

**CITY OF
ASHLAND**

ASHLAND PLANNING COMMISSION

SPECIAL STUDY SESSION

TUESDAY, JULY 31ST, 2007

7:00 PM

COUNCIL CHAMBERS

1175 E. MAIN STREET

AGENDA

- I. Land Use Procedures/Siegel Amendments
 - A. Presentation by David Stalheim, Community Development Director
 - B. Public Comment
 - C. Commissioners' Discussion
- II. Planning Commission Study Session Look Ahead
- III. Adjournment

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 number 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).

**LAND USE PROCEDURES
AND
SIEGEL AMENDMENTS**

CITY OF ASHLAND

July 24, 2007

TO: Planning Commission and Interested Citizens
RE: Proposed Amendments to Ashland Land Use Ordinance
CC: Mayor and City Council

Please find attached proposed amendments to the Ashland Land Use Ordinance. Ashland planning staff has been working diligently over the past two months reviewing the code for inconsistencies, missing definitions, contradictory requirements, and minor policy issues. In addition, the proposed amendments address recommendations for revised permit procedures which staff has been discussing with the Planning Commission.

These amendments are brought forward based on two initiatives: report from Siegel Planning Services in 2006 and the review of the city's land use procedures by the Planning staff.

There is a considerable amount of information and change within these proposed ordinance amendments. I have been reluctant to separate these amendments into distinct packages because that is why the code is now internally inconsistent. It is important to ensure that references from one section to another be accurate. When the ordinance is amended in piecemeal fashion, you will find problems with internal consistency.

The second reason that I believe that this package should be reviewed as one document is for customer service and public notice. Due to Measure 56 notice requirements, we are sending notice to over 9,000 property owners that proposed changes are being considered. We also do not want to create a "Code of the Month", so making sure we address all the issues in one package is valuable for customer service.

The Planning Commission and City Council has choices in review of these amendments. In the following pages, I will attempt to identify the significant changes that are proposed in these amendments. If the Planning Commission and City Council are not interested in proceeding with some of these amendments, it is possible to set them aside and move forward with others. It is not an "all or nothing" ordinance, although making sure we address the internal references and inconsistencies remains a significant issue.

The process for consideration of these amendments is as follows:

July 24, 2007	First Draft Released for Public Review and Comment
July 31, 2007	Planning Commission – first chance to review and comment before Planning Commission (7 p.m.)
August 9, 2007	5 p.m., Chambers – Public Workshop to answer questions
August 20, 2007	Written comments due to Planning Director for review and incorporation into Second Draft to be presented to Planning Commission for public hearing
September 11, 2007	Public hearing on Draft 2 before the Planning Commission
September 25, 2007	Planning Commission deliberation on amendments
October 16, 2007	City Council First Reading and Hearing on Ordinance

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The proposed amendments can be broken into four functional areas:

1. Amendments to make the code easier to follow and read.
2. Amendments to address on going interpretation issues or internal consistency in application of the code.
3. Amendments to address some minor policy issues, usually in concert with interpretation or consistency issues.
4. Changes to permit procedures.

Easier to Read

For planning staff, customers and citizens, it is very difficult to read the Ashland Land Use ordinance and be clear as to what is required. Some examples of an attempt to make the code easier to read and review are as follows:

- **Conditional use permits.** The current code has requirements for conditional use permits scattered throughout. The proposed amendments list the conditional use permits by zone, so a reader knows all the potential conditional use permits allowed in each zone.
- **Site Design versus Procedures.** The Site Design chapter (18.72) is currently a blend of both standards and procedures. The procedures are removed from this chapter and put into the Procedures (18.108) chapter. At the same time, an attempt is made to make clear what development is subject to Site Design Review and what is exempt.
- **Definitions.** Definitions are amended and new ones added that were not previously included in the code but are necessary in the application of the code.

Interpretation and Internal Consistency Issues

Every day, planning staff and customers struggle with the meaning or requirements of certain sections of the code. In some circumstances, the intent is clear and a staff decision can be made. In other cases, either the intent is not known or is in question. There are also circumstances where the code can be written to provide better direction. The following are the primary examples of these code amendments:

- **Lot Coverage.** The current definition of Lot Coverage uses words that do not get to the intent of the requirement. Words such as structure (could include dog houses, bird houses, etc.), soil disturbances and normal water infiltration (no definitions). Customers often argue that gravel driveways should be exempt from the requirement. Staff has exempted decks with spacing that allows water infiltration, but not solid decks like concrete patios. Technically, the ordinance would require staff to measure walkways in gardens. The proposed definition provides an exemption for some permeable surfaces and makes the definition much easier to administer.

In the long term, the city should consider two standards: one which addresses impervious surfaces or landscaping/open space and a second which considers bulk and scale of buildings. Those types of changes, however, are considered beyond the scope of these amendments.



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- **Gross Floor Area.** There are several standards in the code based on gross floor area or gross habitable floor area. New definitions are added that are easy to administer and consistent with each other. The definitions measure to outside surfaces of the building(s).
 - **Site Design Standards.** Some development triggers Site Design Review, but what standards should be applied is not always clear. Examples of this include attached single family housing (e.g. townhouses) and non-residential development (e.g. schools) in residential zones. The proposed amendments identify how these sections should be applied. In addition, the applicability of the Site Design to other development is made clear, including the expansion of impervious surface, alterations which affect circulation, and alterations to historic buildings.
 - **Expiration Dates.** Site Design Review approvals were never set to expire if not acted upon. A one year limit is proposed. Tree removal permits are the only planning action that had six month permits; these are proposed to change to 1 year permits. Partitions are proposed for 18 months.
 - **Maps.** Many of the maps that set standards and regulations are hand drawn maps within booklets. As such, these maps were never in an electronic database or applied to parcels. The city's GIS staff has worked to apply these old maps to current technology. Finally, there is not an official zoning map that can be found by the City Recorder. As a result, we wish to readopt the maps in a new electronic format, which will then be available by the City Recorder within the new ordinance.
 - **Street and driveway access points.** The distance between driveways on residential streets is 24 feet in the Street Standards Handbook, but 50 feet in the Site Design Chapter. An interestingly point also is that you can place a driveway or another street 35 feet from the intersection, but the driveway separation is larger. Consistency between these two standards is proposed. (See 18.72.120(B))

Minor Policy Issues

Usually in conjunction with a readability or interpretation issue, we have identified some sections where we work to clarify both the wording and address some policy issues. The following are examples of these in the proposed amendments.

- **Setbacks and Yards.** It is standard practice to have building setbacks. The code uses the word "yard", as in a required 15' front yard. The ordinance also did not provide clarity on how setbacks or yards were determined for multi-story buildings. While it would be advantageous to go through the entire ordinance and address this issue, a simpler route was taken by revising the definition of setback (and adding a new definition of Setback, Special) and by providing clarity as to how setbacks are measured in multi-story buildings. There are also standards for "half-stories", but no definition; a proposed definition for half-story was added.
- **North Mountain Zones.** When the North Mountain zones were adopted, standards for lot coverage or signs in the commercial areas were not included. Standards consistent with the plan are proposed.
- **Accessory Residential Units, Density and MPFA in Multi-Family Zones.** Under the current standards, it is possible to have more density and Maximum Permitted Floor Area (MPFA) in the R-1 single family district than in the R-2 or R-3 multi-family districts. This is due to the fact that in multi-family zones, there isn't any such use as an "accessory



residential use” since multi-family is allowed and not considered “accessory”. In the R-1 district, accessory residential units that are detached from the house are exempt from MPFA. The same allowance is proposed in R-2 and R-3, with a limit of just 500 square feet for the second unit. In addition, it is made clear that the minimum lot area for this second unit can be placed on a 5,000 square foot lot.

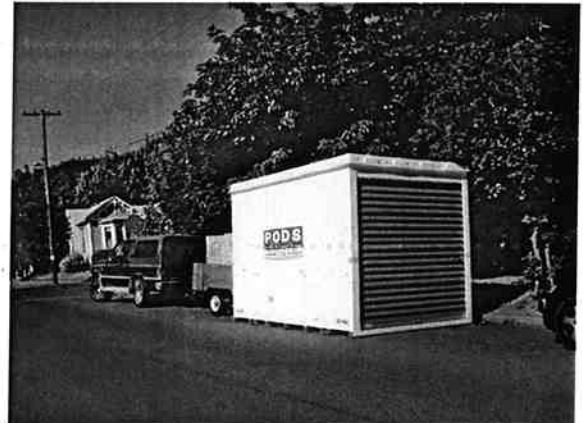
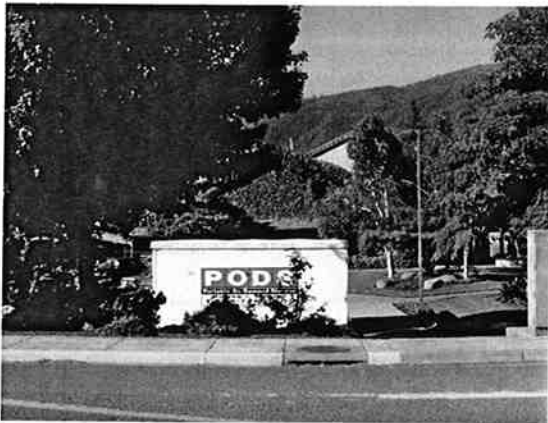
- **Residential Ground Floor in C-1 and E-1 zones.** The current standards for residential uses are not clear when there are multiple buildings in these zones. The existing standard reads “...65% of the total gross floor area of the ground floor, or at least 50% of the total lot area if there are multiple buildings...” The first part is clear (except that gross floor area is not defined), but how do you calculate 50% of the total lot area when applied to multiple buildings? In addition, the recent Economic Opportunities Analysis points out concerns with allowing residential uses in our commercial and employment zones. The proposed standards would not allow residential uses on the ground floor, which is a common zoning requirement in most cities. The standards address the multiple floors by placing an overall limit on how much residential can be allowed for a 2-story building (50%) or multiple story buildings (66%). Thus, a two story building would have one floor of commercial and the second floor could be residential. A three story building could have one story of commercial and two floors of residential. Four or more stories would be required to have upper floors be partly used for commercial or employment purposes.
- **Tree Protection.** The current ordinance does not offer protection for trees on adjacent properties that might have driplines overhanging the site of proposed development. A requirement to identify those trees is added (18.61.050). The ability to require larger trees when replacing a visual screen that is removed is added (18.61.084).
- **Vision Clearance.** The current ordinance measures vision clearance from property lines. This is a disincentive to wide sidewalks and does not address the purpose of the vision clearance area: for pedestrian and vehicular safety. The proposed changes measure setbacks from curb lines. As a result, an exemption for street utilities is necessary for items such as traffic signs, street lights, etc. The amendments were reviewed by the Public Works Director and City Engineer. The State of Oregon standards are dropped from the code as they are within state law and are stopping distances, not vision clearance.
- **Nonconforming Uses and Structures.** The existing standards have contradictions and do not properly reference criteria. A nonconforming use may be changed or a nonconforming structure enlarged when authorized in accordance with the “procedure” in the Conditional Use Permit (CUP) chapter. It has been argued that the procedures for Conditional Use permit are notice requirements, and not criteria. A reference to two of the three conditional use permit criteria is added.

The second problem with this section is that it appears to require a CUP when reconstructing or structurally altering a nonconforming structure. However, there are no definitions as to what reconstruction or structural alteration means, and the third point allows this to occur as long as the footprint is not changed in size or shape. The changes proposed would require a CUP only when the structure is enlarged or extended. A nonconforming structure could be reconstructed or structurally altered (enlarged is stricken) without a CUP; however, the use cannot change without a CUP. For example, if a garage had a nonconforming setback, it could be structurally altered unless the use changed, such as to a residential unit. Then, a conditional use permit would be required.



- **Mechanical Equipment.** The existing code does not appear to provide any clear exemption from Site Design Review, nor does it provide exemptions for placement into yards, etc. There are several amendments proposed that address this issue.
 - **Definitions.** Removes the exemptions from the definition and puts these exemptions into the Site Design Chapter.
 - **Setback Exception.** Mechanical equipment and associated housing that is not taller than allowed fence heights is proposed to be allowed within required side or rear yards. If this equipment is installed, it must conform to other provisions of the Ashland Code, including noise attenuation. (See 18.68.140)
 - **Site Design Review Exemptions.** Three exemptions are provided in Section 18.72.030(B). The first is an exemption for roof-mounted solar collection devices unless within the Employment and Commercial zoned properties in an historic district. The second is the installation of mechanical equipment not visible from the street or adjacent residential property. The third is for the routine maintenance and replacement of existing mechanical equipment. The other exemptions are required by federal law for amateur radios and satellite dishes.

- **Temporary Storage.** We are starting to see an increase in the usage of temporary storage containers throughout the city. These storage containers include signage that is incompatible with city standards, and there are currently no limits on how long these can be kept in place. Proposed standards would allow these units on a temporary basis. Anything longer would require a Conditional Use Permit. (See 18.68.170)



- **Permit Expiration.** The current ordinance allows two extensions of one year each for planning actions. These extensions must be approved with a Staff Permit procedure requiring notice, etc. The permit approval can only be extended when the ordinance has not changed, or the applicant agrees to abide by any changes in the ordinance. The proposed amendment would allow for just one extension of 18 months, and this extension can be approved ministerial by staff with the same requirement that the code has not changed or the applicant agrees to abide by any code changes. (See 18.112.030)



Procedure Amendments

There are numerous changes proposed within the ordinance affecting procedures. The changes can be grouped into the following functional areas:

1. New Expedited Land Division procedures
2. Amended Type I Permit procedures
3. Amended Type II Permit procedures
4. Ordinance Interpretations
5. Application Requirements

New Expedited Land Division Procedures

An expedited land division under ORS 197.360 is an action for land zoned residential in an urban growth boundary that creates enough lots or parcels to allow building residential units at 80% or more of the maximum net density permitted by the zoning designation of the site, creates three or fewer parcels and complies with street and other standards of the city.

These procedures are required under Oregon statute, but have not been written into the city's code yet. The proposed procedures are taken basically verbatim from the statute. The only deviation is that the City Administrator is authorized to hire a "referee" under contract if an Expedited Land Division is appealed. (State law requires the referee to be someone other than a city employee or official, which would include the Planning Commission.)

The expedited land division process would not be authorized in historic districts or on lands designated by Physical and Environmental Constraints. It is anticipated that few partitions would be eligible for this review process.

Amended Type I Permit Procedures

- **Staff Permits.** The current procedure for staff permits is removed from the proposed ordinance. These permits would now proceed as Type I permits. The change is not significant, provided that the proposed Type I procedures are adopted. Notice requirements are nearly identical between Type I and Staff Permits. The consolidation makes it easier to administer and should have little affect on customers. The current staff permits in the code are as follows:
 - Final subdivision plat approval. (18.80.050)
 - Final partition map approval. (18.76.120)
 - Minor amendments to subdivisions and partitions.
 - Boundary line adjustments. (18.76.140)
 - Zoning permits. (18.112.010)
 - Sign permits. (18.96.050)
 - Home occupation permits. (18.94.130)
 - Tree Removal permits (18.61.042)
- **Notice Requirements.** The current procedures require the city to send notice to adjacent property owners after a tentative decision has been made by staff. Oregon state law requires that we give Notice of Application. The city's current notice procedure might be



allowed due to the fact that the notice is of a tentative decision that does not become final until reviewed by the Hearings Board. This procedure does not encourage public input at the appropriate stage of the process. The proposed notice procedure allows for a 14-day period to submit written comments. These permit applications will be posted on site, and will be made available for review on the city's web site. The proposed Notice of Application will provide a better opportunity to comment on the application prior to decisions being made.

- **Type II projects now proposed as Type I.** There are some Type II planning actions that are proposed to be moved to Type I. Because the existing ordinance classifies conditional use permits involving existing structures and not more than 3 dwelling units as Type I permits, it is not possible to accurately reflect how many of these changes would result in an actual move of Type II permits to Type I. Some of the known changes might include:
 - The requirement that projects that are more than 100 feet in length or width in the Detail Site Review zone.
 - Daycare centers, public and public utility buildings less than 2,500 square feet, hostels, and some uses in the Residential and North Mountain zones
 - Electrical substations, outdoor storage of commodities in the commercial zones
 - Limited personal service providers in the home, travelers' accommodations, and professional offices in the Health Care Services zone.

- **Staff Decision Final.** The current ordinance has all Type I permit applications reviewed by the Planning Commission Hearings Board before they become final. The proposed changes would make the staff decision final, subject to either a reconsideration process or appeal to the Planning Commission for a public hearing.

This procedure is projected to save considerable staff time that can be devoted to other issues, as well as saving the Hearings Board from additional meetings. In the past two years, there were 95 Type I decisions that were reviewed by the Hearings Board. For each application reviewed by the Hearings Board, staff must prepare a staff report, copies must be made, and presentations prepared. Conservatively, I would anticipate that this change would result in a savings of almost two hours of staff time per application. That is two weeks worth of staff time per year that could be allocated to other priorities.

- **Reconsideration and Appeals.** In an effort to avoid appeals when a factual error occurred that is brought to the attention of the Staff Advisor, a reconsideration process is added to the procedures. The Planning Director would review the request, and if reconsideration is granted, then the appeal process is stopped until a revised decision is sent out to all parties of the action.

The current procedures allow anyone to "call up" an item to public hearing at no cost. The proposed process for having a planning action considered at a public hearing would be an appeal of the final decision of the Planning Director. Appeals would be to the Planning Commission and would be a "de novo" hearing under Oregon land use statutes. Since the new process has both a Notice of Application and a Reconsideration process, it is hoped that issues are resolved before an appeal. The proposal would not allow any further appeals to City Council. Appeals of the Planning Commission decision could be made to the Land Use Board of Appeals (LUBA).



State law is specific in that land use actions made without a public hearing can be appealed and fees set. The maximum fee that can be charged for the initial hearing is \$250. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing must be refunded. Any fee required cannot apply to appeals made by neighborhood or community organizations recognized by the city and whose boundaries include the site.

While this ordinance does not set fees, it does authorize the collection of these appeal fees (up to state limit of \$250). I am making a recommendation that such fees be established. In the most recent case of the "call up" of the Type I Final Outline Plan approval for Helman Baths without any fees paid, staff calculated the amount of time to transmit this issue to the Planning Commission. In this case, the Planning Commission upheld the staff decision. The following was the expense to the city in that review, which does not account at all for additional expenses to the applicant.

Staff Time	11 hours	\$40/hour	\$ 440.00
Mailing			10.50
Copying	245 pages x 14 sets @10 cents		343.00
		TOTAL	\$ 793.50

Amended Type II Permit Procedures

Only limited changes are proposed to the Type II procedures.

- **Initial Evidentiary Hearing.** One of my experiences thus far is that information is not gathered early in the process in order to afford decision-makers with ample opportunity to review, study and prepare questions. Staff also is not provided the opportunity to review and incorporate information into analysis or recommendations. Recently, staff held a neighborhood meeting on a project to gather some input and see if some issues could be resolved. The neighbors were very pleased with the process because it was less formal, there weren't limits on the length of time they could talk, etc. The proposal is to be able to formalize these meetings through a public hearing process where the input is kept, recorded and then transmitted to the Planning Commission for their review and deliberation. The public hearing would not be closed at the staff level, so additional oral and written testimony could still be received by the Planning Commission.
- **Reconsideration.** Like the Type I procedures, at times there may have been a factual error made during the decision-making at the Planning Commission level that could be cured by the Planning Commission rather than through an appeal procedure before the City Council. An example in the past was advice provided by staff regarding standards for vision clearance. Upon review the next day, it was noticed that the advice was factually incorrect, which could be cured by a reconsideration process.
- **Appeal to Council.** There are two basic changes in the proposed changes to appeal to council procedures.
 - **Council Ability to Review.** In a recent case where the Council appealed a Planning Commission decision, it was unclear whether the Council appealed the decision or they wanted to call the decision up for review. The proposal eliminates the Council ability to be an appellant, but preserves their right to call up an action for review. When the council is the appellant and the hearing body for the appeal, potential bias



and prejudgment issues are created. The proposal would allow the Council to simply call up an item for review without the requirement to state the reasons normally required in an appeal proceeding. The proposed procedures would also have any issue that is "called up" by the City Council to be a review of the record without any public testimony, unless an appeal is filed by another party.

- **Appeals could be "on the record"**. One of my experiences of appeals before the City Council is that new information is provided that never was provided to the Planning Commission or other advisory bodies, such as the Historic Commission or Tree Commission. In order to place an emphasis on citizen participation and citizen review of development applications, and de-politicize land use decisions, it is best that the record and input be provided at the earliest stage in the process.

The proposed amendments would state that appeals before City Council be "on the record" before the Planning Commission unless the City Administrator determines that a factual error occurred or additional substantive information is available that might affect the outcome of the decision. If the City Administrator finds that additional testimony is warranted, then the Council would limit the public testimony to those facts and issues only.

Ordinance Interpretations

One of the concerns expressed by some in the public is the process for interpretations. Every day, planning staff makes judgments on what the code appears or doesn't appear to say or require. Some call these interpretations, which under the current ordinance need to be reviewed by both the Planning Commission and City Council. If every judgment call we made was reviewed by the Planning Commission and City Council, the process would quickly clog up. I believe that such process is only required when there is "doubt" about the provision. When there isn't doubt, we don't send it forward.

The process as written is not necessarily fair to parties that don't agree with the decision. In every jurisdiction that I am familiar with, the Planning Director's decision on interpretation is final, but that decision can be appealed to some body for review. As such, the process that is proposed is a hybrid between the current system where the Planning Commission and City Council review that interpretation, and a system where the decision of the Planning Director is final, subject to potential review and/or appeal. The system maintains the relationship with the City Attorney providing his or her opinion on the interpretation.

I have also faced considerable amount of work and effort answering questions from citizens about what the code appears or doesn't appear to require. Formalizing the process for interpretation requests will benefit staff and others, and will provide the city with the opportunity if desired to capture any fees for these services.

Application Requirements

Finally, the proposed ordinance provides some flexibility for staff to set application submittal requirements and deadlines (18.108.017(A)(3)), and to waive some map scale and paper sizes for physical constraints and tree removal permits (see 18.61.050 and 18.62.040).

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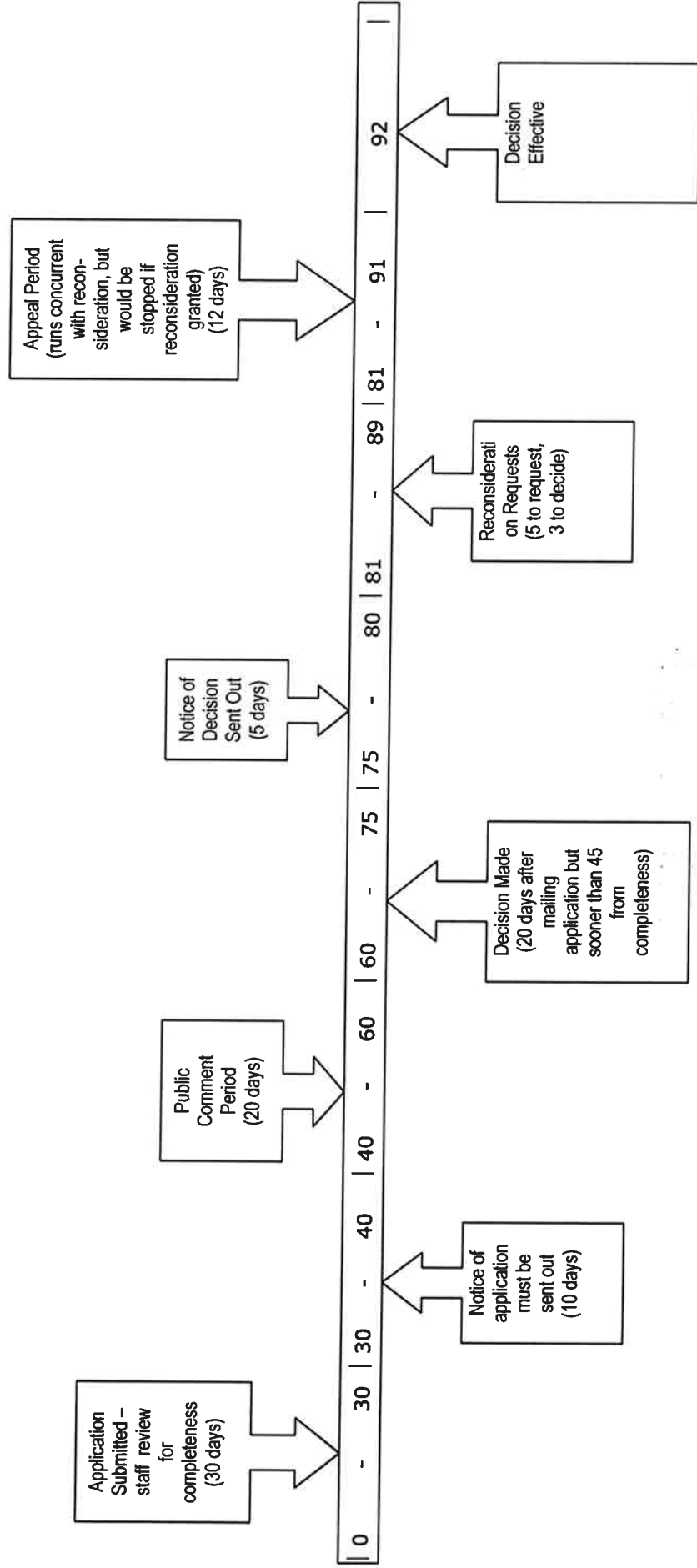
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REVISED TYPE I PERMIT TIMELINE and PROCEDURES



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PROPOSED LAND USE CODE REVISIONS

(Proposed deletions are struck through and proposed additions are underlined.)

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Section 1, Amend Chapter 18.08, DEFINITIONS

Amend Section 18.08.090, Boarding--rooming house

A dwelling or part thereof, other than a hotel or motel, where lodging with or without meals is provided, for compensation, for three (3) or more persons, for a minimum period of thirty (30) days.

Amend Section 18.08.160, Coverage, lot or site.

Total area of all structures buildings, and paved driveways, or other soil disturbances solid surfaces that will not allow normal water infiltration to the ground. Permeable surfaces up to ten percent (10%) of the lot area, such as paths, patios, decks or similar surfaces (not including driveways) are exempt from coverage requirements. The coverage is expressed as a percentage of such area in relation to the total gross area of the lot or site. Landscaping which does not negatively impact the natural water retention and soil characteristics of the site shall not be deemed part of the lot or site coverage.

Amend Section 18.08.320, Hotel or Motel

A facility offering transient lodging accommodations to the general public and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities. building in which lodging is provided to guests for compensation and in which no provisions are made for cooking in the lodging rooms.

Amend (Recodify[DS1]) Section 18.08.380, Lot depth

The horizontal distance from the midpoint of the rear of lot line to the midpoint of the front lot line.

Amend Section 18.08.485, Mechanical equipment

Equipment or devices installed for a use appurtenant to the primary use. Such equipment shall include heating and air conditioning equipment, solar collectors, parabolic antennas, disc antenna, radio or TV receiving or transmitting antennas, and any power generating devices. The following equipment or devices are exempt:

- A. Private, non-commercial radio and television antennas not exceeding a height of seventy (70) feet above grade or thirty (30) feet above an existing structure, whichever height is greater. No part of such antenna shall be within the yards required by this Chapter. A building permit shall be required for any antenna mast, or tower over fifty (50) feet above grade or thirty (30) feet above an existing structure when the same is constructed on the roof of the structure.
- B. Parabolic antennas under three (3) feet in diameter.

Delete Section 18.08.510, Motel.

A building or group of buildings on the same lot containing guest units for rental to transients, with separate entrances directly exterior and consisting of individual sleeping quarters, detached or in connected rows, with or without cooking facilities.

Amend Section 18.05.530, Parking Space

A space designed and designated to provide standing area for a motor vehicle. See Chapter 18.92 for parking standards. A rectangle not less than eighteen (18) feet long and nine (9) feet wide together with access and maneuvering space sufficient to permit a standard automobile to be parked within the rectangle without the necessity of moving other vehicles; said rectangle to be located off of the street right-of-way.

Amend Section 18.08.595, Planning application; planning action.

A planning application is an application, other than an application for legislative amendment, filed pursuant to the requirements of this ordinance. A planning action is a proceeding pursuant to this ordinance in which the legal rights, duties or privileges of specific parties are determined, and any appeal or review of such proceeding, pursuant to the provisions of this ordinance. A planning action does not include a ministerial action or a legislative amendment.

Amend Section 18.08.650, Setback

The distance between the building and the lot line. Where increased setbacks are required for multiple stories, the setback is measured for each story as set forth in the zoning district standards. For example, if the setback is (10) ten feet plus (10) ten feet for each story in excess of (1) one story, a (2) two story building would have a (10) ten foot setback for the first floor and the second floor must be setback (20) twenty feet from the lot line measured horizontally. Architectural projections may intrude into required setbacks as set forth in Section 18.68.040. center line of a street and the special base line setback from which yard measurements are made, measured horizontally and at right angles from said center line.

Amend Section 18.08.740, Story

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six (6) feet above grade for more than fifty percent (50%) of the perimeter of the building, the basement or cellar shall be considered a story. Unenclosed decks, porches, balconies and similar features (those without a roof) are not considered stories.

Amend Section 18.08.750, Structure or building

That which is built or constructed; an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on, in, or above the ground or which is attached to something having a location on, in or above the ground. Structures ~~eighteen-thirty (30) (18)~~ inches in height or less, including entry stairs, porches, patios and similar structures, are exempt from the side and rear yard requirements and from half (1/2) the yard requirements for the front yard and side yard abutting a public street.

Amend Section 18.08.795, Traveler's Accommodations

Any establishment in a residential zone having rooms or dwellings rented or kept for rent to travelers or transients for a charge or fee paid or to be paid for rental or use of such facilities for a period of less than thirty (30) days.

Amend Section 18.08.820, Vision clearance area

A triangular area on a lot at the intersection of two (2) streets or a street and a railroad, two (2) sides of which are lot lines measured from the corner intersection of the curb lines extended, or edge of pavement if no curb exists, ~~lot lines~~ for a distance specified in these regulations. The third side of the triangle is a line across the corner of the lot joining the ends of the other two sides. Where the ~~lot-curb~~ lines or intersections have rounded corners, the ~~lot-curb~~ lines will be extended in a straight line to a point of intersection.

Amend Section 18.08.830, Yard

An open space on a lot which is unobstructed by a structure ~~from the ground upward.~~

ADD the following definitions:

Accessory residential unit

A second dwelling unit created on a lot with a single family dwelling not greater than 50% of the gross floor area of the primary residence on the lot and shall not exceed 1,000 square feet of gross floor area.

Floor area, gross habitable

The total floor space in a building for living, sleeping, eating or cooking measured to the outside surfaces of the building, including but not limited to exterior walls but exclusive of outside courts enclosed by walls. The floor area shall be the useable area under the horizontal projection of the roof or floor above with at least 7' of head room. No deductions of floor area for any space within the confines of the habitable area are allowed, such as for bathrooms, closets, halls, storage or utility spaces that are accessed from interior habitable spaces.

Floor area, gross

The total floor space of all floors measured to the outside surfaces of the building, including but not limited to exterior walls but exclusive of outside courts enclosed by walls. The floor area shall be the useable area under the horizontal projection of the roof or floor above with at least 7' of head room.

Historic District

A district recognized as historically significant under the City of Ashland Comprehensive Plan and its implementing regulations (e.g. overlay zones).

Porch, enclosed/unenclosed

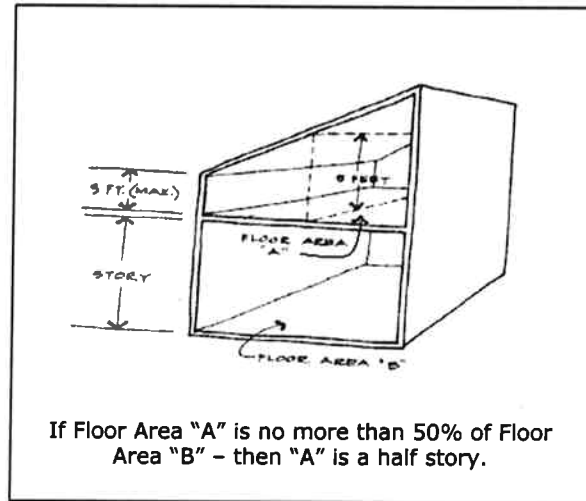
Covered porches, exterior balconies, or other similar areas attached to a building and having dimensions of not less than six (6) feet in depth by eight (8) feet in length. "Enclosed" means the porch contains wall(s) that are more than forty-two (42) inches in height measured from finished floor level, for fifty percent (50%) or more of the porch perimeter. "Unenclosed" means the porch contains no such walls.

Setback, Special

The distance between the center line of a street and the special base line setback from which yard measurements are made, measured horizontally and at right angles from said center line.

Story, half

A space under a sloping roof that has the line of intersection of the roof and wall face not more than three (3) feet above the floor level and in which space the possible floor area with head room of five (5) feet or more occupies no more than fifty percent (50%) of the total floor area of the story directly beneath.



Section 2, Amend Chapter 18.12, DISTRICTS AND ZONING MAP.

Amend Section 18.12.020, Classification of districts

For the purpose of this Title, the City is divided into zoning districts designated as follows:

<u>Zoning Districts and Overlays</u>	<u>Map Symbol and Abbreviated Designation</u>
Airport Overlay	A
Residential - Rural	RR
Residential - Single Family	R-1
Residential - Low Density Multiple Family	R-2
Residential - High Density Multiple Family	R-3
Commercial	C-1
Commercial - Downtown	C-1-D
Employment	E-1
Industrial	M-1
Woodland Residential	WR
<u>SOU - Southern Oregon State College/University</u>	<u>SOU</u>
<u>Performance Standards (P) - Overlay</u>	<u>P</u>
<u>Design Review Overlay</u>	<u>DSR</u>
<u>Health Care Services Zone</u>	<u>HC</u>
<u>North Mountain Neighborhood</u>	<u>NM</u>
<u>Residential Overlay</u>	
<u>Freeway Sign Overlay</u>	

Amend Section 18.12.030, Zoning and Land Use Control Maps

A. The location and boundaries of the zoning districts designated in Section 18.12.020, physical and environmental constraints designated in Section 18.62.060, Site Design zones designated in Chapter 18.72 are established as shown on the map entitled "Zoning and Land Use Control Maps of the City of Ashland," dated with the effective date

of the ordinance codified herein, and signed by the Mayor and City Recorder and hereafter referred to as the "Zoning and Land Use Control Maps."

- B. The signed copy of said Zoning and Land Use Control Maps shall be maintained on file in the office of the City Recorder and is made a part of this Title.

Section 3, Amend Chapter 18.14, W-R WOODLAND RESIDENTIAL DISTRICT

Amend Section 18.14.030, W-R, add the following Conditional Uses

~~H. Any removal of three (3) or more living trees of over six (6) inches in diameter from any tax lot during any one (1) calendar year, or any form of commercial logging. Such use shall be permitted only when, in addition to the Conditional Use Permit findings, the following findings have been determined:~~

- ~~1. Transportation to and from the site can be accomplished safely and without disturbance to residents.~~
- ~~2. That adequate provisions have been made for erosion control.~~
- ~~3. That adequate provisions have been made for reforestation.~~
- ~~4. That approval has been obtained from all appropriate County, State and Federal agencies.~~
- ~~5. That there is no probable danger of wildfire.~~
- ~~6. That there is adequate surety bonding provided to the City to ensure that any required reforestation and erosion control will be accomplished.~~

[DS2]H. Disc antenna for commercial use.

I. Nonconforming use or structure changes required by Section 18.68.090.

J. Temporary uses.

K. Wireless Communication Facilities when attached to existing structures and authorized pursuant to Section 18.72.180.

Section 4, Amend Chapter 18.16, R-R RURAL RESIDENTIAL DISTRICT

Amend Section 18.16.030, R-R, add the following Conditional Uses

K. Disc antenna for commercial use.

L. Nonconforming use or structure changes required by Section 18.68.090.

M. Temporary uses.

N. Wireless Communication Facilities when attached to existing structures and authorized pursuant to Section 18.72.180.

Amend Section 18.16.040, R-R, General Regulations

F. Minimum side yard: There shall be a minimum side yard of five-six (65) feet, except ten (10) feet along the side yard facing the street on a corner lot.

G. Minimum rear yard: There shall be a minimum rear yard of ten (10) feet plus ten (10) feet for each story in excess of one (1) story.

Section 5, Amend Chapter 18.20, R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

Amend Section 18.20.030, R-1, Conditional Uses

- J. Disc antenna for commercial use.
- K. Dwellings in the Historic District exceeding the maximum permitted floor area pursuant to Section 18.20.040.
- L. Nonconforming use or structure changes required by Section 18.68.090.
- M. Temporary uses.
- N. Wireless Communication Facilities when attached to existing structures and authorized pursuant to Section 18.72.180.

Section 6, Amend Chapter 18.22, R-1-3.5 SUBURBAN RESIDENTIAL DISTRICT

Amend Section 18.22.030, R-1-3.5, Conditional Uses

- H. Disc antenna for commercial use.
- I. Nonconforming use or structure changes required by Section 18.68.090.
- J. Temporary uses.
- K. Wireless Communication Facilities when attached to existing structures and authorized pursuant to Section 18.72.180.

Amend Section 18.22.040, R-1-3.5, General Regulations

- A. **Minimum Lot Area.** The minimum lot area shall be five thousand (5,000) square feet, for the first dwelling unit and ~~except that a lot three thousand five hundred (3,500) square feet or larger may be created for each additional when the lot with contains an existing single-family residence which meets on it;~~ both the existing and new structures must meet the **setback, density, and lot coverage** and lot size requirements, and criteria of Chapter 18.76, the Minor Land Partition Section of the Ordinance, just as if each structure would be located on its own lot, regardless of whether a new parcel is being created or not. In the Ashland Historic District, all residential structures shall also be subject to these requirements. **Variances under this Section are subject to Type I procedures.**

Section 7, Amend Chapter 18.24, R-2 LOW DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Amend Section 18.24.030, R-2, Conditional Uses

- I. **Retail commercial uses located in a dwelling unit,** within the Railroad Historic District as identified by the Ashland Historic Commission and approved by the City Council. Such business shall be no greater than six hundred (600) sq. ft. in total area, including all storage and accessory uses, and shall be operated only by the occupant of the dwelling unit uses, and the equivalent of one (1) half (½) time employee (up to twenty-five (25) hours per week). Such use shall be designed to serve primarily pedestrian traffic, and shall be located on a street having a fully improved sidewalk on at least the side occupied by the business. The street shall be a fully improved street of residential City standards or greater.
- K. **Traveler's accommodations, subject to the following:**

6. **Transfer of business-ownership of a traveler's accommodation shall be subject to all requirements of this section, and subject to Conditional Use Permit approval and conformance with the criteria of this section. All traveler's accommodations receiving their initial approvals prior to the effective date of this ordinance shall be considered as approved, conforming uses, with all previous approvals, conditions and requirements remaining in effect upon change of business-ownership. Any further modifications beyond the existing approvals shall be in conformance with all requirements of this section.**
- L. ~~Hostels, provided that the facility be subject to an annual Type I review for at least the first three (3) years, after which time the Planning Commission may approve, under a Type II procedure, a permanent permit for the facility.~~
- M. Disc antenna for commercial use.
- N. Nonconforming use or structure changes required by Section 18.68.090.
- O. New structures and additions to existing structures within a designated Historic District which exceeds the Maximum Permitted Floor Area (MPFA), subject to the general regulations set forth in Section 18.24.040.
- P. Temporary uses.
- Q. Wireless Communication Facilities when attached to existing structures and authorized pursuant to Section 18.72.180.

Amend Section 18.24.040, R-2, General Regulations

A. Permitted Density.

1. **Base Densities and Minimum Lot Dimensions.** The density of the development, including the density gained through bonus points, shall not exceed the density established by this section. The density shall be computed by dividing the total number of dwelling units by the acreage of the project, including land dedicated to the public. The minimum density shall be 80% of the calculated base density. Fractional portions of the answer shall not apply towards the total density. Base density for the R-2 zone shall be 13.5 dwelling units per acre, in addition to the following standards:
- a. ~~however, u~~Units of less than 500 square feet of gross habitable area shall count as 0.75 units for the purposes of density calculations, with the following restrictions.
 - b. An accessory residential unit is not required to meet density requirements, provided the unit is less than 500 square feet in gross floor area.
 - ca. Minimum lot area for less than 2 units unit 1 shall be 5000 sq. ft. with a minimum width of 50' and minimum depth of 80'.
 - db. Minimum lot area for 2 units shall be 7,000 sq. ft. with a minimum width of 50' and a minimum depth of 80'.
 - ee. Developments of 3 units or greater shall have minimum lot area in excess of 9000 sq. ft. and except as determined by the base density and allowable bonus point calculations, and shall have a minimum width of 50' and a minimum depth of 80'.

I. **Maximum Permitted Floor Area for single family dwellings on individual lots within the Historic District.** The maximum permitted floor area for single family primary dwellings on individual lots within ~~the an~~ Historic District shall be determined by the following:

1. The maximum permitted floor area shall include the total floor space of all floors (gross floor area) of the primary dwelling measured to the outside surfaces of the building, including but not limited to exterior walls, potential living spaces within the

structure with at least 7' of head room and attached garages. The floor area shall not include basements, detached garages, detached accessory structures, or ~~detached accessory~~ a second residential units on one lot that is less than 500 square feet in gross floor area. Detached garages, accessory structures, or accessory residential units shall be separated from other structures by a minimum of 6', except that unenclosed breezeways or similar open structures may connect the structures.

J. ~~Maximum Permitted Floor Area for multiple dwellings on a single lot and new residential construction in Performance Standards Options land divisions created within the an Historic District. The MPFA for multiple dwellings on a single lot within the Historic District shall be determined by the following:~~

1. The MPFA shall include the total floor space of all floors (gross floor area) of the primary dwelling measured to the outside surfaces of the building, including but not limited to exterior walls, potential living spaces within the structure with at least 7' of head room and attached garages. The floor area shall not include basements, detached garages, detached accessory structures, or a detached accessory second residential units on one lot that is less than 500 square feet in gross floor area. Detached garages, accessory structures, or ~~accessory residential units~~ shall be separated from other structures by a minimum of 6', except that unenclosed breezeways or similar open structures may connect the structures.

Section 8, Amend Chapter 18.28, R-3 HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Amend Section 18.28.030, R-3, Conditional Uses

J. Travelers accommodations, subject to the following:

6. Transfer of business-ownership of a travelers accommodation shall be subject to all requirements of this section, ~~and subject to Conditional Use Permit approval and conformance with the criteria of this section.~~ All travelers's accommodations receiving their initial approvals prior to the effective date of this ordinance shall be considered as approved, conforming uses, with all previous approvals, conditions and requirements remaining in effect upon change of business-ownership. Any further modifications beyond the existing approvals shall be in conformance with all requirements of this section.

L. ~~Hostels, provided that the facility be subject to an annual Type I review for at least the first three (3) years, after which time the Planning Commission may approve, under a Type II procedure, a permanent permit for the facility.~~

M. ~~Disc antenna for commercial use.~~

N. Enlargement, extension, reconstruction, substitution, structural alteration or reactivation of nonconforming uses and structures pursuant to Section 18.68.090.

O. New structures and additions to existing structures within a designated Historic District which exceeds the Maximum Permitted Floor Area (MPFA), subject to the general regulations set forth in Section 18.28.040.

P. Temporary uses.

Q. Wireless Communication Facilities when attached to existing structures and authorized pursuant to Section 18.72.180.

Amend Section 18.28.040, R-3, General Regulations

A. Permitted Density and Minimum Lot Dimensions

1. **Base Densities.** The density of the development, including the density gained through bonus points, shall not exceed the density established by this section. The density shall be computed by dividing the total number of dwelling units by the acreage of the project, including land dedicated to the public. The minimum density shall be 80% of the calculated base density. Fractional portions of the answer shall not apply towards the total density. Base density for the R-3 zone shall be 20.0 dwelling units per acre, in addition to the following standards:
 - a. ~~however, u~~Units of less than 500 square feet of gross habitable area shall count as 0.75 units for the purposes of density calculations, ~~with the following restrictions.~~
 - b. An accessory residential unit is not required to meet density requirements, provided the unit is less than 500 square feet in gross floor area.
 - ca. Minimum lot area for less than two (2) units ~~±~~ shall be 5000 sq. ft. with a minimum width of 50' and minimum depth of 80'
 - db. Minimum lot area for 2 units shall be 6,500 sq. ft. with a minimum width of 50' and a minimum depth of 80'.
 - ee. Developments of 3 units or greater shall have minimum lot area in excess of 8000 sq. ft. ~~and except~~ as determined by the base density and allowable bonus point calculations, and shall have a minimum width of 50' and a minimum depth of 80'.

I. Maximum Permitted Floor Area for single family dwellings on individual lots within the Historic District. The maximum permitted floor area for single family primary dwellings on individual lots within ~~the an~~ Historic District shall be determined by the following:

1. The maximum permitted floor area shall include the total floor space of all floors (gross floor area) of the primary dwelling measured to the outside surfaces of the building, including but not limited to exterior walls, potential living spaces within the structure with at least 7' of head room and attached garages. The floor area shall not include basements, detached garages, detached accessory structures, or ~~detached accessory~~ a second residential units on one lot that is less than 500 square feet in gross floor area. Detached garages, accessory structures, or accessory residential units shall be separated from other structures by a minimum of 6', except that unenclosed breezeways or similar open structures may connect the structures.

J. Maximum Permitted Floor Area for multiple dwellings on a single lot and new residential construction in Performance Standards Options land divisions created within the an Historic District. The MPFA for ~~multiple dwellings on a single lot within the Historic District~~ shall be determined by the following:

1. The MPFA shall include the total floor space of all floors (gross floor area) of the primary dwelling measured to the outside surfaces of the building, including but not limited to exterior walls, potential living spaces within the structure with at least 7' of head room and attached garages. The floor area shall not include basements, detached garages, detached accessory structures, or a detached accessory-second residential units on one lot that is less than 500 square feet in gross floor area. Detached garages, accessory structures, or ~~accessory-residential units~~ shall be separated from other structures by a minimum of 6', except that unenclosed breezeways or similar open structures may connect the structures.

Section 9, Amend Chapter 18.30, NM NORTH MOUNTAIN NEIGHBORHOOD

Amend Section 18.30.020, NM General Regulations

A. **Conformance with North Mountain Neighborhood Plan.**

Land uses, streets, alleys and pedestrian/bicycle access ways shall be located in accordance with those shown on the North Mountain Neighborhood Plan adopted by Ordinance No. 2800.

2.d. The proposed modification is necessary to adjust to physical constraints evident on the property, or to protect significant natural features such as trees, rock outcroppings, wetlands, ~~etc.~~ or similar natural features, or to adjust to existing property lines between project boundaries.

E. **Density Transfer.** Density transfer within a project from one overlay to another may be approved if it can be shown that the proposed density transfer furthers the design and access concepts advocated by the neighborhood plan, and provides for a variety of residential unit sizes, types and architectural styles. ~~a diversity in size and style of housing types.~~

Amend Section 18.30.030, NM-C Neighborhood Central Overlay

G. **Lot Coverage:** Maximum lot coverage shall be seventy-five (75) percent.

Amend Section 18.30.040, NM-MF Neighborhood Core Overlay

- C. 1. **Front Yards.** Front yard setbacks shall be a minimum of ten (10) feet and a maximum of twenty-five (25) feet, excluding garages. Front yards may be reduced to five (5) feet for unenclosed porches with a minimum depth of six (6) feet and a minimum width of eight (8) feet. Garages shall be setback a minimum of fifteen (15) feet from the front building facade and twenty (20) feet from the sidewalk. No greater than 50 percent (50%) of the total lineal building facade facing the street shall consist of garage, carport or other covered parking space.
2. **Side Yards.** Side yard setbacks shall be a minimum of five (5) feet per for the first story, excluding half-stories and upper floor dormer space, five (5) feet for each additional story, and ten (10) feet when abutting a public street. Single story, detached garages and accessory structures shall have a minimum three (3) foot side yard, except that no side yard is required for accessory buildings sharing a common wall.

Amend Section 18.30.050, NM-R-1-5 Neighborhood General Overlay

- C. 1. **Front Yards.** Front yard setbacks shall be a minimum of ten (10) feet and a maximum of twenty-five (25) feet, excluding garages. Front yards may be reduced to five (5) feet for unenclosed porches with a minimum depth of six (6) feet and a minimum width of eight (8) feet. Garages shall be setback a minimum of fifteen (15) feet from the front building facade and twenty (20) feet from the sidewalk. No greater than 50 percent (50%) of the total lineal building facade facing the street shall consist of garage, carport or other covered parking space.
2. **Side Yards.** Side yard setbacks shall be a minimum of five (5) feet per for the first story, excluding half-stories and upper floor dormer space, five (5) feet for each additional story, and ten (10) feet when abutting a public street. Single story, detached garages and accessory structures shall have a minimum three (3) foot side

yard, except that no side yard is required for accessory buildings sharing a common wall.

F. **Lot Coverage:** Maximum lot coverage shall be fifty percent (50%).

Amend Section 18.30.060, NM-R-1-7.5 Neighborhood Edge Overlay

- C. 1. **Front Yards.** ~~Front yard setbacks shall be a minimum of ten (10) feet and a maximum of twenty-five (25) feet, excluding garages. Front yards may be reduced to five (5) feet for unenclosed porches with a minimum depth of six (6) feet and a minimum width of eight (8) feet. Garages shall be setback a minimum of fifteen (15) feet from the front building facade and twenty (20) feet from the sidewalk. No greater than 50 percent (50%) of the total lineal building facade facing the street shall consist of garage, carport or other covered parking space.~~
2. **Side Yards.** ~~Side yard setbacks shall be a minimum of five (5) feet per for the first story, excluding half-stories and upper floor dormer space, five (5) feet for each additional story, and ten (10) feet when abutting a public street. Single story, detached garages and accessory structures shall have a minimum three (3) foot side yard, except that no side yard is required for accessory buildings sharing a common wall.~~

G. **Lot Coverage:** Maximum lot coverage shall be forty-five percent (45%).

Section 10, Amend Chapter 18.32, C-1 RETAIL COMMERCIAL DISTRICT

Amend Section 18.32.025, C-1 Special Permitted Uses

D. Residential uses.

1. ~~Residential units, and their associated parking or storage, are prohibited on the ground floor. Multi-story or multi-unit buildings on a lot, including habitable basement areas, shall not have more than fifty percent (50%) of the entire gross floor area of the building(s) in residential use for two story buildings and sixty-six percent (66%) for three or more story buildings. At least 65% of the total gross floor area of the ground floor, or at least 50% of the total lot area if there are multiple buildings shall be designated for permitted or special permitted uses, excluding residential.~~
2. **Residential densities shall not exceed 30 dwelling units per acre in the C-1 District, and 60 dwelling units per acre in the C-1-D District. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.**

E. Drive-up uses as defined and regulated as follows:

1. ~~Drive-up uses may be approved in the C-1 District only, and only in the area east of a line drawn perpendicular to Ashland Street at the intersection of Ashland Street and Siskiyou Boulevard.~~
2. **Drive-up uses are prohibited in Ashland's Historic Interest Area as defined in the Comprehensive Plan.**
3. ~~Drive-up uses may only be allowed in the C-1 districts east of a line drawn perpendicular to Ashland Street, at the intersection of Ashland Street and Siskiyou Boulevard.~~
4. **Drive-up uses are subject to the following criteria:**

Amend Section 18.32.030, C-1 Conditional Uses

- J. Wireless Communication Facilities not permitted outright and authorized pursuant to Section 18.72.180.
- K. Structures which are greater than forty (40) feet in height, but less than fifty-five (55) feet, in the "D" Downtown Overlay District.

Section 11, Amend Chapter 18.40, E-1 EMPLOYMENT DISTRICT**Amend Section 18.40.020, E-1 Permitted Uses**

- O. Wireless Communication Facilities permitted outright pursuant to Section 18.72.180.

Amend Section 18.40.030, E-1 Special Permitted Uses**E. Residential uses.**

1. Residential units, and their associated parking or storage, are prohibited on the ground floor. Multi-story or multi-unit buildings on a lot, including habitable basement areas, shall not have more than fifty percent (50%) of the entire gross floor area of the building(s) in residential use for two story buildings and sixty-six percent (66%) for three or more story buildings. At least 65% of the total gross floor area of the ground floor, or at least 50% of the total lot area if there are multiple buildings shall be designated for permitted or special permitted uses, excluding residential.
2. **Residential densities shall not exceed 15 dwelling units per acre.** For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.

Amend Section 18.40.040, E-1 Conditional Uses

- O. Temporary uses.
- P. Wireless Communication Facilities not permitted outright and authorized pursuant to Section 18.72.180.

Section 12, Amend Chapter 18.52, M-1 INDUSTRIAL DISTRICT**Amend Section 18.52.030, M-1 Conditional Uses**

- E. Temporary uses.
- P. Wireless Communication Facilities not permitted outright and authorized pursuant to Section 18.72.180.

Section 13, Amend Chapter 18.54, HC HEALTH CARE SERVICES ZONE**Amend Section 18.54.030, HC Conditional Uses**

- E. Wireless Communication Facilities authorized pursuant to Section 18.72.180.

Section 14, Amend Chapter 18.61, TREE PRESERVATION AND PROTECTION

Amend Section 18.61.020, Definitions

- A. ~~Arborist means a person licensed by the State of Oregon State Landscape Contractors Board or Construction Contractors Board who has met the criteria for is certified cation as an arborist from the International Society of Arboriculture or American Society of Consulting Arborists, and maintains his or her accreditation or a landscape architect licensed by the State of Oregon.~~
- D. ~~Diameter at breast height or DBH means the diameter of the thinktrunk, at its maximum cross section, measured 54 inches (4 1/2 feet) above mean-ground level at the base of the trunk. On sloped lands, the measurement shall be taken on the uphill side of tree.~~

Amend Section 18.61.035, Exempt Tree Removal Activities

The following activities are exempt from the requirement for tree removal permits:

- E. ~~Removal of trees less than 18" DBH on any public school lands, Southern Oregon University, and other public land, but excluding Heritage trees and street trees within the public right-of-way.~~
- I. ~~Removal of street trees within the public right-of-way subject to street tree removal permits in AMC 13.16.~~

Amend Section 18.61.042, Approval and Permit Required

- B. **TREE REMOVAL - VERIFICATION PERMIT:**
 - 2. **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 for the subject property.**
- D. **TREE REMOVAL - STAFF PERMIT:**
 - 1. **Tree Removal-Staff Permits are required for the following activities:**
 - a. **Removal of trees greater than 6" DBH on any private lands zoned C-I, E-I, M-I, or HC.**
 - b. **Removal of trees greater than 6" DBH on multi-family residentially zoned lots (R-2, R-3, and R-1-3.5) not occupied solely by a single family detached dwelling.**
 - c. **Removal of significant trees on vacant property zoned for residential purposes including but not limited to R-I, RR, WR, and NM zones.**
 - d. **Removal of significant trees on lands zoned SOU, on lands under the control of the Ashland School District, or on lands under the control of the City of Ashland.**
 - 2. **Applications for Tree Removal - Staff-Permits shall be reviewed and approved by the Staff Advisor pursuant to AMC 18.61.080 (Approval Criteria) and 18.108.0340 (Notice Requirements Type I Procedure). If the tree removal is part of another planning action involving development activities, the tree removal application, if timely filed, shall be processed concurrently with the other planning action.**

Amend Section 18.61.050, Plans-Submittal Requirements

- A. ~~An application for all Tree Removal and Tree Topping Permits shall be made upon forms prescribed by the City. The application for a Tree Removal-Permits include:~~
 - a. ~~Plans drawn to scale shall containing:~~

- a. ~~t~~The number, size, species and location of the trees proposed to be removed or topped on a site plan of the property.
- b. The anticipated date of removal or topping.
- c. A statement of the reason for removal or topping.
- d. Information concerning proposed landscaping or planting of new trees to replace the trees to be removed, and
- e. Evidence that the trees proposed for removal or topped ~~ing~~ have been clearly identified on the property for visual inspection.
- f. A tree protection plan for surrounding trees, including those on the subject site and those off-site with dripline(s) overhanging the site, that are not proposed for removal. Such plan shall conform to the protection requirements under Section 18.61.200.
- g. Any other information reasonably required by the City.

Amend Section 18.61.080, Criteria for Issuance of Tree Removal—Staff Permit

An applicant for a Tree Removal ~~Staff~~ Permit shall demonstrate that the following criteria are satisfied. The Staff Advisor may require an arborist's report to substantiate the criteria for a permit.

- B. 1. The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards, including but not limited to (e.g. other applicable Site Design and Use Standards and Physical and Environmental Constraints). The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and

Amend Section 18.61.084, Mitigation Required

An applicant ~~may~~ shall be required to provide mitigation for any tree approved for removal. The mitigation requirement shall be satisfied by one or more of the following:

- A. Replanting on site. The applicant shall plant either a minimum 1 ½-inch caliper healthy and well-branched deciduous tree or a 5-6 foot tall evergreen tree for each tree removed. The replanted tree shall be of a species that will eventually equal or exceed the removed tree in size if appropriate for the new location. Larger trees may be required where the mitigation is intended, in part, to replace a visual screen between land uses. "Suitable" species means the tree's growth habits and environmental requirements are conducive to the site, given the existing topography, soils, other vegetation, exposure to wind and sun, nearby structures, overhead wires, etc. The tree shall be planted and maintained according to the specifications in the City Tree Planting and Maintenance Guidelines as approved by the City Council.
- D. An approved mitigation plan shall be fully implemented within one hundred eighty (180) days of a tree being removed.

Amend Section 18.61.092, Expiration of Tree Removal Permits

Tree removal permits shall remain valid for a period of ~~180 days~~ one year from the date of issuance or date of final decision by a hearing body, if applicable. A 30 day extension shall be automatically granted by the Staff Advisor if requested in writing before the expiration of the permit. Permits that have lapsed are void. Trees removed after a tree removal permit has expired shall be considered a violation of this Chapter.

Section 15, Amend Chapter 18.62, PHYSICAL AND ENVIRONMENTAL CONSTRAINTS

Amend Section 18.62.040, Approval and Permit Required

H. Plans Required. The following plans shall be required for any development requiring a Physical Constraints Review:

- 1. The plans shall contain the following:
 - a. Project name.
 - b. Vicinity map.
 - c. Scale (the scale shall be at least one inch equals 50 feet or larger) utilizing the largest scale that fits on 22" x 34" paper. Multiple plans or layers shall be prepared at the same scale, excluding detail drawings. The Staff Advisor may authorize different scales and plan sheet sizes for projects, provided the plans provide sufficient information to clearly identify and evaluate the application request.

Amend Section 18.62.050, Land Classifications

The following factors shall be used to determine the classifications of various lands and their constraints to building and development on them:

- A. Flood plain Corridor Lands - Lands with potential stream flow and flood hazard. The following lands are classified as Flood plain Corridor lands:
 - 1. All land contained within the 100 year Flood plain as defined by the Federal Emergency Management Agency Flood Insurance Program, and in maps adopted by Chapter 15.10 of the Ashland Municipal Code.

Amend Section 18.62.070, Development Standards for Flood plain Corridor Lands

For all land use actions which could result in development of the Flood plain Corridor, the following is required in addition to any requirements of Chapter 15.10:

- A. Standards for fill in Flood plain Corridor lands:
 - 1. Fill shall be designed as required by the Uniform International Building Code and International Residential Code, Chapter 70, where applicable.
- G. New non-residential uses may be located on that portion of Flood plain Corridor lands that equal to or above the flood elevations on the official maps adopted in section 18.62.060. Second story construction may be cantilevered over the Flood plain corridor for a distance of 20 feet if it does not impact riparian vegetation, and the clearance from finished grade is at least ten feet in height, and is supported by pillars that will have minimal impact on the flow of floodwaters. The finished floor elevation may not be more than two feet below the flood corridor elevations.

Amend Section 18.62.080, Development Standards for Hillside Lands

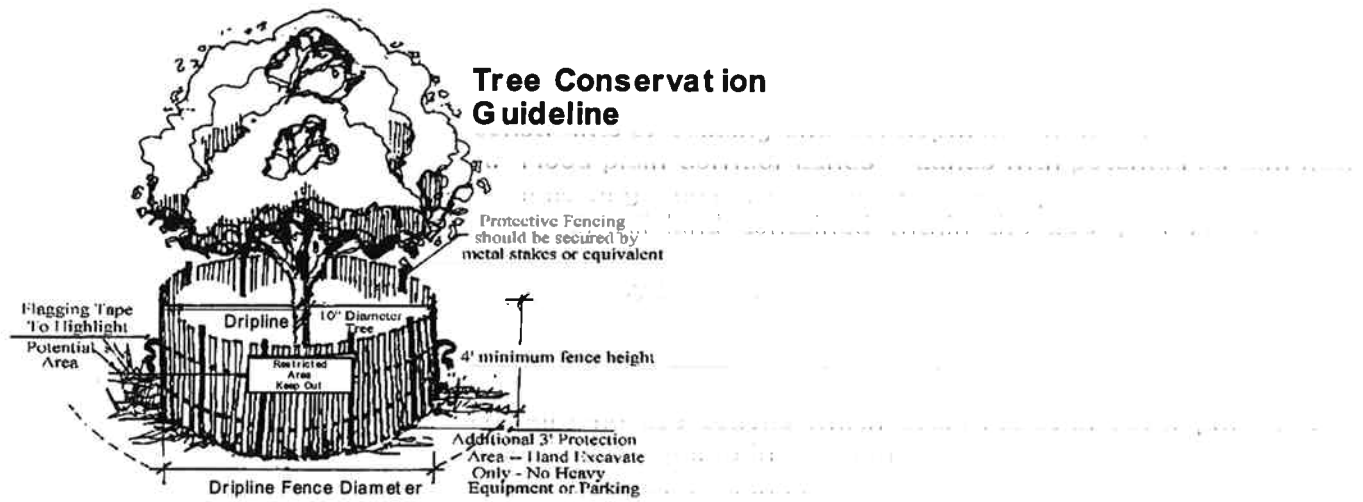
- B. Hillside Grading and Erosion Control. All development on lands classified as hillside shall provide plans conforming with the following items:
 - 1. All grading, retaining wall design, drainage, and erosion control plans for development on Hillside Lands shall be designed by a geotechnical expert. All cuts, grading or fills shall conform to Chapter 70 of the Uniform International Building Code and be consistent with the provisions of this Title. **Erosion control measures on**

the development site shall be required to minimize the solids in runoff from disturbed areas.

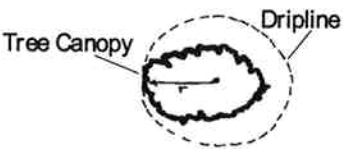
D. Tree Conservation, Protection and Removal. All development on Hillside Lands shall conform to the following requirements:

4. Tree Protection. On all properties where trees are required to be preserved during the course of development, the developer shall follow the following tree protection standards:

- a. All trees designated for conservation shall be clearly marked on the project site. Prior to the start of any clearing, stripping, stockpiling, trenching, grading, compaction, paving or change in ground elevation, the applicant shall install fencing at the drip line of all trees to be preserved adjacent to or in the area to be altered. Temporary fencing should be established at the perimeter of the dripline. Prior to grading or issuance of any permits, the fences may be inspected and their location approved by the Staff Advisor. (see graphic 18.61.200)



- b. Construction site activities, including but not limited to parking, material storage, soil compaction and concrete washout, shall be arranged so as to prevent disturbances within tree protection areas.



To provide minimum protection to the root area, take the greatest radius from trunk to dripline and create a regular circle, using the longest radius, rather than to follow an irregular, above ground, existing tree dripline.

Section 16, Amend Chapter 18.64, SO—SOUTHERN OREGON STATE COLLEGE-UNIVERSITY (SOU) DISTRICT

Amend Section 18.64.010, Purpose

This district is designed to provide for the unique needs of ~~SOSC-SOU~~ as a State educational institution functioning within the planning framework of the City. It can be applied to all areas now or hereinafter owned by the State of Oregon acting by and through the State Board of Higher Education and Southern Oregon State ~~College-University~~ and located within the ~~SOSC-SOU~~ boundary, as shown on the ~~SOSC-SOU~~ Comprehensive Plan, adopted by ~~SOSC-SOU~~ and approved by the City.

Amend Section 18.64.020, Permitted Uses

- A. Uses permitted outright are all those which are directly related to the educational functions of ~~SOSC-SOU~~, provided that such uses are indicated and located in conformance with the adopted and City approved ~~SOSC-SOU~~ Comprehensive Plan, and are greater than fifty (50) feet from privately owned property.
- B. Wireless Communication Facilities authorized pursuant to Section 18.72.180.

Amend Section 18.64.010, Conditional Uses

- A. Any use, site design, or construction or alteration of same not agreed upon in advance by the City and ~~SOSC-SOU~~ in the ~~SOSC-SOU~~ Plan.
- B. Any use, site design, or construction within fifty (50) feet of privately-owned property.
- C. Any construction over forty (40) feet in height.
- D. Wireless Communication Facilities not permitted outright and authorized pursuant to Section 18.72.180.

Amend Section 18.64.010, General Regulations

This Chapter, together with the Site Review, Sign and Off-Street Parking Chapters of this Title, are the only portions of the Title to be effective within the ~~SOSC-SOU~~ zone, except for areas within fifty (50) feet of privately-owned land, which are subject to the Chapter on Conditional Use Permits. In addition, the creation or vacation of public streets or public ways shall be subject to mutual agreement between the City and ~~SOSC-SOU~~ and all other applicable laws.

Section 17, Amend Chapter 18.68, GENERAL REGULATIONS

Amend Section 18.68.020, Vision Clearance Area

No obstructions may be placed in a vision clearance areas except as set forth below: shall be provided with the following distances establishing the size of the vision clearance area:

- A. In any R district, the minimum vision clearance area distance shall be twenty-five (25) feet or, at intersections including an alley, ten (10) feet.
- B. In all other districts except the C-1 and E-1 districts, the minimum vision clearance area distance shall be fifteen (15) feet or, at intersections, including an alley, ten (10) feet. When the angle of intersection between streets, other than an alley, is less than thirty (30) degrees, the distance shall be twenty-five (25) feet.

- C. The vision clearance area shall contain no plantings, fences, walls, structures, or temporary or permanent obstructions exceeding two and one-half (2 ½) feet in height, measured from the top of the curb with the following exceptions:
- 1) ~~except that s~~Street trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight (8) feet above the grade, twelve (12) feet above an alley or fourteen (14) feet above a street;
 - 2) Public or private utilities, traffic control devices or other public features may be placed in the vision clearance area subject to the approval of the Public Works Director or designee.
- D. The vision clearance standards established by this section are not subject to the Variance section of this title.

Amend Section 18.68.040, Yard Requirements

All yard measurements to and between buildings or structures or for the purpose of computing coverage or similar requirements shall be made to the building or nearest projection thereof and shall be unobstructed from the ground upward, except that Architectural projections may intrude eighteen (18) inches into the required yards requirement.

Amend Section 18.68.090, Nonconforming Uses and Structures

- A. A non-conforming use or structure may not be enlarged, extended, reconstructed, substituted, or structurally altered, except as follows:
1. When authorized in accordance with the same procedure as provided in Conditional Use Chapter 18.104 and the criteria of Section 18.104.050(B and C), a nonconforming use may be changed to one of the same or a more restricted nature, except that a Conditional Use Permit need not be obtained when the use is changed to a permitted use within the zoning district.
 2. When authorized in accordance with the same procedure as provided in Conditional Use Chapter 18.104 and the criteria of Section 18.104.050(B and C), an existing nonconforming structure may be enlarged, extended, or the footprint modified, reconstructed, or structurally altered, except that a Conditional Use Permit need not be obtained to enlarge or extend a single-family home in the residential district, provided that when the addition or extension meets all requirements of this Title.
 3. A non-conforming structure may be enlarged, reconstructed or structurally altered if its footprint is not changed in size or shape, provided that the use of the structure is not changed except if in conformance with the procedures of Section 18.68.090.A.1 above.
 4. Nothing in this section shall be deemed to prevent the normal maintenance and repair of a non-conforming structure or its restoration to a safe condition when declared to be unsafe by any official charged with protecting public safety.
- B. **Discontinuance.** If the nonconforming use of a building structure, or premises ceases for a period of ~~six~~ twelve (12) months or more, said use shall be considered abandoned; and said building, structure, or premises shall thereafter be used only for uses permitted in the district in which it is located. Discontinuance shall not include a period of active reconstruction following a fire or other result of natural hazard; and the Planning Commission may extend the discontinuance period in the event of special unique unforeseen circumstances.
- C. **Reactivation.** A non-conforming use, which has been abandoned for a period of ~~more~~ less than six (6) months may be reactivated to an equivalent or more restricted use

through the Conditional Use and Site Review process. In evaluating whether or not to permit the reactivation of a non-conforming use, the Planning Commission, in addition to using the criteria required for a Conditional Use Permit and Site Review, shall also use the following additional criteria:

1. That any improvements for the reactivation of the non-conforming use to an existing non-conforming structure on the site shall be less than fifty (50%) percent of the value of the structure. The value of the structure shall be determined by either the assessed value according to the Jackson County Assessor or by an independent real estate appraiser licensed in the State of Oregon. The value of the improvement shall be determined based upon copies of the contractor's bid for said improvements, which shall be required with the Conditional Use permit application. Personal property necessary for the operation of the business or site improvements not included in the structure shall not be counted as improvements under this criterion.

Amend Section 18.68.110, Front Yard—General Exception

- A. If there are dwellings or accessory buildings on both abutting lots (even if separated by an alley or private way) with front yards of less than the required depth for the district, the front yard for the lot need not exceed the average yard of the abutting structures.
- B. If there is a dwelling or accessory building on one (1) abutting lot with a front yard of less than the required depth for the district, the front yard need not exceed a depth one-half (½) way between the depth of the abutting lot and the required front yard depth.
- C. The front yard may be reduced to ten (10) feet on hillside lots where the terrain has an average steepness equal to, or exceeding a one (1) foot rise or fall in two-four (24) feet of horizontal distance within the entire required yard, said vertical rise or fall to be measured from the natural ground level at the property line.

Amend Section 18.68.140, Accessory Buildings, and Structures and Mechanical Equipment

Accessory buildings and structures shall comply with all requirements for the principal use except where specifically modified by this Title and shall comply with the following limitations:

- C. ~~Mechanical equipment shall be subject to the provisions of this Section.—~~Such equipment shall not be located between the main structure on the site and any street adjacent to a front or side yard, and every attempt shall be made to place such equipment so that it is not visible from adjacent public streets. Mechanical equipment and associated housing, no taller than allowed fence heights, may be located within required side or rear yards, provided such installation and operation is consistent with other provisions of this Title or the Ashland Municipal Code, including but not limited to noise attenuation. Any installation of mechanical equipment shall require a building permit.
- D. Regardless of the side and rear yard requirements of the district, in a residential district, a side or rear yard may be reduced to three (3) feet for an accessory structure erected more than fifty (50) feet from any street, other than alleys, provided the structure is detached and separated from other buildings and structures by ten (10) feet or more, and is no more than fifteen (15) feet in height. Any conversion of such accessory structure to an accessory residential unit shall conform to other requirements of this Title for accessory residential units, including any required planning action and/or site review.

Add Section 18.68.160, Driveway Grades.

Grades for new driveways in all zones shall not exceed a grade of 20% for any portion of the driveway. All driveways shall be designed in accord with the criteria of the City of Ashland Public Works Department standards and approved installed prior to issuance of a certificate of occupancy for new construction. If required by the City, the developer or owner shall provide certification of driveway grade by a licensed land surveyor. All vision clearance standards associated with driveway entrances onto public streets shall not be subject to the Variance section of this title.

Add Section 18.68.170, Temporary Storage.

- A. Leased or rented temporary storage containers and structures greater than 90 square feet in gross floor area are permitted in Residential, Health Care Services, North Mountain Neighborhood and SOU zoning districts for a period not to exceed 30-days in any one year period provided the storage container or structure is associated with moving, building construction, renovation or demolition. The Staff Advisor may grant a 30-day extension upon finding extenuating circumstances in which the property owner was not responsible.
- B. Temporary, leased storage containers and structures greater than 90 square feet in gross floor area and visible from a public right-of-way, open space or parkland are permitted in Commercial, Employment and Industrial zoning districts for a period not to exceed 90-days in any one year period provided the leased storage container or structure is associated with moving, building construction, renovation or demolition. The Staff Advisor may grant a 30-day extension upon finding extenuating circumstances in which the property owner or leaseholder was not responsible.

Section 18, Amend Chapter 18.72, SITE DESIGN AND USE STANDARDS REVIEW

Amend Section 18.72.030, Applicability

Site design and use standards shall apply to all zones of the city and shall apply to all development indicated in this Chapter, except for those developments which are regulated by the Subdivisions (18.80), the Partitioning (18.76), Manufactured Housing (18.84) and Performance Standards (18.88) as outlined below.

- A. **Applicability.** The following development is subject to Site Design Review:
 - 1. Commercial, Industrial and Non-Residential uses:
 - a. All new structures, additions or expansions in C-1, E-1, HC and M zones.
 - b. Expansion of impervious surface area in excess of 10% of the area of the site or 1,000 square feet, whichever is less.
 - c. Expansion of parking lots, relocation of parking spaces on a site, or other changes which affect circulation.
 - d. Any change of occupancy from a less intensive to a more intensive occupancy, as defined in the City building code, or any change in use which requires a greater number of parking spaces.
 - e. Any change in use of a lot from one general use category to another general use category, e.g., from residential to commercial, as defined by the zoning regulations of this Code.
 - f. Any exterior change to a structure which requires a building permit and is listed on the National Register of Historic Places or to a contributing property within an Historic District on the National Register of Historic Places.

2. Residential uses:

- a. Two or more residential units on a single lot.
- b. All new non-residential structures or additions, other than single-family homes or accessory uses on individual lots
- c. Construction of attached single-family housing (e.g. town homes, condominiums, row houses, etc.) in all zoning districts.
- d. Off-street parking or landscaping, in conjunction with an approved Performance Standards Subdivision required by ordinance and not located within the boundaries of the individual unit parcel (e.g. shared parking).
- e. Any exterior change to a structure which requires a building permit and is individually listed on the National Register of Historic Places.

B. Exemptions. The following development is exempt from Site Design Review application and procedure requirements provided that the development complies with applicable standards as set forth by this Chapter.

1. Detached single family dwellings and associated accessory structures.
2. Land divisions regulated by the following chapters: Partitioning (18.76), Subdivisions (18.80), Manufactured Housing (18.84) and Performance Standards (18.88).
3. The following mechanical equipment:
 - a. Private, non-commercial radio and television antennas not exceeding a height of seventy (70) feet above grade or thirty (30) feet above an existing structure, whichever height is greater and provided no part of such antenna shall be within the yards required by this Title. A building permit shall be required for any antenna mast, or tower over fifty (50) feet above grade or thirty (30) feet above an existing structure when the same is constructed on the roof of the structure.
 - b. Parabolic disc antennas under one (1) meter in diameter.
 - c. Roof-mounted solar collection devices in all zoning districts, with the exception of Employment and Commercial zoned properties located within designated historic districts. The devices shall comply with solar setback standards described in 18.70 and height requirements of the respective zoning district.
 - d. Installation of mechanical equipment, unless exempted by (a, b, c) above or (e) below, not visible from a public right-of-way or adjacent residential property and consistent with other provisions of this Title, including solar access, noise, and setback requirements of Section 18.68.140(c).
 - e. Routine maintenance and replacement of existing mechanical equipment in all zones.

Amend Section 18.72.040, Approval Process

Development subject to site design review shall be reviewed in accordance with the procedures set forth in Chapter 18.108.

- A. Staff Permit.** The following types of developments shall be subject to approval under the Staff Permit Procedure. Any Staff Permit may be processed as a Type I permit at the discretion of the Staff Advisor.
1. Any change of occupancy from a less intensive to a more intensive occupancy, as defined in the City building code, or any change in use which requires a greater number of parking spaces.
 2. Any addition less than 2,500 square feet or ten percent of the building's square footage, whichever is less, to a building.
 3. Any use which results in three or less dwelling units per lot, other than single-family homes on individual lots.

- 4. ~~All installations of mechanical equipment in any zone. Installation of disc antennas shall be subject to the requirements of Section 18.72.160. Any disc antenna for commercial use in a residential zone shall also be subject to a Conditional Use Permit (18.104). (Ord. 2289 S5, 1984; Ord. 2457 S4, 1988).~~
- 5. ~~All installation of wireless communication systems shall be subject to the requirements of Section 18.72.180, in addition to all applicable Site Design and Use Standards and are subject to the following approval process:~~

Zoning Designations	Attached to Existing Structures	Alternative Structures	Freestanding Support Structures
Residential Zones ⁽¹⁾	CUP	Prohibited	Prohibited
C-1	CUP	CUP	Prohibited
C-1-D (Downtown) ⁽²⁾	CUP	Prohibited	Prohibited
C-1-Freeway overlay	Site Review	Site Review	CUP
E-1	Site Review	Site Review	CUP
M-1	Site Review	Site Review	CUP
SO	Site Review	CUP	CUP
NM (North Mountain)	Prohibited	Prohibited	Prohibited
Historic District ⁽²⁾	CUP	Prohibited	Prohibited
A-1 (Airport Overlay)	CUP	CUP	CUP
HC (Health Care)	CUP	Prohibited	Prohibited

⁽¹⁾ ~~Only allowed on existing structures greater than 45 feet in height. For the purposes of this section in residential zoning districts, existing structures shall include the replacement of existing pole, mast, or tower structures (such as stadium light towers) for the combined purposes of their previous use and wireless communication facilities.~~

⁽²⁾ ~~Permitted on pre-existing structures with a height greater than 50 feet in the Downtown Commercial district. Prohibited in all other districts within the Historic District, as defined in the Comprehensive Plan.~~

- 6. ~~Any exterior change to any structure listed on the National Register of Historic Places." (ORD 2802, S2 1997) (Ord 2852 S3, 2000; Ord 2858 S6, 2000)~~

B. Type I Procedure. ~~The following types of developments shall be subject to approval under the Type I procedure:~~

- 1. ~~Any change in use of a lot from one general use category to another general use category, e.g., from residential to commercial as defined by the zoning regulations of this Code.~~
- 2. ~~Any residential use which results in four dwelling units or more on a lot.~~
- 3. ~~All new structures or additions greater than 2,500 square feet, except for developments included in Section 18.72.040(A).~~

Amend Section 18.72.050, Detail Site Review Zone

- A. The Detail Site Review Zone is that area defined in the Site Design Standards adopted pursuant to Section 18.72.080.**

~~B. Any development in the Detail Site Review Zone as defined in the Site Review Standards adopted pursuant to this chapter, which exceeds 10,000 square feet or is longer than 100 feet in length or width, shall be reviewed according to the Type 2 procedure.~~

B. Outside the Downtown Design Standards Zone, new buildings or expansions of existing buildings in the Detail Site Review Zone shall conform with to the following standards:

~~1. 1a.~~ **Buildings sharing a common wall or having walls touching at or above grade shall be considered as one building.**

~~b2.~~ **Buildings shall not exceed a building footprint area of 45,000 square feet as measured outside the exterior walls and including all interior courtyards. For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.**

~~3c.~~ **Buildings shall not exceed a gross floor area of 45,000 square feet, including all interior floor space, roof top parking, and outdoor retail and storage areas, with the following exception:**

Automobile parking areas located within the building footprint and in the basement shall not count toward the total gross floor area. For the purpose of this section, basement means any floor level below the first story in a building. First story shall have the same meaning as provided in the building code.

~~4d.~~ **Buildings shall not exceed a combined contiguous building length of 300 feet.**

~~C2.~~ **Inside the Downtown Design Standards Zone, new buildings or expansions of existing buildings shall not exceed a building footprint area of 45,000 sq. ft. or a gross floor area of 45,000 sq. ft., including roof top parking, with the following exception:**

Automobile parking areas located within the building footprint and in the basement shall not count toward the total gross floor area. For the purpose of this section, basement means any floor level below the first story in a building. First story shall have the same meaning as provided in the building code.

Amend Section 18.72.060, Plans Required

The following submittals shall be required in order to determine the project's compliance with this Chapter:

A site plan containing the following:

C. Scale (the scale shall be at least one (1) inch equals fifty (50) feet or larger.) The Staff Advisor may authorize different scales and plan sheet sizes for projects, provided the plans provide sufficient information to clearly identify and evaluate the application request.

Amend Section 18.72.080, Site Design Standards

C. The Site Design and Use Standards adopted by Ordinance No's. 2690, 2800, 2825 and 2900, shall be applied as follows:

- 1. The Multi-family Residential Development Standards in Section II.B. shall be applied to the construction of attached single-family housing (e.g. town homes, condominiums, row houses, etc.).
- 2. The Commercial, Employment, and Industrial Development standards in Section II.C. shall be applied to non-residential development (e.g. public buildings, schools, etc.) greater than 5,000 square feet gross floor area.

Add Section 18.72.105, Expiration of Site Design Review Approval

Site design review approval granted under this Chapter shall expire if no building permit or public improvement plan for the project has been approved by the City within twelve (12) months of site design review approval.

Amend Section 18.72.120, Controlled access

- A. ~~Prior to a~~**Any partitioning or subdivision of property located in an R-2, R-3, C-1, E-1 or M-1 zone shall meet the controlled access standards set forth in section (B) below. shall be applied and, if necessary, If applicable, cross access easements shall be required so that access to all properties created by the partitioning land division can be made from one or more points.**
- B. Street and driveway Access points shall be limited to the following:
 - 1. **Distance between driveways.**
 - On arterial streets - 100 feet;
 - on collector streets - 75 feet;
 - on residential streets - 50-24 feet.

- 2. **Distance from intersections.**
 - On arterial streets - 100 feet;
 - on collector streets - 50 feet;
 - on residential streets - 35 feet.

~~C. Vision clearance standards:~~

- 1. ~~No obstructions greater than two and one half feet high, nor any landscaping which will grow greater than two and one half feet high, with the exception of trees whose canopy heights are at all times greater than eight feet, may be placed in a vision clearance area determined as follows:~~

~~The vision clearance area at the intersection of two streets is the triangle formed by a line connecting points 25 feet from the intersection of property lines. In the case of an intersection involving an alley and a street, the triangle is formed by a line connecting points ten feet along the alley and 25 feet along the street. When the angle of intersection between the street and the alley is less than 30 degrees, the distance shall be 25 feet. No structure or portion thereof shall be erected within ten feet of the driveways.~~

- 2. ~~State of Oregon Vision Clearance Standards. The following stopping site distances shall apply to all State Highways within the City with the prescribed speed limits. Vertical stopping sight distance to be based on distance from three and one half feet above pavement to a point six feet above the pavement. (Ord.2544 S1, 1989)~~

_____	30 mph	200 feet
_____	35 mph	225 feet
_____	40 mph	275 feet
_____	45 mph	325 feet
_____	55 mph	450 feet

3. ~~The vision clearance standards established by this section are not subject to the variance section of this title. (Ord. 2605 S2, 1990)~~

DC. Access Requirements for Multi-family Developments.

1. All multi-family developments which will have automobile trip generation in excess of 250 vehicle trips per day shall provide at least two driveway access points to the development. Trip generation shall be determined by the methods established by the Institute of Transportation Engineers.
2. Creating an obstructed street, as defined in 18.88.020.G, is prohibited.

Amend Section 18.72.170, Development Standards for Disc Antennas

B. Development Standards. All disc antennas shall be located, designed, constructed, treated and maintained in accordance with the following standards:

2. Disc antennas exceeding ~~36 inches~~ one (1) meter in diameter shall not be permitted on the roof, except where there is no other location on the lot which provides access to receiving or transmitting signals. In no case shall any part of any antenna be located more than ten feet above the apex of the roof surface. Antennas mounted on the roof shall be located in the least visible location as viewed from adjacent right-of-ways, and residential structures in residential zones.

Amend Section 18.72.180, Development Standards for Wireless Communication Facilities

D. All installation of wireless communication systems shall be subject to the requirements of this section in addition to all applicable Site Design and Use Standards and are subject to the following approval process:

Zoning Designations	Attached to Existing Structures	Alternative Structures	Freestanding Support Structures
<u>Residential Zones¹</u>	<u>CUP</u>	<u>Prohibited</u>	<u>Prohibited</u>
<u>C-1</u>	<u>CUP</u>	<u>CUP</u>	<u>Prohibited</u>
<u>C-1-D (Downtown)⁽²⁾</u>	<u>CUP</u>	<u>Prohibited</u>	<u>Prohibited</u>
<u>C-1 - Freeway overlay</u>	<u>Site Review</u>	<u>Site Review</u>	<u>CUP</u>
<u>E-1</u>	<u>Site Review</u>	<u>Site Review</u>	<u>CUP</u>
<u>M-1</u>	<u>Site Review</u>	<u>Site Review</u>	<u>CUP</u>
<u>SOU</u>	<u>Site Review</u>	<u>CUP</u>	<u>CUP</u>
<u>NM (North Mountain)</u>	<u>Prohibited</u>	<u>Prohibited</u>	<u>Prohibited</u>

¹ Only allowed on existing structures greater than 45 feet in height. For the purposes of this section in residential zoning districts, existing structures shall include the replacement of existing pole, mast, or tower structures (such as stadium light towers) for the combined purposes of their previous use and wireless communication facilities.

Historic District ²	CUP	Prohibited	Prohibited
A-1 (Airport Overlay)	CUP	CUP	CUP
HC (Health Care)	CUP	Prohibited	Prohibited

Section 19, Amend Chapter 18.76, PARTITIONS

Delete Section 18.76.040, Administrative Preliminary Approval

Preliminary approval for all minor land partitions which require no Type II variances shall be processed under the Type I procedure.

Amend Section 18.76.050, Preliminary Approval by the Planning Commission

If the proposed partition does not appear to comply with the requirements for routine administrative approval, the proposal shall be submitted to the Planning Commission and An application for a preliminary partition shall be approved when the following conditions exist:

Add Section 18.76.075, Expiration of Preliminary Partition Plan

Preliminary partition plans approved under this Chapter shall expire if a final partition plat has not been approved by the City within eighteen (18) months of preliminary plan approval.

Section 20, Amend Chapter 18.92, PARKING

Amend Section 18.92.070, Parking

- A. **Size and Access.** All required parking areas shall be designed in accordance with the parking layout chart at the end of this Chapter. Parking spaces shall be a minimum of 9 x 18 feet, except that 50% of the spaces may be compact spaces in accord with 18.92.050. Parking spaces and shall have a 22-foot back-up maneuvering space no less than twenty-two (22) feet, except where parking is angled, and which does not necessitate moving of other vehicles.
- D. **Vision Clearance.** No obstructions may be placed in the vision clearance area except as set forth in Section 18.68.020. No signs, structures or vegetation in excess of two and one half feet in height shall be placed in the vision clearance area. The vision clearance area is the triangle formed by a line connecting points 25 feet from the intersection of property lines. In the case of an intersection involving an alley and a street, the triangle is formed by a line connecting points ten (10) feet along the alley and 25 feet along the street. When the angle of intersection between the street and the alley is less than 30 degrees, the distance shall be 25 feet. No signs, structures or vegetation or portion thereof shall be erected within ten (10) feet of driveways unless the same is less than two and one half feet in height. The vision clearance standards established by this section are not subject to the Variance section of this title.

² Permitted on pre-existing structures with a height greater than 50 feet in the Downtown Commercial district. Prohibited in all other districts within the Historic District, as defined in the Comprehensive Plan

Section 21, Amend Chapter 18.96, SIGN REGULATIONS

Amend Section 18.96.070, Residential Sign Regulations

Signs in the residential (R) and North Mountain (NM) districts ~~(R)~~ shall conform to the following regulations:

B. Type of Signs Permitted.

4. **North Mountain Signs.** Signs for approved non-residential uses within the NM-R15, NM-C and NM Civic zones may be permitted one ground sign not exceeding an overall height of five feet and an area of fifteen square feet, set back at least ten feet from property lines; or one wall sign in lieu of a ground sign. Said signs shall not use plastic as part of the exterior visual effect and shall not be internally illuminated

Amend Section 18.96.150, Governmental Signs.

Governmental agencies may apply for a Conditional Use to place a sign that does not conform to this Code when ~~the Commission~~ it is determineds that, in addition to the criteria for a conditional use, the sign is necessary to further that agency's public purpose.

Section 22, Amend Chapter 18.108, PROCEDURES

Amend Section 18.108.015, Pre-Application Conference

An applicant shall request a pre-application conference prior to submitting an application for a Type I, II or III planning action or an Expedited Land Division. The purpose of the conference shall be to acquaint the applicant with the substantive and procedural requirements of the Land Use Ordinance, provide for an exchange of information regarding applicable elements of the comprehensive plan and development requirements and to identify policies and regulations that create opportunities or pose significant constraints for the proposed development. The Staff advisor is authorized to waive pre-application conference requirements and to create procedures which allow for electronic or other alternative forms of conferences.

Amend Section 18.108.017, Applications

- A. In order to initiate a planning action, ~~three copies of a~~ complete application shall be submitted to the Planning Department as set forth below.
 1. Complete applications shall include:
 - a. All of the required information for the specific action requested,
 - b. Written findings of fact,
 - c. Complete and signed application form. The application must be signed by one or more property owners of the property for which the planning action is requested, or their authorized agents. The application shall not be considered complete unless it is accompanied by the appropriate application fee.
 2. Incomplete applications are subject to delay in accordance with ORS 227.178. The City will inform the applicant of deficiencies within 30 days of application. The applicant then has 31 days in which to provide a complete application. The City will begin the appropriate application procedure when the application is deemed complete, or at the end of the 31 day period.

3. The Staff Advisor is authorized to set standards and procedures for application submittal requirements, including the number and type of applications required (e.g. hard and/or electronic copies), size and format of applications (e.g. paper size and electronic format), and dates when applications can be received. The Staff Advisor shall make the requirements for application submittals readily available to the public to review.

- B. All applicants for Types I, II and III planning actions shall have completed a pre-application conference for the project within a 6-month time period preceding the filing of the application. This requirement may be waived by the Staff Advisor if in the Staff Advisor's opinion the information to be gathered in a pre-application conference already exists in the final application.

Amend Section 18.108.020, Types of Procedures.

There are three general types of procedures: 1) ministerial actions; 2) planning actions, and 3) legislative amendments. When a project proposal involves more than one application and more than one type of procedure, the applications shall be reviewed together by the same decision body and follow the highest level procedure applying to any one of the applications.

- A. **Ministerial Actions.** The Staff Advisor shall have the authority to review and approve or deny the following matters which shall be ministerial actions:

1. Final subdivision plat approval. (18.80.050)
2. Final partition map approval. (18.76.120)
4. Minor amendments to subdivisions and partitions.
5. Boundary line adjustments. (18.76.140)
6. Zoning permits. (18.112.010)
7. Sign permits. (18.96.050)
8. Home occupation permits. (18.94.130)
9. Extension of time limits for approved planning actions (18.112.030).
10. Mechanical equipment exempt from Site Review.

- B. **Planning Actions.** All planning actions shall be subject to processing by one of the four following procedures:

1. ~~Staff Permit Procedure~~
12. **Type I Procedure**
23. **Type II Procedure**
34. **Type III Procedure**
4. Expedited Land Divisions

- C. **Legislative Amendments.** Legislative amendments shall be subject to the procedures established in section 18.108.170.

ADD Section 18.108.025, Consolidated Review Procedures

An applicant may apply at one time for all permits or zone changes needed for a development project. The consolidated procedure shall be subject to the time limitations set out in ORS 227.178. The consolidated procedure shall follow the most restrictive procedure in the development project.

Amend Section 18.108.030, Staff Permits Expedited Land Divisions

- A. Applicability.

1. An expedited land division is an action that:

- a. Includes land that is zoned for residential uses.
 - b. Is solely for the purposes of residential use, including recreational or open space uses accessory to residential use.
 - c. Does not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated for full or partial protection of natural features that protect open spaces, physical and environmental constraints per Chapter 18.62, riparian corridors, wetlands, designated historic districts or structures.
 - d. Meets minimum standards in the Street Standards Handbook and Section 18.88.050.
 - e. Creates enough lots or parcels to allow building residential units at 80 percent (80%) or more of the maximum net density permitted by the zoning designation of the site.
2. A land division that creates three or fewer parcels under ORS 92.010 and ALUO 18.76.
 3. An expedited land division as described in this section is not a land use decision or a limited land use decision under ORS 197.015 or a permit under ORS 227.160.
 4. All requirements outlined in Chapter 18.76 apply to expedited land divisions except for those provisions modified within this section.
- B. Procedure and Notice Requirements.
1. Application Completeness.
 - a. If the application for expedited land division is incomplete, the Staff Advisor shall notify the applicant of exactly what information is missing within 21 days of receipt of the application and allow the applicant to submit the missing information. For purposes of computation of time under this section, the application shall be deemed complete on the date the applicant submits the requested information or refuses in writing to submit it.
 - b. If the application was complete when first submitted or the applicant submits the requested additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.
 2. The city shall provide written notice of the receipt of the completed application for an expedited land division to any state agency, local government or special district responsible for providing public facilities or services to the development and to owners of property within 100 feet of the entire contiguous site for which the application is made. The notification list shall be compiled from the most recent property tax assessment roll. For purposes of appeal to the referee under ORS 197.375, this requirement shall be deemed met when the local government can provide an affidavit or other certification that such notice was given. Notice shall also be provided to any neighborhood or community planning organization recognized by the governing body and whose boundaries include the site.
 3. The notice required under subsection (2) of this section shall:
 - a. State:
 - i. The deadline for submitting written comments;
 - ii. That issues that may provide the basis for an appeal to the referee must be raised in writing prior to the expiration of the comment period; and
 - iii. That issues must be raised with sufficient specificity to enable the local government to respond to the issue.
 - b. Set forth, by commonly used citation, the applicable criteria for the decision.
 - c. Set forth the street address or other easily understood geographical reference to the subject property.
 - d. State the place, date and time that comments are due.

- e. State a time and place where copies of all evidence submitted by the applicant will be available for review.
- f. Include the name and telephone number of a local government contact person.
- g. Briefly summarize the local decision-making process for the expedited land division decision being made.
- 4. After notice under subsections (2) and (3) of this section, the city shall:
 - a. Provide a 14-day period for submission of written comments prior to the decision.
 - b. Make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the substantive requirements of the local government's land use regulations. An approval may include conditions to ensure that the application meets the applicable land use regulations. For applications subject to this section, the city:
 - i. Shall not hold a hearing on the application; and
 - ii. Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination. The summary statement may be in any form reasonably intended to communicate the local government's basis for the determination.
 - c. Provide notice of the decision to the applicant and to those who received notice under subsection (2) of this section within 63 days of the date of a completed application. The notice of decision shall include:
 - i. The summary statement described in paragraph (b)(ii) of this subsection; and
 - ii. An explanation of appeal rights under ORS 197.375

C. Appeals

- 1. An appeal of a decision made under ORS 197.360 and 197.365 shall be made as follows:
 - a. An appeal must be filed with the local government within 14 days of mailing of the notice of the decision under ORS 197.365 (4), and shall be accompanied by a \$300 deposit for costs.
 - b. A decision may be appealed by:
 - i. The applicant; or
 - ii. Any person or organization who files written comments in the time period established under ORS 197.365.
 - c. An appeal shall be based solely on allegations:
 - i. Of violation of the substantive provisions of the applicable land use regulations;
 - ii. Of unconstitutionality of the decision;
 - iii. That the application is not eligible for review under ORS 197.360 to 197.380 and should be reviewed as a land use decision or limited land use decision; or
 - iv. That the parties' substantive rights have been substantially prejudiced by an error in procedure by the local government.
- 2. The city shall appoint a referee to decide the appeal of a decision made under ORS 197.360 and 197.365. The referee shall not be an employee or official of the local government. The City Administrator is authorized to hire, under contract on an as needed basis, a referee to decide such appeals. If the city has designated a hearings officer under ORS 227.165, the City Administrator may designate the hearings officer as the referee for appeals of a decision made under ORS 197.360 and 197.365.
- 3. Within seven days of being appointed to decide the appeal, the referee shall notify the applicant, the local government, the appellant if other than the applicant, any person or organization entitled to notice under ORS 197.365 (2) that provided written comments to the local government and all providers of public facilities and services entitled to notice under ORS 197.365 (2) and advise them of the manner in which they may participate in the appeal. A person or organization that provided written comments to the local government but did not file an appeal under

subsection (1) of this section may participate only with respect to the issues raised in the written comments submitted by that person or organization. The referee may use any procedure for decision-making consistent with the interests of the parties to ensure a fair opportunity to present information and argument. The referee shall provide the local government an opportunity to explain its decision, but is not limited to reviewing the local government decision and may consider information not presented to the local government.

4. Referee Decision.

a. The referee shall apply the substantive requirements of the local government's land use regulations and ORS 197.360. If the referee determines that the application does not qualify as an expedited land division as described in ORS 197.360, the referee shall remand the application for consideration as a land use decision or limited land use decision. In all other cases, the referee shall seek to identify means by which the application can satisfy the applicable requirements.

b. The referee may not reduce the density of the land division application. The referee shall make a written decision approving or denying the application or approving it with conditions designed to ensure that the application satisfies the land use regulations, within 42 days of the filing of an appeal. The referee may not remand the application to the local government for any reason other than as set forth in this subsection.

5. Unless the governing body of the local government finds exigent circumstances, a referee who fails to issue a written decision within 42 days of the filing of an appeal shall receive no compensation for service as referee in the appeal.

6. Notwithstanding any other provision of law, the referee shall order the city to refund the deposit for costs to an appellant who materially improves his or her position from the decision of the local government. The referee shall assess the cost of the appeal in excess of the deposit for costs, up to a maximum of \$500, including the deposit paid under subsection (1) of this section, against an appellant who does not materially improve his or her position from the decision of the local government. The local government shall pay the portion of the costs of the appeal not assessed against the appellant. The costs of the appeal include the compensation paid the referee and costs incurred by the local government, but not the costs of other parties.

D. Effective Date of Decision. Unless appealed within 14 days of mailing a notice of decision, the Staff Advisor decision becomes final on the 15th day. Appeals shall be considered as set forth in ALUO 18.108.030(C) and ORS 197.375.

~~A. Actions Included. The following planning actions shall be subject to the Staff Permit Procedure:~~

- ~~1. Site Review for two or three residential units on a single lot.~~
- ~~2. Physical and Environmental Constraints Review Permits as allowed in Chapter 18.62.~~
- ~~3. Variances described in Section 18.70.060.~~
- ~~4. Site Reviews in C-1, E-1, HC and M zones for expansions of an existing use that do not require new building area in excess of 2,500 square feet, or modification of more than 10% of the area of the site.~~
- ~~5. Extension of time limits for approved planning actions. Two extensions of up to 12 months each may be approved under the following conditions:

 - ~~a. A change of conditions, for which the applicant was not responsible, prevented the applicant from completing the development within the original time limitation, and~~
 - ~~b. Land Use Ordinance requirements applicable to the development have not changed since the original approval. An extension may be granted, however, if requirements have changed and the applicant agrees to comply with any such changes.~~~~

6. ~~The following developments subject to the Site Design and Use Standards in section 18.72.040.A:~~
 - a. ~~Any change of occupancy from a less intensive to a more intensive occupancy, as defined in the City building code, or any change in use which requires a greater number of parking spaces.~~
 - b. ~~Any addition less than 2,500 square feet or ten percent of the building's square footage, whichever is less, to a building.~~
 - c. ~~All installations of mechanical equipment in any zone.~~
 - d. ~~Installation of disc antennas subject to the requirements of Section 18.72.160. Any disc antenna for commercial use in a residential zone shall also be subject to a Conditional Use Permit (18.104).~~
 - e. ~~Any exterior change to a structure listed on the National Register of Historic Places.~~
7. ~~Any other planning action designated as subject to the Staff Permit Procedure.~~
8. ~~Other planning actions not otherwise listed or designated as a Type I, II or III procedure.~~
- B. ~~Time Limits, Notice and Hearing Requirements. Applications subject to the Staff Permit Procedure shall be processed as follows:~~
 1. ~~Within 14 days after receipt of a complete application the Staff Advisor shall approve, approve with conditions or deny the application unless such time limitation is extended with the consent of the applicant. The Staff Advisor shall enter findings and conclusions to justify the decision.~~
 2. ~~Notice of the decision shall be mailed within seven days of the decision. The notice shall contain the following information:~~
 - a. ~~The decision of the Staff Advisor and the date of the decision.~~
 - b. ~~That no public hearing will be held unless specifically requested.~~
 - c. ~~That a request for a public hearing must be made by the date indicated on the notice in order for a public hearing to be scheduled.~~
 - d. ~~That a request for a public hearing shall include the name and address of the person requesting the public hearing, the file number of the planning action and the specific grounds for which the decision should be reversed or modified, based on the applicable criteria or procedural irregularity.~~
 3. ~~Notice shall be mailed to the following persons:~~
 - a. ~~The applicant, or authorized agent.~~
 - b. ~~The subject property owner.~~
 - c. ~~All owners of record of property on the most recent property tax assessment roll within the notice area defined as that area within 100 feet of the subject property.~~
 4. ~~Persons to whom the notice is mailed shall have 10 days from the date of mailing in which to request a public hearing. Requests for a public hearing shall meet the following requirements:~~
 - a. ~~The request shall be filed by the date specified in the notice of decision.~~
 - b. ~~The request shall be in writing and include the appellant's name, address, the file number of the planning action and the specific grounds for which the decision should be reversed or modified, based on the applicable criteria or procedural irregularity.~~
 5. ~~If a request for a public hearing is timely received, a public hearing shall be scheduled for the next regular Commission or Hearings Board meeting allowing adequate time to meet the notice requirements of section 18.108.080. The public hearing shall be in accord with the requirements of section 18.108.100.~~

Amend Section 18.108.040, Type I Procedure.

A. Actions Included. The following planning actions shall be subject to the Type I Procedure:

1. **Site Design Review.** The following developments that are subject to the Site Design Review Standards outlined in 18.72 shall follow the Type I permit procedures.
 - a. Downtown Design Standards Zone. Any development which is less than 2,500 square feet or ten percent of the building's square footage, whichever is less.
 - b. Detail Site Review. Any development in the Detail Site Review Zone, as defined in the Site Review Standards adopted pursuant Chapter 18.72, which is less than 10,000 square feet in gross floor area.
 - c. Commercial, Industrial and Non-residential Uses
 - i. All new structures, additions or expansions in C-1, E-1, HC and M zones, not within the Downtown Design Standards zone, that do not require new building area in excess of 20% of an existing building's square footage or 10,000 square feet of gross floor area, whichever is less.
 - ii. Expansion of impervious surface area in excess of 10% of the area of the site or 1,000 square feet, whichever is less
 - iii. Expansion of parking lots, relocation of parking spaces on a site, or other changes which alters circulation affecting adjacent property or public right-of-way.
 - iv. Any change of occupancy from a less intensive to a more intensive occupancy, as defined in the City building code, or any change in use which requires a greater number of parking spaces.
 - v. Any change in use of a lot from one general use category to another general use category, e.g., from residential to commercial, as defined by the zoning regulations of this Code.
 - vi. Any exterior change to a structure which requires a building permit and is listed on the National Register of Historic Places or to a contributing property within an Historic District on the National Register of Historic Places.
 - d. Residential
 - i. Two or more residential units on a single lot.
 - ii. All new structures or additions less than 10,000 square feet of gross floor area, other than single-family homes or accessory uses on individual lots
 - iii. Construction of attached single-family housing (e.g. town homes, condominiums, row houses, etc.) in all zoning districts.
 - iv. Off-street parking or landscaping, in conjunction with an approved Performance Standards Subdivision required by ordinance and not located within the boundaries of the individual unit parcel (e.g. shared parking).
 - v. Any exterior change to a structure which requires a building permit and is listed on the National Register of Historic Places.
2. **Miscellaneous Actions.**
 1. ~~Final Plan Approval for Performance Standards Subdivisions.~~
 2. ~~Site Reviews other than those subject to a Staff Permit Procedure or Type II Procedure.~~
 3. ~~Partitions which require no variances or only variances subject to Type I procedures.~~
 - a4. Amendments or modification to conditions of approval for Type I planning actions.
 5. ~~Creation of a private way, as allowed in section 18.80.030.B.~~
 - b. Amendment or modification to conditions of approval for Type II actions where the modification involves only changes to tree removal and/or building envelope.
 - c. Physical and Environmental Constraints Review Permits as allowed in Chapter 18.62.
 - d. Tree removal permits as required by Section 18.61.042(D).

- e. Wetland and Riparian Corridor Permits as allowed in Chapter 18.
- 36. Conditional Use Permits.** The following conditional use permits are subject to Type I review procedures:
- a. Conditional use permits involving existing structures or additions to existing structures, and not involving more than three (3) residential dwelling units.
 - b. Temporary uses.
 - c. Enlargement, expansion, etc. of nonconforming structures in accordance with 18.68.090(2).
 - d. Government signs per Section 18.96.150.
 - e. The following uses in Residential zones:
 - i. Accessory residential units
 - ii. Daycare centers.
 - iii. Public and public utility buildings, structures and uses less than 2,500 square feet in building footprint and disturbs less than 7,500 square feet of land.
 - iv. Structures in excess of 35 feet in R-3 zone.
 - v. All new structures, additions or expansions that exceed MPFA in historic district up to 25%, but the addition is no larger than 300 s.f. or 10% of the existing floor area, whichever is less.
 - vi. Hostels.
 - vii. Public Parking Lots in the NM-C zone.
 - viii. Community Services in the NM-R15 zone.
 - f. The following uses in Commercial or Industrial zones:
 - i. Electrical substations
 - ii. Outdoor storage of commodities.
 - g. The following uses in the Health Care Services Zone:
 - i. Limited personal service providers in the home, such as beauticians and masseurs.
 - ii. Professional offices for an accountant, architect, attorney, designer, engineer, insurance agent or adjuster, investment or management counselor or surveyor.
 - iii. Any medically-related use, located on City-owned property that is not specifically allowed by the Ashland Community Hospital Master Facility Plan.
 - h. Conditional uses in the Southern Oregon University District.
- 47. Variances for:**
- a. **Sign placement.**
 - b. **Non-conforming signs, when bringing them into conformance as described in section 18.96.130.D.**
 - c. **Up to 50% reduction of standard yard requirements.**
 - d. **Parking in setback areas.**
 - e. **Up to 10% reduction in the number of required parking spaces.**
 - f. **Up to 10% reduction in the required minimum lot area.**
 - g. **Up to 10% increase in the maximum lot coverage percentage.**
 - h. **Up to 20% reduction in lot width or lot depth requirements.**
 - i. **Up to 50% reduction for parking requirements in Ashland's Historic District as described in section 18.92.055.**
 - j. **Up to 10% variance on height, width, depth, length or other dimension not otherwise listed in this section.**
 - k. **Site Design and Use Standards as provided in section 18.72.090.**
- 5. Partitions and Land Divisions.**
- a. Partitions which require no variances or only variances subject to Type I procedures.
 - b. Creation of a private way, as allowed in section 18.80.030.B.
 - c. Final Plan Approval for Performance Standards Subdivisions.

- ~~8. The following developments subject to the Site Design and Use Standards in section 18.72.040.B:~~
- ~~a. Any change in use of a lot from one general use category to another general use category, e.g., from residential to commercial, as defined by the zoning regulations of this Code.~~
 - ~~b. Any residential use which results in four dwelling units or more on a lot.~~
 - ~~c. All new structures or additions greater than 2,500 square feet, except for developments included in section 18.108.030.A.6.~~

69. Any other planning action designated as subject to the Type I Procedure.

7. Prior to the Staff Advisor providing notice of application and making a decision, applicants or the Staff Advisor may request planning actions subject to a Type I procedure be heard by the Commission or Hearings Board. In such case, the Staff Advisor shall not make a decision and shall schedule a hearing before the Commission or Hearings Board to be heard as provided in section 18.108.050.

B. Notice of Application, Time Limits, Notice and Hearing Requirements. Applications subject to the Type I Procedure shall be processed as follows:

1. Within 10 days of the city's determination that an application is complete, but no less than 20 days before the Staff Advisor makes a decision, written notice of the application shall be mailed to all of the following:

- a. Applicant.
- b. Owners of the subject property.
- c. Owners of properties located within 200 feet of the perimeter of the subject property.
- d. Neighborhood group or community organization officially recognized by the city council that includes the area of the subject property.
- e. For final partitions, final subdivisions, and final Outline Plans, to interested parties of record from the tentative decision.
- f. For modification applications, to persons who requested notice of the original application that is being modified.

2. The written notice shall include all of the following:

- a. The street address or other easily understood geographical reference to the subject property.
- b. The applicable criteria for the decision, listed by commonly used citation.
- c. The place, date, and time that comments are due.
- d. A statement that copies of all evidence relied upon by the applicant are available for review, and can be obtained at cost.
- e. A statement that issues that may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing and with sufficient specificity to enable the decision maker to respond to the issue.
- f. The name and phone number of a city contact person.
- g. A brief summary of the local decision making process for the decision being made.

3. Posted Notice. A notice shall be posted on the subject property in such a manner as to be clearly visible from a public right-of-way. Posting shall occur no later than the date of mailing notice of application.

3. Notices shall allow a 14-day period for the submission of written comments, starting from the date of mailing. All comments must be received by the city within that 14-day period.

C. Decision. Within 45 days of the city's determination that an application is complete, unless the applicant agrees to a longer time period, the Staff Advisor shall approve, conditionally approve, or deny a Type I application.

D. Notice of Decision.

1. Within 5 days after the Staff Advisor renders a decision, the city shall mail notice of the decision to the following:
 - a. Applicant.
 - b. Owner and occupants of the subject property.
 - c. Neighborhood group or community organization officially recognized by the city that includes the area of the subject property.
 - d. Any group or individual who submitted written comments during the comment period.
 - e. Those groups or individuals who requested notice of the decision.
 - f. Property owners and occupants of property located within 200 feet of the perimeter of the subject property.
2. The notice shall include all of the following:
 - a. A description of the nature of the decision of the Staff Advisor.
 - b. An explanation of the nature of the application and the proposed use or uses which could be authorized.
 - c. The street address or other easily understood geographical reference to the subject property.
 - d. The name of a city representative to contact and the telephone number where additional information may be obtained.
 - e. A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.
 - f. A statement that any person who is adversely affected or aggrieved or who was mailed a written notice of the Staff Advisor's decision may request reconsideration or appeal as provided in ALUO 18.108.070(B)(2).
 - g. A statement that the Staff Advisor's decision will not become final until the period for filing a local appeal has expired.
 - h. An explanation that a person who is mailed written notice of the Staff Advisor's decision cannot appeal directly to LUBA.
3. Unless the decision is reconsidered or appealed according to the procedures in ALUO 18.108.070(B)(2), the Staff Advisor's decision is effective on the 13th day after notice of the decision is mailed.
 1. ~~Complete applications shall be reviewed at the first regularly scheduled Commission meeting which is held at least 30 days after the submission of the complete application.~~
 2. ~~Within 14 days after receipt of a complete application, the Staff Advisor shall approve, approve with conditions or deny the application unless such time limitation is extended with the consent of the applicant. The Staff Advisor shall enter findings and conclusions to justify the decision.~~
 3. ~~Notice of the decision shall be mailed within seven days of the decision to the persons described in section 18.108.030.B.3. The notice shall contain the information required in section 18.108.030.B.2 plus a statement that unless a public hearing is requested, the action will be reviewed by the Commission. Persons to whom the notice is mailed shall have 10 days from the date of mailing in which to request a public hearing before the Commission. Requests for a public hearing shall conform to the requirements of section 18.108.030.B.4.~~
 4. ~~If a request for a public hearing is timely received, a public hearing shall be scheduled for the next regular Commission or Hearings Board meeting allowing adequate time to comply with the notice requirements of section 18.108.080. The public hearing shall be in accord with the requirements of section 18.108.100.~~
 5. ~~If no request for a public hearing is timely received, the decision shall be reviewed by the Commission or Hearings Board at its first regularly scheduled meeting 30 days after submission of the application. The Commission or Board may:~~

- a. ~~Amend the decision; in such case, the action shall be re-noticed as a Type I decision, with a 7 day period within which to request a public hearing, except that the Commission shall not review the decision again should there be no such request filed.~~
 - b. ~~Initiate a public hearing of the decision, through a majority vote of those in attendance, to be heard at the following month's regularly scheduled Commission or Board meeting.~~
 - c. ~~Take no action at the meeting when the decision is scheduled on the agenda. In such case the decision is final the next day.~~
6. ~~Prior to the Staff Advisor making a decision, applicants or the Staff Advisor may request planning actions subject to a Type I procedure be heard by the Commission or Board. In such case, the Staff Advisor shall not make a decision and shall schedule a hearing before the Commission or Board to be heard as provided in section 18.108.040.B.4.~~

Amend Section 18.108.050, Type II Procedure.

- A. **Actions Included.** The following planning actions shall be subject to the Type II Procedure:
1. All Conditional Use Permits not subject to a Type I procedure.
 2. All variances not subject to the Type I procedure.
 3. Outline Plan for subdivisions under the Performance Standard Options (AMC Chapter 18.88).
 4. Preliminary Plat for subdivisions under the standard subdivision code (AMC Chapter 18.80).
 5. Final Plan approval for all subdivision requests under the Performance Standard Options not requiring Outline Plan approval.
 6. ~~Any appeal public hearing of a Staff Advisor decision, including a Type I Planning Action or Interpretation of the Ashland Land Use Code, resulting from the Staff Permit Procedure.~~
 7. Any other planning action designated as subject to the Type II Procedure.
- B. **Time Limits, Notice and Hearing Requirements.** Applications subject to the Type II Procedure shall be processed as follows:
1. ~~The Staff Advisor, acting under the authority of ORS 227.165, may hold an initial evidentiary hearing on Type II applications once deemed complete. The Staff Advisor shall transmit copies of the record developed at the hearing to the Commission for additional public hearing, deliberation and decision. The Staff Advisor is not authorized to make decisions on Type II applications.~~
 2. ~~Complete applications shall be heard at a the first regularly scheduled Commission meeting which is held at least 30 days after the submission of the complete application.~~
 3. ~~Notice of the hearing mailed as provided in section 18.108.080.~~
 4. ~~Public hearing(s) shall be held before the Commission and/or Staff Advisor in accord with the requirements of section 18.108.100.~~

Amend Section 18.108.070, Effective Date of Decision and Appeals.

- A. Ministerial actions are effective on the date of the decision of the Staff Advisor and are not subject to appeal.
- B. **Actions subject to appeal:**
1. ~~**Staff Permit Decisions**~~ **Expedited Land Divisions.** ~~Unless appealed within 14 days of mailing a notice of decision, the Staff Advisor decision becomes final on the 15th day. Appeals shall be considered as set forth in ALUO 18.108.030(C) and ORS 197.375. Unless a request for a public hearing is made, the final decision of the City~~

~~for planning actions resulting from the Staff Permit procedure shall be the Staff Advisor decision, which shall be effective ten days after the date of decision. If heard by the Commission or Board, the Commission or Board decision shall be the final decision of the City on such matters, effective 15 days after the findings adopted by the Commission are signed by the Chair of the Commission and mailed to the parties.~~

2. **Type I Planning Actions.**

~~a. **Effective Date of Decision.** Unless a request for a public hearing is made, ~~t~~The final decision of the City for planning actions resulting from the Type I Planning Procedure shall be the Staff Advisor decision, effective on the 13th day after notice of the decision is mailed scheduled to be reviewed by the Commission or Board. If a public hearing is held by the Commission or Board, the decision of the Commission or Board shall be the final decision of the City, unless reconsideration of the action is approved by the Staff Advisor or appealed to the Council-Commission as provided in section 18.108.070(B)(2)(c). ~~110-A.~~~~

~~b. **Reconsideration.** The Staff Advisor may reconsider Type I planning actions as set forth below.~~

~~i. Any party entitled to notice of the planning action, or any City Agency may request reconsideration of the action after the decision has been made by providing evidence to the Planning Director that a factual error occurred through no fault of the party asking for reconsideration, which in the opinion of the director, might affect the decision. Reconsideration requests are limited to factual errors and not the failure of an issue to be raised by letter or evidence during the opportunity to provide public input on the application sufficient to afford the Staff Advisor an opportunity to respond to the issue prior to making a decision.~~

~~ii. Reconsideration requests shall be received within five (5) days of mailing. The Planning Director shall decide within three (3) days whether to reconsider the matter.~~

~~iii. If the Planning Director is satisfied that an error occurred crucial to the decision, the Director shall withdraw the decision for purposes of reconsideration. The Planning Director shall decide within ten (10) days to affirm, modify, or reverse the original decision. The Director shall send notice of the reconsideration decision to affirm, modify, or reverse to any party entitled to notice of the planning action.~~

~~iv. If the Director is not satisfied that an error occurred crucial to the decision, the Director shall deny the reconsideration request. Notice of denial shall be sent to those parties that requested reconsideration.~~

~~c. **Appeal.**~~

~~i. If a public hearing is held, ~~t~~Within twelve (12) days of the date of the mailing of the Planning Director's final decision, including any approved reconsideration request, the decision may be appealed to the Planning Commission by any party entitled to receive notice of the planning action. The appeal shall be submitted to the Planning Commission Secretary on a form approved by the City Administrator, be accompanied by a fee established pursuant to City Council action, and be received by the city no later than 4:30 p.m. on the 12th day after the notice of decision is mailed.~~

~~ii. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded. The fee required in this section shall not apply to appeals made by neighborhood or community organizations recognized by the city and whose boundaries include the site.~~

~~iii. The Planning Commission shall consider the appeal at the next regular Planning Commission meeting. The appeal shall be a de novo hearing and~~

shall be considered the initial evidentiary hearing required under ALUO 18.108.050 and ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. The Planning Commission final decision on appeal shall be effective 135 days after the findings adopted by the Commission or Board are signed by the Chair of the Commission or Board and mailed to the parties.

iv. The appeal requirements of this section are jurisdictional requirements for Type I planning actions.

d. **Final Decision of City.** The decision of the Council-Commission shall be the final decision of the City on appeals heard by the Council-Commission on Type I Planning actions, effective the day the findings adopted by the Council-Commission are signed by the Mayor-Chair and mailed to the parties.

3. Type II Planning Actions.

a. The decision of the Commission is the final decision of the City resulting from the Type II Planning Procedure, effective 135 days after the findings adopted by the Commission are signed by the Chair of the Commission and mailed to the parties, unless reconsideration of the action is authorized as provided in Section (b) below or appealed to the Council as provided in section 18.108.110.A.

b. Reconsideration.

i. Any party entitled to notice of the planning action, or any City Agency may request reconsideration of the action after the Planning Commission final decision has been made by providing evidence to the Planning Director that a factual error occurred through no fault of the party asking for reconsideration, which in the opinion of the director, might affect the decision. Reconsideration requests are limited to factual errors and not the failure of an issue to be raised by letter or evidence during the opportunity to provide public input on the application sufficient to afford the Staff Advisor an opportunity to respond to the issue prior to making a decision.

ii. Reconsideration requests shall be received within five (5) days of mailing. The Planning Director shall decide within three (3) days whether to reconsider the matter.

iii. If the Planning Director is satisfied that an error occurred crucial to the decision, the Director shall schedule reconsideration with notice to participants of the matter before the Planning Commission. Reconsideration shall be scheduled before the Planning Commission at the next regularly scheduled meeting. Reconsideration shall be limited to the portion of the decision affected by the facts not raised during the open public hearing and record.

iv. Regardless of who files the request for reconsideration, if the applicant has not consented to an extension of the time limits (120 day rule) as necessary to render a decision on the reconsideration, the reconsideration shall be denied by the director.

v. The Planning Commission shall decide to affirm, modify, or reverse the original decision. The Planning Commission Secretary shall send notice of the reconsideration decision to any party entitled to notice of the planning action.

c. The decision of the Council shall be the final decision of the City on appeals heard by the Council, effective the day the findings adopted by the Council are signed by the Mayor and mailed to the parties.

4. Type III Planning Actions. For planning actions described in section 18.108.060.A.1 and 2, the decision of the Commission shall be the final decision of the City resulting from the Type III Planning Procedure, unless appealed to the Council as provided in section 18.108.110.A. The final decision shall be effective 135 days after the findings adopted by the Commission are signed by the Chair of the Commission and mailed to the parties. The decision of the Council shall be the final

decision of the City on appeals heard by the Council, effective the day the findings adopted by the Council are signed by the Mayor and mailed to the parties. For planning actions described in section 18.108.060.A.3 and 4, the decision of the Council shall be the final decision of the City, effective the day the findings adopted by the Council are signed by the Mayor and mailed to the parties.

5. The City Council may call up any planning action for a ~~public hearing and decision upon motion and majority vote, provided such vote takes place in the required appeal time period, as outlined below.~~ Unless the planning action is appealed and a public hearing is required, the City Council review of the Planning Action is limited to the record and public testimony is not allowed. The City Council may affirm, modify or reverse the decision of the Planning Commission. The City Council shall make findings and conclusions and cause copies of a final order to be sent to all parties of the planning action.

- C. No building or zoning permit shall be issued for any action under this Title until the decision is final, as defined in this section.

Amend Section 18.108.080, Public Hearing Notice

Public notice for hearings before the Staff Advisor, Hearings Board or Commission for planning actions shall be given as follows:

- A. Notices shall be mailed at least 10 days prior to the hearing to:

1. The applicant or authorized agent,
2. The subject property owner, and
3. All owners of record of property on the most recent property tax assessment roll within 200 feet of the subject property, ~~unless the hearing has been requested under the Staff Permit procedure. In such case the notice shall be mailed only to owners within 100 feet of the subject property.~~

- C. **Posted Notice.** ~~Except for Staff Permit Procedure planning actions, a~~ notice, as described in this subsection, shall be posted on the subject property by the applicant city in such a manner as to be clearly visible from a public right-of-way at least 10 days prior to the date of the ~~Commission meeting~~public hearing. ~~Failure by the applicant city to post a notice, or post in clear view from a public right-of-way shall be considered an incomplete application. The applicant city shall certify, for the record of the hearing, that the posting was accomplished. The failure of the posted notice to remain on the property shall not invalidate the proceedings. The posted notice shall only contain the following information: planning action number, brief description of the proposal, phone number and address for contact at Ashland Planning Department.~~

- F. Whenever it is demonstrated to the Staff Advisor that:

1. The city did not mail the notice required in § 18.108.030-B;

Amend Section 18.108.110, Appeal to Council

- A. ~~Appeals of Type I decisions for which a hearing has been held, of Type II decisions or of Type III decisions described in section 18.108.060.A.1 and 2 shall be initiated by a notice of appeal filed with the City Administrator. The standard Appeal Fee shall be required as part of the notice. Failure to pay the Appeal Fee at the time~~ adhere to the appeal procedure requirements of Section 18.108.110 is filed is a jurisdictional defect.

1. The appeal shall be filed prior to the effective date of the decision of the Commission.
2. The notice shall include the appellant's name, address, a reference to the decision sought to be reviewed, a statement as to how the appellant qualifies as a party, the date of the decision being appealed, and the specific grounds for which the decision should be reversed or modified, based on the applicable criteria or procedural irregularity.

3. The notice of appeal, together with notice of the date, time and place of the hearing ~~onto consider the appeal by the Council shall be mailed to the parties at least 20 days prior to the hearing meeting.~~
4. ~~The appeal shall be considered "on the record" before the Planning Commission and not subject to a public hearing and additional evidence. However, if in the opinion of the City Administrator that a factual error occurred or additional substantive information might affect the outcome of the decision, the City Council may accept additional testimony limited to these facts and information as set forth in a notice of appeal. The Council, or the Mayor in the absence of Council rules, may set forth the procedure for the conduct of "on the record" appeals. a de novo evidentiary hearing.~~
5. The Council may affirm, reverse or modify the decision and may approve or deny the request, or grant approval with conditions. The Council shall make findings and conclusions, and make a decision based on the record before it as justification for its action. The Council shall cause copies of a final order to be sent to all parties participating in the appeal.

- B. Appeals may only be filed by parties to the planning action. "Parties" shall be defined as the following:
1. The applicant.
 2. Persons who participated in the public hearing, either orally or in writing. Failure to participate in the public hearing, either orally or in writing, precludes the right of appeal to the Council.
 3. ~~The Council, by majority vote.~~
 34. Persons who were entitled to receive notice of the action but did not receive notice due to error.

Amend Section 18.108.160, Ordinance Interpretations

- A. When in the administration of the Land Use Ordinance there is clear doubt regarding its intent, the suitability of uses not specified or the meaning of a word or phrase, the planning director is authorized to interpret this land use code and decisions issued pursuant to this land use code. Any person may request an interpretation by submitting such request on a written form approved by the city administrator and accompanied by a fee established by the city council. Within twenty (20) days of receipt of the written request, the planning director shall make a written interpretation and mail or deliver a copy to the party requesting the interpretation, the Planning Commission and City Council. Appeals of these interpretations shall be heard by the Planning Commission in the manner set out in ALUO 18.108.050.
- B. ~~The Planning Director Staff Advisor may interpret the provision in writing or refer the provision interpretation request directly to the Commission for interpretation. The Commission shall issue an interpretation in writing to resolve the doubt.~~
- C. ~~Neither the Staff Advisor's Planning Director's interpretation nor the Commission's shall have the effect of amending the provisions of the Land Use Ordinance. Any interpretation of the Land Use Ordinance shall be based on the following considerations:~~
 1. The comprehensive plan;
 2. The purpose and intent of the Land Use Ordinance as applied to the particular section in question; and
 3. The opinion of the City Attorney.
- DB. Unless the Planning Commission by majority vote chooses to review the The interpretation of the Staff Advisor-Planning Director, or the interpretation is appealed pursuant to Section 18.108.160(A), or the City Council directs the Planning Commission to review the interpretation, the interpretation decision is final. shall be forwarded to the Upon review, the Planning Commission who shall have the authority to modify the

interpretation. The interpretation of the Commission shall be forwarded to the Council who shall have the authority to modify the interpretation. Whenever such an interpretation is of general public interest, copies of such interpretation shall be made available for public distribution.

Section 22, Amend Chapter 18.112, ENFORCEMENT

Amend Section 18.112.030, Revocation--permit expiration

Any zoning permit, planned unit development permit, ~~site design review, conditional use permit, or variance granted in accordance with the terms of this Title shall be deemed revoked if not used within one year from date of approval. Said permit shall not be deemed used until the permittee has actually obtained a building permit, and commenced construction thereunder, or has actually commenced the permitted use of the premises. The Staff Advisor to the Planning Commission may grant an extension to this time period subject to the Type 1 procedure set forth in Chapter 18.108 of this Title of the approval under the following conditions:~~

- ~~1. One time extension no longer than eighteen (18) months is allowed.~~
- ~~2. The Staff Advisor shall find that a change of conditions for which the applicant was not responsible prevented the applicant from completed the development within the original time limitation.~~
- ~~3. Land Use Ordinance requirements applicable to the development have not changed since the original approval. An extension may be granted, however, if requirements have changed and the applicant agrees to comply with any such changes.~~

Amend Section 18.112.040, Approval and Permit Required

~~Any zoning permit, planning action, planned unit development permit outline or final plan under the performance standards options, subdivision approval, site design approval, conditional use permit, or variance granted in accordance with the terms of this Title may be revoked if any of the conditions or terms of such permit or variance are violated or if any law or ordinance is violated in connection therewith.~~

STUDY SESSION LOOK AHEAD

Planning Commission Study Schedule

July 31st (special meeting)

1. Land use Procedures/Siegel Amendments

August 28

1. Arterial Setbacks – Follow-up to July session
2. Wetland and Riparian – inventory and ordinance review
 - a. Public hearing to review and adopt inventory
 - b. Review and discussion regarding draft ordinance
3. Long Range Work Plan
 - a. Review and discussion regarding approach to review and update of the comprehensive plan.
4. Land Use Procedures/Siegel Amendments – Planning Commission questions
5. Economic Opportunities Analysis

September 11

1. Land Use Procedures/Siegel Amendments (public hearing)

September 25

1. Land Use Procedures/Siegel Amendments – deliberation and recommendation
2. Wetland and Riparian Ordinance
3. Economic Opportunities Analysis

October 23

1. Measure 37 – review of upcoming initiative, review of procedures to review claims, review and discussion regarding claims adjacent to city

November 27

1. Arterial Setbacks – review draft based on prior discussions
-

Not Yet Scheduled:

Long Range:

1. Citizen Participation Plan
2. Regional Problem Solving
3. Wetland and Riparian Corridors
4. Economic Development Element
5. Croman Master Planning
6. Annexation Ordinance (Housing)

Mud Bucket:

1. Siegel – minor clarifying amendments
2. Variance Criteria
3. Performance Standards Criteria
4. Design Related House Cleaning
5. Large Scale Development Standards

Other:

1. Community Dialogue/Training
 - a. Form Based Code – guest speaker, trainer (may be coupled with half day, or day long public seminar)
2. Training on criteria, discretionary permits and standards
3. Measure 37 – claims in vicinity, ballot initiative, county procedures