile of every home.
- Provide opportunities for community members to interact and improve health and social well-being for our community.
- Contribute to the economic viability of our community.
- Preserve natural areas, protect and enhance our environment.
- Incorporate community input into planning processes for parks and recreation programs, activities and facilities.
- Ensure continued safety within the parks and recreation system.
- Support education related to environmental issues.
- Provide ongoing evaluation of recreation programs to ensure current and future relevance.

Memo

DATE: January 11, 2013
TO: Dave Kanner, City Administrator
FROM: Bill Molnar, Director of Community Development
RE: Commission Input on Council Goals

The Planning, Historic, Housing, and Tree Commissions recently discussed input for the City Council goals for the upcoming year and have the following comments/recommendations for the City Council's consideration.

Planning Commission

- Continue to develop green building standards and sustainable development standards. Increase the use of alternative energies; Explore potential requirements for solar panel installation on new developments to address Tier 2 power demands; Support urban agriculture and farming.
- Provide policy direction for infill planning to accommodate growth on lands within the Urban Growth Boundary to fulfill Ashland's commitment in the Greater Bear Creek Valley Regional Plan (RPS). Explore pocket neighborhoods, density along transit corridors, and height limitations.

Historic Commission

- Review the Powers and Duties of the Commission to reflect the current sentiments of the Commission, the City Council and community while maintaining consistency with the adopted Historic Preservation Plan.
- The Commission would encourage the City Council to consider additional review of the most impactful modifications to Historic Contributing structures which currently have no review process. The modifications of windows and doors, siding and roofing materials can



unintentionally alter or destroy a building's distinctive architectural features and erode the character of the district.

- Review of proposed demolition of the finite number of Historic Contributing structures. The continued demolition and historically inappropriate remodels could endanger Ashland's historic districts and cause the loss of the State and National recognition. Revitalization and reinvestment in the rehabilitation of the City's historic resources is inherently sustainable. Restoration, rehabilitation and renovation of existing structures reduces the amount of waste destined for landfill and retains the energy embodied in the historic structure.
- Creation of a 'historical marker program'. Ashland lacks a display of the City's rich history and the creation of historical markers could provide a link to the interesting past that made Ashland the successful cultural, heritage, tourist economy it is today.

Housing Commission

- Develop Rental Registry.
- Preserve vulnerable housing units with a focus on Sun Village.
- Housing Trust Fund - Identify three viable options to forward to the City Council.
- Support the implementation of specific (to be identified at a later date) potential strategies identified in the Housing Needs Analysis.
- Develop a landlord tenant brochure.
- Explore and potentially implement a student fair housing plan.

Tree Commission

- Do not pursue the development of the remaining portion of land on Clay Street.
- Evaluate the Powers and Duties of the Commission to provide them with more "teeth" when it comes to recommendations on land use applications.
- Identify two to five trees in town to nominate as Heritage Trees.
- Explore and potentially develop approval criteria for the removal of street trees within the right-of-way.

