

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
Minutes
May 10, 2022

I. **CALL TO ORDER:** 7:00 PM, via Zoom

Chair Haywood Norton called the meeting to order at 7:01 p.m.

Commissioners Present:

Michael Dawkins
Haywood Norton
Doug Knauer
Kerry KenCairn
Lisa Verner

Staff Present:

Bill Molnar, Community Development Director
Brandon Goldman, Planning Manager
Derek Severson, Senior Planner
Aaron Anderson, Associate Planner
Michael Sullivan, Administrative Assistant

Absent Members:

Lynn Thompson

Council Liaison:

Paula Hyatt

II. **ANNOUNCEMENTS**

Commissioner Doug Knauer updated the Commission regarding his involvement with the Social Equity and Racial Justice Commission (SERJ). Commissioner Knauer volunteered to act as Liaison between the Planning Commission and the SERJ Commission, and attended their May 7, 2022 meeting. A quorum was not reached and the meeting was held informally. Commissioner Knauer provided the SERJ Commission with a brief presentation on how the Planning Commission utilizes the lens of social equity in its decision-making process. He explained the Commission's procedures and emphasized its goal of total impartiality when reviewing Planning Actions.

Community Development Director Bill Molnar made the following announcements:

- An Election of Officers for the Commission will be held at its June 14, 2022 meeting.
- The Commission will consider holding its first annual retreat since the start of the Pandemic, and will discuss holding site-visits for potential locations. Mr. Molnar stated that he would circulate a list of dates for the retreat and that the Commission should consider any items or projects they would wish to discuss at that meeting.
- The Commission has received two applications to fill the seat vacated by Commissioner Pearce, and the City Council could potentially make an appointment at its next meeting.
- The party interested in developing the Croman Mill Site, Townmakers, LLC, have remained in contact with the Planning Department and are moving forward with plans for development. The group has not yet purchased the site, but are preparing another Pre-Application to submit to Planning staff and present specific plans for development. The project would require a change to the Ashland master plan and codes if approved, necessitating a legislative process where the Commission would hold an advisory role and forward a recommendation to the City Council for a final decision. The applicants recognize the employment and residential needs of the City and are considering a phased approach for development. The plans have continued to evolve based on market factors, the needs of the community, and AMC guidelines. The current owners have hired an environmental group from Portland to create a final clean-up plan for the Croman Mill site, which will then be submitted to the Oregon Department of Environmental Quality for approval. There has been some clean-up activity at the southern edge of the site, though it remains to be seen where the phased development of the site will begin.

III. CONSENT AGENDA

Approval of Minutes

1. April 12, 2022 Regular Meeting

Commissioners Verner/Knauer m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed. 5-0.

IV. PUBLIC FORUM - None

V. UNFINISHED BUSINESS

- A. Approval of Findings for PA-APPEAL-2022-00014, 34 Scenic Dr.

Ex Parte Contact

No ex parte contact was reported.

Commissioners Verner/KenCairn m/s to approve the Findings as presented. Voice Vote: all AYES. Motion passed. 5-0.

- B. Approval of Findings for PA-T2-2022-00037, 165 Water St.

Ex Parte Contact

No ex parte contact was reported.

Commissioners Dawkins/Verner m/s to approve the Findings as presented. Voice Vote: all AYES. Motion passed. 5-0.

VI. DISCUSSION ITEMS

- A. Memo – Legislative Update

Staff Presentation

Senior Planner Derek Severson informed the Commission of two legislative updates from the state that staff have begun work on. The first item concerns an executive order from the Governor of Oregon in 2020 which directed state agencies to adopt rules to reduce greenhouse gases. One of the key approaches to achieve this goal is the creation of more mixed-use developments along transit lines to encourage people work closer to their place of residence, thereby reducing reliance on automotive transportation. The cities in the eight Metropolitan Planning Organizations (MPOs) will be required to identify Climate Friendly Areas (CFAs) that could accommodate up to 30% of their future population growth. Zoning changes would likely be necessary to allow for higher population densities (fifteen dwellings per acre), including reducing or eliminating minimum parking requirements, allowing building heights of up to 50ft, and placing a greater emphasis on alternative transit networks and electric vehicle infrastructure. The rule-adoption process is expected to finish in May, 2022, and the consultants will begin work shortly thereafter. The state will fund these consultants to assist cities in identifying CFAs and with the public involvement process. The study and identification of CFAs will conclude by June, 2023, and cities will be required to create a Comprehensive Plan, as well as Zoning adjustments to regulations and maps to implement the changes by June 30, 2024. Mr. Severson added that the Commission should expect to begin holding Public Hearings in the near future to gather input from the public before CFAs are identified and discussed.

The second legislative update from the state relates to Senate Bill 458 regarding Middle Housing Lot Divisions (MHL). This bill provides ownership opportunities for 'Middle Housing' units built under House Bill 2001, though those lots would still be subject to the parent property's approval and will not have full development rights. Senate Bill 458 also sets specific parameters for what conditions and criteria would be considered for approval. MHLs will not be considered land use decisions, and will instead be processed using the Expedited Land Divisions procedure of the ORS to streamline the review process. Affected cities will be required to adopt code changes by June 30, 2022 or to implement them directly from state law (see attachment #1).

Discussion

Mr. Molnar inquired if early Public Hearings would be held to discuss boundaries and locations for potential CFA sites. Mr. Severson advised that the public be introduced to the process as early as possible, and that a Public Hearing should be held once a consultant has been selected. He added that the state has not yet approved the final guidelines, but that each city will be assigned two consultants, and that the consultant for public engagement will likely initiate the process early.

Commissioner Verner asked if the City would be able to select the consultants or if they would be assigned. Mr. Severson responded that they will likely be assigned by geographic location, but had commented to the state that Scott Ferguson of 3J Consulting would be a good fit due to his past work with the City.

Chair Norton pointed out that the guidelines and criteria regarding CFAs would be directed by the state, and that there was no request for public feedback during the process. He requested that staff provide the public with examples of high density developments similar to the mandated CFAs. Chair Norton also expressed concern over the state recommendation that cities allow developments of up to 50ft, and suggested that the public be informed of the potential zoning changes before they are adopted. He added that some urban design studies might be necessary before choosing which zones would be affected by the new standards, and that a universal zoning change would be detrimental to the City.

Commissioner Verner asked if the state had mandated that a certain number of CFAs be created. Mr. Severson responded that the number of CFAs had not been given, only that they should accommodate 30% of a city's population growth needs. He added that the state appears to be envisioning most of the CFAs being located in downtown areas, but that the City may want choose areas that would be most appropriate for it.

Mr. Molnar agreed with Chair Norton's concern regarding building height, but commented that the CFAs will likely be located in commercial areas that could best accommodate these changes and have adequate transit access. He added that buildings up to 55ft in height are currently allowed in the downtown area with a Conditional Use Permit (CUP), and up to 55ft in most commercial zones with a CUP if more than 100ft away from a residential area. Mr. Molnar stated that creating CFAs to accommodate 30% of the City's population would be attainable based on the City's projected population growth for the next 20 years. Planning Manager Brandon Goldman calculated that 450-700 new housing units would be required to meet the 30% CFA standard, and that the Normal Avenue Neighborhood Plan could accommodate up to 450 new housing units.

Commissioner Knauer inquired if staff was comfortable with what the state had outlined for MHLs, citing the June, 2022 deadline for adoption. Mr. Severson responded that House Bill 2001 was limited to Accessory Residential Units (ARUs) and duplexes, and that Senate Bill 458 would not conflict with its guidelines regarding ARUs. Mr. Severson stated that the new state law could be applied to duplex applications while a new city ordinance is adopted.

Chair Norton asked if the state would regulate the market if it found that 70% of non-CFA sites had already been developed without the required percentage of CFAs being completed. He also queried if the City would be able to propose new transit routes in order to accommodate the CFAs and not be limited to existing transit routes. He commented that transit routes would need to be altered to run through the Croman Mill Site to be considered as a CFA.

Commissioner Dawkins pointed out that the City's Transportation System Plan (TSP) has already been outlined, and that the Railroad District should be considered as a CFA with greater height allowances. He also suggested that the City consider alternatives to on-site parking, such as regularly scheduled public transportation from parking areas outside of the City.

Chair Norton asked staff how these legislative updates would be integrated with the Housing Production Strategy (HPS). Mr. Goldman responded that once the CFA rulemaking process is complete it will be integrated into the development of the HPS, which is already considering changes to building height limits and reducing parking requirements for buildings. He stated that developing those strategies in compliance with state provisions will be vital in determining if they could be implemented in other areas of the City, not just CFAs. He cited various strategies being considered in the HPS, such as a reduction in parking requirements for affordable housing, multi-family housing, and mixed-use developments, and whether these could be applied to the future CFAs.

Chair Norton expressed a concern over there being significant overlap between the HPS and the development of the CFAs, and whether the two consultants for these programs would be working together to ensure cohesion. Mr. Goldman replied that the strategies that come out of the HPS will be implemented over an eight-year period, and could therefore be adopted in compliance with new state requirements. Mr. Molnar added that Planning staff will be working closely with staff from the Department of Land Conservation and Development (DLCD) and its regional representative to assist in coordinating multiple projects.

Public Comment

The Commission briefly discussed a public comment submitted by Mark Knox, who requested that the Commission consider mixed-use commercial buildings in certain Commercial and Residential Zones be temporarily permitted as 100% residential buildings (see attachment #2). Mr. Molnar stated that the City Council had requested that the Commission consider allowing mixed-use buildings to be 100% residential with a CUP, with the possibility of returning to commercial use in the future. He added that the mechanism for achieving this is being discussed by staff, but that Mr. Knox requested the Commission consider this course of action when the item is brought back before the Commission.

Commissioner KenCairn stated that it would be premature to discuss this issue before it is sent back to the Commission. Chair Norton disagreed with Mr. Knox's assertion that the City Council, Planning Staff, and the Commission hold any bias against development in the City.

VII. ADJOURNMENT

Meeting adjourned at 8:00 p.m.

*Submitted by,
Michael Sullivan, Administrative Assistant*