



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

11/29/2011

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Ashland Plan Amendment
DLCD File Number 003-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, December 12, 2011

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Maria Harris, City of Ashland
Angela Lazarean, DLCD Urban Planning Specialist
Josh Lebombard, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE STAMP

DEPT OF

NOV 23 2011

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Ashland**

Local file number: **PA 2011-00174**

Date of Adoption: **11.15.11**

Date Mailed: **11.20.11**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 8.25.11

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

A Pedestrian Place Overlay was added to the Ashland Zoning Map, a new Chapter 18.56 Overlay Zones was added to the Ashland Land Use Ordinance (ALUO), and a variety of amendments to the ALUO were made to implement the recommendations of the Pedestrian Places Project.

Does the Adoption differ from proposal?

The boundary for the Pedestrian Place Overlay at Ashland St./Tolman Creek Rd. was reduced in size. Minor amendments were made to the code language.

Plan Map Changed from: **NA**

to:

Zone Map Changed from: **NA**

to:

Location: N. Mountain Ave./E. Main St., Walker Ave./Ashland St., and Tolman Creek Rd./Ashland St.

Acres Involved: **71.8**

Specify Density: Previous: **N/A (unchanged)**

New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 003-11 (18946) [16840]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Oregon Department of Transportation, Rogue Valley Transportation District

Local Contact: **Maria Harris, Planning Manager**

Phone: (541) 601-5743 Extension:

Address: **20 E. Main St.**

Fax Number: **541-552-2050**

City: **Ashland**

Zip: **OR**

E-mail Address: **harrism@ashland.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

Updated December 22, 2009

ORDINANCE NO. 3051

**AN ORDINANCE AMENDING THE CITY OF ASHLAND ZONING MAP
TO ADD A PEDESTRIAN PLACE OVERLAY**

Annotated to show ~~deletions~~ and **additions** to the code sections being modified. Deletions are **bold lined through** and additions are in **bold underline**.

WHEREAS, Article 2, Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

WHEREAS, the City of Ashland is projected to grow by approximately 3,250 residents by 2030 and 2,000 employees by 2027, and the City Council reaffirmed the long-standing policy of accommodating growth within the Ashland Urban Growth Boundary rather than growing outward into surrounding farm and forest lands in the Greater Bear Creek Valley Regional Problem Solving (RPS) planning process; and

WHEREAS, the City of Ashland seeks to balance projected population and employment growth with the community goal of retaining a district boundary and preventing sprawling development, and to this end examines opportunities to use land more efficiently for housing and businesses; and

WHEREAS, the City of Ashland continues the community's tradition of integrating land use and transportation planning, and using sustainable development measures such as encouraging a mix and intensity of uses on main travel corridors to support transit service and use, integrating affordable housing opportunities, and reducing carbon emissions by providing a variety of transportation options; and

WHEREAS, the City conducted a planning process involving a series of public workshops, on-line forum, key participant meetings and study sessions from October 2010 through September 2011 involving a three-step process in which participants identified the qualities that make a successful pedestrian place, developed vision statements for the three study areas, and reviewed and revised plans illustrating an example of what development might look like in a key location; and

WHEREAS, the final report for the Pedestrian Place project included recommended amendments to the zoning map and land use ordinance which would support the development of the Pedestrian Places envisioned in the planning process being small walkable nodes that provide concentrations of housing and businesses grouped in a way to encourage more walking, cycling and transit use; and

WHEREAS, the City of Ashland Planning Commission considered the above-referenced recommended amendments to the Ashland Zoning Map at a duly advertised public hearing on October 11, 2011, and following deliberations, recommended approval of the amendments by a unanimous vote; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on November 1, 2011, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article X of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Zoning Map in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. The officially adopted City of Ashland Zoning Map, adopted and incorporated by Ashland Municipal Code Section 18.12.030, is hereby amended to add a Pedestrian Place (PP) Overlay designation to approximately 72 acres of land within the City limits, said overlay amendment is reflected on the revised Zoning Map, attached hereto as Exhibit A, and made a part hereof by this reference.

SECTION 3. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Comprehensive Plan and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this Ordinance may be renumbered, or re-lettered, and amendments – including map amendments, combined, provided however that any Whereas clauses and boilerplate provisions and text descriptions of the map amendments (i.e. Sections 1, 2-8, 9-10) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

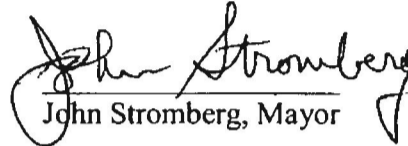
The foregoing ordinance was first read by title only in accordance with Article X,

Section 2(C) of the City Charter on the 1 day of November, 2011,
and duly PASSED and ADOPTED this 15 day of November, 2011.

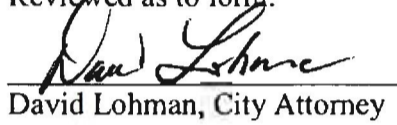


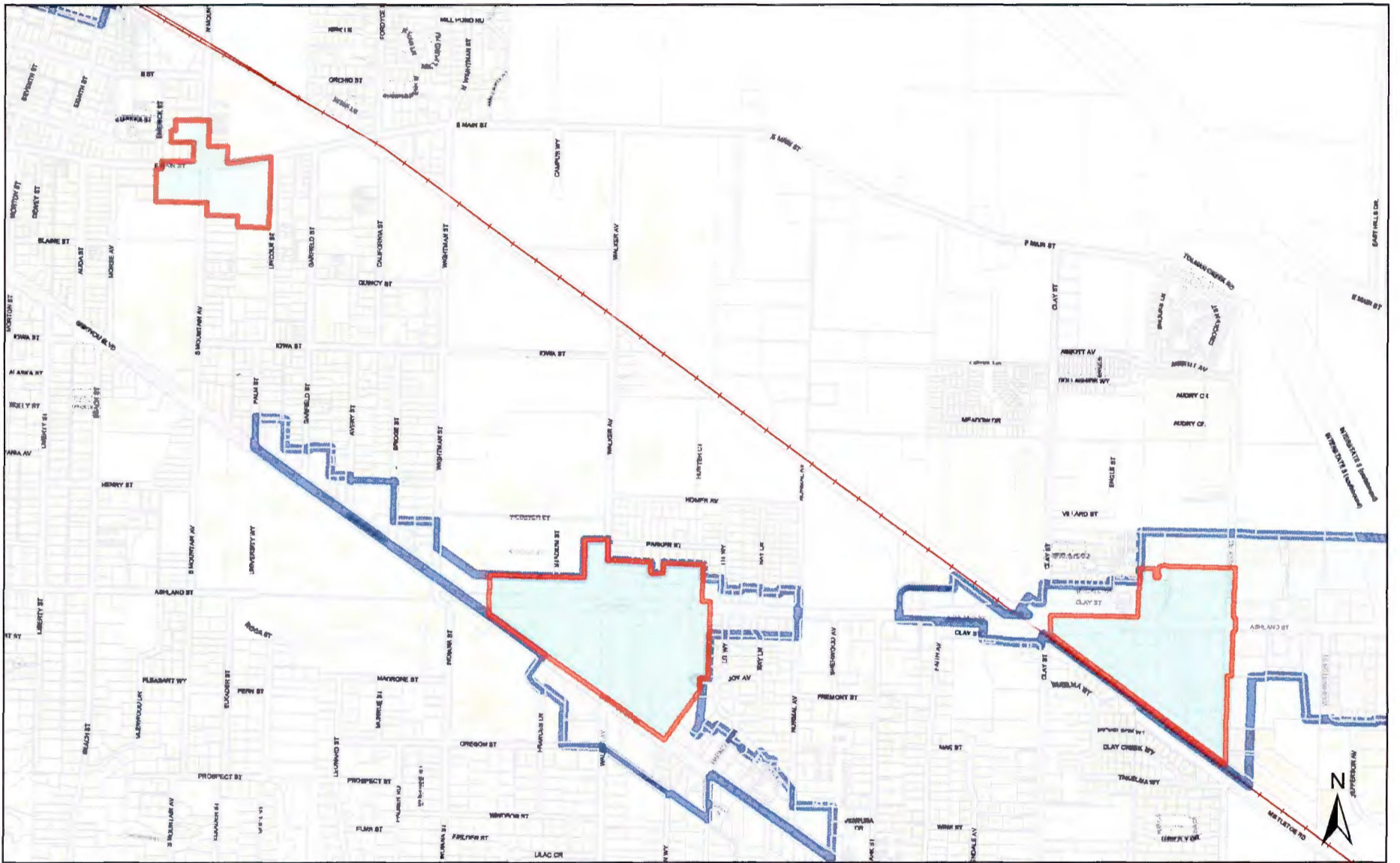
Barbara M. Christensen, City Recorder

SIGNED and APPROVED this 16 day of November, 2011.


John Stromberg, Mayor

Reviewed as to form:






David Lohman, City Attorney



0 400 800 1,600 2,400 3,200 4,000 Feet



Pedestrian Place Overlay Areas
City Council Second Reading 11/15/2011

Key			
	Pedestrian Place Overlay		Building
	Detail Site Review zone		railroad

Property lines are for reference only, not scaleable

ORDINANCE NO. 3052

**AN ORDINANCE AMENDING THE ASHLAND MUNICIPAL CODE
CREATING A NEW CHAPTER 18.56 OVERLAY ZONES, INCLUDING
THE RESIDENTIAL OVERLAY AND AIRPORT OVERLAY**

Annotated to show ~~deletions~~ and **additions** to the code sections being modified. Deletions are **bold lined through** and additions are in **bold underline**.

WHEREAS, Article 2, Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

WHEREAS, the City of Ashland is projected to grow by approximately 3,250 residents by 2030 and 2,000 employees by 2027, and the City Council reaffirmed the long-standing policy of accommodating growth within the Ashland Urban Growth Boundary rather than growing outward into surrounding farm and forest lands in the Greater Bear Creek Valley Regional Problem Solving (RPS) planning process; and

WHEREAS, the City of Ashland seeks to balance projected population and employment growth with the community goal of retaining a district boundary and preventing sprawling development, and to this end examines opportunities to use land more efficiently for housing and businesses; and

WHEREAS, the City of Ashland continues the community's tradition of integrating land use and transportation planning, and using sustainable development measures such as encouraging a mix and intensity of uses on main travel corridors to support transit service and use, integrating affordable housing opportunities, and reducing carbon emissions by providing a variety of transportation options; and

WHEREAS, the City conducted a planning process involving a series of public workshops, on-line forum, key participant meetings and study sessions from October 2010 through September 2011 involving a three-step process in which participants identified the qualities that make a successful pedestrian place, developed vision statements for the three study areas, and reviewed and revised plans illustrating an example of what development might look like in a key location; and

WHEREAS, the final report for the Pedestrian Place project included recommended amendments to the zoning map and land use ordinance which would support the development of the Pedestrian Places envisioned in the planning process being small walkable nodes that provide concentrations of housing and businesses grouped in a way to encourage more walking, cycling and transit use; and

WHEREAS, the City of Ashland Planning Commission considered the above-referenced recommended amendments to the Ashland Municipal Code and Land Use Ordinances at a duly advertised public hearing on October 11, 2011, and following deliberations, recommended approval of the amendments by a unanimous vote; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on November 1, 2011; and following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article X of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. A new Chapter 18.56 of the Ashland Municipal Code creating an overlay zones chapter [OVERLAY ZONES] set forth in full codified form on the attached Exhibit A and made a part hereof by this reference, is hereby added to the Ashland Municipal Code.

SECTION 3. AMC Chapter 18.40.030.E [E-1 Employment District - Special Permitted Uses] is hereby amended to read as follows:

SECTION 18.40.030 Special Permitted Uses.

The following uses and their accessory uses are permitted outright subject to the requirements of this section, including all requirements of 18.72, Site Design and Use Standards.

- A. Bottling plants, cleaning and dyeing establishments, laundries and creameries.
 - 1. All objectionable odors associated with the use shall be confined to the lot upon which the use is located to the greatest extent feasible. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected.

2. The use shall comply with all requirements of the Oregon Department of Environmental Quality.
- B. Wholesale storage and distribution establishments. Provided, however, that for the uses specified in subsection A and B above, no deliveries or shipments shall be made from 9pm to 7am where the property on which the use is located is within 200 feet of any residential district.
- C. Recycling depots, provided the use is not located within 200 feet of a residential district.
- D. Kennels and veterinary clinics where animals are housed outside, provided the use is not located within 200 feet of a residential district.
- E. Residential uses. As indicated as R-Overlay on the official zoning map, and in conformance with the Overlay Zones chapter 18.56.
- ~~1. 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.~~
 - ~~3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.~~
 - ~~4. Residential uses shall only be located in those areas indicated as R-Overlay within the E-1 District, and shown on the official zoning map.~~
 - ~~5. If the number of residential units exceed 10, then at least 10% of the residential units shall be affordable for moderate income persons in accord with the standards established by resolution of the Ashland City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~
- F. Cabinet, carpentry, machine, and heating shops, if such uses are located greater than 200' from the nearest residential district.
- G. Manufacture of food products, but not including the rendering of fats or oils. For any manufacture of food products with 200' of a residential district:
1. All objectionable odors associated with the use shall be confined to the lot upon which the use is located, to the greatest extent feasible. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected. Odors which are in violation of this section include but are not limited to the following:
 - a. Odors from solvents, chemicals or toxic substances.
 - b. Odors from fermenting food products.
 - c. Odors from decaying organic substances or human or animal waste.
 2. Mechanical equipment shall be located on the roof or the side of a building with the least exposure to residential districts. Provided, however, that it may be located at any other location on or within the structure or lot where the noise emanating from the equipment is no louder, as measured from the nearest residential district, than if located on the side of the building with least exposure to residential districts. Mechanical equipment shall be fully screened and buffered.

- H. Cold Storage Plants, if such uses are located greater than 200' from the nearest residential district.
- I. Automobile and truck repair facilities, excluding auto body repair and paint shops. All cars and trucks associated with the use must be screened from view from the public right-of-way by a total sight obscuring fence. Facilities of 3 bays or larger shall not be located within 200' of a residential district.

SECTION 4. AMC Chapter 18.60 [Airport Overlay Zone] is hereby deleted as follows:

CHAPTER 18.60

AIRPORT OVERLAY ZONE

SECTIONS:

- ~~18.60.010 — Purpose.~~
- ~~18.60.020 — A-1 Overlay Zone.~~
- ~~18.60.030 — General Provisions.~~

SECTION 18.60.010 Purpose.

~~This overlay zone is intended to be applied to properties which lie within close proximity to the Ashland Airport where aircraft are likely to be flying at relatively low elevations. Further, the zone is intended to prevent the establishment of airspace obstructions in such areas through height restrictions and other land use controls. Application of the zone does not alter the requirements of the parent zone except as specifically provided herein. The overlay zone is shown on the Zoning Map.~~

SECTION 18.60.020 A-1 Overlay Zone.

- ~~A. Permitted uses shall not include residential uses unless approved under the procedure outlined for conditional uses.~~
- ~~B. Maximum height of structures, trees or other airspace obstructions shall be twenty (20) feet.~~
- ~~C. All planning actions will require, as a condition or approval, that the applicant sign an agreement with the City agreeing that airport noise is likely to increase in the future and that they waive all rights to complain about airport noise.~~

SECTION 18.60.030 General Provisions.

- ~~A. The City may top any tree which is in excess of those maximum heights listed in Section 18.60.020, or locate appropriate lights or markers on those trees as a warning to the operators of aircraft.~~
- ~~B. No use shall be made of land or water within any of this zone in such a manner as to create electrical interference with navigational signals or radio communication between airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, or otherwise create a hazard which may in any way endanger the landing, takeoff, or maneuvering of aircraft using the airport.~~

SECTION 5. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

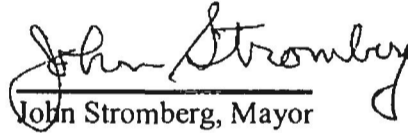
SECTION 6. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions, and text descriptions of amendments (i.e. Sections 1-4) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the 1 day of November, 2011, and duly PASSED and ADOPTED this 15 day of November, 2011.



Barbara M. Christensen, City Recorder

SIGNED and APPROVED this 16 day of November, 2011.



John Stromberg, Mayor

Reviewed as to form:



David Lohman, City Attorney

CHAPTER 18.56

Overlay Zones

SECTIONS:

- 18.56.010 Purpose.
- 18.56.020 Applicability of Other Sections of the Land Use Ordinance.
- 18.56.030 A-1 Airport Overlay.
- 18.56.040 Pedestrian Place Overlay.
- 18.56.050 Residential Overlay.

SECTION 18.56.010 Purpose.

Overlay zones are intended to provide special regulations and standards that supplement the base zoning district and standards.

SECTION 18.56.020 Applicability of Other Sections of the Land Use Ordinance.

Development located within an overlay zone is required to meet all other applicable sections of the Land Use Ordinance, except as otherwise provided in this Chapter.

SECTION 18.56.030 A Airport Overlay.

A. **Purpose.** This overlay zone is intended to be applied to properties which lie within close proximity to the Ashland Airport where aircraft are likely to be flying at relatively low elevations. Further, the zone is intended to prevent the establishment of airspace obstructions in such areas through height restrictions and other land use controls. Application of the overlay zone does not alter the requirements of the parent zone except as specifically provided herein. The Airport Overlay applies to all property where A is indicated on the Ashland Zoning Map.

B. A Airport Overlay.

1. Permitted uses shall not include residential uses unless approved under the procedure outlined for conditional uses.
2. Maximum height of structures, trees or other airspace obstructions shall be twenty (20) feet.
3. All planning actions will require, as a condition or approval that the applicant sign an agreement with the City agreeing that airport noise is likely to increase in the future and that they waive all rights to complain about airport noise.

C. General Provisions.

1. The City may top any tree which is in excess of those maximum heights listed in Section 18.60.020, or locate appropriate lights or markers on those trees as a warning to the operators of aircraft.
2. No use shall be made of land or water within any of this zone in such a manner as to create electrical interference with navigational signals or radio communication between airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, or otherwise create a hazard which may in any way endanger the landing, takeoff, or maneuvering of aircraft using the airport.

SECTION 18.56.040 PP Pedestrian Place Overlay.

A. **Purpose of Pedestrian Place Overlay.** The Pedestrian Place Overlay is intended to direct and encourage development of small walkable nodes that provide concentrations of gathering places, housing, businesses and pedestrian amenities situated and designed in a way to encourage more walking, bicycling and transit use.

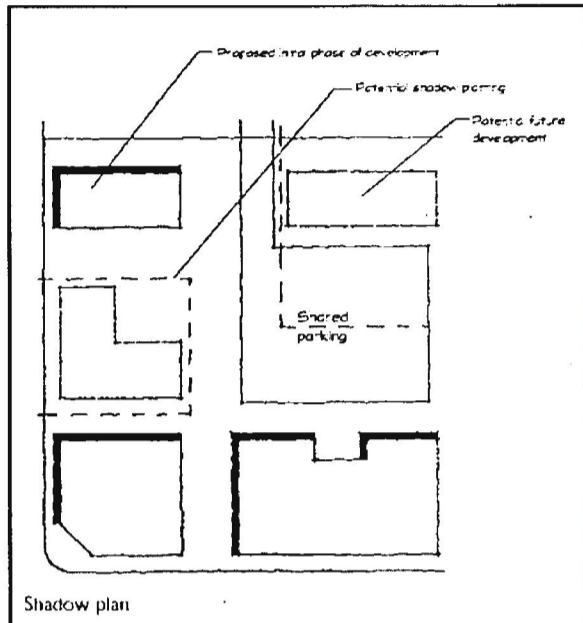
B. **Applicability.**

1. **Location.** The Pedestrian Place Overlay applies to all property where PP is indicated on the Ashland Zoning Map.
2. **Planning Actions.** The Pedestrian Place Overlay requirements apply to proposed development located in the Pedestrian Place Overlay that requires a planning application approval, and involves development of new structures or additions other than single-family dwellings and associated accessory structures and uses.
3. **Other Sections of the Land Use Ordinance.** The provisions of the Pedestrian Place Overlay supplement those of the applicable base zoning district and applicable Chapter 18 requirements. Where the provisions of this Chapter conflict with comparable standards described in any other ordinance or regulation, the provisions of the Pedestrian Place Overlay shall apply.

C. **Pedestrian Place Concept Plans.** Concept plans (i.e. site plan, development summary and building illustrations) are for the purpose of providing an example of development that conforms to the standards, and do not constitute independent approval criteria. Concept plans are attached to the end of this chapter.

D. **Residential Zoning Districts within Pedestrian Place Overlay.**

1. **Special Permitted Uses.** In addition to the permitted uses in the base residential zoning district, the following uses and their accessory uses are permitted outright subject to the requirements of this section and the requirement of Chapter 18.72, Site Design and Use Standards.
 - a. Professional, financial, business and medical offices, and personal service establishments.
 - b. Stores, shops and offices supplying commodities or performing services.
 - c. Restaurants.
2. **Limitations.**
 - a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
 - b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50% of the total gross floor area of a building or of multiple buildings shall be designated for housing.
 - c. The development shall meet the minimum housing density requirements of the base zoning district.
3. **Development Standards.**
 - a. A building shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
 - b. Developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. The development Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR, or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.



4. **Mixed-Use Buildings in Residential Zones.** Mixed-use buildings in a residential base zoning district require Site Review approval in accordance with Chapter 18.72, and are subject to the requirements of Chapter 18.72 and the following Site Design and Use Standards.

- a. Basic Site Review Standards for Commercial Development (section II-C-1)
- b. Parking Lot Landscaping and Screening Standards (section D)
- c. Street Tree Standards (section E)
- d. Exception to the Site Design and Use Standards, 18.72.090

E. **Development Standards.** In addition to the requirements of the base zoning district, the following standards shall apply.

1. **Building Setbacks.** The solar access setback in Chapter 18.70 Solar Access applies only to those lots abutting a residential zone to the north.
2. **Plazas and Landscaping Ratio.** Outdoor seating areas, plazas and other useable paved surfaces may be applied toward meeting the landscaping area requirements in Section 18.72.110, but shall not constitute more than 50% of the required area.

SECTION 18.56.050 R Residential Overlay.

The Residential Overlay applies to all property where R is indicated on the Ashland Zoning Map. The Residential Overlay requirements are as follows.

- A. 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.
- B. 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.
- C. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.

- E. If the number of residential units exceeds 10, then at least 10% of the residential units shall be affordable for moderate income persons in accord with the standards established by resolution of the Ashland City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.



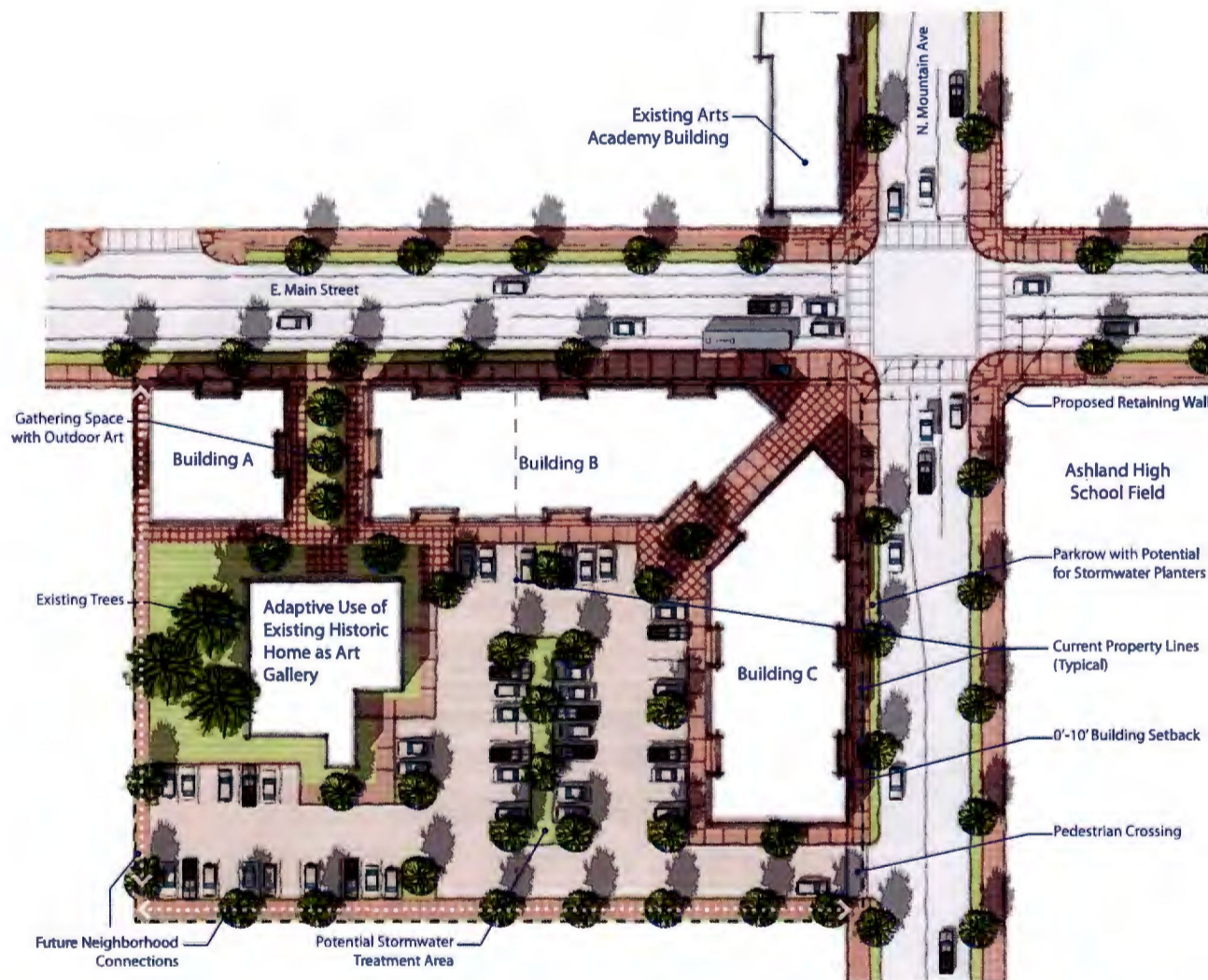
Potential for growth as a neighborhood center with civic, educational and arts uses plus affordable in-fill housing.

City of Ashland
TSP Update

N. Mountain Avenue and E. Main Street
Pedestrian Place



March 2011
Revised October 2011



Concept Plan.

This conceptual development plan provides a hypothetical example that serves to illustrate how a property could develop to balance residential and commercial uses through implementing the Pedestrian Places building blocks.

Development Summary

Building A: 2-Story Apartment Building

- 8 Apartments

Building B: 2-Story Mixed-use Building

- General Retail Space – 1-2 shops (2500sq.ft each)
- 16 Apartments

Building C: 2-Story Mixed-use Building

- General Retail Space – 1-2 shops (2500sq.ft each)
- 16 Apartments

Historic Home as Potential Studio / Gallery Space

Flexible Parking Standards

- Various parking credit options

Achievable Density

- 22 – 24 dwelling units / acre (With preservation of historic home)
- FAR = 0.66:1

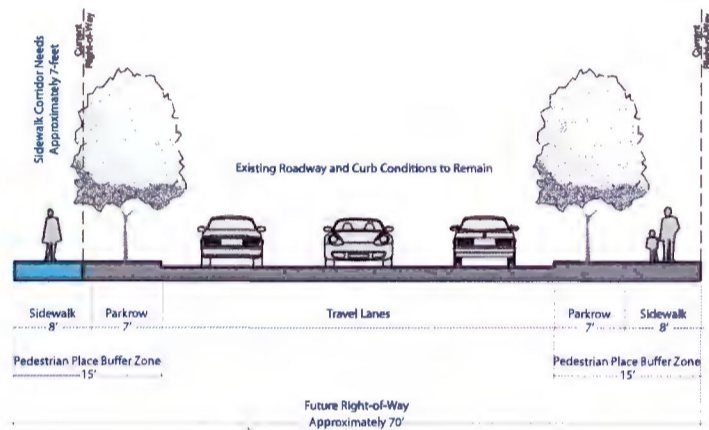
Arts, Education and Affordability

- Adaptive re-use of buildings to support local art
- Outdoor spaces for installation of public art
- Modestly sized, affordable apartments
- Civic and educational uses nearby

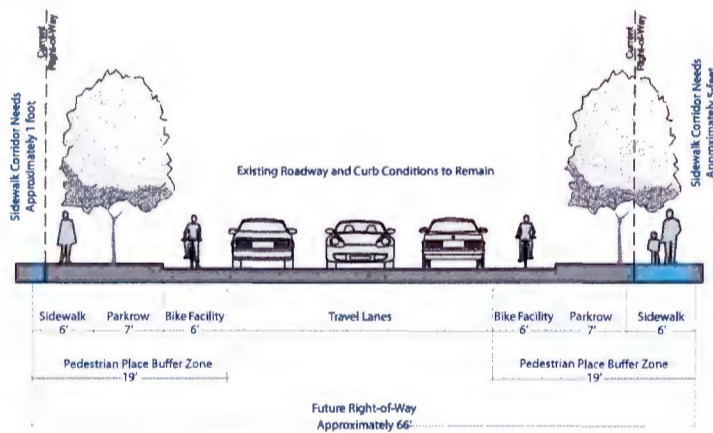
Transportation and Streetscape Improvements

- Enhanced sidewalks and intersection
- Opportunities for additional neighborhood connectivity
- Transit-supportive densities for restoring bus service
- Reduced parking areas
- Pedestrian-friendly building design
- Transportation and Streetscape Improvements

Streetscape and Public Art



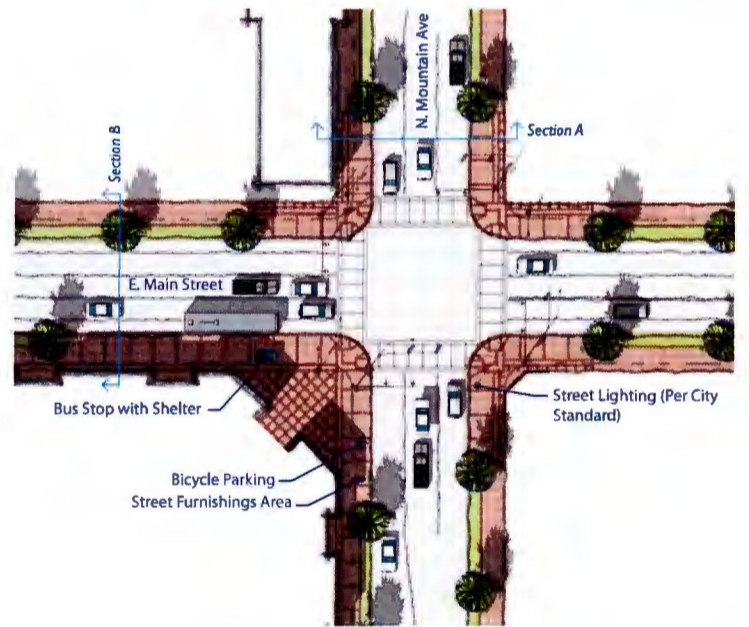
N. Mountain Avenue Future Improvements Section A – Looking North



E. Main Street Future Improvements Section B – Looking West



Public Art



Pedestrian Place Streetscape Features



Public Realm Features

Primary streetscape character elements are the Green Street design with flow-through stormwater planters and building articulations with ground floor windows for the shops located near the intersection and residential units located near mid-block. The residential units could be artist live/work spaces with ground floor galleries visible from street. Near the intersection a paved sidewalk furnishing zone accommodates a bus shelter, bike racks and outdoor seating across from a revitalized Arts Academy.



Creating a pedestrian-friendly environment requires improved pedestrian connectivity, and a balance between residential and commercial uses.

City of Ashland TSP Update

Tolman Creek Road and Ashland Street Pedestrian Place



March 2011
Revised October 2011



Concept Plan

This conceptual development plan provides a hypothetical example that serves to illustrate how a property could develop through implementing the Pedestrian Places building blocks.

Development Summary

Building A: 2-Story Apartment Building

- 60 Apartments

Building B: 2-Story Mixed-use Building

- General Retail Space – 6-10 shops (15,000 sf)
- Office Space – 15,000 sf

Flexible Parking Standards

- Various parking credit options

Achievable Density

- 25 – 30 duelling units / acre
- FAR= 0.67:1

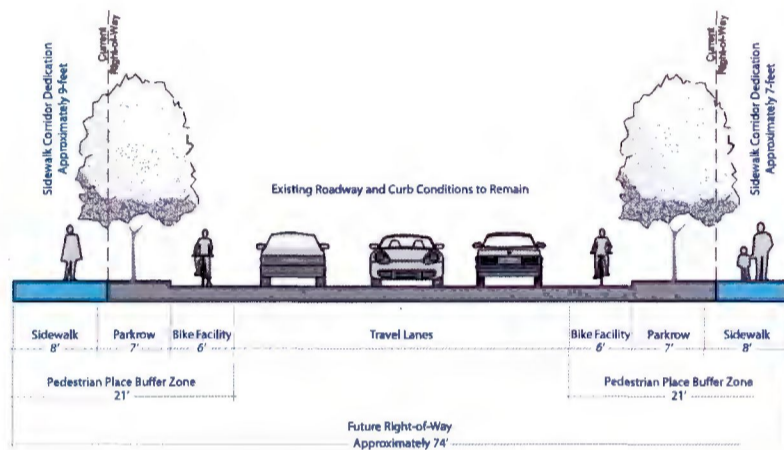
Balancing Residential and Commercial Uses

- Expand housing choices in core area and connectivity to existing residential neighborhoods
- Office and retail complementary to existing commercial uses
- Modestly sized, affordable apartments

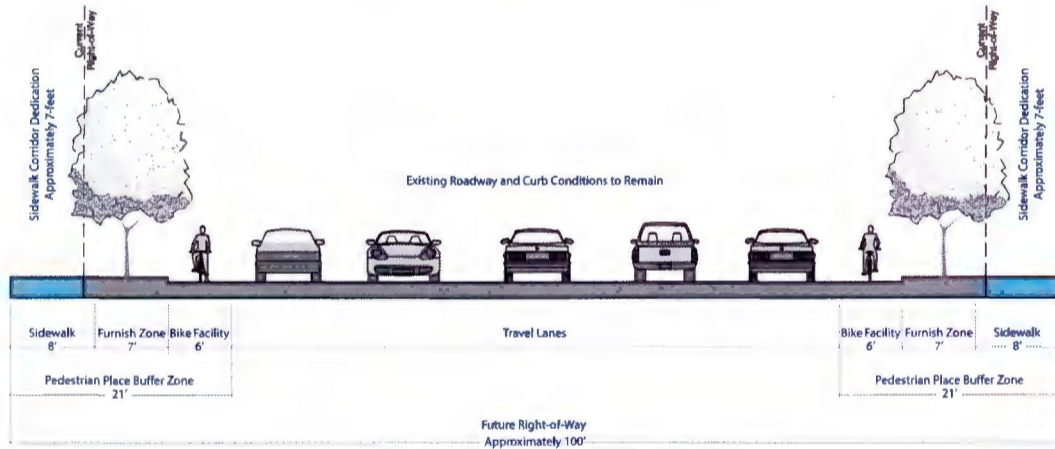
Transportation and Streetscape Improvements

- Enhanced sidewalks and intersection
- Opportunities for additional neighborhood connectivity
- Transit-supportive densities for frequent service
- Reduced parking areas
- Pedestrian-friendly building design

Green Street and Intersection Design Features



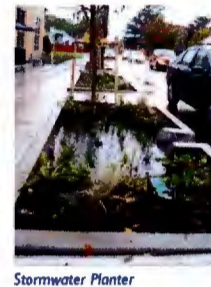
Tolman Creek Road Future Improvements
Section A – Looking North



Ashland Street Future Improvements
Section B – Looking West



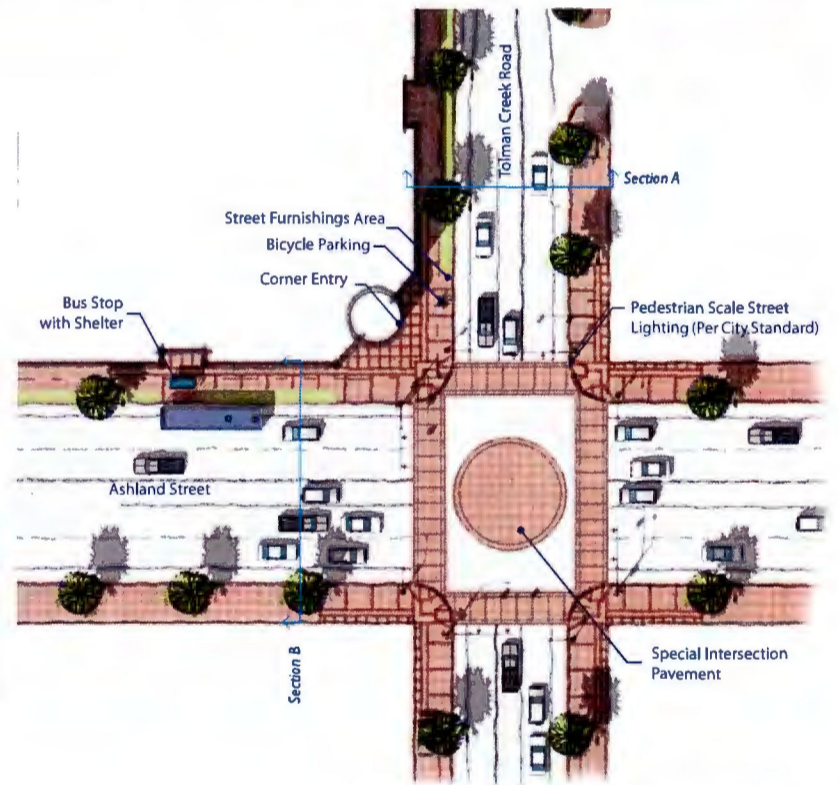
Special Intersection Pavement



Stormwater Planter



Stormwater Planter with On-street Parking



Pedestrian Place Streetscape Features

Street Designs to meet City Street Standards



Public Realm Features

Primary streetscape character elements are the Green Street design with flow-through stormwater planters, ornamental street lights with banners and a paved sidewalk furnishing zone near the intersection to accommodate bus shelters, bike racks and outdoor seating. The corner entry and building setback, building articulations and large ground floor windows help create a more comfortable pedestrian environment alongside an inhospitable street.



Potential to become a university district neighborhood hub.

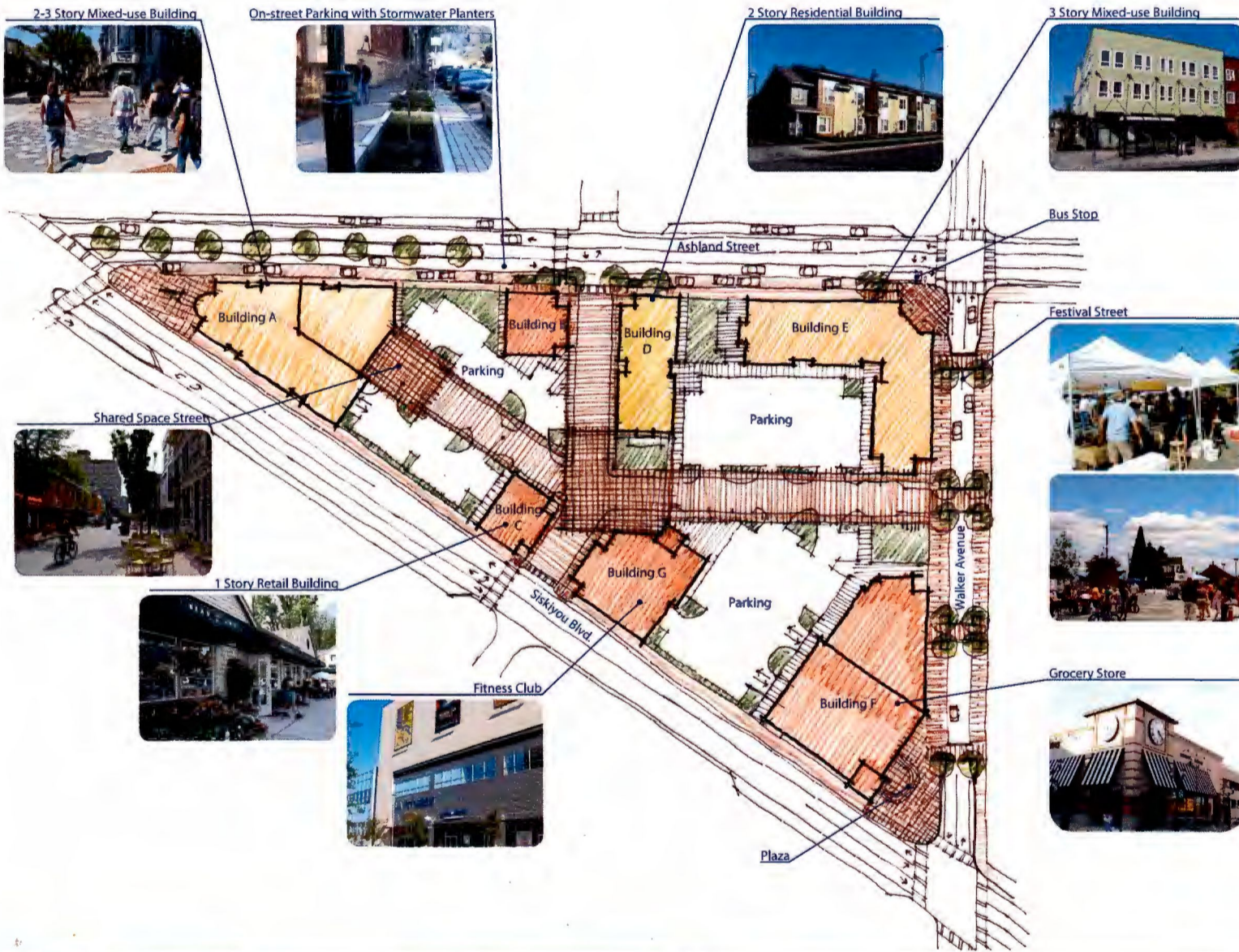
City of Ashland TSP Update

Walker Avenue and Ashland Street Pedestrian Place



March 2011

Revised October 2011



**Long Term Concept Plan
Development Summary**

Building A: 2-3 Story Mixed-use

- 7 shops
- 30 apartments

Building B: 1 Story Retail

- 1-2 shops

Building C: 1 Story Retail

- 1-2 shops

Building D: 2 Story Residential

- 16 apartments

Building E: 3 Story Mixed-use

- 6 shops
- 34 apartments

Building F: 1-2 Story Grocery Store

- 20,000-30,000 sf

Building G: 2 Story Fitness Club

- 8,000 sf

Parking:

- Various parking credit options

FAR= 0.59:1

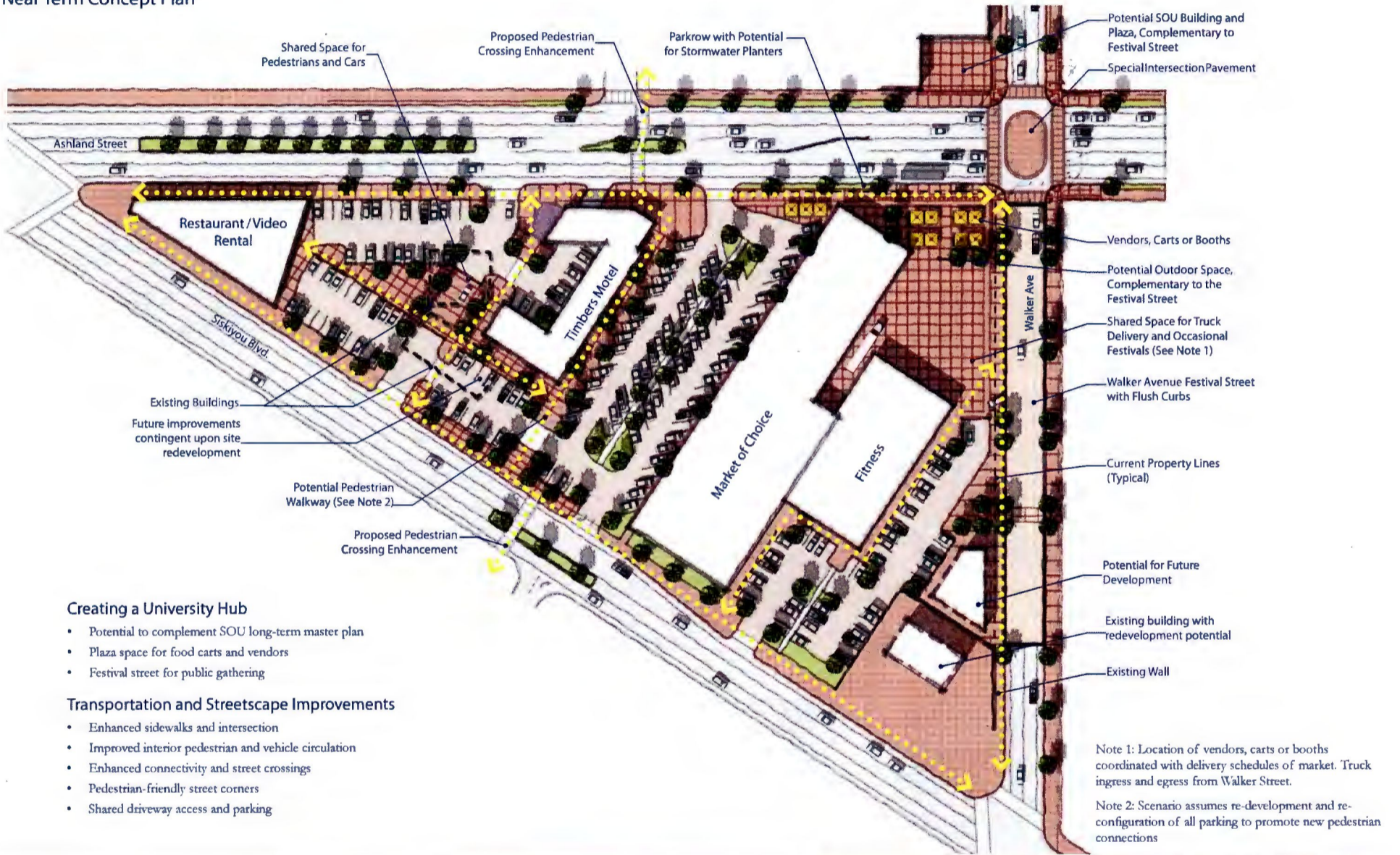
Creating a University Hub

- Multiple, affordable housing choices and locations not currently available
- New retail, grocery and entertainment uses
- Potential to complement SOU long-term master plan
- Festival street for public gathering

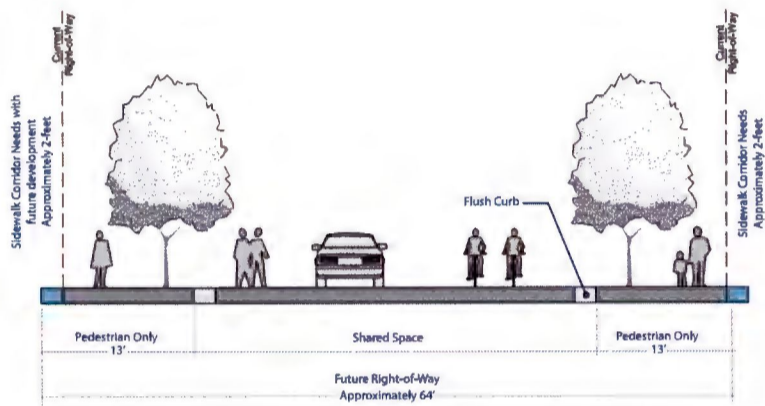
Transportation and Streetscape Improvements

- Enhanced sidewalks and intersection
- Enhanced connectivity and street crossings
- Transit-supportive densities for frequent service
- Reduced parking areas
- Pedestrian-friendly building design

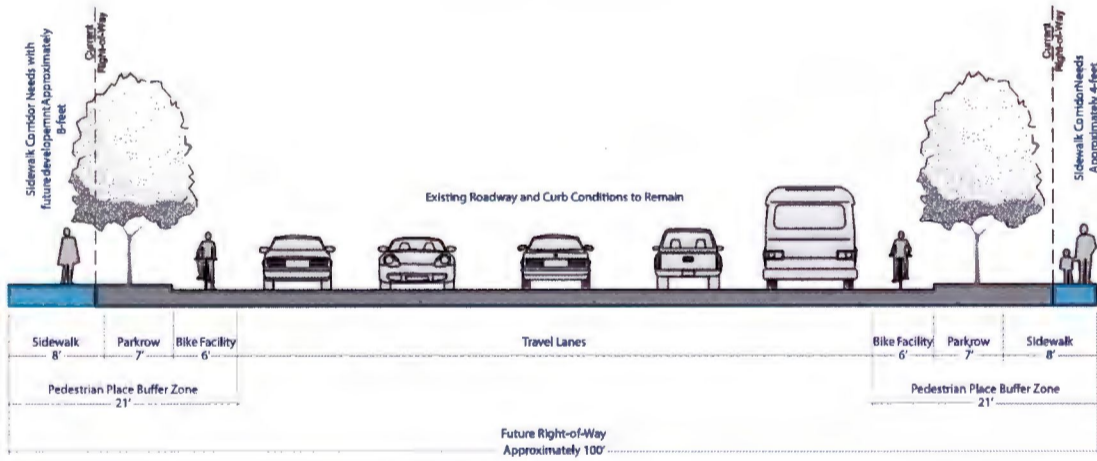
Near Term Concept Plan



Festival Street and Intersection Design Features



Walker Avenue Future Improvements Section A – Looking South



Ashland Street Future Improvements Section B – Looking West



Festival Street



Pedestrian Place Streetscape Features

ORDINANCE NO. 3053

AN ORDINANCE AMENDING AMC 18.72.080 SITE DESIGN AND USE STANDARDS IMPLEMENTING THE RECOMMENDATIONS OF THE PEDESTRIAN PLACES PROJECT

Annotated to show deletions and additions to the code sections being modified. Deletions are **bold lined-through** and additions are in **bold underline**.

WHEREAS, Article 2, Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

WHEREAS, the City of Ashland is projected to grow by approximately 3,250 residents by 2030 and 2,000 employees by 2027, and the City Council reaffirmed the long-standing policy of accommodating growth within the Ashland Urban Growth Boundary rather than growing outward into surrounding farm and forest lands in the Greater Bear Creek Valley Regional Problem Solving (RPS) planning process; and

WHEREAS, the City of Ashland seeks to balance projected population and employment growth with the community goal of retaining a district boundary and preventing sprawling development, and to this end examines opportunities to use land more efficiently for housing and businesses; and

WHEREAS, the City of Ashland continues the community's tradition of integrating land use and transportation planning, and using sustainable development measures such as encouraging a mix and intensity of uses on main travel corridors to support transit service and use, integrating affordable housing opportunities, and reducing carbon emissions by providing a variety of transportation options; and

WHEREAS, the City conducted a planning process involving a series of public workshops, on-line forum, key participant meetings and study sessions from October 2010 through September 2011 involving a three-step process in which participants identified the qualities that make a successful pedestrian place, developed vision statements for the three study areas, and reviewed and revised plans illustrating an example of what development might look like in a key location; and

WHEREAS, the final report for the Pedestrian Place project included recommended amendments to the zoning map and land use ordinance which would support the development of the Pedestrian Places envisioned in the planning process being small walkable nodes that provide concentrations of housing and businesses grouped in a way to encourage more walking, cycling and transit use; and

WHEREAS, the City of Ashland Planning Commission considered the above-referenced recommended amendments to the Ashland Land Use Ordinance at a duly advertised public hearing on October 11, 2011, and following deliberations, recommended approval of the amendments by a unanimous vote; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on November 1, 2011 and, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article X of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Land Use Ordinance in manner proposed; that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. Site Design and Use Standards [C. COMMERCIAL, EMPLOYMENT, AND INDUSTRIAL DEVELOPMENT – II-C-1 BASIC SITE REVIEW STANDARDS] is hereby amended to read as follows:

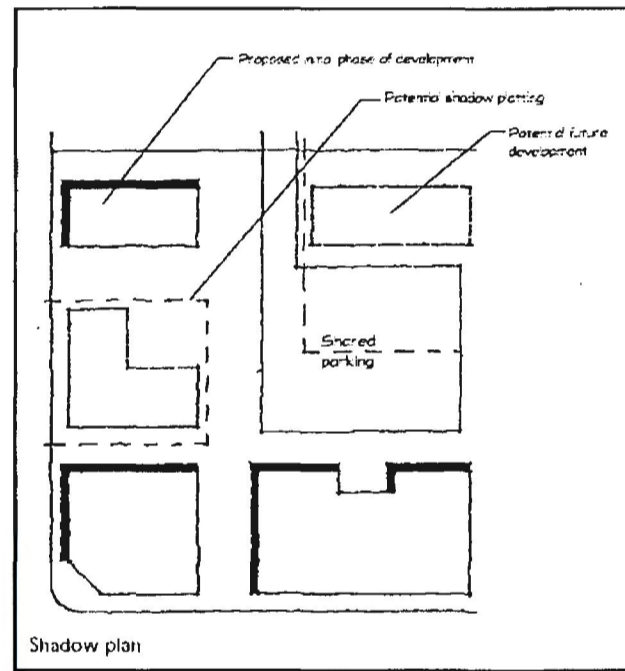
II-C-1c) Landscaping

1. Landscaping shall be designed so that 50% coverage occurs after one year and 90% coverage occurs after 5 years.
2. Landscaping design shall utilize a variety of low water use and deciduous and evergreen trees and shrubs and flowering plant species.
3. Buildings adjacent to streets shall be buffered by landscaped areas at least 10 feet in width, except in the Ashland Historic District **and Detail Site Review Zone**. Outdoor storage areas shall be screened from view from adjacent public rights-of-way, except in M-1 zones. Loading facilities shall be screened and buffered when adjacent to residentially zoned land.
4. Irrigation systems shall be installed to assure landscaping success.
5. Efforts shall be made to save as many existing healthy trees and shrubs on the site as possible.

SECTION 3. Site Design and Use Standards [C. COMMERCIAL, EMPLOYMENT, AND INDUSTRIAL DEVELOPMENT – II-C-2 DETAIL SITE REVIEW STANDARDS] is hereby amended to read as follows:

II-C-2a) Orientation and Scale

1. Developments shall have a minimum Floor Area Ratio (FAR) of .50-35 and ~~shall not exceed a maximum Floor Area Ratio of .5 for all areas outside the Historic District.~~ Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum ~~Floor Area Ratio FAR.~~ Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR, or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.



2. Building frontages greater than 100 feet in length shall have offsets, jogs, or have other distinctive changes in the building façade.
3. Any wall which is within 30 feet of the street, plaza or other public open space shall contain at least 20% of the wall area facing the street in display areas, windows, or doorways. Windows must allow view into working areas or lobbies, pedestrian entrances or displays areas. Blank walls within 30 feet of the street are prohibited. Up to 40% of the length of the building perimeter can be exempted for this standard if oriented toward loading or service areas.
4. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to entrances.
5. Infill or buildings, adjacent to public sidewalks, in existing parking lots is encouraged and desirable.

6. Buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings that protect pedestrians from the rain and sun.

II-C-2b) Streetscape

1. Hardscape (paving material) shall be utilized to designate "people" areas. Sample materials could be unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
2. A building shall be setback not more than 5 20 feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement. This standard shall apply to both street frontages on corner lots. If more than one structure is proposed for a site, at least 65% of the aggregate building frontage shall be within 5 20 feet of the sidewalk. (Amended September 23, 2003 Ordinance # 2900)

~~II-C-2c) Parking and On-site Circulation~~

- ~~1. Protected raised walkways shall be installed through parking areas of 50 or more spaces or more than 100 feet in average width or depth.~~
- ~~2. Parking lots with 50 spaces or more shall be divided into separate areas and divided by landscaped areas or walkways at least 10 feet in width, or by a building or group of buildings.~~
- ~~3. Developments of one acre or more must provide a pedestrian and bicycle circulation plan for the site. One site pedestrian walkways must be lighted to a level where the system can be used at night by employees, residents and customers. Pedestrian walkways shall be directly linked to entrances and to the internal circulation of the building.~~

~~II-C-2d2c) Buffering and Screening~~

1. Landscape buffers and screening shall be located between incompatible uses on an adjacent lot. Those buffers can consist of either plant material or building materials and must be compatible with proposed buildings.
2. Parking lots shall be buffered from the main street, cross streets and screened from residentially zoned land.

~~II-C-2e) Lighting~~

~~Lighting shall include adequate lights that are sealed for pedestrians by including light standards or placements of no greater than 14 feet in height along pedestrian pathways.~~

~~II-C-2f2d) Building Materials~~

1. Buildings shall include changes in relief such as cornices, bases, fenestration, fluted masonry, for at least 15% of the exterior wall area.
2. Bright or neon paint colors used extensively to attract attention to the building or use are prohibited. Buildings may not incorporate glass as a majority of the building skin.

SECTION 4. Site Design and Use Standards [C. COMMERCIAL, EMPLOYMENT, AND INDUSTRIAL DEVELOPMENT – II-C-3 ADDITIONAL STANDARDS FOR LARGE SCAEL PROJECTS] is hereby amended to read as follows:

II-C-3a) Orientation and Scale

1. Developments shall divide large building masses into heights and sizes that relate to human scale by incorporating changes in building masses or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
2. Outside of the Downtown Design Standards Zone, new buildings or expansions of existing buildings in the Detail Site Review Zone shall conform to the following standards: (Amended September 23, 2003 Ordinance # 2900)
 - a. Buildings sharing a common wall or having walls touching at or above grade shall be considered as one building.
 - b. Buildings shall not exceed a building footprint area of 45,000 square feet as measured outside of 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.
 - c. 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.

- d. Buildings shall not exceed a combined contiguous building length of 300 feet.

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

Automobile parking areas locate within the building foot print 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.

3. Buildings not connected by a common wall shall be separated by a distance equal to the height of the tallest building. If buildings are more than 240 feet in length, the separation shall be 60 feet.

- ~~4. All on-site circulation systems shall incorporate streetscape which includes curbs, sidewalks, pedestrian scale light standards and street trees.~~

SECTION 5. Site Design and Use Standards [SECTION VIII CROMAN MILL DISTRICT STANDARDS – B. DESIGN STANDARDS] is hereby amended to read as follows:

VIII-B-2 Parking Areas and On-site Circulation

1. Primary parking areas shall be located behind buildings with limited parking on one side of the building.
2. Parking areas shall be shaded by deciduous trees, buffered from adjacent non-residential uses and screened from non-residential uses.
3. Parking areas shall meet the Parking Lot Landscaping and Screening Standards of Section II-D of the Site Design and Use Standards.

Additional Parking Area and On-site Circulation Standards for Developments Adjacent to Active Edge Streets, or Within NC, MU and OE Overlays:

4. Parking areas shall be located behind buildings.
- ~~5. Protected raised walkways shall be installed through parking areas of 50 or more spaces or more than 100 feet in average width or depth.~~
- ~~6. Parking lots with 50 spaces or more shall be divided into separate areas and divided by landscaped areas or walkways at least ten feet in width, or by a building or group of buildings.~~
- ~~7. Developments of one acre or more must provide a pedestrian and bicycle circulation plan for the site. On-site pedestrian walkways must be lighted to a level where the system can be used at night by employees, residents and customers. Pedestrian walkways shall be directly linked to entrances and to the internal circulation of the building.~~

VIII-B-3 Automobile Parking

With the exception of the standards described below, automobile parking shall be provided in accordance with the Off-Street Parking chapter 18.92, Section VIII-C Croman Mill District Green Development Standards, and Section II-D Parking Lot Landscaping and Screening Standards of the Site Design and Use Standards.

- ~~1. Credit for Automobile Parking. The amount of required off-street parking shall be reduced by not more than 50%, through application of the following credits.
 - ~~a. On-Street Credit: One off-street parking space credit for every on-street space.~~
 - ~~b. TDM Plan Credit: Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long-term parking demand by a percentage equal to the credit requested.~~
 - ~~c. Mixed Use Credit: Through a mixed-use parking arrangement that demonstrates the peak parking demands are offset. The credit shall reduce the off-street parking requirement by a percentage equal to the offset in parking demand.~~~~

~~d. Shared Parking Credit: One off-street parking space credit for every space constructed in designated off-site shared parking areas, or through payment of in-lieu-of parking fees for a common parking structure(s) upon establishment of a parking management strategy for the Croman Mill District.~~

~~2.1. Maximum On-Site Surface Parking.~~ After a parking management strategy for the Croman Mill District is in place, a maximum of 50% of the required off-street parking can be constructed as surface parking on any development site. The remaining parking requirement can be met through one or a combination of the credits for automobile parking in ~~VIII-B-3(1) 18.92.025.~~

SECTION 6. Site Design and Use Standards [SECTION VIII CROMAN MILL DISTRICT STANDARDS – B. GREEN DEVELOPMENT STANDARDS] is hereby amended to read as follows:

VIII-C-4 Design Green Surface Parking

~~A maximum of 25% of the project area shall be used for surface parking~~ **Parking areas shall be designed** to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection. All parking areas ~~shall meet the following standards, and~~ shall comply with the with the Off-Street Parking chapter 18.92, with Section VIII-B Croman Mill Design Standards, and Section II-D Parking Lot Landscaping and Screening Standards of the Site Design and Use Standards.

- ~~1. Use a maximum of 25% of the project area for surface parking.~~
- ~~2. Use at least one of the following strategies for the surface parking area, or put 50% of parking underground.~~
 - ~~a. Use light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) of at least 29) to reduce heat absorption for a minimum of 50% of the parking area surface.~~
 - ~~b. Provide porous solid surfacing or an open-grid pavement system that is at least 50% pervious for a minimum of 50% of the parking area surface.~~
 - ~~c. Provide at least 50% shade from tree canopy over the surface lot within five years of project occupancy.~~

VIII-C-5 Manage and Reuse of Stormwater Run-Off

Reduce the public infrastructure costs and adverse environmental effects of stormwater run-off by managing run-off from building roofs, driveways, parking areas, sidewalks and other hard surfaces through implementation of the following standards.

1. Design grading and site plans to capture and slow runoff.
- ~~2. Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales.~~
- ~~3.~~ **2.** Use pervious or semi-pervious surfaces that allow water to infiltrate the soil.
- ~~4.~~ **3.** Direct discharge storm water runoff into a designated green street and neighborhood storm water treatment facilities.
- ~~5.~~ **4.** Retain rainfall on-site through infiltration, evapotranspiration or through capture and reuse techniques.

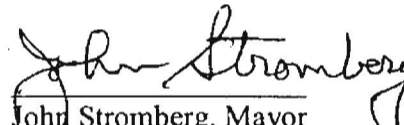
SECTION 7. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 8. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions, and text descriptions of amendments (i.e. Sections 1-4) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the 1 day of November, 2011, and duly PASSED and ADOPTED this 15 day of November, 2011.


Barbara M. Christensen, City Recorder

SIGNED and APPROVED this 16 day of November, 2011.


John Stromberg, Mayor

Reviewed as to form:


David Lohman, City Attorney

ORDINANCE NO. 3054

AN ORDINANCE AMENDING AMC 18.08, 18.12.020, 18.68.050, 18.72.030, 18.72.080, 18.72.090, 18.88, 18.88.080, 18.92, 18.108.040, 18.108.060 AND 18.108.080 OF THE ASHLAND MUNICIPAL CODE AND LAND USE ORDINANCE IMPLEMENTING THE RECOMMENDATIONS OF THE PEDESTRIAN PLACES PROJECT

Annotated to show deletions and **additions** to the code sections being modified. Deletions are **bold lined through** and additions are in **bold underline**.

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

WHEREAS, the City of Ashland is projected to grow by approximately 3,250 residents by 2030 and 2,000 employees by 2027, and the City Council reaffirmed the long-standing policy of accommodating growth within the Ashland Urban Growth Boundary rather than growing outward into surrounding farm and forest lands in the Greater Bear Creek Valley Regional Problem Solving (RPS) planning process; and

WHEREAS, the City of Ashland seeks to balance projected population and employment growth with the community goal of retaining a district boundary and preventing sprawling development, and to this end examines opportunities to use land more efficiently for housing and businesses; and

WHEREAS, the City of Ashland continues the community's tradition of integrating land use and transportation planning, and using sustainable development measures such as encouraging a mix and intensity of uses on main travel corridors to support transit service and use, integrating affordable housing opportunities, and reducing carbon emissions by providing a variety of transportation options; and

WHEREAS, the City conducted a planning process involving a series of public workshops, on-line forum, key participant meetings and study sessions from October 2010 through September 2011 involving a three-step process in which participants identified the qualities that make a

successful pedestrian place, developed vision statements for the three study areas, and reviewed and revised plans illustrating an example of what development might look like in a key location; and

WHEREAS, the final report for the Pedestrian Place project included recommended amendments to the zoning map and land use ordinance which would support the development of the Pedestrian Places envisioned in the planning process being small walkable nodes that provide concentrations of housing and businesses grouped in a way to encourage more walking, cycling and transit use; and

WHEREAS, the City of Ashland Planning Commission considered the above-referenced recommended amendments to the Ashland Municipal Code and Land Use Ordinances at a duly advertised public hearing on October 11, 2011, and following deliberations, recommended approval of the amendments by a unanimous vote; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on November 1, 2011 and on subsequent public hearing continuance dates, and following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article X of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. AMC Chapter 18.08 [Definitions] is hereby amended as follows:

SECTION 18.08.651 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.~~

SECTION 18.08.655 Shadow Plan

A schematic or conceptual design for future land development when a lot could be developed at a higher intensity. A shadow plan demonstrates that the proposed development will not impede the future use of the lot to be fully developed to the required building intensity standards (i.e. Floor Area Ratio), and that the proposed development has been planned to prevent piecemeal and uncoordinated development.

SECTION 3. AMC Chapter 18.12.020 [Classification of Districts] is hereby amended to read as follows:

18.12.020 Classification of Districts.

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

Zoning Districts and Overlays	Map Symbol and Abbreviated Designation
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
SOU - Southern Oregon University	SOU
Performance Standards (P) - Options Overlay	PSO
Pedestrian Place Overlay	PP
Detail Site Review Zone	DSR
Health Care Services Zone	HC
North Mountain Neighborhood	NM
Croman Mill District Zone	CM
Residential Overlay	R
Freeway Sign Overlay	F

SECTION 4. AMC Section 18.68.050 [Arterial Street Setback Requirements] is hereby deleted as follows:

SECTION 18.68.050 Arterial Street Setback Requirements.

~~To permit or afford better light, air and vision on more heavily traveled streets and on streets of substandard width, to protect arterial streets, and to permit the eventual widening of hereinafter named streets, every yard abutting a street, or portion thereof, shall be measured from the special base line setbacks listed below instead of the lot line separating the lot from the street.~~

Street-	Setback
East Main Street, between City limits and Lithia Way	35 feet
Ashland Street (Highway 66) between City limits and Siskiyou Boulevard	65 feet

~~Also, The setback from an arterial street shall be no less than twenty (20) feet, or the width required to install sidewalk and parkrow improvements consistent with the City of Ashland Street Standards in Section 18.88.020.K, whichever is less with the exception of the CM and C-1-D districts and properties abutting Lithia Way in the C-1 district.~~

SECTION 5. AMC Chapter 18.72.030 [Applicability] is hereby amended to read as follows:

SECTION 18.72.030 Applicability.

Site design standards shall apply to all zones of the city as outlined below.

A. Applicability. The following development is subject to Site Design Review:

1. Commercial, Industrial, Non-Residential and Mixed uses:
 - a. All new structures, additions or expansions in C-1, E-1, HC, CM and M-1 zones.
 - b. All new non-residential structures or additions (e.g. public buildings, schools, churches, etc.).
 - c. Mixed-use structures or developments containing commercial and residential uses in residential zoning districts within the Pedestrian Places Overlay.**
 - d e.** Expansion of impervious surface area in excess of 10% of the area of the site or 1,000 square feet, whichever is less.
 - d e.** Expansion of parking lots, relocation of parking spaces on a site, or other changes which **alters or** affects circulation **on adjacent property or a public right-of-way.**
 - e f.** 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.
 - f g.** 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.
 - g h.** Any exterior change to a structure which 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 that requires a building permit, or includes the installation of Public Art.
 - h i.** Mechanical equipment not otherwise exempt from site design review per Section 18.72.030(B).
 - j. Installation of wireless communication facilities in accordance with Section 18.72.180.**
2. Residential uses:
 - a. Two or more residential units on a single lot.
 - b. Construction of attached single-family housing (e.g. town homes, condominiums, row houses, etc.) in all zoning districts.
 - c. Residential development when 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).
 - d. Any exterior change to a structure individually listed on the National Register of Historic Places that requires a building permit, or includes the installation of Public Art.

- e. Mechanical equipment not otherwise exempt from site design review per Section 18.72.030(B). (Ord 2984, amended, 05/19/2009; Ord 2951, amended, 07/01/2008; Ord 3036, amended, 08/17/2010)
- f. **Installation of wireless communication facilities in accordance with Section 18.72.180.**

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 and uses.
- 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. Not more than three (3) parabolic disc antennas, each under one (1) meter in diameter, on any one lot or dwelling unit.
 - 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 not exempted by (a, b, c) above or (e) below, and which is not visible from a public right-of-way or adjacent residentially zoned 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. (Ord 2951, amended, 07/01/2008)

SECTION 6. AMC Chapter 18.72.080 [Site Design Standards] is hereby amended to read as follows:

SECTION 18.72.080 Site Design Standards.

- A. The Council may adopt standards by ordinance for site design and use. These standards may contain:
 - 1. Additional approval criteria for developments affected by this Chapter.
 - 2. Information and recommendations regarding project and unit design and layout, landscaping, energy use and conservation, and other considerations regarding the site design.
 - 3. Interpretations of the intent and purpose of this Chapter applied to specific examples.
 - 4. Other information or educational materials the Council deems advisable.

- B. Before the Council may adopt or amend the **guidelines standards**, a public hearing must be held by the Planning Commission and a recommendation and summary of the hearing forwarded to the Council for its consideration.
- C. The Site Design and Use Standards adopted by Ordinance No's. 2690, 2800, 2825, 2900 and 3031, 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.)

SECTION 7. AMC Chapter 18.72.090 [Administrative Variance from Site Design and Use Standards] is hereby amended to read as follows:

SECTION 18.72.090 ~~Administrative Variance from~~ Exception to the Site Design and Use Standards.

An ~~administrative variance~~ exception to the requirements of this chapter may be granted with respect to the requirements of the Site Design Standards adopted under section 18.72.080 if, on the basis of the application, investigation and evidence submitted, all of the following circumstances are found to exist:

A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design and Use Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Design and Use Standards; and the exception requested is the minimum which would alleviate the difficulty; or

~~B. — Approval of the variance will not substantially negatively impact adjacent properties;~~

~~C. — Approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and~~

~~D. — The variance requested is the minimum variance which would alleviate the difficulty.~~

B. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Design and Use Standards.

SECTION 8. AMC Chapter 18.72.120 [Controlled access] is hereby deleted as follows:

~~**SECTION 18.72.120 Controlled access.**~~

~~A. Any partitioning or subdivision of property located in an R-2, R-3, C-1, E-1, CM or M-1 zone shall meet the controlled access standards set forth below. If applicable, cross access easements shall be required so that access to all properties created by the land division can be made from one or more points.~~

~~B. Street and driveway access points in an R-2, R-3, C-1, E-1 or M-1 zone shall be limited to the following:~~

- ~~1. Distance between driveways:
On arterial streets—100 feet;
on collector streets—75 feet;
on residential streets—50 feet.~~
- ~~2. Distance from intersections:
On arterial streets—100 feet;
on collector streets—50 feet;
on residential streets—35 feet.~~

~~C. Street and driveway access points in the CM zone are subject to the requirements of the Croman Mill District Standards. (Ord 3036, added, 08/17/2010)~~

~~D. 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.~~

SECTION 9. AMC Section 18.88 [Sections] is hereby amended to read as follows:

CHAPTER 18.88

PERFORMANCE STANDARDS OPTIONS

SECTIONS:

- 18.88.010 Purpose and Intent.
- 18.88.020 Definitions.
- 18.88.030 Procedure for Approval.
- 18.88.040 Performance Standards for Residential Developments.
- 18.88.050 Street Standards.
- 18.88.060 Parking Standards.
- 18.88.070 Setbacks.
- 18.88.080 PSO-Overlay Zone.
- 18.88.090 Performance Standards Guidelines.
- 18.88.100 Applicability of Other Sections of the Land Use Development Ordinance.

SECTION 10. AMC Section 18.88.080 [Sections] is hereby amended to read as follows:

SECTION 18.88.080 PSO-Overlay-Zone.

- A. The purpose of the PSO-overlay ~~zone~~ is to distinguish between those areas which have been largely developed under the subdivision code, and those areas which, due to the undeveloped nature of the property, topography, vegetation, or natural hazards, are more suitable for development under Performance Standards.
- B. All developments, other than partitionings, which involve the division of land, or development of individual living units, in the PSO-overlay areas, shall be processed under this Chapter of the Land Use Ordinance. The minimum number of dwelling units for a Performance Standards Subdivision within residential zoning districts shall be three. (Ord 3036, amended, 08/18/10)
- C. In a PSO-overlay area, the granting of the application shall be considered an outright permitted use, subject to review by the Commission for compliance with the standards set forth in this Ordinance and the guidelines adopted by the Council.
- D. If a parcel is not in a PSO-overlay area, then development under this Chapter may only be approved if one or more of the following conditions exist:
1. The parcel is larger than two acres and is greater than 200 feet in average width; or
 2. That development under this Chapter is necessary to protect the environment and the neighborhood from degradation which would occur from development to the maximum density allowed under subdivision standards, or would be equal in its aesthetic and environmental impact; or
 3. The property is zoned R-2, R-3 or CM.

SECTION 11. AMC Chapter 18.92 [Off-Street Parking] is hereby amended to read as follows:

CHAPTER 18.92

OFF-STREET PARKING, ACCESS AND CIRCULATION

SECTIONS:

- 18.92.010** Generally Purpose.
- 18.92.020** Applicability.
- 18.92.020030** Automobile Parking Spaces Required.
- 18.92.040** Disabled Person Parking Places.
- 18.92.025050** Credit for On-street Automobile Parking Management Strategies.
- 18.92.030** ~~Disabled Person Parking Places.~~
- 18.92.040060** Bicycle Parking.
- 18.92.050** ~~Compact Car Parking.~~
- 18.92.055070** Variances for Commercial Buildings in the Historic District.
- 18.92.060** ~~Limitations, Location, Use of Facilities.~~
- 18.92.070080** Automobile Parking Design RequirementsParking, Access and CirculationDesign Requirements.
- 18.92.090** Pedestrian Access and Circulation.

- ~~18.92.080100~~ Construction.
~~18.92.090110~~ Alterations and Enlargements.
~~18.92.120~~ Availability of Facilities.

SECTION 18.92.010 Generally Purpose.

~~In all districts, except those specifically exempted, whenever any building is erected, enlarged, or the use is changed, off-street parking shall be provided as set forth in this Chapter. The purpose of this chapter is to provide standards for development of vehicle and bicycle parking, and to ensure developments provide safe and effective access and circulation for pedestrians, bicyclists and vehicles.~~

SECTION 18.92.020 Applicability.

~~In all districts, except those specifically exempted, whenever any building is erected or enlarged, parking or access is reconfigured, or the use is changed, parking, access and circulation shall be provided as set forth in this chapter. The City may require a study prepared by a qualified professional to determine offsets in parking demand, access, circulation and other transportation impacts.~~

SECTION 18.92.020030 Automobile Parking Spaces Required.

Uses and standards are as follows:

A. Residential Uses. For residential uses the following automobile parking spaces are required.

1. Single family dwellings. Two spaces for the primary dwelling unit and the following for accessory residential units:
 - a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit.
 - b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit.
 - c. 2-bedroom units -- 1.75 spaces/unit.
 - d. 3-bedroom or greater units -- 2.00 spaces/unit.
2. Multi-family dwellings.
 - a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit.
 - b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit.
 - c. 2-bedroom units -- 1.75 spaces/unit.
 - d. 3-bedroom or greater units -- 2.00 spaces/unit.
 - e. Retirement complexes for seniors 55-years or greater -- One space per unit.
3. Clubs, fraternity and sorority houses, rooming and boarding houses, dormitories. Two spaces for each three guest rooms; in dormitories, 100 square feet shall be equivalent to a guest room.
4. Hotels and motels.
One space for each guest room, plus one space for the owner or manager.
5. Manufactured housing developments.
Parking requirements are as established in Chapter 18.84.
6. Performance Standards Developments.
Parking requirements are as established in Chapter 18.88.

B. Commercial Uses. For commercial uses the following automobile parking spaces are required.

1. Auto, boat or trailer sales, retail nurseries and other open-space uses.
One space per 1,000 square feet of the first 10,000 square feet of gross land area; plus one space per 5,000 square feet for the excess over 10,000 square feet of gross land area; and one per two employees.
2. Bowling Alleys.
Three spaces per alley, plus additional spaces for auxiliary activities set forth in this section.
3. Business, general retail, person services.
General - one space for 350 square feet of gross floor area. Furniture and appliances - one space per 750 square feet of gross floor area.
4. Chapels and mortuaries.
One space per four fixed seats in the main chapel.
5. Offices.
Medical and dental - one space per 350 square feet of gross floor area. General - one space per 500 square feet of gross floor area. (Ord 3034, amended, 08/17/10)
6. Restaurants, bars, ice cream parlors and similar uses.
One space per four seats or one space per 100 sq. ft. of gross leasable floor area, whichever is less.
7. Skating rinks.
One space per 350 sq. ft. of gross building area.
8. Theaters, auditoriums, stadiums, gymnasiums and similar uses.
One space per four seats.

C. Industrial Uses. For industrial uses the following automobile parking spaces are required.

1. Industrial and Warehousing uses.
One space per 1,000 square feet of gross floor area or for each two employees, whichever is less, plus one space per company vehicle.
2. Public utilities (gas, water, telephone, etc.), not including business offices.
One space per two employees on the largest shift, plus one space per company vehicle; a minimum of two spaces is required. (Ord 3034, amended, 08/17/10)

D. Institutional and Public Uses. For institutional and public uses the following automobile parking spaces are required.

1. Child care centers having 13 or more children.
One space per two employees; a minimum of two spaces is required.
2. Churches.
One space per four seats.
3. Golf courses, except miniature.
Eight spaces per hole, plus additional spaces for auxiliary uses set forth in this section.
Miniature golf courses -four spaces per hole.
4. Hospitals.
Two spaces per patient bed.
5. Nursing and convalescent homes.
One space per three patient beds.

6. Rest homes, homes for the aged, or assisted living.
One space per two patient beds or one space per apartment unit.
7. Schools, elementary and junior high.
One and one-half space per classroom, or the requirements for public assembly areas as set forth herein, whichever is greater.
8. High schools.
One and one-half spaces per classroom, plus one space per 10 students the school is designed to accommodate, or the requirements for public assembly as set forth herein, whichever is greater.
9. Colleges, universities and trade schools.
One and one-half spaces per classroom, plus one space per five students the school is designed to accommodate, plus requirements for on-campus student housing.

E. **Unspecified Uses.** Where automobile parking requirements for any use are not specifically defined in this section, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.

F. **Maximum Allowable Number of Automobile Parking Spaces.** The number of spaces provided by any particular use in ground surface lots shall not exceed the required number of spaces provided by this ordinance by more than 10%. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.

SECTION 18.92.040 Disabled Person Parking Places.

The total number of disabled person parking spaces shall comply with the following:

<u>Total in Parking Lot</u>	<u>Required Minimum Number of Accessible Spaces</u>
<u>1 to 25</u>	<u>1</u>
<u>26 to 50</u>	<u>2</u>
<u>51 to 75</u>	<u>3</u>
<u>76 to 100</u>	<u>4</u>
<u>101 to 150</u>	<u>5</u>
<u>151 to 200</u>	<u>6</u>
<u>201 to 300</u>	<u>7</u>
<u>301 to 400</u>	<u>8</u>
<u>401 to 500</u>	<u>9</u>

One in every eight accessible spaces, but not less than one, must be van accessible. A van accessible parking space is required to be at least nine feet wide and have an adjacent access aisle that is at least eight feet wide. Required Disabled Person Parking spaces shall be designed in accord with all requirements of the State of Oregon, including minimum widths, adjacent aisles, and permanent markings. Disabled Person Parking space designs are included at the end of this chapter.

SECTION 18.92.025050 Credit for On-street Automobile Parking Management Strategies.

The amount of required off-street parking may be reduced up to 50% through the application of the following credits.

A. **On-Street Parking Credit.** The amount of off-street parking required shall be reduced by the following credit provided for on-street parking: one off-street parking space credit for every ~~two~~**one** on-street ~~spaces up to four credits, thereafter one space credit for each on-~~**street** parking space.

B.1. Dimensions. On-street parking shall follow the established configuration of existing on-street parking, except that 45 degree diagonal parking may be allowed with the approval of the Public Works Director, taking into account traffic flows and street design, with the parking spaces designed in accord with the standards on file with the Public Works Department. The following shall constitute an on-street parking space:

~~1.~~**a.** Parallel parking, each ~~24~~ **22** feet of uninterrupted curb.

~~2.~~**b.** 45 degree diagonal, each ~~13~~ **12** feet of uninterrupted curb.

2. Location.

~~C.~~**a.** Curb space must be contiguous to the lot which contains the use which requires the parking.

~~D.~~**b.** Parking spaces may not be counted that are within 20 feet measured along the curb of any corner or intersection of an alley or street, nor any other parking configuration that violates any law or standard of the City or State.

~~E.~~**c.** Parking spaces located on arterials and collectors may only receive credit if the arterial or collector is greater in width than the minimums established by the Street Standards in Chapter 18.88; Performance Standards Options. (Ord 2836 S14, 1999)

~~F.~~**d.** Parking spaces may not be counted that are within 200 feet of a C-1-D or SO zone.

G.3. Availability. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.

B. Alternative Vehicle Parking. Alternative vehicle parking facilities may be substituted for up to 25 percent of the required parking space on site.

1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.

2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.

C. Mixed Uses. In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the

requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset. In such case, the mixed-use credit shall reduce the off-street parking requirement by a percentage equal to the reduced parking demand.

D. Joint Use of Facilities. Required parking facilities of 2 or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use.

E. Shared Parking. One off-street parking space credit for every space constructed in designated off-site shared parking areas, or through payment of in-lieu-of-parking fees for a common parking.

F. TDM Plan Credit. Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long term parking demand by a percentage equal to the credit requested.

G. Transit Facilities Credit. Sites where at least 20 spaces are required, and where at least one lot line abuts a street with transit service may substitute transit-supportive plazas for required parking as follows.

1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of the required parking spaces on site.
2. A street with transit service shall have a minimum of 30-minute peak period transit service frequency.
3. Existing parking areas may be converted to take advantage of these provisions.
4. The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.
5. The plaza must be at least 300 square feet in area and be shaped so that a ten foot by ten foot square will fit entirely in the plaza.
6. The plaza must include all of the following elements:
 - a. A plaza that is open to the public. The owner must record a public access easement that allows public access to the plaza;
 - b. A bench or other sitting area with at least five linear feet of seating;
- c. A shelter or other weather protection. The shelter must cover at least 20 square feet and the plaza must be landscaped. This landscaping is in addition to any other landscaping or screening required for parking areas by the Code.

~~SECTION 18.92.030 Disabled Person Parking Places.~~

~~The total number of disabled person parking spaces shall comply with the following:~~

Total in Parking Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2

51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9

~~Required Disabled Person Parking spaces shall be designed in accord with all requirements of the State of Oregon, including minimum widths, adjacent aisles, and permanent markings. Disabled Person Parking space designs are included at the end of this chapter.~~

SECTION 18.92.049060 Bicycle Parking.

A. All uses, with the exception of detached-single-family residences and uses in the C-1-D zone, shall provide a minimum of two sheltered bike parking spaces.

B. Every residential use of two units or more per structure, and not containing a garage, shall provide bicycle parking spaces as follows:

Multi-Family Residential: One sheltered space per studio and 1-bedroom unit

1.5 sheltered spaces per 2-bedroom unit

2.0 sheltered spaces per 3-bedroom unit

Senior Housing: One sheltered space per 8 units (*80% of the occupants are 55 or older*)

C. In addition, all uses which require off street parking, except as specifically noted, shall provide one bicycle parking space for every 5 required auto parking spaces. Fractional spaces shall be rounded up to the next whole space. Fifty percent of the bicycle parking spaces required shall be sheltered from the weather. All spaces shall be located in proximity to the uses they are intended to serve. (Ord 2697 S1, 1993)

D. All public and commercial parking lots and parking structures shall provide a minimum of one bicycle parking space for every five auto parking spaces.

E. Elementary, Junior High, Middle and High Schools shall provide one sheltered bicycle parking space for every five students.

F. Colleges, universities, and trade schools shall provide one bicycle parking space for every five required auto parking spaces, of which one half is to be sheltered.

G. No bicycle parking spaces required by this standard shall be rented or leased, however, a refundable deposit fee may be charged. This does not preclude a bike parking rental business.

H. The required bicycle parking facilities shall be constructed when an existing residential building or dwelling is altered or enlarged by the addition or creation of dwelling units, or

when a non-residential use is intensified by the addition of floor space, seating capacity, or change in use.

I. Bicycle Parking Design Standards

1. The salient concern is that bicycle parking be visible and convenient to cyclists and that it provides sufficient security from theft and damage.
2. Bicycle parking requirements can be met in any of the following ways:
 - a. Providing a bicycle storage room, bicycle lockers, or racks inside the building.
 - b. Providing bicycle lockers or racks in an accessory parking structure, underneath an awning or marquee, or outside the main building.
 - c. Providing bicycle racks on the public right of way. This must be approved by City of Ashland Public Works Department.
 - d. Providing secure storage space inside the building.
3. All required exterior bicycle parking shall be located on site within 50 feet of well-used entrances and not farther from the entrance than the closest motor vehicle parking space. Bicycle parking shall have direct access to both the public right-of-way and to the main entrance of the principal use. For facilities with multiple buildings, building entrances or parking lots (such as a college), exterior bicycle parking shall be located in areas of greatest use and convenience for bicyclists.
4. Required bicycle parking spaces located out of doors shall be visible enough to provide security. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent walkways or motor vehicle parking lots during all hours of use. Bicycle parking shall be at least as well lit as automobile parking.
5. An aisle for bicycle maneuvering shall be provided and maintained between each row of bicycle parking. Bicycle parking shall be designed in accord with the illustrations used for the implementation of this chapter.
6. Each required bicycle parking space shall be accessible without moving another bicycle.
7. Areas set aside for required bicycle parking shall be clearly marked and reserved for bicycle parking only.
8. Parking spaces configured as indicated in the figure at the end of this chapter meet all requirements of this chapter and is the preferred design. Commercial bike lockers are acceptable according to manufacturer's specifications. A bicycle parking space located inside of a building for employee bike parking shall be a minimum of six feet long by 3 feet wide by 4 feet high, unless adequate room is provided to allow configuration as indicated in the figure at the end of this chapter.
9. Sheltered parking shall mean protected from all precipitation and must include the minimum protection coverages shown in the figure at the end of this chapter.
10. Bicycle parking shall be located to minimize the possibility of accidental damage to either bicycles or racks. Where needed, barriers shall be installed.
11. Bicycle parking shall not impede or create a hazard to pedestrians. They shall not be located so as to violate vision clearance standards. Bicycle parking facilities should be harmonious with their environment both in color and design. Facilities should be incorporated whenever possible into building design or street furniture.

J. Bicycle Parking Rack Standards.

1. All required bicycle parking racks installed shall meet the individual rack specifications shown in the figure at the end of this chapter. Single and multiple rack installations shall conform with the minimum clearance standards shown in the figures at the end of this chapter. Alternatives to the above standard may be approved after review by the **Bicycle Transportation** Commission and approval by the Staff Advisor. Alternatives shall conform with all other applicable standards of this section. Bicycle parking racks or lockers shall be anchored securely.
2. The intent of this Subsection is to ensure that required bicycle racks are designed so that bicycles may be securely locked to them without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.
 - a. Bicycle racks shall hold bicycles securely by means of the frame. The frame shall be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels.
 - b. Bicycle racks shall accommodate:
 - i. Locking the frame and both wheels to the rack with a high-security U-shaped shackle lock, if the bicyclists removes the front wheel; and
 - ii. Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, if the bicyclists leaves both wheels on the bicycle; and
 - iii. Locking the frame and both wheels to the rack with a chain or cable not longer than 6 feet without removal of the front wheel.
 - c. Paving and Surfacing. Outdoor bicycle parking facilities shall be surfaced in the same manner as the automobile parking area or with a minimum of two inch thickness of hard surfacing (i.e., asphalt, concrete, pavers, or similar material) and shall be relatively level. This surface will be maintained in a smooth, durable, and well-drained condition.

~~SECTION 18.92.050 Compact Car Parking.~~

~~Up to 50% of the total automobile parking spaces in a parking lot may be designated for compact cars. Minimum dimensions for compact spaces shall be 8 x 16 feet. Such spaces shall be signed or the space painted with the words "Compact Car Only."~~

SECTION 18.92.055070 Variances for Commercial Buildings in the Historic District.

In order to preserve existing structures within the Ashland Historic District, while permitting the redevelopment of property to its highest commercial use, a variance of up to 50% of the required automobile parking may be granted to commercial uses within the Ashland Historic District as a Type I Variance. It is the intent of this clause to provide as much off-street parking as practical while preserving existing structures and allowing them to develop to their full commercial potential. Additionally, to identify redevelopment of existing commercial and residential buildings for commercial use within the Ashland Historic District as an exceptional circumstance and unusual hardship for the purposes of granting a variance.

~~SECTION 18.92.060 Limitations, Location, Use of Facilities.~~

~~A. Location. Except for single and two-family dwellings, required automobile parking facilities may be located on another parcel of land, provided said parcel is within 200 feet of the use it is intended to serve. The distance from the parking lot to the use shall be measured in walking distance from the nearest parking space to an access to the~~

~~building housing the use, along a sidewalk or other pedestrian path separated from street traffic. Such right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.~~

~~B. Except as allowed in 18.92.060.F and except in the M Industrial District, required automobile parking shall not be located in a required front and side yard setback area abutting a public street, except alleys.~~

~~C. Mixed Uses. In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset. In such case the Staff Advisor may reduce the total requirements accordingly, but not by more than 35%.~~

~~D. Joint Use of Facilities. Required parking facilities of 2 or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime v. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use.~~

~~E. Availability of Facilities. All automobile and bicycle parking shall be available for parking of residents, customers and employees only, and shall not be used for the storage or display of vehicles or materials.~~

~~F. In all residential zones, all off-street parking of automobiles, trucks, trailers and recreational vehicles in the front yard shall be limited to a contiguous area which is no more than 25% of the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard, whichever is greater. Since parking in violation of this section is occasional in nature, and is incidental to the primary use of the site, no vested rights are deemed to exist and violations of this section are not subject to the protection of the nonconforming use sections of this ordinance. However, a 24-hour warning notice of violation shall be provided prior to the issuance of a citation to appear in Municipal Court, and it shall be rebuttably presumed that the vehicle was parked with permission of the person in control of the property. Subsequent violations shall not require a warning notice. (Ord 2320, 1984)~~

SECTION 18.92.070080 Automobile Parking, Access and Circulation Design Requirements.

A. Parking Location.

1. Except for single and two-family dwellings, required automobile parking facilities may be located on another parcel of land, provided said parcel is within 200 feet of the use it is intended to serve. The distance from the parking lot to the use shall be measured in walking distance from the nearest parking space to an access to the building housing the use, along a sidewalk or other pedestrian path separated from

street traffic. Such right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.

2. Except as allowed in the subsection below, automobile parking shall not be located in a required front and side yard setback area abutting a public street, except alleys.
3. In all residential zones, all off-street parking of automobiles, trucks, trailers and recreational vehicles in the front yard shall be limited to a contiguous area which is no more than 25% of the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard, whichever is greater. Since parking in violation of this section is occasional in nature, and is incidental to the primary use of the site, no vested rights are deemed to exist and violations of this section are not subject to the protection of the nonconforming use sections of this ordinance. However, a 24-hour warning notice of violation shall be provided prior to the issuance of a citation to appear in Municipal Court, and it shall be rebuttably presumed that the vehicle was parked with permission of the person in control of the property. Subsequent violations shall not require a warning notice.

~~A.B. Size and Access~~ Parking Area Design. All ~~r~~Required parking areas shall be designed in accordance with the ~~parking layout chart at the end of this Chapter~~ following standards and dimensions.

1. 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.~~
2. Up to 50% of the total automobile parking spaces in a parking lot may be designated for compact cars. Minimum dimensions for compact spaces shall be 8 x 16 feet. Such spaces shall be signed or the space painted with the words "Compact Car Only."
3. Parking spaces shall have a 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.
4. Parking lots with 50 spaces or more shall be divided into separate areas. Parking areas may be divided into separate areas by a building or group of buildings, landscape areas with walkways at least 10 feet in width, plazas, streets or driveways with street-like features. Street-like features, for the purpose of this section, means a raised sidewalk of at least five feet in width, six-inch curb, accessible curb ramps, street trees in planters or tree wells and pedestrian-oriented lighting.
5. Parking areas shall be designed to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection. Parking areas of more than seven parking spaces shall meet the following standards.
 - a. Use at least one of the following strategies for the surface parking area, or put 50% of parking underground.
 - i. Use light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) of at least 29) to reduce heat absorption for a minimum of 50% of the parking area surface.
 - ii. Provide porous solid surfacing or an open grid pavement system that is at least 50% pervious for a minimum of 50% of the parking area surface.

i. 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.

ii. Creating an obstructed street as defined in Section 18.88.020.G is prohibited.

4. Shared Use of Driveways and Curb Cuts.

a. Plans submitted for developments subject to a planning action shall indicate how driveway intersections with streets have been minimized through the use of shared driveways and shall indicate all necessary access easements. Where necessary from traffic safety and access management purposes, the City may require joint access and/or shared driveways in the following situations.

i. For shared parking areas;

ii. For adjacent developments, where access onto an arterial is limited; and

iii. For multi-family developments, and developments on multiple lots.

b. Developments subject to a planning action shall remove all curb cuts and driveway approaches not shown to be necessary for existing improvements or the proposed development. Cuts and approaches shall be replaced with standard curb, gutter or sidewalk as appropriate. All replacement shall be done under permit of the Engineering Division.

c. If the site is served by a shared access or alley, access for motor vehicles must be from the shared access or alley and not from the street frontage.

B.D. Driveways and Turn-Arounds Design. Driveways and turn-arounds providing access to parking areas shall conform to the following provisions:

1. A driveway for a single dwelling shall have a minimum width of nine feet, and a shared driveway serving two units shall have a width of 12 feet.
2. Parking areas of more than seven parking spaces per lot shall be provided with adequate aisles or turn-around areas so that all vehicles may enter the street in a forward manner.
3. Parking areas of more than seven parking spaces shall be served by a driveway 20 feet in width and constructed to facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety, and shall be clearly and permanently marked and defined. Parking areas of seven spaces or less shall be served by a driveway 12 feet in width.

4. Shared Use of Driveways and Curb Cuts.

~~a. Developments subject to a planning action or divisions of property, either by minor land partition or subdivision, shall minimize the number of driveway intersections with streets by the use of shared driveways with adjoining lots where feasible. In no case shall driveways be closer than 24 feet as measured from the bottom of the existing or proposed apron wings of the driveway approach.~~

~~b. Plans for property being partitioned or subdivided or for multi-family developments shall indicate how driveway intersections with streets have been minimized through the use of shared driveways and shall indicate all necessary access easements.~~

~~c. Developments subject to a planning action shall remove all curb cuts and driveway approaches not shown to be necessary for existing improvements or the proposed development. Cuts and approaches shall be replaced with standard~~

~~curb, gutter or sidewalk as appropriate. All replacement shall be done under permit of the Engineering Division.~~

C.4 Vertical Clearances. Driveways, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13'6" for their entire length and width.

D.5. Vision Clearance. No obstructions may be placed in the vision clearance area except as set forth in Section 18.68.020.

E. Parking and Access Construction Development and Maintenance. The development and maintenance as provided below, shall apply in all cases, except single-family dwellings.

1. Paving. All required parking areas, aisles, turn-arounds and driveways shall be paved with concrete, asphaltic, pervious paving, or comparable surfacing, constructed to standards on file in the office of the City Engineer.
2. Drainage. All required parking areas, aisles and turn-arounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.
3. Driveway approaches. Approaches shall be paved with concrete surfacing constructed to standards on file in the office of the City Engineer.
4. Marking. Parking lots of more than seven spaces shall have all spaces permanently and clearly marked.
5. Wheel stops. Wheel stops shall be a minimum of four inches in height and width and six feet in length. They shall be firmly attached to the ground and so constructed as to withstand normal wear. Wheel stops shall be provided where appropriate for all spaces abutting property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.
6. Walls and Hedges.
 - a. Where parking abuts upon a street, a decorative masonry wall or evergreen hedge screen of 30-42 inches in height and a minimum of 12" in width shall be established parallel to and not nearer than two feet from the right-of-way line. Screen planting shall be of such size and number to provide the required screening within 12 months after installation. The area between the wall or hedge and street line shall be landscaped. All vegetation shall be adequately maintained by a permanent irrigation system, and said wall or hedge shall be maintained in good condition. The required wall or screening shall be designed to allow for free access to the site and sidewalk by pedestrians.
 - b. In all zones, except single-family zones, where parking facilities or driveways are located adjacent to residential or agricultural zones, school yards, or like institutions, a sight-obscuring fence, wall, or evergreen hedge not less than five feet, nor more than six feet high shall be provided on the property line as measured from the high grade side. Said wall, fence or hedge shall be reduced to 30 inches within required setback area, or within 10 feet of street property lines, and shall be maintained in good condition. Screen plantings shall be of such size and number to provide the required screening within 12 months after installation. Adequate provisions shall be made to protect walls, fences or plant materials from being damaged by vehicles using said parking areas.
7. Landscaping. In all zones, all parking facilities shall include landscaping to cover not less than 7% of the area devoted to outdoor parking facilities, including the landscaping

required in subdivision 6(a) above. Said landscaping shall be uniformly distributed throughout the parking area, be provided with irrigation facilities and protective curbs or raised wood headers. It may consist of trees, plus shrubs, ground cover or related material. A minimum of one tree per seven parking spaces is required.

8. Lighting of parking areas within 100 feet of property in residential zones shall be directed into or on the site and away from property lines such that the light element shall not be directly visible from abutting residential property. (Ord 2951, amended, 07/01/2008)

SECTION 18.92.090 Pedestrian Access and Circulation.

- A. **Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family dwellings on individual lots and accessory uses and structures, shall provide a continuous walkway system. The walkway system shall be based on the standards in subsections 1-4, below:**

1. **Continuous Walkway System. Extend the walkway system throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent sidewalks, trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property for this purpose.**

2. **Safe, Direct, and Convenient. Provide safe, reasonably direct, and convenient walkway connections between primary building entrances and all adjacent streets, based on the following definitions:**

- a. **Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.**

- b. **Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.**

- c. **"Primary entrance" for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.**

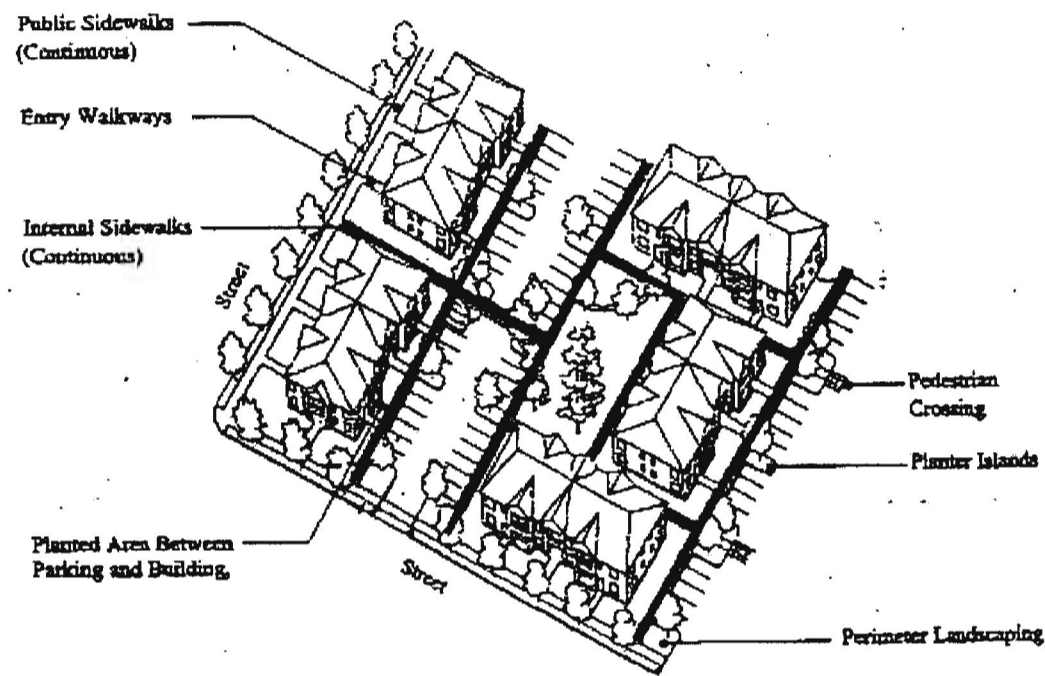
- d. **"Primary entrance" for residential buildings is the front door (i.e. facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.**

3. **Connections within Development. Walkways within developments shall be provide connections as required in subsections a -c, below:**

- a. **Connect all building entrances to one another to the extent practicable, as generally shown in Figure 1;**

- b. Connect all on-site parking areas, recreational facilities and common areas, and connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 1; and.

Figure 1 Pedestrian Pathway System (Typical)



- c. Install protected raised walkways through parking areas of 50 or more spaces, or of more than 100 feet in average width or depth.

B. Walkway Design and Construction. Walkways shall conform to all of the standards in subsections 1-4, as generally illustrated in Figure 2:

1. Vehicle/Walkway Separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised six inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

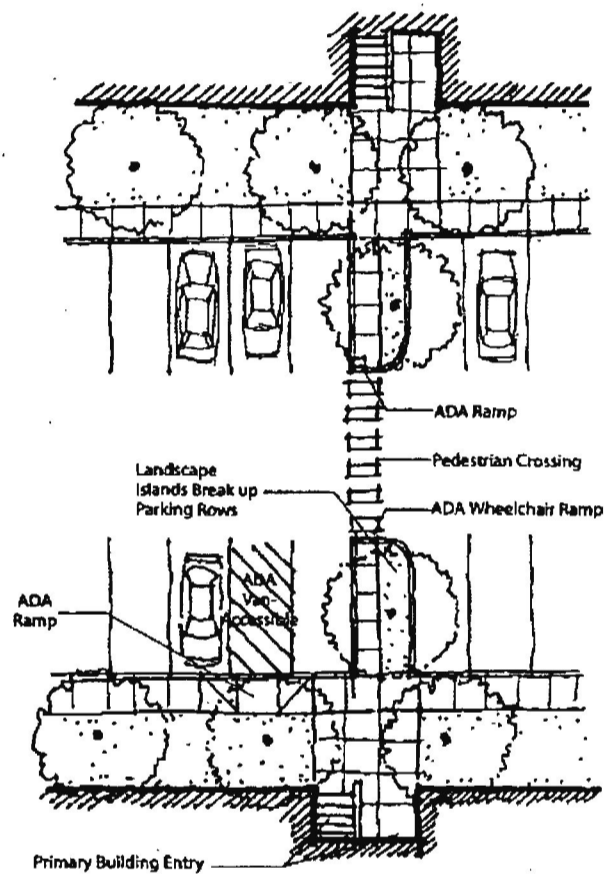
2. Crosswalks. Where walkways cross a parking area or driveway, clearly mark crosswalks with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

3. Walkway Surface and Width. Walkway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, and at least five feet wide. Multi-use paths (i.e. for bicycles and pedestrians) shall be concrete or asphalt, and at least 10 feet wide in accordance with the Ashland Street Standards in Section 18.88.020.K.

4. Accessible routes. Walkways shall comply with applicable Americans with Disabilities Act (ADA) and State of Oregon requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

5. Provide pedestrian scale lighting no greater than 14 feet in height along pedestrian facilities.

Figure 2 Pedestrian Walkway Detail (Typical)



SECTION 18.92.080100 Construction.

The required parking, access and circulations facilities, ~~including design standards~~, shall be installed prior to a release of a certificate of use and occupancy or a release of utilities, and shall be permanently maintained as a condition of use. However, the Building Official may, unless otherwise directed by the Planning Commission or Staff Advisor, release a temporary certificate of use and occupancy and a temporary release of utilities before the installation of said facilities provided: (1) there is proof that the owner has entered into a contract with a reputable installer for the completion of the parking, including design standards, with a specified time, and that there remains nothing for the owner to do prior to installation; or (2) the owner has posted a

satisfactory performance bond to ensure the installation of said parking facilities within a specified time.

SECTION 18.92.110 Alterations and Enlargements.

The required parking, access and circulation facilities shall be constructed when an existing building or dwelling is altered or enlarged by the addition or creation of guest rooms or dwelling units, or when a use is intensified by the addition of floor space, seating capacity, or change in use.(Ord 2659, 1991; Ord 2777, 1996)

SECTION 18.92.120 Availability of Facilities.

Required parking, access and circulation shall be available for use by residents, customers and employees only, and shall not be used for the storage or display of vehicles or materials.

SECTION 12. AMC Section 18.108.040 [Type I Procedure – Actions Included] is hereby amended to read as follows:

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. All new structures or additions less than 15,000 square feet of gross floor area in the CM zoning district. (Ord 3036, added, 08/17/10)
 - iii. Mixed-use buildings and developments containing commercial and residential uses in residential zoning district with the Pedestrian Place Overlay.**
 - ~~iii.~~ **iv.**Expansion of impervious surface area in excess of 10% of the area of the site or 1,000 square feet, whichever is less
 - ~~iv.~~ **v.**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.
 - ~~v.~~ **vi.**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.

- ~~vi.~~ vii 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.
 - ~~vii.~~ viii 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.
 - ix. Mechanical equipment not otherwise exempt from site design review per Section 18.72.030.B.
 - x. Installation of wireless communication facilities in accordance with Section 18.72.180.
- 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.
 - vi. Mechanical equipment not otherwise exempt from site design review per Section 18.72.030.B.
 - vii. Installation of wireless communication facilities in accordance with Section 18.72.180.
2. Miscellaneous Actions.
- a. Amendments or modification to conditions of approval for Type I planning actions.
 - b. Amendment or modification to conditions of approval for Type II actions where the modification involves only changes to tree removal and/or building envelopes. ~~planning actions.~~
 - 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. Limited Activities and Use permits as allowed in Chapter 18.63.
 - f. Water Resource Protection Zone Reductions of up to 25% as allowed in Chapter 18.63.
3. 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. Installation of wireless communication facilities in accordance with Section 18.72.180.
 - ~~b.~~ c. Temporary uses.

- e. ~~d.~~ Enlargement, expansion, etc. of nonconforming structures in accordance with Section 18.68.090(2).
 - ~~d.~~ e. Government signs per Section 18.96.150.
 - e. f. 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.~~ g. The following uses in Commercial or Industrial zones:
 - i. Electrical substations
 - ii. Outdoor storage of commodities.
 - ~~g.~~ h. 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.~~ i. Conditional uses in the Southern Oregon University District.
4. 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.

6. 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.

SECTION 13. AMC Section 18.108.060 [Type III Procedures] is hereby amended to read as follows:

SECTION 18.108.060 Type III Procedures.

A. The following planning actions shall be subject to the Type III Procedure:

1. Zone Changes or Amendments to the Zoning Map or other official maps, except for legislative amendments.
2. Comprehensive Plan Map Changes or changes to other official maps, except for legislative amendments.
3. Annexations.
4. Urban Growth Boundary Amendments

B. Standards for Type III Planning Actions.

1. Zone changes, zoning map amendments and comprehensive plan map changes subject to the Type III procedure as described in subsection A of this section may be approved if in compliance with the comprehensive plan and the application demonstrates that one or more of the following:
 - a. The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan; or
 - b. A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances; or
 - c. Circumstances relating to the general public welfare exist that require such an action; or
 - d. Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25% of the proposed base density as affordable housing consistent with the approval standards set forth in Section 18.106.030(G); or
 - e. Increases in residential zoning density of four units or greater on commercial, employment or industrial zoned lands (i.e. Residential Overlay), will not negatively impact the City of Ashland's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25% of the proposed base density as affordable housing consistent with the approval standards set forth in Section 18.106.030(G).

The total number of affordable units described in sections D or E shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. Sections D and E do not apply to

council initiated actions.

C. Type III Procedure.

1. Applications subject to the Type III Procedure shall be process as follows:
 - a. Complete applications shall be heard at the first regularly scheduled Commission meeting which is held at least 45 days after the submission of the application.
 - b. Notice of the hearing shall be mailed as provided in Section 18.108.080.
 - c. A public hearing shall be held before the Commission as provided in **Section 18.108.100**.
2. For planning actions described in section 18.108.060.A.1 and 2, the Commission shall have the authority to take such action as is necessary to make the amendments to maps and zones as a result of the decision without further action from the Council unless the decision is appealed. The decision of the Commission may be appealed to the Council as provided in Section 18.108.110.
3. For planning actions described in Section 18.108.060.A.3 and ~~2~~ **4**, the Commission shall make a report of its findings and recommendations on the proposed action. Such report shall be forwarded to the City Council within 45 days of the public hearing.
 - a. Upon receipt of the report, or within 60 days of the Commission hearing, the Council shall hold a public hearing as provided in **Section 18.108.100**. Public notice of such hearing shall be sent as provided in Section 18.108.080.
 - b. The Council may approve, approve with conditions, or deny the application.

SECTION 14. AMC Section 18.108.080 [Public Hearing Notice] is hereby amended to read as follows:

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.
- B. Mailed notices shall contain the following information, provided, however, that notices for hearings before the Council shall not contain the statements specified in paragraphs 8 and 9:
 1. Explanation of the nature of the application and the proposed use or uses which could be authorized.
 2. List of the applicable criteria from the ordinance and the plan that apply to the application at issue.
 3. The street address or other easily understood geographical reference to the subject property.
 4. The name of a local government representative to contact and the telephone number where additional information may be obtained.

5. A statement that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.
 6. The date, time and location of the hearing or of the meeting, if no hearing is involved.
 7. A statement that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.
 8. A statement that if additional documents or evidence is provided in support of the application, any party shall be entitled to a continuance of the hearing.
 9. A statement that unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.
- C. **Posted Notice.** A notice, as described in this subsection, shall be posted on the subject property by the 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 **hearing**. Failure by the city to post a notice, or post in clear view from a public right-of-way shall be considered an incomplete application. The 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.
- D. **Additional Requirements for Type II and III Public Notice.** In addition to the notice specified in section 18.108.080.A, B and C, notice for Type II and III procedures shall be published in a newspaper of general circulation in the City at least 10 days prior to the date of the hearing before the Commission.
- E. The failure of a property owner to receive notice as provided in this section shall not invalidate such proceedings if the City can demonstrate by affidavit that such notice was mailed. The failure to receive notice shall not invalidate the decision after the action is final if a good faith attempt was made to notify all persons entitled to receive notice.
- F. Whenever it is demonstrated to the Staff Advisor that:
1. The city did not mail the notice required in §18.108;
 2. Such error adversely affected and prejudiced a person's substantial rights; and
 3. Such person notified the Staff Advisor within 21 days of when the person knew or should have known of the decision, the Staff Advisor shall schedule a hearing 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 conducted as provided in §18.108.100.

If a hearing is conducted under this section, the decision of the Commission or Hearings Board shall supersede the previous decision.

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

1. The city did not comply with the notice requirements in §18.108.080.A through E;
2. Such error adversely affected and prejudiced a person's substantial rights; and
3. Such person notified the Staff Advisor within 21 days of when the person knew or should have known of the decision, the Staff Advisor shall schedule a hearing before the Board, Commission or Council that heard or would have heard the matter involving the defective notice.
 - a. The Staff Advisor shall notify by mail all persons who previously appeared in the matter and all persons who were entitled to mailed notice but were not mailed such notice.
 - b. The hearing shall be conducted as provided in §18.108.100 if it is a hearing before the Board or Commission, except that the record of the previous hearing shall be reviewed and considered by the Board or Commission. If it is an appeal before the Council, the Council may hear such matters as are permitted in §18.108.110.

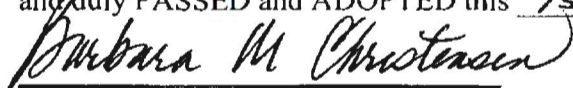
A decision made after the hearing shall supersede the previous decision.

H. Notwithstanding the period specified in subsections F.3 and G.3 of this section, the period for a hearing or appeal shall not exceed three years after the date of the initial decision.

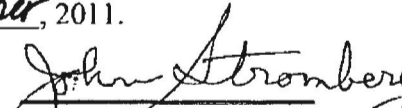
SECTION 15. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 16. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions, and text descriptions of amendments (i.e. Sections 1, 22-23) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the 1 day of November, 2011, and duly PASSED and ADOPTED this 15 day of November, 2011.


Barbara M. Christensen, City Recorder

SIGNED and APPROVED this 16 day of November, 2011.


John Stromberg, Mayor

Reviewed as to form:


David Lohman, City Attorney

**BEFORE THE CITY COUNCIL
CITY OF ASHLAND, JACKSON COUNTY, OREGON**

November 15, 2011

In the Matter of Amendments to the City of Ashland)	
Zoning Map and Land Use Ordinance Creating)	
A Pedestrian Place Overlay Zone, to Include a New)	FINDINGS OF FACT AND
Chapter 18.56 Overlay Zones, and to Amend the Site)	CONCLUSIONS OF LAW
Design and Use Standards and Land Use Ordinance to)	
Implement the Recommendations of Pedestrian Places)	
Project.)	

PURPOSE:

Implement the Recommendations of the Pedestrian Places Project, March 2011.

Implementation is achieved by four distinct ordinances: The first ordinance amends the Zoning Map to add a Pedestrian Place Overlay. The second ordinance amends the Land Use Ordinance to add Chapter 18.56 Overlay Zones. Ordinances three and four amend the Site Design and Use Standards and other land use section of Chapter to support the development of concentrations of housing and businesses grouped in a way to encourage more walking, cycling and transit use.

PUBLIC HEARINGS:

On September 30, 2011, a notice of the Planning Commission and City Council Public Hearings was sent by mail to approximately 675 owners of properties located in and within ¼ of a mile (1,320 feet) of the three study area intersections including N. Mountain Ave./E. Main St., Walker Ave./Ashland St. and Tolman Creek Rd./Ashland St. Additionally, on September 21, 2011, 49 notices were sent to owners of properties located in the Pedestrian Place Overlay that may have the use of the property impacted by the proposed rules in accordance with ORS 227.186. Newspaper notices were published in accordance with AMC 18.108.170.D in The Ashland Daily Tidings on October 1, 2011 prior to the Planning Commission public hearing and on October 11, 2011, on October 21, 2011 prior to the City Council public hearing and first reading of the ordinances on November 1, 2011, and on November 5, 2011 prior to the second reading of the ordinances on November 15, 2011. Notice was also sent to the Department of Land Conservation and Development on August 25, 2011.

A Public Hearing was held at the Planning Commission on October 11, 2011. A Public Hearing was held at the City Council on November 1, 2011.

REVIEW CRITERIA

The decision of the City Council together with the recommendation by the Planning Commission was based on consideration and findings of consistency with the following factors.

Findings of Fact and Conclusions of Law

Page 1

- A. Consistency with City of Ashland Requirements for Legislative Amendments in 18.108.170
- B. Consistency with City of Ashland Comprehensive Plan
- C. Consistency with Oregon land use laws and regulations including specifically Oregon Statewide Planning Goal 2 Land Use Planning, Goal 9 Economic Development and Goal 12 Transportation

EVALUATION AND COUNCIL FINDINGS:

A. Consistency with City of Ashland Requirements for Legislative Amendments in Section 18.108.170

18.108.170 Legislative Amendments

A. It may be necessary from time to time to amend the text of the Land Use Ordinance or make other legislative amendments in order to conform with the comprehensive plan or to meet other changes in circumstances and conditions. A legislative amendment is a legislative act solely within the authority of the Council.

B. A legislative amendment may be initiated by the Council, by the Commission, or by application of a property owner or resident of the City. The Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after it is submitted, and within thirty days after the hearing, recommend to the Council, approval, disapproval, or modification of the proposed amendment.

C. An application for amendment by a property owner or resident shall be filed with the Planning Department thirty days prior to the Commission meeting at which the proposal is to be first considered. The application shall be accompanied by the required fee.

D. Before taking final action on a proposed amendment, the Commission shall hold a public hearing. After receipt of the report on the amendment from the Commission, the Council shall hold a public hearing on the amendment. Notice of time and place of the public hearings and a brief description of the proposed amendment shall be given notice in a newspaper of general circulation in the City not less than ten days prior to the date of hearing.

E. No application of a property owner or resident for a legislative amendment shall be considered by the Commission within the twelve month period immediately following a previous denial of such request, except the Commission may permit a new application if, in the opinion of the Commission, new evidence or a change of circumstances warrant it.

Ashland is projected to grow by approximately 4,621 residents by 2030, and by approximately 2,100 jobs by 2027. In terms of urbanization, the Ashland Comprehensive Plan goal states *“It is the City of Ashland’s goal to maintain a compact urban form and to include an adequate supply of vacant land in the City so as not to hinder natural market forces within the City, and to ensure orderly and sequential development of land in the*

City limits.” The City Council reaffirmed this long-standing policy of accommodating growth within the Ashland Urban Growth Boundary rather than growing outward into surrounding farm and forest lands in the Greater Bear Creek Valley Regional Problem Solving (RPS) planning process. To this end, the City of Ashland continues to look for ways to use land more efficiently for housing and businesses in an effort to balance projected population and employment growth with the community goal of retaining a distinct boundary and preventing sprawling development. The Pedestrian Places Project zoning and land use ordinance amendments encourage a mix and intensity of uses around three intersections of main travel corridors so that a portion of the future population and employment can be accommodated within the City limits and the areas developed in a manner that will encourage walking, cycling and transit trips.

The planning process made efforts to include a wide range of people including neighbors, property owners, business owners, community groups, and the general public, and to provide a variety of ways to learn about the project, participate in the plan development and provide comments. The planning process for the Pedestrian Places Project began in October 2010, and involved a series of three public workshops (10/27/10, 12/9/10, 2/22/11), an on-line forum, key participant meetings, and three Planning Commission study sessions (3/29/11, 8/23/11, 9/13/11). The workshops and on-line forum used a three-step process where participants identified the qualities that make a successful pedestrian place, developed vision statements for the three study areas, and reviewed and revised plans illustrating an example of what development might look like in a key location. The on-line forum (i.e. Open City Hall) coincided with the public workshops, and was used to provide an opportunity for people to learn about the project and submit comments without having to attend a public meeting. Individual meetings with key participants including property owners and business owners were held during the public workshop process in October 2010, December 2010 and May 2011.

In advance of each of the public workshops, approximately 675 written notices were mailed to property owners and business owners located within ½ mile radius of the three intersections included in the project. Individual letters and phone invitations were directed to approximately 80 key participants including property and business owners inviting them to individual meetings. Community notices for each workshop were advertised in the City Source and on RVTV. Flyers were sent to local service groups (e.g. Chamber of Commerce, Rotary) and hand delivered to businesses in core areas around the intersections. Email messages were sent to approximately 35 people from the public workshops and 47 participants from Open City Hall that signed up for future announcements. The Ashland Daily Tidings published an article on the project in December 2010, and the Planning Commission Chair participated in a Jefferson Exchange interview to publicize the project. A project web page, www.ashland.or.us/pedplaces has been maintained throughout the project, and includes the most recent draft materials, meeting announcements, an Open City Hall link, an archive of meeting materials, the public meeting schedule and contact information.

The City Council finds that the proposed zoning and land use ordinance amendments are consistent with the requirements for Legislative Amendments in Section 18.108.170.

B. Consistency with the Ashland Comprehensive Plan

The proposed zoning and land use ordinance amendments are consistent with the goals and policies in the Ashland Comprehensive Plan. The Economic, Housing and Transportation chapters of the Ashland Comprehensive Plan include goals and policies that establish the basis for revising the land use standards to encourage the development of small walkable nodes that provide concentrations of housing and businesses grouped in a way to encourage more walking, cycling and transit use. Specifically, the Comprehensive Plan goals and policies address accommodating future population and employment growth, maintain a compact urban form to facilitate pedestrian and bicycle trips, allowing for a mix of uses and housing types, making streets convenient, safe, accessible and attractive for all users, concentrating housing and businesses with $\frac{1}{4}$ to $\frac{1}{2}$ of a mile transit routes, and promoting livability in neighborhoods.

Economy

Goal To ensure that the local economy increases in its health, and diversifies in the number, type and size of businesses consistent with the local social needs, public service capability and the retention of a high quality environment.

Policy 2) The City shall design the Land Use Ordinance to provide for:

c) Specific development guidelines which will ensure that:

2) Development along Siskiyou Boulevard and Ashland Street will not primarily be automobile-oriented, but will also include attractive landscaping and designs that encourage pedestrian, bicycle, and mass transit forms of travel.

e) Commercial or employment zones where business and residential uses are mixed. This is especially appropriate as buffers between residential and employment or commercial areas, and in the Downtown

Housing

Goal Ensure a variety of dwelling types and provide housing opportunities for the total cross-section of Ashland's population, consistent with preserving the character and appearance of the city.

Policy 3) Regulation of residential uses shall be designed to complement, conserve and continue the aesthetic character of Ashland through use of the following techniques:

c) Performance standards shall be used to regulate new development in Ashland so that a variety of housing types built on the site and imaginative residential environments may be used to reduce cost and improve the aesthetic character of new developments and decrease the use of traditional zoning and subdivision standards.

Transportation

Street System Goal. To provide all citizens with safe and convenient

transportation while reinforcing the recognition of public rights-of-way as critical public spaces.

***Policy 1)** Provide zoning that allows for a mix of land uses and traditional neighborhood development, which promotes walking and bicycling.*

***Policy 4)** Enhance the streetscape by code changes specific placement of critical design elements such as but not limited to windows, doorways, signs and planting strips.*

***Policy 7)** Design the Land Use Ordinance to ensure Ashland Street is developed as a multi-modal corridor including attractive landscaping, sidewalks, bike lanes and controlled access. Development along Ashland Street shall be compatible with and support a multi-modal orientation.*

***Pedestrian and Bicycle Goal I.** To provide all citizens with safe and convenient transportation while reinforcing the recognition of public rights-of-way as critical public spaces.*

***Policy 8)** Require sidewalks and pedestrian access in all developments.*

***Policy 15)** Pedestrian traffic should be separated from auto traffic on streets and in parking lots.*

***Pedestrian and Bicycle Goal III.** Emphasize environments which enhance pedestrian and bicycle usage.*

***Policy 1)** Maintain and improve Ashland's compact urban form to allow maximum pedestrian and bicycle travel.*

***Public Transit Goal.** To create a public transportation system that is linked to pedestrian, bicycle and motor vehicle travel modes, and is as easy and efficient to use as driving a motor vehicle.*

***Policy 2)** Zoning shall allow for residential densities and a mix of commercial businesses within walking distance (one-quarter to one-half mile) of existing and planned public transit services which support use of public transportation.*

The City Council adopted the 2011 Buildable Lands Inventory Update in November 2011 as a supporting technical document to the Ashland Comprehensive Plan. The 2011 Buildable Lands Inventory shows that within the City Limits there is a net availability of nearly 125 buildable acres of land with a commercial designation (C-1, C-1-D, E-1, M-1, and CM). The Economic Opportunity Analysis, also adopted as a supporting technical documents to the Ashland Comprehensive Plan, projected land need of 123.4 net acres by the year 2027. The Pedestrian Place Overlay includes lands in commercial designations (C-1 and E-1), and the land use ordinance amendments provide the flexibility to develop sites at a greater intensity by eliminating a maximum Floor Area Ratio, reducing the required building setback from the street, and allowing less land to be used for surface area parking. As a result, the Pedestrian Place zoning and land use ordinance revisions will allow a portion of the 125 buildable acres of commercially designated lands within the City Limits to be used to a greater potential.

The City Council finds that the proposed zoning and land use ordinance amendments are consistent with and implement applicable Ashland Comprehensive Plan Goals and Policies.

C. *Consistency with Oregon land use laws and regulations including specifically Oregon Statewide Planning Goal 9*

Oregon Statewide Planning Goal 2 – Land Use Planning, as well as Chapter 197 of the Oregon Revised Statutes require a land use planning process and policy framework as a basis for all decision and actions related to use of land. Specifically, plans and implementation measures such as ordinances controlling the use and construction are permitted as measures for carrying out Comprehensive Plans.

As detailed in the previous section, the Pedestrian Places zoning and land use ordinance amendments implement a number of goals and policies included in the Economic, Housing and Transportation chapters of the Ashland Comprehensive Plan.

Oregon Statewide Planning Goal 9 – Economic Development requires cities and counties to address providing adequate opportunities for a variety of economic activities for residents.

The Pedestrian Place Overlay allows neighborhood scale commercial uses including stores, shops and restaurants in the N. Mountain Ave./E. Main St. location, whereas these commercial uses were not previously permitted in the underlying High Density Multi-Family Residential zoning district.

Oregon Statewide Planning Goal 10 – Housing requires cities and counties to provide for the housing needs of citizens of the state, including a range of types and price/rent levels, and allowing for flexibility of housing location, type and density.

While the properties located in the Pedestrian Place Overlay had zoning in place prior to the Pedestrian Place amendments that allows for residential densities of 20 to 30 units per acre, the ordinance amendments allow for flexibility in site and parking design that may facilitate a multi-story and mixed use housing type that is not currently present in the Overlay locations.

Oregon Statewide Planning Goal 12 – Transportation, as well as OAR 660-012-0000 the “Transportation Planning Rule,” require transportation planning to be in coordination with land use planning. Additionally, the rule requires local governments to adopt land use regulations that address a variety of land use and transportation issues, including the following items that are directly related to the proposed Pedestrian Place amendments.

- In Metropolitan Planning Organization (MPO) areas, local governments are required to adopt regulations to reduce reliance on the automobile, specifically by allowing transit-oriented developments (TODs) on lands along transit routes.

The Pedestrian Place zoning and land use ordinance amendments are specifically

designed to provide the flexibility to develop sites at a greater intensity and with a mix of uses by eliminating a maximum Floor Area Ratio, reducing the required building setback from the street, allowing neighborhood scale commercial uses in residentially-zoned properties in the Pedestrian Place Overlay and allowing less land to be used for surface area parking.

- In MPO areas, local governments are required to either adopt a parking plan that reduces parking spaces per capita, or revise ordinance requirements to:
 - reduce minimum off-street parking requirements for non-residential uses,
 - allow provisions of on-street parking, long-term lease parking and shared parking to meet minimum off-street parking requirements, establish off-street parking maximums in appropriate locations,
 - exempt structured parking and on-street parking from parking maximums, and
 - require parking lots over 3 acres in size to provide street like features along major driveways.

The Pedestrian Place zoning and land use ordinance amendments promote using land more efficiently by allowing a one-for-one credit for on-street parking spaces adjacent to a project, requiring on-street parking space dimensions in conformance with the state model code requirements, providing parking management strategies such as alternative vehicle parking, shared parking and transit facilities to reduce overall off-street parking requirements by up to 50% closer to the street, requiring pedestrian access and circulation throughout development sites, and requiring parking lots of 50 space or more to be divided into separate areas and provide street-like features.

- Adopt regulations requiring on-site facilities which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers with one-half mile of development.
- Adopt regulations requiring new office parks and commercial developments to provide internal pedestrian circulation through clustering of buildings, construction of accessways and, walkway and similar techniques.

The Pedestrian Place zoning and land use ordinance amendments accommodate safe and convenient pedestrian and bicycle access by providing a on-site circulation system addressing pedestrian, bicycle and vehicle access and circulation, requiring a walkway system throughout development sites that link building entrances, off-site adjacent sidewalks, parking areas, trails, public parks and open space areas, providing crosswalks in driveways and parking lots and accessible routes, providing pedestrian scale lighting throughout the site, and dividing parking lots of 50 space or more into separate areas with street-like features.

The City Council finds that the proposed zoning map and ordinance amendments are consistent with the applicable Statewide Planning Goals.

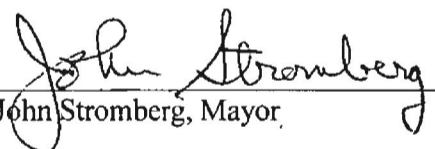
OVERALL COUNCIL CONCLUSIONS

The City Council finds and determines the approval criteria for this decision have been fully met, based on the detailed findings set forth herein and the detailed findings and analysis of the Planning Commission, together with all staff reports, addenda and supporting materials in the whole record. Specifically the Council finds that the proposed amendments are consistent with City of Ashland requirements for Legislative Amendments in 18.108.170. The Council finds that the proposed amendments are consistent with the Ashland Comprehensive Plan. The Council finds and determines that the proposed amendments are consistent Oregon land use laws and regulations including Oregon Statewide Planning Goal 2 Land Use Planning, Goal 9 Economic Development and Goal 12 Transportation.

Accordingly, based on the above Findings of Fact and Conclusions of Law, and based upon the evidence in the whole record, the City Council hereby APPROVES the ADOPTION of the following amendments to the Zoning Map and Ashland Land Use as reflected in four distinct ordinances:

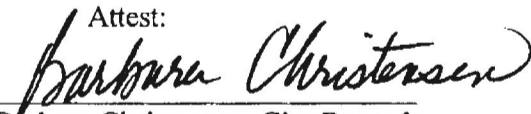
- The Ashland Zoning Map is amended to add the Pedestrian Place Overlay.
- Chapter 18.56 Overlay Zones is added to the Ashland Land Use Ordinance.
- The Site Design and Use Standards in Chapter 18.72 Site Design Review are amended to implement the recommendations of the Pedestrian Places Project.
- AMC 18.08, 18.12.020, 18.68.050, 18.72.030, 18.72.080, 18.72.090, 18.88, 18.88.080, 18.92, 18.108.040, 18.108.060 and 18.108.080 are amended to implement the recommendations of the Pedestrian Places Project.

Ashland City Council Approval

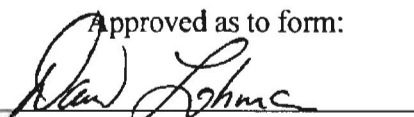

John Stromberg, Mayor

11/15/11
Date

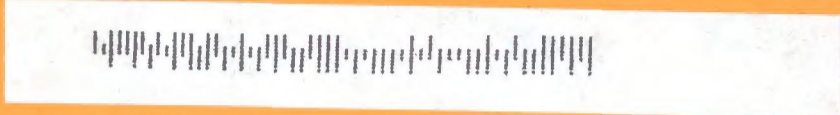
Signature authorized and approved by the full Council this 15th day of November, 2011

Attest:

Barbara Christensen, City Recorder

11/21/11
Date

Approved as to form:

David Lohman, Ashland City Attorney

11/18/11
Date



DEPT OF

NOV 23 2011

LAND CONSERVATION
AND DEVELOPMENT

CITY HALL
20 EAST MAIN STREET
ASHLAND, OR 97520

CITY OF
ASHLAND

ATTN: PLAN AMENDMENT SPECIALIST
Dept. of LAND CONSERVATION & DEV.
635 Capitol St. NE, Suite 150
SALEM, OR 97301-2540

