



Council Business Meeting Agenda

ASHLAND CITY COUNCIL BUSINESS MEETING AGENDA

Tuesday, March 4, 2025

Council Chambers, 1175 E Main Street

Live stream via rvtv.sou.edu select RVTV Prime.

HELD HYBRID (In-Person or Zoom Meeting Access)

Public testimony will be accepted for both general public forum items and agenda items.

If you would like to submit written testimony or if you wish to speak electronically during the meeting, **complete the online [Public Testimony Form](#) no later than 10 a.m. the day of the meeting.**

6:00 p.m. Regular Business Meeting

I. CALL TO ORDER

- a. Land Acknowledgement**

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. MAYOR'S / CHAIR OF THE COUNCIL ANNOUNCEMENT

- a. National Women's History Month Proclamation

V. APPROVAL OF MINUTES

- a. Minutes of the February 18, 2025 - Business Meeting

VI. CONSENT AGENDA

- a. Ashland Municipal Code Update – Transportation Advisory Committee Recommendation E-Bike Regulations
- b. Request of Council to Initiate Right of Way Vacation – Fern Street
- c. Approval of Liquor License for Harana Cafe

VII. SPECIAL PRESENTATIONS

- a. Travel Ashland Report

VIII. PUBLIC FORUM

15 minutes – Public input or comment on City business not included on the agenda

IX. PUBLIC HEARING

- a. Appeal (#PA-APPEAL-2025-00020) of Planning Action #PA-T2-2024-00054 a request for outline plan approval for Kestrel Park Phase III, a performance standards option (PSO) subdivision, Site Design Review, variance to driveway width, and tree removal permit request, within the North Mountain Neighborhood Plan area.

X. ORDINANCES, RESOLUTIONS AND CONTRACTS

- a. Second Reading – ORD 3256 An Ordinance Amendment to AMC 2.30 Uniform Administrative Appeals Process Designating the Municipal Court as the Administrative Appeal Body
- b. Resolution 2025-02 A Resolution of the City of Ashland Rescinding all Former Memoranda of Understanding in Light of the Passage of Ordinance 3248, which Created the Ashland Parks and Recreation Department



Council Business Meeting Agenda

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. CITY MANAGER REPORT

- a. City Manager Report

XIV. OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS

XV. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Alissa Kolodzinski at 541.488.5307 (TTY phone number 1.800.735.2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

* Items on the Agenda not considered due to time constraints are automatically continued to the next regularly scheduled Council meeting [AMC 2.04.030.(D)(3)]

** LAND ACKNOWLEDGEMENT

We acknowledge and honor the aboriginal people on whose ancestral homelands we work—the Ikirakutsum Band of the Shasta Nation, as well as the diverse and vibrant Native communities who make their home here today. We honor the first stewards in the Rogue Valley and the lands we love and depend on: Tribes with ancestral lands in and surrounding the geography of the Ashland Watershed include the original past, present and future indigenous inhabitants of the Shasta, Takelma, and Athabaskan people. We also recognize and acknowledge the Shasta village of K'wakhakha - "Where the Crow Lights" - that is now the Ashland City Plaza.

***Agendas and minutes for City of Ashland Council, Commission and Committee meetings may be found at the City website, ashlandoregon.gov.





A Proclamation in Honor of National Women's History Month

Whereas, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways;

Whereas, American women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home;

Whereas, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation;

Whereas, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions;

Whereas, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement;

Whereas, American women have served our country courageously in the military;

Whereas, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, including the peace movement, which created a more fair and just society for all;

Whereas, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

Whereas, American women find themselves in a situation where the gains made through hard work and persistence over many decades are now threatened;

NOW, THEREFORE, I, Tonya Graham, Mayor of the City of Ashland, Oregon, on behalf of the City Council, do hereby acknowledge March as National Women's History Month and call upon the people of Ashland to observe this day with appropriate reflection, learning, and a renewed commitment to the equality of women. In Ashland we are Better Together.

Dated this 4th day of March 2025

Tonya Graham, Mayor

Alissa Kolodzinski, City Recorder



**ASHLAND CITY COUNCIL
BUSINESS MEETING MINUTES
Tuesday, February 18, 2025**

3:30 p.m.

I. CALL TO ORDER/ ADOPTION OF HIRING PROCEDURE

Dahle called the meeting to order at 3:32.

ROLL CALL

Decision:

I move that the City Council adopt the Regular Hiring Procedures as outlined here for the recruitment process for the City Attorney position.

Motion: Hansen Second: Bloom

Roll Call Vote: Councilor Knauer, Dahle, Bloom, Kaplan, DuQuenne, and Hansen. YES.

Motion passed.

II. 3:35 P.M. Executive Session

Mayor Graham (arrived 4:10 pm) and Councilors DuQuenne, Bloom, Dahle, Kaplan, Knauer, and Hansen were present. Heather Renschler from Ralph Andersen & Associates, City Manager Sabrina Cotta, Human Resources Director Molly Taylor, and City Recorder Alissa Kolodzinski, were present.

- a. To consider the employment of a public officer, employee, staff member, or individual agent pursuant to ORS 192.660 (2)(a).

6:00 PM Business Meeting

Council Present: Mayor Graham, Councilors Knauer, Dahle, DuQuenne, Bloom, Kaplan, and Hansen.

Council Absent: None

Staff Present:

Sabrina Cotta	City Manager
Doug McGeary	Acting City Attorney
Alissa Kolodzinski	City Recorder
Carmel Zahran	Assistant City Attorney
Marianne Berry	Finance Director
Chad Woodward	Climate & Energy Analyst
Brandon Goldman	Community Development Director

III. CALL TO ORDER

Mayor Graham called the meeting to order at 6:03 p.m.

- a. Land Acknowledgement**

Councilor Kaplan read the land acknowledgement.

IV. PLEDGE OF ALLEGIANCE

Councilor Hansen led the pledge of allegiance.

V. ROLL CALL

Motion made to add a topic to the agenda due to timeliness about the City Attorney recruitment.

Motion: Dahle Second: Kaplan

Roll Call Vote: Councilor Knauer, Dahle, Bloom, DuQuenne, Kaplan, and Hansen. YES. Motion passed.

Motion made to appoint Johan Pietila as the City Attorney and authorize the Mayor and Council Chair working with appropriate City staff, to negotiate a contingent employment agreement with Johan for future Council consideration.

Motion: Dahle Second: Bloom

Roll Call Vote: Councilor Knauer, Dahle, Bloom, DuQuenne, Kaplan, and Hansen. YES. Motion passed.

VI. MAYOR'S/ CHAIR OF THE COUNCIL ANNOUNCEMENT

- a. Black History Month Proclamation – Graham read the proclamation

VII. APPROVAL OF MINUTES

- a. Minutes of January 21, 2025 – Business Meeting

Motion made to accept the minutes.

Motion: Kaplan Second: Knauer

Roll Call Vote: Councilor Knauer, Dahle, Bloom, DuQuenne, Kaplan, and Hansen. YES. Motion passed.

VIII. CONSENT AGENDA

- a. Ad Hoc Committee on Affordable Childcare & Early Childhood Development Appointment
b. Approval of Liquor License for Nous Hospitality
c. Approval of Liquor License for AJ Smoke & Grocery Store
d. Liquor License for Southern Oregon Growlers
e. Approval of Liquor License for Vida Baking Co

Request to remove item a. from Consent Agenda

Motion made to accept the consent agenda minus agenda item a.

Motion: DuQuenne Second: Hansen

Roll Call Vote: Councilor Knauer, Dahle, Bloom, DuQuenne, Kaplan, and Hansen. YES. Motion passed.

Motion made to approve the appointment of Paula Hyatt and Lynn Ransford to the Ad Hoc Committee on Affordable Childcare and Early Childhood Development.

Discussion: Council thanked the applicants and highlighted the importance of community participation on committees.

Motion: Bloom Second: Dahle

Roll Call Vote: Councilor Knauer, Dahle, Bloom, DuQuenne, Kaplan, and Hansen. YES. Motion passed.

IX. SPECIAL PRESENTATIONS

- a. Finance Update – First Quarter FY25 Results (see agenda packet)

Discussion: Berry presented the agenda item.

- Berry clarified changes in the LGIP (Local Government Investment Pool) and long-term investments
- Berry explained that Public Works expenditures appear to be higher than other departments to date due to timing differences related to invoicing and offered to return with more detail.

- Berry clarified the City's investment strategy in general and restrictions related to the Tourism Fund in particular.

X. PUBLIC FORUM –

Citizens Mozina, Brooks, Neiswander, and Holman spoke about potential conflicts of interest, concerns for the unhoused, concerns over expulsions, and fire safety concerns related to smart meters.

XI. PUBLIC HEARING

- a. First Reading – ORD 3256 An Ordinance Amendment to AMC 2.30 Uniform Administrative Appeals Process Designating the Municipal Court as the Administrative Appeal Body*

Zahran reviewed the reason for this proposed change to the AMC to promote a clear separation of duties within the branches of the local municipal government in allowing the Municipal Court Judge to serve as the hearings officer on administrative appeals.

Discussion

- Zahran clarified with that a non-exhaustive list of potential hearings includes utility appeals, abatement hearings, transient occupancy tax, marijuana products, business license, dangerous buildings, park and civil expulsions, camping, noise permit appeals, and public work denial appeals. Telecommunication appeals would not change as they are related to land use code and treated distinctly. Cotta clarified the City Manager would continue to be aware of all contexts surrounding any appeals under the new process.

Public Hearing Open

Neiswander requested a form be created to assist the homeless population with the appeal process.

Public Hearing Closed

Decision:

Motion made to approve the first reading of Ordinance No. 3256 with the following change: To 2.30.020 Section C to state 'Appeals Fee will set by Resolution by the City Council.'

Motion: Dahle **Second:** Bloom

Roll Call Vote: Councilor Dahle, Bloom, DuQuenne, Kaplan, and Hansen. YES. Knauer, NO. Motion passed.

Direction given to staff to review the various appeals processes to ensure they are clear and accessible to the unhoused population; and to ask the municipal court judge to include any appeals in his regular monthly report.

XII. ORDINANCES, RESOLUTIONS AND CONTRACTS

- a. Second Reading – ORD 3245 An Ordinance Terminating Specified Commission and Re-establishing AMC Chapter 2.13 to create Advisory Committees*

McGeary reviewed changes from first reading that include the correction to format, ex-officio definition moved to provide an overarching definition, and PAAC language corrected as reflected in the packet.

Decision:

Motion made to adopt Ordinance No. 3245, as revised and stated an ordinance terminating specified commissions, renaming the Municipal Audit Commission to the Municipal Audit

Committee, and re-establishing AMC Chapter 2.13 to create City Council and Management Advisory Committees.

Motion: Bloom

Second: Hansen

Roll Call Vote: Councilor Dahle, Bloom, DuQuenne, Knauer, Kaplan, and Hansen. YES. Motion passed.

b. Second Reading – ORD 3248 An Ordinance to Establish and Clarify the Structure and Governance of the Parks and Recreation Department

McGeary reviewed changes made from the first reading: adding under 2.28.630 Section D. to include discussion between the Parks Commission Chair and City Manager for any potential disagreements between the Parks Director and City Manager; corrections to the referenced names of the department, commission, and director throughout the ordinance; and moving termination of Parks Director from 2.28.640 Section B and incorporated in Section 2 as listed in the packet.

Discussion:

- McGeary clarified final authority is the City Council for termination of the Parks Director and is delegated to the Parks Commission if terminated in a public meeting.

Public Comment

Mike Gardiner – requested a question be asked regarding APRC's requested changes to 2.28.650 Section D regarding the budget authority.

- Council discussed and McGeary provided clarification on the language included and/or excluded in the ordinance specifically related to the Commission's budget making authority.

Decision:

Motion made approve second reading of Ordinance No 3248 An Ordinance to Establish and Clarify the Structure and Governance of the Parks and Recreation Department as read by the City Attorney.

Motion: Hansen

Second: Bloom

Roll Call Vote: Councilor Dahle, Bloom, DuQuenne, Knauer, Kaplan, and Hansen. YES. Motion passed.

Mayor Graham called for a 7 minute break – meeting resumed at 7:40pm

c. Second Reading – ORD 3254 An Ordinance Amending AMC Title 9 Health and Sanitation Creating Chapter 9.45 Carbon Pollution Impact Fee and Establishing Standards for a Carbon Pollution Impact Fee for New Residential Structures in the City of Ashland

Cotta spoke that there are no substantive changes since the first reading. Cotta and Woodward were available for questions.

Public Comment

The following individuals spoke in support of passing Ordinance 3254.

Alan Journet
Bryan Sohl
Anne Pernick
Eli Spevak
Kiera Retiz

Susie Garcia
Caleb Heeringa
Asa Oaks
Jess Grady
Shayne Hayes

Aidan Larcombe
Diane Ware
Flavia Franco
Jackson Bangs
Caren Caldwell

Maroun Aguero on behalf of Mark Knox	Erin O’Kelley Muck	Rook Howes
Piper Banks	Laura Lawrence	Lilli Mailan
Princess Franks	Charlie Zimmermann	Ann Gaffney
Leah Samelson	Sophie Schnubbe	
Norah Doyle	Stella Sigalove	

The following individuals spoke in opposition of the passing Ordinance 3254.

Steve Vincent	Albert NicholSEN	Rob Bates
Mark Culp	Brad Archuleta	Paul Mozina
Bryan Oguri	Lucretia Smith	

Ben Carrier, Timothy Dolan, Amy Brown, and Russell Phillips did not speak

Discussion:

- Council clarified this ordinance was developed from years of lengthy public discourse, and is applicable to new construction only, and does not ban gas.

Decision:

Motion made to adopt Ordinance No. ORD 3254 An Ordinance Amending AMC Title 9 Health and Sanitation Creating Chapter 9.45 Carbon Pollution Impact Fee and Establishing Standards for a Carbon Pollution Impact Fee for New Residential Structures in the City of Ashland and direct staff to allocate any and all revenue generated from this ordinance to the Ashland Low Income Energy Assistance Program within the Electric Fund.

- Hansen spoke that he owns a local Solar Company which could be perceived as a conflict of interest, but he can vote without prejudice.
- Council discussed the language of the ordinance related to the motion made to ensure fees would be able to be applied as intended.

Motion: Dahle Second: Kaplan

Roll Call Vote: Councilor Dahle, Bloom, DuQuenne, Knauer, Kaplan, and Hansen. YES. Motion passed.

XIII. UNFINISHED BUSINESS

a. 2200 Ashland Street Facility Plan Ad Hoc Committee

Cotta clarified this is about a new ad hoc committee distinct from the previous one of similar name.

Discussion:

- The committee would meet once a month for about six months with a fixed goal
- Staff are working on a Design/Build Request for Proposals (RFP) for the Building Plan to include council-directed features such as shower, laundry, storage, expanded restrooms, etc. with construction to be completed by November to be ready for the winter season
- The intended use of the building is as a severe weather shelter
- Concern about staff ability to support an additional committee with additional staff liaison
- Committee would assist the city with the creation of a code of conduct, site rules, and policies among other outcomes as outlined in the agenda packet
- The committee start date was discussed related to staffing and current projects

- Discussion on what aspects of the building and/or site plan that the committee would be involved in and the risk of slowing down the process to get the upgrades to the building as directed by Council
- Cotta clarified that a Management Advisory Committee (MAC) could function more quickly with individuals who are experts in their area along with community members
- Discussion on who may comprise the committee and how it would run

Public Comment

Neisewander – spoke of her experience on the original 2200 Ad Hoc Committee and the \$26,000 spent on that committee. She would not like to see that much spent again given all the other funds requests.

Decision:

Motion made for the creation of an additional ad hoc for 2200 Ashland Street to develop a site plan for the property.

Motion: Bloom

Second: DuQuenne

Roll Call Vote: Councilor DuQuenne, Knauer, Kaplan, and Hansen YES. Dahle NO. Motion passed.

- b. *Request to Withdraw Affordable Housing Trust Fund RFP to Allow for Strategic Discussion Regarding How Best to Invest the Funding*

Discussion:

Graham spoke about her reasons for bringing this item forward

- The meeting stated in the proposed motion would be to discuss this at the Council retreat
- Opportunity to review the process that has not been reviewed in a number of years
- Once a strategy has been developed, the funding process (RFP) may or may not change
- Council discussed benefits of staff involvement to develop this strategy to be an item at the March 1 Council retreat.

Public Comment

Rich Rohde – spoke on the history of the Housing Trust Fund developed in coordination with a specialist designed to take the City Council out of the discussion and leave it to the community through committee to determine the best use. Urged Council to keep the current RFP process.

Decision:

Motion made to direct staff to withdraw the 2025 Affordable Housing Trust Fund Request for Proposals and schedule a meeting process that allows the City Council to develop a focused strategy for investment of these funds consistent with the Affordable Housing Trust Fund Policy

Motion: Bloom

Second: Knauer

Roll Call Vote: Councilor Dahle, Bloom, DuQuenne, Knauer, Kaplan, and Hansen YES. Motion passed.

XIV. NEW BUSINESS

- a_j Grandview Terrace Annexation and Site Review Fee Waiver Request

Discussion:

Goldman introduced the topic as laid out in the agenda packet.

Public Comment

Bob Kendrick of Casita Development explained the reason for requesting this fee waiver for this development due to fees previously paid.

Decision:

Motion made to approve a fee waiver in the amount of \$26,876 for the Grandview Terrace development at 1511 Highway 99, recognizing that this amount corresponds to the full fees previously paid for the prior applications.

Motion: Hansen

Second: DuQuenne

Roll Call Vote: Councilor Knauer, Bloom, DuQuenne, Dahle, Kaplan, and Hansen: YES.

Motion passed.

b. Affordable Housing RFP Issuance Approval-Beach Creek Properties

Discussion:

Goldman introduced the topic. Council discussed ensuring the alignment objectives and evaluation criteria are consistent through the RFP to properly encourage affordability.

- Would like to see added to the requirements of the proposal if the developer intends to purchase one or more lots, or seeks the property to be granted or provided at a reduced cost.
- Appreciation expressed to staff for their work on this

Decision:

Motion made to direct the City Manager to approve and issue a final Request for Proposals (RFP) for the development of six City-owned residential lots within the Beach Creek Subdivision as affordable housing, following review and amendments by the Ashland Legal Department as necessary, and to proceed according to the proposed timeline outlined in the RFP.

Motion: Bloom

Second: Dahle

Roll Call Vote: Councilor Dahle, Bloom, Kaplan, DuQuenne, Knauer and Hansen. YES. Motion passed.

Amendment: Direct staff to include in the requirements of the proposal and in the evaluation criteria appropriate handling of costs that the developer intends to pay.

Motion: Kaplan

Second: Dahle

Roll Call Vote: Councilor Dahle, Bloom, Kaplan, Hansen, DuQuenne and Knauer. YES, Motion passed.

XV. CITY MANAGER REPORT

XVI. OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS

XVII. ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

City Recorder Alissa Kolodzinski

Mayor Tonya Graham



Council Business Meeting

Date: March 4, 2025

Agenda Item	Ashland Municipal Code Update – Transportation Advisory Committee Recommendation E-Bike Regulations
From	Scott Fleury, Director
Contact	scott.fleury@ashland.or.us

SUMMARY

At the December 19, 2024 the Transportation Advisory Committee (TAC) discussed E-bikes, micromobility devices and their associated local and statewide regulations. The TAC is recommending to Council they be authorized to review Ashland Municipal Code (AMC) Title 11 to recommend changes that incorporate appropriate E-bike and micromobility device regulations.

POLICIES, PLANS & GOALS SUPPORTED

Quality of life that underpins the City's economic vibrancy
Excellence in governance and City services
Quality infrastructure and facilities through timely maintenance and community investment

BACKGROUND AND ADDITIONAL INFORMATION

The TAC had multiple discussions in late 2024 regarding E-bike safety and development of specific regulations, reference attached meeting minutes. During the December meeting discussion, the TAC motioned to recommend to Council that staff time be utilized to develop updated Municipal Code language regulating E-bikes specifically, but micromobility devices should also be considered.

December 19, 2024 TAC Meeting Motion:

Motion by Brouillard, 2nd by Dahle, **“The Transportation Advisory Committee recommends the Council request staff investigate municipal code development regarding E-Bike regulations”**.

All approved.

As part of their approved workplan, the TAC will also be pursuing education and outreach measures associated with E-bike safety and current state restrictions/regulations. This will include coordinating with the new Safe Routes to School regional coordinator, developing brochures and informational items that can be posted on the City website, within the utility billing flyer and local bike shops. The Rogue Valley Transportation District (RVTD) is also interested in partnering with the City on education and outreach as they teach and E-bike class annually.

FISCAL IMPACTS

Fiscal impacts are associated with the necessary staff time to develop Municipal Code updated language and bring forward to Council for consideration. Public Works staff would expect to coordinate with the Legal Division and the TAC on code language and hold a public hearing at a TAC meeting to take initial comment on any proposed regulations prior to bringing it before the City Council.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to accept the TAC's recommendation and direct staff to begin the process of developing updated municipal code regulations regarding E-bikes and micromobility devices.

REFERENCES & ATTACHMENTS

1. AMC Title 11
2. Eugene E-Bike Regulations

Title 11

VEHICLES AND TRAFFIC

Chapters:

- 11.04** **Adoption of State Law**
- 11.08** **Definitions**
- 11.12** **Traffic Control**
- 11.16** **General Regulations**
- 11.20** **Signs And Signals**
- 11.22** **Vehicle Chains Required**
- 11.26** **Parking Regulations**
- 11.40** **Parades And Processions**
- 11.44** **Pedestrians**
- 11.52** **Bicycles**
- 11.54** **Skateboards**
- 11.60** **Truck Routes**

Chapter 11.04

ADOPTION OF STATE LAW

Sections:

- 11.04.010** **Adoption of State Motor Vehicle Laws**

11.04.010 Adoption of State Motor Vehicle Laws

The Oregon Vehicle Code, being Chapter [801](#) through and including [822](#) of the Oregon Revised Statutes, are hereby adopted in full. (Ord. 2376 § 1, amended, 1985; Ord. 2329 § 1, amended, 1984; Ord. 1557 § 1, amended, 1968)

Chapter 11.08

DEFINITIONS

Sections:

- 11.08.010** **Definitions - Generally**

11.08.020	Alley
11.08.030	Bicycle
11.08.040	Bus stand
11.08.050	Curb
11.08.060	Holidays
11.08.070	Loading zone
11.08.080	Block
11.08.090	Parkway
11.08.100	Passenger loading zone
11.08.110	Pedestrian
11.08.120	Person
11.08.130	Stop
11.08.140	Taxicab stand

11.08.010 Definitions - Generally

Except where the context clearly indicates a different meaning, the words and phrases in this Title [11](#) have the meanings ascribed to them in the following sources and, in the event of differing definitions of particular words or phrases, in the following order of priority: (1) the motor vehicle laws of Oregon; (2) this Section [11.08.010](#); or (3) common usage. (Ord. 3122, amended, 2016; Ord. 1557 § 2 (part), amended, 1968)

A. “Abandoned vehicle” means any vehicle that has been deserted or relinquished without claim of ownership. A vehicle shall be considered abandoned if it has remained in the same location for more than 72 hours and one or more of the following conditions exist:

1. The vehicle has an expired registration sticker or trip permit affixed to it;
2. The vehicle appears to be inoperative or disabled; or
3. The vehicle appears to be wrecked, partially dismantled or junked.

B. “Block” means a segment of street bounded by consecutive cross streets or intersecting streets or land designated as a block on any recorded subdivision map. In addition, “block” also means the Plaza area bounded by and including, East Main Street, North Main Street, and Winburn Way. For purposes of this definition, an alley is not a street.

C. “Block Face” means one side of a particular block, but not the opposite side.

D. “In Front of or Contiguous to” means the right-of-way directly in front of and on the same side of the street of the real property of the vehicle owner or the owner’s designee and also includes 22 feet in any direction from the point where the lot line of such real property intersects the right-of-way. “Contiguous to” also means in the nearest

parking bay in the right-of-way in either direction and on either side of the street from the real property of the vehicle owner or the owner's designee.

1. "Owner's designee" means that person responsible for placement, or allowing for or assisting in the placement of the subject vehicle.

E. "Official" or "officially" means established by the City, state, or federal government or its designee acting to create, authorize or permit according to its lawful authority;

F. "Owner" or "owner of a vehicle" means the person listed as the owner of a vehicle in the records of a state department of transportation.

G. "Oversized Vehicle" means any vehicle, whether motorized or nonmotorized, that exceeds 22 feet in length, or 94 inches in width or 92 inches in height. Any extension caused by any accessory, with the exception of side view mirrors, trailer hitches or roof racks, attached to such vehicle shall be considered part of the measured distance. As used in Title [11](#), the term "oversized vehicle" includes all buses, tractors, semi-trailers, motor coaches, trailers, campers, camper-trailers, house-cars, trailer coaches, trailer houses, motor homes, boats horse trailers, mobile homes, utility trailers, and other equipment or machinery, or other recreational vehicles regardless of width, length or height. As used in Title [11](#), the term "oversized vehicle" excludes automobiles, pickup trucks, sport utility vehicles and passenger vans that would not exceed 92 inches in height but for aftermarket suspension system modifications or oversized tires.

H. "Parking Violation" means violation of any parking prohibition, limitation or regulation of the City of Ashland or the State of Oregon.

I. "Personal Vehicle" means a vehicle other than a Commercial Vehicle as defined in ORS [801.210](#).

J. "Rental or Leasing Company" means any person engaged in the business of renting or leasing motor vehicles to the public.

K. "Vehicle" means any device, or substantial component thereof, that is propelled or powered by any means in, upon, or by which a person or property is or may be transported upon a public highway, including trailers and campers.

11.08.020 Alley

Means a narrow street through the middle of a block. (Ord. 1557 § 2(1), amended, 1968)

11.08.030 Bicycle

Means a device propelled by human power upon which a person may ride, having two (2) or more tandem wheels either of which is over twenty (20) inches in diameter. (Ord. 1557 § 2(2), amended, 1968)

11.08.040 Bus stand

Means a fixed area in the roadway adjacent to the curb to be occupied exclusively by buses for layover in operating schedules or waiting for passengers. (Ord. 1557 § 2(3), amended, 1968)

11.08.050 Curb

Means the extreme edge of the roadway. (Ord. 1557 § 2(4), amended, 1968)

11.08.060 Holidays

Where used in this chapter or on signs erected in accordance with this chapter, means Sundays, New Year's Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, and any other legal holiday designated as such by the statutes of the state. (Ord. 1557 § 2(5), amended, 1968)

11.08.070 Loading zone

Means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or material or freight. (Ord. 1557 § 2(6), amended, 1968)

11.08.080 Block

A segment of a street bounded by consecutive cross streets or intersecting streets or land which is designated as a block on any recorded subdivision map. Notwithstanding the above, for purposes of Chapter [11.26](#) a block shall also include the plaza area bounded by and including, East Main Street, North Main Street, and Winburn Way. (Ord. 2967, amended, 10/07/2008)

11.08.090 Parkway

Means that portion of a street not used as a roadway or as a sidewalk. (Ord. 1557 § 2(8), amended, 1968)

11.08.100 Passenger loading zone

Means a loading zone reserved only for the loading or unloading of passengers and their luggage. (Ord. 1557 § 2(9), amended, 1968)

11.08.110 Pedestrian

Means a person on foot. (Ord. 1557 § 2(10), amended, 1968)

11.08.120 Person

Means a natural person, firm, partnership, association, or corporation. (Ord. 1557 § 2(11), amended, 1968)

11.08.130 Stop

Means complete cessation of movement. (Ord. 1557 § 2(12), amended, 1968)

11.08.140 Taxicab stand

Means a fixed area in the roadway adjacent to the curb set aside for taxicabs to stand or wait for passengers. (Ord. 1557 § 2(13), amended, 1968)

Chapter 11.12 TRAFFIC CONTROL

Sections:

- 11.12.010 Powers of City Council**
- 11.12.020 Adoption of traffic regulations**
- 11.12.030 Existing signs and signals**
- 11.12.040 Authority of police and fire officers**
- 11.12.050 Temporary blocking or closing of streets**

11.12.010 Powers of City Council

A. After approval by the State Highway Commission where such approval is required by the motor vehicle laws of Oregon and for the best use of the streets in the public interest, the council may designate by resolution the following traffic controls which shall become effective upon installation of appropriate traffic signs, signals, markings, or other devices:

1. through streets;

2. One-way streets;
3. Truck routes;
4. Streets where trucks, machinery, or other large or heavy vehicles exceeding specified weights shall be prohibited. Such vehicles may, however, be operated on such streets for the purpose of delivering or picking up materials or merchandise, but then only by entering such streets at the intersection nearest the destination of the vehicle and leaving by the shortest route.

B. Except when contrary to state law, if it appears that the public safety or welfare does not require the installation or maintenance of a traffic sign, signal, marking, or other device or will be better served by the removal or alteration thereof, the council by resolution may forbid the installation or order the removal or alteration of any traffic signs, signals, markings, or other device that is proposed or installed under Section [11.12.020](#). Such traffic controls shall become inoperative or modified only when removed or altered. (Ord. 1557 § 3, amended, 1968)

11.12.020 Adoption of traffic regulations

A. In making the best use of streets and sidewalks for vehicle traffic and parking and pedestrian traffic, the City Manager is authorized to provide appropriate and reasonable regulation of the classes of traffic signs, signals, markings, and other devices described in subsection [B](#) of this section for the streets, sidewalks, and other public property of the City as are appropriate for the public safety, convenience and welfare. Subject to approval by the State Highway Commission where such approval is required by the motor vehicle laws of Oregon, the City Manager shall base his determination only upon:

1. Traffic engineering principles and traffic investigations;
2. Standards, limitations, and rules promulgated by the State Highway Commission; and
3. Other recognized traffic control standards.

B. Pursuant to subsection [A](#) of this section, the City Manager may establish, maintain, remove, or alter the following classes of traffic controls:

1. Street areas and City-owned or leased land upon which parking may be entirely prohibited or prohibited during certain hours, and the angle of such parking;
2. The location and time of operation of traffic control signals;
3. Bus stops, bus stands, taxicab stands, any other passenger common carrier vehicle stands;
4. The location of passenger loading zones for use in connection with the hotel, auditorium, theater, church, school, or public building;
5. Loading zones for commercial purposes;

6. Intersections or areas where drivers of vehicles shall not make right, left, or U-turns, and the time when the prohibition applies;
7. Crosswalks, safety zones, parking spaces, traffic lanes, and other symbols;
8. Traffic control signs; and
9. All other signs, signals, markings, and devices required to implement traffic and parking controls enacted by the Council or required by State law or regulation.

C. Pursuant to subsection [A](#) of this Section, the City Manager may provide for temporary, experimental, or emergency traffic regulation that shall not remain in effect for more than thirty (30) days. No temporary, experimental or emergency regulation is effective until adequate traffic signs, signals, markings, or other devices are erected, clearly indicating the regulation.

D. The City Manager shall not remove or alter a traffic sign, signal, marking, or other device if this act would be contrary to State law or ordinance. If a traffic sign, signal, marking, or other device is installed under authority of a resolution of the Council, the Council shall first approve, by resolution, any change or alteration by the City Manager. (Ord. 3192, amended, 11/17/2020; Ord. 2361, amended, 1985; Ord. 1557 § 4, amended, 1968)

11.12.030 Existing signs and signals

All official traffic signs and signals existing at the time of the enactment of the ordinance codified in this chapter, such as stop signs, caution signs, slow signs, no-reverse-turn signs, signs designating time limits for parking or prohibiting parking, lines painted or marked on streets or curbs designating parking areas or spaces, markers designating loading zones, parking meters, and all other official traffic signs or signals erected, installed, or painted for the purpose of directing, controlling and regulating traffic are approved. (Ord. 1557 § 5, amended, 1968)

11.12.040 Authority of police and fire officers

- A. It shall be the duty of the Police Department through its officers to enforce this title.
- B. In the event of a fire or other emergency, officers of the Police Department may direct traffic as conditions may require to expedite traffic or to safeguard pedestrians, notwithstanding other provisions of this title.
- C. When at the scene of a fire, members of the fire department may direct or assist the police in directing traffic. (Ord. 1557 § 6, amended, 1968)

11.12.050 Temporary blocking or closing of streets

A. Notwithstanding other provisions of this title, the council may authorize and direct the City Manager, or designee, is delegated authority by Special Order to temporarily block or close a City street to traffic and prohibit its use when deemed necessary for any of the following reasons:

1. To prevent disturbing and interfering with parades, dances, races, or other celebrations on the street when such temporary use has been reviewed and approved by the Public Works Director, Police Chief and Fire Marshal;
2. To reduce traffic congestion or noise which disturbs a theatrical, sport, religious, or other event where a substantial number of people have congregated;
3. To assist in an emergency.

B. The street shall be blocked or closed by the use of signs, barricades, personal directions of police officers, or other means which would inform the general public that the street is closed or blocked. (Ord. 3192, amended, 11/17/2020; Ord. 3027, amended, 08/03/2010)

Chapter 11.16 GENERAL REGULATIONS

Sections:

- 11.16.090 Boarding or alighting from vehicles**
- 11.16.110 Unlawful riding**
- 11.16.120 Clinging to Vehicles**
- 11.16.140 Skis on streets**
- 11.16.150 Damaging sidewalks and curbs**
- 11.16.160 Obstructing streets**
- 11.16.170 Failure to remove glass and debris**

11.16.090 Boarding or alighting from vehicles

No person shall board or alight from a vehicle while the vehicle is in motion. Boarding or alighting from vehicles is a Class II violation. (Ord. 3027, amended, 08/03/2010)

11.16.110 Unlawful riding

No person shall ride on a vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to a person or persons riding within truck bodies in space intended for merchandise. Unlawful riding is a Class II violation. (Ord. 3027, amended, 08/03/2010)

11.16.120 Clinging to Vehicles

No person riding upon a bicycle, motorcycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to a moving vehicle upon the streets. Clinging to vehicles is a Class II violation. (Ord. 3027, amended, 08/03/2010)

11.16.140 Skis on streets

No person shall use the streets for traveling on skis, toboggans, sleds or similar devices except upon play streets. Skis on streets is a Class IV violation. (Ord. 3027, amended, 08/03/2010)

11.16.150 Damaging sidewalks and curbs

- A. The driver of a vehicle shall not drive upon or within a sidewalk or parkway area except to cross at a permanent or temporary driveway.
- B. No person shall place dirt, wood, or other material in the gutter or space next to the curb of a street with the intention of using it as a driveway.
- C. No person shall remove or damage a portion of a curb or move a heavy vehicle or thing over or upon a curb or sidewalk without first notifying the City Manager.
- D. Damaging sidewalks and curbs is a Class I violation. In addition to any penalties imposed, the court shall order payment of restitution. (Ord. 3192, amended, 11/17/2020; Ord. 3027, amended, 08/03/2010)

11.16.160 Obstructing streets

No person shall park or leave upon a street, including an alley, parking strip, sidewalk, or curb, a vehicle or a vehicle part, trailer, box, ware, merchandise of any description, or any other thing that in any way impedes traffic or obstructs the view, except as is allowed by this title or any ordinances of this City. (Ord. 1557 § 43, amended, 1968)

11.16.170 Failure to remove glass and debris

A party to a collision or other vehicular accident or any other person causing broken glass or other debris to be upon a street shall immediately remove or cause to be removed from the street all glass and other debris. Failure to remove glass and debris is a Class IV violation. (Ord. 3027, amended, 08/03/2010)

Chapter 11.20 SIGNS AND SIGNALS

Sections:

11.20.040 Private Marking Unlawful

11.20.040 Private Marking Unlawful

No person shall letter, mark, or paint in any manner letters, marks, or signs on a sidewalk, curb, street, or alley, or post on a parking strip anything designed or intended to prohibit or restrict parking in front of a sidewalk, dwelling house, business house, or in any alley, except in compliance with this Title. Street name signs designating privately owned streets, alleys, or driveways, may only be erected if authorized by the City Council. Location, graphics, color, materials, and height shall be to City standards as approved by the Director of Public Works. The Director of Public Works may allow painting of yellow curbs designating no parking zones at private driveways to standards established by the Director of Public Works. A permit must be obtained from the Department of Public Works prior to installation of said yellow curb. The property owner to whom the permit is issued is responsible for maintaining the yellow curb in good and visible condition. Private marking is a Class I violation. (Ord. 3027, amended, 08/03/2010)

Chapter 11.22 VEHICLE CHAINS REQUIRED

Sections:

11.22.010 Definitions

11.22.020 Failure to Carry Chains

11.22.030 Penalty

11.22.010 Definitions

- A. *Chains.* link chains, cable chains or any other devices that attach to the wheel, vehicle or outside of the tire and that augment the traction of a vehicle.
- B. *Commercial Vehicle.* a vehicle that is used for the transportation of persons or property for compensation or profit, or that is used in conjunction with a business and the commercial vehicle weighs 10,000 pounds or more. Commercial vehicle also includes all school buses, regardless of whether the school for which the bus transporting students is public or private. (Ord. 2996, added, 10/20/2009)

11.22.020 Failure to Carry Chains

A person commits the offense of failure to carry vehicle chains if the person drives or moves, or causes or knowingly permits to be driven or moved a commercial motor vehicle on any public way within the City, without carrying vehicle chains, when Interstate 5 is posted as requiring vehicle traction tires or chains to be carried or used to proceed over the Siskiyou Mountains. (Ord. 2996, added, 10/20/2009)

11.22.030 Penalty

Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code. Violation of this section is a Class III violation. If a violation is deemed to have interfered with emergency services from responding to a call, the violation is a Class I violation. (Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

Chapter 11.26

PARKING REGULATIONS

Sections:

- 11.26.010 Application of State law**
- 11.26.020 Prohibitions**
- 11.26.030 Exceptions to Prohibitions**
- 11.26.040 Obstructing Enforcement**
- 11.26.050 Abandoned Vehicles**
- 11.26.060 Storing Vehicles**
- 11.26.070 Loading Zones**
- 11.26.080 Buses or Taxis**
- 11.26.090 Penalties**

11.26.100 Restricted Parking Areas, Hours and Limits**11.26.110 Penalties, Immobilizers Installation, Towing, Warning Letter, Show Cause, and Warrants****11.26.010 Application of State law**

The requirements in this Chapter [11.26](#) are to be applied in conformance with ORS [221.275](#), ORS [221.277](#), ORS [221-285-287](#), and ORS [221.333](#), which are incorporated herein by reference.

11.26.020 Prohibitions

In addition to the parking prohibitions in the motor vehicle laws of Oregon, no person shall:

1. Except where the street is marked or where officially indicated otherwise, stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb or, if no curb, as close as possible to the edge of the shoulder;
2. Park on a street or in a City parking lot in a manner or at a time prohibited by official signs;
3. Park on a street or in a City parking facility longer than the time specified by applicable official parking signs:
 - a. The period of time so specified shall begin when the vehicle is parked in a particular limited time zone on a particular block face; and
 - b. The period shall be terminated when the vehicle is moved and parked on a different block face, at which time a new period shall begin as stated in subsection 3.a of this section;
4. Park so as not to be entirely within the painted lines of a single parking space;
5. Park within an area marked off by traffic markers or by painted curb or pavement;
6. Park within 10 feet of a fire hydrant or within 30 feet of a fire station;
7. Park in a street intersection, including the area used for crosswalks, or upon a sidewalk, or upon a bicycle path;
8. Park upon a bridge, viaduct, or other elevated structure used as a street, or within a street tunnel, or upon any parkway, unless marked or indicated by official signage otherwise;
9. Park across or within the entrance to an alley or driveway;

10. Park in an alley, except to load and unload persons or materials for not longer than 20 consecutive minutes in any two-hour period;
11. Park in an unimproved portion of the front setback of any structure in any residential zoned district;
12. Park on any public right-of-way with expired vehicle registration;
13. Park on any public right-of-way with the principal purpose of:
 - a. Displaying the vehicle for sale;
 - b. Washing, greasing, or repairing the vehicle, except repairs necessitated by an emergency; or
 - c. Selling merchandise from the vehicle, except in an established marked place or when so authorized or licensed under the ordinances of this City;
14. Park, stand or stop a truck or bus on a public street or in a public parking area with its engine running, if such engine emits exhaust fumes into the air. Vehicle engines shall be turned off when loading and unloading passengers or merchandise. This subsection shall not apply to:
 - a. An engine running for less than five minutes;
 - b. A vehicle in the moving traffic lane waiting to move with the normal flow of traffic;
 - c. An engine needed to operate equipment used to load or unload merchandise; or
 - d. Emergency vehicles, utility company vehicles, or any construction and maintenance vehicles which have engines that must run to perform needed work; or
15. Use a parking lot owned by the City for purposes other than parking of a vehicle as defined in ORS [801.590](#) unless otherwise permitted by special use permit issued by the City Manager's Office. (Ord. 3192, amended, 11/17/2020; Ord. 3141, amended, 04/18/2017)

11.26.030 Exceptions to Prohibitions

Notwithstanding prohibitions stated in Section [11.26.020](#), parking prohibitions do not apply:

1. On days or in areas City Council has designated by resolution as exempt from posted parking time limits;
2. To official City, state or federal vehicles necessarily in use for construction or repair work, or to a vehicle with a Special Permit for Delivery, Maintenance or Construction or to federal or private vehicles primarily used for the collection, transportation, or delivery of mail and parcels;
3. To vehicles used in official public improvement projects in accordance with the terms of a public contract or official permit.

11.26.040 Obstructing Enforcement

1. No person shall erase, remove or otherwise conceal any mark made on a motor vehicle tire by a person acting within authorization by the City to enforce any provisions of Chapter [11.26](#).
2. No person shall discard, mutilate, or destroy any summons or complaint or citation formally issued for violation of any provisions of Chapter [11.26](#), if the matter complained of has not been finally resolved by the court having jurisdiction over the summons or complaint.

11.26.050 Abandoned Vehicles

1. It is unlawful to park, store, leave, or permit the parking or storing of an abandoned vehicle upon any public or private property within the City for a period of time in excess of 72 hours, unless the vehicle is (1) completely enclosed within a building; or (2) stored in connection with a lawful business enterprise allowed to store such vehicles outside.
2. If the owner of an abandoned vehicle or the private property owner or lessee responsible for placement, or allowing for or assisting in the placement of the subject vehicle in front of or contiguous to his or her real property fails to remove the vehicle after notice is provided as required in ORS [819.170](#), then the Chief of Police or the Chief's designee may tow the vehicle and dispose of it in accordance with ORS [819.110\(1\)\(a\)](#), [819.110\(2\)-\(5\)](#) and ORS [819.120](#) through ORS [819.280](#).

11.26.060 Storing Vehicles

1. Except as otherwise provided, no person owning or controlling an oversized vehicle shall cause or permit it to be parked within any public right-of-way for longer than 24 consecutive hours.
 - a. An Oversized vehicle may be legally parked on a public right-of-way in front of or contiguous to the vehicle owner's dwelling, provided it meets all of the following criteria:
 - A. Is not parked for more than 72 hours;
 - B. Does not constitute a hazard to traffic on public streets;
 - C. Does not restrict vision of motorists on a public street;
 - D. Does not obstruct view from any other property;
 - E. Has a currently valid license or registration;
 - F. Is operable, including adequate tires; and
 - G. Is attached to a vehicle if required for movement of the oversized vehicle.

- b. To comply with the 72 hour time restriction, an oversized vehicle must be moved more than 100 feet from the parked location at which the 72 hour time period has expired.
2. It is unlawful for any person to park or store any personal vehicle on any public right-of-way:
 - a. For more than 72 hours, and
 - i. In a manner that results in the accumulation of debris around or under the vehicle or in a condition that prevents it from being driven, including flat tires; or
 - ii. The personal vehicle is being used primarily as a container for the storage of personal items in or on the vehicle.

11.26.070 Loading Zones

1. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials, freight, or passengers in a place designated as a loading zone during the hours when the provisions applicable to loading zones are in effect. A stop for loading and unloading of passengers and personal baggage must not exceed 5 minutes. A stop for loading or unloading of materials must not exceed 15 minutes.
2. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious loading or unloading of passengers in a place designated as a passenger loading zone during the hours when the provisions applicable to passenger loading zones are in effect.

11.26.080 Buses or Taxis

The driver of a bus or taxicab shall not stand or park the vehicle upon a street in a business district at a place other than at a bus stand, except that this provision shall not prevent the driver of a taxicab from temporarily stopping for the purpose of and while actually engaged in the loading or unloading of passengers or from parking in compliance with sections [11.26.020](#) through [11.26.030](#) of this chapter.

11.26.090 Penalties

Violation of any provision within [11.26.010](#) to [11.26.090](#) is a Class II violation, punishable in accordance with AMC [1.08.020](#), and the vehicle is subject to the methods for impounding, appeal, and disposition as provided under ORS [819.110](#) – ORS [819.280](#), or as may otherwise be provided in this chapter.

11.26.100 Restricted Parking Areas, Hours and Limits

1. Parking areas, effective hours, and time limits shall be established by traffic regulations promulgated and published by the City Manager as authorized in section [11.12.010](#) to [11.12.050](#).
2. *City Parking Lot.* Parking in any parking lot owned by the City shall be restricted and controlled under the authority of the City Manager. (Ord. 3192, amended, 11/17/2020)

11.26.110 Penalties, Immobilizers Installation, Towing, Warning Letter, Show Cause, and Warrants

After the City posts a notice of violation on the vehicle parked in violation of this chapter, the owner or operator of a vehicle is subject to the fines and other penalties provided in this chapter, and such vehicle is subject to the methods for impounding, appeal, and disposition as provided under ORS [819.110](#) – ORS [819.280](#), or as may otherwise be provided in this chapter.

1. *Penalties for parking violations.*
 - a. *Fines.* Presumptive fines for each parking violation and enhanced penalties for multiple parking violations within any calendar year shall be established by resolution of the City Council.
 1. A presumptive fine is the fine amount imposed against a person who pleads no contest to or is otherwise found guilty of a violation and is separate from and in addition to other penalties or charges provided herein, including any penalties for multiple parking violations.
 2. A presumptive fine for a parking violation under this section will be imposed unless the court finds reasonable grounds for either increasing or reducing the fine.
 3. Fines shall include the original ticketed amount and any enhanced penalties, if such penalties are established.
2. *Immobilizer (boot) Installation and /or Towing.*
 - a. When a registered owner of a motor vehicle has either (1) five or more outstanding unpaid City of Ashland parking violations on any number of motor vehicles, or (2) a City of Ashland parking violation, or any number of such violations, with a total unpaid balance that exceeds \$150, regardless of the number of motor vehicles involved, then any City enforcement official is authorized, directed and empowered to immobilize such a motor vehicle or vehicles found upon a public street within the City or in a City off-street parking lot by installing on or attaching to the motor vehicle a device designed to restrict the normal movement of the vehicle. In the alternative, or in addition to immobilization, after 24 hours has elapsed, any City enforcement official authorized, directed and empowered to order such vehicle towed, by a licensed tow company under contract with the City or its designee, as applicable.

- b. For purposes of this section, bail or fine shall be outstanding on a citation when the citation is issued and shall remain outstanding until the bail is posted or the fine is paid.
- c. Ten days before immobilizing or towing a vehicle according to the provisions of this section, the City, or the City's contracted parking enforcement service provider shall post a notice on the vehicle or mail a notice by certified mail, return receipt requested, to the registered owner of such vehicle as shown by the records of any relevant state motor vehicles department notifying the owner that the motor vehicle or vehicles may be immobilized and/or towed if outstanding parking bail or fines have not been paid within ten days after posting or mailing of the notice.
- d. If the vehicle is so immobilized, the person who installs or attaches the device shall conspicuously affix to the vehicle a written notice on a form approved by the City, advising the owner, driver, or person in charge of the vehicle that it has been immobilized pursuant to this section and that release of the vehicle may be obtained upon full payment of the outstanding balance owed to the contracted parking enforcement service provider. The notice shall also specify that the vehicle is subject to tow.
- e. In the event the vehicle is towed, the person who orders the tow, shall send by certified mail, return receipt requested, a notice advising the registered owner of the vehicle that it has been towed pursuant to this section and that release of the vehicle may be obtained upon receipt by the towing company of full payment of the outstanding balance owed.
- f. A vehicle towed and impounded pursuant to this section shall be held at the expense of the owner or person entitled to possession of the vehicle. Personnel, equipment and facilities of private tow companies under contract with the City or the contracted parking enforcement service provider may be used for the removal and storage of the vehicle.

3. *Warning Letter, Show Cause, and Warrants.*

- a. *Warning Letter.* The Ashland Municipal Court may choose to send a warning letter by first class mail informing defendants they have outstanding parking tickets and that their attendance is necessary at a preliminary hearing before issuing a show cause order and warrant.
- b. *Show Cause.* The Ashland Municipal Court may issue an order that requires a defendant to appear and show cause why the defendant should not be held in contempt of court, including contempt for failure to appear as ordered or failure to comply. The show cause order shall be mailed to the defendant by certified mail, return receipt requested, no less than ten days prior to the appearance date; alternatively service may be made by any other recognized method, such as personal service according to the same timeframe.
- c. *Warrant.* If the defendant is served and fails to appear at the time specified in the show cause order, the court may issue an arrest warrant for the defendant for the purpose of bringing the defendant before the court. (Ord. 3122, amended, 2016)

Chapter 11.40

PARADES AND PROCESSIONS

Sections:

- 11.40.010** Parade permit required
- 11.40.020** Funeral procession
- 11.40.030** Drivers in procession
- 11.40.040** Driving Through procession
- 11.40.050** Penalty

11.40.010 Parade permit required

A. No procession or parade, except a funeral procession or military parade, shall occupy, march, or proceed along a street except in accordance with a permit issued by the Chief of Police and approved by the City Manager. The permit may be granted where it is found that such parade is not to be held for any unlawful purpose and will not in any manner tend to a breach of the peace, unreasonably interfere with the peace and quiet of the inhabitants of the City, or cause damage to or unreasonably interfere with the public use of the streets.

B. Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code. Violation of this section is a Class III violation. If a violation is deemed to have interfered with emergency services from responding to a call, the violation is a Class I violation. (Ord. 3192, amended, 11/17/2020; Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

11.40.020 Funeral procession

A funeral composed of a procession of vehicles shall be escorted by at least one person authorized to direct traffic for such purposes and shall follow routes established by the Chief of Police. Each vehicle in the procession shall be marked by flags or other designation approved by the Chief of Police. (Ord. 1557 § 25, amended, 1968)

11.40.030 Drivers in procession

Each driver in a funeral or other procession shall drive as near to the right edge of the street as practical and shall follow the vehicle ahead as closely as is practical and safe. (Ord. 1557 § 26, amended, 1968)

11.40.040 Driving Through procession

No driver of a vehicle other than an authorized emergency vehicle shall drive between the vehicles comprising a funeral or other authorized procession while in motion except where traffic is controlled by traffic control signals or when otherwise directed by a police officer. (Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

11.40.050 Penalty

Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code. Violation of any section of this chapter AMC [11.40](#) is a Class IV violation. (Ord. 3137, amended, 2017)

Chapter 11.44 PEDESTRIANS

Sections:

- 11.44.005 Use of sidewalks**
- 11.44.010 Illegal cancellation of a Traffic Citation**
- 11.44.020 Crossing At right angles**
- 11.44.030 Crosswalk Use required**
- 11.44.040 Penalty**

11.44.005 Use of sidewalks

Pedestrians shall not use a roadway for travel when abutting sidewalks are available for doing so. (Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

11.44.010 Illegal cancellation of a Traffic Citation

No person shall cancel or solicit the cancellation of a traffic citation without the approval of the municipal judge. (Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

11.44.020 Crossing At right angles

No pedestrian shall cross a street at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk. Crossing at right angles is a Class IV violation. (Ord. 3027, amended, 08/03/2010)

11.44.030 Crosswalk Use required

In blocks with marked crosswalks, no pedestrian shall cross a street other than within a crosswalk. (Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

11.44.040 Penalty

Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code. Except for [11.44.010](#), which is a Class I violation; violation of any other section of chapter AMC [11.44](#) is a Class IV violation. (Ord. 3137, amended, 2017)

Chapter 11.52 BICYCLES

Sections:

- [11.52.010 Definitions](#)**
- [11.52.015 Standards](#)**
- [11.52.030 Regulations](#)**
- [11.52.050 Responsibility of Parent or Guardian](#)**
- [11.52.060 Failure to Report Accidents](#)**
- [11.52.070 Bicycle License Required](#)**
- [11.52.080 Issuance of License](#)**
- [11.52.090 License Tags – Registration Cards](#)**
- [11.52.100 License Fee](#)**

11.52.010 Definitions

The following words and phrases, when used in this Chapter, shall, for the purpose of this Chapter have the following meanings:

- A. Bicycles mean every device propelled exclusively by human power upon which any person may ride and is designed to travel with not more than three (3) wheels in contact with the ground and which are more than fourteen (14) inches in diameter.
- B. Bike Lane - where bicycle travel and demand is substantial and where adequate width is available, a portion of the roadway may be designated for preferential use by bicyclists.
- C. Bike Path - a bike path is a bikeway which is physically separated from motorized vehicular traffic by an open space or barrier and may be within the roadway right-of-way or within an independent right-of-way.
- D. Riding is the act of propelling the bicycle by means other than pushing it with the hands.
- E. Shared Roadway - on a shared roadway facility, bicyclists share the normal vehicle lanes with motorists. Where bicycle travel is significant, these roadways are signed as bicycle routes.
- F. Shoulder Bikeway - smooth paved roadway shoulders provide a good area where bicyclists can ride with few conflicts with faster moving motor vehicle traffic. Where bicycle travel is significant, shoulder bikeway routes are signed as bicycle routes.
- G. Operating is the act of having one or more feet on the pedals to propel the bicycle.
- H. Rental Agency is any person, firm, co-partnership, association or corporation engaged in the business of offering for rent, and renting, bicycles for use by members of the public. (Ord. 2513, amended, 1989; Ord. 2439 § 1, amended, 1988; Ord. 1787 § 1, amended, 1973)

11.52.015 Standards

The State of Oregon Bicycle Master Plan approved by the Oregon Department of Transportation on March 15, 1988, is incorporated by reference. (Ord. 2513, amended, 1989)

11.52.030 Regulations

- A. *Riding on sidewalks in the C-1-D District.* No person shall ride or operate a bicycle on a sidewalk in the district or commercial zone.
- B. *Racing.* No person shall engage in, or cause others to engage in, a bicycle race upon the streets or any other public property of this City without permission of the City Manager. Major races involving closure or restructuring of city streets must be permitted pursuant to AMC [11.12.050](#).
- C. *Method of Riding.* A person shall not ride a bicycle other than with their feet on the pedals and facing the front of the bicycle. No bicycle shall carry more persons at one time than the number for which it is equipped.

- D. *Carrying Articles.* No person operating a bicycle shall carry any packages, bundles, or articles which prevent the rider from keeping at least one (1) hand upon the handlebars and in full control of said bicycle.
- E. *Traffic Regulations.* The use of a bicycle in the City shall be subject to all of the provisions or laws of the State and the laws of the City, including those applicable to the drivers of motor vehicles, except as to the latter, those provisions that by their very nature have no application.
- F. *Speed on Bicycle Routes.* No bicycle shall be ridden on a bicycle route at a speed greater than reasonable and prudent for the circumstances when approaching a pedestrian.
- G. *Riding Abreast.* No person shall ride a bicycle upon any street, highway, bicycle route or lane in the City abreast, or side-by-side of any other person so riding or propelling a bicycle when it interferes or impedes the normal and reasonable movement of traffic or pedestrians.
- H. *Hitching on Vehicles.* No person, while riding a bicycle shall in any way attaches themselves or the bicycle to any other moving vehicle.
- I. *Bicycle Parking.* No person shall park a bicycle upon a street, other than in the roadway and against the curb, or against a lamppost designated for bicycle parking, or in a rack provided for the purpose of supporting bicycles, or on the curb in a manner so as to afford the least obstruction to pedestrian traffic.
- J. Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code. Any violation of this section is a Class IV violation, except for H, which is a Class II violation.
- K. *Bicycle Impoundment.* In addition to any other penalty, the court may order impoundment of a bicycle used in an offense committed under this chapter until such time as may appear just and reasonable. (Ord. 3192, amended, 11/17/2020; Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010; Ord. 2986, amended, 06/16/2009)

11.52.050 Responsibility of Parent or Guardian

- A. The parent or guardian of any child shall not authorize or knowingly permit any child to violate any of the provisions of this Chapter.
- B. Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code. Any violation of this section is a Class III violation. (Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

11.52.060 Failure to Report Accidents

- A. The operator of any bicycle involved in an accident resulting in injury, death, or damage to personal property shall within seventy-two (72) hours file a written report of such accident with the Police Department.

B. Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code. Any violation of this section is a Class II violation. (Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

11.52.070 Bicycle License Required

- A. No persons shall operate a bicycle upon the streets, lanes or routes of the City unless such bicycle has been licensed as provided for in this Chapter.
- B. A nonresident who has complied with the bicycle registration provisions of the City or county in which they are a resident may operate a bicycle without having first acquired an Ashland bicycle license.
- C. Any person who violates any provision of this Chapter is subject to Section [1.08.020](#) of the Ashland Municipal Code. Any violation of this section is a Class II Violation.
- D. In addition to any other penalty, the court may order impoundment of a bicycle used in an offense until such time as may appear just and reasonable. (Ord. 3137, amended, 2017; Ord. 3027, amended, 08/03/2010)

11.52.080 Issuance of License

The Police Department, or a bicycle shop in Ashland approved by the Police Department, is authorized and directed to issue, upon written application, bicycle licenses. Such license shall be valid for the life of the bicycle from the date of issuance, as long as the license is clearly legible and the ownership of the bicycle is not transferred to another. When a bicycle that is licensed pursuant to this Chapter is sold or transferred to another person who is also a resident of the City, then the new owner or such bicycle shall, within thirty (30) days from the date of transfer, acquire a new license. Designated agencies or shops shall report such transaction to the Police Department each month and with appropriate fees and forms. (Ord. 2439, amended, 1988; Ord. 2114 § 1, amended, 1981; Ord. 1791 § 1, amended, 1973; Ord. 1787 § 11, amended, 1973)

11.52.090 License Tags – Registration Cards

The City shall provide license tags together with a registration card for each bicycle license issued pursuant to this Chapter. The license tag shall have numbers stamped thereon in numerical order, beginning with number 1; shall have the name of the City printed thereon; and shall be suitable for attachment to the bicycle at a place designated by the Chief of Police. The Police Department shall keep a record of information for each bicycle licensed in order to assist with the recovery of lost or stolen bicycles. (Ord. 2439, amended, 1988; Ord. 1791 § 1, amended, 1973; Ord. 1787 § 12, amended, 1973)

11.52.100 License Fee

Each bicycle license shall be issued upon compliance with the foregoing provisions and upon payment of the required fee as set forth in a Resolution adopted by the City Council. (Ord. 2439, amended, 1988; Ord. 2114 § 2, amended, 1981; Ord. 1791 § 1, amended, 1973; Ord. 1787 § 13, amended, 1973)

Chapter 11.54 SKATEBOARDS

Sections:

- 11.54.010 Definitions**
- 11.54.020 Areas Permitted; Areas Prohibited**
- 11.54.030 Skateboard Regulations**
- 11.54.040 Penalties**

11.54.010 Definitions

The following words and phrases, when used in this Chapter, shall, for the purpose of this Chapter have the following meanings:

- A. Operating is the act of having one or more feet on the board of a skateboard or other portion designed for a foot to propel the skateboard.
- B. Riding is the act of propelling a skateboard by means other than carrying it.
- C. Skateboard - includes roller skates, in-line roller skates, blades, scooters, coasters, roller skis or any similar device.

11.54.020 Areas Permitted; Areas Prohibited

- A. *Where Riding Permitted.* Riding or operating a skateboard is permitted in the following areas:
 - 1. 25 Mph Streets. Streets where the designated speed for vehicles is 25 miles per hour or less unless prohibited in section [11.54.020.B](#).
 - 2. Private Property Where Consent Private property where the owner or person in charge has consented
 - 3. *Areas Defined Within City Parks.* In city parks, or a designated area within a city park, specifically approved by the Ashland Park Commission for skateboard use.

4. *Sidewalks.* On city sidewalks unless otherwise prohibited by this ordinance.

B. *Where Riding Prohibited.* No person shall ride or operate a skateboard in the following areas:

1. *Streets or Sidewalks in the Downtown Area.* Sidewalks or streets in the downtown area described in this subsection as delineated on the attached map marked Exhibit A. The downtown area is described as that area included within and inclusive of the following described boundaries:

- a. The north boundary shall be Lithia Way including sidewalks on both sides to the intersections of Water Street and Fourth Street and including the public parking lot and adjoining sidewalk at the corner of Pioneer Street and Lithia Way;
- b. The west boundary shall be Water Street from the Lithia Way overpass to North Main Street then North Main Street to its intersections with Church Street and including sidewalks on both sides of Water Street and North Main Street, then south along Ashland Creek from the North Main Street Bridge including the park area between the creek and Granite Street but no sidewalks on Granite Street, to Winburn Way, then Winburn Way and its sidewalks through Lithia Park.
- c. The south boundary shall be the northern sidewalk of Hargadine Street to the intersections of Pioneer Street and Gresham Street and shall include the western sidewalk of Pioneer Street north from its intersection with Hargadine Street.
- d. The east boundary shall be Third Street including the sidewalks on both sides to the intersections of Lithia Way and Hargadine Street.

2. *City Parks Within any city park* including streets within the boundaries of a park unless the park, or a designated area within a park, has been specifically approved by the Ashland Park Commission for skateboard use.

3. *Certain Streets.* On any street where the designated speed is greater than 25 miles per hour.

4. *Private Property Unless Consent.* On private property. It is an affirmative defense to a prosecution on any charge under this subsection that the property owner or person in charge of the property consented to such use of the property.

5. *Other Property Which is Posted.* On any other public or private property where signs on the property indicate that skateboard use is prohibited.

11.54.030 Skateboard Regulations

The following regulations apply to the operation of a skateboard on a public street, sidewalk or public property:

A. *Protective Headgear.* Any person operating a skateboard shall wear protective headgear of a type approved under ORS [815.052](#) for bicycle helmets. Provided, however, protective headgear shall be required only when

operating a skateboard on public property including streets, sidewalks and parks. Headgear is recommended on private property.

B. *Yield Right-of-Way.* Any person operating a skateboard shall yield the right-of-way to any vehicle, such as a motor vehicle or bicycle, or pedestrian including yielding the right-of-way to any vehicle when approaching or crossing a driveway.

C. *Standing Position.* Any person operating a skateboard shall operate the skateboard in a standing position unless operated in conformance with rules established by the Ashland Park Commission within a city park designated for skateboard use under section [11.54.020](#).

D. *Operating on Right-hand Side.* While on a street, a person shall ride a skateboard as close as practicable to the right-hand curb or edge of the roadway.

E. *Single File.* No person shall ride a skateboard on any street alongside another person riding a skateboard, bicycle or motor vehicle unless overtaking and passing such skateboard, bicycle or motor vehicle.

F. *Equipment.* No skateboard shall be operated on any public street or sidewalk between 30 minutes after sunset and 30 minutes before sunrise unless the skateboard or rider is equipped with lighting equipment that meets the following requirements:

1. The lighting equipment must show a white light visible from a distance of at least 500 feet to the front of the skateboard.
2. The lighting equipment must have a red reflector or lighting device or material of such size or characteristic and so mounted as to be visible from all distances up to 600 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle.

G. *Traffic Control Devices.* Any person operating a skateboard shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles.

H. *Traffic Regulations.* The operation of a skateboard on a street shall be subject to all of the provisions or laws of the State and the laws of the City, including those applicable to the drivers of vehicles, except as to the latter, those provisions that by their very nature have no application.

I. *Operation on Sidewalks.* No person shall operate a skateboard on a sidewalk:

1. So as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.
2. Without giving an audible warning before overtaking and passing a pedestrian.
3. At a speed greater than an ordinary walk when approaching or entering a crosswalk, approaching or crossing a driveway or crossing a curb cut or pedestrian ramp and a vehicle is approaching the crosswalk, driveway, curb cut or pedestrian ramp. This paragraph does not require reduced speeds for skateboards either:

- a. At places on sidewalks or other pedestrian ways other than places where the path for pedestrians or bicycle traffic approaches or crosses that for motor vehicle traffic; or
- b. When motor vehicles are not present. Except as otherwise specifically provided in this chapter, an operator of a skateboard on a sidewalk or in a crosswalk has the same rights and duties as a pedestrian on a sidewalk or in a crosswalk.

J. *Racing*. No person shall engage in, or cause others to engage in, a skateboard race upon the streets, sidewalks or any other public property. Provided, however, that it shall not be a violation of this subsection if racing occurs in conformance with rules established by the Ashland Park Commission within a city park designated for skateboard use under section [11.54.020](#).

K. *Hitching on Vehicles*. No person while operating a skateboard shall in any way attach themselves or the skateboard to any moving motor vehicle.

L. *Careless Riding*. No person shall ride a skateboard in a careless manner. Riding in a careless manner means the person rides a skateboard in a manner that endangers or would be likely to endanger any person or property. (Ord. 3027, amended, 08/03/2010)

11.54.040 Penalties

Upon the first conviction for a violation under this chapter, the person shall be punished by a fine of \$25.00. All subsequent violations of this chapter are Class IV violations. In addition to any other penalty, the court may order impoundment of a skateboard used in an offense until such time as may appear just and reasonable. (Ord. 3027, amended, 08/03/2010)

Chapter 11.60 TRUCK ROUTES

Sections:

- [11.60.010 Regulations](#)
- [11.60.015 Restricted Hours](#)
- [11.60.020 Oak Street](#)
- [11.60.030 Emergency Vehicles](#)
- [11.60.040 Penalties](#)

11.60.010 Regulations

U.S. Highway 99 and Oregon State Highway 66 are hereby designated as truck routes within the City of Ashland and motor vehicles having a licensed gross vehicle weight of over 19,999 pounds, shall not use, travel, or be parked upon any other streets in the City of Ashland except where such motor vehicles are using said streets for the purpose of making a delivery or picking up a load, or traveling to and from a fueling facility in the City of Ashland, by the most direct route possible. Nothing contained herein shall prevent an owner or operator from taking a motor vehicle to the residence of such owner or operator so long as the motor vehicle is not left there for a period longer than is reasonably necessary for normal maintenance and overnight and weekend rest periods for the owner or operator. (Ord. 3032, amended, 08/17/2010)

11.60.015 Restricted Hours

The City Council may, by Resolution, specify certain streets that must be used for access to and from commercial and industrial areas, and may specify the hours that trucks may be confined to the use of such streets. (Ord. 2226 § 2, amended, 1982)

11.60.020 Oak Street

Oak Street between Hersey Street and Nevada Street shall only be used by delivery trucks, as set forth in the preceding section, that have a maximum weight of the combined load and vehicle which does not exceed the following limits:

- A. The combined gross weight in pounds bearing on the surface of the road at contact with the tread of the wheels of any single axle of a truck or truck-tractor shall not exceed twenty thousand (20,000) pounds.
- B. The combined gross weight in pounds bearing on the surface of the road at contact with the tread of the wheels of dual or tandem axles shall not exceed thirty thousand (30,000) pounds. (Ord. 1811 § 2, amended, 1974)

11.60.030 Emergency Vehicles

Nothing contained herein shall limit the use of the City streets by emergency vehicles or by municipal vehicles when necessary for municipal purposes. (Ord. 1811 § 3, amended, 1974)

11.60.040 Penalties

Any violation of this chapter is a Class IV violation. (Ord. 3027, amended, 08/03/2010)

The Ashland Municipal Code is current through Ordinance 3243, passed September 17, 2024.

Disclaimer: The City Recorder's office has the official version of the Ashland Municipal Code. Users should contact the City Recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.ashlandoregon.gov](http://www.ashlandoregon.gov)

[City Telephone: 541.488.5307](tel:541.488.5307)

[Hosted by General Code.](#)

Bicycles

5.395 Application of Traffic Code. Every person riding a bicycle within the corporate limits of the city shall be subject to the provisions of this chapter applicable to the driver of a motor vehicle, except those provisions which by their very nature can have no application.

(Section 5.395 added by Ordinance No. 17690, enacted June 28, 1976.)

5.400 Operating Rules.

- (1)** No person may ride a bicycle on a sidewalk in that area bounded by the eastern sidewalk along Lincoln Street between 8th and 13th Avenues, the northern sidewalk along 8th Avenue between Lincoln and Pearl Streets, on either side of Willamette Street between 7th and 8th Avenues, the eastern sidewalk along Pearl Street between 8th and 13th Avenues, on either side of Broadway between Pearl and High Streets, and on the northern sidewalk along 13th Avenue between Pearl and Lincoln Streets.
- (2)** No person may park a bicycle in or near a public thoroughfare or place in such a manner as to obstruct traffic or endanger persons or property.
- (3)** A person riding a bicycle
 - (a)** In a lane for vehicular traffic or parking may ride only in the direction legally prescribed there for that traffic.
 - (b)** In a lane for vehicular traffic or parking shall ride as closely to the curb as is safe, but when approaching an intersection where a curb lane is designated "Left Turn" or "Right Turn" shall avoid that lane within 50 feet of the intersection if intending to ride through the intersection without turning.
 - (c)** On a street or alley shall ride in single file with other bicyclists whenever a motor vehicle is approaching within 100 feet to the rear.
 - (d)** On a bicycle path or a sidewalk shall keep as far to the right as is safe, except when overtaking and passing pedestrians and other vehicles, which shall be overtaken and passed only on the left.
- (4)** Peace officers, police community service officers, police volunteers, and parole and probation officers performing official duties are exempt from the provisions of this section.

(Section 5.400, formerly section 5.410, renumbered and amended by Ordinance No. 17690, enacted June 28, 1976; amended by Ordinance No. 20496, enacted October 8, 2012, effective November 10, 2012; and Ordinance No. 20538, enacted July 28, 2014, effective August 29, 2014.)

5.420 Impounding of Bicycles.

- (1)** A bicycle left on public property for a period in excess of 24 hours may be impounded by the police department.
- (2)** In addition to any citation issued, a bicycle parked in violation of this chapter may be immediately impounded.

- (3)** If a bicycle impounded under this chapter bears an Oregon driver's license number, or other means of determining its ownership exist, the police shall make reasonable efforts to notify the owner.
- (4)** A bicycle impounded under this chapter which remains unclaimed shall be disposed of in accordance with the city's procedures for disposal of abandoned or lost personal property.

(Section 5.420, formerly section 5.435, renumbered and amended by Ordinance No. 17690, enacted June 28, 1976; amended by Ordinance No. 18325, enacted January 22, 1979.)



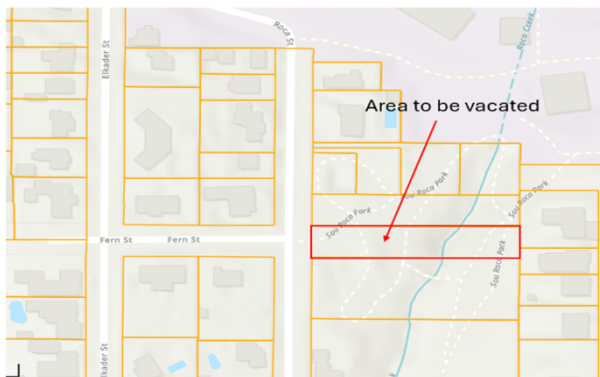
Council Business Meeting

Date: March 4, 2025

Agenda Item	Request of Council to Initiate Right of Way Vacation – Fern Street
From	Scott Fleury, Director
Contact	scott.fleury@ashland.or.us

SUMMARY

Before the Council is a request to initiate the vacation process for a portion of the public right of way. The right of way in question is a portion of Fern Street east of Elkader Street in between Southern Oregon University (SOU) owned properties. This is an un-improved non maintained right of way that basically provides for a storm drain line maintained by the City of Ashland.



POLICIES, PLANS & GOALS SUPPORTED

City Council:

4. Evaluate real property and facility assets to strategically support city mission and goals.

BACKGROUND AND ADDITIONAL INFORMATION

The City of Ashland was approached by SOU representatives inquiring into the possibility of the City initiating the vacation process for the un-improved section of Fern Street. Public Works staff discussed with City Administration and determined the appropriate course of action would be to bring the request forward to the City Council for consideration. The City Council can initiate a right of way vacation process as allowed by Oregon Revised Statute (ORS) 271.130, reference below.

271.130 Vacation on city governing body's own motion; appeal.

- (1) **The city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners.** Notice shall be given as provided by ORS 271.110, but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.
- (2) Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.
- (3) No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.
- (4) Any property owner affected by the order of vacation or the order awarding damages or benefits in such





Council Business Meeting

vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases.

Staff informed SOU representatives of the total process required for right of way vacations, which include public hearings at the Planning Commission and City Council along with development of the appropriate legal descriptions, updated property deeds and easements for utilities.

The specific requirements for right of way vacations are detailed in Ashland Municipal Code (AMC) Chapter 4.18 and Oregon Revised Statute (ORS) 271.080 thru 271.230.

Public Works performed an initial assessment to determine if a right of way vacation would be in the public interest. Due to topographic conditions and a lack of street features to the east, no current roadway would be expected to be developed. There is a storm drain line within the right of way and a public utility easement for it would need to be maintained moving forward if it were to be vacated. These documents would be reviewed and approved by City staff and the Legal Department prior to any final signatures or recordings.

4.18.010 Purpose

The purpose of this Chapter is to establish the procedure for processing requests for the vacation of public rights-of-way and places, and to require petitioners for vacation to deposit with the City Recorder a fee sufficient to cover the cost of publication, posting and other anticipated expenses as authorized by ORS [271.080](#), et seq.

4.18.020 Application

Any person interested in filing a petition for the vacation of all or part of any street, alley, or other public place, shall submit such petition in the form prescribed by the City Engineer pursuant to ORS [271.080](#), and upon filing of the petition shall deposit with the City Recorder a filing fee established by resolution of the City Council. (Ord. 2654, 1991; Ord. 2742, 1994)

- **This is not required if the Council initiates the vacation process as allowed by ORS.**

4.18.030 Review by Planning Commission

Upon receipt of the petition, the same shall be referred to the City Engineer for a determination of whether it contains the requested number of sworn signatures. The City Engineer shall return any petition not meeting the requirements of ORS [271.080](#), together with the filing fee to the petitioner. If the City Engineer determines that the petition is sufficient, it shall be referred to the City Planning Commission for its review and recommendation to the City Council. The Planning Commission shall submit its report to the City Council within sixty (60) days of receipt. Upon receipt of the report by the Commission, or if no report is received from the Commission upon the expiration of sixty (60) days, the City Manager shall set the matter for public hearing as set forth in ORS [271.100](#), et seq.

- **A Planning Commission meeting will be scheduled if the Council moves forward with the vacation process.**

4.18.040 Public Hearings

Public hearings shall be held as set forth in ORS [271.120](#), at which time the petitioner and all affected parties shall be afforded an opportunity to present their views either orally or in writing. The report of the Planning Commission, if any, shall be made a part of the record.

- **This is the action required of Council and would be scheduled for a date in the future after the Planning Commission public hearing.**



Council Business Meeting

- **Since the approval process requires approval of an ordinance there would be a required first and second reading in order to become legally binding.**

4.18.050 Action By Council

The City Council, after due consideration of testimony by affected parties, and the report of the Planning Commission may approve, reject, or modify the area proposed for vacation which in its sole judgment is deemed in the public interest.

FISCAL IMPACTS

The only resource requirements were/are associated with staff time to bring the vacation forward through the Planning Commission and City Council. SOU will be responsible for the development of new property deeds and recording the applicable documents with the County. If the property is vacated, it will become private and assessable for property taxes as part of the individual tax lots the right of way is vacated too. SOU does intend to sell off the individual lots regardless of whether the City decides to move forward with the vacation process. The vacation of the un-improved right of way will just add additional taxable land to the adjacent lots.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to approve initiating the vacation process for an un-improved section of Fern Street as defined in this staff report.

I move to take no action on the matter.

REFERENCES & ATTACHMENTS

None



Council Business Meeting

Date: March 4, 2025

Agenda Item	Approval of Liquor License for Harana Cafe
From	Alissa Kolodzinski, City Recorder
Contact	recorder@ashlandoregon.gov

SUMMARY

This is a request for approval of a liquor license application for Harana LLC DBA Harana Cafe located at 116 Lithia Way.

POLICIES, PLANS & GOALS SUPPORTED

AMC Chapter 6.32 Liquor License Review

BACKGROUND AND ADDITIONAL INFORMATION

This is an application for a New License – Full on Premises

FISCAL IMPACTS

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

The Planning, Police, and Fire departments have reviewed the application and recommend approval of the liquor license. This business complies with the City's land use requirements and has a Business License.

I move to approve the liquor license for Harana Café.

REFERENCES & ATTACHMENTS

1. received - Harana OLCC Local Government Recommendation_Redacted





Local Government Recommendation – Liquor License

Per OAR 845-005-0304(3): The Commission requires an applicant for issuance of a new license issued under ORS chapter 471, to provide written notice of the application to the local government in the form of a complete, accurate, and legible Commission form.

The local government is as follows:

- (a) If the address of the premises proposed to be licensed is within a city's limits, the local government is the city.
- (b) If the address of the premises proposed to be licensed is not within a city's limits, the local government is the county.

INSTRUCTIONS:

Step 1: Applicant completes all of Section 1 (including top of Page 2).

Step 2: Applicant submits both pages of the form to the appropriate local government. NOTE: The local government may require additional forms and/or fees.

Step 3: Local government completes at least Section 2 and returns all pages of the form, or a copy thereof, to the applicant. The local government is allowed up to 45 days to complete Section 3.

Step 4: Applicant takes the form with at least Sections 1 and 2 completed and includes it with their CAMP application to meet the Local Government Recommendation document requirement. Submissions that do not have at least Sections 1 and 2 completed will not be accepted.

Step 5: The local government issues its final recommendation in Section 3 and returns the completed form to the applicant. If the applicant has already submitted their initial application via CAMP, they hold on to the final recommendation and provide it to their investigator, when requested. If they have not already submitted their application, they upload the fully completed Local Government Recommendation form with their initial application submission.

Applicants within the city of Portland ONLY: Instead of using the attached form, please follow these steps to complete the Local Government Recommendation process:

- Apply via the [City of Portland website](#).
- Once you have completed the application with the City of Portland, you will receive an email notifying you that your application has been accepted, usually within two business days. The email will contain an attachment titled "ABC Public Notice."
- Upload the ABC Public Notice document with your CAMP application to meet the Local Government Recommendation document requirement.

NOTE: This document only provides proof of submission. Once you receive your final recommendation from the City of Portland, you will need to provide that to your assigned OLCC investigator.



Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): HARANA LLC

Proposed Trade Name: HARANA CAFE

Premises Address: 116 LITHIA WAY

Unit: 2, 3

City: ASHLAND

County: JACKSON

Zip: 97520

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of LocationLicense Type: FULL ON-PREMISE, COMMERCIAL ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: MICHAEL LOPEZ

Phone: [REDACTED]

Mailing Address: [REDACTED]

City: ASHLAND

State: OR

Zip: 97520

Email Address: [REDACTED]

Business Details

Please check all that apply to your proposed business operations at this location:

- ☐ Manufacturing/Production
- ☐ Retail Off-Premises Sales
- ☒ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

- ☒ Indoor Consumption ☒ Outdoor Consumption
- ☒ Proposing to Allow Minors

Section 1 continued on next page



Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s):

Proposed Trade Name:

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
Section 2 must be completed **by the local government** for this form to be accepted
with your CAMP application.

Section 2 – Acceptance - To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name: Ashland

Optional Date Received Stamp

Date Application Received: 2.26.2025

Received by: Kerrick Gooden

Section 3 – Recommendation - To be completed by Local Government:



Recommend this license be granted



Recommend this license be denied (Please include documentation that meets [OAR 845-005-0308](#))



No Recommendation/Neutral

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.

Quarterly Report Q2

October – December 2024
Q2 Performance Measured
Goals
Exhibit A '24-'25 Contract



CONTENTS



Travel Ashland Role

- Role and Impact

Projects and Programs

- October – December Updates

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- Festivals and Events

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Program Analytics

- Website and Social YOY Q2

- Paid Media Performance – Search, You Tube, Display

Industry Statistics

- Regional and Statewide Lodging Data

- TOT & F&B

- Datafy Quarterly Report October – December 2024

- Includes: Visitation Data, Spending, Length of stay, demo & geo markets

- Industry Lodging Data – hotels and vacation rentals

- Travel Ashland Advisory Committee

Photo courtesy of Travel Ashland

Travel Ashland's role and impact

- As a Destination Organization, Travel Ashland prioritizes tourism development and marketing efforts while **leveraging** lodging tax grant dollars to promote Ashland and **diversify our visitor**, by providing the **furthest, effective market outreach and destination management** that businesses and partners depend upon. We create fertile ground for growth for new things.
- **We inspire visitors year-round to experience Ashland** through our strategic marketing plan. We work with the tourism industry, media and partners on promotions and projects. We utilize research and technology to best guide our planning and decisions.
- For the past 40 years, your investment has enabled Travel Ashland to **generate lodging tax dollars** with our industry partners and operators to fuel Ashland's economy.
- **Visitors do pay their share** with 10% City lodging tax + 1.5% State lodging tax totaling 11.5% along with the F&B 5% meals tax.
- These dollars and the impact of visitation also support our year-round **workforce**, enhance our **quality of life**, **fund essential services** and sustain **amenities** that residents value.
- Of the lodging tax generated: **approximately 70%** goes to the City's general fund; **30%** are restricted tourism dollars. Ashland is unique to garner that high % to the general fund.

Photo by Bob Palermi

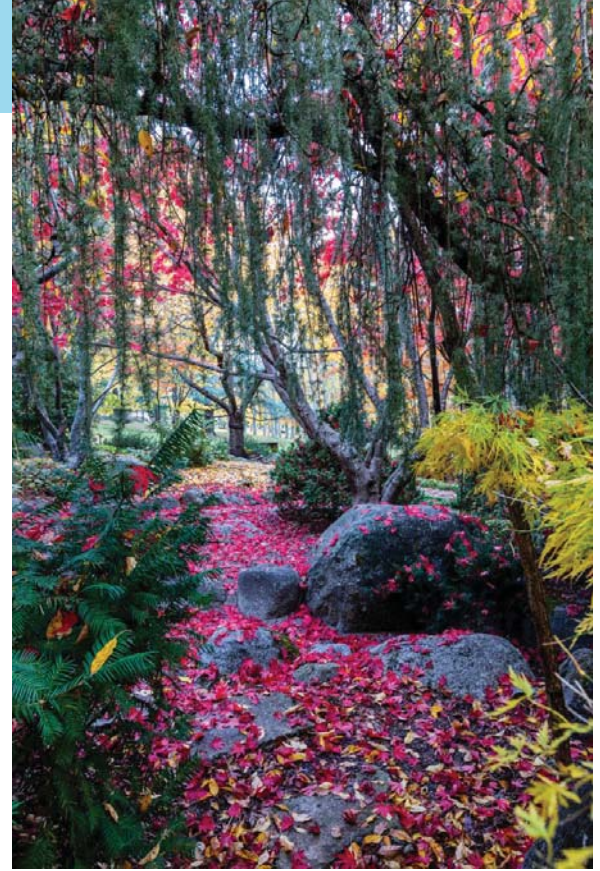


Photo by Steve Heinrichs

Trends and Highlights of Projects Oct – Dec

- Top markets visiting Ashland: **Portland, Eugene and Sacramento** with November up 8% in visitor days compared to 2023.
- We saw over **\$9 million in visitor spending for this quarter in Ashland** with the top spending market being Portland.
- The holidays were flat for many with inflation, the election and local spending down.
- Ashland **vacation rentals trended up an average of 10% YOY** with hotels down an average of 6% for the quarter. Statewide Vacation rental performance in 2024 outpaced both 2023 and 2019 levels for all metrics, statewide.
- **2024 Oregon lodging performance** showed a marked improvement over 2023 statewide. For hotel performance, occupancy was the only metric that lagged behind 2023 levels. When comparing 2024 hotel performance to 2019, Portland is the only region not to have recovered to pre-COVID revenue levels.
- **Our Visitor Guide** is a trusted resource, in print and online with an average of **9000 views per month and an active campaign** promoting the seasonal itineraries and linking to our Itinerary page on www.travelashland.com. We are in production of the 25-26 edition.
- Ashland received accolades in Portland Monthly and the Oregonian along with **placing Top 7 with Moviemaker magazine in best places to live and work as a movie maker**. We work closely with the film industry and will be deploying an industry strategy for recruitment.
- **Legislative Advocacy** – we are clear on our position to protect TLT dollars and testify for the tourism industry to remain a competitive market and support continued investment in the private sector. For example, we oppose HB 2977 that poses to raise the State TLT from 1.5% to 2.5%.

Projects and Programs

Accessibility

- **Wheel the World** participants have been secured, and we are proceeding with the project as one of 21 destinations in the state to have Oregon become the 1st Destination Certified state, promotion due to launch in July 2025.
- We are strategizing with Parks and Rec to promote **David's Chair** in Lithia Park to provide those with mobility challenges access to the beauty of the park as well as the para-golfer at Oak Knoll golf course.
- We are updating our assets to include accessible itineraries and wayfinding information
- We continue to participate regionally in the accessibility awareness scope and business participation.

Festivals and Events

- We are a hub that creates fertile ground, are supportive and work with new groups creating new things that we can promote such as **Rogue Events Collective** as they streamline race events, **ACEA, Epic Ashland** as well as the **Lions club**.
- We **support and promote community events** year-round such as the Chocolate Festival, AIFF's return this April, OSF's 90th season and many new events coming in 2025.
- Planning for the 3rd **Ashland Mystery Fest** is underway. New authors and lodging packages launched in February. This event will grow. It drew over **400 attendees from 26 states and 3 countries in 2024**.
- We will be **expanding the Festival of Light** in 2026.

Photo by Katharine Cato



Projects and Programs

Groups and Conferences

- Travel Ashland has secured the site with ScienceWorks for Bicycle RidesNW a 300 bike group coming June 2025 that will coincide with Mural Fest. **River Management Society** Conference coming April 2025.
- **FAM trip - Travel Ashland hosted the group in January in coordination with Travel Oregon Global sales team with** buyers and journalists from **Oregon's primary international markets** targeting FIT's (foreign international travelers). The Southern Oregon itinerary includes Klamath Falls, Medford, Crater Lake, Jacksonville Grants Pass and Ashland. There have already been follow up and leads for Ashland.
- Correspond with many **small groups** planning travel in the coming year needing itinerary ideas, transportation questions and lodging recommendations. We engage with the **proposal process** for conferences. We service many groups and conferences through information, wayfinding, guidance, planning and providing collateral to inform their attendees.

Outdoors

- Mt. Ashland's winter season has been successful overall with skier visits exceeding their 5-year average by 14% as we promote to our key personas.
- Regional and local Ashland strategy for promoting Klamath River post dam removal for summer 2025. **Promoting best white-water access just 40 minutes from Ashland.** Media America, Travel Southern Oregon and Travel Ashland building content.
- We are in support of the **Madrone Ridge concept** – asset development and dispersing riders along with needed connectivity for Ashland's mountain bike culture. We look forward to see next steps and how we can best support.

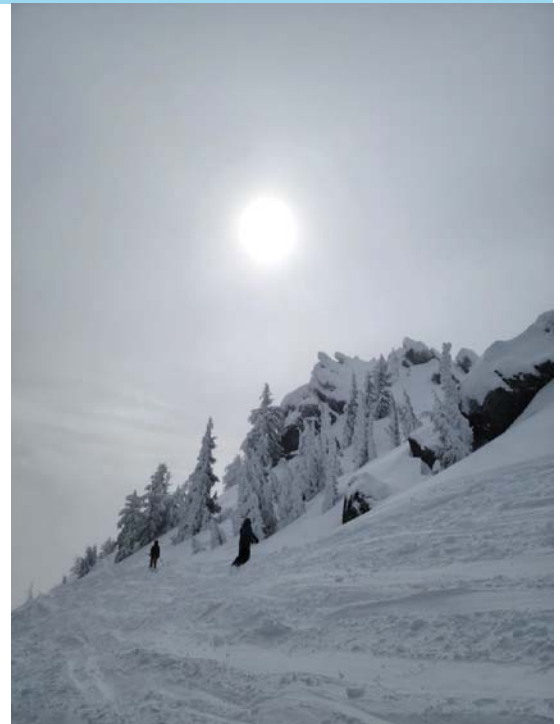


Photo by Katharine Cato

Marketing Strategy

2024/2025 Overall Marketing Strategy

The core objective of Travel Ashland's marketing strategy is to **attract new visitors while re-engaging past travelers by showcasing the diverse experiences Ashland has to offer.**

Historically known for OSF and the arts, **Ashland is evolving as a vibrant, year-round mountain destination with activities that appeal to a broad range of interest groups.** With the aging demographic of longtime visitors, our approach emphasizes expanding Ashland's appeal to new audiences.

Our strategy is built around **positioning Ashland as a modern mountain town** and leveraging targeted outreach through four **Audience Persona Groups and four key interest categories**, as detailed in the Travel Ashland Brand Guide. This segmentation is further **refined using geographic and keyword targeting** to effectively connect with our ideal visitors. **A multi-channel approach** ensures we reach the right audience at the right time through various platforms and media.

Fiscal Q3 2025 Focus

The first quarter of 2025 prioritizes engaging two key segments: active travelers seeking winter and spring destinations like Ashland and a passive audience considering future travel. We leverage Search, Display, Social Media, and YouTube campaigns to drive potential visitors to the website, with specific emphasis on:

- The interactive Visitor Guide
- Winter itineraries tailored to seasonal activities
- Local events that showcase Ashland's dynamic offerings

This integrated approach ensures Ashland remains top-of-mind for travelers, reinforcing its identity as a must-visit, year-round destination.

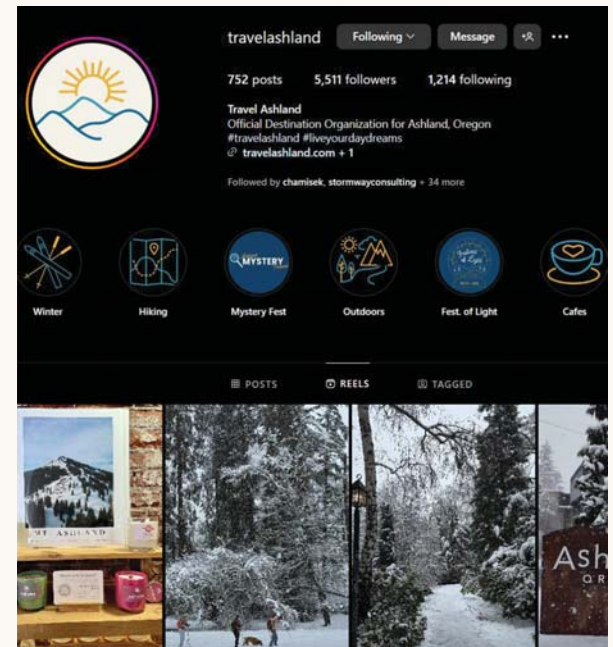
2024/2025 Marketing Strategy: Social Media

The core objective of Travel Ashland's marketing strategy in regards to social media is to **inspire and connect** with our audience.

Utilizing the natural beauty and wide range of activities that Ashland and the surrounding area have to offer – we create photo and video posts on Facebook, Instagram and (coming soon) YouTube.

Our strategy is to post weekly on all 3 platforms with original content to inspire current and new followers. Our goal is to introduce our audience to activities and features they may be interested in, or they may not know about yet! We want our audience to say "I have to go see that" or "I want to be there doing that!".

The second part of our social media strategy that has proven to be incredibly successful is to interact with our audience. We reshare local businesses and locals/visitors posts to highlight and engage. We want people to feel seen by Travel Ashland! We work together with our local businesses to drive tourism and thank our visitors by highlighting their trips in our stories!



October – December 2024

Website Engagement

- **Top pages:**
 - Homepage 9,909
 - Ashland Mystery Fest 4,529
 - AMF Events 4,299
- The number one traffic source was **organic search** which is due to SEO work
- **Key events** have been updates for tracking and campaign optimization

Social

- **Top Posts:**
 - Ashland Film Festival
 - Mt. Ashland Snow Season Beginning
 - Festival of Light
- The number one traffic source for Facebook was Reels and for Instagram was Stories!
- **The Ashland Mystery Festival** brought strong traffic to both of our social media platforms in October. We had high reach, views and interactions from our audience!
- All of our analytics saw **multiple percent increases** this quarter

Paid Media

- Paid Search
 - Clicks were up quarter over quarter by 538
 - CTR was up to 4.33% from 4.13% by December CTR was up over 6% and 9% in January.
- In the YouTube campaign the 15 second Winter Video had the highest view rate to 100% at 60%
- Only one Display Network Ad ran during the period- "Top 10 Mt Bike Destinations" and had strong performance with 46 clicks and a very high 42 view throughs

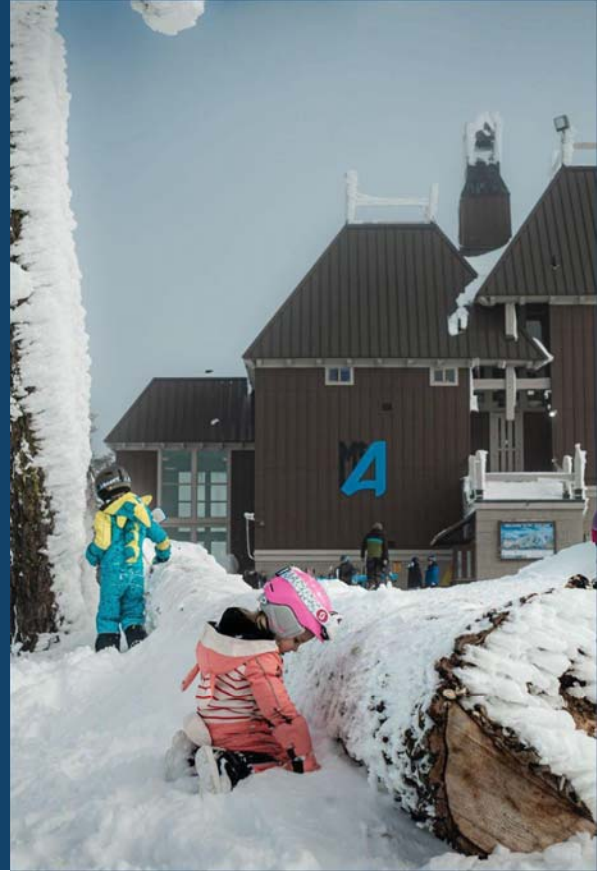
Campaign Plan October – December 2024

Campaign	Rundates	Audience/Interest	Destination	Mediums	Channel
Search/Conversion	1/1/24-12/31/24	All	Visitor Guide and each interest landing page	Search	Google
Top 10 Mt Biking	10/01/24-10/31/24	Outdoors/Biking	Outdoors page	Display	DSP
Itineraries for Everyone Evergreen VI	12/17/24-3/31/25	All	Itinerary Page	Display; Post	Google; DSP; Meta
Local Events – What's Happening	12/17/24-3/31/25	Local	Event Page	Display; Post	DSP; Meta
Visitor Guide	12/10/24-4/30/25	All	Visitor Guide iFrame	Display; Perfmax; Post	Google; Meta
Welcome to Ashland	7/1/24-6/30/25	All	Homepage	Video	Google

Campaign Plan January – March 2025

Campaign	Rundates	Audience/Interest	Destination	Mediums	Channel
Welcome To Winter	12/17/24-1/30/25	All	Itinerary Page	Display; Perfmax; video	Google; DSP
Itineraries for Everyone Evergreen VI	12/17/24-3/31/25	All	Itinerary Page	Display; Post	Google; DSP; Meta
Local Events – What's Happening	12/17/24-3/31/25	Local	Event Page	Display; Post	DSP; Meta
Oregon Wine Month	3/1/25-5/31/25	Wine & Culinary	Wine Page	Influencer Meta ; Display	DSP; Meta
Visitor Guide	12/10/24-4/30/25	All	Visitor Guide iFrame	Display; Perfmax; Post	Google; Meta
Welcome to Ashland	7/1/24-6/30/25	All	Homepage	Video	Google
Top 10 Mountain bike Destinations	3/1/25-5/31/25	Outdoor/Mountain Bike	Bike Page	Post; Display	DSP; Meta

Analytics



Website Engagement



Website Key takeaways

- **Top pages:**
 - Homepage 9,909
 - Ashland Mystery Fest 4,529
 - AMF Events 4,299
- The number one traffic source was **organic search** which is due to SEO work
- **Key events** have been updates for tracking and campaigns optimization
- The website audit has been completed and work is underway for updates in order of priority

Website Metrics

October 2024 – December 2024 Actual

	2024	2023	Variance	Variance
Pageviews	42,954	56,355	-13,401	-23.78%
Users	18,586	24,162	-5,576	-23.08%
Sessions	23,478	27,489	-4,011	-14.59%

2024/2025 [Site targets](#) workbook

January 2025 – March 2025 Forecast

	2025	2024	Variance	Variance
Pageviews	39,500	36,288	3,212	+8.85%
Users	21,000	19,995	1,005	+5.03%
Sessions	31,500	21,666	9,834	+45.39%

Website Metrics October - December 2024 - Cities

City	Active users	New users	Engaged sessions	Engagement rate	Engaged sessions per active user	Average engagement time per active user
Total	18,504 100% of total	18,316 100% of total	12,970 100% of total	55.24% Avg 0%	0.70 Avg 0%	56s Avg 0%
1 Seattle	2,062	1,912	1,539	57.43%	0.75	50s
2 (not set)	1,942	1,841	895	43.22%	0.46	33s
3 San Jose	1,235	1,108	887	57.3%	0.72	52s
4 Portland	1,172	1,078	834	56.39%	0.71	48s
5 Ashland	1,096	984	1,059	61.28%	0.97	1m 30s
6 Medford	932	851	681	56.75%	0.73	1m 10s
7 Los Angeles	649	613	387	49.3%	0.60	43s
8 Sacramento	328	300	202	51.79%	0.62	46s
9 Grants Pass	231	223	162	59.34%	0.70	58s
10 San Francisco	215	199	141	55.73%	0.66	1m 04s

- **(not set)** – site users with data filters on

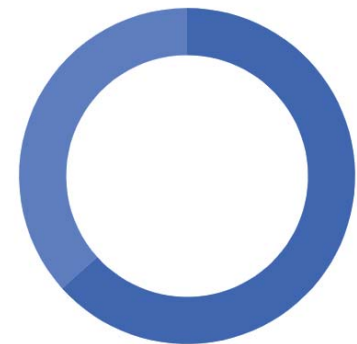
Website Metrics October - December - Sources

Session source / medium	Sessions	Engaged sessions	Engagement rate	Average engagement time per session	Events per session
Total	23,478 100% of total	12,970 100% of total	55.24% Avg 0%	44s Avg 0%	5.14 Avg 0%
1 google / organic	7,653	4,768	62.3%	46s	5.05
2 google / cpc	6,040	3,135	51.9%	31s	4.84
3 (direct) / (none)	4,920	2,398	48.74%	40s	4.83
4 ashlandchamber.com / referral	1,111	652	58.69%	49s	4.99
5 fb / paid	562	206	36.65%	26s	4.14
6 intentlydone / Display	402	3	0.75%	0s	3.02
7 bing / organic	400	296	74%	1m 07s	5.49
8 IntentlyCollaborative / CPC	345	72	20.87%	0s	3.22
9 m.facebook.com / referral	296	124	41.89%	16s	4.00
10 an / paid	258	74	28.68%	27s	3.54

- **Google CPC** – Paid Search
- **Intentlydone/Display** – Display Network campaign
- **IntentlyCollaborative/CPC** – Display Network Campaign

Active Users By Gender

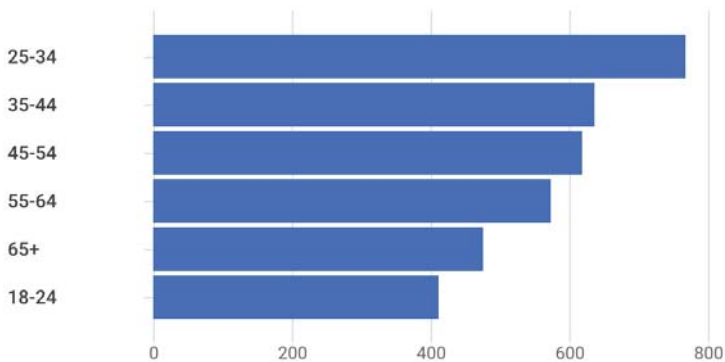
F. 2,376; M. 1,375; Unknown 15k



● FEMALE 63.3% ● MALE 36.7%

Active Users By Age

Unknown 15k



Social Engagement



Social Key takeaways

- **Top Posts:**
 - Ashland Independent Film Festival
 - Mt. Ashland Snow Season Beginning
 - Festival of Light
- The number one traffic source for Facebook was Reels and for Instagram was Stories.
- **The Ashland Mystery Festival** brought strong traffic to both of our social media platforms in October. We had high reach, views and interactions from our audience.
- Instagram surpassed Facebook in overall traffic numbers (with a 98% organic strategy) meaning our audience on Instagram is well tuned in and we are maintaining ourselves within the top of viewers algorithms.
- All of our analytics on IG saw multiple percent increases this quarter.

Social Metrics

Facebook October - December 2024 Actual

	2024	2023	+/-	+/-
Followers	2,840	2,705	+135	+4.99%
Reach	44,300	77,000	-32,700	-42.47%
New followers	94	27	+67	+248%

Facebook January - March 2025 Forecast

	2025	2024	+/-	+/-
Followers	2,870	2,710	+160	+5.90%
Reach	12,000	10,100	+1,900	+18.81%
New Likes	45	19	+26	+137%

Instagram October - December 2024 Actual

	2024	2023	+/-	+/-
Followers	5,372	4,670	+702	+15%
Reach	22,400	16,709	+5,691	+34.06%
New Followers	289	231	+58	+25.11%

Instagram January - March 2025 Forecast

	2025	2024	+/-	+/-
Followers	5,622	4,822	+800	+16.59%
Reach	14,400	14,400	0	0%
New Likes	250	222	+28	+12.61%

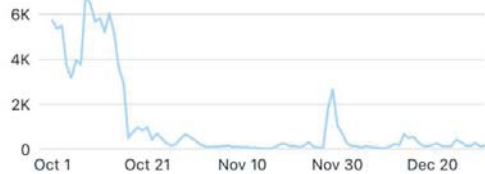
Social Metrics

Facebook October - December 2024

Views ●

Export ▼

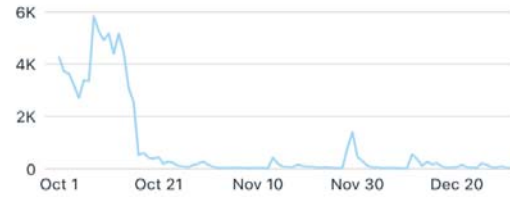
102.7K



Reach ●

Export ▼

42.9K ↑ 27.7%

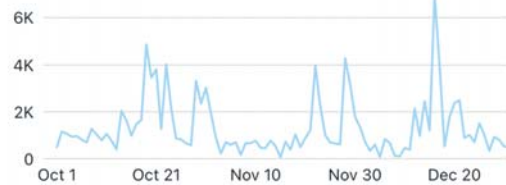


Instagram October - December 2024

Views ●

Export ▼

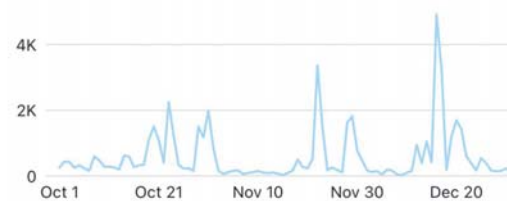
122K



Reach ●

Export ▼

24.8K ↑ 52%



Social Plan October 2024

October			
Name	Subitems	Posting Schedule	Post Type
Ashland Mystery Festival Promo		2024-10-02	Post
Ashland Film Partnership		2024-10-02	Reel
Ashland Film Partnership		2024-10-03	Reel
Ashland Film Partnership		2024-10-06	Reel
Ashland Film Partnership		2024-10-10	Reel
Ashland Mystery F. Underway		2024-10-19	Post
Ashland Mystery Festival Wrap up		2024-10-21	Carousel Post
Mt. Ashland Conditions		2024-10-23	Carousel Post
Ashland Mystery F. Photos		2024-10-20	Carousel Post
Ashland Mystery F Tour		2024-10-19	Reel
Lithia Fall Colors Partnership		2024-10-25	Carousel Post
Halloween Parade Announcement		2024-10-29	Reel
Chamber: Halloween parade partnership		2024-10-22	Reel
Weekly Forecast		2024-10-29	Reel

Social Plan November 2024- December 2024

December

Name	Subitems	Posting Schedule	Post Type
Present.com Feature		2024-12-11	Reel
Mt.A Lithia Chair opening		2024-12-14	Reel
Mt. Ashland Drone Vid		2024-12-16	Reel
Ashland mountains drone		2024-12-21	Reel
Christmas		2024-12-25	Post
Hanukkah		2024-12-25	Post
Kwanzaa		2024-12-26	Post

November

Name	Subitems	Posting Schedule	Post Type
Winter Campaign video		2024-11-01	Reel
Festival of Light Announcement		2024-11-28	Reel
Outdoor rink opening		2024-11-18	Post
Festival of Light		2024-11-28	Carousel Post
Mt. A Opening		2024-11-28	Reel
Festival of L Partnership		2024-11-29	Reel

Social Plan January 2024 – March 2025

January

Name	Subitems	Posting Schedule	Post Type
Family trip to Ashland		2025-01-16	Carousel Post
Best Moviemaker award		2025-01-24	

February

Name	Subitems	Posting Schedule	Post Type
Snow in Ashland		2025-02-05	Reel
Narnia Snow - Cross post ashland mystery fest		2025-02-05	Reel
Mt. Ashland spring break			
Valentine's small biz post		2025-02-09	Reel
Cross post Mystery fest		2025-02-02	Post, Carousel Post
Snow in Lithia Park		2025-02-09	Reel
Narnia // Mystery Fest Crosspost		2025-02-05	Reel
Mystery Fest Announcement		2025-02-20	Reel

March

Name	Subitems	Posting Schedule	Post Type
Spring break family trip		2025-03-01	
Chocolate Festival		2025-03-06	
Spring hiking		2025-03-27	
Mt. Ashland highlight		2025-03-20	

Paid Media Performance



Search

Search Campaign Architecture

The search campaign is run through the Google Ads Platform on Travel Ashland's Owned Google Ads Account.

- The campaign itself is **targeted to the geographies** that are part of the overall marketing strategy.
- The campaign is broken down into **6 ad groups**. Each ad group is targeted based on interest unless otherwise noted.
- **Each ad group has unique keywords centered around these interests.** The ad groups are made up of between 1-4 ads which consist of headlines and descriptions that include the keywords within that ad group.
- **Each ad links to a unique location based on the ad content.** The campaign is optimized for performance each month.

Key Takeaways Google Search

- Clicks were **up** quarter over Quarter by 538
- CTR was **up to 4.33% from 4.13%** by December CTR was up over 6% and 9% in January.
- Portland continued to be number one in clicks & Impressions
- Updates to Keywords, headlines, descriptions, bidding strategy and images were completed the week of 2/10

Search October - December 2024

99k

Impressions

4.6k

Clicks

4.64%

*Industry Average 5-7%

CTR

\$0.98

*Industry average \$1.40

CPC

Ad Group Performance

Ad Group	Impr.	Clicks	CTR
Dynamic	22,732	2,265	9.96%
Wine and Culinary	26,457	698	2.64%
Branded	30,801	1,063	3.45%
Family Fun	10,705	310	2.90%
Local Shopping	2,491	130	5.22%
Outdoors	5,177	62	1.20%
Arts and Culture	776	71	9.15%

*2023 Search Advertising Benchmarks LocalIQ - multiple categories

**The Dynamic Ad Group is made up of content from the website and has the subject matter of all the ad groups included

Top 10 Cities

City (Matched)	Impr.	Clicks	CTR
Portland	26,204	942	3.59%
St. Helena	1,289	178	13.81%
Milwaukie	2,987	171	5.72%
Caldwell	3,475	159	4.58%
Sacramento	1,943	139	7.15%
Eugene	2,781	128	4.6%
Redding	888	127	14.3%
Seattle	1,810	98	5.41%
Bend	1,635	82	5.02%
Renton	1,548	80	5.17%



YouTube Campaign Architecture

*During the 2022–2023 Fiscal Year videos were completed for each season in 60sec, 30sec and 15sec lengths so they could be used across different media and different placements. A 5th set was created that covers all seasons. **In addition to the seasonal videos**, there are videos running in all three lengths featuring and promoting Ashland Mystery Fest. These videos were then used to build out the Travel Ashland YouTube Channel. Videos now run through the Google ads account as part of the paid media strategy. They will also be embedded in the website this year.*

- During this fiscal reporting period Travel Ashland Videos were run as preroll, targeting interest, keywords, demographics and geography.
- During this time, the full year, Fall, Winter and Mystery Fest videos were run in 15, 30 and 60 second versions.

Key Takeaways YouTube

- The campaign **includes the full year videos and Winter videos** in 15 sec, 30 sec and 1 min versions
- **View rate was down to 21.39%** compared to **36.14%** in the previous quarter
- The 15 second Winter Video had the highest view rate to 100% at 60%.
- The top performing audience were **Book Lovers** followed by those interested in **Travel**

YouTube October – December 2024

382k

Impressions

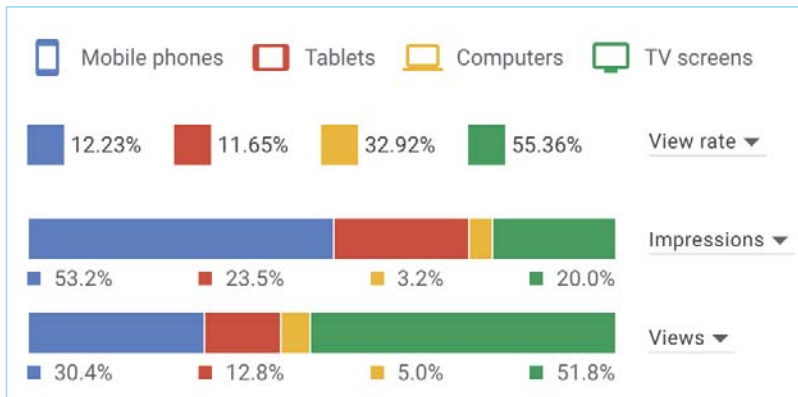
81.6k

Views

21.39%

View Rate

Performance by Device



View Rate By Audience Segment

Audience segment	Impr.	Views	View rate
Book Lovers	21,024	14,815	70.47%
Travel	16,192	6,176	38.14%
Sci-Fi & Fantasy Movie Fans	10,782	6,675	61.91%
Cooking Enthusiasts	8,750	4,397	50.25%
Travel Buffs	7,797	4,524	58.02%
Trips by Destination	5,694	3,982	69.93%
Food & Dining	4,962	2,176	43.85%
Lifestyles & Hobbies	4,797	1,858	38.73%
Food & Dining	2,979	1,126	37.8%
Books	2,627	1,977	75.26%

YouTube October – December Performance by Video

Ad name	Ad group	Impr.	Views	View rate (In-stream)
Mystery Fest :19	Mystery Fest	164,435	26,719	16.25%
Mystery Fest :32	Mystery Fest	127,884	20,509	16.04%
Winter 30 Seconds	Travel Ashland Winter	17,572	8,899	50.64%
Winter 15 sec	Travel Ashland Winter	16,430	9,966	60.66%
Mystery Fest 1:30	Mystery Fest	15,924	1,281	8.04%
Ashland Oregon – Year Round Itineraries for all	Travel Ashland Full Year	10,016	3,321	33.16%
A 15 second snapshot of Ashland Oregon	Travel Ashland Full Year	9,776	4,687	47.94%
A glimpse of Ashland Oregon in 30 seconds	Travel Ashland Full Year	8,566	2,972	34.7%

Display

Display Campaign Architecture

Each campaign is focused on one or more of our audience personas. Display campaigns were run across three networks with different audience targeting options.

- Targeted Display Network
 - Ads are targeted based on geography, interest, demographics and keywords.
 - Ads can run across 100's of websites and run on both desktop and mobile devices.

Display October – December

83,386

Impressions

46

Clicks

0.06%

CTR

42

View Through

TARGET GEOGRAPHY



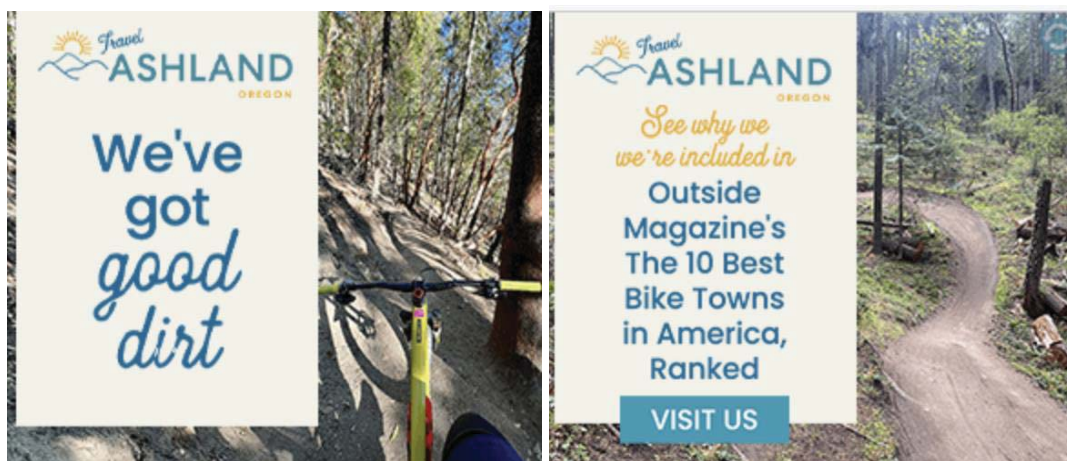
TOP CITIES

Place	Impressions	CTR
Portland, Oregon	34,247	0.07%
Vancouver, Washington	5,778	0.10%
Boise, Idaho	6,229	0.03%
Hillsboro, Oregon	1,664	0.12%
Prineville, Oregon	648	0.31%
Salem, Oregon	3,202	0.03%
Meridian, Idaho	2,994	0.03%
West Linn, Oregon	828	0.12%
Nampa, Idaho	703	0.14%
Eagle, Idaho	571	0.18%

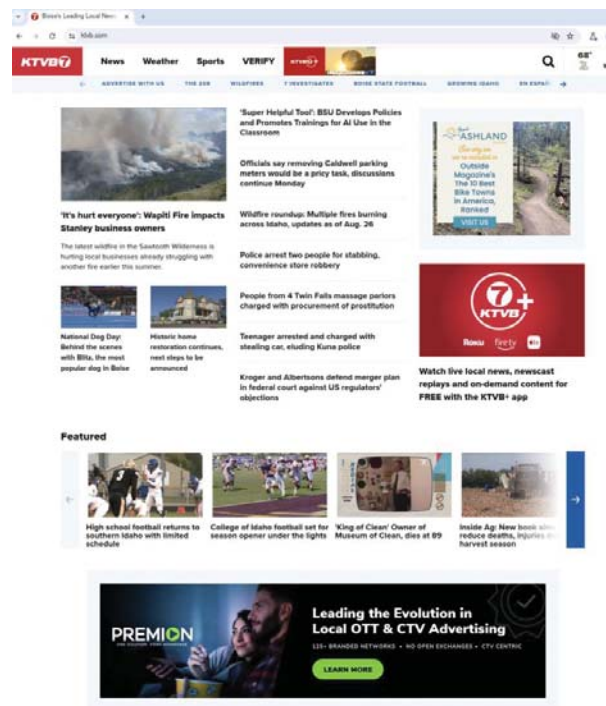
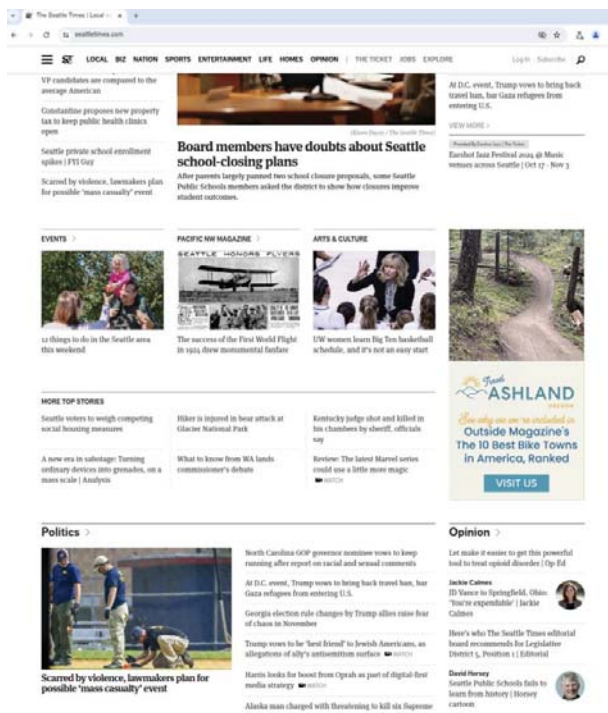
Clicks by Top 10 Domains

Domain	Impressions	Clicks	CTR
yahoo.com	11,623	3	0.03%
nypost.com	973	3	0.31%
tennisforum.com	63	3	4.76%
dexerto.com	32	3	9.38%
cnn.com	4,256	2	0.05%
womenshealthmag.com	2,705	2	0.07%
usatoday.com	1,763	2	0.11%
sfgate.com	204	2	0.98%
fortnitetracker.com	72	2	2.78%
koin.com	2,353	1	0.04%

Outdoor Enthusiasts – Mt Biking – Display Ad example



Ad Placement Examples



General KPIs

Building off Research

We work collaboratively to establish key performance indicators (KPIs) for each aspect of branding and marketing. Drawing on industry expertise and marketing experience, we identify the specific metrics to measure and key areas to monitor.

Data serves as our guide, while business goals and objectives define the targets that must be achieved—because, as the saying goes, "you can't manage what you can't measure." Additionally, we track KPIs based on demographics, target audience, and region to ensure a comprehensive analysis.

Our KPIs are categorized as follows and include, but are not limited to, the following metrics:

(m) metric & monitor
(k) KPI has a set target to track against

Website

- Pageviews (k)
- Users (k)
- Engagement rate (k)
- Engaged Sessions
- New Users (k)
- Time on site (k)
- Pages per session (k)
- Event actions/ conversions (k)
- Exit pages (m)
- Top pages (m)

Social Channels

- Followers (k)
- Shares (k)
- Engagement (k)

Media

(broken down by channel)

- CPC (k)
- CTR (k)
- Conversion Rate (k)
- Conversions (m)

Glossary of Terms

Pageviews A pageview (or pageview hit, page tracking hit) is an instance of a page being loaded (or reloaded) in a browser. Pageviews is a metric defined as the total number of pages viewed. One user can have multiple pageviews.

Impressions The number of times your content (e.g., an ad, post, or webpage) is displayed on a user's screen, regardless of whether it was clicked.

Users A user is a visitor who has initiated a session on your website: the moment a person lands on any page of your site, they are identified as either a new or returning user. Google Analytics differentiates between new and returning users based on visitors' browser cookies.

Engaged Sessions A session in which a user has spent at least 10 seconds on the site, viewed multiple pages, or triggered a conversion event.

Engagement Rate Engagement rate is the ratio, represented as a percentage, of your engaged sessions to your total sessions. For example, if you had 100 engaged sessions, and 1,000 total, your engagement rate would be 10%.

Pages per session Pages per Session, sometimes referred to as Page Views per Session, is the count of a website's total page views divided by the total number of sessions that have taken place. It indicates the average number of pages on your website that users access per session.

Organic Traffic The number of visitors who arrive at your site through unpaid search engine results.

Paid Traffic Website traffic generated through paid advertising campaigns, such as Google Ads or social media ads.

Referral Traffic Visitors who come to your site from another website by clicking on a link.

Direct Traffic Users who arrive at your website by typing your URL directly into their browser rather than coming from another source like search engines or social media.

Cost per Click (CPC) is calculated by dividing the total cost of your clicks by the total number of clicks.

Click Through Rate (CTR) The number of clicks that your ad receives divided by the number of times your ad is shown:
 $\text{clicks} \div \text{impressions} = \text{CTR}$

Conversions A website conversion happens when a user completes a desired action on your website, like making a purchase or filling out a contact form. Every business website is built to generate conversions.

Conversion Rate The number of conversions and dividing that by the number of total ad interactions that can be tracked to a conversion during the same time period.

Visitation and Industry Statistics

Visitation and Industry Data Oct – Dec 2024

- **Regional Comparative Snapshot** of Lodging Data including occupancy and ADR (average daily rate) are included in this section for of Ashland, Jackson County, Southern Oregon and Statewide.
- The latest **Transient Occupancy and Food and Beverage Tax** Revenues Collections are included in this section in the next slide.
- Followed by **visitation data, visitor spending, length of stay, visitor demographics and geo markets.**
- **Quarter trend for Lodging occupancy and average daily rate (ADR) data for hotels and vacation rentals.** FYI, STR reports show a **third** of Ashland properties submit data that represents 536 rooms nights of the 1700+ room nights. We subscribe to AirDNA for vacation rental data. Both data sets are plugged into our Datafy Dashboard.



Photo by Kirk Mackenzie

Lodging Industry Statistics: Regional Comparative October – January 2024

Key Points:

- For Ashland’s entire lodging sector, a **third** of the properties report to STR, a data collection entity that we subscribe to.
- Below, STR occupancy represents 536 rooms nights, approximately a third of the 1700+ rooms of Ashland’s lodging.
- Vacation rentals were consistently up YOY each month which followed a statewide trend.
- Inbound international travel is returning that will boost 2025 forecasts.

Occupancy – Hotel and Vacation Rentals

	Oct	Nov	Dec	Jan
Ashland STR	59.1%	43.5%	37.8% (-8%)	36.8%
Vacation Rentals	51% (+8%)	43.8% (+10%)	43% (+11%)	36% (+24%)
Jackson County	65.2%	53%	45.4% (-4%)	47.6%
Southern Oregon	63.8%	49.4%	42.2% (-1.8%)	43.1%
Oregon	63.5%	51.3%	43.6% (-1%)	45.7%



Photo by Steve Heinrich

Source: STR Report, Travel Oregon Industry

Lodging Industry Statistics Regional Comparative October 2024 – January 2025

2024 Lodging highlights:

- 2024 Oregon lodging performance showed a marked improvement over 2023 figures. Year over year growth was positive for both hotel and vacation rentals.
- For hotel performance, occupancy was the only metric that lagged behind 2023 levels.
- When comparing 2024 hotel performance to 2019, Portland is the only region not to have recovered to pre-COVID revenue levels.
- Vacation rental performance in 2024 outpaced both 2023 and 2019 levels for all metrics, statewide.
- Portland is the only region that has not recovered to 2019 levels of vacation rental supply and demand

Ashland ADR: Average Daily Rate (room revenue/rooms sold)

	October	November	December	January
Ashland STR	\$136	\$113	\$108	\$101
Ashland AirDNA	\$228	\$229	\$223	\$204
Jackson County	\$117	\$103.4	\$96.52	\$100.16
Southern Oregon	\$115	\$102.04	\$95	\$95.61
Oregon	\$138	\$124.18	\$115.06	\$114.95

Source: STR Report

Siskiyou Welcome Center Visits

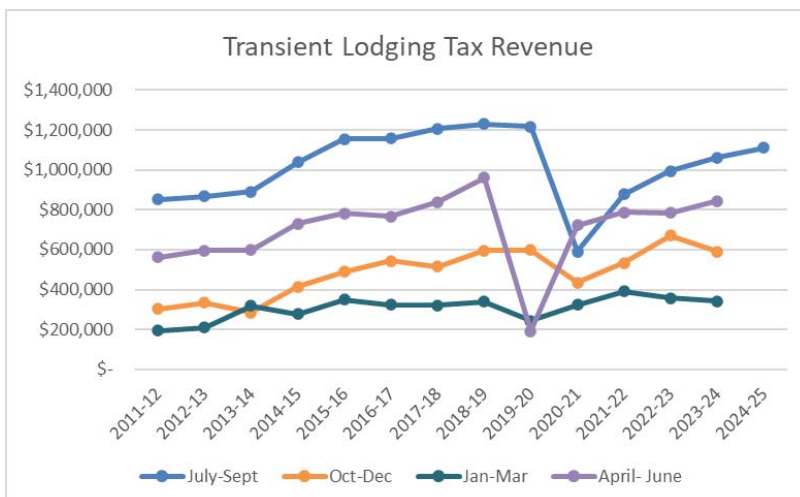
Oct	Nov	Dec	Jan
2798	2240	2104	1545

Interstate travel was strong through 2024. The Siskiyou Welcome Center is part of the Oregon State Welcome Center system. In 2024, they saw a total of 29,915 visitors a **9% increase** over 2023. **60% of all entry** into Oregon comes through our corridors. 20% of all state highway funds in Oregon are generated by visitors according to Travel Oregon. The Welcome Center is managed by Travel Southern Oregon with paid staff and volunteers and funded through Travel Oregon.

Lodging Industry Transient Occupancy Tax Revenue

Key Points:

- Below shows the most current TOT tax revenues from 2011 through **July – September 2024** totaling \$1,110,243 for the quarter.
- That equates to **\$11,102,430 in visitor spending for all lodging** in that quarter. This is just one data point we use to measure Ashland's visitation however this does not reflect the volume of day visitors that also contribute significantly to the economic impact.



Source: City of Ashland and HdI reports



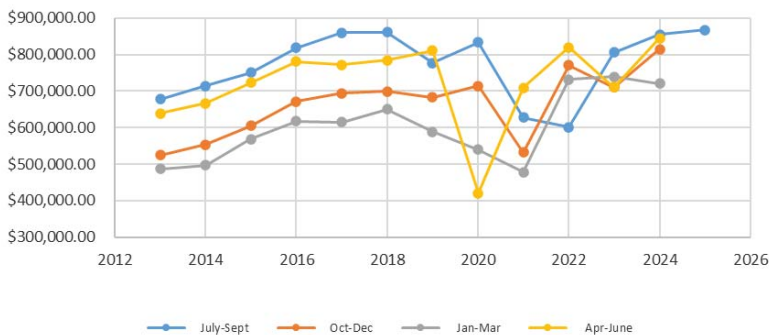
Photo Steve Heinrich

Culinary Industry Statistics

Restaurants showed the following trends of 2024 :

- **July – September 2024 superseded April – June with the highest F&B ever collected @ \$867,580.** While this can be attributed to inflation both at restaurants and grocery stores, it also shows full recovery from the pandemic and strength in our visitor spending.
- 2024 ended flat compared to years prior though many restaurants were up but due to inflation were even.
- We are excited to promote new restaurants such as Nous, Kando and Good Juice in 2025.
- Winery tasting room traffic was even overall with an early harvest and each visitor spending more.
- Travel Ashland's events and programs along with Ashland Chamber's efforts continually support all restaurants.

Food and Beverage Revenue Collected



Source: Hdl reports



Photo by Steve Heinrich

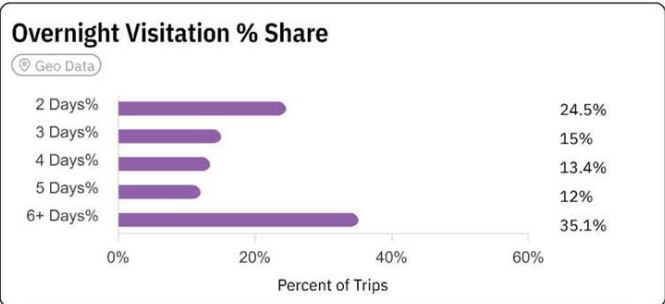
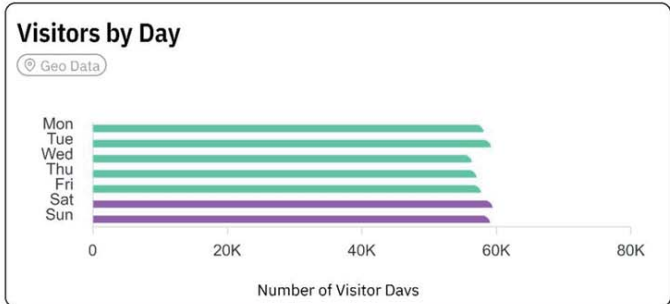
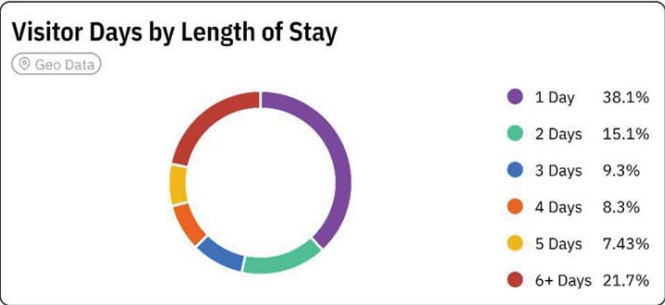
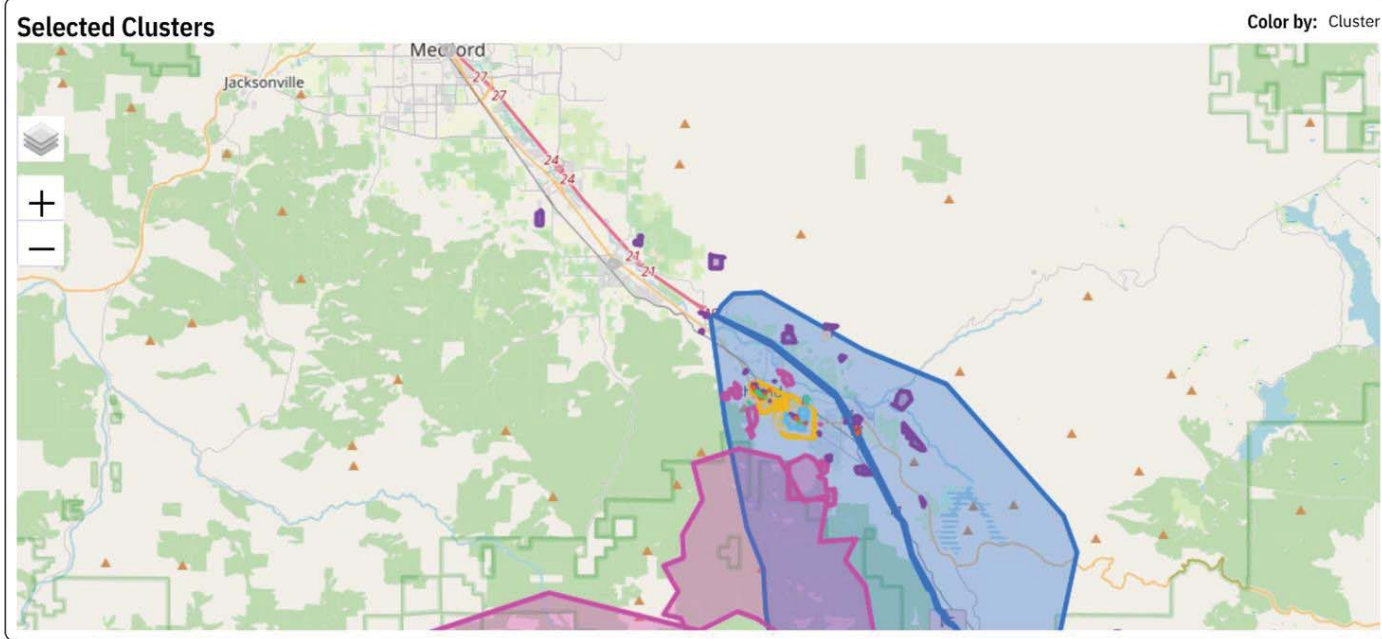


OCT 1ST 2024 - DEC 31ST 2024

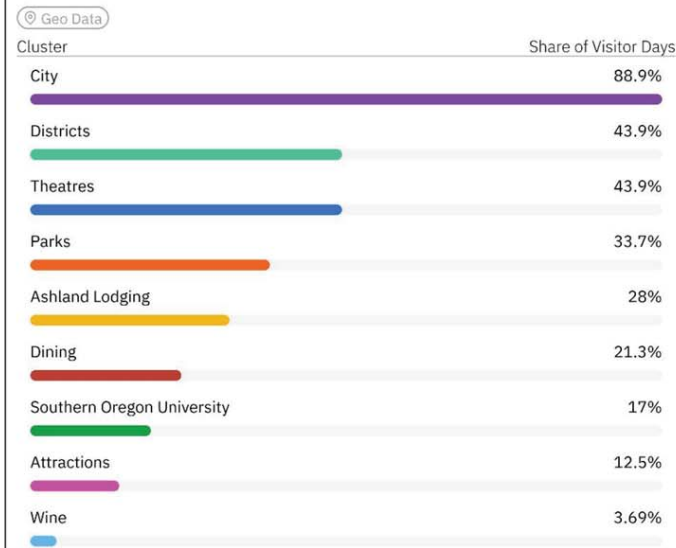
Travel Ashland FY 24-25 Q2

Quarterly Report

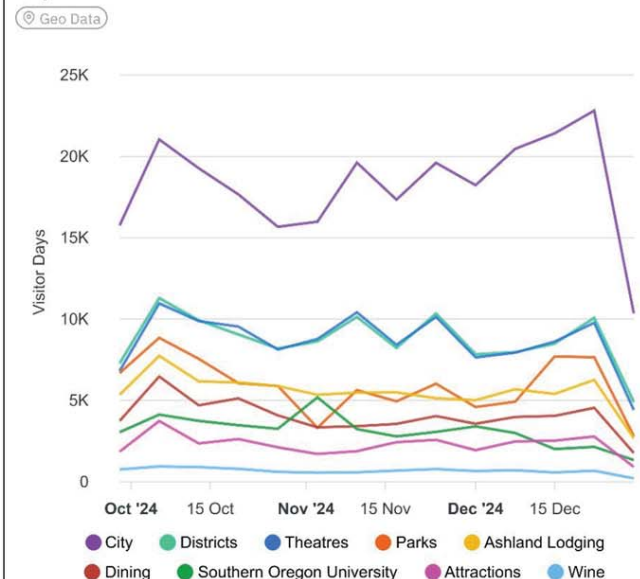
Powered by **DATAFY**



Cluster Visitation



Top Cluster Visitation



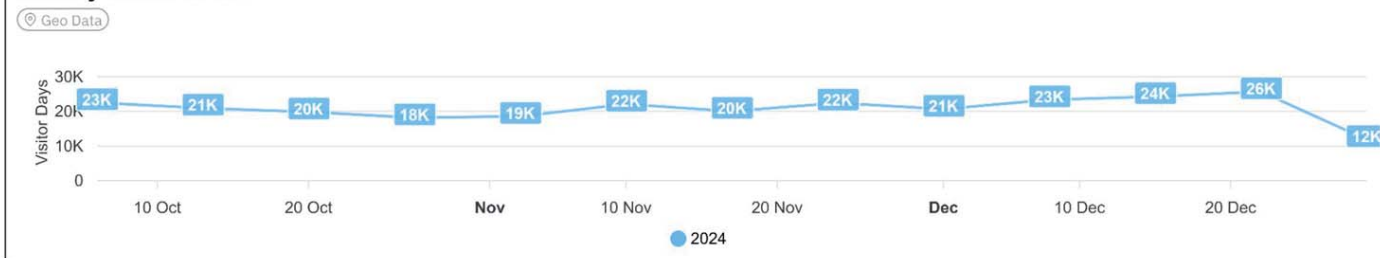
Comparison of Trips



In-State vs Out-of-State % Share



Weekly Visitor Trend



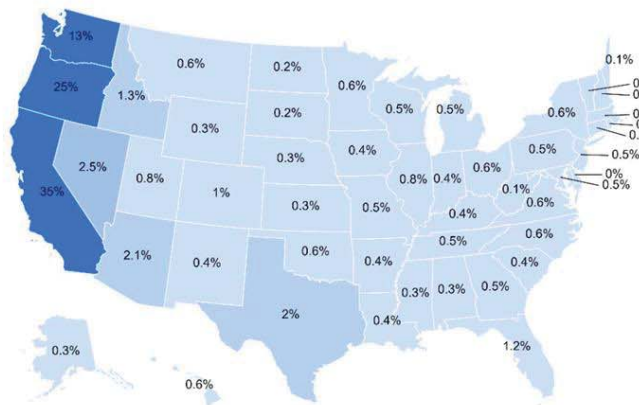
Top DMAs

Geo Data

DMA	Share of Visitor Days	Total Visitor Days
Portland- OR	15.6%	72,375
Eugene	8.7%	40,312
Sacramnto-Stkton-Modesto	8.1%	37,426
Seattle-Tacoma	7%	32,454
San Francisco-Oak-San Jose	7%	32,361
Los Angeles	5%	23,398
Medford-Klamath Falls	4.9%	22,717
Chico-Redding	4.3%	19,799
Eureka	1.6%	7,243
Fresno-Visalia	1.3%	5,844

Share of Trips by State

Geo Data



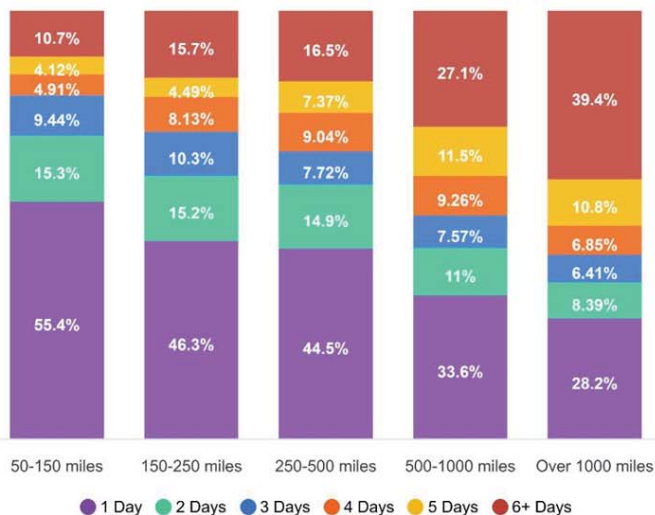
Length of Stay by Top DMAs

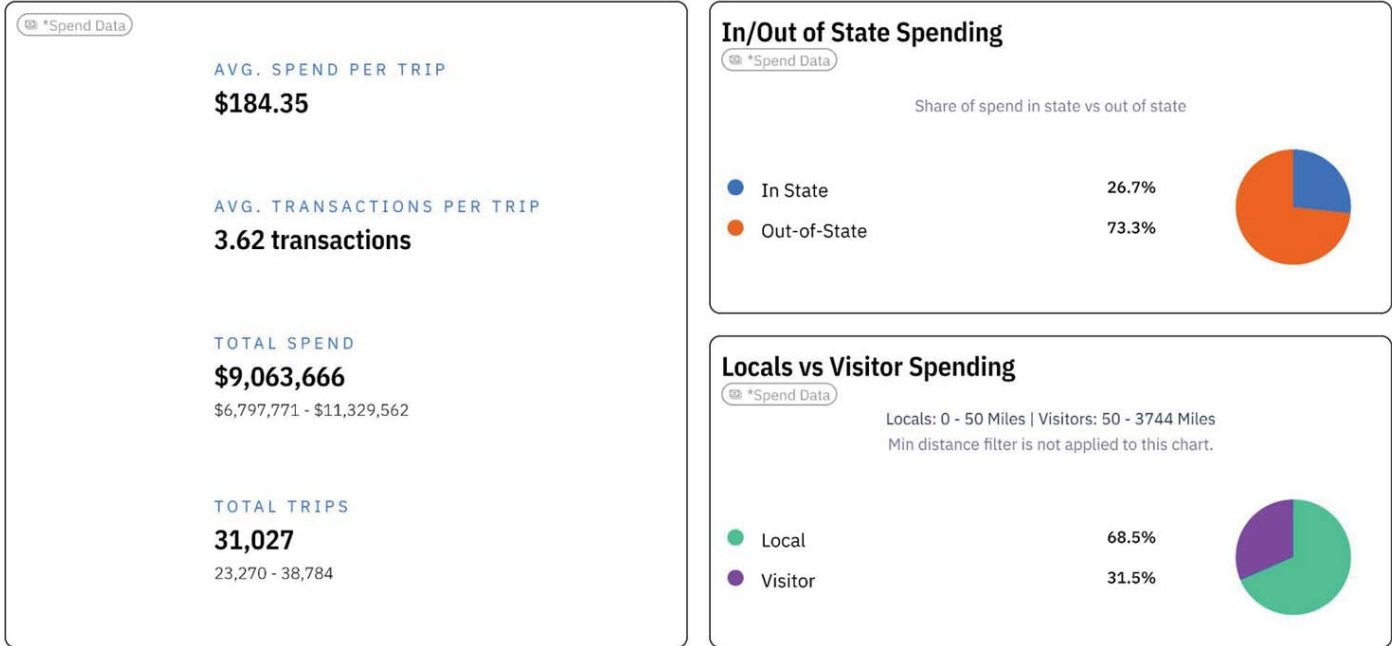
Geo Data

DMA	Avg Length of Stay	Share of Visitor Days
Charleston-Huntington	3 Days	1.4%
Portland- OR	2.8 Days	15.6%
Los Angeles	2.7 Days	5.04%
San Diego	2.7 Days	1.01%
Seattle-Tacoma	2.6 Days	7%
Monterey-Salinas	2.6 Days	0.8%
San Francisco-Oak-San Jose	2.6 Days	6.97%
Reno	2.5 Days	1.34%
Phoenix -Prescott	2.5 Days	1.24%
Eugene	2.4 Days	8.69%
Sacramnto-Stkton-Modesto	2.4 Days	8.07%

Length of Stay by Distance

Geo Data





Top DMAs

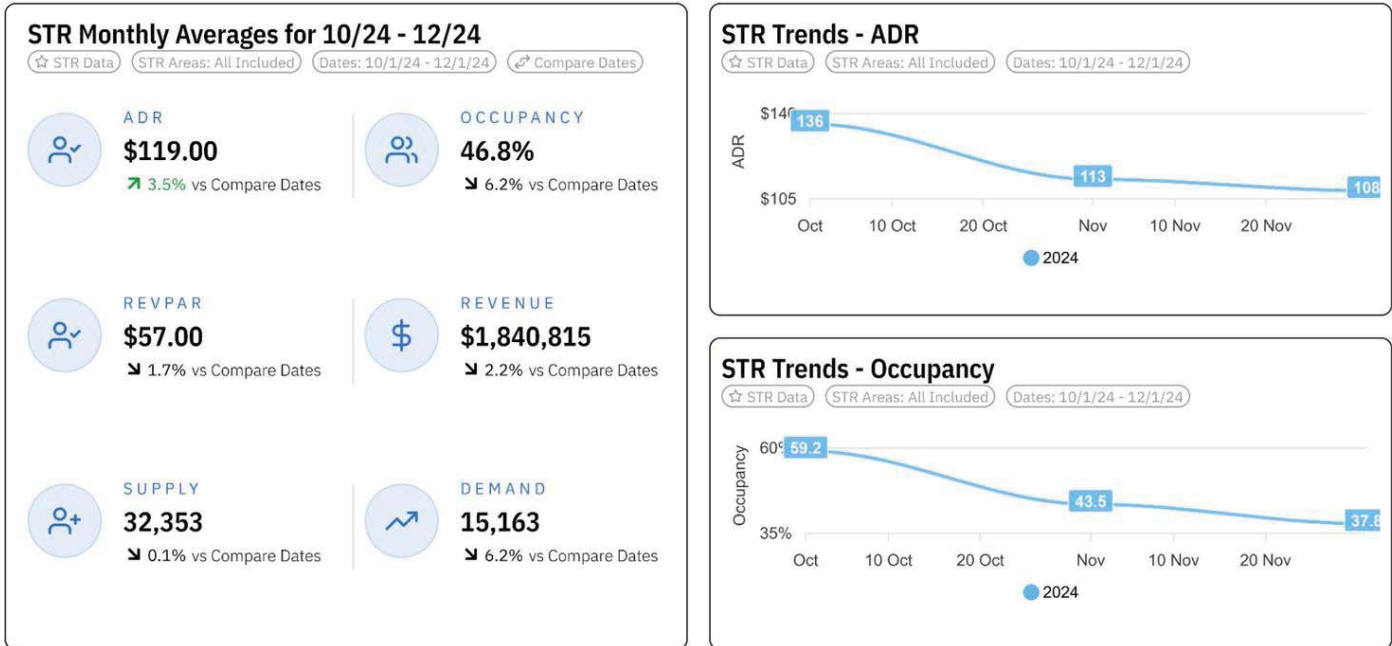
*Spend Data

DMA	Share of Spend %	Avg. Spend
Portland- OR	18.9%	\$183.02
San Francisco-Oak-San Jose	15.4%	\$208.40
Medford-Klamath Falls	8.12%	\$139.48
Seattle-Tacoma	6.39%	\$175.58
Sacramnto-Stkton-Modesto	6.17%	\$167.65
Los Angeles	6.14%	\$205.21
Eugene	5.76%	\$159.92
Chico-Redding	3.02%	\$183.17
New York	2.24%	\$274.79
Eureka	2.02%	\$269.28

Top Categories

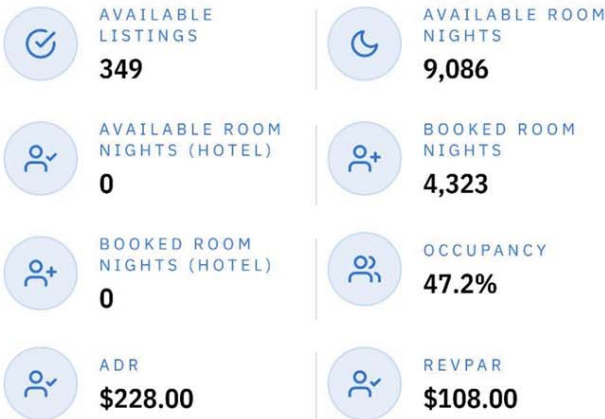
*Spend Data

Category	Share of Spend %	Avg. Spend
Dining and Nightlife	22.9%	\$82.30
Accommodations	22%	\$257.97
Grocery and Dept Stores	21.6%	\$92.93
Service Stations	11.6%	\$56.56
Specialty Retail	7.84%	\$92.76
Clothing and Accessories	4.31%	\$143.02
Leisure, Recreation and En	3.99%	\$130.67
Fast Food Restaurants	3.82%	\$26.50
Personal Care and Services	1.65%	\$150.80
General Services	0.15%	\$26.72



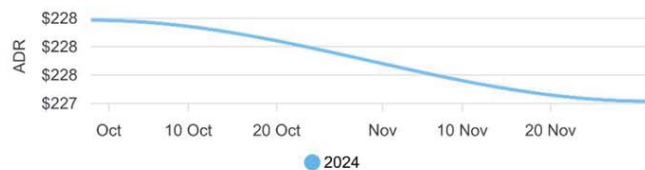
AirDNA Monthly Averages for 10/24 - 12/24

AirDNA AirDNA Areas: All Included Dates: 10/1/24 - 12/1/24



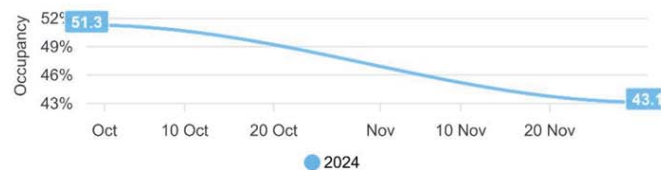
AirDNA Trends - ADR

AirDNA AirDNA Areas: All Included Dates: 10/1/24 - 12/1/24



AirDNA Trends - Occupancy

AirDNA AirDNA Areas: All Included Dates: 10/1/24 - 12/1/24



 Glossary

General Definitions

Distance Filter: This dynamic filter allows you to specify the distance between the users' home location and your POI. It'll allow you to make real time adjustments to segments like visitors days and trips. (Note: It's calculated on flight distance - not driving distance.)

Home Zip Code: The home zip code of the device. It's calculated by observing the historical patterns of the device and is updated monthly, based on the behavior of that device.

Percent Change: This tracks the percentage difference (either increase or decrease) between two values. In here, you'll typically see it being used on metrics like Percent Change of Trips and Percentage Change of Visitor Days. For example: if your destination saw an increase from 100 trips to 125 trips, your percent change in trips would be a 25% increase.

Geolocation Data Definitions

Cluster: A group of points of interest (POIs). They could be based on factors like venue type or visitor purpose.

Share of Trips: Measures the presence of a particular market by the percentage of which it makes up the destination's total trips. For example: If your destination had a total of 80 trips, and 20 of those visitors came from New York, New York would have a 25% share of trips.

Share of Visitor Days: Measures the presence of a particular market by indicating the percentage of its individual visitor days compared to the total number of visitor days. For example, if visitors from San Francisco showed 20 visitor days out of a total of 80 visitor days, San Francisco witnessed a 25% share of visitor days.

Trips: The number of distinct trips by a visitor to a destination or POI. We calculate this using a combination of observation patterns and distance traveled. For example, if a visitor comes in-market Thursday - Sunday, it only counts as one trip. If they return later in the month, that is counted as a second trip.

Trip Length: Measures how long, in consecutive days, the visitor spent in the destination.

Unique Device: A unique mobile device used to gather an estimate of the unique/individual visitors to a given POI or cluster.

Visitor Days: An estimate of the number of daily visitors to a given POI or cluster of POIs. The daily estimate can be calculated based on whichever date range is selected by the users.

Demographics Definitions

Education: We can report on the education level of households into three categories: high school degree, bachelor's degree, and graduate degree.

Age: Age is calculated by aggregating and weighting the age groups of the known members of the household, based on the probability of someone in each age group being present in the household. For example, if the report shows 15% in the 65+ category, 15% of your visitors have someone 65+ in their household.

Ethnicity: Demographics like ethnicity are pulled from the household profile that the device is associated with, and classified based on the definitions provided by the U.S. Census Bureau.

Households with Children: Reports on the percentage of households that have someone under the age of 18 living in them.

Census Demographics: We calculate the home zip code of the device and then link that user's demographics, social, housing, and economic characteristics by using data from the U.S. Census and American Community Survey.

Advanced Spending Data Definitions

Total Spend: The total estimated spend for all visitors for the applied date range and filter settings.

Total Trips: The estimated number of unique "trips" to a destination. If a cardholder visits in March, and then returns in June this would be considered two separate trips.

Spend Volume: The total estimated dollars spent.

Average Spend per Trip: The average cumulative amount spent by each visitor during a trip. If a visitor completed four transactions during a trip that were \$25 each, then the spend for this visitor for this trip would be \$100.

Average Transactions per Trip: The average number of transactions that each visitor completed during a trip.

Average Transaction Size: The average dollar amount for each completed transaction. If a visitor spent \$50 on gas and \$100 at a restaurant during a short trip, then the average transaction size for this visitor would be \$75.

Transaction Volume: The total estimated number of transactions that occurred.

Repeat Spenders: If we see a cardholder make two or more trips to the destination (using all of our historical data, not just the filtered dates), then they are considered a "Repeat Spender." If the cardholder has only made one trip to the destination, then they are considered "One Time".

Length of Stay: Length of stay is determined as the difference between the first transaction on a trip and the last transaction on a trip for an individual cardholder. We recommend toggling the "Primary Cards" option when looking at length of stay to remove cards that a visitor may only use infrequently, and thus will skew towards 1-day trips.

Merchant Location: Available as a filter. The merchant location reflects the zip code or county where the transaction took place.

STR Data Definitions

Demand: Refers to the number of rooms sold within a specific time period, excluding complimentary rooms.

Occupancy: The percentage of available rooms sold during a specified time period. $\text{Occupancy} = \text{Rooms Sold} / \text{Rooms Available}$

Revenue: Total revenue generated from guest room rentals or sales.

RevPAR: Stands for Revenue Per Available Room, and is calculated by dividing total room revenue by the total number of available rooms. $\text{Room Revenue} / \text{Rooms Available} = \text{RevPAR}$.

Supply: Number of rooms available in a hotel (or set of hotels) multiplied by the number of days in a specified time period. For example, if you're looking for the supply during the month of October, you would multiply (number of available rooms) x (31 days in the month).

Travel Ashland Advisory Committee



Photo by Steve Heinrichs

- Pete Wallstrom – Momentum River Expeditions (Past Chair)
- Graham Sheldon – Ashland Creek Inn
- Anne Robison – The Crown Jewel
- Charlsie Lane – Neuman Hotel Group
- Julie Gurwell – Hearsay Restaurant, Lounge and Garden
- Scott Malbaurn – Schneider Museum of Art (Current Chair)
- Marti Huff – Lithia Springs Resort
- Jordan Rooklyn – City of Ashland
- Javier Dubon – Oregon Shakespeare Festival
- Andrew Gast – Mt. Ashland Ski Area
- Eric Weisinger and Ali Rouiller – Weisinger Family Winery
- Jay Bowen – Columbia Hotel
- Ryan Hawk – Rogue Valley Mountain Bike Association
- Doug Knauer – Ashland City Council Liaison

Thank you!

Questions?

Katharine Cato, Director, Travel Ashland

katharine@ashlandchamber.com

Travel



ASHLAND

Live your daydreams



Council Business Meeting

Date: March 4, 2025

Agenda Item	Appeal (#PA-APPEAL-2025-00020) of Planning Action #PA-T2-2024-00054 a request for outline plan approval for Kestrel Park Phase III, a performance standards option (PSO) subdivision, Site Design Review, variance to driveway width, and tree removal permit request, within the North Mountain Neighborhood Plan area.
From	Brandon Goldman, Director of Community Development, Aaron Anderson, Senior Planner
Contact	brandon.goldman@ashland.or.us

SUMMARY

Consideration of an appeal of the Planning Commission's January 14, 2025 approval of planning action #PA-T2-2024-00054 a request for outline plan approval for a performance standards option (PSO) subdivision, a request for residential site design review approval, a request for a variance to driveway width, and a tree removal permit.

POLICIES, PLANS & GOALS SUPPORTED

The City of Ashland's Comprehensive Plan include policies relevant to the Council's consideration of the appeal. 6.10 Goals and Policies - DIVERSITY OF HOUSING TYPES (6.10.01)

(1) Goal: Ensure a range of different dwelling types that provide living opportunities for the total cross section of Ashland's population.

- Policy 1: Provide for a mix of housing types that are attractive and affordable to a diversity of ages, incomes, household sizes, and household types.
- Policy 3: Integrate housing with other compatible land uses through flexible zoning provisions.
- Policy 5: Zone sufficient land at densities to accommodate an adequate supply of housing by type and cost to meet population growth and projected housing needs.
- Policy 8: Use design standards to promote neighborhood compatibility and maintain consistency with the character of the surrounding built environment.
- Policy 9: Support the retention and development of rental housing

Ashland Municipal Code: Appeal of Type II Planning Actions Chapter [18.5.1.060.I](#)

BACKGROUND AND ADDITIONAL INFORMATION

Introduction to the North Mountain Neighborhood Plan

The Ashland North Mountain Neighborhood Plan (NMNP) is a master-planned development framework adopted to guide the phased growth of the North Mountain area. A neighborhood master plan is a land use tool that establishes zoning designations, street layouts, and infrastructure requirements to predictably manage future development. Since its adoption, the North Mountain area has developed in phases, with each phase adhering to the plan's zoning and design standards. This approach ensures that development occurs in a structured manner, aligning with Ashland's broader goals for housing diversity, transportation connectivity, and urban design.

The NMNP Area (shown at right with the subject property outlined with dashed line) is approximately 53 acres and is located between Interstate-5 and Bear Creek and west of North Mountain Avenue. The Neighborhood Plan and related implementation standards were adopted by the City Council by Ordinance 2800 on April 2, 1997.





Council Business Meeting

The subject property discussed in the attached appeal is designated NM-MF (North Mountain Multi-Family) and is required to be developed in accordance with its zoning designation. This phase of development continues the structured implementation of the North Mountain plan by providing for multi-family housing while integrating with the existing neighborhood fabric.

This appeal provides the City Council the opportunity to evaluate whether the Planning Commission's findings adequately support its decision and allows the appellants to challenge the Commission's decision as outlined in its Findings of Fact and Conclusions of Law. However, the review process is limited to determining whether substantial evidence already in the record supports the original decision and whether any legal errors were made, rather than re-evaluating the project on its merits or accepting new evidence not previously presented before the Planning Commission.

What is "An Appeal on the Record"?

Prior to 2008, City Council appeals were handled through a de novo hearing process and the City Council was able to consider new information during an appeal that was not previously included in the record upon which the Planning Commission based their decision. Since 2008, City Council appeals have been handled through an appeal on the record. An "Appeal on the Record" is an appeal of a land use decision where the City Council must consider the same facts and information (i.e. "the record") that the Planning Commission saw. The City Council may not consider new facts or information.

The Council will decide:

- 1) whether there is substantial evidence to support the decision of the Planning Commission, and
- 2) if the Planning Commission committed an error.

Review of a decision of the Planning Commission by the City Council shall be confined to the record of the proceeding before the Planning Commission in accordance with 18.5.1.060.I. The record shall consist of the application and all materials submitted with it; documentary evidence, exhibits and materials submitted during the hearing or at other times when the record before the Planning Commission was open; recorded testimony, the executed decision of the Planning Commission, including the findings and conclusions. In addition, for purposes of City Council review, the notice of appeal and the written arguments submitted by the parties to the appeal, and the oral arguments, if any, shall become part of the record of the appeal proceeding.

Oral arguments on the appeal shall be permitted before the Council. Oral argument shall be limited to ten minutes for the applicant, ten for the appellant, if different, and three minutes for any other Party who participated. A party shall not be permitted oral argument if written arguments have not been timely submitted. Written and oral arguments on the appeal shall be limited to those issues clearly and distinctly set forth above in this Notice of Appeal; similarly, oral argument shall be confined to the substance of the written argument. Statements of support or opposition are not arguments. The record on this matter remains closed and no new evidence may be submitted. Argument may be submitted only by parties to the planning action.

Kestrel Park History

It is important to emphasize that this is the third phase of the Kestrel Park Subdivision which began in 2018 and established the existing road and alley network in accordance with the master plan.

Phase 1 was the extension of Kestrel Parkway and Stoneridge Ave., as well as the construction of Nandina Street. It consisted of 15 residential lots and was approved as Outline Plan PA-T2-2018-00005 in December 2018 followed by Final Plan PA-T1-2019-00075 in November 2019. The final plat was recorded as CS23143 in September of 2020. That application also included amendments to the NMNP to modify the street network and address the 'Civic Space' shown on the adopted map. During this approval a traffic impact analysis was conducted based on the total traffic from all phases of the subdivision, including areas 4



Council Business Meeting

through 7.

Phase 2 which consisted of the “cottage development” and was approved as Outline Plan PA-T2-2020-00016 in March of 2020 followed by Final Plan PA-T1-2020-00113 in June of 2020. The final plat was recorded as CS23242 in December of 2020, and reserved lot 31 for future phases.

Original Request

The original application was a request for outline plan approval for a performance standards option (PSO) subdivision, a request for residential site design review approval, a request for a variance to driveway width, and a tree removal permit.

Modified Request

On December 9, the day before the Planning Commission hearing, the applicant informed staff that they were removing ‘area 7’ and its proposed development from the application, and instead would plat the area as a single lot reserved for future development. On December 10, 2024 the applicant informed staff in writing that *“Based on comments received from the neighboring property owners of the proposed Kestrel Park, Phase III application, the applicants have decided to withdraw area 7 from the application, including all associated entitlement requests such as the proposed property lines, tree removal and site review proposal. The applicants are still proposing to move forward with the remaining areas, area 4, 5 and 6, but will eventually re-apply for entitlements for area 7 in the future.”*

The request, after the removal of area 7, is for outline plan approval for a 13-lot PSO subdivision and Site Design Review approval. The Proposal is a total of twelve-lots for residential development, eight of the lots are proposed for single-family residential (SFR) development (which may or may not eventually develop with ARU’s). The Site Design Review includes four lots with a total of 16-units of multi-family housing (area 6), as well as three buildings of attached single family (areas 4 and 5). The thirteenth lot will be reserved for the future development of area 7.

Planning Commission Decision

The Planning Commission approved the application with conditions of approval. [At the applicant’s request the portion of the application involving area seven was withdrawn from consideration at the beginning of the hearing.]

Appeal Request

Subsequent to the mailing of the Notice of Decision and the Planning Commission’s adopted findings, an appeal was timely filed by Vida Taylor et al. The appeal application included the required form, and a three-page letter listing eight points of appeal signed by Ms. Taylor and nine others. The appeal application also included a four-page letter titled “Testimony on Kestrel Park Phase III Site Development” which is a near identical letter to what was previously submitted by Mr. Kinsinger on December 5th and again on February 18th. The majority of the Kinsinger letter raises concerns that had to do with “Area 7” which was removed from consideration. The other issues raised in the Kinsinger letter overlap entirely with the eight issues raised in the Taylor letter including street design standards, alley access, lot coverage and building design.

The eight assignments of error for the appeal are summarized below:

1. That the standards provided at AMC 18.3.5.030.C are not met. This section of code is the “Supplemental Approval Criteria” for the North Mountain Neighborhood plan. The appellant specifically cites density, building design, building orientation, and concerns about increased traffic.



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2. That the standards provided at AMC 18.3.5.100.C.3 are not met. This section of code is specific to the design requirements of alleys for the North Mountain Neighborhood. The appellant raises concerns with the number of units taking vehicular access from an extension of existing alleys.
3. The third appeal issue restates the concern that the standards provided at AMC 18.3.5.030.C are not met. The appellant then specifically cites concerns with the multifamily development building design, and parking being 'Infront of the buildings.
4. That the standard provided at AMC 18.3.9.040 are not met. This section address "Adequate key City facilities" and the appellant raises concerns with police and fire protection, and adequate transportation.
5. That the standards provided at AMC 18.5.2.050.C are not met. This section addresses compliance with Chapter 18.4. The appellant then specifically cites concerns regarding density, traffic, and evacuation.
6. That the standards provided at AMC 18.3.5.100.A are not met. This section address "Site Development and Design Standards for 'Housing' for the North Mountain Neighborhood. The appellant then specifically cites building orientation, building design, parking, and fire protection.
7. That the standards provided at AMC 18.4.4.070 are not met. This section addresses the required open space. The appellant then specifically cites concerns regarding lot-coverage, building design, views, and generally the development of multi-family housing.
8. The eighth appeal issue does not include a code citation but raises concerns with fire safety and evacuation.

This appeal on the record is limited to these eight grounds for appeal which were clearly and distinctly identified in the appeal request. As provided in AMC 18.5.1.060.I.5.b., in their review "the Council shall not re-examine issues of fact and shall limit its review to determining whether there is substantial evidence to support the findings of the Planning Commission, or to determining if errors in law were committed by the Commission. Review shall in any event be limited to those issues clearly and distinctly set forth in the notice of appeal."

Except when limited reopening of the record is allowed as provided in AMC 18.5.1.060.I.4.b., the Council shall not re-examine issues of fact and shall limit its review to determining whether there is substantial evidence to support the findings of the Planning Commission, or to determining if errors in law were committed by the Commission. The City Council review is limited to the issues clearly and distinctly set forth in the notice of appeal. No issue may be raised on appeal to the Council which was not raised before the Planning Commission with sufficient specificity to enable the Planning Commission and the parties to respond.

Considering the Grounds for Appeal

This appeal will be processed on the record according to AMC 18.5.1.060.I. The grounds for the appeal as identified by the appellant are:

1) That the standards provided at AMC 18.3.5.030.C are not met.

The appellant stated:

We do not believe this design conforms to requirements of AMC 18.3.5.030.C relating to the N. Mountain neighborhood plan in regards to density, building design and building orientation. The currently proposed Kestrel Park hillside subdivision will add 43 units to the streets system with the possibility of adding another 10 ADUs. Mountain Meadows streets will not accommodate the increased traffic flow and parking. The streets are narrow, with cars parked on either side, causing one way traffic which is further impaired by large trucks and service vehicles that need access



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The citation to AMC 18.3.5.030.C is a section that is titled “Supplemental Approval Criteria” for the North Mountain Neighborhood Plan (NMNP) and are set out in full below.

C. Supplemental Approval Criteria. In addition to the criteria for approval required by other sections of this ordinance, applications within the NM district shall also meet all of the following criteria.

1. The application demonstrates conformity to the general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation. [underline added]

2. The application complies with the specific design requirements as provided in the North Mountain Neighborhood Design Standards.

These supplemental approval criteria require compliance with both the “general design requirements” (the standards at AMC 18.3.5.040) as well as the “specific design requirements” (the standards at AMC 18.3.5.050 through 18.3.5.100. The effect of this singular reference to 18.3.5.030.C invokes the totality of the NMNP standards.

With regard to density, building design and building orientation, traffic and adequacy of the size of the streets staff would note the following.

First, with regard to density: The North Mountain Neighborhood plan has both a required minimum density as well as a maximum density. Throughout each phase of the subdivision the density has been tracked to ensure that the total number of dwellings falls within the required range. The Planning Commission Findings provide a detailed table in Section 2.4.6 (Page 7 Planning Commission Findings) showing the number of units in each zone for each phase. Prior to the consideration of the present application the allowed density for the subject property was between 24 and 40 dwelling units. For the purposes of density, the proposal was 22 dwelling units. The Planning Commission included a condition of approval that the future development of area seven meet the minimum density requirements of at least two units and cannot exceed eighteen. The Planning Commission found that with the condition of approval for future development of area seven that the standard was met.

Next, with regard to building design and building orientation, on Page 9 of the Planning Commission Findings they addressed the architectural Design standards at AMC 18.3.5.100.A.1 and adopted the following findings:

The Planning Commission notes that the application materials include extensive drawings of the proposed buildings with each having eaves, covered porch entries, gables and in some cases dormers. The Planning Commission concludes that each proposed building design includes at least two of the required features satisfying the ‘Architectural Design.’ Requirements.

The Planning Commission notes that the building orientation standards require that “*Dwellings shall be designed with a primary elevation oriented towards a street.*” The Planning Commission notes that the site plan clearly shows that each proposed building has its primary orientation to the street and finds that the orientation standard is met.

Next, with regard to traffic and adequacy of the size of the streets, on Page 10 of the Planning Commission Findings they addressed the Street Types and Design Standards at AMC 18.3.5.100.C and adopted the following findings:

The Planning Commission notes that this section provides many types of streets for the NMNP area with the primary type being a “neighborhood access street” which is composed of “a 48-foot right-of-way, which provides for a 15-foot travel surface, seven-foot parking bays, and eight-foot planting strips and five-foot sidewalks on each side.” The project also includes alleys which are “a 20-foot wide right-of-way which contains a 12-foot wide improved alley and four-foot planted or graveled strips or shoulders.” The Planning Commission once again notes that this is the third phase of the Kestrel Subdivision, and the extension of the street system approved at that time. The Planning Commission further notes that the



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application materials containing detailed civil plans showing that the proposed cross sections meet these design standards and conclude that this standard has been met.

Additionally, Staff would reiterate that the Traffic Impact of the entire Subdivision was assessed with the original approval of Phase 1 of the Kestrel Park Subdivision.

Lastly, the appellant incorrectly states that it will add 43 dwellings; what was approved was 8-Single Family Residential (SFR) Lots (Each of which may or may not develop with an ARU or second unit), and 16-dwellings of multifamily on four lots for a total of 24 dwellings, and reserving 'area 7' for future development, with a condition of approval that its future development meet the density requirements of the NMNP.

2) That the standard provided at AMC 18.3.5.100.C.3 is not met.

The appellant stated:

We do not agree that AMC 18.3.5.100.C3 is met in this design. In area 6, eight units are proposed with access onto Julian Court alley, which already serves another 10 homes that have driveways and garages on the alley. The code describes an alley as a paved surface serving the rear of a property to diminish use of the main access as property frontage. The alley adjacent to the two proposed apartment buildings in area 6 is supposed to serve the residents who have driveways either side of the alley, and is 12 feet wide. It cannot be widened due to property lines and required setbacks and easements. Currently, cars exiting the alley have to back up in order to allow cars to enter from Plum Ridge Drive. Widening the alley next to the apartment buildings in lots 37 and 38 to 20 feet will create a bottleneck, causing a danger to property owners on the west end of the alley as well as anyone trying to enter or exit from the East, including fire trucks, service vehicles and ambulance services in addition to a large number of residents, many of whom would live next to the alley.

AMC 18.3.5.100.C.3 is specific to the design requirements of alleys for the North Mountain Neighborhood and is set out in full below.

18.3.5.100.C3. Alleys. One of the most important features making up the neighborhood is the alley. Alleys allow parking to be located at the property's rear and diminish the negative impact of garages proliferating along street frontages, reduces pedestrian and vehicle conflicts at curb-cuts, and reduces impervious hard surface. In addition, homes, instead of garages, fill the street frontages, providing maximum opportunity for social interaction. The alley cross section is a 20-foot wide right-of-way which contains a 12-foot wide improved alley and four-foot planted or graveled strips or shoulders.

The appellant raises concerns with the number of units taking vehicular access from an extension of existing alleys.

It should be noted that AMC 18.3.5.040 requires that "If an alley serves the site, access and egress for motor vehicles shall be to and from the alley."

Additionally, the code requires that an alley cross section is a 20-foot-wide right-of-way which contains a 12-foot-wide improved alley and four-foot planted or graveled strips or shoulders. As mentioned above, this is what the applicant has proposed which meets the standard. Also, it should be noted that area 6 is also served by a proposed twenty-foot driveway approach connecting to Nandina.

3) The third appeal issue restates the concern that the standards at AMC 18.3.5.030.C are not met.

As mentioned above in point one this citation is to the "Supplemental Approval Criteria" for the North Mountain Neighborhood Plan (NMNP).



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The appellant stated:

Supplemental criteria described in AMC 18.3.5.030.C are not met by the design of apartment buildings in area 6. The buildings are very different in size, height, density and building orientation from other buildings in the neighborhood. The building designs do not comply with the North Mountain Neighborhood Design Standards, requiring all buildings to face a street, not an alley. The apartments face Julian Court alley, but require residents to enter and exit through the rear door, into the parking lot, with no entrance on the other side of the building. This is a fire danger that is at odds with the North Mountain Design Standards. Car parking is in front of the buildings, and are sized for compact cars, which is not adequate for most vehicles used in our area. This is again at odds with the North Mountain standards.

The appellant then specifically cites concerns with the multifamily development building design, and parking being 'In-front of the buildings.

It should be noted that Area 6 is an area proposed for four-lots with three separate buildings (two fourplex and an eight-unit apartment building) served from a single driveway to a common parking area with access to the existing alley network. Those buildings that have frontage on a street provide orientation to them via a pedestrian connection as shown on the applicants site plans. The building in the northeast corner of the development, like the others, is served through the shared parking area as is common in multifamily developments.

4) That the standards provided at AMC 18.3.9.040 are not met.

The appellant stated:

The proposed apartment buildings in area 6 do not meet city of Ashland standard AMC 18.3.9.040, requiring adequate police and fire protection, and adequate transportation. The density of the project is over 2 ½ times greater than the density of phases I and II, with larger units sited lower down the hill, requiring some of the apartments at the top of the hill to be less than 300 square feet, and the rest to be less than 500 square feet. This results in having a large number of people crammed into the buildings with the least road access, causing a dangerous situation in the event of a fire or earthquake, and causing rescue vehicles to compete with residents trying to exit the premises. Some of these residents are expected to be elderly and some may be handicapped, needing more services than those at the bottom of the hill, in single family dwellings

AMC 18.3.9.040 is not a specific citation but rather the entire section addressing "Review Procedures and Criteria" for the Performance Standards Option regulations. The applicant raises concerns about "Adequate key City facilities" and lists police and fire protection, and adequate transportation as concerns. Staff understand this to be a reference to AMC 18.3.9.040.A.3.b which is the 2nd approval for Outline Plan Approval and is set out in full below.

18.3.9.040.A.3.b. Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.

Both the application materials and Planning Commission findings detail the provision of water, sewer, paved access, and storm drainage. Additionally, the application materials state that "The project's Civil Engineer has communicated with City staff to ensure the subject infrastructure needs meet City standards and address all capacity requirements." Additionally, as it relates to fire and police service staff would again note that the City street standards are all being met, as well as the extension of previously approved utilities whose capacity was based on the total development density of the entire Kestrel Park.

The Planning Commission adopted findings that based on the "consultations with representatives of the various City departments" that the proposed development will not cause a City facility to operate beyond



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capacity and made findings that the approval criterion is satisfied.

5) That the standards provided at AMC 18.5.2.050.C are not met.

The appellant stated:

Transportation is very limited in the N. mountain neighborhoods. In addition, there are no grocery stores or other kinds of services that residents of these very small apartments need to access to meet their daily needs if they do not have automobiles. This is at odds with AMC 18.5.2.050 C. We request that the Kestrel Park subdivision be redesigned with a reduced density appropriate for the existing streets as well as future extensions. We would support building homes at a lower density on the hillside, but the current plan is not seen as appropriate for the Neighborhood Design Standards for the above reasons. The planned multi-family super dense buildout of small units is not compatible with the character of the rest of the neighborhood. The zoning's multi-family provisions could be met by a project half the size of the proposed project.

This is the 3rd approval criterion for Site Design Review and it in turn invoked compliance with the entirety of AMC 18.4 (This is the largest part of the Land Use Ordinance and contains 10 separate chapters). The appellant then specifically cites concerns regarding density, traffic, and evacuation.

Staff would note that traffic, road standards and density have been addressed above.

6) That the standards provided at AMC 18.3.5.100.A are not met.

The appellant stated:

AMC 18.3.5.100 A We believe the proposed development does not meet the general design requirements for the North Mountain Neighborhood Design Standards. They do not have street frontage as required in the above. The two apartment buildings abutting Julian Court Alley have only one door for entrance and exit. This is a fire danger. The Parking area blocks over 50% of the front of the building, which is not in compliance with the above standards. Access to these buildings is limited by the fact that they are not situated on a road, but rather are on an alley that does not have two way access to the nearest street, hampering services including fire and emergency services.

This section address "Site Development and Design Standards for 'Housing' including Architectural Design, orientation, repetitive elevations, other setbacks, terracing, porches, driveways. The appellant then specifically cites building orientation, building design, parking, and fire protection. Staff would note that the Planning Commission findings address these standards comprehensively on page 9 of their findings, and that the architectural design and building orientation was addressed above, including the common area parking the lack of street frontage.

With regard to parking, Staff would note that changes in state law as well as our local ordinances no longer have parking minimums for development, however, the code does require that where it is provided that it meet the standards of the Land Use Ordinance. In the present application for 'area 6' the applicant proposed a total of sixteen parking spaces that are under the main building, with four additional parking spaces, as well as a single ADA parking space. This provides one parking space for each unit as well as four unrestricted guest parking spaces, in addition to the available on street parking.

7) That the standard provided at AMC 18.4.4.070 is not met.

The appellant stated:

The proposed apartment buildings do not meet common and private open space requirements in 18.4.4.070. The plan would cover 68% of the lots with pavement or structures. This would increase runoff down the steep hill onto the



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residences below. The building design and parking areas, combined with new roads, would increase the already high temperatures in the summers, and the crowding of a large number of residences into a too small area would reduce air flow causing loss of air circulation and raising already high temperatures for all residences in the area. The apartment buildings would be the tallest structures in the area, and their design is not compatible with other residences nearby. They will interfere with the views of residents on Plum Ridge Drive, who purchased their homes with assurances that the lots below were zoned for single family homes. They also will interfere with the views of residents across Julian Court alley, who had the same assurances when purchasing their homes.

The final criteria of approval for Outline Plan (AMC 18.3.9.040.A.3.h) provides the following:

18.3.9.040.A.3.h. The proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the City of Ashland.

This section addresses the required open space. The appellant then specifically cites concerns regarding lot-coverage, building design, views, and generally the development of multi-family housing. On Page 9 of the Planning Commission Findings, they addressed the this approval criteria and the Open Space standards and adopted the following findings:

The Performance Standards Option Chapter requires that at least eight percent of the total lot area be provided in common open space for developments with a base density of ten units or greater. The Planning Commission notes that the firsts two phases dedicated nearly 50% of the total project land area to dedicated open space including the floodplain and wetland areas as well as additional open space provided in phase 2 of the project. The Planning Commission conclude that with the previous phases of the subdivision considered and the ample amount of land dedicated that this criterion of approval has been found to be satisfied.

8) The eighth appeal issue does not include a code citation but raises concerns with fire safety and evacuation

The appellant stated:

Fire Safety: In today's world, this density is a serious safety issue. The very worrisome annual fire danger is an issue we cannot avoid. High density coupled with narrowed streets is a recipe for catastrophe. The proposed streets in Kestrel Park and surrounding N. Mountain Neighborhood do not have the capacity to evacuate residents in a timely fashion. We believe the evacuation study done recently by the city indicates it would take 4.5 hours to evacuate the city in case of fire. The North Mountain roads would become congested within 15 minutes. We have all seen recent fires where all homes in a neighborhood were burned in a very short time, including in our own area. The Alameda Fire started not half a mile from this neighborhood, and we have seen the destruction first hand. A similar occurrence here would be devastating to not only residents of this community, but the entire city of Ashland.

This is the only appeal point raised which does not include a citation to a section of the land use ordinance. Staff would note that the adequacy of the road network and transportation have been addressed above, as well as being reviewed in the previous phases of the subdivision.

footnote Eight of the proposed multi family units are less than 500 square feet so for the purposes of density they only count as 0.75. $[8 \text{ SFR} + ((8 \times 0.75) + 8) \text{ MFR} = 22]$ >>>

FISCAL IMPACTS

There are no direct fiscal impacts related to the appeal of the planning action.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff recommends that the City Council adopt the Planning Commission's Findings of Fact and Conclusions of Law as their own and affirm the approval of the application. The Planning Commission conducted a



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comprehensive review of the proposal and determined that it complies with the applicable approval criteria, including zoning, density, site design, and infrastructure requirements established in the North Mountain Neighborhood Plan. The appeal process is limited to evaluating whether substantial evidence in the record supports the Commission's decision and whether any legal errors were made. In Staff's assessment, the application meets the applicable standards, and the Planning Commission evaluated each of the criteria cited in the appeal.

Adopting the Planning Commission's findings provides a clear and consistent basis for upholding the original approval while maintaining the integrity of the land use process. Unless the Council chooses to approve the appeal and overturn the Planning Commission's decision, or to modify or supplement the Planning Commission's findings, no additional findings are required. However, if the Council decides to deny the application, thereby amending the Planning Commission's decision, new findings must be drafted to reflect the Council's determination, including the specific reasons and criteria supporting the denial.

POTENTIAL MOTIONS

1. *"I move to affirm the decision of the Planning Commission and reject the appeal for the reasons that there is substantial evidence in the record to support the Planning Commission's decision, that the Planning Commission did not commit any errors of law, and to adopt the Planning Commission's Findings of Fact as the City Council's own."*
2. *"I move to overturn the decision of the Planning Commission, approve the appeal, and deny the application for PA-T2-2024-00054, finding that the Planning Commission's decision is not supported by substantial evidence and/or contains errors in the application of the approval criteria. I further direct staff to prepare written findings for adoption by the City Council, specifying the basis for this decision [Include specific assignments of error as discussed in deliberation], including the identified deficiencies in the Planning Commission's findings and conclusions. "*

*Please note that as a quasi-judicial land use application, this project is subject to the '120-Day Rule' under Oregon land use law and has been extended as far as allowed by law by the applicant. A final decision of the City is required by March 18, 2025 with findings to be adopted within 14-days thereafter, and as such remanding the decision back to the Planning Commission is not an option.

REFERENCES & ATTACHMENTS

1. Kestrel Park_PA-T2-2024-00054_Applicant Submittal
2. Kestrel Park_PA-T2-2024-00054_Public Comments Before PC meeting
3. Kestrel Park_PA-T2-2024-00054_Staff Report
4. Kestrel Park_PA-T2-2024-00054_Area 7 Withdrawal Email
5. Kestrel Park_PA-T2-2024-00054_PC Staff Presentation
6. Kestrel Park_PA-T2-2024-00054_PC Applicant Presentation
7. Kestrel Park_PA-T2-2024-00054_Planning Commission Findings
8. Kestrel Park_PA-APPEAL-2025-00020_Appeal Submittal
9. Kestrel Park_PA-APPEAL-2025-00020_Public Comments
10. Kestrel Park_PA-APPEAL-2025-00020_Appellant's Legal Argument



Planning Division
51 Winburn Way, Ashland OR 97520
541-488-5305 Fax 541-488-6006

ZONING PERMIT APPLICATION

FILE # _____

DESCRIPTION OF PROJECT Kestrel Park Phase III Site Development

DESCRIPTION OF PROPERTY

Pursuing LEED® Certification? ☐ YES ☐ NO

Street Address Primary Frontage on Stoneridge Ave, Ashland OR 97520

Assessor's Map No. 39 1E 04AD Tax Lot(s) 8600

Zoning NM - MF Comp Plan Designation North Mountain Plan

APPLICANT

Name Taylorred Elements Construction Phone 541-690-1617 E-Mail office@tayloredelements.com

Address 1679 Jackson Rd City Ashland OR Zip 97520

PROPERTY OWNER

Name PDK Properties, LLC Phone 541-621-8095 E-Mail kyle@tayloredelements.com

Address 1679 Jackson Rd. City Ashland Zip 97520

SURVEYOR, ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OTHER

Title Civil Engineer Name CEC Engineering Phone 541-779-5268 E-Mail mark@cecengineering.com

Address 132 W Main St. # 103, City Medford Zip 97501

Title Surveyor Name Polaris Survey Phone 541-601-3000 E-Mail shawn@solarissurvey.com

Address 151 Clear Creek Dr. City Ashland Zip 97520

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location found to be incorrect, the owner assumes full responsibility. I further understand that if this request is subsequently contested, the burden will be on me to establish:

- 1) *that I produced sufficient factual evidence at the hearing to support this request;*
- 2) *that the findings of fact furnished justifies the granting of the request;*
- 3) *that the findings of fact furnished by me are adequate; and further*
- 4) *that all structures or improvements are properly located on the ground.*

Failure in this regard will result most likely in not only the request being set aside, but also possibly in my structures being built in reliance thereon being required to be removed at my expense. If I have any doubts, I am advised to seek competent professional advice and assistance.

Applicant's Signature Date 11.1.2024

As owner of the property involved in this request, I have read and understood the complete application and its consequences to me as a property owner.

Property Owner's Signature (required) Date 11.1.2024

[To be completed by City Staff]

Date Received _____ Zoning Permit Type _____ Filing Fee \$ _____

OVER ►►

ZONING PERMIT SUBMITTAL REQUIREMENTS

- ☒ APPLICATION FORM must be completed and signed by both applicant and property owner.
- ☒ PLANNING FEES FORM must be completed and signed by both applicant and property owner.
- ☒ FINDINGS OF FACT – Respond to the appropriate zoning requirements in the form of factual statements or findings of fact and supported by evidence. List the findings criteria and the evidence that supports it. Include information necessary to address all issues detailed in the Pre-Application Comment document.
- ☒ TRUE SCALE PDF DRAWINGS – Standard scale and formatted to print no larger than 11x17 inches. Include site plan, building elevations, parking and landscape details.
- ☒ FEE (Check, Charge or Cash)
- ☐ LEED® CERTIFICATION (*optional*) – Applicant's wishing to receive priority planning action processing shall provide the following documentation with the application demonstrating the completion of the following steps:
 - Hiring and retaining a LEED® Accredited Professional as part of the project team throughout design and construction of the project; and
 - The LEED® checklist indicating the credits that will be pursued.

NOTE:

- Applications are accepted on a first come, first served basis.
- Applications will not be accepted without a complete application form signed by the applicant(s) AND property owner(s), all required materials and full payment.
- All applications received are reviewed for completeness by staff within 30 days from application date in accordance with ORS 227.178.
- The first fifteen COMPLETE applications submitted are processed at the next available Planning Commission meeting. (Planning Commission meetings include the Hearings Board, which meets at 1:30 pm, or the full Planning Commission, which meets at 7:00 pm on the second Tuesday of each month. Meetings are held at the City Council Chambers at 1175 East Main St).
- A notice of the project request will be sent to neighboring properties for their comments or concerns.
- If applicable, the application will also be reviewed by the Tree and/or Historic Commissions.

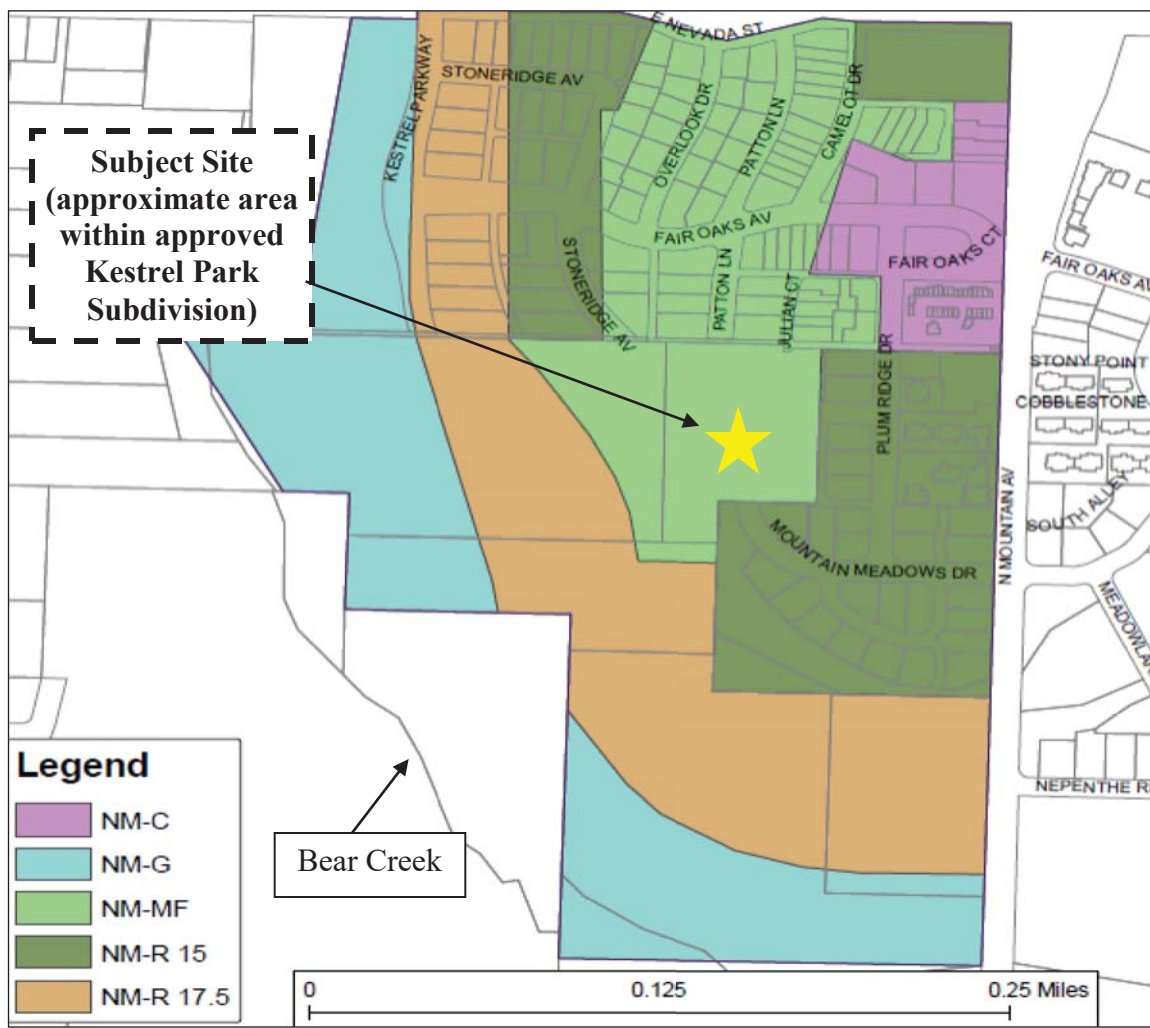
“KESTREL PARK, PHASE 3”

Tract “B” - Areas 4, 5, 6 & 7

A PROPOSAL FOR A 15-LOT PERFORMANCE STANDARDS SUBDIVISION, SITE REVIEW PERMIT AND TREE REMOVAL PERMIT

**SUBMITTED TO
CITY OF ASHLAND**

**FOR
TAYLORED ELEMENTS
1679 JACKSON RD, ASHLAND, OR 97520**



North Mountain Zoning Map

NOVEMBER 1ST, 2024

I. PROJECT INFORMATION:

PROJECT NAME: “Kestrel Park Phase 3”

LEGAL DESCRIPTION: Area 4, 5, 6 & 7 of the Kestrel Park Subdivision

APPLICANT:

PDK Properties, LLC
1679 Jackson Road
Ashland, OR 97520

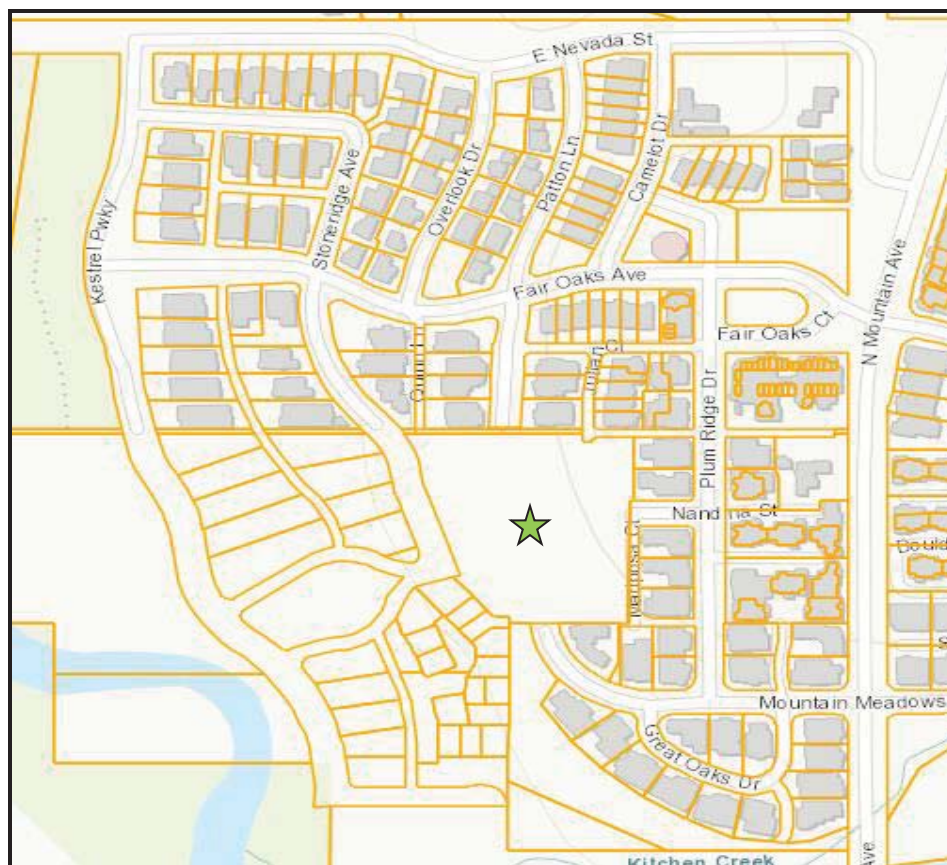
LAND USE PLANNING:

Urban Development Services, LLC
670 Nepenthe Road
Ashland, OR 97520

ENGINEER:

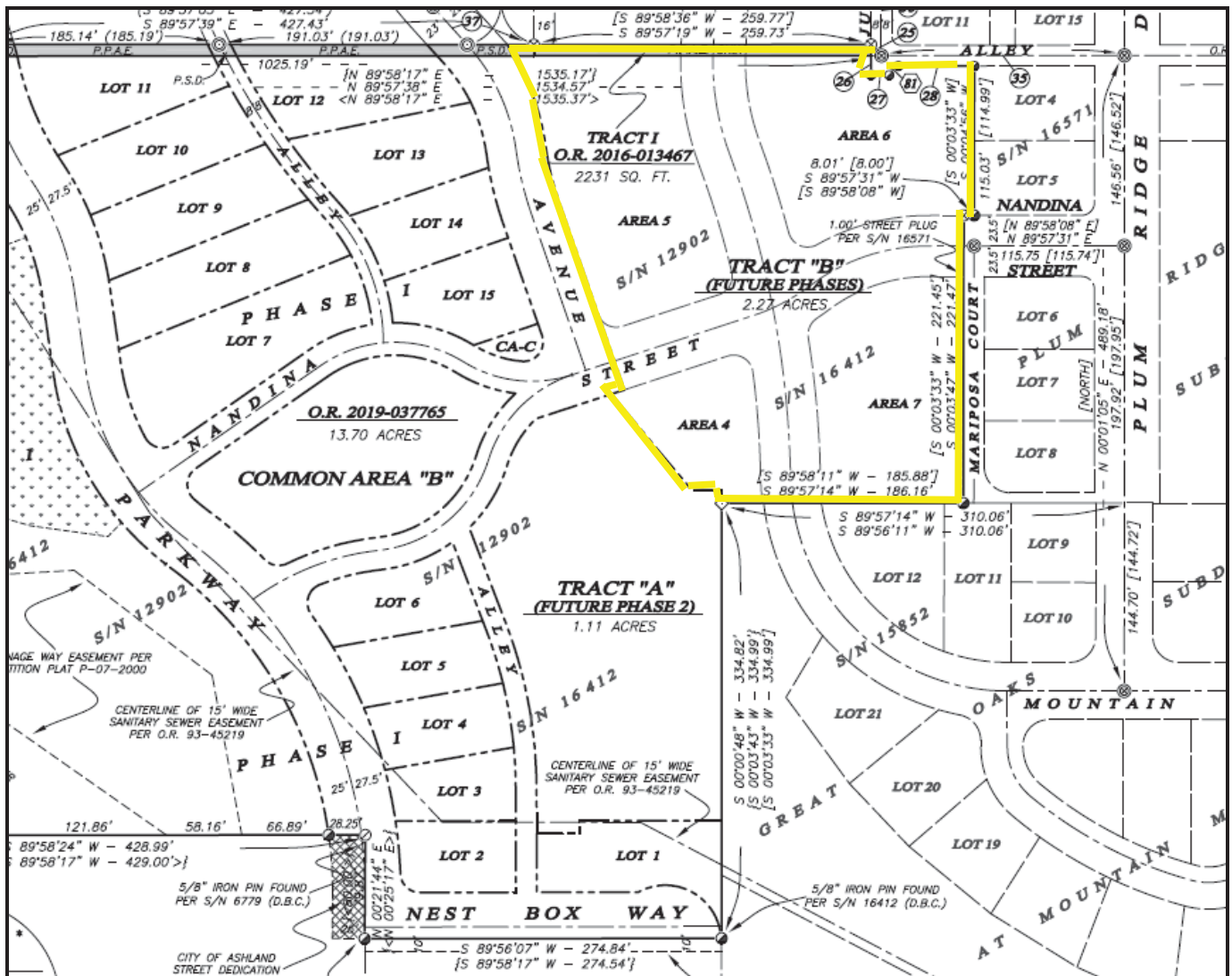
CEC Engineering
132 W. Main Street
Medford, Oregon 97501

PROJECT ZONING: As illustrated in the inserted Zoning Map (above), the property is zoned North Mountain NM-MF (multi-family). The subject property is part of the Kestrel Park Subdivision and is referenced as Areas 4, 5, 6 & 7 on those plans. Areas 1, 2 & 3 have been recorded, public infrastructure completed and single family and cottage housing construction has occurred. This particular proposal is regulated by the AMC, Chapters 18.3.5 (North Mountain Neighborhood District), 18.3.9 (Performance Standards Option Subdivision) and 18.5.2 (Site Review).



PROJECT PROPOSAL: The applicant is requesting approval for a Performance Standards Option Subdivision to create 15 lots within the Kestrel Park Subdivision within the North Mountain Park Neighborhood Master Plan area. A total of 38 units are proposed, consisting of a mixture unit sizes and

housing types, including multi-family apartments which are subject to a Site Review Permit. Of the proposed 38 units, 28 are apartment units on four lots and 10 are single family residences. Of the 38 units identified on the site plans, 20 units are less than 500 sq. ft. and 18 are greater than 500 sq. ft. A Tree Removal permit is also being sought to remove a volunteer multi-trunk Cherry Tree. *Note: With previously completed site plan studies, including design plans and infrastructure plans, the applicants had identified accessory units with each single family residence as a comprehensive approach to planning the subject property, however, the ultimate decision of including an accessory unit is dependent on the preferences of future home owners and not part of this application.*



Kestrel Park Subdivision Plan (portion of) – Outlined Proposed Development Area (Tract “B” – Phase III)

PROJECT HISTORY: Beginning in 1995, the City of Ashland held a number of neighborhood meetings, including a design charrette, between property owners and neighbors of the North Mountain area which included City staff and Professional Land Use Consultants. The effort eventually culminated in a master plan called the North Mountain Neighborhood Plan which was adopted in 1997 (Ord #2800) and included amendments to the City’s Comprehensive Plan, Zoning Map, Land Use Code and Site

Design and Use Standards to guide the eventual development. The expected build-out period at that time was estimated at 20 years.

In 2004, a large portion of the North Mountain Neighborhood was approved for an 81-lot subdivision by a Development Company called Camelot Homes who developed a majority of the subdivision's road and a few homes, but later sold the property due to the poor economy. The remaining areas of the North Mountain Neighborhood are either pending eventual development or were developed between 2005-2017 by other property owners, including the Julian Square Mixed-Use Development, Great Oaks Subdivision, Plumb Ridge Subdivision, Mountain Meadows Retirement Center and the newly constructed three-story condominium building on the corner of Plum Ridge Court and Fair Oaks Avenue.

In December of 2019, the Planning Commission approved a Final Plan proposal for a 15-unit, 17-lot subdivision for Areas 1 and 2 of the Kestrel Park Subdivision, including a remainder parcel which included identified future phasing Areas #3 - #7 (PA-T1-2019-00075). This area or phase of the master plan consists of single family detached homes which are predominately completed.

In July of 2020, the Planning Commission approved a Final Plan proposal for a 15-unit, 16-lot subdivision for Area 3 of the Kestrel Park Subdivision, including a remainder parcel which included identified future phasing Areas #4 - #7 (PA-T1-2020-00113). This area or phase of the master plan consists of attached and detached cottage homes which have been completed.

PROPERTY DESCRIPTION: Areas 4, 5, 6 & 7 of the Kestrel Park Subdivision is 2.27 acres. The property is surrounded by existing development within the North Mountain Neighborhood and developed as part of the North Mountain Neighborhood Master Plan. The subject property is vacant and relatively steep. The slope of the property is generally east to west and ranges from 7% to 15%. Other than the slope of the property and a multi-pronged Cherry Tree, there are no other natural features on the property, but there are multiple public streets or alleys that extend to the property that were designed to connect and extend through the property.

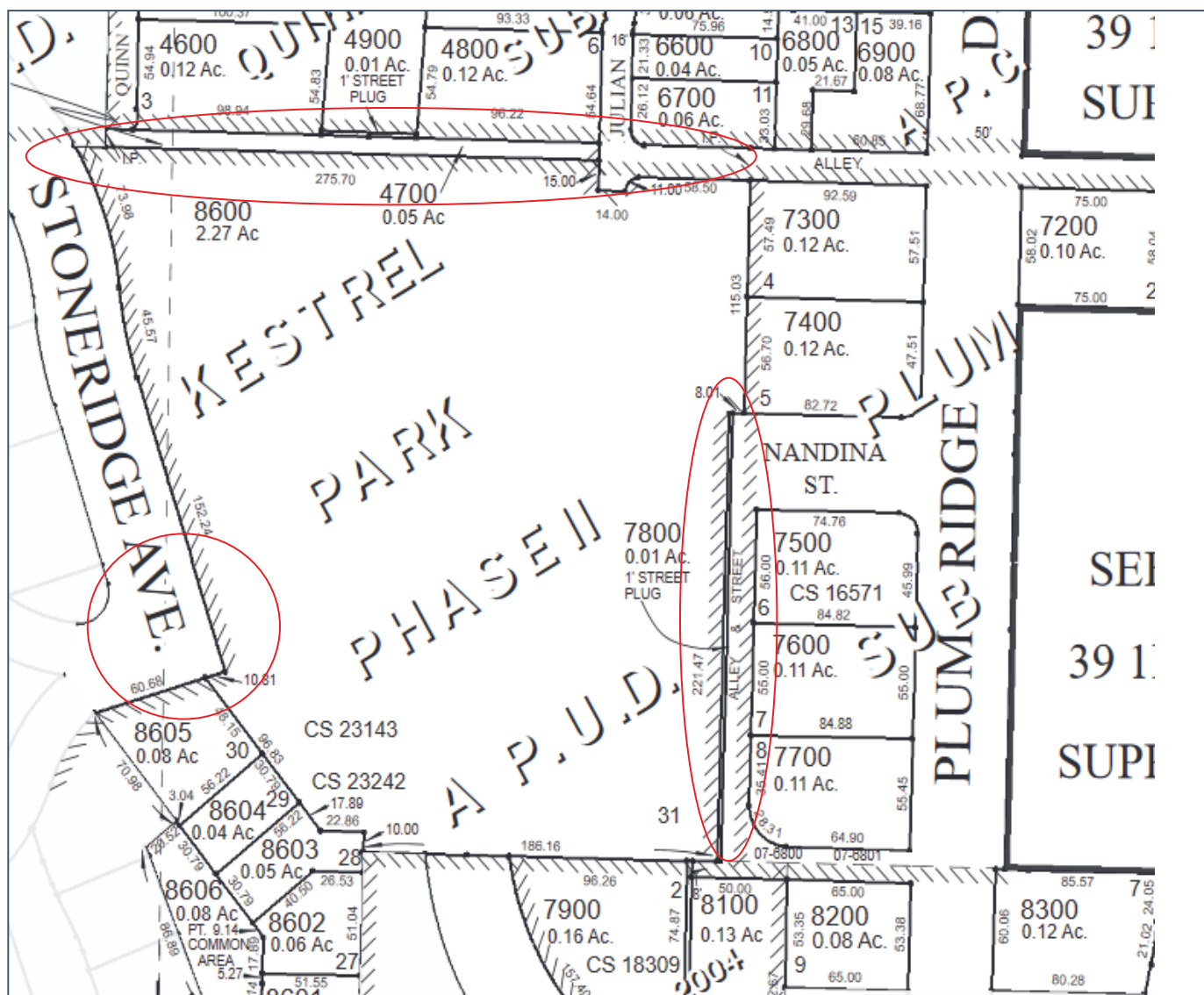
PROJECT DESCRIPTION:

Subdivision: As illustrated within the attached Preliminary PUD Map (Kestrel Park, Phase III), the applicants are proposing Tract B (as illustrated within the insert on Page 3 (Areas #4, #5, #6 and #7)) be divided into 15 lots with the majority of the housing being on the most level and least sloping area of the property (Areas #6 and #7). These areas will be divided by public streets which will extend to and through the property from the adjoining neighborhoods (see Assessor's Map insert on Page 5 - hi-lighted areas). There are two existing alleys abutting the property that will eventually be extended or widened to accommodate City Street Standards and the North Mountain Plan's intent for street and pedestrian connectivity.

The alley (no name) within the northeast corner of the property will extend along the north side of the property in an east to west direction and cross through the rights-of-way of Patton Lane and Stoneridge Avenue as well as two existing public alleys. This particular alley aligns with a pedestrian path that

connects from Stoneridge down to Kestrel Parkway and Kestrel Park. The other existing public alley is called Mariposa Court which extends north to south connecting to Nandina Street and Plum Ridge Drive (see insert on Page #5 - below). The alley as well as the necessary infrastructure to serve the proposal exists within the adjacent rights-of-way and was originally designed and installed by the original developers to extend to and through the subject property.

Grading, drainage, street, and utility plans are included in this submittal. Such plans have been coordinated and designed in concert with various service agencies and City staff.



Site Review Permit: A Site Review Permit is also being proposed for all attached housing, including the proposed apartments. The general purpose of the Site Review Permit is for the City to evaluate project landscaping, screening, exterior building design and parking, in accordance with Chapter 18.5.2. Site plans, Landscaping plans and architectural elevation plans have been submitted identifying compliance with Chapter 18.5.2.

Tree Removal: As identified within the photo to the right, a multi-trunk volunteer Cherry Tree has been identified in the upper southeast corner of property, within Area 7, that will need to be removed due to its proximity to the proposed structures and parking area (specifically Units 1 & 2) and would also conflict with planned utilities, drainage and grade changes within the immediate vicinity. The tree is roughly 14” dbh at its base (combined trunk dimension) and stands roughly 10’ tall.



A total of 29 trees will be planted specifically within Area 7, including multiple mitigations trees within the vicinity of the Cherry Tree.

PROJECT DETAILS:

Density (As approved with the Kestrel Park Subdivision - PA-2018-00005): The Kestrel Park Subdivision was approved as a Performance Options Standard Subdivision in compliance with the North Mountain Neighborhood District’s design and dimensional standards noted in AMC Chapter 18.3.5. The Kestrel Park Subdivision has two zones, NM-R-1-7.5 and NM-MF with a minimum and maximum density requirement between 75% and 110% of each zone’s base density. The table below attempts to break-down the minimum and maximum density requirements based on the subdivision’s zoning, acreage and recent approvals:

NM Zone	NM-G	NM-R-1-7.5	NM-MF
Acres	5.99 ac	2.76 ac	4.74 ac
Dwelling Units Per Acre	-	3.6	12
75% to 110% Base Density Requirement	-	7.42–11.02	42.66 – 62.56 ((56.88 - base))
Approved Density (Phase I – Areas 1 & 2)	-	11	4
Approved Density (Phase I – Area 3)	-	-	15
Permitted Density (Phase II – Areas 4 - 7)		-	23.66* – 43.56**

Minimum vs. Maximum Density: In order to ensure the City’s minimum and maximum density standards within the North Mountain Neighborhood District are complied with, the following explanation has been provided:

* *Minimum Density:* There are a total of 15 lots proposed, 10 of which are single family residences with “potential” accessory dwelling units. Accessory units are planned, but not guaranteed as explained below. However, the remaining 5 lots are to accommodate a total of 28 multi-family apartments. Combined with the single family parcels, the minimum density would be no less than 38 dwelling units.

** *Maximum Density:* As noted previously, the proposed 10 single family residences may or may not have accessory units, which will be determined based on the preference of the home owners. However, in a best case scenario, if all ten single family home owners chose to add an accessory residential unit, it

would equate to 10 single family units, 10 accessory units, in addition to the 28 multi-family apartments (48 total).

Note: It's important for the applicant and consultants to convey to the decision makers as well as neighbors, accessory residential units are NOT subject to City review or approval, per recent State of Oregon land use decisions or density calculations per City Code (AMC 18.2.3.040 C.) However, the applicants contend the planning, design concepts and evaluation of potential infrastructure needs and potential impacts to the surrounding neighborhood is simply thorough planning. In doing so, the applicants believe the proposal is not only more capable of adapting over time (up front consideration of utility sizing, building codes, fire codes, etc.), but also is simply more transparent to all parties about possible outcomes.

Unit Size and Type:

As noted, a total of 38 units are proposed for Phase III with this application, but have varying unit sizes and types. There are a total of 28 multi-family dwelling units less than 600 sq. ft. of which 8 are less than 400 sq. ft., 12 units under 500 sq. ft. and 8 under 600 sq. ft. for an average of 487 sq. ft. per unit with a range from 363 sq. ft. to 603 sq. ft. There are also units that are single family detached and single family attached units. In addition to the proposed apartments, any provided accessory unit in the future, due to the slope of the property and their design above/below a single family residence, would be considered “rental” housing both of which have been considered needed housing types in multiple housing studies adopted by the City of Ashland.

Architectural Design: The site's east to west slope, coupled with the requirement to connect existing streets, adherence to various design standards and consideration of neighborhood context has significantly influenced the proposal's building designs. The most noticeable is the fact that all of the units are two-story near the top of the property (least sloping area) and one-and-a-half story designs from the middle to the bottom of the property due to the property's change in slope from relatively level to steeper slopes. Because of the slopes, portions of the ground floors, “day light basement” type space, sit below a habitable floor above which allows units to nestle into the hillside similar to many other existing houses within the North Mountain neighborhood (see illustration below).

Architectural elevations have been included with the application and illustrate attractive facades for all of the proposed units and reflect designs that include a variety of architectural elements that break-up the facades such as added gables, windows, porches, decks, changes in materials, inset and reset volumes, etc. All of the proposed designs are similar to what can be found within the North Mountain Neighborhood. The design team has considered neighborhood input which have included changes to include shallow roof pitches to reduce building mass and to preserve views. Also, the multi-family units in Area 6, along the east side, have changed from a linear plane of mass along the east property line to two buildings separated by the driveway.



Traffic – Trip Generation: As noted, the subject property is the third phase of a three-phase subdivision (Kestrel Park Subdivision) and thus multiple neighborhood meetings have occurred with primary concerns relating to view impacts, construction noise, HOA dues and traffic. This is understandable and the applicants have attempted to address concerns as practicably as possible which include providing various plans and documents, re-design of various units and in both July of 2018 and most recently in September of 2024, the applicants have consulted with two independent Traffic Engineers who have concluded no intersection traffic impacts occur or mitigations are necessary as each operate at above Level of Service Standard B or higher currently and after the Kestrel Park Subdivision is fully developed. Furthermore, during informal discussions, both Traffic Engineers stated the subdivision’s “street connectivity” design is a means to spread not only proposed vehicular trips, but also existing vehicle trips that are currently concentrated at Fair Oaks Avenue and North Mountain Avenue, but with the proposed street connections with Nandina Street and Plum Ridge Drive as well as Patton Lane / Mountain Meadows Drive and North Mountain Avenue, traffic (vehicle trips) will be spread more evenly throughout the North Mountain Master Plan area AND give alternative means for ingress/egress of emergency vehicles. Lastly, all of the planned streets, alleys and private driveways have been designed in accordance with City Street Standards, including on-street parking dimensions, curb radius, street widths, etc., all of which “mirror” existing streets within the Master Plan Area. *Note: As noted previously, the applicant has attempted to evaluate the Kestrel Park Subdivision in a comprehensive manner that helps evaluate building design, infrastructure capacity, parking and traffic impacts. In this specific case, only 38 units are proposed, but 48 units have been evaluated in the traffic study.*

Circulation: The proposal includes various connection points, both vehicular and pedestrian in context with not only the existing neighborhood(s), but also the intent of the original North Mountain Master Plan as a neo-traditional neighborhood which allows vehicle trips to be spread via a multiple street grid pattern

as well as short pedestrian connections to and through multiple blocks. Specifically, as identified in the northwest corner of Area 5 stairs are proposed that will connect “partial” and proposed pathways/alleys on the east side of the neighborhood to the recently completed pedestrian path on the west side and down to Kestrel Park. Further, the extension of Patton Way follows a well-worn pedestrian path where pedestrians walk from the lower side of the neighborhood to the upper where the ending terminus of Mountain Meadows Drive exists. As proposed, the proposal will continue to enhance the North Mountain Neighborhood’s various routes to walk, bike or drive and continue to improve on the overall livability of the neighborhood.

Stoneridge Avenue, Patton Lane and Nandina Streets: Instead of the required 48’ right-of-way, Stoneridge Avenue, Patton Lane and Nandina Street’s 46’/47’ current right-of-way width was approved by the Planning Commission (PA-T1-2019-00075) at the time of the original Kestrel Park Subdivision application in 2019 with the condition the North Mountain street standards for driving width (22’), plant strip (8’) and sidewalk (5’) be retained and that such improvements could be allowed within a public easement. The general reasoning behind the request during that time was to mitigate excessive cut and fill areas along both sides of the street, but to also recognize an error in the original NM street standards that did not include the dimension of curbs (6” on each side of street). In this case, the applicants are complying with the approved decision as illustrated on Sheet A.2 of the preliminary civil plans which identifies 22’ of street width, a 6” curb, 8’ plant strip and 5’ of sidewalk, of which, a portion of the sidewalk extends (roughly 6” on each side of street) into the planned public utility and sidewalk easement along the property’s frontage.

Landscape Plan: Within the submittals, a fully developed landscape plan is provided which illustrates planting of trees, shrubs and groundcover through-out the Phase III subdivision, including the park-rows along the streets. The plan was developed by KenCairn Landscape Architects located in Ashland with over 30 years of experience with planting plans, tree preservation and xeriscape designs within the Southern Oregon climate. The planting legend identifies plantings that thrive in the region, most which can be found in the surrounding neighborhoods, and comply with City standards.

Utilities: Existing public utilities with capacity to service the proposed housing units have been designed and installed during the construction of the abutting streets and alleys. The attached Civil Plans illustrates the various utilities and their extension to the proposed units. The project’s Civil Engineer has communicated with City staff to insure the subject infrastructure needs meet City standards and address all capacity requirements. At the time of the Final Plan submittal, as well as the Engineering Departments final sign-off of the street construction drawings, the plans will be further refined and formalized.

Water: The property is currently served by eight-inch water mains that will be able to connect into the proposed layout. The existing water lines extend to and through Stoneridge Avenue, Nandina Street, and Patton Lane.

Sewer: The property is currently served by an eight-inch sanitary sewer main extending from Stoneridge Avenue, Nandina Street, and Patton Lane.

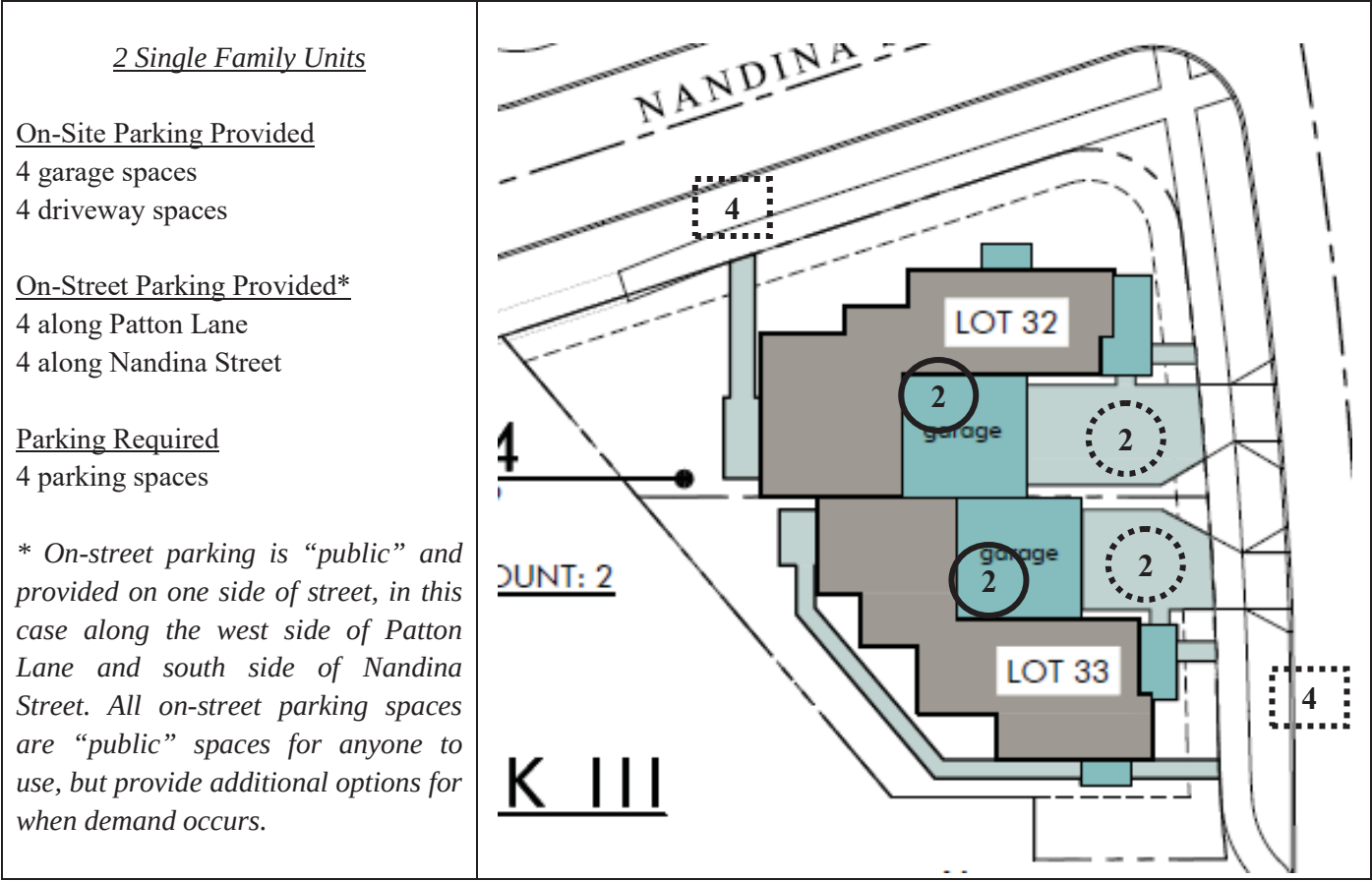
Electricity: The applicants have met with the Electric Department and discussed the backbone installation of a three-phase system to serve the development. The Electric Department has suggested that the

applicant carefully consider the needs for later phases of the development, including such details as accessory units and chargers for electric vehicles, will be provided, up front as addressing these in the initial infrastructure design will be more efficient and less costly than adding them after the fact in a later phase. The applicants indicate that a final electrical distribution will be provided for review with the Final Plan submittal.

Urban storm drainage: As with the various utilities, 12” storm drain facilities exist within the adjacent rights-of-way abutting the property which collect urban run-off and transfer it down to a 12” main in Kestrel Parkway and out to the subdivision’s storm water collection basin within the recently constructed in the Bear Creek open space area.

Vehicular Parking: Parking has been provided per City code based on the type and size of the proposed units. See below:

Area #4:



Area #5:

6 Single Family Units

On-Site Parking Provided

8 garage spaces
7 driveway spaces

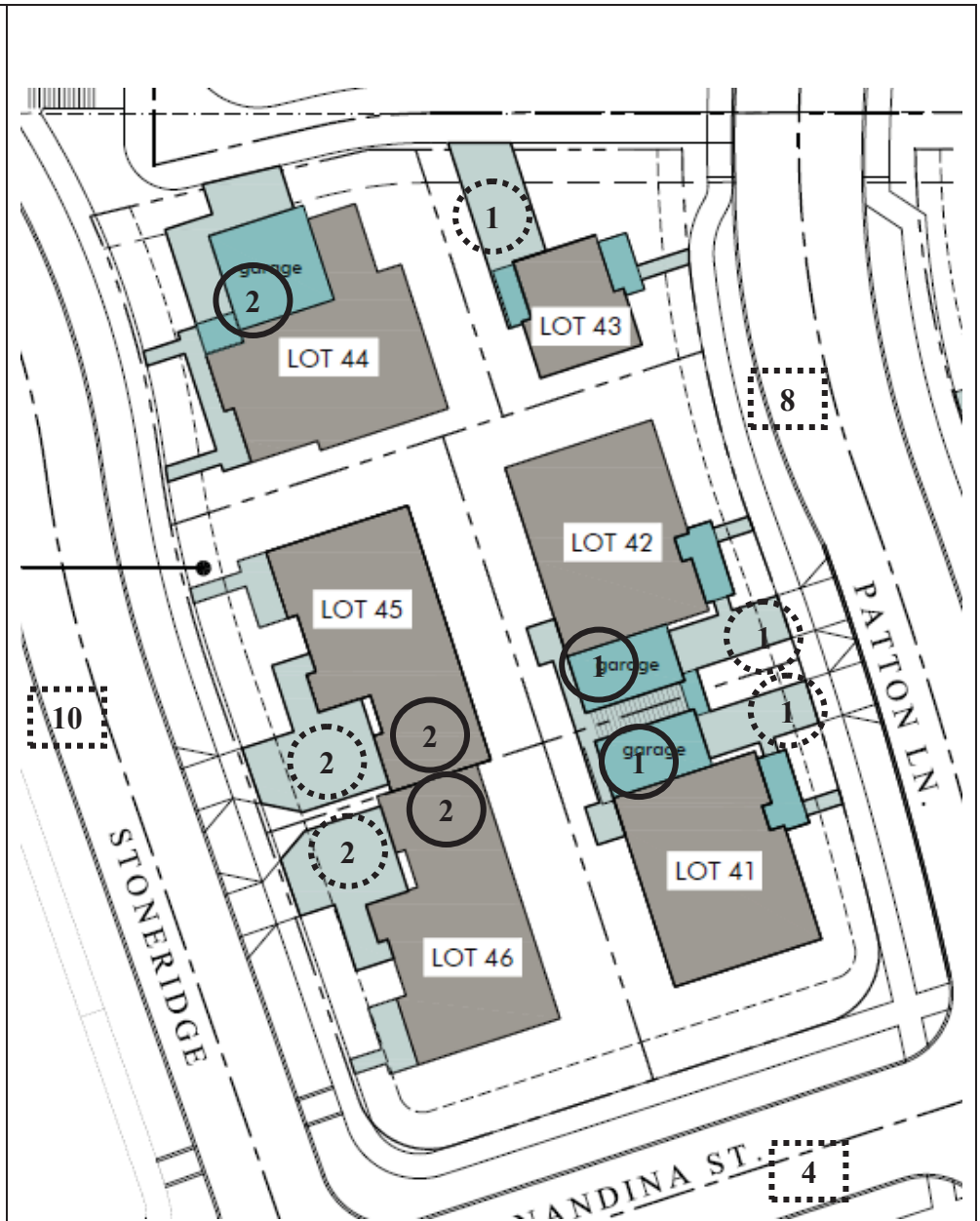
On-Street Parking Spaces*

10 along Stoneridge Ave
8 along Patton Lane
4 along Nandina Street

Parking Required

11 parking spaces

* On-street parking is "public" and provided on one side of street, in this case, along the west side of Stoneridge Ave., west side of Patton Lane and south side of Nandina Street. All on-street parking spaces are "public" spaces for anyone to use, but provide additional options for when demand occurs.



Area #6:

16 Apartment Units

367 sq. ft. (8)

617 sq. ft. (8)

On-Site Parking

16 garage spaces

4 open spaces

1 open handicap space

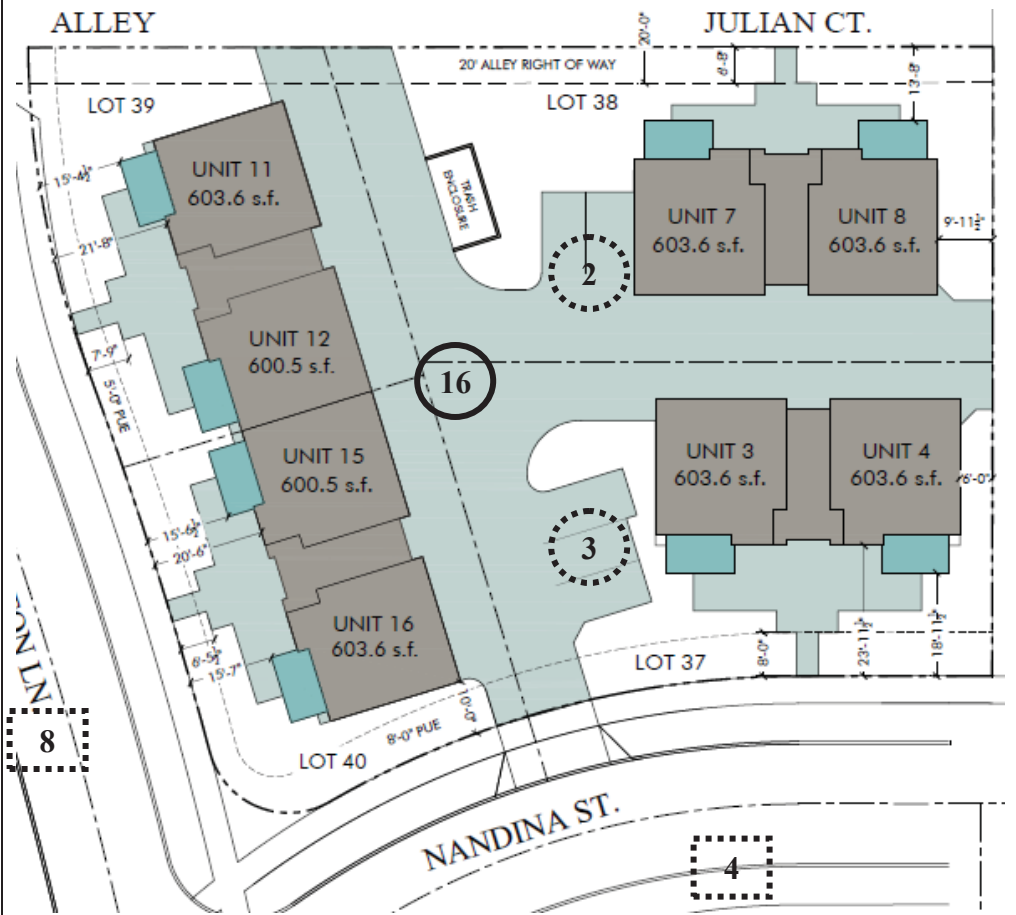
On-Street Parking*

4 on-street spaces shared w/

Area #7

8 along Patton Lane

* On-street parking is "public" and provided on one side of street, in this case, along the west side of west side of Patton Lane and south side of Nandina Street.. All on-street parking spaces are "public" spaces for anyone to use, but provide additional options for when demand occurs.



Area #7:

2 Single Family Units

&

12 Apartment Units

498 sq. ft. (6)

434 sq. ft. (5)

400 sq. ft. (1)

On-Site Parking

4 garage spaces

4 driveway spaces

11 open spaces

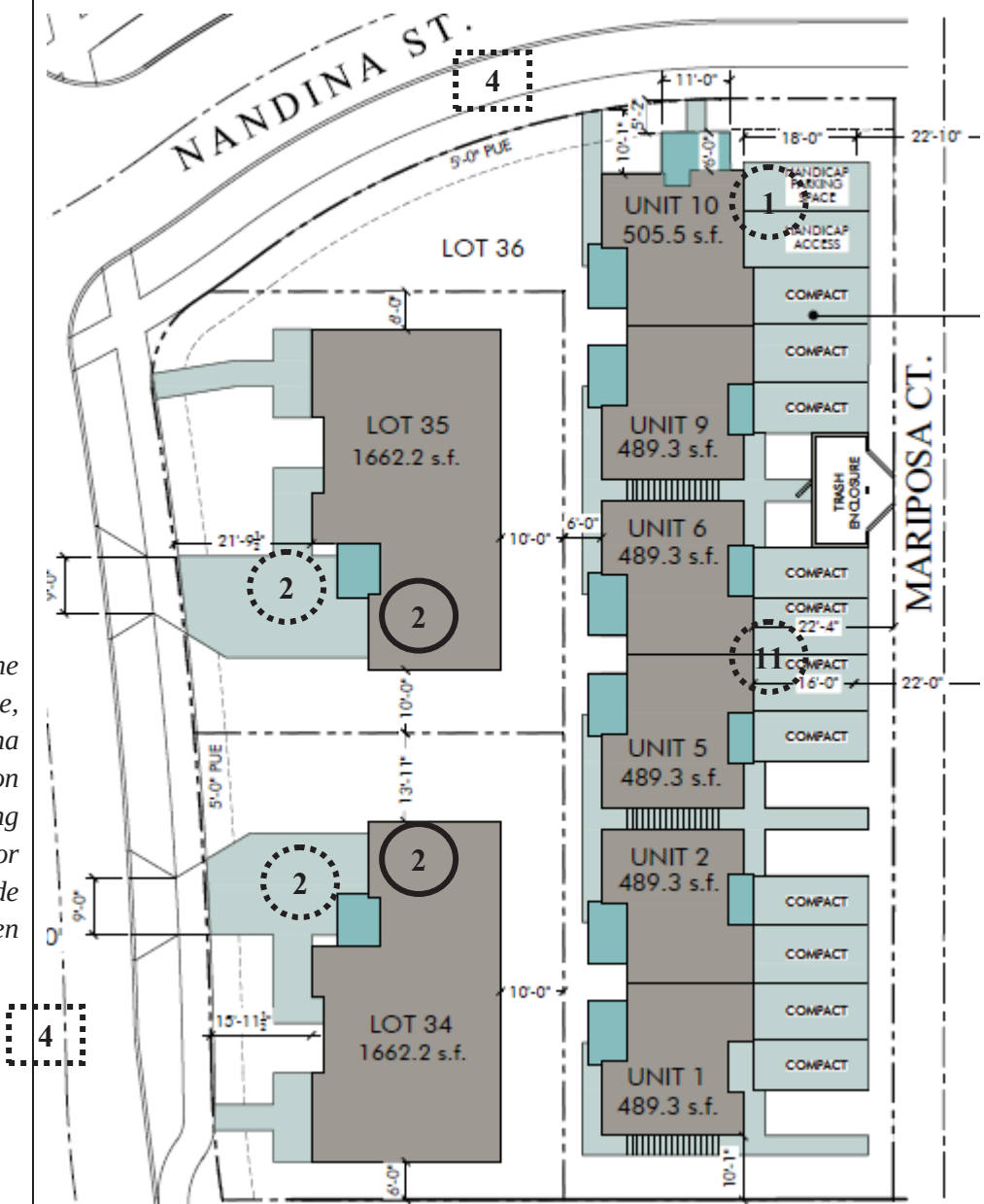
1 open handicap space

On-Street Parking*

4 along Nandina Street

4 along Patton Lane

** Parking is provided on one side of street, in this case, along the south side of Nandina Street and west side of Patton Lane. All on-street parking spaces are “public” spaces for anyone to use, but provide additional options for when demand occurs..*



Bike Parking: The apartment units within Areas 6 and 7 require covered bike parking – one per unit. In Area 6, 16 bike parking spaces are located on the ground floor between parking stalls, under the canopy of the upper floor area. In Area 7, each unit includes a bike parking space within the unit, to be provided and verified at the time of a final Certificate of Occupancy.

Recycling & Refuse Areas: Single family residences will include individual recycling and refuse cans stored within the garages and/or screened. The multi-family units within Areas 6 and 7 include shared receptacle facilities as identified on the site plans. Such facilities will be screened from neighboring properties and public rights-of-way via a solid wood fence or masonry wall five to six feet in height.

Recreational Space & Maintenance Provisions: The Kestrel Park Subdivision is 13.48 acres in size of which 5.13 acres was dedicated as open space (Bear Creek Riparian Area) and another .7 acres was platted as private open space for the subdivision's on-site wetlands and a couple of smaller landscape areas - located at various street corners as common neighborhood landscaping, for a total of 5.82 acres or roughly 43% of the subdivision's acreage of which only 8% is required with Performance Standard Subdivisions. The planning and dedication of these areas are critical to the subdivision's residents, neighbors and community as they provide for both natural preservation and physical recreational opportunities for pedestrian walking, active hiking, wading in creek, bird watching and for bicycling once the future extension of the Bear Creek Greenway is realized.

As noted, the subject property is identified as Phase III of the Kestrel Park Subdivision with Phase I approved in 2019 (15 single family houses) and Phase II approved in 2020 (15 residential cottages). Phase III has been identified on each Phase I and II plats as a future phase and also included within the overall subdivision's legal documents (CC&Rs, Plat, HOA Board) for a variety of reasons, most notably for management of the subdivision's shared open spaces, common utilities, common landscape areas, street trees and irrigated park rows. The three phases are also tied together through monetary commitments (HOA Dues) for the maintenance of common areas and improvements such as the site's wetlands, common spaces, park benches, park row vegetation and irrigation and street trees.

It should also be noted that Phase I's Board is the overarching Board of the other phases and each other Phase, primarily for Phases II and III, include their "own" specific HOA Board and legal documents for the management and maintenance of specific elements within each of those phases such as common area trash and recycle receptacles, common stairs, railings, parking, landscaping, etc. As such, Phase III will include similar provisions, for example Area 6, will include legal agreements for the maintenance and financial commitments of common areas such as the shared driveway and shared trash and recycling receptacle. Areas 4, 5 and 7 do not share common areas, but will have maintenance provisions for common wall construction and be subject to the subdivision's HOA dues.

Electric Vehicle Charging: Multi-family residential developments with five or more dwelling units shall provide electrical service capacity by extending conduit to support future electric vehicle charging infrastructure to at least 40 percent of the off-street parking spaces provided. The applicants are aware of this provision and will include with the building construction documents.

Solar Access: All proposed structures as illustrated within the submittals have been designed to meet Chapter 18.4.8, Solar Access. Specifically, the proposed structures will comply with Solar Access Standard "A" which is intended to not have a building's shadow exceed a height of 6' at the shared northern property line on December 21st (Winter Solstice). The 6' fence dimension noted, is part of a standard formula intended to replicate a typical 6' fence along the property's northern property line meaning no shadow impacts will occur on the adjacent properties to the north other than what a permitted 6' fence creates. That said, because home designs and heights vary for articulated interest, handicap access, building codes, owner preference or physical characteristics of the property, the applicant will submit building permits for each of the proposed structures which will include data (height, slope, setback, etc.) verifying compliance with Chapter 18.4.8., Solar Access.

Time Schedule of the Development: The applicant intends to install the streets and infrastructure in a single period which will improve the circulation of the neighborhood prior to dwelling unit construction. The proposed dwelling units will be constructed as the market dictates and/or financing permits. At the present time, the applicant is working with a design team to develop building permit drawings and the project's Civil Engineers are communicating with City Engineers to refine the civil plans in preparation of a spring of 2025 construction date.

Neighborhood Meetings: Over the last few years, the consultant has held at least four neighborhood meetings to discuss the Kestrel Park Subdivision plan, including the future development of Areas 4, 5, 6 and 7 (Phase III). The intention of the neighborhood meetings were an attempt to inform neighbors, some of which have moved since the initial 2018 meetings, of the pending development of the property and hear their input about the proposal. These meetings included the background history of the North Mountain Master Plan as well as the plan's zoning, street connectivity, design concepts, purpose, etc. One specific request was to redesign Area 6's housing footprints in order to reduce building and roof mass along the adjoining neighbor(s) property (east side).

Other: The subject property is owned by PDK Properties, LLC and managed by Taylored Elements, located in Ashland. The applicant intends to self-finance the proposal and use conventional lending when necessary.

II. PROJECT FINDINGS OF FACT:

The following information has been provided by the applicants to help the Planning Staff, Planning Commission and neighbors better understand the proposed project. In addition, the required *findings of fact* have been provided to ensure the proposed project meets the requirements and procedures outlined in the Ashland Municipal Code (AMC) pertaining to Performance Standards Options Subdivision requirements in Chapter 18.3.9 and Site Design Review in Chapter 18.5.7.040.

*For clarity reasons, the following documentation has been formatted in "outline" form with the City's approval criteria noted in **BOLD** font and the applicant's response in regular font. Also, there are a number of responses that are repeated in order to ensure that the findings of fact are complete.*

AMC 18.3.9.040 A.3. Outline Plan Approval Criteria (Subdivision)

3. Approval Criteria for Outline Plan. The Planning Commission shall approve the outline plan when it finds all of the following criteria have been met.

a. The development meets all applicable ordinance requirements of the City.

Unless otherwise noted herein, the applicants contend the proposed subdivision meets all applicable ordinance requirements of the City of Ashland.

That said, the Purpose Statement of the Performance Standards Option Subdivision (AMC 18.3.9.010) “is to allow an option for more flexible design than is permissible under the conventional zoning codes. The design should stress energy efficiency, architectural creativity, and innovation; use the natural features of the landscape to their greatest advantage; provide a quality of life equal to or greater than that provided in developments built under the standard zoning codes; be aesthetically pleasing; provide for more efficient land use; and reduce the impact of development on the natural environment and neighborhood”. As such, the proposal has:

- 1) *Stressed energy efficiency, architectural creativity and innovation*: The applicants are proposing to construct Earth Advantage homes with an architectural style that provides for a variety of housing types that are consistent with the volume and mass of housing in the adjoining subdivisions;
- 2) *Used the natural features of the landscape to their greatest advantage*: Phase III of the Kestrel Park Subdivision has the least amount of natural features, compared to Phases I and II which included the Bear Creek Greenway dedication, improvements, numerous trees and wetlands. Phase III has little natural features, but recognizes the site’s significant east to west slope. That said, the proposed streets and house plans are designed to terrace themselves into the slopes in an attempt to reduce excessive cut and fill areas. In this regard, the subdivision’s design and street patterns remain consistent with the surrounding neighborhood. Further, the applicants have purposefully placed the densest housing type (rental apartments) on the least sloping areas of the property (east side – Areas 6 and 7).
- 3) *Provide for a quality of life equal to or greater than that provided in developments built under the standard zoning codes*: The applicants have generated a plan that incorporates the site’s slope and embraced the “human scale” concepts of found in other Performance Standard Options Subdivisions which have produced neighborhoods such as the North Mountain Neighborhood, Kestrel Park, Ashland Village, Beach Creek and Clay Creek Gardens neighborhoods which include various neo-traditional elements such as porches, street connectivity, use of alleys where possible, mitigated garage façades, street facing homes, etc.;
- 4) *Provide for more efficient land use*: The mixture of housing types within the planned range of densities in an integrated pattern improves transportation options and maximizes community interaction;
- 5) *Reduces the impact of development on the natural environment and neighborhood*: As noted, this particular phase is part of the Kestrel Park Subdivision which incorporated multiple preservation efforts in both Phase I and II. Phase III does not really have any significant natural features, but does include climate friendly construction techniques including full utilization of the property with small to medium sized housing units with the densest housing being constructed on the least sloping areas of the property (east side). Further, it has been the primary goal of the application to mitigate impacts to the surrounding neighborhoods by ensuring street, alley and pedestrian connectivity aligns with the surrounding neighborhood’s streets, alleys and pedestrian paths. The applicants contend the overall design of the Kestrel Park Subdivision and inclusion of these elements noted herein reduce the impacts of development on the natural environment and surrounding neighborhoods.

b. Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.

All of the site's necessary utilities extend to the subject property from the various public utility easements and street rights-of way surrounding the site. Existing public utilities with capacity to service the proposed housing units have been designed and installed during the construction of the abutting streets and alleys. The attached preliminary Civil Plans illustrates the various utilities and their extension to the proposed units. The project's Civil Engineer has communicated with City staff to insure the subject infrastructure needs meet City standards and address all capacity requirements. At the time of the Final Plan submittal, as well as the Engineering Departments final sign-off of the street construction drawings, the plans will be further refined and formalized.

Water: The property is currently served by eight-inch water mains that will be able to connect into the proposed layout. The existing water lines extend to and through Stoneridge Avenue, Nandina Street, and Patton Lane.

Sewer: The property is currently served by an eight-inch sanitary sewer main extending from Stoneridge Avenue, Nandina Street, and Patton Lane.

Electricity: The applicants have met with the Electric Department and discussed the backbone installation of a three-phase system to serve the development. The Electric Department has suggested that the applicant carefully consider the needs for later phases of the development, including such details as accessory units and chargers for electric vehicles, will be provided, up front as addressing these in the initial infrastructure design will be more efficient and less costly than adding them after the fact in a later phase. The applicants indicate that a final electrical distribution will be provided for review with the Final Plan submittal.

Urban storm drainage: As with the various utilities, 12" storm drain facilities exist within the adjacent rights-of-way abutting the property which collect urban run-off and transfer it down to a 12" main in Kestrel Parkway and out to the subdivision's storm water collection basin within the recently constructed in the Bear Creek open space area.

c. The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.

To the best of the applicants' abilities, the site's natural features have been identified and included in the open space, common areas, and unbuildable areas of the Kestrel Park Subdivision, specifically in the Phase I area. Overall, the plan recognizes the site's significant natural features such as the Bear Creek riparian corridor traversing through the property and the numerous mature trees within the corridor and open space areas and have not only incorporated such features into the design, but have also made such features an integral part of the subdivision's human scale character such as the pedestrian walkway

extending from the top of the subdivision (east side) down to the Bear Creek Greenway and Kestrel Park (west side).

d. The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.

The subject property is surrounded on all sides by urbanized lands in compliance with the City's Comprehensive Plan, including existing residential subdivisions to the north, east and west. As such, the development of the subject property will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.

e. There are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.

Most of the Kestrel Park Subdivision's open space areas have been incorporated within the initial Phase I and Phase II areas. No open space areas are proposed in Phase III, but common areas do exist in Areas #6 and 7 for shared driveways, common landscaping and irrigation as it relates to the individual parcels occupied with multi-family housing. At the time of the Final Plan application, draft CC&Rs will be submitted detailing the maintenance responsibilities of such areas.

Lastly, it should be noted the property owners within the Phase III area are included in the overall Kestrel Park Home Owners Association, subject to Conditions, Covenants and Restrictions (CCRs), financial dues and meeting procedures in order to ensure maintenance of the subdivision's common areas. A copy of the CC&Rs has previously been provided with the Phase I Final Plan application submittal.

f. The proposed density meets the base and bonus density standards established under this chapter.

As noted on Pages 5 and 6, the proposed density meets the base density standards for the zone and remain in compliance with the original density allocations provided for in the Kestrel Park Subdivision approval documents.

g. The development complies with the street standards.

The proposed streets comply with the Planning Commission's previously approved findings of fact as noted below from the original Kestrel Park Subdivision's 2019 approval (PA-T1-2019-00075).

The Planning Commission finds that the NMNP includes its own neighborhood-specific street types and design standards in AMC 18.3.5.100.C. With regard to the specific improvements proposed:

"Greenway Drive": Kestrel Parkway is considered to be the Greenway Drive street type, and the Planning Commission finds that the cross-section illustrated on Exhibit C.2 is consistent with the adopted Greenway Drive cross-section in the NMNP.

Neighborhood Access Streets: The remaining streets (Nandina Street, Stoneridge Avenue, Patton Lane, and Zare Way) are considered to be Neighborhood Access Streets. The Planning Commission finds that in extending existing street sections and responding to site topography, these individual streets vary from the standard cross-section as follows:

- **Stoneridge Avenue** – As illustrated, the curb to curb width includes a single 15-foot queuing lane and parking on both sides except where bump-outs are proposed. Standard sidewalks and parkrows are illustrated on the downhill side, but on the uphill side, sidewalks are shown at the curbside presumably in response to site topography. The proposed right-of-way dedication is 46 feet where the standard cross-section calls for 48 feet, with six-inches of sidewalk on the uphill side and 18-inches of sidewalk on the downhill side illustrated being provided outside of the right-of-way.
- **Nandina Street** – The upper sections of Nandina, from Mariposa to Stoneridge, are illustrated with a 29-foot curb-to-curb width within a 47-foot right-of-way, and on-street parking on both sides. Standard sidewalks and parkrow planting strips are illustrated on the south side, and on-street parking is in bays with curbside sidewalks on the north side. Sidewalks on the south side are illustrated extending one-foot beyond the dedicated right-of-way.

The applicants have requested a major modification of the NMNP to install Nandina Street as a one-way couplet around Wetland #2. As proposed, Nandina within the couplet would have an 18-foot curb-to-curb width with curbs but no sidewalks or parkrow planting strips on the interior, wetland side and five-foot width curbside sidewalks on the exterior side adjacent to the surrounding developable lots. The applicants assert that additional area has been provided for the wetland buffer, and that this area already contains a number of trees that will be preserved and will be further enhanced with new plantings. The Planning Commission finds that an Exception is merited to limit impacts of the development upon the wetland and its protection zone, however the Commission further finds that even with an Exception irrigated larger-stature species street trees should be planted at a standard spacing of one per 30 feet within the private yard areas behind the sidewalk to provide canopy and associated streetscape benefits (shade, traffic calming, etc.).

- **Patton Lane** – The two illustrated segments of Patton Lane include varying right-of-way widths from 46 to 50 feet, and illustrate some portion of the sidewalks outside of the proposed right-of-way. The section between the existing Patton Lane extending to Nandina Street does not include parkrows on the downhill side in response to site topography.

The section from Nandina to Mountain Meadows Drive includes a 26-foot curb-to-curb width with a 12-foot queuing lane where the standard cross-section calls for 15 feet. The Planning Commission finds that this width is proposed in transitioning to the existing Mountain Meadows Drive improvement which is narrower, and that the Final Plan will include final civil drawings for review by the Engineering Division to verify the appropriate width for this transition. A condition to this effect has been included below.

The Planning Commission finds that for all neighborhood street sections (Patton, Nandina and Stoneridge) where sidewalk improvements are shown outside the right-of-way, public pedestrian access easements will need to be provided or additional right-of-way dedicated to accommodate standard sidewalk widths prior to signature of the final survey plat. Conditions to this effect have been included below.

The Commission further finds that for those sections of Patton, Nandina and Stoneridge surrounding Area 5, and the section of Nandina south of Area 6, shown with curbside sidewalks, an Exception to the Street Standards is required not to install standard parkrow planting strips and no such Exception has been requested here. The Commission concludes that no Exception is merited and these sections should be installed with standard parkrow planting strips or Exceptions requested and justified as part of the Final Plan application.

h. The proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the City of Ashland.

The Kestrel Park Subdivision is 13.48 acres in size of which 5.13 acres was dedicated as open space (Bear Creek Riparian Area) and another .7 acres was platted as private open space for the subdivision's on-site wetlands and a couple of smaller landscape areas - located at various street corners as common neighborhood landscaping, for a total of 5.82 acres or roughly 43% of the subdivision's acreage of which only 8% is required with Performance Standard Subdivisions and an additional 4% for Site Review applications. Additionally, each of the proposed multi-family units do include an additional 8% recreational space (porches/patios). Overall, the proposal complies with the open space provisions noted in Chapter 18.4.4.070. The applicants contend the planning and dedication of these areas are critical to the subdivision's residents, neighbors and community as they provide for both natural preservation and physical recreational opportunities for pedestrian walking, active hiking, wading in creek, bird watching and for bicycling once the future extension of the Bear Creek Greenway is realized.

AMC 18.5.2.050 Site Design Review Approval Criteria

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

The proposal complies with all of the applicable provisions of the North Mountain Zone including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part 18.3).

Unless previously granted an exception at the time of the original Kestrel Park Subdivision application (PA-T1-2019-00075), the applicants contend the proposal complies with all of the applicable provisions of the North Mountain Neighborhood District (Chapter 18.3.5).

C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.

The proposal does comply with all Site Development and Design Standards included in Chapter 18.4. No exceptions are proposed with the application.

D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.

All of the site's necessary utilities extend to the subject property from the various public utility easements and street rights-of way surrounding the site. Existing public utilities with capacity to service the proposed housing units have been designed and installed during the construction of the abutting streets and alleys. The attached preliminary Civil Plans illustrates the various utilities and their extension to the proposed units. The project's Civil Engineer has communicated with City staff to insure the subject infrastructure needs meet City standards and address all capacity requirements. At the time of the Final Plan submittal, as well as the Engineering Departments final sign-off of the street construction drawings, the plans will be further refined and formalized.

Water: The property is currently served by eight-inch water mains that will be able to connect into the proposed layout. The existing water lines extend to and through Stoneridge Avenue, Nandina Street, and Patton Lane.

Sewer: The property is currently served by an eight-inch sanitary sewer main extending from Stoneridge Avenue, Nandina Street, and Patton Lane.

Electricity: The applicants have met with the Electric Department and discussed the backbone installation of a three-phase system to serve the development. The Electric Department has suggested that the applicant carefully consider the needs for later phases of the development, including such details as accessory units and chargers for electric vehicles, will be provided, up front as addressing these in the initial infrastructure design will be more efficient and less costly than adding them after the fact in a later phase. The applicants indicate that a final electrical distribution will be provided for review with the Final Plan submittal.

Urban storm drainage: As with the various utilities, 12" storm drain facilities exist within the adjacent rights-of-way abutting the property which collect urban run-off and transfer it down to a 12" main in Kestrel Parkway and out to the subdivision's storm water collection basin within the recently constructed in the Bear Creek open space area.

E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1, 2, or 3, below, are found to exist.

No exceptions are proposed with this proposal.

AMC 18.3.5.030 C. Site Plan and Architectural Review

C. Supplemental Approval Criteria. In addition to the criteria for approval required by other sections of this ordinance, applications within the NM district shall also meet all of the following criteria.

1. The application demonstrates conformity to the general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation.

The proposal's various submittals illustrate conformance with the general design requirements as spelled out and illustrated within the North Mountain Neighborhood Plan. The Kestrel Park Subdivision, a three-phased subdivision, is methodically developing as envisioned by the North Mountain Neighborhood Master Plan, including density (as demonstrated on Page 6), transportation (as demonstrated on the site plan and preliminary plat), building design and building orientation (as illustrated in the site plan and architectural building elevations).

2. The application complies with the specific design requirements as provided in the North Mountain Neighborhood Design Standards.

As noted in the response above, the proposal complies with the design requirements in the North Mountain Neighborhood Design Standards. At the time of individual building permit applications, verification of such requirements by City staff will occur.

AMC 18.5.7.040 B. Tree Removal Permit.

2. Tree that is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.

a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.

The subject multi-trunk Cherry Tree is not a hazard, but does lay within the footprint of the proposed building in Area #7 and is to be removed. The tree is not native or a significant specimen and is a volunteer tree. Removal of the tree is consistent with the Land Use Ordinance where trees are permitted to be removed if they pose a loss in permitted density. Retaining the subject tree would cause the loss removal of possibly four multi-family apartment units which are already at a minimum size. Further, the site's urbanization near the tree, including planned grade changes and changes in soil and hydrological conditions would cause the tree to imminently die.

b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.

Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.

c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.

Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.

d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.

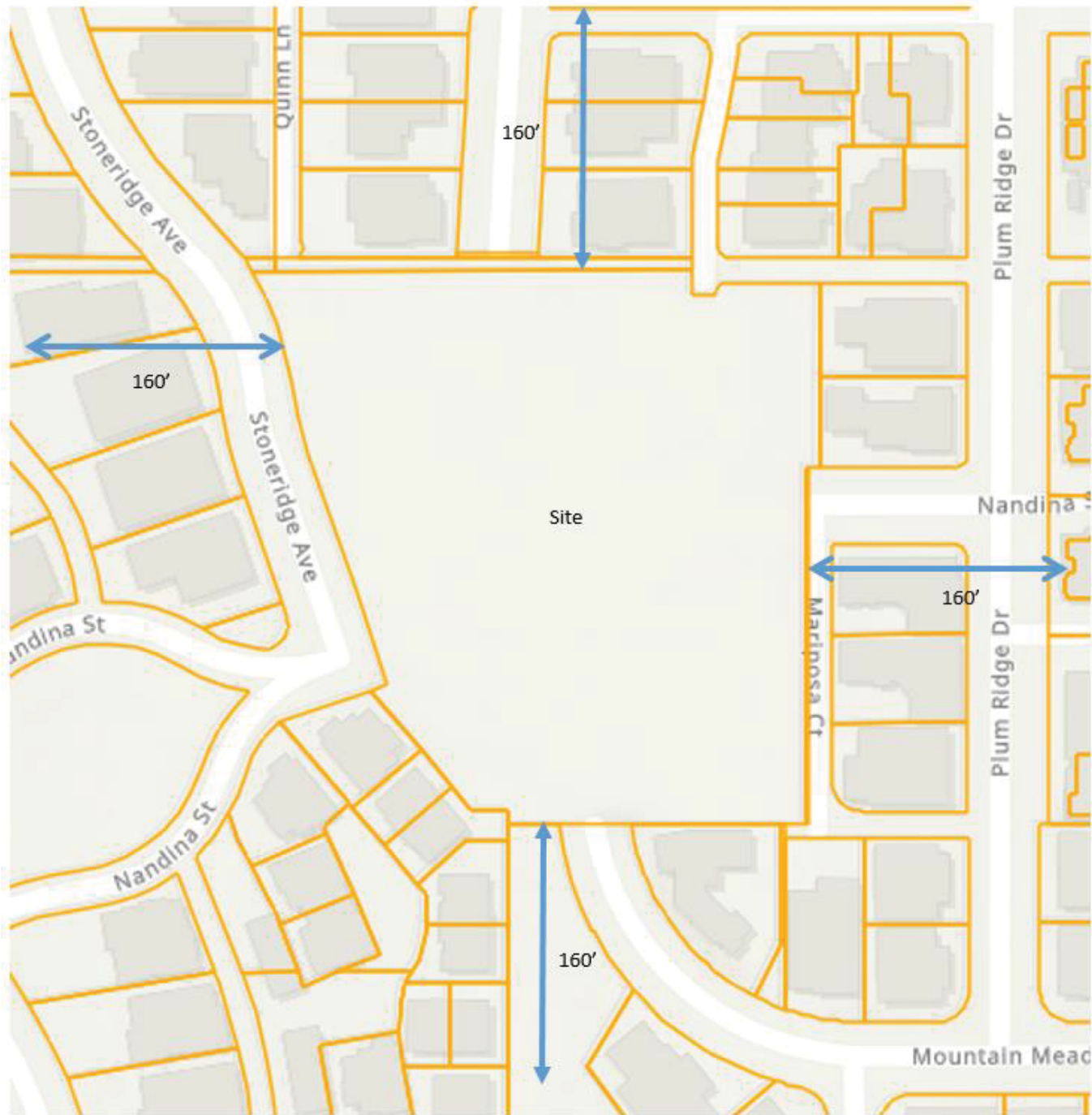
As noted above, the subject multi-trunk Cherry Tree lays within the footprint of the proposed building in Area #7 and should be removed. The tree is not native or a significant specimen and is a volunteer. Retaining the subject tree would cause the loss removal of possibly four multi-family apartment units which are already at a minimum size (400 sq. ft.).

e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

As illustrated with the Landscape Plan, roughly 29 trees are to be planted within Area 7, some of which will be planted in the near vicinity of the subject tree.

III. SUPPLEMENTAL EXHIBITS/PHOTOS:

Enlarged Vicinity Map – Identifies Adjacent Structures w/in 160'





Mountain Meadows Drive – Looking North towards Patton Lane



Looking South – at Mountain Meadows Drive / Patton Lane



Nandina Street – Looking East



Looking East at North Property Line – Area 5 and future alley



Looking North – from end of Nandina Street (Area 6)



Mariposa Court – Looking Southeast (Area 7)



Looking North (R) and South (L) – from Mariposa Court (alley adjacent to Area 7)



Looking West from end of Nandina Street



Looking West – from end of Nandina Street

“KESTREL PARK, PHASE 3”

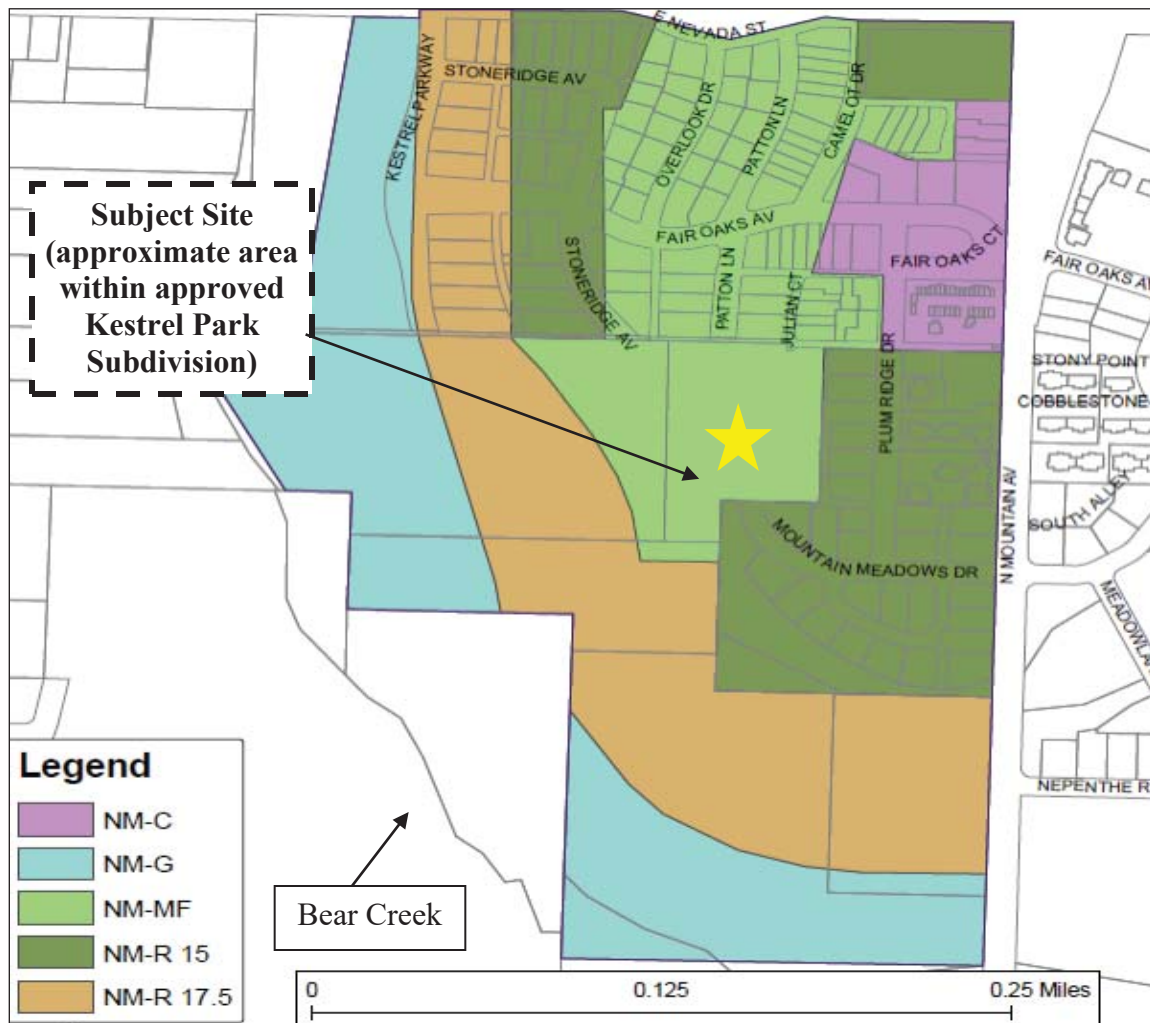
Tract “B” - Areas 4, 5, 6 & 7

ADDENDUM

THE PROPOSAL INCLUDES A VARIANCE FOR DRIVEWAY WIDTH

**SUBMITTED TO
CITY OF ASHLAND**

**FOR
TAYLORED ELEMENTS
1679 JACKSON RD, ASHLAND, OR 97520**



North Mountain Zoning Map

NOVEMBER 15TH, 2024

I. PROJECT DESCRIPTION:

Variance: The proposal submitted on November 1st, 2024, for a Performance Standards Option Subdivision, Site Review Permit and Tree Removal Permit to create 15 lots within the Kestrel Park Subdivision within the North Mountain Park Neighborhood Master Plan area also includes an addendum to that application for a Variance for driveway width.

The applicant's addendum request for a Variance to driveway width is based on multiple factors relating to the site's steep grade, practicality, neighborhood precedence, driveway separation standards and discrepancies between the City's Engineering Standards and the City's Land Use Ordinance, specifically, the North Mountain Neighborhood District, Chapter 18.3.5.100.A.7.

Note: for clarity, the "width" referenced herein is NOT the driveway's parking surface area, but the width of the driveway's opening between the street and sidewalk.

The City's Engineering Department minimum width standard for a driveway off of a public street cannot be less than 12' where as the North Mountain Neighborhood Standards it is no greater than 9'. The original application, submitted November 1st, 2024, illustrated driveways to be 9' in width but after initial staff review, the discrepancies between the two codes was noted. The applicants contend this is an unusual circumstance as whatever the applicant proposes would require a Variance to either the City's street standards or land use ordinance. Further compounding the request for a Variance is the driveway separation standard of 24' (24' between driveways) due to the fact that as two adjacent driveways expand to the 12' Engineering standard, the width between is reduced to less than 24'.

In order to address the conflicting driveway standards as noted, including the City's Engineering street standards, the applicants have revised the site plan drawings to illustrate a "single" curb cut of 18' in width which will serve "two" attached units. The proposed 18' driveway width allows users to access their side of the driveway without interfering with the other unit's parking area space as illustrated on site plans. The request pertains to the driveways between Lots 32/33, 45/46 and 41/42 as illustrated on the Site Plan Addendum.

II. PROJECT FINDINGS OF FACT – ADDENDUM FOR DRIVEWAY VARIANCE:

The following information has been provided by the applicants to help the Planning Staff, Planning Commission and neighbors better understand the proposed project. In addition, the required *findings of fact* have been provided to ensure the proposed project meets the requirements and procedures outlined in the Ashland Municipal Code (AMC) pertaining to Chapter 18.5.5, Variances.

*For clarity reasons, the following documentation has been formatted in "outline" form with the City's approval criteria noted in **BOLD** font and the applicant's response in regular font. Also, there are a number of responses that are repeated in order to ensure that the findings of fact are complete.*

AMC 18.5.5 Variance Approval Criteria

18.5.5.010 Purpose: Where practical difficulties, unnecessary hardships, and results inconsistent with the general purpose of the Land Use Ordinance (“this ordinance”) may result from the strict application of certain provisions thereof, a Variance may be granted as provided in this chapter.

18.5.5.050 A. Variance Criteria: The approval authority through a Type I or Type II procedure, as applicable, may approve a variance upon finding that it meets all of the following criteria.

1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.

The proposed Variance is necessary for a number of reasons, one specifically being the land use code for the North Mountain District is inconsistent with the City’s street standards. Based on filed observations of similar driveway circumstances within the North Mountain area, none of the driveways within the North Mountain area meet the North Mountain District’s driveway standards, but do meet the City’s street standards.

2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.

The applicant’s contend variance is the minimum necessary to address the special or unique physical circumstances related to the subject site as the 18’ driveway opening is “typical” for single family homes throughout Ashland (and often found throughout the North Mountain Area), but in this case the 18’ width dimension is serving two abutting single-family homes. Although not ideal from a vehicular maneuvering perspective, the 18’ driveway width at the street and the widening of the driveway between the sidewalk and the house(s), allows for users to access the garage or parking space without conflict as illustrated on site plans.

3. The proposal’s benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.

The applicants contend the proposal’s benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City as a single 18’ driveway width is superior than two independent 12’ driveways (totaling 24’) for a couple of reasons: First, vehicular maneuvering in and out of the property is more accommodating with an 18’ opening compared to a 12’ opening, especially when an adjacent vehicle is already parked within the driveway. A 12’ driveway opening accommodating multiple side by side 8’ + wide vehicles (mirror to mirror) and maneuvering in and out of the driveway is not practical and often causes conflicts between vehicles or damage to the plant strip’s landscaping or city curbs. Second,

two independent 12' driveways consume not only more on street parking and planting strip landscaping compared to a single 18' driveway, but also creates more driveway encumbrances for pedestrians to maneuver.

4. The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.

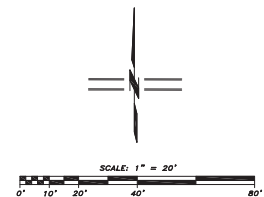
The need for the Variance is not self-imposed by the applicants as there is a conflict with City codes and there are multiple practical difficulties when applying the standard while serving attached dwellings as it relates to vehicle maneuvering, excessive cut and retaining walls, and damage to public infrastructure and landscaping.

**PRELIMINARY PUD MAP
KESTREL PARK, PHASE III**

LYING SITUATE WITHIN
NORTHEAST & SOUTHEAST QUARTERS OF SECTION 4
TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN
CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR
Taylorred Elements, LLC
1679 Jackson Road
Ashland, Oregon 97520

- LEGEND**
- SUBJECT PROPERTY LINE
 - NEW LOT LINE
 - BOUNDARY LINE
 - CENTERLINE
 - BASEMENT LINE
 - ▨ PUBLIC UTILITY BASEMENT
 - ▨ PUBLIC PEDESTRIAN ACCESS BASEMENT



SURVEY NOTES

THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY IS A CITY OF ASHLAND BENCHMARK, BEING A 9-1/2" BRONZE DISK OF A MONUMENT WALL LOCATED IN THE CENTERLINE INTERSECTION OF MOUNTAIN AVENUE AND FAIR OAKS AVENUE. BENCHMARK ELEVATION = 188.95', BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1988, ADJUSTED BY 1996 (NOV02-2000).

EXPOSED UTILITY STRUCTURES SHOWN HEREON WERE FIELD LOCATED DURING THE PERFORMANCE OF THIS SURVEY. BURIED UTILITY LOCATIONS WERE DETERMINED BY UTILIZING A COMBINATION OF FIELD SURVEYED PARTY MARKS AND "AS-BUILT" RECORDS OR A WORKS PROVIDED BY THE RESPECTIVE UTILITY COMPANY REPRESENTATIVES. ARE APPROXIMATE AND SHOWN HEREON FOR CLARIFIED PURPOSE ONLY. FIELD VERIFICATION OF ALL BURIED UTILITIES MUST BE PERFORMED PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.

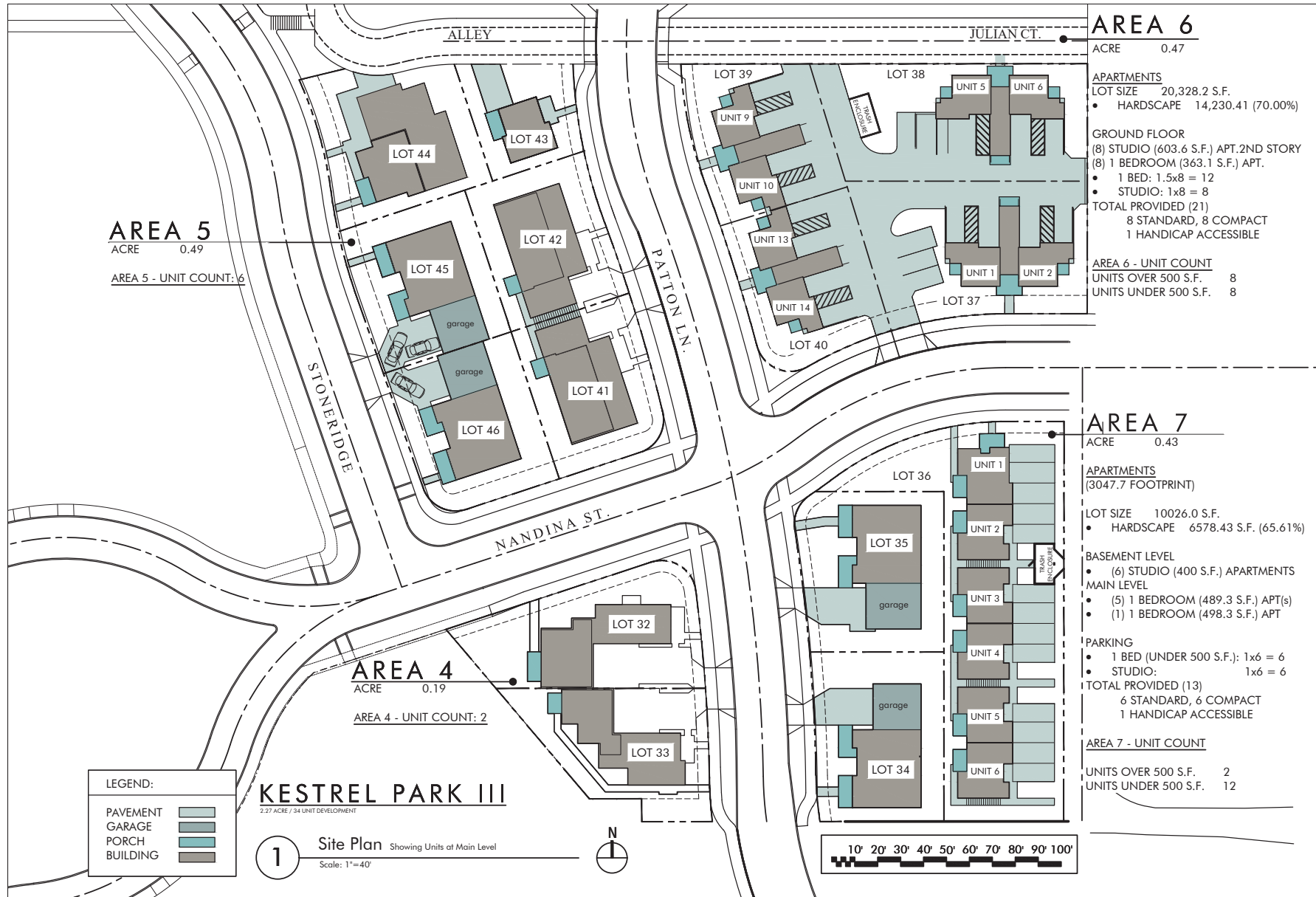
REGISTERED
PROFESSIONAL
LAND SURVEYOR
PRELIMINARY
OREGON
JUL 14 1988
SHAWN KAPPAHN
— REG. —
RENEWAL DATE: 6/30/2025

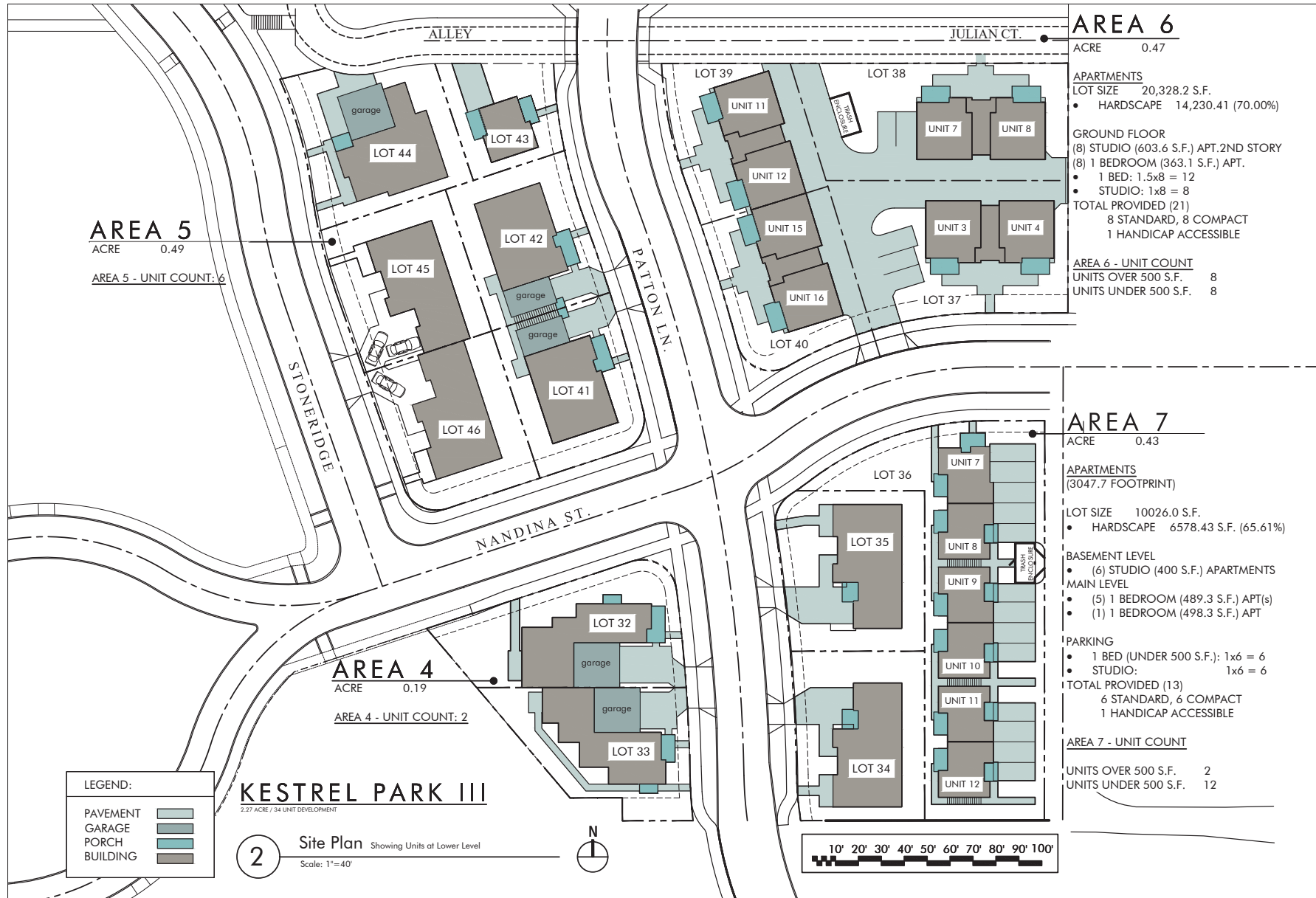
SURVEYED BY:
POLARIS LAND SURVEYING LLC
P.O. BOX 459
ASHLAND, OREGON 97520
(541) 482-5009
DATE: OCTOBER 30, 2024
PROJECT NO. 1505-24

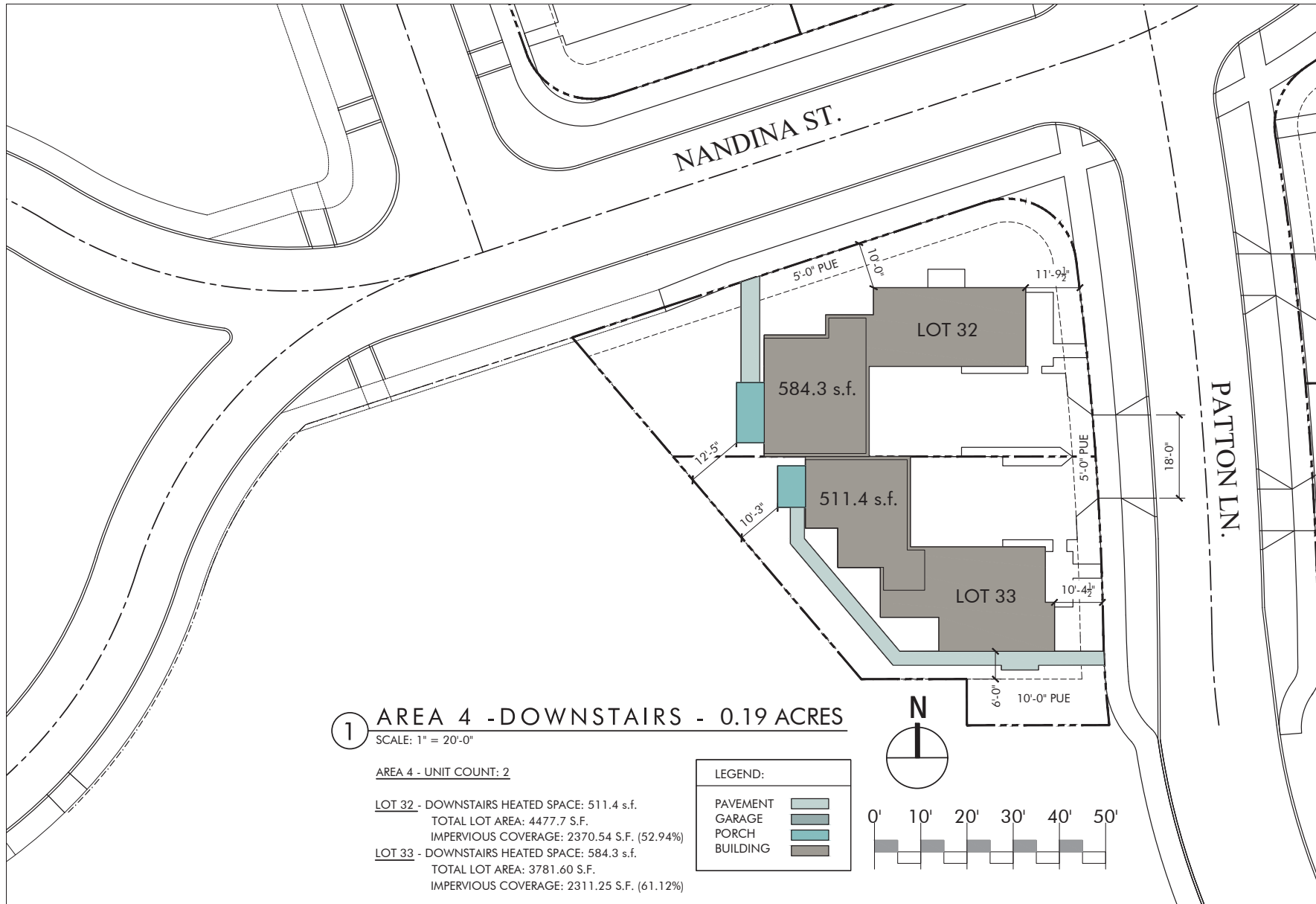
POLARIS LAND SURVEYING

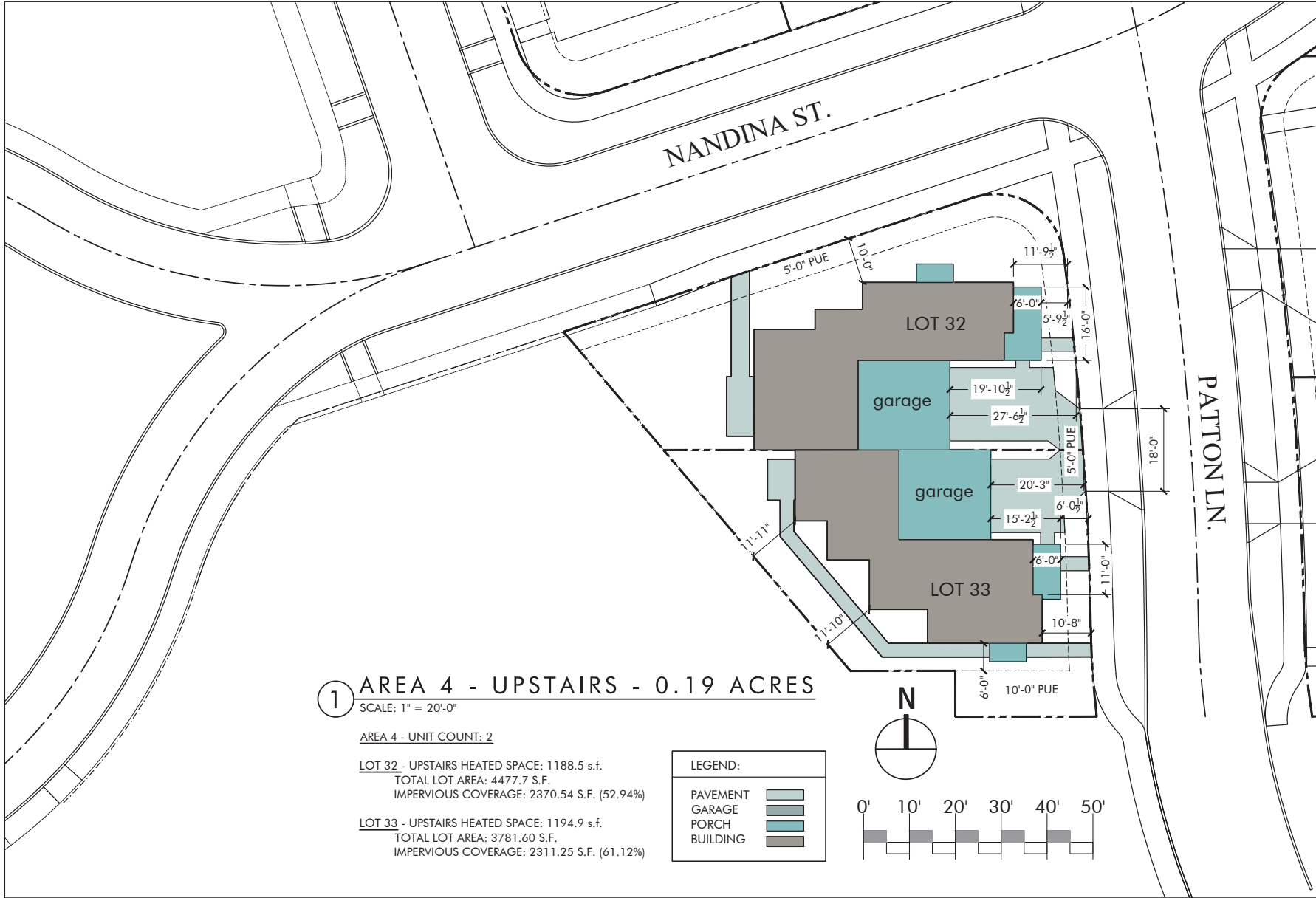


Assessor's Map No. 39 1E 04 AC, Tax Lot 900
Assessor's Map No. 39 1E 04 AD, Tax Lot 8600
Assessor's Map No. 39 1E 04 DB, Tax Lot 2000









SCALE: 1" = 20'-0"

AREA 5 - UNIT COUNT: 6

LOT 41:
DOWN S. HEATED SPACE: 751.2 s.f.
TOTAL LOT AREA: 3538.4 S.F.
IMPERVIOUS COVERAGE:
2017.3 S.F. (57.01%)

LOT 42:
DOWN S. HEATED SPACE: 751.2 s.f.
TOTAL LOT AREA: 3501.4 S.F.
IMPERVIOUS COVERAGE:
2018.00 S.F. (57.63%)

LOT 43:
DOWN S. HEATED SPACE: 468 s.f.
TOTAL LOT AREA: 2086.5 S.F.
IMPERVIOUS COVERAGE:
883.5 S.F. (42.34%)

LOT 44:
DOWN S. HEATED SPACE: 583 s.f.
TOTAL LOT AREA: 4106.5 S.F.
IMPERVIOUS COVERAGE:
2315.8 S.F. (56.39%)

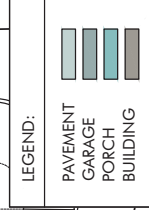
LOT 45:
DOWN S. HEATED SPACE: 624.3 s.f.
TOTAL LOT AREA: 3835.00 S.F.
IMPERVIOUS COVERAGE:
2601.2 S.F. (67.83%)

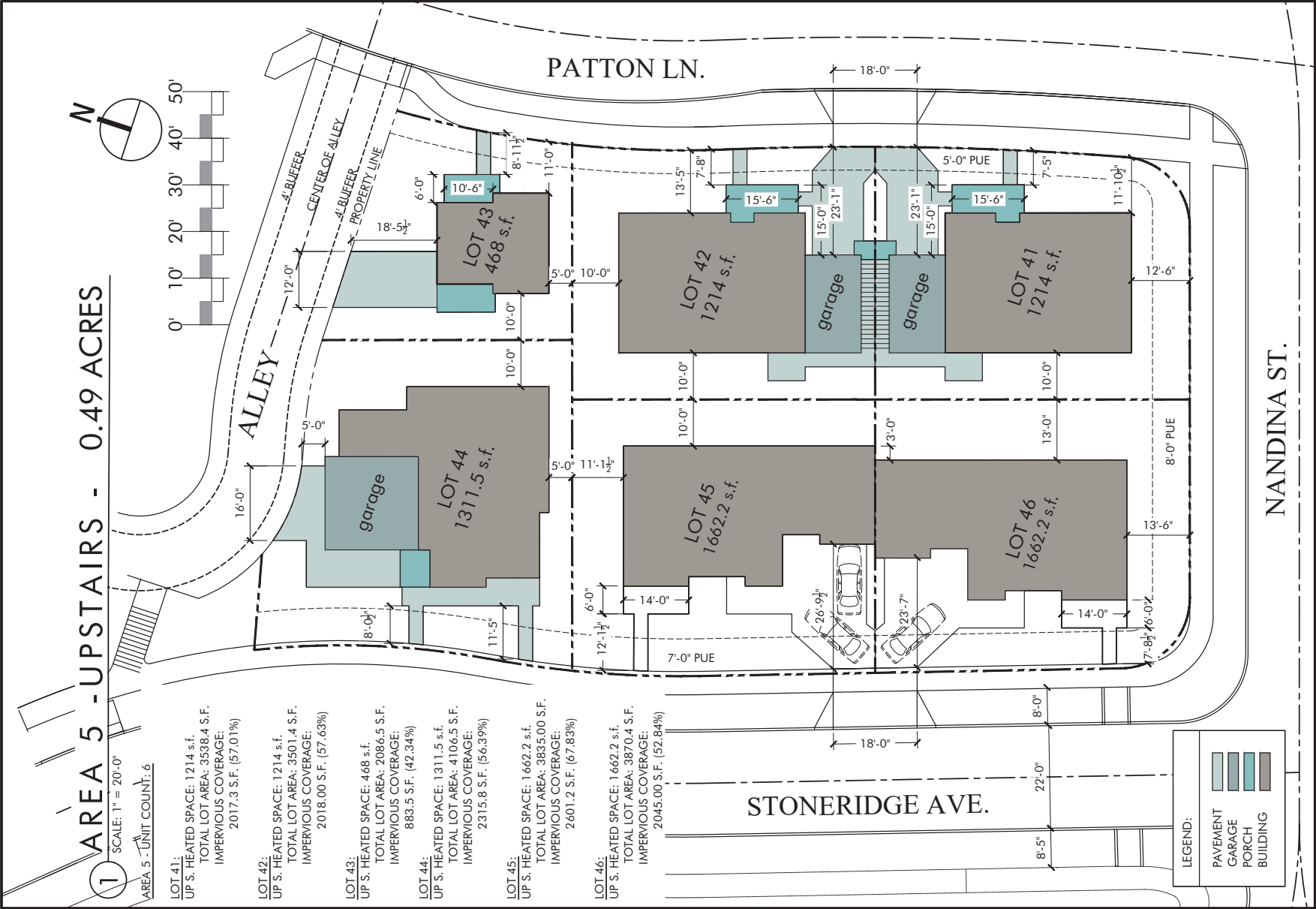
LOT 46:
DOWN S. HEATED SPACE: 624.3 s.f.
TOTAL LOT AREA: 3870.4 S.F.
IMPERVIOUS COVERAGE:
2045.00 S.F. (52.84%)



STONERIDGE AVE.

NANDINA ST.





LEGEND:

PAVEMENT	
GARAGE	
PORCH	
BUILDING	

① AREA 6 - DOWNSTAIRS ACRE 0.47

APARTMENTS

- LOT SIZE 20,328.2 S.F. (100%)
- HARDSCAPE 9268.8 S.F. (45.6%)
 - STRUCTURES 4022.5 S.F. (19.8%)
 - TOTAL 13291.3 S.F. (65.4%)

GROUND FLOOR

- (8) STUDIO (363.1 S.F.) APARTMENTS
 - (2) STUDIO (362.2 S.F.) APARTMENTS
- ## 2ND STORY
- (6) 1 BEDROOM (603.6 S.F.) APARTMENTS
 - (2) 1 BEDROOM (600.5 S.F.) APARTMENTS

PARKING

- 1 BED: 1.5x8 = 12
- STUDIO: 1x8 = 8
- TOTAL REQUIRED (20)
- TOTAL PROVIDED (21)
- 8 STANDARD, 8 COMPACT
- 1 HANDICAP ACCESSIBLE

AREA 6 - UNIT COUNT

- UNITS OVER 500 S.F. 8
UNITS UNDER 500 S.F. 8

LOT COVERAGE:

LOT 37:
TOTAL LOT AREA: 5716.22 S.F.
IMPERVIOUS COVERAGE: 4198.40 S.F. (73.45%)

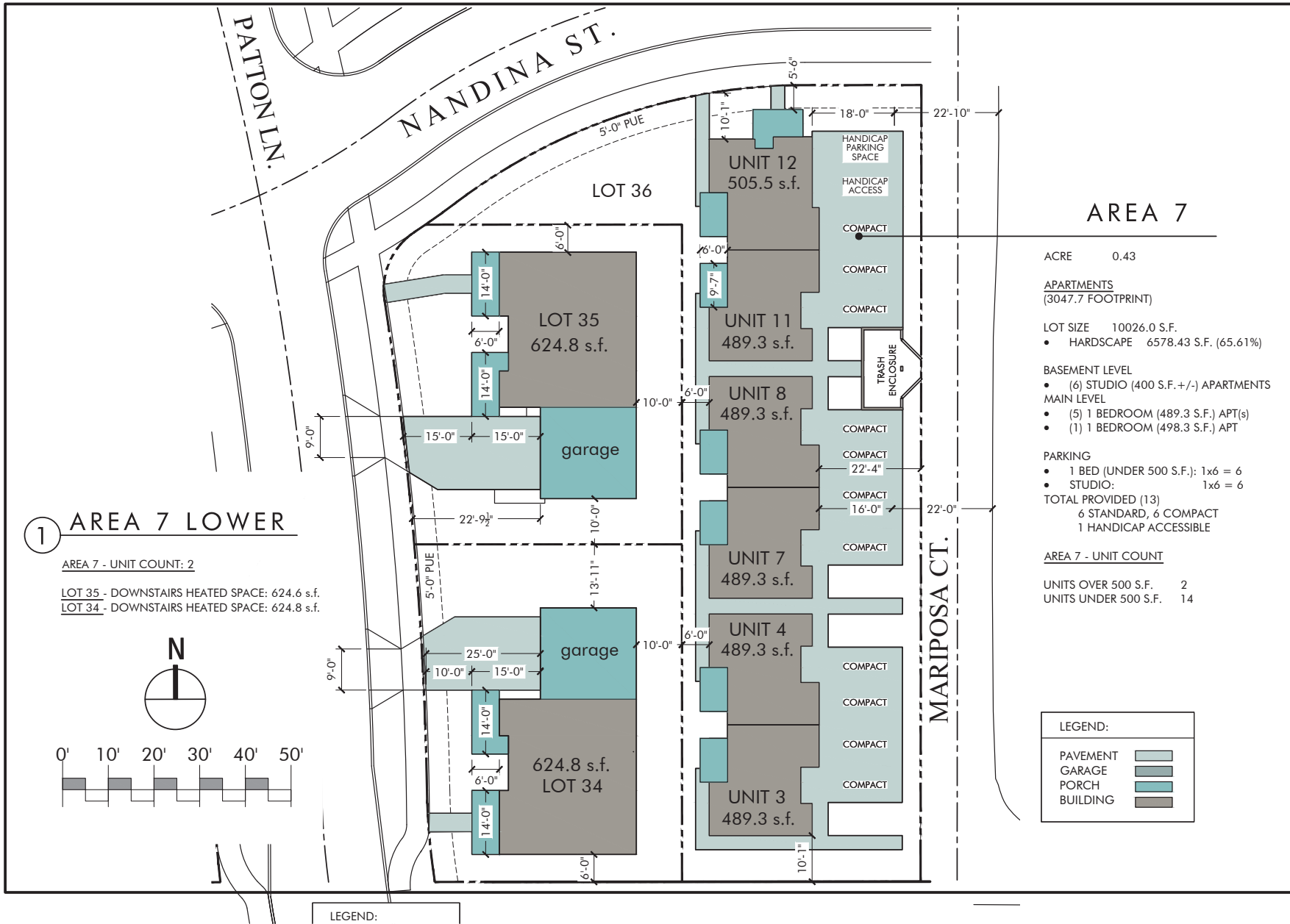
LOT 38:
TOTAL LOT AREA: 5794.50 S.F.
IMPERVIOUS COVERAGE: 4073.96 S.F. (70.31%)

LOT 39:
TOTAL LOT AREA: 3754.50 S.F.
IMPERVIOUS COVERAGE: 2585.70 S.F. (68.87%)

LOT 40:
TOTAL LOT AREA: 3878.40 S.F.
IMPERVIOUS COVERAGE: 2625.80 S.F. (67.70%)











KESTREL PARK PHASE THREE CONCEPTUAL ARCHITECTURE

October 30, 2024 - 11 x 17 Format - Over/Under Apartments & Townhouses Schematic Design

THESE CONCEPTUAL SCHEMATIC DRAWINGS & RENDERINGS ARE NOT FOR CONSTRUCTION © 2024 DE'ZIN LLC & LINDEMANN DESIGN LLC



	DARK body/trim	MEDIUM body/trim	LIGHT body/trim	ADDITIONAL ACCENT & TRIM COLORS	"TRUE" NEUTRAL
STONE HUES 150-250	 R-0528 "Graybeard"	 R-0534 "Subtle Shadow"	 R-0524 "Nomadic Travels"	 R-0472 "Micropolis"	 R-0486 "Paradise City"
CANOPY HUES 70-150	 CA-179 "Cypress"	 R-0442 "Dowager"	 CA-177 "Feldspar"	 R-0429 "Pendula Garden"	 CA-172 "Spring Green"
MEADOW HUES 50-70	 R-0423 "Eye of the Storm"	 R-0379 "Orestes"	 R-0414 "Plume Grass"	 R-0401 "Bamboo Forest"	 SW6179 "Artichoke"
WOOD HUES 0-50	 CA-084 "Foothills"	 CA-141 "Cardamom"	 CA-139 "Claystone"	 R0059 "Quintessential"	 SW2803 "Rookwood Terra Cotta"
				 SW6117 "Smokey Topaz"	

COLOR PROFILE KEY: H | S | B = HUE, SATURATION, BRIGHTNESS

COLOR GUIDANCE FOR THIRD-PARTY DESIGNERS OR COLOR CONSULTANTS:

- 1) Hues of comparable saturation and value to those shown here may be submitted to the Architectural Control Board on a case-by-case basis for amendment to this exterior color palette.
- 2) Contrasting values (DARK, MEDIUM, LIGHT) in body/trim colors may be used as accents in lieu of the bolder saturated accent colors, i.e., "mostly neutral is okay," but homeowners are encouraged to introduce spots of saturated color (patterned on the accent color examples shown here) in at least one front façade element (e.g., front door, porch posts, or a landscape focal point such as a Maple tree, etc.)
- 3) Saturation levels for body/trim colors should not exceed 30% in dark colors, 24% in medium colors or 12% in light colors. Proposals for exceptions based on local context are welcome on a case-by-case basis.
- 4) Saturation levels for accent colors should be in proportion to the inherent LRV of the hue (e.g., yellows are intrinsically more saturated). Colors that are likely to fade quickly in direct sun should be avoided: Follow paint suppliers' guidance for fade-resistant selections of bolder and brighter colors.
- 5) Designers are encouraged to combine neutrals that share analogous undertones (similar or neighboring hues on the 0-359 color wheel). "True neutral grays" such as Sherwin Williams 7674 "Peppercorn" or Benjamin Moore 2121-10 "gray" may be used at will or where undertones are problematic. Accent colors may be employed per standard color wheel principles: complementary, triadic, split-complement, analogous, etc.

MATERIALS' SCHEMES: PRIMARY | ACCENT

- | | |
|-----------------|--|
| Scheme A | 8" Cementitious Lap "Cedarmill" 5" Cementitious Lap "Cedarmill" |
| Scheme B | 8" Cementitious Lap "Smooth" Hardie® Multi-groove Panel (16" o.c. vert.) |
| Scheme C | 6" Cementitious Lap "Cedar" NEW Hardie® Textured Panel (studs 16" o.c.) |
| Scheme D | 8" Cementitious Lap "Smooth" True stucco or stone |

FAN DECKS KEY:

- BM = BENJAMIN MOORE
CA = CASCADIA COLLECTION
H = HISTORIC COLORS**
PL = PRATT & LAMBERT
R = RODDA PROVISIONS**
SW = SHERWIN WILLIAMS

** These color collections are also available from Miller Paint

AERIAL VIEW



NOTE: Lower level is daylight basement,
i.e., 50% subterranean.

REAR VIEW



LOT 33 - PATTON LANE VIEW



LOT 32 - PATTON LANE VIEW



LOT 32 - REAR VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.



South Elevation - not to scale

NOTE: Lower level is daylight basement, i.e., 50% subterranean.



North Elevation



East Elevation



AERIAL VIEW

LOT 43 - STONERIDGE AVENUE VIEW



LOT 44 - STONERIDGE AVENUE VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.

REAR VIEW





West Elevation - Facing Stoneridge

STUCCO

CEMENTITIOUS LAP SIDING



North Elevation



South Elevation

● RIDGE
26'-7"

STANDING SEAM METAL ROOF

● 2ND LEVEL CEILING
19'-0 3/4"

NOTE: Lower level is daylight basement,
i.e., 50% subterranean.

● 2ND LEVEL
10'-0 3/4"

0 2' 4' 8' 8'

SCALE: 1/8"=1'-0"

● 1ST LEVEL
0'-0"

12 5.5



East Elevation

CEMENTITIOUS LAP SIDING

SHEET
8
OF 29

AREA 5 - LOTS 43-44
ELEVATIONS

Client/Owner: Taylored
Elements
October 30, 2024

Kestrel Hillside
Conceptual Architecture

de'zín
HOME DESIGN SPECIALISTS
AND LINDEMANN DESIGN LLC



ALLEY VIEW



AERIAL VIEW



STONERIDGE AVENUE VIEW

STONERIDGE AVENUE VIEW



REAR WINDOW VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.





West Elevation - Facing Stoneridge

South Elevation

NOTE: Lower level is daylight basement,
i.e., 50% subterranean.



East Elevation



North Elevation

0 2' 4' 8' 8'
SCALE: 1/8"=1'-0"



PATTON LANE VIEW

REAR VIEW



REAR VIEW

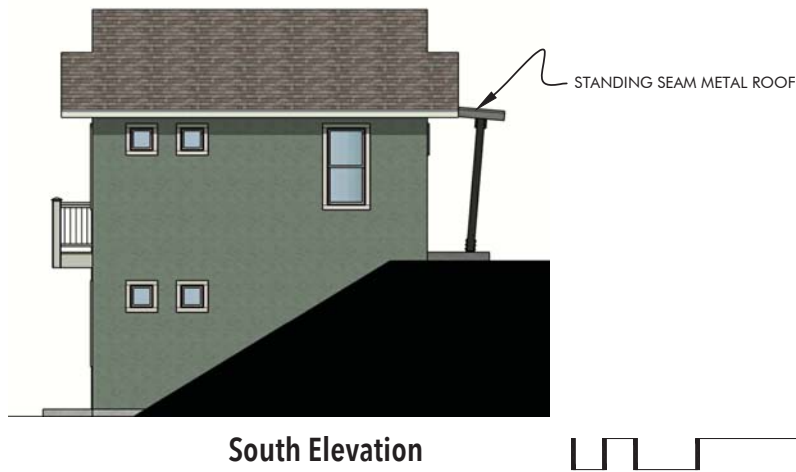
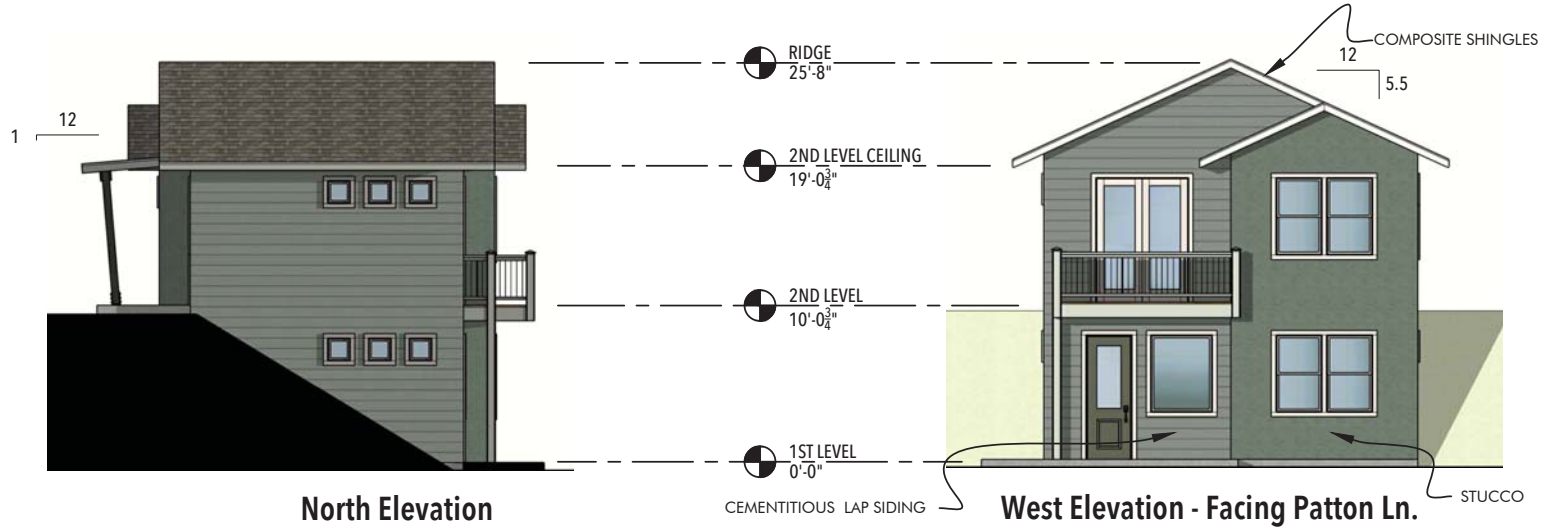
NOTE: Lower level is daylight basement,
i.e., 50% subterranean.



AERIAL VIEW

PATTON LANE VIEW

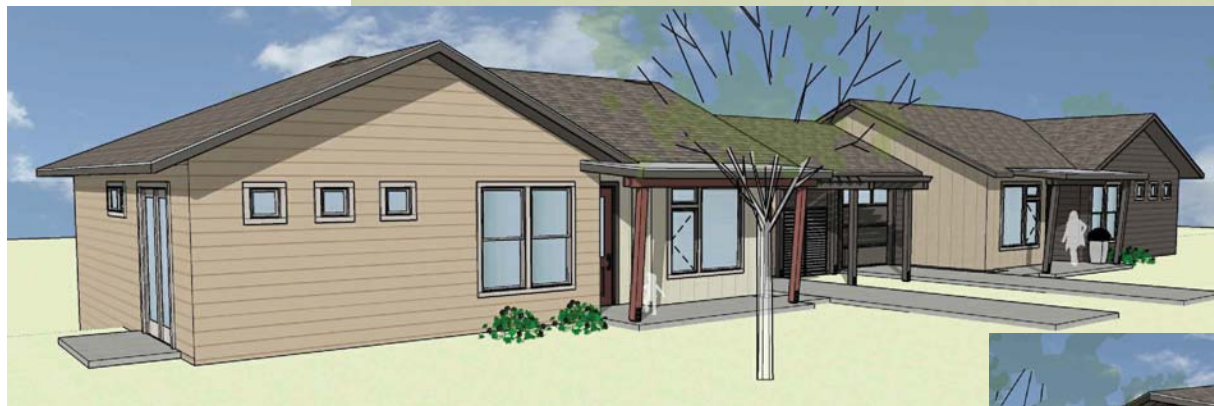






AERIAL VIEW

LOT 41 - PATTON LANE VIEW



LOT 42 - PATTON LANE VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.

LOT 41 - REAR VIEW



LOT 42 - REAR VIEW





East Elevation - Facing Patton Ln.

HARDIE MULTI-GROOVE PANEL

COMPOSITE SHINGLES

CEMENTITIOUS LAP SIDING



South Elevation



North Elevation

RIDGE
27'-10"

STANDING SEAM METAL ROOF

2ND LEVEL CEILING
19'-0 3/4"

NOTE: Lower level is daylight basement,
i.e., 50% subterranean.

2ND LEVEL
10'-0 3/4"

0 2' 4' 8' 8'

SCALE: 1/8"=1'-0"

1ST LEVEL
0'-0"



West Elevation

HARDIE MULTI-GROOVE PANEL

SHEET
15
OF 29

AREA 5 - LOTS 41-42
ELEVATIONS

Client/Owner: Taylored
Elements
October 30, 2024

Kestrel Hillside
Conceptual Architecture

de'zín
HOME DESIGN SPECIALISTS
AND LINDEMANN DESIGN LLC



AERIAL VIEW



ALLEY VIEW

NANDINA STREET VIEW



NANDINA STREET VIEW

ALLEY & PATTON LANE VIEW



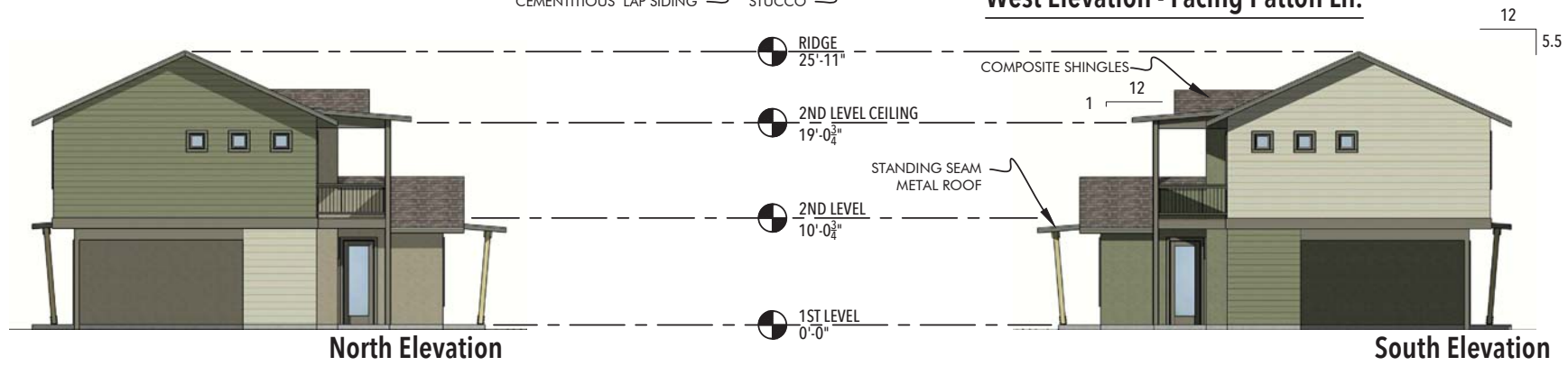






CEMENTITIOUS LAP SIDING STUCCO

West Elevation - Facing Patton Ln.

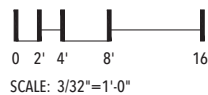


North Elevation

South Elevation



East Elevation





AERIAL VIEW

REAR VIEW



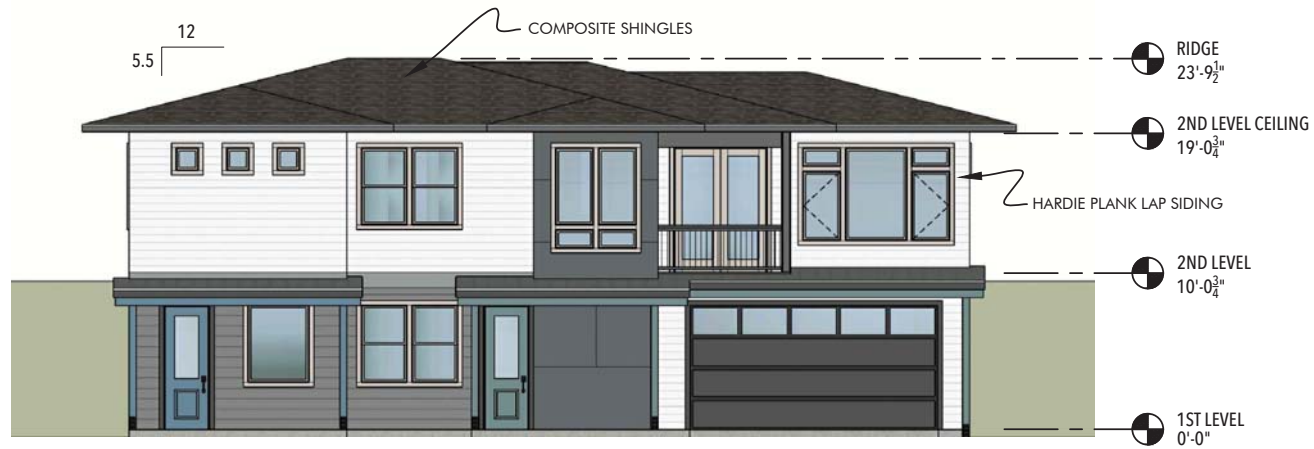
PATTON LANE VIEW



NANDINA STREET VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.

PATTON LANE VIEW

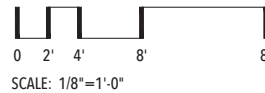


West Elevation - Facing Patton Ln.



North Elevation

NOTE: Lower level is daylight basement,
i.e., 50% subterranean.



STANDING SEAM
METAL ROOF



South Elevation



East Elevation



AERIAL VIEW

PATTON LANE VIEW



REAR VIEW



SIDE VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.

PATTON LANE VIEW

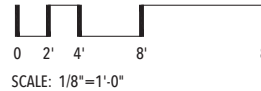


West Elevation - Facing Patton Ln.



North Elevation

NOTE: Lower level is daylight basement,
i.e., 50% subterranean.



STANDING SEAM
METAL ROOF



South Elevation



East Elevation



AERIAL VIEW

REAR VIEW



NOTE: Lower level is daylight basement,
i.e., 50% subterranean.

MARIPOSA COURT VIEW

MARIPOSA COURT VIEW



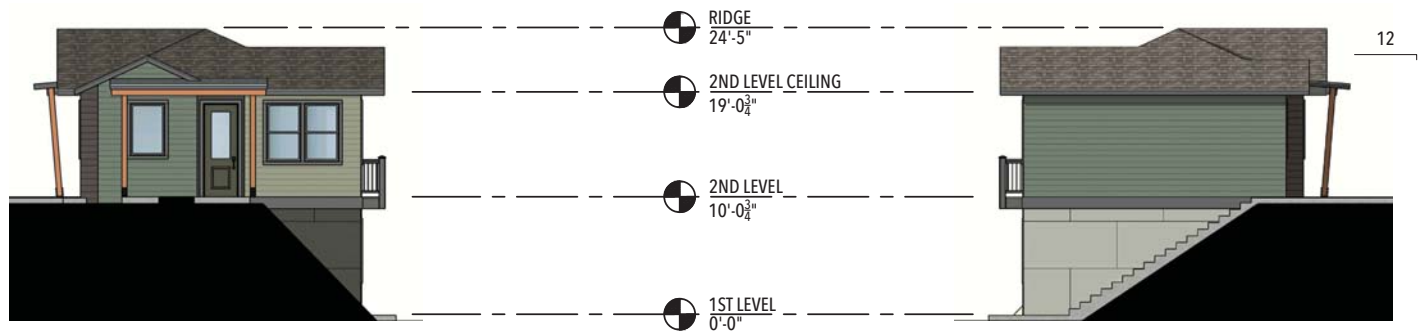


East Elevation - Facing Mariposa Ct.



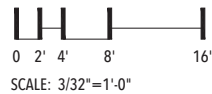
West Elevation

NOTE: Lower level is daylight basement, i.e., 50% subterranean.



North Elevation

South Elevation



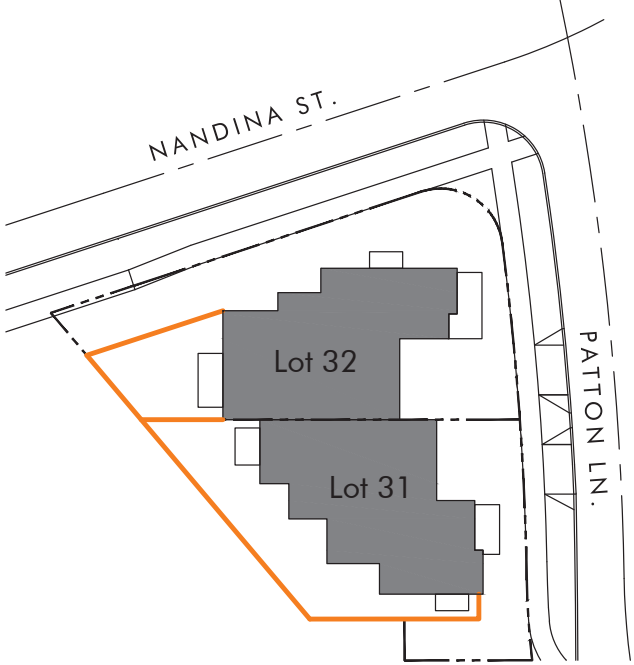
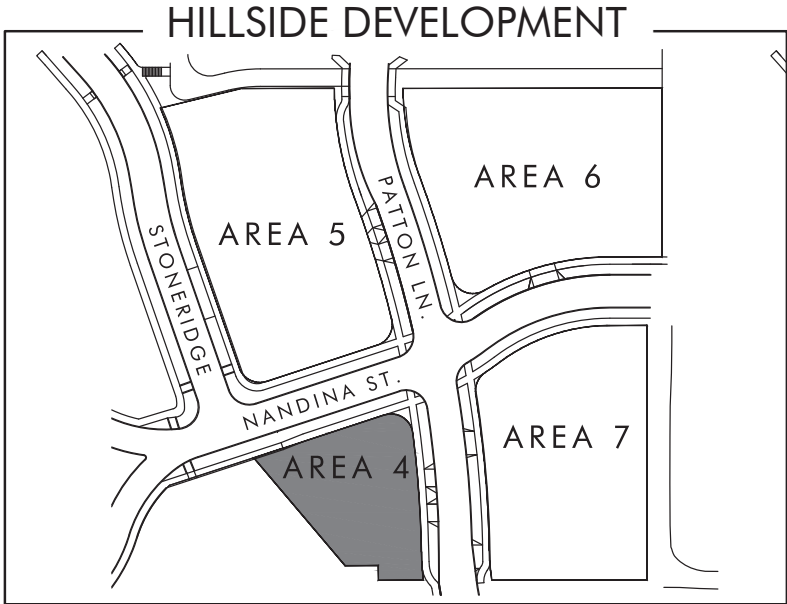
KEY:

UP TO 3'-6" TALL: —

UP TO 6' TALL: —

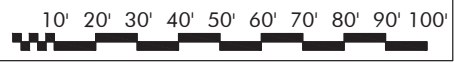
CENTRAL RETAINING: —

- FENCING SCOPE AND HEIGHTS ARE MAXIMUM ALLOWED
- OWNERS MAY CHOOSE TO REDUCE THE AMOUNT OR HEIGHTS OF FENCING
- FENCING WILL BE WHITE VINYL WITH FINAL DESIGN TO BE APPROVED BY THE ARCHITECTURAL REVIEW BOARD



AREA 4

SCALE: 1"=30'



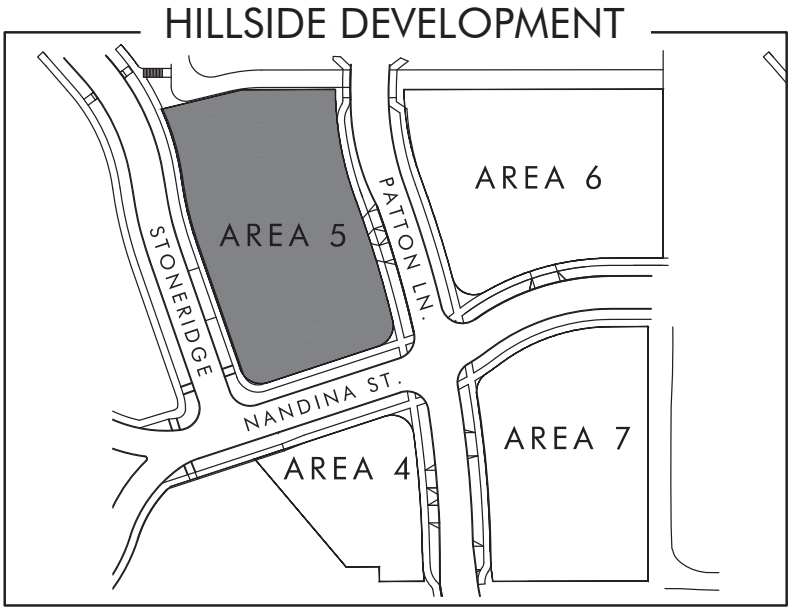
KEY:

UP TO 3'-6" TALL: —

UP TO 6' TALL: —

CENTRAL RETAINING: —

- FENCING SCOPE AND HEIGHTS ARE MAXIMUM ALLOWED
- OWNERS MAY CHOOSE TO REDUCE THE AMOUNT OR HEIGHTS OF FENCING
- FENCING WILL BE WHITE VINYL WITH FINAL DESIGN TO BE APPROVED BY THE ARCHITECTURAL REVIEW BOARD



AREA 5

SCALE: 1"=30'



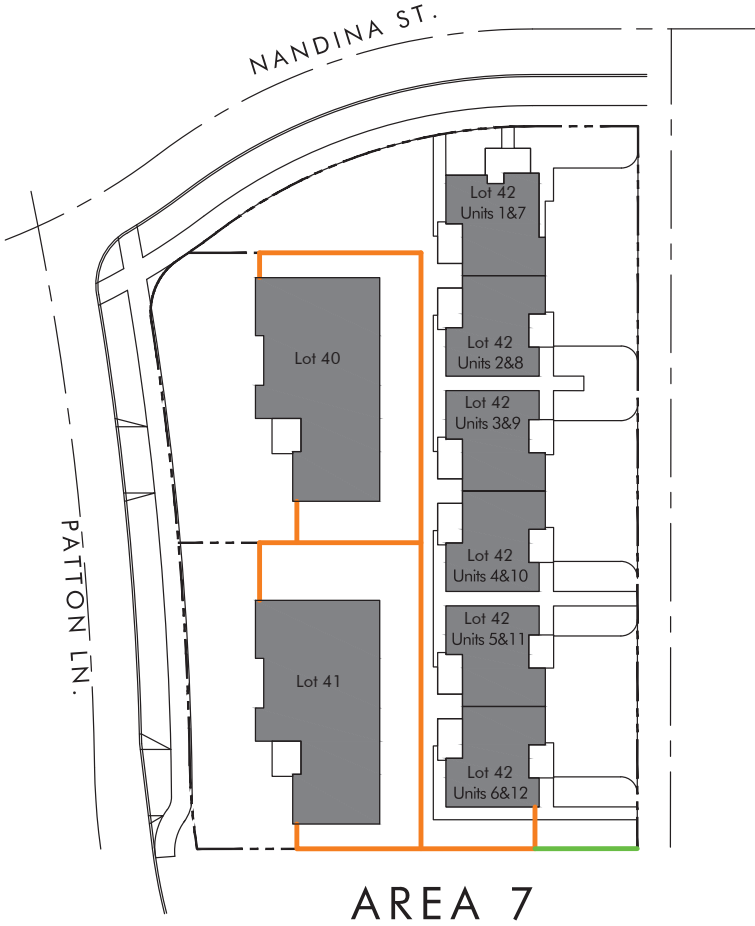
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UP TO 3'-6" TALL: —

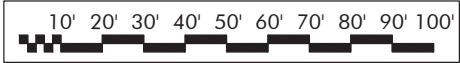
UP TO 6' TALL: —

CENTRAL RETAINING: —

- FENCING SCOPE AND HEIGHTS ARE MAXIMUM ALLOWED
- OWNERS MAY CHOOSE TO REDUCE THE AMOUNT OR HEIGHTS OF FENCING
- FENCING WILL BE WHITE VINYL WITH FINAL DESIGN TO BE APPROVED BY THE ARCHITECTURAL REVIEW BOARD

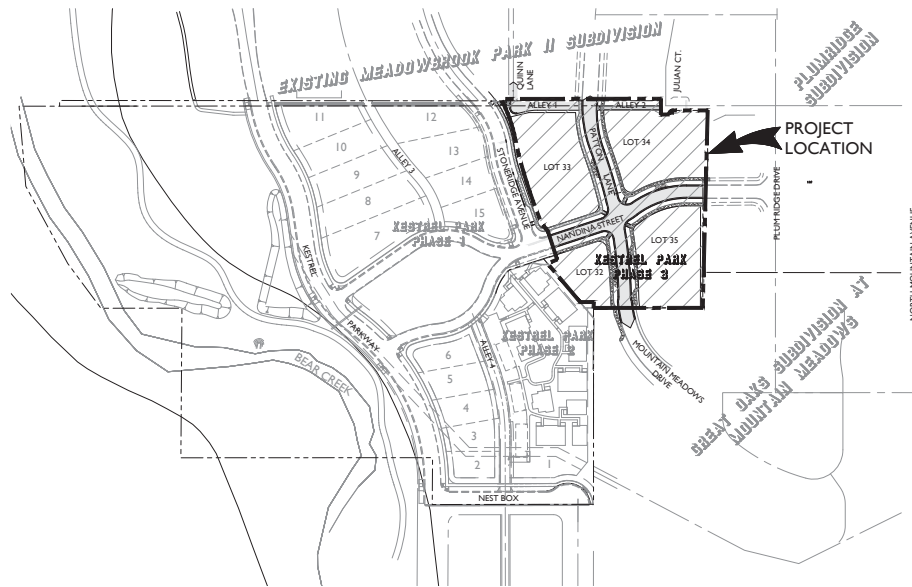
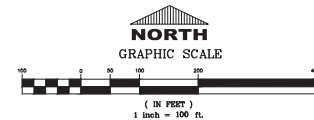


SCALE: 1"=30'



1. ALL WORK SHALL CONFORM TO THE AWWA/ODOT STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, OREGON CHAPTER, 2018 AND AS AMENDED BY THE CITY OF ASHLAND.
2. STORM DRAIN PIPE SHALL BE AS INDICATED ON THE PROJECT PLANS. PRIVATE STORM DRAIN PIPE (4", 6" & 8") SHALL BE PVC CONFORMING TO ASTM D-3034. EACH SERVICE TERMINATION POINT SHALL BE MARKED WITH A PAINTED "x" 4" STORM DRAIN PIPE DETECTOR SHALL BE USED.
3. SANITARY SEWER PIPE SHALL BE PVC (ASTM D-3034). SANITARY SEWER LATERALS SHALL BE CONNECTED TO THE MAIN BY USING A ONE PIECE PREFABRICATED SEWER WYE AND 4" OR 6" DUCTILE IRON PIPE. DETECTOR SHALL BE MARKED WITH THE CITY OF ASHLAND MARKED WITH PAINTED GREEN "x". SANITARY SEWER DETECTOR SHALE SHALL BE USED. ONLY GREEN PIPE ALLOWED PER CITY STANDARDS.
4. CLASS "B" BACKFILL SHALL BE USED IN ALL TRENCHES WITHIN THE RIGHT OF WAY OR OUTSIDE THE RIGHT OF WAY. CLASS "A" BACKFILL SHALL BE USED IN ALL TRENCHES UNDER EXISTING ASPHALT.
5. GRANULAR MATERIALS SHALL BE OBTAINED FROM A CITY APPROVED SOURCE. CONTRACTOR SHALL NOTIFY THE CITY ENGINEER OF THE MATERIAL SOURCE PRIOR TO ANY GRANULAR MATERIAL PLACEMENT. CONTRACTOR SHALL NOT CHANGE MATERIAL SOURCE WITHOUT PRIOR APPROVAL FROM THE CITY ENGINEER.
6. ALL STORM DRAIN CURB INLETS SHALL BE CITY OF ASHLAND TYPE 4A WITH A 4" CURB OPENING UNLESS OTHERWISE SPECIFIED ON THE PLANS.
7. ALL STORM DRAIN PIPES SHALL HAVE WATER-TIGHT JOINTS. PVC AND SANITARY SEWER PIPES SHALL BE REQUIRED TO ASTM D-3034. PRE-FABRICATED PRE-MANUFACTURED TEES SHALL BE USED FOR LATERALS CONNECTING TO NEW STORM DRAIN/SANITARY SEWER MAINS.
8. ALL WATER MAINS SHALL BE PER CURRENT CITY OF ASHLAND STANDARDS, BE FULLY COVERED AND VISIBLE. RESPONSIBLE AS SUCH (E.G. AS MESSAGE ON APPROVED EQUAL).
9. PIPE: AWWA 21.5" DUCTILE IRON, CLASS 54, FULLY RESTRAINED JOINT UNLESS NOTED OTHERWISE.
10. FITTINGS: AWWA C105 OR C153 WITH "CLASS MEGALUGS" OR APPROVED EQUAL. RESTRAIN JOINTS UNLESS OTHERWISE NOTED.
11. C. INSTALL THURST BLOCKS AS SHOWN ON PLANS.
12. THE CITY OF ASHLAND SHALL BE RESPONSIBLE FOR PROVIDING THE DETECTOR. THE OWNER SHALL ENTER INTO AN AGREEMENT WITH THE CITY TO LIEBILIZE ALL DETECTOR LOCATIONS. THE CITY SHALL BE RESPONSIBLE FOR NOT LEAVE OUT SECTIONS OF THE SYSTEM AND RESTART AT A HIGHER POINT. CAP/PLUG IS DAILY DURING CONSTRUCTION.
13. ALL GIVEN PIPE LENGTHS AND SLOPES ARE FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE.
14. ALL WORK ON GRAVITY STORM DRAIN AND SANITARY SEWER SYSTEMS SHALL BEGIN AT THE LOWEST POINT AND PROCEED UPGRADE TO THE HIGHEST POINT. WORK SHALL BE COMPLETED IN ONE DAY. THE CONTRACTOR SHALL NOT LEAVE OUT SECTIONS OF THE SYSTEM AND RESTART AT A HIGHER POINT. CAP/PLUG IS DAILY DURING CONSTRUCTION.
15. LOCATIONS AND DEPTHS OF ALL EXISTING UTILITIES AND STRUCTURES ARE APPROXIMATE. UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THE PLANS. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES PRIOR TO CONSTRUCTION.
16. CONTRACTORS AND SUBCONTRACTORS SHALL BE RESPONSIBLE FOR DEALING WITH THE CITY OF ASHLAND ENGINEERING (541-486-5347) FOR ANY CHANGES TO THE PROJECT. THE CITY OF ASHLAND ENGINEERING (541-486-5347) 48 HOURS PRIOR TO STARTING WORK.
17. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH THE VARIOUS UTILITY AGENCIES REGARDING INSTALLATION AND/OR RELOCATION REQUIREMENTS FOR THEIR FACILITIES.
18. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.
19. STABILIZATION FABRIC SHALL CONFORM TO ODOT 2018 SPECIAL PROVISIONS 02320.
20. POWER FACILITIES SHOWN ON THESE PLANS ARE FOR REFERENCE ONLY. SEE POWER PERMITTING BY CITY OF ASHLAND ELECTRIC DEPARTMENT FOR DETAILED PLANS & SPECIFICATIONS.
21. BASIS OF BEARING: SEE TOPOGRAPHIC SURVEY, SHEET T.1
22. BENCHMARK: SEE TOPOGRAPHIC SURVEY, SHEET T.1

LOCATED IN
SECTION 4, T. 39 S., R. 1 E., W.M.
TAX LOTS 900, 2000, 8600
CITY OF ASHLAND
JACKSON COUNTY, OREGON



ENGINEER OF RECORD: ANTHONY BAKKE, P.E. E.C.E., INC. 1100 N. MAIN ST., SUITE 103 MEDFORD, OR 97501 PH: (541) 779-5268	QTY/ASHLAND PUBLIC WORKS KARL JOHNSON ENGINEERING DIVISION 51 WINGBURY AVE. ASHLAND, OR 97520 PH: (541) 552-2415	CABLE COMPANY CHARTER COMMUNICATIONS P.O. BOX 100 1154 CENTER DR., SUITE C MEDFORD, OR 97501 PH: (541) 500-8992
SURVEYOR OF RECORD: SHAWN KAMPMANN CITY OF ASHLAND SURVEYING P.O. BOX 459 ASHLAND, OR 97502 PH: (541) 462-5000	ELECTRIC/AFN: DAVE TIGERSON CITY OF ASHLAND 90 NORTH MOUNTAIN ASHLAND, OR 97520 PH: (541) 552-2839	GAS COMPANY ERIK ENRIQUEZ ASTORIA UTILITIES 580 BUSINESS PARK DR MEDFORD, OR 97504 PH: (458) 225-4732
DEVELOPER/OWNER: MARK KNIX KOA 604 FAR OAKS COURT ASHLAND, OR 97520 PH: (541) 838-1234	IRRIGATION: JIM WYATT KOA 1000 VALLEY VIEW DRIVE ASHLAND, OR 97520 PH: (541) 838-1529	TELEPHONE COMPANY DEREK BELICK CENTURY LINK 132 W. 4TH STREET MEDFORD, OR 97501 PH: (541) 776-8128

		<u>LINE</u>			
	PROPOSED PWNT		EXISTING SD		EXISTING STORM
	PROPOSED SIDEWALK		EXISTING SS		EXISTING SEWER
	PROPOSED STORM		EXISTING WATER		EXISTING GAS
	PROPOSED SEWER		EXISTING POWER		EXISTING PHONE
	PROPOSED WATER		EXISTING TV		EXISTING PWNT
	PROPOSED R/W		EXISTING C & G		EXISTING SIDEWALK
	PROPOSED PROPERTY LINE		EXISTING SEWER		EXISTING DITCH
	PROPOSED CENTER LINE		EXISTING STORM		EXISTING FENCE
	PROPOSED PUE				
	PROPOSED C & G				
	PROPOSED DITCH				

SEWER MANHOLE		STORM MANHOLE	
CLEAN-OUT		AREA DRAIN	
SERVICE WYE		PIPE FLAP	
WATER SERVICE		CATCH/LYNH BASIN	
FIRE HYDRANT		UTILITY POLE/GUY WIRE	
WATER VALVE		STREET LIGHT	
FITTING & T.B.		TELEPHONE PEDESTAL	
DRAINAGE FLOW		POWER TRANSFORMER	
AIR VALVE		POWER SWITCHGEAR	
CURB INLET		GAS VALVE	
SERVICE SERVICE		STORM SERVICE	

COVER SHEET	A.1
SECTIONS	A.2
UTILITY, SITE, LIGHTING, & SIGNING PLAN	B.1
MAIN STREET	C.1
PATTON LANE	C.2
ALLEY I	C.3
CURB RETURNS	C.4
GRADING PLAN	D.1
NANDINA SECTIONS	D.2
PATTON SECTIONS	D.3
EROSION & SEDIMENT CONTROL PLAN	E.1
DETAILS	F.1
TOPOGRAPHIC SURVEY	T.1

NO.	REVISION	DATE	BY
C-5			
E5 F-2			

CITY OF ASHLAND - ENGINEERING DEPARTMENT

KESTRAL PARK SUBDIVISION

PHASE 3

CIVIL IMPROVEMENTS

COVER SHEET

PROJECT NO.

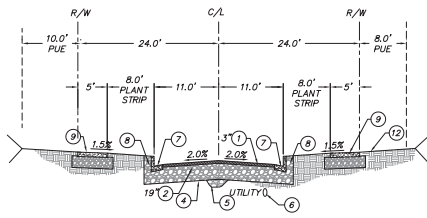
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DRAWING NO.

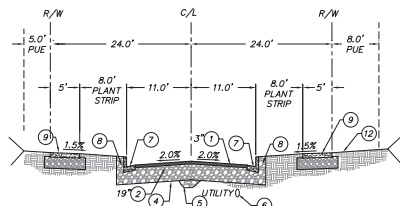
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SUBJECT: PUBLIC WORKS PROJECT DATE:

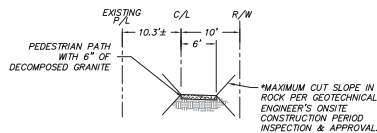
NAME: KES-PH3.DWG PROJ: 22-30 PLOT DATE: 3/14/2023



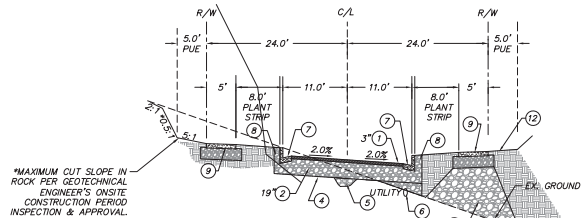
TYPICAL SECTION - 48' R/W
NANDINA STREET
(STA: 46+00.00 TO STA: 47+17.78)
N.T.S.



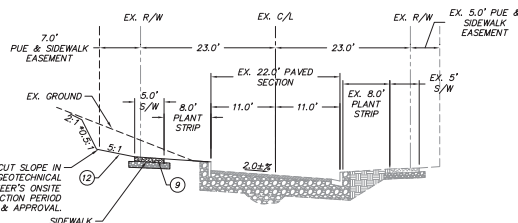
TYPICAL SECTION - 48' R/W
NANDINA STREET
(STA: 47+17.78 TO STA: 48+76.00)
N.T.S.



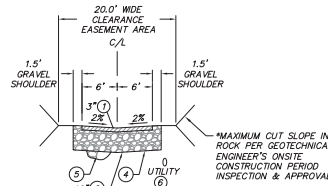
PEDESTRIAN PATH
N.T.S.



TYPICAL SECTION - 48' R/W
PATTON LANE
(STA: 28+00.00 TO STA: 32+08.50)
N.T.S.



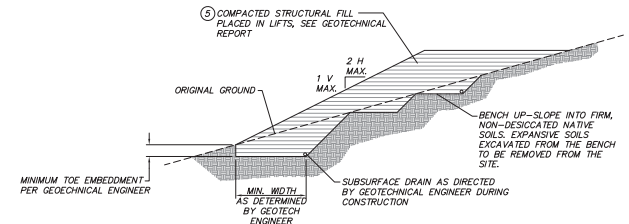
TYPICAL SECTION - 46' R/W
STONERIDGE AVENUE
(STA: 19+23.00 TO NANDINA)
N.T.S.



TYPICAL SECTION
ALLEY I
N.T.S.

TYPICAL SECTION CONSTRUCTION NOTES

- ① LEVEL 2, 1/2" HMA (DEPTH AS NOTED).
 - ② 3/4"-MINUS CRUSHED ROCK (DEPTH AS NOTED).
 - ③ NOT USED
 - ④ WOVEN GEOTEXTILE STABILIZATION FABRIC PER 2018 OREGON STANDARD SPECIFICATION, SPECIAL PROVISION 02.320 (SUBGRADE GEOTEXTILE).
 - ⑤ IMPORTED SUB-BASE (WHERE APPLICABLE) TO BE 4"-0" CRUSHED ROCK OR APPROVED EQUIVALENT.
 - ⑥ CONTRACTOR TO MOUND OVER UNDERGROUND UTILITIES WITH 3/4"-MINUS GRAVEL FOLLOWING UTILITY INSTALLATION TO MAINTAIN 18" MINIMUM COVER AT ALL TIMES.
 - ⑦ 24" CURB & GUTTER, E-6", PER CURRENT ODOT STANDARD DRAWING NO. RD700.
 - ⑧ BASE MATERIAL TO EXTEND 12" BEHIND CURB (TYPICAL). PROVIDE BASE MATERIAL A MINIMUM OF 3' BEHIND CURB WHERE NOT CONSTRUCTING PLANTER, SIDEWALK, OR PUE GRADE IN FULL SECTIONS.
 - ⑨ SIDEWALK W/PARK STRIP PER CURRENT ODOT STANDARD DRAWING NO. RD720 WITH 6" OF 3/4"-MINUS AGGREGATE BASE COMPACTED TO 95% OF ASTM D 698 AND EXTENDED 6" BEYOND EDGE OF SIDEWALK. SIDEWALK AND BASE ROCK TO BE INSTALLED BY HOMEOWNER U.N.O.
 - ⑩ SIDEWALK ADJACENT TO CURB PER CURRENT ODOT STANDARD DRAWING NO. RD720. AGGREGATE BASE DEPTH SHALL MATCH ADJACENT ROADWAY SECTION AND EXTEND 12" BEYOND EDGE OF SIDEWALK. SIDEWALK AND BASE ROCK TO BE INSTALLED BY HOMEOWNER U.N.O.
 - ⑪ MAXIMUM CUT & FILL SLOPES (SEE PLAN FOR ADDITIONAL REQUIREMENTS).
 - ⑫ PUE GRADE AS SHOWN. EMBANKMENT, WHERE REQUIRED, SHALL BE CONSTRUCTED PER GEOTECHNICAL REPORT.
 - ⑬ NOT USED
- NOTE: CROSS SECTIONS ARE ALWAYS VIEWED LOOKING "UP-STATION".



FILL BENCHING EXHIBIT

NOTE: THIS EXHIBIT IS CONCEPTUAL ONLY AND INTENDED TO DEPICT THE BENCHING OF FILLS ON STEEP SLOPES. THE CONTRACTOR SHALL COORDINATE WITH THE GEOTECHNICAL ENGINEER FOR SPECIFIC REQUIREMENTS

GEOTECHNICAL NOTES

NOTE: PAVEMENT SECTIONS ARE BASED UPON GEOTECHNICAL RECOMMENDATIONS BY APPLIED GEOTECHNICAL ENGINEERING AND GEOLOGIC CONSULTING LLC. CONTRACTOR SHALL COORDINATE WITH GEOTECHNICAL ENGINEER DURING CONSTRUCTION FOR CONFORMANCE WITH REQUIREMENTS.

NOTE: THE CONTRACTOR SHALL OBTAIN A COPY OF THE GEOTECH REPORT PREPARED BY: APPLIED GEOTECHNICAL ENGINEERING AND GEOLOGIC CONSULTING LLC AND COMPLY WITH THE RECOMMENDATIONS CONTAINED IN THE REPORT.

NOTE: THE PAVEMENT SECTIONS SHOWN ARE BASED ON THE ASSUMPTION THAT PAVEMENT CONSTRUCTION WILL BE ACCOMPLISHED DURING THE DRY SEASON. IF WET-WEATHER PAVEMENT CONSTRUCTION IS CONSIDERED, IT WILL LIKELY BE NECESSARY TO INCREASE THE THICKNESS OF THE CRUSHED ROCK BASE TO SUPPORT CONSTRUCTION EQUIPMENT AND PROTECT THE MOISTURE-SENSITIVE SUBGRADE SOILS FROM DISTURBANCE. IT SHOULD BE NOTED THAT THE PAVEMENT SECTIONS MAY NOT BE ADEQUATE FOR THE SUPPORT OF INTENSE, HEAVY CONSTRUCTION TRAFFIC.

GEOTECHNICAL PRE-CONSTRUCTION & SUBGRADE APPROVAL

NOTE: CONTRACTOR IS TO HOLD A PRE-CONSTRUCTION MEETING WITH CITY DESIGNATED INSPECTOR PRIOR TO THE START OF CONSTRUCTION.

NOTE: PROJECT GEOTECHNICAL ENGINEER OR QUALIFIED EXPERIENCED CITY INSPECTOR MUST PROVIDE APPROVAL OF ALL EARTHWORK AND SUBGRADE PRIOR TO PLACEMENT OF ROADWAY ROCK SECTION AND/OR GEOTEXTILE FABRIC. INSPECTOR SHALL PROVIDE WRITTEN CONFIRMATION TO THE ENGINEER OF RECORD AND THE CITY PUBLIC WORKS DEPARTMENT WITHIN 10 WORKING DAYS.

FOR GEOTECHNICAL NOTES AND SPECIFICATIONS ONLY

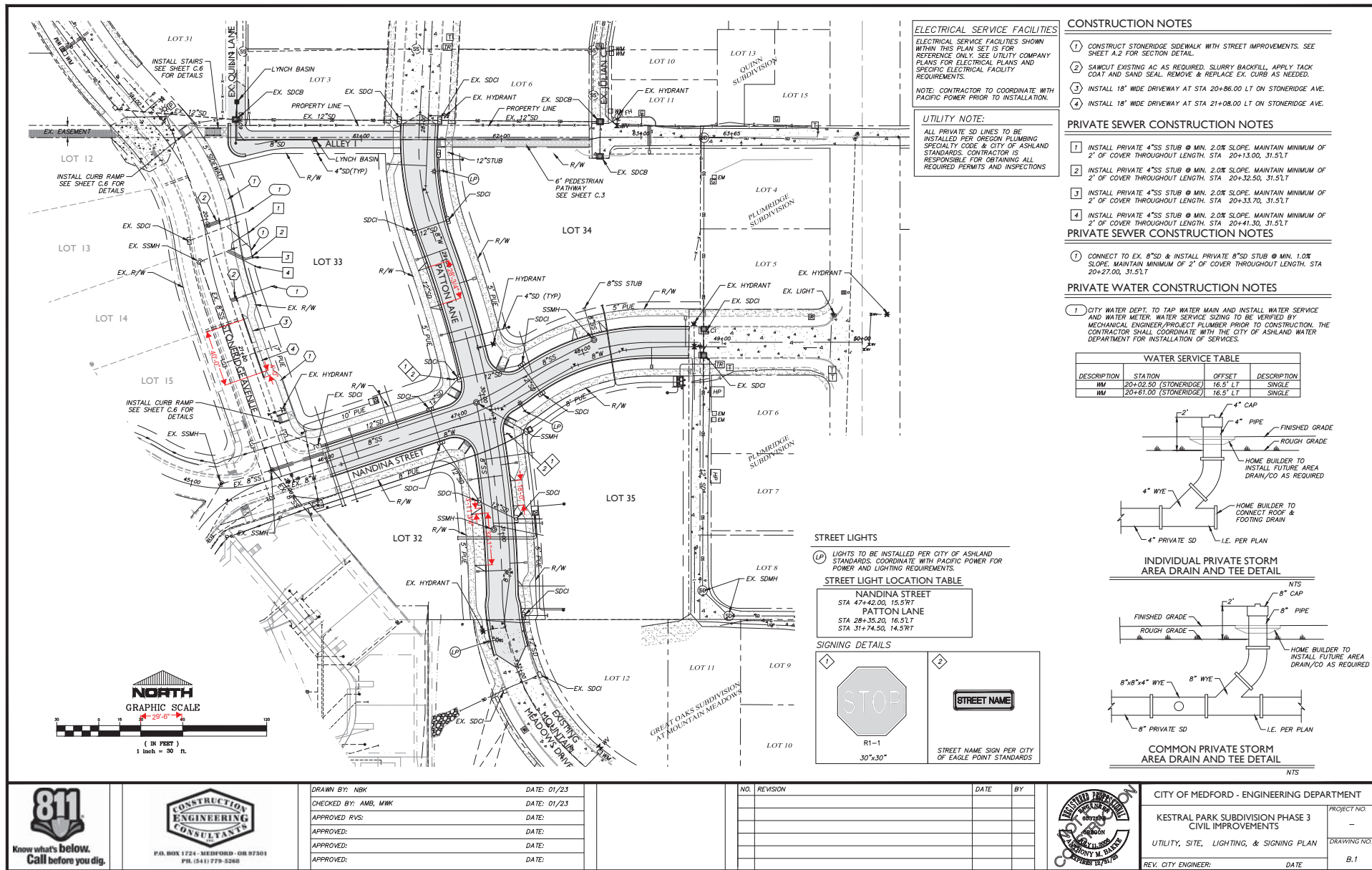


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CHECKED BY: AMB, MBK	DATE: 01/23
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

NO.	REVISION	DATE	BY



CITY OF MEDFORD - ENGINEERING DEPARTMENT	
KESTRAL PARK SUBDIVISION PHASE 3 CIVIL IMPROVEMENTS	PROJECT NO. -
SECTIONS	DRAWING NO. A.2
REV. CITY ENGINEER:	DATE
NAME: KES-PHSDWG	PLOT DATE: 11/7/2024



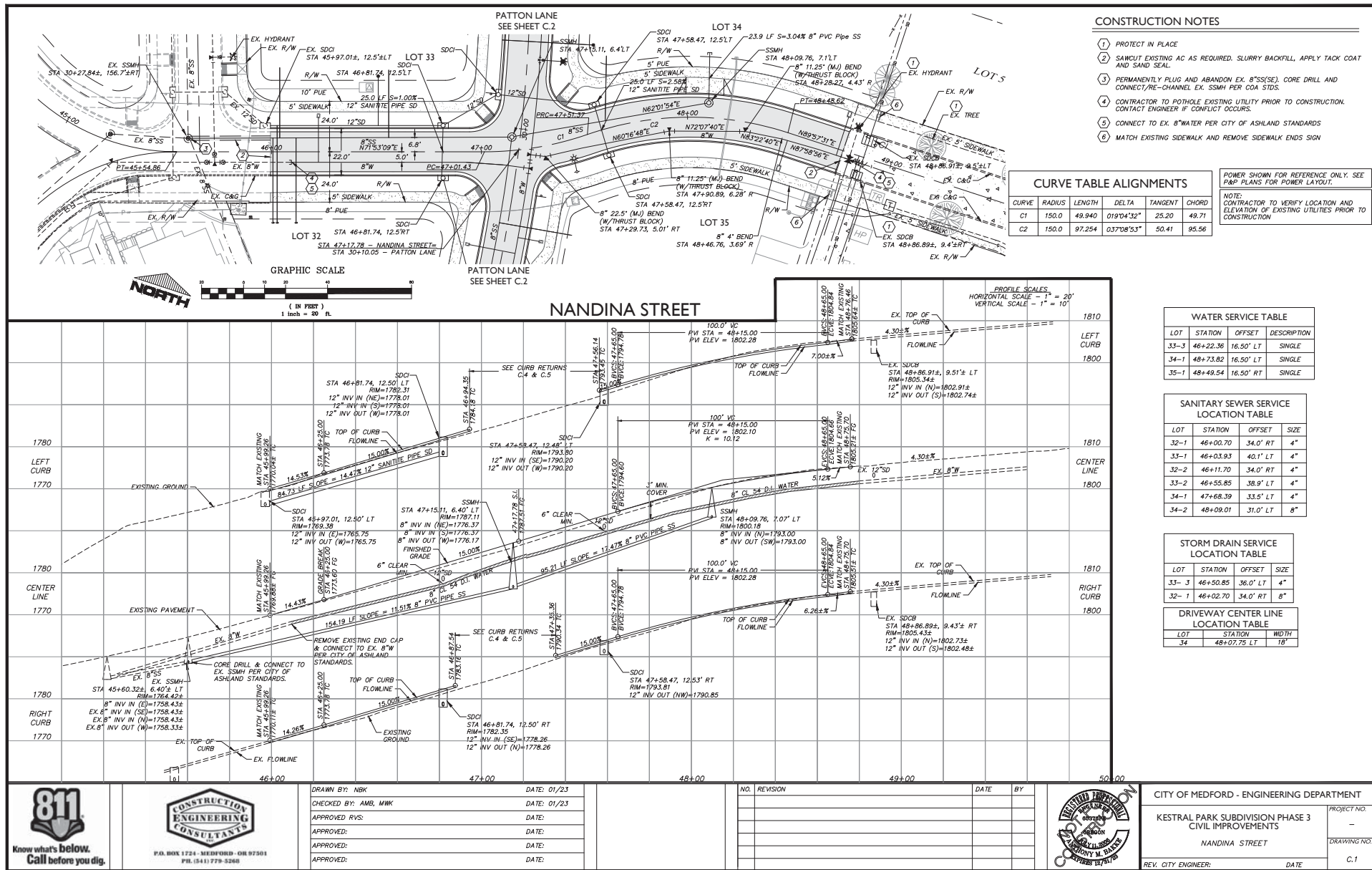
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APPROVED RVS:
APPROVED:
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APPROVED:

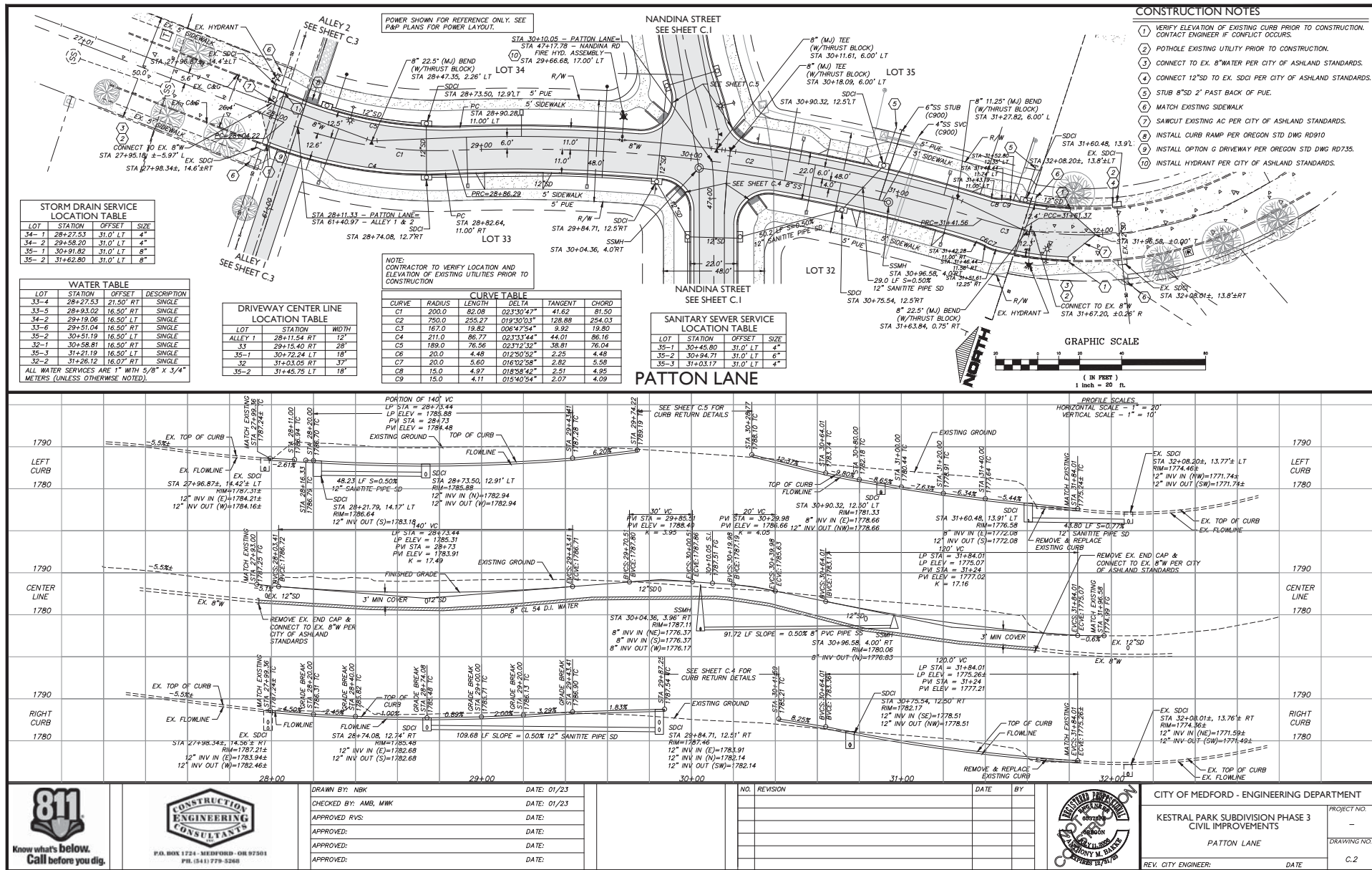
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DATE:
DATE:

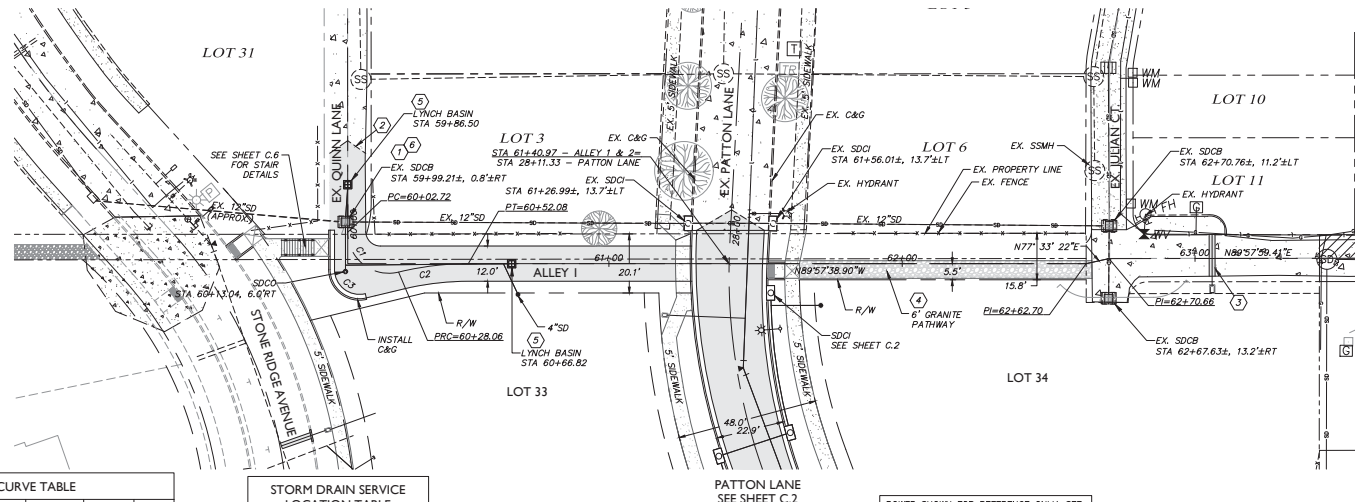
NO.	REVISION	DATE	BY

CITY OF MEDFORD - ENGINEERING DEPARTMENT
KESTRAL PARK SUBDIVISION PHASE 3
CIVIL IMPROVEMENTS
UTILITY, SITE, LIGHTING, & SIGNING PLAN
REV. CITY ENGINEER: DATE
NAME: KES-PHSDWG PLOT DATE: 3/14/2023

PROJECT NO: -
DRAWING NO: B.1







CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD
C1	14.0	25.35	103°44'4"	17.83	22.02
C2	100.0	24.02	013°45'44"	12.07	23.96
C3	8.5	15.35	103°27'36"	10.77	13.35

STORM DRAIN SERVICE LOCATION TABLE			
LOT	STATION	OFFSET	SIZE
33-4	60+69.02	10.5' RT	4"

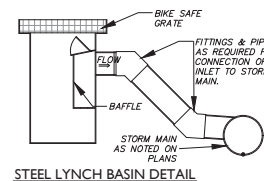
POWER SHOWN FOR REFERENCE ONLY. SEE P&P PLANS FOR POWER LAYOUT.

NOTE: CONTRACTOR TO VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.

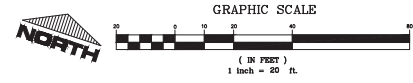
PRIOR TO CONSTRUCTION OF CURBS, CONTRACTOR TO VERIFY PROPOSED CURB GRADES RESULT IN A ROADWAY CROSS-SLOPE OF 2% TO 4% CONTRACTOR TO NOTIFY ENGINEER OF THE RESULTS PRIOR TO CONSTRUCTION.

CONSTRUCTION NOTES

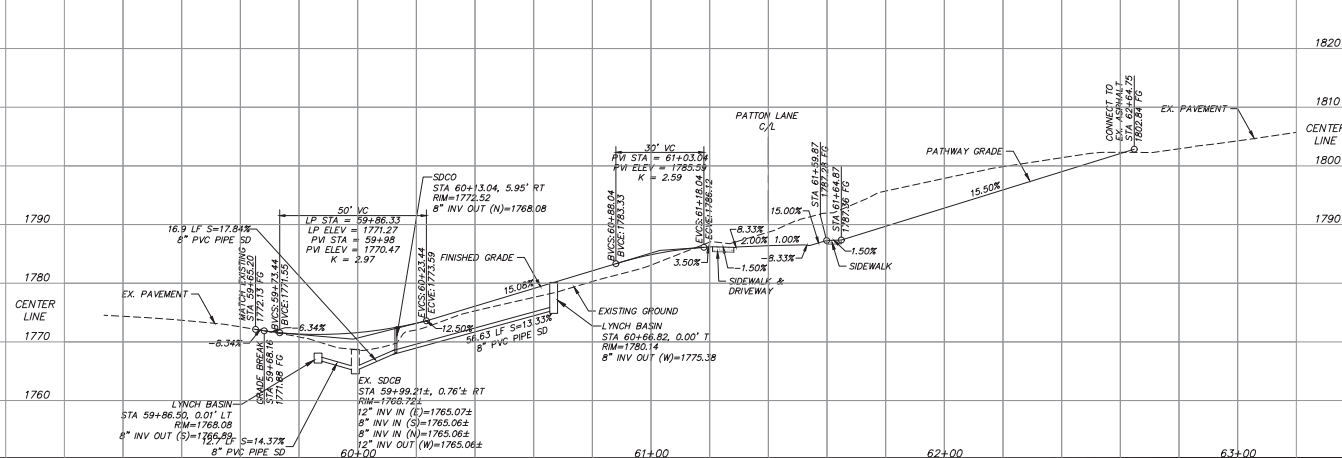
1. ADJUST EX. STRUCTURE TO FINISH GRADE
2. SAWCUT EXISTING AC AS REQUIRED FOR A SMOOTH TRANSITION PER CITY OF ASHLAND STANDARDS.
3. SAWCUT EXISTING AC, SLURRY BACKFILL, APPLY TACK COAT AND SAND SEAL PER CITY OF ASHLAND STANDARDS.
4. INSTALL PEDESTRIAN PATH PER SECTION ON SHEET A.2
5. INSTALL LYNCH BASIN PER DETAIL THIS SHEET.
6. CONTRACTOR TO POTHOLE EXISTING UTILITY PRIOR TO CONSTRUCTION. CONTACT ENGINEER IF CONFLICT OCCURS.



NOTE: MODEL OR SERIES AS MANUFACTURED BY N.T.S. GRAFTECH, INC. HALLSBURG, OR (O.A.E.) (PRIVATE)

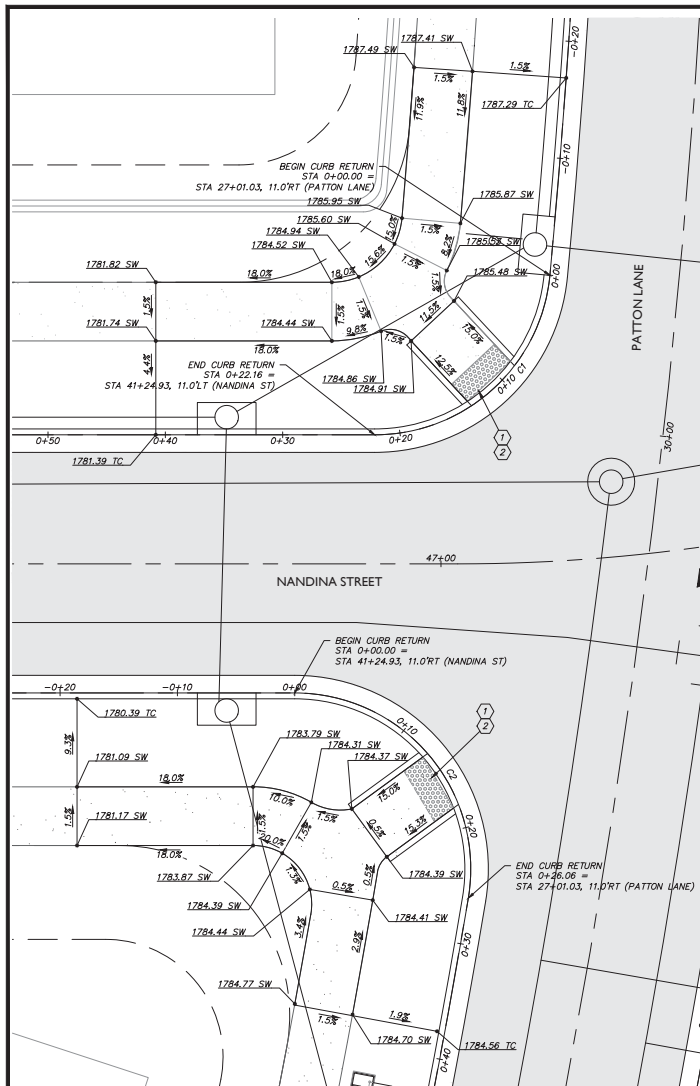


ALLEY I & 2



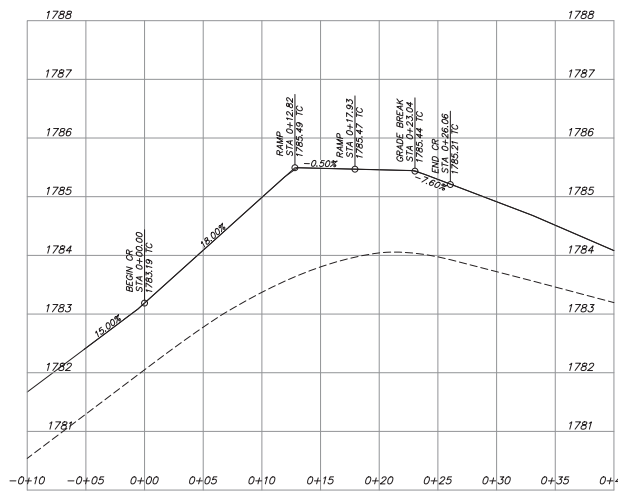
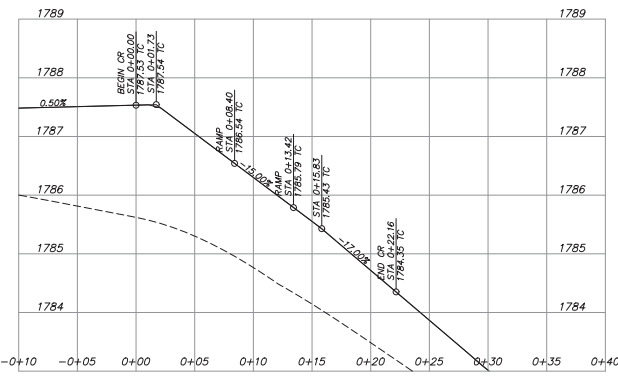
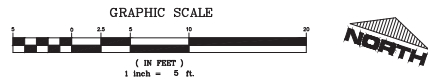
PROFILE SCALES:
HORIZONTAL SCALE - 1" = 20'
VERTICAL SCALE - 1" = 10'

		DRAWN BY: NKB	DATE: 01/23		CITY OF MEDFORD - ENGINEERING DEPARTMENT KESTRAL PARK SUBDIVISION PHASE 3 CIVIL IMPROVEMENTS ALLEY 1 REV. CITY ENGINEER: _____ DATE: _____ NAME: RES-PSWDWG PROJ: 22-30 PLOT DATE: 3/14/2023
		CHECKED BY: AMB, MKK	DATE: 01/23		
		APPROVED RVS:	DATE:		
		APPROVED:	DATE:		
		APPROVED:	DATE:		



CURVE TABLE ALIGNMENTS					
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD
C1	15.0	22.152	084°36'53"	13.65	20.19
C2	15.0	26.059	099°32'12"	17.73	22.90

- CONSTRUCTION NOTES
- 1. INSTALL DETECTABLE WARNING SURFACE PER OREGON STD DWG RD902.
 - 2. INSTALL CURB RAMP PER OREGON STD DWG RD916.



DRAWN BY: NBK

CHECKED BY: AMB, MBK

APPROVED RVS:

APPROVED:

APPROVED:

APPROVED:

DATE: 01/23

DATE: 01/23

DATE:

DATE:

DATE:

DATE:

NO.	REVISION	DATE	BY

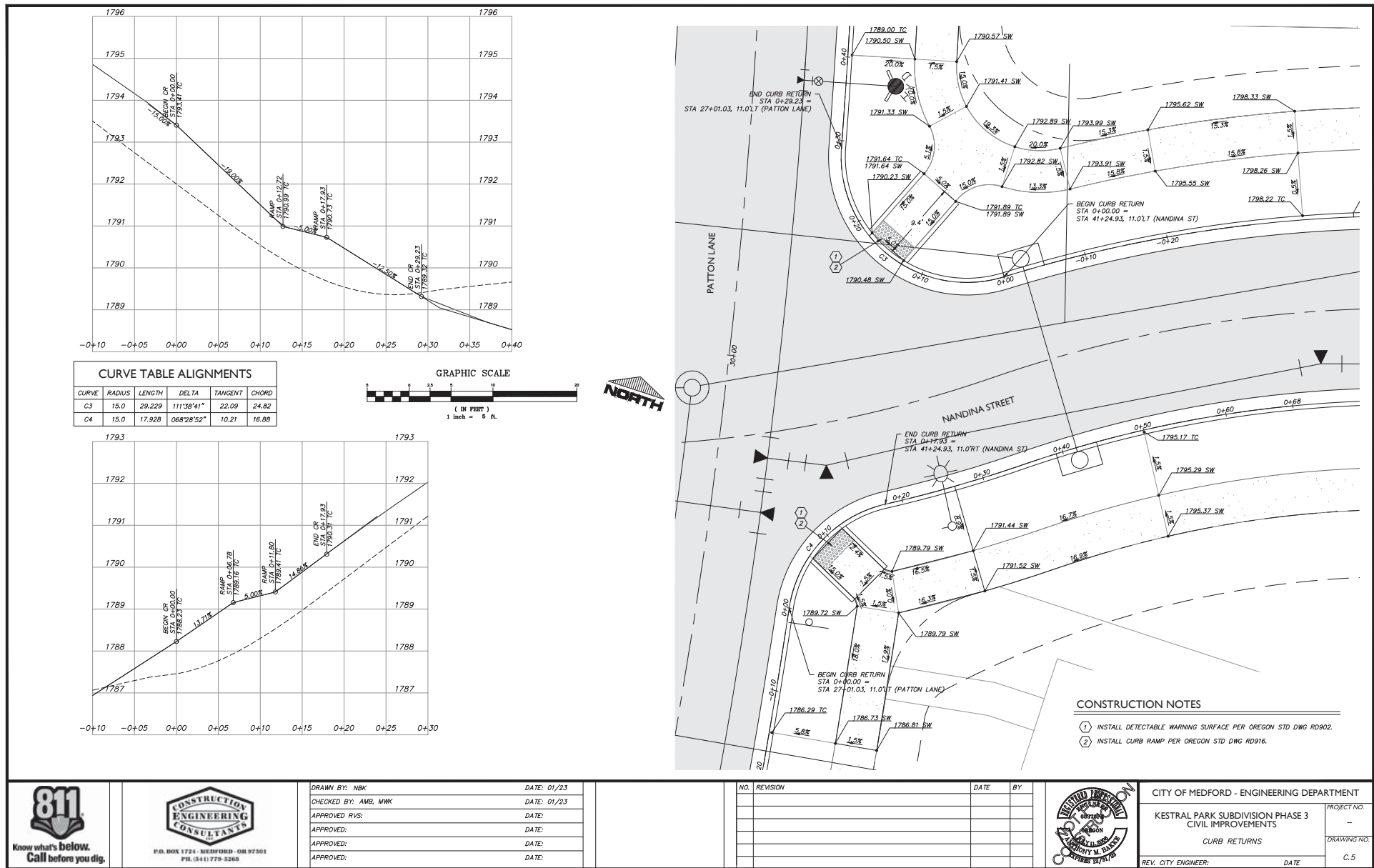
CITY OF MEDFORD - ENGINEERING DEPARTMENT

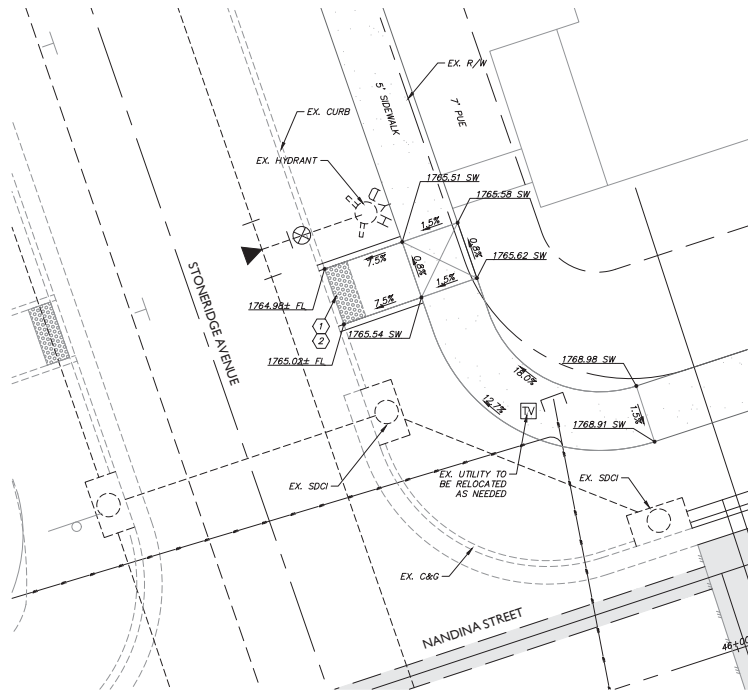
KESTRAL PARK SUBDIVISION PHASE 3 CIVIL IMPROVEMENTS CURB RETURNS

REV. CITY ENGINEER: DATE

PROJECT NO. -

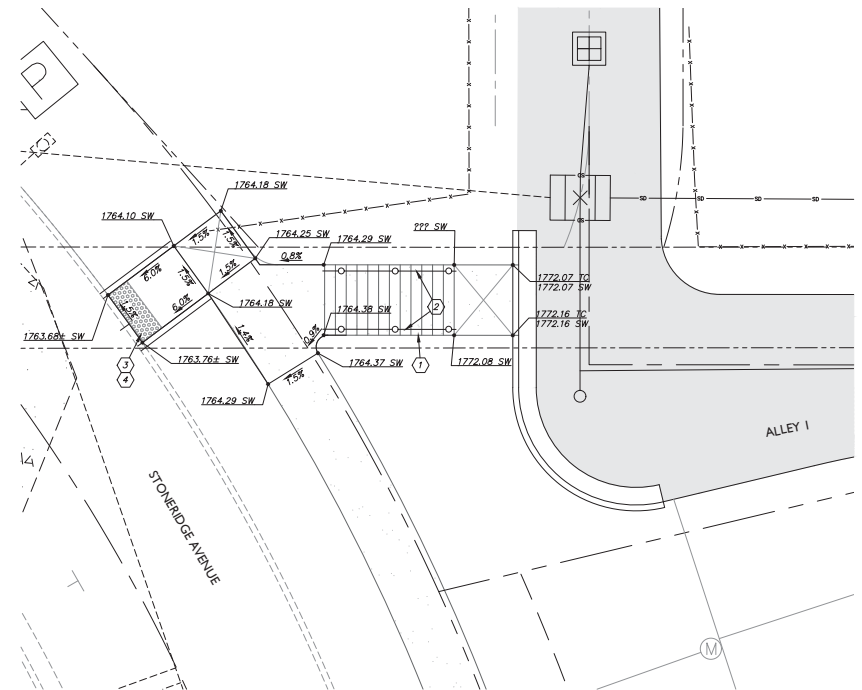
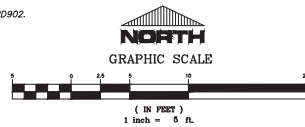
DRAWING NO. C.4





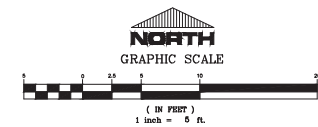
CONSTRUCTION NOTES

- ① INSTALL DETECTABLE WARNING SURFACE PER OREGON STD DWG RD902.
- ② INSTALL CURB RAMP PER OREGON STD DWG RD910.



CONSTRUCTION NOTES

- ① INSTALL 12 STEPS WITH 2" RISE AND 11" LENGTH.
- ② INSTALL RAILING
- ③ INSTALL DETECTABLE WARNING SURFACE PER OREGON STD DWG RD902.
- ④ INSTALL CURB RAMP PER OREGON STD DWG RD910.



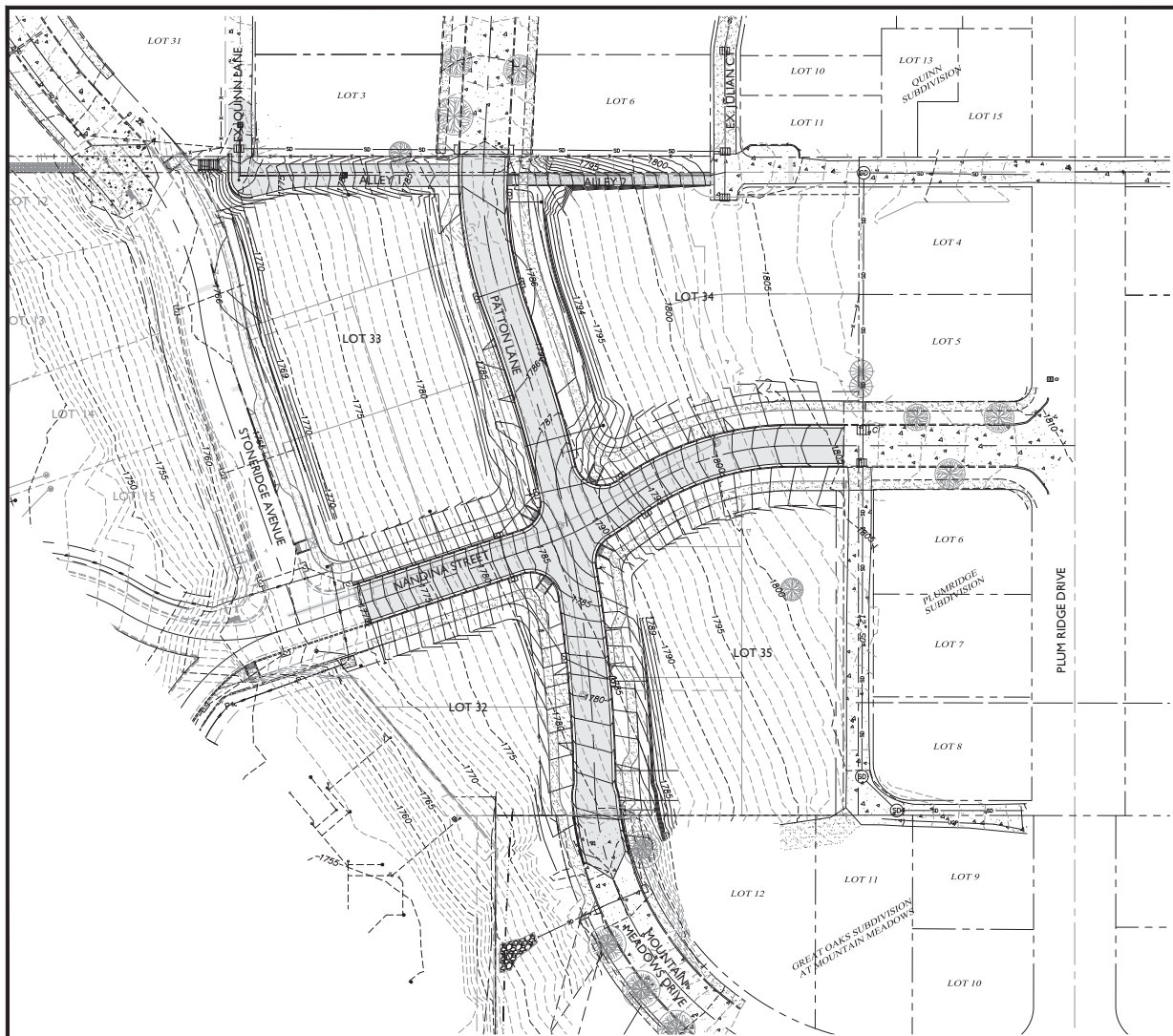
DRAWN BY: NBK	DATE: 01/23
CHECKED BY: AMB, MBK	DATE: 01/23
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

NO.	REVISION	DATE	BY



CITY OF MEDFORD - ENGINEERING DEPARTMENT	
KESTRAL PARK SUBDIVISION PHASE 3 CIVIL IMPROVEMENTS CURB RAMP & STAIRS	
REV. CITY ENGINEER:	DATE
NAME: KES-PHSDWG	PLOT DATE: 3/14/2023

PROJECT NO.	-
DRAWING NO.	C.6



CONTOURS

CONTOUR INTERVAL = 2'

INDEX INTERVAL = 10'

EXISTING GROUND — ELEV —

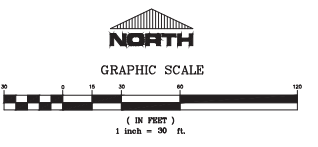
FINISHED GROUND — ELEV —

GENERAL NOTES:

1. STORM DRAIN LINES SHOWN ON THIS SHEET ARE FOR REFERENCE ONLY. SEE PLAN & PROFILE SHEETS FOR DETAIL INFORMATION.
2. PROPOSED CONTOURS SHOWN REPRESENT FINISHED GRADES IN ROAD AREAS. PROPOSED CONTOURS SHOWN IN ALL OTHER AREAS REPRESENT APPROXIMATE GRADING PRIOR TO CONSTRUCTION OF BUILDINGS. FINISHED GRADING AFTER COMPLETION OF BUILDING CONSTRUCTION MAY VARY FROM THE PROPOSED CONTOURS SHOWN ON THIS DRAWING.
3. EXCESS SPOILS SHALL BE REMOVED FROM THE PROJECT AS NEEDED UNLESS OTHERWISE COORDINATED WITH THE PROJECT ENGINEER. MATCH EXISTING GRADES AT ADJACENT PROPERTY LINES & MAINTAIN EXISTING DRAINAGE DIRECTION. DO NOT BLOCK ANY OFF SITE DRAINAGE PATHS.

GEOTECHNICAL NOTES

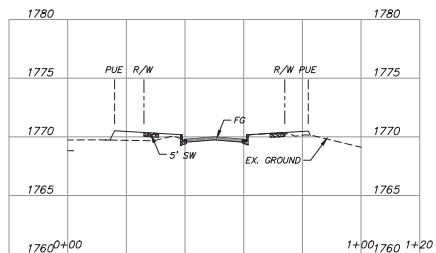
THE CONTRACTOR IS RESPONSIBLE TO OBTAIN A COPY OF THE GEOTECH REPORT PREPARED BY THE PROJECT GEOTECHNICAL ENGINEER, AND FOLLOW ALL OF THE RECOMMENDATIONS CONTAINED WITHIN THE REPORT. THE CONTRACTOR SHALL COORDINATE CONSTRUCTION ACTIVITIES WITH THE PROJECT GEOTECHNICAL ENGINEER FOR REQUIRED REMEDIATION. THE CONTRACTOR SHALL COORDINATE WITH THE GEOTECHNICAL ENGINEER FOR REQUIRED SITE OBSERVATIONS AND TESTING OF ALL EARTHWORK OPERATIONS.



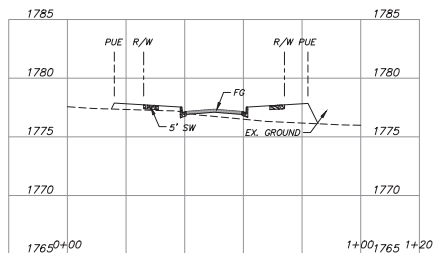
		DRAWN BY: NBK	DATE: 01/23	NO. REVISION	DATE	BY		CITY OF MEDFORD - ENGINEERING DEPARTMENT	
		CHECKED BY: AMB, MBK	DATE: 01/23						PROJECT NO. — DRAWING NO. D.1
		APPROVED RVS:	DATE:						
		APPROVED:	DATE:						
		APPROVED:	DATE:						

REV. CITY ENGINEER: DATE: NAME: KES-PHSDWG PROJ: 22-30 PLOT DATE: 3/14/2023

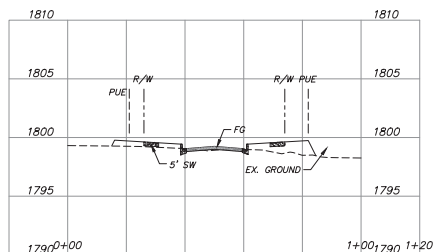
PROFILE SCALES
HORIZONTAL SCALE = 1" = 20'
VERTICAL SCALE = 1" = 10'



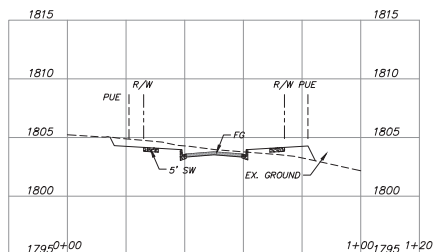
NANDINA - 46+00



NANDINA - 46+50



NANDINA - 48+00



NANDINA - 48+50



DRAWN BY: NBK	DATE: 01/23
CHECKED BY: AMB, MBK	DATE: 01/23
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

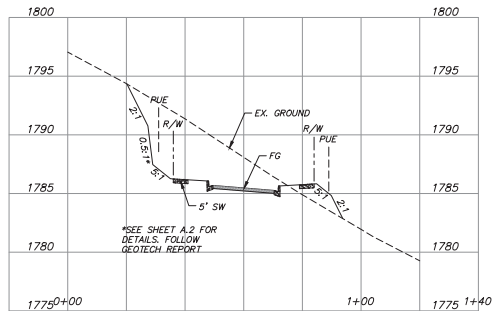
NO.	REVISION	DATE	BY



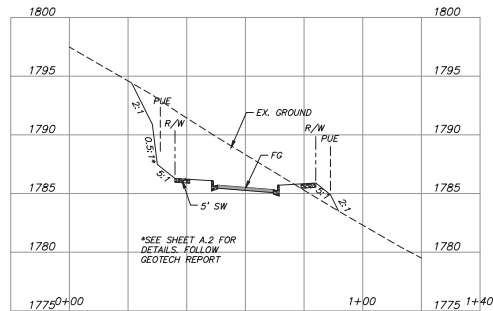
CITY OF MEDFORD - ENGINEERING DEPARTMENT	
KESTRAL PARK SUBDIVISION PHASE 3 CIVIL IMPROVEMENTS	
NANDINA SECTIONS	
REV. CITY ENGINEER:	DATE
NAME: KES-PHSDWG	PLOT DATE: 3/14/2023

PROJECT NO.	-
DRAWING NO.	D.2

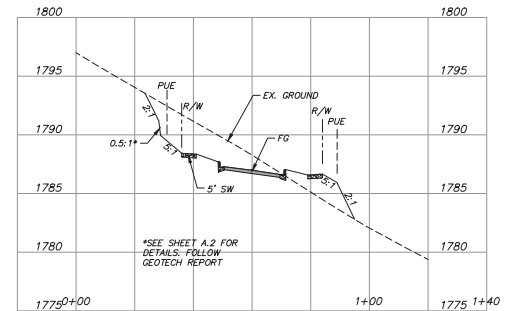
PROPOSED SCALES
HORIZONTAL SCALE - 1" = 20'
VERTICAL SCALE - 1" = 10'



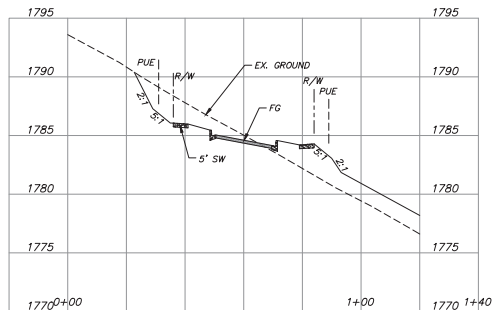
PATTON - 28+50



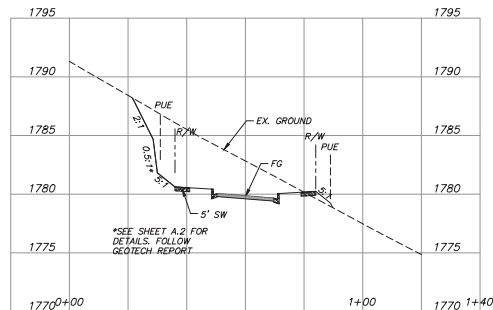
PATTON - 29+00



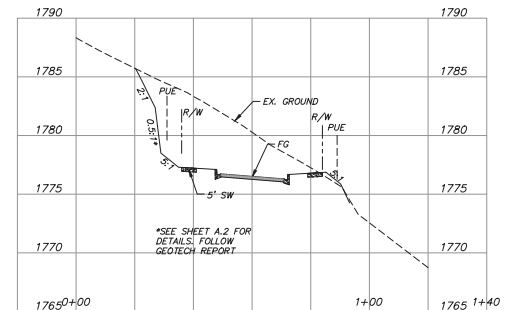
PATTON - 29+50



PATTON - 30+50



PATTON - 31+00



PATTON - 31+50



DRAWN BY: NBK	DATE: 01/23
CHECKED BY: AMB, MBK	DATE: 01/23
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

NO.	REVISION	DATE	BY

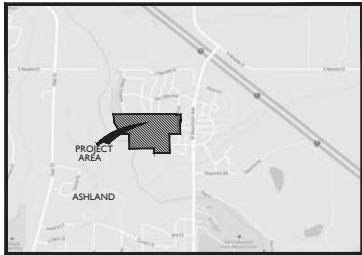


CITY OF MEDFORD - ENGINEERING DEPARTMENT	
KESTRAL PARK SUBDIVISION PHASE 3 CIVIL IMPROVEMENTS	
PATTON SECTIONS	
REV. CITY ENGINEER:	DATE
NAME: KES-PHSDWG	PLOT DATE: 3/14/2023

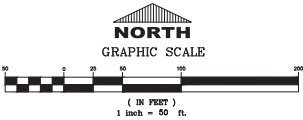
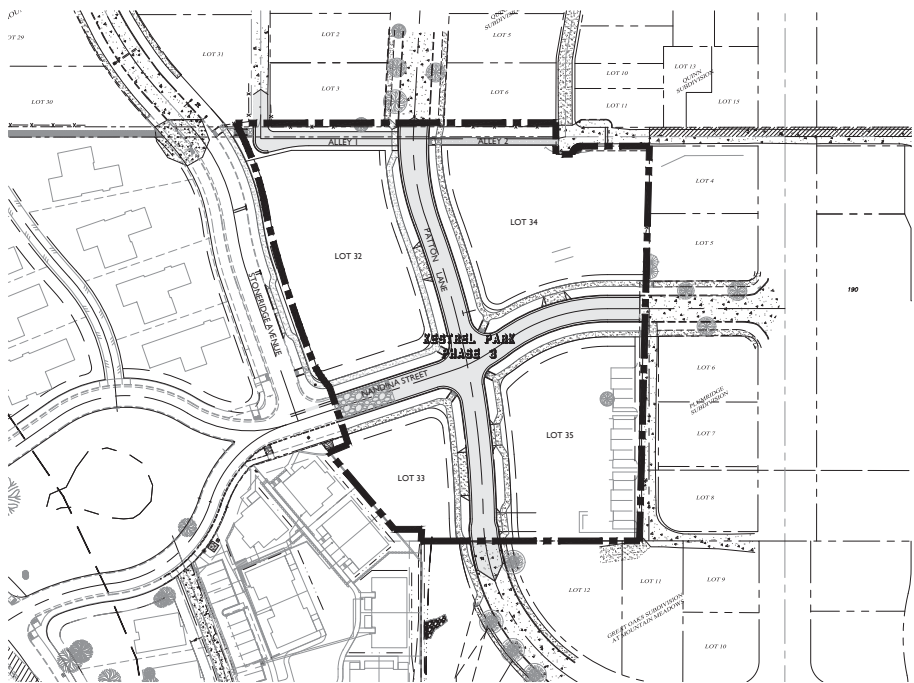
PROJECT NO.	-
DRAWING NO.	D.3

EROSION & SEDIMENT CONTROL PLAN FOR KESTREL PARK SUBDIVISION PHASE 3

LOCATED IN
SECTION 4, T. 39 S., R. 1 E., W.M.
TAX LOTS 900, 2000, 8600
CITY OF ASHLAND
JACKSON COUNTY, OREGON



VICINITY MAP



P.O. BOX 1724 - MEDFORD, OREGON 97501
PH: 531.779.5400

DRAWN BY: MKK	DATE: 1/23
CHECKED BY: MKK, AMB	DATE: 1/23
APPROVED PWS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

SHEET INDEX		CITY OF ASHLAND - ENGINEERING DEPARTMENT	
COVER SHEET	E.1	KESTREL PARK SUBDIVISION	PROJECT NO. -
GENERAL NOTES	E.2	PHASE 3	
DEMOLITION, CLEARING, GRADING & EXCAVATION	E.3	EROSION & SEDIMENT CONTROL PLAN	DRAWING NO. E.1
STREETS, UTILITIES, VERTICAL CONSTRUCTION, &	E.4		
FINAL STABILIZATION	E.5		
DETAILS			
REVIEWED PUBLIC WORKS DIRECTOR:		DATE:	

NAME: KES-PH3.DWG PLOT: 22-30 PLOT DATE: 3/14/2023

ESC CONSTRUCTION NOTES:

- 1) INSTALL ROCK CONSTRUCTION ENTRANCE PER OREGON STD DWG RD1000, SEE SHEET E.5.
- 2) FILTER FABRIC SEDIMENTATION FENCE INSTALLED AT THE LOCATIONS SHOWN PER OREGON STD DWG RD1040, SEE SHEET E.5.
- 3) CONCRETE WASH-OUT PER OREGON STD DWG RD1070, SEE SHEET E.5, OR APPROVED EQUAL. LOCATION MAY VARY.
- 4) STOCKPILE AREA, STOCKPILES SUBJECT TO EROSION OF SEDIMENT SHALL BE PROTECTED PER OREGON TECHNICAL SERVICES DETAIL DE76001, SHEET E.5. O.A.E. LOCATION MAY VARY.
- 5) CONSTRUCTION EQUIPMENT STAGING & POTENTIAL POLLUTANT-GENERATING MATERIAL STORAGE AREA. LOCATION MAY VARY.
- 6) SANITARY FACILITY SHALL BE PLACED MIN. 30' AWAY FROM ANY STORM DRAIN INLET. QUANTITY & LOCATION MAY VARY.
- 7) PROPOSED & EXISTING STORM DRAIN INLETS SHALL BE PROTECTED BY INLET BARRIERS PER OREGON STD DWG RD1010, SEE SHEET E.5.
- 8) USE EXISTING CURB FOR SEDIMENT CONTROL, SIMILAR TO SEDIMENTATION FENCE.

STABILIZATION NOTE:

CONTRACTOR TO PHASE CLEARING AND GRADING TO THE MAXIMUM EXTENT POSSIBLE TO PREVENT AREAS OF EROSION. IF AN AREA IS NOT TO BE WORKED WITHIN A 14 DAY PERIOD, THE CONTRACTOR IS TO APPLY TEMPORARY HYDROSEED, STRAW, OR OTHER APPROVED BMP TO ANY AREA THAT IS CLEARED AND HAS POTENTIAL FOR RUNOFF. SEE ESTABLISHING TEMPORARY GRASSES AND PERMANENT VEGETATIVE COVER, SHEET E.4.

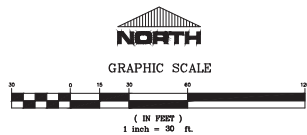
CONTOURS

CONTOUR INTERVAL = 1'

INDEX INTERVAL = 5'

EXISTING GROUND --- ELEV ---

FINISHED GROUND --- ELEV ---



P.O. BOX 1724 - MEDFORD - OR 97501
PH: (541) 779-3360

DRAWN BY: NBK	DATE: 01/23
CHECKED BY: AMB, MBK	DATE: 01/23
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

NO.	REVISION	DATE	BY



CITY OF MEDFORD - ENGINEERING DEPARTMENT

KESTRAL PARK SUBDIVISION PHASE 3
CIVIL IMPROVEMENTS
EROSION & SEDIMENT CONTROL PLAN

REV. CITY ENGINEER: DATE

PROJECT NO. -
DRAWING NO. E.3

NAME: RES-PHSDWG PROJ: 22-30 PLOT DATE: 3/14/2023

ESC CONSTRUCTION NOTES:

1. INSTALL ROCK CONSTRUCTION ENTRANCE PER OREGON STD DWG RD1000, SEE SHEET E.5.
2. FILTER FABRIC SEDIMENTATION FENCE INSTALLED AT THE LOCATIONS SHOWN PER OREGON STD DWG RD1040, SEE SHEET E.5.
3. CONCRETE WASH-OUT PER OREGON STD DWG RD1070, SEE SHEET E.5, OR APPROVED EQUAL. LOCATION MAY VARY.
4. STOCKPILE AREA, STOCKPILES SUBJECT TO EROSION OF SEDIMENT SHALL BE PROTECTED PER OREGON TECHNICAL SERVICES DETAIL DET6001, SHEET E.5. O.A.E. LOCATION MAY VARY.
5. CONSTRUCTION EQUIPMENT STAGING & POTENTIAL POLLUTANT-GENERATING MATERIAL STORAGE AREA. LOCATION MAY VARY.
6. SANITARY FACILITY SHALL BE PLACED MIN. 30' AWAY FROM ANY STORM DRAIN INLET. QUANTITY & LOCATION MAY VARY.
7. PROPOSED & EXISTING STORM DRAIN INLETS SHALL BE PROTECTED BY INLET BARRIERS PER OREGON STD DWG RD1010, SEE SHEET E.5.
8. USE EXISTING CURB FOR SEDIMENT CONTROL SIMILAR TO SEDIMENTATION FENCE.
9. STRAW, MULCH, HYDROSEED OR OTHER DEQ ACCEPTABLE BMP TO BE INSTALLED 20' MINIMUM BEYOND BACK OF CURB OR OVER ANY PREVIOUS CONSTRUCTION. INSTALL PRIOR TO FINAL ACCEPTANCE.



STABILIZATION NOTE:

CONTRACTOR TO PHASE CLEARING AND GRADING TO THE MAXIMUM EXTENT POSSIBLE TO PREVENT AREAS OF EROSION. IF AN AREA IS NOT TO BE WORKED WITHIN A 14 DAY PERIOD, THE CONTRACTOR IS TO APPLY TEMPORARY HYDROSEED, STRAW, OR OTHER APPROVED BMP TO ANY AREA THAT IS CLEARED AND HAS POTENTIAL FOR RUNOFF. SEE ESTABLISHING TEMPORARY GRASSES AND PERMANENT VEGETATIVE COVER, SHEET E.4.

CONTOURS

CONTOUR INTERVAL = 1'

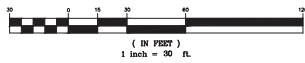
INDEX INTERVAL = 5'

EXISTING GROUND --- ELEV ---

FINISHED GROUND --- ELEV ---



GRAPHIC SCALE



P.O. BOX 1724 - MEDFORD - OR 97501
PH: (541) 778-5380

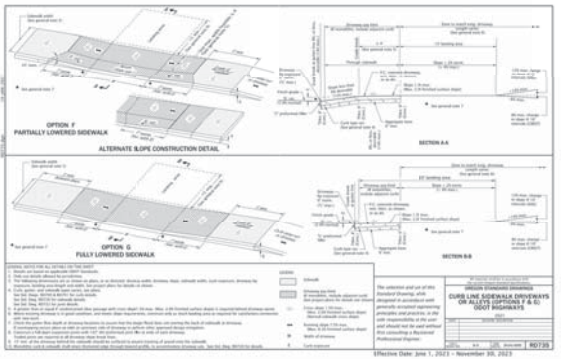
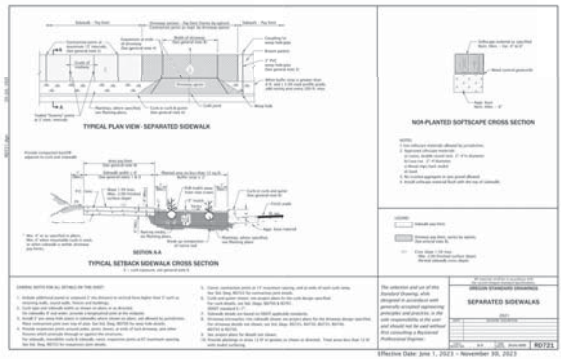
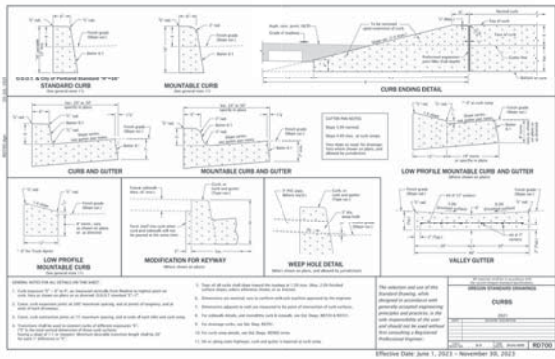
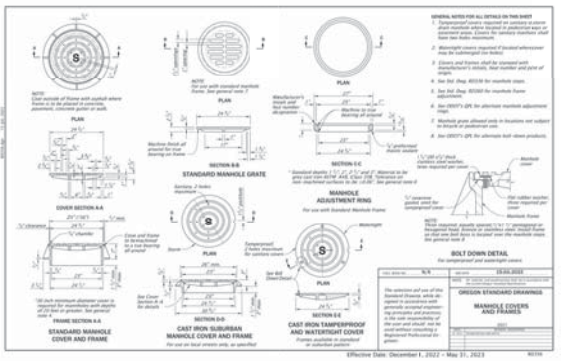
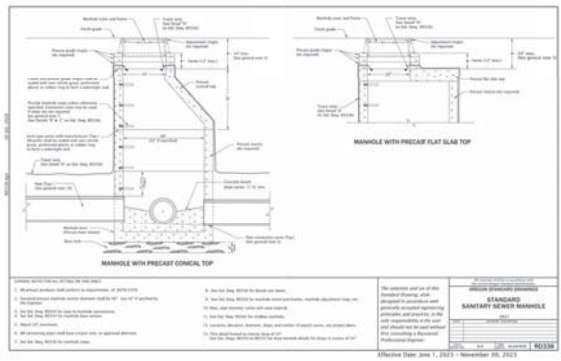
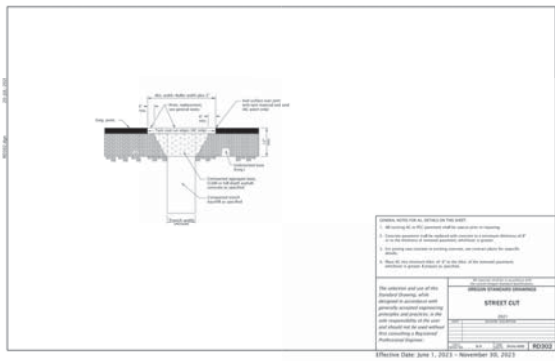
DRAWN BY: NBK	DATE: 01/23
CHECKED BY: AMB, MBK	DATE: 01/23
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

NO.	REVISION	DATE	BY



CITY OF MEDFORD - ENGINEERING DEPARTMENT	
KESTRAL PARK SUBDIVISION PHASE 3 CIVIL IMPROVEMENTS	
EROSION & SEDIMENT CONTROL PLAN	
REV. CITY ENGINEER:	DATE:
NAME: RES-PHSDWG	PLOT DATE: 3/14/2023

PROJECT NO.	-
DRAWING NO.	E.4



Know what's below.
Call before you dig.

P.O. BOX 1724 - MEDFORD - OH 45051
TEL: (513) 779-3360

DRAWN BY: NBK
CHECKED BY: AMB, MBK
APPROVED RVS:
APPROVED:
APPROVED:
APPROVED:

DATE: 01/23
DATE: 01/23
DATE:
DATE:
DATE:

NO. REVISON

NO.	REVISION	DATE	BY

REV. CITY ENGINEER:
NAME: RES-PLSDWG

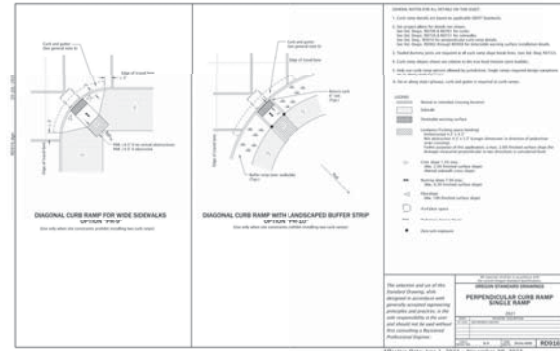
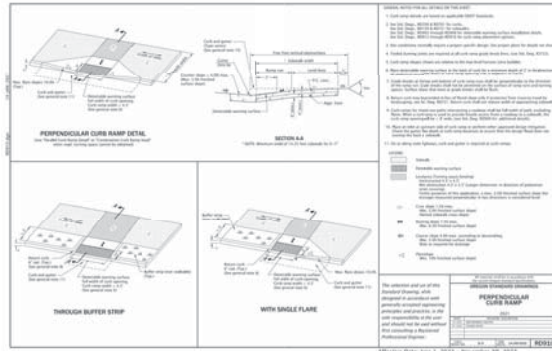
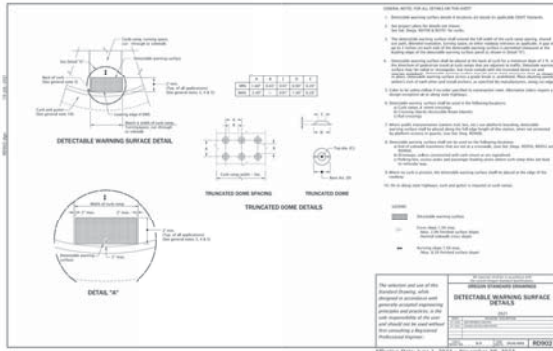
CITY OF MEDFORD - ENGINEERING DEPARTMENT

**KESTRAL PARK SUBDIVISION PHASE 3
CIVIL IMPROVEMENTS**

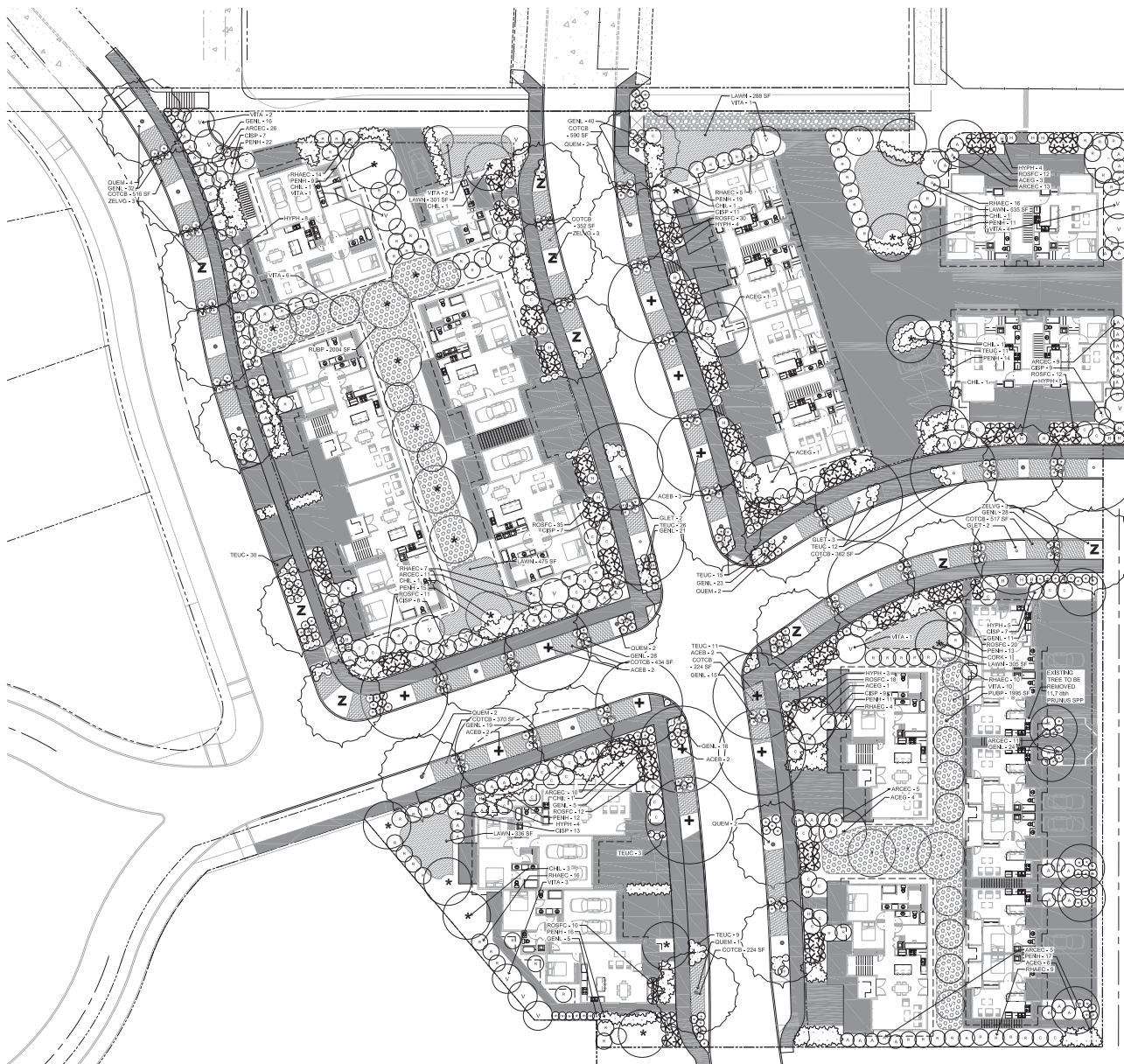
DETAILS

DATE:
PLOT DATE: 3/14/2023

PROJECT NO.:
DRAWING NO.:
F.1

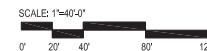


Know what's below. Call before you dig.	P.O. BOX 1724 - MEDFORD - OH 97501 PH: (541) 778-5360	DRAWN BY: NBK	DATE: 01/23	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	REVISION	DATE	BY																																					WESTON THOMPSON CITY ENGINEER JANUARY 15, 2023	CITY OF MEDFORD - ENGINEERING DEPARTMENT	
		NO.	REVISION		DATE	BY																																									
CHECKED BY: AMB, MBK	DATE: 01/23	KESTRAL PARK SUBDIVISION PHASE 3 CIVIL IMPROVEMENTS																																													
APPROVED RVS:	DATE:	DETAILS																																													
APPROVED:	DATE:	REV. CITY ENGINEER: DATE																																													
APPROVED:	DATE:	NAME: KES-PLSDWG																																													



PRELIMINARY PLANT LEGEND			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
ACER	ACER SACCHARUM 'BONFIRE'	BONFIRE SUGAR MAPLE	2" CAL
ACER	ACER GINNALLA 'FLAME'	FLAME AMUR MAPLE	15 GAL
CHIL	CHLOPSIS LINEARIS	DESERT WILLOW	1.5 GAL
COR	CORNUS KOUSA 'VENUS'	VENUS KOUSA DOGWOOD	15 GAL
GLT	GLEDTISIA TRICANTHOS INERMIS	THORNLESS HONEY LOCUST	2" CAL
PRUK	PRUNUS SERRULATA 'KWANZAN'	KWANZAN FLOWERING CHERRY	1.5" CAL
QUEN	QUERCUS MACROCARPA	BURR OAK	2" CAL
ZELV	ZELKOVA SERRATA 'VILLAGE GREEN'	VILLAGE GREEN ZELKOVA	2" CAL
SHRUBS			
ARCE	ARCTOSTAPHYLOS 'EMERALD CARPET'	EMERALD CARPET MANZANITA	1 GAL
CISP	CISTUS X PULVERULENTIS 'SUNSET'	SUNSET ROCKROSE	2 GAL
COTCB	COTONEASTER DAMMERI 'CORAL BEAUTY'	CORAL BEAUTY LOWFAST	1 GAL
GENL	GENISTA LYDIA	LYDIA BROOM	1 GAL
HYPH	HYPERICUM HEDICOTE	HEDICOTE SAINT JOHN'S WORT	5 GAL
POTA	POTENTILLA 'ABBOTSWOOD'	ABBOTSWOOD CINQUEFOIL	1 GAL
ROSP	ROSA FLOWER CARPET	FLOWER CARPET ROSE	1 GAL
PENH	PENNISETUM ALOPECUROIDES 'HAEMEL'	HAEMEL FOUNTAIN GRASS	1 GAL
RHAEC	RHAMNUS 'EVE CASE'	EVE CASE COFFEEBERRY	5 GAL
TEUC	TEUCRIUM CHAMAEDRYS	WAL GERMANDER	1 GAL
GROUND COVER			
IRIS	COMMON BEARDED IRIS		1 GAL 3" O.C.
LAWN			
COTONEASTER DAMMERI 'CORAL BEAUTY'			1 GAL 3" O.C.
RUBUS PENTABOLIS			1 GAL 4" O.C.

NOTE: MATURE COMPOST SHALL BE ADDED TO THE TOPSOIL OF LANDSCAPING AREAS AT A RATE OF THREE CUBIC YARDS OF COMPOST PER 1,000 SQUARE FEET OF LANDSCAPING AREA TO BE PLANTED.



KenCairn
Landscape Architecture



1417 CENTRAL AVE. ASHLAND, OR 97520
541.488.3194



DRAWN BY:
KENCARN

SCALE
1"=40'

KESTREL PARK PHASE 3
ASHLAND, OR 97520

JOB NO. 3413
REVISION DATE

PLANTING
PLAN

ISSUE DATE:
11.01.24

L 1.0

From: [Dennis Holeman](#)
To: [Aaron Anderson](#)
Cc: [Rich Kinsinger](#); [David Runkel](#); ["Jeff Thompson"](#); ["Cathy George"](#); ["Lee Bowman"](#)
Subject: Submittal of written testimony prior to the Planning Commission hearing on the Kestrel Park Phase III proposed development
Date: Friday, November 29, 2024 11:26:48 AM

[EXTERNAL SENDER]

Aaron,

As you know, a group of Mountain Meadows residents that will be directly affected by the proposed Kestrel Park Phase III development have been meeting to examine possible consequences for our properties. We plan to attend the hearing on December 10th to discuss some concerns of ours. We understand we are to provide a written summary of the testimony we will give at the meeting. When must that information be in your hands? When I called your office this morning, the automated phone message indicated that you are out of the office today, presumably for the Thanksgiving four day weekend.

One primary issue our group has identified is that Mariposa Court currently meets the Ashland Street Standards for an Alley to serve access to the garages for five Mountain Meadows homes that have their frontages on Plum Ridge Drive and Mountain Meadows Drive. However, it appears to us that Ashland's standards for sole access to the proposed 12-unit over-under apartment building would call for a Neighborhood Street, rather than an Alley. There do not appear to be provisions in the Taylored Elements Construction proposal to upgrade Mariposa Court to the standards of a Neighborhood Street, in terms of the required pavement widths, curbs, sidewalks, etc., even assuming no provisions for street parking. Note particularly that the stub of the current Mariposa Court alley that connects the Alley to Plum Ridge Drive is constrained by the properties of 803 and 813 Plum Ridge Drive on both sides of the stub and cannot practically be widened.

Please let us know what we need to get in your hands and when so our representative can speak at the hearing on December 10th.

Thanks very much,

Dennis Holeman
Chair, Mountain Meadows Emergency Preparedness and Safety Committee
President, Plum Ridge Condominium Association
822 Plum Ridge Drive
Ashland, OR 97520-9730
dennis.holeman@gmail.com
650-218-9501 (cell)

From: [REK](#)
To: [Aaron Anderson](#)
Cc: [Dennis Holeman](#); [David Runkel](#); [Jeff Thompson](#); [Lee Bowman](#); [Robert Tower](#); [Cathy George](#)
Subject: Preliminary Testimony Regarding Kestrel Park Phase III Site Development
Date: Friday, November 29, 2024 4:44:37 PM

[EXTERNAL SENDER]

To: Ashland Planning Department, Aaron Anderson

November 29, 2024

Preliminary Written Testimony Regarding Kestrel Park Phase III Site Development

Several owners of property in close proximity to the proposed Kestrel III development will testify both in writing and at the Planning Commission hearing on December 10th. We are in the process of preparing our detailed written testimony. It will be submitted as soon as it is ready and no later than at the hearing. This email submitted on November 29th, eleven days before the hearing, gives a brief overview of our issues as we see them at this time so that the Planning Department is aware of them.

Insufficient access for the twelve apartment units at the top of Area 7. It is not appropriate to make Mariposa Court the sole access to these apartments. Chapter 18.3.5.100.C.2 of the Ashland Land Use Ordinance, North Mountain Neighborhood District describes an Alley as servicing the rear of a property to diminish use of the main access at property frontage. It also gives standards for the traffic lane plus clearances of an Alley which are not met in the project plans. Similar conflicts are found with the Ashland Street Standards. The current Alley cannot be converted into a Neighborhood Street because there is insufficient space to meet the required width. Other required features such as curbs and sidewalks cannot be accommodated.

Appropriateness of the twelve apartment buildings to their surroundings. We disagree with Finding 5 that these apartments are in keeping with the surrounding neighborhood or the natural environment. The twelve apartments, all approximately 500 sq.ft., are proposed at a location which is closely surrounded by single-family homes of greater than 1500 sq.ft.. The disparity of design is enormous.

Problems with the design of the twelve apartment units. All parking spaces are sized for compact cars putting a severe limitation on potential renters. The lower units have access only through an external flight of stairs encumbering all transport of goods in and out, including in emergencies, and not accommodating handicapped use.

Limitations on Julian Court alley north of Area 6 and its extension to Area 5 The Julian Court Alley does meet the North Mountain Neighborhood District standard on width, but is the frontage street for Units 5,6,7 and 8 against that standard. The intended extension of that Alley westward becomes the sole access for Lot 43 and 44 violating the standard that an Alley serves as a back entrance for homes with a street frontage.

Appropriateness of proposed homes on Lot 37 and Lot 38 to their surroundings We disagree with Finding 5 that these homes are in keeping with the surrounding neighborhood or the natural environment.

Dave Runkel

Richard Kinsinger
Dennis Holeman
Lee Bowman

Michael Sullivan

From: REK <rek@kinsinger.us>
Sent: Thursday, December 05, 2024 12:53 PM
To: planning
Cc: Dennis Holeman; David Runkel; Lee Bowman
Subject: Written testimony re Kestrel III development
Attachments: Kestrel testimony final.docx

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]

Aaron Anderson,

Attached is written testimony on the Taylored Elements application for developing Kestrel Park III. Please confirm by reply or phone to 541-816-5171 that you've received it and do not need a paper copy. Of course, I can bring copy to you if needed.

I expect there will be three or four of the signers who will testify orally at the Planning Commission meeting Tuesday evening. We can identify them for you on Tuesday if that would help with the sign in for oral testimony. We will keep our comments succinct and to the point of this written testimony. I understand from Dennis Holeman that I can send you a pdf with a few images you could display or give the Commissioners so that we may reference them. That would speed our testimony. Two, possibly three, maps we want to refer to are in the pdf application package. Should I attempt to extract them from the application, or is there a better way to deal with that situation?

I await your guidance on that question, but I'll send the pdf to you tomorrow.

Thanks,

Richard Kinsinger

Testimony on Kestrel Park Phase III Site Development

The first two phases of the Kestrel Park development built in conformance with North Mountain Neighborhood District zoning have added greatly to our community. They've taken advantage of the relatively flat land along Bear Creek and Kestrel Parkway and have given the new residents generous yards and green common space. That has left to the proposed Phase III of the Kestrel Park development the remaining steep and barren hillside portion and the constraint of building very high-density housing to meet the City's desired overall density for the whole Kestrel development. Taylored Elements Construction has taken on this remaining Phase III, proposing a design with high density so that the entire Kestrel Park meets density regulations.

The proposed Kestrel Phase III design follows the pattern of Kestrel Phases I and II in siting larger units, some as large as 1,700 sq.ft., lower on the hill (Areas 4, 5, and the lower part of Area 7)). To meet density requirements this forces units at the top of the hill (Areas 6 and 7) to be as small as 400 sq.ft. Particularly constrained is Lot 36 which has 12 studio rental apartments (6 over 6) in a 10,026 sq.ft. footprint. As measured by average area per housing unit, the density of Lots 36 through 38 at the top of the development is 2-1/2 times greater than the rest of the Kestrel III homes.

Access for 12 studio apartment units through Mariposa Court alley Mariposa Court is an Alley that was constructed during the building of the Plum Ridge Subdivision of Mountain Meadows in 2001. In compliance with Ashland Municipal Code, North Mountain Neighborhood District (AMC 18.3.5.100.C.3) the designed purpose of the Mariposa Court/alley was to serve as garage and garbage truck access for five Mountain Meadows homes at 863, 843 and 823 Plum Ridge Drive and 539 and 549 Mountain Meadows Drive. All other vehicular access to those homes (emergency vehicles, visitors, mail and package deliveries, moving vans, etc.) use their frontages on Plum Ridge and Mountain Meadows Drives. The paved alley is 12 feet wide as specified in the code. This is only slightly wider than a single lane so cars must queue and Recology garbage and recycling trucks have a difficult time navigating the alley as it is. There is room to widen the paved north-south surface on the downhill or west side. The east-west stub connecting the south end to Plum Ridge Drive has residential properties on either side, thus no room for widening.

We disagree with the Finding of Fact 3.g. that states the development complies with Ashland street standards.

If the planned building at the top of Area 7 is built and inhabited, *all* vehicular access to those 12 apartments would be through Mariposa Court/alley. This is in violation of AMC 18.3.5.100.C.3 which describes an Alley as servicing *the rear of a property to*

diminish use of the main access at property frontage. For the new units the alley must serve their personal car parking, visitor parking, emergency vehicle access and parking during the emergency, garbage and recycling trucks, mail and package delivery, and parking for any other services to those homes, e.g., utility service or equipment installation and repair.

AMC 18.3.5.100.C.3 specifies the standard paved width for an Alley as 12 feet with 4-foot clearances on either side. In the plan there is a 16-foot width reserved for the Alley which is thus 4 feet less than code. The short east-west stub off Plum Ridge Drive cannot be widened beyond its 12-foot current width. The North Mountain Neighborhood District code takes precedence over Ashland Street Standards, but the same problems requiring only secondary access and limits on width exist with respect to that code.

There is no possibility of converting Mariposa Court into a Neighborhood Street per AMC 18.3.5.100.C.2 which requires a 48-foot right-of-way including sidewalks and planter strips.

Parking spaces provided for 12 studio apartment units

We contend that the Planning Commission cannot make the findings required by AMC 18.3.9.040 A.3 or AMC 18.5.2.050.

The 12-unit apartment building is squeezed into a too small parcel and as such does not comply with the applicable Site Development and Design Standards of AMC 18.4 as follows:

- (1) All parking is pull-in spaces all sized for compact cars but it is not reasonable to expect all occupants to have compact cars. Longer vehicles would stick out into the alley.
- (2) AMC 18.4.2.030 Residential Development Sec. A 1.a. Parking Layout. ...
“However, avoid designs where the parking areas are immediately abutting dwelling units ...” The design shows parking immediately abutting the wall of the building.
- (3) The accessible parking space does not meet the criteria for access to the entrance to the building. Will the unit adjacent to the accessible parking space be reserved for a disabled person?
- (4) Since the plans do not include a section of the alley with the adjacent buildings shown it’s difficult to determine if the minimum dimensions required by AMC 18.4.3.080 are achieved.
- (5) The designed parking does not meet the landscaping and screening requirements of AMC 18.4.4.030.

(6) The 12-unit apartment building does not comply with the common and private open space requirements in AMC 18.4.4.070.

Appropriateness of the proposed 12 studio apartment units

We contend that the lower units of the 12-apartment building fail to meet AMC 18.3.5.100.A.2. The front or primary elevation of these units faces west, away from any street and in fact into the rear of two larger single-family homes below them. These units will have access to vehicles only via an external flight of stairs. All goods from furniture to groceries to front door deliveries will have to be carried via those stairs. More importantly, ambulance or other emergency transport must use those stairs.

The 12-studio apartment building at the top of Area 7 would be closely surrounded by homes of a completely different nature. The 12 proposed studios apartments are sized at approximately 500 sq.ft. To the east are three single family homes with greater than 1,500 sq.ft. To the south are two single family homes with greater than 1,500 sq.ft. To the west will be, according to the submitted plan, two single family homes with greater than 1,500 sq.ft. While higher density, smaller homes can be designed to blend in with larger single-family homes, the disparity of design in this case is enormous.

Access to Area 6 homes through the unnamed east-west Alley

We again disagree with the Finding of Fact 3.g, that states the development complies with Ashland street standards. The 12-foot wide one-lane alley off Plum Ridge Drive which would be extended west beyond Patton Lane would serve as one of two points of access to 16 additional units. The alley does not meet AMC 18.3.5.100.C.2 standard width provisions in that there is no 4-foot wide clearance space on either side. There is no room for widening or for sidewalks. The alley currently serves as access to three garages with vehicles backing out onto the alley. In addition, it is used by some vehicles coming from an unnamed alley parallel to Plum Ridge Drive. The Julian Court alley was not designed to handle a large number of vehicles, oversize trash removal or delivery trucks, or fire and rescue vehicles. At present, Recology and large delivery trucks cut into Lot 38 property to make the turn at the end of the alley.

Appropriateness of Proposed Homes in Lots 37 and 38 to their Surroundings

The proposed units on Lots 37 and 38 do not meet the common and private open space requirements in AMC 18.4.4.070. The plan would cover two-thirds of Lots 37 and 38 with structures or pavement. This does not, as the petitioners claim, reduce

the impact on the natural environment, but rather increases runoff down the steep slope. The proposed four two-story buildings west of the houses on Plum Ridge Drive and south of the alley marked as Julian Court would be the tallest structures on the west end of the entire Kestrel development area. With the exception of one house at Nadina Street and Plum Ridge Drive in the Mountain Meadows development, other two-story structures are spaced down the slope and don't interfere with existing views of other houses which are primarily owner occupied. The plan would cover two-thirds of Lots 37 and 38 with structures or pavement.

Other considerations

Although it is not the Planning Commissions purview to look at specific traffic problems with a proposed development, section D of the AMC 18.5.2.050 Site Design Review Approval Criteria does state in part that adequate paved access to and through the property is to be provided. The new development will add 38 homes to the North Mountain Neighborhood District which now has approximately 440 independent living homes plus 91 assisted living and memory care apartments in Skylark Senior Living. With the addition of Kestrel Phase III the population of the North Mountain Neighborhood District can be estimated at over 600 people, more than 5 percent of the city of Ashland. Yet the North Mountain community has only a single paved access to the city, North Mountain Avenue with its narrow bridge over Bear Creek. A bridge over Bear Creek at Nevada Street is in the 2012 Ashland Transportation System Plan, but there is no current plan for its construction. Public transport into the community now must retrace its route out of the community. Whether this is a factor or not, the community has no regular public transportation. We contend there is not adequate transportation to the property as the Finding of Fact on AMC 18.5.2.050.D states.

It is also not the purview of the Commission to consider provisions for evacuation of the development should that be needed in an emergency. This provision is not a part of the Ashland Municipal Code, but the recent Alameda fire has brought great attention to the need for providing evacuation routes. The North Mountain community has only two evacuation routes, along North Mountain Ave south to the city or north across the I-5 overpass out of the city. An emergency onramp to I-5 south has been built, but there has been no clear information on when and how it can be used. Adding 38 units to an area with over 440 homes adds significantly to our evacuation concerns.

Dennis Holeman	822 Plum Ridge Drive
Dave Runkel	893 Plum Ridge Drive
Richard Kinsinger	591 Nandina Street
Bobbie Kinsinger	591 Nandina Street
Lee Bowman	554 Mountain Meadows Drive
Roberta Bowman	554 Mountain Meadows Drive
Cathy George	832 Plum Ridge Drive
Jeffrey Thompson	863 Plum Ridge Drive
Maggie Thompson	863 Plum Ridge Drive
Ron Vandervort	583 Nandina Street
Carol Vandervort	583 Nandina Street
Bob Pohl	843 Plum Ridge Drive
Alden Sklensky	549 Mountain Meadows Drive
Lia Byers	544 Mountain Meadows Drive
Stephen Brummer	544 Mountain Meadows Drive
Suzanne Mitchell	892 Plum Ridge Drive
Paul Winans	802 Plum Ridge Drive
Nina Winans	802 Plum Ridge Drive
Robert Tower	812 Plum Ridge Drive
Kevin Frostad	793 North Mountain Avenue
Tina Frostad	793 North Mountain Avenue
Donna Taylor	590 Mountain Meadows Drive
Joel Taylor	590 Mountain Meadows Drive
Dennis Knauert	862 Plum Ridge Drive
Francisca Van Lith	862 Plum Ridge Drive
Kara Keeling	823 Plum Ridge Drive
Genie Anderson	598 Nandina Street
Bethany Hall	584 Great Oaks Drive
Grace Martin	596 Mariposa Court
Chris Lewis	802 Mountain Meadows Drive
Anna Lewis	802 Mountain Meadows Drive
Cathy Armstrong	837 North Mountain Avenue
Paula Phillips	785 North Mountain Avenue
Nancy Wilkinson	852 Mountain Meadows Drive
Thomas Boudrot	857 North Mountain Avenue
Alice Diefenbach	801 North Mountain Avenue
Sherwood Goozee	595 Great Oaks Drive
Germaine Goozee	595 Great Oaks Drive
David Lane	464 Golden Aspen Place
Catherine Hickling	833 Pavilion Place

Janet Dolan	963 Golden Aspen Place
Jim Robertson	962 Golden Aspen Place
Linda Robertson	962 Golden Aspen Place
Robert Carter	838 Cobblestone Court
Laurie Carter	838 Cobblestone Court
Candis Fugitt	959 Golden Aspen Place
Susan Stoehr	977 Golden Aspen Place
Mary K. King	907 Mountain Meadows Circle
Maureen Wallace	838 Pavilion Place
Edwin Miller	971 Golden Aspen Place
Molley Tinsley	971 Golden Aspen Place
Janice Trieglaff	875 Bolder Creek Lane
Michelle Indianer	915 Mountain Meadows Circle
Joan Tschalaer	902 Mountain Meadows Circle
Roy Sutton	989 Golden Aspen Place
Dena Amtman	905 Mountain Meadows Circle
Dorothy Brooks	979 Golden Aspen Place
Dena Bates	846 Stony Point
Anna Gove	947 Mountain Meadows Circle
Martin Thommes	564 Great Oaks Drive
Hal Hayes	941 Mountain Meadows Circle
Nancy Bringham	785 Creek Stone Way
Diana O'Farrell	929 Mountain Meadows Circle
Terry Ansnes	988 Golden Aspen Place
Michael Kotowski	812 Boulder Creek Lane
Edward Busby	904 Mountain Meadows Circle
Shelley Busby	904 Mountain Meadows Circle
Susanne Krieg	900 Skylark Place #316
Betsy McLane	819 Boulder Creek Lane
Olive Johnson	986 Golden Aspen Place
Barbara Cross	952 Golden Aspen Place
Arlene Mueller	826 Boulder Creek Lane
Roger Mueller	826 Boulder Creek Lane
Ann Dick Wilson	821 Pavilion Place
J. Marlene Baker	816 Boulder Creek Lane
Karin Bolling	816 Boulder Creek Lane
Helen Molz	842 Stony Point
Charlotte Silbaugh	914 Mountain Meadows Circle
Morgan Silbaugh	914 Mountain Meadows Circle
Charlene Kenny	863 Stony Point

Jeannine Bertrand	823 Boulder Creek Lane
Ian Couchman	919 Mountain Meadows Drive
Judith Sundaram	833 Cobblestone Court
Nathanael Sundaram	833 Cobblestone Court
Carol Nosko	824 Pavilion Place
Juan Quesada	824 Pavilion Place
Pamela Newton	975 Golden Aspen Place
Shoshanah Dubiner	922 Mountain Meadows Circle
Paul Boon	855 Stony Point
Suzanne Smith-Hammerli	991 Golden Aspen Place
Mary Ferrari	936 Mountain Meadows Circle
Dave Seiden	838 Pavilion Place
Cassie Conner	735 Meadowlark Way
Gloria Junkermann	906 Mountain Meadows Circle
Bill Walker	844 Stony Point
Anita Walker	844 Stone Point
Alan Berman	817 Pavilion Place
Harriet Berman	817 Pavilion Place
Lola Eagan	836 Pavilion Place
Lucy Strasburg	935 Mountain Meadows Circle
Mary Hunt	580 Mountain Meadows Dr
Judith Milburn	840 Pavilion Place
Kate Thill	921 Mountain Meadows Circle
Sarah Tozier	957 Golden Aspen Place
Amelia Franke	980 Golden Aspen Place
Jim Cornelius	822 Boulder Creek Lane
Carolyn Herb	911 Mountain Meadows Circle
Linda Sussman	910 North Mountain Avenue

Jo Ann Grady	909 Plum Ridge Drive
Daniel DeRoux	909 Plum Ridge Drive
Vida Taylor	913 Plum Ridge Drive
Vincent Chabot	919 Plum Ridge Drive
Nancy Shubert	919 Plum Ridge Drive
Ross Gillanders	Plum Ridge Drive
Ginny Gillanders	Plum Ridge Drive
Loretta Barlow	921 Patton lane

Dennis Tetz	638 Fair Oaks Court
Barbara Ricketts	638 Fair Oaks Court

Joyce Leighton	626 Fair Oaks Court
Gail Engblom	636 Fair Oaks Court
Jill Chabers	654 Fair Oaks Court
Joy Dobson	624 Fair Oaks Court
Frances Brandt	634 Fair Oaks Court
Brad Bodzin	616 Fair Oaks Court
Fanda Bender	612 Fair Oaks Court
Lotus Gabriel	606 Fair Oaks Court
John Sells	608 Fair Oaks Court
Sally O'Brien	618 Fair Oaks Court
Jeremey Dailly	628 Fair Oaks Court
Miyo Ishihara	628 Fair Oaks Court

Signatory Supporting Testament on Kestrel Park Phase III Site Development

Name	Street Address
REKUN	591 Nandina St.
Barbara Kinsinger	591 Nandina St.
Daniel Lane	964 Golden Aspen Pl.
GRACE MARTIN Grace Martin	596 MARIPOSA CT.
CAROL VANDERVORT Carol	583 NANDINA ST.
Ron Vandervort Vandervort	583 Nandina St.
Beckamy Hall	584 Great Oaks Dr
Allen Blushy	349 Mountain Meadows Dr.
Catherine Hickling	833 Pavilion Place
Janet Delap	963 Golden Aspen Place
Tim Robertson	962 Golden Aspen Pl.
Linda Robertson	962 Golden Aspen Place
Dennis L. Holman	822 Plum Ridge Drive
Kevin & Tina Frostad	793 N Mountain Ave
Robert Elaine Carter	838 Cabblerstone Ct
Thompson (Jeff Thompson)	863 Plum Ridge Dr
Ray Wynn (Regina Wynn)	802 Plum Ridge Dr.
Paul Wynn	802 Ridge Dr.
	807 Plum Ridge Dr.
mt Wynn	862 Plum Ridge Drive
IXthwert	" "
Candis Fugitt	959 Golden Aspen Pl.
Susan Hoch	977 Gold Aspen Place
Gene Anderson	598 Nandina St
Mary K. King	907 Mt. Meadows Circle
Maurice Wallace	838 Pavilion Pl.
Chris Lewis	802 Mt Meadows
Aimee Lewis	802 MM Dr.

Signatory Supporting Testament on Kestrel Park Phase III Site Development

Name	Street Address
Barbara Cross	952 Golden Aspen
Arlene Mueller	826 Boulder Creek
Roger Mueller	826 Boulder creek home
Ann Dick Wilson	821 Pavilion Place, Ashland
J. Marlene Baker	816 Boulder Creek Lane
Ute-Karin Bolling	816 Boulder Creek Lane
Helen Noly	842- Stony Point-Ashland
Charlotte V. Selboeeph	914- mm circle Ashland
Harmon C. Selboeeph	"
Challene Kenny	863 Stony Point Ashland
Jennifer Battine	823 Boulder Creek Lane Ashland
Ruby K. K. K.	916 Golden Aspen Pl.
John S.B. Conchman	919 Mountain Meadows Dr. Ashland
Barbara J. Cross	952 Golden Aspen Pl.
Judith Sundaram	833 Cobblestone Court
Carol K. Nasko	824 Pavilion Place
John Zuercher	824 Pavilion Place
Pamela Newton	975 Golden Aspen Place, Ashland
Nathanael Sundaram	833 Cobblestone Ct
Shoshoud Dubuie	922 Mt. Meadows Circle
Raggy D. Thompson	863 Plum Ridge Dr.
Thomas E. Bordet	857 N. Mountain Ave Ashland
Paul K. K.	855 STONY POINT
Barbara Cross	953 Golden Aspen Pl.
Suzanne Smith-Henkel	991 Golden Aspen Pl., Ashland
Mary J. J. J.	936 Mountain Meadows Cir.
Dave Seiden	838 Pavilion Pl.
Kara K. Keeling	823 Plum Ridge Dr., Ashland

Signatory Supporting Testament on Kestrel Park Phase III Site Development

Name	Street Address
Edwin L. Miller	971 Golden Aspen Place
MOLLY B. TINSLEY	971 GOLDEN ASPEN PLACE
Janice Treglaff	875 Boulder Creek Lane Ash
Michelle Indianer	915 Mountain Meadows Circle Ash
John Isakson	106 Meadows, Ashland
Rory Sutton	989 GOLDEN ASPEN PLACE, ASH
Dena Ambman	905 Mtn Meadows Circle
Storothy Brooks	979 Golden Aspen Place
Dena Bates	846 Stony Point Ashland
Anna Joy	947 MT MEADOWS CIR
Myrtles Thompson	568 Great Oaks Dr
J. E. Hays	941 Mtn Meadows Circle
Cathy Armstrong	837 N. Mountain Ave.
Nancy Brinkhurst	783 Creekstone Way, Ashland
Robert D. Town	812 Plum Ridge Dr. Ashland
Diana O'Farrell	929 Mountain Meadows Circle Ash. OR
Cathy George	832 Plum Ridge Drive, Ashland
Linda Phillips	785 N. Mountain Ave. Ashland, OR
Rory Gons	988 Golden Aspen Pl.
Michael F. Stowers	812 Boulder Creek Way
Nancy Wilkinson	852 Mountain Meadows Dr.
Reginald R. Bushy	904 Mountain Meadows Cir
Edward Bushy	904 Mountain Meadows Circle
Suzanne Kreg	900 Skylark Place #316
Betty A. Mc Lane	819 Boulder Creek Lane
Donna R. Taylor	590 Mountain Meadows Dr.
Pat S. Taylor	590 Mountain Meadows Dr.
Olive M. Johnson	986 Golden Aspen Pl.

Signatory Supporting Testament on Kestrel Park Phase III Site Development

Name	Street Address
Cassie Conner	735 Meadow Lake Way
Gretchen Lizotte	855 Mtn. Meadows
Connie Ashbaugh	745 Creekstone
Mary Jo Judson	815 Creekstone Way
Coleen Heetzel	832 Pavilion Place
Marty Smith	985 Golden Aspen Pl.
Chuck Dayentark	801 N Mtn Ave
Shirwood Goeck	595 Great Oaks Dr
Germaine George	595 Great Oaks Drive
Colvia Junkemom	906 mountain meadows circle
Bill Walker	844 STONY POINT
ANITA WAHNER	844 STONY point
Alan Berman	817 Pavilion Place
Harriet Berman	817 Pavilion Place
Solo M. Egan	836 Pavilion Place
Lacy Strickland	935 Mt. Meadows Circle
Mary Hunt	580 Mt Meadows Drive
Judith Annette Nielsen PhD	840 PAVILION PLACE
Cornelia Byers	544 MOUNTAIN MEADOWS DR
Kate Phil	921 Mtn Meadows Circle
Sarah Tozier	957 Golden Aspen Pl.
Amelia Frank	980 Golden Aspen Pl
Jim Brauer	822 Boulder Creek Ln
Carolyn Herz	911 Mountain Meadows Cir.
Linda Dussman	910 N. Mountain
Linda Dussman	812 Boulder Creek Ln.
Michael M. Weller	805 Creek Stone Way
Joseph H. Weller	805 Creek Stone Way

Signatory Supporting Testament on Kestrel Park Phase III Site Development

[illegible]

Signatory Supporting Testament on Kestrel Park Phase III Site Development

[illegible]

Signatory Supporting Testament on Kestrel Park Phase III Site Development

[illegible]

Signatory Supporting Testament on Kestrel Park Phase III Site Development

Name	Street Address
Barbara Patridge	794 Kestrel Parkway, Ash
Melissa Adams	806 Kestrel PKWY 97520
JONATHAN R. Adams	806 KESTREL PKWY 97520
Alex Tron	818 Kestrel PKWY 97520
Jonica E. Lina	426 Nandina St 97520
Jayid Numa	430 Nandina St. 97520
Cassandra Larkin	434 Nandina St. 97520
Murphy Larson	444 Nandina St 97520
Tom Palmesano	448 Nandina
Deborah Linde	438 Nandina
Jacki Rosen	420 Nandina 97520
Joyce Wilson	770 Kestrel Parkway, Ashland
Freight Wilson	" 97520
Jay Wall	455 E Nest Box Way Ashland OR 97520
Barbara Patridge &	794 Kestrel Pkwy, Ashland
	782 Kestrel Pkwy Ashland
Bang Wan	782 KESTREL PKWY ASHLAND
James E. Oros	854 Kestrel Parkway, Ashland
Helen T. Oros	" " " "
Barbara Wells	455 E. Nest Box Way "
Teresa J. Wilson	866 Kestrel PKY 97520 Ashland, CI.
John A Wilson	866 Kestrel Pky 97520 Ashland, CI.
Mark Clayton	878 Kestrel Pkwy Ashland
Sally Clayton	878 Kestrel Pkwy Ashland
Robert Webb	914 Kestrel Pkwy Ashland
Mertie Lee	934 Kestrel Pkwy Ashland
Delising Bietz	924 Kestrel Parkway
Pam Greenwood	422 Nandina St Ashland
	Ashland, OR

From: [MARK ABELLE](#)
To: [planning](#)
Cc: [Chuck Schweizer](#); [David Runkel](#); [Joann Grady](#)
Subject: Kestrel Hillside Development
Date: Friday, December 06, 2024 5:04:20 PM

[EXTERNAL SENDER]

Dear Planning Commission,

I wish to share my thoughts with you concerning the Kestrel Hillside Development. But before I do, I want to dispel the very dismissive label that has been applied to all who have protested this development: NIMBY—not in my back yard. This is not the case. All who have purchased residences in the area surrounding the Kestrel property knew that someday the property would be developed. It is the density and aspects of the design that are concerning.

Background:

The plans for the North Mountain Neighborhood were drawn up decades ago. I believe the lead planner on this project was Mark Knox. The plan essentially called for high density, in keeping with the goals of infill. Back in the day, it all looked good. This property was assigned a density of 24-44 units. The developer has applied for 48 units. This falls within the approved amount due to the value applied to units under 500 square feet. These units are given a value of 3/4 unit. Because there are enough of these units, the developer is able to squeeze in a few more.

Fire safety:

In today's real world, this density is now a serious safety issue. The very worrisome annual fire danger we all face is an issue we cannot avoid. When high density is coupled with the practice of street narrowing, you have the recipe for catastrophe. Dropping high density developments into neighborhoods with streets that do not have the capacity to properly evacuate the residents in a timely fashion, is not only unconscionable but borders on the criminal. I find it beyond belief that the fire department continues to sign off on the narrow streets.

Evacuation:

According to the Evacuation study, all of Ashland will be congested within 30 minutes. It will take 4.5 hours to fully evacuate the City. The North Mountain Neighborhood will congest within 15 minutes. If faced with another fast moving Alameda-type fire, this neighborhood would quickly become a very crispy one. Do you remember Paradise, California?

I understand that the state would be very pleased for Ashland to embrace higher density neighborhoods. Then build these neighborhoods in areas where the infrastructure can be built to accommodate the evacuation safety of the citizens. The Croman Mill site comes to mind.

Design:

North mountain Neighborhood

Section 18.3.5.030

C Supplemental Approval Criteria

1. The application demonstrates conformity to the general standard design requirements of the North Mountain Neighborhood Plan, including transportation, density, building design, and building orientation.

This development is not in keeping with the surrounding neighborhood. Putting aside the abysmal size of the proposed units, there is a proposed structure for the SE corner of the property bordering Nandina. This calls for 6 units up and 6 units down with a large parking lot fronting an ally. In this neighborhood, there are structures with 2 attached residences and then a gap between this structure and another residence. The proposed structure has an appearance of a motel. It is visually depressing and inappropriate for this area.

Access and egress for most of the residences in this development are dependent on the ally way system. The plan calls for parking lots accessed via the allies. These allies are essentially one way and not designed for even moderate traffic flows. Further, you cannot get emergency, service or moving vehicles down these allies due to the 90 degree turns. If the corners were radiuses to 45 degrees, it would ameliorate the problem but not cure it. Public transportation is nonexistent for this area so it must be assume that 90-98% of the residents will have vehicles. To think that most people will be walking or biking is simply not valid, especially for an area comprised of mostly of older citizens.

KDA were the original designers of this plan. Their goal was to maximize the density in order to squeeze every last ounce of profit from this development without regard to their neighbors.

The new developer is simply following the pre-approved plan. Because Mark Knox has been the consultant for this plan, no box has been left unchecked.

I do not oppose the development. I am asking for a reduction in the density to 30-35 units. I am also requesting the city reconsider the width of the streets, knowing full well the fire danger we face. A slight redesign of the 6 unit structure is also requested.

Thank you very much for you time.

Sincerely,

Nancy and Mark Abelle

902 Patton Lane

Michael Sullivan

From: Michael Sullivan
Sent: Monday, December 09, 2024 11:25 AM
To: Michael Sullivan
Subject: FW: Kestrel Planning application comment

From: David Runkel <davidrunkel@gmail.com>
Sent: Monday, December 09, 2024 10:15 AM
To: planning <planning@ashland.or.us>
Subject: Kestrel Planning application comment

[EXTERNAL SENDER]

Please provide the attached to members of the Planning Commission before tomorrow night's hearing.

To: Members of Ashland City Planning Commission
From: Dan DeRoux, 909 Plum Ridge Drive, David Runkel, 893 Plum Ridge Drive
Date: 12/9/24
RE: Kestrel Park III Proposal Before Ashland Planning Commission

The developer of the Kestrel Park III, Area 6 proposes to extend the pavement between Julian Square II in the 900 block of Plum Ridge Drive and the private house at 893 Plum Ridge down the hillside to provide vehicular access to 12 new units, each with one parking space. Currently this short, 12-foot wide pavement provides access to Plum Ridge Drive from the garage attached to 893 Plum Ridge and two garages and a parking spot of the Julian Square II complex.

It is not an alley under city code provisions AMC 18.3.5.100.C2. And there is insufficient space on the adjoining private owned land to enable it to be converted into a legal alley. There is less than four feet of space from the edge of the pavement to an air conditioning unit serving a Julian Square unit and only nine feet of space from the edge of the pavement to the wall of the house at 893 Plum Ridge.

Not only does the developer's plan for use of this existing pavement and its extension down the hillside toward Stoneridge Drive not meet code provisions for an alley, but the increased traffic would present problems with an evacuation in case of a fire. Access for emergency vehicles also is problematic. At present, Recology trucks and other large vehicles cut into the hillside at the end of the pavement when making a turn north into another short unnamed paved space that is used by other units of Julian Square and four houses facing Patton Lane.

We object to the developer's planned use of the existing pavement and its extension that is not authorized under city's code provisions for an alley and cannot see how this can be allowed by the city.

**ASHLAND PLANNING DEPARTMENT
STAFF REPORT**

Before the Planning Commission – December 10, 2024

PLANNING ACTION: PA-T2-2024-00054
OWNER: CMK Development LLC
APPLICANT: Taylored Elements

LOCATION: 39-1E-04-AD Tax Lot 8600, 4700, 7800, & 4900
ZONE DESIGNATION: North Mountain Multi-Family (NM-MF)
COMP. PLAN DESIGNATION: North Mountain

ORDINANCE REFERENCES:

18.2.4	General Regulations for Base Zones
18.2.5	Standards for Residential Zones
18.3.5	North Mountain Neighborhood District
18.3.9	Performance Standards Overlay
18.5.1	General Review Procedures
18.5.2	Site Design Review
18.5.3	Land Divisions & Property Line Adjustments
18.6.1	Definitions

APPLICATION DATE: November 1, 2024
APPLICATION COMPLETE: November 15, 2024
PUBLIC NOTICE: November 19, 2024
MEETING DATE: December 10, 2024

120-DAY DEADLINE: March 1, 2025

PROPOSAL: A request for Outline Plan approval for a 15-lot Performance Standards Option (PSO) subdivision and a request for residential Site Design Review approval. The application also includes a request for a variance to driveway width as well as a request to remove a single non-hazard tree that is within a proposed building envelope.

I. Introduction

The property was created as lot-31 of Kestrel Park Phase II and was reserved for this final phase of the Kestrel Park Subdivision. The property is zoned “North Mountain-Multi Family” (NM-MF) and is regulated by the North Mountain Neighborhood Plan (NMNP). The NMNP is codified at Ashland Municipal Code (AMC) 18.3.5, and applies to all properties within the North Mountain Neighborhood Plan area (adopted by Ordinance 2800 in April 1997).

The AMC requires that all applications involving the creation of three or more lots in the NMNP to be processed in accordance with AMC 18.3.9 the ‘Performance Standards Option and PSO Overlay’ chapter (see: AMC 18.3.5.040.K). There are two required steps to a PSO subdivision; first Outline Plan, followed by Final Plan. For developments of fewer than ten lots, the Outline

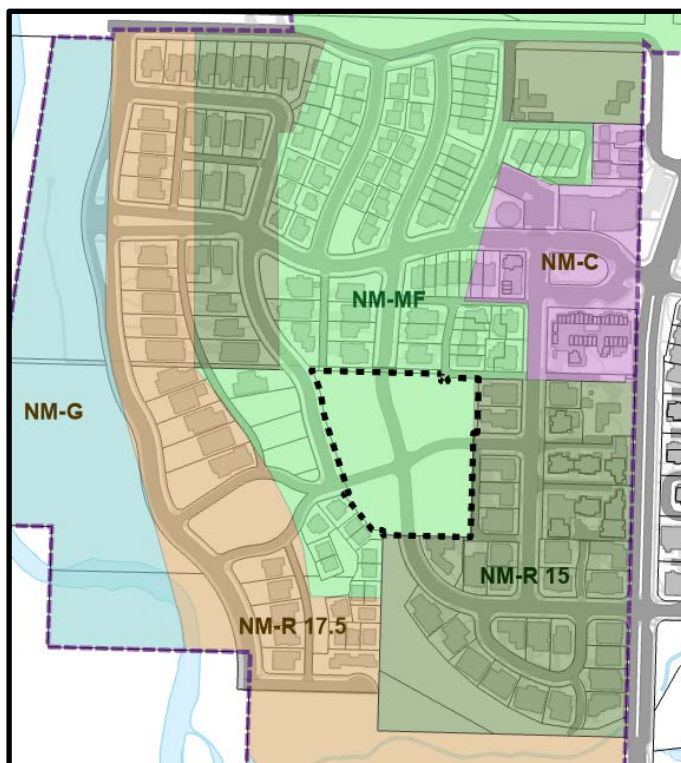
Plan may be filed concurrently with the Final Plan, however for developments of ten or more lots, separate Outline Plan approval is mandatory prior to Final Plan. The code requires a type-1 land use action for Final Plan approval to ensure that there are findings of substantial conformance with the Outline Plan prior to construction and the recording of the final plat.

The proposed PSO subdivision includes a total of 15-lots for residential development, ten of the lots are proposed for single-family residential (SFR) development, and five lots for multifamily housing. The application includes a request for Site Design Review approval for four multifamily buildings with a total of 28-units of multi-family housing. Combined, this is a development density of 38 dwellings for the purposes of determining allowed density. In accordance with HB2001 and the adopted duplex standards at AMC 18.2.3.110 each of the SFR lots can be developed with two dwellings.

1) North Mountain Neighborhood Plan (NMNP)

The NMNP Area is approximately 53 acres and is located between Interstate-5 and Bear Creek and west of North Mountain Avenue. The Neighborhood Plan and related implementation standards were adopted by the City Council by Ordinance 2800 on April 2, 1997. Development located within the NMNP area is required to meet all applicable sections of AMC 18.3.5, except as otherwise allowed. The subject property is shown in dashed outline at right along with most of the NMNP area.

This proposed subdivision will complete the northern portion of the NMNP area leaving only the 11-acre parcel to the south (tax lot #2800) to complete the implementation of the NMNP.



2) Background

This is the 3rd Phase of the Kestrel Park Subdivision which began in 2018. The subject property is Lot 31 of Phase 2 and was reserved for this final phase. The proposed subdivision will connect both Nandina Street and Patton Lane / Mountain Meadows Drive to create four blocks that have been identified previously as areas 4, 5, 6, and 7.

Phase 1 was the extension of Kestrel Parkway and Stoneridge Ave., as well as the construction of Nandina Street. It consisted of 15 residential lots and was approved as Outline Plan PA-T2-2018-00005 in December 2018 followed by Final Plan PA-T1-2019-00075 in November 2019. The final plat was recorded as CS23143 in September of 2020. The application also included

24.95' (24.95')
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S 89°58'23" E - 371.00'
213.06' (213.20')
P&M
100.00'
S 89°57'05" E - 429.34'
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① 29°45'40"	45.00	42.75	15.82	0.373075°D	-62.53'
② 11°40'00"	11.00	23.00	11.86	0.237075°D	-23.53'
③ 16°25'05"	15.50	33.00	16.64	0.371490°D	-32.94'
④ 20°54'14"	10.00	24.00	10.52	0.371250°D	-24.93'
⑤ 07°07'17"	10.00	12.00	4.17	0.251710°D	-12.22'
⑥ 04°12'11"	9.00	8.19	4.00	0.224240°D	-8.19'
⑦ 09°12'08"	12.67	18.10	9.07	0.371071°D	-18.09'
⑧ 22°12'22"	28.00	33.00	23.96	0.371740°D	-33.28'
⑨ 07°06'55"	20.00	3.00	1.70	0.267021°W	-3.53'
⑩ 20°44'21"	33.25	17.14	8.76	0.347450°W	-16.93'
⑪ 09°10'32"	1.00	11.00	1.00	0.447350°W	-6.99'
⑫ 20°12'11"	11.00	26.00	11.97	0.371270°W	-16.03'
⑬ 11°00'05"	22.00	45.17	23.00	0.172540°W	-45.09'
⑭ 24°30'51"	17.00	33.00	37.50	0.175424°W	-37.42'

TABLE OF COURSES

PLACE	BEARING	DISTANCE
①	S 40°13'00"E	3.04'
②	S 09°05'00"W	2.27'
③	S 21°51'30"E	12.60'
④	S 09°00'00"W	5.94'
⑤	S 10°15'35"E	11.38'
⑥	N 21°29'30"W	8.91'
⑦	N 21°10'00"E	2.49'
⑧	N 21°10'00"E	4.88'
⑨	S 09°00'00"W	15.00'
⑩	N 89°57'35"E	14.00'
⑪	S 89°57'31"W	8.01'
⑫	S 09°00'35"E	10.00'
⑬	S 89°50'35"W	15.00'
⑭	N 08°07'33"W	34.71'
⑮	N 71°53'00"E	10.81'

•• RECEIVED ••
 Date 12/15/20 By RL
 This survey consists of
 ② sheet(s) Map
 ② page(s) Narrative
 JACKSON COUNTY
 SURVEYOR

Assessor's Map No. 39 To 70 04 Doc Tax Lot 2000
 Assessor's Map No. 39 To 70 04 Doc Tax Lots 801 & 802
 Assessor's Map No. 39 To 70 04 Doc Tax Lots 803 & 810

KESTREL PARK, PHASE II A PLANNED UNIT DEVELOPMENT

LYING BETWEEN WITHIN
 NORTH-EAST & SOUTH-EAST QUARTERS OF SECTION 4
 TOWNSHIP 36 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN
 CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR
KDA ASSHES, LLC
 604 Fair Oaks Drive
 Ashland, Oregon

LEGEND

- ① 30" IRON PIN "ORANGE PLASTIC CAP STAMPED 'KAMMANN' PLZ 2817 FOR SURVEY NO. 17041 (RECOVERED)
- ② 30" IRON PIN "YELLOW PLASTIC CAP STAMPED 'J. FERRIS & ASSOC.' FOR SN 14612, 10774 & 17041 (RECOVERED)
- ③ IRONING BOARD SIGN (SILVER LETTERS IN CONCRETE STAMPED 'POLARIS PLZ 2817' (RECOVERED)
- ④ 30" IRON PIN "ORANGE PLASTIC CAP STAMPED 'KAMMANN PLZ 2817' (STAMPED BOARD)
- ⑤ POST CONSTRUCTION AGREEMENT BY APPLICANT (OBTAINED)
- ⑥ SUBJECT PROPERTY LINE
- ⑦ NEW LOT LINE
- ⑧ BOUNDARY LINE
- ⑨ CENTERLINE
- ⑩ PREVIOUS DEED LINE
- ⑪ EASEMENT LINE
- ⑫ SURVEY FILE NUMBER JACKSON COUNTY SURVEYOR
- ⑬ OFFICIAL RECORD, JACKSON COUNTY CLERK
- ⑭ PUBLIC UTILITY EASEMENT
- ⑮ PUBLIC UTILITY EASEMENT (P.U.E.) FOR KESTREL PARK, PHASE II

* See Survey
 23651

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE CENTERLINE OF NORTH MOUNTAIN AVENUE, HAVING A BEARING OF S 89°57'35"E AS BEARINGED ON SURVEY NO. 23543, ON FILE IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR.

I HEREBY CERTIFY THAT THIS PLAN IS AN EXACT COPY OF THE ORIGINAL.

David L. Hester
 SURVEYOR

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
David L. Hester
 OREGON
 NUMBER 1000
 EXPIRATION DATE 12/31/2021

RECORD DATE: 6/20/2021

SURVEYED BY:
POLARIS LAND SURVEYING LLC
 P.O. BOX 459
 ASHLAND, OREGON 97520
 (541) 482-5009

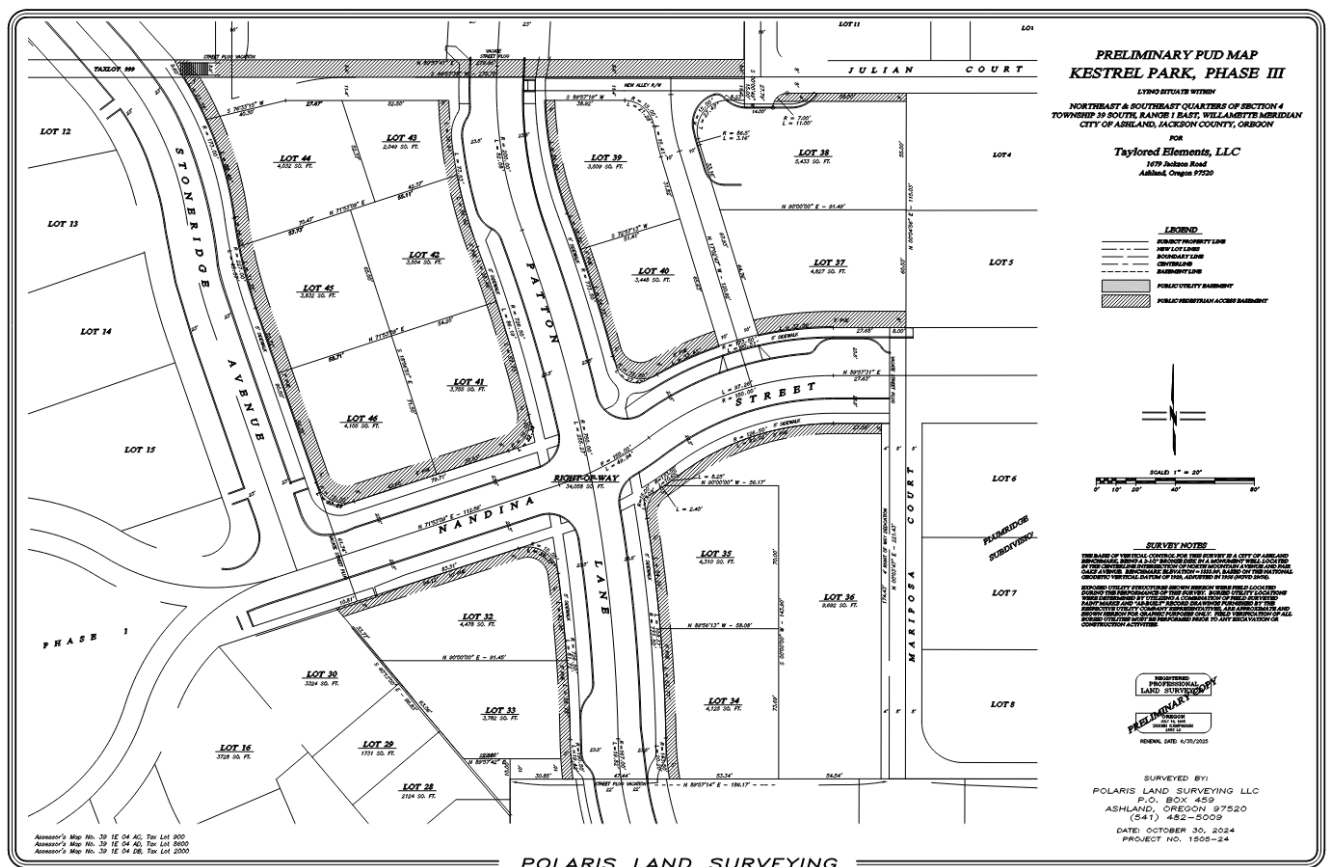
DATE: OCTOBER 20, 2020
 PROJECT NO. R42-1.3
 FILE SURVEY3940-11KESTREL PARK PH II.DWG SHEET 2 OF 3

POLARIS LAND SURVEYING

The subject property is Tax lot #8600 of Assessor Map 39-1E-04-AD, it does not presently have an assigned street address. The application also includes three tax lots owned by the City of Ashland; tax lot 4700 a 0.05 acre strip of land along the north, as well as tax lots 7800 & 4900 which are both 'street plugs' to be vacated. The property was created as lot-31 of Kestrel Park Phase II and was reserved for this final phase of the Kestrel Park Subdivision. The property is 2.27 acres in size and slopes from east to west at approximately 15% and is zoned North Mountain Multi-Family (NM-MF).

1) Performance Standards Option (PSO) Subdivision – Outline Plan Approval

The proposed subdivision, shown below, will create 15 new lots and connect Nandina and Patton Streets. Because of survey regulations regarding multi-phased subdivisions lot numbers need to be sequential through all phases. Because the parent lot was #31 of Phase 2, now the numbers for the 15 lots in Phase 3 are #32 through #46.



The approval criteria for Outline Plan include eight items which are summarized as follows:

- 1) The development meets all applicable ordinance requirements of the city.
- 2) Adequate key City facilities can be provided including water, sewer, paved access.
- 3) The natural features, such as wetlands and large trees, are included in unbuildable areas.
- 4) The development of the land will not prevent adjacent land from being developed.
- 5) There are adequate provisions for the maintenance of common open space.
- 6) The proposed density meets the base and bonus density standards.
- 7) The development complies with the street standards.
- 8) The proposed development meets the common open space standards.

The application includes detailed written responses to each of the approval criteria and design standards, and by their reference they are incorporated herein as if set out in full. Next, we briefly address each of the approval criteria, and any needed conditions of approval to demonstrate compliance with the applicable standards.

The first approval criterion is that *“the development meets all applicable ordinance requirements of the city.”* This first approval criterion is all-encompassing allowing the Planning Commission to address all city standards, even outside of Chapter 18 of the AMC. The application materials explain that the proposal utilizes the Performance Standards Option Chapter 18.3.9, and that the development demonstrates compliance with the standards from AMC 18.3.9.050 – 18.3.9.080. The application materials emphasize that as a Performance Standards Options proposal, the application is not required to meet the minimum lot size, lot width, lot depth or setback standards of part 18.2. With the application materials fully considered staff concluded that findings can be made that all applicable ordinance requirements will be met.

The second approval criterion is that *“adequate key City facilities can be provided including water, sewer, paved access.”* Staff would reiterate that this is the third phase of the Kestrel Park Subdivision and that all city facilities were sized with the capacity for the third phase in mind. The application includes preliminary Civil Plans that illustrate the various city utilities including sewer, water and storm drainage. The plans indicate that the available utilities include eight-inch water and sewer mains, and twelve-inch storm drain. Staff has consulted with the engineering department in Public Works regarding the civil plans and have confirmed that the proposed infrastructure will meet all city standards, and that there is sufficient capacity for the proposed development. Staff believe findings can be made that this approval criterion is met.

The third approval criterion is that *“the natural features, such as wetlands and large trees, are included in unbuildable areas.”* The previous phases of the subdivision have addressed flood plain and wetland areas. For this phase the subject property has no identified natural features or wetlands to consider with the exception of the single multi branched tree that is proposed for removal and is discussed further below. Staff believe findings can be made that this approval criterion is met.

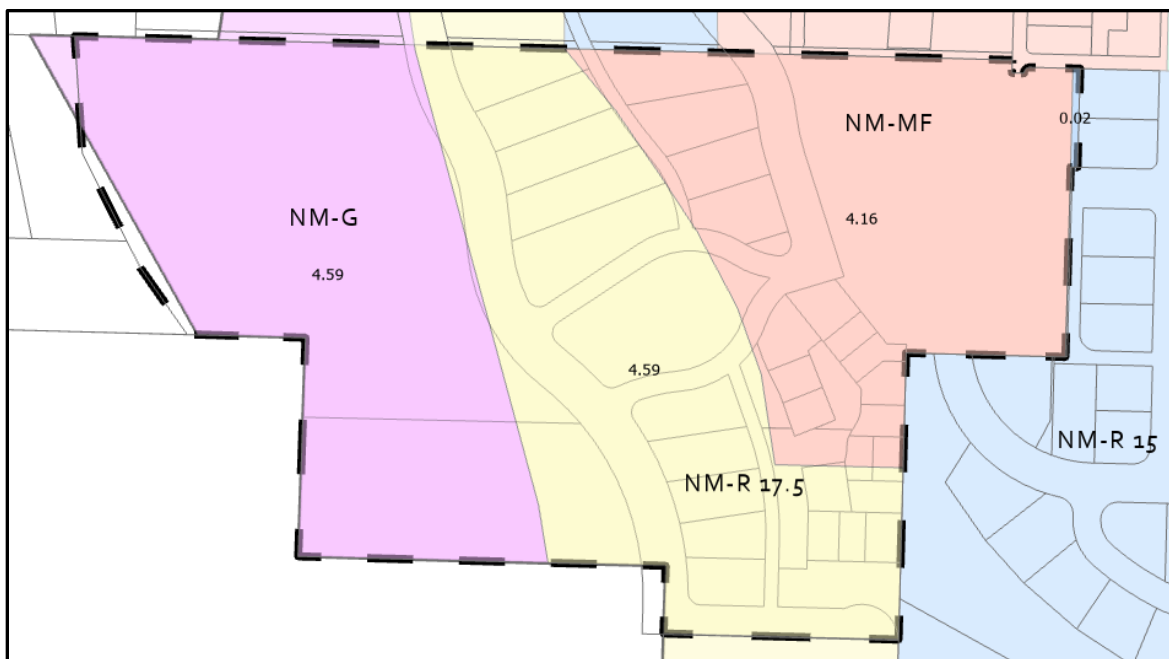
The fourth approval criterion is that *“the development of the land will not prevent adjacent land from being developed.”* The subject property is surrounded by land that have already fully

developed. It is manifest that the proposed development will not prevent adjacent land from developing and that findings can be made that this approval criterion is met.

The fifth approval criterion is that “*there are adequate provisions for the maintenance of common open space.*” The application discusses the existing HOA’s that have been formed from the earlier phases of the Kestrel Park, and further states that “The three phases are also tied together through monetary commitments (HOA Dues) for the maintenance of common areas and improvements such as the site’s wetlands, common spaces, park benches, park row vegetation and irrigation and street trees.” Staff conclude that the HOA provides sufficient evidence of the provisions for the ongoing maintenance for the common open space and that findings can be made that this approval criterion is met.

The sixth approval criterion is that “*the proposed density meets the base and bonus density standards.*” The application explains in detail that the Kestrel Park Subdivision has two zones, NM-R-1-7.5 and NM-MF with a minimum density requirement between 75% and 110% of each zone’s base density. The table (page 6 in the application findings) shows that with the dwelling units developed in previous phases the proposal is within the required / allowed density.

During the application review staff became aware of an error in the area of the two different zones. This error was in the original 2018 application materials and has been carried forward without notice. There are two errors in the table as it underrepresents the land zoned NM-R-1-7.5 and overstates the land zoned NM-MF. Shown below is a screen capture from the City GIS clipping the NMNP zones and calculating the area of each zone in the Kestrel Park subdivision. Note that there is a small portion of the original portion the lot that was dedicated as open space in phase 1 that is just outside of the NMNP zoning district which is why these values sum just short of the project size of 13.48 acres.



The table below sets out the correct sizes of land for each zone per City GIS and the number of dwellings approved in each zone per phase.

<u>NM ZONE</u>	<u>NM-R-1-7.5</u>	<u>NM-MF</u>
Acres	4.59	4.16
Dwelling units per acre	3.6	12
Base Density (acres x units per acre)	16.52	49.92
minimum density (x 0.75 – 1.1)	12.39 – 18.18	37.44 – 54.91
Phase 1	11	4
Phase 2 (Cottages)	5	10
Total Dwellings (Phase 1 + 2)	16	14
Remaining Density from allowed max	2.18	40.91
Proposed Phase 3		38

As stated above, the application is for 28 multi-family dwellings, and 10 lots for single family housing*. Combined these represent 38 dwelling units for the purposes of density for the subdivision which is less than the 40 which could be allowed. Staff conclude that findings can be made that this approval criterion will be met.

The seventh approval criterion is that “*the development complies with the street standards.*” The preliminary civil plans provide cross sections showing proposed improvements that meet all of the NMNP street standards including park row, sidewalk as well as paved and ROW width. The only exception to this is a portion of Stoneridge which has a 46’ wide ROW. However, as the application makes clear, this was previously approved during the first phase of the subdivision.

During the original Kestrel Park subdivision approval process, concerns were raised during public testimony that emergency access and evacuation routes were limited to the bridge on Mountain Avenue over Bear Creek or to indirect access via county roads to Oak Street, the Commission found that in response to similar concerns for previous development of the North Mountain Neighborhood, all properties were required to sign in favor of and agree to participate in a Local Improvement District (LID) for the future construction of a bridge across Bear Creek to connect Nevada Street to Oak Street. As such, a condition was included to require that all properties within the Kestrel Park Subdivision sign a similar agreement prior to signature of the final survey plat. The subject properties here are within the subdivision and are subject to that original condition which has been included below. Staff conclude that with the condition of approval findings can be made that this approval criterion will be met.

The eighth and final approval criterion is that “*the proposed development meets the common open space standards.*” The application notes the following: “The Kestrel Park Subdivision is 13.48 acres in size of which 5.13 acres was dedicated as open space (Bear Creek Riparian Area) and another .7 acres was platted as private open space for the subdivision’s on-site wetlands and a couple of smaller landscape areas - located at various street corners as common neighborhood landscaping, for a total of 5.82 acres or roughly 43% of the subdivision’s acreage of which only 8% is required with Performance Standard Subdivisions and an additional 4% for Site Review

* The application makes clear, and staff agree, that each of the 10 ‘single family’ lots may or may not build out with ARU’s or duplexes in accordance with HB2001 and COA Ord. 3229 § 3, 12/19/2023.

applications. Additionally, each of the proposed multi-family units do include an additional 8% recreational space (porches/patios).” Staff conclude that findings can be made that this approval criterion will be met.

The NMNP also included Supplemental Approval Criteria that require that there is conformity with both the “*general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation*” as well as the “*specific design requirements as provided in the North Mountain Neighborhood Design Standards.*” The NMNP includes detailed Design standards for both roads and architectural design. The application states that the NMNP design standards are fully met and include detailed dimensions on the site plan showing that porches meet the correct size and that garages are appropriately setback from the front of the homes. The remainder of the architectural standards are discussed below under the Site Design Review approval criteria.

As mentioned at the outset, the application includes a variance to driveway width from the NMNP standard. The NMNP standards requires 9’ driveways for single homes and allows 12’ for shared drives. The reason for the variance is a combination of driveway spacing standards and that Public Works will not allow nine-foot driveways. Instead, the application proposes 12’ driveway width (the public works minimum for a single lot) for the SFR lots, and 18’ driveway width for shared driveways. Staff believes that based on the topography that functionally a 12’ wide driveway can not effectively serve two – two car garages as there is not sufficient depth for the driveway to widen out. Staff believe that when one considers how cars have increased in size over the years, and the site topography that the proposal for 12’ driveways and 18’ for shared driveways can be supported. The approval criteria for the variance are discussed further below.

Staff conclude with the approval of the variance that findings can be made that the Supplemental Approval Criteria criterion will be met.

2) Residential Site Design Review

The applicability section of Site design review is provided at AMC 18.5.2.020.B and requires Site Design Review for both “*Three or more dwelling units on a lot*” as well as “*Construction of attached (common wall) single-family dwellings*” as is proposed here.

The first criterion of approval for Site Design Review is that “*The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*” PSO subdivisions are not required to meet the minimum lot size, lot width, lot depth, and setback standards of part 18.2, and other standards as specifically provided by AMC 18.3.9. By virtue of being a PSO development this approval criterion is effectively not applicable. Staff conclude that findings can be made that this approval criterion will be met.

The second criterion of approval for Site Design Review is that “*The proposal complies with applicable overlay zone requirements (part 18.3).*” The only applicable overlay zone is the North Mountain Neighborhood District at AMC 18.3.5 which governs all development in the NMNP area. Included in the NMNP standards are the Site Development and Design Standards at AMC

18.3.5.100. When printed these standards occupy 30 pages, so we do not address each item individually. That said the building elevations and renderings make clear that the architectural design requirements are clearly met as the proposed buildings features include covered porches, eaves, and building offsets. The Site plans have dimensions shown that the three single family common wall buildings each include the required setback and offset for the garages as illustrated in AMC 18.3.5.100.A.4.a. Staff conclude that findings can be made that this approval criterion will be met.

The third criterion of approval for Site Design Review is that *“The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided below.”* Because the development is regulated by the NMNP many of the regulations in 18.4 are not in effect. AMC 18.3.5.020 provides in part that “where the provisions of this chapter conflict with comparable standards described in any other ordinance, resolution or regulation, the provisions of the North Mountain Neighborhood district shall govern.” That said, the site plan clearly demonstrates that the driveway spacing meets or exceeds the 24’ requirement as well as details on recycling and refuse area. The application materials include a detailed landscaping plan showing that all portions of a lot not otherwise developed are to be landscaped. Staff conclude that findings can be made that this approval criterion will be met.

The fourth criterion of approval for Site Design Review is that *“The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.”* As discussed above the proposed street network and proposed City facilities have been sized specifically for the proposed density. The application includes detailed civil plans and staff are confident that findings can be made that this approval criterion has been met.

The last criterion of approval for Site Design Review is that *“The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsections below, are found to exist...”* There are no exceptions requested to the above standards and staff is confident that findings can be made that this criterion of approval has been met.

3) Tree removal

The application includes a request to remove what is described as a ‘multi stem’ cherry tree which is located in the proposed building envelope of the multi family housing. Staff have doubts about whether the proposed tree is regulated based on the photos and site visits. Based on the trees form it presents more like a shrub rather than a dominate trunk that then splits. The Tree Management Advisory Committee (MAC) reviewed the application also questioned if the proposed tree removal was in fact a regulated tree, while also unanimously recommending approval of the proposed removal. Based on the location the proposed removal meets the criteria of approval for removal as it is located within the building envelope.

4) Variance

As discussed above, the application includes a variance request to depart from the NMNP driveway standard of 9' wide for single lot and 12' for shared access. The Public Works standards provide both a minimum driveway width of 12' and a maximum of 18'. Staff would note that vehicle size has increased over the years and would further note that a shared drive of 12', which can then widen to a wider drive on the lot, only works when there is sufficient depth. Based on the topography and proposed lot layout the proposed 18' shared drive is essentially meeting the standard of 9' for each home.

The variance is necessary because the public works standards do not allow a driveway as narrow as the code dictates. The 18' is the minimum necessary when one considers that each lot would be allowed a 9' driveway however the spacing won't allow for it. The benefit of the 18' shared drive reduces the curb cuts and allows for a majority of the block to be landscaped park row. Staff believe that the proposal provides an engaging streetscape while reducing curb cuts and support the variance to the NMNP standard.

5) Public Input

Notice was posted at the property frontage and mailed to all properties within 200' on November 19, 2024. On Friday 11/29 two public comment emails were received raising concerns about the proposed subdivision. Both emails raise concerns regarding the sufficiency of vehicle access to the apartment building in area 7, as well as concerns about the size of the parking areas. The second email also raised concerns regarding the appropriateness of the multifamily housing as it relates to the surrounding development.

Staff would first note that the alley in question was created as a 16' wide alley when the Plum Ridge Subdivision was created (see: CS 16571, PA2000-007), and the present proposal includes an additional dedication of 4 additional feet to meet the NMNP standards for alley width of 20'. Staff would highlight that AMC 18.3.5.040.D provides that *"If an alley serves the site, access and egress for motor vehicles shall be to and from the alley. In such cases, curb openings along the street frontage are prohibited."* Staff would further note that AMC 18.3.5.100.C.3 which provides details on Street Types and Design standards in the NMNP states the following: *"One of the most important features making up the neighborhood is the alley. Alleys allow parking to be located at the property's rear and diminish the negative impact of garages proliferating along street frontages, reduces pedestrian and vehicle conflicts at curb-cuts, and reduces impervious hard surface. In addition, homes, instead of garages, fill the street frontages, providing maximum opportunity for social interaction..."* Finally, Staff would note that the proposal only includes a total of six driveway curb cuts on street frontages for the entire proposal for all 38 dwelling units providing uninterrupted landscaped park row creating an engaging streetscape consistent with the rest of the NMNP area.

With regard to the concern of street frontage for each lot. The email states that lots 43 and 44 lack street frontage, however it is clear that each of these lots have frontage on Patton Lane and Stoneridge Ave respectively. Next it is also clear that lot 38 does not have street frontage but is served by a multifamily parking area which will be required to have reciprocal access easements. It has long been common practice in performance subdivisions to allow the creation of lots not

meeting the minimum frontage standard provided that access can be provided over easements. In the alternative the lot could be reconfigured to have a flagpole touching the street frontage.

Lastly, with regard to neighborhood compatibility staff first note that the proposed application is zoned multi-family and is required to meet a certain density as has been reviewed and approved in the previous phases of this subdivision. It is true that the size of the units in multi-family buildings is not consistent with the surrounding neighborhood, but again staff would point out that the zoning to the east is single family, while the subject property is multi-family. Staff believe that the intent of the neighborhood compatibility is met as it relates to the architectural features of the proposed buildings.

III. Procedural – Approval Criteria

1) Outline Plan

AMC 18.3.9.040.A.3 provides the approval criteria and standards for Outline Plan approval:

A.3 Approval criteria for Outline Plan. The planning commission shall approve the Outline Plan when it finds all of the following criteria have been met:

- A. the development meets all applicable ordinance requirements of the city.
- B. adequate key city facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a city facility to operate beyond capacity.
- C. the existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.
- D. the development of the land will not prevent adjacent land from being developed for the uses shown in the comprehensive plan.
- E. there are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- F. the proposed density meets the base and bonus density standards established under this chapter.
- G. the development complies with the street standards.
- H. the proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the city of Ashland.

2) Supplemental Approval Criteria

AMC 18.3.5.030.C provides the approval criteria and standards for development in the NMNP.

C. Supplemental Approval Criteria. In addition to the criteria for approval required by other sections of this ordinance, applications within the NM district shall also meet all of the following criteria.

1. The application demonstrates conformity to the general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation.
2. The application complies with the specific design requirements as provided in the North Mountain Neighborhood Design Standards.

3) Site Design Review

AMC 18.5.2.050 provides the approval criteria and standards for Site Design Review:

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part 18.3).

C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.

D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.

E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1, 2, or 3, below, are found to exist.

1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design 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 Development and Design; and the exception requested is the minimum which would alleviate the difficulty;
2. 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 Development and Design Standards; or

3. There is no demonstrable difficulty in meeting the specific requirements for a cottage housing development, but granting the exception will result in a design that equally or better achieves the stated purpose of section 18.2.3.090.

4) Tree Removal

AMC 18.5.7.040 provides the approval criteria and standards for tree removal.

2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.

- a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.
- b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
- c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
- d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
- e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

5) Variance

AMC 18.5.5.050 provides the approval criteria and standards for a variance.

A. The approval authority through a Type I or Type II procedure, as applicable, may approve a variance upon finding that it meets all of the following criteria.

1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.
2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.

3. The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.

4. The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.

B. In granting a variance, the approval authority may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.

IV. Conclusion and Recommendations

Staff recommend that the Planning Commission approve Outline Plan for the PSO subdivision including the requested variance to driveway width and the requested tree removal. Staff also recommend that The Planning Commission approve Site Design Review for the four proposed buildings in areas six and seven, and the three common wall single family homes.

If the Planning Commission approves the application, staff recommends including the following conditions of approval below:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise specifically modified herein.
- 2) That all new addresses shall be assigned by City of Ashland Planning Department.
- 3) That permits shall be obtained from the Ashland Public Works Department prior to any work in the public right of way, including but not limited to permits for driveway approaches, street improvements, utilities or any necessary encroachments.
- 4) That the properties within the project sign in favor and agree to participate in a local improvement district (LID) for future construction of the Nevada Street bridge across Bear Creek. The agreement shall be prepared by the City of Ashland and signed by the property owner prior to signature of the final survey plat. Nothing in this condition is intended to prohibit an owner/developer, their successors or assigns from exercising their rights to freedom of speech and expression by orally objecting or participating in the LID hearing or to take advantage of any protection afforded any party by City ordinances and resolutions.
- 5) That a final Fire Prevention and Control Plan addressing the General Fuel Modification Area requirements in AMC 18.3.10.100.A.2 of the Ashland Land Use Ordinance shall be provided prior to bringing combustible materials onto the property, and any new landscaping proposed shall comply with these standards and shall not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.
- 6) That the Final Plan application shall include:
 - a. Final electric service, utility and civil plans including but not limited to the water, sewer, storm drainage, electric, street and driveway improvements shall be submitted for the review and approval of the Planning, Building, Electric, and Public Works/Engineering Departments with the Final Plan submittal. The street

system plan shall include full street designs with cross-sections consistent with the City's Street Design Standards for the proposed residential neighborhood streets and alleys, as approved. Street lights shall be included in keeping with city street light standards. The utility plan shall include the location of connections to all public facilities including the locations of water lines and meter sizes; fire hydrant; sanitary sewer lines, manholes and clean-out's; storm drain lines and catch basins; and locations of all primary and secondary electric services including line locations, transformers (to scale), cabinets, meters and all other necessary equipment. Transformers, cabinets and vaults shall be located in areas least visible from streets, while considering the access needs of the utility departments. Any required private or public utility easements shall be delineated on the civil plans. All civil infrastructure shall be installed by the applicants, inspected and approved prior to the signature of the final survey plat.

- b. That the applicant shall submit a final electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets, street lights and all other necessary equipment. This plan must be reviewed and approved by the Electric Department prior to the signature of the final survey plat. Transformers and cabinets shall be located in areas least visible from streets and outside of the sidewalk corridor and vision clearance areas, while considering the access needs of the Electric Department. Electric services shall be installed underground to serve all lots within the applicable phase prior to signature of the final survey plat. At the discretion of the Staff Advisor, a bond may be posted for the full amount of underground service installation (with necessary permits and connection fees paid) as an alternative to installation of service prior to signature of the final survey plat. In either case, the electric service plan shall be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to installation of facilities.
- c. A final storm drainage plan detailing the location and final engineering for all storm drainage improvements associated with the project shall be submitted for review and approval by the Departments of Public Works, Planning and Building Divisions. The storm drainage plan shall demonstrate that post-development peak flows are less than or equal to the pre-development peak flow for the site as a whole, and that storm water quality mitigation has been addressed through the final design.
- d. A final grading and erosion control plan.
- e. That the parking lot tree canopy plan shall be prepared by a licensed landscape architect or International Society of Arboriculture (ISA) certified arborist, and include certification that the plan is consistent with ANSI A300 standards.
- f. Calculations demonstrating that the proposed new lots have been designed to permit the location of a 21-foot high structure with a solar setback that does not exceed 50 percent of the lot's north-south dimension based on Solar Standard A, or identification of a solar envelope for each lot which provides comparable solar access protections, as required in AMC 18.4.8.040

- g. That the requirements of the Ashland Fire Department relating to approved addressing; fire apparatus access, fire apparatus access approach, aerial ladder access, firefighter access pathways, and fire apparatus turn-around; fire hydrant distance, spacing and clearance; fire department work area; fire sprinklers; limitations on gates, fences or other access obstructions; and addressing standards for wildfire hazard areas including vegetation standards and limits on work during fire season shall be satisfactorily addressed in the Final Plan submittals. Fire Department requirements shall be included in the civil drawings.
 - h. That draft CC&Rs for the Homeowner's Association shall be provided for review and approval of the Staff Advisor with the Final Plan submittal. The CC&R's shall describe responsibility for the maintenance of all common use-improvements including driveway, open space, landscaping, utilities, and stormwater detention and drainage system, and shall include an operations and maintenance plan for the stormwater detention and drainage system.
 - i. A fencing plan which demonstrates that all fencing shall be consistent with the provisions of the "Fences and Walls" requirements in AMC 18.4.4.060, and that fencing around common open space, except for deer fencing, shall not exceed four feet in height. Fencing limitations shall be noted in the subdivision CC&R's. The location and height of fencing shall be identified at the time of building permit submittals, and fence permits shall be obtained prior to installation.
- 7) That a final survey plat shall be submitted within 18 months of Final Plan approval. Prior to submittal of the final subdivision survey plat for signature:
- a. All easements including but not limited to public and private utilities, public pedestrian and public bicycle access, drainage, irrigation and fire apparatus access shall be indicated on the final subdivision plat submittal for review by the Planning, Engineering, Building and Fire Departments.
 - b. The final survey plat shall include the dedication of right-of-way necessary to accommodate the proposed street system.
 - c. Subdivision infrastructure improvements including but not limited to utilities, driveways, streets and common area improvements shall be completed according to approved plans, inspected and approved.
 - d. Irrigated street trees selected from the Recommended Street Tree Guide and planted according to city planting and spaces standards shall be planted along all street frontages pursuant to the proposed landscape plan, inspected and approved by the Staff Advisor.
 - e. Electric services shall be installed underground to serve all lots, inspected and approved. The final electric service plan shall be reviewed and approved by the Ashland Electric, Building, Planning and Engineering Divisions prior to installation.
 - f. That the sanitary sewer laterals and water services including connection with meters at the street shall be installed to serve all lots within the applicable phase, inspected and approved.

Michael Sullivan

From: Michael Sullivan
Sent: Tuesday, December 10, 2024 10:28 AM
To: Michael Sullivan
Subject: Kestrel Park P3 - Area 7 Withdrawal

From: Mark Knox <knox@mind.net>
Sent: Tuesday, December 10, 2024 10:16 AM
To: Aaron Anderson <aaron.anderson@ashland.or.us>
Cc: 'Kyle Taylor' <kyle@tayloredlements.com>
Subject: Kestrel Park P3 - Area 7 Withdrawal

[EXTERNAL SENDER]

Aaron,

Based on comments received from the neighboring property owners of the proposed Kestrel Park, Phase III application, the applicants have decided to withdraw Area 7 from the application, including all associated entitlement requests such as the proposed property lines, tree removal and site review proposal. The applicants are still desiring to move forward with the remaining areas, Area 4, 5 and 6, but will eventually re-apply for entitlements for Area 7 in the future.

The general reasoning of the withdrawal is not based upon any criteria or standard based conflict, but simply the applicant's desire to re-evaluate the site plan with the goal of improving the layout and design.

Thank you.

Mark Knox, Project Planner



Virus-free. www.avast.com

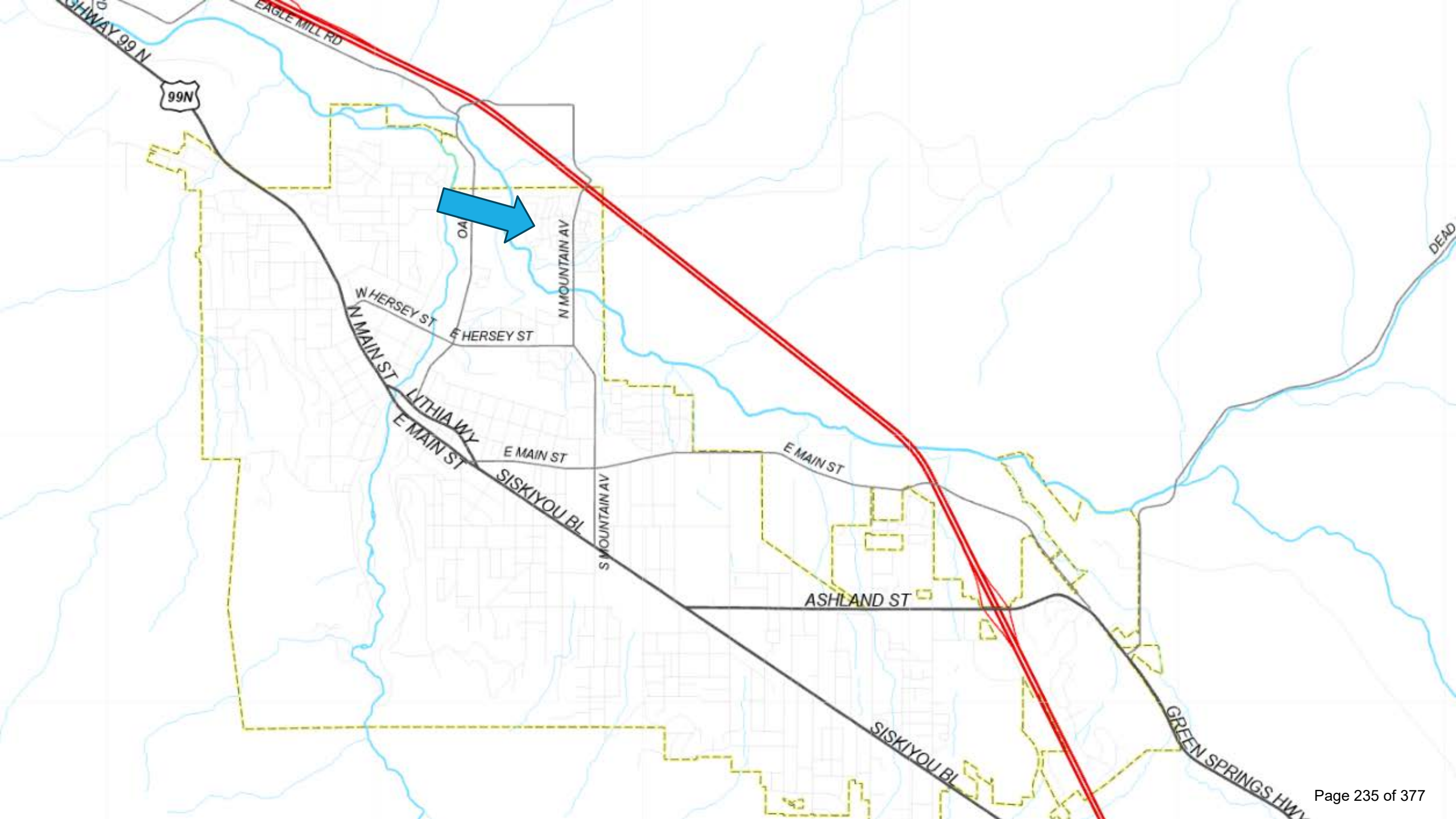


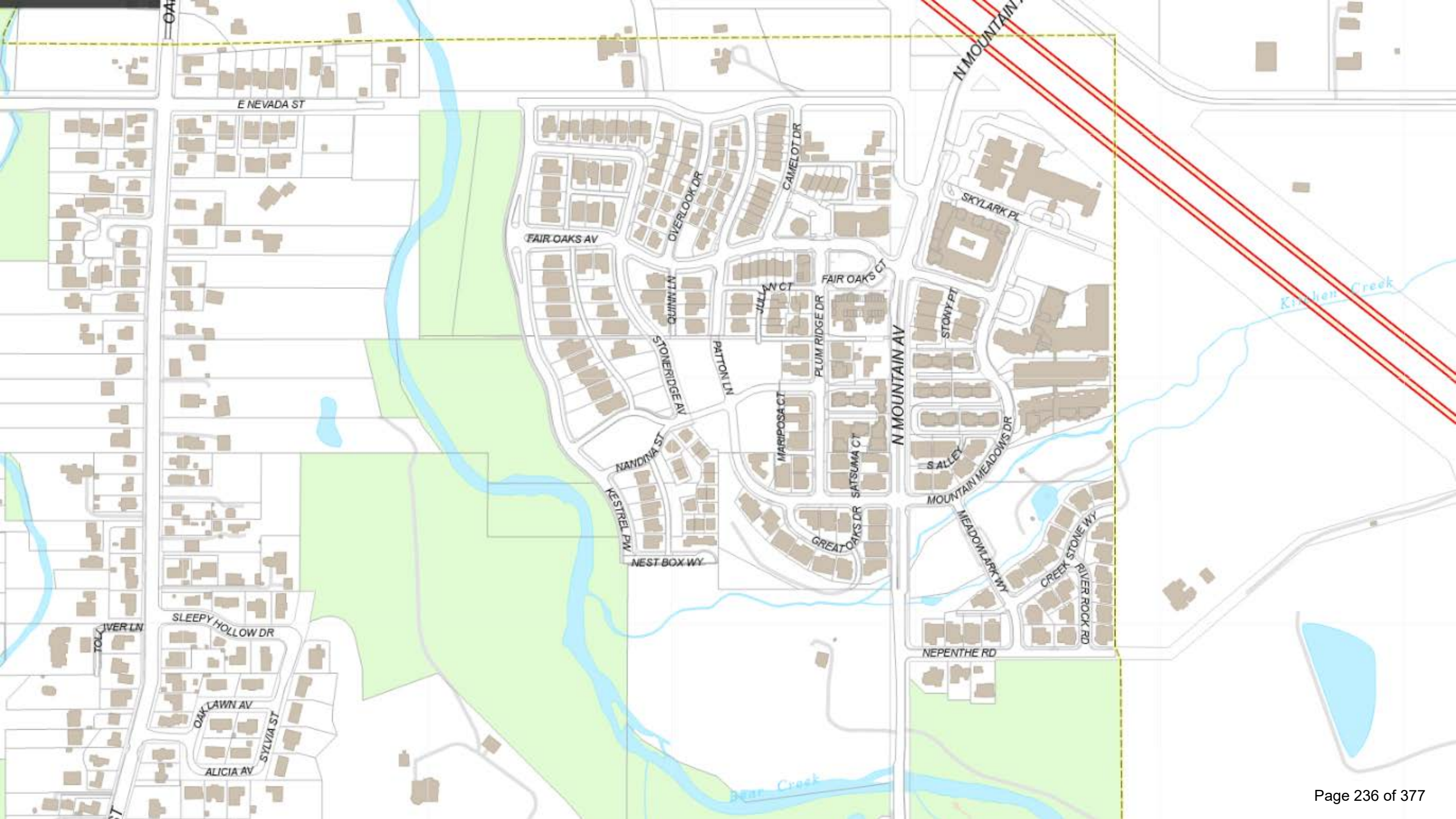


Kestrel Park Phase 3

PLANNING
COMMISSION

DEC 10, 2024



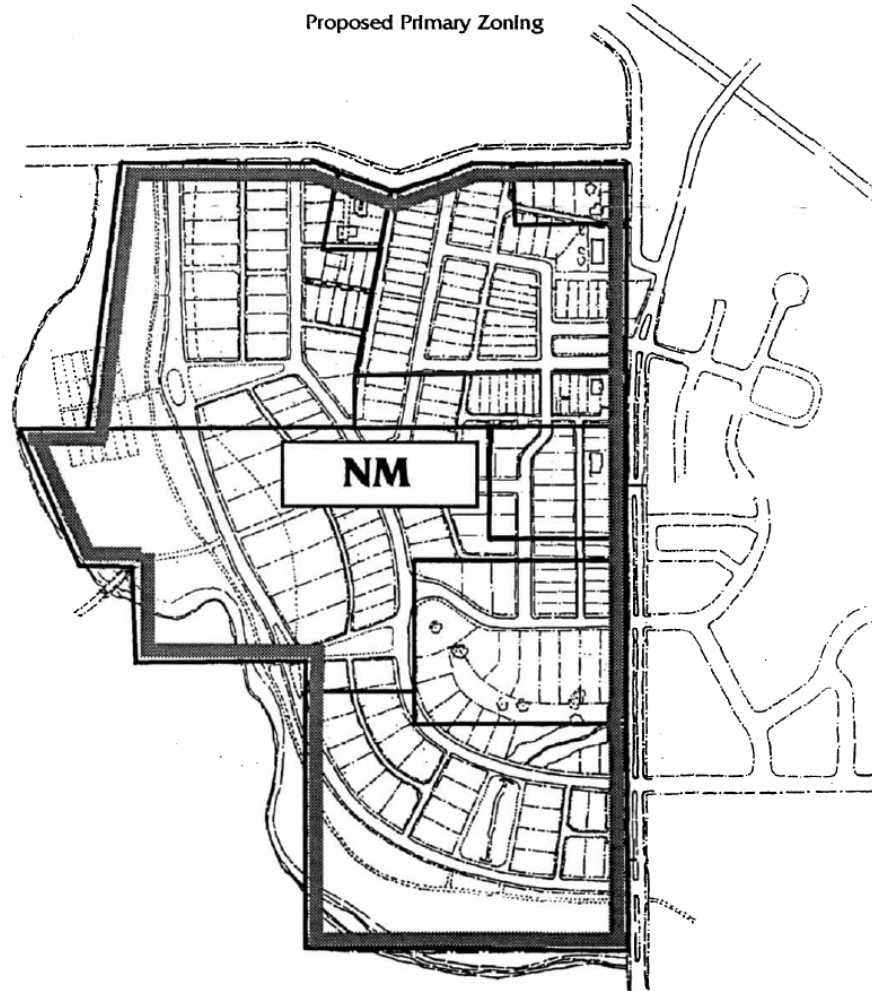


North Mountain Neighborhood Plan (NMMNP)

AMC 18.3.5

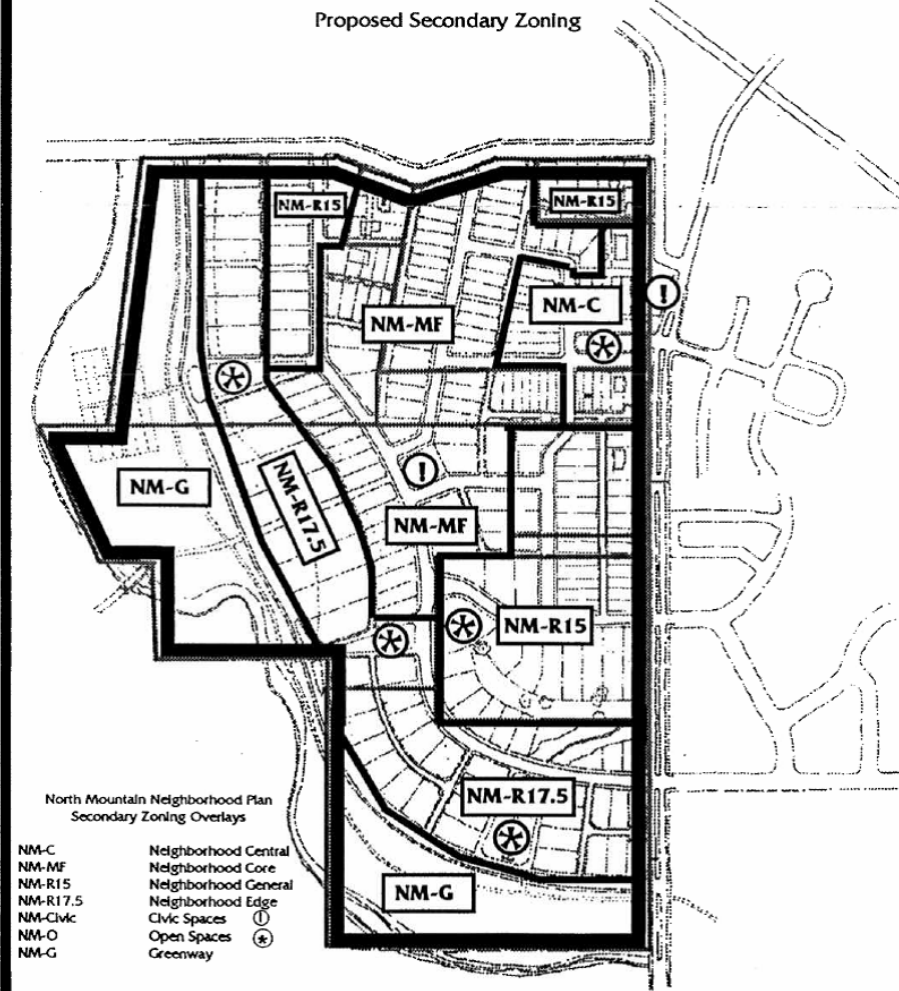
North Mountain Neighborhood Plan

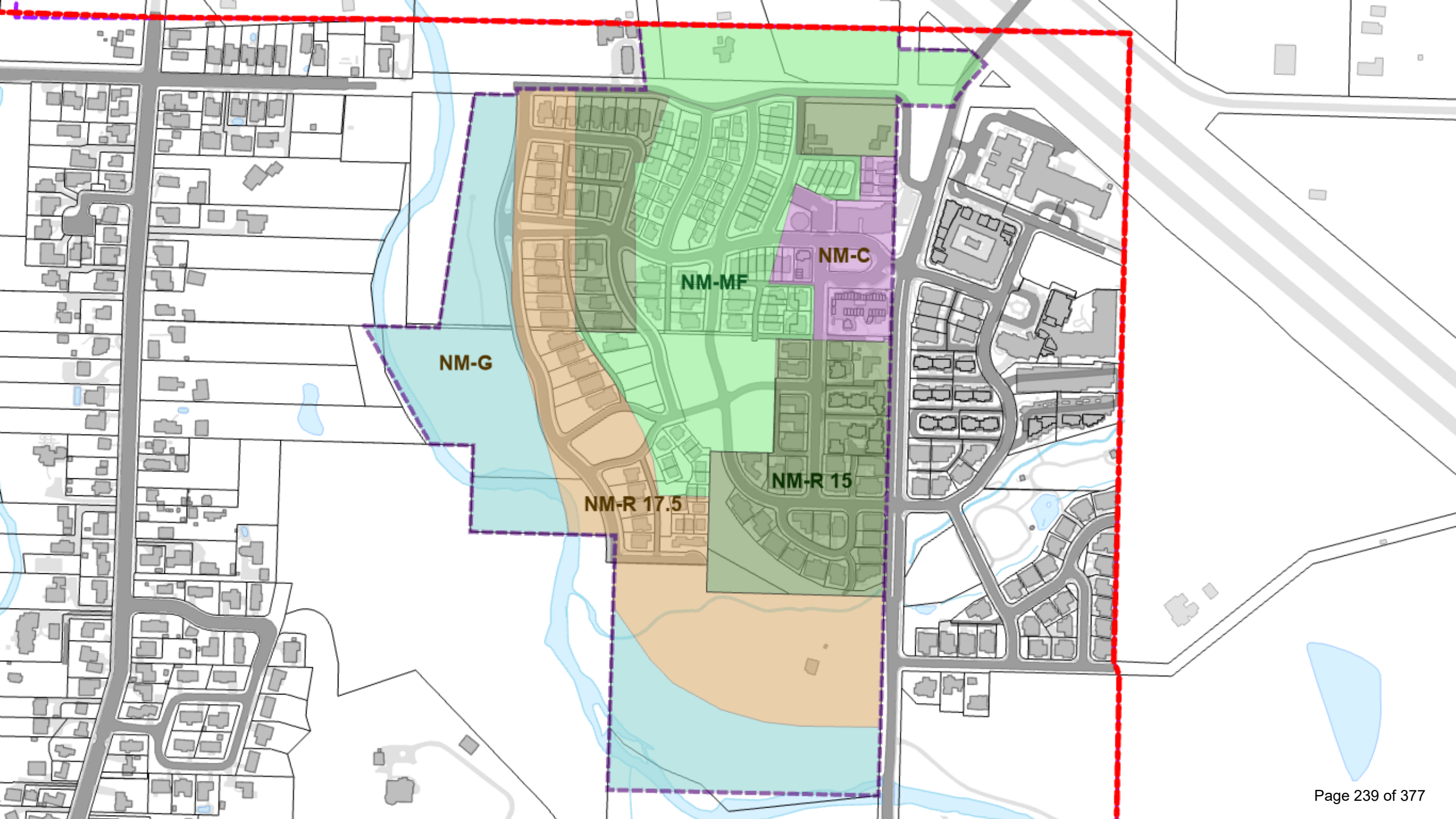
Proposed Primary Zoning



North Mountain Neighborhood Plan

Proposed Secondary Zoning





Introduction - Kestrel Phase 3

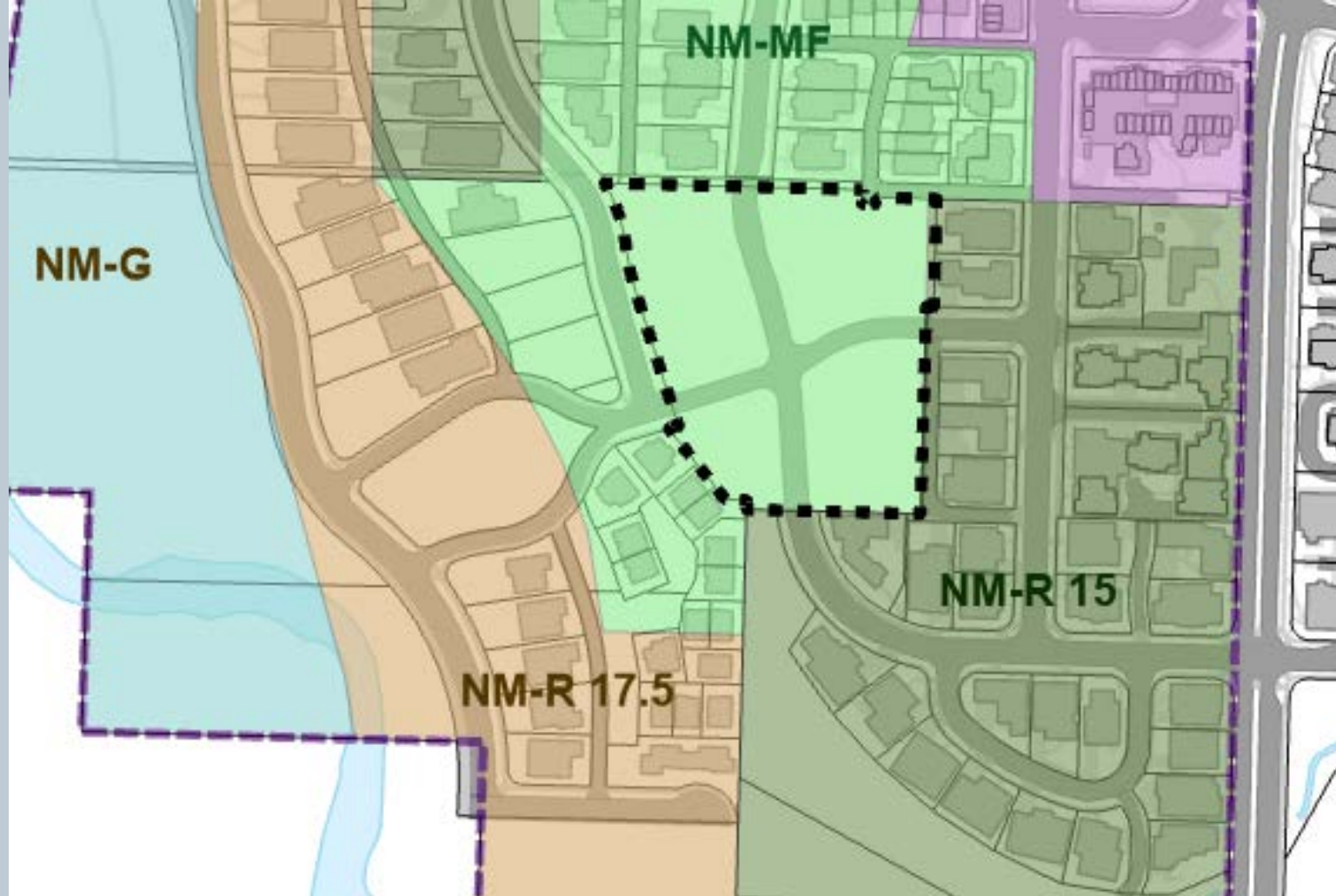
A request for Outline Plan approval for a ~~15~~ (13) -lot Performance Standards Option (PSO) subdivision.

The application includes a request for Site Design Review for ~~28~~ (16) units of multi family housing, and three shared wall single family homes.

The application also includes a variance to driveway width for both single family, and shared driveways.

- The applicant informed staff on 12/9 that they were withdrawing area 7 from the present application and instead plan to reserve it for a future phase.





Zoning and vicinity map

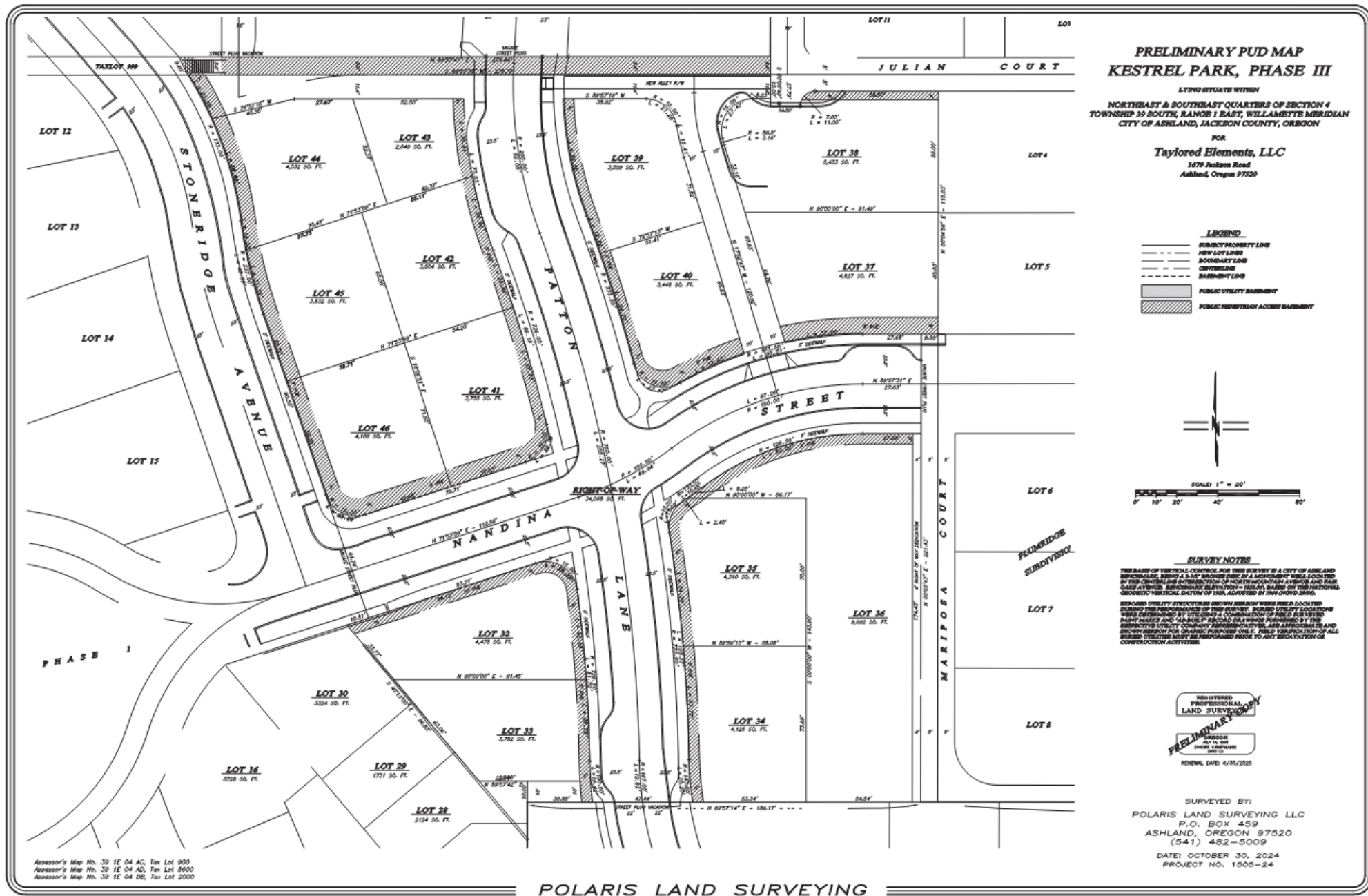




Tue Jun 21 2022
Imagery © 2024 Nearmap, HERE

50 ft

Nearmap



Background

PREVIOUS PHASES



FLAG	Δ	R	A	T	CHORD
1	28°47'47"	85.00'	42.72'	21.82'	S 31°38'45" W - 42.27'
2	11°45'06"	115.00'	23.59'	11.84'	N 23°07'24" E - 23.55'
3	16°28'05"	115.00'	33.05'	16.64'	N 37°14'00" E - 32.94'
4	20°56'14"	358.00'	130.82'	66.15'	N 10°32'00" W - 130.10'
5	07°02'17"	100.00'	12.28'	6.15'	S 24°31'16" E - 12.28'
6	04°41'12"	99.99'	8.18'	4.09'	S 25°41'48" E - 8.18'
7	09°12'08"	112.67'	18.10'	9.07'	S 07°10'12" E - 18.08'
8	22°31'25"	28.80'	11.32'	5.74'	S 11°15'42" W - 11.25'
9	07°04'05"	28.80'	3.55'	1.78'	S 26°03'27" W - 3.55'
10	29°34'42"	33.20'	17.14'	8.76'	S 14°48'09" W - 16.95'
11	00°01'55"	7.00'	11.00'	7.00'	S 44°58'36" W - 9.90'
12	28°13'11"	115.00'	56.64'	28.91'	N 31°21'27" E - 56.07'
13	11°30'03"	227.00'	45.57'	22.86'	N 13°24'24" W - 45.49'
14	24°30'03"	175.00'	73.98'	37.56'	N 19°54'24" W - 73.42'

FLAG	BEARING	DISTANCE
1	S 40°13'00" E	3.04'
2	S 00°00'48" W	5.27'
3	S 29°35'30" W	13.92'
4	S 00°00'00" W	7.94'
5	S 10°10'35" W	11.58'
6	N 21°29'19" W	9.91'
7	N 28°02'24" W	5.40'
8	N 23°10'43" W	4.88'
9	S 00°00'49" W	15.00'
10	N 89°57'38" E	14.00'
11	S 89°57'31" W	8.01'
12	S 00°03'53" E	10.00'
13	S 89°56'07" W	33.00'
14	N 00°03'53" W	34.71'
15	N 71°53'09" E	10.81'

RECEIVED
Date 12/29/20 By *PO*
This survey consists of
3 sheet(s) Map
page(s) Narrative
JACKSON COUNTY
SURVEYOR

Assessor's Map No. 39 1E 04 DB, Tax Lot 2000
Assessor's Map No. 39 1E 04 AC, Tax Lots 900 & 999
Assessor's Map No. 39 1E 04 AD, Tax Lots 8600 & 4700



KESTREL PARK, PHASE II A PLANNED UNIT DEVELOPMENT

LYING SITUATE WITHIN

NORTHEAST & SOUTHEAST QUARTERS OF SECTION 4
TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN
CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR

KDA Homes, LLC

604 Fair Oaks Drive
Ashland, Oregon

LEGEND

- 5/8" IRON PIN w/ ORANGE PLASTIC CAP STAMPED "KAMPMANN PLS 2883" PER SURVEY NO. 23143 (RECOVERED)
- 5/8" IRON PIN w/ YELLOW PLASTIC CAP STAMPED "L.J. FRIAR & ASSOC." PER S/N 16412, 16771 & 17697 (RECOVERED)
- 1" BERTSEN BRASS DISC DRILLED FLUSH IN CONCRETE STAMPED "POLARIS PLS 2883" (RECOVERED)
- 5/8" x 30" IRON PIN w/ ORANGE PLASTIC CAP STAMPED "KAMPMANN PLS 2883" (ESTABLISHED)
- ◇ POST-CONSTRUCTION MONUMENT BY AFFIDAVIT (DEFERRED) *
- SUBJECT PROPERTY LINE
- NEW LOT LINE
- BOUNDARY LINE
- CENTERLINE
- PREVIOUS DEED LINE
- EASEMENT LINE
- S/N SURVEY FILE NUMBER, JACKSON COUNTY SURVEYOR
- O.R. OFFICIAL RECORDS, JACKSON COUNTY CLERK
- P.U.E. PUBLIC UTILITY EASEMENT
- PUBLIC UTILITY EASEMENT (P.U.E.) PER KESTREL PARK, PHASE I

* See Survey
23851

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE CENTERLINE OF NORTH MOUNTAIN AVENUE, HAVING A RECORD PLAT BEARING OF NORTH 00°03'33" EAST, AS REFERENCED ON SURVEY NO. 23143, ON FILE IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR.

I HEREBY CERTIFY THAT THIS PLAT IS AN EXACT COPY OF THE ORIGINAL.

Shawn Kampmann
SURVEYOR

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Shawn Kampmann
OREGON
JULY 18, 1988
SHAWN KAMPMANN
2883 LS

RENEWAL DATE: 6/30/2021

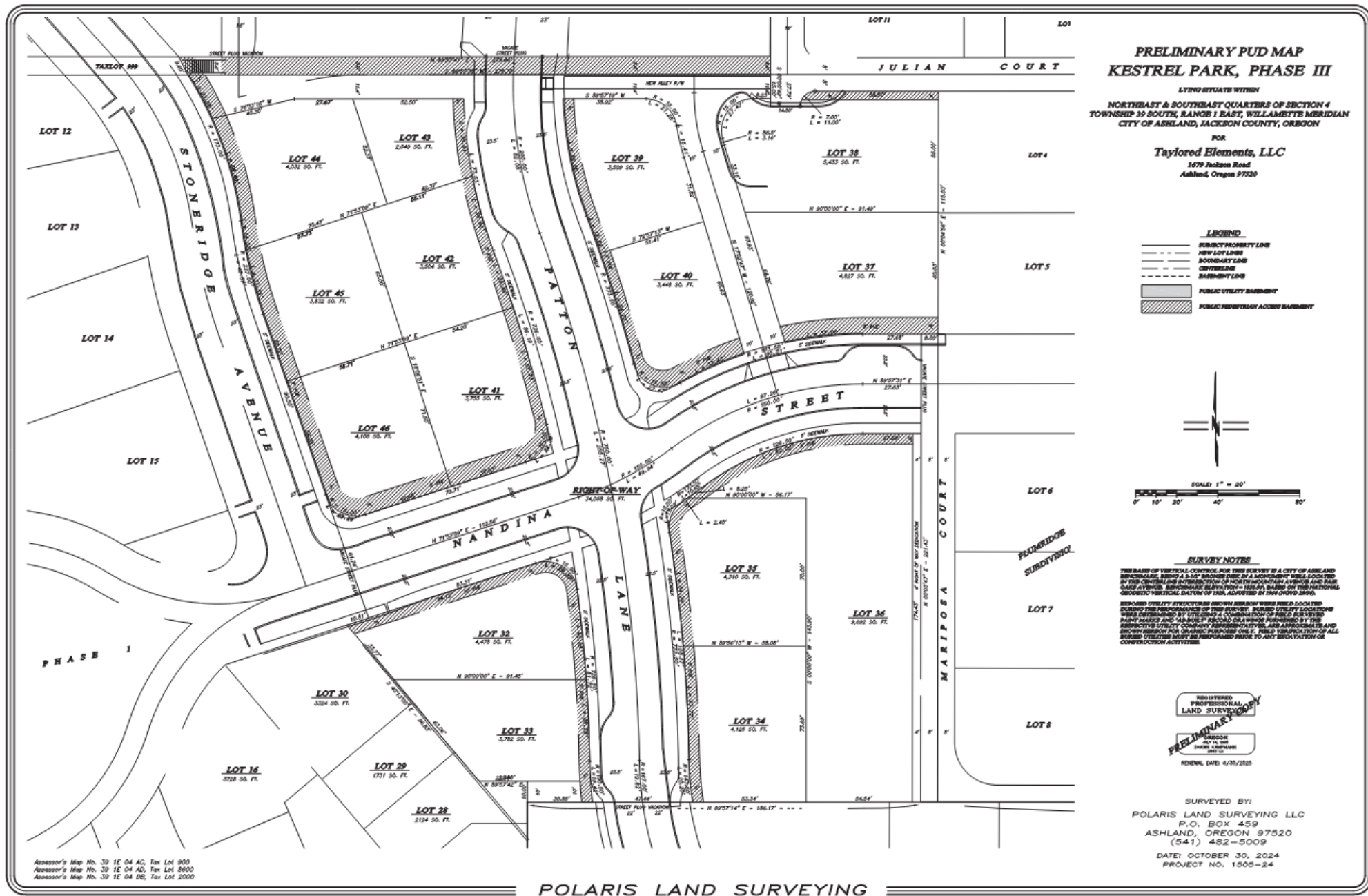
SURVEYED BY:
POLARIS LAND SURVEYING LLC
P.O. BOX 459
ASHLAND, OREGON 97520
(541) 482-5009

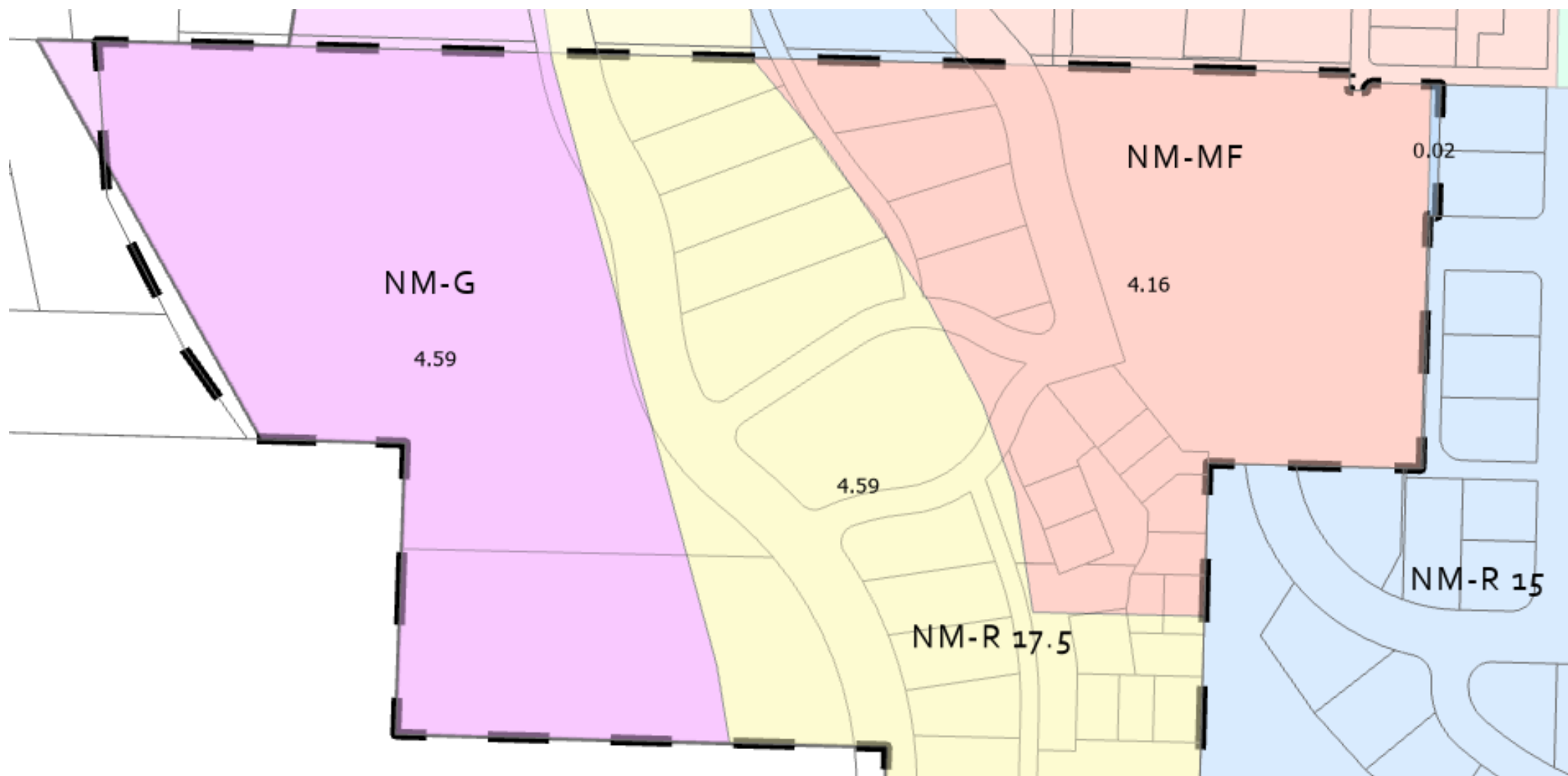
DATE: OCTOBER 20, 2020
PROJECT NO. 840-13

FILE: SURVEYS\840-13\KESTREL PARK PHS I.DWG SHEET 2 OF 3

Present Proposal: PSO Subdivision, and Residential Site Design Review

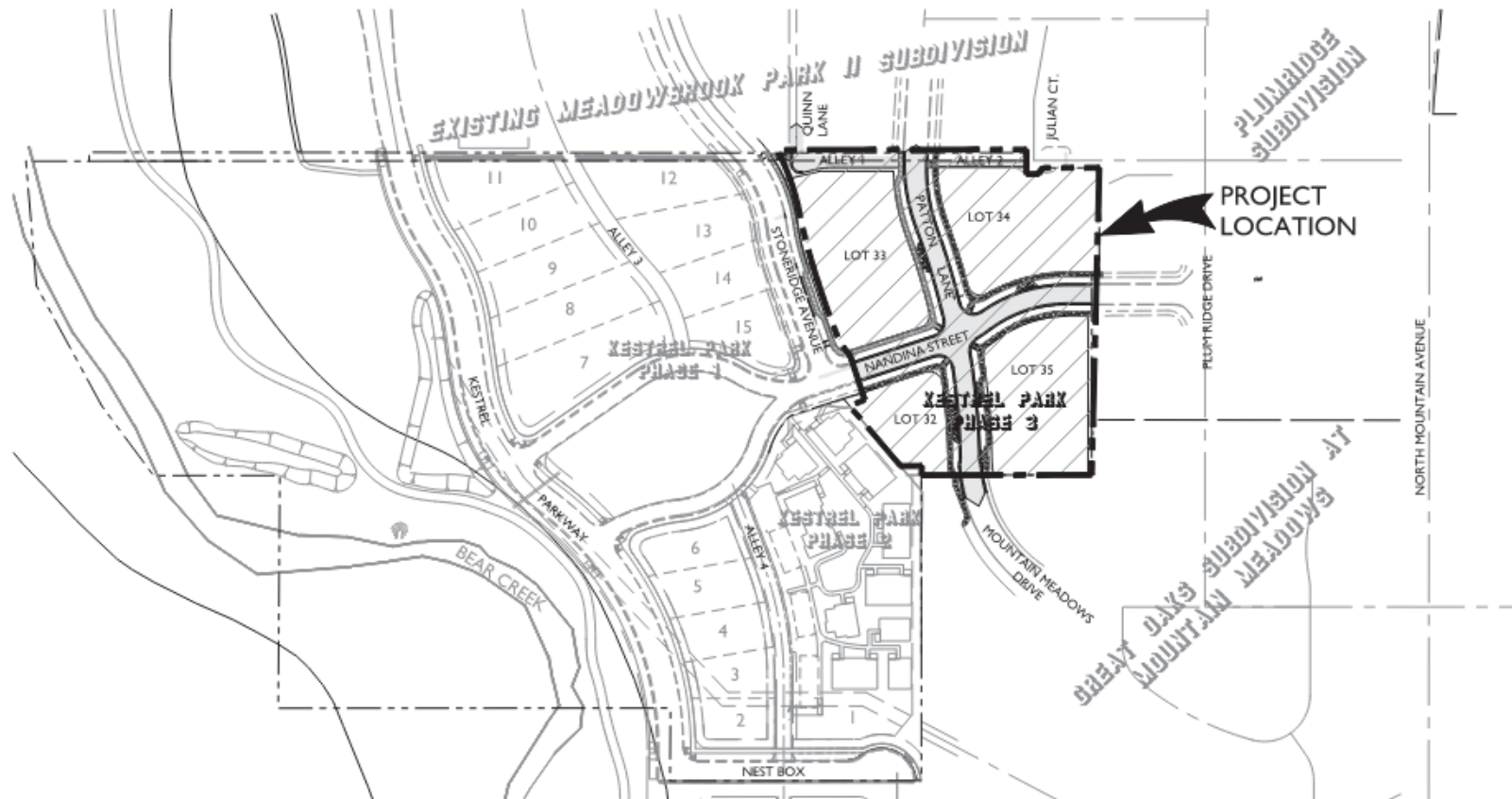
PA-T2-2024-00054

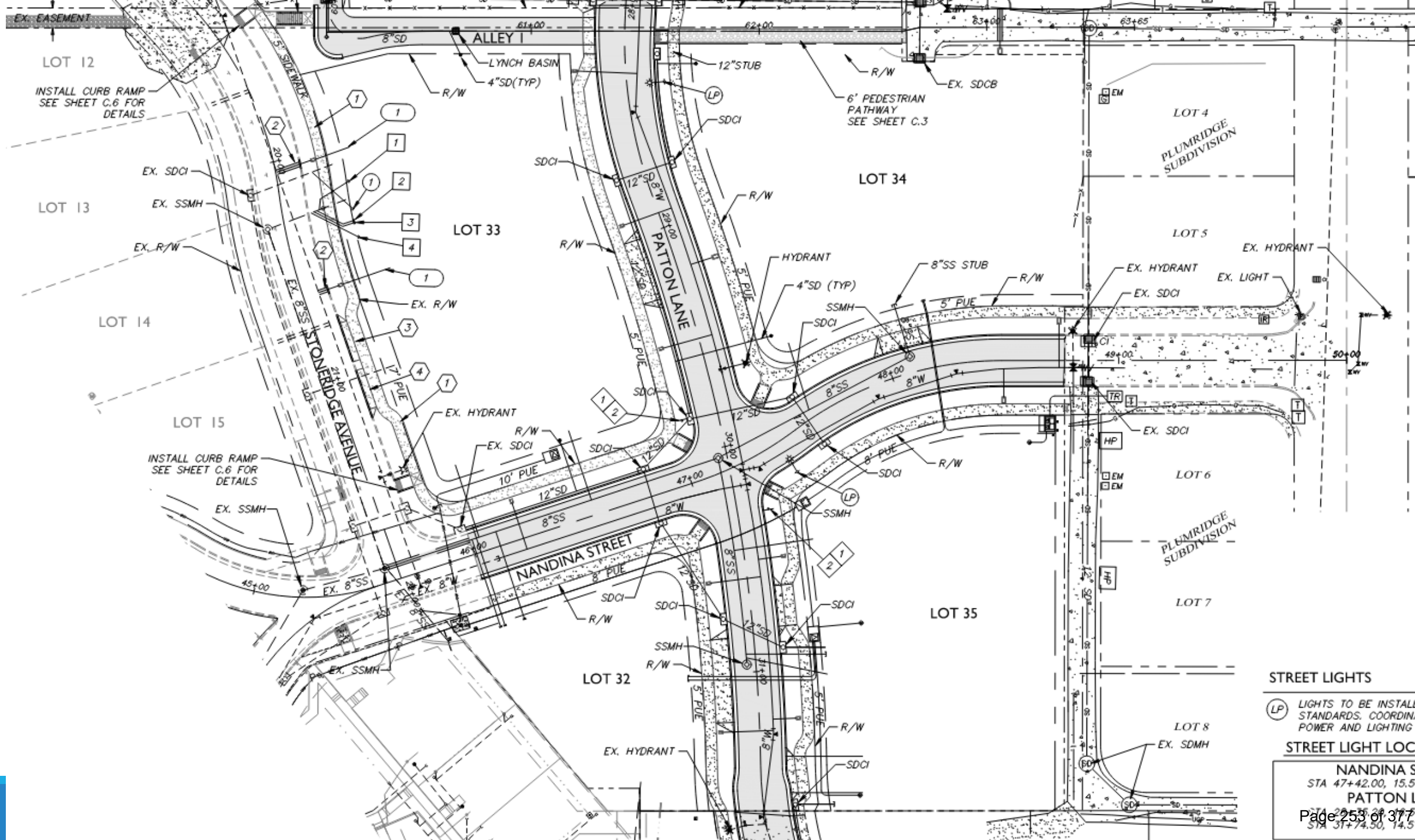




CIVIL IMPROVEMENT PLANS
FOR
**KESTREL PARK SUBDIVISION
PHASE 3**

LOCATED IN
SECTION 4, T. 39 S., R. 1 E., W.M.
TAX LOTS 900, 2000, 8600
CITY OF ASHLAND
JACKSON COUNTY, OREGON



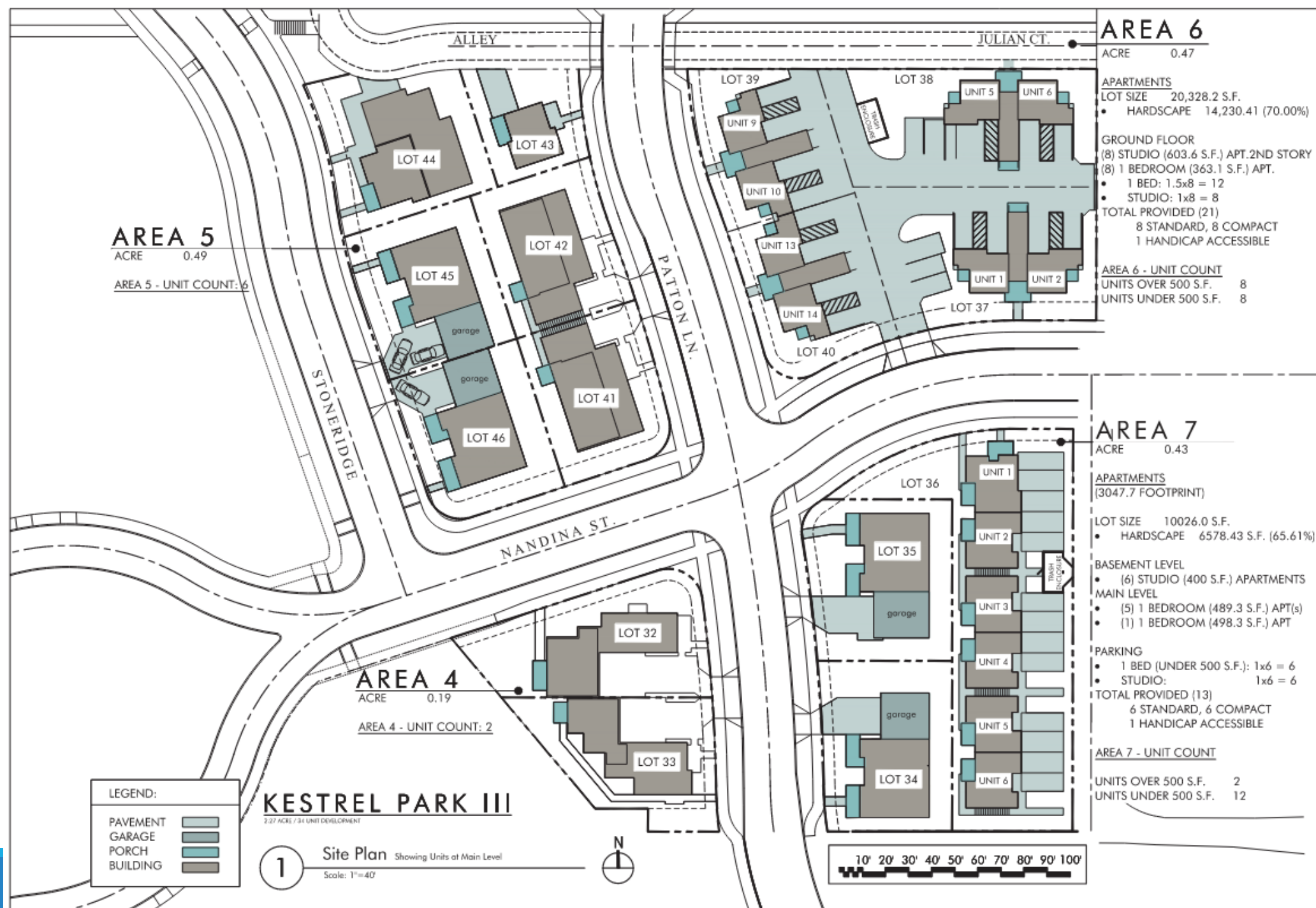


STREET LIGHTS

(LP) LIGHTS TO BE INSTALL
STANDARDS. COORDINA
POWER AND LIGHTING

STREET LIGHT LOC.

NANDINA S
STA 47+42.00, 15.5'
PATTON L
STA 20+35.28, 14.5'
STA 31+74.50, 14.5'





LOT 33 - PATTON LANE VIEW



LOT 32 - PATTON LANE VIEW



LOT 32 - REAR VIEW

NOTE: Lower level is daylight basement,
i.e., 50% subterranean.

LOT 43 - STONERIDGE AVENUE VIEW



LOT 44 - STONERIDGE AVENUE VIEW

NOTE: Lower level is daylight basement,
i.e., 50% subterranean.

REAR VIEW



LOT 41 - PATTON LANE VIEW



LOT 42 - PATTON LANE VIEW

NOTE: Lower level is daylight basement,
i.e., 50% subterranean.

LOT 41 - REAR VIEW



LOT 42 - REAR VIEW



NANDINA STREET VIEW



NANDINA STREET VIEW

ALLEY & PATTON LANE VIEW





Tree Removal (in area 7)

Tree. Any woody plant having a trunk six caliper inches or larger in diameter at breast height (DBH). If a tree splits into multiple trunks above ground, but below 4 ½ feet, the trunk is measured at its most narrow point beneath the split, and is considered one tree if greater than six inches DBH.

Plants commonly planted as shrubs, including but not limited to English laurel, Leyland cypress, Photinia, Arborvitae, poison oak, English holly, and English ivy are not considered a tree. Trees specifically planted and maintained as a hedge are also not be considered a tree.

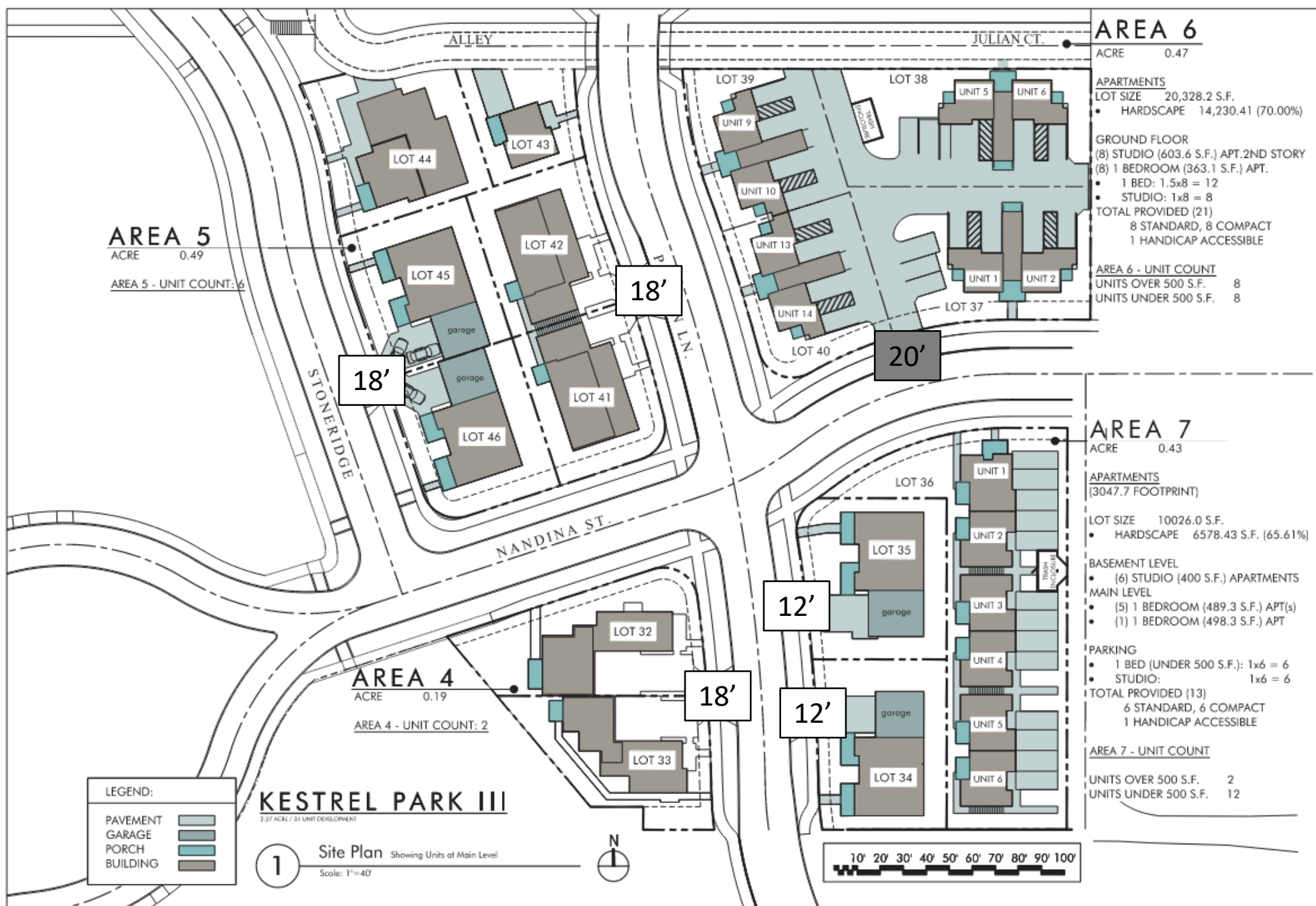


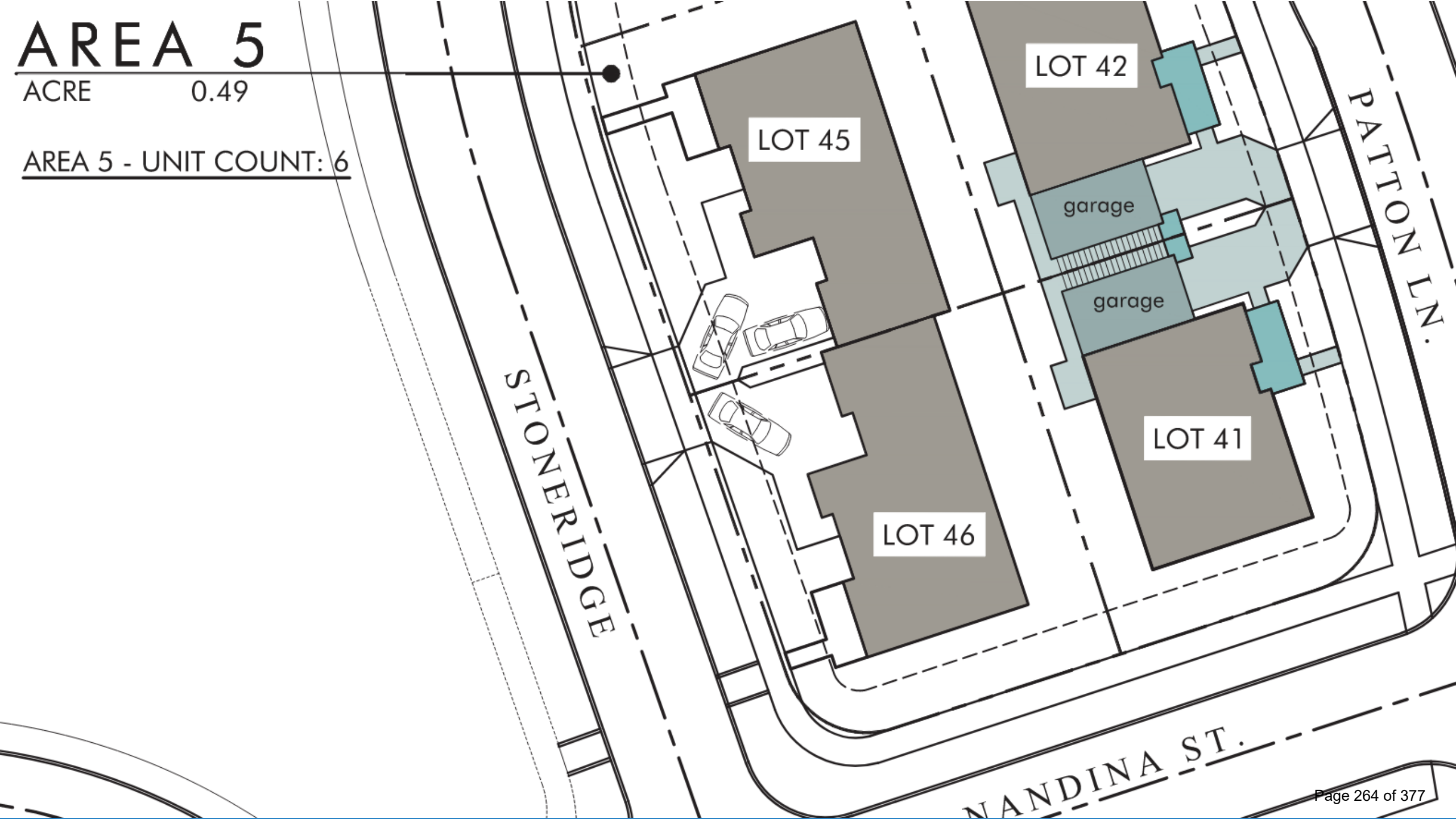
Variance

DRIVEWAY WIDTH

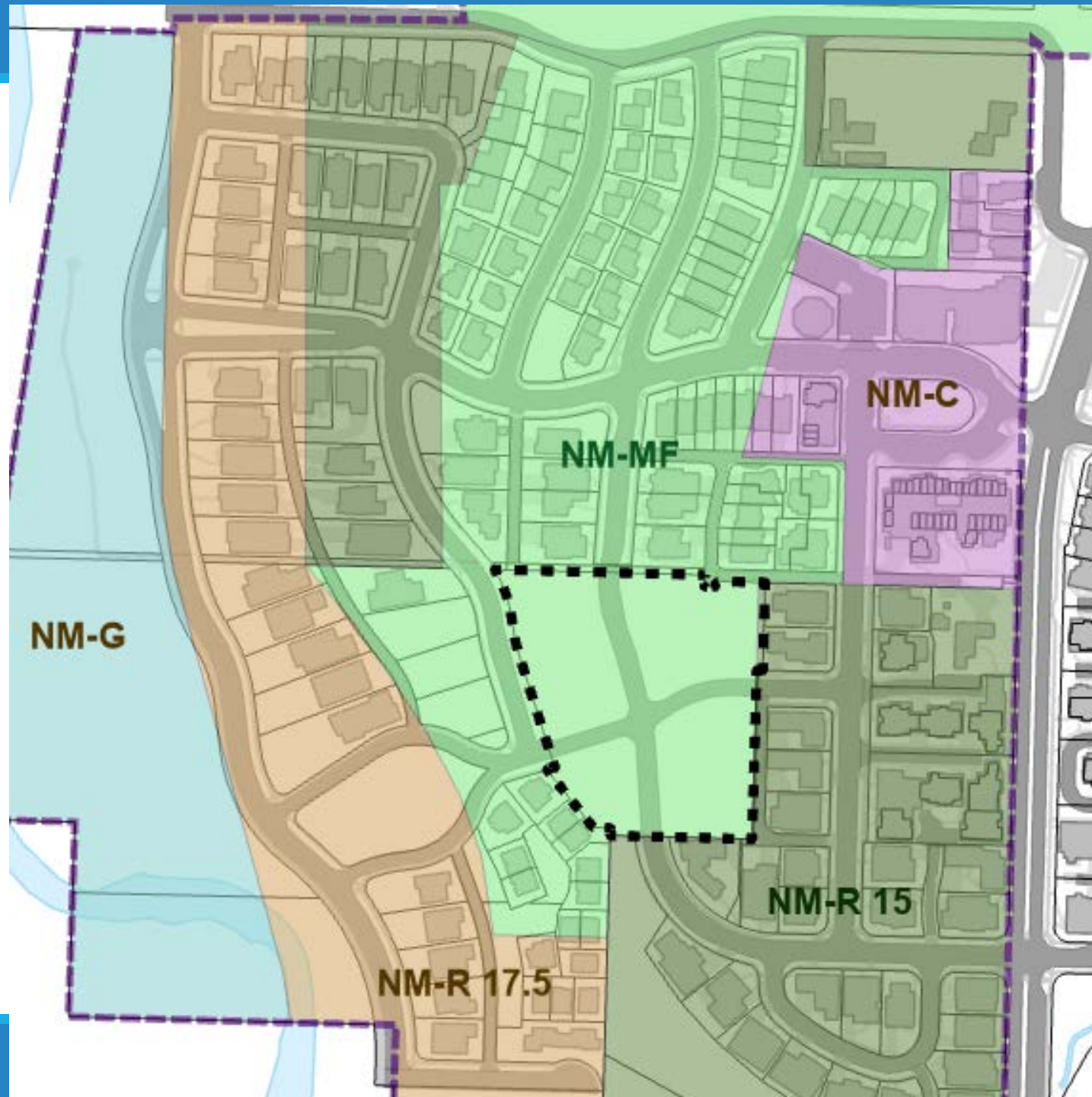
Public Works standard

NMNP standard: 9' for SFR, 12' shared
PW minimum 12' width.





Issues Raised by public comment



Potential additional conditions of approval with the withdrawal of Area 7

- The conceptual plans for Area #7 are not approved here and have been provided for illustrative purposes only. Development of Areas #7 shall require Site Design Review approval. The ultimate development of Areas #7 shall comply with the minimum density standards of the NMNP.
- That all proposed public improvements including sidewalk, curb, gutter, park row landscaping/irrigation and alley be installed, including surrounding area 7, prior to the recording of final plat.

Approval Criteria

OUTLINE & FINAL PLAN, EXCEPTION TO STREET STANDARDS,
NON-HAZARD TREE REMOVAL

Approval Criteria

Outline Plan

- A. the development meets all applicable ordinance requirements of the city.
- B. adequate key city facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a city facility to operate beyond capacity.
- C. the existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.
- D. the development of the land will not prevent adjacent land from being developed for the uses shown in the comprehensive plan.
- E. there are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- F. the proposed density meets the base and bonus density standards established under this chapter.
- G. the development complies with the street standards.
- H. the proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the city of Ashland.

Approval Criteria

Site Design Review

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

- A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part 18.3).
- C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.
- D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.
- E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1, 2, or 3, below, are found to exist.
 - 1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design 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 Development and Design; and the exception requested is the minimum which would alleviate the difficulty;
 - 2. 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 Development and Design Standards; or
 - 3. There is no demonstrable difficulty in meeting the specific requirements for a cottage housing development, but granting the exception will result in a design that equally or better achieves the stated purpose of section 18.2.3.090.

Approval Criteria

Variance

A. The approval authority through a Type I or Type II procedure, as applicable, may approve a variance upon finding that it meets all of the following criteria.

- 1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.
- 2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.
- 3. The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.
- 4. The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.

B. In granting a variance, the approval authority may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.

Approval Criteria

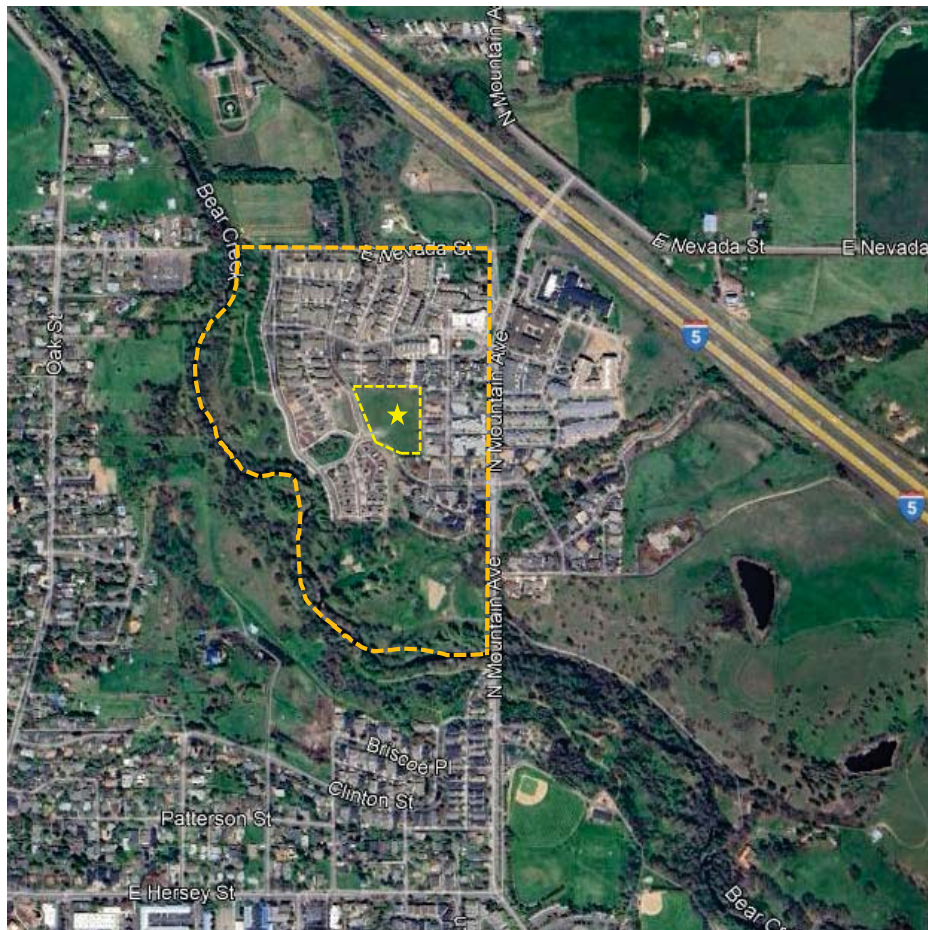
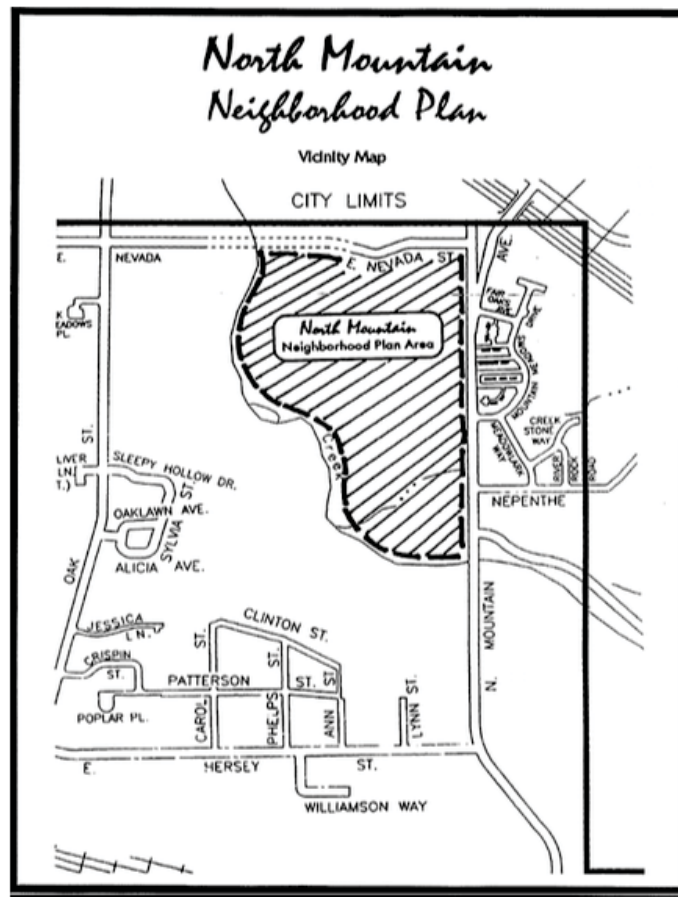
Tree Removal

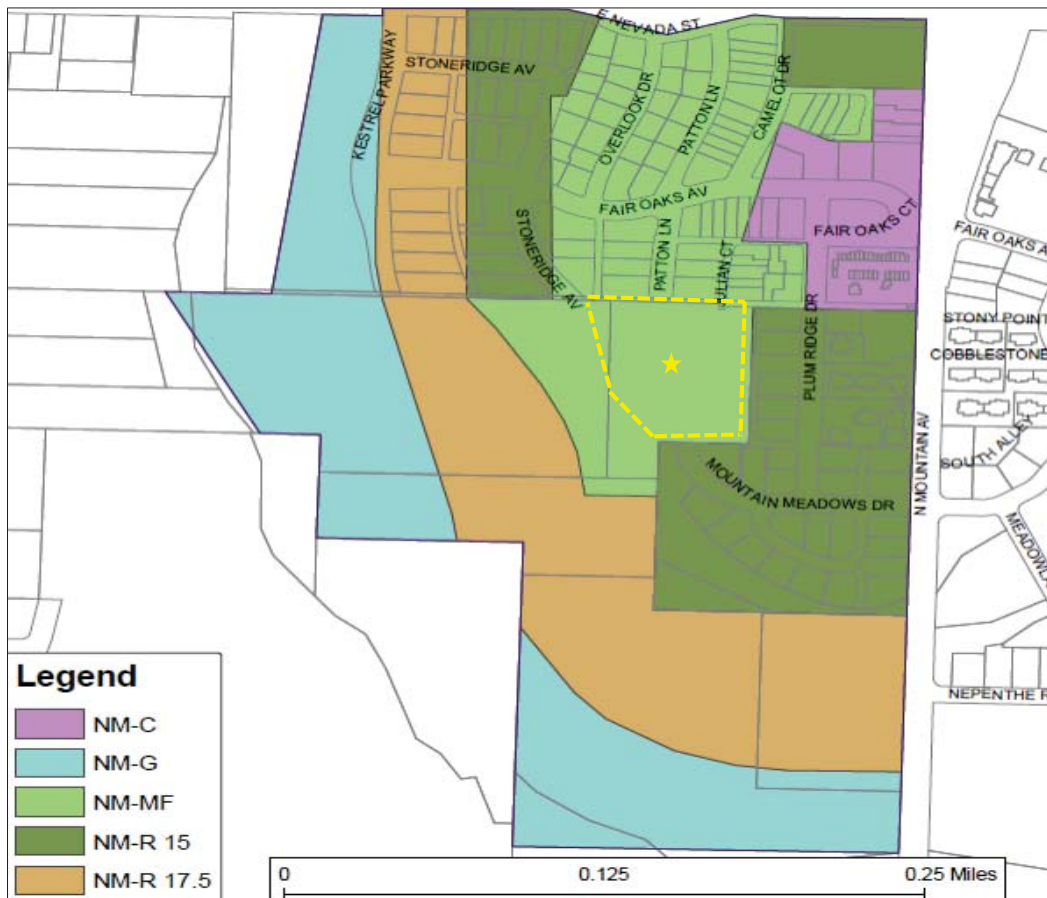
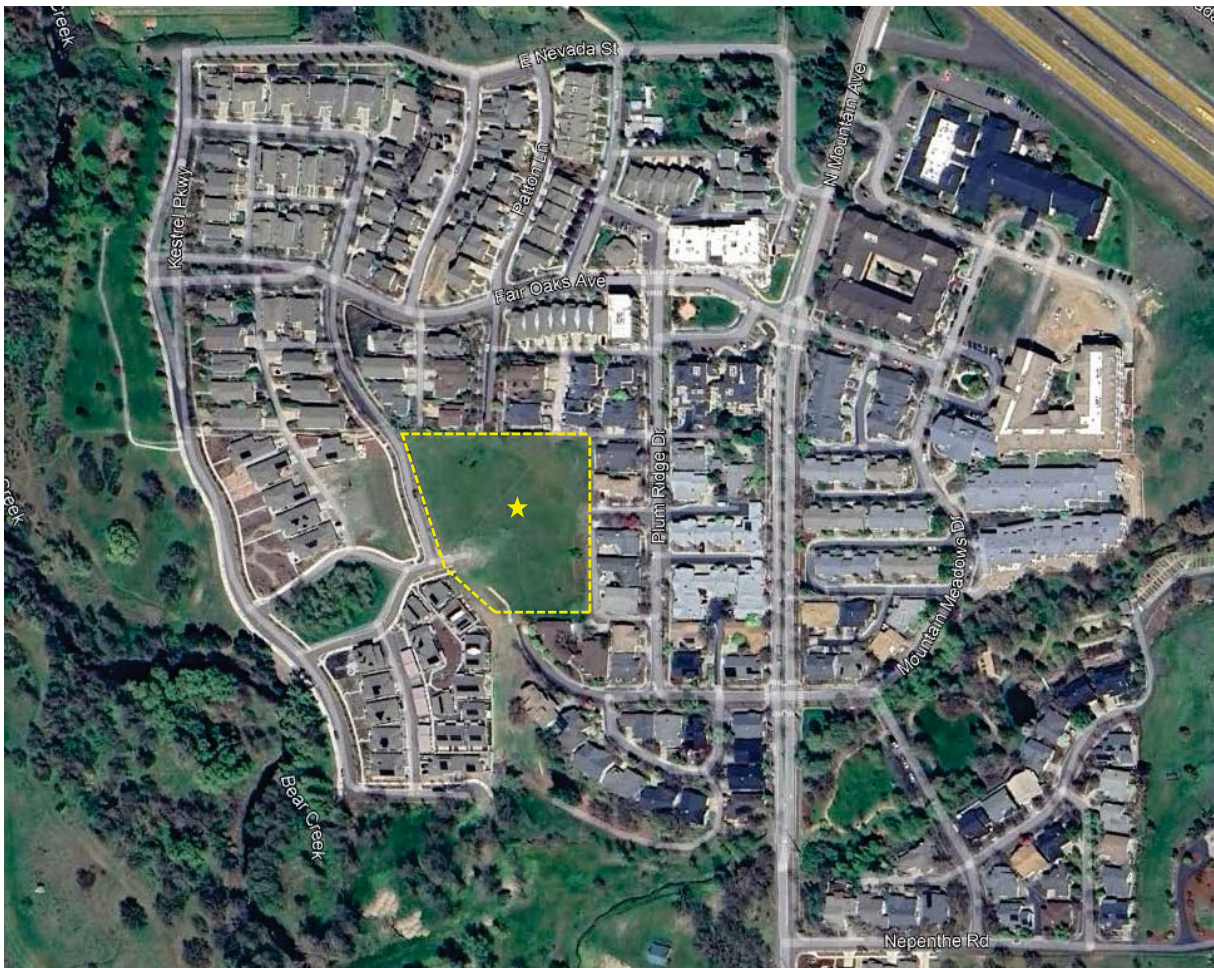
- a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.
- b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
- c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
- d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
- e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

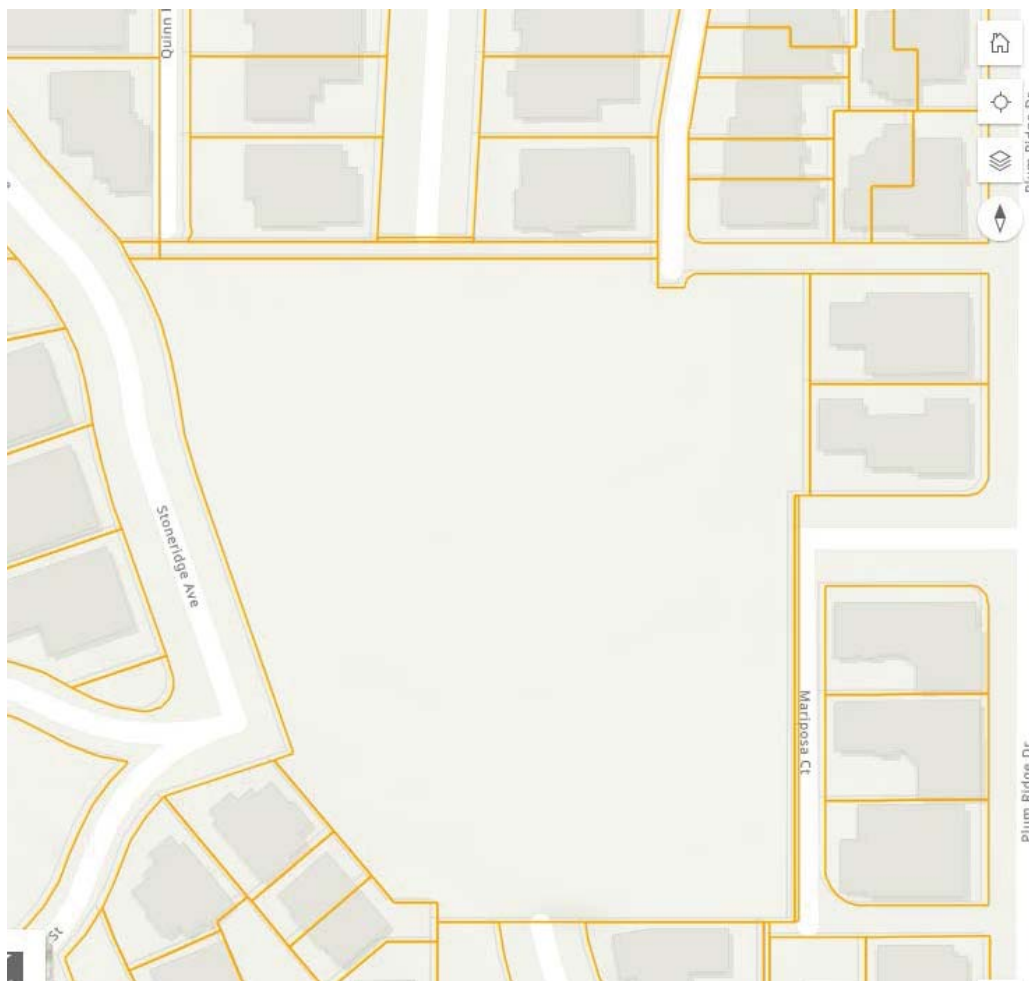
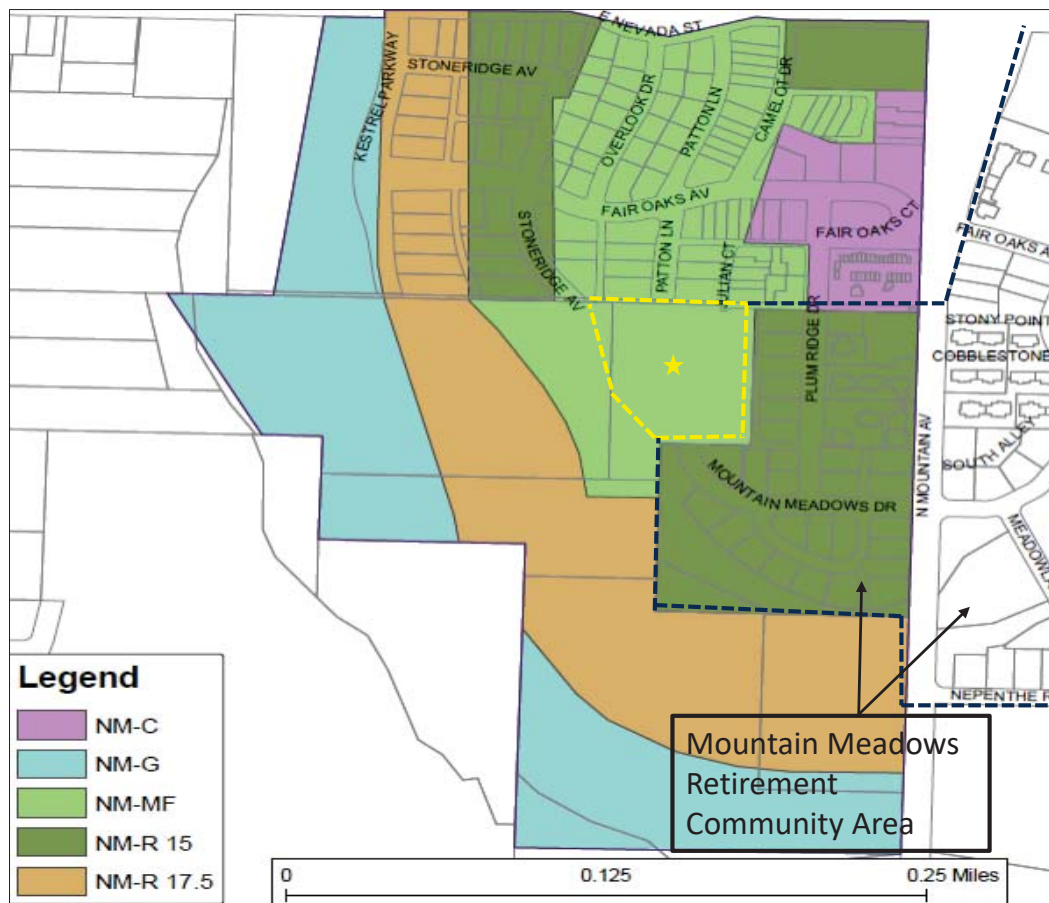
Kestrel Park Phase III

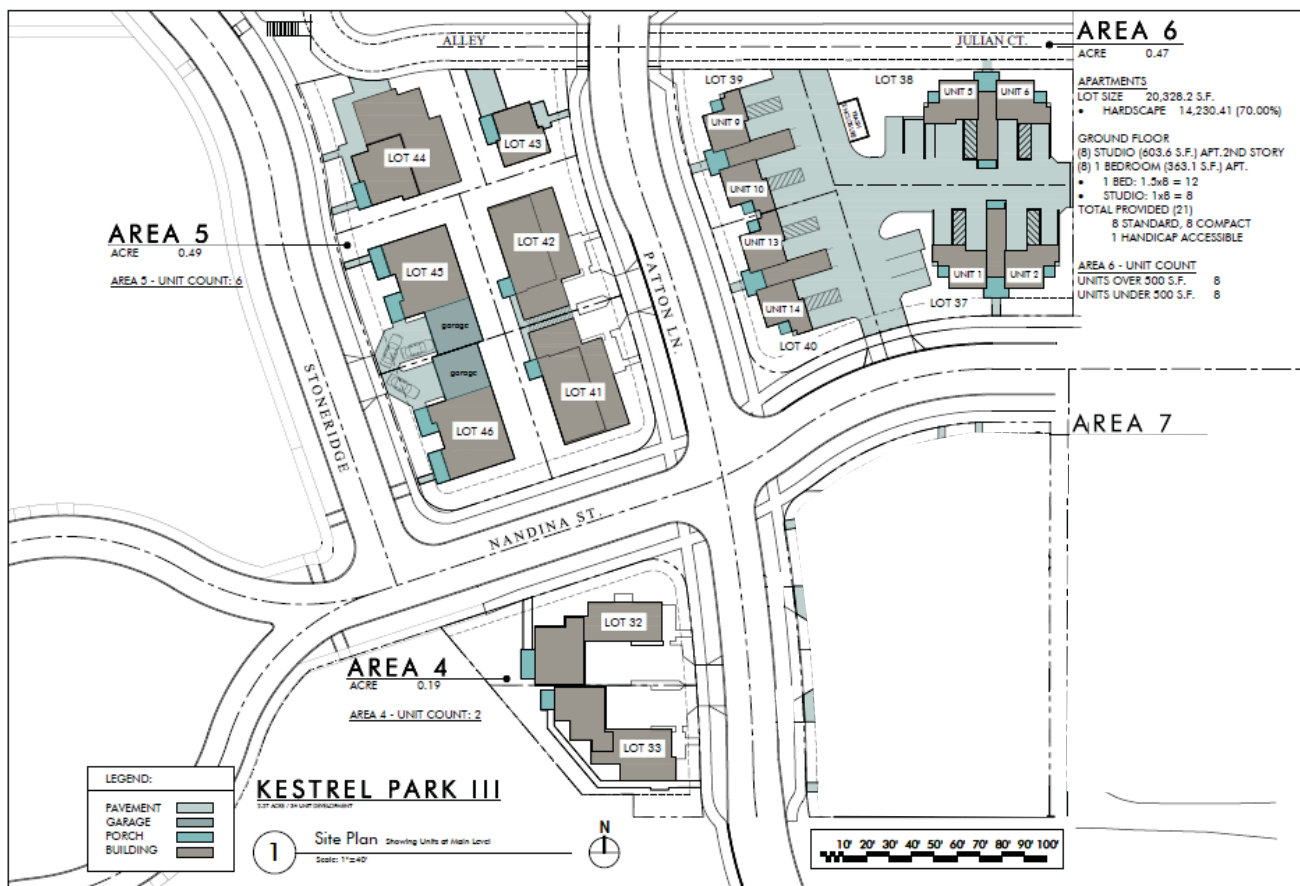
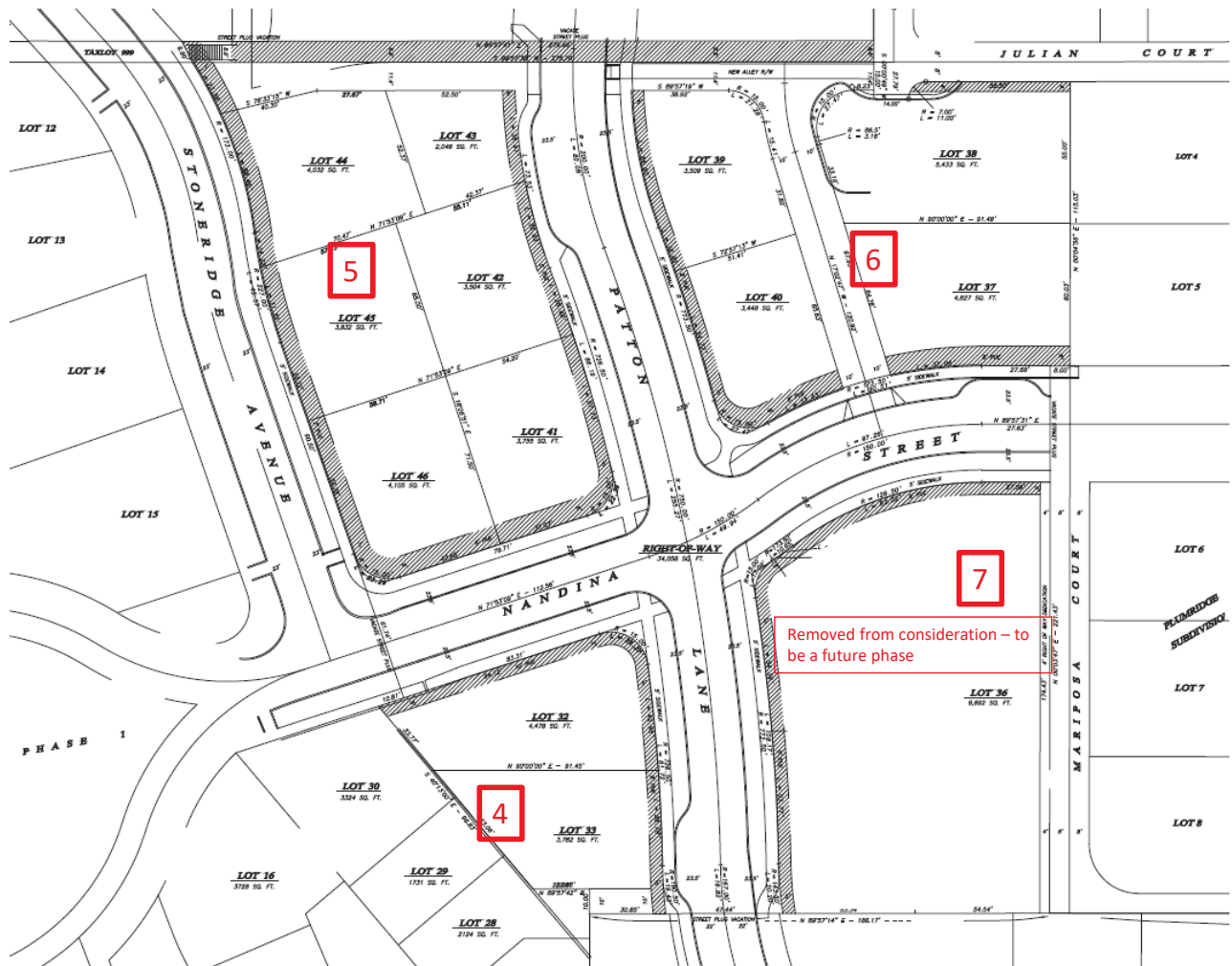
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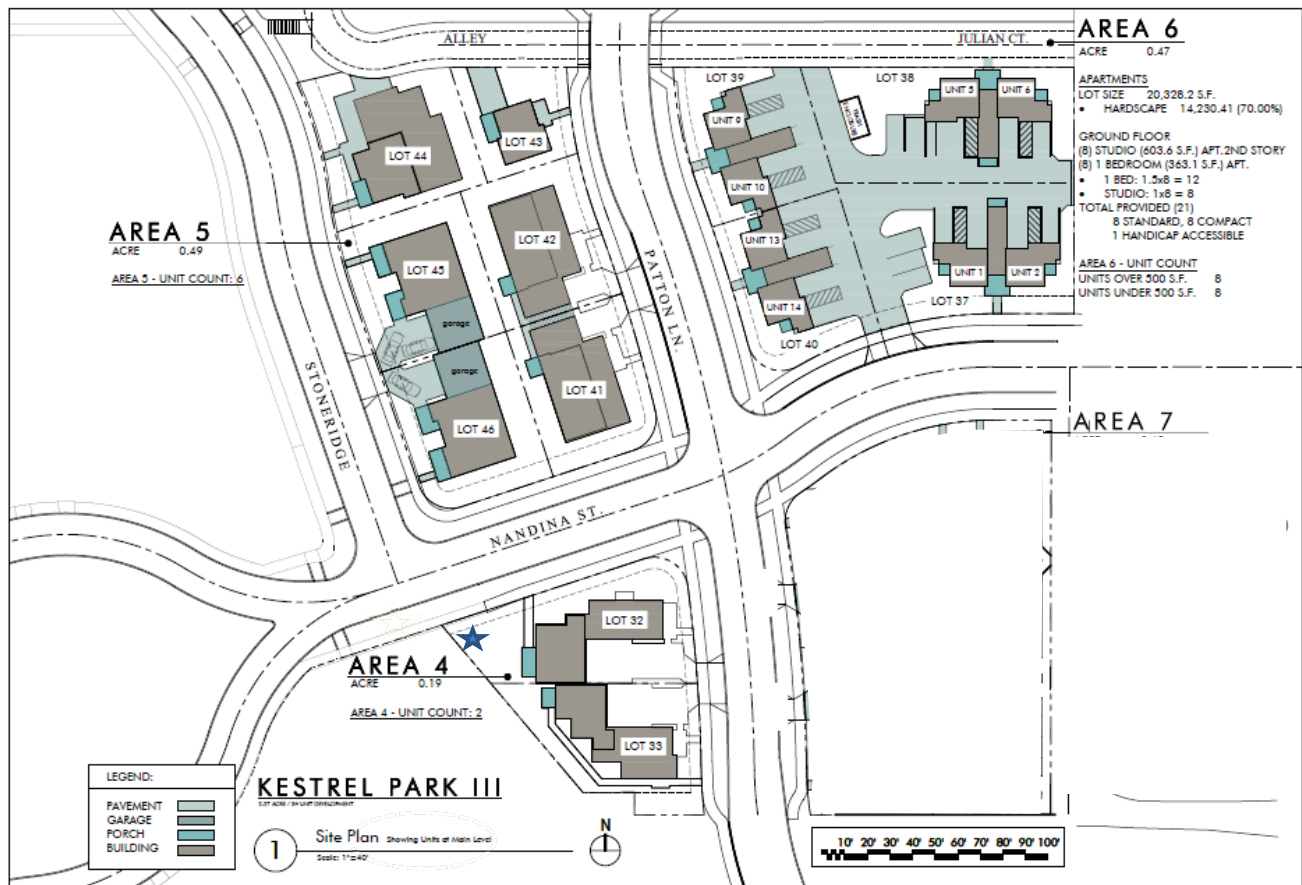








Area 4





LOT 33 - PATTON LANE VIEW

LOT 32 - PATTON LANE VIEW

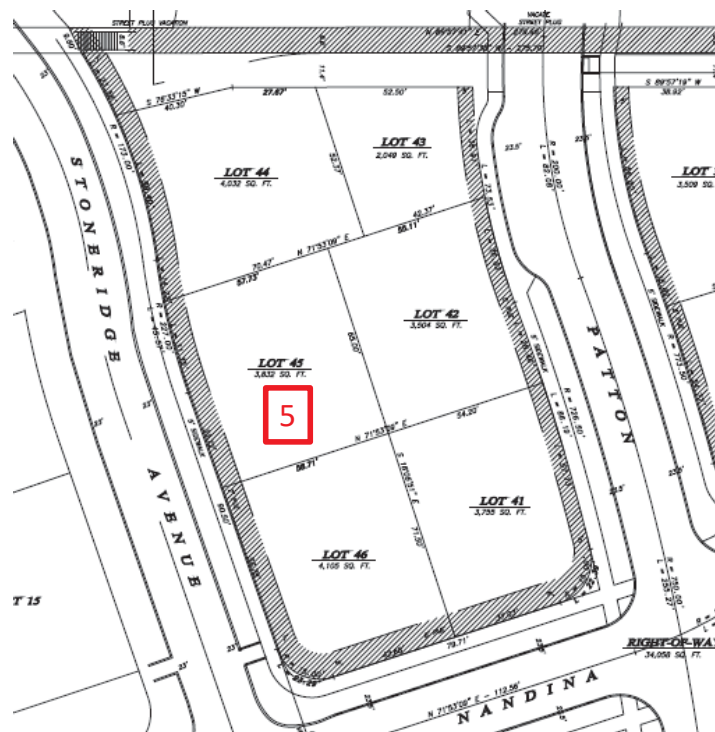


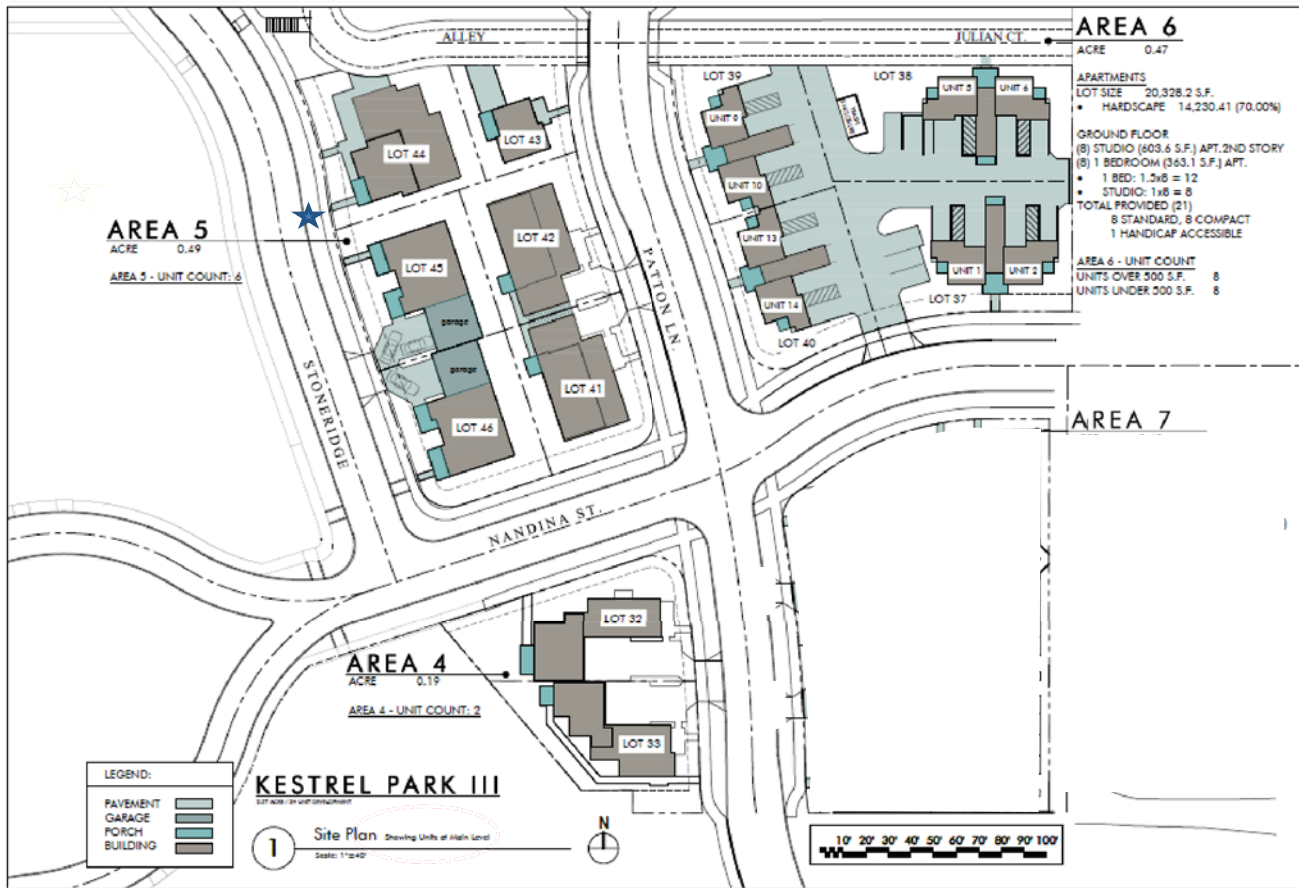
LOT 32 - REAR VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.



Area 5







ALLEY VIEW



AERIAL VIEW



STONERIDGE AVENUE VIEW

STONERIDGE AVENUE VIEW



REAR WINDOW VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.





LOT 41 - PATTON LANE VIEW



LOT 42 - PATTON LANE VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.

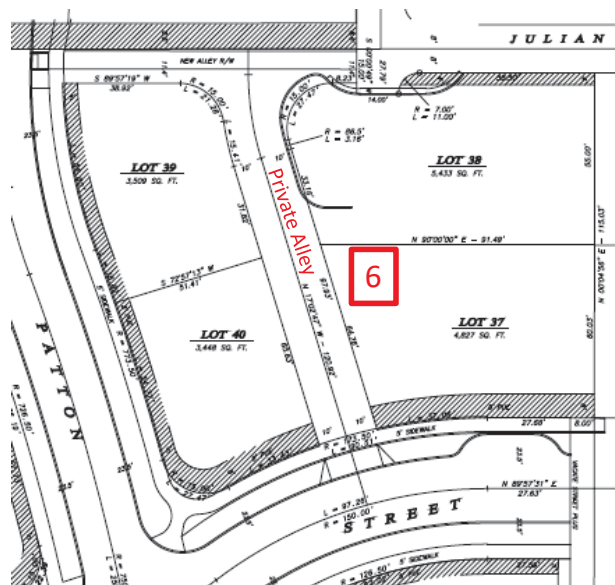
LOT 41 - REAR VIEW

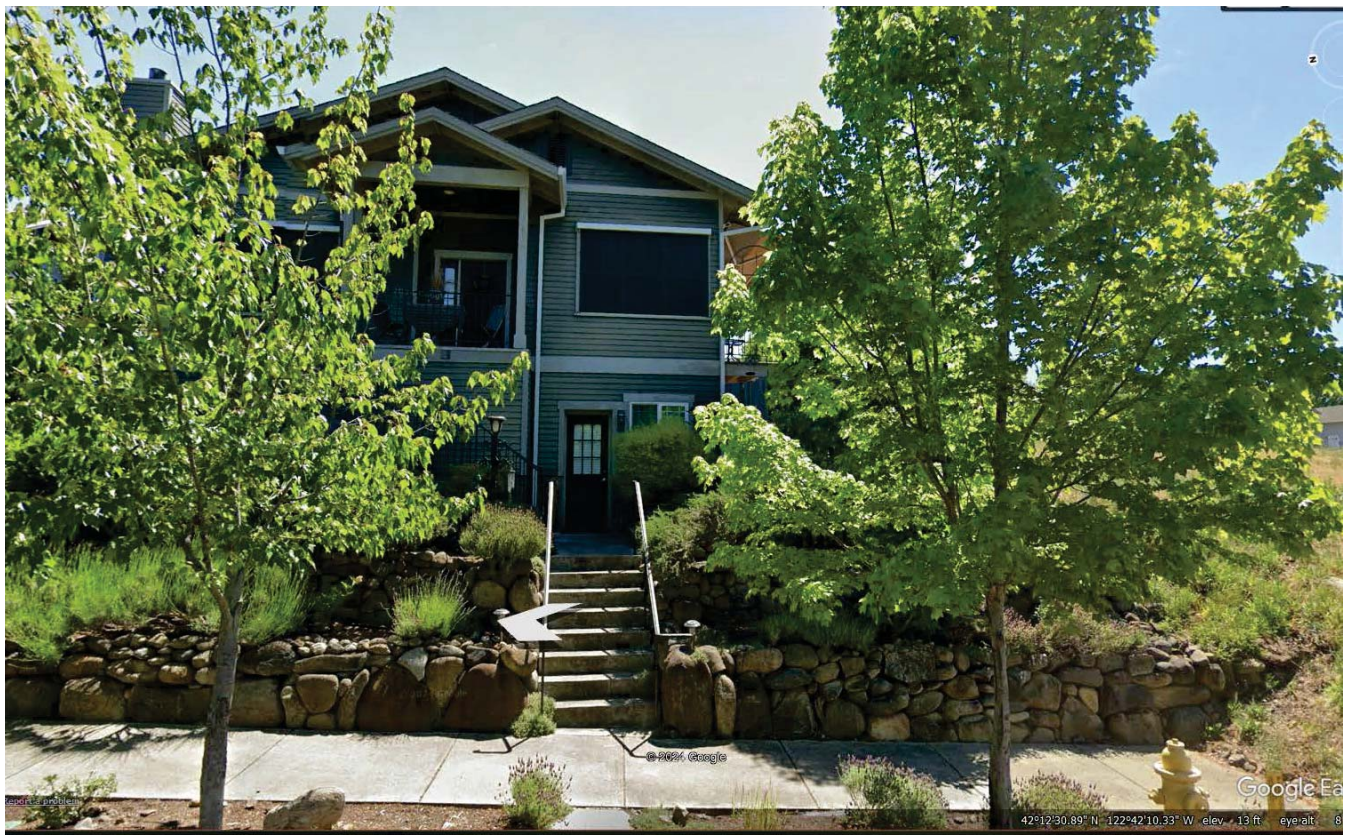
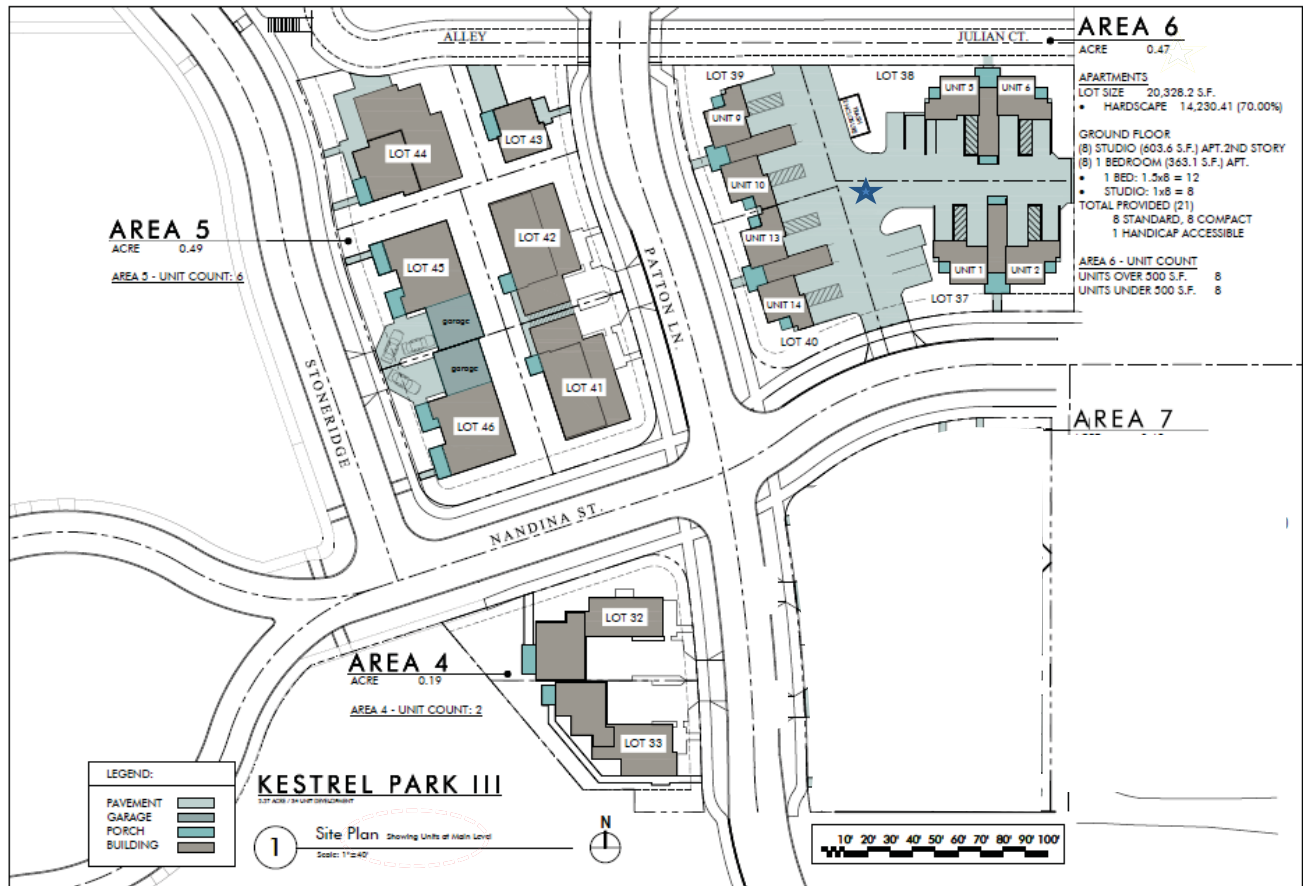


LOT 42 - REAR VIEW



Area 6





NANDINA STREET VIEW



NANDINA STREET VIEW



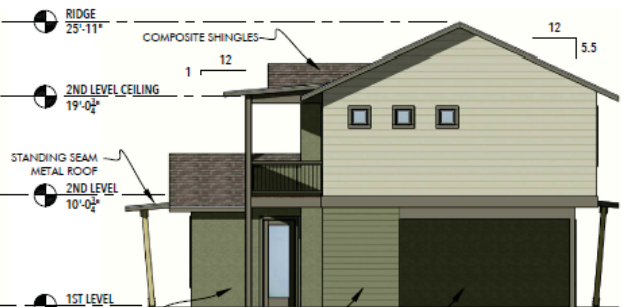
ALLEY & PATTON LANE VIEW



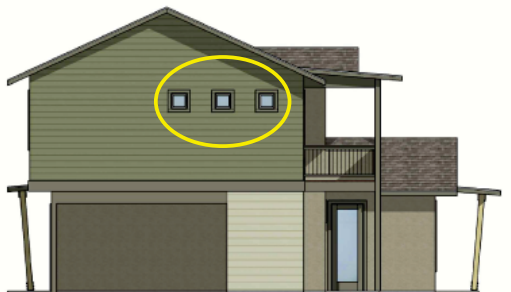




North Elevation - Facing Julian Ct.



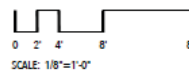
West Elevation



East Elevation



South Elevation



Alleys

Critical to Streetscape Success

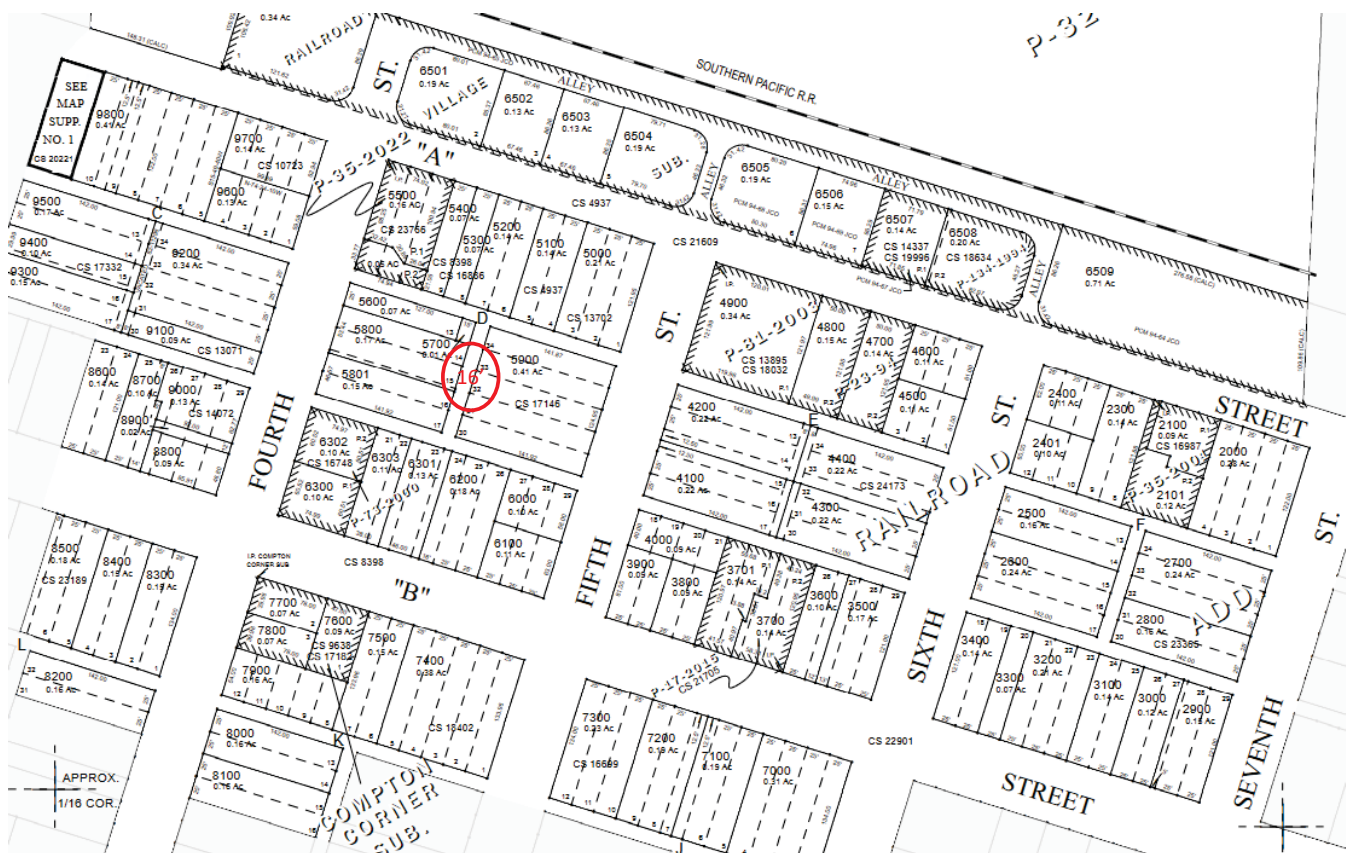




Table 1: City of Ashland Street Design Standards

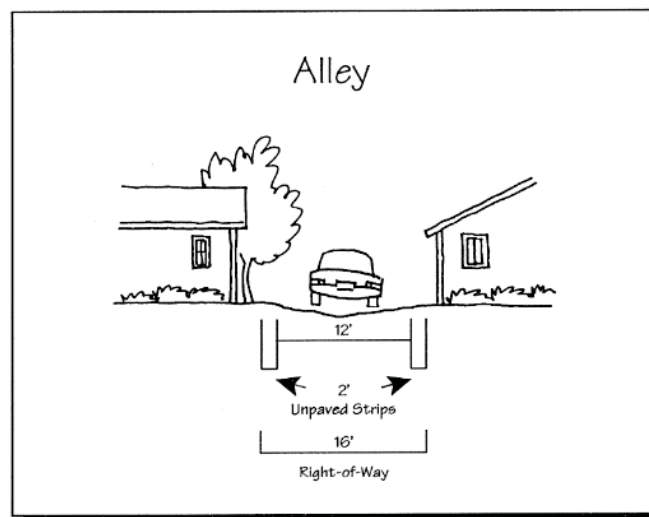
TYPE OF STREET	ADT	R.O.W. WIDTH	CURB-TO-CURB PAVEMENT WIDTH	WITHIN CURB-TO-CURB AREA				CURB on both sides	PARK-ROW on both sides	SIDE-WALKS on both sides
				MOTOR VEHICLE TRAVEL LANES	MEDIAN AND/OR CENTER TURN LANE	BIKE LANES on both sides	PARK-ING in 8' bays			
2-Lane Boulevard	8,000 to	61'-87"	34'	11'	none	2 at 6' each	in 8' bays	6"	5'-8'-1"	6'-10'-2"
3-Lane Boulevard	30,000	73'-99"	46'	11'	12'	2 at 6' each	in 8' bays	6"	5'-8'-1"	6'-10'-2"
5-Lane Boulevard	ADT	95'-121"	66'	11'	12'	2 at 6' each	in 8' bays	6"	5'-8'-1"	6'-10'-2"
2-Lane Avenue	3,000 to	59'-86"	32'-33'	10'-10.5'	none	2 at 6' each	in 8' bays	6"	5'-8'-1"	6'-10'-2"
3-Lane Avenue	10,000 ADT	70.5'-87.5'	43.5'-44.5'	10'-10.5'	11.5'	2 at 6' each	in 8' bays	6"	5'-8'-1"	6'-10'-2"
Neighborhood Collector, Residential	1,500 to				NA	NA ²				
No Parking	5,000	49'-51"	22'	11'			none	6"	8'	5'-6'
Parking One Side	ADT	50'-56"	25'-27'	9'-10'			one 7' lane	6"	7'-8'	5'-6'
Parking Both Sides		57'-83"	32'-34'	9'-10'			two 7' lanes	6"	7'-8'	5'-6'
Neighborhood Collector, Commercial										
Parallel Parking One Side		55'-85"	28'	10'			one 8' lane	6"	5'-8'-1"	6'-10'-2"
Parallel Parking Both Sides		63'-73"	36'	10'			two 8' lanes	6"	5'-8'-1"	6'-10'-2"
Diagonal Parking One Side		65'-74"	37'	10'			one 17' lane	6"	5'-8'-1"	6'-10'-2"
Diagonal Parking Both Sides		81'-91"	54'	10'			two 17' lanes	6"	5'-8'-1"	6'-10'-2"
Neighborhood Street, Residential	less than				NA	NA ²				
Parking One Side	1,500	47'-51"	22'	15' Queuing			one 7' lane	6"	7'-8'	5'-6'
Parking Both Sides	ADT	50'-57"	25'-28"	11'-14' Queuing			two 7' lanes	6"	7'-8'	5'-6'
Alley	NA	16'	12' paved width, 2' strips on both sides	NA	NA	NA	none	none	none	none
Multi-Use Path	NA	10'-18"	6'-10' paved width, 2'-4" strips on both sides	NA	NA	NA	none	none	none	none

Alley

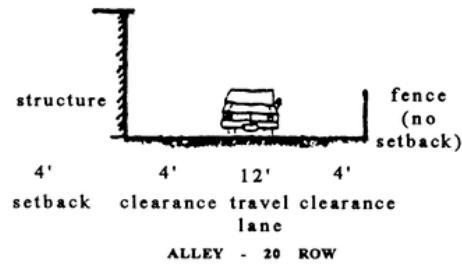
The alley is a semi-public neighborhood space that provides access via the rear of the property. The use of alleys eliminates the need for front yard driveways and provides the opportunity for a more positive front yard street scape, allows the street located adjacent to the front of properties to be designed using a narrow width with limited on-street parking, and creates the opportunity for the use of narrower lots to increase residential densities. Alleys are appropriate in all residential areas and in some commercial areas for business frontage. Alleys provide access and delivery depending on the circulation pattern of the area.

Street Function:	Provide rear yard access and delivery to individual residential and commercial properties, and an alternative utility placement area.
Connectivity:	Connects to all types of streets.
Average Daily Traffic:	Not applicable
Managed Speed:	Not applicable, motor vehicle travel speeds should be below 10 mph
Right-of-Way Width:	16'

Pavement Width:	12' with 2' graveled or planted strips on side
Motor Vehicle Travel Lanes:	Not applicable
Bike Lanes:	Not applicable, bicyclists can easily negotiate these low use areas
Parking:	No parking within the right of way
Curb and Gutter:	No curb, use inverse crown
Parkrow:	Not applicable
Sidewalks:	Not applicable, pedestrians can easily negotiate these low use areas



- C. 3. Alleys. One of the most important features making up the neighborhood is the alley. Alleys allow parking to be located at the property's rear and diminish the negative impact of garages proliferating along street frontages, reduces pedestrian and vehicle conflicts at curb-cuts, and reduces impervious hard surface. In addition, homes, instead of garages, fill the street frontages, providing maximum opportunity for social interaction. The alley cross section is a 20-foot wide right-of-way which contains a 12-foot wide improved alley and four-foot planted or graveled strips or shoulders. See Figure [18.3.5.100.C.3](#). See also, setback requirements for garages and accessory structure in section [18.3.5.060](#) and section [18.3.5.100.A.4](#).

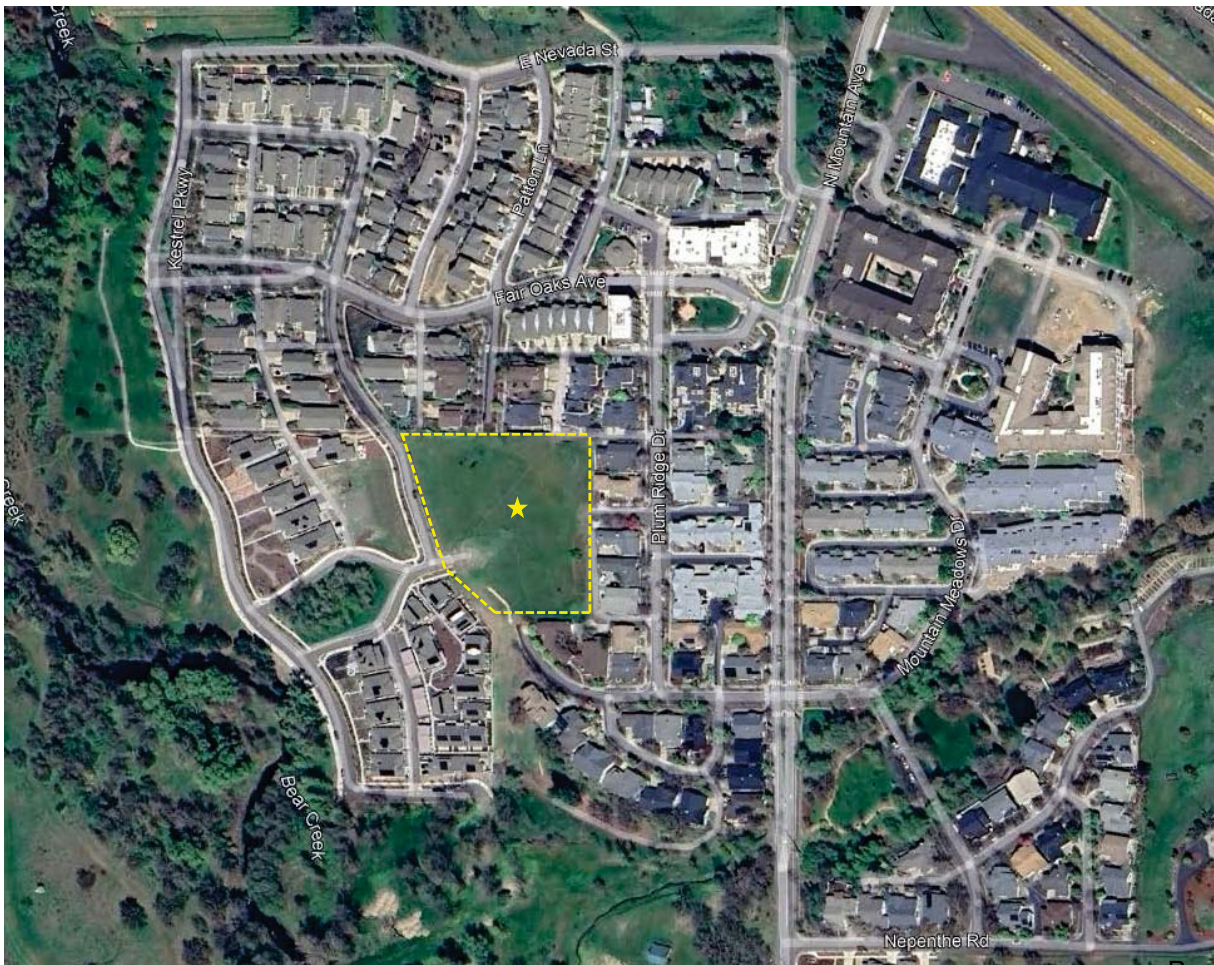


North
Mountain
Standard

Figure 18.3.5.100.C.3. Alley

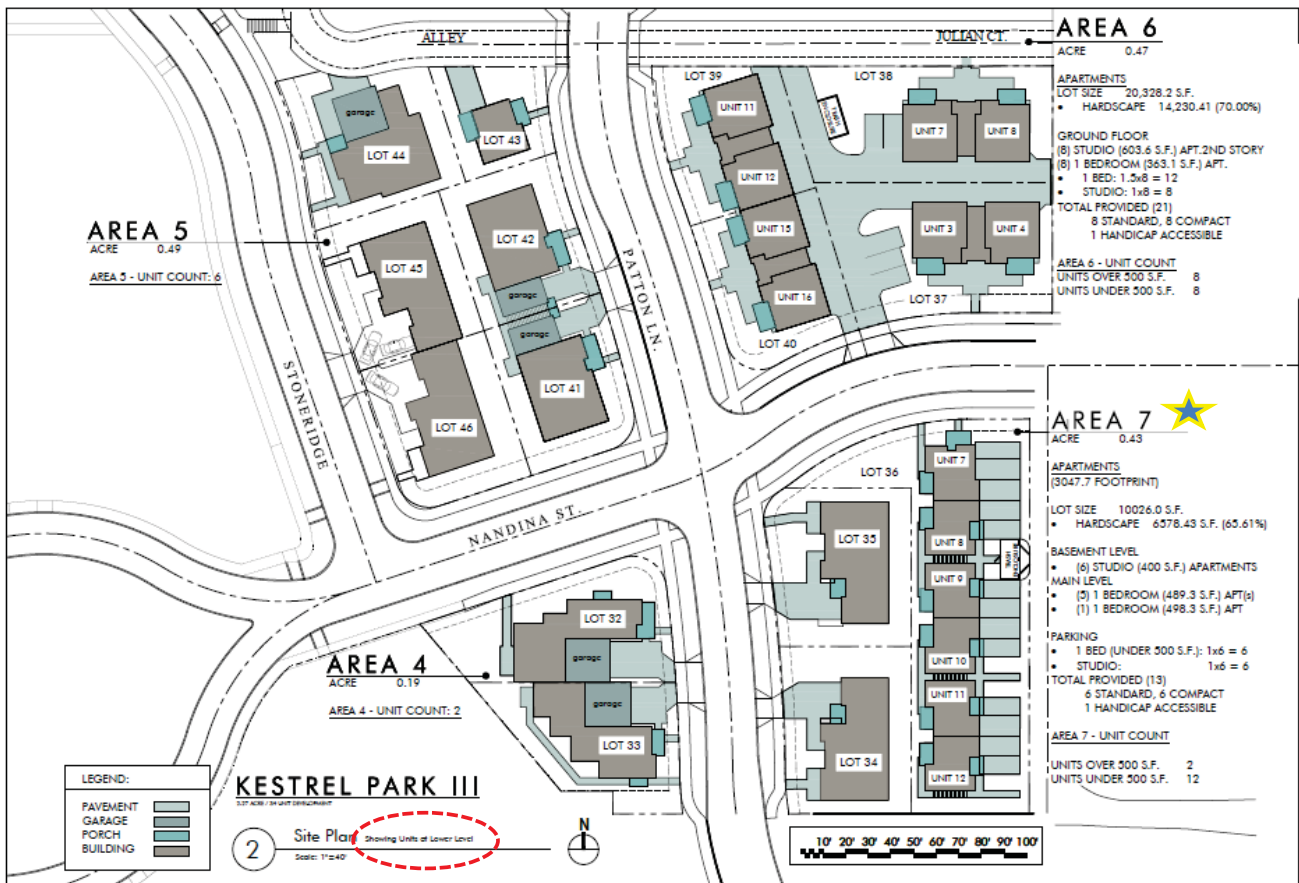
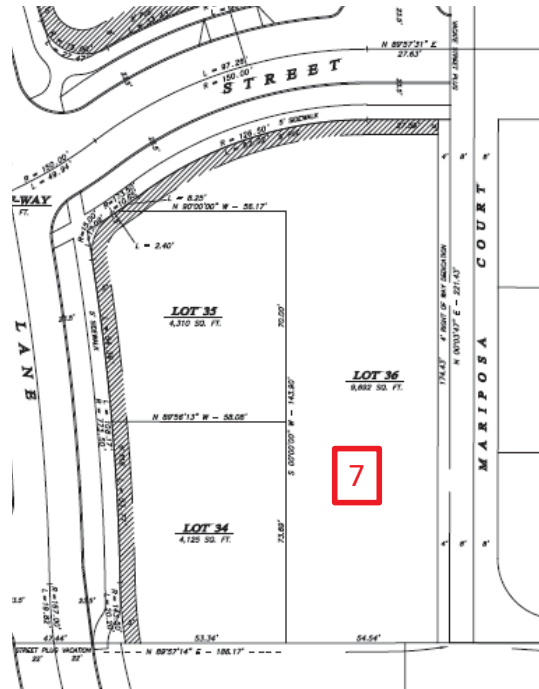
other







Area 7



PATTON LANE VIEW



REAR VIEW



NANDINA STREET VIEW

NOTE: Lower level is daylight basement, i.e., 50% subterranean.

PATTON LANE VIEW

REAR VIEW



NOTE: Lower level is daylight basement, i.e., 50% subterranean.

MARIPOSA COURT VIEW



MARIPOSA COURT VIEW





THE CITY OF ASHLAND
BEFORE THE PLANNING COMMISSION

JANUARY 14, 2025

IN THE MATTER OF PLANNING ACTION #PA-T2-2024-00054 A)
REQUEST FOR OUTLINE PLAN APPROVAL FOR A PERFORMANCE)
STANDARDS OPTION (PSO) SUBDIVISION, AND A REQUEST FOR)
RESIDENTIAL SITE DESIGN REVIEW APPROVAL. THE APPLICATION)
ALSO INCLUDES A REQUEST FOR A VARIANCE TO DRIVEWAY)
WIDTH AND A TREE REMOVAL PERMIT.)

OWNER: CMK DEVELOPMENT LLC)
APPLICANT: TAYLORED ELEMENTS)
_____)

**FINDINGS,
CONCLUSIONS,
AND ORDERS.**

RECITALS:

- 1) The subject property is tax lot #8600 of Assessor's Map 39-1E-04-AD (it does not presently have a street address). The property was created as lot-31 of Kestrel Park Phase II and was reserved for this final phase of the Kestrel Park Subdivision.
 - a. The application also includes three tax lots owned by the City of Ashland; tax lot 4700 a 0.05 acre strip of land along the north of the subject property, as well as tax lots 7800 & 4900 which are both 'street plugs' to be vacated.
 - b. The main property is 2.27 acres in size and slopes from east to west at approximately 15% slope.
- 2) The property is zoned "North Mountain-Multi Family" (NM-MF) and is regulated by the North Mountain Neighborhood Plan (NMNP) which is codified at Ashland Municipal Code (AMC) 18.3.5. This chapter applies to properties within the North Mountain Neighborhood Plan area adopted by Ordinance 2800 in April 1997.
- 3) The North Mountain Neighborhood District regulations require that all applications involving the creation of three or more lots shall be processed under chapter 18.3.9 Performance Standards Option (PSO) Overlay (AMC 18.3.5.040.K).
- 4) On November 4, 2024 the application was submitted and described as follows:
 - a. The proposed PSO subdivision includes a total of 15-lots for residential development, ten of the lots are proposed for single-family residential (SFR) development, and five lots for multifamily housing. The subdivision will connect both Nandina Street and Patton Lane / Mountain Meadows Drive to create four blocks that have been identified previously as areas 4, 5, 6, and 7. The application includes a request for Site Design Review approval for four multifamily buildings with a total of 28-units of multi-family housing. Combined, this is a development

density of thirty-eight dwellings for the purposes of determining allowed density.

- 5) On December 9, the day before the Planning Commission hearing, the applicant informed staff that they were removing 'area 7' and its proposed development from the application, and instead would plat the area as a single lot reserved for future development.
 - a. On December 10, 2024 the applicant informed staff in writing that *"Based on comments received from the neighboring property owners of the proposed Kestrel Park, Phase III application, the applicants have decided to withdraw area 7 from the application, including all associated entitlement requests such as the proposed property lines, tree removal and site review proposal. The applicants are still proposing to move forward with the remaining areas, area 4, 5 and 6, but will eventually re-apply for entitlements for area 7 in the future."*
- 6) The request, after the removal of area 7, is for outline plan approval for a 13-lot PSO subdivision and Site Design Review approval.
 - a. Proposed is a total of twelve-lots for residential development, eight of the lots are proposed for single-family residential (SFR) development (which may or may not eventually develop with ARU's). The Site Design Review includes four lots with a total of 16-units of multi-family housing (area 6), as well as three buildings of attached single family (areas 4 and 5). The thirteenth lot will be reserved for the future development of area 7.
 - b. Combined, this is a development density of twenty-two dwellings for the purposes of determining allowed density. (In accordance with HB2001 and the adopted duplex standards at AMC 18.2.3.110 each of the SFR lots can be developed with two dwellings.)
 - c. The application also includes a request for a variance to driveway width.
- 7) The applicant's proposal is detailed in plans which are on file at the Department of Community Development and by their reference are incorporated herein as if set out in full.
- 8) The criteria of approval for Outline Plan are described in **AMC 18.3.9.040.A.3** as follows:
 - A. the development meets all applicable ordinance requirements of the city.
 - B. adequate key city facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a city facility to operate beyond capacity.
 - C. the existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.
 - D. the development of the land will not prevent adjacent land from being developed for the uses shown in the comprehensive plan.
 - E. there are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
 - F. the proposed density meets the base and bonus density standards established under this chapter.

- G. the development complies with the street standards.
- H. the proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the city of Ashland.

9) The supplemental approval criteria of the NMNP are described in **AMC 18.3.5.030.C** as follows:

C. Supplemental Approval Criteria. In addition to the criteria for approval required by other sections of this ordinance, applications within the NM district shall also meet all of the following criteria.

1. The application demonstrates conformity to the general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation.
2. The application complies with the specific design requirements as provided in the North Mountain Neighborhood Design Standards.

10) The criteria for approval for Site Design Review are described in **AMC 18.5.2.050** as follows:

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part 18.3).

C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.

D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.

E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1, 2, or 3, below, are found to exist.

1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design 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 Development and Design; and the exception requested is the minimum which would alleviate the difficulty;
2. 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 Development and Design Standards; or
3. There is no demonstrable difficulty in meeting the specific requirements for a cottage housing development, but granting the exception will result in a design that equally or better achieves the stated purpose of section 18.2.3.090.

11) The criteria of approval for a Variance are described in **AMC 18.5.5.030** as follows:

A. The approval authority through a Type I or Type II procedure, as applicable, may approve a variance upon finding that it meets all of the following criteria.

1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.
2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.
3. The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.
4. The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.

12) The criteria of approval for removal of a Tree that is Not a Hazard are described in **AMC 18.5.7.040.B.2** as follows

2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.

- a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.
- b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
- c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
- d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
- e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

13) The Planning Commission, following proper public notice, held a public hearing on December 10, 2024.

- a. At the beginning of the hearing, it was announced that 'Area 7' was no longer part of the proposal and that the Planning Commission would only be considering the public improvements and Site Design Review for Areas 4, 5 and 6.

14) Testimony was received, and exhibits were presented. The Planning Commission deliberated

and approved the application subject to conditions of approval.

Now, therefore, the Planning Commission of the City of Ashland finds, concludes, and recommends as follows:

SECTION 1. EXHIBITS

For the purposes of reference to these Findings, the attached index of exhibits, data, and testimony will be used.

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, and Miscellaneous Exhibits lettered with an "M"

SECTION 2. CONCLUSORY FINDINGS OF FACT

2.1 The Planning Commission notes that chapter 18 of the Ashland Municipal Code (AMC) is the City's Land Use Ordinance (LUO). The LUO regulates the development pattern envisioned by the Comprehensive Plan and encourages efficient use of land resources among other goals. The Planning Commission notes that when considering the decision to approve or deny an application the Planning Commission considers the application materials against the relevant approval criteria in the LUO.

2.1.2 The Planning Commission finds that it has received all information necessary to render a decision based on the application itself, the December 10th Staff Report, the applicant's testimony, the exhibits received, and public testimony received both written and at the public hearing.

2.2 The Planning Commission notes that the application was deemed complete and that the notice for the public hearing was both posted at the frontage of the subject property and mailed to all property owners within 200-feet of the subject property on, November 19, 2024 (21 days prior to the December 10th Meeting).

2.3 The Planning Commission notes that the property is in the NMNP and as provided at AMC 18.3.5.040.K, *"All applications involving the creation of three or more lots shall be processed under chapter 18.3.9 Performance Standards Option Overlay."*

2.4 The Planning Commission finds that the proposal for Outline Plan of a Performance Standard Option (PSO) subdivision meets all applicable criteria for described in AMC 18.3.9.040.A.3 and detailed below.

2.4.1 The first approval criterion for Outline Plan approval is that *"The development meets all applicable ordinance requirements of the City."* The Planning Commission notes that this is an all-encompassing criterion and that it has considered which City Ordinances are

applicable. The Planning Commission notes that for the purposes of resolving this criterion we rely on the entirety of the record including the applicant's submittal, and the Staff Report dated December 10th. The Planning Commission notes that with the findings that are set out below, the approval of the exception to street standards discussed below, and the adopted conditions of approval that the proposal will meet all applicable ordinance requirements and finds that this criterion of approval is satisfied.

2.4.2 The second approval criterion for Outline Plan approval is that "*Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.*" The Planning Commission notes that this is the final phase of the Kestrel Park Subdivision and all infrastructure installed in the previous phases were sized based on the total planned density. The Planning Commission notes that at the intersection of Stoneridge Ave. and Nandina St. that there is a maintenance hole where an eight-inch sanitary sewer will connect. The Planning Commission notes that at the same intersection there is also a storm drain catch basin that feeds into a twelve-inch main. The storm drain connects into existing retention facilities that were constructed in the first phase of the subdivision. The Planning Commission notes that each road that is proposed to be extended through the subdivision has either a six- or eight-inch water main that will all connect, providing a closed loop system. The Planning Commission notes that the application materials assert that adequate key City facilities can be provided to serve the development based on consultations with representatives of the various City departments (i.e. water, sewer, streets and electric), and that the proposed development will not cause a City facility to operate beyond capacity. The Planning Commission notes that the Staff Report stated that "Public works has confirmed that there are no concerns regarding the capacity of any of these services." The Planning Commission finds that with the foregoing that this criterion of approval is satisfied.

2.4.3 The third criterion for approval of an Outline Plan is that "*The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.*" The Planning Commission notes that the wetlands, floodplain corridors and large trees were previously addressed in the earlier phases of the subdivision. The Planning Commission notes that the only natural feature that has been identified is the cherry tree that is requested to be removed and is addressed further below. The Planning Commission notes that there are no other natural features to address and that this approval criteria is satisfied.

2.4.4 The fourth criterion for approval of an Outline Plan is that "*The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.*" The Planning Commission notes that the surrounding property is fully developed, and that there is no adjacent vacant land. The Planning Commission finds that the proposed subdivision will not prevent the adjacent lands from being developed as envisioned in the Comprehensive Plan and finds that this criterion of approval is satisfied.

2.4.5 The fifth criterion for approval of an Outline Plan is that is that "*There are adequate*

provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.” The Planning Commission notes again that this is the final phase of the Kestrel Park Subdivision and that the HOA governing instruments have obligations for the maintenance of the open space and other common amenities. The Planning Commission notes that all of the open space for the subdivision were dedicated in the previous phases and concludes that the earlier phases had a higher ratio of amenities than this final phase. The Planning Commission finds that there are adequate provisions for the maintenance of the open space and common areas and finds that this criterion of approval is satisfied.

2.4.6 The sixth criterion for approval of an Outline Plan is that is that *“The proposed density meets the base and bonus density standards established under this chapter.”* The Planning Commission reiterates that this is the third phase of the subdivision and the density considered has been tracked over the previous phases and includes all area of the previous parent parcels including lands dedicated to Rights of Way. The Planning Commission takes note of the spread sheet that was provided in the staff report and also set out below. This spreadsheet has been updated based on the removal of ‘Area 7.’

	<u>NM-R-1-7.5</u>	<u>NM-MF</u>
Acres	4.59	4.16
Dwelling units per acre	3.6	12
Base Density (acres x units per acre)	16.52	49.92
Minimum Density (x 0.75 – 1.1)	12.39 – 18.18	37.44 – 54.91
Phase 1	11	4
Phase 2 (Cottages)	5	10
Total Dwellings (Phase 1 + 2)	16	14
Remaining minimum density range	up to 2.18	23.44 - 40.91
Proposed Phase 3		22*
Required minimum range for Area 7	Full developed	1.44 – 18.91

The Planning Commission notes that the required minimum density for the remaining subdivision is between 24 and 40 units. The Planning Commission further notes that the present proposal is for 22 units of density, and the Planning Commission further notes that 8 of the proposed MFR units are below 500 sq. ft. they are counted as 0.75 units [SFR: 8, MFR $8 + (8 \times 0.75) = 14$, $8 + 14 = 22$]. The Planning Commission concludes that Area 7 will need to develop with at least two but not more than eighteen units, and a condition of approval to that effect has been included below. The Planning Commission finds that, with the condition of approval included below ensuring that area seven will meet the required minimum density, that this criterion of approval is satisfied.

2.4.7 The seventh Outline Plan approval criterion is that *“The development complies with*

* Eight of the proposed multi family units are less than 500 square feet so for the purposes of density they only count as 0.75. [$8 \text{ SFR} + ((8 \times 0.75) + 8) \text{ MFR} = 22$]

the Street Standards.” The Planning Commission notes that the street network and road cross-sections have been planned from the earlier phases of the subdivision. The Planning Commission notes that the application materials include civil drawings and road cross sections for each road and alley meeting the standards provided in the NMNP. The Planning Commission concludes that the street standards are met and finds that this criterion of approval is satisfied.

2.4.8 The final criterion for approval of an Outline Plan is that is that *“The proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the City of Ashland.”* The Performance Standards Option Chapter requires that at least eight percent of the total lot area be provided in common open space for developments with a base density of ten units or greater. The Planning Commission notes that the firsts two phases dedicated nearly 50% of the total project land area to dedicated open space including the floodplain and wetland areas as well as additional open space provided in phase 2 of the project. The Planning Commission conclude that with the previous phases of the subdivision considered and the ample amount of land dedicated that this criterion of approval has been found to be satisfied.

2.4.9 The Planning Commission concludes based on the above and finds that all applicable approval criteria for Outline Plan subdivision approval have been satisfied.

2.5 The Planning Commission finds that the proposal for development in the NMNP meets all of the supplemental applicable criteria described in AMC 18.3.5.030.C and detailed below. There are two supplemental approval criteria for the NMNP. The first is to ensure conformity with the “general design requirements” and second that the proposal meets the “specific design requirements” of the NMNP Design Standards. The general design requirements include ‘*density, transportation, building design, and building orientation.*’ The specific design requirements include all of the standards provided in AMC 18.3.5.100 “Site Development and Design Standards”

2.5.1 The Planning Commission notes that the “general design requirements” include ‘*density, transportation, building design, and building orientation.*’ Included in the discussion of the Outline Plan approval, above, there are findings addressing the required minimum density, and that the road system connecting four road stubs completing the original road design that was approved in conjunction with the first phase of Kestrel Park Subdivision. The Planning Commission notes that each of the proposed buildings provides pedestrian connectivity to the proposed facilities and satisfies the building orientation. The Planning Commission concludes that with the foregoing discussion that the Planning Commission finds that this approval criterion is met.

2.5.2 The Planning Commission notes that the “specific design requirements” include all of the standards provided in AMC 18.3.5.100 “Site Development and Design Standards.” The Planning Commission notes that the Site Development and Design Standards includes four primary sections: A.) Housing, B.) Neighborhood Central, C.) Street Types and Design, and D.) Open Space and Neighborhood Focal Point. There are no applicable portions of sections B or D and they are not discussed further.

AMC 18.3.5.100 A “Housing”

The Planning Commission notes that first the first standard is ‘Architectural Design.’ This standard provides a list of architectural features and requires that at least two listed features from the section be included in each home design.

The Planning Commission notes that the application materials include extensive drawings of the proposed buildings with each having eaves, covered porch entries, gables and in some cases dormers. The Planning Commission concludes that each proposed building design includes at least two of the required features satisfying the ‘Architectural Design.’ Requirements.

The Planning Commission notes that the building orientation standards require that “*Dwellings shall be designed with a primary elevation oriented towards a street.*” The Planning Commission notes that the site plan clearly shows that each proposed building has its primary orientation to the street and finds that the orientation standard is met.

The Planning Commission notes that the requirement for garages requires that “*Where no alleys are present, garages shall be located a minimum of 15 feet behind the primary façade and a minimum of 20 feet from the sidewalk.*” The Planning Commission, in evaluating the main site plan, note that the garages are properly setback and that this standard is met.

The Planning Commission notes that the standards require that “*Grading for new homes and accessory structures shall be minimized and building designs shall respond to the natural grade.*” The Planning Commission again notes the comprehensive design package for each of the three areas and notes that care has been given in having each of these homes have a daylight basement and are responsive to the existing grade, and that this standard has been met.

The Planning Commission notes that the design standards specify that porches shall be incorporated into buildings and be a minimum of six-feet by eight-feet in size. The Planning Commission notes that the detailed site plan of each area includes details on the porch size and in every case meet or exceed this requirement, and that this standard has been met.

The Planning Commission notes that the design standards include that driveways for single family homes be limited to nine-feet in width, and that shared driveways be no more than twelve-feet. The Planning Commission notes that the application includes a variance to this standard which is discussed below. The Planning Commission further notes that the Public Works department has a standard that requires that the minimum driveway width be twelve feet, and that the application proposes twelve-foot driveways for the single-family homes and combined 18’-wide for the shared driveways. The Planning Commission concludes that if the variance is approved below then this standard will be satisfied.

AMC 18.3.5.100 D “Street Types and Design.”

The Planning Commission notes that this section provides many types of streets for the NMNP area with the primary type being a “neighborhood access street” which is composed of *“a 48-foot right-of-way, which provides for a 15-foot travel surface, seven-foot parking bays, and eight-foot planting strips and five-foot sidewalks on each side.”* The project also includes alleys which are *“a 20-foot wide right-of-way which contains a 12-foot wide improved alley and four-foot planted or graveled strips or shoulders.”* The Planning Commission once again notes that this is the third phase of the Kestrel Subdivision, and the extension of the street system approved at that time. The Planning Commission further notes that the application materials containing detailed civil plans showing that the proposed cross sections meet these design standards and conclude that this standard has been met.

2.5.3 The Planning Commission concludes based on the above and finds that all design standards are met and that therefore this approval criterion has been met.

2.6 The Planning Commission finds that the proposal for a variance meets all of the applicable criteria described in AMC 18.5.5.050 and as detailed below.

2.6.1 The Planning Commission notes that the approval criteria for a variance include that 1) variance is necessary special or unique circumstances, 2) The variance is the minimum necessary, 3) The proposal’s benefits will be greater than any negative impacts, and 4) that the need for the variance is not self-imposed.

2.6.2 The Planning Commission notes that the NMNP master plan was adopted in 1997, and that in the decades since cars have gotten larger. The Planning Commission also notes that there is no evidence that nine-foot driveways have ever been constructed in the NMNP area. The Planning Commission notes that the Public Works department will not authorize a driveway as narrow as the code requires, making a unique circumstance. The Planning Commission notes that the proposal for 12’ and 18’ shared driveways is the minimum necessary in both cases, because Public Works will not allow anything less than 12’, and that the application materials demonstrate that 12’ is two narrow for a shared drive. The Planning Commission further notes that based on a single driveway requirement for a nine foot it is perfectly reasonable that a shared driveway for two shared wall garages be allowed to be twice that. The Planning Commission notes that based on the topography and lot sizes it is unreasonable to expect a 12’ wide shared drive to functionally serve two 2-car garages. The Planning Commission further notes that the benefit of the variance allows for long stretches of uninterrupted streetscape that would not otherwise be possible. Finally, The Planning Commission notes that the inability to build the required driveway width based on City of Ashland policy demonstrates that the need for the variance is not self-created. The Planning Commission concludes that based on the above that each of the approval criteria for a variance is satisfied and that the variance should be approved.

2.7 The Planning Commission finds that the proposal for Site Design Review approval meets all applicable criteria for described in AMC 18.5.2.050 as detailed below:

2.7.1 The Planning Commission notes that the first criterion of approval for Site Design Review is that *“The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.”* The Planning Commission notes that the property is in the NMNP and is required to be processed in accordance with the Performance standards of AMC 18.3.9. The Planning Commission further notes that the PSO applicability provides *“that developments subject to [the PSO] chapter are not required to meet the minimum lot size, lot width, lot depth, and setback standards of part 18.2.”* The Planning Commission concludes that based on the PSO standards this approval criteria is met.

2.7.2 The Planning Commission notes that the second criterion of approval for Site Design Review is that *“The proposal complies with applicable overlay zone requirements (part 18.3).”* As mentioned above in 2.5.2, the Planning Commission again notes that the only overlay is the city-wide wildfire overlay and that all proposed construction will meet the adopted wildfire standards. The Planning Commission finds that this criterion of approval is met.

2.7.3 The Planning Commission notes that the third criterion of approval for Site Design Review is that *“The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided below.”* The Planning Commission notes that the application includes detailed responses to each of the Site Development and Design Standards. The Planning Commission notes that the building orientation, garage standards, proposed building materials, preliminary landscape plan and open space standards are all met. The Planning Commission notes that a final landscaping plan with irrigation details will be required and a condition of approval to that effect has been included below. The Planning Commission finds that with the foregoing that this criterion of approval is met.

2.7.4 The Planning Commission notes that the fourth criterion of approval for Site Design Review is that *“The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.”* The Planning Commission reiterates that this is the third phase of the subdivision and that all city facilities were sized for the expected density during the first phase. The Planning Commission further notes that all city utilities are available and installed in the adjacent rights-of-ways. The Planning Commission notes that Staff have communicated with the Public Works Department and that there are no known capacity issues to any of the utilities. The Planning Commission notes that the application includes details on the electrical plan and that the storm drain will be designed for Low Impact in accordance with the RVSS stormwater quality design manual. The Planning Commission finds that this criterion of approval has been met.

2.7.5 The Planning Commission notes that the last criterion of approval for Site Design Review is that *“The approval authority may approve exceptions to the Site Development*

and Design Standards of part 18.4 if the circumstances in either subsections below, are found to exist...” The Planning Commission notes that there are no requested exceptions to the above standards and finds that this criterion of approval has been met.

2.7.6 The Planning Commission concludes based on the above and finds that all applicable approval criteria for Site Design Review approval have been satisfied.

2.8 The approval criteria for “Tree that is not a hazard” first require that “*The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards.*” The Planning Commission notes that the only tree proposed for removal is within a building envelope of a proposed building in area 7. The Planning Commission notes that without considering the proposed development it is impossible to address the relevant findings for a non-hazard tree removal. The Planning Commission concludes that the tree removal in area seven must be denied at this time.

2.9 The Planning Commission notes that following proper public notice, a public hearing was held on December 10, 2024 where testimony was received, and exhibits were presented.

2.9.1 The Planning Commission deliberated, and a motion was made approving the Outline Plan as well as Residential Site Design Review. The application was approved subject to the conditions of approval in the Staff Report along with added conditions of approval presented by staff regarding the removal of consideration of area 7. The amendments were read into the record and are set out below as conditions of approval #3 and #4.

2.10 The Planning Commission notes that the record includes the applicant’s submittal, the Staff Report dated December 10, as well as the testimony received at the public hearing, each of these by their reference are incorporated herein as if set out in full.

2.10.1 The Planning Commission finds that there is substantial evidence in the record to make findings that each of the criteria of **approval** for Outline Plan and Residential Site Design Review have been met.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearings on this matter, the Planning Commission concludes that the request for a 13-lot unit Performance Standards Option (PSO) subdivision Outline, as well as residential site design review for areas 4, 5, and 6 is supported by evidence contained within the whole record and is **approved** including the conditions of approval below.

The conditions of approval are below:

- 1- That all proposals of the applicant shall be conditions of approval unless otherwise specifically modified herein.

- 2- That the applicant apply for final plan approval pursuant to AMC 18.3.9.040.B within 18 months of this outline plan approval prior to any development or construction.
- 3- The conceptual plans for area #7 are not approved here and have been provided for illustrative purposes only. Development of areas #7 shall require Site Design Review approval. The ultimate development of areas #7 shall comply with the minimum density standards of the NMNP.
- 4- That all proposed public improvements including sidewalk, curb, gutter, park row landscaping/irrigation and alley be installed, including surrounding area 7, prior to the recording of final plat.
- 5- That permits shall be obtained from the Ashland Public Works Department prior to any additional work in the public right of way.
- 6- That a final Fire Prevention and Control Plan addressing the General Fuel Modification Area requirements in AMC 18.3.10.100.A.2 of the Ashland Land Use Ordinance shall be provided prior to bringing combustible materials onto the property, and any new landscaping proposed shall comply with these standards and shall not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.
- 7- That a final survey plat shall be submitted within 12 months of Final Plan approval and approved by the City of Ashland. Prior to submittal of the final subdivision survey plat for signature:
 - a. All easements including but not limited to public and private utilities, drainage, irrigation, mutual access, conservation area easements, and fire apparatus access shall be indicated on the final subdivision plat submittal for review by the Planning, Engineering, Building and Fire Departments.
 - b. Subdivision infrastructure improvements including but not limited to utilities, driveways, streets, and conservation area easements, shall be completed according to approved plans, inspected, and approved.
 - c. Electric services shall be installed underground to serve all lots, inspected, and approved. The final electric service plan shall be reviewed and approved by the Ashland Electric, Building, Planning and Engineering Divisions prior to installation.
 - d. That the sanitary sewer laterals and water services including connection with meters at the street shall be installed to serve all lots within the applicable phase, inspected and approved.
- 8- That the building permit submittals shall include the following:
 - a. Identification of all easements, including but not limited to any public and private utility easements, mutual access easements, conservation area easements, and fire apparatus access easements.

- b. Solar setback calculations demonstrating that all units comply with the performance Solar Setback Standard as approved in the outline and final plans.
- c. Final lot coverage calculations demonstrating how lot coverage complies with the lot coverage approved in the outline and final plans.
- d. That storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system through the curb or gutter at a public street, a public storm pipe, an approved public drainage way, or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.

Lisa Suerner

Planning Commission Approval

1-14-25

Date

Notice of Land Use Appeal – Type I (Ashland Municipal Code § 18.5.1.050.G.)		
A. Name(s) of Person Filing Appeal:		B. Address(es):
1. <i>Vida Taylor</i>		<i>913 Plum Ridge Dr.</i>
2. <i>Daniel DeRoux</i>		<i>909 Plum Ridge Dr.</i>
Attach additional pages of names and addresses if other persons are joining the appeal. <i>See attached</i>		
C. Decision Being Appealed		
Date of Decision:	Planning Action #:	Title of planning action:
<i>1/21/2025</i>	<i>PA T2-2024-0054</i>	<i>Kestrel Park Subdivision</i>
D. How Person(s) Filing Appeal Qualifies as a Party (For each person listed above in Box A, check the appropriate box below.) <i>Phase III</i>		
The person named in Box A.1. above qualifies as a party because:	☐ I am the applicant. ☒ I received notice of the planning action. ☐ I was entitled to receive notice of the action but did not receive notice due to error.	
The person named in Box A.2. above qualifies as a party because:	☐ I am the applicant. ☒ I received notice of the planning action. ☐ I was entitled to receive notice of the action but did not receive notice due to error.	
Attach additional pages if others have joined in the appeal and describe how each qualifies as a party.		
E. Specific Grounds for Appeal		
1. The first specific ground for which the decision should be reversed or modified is (attach additional pages if necessary): <i>see attached</i>		
This is an error because the applicable criteria or procedure in the Ashland Municipal Code § _____ or other law in § _____ requires that (attach additional pages if necessary):		
2. The second specific ground for which the decision should be reversed or modified is (attach additional pages if necessary): <i>See attached</i>		
This is an error because the applicable criteria or procedure in the Ashland Municipal Code § _____ or other law in § _____ requires that (attach additional pages if necessary):		
3. The third specific ground for which the decision should be reversed or modified is (attach additional pages if necessary): <i>See attached</i>		
This is an error because the applicable criteria or procedure in the Ashland Municipal Code § _____ or other law in § _____ requires that (attach additional pages if necessary):		

3. The third specific ground for which the decision should be reversed or modified is (attach additional pages if necessary): *See attached*

This is an error because the applicable criteria or procedure in the Ashland Municipal Code § _____ or other law in § _____ requires that (attach additional pages if necessary):

4. (On attached pages, list other grounds, in a manner similar to the above, that exist. For each ground list the applicable criteria or procedures in the Ashland Municipal Code or other law that were violated.)

Appeal Fee

With this notice of appeal I(we) submit the sum of **\$325.00** which is the appeal fee required by §18.5.1.060.I of the Ashland Municipal Code.

Date:

Signature(s) of person(s) filing appeal (attach additional pages if necessary):

Vida S. Taylor

Note: This completed Notice of Land Use Appeal together with the appeal fee must be filed with the City Administrator, City Hall, 20 East Main Street, Ashland, OR 97520, telephone 541-488-6002, prior to the effective date of the decision sought to be reviewed. Effective dates of decisions are set forth in Ashland Municipal Code Section 18.5.1.060.

Final Plan with Outline	\$3,516.00 + \$176.00 per lot
Commercial Site Review ¹	\$2,756.25 + 0.5% (.005) of value*
Any other Type II Review	\$2,756.25
Independent Review of Wireless Communication Facilities ²	\$5,000.00

Type III Reviews

Zone / Comprehensive Plan Map Change	\$3,515.75
Comprehensive Plan Change	\$3,515.75
Annexation	\$5,288.75
Urban Growth Boundary Amendment	\$5,288.75
Any other Type III Review	\$3,515.75

Legislative Amendments

Comprehensive Plan Map / Large Zoning Map Amendment	\$6,172.00
Land Use Ordinance Amendment	\$6,172.00
Comprehensive Plan Amendment	\$6,172.00
City Sponsored Legislation (City Council Directive)	\$0

Appeals

Appeal for initial Public Hearing (<i>Building Appeals Board/ Demolition Review Board/Planning Commission</i>)	\$150
Appeal for Final Decision of City (<i>Planning Commission or City Council</i>)	\$325

Solar Access

Solar Access Permit (not a Solar Variance)	\$62.50 + \$14.25 per lot affected
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Community Development Fee

Community Development Fee This fee is charged concurrently with Building Permit Fees at the time of building permit application for all projects for which the City issues building permits. Fee shall not exceed \$30,000 per building permit for the Ashland School District.	1.2% of value of new construction (.012)
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Engineering Development Fee

Engineering Development Fee This fee is charged concurrently with Building Permit Fees at the time of building permit application for all projects for which the City issues building permits. Applies to all new residential dwelling units and commercial developments. Remodels, additions and accessory buildings are not assessed this fee.	0.75% of value of new construction (.0075)
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Other

Marijuana/Hemp/Psilocybin Land Use Compatibility Statement	\$234.75
Zoning Verification Letter	\$51.75

¹Project value includes the estimated valuation of all structures (per State of Oregon Building Code), as well as all related project site improvements, such as grading, paving, landscaping, bioswales, etc.

²The initial deposit required with an application for a new wireless communication facility that is not collocated is \$5,000 and shall be used by the City for the costs of expert review of the application. If anytime during the planning application process the account balance is less than \$1,000, the Applicant shall upon notification by the City replenish the account so the balance is at least \$5,000. The maximum total consultant fees to be charged to the Applicant shall be \$15,000 and any unused portion of fee will be refunded.

³A middle housing land division appeal must be filed within 14 days of mailing of the notice of the decision and be accompanied by a \$300.00 deposit towards the cost of an appeal hearing before a referee. This deposit shall be refunded if the applicant materially improves their position from the Staff Advisor's decision. The appeal referee shall assess the cost of the appeal in excess of the initial deposit for costs, up to a maximum of \$500.00, against an appellant who does not materially improve their position from the decision of the Staff Advisor.

January 30, 2025

Ashland City Council
Community Development Dept.
51 Winburn Way
Ashland, Or. 97520

NOTICE OF APPEAL: Kestrel Park Phase III development

We are residents of North Mountain and Julian Square townhomes whose homes are within a 200 foot radius of the proposed development of the phase III of the Kestrel Park subdivision in the Mountain Meadows community. We believe the proposed development does not meet the building codes and standards of the city of Ashland and the North Mountain Neighborhood building codes and standards, and request a delay and reconsideration of the following concerns:

These concerns were submitted at the Ashland Planning Commission prior to their meeting on December 10, 2024, per an agreement among the signatories at the end of this letter. However, a decision was made before the meeting by Taylored Elements Construction to withdraw section 7 from the current application. This agreement was not announced before the meeting, and attendees were not prepared to present the remaining concerns regarding sections 4, 5, and 6. The following concerns were sent to the council prior to the meeting which we believe require additional consideration and adjustments to the plan in order to conform to the City of Ashland and the North Mountain building codes as follows:

1. We do not believe this design conforms to requirements of AMC 18.3.5.030.C relating to the N. Mountain neighborhood plan in regards to density, building design and building orientation. The currently proposed Kestrel Park hillside subdivision will add 43 units to the streets system with the possibility of adding another 10 ADUs. Mountain Meadows streets will not accommodate the increased traffic flow and parking. The streets are narrow, with cars parked on either side, causing one way traffic which is further impaired by large trucks and service vehicles that need access.
2. We do not agree that AMC 18.3.5.100.C3 is met in this design. In area 6, eight units are proposed with access onto Julian Court alley, which already serves another 10 homes that have driveways and garages on the alley. The code describes an alley as a paved surface serving the rear of a property to diminish use of the main access as property frontage. The alley adjacent to the two proposed apartment buildings in area 6 is supposed to serve the residents who have driveways either side of the alley, and is 12 feet wide. It cannot be widened due to property lines and required setbacks and easements. Currently, cars exiting the alley have to back up in order to allow cars to enter from Plum Ridge Drive. Widening the alley next to the apartment buildings in lots 37 and 38 to 20 feet will create a bottleneck, causing a danger to property owners on the west end of the alley as well as anyone trying to enter or exit from the East, including fire

trucks, service vehicles and ambulance services in addition to a large number of residents, many of whom would live next to the alley.

3. Supplemental criteria described in AMC 18.3.5.030.C are not met by the design of apartment buildings in area 6. The buildings are very different in size, height, density and building orientation from other buildings in the neighborhood. The building designs do not comply with the North Mountain Neighborhood Design Standards, requiring all buildings to face a street, not an alley. The apartments face Julian Court alley, but require residents to enter and exit through the rear door, into the parking lot, with no entrance on the other side of the building. This is a fire danger that is at odds with the North Mountain Design Standards. Car parking is in front of the buildings, and are sized for compact cars, which is not adequate for most vehicles used in our area. This is again at odds with the North Mountain standards.
4. The proposed apartment buildings in area 6 do not meet city of Ashland standard AMC 18.3.9.040, requiring adequate police and fire protection, and adequate transportation. The density of the project is over 2 ½ times greater than the density of phases I and II, with larger units sited lower down the hill, requiring some of the apartments at the top of the hill to be less than 300 square feet, and the rest to be less than 500 square feet. This results in having a large number of people crammed into the buildings with the least road access, causing a dangerous situation in the event of a fire or earthquake, and causing rescue vehicles to compete with residents trying to exit the premises. Some of these residents are expected to be elderly and some may be handicapped, needing more services than those at the bottom of the hill, in single family dwellings.
5. Transportation is very limited in the N. mountain neighborhoods. In addition, there are no grocery stores or other kinds of services that residents of these very small apartments need to access to meet their daily needs if they do not have automobiles. This is at odds with AMC 18.5.2.050 C. We request that the Kestrel Park subdivision be redesigned with a reduced density appropriate for the existing streets as well as future extensions. We would support building homes at a lower density on the hillside, but the current plan is not seen as appropriate for the Neighborhood Design Standards for the above reasons. The planned multi-family super dense buildout of small units is not compatible with the character of the rest of the neighborhood. The zoning's multi-family provisions could be met by a project half the size of the proposed project.
6. AMC 18.3.5.100 A We believe the proposed development does not meet the general design requirements for the North Mountain Neighborhood Design Standards. They do not have street frontage as required in the above. The two apartment buildings abutting Julian Court Alley have only one door for entrance and exit. This is a fire danger. The Parking area blocks over 50% of the front of the building, which is not in compliance with the above standards. Access to these buildings is limited by the fact that they are not situated on a road, but rather are on an alley that does not have two way access to the nearest street, hampering services including fire and emergency services.
7. The proposed apartment buildings do not meet common and private open space requirements in 18.4.4.070. The plan would cover 68% of the lots with pavement or structures. This would increase runoff down the steep hill onto the residences below. The building design and parking areas, combined with new roads, would increase the already

high temperatures in the summers, and the crowding of a large number of residences into a too small area would reduce air flow causing loss of air circulation and raising already high temperatures for all residences in the area. The apartment buildings would be the tallest structures in the area, and their design is not compatible with other residences nearby. They will interfere with the views of residents on Plum Ridge Drive, who purchased their homes with assurances that the lots below were zoned for single family homes. They also will interfere with the views of residents across Julian Court alley, who had the same assurances when purchasing their homes.

8. Fire Safety: In today's world, this density is a serious safety issue. The very worrisome annual fire danger is an issue we cannot avoid. High density coupled with narrowed streets is a recipe for catastrophe. The proposed streets in Kestrel Park and surrounding N. Mountain Neighborhood do not have the capacity to evacuate residents in a timely fashion. We believe the evacuation study done recently by the city indicates it would take 4.5 hours to evacuate the city in case of fire. The North Mountain roads would become congested within 15 minutes. We have all seen recent fires where all homes in a neighborhood were burned in a very short time, including in our own area. The Alameda Fire started not half a mile from this neighborhood, and we have seen the destruction first hand. A similar occurrence here would be devastating to not only residents of this community, but the entire city of Ashland.

We believe the city needs to take another look at fire safety in this area before granting permission to build on this small property at the proposed density. There is other open space and more buildable land in and near Ashland that would not cause these serious impacts on the community. Please do not put our community in jeopardy by proceeding with this project as presented.

Vida Taylor, 913 Plum Ridge Dr.

Daniel DeRoux, 909 Plum Ridge Dr.

David Runkel, 893 Plum Ridge Dr.

Ronald K. Vandervort, 583 Nandina St

Carol Vandervort, 583 Nandina St.

Jeffrey Thompson, 863 Plum Ridge Dr.

Maggie Thompson, 863 Plum Ridge Dr.

Mark Abelle, 902 Patton Lane

Nancy Crowley, 902 Patton Lane

Daniel DeRoux Daniel DeRoux 909 PLUM RIDGE DR.
Ashland.

David Trunkel David Trunkel 893 Plum Ridge Drive

Ronald Vanderwort RONALD K. VANDERVORT 360-620-3366

CAROL VANDERVORT Carol Vanderwort 623-535-7147
583 Nardina St.

Jeffrey Thompson 541-778-6711

Maggie Thompson Maggie Thompson 863 PLUM RIDGE DR.
541-840-0488

Mark Abell MARK ABELL 541-944-9004 902 PATTON LN.

Nancy Crowley Nancy Crowley 541-944-3920 902 Patton Ln.

Vida Taylor Vida Taylor 360-904-4303 913 Plum
Ridge Dr.

vidatay@gmail.com

Kathi Bowen-Jones + David Jones M.D.

Mailing 2000 Tamarack Pl. Ashland, OR 97520

resides at 903 Plum Ridge Drive, Ashland, OR 97520

Kathi Bowen Jones 541-840-7512

~~kbowen~~ kbowenjones@gmail.com

Testimony on Kestrel Park Phase III Site Development

The first two phases of the Kestrel Park development built in conformance with North Mountain Neighborhood District zoning have added greatly to our community. They've taken advantage of the relatively flat land along Bear Creek and Kestrel Parkway and have given the new residents generous yards and green common space. That has left to the proposed Phase III of the Kestrel Park development the remaining steep and barren hillside portion and the constraint of building very high-density housing to meet the City's desired overall density for the whole Kestrel development. Taylored Elements Construction has taken on this remaining Phase III, proposing a design with high density so that the entire Kestrel Park meets density regulations.

The proposed Kestrel Phase III design follows the pattern of Kestrel Phases I and II in siting larger units, some as large as 1,700 sq.ft., lower on the hill (Areas 4, 5, and the lower part of Area 7)). To meet density requirements this forces units at the top of the hill (Areas 6 and 7) to be as small as 400 sq.ft. Particularly constrained is Lot 36 which has 12 studio rental apartments (6 over 6) in a 10,026 sq.ft. footprint. As measured by average area per housing unit, the density of Lots 36 through 38 at the top of the development is 2-1/2 times greater than the rest of the Kestrel III homes.

Access for 12 studio apartment units through Mariposa Court alley Mariposa Court is an Alley that was constructed during the building of the Plum Ridge Subdivision of Mountain Meadows in 2001. In compliance with Ashland Municipal Code, North Mountain Neighborhood District (AMC 18.3.5.100.C.3) the designed purpose of the Mariposa Court/alley was to serve as garage and garbage truck access for five Mountain Meadows homes at 863, 843 and 823 Plum Ridge Drive and 539 and 549 Mountain Meadows Drive. All other vehicular access to those homes (emergency vehicles, visitors, mail and package deliveries, moving vans, etc.) use their frontages on Plum Ridge and Mountain Meadows Drives. The paved alley is 12 feet wide as specified in the code. This is only slightly wider than a single lane so cars must queue and Recology garbage and recycling trucks have a difficult time navigating the alley as it is. There is room to widen the paved north-south surface on the downhill or west side. The east-west stub connecting the south end to Plum Ridge Drive has residential properties on either side, thus no room for widening.

We disagree with the Finding of Fact 3.g. that states the development complies with Ashland street standards.

If the planned building at the top of Area 7 is built and inhabited, *all* vehicular access to those 12 apartments would be through Mariposa Court/alley. This is in

violation of AMC 18.3.5.100.C.3 which describes an Alley as servicing *the rear of a property to diminish use of the main access at property frontage*. For the new units the alley must serve their personal car parking, visitor parking, emergency vehicle access and parking during the emergency, garbage and recycling trucks, mail and package delivery, and parking for any other services to those homes, e.g., utility service or equipment installation and repair.

AMC 18.3.5.100.C.3 specifies the standard paved width for an Alley as 12 feet with 4-foot clearances on either side. In the plan there is a 16-foot width reserved for the Alley which is thus 4 feet less than code. The short east-west stub off Plum Ridge Drive cannot be widened beyond its 12-foot current width. The North Mountain Neighborhood District code takes precedence over Ashland Street Standards, but the same problems requiring only secondary access and limits on width exist with respect to that code.

There is no possibility of converting Mariposa Court into a Neighborhood Street per AMC 18.3.5.100.C.2 which requires a 48-foot right-of-way including sidewalks and planter strips.

Parking spaces provided for 12 studio apartment units

We contend that the Planning Commission cannot make the findings required by AMC 18.3.9.040 A.3 or AMC 18.5.2.050.

The 12-unit apartment building is squeezed into a too small parcel and as such does not comply with the applicable Site Development and Design Standards of AMC 18.4 as follows:

- (1) All parking is pull-in spaces all sized for compact cars but it is not reasonable to expect all occupants to have compact cars. Longer vehicles would stick out into the alley.
- (2) AMC 18.4.2.030 Residential Development Sec. A 1.a. Parking Layout. ...
“However, avoid designs where the parking areas are immediately abutting dwelling units ...” The design shows parking immediately abutting the wall of the building.
- (3) The accessible parking space does not meet the criteria for access to the entrance to the building. Will the unit adjacent to the accessible parking space be reserved for a disabled person?
- (4) Since the plans do not include a section of the alley with the adjacent buildings shown it's difficult to determine if the minimum dimensions required by AMC 18.4.3.080 are achieved.
- (5) The designed parking does not meet the landscaping and screening requirements of AMC 18.4.4.030.

(6) The 12-unit apartment building does not comply with the common and private open space requirements in AMC 18.4.4.070.

Appropriateness of the proposed 12 studio apartment units

We contend that the lower units of the 12-apartment building fail to meet AMC 18.3.5.100.A.2. The front or primary elevation of these units faces west, away from any street and in fact into the rear of two larger single-family homes below them. These units will have access to vehicles only via an external flight of stairs. All goods from furniture to groceries to front door deliveries will have to be carried via those stairs. More importantly, ambulance or other emergency transport must use those stairs.

The 12-studio apartment building at the top of Area 7 would be closely surrounded by homes of a completely different nature. The 12 proposed studios apartments are sized at approximately 500 sq.ft. To the east are three single family homes with greater than 1,500 sq.ft. To the south are two single family homes with greater than 1,500 sq.ft. To the west will be, according to the submitted plan, two single family homes with greater than 1,500 sq.ft. While higher density, smaller homes can be designed to blend in with larger single-family homes, the disparity of design in this case is enormous.

Access to Area 6 homes through the unnamed east-west Alley

We again disagree with the Finding of Fact 3.g, that states the development complies with Ashland street standards. The 12-foot wide one-lane alley off Plum Ridge Drive which would be extended west beyond Patton Lane would serve as one of two points of access to 16 additional units. The alley does not meet AMC 18.3.5.100.C.2 standard width provisions in that there is no 4-foot wide clearance space on either side. There is no room for widening or for sidewalks. The alley currently serves as access to three garages with vehicles backing out onto the alley. In addition, it is used by some vehicles coming from an unnamed alley parallel to Plum Ridge Drive. The Julian Court alley was not designed to handle a large number of vehicles, oversize trash removal or delivery trucks, or fire and rescue vehicles. At present, Recology and large delivery trucks cut into Lot 38 property to make the turn at the end of the alley.

Appropriateness of Proposed Homes in Lots 37 and 38 to their Surroundings

The proposed units on Lots 37 and 38 do not meet the common and private open space requirements in AMC 18.4.4.070. The plan would cover two-thirds of Lots 37 and 38 with structures or pavement. This does not, as the petitioners claim, reduce the impact on the natural environment, but rather increases runoff down the steep

slope. The proposed four two-story buildings west of the houses on Plum Ridge Drive and south of the alley marked as Julian Court would be the tallest structures on the west end of the entire Kestrel development area. With the exception of one house at Nadina Street and Plum Ridge Drive in the Mountain Meadows development, other two-story structures are spaced down the slope and don't interfere with existing views of other houses which are primarily owner occupied. The plan would cover two-thirds of Lots 37 and 38 with structures or pavement.

Other considerations

Although it is not the Planning Commissions purview to look at specific traffic problems with a proposed development, section D of the AMC 18.5.2.050 Site Design Review Approval Criteria does state in part that adequate paved access to and through the property is to be provided. The new development will add 38 homes to the North Mountain Neighborhood District which now has approximately 440 independent living homes plus 91 assisted living and memory care apartments in Skylark Senior Living. With the addition of Kestrel Phase III the population of the North Mountain Neighborhood District can be estimated at over 600 people, more than 5 percent of the city of Ashland. Yet the North Mountain community has only a single paved access to the city, North Mountain Avenue with its narrow bridge over Bear Creek. A bridge over Bear Creek at Nevada Street is in the 2012 Ashland Transportation System Plan, but there is no current plan for its construction. Public transport into the community now must retrace its route out of the community. Whether this is a factor or not, the community has no regular public transportation. We contend there is not adequate transportation to the property as the Finding of Fact on AMC 18.5.2.050.D states.

It is also not the purview of the Commission to consider provisions for evacuation of the development should that be needed in an emergency. This provision is not a part of the Ashland Municipal Code, but the recent Almeda fire has brought great attention to the need for providing evacuation routes. The North Mountain community has only two evacuation routes, along North Mountain Ave south to the city or north across the I-5 overpass out of the city. An emergency onramp to I-5 south has been built, but there has been no clear information on when and how it can be used. Adding 38 units to an area with over 440 homes adds significantly to our evacuation concerns.

Dennis Holeman	822 Plum Ridge Drive
Dave Runkel	893 Plum Ridge Drive
Richard Kinsinger	591 Nandina Street
Bobbie Kinsinger	591 Nandina Street
Lee Bowman	554 Mountain Meadows Drive
Roberta Bowman	554 Mountain Meadows Drive
Cathy George	832 Plum Ridge Drive
Jeffrey Thompson	863 Plum Ridge Drive
Maggie Thompson	863 Plum Ridge Drive
Ron Vandervort	583 Nandina Street
Carol Vandervort	583 Nandina Street
Bob Pohl	843 Plum Ridge Drive
Al Sklensky	549 Mountain Meadows Drive
Lia Byers	544 Mountain Meadows Drive
Stephen Brummer	544 Mountain Meadows Drive
Suzanne Mitchell	892 Plum Ridge Drive
Paul Winans	802 Plum Ridge Drive
Nina Winans	802 Plum Ridge Drive
Robert Tower	812 Plum Ridge Drive
Kevin Frostad	793 North Mountain Avenue
Tina Frostad	793 North Mountain Avenue
Donna Taylor	590 Mountain Meadows Drive
Joel Taylor	590 Mountain Meadows Drive
Dennis Knauert	862 Plum Ridge Drive
Francisca Van Lith	862 Plum Ridge Drive
Daniel DeRoux	909 Plum Ridge Drive
JoAnn Grady	909 Plum Ridge Drive

Michael Sullivan

From: Cathy Hickling <hicklins@jeffnet.org>
Sent: Sunday, February 16, 2025 2:45 PM
To: Planning Commission - Public Testimony
Subject: Kestrel Hillside Development Project

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]

Ashland Planning Dept.,

I object to the project as planned.

Catherine J. Hickling, 833 Pavilion Place, Ashland, OR 97520

Michael Sullivan

From: Claire D Kotowski <ckotowski@live.com>
Sent: Sunday, February 16, 2025 3:56 PM
To: Planning Commission - Public Testimony
Subject: Kestrel Hillside Project Public Hearing, Tuesday, March 4th, 7pm PA-T2-2024-00054/PA-APPEAL-2025-0002024

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]

My wife Claire and I are residents at 812 Boulder Creek Lane, Ashland, Oregon.
We are adamantly opposed to the proposed Kestrel Hillside Development Project.
As a former Council Member (17years), 3 time Mayor, former Planning Commission Chair, and Santa Clara County Transportation Commissioner, I find your support of the incredibly dense plans for this construction to be appalling. You ignore Ashland City Code enabling violations dealing with density, inadequate parking Fire Safety and Evacuation as well as Emergency vehicles and utility vehicle access. I urge you to refer this ill-planned project to the City Council for review.
Sincerely,
Past Mayor Michael F and Claire D Kotowski
mfkcdk@live.com
408 679-1172

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Michael Sullivan

From: janet w dolan <janetwdolan@gmail.com>
Sent: Sunday, February 16, 2025 4:21 PM
To: Planning Commission - Public Testimony
Subject: Kestrel Hillside Development Project

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]

I object to the Kestrel Hillside Development Project as it is now planned. -Janet Dolan

Michael Sullivan

From: KAREN HEMAN <heman.karen4656@gmail.com>
Sent: Monday, February 17, 2025 6:38 AM
To: Planning Commission - Public Testimony
Subject: PA-T2-2024-00054/PA-APPEAL-2025-00020

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]

I object to the Kestrel Hillside Development as planned. Karen Heman Mt Meadows property owner.

Michael Sullivan

From: Charlene Kenny <kennycharlene537@gmail.com>
Sent: Monday, February 17, 2025 8:23 AM
To: Planning Commission - Public Testimony
Subject: Kestrel Hillside Development Project

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]

Ashland Planning Commission

I strongly object to the plans as the project will add too many cars and congestion in our lovely neighborhood. Thank you, Charlene Kenny

Michael Sullivan

From: Dinah O'Farrell <dinahofarrell@earthlink.net>
Sent: Monday, February 17, 2025 9:43 AM
To: Planning Commission - Public Testimony
Subject: Planning Action: PA-T2-2024-00054/PA-APPEAL-2025-00020

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]

I support the appeal of the Planning Commission's approval of the plans for the Kestral Park addition. it should go back to the Commission for further review.

Diana O'Farrell

929 Mountain Meadows Circle. Ashland

Michael Sullivan

From: ken deveney <kenndev@yahoo.com>
Sent: Monday, February 17, 2025 3:59 PM
To: Planning Commission - Public Testimony
Subject: Planning Action: PA-T2-2024-00054/PA-APPEAL-2025-00020

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL SENDER]

I am against the project as planned, with all its violations of code. I recommend its being sent back to the Planning Commission.

Kenneth Deveney
Ashland OR

Michael Sullivan

From: REK <rek@kinsinger.us>
Sent: Tuesday, February 18, 2025 1:59 PM
To: Planning Commission - Public Testimony
Cc: Lee Bowman; Dennis Holeman; Ron Vandervort; Jeff Thompson; David Runkel
Subject: Statement re Planning Action: PA-T2-2024-00054/PA-APPEAL-2025-00020
Attachments: Statement regarding Kestrel appeal.docx; Kestrel testimony final.docx

[EXTERNAL SENDER]

Please enter the attached statement and referenced testimony from the Planning Commission hearing as support for the appeal re development of Kestrel III scheduled for 4 March 2025. Planning Action: PA-T2-2024-00054/PA-APPEAL-2025-00020

Richard Kinsinger
591 Nandina Street
Ashland

Statement Regarding Appeal of Kestrel III Development Plans to Ashland City Council

We were principal authors of written testimony to the Planning Commission regarding the Kestrel III development along with Dave Runkel. This testimony is attached. The testimony with almost 200 signatures of nearby residents was submitted to the Planning Department on the Friday before the Tuesday hearing so we assume it was available before the hearing to both to the applicant and the Commissioners. At the hearing the applicant withdrew Area 7 of the proposed development from consideration, perhaps in response to statements made in that testimony.

Our written testimony also included most of the objections cited in the current appeal to the Council, concerns which are relevant to the remainder of the proposed development. However, these grounds were not addressed in the presentation by the Planning Department or in the questions and discussion by the Commissioners at their hearing. We believe they were not satisfactorily taken into consideration in the Commission's decision to approve the applicant's proposal. Therefore, we endorse this appeal to the Council and ask that the applicant's proposal be resubmitted to the Commission with instructions to specifically address the objections cited in the appeal.

The last of the points made in the appeal does not concern failures to meet Ashland Municipal Code. However, it does raise the issue of fire safety and the limited evacuation routes for residents of the North Mountain community, an issue which we believe should be of great importance in decisions made by the Council. This issue and the added traffic burden on North Mountain Avenue were also raised in the written testimony. We ask that you give weight especially to our concerns regarding a widespread fire in your decisions on this and other questions before you.

Richard Kinsinger	591 Nandina Street
Dennis Holeman	822 Plum Ridge Drive
Lee Bowman	554 Mountain Meadows Drive

Testimony on Kestrel Park Phase III Site Development

The first two phases of the Kestrel Park development built in conformance with North Mountain Neighborhood District zoning have added greatly to our community. They've taken advantage of the relatively flat land along Bear Creek and Kestrel Parkway and have given the new residents generous yards and green common space. That has left to the proposed Phase III of the Kestrel Park development the remaining steep and barren hillside portion and the constraint of building very high-density housing to meet the City's desired overall density for the whole Kestrel development. Taylored Elements Construction has taken on this remaining Phase III, proposing a design with high density so that the entire Kestrel Park meets density regulations.

The proposed Kestrel Phase III design follows the pattern of Kestrel Phases I and II in siting larger units, some as large as 1,700 sq.ft., lower on the hill (Areas 4, 5, and the lower part of Area 7)). To meet density requirements this forces units at the top of the hill (Areas 6 and 7) to be as small as 400 sq.ft. Particularly constrained is Lot 36 which has 12 studio rental apartments (6 over 6) in a 10,026 sq.ft. footprint. As measured by average area per housing unit, the density of Lots 36 through 38 at the top of the development is 2-1/2 times greater than the rest of the Kestrel III homes.

Access for 12 studio apartment units through Mariposa Court alley Mariposa Court is an Alley that was constructed during the building of the Plum Ridge Subdivision of Mountain Meadows in 2001. In compliance with Ashland Municipal Code, North Mountain Neighborhood District (AMC 18.3.5.100.C.3) the designed purpose of the Mariposa Court/alley was to serve as garage and garbage truck access for five Mountain Meadows homes at 863, 843 and 823 Plum Ridge Drive and 539 and 549 Mountain Meadows Drive. All other vehicular access to those homes (emergency vehicles, visitors, mail and package deliveries, moving vans, etc.) use their frontages on Plum Ridge and Mountain Meadows Drives. The paved alley is 12 feet wide as specified in the code. This is only slightly wider than a single lane so cars must queue and Recology garbage and recycling trucks have a difficult time navigating the alley as it is. There is room to widen the paved north-south surface on the downhill or west side. The east-west stub connecting the south end to Plum Ridge Drive has residential properties on either side, thus no room for widening.

We disagree with the Finding of Fact 3.g, that states the development complies with Ashland street standards.

If the planned building at the top of Area 7 is built and inhabited, all vehicular access to those 12 apartments would be through Mariposa Court/alley. This is in violation of AMC 18.3.5.100.C.3 which describes an Alley as servicing the rear of a property to

diminish use of the main access at property frontage. For the new units the alley must serve their personal car parking, visitor parking, emergency vehicle access and parking during the emergency, garbage and recycling trucks, mail and package delivery, and parking for any other services to those homes, e.g., utility service or equipment installation and repair.

AMC 18.3.5.100.C.3 specifies the standard paved width for an Alley as 12 feet with 4-foot clearances on either side. In the plan there is a 16-foot width reserved for the Alley which is thus 4 feet less than code. The short east-west stub off Plum Ridge Drive cannot be widened beyond its 12-foot current width. The North Mountain Neighborhood District code takes precedence over Ashland Street Standards, but the same problems requiring only secondary access and limits on width exist with respect to that code.

There is no possibility of converting Mariposa Court into a Neighborhood Street per AMC 18.3.5.100.C.2 which requires a 48-foot right-of-way including sidewalks and planter strips.

Parking spaces provided for 12 studio apartment units

We contend that the Planning Commission cannot make the findings required by AMC 18.3.9.040 A.3 or AMC 18.5.2.050.

The 12-unit apartment building is squeezed into a too small parcel and as such does not comply with the applicable Site Development and Design Standards of AMC 18.4 as follows:

- (1) All parking is pull-in spaces all sized for compact cars but it is not reasonable to expect all occupants to have compact cars. Longer vehicles would stick out into the alley.
- (2) AMC 18.4.2.030 Residential Development Sec. A 1.a. Parking Layout. ...
“However, avoid designs where the parking areas are immediately abutting dwelling units ...” The design shows parking immediately abutting the wall of the building.
- (3) The accessible parking space does not meet the criteria for access to the entrance to the building. Will the unit adjacent to the accessible parking space be reserved for a disabled person?
- (4) Since the plans do not include a section of the alley with the adjacent buildings shown it’s difficult to determine if the minimum dimensions required by AMC 18.4.3.080 are achieved.
- (5) The designed parking does not meet the landscaping and screening requirements of AMC 18.4.4.030.

- (6) The 12-unit apartment building does not comply with the common and private open space requirements in AMC 18.4.4.070.

Appropriateness of the proposed 12 studio apartment units

We contend that the lower units of the 12-apartment building fail to meet AMC 18.3.5.100.A.2. The front or primary elevation of these units faces west, away from any street and in fact into the rear of two larger single-family homes below them. These units will have access to vehicles only via an external flight of stairs. All goods from furniture to groceries to front door deliveries will have to be carried via those stairs. More importantly, ambulance or other emergency transport must use those stairs.

The 12-studio apartment building at the top of Area 7 would be closely surrounded by homes of a completely different nature. The 12 proposed studios apartments are sized at approximately 500 sq.ft. To the east are three single family homes with greater than 1,500 sq.ft. To the south are two single family homes with greater than 1,500 sq.ft. To the west will be, according to the submitted plan, two single family homes with greater than 1,500 sq.ft. While higher density, smaller homes can be designed to blend in with larger single-family homes, the disparity of design in this case is enormous.

Access to Area 6 homes through the unnamed east-west Alley

We again disagree with the Finding of Fact 3.g, that states the development complies with Ashland street standards. The 12-foot wide one-lane alley off Plum Ridge Drive which would be extended west beyond Patton Lane would serve as one of two points of access to 16 additional units. The alley does not meet AMC 18.3.5.100.C.2 standard width provisions in that there is no 4-foot wide clearance space on either side. There is no room for widening or for sidewalks. The alley currently serves as access to three garages with vehicles backing out onto the alley. In addition, it is used by some vehicles coming from an unnamed alley parallel to Plum Ridge Drive. The Julian Court alley was not designed to handle a large number of vehicles, oversize trash removal or delivery trucks, or fire and rescue vehicles. At present, Recology and large delivery trucks cut into Lot 38 property to make the turn at the end of the alley.

Appropriateness of Proposed Homes in Lots 37 and 38 to their Surroundings

The proposed units on Lots 37 and 38 do not meet the common and private open space requirements in AMC 18.4.4.070. The plan would cover two-thirds of Lots 37 and 38 with structures or pavement. This does not, as the petitioners claim, reduce

the impact on the natural environment, but rather increases runoff down the steep slope. The proposed four two-story buildings west of the houses on Plum Ridge Drive and south of the alley marked as Julian Court would be the tallest structures on the west end of the entire Kestrel development area. With the exception of one house at Nadina Street and Plum Ridge Drive in the Mountain Meadows development, other two-story structures are spaced down the slope and don't interfere with existing views of other houses which are primarily owner occupied. The plan would cover two-thirds of Lots 37 and 38 with structures or pavement.

Other considerations

Although it is not the Planning Commissions purview to look at specific traffic problems with a proposed development, section D of the AMC 18.5.2.050 Site Design Review Approval Criteria does state in part that adequate paved access to and through the property is to be provided. The new development will add 38 homes to the North Mountain Neighborhood District which now has approximately 440 independent living homes plus 91 assisted living and memory care apartments in Skylark Senior Living. With the addition of Kestrel Phase III the population of the North Mountain Neighborhood District can be estimated at over 600 people, more than 5 percent of the city of Ashland. Yet the North Mountain community has only a single paved access to the city, North Mountain Avenue with its narrow bridge over Bear Creek. A bridge over Bear Creek at Nevada Street is in the 2012 Ashland Transportation System Plan, but there is no current plan for its construction. Public transport into the community now must retrace its route out of the community. Whether this is a factor or not, the community has no regular public transportation. We contend there is not adequate transportation to the property as the Finding of Fact on AMC 18.5.2.050.D states.

It is also not the purview of the Commission to consider provisions for evacuation of the development should that be needed in an emergency. This provision is not a part of the Ashland Municipal Code, but the recent Alameda fire has brought great attention to the need for providing evacuation routes. The North Mountain community has only two evacuation routes, along North Mountain Ave south to the city or north across the I-5 overpass out of the city. An emergency onramp to I-5 south has been built, but there has been no clear information on when and how it can be used. Adding 38 units to an area with over 440 homes adds significantly to our evacuation concerns.

Dennis Holeman	822 Plum Ridge Drive
Dave Runkel	893 Plum Ridge Drive
Richard Kinsinger	591 Nandina Street
Bobbie Kinsinger	591 Nandina Street
Lee Bowman	554 Mountain Meadows Drive
Roberta Bowman	554 Mountain Meadows Drive
Cathy George	832 Plum Ridge Drive
Jeffrey Thompson	863 Plum Ridge Drive
Maggie Thompson	863 Plum Ridge Drive
Ron Vandervort	583 Nandina Street
Carol Vandervort	583 Nandina Street
Bob Pohl	843 Plum Ridge Drive
Alden Sklensky	549 Mountain Meadows Drive
Lia Byers	544 Mountain Meadows Drive
Stephen Brummer	544 Mountain Meadows Drive
Suzanne Mitchell	892 Plum Ridge Drive
Paul Winans	802 Plum Ridge Drive
Nina Winans	802 Plum Ridge Drive
Robert Tower	812 Plum Ridge Drive
Kevin Frostad	793 North Mountain Avenue
Tina Frostad	793 North Mountain Avenue
Donna Taylor	590 Mountain Meadows Drive
Joel Taylor	590 Mountain Meadows Drive
Dennis Knauert	862 Plum Ridge Drive
Francisca Van Lith	862 Plum Ridge Drive
Kara Keeling	823 Plum Ridge Drive
Genie Anderson	598 Nandina Street
Bethany Hall	584 Great Oaks Drive
Grace Martin	596 Mariposa Court
Chris Lewis	802 Mountain Meadows Drive
Anna Lewis	802 Mountain Meadows Drive
Cathy Armstrong	837 North Mountain Avenue
Paula Phillips	785 North Mountain Avenue
Nancy Wilkinson	852 Mountain Meadows Drive
Thomas Boudrot	857 North Mountain Avenue
Alice Diefenbach	801 North Mountain Avenue
Sherwood Goozee	595 Great Oaks Drive
Germaine Goozee	595 Great Oaks Drive
David Lane	464 Golden Aspen Place
Catherine Hickling	833 Pavilion Place

Janet Dolan	963 Golden Aspen Place
Jim Robertson	962 Golden Aspen Place
Linda Robertson	962 Golden Aspen Place
Robert Carter	838 Cobblestone Court
Laurie Carter	838 Cobblestone Court
Candis Fugitt	959 Golden Aspen Place
Susan Stoeher	977 Golden Aspen Place
Mary K. King	907 Mountain Meadows Circle
Maureen Wallace	838 Pavilion Place
Edwin Miller	971 Golden Aspen Place
Molley Tinsley	971 Golden Aspen Place
Janice Trieglaff	875 Bolder Creek Lane
Michelle Indianer	915 Mountain Meadows Circle
Joan Tschalaer	902 Mountain Meadows Circle
Roy Sutton	989 Golden Aspen Place
Dena Amtman	905 Mountain Meadows Circle
Dorothy Brooks	979 Golden Aspen Place
Dena Bates	846 Stony Point
Anna Gove	947 Mountain Meadows Circle
Martin Thommes	564 Great Oaks Drive
Hal Hayes	941 Mountain Meadows Circle
Nancy Bringham	785 Creek Stone Way
Diana O'Farrell	929 Mountain Meadows Circle
Terry Ansnes	988 Golden Aspen Place
Michael Kotowski	812 Boulder Creek Lane
Edward Busby	904 Mountain Meadows Circle
Shelley Busby	904 Mountain Meadows Circle
Susanne Krieg	900 Skylark Place #316
Betsy McLane	819 Boulder Creek Lane
Olive Johnson	986 Golden Aspen Place
Barbara Cross	952 Golden Aspen Place
Arlene Mueller	826 Boulder Creek Lane
Roger Mueller	826 Boulder Creek Lane
Ann Dick Wilson	821 Pavilion Place
J. Marlene Baker	816 Boulder Creek Lane
Karin Bolling	816 Boulder Creek Lane
Helen Molz	842 Stony Point
Charlotte Silbaugh	914 Mountain Meadows Circle
Morgan Silbaugh	914 Mountain Meadows Circle
Charlene Kenny	863 Stony Point

Jeannine Bertrand	823 Boulder Creek Lane
Ian Couchman	919 Mountain Meadows Drive
Judith Sundaram	833 Cobblestone Court
Nathanael Sundaram	833 Cobblestone Court
Carol Nosko	824 Pavilion Place
Juan Quesada	824 Pavilion Place
Pamela Newton	975 Golden Aspen Place
Shoshanah Dubiner	922 Mountain Meadows Circle
Paul Boon	855 Stony Point
Suzanne Smith-Hammerli	991 Golden Aspen Place
Mary Ferrari	936 Mountain Meadows Circle
Dave Seiden	838 Pavilion Place
Cassie Conner	735 Meadowlark Way
Gloria Junkermann	906 Mountain Meadows Circle
Bill Walker	844 Stony Point
Anita Walker	844 Stone Point
Alan Berman	817 Pavilion Place
Harriet Berman	817 Pavilion Place
Lola Eagan	836 Pavilion Place
Lucy Strasburg	935 Mountain Meadows Circle
Mary Hunt	580 Mountain Meadows Dr
Judith Milburn	840 Pavilion Place
Kate Thill	921 Mountain Meadows Circle
Sarah Tozier	957 Golden Aspen Place
Amelia Franke	980 Golden Aspen Place
Jim Cornelius	822 Boulder Creek Lane
Carolyn Herb	911 Mountain Meadows Circle
Linda Sussman	910 North Mountain Avenue
Jo Ann Grady	909 Plum Ridge Drive
Daniel DeRoux	909 Plum Ridge Drive
Vida Taylor	913 Plum Ridge Drive
Vincent Chabot	919 Plum Ridge Drive
Nancy Shubert	919 Plum Ridge Drive
Ross Gillanders	Plum Ridge Drive
Ginny Gillanders	Plum Ridge Drive
Loretta Barlow	921 Patton lane
Dennis Tetz	638 Fair Oaks Court
Barbara Ricketts	638 Fair Oaks Court

Joyce Leighton	626 Fair Oaks Court
Gail Engblom	636 Fair Oaks Court
Jill Chabers	654 Fair Oaks Court
Joy Dobson	624 Fair Oaks Court
Frances Brandt	634 Fair Oaks Court
Brad Bodzin	616 Fair Oaks Court
Fanda Bender	612 Fair Oaks Court
Lotus Gabriel	606 Fair Oaks Court
John Sells	608 Fair Oaks Court
Sally O'Brien	618 Fair Oaks Court
Jeremey Dailly	628 Fair Oaks Court
Miyo Ishihara	628 Fair Oaks Court

Michael Sullivan

From: Jared N Crawford <jarednec@yahoo.com>
Sent: Thursday, February 20, 2025 7:28 PM
To: Planning Commission - Public Testimony
Subject: PA-T2-2024-00054/PA-APPEAL-2025-00020

Follow Up Flag: Follow up
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[EXTERNAL SENDER]

Dear Planning Commission,

I am a resident of Julian Court, which is next to the proposed Kestrel Hillside project.

I am writing in support of PA-T2-2024-00054/PA-APPEAL-2025-00020 and opposition to the current proposal for the Kestrel Hillside project.

I believe that the additional density implied by this proposal is inconsistent with current fire risks, which have increased dramatically since this project was originally designed. Evacuation of this neighborhood during a fire emergency is extremely problematic. Even the recent snowstorm made the neighborhood's streets completely dysfunctional due to the narrow pavement widths, curbs, sidewalks, tight turns at alley connections, and so on. These streets clearly lack the capacity to safely evacuate the proposed increase in residents.

The plan mentions the "future construction of a bridge across Bear Creek to connect Nevada Street to Oak Street. As such, a condition was included to require that all properties within the Kestrel Park Subdivision sign a similar agreement prior to signature of the final survey plat." If the bridge is needed for proper evacuation, why is its construction not required *before* the construction of the proposed homes?

Thank you,

--Jared Crawford
917 Plum Ridge Dr.
Ashland OR 97520
jarednec@yahoo.com



O'CONNOR WEST | LLC

541.702.5350 | 670 G STREET, SUITE B, JACKSONVILLE, OR 97530

February 21, 2025

Via Email Only PC-public-testimony@ashland.or.us
City of Ashland City Council
c/o Ashland Planning Department

Re: Applicant's Legal Argument
File No.PA-T2-2024-00054/PA-APPEAL-00020

Dear Council:

Our office represents the applicant, Taylored Elements Construction. This letter is submitted for the record on appeal. Applicant contends there is substantial evidence in the record to support the decision of the Planning Commission and that the Planning Commission did not commit errors of law in approving the subject application.

Appellants raise multiple arguments on appeal which are summarized by staff in its Notice of Application. Applicant has limited its responses to those arguments that are directed to Areas 4, 5 and 6, as Area 7 was withdrawn from the application prior to the hearing. Each of the Appellants' arguments as summarized by staff is italicized, with the Applicant's response in regular font below:

- 1) *"That the standard provided at AMC 18.3.5.030.C are not met. This section of code is the "Supplemental Approval Criteria" for the North Mountain Neighborhood plan. The appellant specifically cites density, building design, building orientation, and concerns about increased traffic."*

With respect to the first assignment of error, the record contains substantial evidence to find these criteria are met. In particular:

Density: The record establishes that permitted density in Phase III¹ is a minimum of 23.44 and a maximum of 40.91 (12-10-24 Staff Report p.7). These calculations were tabulated for the Kestrel Park Subdivision as a whole. The proposed density for Areas 4-6 is 22 dwellings. The Planning Commission found that while 22 units is below minimum density, this criterion can be met with a condition of approval requiring that Area 7 develop a minimum of 2 and a maximum of 18 dwellings. (Final Decision, p.7). As conditioned, the application meets density requirements as a matter of law and there is substantial evidence in the record to make this finding.

¹ Density of Area 7 is not at issue on appeal though the density calculations include all areas within Phase III.

Building Design: AMC 18.3.5.030.C. requires in part that the application complies with the North Mountain Neighborhood Design Standards. The Planning Commission found in relevant part:

“The Planning Commission notes that [first] the first standard is 'Architectural Design.' This standard provides a list of architectural features and requires that at least two listed features from the section be included in each home design.

The Planning Commission notes that the application materials include extensive drawings of the proposed buildings with each having eaves, covered porch entries, gables and in some cases dormers. The Planning Commission concludes that each proposed building design includes at least two of the required features satisfying the 'Architectural Design Requirements.

The Planning Commission notes that the design standards specify that porches shall be incorporated into buildings and be a minimum of six-feet by eight-feet in size. The Planning Commission notes that the detailed site plan of each area includes details on the porch size and in every case meet or exceed this requirement, and that this standard has been met.” (*Decision and Findings*, p. 9).

The findings by the Planning Commission are supported by extensive design information submitted by the Applicant depicting these required features (*see Applicant's Power Point Presentation Slides*). No evidence was presented by Appellants that these features do not exist or that they do not comply with code standards. As such, Planning Commission's finding that this criterion was satisfied is supported by substantial evidence in the record, and was not an error of law.

Building Orientation: AMC 18.3.5.030.C. requires in part that the application complies with the North Mountain Neighborhood Design Standards. The Planning Commission found in relevant part:

“The Planning Commission notes that the building orientation standards require that ‘Dwellings shall be designed with a primary elevation oriented towards a street.’ The Planning Commission notes that the site plan clearly shows that each proposed building has its primary orientation to the street and finds that the orientation standard is met.

The Planning Commission notes that the requirement for garages requires that "Where no alleys are present, garages shall be located a minimum of 15 feet behind the primary facade and a minimum of 20 feet from the sidewalk." The Planning Commission, in evaluating the main site plan, note that the garages are properly setback and that this standard is met.” (*Decision and Findings*, p. 9).

Appellants contend that the buildings in Area 6 are oriented to an alley (Lots 38 & 39) and therefore do not meet the requirement to front a street. However, there is evidence in the record that the parking area will have reciprocal access easements to the street.

Staff noted that it is common practice in performance subdivisions to “allow the creation of lots not meeting the minimum frontage standard provided that access can be provided over easements.” (*Staff Report*, pp.10-11).

Based on the foregoing there is substantial evidence in the record to find that the building orientation criteria are met.

Increased Traffic: The Applicant consulted with two independent traffic engineers who concluded that “no intersection traffic impacts occur or mitigations are necessary as each operate at above Level of Service B or higher currently and after the Kestrel Park Subdivision is fully developed. Furthermore, during informal discussions, both Traffic Engineers stated the subdivision’s “street connectivity” design is a means to spread not only proposed vehicular trips, but also existing vehicle trips that are currently concentrated at Fair Oaks Avenue and North Mountain Avenue, but with the proposed street connections with Nandina Street and Plum Ridge Drive as well as Patton Lane/Mountain Meadows Drive and North Mountain Avenue, traffic (vehicle trips) will be spread more evenly throughout the North Mountain Master Plan area AND give alternative means for ingress/egress of emergency vehicles. Lastly, all of the planned streets, alleys and private driveways have been designed in accordance with City Street Standards, including on-street parking dimensions, curb radius, street widths, etc., all of which “mirror” existing streets within the Master Plan Area.” (*Applicant’s Findings* p. 8; *Memorandum Southern Oregon Transportation Engineering, LLC dated 9/29/2004*). Further, the results of the trip generation for Phase III (which includes Area 7) establish that it is estimated to generate 26 p.m. peak trip, which when combined with Phases 1 and 2, is one less trip than the original 2018 study. *SOTE Memo*. at 2).

The law is well settled that the City is entitled to rely on expert testimony when countered only by lay evidence. No one provided any expert evidence to rebut or otherwise undermine the testimony and evidence of Applicant’s several experts, which means there is insufficient evidence in the record to find that the traffic memorandum and study were inadequate. *See Oregon Coast Alliance v. City of Brookings*, 72 Or LUBA 222 (2015) (Where the record includes expert testimony, some level of scientific or professional expertise is necessary to rebut that testimony in order to provide supporting evidence for a contrary conclusion. A letter from a non-expert attorney is not substantial evidence to rebut the expert’s conclusion). In the absence of conflicting expert evidence, the City may rely on the testimony of Applicant’s experts. *Anderson v. Lane County*, 54 Or LUBA 669 (2007) (A county reasonably relies on a forester’s opinion that Ponderosa pine is a more valuable species than Douglas fir, over conflicting opinions by non-experts); *Wetherell v. Douglas County*, 60 Or LUBA 131 (2009) (When ranchers submit evidence that conflicts with expert testimony, even though that evidence could constitute substantial evidence, the county was entitled to rely on the conflicting expert evidence).

- 2) *That the standard provided at AMC 18.3.5.100.C.3 are not met. This section of code is specific to the design requirements of alleys for the North Mountain Neighborhood. The appellant raises concerns with the number of units taking vehicular access from an extension of existing alleys.*

The record contains substantial evidence that all alleys within the project meet or exceed City standards. In particular the Appellants contend the Julian Court Alley is only 12-feet wide; however, the staff notes that the alley in question is 16-feet wide and was created with Plum Ridge Subdivision (*Staff Report*, p. 10) and that the subject application proposes to widen the alley with dedication of an additional 4-feet as well as vacation of the street plug “to meet the NMNP standards for alley width of 20’.” (*Preliminary PUD Map, Kestrel Park Phase III, p. 4 of Staff Report*). Additionally with the dedication requirements, Mariposa Court will be widened to 20-foot right-of-way. *Id.*; see also *Civil Improvement Plans, Alley1 (Applicant’s Findings, p. 84)*.

Additionally, Appellants argue the alleys already serve 10-homes and increasing the number of homes that take access would increase traffic problems. However, the Appellants provided no evidence that the alleys cannot accommodate the additional traffic. The purpose of alleys is to provide vehicle access to limit curb openings along streets (AMC 18.3.5.040.D). And as argued above, the Applicant’s traffic engineers found that the subject application complies with all street standards without mitigation and further noted that once fully developed will spread the traffic providing more access and evacuation routes for the area. (*See Response to Argument No. 1*).

Lastly, as found by the Planning Commission (*Decision and Findings*, p. 10) this is the third phase of Kestrel Park Subdivision, and the extension of the street system that was approved at that time. Further the application materials included detailed civil plans showing that the proposed cross sections meet the design standards. Appellants did not provide any expert evidence to challenge the detailed civil plans, and therefore, Appellants have failed to provide substantial evidence in the record that street requirements are not met. *See Oregon Coast Alliance v. City of Brookings*, supra.

- 3) *The third appeal issue restates the concern that the standard provided at AMC 18.3.5.030.C are not met. The appellant then specifically cites concerns with the multifamily development building design, and parking being ‘Infront of the buildings.*

Appellants contend that the buildings in Area 6 are not consistent with size, height, density and building orientation with the North Mountain Neighborhood Design Standards, that the buildings cannot front an alley (Lots 38 & 39) and must front on a street, and that with only one entrance to the parking area presents a fire hazard.

This argument has been addressed in response to argument No. 1 above and is incorporated herein by reference. Moreover, the Applicant submitted significant documentation to depict the size, height, density and building orientation consistent with the North Mountain Design Standards and neighboring structures (*See Applicant’s Power Point Presentation Slides*).

With regard to street orientation, staff noted that the parking area will have reciprocal access easements and that it is common practice in performance subdivisions to “allow the creation of lots not meeting the minimum frontage standard provided that access can be provided over easements.” (*Staff Report*, pp.10-11). This is supported by the

purpose statement of the PSO-Overlay which is designed for areas that have been largely developed, have sloping topography or other factors that are more suitable for development under the PSO. *AMC 18.3.9.030*. Here, Area 6, Lot 38 is a corner lot which is surrounded by public right-of-way, but both rights of way are alleys. As such, the “street” frontage is on an alley, with an access easement to the street. Given the flexible nature of the PSO, the topography and infill development this site presents, the Planning Commission found that there was substantial evidence in the record that building orientation was satisfied.

Lastly with regard to neighborhood compatibility, the proposed application is zoned multi-family, whereas the neighboring properties are zoned single-family, and the applicant must meet the density requirements for the zone. This is consistent with the rules of statutory construction which require that:

“where there are several provisions or particulars such construction is, if possible, to be adopted as will give effect to all,” ORS 174.010, and that “a particular intent shall control a general one that is inconsistent with it,” ORS 174.020 and that “a particular intent shall control a general one that is inconsistent with it,” ORS 174.020.

Here, a general rule requiring neighborhood compatibility, must be read in the context of the more specific requirements regarding zoning and minimum and maximum permitted densities within a zone. While the size of the proposed dwellings is smaller than the surrounding neighborhood, that difference is due to zoning and density requirements, rather than a lack of neighborhood consistency and therefore, there is substantial evidence for the Planning Commission to find that there is neighborhood compatibility. This is particularly true given the design of the buildings which are consistent with the North Mountain Neighborhood design requirements and existing architectural styles of the surrounding neighborhood.

- 4) *That the standard provided at AMC 18.3.9.040 are not met. This section address “Adequate key City facilities” and the appellant raises concerns with police and fire protection, and adequate transportation.*

Appellants’ arguments regarding the “apartment buildings in Area 6” are based on conjecture as to future police, fire and transportation risks. To the contrary, there is substantial evidence in the record that: 1) the application meets the density requirements for the zone; 2) streets meet City standards and traffic does not require mitigation; 3) once the project is fully built out traffic will spread over a greater number of streets thereby increasing traffic flow; 4) the properties within the project will be required to sign in favor of, and agree to participate in a local improvement district (LID) for future construction of the Nevada Street bridge across Bear Creek to establish an additional access; 5) the fire department did not raise objections to this application; 6) a Fire Prevention and Control Plan will be required and the applicant will be prohibited from planting certain flammable plants; 7) the application must meet all fire department requirements regarding access, turn-arounds, etc.; and 8) there is no evidence from the police department that it will be unable to adequately serve this property.

Based on the foregoing there was substantial evidence in the record to find that Area 6, and this criterion was met, and the Planning Commission's decision did not err as a matter of law.

- 5) *That the standard provided at AMC 18.5.2.050.C are not met. This section addresses compliance with Chapter 18.4. The appellant then specifically cites concerns regarding density, traffic, and evacuation.*

Appellants contend that there are no grocery stores or other kinds of services that individuals in small apartments will need, and that "this is at odds with AMC 18.5.2.050.C." They also argue Kestrel Park subdivision should be redesigned to reduce density in this area. However, it is unclear how a lack of grocery stores or other kinds of services on the subject property is inconsistent with the cited provision. The subject property is zoned multi-family, and the project proposes density within the permitted range for the zone. Moreover, as argued above, there is substantial evidence in the record that the proposal meets street standards, the design is consistent with the North Mountain Neighborhood Design Standards, and while the size of the units is smaller than the neighboring single-family zones, they are consistent with the zoning for the property.

The City's decision must be based upon "standards and criteria, which shall be set forth in the development ordinance" ORS 227.173(1). The applicant is not required to rezone or reduce the density of the property as argued by Appellants. Rather, it must comply with the current code. Density for Phase III could include up to 40 dwelling units. The applicant proposes 22 units in areas 4, 5 and 6 and as such complies.

Based on the foregoing, there is substantial evidence in the record to find that this criterion is met and that the Planning Commission did not err as a matter of law.

- 6) *That the standard provided at AMC 18.3.5.100.A are not met. This section address "Site Development and Design Standards for 'Housing' for the North Mountain Neighborhood. The appellant then specifically cites building orientation, building design, parking, and fire protection.*

To the extent that this argument duplicates Argument Nos. 1 and 3, Applicant incorporates its responses to those arguments above by reference.

To the extent that Appellants argue the design of the buildings in Area 6 is a fire danger, they fail to present any expert testimony that the design or access to the buildings does not meet building code. The plans submitted by Applicant were prepared by a professional design company and are required to meet the building code, as approved by the City's Building Official before any Building Permits are issued. *See AMC 18.1.2.080.* As noted above, where there is expert testimony in the record, which is countered only by lay testimony, the City can rely upon the expert testimony to find there is substantial evidence in the record regarding building design and compliance with all applicable building code regulations, including fire, life, safety requirements.

As there is no evidence in the record to establish that the proposed design is in violation of applicable building code or other fire, life, safety regulations, the Council can find there was substantial evidence to support the Planning Commission's decision, and that it did not commit errors of law.

- 7) *That the standard provided at AMC 18.4.4.070 are not met. This section addresses the required open space. The appellant then specifically cites concerns regarding lot-coverage, building design, views, and generally the development of multi-family housing.*

To the extent that Appellants arguments relate to Area 7 those arguments must be disregarded as that area is no longer part of the subject application. To the extent that they relate to Area 6, Applicant responds as follows:

Building Height. The proposed dwellings are within maximum building height under City code. Additionally, a condition has been imposed requiring that the applicant provide “Calculations demonstrating that the proposed new lots have been designed to permit the location of a 21-foot high structure with a solar setback that does not exceed 50 percent of the lot’s north-south dimension based on Solar Standard A, or identification of a solar envelope for each lot which provides comparable solar access protections, as required in AMC 18.4.8.040.” As such, the application meets this requirement as conditioned.

Stormwater. There is substantial evidence in the record that there is adequate stormwater facilities to handle all the run-off from the subject properties, and the project is conditioned upon providing final civil plans for all utilities including storm drainage. The Public Works Department did not raise concerns regarding the capacity of these services. Further, the application is conditioned upon providing a storm drainage plan to demonstrate that post-development peak flows are less than or equal to the pre-development peak flow for the site as a whole, and that storm water quality mitigation has been addressed through the final design. As such, the application, as conditioned, can be found to meet this requirement.

Required Open Space. Phase III is part of the 13.48-acre Kestrel Park Subdivision. Of that 13.48 acres, the record contains evidence that 5.13 acres is dedicated as open space (Bear Creek Riparian Area) and another .7 acres was platted as private open space for wetlands. In total nearly 43% of the subdivision’s acreage is open space, whereas the Performance Standards Subdivision requires 8%. Additionally, all of the multi-family units include an additional 8% recreational space (porches/patios). The Planning Commission found that the open space requirement is applicable to the subdivision as a whole and is not determined on a lot-by-lot basis (in other words some lots may be over 8%, some may be over 8% as long as the subdivision as a whole meets the requirements set forth in AMC 18.4.470). Such interpretation is supported by substantial evidence in the record and is consistent with the purpose statement of the Performance Standards Option (AMC 18.3.9.010) to allow a “flexible design” which “uses the natural features of the landscape to their greatest advantage... provides for more efficient land use; and reduce[s] the impact of development on the natural environment and neighborhood”.

8) *The eighth appeal issue does not include a code citation but raises concerns with fire safety and evacuation.*

In their final assignment of error, Appellants acknowledge that it does not relate to any specific criteria. In raising assignments of error, an appellant must establish that the arguments relate to specific criteria applicable to the application, as that is the basis upon which the Planning Commission may approve or deny an application. ORS 227.173(1). As such, this argument fails as a matter of law.

Notwithstanding the foregoing, and without waiving the argument herein above, the record contains substantial evidence that:

“During the original Kestrel Park subdivision approval process, concerns were raised during public testimony that emergency access and evacuation routes were limited to the bridge on Mountain Avenue over Bear Creek or to indirect access via county roads to Oak Street, the Commission found that in response to similar concerns for previous development of the North Mountain Neighborhood, all properties were required to sign in favor of and agree to participate in a Local Improvement District (LID) for the future construction of a bridge across Bear Creek to connect Nevada Street to Oak Street. As such, a condition was included to require that all properties within the Kestrel Park Subdivision sign a similar agreement prior to signature of the final survey plat. The subject properties here are within the subdivision and are subject to that original condition which has been included below. Staff conclude that with the condition of approval findings can be made that this approval criterion will be met.” (12-10-24 Staff Report, p. 7).

Additionally, the application is conditioned upon submission of a Fire Prevention and Control Plan and requirements to prohibit certain flammable plants. (*Decision and Findings*, p. 13).

Based on the foregoing there is substantial evidence in the record to find that as conditioned, the application satisfies any fire safety and evacuation route requirements.

Conclusion:

The Council should affirm the decision of the Planning Commission and reject the appeal for the reasons that there is substantial evidence in the record to support the Planning Commission’s decision, and it did not commit any errors of law.

O’CONNOR WEST, LLC

/s/ Sydnee Dreyer

Sydnee B. Dreyer, OSB No. 954710

sbd@PacificLand.law

SBD:

C: Client via email only

Michael Sullivan via email only



Council Business Meeting

Date: March 4, 2025

Agenda Item	Second Reading – ORD 3256 An Ordinance Amendment to AMC 2.30 Uniform Administrative Appeals Process Designating the Municipal Court as the Administrative Appeal Body
From	Carmel Zahran, Assistant City Attorney
Contact	carmel.zahran@ashland.or.us

SUMMARY

On February 18, 2025 the City Council passed the First Reading of Ordinance 3256, amending the administrative appeals process to be through the municipal court. That First Reading incorporated the following change to 2.30.020(B), which was read out loud and adopted by the Ashland City Council in its final vote. That incorporated change was the following: "Appeal Fees shall be set by resolution of the Ashland City Council." Outside of this change, no additional changes were made.

POLICIES, PLANS & GOALS SUPPORTED

The proposed change is supported by staff. It is efficient to put this court fee with other fees that occur throughout the City, via the Miscellaneous Fee and Charges document that the City Council adopts by resolution.

BACKGROUND AND ADDITIONAL INFORMATION

Presently, the City Manager serves as the hearing officer for administrative appeals with the City Recorder providing administrative support.

The administrative appeals process will be moved from the City Manager's office to the Municipal Court. This change promotes greater objectivity, as the Municipal Judge, who is distanced from the daily affairs of the city, can review appeals with a fresh perspective. Additionally, the Judge's training and background equip them to handle appeals with the formality and professionalism characteristic of a traditional court environment. This transition also allows the administrative process to be integrated with court staff, enhancing collaboration and efficiency in proximity to the Municipal Judge.

FISCAL IMPACTS

No fiscal impact would occur. Rather, the proposal is anticipated to improve processes, for the reasons stated above.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Approve the ordinance as a first reading and schedule second reading for February 18, 2025. Recommended motion:

"I move to approve the second reading of Ordinance No. 3256."

REFERENCES & ATTACHMENTS

1. ORD 3256 Amending 2.30 Making the Municipal Court the Administrative Appeal Body_First Reading
2. ORD 3256 Amending 2.30 Making the Municipal Court the Administrative Appeal Body_Second Reading

ORDINANCE NO. 3256

AN ORDINANCE AMENDMENT TO AMC 2.30 UNIFORM ADMINISTRATIVE APPEALS PROCESS DESIGNATING THE MUNIIPAL COURT AS THE ADMINISTRATIVE APPEAL BODY

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold lined through~~, and additions are **bold underlined**.

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.

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

SECTION 1. Amending 2.30 to designate the Municipal Court as the Administrative Appeal body.

2.30.010 Definitions

A. *Department Head.* The person holding the position of Department Head for any department of the City of Ashland, or any agent, employee, or designee of the Department Head authorized to perform the duties of the Department Head by express written delegation of the Department Head

B. *Director.* The person holding the position of director for any department of the City of Ashland, or any agent, employee, or designee authorized to perform the duties of the director by express delegation of the director.

C. *Hearing Officer.* **The Municipal Judge shall serve as the Hearing Officer. In the event that the Municipal Judge is unavailable or has a conflict of interest, the Hearing Officer shall be the City Manager, or an outside party not affiliated with the City of Ashland, who is hired or selected by the City to conduct hearings on appeals**

~~The City Manager or an outside party not affiliated with the City of Ashland that is hired or selected by the City to conduct a hearing on an appeal.~~ (Ord. 3192 § 34, amended, 11/17/2020; Ord. 2971, added, 10/21/2008)

2.30.020 Administrative Appeals Process

Any person aggrieved by the decision of a Department Head or Director may appeal such action to a Hearing Officer through the following procedures if the Ashland Municipal Code chapter granting the City Department Head or Director authority to make the decision expressly

authorizes use of this appeals process. Land use decisions subject to AMC Chapter 18 shall not be subject to the appeals process in this chapter. Appeals processes are as follows:

A. A person appealing the Department Head's or Director's action shall, within 10 Days of such action and mailing of written notice, file a written notice of appeal with the ~~City Recorder~~ **Municipal Court**. The written notice of appeal shall include the name and address of the appellant, a statement of the authority or jurisdiction for the appeal, a statement of the appellant's standing or right to be heard, the nature of the decision being appealed, a short and plain narrative statement including the reason(s) the original decision is alleged to be incorrect, with reference to the particular sections of the Ashland Municipal Code involved, and the result the appellant desires on appeal.

B. The ~~City Recorder~~ **Municipal Court** shall fix the time for the appeal to be heard by the Hearing Officer, place the hearing of the appeal upon the calendar of the Hearing Officer, and notify the appellant in writing of the time fixed no less than ten days prior to that time, unless the appellant agrees to a shorter time.

C. The appellant shall pay a nonrefundable appeals fee to facilitate the appeal. Appeal Fees shall be set at \$150 for each decision appealed, and may be adjusted by Resolution of the Ashland City Council.

D. The parties shall be entitled to appear personally and by counsel and to present such facts, evidence and arguments as may tend to support the respective positions on appeal.

E. The Hearing Officer shall afford the parties an opportunity to be heard at an appeal hearing after reasonable notice. The Hearing Officer shall take such action upon the appeal as he or she sees fit. The Hearing Officer's decision shall be the final decision of the City, and it shall be issued in writing. The Hearing Officer shall at a minimum:

1. At the commencement of the hearing, the hearings officer shall explain the relevant issues involved in the hearing, applicable procedures and the burden of proof.
2. At the commencement of the hearing the hearings officer shall place on the record the substance of any written or oral ex parte communications concerning any relevant and material fact in issue at the hearing which was made to the officer outside the official proceedings during the pendency of the proceeding. The parties shall be notified of the substance of the communication and the right to rebut the communication. Notwithstanding the above, the Parties are prohibited from engaging in ex parte communications with the hearing officer.
3. Testimony shall be taken upon oath or affirmation of the witnesses.
4. The Hearings officer shall insure that the record developed at the hearing shows a full and fair inquiry into the relevant and material facts for consideration for the issues properly before the hearings officer.
5. A verbatim, written or mechanical record shall be made of all motions, rulings and testimony. The record need not be transcribed unless requested for purposes of rehearing or Court review. The City shall require a deposit for costs of transcription or a copy of such transcription.

6. Written testimony may be submitted under penalty of false swearing for entry into the record. All written evidence shall be filed with the ~~City recorder~~ **Municipal Court** no less than (5) five working days before the date of the hearing.

7. Informal disposition may be made of any case by stipulation, agreed settlement, consent order or default.

F. The action of the department head or Director shall be stayed pending the outcome of an appeal properly filed pursuant to this section.

G. Failure to strictly comply with the applicable appeal requirements, including but not limited to the required elements for the written notice of appeal, time for filing of the notice of appeal, and payment of the applicable appeal fee, shall constitute jurisdictional defects resulting in the summary dismissal of the appeal.

H. If the appellant loses on appeal, the appellant will be held financially responsible for the cost to the City of Ashland for the appeal, including but not limited to the cost of hiring an independent Hearing Officer. (Ord. 2992, amended, 10/06/2009; Ord. 2971, added, 10/21/2008)

SECTION 2. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 3-5) 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 _____ day of _____, 2025, and duly PASSED and ADOPTED this _____ day of _____, 2025.

PASSED by the City Council this _____ day of _____, 2025.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Douglas M. McGeary, Acting City Attorney

ORDINANCE NO. 3256

AN ORDINANCE AMENDMENT TO AMC 2.30 UNIFORM ADMINISTRATIVE APPEALS PROCESS DESIGNATING THE MUNICIPAL COURT AS THE ADMINISTRATIVE APPEAL BODY

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C. The appellant shall pay a nonrefundable appeals fee to facilitate the appeal. Appeal Fees shall be set by resolution of the Ashland City Council, at \$150 for each decision appealed, ~~and may be adjusted by Resolution of the Ashland City Council.~~

D. The parties shall be entitled to appear personally and by counsel and to present such facts, evidence and arguments as may tend to support the respective positions on appeal.

E. The Hearing Officer shall afford the parties an opportunity to be heard at an appeal hearing after reasonable notice. The Hearing Officer shall take such action upon the appeal as he or she sees fit. The Hearing Officer's decision shall be the final decision of the City, and it shall be issued in writing. The Hearing Officer shall at a minimum:

1. At the commencement of the hearing, the hearings officer shall explain the relevant issues involved in the hearing, applicable procedures and the burden of proof.
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3. Testimony shall be taken upon oath or affirmation of the witnesses.
4. The Hearings officer shall insure that the record developed at the hearing shows a full and fair inquiry into the relevant and material facts for consideration for the issues properly before the hearings officer.
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7. Informal disposition may be made of any case by stipulation, agreed settlement, consent order or default.

F. The action of the department head or Director shall be stayed pending the outcome of an appeal properly filed pursuant to this section.

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SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 3-5) 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 _____ day of _____, 2025, and duly PASSED and ADOPTED this _____ day of _____, 2025.

PASSED by the City Council this _____ day of _____, 2025.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Douglas M. McGeary, Acting City Attorney



Council Business Meeting

Date: March 4, 2025

Agenda Item	Resolution 2025-02 A Resolution of the City of Ashland Rescinding all Former Memoranda of Understanding in Light of the Passage of Ordinance 3248, which Created the Ashland Parks and Recreation Department
From	Doug McGeary, City Attorney, Acting, Carmel Zahran, Assistant City Attorney
Contact	doug.mcgeary@ashland.or.us, carmel.zahran@ashland.or.us

SUMMARY

Ordinance 3248's passage necessitates rescinding prior MOUs between the City and Parks and Recreation, establishing the ordinance as the governing authority.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

Ashland previously used Memoranda of Understanding (MOUs), starting in 2009, to define responsibilities between the City Council and the Parks and Recreation Commission (APRC) concerning park management. These MOUs aimed to clarify the division of duties and responsibilities. However, the recent passage of Ordinance 3248 supersedes these MOUs, establishing the ordinance as the primary governing authority for APRC operations within the city.

This action also clarifies record-keeping by establishing Ordinance 3248 as the sole governing document, reflecting the collaborative work of Parks Commissioners, City staff, and the City Council in establishing the Ashland Parks and Recreation Department (Ordinance 3248 passed second reading February 18, 2025).

FISCAL IMPACTS

This will have no financial impact. Rather, it serves as an administrative clarification.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff recommend passing the resolution with the following motion:
"I move to approve Resolution 2025-02."

REFERENCES & ATTACHMENTS

1. Resolution 2025-02 Rescinding Former Parks MOUs
2. 2014-231 MOU - City Council-Parks Commission



RESOLUTION NO. 2025-02

A RESOLUTION OF THE CITY OF ASHLAND RESCINDING ALL FORMER MEMORANDA OF UNDERSTANDING IN LIGHT OF THE PASSAGE OF ORDINANCE 3248, WHICH CREATED THE ASHLAND PARKS AND RECREATION DEPARTMENT

RECITALS:

- A. The City of Ashland and the Ashland Parks and Recreation Commission (APRC) previously utilized a series of Memoranda of Understanding (MOUs) to delineate responsibilities for park and recreation management and related services.
- B. On February 18, 2025, the City Council recently adopted Ordinance 3248, establishing the Ashland Parks and Recreation Department, thereby creating a comprehensive legal and operational framework governing its operations. This ordinance supersedes all prior agreements addressing these matters.
- C. This resolution serves as an administrative clarification, formally acknowledging Ordinance 3248's supremacy and ensuring accurate city records, while recognizing the collaborative efforts that shaped its creation.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Ashland City Council rescinds all past Ashland Parks and Recreation memoranda of understandings, honoring the supremacy of ordinance 3248.

SECTION 2. This resolution is effective upon the effective date of Ordinance 3248.

This resolution was duly PASSED and ADOPTED this 4th day of March, and takes effect upon signing by the Mayor.

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Carmel Zahran, Assistant City Attorney

MEMORANDUM OF UNDERSTANDING
ASHLAND CITY COUNCIL AND ASHLAND PARK AND RECREATION COMMISSION

Agreement made this 19 day of August, 2014, between the Ashland City Council and the Ashland Park and Recreation Commission and is effective upon signing by the City and Parks.

RECITALS

A. Under the Ashland City Charter, the Ashland City Council is the sovereign authority over all matters of City-wide concern and the owner of all land and other assets held in title by the City.

B. The Ashland City Charter creates an elected Ashland Park Commission, which also serves as the Ashland Recreation Commission, and empowers the Commission with "control and management of all the lands here dedicated for park purposes," and further empowers the Commission with "control and management of all park funds, whether the same is obtained by taxation, donation or otherwise."

C. The City Council and Parks Commission wish to clearly define what is meant by "management," and what the responsibility of each entity is within each aspect of management and to memorialize these responsibilities in this memorandum of understanding.

D. Management is generally defined as planning, organizing, budgeting, directing and evaluating as described in exhibit A.

E. For purposes of this agreement, "City" means the Ashland City Council or the City Administrator, to whom the Council has delegated management responsibility, as well as any other individuals to whom the City Administrator has delegated specific responsibilities as contained herein. "Parks" means the Ashland Parks and Recreation Commission or the Parks and Recreation Director, to whom the Commission has delegated management responsibility, as well as any other individuals to whom the Parks and Recreation Director has delegated specific responsibilities as contained herein.

Now, therefore, the City and Parks agree as follows:

1. Planning.

A. Parks responsibilities:

- 1) Parks will develop master plans for the development, operation and maintenance of lands and facilities under its control.
- 2) Parks will develop and execute functional plans regarding the allocation of staff

and monetary resources for the operation of facilities and delivery of services within its scope of authority.

- 3) Parks will develop and propose capital improvement plans (CIPs) for the expenditure of funds that have been dedicated to land acquisition and park/open space development.
- 4) Parks will create rules for use of park land and facilities, providing such rules are not in conflict with other ordinances of the City.

B. City responsibilities:

- 1) The City will maintain and periodically update the Comprehensive Plan, including Chapter VIII, Parks, Open Space and Aesthetics, which serves as the guiding document for all master plans, functional plans and capital improvement plans. The City will consider and respond to recommendations from Parks when amending or updating the comprehensive plan.
- 2) The City will include the Parks CIP in its biennial budget, subject to section 3.B, below. The City will determine and implement all funding mechanisms for capital improvements (including Parks SDCs), other than donations and grants from non-City sources, and will determine the timing, manner and method of debt financing, if necessary.
- 3) The City will, as necessary and upon the advice of the Park Commission, adopt or amend the ordinances comprising Chapter 10.68 of the Ashland Municipal Code (Public Parks).

2. Organizing

A. Parks responsibilities

- 1) Parks will determine the nature and structure of functional divisions in the Department and how best to structure day-to-day responsibilities among and within functional divisions.
- 2) Parks will allocate appropriated resources within budget limits for the purpose of achieving its adopted goals and objectives, as well as the smooth day-to-day operation of the Department.
- 3) Parks will continue to contract for services as necessary and appropriate. When contracting for services, Parks will adhere to all provisions of AMC Chapter 2.50, Local Public Contract Review Board, and shall use only those bid forms and contracts that have been approved by the Finance Director, Public Contracting Officer and City Attorney.
- 4) Per City Council Resolution 2013-25 and AMC 2.16, Parks will, with the assistance of the Human Resources Office, hire its parks and recreation director, including development of search criteria and interview processes.
- 5) Parks will continue to provide a representative to the City risk management committee.

B. City responsibilities

- 1) The City will serve as the Local Contract Review Board.
- 2) The City will develop and enforce all codified public contracting rules.
- 3) The City will develop and enforce all codified personnel rules, as well as

- administrative policies necessary for compliance with state and federal laws.
- 4) The City will develop and enforce all risk management policies.
 - 5) The city administrator will seek input from the parks & recreation director when developing public contracting rules, personnel rules and administrative policies, and risk management policies, whether for formal adoption by the City Council or administrative approval.

3. Budgeting and Financial Management

A. Parks responsibilities

- 1) As part of each annual or biennial budget process, using whatever process it deems appropriate, Parks will develop and recommend a budget to the Budget Officer.
- 2) Parks will set recreation fees and rental rates for all Parks-related facilities except the Community Center, Pioneer Hall and the Grove, for which Parks will recommend rates for adoption in the City rate review process. All Parks fees and rates will be included in the City's Master Rate and Fee Schedule.

B. City responsibilities

- 1) The City reserves and will employ all authority assigned to it under Oregon Local Budget Law (ORS 294), the Ashland City Charter and any other applicable law. This includes the authority to:
 - a) Appropriate funds;
 - b) Adopt an annual or biennial budget;
 - c) Refer tax measures to the voters;
 - d) Set the City tax rate within the limits of the City's Measure 50 permanent tax rate;
 - e) Provide funding for capital improvements, including the issuance of debt;
 - f) Establish new, increased or decreased taxes, fees and charges (except fees and rental or program rates set by Parks), including such taxes, fees and charges as may be established without voter approval; and
 - g) Commit discrete revenue streams to specific purposes.

C. Other responsibilities for accounts payable, accounts receivable, payroll, purchasing, cash receipts, fixed assets and project accounting are shown in the attached exhibit B.

4. Directing

A. Parks responsibilities

- 1) Parks will assign duties and responsibilities to Parks staff, consistent with position descriptions and the operational requirements of Parks.
- 2) Parks will develop and implement policies and procedures regarding park land maintenance.
- 3) Parks will establish priorities for Parks staff.
- 4) Parks will implement procedural work policies for Parks staff.
- 5) Parks will create and maintain current position descriptions for all Parks staff positions. All position descriptions will continue to be reviewed as to form by the City Human Resources Manager.

- 6) In directing the work of Parks staff:
- a) Parks will continue to adhere to all provisions of AMC 3.08, General Personnel Policies and Employment Responsibilities.
 - b) Parks will continue to adhere to all City administrative policies. Parks may adopt rules, regulations, procedures and administrative policies that are specific to its operations. Such administrative policies shall be in harmony with the requirements established in the City's codified personnel policies and adopted administrative policies and shall in no case be less restrictive than the City's adopted policies. Parks shall continue to adhere to the City's adopted administrative policies regarding Prevention of Violence in the Workplace, Harassment and Non-Discrimination, Vehicle and Motorized Equipment Driving, IT Security, Electronic Media and Technology Use, Family Medical Leave, Equal Employment Opportunity and Affirmative Action, and Military Leave.
 - c) Parks will continue to take no disciplinary action against any employee beyond a verbal reprimand without first consulting with the City Attorney and Human Resources Manager.
 - d) Parks will continue to ensure that all employees attend mandatory trainings; whether mandatory as determined by the City Human Resources Manager, the City Risk Manager or by state or federal law.
 - e) Parks and Recreation Director will, in consultation with the human resources manager, establish classifications for Parks employees. The Parks and Recreation Director will also establish compensation and benefit packages for Parks employees, subject to the statutory budget process.
 - f) Parks, with the advisement of the City Human Resources Manager, will establish COLAs for Parks & Recreation employees, subject to the statutory budget process.
 - g) Parks will continue to complete Personnel Action forms, under the supervision of the Human Resources Manager.
 - h) Parks will coordinate all Parks-related worker's compensation claims, under the supervision of the Human Resources Manager
 - i) The Parks Department can develop its own Facebook and Twitter pages, as well as YouTube videos for instructional and educational purposes. The Parks Department will comply with the City's Website and Social Media policy, except that the Parks Department may develop non city-standard web sites for senior populations and stand-alone recreation enterprises. Parks will, to the greatest extent practical, adhere to the provisions of the City of Ashland Employee Communication Guide, until the Department, in cooperation with the City, prepares its own Employee Communication Guide.

B. City responsibilities

- 1) The City will establish citywide personnel rules and policies.
- 2) The City will establish city classifications and compensation rates. Parks will work toward aligning classification and compensation rates with City structure whenever it is possible and appropriate.
- 3) The City will maintain all personnel files, including Parks', which will be kept in

secured storage in the Human Resources Office. Personnel files will include training records. Electronic versions of Personnel Action Forms prepared by Parks staff will be stored in a secure folder on the City network, to which City HR staff has access.

- 4) The City will process all worker's compensation claims and will complete the annual OR-OSHA 300 Log.
- 5) The City will continue to coordinate the enrollment of all Parks employees in City benefit programs.
- 6) With the exception of the Parks and Recreation Director, the City will oversee all recruitment and selection processes, including:
 - a) All job postings will be processed through the Human Resources Office and posted using NEOGOV or any succeeding software.
 - b) Interviews will be scheduled/coordinated by the Human Resources Office, which will also provide input and assistance with the interview process, including development of interview questions, providing instructions to panelists, and distributing final interview packets to panelists. Panelists will be selected by the hiring manager in Parks. A Human Resources representative can serve as a panelist if desired by the hiring manager.
 - c) Written job offers and advanced acknowledgement of the "critical" City policies will be handled by the Human Resources Office (excluding part-time temporary hires).
 - d) The City will conduct background checks on all new hires in temporary or regular positions, using a third party vendor if necessary.
 - e) In coordination with Parks, the City will provide orientation on City benefits for all new hires, or employees who promote into a regular position with benefits.

5. Evaluating

A. Parks responsibilities

- 1) Parks will evaluate employee performance (supervisors) and conduct annual reviews using City-standard evaluation forms or other forms that have been approved by the Human Resources Manager.
- 2) The Parks Commission will evaluate the performance of the director.
- 3) Parks will analyze program performance to ensure effective and efficient service delivery
- 4) Parks will review and analyze all general ledger activity reports to ensure accuracy
- 5) Parks will analyze and categorize physical conditions of facilities under Parks control
- 6) Parks will cooperate with auditors during on-site audits and throughout the year, and shall accept the CUFR after it is approved by the Municipal Audit Commission.

B. City responsibilities

- 1) The City will monitor budget compliance
- 2) The City will prepare for annual audit, including:
 - a) Compile year-end figures and financial reports, and assure balancing of funds

- b) Work with auditors during on-site audits and throughout year
- c) Generate CUFR (or blended CAFR if required by GASB 61)
- d) Communicate with and staff the Audit Committee
- e) Assure compliance with State of Oregon Statutes and provide documentation to State

For the Parks & Recreation Commission:


Stefani Seffinger, chair

For the Ashland City Council:


John Stromberg, mayor

Exhibit A

Management: Planning; Organizing; Budgeting; Directing; Evaluating

Planning

Parks

Master plans
Functional plans
Capital improvement plans
Create rules for use of park land and facilities

City

Comprehensive plan (parks input)
CIP funding, incl. debt financing

Organizing

Parks

Determine functional divisions
Allocation of appropriated resources
Contract for services within limits

City

Local Contract Review Board

Budgeting

Parks

Recommend budget to Budget Officer
Set recreation fees and rental rates*
* exc. Comm. Ctr., Pioneer Hall and The Grov

City

Appropriate funds and adopt budget
Refer tax measures, set tax rate
CIP funding, incl. debt financing
Establish other revenue streams
Establish SDCs

Directing

Parks

Assign duties and responsibilities to Parks staff
Establish priorities for Parks staff
Procedural work policies
Policies re park land maintenance
Establish personnel rules and policies
(with guidance from Legal, Finance and Personnel)
Establish classifications and compensation rates
Determine COLAs and benefits

City

Establish citywide personnel rules and policies
Establish city classifications and compensation rates

Evaluating

Parks

Evaluate employee performance (supervisors)
Evaluate director (commission)
Analyze program performance
Monitor budget compliance
Analyze and categorize physical conditions

City

Monitor budget compliance

EXHIBIT B

Service	City's Responsibility	Parks' Responsibility
<u>Accounts Payable:</u> - The process for issuing checks for all invoices.	Enter the expense in correct period (monthly) Request and manage w-9's from the vendor Ensure payment is correct, accurate and on time. Maintain all documentation for review Report and maintain 1099's	Validate that the expenses are necessary and needed Approve all expenses Code the expense to the proper category Turn in paper work on timely basis. Attach the appropriate documentation
<u>Accounts Receivable:</u> - The process for issuing invoices (bills) owed to Parks.	Enter the revenue in the correct period (monthly) Enter and mail out the invoice on a timely basis Ensure the payment is received Notify the department of status Maintain all the documentation for review	Validate that revenue on bills is correct and meets current rates. Code the Revenue to the proper category Turn in paper work on timely basis.
<u>Payroll:</u> - The process for issuing employees pay.	Enter payroll costs in correct period Ensure checks are issued on time and accurate Report W-2's Report Federal and State Taxes Maintain all the documentation for review	Validate the employee's FTE & coding Review and approve timesheets to ensure employee is recording their time correctly Turn in timesheets on a timely basis Review and ensure employees are in compliance with using leave that is available.
<u>Purchasing:</u>	Issue Purchase order Maintain back-up documentation Assist with bids & quotes for purchases	Ensure employees are purchasing only appropriate items Following the purchasing rules and regulations Turn in appropriate documentation
<u>Cash Receipts:</u>	Balance to the bank accounts Notify supervisors of substantial discrepancies	Enter it into Financial System on a daily basis Be consistent when posting to Revenue Validate that the daily deposits match the Cash receipts
<u>Fixed Assets:</u>	Enter, Maintain and disposal of assets in Financial System Keep all records	Sign off quarterly of Listing Ensure that fixed assets are kept safely and prevent loss of assets Dispose of the fixed assets per code.
<u>Project Accounting:</u>	Generate Project number Provide informational reports Make project Adjustments	Request number for project Turn in proper documentation Code Revenues a and Expenses to project as needed Notify staff of project status
<u>Reporting:</u>	Have reports available for review on a consistent basis Be able to tie the numbers	To be able to speak to abnormal changes To be able to speak to your activities To understand and fully review all monthly activity reports from the GL and be able to analyze data to ensure that it is accurate and reasonable.



City Manager's Report

3.4.2025

CITY MANAGER'S OFFICE:

- A big thank you to our **Water Division** for their exceptional efforts during the recent storm. Despite freezing temps, **Wilber Gonzalez, Tyler Ramsey, Spencer Ramsey** and **Travis Bennett** (*all pictured below*), with help from **Austin Racca**, worked tirelessly to repair water leaks and assist residents. We also want to extend appreciation to all City Departments, including **Electric, Public Works (Streets, Cemetery, Facilities Maintenance & Fleet Divisions), Parks, Facilities, Fire, Police, Innovation & Technology** and **Emergency Management**, for their hard work and dedication during the storm. **Your teamwork is greatly appreciated! "We are Better Together!"**



- During the recent storm our most popular social media post on Facebook offered a "Shout Out" to staff and also reminded residents how to report a non-emergency issue, such as a power outage, via our new **SeeClickFix** app, ashlandoregon.gov/SeeClickFix. The post received **824 LIKES, 60 COMMENTS** and **30 SHARES!** View our Facebook page at facebook.com/CityofAshlandOregon.





City Manager's Report

- The City is in the process of implementing a **records request software program called Justfoia**. This new software will allow requestors to create an account, which will contain all their requests and response documents for downloading. It will include an easy-to-use payment portal and the ability to search for other record requests as they become available.
- Staff are working on a timeline for **renovating the Municipal Court/Council Chambers** with fresh paint, new chairs, City logo and more!
- Every two years or so, the City conducts a **Livability Survey** to better understand Ashland's quality of life, and how it has changed over time. The results for the Ashland Livability Survey 2024 can be found at ashlandoregon.gov/LivabilitySurvey.
- **Rogue Retreat is managing the overnight severe weather shelter at 2200 Ashland St**, from January 1 through March 31, 2025. Staff recently met with Rogue Retreat to discuss operations. They have received positive feedback from the neighbors who are pleased with how the shelter is operating.
- **The Better Prepared Wildfire Workshop Series** is under development. The City is collaborating with **Ashland.news**, **Ashland Together** and the **Ashland Climate Collaborative** to bring this important series to the citizens of Ashland. The theme is, **"Take action to be better prepared!"** Hold the dates for the following events:
 - **Wildfire Preparedness**, April 21, at Carpenter Hall
 - **Ashland Wildfire Protection Plan Open House**, May 4, at The Grove
 - **Protect Your Home & Yard**, virtual Event on May 14
 - **Evacuation Planning & Practice** at the Historic Ashland Armory, July 16

Information on the series will be available at ashlandoregon.gov/BetterPreparedSeries.
- The **joint EOC (Emergency Operations Center)** continues with monthly meetings and trainings. The EOC is a collaboration between the **City of Ashland, the Ashland School District and Southern Oregon University**. In January, a **research team from Boise State University (BSU)* led a regional tabletop wildfire exercise**. Representatives from multiple organizations/jurisdictions in Southern Oregon took part, and included Fire, Police, Schools, Security, Technology and Communications.

The BSU, "Household Response to Wildfire," research project will include a community survey that will go out to a random selection of residents in the cities of Ashland and Talent. The survey will be launched toward the end of March.
- **Jackson County** is working in coordination with the City to update and improve our emergency messaging platform, Everbridge. As part of these updates, the local name for Everbridge/Nixle will be changed to *Jackson Alerts*, previously known as *Citizen Alert*. All existing accounts and prior opt-ins will be retained. On **March 3**, Jackson County Emergency Management, in cooperation with Ashland, Talent, Medford and Central Point, will launch a media campaign to announce the new name. Residents will be encouraged to review their existing accounts, make any necessary updates, sign up if they haven't already and learn about the Jackson Alerts system in our region. The City will follow up with additional coverage in March and April.





City Manager's Report

- **Jackson County Emergency Managers** met in late February as part one of two annually scheduled meetings to review the **NHMP (National Hazard Mitigation Plan)** and discuss grant opportunities to update the plan in 2027.
- **Office Hours at City Hall:**
 - **Councilor Jeff Dahle** – 3rd Monday of each month from 2 to 3:30 p.m.
 - **Councilor Bob Kaplan** – 1st Monday of each month from 1 to 2:30 p.m.
 - **Councilor Gina DuQuenne** – 1st Thursday of each month from Noon to 1:30 p.m.
 - **City Manager Sabrina Cotta** – Thursday each week from 8:30 to 10 a.m.
Office hours exclude holidays.
- The **March 2025 City Newsletter** will be available by Friday, February 28, at ashlandoregon.gov/CityNewsletters.
- **Website analytics** for the City of Ashland for February 2025 – The storm in February increased website traffic by approximately 8 to 10%. *The figures below are as of February 26.*
 - Total Users: 24,554
 - Top 3 search terms:
 - Power Outage
 - Snowplow Routes
 - Live Webcam
 - Top 3 page views:
 - Home page at 9,597, ashlandoregon.gov
 - Live Streams at 6,309, ashlandoregon.gov/LiveStreams*
 - Utility Billing at 3,358, ashlandoregon.gov/UtilityBilling

*The top live stream viewed was the Downtown Plaza Cam with:
7,200 views (3,100 in Jan)
1,000 watch hours (448.8 in Jan)

COMMUNITY DEVELOPMENT:

- The Community Development Department has expanded its **Citizen Self Service** permitting portal to include online submission of One- & Two-Family Dwellings/ADUs/Commercial Tenant Improvements/Change of Use/Tree Removal Permits/ and Type I Land Use Actions. The Citizen Self Service portal provides access to 29 different building, planning, public works and fire permits, allowing users to conduct business with the City 24/7. Through Citizen Self Service, residents and business owners have real time access to their project's status, including the latest updates, next steps and online inspection scheduling. Learn more at ashlandoregon.gov/OnlinePermits.





City Manager's Report

FINANCE:

- **Budget Process...** Received department budgets, reviewing and working through each of them.
- Finalizing the Finance Department, "**Work from Home Policy.**"
- Continuing to review **Payroll Software** options for process automation.
- Payroll staff are in the process of completing **BOLI (Bureau of Labor and Industries) Training.**
- Purchasing Specialist **Keanna Khlafallah** has been accepted to **Oregon Procurement Group.**

FIRE:

- After 32 years of dedicated service to Jackson County, including the past seven with Ashland Fire & Rescue, Chief **Ralph Sartain** announced his retirement, effective March 31. Details at ashlandoregon.gov/Fire (see the News Flash section).



Chief Ralph Sartain

- Fire & Rescue have the following employment opportunities: **Single Role EMT, Single Role Paramedic, Firefighter/Paramedic** – Apply at governmentjobs.com/careers/ashlandor. The deadline to apply is April 4.

INNOVATION & TECHNOLOGY (DoIT):

- **City Crews Remove Defunct Satellite Dishes...** In late February, crews from the Electric Department, Ashland Fiber Network (AFN) and the Streets Division worked together to remove eight defunct satellite dishes from City property. The dishes were originally installed in the late 1990s and used for cable TV service, which is no longer provided. With the removal complete, the newly cleared space is expected to be reconfigured for ongoing storage and expanded employee parking, improving efficiency and site utilization for city operations. **This effort reflects the City's commitment to maintaining functional and well-organized infrastructure while adapting to changing service needs.**





City Manager's Report

- **Upgrading VPN** to mitigate cyber-attacks.
- **Computer lifecycle replacements in process...** 20 computers immediately and 60 to 80 by June 1, 2025.
- GIS staff are working closely with the Wildfire Division on a **wildfire risk analysis** for the whole city that considers a range of factors such as vegetation, ladder fuels, slope, aspect and proximity of buildings.
- **GIS Management Team (Lea Richards, Chad Sabotka, Mariane Berry)** will represent the City of Ashland at the ESRI CIO Summit mid-March. This summit is hosted by ESRI, our GIS software company.
- In February, **Dena Adame**, celebrated 25 years with the City! She was also voted Employee of the year, representing Innovation & Technology in 2024. She has been an invaluable asset to the AFN (Ashland Fiber Network) Team and is beloved by both her co-workers and AFN customers.



Dena Adame

PARKS & RECREATION:

- As of February 17, the **Ashland Rotary Centennial Ice Rink is closed for the season**. The rink will reopen in November 2025.
- The first **PROS (Parks, Recreation, Open Space and Senior Services) strategic plan survey is open** through March 15. **The PROS kickoff meeting will be April 8**, at the Ashland Senior Center. Parks & Recreation staff are currently scheduling focus groups and neighborhood meetings to capture as much citizen input as possible.
- **Staff continue to clean up from the storm in early February**. All parks are now open. The Lithia Pickleball Courts sustained fencing and light pole damage and will remain closed until repairs can be made.





City Manager's Report

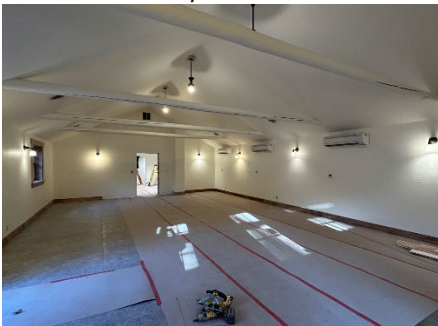
- A huge shoutout to the incredible **Parks Operations crew** for their hard work during the recent snow event. Braving harsh conditions, they cleared snow from parking lots and sidewalks, applied sand and ice-melt to especially icy areas, kept restrooms open, clean and accessible, and removed downed trees from roads and parks—sometimes working alongside the Electric Department. They also installed signage and caution tape to warn the public about high winds, hazardous leaning trees and hanging branches. As access improves, the **Open Space and Trails Team** will conduct hazard assessments on the trail system, reopening trails once they are deemed safe. With the extensive damage to parks and trails, the work is just beginning. Thank you to our Open Space and Trails Team for helping keep Ashlanders safe while they recreate!

POLICE:

- Participated in a **DUI Training** with other agencies at the Jackson County Sheriff's Office.
- Assisted an out of State agency in the **apprehension of a wanted fugitive**.
- Re-established a fully staffed **Records Team**.

PUBLIC WORKS:

- The **renovation of Pioneer Hall is on schedule** and should be completed by spring 2025. Finish work is ongoing with a target completion date of early April. Completion date is driven by the delivery of longer lead items including cabinetry and doors. As such, there is some risk to completion date if currently forecast delivery dates are not met.



- Pioneer Hall



- Pioneer Hall





City Manager's Report

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- The **renovation of the Community Center** is slowly starting to be worked on again as the team takes the direction provided by the MAC and City Council and updates the design and contract to reflect the new work scope. This includes continuing to find new discovered work which needs to be dealt with (the latest has been weak soils and a high water table under Community which has required updated foundation design). The current forecast for completion of Community is late Summer, early Fall 2025

WHAT'S COMING UP?

- **SHOW ME THE MONEY —April 2 through May 21**
If you are over the age of 50, register for the City's OLLI course, **Show Me the Money: Finances of Local Government**, to learn about the City of Ashland's fund structure, revenue streams, major expenses and what the City can and cannot spend money on. Register at sou.edu/olli, starting March 17. Classes will take place via Zoom on Wednesdays, from 1 to 2 p.m., beginning **April 2 and ending May 21, 2025**. For those who can't attend, video recordings will be posted on the City website.
- **ROGUE VALLEY BIKE SWAP**—April 26, Noon to 2:30 p.m.
The **33rd annual Rogue Valley Bike Swap** will be Noon to 2:30 p.m. on Saturday, April 26 at The Grove, 1195 E Main St., Ashland. *Admission to the swap is free! Buy, sell or donate* a bike, parts or accessories at this festive event. Register your bike with the Ashland Police Department, learn about bike events and advocacy efforts in your community, and engage in a youth bike rodeo at 12:30 p.m. *A portion of each sale will go to fund youth bike education programs in local public schools.* **For details on selling, donating, volunteering and more, visit RVTD.org/bikeswap.**
- **Ashland–Sviatohirs'k Aid Project (ASAP)—March 30, 2 p.m.**
In 2023, the City Council unanimously approved a new sister city partnership with Sviatohirs'k, Ukraine. This special relationship supports humanitarian aid and fundraising efforts within the Ashland community to help the residents of Sviatohirs'k overcome the devastation caused by the Russian occupation. Mark your calendars for the next ASAP event, a **benefit concert and informational gathering scheduled at the Ashland High School Mountain Avenue Theatre on Sunday, March 30, 2025, at 2 p.m.** Don't miss this opportunity for world-class entertainment and to show support for our Sister City, Sviatohirs'k. View **ASAP's accomplishments** since 2023 and learn more about our Sister City Program, which includes Guanajuato, Mexico, at ashlandoregon.gov/SisterCities. **"We are Better Together!"**
Details for these and more City events can be found at ashlandoregon.gov, see the Events calendar and the Senior Events calendar.

