

Note: Anyone wishing to speak at any Council or 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 CITY COUNCIL AND PLANNING COMMISSION
JOINT STUDY SESSION
January 28, 2014
AGENDA
6:00 – 8:00 PM**

- I. **CALL TO ORDER:** 6:00 PM, Civic Center Council Chambers, 1175 E. Main Street

 - II. **DISCUSSION ITEMS**
 - A. **Discussion and Prioritization of Future Planning Initiatives**

 - III. **ADJOURNMENT**
-

**ASHLAND PLANNING COMMISSION
STUDY SESSION
January 28, 2014
AGENDA
8:00 PM**

- I. **CALL TO ORDER:** 8:00 PM, Civic Center Council Chambers, 1175 E. Main Street

- II. **ANNOUNCEMENTS**

- III. **PUBLIC FORUM**

- IV. **DISCUSSION ITEMS**
 - A. **Unified Land Use Ordinance: Section 18-4 Site Development and Design Standards**
 - 1. Chapter 18-4.4 Landscaping, Recycling and Refuse, Outdoor Lighting, Fences and Walls
 - 2. Chapter 18-4.5 Tree Preservation and Protection

- V. **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).

Memo

DATE: 1/23/2014

TO: Mayor, City Council and Planning Commission

FROM: Bill Molnar, Community Development Director

RE: Joint Council and Planning Commission Study Session

At the December 17, 2013 meeting, Council discussed the draft list of future planning initiatives compiled by staff, which underwent an initial review by the Planning Commission in September 2013. The list was compiled based upon the following:

- The project addresses a Council Goal;
- The project was included in the Biennium Budget; and
- The project potentially provides an incentive for accommodating future housing and employment growth

The Council recommended that a joint meeting with the Planning Commission be scheduled so that the two bodies could prioritize the projects. As noted in the December Council communication, it is not likely that staff can accomplish all these in the next 18 months, so some sense of priority is needed. Some projects are already underway. For instance, the parking management and multi-modal circulation study, which involves a separate analysis of area zoning, was approved by Council and included in the current budget. Similarly, staff also intends to submit an application for historic preservation funds in February, as it has the past 15 years, to assist with the project listed.

In addition to the initial list generated by staff, Council has added two additional projects for consideration. These two projects have been added to the end of a list, accompanied by a brief project overview.



Council Communication

December 17, 2013, Business Meeting

Discussion of Future Planning Initiatives

FROM:

Bill Molnar, community development director, molnarb@ashland.or.us

SUMMARY

Staff has compiled a list of approved and potential planning initiatives to be undertaken over the next 12 to 18 months. Each initiative is intended to address one or more of the Council's goals and objectives from the 2013 goal setting process. In September, the Planning Commission discussed the initiatives and is interested in Council feedback to make sure the proposed list is consistent with Council priorities and if there are other projects to be considered.

BACKGROUND AND POLICY IMPLICATIONS:

Staffing resources in the Community Development Department's long range program are primarily directed toward addressing Council goals and objectives. Some recent examples of completed projects include a series of code amendments associated with the green codes ordinances, analysis of infrastructure financing strategies to promote employment opportunities, an update of the City's Housing Needs Analysis, and the adoption of a revised Transportation System Plan and official street dedication map, which was a joint project between Public Works and Community Development. Currently, staff is focused on the completion of a master plan and implementing ordinances for the Normal Avenue Neighborhood Plan area, and a comprehensive restructuring of the City's Land Use Ordinance. Additionally, other issues of community interest often arise that need immediate attention from the Planning Commission and staff. A recent example would be the community discussion over the pros and cons of permitting short term rentals in both multi-family and single family neighborhoods.

Projects identified as priorities by staff and the Planning Commission include:

- Downtown parking management and multi-modal circulation study
- Downtown zoning analysis
- Winburn Way corridor analysis
- Historic Preservation Ten-Year Plan
- Infill strategies along transit corridors
- Vertical Housing Development zones
- Code incentives for affordable workforce housing
- Pocket neighborhoods/cottage housing

In addition, three potential projects have been identified:

- Croman Mill opportunities analysis
- Housing Element update



- Railroad District Master Plan

FISCAL IMPLICATIONS:

In most cases, the proposed planning initiatives will be carried out primarily by Community Development Department staff. Funds are budgeted for the parking management and multi-modal circulation study, with a contract awarded to University of Oregon's Community Planning Workshop to assist with several aspects of the project. The Community Development Department's budget includes funds for professional services in case outside expertise is needed on a project. This type of expenditure is generally associated with specialized studies, such as transportation impact analyses, environmental assessment and illustrative site design work.

STAFF RECOMMENDATION AND REQUESTED ACTION:

This item is intended for the purpose of providing some background information to the Council about potential projects and initiatives targeted at addressing Council goals and objectives. It is not likely that staff can accomplish all these in the next 18 months, so some sense of Council priority is needed. Some projects are already underway. For instance, the parking management and multi-modal circulation study, which involves a separate analysis of area zoning, was approved by Council and included in the current budget. The Planning Commission and staff would like Council feedback on the list. This is also the time for Council to discuss any other priorities not represented on the list, so that staff could determine a scope of work and time line to bring back for Council consideration at a later date.

SUGGESTED MOTION:

N/A

ATTACHMENTS:

Long Range Planning Initiatives
Planning Commission Meeting Minutes – September 10, 2013



Long Range Planning Initiatives

Identified Priorities

1. **Downtown Parking Management and Multi-Modal Circulation Study**

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

Public Works and Community Development staff is working with the University of Oregon Community Planning Workshop to conduct a downtown parking management and multimodal circulation study to review pedestrian, bicycle and vehicular circulation and vehicle and truck parking within Ashland's downtown. The study is intended to evaluate the effectiveness of existing downtown parking management, truck loading zones, and travel demand management strategies to improve the overall accessibility of downtown for tourists, citizens, students and employees. While this study is undertaken, city planning staff and the Planning Commission will evaluate existing zoning at specific locations within and adjacent to the downtown. The findings from this analysis could influence the final recommendations of the parking management and multi-modal circulation study.

- **Downtown zoning analysis**

The zoning analysis project entails review of existing zoning adjacent to the downtown area. This project will be carried out at the same time as the parking management and multi-modal circulation study and its recommendations may suggest changes to zoning, permitted land uses and code standards necessary to support construction and redevelopment proposals that enhance the vitality of 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 downtown district this project would address the following objectives:

- Maintain a compact downtown that includes a mix of uses located within a distinct and cohesive downtown core;
- Evaluate ways to increase housing within the downtown core;
- Preserve the downtown's small-town character through traditional building design that complements the area's vibrant pedestrian surroundings; and
- Address potential impacts to the existing residential neighborhoods surrounding the downtown and look for ways in which zoning could be used to create a smooth transition between the two.

- **Winburn Way corridor analysis – Options to single family zoning (R-1)**

The land along Winburn Way, from the Community Development and Engineering Services building south to Nutley Street, is zoned single-family residential. A variety of land uses exist, including a gravel commercial parking lot, two public buildings offering community space, a commercial eating establishment and a city skating rink/public parking lot. This area represents a transitional corridor between the downtown business area and Lithia Park. Zoning, allowable land uses and site design standards would be evaluated and recommendations considered in recognition of the corridor's unique location adjacent to the downtown, Lithia Park and a traditional residential neighborhood.

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

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

This proposal would evaluate the benefits- of establishing an approval process for reviewing exterior changes to residential structures identified and listed as “historic contributing” within the National Register districts. Historic contributing refers to those properties that retain and exhibit sufficient integrity, through materials, design and setting, to convey a sense of history. The issue of acceptable design and building materials for exterior changes to residential historic buildings arises routinely. Typical examples of non-structural, exterior modifications to buildings that can impact the integrity of historic structures and the surrounding district include changes to windows, doors, trim, roofing and siding. These types of changes, however, typically do not require a building permit, but can have a dramatic impact on a structure's historic integrity. In addition to public education materials, staff and the Historic Commission would like to consider developing clear approval criteria and a review process for non-structural, exterior changes to historic contributing residential structures.

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 and encourage private development of affordable housing options

A significant amount of vacant and re-developable land is concentrated in the eastern side of Ashland. As a result, this is an area that can expect a considerable amount of both employment and housing growth over the next 20 years. This project will explore opportunities for encouraging transit-oriented, mixed-use projects along the East Siskiyou and Ashland Street corridors. First, establishment of a vertical housing development zone (VHDZ) would be evaluated as a financial incentive to encourage upper story housing above businesses. A second phase could include an assessment of market conditions, the financial feasibility of mixed-use, multi-story projects, the permitting process and possible incentives, and public improvements targeted at increasing the desirability of the corridors for residential living. A palette of options and strategies for addressing the opportunities and barriers would be compiled for council consideration.

- **Vertical Housing Development Zones – Evaluate and establish**

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 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 for 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.

4. **Code Incentives for Affordable Workforce Housing**

(CG) Investigate land-use and funding strategies that provide affordable and workforce housing units and encourage private development of affordable housing options

The Planning Commission has evaluated several code amendments as part of the Unified Land Use Ordinance project, which involves a comprehensive restructuring of chapter 18 - Land Use Ordinance. The proposed changes are intended to create additional opportunities to provide affordable and workforce housing through increasing density bonuses for affordable housing, streamlining the application process for accessory residential units and eliminating impediments to the location and design of manufactured housing. The recently completed Housing Needs Analysis (HNA) identified these and other land use code changes as means to promote affordable and workforce housing. The Housing and Human Services Commission will review the list of “potential strategies” within the Housing Needs Analysis at a future meeting in an effort to forward recommendations to the Council for consideration.

- **Pocket neighborhoods/cottage housing**

As part of the Unified Land Use Ordinance, Commission and staff have been evaluating the possibility of enacting a section of code on pocket neighborhoods/cottage housing. A pocket neighborhood is a cohesive cluster of homes gathered around some type of common ground within a larger surrounding neighborhood. In general, these developments range in size from four to 16 households. The projects often are located in single family neighborhoods at a density greater than the underlying zoning district. Pocket neighborhoods seek to provide an option in the housing market that falls between a typical detached residence and attached townhome housing, which appeals to singles, smaller families and retirees.

To address impacts of the increased density, the size, height and footprint of the structures are restricted, which also assists in targeting housing prices below the median home sales price for the area.

Other Potential Projects

Croman Mill Area – Analysis of Opportunities

(CG) Maintain and improve infrastructure that enhances the economic vitality of the community

The City Council is exploring the use of tax increment financing to facilitate the development of the Croman Mill area. Most other employment areas in Ashland have lots ready for development with utilities and streets installed. This allows potential businesses to concentrate on the layout and design 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 site lacks basic utilities and transportation facilities. Because of its location away from a major street and behind a developed neighborhood, the area lacks visibility and a welcoming entryway. Finally, a large amount of old equipment, debris, organic waste and structures from past logging practices are located on the site, and need to be cleared before development can occur.

This project would include identifying opportunities as well as potential barriers to development of the Croman Mill area, and evaluating different strategies that would assist in 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

(CG) Investigate land-use and funding strategies that provide affordable and workforce housing units and encourage private development of affordable housing options

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 update of the Housing Element would aim to refine the general narrative, replace outdated information, and to draft new policies and goals that are effective at addressing the communities housing needs.

Railroad Master Plan – Evaluate benefits of adoption

(CG) Maintain and improve infrastructure that enhances the economic vitality of the community

The draft master plan was completed in 2001. The illustrated master plan drawing identifies a distinct district core north of Fourth Street, future building and parking locations, a street network, public plaza areas and natural open spaces, as well as detailed illustrations of master plan elements. The plan also includes recommendations for code changes related to minimum building height, prohibition of ground floor residential use, and consideration of increased residential density. The plan also suggests considering the adoption of building type and placement standards in recognition of the area's history and diversity. As recommended in the draft document, the plan area was included in the Detail Site Review Zone and subject to pedestrian-oriented design standards, and the plan's street network was included on the city's amended, future street dedication map. The first phase of the project would be to evaluate benefits of adopting the unimplemented portions of the draft Railroad Property Master Plan, as well as a parking management plan similar to that under consideration for the downtown.

Projects Suggested by Council – December 17, 2013 meeting

North Ashland Gateway Overlay

This would entail an examination of the area from the North Main Street RR crossing to the intersection of Valley View and Highway 99 to determine how best to influence improvements to both private and public land that better reflect and are consistent with City of Ashland standards. This gateway is important to Ashland because the development in this area contributes to the visitor's first impressions of the city. As this area is outside the city but within Ashland's urban growth boundary (UGB), influencing development patterns early on that are consistent with city standards will ensure a smooth transition when the properties are annexed into the City Limits.

Assessment of the Approach to Special Projects in Terms of Complexity (i.e. area master plans with special districts)

Past and present neighborhood master planning efforts have resulted in the adoption of new Comprehensive Plan designations and zoning districts that include overlays and development standards specific to that planning area. This project would evaluate whether or not such an approach adds unnecessary time and complexity.

City Council - Minutes
Tuesday, December 17, 2013

MINUTES FOR THE REGULAR MEETING
ASHLAND CITY COUNCIL
December 17, 2013
Council Chambers
1175 E. Main Street

CALL TO ORDER

Mayor Stromberg called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers.

ROLL CALL

Councilor Voisin, Morris, Lemhouse, Slattery, Rosenthal, and Marsh were present.

MAYOR'S ANNOUNCEMENTS

City Administrator Dave Kanner commended City employees that worked on the streets during the recent snowstorm and shared staff experiences. Mayor Stromberg voiced appreciation to all staff during this time.

Mayor Stromberg announced vacancies on the Tree, Public Arts, and Firewise Commissions and on the Band Board.

APPROVAL OF MINUTES

The minutes of the Study Session of December 2, 2013 and Business Meeting of December 3, 2013 were approved as presented.

SPECIAL PRESENTATIONS & AWARDS - None

CONSENT AGENDA

- 1. Acceptance of Commission minutes**
- 2. Endorsement of the Martin Luther King, Jr. Holiday Celebration for the purpose of hanging a banner**
- 3. Appointment to Housing and Human Services Commission**
- 4. Appointment to Transportation Commission**
- 5. Request for a contract amendment exceeding 25% of original contract with Roxy Ann Rock**
- 6. Approval of a special procurement with JACO Environmental for refrigerator/freezer recycling program**
- 7. Klamath County Intergovernmental Agreement for building inspection services**
- 8. Special procurement for the purchase of a Schwarze Street Sweeper**
- 9. Establishment of and appointment to Ad-Hoc Recycle Center and Waste Reduction Committee**

Staff recommended pulling **Consent Agenda Item #6 Approval of a special procurement with JACO Environmental for refrigerator/freezer recycling program** for clarification. Management Analyst Adam Hanks noted an exhibit attachment was not included in the packet information.

Councilor Morris pulled **Consent Agenda Item #8 Special procurement for the purchase of a Schwarze Street Sweeper** for further discussion. Public Works Superintendent Michael Morrison addressed the asterisk on line five of the Special Procurement form and explained the Public Works Department added a cushion to vehicle replacement estimates when they did their budget to cover price variances that might occur during the fiscal year. What was before Council was approval to use a specific Contractor to purchase the Schwarze Street Sweeper.

Councilor Rosenthal/Slattery m/s to approve Consent Agenda items. Voice Vote: all AYES. Motion passed.

PUBLIC HEARINGS - None

PUBLIC FORUM - None

UNFINISHED BUSINESS

1. Discussion of future planning initiatives

Planning Commission Chair Melanie Mindlin explained the Planning Commission heard Land Use Actions, planning for areas in town, and currently were working on the Normal Avenue Neighborhood Plan. The Planning Commission also held public hearings on legislative issues related to land use and made recommendations to Council. Chair Mindlin went on to describe various projects the Planning Commission worked on.

Community Development Director Bill Molnar explained over the past year the Planning Commission and staff worked on the Unified Land Use ordinance and the Normal Avenue Neighborhood Plan. Both projects would go before Council early spring 2014.

Councilor Rosenthal noted the priority project list and suggested adding a reexamination to annex the area from North Main Street by the Rail Road bridge to the intersection of Valley View Road and Highway 99. That area was the entrance to Ashland and did not reflect aspects of the community.

Mr. Molnar explained in the past staff looked at creating an Urban Growth Management Agreement that instead of annexing the property established a gateway overlay in Jackson County where a certain level of city requirements would apply. However they encountered issues with property owners. He confirmed part of the Regional Problem Solving (RPS) agreement maintained a co-managed zone between city limits and the Urban Growth Boundary (UGB) to create and maintain individual identity between communities as well as ensure areas with the UGB did not continue to develop more intensely under county zoning. There were also provisions prohibiting certain lot divisions.

Mr. Molnar explained in the past staff looked at creating an Urban Growth Management Agreement that did not annex the property but in Jackson County established a gateway overlay where a certain level of city requirements would apply but there were issues with property owners. He confirmed part of the Regional Problem Solving (RPS) agreement maintained a co-managed zone between city limits and the Urban Growth Boundary (UGB) to create and maintain individual identity between communities as well as ensure areas with the UGB did not continue to develop more intensely under county zoning. There were also provisions prohibiting certain lot divisions.

Mr. Molnar went on to explain staff initially looked at parking management, circulation, and deliveries and thought it was a good time to include areas in the parameter of the downtown because of their impacts. Possible zoning code changes that might occur in the future would provide additional techniques as they looked into parking management.

City Administrator Dave Kanner noted it was unlikely the Planning Department could accomplish all the priority projects identified in the Council Communication and Council should indicate their priorities on the list.

Mr. Molnar clarified the Railroad District Master Plan project would review remaining elements of the plan not adopted and possibly allow greater flexibility for building design in the district.

Councilor Marsh thought the zoning on Winburn Way was a priority and should be included in the downtown project.

Mr. Molnar explained the first four projects on the priority list, the downtown parking management and multi-modal circulation study, the downtown zoning analysis, the Winburn Way corridor analysis, and the Historic Preservation Ten-Year Plan were top priorities that addressed Council objectives. The Croman Mill opportunities analysis, the Housing Element update, and the Railroad District Master Plan on the potential list were less of a priority. However, over the next 18 months there would be opportunities for staff to work on aspects of those projects to move them along.

Councilor Voisin wanted the code incentives for affordable workforce housing considered a high priority. She was concerned the City was still looking into the Croman Mill area and wanted the Housing Element Update set at a higher priority.

Colin Swales/143 8th Street/Agreed with suggestion to include the annexation of the north end of town in the priorities project list. It was the gateway to Ashland and not aesthetically aligned with the community. He thought the Downtown Parking Management and Multi-modal Circulation Ad Hoc Advisory Committee are weighted towards the business community and Chamber of Commerce members with no one representing the people who live around the area. He wanted to see public outreach to actual residential neighbors of the downtown area, with the meetings occurring in the evening and a time for public input. He took issue with the approval criteria and review process for non-structural exterior changes to historic buildings

stating it created a huge impact on property owners and was sure no one had informed the public on the criteria. The current incentives for affordable workforce housing should emphasize more inflow in the historic districts. He addressed Croman Mill noting Plexis Healthcare Systems had pulled out of the development and questioned why Council was looking into urban renewal when the developers showed no interest in developing the property or contributing money to create the infrastructure like normal developers did. The City should focus more on commercial development and creating a plan for the north end of town.

Mayor Stromberg suggested discussing each project separately with a joint meeting with Council and the Planning Commission prior to starting work on the projects. Councilor Lemhouse suggested adding projects to the list then prioritizing them at the joint Council-Planning Commission meeting.

Councilor Lemhouse/Slattery m/s to place Croman Mill opportunities analysis to the list.

DISCUSSION: Councilor Lemhouse thought the project was important and did not think anything would happen until the City reanalyzed the plan. The Croman plan provided an opportunity to establish commerce and housing and help with affordable workforce housing and pocket neighborhoods. Councilor Slattery concurred and agreed with a joint meeting to prioritize projects with the Planning Commission then delving into each project separately. Councilor Voisin wanted Mr. Kanner to summarize a meeting that occurred with the property owners regarding their interest in development of Croman Mill. Mr. Kanner explained the property owners and their consultant would come back with a proposal that laid out what they were willing to do themselves to jumpstart development that the City would evaluate to determine the City's role. **Roll Call Vote: Councilor Lemhouse, Marsh, Rosenthal, Slattery, and Morris, YES; Councilor Voisin, NO. Motion passed 5-1.**

Concern was raised that every time the City took on a project it created special districts and rules. Question was raised as to whether or not a discussion needed to occur regarding basic codes and building flexibility in the code so it is applied in varying conditions. Mr. Molnar explained doing sub-area plans was a popular process in other communities. Ashland traditionally used a form-based approach to planning and tended to focus on the character of the different areas then created a sub-area plan to protect those characteristics. Comment was made that everything seemed to take two years and part of the issue was that the City was writing new code into the process. It might be easier to have fewer zoning designations with a couple overlays than completely different types of zoning.

Councilor Marsh/Morris m/s to add to the list of projects an assessment by the Planning Commission as to the basic approach list in terms of complexity. Roll Call Vote: Councilor Lemhouse, Voisin, Marsh, Rosenthal, Slattery, and Morris, YES. Motion passed.

Councilor Rosenthal/Voisin m/s to forward the list of future planning initiatives including pursuing an urban growth management agreement with Jackson County to a joint meeting of Council and the Planning Commission. DISCUSSION: Councilor Morris wanted to see planning on Jackson Road. He noted the current entrance to Ashland and thought the road and overpass needed improving.

Roll Call Vote: Councilor Lemhouse, Voisin, Marsh, Rosenthal, Slattery, and Morris, YES. Motion passed.

Memo

DATE: January 28, 2014

TO: Ashland Planning Commission

FROM: Maria Harris, Planning Manager

RE: Unified Land Use Ordinance (ULUO)
Pre-adoption process review – Part 18-1 (chapters 4-5)

SUMMARY

The revised draft of the ULUO is scheduled for Planning Commission review prior to beginning the formal adoption process so that Commission has an opportunity to review and discuss the edits made since the Commission's review of the previous draft.

BACKGROUND

Chapters 4 and 5 of Part 18-4 Site Development and Design Standards are attached. The remaining chapters of Part 18-4, 6 through 10, will be covered at the next available Planning Commission meeting.

The changes to the current ordinance are detailed in the attached draft ULUO. The edits that were presented in the first draft continue to be highlighted in gray, and the new and latest edits that were added after the Commission's review of the previous draft are highlighted in yellow. Comment boxes are retained throughout the document, and include notations about changes.

The attached matrix covers the substantive amendments. The Commission received a previous version of the matrix. New or revised amendments are highlighted in yellow in the matrix.

ATTACHMENTS

1. Title 18 – Part 4 – Site Development and Design Standards (chapters 4-5)
2. Amendment Matrix for 18-4 (chapters 4-5)



PART 18-4 - SITE DEVELOPMENT AND DESIGN STANDARDS	2
Chapter 18-4.4 - Landscaping, Recycle and Refuse, Outdoor Lighting, Fences and Walls	3
18-4.4.010 Purpose	3
18-4.4.020 Applicability	3
18-4.4.030 Landscaping and Screening	5
18-4.4.040 Recycling and Refuse Disposal Areas	13
18-4.4.050 Outdoor Lighting	14
18-4.4.060 Fences and Walls	15
Chapter 18-4.5 - Tree Preservation and Protection	18
18-4.5.010 Purpose	18
18-4.5.020 Applicability	18
18-4.5.030 Tree Protection	19
18-4.5.040 Performance Security	20
18-4.5.050 Verification Permit	20
18-4.5.060 Heritage Trees	20

Part 18-4 - Site Development and Design Standards

Chapters:

- 18-4.1 Site Development and Design Standards Administration
- 18-4.2 Building Placement, Orientation and Design
- 18-4.3 Parking, Access and Circulation
- 18-4.4 Landscaping, Fences and Walls, and Outdoor Lighting
- 18-4.5 Tree Preservation and Protection
- 18-4.6 Public Facilities
- 18-4.7 Signs
- 18-4.8 Solar Access
- 18-4.9 Disc Antennas
- 18-4.10 Wireless Communication Facilities

Chapter 18-4.4 - Landscaping, Recycle and Refuse, Outdoor Lighting, Fences and Walls

Sections:

18-4.4.010	Purpose
18-4.4.020	Applicability
18-4.4.030	Landscaping and Screening
18-4.4.040	Recycle and Refuse Disposal Areas
18-4.4.050	Outdoor Lighting
18-4.4.060	Fences and Walls

Comment: Chapter 18-4.4 carries forward the requirements of chapter 18.72 Site Design Review and the Site Design and Use Standards related to landscaping and screening, recycle and refuse disposal areas and outdoor lighting. The requirements for fences and walls are from section 18.68.010 Fences.

Comment: The Purpose section is new, and is intended to summarize the intent of the requirements.

18-4.4.010 Purpose

Chapter 18-4.4 contains standards for landscaping and screening, recycle and refuse disposal areas, outdoor lighting, and fences and walls. The regulations are intended to protect public health, safety, and welfare by reducing development impacts, such as glare, noise, and visual impacts, on adjacent uses; minimizing erosion; slowing the rate of surface water runoff, thereby reducing infrastructure costs; buffering pedestrians from vehicle maneuvering areas; cooling buildings and parking lots in summer months with shade; and enhancing the city's appearance.

18-4.4.020 Applicability

Comment: This section is new. It is intended to clarify when the requirements apply. The recycling and refuse section was added since the Planning Commissions reviewed the previous draft but is mostly comprised of existing standards.

The requirements of chapter 18-4.4 apply, as follows:

- A. Landscaping and Screening.** Section 18-4.4.030 establishes design standards for landscaping and screening, and applies to residential, commercial, and manufacturing developments that are subject to chapter 18-5.2 Site Design Review.
- B. Recycling and Refuse.** Section 18-4.4.040 establishes design standards for recycle and refuse disposal areas, and applies to residential, commercial, and manufacturing developments that are subject to chapter 18-5.2 Site Design Review.
- C. Outdoor Lighting.** Section 18-4.4.050 establishes standards for outdoor lighting, and applies to all new outdoor lighting installed or replaced after [effective date].
- D. Fences and Walls.** Section 18-4.4.060 establishes design standards for fences and walls. It

18-4.4 – Landscaping, Recycle and Refuse, Outdoor Lighting, Fences and Walls

applies where a fence or wall is erected, extended, or otherwise altered; it also applies to hedges and screen planting and situations where this ordinance requires screening or buffering.

Comment: Subsection E, ~~shown in strikeout~~, was moved to the Site Design Review chapter, specifically 18-5.2.030 Review Procedures.

~~**E. Amendments.** Amendments to plans approved pursuant to this chapter are processed pursuant to chapter 18-5.6, except that amendments involving plant and irrigation system replacement fire safety, public safety decreased water, or increased energy efficiency are processed as Ministerial or Type I actions.~~

Comment: Section E was added for consistency with the other chapters in Part 18-4 Site Design and Development Standards, and carries forward the existing code requirements for exceptions and variances.

E. Exceptions and Variances. Requests to depart from the landscaping and screening requirements in section 18-4.4.030, recycling and refuse requirements in 18-4.4.040, and outdoor lighting in section 18-4.4.050 are subject to 18-5.2.050.E Exception to the Site Design and Use Standards. Requests to depart from the fence and wall requirements in section 18-4.4.060 are subject to chapter 18-5.5 Variances.

18-4.4 – Landscaping, Recycle and Refuse, Outdoor Lighting, Fences and Walls

18-4.4.030 Landscaping and Screening

Comment: Section 18-4.4.030 carries forward and updates the Site Design and Use Standards related to landscaping, street trees, and water conserving landscapes. This section has been reorganized for a more logical flow since the Planning Commission reviewed the previous draft.

- A. General Landscape Standard.** All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, parking, or other approved hardscapes shall be landscaped pursuant to this chapter.
- B. Minimum Landscape Area and Coverage.** All lots shall conform to the minimum landscape area standards of the applicable zoning district (see table 18-2.5.030.A for residential zones and table 18-2.6.030 for non-residential zones). Except as otherwise provided by this chapter, areas proposed to be covered with plant materials shall have plant coverage of not less than 50 percent coverage within one year and 90 percent coverage within five years of planting.
- C. Landscape Design and Plant Selection.** The landscape design and selection of plants shall be based on all of the following standards:

Comment: The following language regarding a credit for retention of healthy trees is consistent with practice and supports the existing Tree Preservation and Protection requirements of 18.61 Tree Preservation and Protection (18-4.5).

1. Tree and Shrub Retention. Existing healthy trees and shrubs shall be retained, pursuant to chapter 18-4.5. Consistent with chapter 18-4.5 Tree Preservation and Protection, credit may be granted toward the landscape area requirements where a project proposal includes preserving healthy vegetation that contribute(s) to the landscape design.
2. Plant Selection.
 - a. Use a variety of deciduous and evergreen trees, shrubs, and ground covers.
 - b. Use plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions shall also be considered.

Comment: The following language is added to address bioswales in streets and parking areas.

- c. Storm Water Facilities. Use water-tolerant species where storm water retention/detention or water quality treatment facilities are proposed.

Comment: The existing Site Design and Use Standards discuss crime prevention and defensive space in the introduction on site analysis and planning. The language below is taken from the state's model code.

- d. Crime Prevention and Defensible Space. Landscape plans shall provide for crime prevention and defensible space, for example, by using low hedges and similar plants allowing natural surveillance of public and semi-public areas, and by using impenetrable hedges in areas where physical access is discouraged.

Comment: The following standard is moved from section D Street Trees.

- e. Street Trees. Street trees shall conform to the street tree list approved by the Ashland Tree Commission. See the City of Ashland Recommended Street Tree Guide.
3. Water Conserving Landscaping. Commercial, industrial, non-residential, and mixed-use developments that are subject to chapter 18-5.2 Site Design Review, shall use plants that are

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low water use and meet the requirements of 18-4.4.030.I Water Conserving Landscaping.

Comment: The (new) erosion control plan language in subsection 4 was moved and combined with the preliminary grading and drainage plan in the Site Review Plan Requirements (18-5.2.040.B.5). This change is based on feedback from the Landscape Design Professionals Focus Group which indicated that the engineers, rather than the landscape design professionals, typically prepare erosion control plans.

4. Hillside Lands and Water Resources. ~~Erosion Control~~. Landscape plans shall provide both temporary and permanent erosion control measures, which shall include plantings where cuts or fills (including berms), swales, storm water detention facilities, and similar grading is proposed. Landscape plans for land located in the Hillside Lands overlay must also conform to section 18-3.9.070 Development Standards for Hillside Lands, and in the Water Resources overlay must also conform to section 18-3.10.110 Mitigation Requirements for Water Resource Protection Zones.
5. Screening
 - a. Evergreen plants **shrubs** shall be used where a sight-obscuring landscape screen is required.
 - b. Where a hedge is used as a screen, evergreen shrubs shall be planted so that not less than 50 percent of the desired screening is achieved within two years and 100 percent is achieved within four years. Living groundcover in the screen strip shall be planted such that 100 percent coverage is achieved within two years.
6. Plant **Sizes** Area and Ground Cover Specifications

Comment: The highlighted language below regarding plant and tree size is new to the land use code, and is taken from the state's model code. AMC 13.16.030 requires street trees to be a minimum of one-inch caliper and no less than eight feet in height. The current standard requires "Areas proposed to be covered with plant materials shall have plant coverage of not less than 50 percent coverage within one year and 90 percent coverage within five years of planting." While this generally works with projects involving landscape professionals, when an owner does a project by his or herself, plant sizes would be helpful.

Staff received a variety of suggestions on the shrub size requirement (e.g., Landscape Design Professionals Focus Group, Design Professionals Focus Group, Water Conservation staff, Planning Commission) and revised the suggested standard accordingly. While the general design professional focus group was concerned about the cost of the five gallon shrubs, the landscape design professionals commented that two gallon shrubs are rarely available. The screening standards in 5.b above addresses the height and coverage of shrubs required for screens or buffers.

- a. Trees shall be not less than two-inch caliper for street trees, and one and one-half-inch caliper for other trees at the time of planting.
- b. Shrubs shall be planted from five-gallon containers, minimum, where they are for required screens or buffers, and **two** one gallon containers minimum elsewhere, and where required for screening shall meet the requirements of 18-4.4.030.C.5 Screening.

Section 7: The (new) soil quality requirement is moved to the water conserving landscape standards. This change is based on feedback from the Landscape Design Professionals Focus Group. Their concern was that the intention of amending the soil is water conservation and retention of native soil can be beneficial to plants. Focus Group participants didn't seem opposed to amending the soil, but they did advocate balancing the two

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objectives.

~~7. Soil Maintenance. When new vegetation is planted, soils shall be amended, and irrigation provided, as necessary, until the plants are naturalized and able to grow on their own.~~

D. Tree Preservation, Protection and Removal. See chapter 18-4.5 for Tree Protection and Preservation and chapter 18-5.7 for Tree Removal Permit requirements.

E. Street Trees. All development fronting on public or private streets shall be required to plant street trees in accordance with the following standards and chosen from the recommended list of street trees:

1. Location of Street Trees. Street trees shall be located in the designated planting strip or street tree wells between the curb and sidewalk, or behind the sidewalk in cases where a planting strip or tree wells are or will not be in place. Street trees shall include irrigation, root barriers, and generally conform to the standards established by the Department of Community Development.

2. Spacing and Placement of Street Trees

All street tree spacing may be made subject to special site conditions that may, for reasons such as safety, affect the decision. Any such proposed special condition shall be subject to the Staff Advisor's review and approval. The placement, spacing, and pruning of street trees shall be as follow:

- a. Street trees shall be placed at the rate of one tree for every 30 feet of street frontage. Trees shall be evenly spaced, with variations to the spacing permitted for specific site limitations, such as driveway approaches.
- b. Street trees shall not be planted closer than 25 feet from the curb line of intersections of streets or alleys, and not closer than ten feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.
- d. Street trees shall not be planted closer than 20 feet to light standards. Except for public safety no new light standard location shall be positioned closer than ten feet to any existing street tree, and preferably such locations will be at least 20 feet distant.

Comment: The following street tree spacing requirement is revised from 2-1/2 feet to 2 feet due to the practical difficulty in meet the standard within narrow planting areas. ~~The second part of the sentence is deleted because it conflicts with section b above.~~

- e. Street trees shall not be planted closer than ~~two feet~~ two feet from the face of the ~~curb-except at intersections where it shall be five feet from the curb, in a curb return area.~~
- f. Street trees shall not be planted within two feet of any permanent hard surface paving or walkway. Sidewalk cuts in concrete for trees, or tree wells, shall be at least 25 square feet; however, larger cuts are encouraged because they allow additional air and water into the root system and add to the health of the tree. Tree wells shall be covered by tree grates in accordance with City specifications.
- g. Street trees planted under or near power lines shall be selected so as to not conflict with power lines at maturity.
- h. Existing trees may be used as street trees if there will be no damage from the development

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which will kill or weaken the tree. Sidewalks of variable width and elevation, where approved pursuant to section 18-4.6.030 Street Design Standards, may be utilized to save existing street trees, subject to approval by the Staff Advisor.

3. Pruning. Street trees, as they grow, shall be pruned to provide at least eight feet of clearance above sidewalks and 12 feet above street roadway surfaces.
4. Replacement of Street Trees. Existing street trees removed by development projects shall be replaced by the developer with those from the approved street tree list approved by the Ashland Tree Commission. The replacement trees shall be of size and species similar to the trees that are approved by the Staff Advisor. See the City of Ashland Recommended Street Tree Guide.
5. ~~Recommended Street Trees~~. ~~Street trees shall conform to the street tree list approved by the Ashland Tree Commission.~~

F. **Parking Lot Landscaping and Screening.** Parking lot landscaping, including areas of vehicle maneuvering, parking and loading, shall meet the following requirements:

1. Landscaping.
 - a. Parking lot landscaping shall consist of a minimum of seven percent of the total parking area plus a ratio of one tree for each seven parking spaces to create a canopy effect.
 - b. The tree species shall be an appropriate large canopied shade tree and shall be selected from the street tree list approved by the Ashland Tree Commission to avoid root damage to pavement and utilities, and damage from droppings to parked cars and pedestrians. See the City of Ashland Recommended Street Tree Guide.
 - c. The tree shall be planted in a landscaped area such that the tree bole is at least two feet from any curb or paved area.
 - d. The landscaped area shall be distributed throughout the parking area and parking perimeter at the required ratio.
 - e. That portion of a required landscaped yard, buffer strip, or screening strip abutting parking stalls may be counted toward required parking lot landscaping but only for those stalls abutting landscaping as long as the tree species, living plant material coverage, and placement distribution criteria are also met. Front or exterior yard landscaping may not be substituted for the interior landscaping required for interior parking stalls.
2. Screening.
 - a. *Screening Abutting Property Lines*. A five foot landscaped strip shall screen parking abutting a property line. Where a buffer between zones is required, the screening shall be incorporated into the required buffer strip, and will not be an additional requirement.
 - b. *Screening Adjacent to Residential Building*. Where a parking area is adjacent to a residential building it shall be setback at least eight feet from the building, and shall provide a continuous hedge screen.
 - c. *Screening at Required Yards*.
 - i. Parking abutting a required landscaped front yard or exterior yard shall incorporate a

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sight obstructing hedge screen into the required landscaped yard.

- ii. The screen shall grow to be at least 36 inches higher than the finished grade of the parking area, except within vision clearance areas, section 18.2.4.050.
- iii. The screen height may be achieved by a combination of earth mounding and plant materials.
- iv. Elevated parking lots shall screen both the parking and the retaining walls.

Comment: The “other screening requirements” are carried forward from the existing code, specifically II-D-6 Other Screening in Section D Parking Lot Landscaping and Screening Standards from the Site Design and Use Standards.

G. Other Screening Requirements. Screening is required for **refuse and recycle containers**, outdoor storage areas, loading and service corridors, **mechanical equipment**, and the City may require screening other situations, pursuant with the requirements of this ordinance.

Comment: The highlighted language in subsection 1 is existing and was moved from 18.72.115 Recycling Requirements.

1. **Recycle and Refuse Container Screen.** Recycle and refuse containers or disposal areas shall be screened ~~from view~~ by placement of a solid wood fence or masonry wall five to eight feet in height **to limit the view from adjacent properties or public rights-of-way**. All recycle and refuse materials shall be contained within the screened area.
2. **Outdoor Storage.** Outdoor storage areas shall be screened from view, except such screening is not required in the M-1 zone.

Comment: The highlighted language pertaining to loading facilities below is based on the state’s model code and combined with the existing standard on service corridors.

3. **Loading Facilities and Service Corridors.** Commercial and industrial **loading facilities and service corridors** shall be screened when adjacent to ~~residential uses~~ **residentially zoned land**. Siting and design of such service areas shall reduce the adverse effects of noise, odor and visual clutter upon adjacent residential uses.

Comment: The existing language in subsection 18.72.030.B Exemptions, exempts installation of mechanical equipment from the Site Design Review application procedure if the equipment “is not visible from a public right-of-way or adjacent residentially zoned property...” Staff suggests adding the following language to provide a clear standard and examples of methods for screening mechanical equipment.

4. **Mechanical Equipment.** Mechanical equipment shall be screened by placement of features at least equal in height to the equipment to limit view from public rights-of-way, **except alleys**, and adjacent residentially zoned property. **The screening requirements in 18-5.2.020.C.e, for the purpose of being exempt from the Site Design Review process, are satisfied by mechanical equipment meeting the requirements of this section.**
 - a. **Roof-mounted Equipment.** Screening for roof-mounted equipment shall be constructed of **materials used in the building’s exterior construction and include features such as a parapet, wall, or other sight-blocking features.** Roof-mounted solar collection devices are exempt from this requirement pursuant to 18-5.2.020.C Exempt from Site Design Review.
 - b. **Other Mechanical Equipment.** Screening for other mechanical equipment (e.g., installed at **ground level**) include features such as a solid wood fence, masonry wall, or hedge screen.

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Comment: In section 18.72.060 Plans Required, the existing code requires review of irrigation plans “at the time of installation,” which has historically been at the time of building permit submittals. A clarification is added stipulating that the irrigation plan is reviewed through the ministerial process at the time of building permit submittals.

- H. Irrigation.** Irrigation systems shall be installed to assure landscape success. If a landscape area is proposed without irrigation, a landscape professional shall certify the area can be maintained and survive without artificial irrigation. **Irrigation plans are reviewed through a Ministerial process at the time of building permit submittals.**

Comment: The following standards on water conserving landscaping are carried forward from the mandatory policy section of Section III Water Conserving Landscaping Guidelines and Policies of the Site Design and Use Standards. The section has been reorganized and edited for clarity. In addition, several edits and additions are included based on discussions with the Landscape Design Focus Group and the city’s Water Conservation Specialist.

- I. Water Conserving Landscaping.** The following standards are intended to conserve water while encouraging attractive landscaping. Further, requirements are aimed at reducing water demand when water is most scarce, during the dry late summer months when water reserves are low.

1. Landscaping Design Standards

- a. *Landscaping Coverage.* Water conserving designs shall have plant coverage of not less than 90 percent with five years of planting, but are not required to meet the standard of 50 percent coverage within one year.
- b. *Plant Selection.* At least 90 percent of plants in the non-turf areas shall be listed as drought tolerant in the Sunset Western Garden book, **City of Ashland Water-Wise Landscaping website**, or be similarly well-suited for this climate of region as determined by the Staff Advisor. Up to ten percent of the plants may be of a non-drought tolerant variety or species as long as they are grouped together and **are located in a separate irrigation zone** ~~can be irrigated separately from the drought tolerant plants.~~
- c. *Screening.* Plant screening hedges to attain 50 percent coverage after two years.
- d. *Mulch.* Add a minimum of two inches of mulch in non-turf areas to the soil surface after planting. Neither large nuggets nor fine bark may be used for mulch. Non-porous material shall not be placed under the mulch.
- e. *Turf and Water Areas.* Limit combined turf or water areas (i.e., pools, ponds and fountains) to 20 percent of the landscaped areas. Turf limitations do not apply to public parks, private common open space, required outdoor recreation areas, golf courses, cemeteries, and school recreation areas.
- f. *Fountains.* Design all fountains to recycle their water.
- g. *Turf Location.* Turf is restricted to slopes less than ten percent grade.
- h. *Berms and Raised Beds.*
 - i. No more than five percent of landscaped area of any lot or project may be berms or raised beds higher than one foot unless there is demonstrated need for sound or safety barrier. If allowed, berms must be no taller than 1/6 of their width.

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- ii. All plantings on berms one foot or greater in height must be drought tolerant.
- iii. Only drip irrigation is allowed on berms more than one foot in height.
- i. Plants in the same irrigation zone shall have similar watering needs unless irrigated by drip irrigation having emitters sized for individual plant water needs.

Comment: The (new) soil quality requirement is revised to be more specific and provide flexibility. The standard was moved to the water conserving landscaping standards based on feedback from the Landscape Design Professionals Focus Group.

- i. Soil Maintenance Quality. When new vegetation is planted, soils shall be amended for plant health and water absorption, and irrigation provided, as necessary, until the plants are naturalized and able to grow on their own. Add mature compost at a rate of three cubic yards of compost per 1,000 square feet of area to be landscaped, and work soil and amendment(s) to a depth of four to six inches. This requirement may be waived for the following circumstances:
 - a. The area to be landscaped is fenced off to fully protect native soil from disturbance and compaction during construction; or
 - b. Soil tests document an organic content of a least three percent based on a representative core sample taken at a rate of one test per 20,000 square feet, based on a minimum of three core sample per test. Samples shall be taken at least 40 feet apart to a depth of six inches following attainment of rough grade; or
 - c. The area to be landscaped will be used to capture and treat storm water runoff, and is subject to separate design standards.
- 2. Irrigation System Design Standards. Irrigation plans are reviewed through a Ministerial process at the time of building permit submittals, and are subject to the following standards:
 - a. Design sprinkler head spacing for head-to-head coverage.
 - b. Design irrigation system to minimize runoff and overspray to non-irrigated areas.
 - c. Match precipitation rates for all irrigation heads for each circuit.
 - d. Separate irrigation zones based on water needs of plantings and type of sprinklers being used (i.e., rotating, fixed spray, or drip).
 - f. Use sprinkler heads with a precipitation rate of .85 inches per hour or less on slopes exceeding 15 percent to minimize run-off, or when slope exceeds ten percent within ten feet of hardscape.
 - g. Serviceable check valves (or pressure compensating emitters for drip systems) are required where an elevation difference greater than 20 feet exists on any circuit.
 - h. Drip irrigation systems are required for trees unless within lawn areas.
 - i. Equip all irrigation zones with pressure regulator valves (PRV) to meet the manufacturer's recommended operating pressure for the components of each zone; except in those instances where a PRV is in place. PRV's shall be located at the meter or solenoid valve.

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k. *Automatic Sprinkler Controls.*

i. Equip all irrigation systems with a controller capable of dual or multiple programming. **Controllers shall have a multiple start time capability, station run times in minutes to hours, and water days by interval, day of the week, and even/odd days.** ~~Controllers must have multiple cycle start capacity and a flexible calendar program. Controllers must allow seven day or greater timing cycles.~~

ii. **Use controllers with a percent adjust (water budget) feature, or the capability of accepting an external rain or soil moisture sensor.**

~~a. Irrigation systems shall be designed so that overspray is minimized.~~

~~b. For sprinkler irrigated areas, perimeter sprinklers must be included in the irrigation pattern.~~

~~e. The same type of irrigation heads shall be used for each circuit.~~

~~f. Valves and circuits shall be separated based on water use.~~

3. **Exceptions.** ~~Exceptions to the standards in this section may be varied~~ **Requests to depart from the requirements of this section** if the applicant proves **shall demonstrate** that the water consumption for the project as a whole is equal to or less than what would occur if the standards were strictly applied, **in addition to meeting the criteria in 18-5.2.050.E Exception to the Site Design and Development Standards.**

Comment: The following section is currently covered by 18.72.110 Irrigation. However, the provision that the dead plantings be replaced in six months (180 days) is new language. A fairly wide window is recommended to address seasonal issues for optimum planting times (i.e., spring and fall).

J. Maintenance. All landscaping shall be maintained in good condition, or otherwise replaced by the property owner; ~~dead or dying plants must be replaced within 180 days discovery.~~ Replacement planting consistent with an approved plan does not require separate city approval.

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Comment: This section was added since the Planning Commission reviewed the previous draft, but is mostly comprised of existing standards.

Section 18-4.4.040 is carried forward from 18.72.115 Recycling Requirements. The screening standards are moved to 18-4.4.030.F.2. Staff suggests adding the language in subsection B to facilitate disposal area siting that addresses both the sanitary service needs, and landscaping and screening requirements.

18-4.4.040 Recycling and Refuse Disposal Areas

A. Recycling. All ~~residential, commercial and manufacturing~~ commercial and multi-family developments that are subject to chapter 18-5.2 Site Design Review shall provide an opportunity-to-recycle site for use of the project occupants.

1. ~~Multi-Family Residential.~~ All newly constructed residential multi-family units, either as part of an existing development or as a new development, shall provide an opportunity-to-recycle site in accord with the following standards:
 - a. Residential multi-family developments not sharing a common refuse solid waste receptacle shall provide an individual curbside recycling container for each dwelling unit in the development.
 - b. Residential multi-family developments sharing a common refuse solid waste receptacle shall provide a site of equal or greater size adjacent to or with access comparable to the common refuse solid waste receptacle to accommodate materials collected by the local sanitary service solid waste franchisee under its residential on-route collection program for purposes of recycling. ~~Both the opportunity-to-recycle site and the common refuse solid waste receptacle shall be screened by fencing or landscaping such as to limit the view from adjacent properties or public rights-of-way.~~
2. Commercial. Commercial developments having a refuse solid waste receptacle shall provide a site of equal or greater size adjacent to or with access comparable to the refuse solid waste receptacle to accommodate materials collected by the local sanitary service solid waste franchisee under its on-route collection program for purposes of recycling. ~~Both the opportunity-to-recycle site and the common solid waste receptacle shall be screened by fencing or landscaping such as to limit the view from adjacent properties or public rights-of-way.~~

Comment: Staff suggests adding the language in subsection B to facilitate the siting of disposal areas to addresses both the sanitary service needs, and landscaping and screening requirements.

B. Service Areas. Recycling and refuse disposal areas shall be located to provide truck access and shall not be placed within any required front yard or required landscape area.

C. Screening. Recycle and refuse disposal area screening shall be provided pursuant to section 18-4.4.030.F.2.

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18-4.4.050 Outdoor Lighting

Comment: The following section carries forward 18.72.140 Light and Glare Performance Standards and the light and glare screen standards from the Site Design and Use Standards (see page 30 under “Other Screening”). The language highlighted in gray is new and based on the state’s model code. This section has been reorganized for a more logical flow since the Planning Commission reviewed the previous draft.

- A. Purpose.** This section contains regulations requiring adequate levels of outdoor lighting while minimizing light spillover onto adjacent properties
- B. Applicability.** All outdoor lighting is subject to the requirements of this section. Where a proposed development is subject to Type I, Type II, or Type III review, the city reviewing authority may require specific lighting levels or limit lighting as a condition of approval to protect the public health, safety, and welfare.
- C. Standards.** As a guideline, lighting levels shall be no greater than necessary to provide for pedestrian safety, property/business identification, and crime prevention. All outdoor lighting shall comply with the following standards:

Comment: Subsection 1 is reworded for clarity.

1. Arrange and install artificial lighting so there is no direct illumination onto adjacent residential properties of any residentially zoned property from a light on any other residential property or from any property zoned C-1, E-1 or M-1, SOU, CM, NM or HC.

Comment: The existing “pedestrian scale lighting” requirement in 18.92.090.B.5 is carried forward to subsection 2.

2. Provide light poles no greater than 14 feet in height for pedestrian facilities. (Pedestal- or bollard-style lighting is an alternative method for illuminating walkways located inside a development but not located in a public street right-of-way.)
 3. Where a light standard is placed over a sidewalk or walkway, maintain a minimum vertical clearance of eight feet.
 4. Install light fixtures where they will not obstruct public ways, driveways, or walkways. Where a light standard must be placed within a walkway, maintain an unobstructed pedestrian through zone per Americans With Disabilities Act compliance.
 5. Except as permitted for signs, direct outdoor light fixtures downward and have full shielding to minimize excessive light spillover onto adjacent properties.
- D. Maintenance.** Outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner.

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Comment: Section 18-4.4.060 is carried forward from section 18.68.010 Fences and includes recent Green Building code amendments. Section A Permitting is from the state's model code. **This section has been reorganized for a more logical flow since the Planning Commission reviewed the previous draft.**

18-4.4.060 Fences and Walls

- A. Permitting.** Permits, granted through Ministerial review, are required prior to installing any permanent fence or wall to ensure compliance with city standards. The property owner should obtain a property boundary survey where property boundaries are not otherwise identified. Where a development is subject to land use approval, the city may require installation of screening walls or fences as a condition of approval for development, as provided by other ordinance sections. A building permit may be required for some fences and walls, pursuant to applicable building codes.
- B. Design Standards.** Fences, walls, hedges, and screen planting shall meet the following standards:
1. Height.
 - a. *Front Yard.* In any required front yard, not more than 3 ½ feet in height.
 - b. *Rear and Side Yard.* In any rear or side yard, not more than 6 ½ feet in height.
 - c. *Street-Side Yard.* In any rear or side yard abutting a public street, except alleys, not more than four feet in height where located within ten feet of said street.
 2. Location.

Comment: The following provision is new. The language is recommended to resolve the current ordinance conflict where fences are defined as structures, and structures are required to meet yard requirements.

- a. *Yard (Setbacks).* Standard yard requirements do not apply to fences and walls meeting the height requirements of this section; however fences and walls exceeding the height requirements of this section shall meet yard requirements. All fences and walls shall comply with the vision clearance standards of section 18-2.4.050. Other provisions of this ordinance may limit allowable height of a fence or wall below the height limits of this section.

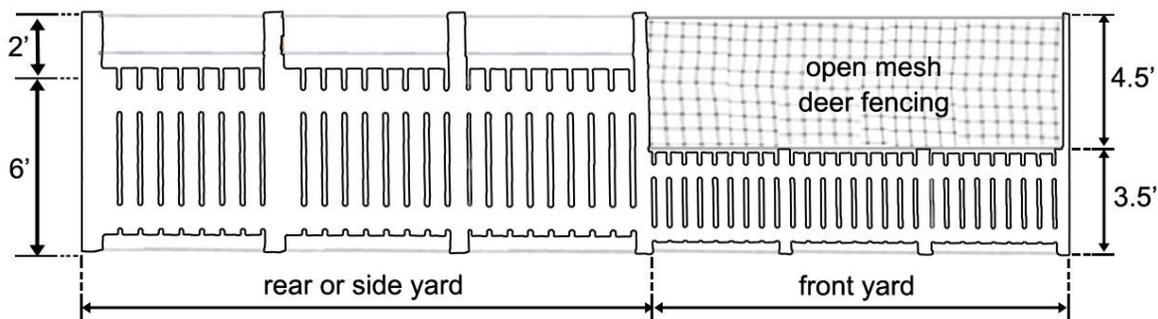
Comment: Subsection b is existing language carried forward from section 18.82.030 Building Construction Prohibited.

- b. *Public Rights-of-Way.* **The construction of permanent structures is prohibited in the public right-of-way and associated setback areas of a future street or greenway.**
3. Framework. The framework for newly constructed fences and walls shall face toward the property of the party who constructs the fence, except where fences are jointly constructed.
4. Restricted Materials. The use of barbed wire, razor wire, electrified wire, and similar security fencing materials shall be restricted as follows:
 - a. Such materials shall not be located adjacent to a sidewalk, a public way, or along the adjoining property line of another person.
 - b. Such materials shall not be erected or maintained at less than 6 ½ feet above grade.
 - c. Such materials may be located in commercial, employment, or industrial lands if not visible from the public right of way, or with approval from the Community Development Director on properties deemed to be hazardous or in need of additional security.

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5. Deer Fencing.

- a. Deer fencing may be attached to a permitted front, side, or rear yard fences provided the area in excess of the allowable fence heights per this section is designed and constructed to provide a clear view through the fence.
 - i. Within required front yards, at least 85 percent of the surface shall be unobstructed to both light and air when viewed perpendicular to the plane of the fence.
 - ii. Within required side and rear yards, at least 80 percent of the surface shall be unobstructed to both light and air when viewed perpendicular to the plane of the fence.
- b. Deer fencing shall have a minimum height of 6 ½ feet and shall not exceed eight feet above grade.
- c. Permitted deer fencing materials may include, woven wire fencing, field fence, “hog panels”, wire strand, or polypropylene mesh net that is open and visible through the material. Within front yards all mesh material shall have a minimum open diameter of one and a half square inches.
- d. Deer fencing shall be supported by structural supports, or tension wires, that run along the top of the fence to prevent sagging.
- e. Chain link fences shall not be considered to be deer fences under this section even if they meet the criteria above.



6. Waterways, Riparian Areas and Wetlands. Fences in and near waterways, riparian areas, and wetlands are shall conform to the following standards.

- a. *Waterways.* Fences shall not be constructed across any waterway or stream, or within any designated floodway identified on the official maps adopted pursuant to chapter 18-3.9 Physical and Environmental Constraints Overlay.

Comment: The highlighted sentence in section 2 is new, and allows tree protection fencing required with development to be temporarily placed in the water resource protection zone.

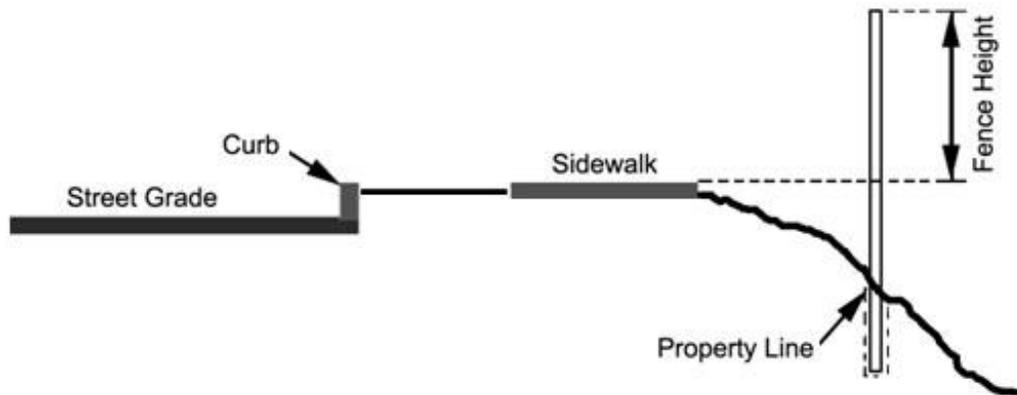
- b. *Riparian Areas and Wetlands.* Fences may be installed in the upland half of the stream bank protection zone, and in the wetland buffer identified on the official map adopted pursuant to chapter 18-3.10 Water Resources Overlay. Temporary tree protection fencing required with development pursuant to section 18-4.5 is exempt from this requirement.
- c. *Materials.* Fences in floodways and water resource protection zones shall be limited to open

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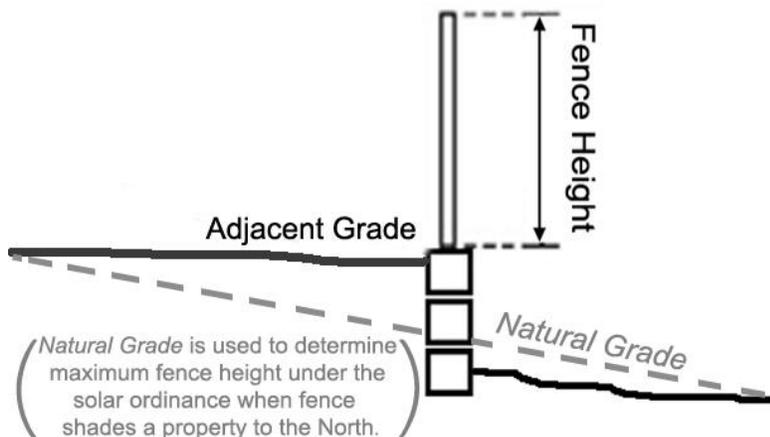
wire, electric, or similar fencing material that will not collect debris or obstruct flood waters, but not including wire mesh or chain link fencing. Solid wood fencing is prohibited in the Water Resource Protection Zones.

C. Height Measurement. The height of a fence is the vertical distance measured from the natural grade to the highest point of the fence, including the structural supports.

1. Below-Grade Lots. On lots that are not generally level with the adjacent street, height may be measured from the top of the adjacent sidewalk or curb, or, where curbs are absent, from the crown of the adjacent street plus six inches.



2. Retaining Walls and Slopes. Where fences are built on top of retaining walls, or one lot is markedly higher than an adjacent lot, height shall be measured from the highest adjacent grade, except that the solar access of adjacent properties to the north shall be maintained in accordance with chapter 18-4.8 Solar Access.



D. Maintenance. Fences and walls shall be maintained in a safe condition. Fences that are not straight shall not lean more than five percent from the vertical plane.

18-4.5 – Tree Preservation and Protection

Chapter 18-4.5 - Tree Preservation and Protection

Comment: This section carries forward the existing tree preservation and protection standards of Chapter 18.61 Tree Preservation and Protection. The tree removal permit process, submittals and approval criteria will be added to Part 18-5 Application Review Procedures and Approval Criteria in the next draft. This section was edited for consistency with Chapter 18.61 and reorganized for a more logical flow since the Planning Commission reviewed the previous draft.

Sections

18-4.5.010	Purpose
18-4.5.020	Applicability
18-4.5.030	Tree Protection
18-4.5.040	Performance Security
18-4.5.050	Verification Permit
18-4.5.060	Heritage Trees

Comment: The existing language in section 18.61.010 Purpose is carried forward and summarized below.

18-4.5.010 Purpose

Chapter 18-4.5 contains requirements for tree preservation and protection. The regulations are intended to reduce development impacts by preserving healthy trees for soil stability, noise buffering, wind protection, temperature mitigation, and wildlife habitat, as well as for the contribution to the character and beauty of Ashland.

Comment: The applicability section is carried forward from 18.61.030 and 18.61.200.

The proposed amendment in section A below limits tree protection plans to those developments requiring a planning action, and eliminates the tree protection plan requirement from those projects that simply require a building permit (e.g. home addition). The amendment resolves a conflict in the current code. The existing language requires a tree protection plan with “any planning action or building permit.” Currently, lots occupied only with residential single-family detached homes and associated accessory structures in residential zones are exempt from the tree removal permit process, and therefore can remove any type or size tree. These same properties that are allowed to remove trees are also required to address tree protection with any building permit submittals.

18-4.5.020 Applicability

- A. Chapter 18-4.5 applies to developments requiring a Type I, Type II, or Type III planning action or building permit.
- B. No person who is required to install or maintain tree protection measures pursuant to this chapter shall do any development activities, including but not limited to clearing, grading, excavation, or demolition work, on a property or site which requires a planning action without approved tree protection measures properly installed and maintained pursuant to this Chapter.
- C. **Tree Removal.** All tree removal and topping activities shall be carried out in accordance with the

requirements of chapter 18-5.7 Tree Removal Permits.

18-4.5.030 Tree Protection

A. Tree Protection Plan. A tree protection plan shall be approved by the Staff Advisor concurrent with applications for Type I, Type II, and Type III planning actions. If tree removal is proposed, a Tree Removal Permit pursuant to chapter 18-5.7 may be required.

B. Tree Protection Plan Submission Requirements. In order to obtain approval of a tree protection plan; an applicant shall submit a plan to the City, which clearly depicts all trees to be preserved and/or removed on the site. The plan must be drawn to scale and include the following:

1. Location, species, and diameter of each tree on site and within 15 feet of the site;
2. Location of the drip line of each tree;

Comment: Redundancies in subsection 3 below were deleted.

3. An inventory of the health and hazard of each tree on site, and recommendations for treatment for each tree.

~~3. For development requiring a planning action, the Tree Protection Plan shall include an inventory of all trees on site, their health or hazard condition, and recommendations for treatment for each tree.~~

4. Location of existing and proposed roads, water, sanitary and storm sewer, irrigation, and other utility lines/facilities and easements;
5. Location of dry wells, drain lines and soakage trenches;
6. Location of proposed and existing structures;
7. Grade change or cut and fill during or after construction;
8. Existing and proposed impervious surfaces;
9. Identification of a contact person and/or arborist who will be responsible for implementing and maintaining the approved tree protection plan; and
10. Location and type of tree protection measures to be installed per section 18-4.5.030.C.

C. Tree Protection Measures Required.

1. Chain link fencing, a minimum of six feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or dripline, whichever is greater, and at the boundary of any open space tracts, riparian areas, or conservation easements that abut the parcel being developed.
2. The fencing shall be flush with the initial undisturbed grade.
3. Approved signs shall be attached to the chain link fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the Staff Advisor for the project.

18-4.5 – Tree Preservation and Protection

4. No construction activity shall occur within the tree protection zone, including, but not limited to dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.
5. The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, concrete or dry wall excess, and construction debris or run-off.
6. No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless approved by the Staff Advisor.
7. Except as otherwise determined by the Staff Advisor, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and shall be removed only after completion of all construction activity, including landscaping and irrigation installation.

C. Inspection. The applicant shall not proceed with any construction activity, except installation of erosion control measures, until the City has inspected and approved the installation of the required tree protection measures and a building and/or grading permit has been issued by the City.

18-4.5.040 Performance Security

The City may require the permittee to post with the City a bond, or other suitable collateral as determined by the city administrator, ensuring the satisfactory completion and maintenance of the tree protection plan. Suitable collateral may be in the form of letters of credit, certificates of deposit, cash bond, or bonds issued by an insurance company legally doing business in the State of Oregon.

18-4.5.050 Verification Permit

- A.** If a site has received development approval through a planning action consistent with the standards of this chapter, then a Verification Permit shall be required for those trees approved for removal through that process. To obtain a Verification Permit, an applicant must clearly identify on the property the trees to be removed by tying pink tagging tape around each tree and submitting a site plan indicating the location of the requested trees. Vegetation four- to six-inches DBH that is to be removed shall also be marked with pink tagging tape. The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application. The Staff Advisor will then verify that the requested trees match the site plan approved with the planning action. The City shall require the applicant to mitigate for the removal of each tree, pursuant to section 18-5.7.060. Such mitigation requirements shall be a condition of approval of the original development permit.
- B.** Verification Permits shall be required prior to the issuance of an excavation permit or building permit and prior to any site disturbance and/or storage of materials on the subject property.

18-4.5.060 Heritage Trees

- A.** The City of Ashland recognizes that specific trees in Ashland are deserving of special status due to

distinctive form, size, age, location, species, unique qualities, or historical significance.

- B.** Any person may nominate, with the written consent of the property owner, a mature tree for consideration as a Heritage Tree. This nomination shall include all information necessary for evaluation based on the items described in section 'A' above. The Tree Commission shall review all nominations and shall make a written final recommendation to the City Council. The City Council shall review the recommendation and make the final determination for Heritage Tree status.
- C.** Should the Council approve the nomination, the tree shall be included on the Heritage Tree list adopted by resolution of the City Council. The property owner shall be notified of the Council's action.
- D.** Once designated, a Heritage Tree shall be subject to the applicable provisions of this ordinance.
- E.** A Heritage Tree may be removed from the list by the City Council upon its own motion, or the City shall remove a Heritage Tree from the list upon written request by the property owner. A request by the owner must state the reasons for removal from the list and be filed with the city recorder. The city recorder shall then remove the Heritage Tree from the list and cause to be filed with the county recording office a quitclaim deed quitclaiming any interest of the city resulting from the listing.

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
Landscaping requirements – existing trees and shrubs	Unified: 18-4.4.030.C.1 Existing: Site Design and Use Standards	Site Design and Use Standards require the retention of as many exiting healthy trees and shrubs on site as possible.	Add clarification that existing trees and shrubs can be counted toward required landscaping percentages.	
Landscaping requirements – storm water facilities	Unified: 18-4.4.030.C.2.c Existing: 18.92.080.B.5.B	Parking areas are required to be designed to capture and treat runoff in landscaped medians and bioswales.	Add requirement to landscaping standards specifying the use of water-tolerant plant species is required in storm water facilities.	Language is from state’s model code.
Landscape plans - crime prevention and defensible space	Unified: 18-4.4.030.C.2.d Existing: N/A	The Site Design and Use Standards introduction discusses crime prevention and defensible space in site analysis and planning, but specific standards do not exist.	Requires landscape plan to provide for crime prevention and defensible space by using low hedges and similar plants that allow natural surveillance of public and semi-public areas, and using impenetrable hedges in areas where physical access is discouraged.	Language is from state’s model code.
Landscape plans - temporary and permanent erosion control measures	Unified: Moved to and combined with preliminary grading and drainage plan in Site Review Plan Requirements in 18-5.2.040.B.5 Existing:	New language, issue isn’t clearly addressed in the code.	Requires application to address temporary and permanent erosion control measures for cut/fill, swales, storm water detention or similar grading.	Erosion control information combined with preliminary grading and drainage plan for Site Design Submittals based on feedback from Landscape Design Professionals Focus

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
	N/A			<p>Group which indicated that engineers rather than the landscape design professionals typically prepare erosion control plans.</p> <p>Language is from state's model code.</p>
Landscaping requirements - minimum tree and shrub sizes	<p>Unified: 18-4.4.030.C.6</p> <p>Existing: N/A</p>	<p>Title 18 Land Use does specify plat sizes.</p> <p>AMC 13.16.030 requires street trees to be a minimum of one-inch caliper and eight feet in height.</p>	<ul style="list-style-type: none"> Trees required to be minimum of 1½-inch caliper. Street trees required to be minimum of two-inch caliper. Shrubs required to be from one gallon containers minimum and meet screening requirements if applicable. 	<p>Staff received a variety of suggestions on the shrub size requirement from the focus groups, staff and Planning Commission. While the general design professional focus group was concerned about the cost of five gallon shrubs, the landscape design professionals focus group commented that two gallon shrubs are rarely available.</p> <p>The landscaping standard requires 50% coverage in one year, and 90% coverage in 5 years. While this standard generally</p>

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
				works with projects involving landscape professionals, when an owner does a project by his or her self, plant sizes would be helpful. Language based on state's model code.
Landscape requirements – street trees	Unified: 18-4.4.030.D	Street trees shall not be planted closer than <u>2.5 feet</u> from the face of the curb.	Street trees shall not be planted closer than <u>2 feet</u> from the face of the curb.	Required distance for planting a street tree to a curb reduced by six inches to accommodate narrow planting areas.
Screening and buffering - loading facilities adjacent to residential zones	Unified: 18-4.4.030.F.3 Existing: II-D-2 and II-D-6, Section II.D Parking Lot and Landscaping and Screening Standards, Site Design and Use Standards	Parking abutting a property line is required to be screened. Commercial and industrial service corridors are required to be screened from adjacent residential uses.	Clarifies that loading facilities are also required to be screened from adjacent residential uses.	
Landscape requirements – mechanical equipment screening	Unified: 18-4.4.030.F.4 Existing: 18.72.030.B.3.e	Mechanical equipment does not require Site Design Review if it is not visible from the public right-of-way or adjacent residentially zoned property. Parabolic disc antennas under one meter in diameter, private radio	Establishes standards for screening mechanical equipment: <ul style="list-style-type: none"> • Screen by placement of features at least equal in height to the equipment to limit view from public rights-of-way, except 	Provides clear methods for screening mechanical equipment, and standard for what is considered “not visible” for the purpose of exempting from Site Review Process, and methods for screening

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
		and television antennas and roof-mounted solar collection devices do not have to meet the screening requirement and are also exempt from Site Design Review.	<p>alleys, and adjacent residentially -zoned property.</p> <ul style="list-style-type: none"> • Screening for roof-mounted equipment shall be constructed of materials used in the buildings' exterior construction and include features such as a parapet, wall or other sight-blocking features. • Use features such as a solid wood fence, masonry wall of hedge screen to screen mechanical equipment not located on the roof, such as equipment at ground level. 	mechanical equipment.
Landscape requirements – water conserving landscaping design standards	<p>Unified: 18-4.4.030.H.1</p> <p>Existing: Mandatory Policies, Section III: Water conserving Landscaping Guidelines and Policies, Site Design and Use</p>	Water conserving landscaping is required for commercial, industrial, non-residential and mixed-use development requiring a Site Design Review approval. Standards address coverage, plant selection, screening, mulch,	<p>Edits and additions include:</p> <ul style="list-style-type: none"> • Non-drought tolerant variety or species are required to be located in a separate irrigation zone. • Plants in same irrigation zones 	Additions and edits are based on feedback from the Landscape Design Professional Focus Group and discussions with the city's Water Conservation Specialist. Feedback from Landscape Design

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
	Standards	turf and water areas, fountains, turf location and berms and raised beds.	<p>required to have similar watering needs unless irrigated by drip irrigation with emitters sized for individual plant water needs.</p> <ul style="list-style-type: none"> Amend soil by adding mature compost at a rate of three cubic yards of compost per 1,000 square feet of area to be landscaped and work soil amendment to depth of four to six inches. This requirement may be waived if landscape area is fenced off, soil tests establish at least three percent organic content, or the area will be used to capture and treat storm water runoff. 	Professional Focus Group was to locate soil amendment requirement in water conserving landscape standards because amending the soil is primarily intended to allow soil to hold water longer thereby conserving water.
Landscape requirements – irrigation system design standards for water conserving landscaping	<p>Unified: 18-4.4.030.H.2</p> <p>Existing: Mandatory Policies,</p>	Irrigation system design standards are part of the water conserving landscaping standards. Standards address technical	<p>Edits and additions include:</p> <ul style="list-style-type: none"> Separate irrigation zones based on water needs of plantings 	Additions and edits are based on feedback from the Landscape Design Professional Focus Group and discussions

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
	Section III: Water conserving Landscaping Guidelines and Policies, Site Design and Use Standards	aspects of irrigation system design such as coverage, precipitation rates, and type of system controller.	<p>and type of sprinklers being used.</p> <ul style="list-style-type: none"> • Equip irrigation zones with pressure regulator valves. • Use controllers with a water budget feature, or the capability of accepting an external rain or soil moisture sensor. 	with the city's Water Conservation Specialist.
Landscape requirements – exception to water conserving landscaping design standards	<p>Unified: 18-4.4.030.H.3</p> <p>Existing: Mandatory Policies, Section III: Water conserving Landscaping Guidelines and Policies, Site Design and Use Standards</p>	An alternate landscape design may be proposed if the applicant demonstrates the water use will be equal or less than what would occur if the standards are applied.	An alternate landscape design may be proposed if the applicant demonstrates the water use will be equal or less than what would occur if the standards are applied, <u>and if the proposal meets the criteria for an Exception to the Site Design and Development Standards in 18-5.2.050.E.</u>	Amendment is made for consistency throughout the code, the Exception is used for all adjustments to the site design standards in Part 18-4.
Plant maintenance – dead plants	<p>Unified: 18-4.4.030.J</p> <p>Existing: 18.72.110</p>	Landscaping is to be maintained in good condition or otherwise replaced consistent with approved plan.	Adds 180 days to replace dead plants upon discovery.	
Recycling and refuse disposal areas	Unified: 18-4.4.040	Development subject to Site Design Review are required to have a recycling	Add: Recycling and refuse disposal areas are	

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
	Existing: 18.72.115	of equal or greater size to the refuse receptacle, or provide an individual curbside bin for each dwelling unit. Recycling and refuse disposal areas are required to be screened.	required to be located to provide truck access and not placed in any required front yard or required landscaped area.	
Outdoor lighting	Unified: 18-4.4.050 Existing: 18.72.140	No direct illumination of any residential zone is allowed from lighting in any other zone.	Guideline added that lighting levels should not be greater than necessary to provide for pedestrian safety, property identification and crime prevention. The following standards added: <ul style="list-style-type: none"> • Allows pedestal or bollard style lighting as an alternate method to pedestrian-scale lights for illuminating walkways located inside a development. • Light fixtures cannot obstruct public ways, driveways or walkways. • Outdoor light fixtures shall be directed 	

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
			downward and have full shielding.	
Fences and walls - permits	Unified: 18-4.4.060.A Existing: N/A	Issue is not addressed in code.	A Ministerial permit is required prior to installing any fence or wall. Property owner should obtain a property boundary survey where boundaries are not otherwise identified. City may require installation of screening walls or fences for development subject to a planning action. A building permit may be required for some fences and walls.	
Fences and walls	Unified: 18-4.4.060.B.2 Existing: N/A	Issue is not clearly addressed in code.	Clarifies that fences and walls meeting height requirements are not required to meet standard front, rear and side yard setbacks.	
Tree preservation and protection	Unified: 18-4.5.020 Existing: 18.61.200	Tree protection is required with any planning action or building permit.	Tree protection is required with a Type I, Type II or Type III planning action.	The proposed amendment limits tree protection plans to those developments requiring a planning action, and eliminates the tree protection plan requirement from those

18-4 Site Development and Design Standards				
Code Amendment Category	Code Reference	Existing Standard	Proposed Amendment	Comment
				<p>projects that simply require a building permit (e.g. home addition). The amendment resolves a conflict in the current code. Lots occupied only with a detached single-family home and associated accessory structures in residential zones are exempt from the tree removal permit requirements and therefore can remove any type or size tree. These same properties that are allowed to remove trees are also required to address tree protection with any building permit submittals.</p>